

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07478

Priority: March 14, 1988

Maximum Diversion Rate:

0.08 CFS

Maximum Diversion Volume:

14.0 AF

This is to certify, that NORMAN RADEMACHER

2464 S MARSH CREEK RD

MC CAMMON ID 83250

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 12, 1979; and has submitted Proof of Beneficial Use on November 21, 1984. An examination indicates that the works have a diversion capacity of .300 cfs of water from:

WALKER CREEK

tributary to MARSH CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.08 CFS	14.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 15, Township 08S, Range 36E
BANNOCK 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>
08S	36E	15	SWNE 0.7	SEnw 3.3		4

Total number of acres irrigated: 4

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

RECEIVED

JUN 28 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07478

CONDITIONS/REMARKS:

7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 15TH day of JUNE, 1994.

Acting for R. Keith Higginson, Director

RECEIVED

JUN 28 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF THE DIVERSION OF WATER)
FROM WALKER CREEK TRIBUTARY TO MARSH) Bannock County
CREEK UNDER WATER PERMIT NO. 29-7478)
IN THE NAME OF NORMAN RADEMACHER)

CEASE AND DESIST ORDER

This order is issued under the authority of sections 42-350, 42-351 and 42-352, IDAHO CODE.

FINDINGS OF FACT

1. Water right permit No. 29-7478 was issued for the irrigation of four (4) acres of land. The permit allows a maximum rate of diversion of 0.08 cfs with a priority of June 15, 1982. The permit later lapsed and was reinstated with an advance in priority to March 12, 1988.

2. This use of water under this permit is subject to all water rights with an earlier priority being satisfied.

3. The flow of Walker Creek is less than 0.42 cfs which is the amount of water that you agreed that was necessary to satisfy the oldest water right on the creek. That water right is recorded as Claim No. 29-4101 and has been divided into two parts with Chuck Thompson irrigating three (3) acres and Keith Henrichs irrigating eighteen (18) acres according to the agreement reached by the water users.

4. An agreement to rotate the available water of Walker Creek until the flow decreased to 0.90 cfs or less was signed by all the water users. No other agreement to rotate the water has been reached by all the water users.

5. A water district does not exist on Walker Creek for the delivery of water.

CONCLUSIONS OF LAW

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MAY 16 1990

1. IDAHO CODE, Section 42-106 states:

"As between appropriators, the first in time is first in right."

2. IDAHO CODE, Section 42-350 states in part:

1) If the director of the department of water resources finds, on the basis of available information at any time after a license is issued, ... that the licensee has wilfully or intentionally failed to comply with of the conditions of the license, or has wilfully or intentionally failed to comply with the provision of law governing the license, then the director of the department of water resources may issue ... an order directing the licensee to cease and desist the activity or activities alleged to be in violation of the conditions of the license or in violation of the provisions of law governing the license.

3. The water users are aware of the insufficient stream flow to satisfy the prior water right but have chosen to continue to divert water to satisfy this junior priority water right.

4. The senior water right are entitled to the water with the oldest right entitled to at least 0.42 cfs.

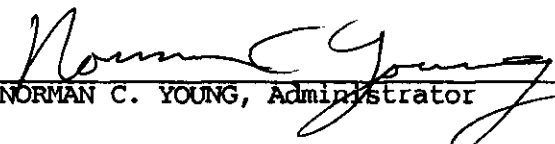
5. All diversion of water under rights later in priority than March 15, 1912 must cease until the flow of Walker Creek increases above 0.42 cfs or the senior water rights cease to irrigate their land.

ORDER

YOU ARE, HEREBY, ORDERED To immediately cease and desist diverting water from Walker Creek until there is sufficient flow in the stream to satisfy all prior water rights.

FURTHER, you are subject to a civil penalty of up to \$100 per day for any violation of this Cease and Desist Order.

Signed this 2ND day of September, 1988.


NORMAN C. YOUNG, Administrator

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 29-7478 IN THE NAME	)	ORDER OF REINSTATEMENT
	)	
OF NORMAN RADEMACHER	)	

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 29-7478 for the issuance of a license, the Department makes the following Findings of Fact, Conclusions of Law, and Order pursuant to the provisions of Idaho Code.

FINDINGS OF FACT

1. On January 4, 1980 the Department approved Application for Permit No. 29-7478 to appropriate the public waters of the State of Idaho with a priority of March 12, 1979.
2. On April 17, 1986 the Department sent the permit holder a notice that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The fee was due on June 16, 1986, 60 days from the date of the notice.
3. The permit holder failed to submit the examination fee in a timely manner and on April 17, 1987 a lapse notice was sent stating that the permit could only be reinstated by clearly establishing the extent of beneficial use during the development period and as shown by

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MAY 16 1980

of reasonable cause as to why the examination fee had not been submitted in a timely manner.

4. The permit holder submitted the examination fee on March 14, 1988. The permit holder has subsequently submitted affidavits from neighbors attesting to the fact that water has been diverted and beneficially used during the permit period. He has also stated that failure to submit the examination fee in a timely manner is due to an on-going attempt from a nearby neighbor to prevent the finalization of the water right.

CONCLUSIONS OF LAW

1. Section 42-218a, Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use and a showing of reasonable cause why the proof was submitted late. Proof of beneficial use is considered complete upon receipt of an examination fee.

2. Permit No. 29-7478 should be reinstated with the date of priority advanced to March 14, 1988.

ORDER

IT IS HEREBY ORDERED that Permit No. 29-7478 is reinstated and IT IS FURTHER ORDERED that the date of priority of this permit is advanced to March 12, 1988.

Dated this 18th day of July, 1988.

MICROFILMED

MAY 18 1990

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Norman Rademacher Phone 254-3683

Post office address Route 1 Walker Creek, McCammon, ID 83250

2. Source of water supply Walker Creek which is a tributary of Marsh Creek

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15 Township 8S

Range 36E B.M. Bannock County, additional points of diversion if any: _____

~~NW $\frac{1}{4}$ Sec. 15, T. 8S, R. 36E, B.M.~~ *N.R.*

4. Water will be used for the following purposes:

Amount 0.08 for Irrigation purposes from 4/1 to 11/1 (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:

a. 0.08 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. headgate, ditches, flood irrigation

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is five years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

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

[illegible]

Total number of acres to be irrigated 4

c. Describe any other water rights used for the same purposes as described above. None

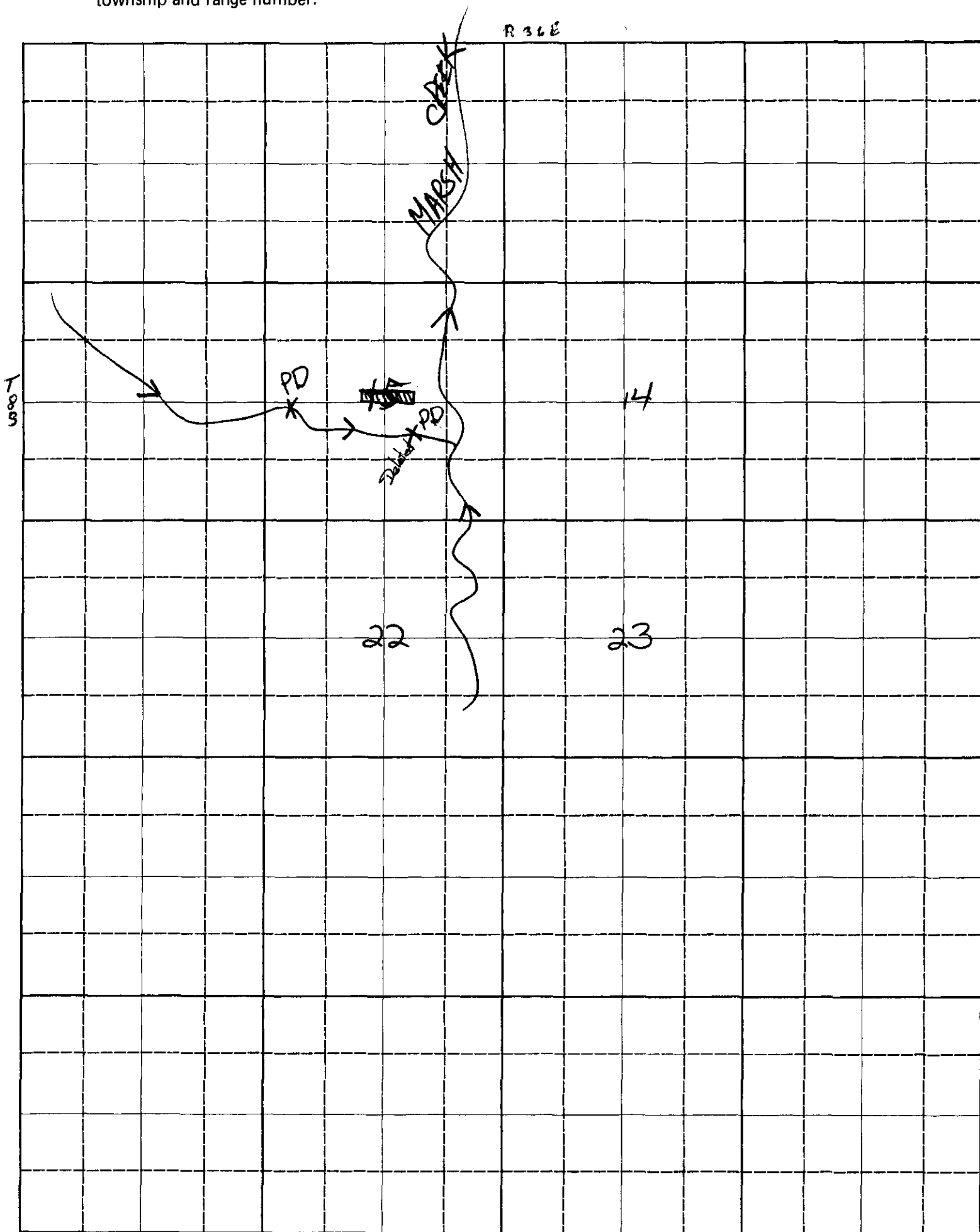
9. a. Who owns the property at the point of diversion ~~Gene Hennrich~~ Larry Ballard T.R.

