

RECEIVED

State of Idaho

JUN 23 1974

Department of Water Administration

ASSIGNMENT OF PERMIT

Department of Water Administration

I, Walter L. Young, hereby assign to Gene J. Boyce
of 21100 West 6th Ave, Idaho
Address

CIRCLE

☒ All my right title, and interest, in and to Permit No. 93-1229
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 list-
ing 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 _____ day of _____, 19 74.

Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Bonne) ss.

On this 25th day of June, 19 74, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Robert J. Tupper
Notary Public residing at
Clerk Law Court, Bonne County, Idaho
by Mark M. Shanahan, Deputy

My commission expires: _____

76.72.1
63

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

JUN 2 1974

APPLICATION FOR EXTENSION OF TIME

Department of Water Administration

State of Idaho)
County of Ada)

Permit No. 63-7226

Glenn J. Rhodes of 1906 Johnson Street, Boise, Idaho 83705
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder, of Permit to appropriate the Public Waters of the State of Idaho No. 63-7226.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before July 1, 1974.

That he has heretofore performed the following work described under said permit:
Installed 1,440 feet of 4 inch pipe line with two 4-inch valves and has
water running through the pipe to the property to be served

Costing \$ 2,880.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: We will need electric power to pump to storage tank from the above line

Wherefore, he asks that the Department of Water Administration extend the time for the completion of obligations under said permit to July 1, 1976.

(signature)

Subscribed and sworn before me this 25 day of June, 1974.

seal

(notary public)

My commission expires 11-17-77

ACTION OF THE DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Idaho Department of Water Administration, State of Idaho, hereby approve the above application for extension of time for Permit No. 63-7226 to July 1, 1976.

Witness my hand this 26 day of June, 1974.

Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707.

Identification No. 63-7221

Application No.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

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

APPROVED

- 1 Name of applicant Miles M. Young
post office address Idaho City, Idaho 83401
- 2 Source of water supply California Gulch which is a tributary of Mores Creek
- 3 a Location of point of diversion is NE 1/4 of SE 1/4 of Section 34 Township 6N
Range 5E B.M. Boise County; additional points of diversion if any:
Lot 5, Sec. 35, T. 6 N, R. 5 E, B. M.
- b If water is not consumed, it will be discharged into Mores Creek at a point in SE 1/4
of NE 1/4 of Section 34 Township 6N Range 5E B.M.
- 4 Water will be used for the following purposes:
Amount .20 for domestic purpose from Jan. 1 to December 31 (both dates inclusive)
Amount .20 for irrigation purpose from May 1 to October 31 (both dates inclusive)
Amount .20 for irrigation purpose from May 1 to October 31 (both dates inclusive)
- 5 Total quantity to be appropriated:
a .50 cubic feet per second and or
b acre feet per annum.
- 6 Proposed diverting works.
a Description of ditches, flumes, pumps, headgates, etc. Pipe line, and or pump
b Height of storage dam 5 ft. feet, active reservoir capacity acre feet; total reservoir capacity acre feet, materials used in storage dam: Earth
Period of year during which storage will occur to inclusive.
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 \$ 2,00.00
- 8 Description of proposed uses:
a If water is not for irrigation:
(1) Give the place of use of water: Lot 5 1/4 of 1/4 of Section 34 Township 6N
Range 5E 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 10
(5) If water is to be used for other purposes describe

63-7221

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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	
6 N	5 E	35			Lot 5 10														10

Total number of acres to be irrigated 10

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

a. Who owns the property at the point of diversion Self

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

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 _____

[illegible]

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.

(Applicant)

Received by Date 11-19-69 Time
Preliminary check by Fee \$ check # 3053 given
Received by Date 5-19-69
Publication prepared by Date 2-28-69
Published in Shawto World
Publication dates 6-5-6 12-29
Publication approved by Date 6-3-69
Priority reduced to 2 Reason

Protests filed by: None 2-24-69

Copies of protests forwarded by
Hearing held by Date
Recommended for approval denial by Don: eff

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7226, 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 July 1, 19 74.
 - c. Other: Subject to regulation by the watermaster. The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works. That settling ponds be installed capable of reducing the silt load in the return water to such a level that the quality of the waters of Mores Creek will not be impaired for other beneficial uses.
2. Denial of said application is for the following reasons:

Witness my hand this 11th day of July 19 69.

R. Karl Higgins
State Reclamation Engineer

**AFFIDAVIT
OF
PUBLICATION**

STATE OF IOWA
COUNTY OF DES Moines

T. R. Adams being duly sworn, deposes and says that he is the manager and principal clerk of THE IOWA WOMAN, a weekly news paper published at Des Moines, in the County of Des Moines and State of Iowa; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Des Moines; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for *Two* consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication, and was published in the newspaper paper and not in a supplement; that said paper has been published and regularly and continuously published for more than seventy-eight weeks past previous to the first publication of this notice. Such notice was published in the issue beginning with *June 5, 1907* and ending with the issue of *June 12, 1907*.

Subscribed and sworn to before me this *23* day of *June* 190*7*.

T. R. Adams
Notary Public for Iowa
My Comm. Expires _____

NOTICE OF PUBLICATION
I hereby certify that the within and foregoing notice was published in the IOWA WOMAN, a weekly news paper published at Des Moines, in the County of Des Moines and State of Iowa, once a week for *Two* consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication, and was published in the newspaper paper and not in a supplement; that said paper has been published and regularly and continuously published for more than seventy-eight weeks past previous to the first publication of this notice. Such notice was published in the issue beginning with *June 5, 1907* and ending with the issue of *June 12, 1907*.

RECEIVED
JUN 24 1907
Department of Agriculture

Accept with pay

Any person against this publication shall be liable with the Department of Agriculture within ten days from the last date of publication of this notice.
D. WHITE HENDERSON
State-Commissioner, Agriculture
Des Moines, Iowa
June 2 - 12, 1907

1240DES 63-7224

T. 6 N.

T. 5 N.

JUL 23 1993

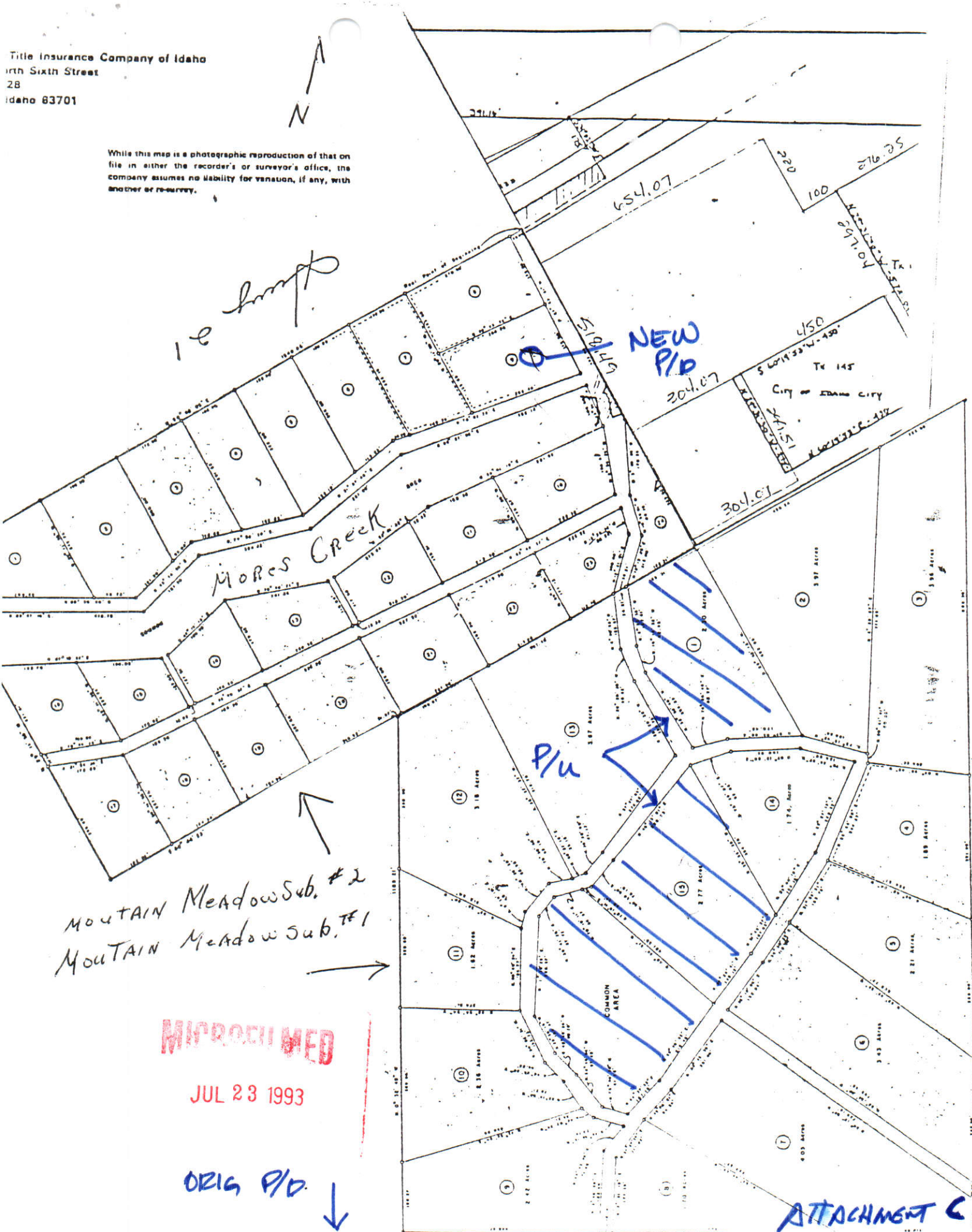
PERMIT _____ INIT _____
T. 6 N. R. 5 E S. 34 Q/Q - NNNENE
P/D _____ - NESE
SCALE _____
PHOTO ID. W62 NEW P/D

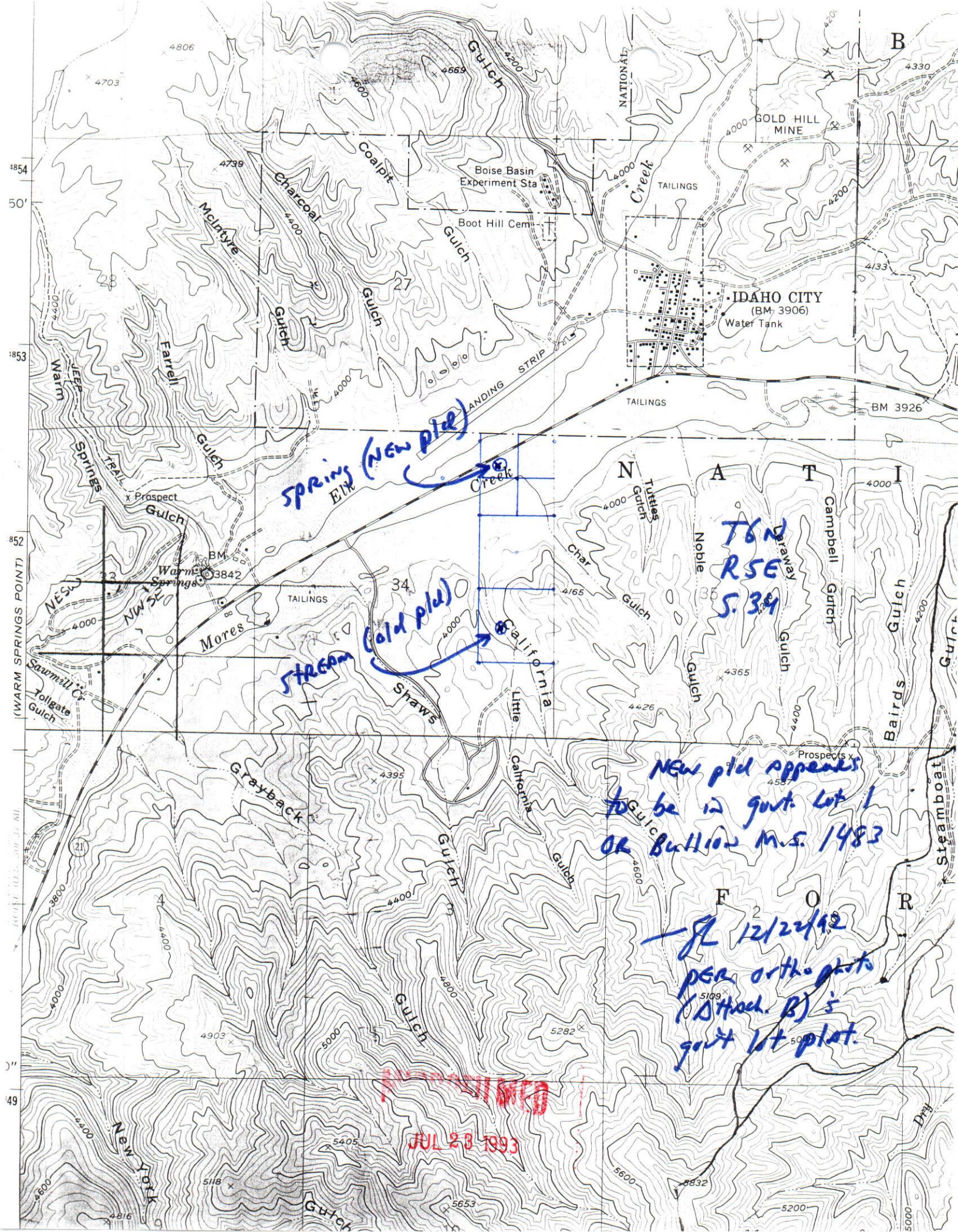
P14
P10

ATTACHMENT B

Title Insurance Company of Idaho
17th Sixth Street
28
Idaho 83701

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the company assumes no liability for variation, if any, with another or re-survey.





1854
50'

1853

1852

(WARM SPRINGS POINT)

SCALE 1:25,000 1/4 MI.

1849

B

GOLD HILL MINE

IDAHO CITY
(BM 3906)
Water Tank

BM 3926

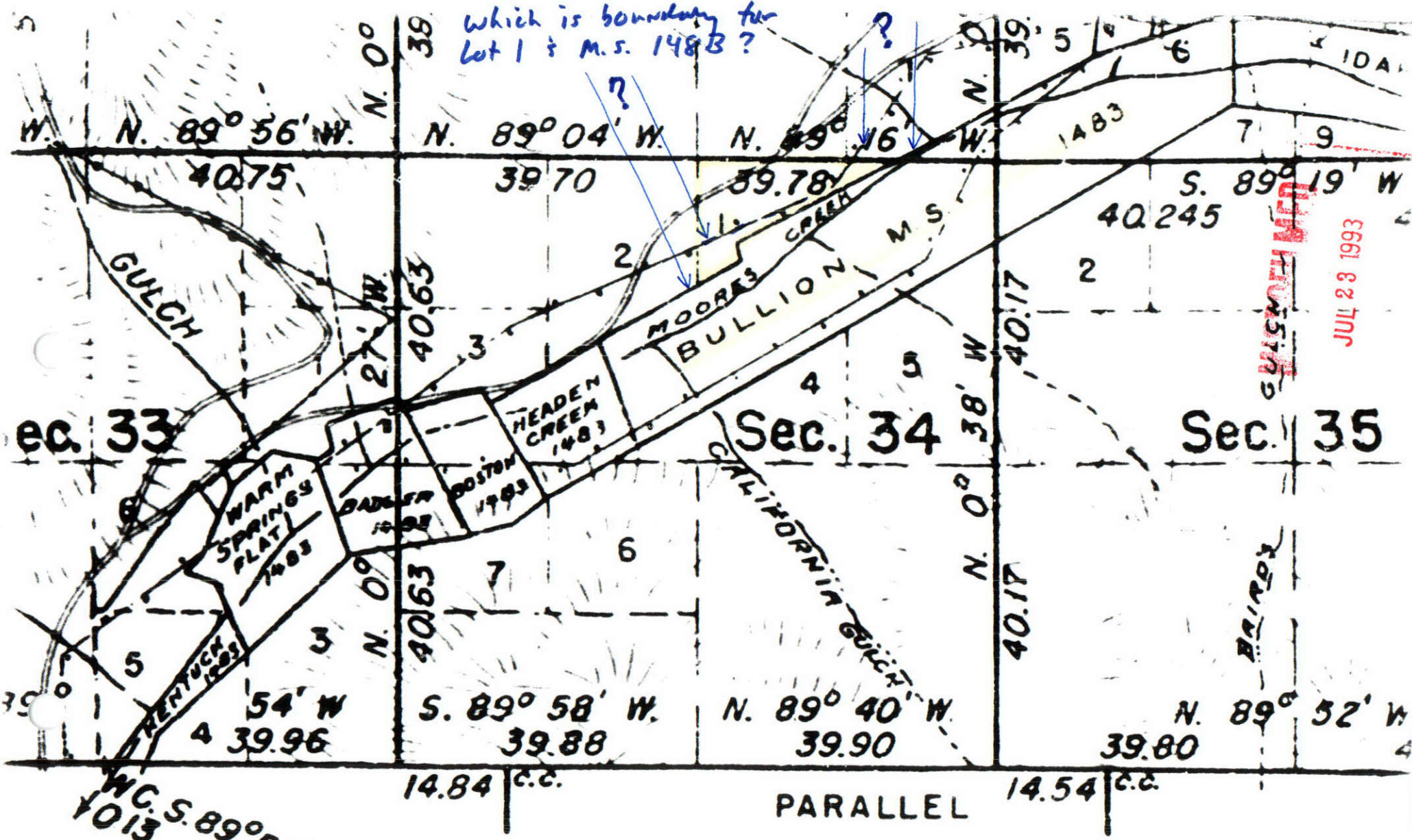
T6N
R5E
S.34

NEW plat appears
to be in govt. lot 1
OR Bullion M.S. 1483

— JL 12/24/92
per ortho photo
(Attch. B)'s
govt lot plat.

