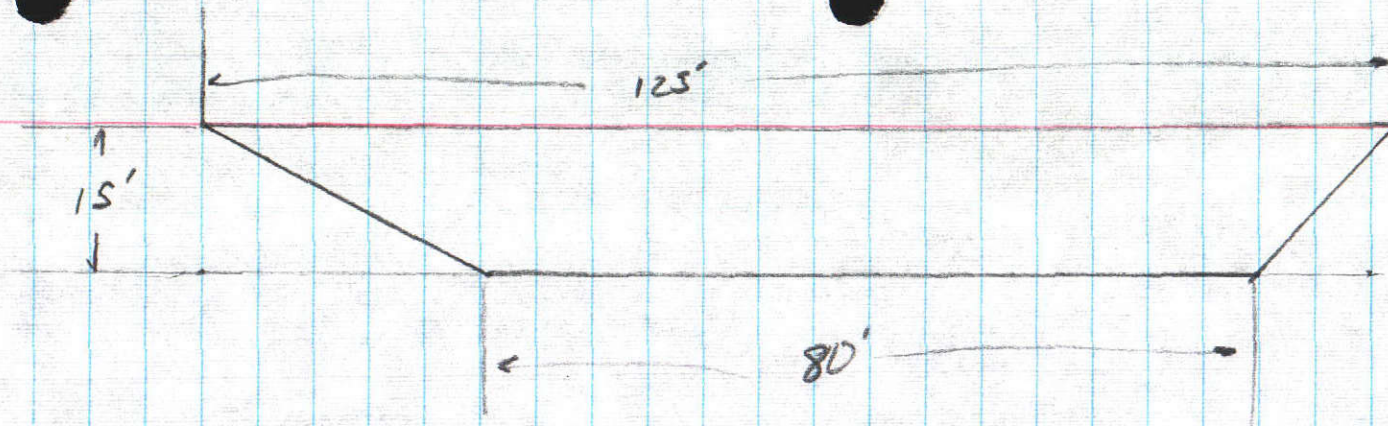
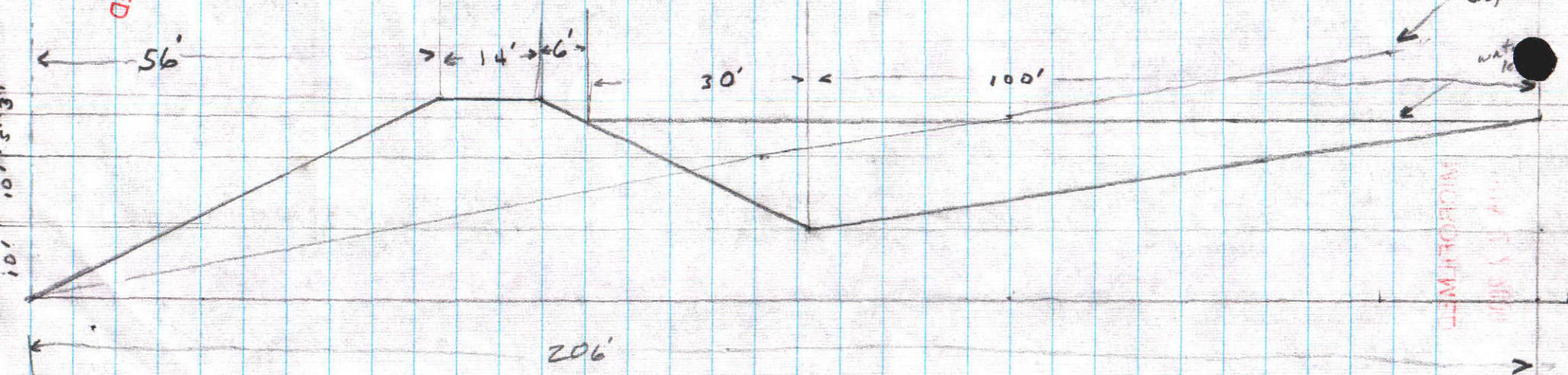




cross section
of width at
deepest point

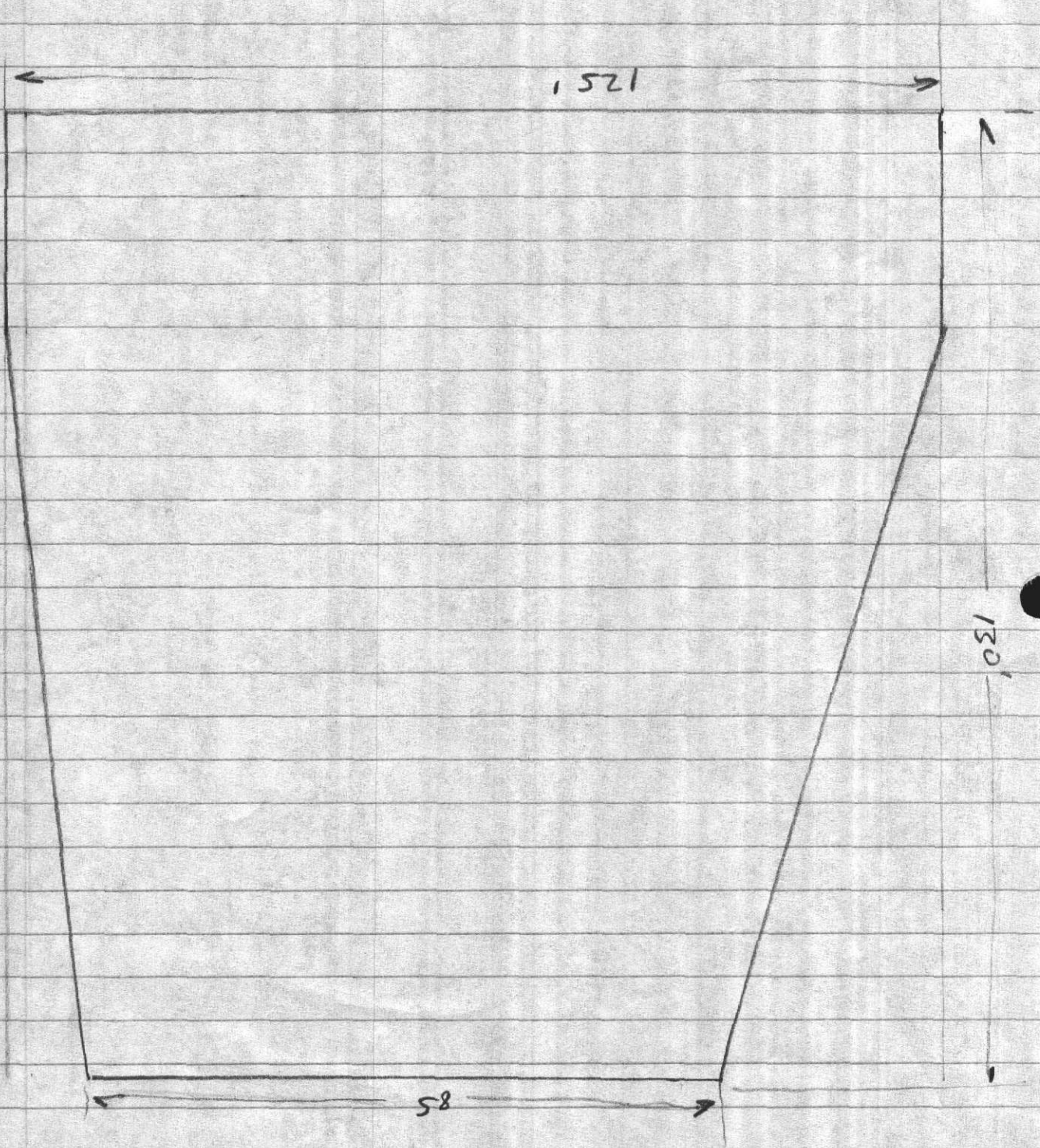
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JUN 22 2000

