

c. Describe the lands or place of use to which the right will be transferred:

No Change

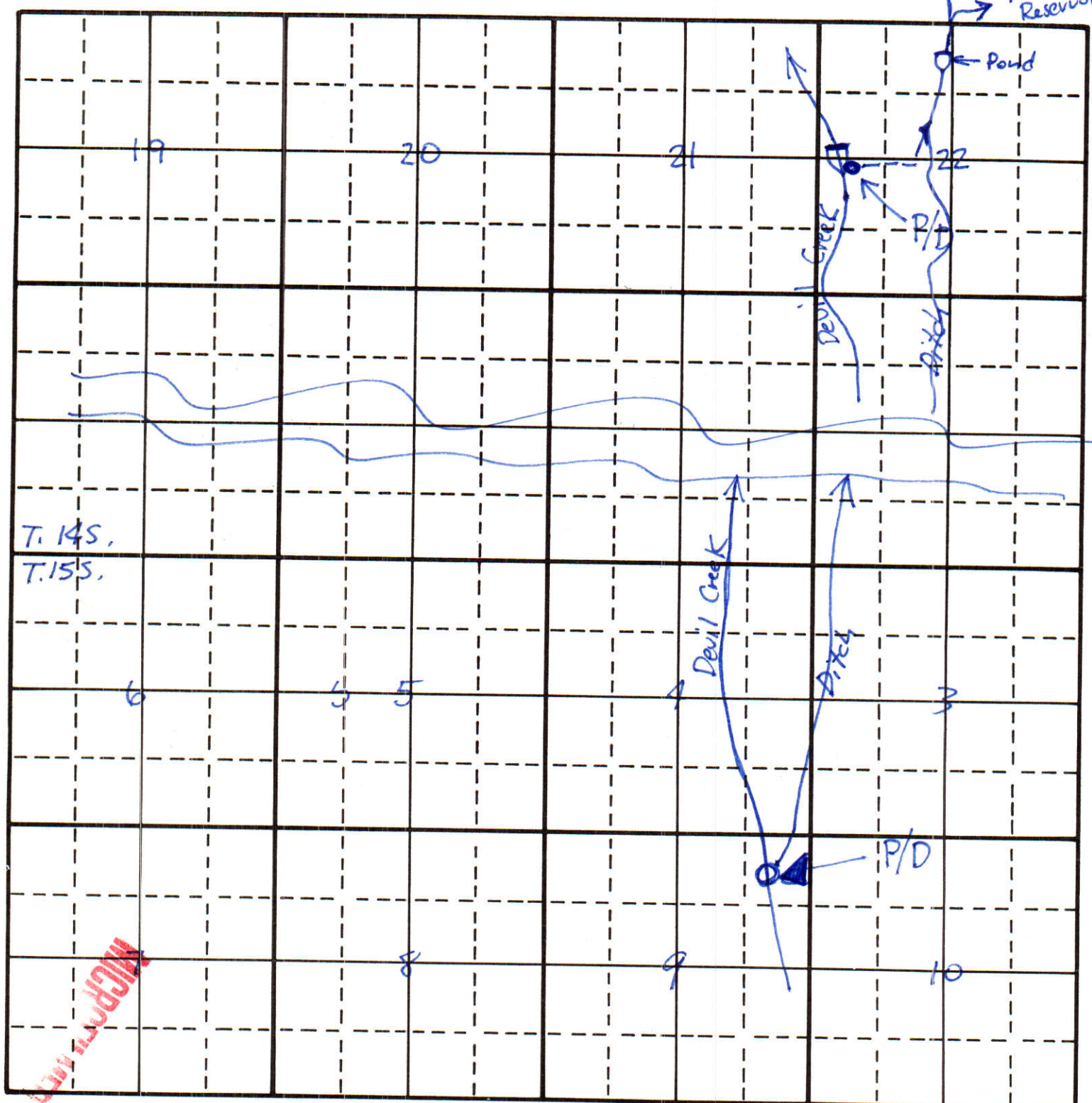
[illegible]

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____

Applic for permit 47-7755

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



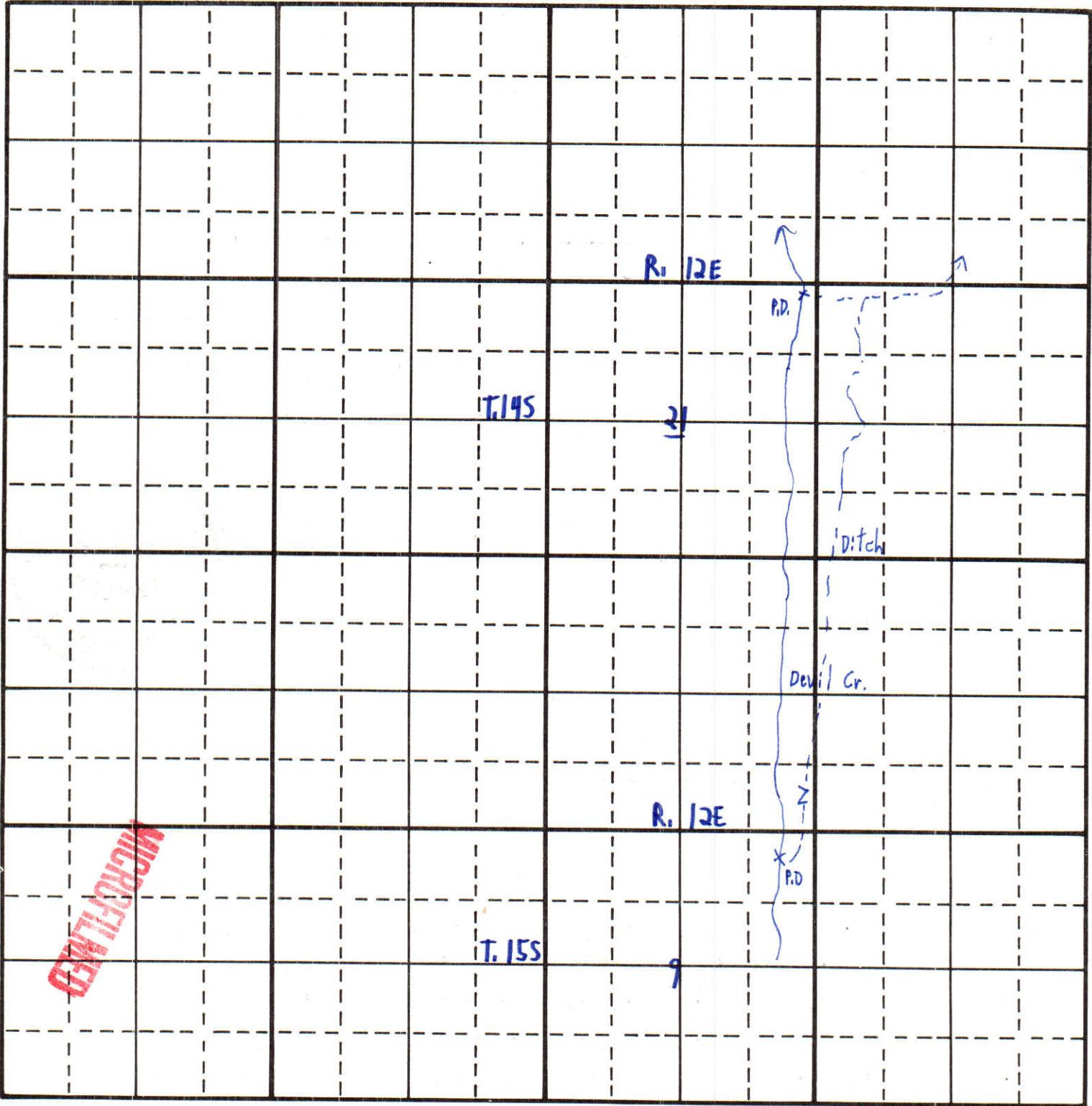
SCALE: 2 inches equal 1 mile. Draw plan in ink.

c. Describe the land and place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____
None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



AFFIDAVIT of PUBLICATION

RECEIVED

JAN 21 1982

STATE OF IDAHO
County of Twin Falls

Department of Water Resources
Southern District Office

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two consecutive weeks, the first publication having been made on the 17th day of December, 1981, and the last publication having been made on the 24th day of December, 1981; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Subscribed and sworn to before me this 31st day of December, 1981

Robert E. Bailey
Notary Public.

Residing at Buhl, Idaho

My Commission Expires

April 18, 1981

STATE GIVES NOTICE OF WATER RIGHT CHANGE
CORRECTED NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 47-7221

A corrected notice is hereby given that Heil Land & Livestock of Castleford, Idaho has applied to the Department of Water Resources to add a diversion point of the waters of Devil Creek tributary to Salmon Falls Creek. The right sought to be changed is evidence by License 47-7221 and is recorded as follows:

Amount: 10.2 cfs Diversion to storage for irrigation - from Jan. 1 to Dec. 31
7.9 cfs Irrigation - from Mar. 15 to Nov. 15
10 cfs Stockwater - from Jan. 1 to Dec. 31
500 AF Storage for irrigation - from Jan. 1 to Dec. 31
500 AF Irrigation from storage - from Mar. 15 to Nov. 15

Priority Date: September 19, 1973
Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T15S, R12E, B.M., Owyhee County
The water is used for irrigation of 395 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14; E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T14S, R12E
TO BE CHANGED AS FOLLOWS:

Amount: 10.2 cfs Diversion to Storage from Jan 1 to Dec. 31
7.9 cfs Irrigation Mar 15 - Nov. 15 - 1383 acre feet per annum
0.1 cfs stockwater Jan 1 - Dec. 31 13.4 acre feet per annum
500 AF Irrigation from storage Mar 15 - Nov. 15
Total volume shall not exceed 1896.4 acre feet per annum

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T15S, R12E; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T14S, R12E, B.M., Owyhee County
Place of Use: No change
Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before January 4, 1982.

A. KENNETH DUNN
Director

Published in the Buhl Herald 12/17 and 12/24/81.
(5112)

NOT RECORDED

AFFIDAVIT of PUBLICATION

STATE OF IDAHO
County of Twin Falls

ss.

CHANGE ASKED IN WATER RIGHT

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 47-7221

Notice is hereby given that Heil Land & Livestock of Castleford, Idaho has applied to the Department of Water Resources to add a diversion point of the waters of Devil Creek tributary to Salmon Falls Creek. The right sought to be changed is evidenced by License 47-7221 and is recorded as follows:

Amount: 10.2 cfs Diversion to storage for irrigation - from Jan. 1 to Dec. 31
7.9 cfs Irrigation - from Mar. 15 to Nov. 15
10 cfs Stockwater - from Jan. 1 to Dec. 31

500 AF Storage for irrigation - from Jan. 1 to Dec. 31
500 AF Irrigation from storage - from Mar. 15 to Nov. 15

Priority Date: September 19, 1973

Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T15S, R12E, B.M., Owyhee County.

The water is used for irrigation of 395 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T14S, R12E

TO BE CHANGED AS FOLLOWS:

Amount 8.0 cfs 1896.4 acre feet per annum

Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T15S, R12E;
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T14S, R12E, Owyhee County

Place of Use: No change

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd, North, Twin Falls, Idaho 83301 on or before October 19, 1981.

A. KENNETH DUNN
Director

Published in the Buhl Herald Oct. 1 and October 8, 1981.
(40t2)

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper TWO consecutive weeks, the first publication having been made on the 1 day of October, 1981, and the last publication having been made on the 8 day of October, 1981; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Subscribed and sworn to before me this

5th day of October, 1981

[Signature]

Notary Public.

