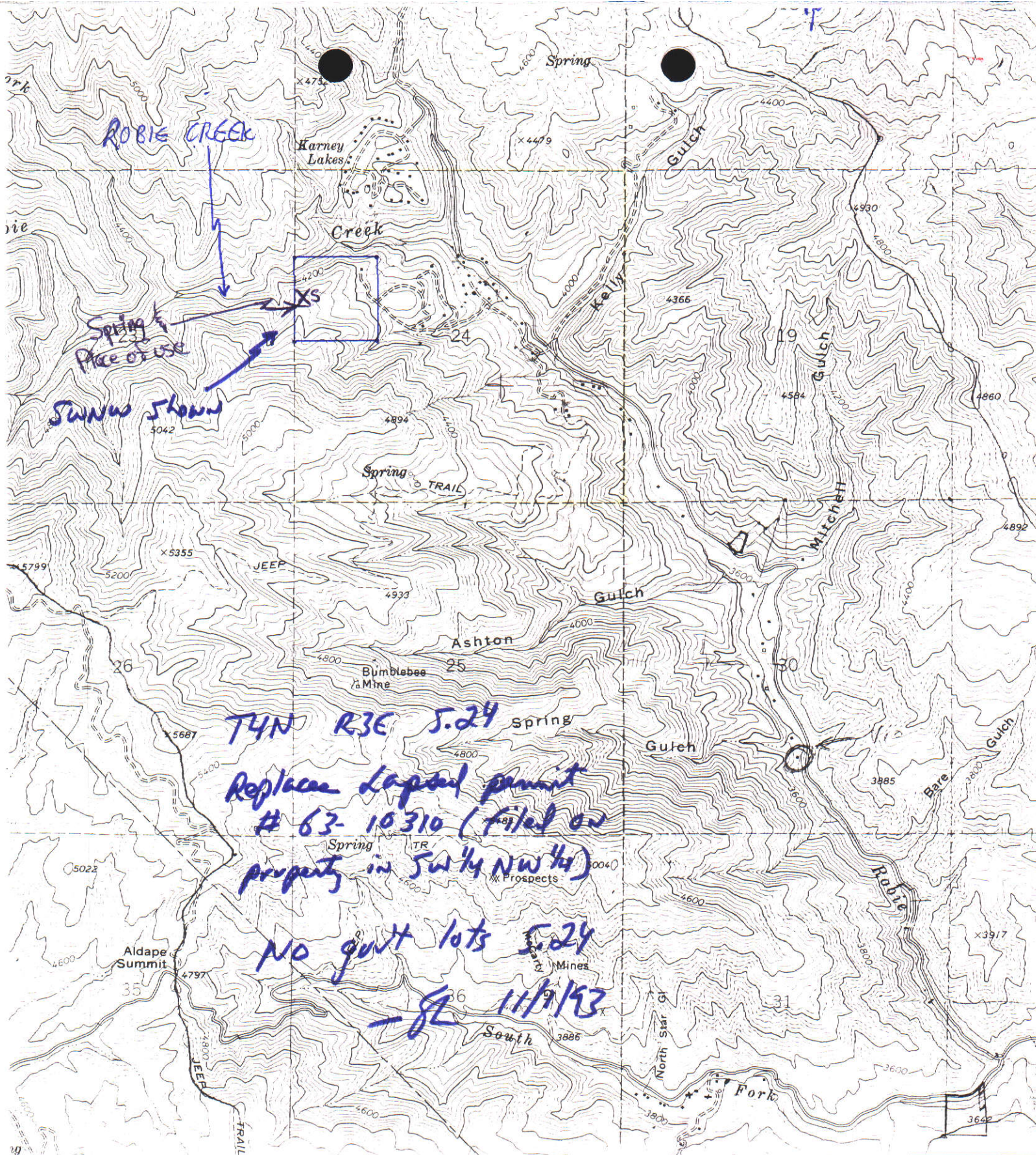
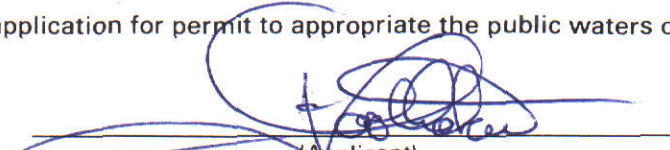