cross section of length



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JUN 22 2000

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JUN 2 2000

TIN RIDE

POD → ← POUL

NO GOV'T LOTS
DAN
2-14-2000



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 14 2002

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 63-12566 Telephone No. 208-580-2996
2. Name of Permit Holder(s): McGrew Ranch LLC
3. Mailing Address: RR1, Box 463
City Glenns Ferry State ID Zip 83623
4. Source of Water: Spring - unnamed If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
Stream, trib to Casey Creek
Well Driller: _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): 750 Range Cattle
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 2 cfs OR 2.5 acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not** optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes ✓ or No _____
Has the measuring device been installed? Yes ✓ or No _____
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: John McGrew Telephone Number: 208 580 2996
Address: RR1, Box 463, Glenns Ferry, Idaho 83623
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: John McGrew, manager Date: 3-11-02
(include your title, if on behalf of company or organization)

MICROFILMED

APR 23 2002

11/99

For Office Use Only
\$25 filing fee 2500
Receipt # W027951
Date 6/26/01

RECEIVED

JUN 26 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 10 2001 *K*

Department of Water Resources

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, John McGrew, hereby assign to McGrew Ranch, L.L.C
of, Route 1, Box 463, Glenns Ferry, ID 83623 208-580-2996
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 63-12566 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

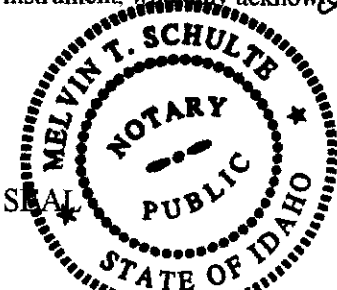
The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 26th day of June, 20 01.

X [Signature]
Permit Holder(s)

State of Idaho)
County of Ada)ss

On this 26th day of June, 20 01, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.



Melvin T. Schulte
Notary Public residing at Boise, Idaho.

My commission expires: 7-24-2001

MICROFILMED

AUG 6 8 2001

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12566

Priority: September 20, 1999

Maximum Storage Volume:

2.5 AF

This is to certify, that JOHN MC GREW
RR1 BOX 463

GLENN'S FERRY ID 83623

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of CASEY CREEK

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
-----------------------	----------------------	--------------------------	----------------------

STOCKWATER STORAGE	01/01 to 12/31		2.5 AF
--------------------	----------------	--	--------

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 21, Township 01N, Range 10E
ELMORE County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

01N 10E 21

SESE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before May 1, 2002.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
5. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
6. The right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
7. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.

MICROFILMED

SEP 22 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12566

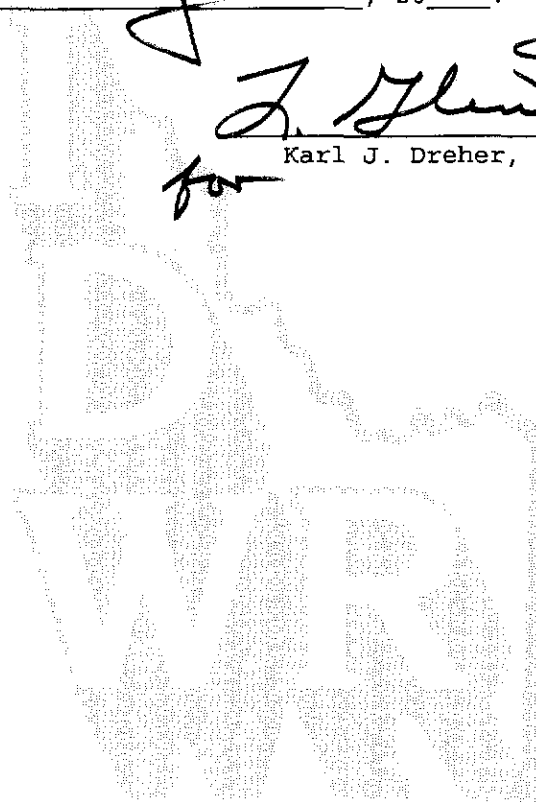
CONDITIONS OF APPROVAL AND REMARKS

8. The right holder must provide for 2.5 af of storage water or some other source of water to be released into the Boise River for mitigation purposes and shall annually provide to the department an executed storage lease agreement or other documentation as proof of such release into the Boise River.
9. Stockwater storage is for 750 range cattle.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

4th day of May, 2000.

