

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(Late Proof)

License of Water Right No. 29-7248 Priority March 13, 1975 Amount 0.20 cfs

THIS IS TO CERTIFY, that Cave J. Kirtley
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7248 issued pursuant to Application for Permit dated February 11, 1975,
and has submitted proof to the Department of Water Resources on March 31, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.27 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.14</u> cfs and	<u>24.5</u> acre feet
<u>Stockwater</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.02</u> cfs and	<u>0.4</u> acre feet
<u>Domestic</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet

(both dates inclusive)

Subject, however, to the condition that no more than 0.20 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
26.1 acre feet per year, said waters to be diverted within the NE1/4 Section 12,
Twp 7S, Rge 31E in the County of Power

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	31E	12	7																7

Total number of acres irrigated 7

MACROFILMED

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17th day of September, 19 86.

Betty D. Elam
Director

MICROFILMED

75
25

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	31E	12	10.5																10.5

Total number of acres to be irrigated 10.5

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 Applicant

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

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

10. Remarks

Identification No. 29 7248
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Cave J. Kirtley Phone: 232-5206
post office address 631 North Johnson, Pocatello, Idaho
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 12 Township 7S
Range 31E B.M. Power County; additional points of diversion if any: _____

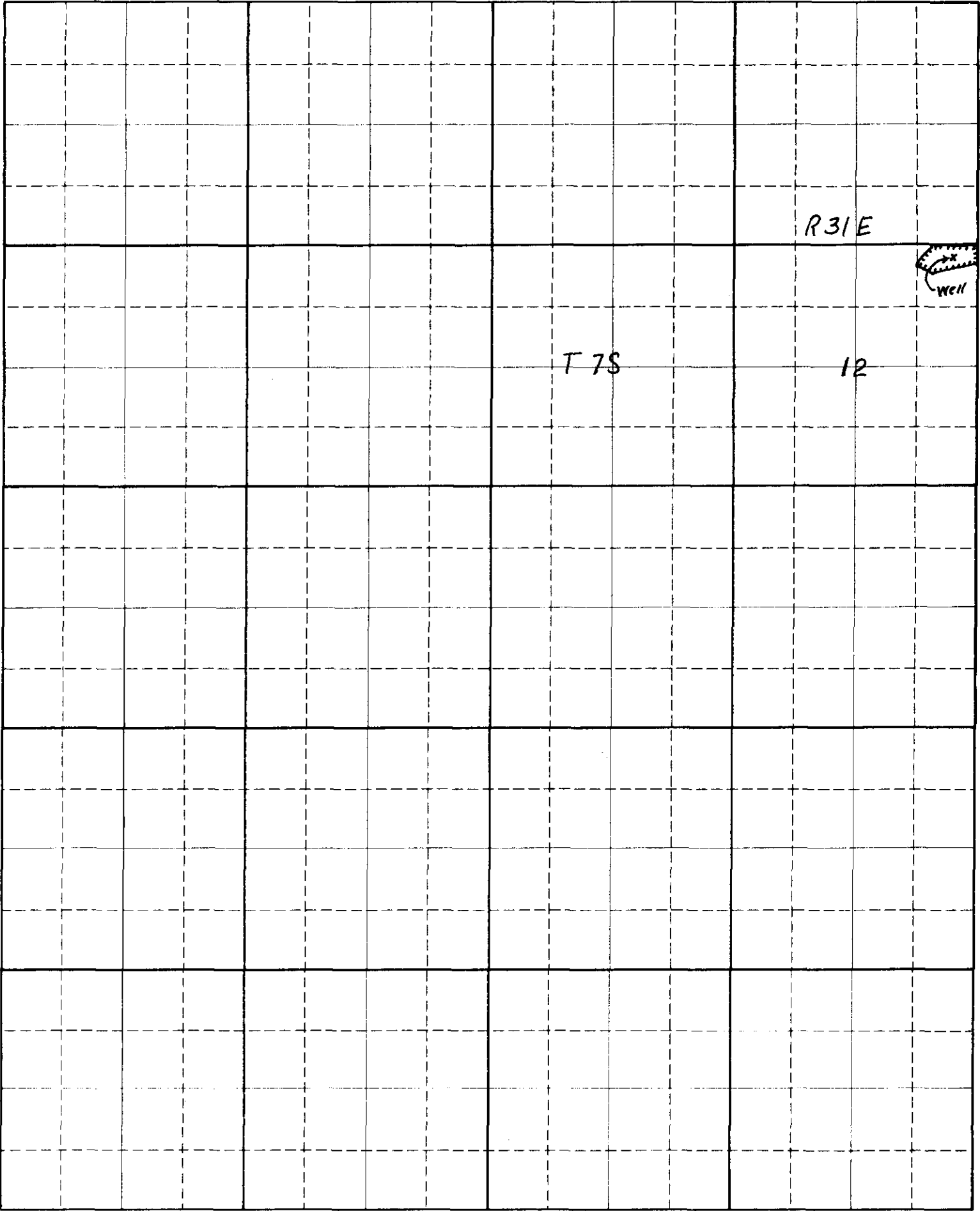
b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.12 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.21 for Irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.35 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, pipelines and sprinklers

