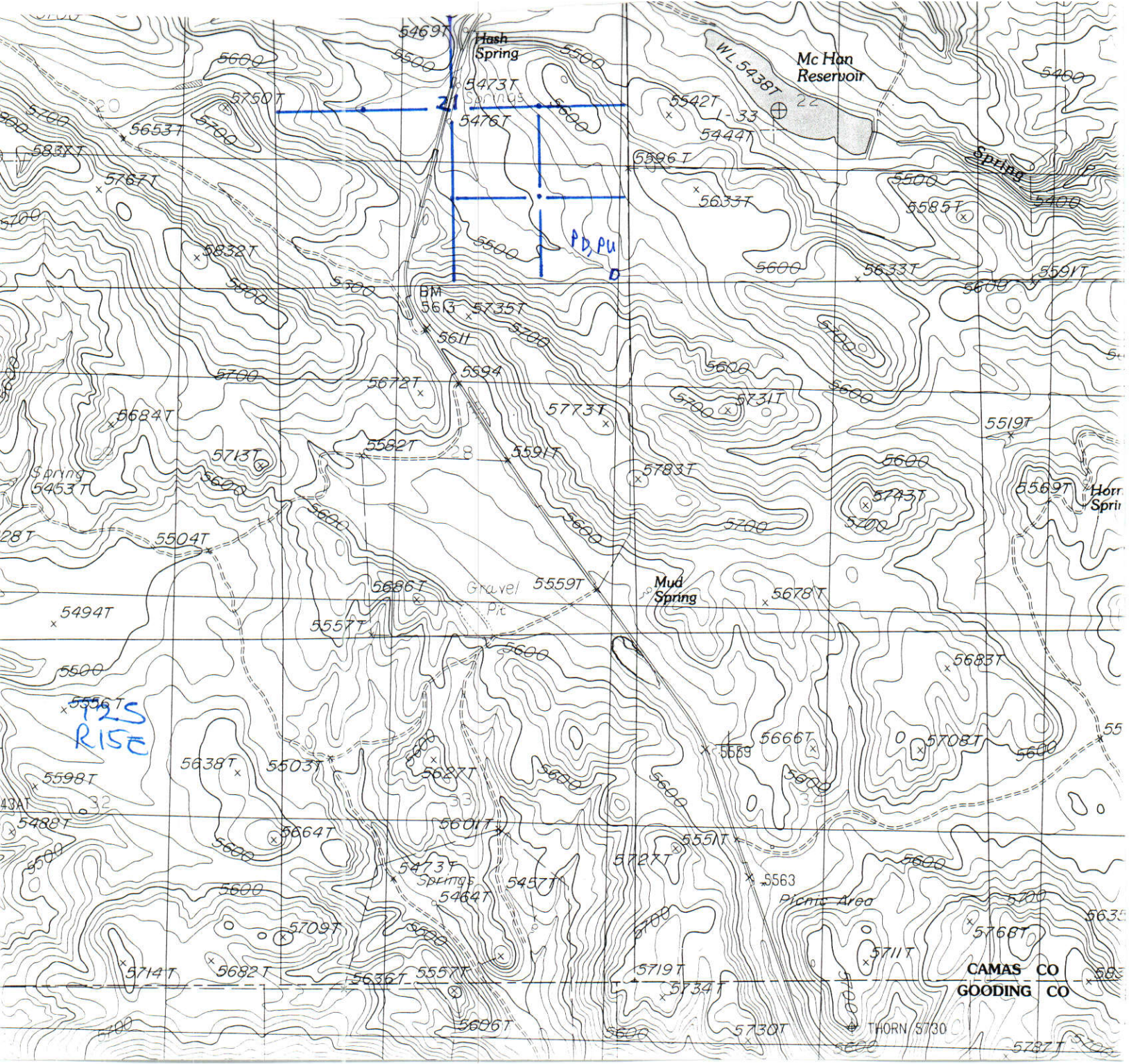
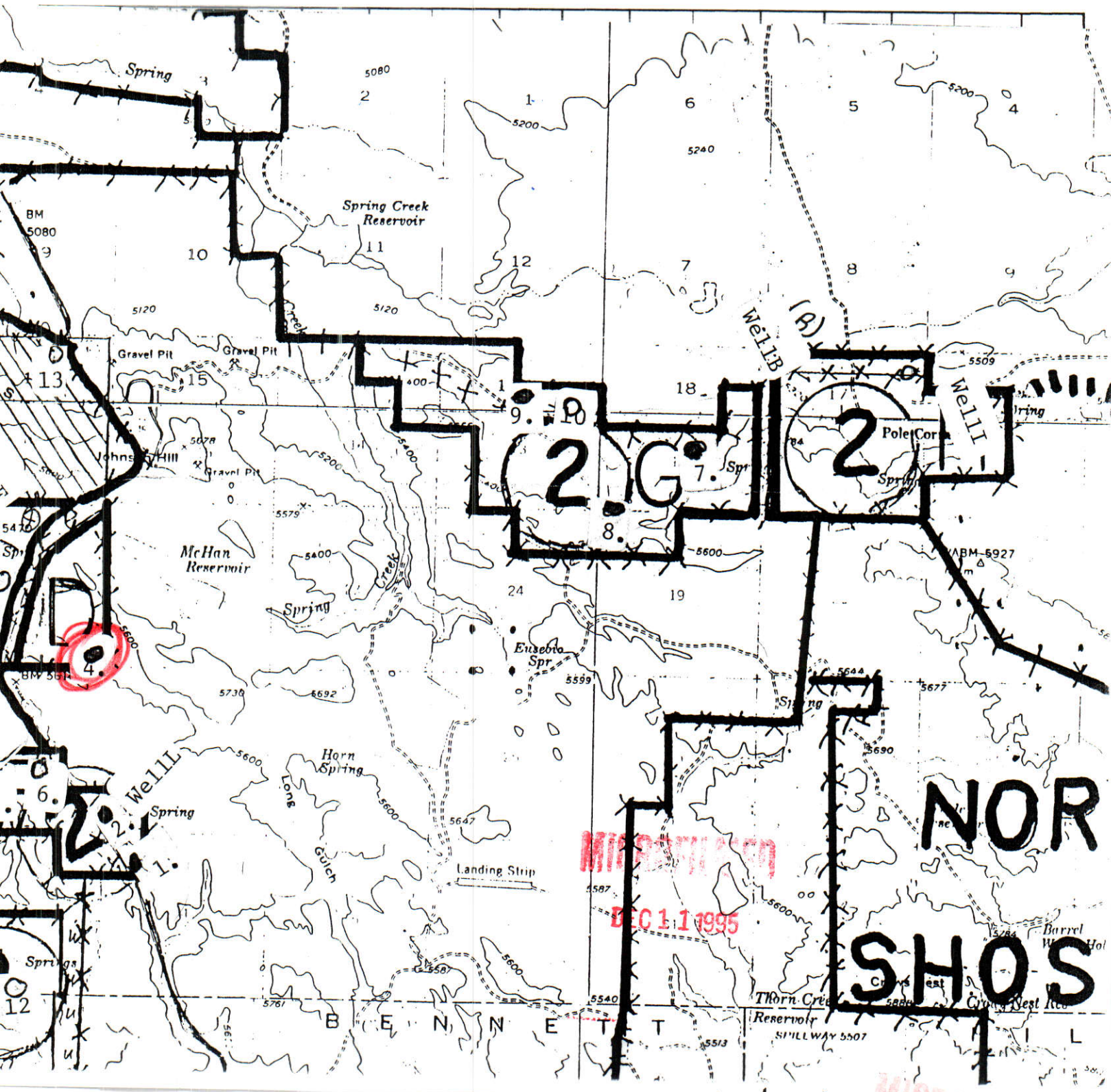




13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

*Orie S. Leavell*  
Orie S. Leavell  
(Applicant)

DEC 11 1995

11/99

For Office Use Only  
\$25 filing fee ☒  
Receipt # 5054240  
Date 8-30-01

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**ASSIGNMENT OF PERMIT**

To change the ownership of a permit

RECEIVED

AUG 30 2001

Department of Water Resources  
Southern Region

I, KIP GOULD, hereby assign to SOUTH COVE VENTURES, LLC  
of, P. O. Box 1607, Bellevue, WA 98004 (425)688-9990  
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 37-8771 to appropriate the public waters of the State of Idaho. RECEIVED

AUG 31 2001

OR (for partial assignments)

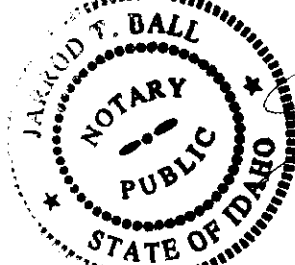
The following described portion of my right, title, and interest in and to for Permit No. \_\_\_\_\_ to appropriate the public waters of the State of Idaho. Department of Water Resources  
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 20 day of August, 20<sup>01</sup>

Kip Gould  
Permit Holder(s) Kip Gould

State of Idaho )  
County of Gooding )ss

On this 20th day of August, 20<sup>01</sup>, 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 Twin Falls, ID

