

RECEIVED

NOV 18 1970

Department of Water Administration

STATE OF IDAHO,))
COUNTY OF ADA) ss.

Georgene Davis

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

Statesman for Two weekly consecutive insertions, beginning with the issue of November 5, 1970, and ending with the issue of November 12, 1970.

Georgene Davis

Subscribed and sworn to before me this 12th

day of November, 1970.

Jana A. Young

Notary Public for Idaho, Residing at Boise, Idaho

LEGAL NOTICE
NOTICE OF EXISTING WATER PERMIT
Notice is hereby given that Dan D. Emery, 5514 State St., Boise, Idaho, has received an approved Permit No. G-33257/63-3548 issued by the Idaho Department of Water Administration authorizing the diversion of 3.2 cubic feet per second of water from a ground water source. The priority to be established under this permit is October 12, 1966 and the permit was approved October 17, 1966.
Water is to be diverted by wells, pumps, pipe and sprinkler from a point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 5N, R. 2E, B.M., Ada County, to be used for irrigation in the SW $\frac{1}{4}$ Sec. 31, T. 5N, R. 2E, B.M.
Proof of the application of the water to beneficial use is to be submitted to the Department on or before October 17, 1971. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.
R. KEITH HIGGINSON,
Director
Idaho Dept.
of Water Administration
Publish November 5, 12, 1970

63-3548
33257

NAME OF APPLICANT

DAN D. EMERY

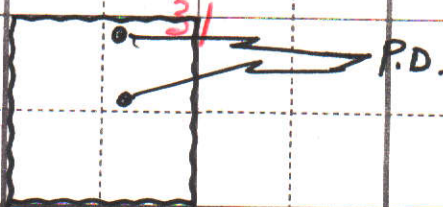
Form No. 0

R Z E

T

S

N



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

33257



State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 33257/63-3548 Priority Oct. 12, 1966 Amount 1.41 cfs

THIS IS TO CERTIFY, that DAN D. EMERY
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 33257/63-3548 issued pursuant to Application for Permit dated October 12, 1966,
and has submitted proof to the Department of Water Administration on August 10, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.41 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 1</u>	at <u>1.41</u> cfs and	<u>391.5 acre feet or</u> <u>4.5 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.41 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
391.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31,
Twp. 5 N, Rge. 2 E, B.M., in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N	2 E	31									34	33	18	2					87

Total number of acres irrigated 87

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19 day of
August, 19 74.

Director

63-3548

Identification No. _____

Permit No. G-33257/63-3548

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Dan D. Emery 344-7626 343-8560 Home
939-6686 Ranch
b) Post Office Address 5514 State St.
2. Permit Number G-33257/63-3548
3. Date of Priority that you are prepared to establish Oct. 12, 1966
4. a) Source from which water was appropriated Groundwater
b) Location of the point of diversion: NE 1/4 SW 1/4, Section 31
Township 5N, Range 2E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 3.2 for Irrigation purposes from 3-15- to 11-1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 3.2 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Self estimated
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Drilled well, pump and motor
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed _____

33 3548

*Exam typed 9.22.71
mjl*

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5N	2E	31									X	X	X	X					100

Total number of acres irrigated 100

10. Remarks: _____

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

8-10-21
(Date)

Don D Emery
(Signature)

State of Idaho)
County of Ada) ss.

On this 10 day of August, 1921, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (~~she~~) (~~they~~) executed the same.



Donald W. Elson
Notary Public residing at Boise
My commission expires 2-18-24

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-33257/63-3548)
in the name of DAN D. EMERY)
_____)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

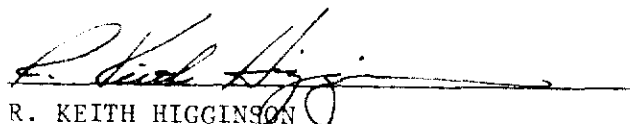
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-33257 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 31st day of October, 1970.


R. KEITH HIGGINSON
Director

33257
62-3548

33257
K.O.
63-3548

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41480
Permit No. G- 33257
District No.