Residing at Buhl, Idaho

My Commission Expires

April 15, 1985

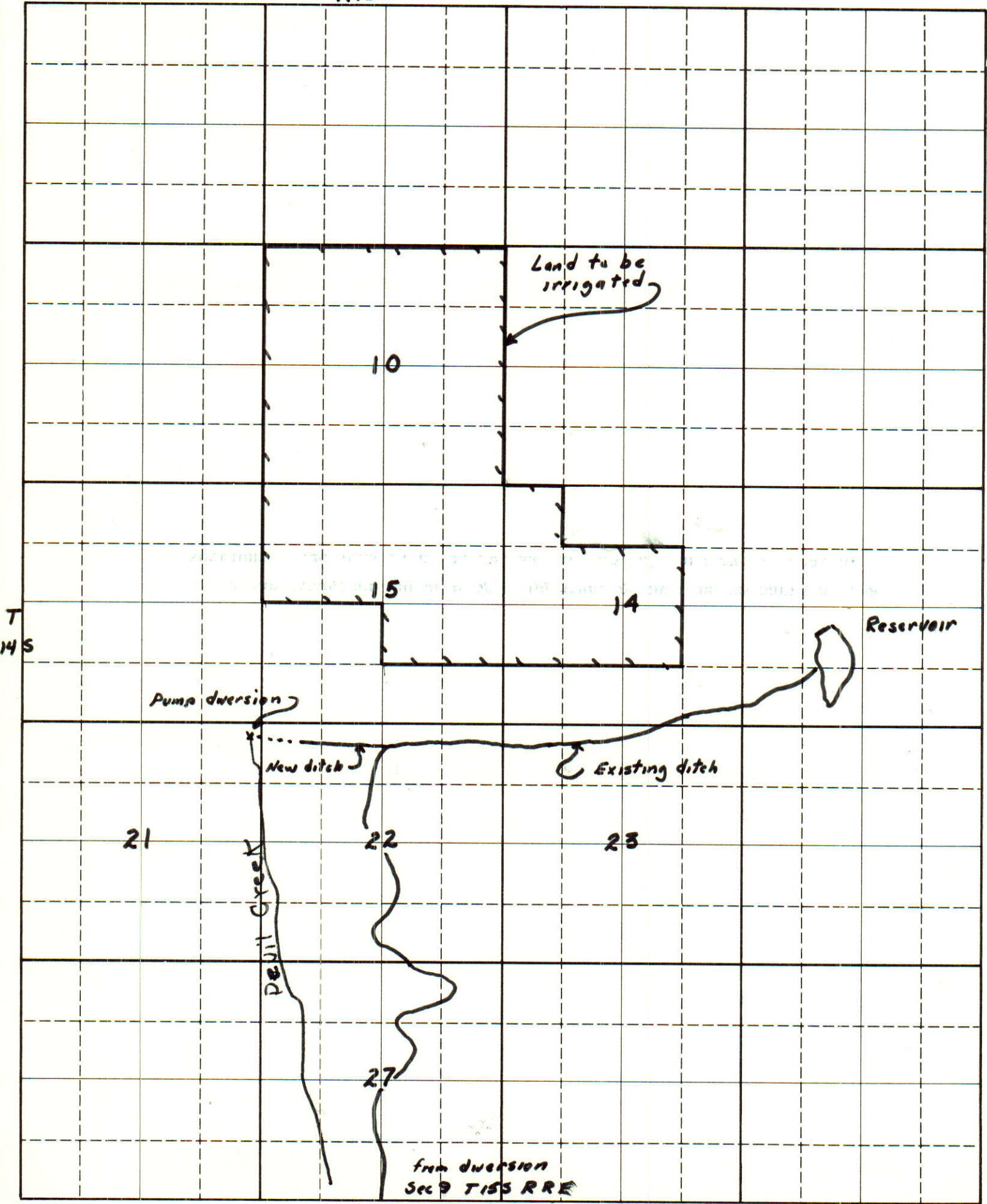
RECEIVED

RECEIVED
OCT 22 1981

Department of Water Resources
Southern District Office

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

R12E



Scale: 2 inches equal 1 mile

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

Heil Land & Livestock Inc.
By Lawrence S. Heil pres.
(Applicant)

RECEIVED

AFFIDAVIT OF PUBLICATION

OCT 29 1973

Department of Water Administration
Southern District Office

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 47-7221 in the name of Heil Land & Livestock, Inc. was advertised incorrectly on October 4 and October 11, 1973. The place of use was advertised as being within Sec. 10; SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; N $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; T. 14S, R. 12E, B.M., Owyhee County. Whereas, the actual place of use is within Sec. 10; SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; T. 14S, R. 12E, B.M.

Any protest to the above correction must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, within 10 days from the last date of publication of this notice.

R. KEITH HIGGINSON
Director

Published in the Owyhee Chronicle on October 18 and October 25, 1973.

STATE OF IDAHO)
COUNTY OF OWYHEE) ss.

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the printer or publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice

NOTICE OF CORRECTION

of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement thereto, in said newspaper, in two (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

Oct. 18, 1973

Oct. 25, 1973

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 25th day of Oct.

A. D., 19 73

Evelyn S. Colley
Notary Public in and for the State of Idaho,

residing at Homedale, Idaho.

My commission expires 2-6, 19 76

47 7221

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Heil Land & Livestock, Inc., Castleford, ID has on September 19, 1973 submitted Application No. 47-7221 for a permit to appropriate 50 cubic feet per second and 500 acre feet per annum of water from Devil Creek, tributary of Salmon Falls Creek by means of existing diversion works through existing Worley ditch to a reservoir within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T. 15S; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T. 14S; R. 12E, B.M., Owyhee County, to be used from Jan. 1 to Dec. 31 for diversion to storage for irrigation, and from Mar. 15 to Nov. 15 for irrigation of 1320 acres within Sec. 10; SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; N $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; T. 14S, R. 12E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before October 22, 1973.

R. KEITH HIGGINSON
Director

Published in the Owyhee Chronicle on October 4 and October 11, 1973.

AFFIDAVIT OF PUBLICATION

RECEIVED

OCT 12 1973

Department of Water Administration
Southern District Office

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the printer or publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice NOTICE OF APPLICATION
FOR WATER PERMIT

of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement thereto, in said newspaper, in two (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

Oct. 4, 1973

Oct. 11, 1973

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 11th day of Oct.

A. D., 19 73

Emelynn S. Colley

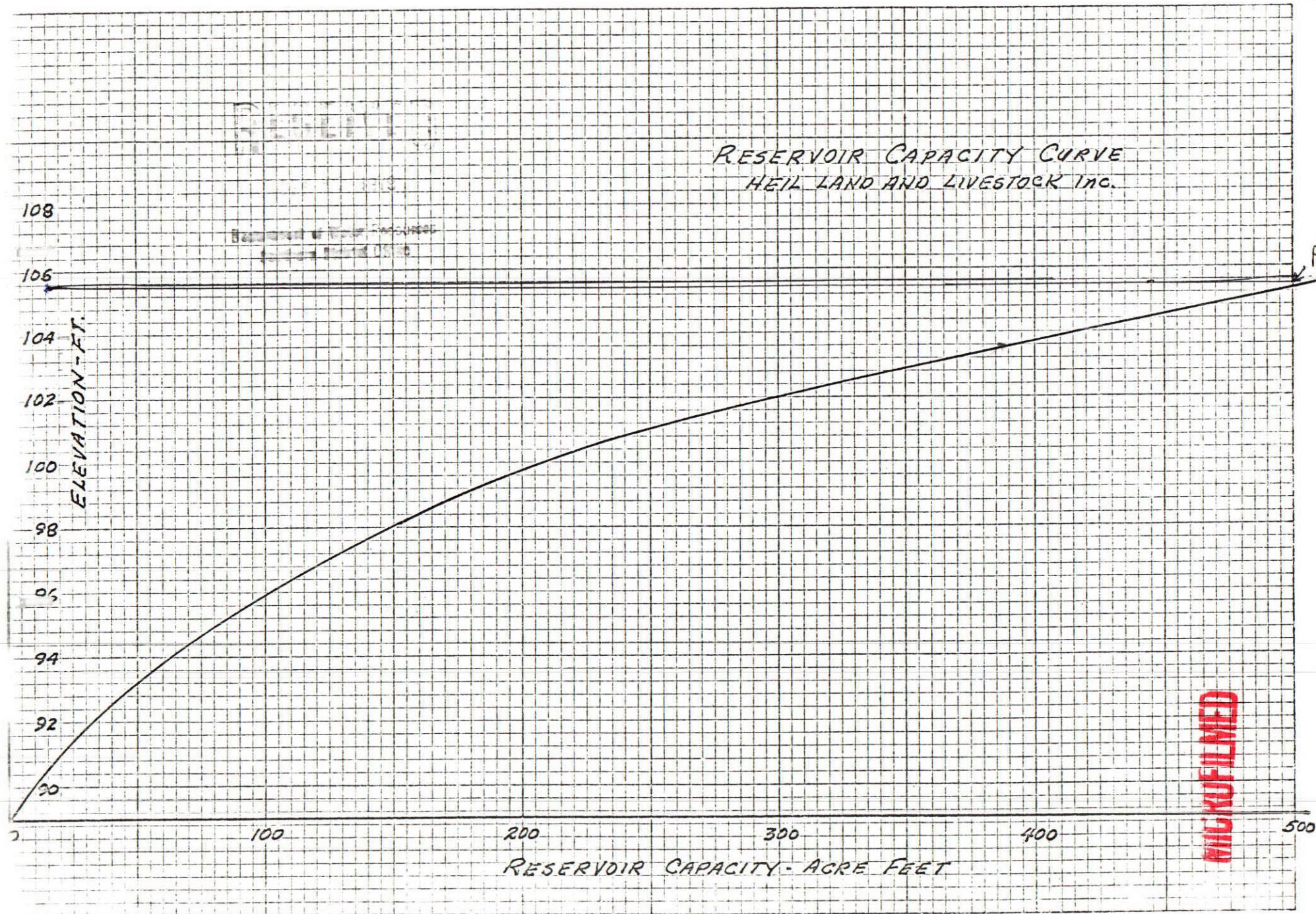
Notary Public in and for the State of Idaho,

residing at Homedale, Idaho.

My commission expires 2-6, 19 76.

47 7221

Reservoir curve sent in by Chuck Brockway.



