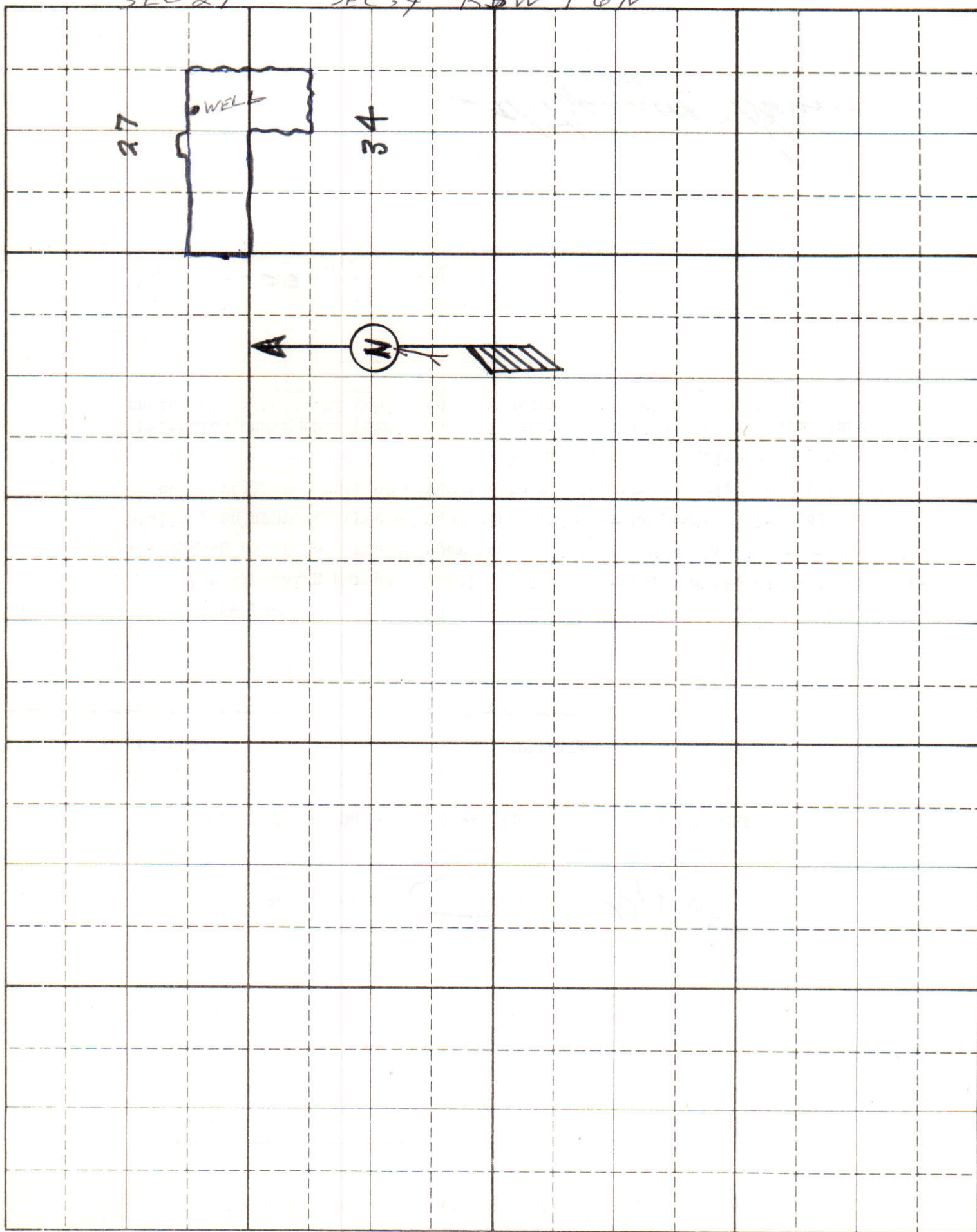


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

SEC 27

SEC 34

R3W T6N



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.

Cloyd L. Rhoe
(Applicant)

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Amelia Dale

being first

duly sworn, on his oath deposes and says that he is the printer of Messenger-Index, a legal weekly newspaper published at Emmett, in Gem County, Idaho; that said newspaper is in general circulation in said county and has been published uninterruptedly and continuously for more than 78 weeks prior to the first publication of the annexed document; and that the document notice, process, or advertisement hereunto annexed was published in the regular edition of

Messenger-Index for 2 consecutive weekly issues thereof, be-

ginning with the issue of Oct. 13,

1977, and ending with the issue of

Dec 20, 1977

Amelia Dale

Subscribed and sworn to before me this

21st

day of

NOVEMBER, 1977

Orta Louisa R. Horne

Notary Public,

Residing at Emmett, Idaho.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Cloyd L. Rhoe, Route 7, Caldwell, Idaho, has on September 29, 1977 submitted Application No. 63-9050 for a permit to appropriate 1.5 cubic feet per second of water from a ground-water source by means of well and pump within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 27 T6N-R3W B.M., Gem County to be used from April 1 to Oct. 15 for irrigation of 165 acres within the E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27; NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 34 T6N-R3W 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 October 31, 1977.

