

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

T1W

Hand-drawn map on a grid showing a proposed project. The grid is 16 sections wide and 16 sections high. A small square is drawn in the 4th section from the left and 4th section from the top, containing a circle with a dot in the center. The number 16 is written in the 4th section from the left and 4th section from the bottom. The letters T1W are written above the grid. The letters T16W are written to the left of the grid.

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.

Jack L. St. Germain
(Applicant)

MICROFILMED

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

No. 67-7117

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 November 30, 1972

and the last in the issue dated December 7, 1972 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

7th

day of

December

, 19 72

Rene J. Blum

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that JACK L. ST. GERMAIN, Box 66, Emmett, Ida. has on Nov. 13, 1972 submitted Application No. 67-7117 for a permit to appropriate 20 cubic feet per second &/or 20 acre feet per annum of water from Camp Creek, trib. to Weiser River by means of Headgate from reservoir within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 16 N., R. 1 W., B.M., Adams County to be used from April 1 to Oct. 31 for irrigation of 30 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 16 N., R. 1 W., B.M. If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before Dec. 18, 1972.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, Idaho on Nov. 30, 1972 and Dec. 7, 1972.

OK, DM.
12-11-72

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 12 1990

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 67-7117

1. Owner: EDNID E. KROUSH Phone No. 466-4231
Current Address: 110 BENAWAH PL NAMPA ID.

2. Accompanied by: EDNID KROUSH EXAM. DATE: 5-24-88

Address: SAME Phone No. _____

Relationship to Permit Holder: OWNER

3. Source: CAMP CREEK tributary to WEISER RIVER

B. OVERLAP REVIEW

1. Other water rights with same place of use: 67,7116 - DOMESTIC WELL DIFF. P.U.

SAME 1/4 1/4

☐ Copies Attached

2. Other water rights with same point of diversion: 67,7116 DOMESTIC WELL DIFF. P.D.

SAME 1/4 1/4

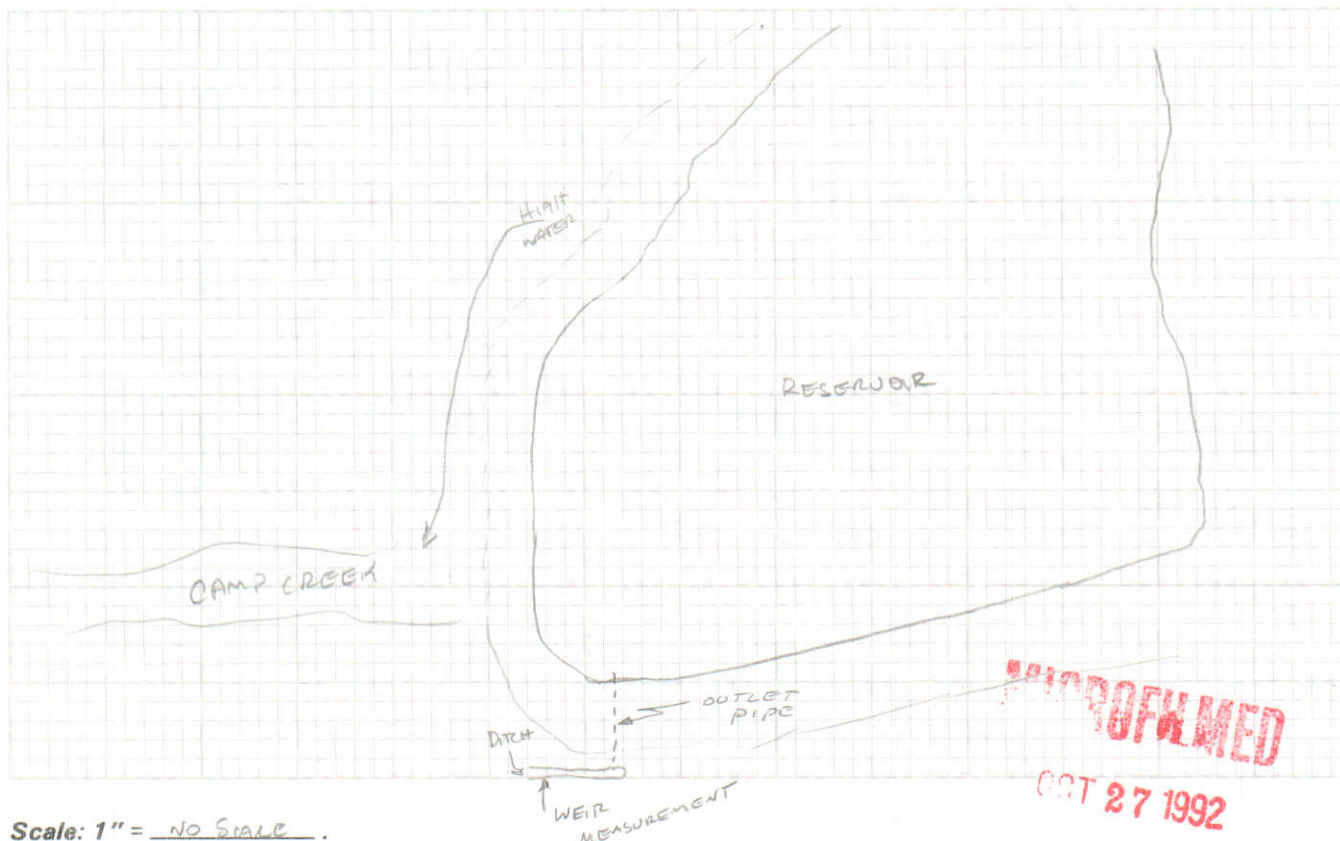
☐ Copies Attached

☐ Copies of Field Exam's Attached

A/SO, 67-07215, domestic well in NWNE S.10, other land - 8/1/8/90

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NO SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

67-7117
T16N - R1W

K-19

p/o point on
1/4-1/4 corner
See Topo

T16N R1W

F#156
T-464
R. HENDERSON

F#199
T-358
C. YATES

Section
Corners

Corrected 1/4-1/4
Lines

P.U.

30 ac

P.D.

