

29-08239

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 29-08239

Priority: April 19, 2000

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 3.7 AF

It is hereby certified that NELDA WILLIAMS And
DONALD WILLIAMS
1554 W BOWEN LN
ARBON ID 83212 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 19, 2000; and has
submitted Proof of Beneficial Use on July 03, 2000. An examination indicates that the works have a
diversion capacity of 0.02 cfs of water from:

SOURCE

SPRING

Tributary: KNOX CANYON CREEK, LEFT FORK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	3.7 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, Twp 11S, Rge 32E, B.M. POWER County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 33E 30				X													
10S 33E 31														X			
10S 33E 32							X				X						
11S 33E 6	X																

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
3. Rights 29-7810 and 29-12964 are also diverted through the point of diversion described above.
4. Rights 29-7810, 29-12964 and 29-8239 when combined shall not exceed a total diversion rate of 0.02 cfs.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 29-08239

5. Source is known locally as Eames Spring or Ames Spring.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 15TH day of JUNE, 2001.

Acting for


KARL J. DREHER
Director

RECEIVED

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

JUN 11 2001
Department of Water Resources

(For Licensing Purposes)
WATER RIGHT NO. 29-08239

Date of Priority: April 19, 2000

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 3.7 AF

Comes now NELDA WILLIAMS
1554 W BOWEN LN
ARBON ID 83212

And

DONALD WILLIAMS
1554 W BOWEN LN
ARBON ID 83212

and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 29-08239, and requests that the permit be changed as follows:

Source: SPRING

Tributary: KNOX CANYON CREEK, LEFT FORK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	3.7 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, Twp 11S, Rge 32E, B.M. POWER County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 33E 30				X													
10S 33E 31														X			
10S 33E 32								X				X					
11S 33E 6	X																

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 5th day of June, 2001.

Donald Williams
(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-08239

FOR DEPARTMENT USE ONLY

Preliminary check by SDR Fee = \$0.00 Received by DRM # CO.54189 Date 06/11/01

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 29-08239 with the following:

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
3. Rights 29-7810 and 29-12964 are also diverted through the point of diversion described above.
4. Rights 29-7810, 29-12964 and 29-8239 when combined shall not exceed a total diversion rate of 0.02 cfs.
5. Source is known locally as Eames Spring or Ames Spring.

Witness my hand this 15TH day of June, 2001.

Acting for


KARL J. DREHER
Director

RECEIVED

JUL - 3 2000

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.

1. Permit No. 29-08239 Telephone No. 208 335-2295
2. Name of Permit Holder(s): Donald Williams and Nelda Williams
3. Mailing Address: 1554 W. Bowen Ln
City Arbon State Id. Zip 83212
4. Source of Water: Spring Eames Sp. of Knox Canyon If **GROUNDWATER** (well), Date Drilled: mo. May yr. 2000
Well Driller: na Drilling Permit Number: - na -
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): na Stockwater (No. and type of stock): 275 hd. range cattle
Irrigation (No. of acres): na Other: na
6. Total rate of diversion and/or volume for which proof is submitted: 0.02 cfs OR na 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 X
8. Fee Enclosed: \$ 50.00 (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: Donald T. Williams Telephone Number: 208 335 2295
Address: 1554 W Bowen Ln Arbon Idaho 83212
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.
Signature of permit holder: Nelda M. Williams and Donald T. Williams Date: June 27, 2000
(include your title, if on behalf of company or organization)

MICROFILMED
JUL 13 2000

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-08239

Priority: April 19, 2000

Maximum Diversion Rate:

0.02 CFS

This is to certify, that DONALD WILLIAMS
NELDA WILLIAMS
1554 W BOWEN LN
ARBON ID 83212

has applied for a permit to appropriate water from:

SPRING tributary of KNOX CANYON CREEK, LEFT FORK

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>
-----------------------	----------------------	--------------------------

STOCKWATER	01/01 to 12/31	0.02 CFS
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LOCATION OF POINT(S) OF DIVERSION:

NENWSW , Sec. 12, Township 11S, Range 32E
POWER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

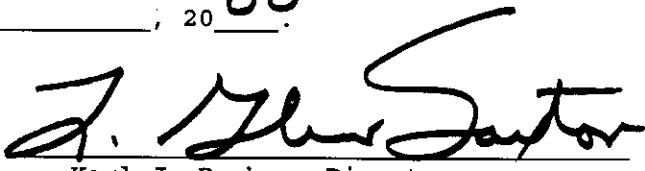
10S 33E 31	NWSE	
32	SESW	SESW
11S 33E 5	NWNW	

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before June 1, 2001.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
5. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
6. Stockwater use is for 275 range cattle.

