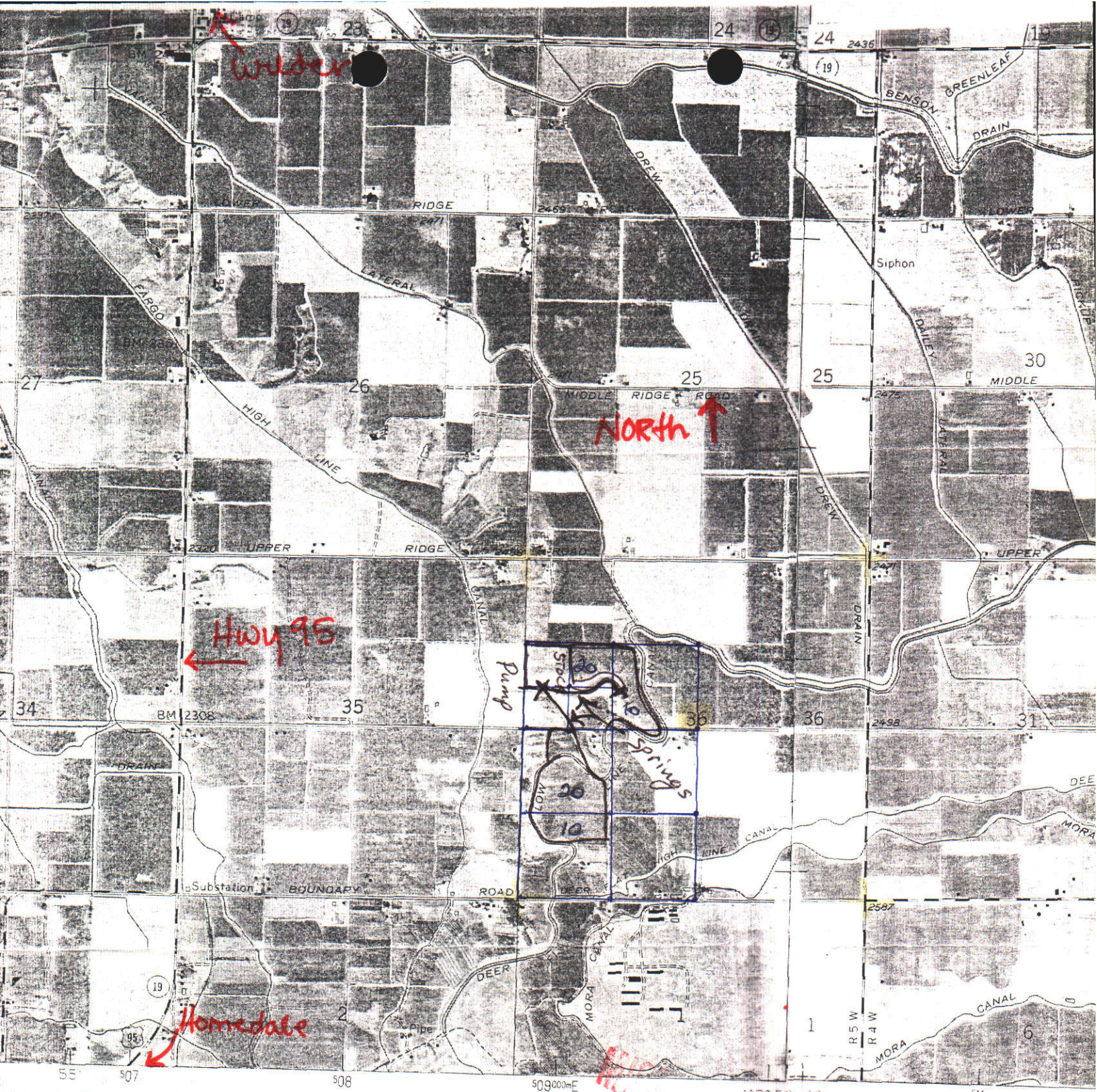


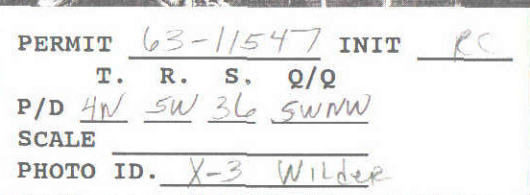


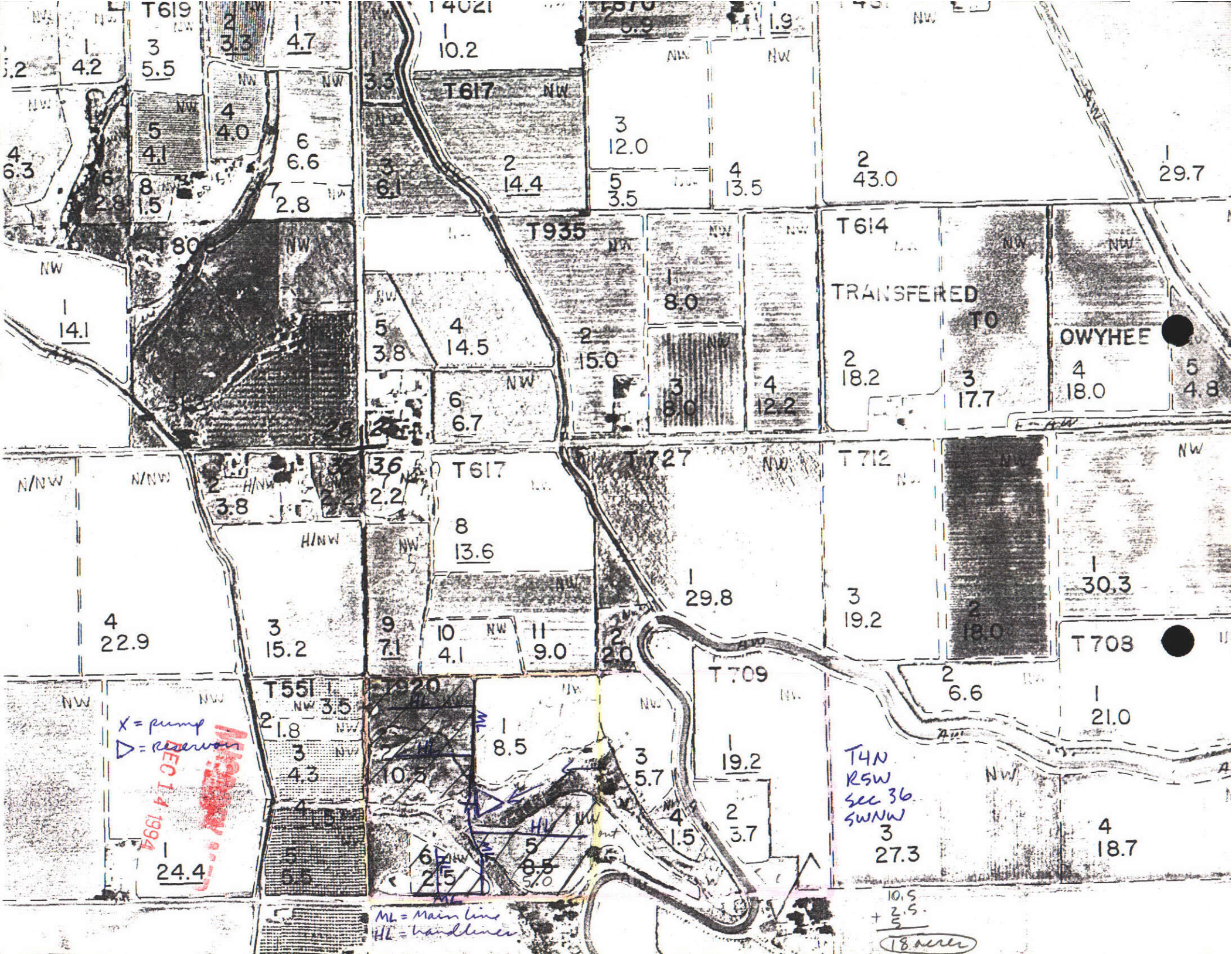
Boise Cascade 466 9850 4N 5W sec 36
 467-1181
 Call Monday from 3:00-3:30
 Tues
 Wed.
 I get off work at 3:00 PM

RECEIVED
 JUN 6 1991
 WILDER, IDAHO
 N4337.5—W11652.5/7.5

Produced by the Geological Survey
 Orthophotograph prepared from 1:80,000-scale aerial photographs taken July 30, 1981
 Projection and 10,000-foot grid ticks: Idaho coordinate system, west zone
 Transverse Mercator
 1000 meter Universal Transverse Mercator grid, zone 12N
 927 North American Datum
 A place on the predicted North American Datum
 The projection lines 16 meters north and 78 meters
 are shown by dashed corner ticks
 The imagery rectified by optical scanning
 Where double or mismatched image occur use the
 mean of image position for map point
 and lines from Notus, Idaho

Department of Water Resources
 Western Regional Office





X = pump
Δ = reservoir
LECT 14 1994

ML = Main line
HL = handlines

T4N
R5W
Sec 36
SWNW
3
27.3

10.5
+ 2.5
= 13.0
18 acres

Note: I have not drawn this map to scale.

1/4 of SE 1/4, Govt. Lot, Lying N+W.
Low Line Canal. Sec 36, 4N, 10E, 10S.

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

See ortho-photo attached.

> Deer Flat Low line Canal >

Bridge

Dam

X Pumping station

Double wide

Canal

2 1/2 mi

Behner Rd

MICROFILMED
SEP 04 1991

Scale: 2 inches equal 1 mile

wilder ← Highway U.S. 95 → Homedale

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.

