

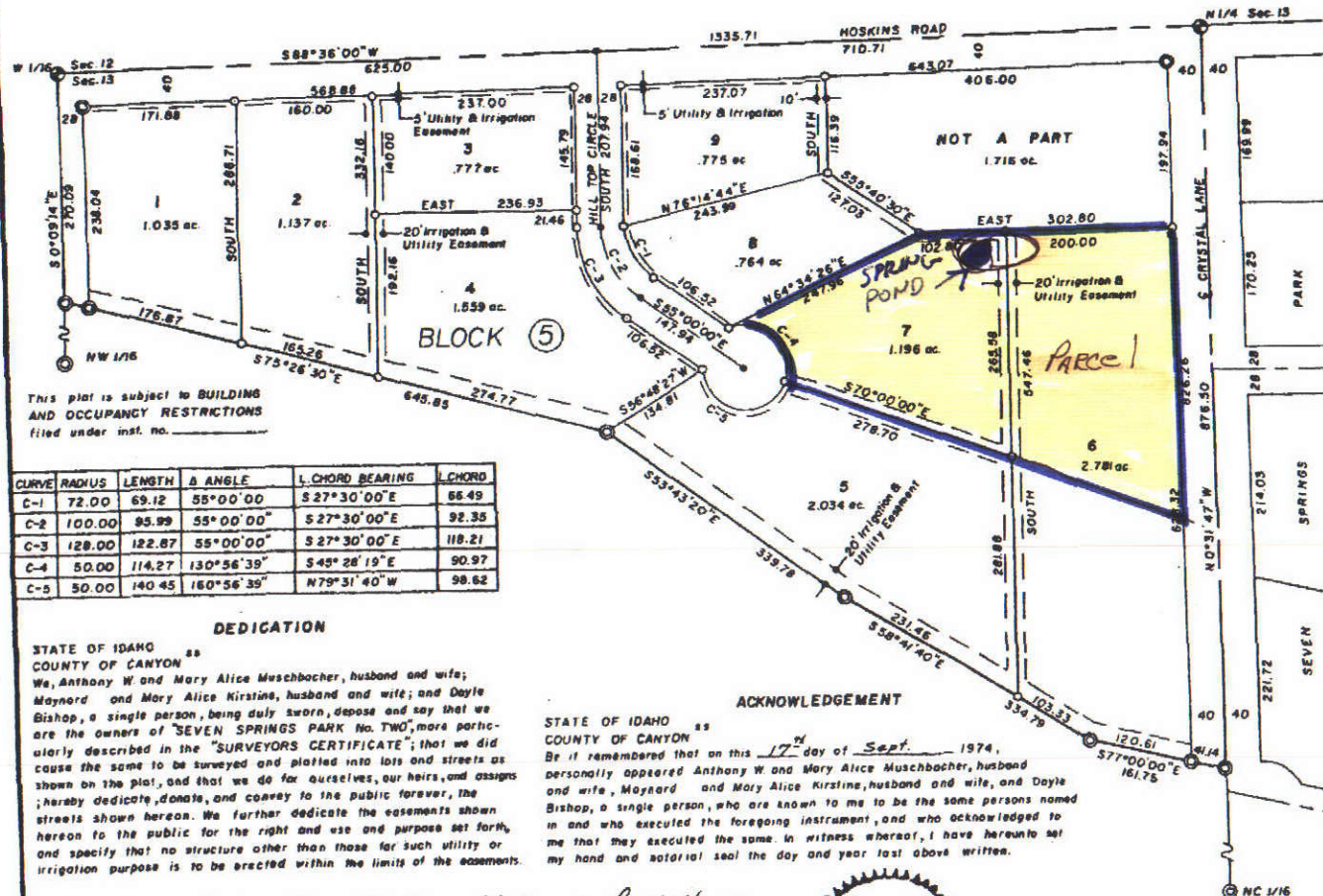
SEVEN SPRINGS PARK No. TWO

A PART OF THE NE 1/4 NW 1/4, SEC. 13, T3N, R5W, B.M., CANYON COUNTY, IDAHO

743

24P 65 11-29 AM '74

Willa Stewart



This plot is subject to BUILDING
AND OCCUPANCY RESTRICTIONS
filed under inst. no. _____

CURVE	RADIUS	LENGTH	Δ ANGLE	CHORD BEARING	CHORD
C-1	72.00	69.12	55°00'00"	S 27°30'00"E	66.49
C-2	100.00	95.99	55°00'00"	S 27°30'00"E	92.35
C-3	128.00	122.87	55°00'00"	S 27°30'00"E	118.21
C-4	50.00	114.27	130°56'39"	S 45°28'19"E	90.97
C-5	50.00	104.45	160°56'39"	N 79°31'40"W	98.62

DEDICATION

STATE OF IDAHO ss
COUNTY OF CANYON
We, Anthony W and Mary Alice Wuschbocher, husband and wife;
Waymond and Mary Alice Kirstine, husband and wife; and Doyle
Bishop, a single person, being duly sworn, depose and say that we
are the owners of "SEVEN SPRINGS PARK NO. TWO," more particu-
larly described in the "SURVEYORS CERTIFICATE"; that we did
cause the same to be surveyed and platted into lots and streets as
shown on the plat, and that we do for ourselves, our heirs, and assigns
; hereby dedicate, donate, and convey to the public forever, the
streets shown hereon. We farther dedicate the easements shown
hereon to the public for the right and use and purpose set forth,
and specify that no structure other than those for such utility or
irrigation purpose is to be erected within the limits of the easements.

Anthony W. Muschbacher
Anthony W. Muschbacher

Mary Alice Muschbocher
Mary Alice Muschbocher

Maynard Kirstine
Maynard Kirstine

Mary Alice Kirstine

Darryl Bishop
Darryl Bishop

SEP 30 1999

ACKNOWLEDGEMENT

STATE OF IDAHO ^{as}
COUNTY OF CANYON ⁱⁿ
Be it remembered that on this 17 day of Sept. 1974,
personally appeared Anthony W and Mary Alice Muschbacher, husband
and wife, Maynard and Mary Alice Kirstine, husband and wife, and Dayle
Bishop, a single person, who are known to me to be the same persons named
in and who executed the foregoing instrument, and who acknowledged to
me that they executed the same in witness whereof, I have hereunto set
my hand and notarial seal the day and year last above written.

