

Harry Butler
8/11/98

8/11/98

REVISED INFO.
PER OFFICE VISIT

AMENDED 9/18/98
per Applicant - Both
Rights Prou

SECTION
CORNER

govt. lots only in
S. 30 & 31 AS
shown

5337
+ DAN plus
p/b Ditch

30241
P/O DITCH
3 Ditch ARE
RE-DIVERSION
points
GEM COT B
ADA COT 5

GEM	COT	04	3201	3285	IGN	GEM	CO
ADA	COT	5	0		TES	ADA	CO

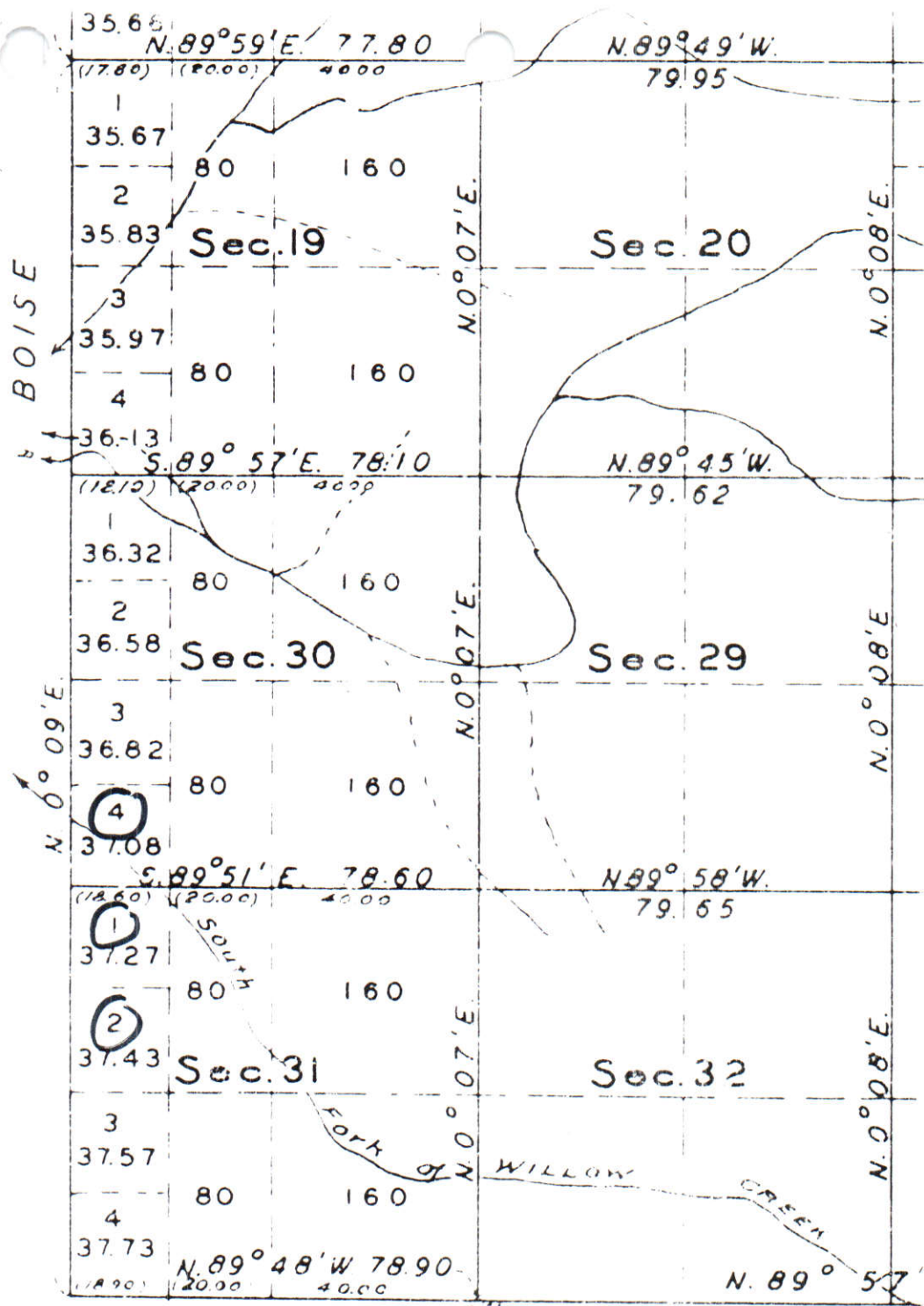
RIE

825 T
 ignore symbols
 595 Acres 63-12361
 + = 460 Acres 63-12417R

= 4/50 Accr 63-12417 Rlw

1005 unique ACes = PP046 formation w/ 500 AC/PP046 CAP when combined

-82
8/10/98



6N 1E
1935 survey

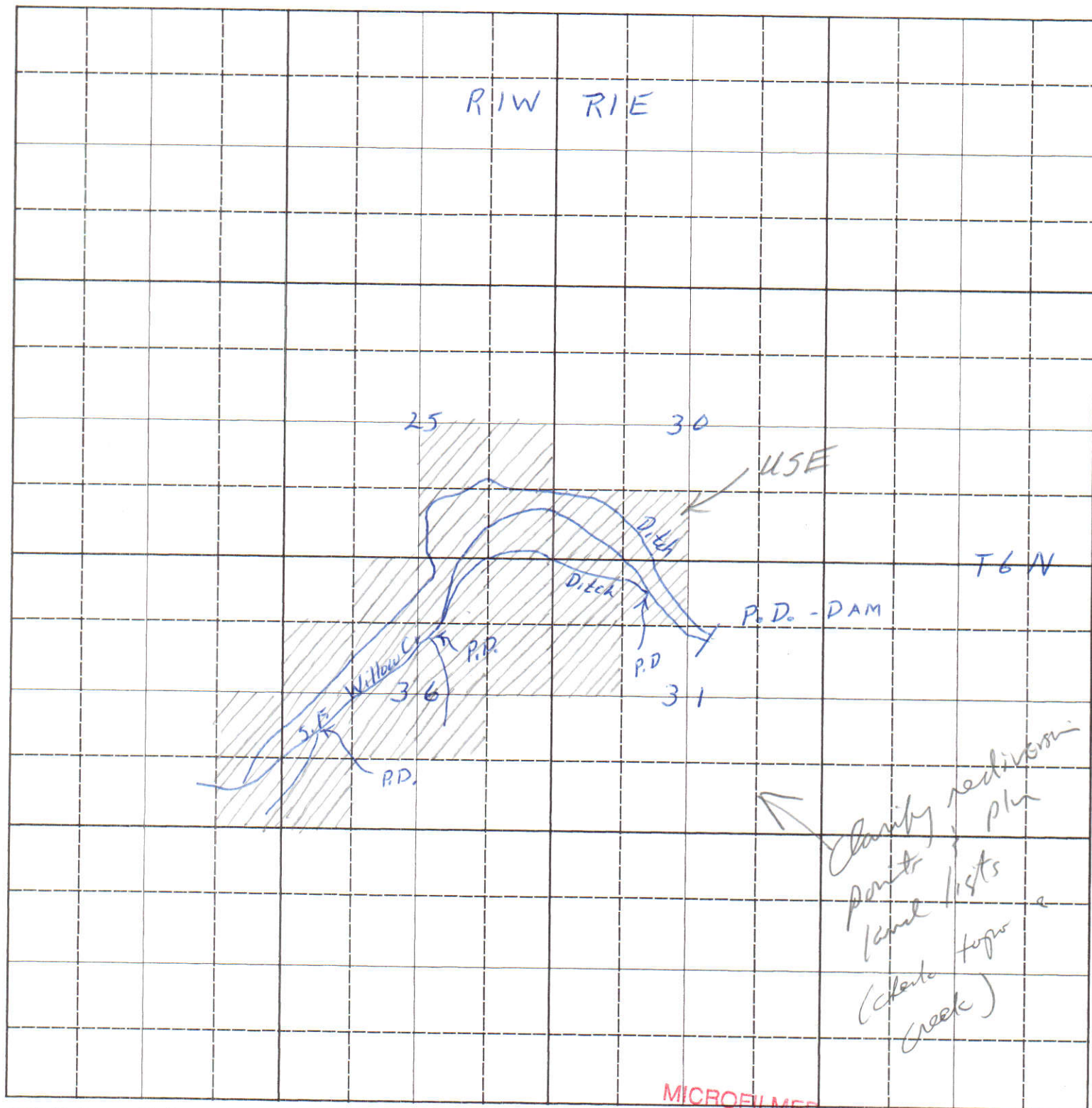
63-12361
63-12417

MICROFILMED

NOV 27 1963

OCT 27 1998

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



Scale: 2 inches equal 1 mile.

OCT 27 1998

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.

Danny Bettis
(Applicant)

RECEIVED

AUG 28 1998

WATER RESOURCES
WESTERN REGIONThe Idaho
Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due

\$65.04

Account Number/Trans. #		Identification	
047628		APPLICATION FOR WATER RIGHT	
Ordered By	P.O. Number	Rate	Run Dates
SUE TAYLOR		NT	AUGUST 20, 27, 1998
STATE OF IDAHO DEPT. OF WATER RESOURCES WESTERN 2735 AIRPORT WAY BOISE, IDAHO 83705		Estimated Inches	Real Inches
		# Affidavits	Legal Number
		1	2078

LEGAL NOTICE
NOTICE OF APPLICATION FOR WATER
RIGHT

Notice is given that HARRY BETTIS of Star Route, Payette ID 83661 has applied to the Department of Water Resources for the following water rights from South Fork of Willow Creek in Gem County:

Application #63-12361 filed on 9-11-1996 for 10.80 cfs & 800 af storage.

Application #63-12417 filed on 9-12-1997 for 9.18 cfs & 1500 af storage.

Combined rights will include 19.98 cfs & 2300 af reservoir (includes 5 af for stock water) located in SWNE S31 T6N R1E on South Fork Willow Creek, tributary to Willow Creek. Stored water will be re-diverted from South Fork Willow Creek in SWNE & NENW S31 T6N R1E and SENW S36 T6N R1W. Combined use will include 1005 irrigated acres plus stock-water in portions of S30 & 31 T6N R1E and S25, 35 & 36 T6N R1W. The site is about 2-5 miles east of Hwy 16 and just north of the Gem/Ada County line near Pearl Road.

Applicant seeks a waiver from the local processing moratorium due to the location and nature of the proposed development. Applicant agrees to mitigate consumptive use in the future as needed and only proposes to store and use excess flows when downstream senior rights are satisfied.

The 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 approval of the applications must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 together with a protest fee of \$25.00 per application being protested on or before September 7, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Pub. August 20, 27, 1998

2078

JANICE HILDRETH

, 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 Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly☐ single☐ consecutive daily☐ odd skip

insertion(s) beginning with the issue of
AUGUST 20

, 1998

and ending with the issue of

AUGUST 27, 1998

Janice Hildreth

STATE OF IDAHO)

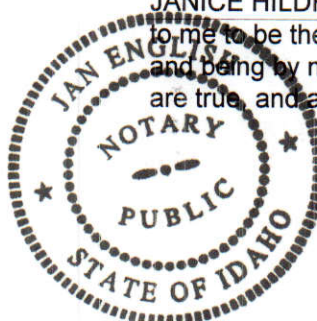
ss.

COUNTY OF ADA)

On this 27TH day of AUGUST in the year of 1998, before me, a Notary Public, personally appeared JANICE HILDRETH 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 she executed the same.

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OCT 27 1998

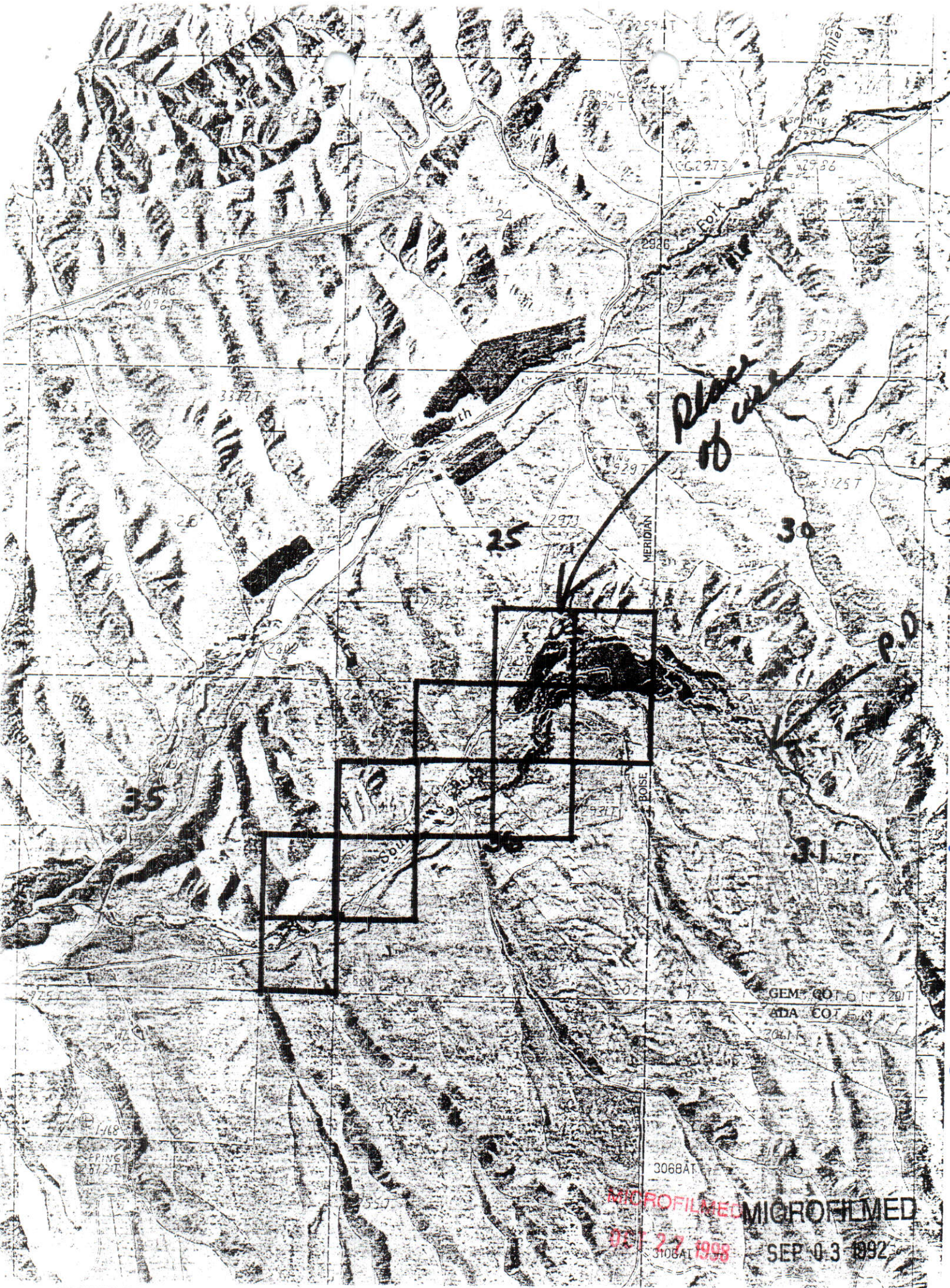


Notary Public for Idaho
Residing at:

Boise, Idaho

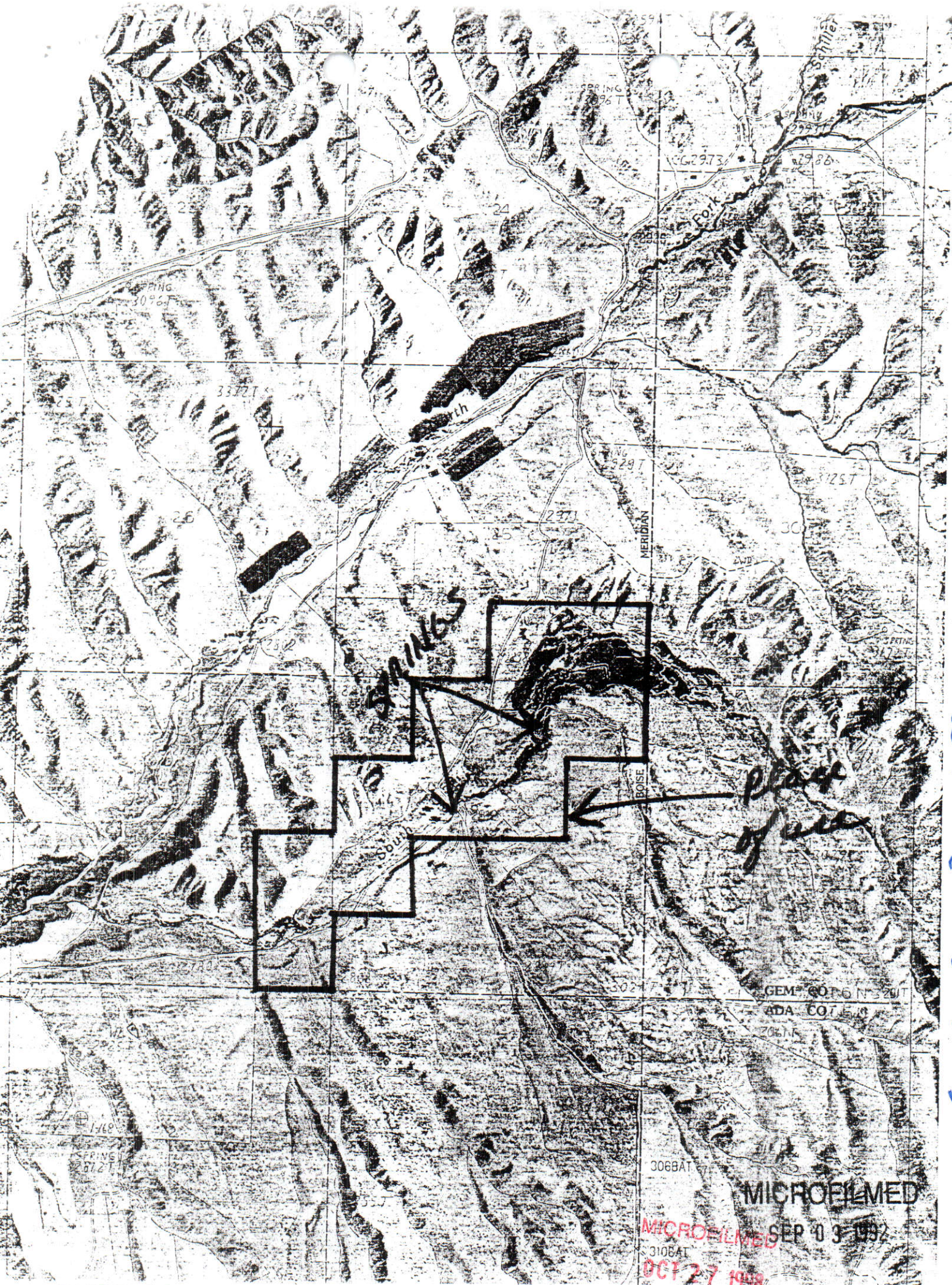
My commission expires:

02/28/02



AGS-20949 (re 63-02023)

MICROFILMED
OCT 27 1998
SEP 03 1992



AG3-20956 (u 63-02024)

MICROFILMED

MICROFILMED SEP 03 1992

OCT 27 1998

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12361

Proposed Priority: September 11, 1996 Maximum Diversion Rate: 10.00 CFS

This is to certify, that HARRY BETTIS

STAR RT

PAYETTE ID 83661

has applied for a permit to appropriate water from:

WILLOW CREEK, SOUTH FORK tributary of WILLOW 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>
IRRIGATION	03/15 to 11/15	10.00 CFS	
IRRIGATION STORAGE	01/01 to 12/31		800.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		800.0 AF
STOCKWATER STORAGE	01/01 to 12/31		5.0 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		5.0 AF
Totals		10.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 31, Township 06N, Range 01E
NENW , Sec. 31, Township 06N, Range 01E
SENW , Sec. 36, Township 06N, Range 01W
GEM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	01E	30	Lot 4(SWSW) 25.0	SESW 5.0		30.0
		31	NENW 10.0	Lot 1(NWNW) 35.0	Lot 2(SWNW) 40.0	85.0
01W		25	NESE 5.0	NWSE 5.0	SWSE 30.0	
			SESE 30.0			70.0
		35	NENE 40.0	NWNE 38.0	SWNE 39.0	
			SENE 40.0	SWNW 10.0	SENE 30.0	
			NESW 39.0	NWSW 38.0	SWSW 38.0	
			SESW 40.0	NESE 40.0	NWSE 10.0	
			SWSE 38.0	SESE 40.0		480.0
		36	NENE 40.0	NWNE 40.0	SWNE 40.0	
			SENE 40.0	NENW 10.0	SWNW 10.0	
			SENE 30.0	NESW 40.0	NWSW 30.0	
			SWSW 20.0	NWSE 40.0		340.0

Total number of acres irrigated: 1005.0

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE: STOCKWATER FROM STORAGE, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 2003.

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OCT 27 1998

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State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12361

CONDITIONS OF APPROVAL AND REMARKS

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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
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.
8. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
9. Two points of diversion are located within SWNE, S31, T06N, R01E.
10. Two points of diversion are located within NENW, S31, T06N, R01E.
11. This right is limited to the irrigation of 500 acres within the place of use described above in a single irrigation season.
12. Irrigation use under rights 63-12361 and 63-12417 when combined shall not exceed a total of 500 acres in a single irrigation season.
13. Sprinkler irrigation occurring under rights 63-12361 and 63-12417 shall not exceed 300 acres in a single irrigation season. To enhance local groundwater recharge, the right holder shall flood irrigate remaining lands.
14. To the extent practical, the right holder shall release excess water from the storage facility in such a manner as to enhance the recharge of groundwater from Willow Creek.
15. Stockwater use is for 500 range cattle.

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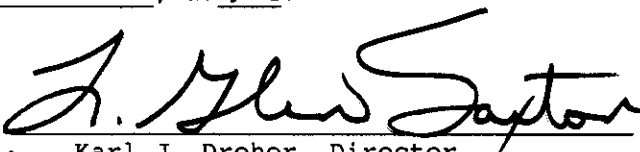
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12361

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

2nd day of October, 1998


for Karl J. Dreher, Director



MICROFILMED

OCT 27 1998

Ident. No. 63-12361

RECEIVED

OCT 01 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED *

APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name: HARRY BETTIS
Address: STAR ROUTE
PAYETTE ID 83661

208-634-5319

2. Source: WILLOW CREEK, SOUTH FORK

Trib. to: WILLOW CREEK

3. Location of Point of Diversion:

Rediversion

Rediversion

Rediversion

SWNE Sec. 31, Township 06N, Range 01E
SWNE Sec. 31, Township 06N, Range 01E
NENW Sec. 31, Township 06N, Range 01E
SENE Sec. 36, Township 06N, Range 01W
GEM County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	10.000		
IRRIGATION STORAGE	01/01	12/31			800.00
IRRIGATION FROM STORAGE	03/15	11/15			800.00
STOCKWATER STORAGE	01/01	12/31			5.00
STOCKWATER FROM STORAGE	01/01	12/31			5.00

5. Total quantity to be appropriated is:

10.000 CFS (and/or) AF

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.
DAM, DITCHES, PUMPS AND PIPELINES

b. Height of storage dam 50 feet; active reservoir capacity 800.00
acre-feet; total reservoir capacity 800.00 acre-feet; period of
year when water will be diverted to storage: 1/01 to 12/31 inclusive.

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

d. Is groundwater with a temperature greater than 85F being sought? NO

e. If well is already drilled, when?

Drilling Firm

Well was drilled for

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 5 year(s).

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OCT 27 1998

* PGR file documentation 9/14/98 (protestants & applicant) &
9/18/98 (applicant).

82 9/22/98

8. Place of Use: IRRIGATION

TWN	RGE	SEC	Lot	ACRES	ACRES	ACRES	TOTAL
06N	01E	30	4 (SWSW)	25	SESW 05		30
		31	NENW	10	Lot 1 (NWNW)	35	85
	01W	25	NESE	05	NWSE	05	
			SESE	30		SWSE	30
		35	NENE	40	NWNE	38	70
			SENE	40	SWNW	10	
			NESW	39	NWSW	38	
			SESW	40	NESE	40	
			SWSE	38	SESE	40	480
		36	NENE	40	NWNE	40	
			SENE	40	NENW	10	
			SESW	30	NESW	40	
			SWSW	20	NWSE	40	340

Total number of acres irrigated: 1005 **

Place of Use: IRRIGATION FROM STORAGE, same as IRRIGATION use

Place of Use: STOCKWATER FROM STORAGE, same as IRRIGATION use

9. a. Who owns the property at the point of diversion?
APPLICANT
- b. Who owns the land to be irrigated or place of use?
APPLICANT
- c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

Applicant seeks waiver from local processing moratorium due to location and nature of proposed development. Applicant agrees to mitigate consumptive use in the future as needed.

** Irrigation under this right and right no. 63-12417 is limited to 500 acres per irrigation season within the above described place of use and to a private agreement between the right holder and the protestants.

11. Map of proposed point of diversion and place of use attached? ☒

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.

See original & Applicant's 9/18/98 letter
Applicant

MICROFILMED
OCT 27 1998

per file, SL for:

Received by SC Date 9/11/96 Time 9:30 Preliminary check by SL

Fee \$ 300.00 Received by KLT #C036532 Date 9/11/1996

Publication prepared by ST Date 8/12/98 Published in Staten + Messing's Index ☒

Publication approved ST Date 9-23-98

Staten ☒ Louisa M.T. ☒ Post Reg. ☒ Times News ☒

\$300 original fee for 10.80 cts and 800 Ap.

\$50 amendment fee 9/18/98 W024420 (Receipt to amend 2 Appl.),

Payment completed.

-SL 9/22/98

MICROFILMED
OCT 27 1998

Ident. No. 63-12361

Comments: Date: 8/11/1998 User-ID: SLESTER

Subject: APPLICANT'S ADDITIONAL INFORMATION

Other information provided in original filing, consultant's Aug. 3, 1998 letter (Attachment A) and Aug. 10, 1998 office visit: Storage will occur only when flow exceeds downstream prior water rights.

Stockwater is for 500 range cattle throughout the combined acres in applications 63-12361 & 63-12417.

The two applications propose total storage of 2300 af (2200 af active reservoir capacity) for 1005 total acres (545 in 63-12361 & 460 in 63-12417). Stored water will be rediverted from creek in several points: 1 in SWNE & 2 in NENW S31 plus 1 in SENW S36. Generally, creek does not have available natural flow in the irrigation season.

Comments: Date: 9/22/1998 User-ID: SLESTER

Subject: AMENDED APPLICATION

This application and application 63-12417 (expansion of same system) are amended per protest withdrawal meeting of 9-14-98 and applicant's letter of 9-18-98. Applicant paid \$100 to amend both filings. Amended applications do not need to be re-advertised since an overall reduction in use is now proposed. A PPOU with a 500 acre/year cap is proposed. A private agreement limits use to 300 acres of sprinkler and 200 acres of gravity irrigation. Applicant seeks expedited processing.

