

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

Rge. 4W

Twp. 4N 20

P.D. & Pl. of use.

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.

Delmar Cloud
(Applicant)

AFFIDAVIT OF PUBLICATION

RECEIVED
APR 10 1978

STATE OF IDAHO,)
) SS.
County of Canyon.)

Department of Water Resources
Western Regional Office

Verla Harker
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was over the age of twenty-one years,
and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press &
News-Tribune,
a daily, (except Sunday) newspaper published in the City of
Nampa-Caldwell, in the County of Canyon, State of Idaho; that
the said newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Nampa and Caldwell, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of the
notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper

Two Times
in the regular and entire issue of said paper, and was
printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

March 30; April 6, 1978

Verla Harker

Subscribed and sworn to before me this

19 78 6th day of April

Janet Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981

NOTICE OF APPLICATION FOR WATER PERMIT
Notice is hereby given that DELMAR CLOUD, Route 2, Cald-
well, Idaho, has on March 15, 1978, submitted Application No. 63-
9127 for a permit to appropriate 0.70 cubic feet per second of
water from a groundwater source by means of well and pump
within the SW1/4SW1/4, Sec. 20, T4N-R4W B.M., Canyon County,
to be used from Jan. 1 to Dec. 31 for a mint still within the
SW1/4SW1/4, Sec. 20, T4N-R4W 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 Director of the Idaho Department of Water Resources, 92
South Cole Road, Boise, Idaho 83705 on or before April 17, 1978.
C. STEPHEN ALLRED
Director
March 30; April 6, 1978.

