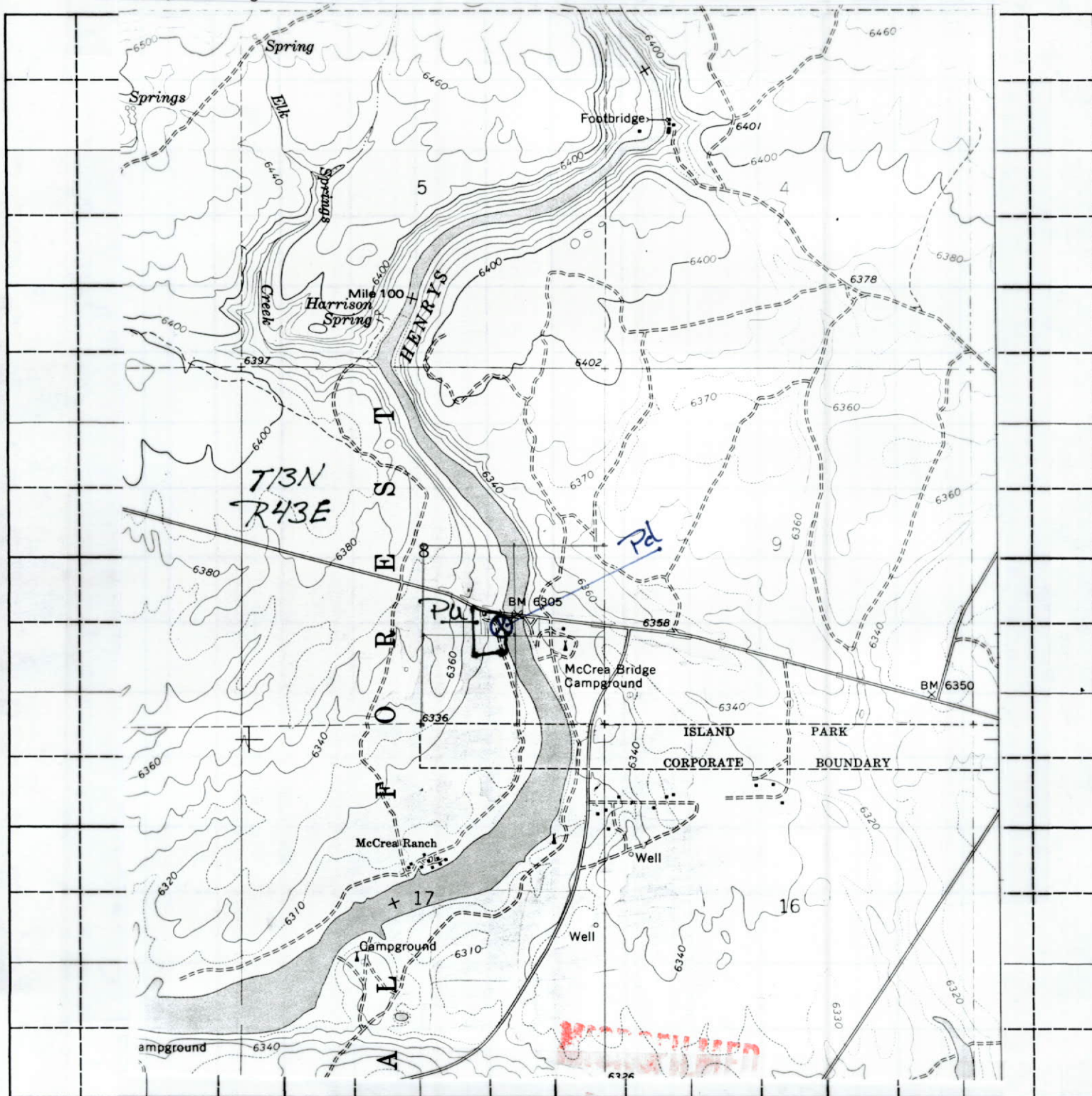


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

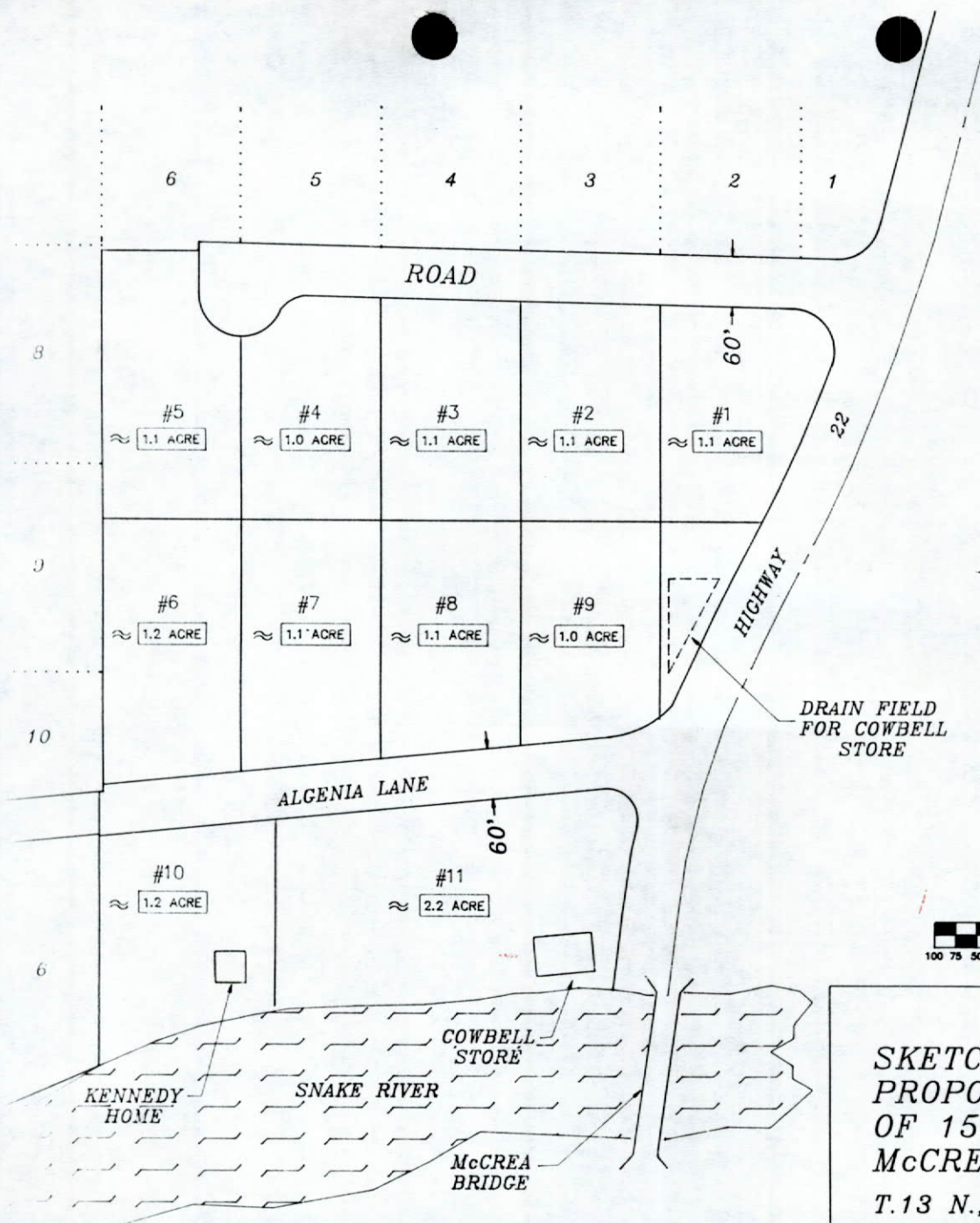


Scale: 2 inches equal 1 mile.

