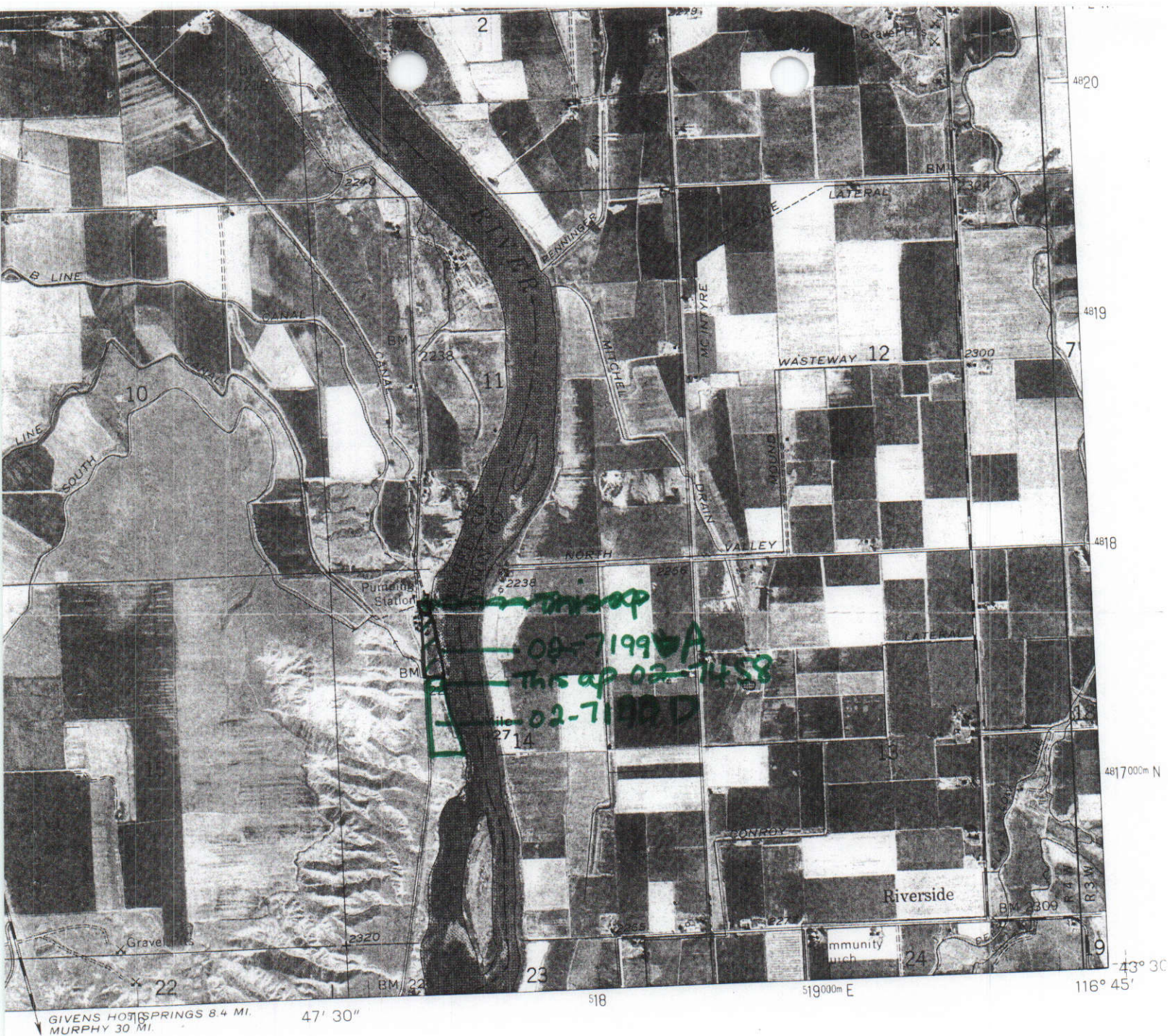




LOT 2
 SECTION 14
 02-07458



MARSING, IDAHO
 N4330-W11645/7.5

PHOTO REVIS 1971
 ADVANCE PRINT

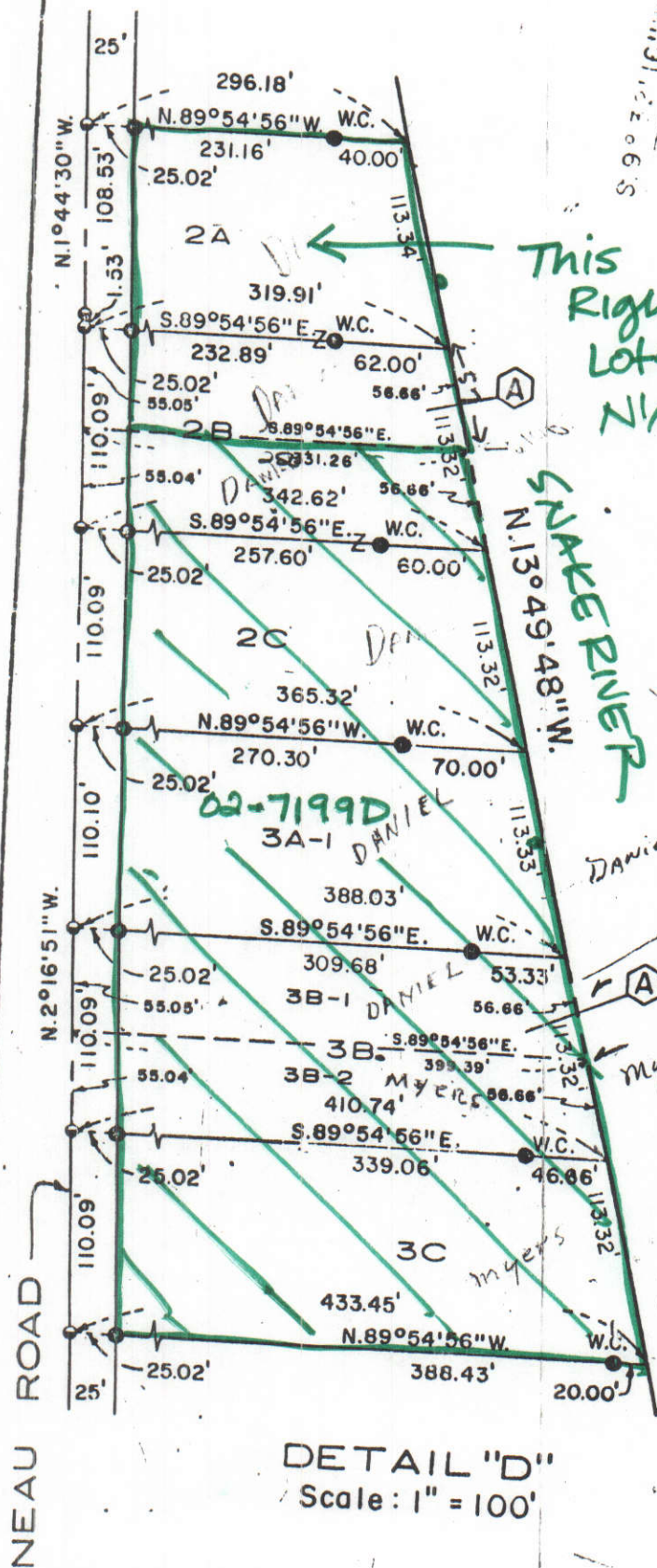
Can Be Obtained
 nt, Boise Idaho

RECEIVED
 SEP 24 1993

AP ACCURACY STANDARDS
 , MENLO PARK, CALIF. 94025

NORTH ↑

02-7199 A



DETAIL "C"
Scale: 1" = 30'

