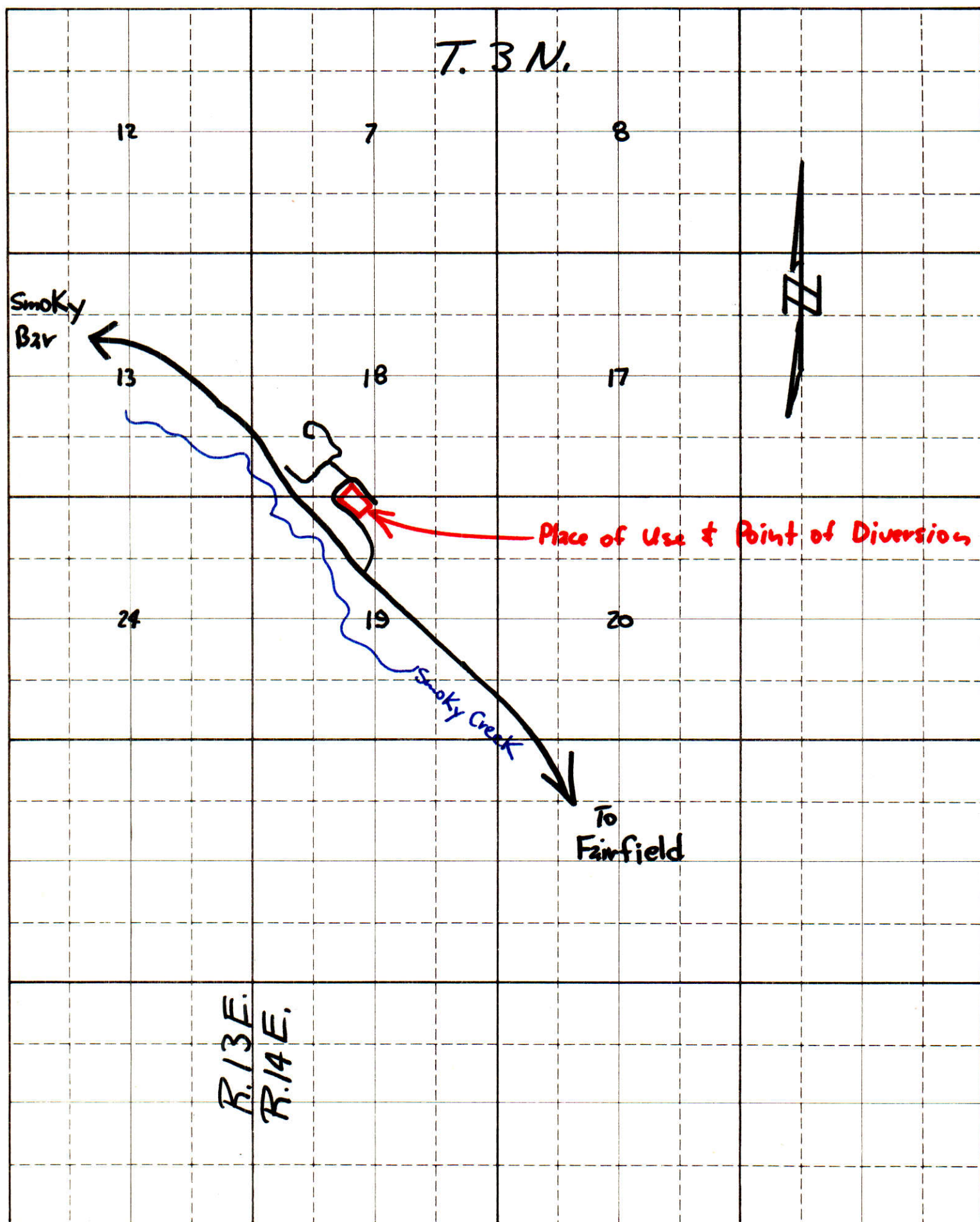


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Frank Olander
 Mary Olander
 (Applicant)

AFFIDAVIT of PUBLICATION

JUL 12 1977

State of Idaho,
County of Gooding

SS.

