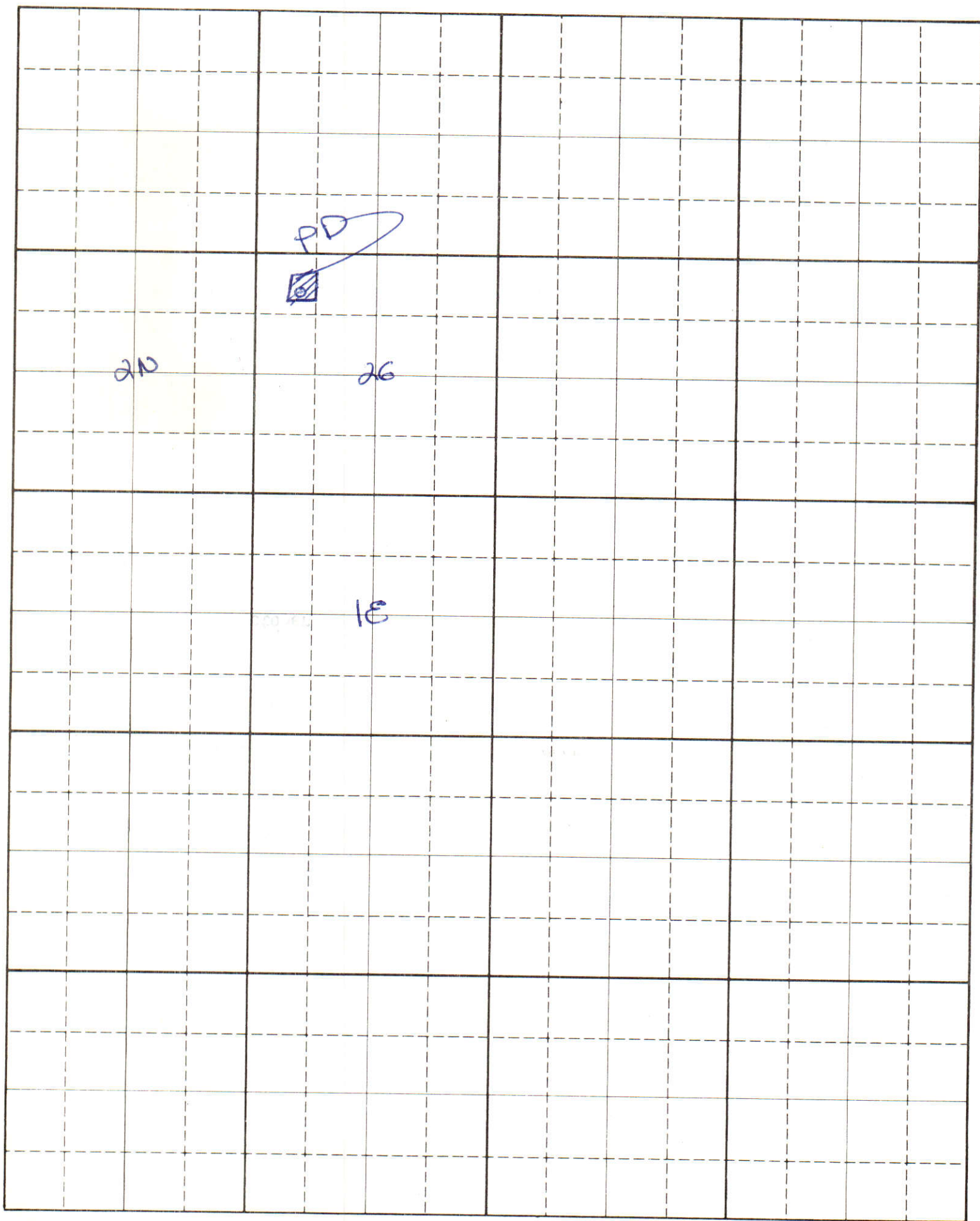


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Harvey W. Loy
(Applicant)

12 1975

Se. 26, T. 2 N., R. 1 E., B. 1 N.
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 Depart-
ment of Water Resources,
Statehouse, Boise, Idaho
83720, on or before Sept. 29,
1975.

R. KEITH HIGGINSON
Director
Pub. Sept. 11, 18, 1975 720

Two insertions, beginning with the issue of September 11, 1975, and ending with the issue of September 18, 1975.