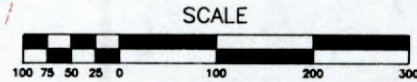
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Daniel Kennedy
(Applicant)

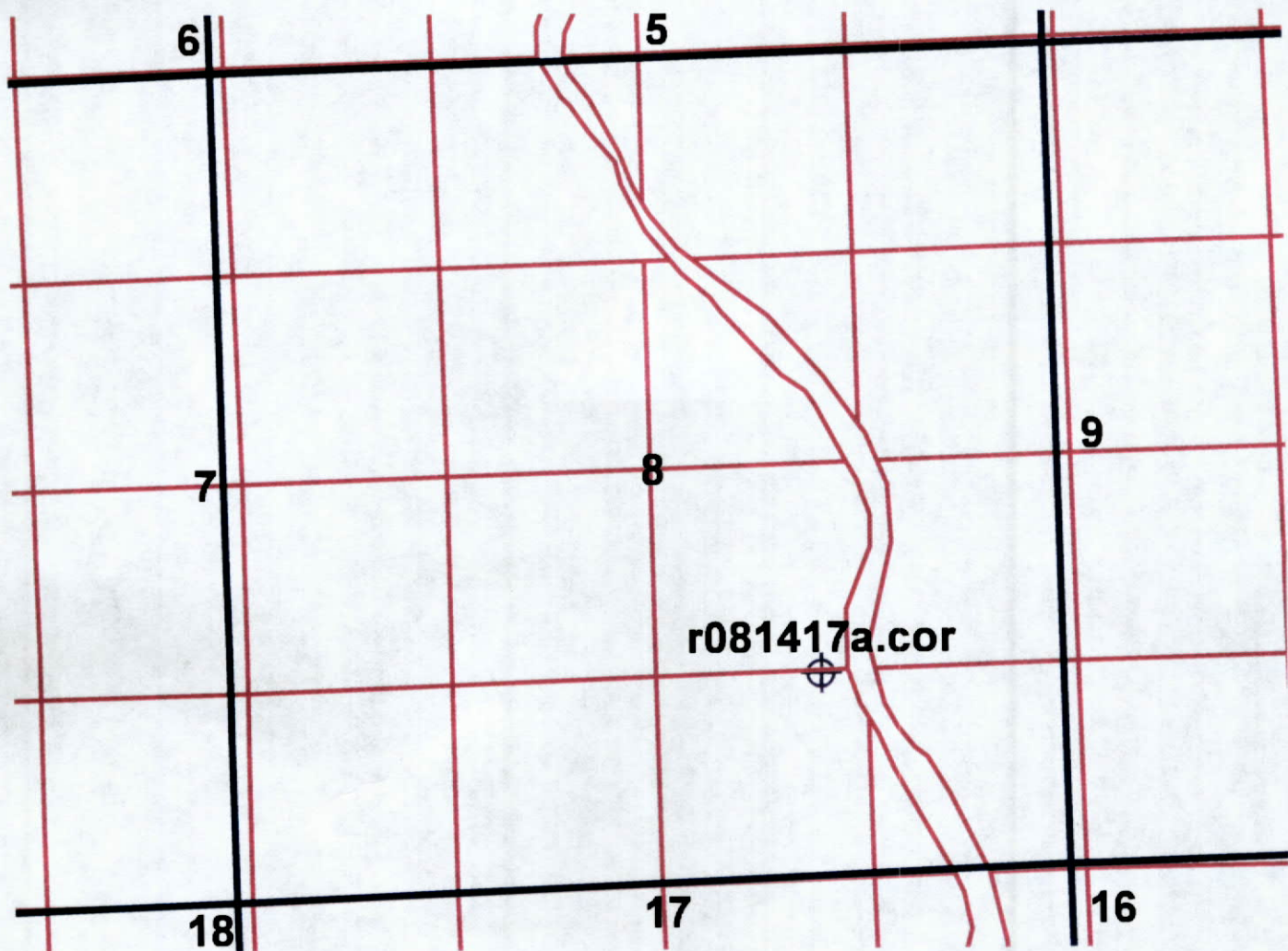
21-7545

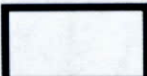
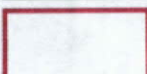