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 _____

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



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.

Norman Rademacher
(Applicant)

Proposed Priority: 3/12/79

Received by dh Date 3-12-79 Time 2:00p.m.

Preliminary check by RP Fee \$ 20.00

Receipted by dh Date 3-12-79 #12949

Publication prepared by dh Date 3-16-79

Published in Idaho State Journal

Publication dates March 22 & 29, 1979

Publication approved QZ Date 4/3/79

Protests filed by: George & Maurine D. Henricks, Raymond & Debra Girard

Henricks' protest withdrawn 7/18/1979.

Copies of protests forwarded by dh 4-4-79

Hearing held by Bob Fleenor Date 7/18/79

Recommended for approval denial by Jim

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7478, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

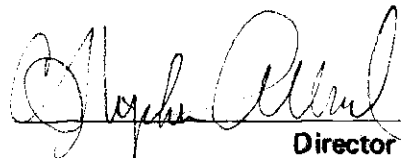
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 85.

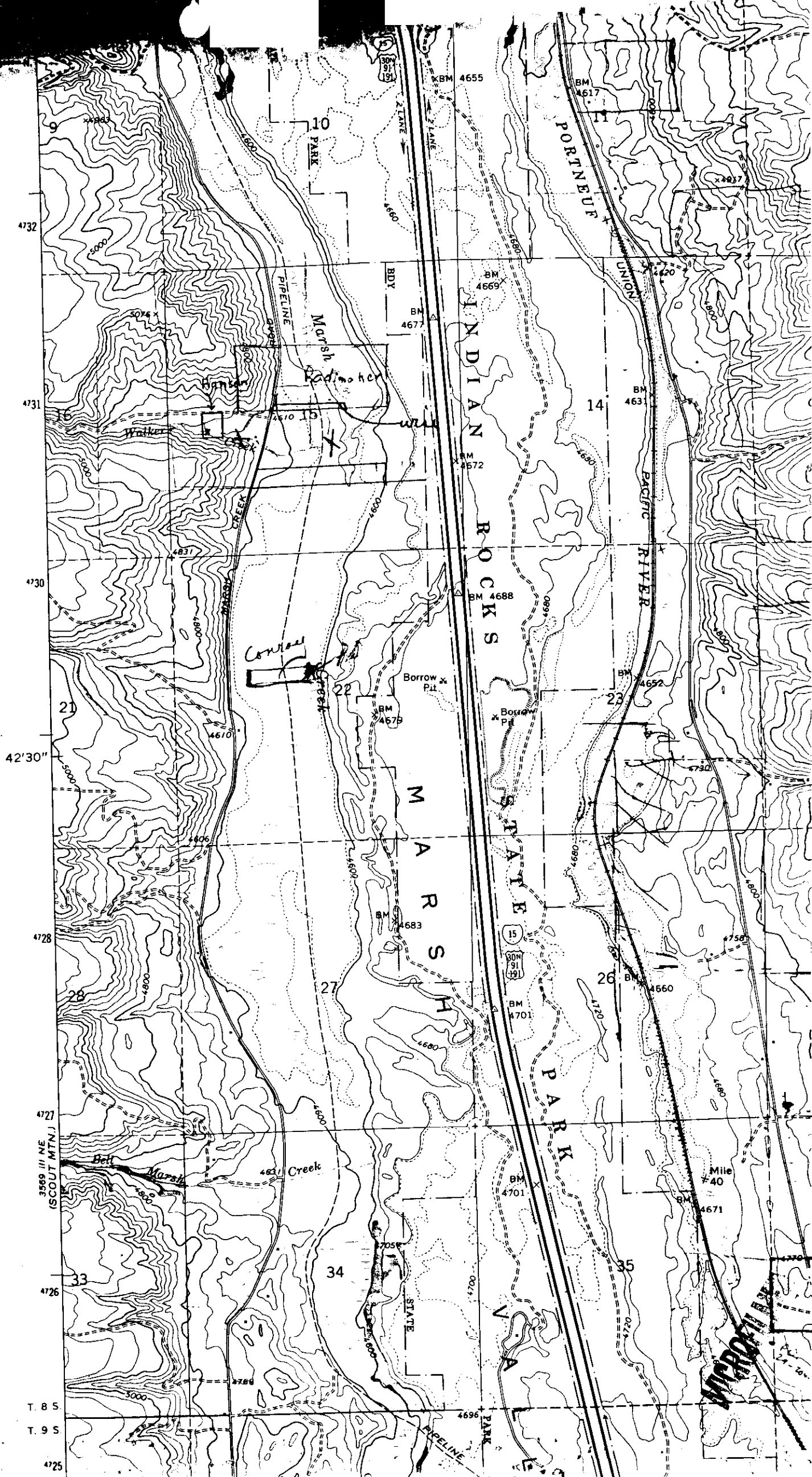
c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: PURSUANT TO ORDER OF THIS DATE

Witness my hand this 4 day of January, 19 80.


Director

N45
-E4W



T. 8 S.
T. 9 S.
4725

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 29-7478 IN THE NAME)
OF NORMAN RADEMACHER)

ORDER

WHEREAS, on March 12, 1979, Norman Rademacher filed Application for Permit No. 29-7478 to appropriate 0.08 cubic feet per second of water from Walker Creek tributary to Marsh Creek in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 8S, Rge. 36E B.M., Bannock County, to be used for irrigation purposes; and

WHEREAS, notice of this proposed appropriation was published in the Idaho State Journal, Pocatello, Idaho on March 22 and 29, 1979, and subsequently protested on April 3, 1979 by George Henrichs, Maurine D. Henrichs, Raymond Girard and Debra Girard; and,

WHEREAS, a conference concerning this matter was held on Wednesday, July 18, 1979 at 11:00 a.m., in the conference room of the Pocatello Municipal Airport, Pocatello, Idaho. The applicant was present and represented himself. The protestants George and Maurine D. Henrichs were present and represented themselves. The protestants Raymond Girard and Debra Girard did not appear; and,

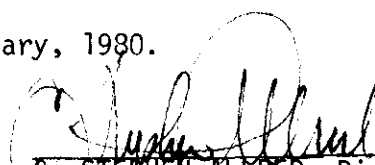
WHEREAS, the protestants George and Maurine D. Henrichs withdrew their protest against approval of the application at the July 18th conference; and,

WHEREAS, Raymond and Debra Girard were sent an order to show cause before August 20, 1979 why they failed to appear; and,

WHEREAS, Raymond and Debra Girard failed to show cause why their protest should not be voided for failure to appear at the conference. The protest of Raymond and Debra is therefore VOIDED and Application for Permit No. 29-7478 is APPROVED subject to the following conditions:

- 1) Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1985.
- 2) A measuring device of a type approved by the Department shall be permanently installed and maintained at the point of diversion.
- 3) The ditch which is to be cleaned out and extended across the Henrichs' property will not exceed 0.5 square feet in cross-sectional area.
- 4) The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Dated this 4 day of January, 1980.


C. STEPHEN ALLRED, Director

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Patricia Bech

being first duly sworn on oath deposes and says: That She
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

MARCH 22, 1979, 19____
MARCH 29, 1979, 19____
_____, 19____, 19____
_____, 19____, 19____
_____, 19____, 19____

That said paper has been continuously and uninterruptedly pub-
lished in said County for a period of seventy-eight weeks prior to the
publication of said notice or advertisement and is a newspaper within
the meaning of the laws of Idaho.

Patricia Bech

Subscribed and sworn to before me this

day of MARCH, 1979

P 30th

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APR 2 1979

Department of Water Resources
Eastern District Office

Notary Public, State of Idaho
Residence: Pocatello, Idaho

JK-A

APR 2 1979

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Norman Rademacher, McCammon, Idaho has on 3-12-79, submitted Application No. 29-7478 for a permit to appropriate 0.08 cubic feet per second of water from Walker Creek tributary to Marsh Creek by means of headgate and ditches within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 8S., R. 36E., B.M., Bannock County; to be used from Apr. 1 to Nov. 1 for the irrigation of 4 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 8S., R. 36E., 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 Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before April 9, 1979.
C. STEPHEN ALLRED
Director
March 22, 29, 1979
No. 214

Patricia Dech
being first duly sworn on oath deposes and says: That *She*

was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

MARCH	22	1979	
MARCH	29	1979	

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Patricia Dech
Subscribed and sworn to before me this *30th*
day of *MARCH*, 19*79*.