Department of Water Resources
Southern District Office

Kim R. Compton, being first duly sworn,
deposes and says that he is the printer (publisher) of the Gooding
County Leader, a newspaper published every week in Gooding, County
of Gooding, State of Idaho, that said newspaper has been continuous-
ly and uninterruptedly published for a period of seventy-eight consecu-
tive weeks prior to the first publication of the annexed notice, and is
a newspaper qualified to publish legal notices as provided by act of
the 1919 session of the legislature of the State of Idaho, known as
House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication

of said advertisement was on the 30 day of June

19 77, and the date of the last publication was on the 7

day of July, 19 77

Subscribed and sworn to before me this 7

day of July, 19 77.
(SEAL)

Garnett H. H.
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 36 36

Number of Insertions 2 2

Lines tabular at 315c

36 Lines straight at 36 21c 7.56

36 Subsequent lines at 36 15c 5.40

TOTAL COST 12.96

COPY OF NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given
that FRANK & MARY
OLANDER, Route 2, Gooding,
Idaho has on June 13, 1977
submitted Application No. 63-
8961 for a permit to appro-
priate 0.02 cubic feet per
second of water from a
groundwater source by means
of hand dug hole and hand
pump within the SE¹/₄SW¹/₄
Sec. 18, NE¹/₄NW¹/₄ Sec. 19,
T3N-R14E B.M., Camas Coun-
ty to be used from Jan. 1 to
Dec. 31 for a domestic pur-
pose within the SE¹/₄SW¹/₄ Sec.
18, NE¹/₄NW¹/₄ Sec. 19, T3N-
R14E.

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 July 18, 1977.