OK
4-12-78
H

RECEIVED

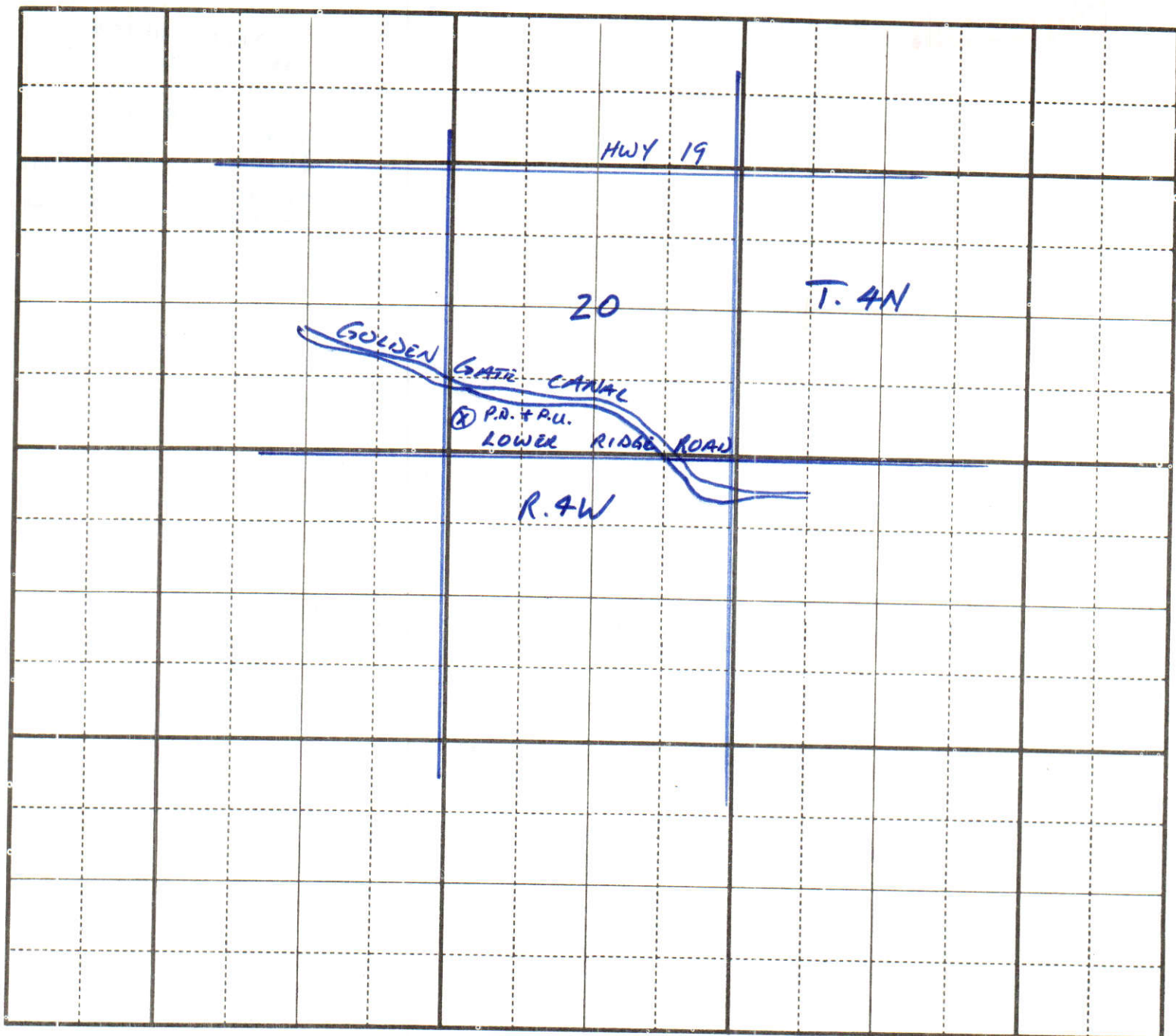


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9127 Priority March 15, 1978 Amount 0.51 cfs

THIS IS TO CERTIFY, that DELMAR CLOUD
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 63-9127 issued pursuant to Application for Permit dated March 15, 1978,
and has submitted proof to the Department of Water Resources on April 2, 1979,
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 0.51 cfs of water from a groundwater source,
tributary to _____, 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
Industrial	from January 1 to December 31	at 0.51 cfs and	30.3 acre feet
	from _____	at _____ cfs and	_____
	from _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.51 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
30.3 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, Twp. 4N,
Rge. 4W, B.M. in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NEW				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 $\frac{1}{4}$	
4N	4W	20																	

Total number of acres irrigated _____

REMARKS:

Industrial use for mint still.

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 31 day of
January, 19 80

Director

Identification No. _____

Application No. 63-9127

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT APPROVED

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

1. Name of applicant Delmar Cloud Phone: 459-4717
post office address Rt. #2, Caldwell, ID 83605
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20 Township 4N
Range 4W B.M. CANYON County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.70 for Mint still purpose from JAN. 1 to Dec. 31 (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. 0.70 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 7 1/2 hp pump, well

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 12 inches; proposed depth of well is 90-100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20 Township 4N
Range 4W 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 _____.
(5) If water is to be used for other purposes describe: Mint still

