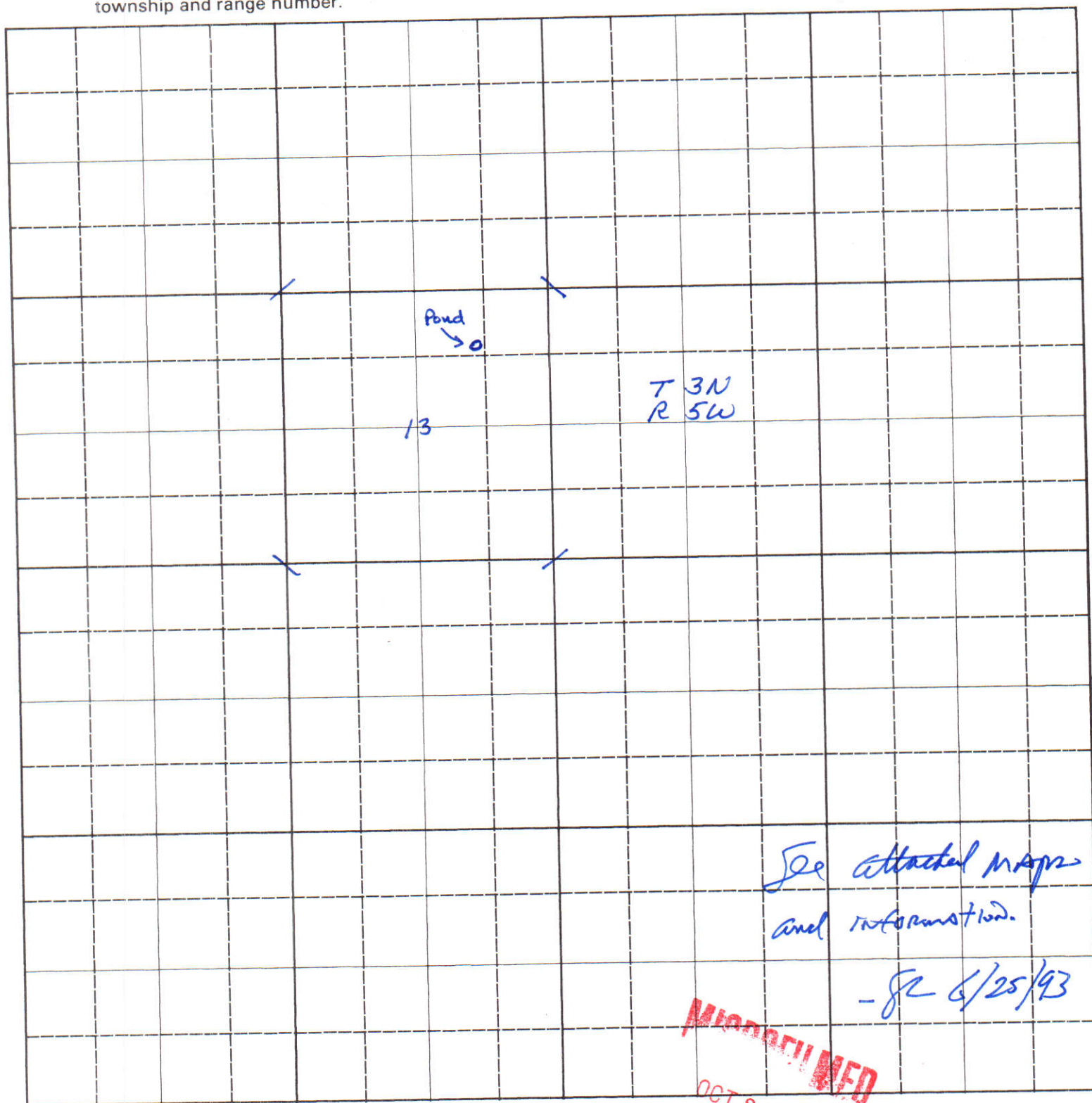


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

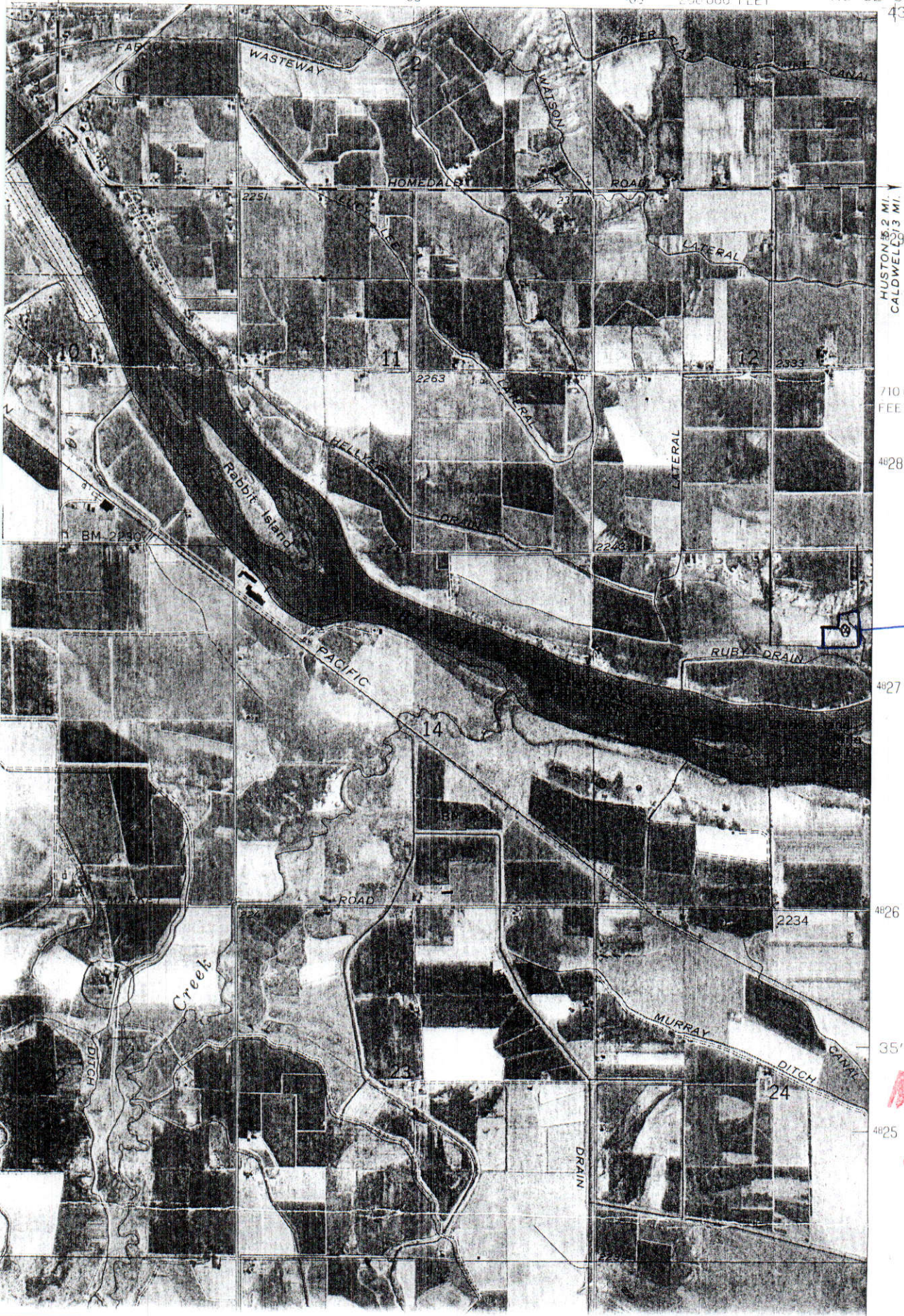
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

E. R. Ryan 5/20/93
(Applicant)

HOMEDALE QUADR. GLE
IDAHO
7.5 MINUTE SERIES (ORTHOPHOTOQUAD)

A63-28903
(irrig. claim
from springs
collected in pond)

14 MI. 4.2 MI. 55' 07' 08' 09' 200 000 FEET 116° 52' 30" 43° 37' 30"



HUSTON 1/2 MI.
CALDWELL 1/3 MI.

710 000
FEET

4828 T3N
R5W

No govt. lot
in NWNE
P.D. +
P.U.