1/16 Corner - Found S 83

S. 31° 57' 34" E.
113.00'

S. 17° 24' 26" W.
113.20'

S. 21° 25' 34" E.
378.00'

S. 80° 05' 26" W.
186.40'

S. 46° 39' 34" E.
357.60'

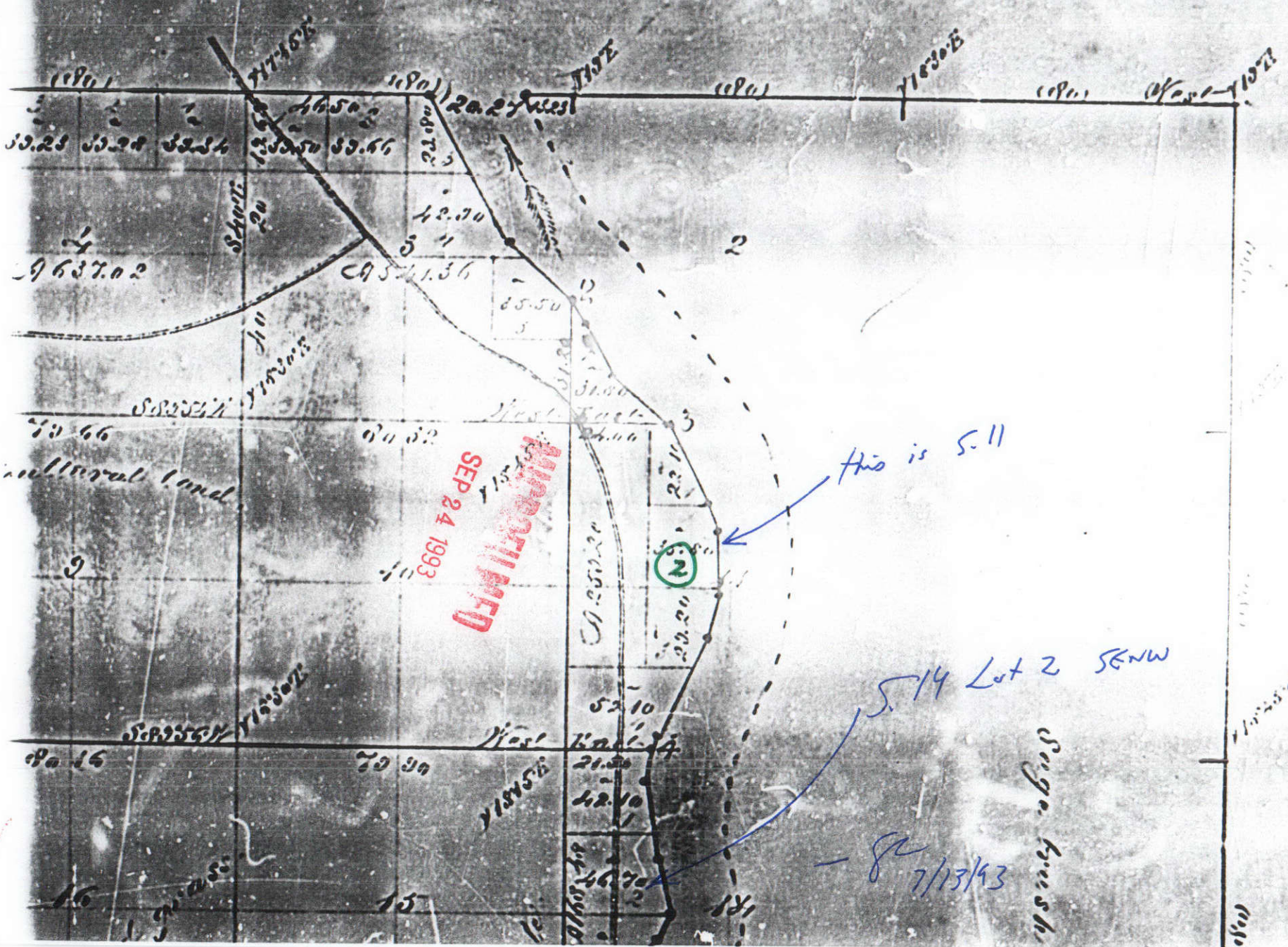
S. 53° 02' E.
527.5

S. 3°

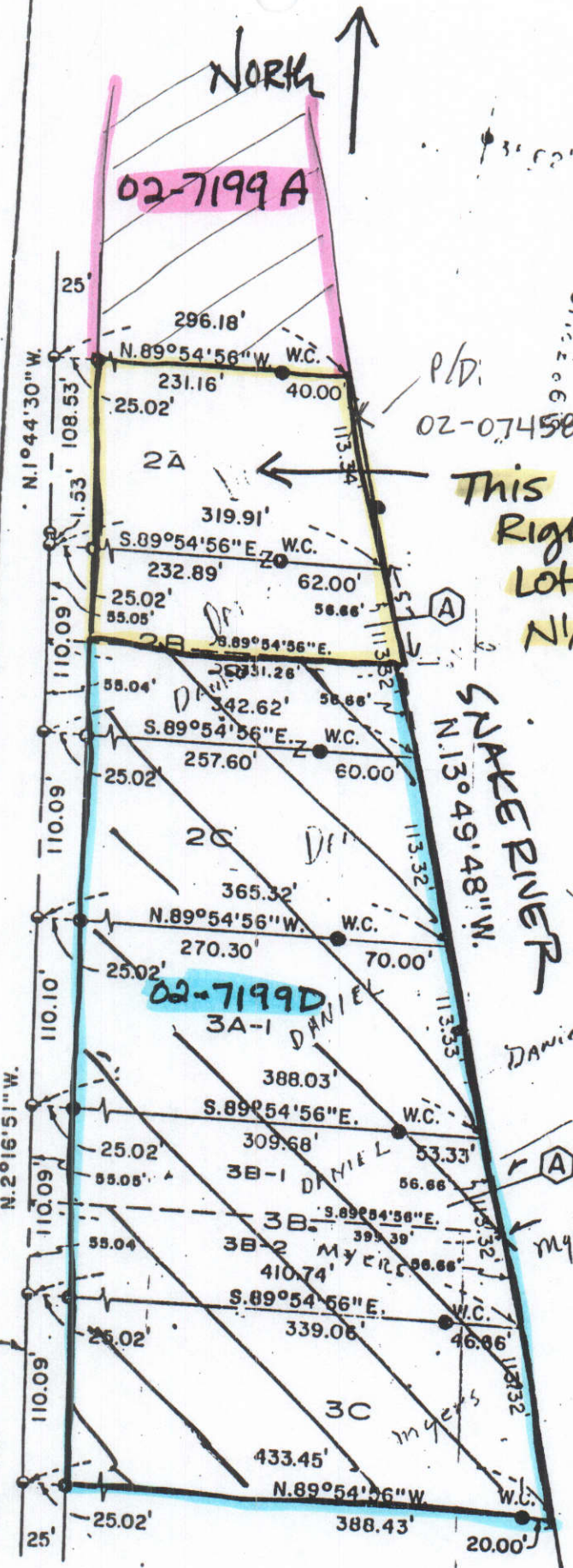
MAILED
SEP 24 1993

DETAIL "D"
Scale: 1" = 100'

W. Range No 4 West Boise Meridian.



NEAU ROAD



NORTH ↑

02-7199 A