John W. Howe
Notary Public for Idaho
My Commission expires 3/18/78

SURVEYORS CERTIFICATE

STATE OF IDAHO 88
COUNTY OF CANYON

I, John W. Howe, a Registered Professional Land Surveyor in the State of Idaho, do hereby certify that I have surveyed, subdivided and plotted SEVEN SPRINGS PARK No. TWO in the NE 1/4, NW 1/4, Sec. 13, T3N, R5W, B.M.; more particularly described as follows: BEGINNING at the North 1/4 corner of said Sec. 13; thence S88°36'00"E 1335.71 ft. along the North boundary of said NE 1/4 NW 1/4; thence S0°09'14"E 270.08 ft. along the West boundary of said NE 1/4 NW 1/4; thence S75°26'30"E 645.85 ft.; thence S53°43'20"E 339.78 ft.; thence S58°41'40"E 334.79 ft.; thence S77°00'00"E 161.75 ft.; thence N0°31'47"W 876.50 ft. along the East boundary of said NE 1/4 NW 1/4 to the POINT OF BEGINNING. This parcel contains 16.537 acres. The bearings are based on the Plat of SEVEN SPRINGS PARK and the GLD Township Plat.

I further certify that I made the survey under the direction of the owners thereof, and that the size of all lots and the width of all streets are as shown on this plat.

ALPHA ENGINEERS

Subscribed and sworn to before
me this 16th day of Sept 1974
James Y...
Notary Public for Idaho
Commission expires 7-14-78

APPROVALS

I, Melvin V. Davenport, do hereby certify that I have examined the plat of "SEVEN SPRINGS PARK No. TWO," and that the accuracy thereof complies with the requirements of Idaho State Law.

Melvin V. Davenport 17 day of Sept. 1974
CANYON COUNTY ENGINEER

COUNTY PLANNING COMMISSION

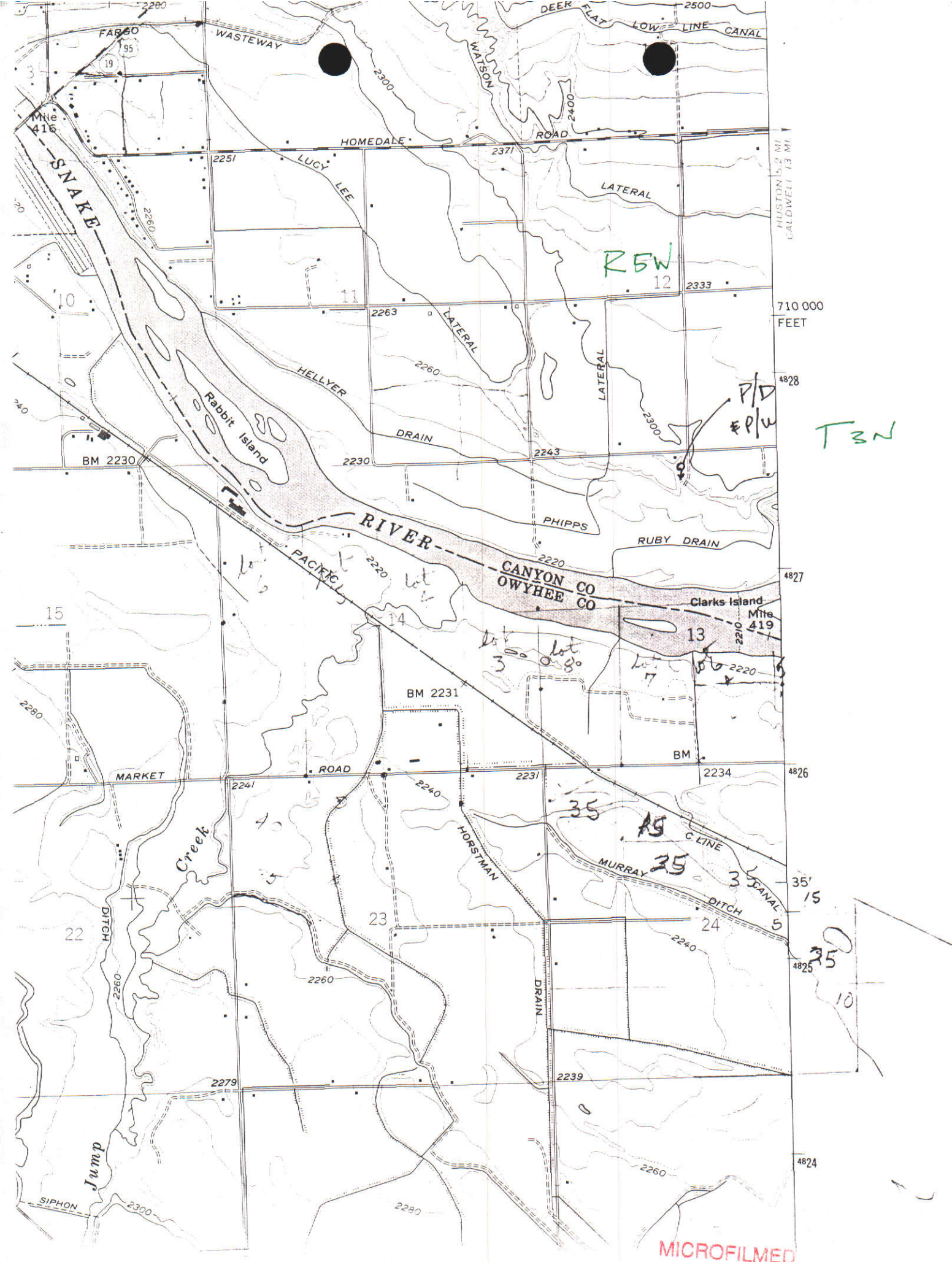
John G. Brinkman Robert L. Robinson
CHAIRMAN SECRETARY

BOARD OF COUNTY COMMISSIONERS

Accepted and approved this 19th day of September 1974 by the Board of County Commissioners of Canyon County, Idaho.

W. G. Anthony
CHAIRMAN

W. J. [unclear]
CLERK



MICROFILMED

CFD

RECEIVED

JUL 26 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

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.

