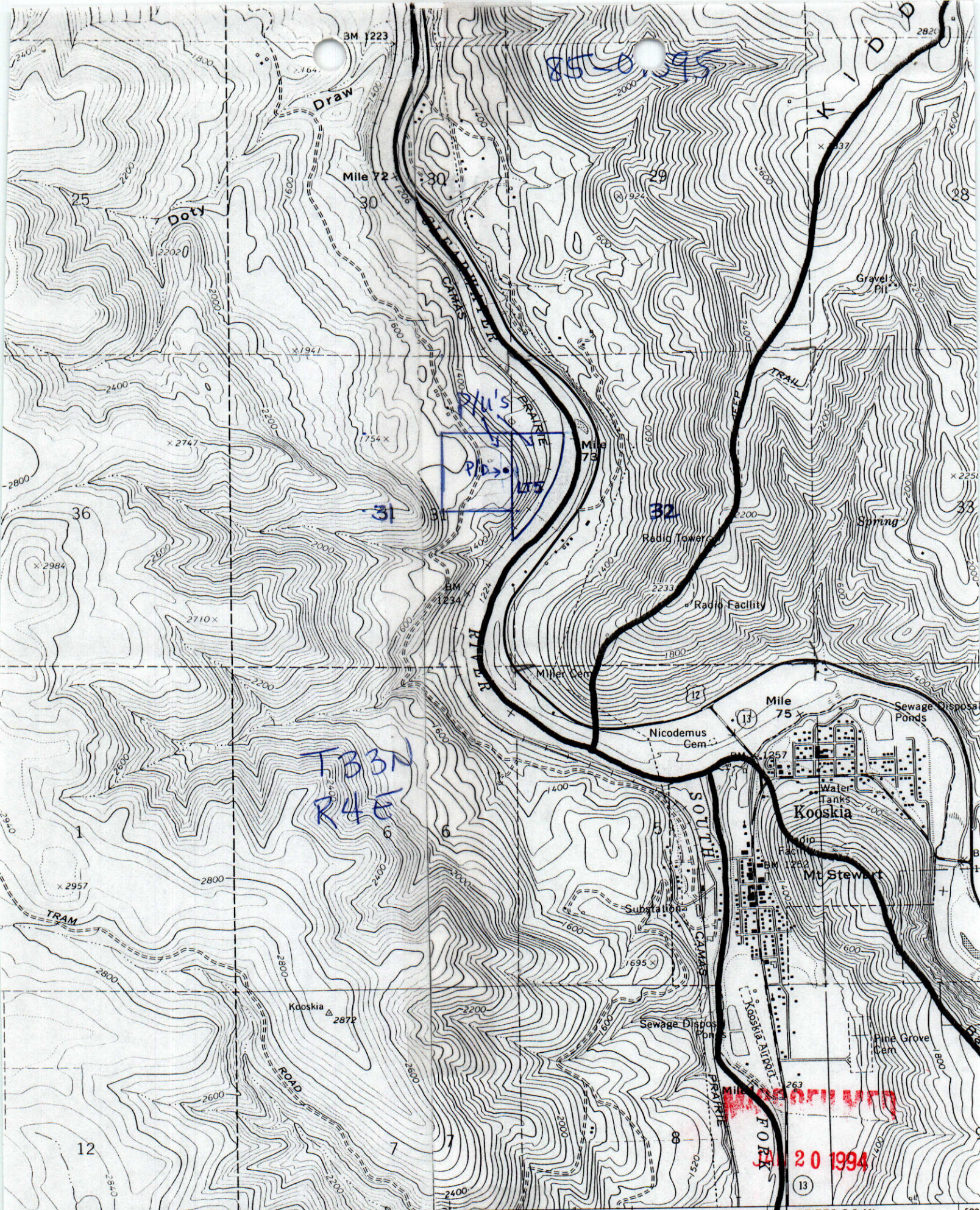
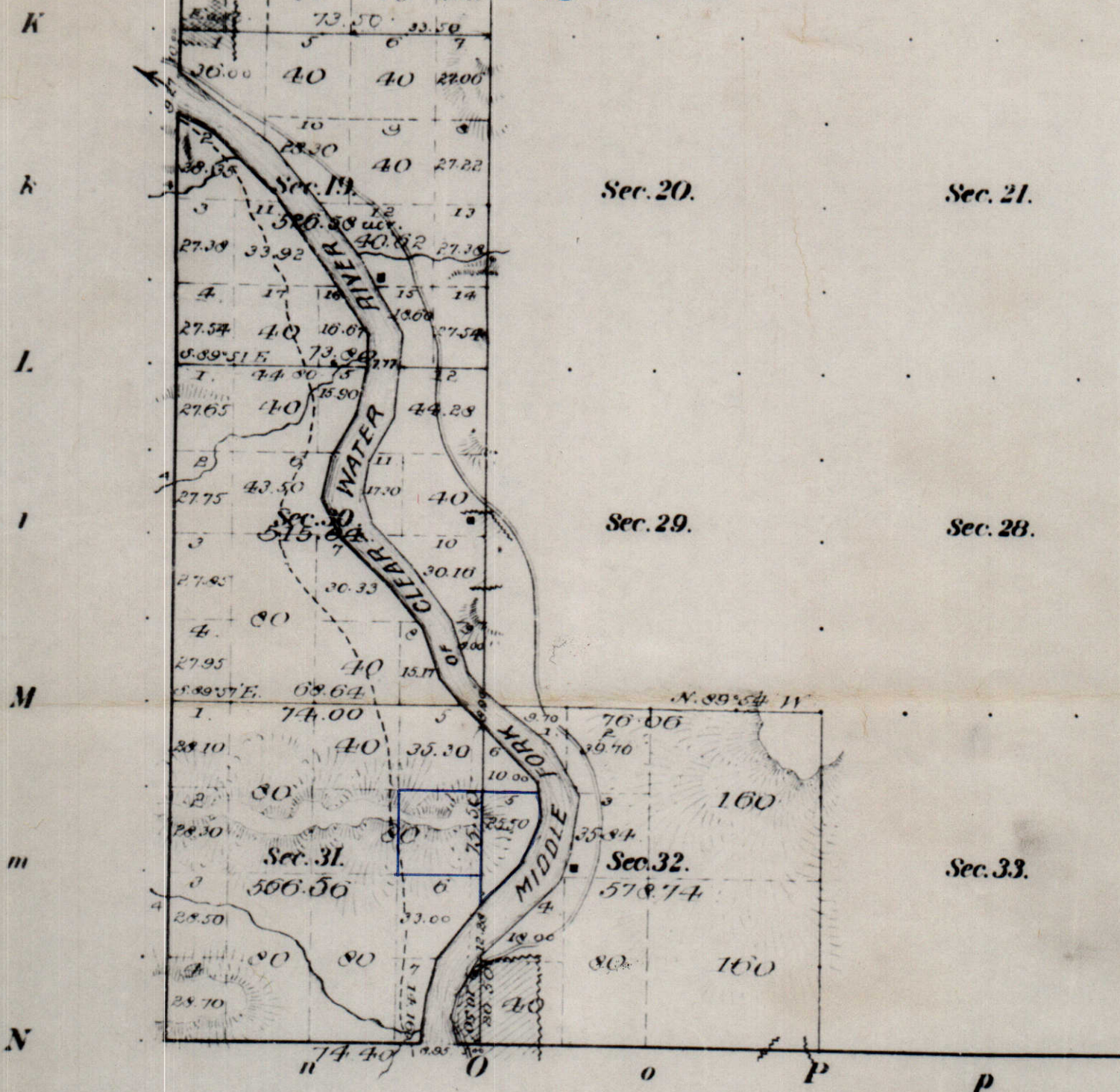




