

**AFFIDAVIT  
OF  
PUBLICATION**

STATE OF IDAHO, } S.S.  
COUNTY OF BOISE

T.R. Adams, being duly sworn, deposes and says: That he is the manager and principal clerk of THE IDAHO WORLD a weekly news paper published at Idaho City, in the County of Boise and state of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper

once a week for Two consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication, and was published in the newspaper proper and not in a supplement; that said paper has been established and regularly and continuously published for more than seventy-eight weeks past previous to the first publication of this notice. Such notice was published in the issue beginning with April 30, 1970 and ending with the issue of

May 7, 1970, 1970  
Fees \$..... T.R. Adams

Subscribed and sworn to before me this 22 day of May

1970  
Richard M. Bogan  
Clerk District Court

Deputy

**NOTICE OF EXISTING  
WATER PERMIT**

Notice is hereby given that KTVB, Inc., 709 Idaho Street, Boise, Idaho, has received an approved permit No. 28131/63-3169 issued by the Idaho State Reclamation Department authorizing the diversion of .06 cubic feet per second of water from an unnamed stream subject to all prior rights. The priority to be established under this permit is September 1, 1959 and the permit was approved September 11, 1959.

Water is to be diverted by a pipe and pump from a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 21, T. 5N., R. 3E., B.M., Boise County, to be used for domestic and industrial purposes in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 21, T. 5N., R. 3E., B.M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before Sept. 11, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

**R. KEITH HIGGINSON**  
State Reclamation Engineer  
Published in the Idaho World  
Idaho City, Idaho, on April 30  
and May 7, 1970.....

RECEIVED  
JUN 3 1970  
Department of Reclamation

*dy  
OK  
6-5-70*

**WATER PERMIT**

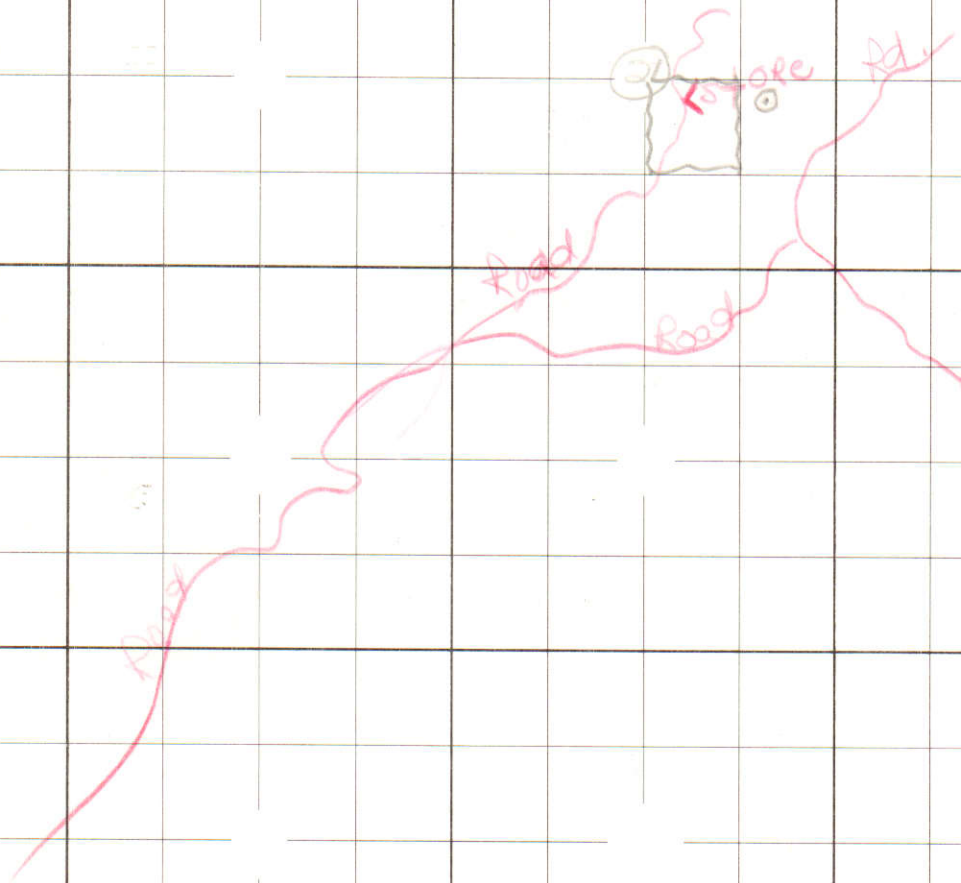
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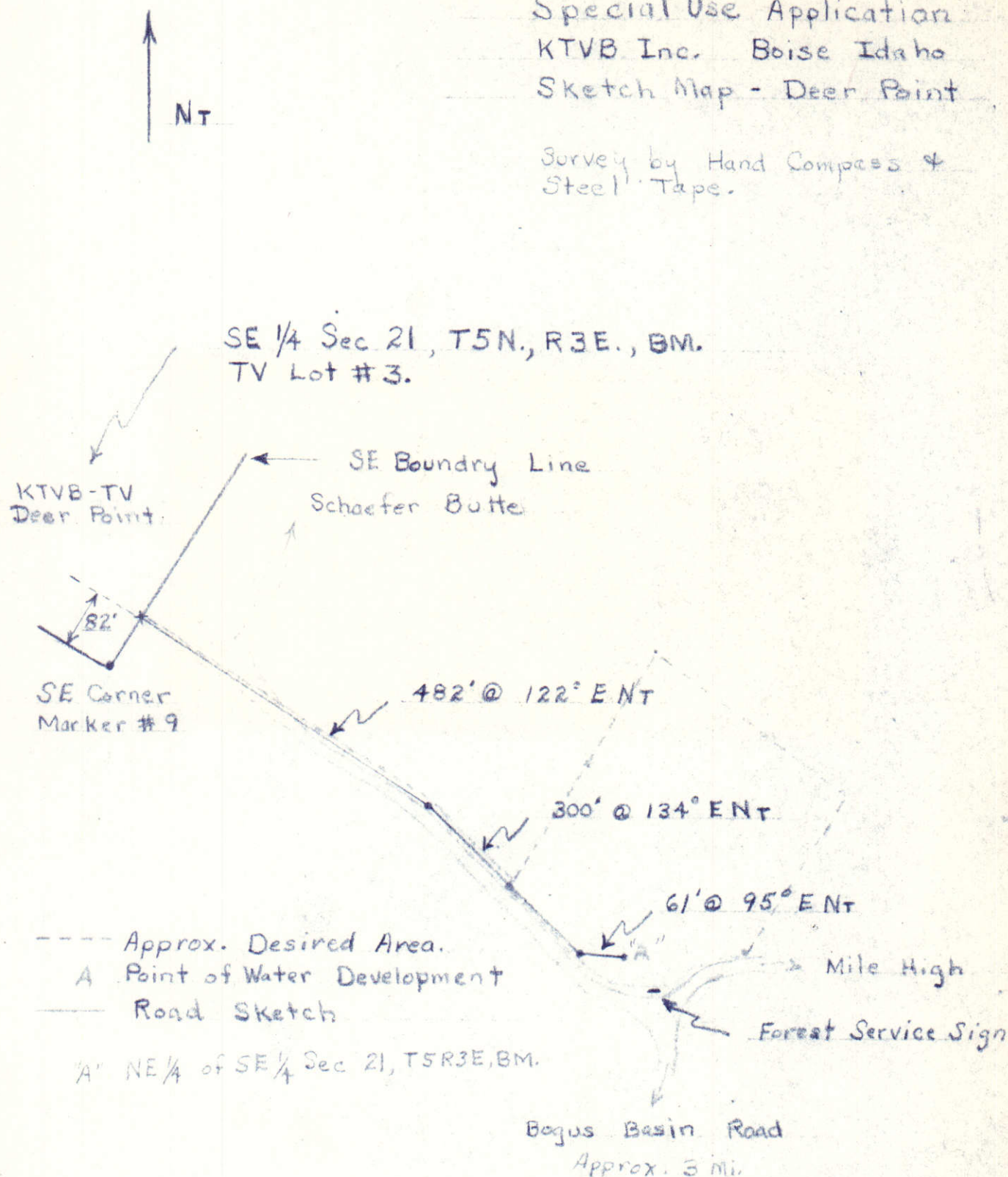
R. 3 E.



