

04/08/94 10:28

31

327 7866

ID WATER RESO

001

Post-It™ brand fax transmittal memo 7671

of pages

To Danny ConeFrom Cindy Zimmerman

Co.

Co. IDWR

Dept.

Phone #

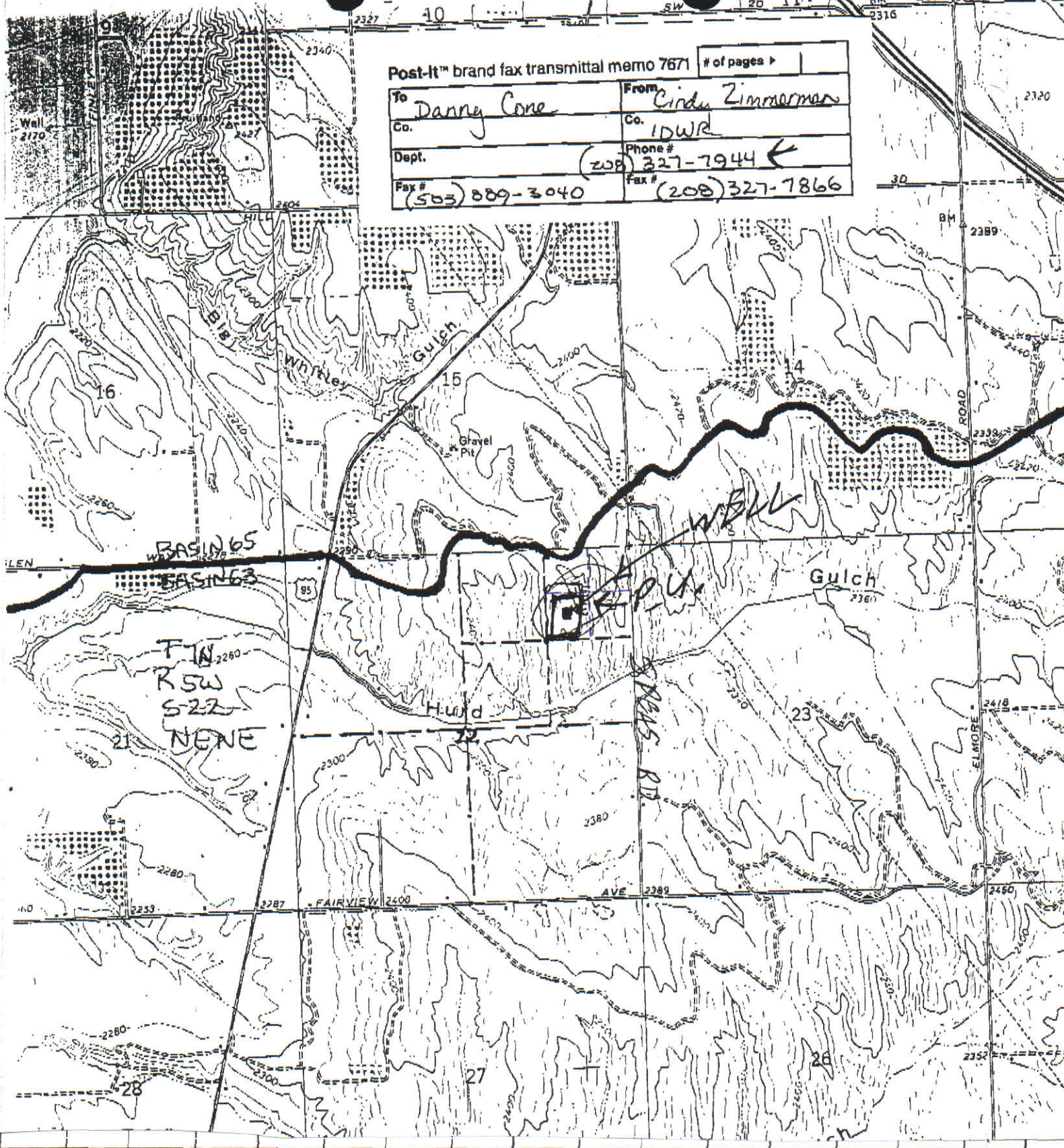
(208) 327-7944

Fax #

(503) 889-3040

Fax #

(208) 327-7866



Scale: 2 inches equal 1 mile.