RECEIVED

JUL 23 1993



Which is boundary for
lot 1 + M.S. 1483?

JUL 23 1993

GULCH

T6N R5E
S. 34
1943 Survey

UNITED ST

The Idaho World

P O Box 220
Idaho City, ID 83631
208 392-4989

P O Box 99
Garden Valley, ID 83622
208 462-3487

RECEIVED
JAN 26 1993

Department of Water Resources
Western Regional Office

State of Idaho >
>
County of Boise >

Wayne Hart, being duly sworn, deposes and says: that he is the manager and principal clerk of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Jan 6, 1993 and ending with the issue of Jan 13, 1993.

Wayne Hart

State of Idaho >
>
County of Ada >

On this 24th day of January in the year 1993, before me, a notary public, personally appeared WAYNE HART known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Jan E Hart

Notary Public for Idaho

Boris Id

Residing at

My commission expires 9/10/96

NOTARIZED

JUL 23 1993

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 63-07226

Notice is hereby given that Glenn J. Rhodes of Boise has applied to the Department of Water Resources for a change of Point of Diversion and Source of the water of California Gulch tributary to Mores Creek. The right sought to be changed is evidenced by licenses and is recorded as follows:

Amount: .17 cfs Priority: 3/14/1989
Point(s) of Diversion: T06N R05E Sec. 34 NESE, Boise County. The water is used for Irrigation and Mining purposes in Lot 5 (SENE) Sec. 34 T06N R05E (Irrigation 5.6 acres 4/15-10/15 and Mining 3/1-7/1).

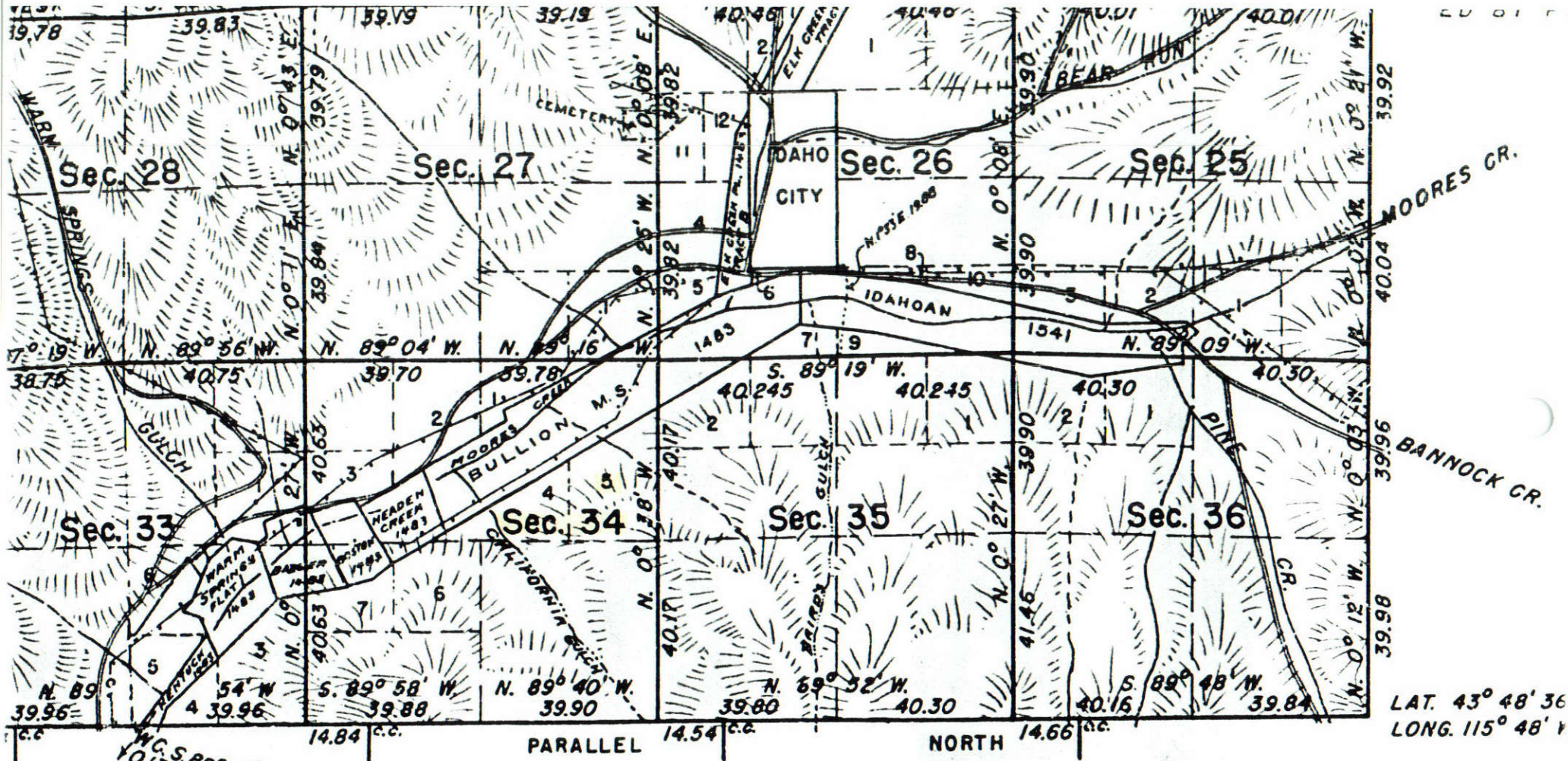
TO BE CHANGED AS FOLLOWS

Amount: .17 cfs
Point(s) of Diversion: NWNENE and NESE Sec. 34 T06N R05E. The water will be used for the same purposes in same place originally described above. The new diversion point is a spring in NWNENE Sec. 34, tributary to Mores Creek upstream from California Gulch, which will continue to be used as a source.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before January 25, 1993.

R. Keith Higginson
Director

Published in The Idaho World on January 6 and 13, 1993.



Sec. 4

Sec. 3

Sec. 2

Sec. 1

UNITED STATES DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

DENVER, COLORADO, DECEMBER 6, 1943.

THIS PLAT OF TOWNSHIP NO. 6 NORTH, RANGE NO. 5

EAST OF THE BOISE MERIDIAN, IDAHO, IS STRICTLY
CONFORMABLE TO THE FIELD NOTES OF THE SURVEY
THEREOF WHICH HAVE BEEN EXAMINED AND APPROVED.

Wm. H. Johnson

SUPERVISOR OF SURVEYS.

WASHINGTON, D

THE SURVEY REPRESENTS
BEEN CORRECTLY EXECUTED
REQUIREMENTS OF LAW AND
OFFICE, IS HEREBY ACCEPTED

Wm. H. Johnson
ASS

TED
1938
1939

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 29 1992

Department of Water Resources

A. GENERAL INFORMATION

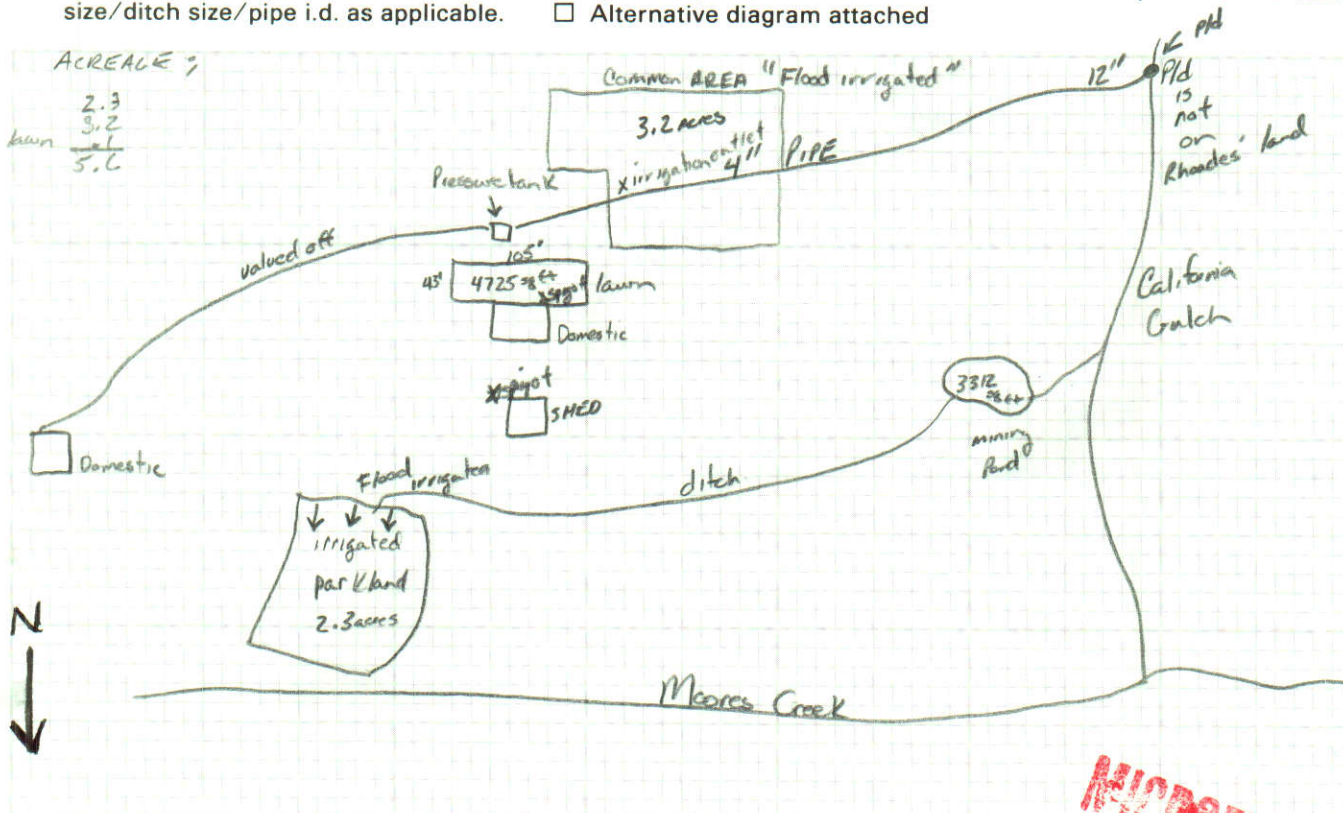
1. Owner: Glen Rhodes Permit No. 63-7226
Current Address: 1406 Johnson Street Boise Idaho 83705 Phone No. 342-16654
2. Accompanied by: Glen Rhodes EXAM. DATE: Monday June 14, 92
Address: same as above Phone No. same as above
Relationship to Permit Holder: owner
3. Source: California Gulch tributary to Mores Creek

B. OVERLAP REVIEW

1. Other water rights with same place of use: None 63-2280 ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

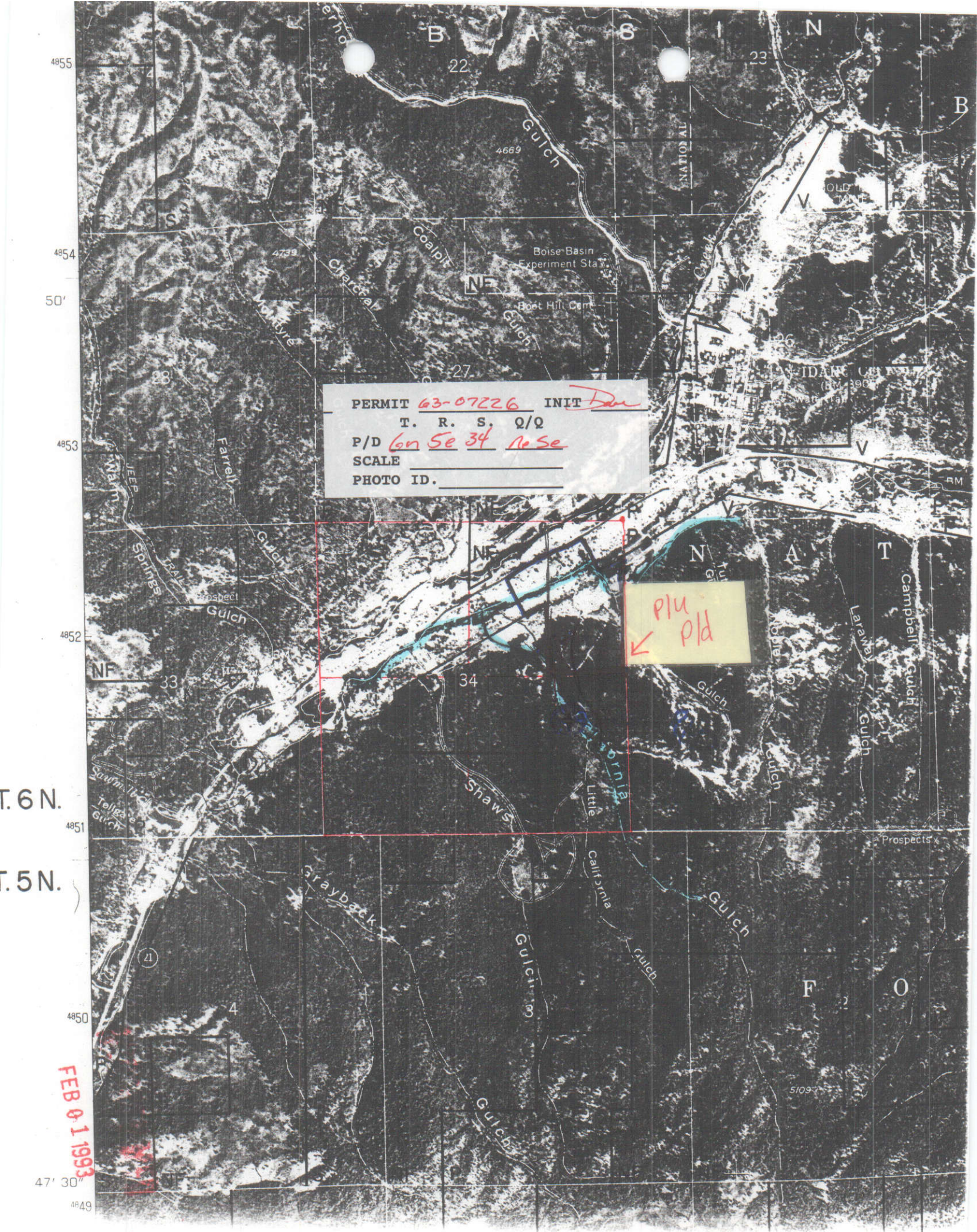
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

RECEIVED
FEB 01 1993



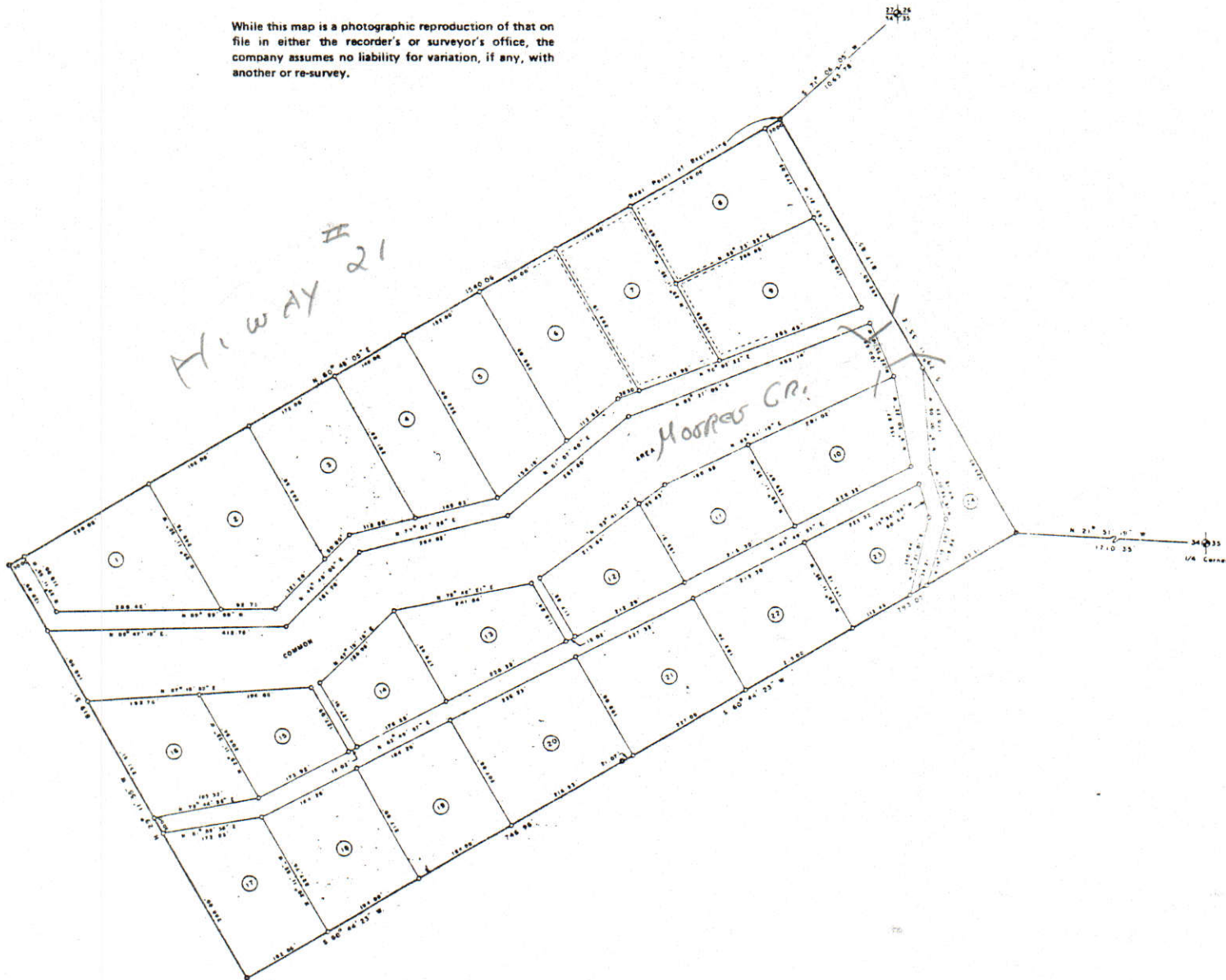
MOUNTAIN MEADOW SUBDIVISION NO. 2

A SUBDIVISION IN
A PORTION OF THE NE 1/4 SECTION 34, T.6N., R.5E., B.M.
BOISE COUNTY, IDAHO

SMITH & MONROE ENGINEERS, INC.
1707 LINDA VISTA LANE BOISE, IDAHO

Safeco Title Insurance Company of Idaho
300 North Sixth Street
Box 2528
Boise, Idaho 83701

While this map is a photographic reproduction of that on
file in either the recorder's or surveyor's office, the
company assumes no liability for variation, if any, with
another or re-survey.



