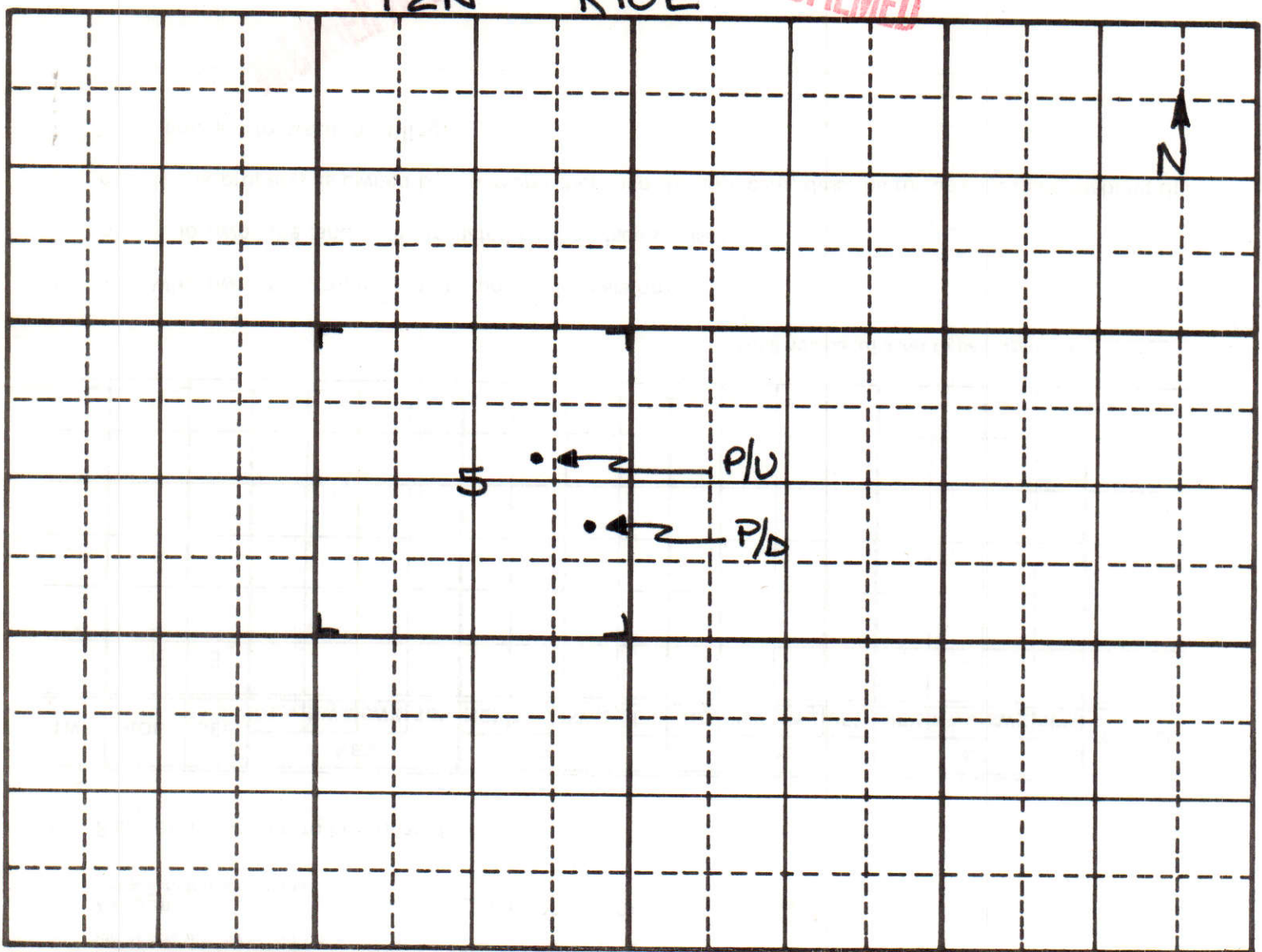


Complete the following map by showing land and point of diversion as proposed by this amendment.

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



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

Signed at Mountain Home, Idaho, this 22 day of November, 19 81.

Eugenia C. Landon
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by Jim Fee = \$20.00

Received by sg Date 11-30-81 # 21606

Publication prepared by N/A Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

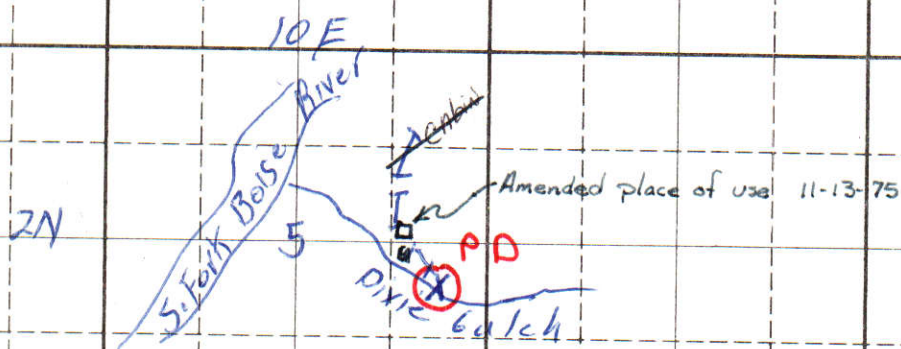
I, A. KENNETH DUNN, of the Department of Water Resources hereby
APPROVE the above Application for Amendment of Permit No. 63-8207.