SEAL

MICROFILMED

My commission expires: 7-25-2002

DEC 11 2001

## WATER RIGHT SUMMARY

| ACTION               | RIGHT NO. | NAME                               | AMOUNT AF |
|----------------------|-----------|------------------------------------|-----------|
| Original Application | 37-08771  | Alonzo B Leavell<br>Orie S Leavell | 1.0       |
| Full Assignment      | 37-08771  | Kip Gould<br>Ana Gould             | 1.0       |

**MICROFILMED**

DEC 11 1995

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 29 1996

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 37-08771 Telephone No. 543-8301
2. Name(s) of Permit Holder(s): Kip Gould Ana Gould
3. Mailing Address: 4373 W. 1900 E. Buhl, Id. 83314
4. Source of Water: Surface If **GROUNDWATER** (well), Date Drilled: mo. \_\_\_\_\_ / yr. \_\_\_\_\_
  - a. Well Driller: \_\_\_\_\_ Drilling Permit Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_
  - b. **OPTIONAL:**  
Pump Horsepower: \_\_\_\_\_ Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft): \_\_\_\_\_
5. Use(s) (as authorized by the water right permit):  
Domestic (No. of households): \_\_\_\_\_ Stockwater (No. and type of stock): 100 Range Cattle  
Irrigation (No. of acres): \_\_\_\_\_ Other: \_\_\_\_\_
6. Total rate of diversion and/or volume for which proof is submitted: \_\_\_\_\_ cfs OR 1.0 acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)  
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)  

|                               |                                          |                          |
|-------------------------------|------------------------------------------|--------------------------|
| <b>Measuring Device:</b>      | Is a measuring device required?          | Yes _____ or No <u>✓</u> |
|                               | Has the measuring device been installed? | Yes _____ or No <u>✓</u> |
| <b>Flow Measurement Port:</b> | Is a flow measurement port required?     | Yes _____ or No <u>✓</u> |
|                               | Has the measurement port been installed? | Yes _____ or No <u>✓</u> |
8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.  
Name: Kip Gould Telephone Number: 543-8301  
Address: 4373 W. 1900 E Buhl Id. 83314
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

MICROFILMED

Signature of permit holder: Kip Gould

(include your title, if on behalf of company or organization)

Date: DEC 19 1996  
11-26-96

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**

NO. 37-08771

Proposed Priority: January 21, 1992

Maximum Storage Volume:

1.0 AF

This is to certify, that KIP GOULD  
ANA GOULD  
4373 N 1900 E  
BUHL ID 83316

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of SPRING CREEK

and a permit is APPROVED for development of water as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| STOCKWATER STORAGE    | 01/01 to 12/31       |                          | 1.0 AF               |

LOCATION OF POINT(S) OF DIVERSION:

SESESE , Sec. 21, Township 02S, Range 15E  
CAMAS County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

02S 15E 21

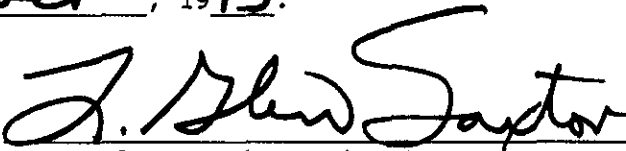
SESE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1996.
2. Subject to all prior water rights.
3. Use of water under this right may be affected by an agreement between the protestant and the right holder.
4. Use of water under this right is subject to control by the watermaster of State Water District No. 37.
5. Stockwater use is for 1000 range cattle and horses.
6. In low water years when McHan Reservoir does not fill, the permit holder shall release water stored under this right as determined by the Director.
7. This permit does not authorize the development and storage of water not previously stored.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.  
Witness the signature of the Director, affixed at Boise, this

17<sup>th</sup> day of November, 1995.

  
for Karl J. Dreher, Director

MICROFILMED

DEC 11 1995

RECEIVED

JUN 22 1995

State of Idaho  
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY  
Amt. of Fee \$25  
Date 6-22-95  
Receipt No. 5018228  
Receipt by MTS.

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

Department of Water Resources

Southern Region B. Leavell

\_\_\_\_\_, hereby assign to Kip & Ann Gould  
(Applicant)  
of 4373 N. 1900 E. Buhl Id. 83316  
(Full Address)

All my right, title, and interest in and to Application for Permit  
No. 37-08771 to appropriate the public waters of the State

OR (for partial assignments)

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

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,  
point of diversion location, and the amount of water in cubic feet per second.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Made this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Alonzo B. Leavell  
Alonzo B. Leavell  
(Applicant(s))

State of Idaho )  
County of Twin Falls ss

On this 2nd day of February, 1995, personally appeared before me the  
signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

SEAL

Notary Public

My commission expires: 5-6-98

DEC 11 1995

Database updated  
6/22/95 mB

RECEIVED  
Form 202  
8/85

Ident. No. 37-08771

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

Department of Water Resources  
Southern Region Office

To appropriate the public waters of the State of Idaho

1. Name of applicant Orie S. <sup>ADJ</sup> or Alonzo B. Leavell Phone 934 8598

Post office address P.O. Box 54 Gooding, Idaho 83330

2. Source of water supply Unnamed <sup>Stream</sup> Spring which is a tributary of Spring Creek

3. Location of point of diversion is SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_

Sec. 21 Township 2 S Range 15 E B.M. Camas County; additional

points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 1 AF for Storage for Stock Water purposes from 4/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount 1 AF for Stock Water purposes from 4/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) \_\_\_\_\_ and/or (b) 1 AF  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 6-8 Ft Dam with spillway into natural waterway

b. Height of storage dam 6-8' feet; active reservoir capacity 1 acre-feet; total reservoir capacity 1-2 acre-feet; period of year when water will be diverted to storage: 1/1 to 12/31 inclusive.

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

d. Is ground water with a temperature of greater than 90°F being sought? \_\_\_\_\_

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

1 Year years (minimum 1 year).

MICROFILMED  
DEC 11 1995

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_
- Stockwatering; list number and kind of livestock. 1000 Head beef cattle and horses
- Municipal; show name of municipality. \_\_\_\_\_
- Domestic; show number of households. \_\_\_\_\_
- Other; describe fully. \_\_\_\_\_

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RANGE | SEC. | NE¼          |              |              |              | NW¼ |     |     |     | SW¼ |     |     |     | SE¼          |              |              |          | TOTALS |
|-----|-------|------|--------------|--------------|--------------|--------------|-----|-----|-----|-----|-----|-----|-----|-----|--------------|--------------|--------------|----------|--------|
|     |       |      | NE¼          | NW¼          | SW¼          | SE¼          | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼          | NW¼          | SW¼          | SE¼      |        |
| 2S  | 15 E  | 21   | <del>S</del> | <del>S</del> | <del>S</del> | <del>S</del> |     |     |     |     |     |     |     |     | <del>S</del> | <del>S</del> | <del>S</del> | SR<br>SS | 320    |
|     |       |      |              |              |              |              |     |     |     |     |     |     |     |     |              |              |              |          |        |
|     |       |      |              |              |              |              |     |     |     |     |     |     |     |     |              |              |              |          |        |
|     |       |      |              |              |              |              |     |     |     |     |     |     |     |     |              |              |              |          |        |
|     |       |      |              |              |              |              |     |     |     |     |     |     |     |     |              |              |              |          |        |
|     |       |      |              |              |              |              |     |     |     |     |     |     |     |     |              |              |              |          |        |
|     |       |      |              |              |              |              |     |     |     |     |     |     |     |     |              |              |              |          |        |
|     |       |      |              |              |              |              |     |     |     |     |     |     |     |     |              |              |              |          |        |
|     |       |      |              |              |              |              |     |     |     |     |     |     |     |     |              |              |              |          |        |
|     |       |      |              |              |              |              |     |     |     |     |     |     |     |     |              |              |              |          |        |

