

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 45-7069 Priority October 23, 1970 Amount 0.50 cfs

THIS IS TO CERTIFY, that Ray Garr Hovey
of Burley, Idaho, has complied with the terms and conditions of Permit
No. 45-7069 issued pursuant to Application for Permit dated October 23, 1970,
and has submitted proof to the Department of Water Resources on November 19, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.43 cfs of water from Little Willow Creek,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	<u>from April 15 to November 1</u>	<u>at 0.50 cfs and</u>	<u>100 acre feet</u>
	<u>from _____ to _____</u>	<u>at _____ cfs and</u>	<u>_____</u>
	<u>from _____ to _____</u>	<u>at _____ cfs and</u>	<u>_____</u>

(both dates inclusive)

Subject, however, to the condition that no more than 0.50 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
100 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35
Twp. 12 S., Rge. 23 E., B.M. in the County of Cassia

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12 S	23 E	35									25								25

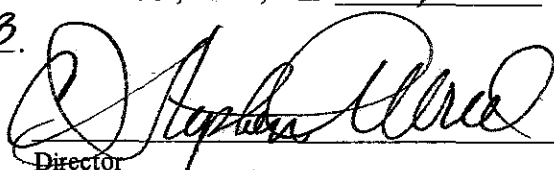
Total number of acres irrigated 25

NOTE: 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 right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this _____ day of

November, 19 78.


Director

WCD001111

Identification No. 45-7069

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Ray Garr Hovey
post office address Box 414, Burley, Idaho 83318
2. Source of water supply Little Willow Creek which is a tributary of _____
3. a. Location of point of diversion is N.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ of Section 35 Township 12S
Range 23E B.M. Cassia County; additional points of diversion if any: _____
Northwest Quarter of the SE Southwest Quarter
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .50 for irrigation purpose from April 15 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .50 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. existing pond & dam - pump and
pipe
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 5,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

45-7069

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

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12S	23E	35									X								25

Total number of acres to be irrigated 25

c. Describe any other water rights used for the same purposes as described above.
Use right on this creek for 25 acres

