

Nº 5469

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Payette } ss.

Ann P. Curtis, being duly sworn,
deposes and says:

That she is the principle clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper
published at Payette, in the County of Payette and State
of Idaho that said paper has been and is in general cir-
culation in the county aforesaid, and in the vicinity of Pay-
ette; that the advertisement, a copy of which is attached
hereto, was published in said newspaper once a week for
2 two consecutive weeks in the regular and entire
issue of said paper during the period and time of publica-
tion, and was published in the newspaper proper and not
a supplement; that said paper has been established and
regularly published for more than seventy-eight consecu-
tive weeks prior to the date of first publication of said
advertisement.

Such notice was published in the issue beginning with
August 26, 19 76, and ending
with the issue of September 2, 19 76
Ann P. Curtis

Fee \$ 11.52

Subscribed and sworn to before me this 2 day
of September, 19 76
Mary Jane Lee
Notary Public, Residing at Payette, Idaho.

My Commission Expires April 28, 19 80

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
ELLIS C. &-or HELEN L.
WELLS Fruitland, ID has on
August 13, 1976 submitted
Application No. 63-8358 for a
permit to appropriate 0.04
cubic feet per second of
water from a groundwater
source by means of well and
pump within the SE $\frac{1}{4}$ SE $\frac{1}{4}$
Sec 21 T7N-R5W B.M.,
Payette County to be used
from Jan. 1 to Dec. 31 for
domestic purposes within the
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 21 T7N-R5W.

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 September 13, 1976.

R. KEITH HIGGINSON
Director

Published in the
Independent Enterprise,
Payette, ID on August 26,
1976 and September 2, 1976.
No. 5469 8-26-2tc