Total number of acres to be irrigated None

10. Describe any other water rights used for the same purposes as described above. \_\_\_\_\_

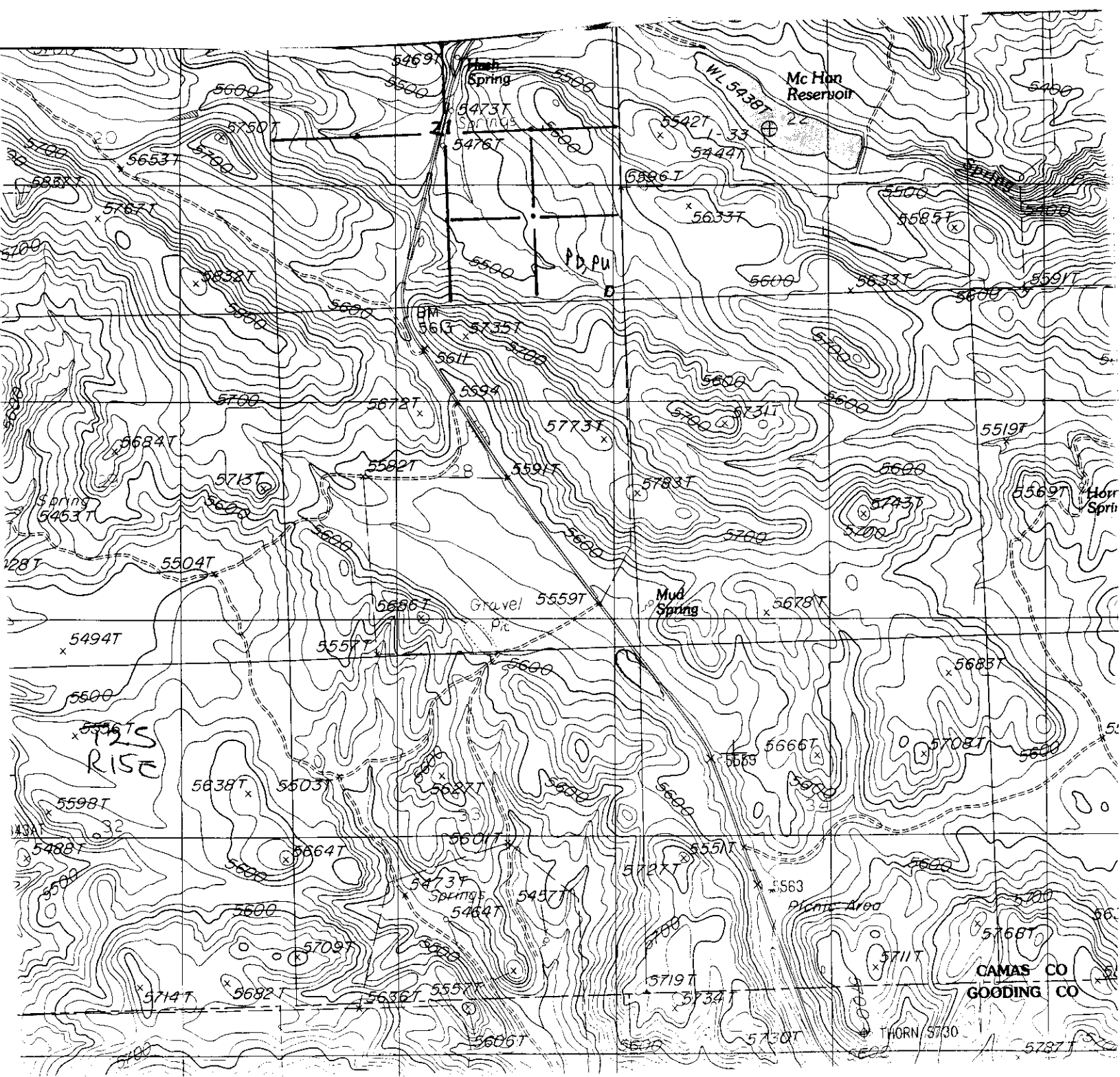
11. a. Who owns the property at the point of diversion? Orie S. & Alonzo B. Leavell

b. Who owns the land to be irrigated or place of use? Orie S. & Alonzo B. Leavell

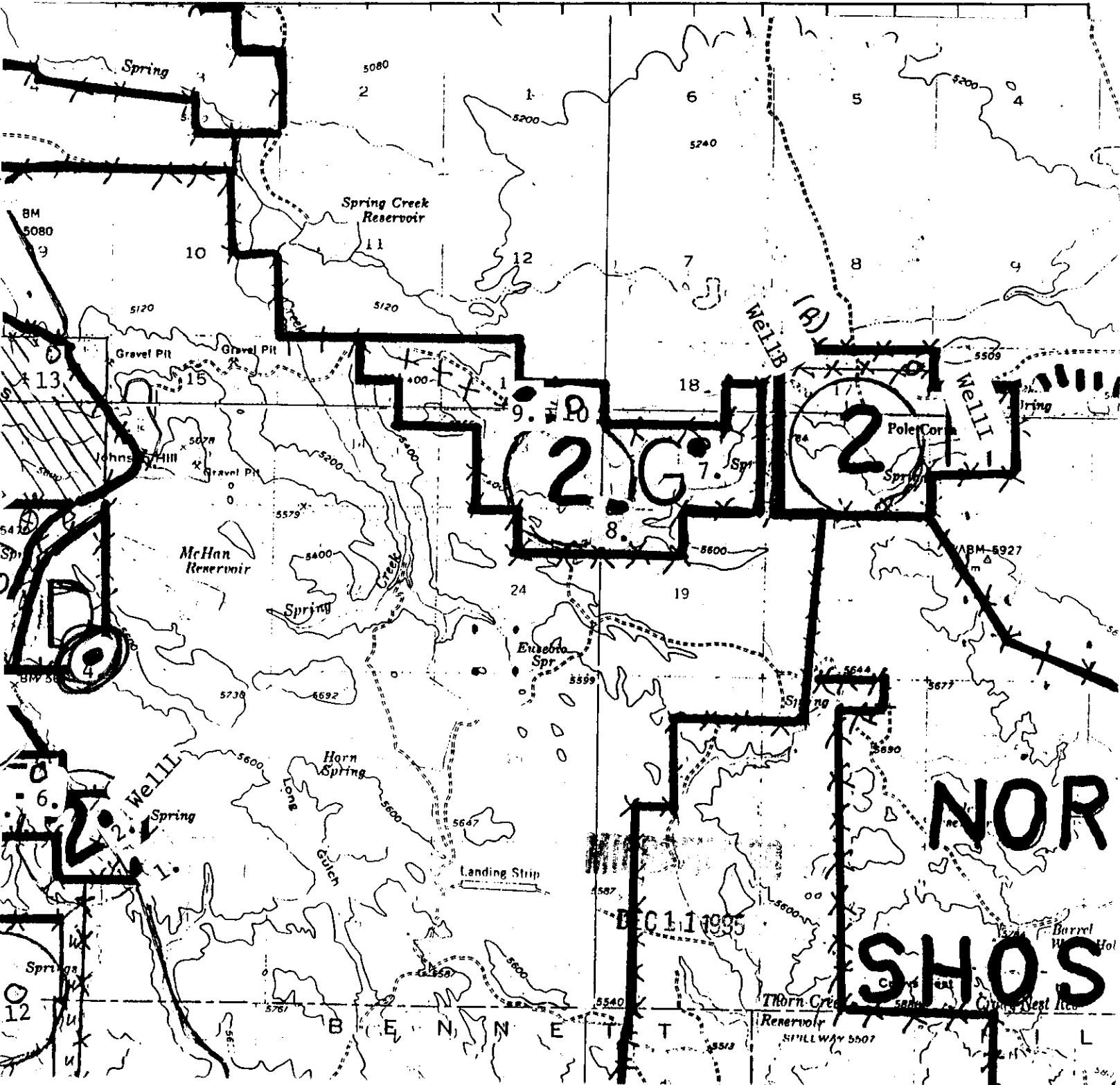
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A

DEC 11 1935

12. Remarks: Subject property and adjoining range rights have been acquired by applicants in recent years. Up to 3000 head of cattle has been seasonally grazed in the area of subject water for the past 50 plus years. The total animal unit grazing (Stock water Consumption) is not being changed; however the period of use is shortened, thus a larger number of cattle utilizes the same grazing (stock water) for a shorter period of time which necessitates more accessible stock water for the shorter grazing period.



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



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.

*Orie S. Leavell*  
 Orie S. Leavell  
 (Applicant)

Received by RF Date 1-21-92 Time 1:15 Preliminary check by J. Stanton  
Fee \$ 30 Receipted by [Signature] # 5014081 Date 1/21/92  
Publication prepared by ms Date 2-19-92 Published in The Statesman  
Publication approved M. Baldwin Date 1-13-92

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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 \_\_\_\_\_, 19 \_\_\_\_.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

DEC 11 1995



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

September 10, 2001

SOUTH COVE VENTURES LLC  
PO BOX 1607  
BELLEVUE WA 98009

RE: Change of Ownership for Water Right Permits 37-8770, 71, 72, 73, 74, 75, 76, 77

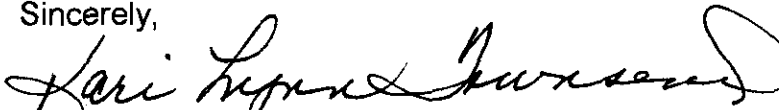
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

  
for Jeff Peppersack, Manager  
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

OCT 11 2001

**ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE**

Permit No. 37-08771 Reviewed by [Signature] Date 12-11-96

**GENERAL CONSIDERATIONS**

**TYPES OF USE**

yes Name same as permit?

Stock

yes Address same as permit?

yes Proof timely received?

Correct Uses? yes

*If not, complete calculation below.*

**SOURCE OF WATER**

✓ Surface water source

       Ground water source

       Drilling permit required?

       Copy in the file? Drilling Permit No.                                 

       Amount paid for permit                                  Correct?

       Well log in the file?

**LICENSE EXAMINATION FEE**

**MEASURING DEVICE**

yes Required?

no Required?

50 Amount Submitted

       Installed?

yes Correct?

       Waiver requested?