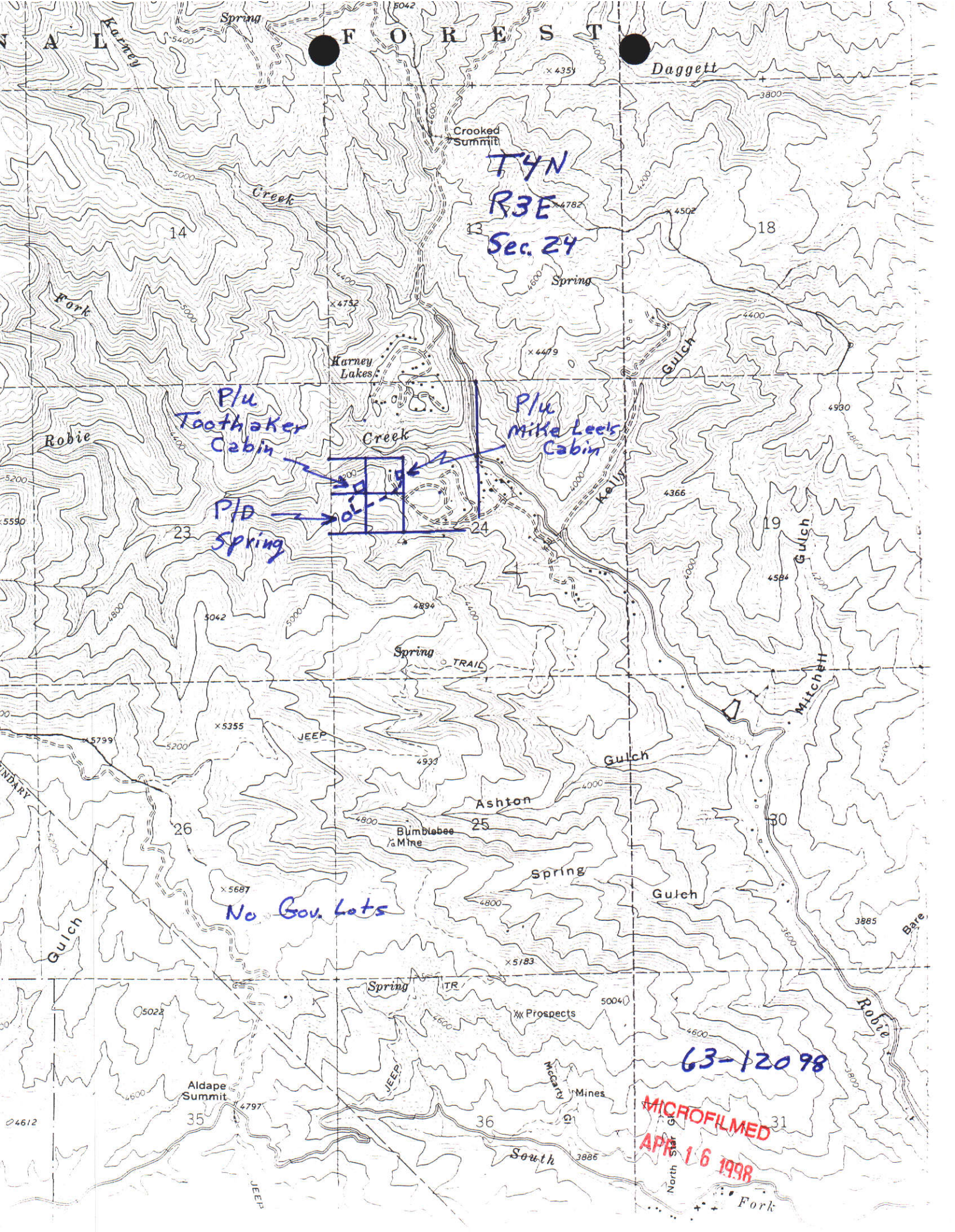


Scale: 2 inches equal 1 mile.

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.