02-07458

This
Right
Lots 2A &
N 1/2 of 2B

Snake River
N.13°49'48\"W.

02-7199 D

3A-1 DANIEL

3B-1 DANIEL

3B-2 MYERS

3C

DETAIL "D"
Scale: 1" = 100'

DETAIL "C"
Scale: 1" = 30'

1/16 Corner - Found S 83

S.31°57'34"E.
113.00'

S.17°24'26"E.
113.20'

S.21°25'34"E.
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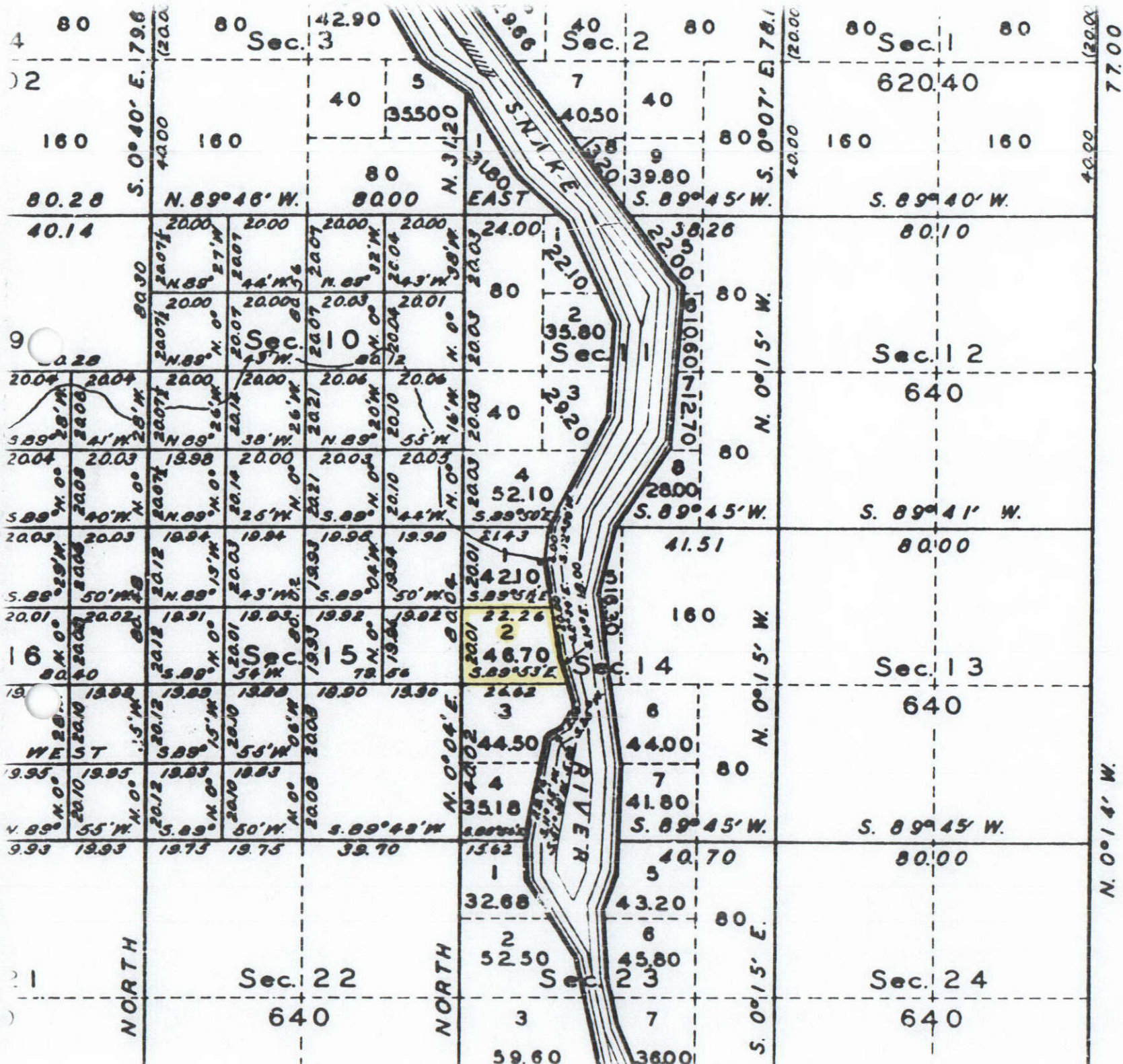
S.46°39'34"E.
357.60'

