

CONVERSATION MEMORANDUM

DATE 1/5/95

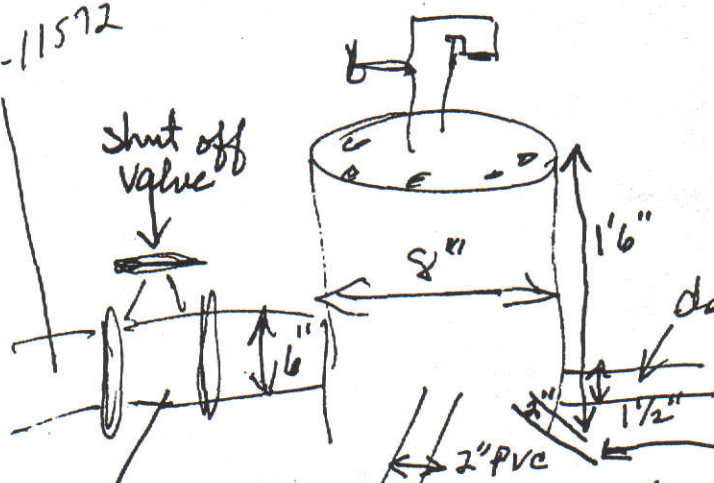
FILE _____

NAME OF PARTY R BrunoEMPLOYEE J LethRE: - Continued -Note per AJ files } 11/15/94 Exom 63-11572 :

PHOTOS, DRAWINGS, OTHER ATTACHMENTS: ←

From: 11/15/94 Exom by
JH, 63-11572

63-11572



63-11572

Shut off Valve

8"

16"

2" PVC

to a house of Jerid Gace

+ another to Pete Aldridge Aldrich (licensed WR # 63-03503/63-07054)

Other 2 of 0/3 in 63-03503 (assumed)?

1 of 0/3 in 63-03503 (assumed)?

Dan Doherty's domestic use (internal/external)

Dan Doherty's to green house/ commercial use + ditch diverting to wildlife storage pond

A63-03503 Irr + 0/3 Earl + Bernetta Aldrich

A63-03503B 0/1 for Art Hegewald 8405 Joplin Rd.

(no other suffixes found in AJS for -3503)

A63-07054 Same clients as A63-03503

(no suffixes found in D'BASE)

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-11572	)	
	)	
IN THE NAME OF DAN & SHEILA DOHERTY	)	ORDER OF
	)	REINSTATEMENT

This matter having come before the Idaho Department of Water Resources (Department), the Department makes the following FINDINGS OF FACT, CONCLUSIONS OF LAW and ORDER:

FINDINGS OF FACT

1. On November 13, 1991, the Department issued Permit No. 63-11572 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before November 1, 1993.

2. On August 31, 1993, the Department sent a proof due notice to the permit holder by certified mail stating that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use. The proof due notice was returned by the post office as undeliverable and attempts to locate an address were unsuccessful.

3. On November 4, 1993, the Department sent a lapse notice to the permit holder. The lapse notice was also returned by the post office as undeliverable.

4. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

5. On September 16, 1994, the permit holder submitted an acceptable proof along with one (1) affidavit confirming that water had been put to beneficial use during the authorized development period. The permit holder further explained that because of moving several times he was not receiving mail and subsequently did not receive the proof due notice.

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in

OCT 26 1994

fact beneficially used within the authorized development period.

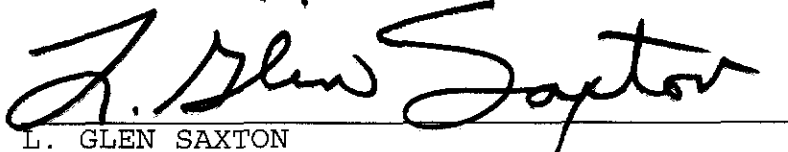
2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

3. The department should reinstate the permit with the date of priority advanced to the date proof of beneficial use and supporting information was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 63-11572 is **REINSTATED** and the priority is advanced to September 16, 1994.

Dated this 19th day of October, 1994.


L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED
6 1994

RECEIVED
SEP 16 1994

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 who has been appointed by the department.