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

19 day of June, 2000


Karl J. Dreher, Director
for

MICROFILMED

JUL 13 2000

RECEIVED

APR 19 2000

FORM 202

Ident. No. 29-08239 12/99

Department of Water Resources
East Region
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 9 - 2000

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant **Donald and Nelda Williams**

Phone (208)335-2295

Mailing address **1554 West Bowen Lane, Arbon, Idaho 83212**

2. Source of water supply **Eames Spring** which is a tributary of **Left Fork, Knox Canyon**

3. Location of point of diversion is Township **11 South** Range **32 East** Sec. **12**, in the **NE 1/4, NW 1/4, SW 1/4**,

Govt. Lot _____, B.M., **Power County**;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount **0.02 cfs** for **Stockwater** purposes from **Jan 01** to **Dec31** (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) **0.02 cfs** and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source **Collection box at spring to pipeline to stock troughs for stockwater use.**

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet

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

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? _____; Drilling firm _____;

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is **1** years (minimum 1 year)

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

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. **275 head of range cattle**

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

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JUN 13 2000

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	33E	31														S			
		32								S				S					
11S	33E	5						S											

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 29-10552

11. a. Who owns the property at the point of diversion? **US Dept of Interior, Bureau of Land Management**

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

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

12. Remarks: BLM has informed Dept that there is an agreement in place.

(Burley ALM co Steve Davis)

HWT 4-20-00

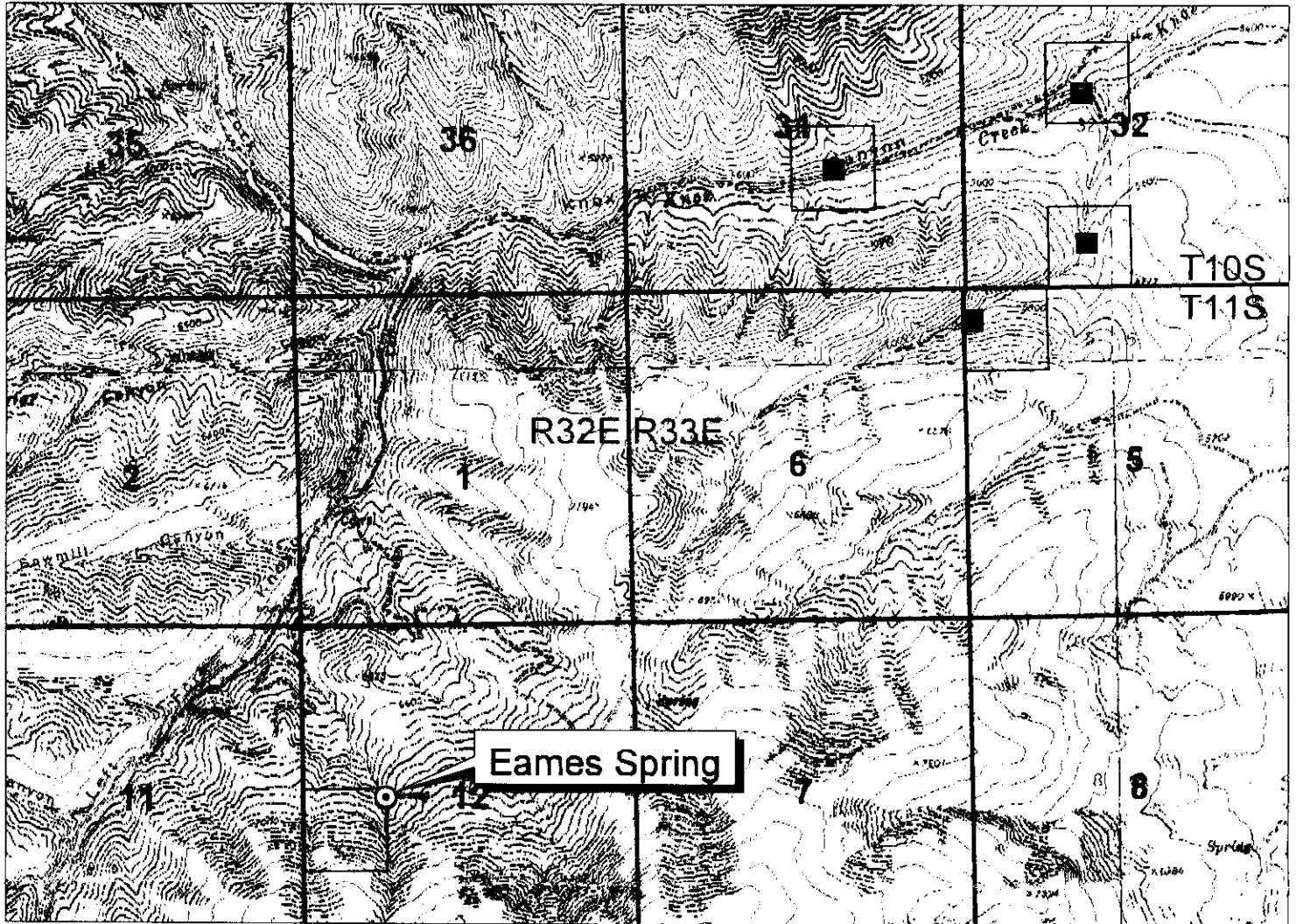
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Donald L. Williams (owner)
Signature of Applicant (and title, if applicable)

