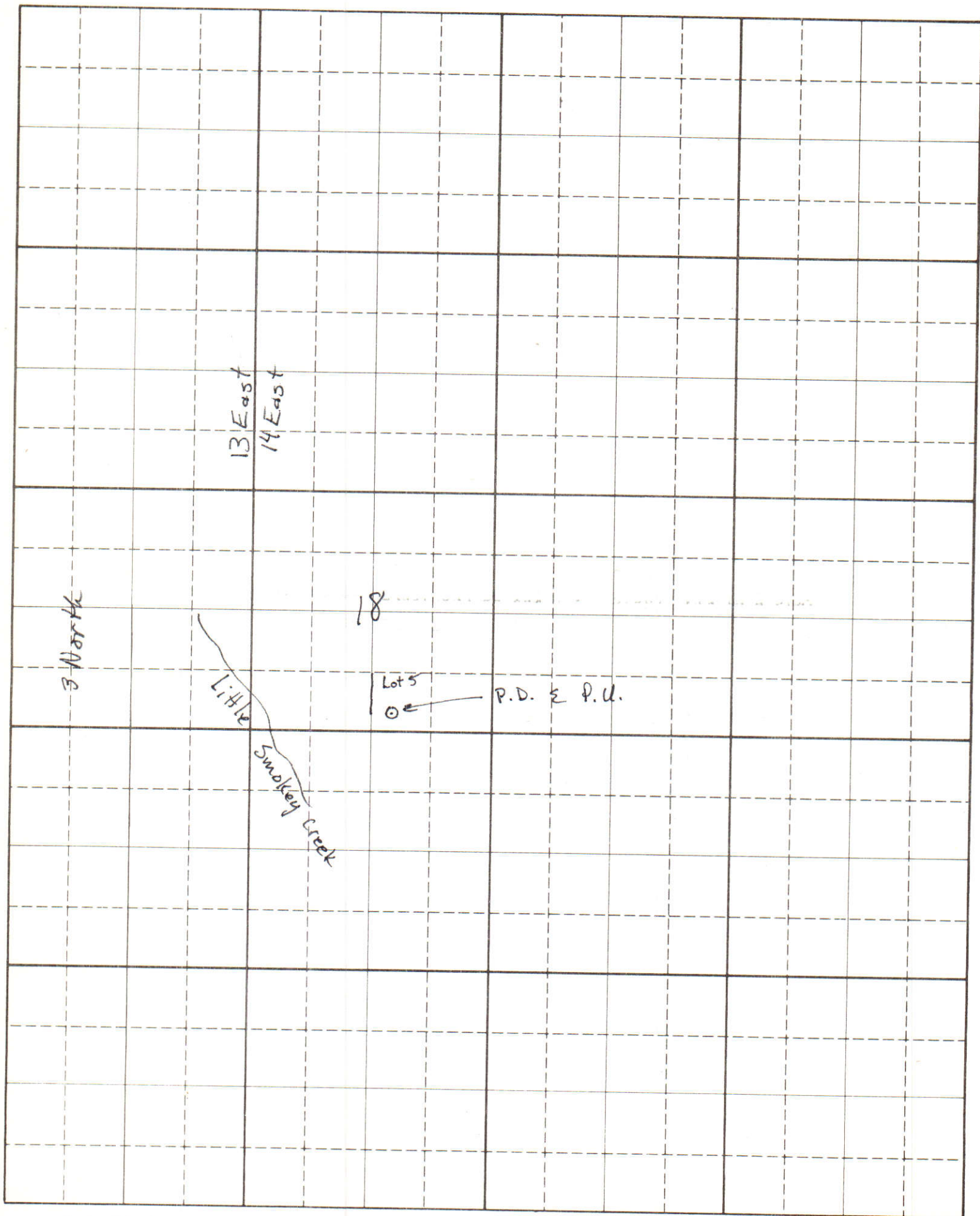


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Don Peterson
(Applicant)

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 19 day of May

19 77, and the date of the last publication was on the 26

day of May, 19 77

Kim R. Compton

Subscribed and sworn to before me this 2

day of June, 19 77.

(SEAL)

Adrian Hall
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>36</u>	<u>36</u>
Number of Insertions	<u>2</u>	<u>2</u>
Lines tabular at		315c
<u>36</u> Lines straight at	<u>36</u>	21c
<u>36</u> Subsequent lines at	<u>36</u>	15c
TOTAL COST		<u>12.96</u>

MICROFILMED

COPY OF NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that DON &/OR SHIRLEY PETERSON, Rt. 1, HAGERMAN, ID. have on May 5, 1977 submitted Application No. 63-8795 for a permit to appropriate .04 cubic feet per second of water from an unnamed spring trib. to Little Smoky Creek by means of collection box, holding tank and pipeline within the Lot 5 Sec. 18 T3N R14E B.M., Camas County to be used from Jan. 1 to Dec. 31 for domestic purposes within the Lot 5 Sec. 18 T3N R14 E. B.M., Camas County.

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 June 6, 1977.

/s/ C. Stephen Allred
Director

Pub: 5-19, 26 - B.O.