Witness my hand this 24 day of December, 19 81.

MICROFILMED

A. Kenneth Dunn
Director

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.

J. A. Landon
(Applicant)

DEC 11 1975

**NOTICE OF AMENDED
APPLICATION FOR PERMIT**

Notice is hereby given that application No. 63-8207 in the name of J. A. LANDON &/OR EUGENIA C. LANDON, 211 Jerome St., Mtn Home, ID was filed on Sept. 23, 1975 for the diversion of 0.04 cubic feet per second of water from Dixie Gluch, trib. to S. Fork Boise River for the point of diversion within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 2 N, R. 10 E, B.M. Elmore County to be used from Jan. 1 to Dec. 31 for domestic purposes within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 2 N, R. 10 E, B.M.

The application holder now proposes to amend application No. 63-8207 changing the place of use to be within SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 2 N, R. 10 E, B.M.

Any protest to this amending of the application must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before December 15, 1975.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mtn. Home, ID on Nov. 27, 1975 and Dec. 4, 1975.

Department of Water Resources

OK
cls 12-11-75

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

2 consecutive weeks, the first publication having been made on the 27 day

of November, 1975, and

the last publication having been made on the

4 day of December

1975; every Thursday issue of the paper

during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this 4

day of April, 1975

Wm. M. Waters

Notary Public

MICROFILMED

OCT 14 1975

Affidavit of Publication

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that J. A. LANDON &/or EUGENIA C. LANDON 211 Jerome St., Mtn. Home, ID has on 9/23/75 submitted Application No. 63-8207 for a permit to appropriate 0.04 cubic feet per second of water from Dixie Gulch trib. to S. Fork Boise River by means of Collecting Box with pipe to cabin within the NE 1/4 SE 1/4, Sec. 5, T. 2 N, R. 10 E, B.M. Elmore County to be used from Jan. 1 to Dec. 31 for Domestic within the NE 1/4 NE 1/4, Sec. 5, T. 2 N, R. 10 E., 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 Oct. 20, 1975.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, ID on Oct. 2, 1975 and Oct. 9, 1975.

OK
10-14-75
cls

County of Elmore
STATE OF IDAHO } ss.

I, James M. Watson do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

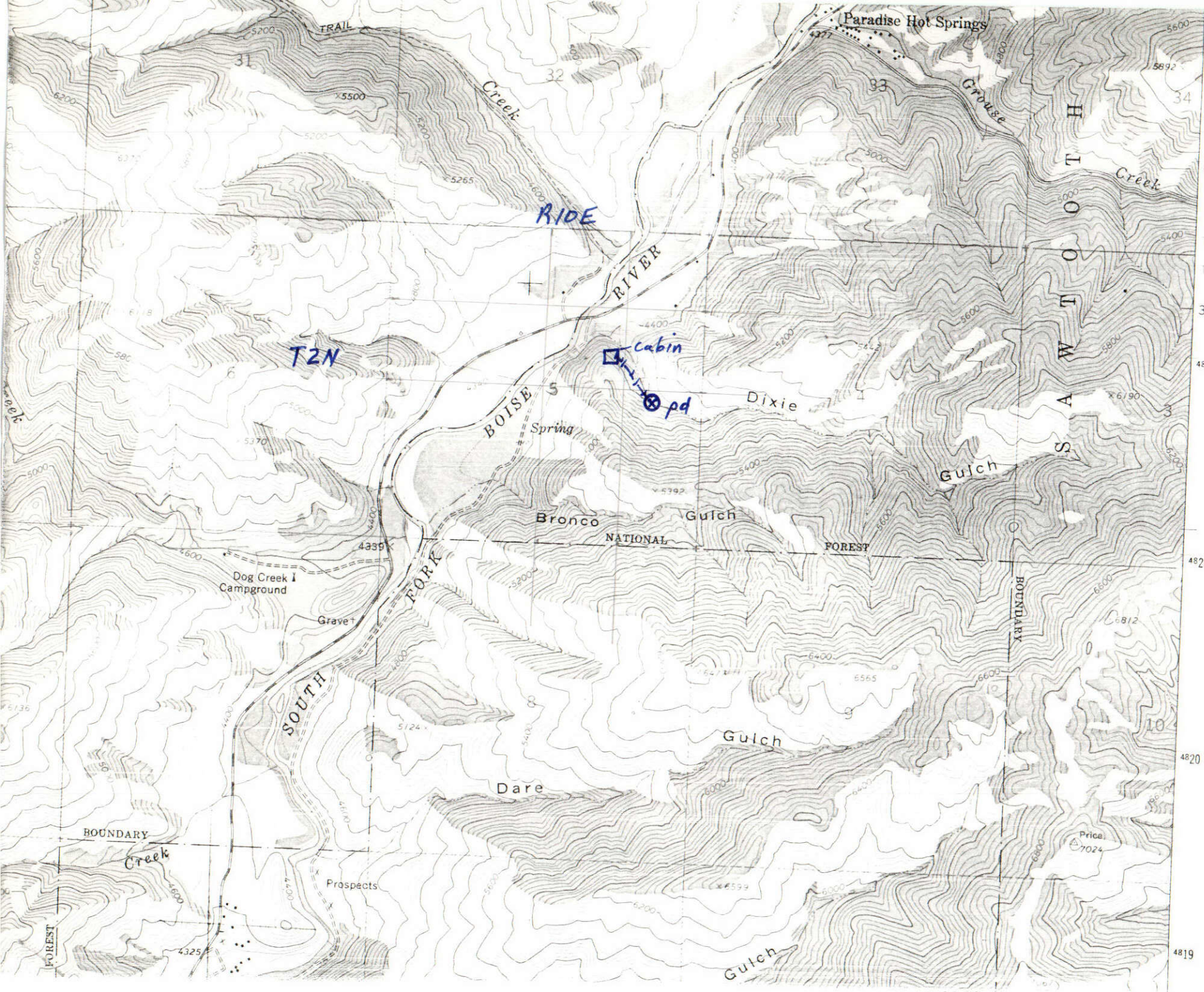
a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