85-07595



Additional Total number of Acres

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys M. Ch. Lk.	When Surveyed
Township lines	Edson D. Briggs		3 40 00	Sept. 14 1889
Subdivisions	"		11 33 44	Sept. 28 1891
Meanders	"		9 75 03	Oct. 14 1889 to Sept. 28 1891

JAN 20 1922

RECEIVED

OCT 20 1993

NORTHERN REGION
IDWR

**NOTICE OF APPLICATION FOR
WATER RIGHT**

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

85-07595

WALSH, JACK
WALSH, EMMA K.
3702 HILLCREST DR.
BOISE, ID 83705
Source: GROUNDWATER
Diversion Pt: SENE Sec 31 T 33N R 04E
in IDAHO County.
Use: IRRIGATION (.300 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.340 CFS)
Date Filed: 9/1/1993
In: IDAHO County
T33N R04E S31 SENE
S32 Lot 5 (SWNW)
15.0 ACRES TOTAL

For additional information concerning
the property location, call the Northern
Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the applicant and with the Director,
Dept. of Water Resources, Northern
Region, 1910 Northwest Blvd., Suite
210, Coeur d'Alene, Idaho 83814 on or
before OCTOBER 25, 1993.

R. KEITH HIGGINSON, Director
Published: 10/7/1993 & 10/14/1993

O7-14

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

Andrew J. McNab, being
first duly sworn, says he is the Publisher
of the IDAHO COUNTY FREE PRESS, a weekly newspaper published
and issued weekly at Grangeville, Idaho county, State of Idaho, and is
of general circulation in said county and state, that the said notice, of
which the one hereto attached is a true copy, was published in said
paper for two weeks, being published two
times, the first publication being on the 7th day of
October, 19 93, and the last
publication on the 14th day of October, 19 93;
and that the said notice was published in the newspaper proper and not
a supplement; that said newspaper has been continuously and uninter-
ruptedly published in said county during a period of seventy-eight
consecutive weeks prior to the publication of said notice or advertise-
ment.

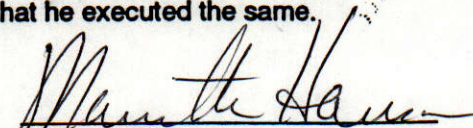


STATE OF IDAHO }
COUNTY OF }

On this 14th day of October in the year of 1993,
Before me, a Notary Public, personally appeared _____
Andrew J. McNab, known or identified to me
to be the person whose name subscribed to the within instrument, and
being by me first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.

