

[illegible]

5° 07' 30" 43° 00' MAY 08 1991

Helen Hoagland
(Applicant)

Affidavit of Publication

County of Elmore } ss.
STATE OF IDAHO }

I, Lois Whitney, do solemnly swear that I am the foreman, or publisher of the

Mountain Home News

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for

2 consecutive weeks, the first publication having been made on 6th day of

March, 1991, and the last publication having been made on the 13th day of

March, 1991; every Wednesday

issue of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lois Whitney

Subscribed and sworn to me this 13th day of

March, 1991

Opie W. Sue
Notary Public

NOTICE OF APPLICATION FOR TRUST WATER RIGHT 37-08349

HOAGLAND, HELEN

P.O. BOX 145

KING HILL, ID 83633

Source: UNNAMED STREAM

Tributary: CLOVER CREEK

Diversion Pt: NENWSW Sec 10 T
05S R 11E; NWNWSW Sec 10 T 05S R
11E

Use: IRRIGATION (.700 CFS); REC-
REATION (.700 CFS) (10.00 AF); Total
Diversion: (.700 CFS) (10.00 AF)

Date Filed: 6/22/1988

In: T05S R11E S10, NWSW

35.0 ACRES TOTAL

The permit will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before MARCH 25, 1991.

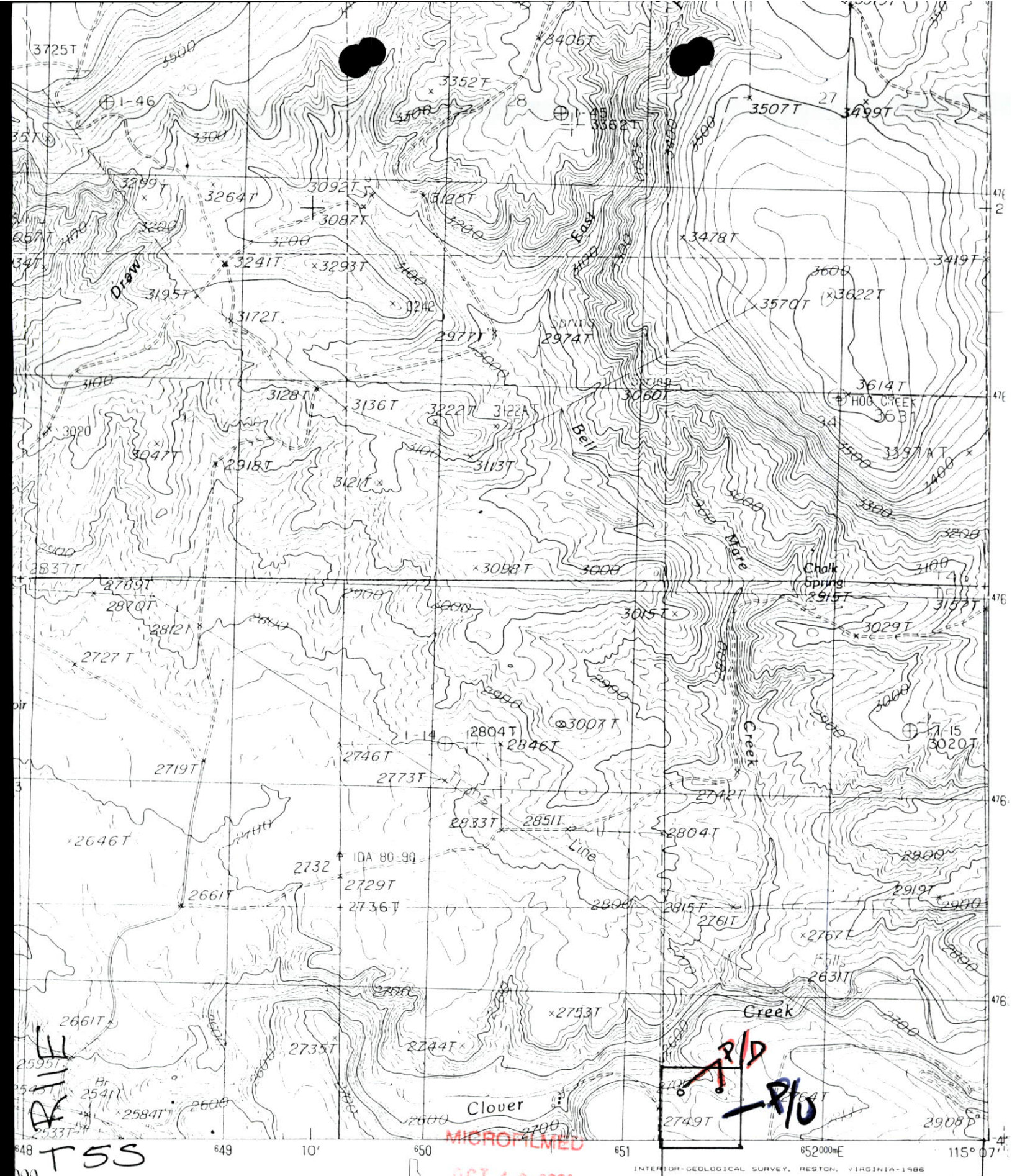
R. Keith Higginson, Director
Published 3/6/1991 & 3/13/1991.

OKJL
3-15-91

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MAY 08 1991

Type	WR #	Owner	Source	TRS	AENE	HAWNE	SWINE	SENE	NENW	NNWN	SWNW	SEIW	NESW	RNSW	WSNW	SESJ	NESE	NWSE	SWSE	SESE	Totals
Claim	37 17530	UNITED STATES OF AMERICA ACTING THROUGH,	BELL WARE CREEK	05S11E10					X												0
Claim	37 17530	UNITED STATES OF AMERICA ACTING THROUGH,	BELL WARE CREEK	05S11E10						X											0
Rec	37 17530	UNITED STATES OF AMERICA ACTING THROUGH,	BELL WARE CREEK	05S11E10					X												0
Claim	37 4240	NORTH SIDE CANAL COMPANY LTD,	BIG WOOD RIVER, SILVER CREEK	05S11E10	X		X	X	X				X	X	X	X	X	X	X		0
Claim	37 13340	PATSY L ANDERSON,	CLOVER CREEK	05S11E10			X	X													0
Claim	37 13340	PATSY L ANDERSON,	CLOVER CREEK	05S11E10					X												0
Claim	37 17568	UNITED STATES OF AMERICA ACTING THROUGH,	CLOVER CREEK	05S11E10			25	20													45
Claim	37 17568	UNITED STATES OF AMERICA ACTING THROUGH,	CLOVER CREEK	05S11E10					X												0
Claim	37 17598	UNITED STATES OF AMERICA ACTING THROUGH,	CLOVER CREEK	05S11E10					X												0
Claim	37 19687	UNITED STATES OF AMERICA ACTING THROUGH,	CLOVER CREEK	05S11E10					X												0
Claim	37 19687	UNITED STATES OF AMERICA ACTING THROUGH,	CLOVER CREEK	05S11E10					X												0
Rec	37 17568	UNITED STATES OF AMERICA ACTING THROUGH,	CLOVER CREEK	05S11E10					X												0
Rec	37 19687	UNITED STATES OF AMERICA ACTING THROUGH,	CLOVER CREEK	05S11E10					X												0
Rec	37 2201	JOSEPH HELLER,	CLOVER CREEK	05S11E10			25	20													45
Right	37 2201	JOSEPH HELLER,	CLOVER CREEK	05S11E10									X	X	X	X	X	X	X		0
Claim	37 10110	HELEN HOAGLAND	GROUND WATER	05S11E10																	0
Rec	37 10110	HELEN HOAGLAND	GROUND WATER	05S11E10																	0
Claim	37 4241	NORTH SIDE CANAL COMPANY LTD,	LITTLE WOOD RIVER, SILVER CREEK	05S11E10	X		X	X	X			X	X	X	X	40	20	40	20		260
Claim	1 212		SNAKE RIVER	05S11E10		10	10	10	10				20	40		40					0
Right	1 16	NORTH SIDE CANAL CO,	SNAKE RIVER	05S11E10																	0
Right	1 212	TWIN FALLS NORTH SIDE LAND & WATER, NORTH SIDE CANAL CO,	SNAKE RIVER	05S11E10																	0
Right	1 213	TWIN FALLS NORTH SIDE LAND & WATER CO,	SNAKE RIVER	05S11E10																	0
Right	1 215	TWIN FALLS NORTH SIDE LAND & WATER CO, NORTH SIDE CANAL CO,	SNAKE RIVER	05S11E10																	0
Right	1 220	TWIN FALLS NORTH SIDE LAND & WATER CO, NORTH SIDE CANAL CO,	SNAKE RIVER	05S11E10																	0
Right	1 5	NORTH SIDE CANAL CO,	SNAKE RIVER	05S11E10																	0
Claim	37 13341	PATSY L ANDERSON,	SPRINGS	05S11E10									X	X	X						0
Rec	37 13341	PATSY L ANDERSON,	SPRINGS	05S11E10																	0
Right	37 4169	PATSY L ANDERSON, HAROLD C ANDERSON,	SPRINGS	05S11E10			11	4						X	X		5				20
Permit	37 8347	HELEN HOAGLAND,	UNNAMED STREAM	05S11E10											3						3
Permit	37 8347	HELEN HOAGLAND,	UNNAMED STREAM	05S11E10											36						36