1. Name of Applicant: Dan D. Emery
Postoffice address: 5109 Eugene St., Boise County: Ada State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 3.2 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 31
Twp. 5 N , Rge. 2 E , B.M., County of Ada
5. Water is to be used for: irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: pumps, pipes and sprinkler
8. Estimated cost of works: \$ 20,000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is
years. 5
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: G -28337 for 7 acres.
 - (a) 7 ~~(cubic feet per second, inches or gallons per minute)~~ of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 153 ~~(cubic feet per second, inches or gallons per minute)~~ is for new lands.

Remarks: Deeded lands

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.

/s/ DAN D. EMERY

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: October 12, 1966 2:00 P.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 33257

Recorded in Book 116 Page 33257 Approved October 17, 1966

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before April 17, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before October 17, 1971

Witness my hand this 17th day of October, 1966.

/s/ R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and LOUIS E. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 17th day of October, 1966.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ LOUIS E. CLAPP

Secretary of State.

By /s/ ROBERT E. SMYLLIE

Governor

12.

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	
5 N	2 E	31			x x x x		160

BE ISSUED FOR 44 SEC. FT.
LICENSE PAGE NO.

STATE OF IDAHO,) ss.
COUNTY OF ADA)

Georgene Davis

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

Statesman for Two weekly consecutive insertions, beginning with the issue of November 5, 1970, and ending with the issue of November 12, 1970.

Georgene Davis

Subscribed and sworn to before me this 12th

day of November, 1970.

Jana A. Young
Notary Public for Idaho, Residing at Boise, Idaho

LEGAL NOTICE
NOTICE OF EXISTING WATER PERMIT
Notice is hereby given that Dan D. Emery, 5514 State St., Boise, Idaho, has received an approved Permit No. G-33257/63-3548 issued by the Idaho Department of Water Administration authorizing the diversion of 3.2 cubic feet per second of water from a ground water source. The priority to be established under this permit is October 12, 1966 and the permit was approved on October 12, 1966.
Water is to be diverted by wells, pumps, pipe and sprinkler from a point within the NE 1/4 SW 1/4, Sec. 31, T. 3N, R. 1E, S.M., Ada County, to be used for irrigation in the SW 1/4 Sec. 31, T. 3N, R. 2E, S.M.
Proof of the application of the water to beneficial use is to be submitted to the Department on or before October 17, 1970. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.
R. KEITH HIGGINSON,
Director
Idaho Dept.
of Water Administration
Boise, Idaho
Published November 5, 12, 1970

63-3548
33257

Address all communications to:

P. O.

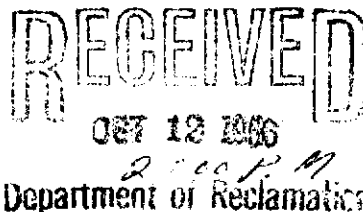
APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 41480

Permit No. G 33257

Water District No. _____



1. Name of applicant: DAN. D. EMERY

Post office address 5109 Eugene St. ^{Boise} County ADA State IDAHO

2. Quantity of water claimed: 3.2 C.F.S.

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 31

Twp. 5N, Rge. 2E, B.M., County of ADA

5. Water is to be used for: IRRIGATION

6. If for domestic, municipal, industrial or recreational purposes give:

(a) Point of use of water is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____

Twp. _____, Rge. _____, B.M.

(b) Waste water or sewage effluent is to be returned to _____

at a point in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____, Twp. _____, Rge. _____, B.M.

7. Kind of Works: pumps, pipes & sprinkler

8. Estimated cost of works: \$ 20,000.00

9. (a) Is reservoir to be used? _____

(b) Capacity of reservoir: _____

10. The time required for the completion of such work and complete application of the water to the proposed use is

5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation: _____

(b) Amount of capital stock \$ _____ (c) Amount paid in: \$ _____

(d) Names and addresses of directors: _____

OK

33257

2

(Continued)

II. The financial resources of the applicant are: (a) Cash on hand: \$_____

(b) Treasury stock:_____ (c) Bonds to be issued:_____

(d) Other resources: _____

12. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: G 28337

For 7 Acres.