1. Permit No. 63-12053 Telephone No. 208-337-3089

2. Name of Permit Holder(s): Raymond H AND Anne B Spurlock

3. Mailing Address: 15916 Hilltop Circle

City Wilder State Id. Zip 83676

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

a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____

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

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

Irrigation (No. of acres): 3 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.09 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 _____

8. Fee Enclosed: \$ 50 (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: AS ABOVE Telephone Number: _____

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 water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Raymond H Spurlock
(include your title, if on behalf of owner of organization)

Date: 7-22-00

SEP 13 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSE EXAMINATION FEE SCHEDULE

(C.F.S. = cubic feet per second AF = acre feet)

<u>CFS</u>	<u>AF</u>	<u>FEE</u>
0 - 0.20	0 - 20	\$50.00*
.21 - 1.00	21 - 100	100.00
1.01 - 2.00	101 - 200	125.00
2.01 - 3.00	201 - 300	150.00
3.01 - 4.00	301 - 400	175.00
4.01 - 5.00	401 - 500	200.00
5.01 - 6.00	501 - 600	225.00
6.01 - 7.00	601 - 700	250.00
7.01 - 8.00	701 - 800	275.00
8.01 - 9.00	801 - 900	300.00
9.01 - 10.00	901 - 1000	325.00
10.01 - 11.00	1001 - 1100	350.00
11.01 - 12.00	1101 - 1200	375.00
12.01 - 13.00	1201 - 1300	400.00
13.01 - 14.00	1301 - 1400	425.00
14.01 - 15.00	1401 - 1500	450.00
15.01 - 16.00	1501 - 1600	475.00
16.01 - 17.00	1601 - 1700	500.00
17.01 - 18.00	1701 - 1800	525.00
18.01 - 19.00	1801 - 1900	550.00
19.01 - 20.00	1901 - 2000	575.00
20.01 - over	2001 - over	600.00

*Checks should be made payable to the
Idaho Department of Water Resources (IDWR.)

A license examination fee is not required in connection with
permits which use a ground water source **AND** have a total rate of
diversion of 0.04 cfs or less or where the total volume stored is 4.0 AF per annum or less.

A license exam fee is required for **ANY** permit which uses surface water.

MICROFILMED
SEP 13 2000

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12053

Proposed Priority: September 14, 1993 Maximum Diversion Rate: 0.09 CFS

This is to certify, that **RAYMOND H SPURLOCK**
ANNE B SPURLOCK
15916 HILLTOP CIRCLE
WILDER ID 83676

has applied for a permit to appropriate water from:
SPRING 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>
-----------------------	----------------------	--------------------------

IRRIGATION	03/15 to 11/15	0.09 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NENENW , Sec. 13, Township 03N, Range 05W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	05W	13	NENW	3.0		3.0

Total number of acres irrigated: 3.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 2000.
2. Subject to all prior water rights.
3. The right holder shall not assign or sell the permit without first securing the written approval of the Department of Water Resources.
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. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12053

CONDITIONS OF APPROVAL AND REMARKS

6. Water shall not be diverted under this right when flows in the Snake River are below established minimum flow amounts at any of the following locations: Weiser, 4750 cfs; Johnson Bar, 5000 cfs; Lime Point 13,000 cfs.
7. Point of diversion is located within Lot 7, Blk. 5, Seven Springs Park #2.
8. Place of use is located within Lots 6 and 7, Blk 5, Seven Springs Park #2.

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

9th day of August, 1999.

Karl J. Dreher
for Karl J. Dreher, Director

06/93

RECEIVED

State of Idaho

Western
RECEIVED

FEB 04 1997

DEPARTMENT OF WATER RESOURCES

FEB 04 1997

RECEIVED

Department of Water Resources

WATER RESOURCES
WESTERN REGION

FEB 07 1997

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

WATER RESOURCES
WESTERN REGION

I, CHARLES N. MAUSCHBACHER hereby assign to RAYMOND H. SPURLOCK
(Applicant) OR AMBER B. SPURLOCK
of 15916 HILTOP CIRCLE WILDER IDAHO 83676
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 63-12053 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Permit No. _____ to appropriate the public waters of the
State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

Made this 24 day of DECEMBER, 1996.

[Signature]
Applicant(s)

State of Idaho)
County of Owyhee ss

On this 24 day of December, 1996, personally appeared before me the
signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

CARRA PENNINGTON
Notary Public

SEAL

[Signature]
Signature

My commission expires: 3-11-99

MICROFILMED
SEP 26 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUL 22 1999

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant Raymond H. Spuelock Phone 208-334-3089
Post Office address 15916 Hilltop Circle, Wilder, Idaho 83676
2. Source of water supply Spring which is a tributary of Snake River
3. Location of point of diversion is NE 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____
Sec. 13 Township 03N Range 05W B.M. Canyon County; additional points of diversion if any: _____
4. Water will be used for the following purposes:

Amount <u>0.090</u> for <u>Irrigation</u>	purposes from <u>3/15</u> to <u>11/15</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>0.850</u> for <u>Storage</u>	purposes from <u>01/01</u> to <u>12/31</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>0.5</u> for <u>From Storage</u>	purposes from <u>3/15</u> to <u>11/15</u>	(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) 0.090 and/or (b) 0.5
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Pond, 3.5hp pump, pipeline to home, sprinkler system
 - b. Height of storage dam 3ft feet; active reservoir capacity 150 acre-feet; total reservoir capacity 150 acre-feet; period of year when water will be diverted to storage: 01/01 to 12/31 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 completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity if 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. Irrigation

MICROFILMED

SEP 30 1999

9. Description of place of use:

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

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	05W	13					3												3

Total number of acres to be irrigated 3

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? Raymond Spurlock

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

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

12. Remarks: COMMENTS: SYSTEM EXISTS, SPRING LOCATED IN POND, PROPERTY AKA LITS 6+7, BLK 5, SEVEN SPRINGS PARK NO. TWO. POND SIZE: 20' x 30' x 8'

REMARKS: Applicant agrees to mitigate consumptive use in the future as needed. Applicant seeks moratorium waiver due to source tributary to the Snake River.

13. MAP OF PROPOSED PROJECT ATTACHED ☒ Show clearly the proposed point of diversion, place of use, section number, township and range number.