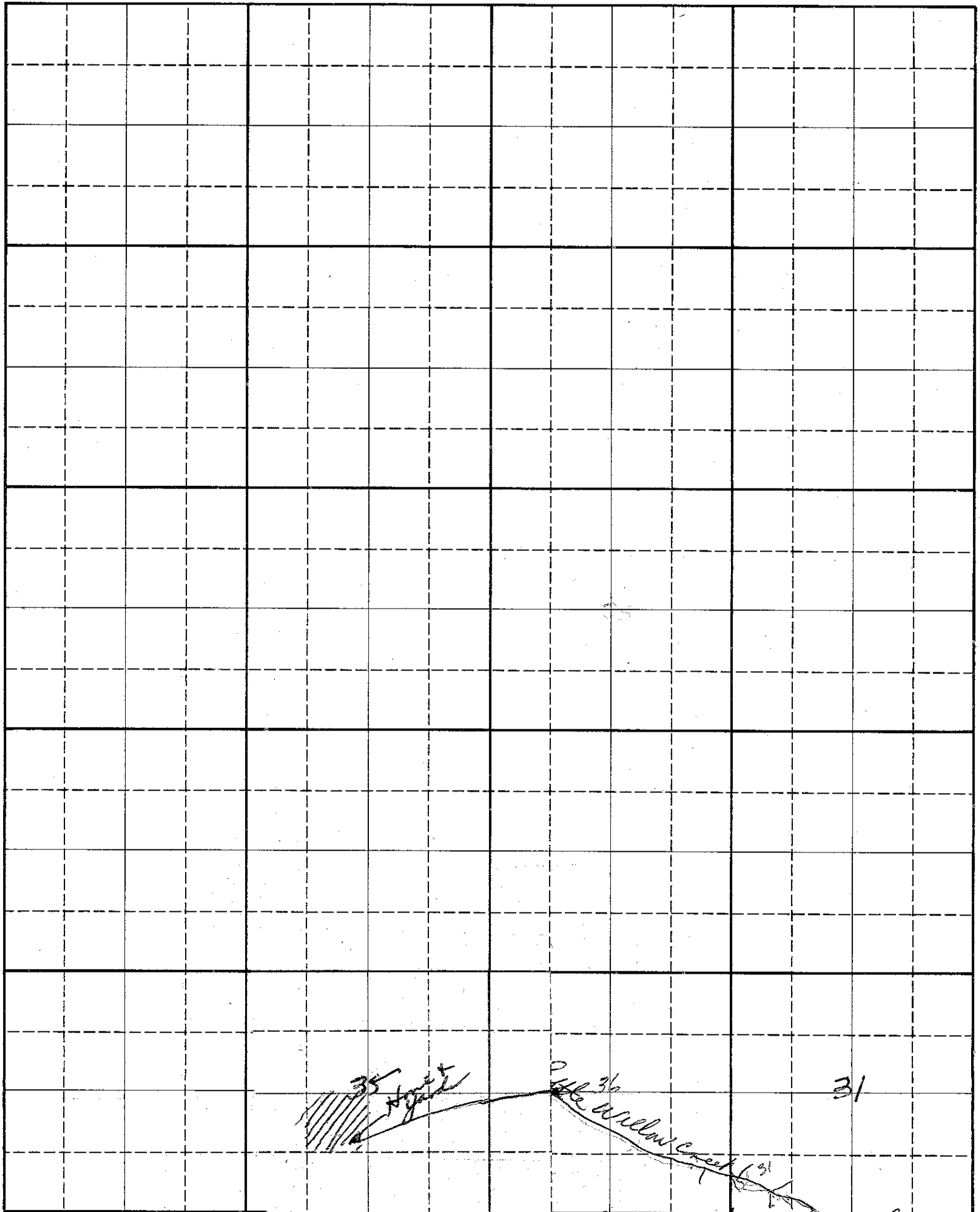
9. a. Who owns the property at the point of diversion Self

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

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

10. Remarks Little Willow Creek starts in the Southern part of Section 31, Township 12 South Range 24 East Boise Meridian and runs diagonally Northwest across Section 36 Township 12, South Range 23, East Boise Meridian, and to the Northeast Quarter of the Southwest Quarter of Section 35, Township 12, South Range 23, East Boise Meridian, as shown on the map below.

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



Scale: 2 inches equal 1 mile

Comp 12 R 23 || Twp 12 R 24 N 24

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.

Ray Harr Honey
(Applicant)

4B-7069

45-7069

Received by el Date 10-23-70 Time 9:30 AM
Preliminary check by De Fee \$ 10.00
Received by el Date 10-23-70
Publication prepared by dg Date 11-25-70
Published in South Idaho Press
Publication dates 12-10 & 12-17, 1970
Publication approved dv Date 12-23-70
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by MSZ 30F CM

APPROVED

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 45-7069, and said application is hereby APPROVED.

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 January 1, 19 76.

c. Other: The permit holder shall permanently install and maintain as part of the diverting works a measuring device of a type approved by the department.

2. Denial of said application is for the following reasons: _____

Witness my hand this 15th day of January 19 71.

P. Keith Higin
Director

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 45-7069 Name Ray Garr Hovey

Source Little Willow Creek

Point of Diversion NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 12S, R. 23E, B.M., Cassia County

Quantity 0.5 Use irrigation Period Apr. 15 - Nov. 1

Quantity Use Period

Quantity Use Period

Well Size Diameter Proposed Depth Feet

Use 25 acres

Date Forwarded 11-25-70 Date Returned Received by

COMMENTS: Quad. coverage is not available for this area. Flow measurements are also not available for Little Willow Creek.

RECOMMENDED:

Applied: Qty. 0.5 cfs Use irrig. Period 4-15 to 11-1 AF/A 4.0 AF 100

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. 0.5 cfs Use irrig. Period 3-15 to 11-15 AF/A 4.0 AF 100

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION:

Approved X

Denied

Conditions of approval or reason for denial: Subject to prior

RIGHTS.