C. Stephen Allred, Director
Published in the Emmett
Messenger-Index, Emmett, Idaho
on October 13 and 20, 1977.

RECEIVED

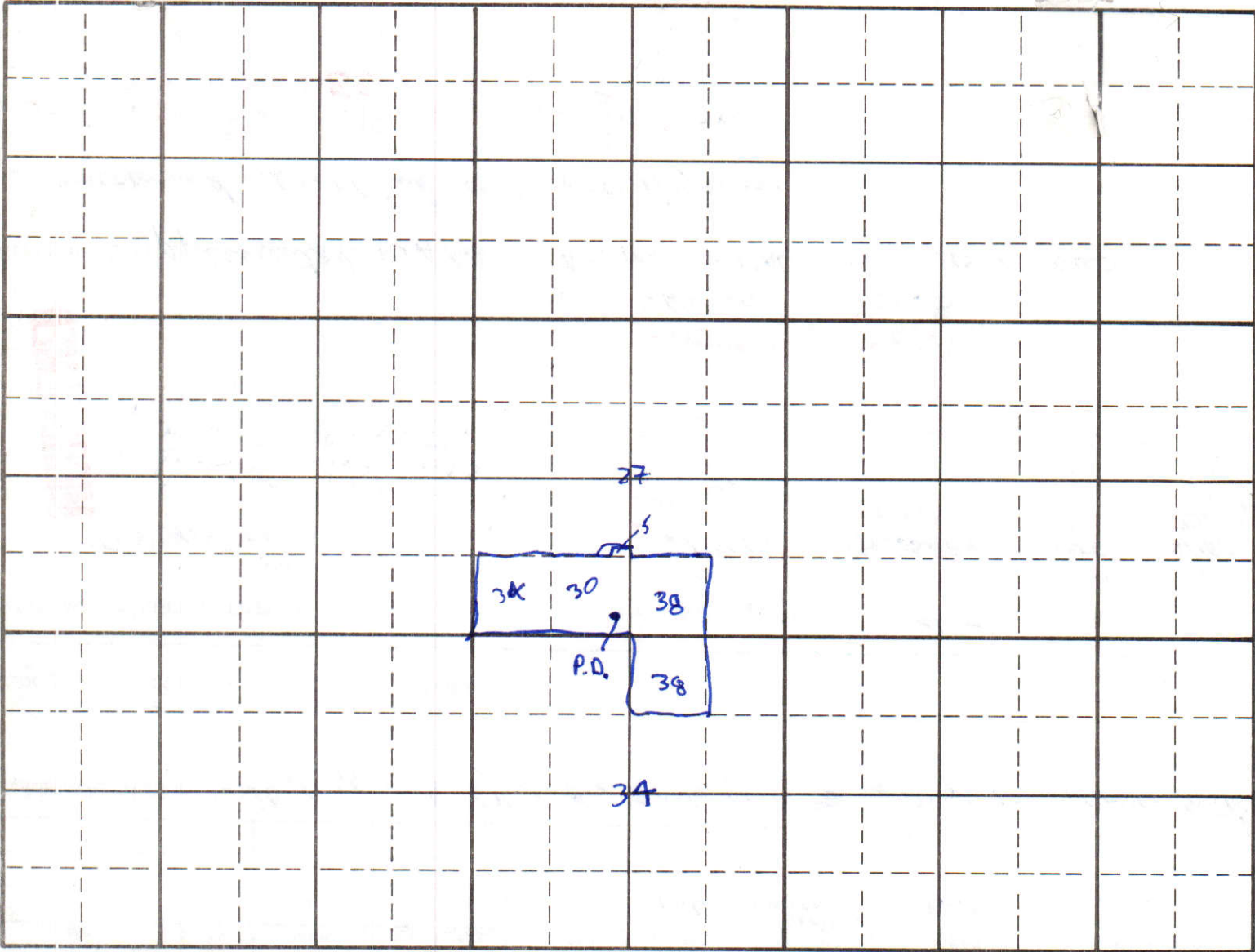
DEC 19 1977

Department of Water Resources
Western Regional Office

MICROFILMED

O.K. R. H. H.

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

WILSON MEN

81
115
34

Point(s) of diversion: SE SW S 27 NW 34

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	34	27									5		34	30			38		107
		34		38															38