Q measured .06  
Q recommended .06  
Volume .57 x 3 = 1.71 AF  
Acreage  
Found None  
recommended None  
Subdv. 1  
Amendments  
☒ None  
☐ P.D.  
☐ Place of use  
☐

Special Use Application  
KTVB Inc. Boise Idaho  
Sketch Map - Deer Point

Survey by Hand Compass &  
Steel Tape.



*Hold this for inspection purposes*

Source U.S.F.S.

H. W. Jactamier

August 28, 1959

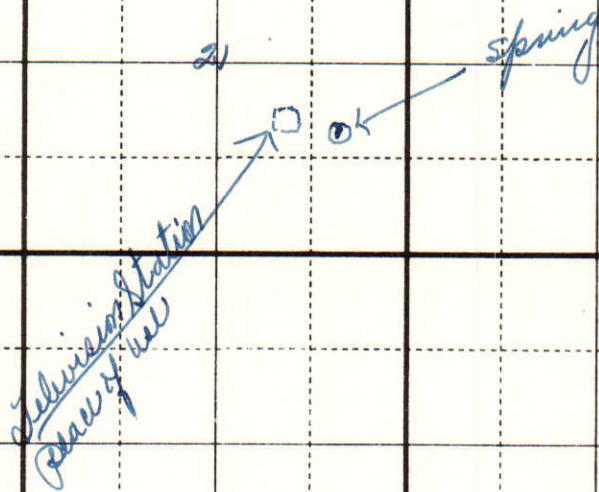
NAME OF APPLICANT

KTVB, Inc.

Form No. 0

Page 3 E.B.M.

T.  
S  
N.



Permit Map No. 28131

As Approved

GEO. N. CARTER

State Reclamation Engineer

SEP 11 1959

State of Idaho  
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 28131/63-3169 Priority Sept. 1, 1959 Amount 0.06 cfs

THIS IS TO CERTIFY, that KTVB, Inc.  
of Boise, Idaho, has complied with the terms and conditions of Permit  
No. 28131/63-3169 issued pursuant to Application for Permit dated September 1, 1959,  
and has submitted proof to the Department of Water Administration on June 8, 1970,  
that he has applied water to a beneficial use; an examination by the Department indicates that the  
works have a capacity of 0.06 cfs, and that the water has in fact been applied to a  
beneficial use; a right to the use of water from an unnamed spring  
tributary of \_\_\_\_\_, is hereby confirmed in the following amounts:

Amount 0.06 cfs for domestic from Jan. 1 to Dec. 31 (both dates inclusive)

Amount 0.06 cfs for cooling from Jan. 1 to Dec. 31 (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Subject, however, to the condition that no more than 0.06 cfs of water be diverted at  
any one time, said waters to be diverted within the \_\_\_\_\_

NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 21, Twp. 5 N, Rge. 3 E, B.M.

in the county of Boise; and that the amount of water so diverted and to which such  
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can  
actually be beneficially used and shall not exceed 1.8 acre feet per year or

0.6 acre feet per ~~acre~~ domestic unit and 41.7 acre feet for cooling use  
with the maximum volume not to exceed \_\_\_\_\_

Description and location of place of use: 43.5 acre feet per year.