INVESTIGATION

By

Herman C. Young

Title

U.R. Engineer

Date

December 11, 1970

45-7069

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Ruth Chambers, being first

duly sworn, deposes and says that she is the
Bookkeeper of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for 2

consecutive weeks, commencing with the issue

dated December 10, 1970, and ending

with the issue dated December 17, 1970

Ruth Chambers

Subscribed and sworn to before me

this 17th day of December

1970.

Edith Rantlett Notary Public

Cost of Publication

Notary Fee

Total Cost

My commission expires October 23, 1971

70-311

**NOTICE OF APPLICATION
FOR PERMIT TO APPROPRIATE
THE PUBLIC WATERS OF
THE STATE OF IDAHO**

Notice is hereby given that Ray
Gar Hovey, Box 414, Burley, Idaho,
has on October 23, 1970 submitted
Application No. 45-7069 to ap-
propriate the public waters of Little
Willow Creek.

The application proposes a
maximum diversion and ap-
propriation of 0.5 cubic feet per
second of water to be diverted by
pond, dam, pump, and pipe within
the NE1/4SW1/4, Sec. 35, T. 12S, R.
23E, B.M., Cassia County, and is to
be used within the NE1/4SW1/4, Sec.
35, T. 12S, R. 23E, B.M. for the
irrigation of 25 acres from April 15 to
November 1.

Any permit issued pursuant to this
application will be subject to ALL
PRIOR WATER RIGHTS and
subject to the CONTROL OF A
STATE WATERMASTER. Any
protest against this application must
be filed with the Idaho Department
of Water Administration,
Statehouse, Boise, Idaho, on or
before December 28, 1970.

R. KEITH HIGGINSON
Director

Published in the South Idaho
Press, Burley, Idaho on December
10 and December 17, 1970.

45-7069

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Reuth Chambers, being first

duly sworn, deposes and says that She is the

Bookkeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

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dated December 10, 1970, and ending

with the issue dated December 17, 1970

Reuth Chambers

Subscribed and sworn to before me

this 17th day of December

1970.

Edith Rautelt Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

My commission expires October 23, 1971

70-311

**NOTICE OF APPLICATION
FOR PERMIT TO APPROPRIATE
THE PUBLIC WATERS OF
THE STATE OF IDAHO**

Notice is hereby given that Ray Garr Hovey, Box 414, Burley, Idaho, has on October 23, 1970 submitted Application No. 45-7069 to appropriate the public waters of Little Willow Creek.

The application proposes a maximum diversion and appropriation of 0.5 cubic feet per second of water to be diverted by pond, dam, pump, and pipe within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 12S, R. 23E, B.M., Cassia County, and is to be used within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 12S, R. 23E, B.M. for the irrigation of 25 acres from April 15 to November 1.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, on or before December 28, 1970.

R. KEITH HIGGINSON

Director

Published in the South Idaho Press, Burley, Idaho on December 10 and December 17, 1970.

45-7069



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

November 1, 1978

Re: Permit No. 45-7069

Ray Garr Hovey
Box 414
Burley, Idaho 83318

Dear Mr. Hovey:

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

22 September 1978

Re: Permit No. 45-7069

Ray Garr Hovey
Box 414
Burley ID 83318

Dear Mr. Hovey:

A representative of this Department made an examination of the works covered by your Permit No. 45-7069 on August 1, 1976, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.50 cfs Source: Little Willow Creek

The maximum quantity diverted shall not exceed 100 acre feet per
year.

Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, Twp. 12S, Rge. 23E, B.M.

Beneficial use: Irrigation of 25 acres within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, Twp. 12S,
Rge. 23E, B.M.

