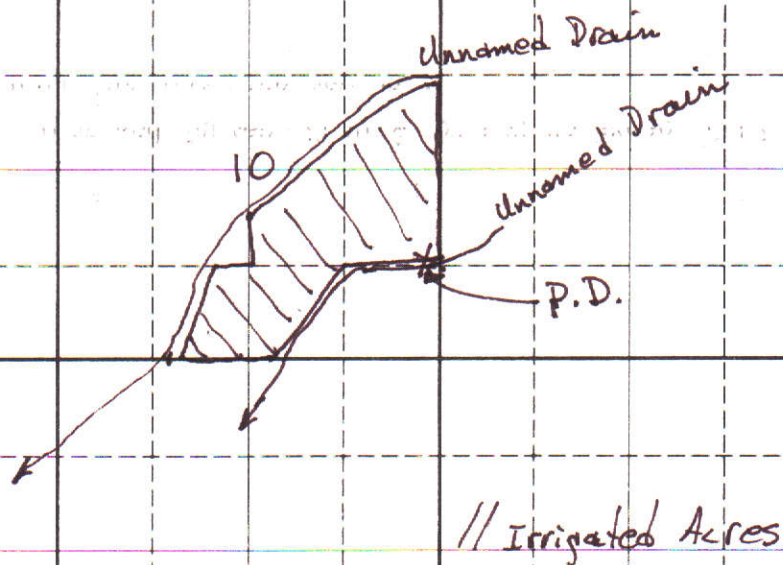


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

5 West

5 North



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.

William Peave
(Applicant)

AFFIDAVIT OF PUBLICATION

RECEIVED
MAR 29 1977

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

Department of Water Resources
Western Regional Office

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that WILLIAM PEASE, Box 37, Wilder, Idaho has on March 4, 1977 submitted Application No. 63-8540 for a permit to appropriate 2.96 cubic feet per second of water from unnamed drain by means of pump, pipe and ditches within the NE 1/4 SE 1/4 Sec. 10 T5N-R5W, B.M., Canyon County to be used from March 1 to Oct. 15 for irrigation of 148 acres within the SE 1/4 NE 1/4, SE 1/4 SW 1/4, N 1/2 SE 1/4, SW 1/4 SE 1/4 Sec. 10 T5N-R5W, 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 Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before April 4, 1977.