Notary Public, State of Idaho
Residence: Pocatello, Idaho

APR 2 1979
Department of Water Resources
Eastern District Office

JK-A

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Patricia Beck

being first duly sworn on oath deposes and says: That *She* was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

MARCH 22, 1979, 19.....
MARCH 29, 1979, 19.....
....., 19....., 19.....
....., 19....., 19.....
....., 19....., 19.....

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Patricia Beck

Subscribed and sworn to before me this *30th* day of *MARCH*, 1979

Dyan Roberts

Notary Public, State of Idaho
Residence: Pocatello, Idaho

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APR 2

Department of Water Resources
Eastern District Office

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PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Norman Rademacher, McCammon, Idaho has on 3-12-79 submitted Application No. 29-7478 for a permit to appropriate 0.08 cubic feet per second of water from Walker Creek tributary to Marsh Creek by means of headgate and ditches within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 8S., R. 36E., B.M., Bannock County; to be used from Apr. 1 to Nov. 1 for the irrigation of 4 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 8S., R. 36E., 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 Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before April 9, 1979.
C. STEPHEN ALLRED
Director
March 22, 29, 1979
No. 214

Patricia Sech
being first duly sworn on oath deposes and says: That *She* was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

MARCH 22, 1979, 19
MARCH 29, 1979, 19
_____, 19_____, 19_____
_____, 19_____, 19_____
_____, 19_____, 19_____

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Patricia Sech
Subscribed and sworn to before me this *30th* day of *MARCH*, 19*79*

[Signature]
Notary Public, State of Idaho
Residence: Pocatello, Idaho

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APR 4

Department of Water Resources
Eastern District Office

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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

June 16, 1994

NORMAN RADEMACHER
2464 S MARSH CREEK RD
MC CAMMON ID 83250

RE: WATER RIGHT NO. 29-07478

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', followed by a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

A faint, illegible stamp or mark, possibly a date or reference number, located in the bottom right corner of the page.

JUN 28 1994



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 20, 1992

NORMAN RADEMACHER
2464 S MARSH CREEK RD
MC CAMMON ID 83250

RE: WATER RIGHT NO. 29-07478

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

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OCT 26 1992

Department of Water Resources

A. GENERAL INFORMATION

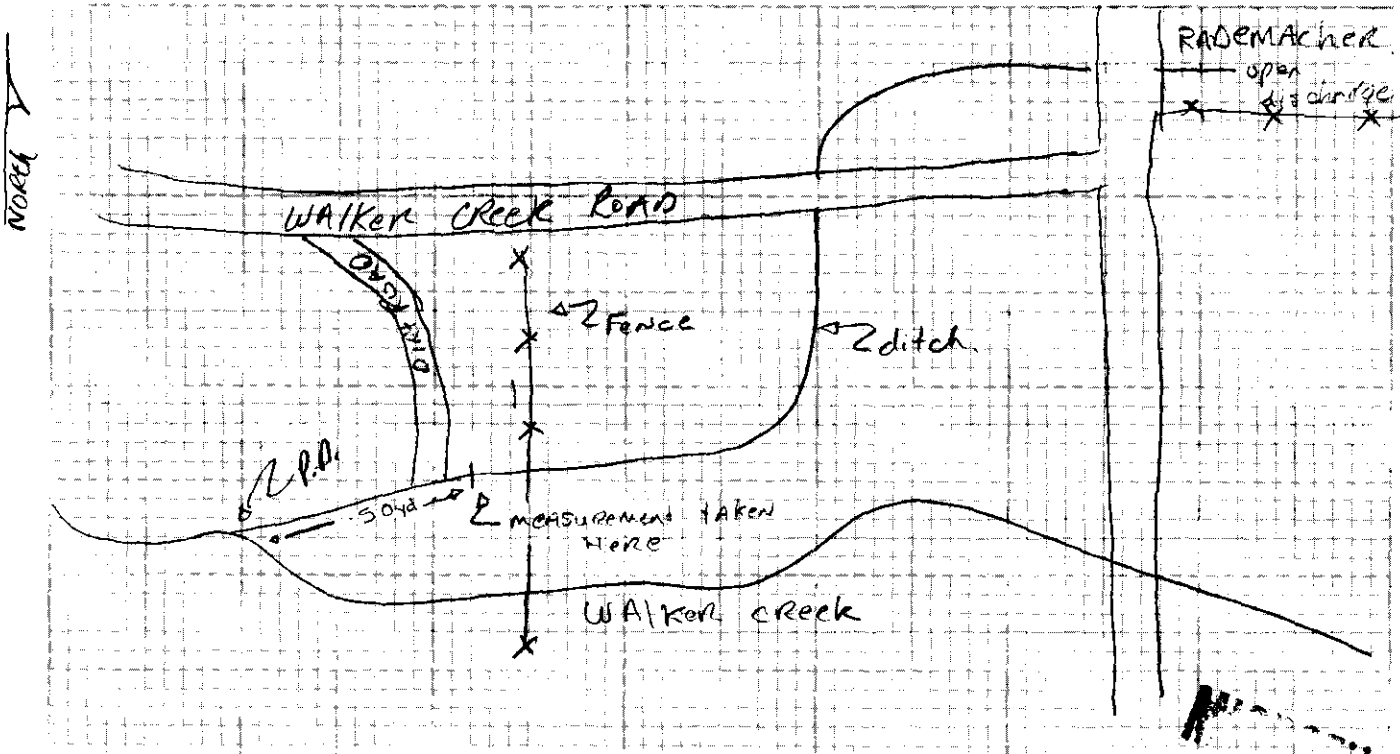
1. Owner: NORMAN Rademacher Permit No. 29-1478
Current Address: 2464 S. Marsh Creek Rd., McCammon Idaho Phone No. 254-3683
2. Accompanied by: Julie Rademacher EXAM. DATE: 7-28-89
Address: SAME AS ABOVE Phone No. _____
Relationship to Permit Holder: Wife
3. Source: WALKER CREEK tributary to

B. OVERLAP REVIEW

1. Other water rights with same place of use: NO ☐ Copies Attached
2. Other water rights with same point of diversion: LARRY BALLARD ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



Scale: 1" = 1000'

2. ☐ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☒ Aerial Photo Attached (required for irrigation of 10 acres or more).

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System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Walker creek to ditch which diverts off north/east through Ballards property and flows under marsh creek road to Rodermaichers place where water is used for flood irrigation.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A	—	—	—	—	—

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SW	15	85	36E	BANNOCK	map & onsite inspection

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	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	
85	36E	15			0.7					3.3									4.0

Do not use this space

JUN 28 1994

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Weir	Cipolletti				1 Ft	

2. Measurements:

measurement over cipolletti weir: 1' crest length.
 # 1 → 2/10' from crest.
 # 2 → 2/10' from crest.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: From Table #4, page-25 in water measurement Handbook

$$Q_T = 0.302 \text{ c.f.s.} \quad \text{limited to } 0.08 \text{ c.f.s. per 4 acres,}$$

2. Alternate Method for Checking Purposes:

☒ PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (4)(3.5) = 14.0$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.08)(275)(1.9835) = 38.88$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 14.0$$

☒ Volume Calculations for Other Uses:

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JUN 28 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Advance priority to March 12, 1988 as
per order.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3-15	11-15	0.08	14.0
	4-15	10-15		
Totals:			0.08	14.0

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

J. AUTHENTICATION

Field Examiner's Name Richard Lenz
Signature Richard Lenz
Certification Date 8-8-88
Field Report Preparation Date _____