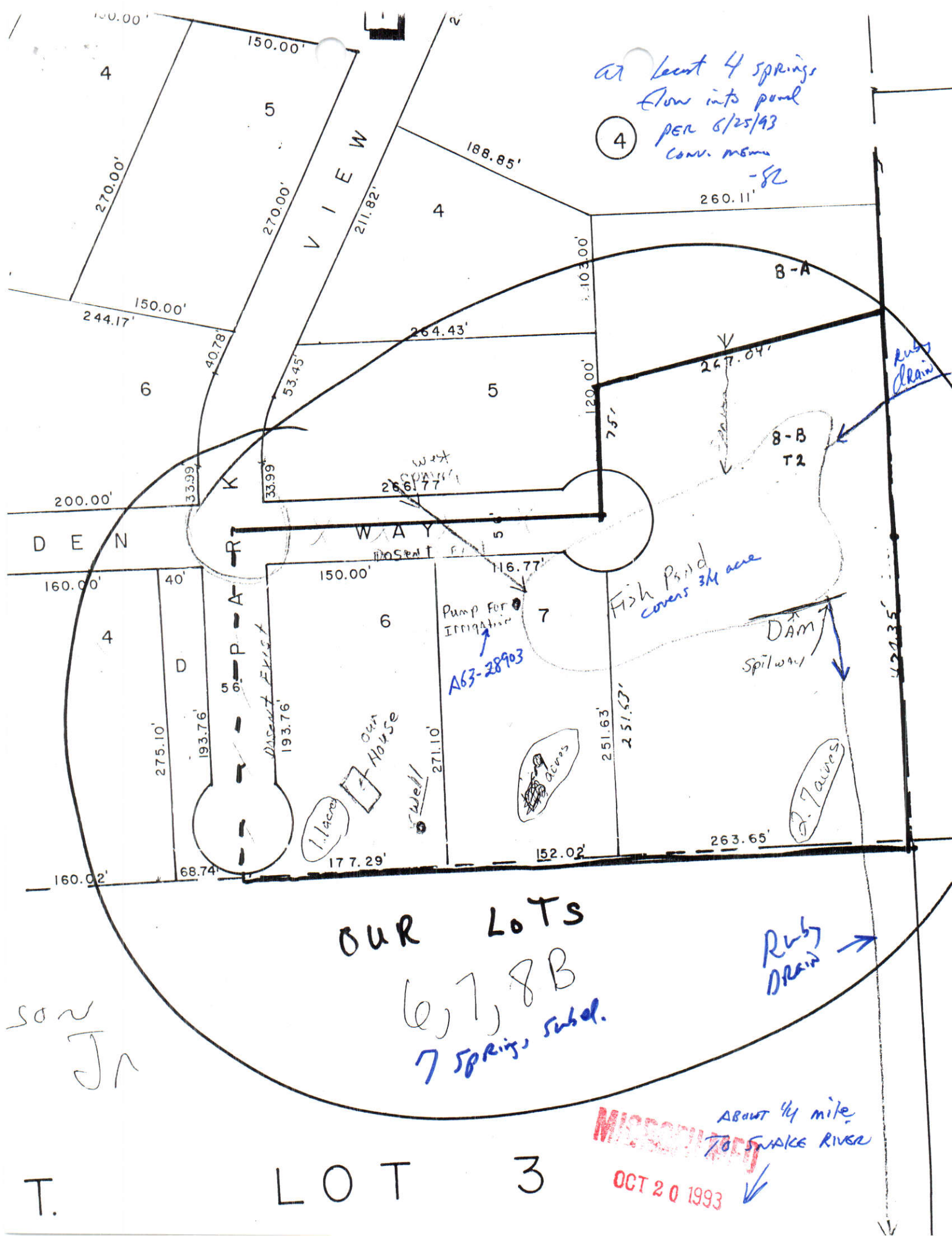
4827

4826

35'

4825

O.Q. X53
MICROFILMED
OCT 20 1993



at least 4 springs
flow into pond
PER 6/25/93
conv. memo
-SL

4

VIEW

8-A

8-B
T2

DEN

K

WAY

R

A

P

D

A

R

A

P

D

A

R

A

P

D

A

Pump For
Irrigation
A63-28903

Fish Pond
covers 3 1/4 acre

DAM
Spillway

OUR LOTS

6, 7, 8B
7 Springs, subd.

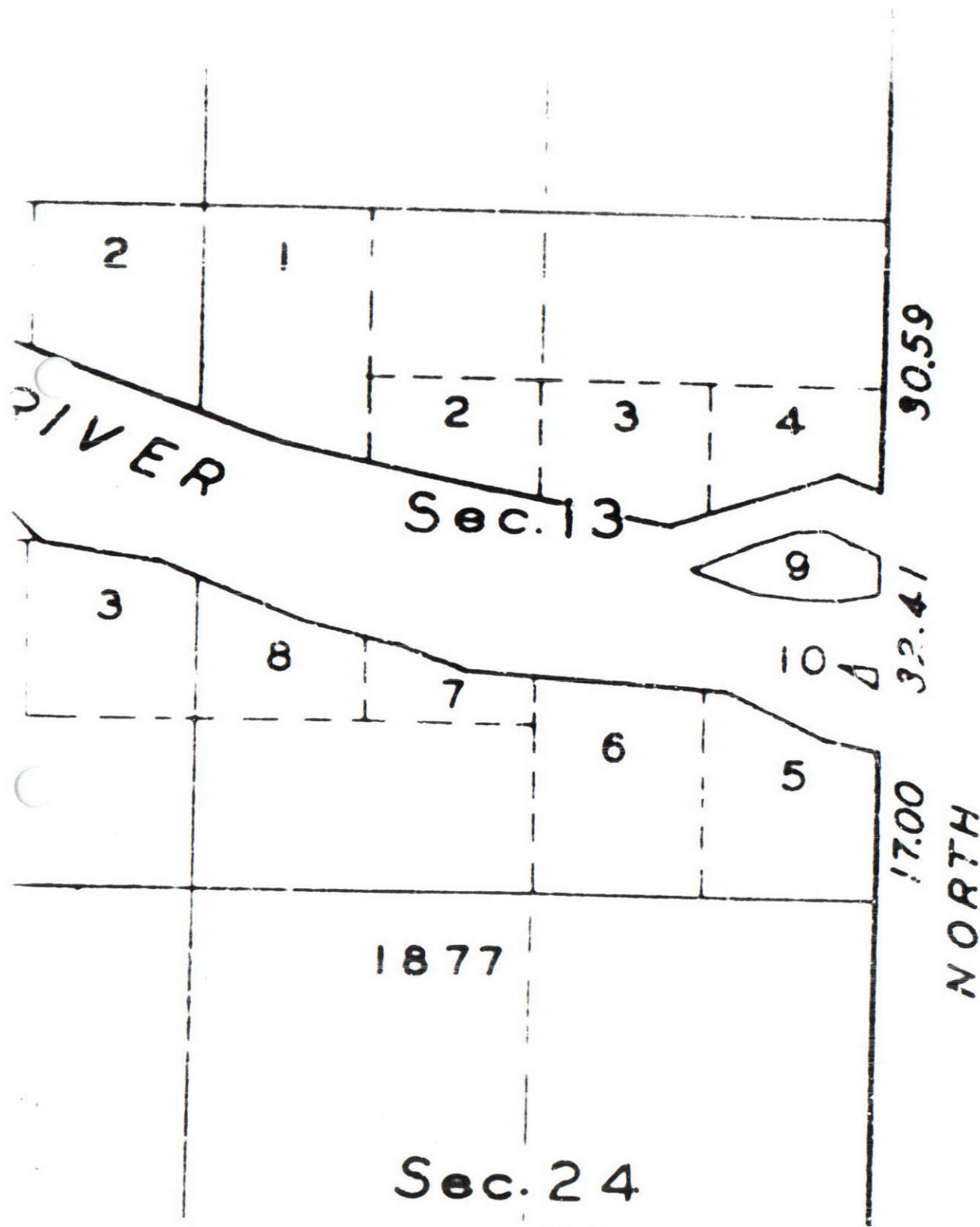
Ruby
DRAIN

ABOUT 1/4 mile
TO SNAKE RIVER

MISCELLANEOUS
OCT 20 1993

LOT 3

T.



1931 Survey, is most
RECENT

No lot 10 NENW.

RECORDED
OCT 20 1993

THIS PLAT OF
T. 3 N., R. 5 W.
RETRACEMENT AND
OF THE LINES OF
VEY AS SHOWN UPON
PROVED FEBRUARY
THEIR TRUE ORIGI
CORDING TO THE BE
EVIDENCE OF THE
ORIGINAL CORNERS
BETWEEN THE MEASU
ON THE ORIGINAL
DERIVED IN THE