RECEIVED
SEP 7 1976

Department of Water Resources
Western Regional Office

OK
9-10-76
RF

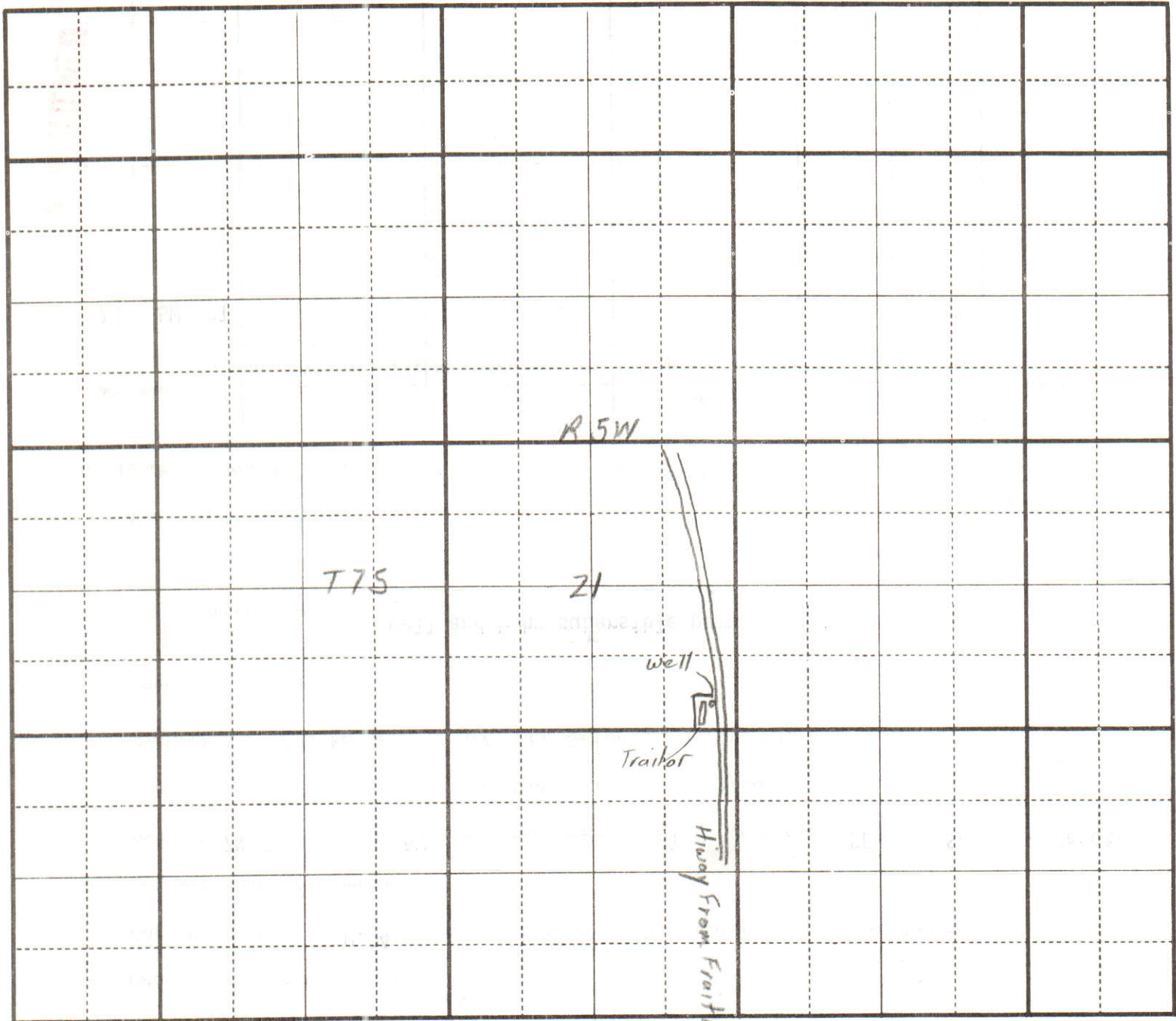


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8358 Priority August 13, 1976 Amount 0.04 cfs

THIS IS TO CERTIFY, that ELLIS C. &/or HELEN L. WELLS

of Fruitland, Idaho, has complied with the terms and conditions of Permit No. 63-8358 issued pursuant to Application for Permit dated August 13, 1976, and has submitted proof to the Department of Water Resources on September 30, 1976, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 0.04 cfs of water from a ground water source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 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 1.2 acre feet per year, said waters to be diverted within the SE¹4SE¹4 of Sec. 21, Twp. 7 N, Rge. 5 W, B.M. in the County of Payette

Description and location of place of use:

Twp.	Range	Sec.	NE ¹ 4				NW ¹ 4				SW ¹ 4				SE ¹ 4				Totals
			NE ¹ 4	NW ¹ 4	SW ¹ 4	SE ¹ 4	NE ¹ 4	NW ¹ 4	SW ¹ 4	SE ¹ 4	NE ¹ 4	NW ¹ 4	SW ¹ 4	SE ¹ 4	NE ¹ 4	NW ¹ 4	SW ¹ 4	SE ¹ 4	
7 N	5 W	21																X	

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 4 day of November, 19 76.

Director

Identification No. _____

Application No. 63-8358

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 Ellis C. &/or Helen L. Wells Phone: 452-4574
post office address Route # 1, Box 184 C, Fruitland, ID 83619

2. Source of water supply ground water which is a tributary of _____

3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 7 N
Range 5 W B.M. Payette 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 Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.04 cfs cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well and pump

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 6 inches; proposed depth of well is 93 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.

b. Estimated construction cost is \$ _____.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 7 N
Range 5 W 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 one.

(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.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes as described above. None