1. Permit No. 63-11572 Telephone No. 208-634-4206
2. Name(s) of Permit Holder(s): DAN W. DOHERTY
3. Mailing Address: P.O. Box 4478, McCall, ID 83638
4. Source of Water Groundwater if GROUNDWATER (well), Date Drilled: Approx yr. 1965
- a. Well Driller: unknown Drilling Permit Number: N/A
- b. **OPTIONAL:**
Pump Horsepower: ARTESIAN Pressure (psi): _____ Dynamic pumping level (ft): _____

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

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: Commercial Wildlife Storage

6. Total rate of diversion and/or volume for which proof is submitted: .2 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No ✓
Has the measuring device been installed? Yes _____ or No _____

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No ✓
Has the measurement port been installed? Yes _____ or No _____

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

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

Name: DAN W. DOHERTY Telephone Number: 208-634-4206
Address: McCall (As Above)

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

Signature of permit holder: [Signature]

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

Date: Sept 94

OCT 26 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-11572

Proposed Priority: August 5, 1991 Maximum Diversion Rate: 0.20 CFS
This is to certify, that DAN W DOHERTY JR

SHEILA DOHERTY
11158 W HICKORY
BOISE ID 83704

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.20 CFS	
WILDLIFE STORAGE	01/01 to 12/31		4.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	
	Totals	0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION: NWSE Sec. 19, Township 04N, Range 01W
ADA County

PLACE OF USE: COMMERCIAL
TWP RGE SEC

04N 01W 19 NWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1993.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Commercial use is for a nursery and greenhouse.

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

13 day of November, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

Ident. No. 63-11572

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: DAN W. DOHERTY, JR. 208-375-5569
Address: 11158 W. HICKORY
BOISE, ID 83704

Name: SHEILA DOHERTY 208-375-5569
Address: 11158 W. HICKORY
BOISE, ID 83704

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NWSE Sec. 19, Township 04N, Range 01W
ADA County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
COMMERCIAL	01/01	12/31	0.200		
WILDLIFE STORAGE	01/01	12/31			4.00
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.
WELL, PIPELINE, POND
- Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
- Proposed well diameter is inches; proposed depth of well is
feet.
- Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 5 years.

8. Description of proposed uses:

POND - A 200' X 208' - 4.00 AF

WELL - 12" DIA - 100' DEEP

PIPELINE - 12" DIA - 100' LONG

BKA - 12" DIA - 100' LONG

Ident. No. 63-11572
Page 2

9. Place of Use: COMMERCIAL

TWN RGE SEC
04N 01W 19 NMSE

10. Describe any other water rights used for the same purposes.

11. a. Who owns the property at the point of diversion?

APPLICANT

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

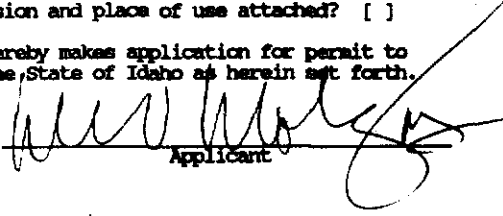
APPLICANT

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

12. Remarks:

13. 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.