/s/ C. Stephen Allred
Director

Pub: 6-30; 7-7

RECEIVED

JUL 19 1977

Department of Water Resources
Western Regional Office

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

20470

Nº 1273

MICROFILMED

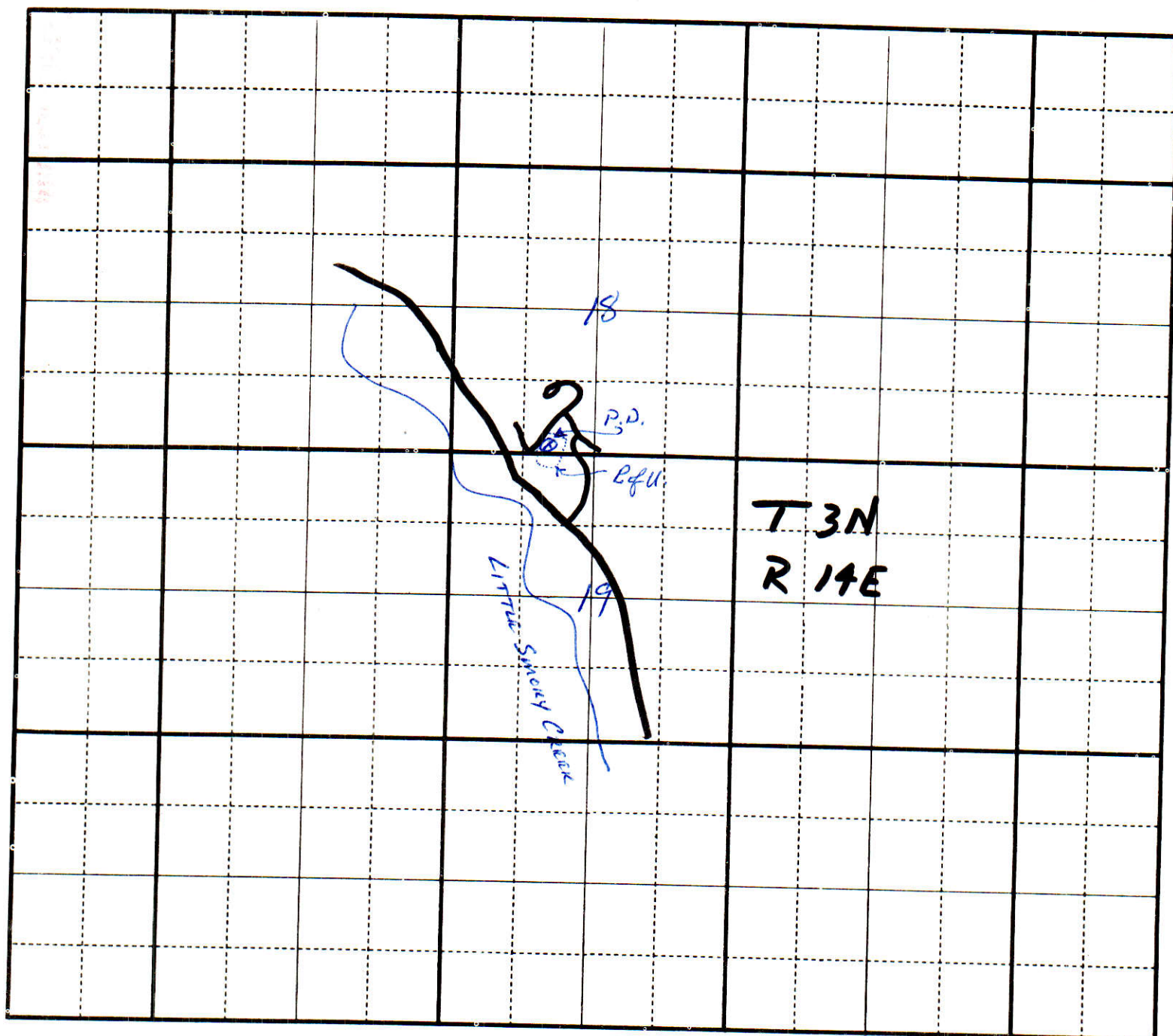


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8961 Priority June 13, 1977 Amount .02 cfs

THIS IS TO CERTIFY, that FRANK &/or MARY OLANDER
of Gooding, Idaho, has complied with the terms and conditions of Permit
No. 63-8961 issued pursuant to Application for Permit dated June 13, 1977,
and has submitted proof to the Department of Water Resources on October 28, 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 .02 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
Domestic	from <u>January 1</u> to <u>December 31</u> at <u>.02</u> cfs and <u>1.2</u> acre feet		
	from _____ at _____ cfs and _____		
	from _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than .02 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
1.2 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, Twp. 3N,
Rge. 14E, B.M. in the County of Camas

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	14E	18																	

Total number of acres irrigated _____

Lot 18, Byram's Little Smoky Subdivision.

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 2nd day of
July, 19 80.

Deputy Director

MICROFILMED

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

IN THE MATTER OF APPLICATION FOR PERMIT NO.)
63-8961 IN THE NAME OF FRANK AND MARY OLANDER)

MEMORANDUM DECISION
AND ORDER

On June 13, 1977, Mary and Frank Olander of Gooding, Idaho filed with the Department of Water Resources an application for permit to appropriate 0.02 cubic feet per second of groundwater to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, Twp. 3N, Rge. 14E, B.M., to be used for domestic purposes from January 1 to December 31, located in Camas County.

Notice of the application was published in the Gooding County Leader, Gooding, Idaho, on June 30 and July 7, 1977. On July 1, 1977, the Department received a protest against the granting of a permit from Erle Byram.

A conference on the matter was held at Fairfield, Idaho, on August 24, 1977. The applicant and protestant were present and represented themselves. Testimony was heard from both the applicant and protestant and it was agreed by both parties at the conference that the Department should reach a decision in the matter.

After reviewing all the evidence and testimony submitted at the conference and pertinent information contained in the Department's files, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

- 1) The basis of protest was based upon a potential violation of subdivision covenants.
- 2) The four considerations of a valid protest described in Section 42-203, Idaho Code, were not raised as points of controversy.
- 3) There is sufficient water available for appropriation.
- 4) The granting of this water right will not cause injury to other existing water rights.
- 5) The permit is filed in good faith and not for delay or speculative purposes.
- 6) The applicants have the financial ability to complete the project.

RECEIVED
JUL 10 1977
WATER RESOURCES

CONCLUSIONS OF LAW

1) A protest based upon potential violation of subdivision covenants is not included in the considerations of Section 42-203, Idaho Code, and is outside the jurisdiction of the Department of Water Resources.

2) The applicant is entitled to a permit from the Department of Water Resources.

ORDER

IT IS, THEREFORE, HEREBY ORDERED and Application for Permit No. 63-8961 is APPROVED subject to the following conditions:

- 1) This permit is subject to all prior existing water rights.
- 2) Proof of completion of works and application of water to beneficial use shall be submitted to the Department of Water Resources on or before September 1, 1982.

Dated this 15 day of September, 1977.


A. KENNETH DUNN
Deputy Director

07-10-1977

Identification No. _____

Application No. 63-8961

**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 FRANK & MARY OLANDER Phone: 1-934-4652
post office address ROUTE 2 Box 131 GOODING, IDAHO 83330

2. Source of water supply GROUND WATER which is a tributary of _____

3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 18 Township 3N
Range 14E B.M. Camas County; additional points of diversion if any: _____
NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 19, T. 3N. R. 14E.