2 consecutive weeks, the first publication having been made on the 2 day of October 1975, and the last publication having been made on the 9 day of October 1975...; every Thursday issue of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

James M. Watson
Subscribed and sworn to me this 9 day of October 1975
R. E. Yonckel
Notary Public

PROD FILMED



MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8207 Priority September 23, 1975 Amount 0.04 cfs

THIS IS TO CERTIFY, that J. A. Landon &/or Eugenia C. Landon
of Mountain Home, Idaho, has complied with the terms and conditions of Permit
No. 63-8207 issued pursuant to Application for Permit dated September 23, 1975,
and has submitted proof to the Department of Water Resources on September 5, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from Dixie Gulch,
tributary to Boise River, South Fork, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (1 unit)	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ 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 NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, Twp.
2N, Rge. 10E in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				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 $\frac{1}{4}$	
2N	10E	5			X										

Total number of acres irrigated _____

Use of water under this license is subject to control by the watermaster of
State Water District No. 63, Boise River.

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 24 day of
December, 19 81.

MICROFILMED

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

<LICENSING>
APPLICATION FOR AMENDMENT OF A PERMIT
NOV 24 1981
Department of Water Resources

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

Comes now J. A. Landon &/or Eugenia C. Landon Phone 587-7426
211 Jerome St.,
of (address) Mountain Home, ID , 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. 63-8207 , and requests that the permit and permit map be changed as follows:

1. Point of diversion: ¼ ¼, Section , Township , Range , B.M.,
NO CHANGE
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	
2N	10E	5			X														

Total number of acres to be irrigated =

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:

MICROFILMED

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

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

T2N R10E

N

S • ← P/D
• ← P/D

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 Mountain Home, Idaho, this 22 day of November, 19 81.

Eugenia C. Landon
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by pw Fee = \$20.00

Received by sg Date 11-30-81 # 21606

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 of Permit No. 63-8207.

Witness my hand this 24 day of December, 19 81.

A. Kenneth Dunn
Director

FILED

Identification No. _____

Application No. 63-8207

Amended

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant J.A. Landon &/or Eugenia C. Landon Phone: 587-7426
post office address 211 Jerome St., Mtn. Home, ID

2. Source of water supply Dixie Gulch which is a tributary of S. Fork Boise River

3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5 Township 2 N
Range 10 E B.M. Elmore 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 cfs cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. collecting; box with pipe to cabin

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 \$ 1,000.

8. Description of proposed uses:

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

(1) Give the place of use of water: SE ~~NE~~ $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 5 Township 2 N
Range 10 E 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: domestic 1 home