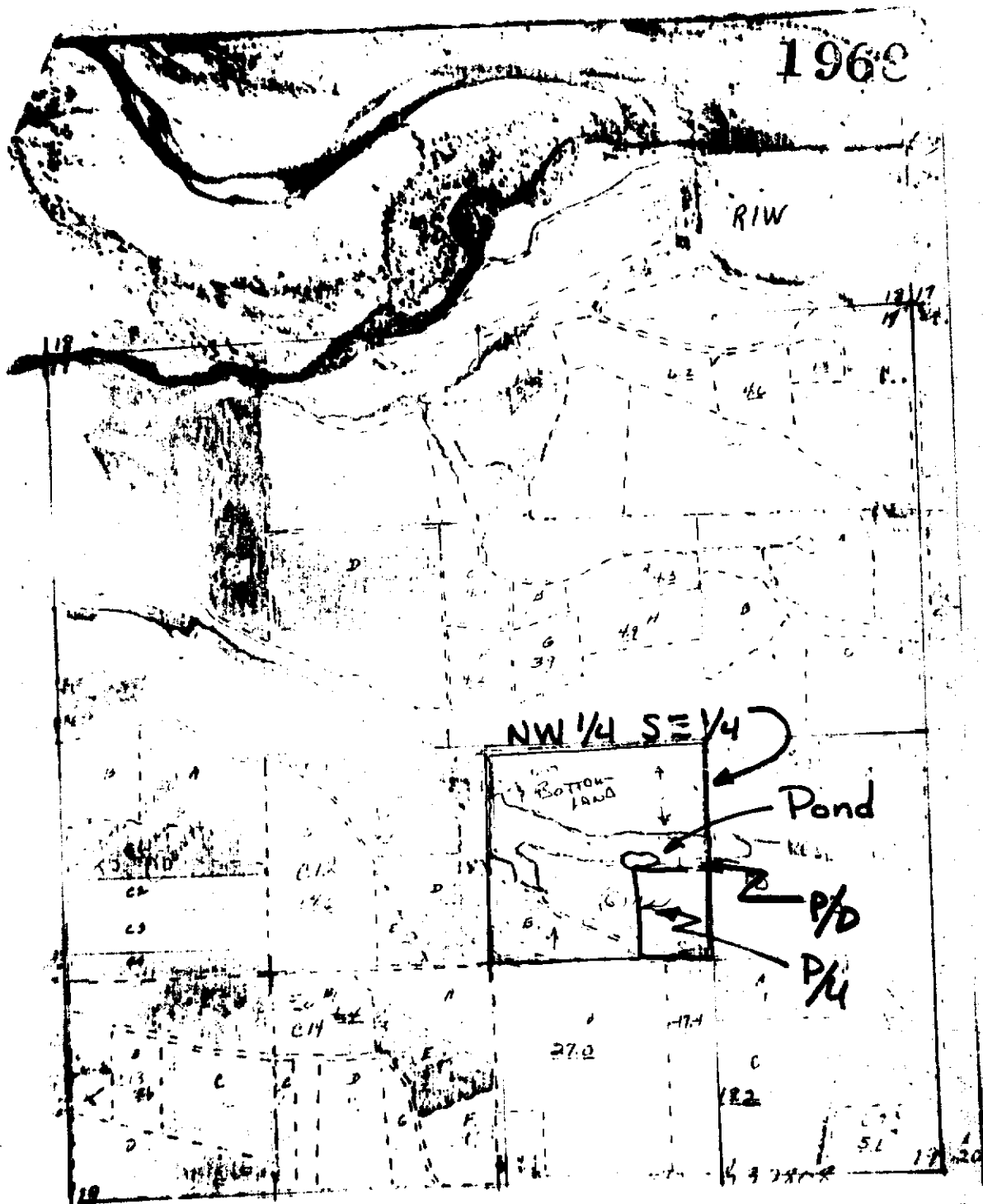

Applicant

Received by J.S. Date 7:00 Time 8/5/91 Preliminary check by J.S.

Fee \$ 30.00 Receipted by SC # 0021407 Date 8/5/91

Publication prepared by GG Date 8-28-91 Published in ID Statesman

Publication approved AK Date 9/5 & 9/12/91
10-1-91



The Idaho Statesman

P.O. BOX 40 BOISE IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

Account Number 47628		Identification Notice of Application for Water Right	
Ordered By Gail Garrett	P.O. Number	Rate NT	Run Dates September 5, 12, 1991
Idaho Department of Water Resources Western Region 2735 Airport Way Boise, Idaho 83705		Estimated inches	Real inches
63-11572 DOHERTY, SHEILA DOHERTY, JR., DAN W. 11158 W. HICKORY BOISE, ID 83704 Source: GROUNDWATER Diversions Pt: NWSE Sec 19 T 04N R 01W Use: COMMERCIAL (.200 CFS) WILDLIFE STORAGE (4.00 AF) DIVERSION TO STORAGE (.200 CFS)		= Affidavits 1	Legal Number 9355