Patricia E. Levitt

Subscribed and sworn to before me this 19th
day of September, 1975.

Shady Egrene

Notary Public for Idaho, Residing at Boise, Idaho

IMPROVED

T
2
N

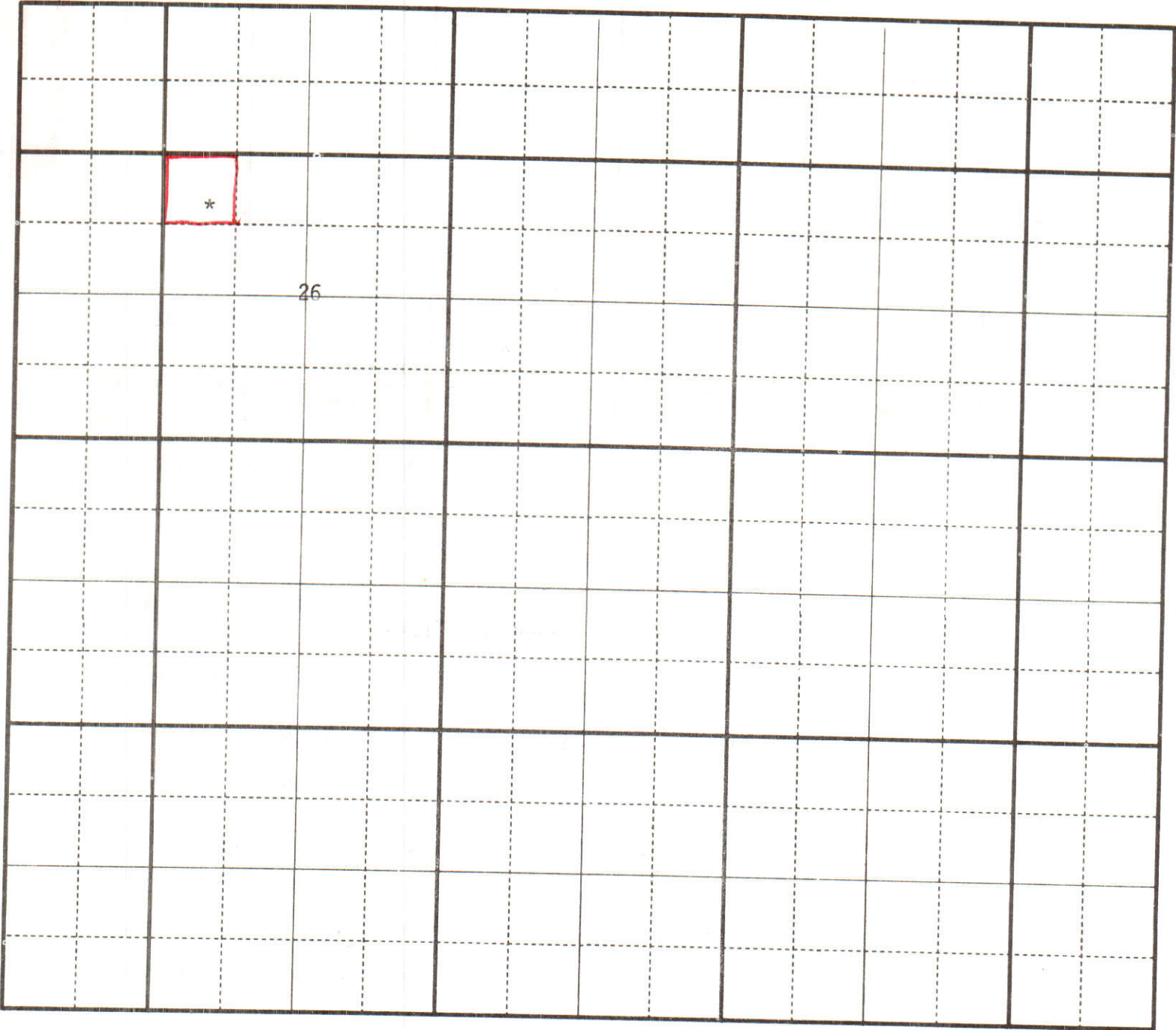


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8198 Priority August 28, 1975 Amount 0.13 cfs

THIS IS TO CERTIFY, that Harvey W. and Leona H. Loux
of Kuna, Idaho, has complied with the terms and conditions of Permit
No. 63-8198 issued pursuant to Application for Permit dated August 28, 1975,
and has submitted proof to the Department of Water Resources on September 2, 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 0.13 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>0.09</u> cfs and	<u>20.3</u> acre feet
Domestic	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 _____ at _____ cfs and		
(both dates inclusive)			

Subject, however, to the condition that no more than 0.13 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
21.5 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, Twp. 2N,
Rge. 1E, B. M. in the County of Ada

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 $\frac{1}{4}$	
2N	1E	26					45 X												4.5

Total number of acres irrigated 4.5

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 23 day of

FEBRUARY, 19 78.