RECEIVED
JAN 13 1975

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 none

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

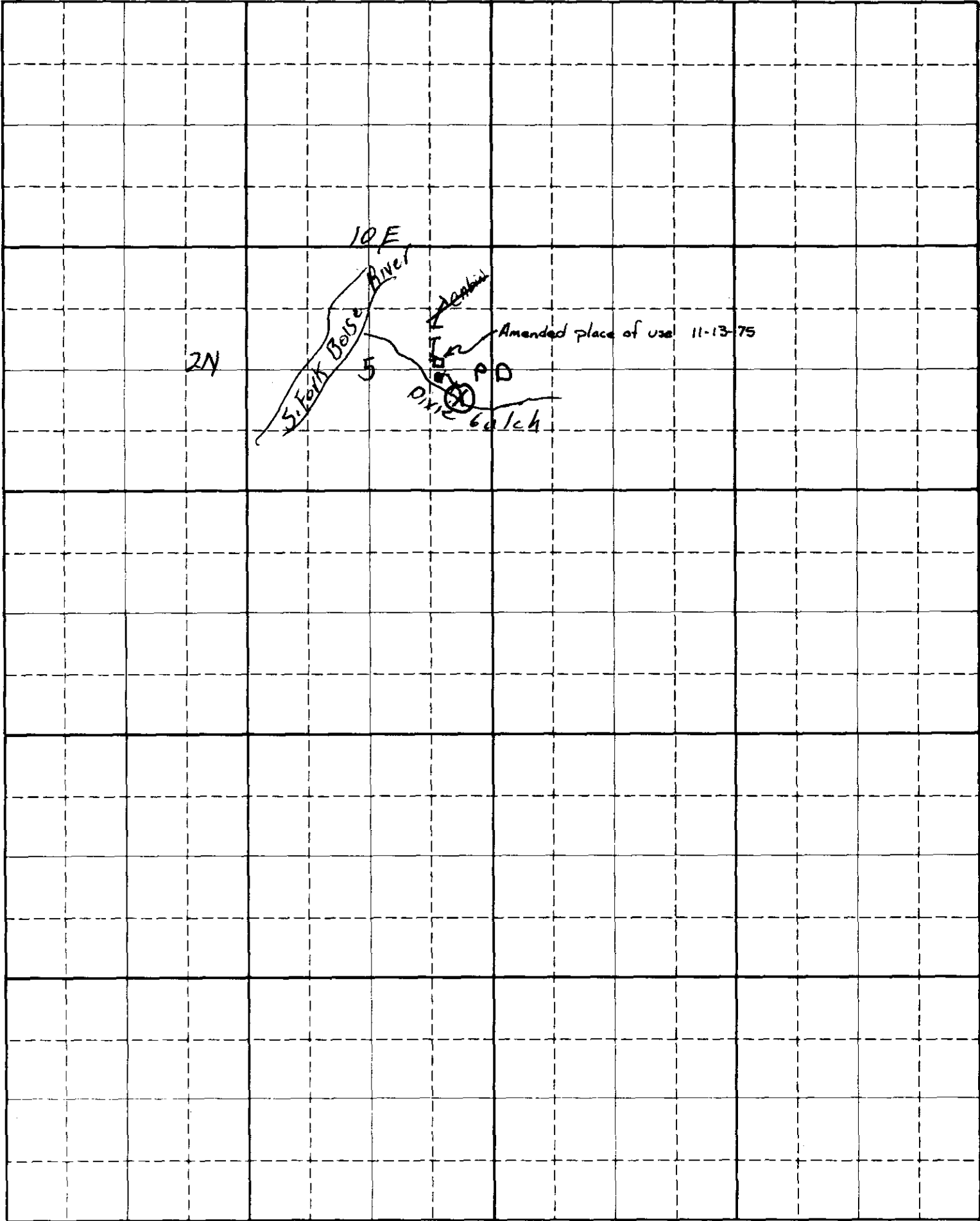
9. a. Who owns the property at the point of diversion U.S. Forest Service

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

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.

J. A. Landon
(Applicant)

~~Proposed~~ Priority 9-23-1975

Received by cls Date 9/23/75 Time 2:50pm
Preliminary check by cls Fee \$ 10.00
Receipted by cls Date 9/23/75 # 1321
Publication prepared by cls Date 9-26-75
Published in Mt. Home News
Publication dates Oct 2 & 9
Publication approved cls Date 10-14-75
Priority reduced to _____ Reason _____

Amended fee \$ 10.00
cls 11-17-75 # 1372
Amended advertisement
cls 11-21-75
Nov. 27 & Dec. 4
cls 12-11-75 OK

Protests filed by: Bob A. Wood, Eileen Wood,
Raymond Smith, Millie D. Smith

Copies of protests forwarded by cls 10-21-75
Hearing held by _____ Date _____
Recommended for approval denial by JHS

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. 63-8207, 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 December 1, 19 80.
- c. Other: The issuance of this permit in no way grants any right-of-way or easement across the land of another person.
This permit is subject to all prior water rights particularly those evidenced by License Nos. 63-7663 and 63-7683.

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

Witness my hand this 18 day of December, 19 75.


Director

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, *Lloyd S. Waters* do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

...*2*... consecutive weeks, the first publica-
tion having been made on the ...*27*... day
of ...*November*..., 19*75*, and

the last publication having been made on the
...*4*... day of ...*December*...

19*75*...; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this ...*4*...

day of ...*December*..., 19*75*

Wm. M. Waters

Notary Public

Department of Water Resources

*OK
cls 12-11-75*

RECORDED

Affidavit of Publication

County of Elmore
STATE OF IDAHO } ss.

I, William M. Watson do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the 2 ... day
of October, 1975, and

the last publication having been made on the
9 day of October,
1975...; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Subscribed and sworn to me this 9
day of October, 1975

D. E. [Signature]
Notary Public

OK
10-14-75
cls

RECEIVED
OCT 14 1975
CLERK OF DISTRICT COURT
ELMORE COUNTY, IDAHO

January 27, 1982

RE: Permit No. 63-8207

J.A. Landon &/or Eugenia C. Landon
211 Jerome St.
Mountain Home, ID 83647

Dear Mr. and Mrs. Landon:

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. 21606 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:kw
Enclosures



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

November 6, 1981

RE: Permit No. 63-8207

J. A. Landon &/or Eugenia C. Landon
211 Jerome St.
Mountain Home, ID 83647

Dear Mr. and Mrs. Landon:

A representative of this Department made an examination of the works covered by your Permit No. 63-8207 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.04 cfs Source: Dixie Gulch

The maximum quantity diverted shall not exceed 1.2 acre feet
per year.

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, Twp. 2N, Rge. 10E, Elmore County

Beneficial use: Domestic use for 1 unit within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, Twp.
2N, Rge. 10E

Priority date established: September 23, 1975

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,

Use of water under this license is subject
to control by the watermaster of State
Water District No. 63, Boise River.

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

63-8207
Permit No.