S.53°02'
527.5

S.3°

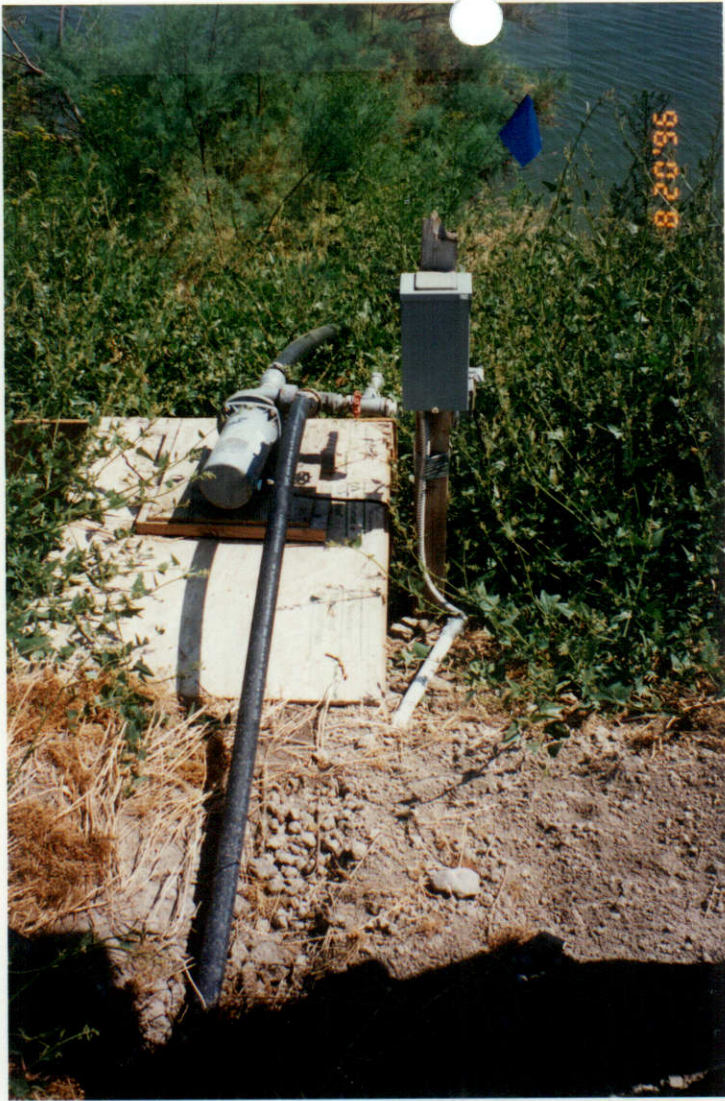
MICROFILMED
DEC 29 1998

02-07458



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DEC 29 1998

02-07458



2HP Ace Pump



P/u -

MICROFILMED
DEC 29 1998

02-07458

THE OWYHEE AVALANCHE

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

RECEIVED
AUG 02 1993

I, Joe E. Aman, being first duly sworn, depose and say: Department of Water Resources
Western Regional Office

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

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

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

newspaper, in

2 (two)

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

July 21 and 28, 1993

Signed

Joe E. Aman

Subscribed and sworn to before me this 28th day of July A.D., 1993

Conrad Bowling

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 1997

SEP 24 1993

NOTICE OF APPLICATION FOR WATER RIGHT

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

02-07458

DANIEL, LIONEL
DANIEL, JUANITA
RT 1 BOX 798
MARSING, ID 83639
Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversión Pt: LOT 2 (SENW)
Sec 14 T 02N R 04W in
OWYHEE County.
Use: IRRIGATION (.030 CFS)
Total Diversión: (.030 CFS)
Date Filed: 7/7/1993
In: OWYHEE County
T02N R04W S14 Lot 2
(SENW)
1.0 ACRES TOTAL
57-07579

JOHNSON, JAMES B

JOHNSON, GLENDA
RT 1 BOX 1060
HOMEDALE, ID 83628
Source: GROUNDWATER
Diversión Pt: NWNE Sec 15 T
03N R 05W in OWYHEE
County.
Use: IRRIGATION (.090 CFS)
DOMESTIC (.180 CFS)
Total Diversión: (.270 CFS)
Date Filed: 6/23/1993
In: OWYHEE County
T03N R05W S15 NWNE
3.0 ACRES TOTAL

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before AUGUST 9, 1993.

R. KEITH HIGGINSON,
Director

Publish July 21 & 28, 1993

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 02-07458

Priority: July 18, 1993

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 4.5 AF

This is to certify, that LIONEL DANIEL
JUANITA DANIEL

RT 1 BOX 798

MARSING ID 83639

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 7, 1993; and has submitted Proof of Beneficial Use on July 16, 1996. An examination indicates that the works have a diversion capacity of 0.080 cfs of water from:

SNAKE RIVER

tributary to COLUMBIA RIVER

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	03/15 to 11/15	0.03 CFS	4.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (SENW), Sec. 14, Township 02N, Range 04W
OWYHEE County

PLACE OF USE: IRRIGATION

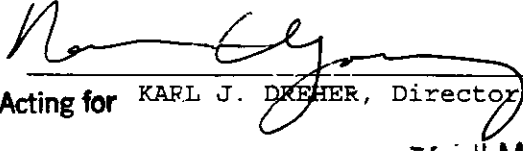
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	04W	14	Lot 2 (SENW)	1		1

Total number of acres irrigated: 1

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 20TH day of NOVEMBER, 1998.