Director

Identification No. _____

Application No. 63-8198

**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 Harvey W. & Leona H. Loux Phone: 376-5119
post office address Rt. 3, Kuna, ID 83634
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 26 Township 2 N
Range 1 E B.M. Ada 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 0.10 for irrigation purpose from Mar 15 to Nov. 15 (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. 0.14 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well with 5 hp pump, domestic
pressure and sprinkler systems

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 8 inches; proposed depth of well is 251 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 \$ 4400.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 26 Township 2 N
Range 1 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 one.
(5) If water is to be used for other purposes describe: _____

RECEIVED
JUN 11 1963
IDAHO DEPT. OF WATER RESOURCES

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	
2 N	1 E	26					5												5

Total number of acres to be irrigated 5

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

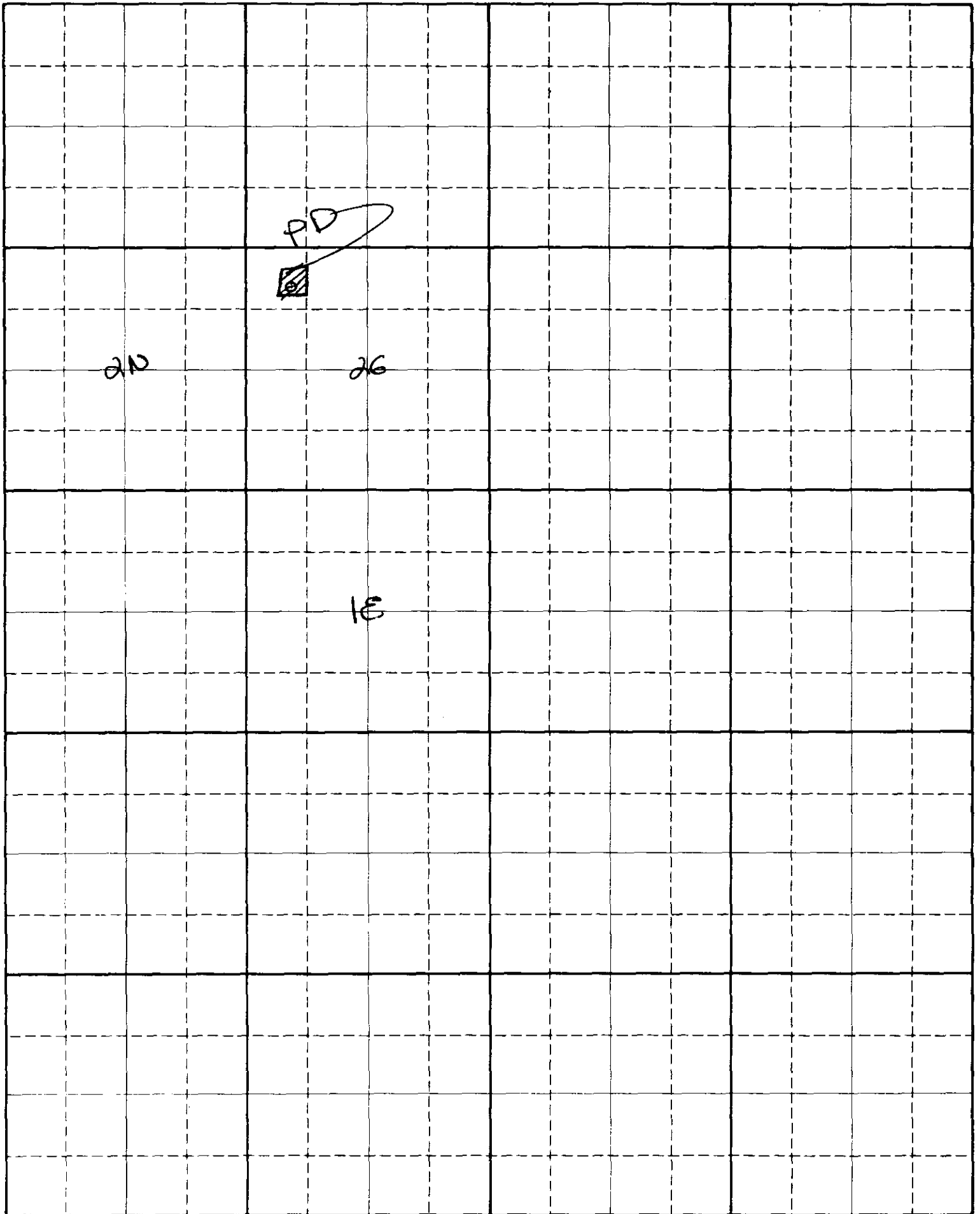
9. a. Who owns the property at the point of diversion applicant