**PRIORITY CALCULATION**

Date proof received                                 

Date proof due                                 

No. of days late                                  =                                 

Priority Date                                  +                                 

New Priority Date                                 

**DEFICIENCIES OR ACTION ITEMS**

Proof acceptable

**DATA ENTRY**

New Address                                 

Proof Made 11-29-96



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

December 12, 1996

KIP AND ANA GOULD  
4373 N 1900 E  
BUHL ID 83316

**PROOF ACKNOWLEDGMENT LETTER**

**RE: PERMIT NO. 37-08771**

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Please be advised that Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

If you have questions concerning the field examination, contact the **SOUTHERN** Regional Office in Twin Falls, at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

C: IDWR - Region

MICROFILMED  
DEC 19 1996

September 30, 1996

KIP GOULD  
ANA GOULD  
4373 N 1900 E  
BUHL ID 83316

PROOF DUE NOTICE

RE: PERMIT NO. 37-08771

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 1996. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

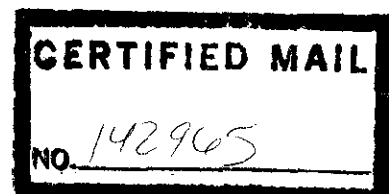
SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

MICROFILMED

DEC 19 1996





**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

July 8, 1996

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

Kip & Ana Gould  
4373 N 1900 E  
Buhl, ID 83316

RE: Permit Nos. 37-08770, 08771, 08772, 08773, 08774, 08775, 08776, 08777

Dear Permit Holders:

I have returned copies of the Proof of Beneficial Use Statements you submitted in connection with the above referenced water rights. The proof forms are not acceptable until they are accompanied by the appropriate license examination fee.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license examination fee. They are:

1. The water right must use a **groundwater** (well) source, and;
2. The rate of diversion must be .04 cfs or 4.0 AF or less.

You do not meet requirement #1 since you divert water from surface water sources. Therefore, a license examination fee of \$50.00 applies to each of the permits.

You have until December 1, 1996, to submit the \$400.00 (\$50.00 x 8 permits) in license examination fees for the above referenced permits. **Please address your correspondence to my attention.**

Please contact me at (208)327-7900 if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

Enclosure

MICROFILMED

DEC 19 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

November 20, 1995

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

KIP GOULD  
ANA GOULD  
4373 N 1900 E  
BUHL ID 83316

PERMIT APPROVAL NOTICE

RE: PERMIT NOS. 37-08770/37-08771/37-08773/37-08774/37-08775/  
37-08776

Dear Permit Holder(s):

Enclosed are copies of your approved applications for permit.  
Please be sure to thoroughly review the "CONDITIONS AND REMARKS"  
listing on the permits.

Enclosed are forms entitled "Instructions for Proof of Beneficial  
Use". Please read the instructions carefully since you must take  
further action to develop these permits. Also enclosed are forms  
entitled "Proof of Beneficial Use". If your projects are already  
completed you should complete and submit these forms immediately.

Sincerely,

  
Shelley Walter Keen  
Water Rights Supervisor

SWK:rl

Enclosures

RECORDED

DEC 11 1995

**APPLICATION FOR PERMIT**  
**STATE OFFICE REVIEW**  
by Cindy Zimmerman

No.: 37-8771 Name: Dowd Date: 11/14/95 Ad OK? ✓  
Correct Fee? ✓ Receipt #: 5014081 Priority: 1/21/92 ✓ Gvmt Lts: ✓

**AREA OF CONCERN?** - No/Yes ESRP Mor Big Wood GWMA Trust/Non-trust  
**PROTESTED:** - 020(Protest Agr) or W19(See Final/Prelim Order)  
**SYSTEM COMPLETED:**  
Yes/proof filed - NA  
1 year/no proof - P16  
+1 year - 26A-P17  
**GROUNDWATER:** <✓ FLO-CH>  
+ 0.2 cfs - 01M  
=/- 0.2 cfs - No MD  
=/+ 5 a. - 01M, 065(if GW use SW 1st)  
Drilling Permit:  
Existing well - NA (pre 7/1/87)  
Included w/permit - Permit No. \_\_\_\_\_, P99  
No WD permit? - 046-46B-P23 (post 7/1/87)  
irr. in WD - P05 (new well)  
**SURFACE WATER** <✓ FLO-CH> (Surface water that doesn't sink is regulated):  
Water District(dem) - 005 (req) WD # 37 <SEE MAP & LISTING>  
+ 0.2 cfs - 028(may report)-01J(meas dev)-P08  
=/- 0.2 cfs - 028(may report)-01H(lock dev)-P01 or No MD  
=/+ 5 a. irr. - 028(may report)  
~~In WD~~ + 0.2 cfs - 01M or No MD (in-stream)  
- 0.2 cfs - No MD  
=/+ 5 a. irr. - 01M  
**RIVER BASINS** (\*Surface water):  
Snake R (01) - 11A-P04, NA  
(02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA  
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA  
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA  
**USE:**  
Domestic (surface) - 021(Boise R † L Peak); 27A(Payette R); NA  
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)  
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)  
+ 5 a - 03A (0.02 cfs/A)  
Mining - 054 (req) & 06A/010/09E-P10  
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);  
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09  
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA  
**LOCATION:**  
Boise Front LoGeo - 058 (-85° GW temp only)  
In-stream dev. - P52 (stream channel alteration)  
Irr Dist/Canal Co. - 023 (Twin Falls area)  
Swan Falls Flag - S <SEE CODE CHART>  
Trust - 051-052-053-P74 (Consumptive Uses), NA  
Non-Trust <1> - 048-049 (Consumptive Uses), NA  
**OWNERSHIP:** Non-land owner - 004 (PD/PU)  
**OTHER CONDITIONS:** -  
**STANDARD REMARKS:** - Q W02/1000 RCH  
**BENEFICIAL USE DUE:** - 12-1-1996  
**COMMENTS:** -

FROM: Allen Merritt *AM*

DATE: November 6, 1995

TO: Application for Permit Files: 37-08770, 37-08771, 37-08775  
& 37-08776 in the name of Kip Gould

SUBJECT: Review and Recommendation

These applications are for development of small ponds for stockwater in the hills between Gooding and Fairfield. The applications were originally filed by Orie and Alonzo Leavell. They were protested by F&G and Jim & Marianne Kramer. Prior to conference the F&G withdrew their protests and also the applications were assigned to Kip & Ana Gould. Based on the conference and further discussions the applicants, Kip & Ana Gould and the protestants, Jim & Marianne Kramer entered into an agreement which resolved the remaining protest.

RECOMMENDATION

I recommend that the applications be approved subject to the following conditions:

- 1) These rights are subject to a private agreement between the applicant and the protestant.
- 2) These rights are subject to all prior rights and specifically rights 37-02251 and 37-02209.
- 3) In low water years when McHan Reservoir (37-02251) does not fill the water stored in the stock ponds may be required to be released.
- 4) The rights are for storage ponds that presently exist and these facilities shall not be expanded beyond present capacities.
- 5) Subject to control of watermaster district 37.

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NOV 13 1995  
Department of Water Resources

STATE OF IDAHO Leavell, Drie +/or Alonzo  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J. P. Stanton DATE 1-28, 1992  
APPLICATION NO. 37-087#1

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)  
☒ Address  
☒ Source (see USGS quad for names of water sources)  
☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.)  
☒ County  
☒ Quantity (flow &/or volume)  
☒ Period of use  
☒ Nature of proposed use (include description of use)  
☒ Description of diverting works.  
☒ Time required for beneficial use of water.  
☒ Place of use or acres irrigated.  
☒ Map  
☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)  
☒ Fee  
☒ Yes ☐ No\* In form to receipt
- ++++PROPOSED PRIORITY DATE  
1-21 1992

ADDITIONAL INFORMATION

- Overlapping place of use (Describe source & relationship to present application on the back.)  
Overlapping point of diversion.  
Yes ☒ No Field check required  
Field check by \_\_\_\_\_  
Yes ☐ No Field report attached  
Yes ☒ No Critical Ground water area  
Yes ☒ No Groundwater management area  
Yes ☒ No Send Dam safety information  
Yes ☒ No Send power requirement letter  
Yes ☒ No Send fish farm requirement letter  
Yes ☒ No Power residency affidavit.  
Yes ☒ No Power efficiency form  
☒ Yes ☐ No Within trustwater boundary (If yes, attach trustwater supplementary analysis sheet.)  
Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information.

\* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

Date Requested \_\_\_\_\_, 19\_\_\_\_

**RECEIVED**  
NOV 13 1995

Department of Water Resources

SEND COPIES TO: \_\_\_\_\_ Idaho Dept of Health & Welfare \_\_\_\_\_ USDI BLM  
 \_\_\_\_\_ Idaho Dept of Fish & Game \_\_\_\_\_ USFS  
 \_\_\_\_\_ Idaho Dept of Lands \_\_\_\_\_ ☒ Water Dist. 39  
 \_\_\_\_\_ Adjudication Bureau Unit \_\_\_\_\_ Other \_\_\_\_\_

☒ Yes    ☐ No    Affidavit of publication received.  
☒ Yes    ☐ No    Application published correctly. If not, record action taken.

|                                     |     |                                     |    |                                                            |
|-------------------------------------|-----|-------------------------------------|----|------------------------------------------------------------|
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No | Publication dates and paper, recorded on App.              |
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No | Protests received                                          |
|                                     |     |                                     |    | Final date for Protest                                     |
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No | Protests, dates, resolution of protest, recorded on app.   |
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No | Recommendations attached                                   |
|                                     | Yes | <input checked="" type="checkbox"/> | No | Measuring device required                                  |
|                                     | Yes | <input checked="" type="checkbox"/> | No | Access port required                                       |
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No | Will water be delivered by watermaster? If yes, what dist. |
|                                     | Yes | <input checked="" type="checkbox"/> | No | Special conditions of approval or cover letter below.      |

In file  
See Memo 11/6/95

Date of priority recommended 1/21, 1995  
By AD Date 11/6, 1995

See below for additional information

By \_\_\_\_\_ Date \_\_\_\_\_, 19 \_\_\_\_\_

**ADDITIONAL INFORMATION:**

LOCAL PUBLIC INTEREST

**Comments recieved from:**

|                    |                                    |                       |
|--------------------|------------------------------------|-----------------------|
| _____ City         | _____ Idaho Fish & Game            | _____ Irrigation Dist |
| _____ County       | _____ Idaho Health & welfare       | _____ Canal Company   |
| _____ Reservations | _____ Div. of Enviromental Quality | _____ Other _____     |

## PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE \_\_\_\_\_, 19\_\_



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033  
Fax (208) 736-3037

October 25, 1995

PHILIP E. BATT  
Governor

KARL J. DREHER  
Director

KIP & ANA GOULD  
4373 N 1900 E  
BUHL ID 83316

RE: Protested Applications for Permit Nos. 37-08770, 37-08771, 37-08772, 37-08775 & 37-08776

Dear Mr. & Mrs. Gould:

We have received a withdrawal of the protests filed by Jim & Marianne Kramer against approval of the Applications for Permit Nos. 37-08770, 37-08771, 37-08775 & 37-08776.

Since they were the only protestants to the four (4) Applications listed immediately above, the issue of the protest has been resolved. The Department is now prepared to proceed with the normal processing of those applications which includes regional review prior to being forwarded to our State Office.

Correspondence has also been sent to the BLM inquiring if they wish to pursue their protest of **Application for Permit No. 37-08772**; they are the only remaining protestant.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.  
Southern Region Manager

AM:MB

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DEC 11 1995



State of Idaho  
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033  
Fax (208) 736-3037

October 25, 1995

PHILIP E. BATT  
Governor

KARL J. DREHER  
Director

JIM & MARIANNE KRAMER  
RT 1 BOX 1065  
FAIRFIELD ID 83327

RE: Application for Permit Nos. 37-08770, 37-08771, 37-08775, &  
37-08776 (Gould)

Dear Mr. & Mrs. Kramer:

This office acknowledges receipt of the withdrawal of your protest against the above referenced applications.

Since you were the only protestant, the issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of the applications which includes regional review prior to being forwarded to our State Office.

The Department will continue review of the applications without further contact with you unless information is requested.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Allen D. Merritt, P.E.  
Southern Region Manager

AM:MB

DEC 11 1995

October 9, 1995

To Whom It May Concern,

Jimmy D. and Marianne Kramer have agreed to withdraw their formal objection to the application for permits 37-08778, 37-08779, 37-0780 and 37-0781 for the diversion of water from unnamed streams for stock water.

The permits 37-08778 through 37-0781 do not divert water from McHan Reservoir which is used for irrigation and recorded under license #37-02251. West Spring Creek is filed under State of Idaho License and Certificate for Water Rights #8804 for 5 cfs water. Priority date April 13, 1914 from West Spring Creek. This was all claimed September 25, 1989 under the General Adjudication of Rights to the use of water from the Snake River Basin Water System Identification #A37-02251. These unnamed streams and Hash Springs all drain into West Spring Creek and into McHan Reservoir which is based on claim #37-02251 and #37-02209. It also records the storage developed by the construction of McHan Reservoir under license #37-02251 and is referenced in the original permit and file.

Jimmy D. and Marianne further withdraw their protest to applications for permits 37-08770, 37-08771, 37-08775 and 37-08776. In consideration Alonzo LeaVell, Kip and Anna Gould agree to the following:

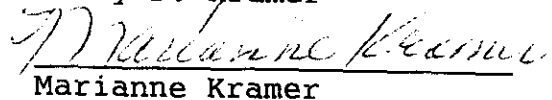
1. Agree to never enlarge the present water holding facilities at these four water holding sites.
2. Agree to only use the water held for stock water.
3. Agree to release water in the future if ever needed should McHan Reservoir not fill.
4. Agree that Jim Kramer's water rights be listed on their application where it says subject to all prior water right.

These are the suggestions discussed at the pre-hearing conference held in the Gooding City Hall multi-purpose room at 308 5th Ave. W. in Gooding, Idaho held at 10:00 a.m. on September 19, 1995.

Signed,



Jimmy D. Kramer



Marianne Kramer

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OCT 20 1995  
Department of Water Resources  
Southern Region

page 1

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OCT 20 1995

Department of Water Resources  
Southern Region

Alonzo Leavell

Kip Gould

Anna Gould

STATE OF IDAHO )  
 ) :ss.  
County of Carroll )

On this 10 day of October, 1995, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Jimmy D. Kramer and Marianne Kramer, husband and wife, known or identified to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed same.

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

James D. Kramer  
NOTARY PUBLIC FOR IDAHO  
Residing at Fairfield  
Commission Expires: 5-6-98

page 2

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OCT 20 1995

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OCT 20 1995

STATE OF IDAHO )  
 )  
:ss.  
County of )

Department of Water Resources  
Southern Region

On this \_\_\_ day of October, 1995, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Alonzo LeaVell, known or identified to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed same.

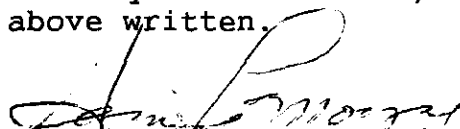
IN WITNESS WHEREOF, I Have hereunto set my hand and seal, the day and year in this certificate first above written.

NOTARY PUBLIC FOR IDAHO  
Residing at \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

STATE OF IDAHO )  
 )  
:ss.  
County of )

On this 6 day of October, 1995, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Kip Gould and Anna Gould, husband and wife, known or identified to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed same.

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

  
NOTARY PUBLIC FOR IDAHO  
Residing at Salt Lake City  
Commission Expires: 5-6-98

page 3

DEC 11 1995

FROM: Allen Merritt

DATE: October 18, 1995

TO: Gould Application files

SUBJECT: Withdrawal of Protest by Kramer  
37-08770, 08771, 08775 & 08776

Jim Kramer phoned and indicated that Gould and him had come up with an agreement and it was presently being passed around for signature. He indicated once he gets it back he will be in to withdraw his protests.

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DEC 11 1995

FROM: Allen Merritt *Adm*

DATE: September 20, 1995

TO: FILES 37-08770 THRU 08772, 08775, 08776, 08778 THRU 08781

SUBJECT: PRE-HEARING CONFERENCE

On 9/19/95 I conducted a pre-hearing conference regarding the above described applications. All were protested by Mr. & Mrs. Jim Kramer except 08772 which is protested by BLM. The applications are in the name of LeVell or Gould. Lonnie LeVell, Kip Gould, and Mr. & Mrs. Kramer were at the conference. BLM did not show up for the conference.

The Kramer issue was interference with his irrigation rights in McHan Reservoir which he owns and operates. Early in the discussion it was determined that applications 37-08778 thru 08781 would not affect McHan Reservoir so the Kramers withdrew their protests for these applications. The remainder of the conference dealt with 37-08770, 08771, 08775 & 08776 which are located above McHan Reservoir and could in theory interfere with the storage rights. The Kramer position was that they wished to protect their water rights but were open to "leasing" the applicant water. I told them that to lease water it may involve the need for a transfer and change of the Kramer water right. They didn't seem to like that. I told them maybe it would more correctly be an agreement or a settlement that could be made where Kramer's would agree not to make a call on draining junior water rights. Gould's position was that the number of cattle above the reservoir was not going to be increased and they are presently drinking water in the streams now so there would not be an increased burden on the system so Kramer's rights would not be injured. I told them that to add storage to natural flow rights could in some years injure the senior reservoir right and then in other years probably not cause an injury if the reservoir filled and spilled water or if the stock ponds filled from water that would not normally get to McHan Reservoir. They discussed the type of lease Kramer had in mind and he indicated that \$50/year might be reasonable but money was not the issue. Gould didn't like the idea of paying money which might set a precedent. They then discussed possibility of agreement to allow access thru Gould property for Kramer.

I told them that if an agreement of sorts could not be worked out we needed to discuss setting a hearing. Kramer thought that they could work something out and didn't want to go to hearing. I instructed that they continue to negotiate and come up with something by Oct. 15th or I would set a hearing.

We discussed the matter of assignment of 37-08773 & 08774 from LeVell to Gould. The form has been filed but fees (\$50 total) had not been paid. Mr. Gould indicated that he paid a \$50 fee for amending and re-advertising 37-08772. It was determined that re-advertising was not necessary since the amendment was reducing the p/d & p/u and other changes kept the elements the same 40 acre

DEC 11 1995

tracts that was originally advertised. Since no advertising was done we discussed applying the re-advertising fee to the assignments.

After the conference I stopped at BLM to inquire why they didn't attend the conference. They were in the middle of an office move and the guy assigned forgot. I left a copy of the amended application that supposed to change the location off of BLM which may allow them to withdraw their protest.

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Conference

9/19/95

Allen Menitt  
Conf. Officer.

Attendance Sheet.