Priority date established: October 23, 1970

If you do not concur with these findings please contact us within 10 days, otherwise a
water license will be issued as set forth above.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

MICROFILMED

RECEIVED

678-7925

NOV 24 1975

Phone

Department of Water Resources
Southern District Office

[illegible]

THE GOLF LIFE

TOTAL ACREAGE _____ 25

T
12
3

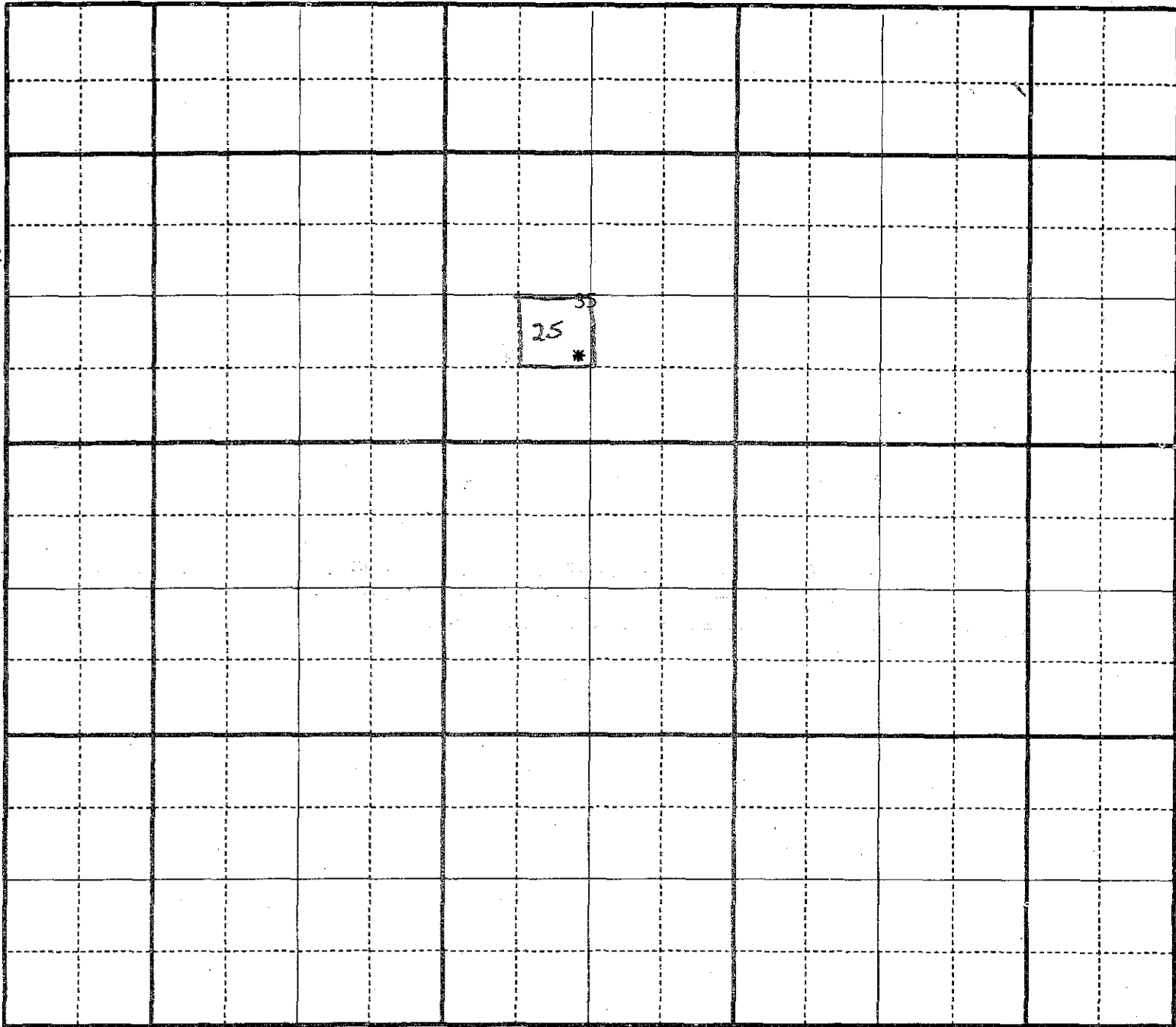


Diagram of System

DATE OF EXAM Aug 1, 1976

ACREAGE
Found 25
Recommended 25

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q= .50 c.f.s. V= 100 AF/Ann. from April 1 to Nov. 1
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 2.43 c.f.s. Method of measurement Marshall Thomas Measuring Flume.