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OCT 27 1998

Approval By
Chancy Butler
8/11/98

REVISED INFO
PER OFFICE VISIT

AMENDED 9/18/98
PER Applicant - Both
Rights PPOW

SECTION
CORNER

90% lots only in
S. 30 & 31 as
shown

plus
dam plus
ditch

plus ditch
3 ditches are
re-division points

PPOW
COMBINED
plus

T6N

North Fork

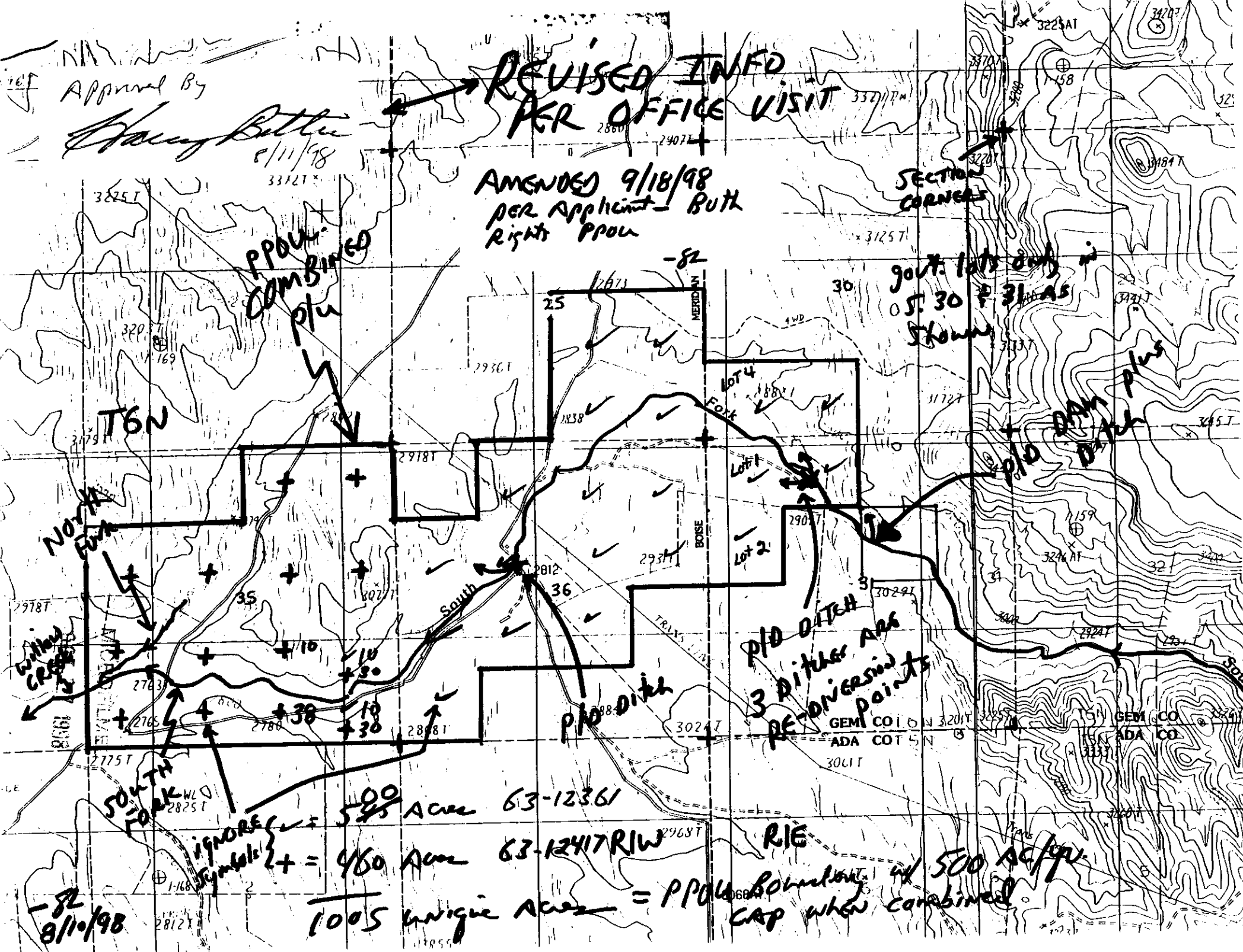
Willow Creek

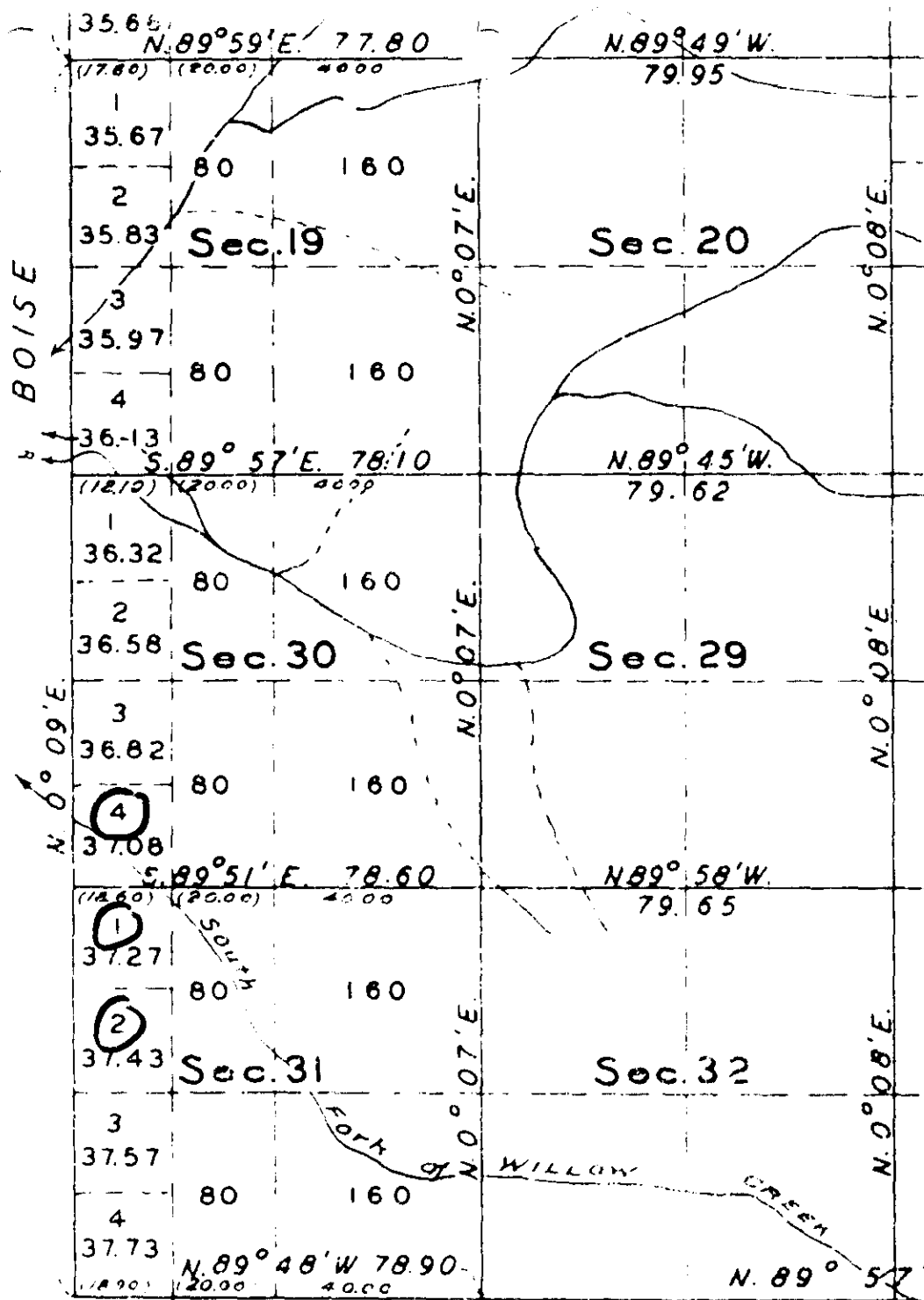
South Fork

-82
8/10/98

ignore symbols = 500 Acres 63-12361
+ = 460 Acres 63-12417 RIW

1005 unique Acres = PPOW boundary w/ 500 AC/90
CAP when combined





0 20 40 80

40 CHAINS TO AN INCH

MAGNETIC DECLINATION $19^{\circ}12'E$

CON

6N 1E
1935 survey

63-12361
63-12417

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OCT 27 1955

PREVIOUS

VERSIONS,

REPLACED BY

AMENDED VERSION

DATED 9/14-9/18/98

63-12361

63-12417

-52

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OCT 27 1998, 1506

Ident. No. 63-12361

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: HARRY BETTIS
Address: STAR ROUTE
PAYETTE ID 83661

208-634-5319

2. Source: WILLOW CREEK, SOUTH FORK Trib. to: WILLOW CREEK
3. Location of Point of Diversion: SWNE Sec. 31, Township 06N, Range 01E
Rediversion SWNE Sec. 31, Township 06N, Range 01E
Rediversion NENW Sec. 31, Township 06N, Range 01E
Rediversion SENW Sec. 36, Township 06N, Range 01W
GEM County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	10.800		
IRRIGATION STORAGE	01/01	12/31			800.00
IRRIGATION FROM STORAGE	03/15	11/15			800.00
STOCKWATER STORAGE	01/01	12/31			5.00
" from "	"	"			5.00

5. Total quantity to be appropriated is:
10.800 CFS (and/or) AF

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
DAM, DITCHES, PUMPS AND PIPELINES
- Height of storage dam 50 feet; active reservoir capacity 800.00
acre-feet; total reservoir capacity 800.00 acre-feet; period of
year when water will be diverted to storage: 1/01 to 12/31 inclusive.
- Proposed well diameter is inches; proposed depth of well is
feet.
- Is groundwater with a temperature greater than 85F being sought? NO
- If well is already drilled, when?
Drilling Firm
Well was drilled for

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 5 year(s).

8/11/98 REVISION PER APPLICANT.

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MICROFILMED OCT 27 1998

8. Place of Use: IRRIGATION

TWN	RGE	SEC	Lot	ACRES	ACRES	ACRES	TOTAL
06N	01E	30	4 (SWSW)	25	SESW 05		30
		31	NENW 10		Lot 1 (NWNW) 35	Lot 2 (SWNW) 40	85
	01W	25	NESE 05		NWSE 05	SWSE 30	
			SESE 30				70
		35	NESE 10		SESE 10		20
		36	NENE 40		NWNE 40	SWNE 40	
			SENE 40		NENW 10	SWNW 10	
			SENE 40		NESW 40	NWSW 30	
			SWSW 20		NWSE 40		340

Total number of acres irrigated: 545

Place of Use: IRRIGATION FROM STORAGE, same as IRRIGATION use

9. a. Who owns the property at the point of diversion?
APPLICANT
- b. Who owns the land to be irrigated or place of use?
APPLICANT
- c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

Applicant seeks waiver from local processing moratorium due to location and nature of proposed development. Applicant agrees to mitigate consumptive use in the future as needed.

11. Map of proposed point of diversion and place of use attached? ☒

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.

See original
Applicant

per F.H. 82 fm

Received by SC Date 9/11/96 Time 9:30 Preliminary check by 82

Fee \$ 300.00 Received by KLT #C036532 Date 9/11/1996

Publication prepared by AK Date 8-12-98 Published in Statewide + messenger index ☒

Publication approved AK Date 9-25-98

Stateman ☒ Lewiston m.t. ☒ port Reg. ☒ times news ☒

OCT 27 1998

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OCT 27 1998

Ident. No. 63-12361

Comments: Date: 8/11/1998 User-ID: SLESTER

Subject: APPLICANT'S ADDITIONAL INFORMATION

Other information provided in original filing, consultant's Aug. 3, 1998 letter (Attachment A) and Aug. 10, 1998 office visit: Storage will occur only when flow exceeds downstream prior water rights.

Stockwater is for 500 range cattle throughout the combined acres in applications 63-12361 & 63-12417. *

The two applications propose total storage of 2300 af (2200 af active reservoir capacity) for 1005 total acres (545 in 63-12361 & 460 in 63-12417). Stored water will be rediverted from creek in several points: 1 in SWNE & 2 in NENW S31 plus 1 in SENW S36. Generally, creek does not have available natural flow in the irrigation season.

* 50 "stockwater from storage" from Applies. -R 8/11/98

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OCT 27 1998

RECEIVED

SEP 12 1996

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Penail notes
8/10/98
Review

1. Name of applicant Harry Bettis Phone 634-5319
Post office address Star Rte, Payette, ID 83661
2. Source of water supply S. FK. Willow Cr. which is a tributary of Boise R.
3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 31 Township 6N Range 1E * B.M. Gem County; additional
points of diversion if any: NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 31, T6N, R1E + SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 36, T6N, R1W - ?
4. Water will be used for the following purposes:
Amount 10.8 cfs for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 800 A.F. for Storage for Irr purposes from 4/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 5 A.F. for Stock water storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 800 A.F. for Irr. from Storage purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 10.8 cubic feet per second and/or (b) 800 acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Dam, Ditches, Pumps, and pipelines
b. Height of storage dam 50 ± feet; active reservoir capacity 800 acre-feet; total reservoir capacity 800 acre-feet; period of year when water will be diverted to storage 1/1 to 12/31 inclusive. MICROFILMED
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet. OCT 27 1998
d. Is ground water with a temperature of greater than 85°F being sought? SEE PENAIL
e. If well is already drilled, when? _____; Drilling firm _____ MICROFILMED
Well was drilled for (well owner) _____ OCT 27 1998
7. Time required for the completion of the works and application of the water to be proposed beneficial use is 5 years (minimum 1 year). * per Applicant's map - 82 9/20/96

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. 500 cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

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.

Compare to
Asken is
63-12417
✓

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	
6N	1W	36	40	40	40	40	10		10	30	40	30	20			40			340
6N	1E	30											25	5					30
6N	1W	25													5	5	30	30	70
6N	1W	35													10			10	20
6N	1E	31					10	35	40										85

Total number of acres to be irrigated 545

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

License 1903 & 1984 1431

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

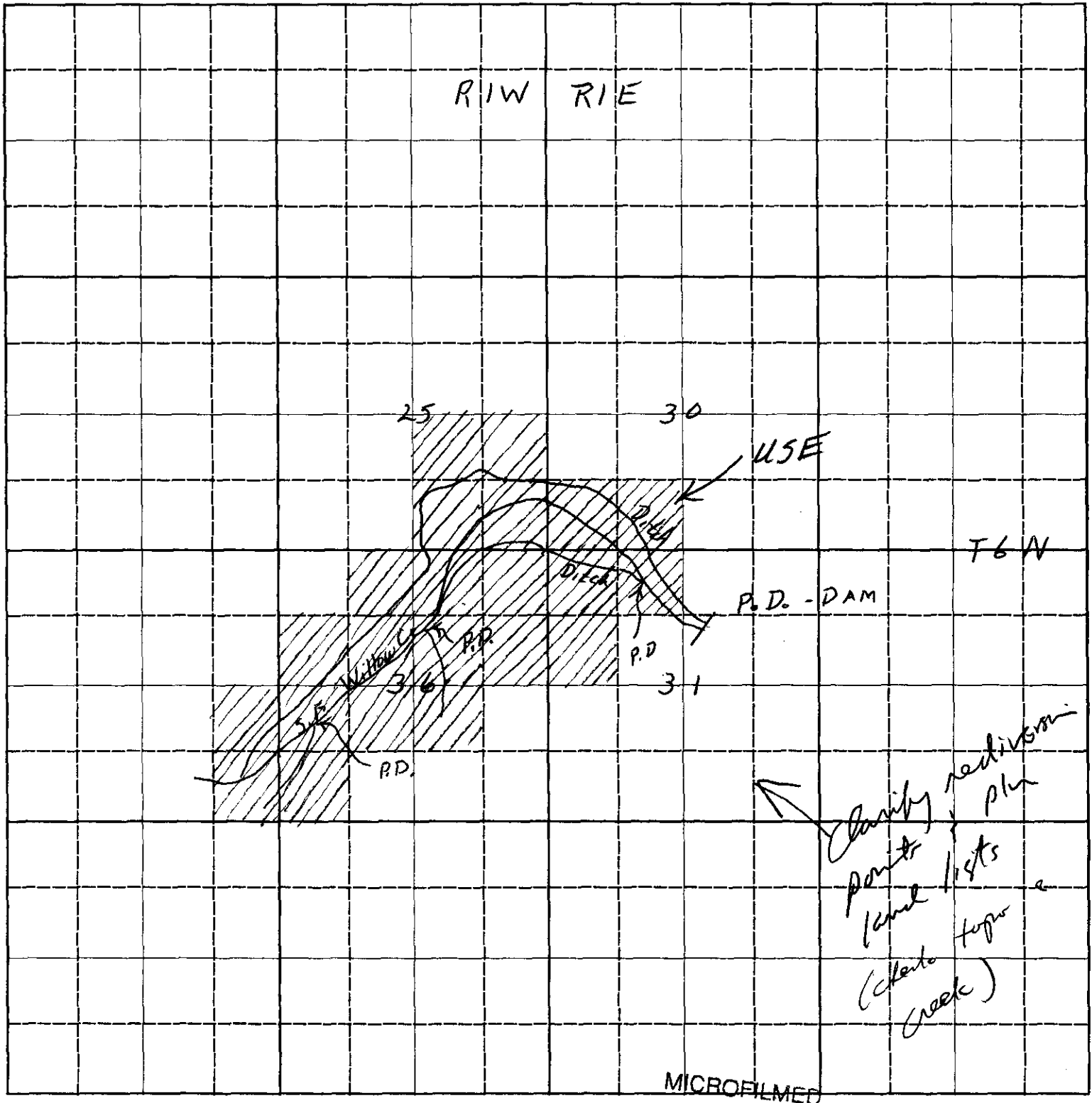
b. Who owns the land to be irrigated or place of use? Applicant

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

12. Remarks: Storage will take place only when flow exceeding downstream prior water rights are satisfied.

OCT 27 1998

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



Scale: 2 inches equal 1 mile.

OCT 27 1998

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.