Received by HWT Date 4-19-00 Time _____ Preliminary check by _____
Fee \$ 50 Received by HWT # E025769 Date 4-20-00
Publication prepared by SC Date 5/3 & 5/10/00 Published in Power County Press
Publication approved SC Date 6/6/00
MICROFILMED

JUL 13 2000

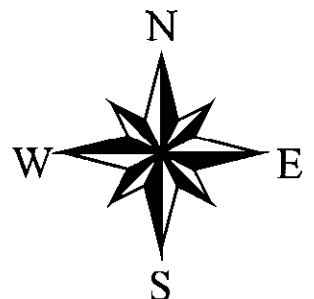


- Point of diversion
- Place of use

Application for Permit
Williams, Donald and Nelda

MICROFILMED

1991 1 1 2000





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

June 18, 2001

NELDA WILLIAMS
DONALD WILLIAMS
1554 W BOWEN LN
ARBON ID 83212

RE: License No. 29-8239 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

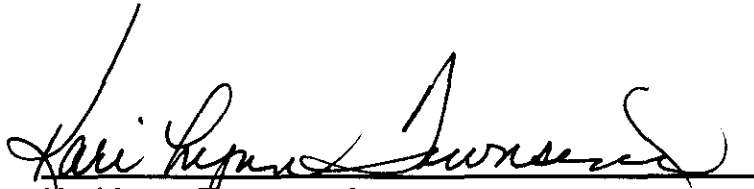
Enclosure(s)

CERTIFICATE OF MAILING

I hereby certify that on **June 19, 2001** I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

RE: WATER RIGHT 29-8239

**NELDA WILLIAMS
DONALD WILLIAMS
1554 W BOWEN LN
ARBON ID 83212**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Idaho Department of Water Resources Receipt

Receipt ID C054189

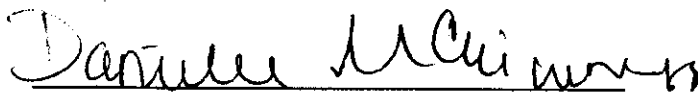
Payment Amount \$50.00 Date Received 6/11/01 10:55:18 AM Region State Status
Payment Type Check Check Number 280

Payer BAR LAZY RANCH

Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	AMENDMENTS	0229	21	56105	1155



Signature Line (Dept. Representative)

FILE COPY

SRBA

DIRECTORS REPORT 29-12964

Return to SRBA Home Page

IWT072

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 29-12964

Name and Address: UNITED STATES OF AMERICA ACTIN
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

Source: SPRING Tributary: SINKS

Quantity: .02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

Priority Date: 04-17-1926

* 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT. *
* *
* THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW *
* WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN *
* EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC *
* WATER RESERVE 107. *

Diversion Point: T11S R32E S12 NENWSW Within Power County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	01-01 TO 12-31	.02 CFS

Place of Use:	Stockwater	Within Power County
	T11S R32E S12	NWSW

Other Provisions Necessary for Definition / Administration of this Water Right:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

Explanatory Material: Basis of Claim - Beneficial Use

BLM RECORD ID = 2902580037
ASSOCIATED WITH 2902588081, EAMES SPRING

SRBA

DIRECTORS REPORT 29-07810

Return to SRBA Home Page

IWT072

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 29-07810

*
* THIS DIRECTORS REPORT HAS BEEN AMENDED SINCE *
* IT WAS 1ST FILED. *
*

Name and Address: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

Source: EAMES SPRING Tributary: SINKS

Quantity: .02 CFS
1.50 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

Priority Date: 03-13-1986

Diversion Point: T11S R32E S12 NENWSW Within Power County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	05-16 TO 09-30	.02 CFS
			1.50 AFY
	Wildlife	01-01 TO 12-31	.01 CFS
			1.50 AFY

Place of Use:	Stockwater		Within Power County
	T10S R32E S24	NESW	
	R33E S19	NWSW	
	S30	SENW	
	T11S R32E S11	NESW	
	S12	NWSW	
	R33E S06	SENW	
	Wildlife		Within Power County
	T10S R32E S24	NESW	
	R33E S19	NWSW	

	S30	SEnw
T11S R32E	S11	NESW
	S12	NWSW
R33E	S06	SEnw

Other Provisions Necessary for Definition / Administration of this Water Right:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

Explanatory Material: Basis of Claim - License

BLM 2902588081

[Return to SRBA Home Page](#)



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

05/15/2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NELDA WILLIAMS
1554 W BOWEN LN
ARBON ID 83212

RE: Water Right Permit No. 29-08239

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

 Point(s) of Diversion

 X Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7946.