MICROFILMED
JUL 22 1993



KENNEDY
SKETCH FOR THE
PROPOSED DEVELOPEMENT
OF 15.5 ACRES AT
McCREA BRIDGE
T.13 N., R.43 E., SECTION 8

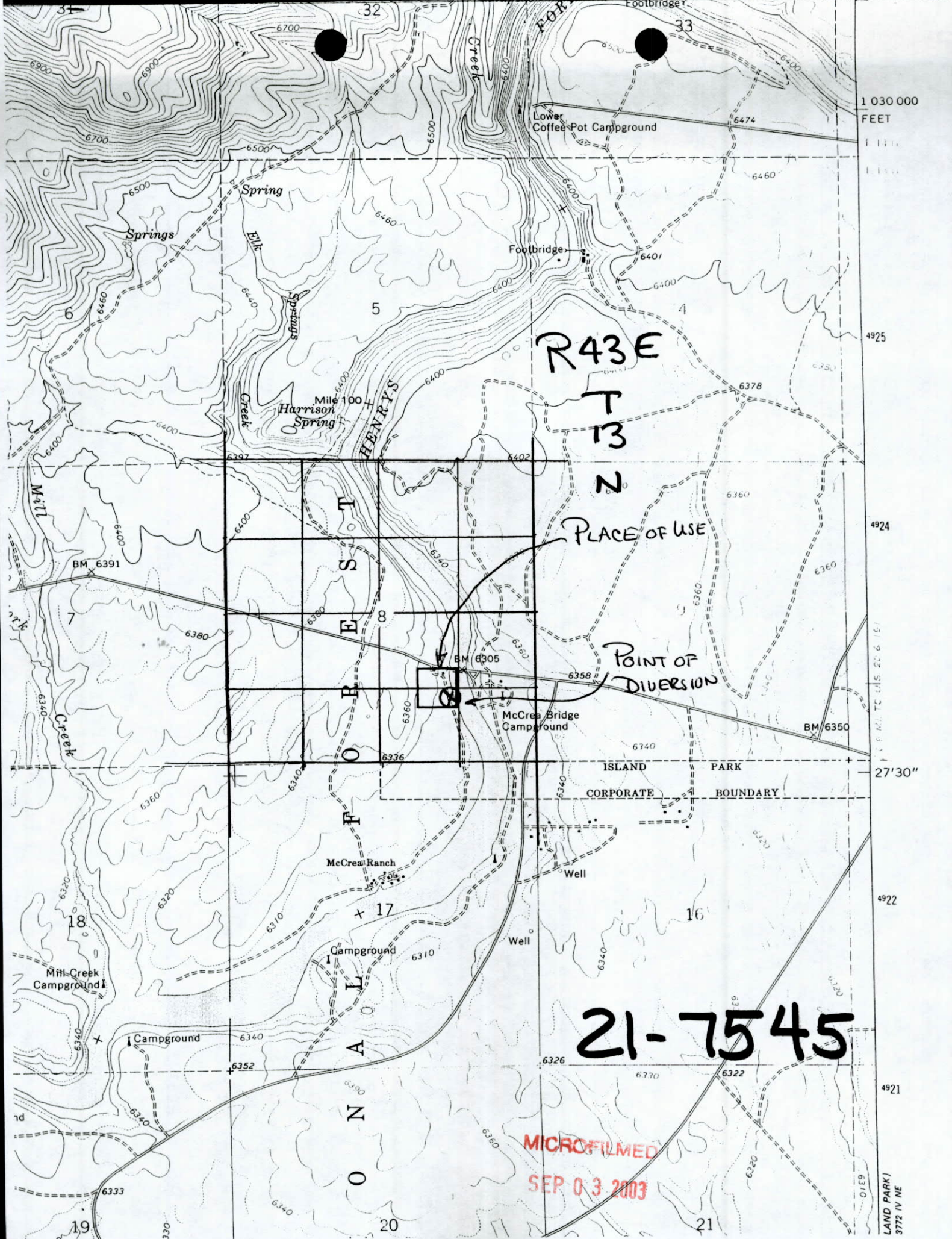


 Sections.shp
 T13n43e.shp
 Posnpnt.shp

21-07545

MICROFILMED

SEP 03 2003



1 030 000
FEET

R43E

T13N

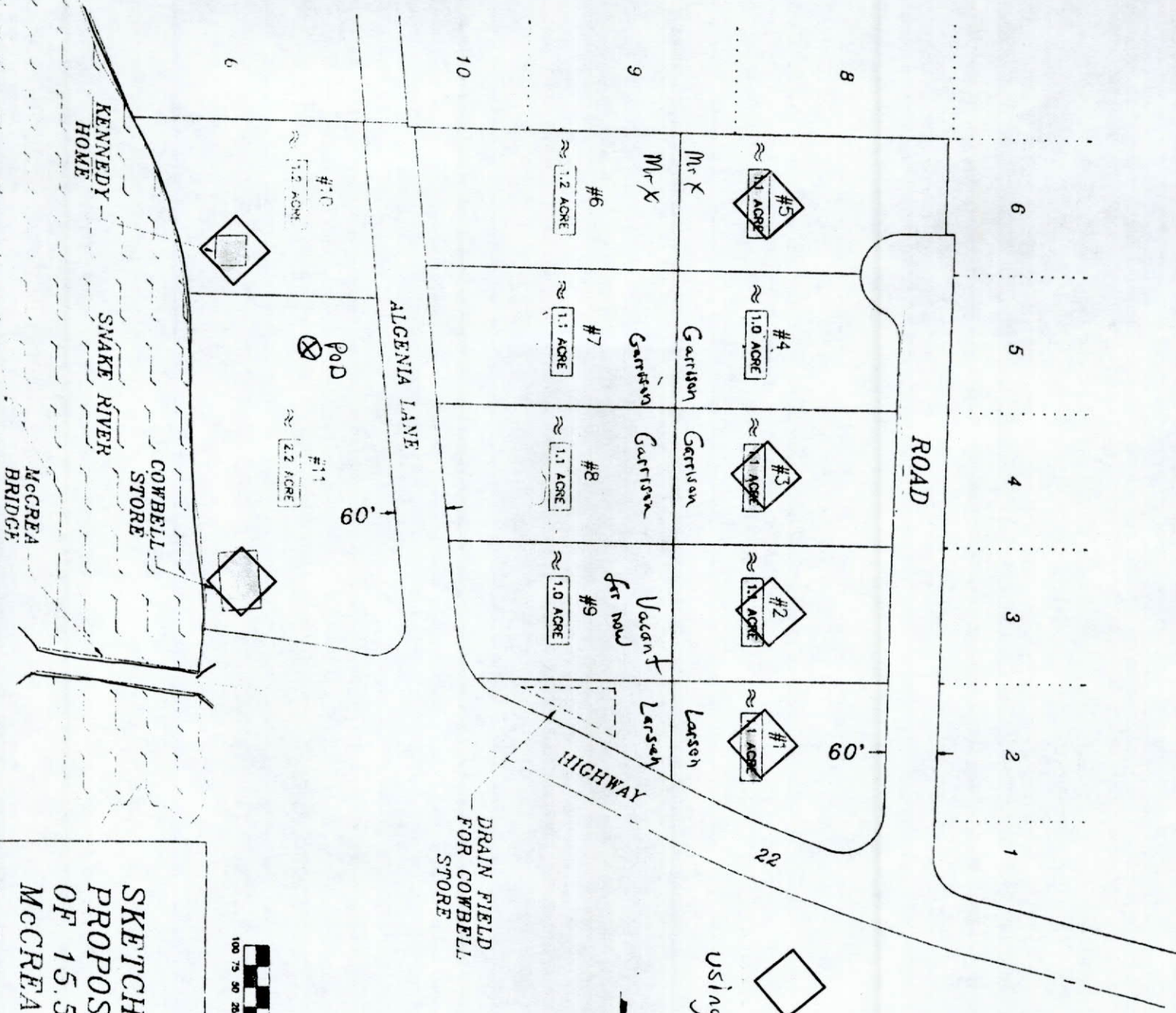
PLACE OF USE

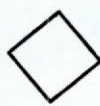
POINT OF DIVERSION

21-7545

MICROFILMED
SEP 03 2003

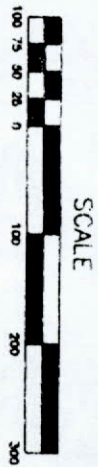
LAND PARK
3772 IV NE



 denotes a structure using water.



MICROFILMED
 SEP 03 2003



KENNEDY

SKETCH FOR THE
 PROPOSED DEVELOPMENT
 OF 15.5 ACRES AT
 MC CREA BRIDGE

T 13 N R 43 E SECTION 8



POD 21-7545[↑]

Pressure tanks
in basement
of log building
in top photo.



MICROFILMED

SEP 03 2007



21-7545 POU Structures in photo. Compare plat.

MICROFILMED
SEP 03 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 21-07545

Priority: May 06, 1993

Maximum Diversion Rate: 0.15 CFS
Maximum Diversion Volume: 6.6 AF

It is hereby certified that DENNIS KENNEDY
PO BOX 86
MACKS INN ID 83433-0086 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 06, 1993; and has
submitted Proof of Beneficial Use on May 07, 1998. An examination indicates that the works have a
diversion capacity of 0.15 cfs of water from:

SOURCE

GROUND WATER

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>
DOMESTIC	01/01 to 12/31	0.15 CFS	6.6 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER L9 (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) Sec. 8, Twp 13N, Rge 43E, B.M., FREMONT County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N 43E 8														X	X		
														L8	L9		

CONDITIONS OF APPROVAL

1. Domestic use is for 5 homes and 1 small store.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
3. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.

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 2nd day of May, 2003.

Karl J. Dreher
for **KARL J. DREHER**
Director

MICROFILMED

SEP 03 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 21-07545

RECEIVED
MAY - 2 2003

Department of Water Resources

Date of Priority: May 06, 1993

Maximum Diversion Rate: 0.15 CFS
Maximum Diversion Volume: 6.6 AF

Comes now DENNIS KENNEDY
PO BOX 86

MACKS INN ID 83433-0086 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. 21-07545, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.15 CFS	6.6 AF

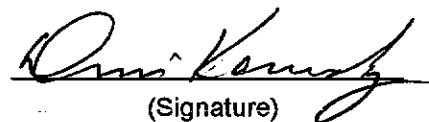
LOCATION OF POINT OF DIVERSION:

GROUND WATER L9 (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) Sec. 8, Twp 13N, Rge 43E, B.M., FREMONT County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N 43E 8														X	X		
														L8	L9		

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 29th day of APRIL, 2003.


(Signature)

MICROFILMED

SEP 03 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 21-07545

RECEIVED
MAY - 2 2003
Department of Water Resources

.....
FOR DEPARTMENT USE ONLY
Preliminary check by KW Fee \$50.00 Received by JM # 006888 Date 5-2-03

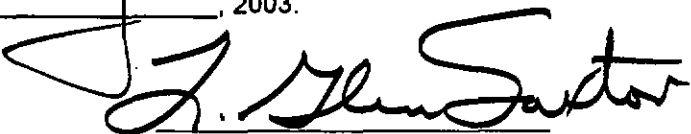
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 21-07545 with the following:

CONDITIONS OF APPROVAL

1. Domestic use is for 5 homes and 1 small store.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
3. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.

Witness my hand this 2nd day of May, 2003.