OCT 20 1993

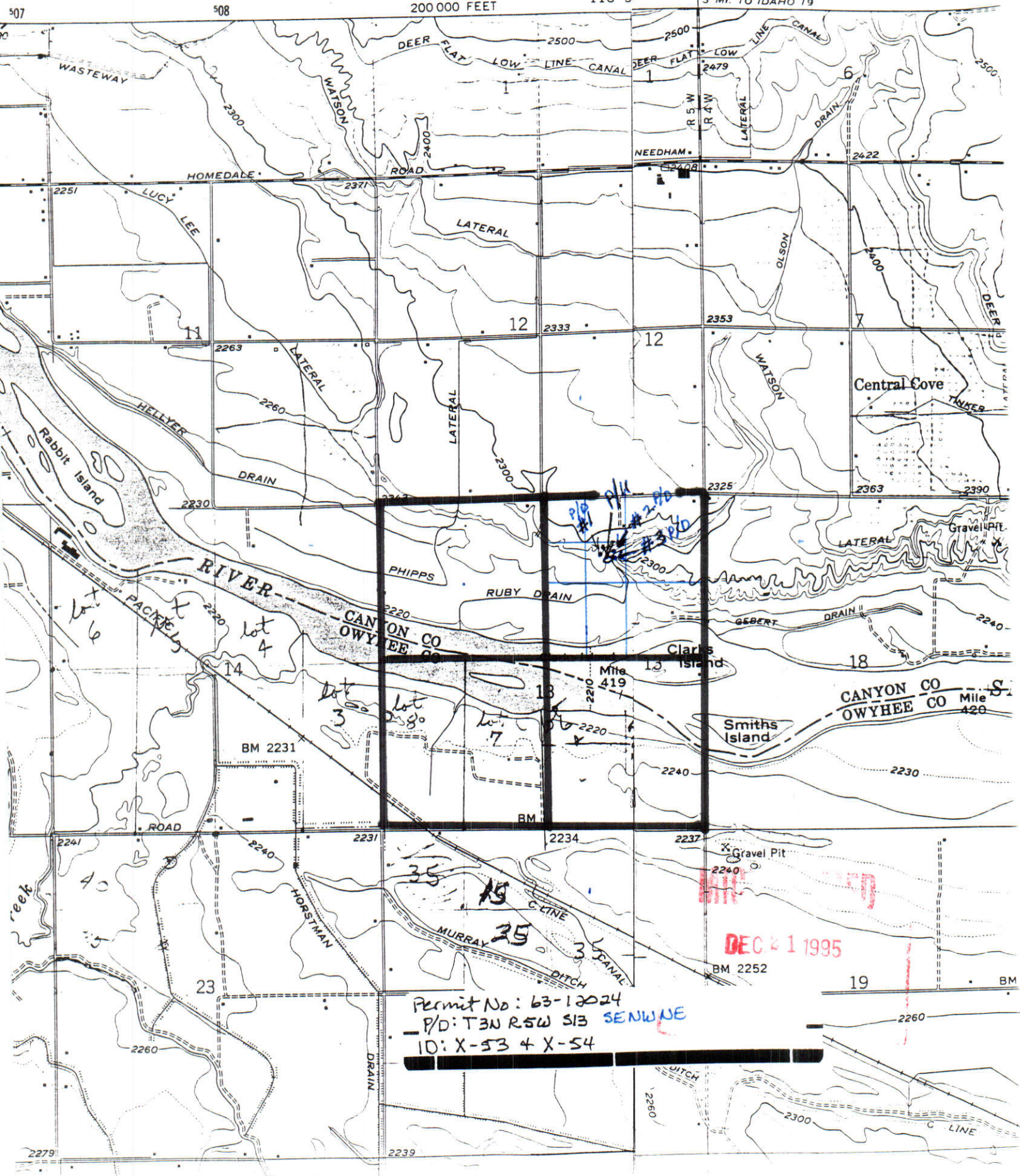
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

200 000 FEET

116°52'30"

WILDER 5.5 MI.
3 MI. TO IDAHO 19



Permit No: 63-12024
P/D: T3N R5W S13 SENEQUE
10: X-53 & X-54



63-12024
9/15/94 S.H.

P/O #1

Spring box
owned by
neighbor:
Brinkerhoff
with 7" PVC
leading to pond
with overflow
(Spring #1)

underground
7" PVC

- Also P/O for A63-38903



P/u: 7" PVC

97.5' X 302.5' X 5.5'
Pond

5 gallon bucket
test = 41.09 gpm =
.09 cfs
(Spring #1)



NEED TO BE DONE

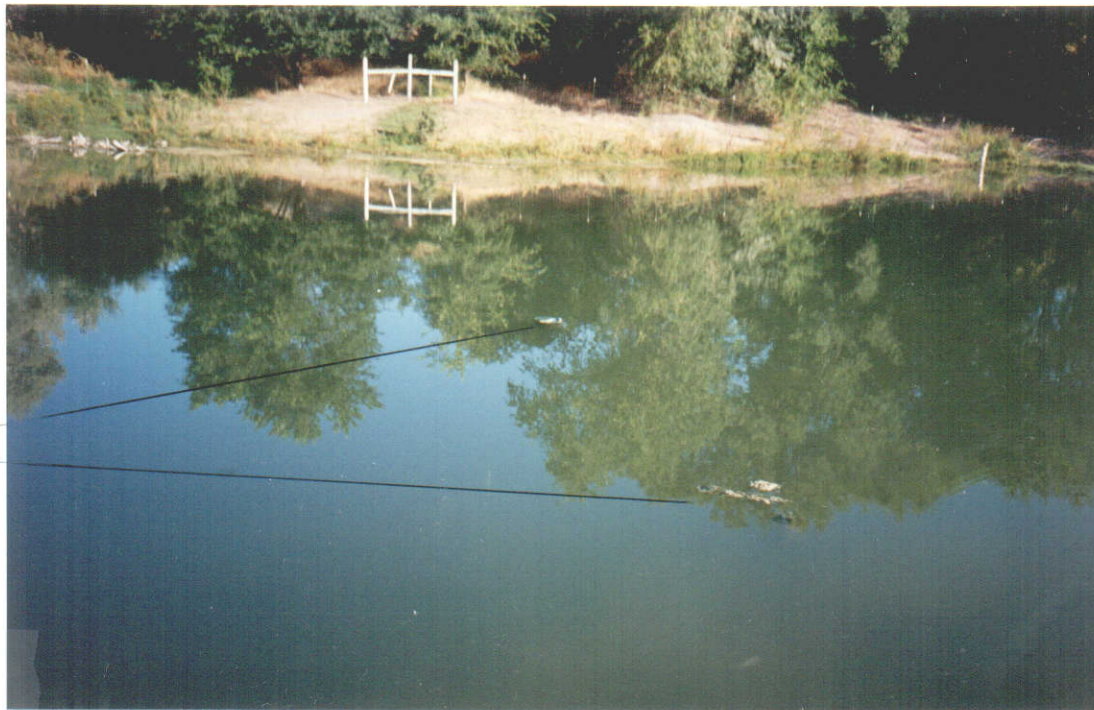
DEC 21 1995

existing
ditch for
overflow
when not
diverted into
the pond



63-12024
9/15/94 S.H

P/D: spring #2
semi buried
piped overflow from
WR # 63-05023,
unable to get
measurement; no
open discharge available



7" PVC
overflow pipe
from pond, with
discharge going underground
& into trees & brush
leading to the snake
(unable to measure any
time of discharge)



P/D: #3

Ruby Drain
Dam

DEC 21 1995

P/D: #3
seepage from
Dam leading
to the pond



63-12024
9/15/94 S.H.

per Elaine Simpson,
they place sited
pipe in the ditch
+ irrigate by
means of gravity
flow approx.

2 acres:
A63-28903 P/u



MP

DEC 21 1995

LEGAL NOTICES

LEGAL NOTICES

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12024 ✓

SIMPSON, E RAY
SIMPSON, ELAINE
15750 PARKVIEW DR
WILDER, ID 83676

Source: SPRINGS
Source: RUBY DRAIN

Diversion Pt:

SEWNNE

Sec 13 T 03N R 05W in CANYON County.

Use: DIVERSION TO STORAGE

(.200 CFS)

RECREATION STORAGE

(5.00 AF)

RECREATION

(.200 CFS)

Total Diversion: (.200 CFS)

Date Filed: 5/28/1993

In: CANYON County

T03N R05W S13

NWNE

63-12035

HOWELL, CYNTHIA A
HOWELL, DOUGLAS E
1931 TANA CT

MERIDIAN, ID 83642

Source: GROUNDWATER

Diversion Pt:

SEWNW

Sec 8 T 03N R 01W in CANYON County.

Use: DOMESTIC

(.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 6/23/1993

In: CANYON County

T03N R01W S08

SEWNW

63-12036

MADSEN, FLOYD
MADSEN, VICTORIA
212 BUCKSKIN DR

NAMPA, ID 83686

Source: GROUNDWATER

Diversion Pt:

NWNESW

Sec 25 T 03N R 02W in CANYON County.

Use: DOMESTIC

(.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 6/24/1993

In: CANYON County

T03N R02W S25

NESW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before JULY 26, 1993.

R. KEITH HIGGINSON, Director

July 7, 14, 1993

MICROFILMED

OCT 20 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12024

Priority: May 28, 1993

Maximum Diversion Rate: 0.20 CFS
Maximum Diversion Volume: 144.8 AF

This is to certify, that E RAY SIMPSON
ELAINE SIMPSON

15750 PARKVIEW DR
WILDER ID 83676

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 28, 1993; and has submitted Proof of Beneficial Use on June 9, 1994. An examination indicates that the works have a diversion capacity of 0.200 cfs of water from:

SPRINGS tributary to RUBY DRAIN
RUBY DRAIN 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>
RECREATION	01/01 to 12/31	0.20 CFS	144.8 AF
RECREATION STORAGE	01/01 to 12/31		4.2 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	
	Totals	0.20 CFS	144.8 AF

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

PLACE OF USE: RECREATION
TWN RGE SEC
03N 05W 13 NWNE

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.

DEC 21 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12024

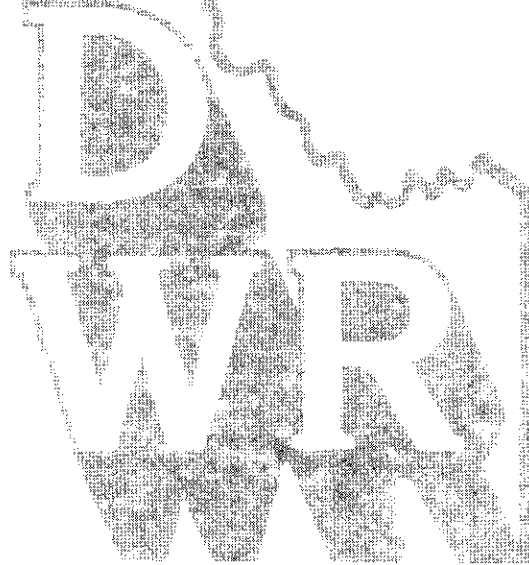
CONDITIONS OF APPROVAL AND REMARKS

5. Three points of diversion are located within SENWNE, S13, T03N, R05W.
6. Place of use is located within Lots 6, 7, and 8B, Seven Springs Subdivision.
7. Recreation use is for fishing.