NOTICE OF APPLICATION FOR WATER RIGHT

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

SCHOOL DISTRICT OF BOISE CITY, INDEPENDENT
405 COLLINS RD.
BOISE, ID 83702
Source: GROUNDWATER
Diversions Pt: NWNWSE Sec 11 T 03N R 01E
Use: IRRIGATION (.300 CFS)
Total Diversions: (.300 CFS)
Date Filed: 7/24/1991
In: T03N R01E S11 NWSE
10.0 ACRES TOTAL
63-11566

SCHOOL DISTRICT OF BOISE CITY, INDEPENDENT
405 COLLINS RD.
BOISE, ID 83702
Source: GROUNDWATER
Diversions Pt: NWNWSE Sec 25 T 03N R 02E
Use: IRRIGATION (.300 CFS)
Total Diversions: (.300 CFS)
Date Filed: 7/24/1991
In: T03N R02E S24 SWSE SESE
5.0 ACRES TOTAL
63-11567

SCHOOL DISTRICT OF BOISE CITY, INDEPENDENT
405 COLLINS RD.
BOISE, ID 83702
Source: GROUNDWATER
Diversions Pt: NWNWSE Sec 23 T 03N R 02E
Use: IRRIGATION (.720 CFS)
Total Diversions: (.720 CFS)
Date Filed: 7/24/1991
In: T03N R02E S 23 NESE SWSE SESE
26.0 ACRES TOTAL
63-11570

OWYHEE TERRACE HOMEOWNERS ASSOCIATION
C/O JOHN SHELSTAD
2120 VISTA AVE.
BOISE, ID 83705
Source: GROUNDWATER
Diversions Pt: SWSE Sec 21 T 03N R 02E
Use: IRRIGATION (.150 CFS)
Total Diversions: (.150 CFS)
Date Filed: 7/25/1991
In: T03N R02E S21 SWSE
5.0 ACRES TOTAL

Total Diversions: (.200 CFS)
Date Filed: 8/5/1991
In: T04N R01W S19 NWSE
63-11573
ROBERTSON, DARRELL
3701 E. DEERFLAT
KUNA, ID 83634
Source: GROUNDWATER
Diversions Pt: SWNW Sec 20 T 02N R 01E
Use: IRRIGATION (2.600 CFS)
Total Diversions: (2.600 CFS)
Date Filed: 7/24/1991
In: T02N R01E S20 NENW NWNW SWNW SENW
130.0 ACRES TOTAL
63-11581

SELL, PATRICE M.
8555 COVEYRIDGE LANE
BOISE, ID 83709
Source: GROUNDWATER
Diversions Pt: NWSW Sec 12 T 02N R 01E
Use: IRRIGATION (.150 CFS)
STOCKWATER (.303 CFS)
DOMESTIC (.020 CFS)
Total Diversions: (.200 CFS)
Date Filed: 8/13/1991
In: T02N R01E S12 SESW
5.0 ACRES TOTAL
63-11583

PECK TRUST, F. CLYDE
1201 MANITOU ST.
BOISE, ID 83706
Source: SPRING
Tributary: BOISE RIVER
Diversions Pt: SESE Sec 26 T 04N R 01E
Use: IRRIGATION (.880 CFS)
Total Diversions: (.880 CFS)
Date Filed: 7/29/1991
In: T04N R01E S24 NESE SESE
44.0 ACRES TOTAL

The permit (s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83725 on or before SEPTEMBER 23, 1991.
R. Keith Higginson, Director
Pub. September 5, 12, 1991 9355

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

☐ consecutive daily ☐ single ☐ odd skip

th the issue of September 5, 1991

e of September 12, 1991

Gail Garrett

ss.

day of September in the year of me. a Notary Public, personally appeared

known or identified to

ose name subscribed to the within instrument, ly sworn, declared that the statements therein iged to me that she executed the same.

Gail Garrett
Public for Idaho
Boise, ID

ing at

mmission expires: May 1997

CONVERSATION MEMORANDUM

DATE

1/5/95

FILE

63-03503

63-07054

63-11572

Original in
this Regional
file

NAME OF PARTY

Robert Bruno 866-1885

EMPLOYEE

Steve Lexter

RECEIVED

JAN 09 1995

A63-03503

A63-07054

RE:

COMPLAINT

IOWA DEPARTMENT OF Water Resources

A63-03503B

Mr. Bruno is caretaker for Doherty (63-11572).
Said other party (or parties?) are adjusting valves
s/or headgate on artesian well that is used
for multiple rights. Said Doherty's pond is
being denied water while other user(s) are
getting water.