MICROFILMED

JAN 20 1994


Notary Public for Idaho
Residing at Grangeville, ID
My commission expires: 10/8/99

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	ORDER TO RESCIND AND CORRECT
NO. 85-07595 IN THE NAME OF	)	PREVIOUS ORDER GRANTING
JACK AND/OR EMMA K. WALSH	)	PETITION TO REMOVE MEASURING
_____	)	DEVICE REQUIREMENT

This matter having come before the Department of Water Resources (Department) as a petition to remove a measuring device requirement, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On November 16, 1993, the Department issued Permit 85-07595 (permit) to Jack and/or Emma K. Walsh (permit holders) with a condition of approval requiring the installation of a flow measurement port or other device to provide for the installation of measuring equipment on the diversion works.
2. On January 20, 2000, the Department received the permit holders' petition to remove the measurement port requirement.
3. Installation of a measurement port or other device is not necessary because the Department can employ other measuring techniques to determine the capacity of the diversion works.
4. On January 24, 2000, an order was issued by the Department granting the petition to remove the measuring device requirement referencing permit no. 35-07595 rather than permit no. 85-07595.

CONCLUSIONS OF LAW

1. Beneficial Use Examination Rule 35.02.d. (IDAPA 37.03.02.35.02.d.) provides for the waiver of a measuring device requirement by the Department.
2. The January 24, 2000 order was issued with the incorrect permit number and should be corrected.

MICROFILMED

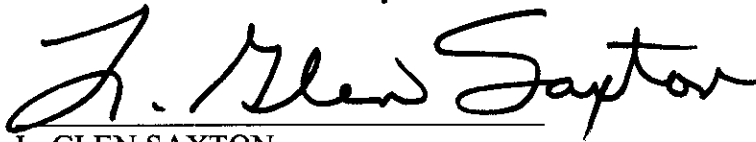
SEP 24 2001

ORDER

IT IS HEREBY ORDERED as follows:

1. The previous order issued January 24, 2000 is rescinded and hereby corrected.
2. The condition of approval requiring the permanent installation of a measurement port as part of the diversion works for the permit is **WAIVED**.

Dated this 6th day of September, 2001.



L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED
SEP 25 2001

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT	)	ORDER GRANTING PETITION
NO. 35-07595 IN THE NAME OF	)	TO REMOVE MEASURING
JACK AND/OR EMMA K. WALSH	)	DEVICE REQUIREMENT
_____	)	

This matter having come before the Department of Water Resources (Department) as a petition to remove a measuring device requirement, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On November 16, 1993, the Department issued Permit 35-07595 (permit) to Jack and/or Emma K. Walsh (permit holders) with a condition of approval requiring the installation of a flow measurement port or other device to provide for the installation of measuring equipment on the diversion works.
2. On January 20, 2000, the Department received the permit holders' petition to remove the measurement port requirement.
3. Installation of a measurement port or other device is not necessary because the Department can employ other measuring techniques to determine the capacity of the diversion works.

CONCLUSIONS OF LAW

1. Beneficial Use Examination Rule 35.02.d. (IDAPA 37.03.02.35.02.d.) provides for the waiver of a measuring device requirement by the Department.

ORDER

The condition of approval requiring the permanent installation of a measurement port as part of the diversion works for the permit is **WAIVED**.

Dated this 21st day of January 2000.



L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED
MAY 24 2000

RECEIVED

SEP 01 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 85-07595 Telephone No. 343-74872. Name(s) of Permit Holder(s): Jack + Emmie Walsh3. Mailing Address: 3702 Hillcrest Dr. Boise Id 837054. Source of Water: groundwater If **GROUNDWATER** (well), Date Drilled: mo. 7 / yr. 98a. Well Driller: Stuivinge Vessy Drill. Drilling Permit Number: - - - b. **OPTIONAL:**Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):

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

Domestic (No. of households): X Stockwater (No. and type of stock): Irrigation (No. of acres): 15 Other: 6. Total rate of diversion and/or volume for which proof is submitted: .34 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?Yes or No X

Has the measuring device been installed?

Yes or No **Flow Measurement Port:** Is a flow measurement port required?Yes or No X

Has the measurement port been installed?

Yes or No 8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Same as above Telephone Number: Address:

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

Signature of permit holder: Jack Walsh

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

Date: Sept 1999MICROFILMED
MAY 24 2000

7/94

RECEIVED

OCT 28 1996

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only

\$50 Fee Received by JWDate 10-28-96Receipt No. 0036837REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 85-07595Name(s) of Permit Holder: JACK R. WALSH EMMA K. WALSHMailing Address: 3702 Hillcrest Dr., Boise, Idaho 83705Date Proof is Due: November 1, 1996 Telephone No 208-343-7487

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

None

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

We are owners of the property in conjunction with another person. We
had made an agreement to trade nearby property for this property. He
reneged on the agreement. We are still trying to persuade him to
Honor the agreement. We do not know how soon this can be accomplished.
Permit holder(s) request an extension to November 1, 19 2001.

