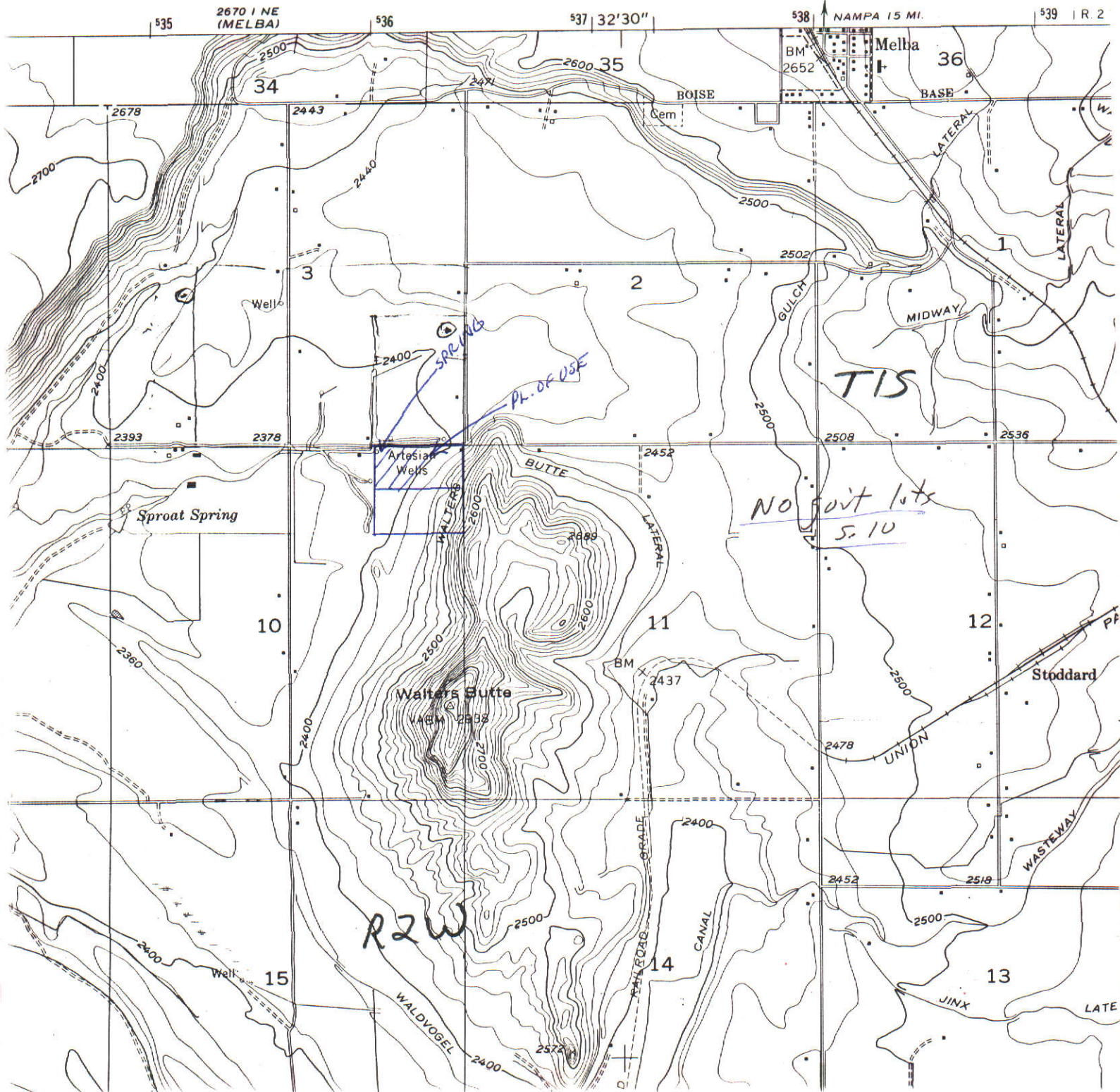


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number,

7.5 MINUTE

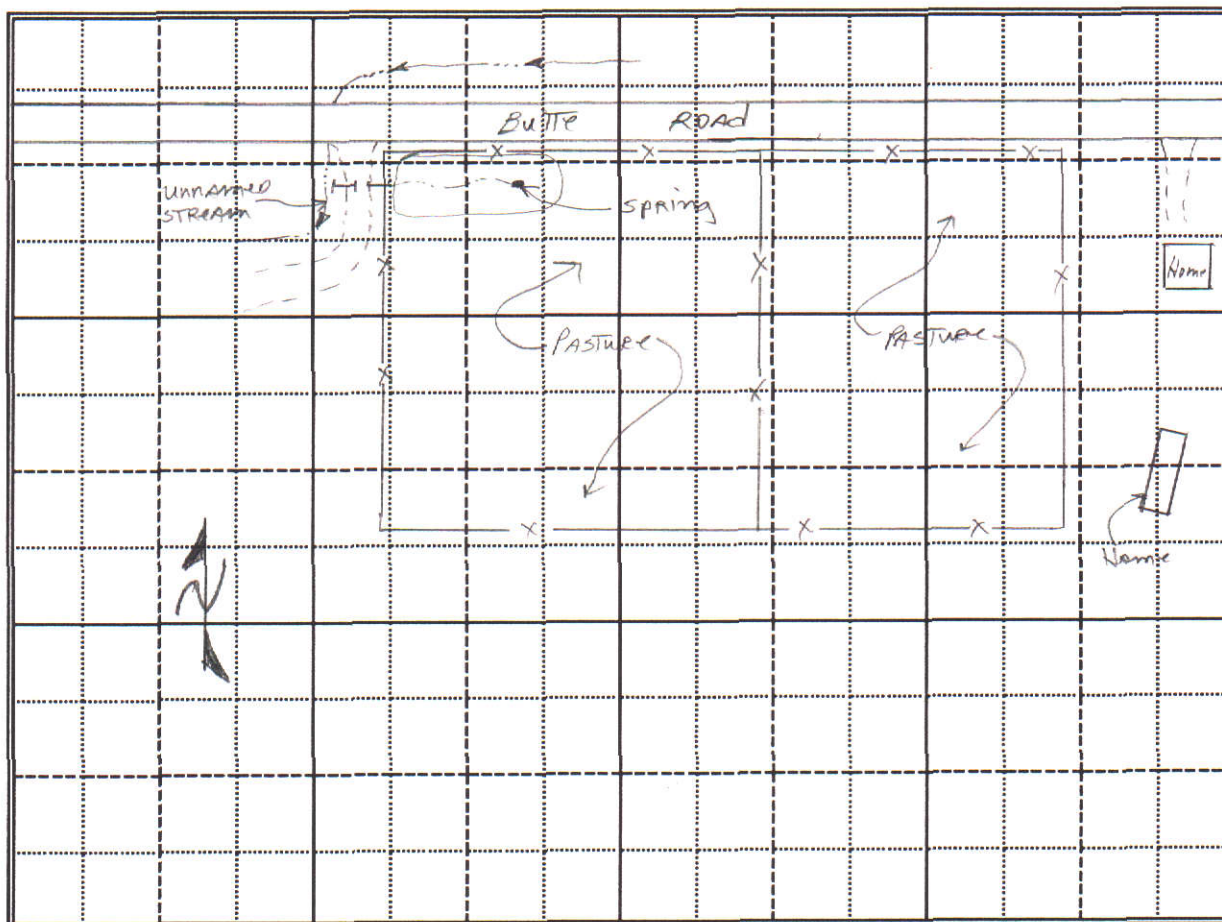


BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

SEP 26 1990

Donna R. Clifford
(Applicant)

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



Scale: 1" = NTS.

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

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

☒ Photo of Diversion and System Attached

4. N/A

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Flow measurement - Head of 0.2". This flow is well below the lowest tabled head of 1.3/16". Therefore invalid measurement. Used stock flow requirements.

MAR 11 1996

PERMIT 63-11093 INIT RC
T. R. S. Q/Q
P/D 15 2W 10 NENE
SCALE _____
PHOTO ID. X-56 WALTERS BUTTE

P/D
LPLU

MAR 11 1996

4/5/94

PHOTO ONE-

Spring and natural channel to which livestock drink. A section of bent pipe at springs point of discharge.



MAR 11 1996

PHOTO TWO-

View westerly of spring channel. At end of draw, spring discharges into pipe and into unnamed stream.



PHOTO THREE-

Cattle which use spring for watering.



PHOTO FOUR-

Creek and approximate point of discharge.

MAR 11 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11093

Priority: December 29, 1989

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.2 AF

This is to certify, that DONNA R CLIFFORD

8001 BUTTE RD

MELBA ID 83641

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 29, 1989; and has submitted Proof of Beneficial Use on September 22, 1993. An examination indicates that the works have a diversion capacity of 0.020 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>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNENE, Sec. 10, Township 01S, Range 02W
CANYON County

PLACE OF USE: STOCKWATER

TWN RGE SEC

01S 02W 10

NENE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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 2ND day of MARCH, 1996.

Acting for

KARL J. DREIER, Director