This appears to be totally a civil matter
beyond IOWA jurisdiction (just typical water
right v. water right). We discussed the overall
w.r. implications (priority, rate, b.u., max use
per season etc.).

He is not asking for any IOWA assistance beyond
above at this time. Will work w/ neighbors to
try to resolve.

APPEARS
SAME
ARTESIAN
WELL

see
next
pg.

Right	Priority	Uses
63-03503	1966	IRrig .32 cfs (16 ac) Domestic .06 cfs (3 houses)
63-07054	1987	IRrig .48 cfs (24 ac)
Doherty - 63-11572	1994	Comm .20 cfs (nursery + greenhouse) Wildl. Storage 4 AF (pond)

CONVERSATION MEMORANDUM

DATE 1/5/95

FILE _____

NAME OF PARTY R Bruno

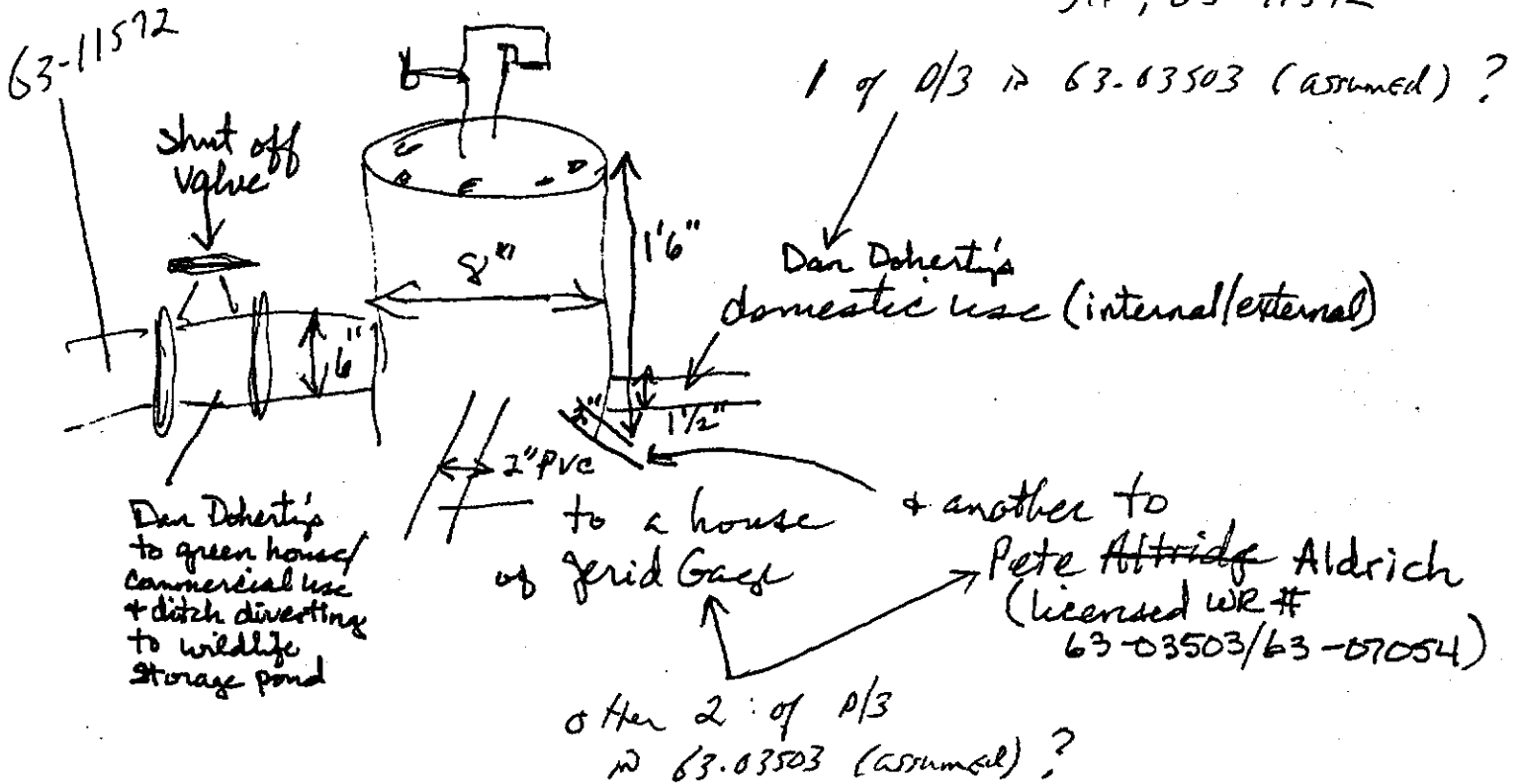
EMPLOYEE J Leste

RE: — Continued —

NOTE per Aj files & 11/15/94 Exom 63-11572 :

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

From: 11/15/94 Exom by
JH, 63-11572



A63-03503 Irr + P/3 Earl + Bernetta Aldrich

A63-03503B P/1 for Art Heyward 8405 Joplin Rd.

(no other suffixes found in AJS for -3503)

A63-07054 Same clients as A63-03503

(no suffixes found in D'BASE)



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 19, 1994

DAN W DOHERTY
P O BOX 4478
MCCALL ID 83638

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 63-11572

Dear Permit Holder:

The Department acknowledges receipt of the proof of beneficial use form submitted for the above referenced water right permit.

Enclosed is an order reinstating your permit since the proof was received after the proof due date. Please note that the priority date has been advanced to September 16, 1994.

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

Enclosure

c: IDWR - Region

OCT 26 1994

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 63-11572 Reviewed by [Signature] Date 10/13/94

