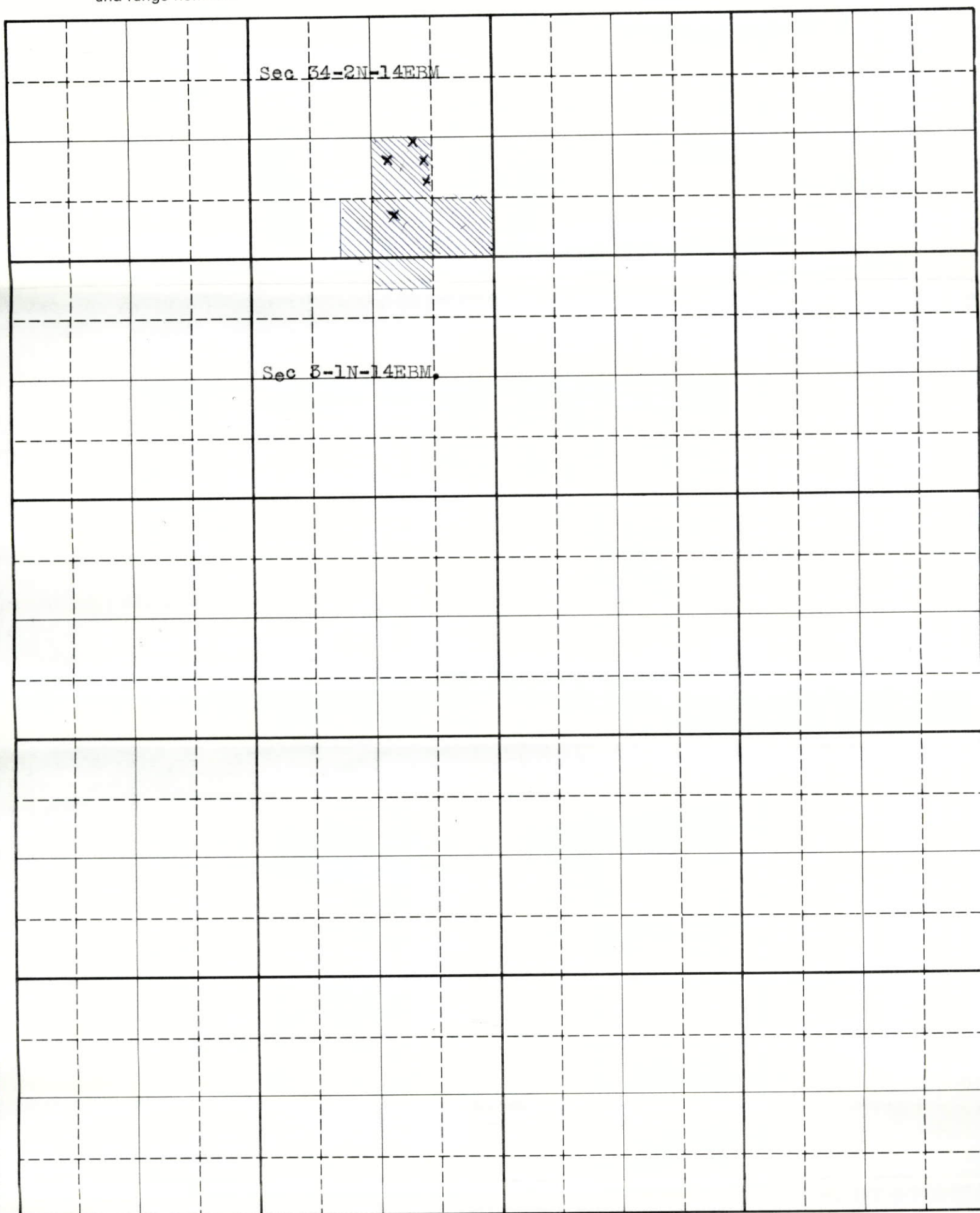


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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


(Applicant)

37 7122

Affidavit of Publication

State of Idaho, }
County of Gooding } ss.

Alfred E. Hagen, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, 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

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 6 day

of January, 1972, and the date of the last publication

was on the 13 day of January, 1971

Subscribed and sworn to before me this 13

day of January, 1972
(SEAL)

Andrey C. Belsher
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.....

Number of Insertions

.....Lines at 14¢

.....Lines at 10¢

TOTAL COST.....

COPY OF NOTICE

Title of Notice

Water Permit
Title of Notice

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that William F. Stewart, Fairfield, Idaho has on December 22, 1971 submitted Application No. 37-7122 for a permit to appropriate 0.20 cubic feet per second of water from Un-named Springs, tributary of Soldier Creek by means of pipe within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ (4 points), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (1 point), Sec. 34, T. 2N, R. 14E, B.M., Camas County to be used from Jan. 1 to Dec. 31 for domestic purposes for 20 families within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 2N, R. 14E, B.M.; N $\frac{1}{2}$ Lot 2, Sec. 3, T. 1N, R. 14 E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before January 24, 1972.