Sincerely,

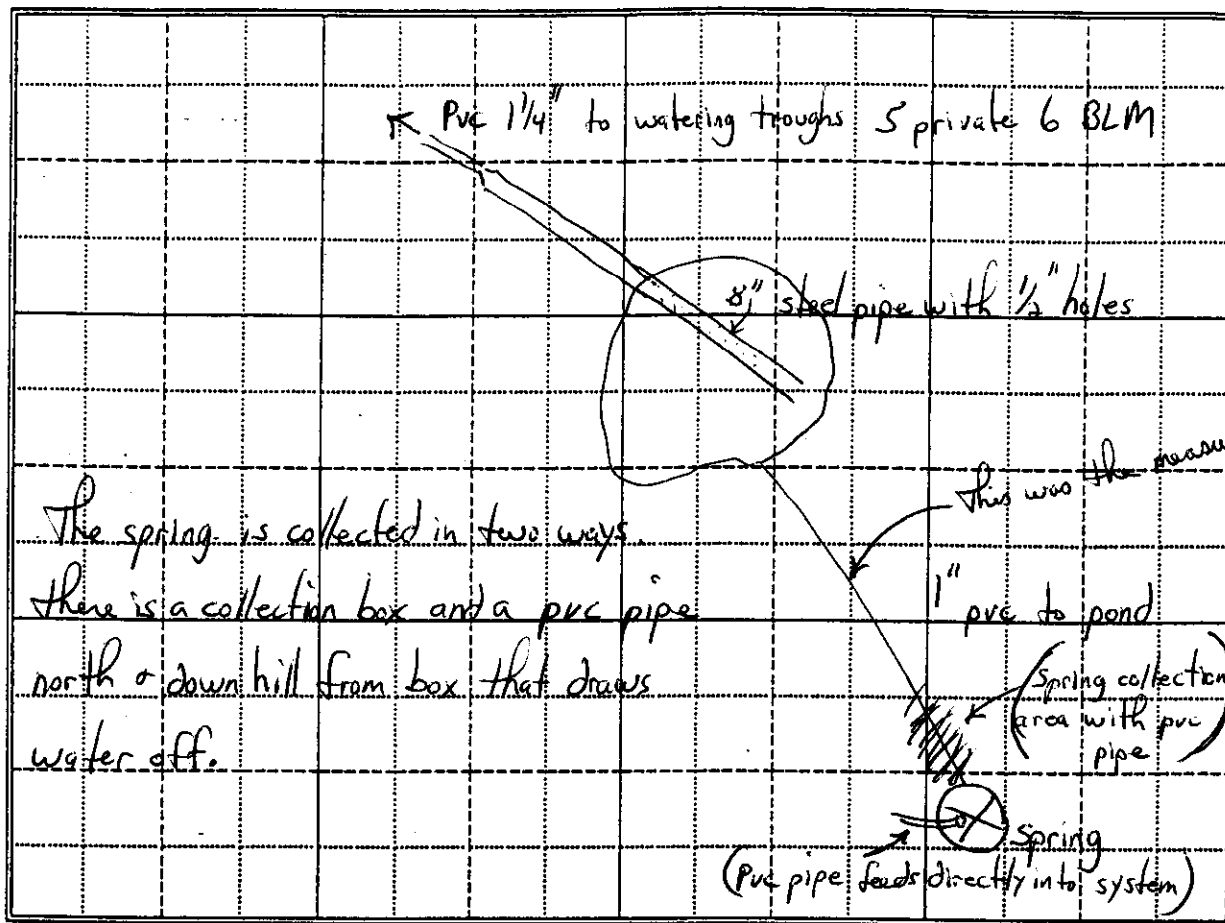
A handwritten signature in cursive script that reads 'Shelley Keen'.

Shelley W. Keen
Water Rights Supervisor

Enclosure

[illegible]

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
BUCKET & STOPWATCH						

2. Measurements:

5 gallon bucket filled in 32 seconds

R071918A - P.O.D (Actual P.O.D 12'SE of GPS location)

R071916A #1

R071917A #2

R071919A #3

R071920A #4

R071920B #5 - Isn't listed on the permit, but they would like to have it added if that is possible.