GENERAL CONSIDERATIONS

yes Name same as permit?
no Address same as permit?
no Proof timely received?
If not, complete calculation below.

TYPES OF USE

Comm, wild. storage
Correct Uses? yes

SOURCE OF WATER

 Surface water source
✓ Ground water source
no 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?
50.00 Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received 9-16-94
Date proof due 11-1-93
No. of days late =
Priority Date +
New Priority Date 9-16-94

> 9/16/94

DEFICIENCIES OR ACTION ITEMS

Late Reinstatement to Sept. 16, 1994.

Proof acceptable

DATA ENTRY

New Address P.O. Box 9478 Proof Made 9/16/94
McCall, Id. 83638

RECEIVED

SEP 29 1994

Department of Water Resources

September 17, 1994

State of Idaho
Department of Water Resources
Attn.: Julie Yarbrough
1301 N. Orchard Street
State House Mail
Boise, ID. 83720-9000

RE: Request to Reinstate Water Permit No. 63-11572

Dear Ms. Yarbrough,

During 1993 I relocated to the Island of Hawaii in the State of Hawaii and did not receive the certified letter sent to me regarding "proof due notice" on the above water permit.

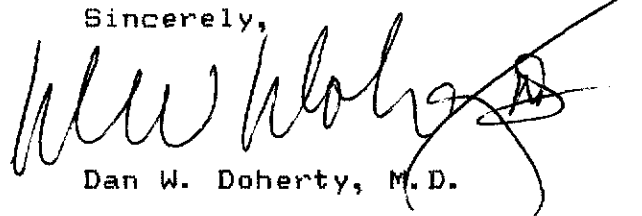
I had constructed a greenhouse and began planting trees to develop a commercial nursery as planned. I began the project in 1992. The water was also flowing into wildlife habitat and I was in full compliance with the permit application.

I have made a request to Shepard Management to file an affidavit with you stating I was in compliance prior to the due date of November 1993.

If you have further questions regarding this request to reinstate the permit, please contact me directly at 808)885-8484, Fax 808)885-8557, Address- P.O. Box 7140, Kamuela, HI 96743.

Thank You for your cooperation.

Sincerely,



Dan W. Doherty, M.D.