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.

Harvey L. Lacy
(Applicant)

~~Proposed~~ Priority 8-28-1975

Received by gg Date 8/28/75 Time 3:25 p.m.

Preliminary check by bls Fee \$ 10.00

Receipted by gg Date 8/28/75 # 1289

Publication prepared by gg Date 9/4/75

Published in Starbman

Publication dates Sept 11 & 18

Publication approved gg Date 9-23-75

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by KHF

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. 63-8198, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

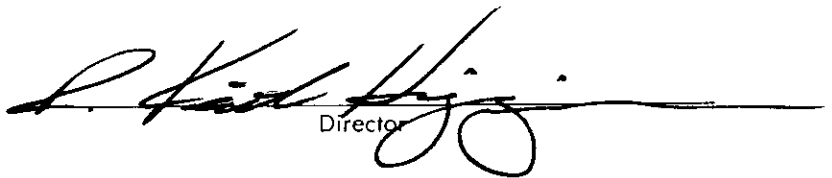
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 76.

c. Other: _____

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

Witness my hand this 6 day of October, 19 75.


Director

STATE OF IDAHO)

) ss.

COUNTY OF ADA)

Patricia E. Levitt, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for

Two insertions, beginning with the issue of September 11, 1975, and ending with the issue of September 18, 1975.

Patricia E. Levitt

Subscribed and sworn to before me this 19th day of September, 1975.

Brady E. Eguen

Notary Public for Idaho, Residing at Boise, Idaho

JP
89
9-23-75

February 8, 1978

Re: Permit No. 63-8198

Mr. & Mrs. Harvey W. Loux
Route 3
Kuna, ID 83634

Dear Mr. & Mrs. Loux:

A representative of this Department made an examination of the works covered by your Permit No. 63-8198 on August 2, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.13 cfs Source: groundwater

The maximum quantity diverted shall not exceed 21.5 acre feet per
year.

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, Twp. 2N, Rge. 1E, S.M.