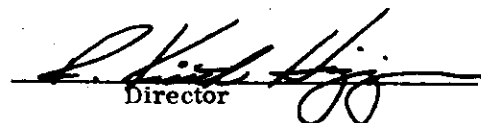
| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTAL |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|-------|
|      |       |      | 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 $\frac{1}{4}$ |       |
| 5 N  | 3 E   | 21   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | X                |       |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |

Total number of acres irrigated \_\_\_\_\_

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 4 day of

February, 19 72.

  
Director

63 3169

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED  
June 8 1960  
6-8-60  
JH

Department of Reclamation

1. a) Name of Permit Holder KTVB, Inc.  
b) Post Office Address P. O. Box 390, 709 Idaho Street, Boise, Idaho 83701
2. Permit Number 28131/63-3169
3. Date of Priority that you are prepared to establish September 11, 1959
4. a) Source from which water was appropriated Developed a spring - unnamed  
b) Location of the point of diversion: NE 1/4 SE 1/4, Section 21  
Township 5N, Range 3E Boise Meridian, Other points of diversion:  
None
5. a) The amount of water and use to which the water has been applied:  
amount unknown for Domestic purposes from 10/15/59 to 6/6/70 incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)  
amount unknown for Industrial purposes from 10/15/59 to 6/6/70 incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)  
amount unknown for Public purposes from 10/15/59 to 6/6/70 incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)  
b) Total amount appropriated 0.06 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: Spring flow measured 75 gallons/hour  
by H. W. Toedtemeier, KTVB, Inc., 10/59, by diversion into 5 gal. container
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: Owned by permit holder.  
b) Describe the agreement or understanding by which you take water from the works: Special Use  
Permit 2710, U.S. Forest Service (Boise National Forest) dated 9/25/59.
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) : Spring Sealed in Concrete catch bason,  
1 1/2" pipe to 600 gallon storage, High pressure pump (Burke well pump - 150 lbs.)  
to 40 Gallon tank, 1100' of 1" pipe to facilities on Deer Point.  
b) Describe the type and size of measuring device which you have installed at your point of diversion: None  
c) Give well drillers name and address and date the well was completed Not applicable. Spring developed by H. W. Toedtemeier, KTVB, Inc.

Exam typed  
6/15/70  
C.M.

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Domestic and industrial use at KTVB, Inc., and KBOI-TV transmitting plants at Deer Point. Public Drinking facility in cooperation with U. S. Forest Service at Deer Point.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: Not used for irrigation.

| 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 $\frac{1}{4}$ |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
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|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
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|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
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|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

10. Remarks: (1) There is an overflow on the 600 gallon storage tank, therefore, a supply of 600 gallons is available at any given time. (2) Industrial use is for cooling equipment during test and maintenance periods.

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

June 4, 1970  
(Date)

Robert E. Krueger  
(Signature)  
Robert E. Krueger  
Executive Vice President/General Manager, KTVB, Inc.

State of Idaho)  
County of Ada) ss.

On this 4th day of June, 19 70, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Albert Butler  
Notary Public residing at Boise, Idaho

My commission expires May 27, 1971

**AFFIDAVIT  
OF  
PUBLICATION**

STATE OF IDAHO, } S.S.  
COUNTY OF BOISE

T. R. Adams, being duly sworn, deposes and says: That he is the manager and principal clerk of THE IDAHO WORLD a weekly news paper published at Idaho City, in the County of Boise and state of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper

once a week for Two consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication, and was published in the newspaper proper and not in a supplement; that said paper has been established and regularly and continuously published for more than seventy-eight weeks past previous to the first publication of this notice. Such notice was published in the issue beginning

with April 30, 1970 and ending with the issue of

May 7, 1970, 1970  
Fees \$..... T. R. Adams

Subscribed and sworn to before me this 22 day of May

1970  
Richard M. Bryan  
Clerk District Court

Deputy

Notice is hereby given that the Idaho State Department of Reclamation, Boise, Idaho, has received an approved permit No. 10121/60 for the diversion of 10 cubic feet per second of water from an unattended stream subject to all prior rights. The priority to be established under this permit is September 1, 1949 and the permit was approved September 11, 1950.

Water is to be diverted by a pipe and siphon from a point within the boundaries of the State of Idaho, to the Nevada State Department of Reclamation, Reno, Nevada, for the purpose of irrigation.

The diversion of water from the stream to the Nevada State Department of Reclamation shall be in accordance with the terms of the permit and the provisions of the Nevada State Department of Reclamation. (10) days of the last date of publication of this notice or prior to the recording of the permit. The date of the recording of the permit shall be the date of the recording of the permit.

Witness my hand and the seal of the State of Idaho at Boise, Idaho, this 22nd day of May, 1970.

Richard M. Bryan  
Clerk District Court

dy  
OK  
6-5-70

Idaho State Department of Reclamation  
Boise, Idaho  
Permit No. 10121/60  
Approved September 11, 1950  
For the diversion of 10 cubic feet per second of water from an unattended stream subject to all prior rights. The priority to be established under this permit is September 1, 1949 and the permit was approved September 11, 1950.

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 28131/63-3169 )

in the name of KTVB, Inc. )

390 Idaho Street, Boise, Idaho )

ORDER MODIFYING REQUIREMENTS  
FOR COMPLETION OF PERMIT TO  
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law;  
and,

WHEREAS, these changes raised questions as to the procedures to be followed by  
holders of permits issued prior to the effective date of the amendments, May 31, 1967;  
and,

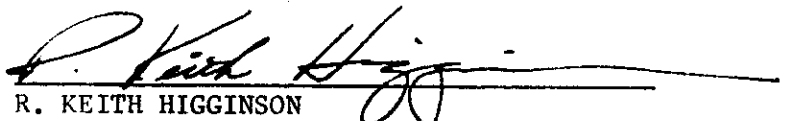
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice  
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 63-3169 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are  
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,  
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
  - a. Notice of the issuance of the permit will be published at the permit  
holders expense for two weekly issues in the official newspaper of  
the county in which the point of diversion lies.