Karl J. Dreher
for Karl J. Dreher, Director



MICROFILMED
1997/2/28

RECEIVED

Ident. No. 63-12566

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 18 2000

APPLICATION FOR PERMIT

SEP 20 1999

Department of Water Resources

To appropriate the public waters of the State of Idaho

**WATER RESOURCES
WESTERN REGION**

1. Name of Applicant John McGraw Phone 587-1125 + 1296

(208)

Mailing address RRI, Box 463, Glenns Ferry, ID 83623

2. Source of water supply unnamed stream which is a tributary of Casey Creek

3. Location of point of diversion is Township 1 N Range 10 E Sec. 21, in the SE 1/4.

SE 1/4, SE 1/4, Govt. Lot _____, B.M., Elmore County:

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.5 for Stock water storage purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

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

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

5. Total quantity to be appropriated is (a) 0.2 and/or (b) 2.5
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source dam instream

b. Height of storage dam 28' ^{downstream, 18' upstream} feet; active reservoir capacity 2.5 acre-feet; total reservoir capacity 3.5 acre-feet

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? _____; Drilling firm _____

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. 750 beef cattle

c. Municipal; show name of municipality. _____

d. Domestic; show number of households.

e. Other, describe fully. _____ MICRO-

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200 2 2 2000

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	10E	21																S	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. A63-31064, -31065, -31067, -31068, -31070

11. a. Who owns the property at the point of diversion? John McGrew

b. Who owns the land to be irrigated or place of use? John McGrew

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

12. Remarks: maximum use - 750 h d, average approximately 100 h d
approximate slope of stream bottom is 20%, which causes
downstream side of dam to be relatively high to maintain 2 to 1
slope. There is a rocky outcrop available for spillway.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

MICROFILMED

JUN 22 2000

John McGrew
 Signature of Applicant (and title, if applicable)

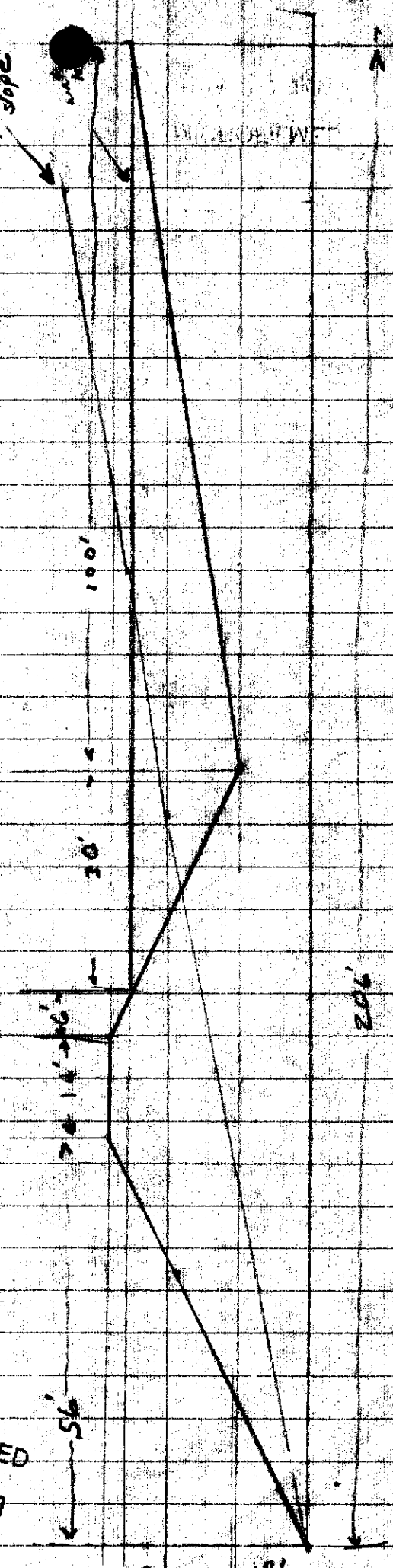
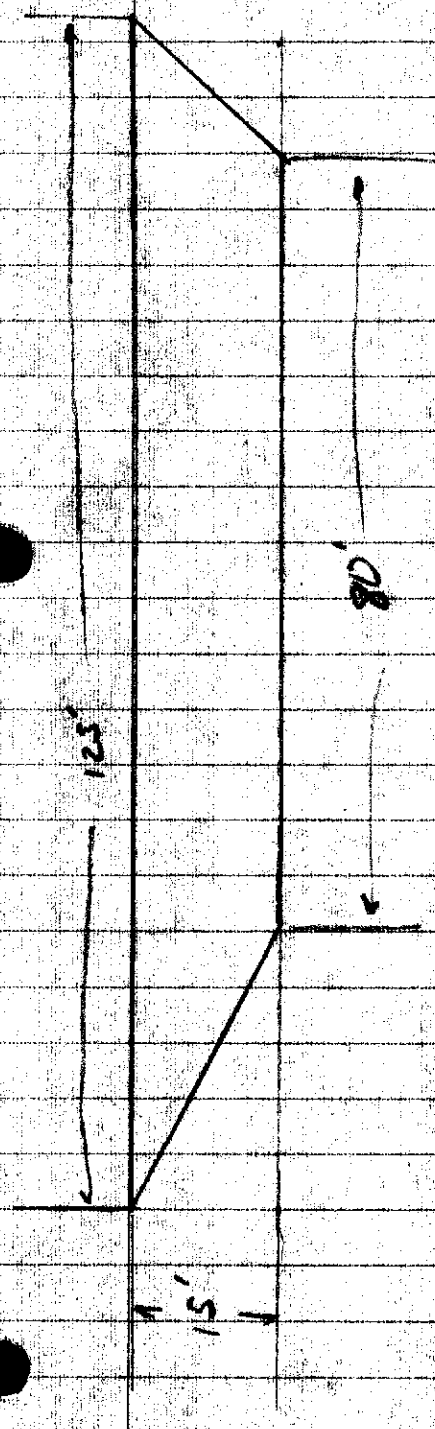
Received by HG Date 9/20/99 Time 11:44 Preliminary check by _____
 Fee \$ 5000 Received by HG # W0257410 Date 9/20/99
 Publication prepared by AT Date 3-1-98-00 Published in MOUNTAIN HOME NEWS
 Publication approved RM 3,22-00 Date _____