R. KEITH HIGGINSON
Director
March 17, 24, 1977

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

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

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

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

Two Times

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

4. That said notice was published the following dates:

March 17, 24, 1977

Verla Harker

Subscribed and sworn to before me this

24th day of March,
19 77

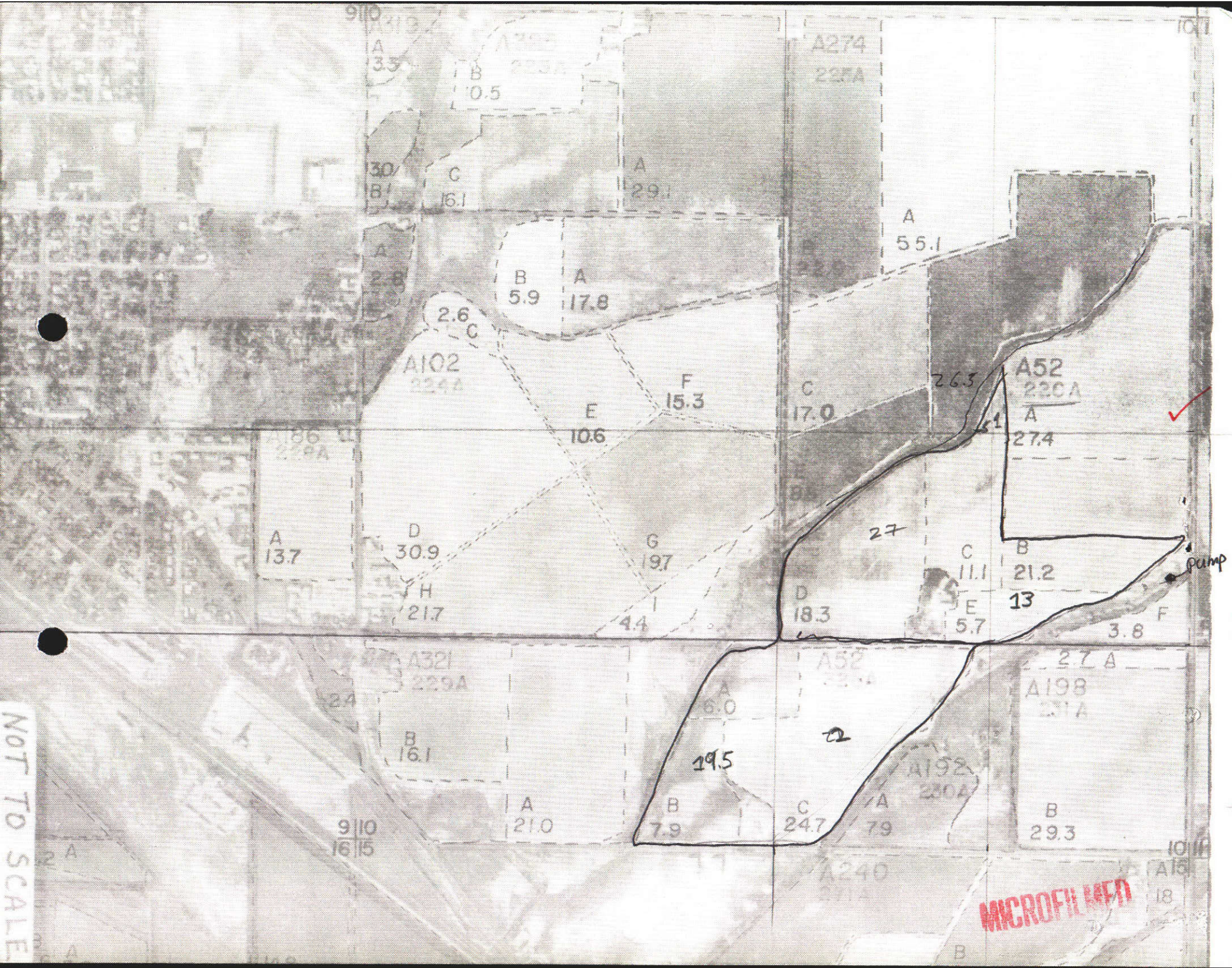
Adam D. Law

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

MICROFILMED

NOT TO SCALE



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(Late Proof)

License of Water Right No. 63-8540 Priority May 4, 1977 Amount 1.41 cfs

THIS IS TO CERTIFY, that Dan Rohrbacher
of Parma, Idaho, has complied with the terms and conditions of Permit
No. 63-8540 issued pursuant to Application for Permit dated March 4, 1977,
and has submitted proof to the Department of Water Resources on June 1, 1982,
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 1.41 cfs of water from unnamed drain,
tributary to Boise River, 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 March 15 to November 15</u>	<u>at 1.41 cfs</u>	<u>and 373.5 acre feet</u>
	<u>from to</u>	<u>cfs</u>	<u>and</u>
	<u>from to</u>	<u>at cfs</u>	<u>and</u>

(both dates inclusive)

Subject, however, to the condition that no more than 1.41 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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
373.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10,
Twp 5N, Rge 5W in the County of Canyon

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 $\frac{1}{4}$	
5N	5W	10			1	1								19	13	27	22		83

Total number of acres irrigated 83

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 29TH day of
JUNE, 19 84.

Acting for the

Director

JUN 6 1984

STATE OF IDAHO

Department of Water Resources

Licensing
APPLICATION FOR AMENDMENT OF A PERMIT

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

APPROVED

Comes now Dan Rohrbacher Phone _____

of (address) Route 1 Parma, ID 83660, 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. 63-8540, and requests that the permit and permit map be changed as follows:

1. Point of diversion: No change $\frac{1}{4}$ $\frac{1}{4}$, Section _____, Township _____, Range _____, B.M.,
County of _____ . Other points of diversion: _____

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

No change
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)
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	
5N	5W	10			1	1								19	13	27	22		83

Total number of acres to be irrigated = 83

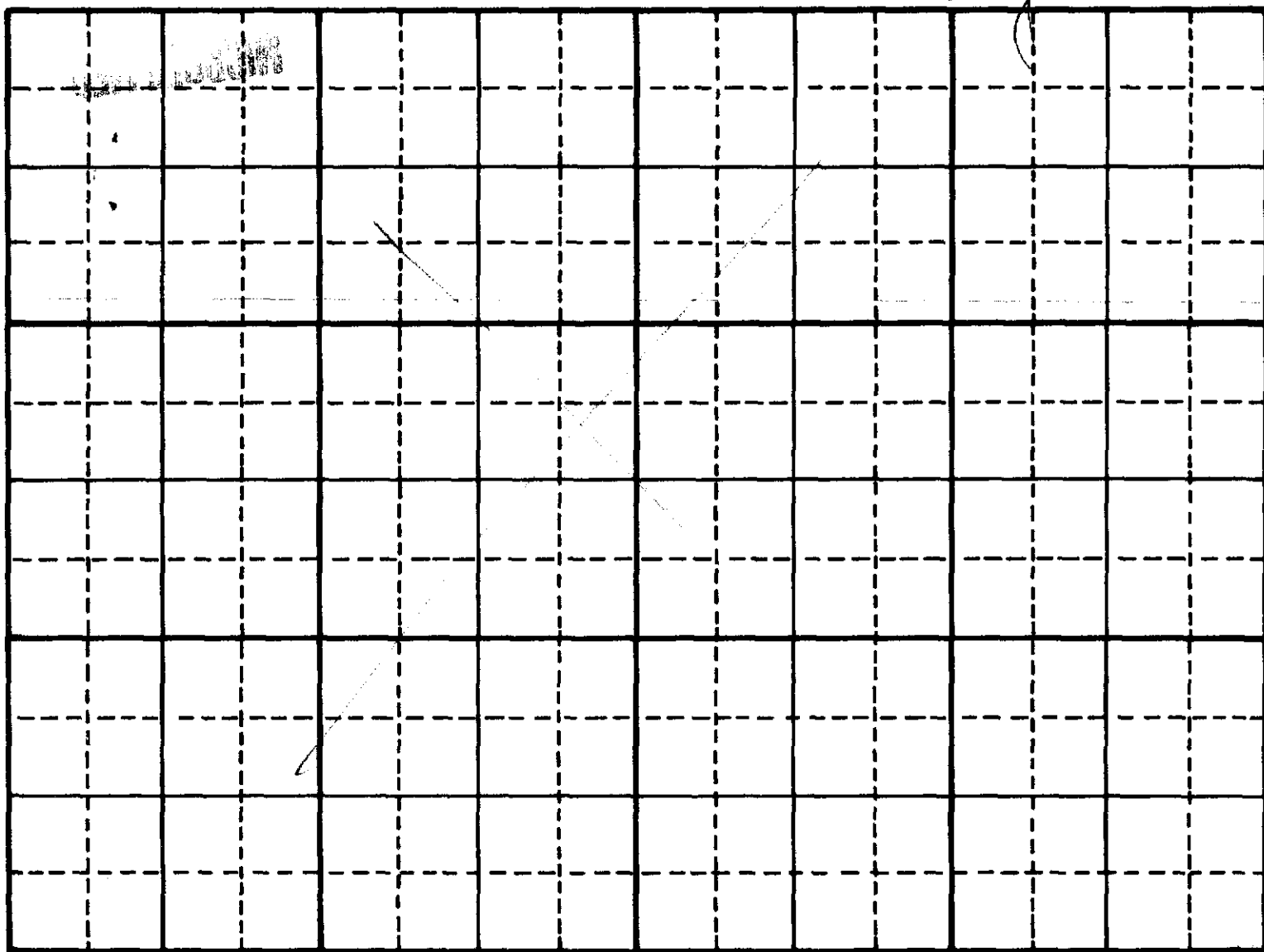
4. a. Who owns the property at the point of diversion? _____
b. Who owns the land to be irrigated or the place of use? _____
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