Dated this 3<sup>rd</sup> day of April, 1970

  
R. KEITH HIGGINSON  
State Reclamation Engineer

RKH/DG

63 3169

63 3169

Application For Permit  
To Appropriate the Public Waters of the State of Idaho

63-3169

APPLICATION No. 36092  
PERMIT No. 28131  
DISTRICT No.

1. Name of Applicant: KTVB, Inc.

Postoffice address: 709 Idaho St., Boise

County: Ada

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: March 20, 1956, Boise, Idaho  
(b) Amount of capital stock: 250,000.00  
(c) Amount paid in: \$110,000.00  
(d) Names and addresses of directors: Georgia M. Davidson, Boise, Idaho;  
Oscar W. Worthwine, Boise, Idaho; Betty L. Krueger, Boise, Idaho.

II. The financial resources of the applicant are:

- (a) Cash on hand: In excess of \$30,000.00  
(b) Treasury stock:

(c) Bond to be issued:  
(d) Other resources: Net worth  
in excess of \$200,000.00  
cubic feet per second.

2. Quantity of water claimed: .06

3. Source of water supply: Un-named spring

which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$   
of section 21 , T. 5 N. , R. 3 E., B. M., County of Boise

5. Water is to be used for Cooling during tests and also as domestic use for  
3 homes.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section  
T. , R. , B.M., in the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section of 21 , T. 5 N , R. 3 E. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet  
distant from the corner of Section , T. , R. , B.M., in the  
of Section , T. , R. , B.M.

7. Estimated cost of works: \$1250.00

8. Kind of works: Storage tank, piping and pump

9. Height of dam feet; length of dam at top feet; length of dam at bottom  
feet; material used in dam:

10. Size of headgate: WidthNone feet; height feet.

11. Ditch: Width at bottom None fee; width at water line feet; depth of water feet;  
dimensions of flume: None

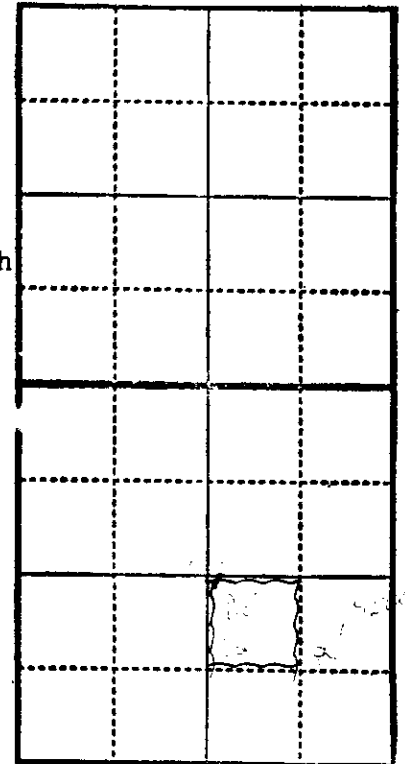
Diameter of pipe 1 inches; length of ~~canal~~ <sup>pipe</sup> 1100 feet ~~miles~~  
Average grade per mile 852 feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none



16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:  
(b) Name of Reservoir and number of Storage Permit:  
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

s/ KTVB, Inc., Applicant.

By H. W. Toedtemeier Agent.

Date of first receipt at Department of Reclamation: 1:30 P.M. September 1, 1959

Returned to applicant for correction:

Corrected application received:

### Approval of State Reclamation Engineer

The number of this permit is 28131

Recorded in Book 99 Page 28131 Approved September 11, 1959

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before November 11, 1959 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before March 11, 1962

The whole of said work to be completed on or before September 11, 1964

Beneficial use of water appropriated in accordance herewith, to be made on or before September 11, 1970

WITNESS My hand this 11th day of September, 1959

s/ GEO. N. CARTER  
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 11th

day of September, 1959.

STATE OF IDAHO

Countersigned:

(SEAL) By s/ ARNOLD WILLIAMS  
Secretary of State.

By s/ ROBERT E. SMYLLIE  
Governor.

REMARKS: This spring is on Forest Service Land and permission will be obtained. This water will be used by two TV Stations namely, KTVB and KBOI TV, but it is to be in the name of KTVB, Inc., only.

14.

| Twp. | Range | Sec. | NE <sup>1</sup> / <sub>4</sub>                                                                                                                                                                                                                                                                                                                                                                                                                                | NW <sup>1</sup> / <sub>4</sub>                                                                                                 | SW <sup>1</sup> / <sub>4</sub>                                                                                                 | SE <sup>1</sup> / <sub>4</sub>                                                                                                 | Totals |
|------|-------|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--------|
|      |       |      | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub>                                                                                                                                                                                                                                                                                                                                | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub> |        |
|      |       |      | Not for Irrigation                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
|      |       |      | AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
|      |       |      | I, William S. Rozynek, of 210 So Main, Boise, County of Ada, State of Idaho, do hereby certify that I am the supervisor of the land on which the spring mentioned in the application of KTVB, Inc., is located, to-wit: T. 5 N., R. 3 E., Sec. 21, NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> , B.M., and that I do hereby grant unto the said KTVB, Inc. permission to file on the said spring as set forth in the foregoing application. |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
|      |       |      | s/ WILLIAM S. ROZYNEK,<br>Acting Forest Supervisor                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
|      |       |      | STATE OF IDAHO )<br>County of Ada ) ss.                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
|      |       |      | On this 1st day of September, 1959, before me, a Notary Public for the State of Idaho, residing at Boise, personally appeared William S. Rozynek, known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same.                                                                                                                                                                       |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
|      |       |      | and<br>Witness my hand/seal, the day and year in this certificate first above written.                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
|      |       |      | s/ Albert Butler<br>Notary Public                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
|      |       |      | My commission expires June 27, 1963                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
|      |       |      | LICENSE ISSUED FOR 0.06 SEC. FT.<br>LICENSE PAGE NO. _____                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
|      |       |      | (SEAL)                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |

Permit No. 28131  
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that KTVD, Inc. of Boise, County of Ada, and State of Idaho, the holder of Permit No. 28131, issued upon Application No. 36092, bearing date of priority of September 1, 1959, authorizing the diversion of .06 second feet of water of unnamed spring; County of Boise, State of Idaho, for cooling during tests, and domestic use for 3 homes, purposes, has fully complied with the provisions of the laws of the State of Idaho, relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use .01 second feet of the waters of an unnamed spring; that the point of diversion of said waters NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 21, T. 5 N., R. 3 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit;

For cooling during tests and domestic use for 3 homes - in NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 21, T. 5 N., R. 3 E., B. M.