FEE: \$50.00

(Signature) [Signature]

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to November 1, 1999

MICROFILMED

NOV 07 1996

Signed this 5 day of November, 19 96[Signature]
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 85-07595

Proposed Priority: September 1, 1993

Maximum Diversion Rate:

0.34 CFS

This is to certify, that JACK WALSH
EMMA K WALSH
3702 HILLCREST DR
BOISE ID 83705

has applied for a permit to appropriate water from: **GROUNDWATER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.30 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.34 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 31, Township 33N, Range 04E
IDAHO County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
33N	04E	31	SENE	10		10
		32	Lot 5 (SWNW)	5		5

Total number of acres irrigated: 15

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1996.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
7. Construction of the well must comply with Idaho well construction standards.

APPROVED

JAN 20 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

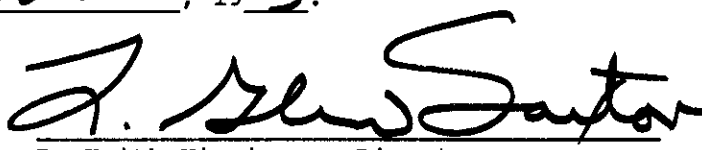
NO. 85-07595

CONDITIONS/REMARKS:

8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
9. Domestic use is for 1 home.

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

16 th day of November, 1993.

for 
R. Keith Higginson, Director

JAN 20 1994

RECEIVED
SEP 07 1993
SOUTHERN REGION
IDWR

RECEIVED
OCT 26 1993

Department of Water Resources

Ident. No. 85-07595

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JACK WALSH 208-343-7487
Address: 3702 HILLCREST DR
BOISE ID 83705
AND/OR
Name: EMMA K WALSH 208-343-7487
Address: 3702 HILLCREST DR
BOISE ID 83705

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SENE Sec. 31, Township 33N, Range 04E
IDAHO County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.300		
DOMESTIC	01/01	12/31	0.040		

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

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc.
WELL WITH PUMP
b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
c. Proposed well diameter is 8 inches; proposed depth of well is 400
feet.
d. Is groundwater with a temperature greater than 85F being sought? NO
e. If well is already drilled, when?
Drilling Firm
Well was drilled for

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 3 year(s).

RECEIVED
JAN 20 1994

85-7595

8. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
33N 04E 31	SENE 10			10
32 Lot 5(SWNW)	5			5

Total number of acres irrigated: 15

Place of Use: DOMESTIC, same as IRRIGATION use

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:
Domestic use is for 1 home.

11. Map of proposed point of diversion and place of use attached? [✓]

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


Applicant

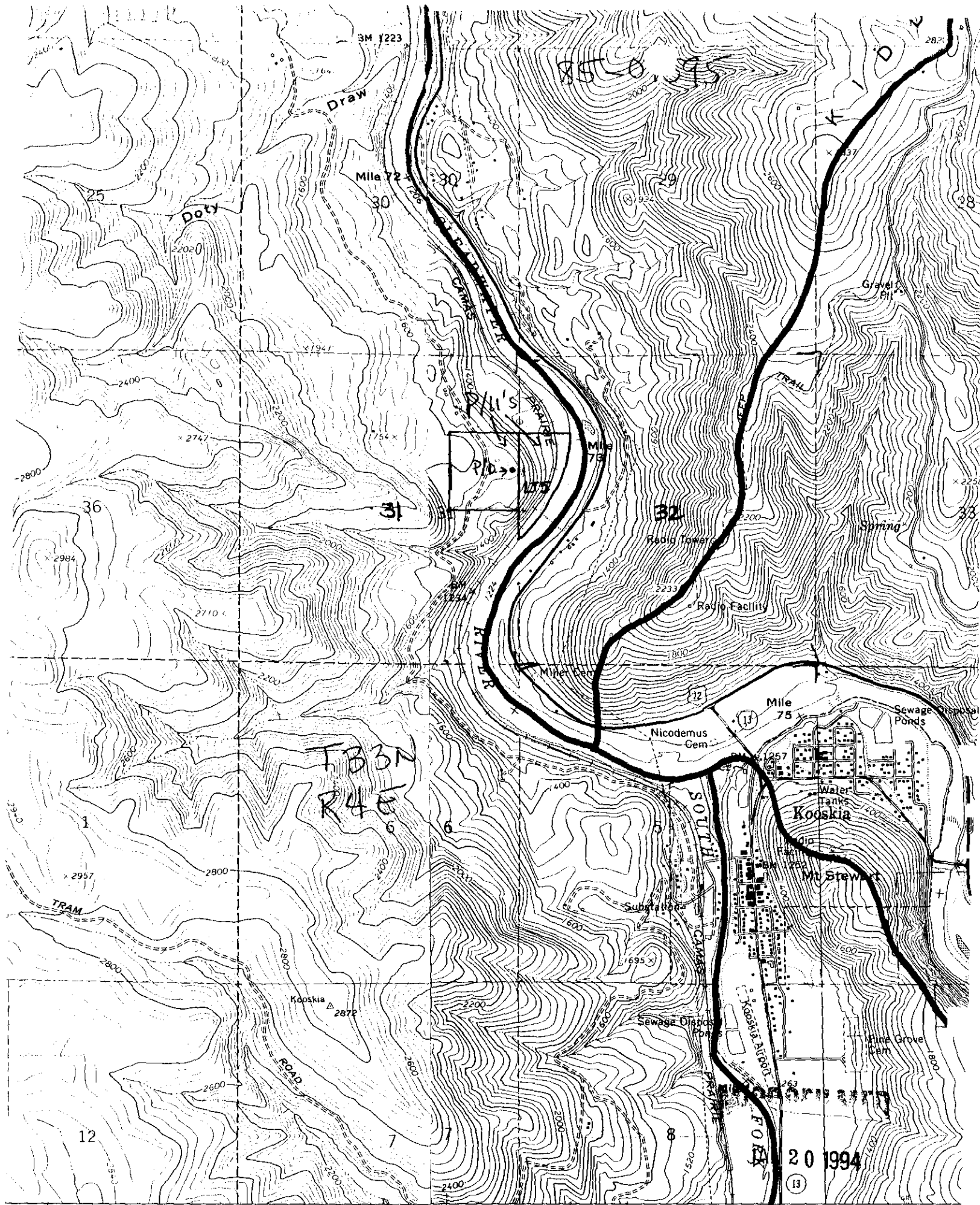
Received by CZ. Date 9/1/93 Time 1200 Preliminary check by B3