RECEIVED
JUN 3 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

20059
N^o 1239

OK
6-16-77

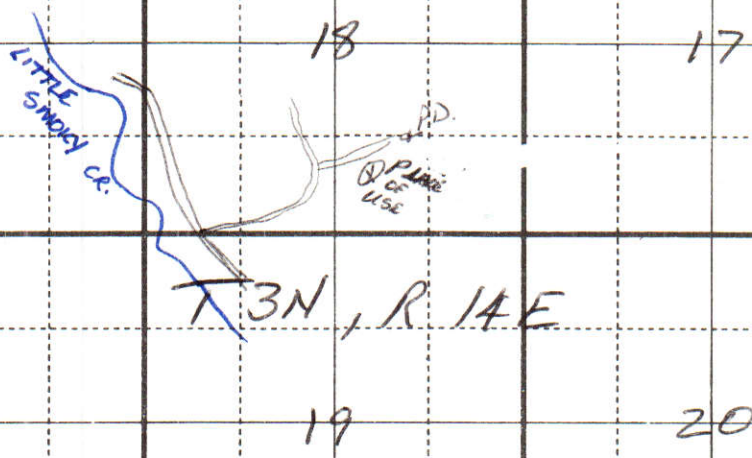
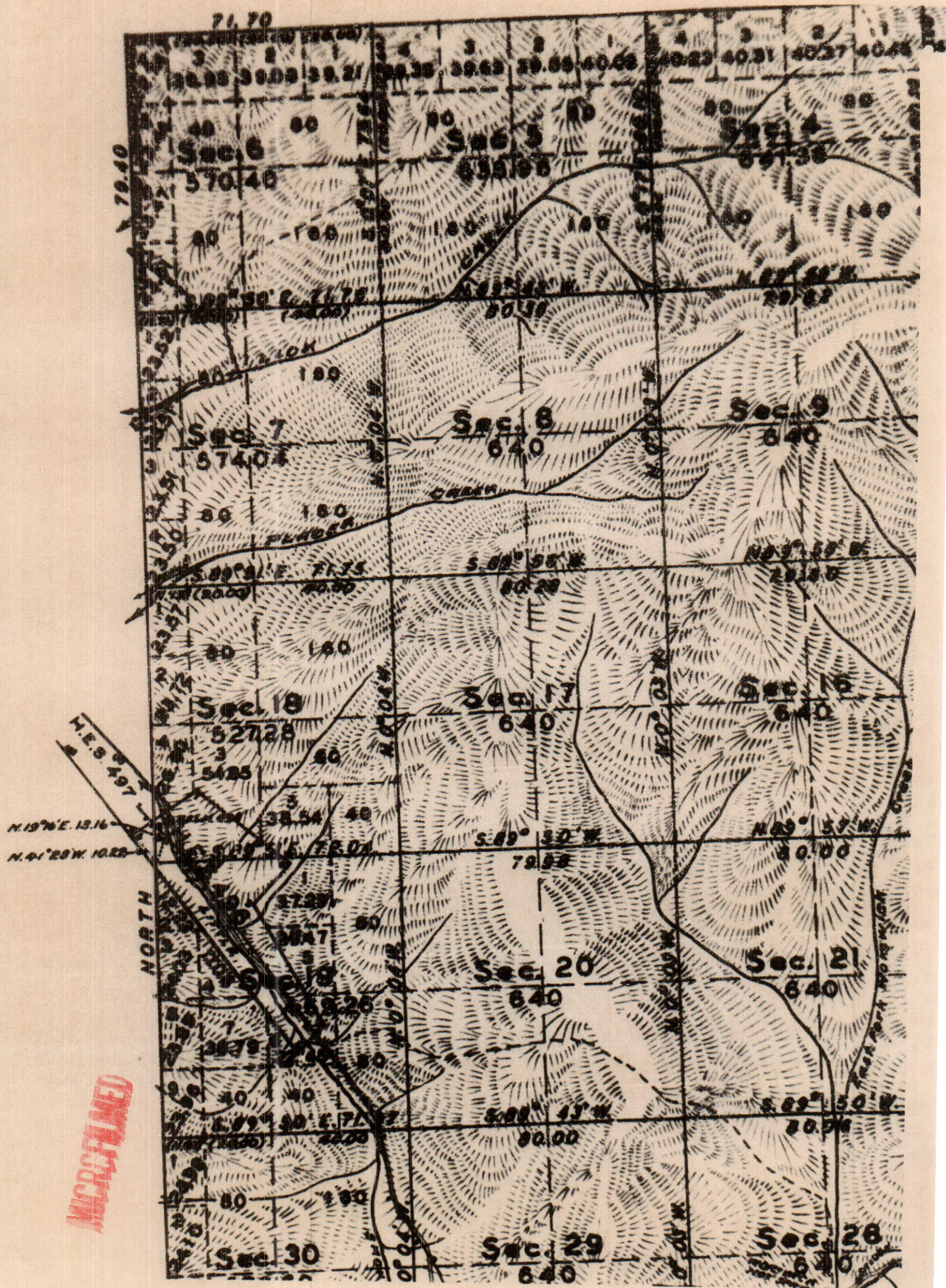


Diagram of System



ALS

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that DON &/OR SHIRLEY PETERSON, Rt. 1, HAGERMAN, ID. have on May 5, 1977 submitted Application No. 63-8795 for a permit to appropriate .04 cubic feet per second of water from an unnamed spring trib. to Little Smoky Creek by means of collection box, holding tank and pipeline within the Lot 5 Sec. 18 T3N R14E B.M., Camas County to be used from Jan. 1 to Dec. 31 for domestic purposes within the Lot 5 Sec. 18 T3N R14 E. B.M., Camas County.

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 June 6, 1977.

/s/ C. Stephen Allred
Director

Pub: 5-19, 26 - B.O.

WATER RIGHT LICENSE

MICROFILMED

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

IN THE MATTER OF APPLICATION FOR PERMIT NO.
63-8795 IN THE NAME OF DON &/OR SHIRLEY PETERSON

MEMORANDUM DECISION
AND ORDER

On May 5, 1977, Don &/or Shirley Peterson of Hagerman, Idaho filed with the Department of Water Resources an application for permit to appropriate 0.04 cubic feet per second of water from an unnamed spring. The application proposed a point of diversion in Government Lot 5, Sec. 18, Twp. 3N, Rge. 14E, B.M., Camas County, to be used for domestic purposes for one household from January 1 to December 31.

Notice of the application was published in the Gooding County Leader, Gooding, Idaho, on May 19 and May 26, 1977. On June 2, 1977, the Department received a protest against the granting of a permit from Frank H. Olander. Additional protests were received from G. A. Eklund, Stanley Babington, Eloise Babington and Marion V. Klingler, M.D.

A conference on the matter was held at Fairfield, Idaho on August 24, 1977. The applicants and protestants were present and represented themselves. Testimony was heard from both the applicants and protestants and it was agreed by all 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 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) Permit No. 63-7242 which has been assigned to the protestants provides domestic water from three (3) springs.
- 2) The spring described on Application No. 63-8795 is not the same spring as any of the three (3) springs used by the protestants.
- 3) The protestants point of diversion is higher in elevation than the proposed point of diversion.
- 4) The four (4) considerations of a valid protest described in Section 42-203, Idaho Code, were not raised as points of controversy.

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CONCLUSIONS OF LAW

1) The spring source described in the application is a different spring than those used by the protestants.

2) No points were raised in the conference related to the four considerations described in Section 42-203, Idaho Code, which would allow the Department to not approve the application.

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

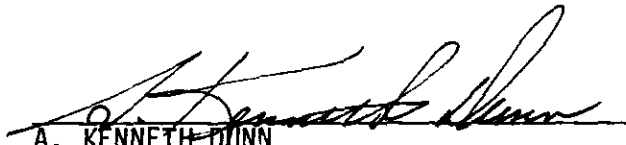
ORDER

IT IS, THEREFORE, HEREBY ORDERED and Application for Permit No. 63-8795 is APPROVED subject to the following conditions:

1) The permit does not grant the authority to trespass on the lands of another to develop a water right.