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 0.02 for Domestic 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. 0.02 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Hand dug hole approx. 10' deep
lined with concrete pipe. Hand operated pump will
deliver water for household use.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 100⁰⁰.

8. Description of proposed uses:

a. If water is **not** for irrigation: Lots 18 & 19 of Byram's Little Smoky Subdivision

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Sections 18 & 19 Township 3N
Range 14E 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 1.

(5) If water is to be used for other purposes describe: _____

RECORDED

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	14E	18												X					
		19					X												

Total number of acres to be irrigated_____

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

The subdivision has 2 domestic supply system from creek

9. a. Who owns the property at the point of diversion FRANK + MARY OLANDER

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

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

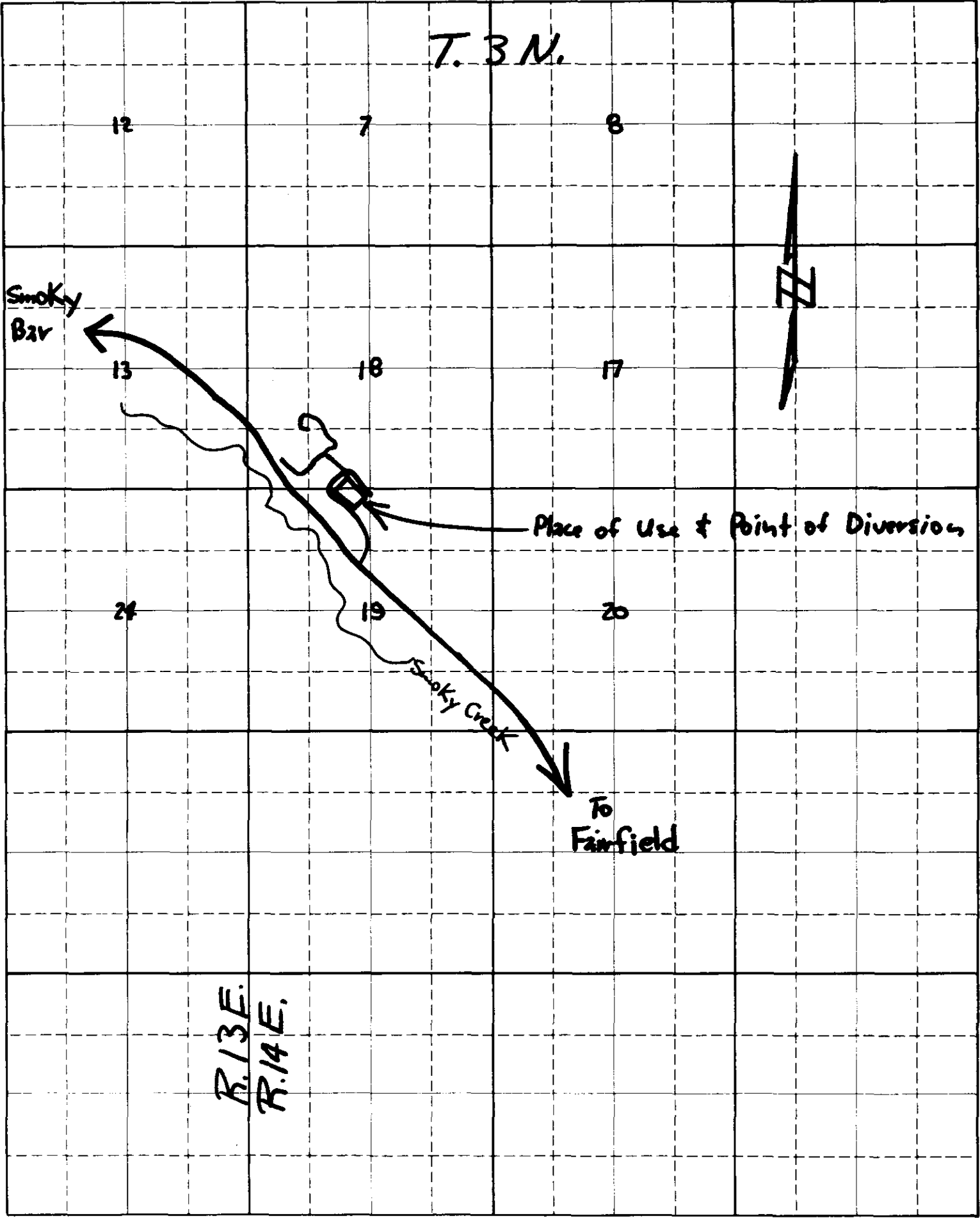
10. Remarks

A. There is a wet spot on our lot and we suspect there could be ground water. To be on the safe side we are filing on this and contemplate digging to see if there is any ground water and if so we would make this water available for our domestic cabin use.