Fee \$ 45.00 Receipted by CZ. # 6028480 Date 9/1/93

Publication prepared by [Signature] Date 9/29/93 Published in 10/7-14/93

Publication approved [Signature] Date 10/20/93

JAN 20 1994



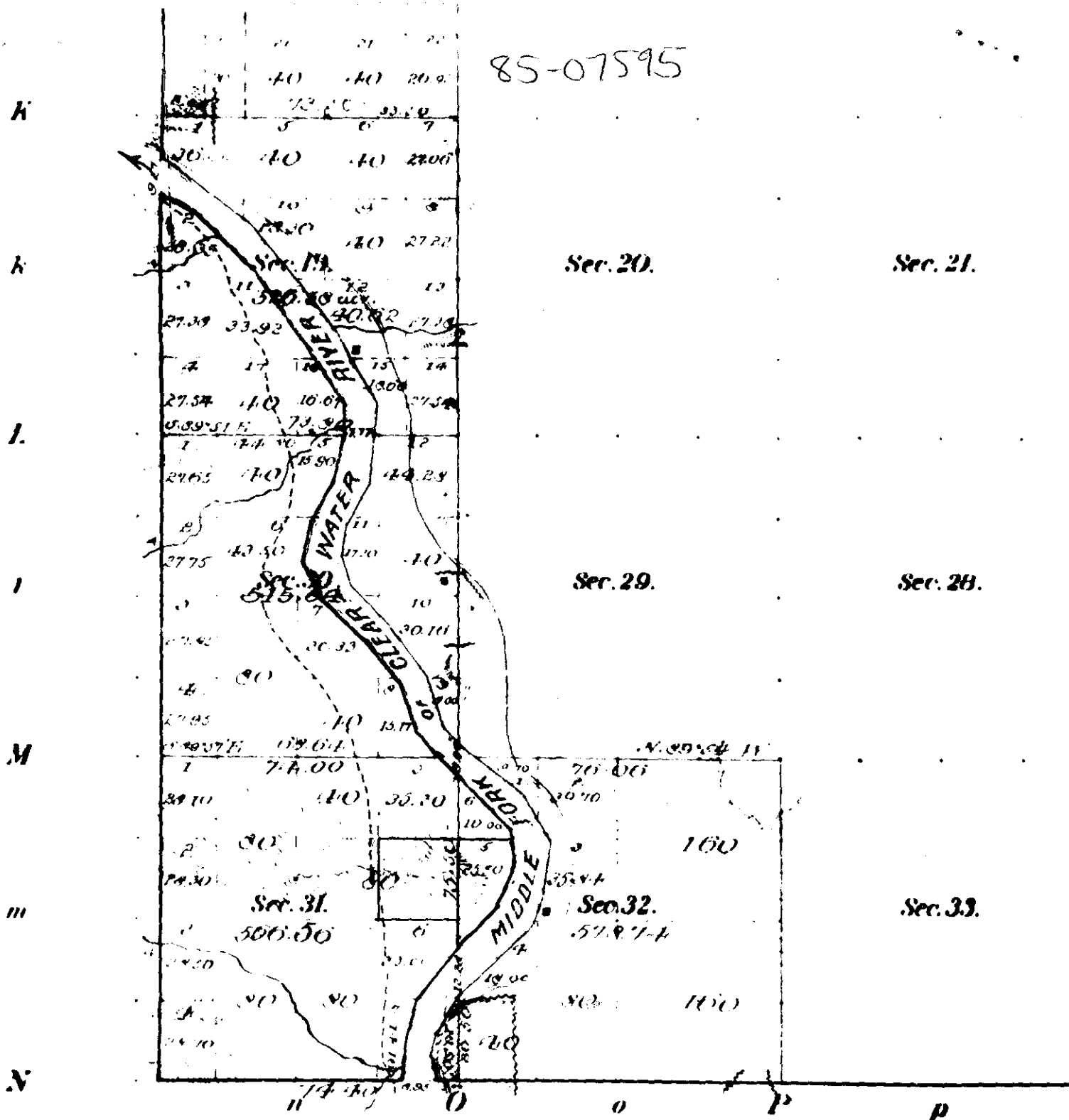
575 576 R.3 E. R.4 E. 577 000m. E. 116°00' 578 440 000 FEET 579 STITES 2.3 MI. GRANGEVILLE 25 MI.