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 8 inches; proposed depth of well is 150 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 42,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 12 Township 7S
Range 31E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 5 horses and 10 cows

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 3.
(5) If water is to be used for other purposes describe: _____

MICROFILMED

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



Scale: 2 inches equal 1 mile

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.

Came J. Kirtley
(Applicant)

~~Proposed~~ Priority 2-11-1975

Received by MB Date 2-11-75 Time 2:35
Preliminary check by LH Fee \$ 25⁰⁰
Receipted by MB Date 2-11-75 # 4084
Publication prepared by MB Date 2-14-75
Published in Shoshone County (Idaho)
Publication dates Feb 20 & 27, 1975
Publication approved OW Date 3-03-75
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by RDC DLF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

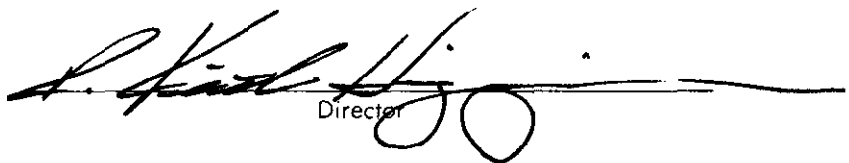
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7248, and said application is hereby APPROVED.

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 March 1, 19 80.
- c. Other: _____

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

Witness my hand this 17 day of March 19 75.


Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 29-7248

IN THE NAME OF CAVE J. KIRTLEY

ORDER OF REINSTATEMENT

WHEREAS, on February 11, 1975, Cave J. Kirtley applied to the Department of Water Resources for a permit to appropriate 0.35 cubic feet per second of water from a groundwater source to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, Twp. 7S, Rge. 31E, B.M., Power County, to be used for domestic, irrigation and stockwatering purposes; and,

WHEREAS, on March 17, 1975, the Department approved said application and issued Permit No. 29-7248 with the condition that proof of construction of works and application of water to beneficial use be submitted on or before March 1, 1980; and,

WHEREAS, on December 31, 1979, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

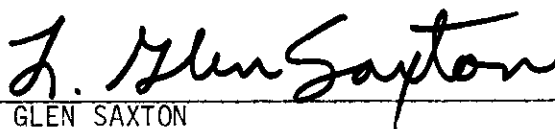
WHEREAS, on March 21, 1980, the Department notified the permit holder that Permit No. 29-7248 had lapsed for failure to submit proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on March 31, 1980;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 29-7248 be REINSTATED and the priority advanced to March 13, 1975.

Dated this 17th day of April, 1980.


L. GLEN SAXTON

Chief, Operations Bureau



DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Kutley

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) RDC 2/11/75

In form to receipt YES

(2) " "

Send Copies to:

Idaho State Health Department
~~Idaho~~ Idaho Fish and Game Department
Bureau of Land Management

(3) " "

☒ SHIRL BOYCE

Request Special Use Permit from U.S.F.S.

NA Request Easement from B.L.M.

Request Information from Applicant

(4) " "

In form for advertising YES

(5) " "

Platted on Map No. 7 S 31 E

(6) " "

NA

Located within Water District No. "

(7) " "

Critical groundwater area: yes " no ☒

(8) " "

Groundwater levels:

" Declining, " Stable, " Increasing

(comment) NO OBS WELL IN AREA

(9) " "

Other rights on the same place of use

(10) " "

Comments: "

(11) CW 3-03-75

Affidavit of Publication received (date) 3-03-75

(12) CW 3-10-75

Final date for protests March 10, 1975

Protests received: yes " no ☒

(13) RDC 3/10/75

All requested information received from agencies or applicant: yes OK no "

(14) " "

Action recommended:

☒ Approve

" Deny

2/11/75 Proposed Priority

" Reason for Reduction "

" Measuring device required "

" See attached sheet for other conditions of approval "

" No special conditions for approval "

Department of Water Resources

(15) District E

By RDC

Date 3/10/75

MICROFILMED

Copied

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

} S.S.