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	9/19/80	KC	no app. made contacted permit holder at residence for exam
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

Date 9 Oct 80 Accompanied by JA London Total Q measured 20 gpm
If source is surface water, estimate total flow of source 0.5 cfs
Methods of measurement GPM bucket Meets Permit requirements? yes

Measurement calculations: measured $5 \text{ gals} / 15 \text{ seconds} = 20 \text{ gpm}$
 $\frac{20 \text{ gpm}}{448.8} = .04$

$$1 \text{ unit} \times 1.2 = 1.2$$
[illegible]

System Description 2" open pipe in stream down stream 500'
to home Gravity Pressure

**Code with map on reverse side. Disregard code if only one.*

[illegible]

Remarks	
---------	--

No Overlapping rights

REFILMED

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: NE SE 5.05 T 2N RIDE

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	10E	5			X														

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 FF Ballou

Checked by DBS

Approved by [Signature]

Date 4/6/81

Date 5/11/81

Date 10/14/81

REPRODUCTION

4823

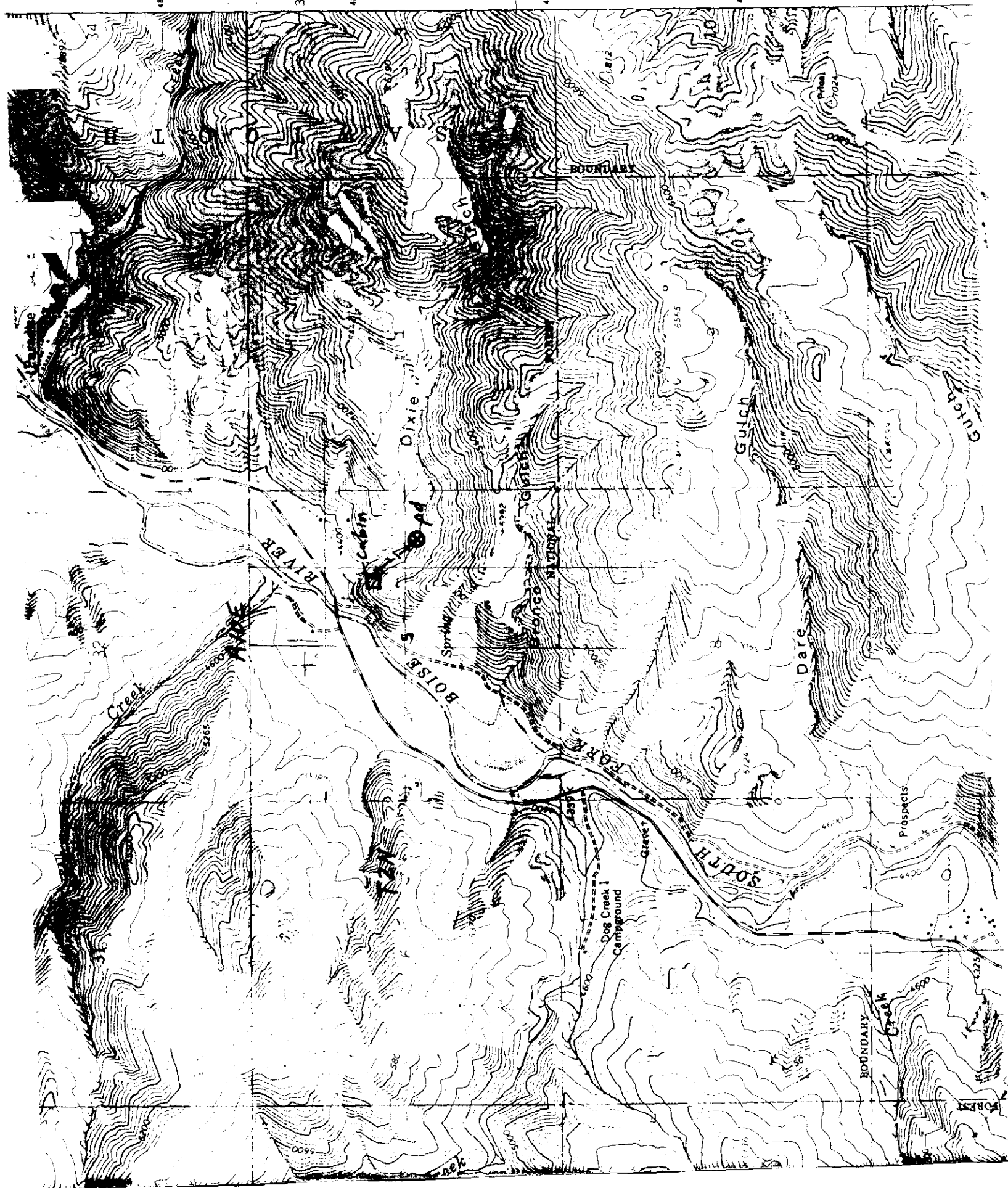
32'30"

4822

4821

4820

4819



December 19, 1975

Re: Permit No. 63-8207

J. A. &/or Eugenia C. Landon
211 Jerome St.
Mountain Home, ID 83647

Dear Mr. & Mrs. Landon:

Enclosed is a copy of your approved Application for Permit No. 63-8207. 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 the different types of measuring devices accepted by this office.

Please be advised that the Idaho Supreme Court has ruled that a water right initiated and/or put to beneficial use by aid of trespass on private property is invalid.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:rb

Enc.