Beneficial use: Domestic and irrigation of 4.5 acres

Priority date established: August 28, 1975

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

PDF/cah

March 1, 1978

Re: Permit No. 63-8198

Harvey W. and Leona H. Loux
Route #3
Kuna, ID 83634

Dear Mr. and Mrs. Loux:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

FIELD REPORT

5

MICROFILMED

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t

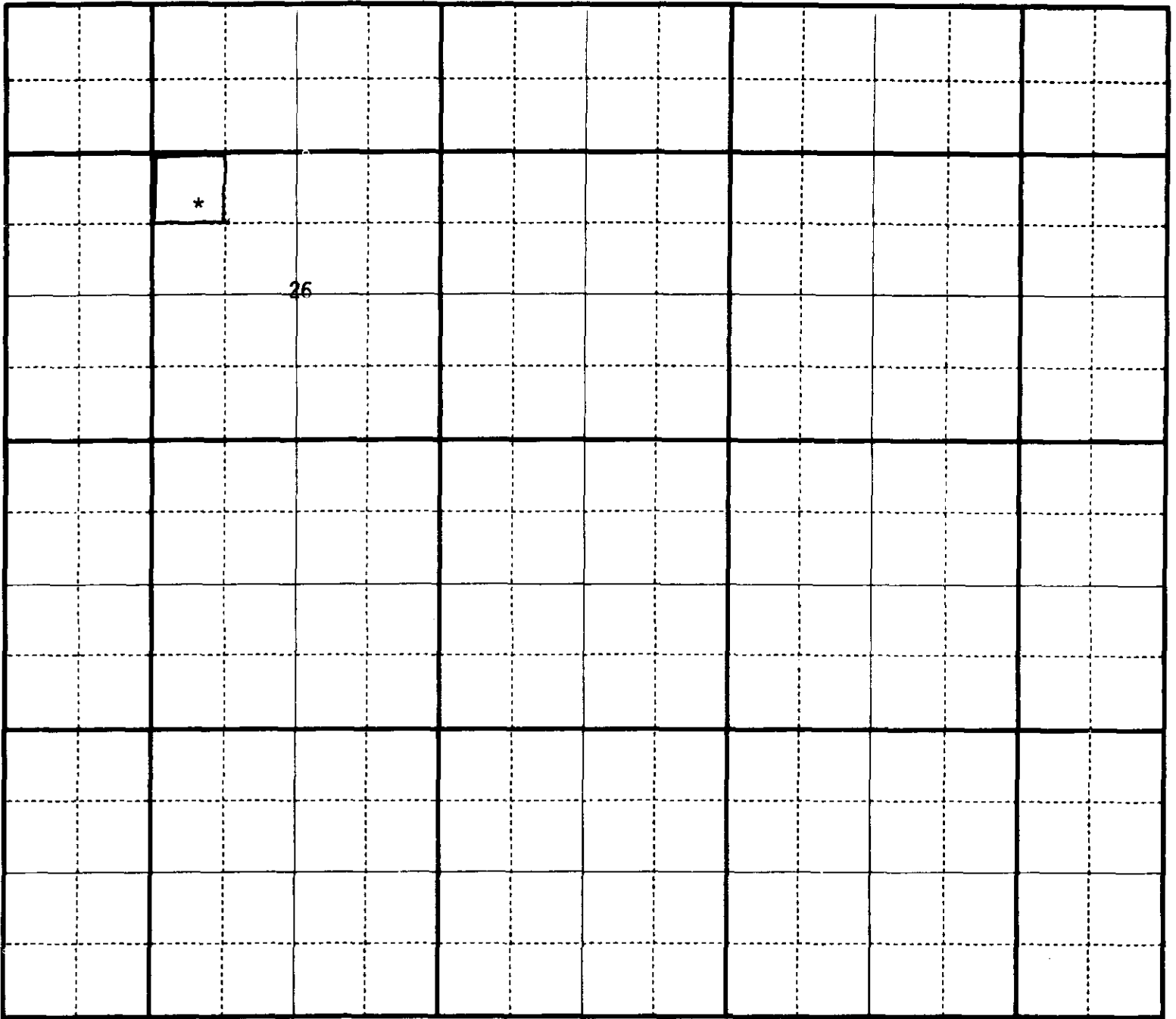


Diagram of System

DATE OF EXAM 8/2/77

ACREAGE
Found 4.5
Recommended 4.5

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = .09 c.f.s. V = 20.5 AF/Ann. from Mar. 15 to Nov. 15
Domestic Q = .04 c.f.s. V = 1.2 AF/Ann. from Jan. 1 to Dec. 31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

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

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 0.13 cfs Method of measurement estimate

Total Q recommended 0.13 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 21.7 AF/year

Recommended Amendments:

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

MEASUREMENT CALCULATION:

Estimate Q = 0.13 cfs
 $V = 4.5 \text{ AF/A year} \times 4.5 \text{ Acre} + 1.2 \text{ AF/year} = 21.7 \text{ AF/year}$
(Irrigation) + (Domestic)

SYSTEM DESCRIPTION:

8 inch cased well pumped with a Jacuzzi
submersible pump into irrigation and house hold system
that is pressurized with 150 gallon pressure tank.
System serves pasture, lawn, garden and house.