ROAD CLASSIFICATION

Mapped, edited, and published by the Geological Survey
Control by USGS and NOS/NOAA



85-07595



Additional Total number of Acres

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys M Ch. Lk.	When Surveyed
Township lines	Edson H. Briggs		3 40 00	{ Sept 1 - 1889 Sept 20 th 1891
Subdivisions			11 33 44	{ Oct 14 1889 - 10 Sept 28 1891
Meanders			9 75 02	



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 6, 2001

JACK R WALSH
EMMA K WALSH
3702 HILLCREST DR
BOISE ID 83705

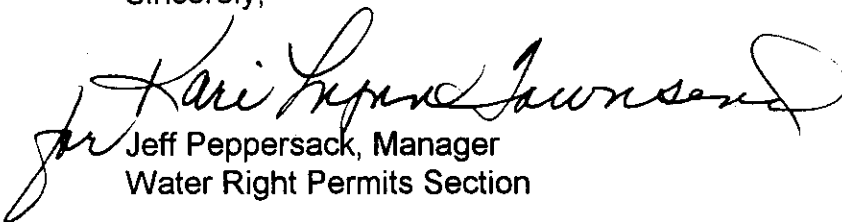
RE: Order In the Matter of Permit 85-07895

Dear Water Right Holder(s):

Enclosed please find an Order to Rescind and Correct Previous Order Granting
Petition to Remove Measuring Device Requirement issued by the department in
reference to the above listed information.

If you have any questions regarding this matter, please call me at 327-7940.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED
SEP 25 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 24, 2000

JACK R WALSH
EMMA K WALSH
3702 HILLCREST DR
BOISE ID 83705

RE: Permit 35-07595

Dear Mr. & Mrs. Walsh:

Enclosed please find an Order issued by the department
Granting Petition to Remove Measuring Device Requirement.

If you have any questions regarding this matter, please call^{me}
me at 327-7940.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeff Peppersack'.

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
MAY 24 2000

RECEIVED

JAN 20 2000

Department of Water Resources

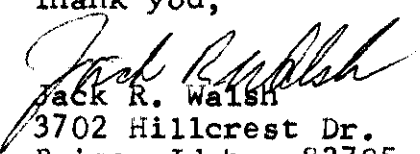
20 January, 2000

State of Idaho
Department of Water Resources
1301 North Orchard St.
Boise, Idaho, 83720

RE: PERMIT NO: 85-07595

Reference your letter of 18 January, 2000, I am requesting that the Department of Water Resources waive the condition of Approval No. 4 measurement requirement of this permit.

Thank you,


Jack R. Walsh
3702 Hillcrest Dr.
Boise, Idaho, 83705

MICROFILMED

MAY 24 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

January 18, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JACK R WALSH
3702 HILLCREST DR
BOISE ID 83705

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 85-07595

Dear Permit Holder:

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

The proof you submitted does not indicate that you have complied with Condition of Approval No. 4 of your permit which requires you to provide a means of measurement of the rate of diversion acceptable to the department prior to diversion of water under the permit. The department is willing to waive this requirement upon your written request.

If you have questions concerning the field examination or the timing of it, please feel free to contact the Northern Regional Office of the department in Coeur d' Alene at (208)769-1450.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

MAY 24 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 85-07595 Reviewed by [Signature] Date 7-12-00

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

[Signature]
[Signature]
Correct Uses? yes

SOURCE OF WATER

 Surface water source
✓ Ground water source
 Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
2 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	- <u> </u>
No. of days late	<u> </u>	= <u> </u>
Priority Date	<u> </u>	+ <u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

meas equip #4 [Signature]

DATA ENTRY

New Address Proof Made 9-1-99

August 31, 1999

JACK WALSH
EMMA K WALSH
3702 HILLCREST DR
BOISE ID 83705

PROOF DUE NOTICE

RE: PERMIT NO. 85-07595

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1999. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

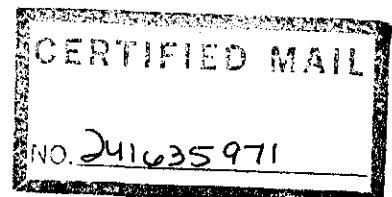
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures MICROFILMED

MAY 24 2000



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 85-07595 Reviewed by [Signature] Date 11-5-96