Cross section
of width at
deepest point

cross section of length

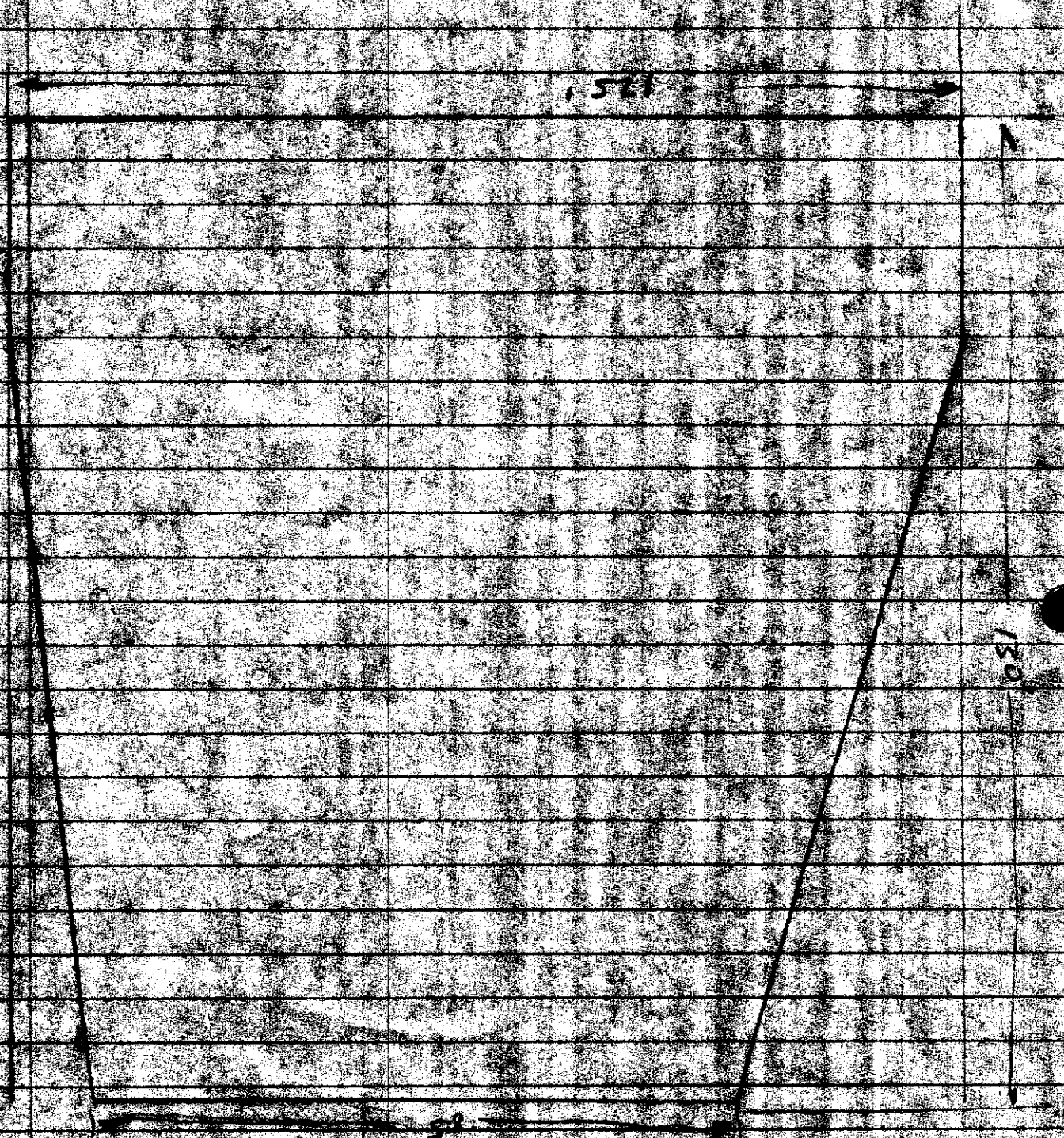
Existing
slope

MICROFILMED
JUN 22 2000

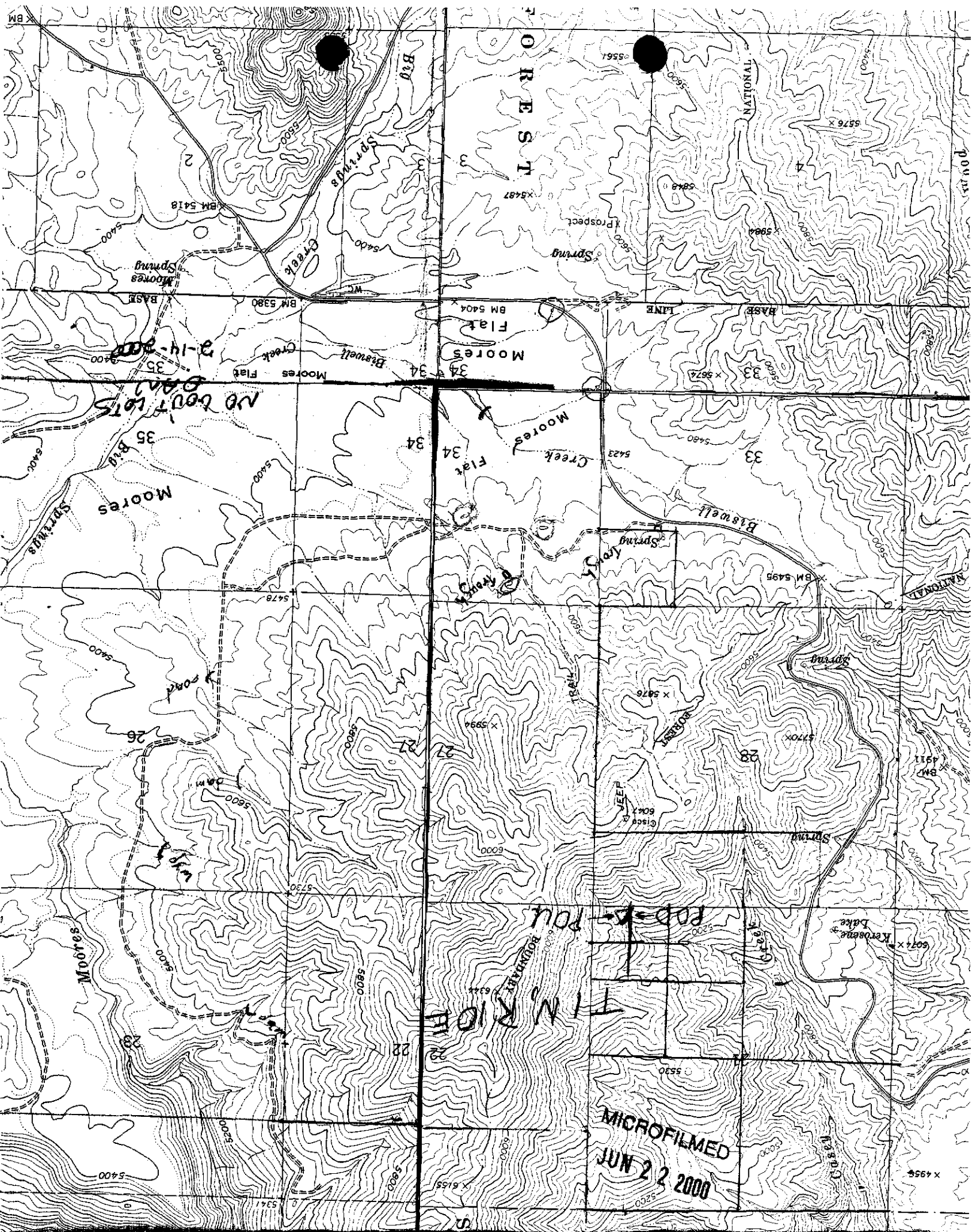


JUN 22 2000

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

April 8, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MC GREW RANCH LLC
RR1 BOX 463
GLENNS FERRY ID 83623

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12566, 63-31344, 63-31376 & 63-31377

Dear Permit Holder:

The department acknowledges receipt of the proofs of beneficial use forms submitted for the above referenced permits. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED
APR 23 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 63-12566

Reviewed By: dgibson

Date: April 5, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?		X	Drilling permit No.:		
Appropriate fee submitted?		X	Drilling permit upgrade needed?		
Receipt No.:		C060663	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?	X	
Name and address same as permit?	X		Measuring device installed?	X	
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		03/14/2002
Date proof due	-	05/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	09/20/1999
New priority date	=	09/20/1999

Deficiencies of Actions Items

Acknowledge proof. Verify that no fee is required and refund fee paid.

February 28, 2002

MC GREW RANCH LLC
RT 1 BOX 463
GLENN'S FERRY, ID 83623

PROOF DUE NOTICE

RE: PERMIT NO. 63-12566

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

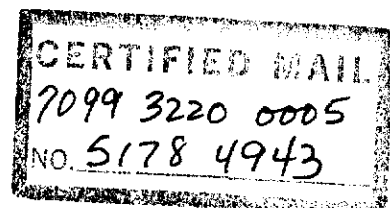
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures

MICROFILMED
APR 23 2002





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 16, 2001

MC GREW RANCH LLC
RT 1 BOX 463
GLENN'S FERRY ID 83623

RE: Change of Ownership for Water Rights 63-12548, 63-12565, 63-12566

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED
AUG 08 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

May 4, 2000

DIRK KEMPTHORNE
GOVERNOR

JOHN MC GREW
RR1 BOX 463
GLENN'S FERRY ID 83623

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12566

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED

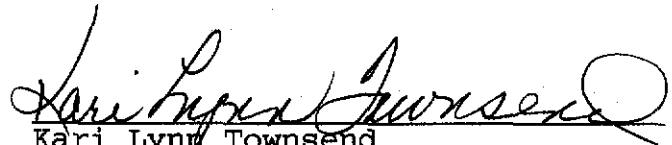
JUN 22 2000

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of May, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 63-12566

JOHN MC GREW
RR1 BOX 463
GLENN'S FERRY ID 83623


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 22 2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below.**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

CERTIFICATE OF SERVICE

All documents intended to be part of the Department record in connection with a preliminary order shall be served upon the representatives of each party of record. Every document filed with and intended to be part of the agency record must be attached to or accompanied by proof of service by the following or similar certificate.