R. KEITH HIGGINSON,
Director

1-6-2tc

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956	
7 pt. per line, straight	14c
7 pt. per line, tabular	20c
7 pt. per line, successive	
insertions.....	10c
6 pt. per line, straight	15c
6 pt. per line, tabular	20c
6 pt. per line, successive	
insertions.....	10c

No. 1367

JAN 17 1972

Department of Water Administration

37 7122

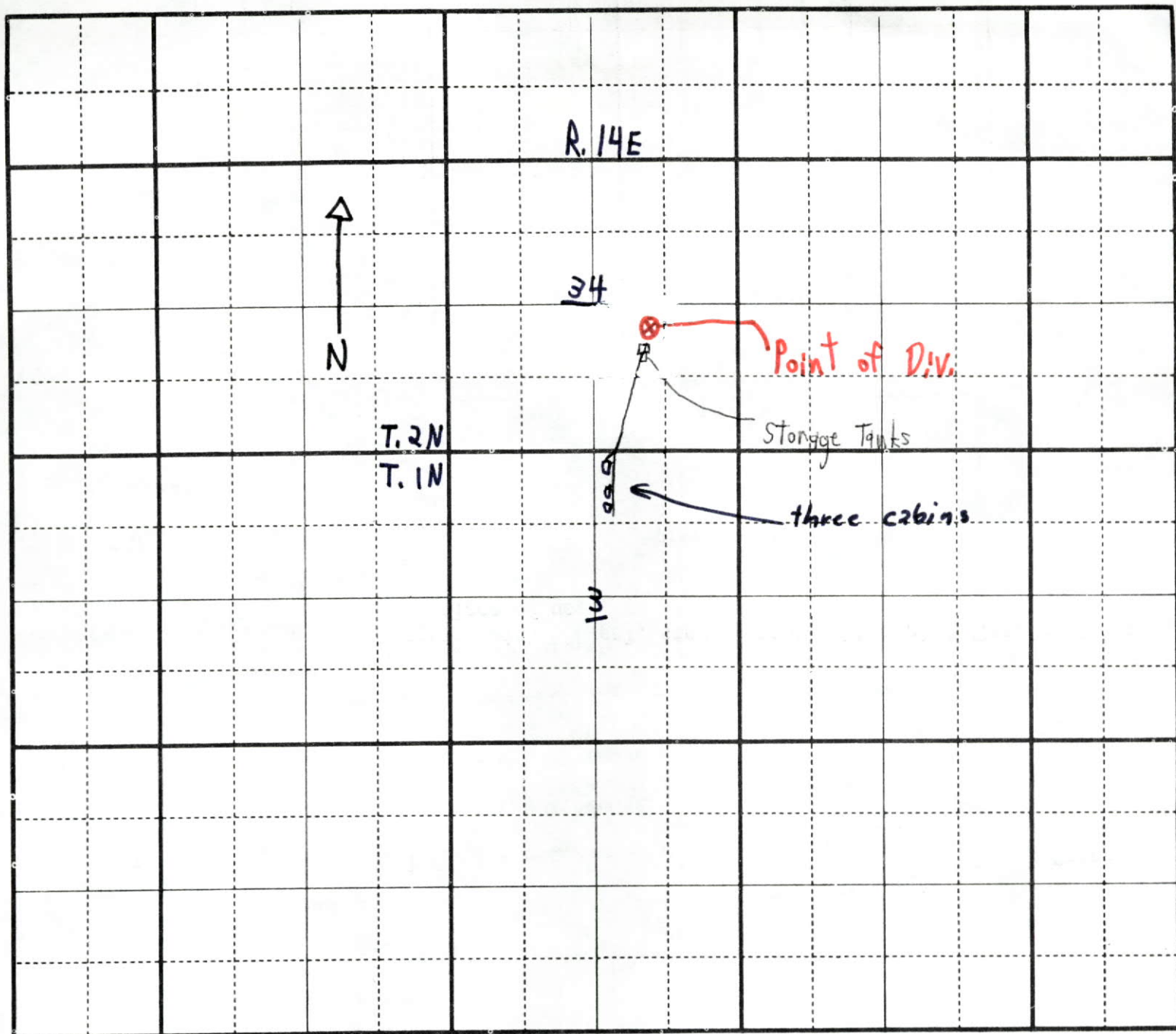


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7122 Priority (late proof)
January 22, 1972 Amount 0.12 cfs

THIS IS TO CERTIFY, that WILLIAM F. STEWART
of Fairfield, Idaho, has complied with the terms and conditions of Permit
No. 37-7122 issued pursuant to Application for Permit dated December 22, 1971,
and has submitted proof to the Department of Water Resources on March 4, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.12 cfs of water from unnamed springs,
tributary to Brush Cabin Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> <u>(3 homes)</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.12</u> cfs and	<u>3.6</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.12 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3.6 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, Twp. 2N,
Rge. 14E, B. M. in the County of Camas

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1N	14E	3																	

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26 day of
April, 19 79.

Deputy Director

MICROFILMED

24

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 37-7122
IN THE NAME OF WILLIAM F. STEWART

ORDER

WHEREAS, on December 22, 1971, William F. Stewart filed with the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 0.20 cubic feet per second of water from unnamed springs, tributary to Soldier Creek, to be used for domestic purposes and diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, Twp. 2N, Rge. 14E, B.M., Camas County; and,

WHEREAS, on February 11, 1972, the Department approved said application and issued Permit No. 37-7122 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before February 1, 1977, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on March 4, 1977, the Department received the required proof of application of water to beneficial use along with a request that the measuring device requirement be removed from said permit; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from Permit No. 37-7122

Dated this 10 day of March, 1977.


for A. KENNETH DUNN
Administrator, Operations Division

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-7122

IN THE NAME OF WILLIAM F. STEWART

ORDER OF REINSTATEMENT

WHEREAS, on December 22, 1971, William F. Stewart filed with the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 0.20 cubic feet per second of water from unnamed springs, tributary to Soldier Creek, to be used for domestic purposes and diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, Twp. 2N, Rge. 14E, B.M., Camas County, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, Twp. 2N, Rge. 14E, B.M., Camas County; and,

WHEREAS, on February 11, 1972, the Department approved said application and issued Permit No. 37-7122 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before February 1, 1977; and,

WHEREAS, on November 30, 1976, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on February 8, 1977, the Department notified the permit holder that Permit No. 37-7122 had lapsed for failure to submit proof of beneficial use of water; and,

WHEREAS, on March 4, 1977, the Department received the required proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-7122 be REINSTATED and the priority advanced to January 22, 1972.