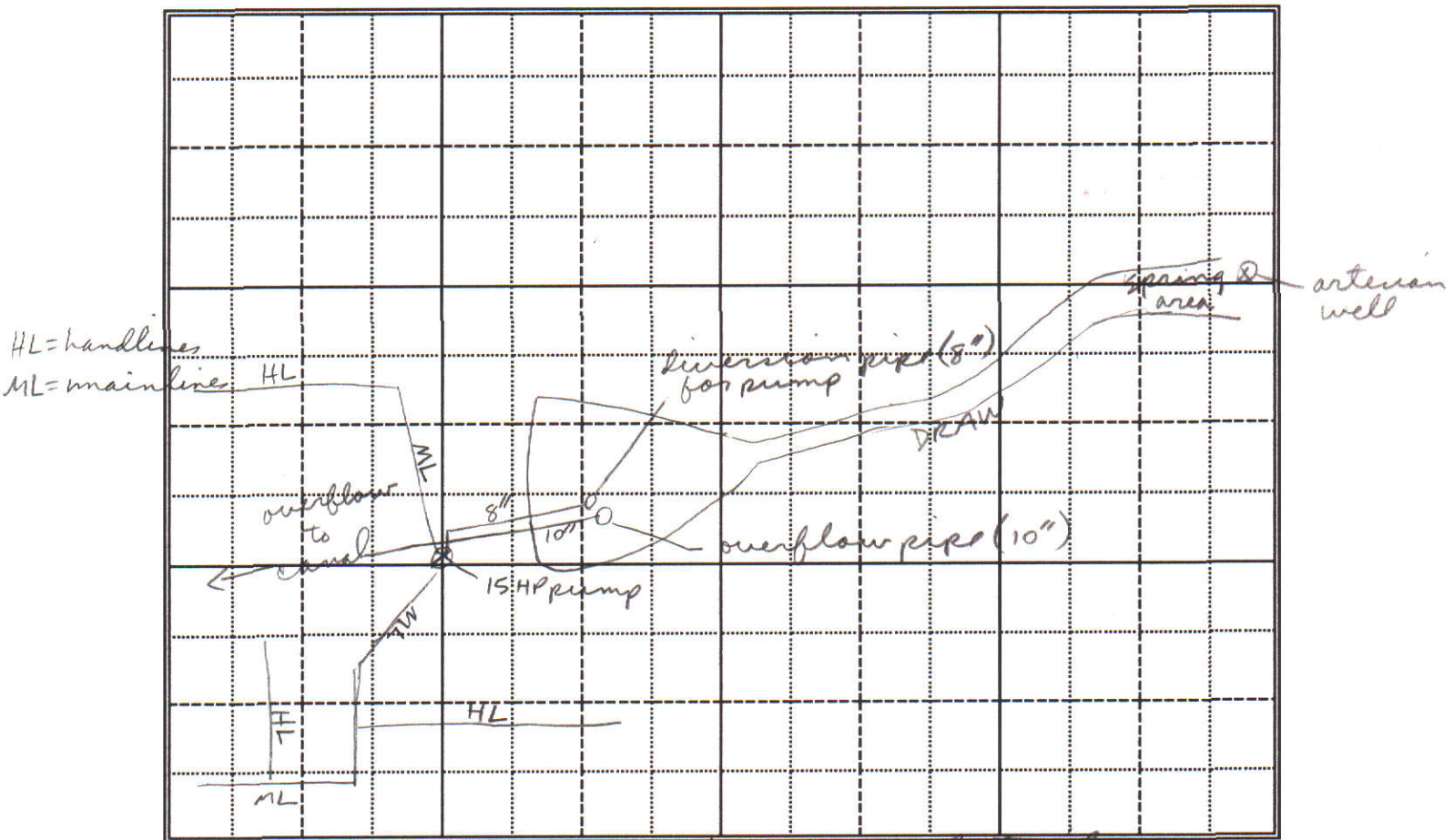
Allen & Margaret Ethington and Norma Ethington (Partnership)

(Applicant)

DB as Bar Lazy F.

77

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Century	15	11G	Berkeley	Ser #0333
			Mod SC-256UCZKCA		Mod #B3TPM15

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Theoretical, Nozzle discharge - not used due to various nozzle sizes and elevation fluctuations - (self pressurized)

DEC 14 1994



spring area
in NESWNW

artesian
well house

5 25 '94



reservoir

primary area

DEC 14 1994

5 25 '94



10" overflow
pipe



8" to pump ←

DEC 14 1994
10" overflow
pipe to drainage



*diversion
works*



*15 HP pump,
mainline
system*

05014 1994



5 ac parcel



2.5 ac
parcel



10.5 ac
parcel

DEC 14 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11547

Priority: September 3, 1991

Maximum Diversion Rate:

0.37 CFS

Maximum Diversion Volume:

85.4 AF

This is to certify, that ALLEN ETHINGTON
MARGARET ETHINGTON
NORMA ETHINGTON
DBA BAR LAZY F

RT 2 BOX 96

HOMEDALE ID 83628

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 21, 1991; and has submitted Proof of Beneficial Use on December 15, 1993. An examination indicates that the works have a diversion capacity of .630 cfs of water from:

SPRING

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>
IRRIGATION	03/15 to 11/15	0.36 CFS	81.0 AF
IRRIGATION STORAGE	01/01 to 12/31		4.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		4.0 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	0.4 AF
STOCKWATER STORAGE	01/01 to 12/31		4.0 AF
Totals		0.37 CFS	85.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NESWNW, Sec. 36, Township 04N, Range 05W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 05W 36	SWNW 18			18

Total number of acres irrigated: 18

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE: STOCKWATER

<u>TWN RGE SEC</u>	<u>ACRES</u>
04N 05W 36	SWNW

CONDITIONS/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 that 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.

DEC 14 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

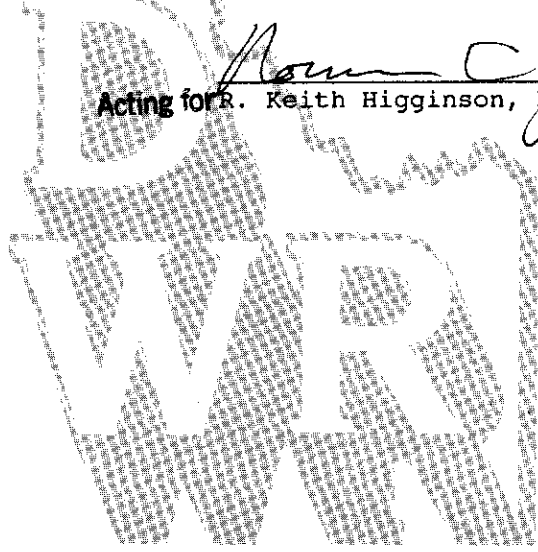
WATER RIGHT NO. 63-11547

CONDITIONS/REMARKS:

2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. Stockwater use is for 30 range cattle.

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 28th day of OCTOBER, 1994.

Acting for R. Keith Higginson, Director



APPROVED

State of Idaho
Department of Water Resources

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OCT 5 1994
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-11547

Date of Priority: September 3, 1991 Maximum Diversion Rate: 0.37 CFS
Maximum Diversion Volume: 85.4 AF

Comes now ALLEN ETHINGTON
MARGARET ETHINGTON
NORMA ETHINGTON
DBA BAR LAZY F

RT 2 BOX 96
HOMEDALE ID 83628

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-11547, and requests that the permit be changed as follows:

Source: **SPRING** tributary to **SNAKE RIVER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.36 CFS	81.0 AF
IRRIGATION STORAGE	01/01 to 12/31		4.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		4.0 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	0.4 AF
STOCKWATER STORAGE	01/01 to 12/31		4.0 AF
	Totals	0.37 CFS	85.4 AF

LOCATION OF POINT(S) OF DIVERSION: NESWNW , Sec. 36, Township 04N, 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>
04N	05W	36	SWNW	18		18

Total number of acres irrigated: 18

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>
04N	05W	36	SWNW

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DEC 1 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-11547

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Homedale, Idaho, this 14 day of Sept, 1994.

E. Allen Thornton
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-11547

FOR DEPARTMENT USE ONLY

Preliminary check by BC Fee = 50⁰⁰ Received by RT #C031406 Date 10-5-94 ✓

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 63-11547 with the following;

CONDITIONS/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 that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. Stockwater use is for 30 range cattle.

Witness my hand this 28TH day of OCTOBER, 1994.

Norm Clary
Acting for R. Keith Higginson, Director

DEC 14 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-11547

IN THE NAME OF ALLEN ETHINGTON

)
) ORDER OF
) REINSTATEMENT
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before September 1, 1993; and,

WHEREAS, the Department notified the permit holder on June 30, 1993, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

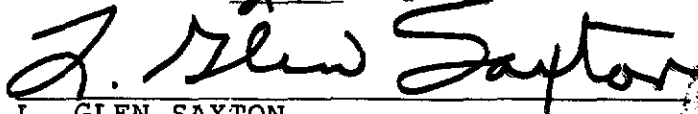
WHEREAS, the Department notified the permit holder on September 8, 1993, that the permit had lapsed for failure to submit an acceptable proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on December 15, 1993;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 63-11547 be REINSTATED with an advance in priority to September 3, 1991.

Dated this 21st day of December, 1993.


L. GLEN SAXTON
Chief, Water Allocation Bureau

DEC 14 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEC 15 1993

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 63-11547 Telephone No. 337-3314

2. Name(s) of Permit Holder(s): Allen Ethington

3. Mailing Address: Rt. 2, Box 96, Homedale, Idaho 83628

4. Source of Water: Springs originating on our property

If GROUNDWATER, Well Driller's Name: No well Date Drilled: —

OPTIONAL: 1 pump out of pond fed by springs on my property.
Pump horsepower: 15 hp. Pressure (psi): 40 psi Dynamic pumping level (ft.): 10 ft.