T55

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OCT 19 2001

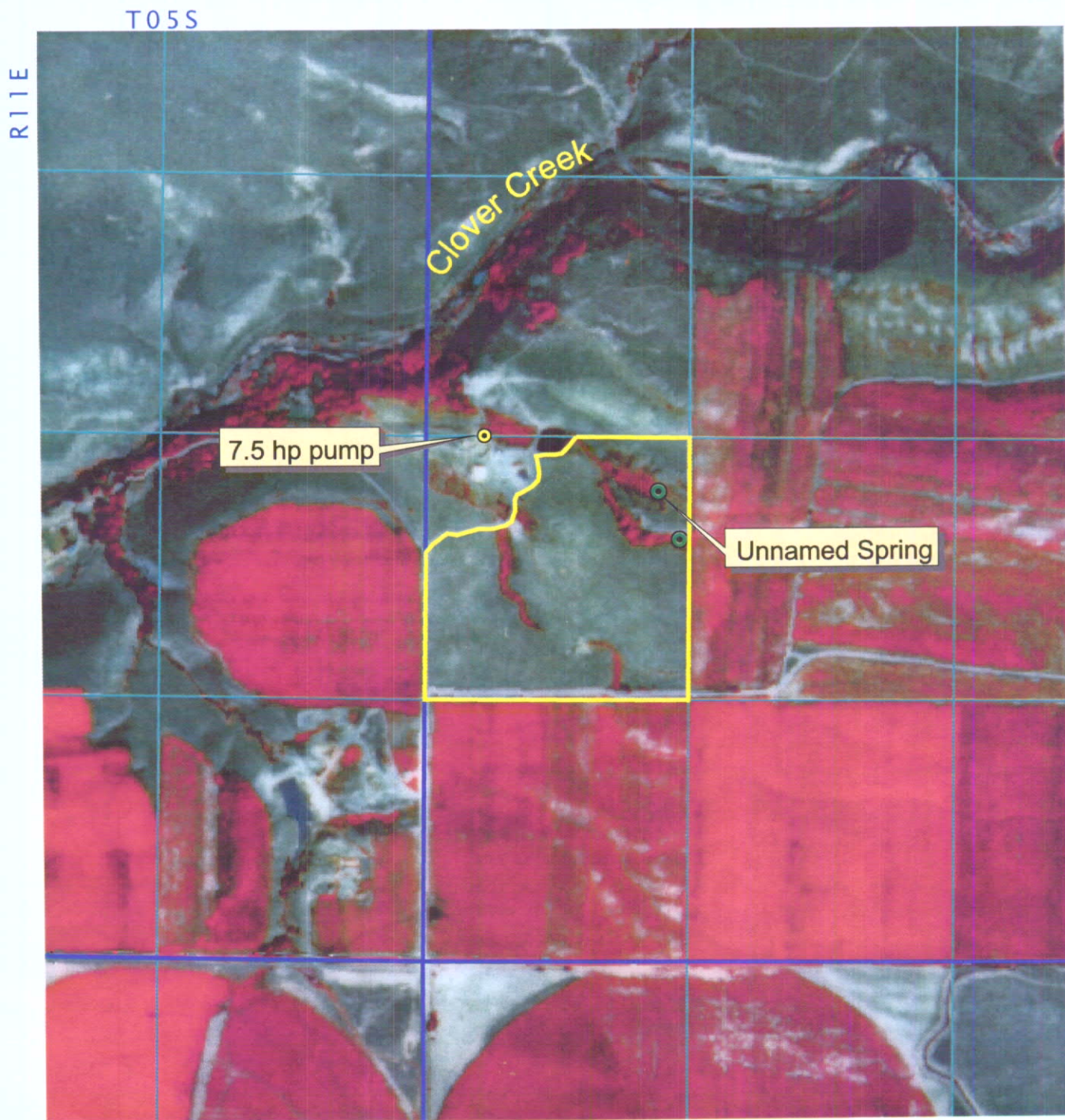


QUADRANGLE LOCATION

King Hill, Idaho
Provisional Edition 1986
Z 67

37-08347
-08349

Idaho Department of Water Resource
Recommendation for 37-08349
Helen Hoagland



-  Point of Diversion
-  Section Lines
-  Quarter-quarter lines
-  Place of Use



Point of Diversion and Place of Use
T05S R11E S10
Data entry on Dec 14, 2000

Point of Diversion Presentation
1987/1988 NAPP Photography
Data Entry By: Amanda Folsom

AERIAL PHOTO
TAKEN 1992

TS RIE

T203
146

T17
14

+

T113
573

9

10

4
114.3

16

15

T18
14

5.2

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HEL

4
25.3

HEL

8
17.1

7 2.4 HEL

← N -

Springs

35 acres

Canyon

37-08349

Pond #2

Pond #1

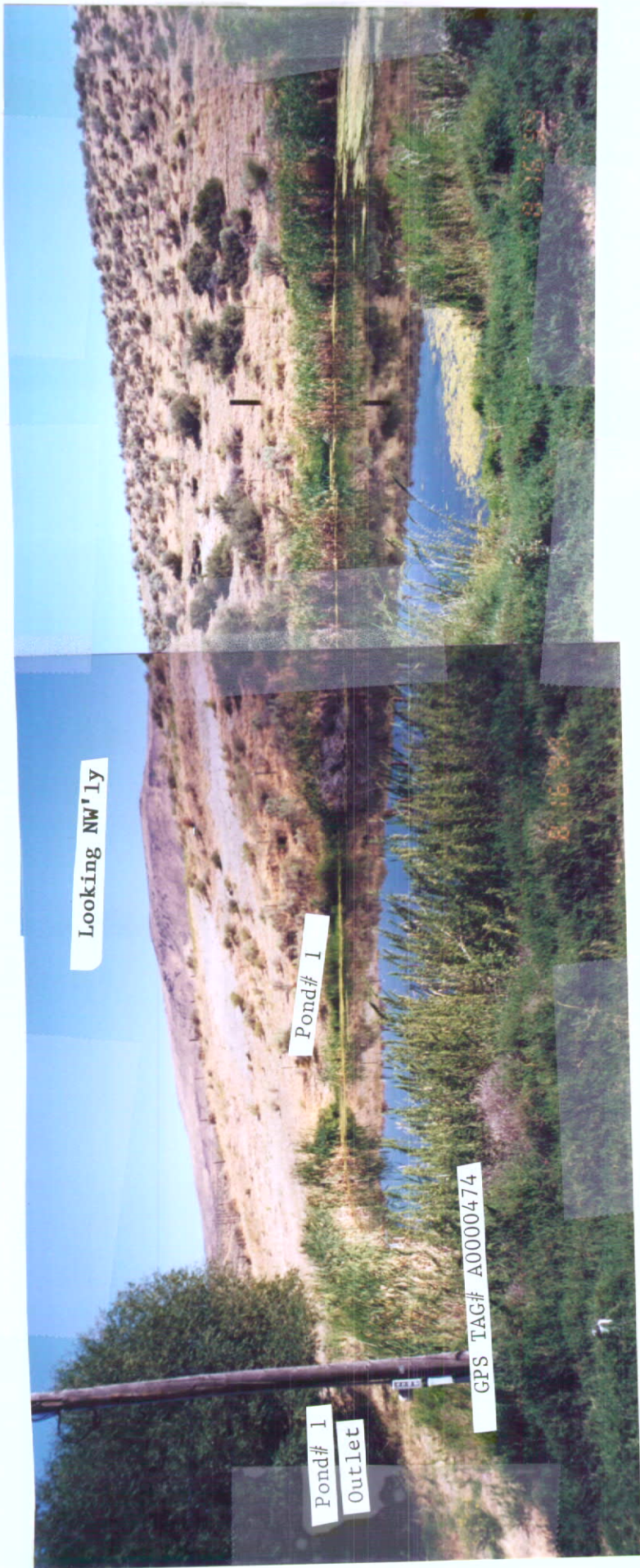
House

shop/
Barn

To Clover Creek

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Helen Hoagland
FE: Amanda Folsom
Date: 16 August 1999
97-08347



