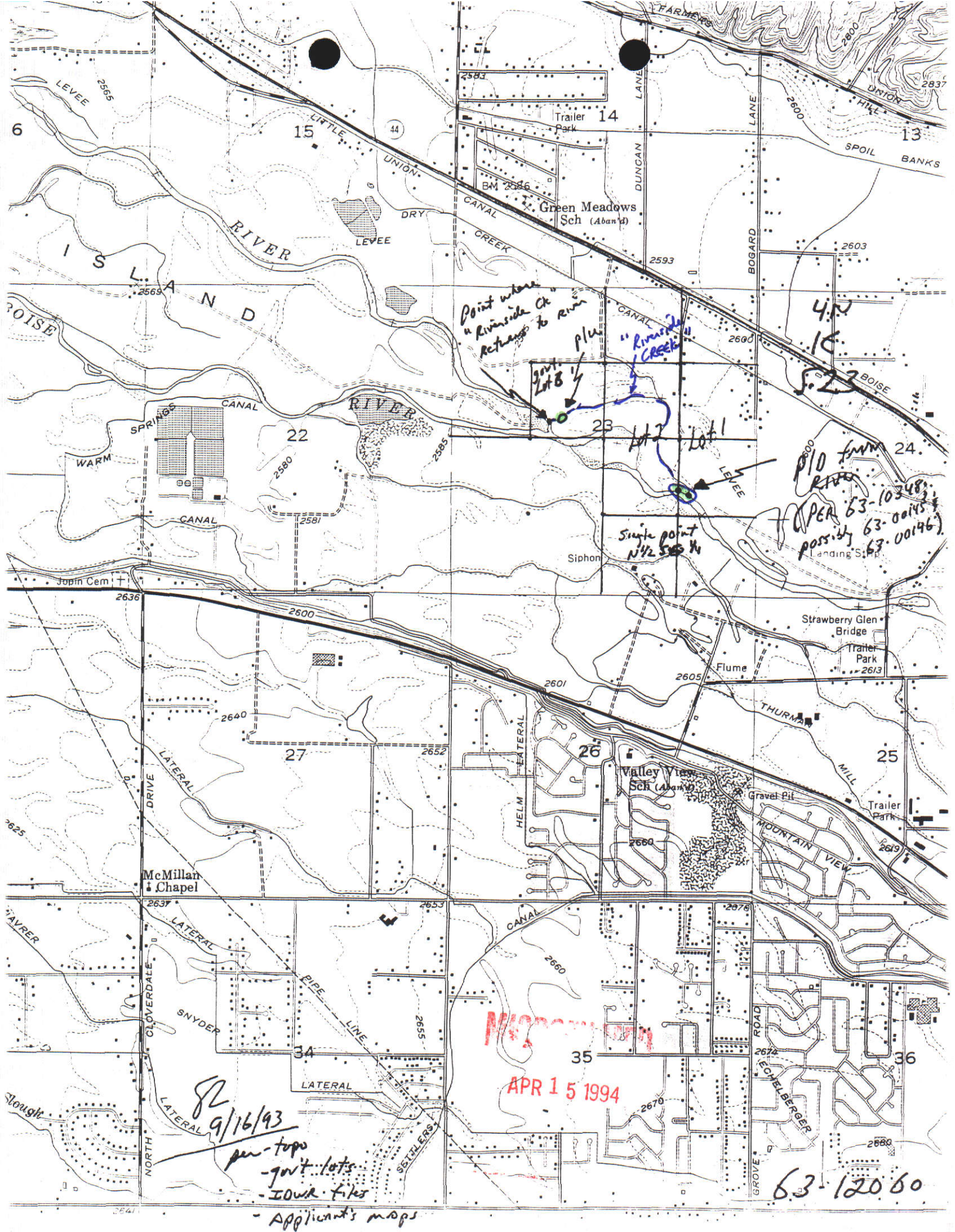
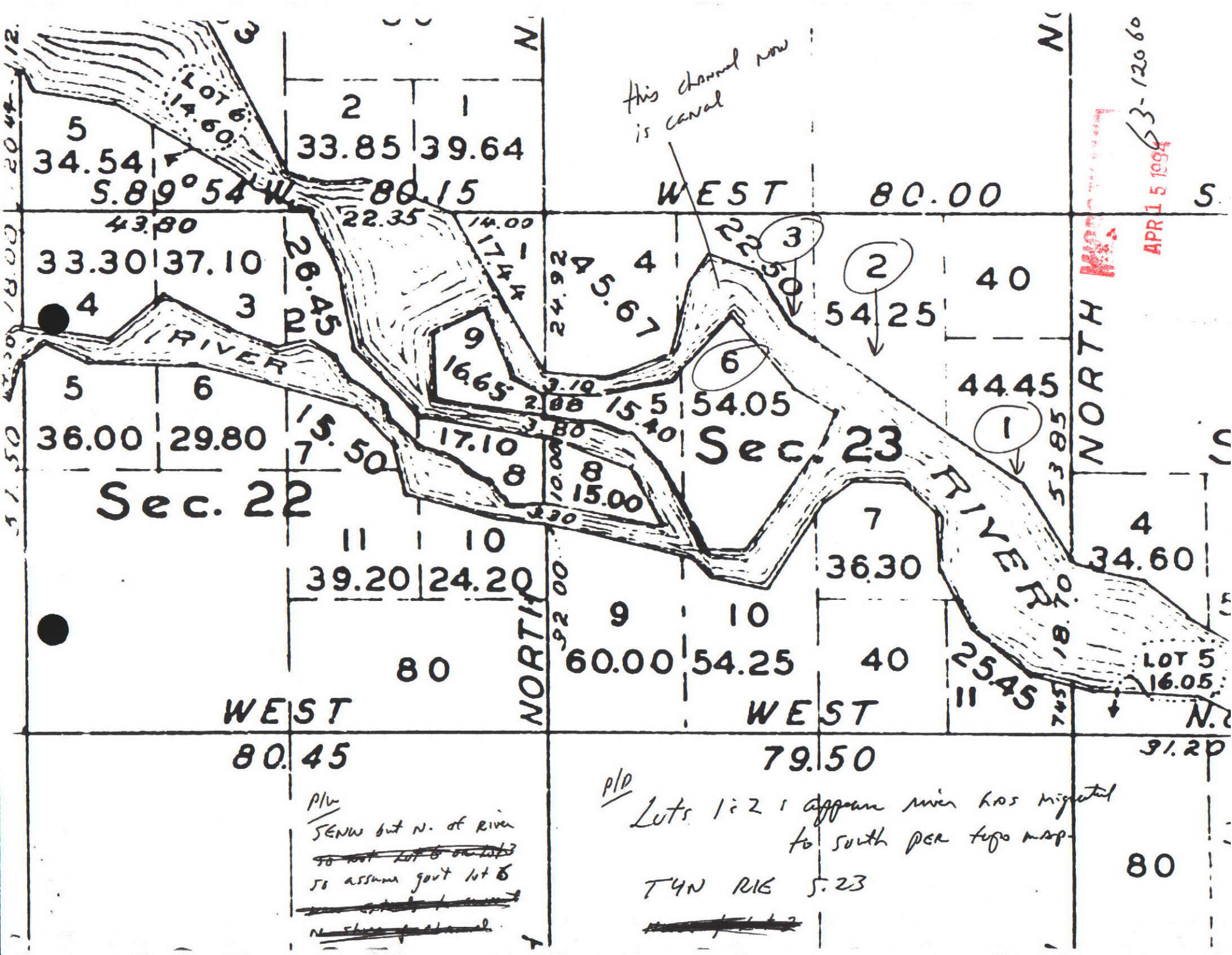






63-12060

"Riverside Creek"