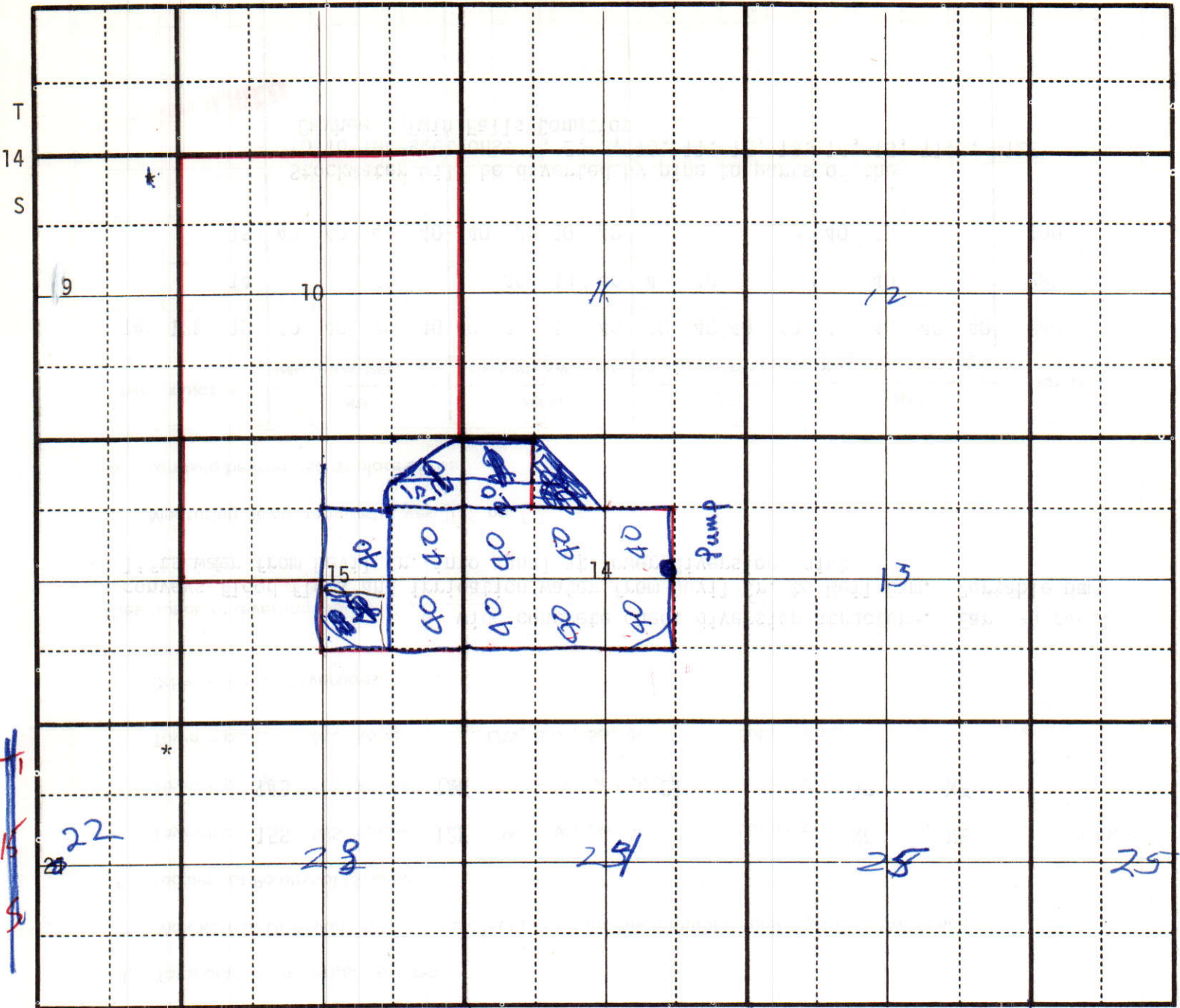
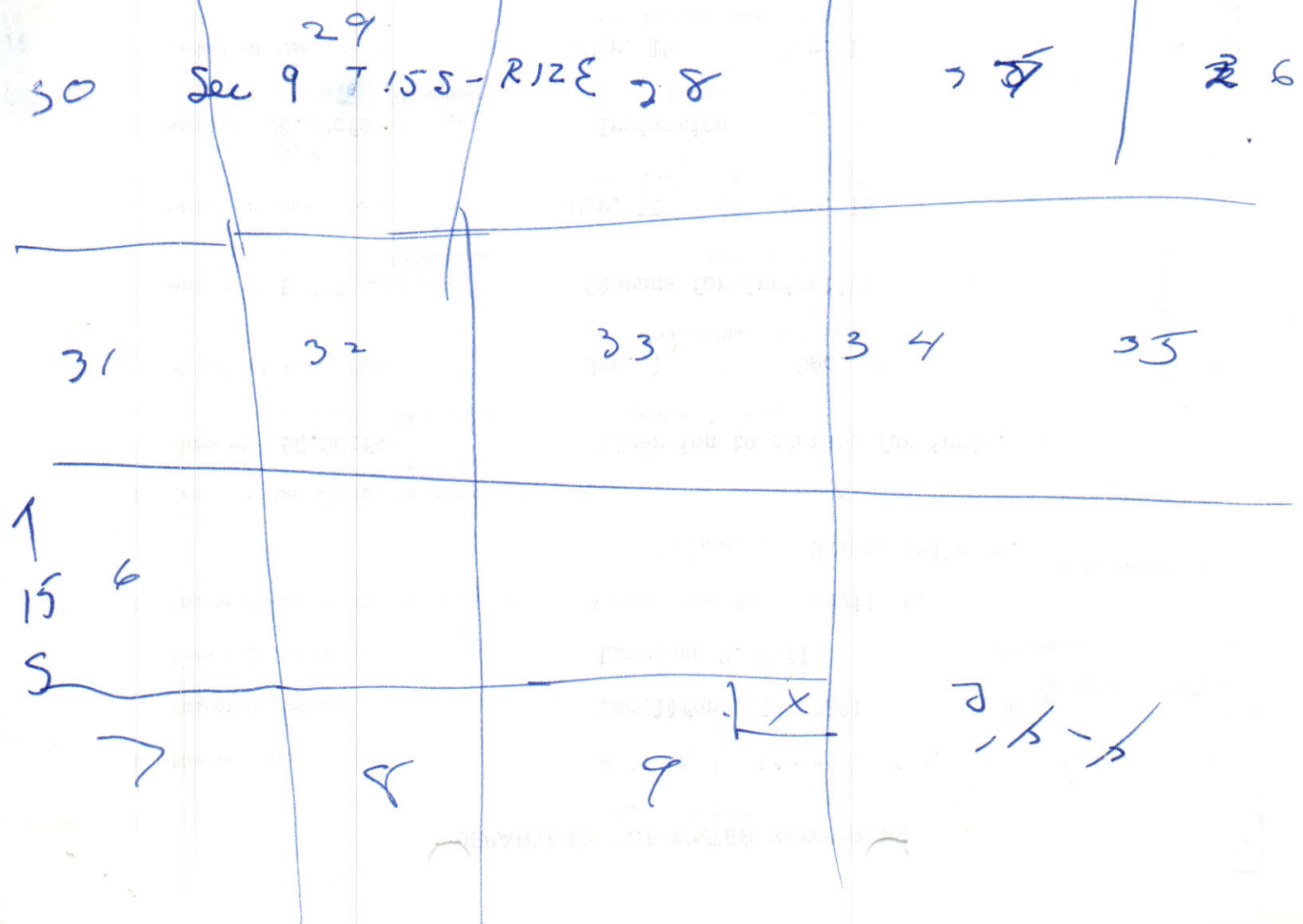


Diagram of System



Transfer No. 2601

Water Right No. _____

APPROVED

Corrected 12/2/81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT DEC 2 1981

To Change the Point of Diversion and/or the Place of Use

Department of Water Resources
Southern District Office

Name of applicant Heil Land & Livestock Phone 537-6692
Post Office address Star Route, Castleford, Ida. 83321

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ (Name of court) county of _____
- b. License No. 47-7221 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Devil Creek tributary to _____

4. Date of priority Sept. 19, 1973

5. Water is used for the following purposes: (See Remarks)

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE 1/4 of NE 1/4 of Section 9
Township 15S Range 12E, B.M., in Owyhee County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14S.	12E.	14			40			20	40	40	40	40				40			260
		15	15		40	40									40				135

Total number of acres to be irrigated 395

Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

RECEIVED

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
- ✓ Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information (See Remarks) No Change from original license
- a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
- b. Description of diverting works _____

c. Describe the reasons for the proposed changes Existing diversion does not supply enough water; additional water enters Devil Creek below the existing diversion. The new P/D has existed for many years but the use has not been feasible until recent development.

2. Change in point of diversion
- Point of diversion NE ¼ NE ¼, Section 9 Township 15S.
Range 12E, B.M., Owyhee County
Additional points NW ¼ SW ¼, Sec. 22, Twp. 14S., Rge. 12E.
B.M.

3. Change in place of use No Change
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

100-100000

c. Describe the lands & place of use to which the right will be transferred: No Change

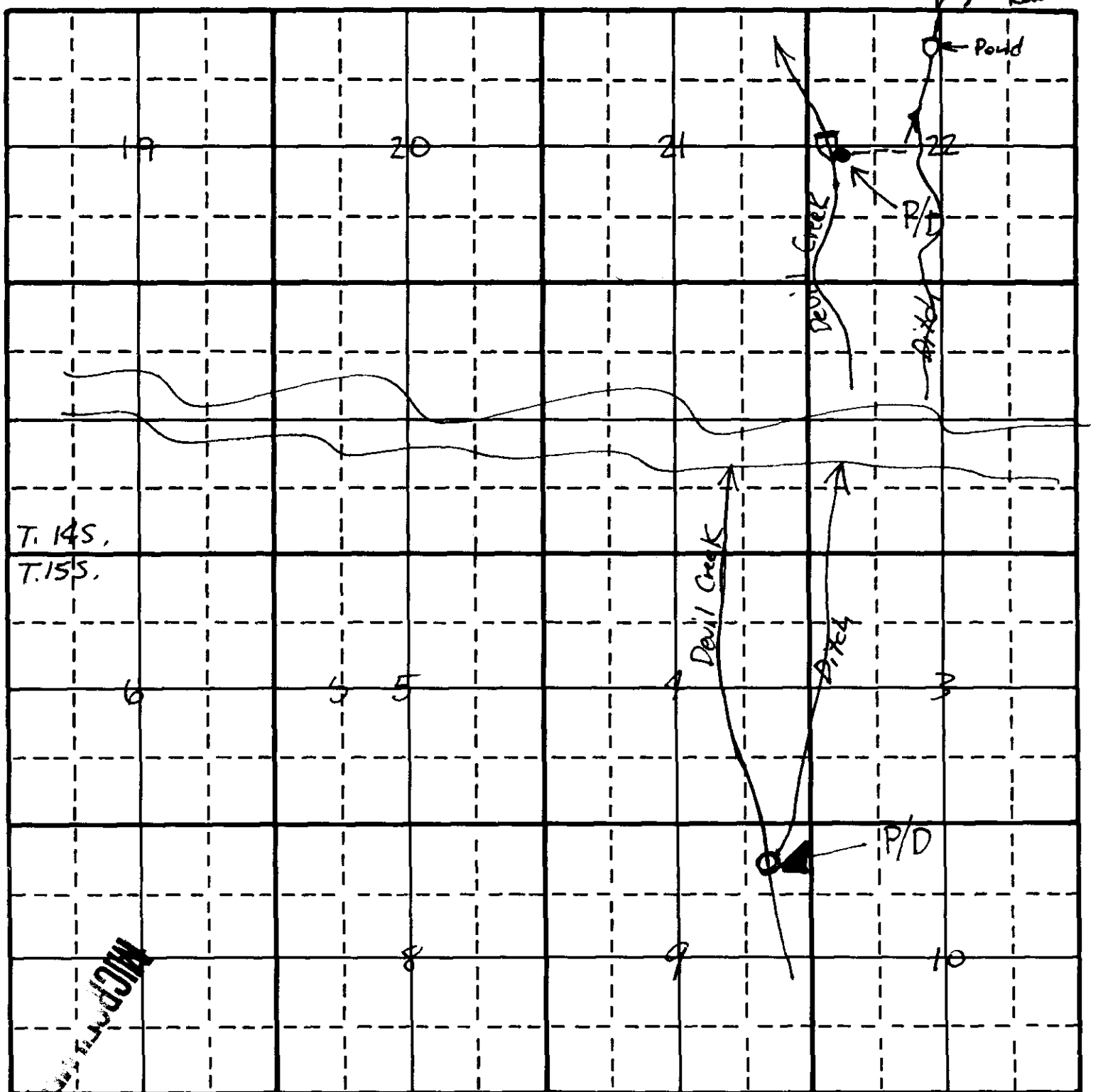
TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____

Applic for permit 47-7755

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

Div. to Storage from 1/1 to 12/31 @ 10.2 cfs
Irrigation from 3/15 to 11/15 @ 7.9 cfs and 1383 A.F./Ann.
Stockwater from 1/1 to 12/31 @ 0.1 cfs and 13.4 A.F./Ann.
Irrigation from Storage 3/15 to 11/15 in the amt. of 500 A.F./Ann.
Total Volume shall not exceed 1896.4 A.F./Ann.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Neil Lant Limestone Inc
By Lawrence A. Heil
(Signature of Applicant)

Subscribed and sworn to before me this 2nd day of December, 19 81

Loren O Halmer
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 47-7221
and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 47C, Devil Creek.

Witness my hand this 22nd day of June, 19 82

J. Glen Saxon
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by ADM Date 12/2/81 Protest filed by None
Prelim. check by JB Fee 20.00
Receipted by manya Date 12/2/81 # 20683
Published in Triumph Herald
Pub. 12/17 & 12/24/81
Water master recommendation requested on 12/4/81
rec'd. 12/15/81
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by ADM Juni DRT

RECEIVED

Transfer No. 2601

Water Right No. 47-7221

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Heil Land & Livestock Phone 537-6692

Post Office address Star Route, Castleford, ID 83321

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ VS _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 47-7221 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Devil Creek tributary to Salmon Falls Cr.

4. Date of priority September 19, 1973

5. Water is used for the following purposes: See Remarks
Div/10/Storage
amount 101/11111 for 1701 purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. -8.0- cubic feet per second Adm 11/2/91
&/or See Memo
b. -1896.4- acre feet per annum

7. Location of original point of diversion is NE ¼ of NE ¼ of Section 9
Township 15S Range 12E, B.M., in Owyhee County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S	12E	14			40			20	40	40	40	40				40			260
		15	15		40	40									40				135

MICROFILMED

Total number of acres to be irrigated 395

Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

February 26, 1980

John R. Coleman
P.O. Box 525
Twin Falls, Idaho 83301

Re: License No. 47-7221, recently issued to Heil Land & Livestock

Dear John:

The original application for permit was filed giving 500 acre-feet as the planned capacity of the reservoir, making this the maximum volume for which a license could be issued.

When the licensing examination was completed on December 5, 1978, the field engineer reported a capacity of 500 Acre-feet and recommended that a license be issued for that volume.

However, an estimate of reservoir capacity based on aerial photography had indicated a capacity substantially less than 500 acre-feet, so the matter was returned to the regional office for further investigation.

A later conversation with Mr. Heil and his engineer, Mr. C. E. Brockway, revealed that the dam had been built in two phases and that some water had been stored in the reservoir before its final completion.

Mr. Brockway submitted a stage-capacity curve based on his survey of the impoundment which supported a conclusion that the reservoir would hold 500 acre-feet when filled.

A license was subsequently issued for 500 acre-feet.

John R. Coleman
February 26, 1980
Page 2

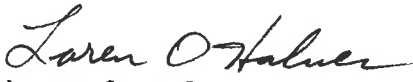
The point of diversion given in the license was located by the examiner in the field and the capacity of the diversion was determined by reading high water marks on a 6-foot rectangular wier installed near the head of the ditch.

Whether this diversion is the worley ditch was not determined by the examiner.

I am enclosing a copy of license 47-2451 for your information. It describes a point of diversion near that of the Heil license and the reservoir referred to is known as Worley reservoir.