B. Our Lot as referred to is -

Lot 18 of Bynum's Little Smoky Cabin site subdivision situate in the S 1/2 of Section 18 and the N 1/2 of Section 19, Township 3 North, Range 14 East Boise Meridian in Camas County, Idaho

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.

Frank Olander
Marry Olander
(Applicant)

Proposed Priority: 6-13-1977

Received by ADM Date 6-13-77 Time 10:00
Preliminary check by RWN Fee \$ 10.00
Receipted by sm Date 6/13/77 # 3590
Publication prepared by CS Date June 24, 1977
Published in Gooding Leader
Publication dates June 30, 1977 & July 7, 1977
Publication approved ly Date 7-19-77
Priority reduced to Reason

Protests filed by: Erle Byram

Copies of protests forwarded by RF
Hearing held by LGS & BDF Date 8-24-77
Recommended for approval denial by ly

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

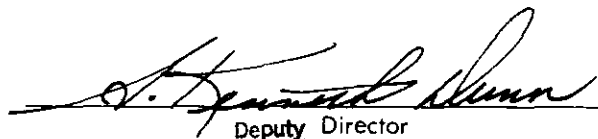
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8961, and said application is hereby APPROVED.

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 September 1, 1982.
- c. Other: PURSUANT TO MEMORANDUM DECISION AND ORDER DATED THIS DATE.

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

Witness my hand this 15 day of September 19 77.


Deputy Director

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

Kim R. Compton being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 30 day of June 1977, and the date of the last publication was on the 7 day of July 1977.

Kim R. Compton
Subscribed and sworn to before me this 7 day of July 1977.
(SEAL)

Gorman Hair
NOTARY PUBLIC

GOODING COUNTY LEADER Gooding, Idaho COST OF PUBLICATION

Number of Lines in Notice 36 36
Number of Insertions 2 2
Lines tabular at 315c
36 Lines straight at 36 21c 7.56
36 Subsequent lines at 36 15c 5.40
TOTAL COST 12.96

COPY OF NOTICE



RESERVED

Department of Labor
Western Regional Office

PUBLICATION RATES		
(Idaho Code, Rev. Statutes 1971)		
7 pt. per line, straight	21c	
7 pt. per line, tabular	315c	
7 pt. per line, successive insertions	15c	

20470

Nº 1273

INDEXED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

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

July 8, 1980

Frank & Mary Olander
Rt. 2, Box 131
Gooding, Idaho 83330

Dear Mr. & Mrs. Olander,

RE: License No. 63-8961

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:mr
Enclosure

RECEIVED
JUL 11 1980
WATER RIGHTS
DIVISION

FIELD REPORT

1. Name of permit holder Frank &/or Mary Olander
Post office address Rt. 2, Box 131, Gooding Phone 934-4652
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 .02 c.f.s. for Domestic
 _____ 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 .02 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 3N N/S, Range 14E E/W, B.M., Section 18, Subdivision S1/2 $\frac{1}{4}$ SW $\frac{1}{4}$, Camas County

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

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

Other Points of Diversions: _____

Description of diverting works: _____

Measuring device required: yes ☐ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