RECEIVED

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

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

Not necessary



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 4 day of June, 1984.
Dan Rohlfach
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 ✓

Received by ry Date 6-6-84 #34707

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. 63-8540.

Witness my hand this 29TH day of JUNE, 19 84.

Norman C. Young
Acting for the Director

DZT

✓

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT C.F.S.
Original Permit	63-8540	William Pease	2.96 cfs
Full Assignment	63-8540	Dan Rohrbacher	2.96 cfs

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-8540
IN THE NAME OF DAN ROHRBACHER

ORDER OF REINSTATEMENT

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before April 1, 1982; and,

WHEREAS, the Department notified the former permit holder, William Pease, by certified mail that proof was due and instructed the former permit holder as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the former permit holder that the permit lapsed for his failure to submit proof of beneficial use; and,

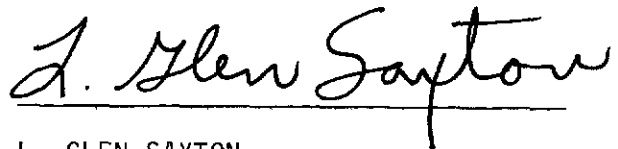
WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause; and,

WHEREAS, the current permit holder, Dan Rohrbacher, has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on June 1, 1982; and,

WHEREAS, the former permit holder assigned all right, title, and interest in and to the current permit on July 23, 1982;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 63-8540 be REINSTATED and the priority advanced to May 4, 1977.

Dated this 24th day of August, 1982.



L. GLEN SAXTON

Chief, Operations Bureau

State of Idaho
Department of Water Resources

RECEIVED

JUL 23 1982

ASSIGNMENT OF PERMIT

I, William E. Pease, hereby assign to Don Rohrbacher
of RR #1 Parma Idaho
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 63-8540
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 22 day of July, 19 82.

William E. Pease
Permit Holder

Eileen M. Pease
Spouse of Permit Holder

State of Idaho)
County of Canyon) ss.

On this 22 day of July, 19 82, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that ~~he~~ (she) (they) executed the same.

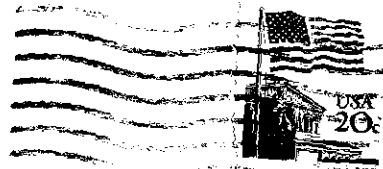
seal

Shirley J. Osborn
Notary Public residing at
Sheldon Rd

My commission expires:

3-25-86

Bill Pearce
RR #1 Pocatello
Pocatello, Idaho.



State of Idaho
Dept of Water Resources
State house
Boise, Idaho

83720

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 63-8540 }

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 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

Identification No. _____

Application No. 63-6540

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 William Pease Phone: 482-6882
post office address Box 37 Wilder, Idaho
2. Source of water supply Unnamed drain which is a tributary of Sand Hollow Drain
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10 Township 5N
Range 5W B.M. Canyon County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.96 for irrigation purpose from March 1 to Oct. 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. 2.96 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump, pipe and ditches

- 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 \$ 2000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(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: _____

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	
5N	5W	10				28								21	40	30	29		148