Danny Butler
(Applicant)

Received by SC Date 9/11/96 Time 9:30 am Preliminary check by SC
Fee \$ 300⁰⁰ Received by KLT # C036532 Date 9/11/96
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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 _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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OCT 27 1998



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 5, 1998

HARRY BETTIS
STAR RT
PAYETTE ID 83661

PERMIT APPROVAL NOTICE

RE: PERMITS 63-12361/63-12417

Dear Permit Holder:

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

The permit are preliminary orders issued by IDWR pursuant to section 67-5243, Idaho Code. They can and will become final orders 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.

If the diversion dam is 10 feet or more in height, or has an impounding capacity of 50 acre-feet or more, certain dam safety requirements must be met. Please contact the regional office nearest you for details.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

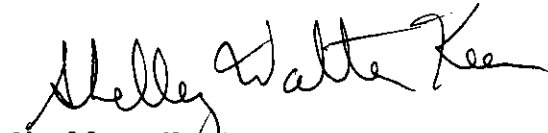
PHOTOCOPIED

OCT 27 1998

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

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

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen". The signature is written in dark ink and is positioned above the printed name and title.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

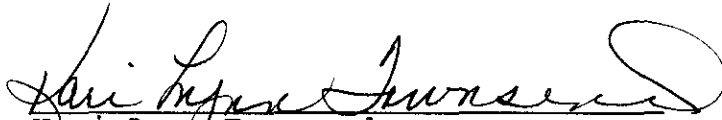
OCT 27 1998

CERTIFICATE OF MAILING

I hereby certify that on the 5th day of October, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDERS (Approved Permits) to the person(s) listed below:

Water Rights 63-12361/63-12417

HARRY BETTIS
STAR RT
PAYETTE ID 83661


Kari Lynn Townsend
Secretary

MICROFILMED

OCT 27 1998

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 twenty-one (21) 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 twenty-one (21) 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.

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. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

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.

Section 67-5246(5), Idaho Code, provides as follows:

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.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this 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:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. 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. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Lou*

No.: 63-12361 Name: Bettis Date: 10/1/98 Ad OK? ☒ / Gvmt Lts: ☒

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - ~~000~~ (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - ~~06A-P17~~
- ≤ 1 year/no proof - ~~P16~~

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP) - North / East / West

- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

WMD Supplemental use - 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

DRILLING PERMIT:

- All wells (✓ WDQ3) - 046-P23
- In Basin 34? - 085
- Irr. within WD - P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED: - YES / NO; RESPONSE: OK

IN/ABOVE MIN. STR. FLOW (✓ MAP) - *WB9

WD (✓ MAP & LISTING) - ~~004~~ (WD # 63)

- > 0.10 cfs - ~~04H-P00 (MD & LD)~~ use 18A
- ≤ 0.10 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

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

USE:

- Domestic surface - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070
- Fire Protection - 077
- Fish Propagation - 029(70's only)-007-042(req)-081 (WQ)-P10
- Heating/Cooling - R07 (injection well)
- Irr ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- Mining - 054(req) -081-P10
- Municipal - 022, 075, 004 (+memo?), NA (not in restricted area)
- Power - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18
- Stockwater - R37 (BLM/USFS); NA
- Storage (✓ 3 compo.) - ~~18A~~ (in & out MD for on-stream storage), ~~18B-P09~~ (>10' dam), NA

LOCATION:

- 42-248 area - ~~P84~~ (in 20/30/40/50/60/70/80 (87) basin)
- Boise Front LoGeo - 058 (<85° GW temp only)
- In-stream dev. - ~~P52~~ (stream channel alteration)
- Mitigation - ~~120~~

SWAN FALLS FLAG (See Code Chart)

- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA
- 004 (PD/PU)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS: W02/SOORC W27 W35

BENEFICIAL USE DUE: 10/1/2003

COMMENTS:

Board of Commissioners



CHAIRMAN:
NORVIL R. ELLIOTT
DISTRICT I
RICK WELCH
DISTRICT III
ED MANSFIELD
DISTRICT II

RECEIVED

SEP 28 1998

WATER RESOURCES
WESTERN REGION
415 E. MAIN STREET
EMMETT, IDAHO 83617
(208) 365-4561

September 28, 1998

Steve Lester
Water Resource Board
Boise, ID

Dear Sir:

We, the Gem County Commissioners endorse the building of the Aikman dam on the south fork of Willow Creek near Pearl, Idaho. This dam will be beneficial to Gem County and Ada County for flood control on Willow Creek.

The building of this dam will improve Gem County's tax base and provide irrigation for several hundred acres of new farm land.

Sincerely,

GEM COUNTY COMMISSIONERS


Norvil R. Elliott, Chairman

NRE:TK

RECEIVED

OCT 02 1998

Department of Water Resources

MICROFILMED
OCT 27 1998

63-12361
63-12417

MEMORANDUM

RECEIVED

OCT 01 1998

To: File nos. 63-12361 & 63-12417; Harry Bettis

Department of Water Resources

From: Gary Spackman *Gary*

Date: September 30, 1998

Re: Conditions of Approval

Application for water right nos. 63-12361 & 63-12417 propose the construction of a dam for storage of 800 and 1500 acre feet of Willow Creek water, cumulatively stored in a reservoir of 2300 acre feet. The applications were protested by Brad Little and Mark Lynn. The protestants conditionally withdrew their protests on September 14, 1998. A copy of the withdrawal agreement is included in the files.

I recommend approval of application nos. 63-12361 and 63-12417. The permissible place of use for permit no. 63-12361 should be the 545 acres proposed for irrigation. The permissible place of use for permit no. 63-12417 should be the 1005 acres proposed for irrigation. Conditions of approval should read as follows:

(For water right no. 63-12361) No more than 500 acres of the place of use may be irrigated during an irrigation season under this right or in combination with water right no. 63-12417. — use (w27)

(For water right no. 63-12417) No more than ^{465 500 OK.} ~~500~~ acres of the place of use may be irrigated during an irrigation season under this right or in combination with water right no. 63-12361). — use (w27)

(120)

~~(R27)~~ inactive; use (R65) instead.

The water right holder must obtain approval from IDWR of the construction of the proposed dam and storage of water from IDWR prior to commencing construction. ~~use (18B)~~
(remark)

~~(R40)~~ use on licenses or transfers; use (18B) instead.

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OCT 27 1998

Change OK per Gary Telecom 10/1/98. cjs.

OCT 01 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

*Statewide
plus Gen Co.
Ads*

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: RL

DATE: 8/11/98

APPLICATION: 63-12361

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:
N P/D
y P/U

ADDITIONAL INFORMATION

*SEE SPECIALLY
PREPARED NOTICE*

ADVERTISE REMARK(S)

(Reviewer identify which remarks)

yes

T FLAG CHANGED TO P FLAG

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ Overlapping point of diversion.
- ☒ Critical groundwater area:
- ☒ Groundwater management area: *processing ok per S.O./mng's directions*
- ☒ 1992 moratorium: *←*
- ☒ Bull trout impact area
- ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining). *} Email sent 8/11*
- ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ Mitigation plan: Check any that apply. *? N/A*
- ☒ *N/A* immediate = acceptable plan required and submitted. *←*
- ☒ future = open areas, acceptance of condition of approval is in file. *8/17 updates*
- ☒ Send power requirement letter: *Dam Safety per appl. pending S.O.*
- ☒ Send fish farm requirement letter: *no SCA if we ok per GEN'S REPLY*
- ☒ Power residency affidavit:
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach *re*)
- ☒ Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Abbreviated response for large div. into needed. Also notified applicant e need for dam safety approvals.

Date Requested

8/11/98

Date Response Received

8/24/98

(all except county)

9/22/98 reminder e this in fax

Comm. letter

OK 9/24/98

PROCESSING

APP. NO. 63-12361

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
☐ ☒ I.D. District Health
☒ ☐ I.D. Fish & Game
☐ ☒ I.D. Lands

- ☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☒ ☐ Water Dist. # 63
☒ ☐ Other See attached list in 63-12361 file

FINAL REGIONAL PROCESSING REVIEW:

re: 9/6/98 Saxton's recent memo

YES NO

OK w/ tofig per 8/28/98 email

- ☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

- ☒ ☐ Publication dates and paper recorded on application:
☐ ☐ Final date for protest 9-7-98
☒ ☐ Protests received.
☒ ☐ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Measuring port required:
☐ ☒ Water delivered by water master? District #
☒ ☐ Special conditions of approval or cover letter: See memo dated 9/30/98

See below for additional information

Recommended Date or Priority 9/11/98
Recommended by: Gary S Date: 9/30/98

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION:

Common storage & delivery system proposal for 2 appls. that provide 2200 AF Active / 2300 AF total storage:
63-12361 800 AF, 545 acres } 1005 unique acres served.
63-12417 1500 AF, 460 acres } (also includes 5 af stock storage).
Appears: A63-20949 (re 63-02023) is same pld N6NW S.31. } cover some of same lands.
A63-20956 (re 63-02024) springs. }
= Resdiv. pt. in new appls.

See 8/11/98 overlap info in file - summary plus details

9am

Note 500 Ac. in 1005 Ac. PPM,
combined rights.

Licensing of new rights CAN result in
proportionate reduction in acres
already covered up live flow, same source.
Probably easier to do in licensing than
up front in Aqpl. process in this
case.

-JR

CONVERSATION MEMORANDUM

DATE 8/10/98

FILE 63-12361

NAME OF PARTY -

EMPLOYEE SL

63-12417

RE: MAILING LIST

- | | |
|---|---|
| (1) MARK & JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616 | (5) JULIE GLEASON
CHAPARRAL WATER ASSN
PO Box 414
EAGLE ID 83616 |
| (2) BRAD LITTLE
210 W. MAIN
EMMETT ID 83617 | (6) LOWELL & SARA LEE GEIER TRUSTEES
LOWELL GEIER INTERVIVOS TRST 1
6974 PEARL RD
EAGLE ID 83616 |
| (3) CITY HALL 15 N Dewey
CITY OF MIDDLETON
MIDDLETON ID 83644 | (7) SPRING VALLEY LIVESTOCK CO
PO Box 9
STAR ID 83669 |
| (4) JEROLD GREGG
BUR OF RECLAMATION
CENTRAL SNAKE PROJECT
214 BROADWAY
BOISE ID 83702 | (8) MIDDLETON IRRIGATION ASSN
PO Box 214
MIDDLETON ID 83644-0214 |

SD-4103
INQUIRY

Idaho Department of Water Resources
Water Rights Names Screen

Date: 08/10/98
Time: 10:02:41

Water Right Number: 63-12450

FIRST PAGE

Owner Codes: O Original Owner P Present Owner L Lien Holder T Trustee
 C Current Owner R Representative S Lessee
 K Also Known As A Attorney of Record D Dir Rpt Owner

Last: LYNN

Address: 4050 CHAPARRAL RD

State: ID ZIP: 83616-

Owner Code: C

Name Connector: AND/OR

Last: LYNN

Address: 4050 CHAPARRAL RD

State: ID ZIP: 83616-

Owner Code: C

First: D MARK

City: EAGLE

Phone: (208) 286-9533

First: JOY

City: EAGLE

Phone: (208) 286-9533

*Mark: Joy
Lynn*

(Enter=Exit) (GOLD4=Prev Screen) (GOLD6=End of Data) (GOLD8=Cancel)
 (GOLD5=Next Screen)

PROTEST INFORMATION SHEET

APPLICANT: Mark &/or Joy Lynn

WR #: 63-11995 - Amendment

DATE FILED: 5-4-98

PROTEST DATE: 8-3-98

PROTESTANT(S) NAME & ADDRESS:

Julie Gleason
Chaparral Water Assn
PO Box 414
Eagle ID 83616



Not protestant is
63-12361 : 12417-
just info for
amendment letter
-82

Attorney - Name & Address

Issues _____

Applicant - Attorney - Name & Address _____

Dates: _____

Acknowledgement Letters

Hearing Notice _____

Hearing Date _____

Other: _____

SD-0606-2 Source: WILLOW CREEK

S Tributary: BOISE RIVER

E Water Name

L Right No. Last, First

Source

S
T
G

Priority
Date

Records:
Total
Diversion

STATE

7

Use
Code

63-02588	FROST, MRS. C. E.	WILLOW CREEK	L	06/24/1939	1.000	01
* 63-02931	LEACH, WILLIAM	WILLOW CREEK	L	03/07/1953	0.220	01
						43
* 63-03072	OVERMAN, J. W.	WILLOW CREEK	L	12/29/1955	0.700	01
63-05387	SPRING VALLEY LIV	WILLOW CREEK	S	02/01/1880	1.010	01
						04
63-12304	MIDDLETON IRRIGAT	WILLOW CREEK	P	01/04/1996	10.000	01
	MIDDLETON MILL DI					
63-12361	BETTIS, HARRY	WILLOW CREEK, SOU	A	09/11/1996	10.800	01
						02
						03
						05
63-12417	BETTIS, HARRY	WILLOW CREEK, SOU	A	09/12/1997	9.180	01
						02
						04
						03

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

* AJS
528A
6/10/00

SD-4103
INQUIRY

Idaho Department of Water Resources
Adjudication Names Screen

Date: 08/10/98
Time: 10:36:19

Water Right Number: A63-02588

FIRST PAGE

Owner Codes: O Original Owner P Present Owner L Lien Holder T Trustee
C Current Owner R Representative S Lessee
K Also Known As A Attorney of Record D Dir Rpt Owner

Last: FROST
Address: RT 1

First: MRS C E

State: ID Zip: XXXXX-
Owner Code: O

City: EAGLE
Phone: (208) -

Name Connector: OR

Last: GEIER TRUSTEE

First: LOWELL

Address: LOWELL GEIER INTERVIVOS TRST 1

6974 PEARL RD

City: EAGLE

State: ID Zip: 83616-
Owner Code: C

Phone: (208) 286-7540

*Lowell &
Sara Lee
Geier, Trustees*

SD-4103
INQUIRY

Idaho Department of Water Resources
Adjudication Names Screen

Date: 08/10/98
Time: 10:36:39

Water Right Number: A63-02588

Owner Codes: O Original Owner P Present Owner L Lien Holder T Trustee
C Current Owner R Representative S Lessee
K Also Known As A Attorney of Record D Dir Rpt Owner

Last: GEIER TRUSTEE

First: SARA LEE

Address: LOWELL GEIER INTERVIVOS TRST 1

6974 PEARL RD

City: EAGLE

State: ID Zip: 83616-
Owner Code: C

Phone: (208) 286-7540

Name Connector:

Last:
Address:

First:

State: Zip: -
Owner Code:

City:
Phone: () -

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

SD-4103
INQUIRY

Idaho Department of Water Resources
Adjudication Names Screen

Date: 08/10/98
Time: 10:45:45

Water Right Number: A63-05387

FIRST PAGE

Owner Codes: O Original Owner P Present Owner L Lien Holder T Trustee
C Current Owner R Representative S Lessee
K Also Known As A Attorney of Record D Dir Rpt Owner

Last: SPRING VALLEY LIVESTOCK CO INC
Address: C/O COLEN MC LEOD JR

First:
2005 S 10TH AVE
City: CALDWELL
Phone: (208) -

State: ID Zip: 83605-0000
Owner Code: O

Name Connector:

Last: SPRING VALLEY LIVESTOCK CO INC
Address: PO BOX 9

First:

City: STAR
Phone: (208) 286-7975

State: ID Zip: 83669-
Owner Code: C

(GOLD4=Prev Screen) (GOLD6=End of Data)

(Enter=Exit)

SD-4103
INQUIRY

Idaho Department of Water Resources
Adjudication Names Screen

Date: 08/10/98
Time: 10:38:08

Water Right Number: A63-05387

FIRST PAGE

Owner Codes: O Original Owner P Present Owner L Lien Holder T Trustee
C Current Owner R Representative S Lessee
K Also Known As A Attorney of Record D Dir Rpt Owner

Last: SPRING VALLEY LIVESTOCK CO INC
Address: C/O COLEN MC LEOD JR

First:
2005 S 10TH AVE
City: CALDWELL
Phone: (208) -

State: ID Zip: 83605-0000
Owner Code: O

Name Connector:

Last: SPRING VALLEY LIVESTOCK CO INC
Address: PO BOX 9

First:

City: STAR
Phone: (208) 286-7975

State: ID Zip: 83669-
Owner Code: C

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

SD-4103
.INQUIRY

Ida Department of Water Resources
Water Rights Names Screen

Date: 08/10/98
Time: 10:46:28

Water Right Number: 63-12304

FIRST PAGE

Owner Codes: O Original Owner P Present Owner L Lien Holder T Trustee
C Current Owner R Representative S Lessee
K Also Known As A Attorney of Record D Dir Rpt Owner

Last: MIDDLETON IRRIGATION ASSN
Address: PO BOX 214

First:

State: ID ZIP: 83644-0214
Owner Code: C

City: MIDDLETON
Phone: (208) 585-6676

Name Connector: AND

Last: MIDDLETON MILL DITCH CO
Address: PO BOX 214

First:

State: ID ZIP: 83644-0214
Owner Code: C

City: MIDDLETON
Phone: (208) 585-6676

(Enter=Exit) (GOLD4=Prev Screen) (GOLD6=End of Data) (GOLD8=Cancel)
(GOLD5=Next Screen)

APPLICATION FOR PERMIT FOR WATER RIGHT

NO. 63-12361 + 63-12417RECOMMENDATION OF WATERMASTER

I, Lee Sisco, watermaster of Boise River, of Water District No. 63, County of Ada, State of Idaho, whose address is 6616 Overland Rd. Boise, Id., have read the attached copy of the application for permit for a water right in the name of Harry Bettis.

(A.) I hereby endorse the above numbered application and recommend that the Director of the Department of Water Resources approve the application subject to the following conditions: Standard Watermaster
Conditions

OR

B. I do not endorse approval of the above numbered application for water right as requested for the following reasons:

Dated at Boise, Idaho, this 25 day of Sept, 1998

Lee Sisco
(signature)

Please use reverse side if needed.

MICROFILMED

OCT 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 24, 1998

MARK LYNN
506 E 45TH ST
BOISE ID 83714

Re: Applications for Permit Nos. 63-12417 and 63-12361 in the Name of Harry Bettis

Dear Mr. Lynn:

This letter is to acknowledge the withdrawal of protest of the above-referenced applications for water right.

The department will now continue to process the applications, subject to certain conditions of approval.

If you have any questions please call this office.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

CC: Applicant

MICROFILMED

OCT 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 24, 1998

BRAD LITTLE
LITTLE LAND & LIVESTOCK CO
PO BOX 488
EMMETT ID 83617

Re: Applications for Permit Nos. 63-12417 and 63-12361 in the Name of Harry Bettis

Dear Mr. Little:

This letter is to acknowledge the withdrawal of protest of the above-referenced applications for water right.

The department will now continue to process the applications, subject to certain conditions of approval.

If you have any questions please call this office.

Sincerely,


Gary Spackman

GS:st

CC: Applicant

MICROFILMED

OCT 27 1998

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is given that HARRY BETTIS of Star Route, Payette, ID 83661 has applied to the Department of Water Resources for the following water rights from South Fork of Willow Creek in Gem County:

Application #63-12361
filed on 9-11-1996 for 10.80
cfs & 800 af storage.

Application #63-12417
filed on 9-12-1997 for 9.18
cfs & 1500 af storage.

Combined rights will include 19.98 cfs & 2300 af reservoir (includes 5 af for stockwater) located in SWNE S31 T6N R1E on South Fork Willow Creek, tributary to Willow Creek. Stored water will be re-diverted from South Fork Willow Creek in SWNE & NENW S31 T6N R1E and SENW S36 T6N R1W. Combined use will include 1005 irrigated acres plus stockwater in portions of S30 & 31 T6N R1E and S25, 35 & 36 T6N R1W. The site is about 2-5 miles east of Hwy 16 and just north of the Gem/Ada County line near Pearl Road.

Applicant seeks a waiver from the local processing moratorium due to the location and nature of the proposed development. Applicant agrees to mitigate consumptive use in the future as needed and only proposes to store and use excess flows when downstream senior rights are satisfied.

The 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 approval of the applications must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 together with a protest fee of \$25.00 per application being protested on or before September 7, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

PUBLISH: August 20 and
27, 1998

Affidavit of Publication

STAT OF IDAHO }
COUNTY OF TWIN FALLS } SS.

No 30927

I, Emily McKnight being first duly sworn upon oath, depose and say that I am principal clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated August 20, 19 98, and ending with the issue dated August 27, 19 98.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 27th day of Aug in the year of 1998, before me,
a Notary Public, personally appeared Emily McKnight,
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.

RECEIVED

AUG 31 1998

WATER RESOURCES
WESTERN REGION

Shirley R. Feltman
Notary Public for Idaho
Residing at Twin Falls, Idaho
My commission expires: 5/19/2000

MICROFILMED
AUG 27 1998

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING INVOICE

SOLD TO: DEPT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE ID 83705

Date 08/27/98 INVOICE NO. 181970
Account No. 964760
Description 181970NOTICEOFAPPLICAT

Times 2 Lines 55

Tab. Lines _____

\$ 75.63

RECEIVED

AUG 31 1998

WATER RESOURCES
WESTERN REGION

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is given that HARRY BE'TIS of Star Route, Payette ID 83661 has applied to the Department of Water Resources for the following water rights from South Fork of Willow Creek in Gem County:

Application #63-12361 filed on 9-11-1996 for 10.80 cfs & 800 af storage.

Application #63-12417 filed on 9-12-1997 for 9.18 cfs & 1500 af storage.

Combined rights will include 19.98 cfs & 2300 af reservoir (includes 5 af for stockwater) located in SWNE S31 T6N R1E on South Fork Willow Creek, tributary to Willow Creek. Stored water will be re-diverted from South Fork Willow Creek in SWNE & NENW S31 T6N R1E and SENW S36 T6N R1W. Combined use will include 1005 irrigated acres plus stockwater in portions of S30 & 31 T6N R1E and S25, 35 & 36 T6N R1W. The site is about 2-5 miles east of Hwy 16 and just north of the Gem/Ada County line near Pearl Road.

Applicant seeks a waiver from the local processing moratorium due to the location and nature of the proposed development. Applicant agrees to mitigate consumptive use in the future as needed and only proposes to store and use excess flows when downstream senior rights are satisfied.

The 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 approval of the applications must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 together with a protest fee of \$25.00 per application being protested on or before September 7, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published in the Messenger Index on August 19 and 26, 1998, and in the Idaho Statesman, Lewiston Morning Tribune, Times News and Post Register on August 20 and 27, 1998.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 181970NOTICEOFA attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 08/20, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 08/20/98, and the last publication thereof being on the 08/27/98, and said 181970NOTICEOFA was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

day of _____, 1998

MICROFILMED

001 27 1998

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____

RECEIVED

AUG 28 1998

WATER RESOURCES
WESTERN REGION

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due
\$65.04

Account Number/Trans. #		Identification	
047628		APPLICATION FOR WATER RIGHT	
Ordered By	P.O. Number	Rate	Run Dates
SUE TAYLOR		NT	AUGUST 20, 27, 1998
STATE OF IDAHO DEPT. OF WATER RESOURCES WESTERN 2735 AIRPORT WAY BOISE, IDAHO 83705		Estimated inches	Real inches
		# Affidavits	Legal Number
		1	2078

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is given that HARRY BETTIS of Star Route, Payette ID 83441 has applied to the Department of Water Resources for the following water rights from South Fork of Willow Creek in Gem County:

Application #63-12361 filed on 9-11-1996 for 10.80 cfs & 800 of storage.

Application #63-12417 filed on 9-12-1997 for 9.18 cfs & 1500 of storage.

Combined rights will include 19.98 cfs & 2300 of reservoir (includes 5 ac for stockwater) located in SWNE S31 T4N R1E on South Fork Willow Creek, tributary to Willow Creek. Stored water will be re-diverted from South Fork Willow Creek in SWNE S31 T4N R1E and SEW 336 T4N R1W. Combined use will include 1005 irrigated acres plus stockwater in portions of S30 & 31 T4N R1E and S25, 35 & 36 T4N R1W. The site is about 2-3 miles east of Hwy 16 and just north of the Gem/Ada County line near Pearl Road.

Applicant seeks a waiver from the local processing moratorium due to the location and nature of the proposed development. Applicant agrees to mitigate consumptive use in the future as needed and only proposes to store and use excess flows when downstream senior rights are satisfied.

The permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-283A, Idaho Code. Any protest against approval of the applications must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705-3062 together with a protest fee of \$25.00 per application being protested on or before September 7, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Pub. August 26, 27, 1998

2078

JANICE HILDRETH

, 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 Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly

☐ single

☐ consecutive daily

☐ odd skip

insertion(s) beginning with the issue of

AUGUST 20, 1998

and ending with the issue of

AUGUST 27, 1998

Janice Hildreth

STATE OF IDAHO)

ss.

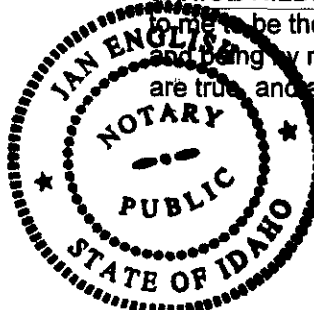
COUNTY OF ADA)

On this 27TH day of AUGUST in the year of 1998, before me, a Notary Public, personally appeared

JANICE HILDRETH

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 she executed the same.



Notary Public for Idaho

Residing at:

Boise, Idaho

My commission expires:

02/28/02

MICROFILMED

OCT 27 1998

RECEIVED

AUG 27 1998

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
SS.
COUNTY OF GEM,

Mary K. Black, being first
duly sworn, on her oath deposes and
says that she is the clerk of the Mes-
senger Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho; that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document; and that the document
notice, process, or advertisement
hereunto annexed was published in
the regular edition of Messenger
Index for two

consecutive weekly issues thereof,
beginning with the issue of
August 19, 1998,
and ending with the issue of
August 26, 1998

Mary K. Black
Subscribed and sworn to me this

26th day of
August, 1998
Jeanne Sisco
Notary Public
Residing at Emmett, Idaho

NOTICE OF APPLICATION FOR
WATER RIGHT

Notice is given that HARRY BETTIS of
Star Route, Payette ID 83661 has
applied to the Department of Water
Resources for the following water rights
from South Fork of Willow Creek in
Gem County:

Application #63-12361 filed on 9-11-
1996 for 10.80 cfs & 800 af storage.

Application #63-12417 filed on 9-12-
1997 for 9.18 cfs & 1500 af storage.

Combined rights will include 19.98
cfs & 2300 af reservoir (includes 5 af for
stockwater) located in SWNE S31 T6N
R1E on South Fork Willow Creek, tribu-
tary to Willow Creek. Stored water will
be re-diverted from South Fork Willow
Creek in SWNE & NENW S31 T6N R1E
and SENW S36 T6N R1W. Combined
use will include 1005 irrigated acres
plus stockwater in portions of S30 & 31
T6N R1E and S25, 35 & 36 T6N R1W.
The site is about 2-5 miles east of Hwy
16 and just north of the Gem/Ada Coun-
ty line near Pearl Road.

Applicant seeks a waiver from the
local processing moratorium due to the
location and nature of the proposed
development. Applicant agrees to miti-
gate consumptive use in the future as
needed and only proposes to store and
use excess flows when downstream
senior rights are satisfied.

The permits will be subject to all
prior water rights. Protests may be sub-
mitted based on the criteria of Sec 42-
203A, Idaho Code. Any protest against
approval of the applications must be
filed with the Department of Water
Resources, Western Region, 2735 Air-
port Way, Boise, Idaho 83705- 5082
together with a protest fee of \$25.00 per
application being protested on or before
September 7, 1998. The protestant
must also send a copy of the protest to
the applicant.

Karl J. Dreher
Director

Pub.: 8-19, 26, 1998

Legal Notice No. 3328
Published in the Messenger Index

My Commission Expires JUNE 30, 2000

NOT RECORDED

NOT RECORDED

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is given that **HARRY BETTIS** of Star Route, Payette ID 83661 has applied to the Department of Water Resources for the following water rights from South Fork of Willow Creek in Gem County:

Application #63-12361 filed on 9-11-1996 for 10.80 cfs & 800 af storage.

Application #63-12417 filed on 9-12-1997 for 9.18 cfs & 1500 af storage.

Combined rights will include 19.98 cfs & 2300 af reservoir (includes 5 af for stockwater) located in SWNE S31 T6N R1E on South Fork Willow Creek, tributary to Willow Creek. Stored water will be re-diverted from South Fork Willow Creek in SWNE & NENW S31 T6N R1E and SENW S36 T6N R1W. Combined use will include 1005 irrigated acres plus stockwater in portions of S30 & 31 T6N R1E and S25, 35 & 36 T6N R1W. The site is about 2-5 miles east of Hwy 16 and just north of the Gem/Ada County line near Pearl Road.

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The 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 approval of the applications must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 together with a protest fee of \$25.00 per application being protested on or before September 7, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published: August 20, 27, 1998

RECEIVED

SEP 08 1998

WATER RESOURCES
WESTERN REGION

RECEIVED
SEP 27 1998

Proof of Publication

The Post Register

State of Idaho
County of Bonneville

I, S. Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for two consecutive (days) weeks, first publication having been made on the 20th day of August, 1998, last publication having been made on the 27th day of August, 1998, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

GIVEN UNDER

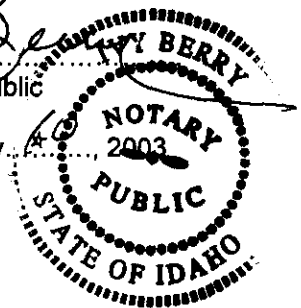
MY HAND AND

Subscribed and sworn to before me, this 2nd day of September, 1998

S. Bob Bright

Don Berry
Notary Public

My commission expires January



RECEIVED

SEP 08 1998

WATER RESOURCES
WESTERN REGION

MICROFILMED

OCT 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 9/22/98

TO: Don Watts

FROM: Steve L

Fax 383-1183

DOCUMENT DESCRIPTION: Bettis Appls, Amended -
This is Amended version per protest meeting, follow
up i Applicant's letter. Confirmed that NO RE-Advertising
needed for amendment. Affidavits of publication from 5
Newspapers ARE in process. Still need county commissioners

TOTAL PAGES SENT: 09 + COVER SHEET

MICROFILMED

OCT 27 1998

CONTACT:

Comment letter e project. Will forward, to Orchard
both Appls.