I hope that these comments will answer the questions which you had. If I can be of any further assistance, please contact me.

Very truly yours,


Loren O. Holmes
Southern Region Supervisor

Enclosure

LH/dd

LARSON, McINTYRE & COLEMAN

LAWYERS

THE IDAHO FIRST NATIONAL BANK BUILDING

P.O. BOX 525

TWIN FALLS, IDAHO 83301

(208) 734-1224

BERT LARSON, P.A.
C. G. McINTYRE, P.A.
JOHN R. COLEMAN, P.A.

January 30, 1980

Mr. Loren Holmes
Department of Water Resources
1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301

Re: Permit No. 47-7221

RECEIVED
Department of Water Resources
Southern District Office

Dear Loren:

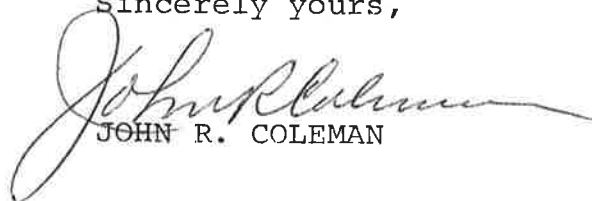
As you will recall sometime ago I discussed the above permit with you, which was a permit issued to Heil Land and Livestock, Inc., concerning their reservoir in Owyhee County. It is my recollection that in our discussion you indicated that the examination and measurement of the Department of Water Resources indicated that the capacity of the reservoir which Mr. Heil proposed was 350 acre feet.

I have recently received a copy of a water license which was issued on the 24th day of December, 1979, to Heil Land and Livestock on this permit, and was issued for 500 acre feet of storage space. The license also indicates that the water is diverted in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, Township 15 South, and in reviewing the application for the permit, this indicates that the diversion is through the existing Worley ditch and it is my further understanding that the Worley ditch is not in use and has not been used by Mr. Heil.

I would appreciate your comments concerning these matters as soon as possible so that I might be properly prepared for the annual meeting of Water District 47C when this matter will be discussed.

Your cooperation and assistance is greatly appreciated.

Sincerely yours,


JOHN R. COLEMAN

JRC/jk
cc: Mr. John A. Bryant

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
- ✓ Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
- Additional points _____

3. Place of use:

[illegible]

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

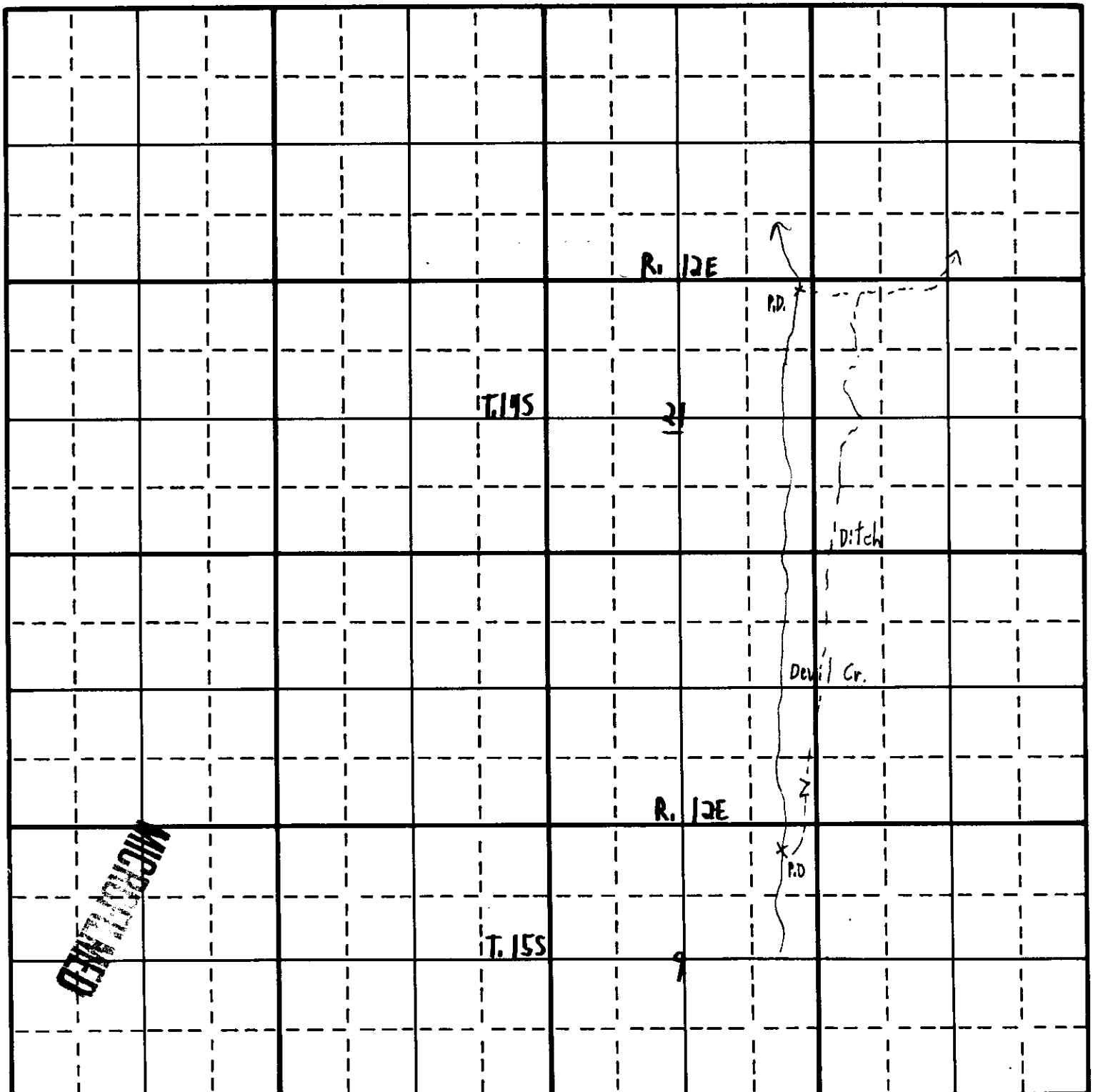
1. General Information
- a. Amount of water to be diverted 8.00 c.f.s. &/or 1896.4 acre feet
- b. Description of diverting works Pump & pipeline into existing ditch & reservoir
- c. Describe the reasons for the proposed changes Existing diversion does not supply enough water; additional water enters Devil Creek below the existing diversion.
2. Change in point of diversion
- Point of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9 Township 15S
Range 12E, B.M., Owyhee County
Additional points NE $\frac{1}{4}$ Sec. 21 T. 14S R. 12E
3. Change in place of use No Change
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No XX. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

c. Describe the land place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____
None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

Item 5: Diversion to storage for irrigation, 1-1 to 12-31, 10.2 cfs, volume N/A.
Irrigation, 3-15 to 11-15, 7.9 cfs, 1383 AFA.
Stockwater, 1-1 to 12-31, 0.10 cfs, 13.4 AFA.
Storage for irrigation, 1-1 to 12-31, flow N/A, 500 AFA.
Irrigation from storage, 3-15 to 11-15, flow N/A, 500 AFA.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Heitland & Lunsford Inc.
By Lawrence O. Heit
(Signature of Applicant)

Subscribed and sworn to before me this 17 day of Sept, 19 81

mary a. hille
(Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

FOR DEPARTMENT USE ONLY

Received by JF Date 9-17-81 Protest filed by _____
Prelim. check by JB Fee \$50.00
Receipted by mary Date 9/17/81 # 18765
Published in Lake Herald Copies of protest forwarded by _____
Pub. dates 10/1 & 10/8/81 Hearing held by _____ Date _____
Water master recommendation requested on 9/23/81 Recommended for approval denial
_____ rec'd. 9/28/81 by JF

RECEIVED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 47-7221 Priority September 19, 1973 Amount 8.0 cfs + 500
acft

THIS IS TO CERTIFY, that HEIL LAND & LIVESTOCK
of Castleford, Idaho, has complied with the terms and conditions of Permit
No. 47-7221 issued pursuant to Application for Permit dated September 19, 1973,
and has submitted proof to the Department of Water Resources on February 4, 1977,
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 10.2 cfs + 500 acre of water from Devil Creek,
tributary to Salmon Falls Creek feet, 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
Diversion to storage			
for irrigation from January 1 to December 31 at		10.2 cfs and	N/A
Irrigation from March 15 to November 15			1383 acre feet
Stockwater from January 1 to December 31 at		10 cfs and	13.4 acre feet
Storage for irrigation from January 1 to December 31 at		N/A cfs and	500 acre feet
Irrigation from storage March 15 to November 15		N/A	500 acre feet

Subject, however, to the condition that no more than 8.0 cfs + 500 of water be diverted at any one time, and
that the amount of water so diverted and stored acft

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

1896.4 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, Twp. 15S,

Rge. 12E, B.M. in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				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 $\frac{1}{4}$	
14S	12E	14		40			20	40	40	40	40		40		260
		15	15	40	40								40		135

Total number of acres irrigated 395

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 24 day of
December, 19 79.

Director

MICROFILMED

AFFIDAVIT of PUBLICATION

STATE OF IDAHO
County of Twin Falls

ss.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 47-7221

Notice is hereby given that Real Land
Admission of the State of Idaho has
been made to the Department of Water
Resources to add a diversion point
of the waters of Devils Creek tributary
to the Snake Falls Creek. The right
sought to be changed is evidenced by
License 47-7221 and is recorded as
follows:

Amount: 10.3 cfs Diversion to stor-
age for irrigation - from
Jan. 1 to Dec. 31
7.5 cfs irrigation - from
Mar. 15 to Nov. 15
10 cfs Stockwater - from
Jan. 1 to Dec. 31
800 AF Storage for irrigation -
from Jan. 1 to Dec. 31
800 AF irrigation from storage
from Mar. 15 to Nov. 15

Priority Date: September 19, 1973
Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9,
T15S, R12E, S2E, Owyhee County.
The water is used for irrigation of
335 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$ -
NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ -
SE $\frac{1}{4}$, Sec. 14; E $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T14S, R12E
TO BE CHANGED AS FOLLOWS:

Amount 8.0 cfs 1800.4 acre feet per
annum

Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9,
T15S, R12E,
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
21, T14S, R12E,
Owyhee County

Place of Use: No change

Any protest against approval of the
above proposed change of water right
must be filed with the Idaho Depart-
ment of Water Resources, 1041 Blue
Lakes Blvd. North, Twin Falls, Idaho
83301 on or before October 19, 1981.

A. KENNETH DUNN
Director

Published in the Buhl Herald Oct. 1
and October 8, 1981.
(40t2)

I, Robert E. Bailey, do solemnly swear that I
am the printer and editor of THE BUHL HERALD, a
weekly newspaper of general circulation, pub-
lished once each week at Buhl, Idaho; that the
notice attached hereto was published in said news-
paper TWO consecutive weeks, the first
publication having been made on the 1
day of October, 1981, and the last
publication having been made on the 8
day of October, 1981; that said
notice was published in the regular and entire
issue of every number of the paper during the
period and time of publication, and that the said
notice was published in the newspaper proper,
and not in the supplement thereof.

That said newspaper has been printed and
published continuously in Buhl, Twin Falls County,
Idaho, for a period of more than 78 weeks prior to
the first publication of the attached notice.

Subscribed and sworn to before me this

5th day of October, 1981

[Signature]

Notary Public.

Residing at Buhl, Idaho

My Commission Expires

April 15, 1985

100-2-1000

RECEIVED
OCT 22 1981
Idaho Department of Water Resources
Twin Falls Office

T155 R12E Sec. 9 NE⁴NE⁴ - Cowhee Co.

T145 R12E. Sec. 21 NE⁴NE⁴ - Cowhee Co.