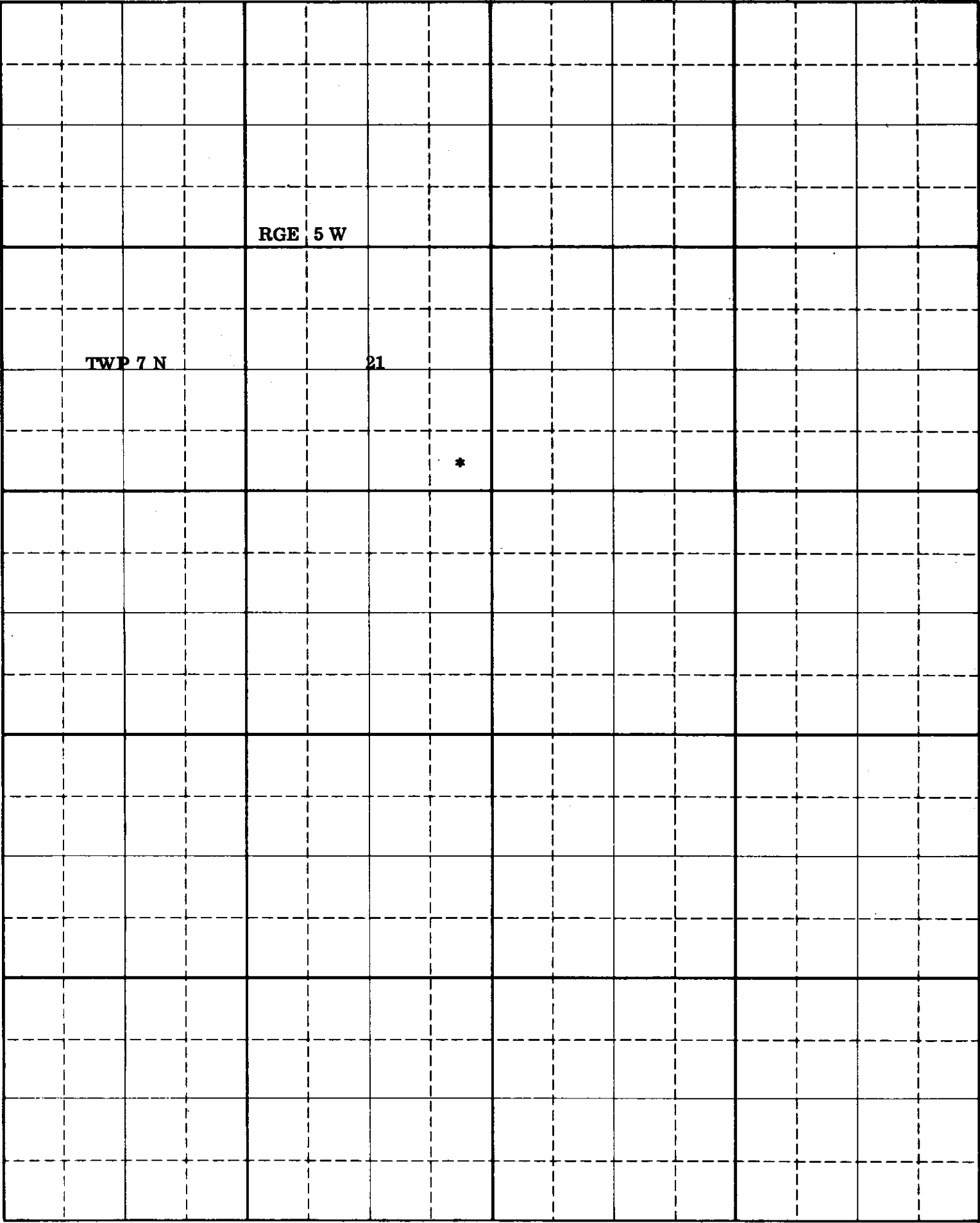
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks _____

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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Ellis C. Wells
(Applicant)

Proposed Priority 8-13-76

Received by h Date 8-13-76 Time 11:00 am

Preliminary check by h Fee \$ 10.00

Received by 76 Date 8-13-76 Receipt # 5360

Publication prepared by 23 Date 8-20-76

Published in Independent Enterprise

Publication dates Aug 26 + Sept 2

Publication approved RF Date 9-10-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by 744 DDF

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. 63-8358, 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 October 1, 1977.

c. Other: _____

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

Witness my hand this 24 day of September, 1976.

R. Karl Lugin
Director

Nº 5469

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Payette } ss.

I, Ann P. Curtis, being duly sworn,
deposes and says:

That I he is the principle clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper
published at Payette, in the County of Payette and State
of Idaho that said paper has been and is in general cir-
culation in the county aforesaid, and in the vicinity of Pay-
ette; that the advertisement, a copy of which is attached
hereto, was published in said newspaper once a week for
two consecutive weeks in the regular and entire
issue of said paper during the period and time of publica-
tion, and was published in the newspaper proper and not
a supplement; that said paper has been established and
regularly published for more than seventy-eight consecu-
tive weeks prior to the date of first publication of said
advertisement.

Such notice was published in the issue beginning with
August 26, 19 76, and ending
with the issue of September 2, 19 76

Fee \$ 11.52

Subscribed and sworn to before me this 2 day
of September, 19 76

Mary Ann Lee
Notary Public, Residing at Payette, Idaho.

My Commission Expires April 28, 19 80

OK
9-10-76
RF

WATER RIGHT NUMBER 63-8358

OWNER LAST NAME - WELLS ✓

FIRST NAME - ELLIS C. ✓

ORIG OWNER -

OWNER LAST NAME - WELLS ✓

FIRST NAME - HELEN L. ✓

ORIG OWNER -

ADDRESS LINE 1 - RT 1 BOX 184C

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - FRUITLAND ✓

STATE - ID ZIP CODE - 83619

SOURCE - GROUNDWATER ✓

TRIBUTARY OF -

STAGE - LICENSE ✓

STATUS -

PRIORITY - 08-13-1976 ✓

COUNTY - PAYETTE ✓

TOTAL DIV. RATE -

.0400 -CFS

TOTAL DIV. VOLUME - ✓ 1.20 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SESE 21 07N 05W LOT ✓ REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