RECORDED

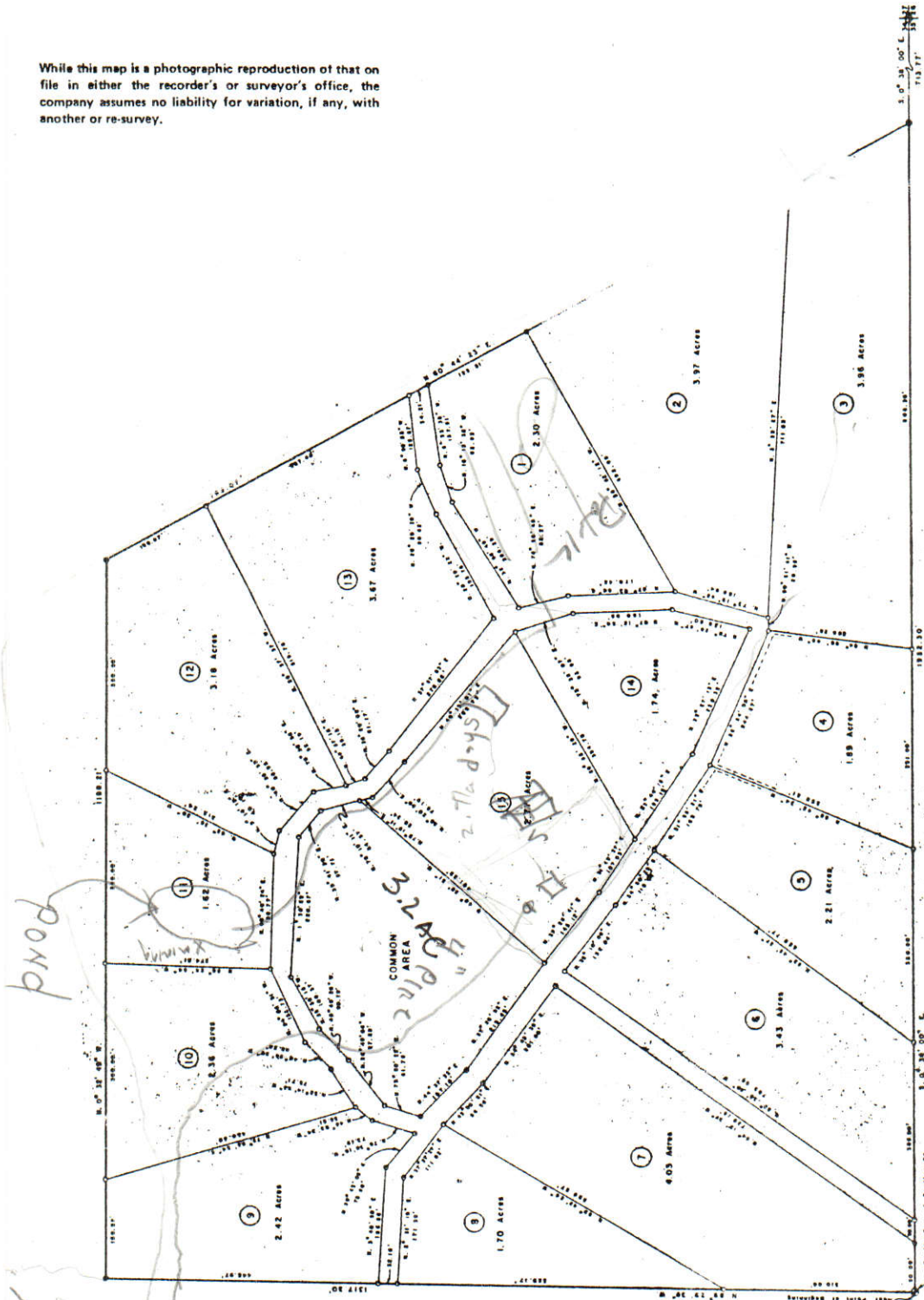
FEB 01 1993

MOUNTAIN MEADOW SUBDIVISION NO. 1

A SUBDIVISION IN
A PORTION OF THE E 1/2 OF THE NE 1/4 OF SECTION 34, T.6N., R.5E., E.M.
BOISE COUNTY, IDAHO
SMITH & MONROE ENGINEERS, INC.
1707 LINDA VISTA LANE BOISE, IDAHO



While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the company assumes no liability for variation, if any, with another or re-survey.



RECORDED
FEB 01 1993

63-07226



View of the domestic
PROPERTY.

9 lawn
irrigation

~~View of the pressure tank for
the system.~~



No pressure system
~~on~~ on California
Gulch water

RECORDED
FEB 01 1993

63-07226



View of storage pond.
Pond is used for
mining purposes.



View of spigot, located
next to shed.

(Irrigation of pasture)

RECEIVED
FEB 01 1993

63-07226

Common Area: IRRIGATED BY THE SYSTEM.



FEB 01 1993



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

July 12, 1976

Glenn J. Rhodes
1406 Johnson St.
Boise, Idaho 83705

Dear Mr. Rhodes:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 63-7226 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within 60 days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH:jg

WATER RESOURCE BOARD:

John F. Stroff
Chairman
Franklin Jones
Member

George L. Yost
Vice-Chairman
M. Reed Hansen
Member

Donald R. Krump
Secretary
Scott W. Wood
Member

Edwin C. Schlender
Member
Joseph M. Nettleton
Member

PS Form 3811, Jan. 1975

● **SENDER:** Complete items 1, 2, and 3. 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¢

☐ **RESTRICTED DELIVERY.**
Show to whom and date delivered..... 65¢

☐ **RESTRICTED DELIVERY.**
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

William J. Rhodes

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	138590	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Address ☐ Authorized agent

William J. Rhodes

DATE OF DELIVERY MAY 1 1976

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

RETURN RECEIPT, REGISTERED, CERTIFIED, INSURED PAID CERTIFIED MAIL

U.S. POSTAL SERVICE

1 MAY 1976

RECEIVED

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.
• Complete items 1, 2, and 3 on reverse side.
• Address printed both and affixed to back of article.

RETURN
TO



DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

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



12
JUN 1968
JUN 1968

April 30, 1976

CERTIFIED MAIL #138570

Re: Permit No. 63-7226

Glenn J. Rhodes
1406 Johnson St.
Boise, Idaho 83706

Dear Mr. Rhodes:

One of the conditions of approval of your water Permit No. 63-7226 (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 JULY 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

R. KEITH HIGGINSON
Director

REH:jg
Enc: Proof affidavit

June 27, 1974

Re: Permit No. 63-7226

Glenn J. Rhodes
1406 Johnson St.
Boise, ID 83705

Dear Mr. Rhodes:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records changed.

Enclosed is a copy of the approved application for extension of time submitted in connection with this permit. The time within which to submit proof of beneficial use of water has been extended to July 1, 1976.

Also enclosed is a copy of this permit; please note the conditions of approval as listed on the last page of the permit.

If you have any questions concerning this matter, please do not hesitate to contact us.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enc: Copy of extension
Copy of permit

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

Article No.

25544

Signature of Addressee's Agent, if any

637560

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Must be printed only and attach to back of article.

RETURN
TO

PS Form 3811
June 1972

DEPARTMENT OF WATER ADMINISTRATION
WASHINGTON, D.C. 20542
BRIDGE, MISSOURI

63-7326

May 1, 1974

CERTIFIED MAIL

#25344

Re: Permit No. 63-7226

Miles M. Young
Idaho City,
Idaho 83631

Dear Mr. Young:

One of the conditions of approval of your water Permit No. 63-7226 (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 July 1, 1974. 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

Enc: Proof affidavit

63-7226

May 20, 1969

Re: Application for Permit No. 63-7226

William M. Young
Idaho City, Idaho

Dear Mr. Young:

We are returning your application to you in order that you may sign the third page of the application. We are sorry for the inconvenience we have caused. Please return the application at an early date so that you may receive the earliest possible priority.

Very truly yours,

Donald W. McElwain
Appropriation Examiner

RECEIVED
Re: application no. 63-7226

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Miles M. Young, Idaho City, Idaho
has on May 19, 1969
applied for permit under application No. 63-7226 to divert approx
.50 cubic feet per second added to water from California Gulch tributary of Mores/
Creek. Water will be diverted by
pipeline and/or pump within the
NE 1/4, Sec. 34; Lot 5, Sec. 35, T. 6 N, R. 5 E, B. M., Boise County
and is to be used from January 1 to December 31 for domestic
purposes and from March 1 to July 1 for mining and from May 1 to October 31
for irrigation in the SE 1/4 (Lot 5), Sec. 35, T. 6 N, R. 5 E, B. M.

Any protest against this application must be filed with the Department of
Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho World, Idaho City, Idaho
on June 5 and June 12, 1969.

63-7226

May 28, 1969

Re: Application for Permit No. 63-7226-Miles M. Young

Idaho World
Idaho City, Idaho

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 date. If you cannot publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, 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 same has been paid.

Signature of claimant

Very truly yours,

Donald W. McAlldowney
Appropriation Examiner

DWM:tg
enc: Legal Notice (1)

63-7226

July 18, 1914

Re: Permit No. 68-7225

Mr. Edwin M. Young
 Idaho City,
 Idaho 83431

We enclose a copy of your approved application for permit 68-7225 in which we direct your attention to the limitations and conditions as given in the fourth page under approval of the State Reclamation Engineer.

You will note that the restriction has been placed upon your permit 68-7225 whenever, in the opinion of the department, the source from which you wish to appropriate appears to be tributary to the Boise River or any of its tributaries you may be required to cease the use of the water until all prior rights have been satisfied. The lands from which you are attempting to appropriate water lies within State Water District 18A, Boise River, of the State of Idaho. The watermaster of that district will have authority to order you to cease using the water. You should be aware that the availability of water at your location is open to question and that you should take this into consideration in planning your development. We have decided to continue issuing permits in the area with the idea that if there is water available for even a portion of the early spring and summer months that new appropriators should have a chance to use that water.

If you have any questions or do not understand the above conditions, I would be most happy to discuss the situation with you.

Very truly yours,

C. Stephen Alfred, Assistant
 State Reclamation Engineer

CHAS.
 Reclamation Copy of permit
 1 International Paper

KODAK SAFETY FILM

10-7226 in
is given on
r.

permit th
let you wish
of the term
I prefer sign
I appreciate a
note of Idaho.
to cancel
at your
convenience
ing permits
a portion of
old Idaho

Idaho, I

Enclosed
upover

NOTICE OF APPLICATION
FOR WATER

Notice is hereby given that
John M. Young, Idaho City, Idaho,
has on May 20, 1900, applied
for permit under application
No. 43-7881 to divert 40
cusec feet per second of water
from California-Spanish territory
of Horse Creek. Water will be
diverted by pipeline and/or
tunnel within the SE¹/₄ Sec.
36, Lot 4, Sec. 35, T. 4N., R.
10E., S. 2E., Blaine County and is
to be used from January 1 to Dec-
ember 31 for domestic purposes
and from March 1 to July 1 for
irrigation and from May 1 to Octob-
er 31 for irrigation in the SE¹/₄-
Sec. 36, Lot 4, Sec. 35, T. 4N.,
R. 10E., S. 2E.

Any protest against this
application must be filed with
the Department of Reclamation
within ten days from the last
date of publication of this notice.

J. KENNEDY WASHINGTON
State Reclamation Engineer
May 2 - 22, 1900

Re: Application for Per-

Idaho World
Idaho City, Idaho

Gentlemen:

Enclosed you will find
once a week for two consecutive
inserted the publication
galley proof for review by

After sending us a gal-
dates we have inserted as
corrections, we will notify
cannot publish the notice

An affidavit of publi-
Reclamation, along with the
the following certificate

I hereby certify
that the amount of
credits, and that

DR:tg
enc: Legal Notice (1)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-07226

Priority: March 14, 1989

Maximum Diversion Rate: 0.17 CFS
Maximum Diversion Volume: 21.0 AF

This is to certify, that GLENN J RHODES
1406 JOHSON ST
BOISE ID 83705

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 19, 1969; and
has submitted Proof of Beneficial Use on March 14, 1989. An examination indicates
that the works have a diversion capacity of .180 cfs of water from:

CALIFORNIA GULCH tributary to MORES CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.11 CFS	19.6 AF
MINING	03/01 to 07/01	0.06 CFS	1.4 AF
	Totals	0.17 CFS	21.0 AF

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 34, Township 06N, Range 05E
BOISE County

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>					
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	05E	34	Lot 5 (SENE)	5.6		5.6
Total number of acres irrigated:						5.6

PLACE OF USE: MINING, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

RECEIVED

FEB 01 1993

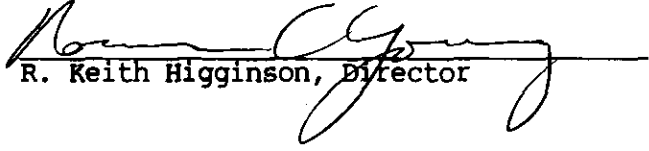
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 63-07226

CONDITIONS/REMARKS:

5. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
7. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
8. When water used under this right is discharged into the natural channel, settling ponds must be maintained which are capable of reducing the silt load to such a level that the quality of water will not be impaired for other beneficial uses.
9. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
10. Place of use for irrigation is located within Lots 1 and 15, and the mining pond is located within Lot 11, Mountain Meadow Subdivision No. 1.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 23RD
day of DECEMBER, 1992.

Acting for  R. Keith Higginson, Director

FEB 01 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TEMPORARY CHANGE APPLICATION
(To change point of diversion, place of use or purpose of use)

Name of applicant Glen Rhodes Phone 342-6654

Post Office address 1406 Johnson St Boise ID 83705

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change purpose of use ☒ Other Source

2. Describe the proposed change(s) and the reason(s) therefor Original source, California Gulch, has dried up. Applicant wishes to obtain water from a Spring also tributary to Mores Creek, in the same vicinity, in order to complete the irrigation season.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount	Nature	Period of Use
<u>63-7226</u>	<u>3/14/1989</u>	<u>.11</u>	<u>IRR</u>	<u>4/15</u> to <u>10/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred _____ cubic feet/second and/or _____ acre-feet per annum.

3. Source of water Spring tributary to Mores Creek

4. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	NE	34	6N	5E	BOISE	<u>Spring</u>

5. Lands Irrigated or 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	
<u>6N</u>	<u>5E</u>	<u>34</u>				<u>5.6</u>													<u>5.6</u>

RECEIVED

OCT 27 1992

Total acres 5.6

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right N/A
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
irrigation will continue from another source
- d. Has the water right sought to be transferred been used this year? yes If yes, explain. Used as permitted on same land using California Gulch
- e. Absent the changes, how would the right be used for the remainder of the year? Not used - no flow available
- f. Describe other water rights used for the same purpose.
None

g. Remarks: Application for permit &/or transfer (permanent) will be filed in order to establish the Spring as a Supplemental Source.
but ap # 63-S-914 filed for pipeline across Mote's Creek.

I hereby assume all risk in accordance with House Bill No. 4 and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Glen Rhodes
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by CJH Date 8/19/92 Fee \$50
Received 8/19/92 # NO15263 Recommend: approve deny
Watermaster recommendation

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No.

And said application is hereby , subject to the following limitations and conditions:

1. This approval expires November 1, 1992 and thereafter the right reverts to the use existing prior to the temporary change. 2. This Temporary Change will be immediately revoked if the changed source causes injury to any other water rights.

Witness my hand this 24th day of August, 1992.

David R. Tuttle

RECEIVED
OCT 27 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
)
NO. 63-7226, IN THE NAME OF) ORDER OF REINSTATEMENT
)
GLENN J. RHODES.)

This matter having come before the Idaho Department of Water Resources (Department) the Department finds as follows:

FINDINGS OF FACT

1. On July 11, 1969 the Director of the Department of Water Resources issued Permit No. 63-7226 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before July 1, 1974. A request for extension of time was later granted extending the proof due date to July 1, 1976.