Looking SE'ly



Looking SW'ly



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Hoagland Tunnel



Hoagland Tunnel

MICROFILMED
OCT 19 2001

Helen Hoagland
FE: Amanda Folsom
Date: April 24, 2000

37-08349



Flows down to Clover Creek

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OCT 19 2001

Helen Hoagland
FE: Amanda Folsom
Date: April 24, 2000

37-08349

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08349

Priority: August 1, 1988

Maximum Diversion Rate: 0.36 CFS
Maximum Diversion Volume: 135.7 AF

It is hereby certified that HELEN HOAGLAND
PO BOX 145
KING HILL ID 83633 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 22, 1988; and has
submitted Proof of Beneficial Use on May 16, 1994. An examination indicates that the works have a
diversion capacity of 0.36 cfs of water from:

SOURCE

UNNAMED STREAM

Tributary: CLOVER CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/15 to 11/15	0.36 CFS	132.0 AF
RECREATION STORAGE	01/01 to 12/31		3.7 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM NW¼NW¼SW¼ Sec. 10, Twp 05S, Rge 11E, B.M., ELMORE County
UNNAMED STREAM NW¼SW¼ Sec. 10, Twp 05S, Rge 11E, B.M., ELMORE County
UNNAMED STREAM NW¼SW¼ Sec. 10, Twp 05S, Rge 11E, B.M., ELMORE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 11E 10												33.0					33.0

Total Acres: 33

PLACE OF USE: RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 11E 10												X					

CONDITIONS OF APPROVAL

1. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

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State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08349

2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. Right 37-08347 is also diverted through the point of diversion located in NWNWSW, Sec. 10, Twp. 05S, Rge. 11E.
4. Rights 37-08347 and 37-08349 when combined shall not exceed a total diversion rate of 0.36 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 8th day of August, 2001.

Acting for 
KARL J. DREHER
Director

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OCT 19 2001

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AUG - 1 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08349

Department of Water Resources

Date of Priority: August 01, 1988

Maximum Diversion Rate: 0.36 CFS
Maximum Diversion Volume: 135.7 AF

Comes now HELEN HOAGLAND
P O BOX 145

KING HILL ID 83633 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-08349, and requests that the permit be changed as follows:

Source: UNNAMED STREAM Tributary: CLOVER CREEK

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.36 CFS	132.0 AF
RECREATION STORAGE	01/01 to 12/31		3.7 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10, Twp 05S, Rge 11E, B.M., ELMORE County
UNNAMED STREAM NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10, Twp 05S, Rge 11E, B.M., ELMORE County
UNNAMED STREAM NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10, Twp 05S, Rge 11E, B.M., ELMORE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
05S	11E	10	NE	NW	SW	SE	33.0

Total Acres: 33

PLACE OF USE: RECREATION STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	Totals
05S	11E	10	NE	NW	SW	SE	X

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 30 day of July, 2001.

Helen L. Hoagland
(Signature)

MICROFILMED
OCT 19 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08349

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$50.00 Received by J.F. # 5024199 Date 7.30.01

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-08349 with the following:

CONDITIONS OF APPROVAL

1. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. Right 37-08347 is also diverted through the point of diversion located in NWNWSW, Sec. 10, Twp. 05S, Rge. 11E.
4. Rights 37-08347 and 37-08349 when combined shall not exceed a total diversion rate of 0.36 cfs.

Witness my hand this 8TH day of August, 2001.

Acting for


KARL J. DREHER
Director

MICROFILMED
OCT 19 2001

JUN 13 1994

RECEIVED

RECEIVED
MAY 18 1994
Department of Water ResourcesOFFICE USE ONLY
Amt. of Fee \$ 50.00 / 100.00
Date 5/16/94
Receipt No. 5016907
Receipt by MTS

MAY 16 1994

SOUTHERN REGION OFFICE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 37-08349 Telephone No. 366-7304
2. Name(s) of Permit Holder(s): Helen Hoagland
3. Mailing Address: Bx 145, King Hill, Ida, 83633
4. Source of Water: unamed stream - Trib - Clover Cr.

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

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

Irrigation 35 (No. of acres) Other HH MTS 0.70

6. Total rate and/or volume for which proof is submitted 0.09 cfs OR N/A - acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes X No Installed? _____ Yes _____ No

OR

Flow Measurement Port: Required? _____ Yes X No Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 100.00 MTS (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system. Call

Name Helen Hoagland Telephone No. 366-7304 2 A.M.

Address Bx 145 Kinghill, Ida 83633

10. The above information 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.

Date

5/16/94

Signature (and title, if on behalf of a company or organization)

Helen Hoagland

JUN 13 1994

RECEIVED

MAY 26 1993

For Office Use Only
\$15 Fee Received by MTS
Date 5-25-93
Receipt No. 5015797

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 37-8349

Name(s) of Permit Holder: Helen Hoagland

Mailing Address: P.O. Box 145, King Hill, ID 83633

Date Proof is Due 5-3-93 Telephone No. 366-7304

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Two collection ponds to be used in the diversion system have been completed.

Costing \$ 3,500

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

The death of the owners husband interfered with completion of the system as originally planned. The remaining work to be completed, power to the site and pump installation will be finished within one year.

Permit holder(s) request an extension to 5-3-, 19 94.

FEE: \$15.00

Helen Hoagland
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to May 1, 1994.

IT IS FURTHER ORDERED that this permit is REINSTATED and the priority date advanced to July 17, 1988, pursuant to Section 42-218a, Idaho Code

Signed this 27th day May, 19 93

J. Glen Saylor
Chief, Water Allocation Bureau

RECEIVED

JUN 30 1993

NO. 37-08349

MAY 08 1991

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

NO. 37-08349

6. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.

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

23 day of April, 1991.

R. Keith Higginson

for
R. Keith Higginson, Director

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MAY 08 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Helen Hongland Phone 366-7304
Post office address Box 145, King Hill, ID. 83633

2. Source of water supply UN Named Stream which is a tributary of Clower Cr.

3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____

Sec. 10 Township S 5. Range 11 E B.M. Elmore County; additional

points of diversion if any: ^{2 pts} NW NW SW Sec 10 T. 5 S. R 11 E.

4. Water will be used for the following purposes:

Amount 0.70 for Irrigation purposes from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 10.0 AF for Recreation purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.70 cfs for Recreation 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) 0.70 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Head box + pipeline from upper
p/o. Pump + pipeline from pond.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ 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
5 years (minimum 1 year).