.....~~Phyllis Ringe~~..... being first duly sworn
on oath, states:

That ~~she~~..... is the ~~principal clerk~~ of the printer
of the Power County Press, a newspaper of general circulation
in Power County, Idaho, published weekly at American Falls
in said County; that said newspaper has been published in said
County uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That the annexed notice or advertisement was published as
per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2.....
successive weekly issues thereof, the date of the first publica-

tion being the 20th..... day of Feb....., 19...75

the date of last publication being the

....27th.... day of Feb....., 19...75

(Signed)

Subscribed and sworn to before me this

..... day of Feb....., 19...75

Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL) day of , 19

Notary Public
Residing at Am. Falls, Idaho
My Commission Expires
July 15, 1977

MICROFILMED

RECEIVED
MAR 3 1975

Department of Water Resources
Eastern District Office

Published in the Power County
Press, American Falls, Idaho
on February 20 and February
27, 1975.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Cave J. Kirtley, 631 N. John-
son, Pocatello, Idaho, has on
2-11-75 submitted Application
No. 29-7248 for a permit to
appropriate 0.35 cubic feet per
second of water from a
ground-water source by means
of well and pump within the
NE 1/4 NE 1/4, Sec. 12, T. 7S, R.
31E, B.M., Power County; to
be used from Jan. 1 to Dec. 31
for domestic purposes for
families and stock watering
purposes for 5 horses and 10
cows; and from Mar. 15 to
Nov. 15 for the irrigation of
10.5 acres; all uses within the
NE 1/4 NE 1/4, Sec. 12, T. 7S, R.
31E, 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 Depart-
ment of Water Resources,
1515 Lincoln Road, Idaho
Falls, Idaho 83401 on or before
March 10, 1975.

D. KEITH JOHNSON

[Handwritten signature]

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER }

S.S.

~~Phyllis Winge~~ being first duly sworn
on oath, states:

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

That the annexed notice or advertisement was published as
per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for ~~2~~
successive weekly issues thereof, the date of the first publica-

tion being the 20th day of Feb., 1975

the date of last publication being the

27th day of Feb., 1975

(Signed)

Subscribed and sworn to before me this

day of Feb., 1975

Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL) day of , 19

Notary Public
Residing at Am. Falls, Idaho
My Commission Expires
July 15, 1977

Legal Notice

Published in the Power County
Press, American Falls, Idaho,
on February 20 and February
27, 1975.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Cave J. Kirtley, 631 N. John-
son, Pocatello, Idaho has on
2-11-75 submitted Application,
No. 29-7248 for a permit to
appropriate 0.35 cubic feet per
second of water from a
ground-water source by means
of well and pump within the
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 7S, R.
31E, B.M., Power County; to
be used from Jan. 1 to Dec. 31
for domestic purposes for 3
families and stockwatering
purposes for 5 horses and 10
cows; and from Mar. 15 to
Nov. 15 for the irrigation of
10.5 acres; all uses within the
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 7S, R.
31E, 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 Depart-
ment of Water Resources,
1515 Lincoln Road, Idaho
Falls, Idaho 83401 on or before
March 10, 1975.

R. KEITH HIGGINSON

Director



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

August 15, 1986

RE: Permit No. 29-7248

Cave J. Kirtley
Rt.1 , Box 319A
American Falls, ID 83211

Dear Permit Holder(s):

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

If you do not concur with the information shown on the draft license, please advise the Department within ten (10) days. If you have any questions, please let us know; otherwise, the license will be issued as identified on the draft copy.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

John G. Kintley
P.O. Box 319A
American Falls, ID 83211

John G. Kintley:

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

ENCLOSURE

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

29-7218
Permit No.

MAY 29 1988

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			Department of Water Resources
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date June 27, 1980 Accompanied by Son of C. J. Hirtley Total Q measured .27 cfs
If source is surface water, estimate total flow of source _____
Methods of measurement pressure gauge on sprinkler heads Meets Permit requirements? Yes

Measurement calculations:
 $5.03 \text{ gpm} \times 6 \text{ neg} = 30.18 \text{ gpm}$
 $3.22 \text{ gpm} \times 5 \text{ neg} = 16.1 \text{ gpm}$
 $5.01 \text{ gpm} \times 7 \text{ neg} = 35.07 \text{ gpm}$
 $3.2 \text{ gpm} \times 6 \text{ neg} = 19.2 \text{ gpm}$
 $3.23 \text{ gpm} \times 7 = 22.62 \text{ gpm}$
Total = $123.17 \text{ gpm} = .27 \text{ cfs}$
 $7 \text{ Ac} \times 3.5 \text{ AFA/Ac} = 24.5 \text{ AFA/Ac}$
 $.14 \text{ cfs} \times 1.9035 \text{ AFA/cfs} \times 214 \text{ days} = 59.4 \text{ AFA/Ac}$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
1	10	Barnes 3ph thermost protected submersible	34522-32 Mabell 607-10-4	13Amps.				