POND

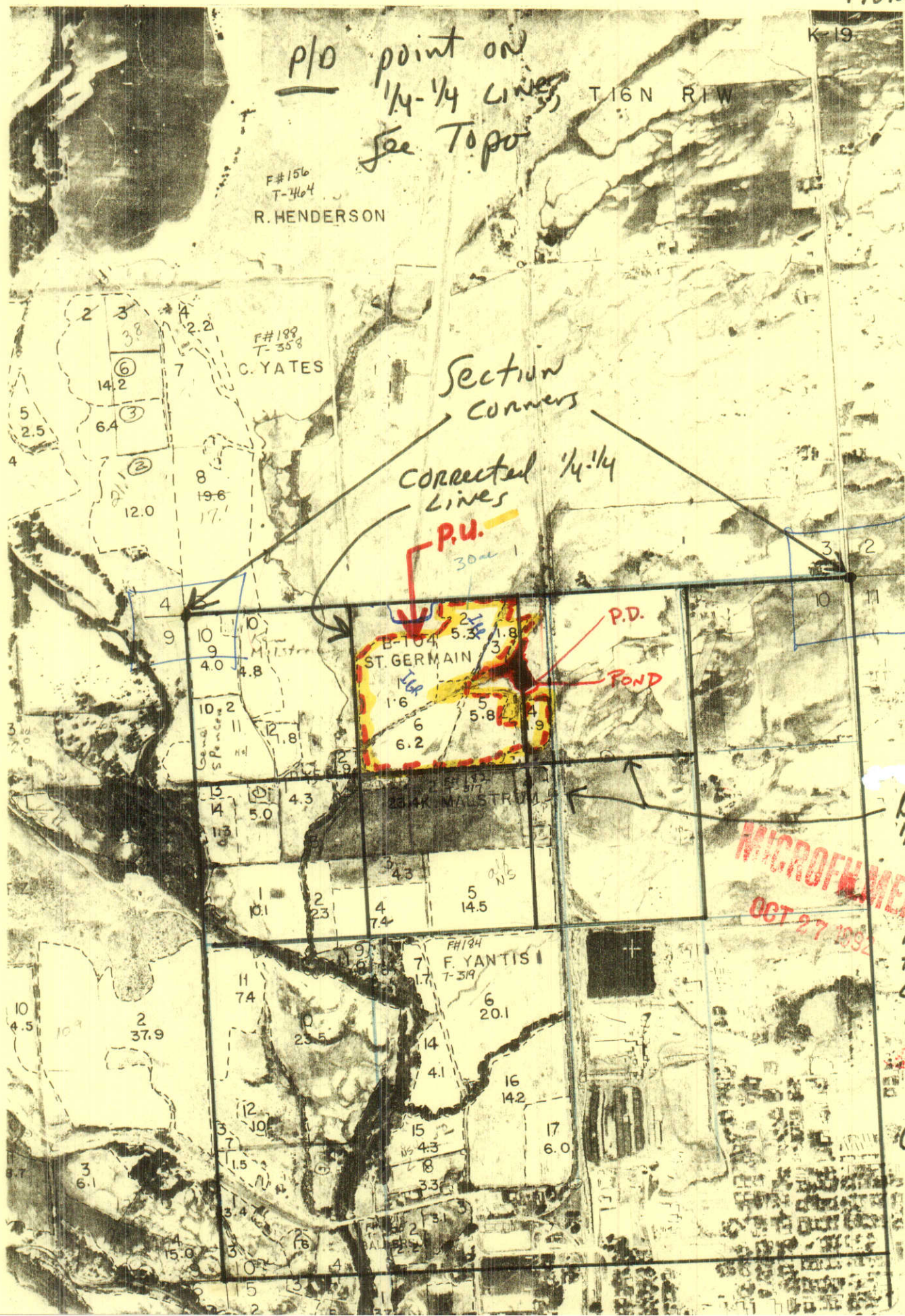
B-104
ST. GERMAIN

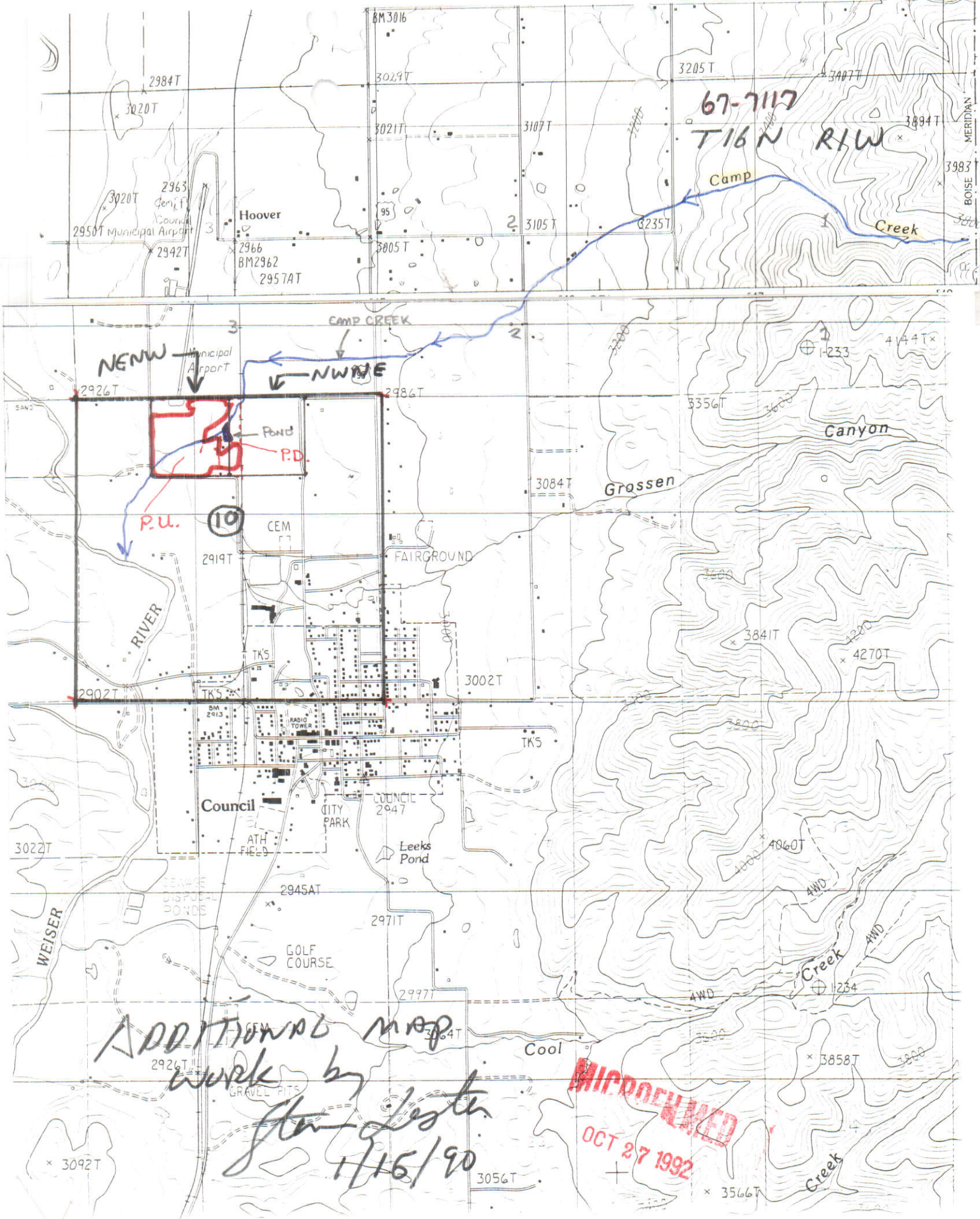
9.1
+ 6.2
5.3
5.8
1.8
1.9

30.1 ac
30 ac
IRRIGATED

Blue
1/4-1/4
Lines
incorrect.
Notice
THAT
E 1/2 of W 1/2
has bigger
tracts
than
others.
(E-W only,
N-S OK).
Steve
Lester
1/16/90

MICROFILMED
OCT 27 1992





67-7117



POND



OUTLET
FROM THE
POND

OCT 27 1992
RECEIVED

67-7117



POINT WHERE
IS DIVERTED
FROM THE
POND

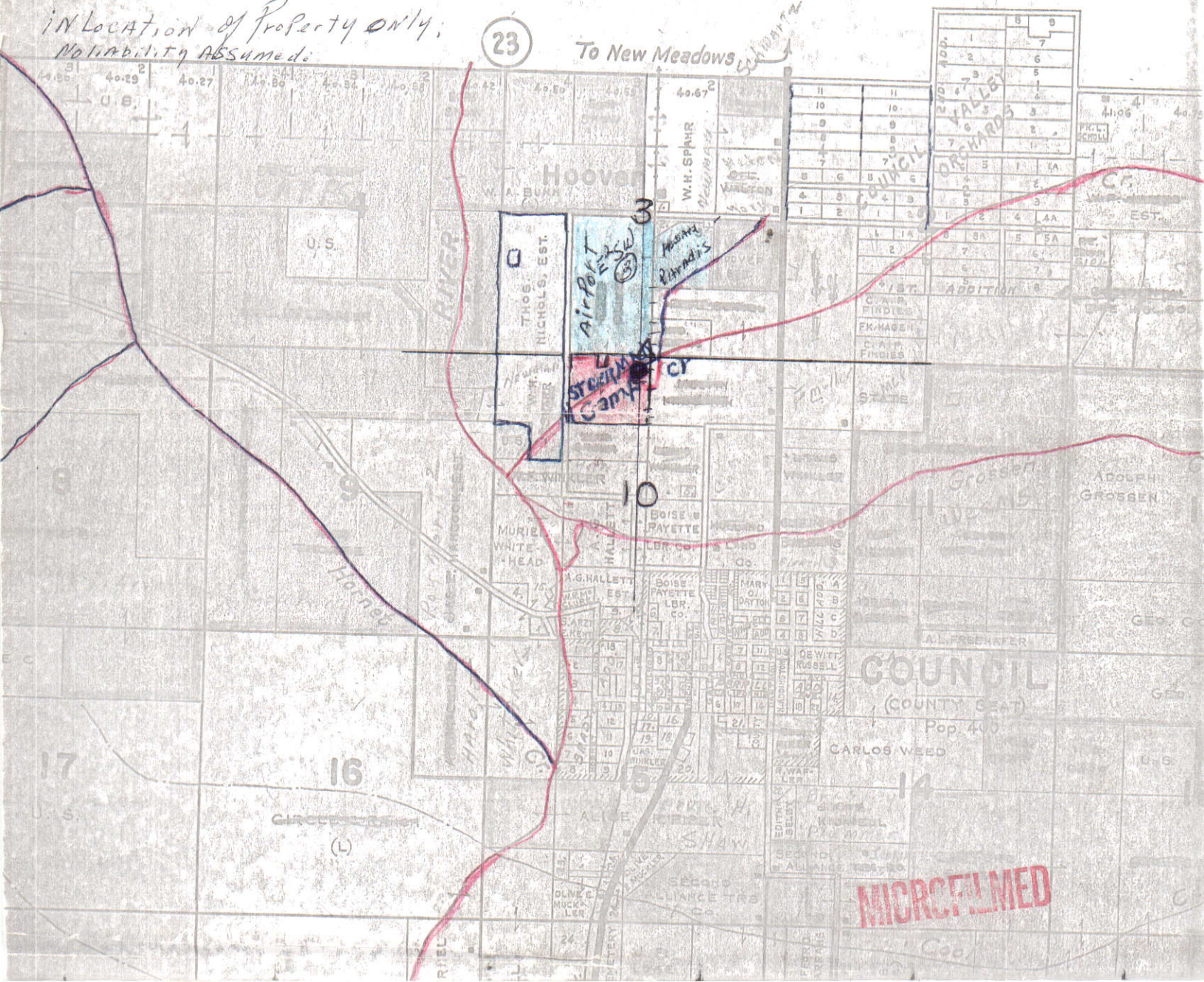


P.U.
Look NE WEST
FLY OUTLET
ON POND

RECEIVED
OCT 27 1992

Sketch is to Assist
in Location of Property only;
No Liability Assumed.