KARL J. DREHER
for Director

MICROFILMED

SEP 03 2003

RECEIVED

MAY 07 1998

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY
Amt. of Fee \$: 20.00
Receipt No. 0042200
Receipt By: [Signature]
Date Received: 5-1-98

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

1. Permit No. 21-07545 Telephone No. 208-558-7542
2. Name(s) of Permit Holder(s): Dennis Kennedy DBA Cowbell Subdivision
3. Mailing Address: P.O. Box 84 MARKS INLET ID 83433
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 7 / yr. 93
 - a. Well Driller: Andrew Allen Joritar Drilling Permit Number: 21-92-E-069
 - b. OPTIONAL:
Pump Horsepower: 5 hp Pressure (psi): 80 Dynamic pumping level (ft): 50'
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 6 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.15 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes <u>X</u>	or	No _____
	Has the measuring device been installed?	Yes <u>X</u>	or	No _____
Flow Measurement Port:	Is a flow measurement port required?	Yes _____	or	No _____
	Has the measurement port been installed?	Yes _____	or	No _____
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Dennis Kennedy Telephone Number: 208-558-7542
Address: 4035 Cowbell Ln.

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] Date: 5-5-98
(include your title, if on behalf of company or organization)

MICROFILMED

JUN 25 1998

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 21-07545

Proposed Priority: May 6, 1993

Maximum Diversion Rate:

0.15 CFS

This is to certify, that DENNIS KENNEDY

PO BOX 86

MACKS INN ID 834330086

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.15 CFS

LOCATION OF POINT(S) OF DIVERSION:

SEWSE , Sec. 8, Township 13N, Range 43E
FREMONT County

PLACE OF USE: DOMESTIC

TWN RGE SEC

13N 43E 8

NWSE

SWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1998.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The issuance of this right in no way grants any right-of-way or easement across the land of another.
5. Domestic use is for 10 homes & 1 small store.
6. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.

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

13th day of July, 1993.

[Signature]
for R. Keith Higginson, Director

RECORDED

JUL 22 1993

RECEIVED

JUN 16 1993

217545

Form 202
6/85

Department of Water Resources

Ident. No. _____

DEPARTMENT OF WATER RESOURCES APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- Name of applicant Dennis Kennedy Phone 558-7542
Post office address PO Box 86 Mack's Inn, Idaho 83433
- Source of water supply Groundwater which is a tributary of _____
- Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 8 Township 13N Range 43E B.M. Fremont County; additional
points of diversion if any: _____
- Water will be used for the following purposes:
 Amount .15 for Domestic purposes from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Total quantity to be appropriated is (a) .15 cubic feet per second and/or (b) _____ acre feet per annum
- Proposed diverting works:
 - Description of ditches, flumes, pumps, headgates, etc. Well, pump and distribution system to ten homes and one store *Note the store has a restroom and sink and does not exceed 2400 gpd.
 - 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.
 - Proposed well diameter is 8" inches; proposed depth of well is 160' feet.
 - Is ground water with a temperature of greater than 90°F being sought? NO
- Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year).

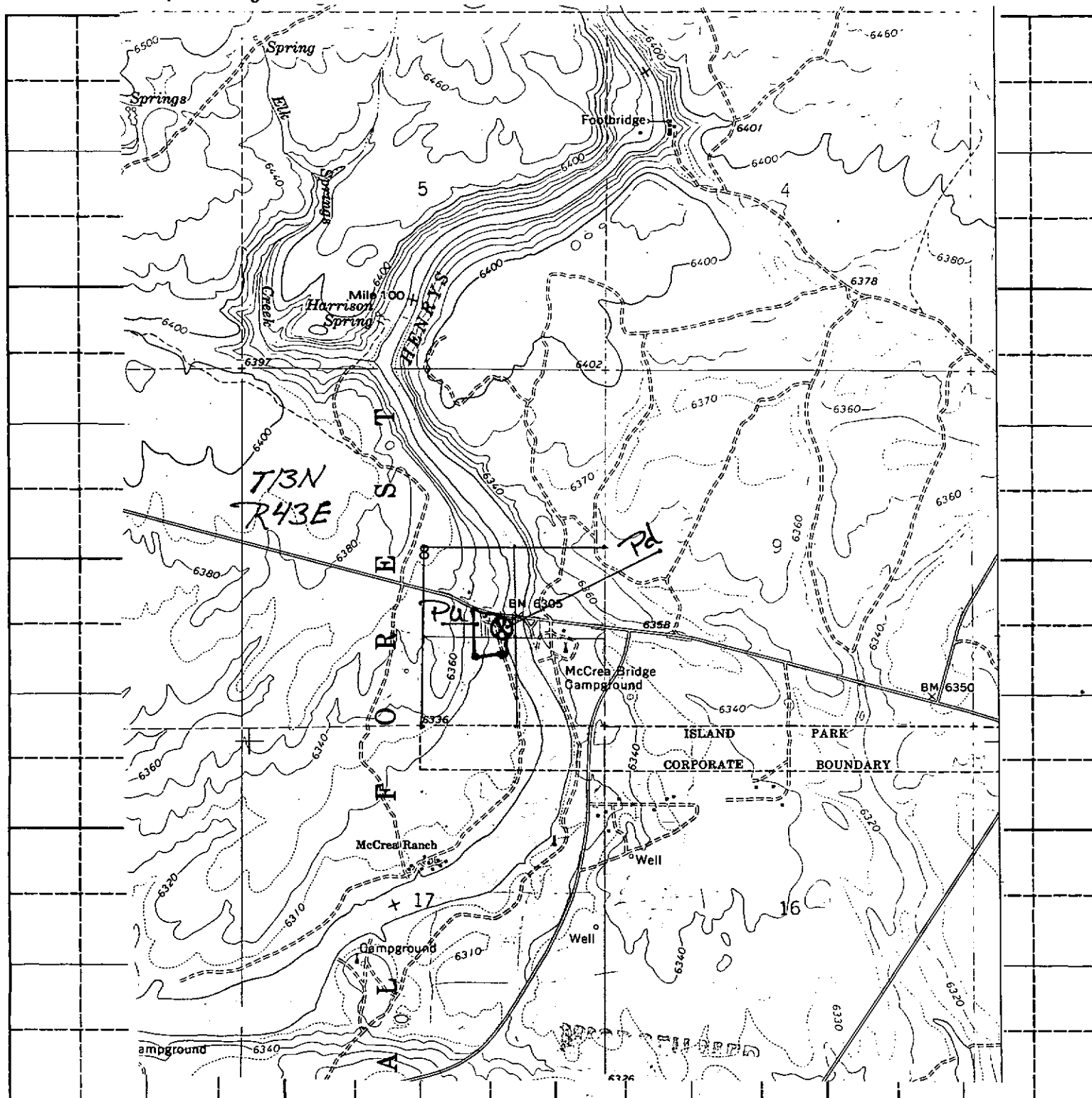
APPROVED

JUL 22 1993

1. பெரிய பிள்ளை

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

13. 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.

Doris Kennedy
(Applicant)

JUL 2 1993

e. Other:

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.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. _____, and said application is hereby _____.