2. On April 30, 1976, the Department sent a proof due notice to the permit holder.

3. On July 12, 1976, the Department sent a lapse notice to the permit holder since neither proof of beneficial use nor a request for extension of time had been received from the permit holder.

4. On March 14, 1989, Proof of Beneficial Use was received by the Department from the permit holder.

5. Section 42-218a, Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence establishing the extent of beneficial use prior to the proof due date showing of reasonable cause why the proof was submitted late.

MICROFILMED
JUL 18 1989

6. The permit holder submitted evidence to confirm that water has been put to beneficial use. These documents include affidavits from several individuals who witnessed the use of water from the source and for the purposes descibed under the permit. The affiants have sworn that the system was installed and in use between 1974 and July of 1976.

7. The permit holder has stated that he did not submit proof of beneficial use on time because of a then disputed issue with the National Forest Service concerning a special use permit for the diversion of the water off of a mining claim on Forest Service property. Because this matter was unsettled at the time, the permit holder overlooked the neccessity of having to submit proof or file an extension of time request with the department.

CONCLUSIONS OF LAW

1. The permit holders have submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holders have shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 63-7226 is reinstated.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to March 14, 1989.

Dated this 7th day of July, 1989.

MICROFILMED

JUL 18 1989

L. Glen Saxton
L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED

State of Idaho

Department of Water Administration

APR 23 1924

ASSIGNMENT OF PERMIT

Department of Water Administration

I, _____, hereby assign to _____
of _____
Address _____

C
O
N
T
A
I
N
S

/ / All my right title, and interest, in and to Permit No. _____
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 list-
ing 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 _____ day of _____, 19____

Permit Holder

Spouse of Permit Holder

State of Idaho)
County of _____) ss.

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

My commission expires: _____

Notary Public residing at
Clerk's Office, Boise, Idaho
by _____, Deputy

63

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR EXTENSION OF TIME

State of Idaho)
County of Ada) Permit No. 63-7226

Clement J. Rhodes) 1200 Johnson Street, Boise, Idaho 83701
(Name) (Address)

State of Idaho, being first and sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder, of Permit to Appropriate the Public Waters of the State of Idaho No. 63-7226.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before July 1, 1974.

That he has heretofore performed the following work as required under said permit:

Installed 1,500 feet of 12 inch pipe line with two 12 inch valves and has water running through the pipe to the property to be served.

Costing \$ 2,880.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: we will need electric power to pump to storage tank from the above line.

Wherefore, he asks that the Department of Water Administration extend the time for the completion of obligations under said permit to July 1, 1976.

Clement J. Rhodes
(Signature)

Subscribed and sworn before me this 27 day of June, 1974.

Notary Public
My commission expires 11-27-77

ACTION OF THE DEPARTMENT OF WATER ADMINISTRATION

By R. KEITH HIGGINSON, Director of the Idaho Department of Water Administration, State of Idaho, hereby approve the above application for extension of time for Permit No. 63-7226 to July 1, 1976.

Witness my hand this 26 day of June, 1974.

R. Keith Higginson
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707.

Identification No.

Application No.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant WILLIAM E. JONES
Post office address Idaho City, Idaho
2. Source of water supply Salmon River which is a tributary of Lemhi Creek
3. a. Location of point of diversion is 1/4 of Sec. 35 of Section 34 Township 6 N Range 5 E B.M. Boise County: additional points of diversion if any
Lot 5, Sec. 35, T. 6 N, R. 5 E, B. M.

b. If water is not consumed, it will be discharged into Salmon Creek at a point in 1/4 of 1/4 of Section 34 Township 6 N Range 5 E B.M.

4. Water will be used for the following purposes:
Amount .20 for domestic purpose from Jan. 1 to December 31 (both dates inclusive)
Amount --- for --- purpose from --- to --- (both dates inclusive)
Amount .20 for irrigation purpose from May 1 to October 31 (both dates inclusive)

5. Total quantity to be appropriated

a. --- cubic feet per second and or
b. --- acre feet per annum

6. Proposed diverting works

a. Description of ditches, flumes, pumps, headgates, etc. 1 1/2 mile long and on 1/4

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.

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 \$ ---

8. Description of proposed uses

a. If water is not for irrigation

(1) Give the place of use of water Lot 5 1/4 of 1/4 of Section 34 Township 6 N Range 5 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 10

(5) If water is to be used for other purposes describe ---

5-722

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	
6 N	5 E	35			Lot 5 10														10

Total number of acres to be irrigated 10

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

Self

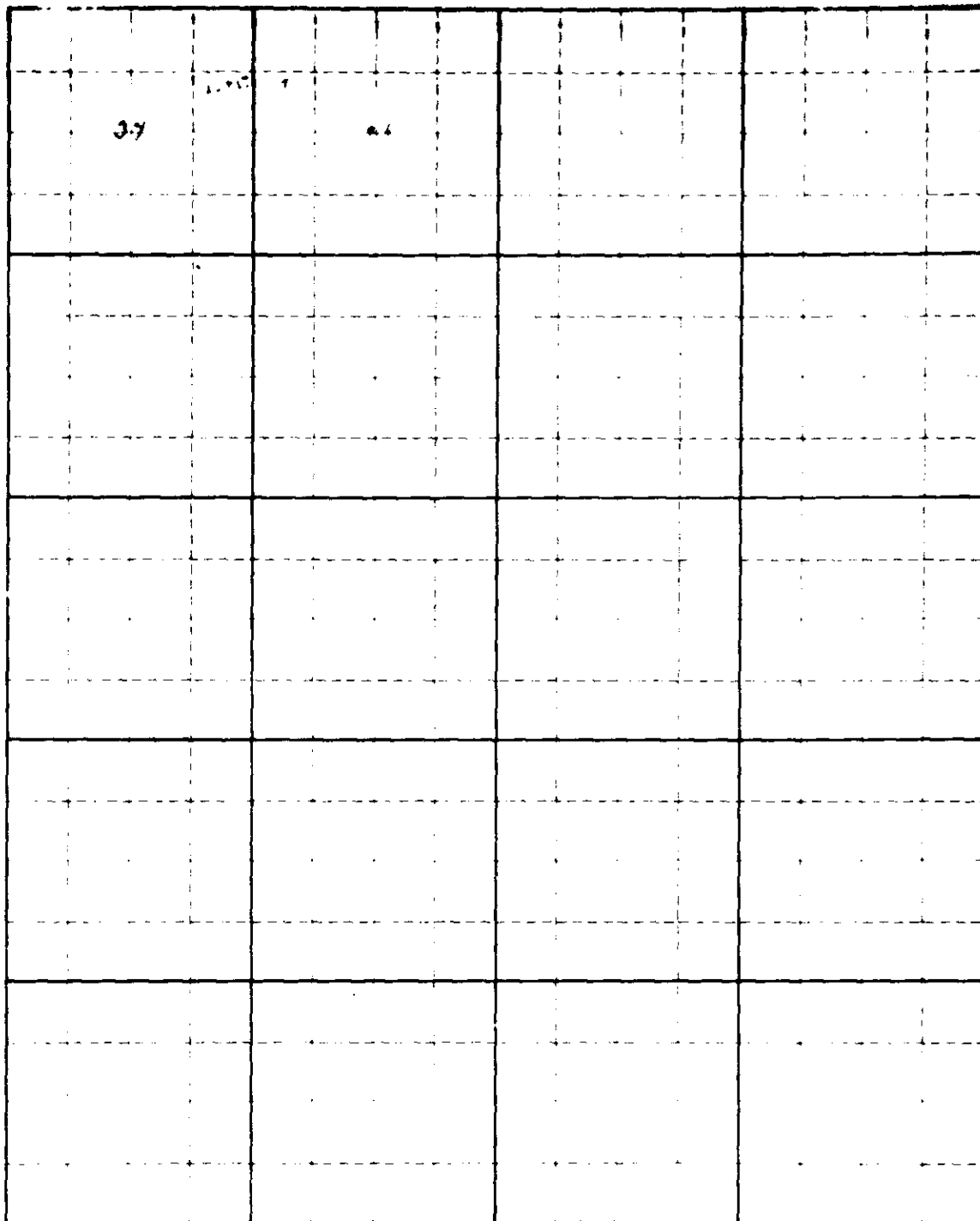
a. Who owns the property at the point of diversion Self

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

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: *R. LN T. SE*



Scale: 2 inches equal 1 mile

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

[Signature]
W. A. P. [unclear]

Application No. 63-7226 Date 10-1-69
Permit No. 5153-1000
Applicant's Name Dye S 17-69
Project Name Mores Creek
Project Location Mores Creek
Project Dates 6-1-69 to 6-1-74
Project Approved 10 Date 10-1-69
Project Rejected Reason

Project filed by None 6-24-69

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by *one off*
one off

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7226 and said application is hereby APPROVED.

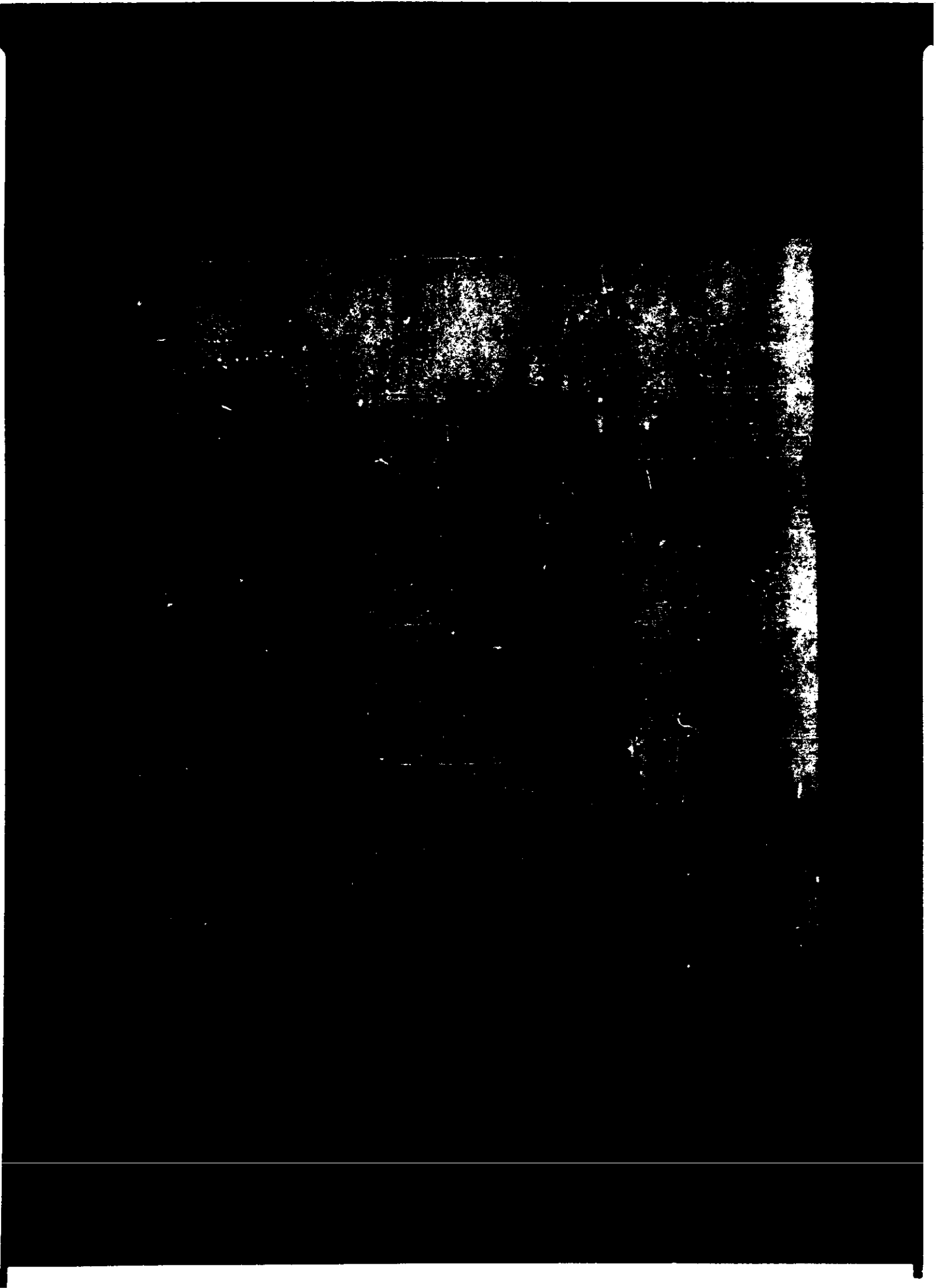
1. Approval of said application is subject to the following limitations and conditions.

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 74.
- Other: Subject to regulation by the watermaster. The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works. That settling ponds be installed capable of reducing the silt load in the return water to such a level that the quality of the waters of Mores Creek will not be impaired for other beneficial uses.

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

Witness my hand this 11th day of July, 19 69.

R. Karl Higgins
State Reclamation Engineer





State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 30, 1993

GLEN J RHODES
1406 JOHNSON ST
BOISE ID 83605

Re: Application for Transfer of Water Right No. 63-7226

Dear Mr. Rhodes:

This office acknowledges the withdrawal of the
above-referenced application for transfer.

The application will now be removed from the Department's
records.

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

Sincerely,

A handwritten signature in cursive script, reading 'D R Tuthill'.

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:st

RECEIVED

JUL 23 1993

JUNE 29, 1993

MEMORANDUM

TO: Debbie Allen
FROM: Cindy Hodges, Western Region
RE: Refund request on receipt W015591 in the name of
Glen J Rhodes

I am requesting a refund of the \$30.00 transfer application fee to Mr. Rhodes. The transfer as written is not approvable within Boise River Water District 63.

Please remit the refund to:

GLEN J RHODES
1406 JOHNSON ST
BOISE ID 83705

A copy of the receipt is included.

Thanks.

*Note: per Dave Tutthill - refund offered
because transfer was advised in error by
this office.*

RECEIVED

JUL 23 1993

W015591

10/28/1992

RHODES, GLEN

APPLICATION FOR TRANSFER 63-7226

62103

229 21 1155

30.00

CHECK

1287

\$30.00

Region: WESTERN

Signature: _____

JUL 23 1993

RECEIVED
JUL 12 1993
Department of Water Resources

W I T H D R A W A L

TO WHOM IT MAY CONCERN:

I hereby withdraw Application For
Transfer of Water Right to Appropriate the Public Water
of the State of Idaho, No. 603-7226.

Signed at Idaho City ID

this 29 day of June 1993
~~198~~.


Applicant Holder

ATTEST:



MICROFILMED

JUL 23 1993

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Glenn J. Rhodes Phone 342-2665
Post Office address 1406 Johnson St Boise ID 83705 *DRY*

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Add Source
2. Describe the reason for the proposed changes California Gulch is an intermittent source; Spring is more reliable. California Gulch will be used when possible because of gravity system - Spring must be pumped.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|-----------|---|--|---------------|
| 63-07226 | 3/14/1989 | .11 | IRR | 4/15 to 10/15 |
| | | .06 | MUNING | 3/1 to 7/1 |
| | | | | to |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred | | .17 | cubic feet per second and/or 21.0 acre-feet per annum. | |
| 3. Source of water | | California Gulch tributary to Mores Creek | | |
| 4. Point(s) of Diversion: | | Spring Mores Creek | | |

[illegible]

5. Lands irrigated or place of use: **NO CHANGE**

[illegible]

Total acres _____

PART 1

6. General Information:

a. Description of diversion system California Gulch - see license file (unchanged)
Spring - pump in Springbox, pipeline under More's Creek to
P/U (see remarks)

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

Work in More's Creek done under SCA # 63-S-914 & P63-11918
for domestic use from Spring
Spring P/O aka Lot 8, Mountain Meadows Sub # 2
P/U aka Lots 1 & 15, Mountain Meadows Sub # 1

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

MICROFILMED

JUL 23 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-7226 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water California Gulch tributary to More's Creek

4. Date or priority 3/14/1989

5. Water is used for the following purpose:

amount .11 for irrig purposes from 4/15 to 10/15
(cfs/ac-ft)
amount .06 for mining purposes from 3/1 to 7/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.17 cubic feet per second and/or 21.00 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	34	6N	SE	BOISE	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
6N	SE	34				5.6													5.6
						1.5													

Total acres 5.6

9. Describe any other water rights used for the same purpose as described above None

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED N/A

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

RECORDED
JUL 23 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

see attached (B & C)

MICROFILMED
JUL 23 1993

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>N/A</u>			_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 28 day of OCT, 1992

[Signature]
(Notary Public)

My commission expires 12-8-94**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 3 attachmentsReceived by Cyt Date 10/28/92 Protest filed by _____Prelim. check by 82 Fee \$30-Receipted by Cyt WAIS591 Date 10/28/92Published in Idaho World Copies of protest forwarded by _____Pub. dates 1/6 * 1/13/1993 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

JUL 23 1993

BOISE COUNTY ASSESSOR
P. O. BOX 127
IDAHO CITY, ID 83631-0127

ADDRESS CORRECTION REQUESTED

CATEGORY DESCRIPTION
25 CONDO COMMON AR

THIS IS NOT A BILL

PARCEL NO. RF 049010000000 A

TAX CODE 5-00
MARKET VALUE
LOTS / ACRES 2.990 AC
2.990

1991
TAXPAYERS
VALUATION
ASSESSMENT NOTICE

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE
JUNE 13, 1991

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
IDAHO CITY, ID 83631-0127
PERMIT NO. 2