MINERAL
WATER

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. None

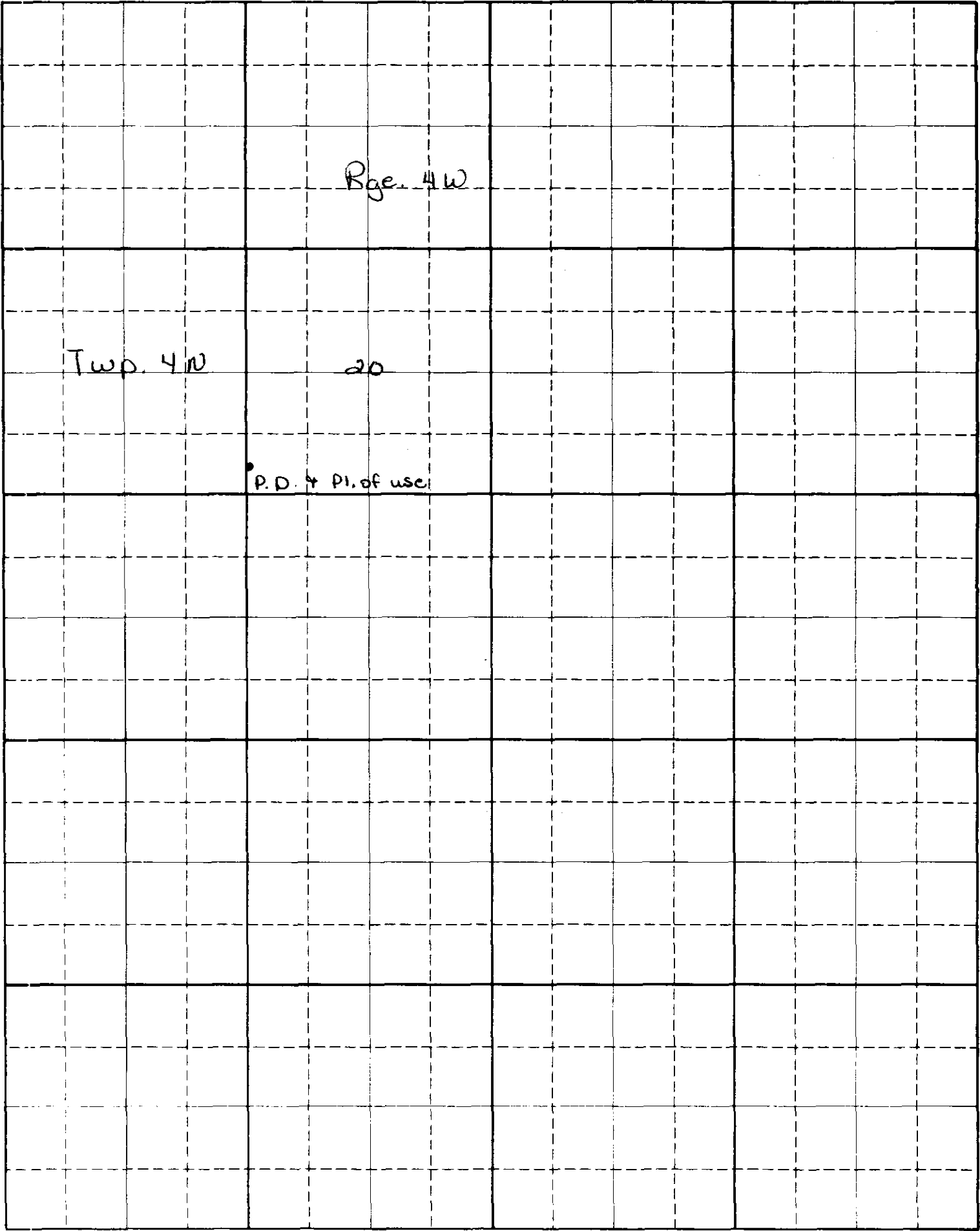
9. a. Who owns the property at the point of diversion Applicant

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

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

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.

Delmar Cloud
(Applicant)

Proposed Priority 3/15/78

Received by g Date 3/15/78 Time 4:10

Preliminary check by g Fee \$ 25.00

Received by g Date 3/15/78 Rect# 10383

Publication prepared by g Date 3-22-78

Published in News-Tribune

Publication dates March 30 + April 6

Publication approved g Date 4-12-78

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS g

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-9127, 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 June 1, 19 79.

c. Other: _____

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

Witness my hand this 10th day of May 19 78.

Norman C. Young
Administrator

AFFIDAVIT OF PUBLICATION

RECEIVED
APR 11 1978

STATE OF IDAHO,)
) SS.
County of Canyon.)

Department
West

Verla Harker
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was over the age of twenty-one years,
and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press &
News-Tribune,
a daily, (except Sunday) newspaper published in the City of
Nampa-Caldwell, in the County of Canyon, State of Idaho; that
the said newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Nampa and Caldwell, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of the
notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper

Two Times
in the regular and entire issue of said paper, and was
printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

March 30; April 6, 1978

OK
4-12-78
J

Verla Harker

Subscribed and sworn to before me this _____

19 78 6th day of April

Janet Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981

RECEIVED
APR 11 1978

WATER RIGHT NUMBER 63-9127

OWNER LAST NAME - CLOUD

FIRST NAME - DELMAR

ORIG OWNER -

ADDRESS LINE 1 - RT. 2

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - CALDWELL

STATE - ID ZIP CODE - 83605

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 03-10-1978 COUNTY - CANYON

TOTAL DIV. RATE - .5100 -CFS

TOTAL DIV. VOLUME - 30.20 AFA TRFR/AMEND -

WATER DIST. -

OLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWSW 20 04N 04W LOT REDIV -