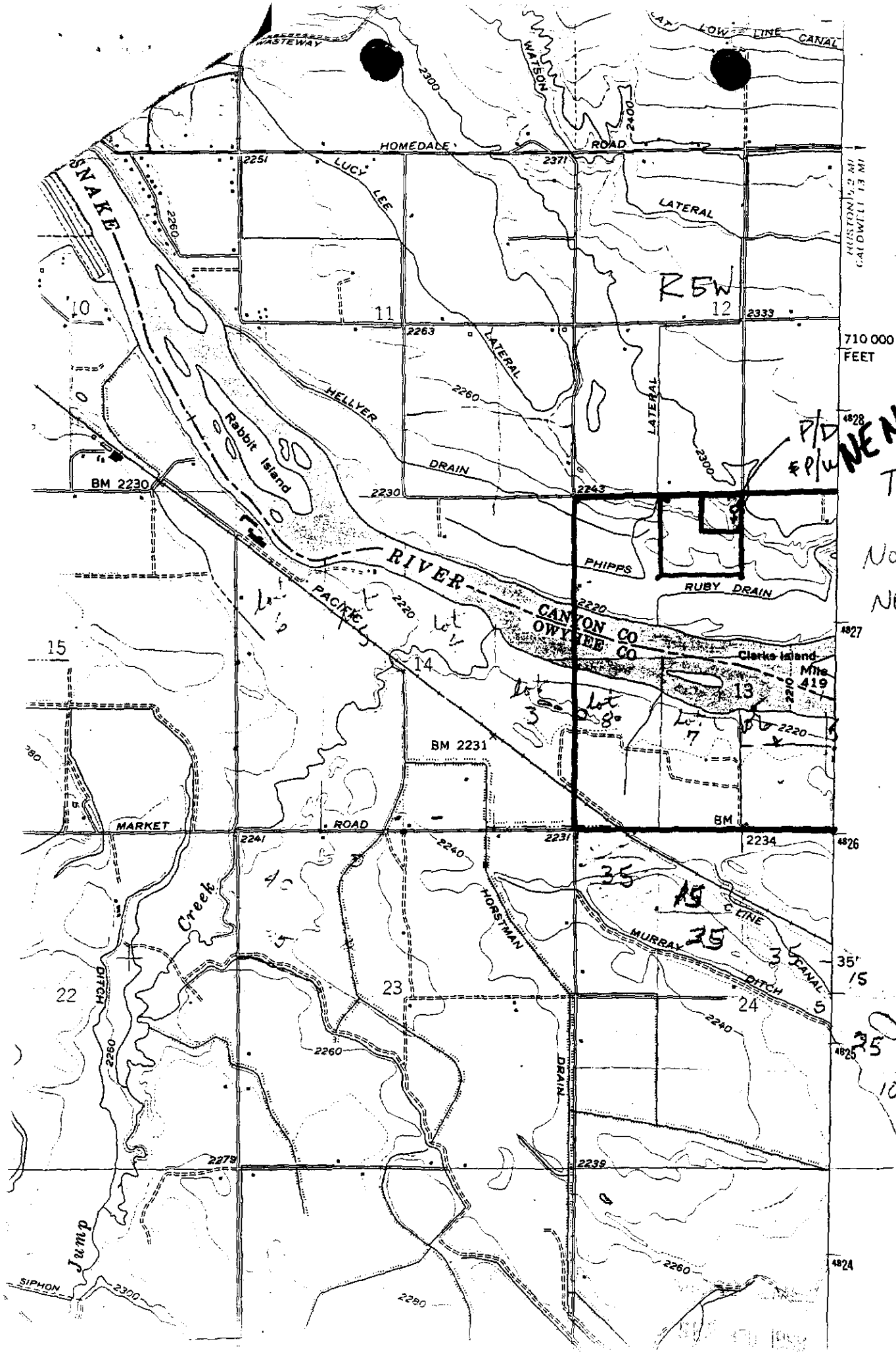
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Raymond Spurlock
(Applicant)

Received by Rch Date May 4, '99 Time _____ Preliminary check by lg
Fee \$ 50.00 Receipted by Rch # W025149 Date May 4, '99
Publication prepared by ST Date 6/9/99 Published in Press Pub
Publication approved Rch Date 7/16/99 6/17 x 24/99