(a) 7" (~~Cubic feet per second~~, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 153 (~~cubic feet per second~~, inches or gallons per minute) is for new lands.

33257

Remarks:

DEEDED LANDS.

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.

Alan D. Emery
Applicant

By _____, Agent

33257

Approval of State Reclamation Engineer

The number of this permit is G 33257
Recorded in Book 116 Page 33257 Approved OCT 17 1966

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$_____ to be filed before _____

One-fifth of the work above specified to be completed on or before April 17, 1969
The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before October 17, 1971

Witness my hand this 17th day of October, 1966

R. Keith Higgins
State Reclamation Engineer

IN TESTIMONY WHEREOF, We ROBERT E. SMYLIE, Governor of the State of Idaho,
and LOUIS E. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be

hereunto affixed, this 17th day of October, 19 66.

Countersigned:

By *Louis E. Clapp* Secretary of State By *Robert E. Smylie* Governor.

No. G 33257

PERMIT

Date of first receipt at office of State
Reclamation Engineer

October 12, 1966 2:00 P.M.
Returned to applicant for correction

Corrected application received

Fees, \$ 5.75

FILING FEES FOR USE PERMIT:

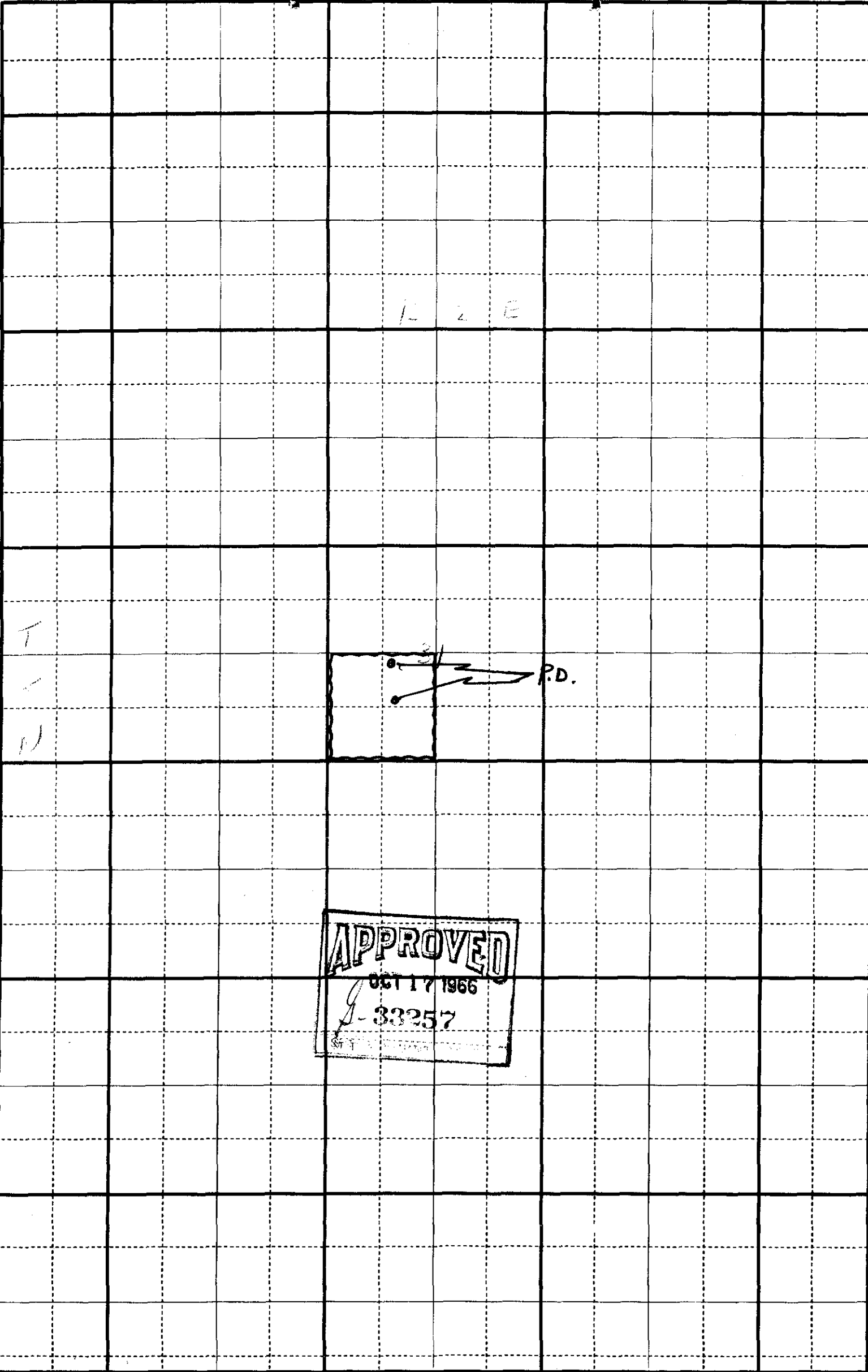
For the first Sec. Ft. \$5.00
For each additional Sec. Ft. or Fraction
Thereof .25