Witness my hand this 10th day of July, A. D. 1964.

s/ RALPH W. THOMAS,  
Deputy State Reclamation Engineer

Proof of Completion of Works Made: July 3, 1964

WATER RIGHT NUMBER 63-3169

OWNER LAST NAME - KTVB INC. FIRST NAME - ORIG OWNER -  
ADDRESS LINE 1 - 5407 FAIRVIEW AVE. ADDRESS LINE 2 -  
ADDRESS LINE 3 - CITY - BOISE STATE - ID ZIP CODE - 83706  
SOURCE - SPRING TRIBUTARY OF - CLEAR CREEK, N. FORK  
STAGE - LICENSE STATUS - PRIORITY - 09-01-1959 COUNTY - BOISE TOTAL DIV. RATE - .0600 -CFS  
TOTAL DIV. VOLUME - 43.50 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -  
DIVERSION POINT - NESE 21 05N 03E LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0  
FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .0600 CFS USE DIV. VOLUME - 1.80 AFA  
FROM - 01-01 TO - 12-31 USE - COOLING USE DIV. RATE - .0600 CFS USE DIV. VOLUME - 41.70 AFA  
USE - COOLING PLACE OF USE - TWN 05N RNG 03E SEC 21 TRACT NWSE LOT AC  
DECREE NAME - DATE - TOTAL ACRES 0  
REMARKS -  
NON IRRIG USE - D/3 HOMES, L/KTVB TRANSMITTER.  
OTHER RIGHTS FOR SAME USE -  
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. - 28131  
PROOF MADE - FLD EXAM - COND. OF APPROVAL -  
DIVERSION MEANS -

February 7, 1972

Re: Permit No. 28131/63-3169

K T V B, Inc.  
5407 Fairview  
Boise, Idaho

Gentlemen:

Enclosed herewith is the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR  
Assistant Director

BDF:DR  
Enc: License

63 3169

**STATE OF IDAHO**

**DEPARTMENT OF WATER ADMINISTRATION**

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



**R. Keith Higginson**  
Director

Water Rights Administration  
Water Resource Investigations  
Dam and Reservoir Safety  
Water Well Drilling  
Flood Plain Management  
Irrigation and  
Flood Control Districts

**January 24, 1972**

**FILE COPY**

**K T V B, Inc.**  
5407 Fairview  
Boise, Idaho

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit No. 28131/63-3169 and has found the following:

Quantity of water diverted: 0.06 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.06 cfs

The maximum quantity diverted shall not exceed 43.5 acre feet per season.

Beneficial Use: Domestic & cooling uses within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 21, Twp. 5 N, Rge. 3 E, B. M.

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 21, Twp. 5 N, Rge. 3 E, B. M.

The priority date established is : September 1, 1959

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Very truly yours,

**BOBBY D. FLEENOR**  
Assistant Director

**63 3169**

**BDF:DR**

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF EXAMINER

PERMIT NO. 28131/63-3169

REPORT ON PROOF OF B/U KTVB, Inc.

63 3169

2.4

R. 3 E.

Q measured .06  
Q recommended .06  
Volume .57 x 3 = 1.71 AF  
Acreage •  
Found None  
recommended None  
Subdv. 1  
Amendments  
☒ None  
☐ P.D.  
☐ Place of use  
☐

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO  
REPORT OF EXAMINER

Permit No. 28131/63-3169.

This proof is for B/U In Water District No. \_\_\_\_\_

1. Name of applicant KTVB, Inc., P.O. Box 390, 709 Idaho St., Boise, Idaho 83701
2. Source of water supply: unnamed spring
3. Location of point of diversion: Is in the NWSEK of Section 21  
T. 5N R. 3E County of Boise
4. Describe works as they exist, giving dimensions and capacities of same:  
storage tank, piping and pump
5. Water is used for: cooling during tests and also as domestic use for 3 homes.
6. State whether or not water has been turned into works of diversion: \_\_\_\_\_
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

T. 5 N, R. 3 E, Sec. 21, NWSEK

unnamed spring located in Sec 21 EN 3E

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? \_\_\_\_\_

Remarks:

Jacuzzi Submersible Pump model 254B-52/5-87  
Franklin Electric Motor  
3/4 H.P. model CBC4007X5F  
3450 RPM 1 ph.

Pumps into 40 gal tank. 1" pipe leads from tank up hill to KTVB transmitter and 13 homes.  
No way to measure

This examination was made on the 5 day of Aug, 19 70

(Signed)

J. E. Asst. Dir.

Examiner.

63 3169

myl  
8-31-70

---

---

INSTRUCTIONS TO EXAMINERS

---

1. Always carefully note the location of the point of diversion and accurately plat same.
  2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
  3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
  4. If any unusual conditions are discovered, make plain statement of them under remarks.
  5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
  6. Give general characteristics of soils, topography, and crops raised.
- 
- 

ASCS: Boise

SCS: Boise

Permit No. 28131/63-3169

Examination for R/U KTVB, Inc.