I HEREBY CERTIFY (swear or affirm) that I have this day of _____, served the foregoing (name(s) of document(s)) upon all parties of record in this proceeding, (by delivering a copy thereof in person: (list names)) (by mailing a copy thereof, properly addressed with postage prepaid, to: (list names)).
(Signature)

MICROFILMED
JUN 22 2000

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when (a) the petition for reconsideration is disposed of, or (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

RIGHT TO HEARING

Pursuant to Section 42-1701A(3), Idaho Code, unless the right to a hearing before the Department is otherwise provided by statute, any person aggrieved by any decision, determination, order, or action of the Department or any applicant for any permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the Department, who is aggrieved by a denial or conditional approval ordered by the Department, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Department to contest the denial or conditional approval upon filing with the Department, within fifteen (15) days after receipt of the denial or conditional approval, a written permission stating the grounds for contesting the action by the director and requesting a hearing.

APPEAL OF FINAL ORDER TO DISTRICT COURT

If a preliminary order becomes final, any party aggrieved by the final order or orders previously issued in the case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which (a) a hearing was held, or (b) the final agency action was taken, or (c) the party seeking review of the order resides, or (d) the real property or personal property that was the subject of the agency action is located. The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal. See Sections 67-5270 through 67-5273, Idaho Code.

MICROFILMED

JUN 22 2008

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 4/19/00

No. 63-12566 Name: McGrew Corp. Officers N/A Ad ok ☒ Govt Lots _____

AREA OF CONCERN: No/Yes Ree River Moratorium _____ GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 084
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 08A-01H(01P)-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 5/01/2002

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response _____
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE _____
In-stream development - P52
WD - R04 (WD# 63)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK/INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr. GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
>1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - 55/750
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single pd intended - 076

IRRIGATION SEASON _____ (Per updated map)

OTHER CONDITIONS/REMARKS 2 1/2 af lease storage every yr water is stored.