MAR 11 1996

RECEIVED

SEP 22 1993

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY

Amt. of Fee \$ 50.00

Date 9/22/93

Receipt No. 202637

Receipt by CZ

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. 103-11093 Telephone No. 495-2475

2. Name(s) of Permit Holder(s): DONNA R. CLIFFORD

3. Mailing Address: 8001 BUTTE RD, MELBA, ID 83641-5211

4. Source of Water: Spring tributary to Snake R.

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

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

Domestic _____ (No. of households) Stockwater 25 head mixed range (No. and type of stock)
cattle & horses.

Irrigation 10 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .20 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: \$ 50.00 (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.

Donna R. Clifford 495-2475
Name Telephone No.

8001 Butte Road Melba, Idaho 83641-5211
Address

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

9-22-93
Date

Donna R. Clifford
Signature (and title, if on behalf of a company or organization)

OCT 20 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11093

Proposed Priority: December 29, 1989 Maximum Diversion Rate: 0.20 CFS
This is to certify, that DONNA R. CLIFFORD

8001 BUTTE RD.
MELBA, ID 83641

has applied for a permit to appropriate water from:

SPRING

tributary of **SNAKE RIVER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.20 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
RECREATION	01/01 to 12/31	0.20 CFS
	Totals	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNENE Sec. 10, Township 01S, Range 02W
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>
01S	02W	10	NENE	10		10

Total number of acres irrigated: 10

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: RECREATION, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1993.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
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.
5. Stockwater use is for 25 head; recreation use is for a pond.