Reference CC-66

MICROFILMED

Possible
this could be
in Basin 51

Identification No. 51-7099
Application No. 47-7221
47-7221

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 Heil Land & Livestock, Inc.
post office address Castleford, Idaho 83321
2. Source of water supply Devil Creek which is a tributary of Salmon Falls Creek
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9 Township 15S
Range 12E B.M. Owyhee County; additional points of diversion if any: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T. 14S, R. 12E, B.M., Owyhee County
- 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 cfs for Diversion to storage for irrigation purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount 500 af for Storage for Irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
Amount 20 cfs for Irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
5. Total quantity to be appropriated: Amount 0.1 cfs for Livestock purpose from Jan. 1 to Dec. 31
 - a. 50 cubic feet per second and/or
 - b. 500 acre feet per annum.
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Existing diversion works on Devil Creek in Sec. 9, T. 15S, R. 12E; through existing Worley ditch to a reservoir in the SW $\frac{1}{2}$, Sec. 13, T. 14S, R. 12E. Ditch will be improved and enlarged. A second diversion by pump will be installed in Sec. 21, T. 14S, R. 12E, to pump into the existing ditch.
 - b. Height of storage dam 20 feet, active reservoir capacity 500 acre feet; total reservoir capacity 500 acre feet, materials used in storage dam: Earth
Period of year during which storage will occur Jan. 1 to Dec. 31 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 \$ 40,000.00.
8. Description of proposed uses:
 - a. If water is **not** for irrigation: See remarks.
 - (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 1000 range cattle
 - (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: _____

47 7221

47 7221

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14S	12E	10	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		14			40			40	40	40	40	40				40			280
		15	40	40	40	40	40	40	40	40					40	40			400

Total number of acres to be irrigated 1,320

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

Permits in the name of Mr. Truman Clark, whose property was recently purchased by Heil Land & Livestock, Inc.

9. a. Who owns the property at the point of diversion U. S. Bureau of Land Management

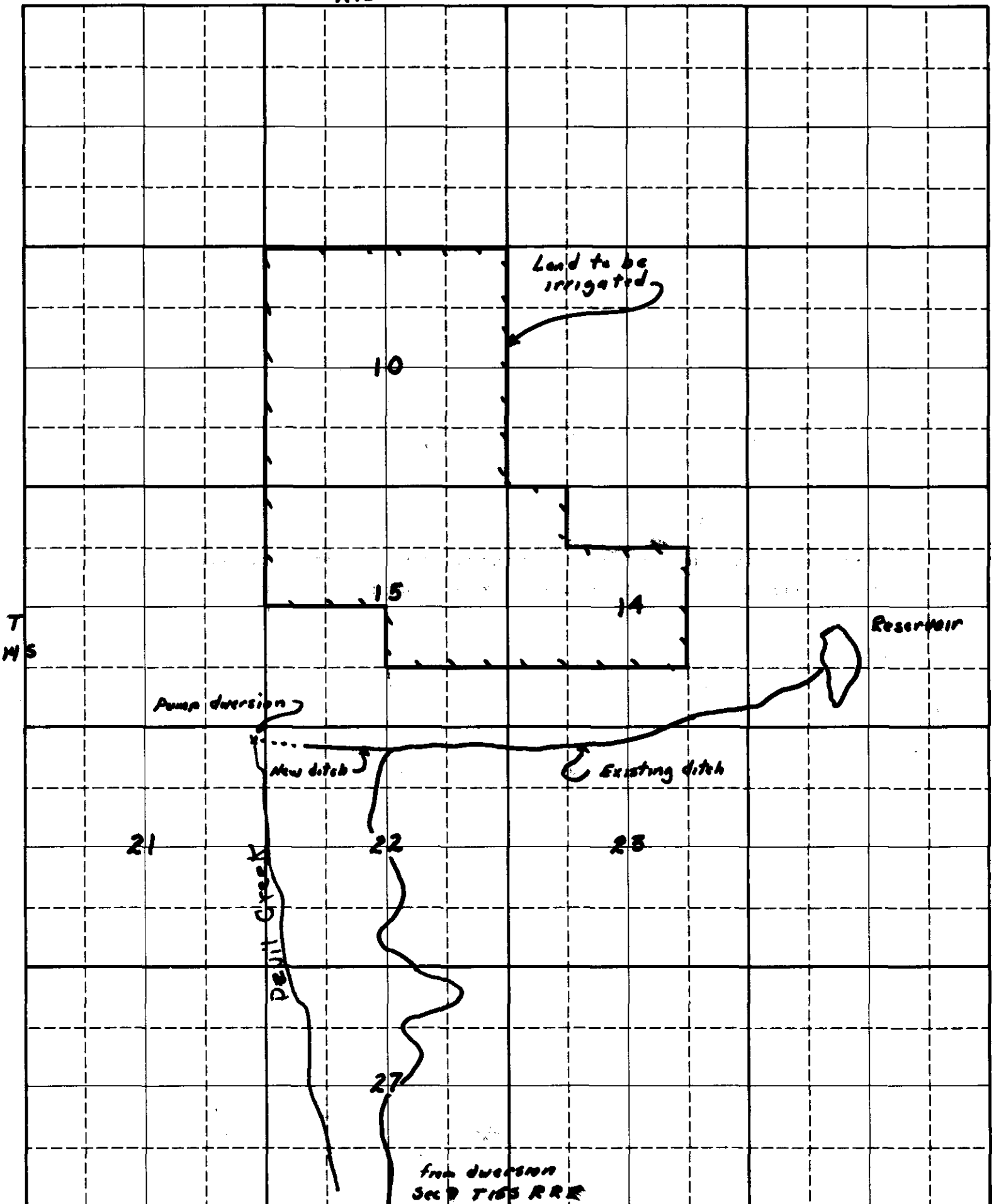
b. Who owns the land to be irrigated or place of use Heil Land & Livestock, Inc.

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 Water for livestock purposes will be diverted by pipe to parts of the following sections: Sections 1, 2, 3, 10, 11, 12, 13, 14, and 15, T. 14S, R. 12E, B.M., Owyhee and Twin Falls Counties.

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

R12E



Scale: 2 inches equal 1 mile

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

Neil Land & Livestock Inc.
 By Lawrence A. Neil pres.
 (Applicant)

47 7221

Proposed Priority 9-19-1973

47 7221

Received by RAM Date 9-19-73 Time 1:00PM
Preliminary check by RAM Fee \$ 365.00
Receipted by jmm Date 9-19-73 # 11644
Publication prepared by jmm Date 9-24-73
Published in Owyhee Chronicle
Publication dates 10-4 & 10-11-73 N/C 10-18 & 10-25-73
Publication approved jmm Date 10-29-73
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by W BDF

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. 47-7221, 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 November 1, 19 78.
- c. Other: A measuring device of a type approved by this department shall be permanently installed and maintained as part of the diverting works

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

Witness my hand this 20th day of November 19 73.

P. Keith Higin
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	jmm	9-24, 1973	Application No. <u>47-7221</u> <u>skil Land & Livestock</u>
(2)	<u>RA</u>	<u>9-19-73</u>	☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	_____	_____	In form to receipt
	_____	_____	Send Copies to: _____ Idaho State Health Department _____ Idaho Fish and Game Department _____ Bureau of Land Management
(4)	_____	_____	_____ Request Special Use Permit from U.S. F.S. _____ Request Easement from B. L. M. _____ Request Information from Applicant
(5)	<u>mls</u>	<u>11-5</u>	In form for advertising
(6)	_____	_____	Located within Water District No. _____
(7)	<u>mls</u>	<u>11-5-73</u>	Critical groundwater area: yes _____ no <u>X</u>
(8)	_____	_____	Groundwater levels: _____ Decline (comment) _____ _____ Stable (comment) _____ _____ Increasing (comment) _____
(9)	_____	_____	Comments: _____
(10)	<u>jmm</u>	<u>10-12</u> <u>10-29</u> N/c	Affidavit of Publication received (date) _____
(11)	_____	_____	Final date for protests <u>November 5, 1973</u> Protests received: yes _____ no _____
(12)	_____	_____	Date and Place of hearing _____ Decision reached at hearing _____
(13)	_____	_____	All requested information received from agencies or applicant yes _____ no _____
(14)	<u>mls</u>	<u>11-5-73</u>	Action recommended: ☒ Approve Priority <u>9-19-73</u> _____ Deny Reason for Reduction _____ ☒ Measuring device required _____ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District	<u>Southern</u>	By <u>Michael Stule</u> Date <u>11-5-73</u>

47 7221

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the printer or publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice

NOTICE OF CORRECTION

of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement thereto, in said

newspaper, in two (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

Oct. 18, 1973

Oct. 25, 1973

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 25th day of Oct.

A. D., 19 73

Evelyn S. Colley
Notary Public in and for the State of Idaho

residing at Homedale, Idaho.

My commission expires 2-6, 19 76

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the printer or publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice NOTICE OF APPLICATION
FOR WATER PERMIT

of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement thereto, in said

newspaper, in two (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

Oct. 4, 1973

Oct. 11, 1973

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 11th day of Oct.

A. D., 19 73

Erlyn S. Colley
Notary Public in and for the State of Idaho,

residing at Homedale, Idaho.

My commission expires 2-6, 19 76.

1
Nancy
Please Open
Clamp

FROM

Allen Merritt (Southern)

INTER-DEPARTMENT MEMO

DATE

5/11/79

TO

Jan Grover

SUBJECT

Issuance of License for Lawrence Heil

Jack Lewis, watermaster of Devil Creek, requested that I check to see when Heil will be issued the license for diversion from Devil Creek for storage in Heil Dam for irrigation of lands below the dam. (I believe it is #47-7221)

Please check this for me so I can contact Mr. Lewis.

Apparently Heil is in the ~~process~~ process of selling out and he would like a license to show instead of a permit.

MICROFILMED

Thanks!

Allen

SIGNATURE

June 24, 1982

RE: Water Right No. 47-7221

Heil Land & Livestock
Star Route
Castleford, ID 83321

Gentlemen:

Enclosed is a copy of your Approved Application for Transfer of the above referenced water right (Transfer No. 2601). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosure

11

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 47-7221 - Corrected

RECOMMENDATION OF WATERMASTER

RECEIVED

DEC 14 1981

Department of Water Resources
Southern District Office

I, J R Jack Lewis, watermaster of _____,
of Water District No. 47-C, County of Twin Falls + Owyhee, State of Idaho,
whose address is 83 BuHL, Idaho
have read the attached copy of the application for transfer of water right for _____
Hair hand + Limestone, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: IRRIGATION + Stock water

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at BuHL, Idaho, this 10 day of December 19 81.

J R Jack Lewis
(signature)

MICROFILMED

Please use reverse side if needed.

CORRECTED NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 47-7221

A corrected notice is hereby given that Heil Land & Livestock of Castleford, Idaho has applied to the Department of Water Resources to add a diversion point of the waters of Devil Creek tributary to Salmon Falls Creek. The right sought to be changed is evidence by License 47-7221 and is recorded as follows:

Amount: 10.2 cfs Diversion to storage for irrigation - from Jan. 1 to Dec. 31
7.9 cfs Irrigation - from Mar. 15 to Nov. 15
.10 cfs Stockwater- from Jan. 1 to Dec. 31

500 AF Storage for irrigation - from Jan. 1 to Dec. 31
500 AF Irrigation from storage- from Mar. 15 to Nov. 15

Priority Date: September 19, 1973

Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T15S, R12E, B.M., Owyhee County

The water is used for irrigation of 395 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 14; E $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T14S, R12E

TO BE CHANGED AS FOLLOWS:

Amount: 10.2 cfs Diversion to Storage from Jan 1 to Dec. 31
7.9 cfs Irrigation Mar 15 - Nov. 15 -1383 acre feet per annum
0.1 cfs stockwater Jan 1 - Dec. 31 13.4 acre feet per annum

500 AF Irrigation from storage Mar 15 - Nov. 15
Total volume shall not exceed 1896.4 acre feet per annum

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T15S, R12E; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T14S, R12E, B.M.,
Owyhee County

Place of Use: No change

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd.North, Twin Falls, Idaho 83301 on or before January 4, 1982.

A. KENNETH DUNN
Director

Published in the Buhl Herald 12/17 and 12/24/81.

MICROFILMED

RECEIVED
FEB 01 1982

Department of Water Resources

LEGAL

PROOF

Buhl Herald
124 South Broadway
P. O. Box 312
Buhl, Idaho 83316

**STATE GIVES NOTICE OF
WATER RIGHT CHANGE**
**CORRECTED NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**
NO. 47-7221

A corrected notice is hereby given that Heil Land & Livestock of Castleford, Idaho has applied to the Department of Water Resources to add a diversion point of the waters of Devil Creek tributary to Salmon Falls Creek. The right sought to be changed is evidence by License 47-7221 and is recorded as follows:

Amount: 10.2 cfs Diversion to storage for irrigation - from Jan. 1 to Dec. 31
7.9 cfs Irrigation - from Mar. 15 to Nov. 15
.10 cfs Stockwater - from Jan. 1 to Dec. 31
500 AF Storage for irrigation - from Jan. 1 to Dec. 31
500 AF Irrigation from storage - from Mar. 15 to Nov. 15

Priority Date: September 19, 1973
Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T15S, R12E, B.M., Owyhee County
The water is used for irrigation of 395 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14; E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T14S, R12E
TO BE CHANGED AS FOLLOWS:

Amount: 10.2 cfs Diversion to Storage from Jan 1 to Dec. 31
7.9 cfs Irrigation
Mar 15 - Nov. 15 - 1383
acre feet per annum
0.1 cfs stockwater
Jan 1 - Dec. 31 13.4
acre feet per annum
500 AF Irrigation from storage Mar 15 - Nov. 15
Total volume shall not exceed 1896.4 acre feet per annum

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T15S, R12E; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T14S, R12E, B.M., Owyhee County

Place of Use: No change

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before January 4, 1982.