5. Extent of Use (as authorized by the permit):

Domestic none (No. of households) Stockwater 30 head of beef (No. and type of stock)

Irrigation 60.2 (No. of acres) Other irrigates pasture with sprinklers.

Cattle pastured on place between Aug. 21, 1991 and September 1, 1993
6. Total rate and/or volume for which proof is submitted 1.22 cfs OR — acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? — Yes ☒ No ☒ Installed? — Yes ☒ No ☒

OR

Flow Measurement Port: Required? — Yes ☒ No ☒ Installed? — Yes ☒ No ☒

8. Fee Enclosed: \$ 125 (See License Fee Schedule on back of Instruction Sheet)

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

Allen Ethington 208-337-3314
Name Telephone No.

RT 2 Box 96, Homedale, Idaho
Address 83628

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.

DEC 14 1993

12-14-93 Allen Ethington
Date Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-11547

Proposed Priority: May 21, 1991 Maximum Diversion Rate: 1.22 CFS

This is to certify, that **ALLEN ETHINGTON**
MARGARET ETHINGTON
NORMA ETHINGTON
DBA BAR LAZY F
RT. 2 BOX 96
HOMEDALE, ID 83628

has applied for a permit to appropriate water from:

SPRINGS 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	1.20 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
	Totals	1.22 CFS

LOCATION OF POINT(S) OF DIVERSION: SESWNW Sec. 36, Township 04N, Range 05W
CANYON County

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
<u>TWN RGE SEC</u>								
04N 05W 36		SWNW	20		SENW	10		
		SWSW	10				NWSW	20
								60

Total number of acres irrigated: 60

PLACE OF USE: STOCKWATER
TWN RGE SEC

04N 05W 36 SWNW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 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. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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State of Idaho
Department of Water Resources

Permit To Appropriate Water

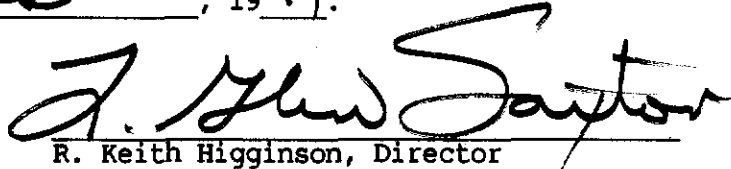
NO. 63-11547

CONDITIONS/REMARKS:

5. Two points of diversion located within SESWNW, S36, T04N, R05W.
6. Stockwater use is for 30 range cattle.

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

21st day of August, 1991.

for 
R. Keith Higginson, Director

RECEIVED
JUL 24 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: ALLEN EITHINGTON 208-337-3314
Address: RT. 2 BX 96
HOMEDALE, ID 83628
AND/OR
Name: NORMA EITHINGTON 208-337-3440
Address: RT. 2 BX 96
HOMEDALE, ID 83628
AND/OR
Name: MARGARET EITHINGTON 208-337-3314
Address: RT. 2 BOX 96
HOMEDALE, ID 83628
AND/OR
Name: DBA BAR LAZY F 208-000-0000
HOMEDALE, ID 83628

2. Source: SPRINGS Trib. to: SNAKE RIVER
3. Location of Point of Diversion: SESWNW Sec. 36, Township 04N, Range 05W
CANYON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	1.200		
STOCKWATER	01/01	12/31	0.020		

5. Total quantity to be appropriated is:
1.220 CFS (and/or) AF

6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
COLLECTION DAM, 20 HP PUMP, PIPELINE TO POU
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 2 years.

SEP 04 1991

8. Description of proposed uses:
IRRIGATION AND STOCKWATER

9. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
04N 05W 36	SWNW 20	SENW 10	NWSW 20	60
	SWSW 10			

Total number of acres irrigated: 60

Place of Use: STOCKWATER

TWN RGE SEC
04N 05W 36 SWNW

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

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

NORMA L. ETHINGTON

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

NORMA L. ETHINGTON

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

12. Remarks:

2 points of diversion in SESWNW.

13. Map of proposed point of diversion and place of use attached? ☒ *on original*

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

See original
Applicant

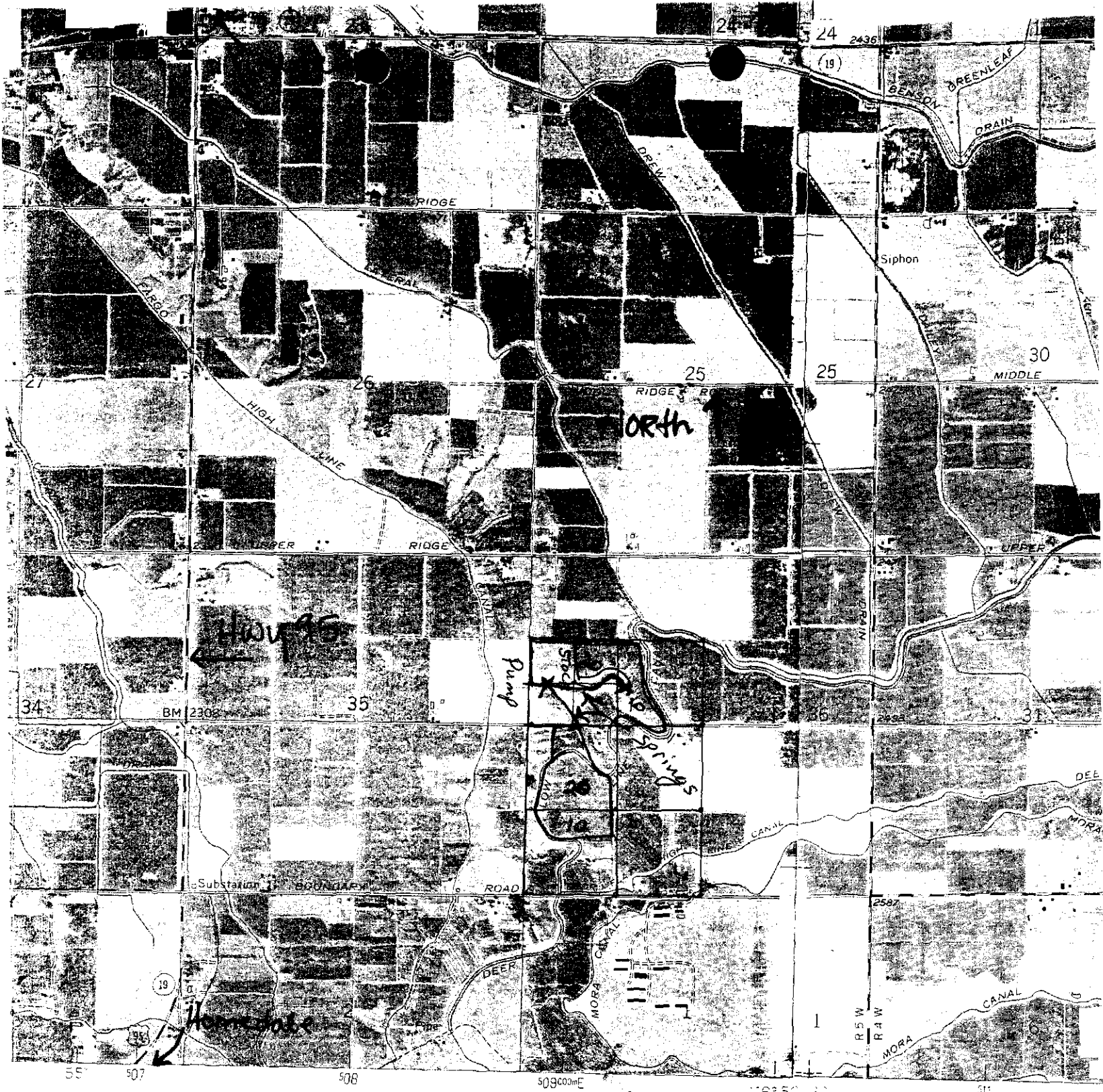
Received by mm Date 5/21/91 Time 11:14 AM Preliminary check by Cyt

Fee \$ 65 Receipted by LH # W013336 Date 5-21-91

Publication prepared by GG Date 6-26-91 Published in Press-Tribune

Publication approved st Date 7-26-91

7/3 8 7/10/91
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SEP 04 1991



Bone Canada 466
467-1181 9850

Call Monday from 3:00-3:30
Tues.
Wed.

get off work at 3:00 pm

4N SW SEC 36

SEP 04 1991

IDAHO

WILDER, IDAHO
N4337.5-W11652.5/7.5

JUN 6 1991

1981

Department of Water Resources
Western Regional Office

Produced by the Geological Survey
Orthophotograph prepared from 1:80,000-scale aerial photographs taken July 30, 1981
Projection and 10,000-foot grid ticks: Idaho coordinate system, west zone Transverse Mercator
1000 meter Universal Transverse Mercator grid, zone 927 North American Datum
Place on the predicted North American Datum
The projection lines 16 meters north and 78 meters shown by dashed corner ticks
Photom imagery rectified by optical scanning
Where double or mismatched image occur use the mean of image position for map point
and lines from N.T.S.

d

Note: I have not drawn this map to scale.

SW 1/4 of NW 1/4 of SE 1/4, Govt. Land, Lying N+W.
Deer Flat Low Line Canal. Sec 36, 4N, R. 1E, T. 4S, Idaho.

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

See ortho-photo attached.