Permit No. 63-8961

Examination for 6/4

MICROFILMED

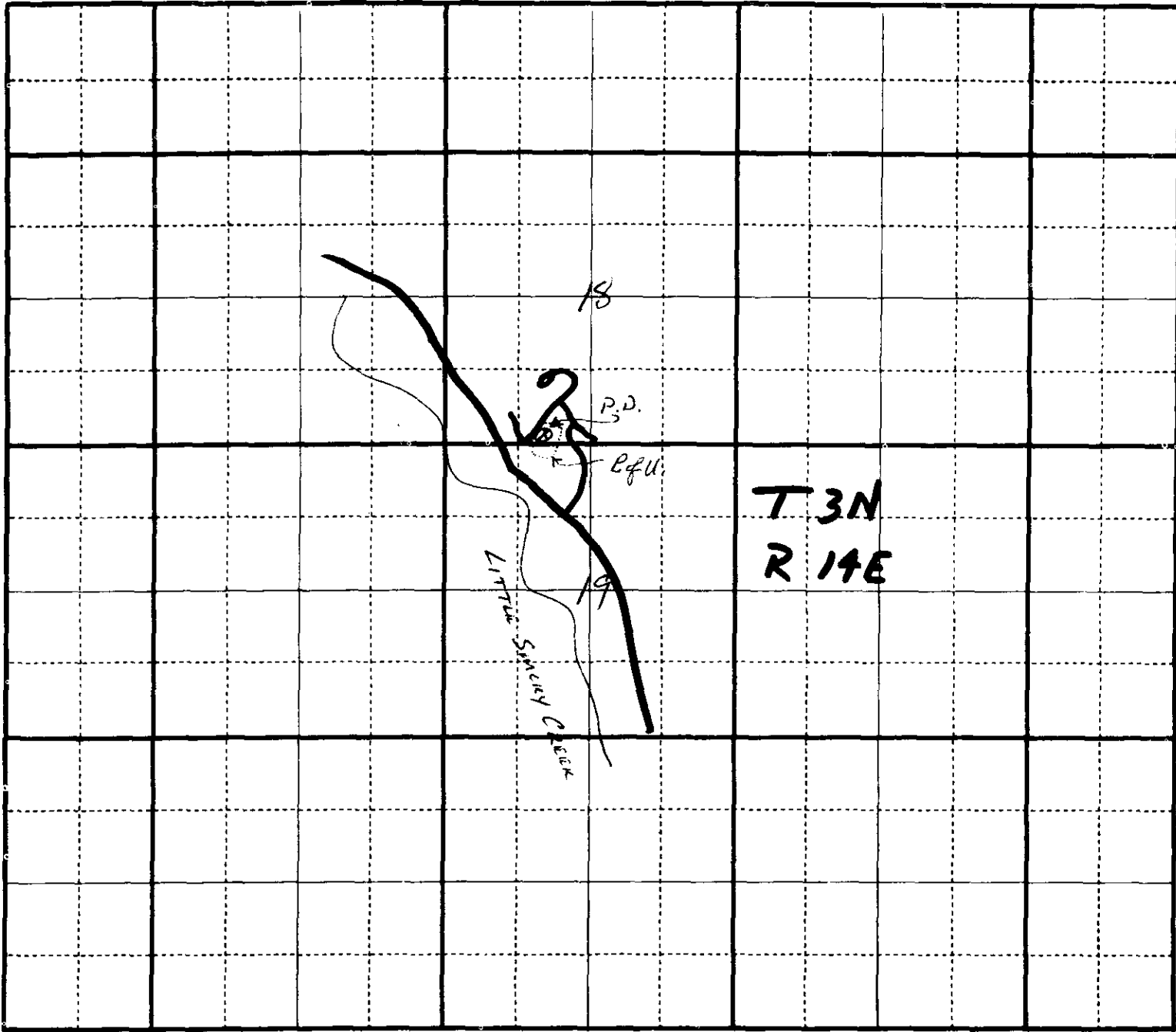


Diagram of System

DATE OF EXAM 10/03/79

ACREAGE
Found 10/03/79
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= .02 c.f.s. V= 1.2 AF/Ann. from 1/1 to 12/31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

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 .02 cfs Method of measurement ESTIMATION

Total Q recommended .02 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 1.2

Recommended Amendments:

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

MEASUREMENT CALCULATION:

$Q = \frac{1}{2} \text{ hp } (8080 \text{ in}^2) (8.8) / 40 \text{ psi } (1.4333) + 10' \text{ LIFT} = .03 \text{ cfs}$
 $Q = \text{APPROX } 10 \text{ gal/min } (.002228) = .02 \text{ cfs}$
 $V = .02 \text{ cfs } (1.59) (365 \text{ days/yr}) = 14.45 \text{ AF/Ann}$

SYSTEM DESCRIPTION:

HAND DUG WELL APPROX 10' DEEP.
1/2 hp PUMP, LINE TO USE
HAND OPERATED PUMP. 1/2 hp IS AN ESTIMATE BASED ON DISCHARGE OF
APPROX 10 gpm.