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

Danny Cone
D L Cone

(Applicant)

MICROFILMED
 DEC 10 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

SEP 10 2002

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed an development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 63-12111 Telephone No. 452 5947 ^{WK} 541 8892656
2. Name of Permit Holder(s): DANNY CONE
3. Mailing Address: 4895 "EAST-LANE"
City PRUITLAND State ID Zip 83619
4. Source of Water: WELL If GROUNDWATER (well), Date Drilled: mo. 4 / yr. 94
Well Driller: DALLAS Drilling Permit Number: ?
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): 1 TO 3 HORSES
OR 2 COWS
Irrigation (No. of acres): 3-.5 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 11 cfs OR 3.0 acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: DANNY CONE Telephone Number: 452 5947
W 541-889-2656
Address: 4895 EAST-LANE PRUITLAND ID
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder:

[Signature]
(Include your title, if on behalf of company or organization)

Date:

9/9/02

MICROFILMED

SEP 10 2002

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12111

Proposed Priority: April 11, 1994 Maximum Diversion Rate: 0.11 CFS

This is to certify, that **DANNY CONE**
4895 BAST LN
FRUITLAND ID 83619
has applied for a permit to appropriate water from: **GROUNDWATER**
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>
IRRIGATION	03/15 to 11/15	0.09 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
	Totals	0.11 CFS

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 22, Township 07N, Range 05W
PAYETTE County

<u>PLACE OF USE: IRRIGATION</u>		<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
<u>TWN</u>	<u>RGE</u> <u>SEC</u>				
07N	05W 22	NENE	3.0		3.0

Total number of acres irrigated: 3.0

PLACE OF USE: DOMESTIC, 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 November 1, 2002.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
6. Water bearing zone to be appropriated is 140 to 265 feet.
7. The Director retains jurisdiction to require the holder of this right 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. The quantity of water required to be released for this purpose will not exceed 10.5 AF per year.

DEC 1 1992

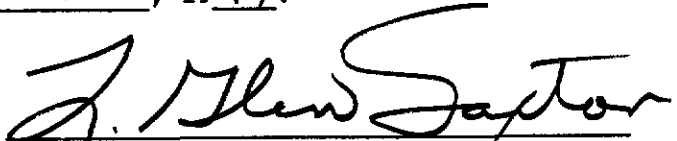
State of Idaho
Department of Water Resources

Permit To Appropriate Water

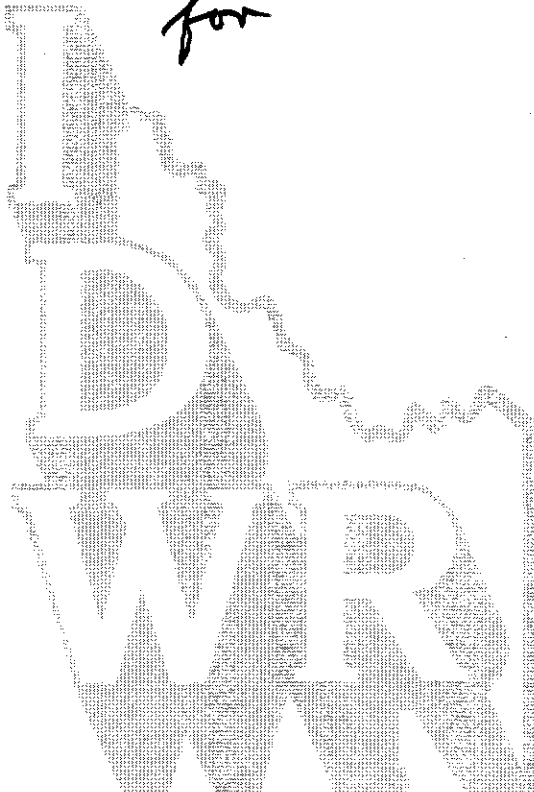
NO. 63-12111

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

17th day of November, 1997.