0.0 0.0

0.0 0.0

0.0 0.0

0.0 0.0

0.0 0.0

0.0

FROM - 01-01 TO - 12-31 USE - INDUSTRIAL

USE DIV. RATE -

.5100 CFS

USE DIV. VOLUME -

30.20 AFA

USE - INDUSTRIAL

PLACE OF USE - T4N 04N R4G 04W SEC 20 TRACT SWSW LOT AC

DECREE NAME -

DATE -

TOTAL ACRES 0

REMARKS -

NON IRRIG USE - I/MINT STILL.

OTHER RIGHTS FOR SAME USE -

PROOF DUE - 06-01-1979 PERMIT/DENIED - 05-10-1978 PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS - WELL & PUMP.

IDENT. NO. 63-9127

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

Present Owner: _____

B. Tributary of:

J. Right Basis (for adjudication claims A,B,C only):

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: I

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	
4N	4W	20											I						

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

I/ mint still,

12. Other Rights for Same Use:

13. A. Proof Due Date: 6-1-1979B. Date Permit Approved or Denied: 5-10-1978

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative): well & pump.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

February 4, 1980

Delmar Cloud
Rt. # 2
Caldwell, Idaho 83605

Dear Mr. Cloud,

RE: License No. 63-8127

Enclosed is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

6-10-80



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

January 7, 1980

Re: Permit No. 63-9127

Delmar Cloud
Route #2
Caldwell, ID 83605

Dear Mr. Cloud:

A representative of this Department made an examination of the works covered by your Permit No. 63-9127 on July 16, 1979, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.51 cfs Source: groundwater

The maximum quantity diverted shall not exceed 30.3 acre feet per
year.

Point of diversion: SW¹/₄SW¹/₄, Sec. 20, Twp. 4N, Rge. 4W, B.M.

Beneficial use: Industrial use for a mint still within the SW¹/₄SW¹/₄, Sec. 20,
Twp. 4N, Rge. 4W, B.M.

Priority date established: March 15, 1978

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

DEPARTMENT OF WATER RESOURCES

FIELD REPORT

1. Name of permit holder Delmar Cloud
Post office address Rt 2, Caldwell, Id Phone 459-4411
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.7 c.f.s. for minst still
 AF/Annum (nature of use)

Period of Use: from 1-1 to 12-31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.7 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 4N N/S, Range 4W E/W, B.M., Section 20, Subdivision SW $\frac{1}{4}$ SW $\frac{1}{4}$ Canyon
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Other Points of Diversions: _____