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

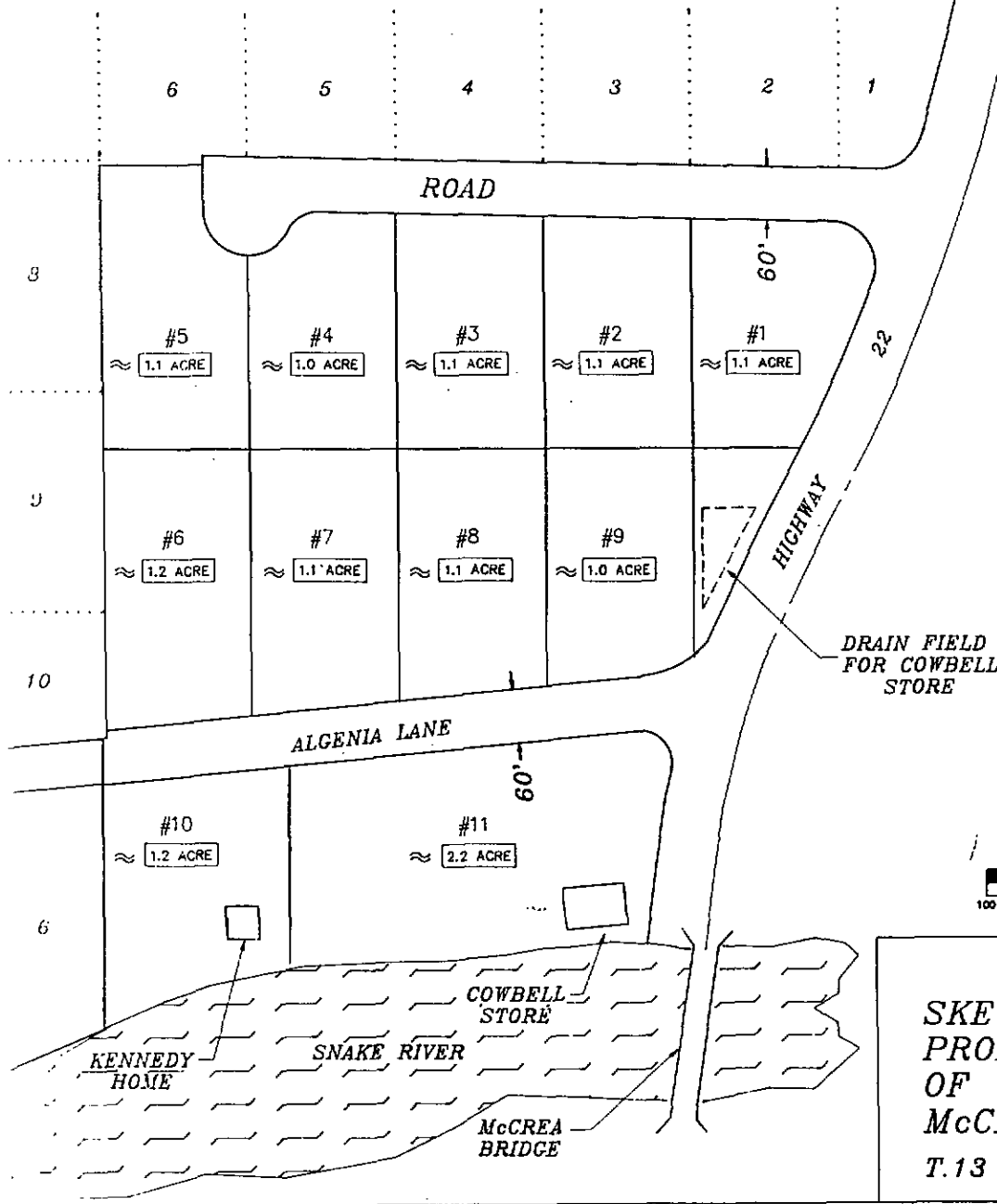
Received by DMJ Date 5 May 1993 Time 10:45 Preliminary check by _____

Fee \$ 30.00 Received by RB # E018562 Date 5-6-93

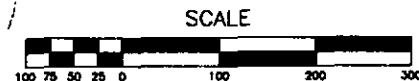
Publication prepared by RB Date 5-20-93 Published in Herald Chronicle

Publication approved by RB Date 6-14-93

21-7545



RECEIVED
JUL 22 1993



KENNEDY
SKETCH FOR THE
PROPOSED DEVELOPEMENT
OF 15.5 ACRES AT
McCREA BRIDGE
T.13 N., R.43 E., SECTION 8



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

May 2, 2003

DENNIS KENNEDY
PO BOX 86
MACKS INN ID 83433-0086

RE: License No. 21-7545 - 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.

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) COPY OF APPLICATION FOR AMENDMENT IS INCLUDED.

MICROFILMED

SEP 03 2003

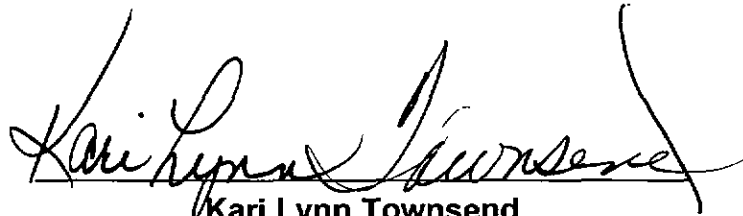
CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2003 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.

21-7545

**DENNIS KENNEDY
PO BOX 86
MACKS INN ID 83433-0086**


Kari Lynn Townsend
Secretary

MICROFILMED

SEP 03 2003

**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).

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.

MICROFILMED
SEP 03 2003



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

April 16, 2003

DENNIS KENNEDY
PO BOX 86
MACKS INN ID 83433-0086

RE: Water Right Permit No. 21-07545

Dear Permit Holder:

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.

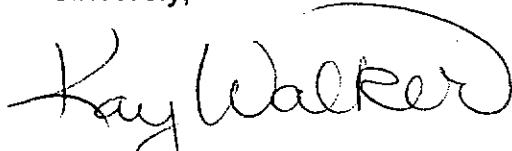
Based on the examiner's report, the following elements were developed differently than described on your permit:

 Point of Diversion

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
SEP 03 2003

4-28-03
talked w/ Mr. Kennedy
about why amendment
was req'd - he will
submit w/ fee.
Kew

Comment Report

21-7545

1. kwalker 4/15/2003 Volume

Comment: Examiner recommended 6.0 afa for license. He calculated that by using the original 10 units under permit at 0.6 af per unit. Recommend allowing 1.2 af for each of the 5 homes found in place at time of exam since pictures show lawns around homes and 0.6 af for use at the store.

2. ZIMMERMA 6/29/1993 MORATORIUM EXEMPTION

Comment: This permit is located within the Eastern Snake River Plain Moratorium boundary; however, its multi-domestic use is within the acceptable parameters of the Moratorium guidelines. DIVERSION DESCRIPTION Well Drilling permit #21-92-E-0069-000 proposes a 10" diameter by 150' deep well, with pump and distribution system.

3. VAULT 5/11/1998 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

MICROFILMED

SEP 03 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV - 2 2001 K

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 21-75451. Owner: Dennis Kennedy Phone No. 558-7542Current Address: P.O. Box 86, Mack's Inn, ID 83433 00862. Accompanied by: Dennis Kennedy EXAM DATE: 8-14-01Address: Same Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: No2. Other water rights with the same point of diversion: No

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
		NE	SW	SE	8	13N	43E	Fremont	GPS R081417A

2. Place(s) of Use:

Indicate Method of Determination Net/USGS quad

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	43E	8													D	D			

MICROFILMED

SEP 03 2003

A blank sheet of graph paper featuring a uniform grid of squares. The grid is composed of solid black lines forming the outer border and dashed black lines for internal divisions. There are 10 columns and 8 rows of squares in total.

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

Well or Diversion Identification No. *	Submersible	?	5			
Motor Make						
Hp						
Motor Serial No.						
Pump Make						
Pump Serial No. or Discharge Size						

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

SEP 03 2003
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D. FLOW MEASUREMENTS

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

2. Measurements:

Observed 66 gms

The well provides water to 6 structures (5 cabins, 1 store)

One lot owner purchased 4 adjoining lots. See plat for cabin locations.

The pressure range was 60 - 75 psi.

The system flow was 66 gpm when the pump first kicked on and pressure was at 60 psi. After stabilizing at around 70 psi the flow stabilized at around 61 gpm.