This year there are around 200 head of cattle using the system. That # will increase next year again. (USE 275 PER PERMIT)

There is a second pipe that gravity flows directly into the system. It isn't possible to measure its flow. However, there appeared to be no movement of the water near its mouth in the collection box.

The collection area for the spring north and down hill from the spring box was measured by opening a coupling on the pipe and filling a bucket.

* Amend POU AS SHOWN

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

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

5 GALLONS IN 32 SECONDS

$$\frac{5}{32} = \frac{x}{60} \quad x = 9.375 \text{ GPM} = \underline{0.02 \text{ cfs}}$$

$$5(60)/32 = x$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

IDWR STD FOR 275 CATTLE IS 3.7 AFA

$$365 \times 0.02 \text{ cfs} \times 1.9835 \times x^{\text{moves}} = 3.7 \text{ AFA}$$

$$x = 3.7 \text{ AFA} / 14.5 \text{ AFA} \quad x = \approx 6.1 \text{ moves / DAY}$$

RECOMMEND

3.7 AFA

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Stockwater</u>	<u>1-1</u>	<u>12-31</u>	<u>0.02</u>	<u>3.7 AFA</u>
Totals:			<u>0.02 cfs</u>	<u>3.7 AFA</u>

2. Recommended Amendments

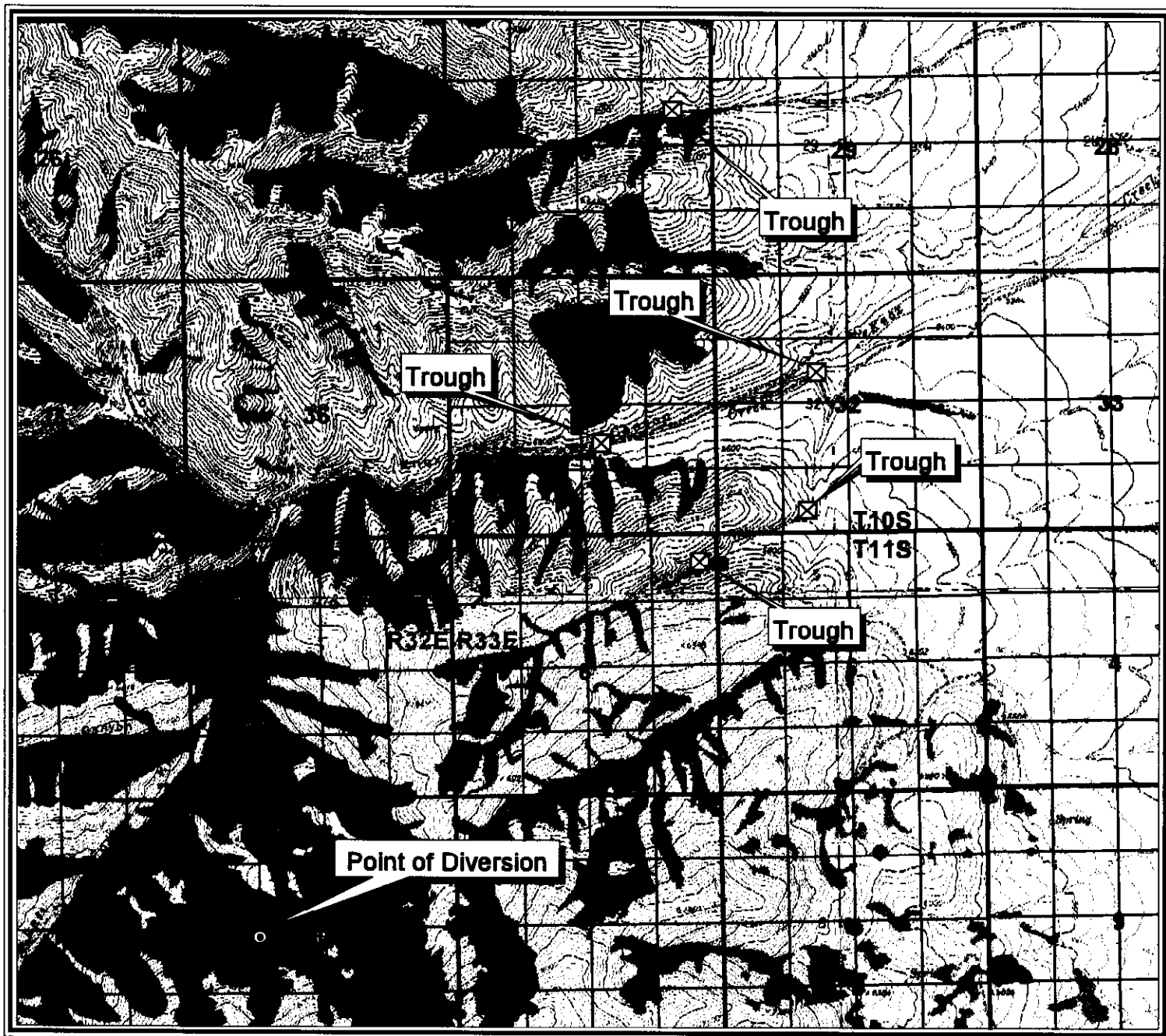
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Steve Mueller Date 7-20-00