System Description Groundwater is diverted from a well by a 10 hp. submersible and operates 3 hand lines and supplies domestic water for 1 house a stockwater for 7 horses 5 pigs.

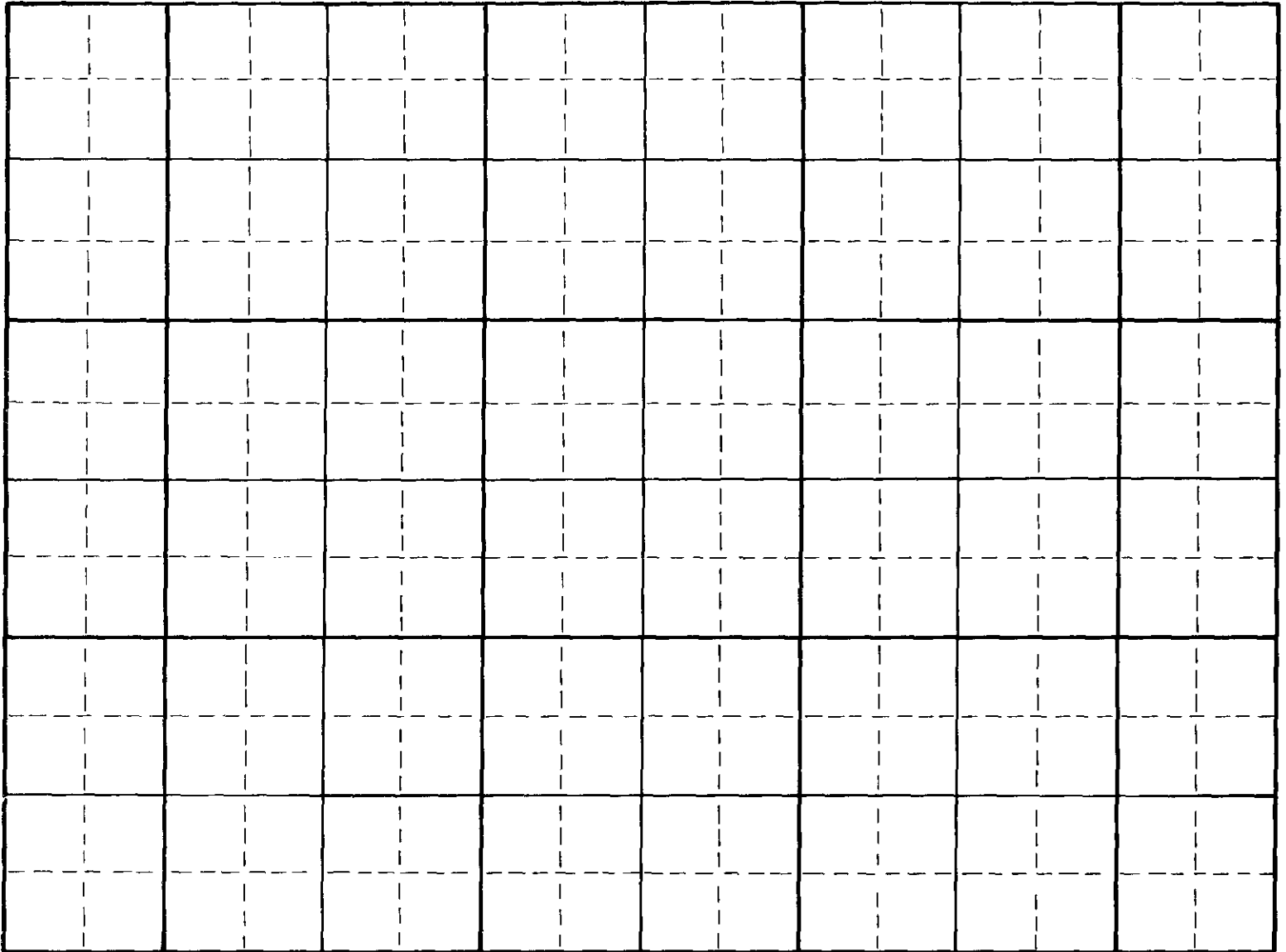
*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS	USE	Irrigation requirement =	Q (cfs)	V (afa)	FROM	TO
	Irrigation	3.5	.14 cfs	24.5 AFA	3/15	11/15
	Domestic		.04 cfs	1.2 AFA	1/1	12/31
	Stockwater		.08 cfs	0.4 AFA	1/1	12/31
	Total		.20 cfs	26.1 AFA/Ac		