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

MICROFILMED

Identification No. _____

Application No. 63-8795

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 Don &/or Shirley Peterson Phone: 837-4409
post office address Route 1 Hagerman, ID
2. Source of water supply unnamed spring which is a tributary of Little Smokey Creek
3. a. Location of point of diversion is Lot 5 $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 18 Township 3N
Range 14E B.M. Camas 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 0.04 for domestic purpose from 1-1 to 12-31 (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. 0.04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
dug collection box, holding tank and pipe

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 \$ 500.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
Lot 5
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 18 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: _____

MICROFILMED

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	

Total number of acres to be irrigated_____

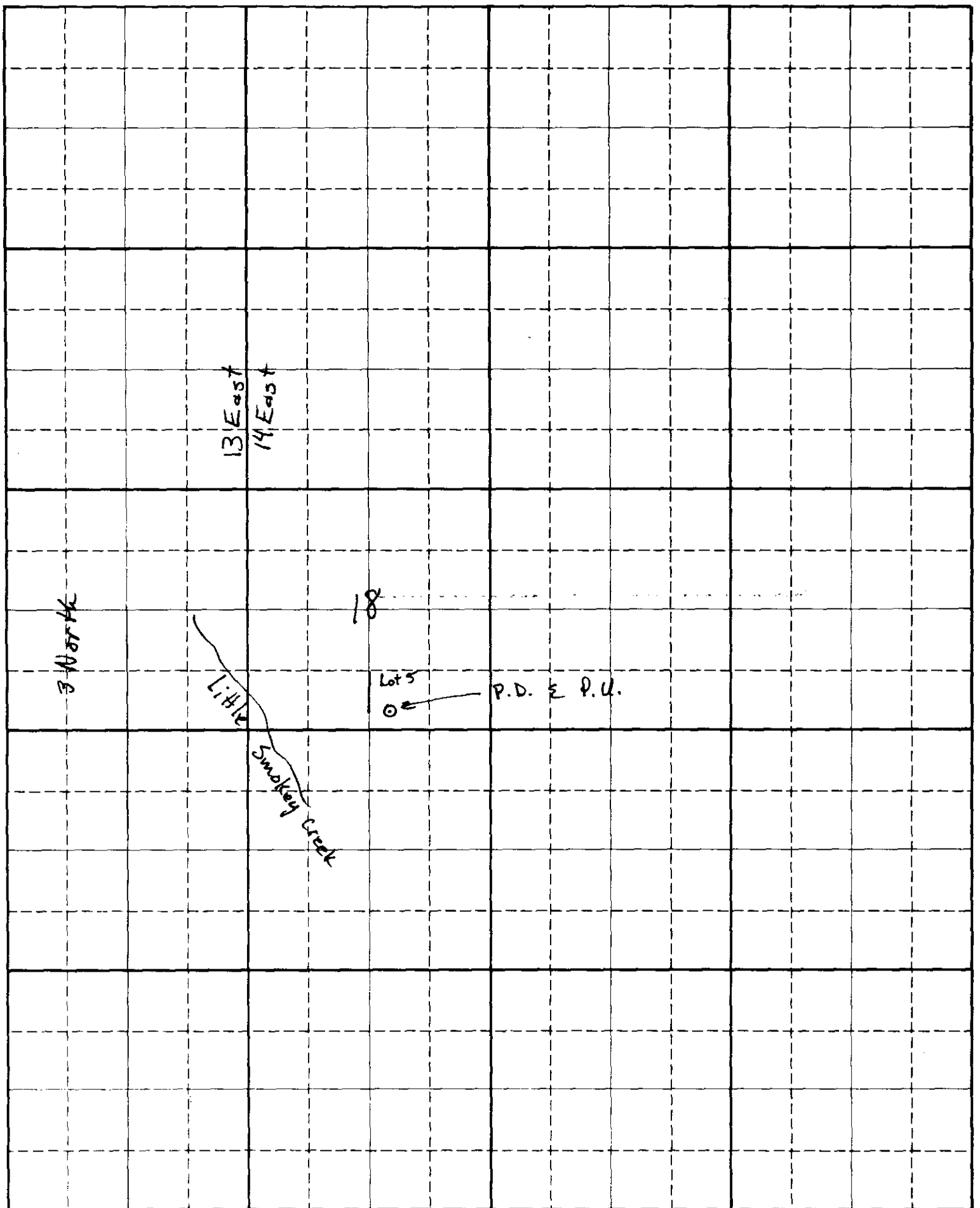
c. Describe any other water rights used for the same purposes as described above._____

None

9. a. Who owns the property at the point of diversion U. S. Forest Service
- 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 Applicant will get permission from Forest Service

10. Remarks Place of use is also described as Lot 1 of Byranis Little Smokey Cabin Site
Subdivision. This permit does not constitute an easement.

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.

Don Peterson
(Applicant)

Proposed Priority: 5-05-1977

Received by WMM Date 5/5/77 Time 3:30
Preliminary check by WMM Fee \$ 10.00
Received by rf Date 5-5-77 # 7701
Publication prepared by rf Date 5-13-77
Published in Shoshone County Leader
Publication dates May 19 & 26
Publication approved rf Date 6-16-77
Priority reduced to rf Reason _____

Protests filed by: Mr. & Mrs. Marion V. Klingler
Mr. & Mrs. Stanley Babington, Mr. & Mrs.
G. A. Eklund, Frank H. Olander

Copies of protests forwarded by rf
Hearing held by 1654 83F Date 8-30-77
Recommended for (approval) denial by WMM

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. 63-8795, 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 19 82.
- c. Other: Pursuant to MEMORANDUM DECISION AND ORDER DATED THIS DATE

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 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 19 day of May

19 72 and the date of the last publication was on the 26

day of May, 19 72

Kim R. Compton

Subscribed and sworn to before me this 2

day of June, 19 72
(SEAL)

Gordon Hunt
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 36 36

Number of Insertions 2 2

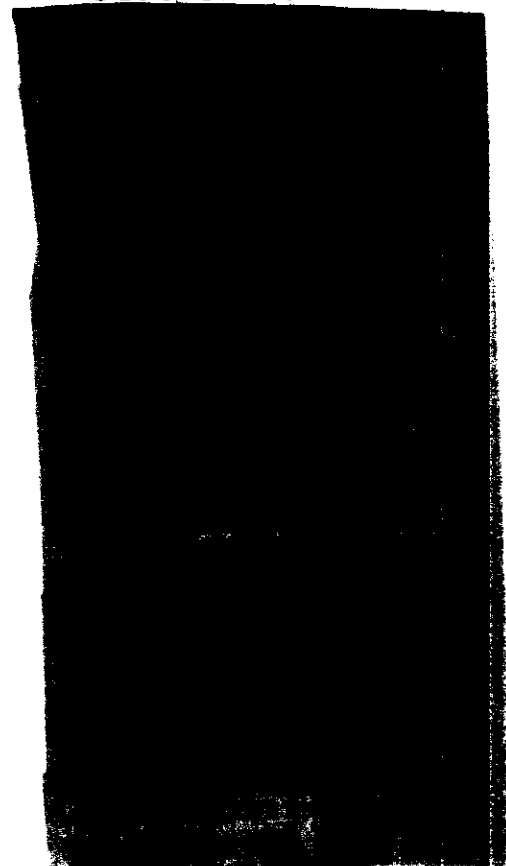
Lines tabular at 315c

36 Lines straight at 36 21c 7.56

36 Subsequent lines at 36 15c 5.40

TOTAL COST ... 12.96

COPY OF NOTICE



RECEIVED
JUN 3 1971

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

20059

OK
6-16-77
J

Nº 1239

MICROFILMED

WATER RIGHT NUMBER 63-8795

OWNER LAST NAME - PETERSON
OWNER LAST NAME - PETERSON
ADDRESS LINE 1 - P.O. BOX 237
ADDRESS LINE 3 -

FIRST NAME - DON
FIRST NAME - SHIRLEY

ORIG OWNER -
ORIG OWNER -

ADDRESS LINE 2 -
CITY - HAGERMAN

STATE - ID ZIP CODE - 83320

SOURCE - SPRING

TRIBUTARY OF - LITTLE SMOKEY CREEK

STAGE - LICENSE

STATUS -

PRIORITY - 05-05-1977 COUNTY - CAMAS

TOTAL DIV. RATE - .0400 -CFS

TOTAL DIV. VOLUME - 1.20 AFA TRFR/AMEND -

WATER DIST. - OLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - SWSE 18 03N 14E LOT 05 REDIV -