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MAY 08 1991

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. _____
- 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	
5S	11E	10									35								35

Total number of acres to be irrigated 35

10. Describe any other water rights used for the same purposes as described above. Ap: from same

Source for water around house

11. a. Who owns the property at the point of diversion? Applicant

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

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

12. Remarks: one pond is existing an additional pond to be built

RECORDED

NOV 10 1991

Helen Hoagland
(Applicant)

Received by TB Date 6/22/88 Time 2:30 Preliminary check by _____
Fee \$ 45.00 Received by TB # 5000503 Date 6/22/88
Publication prepared by _____ Date _____ Published in _____
Publication approved TJL Date 3-15-91

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:

MAY 08 1991

Affidavit of Publication

County of Elmore } ss.
STATE OF IDAHO }

I, Lois Whitney, do solemnly swear that I am the foreman, or publisher of the

Mountain Home News

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for

2 consecutive weeks, the first publication having been made on 6th day of

March, 19 91, and the last publication having been made on the 13th day of

March, 19 91; every Wednesday

issue of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lois Whitney

Subscribed and sworn to me this 13th day of

March, 19 91

Obert W. Sue
Notary Public

NOTICE OF APPLICATION FOR TRUST WATER RIGHT 37-08349

HOAGLAND, HELEN
P.O. BOX 146
KING HILL, ID 83633
Source: UNNAMED STREAM
Tributary: CLOVER CREEK
Diversion Pt: NENWSW Sec 10 T
05S R 11E; NWNWSW Sec 10 T 05S R
11E
Use: IRRIGATION (.700 CFS); REC-
REATION (.700 CFS) (10.00 AF); Total
Diversion: (.700 CFS) (10.00 AF)
Date Filed: 6/22/1988
In: T05S R11E S10, NWSW
35.0 ACRES TOTAL

The permit will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before MARCH 25, 1991.

R. Keith Higginson, Director
Published 3/6/1991 & 3/13/1991.

OKY L
3-15-91

MICROFILMED

MAY 08 1991



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 9, 2001

HELEN HOAGLAND
PO BOX 145
KING HILL ID 83633

RE: License No. 37-8349 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

Enclosed is a copy of the approved Application for Amendment.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

OCT 19 2001

CERTIFICATE OF MAILING

I hereby certify that on August 9, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 37-8349

**HELEN HOAGLAND
PO BOX 145
KING HILL ID 83633**


**Kari Lynn Townsend
Secretary**

MICROFILMED

OCT 19 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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OCT 19 2001

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

REPROFILMED
OCT 14 2001



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 19, 2001

HELEN HOAGLAND
P O BOX 145
KING HILL ID 83633

RE: Water Right Permit No. 37-08349

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

Other – Change nature of use from recreation to recreation storage

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED

OCT 19 2001

Memorandum

To: File 37-08349

From: Kay Walker 

RE: License Recommendations

Date: July 18, 2001

.....
While preparing this permit for licensing I found a couple of items that I needed to modify.

1. Source of water and points of diversion – The examiner had recommended that we include 2 springs as a source of water under this right. However, the springs flow into an unnamed stream which then flows into the ponds developed. I have recommended we license with the unnamed stream as the only source, 2 points of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10 for the ponds and the point of diversion in NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10 for the irrigation pump.
2. The examiner recommended we license a recreation use under this right. During review it was noted that the recreation use is for the ponds that were developed. Therefore, we are changing the use to recreation storage (which was on the original application but not advertised or permitted for some unknown reason) rather than a recreation use with live flow. We will attempt to obtain a licensing amendment to make this change.
3. When I went into ArcView to put in the shape of the place of use recommended, I found the total acreage to be only 33 acres. In trying to resolve the difference between examiner's recommendation of 35 acres and my GIS shape, I found the examiner had included a road along the south side of the place of use that I did not include in my shape. I believe this license should be limited to the 33 acres I found in my shape file.

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OCT 13 2001

LICENSE REVIEW CHECKLIST

Permit No. 37-08349 Date: 7-18-01 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): 37-08347 - same pld - no pld OK also in license process
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.70 cfs
Fee Limit 1.0 cfs
Measured 0.38 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 0.38

Water Uses

change change (P46)

Season of Use per new Standards

3/15 11/15

Irrigation 0.36 cfs 140 af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
Rec Stor _____ cfs 3.7 af
Total 0.36 cfs 143.7 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.36 cfs x 1.9835 x 246 days = 175.7 af (vs) 33 acres x 4.0 (FHR) = 132 af
3.0 (con)

Remarks: _____

Additional Conditions

☒ Watermaster Control
☒ GW Measurement/Measuring Device
☒ Other
Trust R55 - remove 051
Non-trust (048/049)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim?

NO - N/A

Adjust memo

yes - POU, use

Amend Letters

P87, S06

Second Amendment Notice

S06

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 26 2000

DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 37-083491. Owner: Helen Hoagland Phone No. 208-366-7304Current Address: PO Box 145 King Hill ID 836332. Accompanied by: Helen Hoagland EXAM DATE: Aug 16, 1999Address: same Phone No. sameRelationship to Permit Holder: Owner3. Source: Unnamed Stream tributary to Clover Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: 37-08347

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NW	SW	10	05S	11E	Elmore	GPSTAG# A0000474 pump
		NE	NW	SW	10	05S	11E	Elmore	springs

2. Place(s) of Use:

Indicate Method of Determination GIS

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	11E	10									35								35

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OCT 10 2011

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4. GIS

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
A0000174	Franklin Electric	7 1/2	2261119020		

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: Helen and I took a measurement of the outflow from the springs with a 5gal bucket & stop watch. I was unable to get a measurement of the pump.

E. NARRATIVE/REMARKS/COMMENTS**FILE:** 37-08349**FROM:** Amanda Folsom**DATE:** December 14, 2000

I met with Helen Hoagland on August 16, 1999. I went out a second time on April 24, 2000, to see the second spring that I had confused for another. Helen uses the 35 acres as pastureland for her horses, and uses the ponds for irrigation storage, aesthetics, and a home for her many ducks.

The water originates from two different locations. The first is the springs and unnamed stream that continuously feeds the two on stream ponds. The springs are located in the NENWSW ¼. The stream passes through the ponds and down the steep valley down to Clover Creek. From the second and larger pond, Helen pumps water to her Rainbirds with a portable 7½ pump and hand lines located in the NWNWSW ¼. When the pump is not in use, she stores it in her barn. The second source of water comes from the Hoagland Tunnel, which is west of the ponds and on the side of the canyon wall. There is 3-inch poly pipe that runs up the canyon wall to the connection for the portable pump. Deer in the area damaged the pipe, and Helen plans to get it repaired as soon as possible.

Due to a season of bad health, and that she lives alone, she has not been able to set up the irrigation equipment for the 35 acres these last couple years. She did tell me that she would have to set up the Rainbirds this next irrigation season for sure. Most likely she will get a neighbor to help. My recommendation is as follows:

Irrigation	0.36cfs	122.5afa
Recreation	0.38cfs	3.7afa
Total	0.38cfs	126.2afa

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E. NARRATIVE/REMARKS/COMMENTS

Have conditions of permit approval been met? ☒ yes ☐ no

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F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$\text{Pump} \rightarrow \frac{8.8(7.5)(1.7)}{55(2.31)} = \frac{46.2}{127.1} = \boxed{0.36 \text{ cfs}}$$

$$\text{Outflow from Springs} \rightarrow 3 \text{ gal } (7.5/60 \text{ sec}) = \boxed{0.38 \text{ cfs}}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 35(3.5) = 122.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.36(215)(1.9835) = 153.5$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} = 122.5$$

2. Volume Calculations for Other Uses:

$$\text{Pond \#1} \rightarrow 264'(126') = \frac{33264}{43560} = 0.76(10)(1.4) = 3.04$$

$$\text{Pond \#2} \rightarrow \pi 55^2 = \frac{9498.5}{43560} = 0.22(8)(4) = 0.7$$

$$\boxed{3.74 \text{ af}}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/1	11/1	0.36	122.5
Recreation	1/1	12/31	0.38	3.74
Totals:			0.38	126.2