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 17TH day of NOVEMBER, 1995.

Acting for


KARL J. DREHER, Director



DEC 21 1995

STATE OF IDAHO

RECEIVED

DEPARTMENT OF WATER RESOURCES

JUN 09 1994

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 63-12024 Telephone No. 337-3973
2. Name(s) of Permit Holder(s): E. Ray Simpson Elaine Simpson
3. Post Office Address: 15750 Parkview Dr. Wilder ID 83676
4. Source of Water: Springs & Ruby Drain
 - a. If ground water, well driller's name: _____ Date drilled: _____
 - b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____
5. Extent of Use:

Domestic _____ (No. of households)	Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock)	Other <u>Recreation</u>
<u>and Storage</u>	
6. Total rate and/or volume for which proof is submitted 0.20 cfs 5.0 acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device:	Required? <u>Yes</u> <u>X</u> No	Installed? <u>Yes</u> <u>No</u>
OR		
Flow Measurement Port:	Required? <u>Yes</u> <u>X</u> No	Installed? <u>Yes</u> <u>No</u>
8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)
9. Person to contact to accompany the Department representative during the field examination:

<u>Ray Simpson</u>	<u>337-3973</u>
Name	Telephone No.
<u>15750 Parkview Dr. Wilder ID 83676</u>	
Address	

10. The above information 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.

6/1/94
Date

E Ray Simpson
Signature (and title if on behalf of a company or organization)

JUN 30 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12024

Proposed Priority: May 28, 1993

Maximum Diversion Rate:

0.20 CFS

This is to certify, that **E RAY SIMPSON**
ELAINE SIMPSON
15750 PARKVIEW DR
WILDER ID 83676

has applied for a permit to appropriate water from:

SPRINGS

tributary of **RUBY DRAIN**

RUBY DRAIN

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>	<u>ANNUAL VOLUME</u>
RECREATION	01/01 to 12/31	0.20 CFS	
RECREATION STORAGE	01/01 to 12/31		5.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	
	Totals	0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SEWNNE , Sec. 13, Township 03N, Range 05W
CANYON County

PLACE OF USE: RECREATION

TWN RGE SEC

03N 05W 13

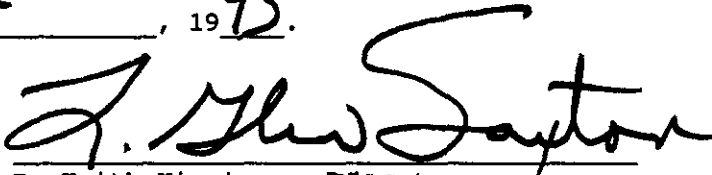
NWNE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1994.
2. Subject to all prior water rights.
3. Place of use is located within Lots 6, 7, and 8b, Seven Springs Subdivision.
4. Recreation use is for a pond.

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

12th day of October, 1993.

for 
R. Keith Higginson, Director

RECEIVED

OCT 20 1993

J.S.

RECEIVED
SEP 28 1993

Ident. No. 63-12024

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: E RAY SIMPSON 208-337-3973
Address: 15750 PARKVIEW DR
WILDER ID 83676
AND/OR
Name: ELAINE SIMPSON 208-337-3973
Address: 15750 PARKVIEW DR
WILDER ID 83676
2. Source: SPRINGS Trib. to: RUBY DRAIN
RUBY DRAIN SNAKE RIVER
3. Location of Point of Diversion: SENWNE Sec. 13, Township 03N, Range 05W
CANYON County
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AF |
|----------------------|-------|-------|-------|------|------|
| RECREATION | 01/01 | 12/31 | 0.200 | | |
| RECREATION STORAGE | 01/01 | 12/31 | | | 5.00 |
| DIVERSION TO STORAGE | 01/01 | 12/31 | 0.200 | | |
5. Total quantity to be appropriated is:
0.200 CFS (and/or) AF
6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.
Existing Pond
 - Height of storage dam 10 feet; active reservoir capacity 5.00
acre-feet; total reservoir capacity 5.00 acre-feet; period of
year when water will be diverted to storage: 1/01 to 12/31 inclusive.
 - Proposed well diameter is inches; proposed depth of well is
feet.
 - Is groundwater with a temperature greater than 85F being sought? NO
 - If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).

APPROPRIATED
OCT 20 1993

8. Place of Use: RECREATION

TWN RGE SEC
03N 05W 13 NWNE

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:

Property also known as Lots 6,7,8b, Seven Springs Subdivision.
Recreation use is for a pond.

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

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

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Receipted by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

RECEIVED

OCT 20 1993

RECEIVED

MAY 2 1993

Department of Water Resources

Form 202
10/92Ident. No. 63-12024

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of applicant E Ray or Elaine Simpson Phone 337-3973
Post office address 15750 Parkview Dr. Wilder ID 83676
2. Source of water supply Springs which are tributary to Ruby Drain
Ruby Drain which is a tributary of Snake River
3. Location of point of diversion is SE ¼ of NW ¼ of NE ¼, Govt. Lot —
Sec. 13 Township 3N Range 5W B.M. Canyon County; additional
points of diversion if any: —
4. Water will be used for the following purposes:
Amount 0.20 for Diversion to Storage purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 20.5 for Recreation Storage purposes from 1-1 to 12-31 (both dates inclusive) *
(cfs or acre-feet per annum)
Amount .20 for Recreation 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)
5. Total quantity to be appropriated is (a) 0.20 and/or (b) 20
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Existing pond (built in 1984) has approximately 5 AF Capacity. Springs and Ruby Drain continuously refill pond.
 - b. Height of storage dam 10 feet; active reservoir capacity 5 acre-feet; total reservoir capacity 5 acre-feet; period of year when water will be diverted to storage: 1-1 to 12-31 inclusive.
capacity = 5.50 5 AF is max. in item 4
 - c. Proposed well diameter is — inches; proposed depth of well is — feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? —
 - e. If well is already drilled, when? —; Drilling firm —
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).
* Clarified per Appl. info 6/25/93
Comm memo (Elaine Simpson) - JZ

**MINOR
OCT 20 1993**

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. Recreation Pond

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	
3N	5W	13		R															

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? Applicants
- b. Who owns the land to be irrigated or place of use? Applicants
- 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: Property also known as Lots 6, 7, 8b Seven Springs Subdivision.
- At least four springs flow into pond, which has a dam on Ruby Drain.
- Recreation use is for a pond.

- * COMMENTS: SEE 6/25/93 CORR MEMO: A63-28903 REMARK PAGE.
- SPRINGS & pond could be treated any one of several ways for purpose of source and whether a net div. to storage is needed. Rate of flow from springs to pond can be measured or estimated at time of licensing field examination.
- * PL 6/25/93

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

And

13

T 3N
R 5W

See attached maps
and information.

- JZ 6/25/93

RECEIVED

Scale: 2 inches equal 1 mile.

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

E. Ray J. J. J. 5/20/93
(Applicant)

Received by RA Date 5-28-93 Time 11:35 AM Preliminary check by 82
Fee \$ 30.00 Receipted by RA CA # 0027664 Date 5-28-93
Publication prepared by _____ Date _____ Published in Boise Tribune
7/7 + 14/93
Publication approved ST Date 9-7-93

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:

MICROFILMED

OCT 20 1993

HOMEDALE QUADR. GLE
IDAHO
7.5 MINUTE SERIES (ORTHOPHOTOQUAD)

A63-28903
(irrig. claim
from springs
collected in pond)



HUSTON 2 MI.
CALDWELL 3 MI.

710 000
FEET

4828

T3N
R5W

NO gait. lot
in NWNG

P.D. +
P.U.