APR 18 1994


(Applicant)



F O R E S T

T4N
R3E
Sec. 24

P/u
Toothaker
Cabin

P/u
Miller Lee's
Cabin

P/D
Spring

No Gov. Lots

63-12098

MICROFILMED
APR 16 1998

1 of 2

P/O

Spring
Box



Place of
Measure-
ment
at
Jeff
Toothaker
Cabin

MICROFILMED

APR 16 1998

63-12098

2 of 2



Plu
Jeff
Toothaker
Cabin



Plu
Mike
Lee
Cabin

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APR 16 1998

63-12098

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12098

Priority: November 15, 1993

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that JEFF TOOTHAKER
ANNE TOOTHAKER

2719 N 24 ST
BOISE ID 83702

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 15, 1993; and has submitted Proof of Beneficial Use on January 24, 1997. An examination indicates that the works have a diversion capacity of 0.060 cfs of water from:

SPRING tributary to SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.06 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: SWSWNW , Sec. 24, Township 04N, Range 03E
BOISE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

04N 03E 24

SWNW

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

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APR 18 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12098

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 10TH
day of APRIL, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED
APR 16 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 24 1997

PROOF OF BENEFICIAL USE

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

1. Permit No. 63-12098 Telephone No. 345-5096

2. Name(s) of Permit Holder(s): JEFFREY & ANNE TOOTHAKER

3. Mailing Address: 2719 N. 24th St. BOISE 83702

4. Source of Water: SPRING If GROUNDWATER (well), Date Drilled: mo. / yr.

a. Well Driller: Drilling Permit Number: - -

b. OPTIONAL:
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 2 Stockwater (No. and type of stock):

Irrigation (No. of acres): Other:

6. Total rate of diversion and/or volume for which proof is submitted: 0-0.20 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No ✓

Has the measuring device been installed? Yes or No ✓

Flow Measurement Port: Is a flow measurement port required? Yes or No

Has the measurement port been installed? Yes or No ✓

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: SAA Telephone Number: SAA

Address:

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] Date: 1-21-97
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12098

Proposed Priority: November 15, 1993 Maximum Diversion Rate: 0.06 CFS

This is to certify, that **JEFF TOOTHAKER**
ANNE TOOTHAKER
2719 N 24 ST
BOISE ID 83702

has applied for a permit to appropriate water from:

SPRING

tributary of **SINKS**

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>
DOMESTIC	01/01 to 12/31	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSWNW , Sec. 24, Township 04N, Range 03E
SWSWNW , Sec. 24, Township 04N, Range 03E
BOISE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

04N 03E 24 SWNW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 1997**.
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. Single point of diversion located on or near the line between NWSWNW and SWSWNW, S24, T04N, R03E.
5. Domestic use is for 2 homes.

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

10th day of March, 1994.

[Signature]
for R. Keith Higginson, Director

APR 18 1994

RECEIVED
MAR 03 1994

Ident. No. 63-12098

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JEFF TOOTHAKER 208-345-5096
Address: 2719 N 24 ST
BOISE ID 83702
AND/OR
Name: ANNE TOOTHAKER 208-345-5096
Address: 2719 N 24 ST
BOISE ID 83702
2. Source: UNNAMED SPRING Trib. to: SINKS
3. Location of Point of Diversion: NWSWNW Sec. 24, Township 04N, Range 03E
BOISE County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
DOMESTIC	01/01	12/31	0.060		
5. Total quantity to be appropriated is:
0.060 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
SPRING BOX, PUMP AND PIPELINE.
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to 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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APR 18 1994

8. Place of Use: DOMESTIC

TWN RGE SEC
04N 03E 24 SWNW

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:

Domestic use is for in-house use only for 2 homes.
Single point of diversion located on or near line between
NWSWNW AND SWSWNW, S24, T04N, R03E.

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.

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 30.00 Receipted by _____ #W016951 Date 11/15/1993

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

APR 18 1994

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. 2
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	3E	24							X										

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

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: Domestic use is for in-house use only for 2 homes.

Single point of diversion located on or near line between
NWSWNW and JWSWNW, S24, T04N, R03E.