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

JUN 28 1994

Table 4. Flow over Cipolletti weirs in cubic feet per second.*

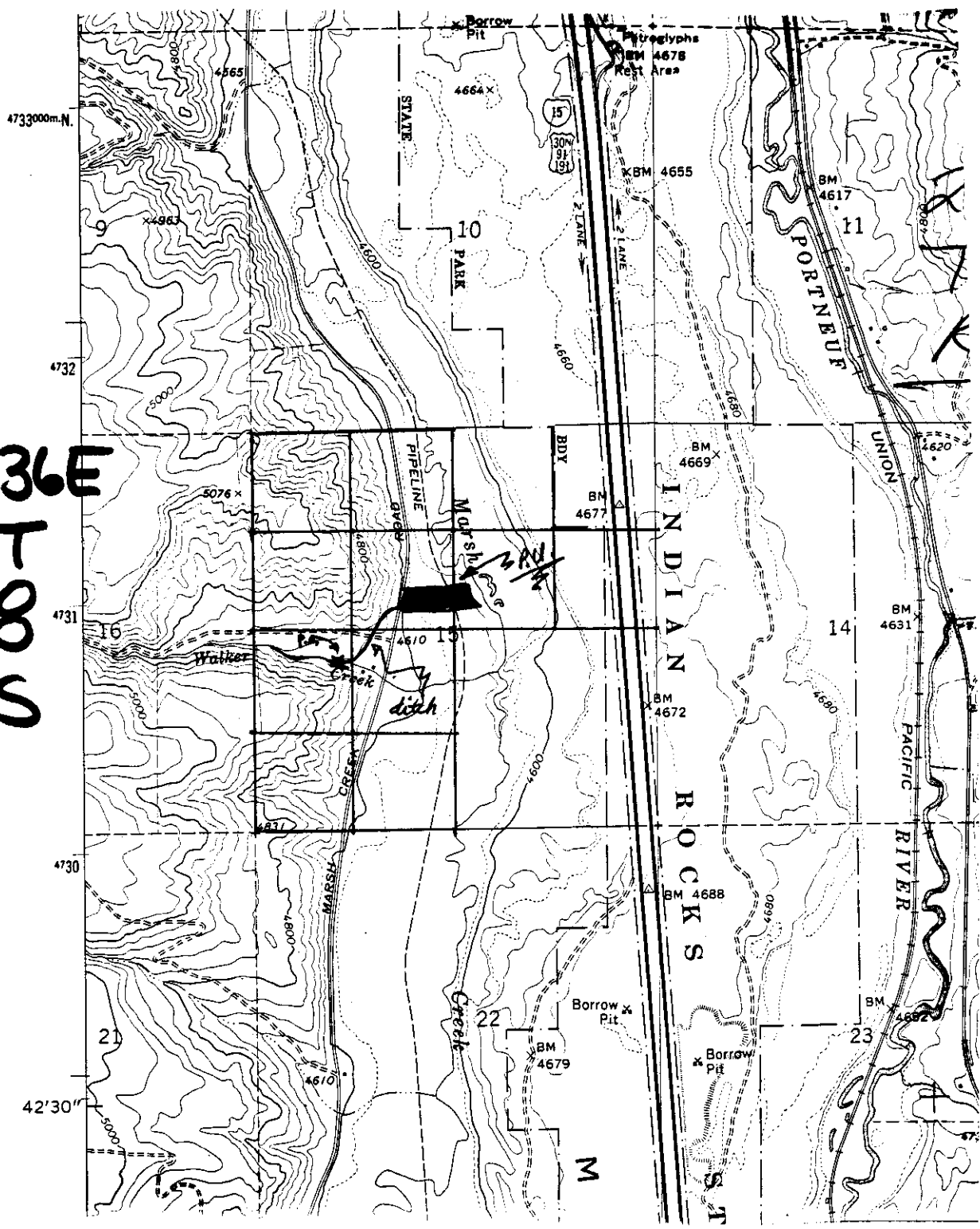
Head in ft. "H"	Head in inches, approx.	Crest length (L)					For each additional foot of crest in excess of 4 ft. (approx.)
		1.0 foot	1.5 feet	2.0 feet	3.0 feet	4.0 feet	
		Flow in cubic feet per second					
0.10	1-3/16	0.107	0.160	0.214	0.321	0.429	0.108
0.11	1-5/16	0.123	0.185	0.246	0.370	0.494	0.124
0.12	1-7/16	0.140	0.210	0.280	0.421	0.562	0.141
0.13	1-9/16	0.158	0.237	0.316	0.474	0.632	0.159
0.14	1-11/16	0.177	0.264	0.352	0.528	0.706	0.177
0.15	1-13/16	0.195	0.293	0.390	0.586	0.782	0.196
0.16	1-15/16	0.216	0.322	0.430	0.644	0.860	0.216
0.17	2-1/16	0.237	0.353	0.470	0.705	0.941	0.236
0.18	2-3/16	0.258	0.384	0.512	0.768	1.024	0.257
0.19	2-1/4	0.280	0.417	0.555	0.832	1.110	0.278
→ 0.20	2-3/8	0.302	0.450	0.599	0.898	1.20	0.302
0.21	2-1/2	0.324	0.484	0.644	0.966	1.29	0.324
0.22	2-5/8	0.349	0.519	0.691	1.04	1.38	0.35
0.23	2-3/4	0.374	0.555	0.739	1.11	1.47	0.37
0.24	2-7/8	0.397	0.591	0.786	1.18	1.57	0.39
0.25	3	0.423	0.628	0.836	1.25	1.67	0.42
0.26	3-1/8	0.449	0.667	0.886	1.33	1.77	0.44
0.27	3-1/4	0.475	0.705	0.937	1.40	1.87	0.47
0.28	3-3/8	0.502	0.745	0.990	1.48	1.97	0.49
0.29	3-1/2	0.529	0.785	1.04	1.56	2.08	0.52
0.30	3-5/8	0.557	0.827	1.10	1.64	2.19	0.55
0.31	3-3/4	0.586	0.869	1.15	1.73	2.30	0.57
0.32	3-13/16	0.615	0.911	1.21	1.81	2.41	0.60
0.33	3-15/16	0.644	0.954	1.27	1.89	2.52	0.62
0.34	4-1/16	0.675	1.00	1.32	1.98	2.64	0.66
0.35	4-3/16	0.705	1.04	1.38	2.07	2.75	0.69
0.36	4-5/16	0.735	1.09	1.44	2.16	2.87	0.71
0.37	4-7/16	0.767	1.13	1.50	2.25	2.99	0.74
0.38	4-9/16	0.799	1.18	1.57	2.34	3.11	0.78
0.39	4-11/16	0.832	1.23	1.63	2.43	3.24	0.81
0.40	4-13/16	0.866	1.28	1.69	2.53	3.36	0.84
0.41	4-15/16	0.899	1.32	1.76	2.62	3.49	0.87
0.42	5-1/16	0.932	1.37	1.82	2.72	3.61	0.89
0.43	5-3/16	0.967	1.42	1.89	2.81	3.74	0.93
0.44	5-1/4	1.00	1.47	1.95	2.91	3.87	0.97
0.45	5-3/8	1.04	1.53	2.02	3.01	4.01	1.00
0.46	5-1/2	1.07	1.58	2.09	3.11	4.14	1.02
0.47	5-5/8	1.11	1.63	2.16	3.21	4.28	1.06
0.48	5-3/4	1.15	1.68	2.23	3.32	4.41	1.10
0.49	5-7/8	1.18	1.74	2.30	3.42	4.55	1.13
0.50	6	1.22	1.79	2.37	3.53	4.69	1.16
0.51	6-1/8	1.26	1.85	2.44	3.64	4.83	1.20
0.52	6-1/4	1.30	1.90	2.51	3.74	4.97	1.24
0.53	6-3/8	1.34	1.96	2.59	3.85	5.12	1.28
0.54	6-1/2	1.38	2.02	2.66	3.96	5.26	1.30
0.55	6-5/8	1.42	2.07	2.74	4.07	5.41	1.33
0.56	6-3/4	1.46	2.13	2.81	4.18	5.56	1.38
0.57	6-13/16	1.50	2.19	2.89	4.30	5.71	1.41
0.58	6-15/16	1.54	2.25	2.97	4.41	5.86	1.44
0.59	7-1/16	1.58	2.31	3.05	4.53	6.01	1.49

*Computed from Cote's formula: $Q = 3.247 L H^{3/2} + 0.568 L^{3/2} H^{1/2} + 0.609 H^{5/2}$

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29-7478 JUN 28 1994

R36E
T8S



29-7478
JUN 28 1994

29-7478

T-85

R-36E

16 15

P.U.

3.3 ac.

7/10 ac.

P.O.

ditto

29-7478

29-7478

T-85

R-36E

9 10
16 15

P.O.

ditch

P.U.

3.9 ac.

1 1/10 ac.

16 15
21 22

29-7478

FOR REGISTERED, INSURED, C.O.D., CERTIFIED, AND EXPRESS MAIL

PS Form 3877, Sept. 1986

ADDRESS OF SENDER		STATEHOUSE BOISE, IDAHO 83720		☐ Registered ☐ Insured ☐ COD ☒ Certified		☐ Express Mail		Registered Mail: ☐ With Postal Insurance ☐ Without Postal Insurance		certificate of mailing or for additional copies of this bill.				
POSTMARK AND DATE OF RECEIPT														
Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee	Remarks	
1	138557	Keith Hendricks 2526 S. Marsh Creek Rd., McCammon, ID	25	55									29-4101	
2	138558	Chuck Thompson McCammon, ID											29-4101	
3	138559	Robert M. Wardle 2625 S. Marsh Creek Rd., McCammon, ID											29-7647	
4	138560	Gene M. Wise 2712 S. Marsh Creek Rd., McCammon, ID											29-7479	
5	138561	Norman Rademacher 24645 Marsh Creek Rd., McCammon, ID											29-7478	
	138562	John Shultz 939 Walker Creek Rd., McCammon, ID											29-7223	
	138563	Raymond W. &/or Debra Girard P. O. Box 121, Inkom, ID 83245											29-7205	
8														
9														
10														
11														
12														
13														
14		Department of Water Resources												
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$500 for COD and \$500 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.								
7				Mardi 10/3/88										

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

☆U.S. G.P.O. 1986-166-494

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF WALKER CREEK)
TRIBUTARY TO MARSH CREEK)
_____)

KEITH HENRICH (29-4101),)
CHUCK THOMPSON (29-4101),)
JOHN SHULTZ (29-7223),)
GENE M. WISE (29-7479),)
ROBERT M. WARDLE (29-7647),)
NORMAN RADEMACHER (29-7478) AND)
RAYMOND W. and DEBRA GIRARD (29-7205))
_____)

NOTICE OF HEARING

On September 2, 1988, the Department of Water Resources notified John Schultz, Gene M. Wise, Robert M. Wardle, Norman Rademacher and Raymond W. and Debra Girard to cease and desist using the water from Walker Creek tributary to Marsh Creek. On September 16, 1988, the department received a request for Robert M. Wardle; Gene M. Wise; Norman Rademacher; John Shulz, successor to John Schoonover; and Raymond Girard to conduct a hearing on this matter to allow the parties an opportunity to present evidence and oral argument.