COMMENTS ? how to handle Bill B's input

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

APR 18 2000

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: DAN DATE: 12-1-2000 APPLICATION: 63-12566

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Gov't. Lots:
NO P/D
NO P/U

Yes ADVERTISE REMARK(S)

(Reviewer identify which remarks)

ADDITIONAL INFORMATION

 T FLAG CHANGED TO P FLAG

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.) 463-31029
- ☒ Overlapping point of diversion.
- ☐ ☒ Critical groundwater area:
- ☐ ☒ Groundwater management area:
- ☒ 1992 moratorium: mitigation proposed
- ☒ Surface water source, IDFG letter needed.
- ☒ Protected river or minimum flow reach, notify water planning bureau.
- ☐ ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ Mitigation plan: Check any that apply.
- ☒ ☒ immediate = acceptable plan required and submitted.
- future = open areas, acceptance of condition of approval is in file.
- ☒ Send power requirement letter &/or fish farm requirement letter.
- ☒ Power residency affidavit:
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO.

106 - 12566

YES NO

In form for advertising:

Statewide advertising: (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

YES NO

☐ ☒ I.D. Health & Welfare☐ ☒ U.S. BLM☐ ☒ I.D. District Health☐ ☒ U.S. Forest Service☒ ☐ I.D. Fish & Game☒ ☐ Water Dist. # 63☐ ☒ I.D. Lands☒ ☐ Water Planning Bureau ~~ALREADY~~☐ ☒ OtherSENT
OAN 2-14-00

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:☒ ☐ Application published correctly: If not, record action taken.☒ ☐ Publication dates and paper recorded on application:☐ ☐ Final date for protest 3-20-00☐ ☒ Protests received.☐ ☒ Recommendations attached:☒ ☒ Measuring device required:☒ ☐ Water delivered by water master? District #☒ ☐ Special conditions of approval or cover letter:Regulated by water master of
water dist 63. Water right holder must lease the here feet of storage
water every year that water is stored.

two & one half

See below for additional information

Recommended Date or Priority 9/20/99

Recommended by: Gary S

Date: 4/14/00

ADDITIONAL INFORMATION:

no adjudication claim A63-31029 FOR INSTAGRAM
STOCK WATER OVERLAPS PID: PIU.

APR 18 2000

Comments: Date: 2/14/2000 User-ID: DNELSON

Department of Water Resources

Subject: ADDITIONAL INFORMATION

APPLICANT: Stockwater is for 750 head of beef cattle. This application is for a new storage facility. The approximate slope of the stream bed is 20 %, which causes downstream side of dam to be relatively high to maintain a 2 to 1 slope. There is a rocky outcrop available for spillway.

IDWR REVIEW: Shows that instream stockwater claim, A63-31029, overlaps the place of use and point of diversion.

MITIGATION PLAN: Applicant proposes to lease water bank water for mitigation of stockwater use. Applicant submitted a copy of the water bank lease agreement.

MICROFILMED

JUN 22 2000

RECEIVED

MAR 13 2000

WATER RESOURCES
WESTERN REGION

Affidavit of Publication

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

63-12565

MCGREW, JOHN
RR1, BOX 463
GLENN'S FERRY, ID 83623
Source: BISWELL CREEK
Diversion Pt: NESW Sec 34 T 01N R
10E in ELMORE County.
Use: STOCKWATER STORAGE
(2.30 AF)
Total Diversion: (2.30 AF)
Date Filed: 9/29/1999
In: ELMORE County
T01N R10E S34 NESW
Mitigation is proposed for consump-
tive use.

63-12566

MCGREW, JOHN
RR1, BOX 463
GLENN'S FERRY, ID 83623
Source: UNNAMED STREAM
Tributary: CASEY CREEK
Diversion Pt: SESE Sec 21 T 01N R
10E in ELMORE County.
Use: STOCKWATER STORAGE
(2.50 AF)
Total Diversion: (2.50 AF)
Date Filed: 9/20/1999
In: ELMORE County
T01N R10E S21 SESE
Mitigation is proposed for consump-
tive use.

Permits will be subject to all prior
water rights. Protests may be submit-
ted based on the criteria of Sec. 42-
203A, Idaho Code. Any protest against
the approval of this application must be
filed with the Director, Dept. of Water
Resources, Western Region, 2735
Airport Way, Boise, Idaho 83705 togeth-
er with a protest fee of \$25.00 for each
application on or before MARCH 29,
2000. The protestant must also send a
copy of the protest to the applicant.

KARL J. DREHER, Director
First Publication March 1, 2000.
Last Publication March 8, 2000.

County of Elmore } ss.
STATE OF IDAHO }

I, Coleen W. Swenson, do solemnly swear that I
am the foreman, or publisher of the

Mountain Home News

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

2 consecutive weeks, the first publi-
cation having been made on 1st day of
March, 2000, and the last publi-
cation having been made on the 8th day of
March, 2000, every Wednesday

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

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

Coleen W. Swenson

Subscribed and sworn to me this 8th day of

March, 2000



Cynthia Roberson
Notary Public

Residing in Mountain Home, Elmore County, Idaho. My
commission expires 09-09-2002.

WATER BANK WATER LEASE AGREEMENT
FOR 2000

RECEIVED

FEB 22 2000

WATER RESOURCES
WESTERN REGION

The Committee of Water District 63 being authorized pursuant to Idaho Code Section 42-1765 to lease stored water which has been provided to the Water Supply Bank by water users who own reservoir space and have excess supplies for the current year, does agree to sell John McGraw (entity), 5 A.F. of water requested for stock (use). This agreement is subject to the adopted Rules and Regulations of the Water Supply Bank and execution of same by the party herein named.

Upon receipt of \$32.50 and the information requested below, the Boise River Watermaster will release to you from storage, at the rate you specify 5 A.F. of stored water between 1 Jan and 31 Dec of 2000

Description of point of diversion:

Located in SE 1/4 SE 1/4, Sec. 21, T. 1N, R. 10E;

Other: NE SW S. 34 T. 1N R. 10E

On source _____

Pump H.P. _____ Lift _____

Headgate _____ (canal name if appropriate)

Description of place of use:

Legal Description: same

Total number of acres irrigated: —

Dated this 7 day of Feb, 2000

John McGraw
(name)

Rt 1 Box 463, Glenns Ferry, Id
(address) 83623

State of Idaho)

County of Elmore)

On this 7th day of February, 2000, before me the undersigned Notary Public in and for said county and state, personally appeared John McGraw, known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first written.