Description of diverting works: 12" x 105', 7 1/2 HP pump

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

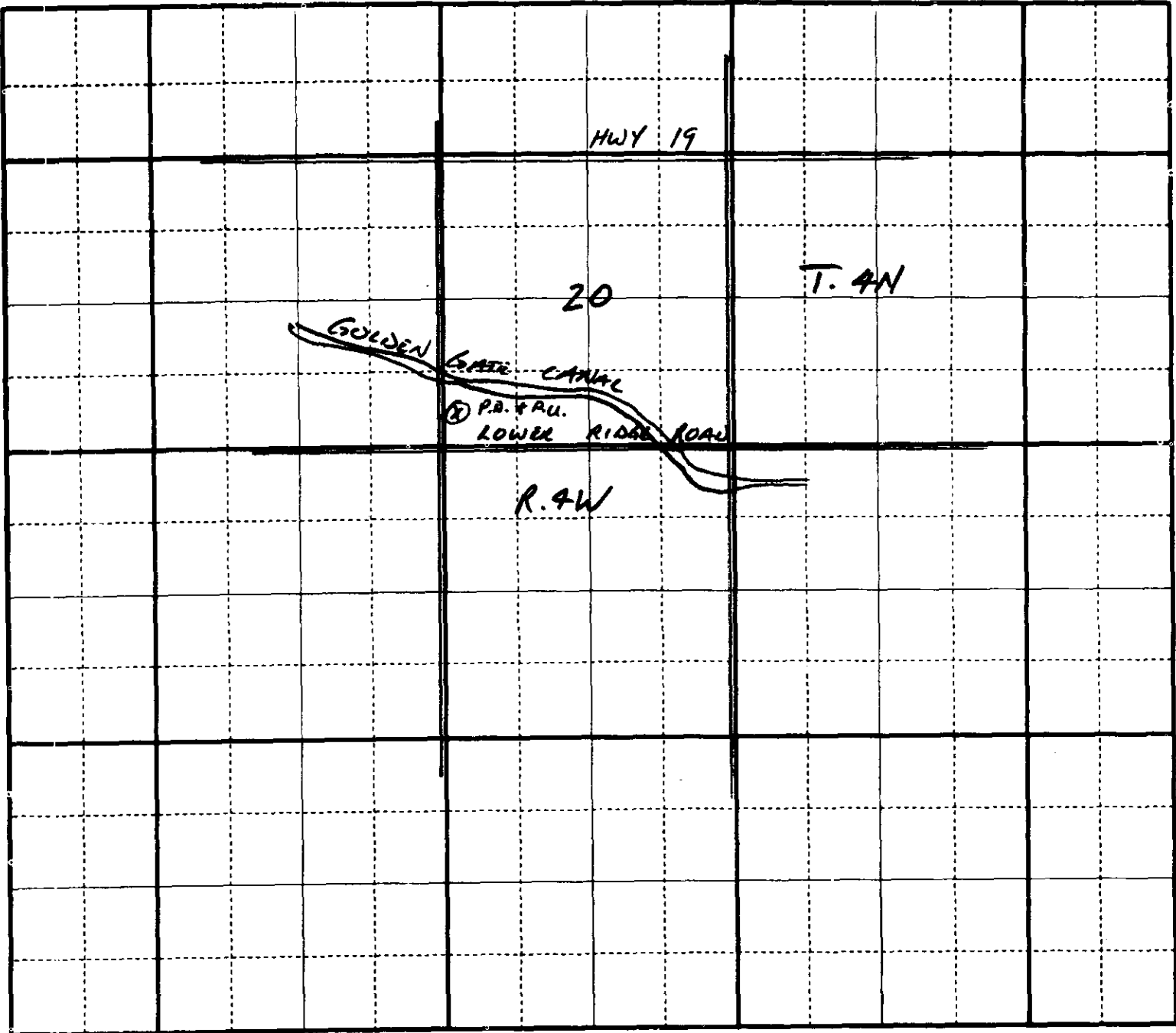


Diagram of System

DATE OF EXAM 7/16/79

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
INDUSTRIAL .51 cfs V= 30.3 AF/Ann 1/1 to 12/31

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ 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 .51 cfs Method of measurement CALCULATION

Total Q recommended .51 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 30.29 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:
 $Q = 7.5 \text{ hp } (80\% \text{ eff}) (8.8) / 40 \text{ psi } (1/.433) + 12' \text{ LIFT} = .57 \text{ cfs}$
 $V = .57 \text{ cfs } (1.58) (30 \text{ days/yr}) = 30.29 \text{ AF/Ann}$
*BASED ON 30 days/yr ABLE TO USE STILL.1

SYSTEM DESCRIPTION:
7 1/2 hp SUBMERSIBLE PUMP, 12" X 105' WELL
12' LIFT

REMARKS:
CLOSED SYSTEM.

Examiner's Signature Charles W. Bryan Jr. Date 7/16/79
Checked by W. J. [Signature] Date 11/1/81
Approved by _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

July 10, 1979

Delmar Cloud
Route #2
Caldwell, ID 83605

RE: Permit No. 63-9127

Dear Mr. Cloud:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☒ A field examination of your system has been scheduled for

Monday, July 16th at 2:00 pm.

If this time and date is not convenient for you, please contact this office as soon as possible.