* No response to irrigation use (re: d. letter dated 12/9/93).
 -SL 1/26/94

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Form 201
10/92

NOV 15 1993

WATER RESOURCES
WESTERN REGION

RECEIVED

JAN 26 1994

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63-12098

To appropriate the public waters of the State of Idaho

1. Name of applicant Jeff &/or Anne Toobaker Phone 345-5086Post office address 2719 N. 24th St, BOISE, ID. 837022. Source of water supply UNNAMED SPRING which is a tributary of SINKS3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot —Sec. 24 Township 4N Range 3E B.M. BOISE County; additionalpoints of diversion if any: SWSWNW 5.24 T04N R03E *

4. Water will be used for the following purposes:

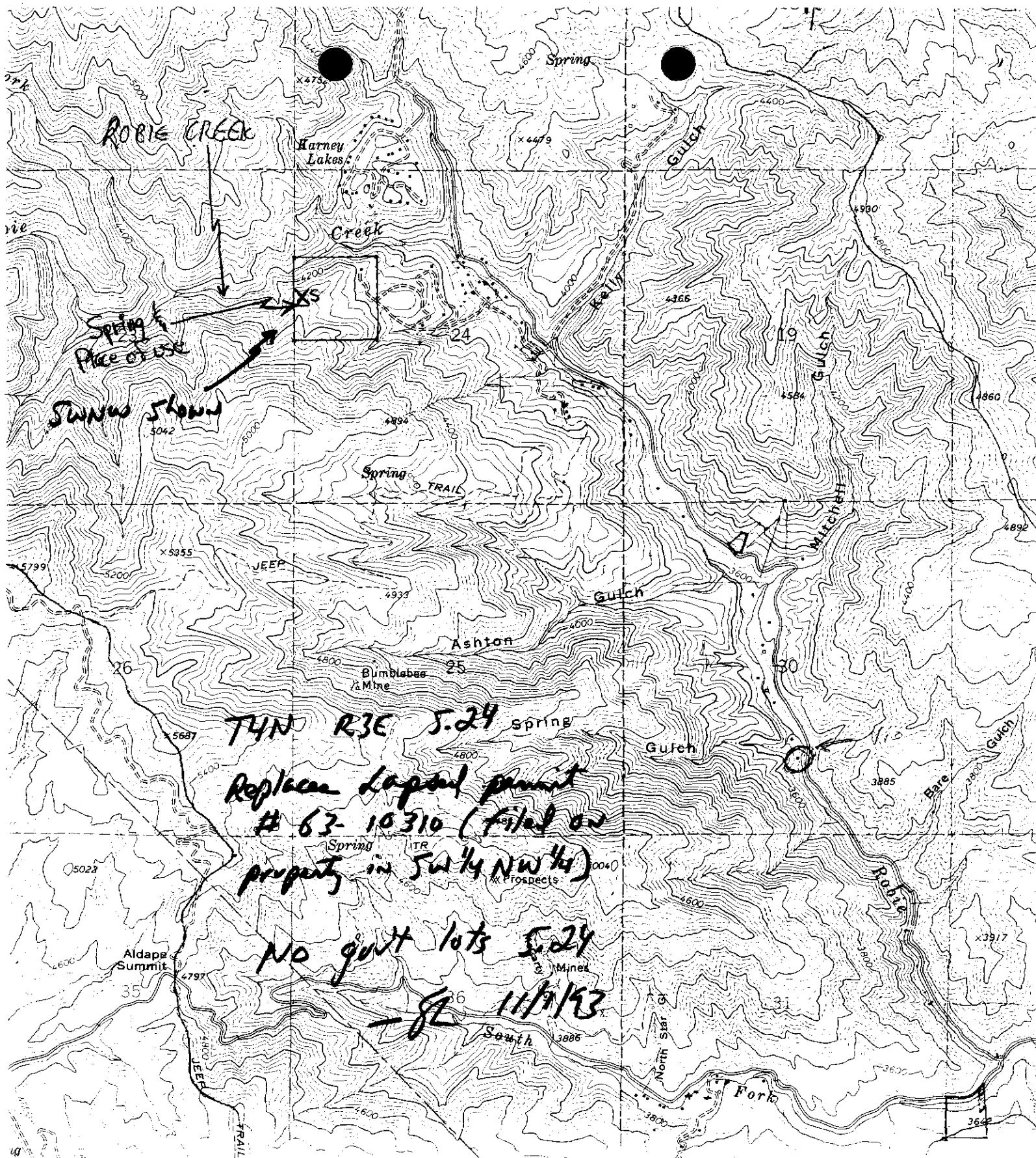
Amount 0.06 for domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum) *5. Total quantity to be appropriated is (a) 0.06 and/or (b) —
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Spring box, pump & pipeline
to place of useb. Height of storage dam — feet; active reservoir capacity — acre-feet; total
reservoir capacity — acre-feet; period of year when water will be diverted to storage:
— to — inclusive.c. Proposed well diameter is — inches; proposed depth of well is — feet.d. Is ground water with a temperature of greater than 85°F being sought? —e. If well is already drilled, when? —; Drilling firm — APR 18 1994Well 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