To New Meadows



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 44039	Thomas E. Holmes, Medford, Idaho								67-7074
2 44040	L. D. Warfield, Cambridge, Idaho								67-7074
3 44041	Belle E. Nash, Cambridge, Idaho								67-7074
4 44042	Henry Hansen, Cambridge, Idaho								67-7074
5 44043	R. H. Howard, Cambridge, Idaho								67-7074
6 44044	Louricia A. Bull, Cambridge, Idaho								67-7074
7 44045	Ida Bull, Half Cambridge, Idaho								67-7074
8 44046	Ray Porter, Cambridge, Idaho								67-7074
9 44047	Lee Toney, Cambridge, Idaho								67-7074
10									
11 44048	Jack L. St. Jeannet, Box 66, Council Bluffs, Iowa								67-7117
12 44049	Ray St. Jeannet, Council Bluffs, Iowa								67-7117
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.			

U. S. GOVERNMENT PRINTING OFFICE

Sent by certified mail 2-27-74 by dx

MICROFILMED

WATER RIGHT SPLIT
SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT C.F.S.
Orginial Permit	67-7117	Jack L. St.Germain	.20 cfs
Full Assignment	67-7117	Erid E. Kroush	.20 cfs

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07117

Priority: November 13, 1972

Maximum Diversion Rate:
Maximum Diversion Volume:

0.20 CFS
100.2 AF

This is to certify, that ENID E KROUSH
110 BENAWAH PLACE
NAMPA ID 83651

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated November 13, 1972; and
has submitted Proof of Beneficial Use on January 5, 1979. An examination indicates
that the works have a diversion capacity of .500 cfs of water from:

CAMP CREEK tributary to WEISER RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.20 CFS	97.2 AF
IRRIGATION STORAGE	01/01 to 12/31		3.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		3.0 AF
	Totals	0.20 CFS	100.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 10, Township 16N, Range 01W
NENW , Sec. 10, Township 16N, Range 01W
ADAMS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
16N	01W	10	NWNE 2	NENW 28		30

Total number of acres irrigated: 30

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

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

RECORDED

OCT 27 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07117

CONDITIONS/REMARKS:

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
6. This right when combined with all other rights shall provide no more than 4.0 afa per acre for the lands above.
7. The Department retains jurisdiction to require measuring devices.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 21ST day of SEPTEMBER, 1992.

Acting for R. Keith Higginson, Director

RECEIVED

OCT 27 1992

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO**

IN THE MATTER OF PERMIT	)	
	)	
NO.67-07117 IN THE NAME OF	)	ORDER ADVANCING PRIORITY
	)	
ENID E. KROUSH	)	

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 67-07117 for issuance of a license, the Department finds, concludes and orders:

FINDINGS OF FACT

1. The Department approved Application for Permit No. 67-07117 to appropriate the public waters of the State of Idaho with a proposed priority of **NOVEMBER 13, 1972.**
2. On **APRIL 10, 1987** the Department advised the permit holder that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The examination fee was due on **NOVEMBER 13, 1987**
3. The license examination fee was received on **JUNE 23, 1988**, 379 days pass the due date.

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the license examination fee is late, pursuant to the provisions of **Section 42-217, Idaho Code.**
2. The date of priority of Permit No. 67-07117 should be advanced 379 days.

MICROFILMED

OCT 27 1992

ORDER

IT IS ORDERED that the date of priority of Permit No. 67-07117 is advanced to **NOVEMBER 27, 1973.**

Dated this 24TH day of July, 1991.

for Jim Johnson
Chief, Water Allocation Bureau

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OCT 27 1992

7/6/82

Please send a 1/2 size
picture to

Polyn

Erud E. Howell

110 Bernward Pl

San Francisco

83651

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED

JUL 12 1982

Department of Water Resources

I, Jack L. St. Germain, hereby assign to Chris L. Thomas
of 110 Bennewick Pl. Nampa Idaho 83651
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 67-7112
to appropriate the public waters of the State of Idaho.



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

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

Camp Creek - of the U.S. River
3.0 for irrigation (Reservoir)
3 ac Storage irrigation

Made this 28th day of June, 1982.

Jack L. St. Germain
Permit Holder

Gertrude M. St. Germain
Spouse of Permit Holder

State of Idaho)
County of Canyon) ss.

On this 28 day of June, 1982, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

Velma A. Green
Notary Public residing at

111 Bennewick Pl. Nampa Idaho 83651

Commission expires:

12.15, 1983

RECORDED

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO.)
67-7117 in the name of JACK L. ST. GERMAIN)
_____)

MEMORANDUM DECISION
AND ORDER

On November 13, 1972, Jack L. St. Germain filed with the Department of Water Administration an application to appropriate .20 cubic feet per second of water from Camp Creek, tributary to the Weiser River, with the point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, Twp. 16N, Rge. 1W, B.M., Adams County. The water is requested for the irrigation of 30 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, Twp. 16N, Rge. 1W, B.M.

The Department caused notice of the application to be published in the Adams County Leader, Council, Idaho on November 30, 1972, and December 7, 1972. On December 15, 1972, the Department received a protest against the granting of said application from Ray F. Newman.

As a result of that protest, a conference was held March 19, 1972, in the Courtroom of the Washington County Courthouse, Weiser, Idaho. At that conference the following issues were raised:

- (1) That the granting of the permit would cause injury to an existing water right owned and used by Ray F. Newman for stockwatering purposes and as a help in sub-irrigation.
- (2) That the water supply is insufficient for the purpose for which it is sought to be appropriated.
- (3) That the applicant and the protestant agreed to allow the Department to reach a decision based upon the information contained in the records of the Department, the information contained in the application and protest, and the information obtained at the conference.

Based upon the information in the file, the statements made at the conference, information submitted in the form of maps at the time of the hearing, and the Department's understanding of the law, the Director of the Department of Water Administration makes the following Findings of Fact, reaches the following Conclusions of Law and issue the following Order:

Findings of Fact

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(1) The protestant is holder of a stockwatering right only from Camp Creek and used in the spring and fall of each year only.

(2) There is no direct irrigation used by the protestant and therefore, no irrigation right is held by the protestant.

(3) According to the testimony of the protestant and the applicant, water is available in most years during the spring and fall only, that flood water makes it feasible for the use of the dam to extend the period of water use throughout the summer season.

(4) According to the testimony of the protestant and the applicant, it is then possible for the dam to be located in the Northwest corner of the St. Germain property in such a manner so that irrigation run-off or waste water could return to Camp Creek and could therefore be used by Mr. Newman during the spring and the fall, and perhaps even extend the period of time for use by Mr. Newman.

Conclusions of Law

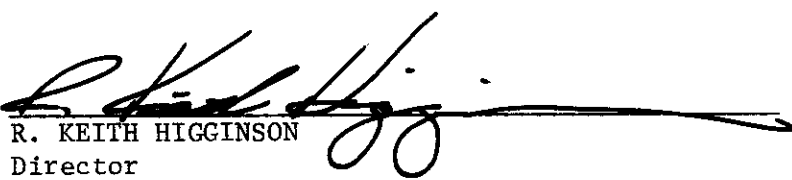
When water is available for appropriation and is sufficient for the purposes intended, then the Department of Water Administration is bound by law to issue a permit to the use of that water to avoid the waste of a valuable resource to the state.

Order

IT IS, THEREFORE, ORDERED and Application for Permit No. 67-7117 is hereby APPROVED subject to the following limitations and conditions:

1. That said permit shall be subject to all prior water rights.
2. That proof of construction of works and application of water to beneficial use shall be submitted to the Department on or before June 1, 1979.
3. Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of entrance to the reservoir and the point of discharge from the reservoir.
4. Use of water under this permit is subject to control by the Water-master of State Water District Number 67, Weiser River.

Dated this 24 day of June, 1974.


R. KEITH HIGGINSON
Director

KHF:JG

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Identification No. _____

Application No. 67-7117

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant JACK L. ST. GERMAIN 565 2295
post office address Box 66, Emmett, Idaho 83617

2. Source of water supply Camp 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 10 Township 16 N.
Range 1 W. 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 SE $\frac{1}{4}$
of NW $\frac{1}{4}$ of Section 10 Township 16 N. Range 1 W. B.M. _____

4. Water will be used for the following purposes:

Amount .20 for irrigation purpose from April 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 3 af for Storage for purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for Irrigation purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .20 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Headgate from reservoir

b. Height of storage dam 10 feet, active reservoir capacity 3.0 acre feet; total reservoir
capacity 3.0 acre feet, materials used in storage dam: _____

Period of year during which storage will occur Jan. 1 to Dec. 31 inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.

b. Estimated construction cost is \$ 500.00.