Dated this 10 day of March, 1977.


for A. KENNETH DUNN
Administrator, Operations Division

MICROFILMED

Identification No. 37-7122

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant WILLIAM F. STEWART
post office address FAIRFIELD, CAMAS COUNTY, IDAHO, 83327.
2. Source of water supply Unnamed Springs which is a tributary of Soldier Creek
3. a. Location of point of diversion is ^{4 points to Sec letter 12/21/71} NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34 Township 2 North
Range 14 E B.M. CAMAS County; additional points of diversion if any:
^{1 point} SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Township 2 North, Range 14 EBM, Camas
County.
- b. If water is not consumed, it will be discharged into Wardrop at a point in SE $\frac{1}{4}$
of SW $\frac{1}{4}$ of Section 3 Township 1N Range 14 E B.M. Camas County
4. Water will be used for the following purposes:
Amount .20 for Domestic purpose from January 1st to December 31st (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Spring Development - 4" perforated plastic pipe Underground at the water source reduced to 2" into an underground 250 gallon storage tank. 1 $\frac{1}{2}$ " plastic pipe underground to residence for domestic use.
b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 3,000.00.
8. Description of proposed uses: E $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 34, Twp 2N, Rge 14EBM
a. If water is **not** for irrigation: N $\frac{1}{2}$ Lot 2, Sec 3, Twp 1N, Rge 14 EBM
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 20.
(5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. _____

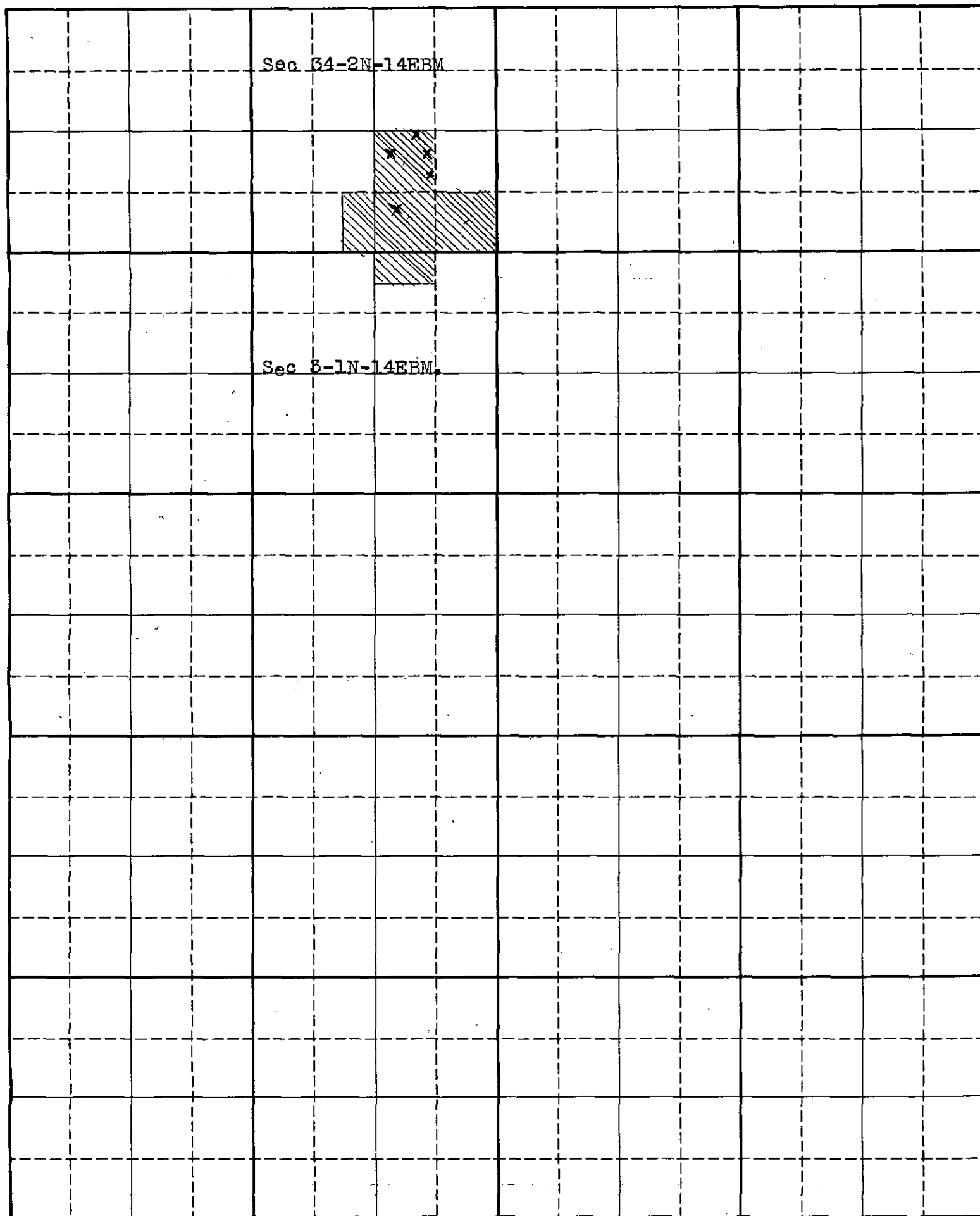
9. a. Who owns the property at the point of diversion Luther C. Pierce USFS

b. Who owns the land to be irrigated or place of use Luther C. Pierce

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing William F. Stewart and Opal L. Stewart, husband and wife have a Contract for Sale of Real Estate with Luther C. Pierce & Wife. Contract is held in Escrow at the Camas Abstract Company, Fairfield, Idaho.