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

Examiner's Signature W E May Date 27 Aug 1980

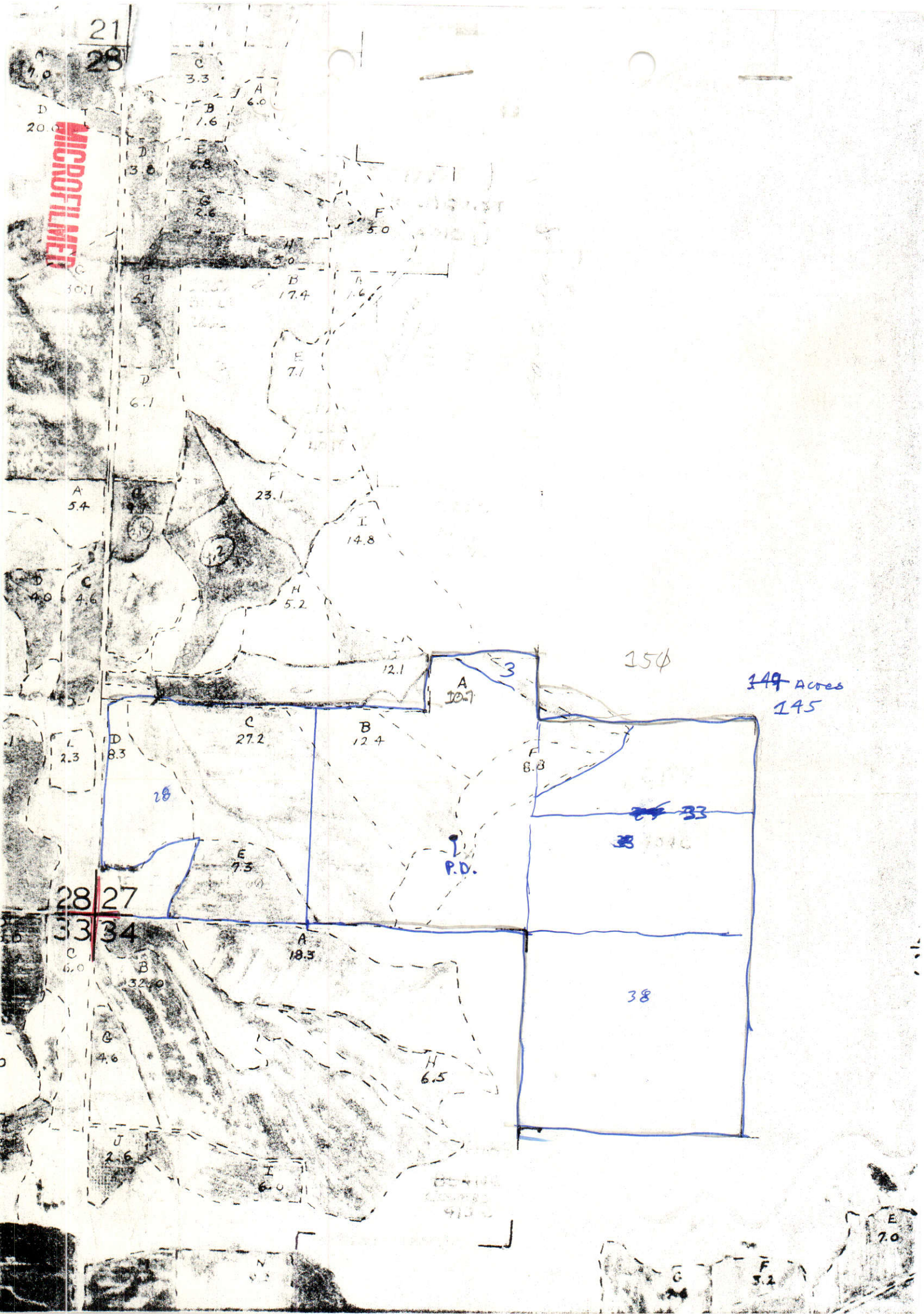
Checked by DBS Date 10/6/80

Approved by Rep 2-11-83 Date 1/9/81

21

28

MICROFILMED



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9050 Priority September 29, 1977 Amount 0.69 cfs

THIS IS TO CERTIFY, that Donald L. Brooks
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 63-9050 issued pursuant to Application for Permit dated September 29, 1977,
and has submitted proof to the Department of Water Resources on August 12, 1980,
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 0.69 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
<u>Irrigation</u>	<u>from April 1 to October 15</u>	<u>at 0.69 cfs</u>	<u>and 271.0 acre feet</u>
	<u>from _____</u>	<u>at _____ cfs</u>	<u>and _____</u>
	<u>from _____</u>	<u>at _____ cfs</u>	<u>and _____</u>

(both dates inclusive)

Subject, however, to the condition that no more than 0.69 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
271.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27,
Twp 6N, Rge 3W in the County of Gen

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 $\frac{1}{4}$	
6N	3W	27									5		30				28		107
		34			38														38

Total number of acres irrigated 145

This right when combined with all other rights shall provide no more than .02 cfs
per acre nor more than 4.5 afa per acre for the lands above.

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 18TH day of
January, 19 84.

Acting for the Director

MICROFILMED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 63-9050 IN THE NAME	)	ORDER TO SHOW CAUSE
	)	
OF DONALD L. BROOKS	)	
_____	)	

WHEREAS, on September 29, 1977, Cloyd L. Rhoe applied to the Department of Water Resources for a permit to appropriate 1.5 cubic feet per second of water from a groundwater source within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, Twp. 6N, Rge. 3W, B.M., Gem County, to be used for irrigation purposes; and,

WHEREAS, on January 29, 1978 the Department approved said Application for Permit; and,

WHEREAS, on March 20, 1978 the Department received an Assignment of Permit assigning all the right, title and interest in said Permit to Donald L. Brooks; and,

WHEREAS, on January 30, 1979 the Department received a Request for Extension of Time for Beneficial Use; and,

WHEREAS, on February 6, 1979 the Department approved the Request for Extension of Time for Beneficial Use; and,

WHEREAS, on August 12, 1980 the Department received Proof of Beneficial Use for said Permit; and,

WHEREAS, on August 26, 1980 the Department conducted a field examination and the examiner's report indicated that water has been diverted for a beneficial use within a different legal description than set forth on said Permit; and,

WHEREAS, on June 24, 1983 the Department sent a notice and an Amendment to the Permit holder stating that said Permit had to be amended before the Department could issue a license; and,

WHEREAS, on July 27, 1983 the Department sent a second notice to the Permit holder stating that said Permit had to be amended before the Department could issue a license; and,

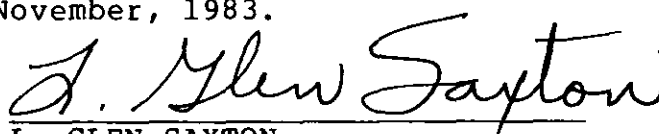
MICROFILMED

WHEREAS, as of this date the Department has not received the Amendment of Permit; and,

WHEREAS, pursuant to the provisions of Section 42-311, Idaho Code, the Director of the Department of Water Resources is empowered to cancel permits for which development requirements have not been completed;

IT IS, THEREFORE ORDERED that the permit holder show cause before the Director of the Department of Water Resources on or before December 3, 1983 why Permit No. 63-9050 should not be Cancelled.

Dated this 2nd day of November, 1983.