James A. Baingaw
Notary Public in and for Idaho

Residing at: Grand View

I have accepted the request of John McGraw to purchase water from the Water Supply Bank this 14 day of Feb, 2000

MICROFILMED

JUN 22 2000

Lee Lisco
Watermaster, Water District No. 63
Agent for the Committee of Water
District 63

Lease agreement
FOR mitigation
D Luv

Nelson, Dan

From: Graham, Bill
Sent: Tuesday, February 22, 2000 7:51 AM
To: Nelson, Dan
Subject: RE: Applications for Permit to Appropriate Water, Nos 65-12566 and 65-12565

Good Morning Dan - I see no reason to hold advertising, or not issuing the permit with the recommended conditions.

Thanks for the input - Bill G.

-----Original Message-----

From: Nelson, Dan
Sent: Friday, February 18, 2000 12:03 PM
To: Graham, Bill
Cc: Curtis, Shelia; Sherman, Frank
Subject: RE: Applications for Permit to Appropriate Water, Nos 65-12566 and 65-12565

Bill,

I wanted to respond to the questions that you had concerning water right 65-12565.

The first question was can this be verified. I visited with Michael Chisel at the State Office and we looked at all of the aerial photography and maps available of the area. These maps and aerial photography were developed before 1990 or the resolution used is not good enough to verify such small ponds. The only other acceptable aerial photography or maps available would be from the US Forest Service and we do not know if they have flown the area after 1990's. I then spoke with Steve Lester and we believe that we can deal with this issue by conditioning the permit to say that the approval of the permit does allow any new construction of the dams or ponds associated with the permit. We feel that this is the best that we can do without actually going out performing a field exam prior to approval of the permit.

The second question that you had was whether or not the proper stream channel alteration process was followed. I spoke with Gene Gibbson on this issue and he said the IDWR Stream Channel Program does not regulate intermittent streams. We both looked at the USGS Topo map and it shows both of these streams as intermittent streams and are not regulated by IDWR stream channel program. Gene said that he will not pursue regulation unless he is given a reason he is not aware of to pursue regulation or if there is evidence that this actually is a perennial stream and the map is incorrect. I am not sure, but I believe that there is a standard condition that does not exclude the applicant from other agency requirements.

I hope that I answered all of your questions. All advertising must be submitted by Tuesday of next week. If you would like me to hold off on the advertising for any reason please contact me before 8:00 am Tuesday 2/22/2000. We have held this application for a long time and would really like to get it going if possible.

Thanks

Dan Nelson

-----Original Message-----

From: Graham, Bill
Sent: Thursday, February 17, 2000 2:33 PM
To: Nelson, Dan
Cc: Curtis, Shelia; Sherman, Frank
Subject: Applications for Permit to Appropriate Water, Nos 65-12566 and 65-12565

65-12566

This application would result in construction of a small dam on an unnamed tributary to Casey Creek. It appears that Casey Creek flows into the Lime Creek arm of Anderson Ranch Reservoir. If this the case, the South Fork Boise plan would not prohibit construction of the dam and related impoundment.

65-12565

This application would allow the continued use of existing facilities that may have been constructed without the appropriate approvals in the early 1990's. Can this be verified? Was the appropriate stream channel alteration process followed?

JUN 22 2000

Planning
Bureau
Review

After adoption of the South Fork Boise River Basin Plan in 1990, all south-side tributaries to Lime Creek are protected as state Recreational Rivers. Under this protection, construction or expansion of dams or impoundments is prohibited. This designation should be referenced in the approval language. Likewise, the permit should be conditioned to prohibit expansion of the existing facilities, and to require a stream channel alteration permit for any additional work in the stream, as this is not a diversion, per se.

FYI - I will FAX the language from the SF Boise plan that pertains to the Lime Creek designations.

MICROFILMED

JUN 22 2006

Nelson, Dan

From: Nelson, Dan
Sent: Friday, February 18, 2000 12:03 PM
To: Graham, Bill
Cc: Curtis, Sharla; Sherman, Frank
Subject: RE: Applications for Permit to Appropriate Water, Nos 65-12566 and 65-12565

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Dan Nelson

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MICROFILMED

FEB 22 2000

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Sent: Thursday, February 17, 2000 2:33 PM
To: Nelson, Dan
Cc: Curtis, Shelia; Sherman, Frank
Subject: Applications for Permit to Appropriate Water, Nos 65-12566 and 65-12565

65-12566

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65-12565

This application would allow the continued use of existing facilities that may have been constructed without the appropriate approvals in the early 1990's. Can this be verified? Was the appropriate stream channel alteration process followed?

After adoption of the South Fork Boise River Basin Plan in 1990, all south-side tributaries to Lime Creek are protected as state Recreational Rivers. Under this protection, construction or expansion of dams or impoundments is prohibited. This designation should be referenced in the approval language. Likewise, the permit should be conditioned to prohibit expansion of the existing facilities, and to require a stream channel alteration permit for any additional work in the stream, as this is not a diversion, per se.

FYI - I will FAX the language from the SF Boise plan that pertains to the Lime Creek designations.

MICROFILMED

FEB 22 2000

2. South Fork Segment - Natural River

The designation of the South Fork Boise River from the mouth of Black Canyon Creek downstream to a point of 250 yards upstream of Neal Bridge as a Natural River. Provision is made, thereby, for the maintenance and future upgrading of Neal Bridge, and the Neal Bridge Float Boat Access site.

3. Lime Creek Drainage - Natural Rivers and Recreational Rivers

That Lime Creek from its mouth to its confluence with the North and Middle Forks and all tributaries on the north side of Lime Creek including the North and Middle Forks and all their tributaries from their mouth to their headwaters, be designated as Natural Rivers.

The term headwaters, as used in this plan, means a natural water course in perceptible extent with definite beds and banks which confines and conducts continuously and intermittently flowing waters (from Rules and Regulations Pertaining to the Idaho Forest Practices Act, IDL, 1988).

All remaining tributaries of Lime Creek, from their mouths to their headwaters be designated as Recreational Rivers. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- Construction or expansion of dams or impoundments
- Construction of hydropower projects
- Dredge or placer mining
- Mineral or sand and gravel extraction within the streambed.

Stream channel alterations shall be prohibited except for those necessary to maintain existing access, utilities, and roadways, the placement of fishery enhancement structures, or new access for recreational purposes.