St. office once:
Applicant to do → 1) Receive county comm. letter
Dept. to do → 2) confirm proper legal notice was
given in all 5 papers

- Steve Lester

Harry Bettis
10775 Sucker Cr. Rd.
Payette, ID 83661

RECEIVED

SEP 18 1998

WATER RESOURCES
WESTERN REGION

Mr. Steve Lester *SL*
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Dear Mr. Lester:

I am writing to advise you that I want to bring my Water Right Applications, 63-12361 and 63-12417, into compliance with the agreement reached with Brad Little and Mark Lynn whereby they withdrew their protests against the issuance of those permits, a copy of which was provided to you. I believe that you and Don Watts worked out the following points to assure compliance:

1. The natural flow diversion rate for 63-12367 would be reduced to 500 miner's inches (10 cfs) and the 800 acre feet of storage would be unchanged.
2. The natural flow diversion rate for 63-12417 would be reduced to zero.
3. The storage of 1500 acre feet under 63-12417 would be for any chosen 460 acres within the 1005 acres named in the two permits.
4. The total acreage to be irrigated in any one year will not exceed 500 acres for the two permits combined.
5. Delay exceeding 3 days will not be encountered due to these changes.

If the list above accurately reflects the situation you are authorized to make the necessary amendments to the permit applications immediately. Don Watts will provide payment to you as necessary to accomplish the necessary changes.

Sincerely,

Harry Bettis
Harry Bettis

MICROFILMED
OCT 27 1998

*Letter to
Amend Applications*

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: **W024420**

Date: **9/18/1998**
Time: **15:51:03**

Received
From: **A&B ENGINEERING**

Type of Payment	Program A cct	Amount
PERMIT CHANGE - BETTIS	62105 229 21 1155	100.00

CHECK 5800

Total \$ **100.00**

Region: **WESTERN**

Signature: _____

MICROFILMED

OCT 27 1998

CONVERSATION MEMORANDUM

DATE 9/16/98

FILE 63-12361

NAME OF PARTY Don Watts

EMPLOYEE JL

63-12417

RE: Follow up to Protest Withdrawal

Discussed maximizing SR. priority but limiting 2 rights to ≤ 500 AC in 1005 AC. PPM.

Probably best way to do that is outlined on attached page.

Gave him C's of apps. plus outlined proposal for applicant's consideration. He'll meet with H.B. tomorrow to resolve.

Best way to amend given time constraint is to provide letter authorizing the changes.

NEED \$100 amendment fees & \$50 per.

Desires in Mags. to confirm RE-advertising N/A.

MICROFILMED

OCT 27 1998

Suggested

9/16/98
-jr

SR. Appl 63-12361

500 " } for 500 Ac. in 1005 Ac.
800 A.F. }
PPOL

JR. Appl 63-12417

1500 A.F. for 460 Ac. in same 1005 Ac.
PPOL

When combined: no more than 500 Ac.
irrigated per year

LETTER authorizing amendments of both
Appls.

FEE \$50 Amendment per x 2 = \$100
=

MICROFILMED

OCT 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

✓
FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 9/15/98

TO: Don Watts

FROM: Steve Loster

fax 383-1183

TEL. 334-2190

DOCUMENT DESCRIPTION: H. Bettis' 2 Apps:
HARRY revised both Apps. on 8/11 to show ACRES in current
VERSIONS: 63-12361 545 AC., 63-12417 460 AC. where
combined cover 1005 unique ACES (no overlapping ACES).

TOTAL PAGES SENT: 0 + COVER SHEET

MICROFILMED
OCT 27 1998

CONTACT: _____

Now with protest withdrawal: looks like should amend
both to cover 1005 ACES where 500 ACES/year within
1005 AC. boundary when combined. So need to amend both
Apps. (e \$50 each) to match protest withdrawal meeting.
Also need letter that ok from county commissioners.
Please call me so we can meet to take care of
details.

Thanks, Steve

Protest Status per results of 9/14/98 meeting (see attached)

<u>Appl.</u>	<u>Protestants</u>	<u>Protest Status</u>
63-12361 *	L. Hle + Lynn	} Withdrawn
- 12417 *	L. Hle + Lynn	
- 11995 (Amendment)	Chap. Writer Assoc.	} Pending
- 12450	L. Hle	

* Applicant requests expedited processing so can
receive approval dem safety permit (pending at
J.O. now)

MICROFILMED
OCT 27 1998

-J

9/14/98

7-192

CONVERSATION MEMORANDUM

DATE 9/14/98

FILE 63-12361 } Bettis
12417 }
11995 }
11996 } Lynn
12450 }

NAME OF PARTY JEC below

EMPLOYEE Jc

RE: PROTESTS -

Meeting 2:00 p.m. e. Western
Mark Lynn + Terry Scanlon ← consultants
Harry Bettis + Don Watts
Brod Little + John ← attorney

Bettis' Appls - protests withdrawn with conditions, see
withdrawal form. Create 1005 ac. PPOA (sum of acres
originally intended both Appls.) with max. per year of 500 ac.
± 500" between both rights. Bettis agrees to changes to be
made in Appls. to show this. Don Watts will follow up with
details. Appls. revision - since a reduction w/o real changes
of significance - should ~~not~~ require re-advertising.

Lynn Appls.
- 11995 Amendment protested by Chap. Writer Assoc., not present.
- 12450 Appl. for permit " " Little.

MICROFILMED

Little's concerns: OCT 27 1998

Since basis to approve these ground water filings is as 63
is that g.w. tributary to R 65 (Scanlon's Report), IDWR should
not link g.w. use to Willow Creek use re conditions of approval
now in 11995 & 11996. Concern that Lynn's TRWA claims for
Willow Cr. (A63-28379 & A63-28380) are invalid & if valid

- continued -

CONVERSATION MEMORANDUM

DATE 9/14/98

FILE _____

NAME OF PARTY Bettie Lynn et al

EMPLOYEE FL

—Continued—

Page 2 of 2

RE:

could injure Little's stock ponds (off stream uses demonstration
in willow cr. drainage). Soil is not logical to take BS 65
grw to BS. 63 surface water.

Additionally, Little has stock wells to N/Am in BS 65
i concerned a adverse impact i mitigation if Lynn's well(s)
cause injury. Considerable discussion a FRBA, water right,
water district, injury, mitigation etc ensued.

Result of discussion -

Lynn will have Scanlon prepare Request for dept.
to Revisit surface water - ground water cond of ~~approval~~
Approval in Lynn's filings.

Little & attorney will prepare suggested mitigation
steps for applicant to take, how to define/determine if
i injury etc occurs re BS. 65 wells.

Parties will submit something to dept once
ready.

Protest still pending

Filing - original & 63-12361

cc's to all other FO./Regin files

MICROFILMED
OCT 27 1998

RECEIVED

SEP 14 1998

WATER RESOURCES
WESTERN REGION

M
HB

IN THE MATTER OF APPLICATION FOR PERMIT NOS. 63-12621³⁶¹ AND 63-12417 IN THE
NAME OF HARRY BETTIS - WITHDRAWAL OF PROTEST AND AGREEMENT OF
CONDITIONS

The undersigned Applicant agrees to abide by the following conditions that will be made a part of the permits issued based on the above-referenced applications for permit. Accordingly the undersigned Protestants agrees to withdraw the protest to the approval of this application.

1. The Applicant will irrigate no more than 500 acres per year under these permits.
2. The applicant will sprinkler irrigate no more than 300 acres. To enhance local groundwater recharge, the remaining lands irrigated under these permits shall be flood irrigated.
3. To the extent practical, the applicant shall endeavor to release excess water from the reservoir in such a manner as to enhance the recharge of groundwater from Willow Creek.

Applicant

Protestants

Harry Bettis
Harry Bettis

Mark Lynn
Mark Lynn

9/14/98
Date

9/14/98
Date

PROTEST Withdrawal

Brad Little
Brad Little

9-14-98
Date

MICROFILMED

OCT 27 1998

Receipt W024375
24

RECEIVED
SEP 08 1998
WATER RESOURCES
WESTERN REGION

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF)

APPLICATION FOR WATER)
RIGHT 63-12361;)
APPLICANT:)
HARRY BETTIS)
_____)

NOTICE OF PROTEST

Filing Fee: \$25.00

Little Land and Livestock Co. (hereinafter the Protestant), files its Notice of Protest to the approval of the above-numbered Application for Permit filed in the name of Harry Bettis. The basis for the Protestant's protest is as follows:

1. The proposed diversion and use of the waters described in the aforesaid application violate all, or a portion of, the criteria set forth in Idaho Code Sections 42-203A(5) and
2. An acceptable mitigation plan has not been proposed; and
3. For such other and further reasons as may be set forth at the hearing on this matter.

DATED this 8th day of September, 1998.



Brad Little
Little Land and Livestock Co.
P.O. Box 488
Emmett, ID 83617

MICROFILMED
OCT 27 1998

CERTIFICATE OF MAILING

I hereby certify that on this 8th day of September, 1998, I served a copy of the foregoing NOTICE OF PROTEST, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Harry Bettis
Star Route
Payette, ID 83661


Brad Little

Receipt W074366
26

LYNN™

Semiconductor Components
Engineered Industrial Coatings
Vacuum Processing
Manufacturing Facility

RECEIVED

SEP 08 1998

WATER RESOURCES
WESTERN REGION

September 4, 1998

Mr. Gary Spackman
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Subject: Protest of Applications for Permit 63-12361 and 63-12417 in the name of Harry Bettis

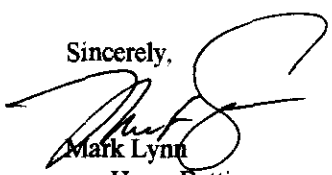
Dear Mr. Spackman,

Enclosed is a \$50.00 protest fee for the above referenced applications.

I am protesting these applications because I am concerned that the project will reduce groundwater recharge in the vicinity of my ranch. A substantial amount of the local groundwater recharge probably occurs as seepage out of the bed of Willow Creek. The proposed project will eliminate some of the steam flow available for recharge in the reach above and below my ranch. Loss of this recharge may cause water-level declines that could impact my wells or other local wells. Impacts to other local wells would be problematic for me because my groundwater rights are junior to other local groundwater rights.

I am not opposed to the overall project, but I will need a detailed analysis of the effects of the project on local groundwater recharge before I am willing to withdraw my protest.

Sincerely,



Mark Lynn

cc: Harry Bettis

MICROFILMED

OCT 27 1998

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: **W024366**

Date: **9/ 8/1998**
Time: **11:36:04**

Received
From: **LYNN RESEARCH & TECHNOLOG**

Type of Payment	Program A cct	Amount
PROTEST 63-12361 HARRY BETTIS	62103 229 21 1155	25.00
PROTEST 63-12417 HARRY BETTIS	62103 229 21 1155	25.00
CHECK 51812	Total	\$ 50.00

Region: **WESTERN**

Signature: _____

MICROFILMED

OCT 27 1998

From: DWR06::"sgrunder@idfg.state.id.us" 28-AUG-1998 09:40:29.06
To: <slester@idwr.state.id.us>
CC: <croberts@idfg.state.id.us> (CYNTHIA ROBERTSON)
Subj: 63-12361 & 63-12417 in the name of Harry Bettis; S.Fk. Willow C

Steve,

In reviewing the August 14 letter from Gary Spackman regarding Mr. Bettis' water right applications, the IDFG does not anticipate additional significant adverse effects on fish or wildlife habitats. The South Fork Willow Creek does not support game fish due to irrigation demand so it can't get much worse! Thank you for the opportunity to comment on these applications.

Scott Grunder
Environmental Staff Biologist
IDFG-SW Region, Nampa
208-465-8465

IDFG RESPONSE :

NO fishery concerns

MICROFILMED

OCT 27 1998

63-12361

63-12417

A&B ENGINEERING

836 LA CASSIA
BOISE, ID 83705
PHONE (208) 342-7751
FAX (208) 383-1183

RECEIVED

AUG 24 1998

WATER RESOURCES
WESTERN REGION

Mr. Steve Lester *SL*
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Dear Mr. Lester:

Harry Bettis has asked that I respond to a portion of your letter of 8/11/98 regarding his permit applications 63-12361 and 63-12417.

Based on a search provided to us by IDWR there are no licensed rights senior to Mr. Bettis existing flow rights downstream of his property. The South fork of Willow Creek seldom produces enough water to meet the existing Bettis water rights. One pending application for 10 cfs and two licensed rights totaling less than one cfs are the only ones that could possibly be impacted by Mr. Bettis. Both the existing rights and the application are far downstream and the water they get from Willow Creek during the irrigation season is generally produced by the North fork of Willow Creek and other tributaries, from springs emerging downstream of the Bettis property, and from return flow. These rights are likely to be benefited by increased return flow and groundwater recharge to the springs. There would seldom, if ever, be conditions where the Bettis operation could negatively impact them.

In conjunction with the preliminary studies for the project I did a comparative basin yield study with Big Willow Creek North of Emmett which is also in Gem County and with similar elevation characteristics, but is not part of the same drainage despite the similar names. The study encompasses all the years of record and a summary of the results is enclosed. You will note that the projected yield exceeds the reservoir capacity in all the years of record including the record drought year of 1977.

Mr. Bettis will provide you comments from the Gem County Commissioners. The comments should be forthcoming soon.

We are well aware of the dam safety division and their plan review process. The plans have been submitted and accepted by that division and are awaiting Norm Young's signature.

Sincerely,

Donald J. Watts
Donald J. Watts, P.E., L.S.