Reviewer [Signature] Date 2-2-01

SEAL



1 0 1 2 Miles
1:36000

- ⊗ Place of Use
- Point of Diversion

29-08239

Williams, Donald and Nelda



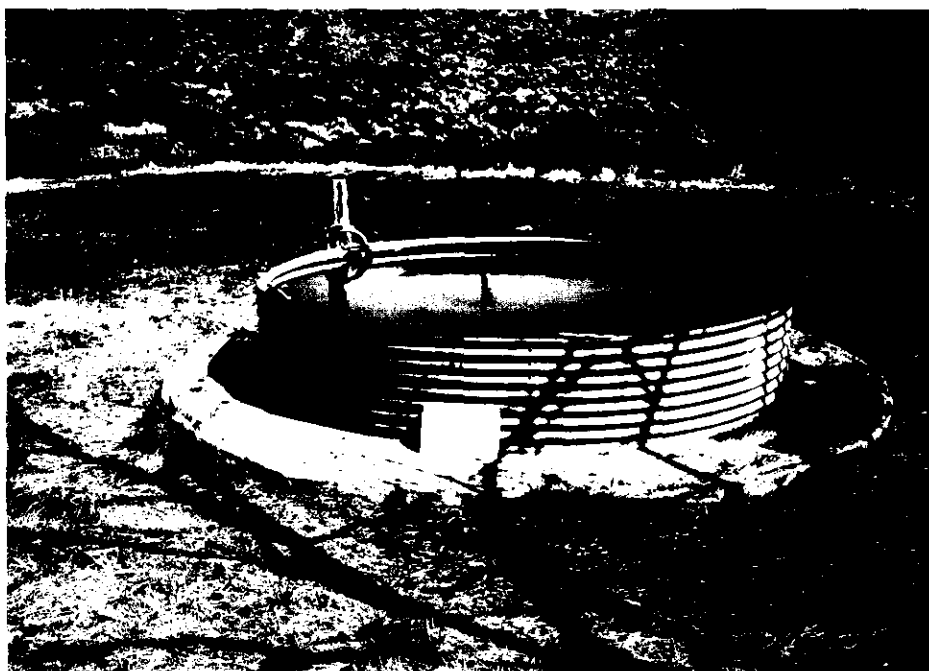


POD Pipe in collection box leads directly into system
PVC pipe under timbers leads to collection pond below