Name

Representing

Gonnie Zussel  
Jim Kramer  
Mary Kramer  
P. Dole

Self  
Self  
Self  
Self

DEC 11 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF APPLICATION )  
FOR PERMITS 37-08770 THRU 37-08772, )  
37-08775, 37-08776 & 37-08778 THRU )  
37-08781 )

NOTICE OF  
PRE-HEARING CONFERENCE

ORIE AND/OR ALONZO LEA VELL, )  
Applicants )

KIP AND ANNA GOULD, )  
Assignee in part )

JIM KRAMER, )  
BUREAU OF LAND MANAGEMENT, )  
Protestants )

On January 21, 1992, Orie &/or Alonzo Lea Vell, applicant, filed with the Department of Water Resources applications 37-08770 thru 37-08781 to appropriate the public waters of the State of Idaho. Idaho Dept. of Fish and Game protested all applications but later withdrew all protests. Jim Kramer protested 37-08770, 37-08771, 37-08775, 37-08776, 37-08778 thru 37-08781. BLM protested 37-08772. Applications 37-08770 thru 37-08772 and 37-08775 thru 37-08777 have been assigned to Kip and Anna Gould. Applications 37-08773 and 37-08774 are pending assignment to Kip and Anna Gould.

The Department has set the matter of protests for a joint conference to be held on **Tuesday, September 19th, 1995, at 10:00 am in the Gooding City Hall multipurpose room at 308 5th Ave. W., Gooding, ID.**

The purpose of the conference is to formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

The conference will be held in accordance with Chapter 2, Title 42, of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded to all parties to respond and present evidence and argument on all issues involved.

The conference will be conducted in a facility which meets the

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**DEC 11 1995**

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of August, 1995, a true and correct copy of the Notice of Pre-hearing Conference was forwarded with all required charges prepared, by the method(s) indicated below, to the parties listed:

Mary G. Baldwin  
Secretary

ALONZO B. LEA VELL  
PO BOX 54  
GOODING ID 83330

Hand delivered \_\_\_\_\_  
U.S. Mail-Regular ✓  
U.S. Mail-Certified \_\_\_\_\_  
Fax \_\_\_\_\_

KIP &/OR ANNA GOULD  
4373 W 1900 E  
BUHL ID 83316

Hand delivered \_\_\_\_\_  
U.S. Mail-Regular ✓  
U.S. Mail-Certified \_\_\_\_\_  
Fax \_\_\_\_\_

JIM & MARIANNE KRAMER  
RT 1 BOX 1065  
FAIRFIELD ID 83327

Hand delivered \_\_\_\_\_  
U.S. Mail-Regular ✓  
U.S. Mail-Certified \_\_\_\_\_  
Fax \_\_\_\_\_

ROBERT D. CORDELL AREA MGR  
USDI-BUREAU OF LAND MGT  
PO BOX 2B  
SHOSHONE ID 83352

Hand delivered \_\_\_\_\_  
U.S. Mail-Regular ✓  
U.S. Mail-Certified \_\_\_\_\_  
Fax \_\_\_\_\_

2001 1 1995

## **CONFERENCE AND HEARING PROCEDURE**

### **APPLICATION FOR PERMIT ISSUES**

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

1. Will the proposed appropriation injure other water rights?
2. Is the water supply sufficient for the purpose for which it is sought to be appropriated?
3. Was the application made in good faith or for delay or speculative purposes?
4. Does the applicant have sufficient financial resources with which to complete the proposed project?
5. Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
6. Is the proposed use contrary to conservation of water resources within the state of Idaho?

### **BURDEN OF PROOF**

The applicant has the initial burden of proof for issues 1, 2, 3, 4, and 6 above and must provide evidence for the department to evaluate these criteria. The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

### **PROCEDURE**

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held the department will issue a written decision based on the hearing record.

### **CONFERENCE**

The purpose of a pre-hearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement or make settlement offers, schedule hearings, establish procedure at hearing and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement. The department may issue a "pre-conference statement order" which requires response to the inquiries.

### **HEARING**

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape. The hearing likely will be conducted by a hearing officer appointed by the Director rather than by the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director. Parties may by written stipulation waive the right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

### **EXHIBITS**

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer. As part of the conference a date may be set by which exchange of exhibits and witness lists must occur.

### **EFFECT OF FAILURE TO APPEAR AT A CONFERENCE OR HEARING**

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

### **AMERICANS WITH DISABILITIES ACT**

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within (10) days prior to the hearing.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

June 22, 1995

PHILIP E. BATT  
Governor

KARL J. DREHER  
Director

KIP & ANA GOULD  
4373 N 1900 E  
BUHL ID 83316

Re: Applications for Permit Nos.: 37-08770, 37-08771, 37-08772,  
37-08775, 37-08776, 37-08777

Dear Mr. & Mrs. Gould:

This office acknowledge receipt of the executed Assignments of Applications for Permit as referenced above.

The changes have been made to our computer database. Enclosed please find printouts for your information and records. Please check the accuracy on these documents.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Mary Baldwin  
Sr. Secretary

Enclosures

cc: Lonnie Leavell

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DEC 11 1995



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

~~CECIL D. ANDRUS~~  
Governor PHIL BATT

May 10, 1995

R. KEITH HIGGINSON  
Director

CARL H NELLIS SUPERVISOR  
IDAHO DEPT OF FISH & GAME  
PO BOX 428  
JEROME ID 83338

RE: Applications for Permit Nos. 37-08770 thru 37-08781 (Lea Vell)

Dear Mr. Nellis:

This office acknowledges receipt of the withdrawal of your protest against the above referenced application.

Since there were multiple protestants, the concerns of the other protestants will need to be addressed by the Department before final processing of the application can be completed.

The Department will continue review of the application without further contact with you unless information is requested.

Please feel free to contact this office if you have any questions regarding this procedure please feel free to contact use.

Very truly yours,

Allen D. Merritt, P.E.  
Southern Region Manager

AM:MB

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DEC 11 1995



**IDAHO FISH & GAME**

*Magic Valley Region*  
868 East Main • P.O. Box 428  
Jerome, Idaho 83338  
(208) 324-4350  
Fax (208) 324-1160

Phil Batt / Governor

Jerry M. Conley / Director

May 2, 1995

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MAY 08 1995

Department of Water Resources  
Southern Region

Mr. Allen Merritt  
Idaho Dept. Of Water Resources  
222 Shoshone St. East  
Twin Falls, Idaho 83301

**RE: Water Rights Applications 37-08770 thru 37-08781 (Lea Vell)**

Dear Allen,

After receiving information from Mr. Kip Gould, who now owns the property on which water rights 37-08770 thru 37-08777 are applied, we have concluded that continuing our protest of the above referenced applications will have little benefit to fish and wildlife. Therefore, we withdraw our protest of water right applications 37-08770 thru 37-08781.

We would, however, like to request a condition be included on the approval of these permits which states, "flow from the identified spring sources will not be restricted or regulated in any way as to reduce the availability of water to wildlife".

Thanks for your cooperation in resolving this matter.

Sincerely,

Carl H. Nellis  
Magic Valley Regional Supervisor

cc: NRPB (Robertson)  
IDFG-Legal (Goddard)  
Lea Vell  
Gould

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DEC 11 1995

# LEAVELL CATTLE

Lonnie Leavell  
RES (208) 934-8190

P.O. Box 54  
GOODING, IDAHO 83330

(208) 934-8543  
FAX (208) 934-8879

February 6, 1995

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FEB 08 1995

Department of Water Resources

L. Glen Saxton, Chief  
Water Allocation Bureau  
State of Idaho  
Department of Water Resources  
1301 North Orchard Street, Statehouse Mail  
Boise, Idaho 83720-9000  
(208) 327-7900 FAX (208) 327-7866

RE: PROTESTED APPLICATIONS FOR PERMIT NOS. 37-08770 THROUGH 37-08781.

Dear Mr. Saxton,

With regards to the foregoing, part of the property has been sold to Kip Gould of Buhl, Idaho. I had executed assignments at time of closing and assumed he was receiving related correspondence to same. I discovered last week the assignment had been misplaced, so I executed another set for Mr. Gould.

I am requesting another 60 days to work through the protests.

Very truly yours,

  
Alonzo B. Leavell

cc: file

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FEB 10 1995

Department of Water Resources  
Southern Region

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MEMORANDUM

To: Protested Application File Nos. 37-08770 thru 37-08781  
From: L. Glen Saxton *WJ*  
RE: STATUS OF FILES  
Date: February 1, 1995

Southern Regional office advised me yesterday that the above described permits are being assigned to another party by Lonnie LeaVell.

Hence, I am returning the original files to the region in order to schedule any needed hearings after the new owner has attempted to resolve the protests.

RECEIVED

FEB 06 1995

Department of Water Resources  
Southern Region

RECEIVED

DEC 11 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

January 18, 1995

Alonzo B. LeaVell  
P.O. Box 54  
Gooding, ID 83330

RE: PROTESTED APPLICATIONS FOR PERMIT NOS. 37-08770 THROUGH 37-08781

Dear Mr LeaVell:

On October 6, 1994, I wrote you concerning the status of the above referenced twelve (12) applications which propose the storage of small amounts of surface water for stockwatering purposes in Camas County.