10. Remarks _____

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



Scale: 2 inches equal 1 mile

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


(Applicant)

Received by ef Date 12-22-71 Time 9:30 APreliminary check by FE Fee \$ 10.00Receipted by ef Date 12-22-71Permit # 8620Publication prepared by cr Date 12-30-71Published in Gooding County LeaderPublication dates 1-6 & 1-13-71Publication approved CR Date 1-19-72Priority reduced to 12 22-71 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by FE BDF
CA

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7122, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 77.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 11 day of February, 19 72.

P. Keith Higgins
Director

SPECIAL USE APPLICATION

NAME OF APPLICANT

WILLIAM F. STEWART

DATE OF APPLICATION

DECEMBER 3RD, 1971

REGION

STATE

FOREST

RANGER DISTRICT

(Entries above this line will be filled in by the Forest Service)

Application is hereby made for a permit to use National Forest land as indicated below:

1. Description of land: S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, Township 2 North, Range 14, East, Boise Meridian, and W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 35, Township 2 North, Range 14, East, Boise Meridian, Camas County, Idaho.

2. Purpose of use: Spring Development for Domestic Use.

3. Acres of National Forest land to be used:
Less than 5 acres.

4. Miles of National Forest land to be occupied (Applicable to road rights-of-way, pipe lines, telephone lines, power lines, etc.):
2900 feet.

5. Number of days that premises will be used each year:
Annual

6. Improvements: a. Description:
4" perforated plastic pipe underground at water source, reduced to 2" connected to 250 gallon underground storage tank. 1 $\frac{1}{2}$ " plastic pipe to residence for domestic use.

b. Approximate cost
\$6,000.00

c. Construction will begin within
five months

d. Construction will be completed within
5 years months

DATE OF APPLICATION
12/3/1971

SIGNATURE OF APPLICANT

ADDRESS

FAIRFIELD, IDAHO

REPORT ON APPLICATION

(To be completed by Forest Officer)

- General description of the area and adaptability for the proposed use. Outline area on map on reverse side or on separate map sheet if needed to clarify proposed use.
- Status of the land requested, including description of any improvements or claims on area. If previously under permit indicate former permit date and permittee's name.
- State approximate amount and kinds of timber to be cut, recommended stumpage prices, method of scaling; include recommendation on disposal of merchantable timber (a) to permittee at current damage appraisal or (b) to others than permittee under regular timber sale procedure.
- Recommendations, including any factors which might affect the granting of the permit or future use of the land.
- List on the reverse side any additional conditions which should be made a part of the permit.

REPORT SUBMITTED →	DATE	SIGNATURE	TITLE
REPORT APPROVED →	DATE	SIGNATURE	TITLE

Affidavit of Publication

State of Idaho, }
County of Gooding } ss.

Alfred E. Hagen, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, 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

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 6 day

of January, 1972, and the date of the last publication

was on the 13 day of January, 1971

Subscribed and sworn to before me this 13

day of January, 1972

(SEAL)

Andrey C. Belcher
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.....

Number of Insertions

Lines at 14¢

Lines at 10¢

TOTAL COST.....

COPY OF NOTICE

Title of Notice

Water Permit
Title of Notice

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that William F. Stewart, Fairfield, Idaho has on December 22, 1971 submitted Application No. 37-7122 for a permit to appropriate 0.20 cubic feet per second of water from Un-named Springs, tributary of Soldier Creek by means of pipe within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ (4 points), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (1 point), Sec. 34, T. 2N, R. 14E, B.M., Camas County to be used from Jan. 1 to Dec. 31, for domestic purposes for 20 families within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 2N, R. 14E, B.M.; N $\frac{1}{2}$ Lot 2, Sec. 3, T. 1N, R. 14 E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before January 24, 1972.

R. KEITH HIGGINSON,
Director

1-6-2tc

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956	
7 pt. per line, straight	14c
7 pt. per line, tabular	20c
7 pt. per line, successive insertions	10c
6 pt. per line, straight	15c
6 pt. per line, tabular	20c
6 pt. per line, successive insertions	10c

RECEIVED
No. 1367

JUN 18 1972

Department of Water Administration
37 7122

May 1, 1979

Re: Water Right NO.'s 37-7122 & 37-7154

William F. Stewart
Fairfield,
Idaho 83327

Dear Mr. Stewart:

Enclosed are copies of the Water Right Licenses issued on the above referenced permits.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

Enc: 2

UNRECORDED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

April 2, 1979

Re: Permit No. 37-7122

William F. Stewart
Fairfield,
Idaho 83327

Dear Mr. Stewart:

A representative of this Department made an examination of the works covered by your Permit No. 37-7122 on June 8, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.12 cfs Source: unnamed springs

The maximum quantity diverted shall not exceed 3.6 acre feet per
year.

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, Twp. 2N, Rge. 14E, B. M.

Beneficial use: Domestic use for three (3) homes within the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 3, Twp. 1N, Rge. 14E, B. M.

Priority date established: January 22, 1972

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

MICROFILMED

RECEIVED

Department of Water Resources
Southern District Office

3. Water will be used for the following purposes:

Other uses: _____

- Max Rate of Diversion 0.20 cubic feet per second and annual volume _____ AF/Annum.