A. KENNETH DUNN
Director

Published in the Buhl Herald 12/17 and 12/24/81.
(51t2)

LEGAL

December 4, 1961

Buhl Herald
P. O. Box 312
Buhl, Idaho 83316

Re: Corrected Notice of Proposed Change of Water Right No. 47-7221
Notice of Amendment to a Water Permit No. 47-7755

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. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Marv A. Hill
Sr. Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

Bill submitted: _____

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

December 4, 1981

Jack Lewis
Watermaster District 47-C
Route 1
Buhl, Idaho 83316

Re: Application for Transfer of Water Right No. 47-7221 - Corrected

Dear Mr. Lewis:

Enclosed is a copy of an Application for Transfer of a Water Right within your District, and Watermaster's Recommendation Form.

Section 42-222 of the Idaho Code requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form and return it to this office.

Processing of the application can be completed in 20 days, so your prompt response to this request will be appreciated.

If you have any questions about the application, please contact this office or the applicant.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

RECEIVED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 47-7221

Notice is hereby given that Heil Land & Livestock of Castleford, Idaho has applied to the Department of Water Resources to add a diversion point of the waters of Devil Creek tributary to Salmon Falls Creek. The right sought to be changed is evidenced by License 47-7221 and is recorded as follows:

Amount: 10.2 cfs Diversion to storage for irrigation - from Jan. 1 to Dec. 31
7.9 cfs Irrigation - from Mar. 15 to Nov. 15
.10 cfs Stockwater- from Jan. 1 to Dec. 31

500 AF Storage for irrigation - from Jan. 1 to Dec. 31
500 AF Irrigation from storage- from Mar. 15 to Nov. 15

Priority Date: September 19, 1973

Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T15S, R12E, B.M., Owyhee County

The water is used for irrigation of 395 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14; E $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T14S, R12E

TO BE CHANGED AS FOLLOWS:

Amount 8.0 cfs 1896.4 acre feet per annum

Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T15S, R12E; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T14S, R12E, Owyhee County

Place of Use: No change

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd.North, Twin Falls, Idaho 83301 on or before October 19, 1981.

A. KENNETH DUNN
Director

Published in the Buhl Herald Oct. 1 and October 8, 1981.

MICROFILMED

LEGAL

**CHANGE ASKED
IN WATER RIGHT**

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

NO. 47-7221

Notice is hereby given that Heil Land & Livestock of Castleford, Idaho has applied to the Department of Water Resources to add a diversion point of the waters of Devil Creek tributary to Salmon Falls Creek. The right sought to be changed is evidenced by License 47-7221 and is recorded as follows:

Amount: 10.2 cfs Diversion to storage for irrigation - from Jan. 1 to Dec. 31
7.9 cfs Irrigation - from Mar. 15 to Nov. 15
.10 cfs Stockwater - from Jan. 1 to Dec. 31
500 AF Storage for irrigation - from Jan. 1. to Dec. 31
500 AF Irrigation from storage - from Mar. 15 to Nov. 15

Priority Date: September 19, 1973
Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T15S, R12E, B.M., Owyhee County.
The water is used for irrigation of 395 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ -NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 14; E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$,SE $\frac{1}{4}$, Sec. 15, T14S, R12E

TO BE CHANGED AS FOLLOWS:

Amount 8.0 cfs 1896.4 acre feet per annum

Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T15S, R12E;
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T14S, R12E, Owyhee County

Place of Use: No change

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before October 19, 1981.

A. KENNETH DUNN
Director

Published in the Buhl Herald Oct. 1 and October 8, 1981.
(40t2)

*OK
mcy
9/30/81*

MICROFILMED

FROM Allen Mervitt

DATE 12/2/81

TO File 47-7755 & Trans. of 47-7221

SUBJECT Inspection of dams, & response to questions

Today I met with Lawrence Heil, Sr.; we examined the diversion systems used under 47-7755 and 47-7221 Trans. The diversion dam in Sec. 22 T.9S. R.12E. located on Devil Creek was measured to be 9.9 ft. hydraulicly with 4.5' of freeboard and it is estimated it empounds 10 acre feet of water. The pond located on the diversion ditch which is called Horse Res. has a dam with a hydraulic height of about 5 feet and it empounds approx. two acre-feet. The next dam in the system is D47-7221 which is on the inventory.

Allen

SIGNATURE

In response to the 11/17/81 memo, it must be noted that below the diversion in Sec. 9 Twp 15S, Rge 12E., B.M. there are no rights from Devil Creek. During much of the season Mr. Heil indicates that the stream is dry except for the reach in which he has located his new P/D. Mr. Heil indicates that this reach is supplied by springs which supply this reach. The field exam I made tended to support Mr. Heil's statement.

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Dave T

DATE 11/17/81

TO Jim

SUBJECT T2601. We have to answer 2 questions.

1. Are there any water rights with P.d. between the old P.d. & the new P.d. with date of Priority after 9/13/1973?
2. Are there any water rts on Devils Cr.^{w/date of priority} after 9/13/1973?
(These would have to be examined on a case by case basis)

Dave

SIGNATURE

INTER-DEPARTMENT MEMO — 1

FROM

Jmi

DATE

11/13/81

TO

Dave

SUBJECT

Transfer

We may want to add the condition that reminds the right holder that the diversion at the new point of diversion is subject to all prior rights.

Do you concur?

SIGNATURE

INTER-DEPARTMENT MEMO — 1

FROM Allen Merritt

DATE 11/2/81

TO File

SUBJECT

In reviewing the original license of 47-7221 it appears that the way the application for transfer was completed and advertised it may limit the use of the original license. This is not the intent of the transfer and it should not be construed to limit the original intended uses and amounts.

Adm

SIGNATURE

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 47-7221 Priority September 19, 1973 Amount 8.0 cfs + 500 acft

THIS IS TO CERTIFY, that HEIL LAND & LIVESTOCK
of Castleford, Idaho, has complied with the terms and conditions of Permit
No. 47-7221 issued pursuant to Application for Permit dated September 19, 1973
and has submitted proof to the Department of Water Resources on February 4, 1977
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion ^{and storage} of 10.2 cfs + 500 acre of water from Devil Creek
tributary to Salmon Falls Creek feet
and that the permit holder has applied to a beneficial use an
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Diversion to storage			
for irrigation from	January 1 to December 31	at 10.2 cfs and N/A	
Irrigation	March 15 November 15	7.9	1383 acre feet
Stockwater from	January 1 to December 31	at 0.10 cfs and	13.4 acre feet
Storage for			
irrigation from	January 1 to December 31	at N/A cfs and	500 acre feet
Irrigation			
from storage	March 15 November 15	N/A	500 acre feet

Subject, however, to the condition that no more than 8.0 cfs + 500 acft of water be ~~diverted~~ ^{and stored} at any one time, and
that the amount of water so diverted ^{and stored} 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
1896.4 acre feet per year, said waters to be diverted within the NE¹4 NE¹4, Sec. 9, Twp. 15S,
Rge. 12E, B.M. in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE ¹ 4				NW ¹ 4				SW ¹ 4				SE ¹ 4				Totals
			NE ¹ 4	NW ¹ 4	SW ¹ 4	SE ¹ 4	NE ¹ 4	NW ¹ 4	SW ¹ 4	SE ¹ 4	NE ¹ 4	NW ¹ 4	SW ¹ 4	SE ¹ 4	NE ¹ 4	NW ¹ 4	SW ¹ 4	SE ¹ 4	
14S	12E	14			40			20	40	40	40	40				40			260
		15	15		40	40									40				135

Total number of acres irrigated 395

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 24 day of
December, 19 79.

Director

47-7221

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 47-7221

RECOMMENDATION OF WATERMASTER

SEP 28 1981

Water Resources
District Office

I, X. R. JACK LEWIS, watermaster of _____,
of Water District No. 47-C, County of Owyhee, Twin Falls, State of Idaho,
whose address is Route 3 Bull, Idaho
have read the attached copy of the application for transfer of water right for _____
Heikhardt Livestock, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: _____

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Bull, Idaho, this 25 day of October 19 81.

(signature)

X. R. Jack Lewis

MICROFILMED

Please use reverse side if needed.

September 24, 1981

Buhl Herald
P. O. Box 312
Buhl, Idaho 83316

Re: Notice of Proposed Change of Water Right No. 47-7221

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. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill
Sr. Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

Bill submitted: _____

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

C. Stephen Allred
Director

September 23, 1981

Jack Lewis
Watermaster District 47-C
Route 1
Buhl, Idaho 83316

Re: Application for Transfer of Water Right No. 47-7221

Dear Mr. Lewis:

Enclosed is a copy of an Application for Transfer of a Water Right within your District, and Watermaster's Recommendation Form.

Section 42-222 of the Idaho Code requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form and return it to this office.

Processing of the application can be completed in 20 days, so your prompt response to this request will be appreciated.

If you have any questions about the application, please contact this office or the applicant.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Jim Stanton

DATE 9-17-81

TO File

SUBJECT Application For Permit, Heil Land & Livestock

Mr. Heil came into the office on September 8, at which time he started this filing and paid for it. He did not have a legal description of the place of use, but said he would bring it in the next day. However, he did not return until today, at which time the application was received and the initial paperwork completed. Thus the difference between the receipt date and the filing date. ~~Priority~~ date should be 9-17-81.

Received

RECEIVED



SIGNATURE



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

December 28, 1979

Heil Land & Livestock, Inc.
Castleford,
Idaho 83321

Gentlemen:

RE: Permit No. 47-7221

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

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

CONVERSATION MEMORANDUM

DATE 12/14/79FILE 47-7221

NAME OF PARTY

Allen Merritt

EMPLOYEE

Jan Grover

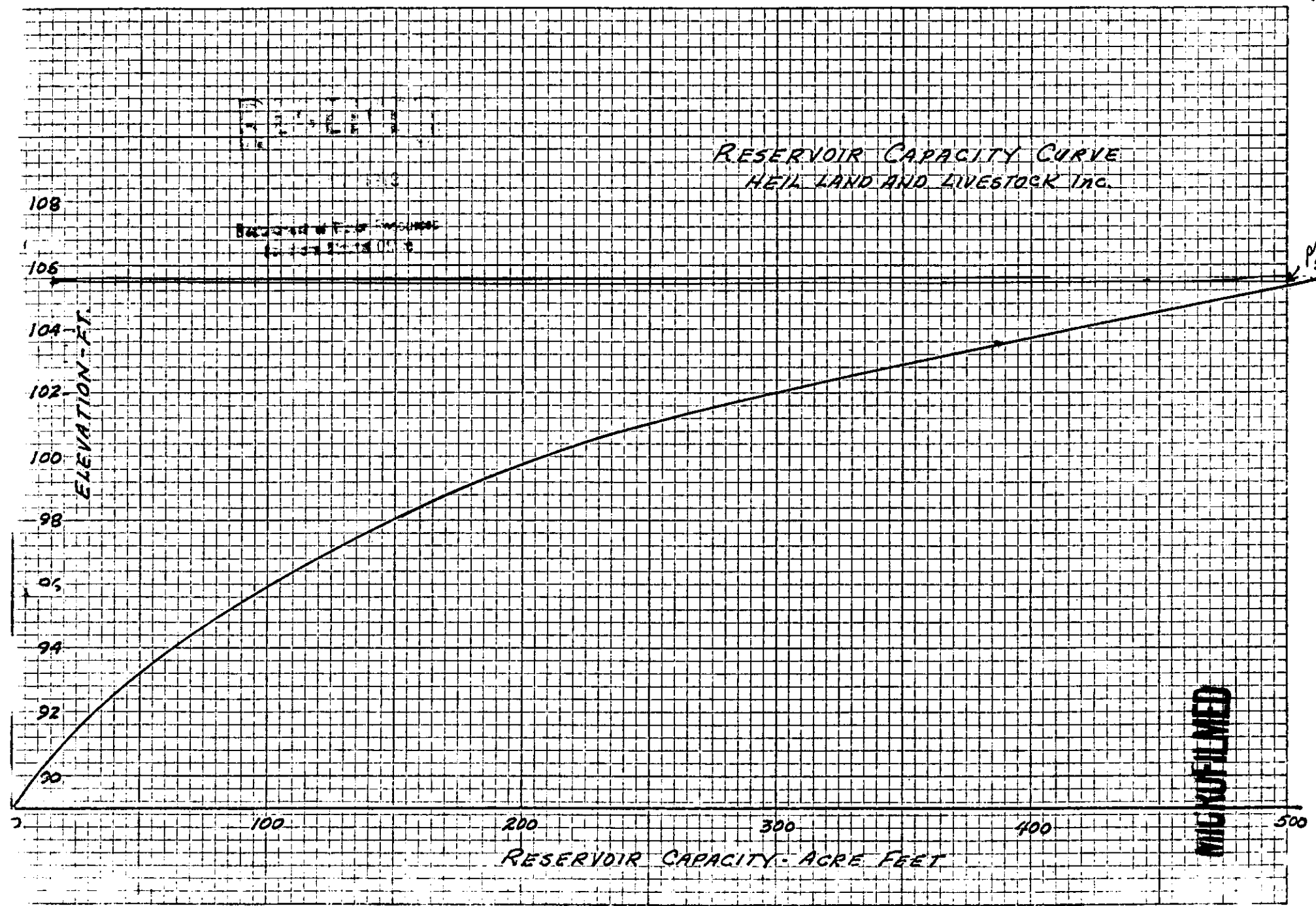
RE:

Leil Land & Swestock

I called Allen to question him concerning Chuck Brockway's reservoir curve & he stated that the spillway crest was 105.5 ft. rather than the 103.5 ft on the first reservoir curve done in this office. This would put the reservoir capacity at 500 acre ft.