Water Fall Location

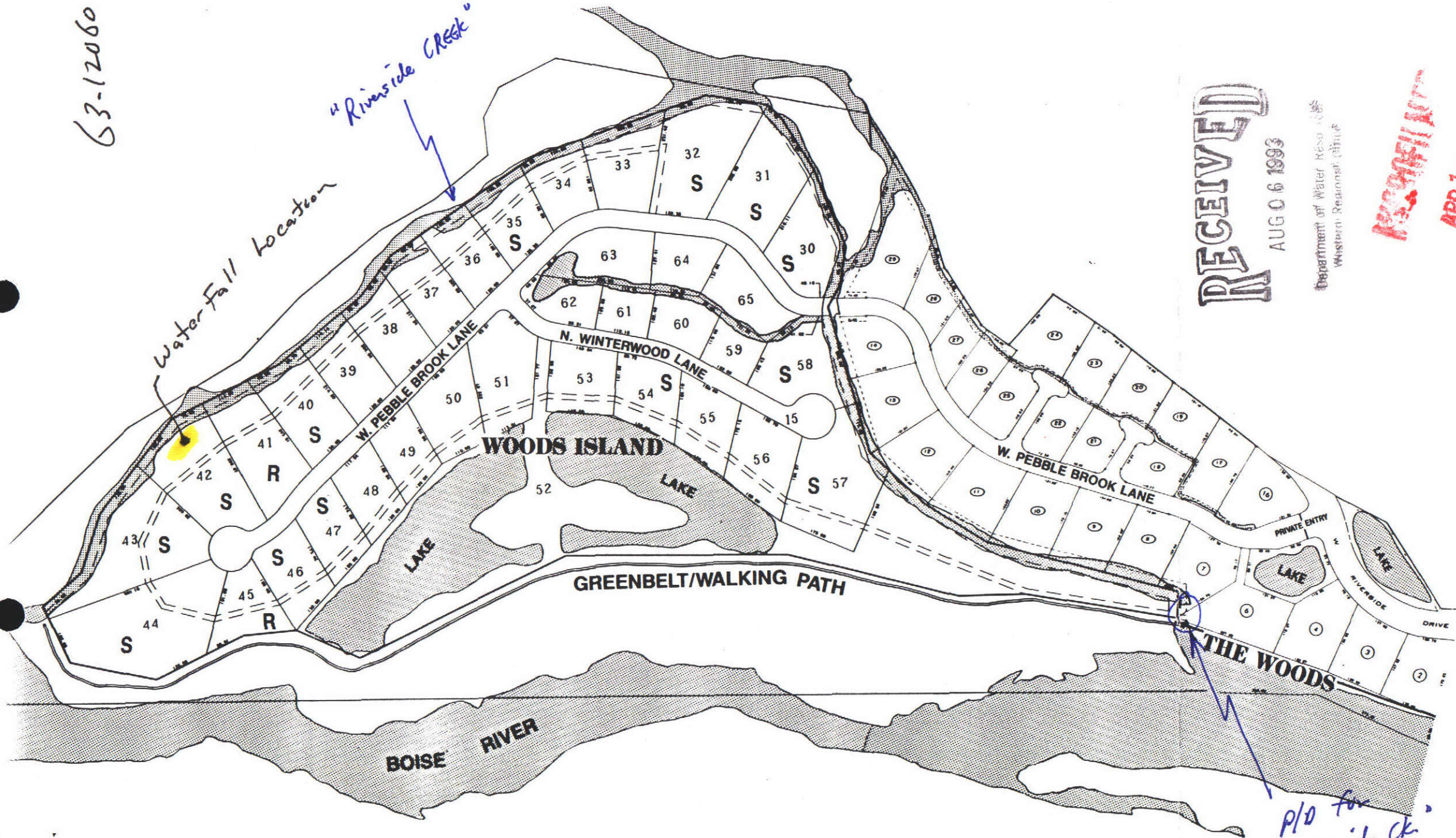
RECEIVED

AUG 6 1993

Department of Water Resources
Western Regional Office

RECEIVED

APR 1 1994

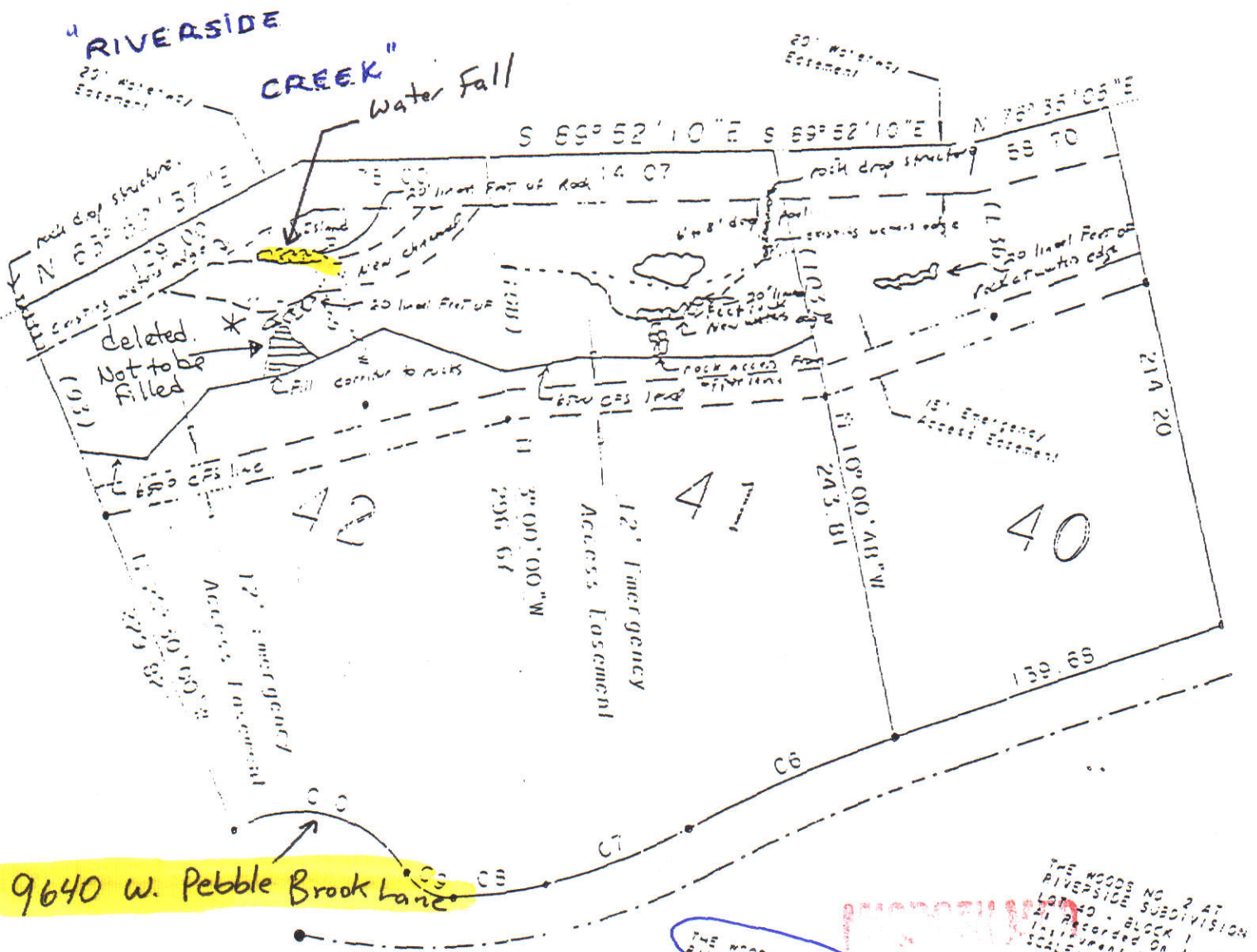


P/O for
"Riverside Cr."

RECEIVED

AUG 06 1993

Department of Water Resources
Western Regional Office



9640 W. Pebble Brook Lane

THE WOODS NO. 2 AT
RIVERSIDE SUBDIVISION
LOT 41 - BLOCK 1
As Recorded On 1/22/90
Instrument No. 9003654
SCALE 1" = 40'

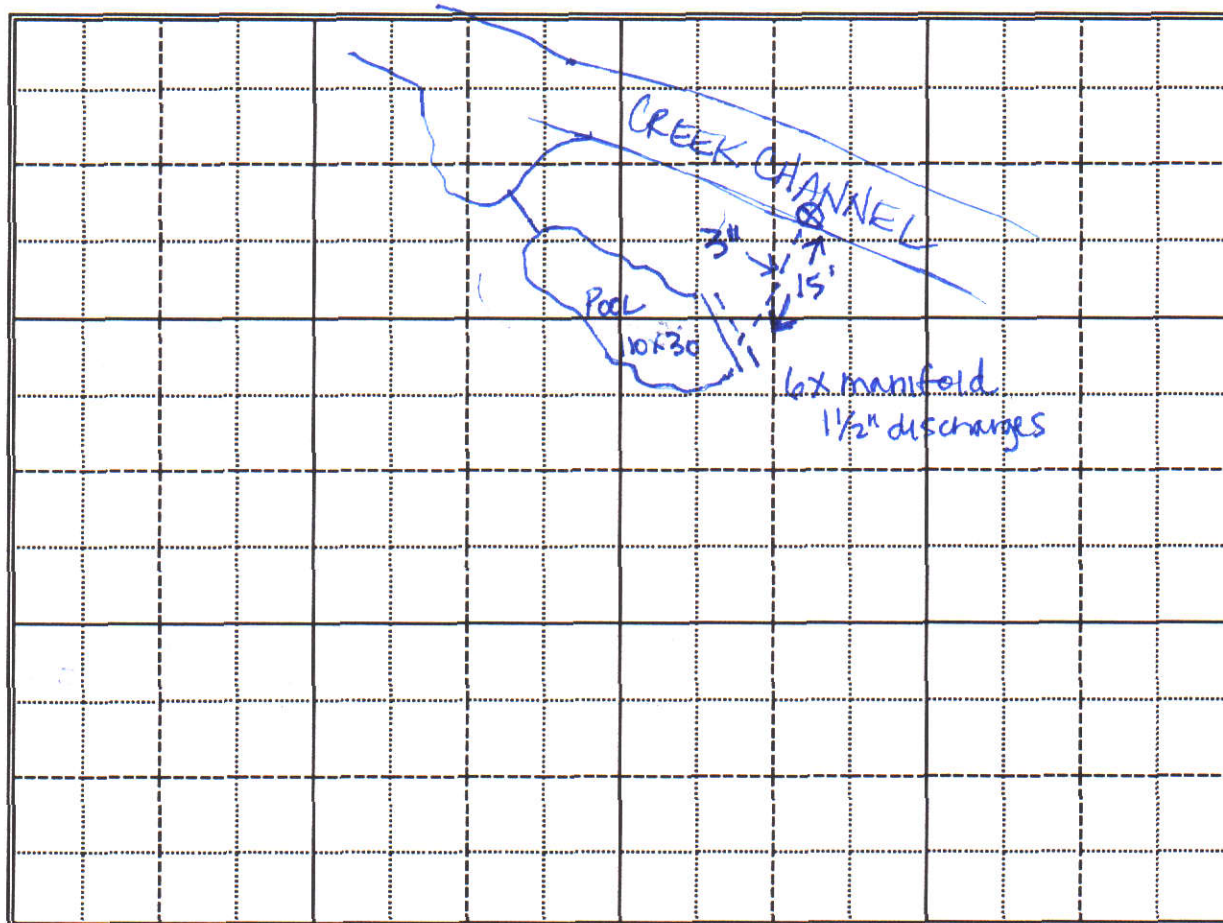
APR 15 1994

THE WOODS NO. 2 AT
RIVERSIDE SUBDIVISION
LOT 40 - BLOCK 1
As Recorded On 1/22/90
Instrument No. 9003654
SCALE 1" = 40'

NPW No. 920202300
APPLICANT: Idaho Forest
Industries
Waterway: Riverside Creek
a side channel of Boise River.
Ada County, Idaho
Sheet 6 of 7
Date: 10/15/92
PLANS REDUCED FROM ORIGINAL
NOT TO SCALE
* modified by HONE R. Brochu 2/4/93

63-120 60

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



Scale: 1" = NTS

☒ 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
	u/k	1			2"

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

D. FLOW MEASUREMENTS

1.

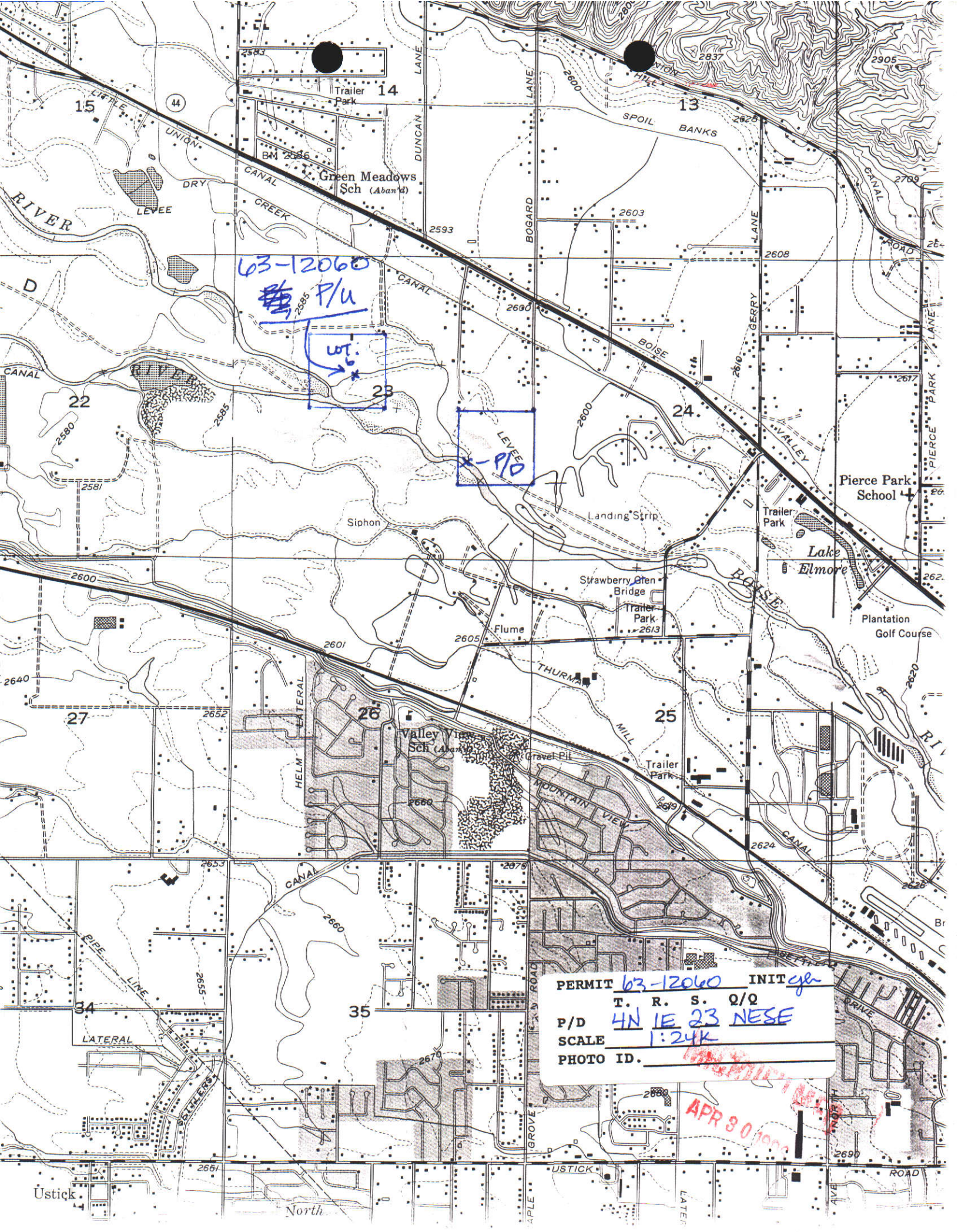
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