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

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SEP 03 2003

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$Q = \frac{66 \text{ gpm}}{448.8} = 0.147 \text{ cfs} = 0.15 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

$$V_{\text{Dom + comm}} = (0.6) 10 = 6.0 \text{ afa}$$

#

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Domestic (10 units)	1/1	12/31	0.15 cfs	6.0 afa
Totals:			0.15 cfs	6.0 afa

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 KEITH C WILSON Date 10/24/2001

Reviewer Steve Mueller Date 8-14-01

SEAL

MICROFILMED
SEP 03 2003

LOG NAME: **21-7545**

START: 08-14-2001 12:01

END: 08-14-2001 12:06

INTERVAL: 00:01:00

08-14-2001 12:01:00

+5.657E+0 ft/s

+6.107E+1 gal/m

+1.360E-1 ft³/s

+TOTAL 0000000 gal

-TOTAL 0000000 gal

NORMAL

08-14-2001 12:02:00

+5.689E+0 ft/s

+6.142E+1 gal/m

+1.368E-1 ft³/s

+TOTAL 0000060 gal

-TOTAL 0000000 gal

NORMAL

08-14-2001 12:03:00

+5.661E+0 ft/s

+6.111E+1 gal/m

+1.361E-1 ft³/s

+TOTAL 0000121 gal

-TOTAL 0000000 gal