4827

Dam is on Ruby
Drain per subd.
map & Applicant's
6/25/93 info

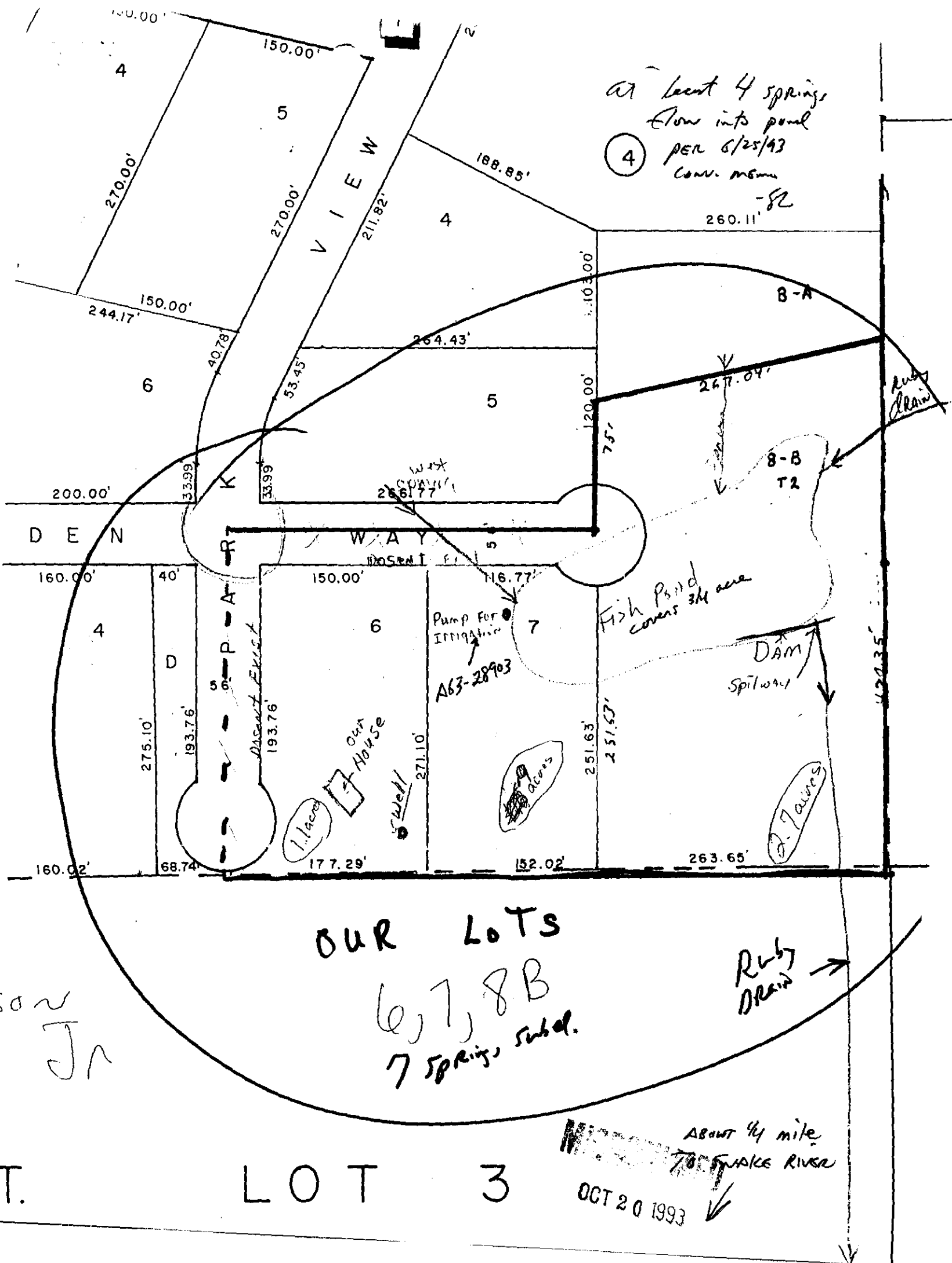
-82

4826

35'

4825

O.Q. X53
OCT 20 1993



at least 4 springs
flow into pond
(4) PER 6/25/93
conv. memo
-82

OUR LOTS

6, 7, 8B
7 Springs, subd.

Ruby
DRAIN →

T. LOT 3

ABOUT 1/4 mile
TO SNAIL RIVER
OCT 20 1993 ✓

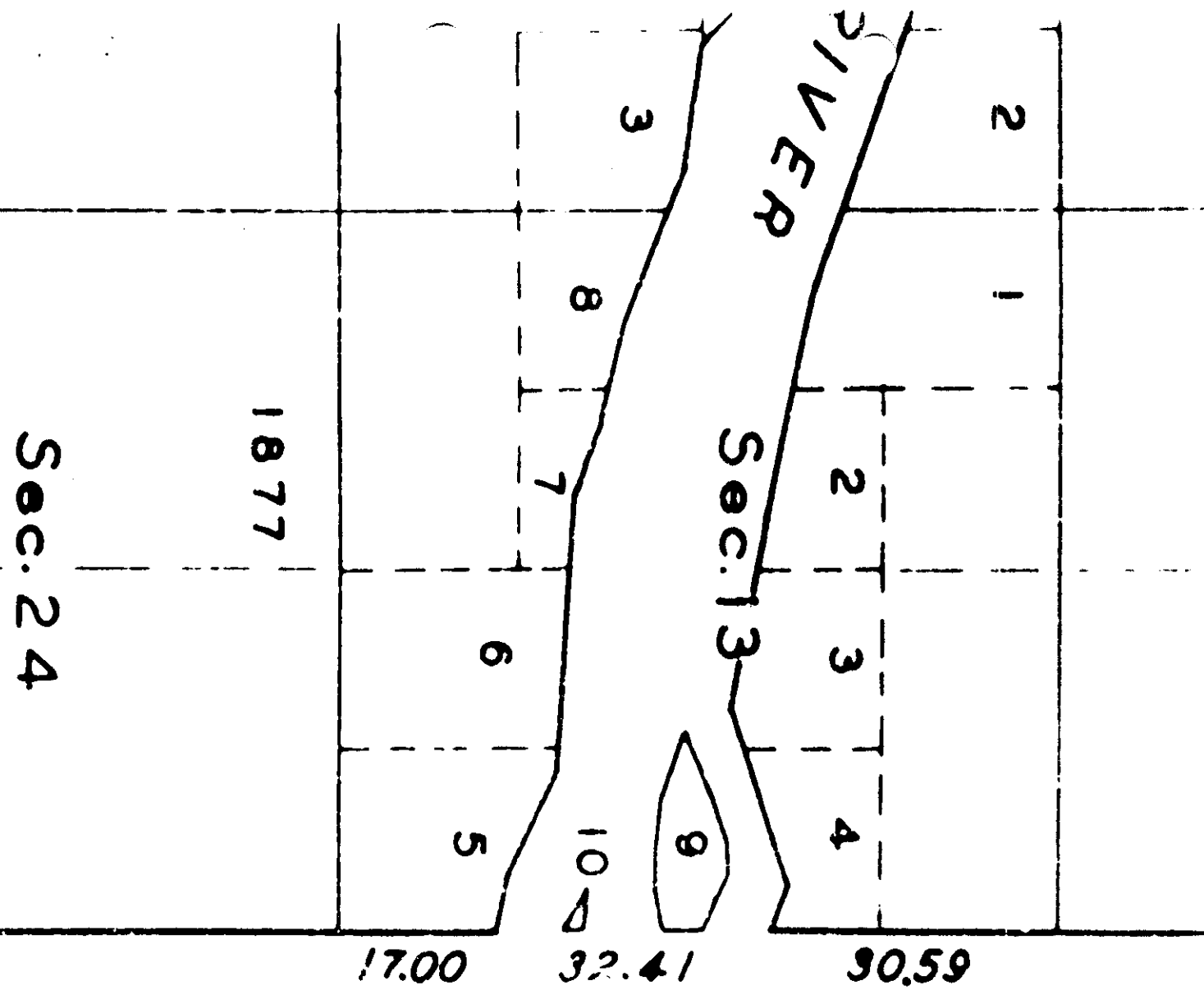
son
JR

1931 Survey, is most recent

No lot is shown

RECORDED
OCT 20 1993

NORTH



THIS PLAT OF
T. 3 N., R. 5 W.
RETRACEMENT AND
OF THE LINES OF
VEY AS SHOWN UPON
PROVED FEBRUARY
THEIR TRUE ORIGI
CORDING TO THE B
EVIDENCE OF THE
ORIGINAL CORNERS
BETWEEN THE MEAS
ON THE ORIGINAL

Sec. 24

Water Right Number: A63-28903

FIRST PAGE

13. Remarks: THIS LAND WAS IRRIGATED WITH WATER FROM THE SPRINGS DIVERTED INTO DITCHES. IN 1984 WE PURCHASED THE PROPERTY AND CONSTRUCTED A POND TO COLLECT THE WATER FROM THE SPRINGS. THE LAND IS EITHER SPRINKLER OR FLOOD IRRIGATED.

Claim is for springs flowing into pond, for irrig & stock use.

From 6/25/93 conv. memo, no actual diversion works from spring to pond (so, strictly speaking, pond-or more precisely, dam on pond - is diverting works).

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

(Enter=Exit)
(GOLD8=Cancel)

For sake of clarity to track new appl. with adj. claim, retain springs as source with remark that springs are collected in pond. Thus, retain div. to storage from springs. Dam on drain so div. to storage N/A for drain.

SOURCE

Remark

Preferred →

Spring

At least four springs flow into pond, which has a dam on Ruby Drain.

pond

Water from at least four springs is collected in a pond, which has a dam on Ruby Drain.

Could show either way in new application. Or could show springs & pond (pond exits) as sources.

Multiple sources same common system & should be listed on 1 appl.

RECEIVED

OCT 20 1993

- JZ
6/25/93



OCT 20 1993



* O O B R E A K O O *



* O O B R E A K O O *



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

November 20, 1995

E RAY SIMPSON
ELAINE SIMPSON
15750 PARKVIEW DR
WILDER ID 83676

RE: WATER RIGHT NO. 63-12024

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,

A handwritten signature in cursive script that reads 'Shelley W. Keen'.