RECEIVED
DEC 22 1975
WATER RIGHTS

PLACE
TEN CEN.
STAMP
HERE

RECEIVED
SEP 4 1960

Department of Water Resources
Western Regional Office



SEP 4 1960

Department of Water Resources IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES

Who 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. 63-8207.

Name(s) of Permit Holder: J. A. LANDON or EUGENIA C. LANDON

Post Office Address: 211 Jerome St., Mtn Home, ID. 83647
Ph.: 587-7426

Source of Water: DIXIE GULCH

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.

SEP 4, 1980
Date

Eugenia C. Landon
Signature of Permit Holder

MICROFILMED

IDENT. NO. 13-8207

WATER RIGHT
DATA ENTRY LOG[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

September 19, 1980

**J. A. Lannon &/or Eugenia C. Lannon
211 Jerome St.
Mountain Home, ID 83647**

RE: **Permit No. 63-8207**

Dear **Permit Holders:**

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

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Kay Walker
Secretary

MICROFILMED

RECOMMENDEDCONDITIONS OF APPROVAL

☐ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☒ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☒ Other: This permit is subject to all senior water rights particularly those evidenced by Licenses No. 63-7663 and 63-7683.

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-8207

*amended
app*

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

(1) PJC 9-25 *12-17-75* In form to receipt

(2) PJC 9-25 Send Copies to:

Idaho State Health Department

Idaho Fish and Game Department

Bureau of Land Management

(3) PJC 9-25 1 Request Special Use Permit from U.S.F.S.

Request Easement from B.L.M.

Request Information from Applicant

(4) _____ In form for advertising

(5) _____ Platted on Map No. _____

(6) _____ Located within Water District No. _____

(7) _____ Critical groundwater area: yes _____ no ☒

(8) _____ Groundwater levels:

Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____ Other rights on the same place of use

(10) _____ Comments: _____

(11) cls 12-11-75 *amended*
cls 10-14-75 Affidavit of Publication received(date) Ok

(12) _____ Final date for protests _____
Protests received: yes _____ no ☒ *as amended*

(13) _____ All requested information received from agencies or
applicant: yes _____ no _____ *as readvertised*

(14) _____ Action recommended:
☒ Approve _____ Deny

Proposed Priority

Reason for Reduction

NO _____
Measuring device required

See attached sheet for other conditions of
app. 3a

No special conditions for approval

(15) District W By WJA Date 12-15-75

*Need
special
consideration
see withdrawal!
he*



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

November 21, 1975

Mountain Home News
P.O. Drawer 0
Mtn. Home, ID 83647

RE: Notice of Amended Application for Permit No. 63-8207 - J. A. &/or Eugenia
C. Landon

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."

(Signature of Claimant)

Sincerely,

Bill submitted
12-11-75
cls

**NOTICE OF AMENDED
APPLICATION FOR PERMIT**

Notice is hereby given that application No. 63-8207 in the name of J. A. LANDON &/OR EUGENIA C. LANDON, 211 Jerome St., Mtn Home, ID was filed on Sept. 23, 1975 for the diversion of 0.04 cubic feet per second of water from Dnie Gluch, trib. to S. Fork Boise River for the point of diversion within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 2 N, R. 10 E, B.M. Elmore County to be used from Jan. 1 to Dec. 31 for domestic purposes within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 2 N, R. 10 E, B.M.

The application holder now proposes to amend application No. 63-8207 changing the place of use to be within SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 2 N, R. 10 E, B.M.

Any protest to this amending of the application must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before December 15, 1975.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mtn. Home, ID on Nov. 27, 1975 and Dec. 4, 1975.

*OK
els
11-21-75*

NOTICE OF AMENDED APPLICATION FOR PERMIT

Notice is hereby given that application No. 63-8207 in the name of J. A. LONDON &/OR EUGENIA C. LONDON, 211 Jerome St., Mtn. Home, ID was filed on Sept. 23, 1975 for the diversion of 0.04 cubic feet per second of water from Dixie Gluch, trib. to S. Fork Boise River for the point of diversion within the NE~~SE~~^{NE}, Sec. 5, T. 2 N, R. 10 E, B.M. Elmore County to be used from Jan. 1 to Dec. 31 for domestic purposes within the NE~~NE~~^{NE}, Sec. 5, T. 2 N, R. 10 E, B.M.

The application holder now proposes to amend application No. 63-8207 changing the place of use to be within SE~~NE~~^{SE}, Sec. 5, T. 2 N, R. 10 E, B.M.

Any protest to this ~~amend~~ amending of the application must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before December 15, 1975.

R. KEITH HIGGINSON

Director

Published in the Mountain Home News, Mtn. Home, ID on Nov. 27, 1975 and Dec. 4, 1975.

RECEIVED
NOV 27 1975
MOUNTAIN HOME, ID



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

November 17, 1975

J. A. Landon
211 Jerome St.
Mtn. Home, ID 83647

Dear Mr. Landon:

Enclosed is your Receipt No. 1372 in the amount of \$ 10.00
for Amended Application for Permit No. 63-820 which was received in this
office on November 13, 1975. Fee was received on November 17, 1975.