UNRECORDED

2000 JUN 1 1999



FEET
4828
NENE NW
T3N

No Bow lts in
NENW

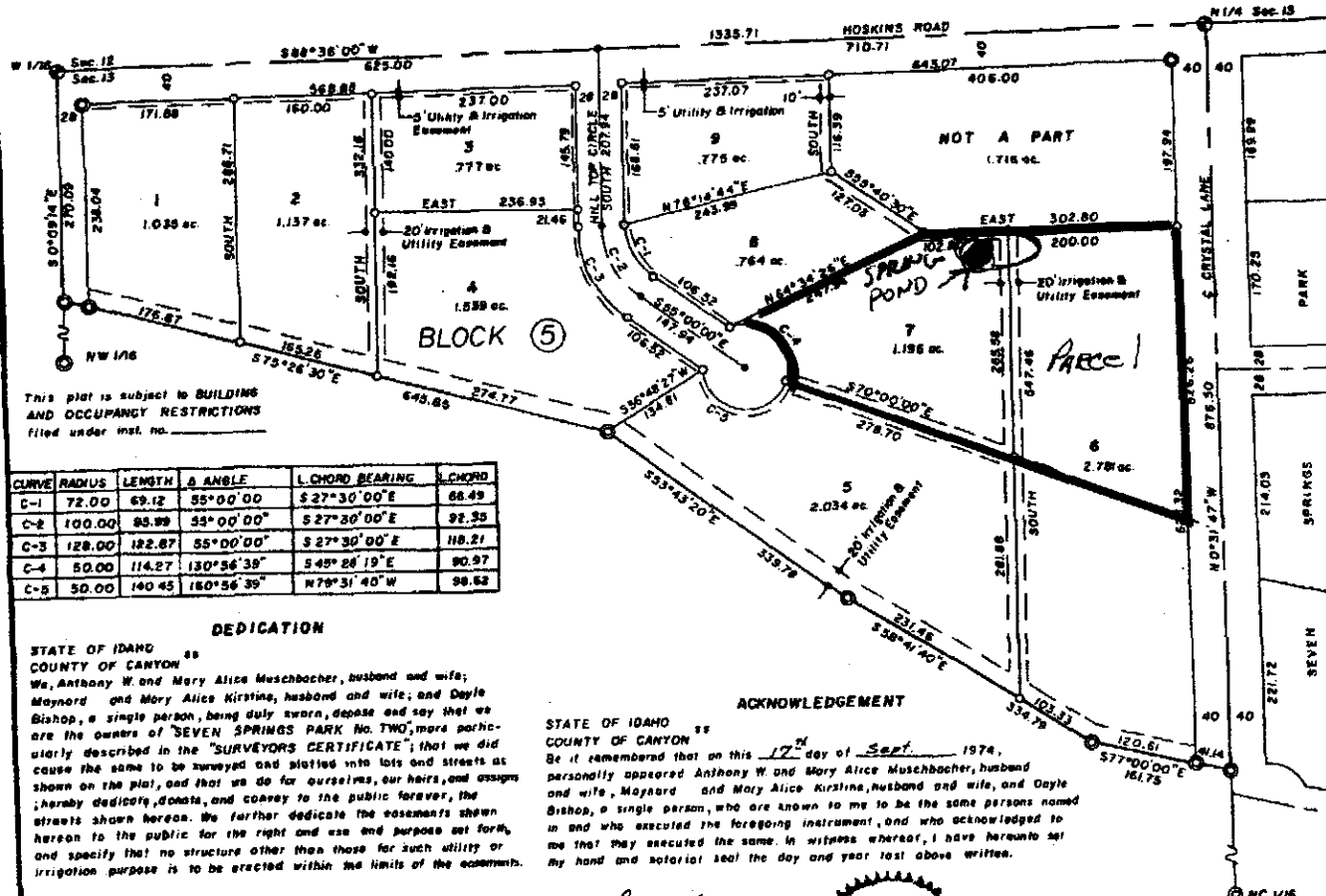
SEVEN SPRINGS PARK No. TWO

A PART OF THE NE 1/4 NW 1/4, SEC 13, T3N, R5W, B.M., CANYON COUNTY, IDAHO

7450

2015 11 29 星期四

Willa Stewart



This plot is subject to BUILDING
AND OCCUPANCY RESTRICTIONS
filed under inst. no. _____

CURVE	RADIUS	LENGTH	B ANGLE	CHORD BEARING	CHORD
C-1	72.00	69.12	55°00'00"	S 27°30'00"E	68.49
C-2	100.00	85.99	55°00'00"	S 27°30'00"E	78.35
C-3	128.00	132.87	55°00'00"	S 27°30'00"E	118.21
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C-5	50.00	104.45	130°56'39"	N 70°31'40"W	98.63

DEDICATION

STATE OF IDAHO ss
COUNTY OF CANYON ss
We, Anthony W. and Mary Alice Wuschbacher, husband and wife;
Waymond and Mary Alice Kristine, husband and wife; and Doyle
Bishop, a single person, being duly sworn, depose and say that we
are the owners of SEVEN SPRINGS PARK NO. TWO, more particu-
larly described in the "SURVEYORS CERTIFICATE"; that we did
cause the same to be surveyed and plotted into lots and streets as
shown on the plat, and that we do for ourselves, our heirs, and assigns,
herabv dedicatv, donate, and convey to the public forever, the
streets shown hereon. We further dedicate the easements shown
hereon to the public for the right and use and purpose set forth,
and specify that no structure other than those for such utility or
purpose is to be erected within the limits of the easements.

Anthony W. Muschbacher
Anthony W. Muschbacher

Mary Alice Maschober
Mary Alice Maschober

Harvard Kirtling
Harvard Kirtling

Mary Alice Kirstine
Mary Alice Kirstine

Dwight Bishop
Dwight Bishop

ACKNOWLEDGEMENT

STATE OF IDAHO ss
COUNTY OF CANYON
Be it remembered that on this 17th day of Sept. 1974,
personally appeared Anthony W and Mary Alice Muschbacher, husband
and wife, Maynard and Mary Alice Kirsline, husband and wife, and Gayle
Bishop, a single person, who are known to me to be the same persons named
in and who executed the foregoing instrument, and who acknowledged to
me that they executed the same in witness whereof, I have hereunto set
my hand and notarial seal the day and year last above written.

John H. Howe
Notary Public for Idaho
My Commission expires 3/18/78

LEGEND

- Brass Monument
- ⊙ 5/8" x 30" Rebar
- 1/2" x 24" Rebar

The SANITARY RESTRICTIONS under Title 50 Chapter 13, IDAHO CODE, are in force.

SURVEYORS CERTIFICATE

STATE OF IDAHO ss
COUNTY OF CANYON

I, John W. Howe, a Registered Professional Land Surveyor in the State of Idaho, do hereby certify that I have surveyed, subdivided and plotted SEVEN SPRINGS PARK No. TWO in the NE 1/4, NW 1/4, Sec. 13, T3N, R5W, B.M.; more particularly described as follows: BEGINNING at the North 1/4 corner of said Sec. 13; thence S88°36'00" E 1335.71 ft; along the North boundary of said NE 1/4 NW 1/4; thence S0°09'14" E 270.08 ft; along the West boundary of said NE 1/4 NW 1/4; thence S75°26'30" E 645.65 ft; thence S53°43'20" E 330.78 ft; thence S58°41'40" E 334.75 ft; thence S77°00'00" E 161.75 ft; thence N0°31'47" W 876.50 ft. along the East boundary of said NE 1/4 NW 1/4 to the POINT OF BEGINNING. This parcel contains 16.537 acres. All bearings are based on the Plat of SEVEN SPRINGS PARK and the SLD Township Plat. I further certify that I made the survey under the direction of the owners thereof, and that the size of all lots and the width of all streets are as shown on this plat.

ALPHA ENGINEERS

Subscribed and sworn to before
me this 1st day of Sept 1974
J. J. Y.
Notary Public for Idaho
Commission expires 7-14-75

APPROVALS

I, Melvin V. Davenport, do hereby certify that I have examined the plot of "SEVEN SPRINGS PARK No. TWO", and that the accuracy thereof complies with the requirements of Idaho State Law

Melvin V. Easengard 17 day of Sept. 1974
CANYON COUNTY ENGINEER

COUNTY PLANNING COMMISSION

Robert A. Johnson
CHAIRMAN

BOARD OF COUNTY COMMISSIONERS

Accepted and approved this 19th day of September 1974 by the
Board of County Commissioners of Canyon County, Idaho.