BOISE COUNTY ASSESSOR
P. O. BOX 127
IDAHO CITY, ID 83631-0127

ADDRESS CORRECTION REQUESTED

CATEGORY DESCRIPTION
15 RUR SUB RES

IMPORTANT NOTICE - THIS IS NOT A BILL

PARCEL NO. RF 049020000080 A

TAX CODE 5-00
MARKET VALUE
LOTS / ACRES 1.010 AC
1.010 2,200
2,200*

1992
TAXPAYERS
VALUATION

ASSESSMENT NOTICE
Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE
JUNE 19, 1992

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
IDAHO CITY, ID 83631-0127
PERMIT NO. 2

PROPERTY ADDRESS
PREVIOUS NUMBER

T&N R5E MTN MEADOWS SUB 1
COMMON GROUND

Mail To:
MTN. MEADOWS SUB
X RHODES, GLENN
3366 OVERLAND RD
BOISE, ID 83705

PROPERTY ADDRESS
PREVIOUS NUMBER

T&N R5E MTN. MEADOWS SUB 2
LOT 8

Mail To:
MTN. MEADOWS SUB
X RHODES, GLENN
PO BOX 5024
BOISE, ID 83705

BOISE COUNTY ASSESSOR
P. O. BOX 127
IDAHO CITY, ID 83631-0127

ADDRESS CORRECTION REQUESTED

CATEGORY DESCRIPTION
15 RUR SUB RES

THIS IS NOT A BILL

PARCEL NO. RF 049010000010 A

TAX CODE 5-00
MARKET VALUE
LOTS / ACRES 2.300 AC
2.300 9,200
9,200*

1991
TAXPAYERS
VALUATION

ASSESSMENT NOTICE
Taxes are based on the valuation
listed on this statement
IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE
JUNE 13, 1991

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
IDAHO CITY, ID 83631-0127
PERMIT NO. 2

BOISE COUNTY ASSESSOR
P. O. BOX 127
IDAHO CITY, ID 83631-0127

ADDRESS CORRECTION REQUESTED

CATEGORY DESCRIPTION
15 RUR SUB RES
37 BLDG RES SUB
56 MACH EQUIP

IMPORTANT NOTICE - THIS IS NOT A BILL

PARCEL NO. RF 049010000150 A

TAX CODE 5-00
MARKET VALUE
LOTS / ACRES 2.770 AC
2.770 17,050
119,626
8,280
144,956*

1992
TAXPAYERS
VALUATION

ASSESSMENT NOTICE
Taxes are based on the valuation
listed on this statement
IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE
JUNE 19, 1992

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
IDAHO CITY, ID 83631-0127
PERMIT NO. 2

PROPERTY ADDRESS
PREVIOUS NUMBER

T&N R5E MTN. MEADOWS SUB 1
LOT 1

Mail To:
MTN. MEADOWS SUB
X RHODES, GLENN
3366 OVERLAND RD
BOISE, ID 83705

PROPERTY ADDRESS
PREVIOUS NUMBER

T&N R5E MTN MEADOWS SUB 1
LOT 15

Mail To:
MTN. MEADOWS SUB
X RHODES, GLENN
P.O. BOX 66
IDAHO CITY, ID 83631

PERMIT _____ INIT _____
T. 6 N R. 56 S. 34 Q/Q - NNNNE
P/D _____ - N56
SCALE _____
PHOTO ID. W62 NEW P/D

9/4
9/10

ATTACHMENT B

Title Insurance Company of Idaho
11th Sixth Street
28
Idaho 83701

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the company assumes no liability for variation, if any, with master or recovery.



1e lump

Mores Creek

NEW P/D
204.07

450
S 4015 25th - 450'
Tr 145
City of Idaho City

MOUNTAIN Meadow Sub. #2
MOUNTAIN Meadow Sub. #1

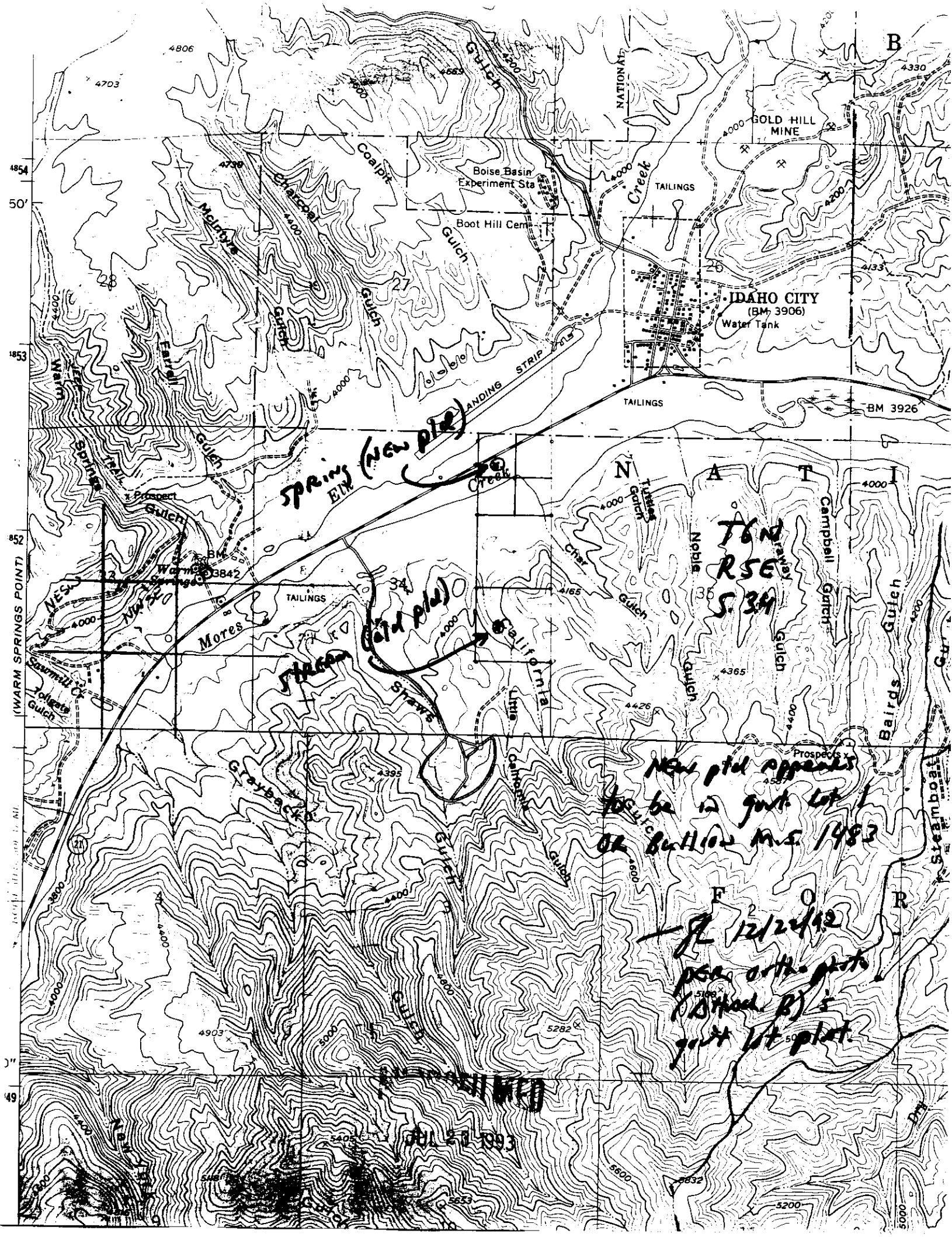
RECORDED

JUL 23 1993

ORIG P/D



ATTACHMENT C



4806

4703

B

GOLD HILL MINE

Boise Basin Experiment Sta

Boot Hill Cem

IDAHO CITY (BM 3906)

Water Tank

BM 3926

Spring (new plot)

Stream (old plot)

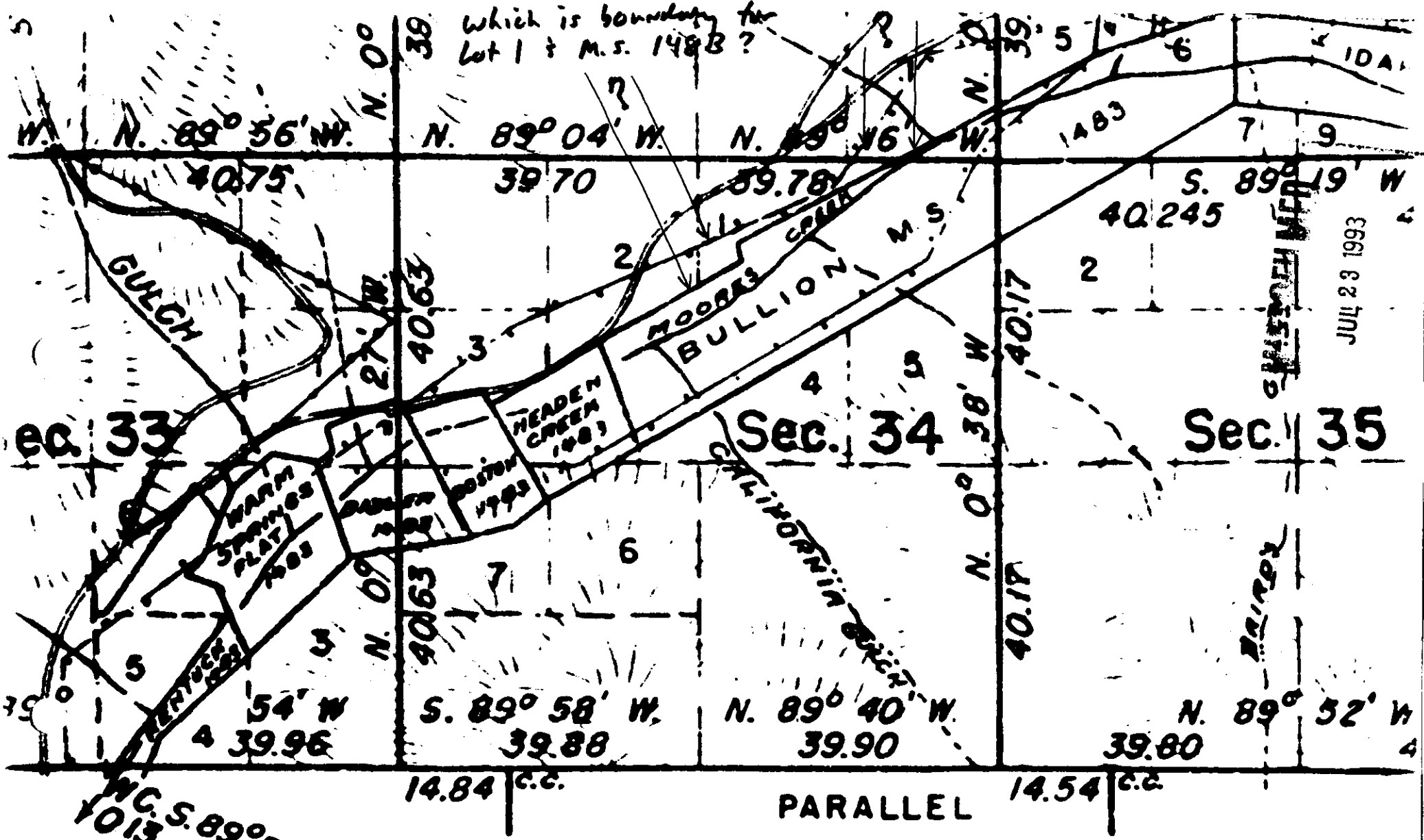
TENSE S. 34

New plot appears to be in gully lot 1 or Butcher M.S. 1483

JL 12/24/92
see ortho photo (Sheet B) 5 gully lot plot

RECEIVED

JUL 21 1993





State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

April 30, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Glen J Rhodes
1406 Johnson St
Boise ID 83705

RE: Application for Transfer of Water Right License 63-07226, California Gulch

Dear Mr. Rhodes:

The above-referenced application for transfer, which proposed to add a spring source to license 63-07226, has been reviewed by our staff and by the Boise River Watermaster. Recently, I was advised that it is unlikely that the transfer can be approved as written.

The Boise River system upstream from Lucky Peak has been closed to new water right appropriations since 1977. If an additional source was added to license 63-07226, an expansion in water use would occur, as California Gulch does not typically flow throughout the entire irrigation season, and the license was developed from California Gulch only. Additional use from a second source cannot be considered unconditionally because senior downstream users may be injured.

Whenever a change is proposed to a water right, that right is subject to new conditions of use which are appropriate at the time of the application. Proposed conditions of use become effective the date of the approved change. The condition of use recommended by the Boise River Watermaster for this transfer is that the right may only be used for irrigation when the Boise River is in flood control stage, generally in spring and early summer during high water years. The effect of this condition on your right would be to disallow irrigation during most summer months.

As the applicant, you have the option to continue the transfer process, if the proposed conditions are acceptable, or to attempt modification of the transfer to facilitate approval. You may also withdraw the application for transfer; license 63-07226 from California Gulch would remain unchanged. Because it appears that I advised you in error to file the transfer, I have been authorized to offer you a refund of your fee if you choose to withdraw your transfer application. Whatever option you choose, your permit no. 63-11918 to appropriate domestic water from the spring is unaffected.

Modification of the transfer would involve obtaining flows from a rental pool or other source to replace those taken from the spring, thus removing the limiting condition. The Boise River Water Supply Bank may have available flows to rent on a year-by-year basis which could be used to replace the additional water you wish to take from the spring. A copy of the rental application is enclosed. If a rental agreement and a satisfactory augmentation plan may be obtained, your transfer might be able to be approved contingent on the availability of Water Supply Bank flows.

MICROFILMED

JUL 23 1993

April 30, 1993

The Bureau of Reclamation may have stored flows in Anderson Ranch Reservoir which are available to lease. Stored flows may also be used to augment appropriations of natural spring flows. For more information on availability of these flows, contact Jerry Greg, Bureau of Reclamation, 214 S Broadway, Boise ID 83706.

A second alternative is to purchase an existing Boise River system water right and move it (via separate transfer) to your property. Recently, the South Boise Mutual Irrigation Company sold a small portion of their junior Boise River water rights to an individual located above Lucky Peak. It is possible that they may be willing to sell to you a similar portion. If you wish to contact South Boise Mutual Irrigation Company, you may reach A. J. Mitchell, president, at 334-1190. If you were able to negotiate an agreement, I would be willing to prepare the second transfer application for you, and could apply the fee from the first transfer.

I expect that you will have some questions regarding this information. I regret that the transfer is not acceptable, as I had anticipated. Please call me as soon as possible, so that we may make an appointment to discuss your options.

Sincerely,

Cindy Hodges

Cindy Hodges
Sr. Water Resource Agent

Enclosures

MICROFILMED

JUL 23 1993

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 63-07226RECOMMENDATION OF WATERMASTERRECEIVED
FEB 11 1993Department of Water Resources
Western Regional Office

I, Lee Sisco, watermaster of Boise River,
of Water District No. 63, County of Ada, State of Idaho,
whose address is 214 Broadway Ave., Boise, Id. 83702
have read the attached copy of the application for transfer of water right for _____
Glenn Rhodes, and to the best of my knowledge believe the
(name)
application to be true.

(A) I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: No water under this right for
irrigation may be diverted unless the Boise
River is in Flood Control and flood releases
are being made by the Corps of Engineers
thru Lucky Peak OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Boise, Idaho, this 9 day of Feb 19 93.

Lee Sisco
(signature)

NOTED

JUL 23 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 10, 1993

LEE SISCO, WATERMASTER
WATER DISTRICT 63
214 BROADWAY
BOISE ID 83702

Re: Application for Transfer of Water Right No. 63-7226 in the
Name of Glenn J. Rhodes

Dear Lee:

On January 19, 1993, I sent you a copy of the
above-referenced transfer of water right, and a letter asking
for your recommendation.

As of today, we have not received any information on your
concerns. Please respond to the enclosed questionnaire by
February 19, 1993.

Sincerely,

Thanks, Dave

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Enclosure(s):

MICROFILMED

JUL 23 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 19, 1993

Lee Sisco, Watermaster
Water District 63
214 Broadway
Boise, ID 83702

Re: Application for Transfer of Water Right No. 63-07226 in
the Name of Glenn J. Rhodes

Dear Watermaster:

Enclosed is an application(s) for transfer of a water right(s)
within your water district. Also enclosed is a form for your
recommendation concerning this application.

Please review the application and return your recommendation
within two weeks. If you have questions or need information,
feel free to contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Enclosure: Copy of Application
Recommendation of Watermaster Form

JUL 23 1993

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 63-07226

Notice is hereby given that Glenn J. Rhodes of Boise has applied to the Department of Water Resources for a change of Point of Diversion and Source of the water of California Gulch tributary to Mores Creek. The right sought to be changed is evidenced by license and is recorded as follows:

Amount: .17 cfs Priority: 3/14/1989
Point(s) of Diversion: T06N R05E Sec. 34 NESE, Boise County. The water is used for Irrigation and Mining purposes in Lot 5 (SENE) Sec. 34 T06N R05E (Irrigation 5.6 acres 4/15-10/15 and Mining 3/1-7/1).

TO BE CHANGED AS FOLLOWS

Amount: .17 cfs
Point(s) of Diversion: NWNENE and NESE Sec. 34 T06N R05E. The water will be used for the same purposes in same place originally described above. The new diversion point is a spring in NWNENE Sec. 34, tributary to Mores Creek upstream from California Gulch, which will continue to be used as a source.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before January 25, 1993.

R. Keith Higginson
Director

Published in the Idaho World on 1/6 and 1/13/1993

12/10/92

JK
Reviewer Note:

License went on 10-day call
up 12/4 (no amendments),
So OK to begin review
process on XFER.
Note that SRBA claim
not required (per Jan)
because proof filed
after 1987.