Sincerely,

CATHY L. SHAW
Senior Clerk

CLS:cs

Enclosure

We, the undersigned hereby agree to withdraw our protest of application for permit 63-8207 in the name of J.A. &/or Eugenia C. Landon subject to ~~all~~ the permit being conditioned that it is subject to all prior water rights, in particular, License 63-7683 (Ray or Millie Smith) and 63-7683 (Bob A. and Eileen Wood)

Signed @ mtn Home, Nov 13, 1975

Ray Smith
Millie Smith
Bob Wood
Eileen Wood

ATTEST: L. Glen Saxton

PS Form 3811, Nov. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery.. 35¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

137003

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

J. L. Fenderson

4.

DATE OF DELIVERY

OCT 29 1975

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

CLS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



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



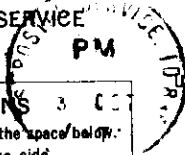
PS Form 3811, Nov. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1 and 2. Add your address in the "RETURN TO" space on reverse.		
1. The following service is requested (check one).		
☐ Show to whom and date delivered..... 15¢		
☐ Show to whom, date, & address of delivery.. 35¢		
☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢		
☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery 85¢		
2. ARTICLE ADDRESSED TO:		
3. ARTICLE DESCRIPTION:		
REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	139005	
(Always obtain signature of addressee or agent)		
I have received the article described above.		
SIGNATURE		
4. <i>Miller D. Smith</i>		
DATE OF DELIVERY		POSTMARK
OCT 30 1975		30 1975
5. ADDRESS (Complete only if requested)		ID
6. UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS
		<i>JP</i>

C75

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



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



SENDER INSTRUCTIONS 3 00

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

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



PHILADELPHIA

POST OFFICE
COLUMBUS, OHIO 43201

MAR 3 1967

PS Form 3811, Nov 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ DELIVER ONLY TO ADDRESSEE and
show to whom and date delivered..... 65¢
☐ DELIVER ONLY TO ADDRESSEE and
show to whom, date, and address of
delivery..... 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

139004

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

4.

DATE OF DELIVERY

10-29-75

POSTMARK

OCT
29
1975

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

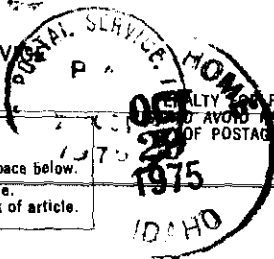
UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



HEAVY & PRIVATE
MAIL AVOID PAYMENT
OF POSTAGE, \$300



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

In the Matter of Protest Against Approval)
of the Application for Permit No. 63-8207)
in the name of J. A. LANDON &/OR EUGENIA)
C. LANDON.)

NOTICE OF CONFERENCE
AND/OR HEARING

On September 23, 1975, J. A. Landon &/or Eugenia C. Landon filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On October 14, 1975, the Department received a protest against approval of said application signed by the following individuals: Bob A. Wood, Eileen Wood, Raymond Smith, and Millie D. Smith.

The Department has set the matter of protest for conference and/or hearing for Thursday, November 13, 1975, at 10:00 a.m., in the Records Office of the Elmore County Courthouse, Mountain Home, 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 protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 22nd day of October, 1975.



L. GLEN SAXTON, P.E.
Western District Engineer

63-8207 - J.A. LANDON &/OR EUGENIA C. LANDON

Recorders Office, Elmore County Courthouse, Mountain Home, Idaho

November 13, 1975 - 10:00 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
J.A. Landon	211 Jerome St.	
Ray Smith	507 N 11 E	
Willie D. Smith	507 N 11 E	
Bob Wood	{ 190 Rosewood - mtn Home	
Mrs. Eileen Wood		
Eugenia C. Landon	211 Jerome St., Mtn Home	
L. C. Higginson	530 E 10 th N., Mtn. Home.	



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

October 22, 1975

Elmore County Courthouse
Mountain Home, ID 83647

Dear Sir:

This is to confirm the use of the Elmore County Courthouse for conference and/or hearing to be held by this office on Thursday, November 13, 1975, at 10:00 a.m.

Thank you for your cooperation in this matter.

Very truly yours,

Cathy L. Shaw

CATHY L. SHAW
Senior Clerk

CLS:cs

MICROFILMED

AGREEMENT

(I) (We), the undersigned, hereby agree to allow the Director of the Department of Water Resources to reach a decision with regard to protested Application No. _____, in the name of _____.

Said decision to be based upon information in the official records of the Department, the Director's understanding of the law, and evidence &/or information presented at the conference held this date.

Dated this _____ day of _____, 1975, at

_____.

RECORDED

RECEIVED

OCT 14 1975

Department of Water Resources

Mountain Home, Idaho
October 9, 1975

PLANNING	
WATER RESOURCES	
TECHNICAL SERVICES	
OPERATIONS	
ENGINEERING	
WATER RIGHTS	
INVESTIGATION	
ADMINISTRATION	
RECORDS	
FILES	

State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Attention: R. Keith Higginson

This letter is written in protest to an application for a water permit #63-8207, submitted by J. A. LANDON and/or EUGENIA C. LANDON, 211 Jerome Street, Mountain Home, Idaho.

We, the undersigned, applied for and were granted permits: #63-7663 - BOB A. or EILEEN WOOD, and permit #63-7683 - RAYMOND or MILLIE SMITH, for use of water from an unnamed stream in Dixie Gulch, tributary to South Fork of the Boise River. Stream and water development located within the SW 1/4 NE 1/4 of S 5, Twp 2 N, Rge 10 E.B.M., Elmore County.