NORMAL

08-14-2001 12:04:00

+5.697E+0 ft/s

+6.151E+1 gal/m

+1.370E-1 ft³/s

+TOTAL 0000182 gal

-TOTAL 0000000 gal

NORMAL

08-14-2001 12:05:00

+5.679E+0 ft/s

+6.131E+1 gal/m

+1.366E-1 ft³/s

+TOTAL 0000243 gal

-TOTAL 0000000 gal

NORMAL

08-14-2001 12:06:00

+5.671E+0 ft/s

+6.122E+1 gal/m

+1.364E-1 ft³/s

+TOTAL 0000305 gal

-TOTAL 0000000 gal

NORMAL

Q_{MAX} = 61.5 gpm

Q_{MIN} = 0.14 cfs

Q_{OBSERVED MAX FLOW} =

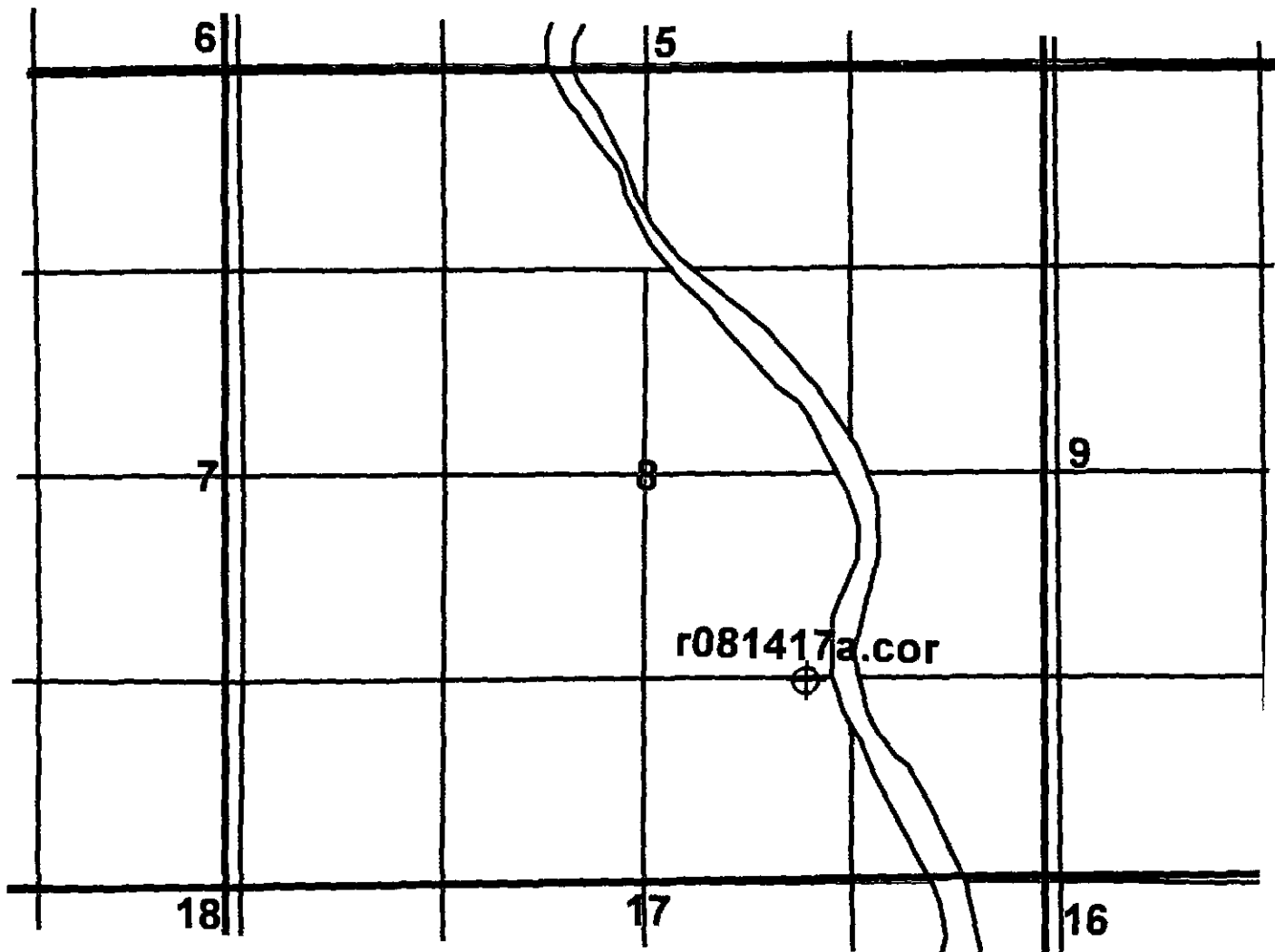
66 GPM =

0.15 CFS

MICROFILMED

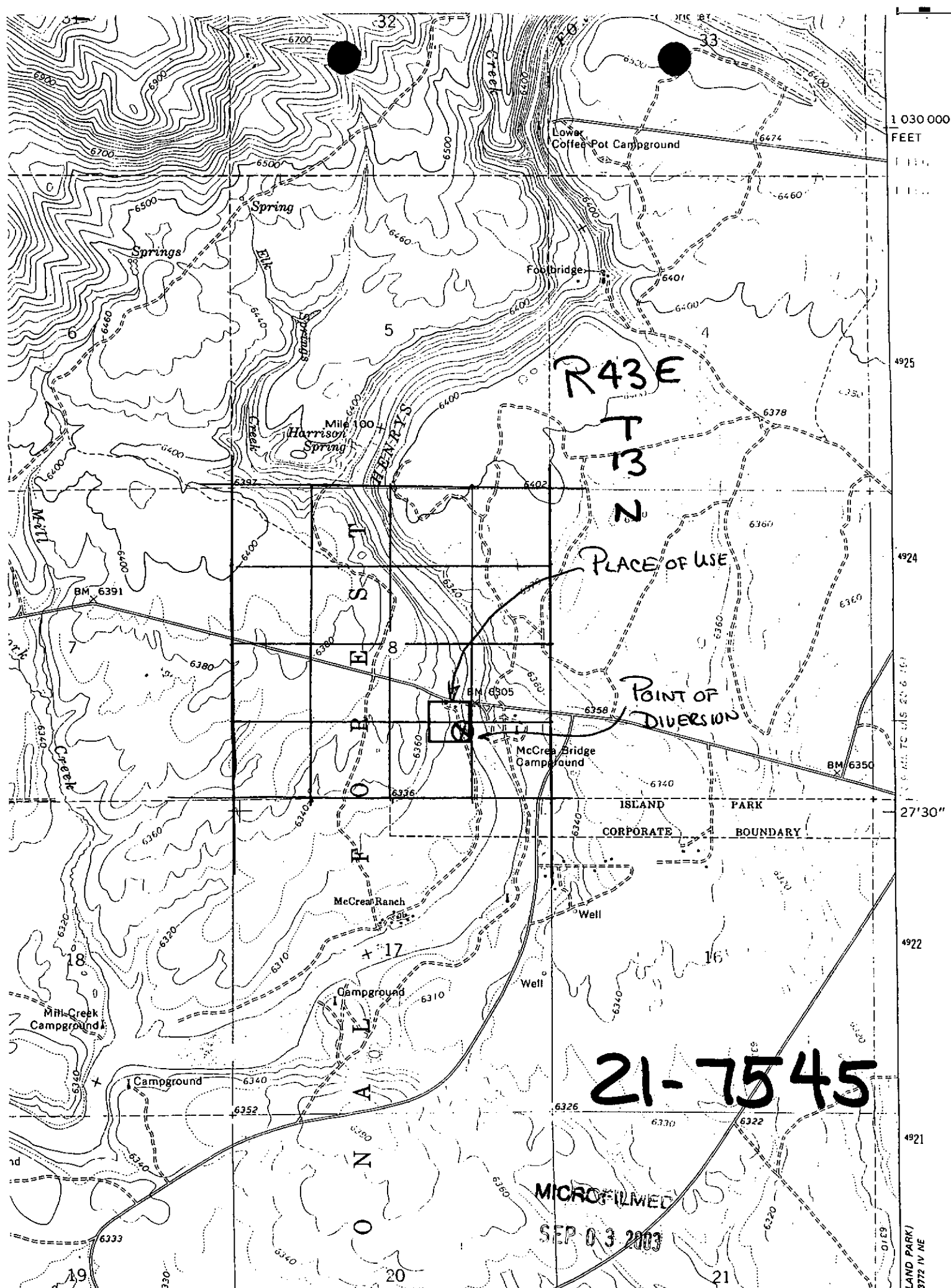
SEP 03 2003

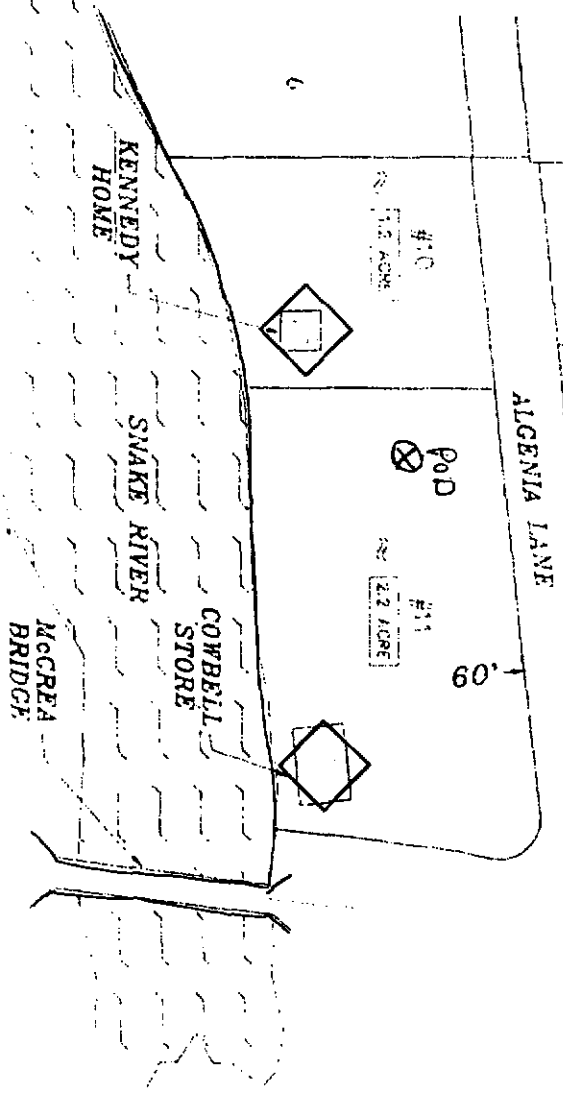
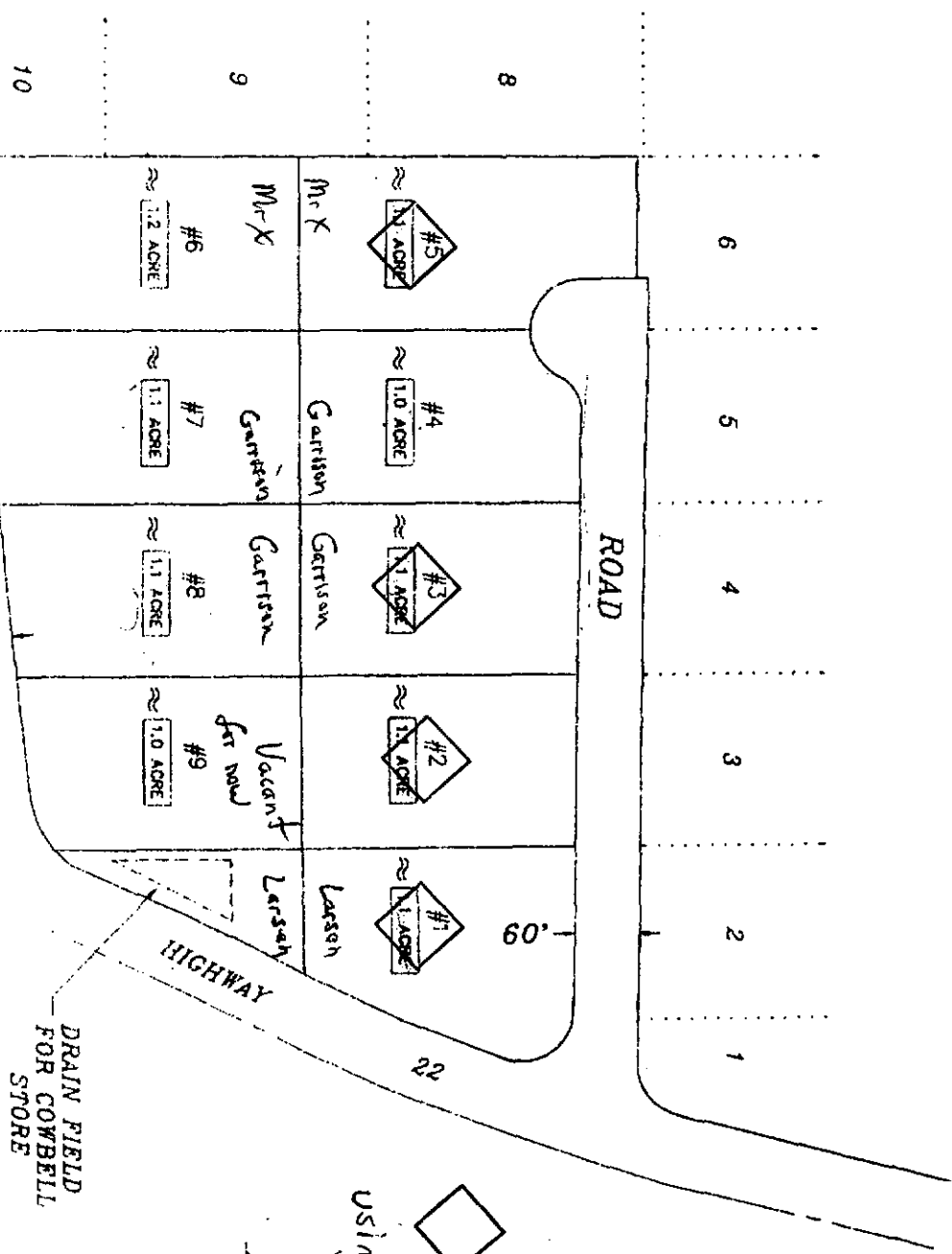
21-07545



 Sections.shp
 T13n43e.shp
 Posnpnt.shp

MICROFILMED
21-07545
SEP 03 2003





 denotes a structure
 using water.



MICROFILMED
 SEP 03 2003



KENNEDY
 SKETCH FOR THE
 PROPOSED DEVELOPMENT
 OF 15.5 ACRES AT
 MCCREA BRIDGE
 T 13 N R 43 E SECTION 8



POD 21-7545↑

Pressure tanks
in basement
of log building
in top photo.



MICROFILMED

SEP 03 2003



21-7545 POV Structures in photo. Compare plat.