REMARKS:

PLACE OF USE ONLY IN SESW SEC 18, 3N, 14E
ALSO HAS 63-7292 (SURVEILLANCE SYSTEM)

Examiner's Signature Charles W. Boyer Jr. Date 12/20/79

Checked by DBS Date 12/21/79

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

September 12, 1979

**Frank & Mary Olander
Route #2, Box 131
Gooding, ID 83330**

RE: **Permit No. 63-3961**

Dear **Mr. and Mrs. Olander:**

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

_____.
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

MICROFILMED

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. 63-89

Name(s) of Permit Holder: Frank & Mary Olander

Post Office Address: Route 2 Box 131, Gooding, ID

Source of Water: ground water

Extent of Use: ☒ Domestic 1 (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____
☒ Other water is used mainly for fire protection
& as an alternate source of domestic water

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 developed.

28 August 1979
Date

Frank H. Olander
Signature of Permit Holder

RECEIVED

MICROFILMED

AUG 28 1979

Department of Water Resources
Southern District Office

PLACE
TEN CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

September 19, 1977

Re: Permit No. 63-8961

Dear Mr. and Mrs. Olander,

Enclosed is a copy of the approved Permit No. 63-8961.

Also enclosed is a copy of the Memorandum Decision and Order issued on this permit. Please note the conditions of approval listed on the last page of that Order.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/kaw

cc: All Protestants
Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-

☒ 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

☐ Pre-permit exam
☐ Adjudication Claim
☐ Dam Construction
Papers Sent

(1) R.W.H. 6-21-77

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. 6-21-77

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

(10) _____

Comments: _____

(11) _____

Affidavit of Publication received(date) 7-19-77

(12) _____

Final date for protests 7-18-77

Protests received: yes ☒ no _____

(13) _____

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

(14) _____

Action recommended:

☒ Approve *pursuant to attached memo decision* Deny

_____ 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 THS

Date 8-30-77

REPRODUCED

In the matter of application for }
permit no 63-8961 } Stipulation

We the undersigned hereby agree to allow the Director of the Department of Water Resources to reach a decision in the matter of application for permit 63-8961 based upon the information obtained at the conference held in Fairfield, Idaho of August 24, 1977.

We understand that this decision may be appealed to the District Court within 60 days of date of the decision

Signed at Fairfield Idaho on August 24, 1977

Frank H. Olander
Applicant

Eric B. Byrnes
Protestant

MICROFILMED

63-8961 - FRANK & MARY OLANDER

Courtroom, Camas County Courthouse, Fairfield, Idaho

Wednesday, August 24, 1977 - 10:30 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
Frank H. Olander		
Harry B. Byram	625 Colorado St	Gooding
Ed B Byram	1632 Sherman	Boise, Idaho 83702

RECEIVED

1
ACCEPTANCE OF REGISTERED, INSURED, C.O.D. AN. CERTIFIED MAIL

PS Form 3877 - Feb. 1975

NAME AND ADDRESS OF SENDER

Dept. of Water Resources
Western Region

Indicate type of mail

☐ REGISTERED ☐ COD
☐ INSURED ☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (if Registered)	DUE SENDER IF C. O. D.	R. R. FEE	S. D. FEE	S. H. FEE	REST. DEL. FEE	REMARKS
1	139338 Don & Sue Shurley Peterson	13	60								163-8715
2	Route 1 Hagerman 83332										
3	139339 Esler Byram, 1632 Sherman St										
4	Burns, Idaho										
5	139340 Mr. W. Kluge M.D. P.O. Box 231										
6	Gooding, Id 83330										
7	139341 Mr. & Mrs. Stanley Dickinson										
8	Box 59 Corral, Id 83322										
9	139342 Mrs. P. W. J. A. & L. Land										
10	2027 Hillcrest Dr. Twin Falls, Id										
11	139343 Frank H. Clarendon										
12	Route 2 Box 131 Gooding, Id										
13	139344 Frank & Mary Clarendon										163-1161
14	Route 2 Box 131 Gooding, Id										
15											