MICROFILMED

SEP 27 1998

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U
1	ANNUAL RUNOFF VOLUME (ACRE FEET)					BASE FLOW															
2	BIG WILLOW CR. NR. EMMETT					MEDIAN ELEV. WILLOW CR.					4300	APPROX									
3	EXTRAPOLATED TO S. FK. OF					MEDIAN ELEV. S. FK.					4000	APPROX									
4	WILLOW CR. NR. EAGLE (NOT SAME WILLOW CR.)																				
5																					
6	YEAR	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JLY	AUG	SEPT		YR. TOTAL		BASIN ADJUSTED	ZERO FLOW ADJUSTED	ZERO FLOW & ELEVATION ADJUSTED		
7	61/62		619	1070	528	3960	2580	1130	807	300	191	261	232		11678		4977	4557	4239		
8	62/63	598	980	1590	703	2700	705	2360	676	651	185	204	243		11595		4941	4395	4088		
9	63/64	386	614	412	1210	762	4840	6530	1530	565	186	202	221		17458		7440	6940	6455		
10	64/65	288	444	7920	8990	2920	1070	2840	623	333	221	234	301		26184		11159	10694	9948		
11	65/66	382	420	457	763	384	2680	588	294	234	187	197	233		6819		2906	2543	2366		
12	66/67	358	396	1190	3480	1430	1400	1960	1070	440	214	177	230		12345		5261	4809	4473		
13	67/68	377	385	400	541	4160	899	588	341	294	184	321	232		8722		3717	3278	3049		
14	68/69	354	1170	2020	7050	2110	4010	2700	397	311	270	246	312		20950		8928	8443	7854		
15	69/70	379	339	753	11810	3420	2520	628	418	516	313	219	253		21568		9191	8637	8034		
16	70/71	353	1520	4140	7320	2310	5610	1840	479	433	318	263	258		24844		10588	10045	9345		
17	71/72	349	534	2440	6850	4390	5390	912	461	307	223	252	286		22394		9543	9088	8454		
18	72/73	347	403	2020	2530	2090	2030	665	357	362	242	259	311		11616		4950	4450	4140		
19	73/74	379	1940	4510	6630	2390	4350	2420	448	325	251	229	232		24104		10272	9830	9144		
20	74/75	384	432	668	1470	4270	7760	4180	1850	238	144	191	251		21838		9306	8955	8331		
21	75/76	365	308	1080	3010	2470	3830	2720	531	396	216	349	284		15559		6631	6100	5674		
22	76/77	358	374	352	366	369	437	342	349	369	273	228	227		3957		1686	1256	1168		
23	77/78	353	589	3380	5550	5980	3840	4670	1250	369	252	209	288		26730		11391	10915	10153		
24	78/79	376	439	411	416	2680	3450	2110	774	304	251	207	259		11677		4976	4541	4224		
25	79/80	379	412	1410	6840	4930	3190	1730	987	928	278	229	302		21615		9211	8471	7880		
26	80/81	380	422	2740	1560	5930	2300	2670	792	416	298	256	292		18056		7695	7157	6658		
27	81/82	390	1910	7340	2380	14260	3800	4840	791	381	411	291	384		37178		15844	15219	14157		
28																	SIZE ADJUSTED			FULLY ADJUSTED	
29		376.75	697.619	2204.905	3809.381	3519.762	3175.762	2305.857	725	398.8571	241.0952	239.1905	270.7619		17947		7648	AVERAGE ANNUAL		6659	
30																	1686	MINIMUM ANNUAL		1168	
31																	7695	MEDIAN ANNUAL		6658	

MICROFILMED
OCT 27 1998



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

August 18, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

AUG 20 1998

WATER RESOURCES
WESTERN REGION

Donald J. Watts, P.E., L.S.
A & B Engineering
836 La Cassia
Boise, ID 83705

RE: Aikman Dam

D63-12361

Dear Don:

The plans and specifications for Aikman Dam are satisfactory and ready for final approval. Since the water right filings for the project have yet to be processed, approval of the plans is pending advertisement, with the allowable time period for protests. If the water rights are not protested, the plans can be approved immediately, and construction can commence.

An item that is still a concern, is the landslide area in the upper reservoir. The stability of the landslide needs to be discussed, and a determination made of the effect the reservoir will have on the slide at full pool elevation and during reservoir drawdown. The limits and volume of the slide mass need to be determined (estimated) and monitoring points should be established in the slide area to detect movement. An indepth evaluation of the slide will need to be submitted for review, and inclusion in the engineering report. The evaluation should be submitted along with the operation plan, prior to storing water in the reservoir. A contingency plan should be included in the operation plan for monitoring the slide and removing slide material if it constricts or blocks the creek channel.

Should you have any questions about any of the above, please contact me.

Sincerely,

A. Michael Stubblefield, P.E.
Safety of Dams Section

cc: ✓IDWR - Western Region
Harry Bettis

MICROFILMED

OCT 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE:

8/17/98

TO:

MR. DON WATTS

FROM:

Steve Lester

fax 383-1183

DOCUMENT DESCRIPTION:

Copy of IDWR 8/11/98 letter
re Beth's App. 63-12361 & 63-12417. Just
the items noted by (#) in attachment need to
be addressed at this time.

TOTAL PAGES SENT:

04

+ COVER SHEET

CONTACT:

MICROFILMED

OCT 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 14, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

To: Interested Parties

Re: Applications for Water Right Permit Nos. 63-12361 and 63-12417 in the Name of Harry Bettis

Dear Interested Party:

Enclosed are a copies of the above-referenced applications for water right which may be of interest to you.

Please review the applications and return any comments you might have.

A protest must be received with a \$25.00 protest fee on or before September 7, 1998. If you do not wish to protest, informal comments should still be submitted by the end of the protest period.

Sincerely,


Gary Spackman

GS:st

Encl.

MICROFILMED

OCT 27 1998

Harry Bettis
Application No. 63-12361 & 63-12417

MARK &/OR JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616

BRAD LITTLE
210 W MAIN
EMMETT ID 83617

MIDDLETON CITY HALL
14 N DEWEY
MIDDLETON ID 83644

JEROLD GREGG
BUREAU OF REC
CENTRAL SNAKE PROJECT
214 BROADWAY
BOISE ID 83702

LOWELL & SARA LEE GEIER
TRUSTEES
6974 PEARL RD
EAGLE ID 83616

JULIE GLEASON
CHAPARRAL WATER ASSN
PO BOX 414
EAGLE ID 83616

SPRING VALLEY LIVESTOCK CO
PO BOX 9
STAR ID 83669

MIDDLETON IRRIG ASSN
PO BOX 214
MIDDLETON ID 83644-0214

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OCT 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 14, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEE SISCO
WATER DISTRICT 63
6616 OVERLAND RD
BOISE ID 83709

Re: Applications for Permit Nos. 63-12361 and 63-12417 in the Name of Harry Bettis

Dear Sir:

Enclosed is a copy of the above-referenced application for permit within your district. Also, enclosed is a form for your recommendation concerning this application for permit.

Please review the application and submit any comments you may have within two weeks. If you have any questions or need information, feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

Encl.

MICROFILMED

OCT 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

August 14, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STATE OF IDAHO
DEPT OF FISH & GAME
600 WALNUT ST
BOISE ID 83707

Re: Applications for Permit Nos. 63-12361 and 63-12417 in the Name of Harry Bettis

Dear Sir:

Enclosed is a copy of the above-referenced application for permit which may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by September 7, 1998.

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

Sincerely,


Gary Spackman

GS:st

Encl.

MICROFILMED

OCT 27 1998

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is given that HARRY BETTIS of Star Route, Payette ID 83661 has applied to the Department of Water Resources for the following water rights from South Fork of Willow Creek in Gem County:

Application #63-12361 filed on 9-11-1996 for 10.80 cfs & 800 af storage.

Application #63-12417 filed on 9-12-1997 for 9.18 cfs & 1500 af storage.

Combined rights will include 19.98 cfs & 2300 af reservoir (includes 5 af for stockwater) located in SWNE S31 TON R1E on South Fork Willow Creek, tributary to Willow Creek. Stored water will be re-diverted from South Fork Willow Creek in SWNE & NENW S31 TON R1E and SENW S31 TON R1W. Combined use will include 1005 irrigated acres plus stockwater in portions of S30 & S31 TON R1E and S25, 35 & 36 TON R1W. The site is about 2-5 miles east of Hwy 16 and just north of the Gem/Ada County line near Peard Road.

Applicant seeks a waiver from the local processing moratorium due to the location and nature of the proposed development. Applicant agrees to mitigate consumptive use in the future as needed and only proposes to store and use excess flows when downstream senior rights are satisfied.

The 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 approval of the applications must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705- 5082 together with a protest fee of \$25.00 per application being protested on or before September 7, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher
Director

Pub.: 8 -19, 26, 1998

Legal Notice No. 3328
Published in the Messenger Index

#25.00

should be
+ 6N

faxed back
8-13-98
AT

see -
please proof
Fax w/ changes
365-6068

Mamane

MICROFILMED

OCT 27 1998

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is given that **HARRY BETTIS** of Star Route, Payette ID 83661 has applied to the Department of Water Resources for the following water rights from South Fork of Willow Creek in Gem County:

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Applicant seeks a waiver from the local processing moratorium due to the location and nature of the proposed development. Applicant agrees to mitigate consumptive use in the future as needed and only proposes to store and use excess flows when downstream senior rights are satisfied.

The 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 approval of the applications must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 together with a protest fee of \$25.00 per application being protested on or before September 7, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Messenger Index on August 19 and 26, 1998, and in the Idaho Statesman, Lewiston Morning Tribune, Times News and Post Register on August 20 and 27, 1998.

MICROFILMED

OCT 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

AUGUST 12, 1998

Legal Notices Department
THE IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

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 SEPTEMBER 7, 1998.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Sue'.

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

OCT 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 12, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

**POST REGISTER
PO BOX 1800
IDAHO FALLS ID 83401**

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated. 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 affidavits of publication and publication billing to this office before **SEPTEMBER 7, 1998.**

Sincerely,

A handwritten signature in cursive script that reads 'Sue'.

Sue Taylor
Senior Secretary

Encl.

MICROFILMED

OCT 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 12, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated. 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 affidavits of publication and publication billing to this office before **SEPTEMBER 7, 1998.**

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sue'.

Sue Taylor
Senior Secretary

Encl.

MICROFILMED

OCT 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 12, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEWISTON MORNING TRIBUNE
505 C PO BOX 957
LEWISTON ID 83501

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated. 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 affidavits of publication and publication billing to this office before **SEPTEMBER 7, 1998.**

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sue', is written over a horizontal line.

Sue Taylor
Senior Secretary

Encl.

MICROFILMED

OCT 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 12, 1998

MESSENGER INDEX
PO BOX 577
EMMETT ID 83617

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated. 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 affidavits of publication and publication billing to this office before **SEPTEMBER 7, 1998.**

Sincerely,

Sue Taylor
Senior Secretary

Encl.

MICROFILMED

OCT 27 1998

From: DWR80::SLESTER 11-AUG-1998 14:46:23.94
To: JWESTRA GGIBSON
CC: SLESTER
Subj: HARRY BETTIS RESERVOIR PROJECT

Harry Bettis filed appls. 63-12361 & 63-12417 to store 2300 af for @ 1000 acres. This is on S. Fk. Willow Creek up Pearl Road about 2-5 miles east of Hwy 16 & just north of county line (all located in Gem County).

Dam Safety approval will of course be needed. I sent letter to him today @ that in case he has not filed for that yet. Not sure if SCA issues are involved since water right & dam safety approvals will cover dam & water right approval will cover redirection points along S. Fk. Willow. Does not look like any return flow points are involved at creek.

Applications are being processed now per some higher level discussions that have occurred. Files are at Sue's desk today for advertising if you need to see them.

-- SL

*No App needed from S.C.P.P. if valid WR is approved
before start of project.*



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CONVERSATION MEMORANDUM

DATE 8/11/98FILE 63-12361NAME OF PARTY HARRY BETHIS63-12417EMPLOYEE PZRE: APPLICATION REVISIONS ← THE 8/11/98
VERSION

BOTH APPLICATIONS WERE REVISIT today
per Applicant's office visit. I discussed
details with him & he agreed to changes.
He signed new map (see topu in 63-12361).
He didn't have much time so computer
generated version was prepared after he
left. Note "request to process" form was
also completed (agrees to future mitigation
as needed).

PROCESS BOTH APPLS. TOGETHER.
STATEWIDE PLUS GEM COUNTY PAPERS.

OCT 27 1998

63-12361 ; 63-12417

Lic 63-02023 S. Fk Willow claimed as
A63-20949.

Lic 63-02024 Springs
A63-20956.

" "

SL
8/11/98

Both cover portions of proposed plan.

Willow Ck. drainage usually runs dry for most
of irrig. season.

Appls. show cfs + at proposal but probably
will be developed as storage only given water
supply realities. Cfs component might allow > 1
fill (although that's doubtful, too).

Can sort out reduced cfs/acres for live flow
if it's developed in licensing process.

NEED - dam safety approval.

- meas. devices above/below reservoir to
monitor inflow/outflow.
- large div. response (abbreviated).

Approvable in Rs 63 since trip to river below
Stan - so no "mitig. plan needed?"

Future mitig. & salmon flows required. Applicant
agreed to this with 8/11 "Request to process" form.

Also see comments + Attach A in 63-12361

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(DETAILS Attached)

OVERLAP Summary

Pending e
S.O. per
JFW 8/17/98
-K

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
6312361	T06N R01E S30	WILLOW CREEK, SOUTH FORK																
												04-25	05					30
6302023	WILLOW CRE											04-1	1					
A6320949	WILLOW CRE											21						21
A6320956	SPRINGS											21						21
6312361	T06N R01E S31	WILLOW CREEK, SOUTH FORK																
						10	01-35	02-40										85
6302023	WILLOW CRE					01-1												
6312361	T06N R01W S25	WILLOW CREEK, SOUTH FORK																
6303180	WILLOW CRE					04	03	09										16
A6303180	WILLOW CRE					04	03	09										16
6307002	GROUNDWATE		16			25	03	10		05		09						68
A6307002	GROUNDWATE		16			25	03	10		05		09						68
A6320949	WILLOW CRE															32	27	59
A6320956	SPRINGS															32	27	59
6312361	T06N R01W S35	WILLOW CREEK, SOUTH FORK																
														10			10	20
6302024	WILLOW CRE													1			1	
A6303004	GROUNDWATE									0								
6311995	GROUNDWATE									29								29
6312417	WILLOW CRE	40	38	39	40			10	30	39	38	38	40	30	10	38	30	460
6312450	GROUNDWATE									29								29
A6320949	WILLOW CRE													07			04	11
A6320956	SPRINGS													07			04	11
A6328379	WILLOW CRE									15								15
A6328380	WILLOW CRE									15								15
6312361	T06N R01W S36	WILLOW CREEK, SOUTH FORK																
		40	40	40	40	10		10	30	40	30	20						340
A6320949	WILLOW CRE	04	24	07		05		03	10		24							77
A6320956	SPRINGS	04	24	07		05		03	10		24							77

Note

live flow diversion
in A63-20949 appears
to be same proposal
for re-diversion pts. in
NEMW 5.31 for 2 storage Appl.

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SOME OF SAME ACRES PROPOSED IN 63-12361 & 63-12417 ALSO
COVERED BY DIRECT FLOW IN A63-20949 (re 63-02023) FROM S. FK.
WILLOW CR. SINCE NOW RIGHT ESSENTIALLY STORAGE (CTS IN NOW RIGHT
MOST LIKELY WON'T BE OF ANY VALUE), LET OVERLAP AREA BE SORTED OUT IN
GENERAL FIELD EXAM IF RESERVOIR DEVELOPED.