MICROFILMED
SEP 03 2013



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

June 12, 1998

Dennis Kennedy
PO Box 86
Macks Inn ID 83433

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 21-07545

Dear Permit Holder:

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

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the department's **EASTERN** Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

JUN 25 1998

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 21-07545 Reviewed by Jay Date 6-12-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
yes Drilling permit required?
yes Copy in the file? Drilling Permit No. 21-92-E-0069-000
200- Amount paid for permit yes Correct?
no Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
no Required?
yes Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X Proof Made 5-7-98

April 30, 1998

DENNIS KENNEDY
PO BOX 86
MACKS INN ID 834330086

PROOF DUE NOTICE

RE: PERMIT NO. 21-07545

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 July 1, 1998.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JUN 25 1998





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

July 13, 1993

DENNIS KENNEDY
PO BOX 86
MACKS INN ID 834330086

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 21-07545

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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.

Also enclosed is a copy of the approved drilling permit submitted in connection with this water right.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED

JUL 22 1993

APPLICATION FOR PERMIT STATE OFFICE REVIEW

Application #: 21-07545 Date: 6/29/93 Reviewer: Cindy Zimmerman

AREA OF CONCERN? - No/Yes E.S.R.P. mns

SYSTEM COMPLETED:

No - 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - N/A

GROUNDWATER:

+ 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing), NMR

- 0.2 cfs - NMR <flow chart>

Drilling Permit:

Included w/permit - P99 Permit No. 21-92-E-0069-000

Existing well - N/A (if drilled before 7/1/87)

No WD permit? - 046-46B-P23 (if drilled after 7/1/87)

SURFACE WATER: not in WD - 01C-P03 (+.2 w/pump), NMR <flow chart>

LOCATION:

Water District - WD No. 01

Surface water - 005 or 005-01J-P08(+.2)
or 005-01H-P01(-.2 w/pump); NMR

Groundwater - P05 (if well has not been drilled)

Irrigation Dist. - 023

Canal Co. Areas - 023

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (Groundwater temperature)

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

Trust - 051-052-053-P74 (Consumptive Uses ~~P43A~~)

Non Trust <1> - ~~048-049~~ domestic exempt

RIVER BASINS (Surface): Water District Control Condition (005) &....

Boise (63) - 05A (req), 11E (non-domestic use)

Payette (65) - 047-P04, -P

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

USE:

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

Power - 08A, 17K, 025, 027 (req); 01F-P19; 09E-P10;
+25 cfs-P18; 17G or 17M; 18B-P09

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

Storage(✓ 3 compo.) - 18A-for multi MD in WD, 18B-P09 (+10' Size)

Rec/Wildlf/Aes - 027-if +½ A. pond (Non-Consumptive)

Domestic (surface - 021 - Boise River upstream from L Peak
restricted areas) 27A - Payette River & main tributaries

OWNERSHIP:

Non land owner - 004

PROTESTED:

Hearing agreement - 020

REMARKS:

1) WOI (10 # sm store)

2) W04

OTHER CONDITIONS:

BENEFICIAL USE DUE:

COMMENTS:

7-1-1998

1) Non Exempt (multi-dom)

2) div desc.

RECEIVED

JUN 16 1993

Department of Water Resources

Dist. for staffing 5-6-93

Submitted for advertising 5-7-93

Form No. 202a

4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY AWJ

DATE 5-7-93

APPLICATION NO. 21-7545

DENNIS Kennedy
REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

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

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

<u>SEND COPIES TO</u>	_____ Idaho Dept. of Health & Welfare	_____ U.S. BLM
<i>None</i>	_____ Idaho Dept. of Fish & Game	_____ U.S. Forest Service
	_____ Idaho Dept. of Lands	_____ Water District
	_____ Adjudication Bureau Unit	_____ Other

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

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
 Final date for protest 6-7-93
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations, attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information

Date of priority recommended 5-6-1993

By HUT Date 6-14-93

See below for additional information

By _____ Date _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

____ City
____ County
____ Reservations

Idaho Fish & Game
Idaho Health & Welfare
Division of Environment

_____ Irrigation District
 _____ Canal Company
 _____ Other

Project impacts/implications report

COMMENTS

[illegible]

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, Terry T. Weatherston
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the NOTICE OF APPLICATION
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not
in any supplement issue thereof
for TWO consecutive issues, the
first publication having been made on
MAY 20, 1993

and the last publication having been
made on MAY 27, 1993

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under Idaho
statutes; that it has at least two
hundred bona fide subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy-eight
consecutive weeks prior to the first
publication of said notice.

Terry T. Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 28TH day of MAY
in the year of 1993, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me to
be the person whose name subscribed to
the within instrument, and being by me
first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Karen A. Orth
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: MAY 18, 1999

RECEIVED

JUN 01 1993

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

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

21-07544
US DEPT OF AGRICULTURE
FOREST SERVICE
TARGHEE NATIONAL FOREST
PO BOX 208
ST. ANTHONY, ID 83445
Source: GROUNDWATER

Diversion Pt: NESESE Sec 28 T 13N R
44E in FREMONT County

Use: DOMESTIC (040 CFS) Total
Diversion: (040 CFS)

Date Filed: 4/29/1993

In: FREMONT County T13N R44E S28
NESE

21-07545

KENNEDY, DENNIS T
PO BOX 86
MACKS INN, ID 83433

Source: GROUNDWATER
Diversion Pt: SENWSE Sec 8 T 13N R
43E in FREMONT County

Use: DOMESTIC (150 CFS) Total
Diversion: (150 CFS)

Date Filed: 5/6/1993

In: FREMONT County T13N R43E S08
NWSE SWSE

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
Eastern Region, 900 N. Skyline, Idaho
Falls, Idaho 83402, on or before JUNE 7,
1993.

B. KETH HIGGINSON
Director

Publ. May 20 and 27, 1993HC.

RECEIVED

JUL 22 1993

17-May-1993

DENNIS KENNEDY
PO BOX 86
MACKS INN ID 83433

RE: Application No. 21-07545

Dear Water Right Applicant:

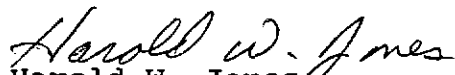
The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Herald Chronicle on May 20 & 27, 1993. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ:rb

RECEIVED

JUL 22 1993

KENNEDY, DENNIS
PO BOX 86
MACKS INN, ID 83433

Source: GROUNDWATER

Diversion Pt: SENWSE Sec 8 T 13N R 43E in FREMONT County.

```
Use: DOMESTIC          ( .150 CFS)
      Total Diversion: ( .150 CFS)
```

Date Filed: 5/ 6/1993

In: FREMONT County
 T13N R43E S08 NWSE SWSE

SECRET

JUL 22 1993

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before JUNE 7, 1993.

R. KEITH HIGGINSON, Director

Published: 5/20/1993 & 5/27/1993

JUL 22 1993

Drilling Permit No. 21-92-E-069
Water Right Permit No. A21-04139
Injection Permit No. _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) Dennis Kennedy
Mailing Address P.O. Box 86
City & State Mack's Inn ID Zip Code 83433 Telephone _____
(X) Well Owner () Well Operator () Other, specify _____
3. Proposed well location NW 1/4 SE 1/4, or Gov't Lot No. 9
Sec. 8, Twp. 13N, Rge. 43E, County Fremont
Street Address of Well Site McCrack Bridge Ave
Lot, block and subdivision _____

4. Proposed use of well:

(X) Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial, or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

() Non-Domestic: Any beneficial use not included within the definition of domestic.

() Injection

() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

() Other _____
(Describe)

Well construction information:

A. () New well () Deepen () Enlarge (X) Replace - See Condition 9

B. Proposed Surface Diameter 10" Proposed Maximum Depth 150'

C. Anticipated bottom hole temperature:

- (X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212° or more (Geothermal well)

Construction Start Date 10-6-92

Anticipated Well Driller Andrews Well Drilling

NOTE: The actual well driller must be identified prior to drilling.

Applicant's signature [Signature] Date 10-5-92

Title Firm Official Andrews Well Drilling JUL 22 1993
(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 10-5-92

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum distance of 50 feet and 100 feet respectively from a septic tank.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:


Signature of Authorized Department Representative

Eastern Reg Mgr
Title

Receipt No. E067951 Received by HWT Fee 200⁰⁰ Date 10-5-92

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

JUL 22 1993