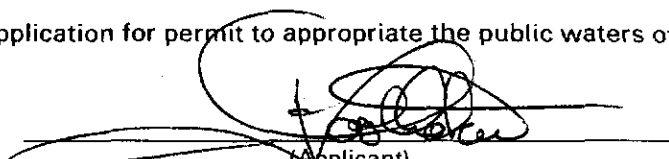
5 years (minimum 1 year).* MAX. allowable for 2 homes per
standards.
P/O per topo. - JL 1/26/94



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.

APR 18 1994


(Applicant)

Received by Jy Date 11-15-93 Time 11:50 AM Preliminary check by 82
Fee \$ 30.00 Receipted by Jy # W016951 Date 11-15-93
Publication prepared by AT Date 1-26-94 Published in Idaho World
Publication approved ✓ Date 3-1-94

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:

APR 18 1994



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

April 13, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JEFF TOOTHAKER
ANNE TOOTHAKER
2719 N 24 ST
BOISE ID 83702

RE: WATER RIGHT NO. 63-12098

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It 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 this 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 this 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, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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 the 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 the 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.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name and title.

Shelley W. Keen
Water Rights Supervisor

SK:klt

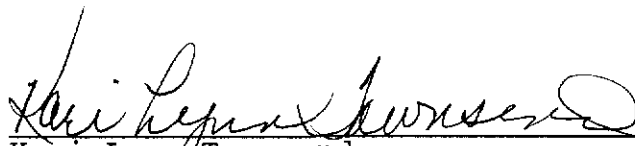
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of April, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 63-12098

JEFF TOOTHAKER
ANNE TOOTHAKER
2719 N 24 ST
BOISE ID 83702


Kari Lynn Townsend
Secretary

MICROFILMED

APR 16 1998

B/U FIELD EXAM REVIEW

by Cindy Lou

Permit #: 63-12098 Name: Toothaker Date: 4/8/98 ✓ Lots ✓

NAME	Chng	Same	Or Address Change?
SOURCE		✓	Clarify source _____ Prelim. Order to Void - Source change.
P/D		✓	Amendment Needed? ~~Add 1 1/4~~ ^{delete} Legal <u>NW SW NW</u> P39 Same 1/4? <u>W32</u> P36 Overlap(s) <u>none</u>
P/U		✓	Amendment Needed? _____ P41 Overlap(s) <u>none</u> (Gov't use special T's) _____ *P/D & P/U Amend? P37
RATE		✓	Permit/proof fee limits <u>0.06</u> / <u>0.20</u> Measured Quantity = <u>N/A</u> cfs Theoretical Quantity = _____ cfs <u>allow permitted = 0.06</u>
		✓	Recommended capacity <u>0.06</u> cfs Recommended rate <u>0.06</u> cfs
VOLUME		✓	Season: (_____) <u>1/1-12/31</u> = <u>365</u> days Calculations: <u>2 hrs x 0.6 AF/hr = 1.2 AF</u> <u>* internal use only</u> Flow limit: <u>0.06</u> cfs x <u>365</u> days/yr. x 1.9835 = <u>42.8</u> AF Recommended volume <u>1.2</u> AF
USES		✓	Same Nature of Use? _____ P46 Amendment Needed? _____
REMARKS		✓	Multiple p/d's in same 1/4? Use W32 _____ <u>W</u>
CONDITIONS			Measuring Device (R43) or Lockable Controlling Works (R02) _____ Watermaster Control (R04) - WD # _____ Irrigation rate/annual volume overlap _____ GW irrigation replaces surface water (050) _____ GW irrigation supplements surface water (065) _____ Water Quality _____ Other _____
PRIORITY	App Rcd	<u>11/15/93</u>	Due <u>3/1/97</u> Rcd <u>1/24/97</u> Receipt# <u>CO37798</u> Fee OK? (Yes/No) <u>150</u> Order to Reinstate Needed? Yes/No <u>Done?</u> Advanced to: _____ Priority <u>11/15/93</u> Examined <u>1/22/97</u>