The Department has set the matter for hearing for 9:00 a.m., Thursday, October 27, 1988. The hearing will be held at the Pocatello Municipal Airport Conference Room, Pocatello, Idaho. The hearing will be held in accordance with the provisions of Chapter 3, Title 42, and Section 42-1701A of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. The Department will issue a Proposed Memorandum Decision and Order in the matter. The Director has appointed Norman C. Young as the hearing officer.

Dated this 3 day of October, 1988.

Bobby D. Fleenor
BOBBY D. FLEENOR
Chief, Regional Office Bureau

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MAY 18 1990

PS Form 3811, July 1983 447-945

27-7478

● **SENDER:** Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☒ Show to whom, date and address of delivery.

2. ☐ Restricted Delivery.

3. Article Addressed to:
Norman Kadamscher
24645 Marsh Creek Rd.
McCammon, Id
83250

4. Type of Service: Article Number
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

138452

Always obtain signature of addressee or agent and
DATE DELIVERED.

5. Signature - Addressee: *APR 24 1990*

6. Signature - Agent
X Julie Kadamscher

7. Date of Delivery
SEP 07 1988

8. Addressee's Address (ONLY if requested and fee paid)

✓

DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

RECEIVED

SEP 09 1988



SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
• Complete items 1, 2, 3, and 4 on the reverse.
• Attach to front of article if space permits, otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.

Department of Water Resources
DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PENALTY FOR PRIVATE USE \$300

RETURN
TO



MICROFILMED

APR 24 1990

(Name of Sender)

(No. and Street, Apt., Suite, P.O. Box or R.D. No.)

(City, State, and ZIP Code)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No. 29-7478
Name(s) of Permit Holder(s): Norman Radmacher
Post Office Address: RT 1 Box 124
Idaho 83250 Phone No. 254-3683

☒ I hereby certify that construction of diversion works for the above referenced permit began on May 16, 1983 (date) MAY 18 1983 I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

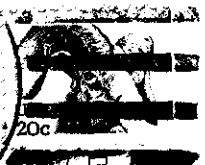
*Note: A financing difficulty is not an acceptable reason.
June 18, 1983 Date Norman Radmacher Signature of Permit Holder

NORMAN & JULIE RADEMACHEP

Rt. 1, B 1240

McGinnis To 83250

INCOME
OCT
15
AM
1983



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MAY 18 1990



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OCT 15 1983

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

September 2, 1988

Certified Mail
138452

Norman Rademacher
24645 Marsh Creek Rd.
Mc Cammon, ID 83250

Dear Mr. Rademacher:

We were hopeful that the water users on Walker Creek would be able to resolve their differences and that you would allow the water to be used according to the priority system, but you have continued to divert water during the time there is not water available to satisfy prior water rights.

Therefore, here is an order that requires you to cease and desist diverting water from Walker Creek until the flow in the stream increases to the point where all the water rights earlier in priority than yours are satisfied.

You may request in writing within fourteen (14) days of the date of service an administrative hearing on the cease and desist order. Your diversion of water must cease during the time a hearing is pending if a hearing is requested. The administrative hearing would be held as provided for in Section 42-1701A, IDAHO CODE.

If you have any questions about this matter please let us know.

Sincerely,

BOBBY D. FLEENOR
Regional Bureau Chief

c: Keith Henrichs
Chuck Thompson

cc: Files 29-4101
29-4481

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MAY 18 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 3, 1988

RE: Permit No. 29-7478

Norman Rademacher
24645 Marsh Creek Rd.
McCammon, ID 83250

Dear Permit Holder(s):

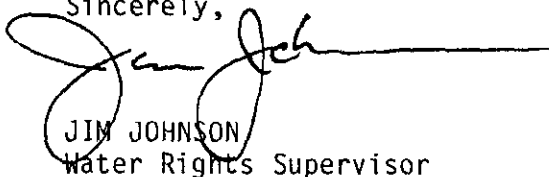
We acknowledge receipt of the statement of beneficial use and the supporting documentation for reinstating the above referenced permit. Enclosed is a copy of the Order of Reinstatement. Please note that the priority date has been advanced to March 14, 1988. As noted in the order under Conclusion of Law No. 1, Idaho Code allows for reinstatement of a lapsed permit with the advancement of the priority date to the date that completion of the permit requirements takes place.

Although you originally submitted the proof of beneficial use statement back in November or 1984, a statute was added in 1986 which required the payment of an examination fee. This requirement is considered part of the proof of beneficial use. Therefore, completion of the proof process culminated with the submittal of the exam fee. Unfortunately, this submittal was not in a timely manner and the file subsequently lapsed. As mentioned above, Idaho Code provides for reinstatement but the priority date has to be advanced to the date proof is complete and in this case, that date was March 14, 1988.

Before a license can be issued, a field examination will be made by a representative of this Department.

If you have any questions regarding this matter, please contact this office or our Eastern Regional Office at 525-7161.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosure

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MAY 18 1990

REINSTATEMENT REVIEW

Permit No. 29-7478 *50*

Exam fee due: June 16, 1986

Exam fee & information sheet submitted: March 14, 1988

Exam notice sent: April 17, 1986

Lapse notice sent: April 17, 1987

Fee paid: \$50.00

Evidence submitted:

letter from permit holder explaining situation with neighbor
who has been trying to deny water right

signed statements from 3 neighbors attesting to use of water
since 1979 till now

signed statements from 2 additional neighbors attesting to use
of water for 1985 - 1987.

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MAY 18 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

8 July 1988

Norman Rademacher
24645 Marsh Creek Rd.
McCammon, ID 83250

Department of Water Resources

RE: Reinstatement of Permit 29-7478
Amended Claim 29-4101, Henrichs

Dear Mr. Rademacher:

In your letter of 1 July, 1988 you asked for an update on the above items.

All the documents received in this office concerning your request for reinstatement of permit 29-7478 have been sent to the Department's State Office for administrative review. Based on information obtained via a telecon this day I understand that final action is still pending. I have requested that the matter be given prompt consideration. Future inquiries should be directed to Jim Johnson in Boise (334-7870).

The last administrative action on Claim #29-4101 occurred 2 November 1987. It involved amending the claim to reflect a diversion rate of 2.00 cubic feet per second for the irrigation of 31 acres.

I will not be attending the meeting you have scheduled for 12 July. Hopefully the above information will be sufficient.

Sincerely,

Ernest Carlsen
Water Rights Supervisor

cc. Bob Fleenor

MICROFILMED

MAY 18 1990

July 1, 1988

Ernest Carlsen
Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

Dear Ernest:

We have scheduled a Walker Creek water meeting for 6 PM
Tuesday, July 12, at the McCammon City Hall. We will discuss:

1. Possible change of present rotational system of
irrigation based on recent water measurements.
2. Status of Norman Rademacher's permit.
3. Status of Kieth Henrichs' amended claim.
4. Use of waste water.

In regards to the above items we have requested an update
on the status of Norman Rademacher's permit and Kieth Henrichs'
amended claim in a letter to you dated May 15, 1988. We also
informed you that the water flow on May 15 measured 1.75 cfs
or 787.0195 GPM. The water flow was measured again on June 27
with a reading of .50 cfs.

You are welcome to attend our meeting, but if you cannot,
would you please respond to our request for an update on item
2 and 3 above.

Thankyou,

Norman Rademacher
Norman Rademacher
Secretary/Treasurer

cc:
Walker Creek Water Users

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MAY 18 1990

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JUL 7 1988

Department of Water Resources
Eastern District Office

13 May 1988

TO: File

FROM: Ernest *EME*

RE: Rademacher reinstatement

During the past half year I have frequently worked with the water users on Walker Creek. Though I have not inspected Mr. Rademacher's irrigation system, I am confident he had diverted water prior to the expiration of permit 29-7478. I am basing this position on information volunteered by his neighbors during conversations concerning the use of Walker Creek water. They have provided detailed descriptions of Mr. Radmacher's efforts to install components of his irrigation system along with what years he diverted water.