Karl J. Dreher, Director

for



RECEIVED
DEC 1 1997

RECEIVED
APR 11 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
APR 20 1994

WATER RESOURCES
WESTERN REGION

Ident. No.

12111
~~63-111~~

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant DANNY CONE Phone 503 889-2656
Post office address 1109 N OREGON ST OMT- OR- 97914
2. Source of water supply GROUND WATER which is a tributary of N.A.
3. Location of point of diversion is WELL NE SW 1/4 of NB 1/4 of NE 1/4, Govt. Lot NA
Sec. 22 Township 7 N Range 5 W B.M. PAYETTE County; additional
points of diversion if any: N.A.
4. Water will be used for the following purposes:
☒ 0.02 0.04 for Domestic purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.09 for SMALL IRRIGATION purposes from MAR 15 to NOV 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
*0.11 0.13 CPS
5. Total quantity to be appropriated is (a) 0.11 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. WELL & STORAGE TANK
b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total
reservoir capacity NA acre-feet; period of year when water will be diverted to storage:
NA to NA inclusive.
c. Proposed well diameter is 6 inches; proposed depth of well is 300 feet.
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? NA; Drilling firm _____;
Well was drilled for (well owner) _____
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).

☒ max. allowable for domestic in-house use: 11/13/97 c3.

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. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1
- e. Other; describe fully. + 3¹ ACRE OR LESS IRRIGATION

9. Description of place of use:

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

TWP	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	
7N	5W	22	3																3