- Location of Point(s) of Diversion:
- (4 pts.)
- Township 2N N/S, Range 14E E/W, B.M., Section 34, Subdivision NW $\frac{1}{4}$ SE $\frac{1}{4}$, Camas
County
- (1 pts.)
- Township " N/S, Range " E/W, B.M., Section ", Subdivision SW $\frac{1}{4}$ SE $\frac{1}{4}$, _____
County
- Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: spring with 500 gal. storage tank, 1¼" buried plastic pipe to place of use

Measuring device required: yes ☐ no ☒ REMOVED BY ORDER

6. Lands to be irrigated or place of use.

[illegible]

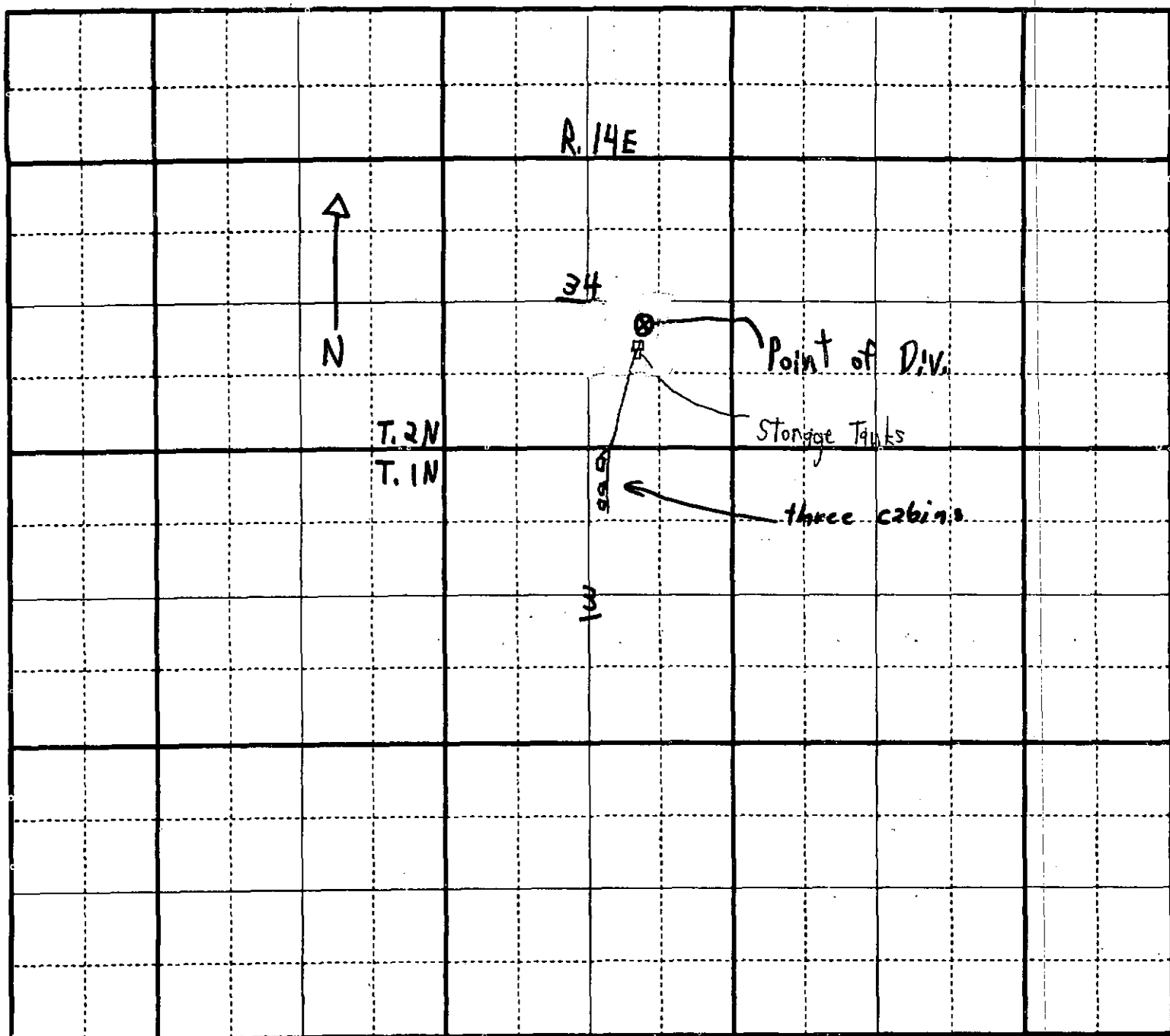


Diagram of System

DATE OF EXAM June 8, 1977

ACREAGE:

Found ✓
Recommended ✓

Irrigation Requirement None Ac Ft/Ac

USE

Irrigation Q = c.f.s. V = AF/Ann. from to
Domestic Q = 1.2 c.f.s. V = 3.6 AF/Ann. from Jan 1 to Dec 31
Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no NO

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

Exchange? yes no NO

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

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

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

Total Q measured ✓ Method of measurement

Total Q recommended 1.2 cfs Meter No. ✓ Type ✓ Condition ✓

Total V recommended 3.6 AF/Ann

Recommended Amendments:

P.D.
Place of Use
Other
None ✓

MEASUREMENT CALCULATION:

Domestic 1.2 cfs = .04 cfs X 3 homes
3.6 AF/Ann = 3 homes @ 1.2 AF/Ann
(see Rept. memo April 7, 1975)

SYSTEM DESCRIPTION:

Water piped a few feet from spring, tributary to Brush Cabin Creek, to 200-250-gallon storage tanks, then to 3 cabins via 1 1/2" plastic pipe about 3/8 mile long. cabins have inside plumbing.

REMARKS:

Accompanied by Thomas Wokorsien (co-owner of property) during field exam. P.D.: 1 point, NW 1/4 SE 1/4 Sec. 34 T. 3N R. 14E. Place of Use: NW 1/4 NE 1/4 Sec. 3 T. 1N R. 14E

Examiner's Signature James E. Stanton Date June 28, 1977

Checked by Alan Merrill Date 6-29-77

Approved by Michael L. Steele Date 9-29-77



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

June 1, 1977

Re: Permit No's. 37-7122 and 37-7154

CAMAS ABSTRACT COMPANY
Mr. Tom Wokersien
Fairfield, Idaho 83327

Dear Mr. Wokersien:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for permit no. 37-7154. We have also received your letter of May 16, 1977 regarding both of the above permits.

These permits are in good standing with this office and all your requirements under these permits have been completed. The Department will schedule a field examination on both these permits at a future date.

If you have any questions regarding these field examinations, please contact our Regional Office in Twin Falls.