W. G. Williams
CHAIRMAN *John J. Anderson*
CLERK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: CHARLES N. MUSCHBACHER
Address: 4756 DIANE AVE
SAN DIEGO CA 92117
619-292-1847
2. Source: SPRING
3. Location of Point of Diversion: * Trib. to: SNAKE RIVER
NENW Sec. 13, Township 03N, Range 05W
CANYON County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.090		
DOMESTIC	01/01	12/31	0.020		
RECREATION	01/01	12/31	0.090		
RECREATION STORAGE	01/01	12/31			1.50
5. Total quantity to be appropriated is:
0.090 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
POND, PIPELINE TO HOME. SPRINKLER SYSTEM
 - b. Height of storage dam 9 feet; active reservoir capacity
acre-feet; total reservoir capacity 1.50 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 2 year(s).
8. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
03N 05W 13	NENW 3			3

Total number of acres irrigated: 3

Data entry not done
10/17/73

MICROFILMED

SEP 24 1973

Place of Use: DOMESTIC, same as IRRIGATION use

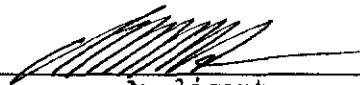
Place of Use: RECREATION, same as IRRIGATION use

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

10. Remarks: Domestic use is for 1 home. (Data entered)

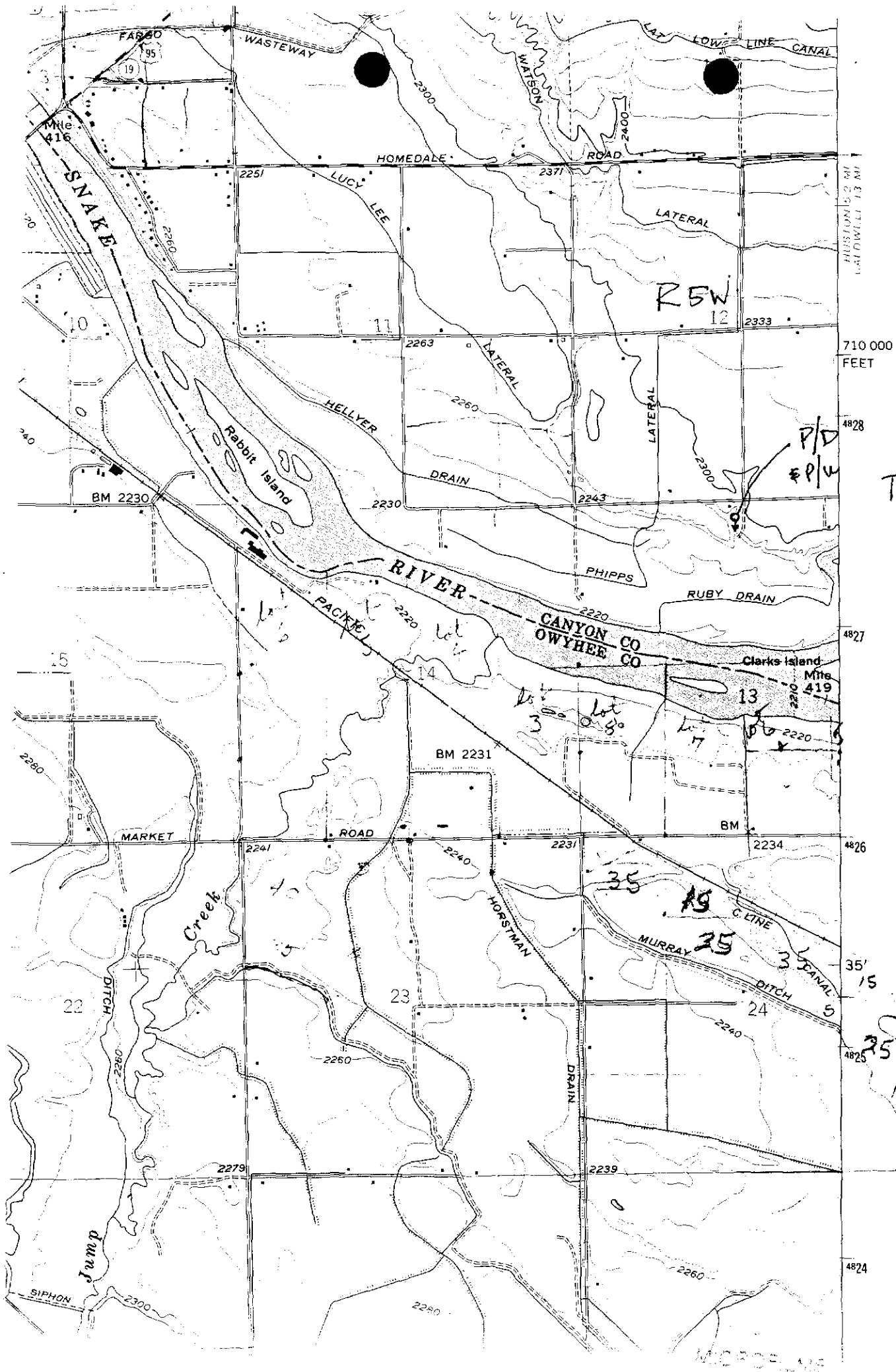
11. Map of proposed point of diversion and place of use attached? [X]

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
Charles N. Muschbacher

Received by Dr Date 9/14/1993 Time 3:00pm Preliminary check by _____
Fee \$ 35⁰⁰ Receipted by Dr # W 016734 Date 9/14/1993
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

MICROFILMED
SEP 30 1993





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

September 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RAYMOND H SPURLOCK
ANNE B SPURLOCK
15916 HILLTOP CIRCLE
WILDER ID 83676

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12053

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, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right 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 concerning 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

MICROFILMED

SEP 13 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 63-12053 Reviewed by D. Gibson Date 9/5/00

GENERAL CONSIDERATIONS

Yes Name same as permit?
Yes Address same as permit?
Yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Irrigation

Correct Uses? Yes

SOURCE OF WATER

Yes Surface water source
No Ground water source

/ Drilling permit required?
/ Copy in the file? Drilling Permit No. /
/ Amount paid for permit / Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

Yes Required?
\$50 Amount Submitted
Yes Correct?