> Deer Flat Low line Canal >

Bridge

Dam

X Pumping Station

Double
wide

Canal

2 1/2 mi

Behner Rd

RECEIVED
SEP 04 1991

Scale: 2 inches equal 1 mile

Wilder

Highway U.S. 95

Homedale

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.

Allen & Margaret Ethington and Norma Ethington (Partnerships)

(Applicant)

DB as Bar Lazy F.

77

Received by MM Date 5-21-91 Time 11:14 a Preliminary check by _____
Fee \$ 65⁰⁰ Receipted by RD # W013336 Date 5-21-91
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

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SEP 04 1991

RECEIVED

MAY 21 1991

Form 202
6/85
Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63 11547

To appropriate the public waters of the State of Idaho

DBAs Barbazy F.

Ethington (Partner)

1. Name of applicant Allen, Margaret T (wife) & Norma (mother) Phone 337-3314 - Allen & Margaret

Post office address RT 2 Box 96, Homedale, Idaho 83628 3440 - Norma

2. Source of water supply Spring which is a tributary of Snake River

3. Location of point of diversion is SE 1/4 of NE 1/4 of SE 1/4 of Govt. Lot 1114
Lying North West of Deer Flat Low Line Canal
Sec. 36 Township 4N Range R5W B.M. Idaho Canyon, Co. County; additional

points of diversion if any: 2 pts of diversion in SESEWNW

4. Water will be used for the following purposes:

Amount 1.2 for irrigating purposes from April 1st to Oct 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for Livestock Water purposes from year around to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 180 for irrigation purposes from Apr 1st to Oct 15 (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) 1.22 and/or (b) 180
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Small dam with 3' galv "Glory hole"
12" indicator. Pumping station with 20 horse Benkley pump atop galvanized
culvert. Distribution of water will be aluminum 6" + 5" + 4" mainline with 3" hand
lines.

b. Height of storage dam 3' feet; active reservoir capacity 20 cfs acre-feet; total
reservoir capacity 40 acre-feet; period of year when water will be diverted to storage:

April 1st to Oct 15th inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

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

2.2 years (minimum 1 year).

All changes made per information sent back by applicant
(map) & telecon 6-18-91 CXT
Data entered 6-18-91 CXT

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. 30 head of Livestock (Range)
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	R5W	36			~~B~~			~~B~~	20	10		20	10	~~B~~		~~B~~			60
4N	5W	36			B			S						S		S			
					~~B~~			~~B~~						~~B~~		~~B~~			

Total number of acres to be irrigated 60

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

- Who owns the property at the point of diversion? Norma L. Ethington
- Who owns the land to be irrigated or place of use? Same
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Partner in Farming operation with Norma. (Mother)

12. Remarks: She has asked me to fill out this application since she doesn't understand the form to fill out

SEP 04 1991



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 2, 1994

ALLEN ETHINGTON
MARGARET ETHINGTON
NORMA ETHINGTON
DBA BAR LAZY F
RT 2 BOX 96
HOMEDALE ID 83628

RE: WATER RIGHT NO. 63-11547

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

RECEIVED

DEC 14 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

September 26, 1994

ALLEN ETHINGTON
MARGARET ETHINGTON
NORMA ETHINGTON
DBA BAR LAZY F
RT 2 BOX 96
HOMEDALE ID 83628

RE: WATER RIGHT NO. 63-11547

Dear Water Right Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, I have not received the amendment. If I do not receive it within fourteen (14) days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact me. My telephone number is (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

DEC 14 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

August 31, 1994

ALLEN ETHINGTON
MARGARET ETHINGTON
NORMA ETHINGTON
DBA BAR LAZY F
RT 2 BOX 96
HOMEDALE ID 83628

RE: WATER RIGHT NO. 63-11547

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the actual use of water found by a representative of our department at the time of the field examination. The enclosed Application for Amendment contains this information. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

LICENSE REVIEW CHECKLIST

PERMIT NO. 63-11547 DATE 8-24-94



NAME	Yes	No	Or Address Change?
PRIORITY DATE	☒	☐	Advance? <u>YES</u> Advanced to: <u>SEPT 3, 1991</u> Order to reinstate needed? <u>DONE</u> Incorrect fee for rate recommended? <u>NO</u>
SOURCE	☐	☒	Changes or just clarification of originally intended source? <u>ONE SPRING</u> Notice of Intent to Void necessary? <u>NO</u>
POINT OF DIV	☐	☒	Amendment needed? <u>But correct 10 acre designator</u> Overlaps? <u>TO (NE) SWNW</u>
PLACE OF USE	☐	☒	Amendment needed? <u>DELETE ALL BUT SWNW</u> Overlaps? <u></u>
DIV RATE	☐	☒	Measurement Q = <u>18 acres x .02 = .36</u> Theoretical Q = <u>.63</u> <u>30 head beef = .01</u> Capacity: <u>.63</u> Combined rates exceed capacity <u></u> Permit/fee limits: <u>1.22</u> Allowable: <u>.37</u>
ANNUAL VOLUME	☐	☒	Season of use: <u>D/4.5 (3-15 to 11-15)</u> Calculations: <u>18 acres x 4.5 = 81</u> <u>30 head = .4</u> Flow limit: <u></u> cfs x <u></u> x 1.9835 = <u></u> Combined volumes exceed capacity/allowable <u></u>
USES	☒	☐	Change in Nature of Use or additional uses? <u>YES</u> Amendment necessary? <u>YES</u>
REMARKS	<u>NO</u>	☒	Multiple p/d(s) in 1/4 1/4? <u></u> Other <u>Wilden IRR DIST water</u>
CONDITIONS	☐	☒	Measuring/Locking Devices <u></u> Watermaster control - District <u></u> <u>R32</u> Irrigation Overlap <u></u> Water Quality <u></u> Other <u></u>
COMMENTS:	<u>REDUCE ACRES and Stock rate to current EXAM HANDBOOK standard.</u>		

COMMENTS: REDUCE ACRES and Stock rate to current ^{EXAM} HANDBOOK standard.

AMEND NATURE OF USE
(ADDING STORAGE USES)

	RECOMMENDED	CFS	VOLUME	LICENSE
	<u>Irrigation</u>	<u>.34</u>	<u>81.0</u>	ADJUSTMENT MEMO NEEDED
	<u>Stock</u>	<u>.01</u>	<u>.4</u>	
05	<u>Stock Stor</u>		<u>4.0</u>	1ST AMENDMENT LETTER <u>P46</u>
03	<u>IRR FROM STOR</u>		<u>4.0</u>	
02	<u>IRR STORAGE</u>		<u>4.0</u>	FINAL AMENDMENT LETTER <u>P47</u>

Totals	.37	85.4
--------	-----	------

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 15 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-115471. Owner: Allen, Margaret + Norma Ethington Phone No. 337-3314Current Address: Rt 2 Box 96 Homedale 836282. Accompanied by: Allen EXAM DATE: 5/25/94Address: same Phone No. WE-467-9612Relationship to Permit Holder: owner3. Source: Spring tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-023882. Other water rights with the same point of diversion: —

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
		NE	SW	NW	36	4N	SW	Canyon	USGS Quad, ASCS Photo

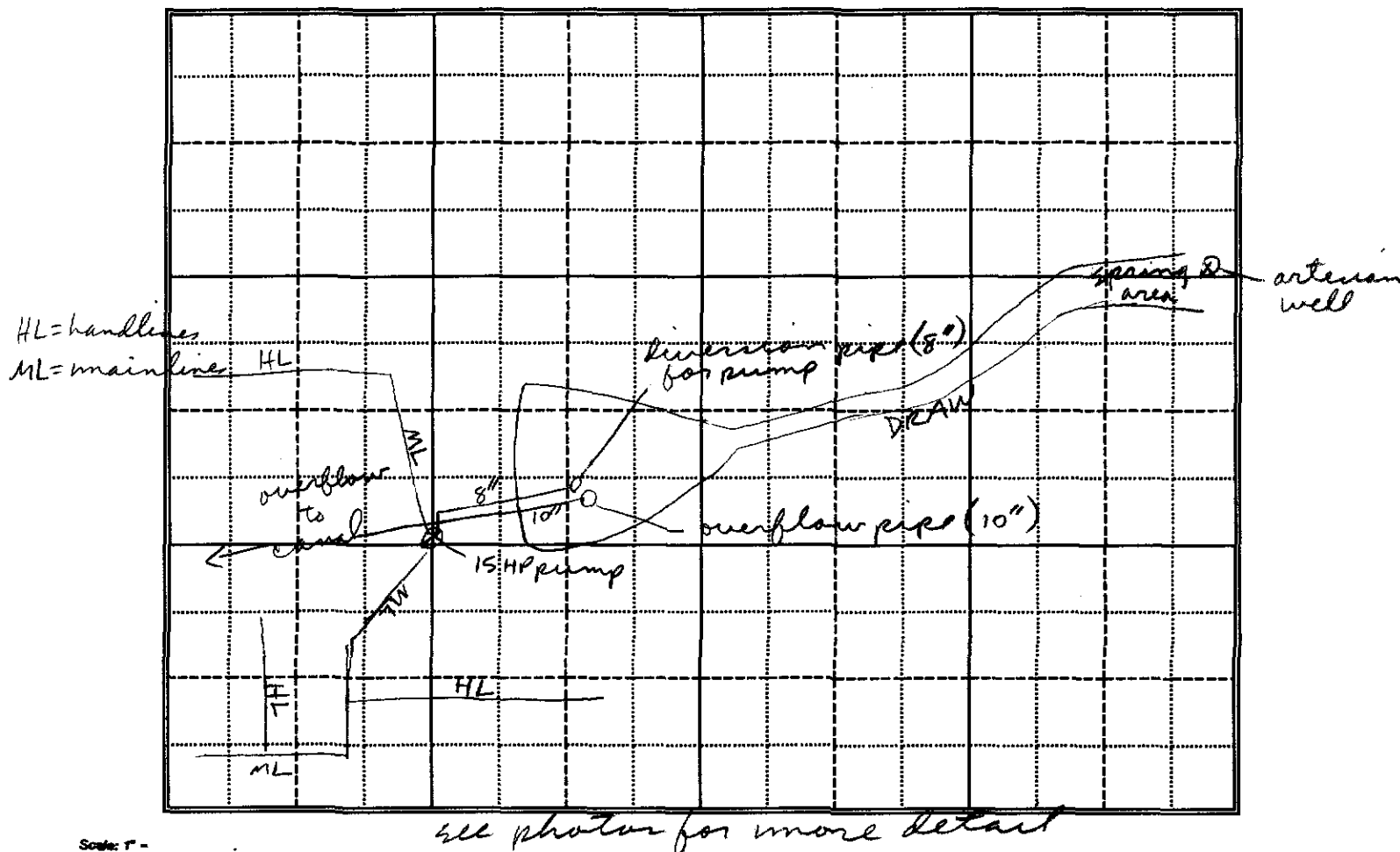
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	SW	36							18										18
									5										