Acting for KARL J. DREHER, Director

MED

DEC 29 1998

RECEIVED

JUL 16 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 02-07458 Telephone No. 1-208-896-4765
2. Name(s) of Permit Holder(s): LEONIEL DANIEL + JUANITA DANIEL
3. Mailing Address: RT 1 Box 798 MARSING IDAHO - 83639
4. Source of Water: SNAKE RIVER If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
- a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____
- b. OPTIONAL:
Pump Horsepower: 2 HP Pressure (psi): _____ Dynamic pumping level (ft): _____

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

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

Irrigation (No. of acres): 1 1/3 A Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .03 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No ✓
Has the measuring device been installed? Yes _____ or No ✓
Flow Measurement Port: Is a flow measurement port required? Yes _____ or No ✓
Has the measurement port been installed? Yes _____ or No ✓

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: LEONIEL DANIEL Telephone Number: 1-208-896-4765
Address: RT 1 Box 798 MARSING IDAHO 83639

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

Signature of permit holder: Leoniel Daniel Date: AUG 07 1996
(include your title, if on behalf of company or organization)

RECEIVED

SEP 12 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER RIGHTS
SECTION

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

RECEIVED

SEP 14 1995

Department of Water Resources

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

Permit No. 02-07458

Name(s) of Permit Holder: LEONIEL DANIEL + JUANITA DANIEL

Mailing Address: RT 1 BOX 798 MARSING IDAHO 83639

Date Proof is Due: Sept 1 - 1995 Telephone No. 1-208-896-4765

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

3/4 OF WATER LINES ARE IN GRASS AND TREES
HAVE BEEN PLANTED, WAITING FOR POWER
TO BE PUT IN SCHEDULED WITH IDAHO POWER

Costing \$ 450.00

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

WATER WAS IN THE SPRING AND WE COULDN'T GET THE PUMP IN
THEN JUNE 28th OUR DAUGHTER-IN-LAW PASSED AWAY FROM CANCER LEFT
5 GRANDCHILDREN TO CARE FOR

Permit holder(s) request an extension to Sept 1, 19 96.

FEE: \$50.00

(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to **September 1, 1996**.

IT IS FURTHER ORDERED that the permit is REINSTATED and the priority date is advanced to July 18, 1993.

Signed this 25th day of September, 19 95

J. Blum Stanton
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 02-07458

Proposed Priority: July 7, 1993 Maximum Diversion Rate: 0.03 CFS
This is to certify, that LIONEL DANIEL

JUANITA DANIEL
RT 1 BOX 798
MARSING ID 83639

has applied for a permit to appropriate water from:

SNAKE RIVER

tributary of COLUMBIA RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 2(SENW), Sec. 14, Township 02N, Range 04W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N 04W 14	Lot 2(SENW) 1			1

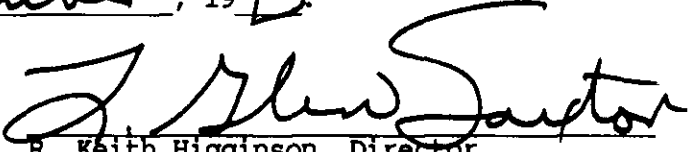
Total number of acres irrigated: 1

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1995.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Water shall not be diverted under this right unless the flow of the Snake River exceeds prior rights and established downstream minimum stream flows.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

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

7th day of September, 1993


for R. Keith Higginson, Director

RECEIVED
AUG 13 1993

Ident. No. 02-07458

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: LIONEL DANIEL 208-896-4765
Address: RT 1 BOX 798
MARSING ID 83639
AND/OR
Name: JUANITA DANIEL 208-896-4765
Address: RT 1 BOX 798
MARSING ID 83639

2. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER
3. Location of Point of Diversion: Lot 2(SENW), Sec. 14, Township 02N, Range 04W
OWYHEE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.030		

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

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc.
PUMPING PLANT, PIPELINE, SPRINKLERS
b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
c. Proposed well diameter is inches; proposed depth of well is
feet.
d. Is groundwater with a temperature greater than 85F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 3 year(s).

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
02N	04W	14	Lot 2(SENW)	1		1

Total number of acres irrigated: 1

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:

11. Map of proposed point of diversion and place of use attached? ☒

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

Leonidas Daniel
Applicant

Received by Cyt Date 7/7/93 Time 1000 Preliminary check by FL

Fee \$ 30 - Receipted by Cyt # W016475 Date 7/7/93

Publication prepared by St Date 7-14-93 Published in Owyhee Avalanche
7/21+28/93

Publication approved St Date 8-9-93

SEP 24 1993

Comments: Date: 7/ 7/1993 User-ID: HODGES

Subject:

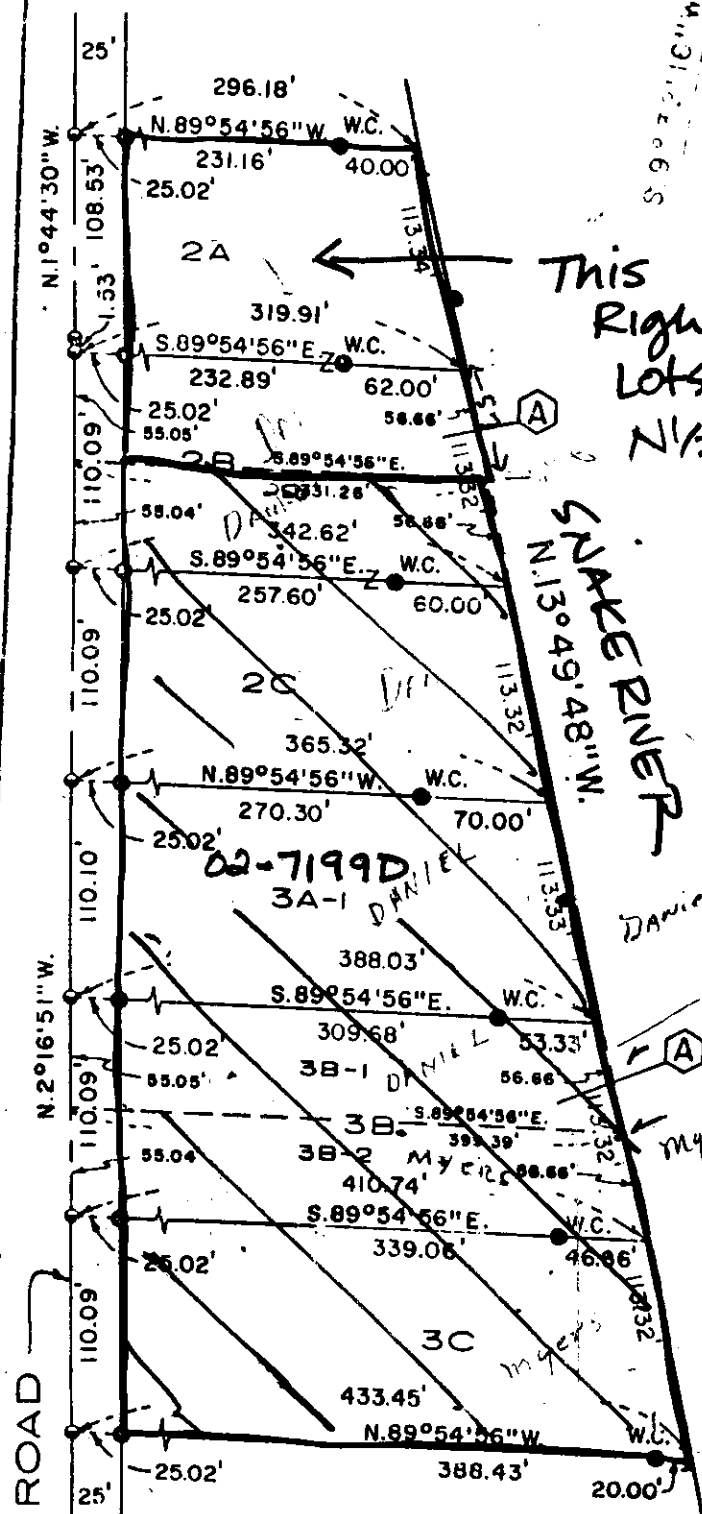
ADDITIONAL INFO, OVERLAPS

Place of use is a part of Lot 2B and all of Lot 2A on the attached plat. Balance of platted area is irrigated under 02-07199D. Pumping station under this right will be different than for overlapping rights. This acreage was permitted under 02-07199 but not developed and excluded from licensed acres. A02-07199D has been filed.

RECEIVED
JUL 14 1993

NORTH ↑

02-7199 A



DETAIL "D"
Scale: 1" = 100'

DETAIL "C"
Scale: 1" = 30'

1/16 Corner - Found S 83°

S. 31° 57' 34" E.
113.00'

S. 17° 24' 26" E.
113.20'

S. 21° 25' 34" E.
378.00'

S. 80° 05' 26" W.
186.40'

S. 46° 39' 34" E.
357.60'

S. 53° 02' E.
527.5'

S. 3°

1993

SEP 24 1900

S. 14 Lot 2 SE NW

N



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

November 30, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LIONEL DANIEL
JUANITA DANIEL
RT 1 BOX 798
MARSING ID 83639

RE: WATER RIGHT NO. 02-07458

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

DEC 29 1998

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

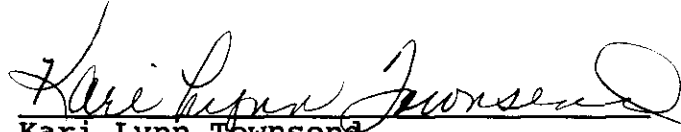
DEC 29 1998

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of November, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 02-07458

LIONEL DANIEL
JUANITA DANIEL
RT 1 BOX 798
MARSING ID 83639


Kari Lynn Townsend
Secretary

FILMED

DEC 29 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 16 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-07458

1. Owner: Lionel + Juanita Daniel Phone No. 896-4765

Current Address: Rt 1 Box 798 Marsing Id 83639

2. Accompanied by: Lionel EXAM DATE: 8/20/96

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Snake River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	2		SE	NW	14	2N	4W	Owyhee	USGS Quad, Plat Map

2. Place(s) of Use:

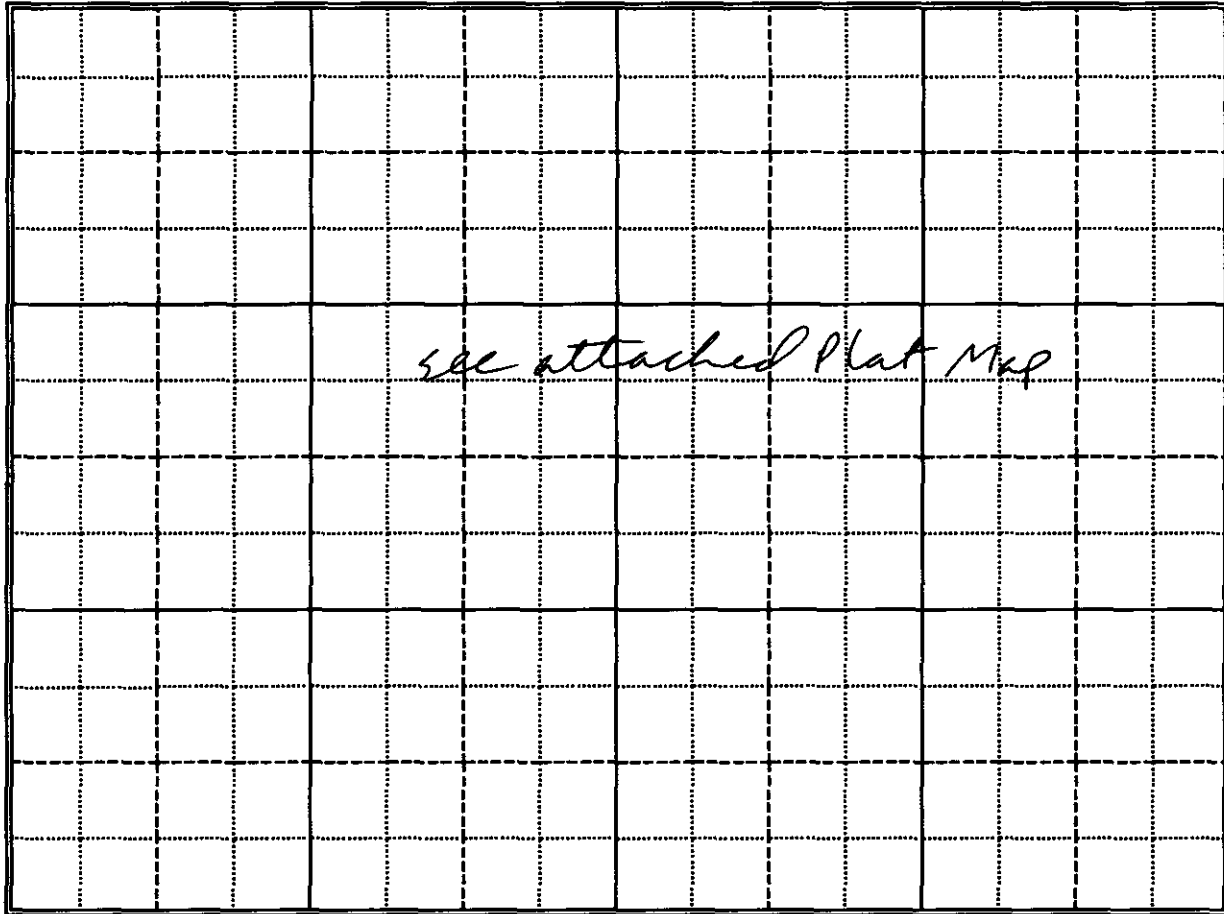
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	4W	14							1									1	