Total number of acres to be irrigated 3

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

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

12. Remarks: NEED ENOUGH WATER FOR 1 HOUSE + 3 ACRE OR LESS PASTURE + YARDS

04/08/94 10:28



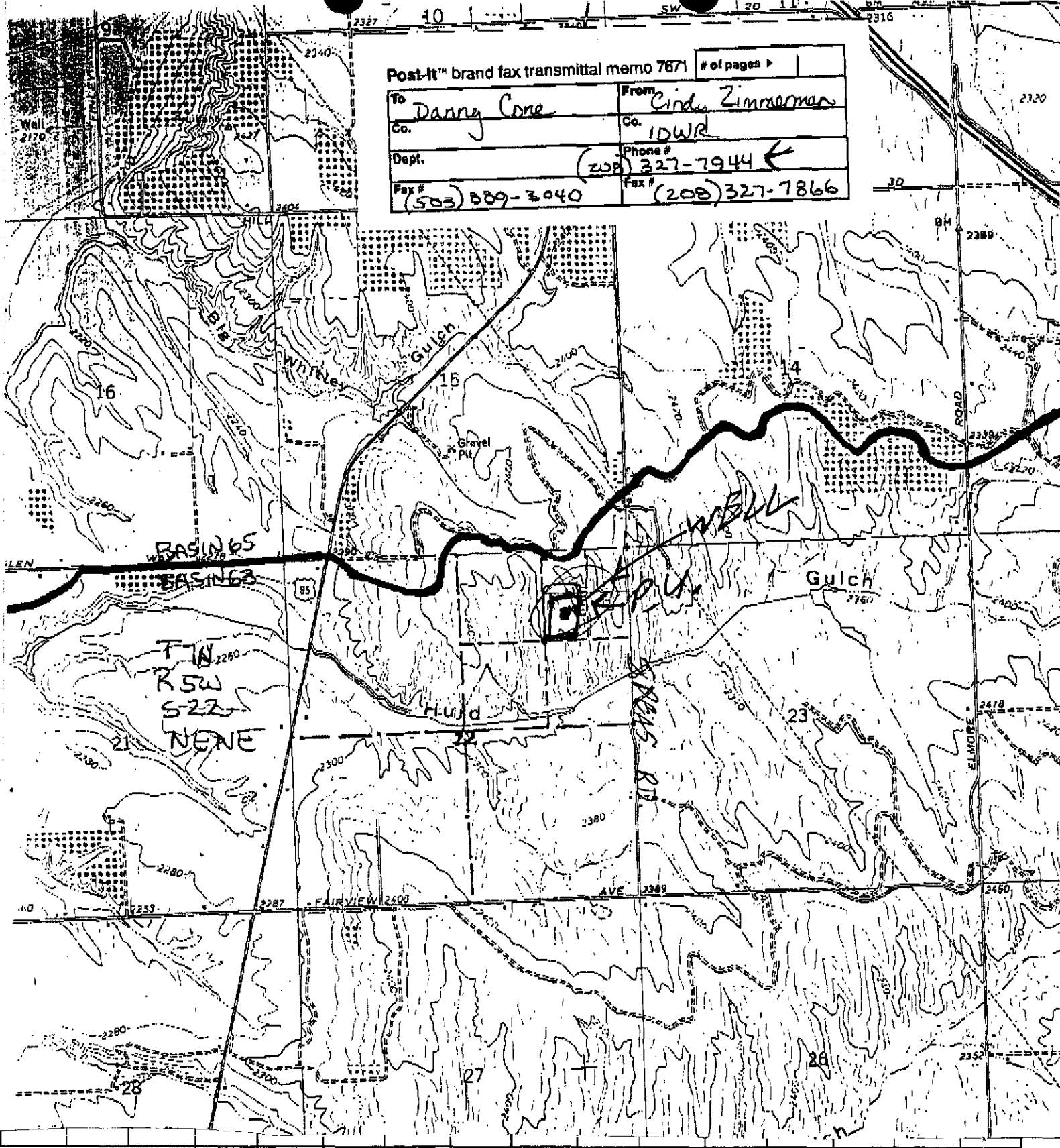
327 7866

ID WATER RESO

001

Post-It™ brand fax transmittal memo 7671 # of pages ▶

To <u>Danny Cone</u>	From <u>Cindy Zimmerman</u>
Co.	Co. <u>IDWR</u>
Dept.	Phone # <u>(208) 327-7944</u> ←
Fax # <u>(503) 889-3040</u>	Fax # <u>(208) 327-7866</u>



Scale: 2 inches equal 1 mile.

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

(Applicant)

Received by Czy Date 4-11-94 Time 11:30AM Preliminary check by Cyf
Fee \$ 30.00 Receipted by JW # CO30011 Date 4-11-94
Publication prepared by ST Date 9-27-95 Published in Ind. Ent.
Publication approved ST Date 10-25-95

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:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 3, 2002

DANNY CONE
4895 EAST LANE
FRUITLAND ID 83619

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12111

Dear Permit Holder:

Thank you for your quick response to my September 25, 2002 letter. Enclosed are receipts for the drilling permit fee and the license exam fee you paid. That brings everything current on this permit, therefore, the department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

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

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

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OCT 18 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 63-12111

Reviewed By: dgibson

Date: September 11, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		C064505	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	09/10/2002
Date proof due	- 11/01/2002
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 04/11/1994
New priority date	= 04/11/1994

Deficiencies of Actions Items

Ask Well Construction if the drilling permit fee was paid and is complete. Check that the correction to the mailing address was made. If Well Const. says ok, then finalize.

Done 9/11/02 dg
 \$165 due for drilling permit. 9/25/02 letter to D. Const. Paid 9/30/02

Thank him for paying the drilling permit fee & return the receipt.

MICROFILMED

NOV 18 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 25, 2002

DANNY CONE
4895 EAST LANE
FRUITLAND ID 83619

Re: Water Right Permit No. 63-12111 &
Drilling Permit No. 728222 (Well I.D. #300486)

Dear Mr. Cone:

I am in receipt of the Proof of Beneficial Use form you submitted in connection with the above referenced water right permit. During my review of your proof I found that the department's records in the Ground Water Protection section, showed that the drilling permit fee you previously paid is not sufficient for this right. The fee paid was for a "Domestic-Single Residence" (a copy of the permit is enclosed), and the water right permit is for Domestic and Irrigation. The correct fee for a drilling permit for this type of right would have been \$200.00. According to our records on April 11, 1994 you paid \$35.00 for the drilling permit. Therefore, I am requesting \$165.00 to complete the processing of the water right, and the drilling permit requirements.