272.0 312.0 96.0 111.0 8.0 0.0 0.0 0.0 0.0 0.0 2.4

FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .0400 CFS USE DIV. VOLUME - .00 AFA

USE - DOMESTIC

PLACE OF USE - TWN 03N RNS 14E SEC 18 TRACT SWSE LOT 05 AC

DECREE NAME -

DATE -

TOTAL ACRES 0

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE - 09-01-1982 PERMIT/DENIED - 09-15-1977 PROTESTED -

HEARING -

OLE NO. -

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS - COLLECTION BOX, TANK & PIPELINE.

3/79

IDENT. NO. 63-8796

ID AHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 163-8795
 OTd No. New No.

Record

1. Original Owner: Don & Shirley Peterson

Present Owner: Marion H. Klingler, Frank Chandler,

Elaine Bobbington, Frances E. Byrum, Donald B.

2. Address: Pelton + Gustav A. Eklund

P.O. Box 237

3. City: Gooding State: ID Zip:

4. A. Source of Water: spring

B. Tributary of: Little Smoky Creek

5. A. Stage (A,P,L,D,S,J): P

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 5-5-1977

D. County: 25

E. Total Diversion Rate: .04

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

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

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SWSE</u>	<u>18</u>	<u>3N</u>	<u>14E</u>	<u>5</u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

from 1-1 to 12-31 for D purposes. Amount .04
 (cfs or AC-FT/yr)

from to for purposes. Amount

from to for purposes. Amount

from to for purposes. Amount

from to for purposes. Amount

from to for purposes. Amount

from to for purposes. Amount

8. Use Code: 0

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. P/W in lot 1, Byranis Little Smokey Cabin site subd.
B. Permit doesn't grant authority to trespass on lands of another
C.
D. to develop a wtr. rt.
E.

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

12. Other Rights for Same Use:

13. A. Proof Due Date: ~~9-1-1987~~ 9-1-1982

B. Date Permit Approved or Denied: 9-15-1977

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: 1/12

14. Diversion Means (brief narrative): *collection box, tank + pipeline*

January 9, 1980

Re: Permit No. 63-8795

Don &/or Shirley Peterson
Route #1
Hagerman, ID 83332

Dear Mr. & Mrs. Peterson:

Enclosed is a copy of the water right license issued on the above referenced permit.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:j
Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES

FIELD REPORT

1. Name of permit holder DON FOR SHIRLEY PETERSEN
Post office address ROUTE 1, HAGERMAN, IDAHO Phone _____
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 .09 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 .04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Location of Point(s) or Diversion:

Township 3N N/S, Range 14E E/W, B.M., Section 18, Subdivision SE LOT 5 ^{SE SE} 1/4 1/4 Camp County
County _____
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____ County
County _____
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____ County
County _____