RECEIVED

OCT 26 1994

Shepherd MANAGEMENT



100 A-2 North Latah Boise, Idaho (208) 331-0550

September 26, 1994

State of Idaho
Department of Water Resources
Attn: Julie Yarbrough
1301 North Orchard Street
Boise, Idaho 83720-9000

Re: Request to Reinstate Water Permit No. 63-11572

This letter is to confirm that Dan Doherty had built a greenhouse and was planting trees to develop a commercial nursery during the years 1992 and 1993.

I witnessed his program and attest to it being in progress.

Sincerely,

A handwritten signature in cursive script that reads "Pat Wilson". The signature is written in dark ink and is positioned above the printed name.

Pat Wilson
Owner, Shepherd Management

cc file, Doherty
PW/sm

OCT 26 1994

I certify that file No. 63-11572

has been reviewed and is ready to be

MICROFILMED and DESTROYED.

The attached proof report is the water right as it appeared in
database prior to final status entry and deletion from the database.

C Zimmerman
Reviewer

3/17/94
Date

WRS000NP
(00-26)

IDAH0 DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

03/17/94 09:50:47
Page 1

Water Right Number - 63-11572

Prefix Translation: WATER RIGHT

Old (0) Number -

----- Last Name -----

----- First Name -----

----- Address -----

*** C - CURRENT OWNER ***

BOHERTY JR

DAN W

1 - 11158 W HICKORY

2 -

3 -

City- BOISE

Phone - 208-375-5569

State- ID Zip- 83706

BOHERTY

SHEILA

1 - 11158 W HICKORY

2 -

3 -

City- BOISE

Phone - 208-375-5569

State- ID Zip- 83706

----- Priority Date -----
08/05/1991

----- Region -----
14 WESTERN

----- Stage -----
P - PERMIT

----- Status -----

----- Source -----
GROUNDWATER

----- Tributary -----

Turn	Ring	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
04W	01W	19	NW SE			(1) ADA				

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
10 - COMMERCIAL		01/01	12/31		
17 - WILDLIFE STORAGE		01/01	12/31	0.200	
35 - DIVERSION TO STORAGE		01/01	12/31	0.200	4.00

----- Total Div. Rate ----- 0.200

Turn	Ring	Sec	Tract	Lot	Place of Use Acres	Code	Description	County
04W	01W	19	NW SE			10	COMMERCIAL	(1) ADA

----- Diversion Means - WELL, PIPELINE, POND

----- Non-Irrigation Use -

----- Other Rights for Same Use -

----- Remarks -----
Commercial use is for a nursery and greenhouse.

----- Old Water Right Numbers -----
No Old Water Right Numbers found.

WRS00000
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

05/17/94 08:58:47
Page 2

Water right number - 63-11572

Prefix Translation: WATER RIGHT

----- Conditions of Approval -----
26A - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.
046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.

----- Decree Plaintiff -----

----- Decree Defendant -----

----- Decree Date -----
05/05/0000

----- Comments -----
Date: 08/05/1991 User Id: JOHNSON Subject: OVERLAP WITH 63-03503
THIS RIGHT PROPOSES TO USE SAME WELL USED UNDER RIGHT NO. 63-03503. RIGHT HOLDER WILL DEVELOP NEW NON-IRRIGATION USE.
Date: 11/04/1993 User Id: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

----- Audit Fields - 08/05/91 JOHNSON 10/25/91 SKAGGS 11/08/91 SKAGGS 11/04/93 COMMENTS

----- Water Rights Dates and Flags Area -----
Proof Due Date - 11/01/1993 Field Exam Made - 00/00/0000 Field Exam Fee -
Approved/Denied - 1/13/1991 Protested Date - 00/00/0000 Swan Falls -
Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P
Exam to S.O. Date - 00/00/0000 Verified Date - 00/00/0000 DLE/Carey Act -
Order Show Cause - 00/00/0000 Receipt Number - C021407 Water District -
Licensed Date - 00/00/0000 Appl Received - 08/05/1991 Transfer/Amended -
Decree Date - 00/00/0000 Presumption Flag -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