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

I. AUTHENTICATION

Field Examiner's Name

Amanda Brown

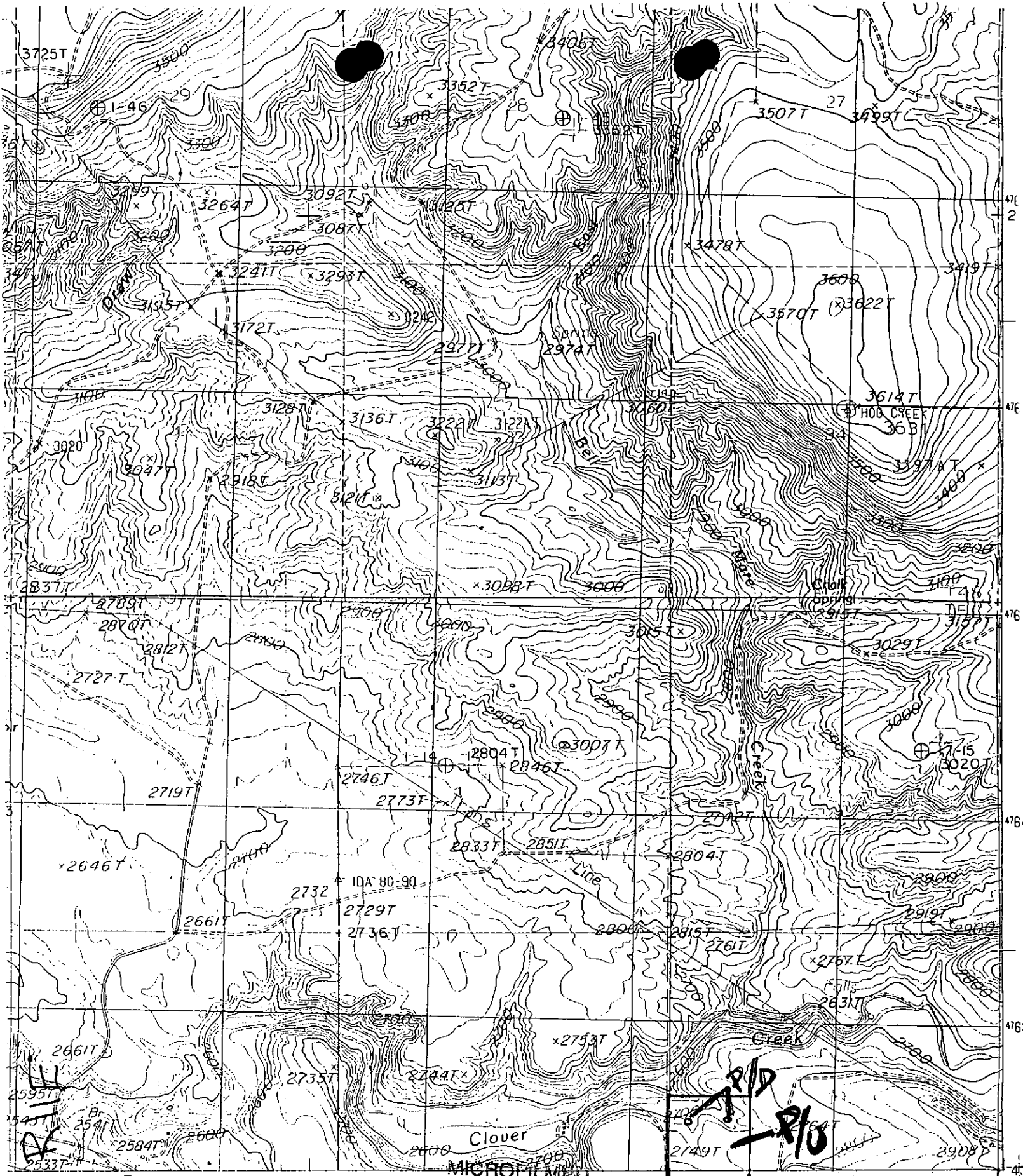
Date

12/15/00

Reviewer

Date

SEAL
MICROFILMED
OCT 19 2001

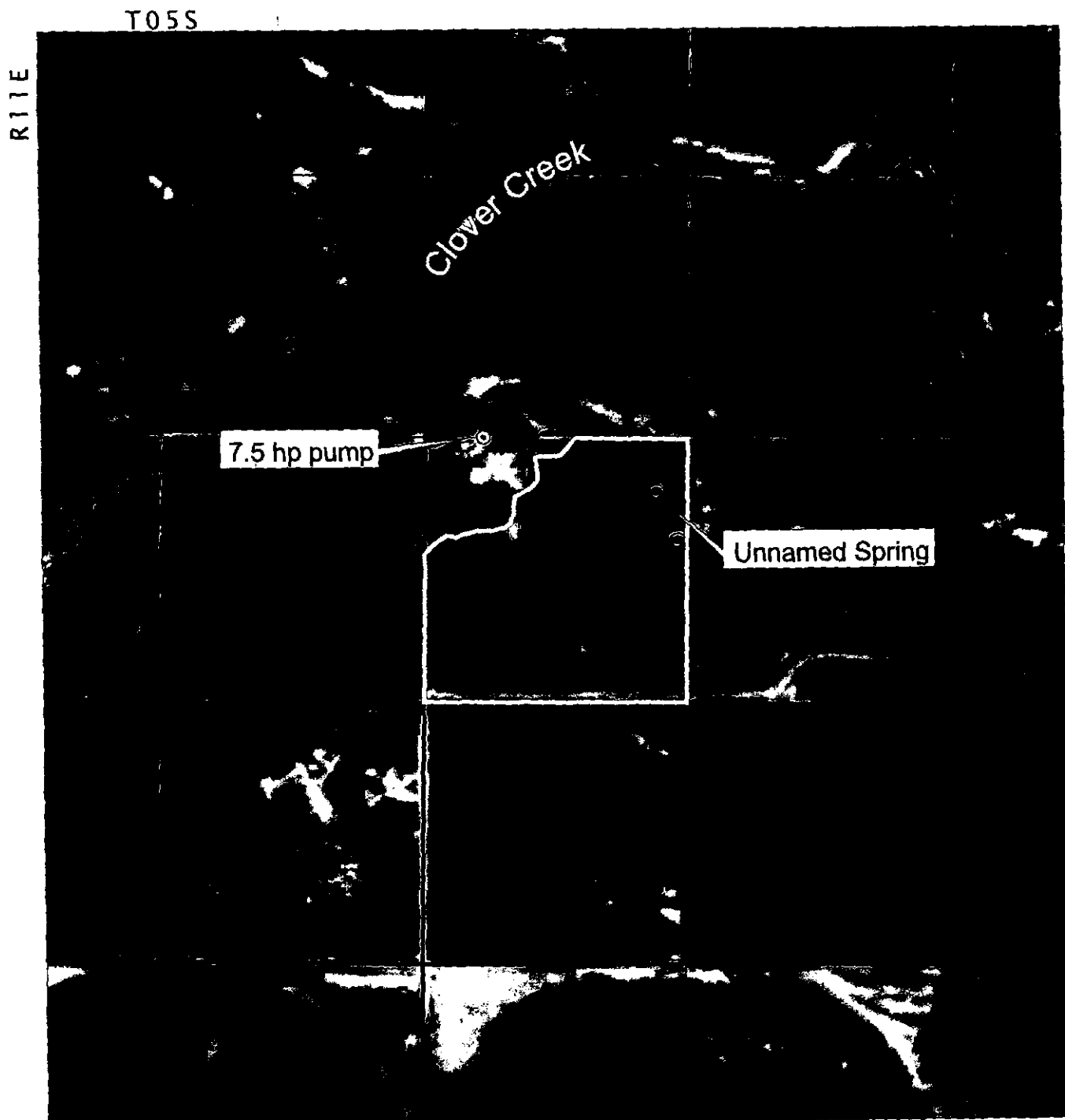


TSS
Z67
6000 7000 8000 9000 10 000
1 2
1000 2000

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OCT 19 2001
IDAHO
QUADRANGLE LOCATION

King Hill, Idaho
Provisional Edition 1986
Z 67
37-08347
-08349

Idaho Department of Water Resource
Recommendation for 37-08349
Helen Hoagland



⊙ Point of Diversion

Section Lines

Quarter-quarter lines

Place of Use

N
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Point of Diversion and Place of Use
T05S R11E S10

Data entry on Dec 14, 2000

Point of Diversion Presentation
1987/1988 NAPP Photography
Data Entry By: Amanda Folsom