5 gals in 11 sec x 6 lines

RECORDED

APR 30 1936



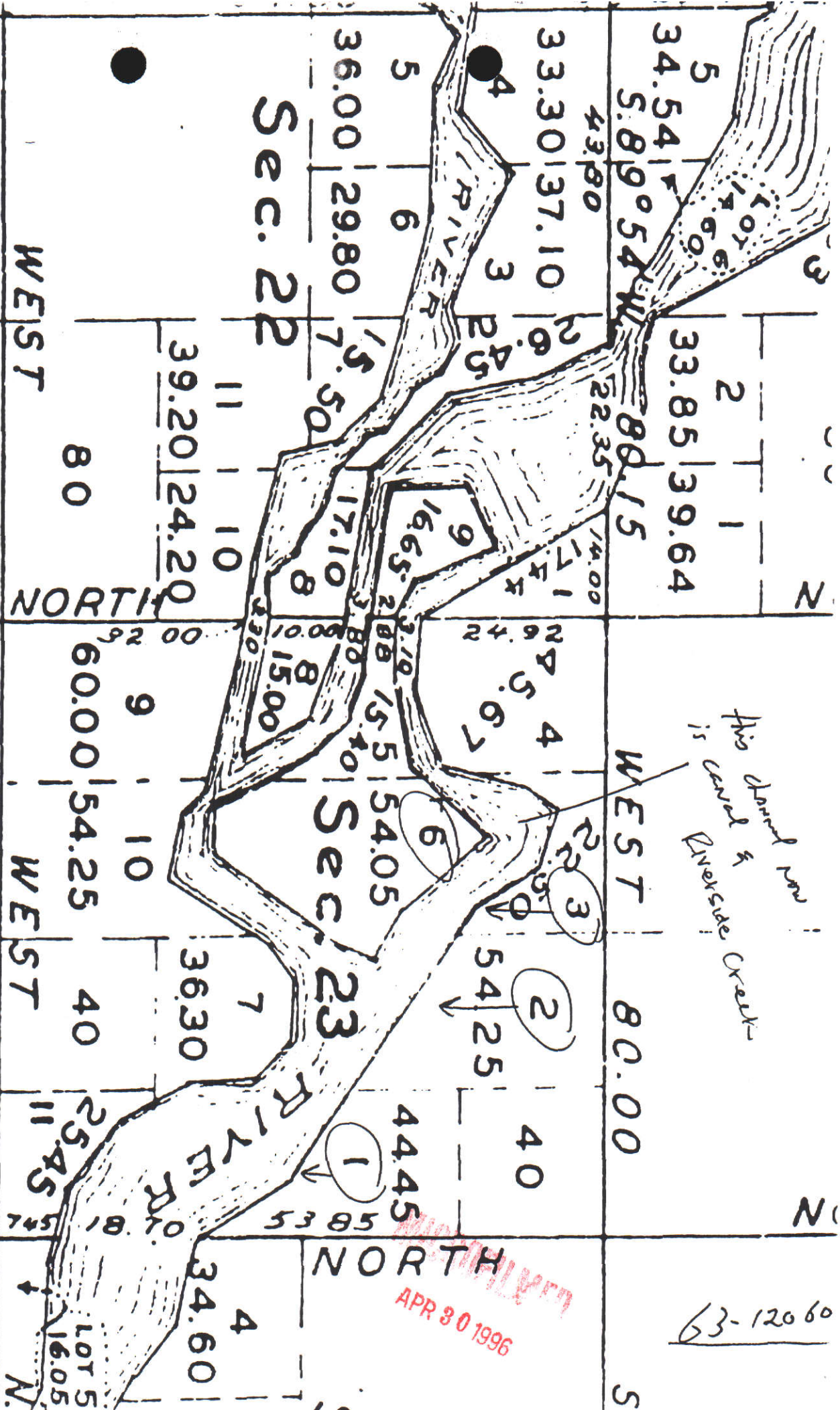
PERMIT 63-12060 INIT cfr
T. R. S. Q/Q
P/D 4N 1E 23 NESE
SCALE 1:24K
PHOTO ID.

APR 30 1963

This channel now
is covered by
Riverside Creek

APR 30 1996

63-12060



WEST 80.45

WEST

NORTH

WEST 79.50

WEST

NORTH

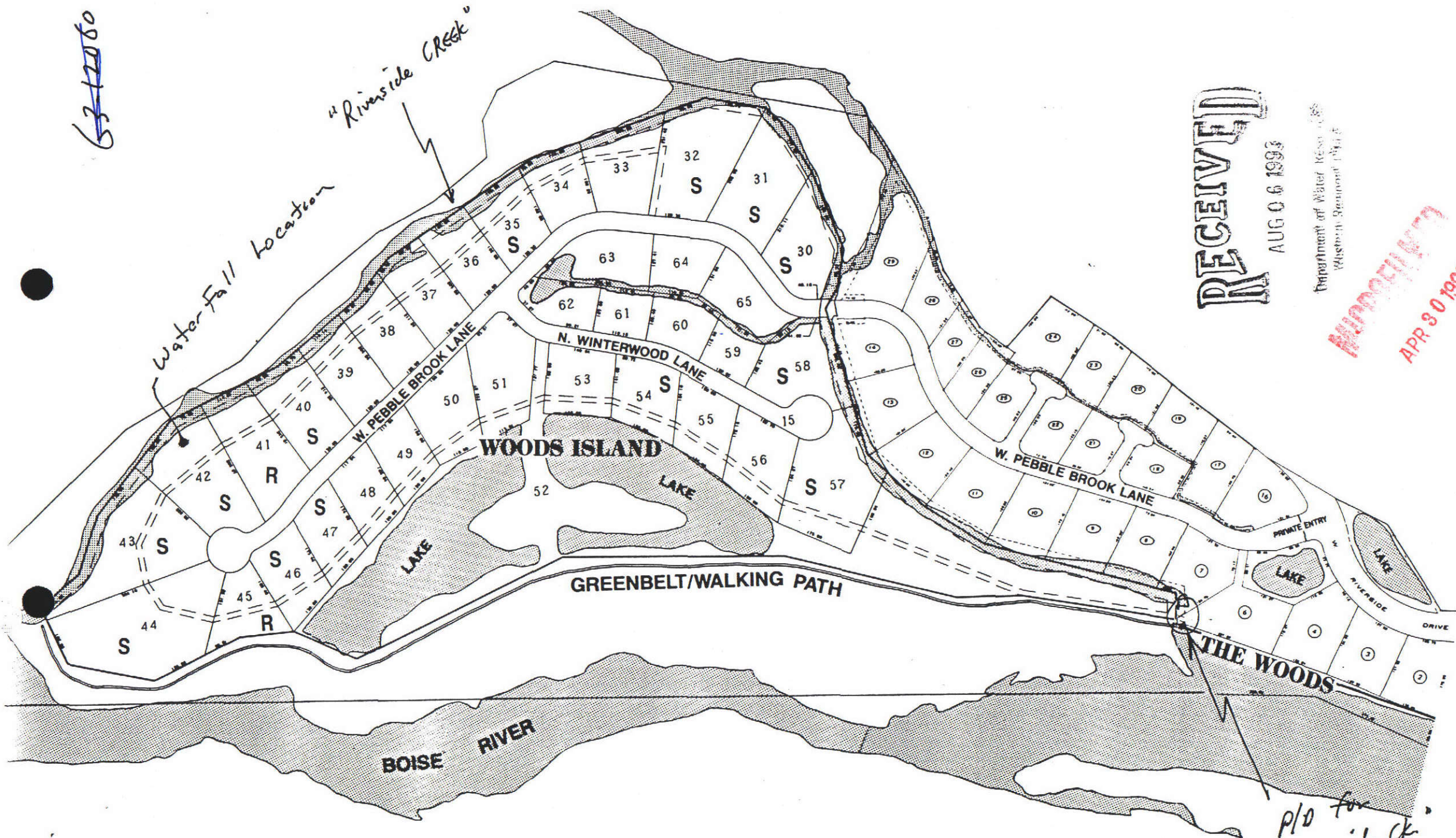
plv
SENW 1/4 N. of River
to west top of section 23
to assume foot 1st & 2nd
N. channel

plv
Ltr 1121 appears mine has migrated
to south per topo map
T4N R1E S.23

80

91.20

6312080



RECEIVED

AUG 06 1993

Department of Water Resources
Western Regional Office

APPROVED
APR 30 1996

AUG 06 1993

4



APR 30 1996

THE WOODS NO. 2 AT
RIVERSIDE SUBDIVISION
LOT 40 - BLOCK 1
As Recorded On 1/22/90
Survey No. 900164

THE MOOSE NO. 2 AT
RIVERSIDE SUBDIVISION
LOT 41 - BLOCK 1
As Recorded On 1/17/1912
Instrument No. 9001612
SCALE: 1" = 40'

63-12060



P/D



Control valves
Rear of
Waterfall



P/W
APR 30 1996

63-12060

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12060

Priority: August 6, 1993

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

6.0 AF

This is to certify, that BURKE JONES
9640 W PEBBLE BROOK LN
BOISE ID 83703

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated August 6, 1993; and
has submitted Proof of Beneficial Use on February 21, 1995. An examination indicates
that the works have a diversion capacity of 0.360 cfs of water from:

BOISE RIVER

tributary to SNAKE RIVER

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>
AESTHETIC	01/01 to 12/31	0.04 CFS	6.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NESE), Sec. 23, Township 04N, Range 01E
ADA County

PLACE OF USE: AESTHETIC
TWN RGE SEC
04N 01E 23 Lot 6(SENW)

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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.

APR 30 1995

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 63-12060

CONDITIONS OF APPROVAL AND REMARKS

6. Use of water under this right shall be non-consumptive. At such times in the future as the Director determines necessary to protect the prior rights of other users, the Director may require determination of the rate of loss, within the system, using a procedure approved by the Director, and may require mitigation for all system losses.
7. Place of use is located within Lot 42, Block 1, Woods No. 2 at Riverside Subdivision.
8. Aesthetic use is for a waterfall.
9. This right does not authorize the diversion of water released from storage for stream flow maintenance under prior right 63-03618.