RECEIVED

JUL 23 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

*Watermaster
Comment letter*

INITIAL REVIEW BY: JR

1. Right number 63-07226 Applicant Glen J. Rhodes

2. Type of right: ☐ Decree ☒ License ☐ Claim

3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use

☒ Other add source - add spring trib. to Mores Cr.

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

*5 upstream from mouth of
original source, California
gully.*

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE: Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use. *no change*

e. ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred.

h. ☒ Check for expansion in use of right. Comments controls to monitor g. from
both ~~sources~~ sources?

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) NOT REALLY APPLICABLE; NO SPRINGS IN NENE per microfilm

j. ☐ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 63 Comment letter sent ☐ Yes ☐ No

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Is transfer published correctly? ☐ Yes ☐ No

3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve

2. ☐ Deny

3. Conditions* _____

4. By _____ Date _____

The Idaho World

P O Box 220
Idaho City, ID 83631
208 392-4989

P O Box 99
Garden Valley, ID 83622
208 462-3487

RECEIVED
JAN 26 1993

Department of Water Resources
Western Regional Office

State of Idaho >
>
County of Boise >

Wayne Hart, being duly sworn, deposes and says: that he is the manager and principal clerk of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Jan 6, 1993 and ending with the issue of Jan 13, 1993.

Wayne Hart

State of Idaho >
>
County of Ada >

On this 24th day of January in the year 1993, before me, a notary public, personally appeared WAYNE HART known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Jan E Hart
Notary Public for Idaho

Brian Id
Residing at

My commission expires

9/10/96

RECEIVED

JUL 23 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 28, 1992

GLENN J RHODES
1406 JOHNSON ST
BOISE ID 83705

RE: WATER RIGHT NO. 63-07226

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in cursive script that reads 'Pamela Skaggs'.

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED
FEB 01 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 2, 1992

GLENN J RHODES
1406 JOHNSON ST
BOISE ID 83705

RE: WATER RIGHT NO. 63-07226

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED

FEB 01 1993

LICENSE REVIEW CHECKLIST

Permit # 63-7226

Date 11-30-92
Q8

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance?
	☐	☒	Memo to Advance
	☐	☒	Order to Reinstate Needed? <u>DOPE</u>
TOTAL CFS	☐	☒	Incorrect Fee for rate recommended?
	☐	☒	Disagree with Actual Measurement?
	☐	☒	<u>.11 cfs (IRR) .06 cfs (Mining)</u>
	☒	☐	Disagree with Theoretical?
	☐	☒	Limited by Capacity? <u>.18 cfs (Measured)</u>
TOTAL VOLUME			Rate/ac <u>3.5</u> AFA Irr. Season <u>3</u>
			<u>4-15 to 10-15 (103 days) Standard Irr. Season</u>
			<u>same/change from Permit Season Recommended</u>
	☒	☐	Disagree with Examiner's Calculations?
	☐	☒	<u>5.6 x 3.5 = 19.6 afa (IRR) * 1.4 afa (Mining)</u>
	☐	☒	Limited by Flow? <u>.11 x 183 x 1.9835 = 39.9 > 19.6</u>
			<u>.06 x 122 x 1.9835 = 14.5 > 1.4</u>
SOURCE	☐	☒	Changes? Clarification of <u>Originally</u>
	☐	☒	<u>Intended</u> source
	☐	☒	Notice of Intent to Void.
P/D	☒	☐	Verify with Map
	☐	☐	Amendment Needed? <u>Drop S35</u>
	☐	☐	Is Overlap Analysis a Consideration?
P/U	☐	☒	Verify with Map
	☐	☒	Amendment Needed? <u>Drop S35</u>
	☐	☒	Is Overlap Analysis a Consideration?
USES	☐	☒	Change(s) in Nature of Use? <u>Drop DOM</u>
	☐	☒	Amendment Needed? <u>P/U on Permit - 8a1</u>
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4?
	☐	☒	Non-Irr. Uses
	☐	☒	Special Overlap Condition
	☒	☐	Other <u>P/U</u>
	004 - RD on USFS land.		
CONDITIONS	<u>R01</u>	☐	Measuring Device
	<u>R04</u>	☐	W/Master Control
	<u>R30</u>	☐	Overlap
	<u>R06</u>	☐	Water Quality
		☒	DATES/MISC
		☒	<u>63</u> Water Dist.
		☒	App Rec'd
		☒	Exam Made
COMMENTS/MEMOS NEEDED:	<u>Reduced Acres, Rate, Uses</u>		
	* Mining - .06 cfs = 27 gpm = 1620 gph x 16 h pw = 25920 gph		
	<u>25920 gph x 17.4 w = 451,008 g / 325,850 = 1.38 ≈ 1.4 af</u>		
	<u>Mining Mac1 to July 1 = 122 days = 17.4 weeks (Per Permit)</u>		
License	☐	☒	10-Day
	☐	☐	15-Day
	☐	☐	Special Correspondence

WR0749NP
No. L63-07226

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 12/01/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GLENN J RHODES 1406 JOHNSON ST BOISE ID 83705	03/14/1989	IRRIGATION MINING	04-15 10-15 03-01 07-01	0.11 CFS 0.06 CFS	19.6 AFA 1.4 AFA
TOTAL DIVERSION:					0.17 CFS	21.0 AFA

Water Source: CALIFORNIA GULCH

Tributary to: MORES CREEK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.18 CFS

Point(s) of Diversion: T06N R05E S34 NE SE

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	SUM
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
06N	05E	34	:													5.6
TOTAL ACRES																5.6

Place of use location for MINING is the same location as described for: IRRIGATION

Pou County: BOISE

Other Water Rights with Same Point(s) of Diversion and Source:
63-07226

Conditions of Approval:

- 004 - The issuance of this right in no way grants any right-of-way or easement across the land of another.
- R01 - A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
- R06 - When water used under this right is discharged into the natural channel, settling ponds must be maintained which are capable of reducing the silt load to such a level that the quality of water will not be impaired for other beneficial uses.
- R30 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Remarks: Place of use for irrigation is located within Lots 1 and 15, and the mining pond is located within Lot 11, Mountain Meadow Subdivision No. 1.

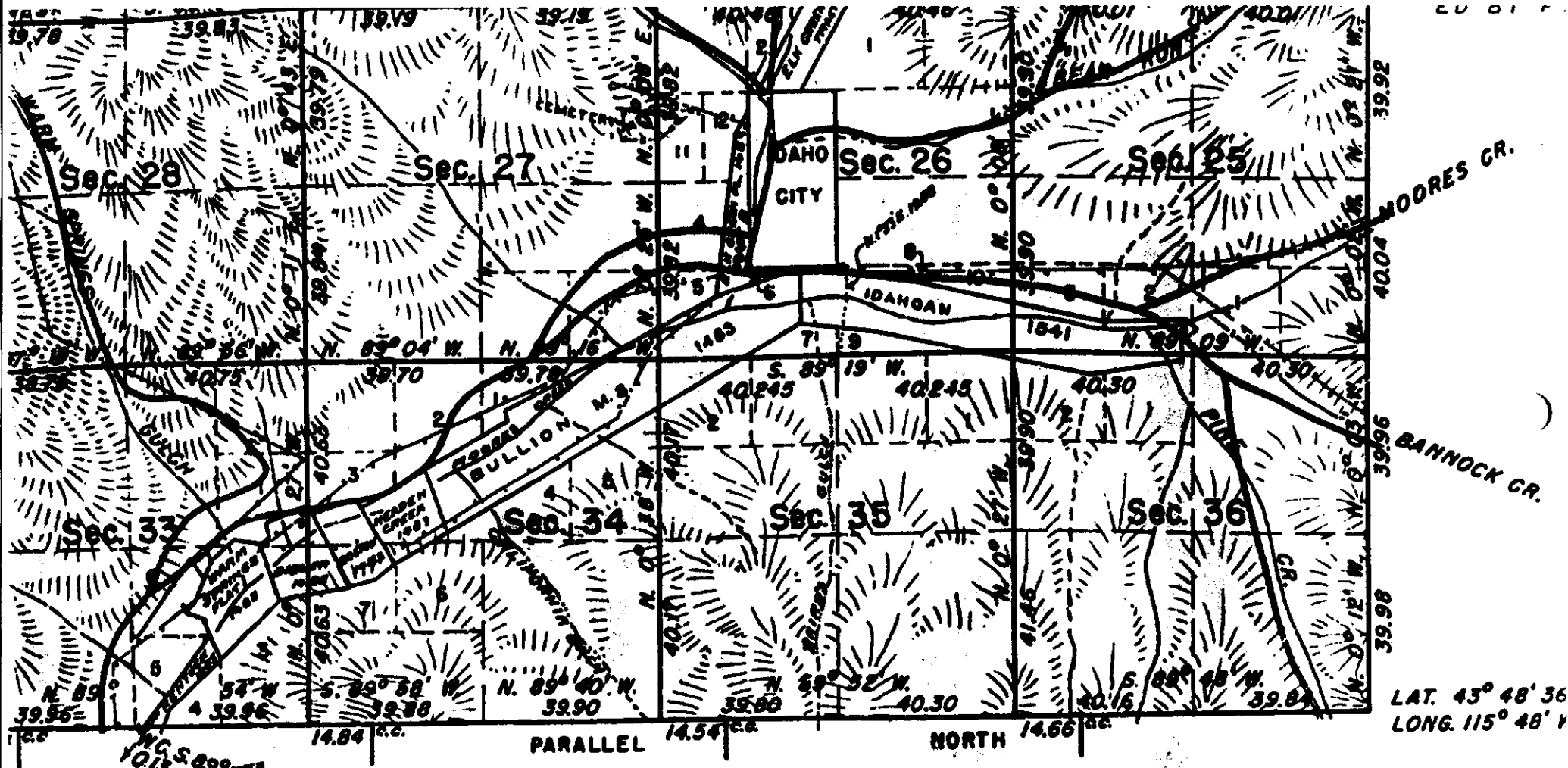
Dates: App. Received: 05/19/1969 Priority Date: 03/14/1989 (Priority Date Advanced.)
Proof Due Date: 07/01/1974 Proof Made Date: 03/14/1989 (Proof Received Late.)
Exam Made Date: 06/22/1992 Exam Sent to S.O.: 10/28/1992
Licensed Date:

WR0749NP
No. L63-07226

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 12/01/92
PAGE: 2

Misc: Water District Number: 63 Field Exam Fee: R (Received)
Audit: 12/01/92 SKAGGS



LAT. 43° 48' 36"
LONG. 115° 48' 1"

Sec. 4

Sec. 3

Sec. 2

Sec. 1

UNITED STATES DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

DENVER, COLORADO, DECEMBER 6, 1943.

THIS PLAT OF TOWNSHIP NO. 6 NORTH, RANGE NO. 5
EAST OF THE BOISE MERIDIAN, IDAHO, IS STRICTLY
CONFORMABLE TO THE FIELD NOTES OF THE SURVEY
THEREOF WHICH HAVE BEEN EXAMINED AND APPROVED.

WASHINGTON, D
THE SURVEY REPRESENTS
BEEN CORRECTLY EXECUTED
REQUIREMENTS OF LAW AND
OFFICE, IS HEREBY ACCEPTED

Donald M. Johnson

SUPERVISOR OF SURVEYS.

John D. [Signature]
ASS

FEB 0 1933

.26 A.
.25 A.
.51 A.

TED
1938
1939

219-S-A.
6-90

63-7226
Permit No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- found ☒ Copies of any Amendments/Orders with Conditions of Approval
- no ☒ Well Inspection Form (If Needed)
- ☒ Aerial Photo Required? ☒ yes ___ no If yes: ___ copy attached
- ☒ SRBA Attachment A Submitted to Adjudication Section
- SRBA Claim Check Received Dave Gray 6-4-92 (initial & date)
- ___ N/A ___ Applicable, See Attachment A ___
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of government plat
- ☒ Check of P/D index Dave Gray 6-3-92 (initial & date)
- Overlap ___ yes ☒ no If yes: ___ copy of exam(s) attached?
- Type of Overlap? ___ Add acres or uses to existing system
- ___ Increase rate of flow or volume
- ___ Other: ___
- ☒ Check of P/U index Dave Gray 6-4-92 (initial & date)
- Overlap? ___ yes ☒ no If yes: ___ copy of water right(s) attached?
- Type of Overlap? ___ Increase rate of flow or volume
- ___ Add P/D's
- ___ Increase number of acres within tracts
- ___ Other: ___
- ☒ Scheduling Letter Sent? Dave Gray 6-5-92 (initial & date)
- ☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Copy of SRBA Claim Verification Sheet / ___ Original Returned to Adjudication Section

C. Review and Processing:

- Exam Completed Dave Gray 07-08-92 (signature of examiner & date)
- Exam Reviewed by Senior Water Resource Agent CW 8/20/92 (initial & date)
- Exam Reviewed by Manager of Regional Office DW 10/22/92 (initial & date)
- Exam Sent to State Office 10-28-92 et (initial & date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 29 1992

Department of Water Resources

A. GENERAL INFORMATION

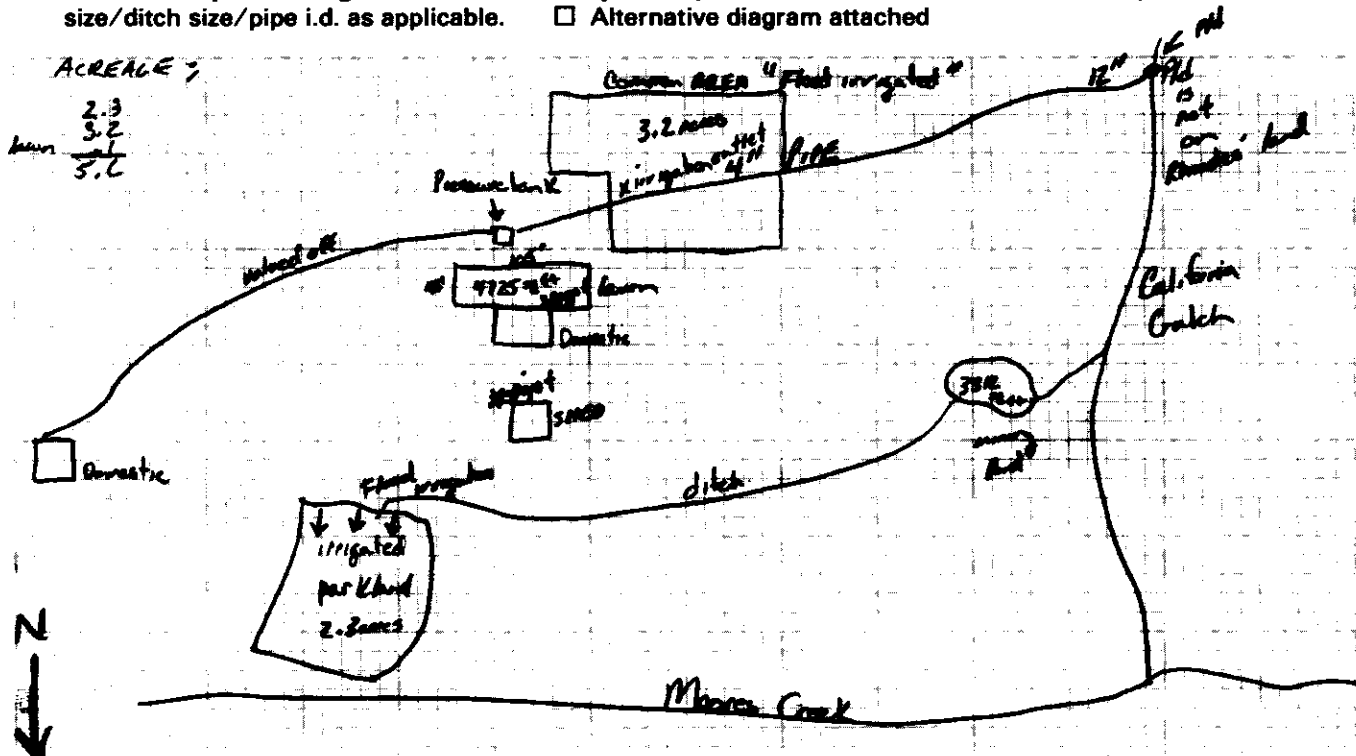
Permit No. 63-7226
1. Owner: Glen Rhodes Phone No. 342-4654
Current Address: 1408 Johnson Street Boise Idaho 83705
2. Accompanied by: Glen Rhodes EXAM. DATE: Monday June 14, 92
Address: same as above Phone No. same as above
Relationship to Permit Holder: owner
3. Source: California Gulch tributary to Mores Creek

B. OVERLAP REVIEW

1. Other water rights with same place of use: None 63-2280
☐ Copies Attached
2. Other water rights with same point of diversion: None
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

RECEIVED
FEB 01 1993

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

This system makes use of California Gulch. The owner taps into Calif Gulch uphill and gravity irrigates to the pasture by his domestic. The owner also flood irrigates a field with the system. As California Gulch feeds into a pond, he uses this pond to mine. He also diverts from this pond to irrigate a lower pasture. The owner & his neighbor share his 8", 105' well. The static water level is 60' and it runs through a 105 gallon pressure tank that runs between 40-60 psi.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		NA			

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	SE	34	6N	5E	Boise	Quads, Aerial Id.