County Boise

Quantity: Sec. 21 T. 5N R. 3E

(permit).06cfs (proof) same

Source: unnamed spring

P.D.: NE~~SE~~

Use: cooling during tests and also as domestic use for 3 homes

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: September 1, 1959

Made: June 8, 1970

Due: September 11, 1960

Priority: September 1, 1959

63 3169

June 8, 1970

Re: Permit No. 28131/63-3169

KTVB, Inc.  
P.O. Box 390, 709 Idaho St.  
Boise, Idaho 83701

Gentlemen:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit 28131/63-3169.

Before a license can be issued a field examination must be made by a representative from 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 someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM/DG

63 3169

June 4, 1970

Re: Permit No. 28131/63-3169

KTVB, Inc.  
390 Idaho St.  
Boise, Idaho

ATTN: H. W. Toedtemeier,  
Director of Operations

Dear Mr. Toedtemeier:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until September 11, 1970, the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM/DG

63 3169

April 20, 1970

Re: Permit No. 28131/63-3169

KTVB, Inc.  
390 Idaho St.  
Boise, Idaho

ATTN: H. W. Toedtemeier,  
Director of Operations

Dear Mr. Toedtemeier:

The legal notice for the above referenced permit is being published in the Idaho World, 210 Main, Idaho City, Idaho on April 30 and May 7, 1970.

You will be required to submit an affidavit of publication to this department. The affidavit may be obtained from the above mentioned newspaper upon payment of the bill of publication.

Thanking you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM/DG  
Enclosure

P.S. Please find enclosed a beneficial use form and instructions for your use in making proof for the above referenced permit.

63 3169

DON SAMUELSON  
GOVERNOR



R. KEITH HIGGINSON  
State Reclamation Engineer

## STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
STATEHOUSE - ANNEX 2  
BOISE, IDAHO 83707

April 20, 1970

Re: Permit No. 28131/63-3169

Idaho World  
210 Main  
Idaho City, Idaho

**Gentlemen:**

Enclosed is a legal notice which we wish to have published 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 our 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 date. If you cannot publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by KTVB, Inc.,  
390 Idaho St., Boise, Idaho,  
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM/DG  
Enc: legal notice

63 3169

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that KTVB, Inc., 709 Idaho St., Boise, Idaho  
\_\_\_\_\_ has received an approved permit No.  
28131/63-3169 issued by the Idaho State Reclamation Department authorizing the  
diversion ~~of~~ of .06 cubic feet per second ~~acre/feet/ft/annum~~  
of water from an unnamed stream [Spring]  
subject to all prior rights. The priority to be established under this permit is  
September 1, 1959 and the permit was approved September 11, 1959.  
Water is to be diverted by pipe and pump  
from a point within the NE 1/4 Sec. 21, T. 5 N, R. 3 E, B. M., Boise, County  
\_\_\_\_\_ to be used for domestic-industrial  
in the NW 1/4 Sec. 21, T. 5 N, R. 3 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the  
department on or before September 11, 1970. Any protests against  
the issuance of a license for the above referenced permit should be filed with the  
Department of Reclamation within ten (10) days of the last date of publication of  
this notice or prior to the licensing of the permit. Licensing may commence prior  
to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON  
State Reclamation Engineer

Published in the Idaho World, Idaho City, Idaho on  
April 30 and May 7, 1970.

State Reclamation Engineer:

Permit No. 63-3169

You are hereby authorized to have the attached notice published at my expense in  
the Idaho World of Idaho City, Idaho;  
published in the county in which the works are situated.

H. W. Jandtmeier, KTVB Inc.  
(Signature) Director of Operations

P.O. Box 390, Boise Ida 83701  
(Address)  
April 16, 1970  
(Date)

63 3169



Channel 7 • Boise, Idaho  
P.O. BOX 390 • AREA CODE 208 • PHONE 342-4611 • 83701

April 17, 1970

Mr. Donald W. McElDowney  
Appropriation Examiner  
Department of Reclamation  
Statehouse - Annex 2  
Boise, Idaho 83707

Dear Mr. McElDowney:

Please find "Notice of Existing Water Permit" enclosed with your  
letter of April 8 concerning Permit No. 28131/63-3169.

The subject form indicates a requirement for a "proof" on or before  
September 11, 1970. Please forward forms and regulations pertaining  
to the proof.

As soon as snow recedes to allow access, KTVB, Inc. will take the  
necessary steps to finalize the permit.

Thank you.

Sincerely yours,

*H. W. Toedtemeier*  
H. W. Toedtemeier  
Director of Operations

Encl: Notice of Water Permit

HWT/vk

63 3169

April 8, 1970

**Re: Permit No. 28131/63-3169**

**KTVB, Inc.  
390 Idaho Street  
Boise, Idaho**

**ATTN: Mrs. Georgia M. Davidson, President**

**Dear Mrs. Davidson:**

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

**Donald W. McEldowney  
Appropriation Examiner**

**DWM/DG**

Enc: order  
advertising package

**63 3169**

July 10, 1964

Re: Permit No. 28131

Mrs. Georgia M. Davidson, Pres.  
KTVB, Inc.  
Box 390, Boise, Idaho

Dear Mrs. Davidson:

Enclosed is the Certificate of Completion of  
Works on the above numbered permit, together with departmental  
receipt No. 32324.

Also enclosed are Forms 10 and 11  
and instruction sheet for making your final proofs, as requested.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:ew

Enc. certificate  
Form 10 and 11  
Instruction sheet  
receipt

28131

Permit No. 28131STATE OF IDAHO  
Department of ReclamationJUL 7 1964  
Department of Reclamation

## Proof of Completion of Works

## AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada } ss.  
Georgia M. Davidson,  
President, KTVB Inc.,

being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 28131, and that his postoffice address is Box 390, Boise  
State of IdahoSecond: That the name of the stream from which said water is to be diverted is  
Un-named spring.Third: That the point of diversion of said water is NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 21,  
T5N R3E, B. M., County of Boise, State of Idaho.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by September 11, 1964.Fifth: That the use for which said water is intended is Domestic, Coolant and Fountain. PublicSixth: That on the date above mentioned, the works constructed under said permit were ~~(or~~  
~~not)~~ fully completed and consisted of the following:I. Kind of Works: Cover for spring, storage tank, pump and piping.