Total number of acres to be irrigated 148

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

Farmers Coop

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

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

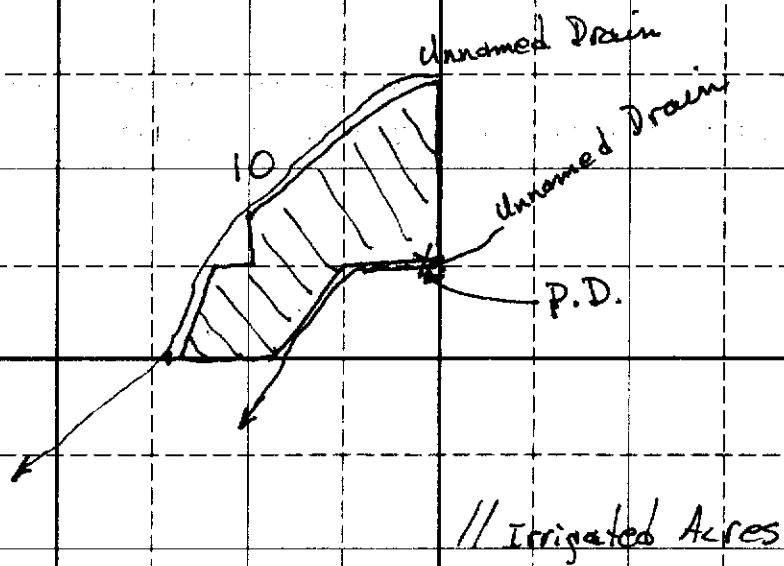
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks This right and Farmers Coop water not to exceed 0.02 cfs per acre nor 4.5 acre feet per acre per year.

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

5 West

5 North



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.

William Pease
(Applicant)

Proposed Priority 3/ 4/77

Received by WKM Date 3-4-77 Time 2:30

Preliminary check by RWH Fee \$ 45⁰⁰ # 6770

Receipted by es Date March 4, 1977

Publication prepared by LP Date 3/9/77

Published in News-Tribune Caldwell, Id.

Publication dates March 17 & March 24, 1977

Publication approved ry Date 4-4-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by WJF

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. 63-8540, 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 April 1, 19 82.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

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 26 day of April 1977.


Director

AFFIDAVIT OF PUBLICATION

RECEIVED
MAR 29 1977

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

Department of Water Resources
Western Regional Office

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

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

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

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

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

4. That said notice was published the following dates:

March 17, 24, 1977

Verla Harker

Subscribed and sworn to before me this _____

24th day of March
19 77

Adam D. Kane

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

Notice is hereby given that
Verla Harker, Clerk of the
County of Canyon, Idaho, has on March 4,
1977, submitted Application No.
83-044 for a permit to ap-
propriate 100 cubic feet per
second of water from unnamed
springs, means of pump, pipe
and ditches within the
NE 1/4 Sec. 10 T5N-R5W,
B.M., Canyon County to be used
from March 1 to Oct. 15 for
irrigation of 100 acres within the
SE 1/4 Sec. 10 T5N-R5W,
B.M., Canyon County, Idaho.
It is noted, this permit will be
subject to all pre-water rights.
Priority shall be given to the granting of
the permit in accordance with the
provisions of the Idaho Water
Resource Law, Boise, Idaho, 83720, on or before April
4, 1977.
D. KEITH HIGGINSON

RECEIVED
MAR 29 1977

June 8, 1992

DAN ROHRBACHER
RT. 4 BOX 1040
PARMA ID 83660

RE: Water Right No. 63-08540

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

June 12, 1992

DAN ROHRBACHER
RT. 4 BOX 1040
PARMA ID 83660

RE: Water Right No. 63-08540

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

May 19, 1992

DAN ROHRBACHER
RT. 4 BOX 1040
PARMA ID 83660

RE: Water Right No. 63-08540

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

WRD417

WATER RIGHTS PROOF READING REPORT

05/16/85

PAGE 1

WATER RIGHT NUMBER 63-8540

VERIFIED DJ
5-17-85

OWNER LAST NAME - PEASE FIRST NAME - WILLIAM ORIG OWNER - 0
OWNER LAST NAME - ROHRBACHER FIRST NAME - DAN ORIG OWNER -
ADDRESS LINE 1 - RT. 4 BOX 1040 ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - PARMA STATE - ID ZIP CODE - 83660
SOURCE - UNNAMED DRAIN TRIBUTARY OF - BOISE RIVER
STAGE - LICENSE STATUS - PRIORITY - 05-04-1977 COUNTY - CANYON TOTAL DIV. RATE - 1.4100 -CFS
TOTAL DIV. VOLUME - 373.50 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NESE 10 05N 05W LOT REDIV - 272.0 312.0 4.2 0.0 0.0 0.0 0.0 0.0 0.0 0.0 1.6
FROM - 03-15 TO - 11-15 USE - IRRIGATION USE DIV. RATE - 1.4100 CFS USE DIV. VOLUME - 373.50 AFA
USE - IRRIGATION PLACE OF USE - TWN 05N RNG 05W SEC 10 TRACT SWNE LOT AC 01 TRACT SENE LOT AC 01
TRACT SESW LOT AC 19 TRACT NESE LOT AC 13
TRACT NWSE LOT AC 27 TRACT SWSE LOT AC 22
DATE - TOTAL ACRES 83
DECREE NAME -
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE - FARMERS COOP.
PROOF DUE - 04-01-1982 PERMIT/DENIED - 04-26-1977 PROTESTED - HEARING - OLD NO. -
PROOF MADE - P FLD EXAM - COND. OF APPROVAL - R32
DIVERSION MEANS - PUMP, PIPELINE & DITCHES.