33257

NAME OF APPLICANT

DAN D. EMERY

Form No. 0



WATER RIGHT NUMBER 63-3548

OWNER LAST NAME - EMERY
ADDRESS LINE 1 - 5109 EUGENE ST.
ADDRESS LINE 3 -FIRST NAME - DAN D.
ADDRESS LINE 2 -
CITY - BOISEORIG OWNER -
STATE - ID ZIP CODE - 83703

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 10-12-1966 COUNTY - ADA

TOTAL DIV. RATE - 1.4100 -CFS

TOTAL DIV. VOLUME - 391.50 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NESW 31 05N 02E LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 03-15 TO - 11-01 USE - IRRIGATION

USE DIV. RATE - 1.4100 CFS USE DIV. VOLUME - 391.50 AFA

USE - IRRIGATION

PLACE OF USE - TWN 05N RNG 02E SEC 31 TRACT NESW LOT AC 34 TRACT NWSW LOT AC 33

TRACT SWSW LOT AC 18 TRACT SESW LOT AC 02

DATE - TOTAL ACRES 87

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 33257

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

August 20, 1974

Re: Permit No. 63-3548

Dan D. Emery
5109 Eugene Street
Boise, Idaho 83703

Dear Mr. Emery:

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

63-3548

CONVERSATION MEMORANDUM

DATE 8/14/74

FILE 63-3548

NAME OF PARTY Dan Emery

EMPLOYEE Clayne Barron

RE: Notice letter of 9/27/73

Talked with permit holder concerning the amount of water licensed would be issued
for, he concured with the amount indicated in our notice letter of last fall.

63-3548

MEMO

To: Jim Booker
From: Darlene
Date: Oct. 1, 1973

Herewith forwarding field exam report for Permit No. 63-3548

Cannot issue license until the following is determined:

- ☐ Amount of water measured
- ☐ Location of point of diversion
- ☐ Place of use for domestic
- ☐ Place of use for stockwater
- ☐ Place of use for irrigation (number of acres in each 40-acre subdivision)
- ☐ Installation of measuring device
- ☒ Permit holder does not agree with findings of examiner, please re-examine for QUANTITY
- ☐ Other

P.S. Mr. Emery phoned this date; advised that we would remeasure next season. I'm not even sure this is your exam as it is not signed or dated.