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** _____

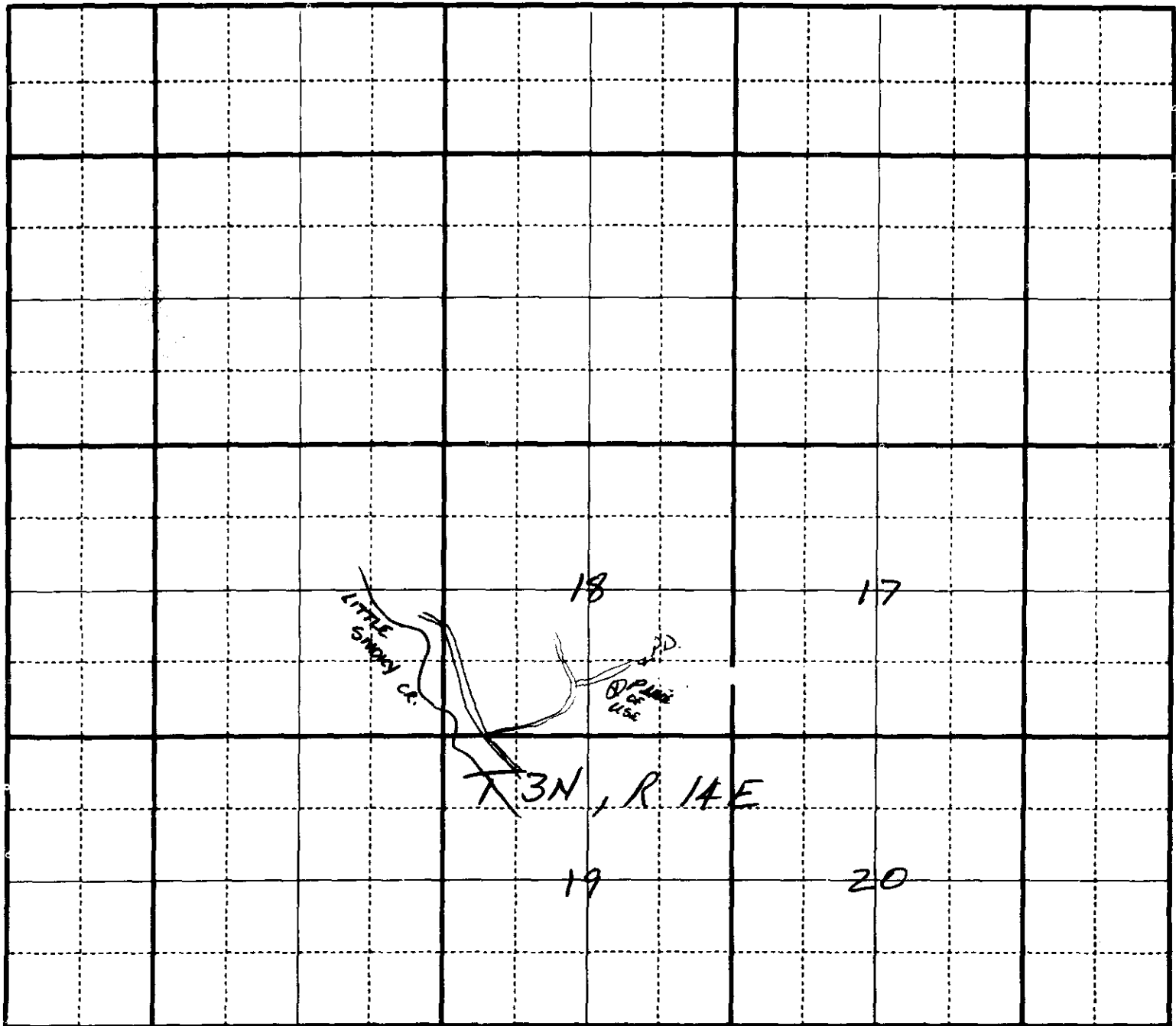
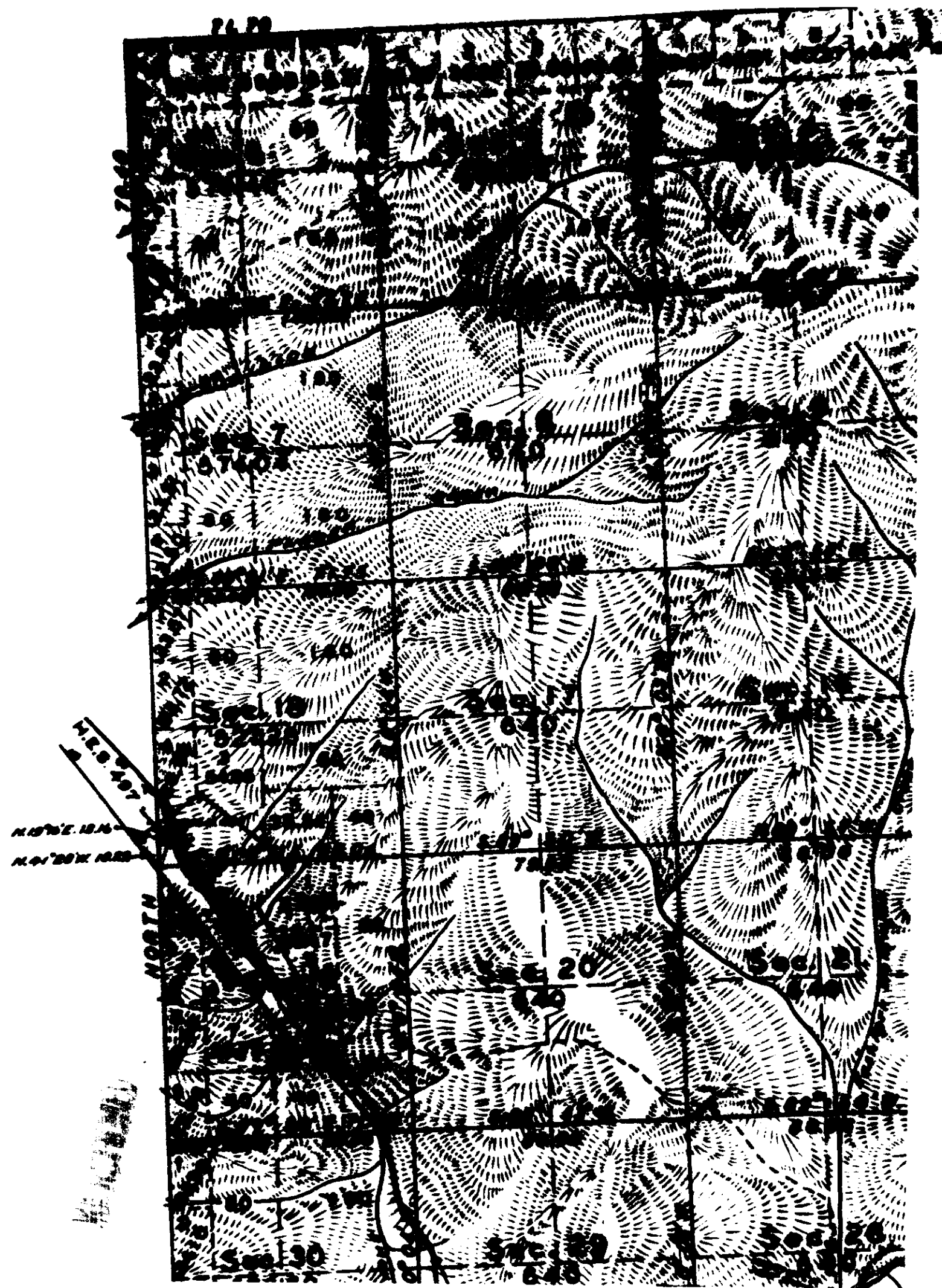


Diagram of System



DATE OF EXAM 10/03/79

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= .04 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 .04 cfs Method of measurement OBSERVATION/ESTIMATION

Total Q recommended .04 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 1.2 AF/Ann

Recommended Amendments:

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

MEASUREMENT CALCULATION:

APPROX. 18 gpm CAPABILITY.

SYSTEM DESCRIPTION:

1" LINE FROM SPRINK TO 150 gal STORAGE TANK. 1" LINE TO CABIN.

REMARKS:

NOTE PUMP CAP. ATTACHED.

Examiner's Signature Charles W. Bryan Jr. Date 10/19/79

Checked by D.B.S. Date 10/23/79

Approved by _____ Date _____

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. 63-8795.

Name(s) of Permit Holder: DON & SHIRLEY PETERSON

Post Office Address: ROUTE 1, HASSEMAN, IDAHO

Tel. No. 837-4409

Source of Water: UNNAMED SPRING TRAIL TO LITTLE SNOWY CREEK

Extent of Use: ☒ Domestic 1 (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.

15 OCT 79
Date

Donard P. Peterson
Signature of Permit Holder

RECEIVED

OCT 17 1979

Department of Water Resources
Western Regional Office



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PLACE
TEN CENT
STAMP
HERE

September 19, 1977

Re: Permit No. 63-8795

Dear Mr. and Mrs. Peterson:

Enclosed is a copy of the approved Permit No. 63-8795.

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

In the Matter of Application for
Permit No. 63-8795 in the
name of Don &/or Shirley Peterson }

Agreement

We the undersigned agree to allow the Director of the Department of Water Resources to reach a decision based upon the evidence and testimony obtained during the conference held on August 24, 1977 at Fairfield, Idaho.

We also understand that we do not waive our right to appeal the decision to the District Court within 60 days after the decision is reached.

Signed at Fairfield, Idaho on August 24, 1977

Elvire Babington

Marvin V. Thayer

Stanley Babington

Frank H. Olander

Lester A. Eklund

Shirley J. Peterson

Donna P. Peterson

Patricia B. Thayer

MICROFILMED

63-8795

8797

8961

Dons & Shirley Peterson

5-5-77

Land at P.D. owned by Forest Service

This is a different spring than water users subdivision

→ Do ^{the applicants} ~~you~~ plan to abandon use of Little Smokey Subdivision ^{No. =}

Protestant claims that this is spring no 3 of Little Smokey

→ Has the Association constructed their works at the 3 springs -

→ Why didn't they file

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 123

☒ 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) 144 5-6-77

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) 144 5-6-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels: N/A

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) rf OK

Affidavit of Publication received(date) 6-16-77

(12) rf _____

Final date for protests 6-6-77

Protests received: yes ☒ no ☐

(13) _____

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

(14) _____

Action recommended:

☒ Approve pursuant to 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 144

Date 8-30-77

MICROFILMED

63-8795 - DON &/or SHIRLEY PETERSON

Courtroom, Camas County Courthouse, Fairfield, Idaho

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

ROSTER OF ATTENDANCE

Name	Address	Representing
Elaine Babington	Box 39. Corral Id. 83322	Protest
Stanley Babington	Box 39 Corral Id 83322	Protest
Frank H.O. Cander	Route 2 Hooding, Idaho	
Austav A. Ekland	2027 Hillcrest Dr. Twin Falls Id. 83301	Protest
Shirley J. Peterson	Rt #1 Hagerman, Ida 83332	Applicant
Donna P. Peterson	Rt #1 Hagerman, Idaho 83332	applicant
Earl B. Byrum	1632 Sherman Boise, Idaho 83702	representing applicant
Marion E. Klingenberg	Box 237 Groedeng Id	Protest
James E. Klingberg	Box 237 Groedeng	Protest
Carol P. Lee	CAMAS Sheriff FAIRFIELD	
Lacy B. Byrum	625 Colorado St	Local

63-8795-1000

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

IN THE MATTER OF PROTESTS AGAINST APPROVAL)
OF THE APPLICATION FOR PERMIT NO. 63-8795)
IN THE NAME OF DON &/or SHIRLEY PETERSON)

NOTICE OF CONFERENCE
AND/OR HEARING

On May 5, 1977, Don &/or Shirley Peterson, Route 1, Hagerman, Idaho filed with the Department of Water Resources an application to appropriate the public water of the State of Idaho. On June 2, 1977, the Department received protests against approval of said application from Frank H. Olander and G. A. Eklund. Additional protests were received from Mr. & Mrs. Stanley Babington and Marion V. Klingler, M. D.

The Department has set the matter of protests for conference and/or hearing for Wednesday, August 24, 1977 at 10:30 am 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 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 protestants may allow the Department without prejudice to dismiss the protests 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

NOTED

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

FROM RWH

DATE 6-27-77

TO File 63-8795

~~SUBJECT~~ Lance Roff, U.S.F.S. called concerning the above ref. app. He said the USFS would not grant a R/W. Roff will send a letter to this effect.

RWH

SIGNATURE

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Fairfield, Idaho 83327.

RECEIVED

2720
June 29, 1977

JUL 1 1977

L. Glen Saxton, P.E.
Department of Water Resources
92 South Cole Road
Boise, Idaho 83705.

Department of Water Resources
Western Regional Office



Dear Sir:

This reply is in reference to your letter dated June 16, 1977 and is a follow-up on the telephone conversation Lance E. Raff had with Mr. Hamilton of your office concerning Permit #63-8795.

Spring development is sometimes a desirable undertaking for domestic water use. Private land subdivision adjacent to public lands administered by the Forest Service often necessitates the development of water sources such as natural springs. However, in this particular situation, a special use permit will not be issued to an individual for the development and easement of said spring.

We believe future additional summer home development in the area is imminent and additional demand for domestic water will be made upon these existing natural springs. The ideal situation would be a summer home water association whereby the homeowners (members) would acquire their water needs from the association. The physical development of the springs could grow as the association grew. At the present time, there are a number of summer homes using the same water system under a single free special use permit.

Lance E. Raff
for
LARRY M. WEEKS
District Ranger

June 16, 1977

Re: Application for Permit No. 63-8795
(Don &/or Shirley Peterson)

Gray Reynolds
Sawtooth National Recreation Area
Box 438
Ketchum, ID 83340

Dear Mr. Reynolds:

Enclosed is a copy of the above referenced application for permit which may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter.

If you have questions regarding the application, please contact this office.

Sincerely,

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

LGS:rf

Enc.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

June 16, 1977

Re: Application for Permit No. 63-8795
(Don &/or Shirley Peterson)

Mr. & Mrs. Marion V. Klingler
P. O. Box 237
Gooding, ID 83330

Dear Mr. & Mrs. Klingler:

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):

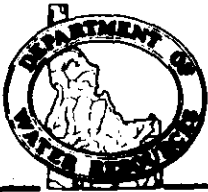
1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete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

June 16, 1977

Re: Application for Permit No. 63-8795
(Don &/or Shirley Peterson)

Mr. & Mrs. Stanley Babington
Box 39
Corral, ID 8322

Dear Mr. & Mrs. Babington:

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):

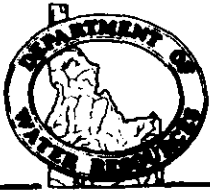
1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete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

June 16, 1977

Re: Application for Permit No. 63-8795
(Don &/or Shirley Peterson)

Frank H. Olander
Route 2, Box 131
Gooding, ID 83330

Dear Mr. Olander:

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

June 16, 1977

Re: Application for Permit No. 63-8795
(Don &/or Shirley Peterson)

Mr. & Mrs. G. A. Eklund
2027 Hillcrest Drive
Twin Falls, ID 83301

Dear Mr. & Mrs. Eklund:

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

RECEIVED
JUN 20 1977
WATER RESOURCES
DIVISION



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

June 16, 1977

Re: Application for Permit No. 63-8795

Don &/or Shirley Peterson
Route 1
Hagerman, ID 83332

Dear Mr. & Mrs. Peterson:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. 63-8795. 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.

RECORDED

May 31, 1977

Mr. C. Stephen Allred, Director
Idaho Department of Water Resources
92 South Cole Road
Boise, Idaho, 83705

Dear Mr. Allred:

I would like to protest the filing of Don and/or Shirley Peterson, Rt. 1, Hagerman, Idaho, Application No 638795, for the permit to appropriate .04 cubic feet per second water from an unnamed spring, a tributary to Little Smoky Creek, within the Lot B, Sec. 18 T3N R 14 E, B.M. Camas County to be used from Jan. 1 to Dec. 31, for domestic purposes within the Lot 5 Section 18, T3N R. 14 E. R. M. Camas County.

My reason for protesting this is that such a permit is inappropriate, as this spring and other springs are the ones that were filed on by the original Little Smoky Homes subdivision owner, Mr. Jack Byram (now Deceased). These springs were intended for all of the lot owners, and not for a single owner. In fact this one spring in question is the only true springs in the area filed on by said Jack Byram. The waters used to date are from multiple little rilllets that form a stream, and it is this stream that is the source of water for the present three lot owners who have cabins in this area, and there are thus eight lot owners yet to be supplied with water, whose lots do not have dwellings built on them. These springs are for all the lot owners of the eleven lots, and not just one individual as would be the case were this filing to be granted a permit.

When all eleven lot owners have built in this subdivision, all of them should have an equal opportunity to the use-total of the entire springs in this small canyon. We have had for at least three years an organization known as the "Little Smoky Subdivision Water Users Association" that has functioned up to the present date to maintain the system. We have made arrangements for up-dating this system to obtain a more acceptable system from the standpoint of purity and cleanliness of the water delivered to the users.

Your cooperation in view of the above would be appreciated.

Yours truly,

Marion V. Klingler
Marion V. Klingler, M. D.