(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work: ----(a) Height of dam None feet, length of dam at top --- feet, length of dam at bottom --- feet. Material used in construction ---

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir --- acre feet. 650 gallon tank.(c) Size of headgate: Width None feet, height --- feet.(d) Conduit --- width at bottom --- feet, width at water line ---

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water --- feet; diameter of pipe 1 inches, average grade per mile is 852 feet. Length of ~~conduit~~ pipe is 1100 ~~xxxx~~ feet.Seventh: That said works are capable of conducting to the place of intended use 4 gallons  
per minute ~~second feet of water~~ of water on a sustained basis.Eighth: That water appropriated under said permit is available for No acres of land described as follows: Not for irrigation.Ninth: Remarks:—That Construction was completed and beneficial  
use of water, as specified, has existed since November 1, 1959.Subscribed and sworn to before me this 3rd day of July, 1964

Georgia M. Davidson, Pres. KTVB

Albert Butler

NOTARY PUBLIC

My commission expires May 27, 1967

28131

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

Re: Permit No. 28131

Date: July 7, 1964

K T V B  
P. O. Box 390  
Boise, Idaho

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 28131 is due not later than Sept. 11, 1970. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date, the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use, or lands which are irrigated -- by legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published, or you may have to readvertise and complete another set of proof forms.

Also enclosed is Form 11, which is authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, and at the place named, before the Notary Public, as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by field inspection to have been irrigated at the time of proof.

Very truly yours,

  
CARL E. TAPPAN  
State Reclamation Engineer

Enc.



# MEMO

Chamber of Commerce Building

P.O. BOX 390 • AREA CODE 208 • 342-4611

BOISE, IDAHO, 83701

To Mr. Carl E. Tappan  
From Mr. H. W. Toedtemeier  
Director Operations

Date July 6, 1964

c. c. to

Subject: Permit No. 28131

RECEIVED  
JUL 7 1964

Department of Reclamation

Please furnish the information in regard to this last proof  
as stated in paragraph 2 of your letter of July 1, 1964.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

INSTRUCTIONS  
PROOF OF COMPLETION OF WORKS

Boise, Idaho

Re: Permit No. 28131

July 1, 1964

Georgia M. Davidson, Pres.  
KTVB., Inc.  
709 Idaho Street  
Boise, Idaho

Dear Madam:

Dear

Under the terms of your Permit No. 28131 you are required to complete your diversion works on or before Sept. 11, 1964. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public, or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

CARL E. TAPPAN

State Reclamation Engineer

CET:ew

Enc. Form 6

\$5.00 Statutory Fee must be paid before Certificate of Completion can be issued.

28131

September 21, 1959

Re: Permit No. 28131

Mrs. Georgia M. Davidson, President,  
KTVB, Inc.,  
709 Idaho Street,  
Boise, Idaho.

Dear Mrs. Davidson:

We enclose Permit No. 28131 in which we direct your attention to the limitations and conditions as given on the fourth page under Approval of the State Reclamation Engineer.

Departmental Receipt No. 29751 which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit was given to you while in our office.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