BASIC INFORMATION

10-28-96 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN *Recommend extend to Nov 1, 1999 on basis of due diligence.*

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address X _____

Change Proof Due Date 11-1-99

Change Priority Date X _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 6, 1996

Jack & Emma Walsh
3702 Hillcrest Dr.
Boise, ID 83705

RE: Permit No. 85-07595

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit. The time within which to submit proof of beneficial use is extended to **November 1, 1999**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Please be advised that Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

Please contact me at (208)327-7953 if you have any questions regarding this matter

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

MICROFILMED
NOV 07 1996

August 31, 1996

JACK WALSH
EMMA K WALSH
3702 HILLCREST DR
BOISE ID 83705

PROOF DUE NOTICE

RE: PERMIT NO. 85-07595

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1996. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

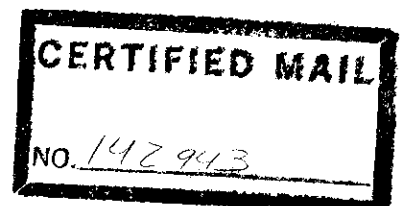
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
NOV 07 1996





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 17, 1993

JACK WALSH
EMMA K WALSH
3702 HILLCREST DR
BOISE ID 83705

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 85-07595

Dear Permit Holder(s):

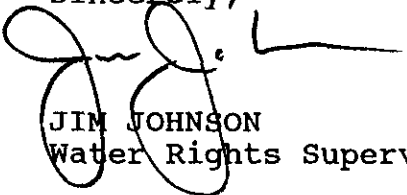
Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

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

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures


JAN 20 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW

Application #: 85-07595 Date: 11/3/93 Reviewer: Cindy Zimmerman

AREA OF CONCERN? - No/Yes S/C Mor
SYSTEM COMPLETED:
No - 26A-P17
Complete in 1 year - P16
Yes
Proof not submitted - P16
Proof submitted - N/A
GROUNDWATER:
+ 0.2 cfs <flo-ch> - 01G-P03 (new), 01C-P03 (existing), NMR
- 0.2 cfs - NMR <flow chart>
Drilling Permit:
Included w/permit - P99 Permit No. _____
Existing well - N/A (if drilled before 7/1/87)
No WD permit? - 046-46A<Irr>-46B-P23 (if drilled after 7/1/87)
SURFACE WATER: not in WD - 01C-P03 (+.2 w/pump), NMR <flow chart>
LOCATION:
Water District - WD No. _____
Surface water - 005 or 005-01J-P08 (+.2, or -.2 no pump)
or 005-01H-P01 (-.2 w/pump); NMR
Groundwater - P05 (if well has not been drilled)
In stream channel - 030 (stream channel alteration)
Irrigation Dist. - 023
Canal Co. Areas - 023
Drainage Districts - 024
Flood Control Dist. - 063
Boise Front (63) - 058 (Groundwater temperature)
Swan Falls Flag - B <See condition code chart>
Trust - 051-052-053-P74 (Consumptive Uses)
Non Trust <1> - 048-049
RIVER BASINS (Surface): Water District Control Condition (005) &....
Boise (63) - 05A (req), 11E (non-domestic use), NA
Payette (65) - 064 (consump. use), 047-P04 (Payette Lake), NA
Snake (01, 02 & 03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.), NA
USE:
Fish Propagation - 010/06A/09E-P10 (WQ) & 07A-042-002-P06 (MD) (req)
044 (N 1000 Spr)
Irrigation - 803 (if GW use SW 1st) (5A do POU comparison)
Power - 08A-17K-025-027 (req); 01F-P19; 09E-P10;
+25 cfs-P18; 17G (FERC) or 17M (FERE); 18B-P09, NA
Mining - 06A/010/09E-P10 & 054 (req)
Storage (✓ 3 compo.) - 18A-for multi MD in WD, 18B-P09 (+10' high dam)
Domestic (surface) - 021 (Boise R ↑ L Peak), 27A (Payette R)
OWNERSHIP:
Non land owner - 004 (P/D or P/U)
PROTESTED:
Prehearing agreement - 020
OTHER CONDITIONS:
REMARKS: - ① woi(1)
BENEFICIAL USE DUE: - 11-1-1996
COMMENTS: - ① Mor Exempt 2) Div Desc.

WR0749NP
No. P85-07595

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 11/03/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JACK WALSH	09/01/1993	IRRIGATION	03-15 11-15	0.30 CFS	
C	EMMA K WALSH		DOMESTIC	01-01 12-31	0.04 CFS	
	3702 HILLCREST DR					
	BOISE ID 83705					
	(208) 343-7487					
				TOTAL DIVERSION:	0.34 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T33N R04E S31 SE NE

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM			
33N	04E	31	:																		10.0			
33N	04E	32	:																		5.0			
																				TOTAL ACRES	15.0			

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: IDAHO

Other Water Rights with Same Point(s) of Diversion and Source:
85-07595

Other Water Rights Listing Overlapping Place(s) of use:
85-07595

Conditions of Approval:

- 26A - Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
- 01G - Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 46A - A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
- 46B - Construction of the well must comply with Idaho well construction standards.
- 03A - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

WR0749NP
No. P85-07595

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 11/03/93
PAGE: 2

=====

Remarks: Domestic use is for 1 home.