AERIAL PHOTO
TAKEN 1992

TS RHE

T203
146

8
12.1

T17
14

2512

T113
573

16 15 T12 MICROFILMED

14

OCT 19 2001

15.2

← N -

↓
Springs
↓

35 acres

canyon

37-08349

Pond #2

Pond #1

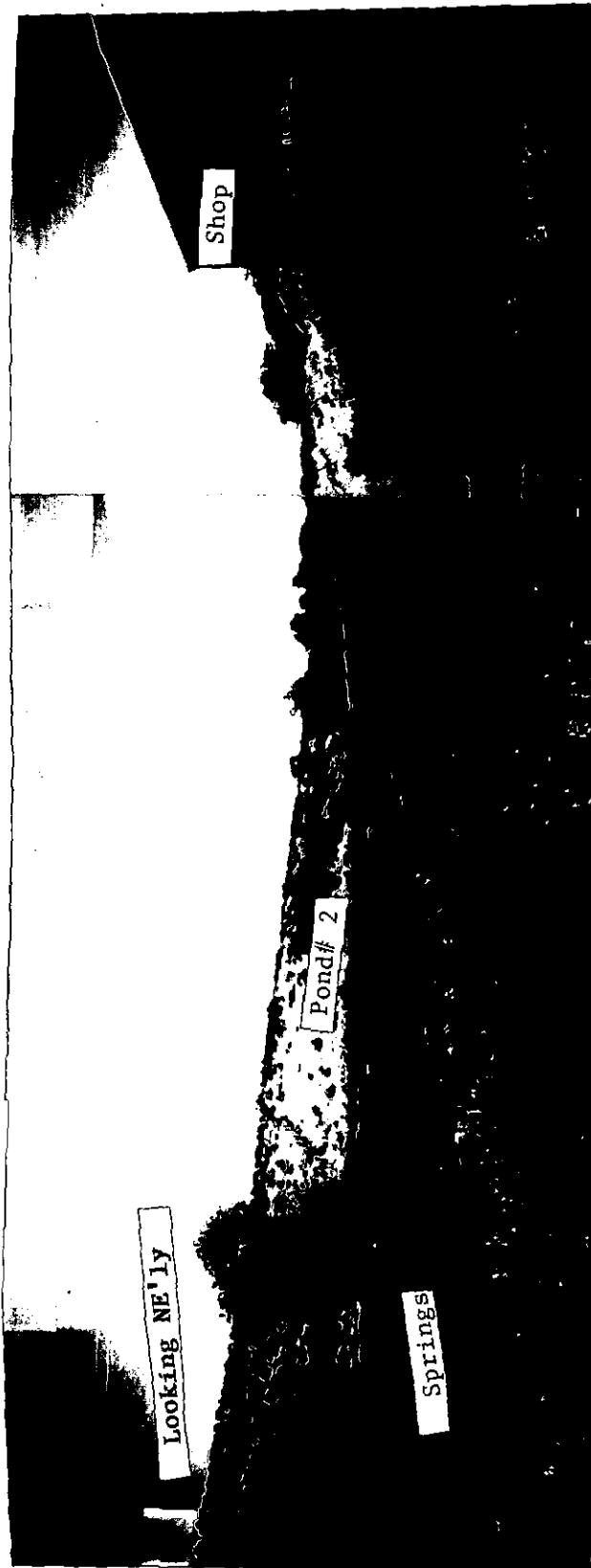
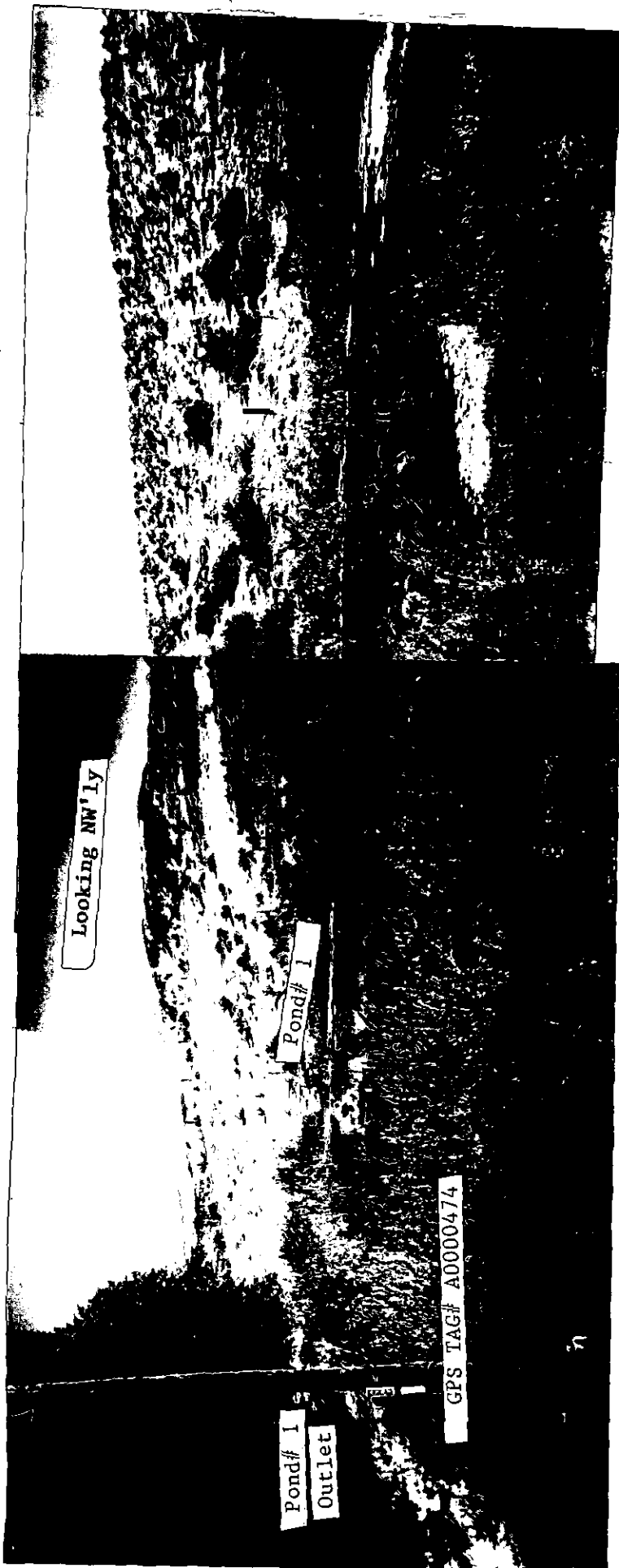
House

shop/
barn

To Clover Creek ↓

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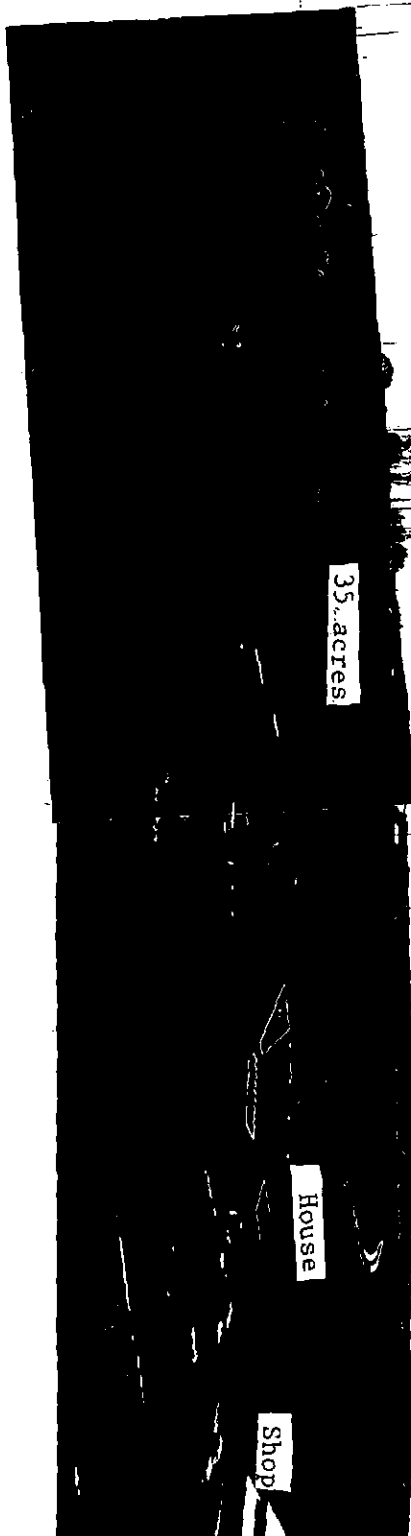