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

DEC 21 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 63-12024 DATE 11-15-95



NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE Advance? ☒ Advanced to: Order to reinstate needed? Incorrect fee for rate recommended? NO

SOURCE Changes or just clarification of originally intended source? ☒ Notice of Intent to Void necessary? ☐

POINT OF DIV Amendment needed? ☒ Overlaps? 63-05023 (NA-SC)

PLACE OF USE Amendment needed? ☒ Overlaps? 63-05023 (NA-SC)

DIV RATE Permit/fee limits: .20 CFS
1 P/D - Meas Q = .09 + Theo Q = .11 Recommend: .20
(An estimate on 2 of the P/Ds) TOTAL = .20 CFS
Combined rates exceed capacity

ANNUAL VOLUME Volume Limit: Season: 1-1 to 12-31
Calculations: Pond volume = 4.2 af
Rec Flow Flow limit: .20 cfs x 365 x 1.9835 = 144.8
Combined volumes exceed capacity/allowable

USES Change in Nature of Use or additional uses? ☒ Amendment necessary? ☐

ADDITIONAL INFO Supplemental Groundwater ☐ PPU Scenario ☐
Irr/Dom Combination ☐ Shared G/W System ☐

NEW REMARKS Multiple p/d(s) in 1/4 1/4? ☒
W32 Other (3) NW NE - SEC 13 - T3N - R5W

NEW CONDITIONS Watermaster control - District ☐
Measuring/Locking Devices ☐
Irrigation Overlap ☐
Other ☐
Water Quality ☐ Heat/Cool/Fish verified ☐

COMMENTS: ① Volume not additive - limited by rate of diversion.
② Pond located within SUB LOTS 7 & 8 B only? Other uses are in lot 6 of the sub. SEE APP MAP OF SYSTEM. Can't tell from the plan.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	Adjustment Memo Needed	LICENSE
<u>Recreation</u>	<u>.20</u>	<u>144.8</u>	<u>NO</u>	<u>YES</u>	<u>✓</u>
<u>Rec Storage</u>	<u>—</u>	<u>4.2</u>			
<u>Div to Storage</u>	<u>.20</u>	<u>—</u>			
<u>TOTAL</u>	<u>.20</u>	<u>144.8</u>			

1ST AMEND LETTER
2ND AMEND LETTER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 13 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-12024

1. Owner: E. Ray / or Elaine Simpson Phone No. (208) 337-3973

Current Address: 15750 Parkview Dr. Wilder, Id 83676

2. Accompanied by: Elaine Simpson EXAM DATE: 9/15/94

Address: 15750 Parkview Dr. Wilder Id 83676 Phone No. (208) 337-3973

Relationship to Permit Holder: Self

3. Source: Spring, Ruby Drain tributary to Ruby Drain, Snake River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-02388, 63-05023

2. Other water rights with the same point of diversion: 63-05023

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NW	NE	13	3N	SW	Canyon	USGS Topo. & exam

2. Place(s) of Use:

Indicate Method of Determination USGS Topo. & exam

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	SW	13		R															
				RS															
				B															

DEC 21 1995

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

N/A

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

✓ PH

Photo of Diversion and System Attached

4.

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

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

1.

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

2. Measurements:

P/D #1 5 gallon bucket in 7.3 sec.

$$\frac{5 \text{ gal.} \times 60 \text{ sec.}}{7.3 \text{ sec.}} = 41.09 \text{ gpm} \quad 41.09 \text{ gpm} \times .00144 = .09 \text{ cfs}$$

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E. NARRATIVE/REMARKS/COMMENTS

- No govt. lots were found.
- Overlaps for P/D 63-05023 is the same spring, only WR # 63-12024 is the overflow from the spring. Overlaps for P/U are other Land for other uses.
- Use is Recreation, Recreation Storage, + Diversion to storage, other uses wildlife for ducks/geese.
- The system consists of 2 springs + Ruby Drain, P/D #1 is a spring box owned by another neighbor (Brinkerhoff) the overflow diverted by way of 7" PVC to the pond (7.3 sec/5 cpl = .09 cfs), P/D #2 is a spring box owned by Tony Muschbacher WR # 63-05023 with overflow from undetermined size PVC ^{~7" or greater} buried going into pond (unable to physical measurement since there was no open discharge), P/D #3 is seepage from the burned area of Ruby Drain (unable to measure since high content of foliage). Overflow from the P/D # is diverted down existing ditch to gated pipe to irrigate approx. 2 acres on A63-28903. (Same water, different use, since used for irrigation when not using for pond). Overflow from pond ^{to ditch then to Snake River}
- Other water available is groundwater source/domestic well. Other WR used A63-28903 irrigation.

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

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F. FLOW CALCULATIONS

✓ Additional Computation Sheets Attached

Measured Method:

P/D #1 $\frac{5 \text{ gal} \times 60 \text{ sec}}{7.3 \text{ sec}} = 41.09 \text{ gpm}$ $41.09 \text{ gpm} \times .00144 = .09 \text{ cfs}$

P/D #2 Allow .09 cfs since same type collection box, approx. pipe size same elevation, + unable to measure due to closed system buried into pond.

P/D #3 Allow .01 cfs since no way to accurately quantify (per Steve Tester)

P/D #1 + P/D #2 + P/D #3 = .19 cfs = .20 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

Pond: (S.A) surface area $\frac{97.5 \times 302.5}{43,560} = .67 = .7 \text{ acre}$

Capacity: $.7 (\text{S.A}) \times 6' \text{ max. depth} = \boxed{4.2 \text{ Af}}$ (No way to compare V_D vs. V_R since flows constantly all year.)

Allow $V_{DR} = .2 \text{ cfs} \times 365 \text{ day} \times 1.9835 = 144.8 \text{ Af}$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Recreation	1/1	12/31	.20	
Recreation Storage	1/1	12/31		4.2
Diversion to Storage	1/1	12/31	.20	
Totals:			.20	4.2

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

I. AUTHENTICATION

Field Examiner's Name Greg Hemenway Date 9/7/95

Reviewer _____ Date _____

SEAL

* See adjustment memo. RC

DEC 21 1995

MEMORANDUM

TO: File 63-12024 / E. Ray Simpson
FROM: Brenda Chapman
DATE: November 16, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 63-12024 are based on the information below:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Recreation	1-01 to 12-31	.20	144.8
Rec Storage	1-01 to 12-31		4.2
Div to Storage	1-01 to 12-31	.20	

The recreation active flow component must have an annual diversion volume recommendation.

Note: the rate of flow prohibits the volume recommendations from being additive.

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DEC 21 1995

① permit: Rec - tion 1/1-12/31 - 63-12024
 Recreation storage 1/1-12/31 .2 cfs
 Diversion to storage 1/1-12/31 .2 cfs
.2 cfs 5.0 Afa

② B/u wce: #50° pd 6/9/94 0-0.2 cfs 0-20 Afa

③ Max Allowable:
pond:

(S.A) surface area $\frac{97.5 \times 302.5}{43,560} = .67 = .7 \text{ acre}$

capacity: S.A x 6' max. depth = 4.2 Af
 (.7)

④ Measurement:

P/D #1 $\frac{5 \text{ gal} \times 60 \text{ sec}}{7.3 \text{ sec.}} = 41.09 \text{ gpm}$

$41.09 \text{ gpm} \times .00144 = .09 \text{ cfs}$

P/D #2 since buried ^{pipe}, spring box at same elevation, + approx. 7" PVC size pipe, estimate its capacity to be the same as P/D #2 spring