MICROFILMED

SEP 26 1990

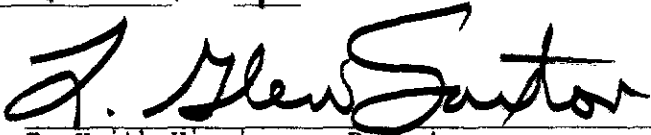
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11093

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

13th day of September, 1990

for 
R. Keith Higginson, Director

RECORDED

SEP 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

To appropriate the public waters of the State of Idaho

1. Name of applicant DONNA R. CUFFORD Phone 495-2475
 Department of Water Resources 8001 Blythe Road
 Post office address P.O. Box 106, MELBA, ID 83641
 Western Regional Office
2. Source of water supply SPRING which is a tributary of SNAKE RIVER
3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot —
 Sec. 10 Township 15 Range 2W B.M. CANYON County; additional
 points of diversion if any: —
4. Water will be used for the following purposes:
 Amount .20 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount .02 for STOCKWATER purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount .20 for RECREATION purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .20 and/or (b) —
cubic feet per second acre feet per annum
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. DEVELOP SPRING BY EXCAVATING
AREA FOR SMALL POND WITH PUMP IN POND FOR IRRIGATION.
STOCK WILL DRINK FROM POND. *
 b. Height of storage dam — feet; active reservoir capacity — acre-feet; total
 reservoir capacity — acre-feet; period of year when water will be diverted to storage:
— to — inclusive.
 c. Proposed well diameter is — inches; proposed depth of well is — feet.
 d. Is ground water with a temperature of greater than 90°F being sought? —
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
3 years (minimum 1 year).

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SEP 25 1990

* Pond estimated as circle with 40' diameter and average depth 5'.
 Stored volume is $(\pi \times 20^2)(5) = 14 \text{ A.F.}$; .20 cfs stores approx. .4 A.F.
 in 24 hrs, thus storage components NOT necessary. Per telecon with
 1/5/90 87

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 25 HD STOCK
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. RECREATION USE FOR FISH POND, SWIMMING POND, ICE SKATING, ETC.

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15	2W	10	10																10
			S																
			R																