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E SWATER RIGHT
DATA ENTRY LOG

<u>Initials</u>	<u>Date</u>	<u>Item</u>
		Original form entered
		Edit Report Correct
		Date Protested
		Date of Hearing
		Date Approved/Denied (Proof due date, stage and/or status, conditions of approval, water district)
		Record Verified
		Amendment Approved
		Extension Approved
		Partial Proof
		Proof Complete
		Field Exam Received
		Field Exam Accepted and changes entered
		License Signed
		Transfer Approved
SC	9/11/84	
LC	7-28-82	Assignment coded & entered
SC	8/10/84	License updated
		SC AUG 26 1984

July 13, 1984

RE: Permit No. 63-8540

Dan Rohrbacher
Rt. 4, Box 1040
Parma, ID 83660

Dear Mr. Rohrbacher:

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. Also enclosed is Departmental Receipt No. 34707 in the amount of \$20.00.

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

Mr. & Mrs. Dan Rohrbacher
Route #1, Box 1040
Parma, ID 83660



Note new
address

State of Idaho
Department of Water Resources
State Office 450 W. State Street
Boise Idaho
83720



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

~~March 30, 1984~~

May 31, 1984

RE: Permit No. 63-8540

Dan Rohrbacher
Route 1
Parma, ID 83660

Dear Mr. Rohrbacher:

A representative of this Department made an examination of the works covered by your Permit No. 63-8540 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.41 cfs Source: unnamed drain trib to Boise River

The maximum quantity diverted shall not exceed 373.5 acre feet
per year.

Point(s) of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, Twp 5N, Rge 5W

Beneficial Use: Irrigation of 83 acres within S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 10, Twp 5N, Rge 5W

Priority date established: May 4, 1977 (Late Proof)

Conditions (if any): 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.

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,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosure

INTER-DEPARTMENT MEMO — 1

DATE 5-30-1984

FROM

Kay

TO

File 63-8540

SUBJECT

licensing amendment

Permit holders contacted Lee Sisco

regarding their licensing amendment.
They have lost their 30 day letter &
amendment form and have requested
we send them another. (let's just send
them a copy of the 30 day that's in the
file) ^{1/4} allow 30 more days

Kay

SIGNATURE

May 22, 1984

RE: Permit No. 63-8540

Dan Rohrbacher
Route 1
Parma, ID 83660

Dear Permit Holder:

On March 30, 1984, we forwarded to you an Amendment for Water Permit so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, we have not received this amendment.

If we do not receive the amendment within fifteen (15) days, we will issue a Water Right License which reduces the amount that could have been allowable to you.

Since the license will be a permanent water right your prompt attention to this matter will be appreciated.

If you have any questions please contact us as soon as possible.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

0485-00001-0001



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

March 30, 1984

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Dan Rohrbacher
Route 1
Parma, ID 83660

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lands above.

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.

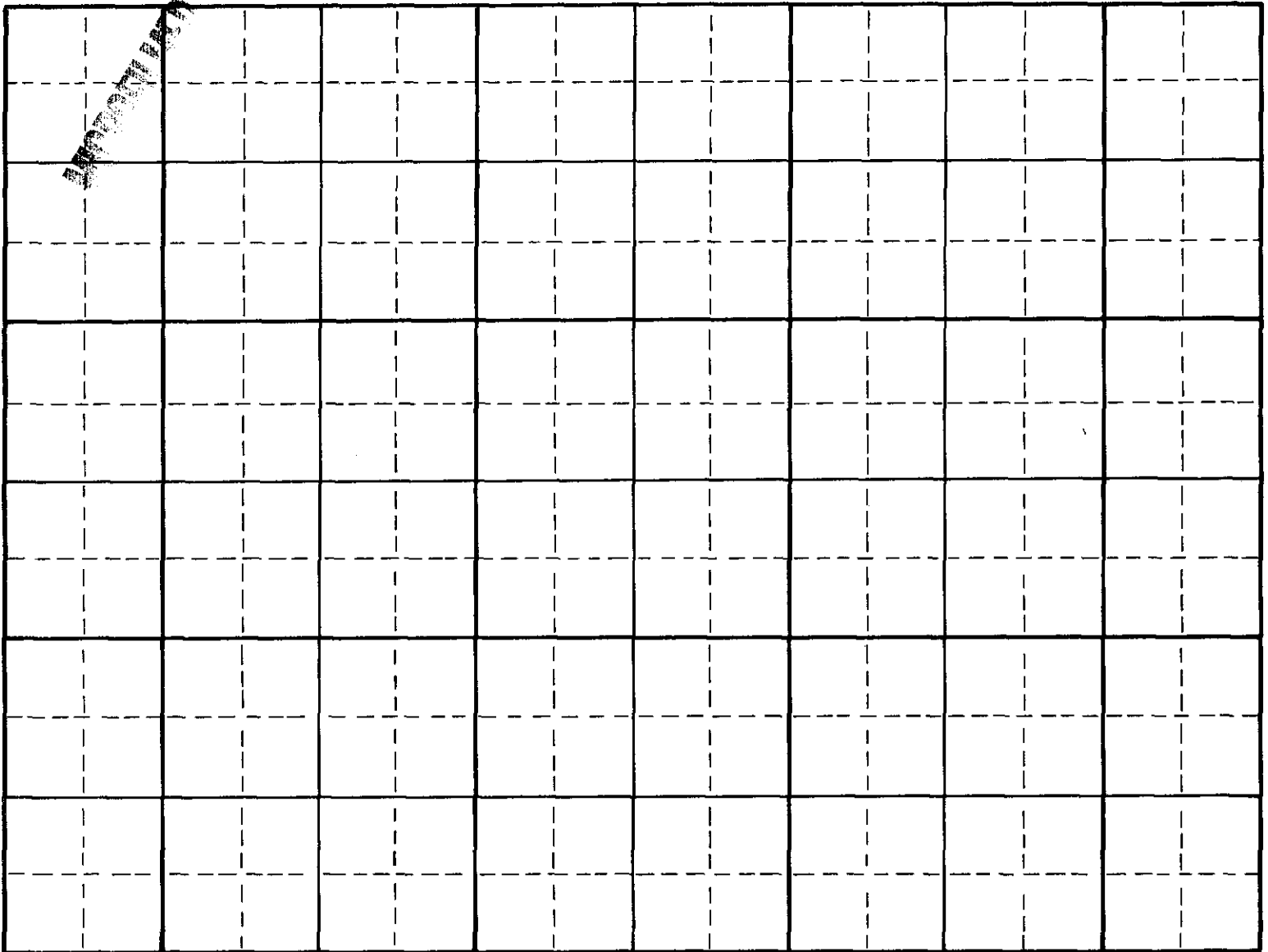
Please sign the amendment application and return it to this office along with a
\$20.00 filing fee within 30 days in order that we might issue your license as set
forth above. If you do not concur with these findings or have any questions,
please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosure

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: NE SE S10 SN SW ✓

Place(s) of Use

TWP.	RGE.	SEC.	NE% ✓ ✓				NW%				SW% ✓				SE% ✓				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
5N	5W	10			15	1							19	13	27	22			83 ✓
					1														

Recommended Amendments:

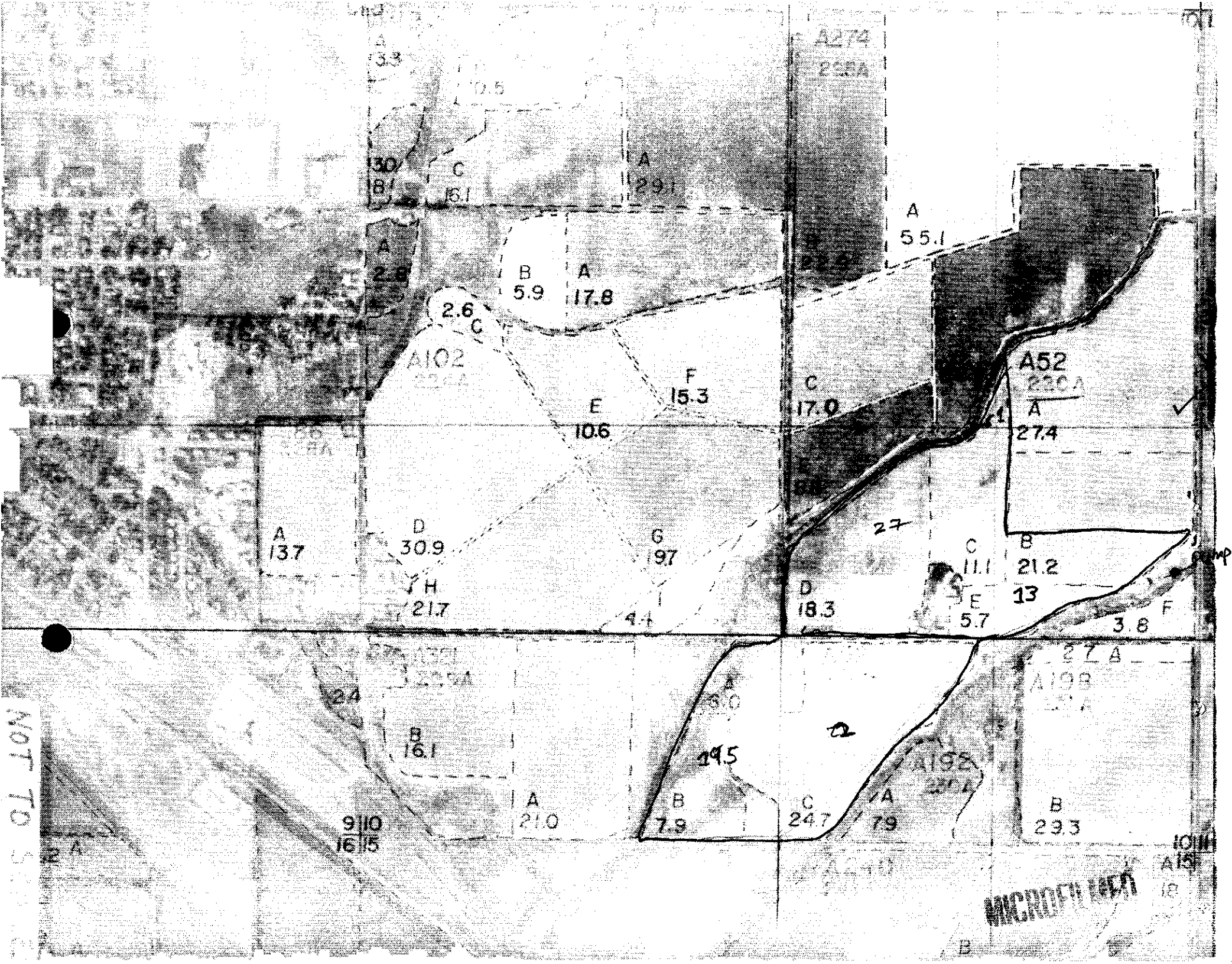
- ☐ Change P.D. as reflected above
☒ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☐ None
☐ Other