MEASURING DEVICE

No Required?
? Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received 7/24/00
Date proof due 8/1/00 - /
No. of days late / = /
Priority Date / + /
New Priority Date /

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address No Proof Made 7/24/00

May 31, 2000

RAYMOND H SPURLOCK
ANNE B SPURLOCK
15916 HILLTOP CIRCLE
WILDER ID 83676

PROOF DUE NOTICE

RE: PERMIT NO. 63-12053

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 August 1, 2000.

(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.

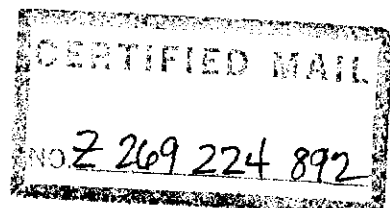
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures



MICROFILMED

SEP 13 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

August 10, 1999

DIRK KEMPTHORNE
GOVERNOR

RAYMOND H SPURLOCK
ANNE B SPURLOCK
15916 HILLTOP CIRCLE
WILDER ID 83676

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12053

Dear Permit Holder:

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

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

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 into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

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

SK:klt
Enclosures

MICROFILMED
SEP 30 1999

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of August, 1999, 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. 63-12053

RAYMOND H SPURLOCK
ANNE B SPURLOCK
15916 HILLTOP CIRCLE
WILDER ID 83676


Kari Lynn Townsend
Secretary

10/10/99
SEP 11 1999

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

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

RECEIVED
FEB 9 1997

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

To: File 63-12053

FROM: Sharla Curtis

DATE: July 28, 1999

RE: Application Processing

This application can be processed because it's location is downstream from the Star Bridge (see Amended Moratorium Order dated May 3, 1995 -- surface water appropriations upstream from Star Bridge cannot be processed).

RECEIVED
JUL 29 1999

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

No.: 63-12053 Name: Spurlock Date: 7/22/99 Ad OK? ☒ by SCurtis
✓ Gvmt Lts: _____

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

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year

≤ 1 year/no proof

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDAQ3)

In Basin 34?

Irr. within WD

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

WMD

Supp. irr. use only

Supp. irr. + uses

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- 26A-P17

- P16

- 046-P23

- 085

- P06 (new well location)

- North / East / West

- 067

- No MD

- 065-079 (if GW use SW)-(keep SW)-(GW not primary irr. source)

- 100-101

- 01M (report when notified)

- No MD

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

FISH & GAME CONTACTED:

IN/ABOVE MSF (✓ MAP)

IN-STREAM DEVELOPMENT

WD (✓ MAP & LISTING)

> 0.20 cfs

≤ 0.20 cfs

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- YES / NO; WHEN: 6/10/99

RESPONSE: NONE

- *WB9

- P52 (stream channel alteration)

- R04 (WD # 02 → inactive)

- 01J-P08 (MD & LD)

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

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

- No MD

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

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R (65)

Salmon R (70's)

Weiser R (67)

- *W22 -P04, NA

- 007 (w/ remark *WB9 if above Weiser), NA

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

- 029 (fish screens), NA

- 086, 087

USE:

STORAGE (✓ 3 compo.)

IRR ≤ 5 acres

> 5 acres

STOCKWATER

MINING

FISH PROPAGATION

HEATING/COOLING

POWER

MUNICIPAL

In restricted area?

Irr., GW supp. to SW?

DOMESTIC

Surface water

>1 in rest. area

FIRE PROTECTION

- 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- R37 (BLM/USFS); NA

- 054(req)-081-P10

- 029(70's only)-007-042(req)-081 (WQ)-P10

- R07 (injection well)

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

- 022, 075, 004 (+memo?)

- 102

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

- 071-070

- 077

LOCATION:

BOISE FRONT LOGEO

MITIGATION

42-248 AREA

SWAN FALLS FLAG (✓ Code)

Trust

Non-Trust (1)

- 058 (<85° GW temp only)

- 120

- P84 (in 20/30/40/50/60/70/80 (87) basin)

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

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- 01W59-Lot 7, Blk 5, Seven Springs Park #2

- 8/11/2000

② W60 - Lots 6 & 7, Blk 5.

SW processable because of location downstream from Star Bridge

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
JUL 22 1999
Department of Water Resources

INITIAL REVIEW BY: g DATE: 6/9/99 APPLICATION: 63-12053

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Gov't. Lots:
☒ P/D
☒ P/U

ADDITIONAL INFORMATION

to do ADVERTISE REMARK(S) ☒ done
(Reviewer identify which remarks)

to do T FLAG CHANGED TO P FLAG ☒ done

YES NO

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

Pond size per telecon
+ overlap info

Date Requested 6/9/99 Date Response Received 6/9/99

PROCESSING

APP. NO. 63

YES NO

☒ ☐ In form for advertising:
☐ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number and date recorded on application:

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

YES NO

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

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ 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:

☐ ☒ Final date for protest 7-6-99

☐ ☒ Protests received.

☐ ☐ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Water delivered by water master? District # _____

☒ ☐ Special conditions of approval or cover letter: 120 + standards

☐ ☒ See below for additional information

Recommended Date or Priority 9/14/93

Recommended by: Loi Oranier Date: 7/20/99

ADDITIONAL INFORMATION:

overlaps: 63-04671 - separate system not claimed in SRBA
63-02388 - separate source

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12550

SPURLOCK, RAYMOND H

4756 DIANE AVE
SAN DIEGO, CA 92117

Source: SPRING

Tributary: SNAKE RIVER

Diversion Pt: NENENW Sec 13 T 03N R 05W in CANYON County.

Use: IRRIGATION (0.090 CFS)
Total Diversion (0.090 CFS)

Date Filed: 9/14/1993

In: CANYON County
T03N R05W S13 NENW

3.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed and seeks moratorium waiver due to source tributary to the Snake River.

63-12514

PLUMTREE SUBDIVISION

HOMEOWNERS ASSOC INC

1320 S BLACKCAT

MERIDIAN, ID 83642

Source: GROUNDWATER

Diversion Pt: LOT 7 (SWSW) Sec 6 T 04N R 02W in CANYON County.