L. GLEN SAXTON
Chief, Operations Bureau

281

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE
DATE IN CONNECTION WITH PERMIT NO. 63-9050
IN THE NAME OF DONALD L. BROOKS

ORDER

WHEREAS, on September 29, 1977, Cloyd L. Rhoe applied to the Department of Water Resources for a permit to appropriate 1.50 cubic feet per second of water from a groundwater source within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, Twp. 6N, Rge. 3W B.M., Gem County to be used for irrigation purposes; and,

WHEREAS, on January 29, 1978, the Department approved said application and issued Permit No. 63-9050 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, 1979; and,

WHEREAS, on March 20, 1978, the permit holder assigned all right, title, and interest to Permit No. 63-9050 to Donald L. Brooks; and,

WHEREAS, on January 30, 1979, the permit holder submitted a request for an extension of time; and,

WHEREAS, it appears that under the circumstances, the permit holder has been proceeding with reasonable diligence and has given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 63-9050 be extended to February 1, 1984.

Dated this 6th day of February, 1979.

L. Glen Saxton
L. GLEN SAXTON

Chief, Operations Bureau

MILWAUKEE

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 63-9050

ORDER

WHEREAS, the above numbered permit was approved with the condition 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 July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

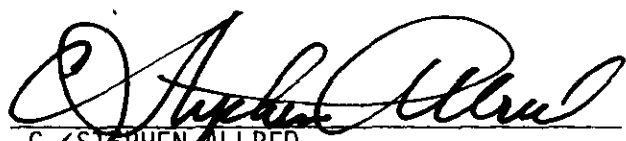
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

62100-100

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

545
RECEIVED

MAR 20 1978

Department of Water Resources

I, Cloyd L. Rhoe, hereby assign to Donald L. Brooks
of Route 7, Caldwell, Idaho 83605
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 63-9050
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 16th day of March, 19 78.

Cloyd L. Rhoe
Permit Holder

Edna Rhoe
Spouse of Permit Holder

State of Idaho)
County of Canyon) ss.

On this 16th day of March, 19 78, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

[Signature]
Notary Public residing at
Caldwell

My commission expires:

4/14/81

NOTARY PUBLIC
IDAHO

n

STATE OF IDAHO

Licensing

APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

To change the point of diversion and/or the place of use.

APPROVED

Comes now Donald L. Brooks

Phone

of (address) Route #7, Box 384, Caldwell, ID 83605, 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. 63-9050, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ SW ¼, Section 27, Township 6N, Range 3W, B.M., County of Gem. Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.69 for irrigation purposes from 4/1 to 10/15 (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)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	3W	27									5		34	30			38		107
		34		38															38

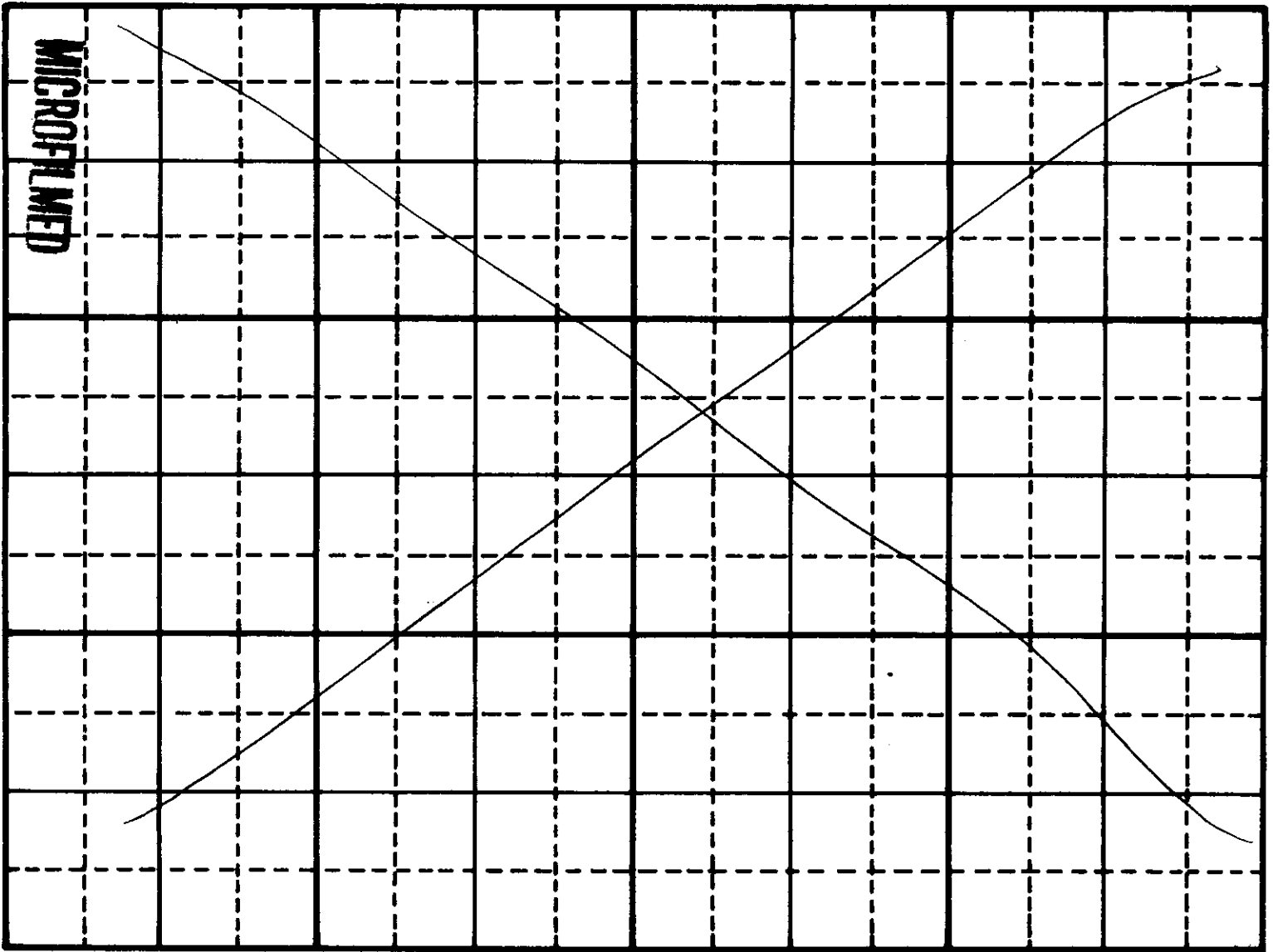
Total number of acres to be irrigated = 145

4. a. Who owns the property at the point of diversion? Donald Brooks
b. Who owns the land to be irrigated or the place of use? Donald Brooks
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

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Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at _____, this 5 day of NOV, 19 83
Dennis B. [Signature]
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 Received by qu Date 11-23-83 #33602
Publication prepared by N/A Date _____ Published in _____
Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby
Approve the above Application for Amendment for Permit No. 63-9050.