Examiner's Signature [Signature]
 Checked by 6. L. Sisco
 Approved by Ray Walker

Date 29 May 1981
 Date 2/25/82
 Date 2-24-84



Overlap Review for 63-8540

per permit: Farmers Coop water -
recommend R16 (4.5)

per micro-fische 2/24/84:

p/d - none

p/u - 63-2079 Boise River ✓ - different
source - Recommend R16 (4.5)

kw

August 27, 1982

Dan Rohrbacher
Route 1
Parma, ID 83660

Dear Mr. Rohrbacher:

Re: Permit No. 63-8540

This office acknowledges receipt of the assignment conveying the above-referenced permit to you. The assignment has been entered into our records. Enclosed for your records is a copy of the permit.

Also enclosed is a copy of an order reinstating the permit with an advance in priority.

I understand that a field examination has been conducted by a representative from our Western Regional office. Based on his recommendations, a water right license will be issued.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

CALCULATION OF NEW PRIORITY DATE

FROM: Rita Fleck

TO: File # 63-8540

DATE: Aug 4, 1982

Date ^{Assign} ~~Proof~~ Received July 23, 1982 (4 days after our letter was sent)
Proof Due Apr 15 Rec'd - June 1
Number of Days Proof Late 61

Priority Date 3-4-1977

Number of Days Proof Late 61

New Priority Date

= May 4, 1977

Remarks

July 19, 1982

RE: Permit No. 63-8540

William Pease
Box 37
Wilder, ID 83676

Dear Mr. Pease:

On June 1, 1982 our office received a beneficial use card from Dan Rohrbacher on your permit. In Idaho, a permit is considered personal property and can be acquired when the permit holder assigns all or part of his right, title and interest in the permit to another party.

Therefore, we cannot accept the beneficial use card from Dan Rohrbacher until we receive an assignment from you. I have enclosed this form for your convenience.

Please return the assignment to our office by July 30, 1982. The permit is now in final lapsing stage and if we have not heard from you by that date we will assume you are no longer interested in the permit and the permit will be permanently lapsed.

If you have any questions, please contact me at 334-4123.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosure: Assignment Form

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

May 6, 1982

William Pease
P. O. Box 37
Wilder, ID 83676

Dear Mr. Pease:

Re: Permit No. 63-8540

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 63-8540 has lapsed. This office did not receive either a notice that you have completed the project by the date required on your permit, or a request for an extension of time. You were provided the proper forms in our notice to you dated January 31, 1982.

Your permit cannot be reinstated unless you submit the statement of beneficial use postcard or submit a extension of time request showing reasonable cause for delay. Either the completed postcard or the extension request must be received by this office within sixty days of the date of this lapse notice or the permit will no longer be of any force or effect.

A statement of beneficial use postcard and a requests for extension of time form are enclosed for your use. Please note that a fee of \$15.00 must accompany an extension of time request.

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

LGS:rf

OFFICE OF THE ATTORNEY GENERAL
DIVISION OF LANDS
5/6/1982
RECEIVED
U.S. STATES MAIL
Rita Fleck

Mr. & Mrs. Dan Rohrbach
Route 1
Parma, ID 83660

Domestic



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

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. 63-8540

Name(s) of Permit Holder:

DAN ROHRBECHER

Post Office Address:

RT# 1 PARMA IDAHO 83660Box 1040Tel. No. 722-5477

Source of Water:

Extent of Use:

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation118

(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.

20 MAY 1982

Date

x Dan Rohrbecher

Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138221

PEASE, WILLIAM
P.O. BOX 37
WILDER, ID 83676

JANUARY 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-8540 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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 POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1



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

Dear Wateruser:

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

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

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

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

January 19, 1980

William Pease
Box 37
Wilder, ID 83676

Dear Mr. Pease:

Re: Permit No. 63-8540

Pursuant to your request, enclosed is a statement of beneficial use postcard.

Be sure to note that a condition of your permit requires you to install a measuring device.

If you have any questions, please feel free to contact us.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosure

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 63-8540
Otd No. New No.