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: _____

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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	
16 N.	1 W.	10					30												30

Total number of acres to be irrigated 30

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

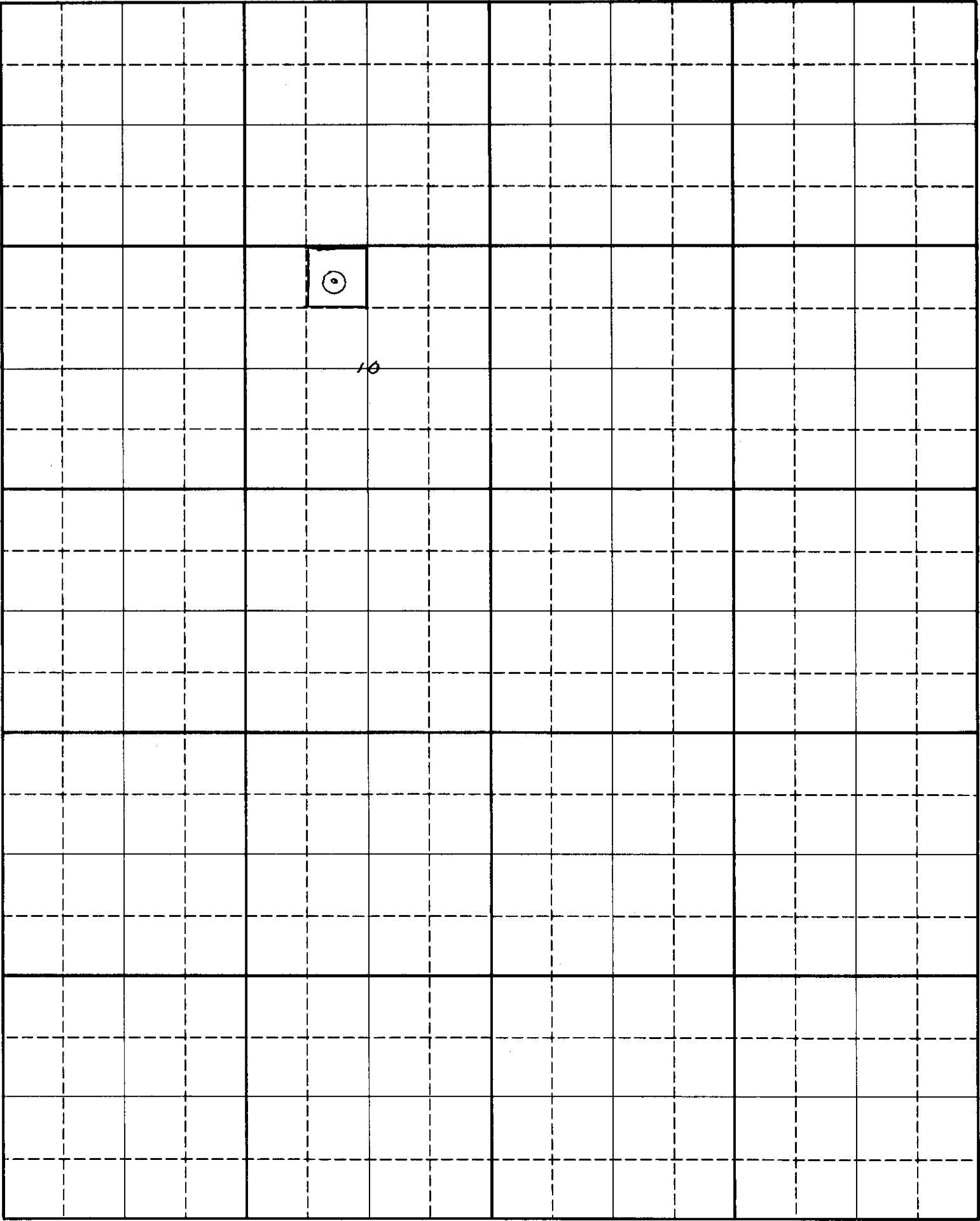
b. Who owns the land to be irrigated or place of use Applicant

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

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

T1W



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.

Jack L. St. Germain
(Applicant)

MICROFILMED

MICROFILMED

proposed priority: 11/13/1972

Received by JES Date 13 Nov 72 Time 1:00
Preliminary check by JES Fee \$ 10.00 net #0042
Receipted by ej Date 11-13-72
Publication prepared by DD Date 11-22-72
Published in Adams County Leader
Publication dates 11-30 + 12-7-72
Publication approved DD Date 12-11-72
Priority reduced to _____ Reason _____

Protests filed by: Roy F. Newman, Star Rt., Council, Ida.

Copies of protests forwarded by DD
Hearing held by _____ Date _____
Recommended for approval denial 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. 67-7117, 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, 1979.
- c. Other: Pursuant to Memorandum Decision and Order dated June 24, 1974.

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

Witness my hand this 24 day of June 19 74.

R. Kirk Higin
Director

Affidavit of Publication

State of Idaho, County of Adams, ss:

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

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

No. 67-7117

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 November 30, 1972

and the last in the issue dated December 7, 1972 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 7th

day of

December, 1972
Rene J. Blum

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF APPLICANT
JACK E. ROBERTSON, JR.
Resident of Adams County, Idaho
Residing at Council, Idaho
Application No. 67-7117
for a permit to appropriate
water from Camp Creek, trib. to Weiser
River by means of Headgate from
reservoir within the NE 1/4 NW 1/4,
Sec. 10, T. 18 N., R. 1 W., B.M.,
Adams County to be used from
April 1 to Oct. 31 for irrigation of
30 acres within the NE 1/4 NW 1/4,
Sec. 10, T. 18 N., R. 1 W., B.M.
If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with the
Idaho Department of Water Ad-
ministration, Statehouse, Boise,
Idaho, 83707, on or before Dec.
18, 1972.
R. KEITH HEGGINSON
Director
Published in the Adams County
Leader, Council, Idaho on Nov.
30, 1972 and Dec. 7, 1972.

OK. OK.
12-11-72

MICROFILMED

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

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day of

December, 1972

Rene J. Blum

Notary Public for Idaho,
Residing at Council, Idaho

MICROFILMED

OK, DBL.
12-11-72

September 25, 1992

ENID E KROUSH
110 BENAWAH PLACE
NAMPA ID 83651

RE: WATER RIGHT NO. 67-07117

Dear Water Right Holder(s):

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

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED
OCT 27 1992

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 67-7117

FROM: SHARLA CURTIS

RE: PRIORITY ADVANCE REVIEW

DATE: 24-JUN-1991

This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

	<u>DATE</u>	<u>JULIAN</u>
PERMIT		
Permit priority Date:	NOVEMBER 13 1972	317
EXAM FEE NOTICE		
Exam Fee Notice Date:	APRIL 10 1987	100
Exam Fee/Info Sheet Received Date:	JUNE 23 1988	539
Exam Fee or Info Due Date:	JUNE 09 1987	160
Days Late:		379 DAY(S)
NEW PRIORITY DATE		
Original Priority Date:	NOVEMBER 13 1972	317
Total Days Late:		379 DAY(S)
New Priority Date:	NOVEMBER 27 1973	331

MICROCK MED
OCT 27 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 12 1990

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 67-7117

1. Owner: EDNID E. KROUSH Phone No. 466-4231
Current Address: 110 BENAWAH PL NAMPA ID.

2. Accompanied by: EDNID KROUSH EXAM. DATE: 5-24-88
Address: SAME Phone No. _____

Relationship to Permit Holder: OWNER

3. Source: CAMP CREEK tributary to WEISER RIVER

B. OVERLAP REVIEW

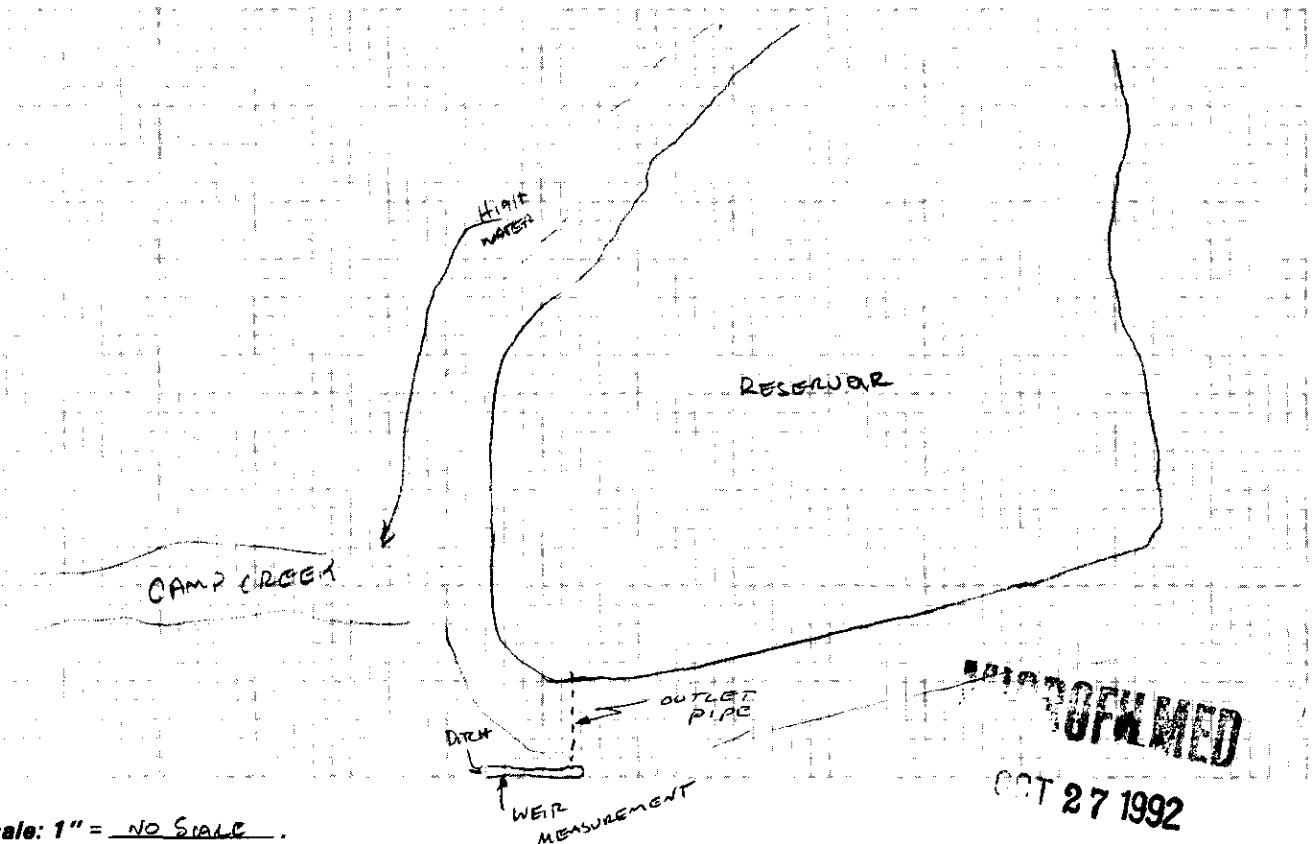
1. Other water rights with same place of use: 67,7116 - DOMESTIC WELL DIFF. P.D.
SAME 1/4 1/4 ☐ Copies Attached