Witness my hand this 18TH day of JANUARY, 19 84.

[Signature]
Director

14

ASSIGNED TO: DONALD L. BROOKS

Identification No. _____

Application No. 63-9050

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 Cloyd L. Rhoe Phone: 459-4516
post office address Route 7 Caldwell, Idaho 83605
2. Source of water supply ground water-well which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27 Township 6 N
Range 3 W B.M. Gem County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into none 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 1.5 cfs for irrigation purpose from April 1 to October 15 (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. 1.5 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____

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 200-250 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is one years.
b. Estimated construction cost is \$ 9,000.
8. Description of proposed uses: irrigation
S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ also NW $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 34 T6N R3W
a. If water is **not** for irrigation: Sec 27 T 6N R 3W
(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 _____
(5) If water is to be used for other purposes describe: _____

MICROFILMED

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	
6N	3W	27									5		40	40			40		125
6N	3W	34		40															40

Total number of acres to be irrigated 165

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

Black Canyon Irrigation District

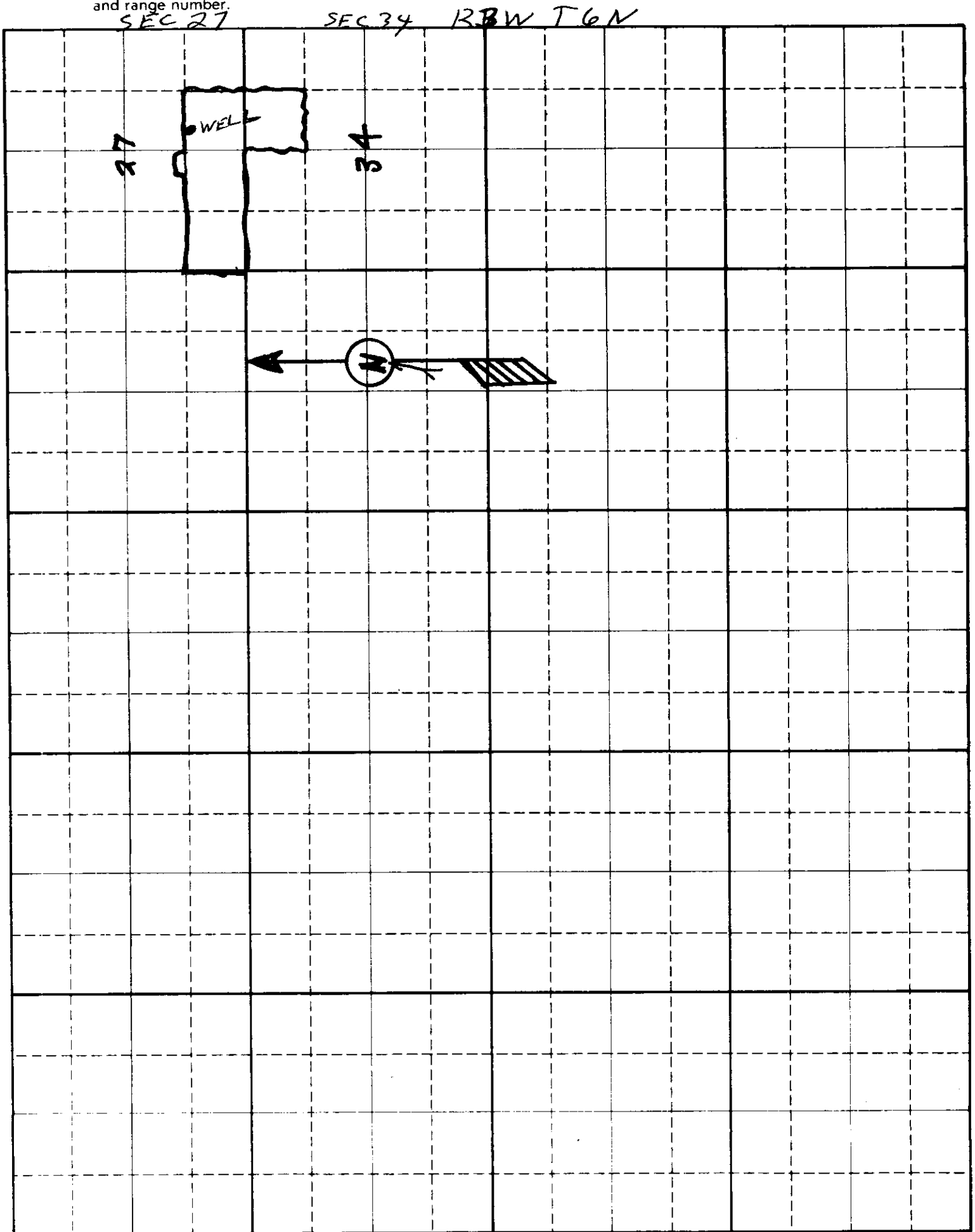
9. a. Who owns the property at the point of diversion Cloyd L. Rhoe

b. Who owns the land to be irrigated or place of use Cloyd L. Rhoe

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.