Remarks No overlap

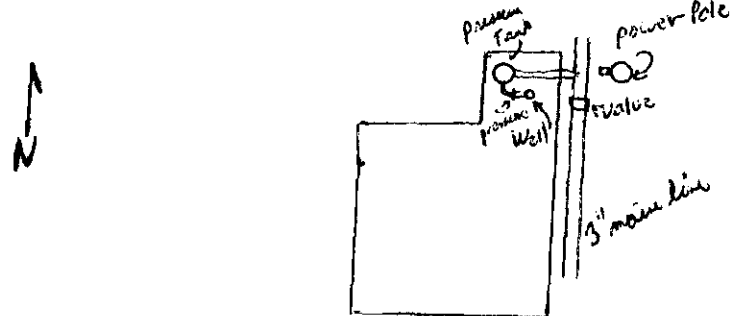
MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NE 1/4 NE 1/4 Sec 12 T7S R31E2m.

Place(s) of Use

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	
7S	31E	12	7																7
																			7

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

Examiner's Signature

Checked by

Approved by

John Dale Carlson

Al Jones

Date

Date

Date

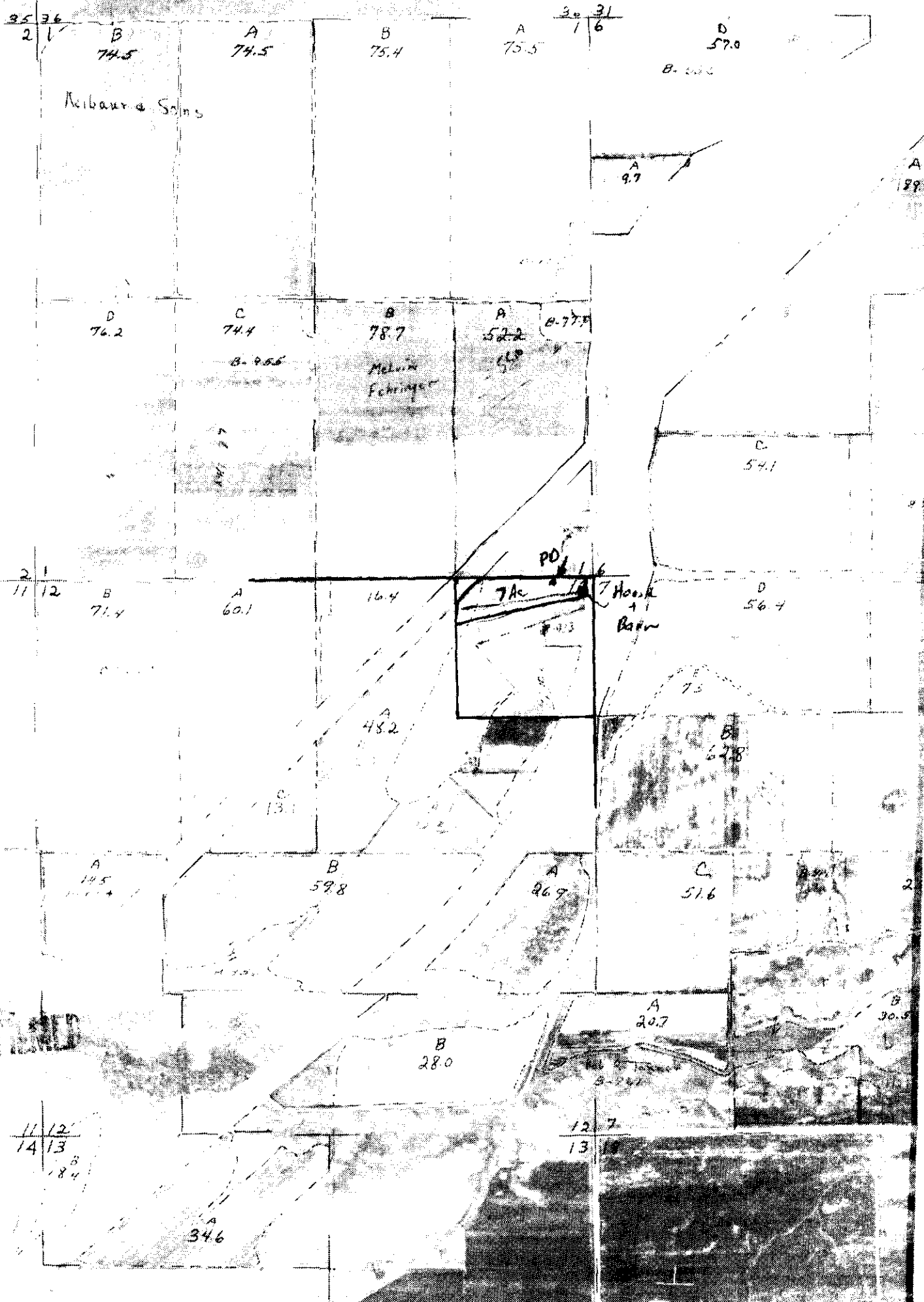
4/29/86

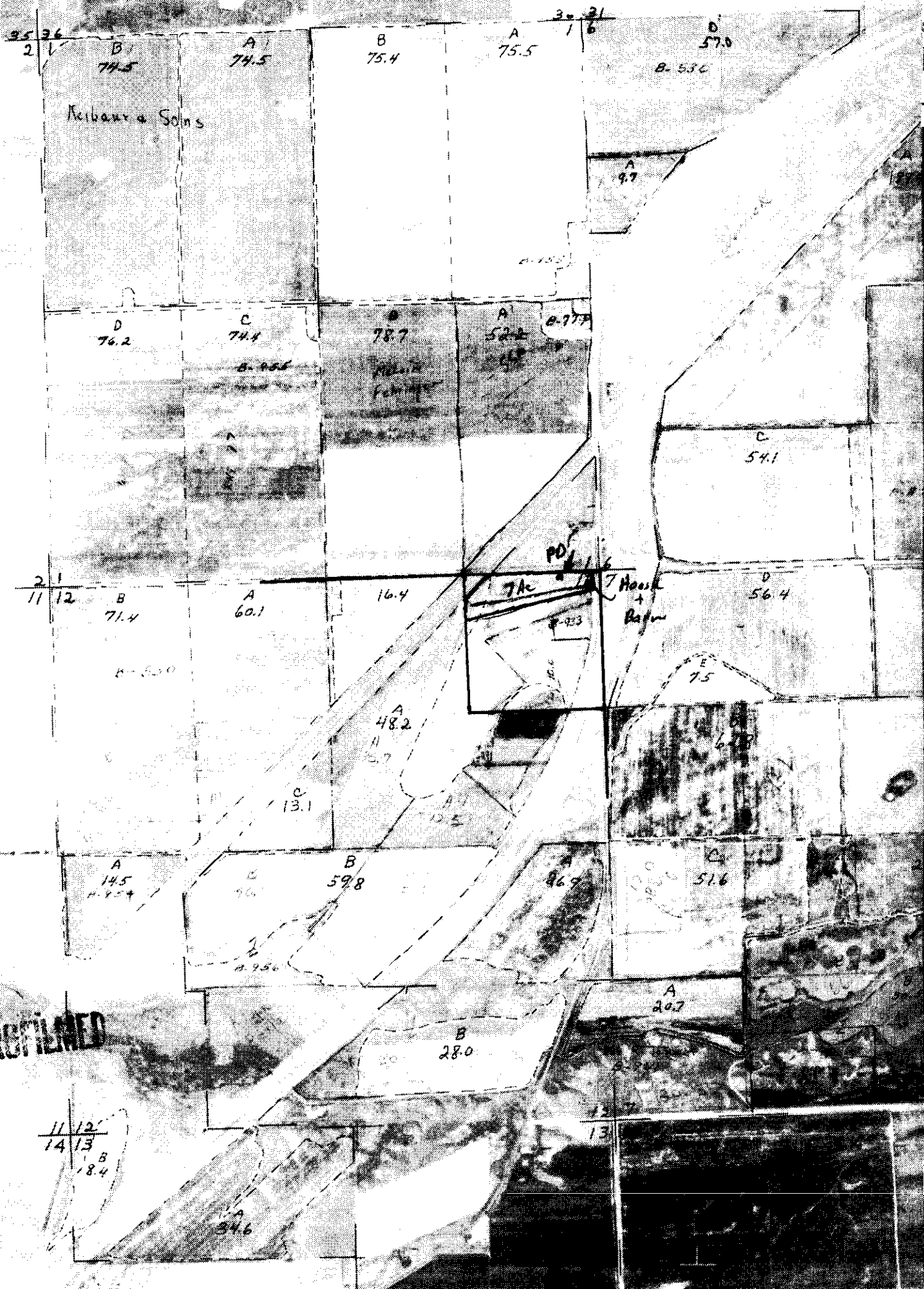
5-16-86

MICROFILMED

29-724P

T7s R 31E S212





MICROFILMED

4/86

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Sent to S.O. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