MICROFILMED

Reservoir curve sent in by Chuck Brockway.



put at
500 acre feet

RECEIVED

DEC 14 1979

Department of Water Resources

LARSON, McINTYRE & COLEMAN

LAWYERS
THE IDAHO FIRST NATIONAL BANK BUILDING
P.O. BOX 525
TWIN FALLS, IDAHO 83301
(208) 734-1224

BERT LARSON, P.A.
C. G. McINTYRE, P.A.
JOHN R. COLEMAN, P.A.

December 13, 1979

Mr. Jim Johnson
Department of Water Resources
Statehouse
Boise, ID 83720

Dear Mr. Johnson:

On November 7, 1979, I wrote to you concerning some water rights in Twin Falls County, and to date I have not received a response to this letter. Enclosed is my letter of November 7. Would you please furnish the information requested to me at your earliest convenience.

Sincerely yours,

John R. Coleman
John R. Coleman 516

JRC:df

*sent copy of
license 1/2/80
jc*

RECEIVED

44-7781

LARSON, McINTYRE & COLEMAN

LAWYERS
THE IDAHO FIRST NATIONAL BANK BUILDING
P.O. BOX 525
TWIN FALLS, IDAHO 83301
(208) 734-1224

RECEIVED

NOV 3 1979

Department of Water Resources

BERT LARSON, P.A.
C. G. MCINTYRE, P.A.
JOHN R. COLEMAN, P.A.

November 7, 1979

Mr. Jim Johnson
Department of Water Resources
Statehouse
Boise, ID 83720

Dear Mr. Johnson:

It is my understanding that Mr. Truman Clark constructed a reservoir, probably in Section 13, Township 14 South, Range 12 East of the Boise Meridian, for the purpose of storing water for livestock purposes.

It is also my information that Mr. Clark has sold the land involved to Heil Land and Livestock, Inc., and the permit or license may have been transferred to that company.

I would appreciate your checking the files of your office to see if a permit or license has been issued to Mr. Clark, and if one has I would appreciate receiving a copy of that permit or license.

If there is any charge for the furnishing of a copy to us please let me know and we will send our check by return mail.

Sincerely yours,


JOHN R. COLEMAN

JRC/jk
cc: Mr. John Bryant

MICROFILMED

August 27, 1979

Re: Permit No. 47-7221

Heil Land & Livestock, Inc.
Castleford, ID 83321

Gentlemen:

In reviewing your proposed license it was decided to change the rate of diversion to that being diverted from storage for irrigation and stockwater rather than the diversion from Devil Creek to storage in order to reflect the actual use of the water. The total rate of diversion for irrigation and stockwater was 8.0 cubic feet per second.

Also, the capacity of Heil Dam Reservoir was calculated at 385 acre feet. Therefore, we propose to issue the license for 385 acre feet of storage rather than the amount originally applied for (500 acre feet).

We now propose to issue this license as follows:

Amount of water that can be recognized as beneficially used under
Idaho Law: 8.0 cfs & 385 acre feet Source: Devil Creek

The maximum quantity diverted shall not exceed 1781.4 acre feet
per year.

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, Twp. 13S, Rge. 12E, B.M.

Beneficial use: Diversion to storage for irrigation (10.2 cfs),
stockwater (0.10 cfs), storage for irrigation (385 acre feet),
irrigation from storage (385 acre feet), and irrigation of 395
acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14;
E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, Twp. 14S, Rge. 12E, B.M.

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

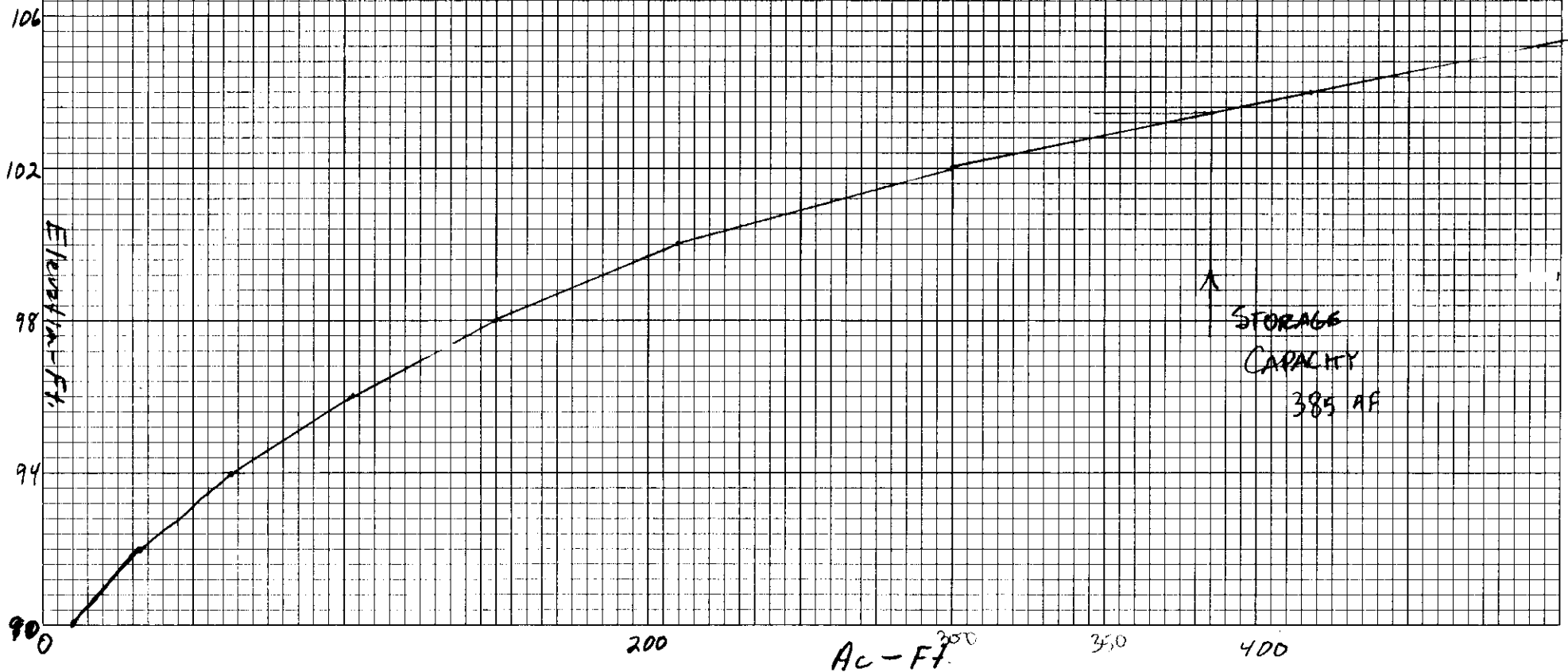
Top of Dam El. 108.5

Spillway Crest 103.5*

Spillway Crest
should be 105.5
all corr. memo
of 12/14/79
Curve submitted
by C. Blockhouse

Heil Dam
Reservoir Curve
D47-7221

Source - Unknown
Copied by J. E. Paul





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

June 19, 1979

Re: Permit No. 47-7221

Heil Land & Livestock, Inc.
Castleford,
Idaho 83321

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 47-7221 on July 9, 1978, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 10.2 cfs Source: Devil Creek
500 acre feet

The maximum quantity diverted shall not exceed 1896.4 acre feet per year.

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, Twp. 15S, Rge. 12E, B. M.

Beneficial use: Stockwater, Diversion to storage, Storage, and irrigation from storage of 395 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, Twp. 14S, Rge. 12E, B. M.
Priority date established: September 19, 1973.

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

RECEIVED

RECEIVED

1. Name of permit holder Heil Land & Livestock Inc. FEB 17 1977
 Post office address Castleford, ID 83321 Department of Water Resources
Southern District Office
 Person to contact Lawrence O. Heil Phone _____

3. Water will be used for the following purposes:

Other uses: 0.10 cfs livestock from Jan. 1 to Dece. 31 for 1000 cattle ✓

Permit No. 47-7221
Examination for b/u

Max Rate of Diversion 50 cubic feet per second and annual volume 500 AF/Annum.

Other Points of Diversions: _____

Measuring device required: yes ☒ no ☐

[illegible]

TOTAL ACREAGE 1320

T
14
S

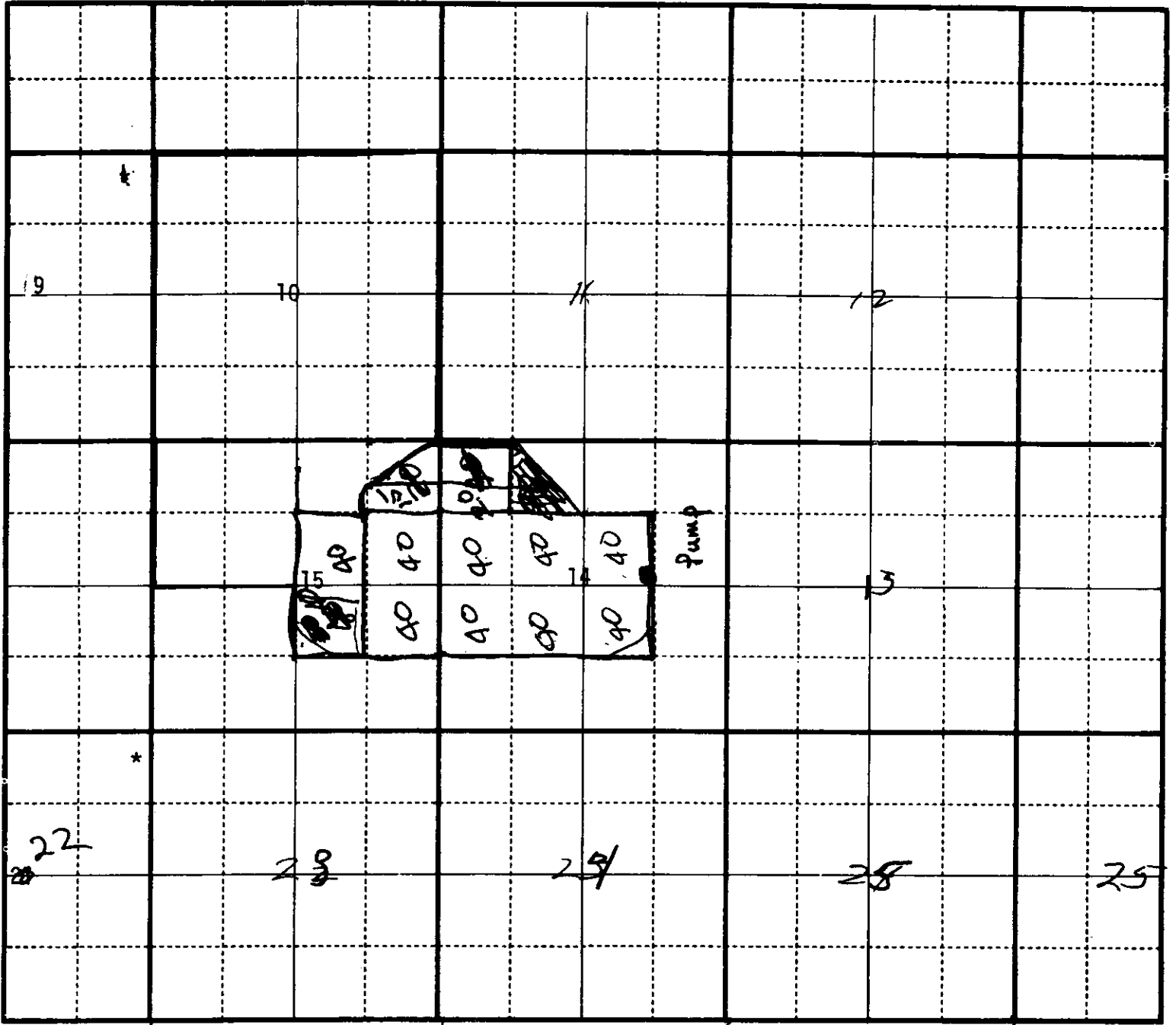


Diagram of System

30 29
Sec 9 T15S-R12E 28 25 26

31 32 33 34 35

1
15
S

x

2-1-1

7

8

9

DATE OF EXAM 7-9-78

ACREAGE
Found 395
Recommended 395

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 7.9 c.f.s. V = 1382.5 AF/Ann. from MARCH 15 to Nov. 15
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = .10 c.f.s. V = 13.4 AF/Ann. from Jan. 1 to Dec. 31
Storage 500 AF/ANN from Jan. 1 to Dec. 31
Diversion to Storage Q = 10.2 CFS from Jan. 1 to Dec. 31