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 18TH day of APRIL, 1976.

Acting for

KARL J. DREHER, Director



63-12060
APR 20 1976

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE FEB 21 1995

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. 63-12060 Telephone No. 208-853-8383

2. Name(s) of Permit Holder(s): BURKE JONES

3. Mailing Address: 9640 W. Pebble Brook Lane, Boise - 83703

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

a. Well Driller: N/A 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): ___ Stockwater (No. and type of stock): ___

Irrigation (No. of acres): ___ Other: Aesthetic

6. Total rate of diversion and/or volume for which proof is submitted: .04 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 X

Has the measuring device been installed?

Yes ___ or No X

Flow Measurement Port: Is a flow measurement port required?

Yes ___ or No X

Has the measurement port 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: BURKE OR LaDoena JONES Telephone Number: 208-853-8383

Address: 9640 W. Pebble Brook Lane Boise, Idaho 83703

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: 2-20-95

(Include your title, if on behalf of company of organization)

FEB 29 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12060

Proposed Priority: August 6, 1993

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **BURKE JONES**
9640 W PEBBLE BROOK LN
BOISE ID 83703
has applied for a permit to appropriate water from:

BOISE RIVER

tributary of **SNAKE RIVER**

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>
AESTHETIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 1 (SWNESE), Sec. 23, Township 04N, Range 01E
Lot 2 (SENWSE), Sec. 23, Township 04N, Range 01E
ADA County

PLACE OF USE: AESTHETIC
TWN RGE SEC
04N 01E 23 Lot 6 (SENW)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 1995**.
2. Subject to all prior water rights.
3. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this right.
4. Use of water under this right is subject to the control of the watermaster of Water District 63, Boise River and tributaries.
5. The Director retains jurisdiction of this right and any license subsequently issued to require streamflow augmentation or other action determined to be appropriate to protect prior surface water or ground water rights. Such streamflow augmentation or other action will be required only upon a determination of need and applicability by the Director.
6. Single point of diversion located on or near line between Lot 1 (SWNESE) and Lot 2 (SENWSE), S23, T04N, R01E.
7. Place of use is located within Lot 42, Blk. 1, Woods No. 2 at Riverside Subdivision.
8. Aesthetic use is for a waterfall.

APR 15 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12060

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

11 ~~11~~ day of April, 1994.

R. Keith Higginson
for R. Keith Higginson, Director



APR 15 1994

RECEIVED
FEB 17 1994

Ident. No. 63-12060

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: BURKE JONES
Address: 9640 W PEBBLE BROOK LN
BOISE ID 83703
208-853-8383
2. Source: BOISE RIVER
Trib. to: SNAKE RIVER
3. Location of Point of Diversion: Lot 1(SWNESE), Sec. 23, Township 04N, Range 01E
Lot 2(SENWSE), Sec. 23, Township 04N, Range 01E
ADA County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
AESTHETIC	01/01	12/31	0.040		
5. Total quantity to be appropriated is:
0.040 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
PUMP FROM "RIVERSIDE CK." FOR WATERFALL, RETURN FLOW TO "CREEK"
 - 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 1 year(s).
8. Place of Use: AESTHETIC

TWN RGE SEC
04N 01E 23 Lot 6(SENW)

APR 15 1994

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:

Source is Boise River conveyed via canal locally known as
Riverside Creek.

Single point of diversion on or near line between Govt. Lots 1
and 2 in N 1/2 SE 1/4, S23, T04N, R01E.

Water subsequently withdrawn from Riverside Creek at a point in
SE1/4, S23, T04N, R01E for waterfall amenity in Lot 42, Block 1
Woods No. 2 at Riverside Subdivision.

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

Received by DB Date 8/6/93 Time — Preliminary check by SL

Fee \$ 30⁰⁰ Receipted by LH # W016589* Date 8/6/93

Publication prepared by SL Date 9-29-93 Published in Id. Stateman

Publication approved SL Date 10-27-93

* paid \$45

APR 15 1994

Comments: Date: 9/28/1993 User-ID: LESTER

Subject:

Gov't. Lots / Rate of Flow / POD

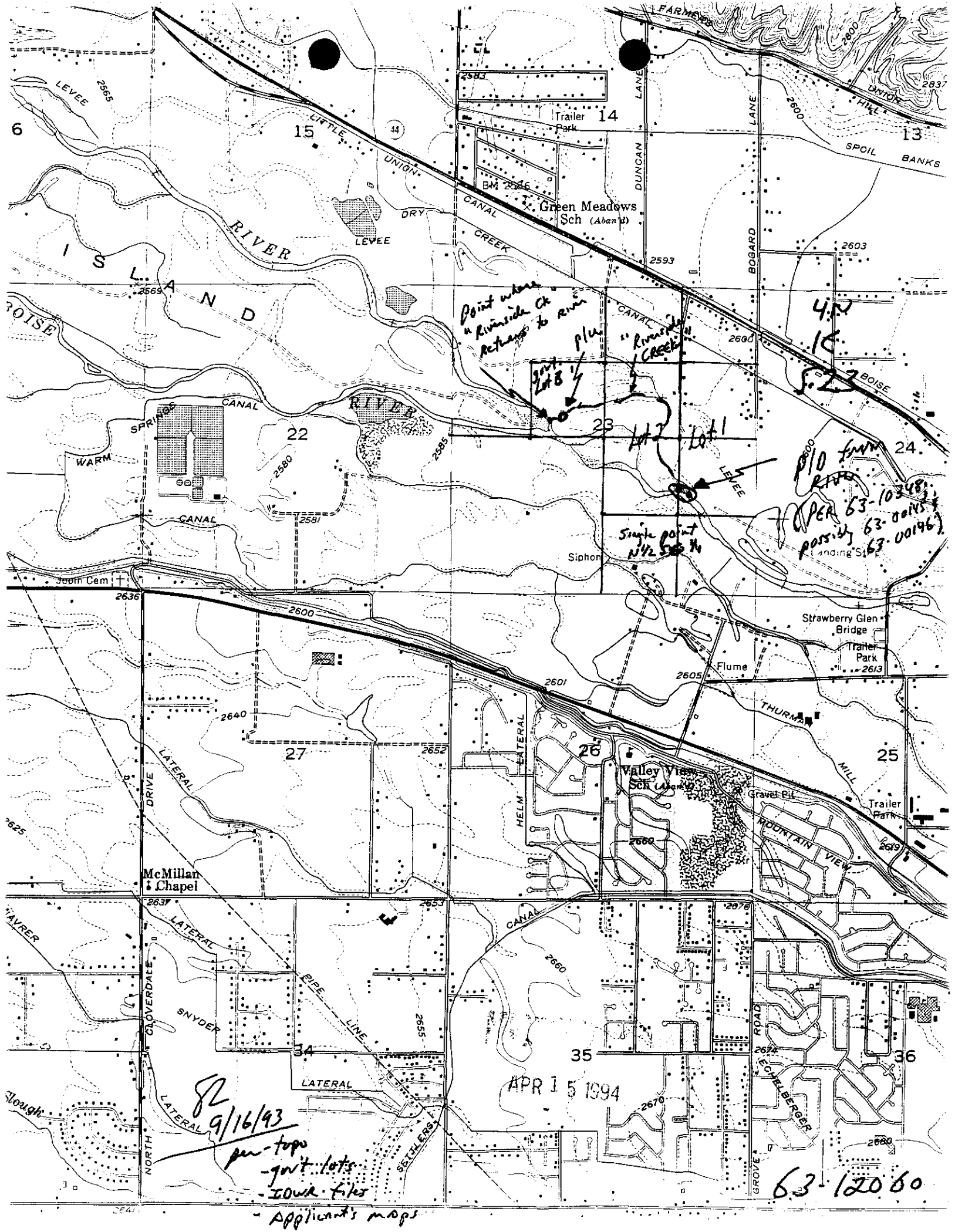
Note that river channel has migrated southward from old course shown on lot plat. North channel is not found on topo now. Have assumed that lots 1&2 now include more land to south but still north of river channel. Lot 6 not a true island now.

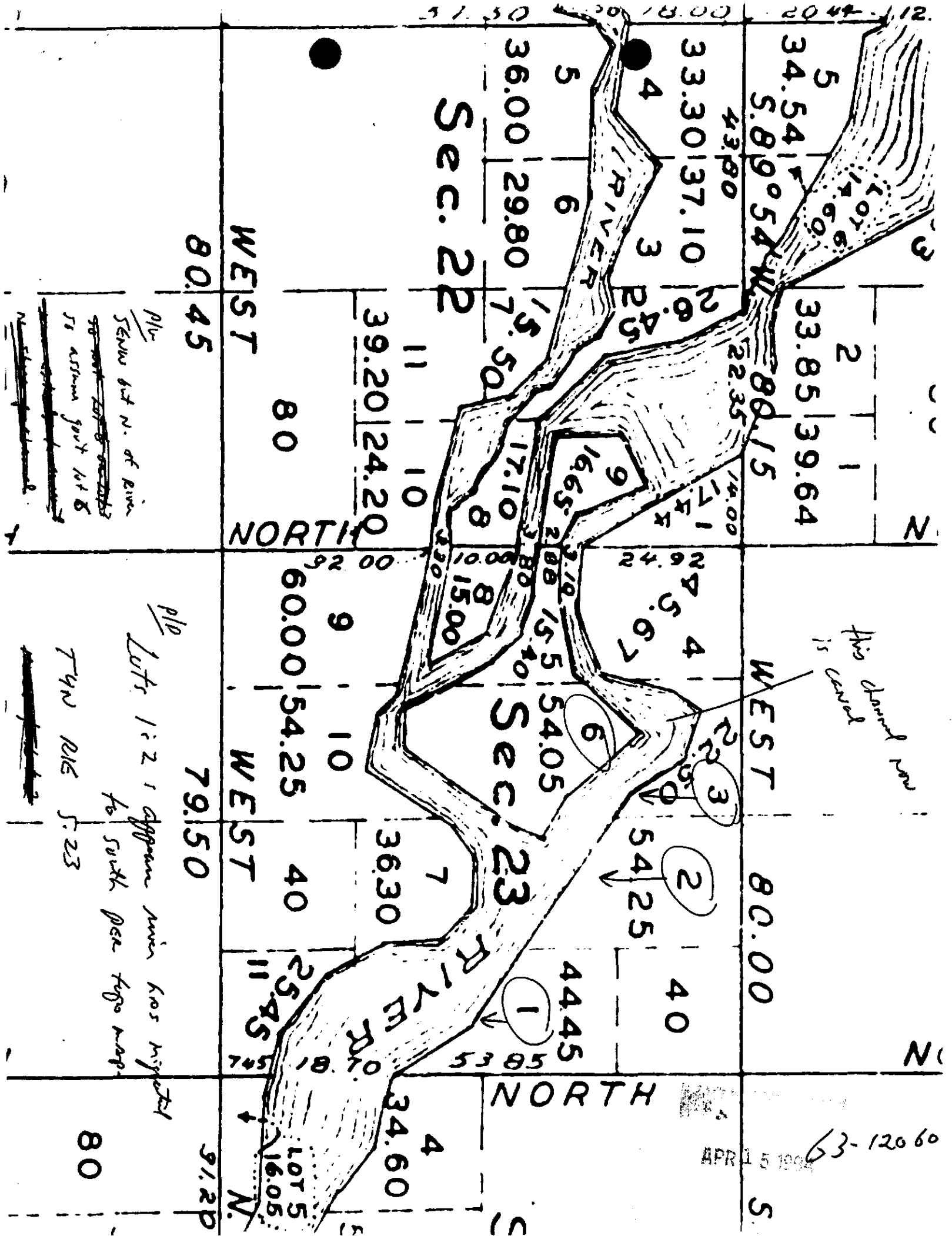
Rate of flow reduced to .04 cfs per 9/16/93 telecon with Mrs. Jones and thus exempted from moratorium. \$15 refund due per memo of 9/28/93.