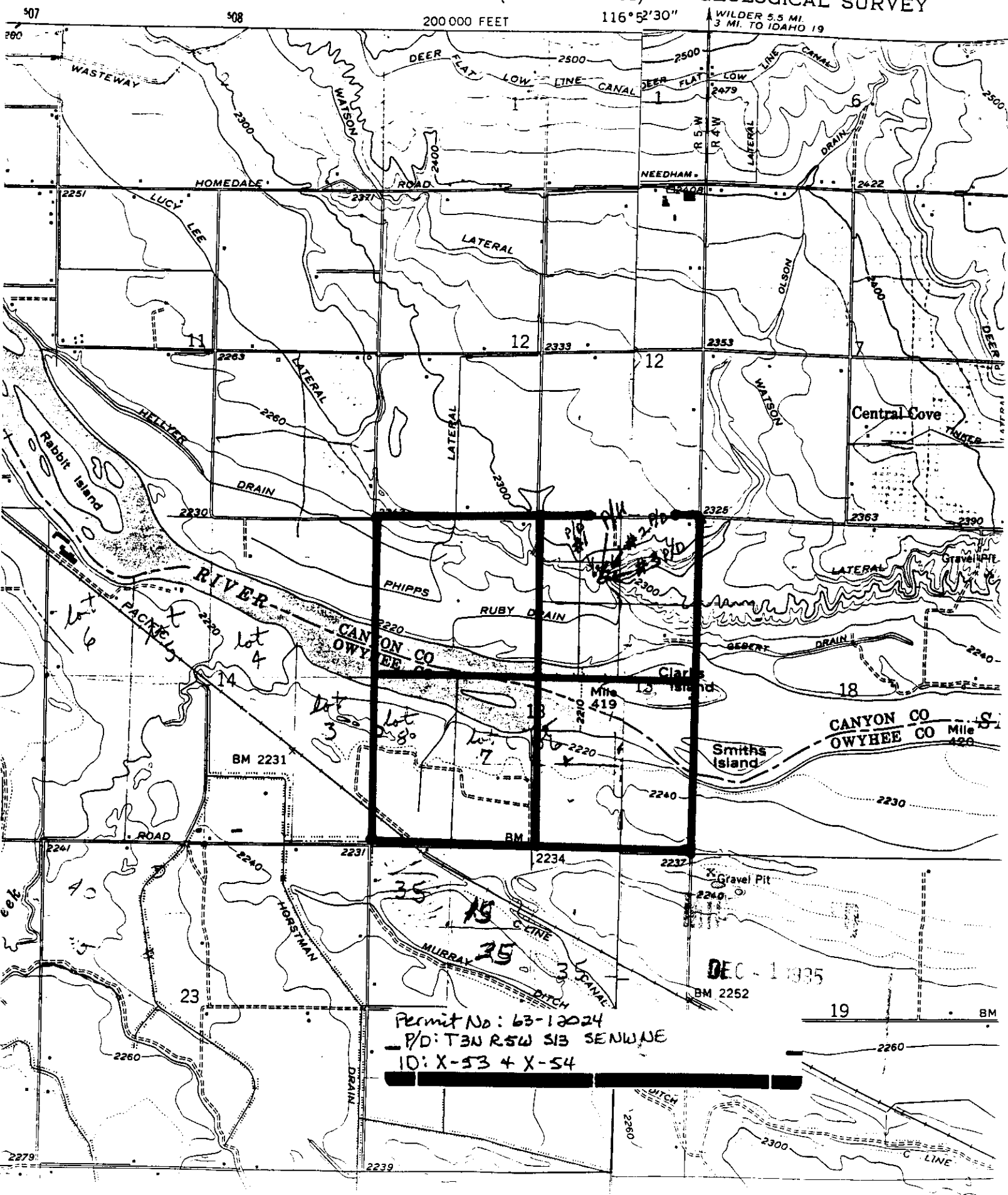
P/D #3 since unable to measure seepage coming down ditch due to high amounts of foliage, allow .01 cfs since no way to accurately quantify (per Steve Lester)

$.09 + .09 + .01$
 $= .19 \text{ cfs}$
 $= .20 \text{ cfs}$

DEC 21 1995

MEDALL GUARDRAILL
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY





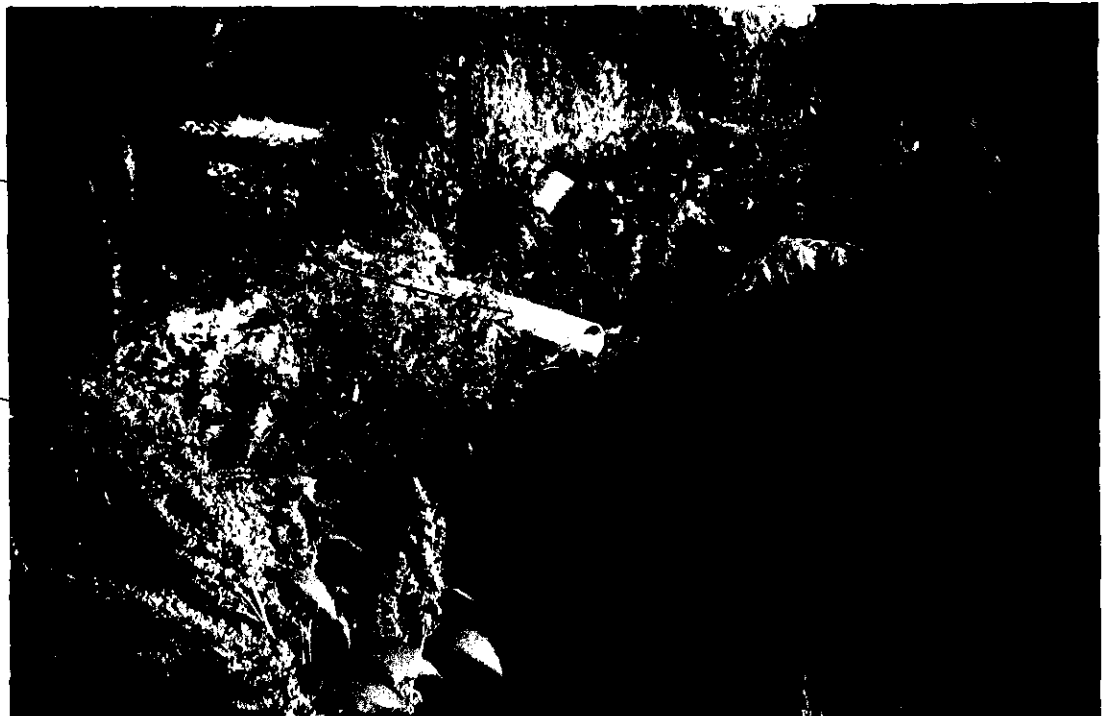
63-12024
9/15/94 S.H.

P/O #1

spring box
owned by
neighbor:
Brinkerhoff
with 7" PVC
leading to pond
with overflow
(Spring #1)

underground

- Also P/O for A63-28903



7"
PVC

P/u:

97.5' x 302.5' x 5.5'
pond

5 gallon bucket
test = 41.09 gpm =
.09 cfs
(Spring #1)

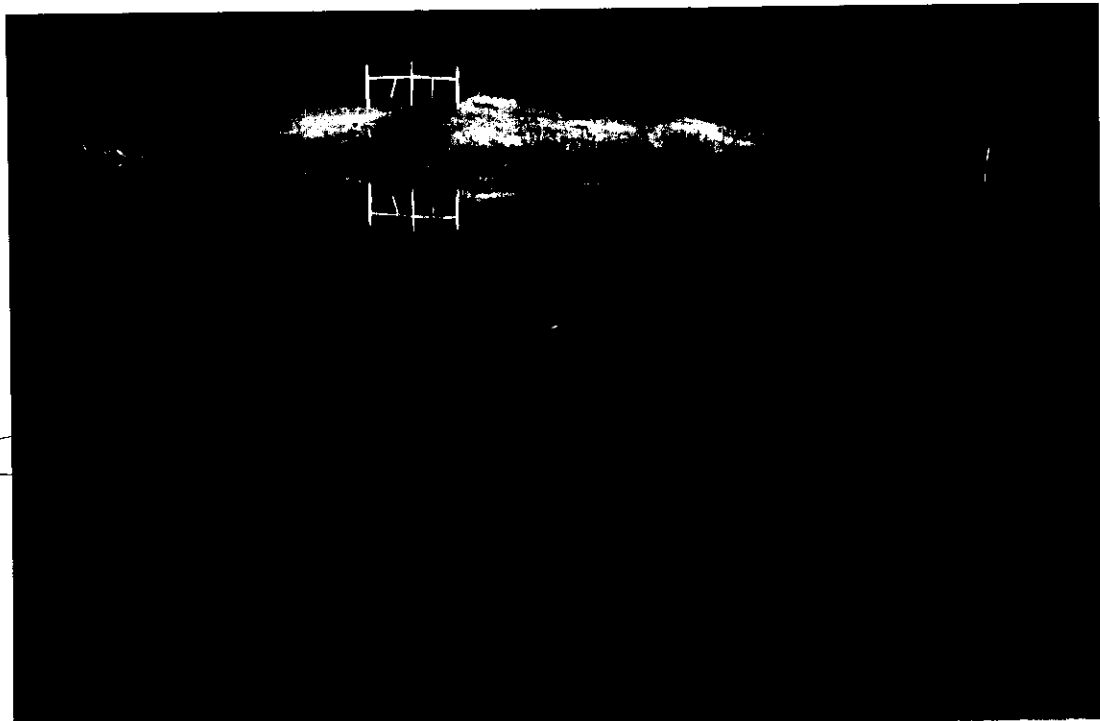


BEC 21 1994

existing
ditch for
overflow
when not
diverted into
the pond

63-12024
9/15/94 S.H

P/D: spring #2
semi-buried
piped overflow from
WR # 63-05023,
unable to get
measurement; no
open discharge available



7" PVC
overflow pipe
from pond, with
discharge going underground
& into trees & brush
leading to the Snake
(unable to measure any
time of discharge)

P/D: #3
Ruby Drain
Dam

DEC 21 1935

P/D: #3
seepage from
Dam leading
to the pond



63-12024
9/15/94 S.H.

per Elaine Simpson,
they place gated
pipe in the ditch
+ irrigate by
means of gravity
flow approx.

2 acres:
A63-28903 P/u



11/1

DEC 21 1995

June 23, 1994

E RAY SIMPSON
ELAINE SIMPSON
15750 PARKVIEW DR
WILDER ID 83676

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12024

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

JUN 30 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

October 12, 1993

E RAY SIMPSON
ELAINE SIMPSON
15750 PARKVIEW DR
WILDER ID 83676

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12024

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.

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

OCT 20 1993



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

September 23, 1993

FAY &/OR WANDA BRINKERHOFF
24427 SWEETWATER RD
WILDER ID 83676

Re: Application for Permit No. 63-12024 in the Name of E. Ray
&/or Elaine Simpson

Dear Protestants:

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

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

Sincerely,

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

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

DRT:st

CC: Applicants

RECEIVED

OCT 20 1993

Is your RETURN card on the reverse side?