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MAY 16 1988

Water Resources 18, 1988

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APR 26 1988

Department of Water Resources
Eastern District Office

Ernest Carlsen
Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

Dear Ernest:

Enclosed please find a statement attesting to water use on my permit #29-7478 signed by licensed water users on Walker Creek. I have paid for my permit and I am prepared for your inspection of my property at your earliest convenience.

I would appreciate consideration for issuing my license with my original priority date. The lapse of my permit is due to a number of extenuating circumstances centering around on-going attempts by Keith Henrichs to deny my water right. Consider the following:

1. My request for a permit in 1978 was protested by the Henrichs. After considerable administrative and legal effort, I won the opportunity to prove up on my permit at a water department hearing in 1978. The stipulation included that I keep about 800 ft. of irrigation ditch clean and place a weir at my point of diversion.
2. After the hearing Keith Henrichs warned me to stay off his mother's property at risk of personal harm. He also told me that I was not to cross any fences or use the driveway to get to my ditch. After a protest to Mr. Ronald Carlsen about the situation, Mr. Henrichs allowed that I could clean the ditch when his mother was not at home.
3. Keith Henrichs then protested placement of a weir at my diversion point eventhough that was part of the agreement at the hearing. After considerable discussion in which the water department acted as mediator (Ron Carlsen), it was finally agreed that I must place a "2" pipe to measure the

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MAY 18 1990

4. I placed the 2 inch pipe but could not get an appointment set up to inspect it or my diversion with the Department of Water Resources. Mr. Ron Carlsen wanted to inspect my diversion when water was flowing, however, Mr. Keith Henrichs controlled my diversion and would not allow water to flow with regularity. In fact, I never received any water during all of 1987.
5. As late as March 1988 Mr. Henrichs attempted to deny me an opportunity to use my permit. On Thursday, March 26, he visited Mr. Larry Ballard who now owns the property where I take my diversion. He asked Mr. Ballard to limit the amount of water flow through my diversion.
- 6, On Friday, March 27, at our Walker Creek water meeting he attempted to embarass me by producing letters obtained from the Water Resources department that indicated my permit had lapsed.

This is for your review and consideration.

Sincerely,

Norman E. Rademacher
Norman E. Rademacher

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MAY 18 1990

Enclosure 1

April 18, 1988

Ernest Carlsen
Water Rights Supervisor

We, the undersigned attest to the use of Walker Creek water through Norman Rademacher's diversion onto his property since 1979 and each successive year until this date.

Gene Wise Larry Ballard Raymond Girard
Gene Wise Larry Ballard Raymond Girard

The undersigned attest to the use of Walker Creek water through Norman Rademacher's diversion onto his property for the years 1985, 1986, and 1987.

Robert M. Wardle Chuck Thomsen
Robert M. Wardle Chuck Thomsen

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MAY 18 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 18, 1988

RE: Permit No. 29-7478

Norman Rademacher
24645 Marsh Creek Rd.
McCammon, ID 83250

Dear Permit Holder(s):

The Department received your proof of beneficial use statement for the above referenced permit on March 14, 1988. The permit lapsed April 17, 1987, so the 60-day late period during which the permit can be readily reinstated has passed.

Pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can now be reinstated only if you submit the following:

- a) Evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date.
- b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use statement along with any information which may have been submitted with it will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

Please feel free to contact this office if you have additional questions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosure

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MAY 18 1990

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APR 01 1988

Department of Water Resources

March 1, 1988

Norman Rademacher
2464 S. Marsh Creek Rd.
McCammon, Idaho 83250

RE: Lapsed Permit 29-7478

Dear Mr. Rademacher:

Permit 29-7478, which authorized diversion of water from Walker Creek, has LAPSED. I became aware of this situation after we had concluded our discussion with some of the other water users along Walker Creek.

The permit lapsed because a licensing examination fee was not paid within the time period designated by statute. This time period commenced on April 17, 1986. The postmark of a certified letter, addressed to you, which explained the necessity of paying the newly enacted licensing examination fee. A second letter, dated July 31, 1986, served to remind you that payment of the licensing examination fee was required. It further explained the permit would lapse in one year from the initial notice if the fee was not paid. The last letter, dated April 17, 1987, (copy enclosed) stated that failure to pay the fee by June 17, 1987, would result in lapsing the permit.

It is possible for you to request reinstatement of the permit. The first step in this procedure will be to complete the enclosed form and return it to this office with the licensing examination fee. Should the permit be reinstated, the priority date will be the date this form is received in our office. In addition to this form, you also need to provide documentation that water from Walker Creek was diverted and beneficially used prior to November 13, 1984.

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MAY 18 1990

Mr. Rademacher
March 1, 1988
Page 2

Staff at the Eastern Regional Office will be glad to assist you or answer questions you might have about the reinstatement procedure.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

EC/dg
Enclosure

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MAY 18 1980

INTER-DEPARTMENT MEMO — 1

FROM Jim

DATE 3-30-88

TO FILE

SUBJECT TELECON W/ KIEH HENRICHS PH. 775-3351

ADDRESS. 2526 S. MARSH CR RD.
MCCAMMON, IDAHO 83250

MAY 18 1990

ERUIS C. is sending correspondence he sent to the permit holder not in this file. No further action can be taken until this is rec'd.

SIGNATURE

Dear Mr. Carlson

According to our records the 4" mainline pipe was purchased and installed in the summer of 1979.

We claimed it on our 1979 tax record as a farm expense. If you need more ~~pro~~ proof I can send you a copy.

We applied water to our field every year since. I can obtain signatures of close neighbors as to our use.

Mr. Hendricks is also aware of this; because everytime he saw us using it he tried to shut it off.

If you need actual written statements I will send them to you.

Sincerely,
Julie Rademacher

RECEIVED
MAR 17 1988

Department of Water Resources

MICROFILMED

MAY 18 1990

RECEIVED

MAR 14 1988

Department of Water Resources
Eastern District Office

RECEIVED

MAR 14 1988

Department of Water Resources
Eastern District Office

RECEIVED
MAR 17 1988

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received \$50.00
Date 3-18-88
Receipt # C000176
Receipt by [signature]
Reviewed by [signature]
Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 29-7478

Name(s) of Permit Holder: Norman Rademacher

Post Office Address: 2464 S. Marsh Cr. Rd., McCammon
Idaho 83250 Telephone No. 254-3683

Source of Water: Walker Creek

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)
Irrigation Four (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted .08 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: April 1979

Measuring Device: Required? ☒ Yes ☐ No
Installed? ☒ Yes ☐ No

Fee enclosed \$ 50.00
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

Norman Rademacher 254-3683
(Name) (Telephone Number)

2464 S. Marsh Cr. Rd. McCammon, Id 83250
(Address)

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

MICROFILMED

MAY 10 1990

3-10-88
Date

Norman E. Rademacher
Signature of Permit Holder (and title, if appropriate)



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

29-7478
PADEMACHEK, NORMAN
RT. 1 BOX 1240
WALKER CREEK
MCCAMMON, ID 83250

April 17, 1987

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be on no further force nor effect on June 17, 1987, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on April 17, 1986.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before August 17, 1987, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

If you have questions, please contact any office of the Department.

Sincerely,

L. Glen Saxton
L. GLEN SAXTON, Chief
Operations Bureau

jf

MICROFILMED
MAY 18 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

29-7478
RADEMACHER, NORMAN
RT. 1 BOX 1240
WALKER CREEK
MCCAMMON, ID 83250

Mailing address:
Statehouse
Boise, Idaho 83720

138202

April 17, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may submit another certified examiner.

MAY 18 1990

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

MAY 18 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup, Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 11, 1985

NORMAN RADEMACHER
RT. 1, BOX 1240
MC CAMMON ID 83250

RE: Permit No. 29-7478

Dear Permit Holder:

We acknowledge receipt of your statement 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.

A condition of approval of your original permit required the installation of a measuring device which, according to the proof card submitted by you, has not been installed. A measuring device must be installed and operating at the time the field examination is made. If a measuring device is not installed your permit may be subject to cancellation.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

MICROFILMED

MAY 18 1990

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of permit No. 29-7478.

Name(s) of Permit Holder: Norman Rademacher

Post Office Address: Rt 1 Box 1240 McCammon
Idaho 83250 Tel. No. 254-3683

Source of Water: Surface

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 4 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No
Access Port: Required? ☐ Yes ☒ No Installed? ☒ Yes ☐ No

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

11-13-84
Date

MICROFILMED

Norman Rademacher
Signature of Permit Holder

Radema
Rt 1341240
McLammon Id. 83250



RECEIVED

NOV 21 1984



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

NOV 21 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138371

PALEMACHER, NORMAN
ROUTE 1
WALKER CREEK
MCCAMMON, ID 83250

PROOF DUE NOTICE

OCTOBER 31, 1984

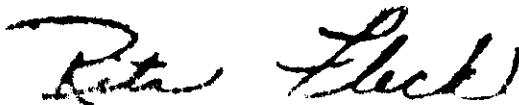
DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 29-7478 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A 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,



RTITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO)

COUNTY OF ADA)

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I have on this date served a true and correct copy of the foregoing ORDER by depositing a copy thereof in the United States mail, postage prepaid and addressed to:

Norman Rademacher
Route 1
McCammon, Idaho 83250

Raymond & Debra Girard
P.O. Box 121
Inkom, Idaho 83245

Dated this 11th day of January, 1980.