Use: DOMESTIC (0.200 CFS)
Total Diversion (0.200 CFS)

Date Filed: 5/6/1999

In: CANYON County
T04N R02W S06 Lot 7 (SWSW)

10.0 ACRES TOTAL

Water bearing zone to be appropriated for supplemental lawn irrigation of 56 homes in Plumtree subdivision is from one to 100 feet.

Applicant agrees to mitigate consumptive use in the future as needed.

63-12518

BIRCH MAILE, COLLEEN

MAILE IV, THOMAS G

380 W STATE ST

EAGLE, ID 83616

Source: GROUNDWATER

Diversion Pt: NWNE Sec 24 T 03N R 02W in CANYON County.

Use: DOMESTIC (0.080 CFS)
Total Diversion (0.080 CFS)

Date Filed: 4/29/1999

In: CANYON County
T03N R02W S24 NWNE

Applicant agrees to mitigate consumptive use in the future as needed. Domestic use is to divert water from the 60 to 150 foot water bearing zone for 39 lawns in Bailey Manufactured Home Park.

63-12534

MONROC CONCRETE

2755 E STATE ST

EAGLE, ID 83616

Source: GROUNDWATER

Diversion Pt: NWSW Sec 17 T 04N R 02W in CANYON County.

Use: COMMERCIAL (0.330 CFS)
DOMESTIC (0.040 CFS)

Total Diversion (0.330 CFS)

Date Filed: 10/13/1998

In: CANYON County
T04N R02W S17 SWNE SENE NESW NWSW
SWSW SESW NESE NWSE

Applicant proposes mitigation to use water in the 5 to 200 ft water bearing zone.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before JULY 6, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
June 17, 24, 1999

9056

RECEIVED

JUN 23 1999

WATER RESOURCES
WESTERN REGION

ALCOHOL-11ED

JUN 10 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 10, 1999

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SCOTT GRUNDER
STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Permit Nos. 63-12053 in the Name of Raymond Spurlock and 67-08035 in the Name of Robert &/or Sharlett Leonard

Dear Sir:

Enclosed are copies of the above-referenced applications for permit which may be of interest to your agency. The proposed use of both applications is surface water and the proposed use of application no. 63-12053 is in the bull trout impact area. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by July 6, 1999.

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

Sincerely,


Gary Spackman

GS:st

Encl.

MICROFILMED

SEP 30 1999

MEMORANDUM

DATE: 6/9/1999

TO: Brenda Corbett

FROM: Lori Graves, Western Region

RE: Refund Request, Receipt no. W025149 in the name of
Raymond Spurlock

Please refund the applicant the \$50 fee paid. His application for permit was not necessary. Please address the refund to:

Raymond Spurlock
15916 Hilltop Circle
Wilder ID 83676

*#35⁰⁰ app. fee already
Pd in 1993.*

Thanks.

REQUEST TO PROCESS

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

Name of Applicant

RAYMOND H. SPURLOCK

Mailing Address

15916 HILLTOP CIRCLE

WILDER ID 83676

Application No.
(if known)

63-

☐ IN LOCAL PUBLIC INTEREST

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

☐ PROPOSE MITIGATION NOW

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

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

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

Signature

Raymond H. Spurlock

Date

MAY 4, 1999

Please return this form to:

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



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).

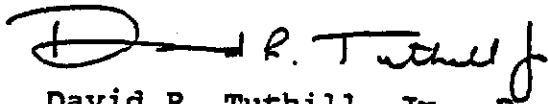
SEP 10 1995

May 19, 1995

In case you no longer intend to develop a water use as described on an application, please complete and return the enclosed Withdrawal Form. Because of the time and effort already devoted to researching water availability in the Boise River basin, the Department will not be able to provide refunds of fees for applications that are withdrawn.

If you have questions about this process, or if you need assistance in completing the response form, please feel free to contact this office at (208) 334-2190. Response forms received no later than May 31, 1995, will be used in compiling the applications that will be advertised during June.

Sincerely,



David R. Tuthill, Jr., P. E.
Manager, Western Region Office

Enclosures

Amended Moratorium Order
Profile Report(s)
Response Form(s)
Application Withdrawal Form(s)

RECORDED
SEP 20 1995

MORATORIUM HOLD. DO NOT ADV.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: CYH DATE: 12/7/93 APPLICATION: 63-12053

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: EXCESS \$5 collected
Yes ☐ No ☐ In form to receipt:

Gov't. Lots:
2 P/D
3 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:

PROCESSING

APPLICATION NO. 63-12053

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
 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

Overlap w/ 63-4671 may be insignificant. No SRBA claim
found. Adjacent filings in the name of Muschbacher
(in NWNE) are a different person, probably a different
spring.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

November 12, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

CHARLES N MUSCHBACHER
4756 DIANE AVE
SAN DIEGO CA 92117

RE: Application for Permit No. 63-12053

Dear Applicant:

Your application for permit to appropriate spring water for irrigation, domestic and recreational use was received on 9/14/93. Your application has not yet been processed; the purpose of this letter is to explain the delay.

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 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.

At the time of your filing, our office had anticipated a change in the status of the moratorium, and your application was placed on temporary hold pending a possible withdrawal of the current restrictions. However, as of this date, the moratorium remains in place and no withdrawals appear imminent. We apologize for not contacting you sooner.

Although we are not able to process your application as written, applications for domestic use only are exempt from the moratorium. If you wish to begin development of the spring in the near future, your application could be split, extracting the domestic use for separate advertising and approval. This would enable you to develop the source for domestic use only until the balance of the application may be processed. There may be an additional \$30.00 fee for separate advertising, but date of priority would remain unchanged.

Unless we hear from you, this office will continue to hold your application as is, 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 other questions, please feel free to contact me at 334-2190.

Sincerely,

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

Cindy Hodges
Sr. Water Resource Agent

RECEIVED

NOV 18 1993

63-12053

SPURLOCK, RAYMOND H
4756 DIANE AVE
SAN DIEGO, CA 92117

Source: SPRING

Tributary: SNAKE RIVER

Diversion Pt: NENENW Sec 13 T 03N R 05W in CANYON County.

Use: IRRIGATION (0.090 CFS)

Total Diversion: (0.090 CFS)

Date Filed: 9/14/1993

In: CANYON County
T03N R05W S13 NENW

3.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed and seeks moratorium waver due to source tributary to the Snake River.

W000000000

SEP 20 1993