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	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	
34	6N	5E				5.6									5.6				5.6
						4.5													

Do not use this space

MICROFILMED

FEB 01 1993

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
		NA				

2. Measurements:

Meadow irrigation 5 gallon bucket: 3x @ 9.5 seconds; ^{Exhibit 10} .07 cfs = California Gulch
 Pond Diversion water measurement; head of 2 3/4 inches = TABLE 3 .05 cfs
~~Domestic = Theoretical .75 x 8.8 x .76 = 4.162 = .04 cfs + 9.5 seconds~~
~~65 x (46) = 111~~
 mining: 5 gallon bucket = 3x @ 11 seconds; ^{Exhibit 10} .06 cfs = California Gulch

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

~~Theoretical; .04~~ Domestic ^{Meadow} Irrigation .07 cfs mining .06 cfs Pond Diversion to Irrigation .05

2. Alternate Method for Checking Purposes:

5 gallon bucket

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5.6 \times 3.5 = 19.6 \text{ AFA}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .12 \times 183 \times 1.9835 = 43.56 \text{ AFA}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 19.6 \text{ AFA}$

2. Volume Calculations for Other Uses:

~~Domestic = 2 hours = .6 AFA x 2 = 1.2 AFA~~

Mining = .06 cfs x 16 hrs/wk x 32 weeks = 30.72 ?
 (224 days) 12 2.56 AFA

.06 cfs x (224 days x .10 day) x 1.9835 = 2.7 AFA

RECEIVED

FEB 01 1993

H. REMARKS AND OVERLAP REVIEW ANALYSIS

No domestic use from ~~California~~ Gulch - Domestic use is from well
 63-2280 is a 1920 mining license from Slaughterhouse Gulch - north of More's Creek? Not claimed in SRDA. No overlap evident

Place of use aka lots 1 & 15, Mountain Meadows Sub #1

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Irrigation	~~5-15~~ 10-31/15	10-31/15	0.12 cfs	17.6 AFA
Mining	3-1	9-30	0.06 cfs	2.7 AFA
~~Domestic~~	~~1-1~~	~~12-31~~	~~0.04 cfs~~	~~1.2 AFA~~
Totals:			0.17 ~~0.22~~ cfs	22.3 ~~23.1~~ AFA

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name

DAVID GRAY

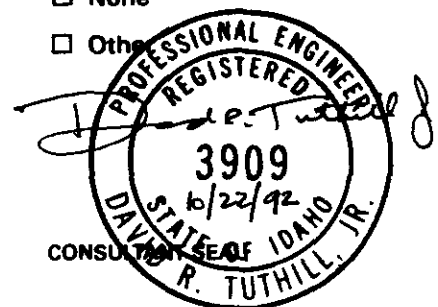
Signature

David Gray

Certification Date

07-08-92

Field Report Preparation Date



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

FEB 01 1993

8

1

N

4855

22

22
—v—

4854

50'

4853

4852

4851

4850

47' 30"

49

PERMIT 63-37226 INIT DM
T. R. S. Q/Q
P/D 6m 5e 34 1e 5e
SCALE _____
PHOTO ID. _____

plu
pld

T. 6 N.

Г. 5 N.

FEB 01 1993

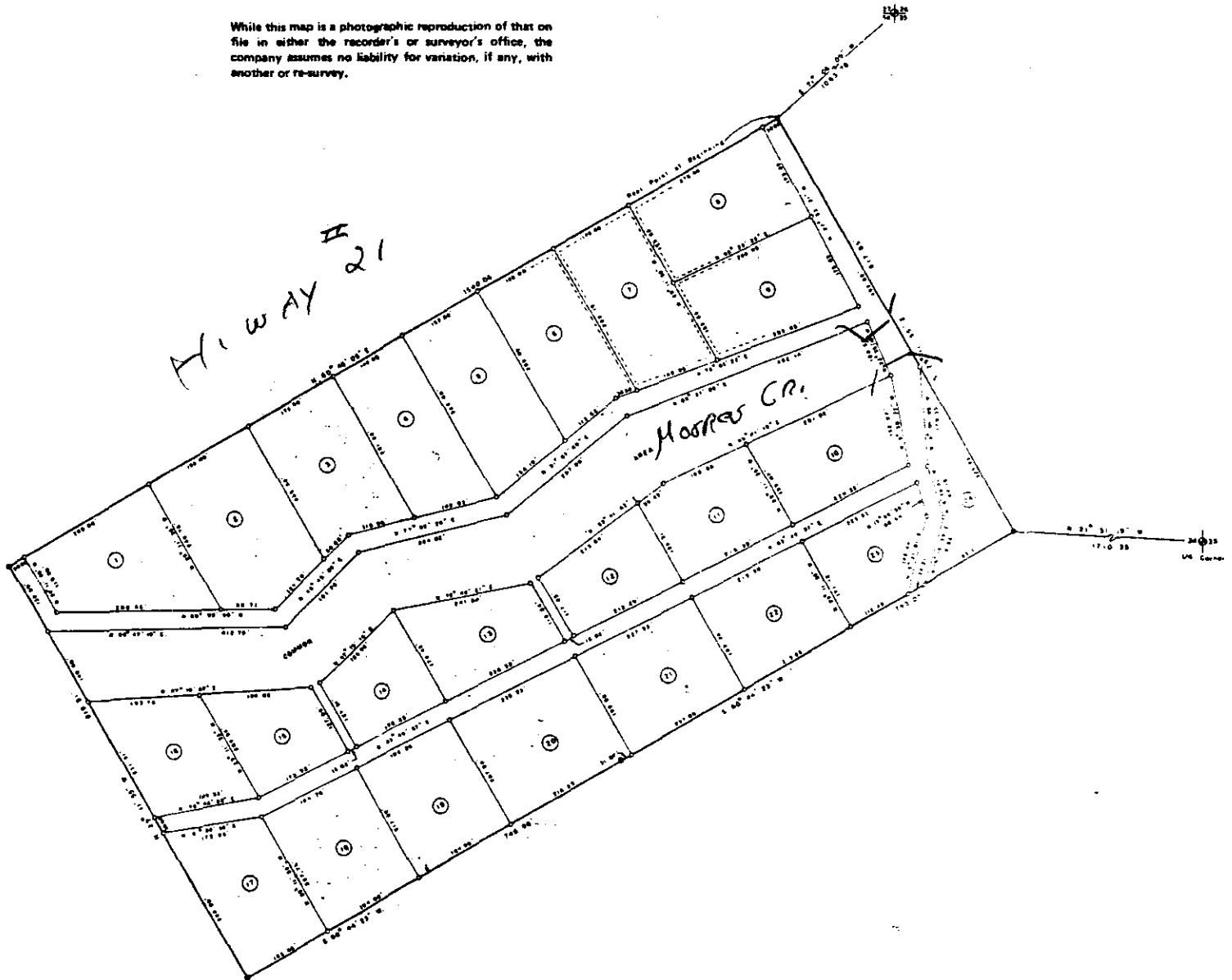
MOUNTAIN MEADOW SUBDIVISION NO. 2

A SUBDIVISION IN
A PORTION OF THE NE 1/4 SECTION 34, T. 6N., R. 5E., B.M.
BOISE COUNTY, IDAHO

SMITH & MONROE ENGINEERS, INC.
1707 LINDA VISTA LANE BOISE, IDAHO

Safeco Title Insurance Company of Idaho
300 North Sixth Street
Box 2528
Boise, Idaho 83701

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the company assumes no liability for variation, if any, with another or re-survey.



MICROFILMED

FEB 01 1993

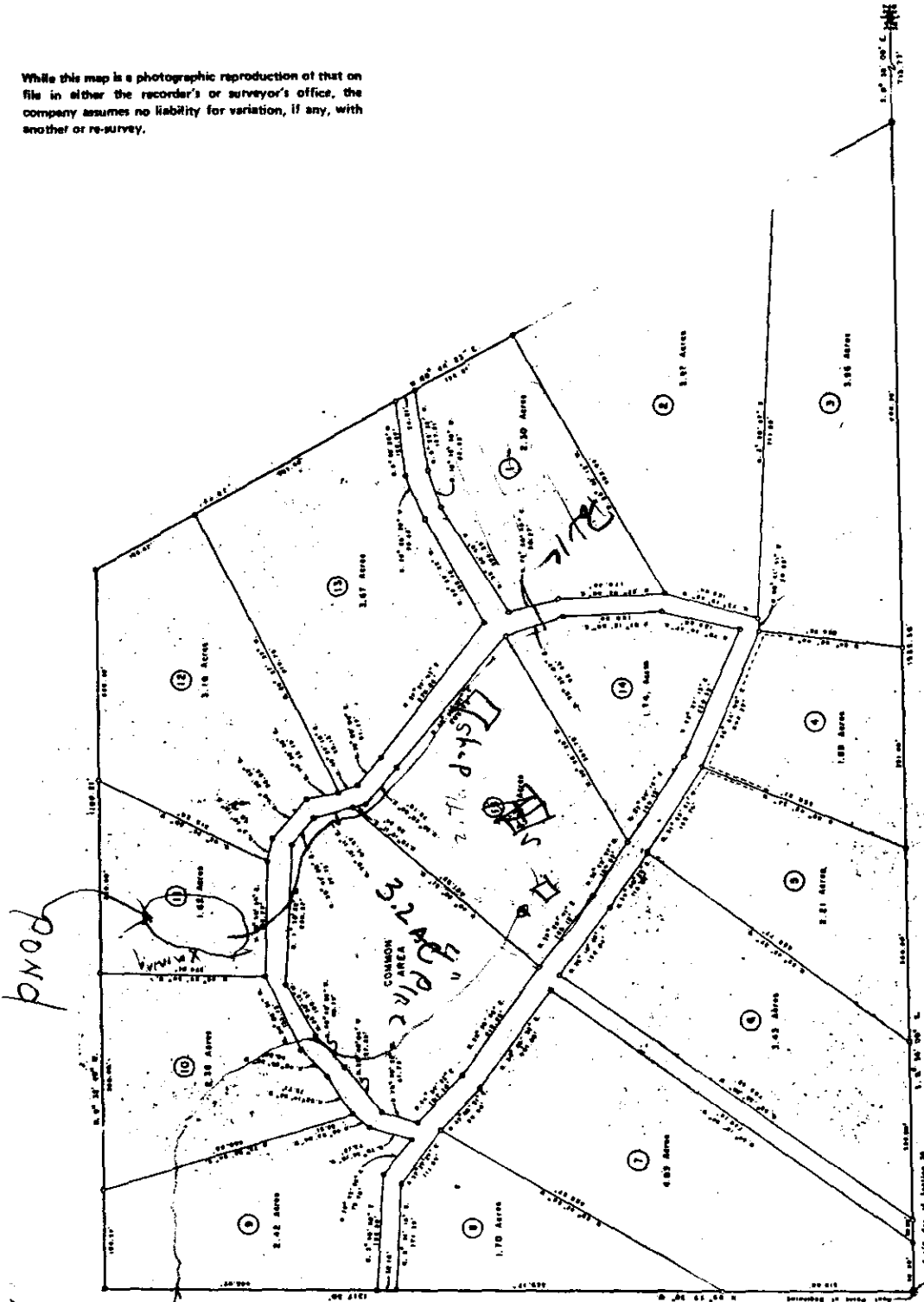
MOUNTAIN MEADOW SUBDIVISION NO. 1

A SUBDIVISION IN
A PORTION OF THE E 1/2 OF THE NE 1/4 OF SECTION 34, T.6N. R.5E. S.M.
BOISE COUNTY, IDAHO

SMITH & MONROE ENGINEERS, INC.
1707 LINDA VISTA LANE BOISE, IDAHO



While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the company assumes no liability for variation, if any, with another or re-survey.



FEB 01 1993

63-07226



View of the domestic
PROPERTY.

g lawn
irrigation

~~View of the Measure back for
the system.~~



No pressure system
on California
Gulch water

FEB 01 1993

63-07226



View of storage Pond.
Pond is used FOR
mining PURPOSES.



View of shed. LOCATED
NEXT TO SHED.

(Irrigation of pasture)

RECEIVED
FEB 01 1993

63-07226

Common Area: IRRIGATED BY THE SYSTEM.



FEB 01 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 10, 1989

RE: Permit No. 63-7226

Glenn J. Rhodes
1408 Johson St.
Boise, ID 83705

Dear Permit Holder(s):

We acknowledge receipt of the statement of beneficial use and the supporting documentation for reinstating the above referenced permit. Before a license can be issued, a field examination will be made by a representative of this Department. Enclosed is an Order of Reinstatement. Please note that the priority date has been advanced to March 14, 1989.

If you have any questions regarding this matter, please contact this office or our Western Regional Office at 334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over a circular stamp.

JIM JOHNSON
Water Rights Supervisor

JJ:hm

Enclosure

MICROFILMED

JUL 18 1989

WILLIAM D. COLLINS

ATTORNEY AT LAW
733 NORTH 7TH STREET
P. O. BOX 2794
BOISE, IDAHO 83701

TELEPHONE 345-2811
AREA CODE 208

May 19, 1989

RECEIVED
MAY 22 1989

Mr. Tim Luke
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706

Department of Water Resources

Re: Application No. 63-7226

Dear Mr. Luke:

We talked recently regarding the Application I filed on behalf of Glenn J. Rhodes. He had filed the above Application, but had not timely filed proof of application to beneficial use. Mr. Rhodes has pending in your file an Application for extension of time within which to file the proof. We talked over the telephone, and you told me that you felt that the Application needed further support on two grounds. First, you wanted Mr. Rhodes to state in more detail the reason for the delay in filing the proof. Second, you wanted an additional affidavit from another party stating that the water had been continuously used from 1976 on.

I have enclosed a supplemental Affidavit of Mr. Rhodes stating the reasons for the delay. Basically, as I understand the situation, the Forest Service had raised an issue initially as to whether a special use permit need be obtained since the point of diversion is actually on Forest Service land. That was subsequently resolved several years after the proof became due when Mr. Rhodes acquired the mining claims of Mr. Young, the former applicant for the water right.

I have also enclosed an Affidavit of Alma Fisher and Anna Fisher who own adjacent property to that of Mr. Rhodes. The property is actually part of the Rhodes subdivision, Mountain Meadows Subdivision No. 1. They lived on that property from 1976 through 1986 and have stated that the water was used during that period. You now have an Affidavit from Jack E. Kelly stating that saw the water being used in the summer of 1975 and/or 1976, the Affidavit of Earl Morgan stating that the system was complete as of the

MICROFILMED

JUL 18 1989

Mr. Tim Luke
May 19, 1989
Page 2

last two weeks of June, 1974, Mr. Rhodes' verified Application that the water was used continuously from July 1, 1974 to the present, and the enclosed Affidavit of the Fishers stating that the water was used from 1976 through 1986. While I believe we have sufficiently documented the use, if you need further affidavits or documentation regarding the Application or feel it is deficient in some other way, please call me.

Very truly yours,



William D. Collins

WDC/ml
Enclosures

cc Glenn J. Rhodes

MICROFILMED

JUL 18 1989



RECEIVED
MAY 22 1989

TO WHOM IT MAY CONCERN:

Department of Water Resources

We, the undersigned, Alma and Anna Fisher, residing at 4023 Hill Road, Boise, Idaho 83703, lived year around in Mountain Meadow Subdivision No. 1 from 1976 until 1986. During that time, the meadow and lawns were irrigated from the pipeline installed in California Gulch for Glenn Rhodes.

Alma H. Fisher

Anna M. Fisher

STATE OF IDAHO, COUNTY OF ADA

On this 10th day of May, 1989, before me, a notary public in and for said State, personally appeared Alma Fisher and Anna Fisher known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Betty Weston
Notary Public
Residing at Boise, Idaho
Comm. Expires 12/23/91

MICROFILMED

JUL 18 1989

RECEIVED

MAY 22 1989

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

Department of Water Resources

In the Matter of Permit No.
63-7226

) AFFIDAVIT IN SUPPORT OF
) APPLICATION FOR EXTENSION
) OF TIME WITHIN WHICH TO
) FILE PROOF OF APPLICATION
) TO BENEFICIAL USE

STATE OF IDAHO)
: ss.
County of Ada)

GLENN J. RHODES, being first duly sworn on oath deposes and states as follows:

1. He is the applicant in the above matter and has been requested by Mr. Timothy Luke of the Idaho Department of Water Resources to supplement the Application.

2. As previously stated in the Application, affiant acquired Permit No. 63-7226 from the owner, Miles M. Young, June 26, 1974. Your affiant also obtained an extension of time to submit proof of beneficial use through July 1, 1976. Your affiant, however, failed to file the Final Proof of Application of Water to Beneficial Use although all of the works necessary to put the water to beneficial use had been completed on July 1, 1974 and the water put to beneficial use that day.

3. In February of 1976 an issue was raised by the Idaho City Ranger District of the Boise National Forest as to the right of your affiant to divert the water on National Forest land and convey it to his land. That issue remained unsettled for approximately

MICROFILMED

AFFIDAVIT

-1-

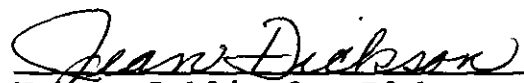
JUL 18 1989

four years. One of the reasons the Forest Service did not want to grant a special use permit was that the property where the diversion was located was subject to a mining claim owned by Miles M. Young. In 1980, your affiant purchased the mining claim from Mr. Young which removed the principal reason for the Forest Service's concern. In the meantime, your affiant had simply not recalled the necessity of having to submit proof of application of beneficial use or to request an extension of time to submit that proof until the present Application was submitted to the Department.

4. As previously stated in the Application, the use of the water has been continuous since July 1, 1976 and your affiant is aware of no intervening applicants seeking to appropriate water from that source and no one would be injured by the granting of the license in this matter even though the license would be backdated.