63-3548

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Dan D. Emery
Post office address 5109 Eugene Street, Boise, Idaho Phone _____
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 3.2 c.f.s. for Irrigation
_____ AF/Annum (nature of use)

Period of Use: from March 15 to November 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 3.2 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 5 N/S, Range 2 E/W, B.M., Section 31, Subdivision NE 1/4 SW 1/4, Ada
County

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

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

Other Points of Diversions: _____

Description of diverting works: Drilled well, pump and motor

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5N	2E	31									x	x	x	x					160

		33	34		67									
		18	2		20									
					80 87									

Diagram of System

DATE	EXAMINATION RECORDS
_____	_____
_____	_____
_____	_____ by: _____
_____	_____
_____	_____
_____	_____ by: _____
_____	_____
_____	_____
_____	_____ by: _____



DATE OF EXAM 6 June 72

ACREAGE
Found 82 87
Recommended 82 87

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 1.41 c.f.s. V = 360 AF/Ann. from Mar 15 to Nov 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: Groundwater
twp. 5 NS, Rge 2 EW, B.M., Sec. 31, Sub. NE 1/4 SW 1/4 Ada County

Exchange? yes _____ no X

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

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

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

Total Q measured 1.41 cfs Method of measurement Pt of Gauge

Total Q recommended 1.41 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 360 Ac ft/Ann
391.5

Recommended Amendments:

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

MEASUREMENT CALCULATION:

4 1/2" 92 3/16 Nozzles at 45 psi
 $Q = (92)(6.81)/450 = 1.41 \text{ CFS}$
 $V = (4.5)(87) = 391.5 \text{ Ac ft/Ann}$
 $A = 8087$

SYSTEM DESCRIPTION:

#1 6" Well 15 HP Submerged pump 4" discharge
#2 40 HP 115 Motors Layne & Bowler pump
4" discharge 220-440 Vc/17 Sn # 1136168

REMARKS:

Examiner's Signature _____ Date _____

Checked by _____ Date _____

Approved by _____ Date _____

63-3548

MEMO

To: **Jim Booker**

From: **Darlene**

Date: **Oct. 1, 1973**

Herewith forwarding field exam report for Permit No. 63-3548

Cannot issue license until the following is determined:

- ☐ Amount of water measured
- ☐ Location of point of diversion
- ☐ Place of use for domestic
- ☐ Place of use for stockwater
- ☐ Place of use for irrigation (number of acres in each 40-acre subdivision)
- ☐ Installation of measuring device
- ☒ Permit holder does not agree with findings of examiner, please re-examine **for QUANTITY**
- ☐ Other

P.S. Mr. Emery phoned this date; advised that we would remeasure next season. I'm not even sure this is your exam as it is not signed or dated.

63 3548

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

September 27, 1973

Mr. Dan D. Emery
5514 State St.
Boise, Idaho

Dear Mr. Emery:

A representative of this Department has made an examination of the works covered by your Permit No. 33257/63-3548 and has found the following:

Quantity of water diverted: 1.41 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.41 cfs

The maximum quantity diverted shall not exceed 391.5 acre feet per year.

Beneficial use: Irrigation of 87 acres within the SW1/4
Sec. 31, Twp. 5 N, Rge. 2 E, B.M.

Point of diversion: NE1/4SW1/4 Sec. 31, Twp. 5 N, Rge. 2 E, B.M.

Priority date established: October 12, 1966

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

63 3548

August 13, 1971

Re: Permit No. G-33257/63-3548

Mr. Dan D. Emery
5514 State St.
Boise, Idaho

Dear Mr. Emery:

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

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

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐

Show to whom, date and address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

23010

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

DATE DELIVERED

JUL 31 1971

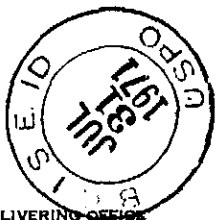
3

SHOW WHERE DELIVERED (*only if requested*)

63 3548

POD Form 3811 Apr. 1969 e35-16-71348-11

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**



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

POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moistened gummed ends and attach this card to back of article.