Collection pond

29-8239

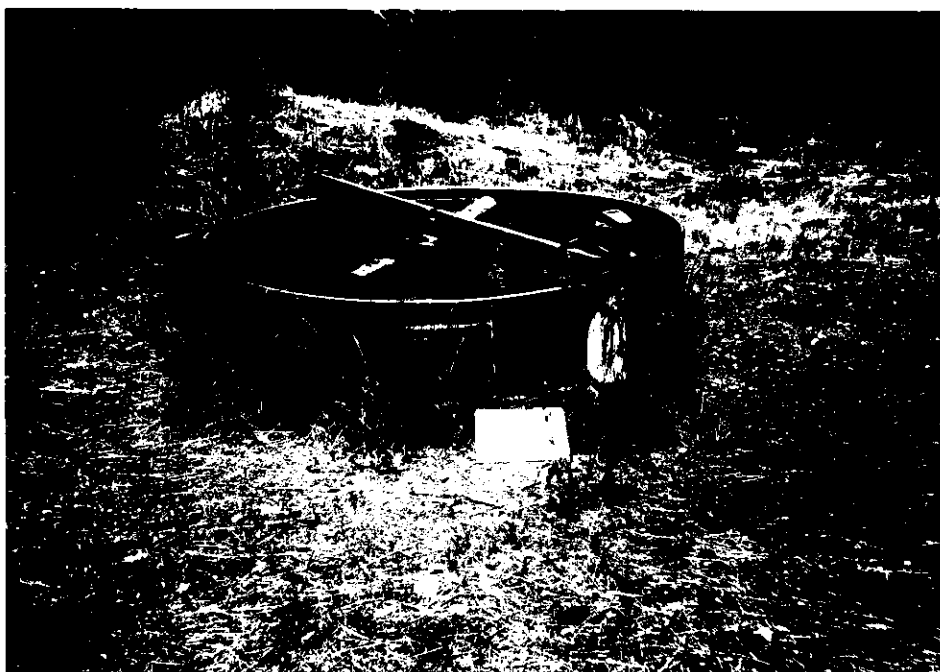


POU #1



POU #2

29-8239

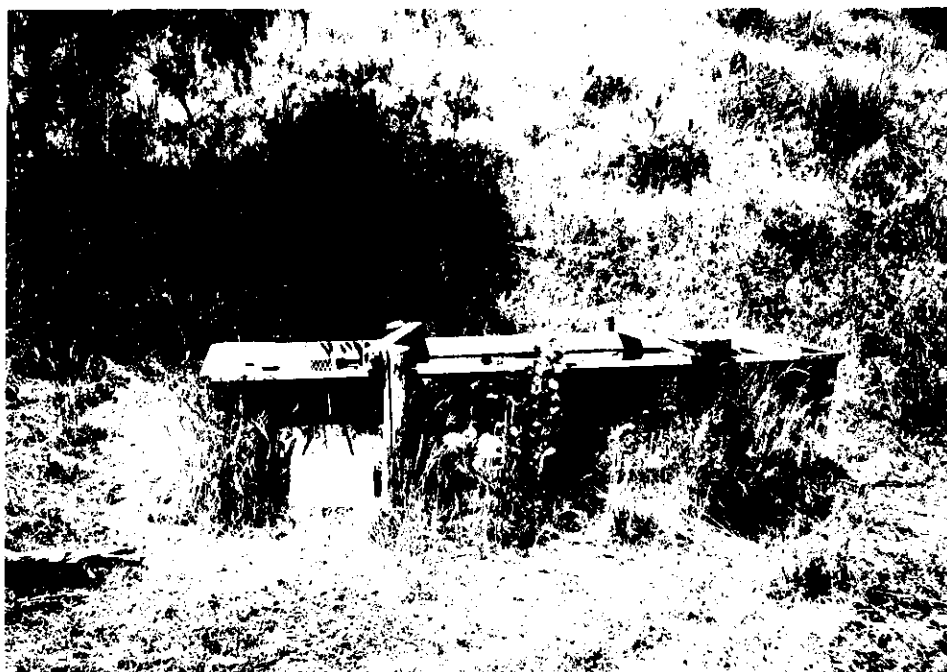


POU #3



POU #4

29-8239



POU # 5

29-8239



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

July 10, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DONALD WILLIAMS
NELDA WILLIAMS
1554 W BOWEN LN
ARBON ID 83212

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-08239

Dear Permit Holder:

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

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Eastern** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

JUL 13 2000

DO NOT
SCAN

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 29-88239 Reviewed by D. E. Ellis Date 7/10/00

GENERAL CONSIDERATIONS

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

TYPES OF USE

Stockwater

Correct Uses? Yes

SOURCE OF WATER

Yes 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?
\$50 Amount Submitted
Yes Correct?

MEASURING DEVICE

No Required?
No Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received 7/3/00
Date proof due 6/1/01 -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address 76 Proof Made 7/3/00

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

Date: 7/13/2000
Time: 10:08:25

Received

From: WILLIAMS DONALD T & NEELIA

Type of Payment

Program Acct

Amount

BENEFICIAL USE	# 29-08209	56104	229 21 1100	127.00
----------------	------------	-------	-------------	--------

CHECK 0625

Total \$ 127.00

Region: STATE

Signature: 

MICROFILMED
JUL 13 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

June 20, 2000

DIRK KEMPTHORNE
GOVERNOR

DONALD WILLIAMS
NELDA WILLIAMS
1554 W BOWEN LN
ARBON ID 83212

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 29-08239

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
for Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED

JUL 13 2000

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of June, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 29-08239

DONALD WILLIAMS
NELDA WILLIAMS
1554 W BOWEN LN
ARBON ID 83212


Kari Lynn Townsend
Secretary

MICROFILMED
JUL 13 2000

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED

JUL 13 2000

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Id. Dept. of Water Resources
Eastern Region

900 N. Skyline Dr. Ste. A

2d Falls, Id. 83402-1718

attn. Paul Meyer

RECEIVED

MAY 30 2000

Department of Water Resources
Eastern Region

phone 208-335 2295
Donald T. Williams

1554 W. Bowen Ln.

Arbon, Id. 83212

5/25/00

I am writing to inform you of the history, concerning the stock-water pipeline which feeds off Eames spring, in the left fork of Knox Canyon. Located in T115R32E S12 in the NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, in Power county.