Same POD as 63-10348 which provides water via "Riverside Creek" to two lakes at Woods Island (see subd. plat plat). POD for appl. based on field exam location for POD in 63-10348.

APR 15 1994

63-12060





APR 15 1996

63-12060

63-12060

Water Fall Location

Riverside Creek

BOISE RIVER

WOODS ISLAND

GREENBELT/WALKING PATH

W. PEBBLE BROOK LANE

N. WINTERWOOD LANE

THE WOODS

RECEIVED
AUG 06 1993
Department of Water Resources
Western Regional Office

p/o for it

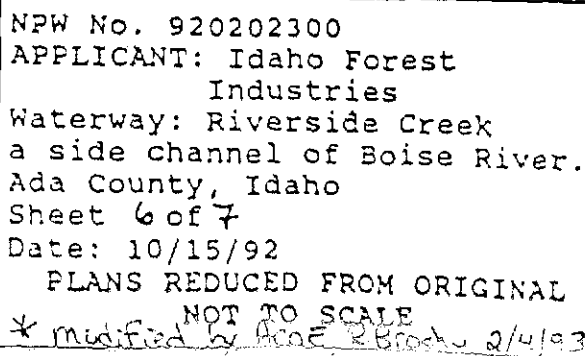
AUG 06 1999

Department of Water Resources
Western Regional Office

450

AUG 06 1993

Department of Water Resources
Western Regional Office



63-12060

RECEIVED

AUG 06 1993
Form 202
10/92

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63-12060

ORIGINAL

To appropriate the public waters of the State of Idaho

1. Name of applicant Burke Jones Phone 853-8383
Post office address 9640 W. Pebble Brook Lane, Boise 83703
2. Source of water supply Boise River which is a tributary of Snake
3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot 1 *
Sec. 23 Township 4N Range 1E B.M. Ada County; additional
points of diversion if any: SE NWSE ~~Govt Lot 2~~ S. 23 T4N R1E (See Remarks)
4. Water will be used for the following purposes:
Amount .04 ~~1/2~~ cfs for Aesthetic (non consumptive) 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) 104 1/2 cfs and/or (b) _____ *
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. Pump water From Riverside
Creek over a water fall and back into Riverside Creek
- 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 ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? _____; 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
1 years (minimum 1 year).

FL 9/16/93

* Pld - type & IDWR Records
Rate - per telam with Mr. Jones so can
be exempted from moratorium.

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. _____
- e. Other; describe fully. Water Divinity at homesite (per pg. 1 of Appl.) *

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.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	1E	23								X									
										LS									

Total number of acres to be irrigated _____

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

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: Single point of diversion from River on or near line between Lot 1 (NGSE) & Lot 2 (NWSE), S23, T04, R01E, into "Riverside Creek".
Water subsequently withdrawn from & returned to waterway locally known as Riverside Creek in SENW, S23, T04N, R01E.
(* per top & applicant's maps. R 9/16/93)
Lot 42, BL 1, Woods No. 2 at Riverside Subdivision.

APR 15 1994

[illegible]

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.

Application for permit to appropriate

Barry J. Jones
(Applicant)

\$ 15 Refund due - SEC 9/28/93 memo

Received by DB Date 8-6-93 Time _____ Preliminary check by SL
Fee \$ 450 30⁰⁰ Receipted by AD # WD16589 Date 8-6-93
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:

APR 15 1994



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 18, 1996

BURKE JONES
9640 W PEBBLE BROOK LN
BOISE ID 83703

RE: WATER RIGHT NO. 63-12060

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

APR 20 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 63-12060 DATE 4-5-96



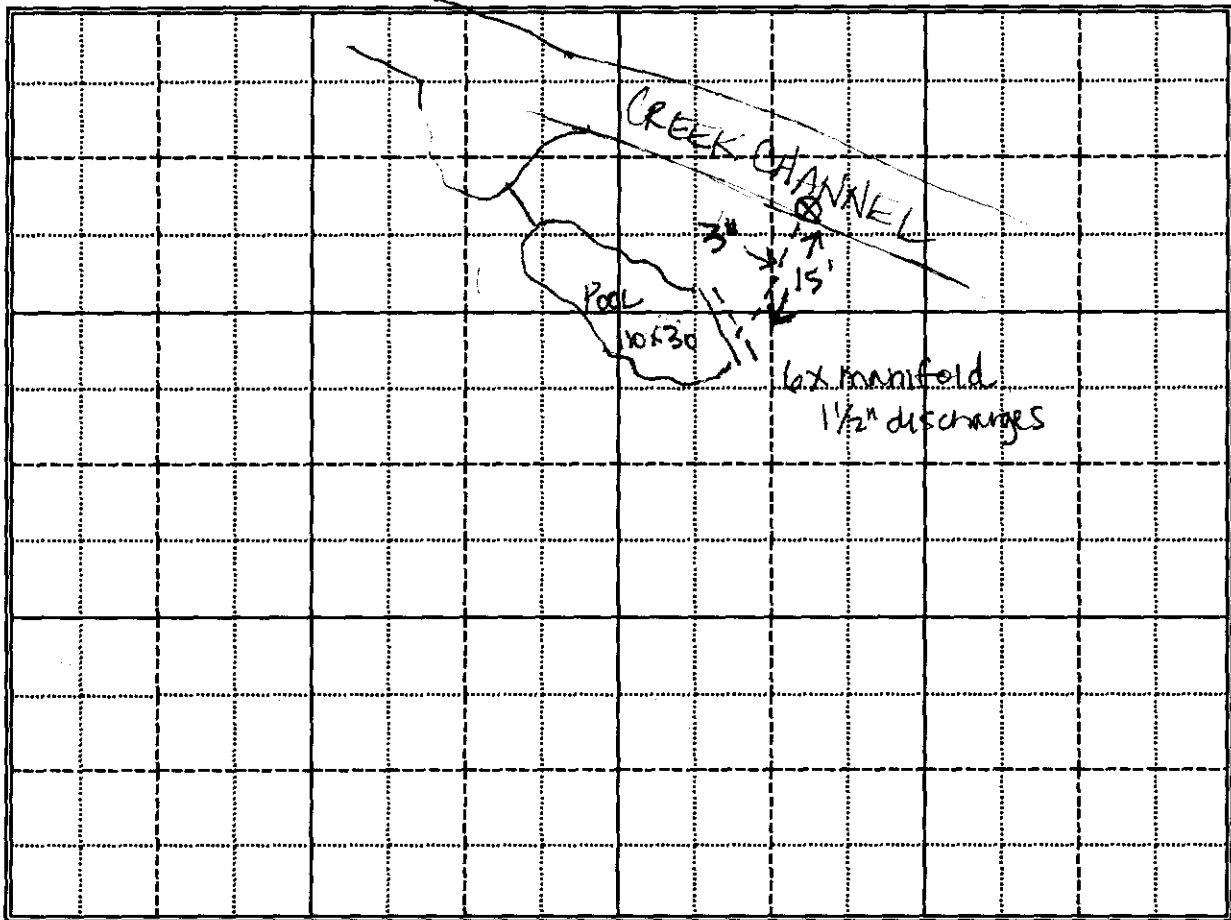
NAME	Change OK ☒	Assignment Needed _____
PRIORITY DATE	☒	Advance? _____ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? _____
SOURCE	☒	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	☒ <u>NA</u>	Amendment needed? <u>(LOT 1 P/D DESCRIPTION ONLY)</u> Overlaps? _____
PLACE OF USE	☒ <u>NA</u>	Amendment needed? _____ Overlaps? _____
DIV RATE	☒	Permit/fee limits: <u>.04 CFS</u> Meas Q = <u>.36</u> Theo Q = _____ Recommend: <u>.04</u> <u>Limited by permit</u> Combined rates exceed capacity _____
ANNUAL VOLUME	☒	Volume Limit: _____ Season: <u>1-1 to 12-31</u> Calculations: <u>RUNS 5 pro/day</u> <u>.04 X 5/24 X 365 X 1.9835 = 6 AF</u> Flow limit: _____ cfs x _____ x 1.9835 = _____ Combined volumes exceed capacity/allowable _____
USES	☒	Change in Nature of Use or additional uses? _____ Amendment necessary? _____
NEW CONDITIONS	☒ <u>YES</u>	Irrigation Overlap Replaces Surface Water <u>050</u> Supplemental GW <u>065</u> Water Quality/Dam Safety/Heat-Cool/Fish _____ WM Control- District <u>R04</u> (Meas/Lock Devices <u>R02</u>) Other _____ <u>FLOW RETURNS IMMEDIATELY</u> <u>REMOVE LOCKING DEVICE</u>
NEW REMARKS	☒ <u>YES</u>	Supplemental GW [in Snake River Plain] <u>WB8/WB7</u> Irr/Dom Combination <u>WB5</u> PPU Recommendation _____ Boise River/Wood River Source Aes/Rec Uses <u>W38</u> Multiple p/d(s) in 1/4 1/4? _____ Fire Protection <u>WB6</u> Other _____

COMMENTS: _____

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NO</u>
<u>Aesthetic</u>	<u>.04</u>	<u>6.0</u>	Adjustment Memo Needed	<u>NO</u>
_____	_____	_____	LICENSE	☒
_____	_____	_____	1ST AMEND LETTER	_____
_____	_____	_____	2ND AMEND LETTER	_____

[illegible]

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



Scale: 1" = NTS

☒ 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
	W/K	1			2"

*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 gals in 1 sec x 6 lines

APR 30 1996

E. NARRATIVE/REMARKS/COMMENTS

$\frac{3}{4}$ or 1 HP pump, 6' lift to discharge manifold. 6, (SIX) individually valved discharge points using $1\frac{1}{2}$ " flexline. pump to manifold is 3" flexline. Meas. taken by opening all valves fully, taking timed fill from one representative line:

Aesthetic use is for a water fall.

~~Point of diversion changed to lot 6. Source known locally as Riverside Creek, which was originally a north channel of the Boise River. Original P/D on permit shows as~~ Rediversion within (SE NW) Lot 6 Sec 23.

Place of use is located within Lot 42 Bk. 1 Woods No. 2 at Riverside Subdivision,

System capacity greatly exceeds permit limit. Although normal operation occurs ~~stop~~^{at somewhat} valved down flows, total diversion still exceeds 18 gpm.
* System is not lockable. Flows return immediately to channel.

As with prior recommendations of this type, volume calculated based on average 5 hrs/day operation.

~~ok~~
~~The correct apt lot assigned to P/D. See attached plot map~~
Overlaps - Numerous aesthetic rights share the P/D at the canal headgate. None affect this permit.