Patricia S. Klingler

MICROFILMED

NOTICE OF APPLICANT AT
SUR WATER RESOURCES
NOTICE IS HEREBY GIVEN
THAT DON & OR SHIRLEY
PETERSON, RT. 1, HAGERMAN,
IDAHO, HAVE ON MAY 5, 1977
SUBMITTED APPLICATION NO. 638795
FOR A PERMIT TO APPROPRIATE
WATER FROM AN UNNAMED
SPRING WITHIN THE LOT B, SEC. 18, T3N R. 14 E, B.M. CAMAS COUNTY TO BE USED FROM JAN. 1 TO DEC. 31, FOR DOMESTIC PURPOSES WITHIN THE LOT 5 SECTION 18, T3N R. 14 E. R. M. CAMAS COUNTY.
IT IS REQUESTED THAT ALL LOT OWNERS OF THE LITTLE SMOKY SUBDIVISION, BEING SUBJECT TO ALL PERMITS GRANTED BY THE IDAHO DEPARTMENT OF WATER RESOURCES, OF SOUTH COLE ROAD, BOISE, IDAHO, BE ADVISED OF THE PERMITTING OF THE PERMIT IN QUESTION BY THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES, OF SOUTH COLE ROAD, BOISE, IDAHO, BY JUNE 5, 1977.
C. Stephen Allred, Director

1-4 WEST 4TH



M. V. KLINGLER, M.D.

P. O. BOX 237

GOODING, IDAHO 83330

Department of Water Resources
Western Regional Office

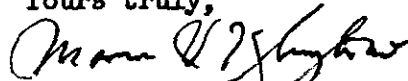
June 3, 1977

Mr. C. Stephen Allred, Director
Idaho Department of Water Resources
92 South Cole Road
Boise, Idaho 83705

Dear Mr. Allred:

Enclosed is a copy of the letter, which I wrote to you, and was hand delivered to Mr. Blau of the Twin Falls office. He stated he would forward it to you. However, it apparently was misplaced, so am forwarding a copy direct to you

Yours truly,


Marion V. Klingler, M. D.

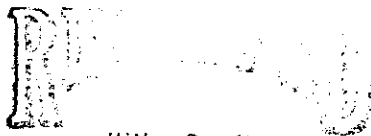
RECEIVED

Pull Out

INTER-DEPARTMENT MEMO — 1

FROM IDWR - Southern
Michael Steele

DATE June 1, 1977



TO C. Stephen Allred, Director

Department of Water Resources
Western Regional Office

SUBJECT Protest to Application No. 63-8795

Enclosed please find two protests to the above application which were ^{brought} ~~sent~~ to this Department by mistake.

Thank you for taking proper action.

Sheryl M. Murrell
Secretary
SIGNATURE

Corral, Idaho
June 1, 1977

JUN 3 1977

Department of Water Resources
Western Regional Office

Department of Water Resources
1041 Blue Lakes Blvd. N.
Twin Falls, Idaho

Attention: Mr. Mike Steele

Subject: Protest of Application for Water Permit
of Don & Shirley Peterson

Dear Mr. Steele:

We, the undersigned wish to protest the application of Don &/or Shirley Peterson of Hagerman, Idaho for No. 638795 for a permit to appropriate .04 cubic feet per second of water from an unnamed spring trib. to Little Smokey Creek.

The Petersons are in the subdivision on Little Smokey and are served by the existing water system in the subdivision. The covenants state that they must connect with the existing water system.

We are the owners of two lots below the lot owned by the Peterson's and do not believe the stream should be dammed or altered in any way. At present there is a small flow to Little Smokey until the springs dry up in July or August, and we feel that it should continue if at all possible.

Sincerely,

Elaine Babington
Stanley Babington

Mr. & Mrs. Stanley Babington

cc: Director of the Idaho Dept. of Water Resources
92 South Cole Road
Boise, Idaho 83705

RECEIVED

JUN 9 1977

Department of Water Resources
Western Regional Office

Corral, Idaho
June 1, 1977

Department of Water Resources
1041 Blue Lakes Blvd. N.
Twin Falls, Idaho

Attention: Mr. Mike Steele

Subject: Protest of Application for Water Permit
of Don & Shirley Peterson

Dear Mr. Steele:

We, the undersigned wish to protest the application of Don &/or Shirley Peterson of Hagerman, Idaho for No. 638795 for a permit to appropriate .04 cubic feet per second of water from an unnamed spring trib. to Little Smokey Creek.

The Petersons are in the subdivision on Little Smokey and are served by the existing water system in the subdivision. The covenants state that they must connect with the existing water system.

We are the owners of two lots below the lot owned by the Peterson's and do not believe the stream should be dammed or altered in any way. At present there is a small flow to Little Smokey until the springs dry up in July or August, and we feel that it should continue if at all possible.

Sincerely,

Stanley Babington

Mr. & Mrs. Stanley Babington

cc: Director of the Idaho Dept. of Water Resources
92 South Cole Road
Boise, Idaho 83705

(
Stanley & Eloise Babington
Box 39
Corral, Idaho 83322

Department of Water Resources
1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301

Glenn Saxton
Attention: ~~Mr. Mike Steele~~

(

MICROFILMED

Gooding, Idaho
31, May 1977

Subject: Protest against granting of Water Permit

To: Department of Water Resources
1041 Blue Lakes Blvd. N.
Twin Falls, Idaho

Attn: Mr. Steele;

The undersigned and his wife Mary Elizabeth, property owners of two lots numbers 18 and 19 in Byrams' Little Smokey Subdivision strongly object and protest to the granting of any further water permits in the area affecting our cabinsites, and against the filing of such a water permit by Don and Shirley Peterson on May 5, 1977 with the Department of Water Resources. The present water system is serving its' purpose adequately for the property owners, and we see no need to cause any disruptions in our Cabinsite areas and to violate the subdivision covenants which we must abide by. We would like to object to any possible damming of water in the overflow of any water below our installed water tanks and system. We feel that all the water in the "ravine" from which we get our water is of one Spring source and tributaries, and should be for the overall use of all property owners and not filed on separately by any single individual, as we are all part of "Little Smokey Water Users Association" ,including the Petersons. All property owners are required to obey the Subdivision covenants and must hook up to the present existing water systems and lines.

MICROFILMED

If there is ever a need to augment our present water system from water tributaries in the water source ravine, then we feel , no one individual should control this water, but rather all property owners of our Little Smokey Water Users Association.

Respectfully yours,

Frank H. Olander
Frank H. Olander

Mary Elizabeth Olander
Mary Elizabeth Olander

Route #2 Box 131

Gooding, Idaho 83330

M. V. KLINGLER, M.D.
P. O. BOX 237
GOODING, IDAHO 83330

May 31, 1977

Mr. C. Stephen Allred, Director
Idaho Department of Water Resources
92 South Cole Road
Boise, Idaho, 83705

Dear Mr. Allred:

I would like to protest the filing of Don and/or Shirley Peterson, Rt. 1, Hagerman, Idaho, Application No 638795, for the permit to appropriate .04 cubic feet per second water from an unnamed spring, a tributary to Little Smoky Creek, within the Lot B, Sec. 18 T3N R 14 E, B.M, Camas County to be used from Jan. 1 to Dec. 31, for domestic purposes within the Lot 5 Section 18, T3N R. 14 E. B. M. Camas County.