Cloyd L. Rhoe
(Applicant)

09/29/77

Processed Priority

Received by Y Date 9-29-77 Time 11:05
Preliminary check by RWH Fee \$ 35.00
Receipted by Y Date 9-30-77 # 8955
Publication prepared by Y Date 10-7-77
Published in Emmett Messenger Index
Publication dates Oct 13 & 20, 1977
Publication approved Y Date 12-19-77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by: _____

Hearing held by _____ Date _____

Recommended for approval denial by JH W Hm

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. 63-9050, 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, 1979.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water. (2) The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 29 day of January, 1978.

A. Kenneth Shum
Director

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Amela T. Co. being first
duly sworn, on his oath deposes and
says that he is the printer of Messenger-
Index, a legal weekly newspaper pub-
lished at Emmett, in Gem County, Idaho;
that said newspaper is in general circu-
lation in said county and has been pub-
lished uninterruptedly and continuously
for more than 78 weeks prior to the first
publication of the annexed document;
and that the document notice, process,
or advertisement hereunto annexed was
published in the regular edition of

Messenger-Index for Oct. 13
consecutive weekly issues thereof, be-
ginning with the issue of

1977, and ending with the issue of
Nov 20, 1977

Amela T. Co.
Subscribed and sworn to before me this
21st day of

NOVEMBER, 1977
Amela T. Co.

Notary Public,
Residing at Emmett, Idaho.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Cloyd
L. Rhoe, Route 7, Caldwell, Idaho,
has on September 29, 1977 submitted
Application No. 63-9060 for a
permit to appropriate 1.5 cubic feet
per second of water from a ground-
water source by means of well and
pump within the SW 1/4 SE 1/4 Sec
27 T6N-R3W B.M., Gem County to
be used from April 1 to Oct. 15 for
irrigation of 165 acres within the
E 1/2 SW 1/4, SW 1/4 SW 1/4,
SW 1/4 SE 1/4 Sec. 27; NW 1/4 NE 1/4
Sec 34 T6N-R3W 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 83706 on or
before October 31, 1977.

C. Stephen Allred, Director
Published in the Emmett
Messenger-Index, Emmett, Idaho
on October 13 and 20, 1977.

Department of Water Resources
Western Regional Office

MICROFILMED

January 27, 1984

RE: Permit No. 63-3050

Donald L. Brooks
Rt. 7, Box 384
Caldwell, ID 83005

Dear Mr. Brooks:

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office,

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosures

RECEIVED
JAN 31 1984
WATER DIVISION

30 DAY LICENSE REVIEW

Rough Draft vs. Permit

- ☒ Water right No. correct A & B
- ☒ Priority date same or advanced
- ☒ Rate equal to or less than
- ☒ Name same
- ☒ Permit date correct
 - Proof due date correct
- ☒ Source correct
- ☒ Use correct
- ☒ Period of use correct
- ☒ Rate of diversion/use equal to or less than
- ☒ Point of diversion description same or different
- ☒ County same
- ☒ Place of use same or different

✓ Other water use on 7/4? Yes

Rough Draft vs. Field Exam

- ☒ Amount for rate of diversion correct
- ☒ Capacity correct
- ☒ Amount for each use correct
- NO Does field exam show more land irrigated than permit allows?
- Yes Overlap review adequate
- Yes Conditions of approval correct

Amendment vs. Rough Draft

ALREADY SENT BEFORE THIS REVIEW

- ☒ Name correct
- ☒ Number correct
- ☒ P/D correct
- ☒ Period and use correct
- ☒ Place of use correct

Cover Letter vs. Rough Draft License

same as above

- ☒ Name correct
- ☒ Number correct
- ☒ Amount correct
- ☒ Source correct
- ☒ P/D description correct
- ☒ P/U description correct
- ☒ Priority date correct
- ☒ Conditions correct

Name

Jenni

Date

1-5-84

RECEIVED

SENDER: Complete items 1, 2, and 3.
 Add your address in the "RETURN TO" space
 reverse.

1. The following service is requested (check one.)
☒ Show to whom and date delivered.....
☐ Show to whom, date and address of delivery.....
☐ RESTRICTED DELIVERY
 Show to whom and date delivered.....
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery. \$ ____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
 Gerald L. Brooks
 7, Box 384
 Caldwell, ID 83605

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	33017	

Always obtain signature of addressee or agent
 I have received the article described above.
 SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

CLERK'S INITIALS

ID

n 3811, Jan. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

63-9050 sc

☆ GPO : 1979-288-948

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$300



**RETURN
TO**



(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

November 3, 1983

CERTIFIED MAIL # 33017

RE: Permit No. 63-9050

Donald L. Brooks
Rt. 7, Box 384
Caldwell, ID 83605

Dear Mr. Brooks:

Enclosed is an Order to Show Cause why Permit No. 63-9050 in your name, should not be cancelled.

Note that any information in reponse to this Order must be submitted by December 3, 1983. Please contact this office if you have any questions.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosure

MICROFILMED

July 27, 1983

Donald L. Brooks
Rt 7 Box 384
Caldwell, ID 83605

RE: Permit No. 63-9050

Dear Mr. Brooks,

On June 24, 1983, we forwarded an amendment to you to be completed to amend this permit to correspond with the findings of the field examiner so that we could issue this license.

As of this date, we have not received this amendment. If we do not receive this amendment within fifteen (15) days, we will assume you no longer have any interest in this permit and cancellation proceedings will begin.

If you have any questions, please contact us.

Sincerely,

Jim Johnson
Water Distribution Supervisor

JJ:rdc



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 24, 1983

Donald L. Brooks
Rt 7 Box 384
Caldwell, ID 83605

Dear Mr. Brooks,

A representative of this Department made an examination of the works covered by your Permit No. **63-9050** and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: **0.69 cfs** Source: **groundwater**

The maximum quantity diverted shall not exceed **271.0** acre feet per year.