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

USE DIV. RATE -

.0400 CFS

USE DIV. VOLUME -

1.20 AFA

USE - DOMESTIC ✓

PLACE OF USE - TWN 07N RNG 05W SEC 21 TRACT SESE LOT ✓ AC

DATE -

TOTAL ACRES - 0

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

3/79

IDENT. NO. 63-8358

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

WATER RIGHT DATA ENTRY LOG

[illegible]

November 8, 1976

Re: Permit No. 63-8358

Ellis C. &/or Helen L. Wells
Rt. 1, Box 184C
Fruitland, ID 83619

Dear Mr. and Mrs. Wells:

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

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

MICROFILMED

FIELD REPORT

OCT 21 1964

3. Water will be used for the following purposes:

Other uses: _____

Permit No. **63-8358**

Examination for **b/u**

4. Total amount to be appropriated:

Max Rate of Diversion 0.04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 7N N/S, Range 5W E/W, B.M., Section 21, Subdivision SE 1/4 SE 1/4, Payette
County

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

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

Other Points of Diversions: _____

Description of diverting works: well and 1/2 hp submersible pump

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

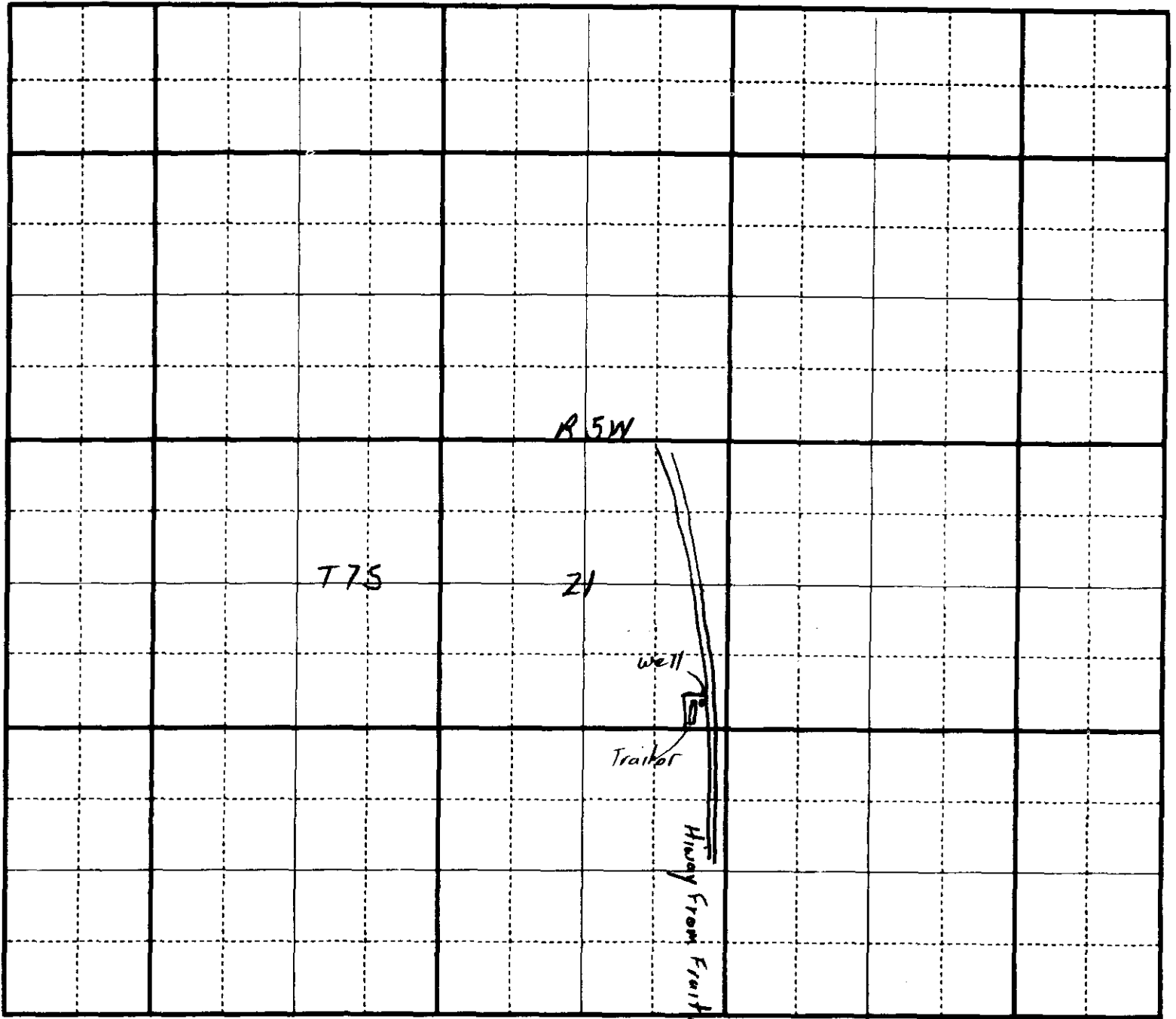


Diagram of System

DATE OF EXAM 10/21/76

ACREAGE
Found 0
Recommended 0

Irrigation Requirement 0 Ac Ft/Ac

USE
Irrigation Q = c.f.s. V = AF/Ann. from to
Domestic Q = 0.04 c.f.s. V = 1.2 AF/Ann. from 171 to 12131
Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no X