DEC 14 1994

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



Scale: 1" = _____

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

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

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Century	15	11G	Berkeley	ser # 0333
			Mod SC-256UCZKCA		Mod # B3TPM15

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Theoretical, Nozzle discharge - not used due to various nozzle sizes and elevation fluctuations - (self pressurized)

DEC 14 1994

E. NARRATIVE/REMARKS/COMMENTS

A 15HP pump supplies spring and Mr. Ethington's waste water to 18 acres via handline sprinklers. The spring and waste water are collected in a 4' of reservoir with a 10" overflow pipe located @ the 10' mark. An application for permit to store water has been requested (see attached computation sheet and dam safety letter). The water source for the irrigation and stock use is a combination of spring water, supplied year around, and waste water supplied during the irrigation season. The spring water diversion (collection) ^{area} is a swampy area located at the bottom of a draw in the NESWNW, sec. 36. The actual spring flows vary throughout the year. The spring area's contribution to the reservoir is difficult to quantify, especially since waste water also runs through the draw to the reservoir during the irrig. season. There is also uncontrolled flow from an artesian well just North of the spring area which has been submitted to GW protection 6/1/94. No other water rights are used.

application and proof for storage sent 6/1/94.

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

14 1994

6/22/94
Decided to recommend storage to reflect actual development of this permit ... no increase in the annual volume amounts, thereby not an expansion of permit.

F. FLOW CALCULATIONS

Measured Method:

$$\frac{15\text{HP} \times 8.8 \times .7}{30' \text{ lift} + 50\text{PSI} \times 2.31} = .63 \text{ cfs}$$

Additional Computation Sheets Attached

30' lift = average of 40' highest, 20' lowest elevation lift of mainline H₂O
50 PSI = average from 2 handlines operating 40-63 PSI, depending upon sprinkler location along hillside.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 18 \times 4.5 = 81$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .36 \times 246 \times 1.9835 = 175.7$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 81$$

2. Volume Calculations for Other Uses:

$$\text{stock: } 30' \text{ lift} \times 12\text{GPD/ft} \times 365 \text{ days} / 325850 = .4 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3/15	11/15	.36	81
Stock	1/1	12/31	.02	.4
Stock storage	1/1	12/31	—	4.0
Irrig storage	1/1	12/31	—	4.0
Irrig Fr storage	3/15	11/15	—	4.0
Totals:			.38	81.4

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 Lon Ganner Date 6/1/94

Reviewer _____ Date _____

SEAL

Per Wilder Irrig Dist 5/26/94:

West of Deer Flat Low line Canal, Mr
Ehington has

$$\begin{array}{rcl} 28 \text{ ac in SWNW} & 23.75 \text{ af/ac} & = 105 \\ 13.5 \text{ ac in SENW} & " & = 50.6 \\ \hline & & 155.6 \text{ afa} \end{array}$$

Wilder Irrig Season: 4/15 - 10/15 = 184 days

$$155.6 \text{ afa} / 184 \text{ days} = .85 \text{ af/day (Waste water)}$$

For 63-11547 regarding Spring flow:

$$\begin{array}{l} 18 \text{ ac} \times .02 = .36 \text{ cfs} \quad (\text{property irrigated w/ storage H}_2\text{O}) \\ * .36 \text{ cfs} \times 1.9835 = .71 \text{ af/day} \end{array}$$

$$.71 \text{ af/day (spring)} + .85 \text{ af/day (waste water)} = \underline{1.56 \text{ af/day}}$$

$$\text{Reservoir size: } 90' \times 375' / 2 / 43560 \times 10' \text{ deep} = 3.9 \text{ or } 4 \text{ af}$$



per dam
safety
D63-XX14

$1.56 \text{ af/day} < 4 \text{ af} \rightarrow \text{cannot fill in less than 24 hrs,}$
<Storage component required>

* actual spring flow difficult to quantify

DEC 14 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

November 18, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Norma Ethington
Route 1, Box 1289
Homedale, ID 83628

RE: Ethington Dam

D63-11547

Dear Mrs. Ethington:

The October 1993 site examination of your dam, located in SWNW, Section 36, T4N-R5W, B.M., revealed that installation of the spillway pipe in 1992 has reduced the size of the dam and the storage capacity. The Department has re-evaluated the downstream risk (development that would be affected if the dam suddenly failed) and found it to be low. The size of the dam is small, since it is 17 feet in height and stores less than 10 ac-ft. Therefore, the project is excluded at this time from the Department's regulation in accordance with the provisions of Section 42-1711, Safety of Dams Statutes, Idaho Code. Approximately every 5 years the site and dam will be re-examined to determine if the size of the dam or the downstream risk has increased such that a small dam poses enough of a risk to downstream development to be regulated by the Department.

The recent examination of the dam revealed several deficiencies exist that could affect the safety of the dam that you should be concerned about and correct. One item of concern involves the saturated condition of the lower slope of the embankment. The saturated condition has caused the right abutment of the dam to become unstable, and if the situation is not corrected, it could lead to further instability problems and possible failure of the embankment. We recommend at minimum, the reservoir be completely emptied for several months each winter to allow the embankment to dry out. Also, an impervious blanket should be placed on the upstream face and abutment contacts to reduce the amount of seepage through the embankment.

Another item of concern is the seepage along the outside of the north outlet pipe. It appears that adequate cutoffs were not provided and water is flowing along the outside of the pipe through the dam. If the water is, or begins carrying fine soil particles from within the dam, it could lead to failure of the dam by 'piping' along the outlet. You should continue to monitor the seepage closely. If the seepage increases, murky discharge is noted, or if there is silt accumulation directly below the seepage area, you should immediately take action to draw the reservoir down to relieve the pressure on the system and contact the Department or an engineer for advice concerning repairs.

RECORDED & INDEXED

DEC 14 1993

NOV 18 1993

Norma Ethington
RE: D63-11547
Page 2

Although the Department does not have jurisdiction over the dam, you as the owner are still responsible for maintaining the dam, and liable for any damages caused by failure of the dam. We recommend routine maintenance be performed on the dam as needed and should include removing woody vegetative growth from the embankment, maintain the cross section of the dam and eradicate rodents and burrowing animals as necessary. Large animal burrows should be filled in with suitable soil material, compacted in place. Eroded areas, which may develop on the embankment, should be repaired by adding fill or granular material, and/or rock riprap as needed to maintain the integrity of the dam.

If further development of the area directly below the dam occurs or if you propose to raise the dam to increase its storage capacity, please notify the Department. Also advise if the ownership changes.

Should you have any questions or need any assistance, please contact John Westra, phone 334-2190, in our Western Regional Office in Boise.

Sincerely,



A. Michael Stubblefield, P.E.
Dam Safety Section

cc: IDWR - Western Region

DEC 14 1994

NOV 18 1993



of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

CERTIFIED MAIL

May 11, 1992

Norma Ethington
Route 1, Box 1289
Homedale, ID 83628

Department of Water Resources
Western Regional Office

RE: Ethington (unauthorized) Dam

D63-XX19

Dear Mrs. Ethington:

The Department recently inspected a small dam located in SW1/4, NW1/4 of Section 36, Township 4 North, Range 5 West, B.M., in Canyon County that has been constructed on your property. This letter is to inform you that the Department of Water Resources has jurisdiction over construction, operation and maintenance of dams which are more than 10 feet in height or store more than 50 acre-feet of water. During the inspection, the structure was determined to be 18 feet high and store approximately 22 ac-ft of water; therefore the dam is large enough to be regulated by the Department.

Since the dam was constructed without proper authorization, you are hereby directed to take one of the following actions on or before July 1, 1992:

- Submit a small dam application (copy enclosed) and fee. The fee is based on the storage capacity of the reservoir and is \$30.00 for the existing facility. Since the dam is constructed, you will need to engage a registered engineer to certify that the embankment was properly constructed and meets with the Safety of Dams Rules and Regulations (copy enclosed), see Rule 9, Page 27.

or

- Breach the dam in a safe manner so that it will no longer store water.

At present, the dam is not authorized to store water. The outlet(s) shall be fully opened and remain open until the project is approved by the Department. You shall not through action or inaction cause water to be stored at the dam.

In August, 1991, the Department issued a water right permit (no. 63-11547) to you for irrigation and stockwater. This permit does not include any storage volume for the dam in question. If you plan to keep the dam, and file the appropriate application and engineering documents, you will also need to file for an additional water right for storage behind the dam.