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

1002010395

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$\frac{5 \text{ gals} \times 60 \text{ sec/min}}{11 \text{ sec}} = 27.2 \text{ gpm} \times 6 \text{ lines} = 163 \text{ gpm} = .36 \text{ cfs}$$

$$\text{Permit Limit} = .04 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

$$.04 \text{ cfs} \times 1.9835 \text{ AF/cfs} \times \frac{5 \text{ hrs}}{24 \text{ hrs/day}} \times 365 \text{ days/yr} = 6.03 \text{ AFA}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>AESTHETIC</u>	<u>1/1</u>	<u>12/31</u>	<u>.04</u>	<u>6.0</u>
Totals:			<u>.04</u>	<u>6.0</u>

2. Recommended Amendments

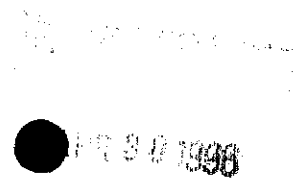
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ Other Clarify govt to be OK

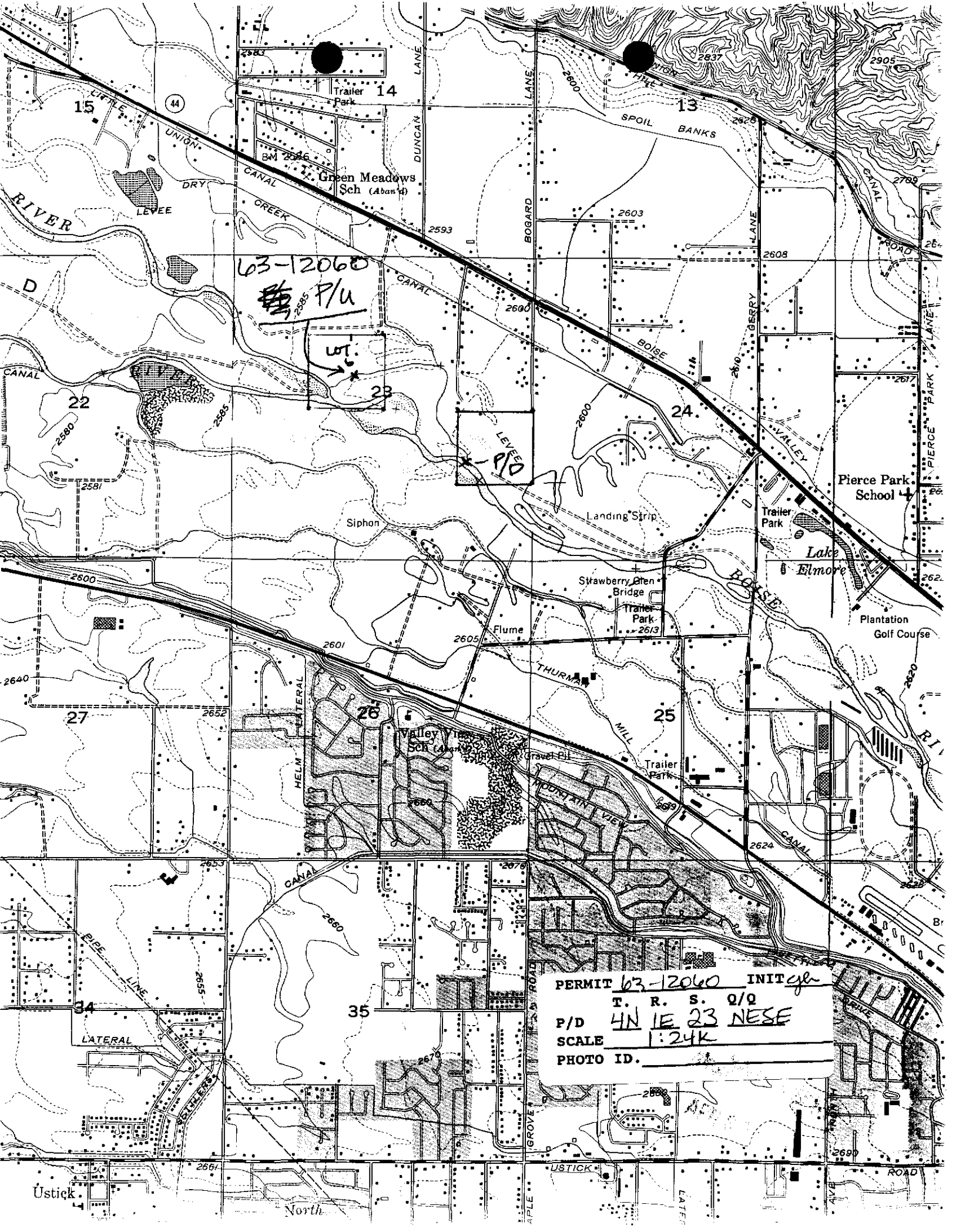
I. AUTHENTICATION

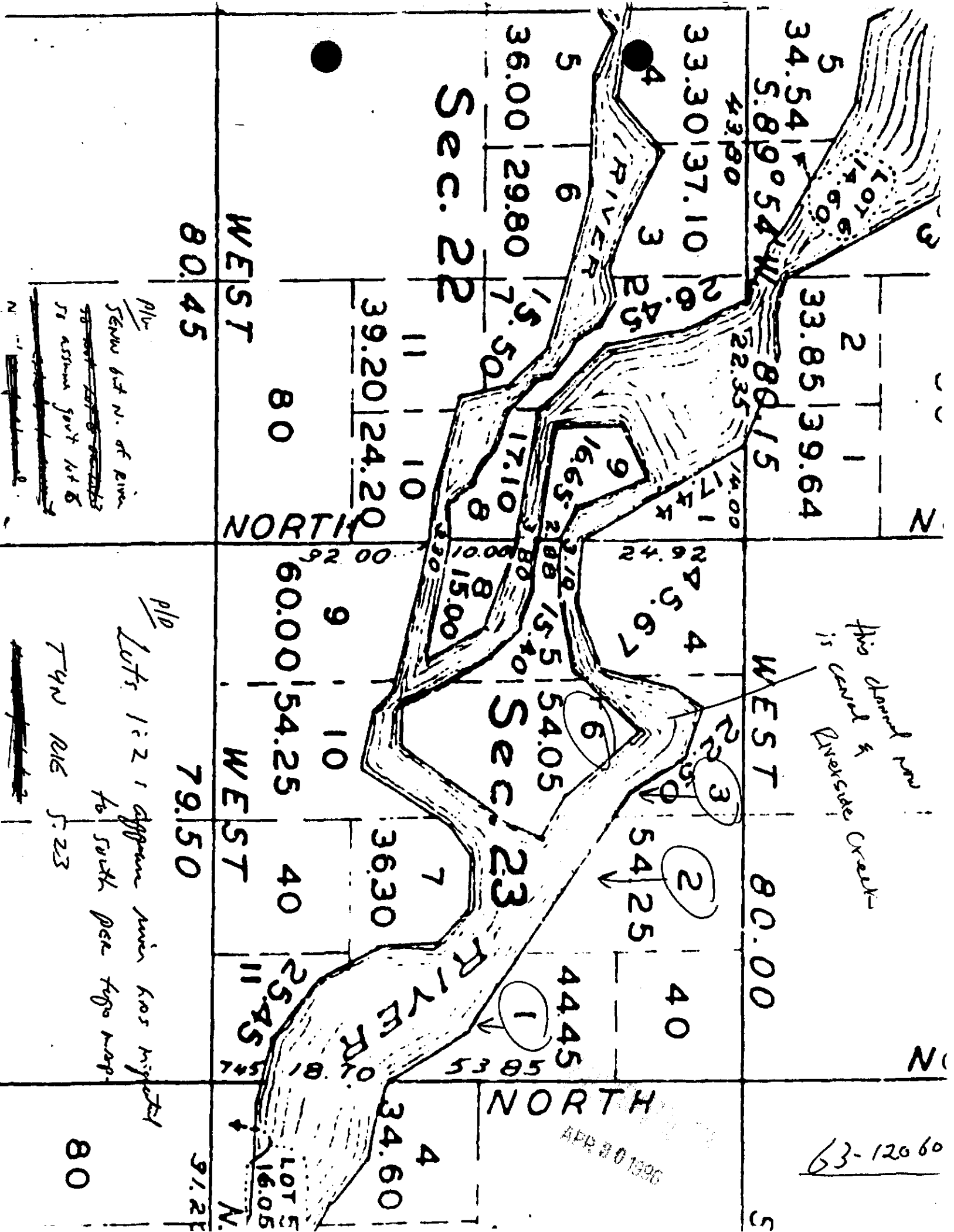
Field Examiner's Name Cindy Hodges Date 2/16/96