REMARKS:

Examiner's Signature William H. Mac Allister III Date 8/30/77

Checked by [Signature] Date 9-1-77

Approved by _____ Date _____

8/2/77

8" cased well with
150 gallons
Jacuzzi Submersible pump

4 1/2 ~~0~~ acres irrigated pasture
1 Domestic use large garden + lawn

MICROFILMED

September 22, 1976

Re: Permit No. 63-8198

Harvey & Leona H. Loux
Route 3
Kuna, Idaho 83634

Dear Mr. & Mrs. Loux:

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 during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in Boise.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

Identification No. _____

Permit No. 63-8198

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
SEP 2 1976
OKj

1. a) Name of Permit Holder Harvey W. Loux Department of Water Resources
b) Post Office Address Route # 3, Kuna, ID 83634
2. Permit Number 63-8198
3. Date of Priority that you are prepared to establish 8/28/75
4. a) Source from which water was appropriated ground water
b) Location of the point of diversion: NW ¼ NW ¼, Section 26
Township 2 N, Range 1 E Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
Amount 0.04 for domestic purposes from 1/1 to 12/31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.10 for irrigation purposes from 3/15 to 11/15 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 0.14 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 by holder

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, 5 hp pump

- b) Describe the type and size of measuring device which you have installed at your point of diversion: N/A

- c) Give well driller's name and address and the date the well was completed: Russell Cowe 1973

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 w/lawn

Exam typed 9/28/75 by j

August 31, 1976

CERTIFIED MAIL

138925

Re: Permit No. 63-8198

Harvey M. & Leona H. Loux
Route 3
Kuna, Idaho 83634

Dear Mr. & Mrs. Loux:

One of the conditions of approval of your water Permit No. 63-8198 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before November 1, 1976. Enclosed is an affidavit form which must 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 affidavit 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.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

October 9, 1975

Re: Permit No. 63-8198

Harvey W. & Leona H. Loux
Route 3
Kuna, ID 83634

Dear Mr. & Mrs. Loux:

Enclosed is a copy of your approved Application for Permit No. 63-8198. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-8198

☒ 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) EBB 3 Sept 75

In form to receipt

(2) _____

Send Copies to:

☒ Idaho State Health Department
☒ Idaho Fish and Game Department
☒ Bureau of Land Management

(3) EBB 11

N/A
☒ Request Special Use Permit from U.S.F.S.
☒ Request Easement from B.L.M.
☒ Request Information from Applicant

(4) EBB 3 Sept 75

In form for advertising O'FEB

(5) _____

Platted on Map No. _____

(6) NA

Located within Water District No. _____

(7) R.W.H 9-29-75

Critical groundwater area: yes _____ no ✓

(8) R.W.H 9-29-75

Groundwater levels:

_____ Declining, ✓ Stable, _____ Increasing

(comment) _____

(9) R.W.H 9-29-75

Other rights on the same place of use none

(10) _____

Comments: _____

(11) OK 9

Affidavit of Publication received(date) 9-23-75

(12) R.W.H 9-29-75

Final date for protests 9-29-75
Protests received: yes _____ no ✓

(13) NA

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

(14) R.W.H 9-29-75

Action recommended:

✓ Approve

OCT ✓ Deny

Proposed Priority

Department of Water Resources

Reason for Reduction _____

No Measuring device required

See attached sheet for other conditions of approval

✓ No special conditions for approval

(15) District Western

By R. Hamilton Date 9-29-75

RECEIVED



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

Cecil D. Andrus
Governor

Mr. Keith H. Johnson
Director

Statthouse
Boise, Idaho 83720
(208) 384-2190

Sept. 3, 1975

The Idaho Statesman
Box 40
Boise, ID 83707

Re: Claim to a Water Right No. 63-4324, Harold D. &/or Fayette Smith
Application for Permit No. 63-8182, Charles Gary Lappin *being readvertized*
63-8198, Harvey W. & Leona H. Loun

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 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."

Sincerely,

(Signature of Claimant)

Bill Submitted
OK - yg - 9-23-75

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that HARVEY W. & LEONA H. LOUX
Rt. 3, Milana, ID 83624
has on 8-28-75 submitted Application No. 63-8198
for a permit to appropriate 0.14 cubic feet per second ~~acre feet~~
~~XXXXXX~~ of water from groundwater
by means of well with pump, domestic pressure and sprinkler system
within the Milana, Sec. 26, T. 2 N, R. 1 E, B.M. Ada County

to be used from Jan. 1 to Dec. 31 for domestic
~~for~~ and from Mar. 15 to Nov. 15 for irrigation of 5 acres

within the Milana, Sec. 26, T. 2 N, R. 1 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 Sept. 29, 1975.

R. KEITH HIGGINSON

Director

Published in the The Idaho Statesman, Boise,
on Sept. 11, 1975 and Sept. 18, 1975.