Total Q recommended .50 c.f.s. Meter No. ☒ Type 1' Condition New

Total V recommended 100 Ac.Ft./ANN.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:
Measured: 2.43 c.f.s. 1 ft parshall flume (Reading .72') Staff guage.
Allowed: .50 c.f.s. Amount Applied for.
Volume 100 Ac.Ft./ANN. (Irr Req 4.0 AcFt/Ac) (25 Acres)

SYSTEM DESCRIPTION:
M.E. action Motor 15Hp #S-886848 Centrifugal pump #7163426
water is diverted from L. Willow Cr. and conveyed to a small Reservoir
for storage. a small pump then conveys the water to its place of use.
This ground is irrigated by a small sprinklers (hand lines).

REMARKS:
Mr. Hovey was present during Field Exam.

Examiner's Signature Greg Enderburg Date 9-30-76

Checked by Leid Hewley Date 10-7-76

Approved by Michael L. Steub Date 10-7-76

November 21, 1975

Re: Permit No. 45-7069

Ray Carr Hovey
Box 414
Burley, Idaho 83818

Dear Mr. Hovey:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in Twin Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG



RECEIVED

NOV 19 1971

Department of Water Resources

Identification No. _____

Permit No. 45-7069

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Ray Garr Hovey
b) Post Office Address Box 414, Burley, Idaho 83318
2. Permit Number ~~45-4028~~ 45-7069
3. Date of Priority that you are prepared to establish May 15, 1971
4. a) Source from which water was appropriated reservoir
b) Location of the point of diversion: NE 1/4 SW 1/4, Section 35
Township 12S, Range 23E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount .5 for irrigation purposes from April 1 to October 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .5 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) The water comes from a reservoir and is pumped out of the middle of the reservoir by a pump and motor into diversion ditches. Some of the land will be sprinkled and will be diverted from the pump into the sprinklers.
b) Describe the type and size of measuring device which you have installed at your point of diversion: 1 parchal flume 9 X 18
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

11-19-1975
Exam typed

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: 25 acres in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35, Township 12S, Range 23E Boise Meridian

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12	23E	35									X								25

Total number of acres irrigated 25

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

(Date)

Ray Allen Honey
(Signature)

State of Idaho)
) ss.
County of Cassia)

On this 14 day of Nov, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Norm H. Nielsen
Notary Public residing at Boise, Idaho
My Commission
Expires May 12, 1978

My commission expires May 12, 1978

PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

② SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.					
1. The following service is requested (check one). ☐ Show to whom and date delivered..... 15¢ ☐ Show to whom, date, & address of delivery.. 35¢ ☐ RESTRICTED DELIVERY. Show to whom and date delivered..... 65¢ ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery 85¢					
2. ARTICLE ADDRESSED TO: CERTIFIED MAIL					
3. ARTICLE DESCRIPTION: <table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">REGISTERED NO.</td> <td style="width: 33%;">CERTIFIED NO. <i>138236</i></td> <td style="width: 33%;">INSURED NO.</td> </tr> </table> (Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE ☒ Addressee ☐ Authorized agent <i>Sam Hovey</i>			REGISTERED NO.	CERTIFIED NO. <i>138236</i>	INSURED NO.
REGISTERED NO.	CERTIFIED NO. <i>138236</i>	INSURED NO.			
4. DATE OF DELIVERY					
5. ADDRESS (Complete only if requested)					
6. UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS			