2. Other water rights with same point of diversion: 67,7116 DOMESTIC WELL DIFF. P.D.
SAME 1/4 1/4 ☐ Copies Attached ☐ Copies of Field Exam's Attached

Also, 67-07215, domestic well in NWNE S.10, other land - 8/11/89

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NO SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

THIS SYSTEM CONSISTS OF A SMALL RESERVOIR WHICH HOLDS IN-STREAM STORAGE OF 300-FT OF WATER IN CAMP CREEK. DURING HIGH WATER CAMP CREEK IS DIVERTED AROUND RESERVOIR. AT THE OUTLET OF THE RESERVOIR THERE IS A HEAD GATE WHICH WATER IS LET THROUGH TO DITCHES WHERE FLOOD IRRIGATION IS USED TO IRRIGATE LAND.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A					

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	NW	10	16N	1W	ADAMS	USGS QUAD + AERIAL PHOTO
			NW	NE	10				P10 = single point on 1/4-1/4 line.
									SEE ATTACHMENT A
									Remarks.

6. Place(s) of Use:

Indicate Method of Determination AERIAL PHOTO

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	1W	10					~~30~~											30 ac	
				2			28												

Do not use this space

OCT 27 1992

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
CIPOLLETTI	DWR #5					
WEIR						
CREST LENGTH 14						

2. Measurements:

= MEASURED .28 FT OF HEAD OVER WEIR
 FROM WATER MEASUREMENT HANDBOOK TABLE 4
 $H = .28'$ $Q = .502$ cfs
 = POND 15' ABOUT 150' WIDE & 350' FT LONG BUT
 IS NOT A RECTANGLE $A \approx 1$ acre DEPTH ABOUT 3 FT DEEP

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

ESTIMATE CAPACITY OF 3-in. PT

1. Measured Method:

* Estimated ditch flow
 WEIR $Q = .502$ cfs $> .2$ cfs so O.K. ✓

2. Alternate Method for Checking Purposes:

$Q = VA$
 → FLOATING STICK METHOD: $A = 2.5' \times .75' = 1.875$ ft²
 $A = \frac{2}{3} (2.5 \times .75) = 1.25$ ft²
 $V = 2$ ft/sec FLOATING STICK .5 FT IN 1 sec
 $Q = .625$ cfs $> .502$ cfs
 CLOSE ✓

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
 Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 30 \text{ ac} \times 3.5 \text{ af/season} = 105 \text{ af/annum}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .2 \text{ cfs} \times 214 \text{ days} \times 1.9835 = 84.9 \text{ af}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 84.9 \text{ af}$

2. Volume Calculations for Other Uses:

RECEIVED
 OCT 27 1992

* JL 11/16/90

H. REMARKS AND OVERLAP REVIEW ANALYSIS

* Note that $\frac{1}{4}$ - $\frac{1}{4}$ Lines on ASCS photo (blue lines) were in error for East-west widths of tracts. North-south lengths of tracts were fine. Corrected tract lines are shown in black on ASCS photo, and this results in NWNE & NENW inclusion in pld's p/w. Based on examiner's information, in-stream storage occurs where the pld may be considered the "dam" or headgate outlet on Fract line (per WGS topo) &/or may be considered the stretch of creek that intersects the pond along pond's N. boundary. In either case, the pld occurs in both tracts and should be licensed as such. Also, I recommend allowing Irrig. from storage (3.0 acf) as a use even though this use is not on the permit. It seems that the Dept. should have corrected this oversight in the permit approval process. Note that permanent measuring devices were not found, despite Memo. Dir.'s Order of 6/24/1974. Examiner used IOWR portable weir for measurement.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (acf)
	From	To		
IRRIGATION	APRIL 1	OCT. 31	.2 cfs	84.9 acf
STORAGE FOR IRRIGATION	1/1	12/31		2 acf
Irrigation from Storage	April 1	Oct. 31	—	3.0
Totals:			.2 cfs	84.9

* → Assume should add since was oversight in approving permit &

2 Limited per allowable diversion rate, see Vol. 2.

2. Recommended Amendments

- * ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name QUENTIN NESBITT
 Signature Quentin Nesbitt
 Certification Date _____
 Field Report Preparation Date 8-24-88

CONSULTANT SEAL

Review and
 * changes by
Ava Lester
 1/16/90

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



MICROFILMED

OCT 27 1992

67-7117
TIBN - RIW

p/o point on
1/4-1/4 line
for Topo

F#156
T-344
R. HENDERSON

F#188
T-358
C. YATES

Section
Connect

Corrected $\frac{1}{4}$ - $\frac{1}{4}$
- Lines
- P.U.

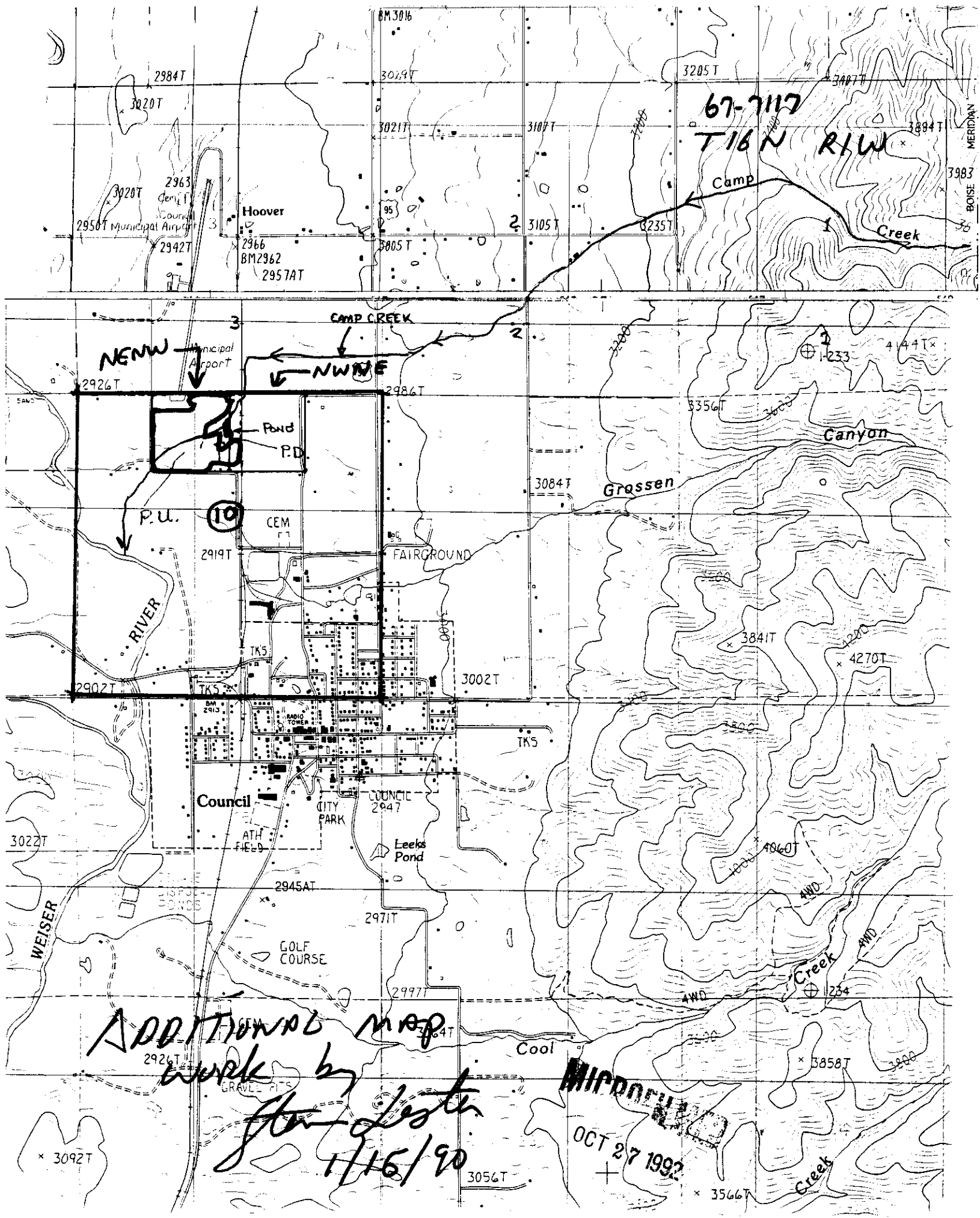
P.D.