Also enclosed is a copy of the Order removing the measuring device requirement from Permit no. 37-7154.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF:jfr

Encl.

cc: Twin Falls Office - Mr. Funderburg



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 11, 1977

Re: Permit No. 37-7122

William F. Stewart
Fairfield, Idaho
83327

Dear Mr. Stewart:

We acknowledge receipt of the affidavit submitted as proof of beneficial use on the above referenced permit. Enclosed is an Order of Reinstatement; please note that the priority has been advanced to January 22, 1972. Also enclosed is an Order which removes the measuring device requirement on this permit.

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

If you have any questions regarding the field exam, please contact our Regional Office in Twin Falls.

Sincerely,

JANICE RENK
Water Rights

jr

Encls.

cc: Tom Wokersien
CAMAS ABSTRACT CO.
Fairfield, ID 83327

REPRODUCED

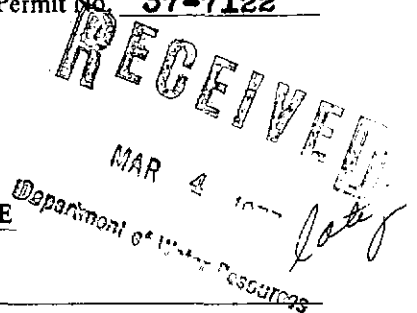
Identification No. _____

Permit No. 37-7122

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE



1. a) Name of Permit Holder William F. Stewart
b) Post Office Address Fairfield, Idaho, 83327.
2. Permit Number 37-7122
3. Date of Priority that you are prepared to establish 3/1/1972
4. a) Source from which water was appropriated Spring
b) Location of the point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34
Township 2N, Range 14 East Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.26 gpm for Domestic purposes from 1/1 to 12/31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.26 gpm cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Soil Conservation Service official - 12 fl oz can and a watch.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Spring located on fee property
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Spring with 500 gallon storage tank, 1 1/2 inch buried plastic pipe to place of use
b) Describe the type and size of measuring device which you have installed at your point of diversion: None
c) Give well driller's name and address and the date the well was completed: NA
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Domestic - NW 1/4 SE 1/4 34-2N-14E BM.

MICROFILME

My commission expires 1/26/1978

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SCS P.O. Box 156 Fairfield, Idaho 83327

December 7, 1976

Tom Wokersien
Fairfield, Idaho 83327

Dear Mr. Wokersien

Pursuant to your request for technical assistance regarding the installation of two water measuring devices for two spring developments in SE $\frac{1}{4}$ Sec. 34 T 2 N R 14 E. I do not believe that a permanent water measuring device is feasible due to the extremely small flow of water. I did measure the flow which currently is coming out of the outlet of both spring developments using a 12 fl. oz. can and a watch. The computed flows are 0.26 gpm and 0.40 gpm respectively. The above mentioned method is the only practical way to measure the flow even if the flow varies a great deal during the year.



Greg Jones
Soil Conservation Service
Fairfield, Idaho

RECEIVED



February 23, 1977

Mr. Tom Wokersien
CAMAS ABSTRACT COMPANY
Fairfield, Idaho 83327

Dear Mr. Wokersien:

Water right Permit No. 37-7122 may be reinstated if Mr. William Stewart will submit the proof of beneficial use affidavit. This proof must be received by us before April 9, 1977, and we suggest that it be returned to us as soon as possible since a day of priority is being lost for each day proof is late after February 1, the proof due date.

You also attached with your February 12th letter a letter from the Soil Conservation Service indicating that the spring flow is much less than the permitted amount. Mr. Stewart could, therefore, request that the measuring device requirement be removed from the permit. This request can be made on the proof form. A proof of beneficial use form is enclosed for your convenience.

The proof of beneficial use on Permit No. 37-7154 is not due until September 1, 1977, but if the project is complete proof may also be made now and a second form is enclosed for that purpose.

Do not hesitate to contact us if you have further questions concerning this matter.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Bdf:jfr

Encls.

MICROFILMED

CAMAS ABSTRACT COMPANY

TITLE INSURANCE — REAL ESTATE — INSURANCE — BONDS

TOM WOKERSIEN & T. T. WOKERSIEN

FAIRFIELD, IDAHO 83327

PHONE: 764-2225

February 12th, 1977

RECEIVED

FEB 15 1977

Mr. R. Keith Higginson, Director
Department of Water Resources
State of Idaho
373 W. Franklin
Boise, Idaho.

Department of Water Resources

Dear Mr. Higginson:

William F. Stewart - 37-7122, 37-7154.

Your letter of February 8th, to Mr. Stewart has been handed to me for reply.

All of the development and installation under these two permits was completed in 1974. Proof was not completed at that time because of the measuring device requirement.

In December 1976, we ask the Fairfield office of the Soil Conservation Services for technical assistance for the installation of the device. A copy of their letter is enclosed.

We had further correspondence with Mr. Michael L. Steele of the Twin Falls office. Unfortunately, I did not get the required forms completed in time.

Would you advise what is necessary at this time for the completion of the permits.

Thanks kindly.

Yours very truly,

CAMAS ABSTRACT COMPANY.