On this 11th day of January, 1980, personally appeared before me the signer of the above instrument, who duly acknowledged to me that he (she) executed the same.

Rita Bender
Notary Public
Residing at Boise, Id

Commission expires 3-1-80

MICROFILMED

January 11, 1980

Norman Rademacher
Route 1 Walker Creek
McCammon, Idaho 83250

Dear Mr. Rademacher,

RE: Permit No. 29-7478

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the enclosed Order.

Be sure to note the special condition requiring you to install and maintain a measuring device at your point of diversion prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:mr

Enclosure

MICROFILMED

SHOW CAUSE 29-7478

PS Form 3871, Apr. 1977
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one). 45
☐ Show to whom and date delivered.....\$
☐ Show to whom, date, and address of delivery.....\$
☐ RESTRICTED DELIVERY
Show to whom and date delivered.....
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery.....\$
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Raymond & Debra Girard
P. O. Box 121
Inkom, ID 83245

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
1315

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. *Carrie Girard*
DATE OF DELIVERY
8-6-79

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS
WW

IN KOM
AUG 6 1979
USPI

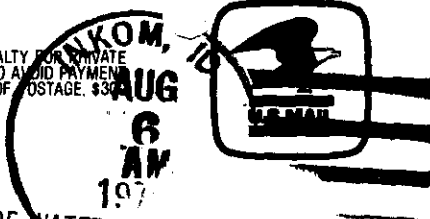
UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$34



RETURN
TO
RECEIVED

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
1515 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401

AUG 7 1979

(Name of Sender)

Department of Water Resources
Eastern District Office

(Street or P.O. Box)

(City, State, and ZIP Code)

OF THE
STATE OF IDAHO

In the Matter of Application for)
)
 Permit No. 29-7478 in the Name) SHOW CAUSE ORDER
)
 of NORMAN RADEMACHER)
)

On March 12, 1979, Norman Rademacher filed Application for Permit No. 29-7478 to appropriate 0.08 cubic feet per second of water from Walker Creek tributary to Marsh Creek in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 8S, Rge. 36E, B.M., Bannock County; to be used for irrigation purposes. Notice of this proposed appropriation was published in the Idaho State Journal, Pocatello, Idaho on March 22 and 29, 1979.

WHEREAS, on April 3, 1979, the Department received a protest from Raymond Girard and Debra Girard and another protest from George Henrichs and Maurine D. Henrichs.

A hearing concerning this matter was held on Wednesday, July 18, 1979 at 11:00 a.m. in the Conference Room of the Pocatello Municipal Airport, Pocatello, Idaho, at which time the protestants Raymond Girard and Debra Girard failed to appear.

IT IS, THEREFORE, HEREBY ORDERED that the protestants Raymond Girard and Debra Girard show cause on or before August 20, 1979 why their protest against approval of Application for Permit No. 29-7478 should not be voided for failure of the protestants to appear at the hearing.

Dated this 3rd day of August, 1979

Ernest M. Carlson
(Ernest M. Carlson for)
RONALD D. CARLSON, Supervisor
Eastern Region

WILCOX

Application 29-7478

Applicant - Norm Rademacher.

Protestant - ~~Maurine~~ Maurine Hennrichs

Raymond & Debra Girard (not present).

Rademacher -

point of diversion - owned by Larry Ballard.

* - Condition - does not grant easement.

no water master regulation.

Protestant -

- 1) There is water available for appropriation during 1st part of irrigation season.

2) Injury to existing & rights. - possible
point of diversion is above pd. for Ray Girard &
George ~~Hend~~ Hennrichs.

Send - Show Cause Order to Ray. Girard

MICROFILMED

In the Matter of Application for
Permit No. 29-7478 in the
Name of Norman Rademacher

Withdrawal of Protest

We withdraw our protest with the understanding that
the ditch ^{cleaned out and} extended across our land not exceed about 0.5 ft²
in area.

Signed at Pocatello, Idaho on July 18, 1979

Keith V. Henrichs, representing George Henrichs
Maurine Henrichs

MICROFILMED

29-7478

P.D. ownership ~~George Heinrich~~ = Larry Ballard

Applicant

Norman Rademacher

P.D. Changed -

No Water master

Protestant

Concerned about new ditch causing flooding

1. No question that water is available
2. ~~P~~ Possible injury to P.D.

Issue

Size of Ditch -

~~2~~

WATER

ROSTER OF ATTENDANCE

July 18, 1979 - 11:00 a.m.

Conference Room, Pocatello Municipal Airport, Pocatello, Idaho

29-7478 - Rademacher

Name	Address	Representing
Norman Rademacher	Route 1 Walker Creek	McComm
Maurine Henrichs	Route 1 Box 11	McComm, Id.
John Schoonover	Walker Creek	
Keith Henrichs	representing George Henrichs Route 3 Box B McComm, Id.	

MICROFILMED

(2)

During the irrigation of 1978 I used water which overflowed the ditches and came onto my place. I plowed my own ditches and irrigated my place ^{again} 5 times from this water.

In 1977 I did have water run onto my place also.

I do give this statement to Norman Rademacher to use in a hearing on July 18, 1979 for the purpose of obtaining a water permit to appropriate water out of Walker Creek.

July 17, 1979
Don Juddway

MICROFILMED

Claim to Water Right.

George H ^{for} Della ^{Hennrichs.} Hendrich.
PRIORIT March 15 1912 Source Walker Creek.
Q- 0.77 .75 imp.
Acreage 31 acres. .02 stock.
NE SW Sec ~~5~~ 8 S 36 E.

RECORDED
INDEXED
MAR 20 1912

Returned Receipts

29-7478

PS Form 3811, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one). 45 ¢
☐ Show to whom and date delivered.
☐ Show to whom, date, and address of delivery.
☐ RESTRICTED DELIVERY Show to whom and date delivered.
☐ RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
George Henricks/Maurine Henricks
Route 1, Box 11
McCammon, ID 83250

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
1301

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Mrs. George Henricks

4. DATE OF DELIVERY
7-7-79

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK
JUL 9 1979
USPO

☆GPO: 1977-0-249-595

PS Form 3811, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one). 45 ¢
☐ Show to whom and date delivered.
☐ Show to whom, date, and address of delivery.
☐ RESTRICTED DELIVERY Show to whom and date delivered.
☐ RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: 29-7478
Norman Rademacher
Rt. 1, Walker Creek
McCammon, ID 83250

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
1302

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Norman Rademacher

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK
JUL 9 1979
USPO

CLERK'S INITIALS
HMS

☆GPO: 1977-0-249-595

MICROFILMED

PS Form 3811, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one). 45 ¢
☐ Show to whom and date delivered.
☐ Show to whom, date, and address of delivery.
☐ RESTRICTED DELIVERY Show to whom and date delivered.
☐ RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: 29-7478
Raymond Girard/Debra Girard
P. O. Box 121
Inkom, ID 83245

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
1300

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Raymond Girard

4. DATE OF DELIVERY
7-9-79

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK
JUL 7 1979
USPO

CLERK'S INITIALS
HMS

☆GPO: 1977-0-249-595

MICROFILMED

Returned Receipts

29-7478



UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP CODE in the space below.
• Complete items 1, 2, and 3 on the reverse.
• Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.

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



UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP CODE in the space below.
• Complete items 1, 2, and 3 on the reverse.
• Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
1515 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)



DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
1515 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)



UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP CODE in the space below.
• Complete items 1, 2, and 3 on the reverse.
• Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
1515 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

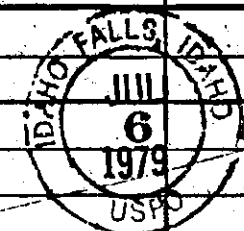
MICROFILMED

Name and Address of Sender

Indicate type of mail:
☐ REGISTERED ☐ REGISTERED C.O.D.
☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
 POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	POSTAGE	FEES	R.R. FEE	REG. DEL. FEE	ACTUAL VALUE	HANDLING CHARGE	REMARKS*
✓ 1	1300 Raymond & Debra Givens, P.O. Box 121, Inkom, Id.	15	80	45				29-7478
✓ 2	1301 George Henricks, Rt 1, Box 11, McCall, Id 83250	"	"	"				" "
✓ 3	1302 Norman Rodemacher, Rt 1, McCall, Id 83250	"	"	"				" "
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								



TOTAL NO. OF PIECES LISTED BY SENDER

TOTAL NO. OF PIECES REC'D AT P.O.