RECEIVED

JUN 30 1986

no send sh

Department of Water Resources

1. Permit No. 29-7248

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: CARL J. KIRTLLEY - CW

3. Post Office Address: Rt 1 Box 319-A Cam Falls ID

Telephone No. 226-2919

4. Source of Water: _____

5. Extent of Use:

Domestic X (No. of households) Stockwater X (No. and type of stock)

Irrigation 2 (acres) Other/Remark _____

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

7. Show the date water was first diverted and beneficially used under this permit: _____

8. Person to contact to accompany the department representative during the field examination:

Carl J. Kirtley
(Name)

Rt 1 Box 319-A Cam Falls ID
(Address)

226-2919
(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date

UNPROFITABLE

Carl J. Kirtley
Signature of Permit Holder (and title, if appropriate)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

Mailing address:

Statehouse

Boise, Idaho 83720

A. KENNETH DUNN

Director

Cave J. Kirtley
Rt. 1, Box 319-A
American Falls, ID 83211

29-7248

May 14, 1986

138463

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 change to another certified examiner.

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
ise, Idaho 83720

Rt 1 Box 319-A
American Falls,

Id
83211
mailed to on 5/14/86
c# 138463

NE NE Sec. 12
T7S R31E
Power



ATTEMPTED - NOT KNOWN

Not Here



RECEIVED

APR 28 1986

Department of Water Resources



RECEIVED



DATE

4-19

1ST NOTICE

2ND NOTICE

RETURN

Detached from
PS Form 3849-A
Oct. 1980



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

Mailing address:
Statehouse
Boise, Idaho 83720

A. KENNETH DUNN

29-7248
KIRTLEY, CAVE J.
631 N. JOHNSON
POCATELLO, ID 83201

138188

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 change to another certified examiner.

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

4/86

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Sent to S.O. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

1. Permit No. _____

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: _____

3. Post Office Address: _____

_____ Telephone No. _____

4. Source of Water: _____

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (acres) Other/Remark _____

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

7. Show the date water was first diverted and beneficially used under this permit:

8. Person to contact to accompany the department representative during the field examination:

_____ (Name)

_____ (Address) _____ (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

_____ Date

_____ Signature of Permit Holder (and title, if appropriate)

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

Mailing address:
Statehouse
Boise, Idaho 83720

A. KENNETH DUNN

29-7248
KIRTLEY, CAVE J.
631 N. JOHNSON
POCATELLO, ID 83201

138188

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 change to another certified examiner.

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

MICROFILMED

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

WATER RIGHT NUMBER 29-7248

OWNER LAST NAME - KIRTLEY FIRST NAME - CAVE J. ORIG OWNER -
ADDRESS LINE 1 - 631 N. JOHNSON ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - POCATELLO STATE - ID ZIP CODE - 83201
SOURCE - GROUNDWATER TRIBUTARY OF -
STAGE - PERMIT STATUS - PRIORITY - 03-13-1975 COUNTY - POWER TOTAL DIV. RATE - .3500 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NENE 12 07S 31E LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
FROM - 03-15 TO - 11-15 USE - IRRIGATION USE DIV. RATE - .2100 CFS USE DIV. VOLUME - .00 AFA
FROM - 01-01 TO - 12-31 USE - STOCKWATER USE DIV. RATE - .0200 CFS USE DIV. VOLUME - .00 AFA
FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .1200 CFS USE DIV. VOLUME - .00 AFA
USE - IRRIGATION PLACE OF USE - TWN 07S RNG 31E SEC 12 TRACT NENE LOT AC 11
DECREE NAME - DATE - TOTAL ACRES 11
REMARKS - REINSTATED 4-17-1980. AC. IRR. = 10.5.
NON IRRIG USE - 5/15 HEAD D/3 HOMES.
OTHER RIGHTS FOR SAME USE -
PROOF DUE - 03-01-1980 PERMIT/DENIED - 03-17-1975 PROTESTED - HEARING - OLD NO. -
PROOF MADE - P FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS - WELL, PUMP, PIPELINES & SPRINKLERS.