Point of diversion: **SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, Twp 6N, Rge 3W**

Beneficial use: **Irrigation of 5 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 64 acres in the S $\frac{1}{4}$ SW $\frac{1}{4}$, 38 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, 38 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, Twp 6N, Rge 3W**

Priority date established: **September 29, 1977**

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

CONDITION: THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL NOT PROVIDE MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.5 AFA PER ACRE FOR THE LANDS ABOVE.

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILM

Field Exam Supplement

The Field Examiner determined the rate of groundwater being supplied to irrigation system by measuring the flow of surface water flowing past the Cipolletti weir then turning on the ground water pump and again reading the flow going past the Cipolletti weir. The surface water reading was subtracted out of the total flow to determine the groundwater flow.

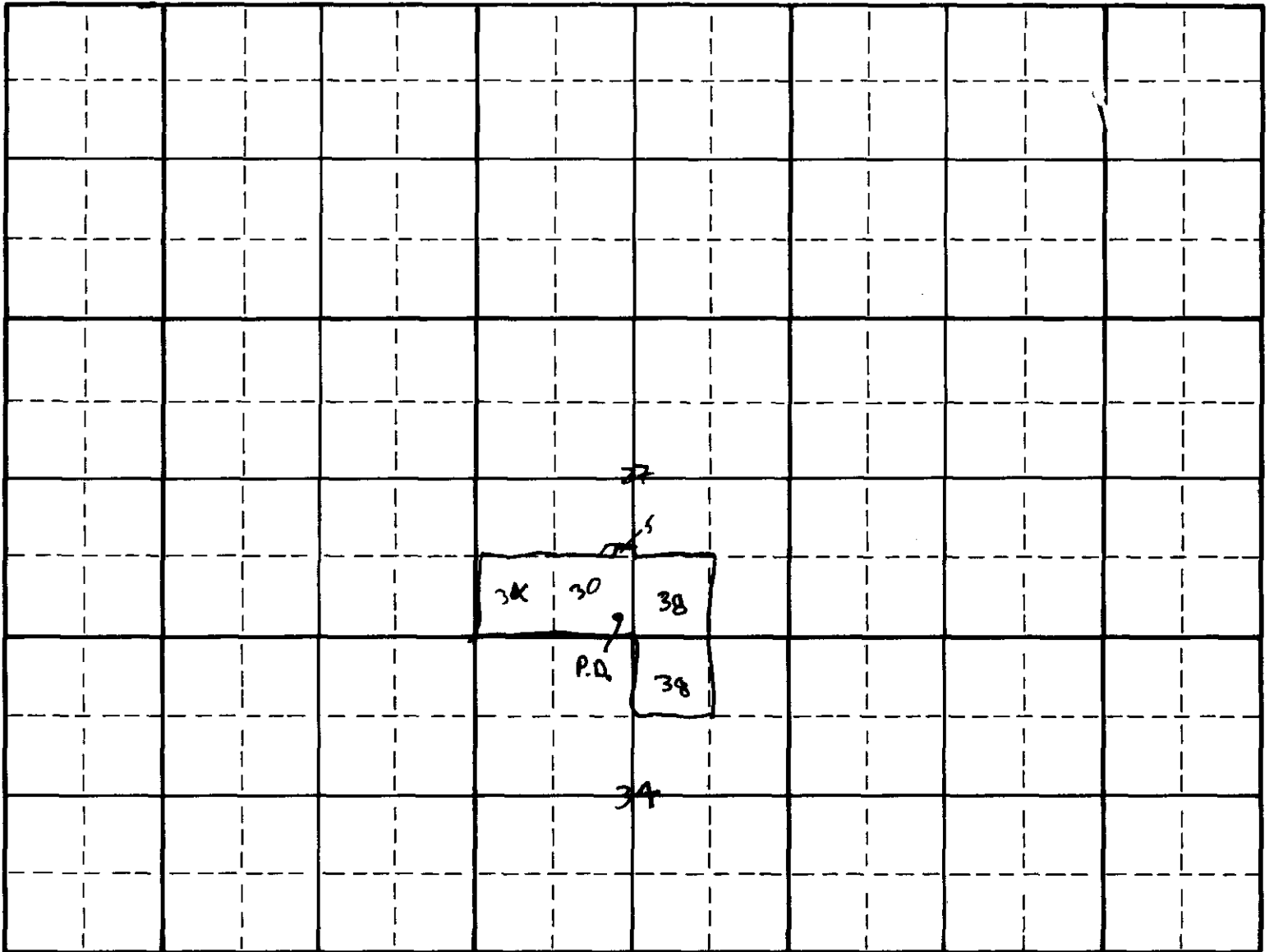
Surface water flow: $0.27' = 0.937 \text{ cfs}$
Surface + Ground water flow: $0.39' = 1.63 \text{ cfs}$
Ground water flow: $0.39 - 0.27 = 0.12' = \underline{\underline{0.693 \text{ cfs}}}$

Jim

6-16-83

No overlapping right - Perm identifies Irr Dist is water
Recommend R1b(4.5) o/c

MAP (Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

MICROFILMED

81
115
24

Point(s) of diversion: SE SW S 27 6N 3W

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	3W	27									5		34	30			38		107
		34		38															38

195

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

Examiner's Signature Will E. May

Checked by DBS

Approved by Robyn 2-11-83

Date 27 Aug 1980

File 10/6/80

Date 19/81

21

23

D
20

MICROFILMED

C
3.3

A
6.0

B
1.6

F
3.0

B
17.4

B
1.6

E
7.1

D
6.1

A
5.4

F
23.1

I
14.8

H
5.2

12.1

A
10.7

3

156

149 Acres
145

C
27.2

B
12.4

F
8.8

28

P.D.