POSTMASTER (Name of receiving employee)

*Show under "Remarks" class postage paid if other than first or if international

PS Form 3877, Dec. 1973

APPLICATION FOR REGISTERED, REGISTERED C.O.D. AND CERTIFIED MAIL

(Declaration of value is required on international registered mail)

★ U. S. GOVERNMENT PRINTING OFFICE: 1974-0-525-726

FORM MUST BE MADE OUT IN INK OR BALL POINT PEN



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

In the Matter of Protests Against Approval)
of Application for Permit No. 29-7478 in)
the name of NORMAN RADEMACHER)
_____)

NOTICE OF CONFERENCE
AND/OR HEARING

On March 12, 1979, Norman Rademacher filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On April 3, 1979, protests were received from Raymond and Debra Girard and from George and Maurine Henrichs.

The Department has set the matter of protests for conference and/or hearing to be held Wednesday, July 18, 1979 at 11:00 a.m. in the Conference Room of the Pocatello Municipal Airport, Pocatello, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protests or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 5th day of July, 1979.



RONALD D. CARLSON
Supervisor, Eastern Region

RECEIVED
JUL 19 1979
IDAHO DEPT. OF WATER RESOURCES

July 5, 1979

Merle Wilhelm
Pocatello Municipal Airport
P. O. Box 1021
Pocatello, Idaho 83201

Dear Mr. Wilhelm:

This is to confirm the use of the Conference Room of the Pocatello Municipal Airport for a conference and/or hearing to be held by this office all day Tuesday, July 17, 1979 and the morning of Wednesday, July 18, 1979.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

DONNA HENRIQUES
Secretary



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

April 4, 1979

Raymond Girard
Debra Girard
P. O. Box 121
Inkom, Idaho 83245

Dear Mr. & Mrs. Girard:

Re: Application for Permit No. 29-7478 - Rademacher

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

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

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

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

April 4, 1979

Norman Rademacher
Route 1, Walker Creek
McCammon, Idaho 83250

Dear Mr. Rademacher:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 29-7478. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

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

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

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh
Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

April 4, 1979

George Henricks
Maurine D. Henricks
Route 1, Box 11
McCammon, Idaho 83250

Dear Mr. and Mrs. Henricks:

RE: Application for Permit No. 29-7478 - Rademacher

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

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

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

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh



3/27/79

Idaho Department of Water Resources
C. Stephen Allred, Director
1515 Lincoln Road
Idaho Falls, Idaho 83401

RECEIVED

APR 3 1979

Department of Water Resources
Eastern District Office

Subject: Application # 29-7478 (Norman Radmacker)

Dear Mr. Allred:

We herewith submit protest against said application because of the fact that the water resource board has already approved more permits than all water in Walker Creek. We do not have enough water in Walker Creek to adequately irrigate the property we are trying to raise crops on, let alone allow any other people to divert water. Mr Radmacker's proposal will also create additional problems in as much as he would have to cross our property with ditches to take water to his property to irrigate his property which previously was irrigated with water from Marsh Creek.

We respectfully request your co-operation in refusing to issue this permit to Mr. Radmacker and also to further reduce any further personal feelings and conflicts in regards

to the water usage of Walker Creek
waters.

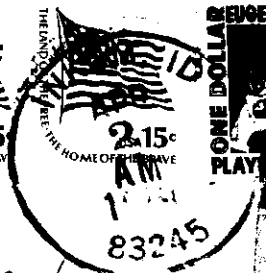
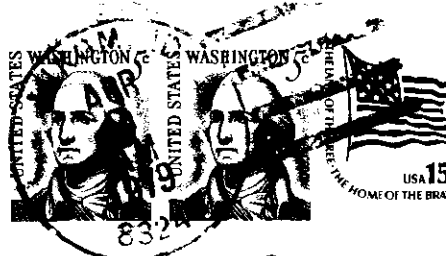
The point of entry to Mr Rademacher's property
is simply a county Road culvert that is
used for ~~runoff~~ runoff from the properties
North of Walker Creek Road and at one
point in time - prior to subdivision of these
properties was used to bring irrigation water
from Marsh Creek back from the North
by means of a pump and ditch to be used
to irrigate the property on which this
permit is requested.

Thanking you for your consideration,
we again ask your authority to
deny this application.

Sincerely
George Henrich
Maurine D. Henrich
Owners: First rights to Walker Creek Waters

MICROFILMED

Mrs & Mrs George Henricks
Rt 1 Box 11
McCannon, Idaho 83250.



MICROFILMED

S

Idaho Department of Water Resources,
C. Stephen Allred, Director,
1515 Lincoln Road
Idaho Falls, Idaho 83401.

CERTIFIED

No. 229135

MAIL

April 1, 1979

Idaho Water Dept. of Resources
1515 Lincoln Rd.
Idaho Falls, Id 83401

RECEIVED

APR 3 1979

Department of Water Resources
Eastern District Office

Attn: C. Stephen Allred
Director

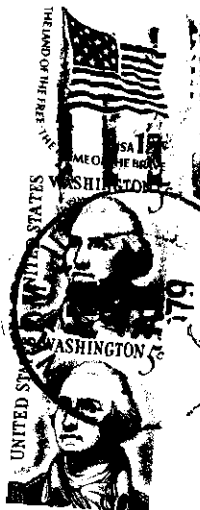
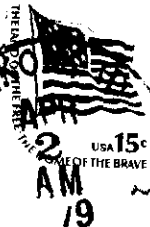
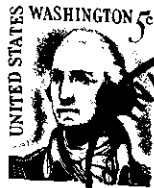
Dear Sir,

We are protesting the application # 29-7478 in the name of Norman Rademacher for water rights ~~of~~ out of Walker Creek to irrigate 4 acres of land. Reason for the protest is because there is not enough water to satisfy the needs of the current land owners with water permits to irrigate due to the soil absorption of the area. Due to the fact Walker Creek usually dries up in July and there isn't very much water, we feel there should not be any more issued water-permits in it.

Thank You,
Raymond Girard
Hebra Girard

MICROFILMED

R. Merard
P.O. Box 121
Inhom, Id 83245



Idaho Dept of State Resources
1515 Lincoln Rd.
Idaho Falls, Id 83401

RETURN RECEIPT
REQUESTED

CERTIFIED
No. 229134
MAIL

March 22, 1979

Robert Curtis
P. O. Box 189
Downey, Idaho 83234

Dear Mr. Curtis:

Re: Application for Permit No. 29-7478

We are enclosing a copy of an application that may be of interest to Water District # 29-H. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is April 9, 1979, and we are required to take final action shortly thereafter.

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

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

APR 11 1979

1 010101
2 NOTICE OF APPLICATION
3 FOR WATER PERMIT
4 Notice is hereby given that Nor-
5 man Rademacher, McComman,
6 Idaho has on 3-12-79 submitted
7 Application No. 29-7478 for a per-
8 mit to appropriate 0.08 cubic feet
9 per second of water from Walker
10 Creek tributary to Marsh Creek
11 by means of headgate and
12 ditches within the NW1/4SW1/4,
13 NW1/4SE1/4, Sec. 15, T. 8S., R.
14 36E., B.M., Bannock County; to
15 be used from Apr. 1 to Nov. 1
16 for the irrigation of 4 acres with-
17 in the SW1/4NE1/4, SE1/4NW1/4, Sec.
18 15, T. 8S., R. 36E., B.M.
19 If issued, this permit will be sub-
20 ject to all prior water rights.
21 Protests against the granting of
22 the permit must be filed with the
23 Idaho Department of Water Re-
24 sources, 1515 Lincoln Road, Idaho
25 Falls, Idaho 83401 on or before
26 April 9, 1979.
27 C. STEPHEN ALLRED
28 Director
29 March 22, 29, 1979
30 No. 214
31 010101

RECEIVED

MAR 22 1979

**Department of Water Resources
Eastern District Office**

March 16, 1979

RE: Application for Permit No. 29-7438 RADEMACHER
Claim to a Water Right No. 29-4094 SORENSEN

Idaho State Journal
Box 431
Pocatello, Idaho 83201

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 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Rg.

Bill submitted 4-2-79 by dk

RDC:CW

Enc: Legal Notice (2)

APR 11 1979
FBI - POCATELLO

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Norman Rademacher,
McCammon, Idaho

has on 3-12-79 submitted Application No. 29-7478
for a permit to appropriate 0.08 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from Walker Creek tributary to Marsh Creek
by means of headgate and ditches
within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 8S, R. 36E, B.M., Bannock County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 4 acres

within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 8S, R. 36E, 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 Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
April 9, 1979

C. STEPHEN ALLRED

Director

Idaho State Journal, Pocatello, Idaho

Published in the _____
March 22 _____
on _____ and _____
March 29, 1979

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: John

APPLICATION NUMBER: BB-41

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☐ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other Water Master WD 29-H is _____
hostile

PROCESSING:

- ☒ Yes ☐ No Platted by: John Map No. BB-41
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
☒ Yes ☐ No Final date for protests: APRIL 9, 1979
☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: APR 2, 1979
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☐ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 29 H Marsh Cr.
3/12/79 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: _____ Date: _____

STATE OFFICE REVIEW:

01, 05 (Marsh Cr. 29 H), 04, 20

short letter w/ measuring device

- ☐ See attached sheet for more information.

By: John Date: 12/10/79