Total number of acres to be irrigated 10

10. Describe any other water rights used for the same purposes as described above. BOISE-KUNA IRRIGATION DISTRICT

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. _____

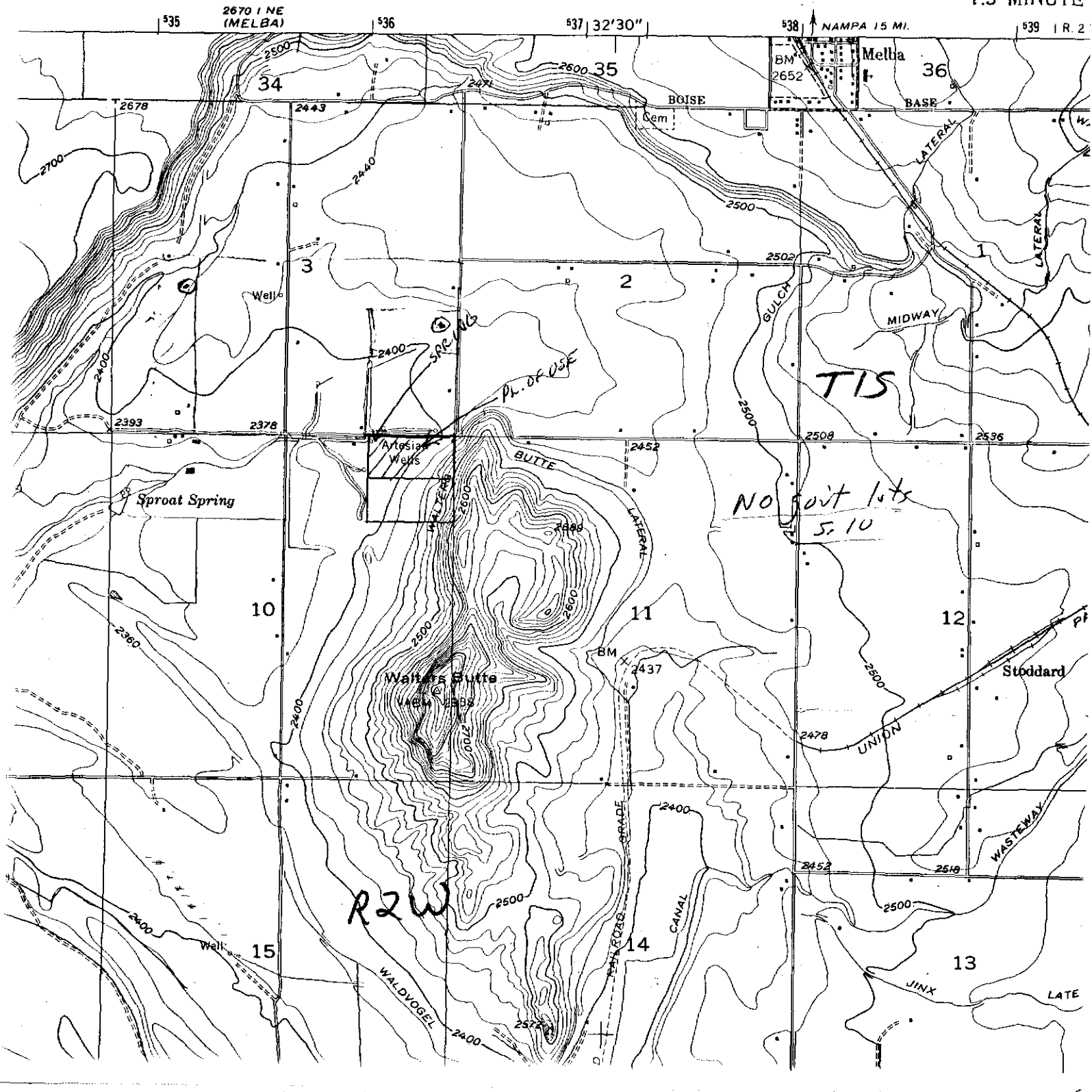
12. Remarks: _____

MICROFILMED

SEP 26 1950

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

7.5 MINUTE



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.

SEP 26 1990

Anna R. Clifford
(Applicant)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 4, 1996

DONNA R CLIFFORD
8001 BUTTE RD
MELBA ID 83641

RE: WATER RIGHT NO. 63-11093

Dear Water Right Holder(s):

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECORDED

MAR 11 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 63-11093 DATE 2-28-96



Change OK

NAME ☒ Assignment Needed

PRIORITY DATE ☒ Advance? Advanced to:
 Order to reinstate needed?
 Incorrect fee for rate recommended?

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

POINT OF DIV ☒ Amendment needed?
 ☒ Overlaps?

PLACE OF USE ☒ Amendment needed?
 ☒ Overlaps?

DIV RATE ☒ Permit/fee limits: .20 CFS
 Meas Q = Theo Q = Recommend: .02
Permit limited to 25 head
 Combined rates exceed capacity

ANNUAL VOLUME ☒ Volume Limit: Season: 1-1 to 12-31
 ☒ Calculations: 16 head = .2 gpm
 Flow limit: cfs x x 1.9835 =
 Combined volumes exceed capacity/allowable

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

NEW CONDITIONS Irrigation Overlap Replaces Surface Water 050
 Supplemental GW 065
 Water Quality/Dam Safety/Heat-Cool/Fish
 WM Control- District Meas/Lock Devices
 Other

NEW REMARKS Supplemental GW [in Snake River Plain] WB8/WB7
 Irr/Dom Combination WB5 PPU Recommendation
 Boise River/Wood River Source Aes/Rec Uses W38
 Multiple p/d(s) in ¼ ¼?
 Fire Protection WB6
 Other

COMMENTS: Remove irrigation and recreation uses.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	
<u>Stockwater</u>	<u>.02</u>	<u>.2</u>	Adjustment Memo Needed	<u>NO</u>
<u> </u>	<u> </u>	<u> </u>	LICENSE	☒
<u> </u>	<u> </u>	<u> </u>	1ST AMEND LETTER	<u> </u>
<u> </u>	<u> </u>	<u> </u>	2ND AMEND LETTER	<u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 22 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-11093

1. Owner: Donna R. Clifford Phone No. 495-2475

Current Address: 8001 Butte Road, Melba, ID 83641

2. Accompanied by: Donna Clifford EXAM DATE: 4/5/94

Address: SAME Phone No. SAME

Relationship to Permit Holder: Applicant

3. Source: Spring tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-02388, 63-08137

2. Other water rights with the same point of diversion: 63-00356, 63-00357, 63-00353A, 63-00354A, 63-00355A

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	NE	10	1S	2W	Canyon	Aerial Map

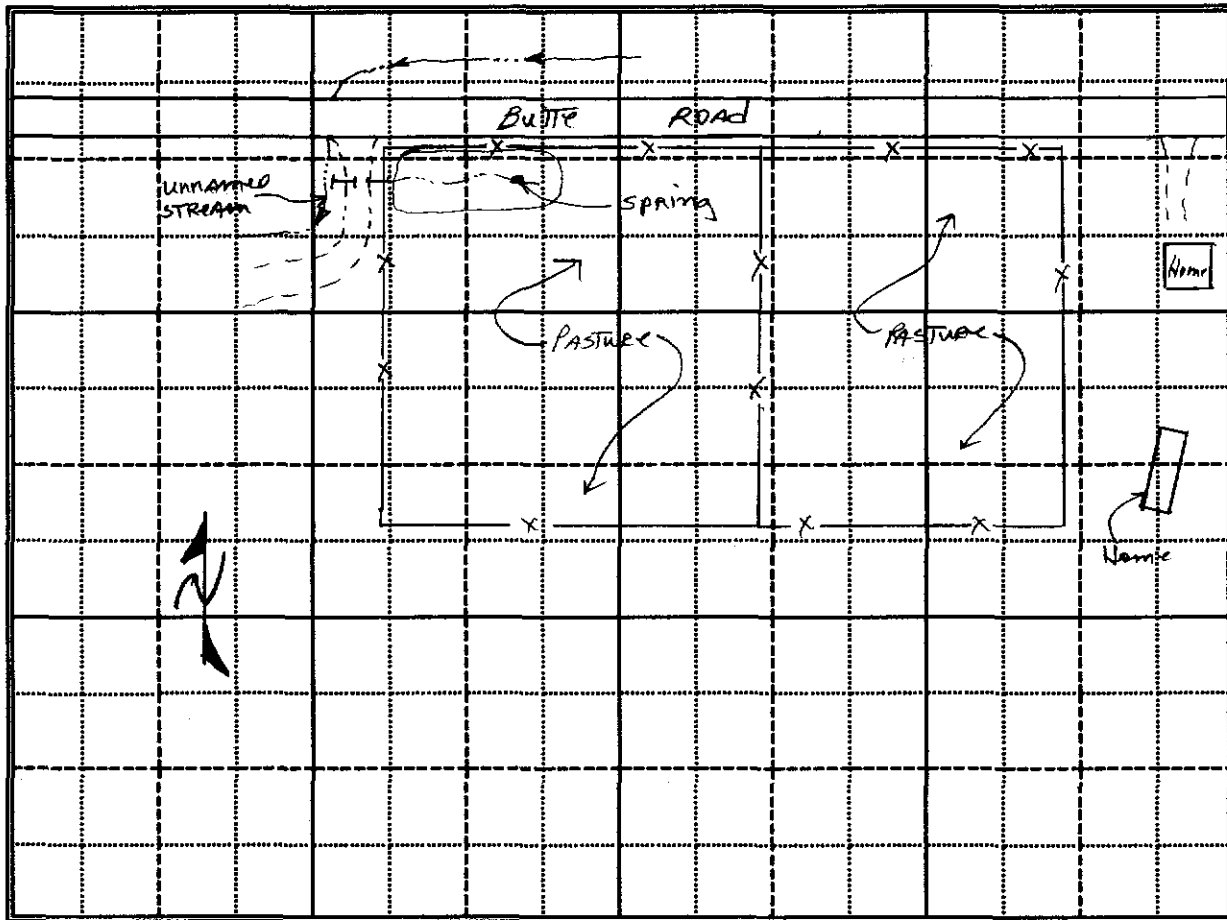
2. Place(s) of Use:

Indicate Method of Determination SAME AS P/D

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1S	2W	10	S																

MAR 11 1996

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



Scale: 1" = NTS.

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

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

☒ Photo of Diversion and System Attached

4. N/A

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Flow measurement - Head of 0.2". This flow is well below the lowest tabulated head of 1 3/16". Therefore invalid measurement. Used stock flow requirements.

MAR 11 1996

E. NARRATIVE/REMARKS/COMMENTS

OVERLAPS: P/D Same RQ, different sources
P/N Same RQ, different places of use.

Spring uses on permit indicate irrigation, stockwater, and recreation. Stockwater is the only beneficial use at this time, therefore the irrigation and recreation use need to be removed prior to licensing.

Approximately 16 head of livestock, 3 horses and 13 cattle, use the springs natural channel for watering. The spring is located in a deep trench at the northwest corner of the property. The natural channel discharges under driveway and into an unnamed stream. A pipe has been tapped into the stream, but the livestock have destroyed it over the years.

Since the requested allocation of 0.02 CFS is pertinent to 16 head of livestock, recommend licensing for 0.02 CFS for stockwater.

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

RECEIVED

MAR 11 1996

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

Attempted weir measurement, but flow was too minimal
to get measurement.

G. VOLUME CALCULATIONS1. Volume Calculations for Irrigation: N/A $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$

2. Volume Calculations for Other Uses:

$$V_{\text{STOCK}} = \frac{16 \times (12 \text{ gpd} \times 365)}{325,850} = 0.22 \text{ AF}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>STOCKWATER</u>	<u>1/1</u>	<u>12/31</u>	<u>0.02</u>	<u>0.22</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.02</u>	<u>0.22</u>

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ☒ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATIONField Examiner's Name Rick Collingwood Date 4/19/94