As stated in our application, during a dry year the stream goes underground in the heat of the day. We located the area where it re-surfaces and our holding tank was placed in this area.

This is the only source of water we have for our two (2) cabins, Wood and Smith. We have invested a sizable sum in proving our water claim and the maintenance thereof.

The stream will not supply water for any more cabins during a dry year. We conserve the water during this time so we will have enough for drinking and cooking only.

Mr. and Mrs. Wood have consulted two (2) attorneys about the situation and they both advised a letter of protest.

We feel if MR. J. A. LANDON is granted a permit, it will jeopardize our existing water supply and would substantially reduce the value of our property if we should lose our only available water source.

May we have an appointment to meet with you and discuss this further?

Thank you.

Bob A. Wood
BOB A. WOOD

Permit #63-7663

Eileen Wood
EILEEN WOOD (Mrs. Bob A. Wood)

Raymond D. Smith
RAYMOND SMITH

Permit #63-7683

Millie D. Smith
MILLIE SMITH (Mrs. Raymond Smith)

RECEIVED

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western District
Statehouse — Boise, Idaho
83720

MAIL ROOM



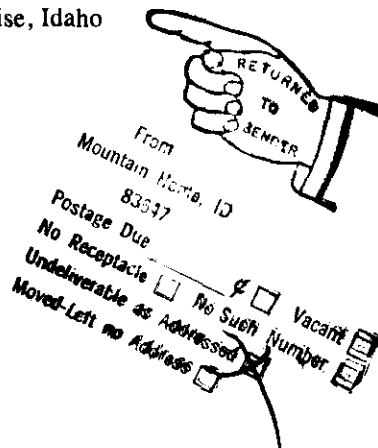
Raymond Smith & Millie C. Smith
Mountain Home, ID 83647

507 N. 11th E

587-3469
Call about
Correct address

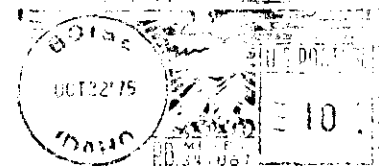


State of Idaho
DEPARTMENT OF WATER RESOURCES
Western District
Statehouse — Boise, Idaho
83720



190
Roosevelt

Bob A. Wood
Mtn. Home, ID 83647



Acknowledged
Letter

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

October 21, 1975

J. A. Landon
211 Jerome St.
Mtn. Home, ID 83647

RE: Application for Permit No. 63-8207

Dear Mr. Landon:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 63-8207. You should be aware that the following are the principle items we can consider at a conference and/or hearing 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 exisiting 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?

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Sincerely,

L. Glen Saxton
cks

L. GLEN SAXTON, P.E.
Western District Engineer

LGS:cls

Enclosure



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

October 21, 1975

Bob A. Wood
Mountain Home, ID 83647

RE: Application for Permit No. 63-8207 - J. A. Landon &/or Eugenia C. Landon

Dear Mr. Wood:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing 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?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Sincerely,

L. Glen Saxton
cls

L. GLEN SAXTON, P.E.
Western District Engineer

LGS:cls

CC: Raymond Smith
Mountain Home, ID

September 30, 1975

Mr. J. A. Landon
211 Jerome Street
Mountain Home, Idaho 83647

Re: Application No. 63-8207

Dear Mr. Landon:

During the processing of your Application for Permit, we have noted that your point of diversion is located on U. S. Forest Service land.

Before we can make the final approval of your application, it will be necessary for you to supply this department with a copy of your special use permit granted by the U. S. Forest Service.

If we can be of any further assistance in this matter, please feel free to contact this department.

Sincerely,

Debra L. Ryan
Senior Clerk



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN DISTRICT - ANNEX 3

Cecil D. Andrus
Governor

R. Keith Haggins
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

September 26, 1975

Mountain Home News
P.O. Drawer 00
Mtn. Home, ID 83647

RE: Claim to a Water Right No. 63-4327 - J. A. Landon &/or Eugenia C. Landon
Application for Water Permit No. 63-8206 - J. A. Landon &/or Eugenia C. Landon
63-8207 - J. A. Landon &/or Eugenia C. Landon

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."

(Signature of Claimant)

Sincerely,

Bill submitted

10-14-75
C/s

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that J. S. LANDON &/or EUGENIA C. LANDON
211 Jerome St., Mtn. Home, ID
has on 9/23/75 submitted Application No. 63-8207
for a permit to appropriate 0.04 cubic feet per second ~~acre feet~~
~~per annum~~ of water from Dixie Gulch trib. to S. Fork Boise River
by means of Collecting Box with pipe to cabin
within the NE 1/4 Sec. 5, T. 2 N, R. 10 E, B.M., Elmore County

to be used from Jan. 1 to Dec. 31
for Domestic

within the NE 1/4 Sec. 5, T. 2 N, R. 10 E, B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Idaho Depart-
ment of Water Resources, Statehouse, Boise, Idaho, 83720, on or before
Oct. 20, 1975.

R. KEITH HIGGINSON

Director

Published in the Mountain Home News, Mountain Home, ID
on Oct. 2, 1975 and Oct. 9, 1975.