I will put this matter on hold for **15-days** from the date of this mailing to wait for your payment. If you have paid this amount please send me a copy of the receipt. If you have any questions, please contact me at (208)327-7953 or John Carlson in Ground Water Protection at (208)327-7936.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

c: John Carlson

MICROFILMED

NOV 1 1 2002

Carlson, John

To: Gibson, Deborah
Subject: RE: Please check to see that drilling permit and fee paid is ok.

Good afternoon Mrs. Gibson:

I checked this out and a well drilled under D.P. 728222 matches the legal description. I was drilled for Domestic single residence in April, 1994 and shows receipt C030011 for \$65.00. This was \$35.00 for the Drilling Permit and \$30.00 for the Water right permit.

It would appear another \$165.00 is due as you had stated.

Thank you.

jdc

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

From: Gibson, Deborah
Sent: Wednesday, September 11, 2002 9:26 AM
To: Carlson, John
Subject: Please check to see that drilling permit and fee paid is ok.

Please check your records for a drilling permit and that the fee was paid for Danny Cone, 4895 East Lane, Fruitland, Idaho. Legal is NENE, Sec. 22, T07N, R05W, Payette County. Water right permit was issued November 1997 for domestic and irrigation of 3 acres. In his application there is no reference that the well was constructed prior to application, and the permit does not mention that this right must have a drilling permit. However, in the file there is a note that the drilling permit fee is "owed" in the amount of \$165.00. Let me know if this is ok to process the proof.

Thank you!!!!
Debbie Gibson

Printed 09/11/2002
Drilling Permit No. 728222
Well Tag No.
Well ID # 300486
Water Right No. 63-12111
Receipt # C030011
Approved Date 04/11/1994

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
DRILLING PERMIT**

Relationship: Owner/Operator
Name: DANNY CONE
Address: 1109 N OREGON ST
ONTARIO OR 97914

Phone: (503)889-2656

Proposed Well Location: Township 07N, Range 05W, Section 22, NE, NE
COUNTY PAYETTE Lot 006 Block 002 Sub Name HILL TOP #2

Street Address of Well Site: EAST LANE 500 FT S OF GLENWAY
PAYETTE ID

Proposed Use of Well: Domestic-Single Residence

Well Construction Information:

- A. New Well
- B. Proposed Surface Diameter: 6 Inches. Proposed Depth 300 Feet.
- C. Anticipated Bottom Hole Temperature:

Construction Start Date: May 02 1994

Anticipated Well Drilling Company: DALLAS DRILLING & PUMP CO INC (No. 445)

Applicant's Signature: _____ Date _____

Title: _____

MICROFILMED
NOV 10 2002

Well ID # 300486

Well Tag No.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is Approved on Monday, April 11, 1994.

1. The use of water from this well is for Domestic purposes only which includes irrigation of up to 1/2 acre of land with all combined uses not to exceed 13,000 gallons per day (42-111[A]), or for Domestic uses other than for homes, organization camps, public campgrounds or livestock where the diversion rate and volume does not exceed .04 cfs and 2500 gpd (42-111[B]).
2. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.
4. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

Signature of Authorized Dept. Representative

Title

MICROFILMED

APR 11 1994

Receipt Details for ID C030011

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/11/1994 12:18:09 PM	4/11/1994	State	\$65.00	Check
Payer	CONE'S AUTOMOTIVE			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
15807			
Card Expiration Date	Credit Card Transaction #		

Comment WATER RIGHT PERMIT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$35.00	DRILLING PERMIT	54104	229	21	0	1205
\$30.00	WATER RIGHT PERMIT	56103	229	21	0	1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

MICROFILMED
NOV 1994

August 30, 2002

DANNY CONE
4895 BAST LN
FRUITLAND, ID 83619

East Lane - per phone call 9/9/02 dg

PROOF DUE NOTICE

RE: PERMIT NO. 63-12111

Dear Permit Holder:

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

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

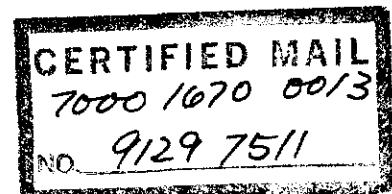
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson, Admin. Asst.
Water Allocation Bureau

Enclosures

MICROFILMED
NOV 18 2002





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

November 18, 1997

PHILIP E. BATT
GOVERNOR

DANNY CONE
4895 BAST LN
FRUITLAND ID 83619

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: Permit 63-12111

Dear Permit Holder:

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

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

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

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

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.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt
Enclosures

RECEIVED
NOV 18 1997

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of November, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 63-12111

DANNY CONE
4895 EAST LN
FRUITLAND ID 83619


Kari Lynn Townsend
Secretary

REC'D - 12/18/97

DEC 18 1997

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy Lou
 No.: 63-12111 Name: Cone Date: 11/13/97 Ad OK? ✓ / Gvmt Lts: ✓

 AREA OF CONCERN: proposed mitigation - No/Yes: BRD Mor / GWMA / Trust / Non-trust
 PROTESTED: 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

 1 year/no proof
 >1 year

 - P16
 - 26A(P17)

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

 >0.24 cfs/5 acres
 ≤ 0.24 cfs/5 acres

 - 067 or No MD (in-stream stock or power)
 - No MD

 WMD >0.24 cfs/5 acres
 Supplemental use
 ≤ 0.24 cfs/5 acres

 - 01M (report when notified)
 - 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)
 - No MD

DRILLING PERMIT:

 Existing well
 Included w/permit

 - NA (pre 7/1/87; ✓ WDQ3)
 - Permit No. 63-94-W-0346-000 ~~P99~~ dom well.

 No drilling permit?
 irr. in WD

 - 046-46B-P23 (post 7/1/87)
 - P05 (new well location)

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

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

- R04 (WD #) - 01J-P08 (MD)

Pumped >0.20 cfs

- 01H-P01 (LD & MD) or No MD (in-stream stock)

WMD (✓ MAP)

 > 0.24 cfs/5 acres
 ≤ 0.24 cfs/5 acres

 - 067 or No MD (in-stream stock or power)
 - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

 > 0.24 cfs/5 acres
 ≤ 0.24 cfs/5 acres

 - 01M or No MD (in-stream stock or power)
 - No MD

RIVER BASINS: (*Surface water):

 Snake R (01)
 (02/03-irr)

 - *W22 -P04, NA
 - 007-P07 (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

USE:

 Domestic surface
 >1 in rest. area

 - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
 - 071-070-P53

Fish Propagation

- 029-007-042(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-025-01N(P19)-028-081-027 (if no other cons. use);
 17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18

Stock

- 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)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

SWAN FALLS FLAG (See Code Chart)

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

- 11E

STANDARD REMARKS:

- 11WB5/1

BENEFICIAL USE DUE:

- 11/1/ 2002

COMMENTS:

FROM DANNY CONE
4495 EAST-LANE
PRUITLAND ID 83619

ATT
NORM YOUNG

AS PER OUR PHONE CONV. ON 7/22/97
REG OUR WATER USE & THE UNOFFICIAL
MORATORIUM I REQUEST YOU HANDLE
OUR PAPER WORK POST-HASTE &
TAKE CARE OF OUR PROB EVEN
IF YOU HAVE TO USE YOUR RENTAL
POOL, AS WE NEED TO WATER ABOUT
3 1/2 ACRES URGENTLY

THANK YOU FOR ~~FOR~~
PROMPTLY & EXPEDITIOUSLY HANDLING
THIS LONG OVERDUE APPLICATION

Danny Cone

W - DAYS 1541-889-2656
HOME 1208-452-5947

Water right no. 63-12111 according
to water right search.