Reviewer _____ Date _____

MICROFILMED

MAR 11 1996

PERMIT 63-11093 INIT PL
T. R. S. Q/Q
P/D 15 2W 10 NENE
SCALE _____
PHOTO ID. X-56 WALTERS ENTR

910
- 2 Pk

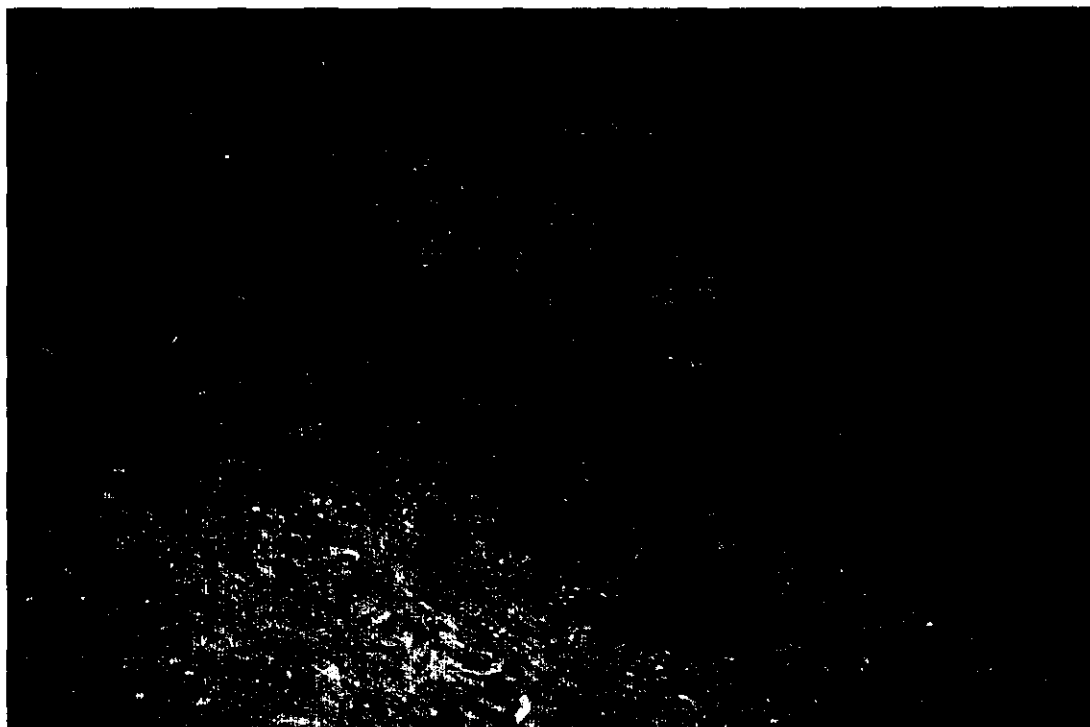
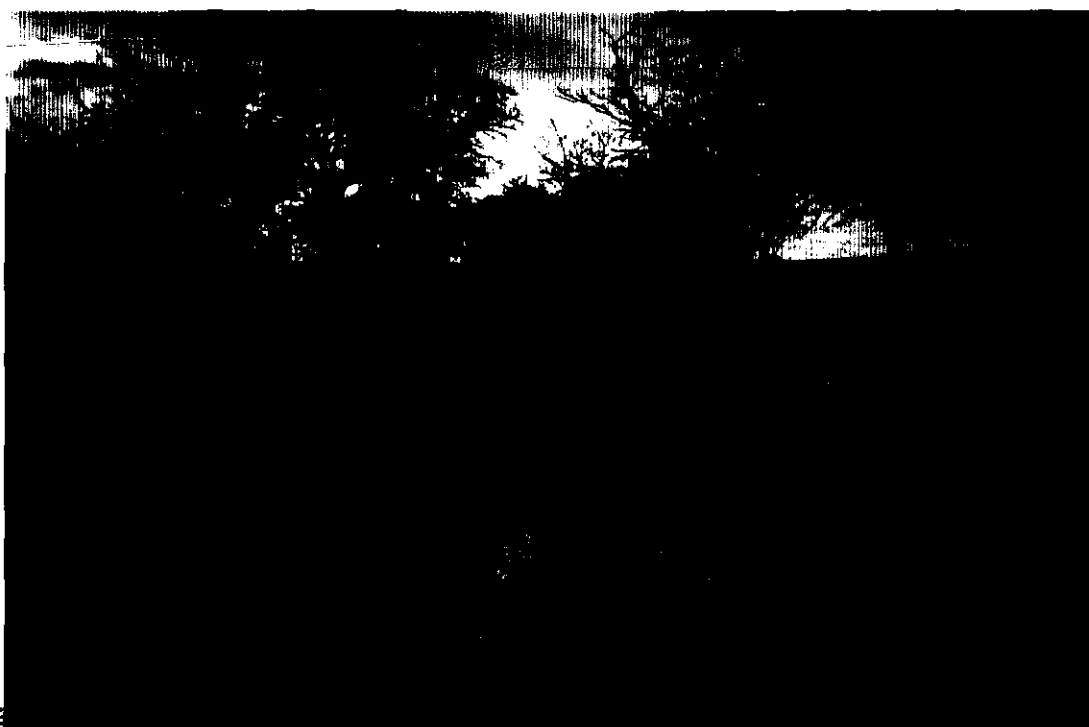


PHOTO ONE-

Spring and natural channel to which livestock drink. A section of bent pipe at springs point of discharge.



MAR 11 1996

View westerly of spring channel. At end of draw, spring discharges into pipe and into unnamed stream.

PHOTO TWO



PHOTO THREE-

Cattle which use spring for watering.



PHOTO FOUR-

Creek and approximate point of discharge.

MAR 11 1996

September 24, 1993

DONNA R. CLIFFORD
8001 BUTTE RD.
MELBA ID 83641

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11093

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECORDED

OCT 20 1993

July 31, 1993

DONNA R. CLIFFORD
8001 BUTTE RD.
MELBA ID 83641

PROOF DUE NOTICE

RE: PERMIT NO. 63-11093

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 October 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.

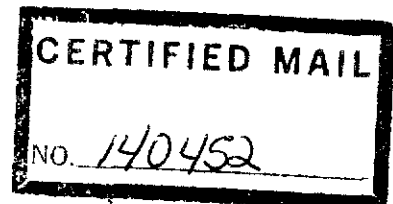
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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



OCT 20 1993

May 19, 1992

DONNA R. CLIFFORD
8001 BUTTE RD.
MELBA ID 83641

RE: Water Right No. 63-11093

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

RECEIVED
OCT 20 1992

OCT 20 1993

existing water users and reduce the need to curtail diversions.