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

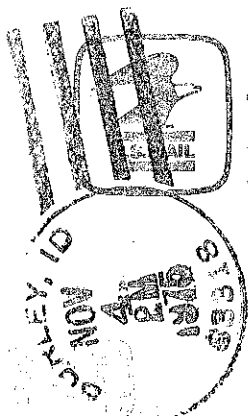
- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

RETURN
TO



DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

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



October 31, 1975

CERTIFIED MAIL #138036

Re: Permit No. 45-7069

Ray Carr Hovey
Box 414
Burley, Idaho 83318

Dear Mr. Hovey:

One of the conditions of approval of your water Permit No. 45-7069 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1976. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

cc: A. H. Nielson
Box 367
Burley, ID 83318

MICROFILMED

January 22, 1971

Re: Permit No. 45-7069

Mr. Ray Garr Hovey
Box 414
Burley, Idaho 83318

Dear Mr. Hovey:

Enclosed is a copy of your approved Application for Permit No. 45-7069. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosures: Copy of permit
1 informational letter
Receipt No. 5254 for \$10

cc. A. H. Nielson, Attorney

45-7069

70-311

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FOR PERMIT TO APPROPRIATE
THE PUBLIC WATERS OF
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be filed with the Idaho Department
of Water Administration,
Statehouse, Boise, Idaho, on or
before December 28, 1970.

R. KEITH HIGGINSON
Director

Published in the South Idaho
Press, Burley, Idaho on December
10 and December 17, 1970.

45-7069

November 25, 1970

Re: Application No. 45-7069 - Ray Garr Hovey

South Idaho Press
Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: legal notice

Bill submitted 12-23-70 By ds

45-7069

NOTICE OF APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Ray Garr Hovey, Box 414, Burley, Idaho

has on October 23, 1970

submitted Application No. 45-7069 to appropriate the public waters of
Little Willow Creek

~~The /proposed /uses /are /~~

The application proposes a maximum diversion and appropriation of 0.5

cubic feet per second ~~acre / feet~~ of water to be diverted by pond, dam, pump,
and pipe within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 12S, R. 23E, B.M., Cassia County

and is to be used within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 12S, R. 23E, B.M. for the
irrigation of 25 acres from April 15 to November 1.

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of Water Adminis-
tration on or before December 28, 1970.
Statehouse, Boise, Idaho

R. KEITH HIGGINSON
Director

Published in the South Idaho Press, Burley, Idaho

on December 10 and December 17, 1970

45-7069

NIELSON, NIELSON & NIELSON

ATTORNEYS AND COUNSELORS AT LAW

P. O. BOX 367

BURLEY, IDAHO 83318

ADONIS H. NIELSON
NORMAN H. NIELSON
GORDON S. NIELSON

AREA CODE 208
TELEPHONE 678-5574

October 22, 1970

Mr. Dorian Clay
Appropriation Examiner
State of Idaho, Dept. of Water Administration
State House Annex 2
Boise, Idaho 83707.

Dear Mr. Clay:

Re: Hovey application

This is in answer to your letter of October, 19, 1970, in the above matter.

The application regarding Little Willow Creek has been changed to show that the water is used on the

North East Quarter of the South West
Quarter of Section 35, Township 12
South, Range 23, in Cassia County,
Idaho.

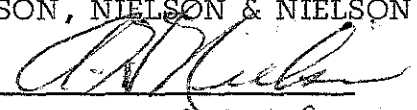
This water has been used and is being used on 25 acres instead of the 5 acres in the North East of the South East Quarter above mentioned. The application is now for 25 miners inches of water.

In regard to the other application, the water is to be taken from the pipeline in the North East Quarter of the South West Quarter of Section 35. The spring is being enclosed and all the water placed in the pipeline in the South East Quarter of the South West Quarter of Section 36.

It is our thought that the point of diversion would be where the water was used at the home yards from this pipeline. We hope this has clarified the matter for you and we have changed the applications to comply with the statements in this letter.

We are again sending the checks and the Easements and the Agreement along with the applications.

Very truly yours,
NIELSON, NIELSON & NIELSON

By: 

AHN:dk

45-7069