**RETURN
TO**

63 3548

**DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707**

July 30, 1971

CERTIFIED MAIL

22310
23010

Re: Permit No. G-33257/63-3548

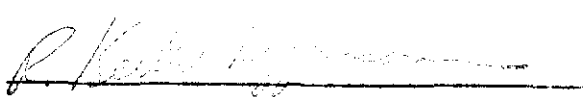
Dan D. Emery
5514 State St.
Boise, Idaho

Dear Mr. Emery:

One of the conditions of approval of your water Permit No. G-33257/63-3548 (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 October 17, 1971. 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
dr

63 3548

November 19, 1970

Re: Permit No. G-33257/63-3548

Mr. Dan D. Emery
5514 State St.
Boise, Idaho

Dear Mr. Emery:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Since proof of beneficial use of the water is not required until October 17, 1971, the Department will notify you 60 days in advance of this date as to further requirements.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

63-3547
33257

October 23, 1970

Re: Permit No. G-33257/63-3548

Mr. Dan D. Emery
5514 State St.
Boise, Idaho

Dear Mr. Emery:

The legal notice for the above-referenced permit is being published in the
Idaho Statesman, Boise, Idaho on November 5

and November 12, 1970.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

63-3547
33257

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

October 23, 1970

Re: Permit Nos. G-33257/63-3548 - Dan D. Emery
G-33351/63-3569 - Idaho Laundry and Dry Cleaners
33306/63-3558 - Lance Stewart Fleming

The Idaho Statesman
Box 2640
Boise, Idaho 83701

Gentlemen:

Enclosed are three legal notices which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us galley proofs for our review before publication.

After sending us galley proofs, proceed with the publication on the dates we have inserted, assuming the notices are correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notices on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the first publication is to be paid by Dan D. Emery, 5514 State St., Boise, Idaho, the second by Robert F. Magstadt, 516 So. 8th St., Boise, Idaho, and the third by Lance S. Fleming, P.O. Box 394, Meridian, Idaho, to whom you should furnish affidavits of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: three legal notices

33257
62-3547

NOTICE OF EXISTING WATER PERMIT

RECEIVED
OCT 20 1970
Department of Water Administration

Notice is hereby given that 5514 State St.,
Dan D. Emery, 5109/ Eugene St., Boise,
Idaho, _____ has received an approved Permit No.
G-33257/63-3548 issued by the Idaho Department of Water Administration auth-
orizing the diversion ~~storage~~ of 3.2 cubic feet per second ~~1444/1444~~
~~ft/ sec~~ of water from a ground water source.
The priority to be established under this permit is October 12, 1966
and the permit was approved October 17, 1966.

Water is to be diverted by wells, pumps, pipe and sprinkler
from a point within the NE 1/4 SW 1/4, Sec. 31, T. 5N, R. 2E, B.M., Ada County,
to be used for irrigation
in the SW 1/4 Sec. 31, T. 5N, R. 2E, B.M.

Proof of the application of the water to beneficial use is to be sub-
mitted to the Department on or before October 17, 1971. Any protests
against the issuance of the license for the above referenced permit should
be filed with the Idaho Department of Water Administration within ten (10)
days of the last date of publication of this notice or prior to the licensing
of the permit. Licensing may commence prior to the date beneficial use proof
is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration

Published in the Idaho Statesman, Boise, Idaho,
on November 5 and November 12, 1970.

Permit No. G-33257/63-3548

Director:

You are hereby authorized to have the above notice published at my expense
in the Idaho Statesman of Boise, Idaho;
published in the county in which the works are situated.

Dan D. Emery
(Signature)
10-16-70
(Date)

5514 State St.
(Address)

63-3547

October 14, 1970

Re: Permit No. G-33257 (New No. 63-3548)

Mr. Dan D. Emery
5109 Eugene St.
Boise, Idaho

Dear Mr. Emery:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Order
Advertising package

63-3548
33257

October 24, 1966

Re: Permit No. G-33257

Dan D. Emery
5109 Eugene Street
Boise, Idaho

Dear Mr. Emery:

We enclose Permit No. G-33257 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-10967 which was issued covering payment in the amount of \$ 5.75 for the filing fee of the above mentioned permit.

Very truly yours,

Enc. permit
receipt

MRB:ejw

M. RUSSELL BOSCH
Office Manager

33257