FOND

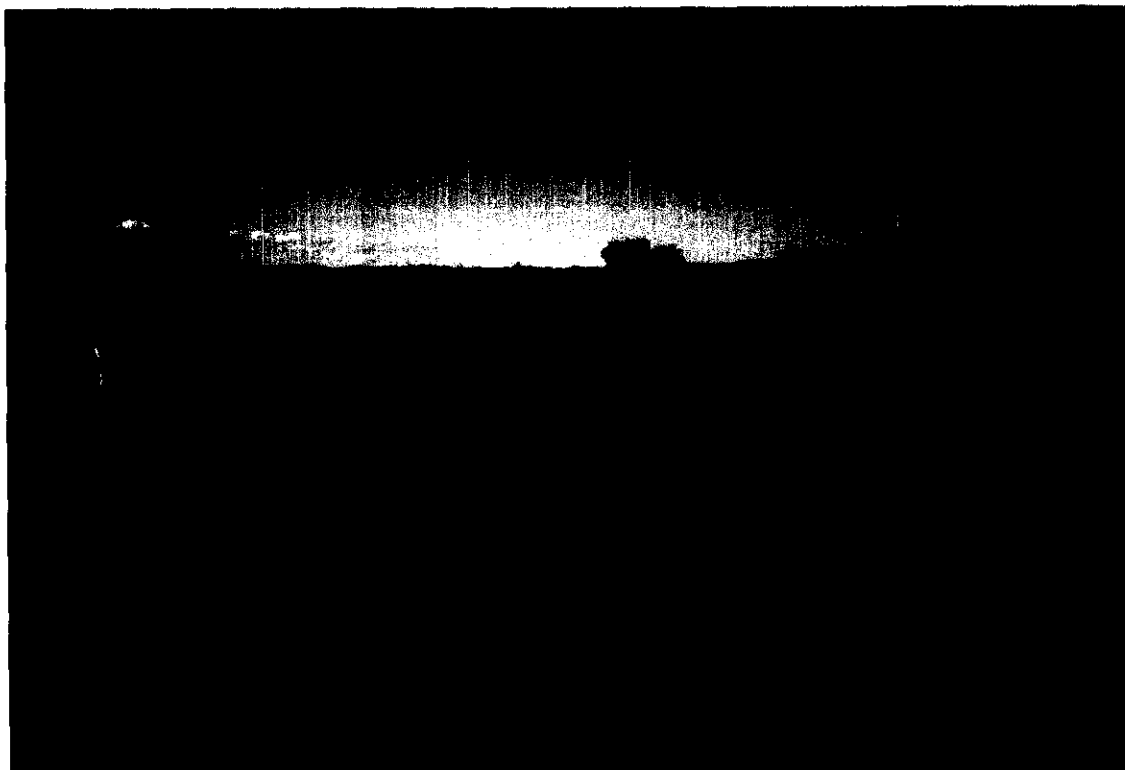
$$\begin{array}{r} 9.1 \\ + 6.2 \\ \hline 5.3 \\ 5.8 \\ 1.8 \\ \hline 1.9 \end{array}$$

30 ac.
IRRIGATED

B/w
1/4-1/4
Lines
misread.
Notice
THAT
E 1/2 of W 1/2
has bigger
tracts
than
others.
(E-W only,
N-S OK).
Have
done
1/16/90



67-7117



P. 112

P. 112

T. 112

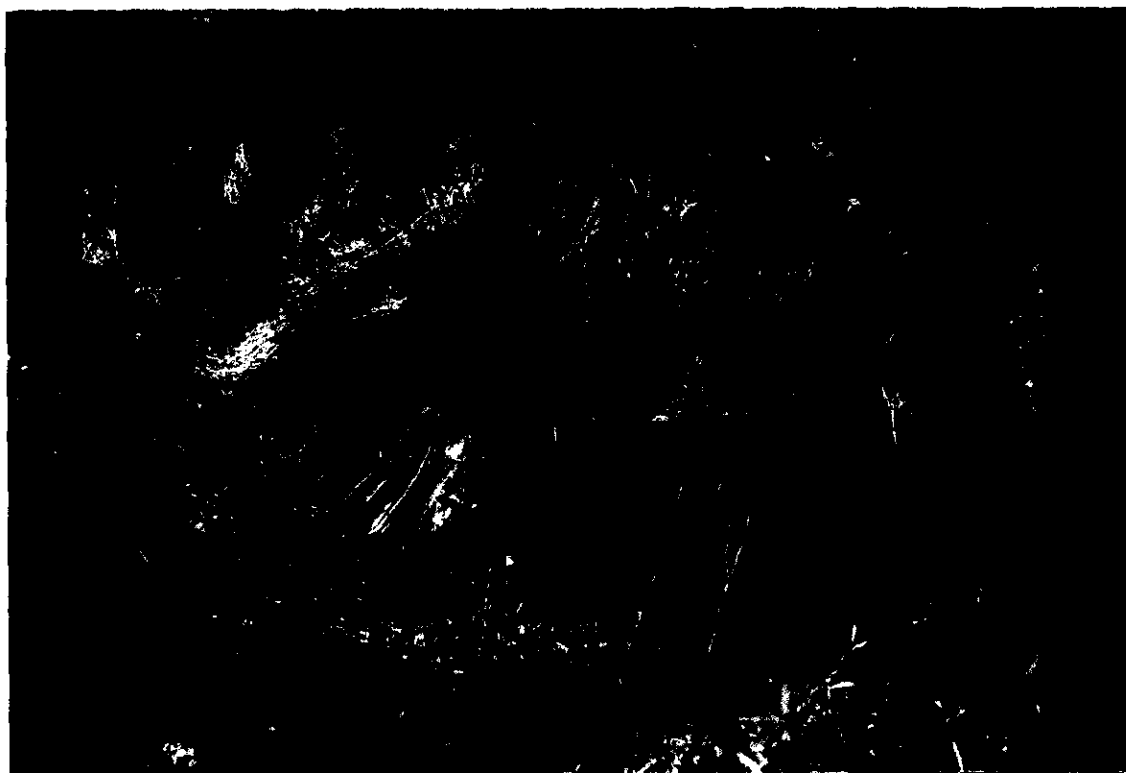


OUTSIDE
F. 112
T. 112

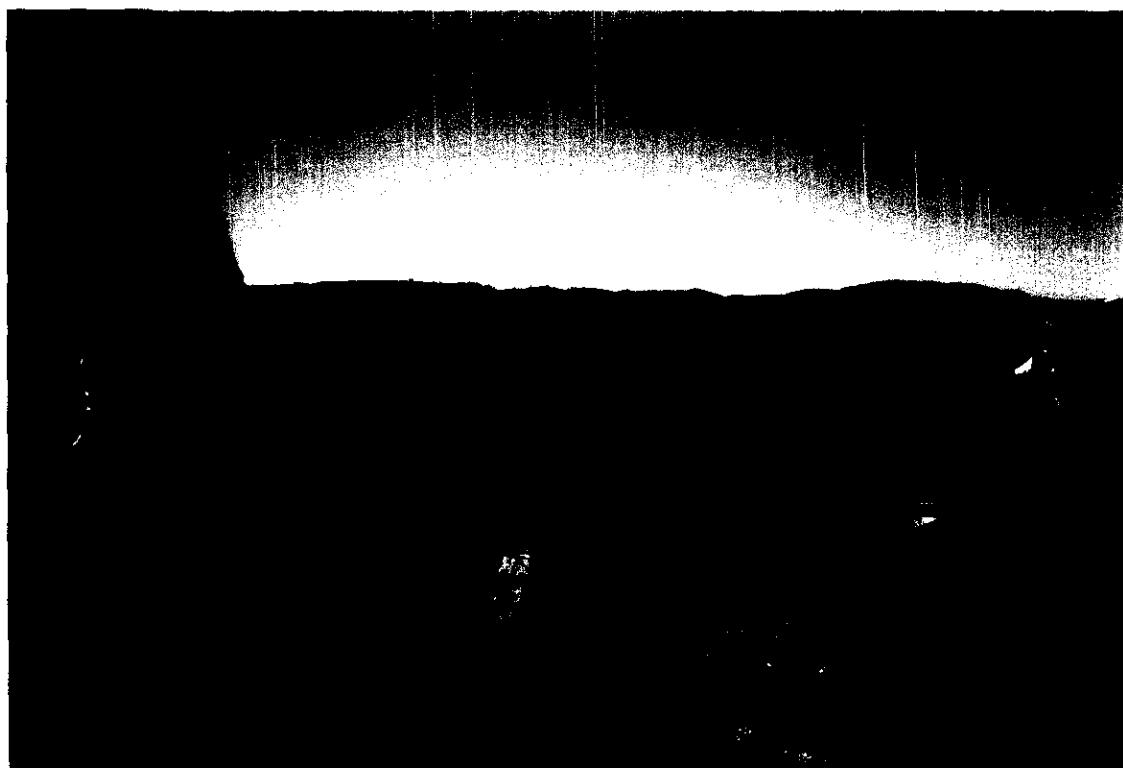
OCT 27 1992

RECEIVED

67-7117



PONT WHEEL
IS DUE
P.D.