RECEIVED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

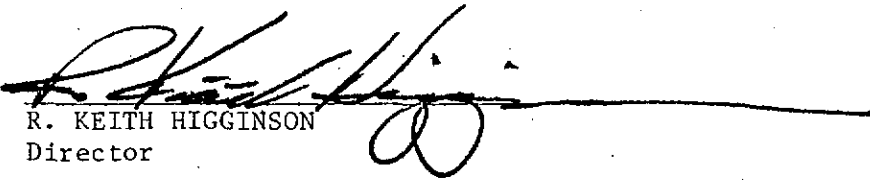
February 8, 1977

William F. Stewart
Fairfield, Idaho
83327

Dear Mr. Stewart:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No.37-7122 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within 60 days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH:jg

RECEIVED
FEB 10 1977

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member

November 30, 1976

CERTIFIED MAIL

138101

Re: Permit No. 37-7122

William F. Stewart
Fairfield, Idaho
83327

Dear Mr. Stewart:

One of the conditions of approval of your water Permit No. 37-7122 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before February 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

RECEIVED

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 37-7122 Name William F. Stewart
 Source Unnamed Springs, tributary of Soldier Creek
 Point of Diversion NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 2N, R. 14E, B.M. (4 points) and
one point in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 2N, R. 14, B.M.
 Quantity .20 Use Domestic Period Jan. 1 - Dec. 31
 Quantity Use Period
 Quantity Use Period
 Well Size Diameter Proposed Depth Feet
 Use 20 families

Date Forwarded 1-3-72 Date Returned 1-3-72 Received by D. Z.

COMMENTS: Subject to prior rights. Appear to be no prior rights,
decrees, or otherwise according to our stream, spring, and
decree & indices.

RECOMMENDED:

Applied: Qty. <u> </u>	Use <u> </u>	Period <u> </u>	AF/A <u> </u>	AF <u> </u>
Qty. <u> </u>	Use <u> </u>	Period <u> </u>	AF/A <u> </u>	AF <u> </u>
Qty. <u> </u>	Use <u> </u>	Period <u> </u>	AF/A <u> </u>	AF <u> </u>
Maximum: Qty. <u> </u>	Use <u> </u>	Period <u> </u>	AF/A <u> </u>	AF <u> </u>
Qty. <u> </u>	Use <u> </u>	Period <u> </u>	AF/A <u> </u>	AF <u> </u>
Qty. <u> </u>	Use <u> </u>	Period <u> </u>	AF/A <u> </u>	AF <u> </u>

ACTION: Approved ☒ Denied ☐

Conditions of approval or reason for denial:

INVESTIGATION

By

Paul M. Castelan

Title W.R.I. - I

Date Jan. 3, 1972

37 7122

CAMAS ABSTRACT COMPANY

TITLE INSURANCE - - - ABSTRACTS - - - INSURANCE - - - REAL ESTATE - - - BONDS

TOM WOKERSIEN & T. T. WOKERSIEN

FAIRFIELD, IDAHO

March 22nd, 1972.

Department of Water Administration
PHONE: 764-2225

Mr. James Booker
Appropriation Examiner
State of Idaho
Department of Water Administration
State House - Annex 2
Boise, Idaho, 83707.

Dear Mr. Booker:

In December, 1971 I mailed 2 application for permit to appropriate public water of the State of Idaho. These permits were in the name of William F. Stewart, Fairfield, Idaho. I received receipt No. 8620 in the amount of \$20.00 under date of December 22nd.

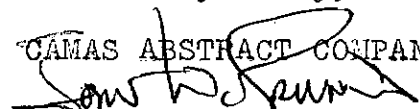
On February 17th, 1972, I received permit No. 37-7122, however, I have had no word on the second application for permit. The second application concerned unnamed springs located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, Township 2 North, Range 14 E.B.M. I believe both permits or applications were published at the same dates in the Gooding Leader newspaper, 1/6/1972 and 1/13/72.

Your advices will be appreciated.

Thanks kindly.

Yours very truly,

CAMAS ABSTRACT COMPANY.



37 7122

February 17, 1972

Re: Permit No. 37-7122 - William F. Stewart

William F. Stewart
Fairfield,
Idaho 83327

Dear Mr. Stewart:

Enclosed is a copy of your approved Application for Permit No. 37-7122. We direct your attention to the conditions of approval as listed on the fourth page.

We wish to advise you that should any of your project involve easements, you must secure these separately and independently from your permit and that your approved permit does not constitute authority for trespass or right-of-way.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

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

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosures

37 7122

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

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

January 3, 1972

Re: Application No. 63-7531 - Thomas M. Bevan &/or Missouri Beef Packers, Inc.
" " 37-7122 & 37-7123 - William F. Stewart

Vaughn Anderson
Environmental Improvement
Dept. of Health
Boise, Idaho

Dear Mr. Anderson:

We are enclosing copies of the above referenced applications that may be of interest to your agency. Please review the applications and if you have any comments, please submit them to our Department as soon as possible. We normally complete the processing of an application within a 6-week period and we are required to take final action shortly thereafter.

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

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

Enclosures

37 7122

December 30, 1971

Re: Application No. 37-7122 - William F. Stewart
" " 37-7123 - " " "

Gooding County Leader
Box 56
Gooding, Idaho 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(signature of claimant)

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:cr

Enc: Legal Notices

Bill submitted 1-2-72. cr.

37 7122

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that William F. Stewart, Fairfield, Idaho has on December 22, 1971 submitted Application No. 37-7122 for a permit to appropriate 0.20 cubic feet per second of water from Unnamed Springs, tributary of Soldier Creek by means of pipe within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ (4 points), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (1 point), Sec. 34, T. 2N, R. 14E, B.M., Camas County to be used from Jan. 1 to Dec. 31 for domestic purposes for 20 families within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 2N, R. 14E, B.M.; N $\frac{1}{2}$ Lot 2, Sec. 3, T. 1N, R. 14 E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before January 24, 1972.

R. KEITH HIGGINSON,
Director

1-6-2tc

0.2
1-5-72
J.B.

37 7122

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that William F. Stewart, Fairfield, Idaho

has on December 22, 1971 submitted Application No. 37-7122
for a permit to appropriate 0.20 cubic feet per second ~~to be used for domestic purposes~~
of water from Unnamed Springs, tributary of Soldier Creek
by means of pipe
within the NW¹/₄SE¹/₄ (4 points), SW¹/₄SE¹/₄ (1 point), Sec. 34, T. 2N, R. 14E, B.M.,
Camas County

to be used from Jan. 1 to Dec. 31
for domestic purposes for 20 families

within the SE¹/₄SW¹/₄, W¹/₄SE¹/₄, SE¹/₄SE¹/₄, Sec. 34, T. 2N, R. 14E, B.M.; N¹/₂ Lot 2, Sec. 3,
T. 1N, R. 14E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before January 24, 1972.