On November 3, 1994, you responded to my letter advising that you have contacted the protestants and wanted another sixty (60) days to try to work out an agreement.

Since sixty (60) days have passed, please advise me within twenty (20) days of the status of the protested applications.

Sincerely,

L. GLEN SAXTON, Chief  
Water Allocation Bureau

c: IDWR - S. Region

DEC 11 1995

# LEAVELL CATTLE

Lonnie Leavell  
RES (208) 934-8190

P.O. Box 54  
GOODING, IDAHO 83330

November 3, 1994

(208) 934-8543  
FAX (208) 934-8879

RECEIVED

NOV 7 1994

Department of Water Resources

Dept. of Water Resources  
L. Glen Saxton, Chief  
Water Allocation Bureau  
Statehouse Mail  
Boise, Idaho 83720-9000

Dear Mr. Saxton:

Following up your letter of October 6, 1994 addressed to Orie and myself, regarding protests on water applications we filed.

Orie, my father, passed away in January 1993 and the estate worked out about April of 1994.

Following up your letter I have contacted the protestants and would like another 60 days to try and work out an agreement.

Very truly yours,

  
Alonzo B. Leavell

NOT RECORDED

DEC 11 1995



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000  
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

October 6, 1994

Orie S. and Alonzo B. Leavelle  
P.O. Box 54  
Gooding, ID 83330

RE: PROTESTED APPLICATIONS FOR PERMIT NOS. 37-08770 through 37-08781

Gentlemen:

The department of Water Resources has recently reviewed protested applications which are pending in department files to determine what further action is appropriate in connection with the applications.

Our files show that on January 21, 1992, you filed the above referenced twelve (12) applications proposing the storage of small amounts of surface water for stockwatering purposes in Camas County, Idaho. The applications were subsequently protested by other water users in the area.

The last correspondence in the files is dated April 13, 1992 and asks that you contact the protestants to determine the nature of the protests and attempt to resolve them.

The purpose of this letter is to inquire of the status of the applications, of your efforts to work out the protests and to determine the need of a conference or hearing in connection with the applications.

Please provide a written update of the status of the applications to the department within thirty (30) days. The department will then attempt to determine further action which is appropriate.

Sincerely,

L. GLEN SAXTON, Chief  
Water Allocation Bureau

c: IDWR - S. Region

MP

DEC 1 1994



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

13-Apr-1992

R. KEITH HIGGINSON  
Director

ORIE S &/OR ALONZO B LEA VELL  
PO BOX 54  
GOODING ID 83330

RE: APPLICATIONS FOR PERMIT NOS. 37-08770-08781 (inclusive)

Gentlemen:

Enclosed are copies of protests filed against the above referenced applications.

The Department suggests you contact the protestant(s) directly to determine the exact nature of the protest(s) and, if possible, to resolve the matter without action by the Department.

Correspondence in our file indicates that you have received and reviewed copies of protests filed against the approval of the above referenced application. To date our Department has not received a written withdrawal of the protest; therefore, it appears that action by the Department is necessary to resolve the matter.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.  
Southern Region Manager

LH:MB  
Enclosure(s)

DEC 1 1992

Attachment to letter dated 13-Apr-1992

To all parties in the matter of  
Applications for permit Nos. 37-08770-08781 (inclusive)  
in the name of ORIE S. &/OR ALONZO B. LEA VELL

PROTESTED APPLICATION FOR PERMIT:  
ISSUES CONSIDERED, CONFERENCE PROCEDURE

In processing all applications for permit, the department must consider the following issues, which are specified in Section 42-203A of the IDAHO CODE:

- 1) Will the proposed use reduce the quantity of water under existing 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 proposed project?
- 5) Will the proposed use conflict with the local public interest?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

When an application is protested, the statute requires the department to conduct a hearing to create a record of the evidence considered in approving or denying the application.

Normally, an informal pre-hearing conference is held prior to the actual hearing. The objectives of the informal conference are as follows:

- 1) To familiarize all parties with the application and the issues being raised.
- 2) To provide a forum for discussion and possible resolution of the matter among the parties.
- 3) To provide information to the parties about the department's hearing procedure in deciding protested applications.
- 4) To discuss scheduling of the matter for hearing.

Notices setting the time and place for the conference will be sent by certified mail to all parties at least 10 days prior to the conference. This is the same procedure specified by law for serving notice of hearings.

Conferences are conducted under Rules for Practice and Procedure adopted under the Idaho Administrative Procedures Act.

MICROFILMED  
DEC 11 1995



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

13-Apr-1992

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

ATTN CARL H NELLIS SUPERVISOR  
IDAHO FISH & GAME - REGION 4  
PO BOX 428  
JEROME ID 83338

RE: APPLICATIONS FOR PERMIT NOS. 37-08770-08781 (Inclusive)  
Lea Vell

Dear Mr. Nellis:

Your protest against the approval of the above referenced applications has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.  
Southern Region Manager

LH:MB  
Enclosure(s)

**MICROFILMED**

DEC 11 1995



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

13-Apr-1992

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

JIMMY D &/OR MARIANNE KRAMER  
RT 1 BOX 1065  
FAIRFIELD ID 83327

RE: APPLICATIONS FOR PERMIT NOS. 37-08770, 37-08771,  
37-08775, 37-08776, 37-08778, 37-08779, 37-08780, 37-08781  
(Lea Vell)

Dear Mr. & Mrs. Kramer:

Your protest against the approval of the above referenced applications has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.  
Southern Region Manager

LH:MB  
Enclosure(s)

RECEIVED

DEC 11 1995



**IDAHO FISH & GAME**

REGION 4  
868 East Main Street  
Jerome, ID 83338  
(208) 324-4350

March 18, 1992

RECEIVED

MAR 24 1992

Idaho Department of Water Resources  
Twin Falls, ID 83301

Idaho Department of Water Resources  
Attn: Loren Holmes  
222 Shoshone St. East  
Twin Falls, ID 83301

RE: Application #'s 37-08770-81, Orie S. Lea Vell and Alonzo B. Lea Vell

Dear Loren:

We are concerned these applications for stream and spring water diversions would affect surface flows into Spring Creek Reservoir, Mchan Reservoir and Schooler Creek and negatively affect wildlife values in this area. For this reason, we are protesting the applications. If further review of the full application and additional information supplied by the applicant demonstrates that these diversions of water will not be detrimental to wildlife values, we will withdraw our protest.

We would also appreciate it if you would send us a copy of these applications.

Thank you for the opportunity to comment.

Sincerely,

Carl H. Nellis  
Supervisor, Region 4

Cecil D. Andrus / Governor  
Jerry M. Conley / Director



Working for wildlife - since 1938

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DEC 11 1995

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MAR 08 1992

Department of Water Resources  
Southern Region Office

March 6, 1992

Dear Department of Water Resources,

We are writing this letter of protest as required by law concerning Legal Notice Numbers, 37-08770, 37-08771, 37-08775, 37-08776, 37-08778, 37-08779, 37-08780, and 37-08781 for diversion of water from unnamed streams and water from Hash Springs for stock water. This spring formerly was called West Spring which runs directly into McHan Reservoir which is used for irrigation and recorded under License # 37-02251.

West Spring Creek is filed under State of Idaho License and Certificate for Water Rights # 8804 for 5 cfs water. Priority date April 13, 1914 from West Spring Creek. This was all claimed September 25, 1989 under the General Adjudication of Rights to the use of water from the Snake River Basin Water System Identification # A37-02251. These unnamed streams and Hash Springs all drain into West Spring Creek and into McHan Reservoir which is based on claim 37-02251 and 37-02209. It also records the storage developed by the construction of McHan Reservoir under license # 37-02251 and is referenced in the original permit and file.

The reason for this letter of protest is that this water has been filed on and has been in use for irrigation purposes since 1914 and we would not want to relinquish our rights for this useage.

Sincerely,

*Jimmy D. Kramer*

Jimmy D. Kramer

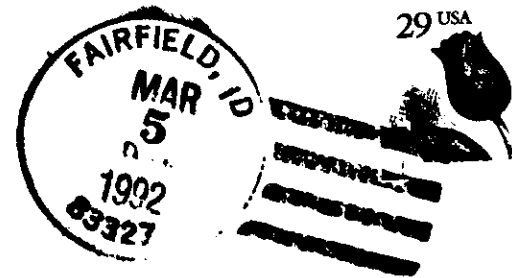
*Marianne Kramer*

Marianne Kramer

*RECEIVED*

DEC 11 1995

Jim Kramer  
Rt. 1 Box 1065  
Fairfield, Idaho  
83327  
(208) 764-2378



RECEIVED

MAR 06 1992

Department of Water Resources  
Southern Region Office

Director  
Department of Water Resources  
Southern Region  
222 Shoshone Street East  
Twin Falls, Idaho 83301

DEC 11 1995

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RECEIVED

~~Department of Water Resources~~  
~~Southern Region Office~~

**March 3, 1992**

March 10, 1992

## RECEIVED

Department of Water Resources  
Southern Region Office

Mark Williamson, being first duly sworn, deposes and says that he/she is the designated agent for publisher of the Snowshoe, a newspaper published every week in Fairfield, County of Camas, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement, a copy of which is hereto attached, was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 34 day of March, 1992, and the date of the last publication was on the 10 day of March, 1992.