COMMENTS: license as permitted

USE	CFS	VOLUME
<u>Dom</u>	<u>0.06</u>	<u>1.2</u>
TOTAL	<u>0.6</u>	<u>1.2</u>

 SRBA Overlap none
 Adjustment Memo _____
 LICENSE
 #1 AMEND: _____/P38
 #2 AMEND: (R)P42/(C)P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 08 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-12098

1. Owner: Jeff & Anne Toothaker Phone No. (208) 345-5096

Current Address: 2719 N. 24th St., Boise, ID 83702

2. Accompanied by: Jeff Toothaker EXAM DATE: 7-22-97

Address: (Same) Phone No. _____

Relationship to Permit Holder: (Same)

3. Source: Spring tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SW	NW	24	4N	3E	Boise	Site Visit, Map

2. Place(s) of Use:

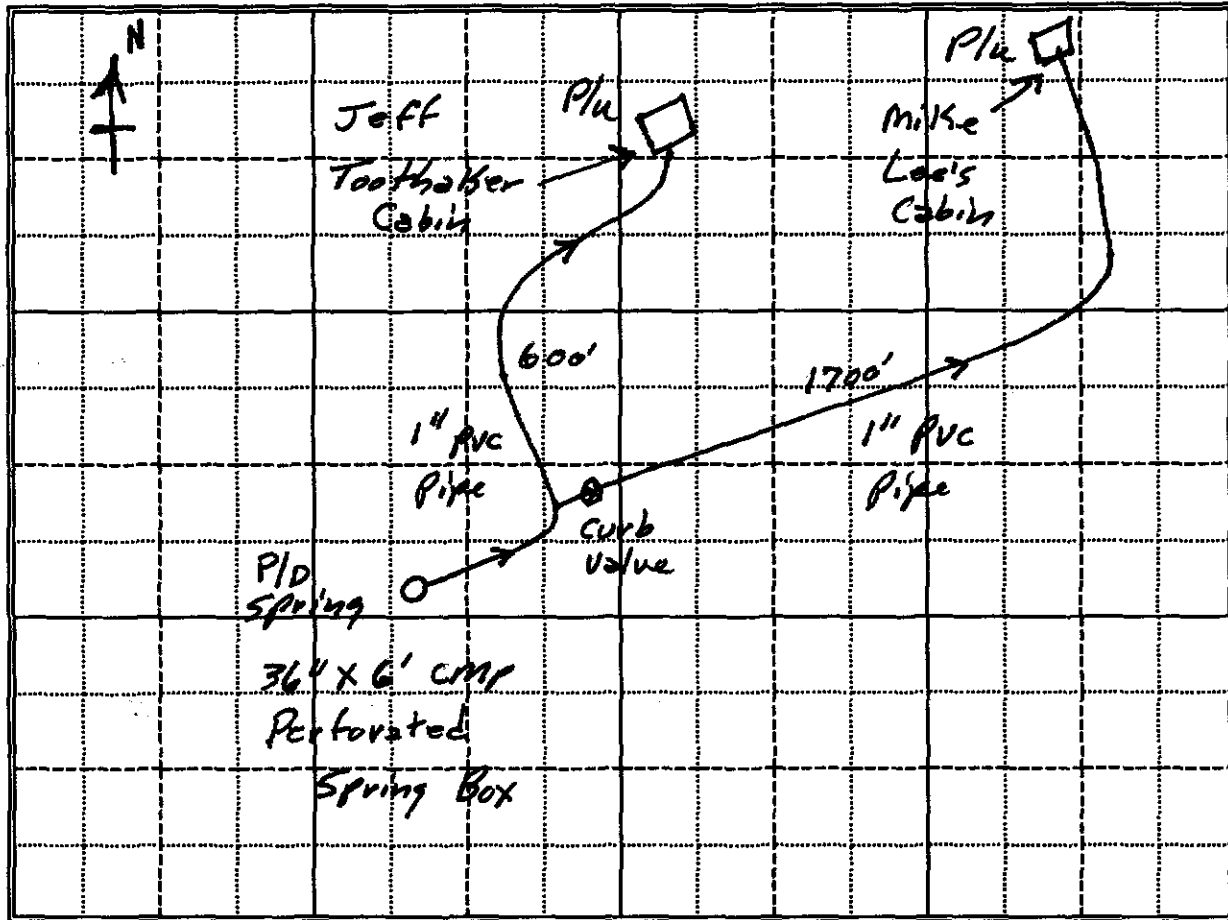
Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	3E	24							D										