New diversion works shall be limited to pump installations sized to supply water for the standard domestic exemption or of a capacity sufficient for stock water or developed recreational purposes.

4. Big Smoky Creek Drainage - Natural Rivers

That Big Smoky Creek from its confluence with Calf Creek to its headwaters and all tributaries to Big Smoky Creek above and including Calf Creek from their mouth to their headwaters be designated as Natural Rivers.

The term headwaters, as used in this plan, means a natural water course in perceptible extent with definite beds and banks which confines and conducts continuously and intermittently flowing waters (from Rules and Regulations Pertaining to the Idaho Forest Practices Act, IDL, 1988).

C. Recommendations

1. Northwest Power Planning Council Protected

It is recommended that the Department of Fish and Game, and w. agencies, in reviewing and evaluating

Post-It® Fax Note	7671	Date	2-17-00	# of pages	1
To	Dan Nelson	From	Bill Graham		
Co./Dept.	Western	Co.			
Phone #		Phone #	327-7966		
Fax #	334-2348	Fax #			

MICROFILMED 32

JUN 22 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

1/27/2000

JOHN M MC GREW
RR1 BOX 463
GLENN'S FERRY, ID 83623

COPY

**RE: APPLICATIONS FOR PERMIT FOR STORAGE WATER ON
BISWELL CREEK AND UNNAMED STREAM TRIBUTARY TO
CASEY CREEK**

Dear Mr. McGrew,

On 12/27/1999 I contacted you concerning your applications for permit for stockwater storage on Biswell Creek and an Unnamed Stream Tributary to Casey Creek. In this conversation we discussed the volume of these ponds and the amount of storage water you would need to acquire from the Boise River system for your mitigation plan. I have not received a response from you as of the date of this letter. Please let me know if you have purchased the storage water needed to mitigate these rights or if you would like to have these application put on hold.

Currently, we can not process any consumptive use applications in your area unless a mitigation plan has been sent to our office. Please see the letter I wrote you on 12/3/1999 concerning mitigation. **If I do not receive the needed information by 2/28/2000 I will put these two applications on hold until a mitigation plan has been received.**

If you have any questions or concerns please contact me at the above address or telephone number.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

MICROFILMED

JUN 22 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

12/3/99

JOHN M MC GREW
RR1 BOX 463
GLENN'S FERRY, ID 83623

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

COPY

RE: 3 APPLICATIONS FOR PERMIT FOR STOCKWATER

Dear Mr. McGrew.

Our office received your 3 applications for permit on 11/2/1999. I have reviewed these applications for permit and discovered that all of these applications are in the Upper Boise River Drainage. Currently we cannot process new applications for permit that are consumptive in this area unless they have a mitigation plan. A mitigation plan shows that you will exchange the amount of water needed from an existing water right for the amount of water proposed by the permit.

The application for the unnamed spring that is delivered to a water trough is considered to be non consumptive and can be processed. I will be processing this application and it should be advertised soon.

However, the other two applications for stockwater storage are consumptive uses and we will need to hold these water rights until you submit a mitigation plan or until the current processing limitations are lifted. Many people applying for small stockwater ponds purchase storage water in the Boise River system to mitigate for the ponds. In your case you would need to purchase and retain 3-acre feet of storage for these 2 permits. In order to purchase this water you would need to contact the Boise River Watermaster, Lee Sisco at 6616 Overland Road, Boise, Idaho 83709, telephone number (208) 378-0246. The watermaster generally charges around \$5.00 per acre-foot of water per year. This generally seems like a reasonable alternative to have an application for permit processed.

For the application on Biswell Creek we will also need the estimated pond dimension to verify the volume you have requested. Please submit the length, width, and depth of each pond in feet.

MICROFILMED

JUN 22 2000

Page 2
McGrew

CONCLUSION:

I will begin processing the water right for the unnamed spring delivering water to a water trough as soon as possible. I will hold your 2 applications for permit on Biswell Creek and the unnamed stream until I receive the dimensions of the 2 ponds on Biswell Creek and the mitigation plans for both of these water rights. I will be able to hold these applications in my office for 30 days from the date of this letter so you can send the information requested to the above address C/O Dan Nelson.

If you have any questions or concerns please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel A. Nelson", followed by a horizontal line.

Daniel A. Nelson
Sr. Water Right Agent

MICROFILMED

JUN 22 2000

Nelson, Dan

From: Nelson, Dan
Sent: Monday, February 14, 2000 1:38 PM
To: Graham, Bill; Sherman, Frank
Subject: Applications for permit requiring Planning Bureau Review

Dear Bill and Frank,

I have emailed a copy of 2 water rights to you that will need review from your department. They are 63-12565 and 63-12566, both for John McGrew. The applicant has proposed a mitigation plan of replacing the water being used for stockwater storage by purchasing storage water from Water District 63.

Thank you

Dan Nelson

MICROFILMED

JUN 22 2000

Nelson, Dan

From: Nelson, Dan
Sent: Monday, February 14, 2000 1:41 PM
To: Westra, John
Subject: Storage applications for permit

John,

I have two storage permits for you to review. They are 63-12565 and 63-12566. They are only small stockwater ponds, but one of the ponds is going to have an extremely high dam. It could be regulated. Both permits are for John McGrew. If you have any questions please let me know.

Thanks

Dan Nelson

MICROFILMED

FEB 22 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FEBRUARY 23, 2000

Legal Notices Department
Mountain Home News
PO Box 1330
Mountain Home, ID 83647

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 29, 2000.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

FEB 27 2000

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

MICROFILMED

JUN 27 1983

63-12566

MC GREW, JOHN
RR1 BOX 463
GLENN'S FERRY, ID 83623

Source: UNNAMED STREAM

Tributary: CASEY CREEK

Diversion Pt: SESE Sec 21 T 01N R 10E in ELMORE County.

Use: STOCKWATER STORAGE	(	2.50 AF)
Total Diversion:	(	2.50 AF)

Date Filed: 9/20/1999

In: ELMORE County
T01N R10E S21 SESE

Mitigation is proposed for consumptive use.

MICROFILMED

JUN 22 2006

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before MARCH 29, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 3/ 1/2000 & 3/ 8/2000

MICROFILMED

MAR 29 2000