VERIFIED RIF



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

May 14, 1980

RE: Permit No. 29-7248

Cave J. Kirtley
Rt. #1, Box 319-A
American Falls, ID 83211

Dear Mr. Kirtley:

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

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

JACKIE S. DENNING
Senior Clerk

cc: IDWR - State Office

P.S. Also enclosed is a copy of your order of reinstatement advancing the priority date to March 13, 1975.

MICROFILMED

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. 29-7248.

Name(s) of Permit Holder: LAKE J. KIRTLEY

Post Office Address: RT 1 Box 319-A

AM. FALLS Ida 83211 Tel. No. 226-4919

Source of Water: WELL

Extent of Use: ☒ Domestic _____ (number of households)
☒ Stockwater _____ (number and type of stock)
☒ Irrigation 8 _____ (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.

3-28-1980
Date

Laurel J. Kirtley
Signature of Permit Holder

MICROFILMED

STAT OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

KIRTLEY, CAVE J.
631 N. JOHNSON
POCATELLO, ID 83201

MARCH 18, 1980

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 29-7248 HAS LAPSED SINCE YOU HAVE NOT NOTIFIED US THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT. YOU WERE PROVIDED FORMS FOR THAT PURPOSE IN OUR NOTICE TO YOU DATED DECEMBER 31, 1979.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE PROOF OF BENEFICIAL USE AFFIDAVIT, ENCLOSED, OR SHOW OTHER REASONABLE CAUSE WHY THE PERMIT SHOULD BY REINSTATED WITHIN 60 DAYS FROM THE DATE OF THIS LAPSE NOTICE.

C. STEPHEN ALLRED
DIRECTOR

ENCLOSURE

CERTIFICATION OF MAILING
3/21/80
This letter was
sent by mail,
and is being
delivered to the
recipient.
[Signature]
C. Stephen Allred

MICROFILMED

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

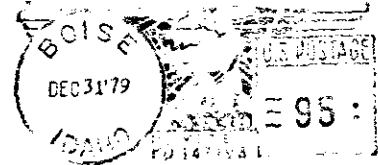
PROFILMED

ATTEMPTED NOTICE

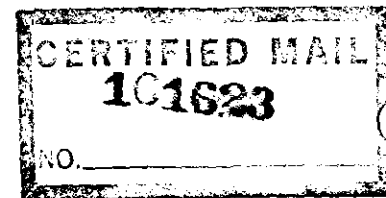
RECEIVED

JAN 7 1980

Department of Water Resources



*Return Rt 1, Box 319A
American Falls.*



S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

KIRTLEY, CAVE J.
631 N. JOHNSON
POCATELLO, ID

101623

DECEMBER 31, 1979

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 29-7248 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED

March 18, 1975

Re: Permit No. 29-7248

Mr. Cave J. Kirtley
631 North Johnson
Pocatello, ID 83201

Dear Mr. Kirtley:

Enclosed is a copy of your approved Application for Permit No. 29-7248. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

MICROFILMED

February 14, 1975

RE: Application for Permit No. 29-7248 Kirtley
" " " No. 35-7477 Vollweiler

Power County Press
174 Idaho St.
American Falls, ID 83211

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
Acting District Engineer

RBC:MB

Bill submitted 3-03-75 by OW

Legal Notices (2)

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Cave J. Kirtley,

631 N. Johnson, Pocatello, Idaho

has on 2-11-75 submitted Application No. 29-7248

for a permit to appropriate 0.35 cubic feet per second ~~above stated maximum~~

of water from a ground-water source

by means of well and pump

within the NE¹/₄NE¹/₄, Sec. 12, T. 7S, R. 31E, B.M., Power County;

to be used from Jan. 1 to Dec. 31

for domestic purposes for 3 families and stockwatering purposes for 5 horses

and 10 cows; and from Mar. 15 to Nov. 15 for the irrigation of 10.5 acres; all uses

within the NE¹/₄NE¹/₄, Sec. 12, T. 7S, R. 31E, 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 _____

March 10, 1975

R. KEITH HIGGINSON

Director

Published in the Power County Press, American Falls, Idaho

on February 20 and February 27, 1975

MICROFILMED

Cave J. Kirtley

February 11, 1975

RE: Application for Permit No. 29-7248

Mr. Shirl C. Boyce, Jr.
Idaho State Planning & Community Affairs Agency
Regional Office, Idaho State University
Box 73
Pocatello, Idaho 83201

Dear Mr. Boyce:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our Department as soon as possible. The last date of protest is March 10, 1975, 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
Acting District Engineer

RDC:MB

Enclosure

MICROFILMED