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OCT 19 2001

7-08347

Helen Hoagland
FE: Amanda Folsom
Date: 16 August 1999





Looking SW'ly



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OCT 19 2001

Helen Hoagland
FE: Amanda Folsom
Date: April 24, 2000

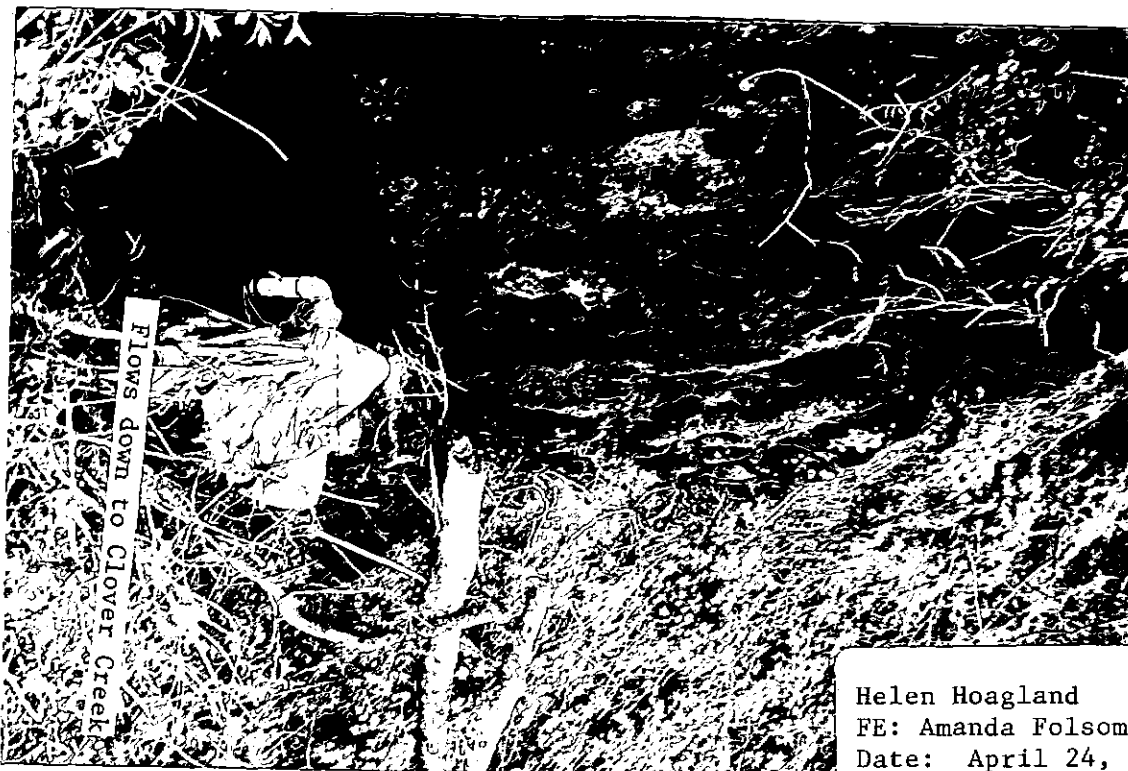
37-08349



MICROFILMED
OCT 19 2001

Helen Hoagland
FE: Amanda Folsom
Date: April 24, 2000

37-08349



MICROFILMED
JUL 19 2001

Helen Hoagland
FE: Amanda Folsom
Date: April 24, 2000

37-08349

S1
4/92

RECEIVED

DEC 26 2000

IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources

STAFF ANALYSIS SHEET FOR BENEFICIAL USE FIELD EXAMS:

PERMIT NO.

27-08349

A. Items To Be Placed In Exam File (Items A & B to be Completed by Compiler)

- ☒ Blank Field Report & Notice of Completed Exam
- ☒ Copy of App. for Permit, Approved Permit, Amendments, Orders, Assignments, Proof of Beneficial Use, SRBA Claim (Claim Filed? _____ Required? _____)
- ☒ Well Inspection Form, Dairy Water-Use Worksheet (if applicable)
- ☐ Well Log(s) & Groundwater Measurement Analysis Form (if applicable)
- ☐ Copy of Orthophotoquad Map
- ☐ 660-Scale Aerial Photo (Examiner Will Obtain If Applicable)
- ☐ Government Lot Plats (If Applicable)

B.1. P/D Overlap - Yes or No? If Yes, Include Copy of Overlapping Rights & Claims

- If Yes, Type of Overlap: ☐ Add Acres or Uses to Existing System
☐ Increase Rate of Flow or Volume

B.2. P/U Overlap - Yes or No? If Yes, Include Copies of Overlapping Rights & Claims

- If Yes, Type of Overlap: ☐ Increase Rate of Flow or Volume
☐ Add Supplemental Water Source
☐ Increase Acres Within Tracts

C. Field Exam Appointment Made:

Date 16 Aug 99 Time 10:00 Place House

Contact Person & Phone _____

D. Post-Exam Review & Processing

Exam Completed 16 Aug 99 Notice of Completion Turned In _____
Field Report Completed _____ Signature of Examiner & Date Annexa Tolson 12/15/00
Field Report Reviewed by Sr. Agent _____ (Initial & Date)
Field Report Reviewed by Region Mgr. AD 12/24/00 (Initial & Date)
Field Report Sent to S.O. _____ Region Card File Updated _____

May 26, 1994

HELEN HOAGLAND
P O BOX 145
KING HILL ID 83633

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 37-08349

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order reinstating your permit since the Proof of Beneficial Use form was submitted after the proof due date. Please note that the priority date has been advanced to August 1, 1988.

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.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls, at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

RECEIVED

JUN 13 1994

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 37-08349

Reviewed by [Signature]

Date 5-25-94

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
no Proof timely received?
If not, complete calculation below.

TYPES OF USE

Irr.
Correct Uses? yes

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

yes Required?
100.00 Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
☐ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

Date proof received 5-16-94
Date proof due 5-1-94 -
No. of days late 15 = 15
Priority Date 7-17-88 + 198
New Priority Date 8-1-88 213

DEFICIENCIES OR ACTION ITEMS

Reinstated & advance priority to August 1, 1988
Proof acceptable

DATA ENTRY
New Address _____

Proof Made 5-16-94

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

May 6, 1994

HELEN HOAGLAND
P.O. BOX 145
KING HILL ID 83633

LAPSE NOTICE

RE: PERMIT NO. 37-08349

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated February 28, 1994. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

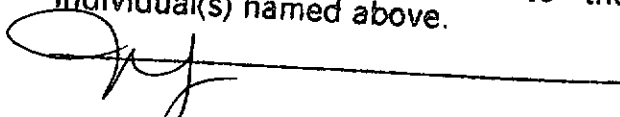
Enclosures

RECEIVED

JUN 13 1994

CERTIFICATION OF MAILING

I hereby certify that on 5-6-94
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



February 28, 1994

HELEN HOAGLAND
P.O. BOX 145
KING HILL ID 83633

PROOF DUE NOTICE

RE: PERMIT NO. 37-08349

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 May 1, 1994.

(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.

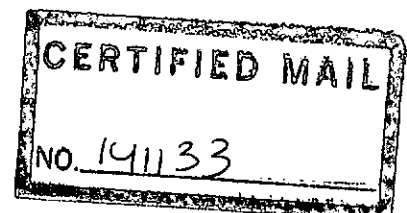
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

JUN 13 1994





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

May 27, 1993

Helen Hoagland
Rt 1 Box 145
King Hill, ID 83633

Re: Permit No. 37-08349

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to May 1, 1994. However, since the extension was received after the proof of beneficial use date, it was necessary for the department to reinstate your permit and advance your priority date to July 14, 1988.

Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department will not be able to grant additional requests based on due diligence.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Regional Office

RECEIVED
JUN 30 1993

**ANALYSIS SHEET
FOR
EXTENSION OF TIME**

Permit No. 37-08349 Reviewed by KLg Date 5/26/93
BASIC INFORMATION

5/26/93 Date stamp received
no Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? Requested?
Is delay by a government agency?
Is supporting documentation needed to complete the file? Requested?
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Recommend for approval Based on due diligence
Extend to 5/1/94*

PRIORITY CALCULATION

Date extension received	<u>5/26/93</u>	=	<u>146</u>
Proof due date	<u>5/1/93</u>	=	<u>121</u>
Number of days late		=	<u>25</u>
Priority date	<u>6/22/88</u>	=	<u>173</u>
New Priority Date	<u>7/17/88</u>	=	<u>198</u>

DATA ENTRY

New Address _____
Change Proof Due Date 5/28/93 KLg
Change Priority Date _____

May 6, 1993

HELEN HOAGLAND
P.O. BOX 145
KING HILL ID 83633

LAPSE NOTICE

RE: PERMIT NO. 37-08349

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated February 28, 1993. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 5/6/93
~~a copy~~/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

RECORDED

JUN 30 1993

February 28, 1993

HELEN HOAGLAND
P.O. BOX 145
KING HILL ID 83633

PROOF DUE NOTICE

RE: PERMIT NO. 37-08349

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 May 1, 1993.

(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.

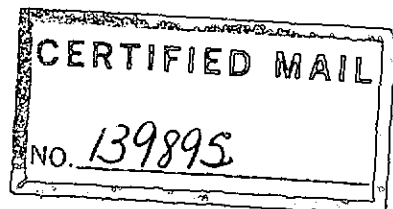
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECEIVED
JUN 30 1993

April 26, 1991

HELEN HOAGLAND
P.O. BOX 145
KING HILL, ID 83633

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08349

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED

MAY 08 1991

APPLICATION FOR PERMIT REVIEW

Application #: 37-8349
Date: 4-16-91

Reviewer: Pam Skaggs

Existing:

✓No

Complete in 1 year - 26A-P17
P16

Yes

Proof not submitted - P16

Proof submitted - N/A

Groundwater:

GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)

LT. 0.7 cfs - N/A

Drilling Permit:

Approved w/permit - P99

Not included - 046-P23(All GW, even existing wells)

Location:

Water Districts - WD No. _____

Surface water - 005, 005-01H-P01(LT.7 w/pump)
005-01J-P08(GT.7)

Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

✓Swan Falls Flag - 7 (1, Blank or Other)

✓Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr
Non Trust - 048-049 or Irr & Dom)

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 05A & 11E

Payette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)

Power - Use Power Review

Mining - 06A or 010, 09E-P10 & 054(req.)

Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

✓Beneficial Use Due Date: - 05-03-1993
Other Conditions Recommended

MAY 08 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

FEBRUARY 26, 1991

Mountain Home News
Drawer O
Mountain Home, ID 83647

Dear Legal Dept.:

Enclosed you will find legal notices 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 25, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

RECEIVED
MAY 08 1991

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08349

HOAGLAND, HELEN
P.O. BOX 145
KING HILL, ID 83633

Source: UNNAMED STREAM

Tributary: CLOVER CREEK

Diversion Pt: NENWSW Sec 10 T 05S R 11E
 NWNWSW Sec 10 T 05S R 11E

Use: IRRIGATION	(.700 CFS)	
RECREATION	(.700 CFS)	(10.00 AF)
Total Diversion:	(.700 CFS)	(10.00 AF)

Date Filed: 6/22/ 1988

In: T05S R11E S10 NWSW

35.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before MARCH 25, 1991.

Published 3/ 6/1991 & 3/13/1991

R. Keith Higginson, Director

MICROFILMED

MAY 08 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 37-8349/Trust Water

DATE: 2-12-91

This application is a trust water filing which has come up for sequential processing under the appropriate rules and statutes. On this date we received an extension of time form from the applicant which referenced the application. The applicant does have an approved permit for a different irrigation use (37-8347) with a proof due date of 2/1/91. I spoke with the applicant today to clarify her intentions. She scknowledged that she made An error in referencing the proper water right number on the extension form. She does wish to have application no. 37-8349 processed. She further informed me that the irrigation project under the application has not previously been developed, but that the land was irrigated some 15 years ago with wastewater from a nearby canal. The waste water source is no longer available to irrigate the same lands.

Based on my discussion with the applicant, I recommend going ahead with the processing of this application. All 35 acres under the filing should be counted as trust acres.

MICROFILMED
MAY 08 1991

Jim Du 2

● SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in "RETURN TO" Space on the reverse side. Failure to do so will prevent this card from being returned to you. The return receipt fee will provide you the name of person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)	
3. Article Addressed to: HELEN HOAGLAND BOX 145 KING HILL ID 83633 <i>Helen Hoagland</i>	4. Article Number 33582 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise Always obtain signature of addressee or agent and <u>DATE DELIVERED</u>.
5. Signature — Addressee X	8. Addressee's Address (ONLY if requested and fee paid) 37-8349 Allocation
6. Signature — Agent X	
7. Date of Delivery 1-18-91	

UNITED STATES POST SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Enclose address label on return receipt. Requested, add address to number.

MICROFILMED

MAY 08 1991



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO

RECEIVED
JAN 22 1991

Print Sender's name, address, and ZIP Code in the space below.

Department of Water Resources Water Allocation Bureau
Department of Water Resources
1301 N. Orchard St.
Boise, ID 83705



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 16, 1991

Helen Hoagland
Box 145
King Hill, ID 83633

RE: Application for Permit No. 37-8349

Dear Applicant(s):

NOTICE OF PENDING ORDER VOIDING APPLICATION

On June 22, 1988 you filed with the Department of Water Resources (Department) Application for Permit No. 37-8349 which proposed the diversion of 0.70 cubic feet per second of surface water from an unnamed creek, tributary to Clover Creek, for recreation use and irrigation of 35 acres.

The Department mailed a letter and questionnaire to you on December 10, 1990. The letter requested that you return the Department's questionnaire concerning your present possessory interest in the place of use, any prior development under the application and/or your plans for pursuing completion of the proposed project. The letter notified you that failure to complete and return the questionnaire within thirty (30) days of the date of the letter was cause for the Department to void the application.

The purpose of this notice is to provide a second and final opportunity for you to submit the requested information. Pursuant to Section 42-204, Idaho Code, the Department may void applications for which requested information is not submitted. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order voiding the application pursuant to Section 42-204, Idaho Code.

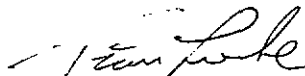
If no development has been completed as authorized by the application, and you are no longer interested in pursuing the development, please complete and return the enclosed withdrawal form. Please note, if you are using water without an approved permit, the Department may issue an order requiring you to cease diverting the water.

RECEIVED

MAY 08 1991

Please feel free to contact me if you have questions concerning this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tim Luke".

TIM LUKE
Sr. Water Resource Agent

Enclosure
cc: Region

MICROFILMED

MAY 08 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

December 10, 1990

R. KEITH HIGGINSON

DIRECTOR

RE: APPLICATION FOR PERMIT NO. 37-8349

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to your project if it is more than 200 acres. If necessary, the rule 4,5. information notice will be sent to you after you return the questionnaire.

MICROFILMED

MAY 08 1991

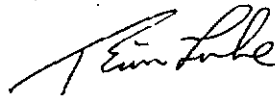
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED

MAY 08 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

30-Aug-1988

Helen Hoagland
Box 145
King Hill, ID 83633

Re: Application for Permit No. 37-08349

Dear Ms. Hoagland:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 37-08349. Please refer to this number in all further correspondence.

Because your application proposes to appropriate water which has been identified as "trust water" in the Swan Falls agreement, it will be processed under rules and regulations for water appropriation that have been adopted as required by law.

Under the rules, applications will be processed at a rate which allows development of 20,000 acres per year. The oldest applications will be processed first, provided that applicants are willing and able to proceed.

For this reason, it is not possible to estimate at this time when action will be taken on your application.

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

Very truly yours,

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

LH:MB

MICROFILMED

MAY 08 1991