This pipeline was started in the 1970's, as a government ASCS project, by Vern Eames Sr. It was never completed and used as the agreement intended.

In 1984, under a mutual agreement, between all concerned permittees and land owners, including the Bureau of Land Management, the project was picked up, extended considerably, and completed. It feeds both BLM and private land stock water troughs.

The BLM maintains that this spring, feeding the pipeline and known as the Eames Spring is on government land. To my estimation, it runs somewhere between 5 and 7 gals. per minute.

I understand that some controversy exists, as to the filings on this spring. I see no way that any irrigation possibilities exist, concerning the pipeline or the spring. It would defeat the purpose of the project. It is understood that present owners are bound by the agreement of past owners.

Since completion, the project has been used continuously for its intended purpose.

Donald T. Williams

Donald T. Williams

RECEIVED

JUN 9 - 2000

MICROFILMED

JUL 13 2000

Sent copy to Ivan Bingham

Department of Water Resources

Affidavit of Publication

RECEIVED

JUN 06 2000

Department of Water Resources
Eastern Region

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:

That he is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2nd successive weekly issues thereof, the date of the first publication being the 3rd day of May 2000 and the date of the last publication being the 10th day of May 2000.

Signed

Brett Crompton

State of Idaho

County of Power

On this 10th day of May in the year of 2000, before me, a Notary Public, personally appeared Brett Crompton, known or identified to me to be the person whose name is 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.

Holly Morris

Notary Public for Idaho

Residing at American Falls, Idaho

My commission expires: January 21, 2003

Williams apply for water rights

Published in The Power County Press
May 3, 10, 2000.

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-08239

WILLIAMS, DONALD

WILLIAMS, NELDA

1554 W BOWEN LN

ARBON, ID 83212

Source: EAMES SPRING

Tributary: KNOX CANYON, LEFT
FORK

Diversion Pt: NENWSW Sec 12 T 11S
R 32E in POWER County.

Use: STOCKWATER (0.020 CFS)

Total Diversion (0.020 CFS)

Date Filed: 4/19/2000

In: POWER County

T10S R33E S31 NWSE

S32 SENW SESW

T11S R33E S05 NWNW

Any protests against the proposed
application must be filed with the Dept.
of Water Resources, 900 N. Skyline Dr.,
Ste A, Idaho Falls, ID 83402, together
with a protest fee of \$25.00 on or before
MAY 22, 2000, to be considered by the
Department in its decision to grant or
deny any part of the proposed applica-
tion. The protestant must also send a
copy of the protest to the applicant.
KARL J. DREHER, Director

MICROFILMED

JUL 13 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 25, 2000

Legal Notices Department
THE POWER COUNTY PRESS
P.O. BOX 547
AMERICAN FALLS, ID 83211

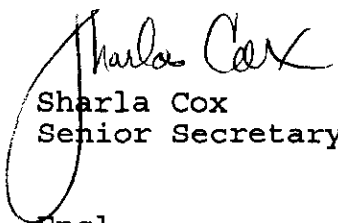
Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 22, 2000.

Yours truly,


Sharla Cox
Senior Secretary

Encl.

MICROFILMED

JUL 13 2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-08239

WILLIAMS, DONALD
WILLIAMS, NELDA
1554 W BOWEN LN
ARBON, ID 83212

Source: EAMES SPRING

Tributary: KNOX CANYON, LEFT FORK

Diversion Pt: NENWSW Sec 12 T 11S R 32E in POWER County.

Use: STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 4/19/2000

In: POWER County
T10S R33E S31 NWSE
S32 SENW SESW
T11S R33E S05 NWNW

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls ID 83402, together with a protest fee of \$25.00 on or before MAY 22, 2000. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

Published: 5/ 3/2000 & 5/10/2000

KARL J. DREHER, Director

MICROFILMED

JUL 13 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

April 25, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

IDSHO FISH & GAME
1345 BARTON RD
POCATELLO ID 83204

RE: Application for Permit # 29-08238 and 29-08239

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is May 22, 2000, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,


Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.

MICROFILMED

JUL 13 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

April 25, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BUREAU OF LAND MANAGEMENT
C/O STEVE DAVIS
15 E 200 S
BURLEY ID 83318

RE: Application for Permit # 29-08239

Dear Steve:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is May 22, 2000, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

A handwritten signature in cursive script that reads "Harold W. Jones".

Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.

MICROFILMED

JUL 13 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

April 25, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DONALD AND NELDA WILLIAMS
1554 W BOWEN LN
ARBON ID 83212

RE: Application for Permit #29-08239

Dear Applicant:

This office is currently in the process of advertising the application in the Power County Press on May 3 and 10, 2000. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

JUL 13 2000