DEC 14 1994

for exam
63-11547

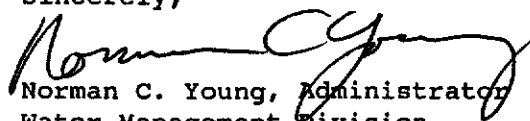
Norma Ethington

RE: D63-XX19

Page 2

Should you have any questions, please contact John Westra, phone 334-2190 in our Western Regional Office in Boise, or Dave Hollingshead, phone 327-7957 in the State Office, Dam Safety Section.

Sincerely,

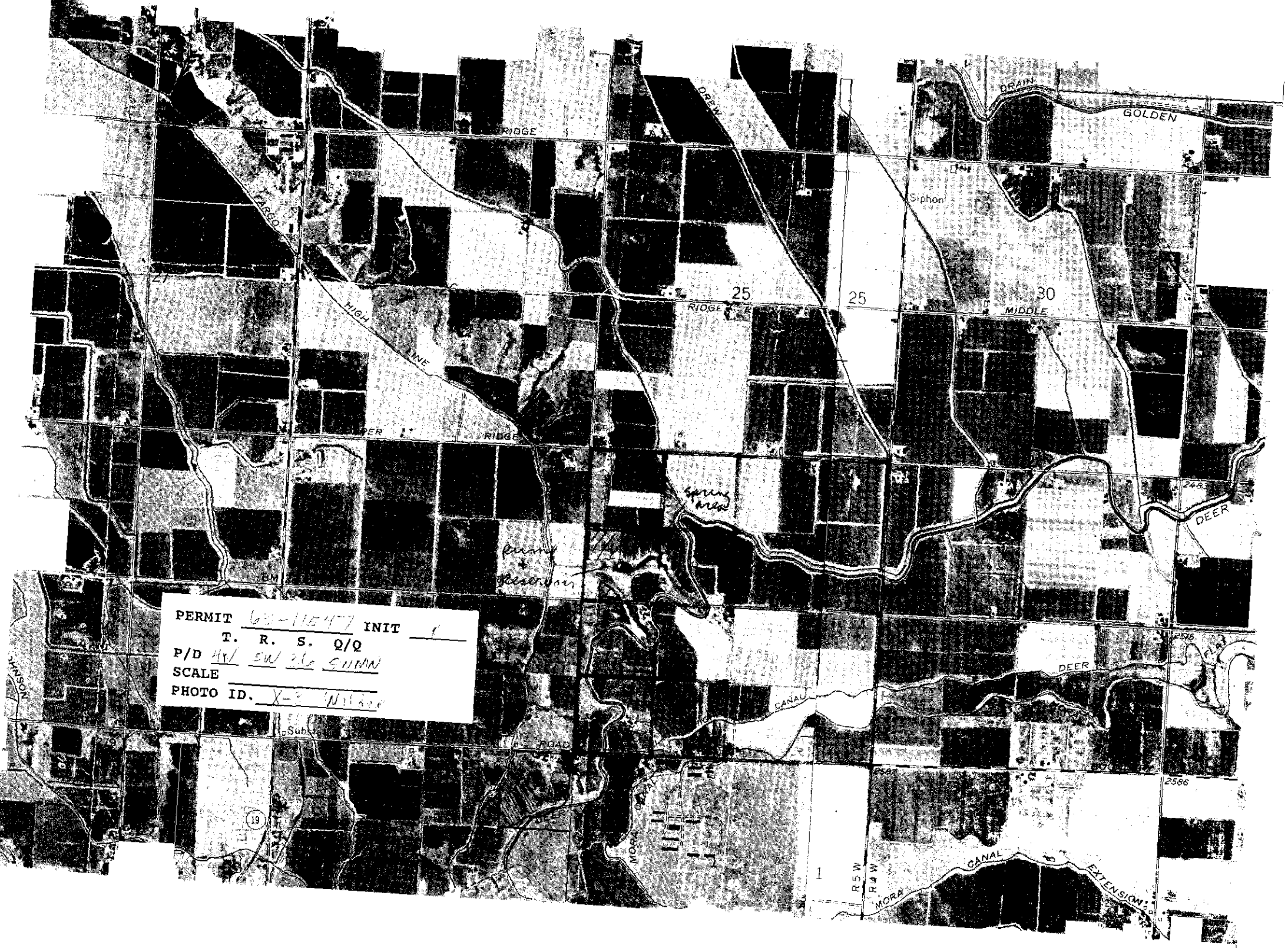

Norman C. Young, Administrator
Water Management Division

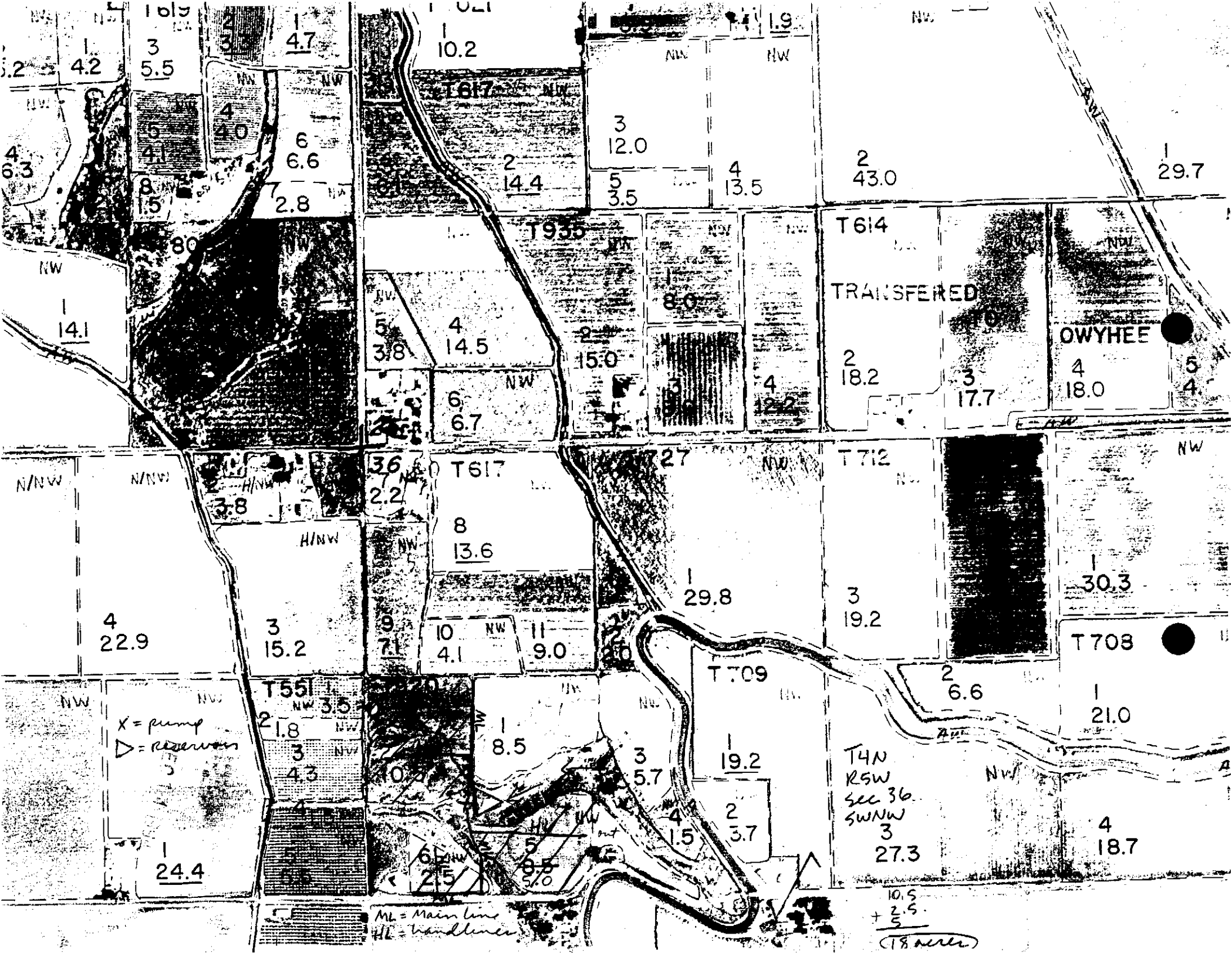
enclosures

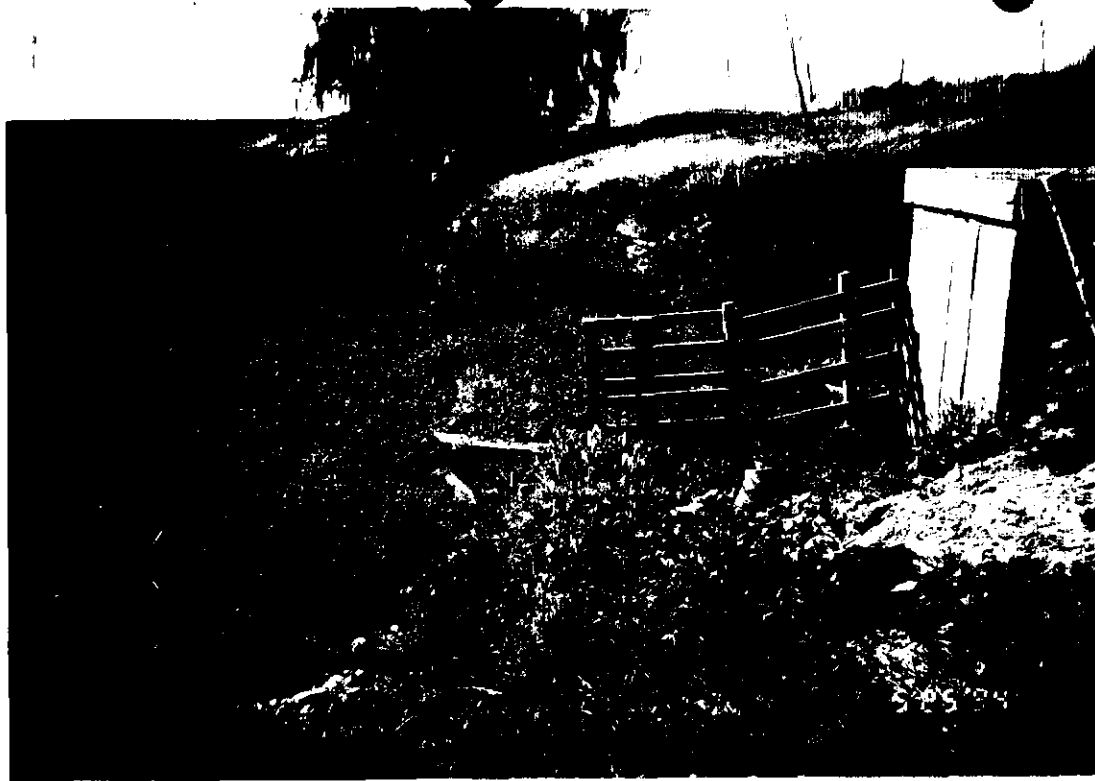
✓cc: IDWR - Western Region

DEC 14 1993

PERMIT 68-11547 INIT 1
T. R. S. Q/Q
P/D 48/ SW 36 SUMN
SCALE _____
PHOTO ID. X-2 N1000







spring area
in NESW

— artesian
well house



W. S. Reservoir

1994

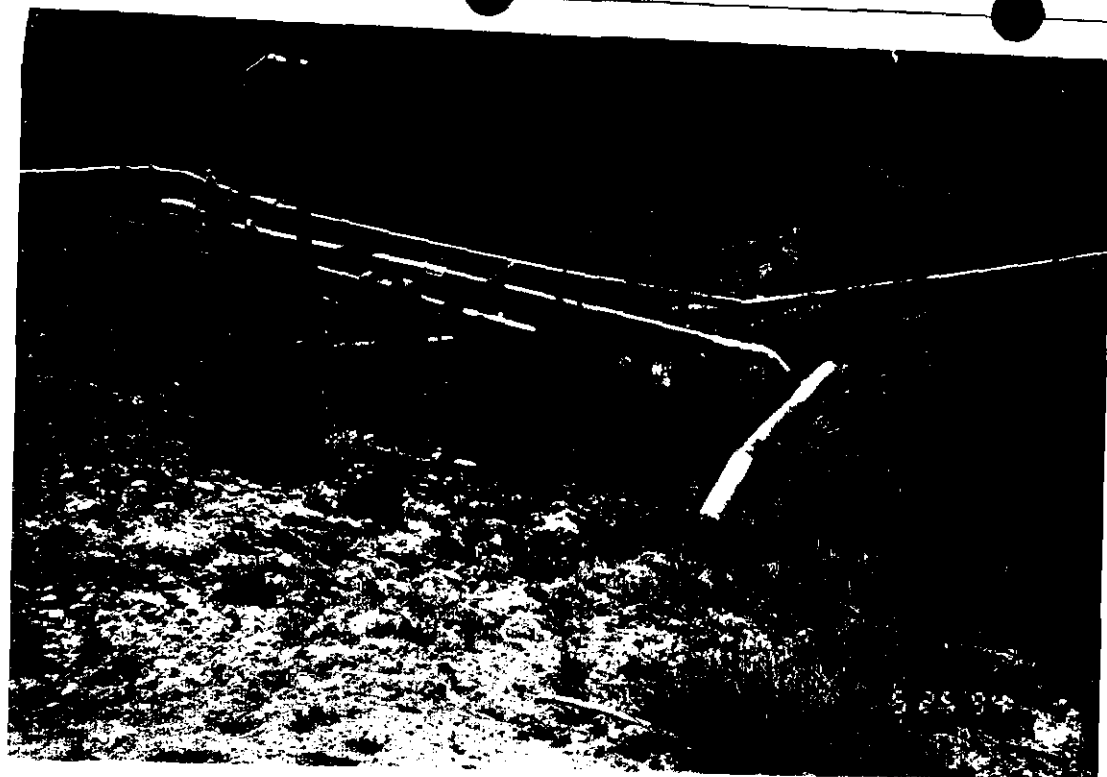


10" overflow
pipe



8" to pump ←

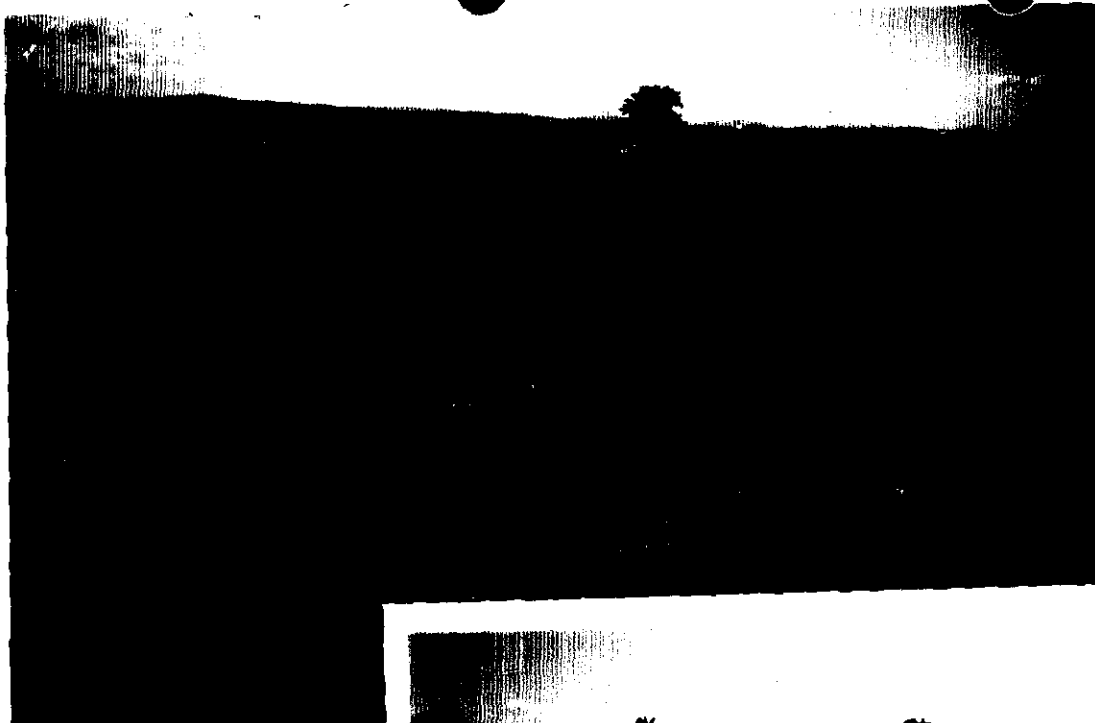
10" overflow
pipe to drainage ←