Cone 7/19/97

RECEIVED

JUL 29 1997

WATER RESOURCES
WESTERN REGION

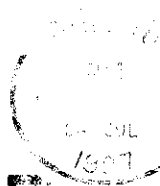
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DEC 10 1997

RECEIVED

JUL 25 1997

Department of Water Resources

Danny L Cone
7895 East Lane
Fruitland ID. 83619



Department of Water
ATT Norm Young!
~~1301 N. Orchard St~~
Boise Idaho 83706

B3706/2237 01



#223 22-MAR-1996 21:54:24.44

MA

From: DWR80::DTUTHILL
To: DWR03::JJOHNSON
CC:
Subj: App

Jim, I received a call from Dan Cone re 63-12111. He feels that his p/d is close enough to the Payette border that the gw he will be tapping is in the Payette drainage (like the protested apps in the name of Lynn for which we approved apps a couple of years ago.) Looks like the file is at the S.O. Could you please take a look at this issue if you have time?

Thanks, Dave

MAIL>

RECEIVED
DEC 18 1977

~~14 HOLD DO NOT ADVERTISE~~
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: CY4 DATE: 4/25/94 APPLICATION: 63-12111

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:
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ___ No* In form to receipt:

Gov't. Lots:

P/D

P/U

ADDITIONAL INFORMATION

YES NO

Overlapping place of use: (Describe source & relationship to present application on the back.)
Overlapping point of diversion:
Field check required: Field check by: _____
Field report attached:
Critical groundwater area:
Groundwater management area:
1992 moratorium
Copy to SCA staff (perennial stream, non-pump diversion):
Send dam safety information:
Send power requirement letter:
Send fish farm requirement letter:
Power residency affidavit:
Power efficiency form:
Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

Additional information on reverse side:

Not previously advertised - 82 9/26/95

PROCESSING

APPLICATION NO. 63-1211

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

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. # _____

Other _____

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:

Protests received. Final date for protest 10-23-95

Protest dates, resolution of protest recorded on application:

Recommendations attached:

Measuring device required:

Measuring port required:

Water delivered by water master? District # _____

Special conditions of approval or cover letter: _____

See below for additional information

Recommended Date or Priority _____

Recommended by: _____ Date _____

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

NO O-LAPS.

\$165 D.F. balance owed.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Application for Water Rights
TITLE OF PUBLICATION

Dept. of Water Resources
SPONSOR OF PLAINTIFF
PLAINTIFF OR LEGAL AGENT

I, Viola Olsen, being
duly sworn, deposes and says:

That she is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published
at Payette, in the County of Payette and State of Idaho; that said
paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Payette; that the advertisement,
a copy of which is attached hereto, was published in said
newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with
of Oct 4, 19 95, and ending with the issue
of Oct 11, 19 95.
STATE OF IDAHO
COUNTY OF

On this 12th day of Oct. in the year of 1995, before me,
a Notary Public, personally appeared Viola Olsen,
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.

Marilyn D. Rhinehart
Notary Public for Idaho

Residing at Frutland

My commission expires: 12-1-98

Copy of Notice
(First Copy)

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12111 ✓ st

CONE, DANNY

4895 BAST LN

FRUITLAND, ID 83619

Source: GROUNDWATER

Diversion Pt: SWNENE Sec 22 T 07N R 05W in
PAYETTE County.

Use: IRRIGATION (0.090 CFS)

DOMESTIC (0.040 CFS)

Total Diversion (0.130 CFS)

Date Filed: 4/11/1994

In: PAYETTE County

T07N R05W S22 NENE

3.0 ACRES TOTAL

Water bearing zone to be appropriated is 140
to 265 feet.

Permits will be subject to all prior water
rights. Protests may be submitted based on the
criteria of Sec. 42-203A, Idaho Code. Any pro-
test against the approval of this application
must be filed with the Director, Dept. of Water
Resources, Western Region, 2735 Airport Way,
Boise, Idaho 83705 together with a protest fee
of \$25 on or before OCTOBER 23, 1995. The
protestant must also send a copy of the protest
to the applicant.

KARL J. DREHER, Director
Oct. 4, 11

No. 318

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines 29

Number of Insertions Two

29 Lines @ 90 ... \$ 26.10

29 Lines @ 72 ... \$ 20.78

TOTAL COST
WILL BE \$ 46.98

RECEIVED

OCT 18 1995

WATER RESOURCES
WESTERN REGION

No 318

63-12111

CONE, DANNY
4895 BAST LN
FRUITLAND, ID 83619

Source: GROUNDWATER

Diversion Pt: SWNE NE Sec 22 T 07N R 05W in PAYETTE County.