MICROFILMED

DEC 29 1998

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



Scale: 1" = _____

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

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

☐ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		2		Ace	
			(Tag not readable)		

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Theoretical
(Missing Hardware specs rated pump @ 60 GPM)

MICROFILMED

DEC 28 1993

E. NARRATIVE/REMARKS/COMMENTS

A 2 HP pump lifts water ~10' to
irrigate ~1 acre of lawn area. 300' of
1.5" buried mainline is used to feed
four 1" rainbird sprinkler lines. Total
lot area is 54,400^{sq} ft. ~ 8500^{sq} ft is developed
for homes, parking, etc. No other rts
are used. Water rt 02-07199D covers the
south half of lot 2B and additional
lots to the south. rt 02-07199A covers
lots to the North. This permit is for
lot 2A and the N¹/₂ of lot 2B.

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

MICROFILMED
DEC 29 1998

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

Pump rated at 60 GPM
Theoretical supports 36 GPM
Allow .03 cfs per statute limits

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \times 4.5 = 4.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .03 \times 246 \times 1.9835 = 14.6$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} = 4.5$$

2. Volume Calculations for Other Uses:

H. 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	.03	4.5
Totals:			.03	4.5

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name W. G. G. G. G. Date 11/12/98

Reviewer _____ Date _____

MICROFILMED

DEC 29 1998

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Lori Graves

Project: Flow Computat02-07458

Given: See Data Table

Compute head losses with the Williams and Hazen Formula:
 $f = 0.2083 * (100 / \text{roughness})^{1.85} * ((\text{cfs} * 448.8)^{1.852} / \text{ID}^4.8655 * \text{Length})$

To Find: Compute Rate of Flow for a Pumpback System

Data Table

Vertical Lif 10.00 feet

Pressure Req 30.00 psi

Required Hea 79.30 feet

Pump Horsepo 2.00 horsepower

Pipe Roughne 150.00 Note: pvc = 150, smooth and straight pipe = 140
 aluminum - joint length 20' = 125, joint lengt
 30' = 130, joint length 40' = 132, joint lengt
 50' = 134, new riveted steel = 100
 old riveted steel = 100, old cast iron = 95,
 old pipes in poor condition = 60 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Friction Head Loss from Pipe Friction	Head Loss per 100 ft
1.25	300.00	75.62		25.21

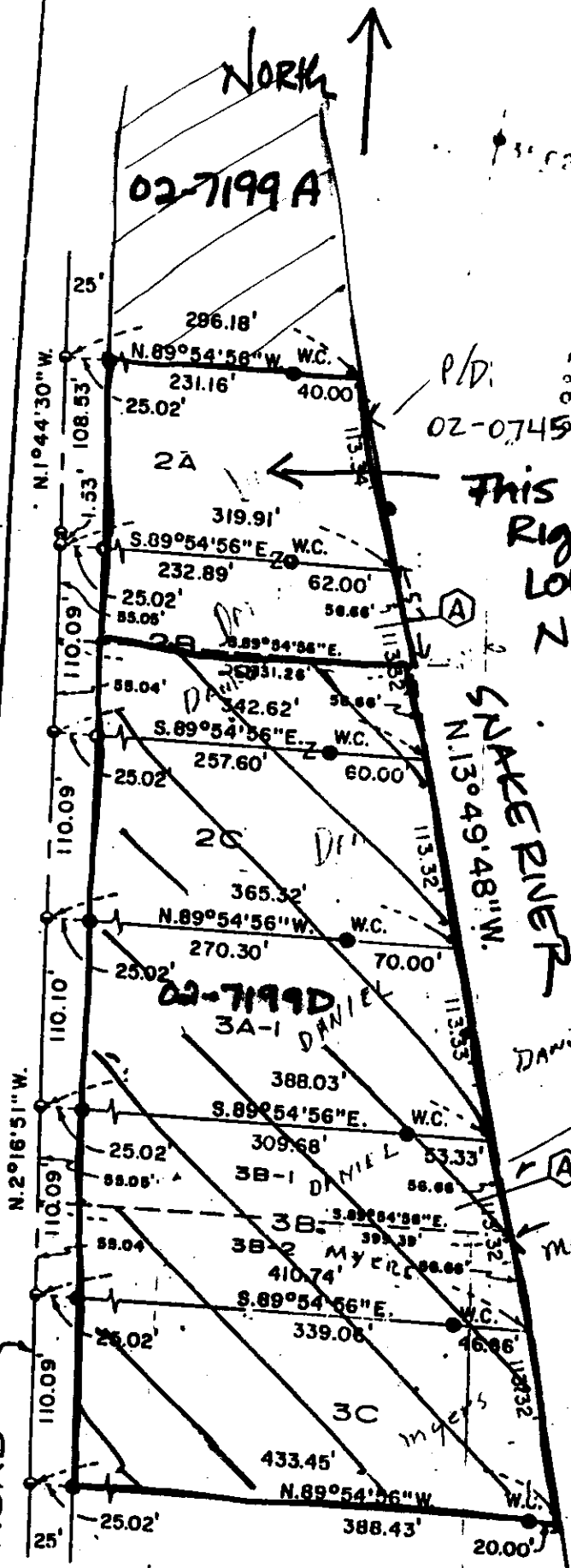
75.62

Initial Estimate of Rate of Flow: 0.080 CFS

Computation of Rate of Flow: 0.08

MICROFILMED
 DEC 29 1998

NEAU ROAD



DETAIL "D"
Scale: 1" = 100'

P/D
02-07458

This
Right
Lots 2A &
N 1/2 of 2B

Snake River
N. 13° 49' 48" W.