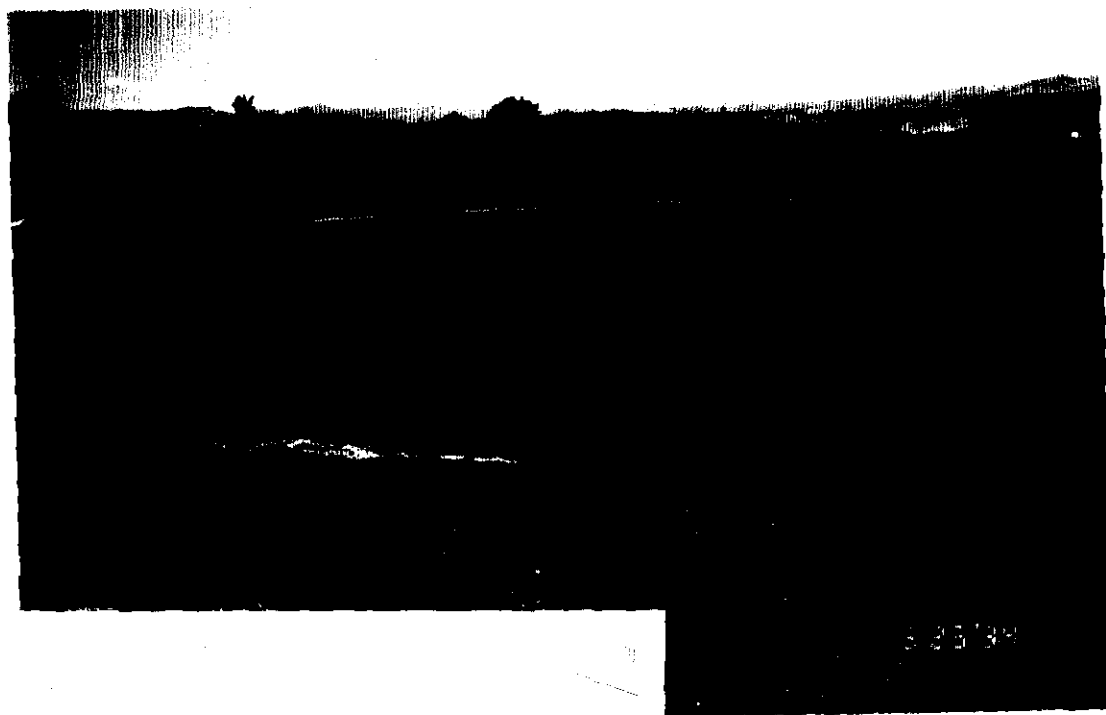
diversion
works



15 HP pump,
mainline
system



5 ac parcel



2.5 ac
parcel



10.5 ac
parcel

RED 14 11

December 21, 1993

DBA BAR LAZY F
ALLEN ETHINGTON
MARGARET ETHINGTON
NORMA ETHINGTON
RT. 2 BOX 96
HOMEDALE ID 83628

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11547

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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

Enclosure

DEC 14 1994

MEMORANDUM

To: File 63-11547
From: L. Glen Saxton *ms*
RE: LATE PROOF SUBMITTAL INQUIRY - LAPSED PERMIT 63-11547
Date: November 15, 1993

Cecil Thomas visited the office today and inquired how to submit late proof of beneficial use of water for the above referenced permit. I advised him of what was needed and he said he will soon submit the proof, license examination fee and information required by Section 42-218a.2., Idaho Code.