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APR 1998

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = No Scale

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: 5 Gal Bucket, Q = 1.54 GPM
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APR 16 1998

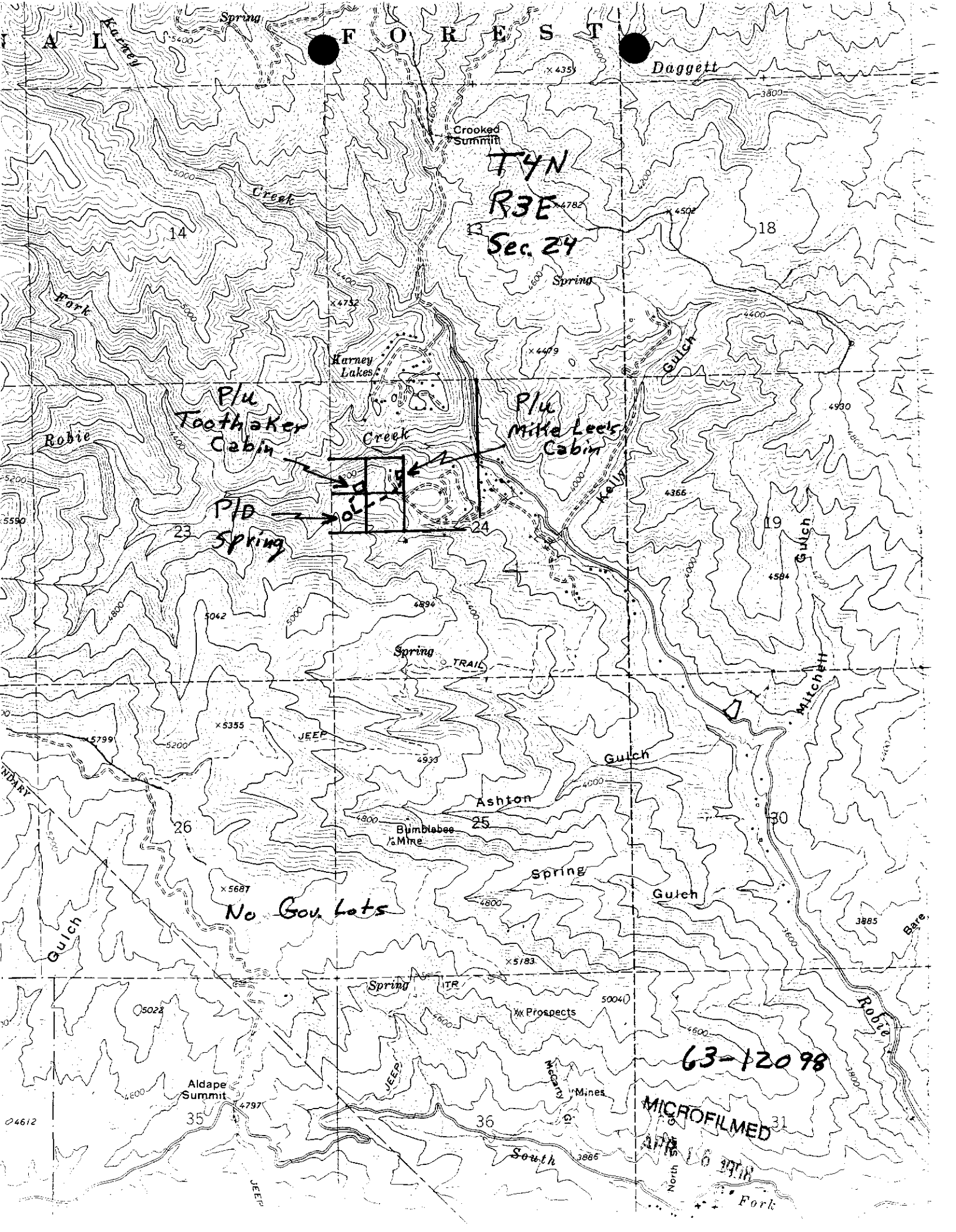
E. NARRATIVE/REMARKS/COMMENTS

1. The water system consists of a spring development, and 1" PVC pipelines to two cabins; Jeff Toothaker's and his friend, Mike Lee. They have a verbal agreement to share the water from the spring.
2. The spring box is a 36" x 6' cmr perforated section of pipe to collect the water, and is protected with a wood frame box with cover.
3. The flow from the spring was low for this time of year.
4. The system is gravity flow from the spring to the cabins. At the Toothaker cabin, a pump under the cabin pressurizes the system for the cabin water uses. Mike Lee was not at his cabin, ~~at~~
5. A flow measurement was taken at the Toothaker cabin with the pump off. The flow was then gravity feed from the spring.

Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED
SEP 16 1988

APR 16 1968



T4N
R3E
Sec. 24

P/u
Toothaker
Cabin

P/u
Middle Leech
Cabin

P/D
Spring

No Gov. Lots

63-12098

MICROFILMED

APR 10 1978

1 of 2

P/O

Spring

Box



Place of

Measure-
ment

at

Jeff

Toothaker

Cabin



63-12098

2 of 2



Plu
Jeff
Toothaker
Cabin



Plu
Mike
Lee
Cabin

February 7, 1997

JEFF TOOTHAKER
ANNE TOOTHAKER
2719 N 24 ST
BOISE ID 83702

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12098

Dear Permit Holder:

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 conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

December 31, 1996

JEFF TOOTHAKER
ANNE TOOTHAKER
2719 N 24 ST
BOISE ID 83702

PROOF DUE NOTICE

RE: PERMIT NO. 63-12098

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 March 1, 1997.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete 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,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 10, 1994

JEFF TOOTHAKER
ANNE TOOTHAKER
2719 N 24 ST
BOISE ID 83702

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12098

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

The Idaho World

RECEIVED