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NAME AND ADDRESS OF SENDER

*Dept. of Water Resources
Western Region*

Indicate type of mail

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☐ INSURED ☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C. O. D.	R. R. FEE	S. D. FEE	S. H. FEE	REST. DEL. FEE	REMARKS
1	139345 <i>Erle H. Byram 1122 Sherman</i>	13	60								
2	<i>Boise, Idaho 83702</i>										
3	139346 <i>I Joe Kanta 901 15th Ave. S.</i>										63-8790
4	<i>Tempe, Idaho 83651</i>										
5	139347 <i>Boise Warm Springs Water Dist.</i>										
6	<i>P.O. Box 117</i>										
7	<i>Boise, Idaho 83701</i>										
8	139348 <i>David S. Dickerson, Star Route</i>										67-7512
9	<i>Cambridge, Id 83610</i>										
10	139349 <i>Lord Muller, Secretary</i>										
11	<i>Little River Inlet Dist.</i>										
12	<i>Box 7 Council Id 83612</i>										
13											
14											
15											

NUMBER OF LISTED BY

12

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

IN THE MATTER OF PROTEST AGAINST APPROVAL)
OF THE APPLICATION FOR PERMIT NO. 63-8961)
IN THE NAME OF FRANK & MARY OLANDER)

NOTICE OF CONFERENCE
AND/OR HEARING

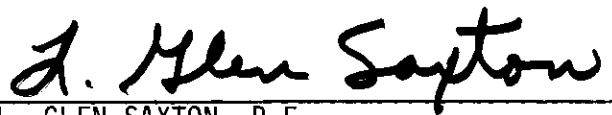
On June 13, 1977, Frank and Mary Olander filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On July 1, 1977, the Department received a protest against approval of said application from Erle G. Byram.

The Department has set the matter of protest for conference and/or hearing for Wednesday, August 24, 1977 at 10:30 a.m. in the courtroom of the Camas County Courthouse, Fairfield, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 9th day of August, 1977.


L. GLEN SAXTON, P.E.

Western Regional Supervisor

August 10, 1977

Camas County Courthouse
Fairfield,
Idaho 83327

Dear Sir:

This is to confirm the use of the courtroom for conference and/or hearing to be held by this office on Wednesday, August 24, 1977 at 10:30 a.m.

Thank you for your cooperation in this matter.

Sincerely,

RITA FLECK
Secretary

RF

RECEIVED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN REGION

John V. Evans
Governor

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

July 5, 1977

Re: Application for Permit No. 63-8961
(Frank & Mary Olander)

Erle Byram
1632 Sherman
Boise, ID 83702

Dear Mr. Byram:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

July 5, 1977

Re: Application for Permit No. 63-8961

Frank & Mary Olander
Route 2, Box 131
Gooding, ID 83330

Dear Mr. & Mrs. Olander:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. ~~63-8961~~. The Department suggests you contact the protestant(s) directly in ~~an effort~~ to determine the nature of the protest(s) and to attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

Enc.

REPROFILMED

P R O T E S T

I, Erle Byram of 1632 Sherman, Boise, Idaho wish to protest Application No. 63-8961 in the name of Frank & Mary Olander because of violation of the covenants governing the water rights of the Byram's Little Smokey Subdivision. I feel the application was not made in good faith and in violation of said covenants.

July 1, 1977

Erle B. Byram

RECEIVED

JUL 1 1977

Department of Water Resources
Western Regional Office

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

June 24, 1977

Re: Notice of Application for Water Permit No. 63-8961 -- Frank & Mary Olander
63-8966 -- Gary &/or Erle Byram

Gooding County Leader
Box 55
Gooding, ID 83330

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 July 18, 1977.

Sincerely,

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that FRANK & MARY OLANDER

Route 2, Gooding, Idaho

has on June 13, 1977 submitted Application No. 63-8961

for a permit to appropriate 0.02 cubic feet per second ~~acres feet~~

~~perXXXXXX~~ of water from a groundwater source

by means of ~~well and pump~~ hand dug hole and hand pump

within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 18, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 19, T3N-R14E B.M., Camas, County

to be used from Jan 1 to Dec 31

for a domestic purpose

within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 18, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 19, T3N-R14E

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 July 18, 1977.

C. STEPHEN ALLRED

Director

Published in the Gooding Leader, Gooding, Idaho

on ~~XXXX~~ June 30, 1977 and July 7, 1977.

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that FRANK & MARY OLANDER, Route 2, Gooding, Idaho has on June 13, 1977 submitted Application No. 63-8961 for a permit to appropriate 0.02 cubic feet per second of water from a groundwater source by means of hand dug hole and hand pump within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, T3N-R14E B.M., Camas County to be used from Jan. 1 to Dec. 31 for a domestic purpose within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T3N-R14E.

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 July 18, 1977.

/s/ C. Stephen Allred
Director

Pub: 6-30; 7-7