RECEIVED
NOV 08 1993
Department of Water Resources

SHEILA DOHERTY
DAN W DOHERTY JR
11158 W HICKORY
BOISE ID 83704



63-11572

UNDELIVERABLE
AS ADDRESSED
FORWARDING
ORDER EXPIRED

|||||

November 4, 1993

SHEILA DOHERTY
DAN W DOHERTY JR
11158 W HICKORY
BOISE ID 83704

RE: PERMIT NO. 63-11572 LAFSE NOTICE

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated August 31, 1993. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 11/11/93
a copy/an original of this document was
deposited in the United States mail
postage prepaid addressed to the
individual(s) named above.

kg

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street
Boise, Idaho 83706-2237



FOE
404

UNDELIVERABLE
AS ADDRESSED
FORWARDING
ORDER EXPIRED

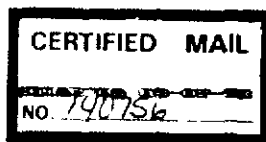
304-2400
8405 Poplar 9/7/92
Eagle 83616



63-11572
RECEIVED K03
SEP 8 1992
Department of Water Resources



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street
Boise, Idaho 83706-2237



NO ENCL



RECEIVED
SEP 13 1992
Department of Water Resources



August 31, 1993

SHEILA DOHERTY
DAN W DOHERTY JR
11158 W HICKORY
BOISE ID 83704

PROOF DUE NOTICE

RE: PERMIT NO. 63 11577

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1993. (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 17-204, 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL

NO. 140532

140756

9/13/93 - Second certified letter returned as undeliverable -
Cannot locate permit holder. Will lapse permit
as usual.



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

November 19, 1991

SHEILA DOHERTY
DAN W DOHERTY JR
11158 W HICKORY
BOISE ID 83794

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 53-11772

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under Condition No. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not

diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosure

APPLICATION FOR PERMIT REVIEW

Application #: _____ Reviewer: Pam Skaggs
Date: _____

Existing:
☒ No - 26A-P17
 Complete in 1 year - P16
☐ Yes
 Proof not submitted - P16
 Proof submitted - N/A
☒ Groundwater:
 GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)
 LT. 0.2 cfs - N/A
☒ Drilling Permit:
 Approved w/permit - P99
 Not included - 046-P23(All GW, even existing wells)
☒ Location:
 Water Districts - WD No. _____
 Surface water - 005, 005-01H-P01(LT.2 w/pump)
 005-01J-P08(GT.2)
 Groundwater - P05
 Irrigation Districts - 023
 Canal Co. Areas - 023
 Drainage Districts - 024
 Boise Front (63) - 058 (Groundwater)
 Swan Falls Flag - _____ (1, Blank or Other)
 Trust - 051-052-053-P74(Consumptive Uses)
 Non Trust - 048-049
 River Basins:
 (Surface Water) Water District Control Condition &....
 Boise (63) - 05A & 11E
 Payette (65) - 047-P04, 059-P71
 Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)
☒ Use:
 Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
 042(req.), 002-P06(MD), 07A(Spec.),
 044(Policy 5G)
 Use Power Review
 Power - _____
 Mining - 06A or 010, 09E-P10 & 054(req.)
 Storage - 18A-for multiple measuring devices(In WD),
 18B-P09(Size)
 Rec. & Aesthetic - 027(Non-Consumptive)
 Domestic - 021(restricted areas)
 Ownership:
 Non land owner - 004
 Protested:
 Agreement - 020

☒ Beneficial Use Due Date: _____
 Other Conditions Recommended _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

AUGUST 28, 1991

The Idaho Statesman
P.O. Box 40
Boise, ID 83707

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 23, 1991.

Yours truly,

GAIL GARRETT
Secretary

Encl.

63-11572

DOHERTY, SHEILA
DOHERTY, JR., DAN W.
11158 W. HICKORY
BOISE, ID 83704

Source: GROUNDWATER

Diversion Pt: NWSE Sec 19 T 04N R 01W

Use: COMMERCIAL	(.200 CFS)	(4.00 AF)
WILDLIFE STORAGE		
DIVERSION TO STORAGE	(.200 CFS)	
Total Diversion:	(.200 CFS)	

Date Filed: 8/ 5/ 1991

In: T04N R01W S19 NWSE