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

Exchange? yes no X

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 0.04 cfs Method of measurement

Total Q recommended 0.04 cfs Meter No. Type Condition

Total V recommended 1.2 cfs

Recommended Amendments:

P.D.
Place of Use
Other
None None

MEASUREMENT CALCULATION:

Est. 0.04 cfs

SYSTEM DESCRIPTION:

6" well with 1/2 sub pump don't know depth serving
one family in small trailer house.

REMARKS:

Small lawn & garden being watered

Examiner's Signature J. L. Smith Date 10/25/76

Checked by Date 10-25-76

Approved by Date

October 20, 1976

Re: Permit No. 63-8358

Elts C. &/or Helen L. Wells
Route 1, Box 184C
Fruitland, ID 83619

Dear Mr. & Mrs. Wells:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our District Office in **Boise**.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

RECEIVED
OCT 21 1976
Fruitland, ID

1976 OK
Department of Water Resources

Identification No. _____

Permit No. 63-8358

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Ellis C. Wells
b) Post Office Address Route 1, Box 184 C, Fruitland, ID 83619

2. Permit Number 63-8358

3. Date of Priority that you are prepared to establish 8/13/76

4. a) Source from which water was appropriated ground water
b) Location of the point of diversion: SE 1/4 SE 1/4, Section 21
Township 7 N, Range 5 W, Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
Amount 0.04 cfs for Domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.04 cfs cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: estimate

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) well and 1/2 hp submersible pump

b) Describe the type and size of measuring device which you have installed at your point of diversion: MA

c) Give well driller's name and address and the date the well was completed: _____
Dallas Drilling Company March, 1976

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

Examined by 10/20/76 JS

RECORDED

If you are irrigating 15 or more acres, please submit an aerial photo of the property with this affidavit.

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

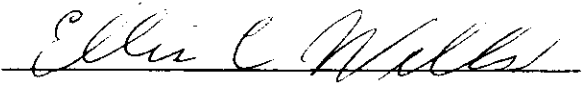
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

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

September 30, 1976
(Date)


(Signature)

State of Idaho)

) ss.

County of Ada)

On this 30th day of September, 19 76, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (~~she~~ ~~they~~) executed the same.


Notary Public residing at 9/10/80
Boise, Idaho

My commission expires 9/10/80

September 27, 1976

Re: Permit No. 63-8358

**Ellis C. &/or Helen L. Wells
Route #1, Box 184C
Fruitland, ID 83619**

Dear Mr. and Mrs. Wells:

Enclosed is a copy of your approved Application for Permit No. **63-8358** . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

**BOBBY D. FLEENOR
Chief, Water Rights**

BDF:mef

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

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

(1) CHS 8/16/76

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) CHS 8/16/76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels: no close obs. wells

Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use none

(10) _____

Comments: _____

(11) RF OK

Affidavit of Publication received(date) 9-10-76

(12) _____

Final date for protests 9-13-76

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

NO Measuring device required

See attached sheet for other conditions of
approval

No special conditions for approval

(15) District W

By FLA Date 9-13-76

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

August 20, 1976

Re: Notice of Application for Water Permit No. 63-8358 - Ellis C. &/or Helen L. Wells-
63-8359 - Gardelle Vernon (Pete) Cope

Independent Enterprise
Box 343
Payette, ID 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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 in 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."

Sincerely,

(Signature of Claimant)

Bill submitted

9-10-76
RF

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ELLIS C. &/or HELEN L. WELLS
Fruitland, ID
has on August 13, 1976 submitted Application No. 63-8358
for a permit to appropriate 0.04 cubic feet per second ~~surface~~
~~percolation~~ of water from a groundwater source
by means of well and pump
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 21 T7N-R5W B.M., Payette County
to be used from Jan 1 to Dec 31
for domestic purposes
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 21 ~~T7N-R5W~~ T7N-R5W

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 September 13, 1976.

R. KEITH HIGGINSON

Director

Published in the Independent Enterprise, Payette, ID
on August 26, 1976 and September 2, 1976.