-82

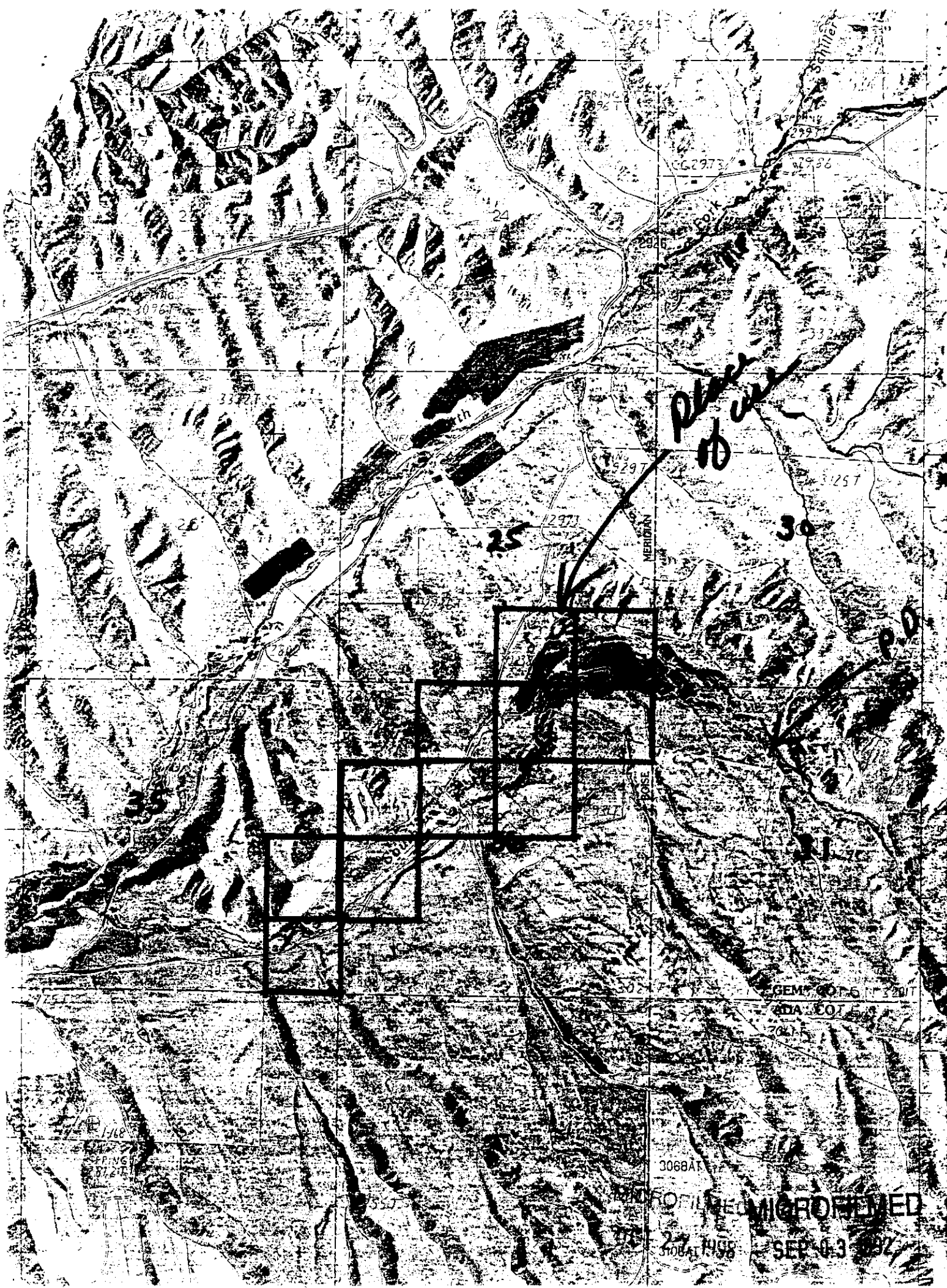
25	1346	*	1406	95-2007
	1347	*	1407	65-2029
	1348	*	1408	*
	1349	*	1409	*
	1350	*	1410	*
09	1351	*	1411	65-2030
	1352	*	1412	*
	1353	*	1413	*
	1354	74-2009	1414	21-2013
	1355	*	1415	*
12	1356	*	1416	*
	1357	3-2004	1417	*
26	1358	74-2010	1418	*
27	1359	*	1419	*
	1360	*	1420	*
	1361	*	1421	*
	1362	*	1422	*
	1363	*	1423	63-2021
	1364	37-2016	1424	*
	1365	*	1425	*
	1366	73-2024	1426	*
	1367	*	1427	*
	1368	*	1428	*
	1369	*	1429	*
11	1370	*	1430	63-2022
	1371	*	1431	63-2023
	1372	*	1432	63-2024
01	1373	*	1433	*
17	1374	*	1434	*
	1375	*	1435	*
	1376	*	1436	34-2005
04	1377	63-2019	1437	96-2008
	1378	*	1438	*
	1379	*	1439	*
	1380	*	1440	*

See
A63-20949
S. Fr. Willow ck.

A63-20956
Springs

↑
OLD #

↑
NEW #



A63-20949 (re 63-02023)



0012



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 11, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MR HARRY BETTIS
STAR ROUTE
PAYETTE ID 83661

RE: APPLICATION NOS. 63-12361 AND 63-12417

Dear Mr. Bettis:

Thank you for your prompt visit today regarding my telephone call yesterday. The applications have been revised as we discussed and will be published in the last two weeks of this month with a protest deadline of September 8, 1998 (not Sept. 14 as I mistakenly indicated during your visit).

As processing continues, additional information can be submitted as required by Idaho law. Please see the attached copy of a portion of IDWR Water Appropriation Rules. Because the proposed development is for supplemental use on at least some of the acres, an abbreviated reply will suffice as noted in the attachment. The following items should be completed:

1. How do you plan to eliminate or reduce impacts on other water rights? How can downstream water users be assured that your new use will not interfere with any available flows for senior rights?

2. What information do you have upon which to base the 2,300 acre feet request? Will the creek produce this much excess flow during the runoff period(s)? For comparison purposes, one cubic foot per second yields about two acre feet per day.

3. A comment letter from the Gem County Commissioners should be obtained and submitted by you.

You might have already looked into the dam safety permit that will be needed, in addition to water right approval, to build the dam. Typically, dam safety approval follows water right approval. This office will contact you soon to discuss that aspect of the development if you have not filed a dam safety application with IDWR.

Please provide the requested information within thirty (30) days. Feel free to contact me if I can help you in these matters.

Sincerely,

Steve Lester
Water Rights Supervisor / Enclosure

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*Large Div.
info needed*

Large Diversion - info
Rule 37.03.08.05.c through h
(h N/A if not trust water)

WATER APPROPRIATION RULES

IDAPA 37.03.08

a. For unprotested applications and permits being reprocessed, the additional information required by Rule 040.05.c. shall be submitted within thirty (30) days after the director notifies the applicant that the application or permit is being reviewed for decision. The director may extend the time within which to submit the information upon request by the applicant and upon a showing of good cause. Failure to submit the required information within the time period allowed will be cause for the director to void an application or to advance the priority of a permit being reprocessed by the number of days that the information submittal is late. The director will provide opportunity for hearing as provided in Section 42-1701A, Idaho Code.
(7-1-93)

b. For protested applications or protested permits being reprocessed, the information required by Rule 040.05.c. may be requested by the director to be submitted within thirty (30) days after notification by the director, may be made a part of the record of the hearing held to consider the protest, or may be made available in accordance with any pre-hearing discovery procedures. Failure to submit the required information within the time period allowed will be cause for the director to void an application or to advance the priority of a permit being reprocessed by the number of days that the information submittal is late.
(7-1-93)

→ c. The following information shall be submitted for applications to appropriate unappropriated water or trust water and for permits being reprocessed for trust water. The additional information submittal requirements of this rule are waived for filings which seek to appropriate five (5) cfs or less or storage of five hundred acre-feet (500 A-F) or less and for filings seeking reallocation of trust water which the director determines will reduce the flow of the Snake River measured at Murphy Gauge by not more than two (2) acre-feet per day. For filings proposing irrigation as a purpose of use, the additional information is required if more than two hundred (200) acres will be irrigated. However, the director may specifically request submittal of any of the following information for any filing, as he determines necessary. Information relative to the effect on existing water rights, Section 42-203A(5)(a), Idaho Code, shall be submitted as follows:
(7-1-93)

i. For applications appropriating springs or surface streams with 5 or fewer existing users, either the identification number, or the name and address of the user, and the location of

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So. Fk. Willow Ck. reservoir project

the point of diversion and nature of use for each existing water right shall be submitted. (7-1-93)

① → ii. For applications appropriating groundwater, a plat shall be submitted locating the proposed well relative to all existing wells and springs and permitted wells within a one-half mile radius of the proposed well. (7-1-93)

iii. Information shall be submitted concerning any design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights. (7-1-93)

d. Information relative to sufficiency of water supply, Section 42-203A(5)(b), Idaho Code, shall be submitted as follows:

i. Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year. (7-1-93)

② → ii. Information shall be submitted on the quantity of water available from the source applied for, including, but not limited to, information concerning flow rates for surface water sources available during periods of peak and average project water demand, information concerning the properties of the aquifers that water is to be taken from for groundwater sources, and information on other sources of supply that may be used to supplement the applied for water source. (7-1-93)

e. Information relative to good faith, delay, or speculative purposes of the applicant, Section 42-203A(5)(c), Idaho Code, shall be submitted as follows: (7-1-93)

i. The applicant shall submit copies of deeds, leases, easements or applications for rights-of-way from federal or state agencies documenting a possessory interest in the lands necessary for all project facilities and the place of use or if such interest can be obtained by eminent domain proceedings the applicant must show that appropriate actions are being taken to obtain the interest. Applicants for hydropower uses shall also submit information required to demonstrate compliance with Sections 42-205 and 42-206, Idaho Code. (7-1-93)

ii. The applicant shall submit copies of applications for other needed permits, licenses and approvals, and must keep the department apprised of the status of the applications and any subsequent approvals or denials. (7-1-93)

f. Information Relative to Financial Resources, Section 42-203A(5)(d), Idaho Code, shall be submitted as follows: (7-1-93)

i. The applicant shall submit a current financial statement certified to show the accuracy of the information contained therein, or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the beneficial use proposed. (7-1-93)

ii. The applicant shall submit plans and specifications along with estimated construction costs for the project works. The plans shall be definite enough to allow for determination of project impacts and implications. (7-1-93) *

3 → g. Information Relative to Conflict with the Local Public Interest, Section 42-203A(5)(e), Idaho Code, shall be submitted as follows: The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the governing body of the city and/or county and tribal reservation within which the point of diversion and place of use are located, the Idaho Department of Fish and Game, the Idaho Department of Health and Welfare, Division of Environment, and any irrigation district or canal company within which the proposed project is located and from other entities as determined by the director. (7-1-93)

h. The following information Relative to the Public Interest Criteria of Section 42-203C(2), Idaho Code, shall be submitted by an applicant seeking reallocation of trust water for a project which the director determines will reduce the flow of the Snake River by more than two (2) acre-feet per day. For filings proposing irrigation as a purpose of use, the additional information is required if more than two hundred (200) acres will be irrigated. The director may request any or all of the following information for any filing seeking the reallocation of trust water. (7-1-93)

* This can be done
in the Dam Safety Application process

From: DWR80::SLESTER 11-AUG-1998 14:46:24.14
To: JWESTRA GGIBSON
CC: SLESTER
Subj: HARRY BETTIS RESERVOIR PROJECT

Harry Bettis filed appls. 63-12361 & 63-12417 to store 2300 af for @ 1000 acres. This is on S. Fk. Willow Creek up Pearl Road about 2-5 miles east of Hwy 16 & just north of county line (all located in Gem County).

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-- SL



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Dam Safety
Stream Channel -> Regional
info
solicited

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

HARRY BETTIS

Mailing Address

STAR ROUTEPAYETTE ID 83661Application No.
(if known)63-1236163-12417

IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.



PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions to flows in the Snake River during periods of anadromous fish migration.



WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Harry Bettis

Date

August 11, 1998

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

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OCT 27 1998

CONVERSATION MEMORANDUM

DATE 8/10/98

FILE 63-12361

NAME OF PARTY HARRY BETTIS 365-2512

63-12417

EMPLOYEE R

RE: Add'l Info

Consultant Don Watts gone 8/10 - 8/14.

Left msg for Mr. Bettis to call me e

✓ gl ① "future mitigation" issue?

✓ yr ② 1 appl e 545 acres
1 " " 460 acres
1005 unique acres?

✓ yr ③ Rediversion pts e creek?

8/11 office
visit

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OCT 27 1998

A&B ENGINEERING - Don Watts

836 LA CASSIA
BOISE, ID 83705
PHONE (208) 342-7751
FAX (208) 383-1183

8/3/98

Mr. Gary Spackman
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Dear Mr. Spackman:

I appreciate having the opportunity to talk with you on the phone Friday about the Harry Bettis water right applications, 63-12361 and 63-12417. These applications are somewhat unique in that only a small percentage of the applications you receive are for storage rights and the proposed dam and reservoir would constitute the only significant storage facility in the entire Willow Creek drainage. The drainage produces very little flow during the irrigation season; most of the runoff occurs during the winter or early spring, typically as rapid runoff. The construction of the dam holds little potential for negative impact on the groundwater supply downstream and, in fact, is far more likely to have a positive effect due to the retention of water that would otherwise rapidly run to the Boise River during late winter and early spring. Some of the water stored in the reservoir would percolate into the ground and much of that applied for irrigation during the growing season. The net effect is far more likely to enhance recharge and downstream groundwater supplies than cause depletion of usable water in the basin. Return flow to Willow Creek downstream of the irrigated lands would also have a beneficial effect on resident wildlife.

During our conversation Friday you expressed concern over the fact that the applications include flow diversion from the South fork of Willow Creek. That flow is intended to include the diversion of stored water from the proposed reservoir since it will be reintroduced to the stream channel and then diverted. According to a water rights search provided to us by IDWR there are only three downstream water rights on Willow Creek, the oldest claiming a priority of 1953. Mr. Bettis has the oldest water right claimed on the stream, 1880. Mr. Bettis is well aware of his obligation to release natural flow to downstream water rights senior to the date of his most recent applications.

For the reasons cited, I believe there is no substantial justification for further delay in the processing of Mr. Bettis' applications. In spite of Mr. Lester's wishes to the contrary the failure to promptly notify Mr. Bettis of the disposition of his

63-12361 MICHAEL RALL
63-12417 OCT 27 1998

Attachment A

A&B ENGINEERING

836 LA CASSIA
BOISE, ID 83705
PHONE (208) 342-7751
FAX (208) 383-1183

applications has resulted in very significant inconvenience and the expenditure of tens of thousands of dollars. He is very anxious to get started.

A handwritten signature in cursive script, reading "Gary Butler". The signature is written in dark ink and is positioned in the upper right quadrant of the page.

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A₂



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

February 4, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MR HARRY BETTIS
STAR ROUTE
PAYETTE ID 83661

RE: APPLICATIONS FOR PERMIT NOS. 63-12361 AND 63-12417

Dear Mr. Bettis:

The above referenced applications to establish new irrigation rights from South Fork Willow Creek were filed in 1996 and 1997. This office erred in not sending this letter when the applications were originally filed. I hope this oversight has not inconvenienced you.

Processing of your applications must be delayed. Due to continued drought and to protect existing water rights and water supplies, the Director of this agency declared a moratorium on May 15, 1992 concerning water right applications proposing new consumptive uses of public water, regardless of source. The moratorium was lifted by May 1995, but application processing was subsequently suspended until technical data are available from the Treasure Valley Hydrologic Study now underway.

This office will hold your applications and will begin processing as soon as possible based on the above considerations. Applications received will be processed in priority order. Delays related to department actions do not affect the date of priority or seniority of your applications.

Please contact me at 334-2190 if you have any questions.

Sincerely,

Steve Lester
Water Rights Supervisor

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