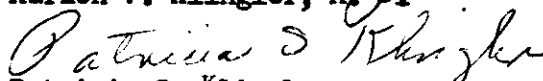
My reason for protesting this is that such a permit is inappropriate, as this spring and other springs are the ones that were filed on by the original Little Smoky Homes subdivision own, Mr. Jack Byram (now Deceased). These springs were intended for all of the lot owners, and not for a single owner. In fact this one spring in question is the only true springs in the area filed on by said Jack Byram. The waters used to date are from multiple little riblets that form a stream, and it is this stream that is the source of water for the present three lot owners who have cabins in this area, and there are thus eight lot owners yet to be supplied with water, whose lots do not have dwellings built on them. These springs are for all the lot owners of the eleven lots, and not just one individual as would be the case were this filing to be granted a permit.

When all eleven lot owners have built in this subdivision, all of them should have an equal opportunity to the sum-total of the entire springs in this small canyon. We have had for at least three years an organization known as the "Little Smoky Subdivision Water Users Association" that has functioned up to the present date to maintain the system. We have made arrangements for up-dating this system to obtain a more acceptable system from the standpoint of purity and cleanliness of the water delivered to the users.

Your cooperation in view of the above would be appreciated.

Yours truly,


Marion V. Klingler, M.D.


Patricia S. Klingler

MICROFILMED

RECEIVED

733-7244

JUN 2 1977

5/3/77

Department of Water Resources
Southern District Office

Mr + Mrs H. A. Ekblund
2027 Hillcrest Drive
Twin Falls, Idaho

Dept. of Water Admin.
Mr. Steele

63-8795

Dear Sir

I am writing with regards to the filing on water rights by Mr + Mrs D. Peterson on the springs above the Bygones Little Snobey Cabin Site Subdivision in Cammonas County.

We are objecting to their filing on these water rights for the following reasons. We purchased Block 3 of this Sub. Division in September of 1968. At that time we also purchased for an additional sum our share of a complete water system which was to receive its water from these springs which are now being filed upon, I was told at that time that

the springs to supply this sub division were properly filed upon and recorded. A bar that in due time the water rights and water distribution system would be turned over to the property owners when enough lots were sold so that they could form a Water users association to make repairs and maintain the system.

Since to the passing of Mr Byrom shortly after the sub division was started this was never really taken care of or handled properly by the Byrom E state.

We feel that for the water in question to best be utilized that it should remain under the control of the Little Smoky Water users association. So that it can be distributed through the original water system which was paid for by the lot owners who paid for the system and rights when

MICROFILMED

3

they purchased their lots. Some owners have gone to the expense of constructing summer homes and improving their property with trees on the strength of their water rights which came with their property.

I would like to be informed of any hearings which may be held regarding this matter.

Sincerely yours

L. A. Eklund

MICROFILMED

- June 1977

To: Director of Idaho Department
of Water Resources
Attn: Director Mr. Gilled.

68

JUN 8

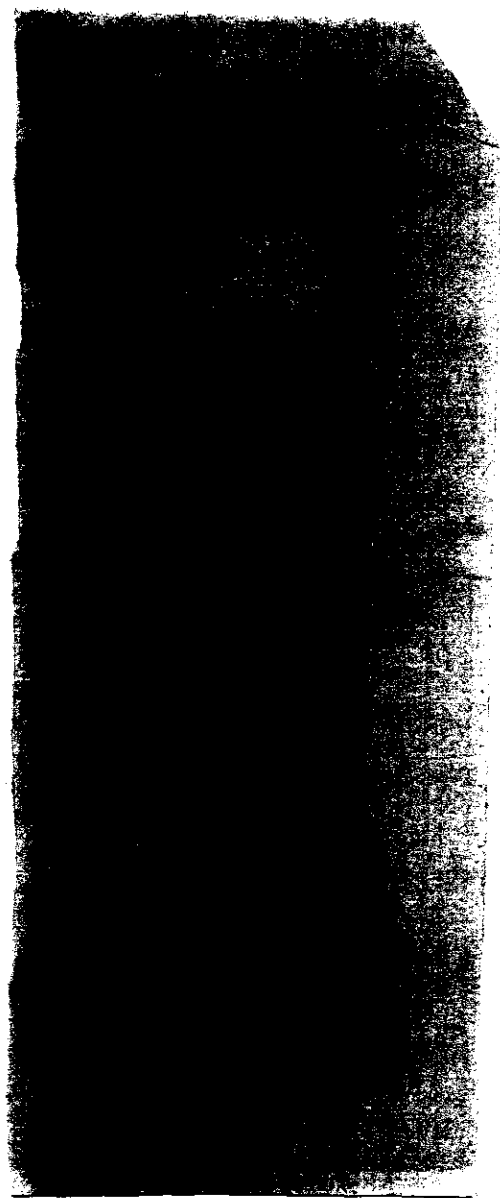
Department of Water Resources
Western Regional Office

Sir,

Mr. Stuck's office of Dept of Water Resources in Twin Falls, Idaho is forwarding to your office our official protests in reference to the attached published notice. I was informed by the Camas County Court House, Fairfield, Idaho that Mr. Stuck's office could forward our protests. I just want to make sure by forwarding this additional letter that protests are on the way to your office.

Respectfully Yours -
Frank H. Chandler
Route 7 Box 131
Gooding, Idaho
53330

MICROFILMED





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

May 13, 1977

RE: Notice of Application for Water Permit No. 63-8795 - Don &/or Shirley
Peterson

Gooding County Leader
Box 56
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 June 6, 1977.

Sincerely,

Bill submitted
6-16-77
J

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that DON &/OR SHIRLEY PETERSON

Rt. 1, HAGERMAN, ID

~~has~~ have on May 5, 1977 submitted Application No. 63-8795

for a permit to appropriate .04 cubic feet per second ~~2000 feet~~

~~2000 feet~~ of water from an unnamed spring trib. to Little Smoky Creek

by means of collection box, holding tank and pipeline

within the Lot 5 Sec 18 T3N R14E B.M., Camas County

to be used from Jan 1 to Dec 31

for domestic purposes

within the Lot 5 Sec 18 T3N R14 E B.M., Camas County

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 June 6, 1977.

C. STEPHEN ALLRED

Director

Published in the Gooding County Leader

on May 19 and May 26

LEGAL — le

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that DON &/OR SHIRLEY PETERSON, Rt. 1, HAGERMAN, ID. have on May 5, 1977 submitted Application No. 63-8795 for a permit to appropriate .04 cubic feet per second of water from an unnamed spring trib. to Little Smoky Creek by means of collection box, holding tank and pipeline within the Lot 5 Sec. 18 T3N R14E B.M., Camas County to be used from Jan. 1 to Dec. 31 for domestic purposes within the Lot 5 Sec. 18 T3N R14 E. B.M., Camas County.

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 June 6, 1977.

/s/ C. Stephen Allred
Director

Pub: 5-19, 26 - B.O.