Dates: App. Received: 09/01/1993 Priority Date: 09/01/1993
Proof Due Date: 11/01/1996 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 11/03/1993 User-ID: ZIMMERMA Subject: MORATORIUM EXEMPTION
This permit is located within the Salmon/Clearwater Rivers
Moratorium boundary; however, its groundwater source is within
the acceptable parameters of the moratorium guidelines.

Date: 11/03/1993 User-ID: ZIMMERMA Subject: DIVERSION DESCRIPTION
Proposed 8" by 400' deep well with pump.

Audit: 11/03/93 ZIMMERMA

DATE: 11/03/93
PAGE: 1

[illegible]

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM	
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac				
8507595	T33N R04E S31	GROUNDWATER																	
	:					10 :								:				10	
A8510410	SPRING	:	01												:				1
	NO MAPPING INFO AVAILABLE																		

8507595	T33N R04E S32	GROUNDWATER								05-05								5	
	:													:					
NO MATCHING IRRIGATION RIGHTS WERE FOUND FOR THIS POU																			
NO MAPPING INFO AVAILABLE																			

No. a
4/87-06/92n

I. IO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

APPLICATION # _____

***** INITIAL REVIEW *****

APPLICANT: WALSH BY: AB DATE: 9 / 1 / 93

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
- ☒ Nature of Proposed Use
- ☒ Period of Use
5. ☒ Total Quantity
6. ☒ Description of diverting works
7. ☒ Time required for b/u
8. ☒ Proposed use
9. ☒ Place of use or acres irrigated
10. ☒ Other Water Rights
11. ☒ Ownership
13. ☒ Map
- ☒ Signature
- ☒ Fee (Amt, recpt, acknowledgment)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

Yes No

- ☒ Field check: by _____
- ☒ Field report attached
- ☒ Analysis Supp. attached(>5cfs/500af)
- ☒ Water delivered by water master?
- Water District # _____

PROCESSING

Yes No

PRIORITY DATE: 9 / 29 / 93

☒ (Include Moratorium Remark)

☒ Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: IOAHO County.

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

***** GROUNDWATER SECTION *****

(Yes) (No)

Checked by: _____ Date: ____/____/____

Remarks: _____

- ☒ Groundwater management area
- ☒ Critical ground water area
- Well Drilling Permit required
- Well Drilling Application and Fees received
- Well Drilling Application approved?
- Well Drilling Application Number _____

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

- Notice of pending void order issued. Final order response date: ____/____/____
- Further information required from applicant
- ☒ Affidavit of publication received
- ☒ Application published correctly, If not, record action taken: _____
- Publication dates and paper recorded on application | Sr. Agent initial AB
- ☒ Protests received. Final protest date: 10/25/93
- Measuring device required
- Measuring port required
- Special conditions: _____
- Special conditions of approval supplement above letter attached: _____

Approval Recommended by: AB RJA

OCT 26 1993

Date: 10 / 21 / 93

Department of Water Resources

RECEIVED

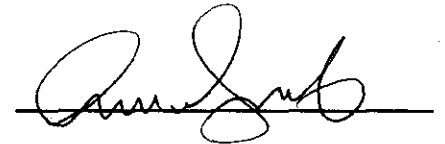
OCT 20 1993

NORTHERN REGION
IDWR

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

Andrew J. McNab, being first duly sworn, says he is the Publisher of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho county, State of Idaho, and is of general circulation in said county and state, that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 7th day of October, 19 93, and the last publication on the 14th day of October, 19 93; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice or advertisement.



STATE OF IDAHO }
COUNTY OF }

On this 14th day of October in the year of 1993,
Before me, a Notary Public, personally appeared
Andrew J. McNab, known or identified to me
to be the person whose name subscribed to the within instrument, and
being by me first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.

MADE PUBLIC

JAN 20 1994



Notary Public for Idaho
Residing at Grangeville, ID
My commission expires: 10/8/99

85-07595

WALSH, JACK
WALSH, EMMA K
3702 HILLCREST DR
BOISE, ID 83705

Source: GROUNDWATER

Diversion Pt: SENE Sec 31 T 33N R 04E in IDAHO County.

Use: IRRIGATION (.300 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.340 CFS)

Date Filed: 9/ 1/1993

In: IDAHO County
T33N R04E S31 SENE
S32 Lot 5(SWNW)

15.0 ACRES TOTAL

RECORDED

JAN 20 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

~~208-769-1450~~ ~~208-769-1450~~ ~~208-769-1450~~ ~~208-769-1450~~ ~~208-769-1450~~

Fax (208) 769-1454

CECIL D. ANDRUS

Governor
September 29, 1993

R. KEITH HIGGINSON
Director

Mr. and Mrs. Jack Walsh
3702 Hillcrest Dr.
Boise, Id. 83705

Dear Mr. and Mrs. Walsh:

Re: Water Appropriation Application No. 85-7595.

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB/pms

JAN 30 1994