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 10.2 CFS ^{OK} Method of measurement 6' Rec Weir above Res.
8.0 cfs ^{rate storage from weir to intake}
Total Q recommended 10.2 CFS Meter No. Type Condition good
Total V recommended 1895.9 Ac Ft/ANN

Recommended Amendments:

P.D.
Place of Use
Other
None ✓

MEASUREMENT CALCULATION:

MEAS: ① 6' CONTRACTED Rectangular Weir above THE Reservoir.
STAFF GAGE READING AT High WATER MARK .65 = 10.2 CFS
395 Acres @ 1 in/Acre = 7.9 CFS.
Meas. below reservoir: Using 4.0 ft. Cipolletti weir, head on weir was 0.80 ft.;
from Table discharge equals 9.51 cfs.
(1000 Hd Range Cattle) (12 gal/Head/day) (0.0000307 AF/gal) (365 days) = 13.4 Ac Ft/ANN.
SYSTEM DESCRIPTION:

The pump at the sump is a diesel powered pump. The motor is a 8-71 GMC 400 hp. diesel;
the pump is an Aurora Pump serial no. 74-794 rated at 3600 gpm @ 190' of head.

REMARKS:

Concrete diversion in Devil Creek delivers water to Heil Reservoir viz canal which is approx.
6 miles long. Water is then diverted from reservoir thru outlet works into earthen ditch
which delivers the water to a sump from which the water is pumped to a sprinkler
network. At time of exam 16 handlines were in operation on wheat ground; the system
has a capacity for more handlines with other crops.

Examiner's Signature Jay Sandberg Date 12-5-78
Checked by Jay Sandberg Date 12-19-78
Approved by Date

February 16, 1977

Re: Permit No. 47-7221

Heil Land & Livestock, Inc.
Attn: Lawrence Heil
Castelford, Idaho 83321

Dear Mr. Heil:

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, but 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 regarding the field examination, please contact our Regional Office in Twin Falls.

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

MICROFILMED

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 4 1977

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Heil Land and Livestock Inc.
b) Post Office Address Castleford, Idaho 83321
2. Permit Number 47-7221
3. Date of Priority that you are prepared to establish September 19, 1973
4. a) Source from which water was appropriated Devil Creek
b) Location of the point of diversion: NE 1/4 NE 1/4, Section 9
Township 15S, Range 12E, Boise Meridian, Other points of diversion:
NE 1/4 NE 1/4 Sec 21 T 14S R 12E B. M. Owyhee County
Portable pump in Devil Creek
5. a) The amount of water and use to which the water has been applied:
Amount 50 cfs for Diversion to irrigation purposes from J-n. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 500 af/year for storage for irrigation purposes from Mar. 15 to Nov. 15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 20 cfs for irrigation purposes from Mar. 15 to Nov. 15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 50 cfs and 500 af/year 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: Rate of flow - 5.0 foot cipolletti weir
Storage - from surveyed area-capacity curve. C. E. Brockway, P.E.
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) Diversion structure is 6 foot wide concrete check.
Earthen canal conveys flood flows and irrigation water from Devil Creek to
Heil Dam. Portable pump lifts water from Devil Creek into canal at lower
diversion point.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
Measuring device is a 5.0 ft. Cipolletti weir.

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: _____
Water also used for livestock purposes - approx. 1000 head of cattle.

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2/11/77

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FEB 2 1977

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

Department of Water Resources
Southern District Office

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S	12E																		
		15	40	40	40	40	40	40	40	40					40	40			400
		14		-	40			40	40	40	40	40				40			280
		10	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

Total number of acres irrigated 1320

10. Remarks:

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

Feb. 2nd 77
(Date)

Heil Land & Limestone Inc
By Lawrence C. Heil pres.
(Signature)

State of Idaho)
County of Lewis & Clark) ss.

On this second day of February, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at Hammer

My commission expires 2-22-81

February 27, 1974

Re: 47-7221

Mr. Lawrence Heil
Heil Land and Livestock, Inc.
Castleford, Idaho 83321

Dear Mr. Heil:

As of yet, the Department of Water Administration has not received the final version of plans and specifications for the reservoir for off-stream storage of Devil Creek water. Until those plans and specifications have been approved by the Department, storage of water behind the dam cannot be allowed.

If you have any questions, please contact us.

Very truly yours,

Bob Haynes
Southern District Engineer

BH:lt

cc: Chuck Brockway, Engineering Consultant
Route 1, Box 186, Kimberly, Idaho

Boise - ☒ IDWA

47-7221

November 26, 1973

Re: Permit No. 47-7221

Neil Land & Livestock, Inc.
Castleford, Idaho 83321

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 47-7221. 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.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

47 7221

October 18, 1973

RE: Application No. 47-7221 - Heil Land & Livestock, Inc.

Owhyee Chronicle
20 East Idaho Avenue
Homedale, ID 83628

Gentlemen:

The above referenced application was to have been published in your newspaper on June 5 and July 12, 1973.

In the cover letter which was sent with the legal notice, we requested that you submit to us a galley proof for review before publication. Since the Department failed to receive a galley proof prior to publication, we have no way of knowing whether you have advertised this application. We trust that it is being taken care of by your staff.

If you have not taken action on this legal notice, please contact our office by telephone immediately.

Very truly yours,

Janet M. Messersmith
Secretary
Southern District

47 7221

October 12, 1973

RE: Application No. 47-7221 - Heil Land & Livestock, Inc.
(Notice of Correction)

Idaho Chronicle
20 East Idaho Avenue
Poncha, ID 83628

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. 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,

Bob Haynes
District Engineer
Southern District

Bill submitted 10-29-73 by jmm

BH:jmm

Enc.: Legal Notice of Correction

47 7221

Proof Requested

This did not arrive in time for
us to send a proof copy any sooner,
as it must run in the paper this week.
EPL.

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 47-7221 in the name of Heil Land & Livestock, Inc. was advertised incorrectly on October 4 and October 11, 1973. The place of use was advertised as being within Sec. 10; SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; N $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; T. 14S, R. 12E, B.M., Owyhee County. Whereas, the actual place of use is within Sec. 10; SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; T. 14S, R. 12E, B.M.

Any protest to the above correction must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, within 10 days from the last date of publication of this notice.

R. KEITH HIGGINSON
Director

Published in the Owyhee Chronicle on October 18 and October

October 25, 1973.

17 7221

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 47-7221 in the name of Heil Land & Livestock, Inc. was advertised incorrectly on October 4 and October 11, 1973. The place of use was advertised as being within Sec. 10; S1A1NE1/4, NW1/4NW1/4, S1/2NW1/4, N1/2SW1/4, NW1/4SE1/4, Sec. 14; N1/2, W1/2SE1/4, Sec. 15; T. 14S, R. 12E, B.M., Owyhee County. Whereas, the actual place of use is within Sec. 10; S1A1NE1/4, NW1/4NW1/4, S1/2NW1/4, N1/2SW1/4, NW1/4SE1/4, Sec. 14; N1/2, W1/2SE1/4, Sec. 15; T. 14S, R. 12E, B.M.

Any protest to the above correction must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, within 10 days from the last date of publication of this notice.

R. KEITH HIGGINSON
Director

Published in the Owyhee Chronicle on October 18 and October 25, 1973.

47 7221

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
SOUTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301
(208) 734-3578

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

October 3, 1973

RE: Application No. 47-7221 - Heil Land & Livestock, Inc.

Owhyee Chronicle
20 East Idaho Avenue
Homedale, ID 83628

Gentlemen:

The above referenced application was to have been published in your newspaper on October 4 and October 11, 1973.

In the cover letter which was sent with the legal notice, we requested that you submit to us a galley proof for review before publication. Since the Department failed to receive a galley proof prior to publication, we have no way of knowing whether you have advertised this application. We trust that it is being taken care of by your staff.

If you have not taken action on this legal notice, please contact our office by telephone immediately.

Very truly yours,

Janet M. Messersmith
Janet M. Messersmith
Secretary
Southern District

A galley proof was sent to you as requested. However it was mailed Oct. 3 so it didn't leave Homedale until Oct. 4 mail service here is very inconvenient (our once a day mail would not have received it) so you would not have received it probably until Oct. 5. We're sorry about this. The advertising was run as ordered. However.

Mr. Emmett Colley

47 7221

October 3, 1973

RE: Application No. 47-7221 - ~~Hart~~ Land & Livestock, Inc.

Owyhee Chronicle
23 East Idaho Avenue
Homedale, ID 83628

Gentlemen:

The above referenced application was to have been published in your newspaper on October 4 and October 11, 1973.

In the cover letter which was sent with the legal notice, we requested that you submit to us a galley proof for review before publication. Since the Department failed to receive a galley proof prior to publication, we have no way of knowing whether you have advertised this application. We trust that it is being taken care of by your staff.

If you have not taken action on this legal notice, please contact our office by telephone immediately.

Very truly yours,

Janet M. Messersmith
Secretary
Southern District

47 7221

September 24, 1973

RE: Application No. 47-7221 - Heil Land & Livestock, Inc.

Owhyde Chronicle
20 East Idaho Avenue
Homedale, ID 33628

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. 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,

Bob Haynes
District Engineer
Southern District

BH:jmm

Enc.: Legal Notice

Bill submitted _____ by _____

47 7221

from OK
10-5-73

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Heil Land & Livestock, Inc., Castleford, ID has on September 19, 1973 submitted Application No. 47-7221 for a permit to appropriate 50 cubic feet per second and 500 acre feet per annum of water from Devil Creek, tributary of Salmon Falls Creek by means of existing diversion works through existing Worley ditch to a reservoir within the NE¹/₄, NE¹/₄, Sec. 9, T. 15S; NE¹/₄, NE¹/₄, Sec. 21, T. 14S; R. 12E, B.M., Owyhee County, to be used from Jan. 1 to Dec. 31 for diversion to storage for irrigation, and from Mar. 15 to Nov. 15 for irrigation of 1320 acres within Sec. 10: SW¹/₄NE¹/₄, NW¹/₄NW¹/₄, SE¹/₄NW¹/₄, N¹/₂SW¹/₄, NW¹/₄SE¹/₄, Sec. 14; N¹/₂, W¹/₂SE¹/₄, Sec. 15; T. 14S, R. 12E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before October 22, 1973.

R. KEITH HIGGINSON
Director

Published in the Owyhee Chronicle on October 4 and October 11, 1973.

47 7221

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Hell Land & Livestock, Inc.

Castleford, ID

has on September 19, 1973 submitted Application No. 47-7221

for a permit to appropriate 50 cubic feet per second and 500 acre feet per annum
of water from Devil Creek, tributary of Salmon Falls Creek

by means of existing diversion works through existing Worley ditch to a reservoir

within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T. 15S; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T. 14S; R. 12E, B.M.,
Owyhee County

to be used from Jan. 1 to Dec. 31 for diversion to storage for irrigation, and
from Mar. 15 to Nov. 15 for irrigation of 1320 acres

within Sec. 10; SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; N $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 15; T. 14S, R. 12E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301
on or before October 22, 1973.

R. KEITH HIGGINSON

Director

Published in the Owyhee Chronicle

on October 4 and October 11, 1973

47 7221

September 24, 1973

RE: Application No. 47-7221

Heil Land & Livestock, Inc.
Castleford, Idaho
83321

Gentlemen:

Enclosed is your Receipt No. 11644 for Check No. 92-250 in the amount of \$365.00 for the above referenced application for permit which was received in this office on September 19, 1973.

Very truly yours,

Janet M. Messersmith
Secretary
Southern District

47 7221