Subscribed  
Man, 19 92.

|                           |        |
|---------------------------|--------|
| Number of lines in notice | 278    |
| Number of insertions      | 2      |
| Cost for advertisement    | 336.38 |

38  
Please pay  
MB  
4/10/92

DEC 11 1995

# Legal Notice

## NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: SPRING CREEK  
Tributary: CANAD CREEK  
Diversion Pt: NENSW Sec 21 T 22S R 12E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)  
Date Filed: 1/21/1992  
In: CAMAS County  
T02S R12E S13

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: UNNAMED STREAM  
Tributary: SPRING CREEK  
Diversion Pt: NENSW Sec 21 T 22S R 12E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)  
Date Filed: 1/21/1992  
In: CAMAS County  
T02S R12E S13

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: THORN CREEK  
Tributary: BIG HORN RIVER  
Diversion Pt: NENSW Sec 24 T 22S R 12E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)  
Date Filed: 1/21/1992  
In: CAMAS County  
T02S R12E S13

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: HND SPRING  
Tributary: THORN CREEK  
Diversion Pt: NENSW Sec 27 T 22S R 12E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)  
Date Filed: 1/21/1992  
In: CAMAS County  
T02S R12E S13

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: HND SPRING  
Tributary: THORN CREEK  
Diversion Pt: NENSW Sec 27 T 22S R 12E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)  
Date Filed: 1/21/1992  
In: CAMAS County  
T02S R12E S13

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: UNNAMED STREAM  
Tributary: SPRING CREEK  
Diversion Pt: NENSW Sec 21 T 22S R 12E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)  
Date Filed: 1/21/1992  
In: CAMAS County  
T02S R12E S13

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: UNNAMED STREAM  
Tributary: SPRING CREEK  
Diversion Pt: NENSW Sec 21 T 22S R 12E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)  
Date Filed: 1/21/1992  
In: CAMAS County  
T02S R12E S13

# Legal Notice

37-08775

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: UNNAMED STREAM  
Tributary: SPRING CREEK  
Diversion Pt: NENSW Sec 21 T 22S R 12E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)  
Date Filed: 1/21/1992  
In: CAMAS County  
T02S R12E S13

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: UNNAMED STREAM  
Tributary: SPRING CREEK  
Diversion Pt: NENSW Sec 21 T 22S R 12E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)  
Date Filed: 1/21/1992  
In: CAMAS County  
T02S R12E S13

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: UNNAMED STREAM  
Tributary: SPRING CREEK  
Diversion Pt: NENSW Sec 21 T 22S R 12E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)  
Date Filed: 1/21/1992  
In: CAMAS County  
T02S R12E S13

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: UNNAMED STREAM  
Tributary: SPRING CREEK  
Diversion Pt: NENSW Sec 21 T 22S R 12E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)  
Date Filed: 1/21/1992  
In: CAMAS County  
T02S R12E S13

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: UNNAMED STREAM  
Tributary: SPRING CREEK  
Diversion Pt: NENSW Sec 21 T 22S R 12E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)  
Date Filed: 1/21/1992  
In: CAMAS County  
T02S R12E S13

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: UNNAMED STREAM  
Tributary: SPRING CREEK  
Diversion Pt: NENSW Sec 21 T 22S R 12E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)  
Date Filed: 1/21/1992  
In: CAMAS County  
T02S R12E S13

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: UNNAMED STREAM  
Tributary: SPRING CREEK  
Diversion Pt: NENSW Sec 21 T 22S R 12E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)  
Date Filed: 1/21/1992  
In: CAMAS County  
T02S R12E S13

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: UNNAMED STREAM  
Tributary: SPRING CREEK  
Diversion Pt: NENSW Sec 21 T 22S R 12E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)  
Date Filed: 1/21/1992  
In: CAMAS County  
T02S R12E S13

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330  
Source: UNNAMED STREAM  
Tributary: SPRING CREEK  
Diversion Pt: NENSW Sec 21 T 22S R 12E in CAMAS County.

# Legal Notice

37-08781

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330

Source: UNNAMED STREAM  
Tributary: SPRING CREEK  
Diversion Pt: NENSW Sec 13 T 02S R 15E in CAMAS County.

Use: STOCKWATER STORAGE  
STOCKWATER FROM STORAGE  
Total Diversion: ( 1.00 AF)  
( 1.00 AF)  
( 1.00 AF)

Date Filed: 1/21/1992

In: CAMAS County  
T02S R15E S13

37-08782

WILMOTH, BOYD  
1601 2ND AVE E  
TWIN FALLS, ID 83301

Source: BEAVER CREEK  
Tributary: WILLOW CREEK  
Diversion Pt: LOT 3 (NENW) Sec 3 T 01N R 16E in CAMAS County.

Use: INDUSTRIAL  
Total Diversion: ( .100 CFS)  
( .100 CFS)

Date Filed: 2/ 6/1992

In: CAMAS County  
T02N R16E S34

NENW

The permit(s) will be subject to all prior water rights.

Protests must be filed with the Director, Dept. of Water

Resources, Southern Region, 222 Shoshone Street East,

Twin Falls, ID 83301 on or before MARCH 23, 1992

R. KEITH HIGGINSON, Director

Published 3/4/1992 & 3/11/1992

RECORDED

DEC 11 1995

Per t/c with Mrs. Meg Kevan, Journalism teacher at Camas County High School in Fairfield, ID the Snowshoe was sent to 303 Printing in Gooding, ID for printing on 3/4/92; however, the date on the paper is 3/3/92. Mrs. Kevan indicated that there has been numerous problems with achieving printing on the dates that are scheduled but the desired publication on Wednesdays is still valid.

See Note below.

[illegible][illegible]

**Legal Notice**

37-0893

AND VILL. DIST. F  
LAWYER: JAMES E.  
PO BOX 54 ALBANY N  
COOLIDGE, ID 83230

American DIVERSIFIED SYSTEM

Divergence PE:

MURDER Two 11 T GUN & USE IN CHINA COUNTY

Tribunary: SPRING CREEK

Case: PROSECUTION REQUESTED  
PROSECUTOR: JOHN STEPHENS  
Total Divergence:  
Date Filed: 1/27/1992

IN RE: CHINA COUNTY  
TOSR RITE S13

WILLOW CREEK  
MURDER TWO  
CHINA COUNTY  
TOSR RITE: ID 83201

DAVERGENCE: BAYVIEW CREEK

Case: INDIVIDUAL  
Total Divergence: .100 CMH  
Date Filed: 3/4/1992

W.C.: .100 CMH  
M.C.: .100 CMH  
S.C.: .100 CMH

The peritric(s) will be subject to all prior water rights.

Present must be filed with the Director's Dept. of Water Resources, Southern Region, 212 Shoshone Street East, Twin Falls, ID 83301 on or before MARCH 23, 1992

R. KEITH HICKMAN, Director

Filed: 3/4/1992 & 3/11/1992

per t/c with Mrs. Kevan of  
the Snowshoe who clarified  
question of publication  
dates. She verified that  
printing is done on  
Tuesdays & mailings  
occur on Wednesdays so  
I will change info on  
computers.  
M. Baldwin

**Dance-Dance**  
Saturday, March 14th  
**DEER CRF LODGE**  
8:00  
P:  
Saturday  
✓ 7th  
pub 92 92 92  
3-5-92  
3/3/92  
ASSISTANT  
CHAIRMAN  
STAFF PRESIDENT  
BY POWER OF



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

20-Feb-1992

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

ORIE &/OR ALONZO LEA VELL  
PO BOX 54  
GOODING ID 83330

Re: Applications for Permit Nos. 37-08770 thru 37-08781, inclusive

Gentlemen:

The Department of Water Resources acknowledges receipt of your water right applications for permit. The applications have been assigned the above referenced identification numbers. Please refer to these numbers in all further correspondence, copies of the applications are enclosed for your information.

This office will be advertising the applications in the Snowshoe on 3/4 & 3/11/92. A period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If an application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton  
Sr. Water Resource Agent

JS:MB

**RECEIVED**

DEC 11 1995

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-08771

LEA VELL, ORIE S  
LEA VELL, ALONZO B  
PO BOX 54  
GOODING, ID 83330

Source: UNNAMED STREAM

Tributary: SPRING CREEK

Diversion Pt: SESESE Sec 21 T 02S R 15E in CAMAS County.

|                         |            |
|-------------------------|------------|
| Use: STOCKWATER STORAGE | ( 1.00 AF) |
| STOCKWATER FROM STORAGE | ( 1.00 AF) |
| Total Diversion:        | ( 1.00 AF) |

Date Filed: 1/21/1992

In: CAMAS County  
T02S R15E S21 SESE

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before MARCH 23, 1992.

R. KEITH HIGGINSON, Director

Published: 3/ <sup>1992</sup>4/9920 & 3/11/1992

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Southern Region  
222 Shoshone Street East  
Twin Falls, ID 83301  
(208)736-3033

FEBRUARY 19, 1992

THE SNOWSHOE  
BOX 360  
FAIRFIELD, ID 83327

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 23, 1992.

Yours truly,

Mary Baldwin  
Secretary/Office Coordinator

Enclosure

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