28

27

33

C
6.0

B
3.2

A
10.5

H
6.5

38

E
12.0

G
4.4

F
3.1

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 63-9050

Name(s) of Permit Holder: Donald L. Brooks

Post Office Address: Rt. 7, Box 384

Caldwell, Idaho, 83605

Source of Water: Groundwater

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation (acres)
☐ Other

Measuring Device: Required? ☒ Yes ☐ No Installed? ☐ Yes ☐ No

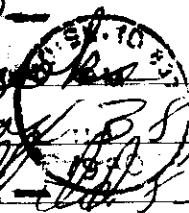
Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

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

8/11/80
Date

Donald L. Brooks
Signature of Permit Holder

Handwritten signatures and scribbles, including "Baldwell" and "3605".



RECEIVED

AUG 12 1980



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

September 23, 1980

Donald L. Brooks
Route 7, Box 384
Caldwell, ID 83605

Dear Mr. Brooks:

Re: Permit No. 63-9050

This office acknowledges receipt of the statement of beneficial use.

A field representative from our regional office has completed an examination of your distribution system. The results of this examination of a water right license will be forthcoming.

Sincerely,

RITA FLECK
Sr. Secretary

cc: Federal Land Bank Association

MICROFILMED

February 7, 1979

Donald L. Brooks
Route 7
Caldwell, ID 83605

Dear Mr. Brooks:

Re: Permit No. 63-9050

Enclosed is a copy of the Order extending the time within which
to submit ~~proof~~ proof of beneficial use to February 1, 1984.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rf

Enc: 1

MICROFILMED

January 29, 1979

re: The Department of water resources.

in Regards to permit # 63-9050

Department of water resources

we are in the process of development of this property for irrigation. we took possession of this dairy ranch in March 15, 1978, the well was dug out full of mud. We call the well driller (D.D. well drilling) it took him until Aug. to come out and clean the well. the electricity was brought in to the well in Dec. we are in the process of going over bids for the irrigation system, which will irrigate a total of 105 acres. we would like to request an extension, of 90 days so this project could be finished.

Thank you

Donald Brooks



MICROFILM



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

January 1, 1970

Re: Permit No. 63-0000

100437

John L. Brooks
211 Wall, ID 83605

John L. Brooks:

One of the conditions of approval of your water Permit No. 63-0000 (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, 1970. 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

RECORDED



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

10/10/78

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition should be less restrictive and provide more flexibility to you in the development of your water right system. The specifications related to the size and location of the access port will be available upon request from the Department, as soon as the Department's measuring equipment is obtained.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JG:kw

Enclosure

MICROFILMED

100

Donald L. Brooks
Route 7
Caldwell, Idaho 83605

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the Department's records. We are returning the three copies as we need only one.

JAN GROVER
Supervisor,
Water Rights

Encl.

January 30, 1978

Re: Permit No. 63-9050

Cloyd L. Rhoe
Route #7
Caldwell, ID 83605

Dear Mr. Rhoe:

Enclosed is a copy of your approved Application for Permit No. 63-9050 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

ENCLOSURE

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-9050

☒ 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) R.W.H. 9-29-77

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
_____ Request Dam Safety Information

(4) R.W.H. 9-29-77

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 none platted

(10) _____

Comments: none two

(11) y OK

Affidavit of Publication received (date) 12-19-77

(12) _____

Final date for protests 10-31-77

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

9-29-77
Proposed Priority

Reason for Reduction _____

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District W

By THA Date 12-20-77

MICROFILMED
Supplemental



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

October 7, 1977

Re: Notice of Application for Water Permit No. 63-9050 - Cloyd L. Doe

Emmett Messenger-Index
120 North Washington Avenue
Emmett, ID 83617

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 October 31, 1977.

Sincerely,

RITA FLECK
Secretary

Bill submitted
12-19-77
y

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that CLOYD L. RHODE

~~Route 7 Caldwell, ID~~

has on September 29, 1977 submitted Application No. 63-9050

for a permit to appropriate 1.5 cubic feet per second acre feet

per annum of water from a groundwater source

by means of well and pump

within the SW 1/4 Sec 27 T6N R3W B.M., Gem County

to be used from Apr 1 to Oct 15

for irrigation of 165 acres

within the ~~E1SW₄, SW₄SW₄, SW₄SE₄ Sec 27; NW₄NE₄ Sec 34 T6N R3W 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 October 31, 1977.

C. STEPHEN ALLRED

Director

Published in the Emmett Messenger-Index, Emmett, ID

~~October 13, 1977~~ and ~~October 20, 1977~~.

MICROFILMED

Supervisor of Water Distribution

Enc.

September 26, 1977

Re: Application for Permit to
Appropriate Public Waters

Cloyd L. Rhoe
Route 7
Caldwell, ID 83605

Dear Mr. Rhoe:

I am returning your check #197 (24-12/1230) in the amount of \$35.00 and your application for permit for additional information.

On line 8b, you indicate you plan to irrigate 80 acres in the S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 27 Twp. 6N-Rge. 3W B.M. however, on line 8 you show additional land also on the map. Please show this additional land on 8b if you plan to include it under this permit.

When this has been done, return the application and check to us for processing.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

Enc.

RECEIVED
MICHIGAN



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

October 7, 1977

Cloyd L. Phoe
Route 7
Caldwell, ID 83605

Dear Mr. Rhoe:

Enclosed is your Receipt No. 8955 in the amount of \$ 25.00
for ~~Application for Permit No. 63-9050~~ which was received in
this office on September 30, 1977

Sincerely,

RITA FLECK
Secretary

RF

Enclosure

MICROFILMED