Is your RETURN card on the reverse side?

63-12524

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

FAY &/OR WANDA BRINKERHOFF
24427 SWEETWATER RD
WILDER ID 83676-0010 1993

4a. Article Number

P 311 578 261

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

9-20-93

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991

★U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

03-20-33 2139
UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



RECEIVED

OCT 20 1993

SEP 21 1993

Print your name, address and ZIP Code here

Department of Water Resources

Western Regional DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY
BOISE, IDAHO 83705

06



Is on the reverse side?

SENDER:

- Complete items 1 and 2 for additional services.
- Complete items 3, a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

2. Article Addressed to

4a. Article Number

E RAY &/OR ELAINE SIMPSON
15750 PARKVIEW DR
WILDER ID 83676

P 311 578 260

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

Is your RETURN AD

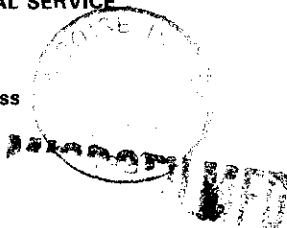
Elaine Simpson

9-21-93

Thank you for using Return Receipt Service.

98-21-33-2313
UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



SEP 2 1993

RECEIVED

SEP 2 2 1993

Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

Department of Water Resources
Western Regional Office

P 311 578 261



**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do not use for International Mail

**FAY &/OR WANDA BRINKERHOFF
24427 SWEETWATER RD
WILDER ID 83676**

PS Form 3800, June 1991

Certified Fee	
Special Delivery Fee	OCT 20 1993
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

P 311 578 260



**Receipt for
Certified Mail**

E RAY &/OR ELAINE SIMPSON
15750 PARKVIEW DR
WILDER ID 83676

PS Form 3800, June 1991

P.O., State and ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	0 1993
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ 2.29
Postmark or Date	

W I T H D R A W A L

TO WHOM IT MAY CONCERN:

I hereby withdraw my protest of
Application For Water Right to Appropriate the Public
Water of the State of Idaho, No. 63-12024.

Signed at Boise Id

this 20th day of September 1993

Gray B. Linkerhoff
Protestant

ATTEST:

D. R. Tuttle

OCT 20 1993

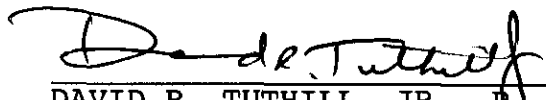
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	
	)	
FOR PERMIT NO. 63-12024 IN THE	)	NOTICE OF CONFERENCE
	)	
NAME OF E. RAY &/OR ELAINE	)	
	)	
<u>SIMPSON</u>	)	

On May 28, 1993, E. Ray &/or Elaine Simpson filed with the Department of Water Resources an application for permit to appropriate the public waters of the State of Idaho. The application was protested by Ray &/or Wanda Brinkerhoff.

The Department has set the matter of protest for a conference to be held on Tuesday, September 28, 1993, at 11:00 a.m., at the Canyon County Courthouse, 1115 Albany, Caldwell, Idaho 83605. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 16th day of September, 1993.



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


OCT 20 1993

I hereby certify that on the 16th day of September, 1993, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Secretary

Certified Mail

E RAY &/OR ELAINE SIMPSON
15750 PARKVIEW DR
WILDER ID 83676

FAY &/OR WANDA BRINKERHOFF
24427 SWEETWATER RD
WILDER ID 83676

OCT 20 1993

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The Applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize

OCT 20 1993

themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may by written stipulation waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

OCT 20 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

July 26, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

E RAY &/OR ELAINE SIMPSON
115750 PARKVIEW DR
WILDER ID 83676

Re: Application for Permit No. 63-12024

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)

RECEIVED

OCT 20 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

July 26, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

FAY &/OR WANDA BRINKERHOFF
24427 SWEETWATER RD
WILDER ID 83676

Re: Application for Permit No. 63-12024 in the Name of E. Ray
&/or Elaine Simpson

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

RECEIVED

OCT 20 1993

RECEIVED
JUL 22 1993

July 19, 1993

Department of Water Resources
Western Regional Office

R. Keith Higginson, Director
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

RE: Claim 63-12024

Dear Mr. Higginson:

In accordance with Idaho Code, we hereby file a protest against the above numbered claim of E. Ray and Elaine Simpson.

We, as legal owners of one of the springs, believe all water rights should accrue to the legal owners of the land upon which the springs are located.

Sincerely,

Fay Brinkerhoff

Fay Brinkerhoff

Wanda Brinkerhoff

24427 Sweetwater Road
Wilder, ID 83676

Wanda Brinkerhoff (July 21, 1993)

1993



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

June 30, 1993

WILDER IRRIGATION DISTRICT
709 CLEVELAND BLVD
CALDWELL ID 83605

Re: Application for Water Right No. 63-12024 in name of E. Ray
&/or Elaine Simpson

Dear Sir:

Enclosed is a copy of the above-referenced application for
water right.

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

Sincerely,

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

DRT:st

Enclosure: Copy of Application

RECEIVED

OCT 20 1993

63-12024

SIMPSON, E RAY
SIMPSON, ELAINE
15750 PARKVIEW DR
WILDER, ID 83676

Source: SPRINGS
Source: RUBY DRAIN

Tributary: RUBY DRAIN
Tributary: SNAKE RIVER

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

Use: DIVERSION TO STORAGE	(.200 CFS)	
RECREATION STORAGE		(5.00 AF)
RECREATION	(.200 CFS)	
Total Diversion:	(.200 CFS)	

Date Filed: 5/28/1993

In: CANYON County
T03N R05W S13 NWNE

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Mary B. Scott

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

—in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

July 7, 14, 1993

Mary B. Scott

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 14th day of July in the year of 1993, before me, a Notary Public, personally appeared Mary B. Scott, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Janne Lusk
Notary Public for Idaho
Residing at Nampa
MY COMMISSION EXPIRES
JUNE 27th, 1997

RECEIVED

JUL 22 1993

Department of Water Resources
Western Regional Office

RECEIVED

OCT 20 1993

The Following Diverions have been filed to appropriate the public waters of the State of Idaho:

SIMPSON, E. RAY
SIMPSON, ELAINE
1500 PARKVIEW DR
WILSON, ID 83876

Source: GROUNDWATER
Diverion Pt: NW 1/4 Sec 18 T 60N R 10E W 1E

Use: DIVERSION TO STORAGE
RECREATION STORAGE
RECREATION

Transect: RUBY SPRING
Sec 18 T 60N R 10E W 1E in CANYON County.

(.200 CFS)
(5.00 AF)
Total Diversion: (.200 CFS)

Date Filed: 5/20/1993
In: CANYON County
T 60N R 10E W 1E

NWNE

63-12035

MICHELL, CYNTHIA A
MICHELL, DOUGLAS E
TANA CT
WILSON, ID 83848

Source: GROUNDWATER

Diverion Pt: NW 1/4 Sec 18 T 60N R 10E W 1E

Use: DOMESTIC

Sec 18 T 60N R 10E W 1E in CANYON County.

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

Date Filed: 5/23/1993
In: CANYON County
T 60N R 10E W 1E

SENE

63-12036

MADSEN, FLOYD
MADSEN, VICTORIA
222 BUCKSKIN DR
NAPA, ID 83898

Source: GROUNDWATER

Diverion Pt: NW 1/4 Sec 25 T 60N R 10E W 1E

Use: DOMESTIC

Sec 25 T 60N R 10E W 1E in CANYON County.

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

Date Filed: 5/24/1993
In: CANYON County
T 60N R 10E W 1E

SENE

Permits will be subject to all prior water rights. Permits may be withdrawn based on the criteria of Sec. 10-101, Idaho Code. Permits shall be filed with the Director, Dept. of Water Resources, (Water Rights Section, 2000 Capitol Blvd., Boise, Idaho 83725) on or before JULY 15, 1993.
JUL 7 1993

MODIFIED

OCT 20 1993

CONVERSATION MEMORANDUM

DATE 6-25-93

FILE _____

NAME OF PARTY Elaine Simpson 337-3973

EMPLOYEE Steve Lester

RE:

use prior to 11/87 needs
verification to be exempted
from moratorium.

① Pond covers c $3/4$ acre, depth 3'-8', est.

Volume rounded off to c 5 A.C. :

$$3/4 \text{ acre} \times \frac{3+8}{2} \text{ ft.} = 4.125 \text{ A.C.}$$

Round up for "fudge factor".

② At least 4, maybe more, springs flow into pond but *
no diversion works in place to divert water from springs to pond.

③ Pond is partly on Ruby Draw (dam is on
draw so draw comes through corner of
pond as shown in subd. diagram).

④ Within Wilder Irr Dist:

Since are very close to River & since she
stated that field below (south) gets its water
from something other than Ruby Draw, will
send comment letter to irr. dist. instead of
having Applicant provide written OK from irr dist.

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⑤ Property within 7 Springs Subd.

Plu = Lot 7 & 86 per applicant's map map.

⑥ Existing pond without diversion from springs: Redefine source as
pond with remark that several springs flow into pond?

* So div. to storage does not occur since no div. works
for " " " ?

⑦ Allow .20 of Recreation (pond fresh) - not
PN because it count of water used

1
option,
also see
Remark D.
from
A63-28903