Glenn J. Rhodes

SUBSCRIBED AND SWORN to before me this 18th day of May, 1989.


Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires 12-17-92

MICROFILMED

JUL 18 1989

RECEIVED

MAR 16 1989

RECEIVED
MAR 16 1989

STATE OF IDAHO

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received 3/16/89
Date 3/16/89
Receipt # CO-5857
Receipt by R. Young
Reviewed by PLS
Sent to region

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 63-7226

Name(s) of Permit Holder: Glenn J. Rhodes

Post Office Address: 1408 Johnson Street, Boise, Idaho 83705

Telephone No. 342-6654 & 344-9001

Source of Water: California Gulch, tributary to Mores Creek

Extent of Use: full year use (0.12 cfs)

Domestic 3 houses (number of households)

Stockwater (number and type of stock)

Irrigation 10 acres (0.2 cfs) (acres)

Other/Remark Mining 0.50 cfs

Total rate and/or volume for which proof is submitted 0.5 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: July 1, 1974

Measuring Device: Required? ☒ Yes ☐ No
Installed? ☒ Yes ☐ No

Fee enclosed \$
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

Glenn J. Rhodes

(Name)

342-6654 and 344-9001

(Telephone Number)

1408 Johnson Street, Boise, Idaho 83705

(Address)

MICROFILMED

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

March 13, 1989

Date

Glenn J. Rhodes
Signature of Permit Holder (and title, if appropriate)

WILLIAM D. COLLINS
ATTORNEY AT LAW
733 NORTH 7TH STREET
P. O. BOX 2794
BOISE, IDAHO 83701

TELEPHONE 345-2811
AREA CODE 208

March 13, 1989

RECEIVED

MAR 16 1989

RECEIVED
MAR 16 1989

Mr. Dave Tuthill *DW*
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Department of Water Resources

Department of Water Resources
Western Regional Office

Re: Application No. 63-7226

Dear Mr. Tuthill:

I represent Glenn J. Rhodes. Mr. Rhodes holds the above permit. The Proof of Beneficial Use was initially to be completed July 1, 1974. He obtained an extension of time through July 1, 1976. However, he did not file the Proof of Application to Beneficial Use at that time and now wishes to file it pursuant to Idaho Code, Section 42-218(a) obtaining a back dated priority.

I have enclosed an Application for Extension of Time to file the Proof under that section of the Code. The Application has a number of exhibits attached showing that the water was in fact placed to beneficial use and all of the works completed by July 1, 1974. I have also enclosed the Proof of Beneficial Use which has been signed by Mr. Rhodes along with his check in the amount of \$100.00.

I would assume that the Department can go ahead and issue the license without further delay. The water right is in Boise County and we would like to obtain the license in time to file a claim in the Snake River adjudication. I believe the cutoff date for filing the claims is the middle of May.

If there are any questions or additional documentation is needed, please give me a call.

Very truly yours,

William D. Collins

MICROFILMED

JUL 18 1989

WDC/jd
Enclosure

cc: Glenn J. Rhodes

I called Mr. Collins on 3/14/89 to clarify that the priority date will be 3/14/89 if the reinstatement is granted (per 42-218a). He acknowledged that this is the case. D. Tuthill.

I mentioned to Mr. Collins that if the permit is reinstated, a field exam will be required and ② because the priority date is after the commencement of the adj. a claim in the SRBA is optional and not required at this point.

RECEIVED

MAR 16 1989 BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

Department of Water Resources

In the Matter of Permit No.)
63-7226)
)
) APPLICATION FOR EXTENSION
) OF TIME WITHIN WHICH TO
) FILE PROOF OF APPLICATION
) TO BENEFICIAL USE

STATE OF IDAHO)
 : ss.
County of Ada)

GLENN J. RHODES, being first duly sworn on oath deposes and states as follows:

1. He is a resident of the State of Idaho and resides at 1408 Johnson Street, Boise, Idaho 83705, telephone no. 342-6654.

2. He is the holder of Permit No. 63-7226 which was filed by Miles M. Young. A copy of the permit is attached as Exhibit A and is incorporated herein as if set out in full. He acquired the permit by virtue of an assignment dated June 25, 1974. A copy of the assignment is attached as Exhibit B and is incorporated herein as if set out in full. The assignment of the permit was approved by the Department June 26, 1974. A copy of the Approval is attached as Exhibit C and is incorporated herein as if set out in full.

3. Your Applicant also requested and received approval of an Application for extension of time within which to submit application of the water to beneficial use. The time within which proof of beneficial use was to have been submitted was extended to July 1, 1976. See Exhibit C.

MICROFILMED

APPLICATION

JUL 18 1989

-1-

4. Your Applicant failed to submit final proof of application of the water to beneficial use within the time period of the extension and now seeks to submit proof that the water was applied to beneficial use pursuant to the provisions of Idaho Code, Section 42-218(a).

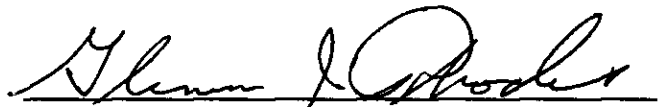
5. The water was placed to beneficial use on July 1, 1974. The water meter required pursuant to the permit was also installed July 1, 1974. The water meter is a four-inch Badger. The water has been continuously used by your Applicant since July 1, 1974 (except for one year when the pipeline was plugged in 1976) for the uses and in the amounts described in the Proof of Beneficial Use which accompanies this Application. As additional support, see the Affidavit of Jack E. Kelly dated February 14, 1989 and the Affidavit of Errol Morgan dated February 10, 1989, which are attached respectively as Exhibits D and E and each is incorporated herein as if set out in full.

6. The point of diversion of the water is not on land owned by the Applicant but is owned on land of the United States for which the Applicant holds a valid mining claim. The mining claim is known as the "Pinehill Extension" which was recorded as Instrument Number 71136, records of the Boise County Recorder, Boise County, Idaho. The Pinehill Extension mining claim comprises the northeast quarter of the southeast quarter of Section 34, T. 6 N., R. 5 E., B.M., Boise County, Idaho. The mining claim was located by Miles M. Young and was transferred to the Applicant by deed dated July 16, 1980. A copy of the deed

transferring the mining claim is attached as Exhibit F and it is incorporated herein as if set out in full. Your Applicant has continuously held the mining claim since acquisition and it is now, has always, and continues to remain in good standing.

7. Your Applicant has submitted contemporaneously with the filing of this Application as proof of application of the water to beneficial use and requests issuance of the permit pursuant to Section 42-218(a) with the priority date of the permit advanced in time equal to the number of days between July 1, 1976 and the date the proof of application to beneficial use is received by the Department.

DATED this 13 day of March, 1989.


Glenn J. Rhodes

SUBSCRIBED and SWORN To before me this 13 day of March, 1989.


Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: 2-20-91

MICROFILMED

APPLICATION

JUL 18 1989

-3-

3

TO WHOM IT MAY CONCERN:

I, the undersigned, Jack E. Kelly, residing at 503 Hibiscus Street, Boise, Idaho 83706, was President of Intermountain Water Service, Inc. in 1974 when our company sold a 4-inch Badger water meter to Glenn Rhodes for use in his Idaho City property water-supply development. Further, in the summer of 1975 and/or 1976, I witnessed irrigation of a small meadow on his property from a pipeline that included the installation of the aforementioned meter.

Jack E. Kelly
Jack E. Kelly

STATE OF IDAHO, COUNTY OF ADA

On this 14th day of February, 1989, before me, a notary public in and for said State, personally appeared Jack E. Kelly known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Wayne A. Chambers
Notary public
Residing at Boise, Idaho
Comm. Expires 3/21/94

MICROFILMED

JUL 18 1989

EXHIBIT D

TO WHOM IT MAY CONCERN:

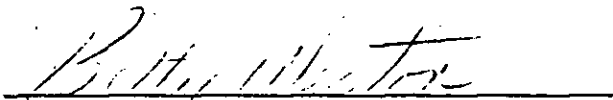
I, the undersigned, Errol Morgan, residing at 8911 S. Cole Road, Boise, Idaho 83709, was Superintendent of Operations for the installation of approximately 1,000 feet of 4" PVC pipe and metering device in California Gulch, Idaho City, for Glenn Rhodes.

This work was done the last two weeks of June, 1974.


Errol Morgan

STATE OF IDAHO, COUNTY OF ADA

On this 10th day of February, 1989, before me, a notary public in and for said State, personally appeared Errol Morgan known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public
Residing at Boise, Idaho
Comm. Expires 12/23/91

MICROFILMED

JUL 18 1989

EXHIBIT E

6

QUITCLAIM DEED

For Value Received MILES M. YOUNG and ELIZABETH M. YOUNG,
husband and wife,

do hereby convey, release, remise and forever quit claim unto
GLENN J. RHODES and PHYLLIS M. RHODES, husband and wife, whose
address is 1419 Johnson Street, Boise, Idaho 83705

the following described premises, to-wit:

That certain placer mining claim known as the Pine Hill
Extension, the location notice of which is recorded as
Instrument No. 71136, records of Boise County, Idaho.
The Pine Hill Extension claim comprises the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$
of Section 34, T. 6 N., R. 5. E., B.M., Boise County, Idaho.

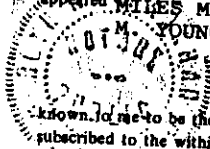
Indexed ☒
Compared ☒
Tract ☒

together with their appurtenances.

Dated: July 16, 1980

Miles M. Young
Miles M. Young
Elizabeth M. Young
Elizabeth M. Young

STATE OF IDAHO, COUNTY OF ADA
On this 22nd day of July, 1980.
before me, a notary public in and for said State, personally
appeared MILES M. YOUNG and ELIZABETH
YOUNG, husband and wife,



known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that, they executed the same.

Ruth M. Shanahan
Notary Public

Residing at Idaho City, Ida Boise, Idaho
Comm. Expires Life Idaho City

STATE OF IDAHO, COUNTY OF Boise
I hereby certify that this instrument was filed for record at
the request of Miles Young

at 23 minutes past 11 o'clock a.m.
this 22nd day of July
1980, in my office, and duly recorded in Book 80
of Deeds at page 188.

Ruth M. Shanahan
Ex-Officio Recorder

By Dusan Daugherty Deputy

Fees \$2.00
Mail to:

INSTRUMENT No. 910112

MICROFILMED

JUL 18 1989

EXHIBIT F



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

July 12, 1976

Glenn J. Rhodes
1406 Johnson St.
Boise, Idaho 83705

Dear Mr. Rhodes:

You are hereby notified that, under the provisions of Section 14-210a of the Idaho Code, Permit No. 63-7226 has lapsed.

You are further advised that this Department cannot reinstate the permit except upon a showing of reasonable cause within 60 days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH:jg

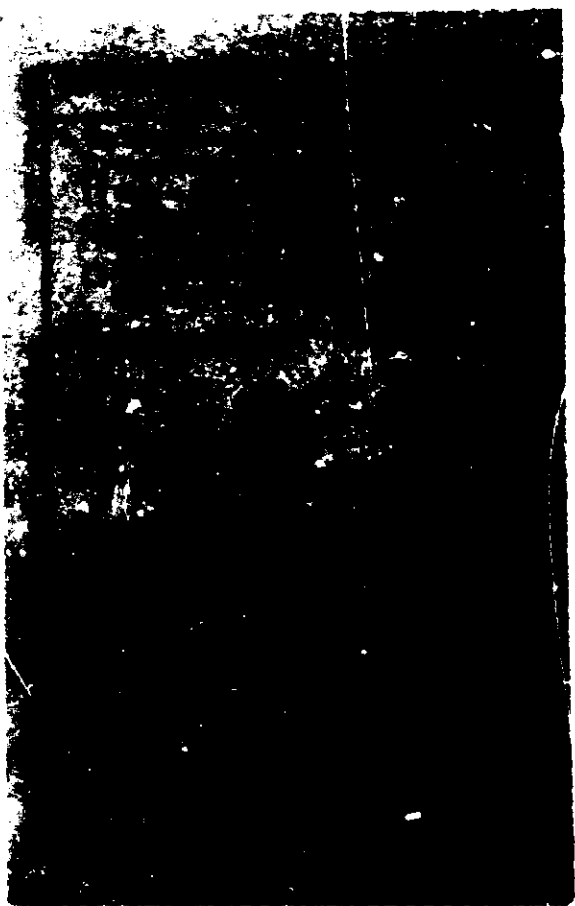
WATER RESOURCES

John F. Smith
Chairman
Franklin Jones
Member

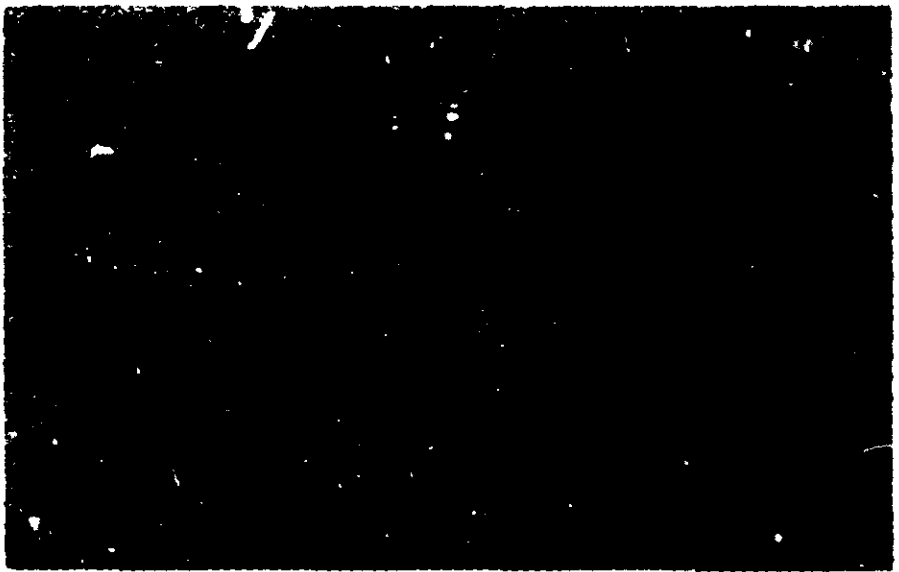
George L. Van
The Chairman
M. H. H. H.
Member

George L. Van
Chairman
M. H. H. H.
Member

George L. Van
Chairman
M. H. H. H.
Member



1700
BELL



10/1/74
BUREAU

April 30, 1976

CERTIFIED MAIL #138570

Re: Permit No. 63-7236

Glen J. Rhodes
1406 Johnson St.
 Boise, Idaho 83706

Dear Mr. Rhodes:

One of the conditions of approval of your water Permit No. 63-7236 (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 July 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 requested an extension of time, you may request an extension of time provided the delay is for a reasonable cause as indicated in Section 43-204, 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 Higgins

June 27, 1976

Re: Permit No. 63-2226

Glenn J. Rhodes
1426 Johnson St.
Boise, ID 83705

Dear Mr. Rhodes:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records changed.

Enclosed is a copy of the approved application for extension of time submitted in connection with this permit. The time within which to submit proof of beneficial use of water has been extended to July 1, 1976/

Also enclosed is a copy of this permit; please note the conditions of approval as listed on the last page of the permit.

If you have any questions concerning this matter, please do not hesitate to contact us.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enc: Copy of extension
Copy of permit

RECEIVED
JAN 10 1964
U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

RECEIPT

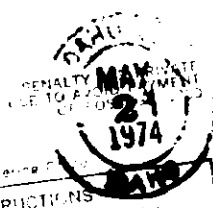
[illegible]

25247

1944-1945

613

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

RETURN TO

PS Form 3811
JUL 67

63-7326

May 1, 1974

CERTIFIED MAIL

#25344

Re: Permit No. 63-7226

Miles M. Young
Idaho City,
Idaho 83631

Dear Mr. Young:

One of the conditions of approval of your water Permit No. 63-7226 (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 July 1, 1974. 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

Enc: Proof affidavit

63-7226



NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Miles M. Young, Idaho City, Idaho
has on May 19, 1969
11/15/1969
applied for permit under application No. 63-7226 to divert ADDT
.50 cubic feet per second ADDT/ADDT of water from _____
Creek
California Gulch tributary of Merce/. Water will be diverted by _____
pipeline and/or pump _____ within the _____
SW1/4, Sec. 34; Lot 5, Sec. 35, T. 6 N., R. 5 E., S. 4, Boise County
_____ and is to be used from January 1 to December 31 for domestic
purposes and from March 1 to July 1 for mining and from May 1 to October 31
for irrigation
in the SW1/4 (Lot 5), Sec. 35, T. 6 N., R. 5 E., S. 4

Any protest against this application must be filed with the Department of
Reclamation within ten days from the last date of publication of this notice.

R. KEITH HUGHESON
State Reclamation Engineer

Published in the _____ Idaho World, Idaho City, Idaho,
on June 5 and June 12, 1969.

May 28, 1969

Re: Application for Permit No. 63-7226-Miles M. Young

Idaho World
Idaho City, Idaho

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 date. If you cannot publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, 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 same has been paid.

Signature of claimant

Very truly yours,

Donald W. McElweeney
Appropriation Examiner

DWM:tg
enc: Legal notice (1)

• KODAK SAFETY FILM •



Re: Application for Per

Idaho World
Idaho City, Idaho

Gentlemen:

Enclosed you will find
once a week for two comes
inserted the publication
galley proof for review b

After sending us a g
dates we have inserted as
corrections, we will noti
cannot publish the notice

An affidavit of publ
Reclamation, along with t
the following certifi

I hereby certify
that the amount c
credits, and that

Encl: Legal Notice (1)