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader, Gooding, Idaho
on Jan. 6 and Jan. 13, 1972.

37 7122

December 23, 1971

William P Stewart
Fairfield, Idaho 83327

Dear Mr. Stewart:

Attached herewith is your receipt No. 8620 in the amount of \$ 20.00
for your two applications for permit in the amount of \$10.00 each
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

CAMAS ABSTRACT COMPANY

TITLE INSURANCE - - - ABSTRACTS - - - INSURANCE - - - REAL ESTATE - - - BONDS

TOM WOKERSIEN & T. T. WOKERSIEN

FAIRFIELD, IDAHO

PHONE: 764-2225

December 21st, 1971.

RECEIVED

DEC 23 1971

Mr. James Booker, Appropriation Examiner
State of Idaho D
Department of Water Administration
State House - Annex 2
Boise, Idaho, 83707.

Department of Water Administration

Dear Mr. Booker:

I am returning applications on behalf of William F. Stewart, Fairfield, Idaho.

I have changed #2 to show Unnamed Springs, changed #3 to show points of diversion as 40 acre legal subdivision, and corrected the map under item #11.

In our first correspondence on this, I mentioned 7 separate springs to be developed. In your letter of November 26th, you advised that if the development were under a common system which is to be connected together in some way, only one filing was necessary.

Under one application, we have 5 separate springs, 4 being located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ 34-2N-14 and 1 in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 34-2N-14. These will be connected so have made 1 filing.

The second application has 2 springs, each located in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 34-2N-14. These will be connected.

The maps were prepared to show all the vested land.

If you need further information, please advise.

Yours very truly,

CAMAS ABSTRACT COMPANY.



37 7122

December 20, 1971

Re: William F. Stewart

CAMAS ABSTRACT COMPANY
Fairfield,
Idaho 83327

Gentlemen:

We are returning the applications you have submitted in the behalf of William F. Stewart, with your check #92-77, in the amount of \$20.00, in order that you may clarify some questions we have.

On one application, you do not indicate the source of water supply under item #2. Also, the point of diversion on this same application must be indicated by the 40 acre legal subdivision, section, township and range that it lies within. You presently indicate the W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 34, Township 2 North, Range 14 East, Boise Meridian. This description does not meet our requirements, as the point of diversion could be in either the NW $\frac{1}{4}$ SE $\frac{1}{4}$ or the SW $\frac{1}{4}$ SE $\frac{1}{4}$. Would you please indicate which subdivision the point of diversion is actually located within.

The other application for permit form indicates that the source of water supply is ground water under item #2. Item #6 indicates that you have developed a spring. If your source is actually from a spring, you should probably indicate the source as being from an unnamed spring. On this same application, your land list under item #8 and the map under item #11 do not agree with each other.

On both applications for permit, you should indicate the point of diversion under item #11.

Would you please check these discrepancies and make any necessary corrections, then return your applications to us so that we can continue to process them for approval.

Very truly yours,

James Booker
Appropriation Examiner

JB:cs

Enclosures

37 7122

CAMAS ABSTRACT COMPANY

TITLE INSURANCE . . . ABSTRACTS . . . INSURANCE . . . REAL ESTATE . . . BONDS

TOM WOKERSIEN & T. T. WOKERSIEN

FAIRFIELD, IDAHO

December 15th, 1971.

RECEIVED
DEC 20 1971
Department of Water Administration
PHONE 764-2225

Mr. James Booker, Appropriation Examiner
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho, 83707.

Dear Mr. Booker:

On December 1st, we submitted 2 applications for permit to appropriate public waters of the State of Idaho, in the name of William F. Stewart, Fairfield, Idaho. This was ground water for domestic use, located in Section 34, Township 2 North, Range 14 EBM., and Sec 3, Township 1 North, Range 14 EBM. The original applications indicated that the water source was located on Public Lands administered by the Sawtooth National Forest.

In accordance with your letter of December 2nd, a copy of which is enclosed, we made application for a special use permit.

I am enclosing a letter from Mr. Larry M. Weeks, District Ranger of the Sawtooth National Forest, Fairfield office, in reply to the Special Use permit application. It would appear that the point of diversion is on private land.

Under these circumstances, I am enclosing 2 new applications along with my check in the amount of \$20.00.

If further forms or information is required, please advise.

Thanks kindly.

Yours very truly,

CAMAS ABSTRACT COMPANY.



UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Fairfield, Idaho 83327

2710
December 14, 1971



Mr. T. T. Wokersien
Fairfield, Idaho 83327

Dear Mr. Wokersien:

Reference is made to your Special Use application for the spring developments in Township 2N., Range 14 E.B.M., our plats indicate that these springs are on private land, therefore, no special use permit would be necessary.

We would like to look at the property lines with you next summer when the snow leaves the area.

Sincerely

LARRY M. WEEKS
District Ranger

37 7122

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse -- Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

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

December 2, 1971

CAMAS ABSTRACT COMPANY
Fairfield, Idaho
83327

ATTENTION: Tom Wokersien

Dear Mr. Wokersien:

We are returning the applications filed in the name of William F. Stewart. It is necessary that you submit the proper fees with the applications before we can begin the initial processing. There will be a \$20.00 filing fee for the two applications.

Once we have received the proper fee, we can accept the application and establish the priority date, but we must have evidence of a special use permit from the Forest Service before we can issue the approved permit.

If you have any further questions regarding this matter, please feel free to contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB:cs

Enc: applications for permit (2)