(Mrs.) Edna P. Rutledge  
Chief Clerk

Encl.  
EPR:pmk

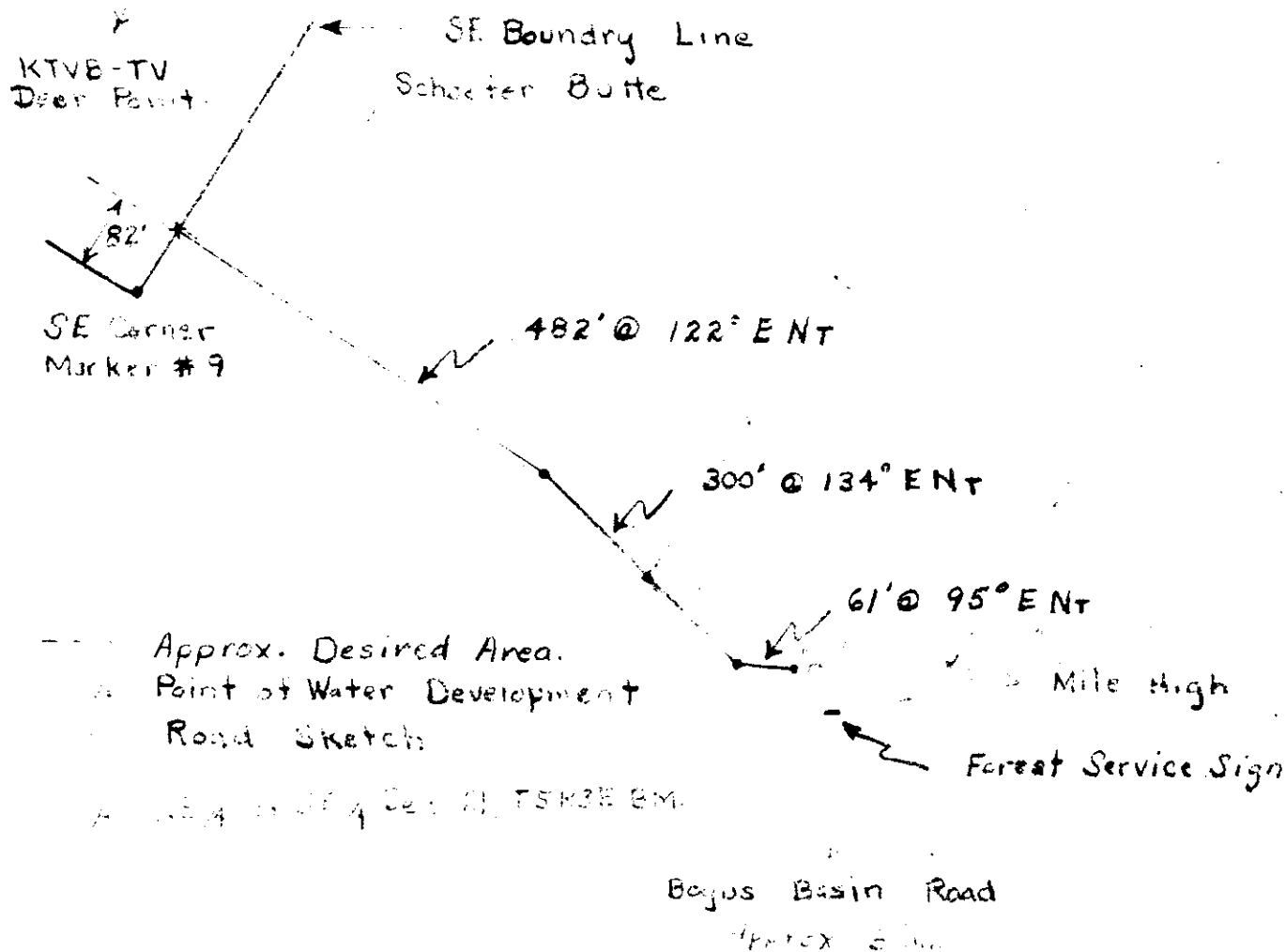
28131

Special Use Application  
KTVB Inc. Boise Idaho  
Sketch Map - Deer Point

Surveyed by Hand Compass &  
Steel Tape.



SE 1/4 Sec 21, T5N., R3E., BM.  
TV Lot #3.



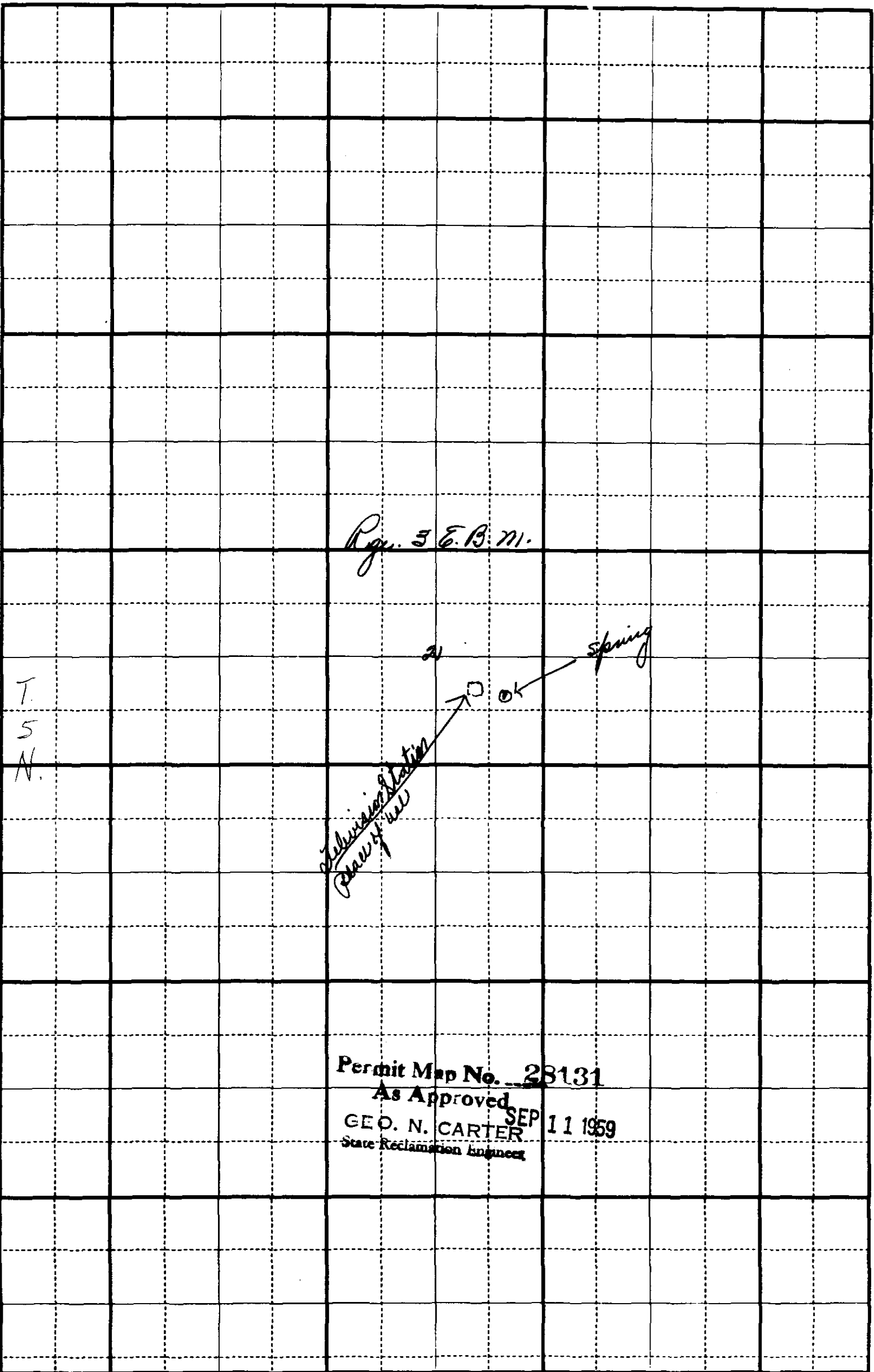
Hold this for inspection purposes

See 2 N.S.F.S.

H. H. J. J. J.  
August 28, 1959

The "cooling during tests" item under 5, are load tests made before signing on. Instead of putting the load over the transmitter lines it is diverted through large vats of water which produces similar operation characteristics as the wire transmitter without going out over the air.

28131 *JS*



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