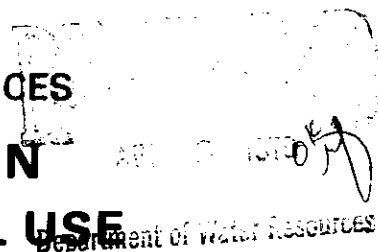
☐ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Kay Walker
Secretary

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE**



1. a) Name of permit holder Delmar Cloud

b) Post office address Route 2, Caldwell, ID

2. Permit number 63-9127

3. Date of priority that you are prepared to establish 3-15-78

4. a) Source from which water was appropriated groundwater

b) Location of the point of diversion: SW 1/4 SW 1/4, Section 20

Township 4N, Range 4W Boise Meridian. Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 0.7 for mint still purposes from 1-1 to 12-31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

b) Total amount appropriated 0.7 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:

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:

b) Describe the agreement of 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):

12" X 105', 7 1/2 HP pump

b) Describe the provision for making a measurement which you have at your point of diversion:
(i.e., installed measuring device, access port, other)

N/A

6/22/79
J. H. LALU

c) Give well driller's name and address and the date the well was completed: _____

SOS Well Drilling, Meridian, ID 3-7-78

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

for mint distilling to charge boiler and to cool condensers

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

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

4-2-79
(Date)

Delmar Cloud
(Signature)

State of _____)
County of Ada) ss.

On this 2nd day of April, 19 79, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Pete Bendele
Notary Public
Residing at Boise, ID

My commission expires 3-8-1980



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

CERTIFIED MAIL

March 30, 1979

100775

Re: Permit No. 63-8127

Delmar Cloud
Route 2
Caldwell, ID 83605

Dear Mr. Cloud:

One of the conditions of approval of your water Permit No. 63-8127 (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 June 1, 1979. 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.


RITA FLECK
Water Rights

Encl: Proof affidavit

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

May 15, 1978

Re: Permit No. 63-9127

Delmar Cloud
Route #2
Caldwell, ID 83605

Dear Mr. Cloud:

Your approved copy of Application for Permit No. 63-9127 is enclosed and we direct your attention to the conditions of approval on the fourth page.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit.

RECEIVED
MAY 16 1978
IDaho DEPARTMENT OF WATER RESOURCES

However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

A handwritten signature in cursive script, reading "L. Glen Saxton".

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-9127

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) 6LS 3/17/78

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant

(4) 6LS 3/17/78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) af OK

Affidavit of Publication received(date) 4-12-78

(12) _____

Final date for protests Apr 17, 1978
Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

3/15/78 Proposed Priority

_____ Reason for Reduction _____

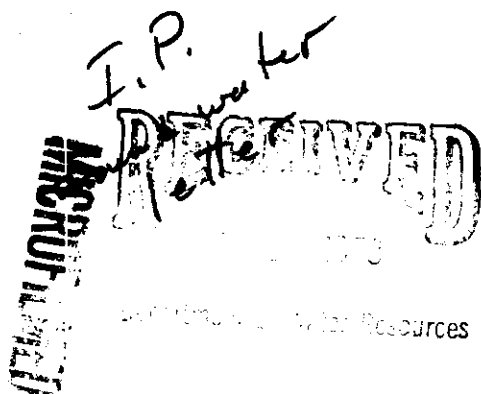
No Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W

By [Signature] Date 4/17/78





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

March 24, 1978

Re: No tice of Application for Water Permit No. 63-8127 -- City of Middleton
63-9128 -- Delmar Cloud

News-Tribune
P. O. Box 1179
Caldwell, ID 83605

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. 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)

Please send the affidavit of publication and publication billing to this office before April 17, 1978.

Sincerely,

RITA FLECK
Secretary

Bill submitted
4-12-78
J

RECEIVED
APR 17 1978

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that DELMAR CLOUD
Route 2, Caldwell, ID
has on March 15, 1978 submitted Application No. 63-9127
for a permit to appropriate 0.70 cubic feet per second ~~XXXXXXFEET~~
~~XXXXXXXX~~ per annum of water from a groundwater source
by means of well and pump
within the SW,SW, Sec 20 T4N-R4W B.M., Canyon County

to be used from Jan 1 to Dec 31
for mint still
within the SW,SW, Sec 20 T4N-R4W 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 Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before April 17, 1978.

C. STEPHEN ALLRED

Director

Published in the News-Tribune, ELY Caldwell, ID
on March 30, 1978 and April 6, 1978.