P.U.

RECEIVED
PT 27 1992

W. Nelson
2735 Aug 1 day
4/86 334 2190

KEYPINCHED

For Office Use Only
Fee Received \$50.00
Date 5/19/1988
Receipt # W000220
Receipt by DRS
Sent to S.O. 5/24/88

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

RECEIVED
JUN 23 1988

1. Permit No. 67-7117

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

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

2. Permit Holder: ENID E. KROUSH

3. Post Office Address: 110 Benawah Pl.
Nampa Id Telephone No. 466-4231

4. Source of Water: Camp Creek

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 30 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 0.20 cfs _____ acre-feet

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

1972

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

Same as above

(Name)

OCT 27 1982

(Address)

(Telephone Number)

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

Date

5/19/88

Signature of Permit Holder (and title, if appropriate)

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

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

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

Checks should be made payable to the
Department of Water Resources

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

67-7117
KROUSH, ERID E.
110 BENAH PL
NAMPA, ID 83651

May 5, 1988

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on June 9, 1988, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on April 10, 1987.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before August 8, 1988, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

L. GLEN SAXTON, Chief
Operations Bureau

Enclosure

RECORDED

OCT 27 1992



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

67-7117
KROUSH, ERIC E.
110 BENAWAH PL
NAMPA, ID 83651

138199

April 10, 1987

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

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

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

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

MAILED

OCT 27 1992

July 19, 1982

RE: Permit No. 67-7117

Erid E. Kroush
110 Benewah Rd.
Nampa, ID 83651

Dear Mr. Kroush:

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

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

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

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosures

RECEIVED
JUL 20 1982
FBI



ate of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 8, 1982

Mr. Jack L. St. Germain
Star Route
Council, ID 83612

Dear Mr. St. Germain:

Re: Permit No. 67-7117

In a phone call to this office, your daughter asked that an assignment form be sent to you for the purpose of assigning Permit No. 67-7117 in her name as the new owner.

The assignment form should be completed and signed before a notary public and returned to this office. Assigning the permit over to the new owner at this time will allow the permit to be licensed under the current owner's name when final action has been completed by the department.

If you have any questions or need further assistance, please feel free to contact us.

Sincerely,

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

February 7, 1979

Jack L. St. Germain
Star Route
Council, ID 83612

Dear Mr. St. Germain:

Re: Permit No. 67-7117

This office acknowledges receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Please note that as a condition of the permit a measuring device must be installed prior to the completion of the field exam. I have enclosed a sheet showing the types of measuring devices accepted by the Department.

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

If you have any questions regarding the field examination, please contact our regional office in Boise (384-2190).

Sincerely,

RITA FLECK
Sr. Secretary

Enc: 1

MICROFILM

RECEIVED

JAN 5 1973

Department of Water Resources
Western Regional Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Identification No.

Permit No. 67-7117

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Jack L. St. Germain
b) Post Office Address Star Route, Council, Id
2. Permit Number 67-7117
3. Date of Priority that you are prepared to establish 11/13/1972
4. a) Source from which water was appropriated Camp Creek + Childers ranch
b) Location of the point of diversion: N-E 1/4 N-W 1/4, Section 10
Township 16-N, Range 1-W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.20 for irrigation purposes from April 1 to Oct 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 3.4-F for Storage 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)
b) Total amount appropriated 0.20 C.F.S - 3.4 F 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: _____
X
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: N.A.
b) Describe the agreement or understanding by which you take water from the works: N.A.
X
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) _____
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well driller's name and address and the date the well was completed: N.A.
X
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: N.A.

MICROFILMED

Exam typed 1-24-79 by mf

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	1W	18					30												30

Total number of acres irrigated 30.1

10. Remarks: Proof of water to beneficial use shall
be submitted on or before June 1 - 1979
1 dead gate, been in ditch since - 1974.
Please advise us if we are unacceptable without permit
Permit NO. 67-7117

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

December 37/1978
(Date)

Jack L St Germain
(Signature) Star Route
Council Idaho

State of IDAHO)
County of ADAMS) ss.

On this 27 day of December, 19 78, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at
Council Idaho 83612

My commission expires LIFETIME

J. H. L. St. Martin
Star Route
Council, Idaho
- 83612 -

U.S. POSTAGE



C. Stephen, Allred.



RETURN RECEIPT
REQUESTED

REGISTERED
NO. 617

92- South Cole Road

Boise Idaho

- 83705 -

535348

☐ HOLD

DATE

1ST NOTICE

2ND NOTICE

RETURN

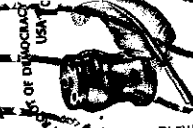
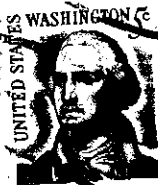
IDENT. No. 67-7117

ID 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]

Ch & St Hermans
Star Route
Council Idaho
- 83612 -



C. Stephen Alford Director
Water Resources 92.5.
Cole Road Boise
Idaho

- 83705 -

CERTIFIED

No260512

MAIL

December 22, 1978

Mr. Jack L. St. Germain
Star Route
Council, ID 83612

Dear Mr. St. Germain:

Re: Permit No. 67-7117

Enclosed is the Proof of Beneficial Use form you submitted in October. Please be advised that the proof is unacceptable since it was not signed and notarized. Also please note that a measuring device is a requirement of permit (condition #3 on the Memorandum Decision and Order dated June 24, 1974), and the Department will not issue a water license until all the conditions have been met on the permit.

If you have any questions concerning this matter, please contact this office.

Sincerely,

RITA FLECK
Secretary

Enc: 1

June 26, 1974

Re: Permit No. 67-7117

Jack L. St. Germain
Box 66
Emmett, Idaho 83617

Dear Mr. St. Germain:

Enclosed is a copy of your approved Application for Permit No. 67-7117 along with a copy of the Memorandum Decision and Order. We direct your attention to the conditions of approval as listed in the Order.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of discharge from the reservoir and at the point of entrance to the reservoir. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:fr
Enclosures
cc: Roy F. Newman

Enclosure

RECEIVED

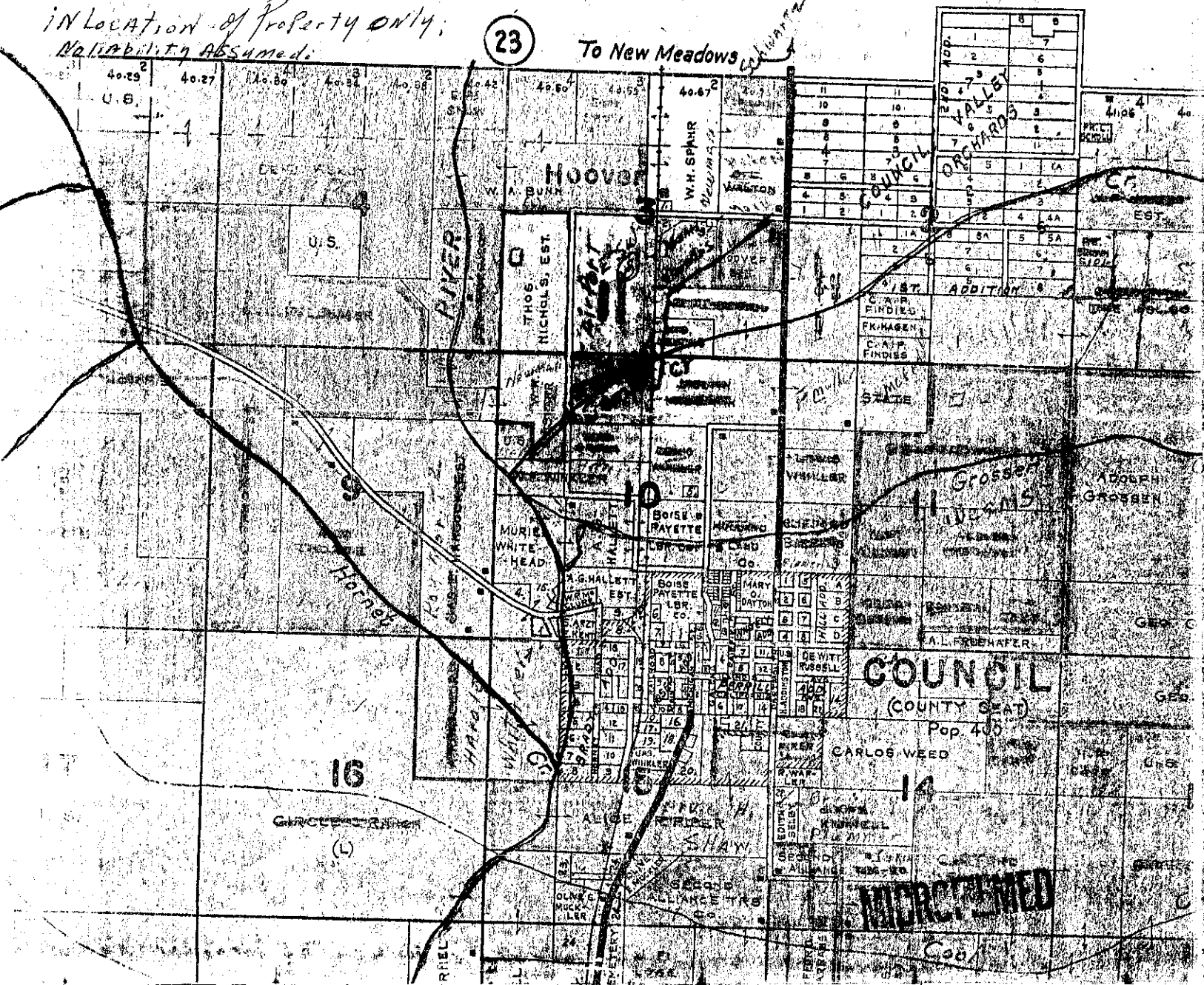
TOWNSHIP 16 N., RANGE 1 W. B. M.