DEC 14 1994

September 8, 1993

DBA BAR LAZY F
ALLEN ETHINGTON
MARGARET ETHINGTON
NORMA ETHINGTON
RT. 2 BOX 96
HOMEDALE ID 83628

LAPSE NOTICE

RE: PERMIT NO. 63-11547

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 previous notice dated June 30, 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 9/8/93
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

dg

DEC 14 1993

June 30, 1993

DBA BAR LAZY F
ALLEN ETHINGTON
MARGARET ETHINGTON
NORMA ETHINGTON
RT. 2 BOX 96
HOMEDALE ID 83628

PROOF DUE NOTICE

RE: PERMIT NO. 63-11547

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 September 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.

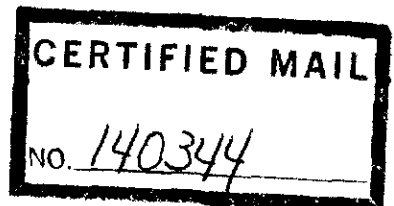
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

Karen L. Gustafson
Secretary/Records Manager

Enclosures



63-11547 1994

June 8, 1992

ALLEN ETHINGTON
MARGARET ETHINGTON
RT. 2 BOX 96
HOMEDALE ID 83628

RE: Water Right No. 63-11547

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

DEC 14 1992

June 12, 1992

ALLEN ETHINGTON
MARGARET ETHINGTON
RT. 2 BOX 96
HOMEDALE ID 83628

RE: Water Right No. 63-11547

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

DEC 14 1994

June 8, 1992

NORMA ETHINGTON
RT. 2 BOX 96
HOMEDALE ID 83628

RE: Water Right No. 63-11547

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

DEC 14 1994

June 12, 1992

NORMA ETHINGTON
RT. 2 BOX 96
HOMEDALE ID 83628

RE: Water Right No. 63-11547

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

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R. KEITH HIGGINSON
Director

RECEIVED
JUN 24 1992

June 8, 1992

DBA BAR LAZY F
HOMEDALE ID 83628

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R. KEITH HIGGINSON
Director

AT - 10/1/92
JUN 14 1994

May 19, 1992

DBA BAR LAZY F
HOMEDALE ID 83628

RE: Water Right No. 63-11547

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on existing water users and reduce the need to curtail diversions.

63-11547

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the Student Union Building, Albertson College of Idaho, 2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

10-1-1992

May 19, 1992

NORMA ETHINGTON
RT. 2 BOX 96
HOMEDALE ID 83628

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REC-11547
MAY 24 1992

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L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

REC-14 1992

May 19, 1992

ALLEN ETHINGTON
MARGARET ETHINGTON
RT. 2 BOX 96
HOMEDALE ID 83628

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L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

1354



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

August 26, 1991

DBA BAR LAZY F
ALLEN ETHINGTON
MARGARET ETHINGTON
NORMA ETHINGTON
RT. 2 BOX 96
HOMEDALE, ID 83628

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-11547

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.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

RECEIVED
AUG 28 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 3, 1991

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Allen Ethington
Rt. 2 Box 96
Homedale, ID 83628

RE: Application for permit

Dear Mr. Ethington:

I have received and am reviewing your application for permit for a water right. However, I cannot continue processing the application without some additional information. I spoke on the phone with your mother this morning and told her I would send you a map which you can use to supply me with the information I need. That map is enclosed. Please mark the following items on the map:

1. Points of diversion. Mark with an "X" the location where both springs arise. I was told there are actually two springs, and if you can utilize both as water sources, you may include both on this application.
2. Places of use. Outline with a heavy line all the acreages you propose to develop and irrigate with these springs. You have indicated 60 acres on your application. Also mark where you keep your stock, if it is not on the entire 60 acres.

This map was made in 1981, but some of the road names are possibly wrong. I have marked Highway 95 for reference, and you will be able to find the Deer Flat Low Line Canal in section 36.

After you return the map to me, I will need to speak with you concerning some other minor details on the application. If you will include your work phone number with the map, I will contact you. I see no reason we can't finish this over the phone as long as I have the map.

Please return the map to my attention to the address on the letterhead, and feel free to contact me at 334-2190 if you have any additional questions.

Sincerely,

Cindy Hodges
Water Resource Agent

Enclosure

SEP 04 1991

NOTICE OF APPLICATION FOR WATER RIGHT

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

02-07443

MC DONOUGH, MARK
P.O. BOX 9895
MOSCOW, ID 838430149
Source: SNAKE RIVER
Diversión Pt:

Use: IRRIGATION

Date Filed: 5/20/1991
In: T01S R02W S05

S06
S31
65.0 ACRES TOTAL

BAR LAZY F, DBA
ETHINGTON, ALLEN
ETHINGTON, NORMA
ETHINGTON, MARGARET
RT. 2, BOX 86
HOMEDALE, ID 83628
Source: SPRINGS
Diversión Pt:
Use: IRRIGATION
STOCKWATER

Date Filed: 5/21/1991
In: T04N R05W S36
60.0 ACRES TOTAL

WOOD, DAVID W.
703 7TH AVE. N.
NAMPA, ID 83687
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

Date Filed: 6/4/1991
In: T03N R02W S22
2.0 ACRES TOTAL

YAMAMOTO, ARCHIE
YAMAMOTO, LIANNE
8434 HWY. 20
NAMPA, ID 83687
Source: GROUNDWATER
Diversión Pt:
Use: DOMESTIC

Date Filed: 6/13/1991
In: T04N R02W S22

ANDERSON, ROBERT
ANDERSON, MARGARET
15765 PLUM RD.
CALDWELL, ID 83605
Source: SPRING
Diversión Pt:
Use: STOCKWATER
DOMESTIC

Date Filed: 6/17/1991
In: T03N R04W S16

RIM RANCHES INC.
24034 BATT CORNER
PARMA, ID 83660
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

Date Filed: 6/4/1991
In: T04N R05W S14
140.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before JULY 22, 1991.

R. KEITH HIGGINSON
Director

AFFIDAVIT OF PUBLICATION

JUL 12 1991

Department of Water Resources
Western Regional Office

Tributary: COLUMBIA RIVER OF IDAHO)
LOT 2 (NESE) Sec 6 T 01S R 02W) ss.
LOT 2 (NWSE) Sec 6 T 01S R 02W)
(1.300 CFS) of Canyon)
Total Diversión: (1.300 CFS)

Lot 4 (NWNW) SWNW SENW
NESW NWSW
Lot 4 (NENE) Lot 5 (NWNE) Lot 6 (NENW) Sharla O'Krakel
SWSE SESE

63-11547

I, Sharla O'Krakel, of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

that I am a citizen of the United States of America, and at all hereinafter mentioned was over the age of eighteen years, and that I am a party to the above entitled action.

Tributary: SNAKE RIVER
SESWNW Sec 36 T 04N R 05W
(1.200 CFS)
(.020 CFS)
Total Diversión: (1.220 CFS)
that I am the Principal Clerk of the Idaho Press-Tribune, a (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; 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 twenty-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.

NWNENE Sec 22 T 03N R 02W
(.060 CFS)
Total Diversión: (.060 CFS)
that the notice, of which the annexed is a printed copy, was published in said newspaper two times
the regular and entire issue of said paper, and was printed in said newspaper proper, and not in a supplement.

that said notice was published the following dates:

July 3, 10, 1991

SWSE Sec 22 T 04N R 02W
(.040 CFS)
Total Diversión: (.040 CFS)
SWSE

Sharla O'Krakel

63-11550

OF IDAHO)
)
TY OF CANYON)

Tributary: SNAKE RIVER
NWNWNW Sec 15 T 03N R 04W
(.020 CFS)
(.040 CFS)
Total Diversión: (.060 CFS)
is 10th day of July in the year 1991, before me, a Notary Public, personally known to me to be the person whose name subscribed to the instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

63-11551

SESE Sec 10 T 04N R 05W
(2.800 CFS)
Total Diversión: (2.800 CFS)

Notary Public for Idaho
Residing at Nampa

MY COMMISSION EXPIRES
JUNE 21st, 1997

63-11547

BAR LAZY F, DBA
ETHINGTON, ALLEN
ETHINGTON, NORMA
ETHINGTON, MARGARET
HOMEDALE, ID 83628

Source: SPRINGS

Tributary: SNAKE RIVER

Diversion Pt: SESWNW Sec 36 T 04N R 05W

Use: IRRIGATION (1.200 CFS)
 STOCKWATER (.020 CFS)
 Total Diversion: (1.220 CFS)

Date Filed: 5/21/ 1991

In: T04N R05W S36 SWNW SENW NWSW SWSW

60.0 ACRES TOTAL

SEP 04 1991