Reviewer _____ Date _____

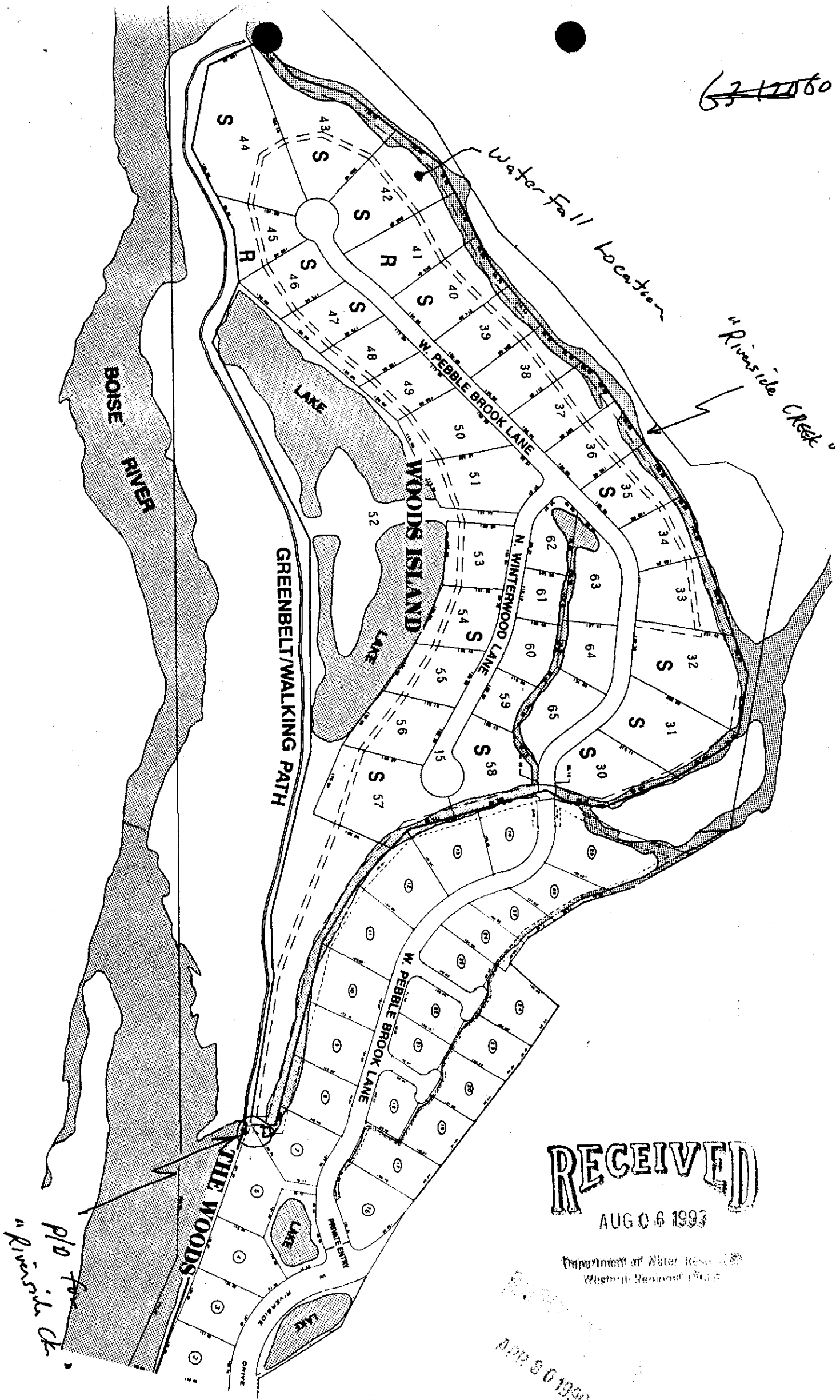
SEAL







6212060



RECEIVED
AUG 06 1993

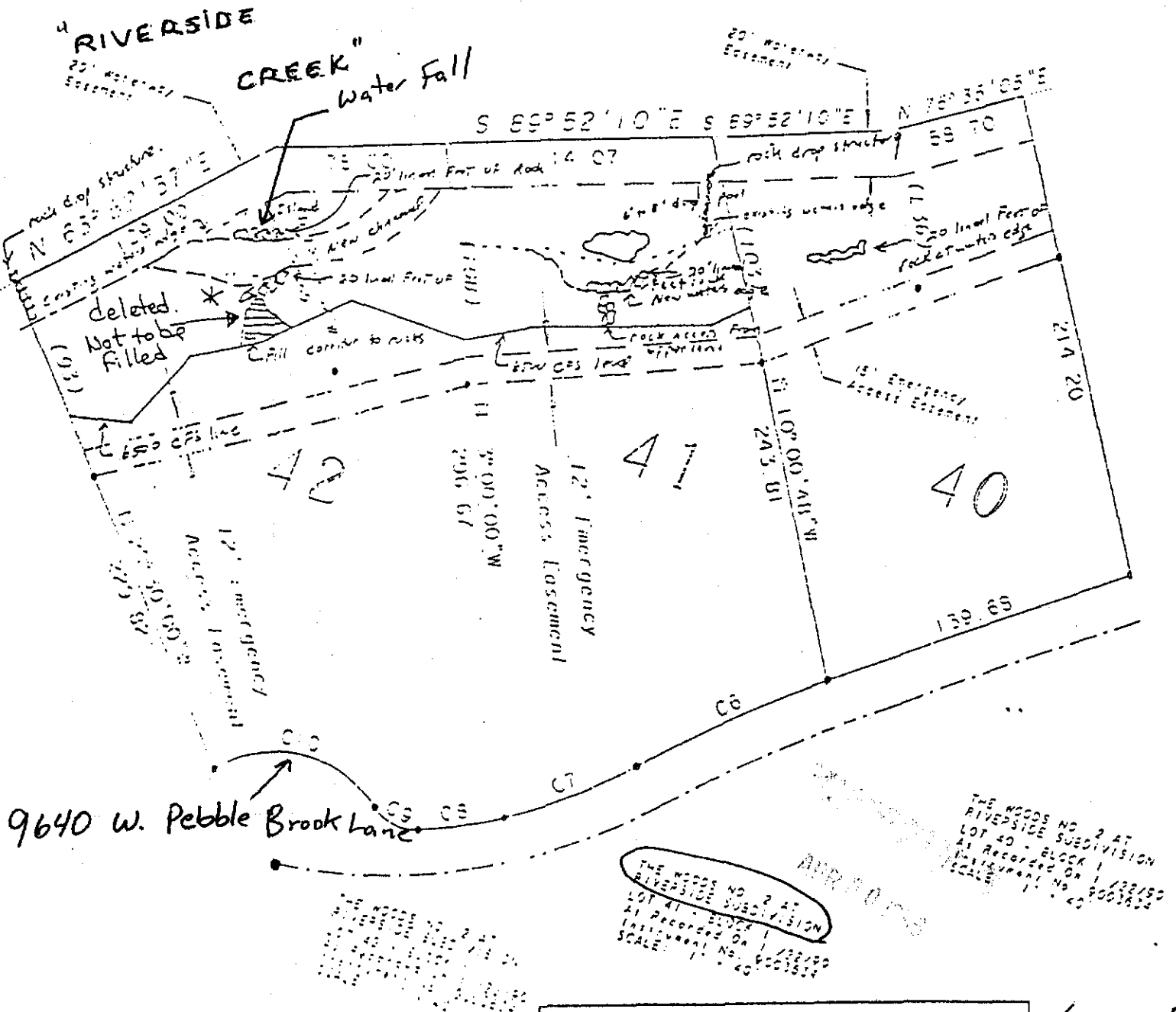
Department of Water Resources
Western Regional Office

APR 30 1996

RECEIVED

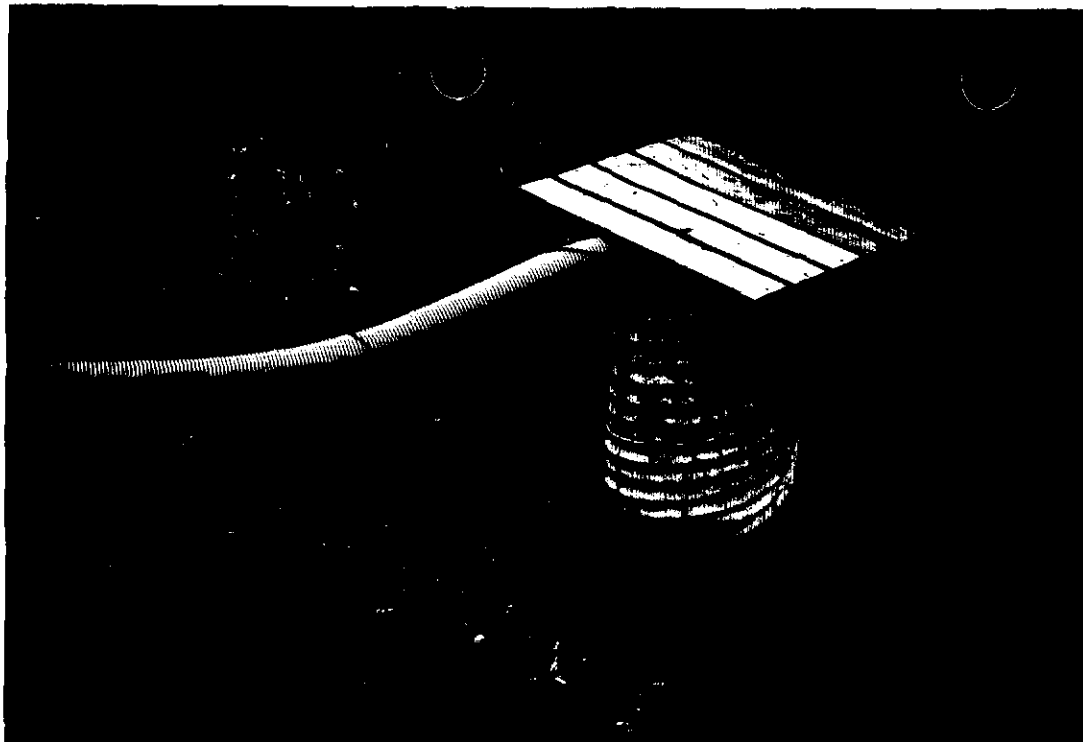
AUG 06 1993

Department of Water Resources
Western Regional Office



NPW No. 920202300
APPLICANT: Idaho Forest Industries
Waterway: Riverside Creek
a side channel of Boise River.
Ada County, Idaho
Sheet 6 of 7
Date: 10/15/92
PLANS REDUCED FROM ORIGINAL
NOT TO SCALE
* modified by HONE 2/4/93

63-12060



P/D



Control valves
Rear of
waterfall



P/W

APR 30 1985

63-12060



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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 27, 1995

BURKE JONES
9640 W PEBBLE BROOK LN
BOISE ID 83703

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 63-12060

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.

Please be advised that one of the conditions of your water right permit requires that the permit holder install a lockable devise to provide the watermaster suitable control of the diversion (refer to condition # 3 of your permit). This condition must be complied with before the license exam, or you can request in writing, a waiver of the condition.

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

MAR 29 1995

BURKE P. JONES

9640 W. PEBBLE BROOK LANE
BOISE, IDAHO 83703

RECEIVED

FEB 21 1995

Department of Water Resources

February 20, 1995

Julie L. Yarbrough, Senior Secretary
State of Idaho
Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

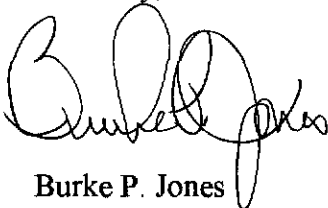
Re: Permit Number 63-12060

I am enclosing the following information in support of beneficial use of the water granted by your permit # 63-12060:

- 1) Completed Form #217, "Proof of Beneficial Use".
- 2) Check #12542 in the amount of \$50.00.

Please call me if you need any additional information.

Sincerely,



Burke P. Jones

December 31, 1994

BURKE JONES
9640 W PEBBLE BROOK LN
BOISE ID 83703

PROOF DUE NOTICE

RE: PERMIT NO. 63-12060

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, 1995.

(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.

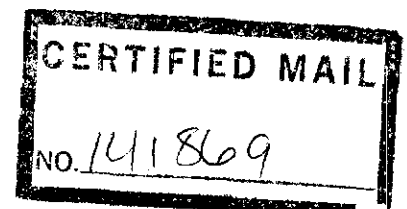
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MAR 29 1995





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

July 27, 1994

Mr. Wm. David Evans
9600 W. Pebble Brook Ln.
Boise, ID 83703

RECEIVED

JUL 28 1994

Re: Application for Permit No. 63-12131

Dear Mr. Evans:

As we discussed yesterday, your recent application for aesthetic use has been redescribed to fit within a standard format used by this agency in recording water right filings. Your application is almost identical to two new permits issued to neighbors in your area (permit nos. 63-12060 and 63-12061). Enclosed are two copies of your revised application. Please note that the rate of flow was reduced from .50 cfs to .20 cfs to match the \$50 fee that you paid.

Two key items are related to the application. One is the Stream Channel Alteration (SCA) Application needed to cover return flows to "Riverside Creek". A SCA filing is pending at this office and will be integrated with the water right processing.

The second item concerns flows in the Boise River that are at times partly or completely within a storage water right released to the river by contract between the Bureau of Reclamation and the Idaho Department of Fish & Game (IDFG). In order to process your water right application, this office needs a letter of approval from IDFG for the proposed use to alleviate concerns about possible use of contracted storage water. Please contact Cindy Robertson at IDFG (334-2597) to discuss this matter. One of the application copies can be provided by you to her for this purpose.

Meanwhile, your application will be advertised but final processing will be held pending a response coordinated via IDFG. Please contact me if you have any questions.