MAR 01 1994

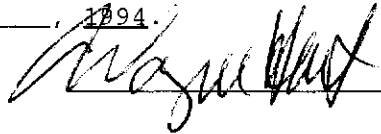
WATER RESOURCES
WESTERN REGION

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

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

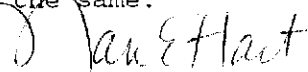
State of Idaho >
>
County of Boise >

Wayne Hart, being duly sworn, deposes and says: that he is the manager and principal clerk of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Feb 2, 1994 and ending with the issue of Feb 9, 1994.



State of Idaho >
>
County of Ada >

On this 18th day of February in the year 1994, before me, a notary public, personally appeared WAYNE HART known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Notary Public for Idaho

Boise ID

Residing at

My commission expires 9/10/96

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12098 ✓

TOOTHAKER, JEFF
TOOTHAKER, ANNE
2719 N 24 ST
BOISE, ID 83702

Source: UNNAMED SPRING

Tributary: SINKS

Diversion Pt: NWSWNW Sec 24 T 04N R 03E in BOISE County.

Use: DOMESTIC (.060 CFS)
Total Diversion: (.060 CFS)

Date Filed: 11/15/1993

In: BOISE County
T04N R03E S24 SWNW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before FEBRUARY 21, 1994.

R. KEITH HIGGINSON, Director

Published in The Idaho World February 2 and 9, 1994.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 9, 1993

Jeff and Anne Toothaker
2719 N. 24th Street
Boise, ID 83702

RE: Application for Permit

Dear Applicants:

Your application for a spring for domestic use is returned for signature (just one needed) at the bottom of page three below the map. Also, do you intend to use the spring for yard irrigation? If so, what is the total number of acres to be irrigated?

A receipt is enclosed for your records. Please return the application with your response within 30 days. Let me know if I can assist you in any way.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester
Water Rights Supervisor

Enclosure: Original Application
Receipt #W016951

*Signed appl. returned 1/26/94.
No info re irrig. supplied so assume none intended*

Handwritten initials, possibly "RL", in cursive script.

APR 18 1994

63-12098

TOOTHAKER, JEFF
TOOTHAKER, ANNE
2719 N 24 ST
BOISE, ID 83702

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SWNW

FILED
NOV 18 1993