ADAMS COUNTY, IDAHO

Sketch is to Assist
in Location of Property only;
Reliability Assumed.

23

To New Meadows



Return to:

Jack St. Germain

Box 66

Emmett, Idaho 83617

365-2295

65-7117

MAILED
JUN 10 1965

INTER-DEPARTMENT MEMO — 1

DATE June 14, 1974

FROM Kenneth H. Foit

TO File #67-7117

SUBJECT Error in Application Amount

The original application was found to be in error and improperly filed because the application fee of \$10.00 did not agree with the original rate of diversion of 0.60 cubic feet per second and 3.0 acre feet per annum. The applicant was then contacted by telephone by James Booker and a more realistic figure of .20 cubic feet per second for a rate of diversion and 3.0 acre feet per annum for quantity was obtained. The application was then to be revised showing these changes to agree with the fee amount of \$10.00 rather than increasing the fee to \$25.00. A letter was to be sent to Mr. Jack L. St. Germain to confirm this in writing, but was not done. Therefore, we had no record of why there was a difference between the original application and the file copy. Upon review of the original application #67-7117, it was found that the amount had been improperly changed to show .20 cubic feet per second and .20 acre feet per annum. This is incorrect and it should read .20 cubic feet per second and 3.0 acre feet per annum storage. This will then agree with paragraph 4, paragraph 6, and the fee submitted with the application.

MICROFILMED

SIGNATURE

CONFERENCE MEMORANDUM

To: File #67-7117 - Jack L. St. Germain

From: Bob Fleenor **BF**

Date: 3/20/74

On March 19, 1974, a conference was held to consider the protests against approval of Application for Permit No. 67-7117, in the name of Jack L. St. Germain. The applicant and the protestant, Roy F. Newman, were present at that conference.

During the conference it was determined that the extent of the protestant's water right was for stockwatering purposes during the early spring and late fall. He was mainly concerned about the general water supply in the vicinity, rather than specific injury to his own water rights.

The applicant and the protestant both agreed to allow the Department to reach a decision based upon the information contained in the records of the Department, the information contained in the application and protest, and the information obtained at the conference.

MERCELLAND

67- 7117

Applicant

Jack St. Germain

Attorney -

Protestant

~ Roy F. Newman

Attorney -

Issues

- 1 Injury to existing right
- 2

Need clarification of Q 3.0 AF not sufficient to irr. 30 acres -

Newman right

1. Stockwatering only from Camp Creek in Spring and Fall
2. No irrigation.

MICROFILMED

We the undersigned hereby authorize the department of Water Administration to make a determination on application for permit no 67-7117 and issue a decision based upon the information contained in the records of the department the information contained in the application and protest and the information obtained at the conference held at Weiser on ~~April~~^{DDF} March 19, 1974.

Signed at Weiser, Idaho this 19th day of March 1974

Jack L St Germain
Jack L. St. Germain, Applicant

Ray F Newman
Ray F. Newman, Protestant

MICROFILMED

65-7117 - Jack St.Germain

Courtroom, Washington County Courthouse, Weiser, Idaho

March 19, 1974 - 1:00 pm

ROSTER OF ATTENDANCE

<u>Name</u>	<u>Address</u>	<u>Representing</u>
Roy Newman	Council	
Mrs J. L. St.Germain	Emmett	
Jack L St Germain	Emmett	

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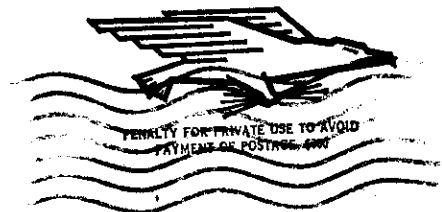
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Ray F. Newman

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1 44039	Thomas E. Holmes, Medford, Idaho									67-7074
2 44040	L.D. Warfield, Cambridge, Idaho									67-7074
3 44041	Belva E. Neak, Cambridge, Idaho									67-7074
4 44042	Henry Hansen, Cambridge, Idaho									67-7074
5 44043	R. H. Howard, Cambridge, Idaho									67-7074
6 44044	Louise A. Bull, Cambridge, Idaho									67-7074
7 44045	Ida Bull, Hall, Cambridge, Idaho									67-7074
8 44046	Way Porter, Cambridge, Idaho									67-7074
9 44047	Let Torrey, Cambridge, Idaho									67-7074
10										
11 44048	Jack H. St. Hansen, Box 66, Council Bluffs, Iowa									67-7117
12 44049	Ray D. Newman, Council Bluffs, Iowa									67-7117
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PS Form 3871-A—Feb. 1972

U.S. GOVERNMENT PRINTING OFFICE

Sent by certified mail 2-27-74 by lt

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In the Matter of Protest Against Approval)
)
of Application for Permit No. 67-7117 in)
)
the name of JACK L. ST.GERMAIN)
)

On November 13, 1972, Jack L. St.Germain filed with the Department of Water Administration an application to appropriate the public waters of the State of Idaho. On December 15, 1972, the Department received a protest against approval of said application from Ray F. Newman.

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.

Dated this 27th day of February, 1974.

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STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

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

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

February 27, 1974

Washington County Courthouse
Clerk of the District Court
Weiser, Idaho 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, March 18, 1974 at 9:30 a.m. and 1:00 p.m., and on Tuesday, March 19, 1974 at 9:30 a.m. and 1:00 p.m.

Thank you for your cooperation in this matter.

Sincerely,

DEANNA E. FELDT
Secretary

DEF:d

MICROFILMED

December 18, 1972

Re: Application for Permit No. 67-7117

Mr. Jack L. St. Germain
Box 66
Emmett, Idaho 83617

Dear Mr. St. Germain:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application 67-7117. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

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

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

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

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

If we may be of any assistance, please contact us.

Sincerely,

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

Enclosure

KHF:def

MICROFILMED

December 18, 1972

Re: Application No. 67-7117 Jack St. Germain

Mr. Roy F. Newman
Star Route
Council, Idaho 83612

Dear Mr. Newman:

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.

Sincerely,

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

KHF,def

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2
RECEIVED

Department of Water Administration

Council, Idaho
December 12, 1972.

Mr. R. Rieth Higginson, Director
Idaho Department of Water Administration
Statehouse
Boise, Idaho 83707

Dear Sir:

I am writing to protest the application of
Mr. Jack L. St. Germain No. 67-7117 to appropriate
.20 cubic feet per second &/or 20 acre feet per
annum of water from Camp Creek, tributary to the
Weiser River.

This water has run through our property ever since
the existing diiches were established, some forty
years or so, for stock water and as a help in
sub-irrigation.

Please notify me as to the future necessary
proceedure in this matter.

Very truly yours,

Ray F. Newman

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Roy Newman
Star Route
Council, Idaho 83612

**RETURN RECEIPT
REQUESTED**

CERTIFIED

No. 498207

MAIL

Mr. R. Keith Higginson, Director
Idaho Department of Water Administration
State House
Boise, Idaho 83707

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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

November 22, 1972

Re: Application for Permit Nos. 67-7117 Jack St. Germain
67-7118 Max G. or Marie Gerlach
67-7119 Max G. or Marie Gerlach
Claim to a Water Right No. 67-4032 Dorothy L. Hoeme

Adams County Leader
Council, Idaho 83612

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,

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that JACK L. ST.GERMAIN,
Box 66, Emmett, Ida.

has on Nov. 13, 1972 submitted Application No. 67-7117
for a permit to appropriate .20 cubic feet per second &/or 20 acre feet
per annum of water from Camp Creek, trib. to Weiser River
by means of Headgate from reservoir
within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 16 N., R. 1 W., B.M., Adams County

to be used from April 1 to Oct. 31
for irrigation of 30 acres
within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 16 N., R. 1 W., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before Dec. 18, 1972.

R. KEITH HIGGINSON

Director

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Published in the Adams County Leader, Council, Idaho
on Nov. 30, 1972 and Dec. 7, 1972