Sincerely,

Steve Lester
Water Rights Supervisor

c: Cindy Robertson, IDFG
Gene Gibson, IDWR Western Region

JUL 29 1994



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

April 12, 1994

BURKE JONES
9640 W PEBBLE BROOK LN
BOISE ID 83703

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12060

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.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

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

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

APR 15 1994

MEMORANDUM

DATE: March 30, 1994
TO: File No. 63-12060
FROM: Cindy Zimmerman
SUBJECT: Point of diversion legal description

=====

During the permit review of the above referenced application, I noted that the legal description of the point of diversion on the application may be incorrect.

The p/d listed on the application, Lt 1 (SWNESE), & Lt 2 (SEWSE), S23, T04N, R01E, identifies the beginning of a side channel on the north side of the Boise River; whereas, the water is actually diverted from that side channel at Lt 6 (SEW), S23, T04N, R01E.

It is the common understanding of the Boise River Watermaster and Idaho Dept. of Fish & Game, who initially protested this application, that this diversion occurs from a side channel that runs through Riverside Village and that this channel is considered a natural channel of the river and would naturally have water flowing through it throughout the year.

Following the lead of the region, clarification of the legal description of the actual point of diversion will be resolved during the licensing review of the permit.

APR 15 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

February 8, 1994

CAL GROEN CHIEF
NATURAL RESOURCES POLICY BUREAU
ID FISH & GAME
600 S WALNUT BOX 25
BOISE ID 83707-0025

Re: Application for Permit No. 63-12060 in the Name of Burke
Jones and No. 63-12061 in the Name of Jim Tierney

Dear Interested Parties:

This office acknowledges receipt of the Withdrawal of Protest
of the above-referenced applications.

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

If you have any questions please call this office.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

CC: Applicants

APR 15 1994



IDAHO FISH & GAME

600 South Walnut / Box 25
Boise, Idaho 83707-0025

Cecil D. Andrus / Governor
Jerry M. Conley / Director

February 4, 1994

RECEIVED

FEB 07 1994

WATER RESOURCES
WESTERN REGION

Mr. David Tuthill, Manager
Western Region Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RE: Protested applications for permit numbers 63-12060 and 63-12061 (in the names of Burke Jones and Jim Tierney, respectively)

Dear Dave:

This letter is to acknowledge previous conversations that we have had regarding the above-referenced applications. I have met with the applicants and their representative, John Evans, and discussed our concerns that additional withdrawals could have significant impacts on the wintertime flows in the Boise River. We also discussed our concern that the Idaho Department of Water Resource (IDWR) considers the Boise River essentially fully appropriated, except for flood flows, and therefore, there is no water for new appropriations. This was the basis for the Idaho Water Resource Board's decision not to pursue a minimum streamflow application for the Boise River between Lucky Peak and the mouth.

Since that time, the Idaho Department of Fish and Game (IDFG) has entered into discussions with IDWR and the Bureau of Reclamation (BOR), and it appears that we are nearing resolution of our concerns for providing wintertime flows down the Boise River. We also have learned that the Boise River near the Glenwood gage is apparently a gaining reach and that an additional 10 to 20 cfs enters the river above the gage. These flows could be available for appropriation as long as other senior uses can be met.

Finally, we had concerns that there was not a valid water right to provide water to the channel that flows through Riverside Village during the non-irrigation season. There was confusion as to where New Dry Creek Ditch Company's diversion is located (i.e. on the main river or on the side channel that runs through Riverside Village), and whether or not water would naturally flow through this side channel.

It is our understanding that water released from Lucky Peak for the purpose of providing streamflow maintenance from storage is protected from Lucky Peak Dam to the mouth up to the amount agreed to by the BOR and IDFG on an annual basis. Water in the river in excess of that amount could be available for appropriation. We understand that the reach of the Boise River in the vicinity of the Glenwood gage is considered a gaining reach and that an additional 10 to 20 cfs over and above the amount of water released from Lucky Peak

APR 15 1994

David Tuthill
February 4, 1994
Page 2

Reservoir may be present in the river. We further understand that this water could be available to satisfy the water right applications filed by Mr. Burke and Mr. Tierney. We also understand that the channel running through Riverside Village is considered a natural channel of the river and would naturally have water flowing through it during the winter.

Based on our understanding of the above conditions, IDFG agrees to withdraw our protest of the above-referenced water right applications. However, if our understanding of the situation is in error, we wish to reserve the opportunity to continue with our protest of these applications without prejudice. Thank you for your help in resolving this matter.

Sincerely,



Cal Groen, Chief
Natural Resources Policy Bureau

CG:CR:alb

cc: Scott Grunder
Steve Goddard

APR 15 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 28, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

CAL GROEN CHIEF
NATURAL RESOURCES POLICY BUREAU
ID FISH & GAME
600 S WALNUT BOX 25
BOISE ID 83707-0025

Re: Applications for Permit Nos. 63-12060 in the Name of Burke Jones and 63-12061 in the Name of Jim Tierney

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

If this office can be of further assistance, please contact us.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT/st

APR 15 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 28, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

BURKE JONES
9640 W PEBBLE BROOK LN
BOISE ID 83703

Re: Application for Permit No. 63-12060

Dear Applicant:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to the above-referenced application. The Department suggests that you contact the protestant(s) and attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for a conference. At such a conference, the following are the principle items the Department will review (per Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Please contact this office if you have questions regarding this procedure.

Sincerely,

A handwritten signature in cursive script that reads 'David R. Tuthill, Jr.'.

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

Enclosure: Copy of protest(s)

APR 15 1994



IDAHO FISH & GAME

600 South Walnut / Box 25
Boise, Idaho 83707-0025

Cecil D. Andrus / Governor
Jerry M. Conley / Director

October 12, 1993

RECEIVED

OCT 13 1993

**WATER RESOURCES
WESTERN REGION**

Mr. David Tuthill *Dave*
Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Applications for Permit to Appropriate Water Nos. 63-12060 and 63-12061 (B. Jones and J. Tierney)

Dear Dave:

We have reviewed the above-referenced water right filings and have the following comments. Idaho Department of Water Resources personnel have stated that the Boise River is considered fully appropriated except for flood waters. Based on this statement, we protest the issuance of these permits as they appear in the water rights filings summary. However, if the permits are conditioned such that diversion can occur only when there is flood water available during the late spring and early summer, we will withdraw our protest.

If you have questions regarding this matter, please contact Cindy Robertson at 334-2597. Thank you for the opportunity to comment.

Sincerely,

Cal Groen, Chief
Natural Resources Policy Bureau

CG:CR:tlv

cc: Scott Grunder, Region 3, IDFG
Marti Bridges, Idaho Rivers United

APPLICATION FOR PERMIT FOR WATER RIGHT

RECEIVED

OCT 12 1993

NO. 63-12060

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

I, Lee Sisco, watermaster of
Boise River, of Water District No. 63, County of
Ada, State of Idaho, whose address is
_____, have read
the attached copy of the application for permit for a water
right in the name of Burke Jones.

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: _____

OR

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

See comments on 63-12061

Dated at Boise, Idaho, this 8 day of
Oct, 1993

Lee Sisco
(signature)

Please use reverse side if needed.



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

October 1, 1993

LEE SISCO WATERMASTER
214 BROADWAY
BOISE ID 83702

Re: Applications for Permit No. 63-12060 in the Name of Burke
Jones and No. 63-10261 in the Name of Jim Tierney

Dear Watermaster: (Lee)

Enclosed are applications for water rights within your water
district. Also enclosed is a form for your recommendation
concerning these applications for permit.

Please review the applications and return your recommendation
within two weeks. If you have questions or need information,
feel free to contact this office.

Sincerely,

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

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Enclosure: Copy of Application
Recommendation of Watermaster Form

MEMORANDUM

TO: NANCY HANDZEL

FROM: STEVE LESTER

DATE: SEPT. 28, 1993

SUBJ: REFUND

Two applications for permit were filed and the amount of water in each was subsequently reduced by applicant from a \$45 fee to \$30 fee category. Please issue a \$15 refund to each of the following parties:

Burke Jones (853-8383)
9640 W. Pebble Brook Ln.
Boise, ID 83703

Appl. No. 63-12060

Receipt No. W016589

Jim Tierney (853-8117)
9660 W. Pebble Brook Ln.
Boise, ID 83703

Appl. No. 63-12061

Receipt No. W016607

Thanks,



Steve Lester
Water Rights Supervisor

CC: Application for Permit files

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

104.25

Account Number 047628		Identification NOTICE OF APPLICATION FOR WATER RIGHT	
Ordered By Sur Taylor	P.O. Number	Rate NT	Run Dates October 7, 14, 1993
State of Idaho Department of Water Resources Western Region 2735 Airport Way Boise, Idaho 83705		Estimated Inches	Real Inches
		= Affidavits 1	Legal Number 6053

RECEIVED

OCT 18 1993

WATER RESOURCES
WESTERN REGION

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12055

BOISE WATER CORPORATION
PO BOX 7488

BOISE, ID 83707

Source: BOISE RIVER

Diversion Pt: LOT 7 (SENE)

Use: MUNICIPAL

Total Diversion:

Date Filed:

Place of Use is within the Boise city limits and the area outside the city limits served currently or in the future by Boise Water Corporation.

63-12060

JONES, M BURKE

9640 W PEBBLE BROOK LN

BOISE, ID 83703

Source: BOISE RIVER

Diversion Pt: LOT 1 (SWNESE) Sec 23 T 04N R 01E in ADA County.

LOT 2 (SENWSE) Sec 23 T 04N R 01E in ADA County.

Use: AESTHETIC

Total Diversion:

Date Filed:

In: ADA County

T04N R01E S23 Lot 6 (SENW)

63-12061

TIERNEY, JIM

9640 W PEBBLE BROOK LN

BOISE, ID 83703

Source: BOISE RIVER

Diversion Pt: LOT 1 (SWNESE) Sec 23 T 04N R 01E in ADA County.

LOT 2 (SENWSE) Sec 23 T 04N R 01E in ADA County.

Use: AESTHETIC

Total Diversion:

Date Filed:

In: ADA County

T04N R01E S23 Lot 6 (SENW)

Permit(s) 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 October 25, 1993, 1993.

R. Keith Higginson, Director

Pub. October 7, 14, 1993

6053

J.PAN

being duly

that she is the Principal Clerk of The newspaper printed and published at Boise, and having a general circulation therein has been continuously and uninterruptedly during a period of twelve consecutive publication of the notice, a copy of which is notice was published in The Idaho Section 60-108, Idaho Code as

consecutive daily ☐ single ☐ odd skip

the issue of OCTOBER 7, 1993

OCTOBER 14, 1993

J. Payne-Culpan

ss.

y of OCTOBER in the year of a Notary Public, personally appeared AN, known or identified to name subscribed to the within instrument, yorn, declared that the statements therein to me that she executed the same.

Public for Idaho

BOISE, ID

t

My commission expires: 11-27-93

63-12060

JONES, BURKE
9640 W PEBBLE BROOK LN
BOISE, ID 83703

Source: BOISE RIVER

Tributary: SNAKE RIVER

Diversion Pt: LOT 1 (SWNESE) Sec 23 T 04N R 01E in ADA County.
LOT 2 (SENWSE) Sec 23 T 04N R 01E in ADA County.

Use: AESTHETIC (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 8/ 6/1993

In: ADA County
T04N R01E S23 Lot 6(SENW)