Use: IRRIGATION	(	0.090 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.130 CFS)

Date Filed: 4/11/1994

In: PAYETTE County
T07N R05W S22 NENE

3.0 ACRES TOTAL

Domestic use is for one home.
Water bearing zone to be appropriated is 140 to 265 feet.

RECEIVED
DEC 10 1997

RESPONSE FORM

Boise River Basin Moratorium Application

RECEIVED

MAY 30 1995

WATER RESOURCES
WESTERN REGION

Name of Applicant: DANNY CONE

Address: 4895 EAST LANE

PRYOR ADDRESS
1109 N ORBOON ST-
ONT- OR-

FRUITLAND ID. 83619

Water Right No.: WR 5809NP #63-12111

Do you wish to proceed with development of the water right as proposed in the application?

✓
Yes No

(If the response is no, please complete and return the enclosed withdrawal form.)

If the source of water that you propose to appropriate is ground water, what aquifer level do you propose to develop to obtain water?

140 ft to 265 ft DBBP
w 5 HP PUMP

Signature: Danny Cone

Printed Name: DANNY L. CONE

Please return this form to:

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705

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DEC 1995



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

May 19, 1995

Distribution: Applicants Whose Water Right Applications Were Held Without Action Under the Boise River Basin Moratorium

Dear Applicant:

As you might be aware, on May 3, 1995 the Director of the Department of Water Resources, Mr. R. Keith Higginson, signed an Amended Moratorium Order which provides for the processing of previously held applications within the Boise River Basin, with certain restrictions. Enclosed for your information is a copy of the Order.

As provided in the Order, this office will resume the processing of these applications in order of priority at a rate of 30 applications per month. Depending on how many applicants wish to proceed with development of their projects, the processing of the 338 presently-held applications could require as much as a year. To enable you to make an estimate as to when your application(s) will be processed, please be advised that 244 of the applications have priority (receipt) dates of 1992; 32 are dated 1993; 37 are dated 1994; and 25 are dated 1995.

As new applications are received, they are sorted into two groups. Those that would not have been held back under the moratorium are processed immediately. To assure fairness in processing, those that would have been held back under the moratorium, such as irrigation applications, are placed at the end of the moratorium processing line.

Note that the Order requires that all applications held under the moratorium will be advertised (or re-advertised if previously advertised), in order to enable neighboring water users to examine the proposed uses in view of water availability information gained during recent drought years. There will be no additional charge to the applicants for this process. For applications that propose use of ground water, the advertisement must include an indication of the depth interval from which the applicant proposes to withdraw water.

Please find enclosed a Profile Report which provides information from our water rights data base describing each of your moratorium-held applications. In addition we have included one response form for each application, which enables you to indicate whether you wish to proceed with processing of your water right application(s).

MICROFILMED

DEC 10 1997

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~

Plz microfilm
backside.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

April 25, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

DANNY CONE
1109 N OREGON ST
ONTARIO OR 97914

RE: Application for Permit #63-12111

Dear Applicant:

Your application for permit to appropriate ground water for irrigation and domestic purposes was received on 4/11/94. Your application cannot be processed at this time.

Due to continued drought and to protect existing water rights and water supplies, the Director of this agency declared a moratorium on 5/15/1992 concerning water right applications proposing new consumptive uses of public water. Irrigation of greater than 1/2 acre is considered a consumptive use.

The moratorium has been lifted in some areas of the state, but remains in place for the Boise River Basin. This office will hold your application pending future decisions on the moratorium, and will inform you of any changes. Delays related to department decisions do not affect the date of priority or seniority of your application.

If you have any questions, please feel free to contact this office at 334-2190.

Sincerely,

A handwritten signature in cursive script that reads 'Cindy Hodges'.

Cindy Hodges
Sr. Water Resource Agent

REC 12 22