Record

1. Original Owner: William Pease

Present Owner: _____

2. Address: P.O. Box 373. City: Wilder State: 10 Zip: 836744. A. Source of Water: unimproved drainB. Tributary of: Sand Hollow Drain5. 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: 3-4-1977D. County: 27E. Total Diversion Rate: 2.96

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>NE 1/4</u>	<u>10</u>	<u>5 N</u>	<u>5 W</u>		

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

from 3-1 to 10-15 for 1 purposes. Amount 2.96
(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: *1*

14. Diversion Means (brief narrative): *pump, pipeline & ditches*

April 28, 1977

Re: Permit No. 63-8540

William Pease
Box 37
Wilder, ID 83676

Dear Mr. Pease:

Enclosed is a copy of your approved Application for Permit No. 63-8540 . 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 install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-8540

☒ 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. 3-4-77

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

(4) R.W.H. 3-4-77

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 ? none platted

(10) _____

Comments: _____

(11) rf OK

Affidavit of Publication received(date) 4-4-77

(12) _____

Final date for protests 4-4-77

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

_____ 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 WJA Date 4-5-77

CONVERSATION MEMORANDUM

DATE Apr 5, 1977FILE 63-8540

NAME OF PARTY

Mark E. Howell for

EMPLOYEE

L. Glen Saxton

RE:

I called Mr. Howell today con-
cerning his letter of 3-31-77.Mr. Howell misunderstood the
legal descriptions involved
since applicant's property is
in Sec. 10, (T5N) R5W & Howell's
property is in Sec 14 2, (T4N) R5W.Mr. Howell said we should
not consider his letter as
a protest.ffs
4-5-77

MICROFILMED

RECEIVED
APR 4 1977

Department of Water Resources
Western Regional Office

Department of Water Resources

Idaho Department of Water Resources,

3-31-77

Sirs;

I do not know at this time or understand water laws enough to know how they effect me.

You have an application from Bill Pease permit No. 63-8540 to water from drain.

I do not oppose his permit as such;
However just above his place I have a place that water drains off of into the drain that he is requesting permit on.

I would protest any permit that would not let me catch my own waste water and use it back on my place.

I would also protest any permit that would not let me catch all waste water that drains through my place to the drain that permit is being applied for.

Thank you

Mark E. Howell Jr.

RT #1

482-7477

Parma Id 83660

My places legal des is

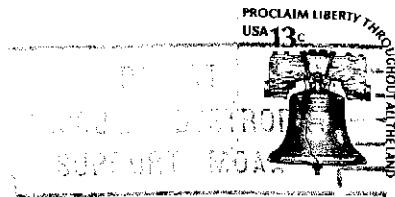
NW 1/4 SW 1/4 Sec 1 Twn 4N R 5W of B.M.
N 1/2 of the SE 1/4 Sec 2 T.W 4N R 5W B.M.

RECEIVED

M. E. Howell Jr.

ST 1

Payee Id 83660



PROBATION DEPT

Department of Water Resources
Statehouse
Boise Idaho 83720



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

March 11, 1977

RE: SEE ATTACHED SHEET

63-8540

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

Gentlemen:

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

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before April 4, 1977.

Sincerely,

NOTED

Bill submitted
4-4-77
ry

PUBLISHED IN THE NEWS-TRIBUNE, CALDWELL, IDAHO, ON MARCH 17, 1977 AND
MARCH 24, 1977.

63-4431	Frank Bartles
63-4433	Leon Search
63-8533	Marjorie K. Fretwell
63-8534	Marjorie K. Fretwell
63-8536	Dan &/or Carol Rohrbacher
63-8537	James G. &/or Grace J. Roll
63-8538	James G. &/or Grace J. Roll
63-8540	William Pease
63-8541	Klahr & Klahr, Inc.
63-8542	James Trunbull
63-8543	Klahr & Klahr, Inc.
63-8544	Austin M. &/or Annie K. Goodson
63-8548	James Coop
63-8549	Edward H. Goodson
63-8550	James G. &/or Grace J. Roll
63-8553	Doris &/or Frank Bartles
63-8554	Sun Valley Farms
63-8555	Frank Bartles
63-8556	Huston Farms, Inc.
63-8557	Trueblood Farms, Inc., Burtt or Mary Trueblood
63-8558	Phillip Breshears
63-8560	John A. Mitchell
63-8563	Huston Farms, Inc.
63-8565	Nona &/or Voney W. Hickox, Jr.
63-8567	Yoshie Yamada
63-8568	John D. &/or Joy F. Holden
63-8570	Tamura Brothers
63-8571	Tamura Brothers
63-8572	Wendell B. Platt
63-8574	Floyd Eason

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that WILLIAM PEASE

Box 37 Wilder, Idaho

has on March 4, 1977 submitted Application No. 63-8540

for a permit to appropriate 2.96 cubic feet per second ~~acres feet~~

~~per annum~~ of water from unnamed drain

by means of pump, pipe and ditches

within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 10 T5N-R5W, B.M., Canyon

to be used from Mar 1 to Oct 15

for irrigation of 148 acres

within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 10 T5N-R5W, 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 Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before April 4, 1977.

R. KEITH HIGGINSON

Director

Published in the News-Tribune Caldwell, Idaho

on March 17, 1977 and March 24, 1977.