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

OCT 20 1993

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
September 13, 1990

DONNA R. CLIFFORD
8001 BUTTE RD.
MELBA, ID 83641

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-11093

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ: SC
Enclosures

MICROFILMED

SEP 26 1990

SPECIAL NOTE: _____

Application No. 63-11093

PROTEST INFORMATION SHEET

Protestant - Name(s)

Renolds Irrigation District

ATTN: Jerry Hoagland and David Daniel

495-2810

495-1108

Address HC 79 Box 127

Attorney - Name & Address

Date Filed 12-29-89

Protest Date 2-13-90

Issues

Applicant - Attorney - Name & Address

Dates:

Acknowledgement letters:

Hearing Notice:

Hearing Date:

Other:

MICROFILMED

SEP 26 1990

Protest Information submitted in Computer (following hearing): _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 6, 1990

Reynolds Irrigation District
HC 79 Box 127
Melba, ID 83641

Re: Application for Permit No. 63-11093 in the Name of Donna R. Clifford

Dear Protestant:

This office acknowledges receipt of the withdrawal of protest against the above-referenced application.

The Department now will continue to process the application.

Sincerely,

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

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

DRT:st

CC: Donna R. Clifford

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SEP 26 1990

RECEIVED

JUL 23 1990

Department of Water Resources
Western Regional Office

July 18-90

Dear Mr Truithill -

First of all thank you for your tolerance with me on this matter.

Has taken long distance phone call - one lady I had to wait for her to return from a trip to Korea. She however was the one that gave me the name of Benson

Said he would be glad to do the letter for me. It just took a while to get it done.

Then the middle of June I talked to Mr Haagland. Said he didn't feel that there was any real problem & that he would also write a letter for me. Only I never got it before I went on vacation.

So when I recieved the letter for Court Hearing in Caldwell on the 9th of August. I called him again to see what had happend.

Thats when he said **UNRECORDED** you & also get me this letter. SEP 26 1990

Now I'm hoping this will take care of things & that every one will be sattisfied.

Sincerely,
Glenna R. Clifford

Memo from

Alvin Benson

6 26 90

Dear Donna,

We owned the 80 acres
where you live. The lower end tended
to get seepy with irrigation, finally
too wet for crop. Eventually the general
seep tended to concentrate near the
bottom of the field coming out more
localized. We homesteaded this place
in 1918. When we sold no
other water development such as
Reynold in that had been started.
Hoping this helps. If need be
I would so testify.

Sincerely

Alvin B. Benson

Since it was too late to reason for
irrigation, we used it as a
steady source of stock water

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SEP 26 1990

July 17, 1990

To whom it may concern:

Reynolds Irrigation District has agreed to withdraw their protest of Application for Permit No. 63-11093 in the Name of Donna R. Clifford as Donna R. Clifford has no intention of installing a pump to increase the flow of her spring/well. Reynolds believes her development will not affect the flow from their wells.

Jerry L. Hoaglund
Chairman Reynolds Irrigation Dist.

Director Reynolds Irrigation Dist.

Sam E. Peters

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SEP 26 1990

990

P-581 149 925

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED

NOT FOR INTERNATIONAL MAIL

(See Reverse)

U.S.G.P.O. 153-506

Street and No.

Donna R. Clifford

P.O. Box and Zip Code
8001 Butte Rd.

Postage Melba ID 83641

\$

.25

Certified Fee

.85

Special Delivery Fee

Restricted Delivery Fee

Return Receipt showing
to whom and Date Delivered

.90

Return Receipt showing
Date, and Address of Delivery

TOTAL Postage and Fees

\$

2.00

Postmark or Date

MICROFILMED

SEP 26 1988

S Form 3800, June 1985

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article, endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is required, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

P-581 149 926

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED

NOT FOR INTERNATIONAL MAIL

(See Reverse)

U.S.G.P.O. 153-506

Sent to
Reynolds Irrig. Dist.

Street and No.
Attn: Hoagland & Daniel

HC 79 Box 127
P.O., State and Zip Code
Melba ID 83641

Postage \$.25

Certified Fee .85

Special Delivery Fee SEP 26

Restricted Delivery Fee

Return Receipt showing
to whom and Date Delivered .90

Return Receipt showing to whom,
Date, and Address of Delivery

TOTAL Postage and Fees \$2.00

Postmark or Date

PS Form 3800, June 1985

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
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4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is required, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-11093 IN THE)
NAME OF DONNA R. CLIFFORD)

NOTICE OF CONFERENCE

On December 29, 1989, Donna R. Clifford filed with the Department of Water Resources an application for permit to appropriate the public waters of the State of Idaho. The application was protested by Reynolds Irrigation District.

The Department has set the matter of protest for a conference on Tuesday, August 7, 1990, at 10:00 a.m., at the Canyon County Court House, 1115 Albany, Caldwell, Idaho. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 12th day of July, 1990.

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

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SEP 26 1990

I hereby certify that on the 13th day of July, 1990, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Secretary

Certified Mail

Donna R. Clifford
8001 Butte Road
Melba, ID 83641

Reynolds Irrigation District
Attn: Jerry Hoagland and David Daniel
HC 79 Box 127
Melba, ID 83641

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SEP 26 1990

FROM *Sail Garrett*DATE *2/26/90*TO *file 63-11093*SUBJECT *Responding to our
Letter mailed 2/4/90 - Letter of Protestants**Donna R. Clifford Called today.**She is gathering information and requested**a copy of her application for permit**Mailed copy on 2/26/90***RECEIVED***SEP 26 1990**Sail*

SIGNATURE



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 14, 1990

Donna R. Clifford
8001 Butte Rd.
Melba, ID 83641

Re: Application for Permit No. 63-11093

Dear Applicant:

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

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

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

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

Sincerely,

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

Enclosure: Copy of protest(s)

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SEP 26 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 14, 1990

Reynolds Irrigation District
Attn: Jerry Hoagland and David Daniel
HC 79 Box 127
Melba, ID 83641

Re: Application for Permit No. 63-11093 in the Name of Donna R. Clifford

Dear Protestant:

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

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-1203, Idaho Code):

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

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

Sincerely,

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

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SEP 26 1990

Memorandum

TO: 63-11093

FROM: Dave Tuthill *DT*

DATE: February 14, 1990

RE: Date of Protest

This application was originally filed on December 29, 1990, and was scheduled to be advertised on January 18 and 25, with final date for protests of February 5, 1990. However, the newspaper was not able to advertise in a timely manner, and notified our office that the advertisements would occur on January 22 and 29, which would yield a final protest date of February 12, 1990. A protest was received from Reynolds Irrigation District on February 13, 1990. This protest has been honored because the advertisement was not accomplished in strict compliance with the rules, which require advertisement to begin on the first or third Wednesday or Thursday of the month.

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FEB 13 1990

Department of Water Resources
Western Regional Office

February 8, 1990

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

Dear Mr. Higginson:

This letter is to protest the proposed granting of a water right, application number 63-11093, for Donna R. Clifford.

We feel that if this application is granted the water available under our water rights, numbered 63-2420, 63-0306, 63-0359, and 63-9368, would be reduced.

Sincerely,

Jerry Hoagland

Jerry Hoagland, Chairman
Reynolds Irrigation District

David Daniel

David Daniel, Secretary-Treasurer
HC 79 Box 127
Melba, ID 83641

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SEP 26 1990

AFFIDAVIT OF PUBLICATION

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JAN 30 1990

STATE OF IDAHO)
) ss.
County of Canyon)

Department of Water Resources
Western Regional Office

Rebecca Stiehl

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-11074

KARCHER RANCHETTES WATER CORP.
C/O JAMES FINGERLOS
13711 JARETT ST.
CALDWELL, ID 83605
Source: GROUNDWATER
Diversions Pt: SENW
Use: IRRIGATION
DOMESTIC

Sec 14 T 03N R 03W
(.600 CFS)
(.400 CFS)
Total Diversion: (1.000 CFS)

Date Filed: 12/06/1989
In: T03N R03W S14
30.0 ACRES TOTAL

SENW

63-11088

TOMLINSON, JULIA
TOMLINSON, FLOYD
2629 TRACK RD.
MELBA, ID 83641
Source: GROUNDWATER
Diversions Pt:
Use: IRRIGATION

NESW Sec 23 T 01N R 02W
(1.060 CFS)
Total Diversion: (1.060 CFS)

Date Filed: 12/28/1989
In: T01N R02W S23
53.0 ACRES TOTAL
DILLON, THOMAS E.

SENW

NESW

63-11089

RT. 1 BOX 310
MIDDLETON, ID 83644
Source: WASTE WATER
Diversions Pt:
Use: IRRIGATION
IRRIGATION STORAGE
IRRIGATION FROM STORAGE
Total Diversion:

SENWSE

Tributary: WILLOW CREEK
Sec 28 T 05N R 02W

(.900 CFS)
(.200 AF)
(.200 AF)
(.200 AF)
(.900 CFS)

Date Filed: 12/28/1989
In: T05N R02W S28
45.0 ACRES TOTAL

SENW

NESW

NWSE

63-11093

CLIFFORD, DONNA R.
8001 BUTTE RD.
MELBA, ID 83641
Source: SPRING
Diversions Pt:
Use: IRRIGATION
STOCKWATER
RECREATION

Tributary: SNAKE RIVER
NWNENE Sec 10 T 01S R 02W
(.200 CFS)
(.020 CFS)
(.200 CFS)
Total Diversion: (.200 CFS)

NENE

63-11094

LOWE, DERALD W.
RT. 1, S. ROBINSON RD.
KUND, ID 83634
Source: GROUNDWATER
Diversions Pt:
Use: IRRIGATION

NESE

Sec 31 T 02N R 01W
(1.680 CFS)
Total Diversion: (1.680 CFS)

Date Filed: 12/29/1989
In: T02N R01W S31
84.0 ACRES TOTAL

NESE

NWSE

SESE

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 FEBRUARY 8, 1990.

R. KEITH HIGGINSON, Director

January 22, 29, 1990

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SEP 26 1990

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

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

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

3. That the notice, of which the annexed is a printed copy, was published in said newspaper two times—in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

January 22, 29, 1990

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 29th day of January in the year of 1990, before me, a Notary Public, personally appeared Rebecca Stiehl, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Janet Lusk
Notary Public for Idaho
Residing at Nampa

MY COMMISSION EXPIRES
JULY 12th, 1991

63-11093

CLIFFORD, DONNA R.
8001 BUTTE RD.
MELBA, ID 83641

Source: SPRING

Tributary: SNAKE RIVER

Diversion Pt: NWNENE Sec 10 T 01S R 02W

Use: IRRIGATION	(.200 CFS)
STOCKWATER	(.020 CFS)
RECREATION	(.200 CFS)
Total Diversion:	(.200 CFS)

Date Filed: 12/29/1989

In: T01S R02W S10 NENE

10.0 ACRES TOTAL

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SEP 26 1990