Daniel

To go to
Daniel
3A-1

Myers

DETAIL "C"
Scale: 1" = 30'

1/16 Corner - Found S 83

S. 31° 57' 34" E.
113.00'

S. 17° 24' 26" W.
113.20'

S. 21° 25' 34" E.
378.00'

S. 80° 05' 26" W.
186.40'

S. 46° 39' 34" E.
357.60'

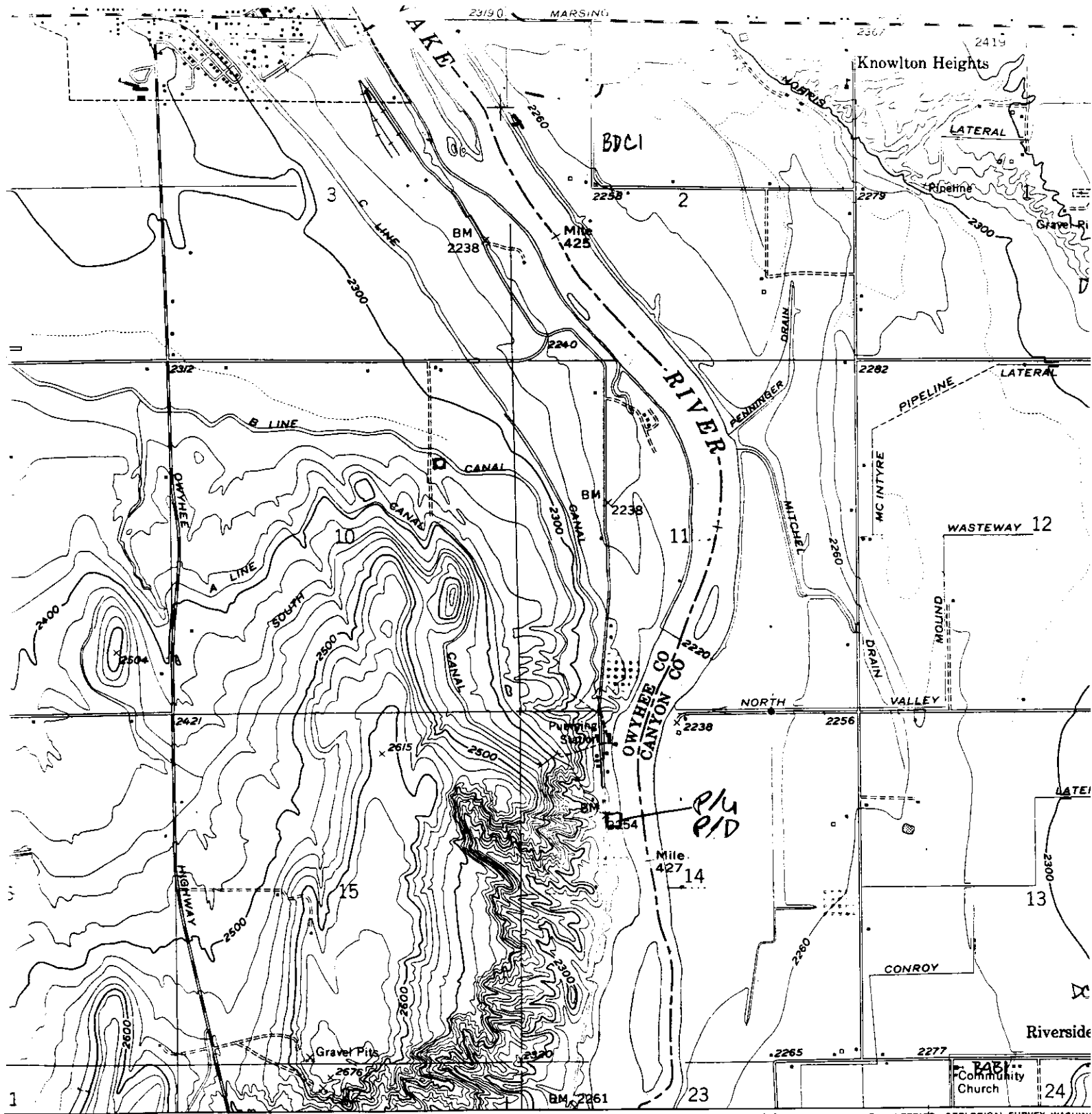
S. 53° 02'
527.5

S. 3°

MICROFILMED

DEC 29 1998

02-07458



(OPALENE GULCH)
2670 IV NE

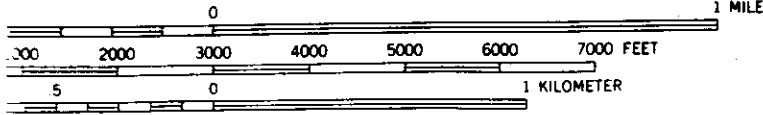
GIVENS HOT SPRINGS 8.4 MI.
MURPHY 30 MI.

47°30' 15"

518

INTERIOR GEOLOGICAL SURVEY, WASHINGTON
519000m E

SCALE 1:24000



CONTOUR INTERVAL 20 FEET

DOTTED LINES REPRESENT 10-FOOT CONTOURS

FOUR INTERVAL ON RIVER SURFACE 5 FEET

DATUM IS MEAN SEA LEVEL

T2N
R4W
Sec 14

SE NW
Gov Lt 2

ROAD CLASSIFICATION

Medium-duty ——— Light-duty

Unimproved dirt ———

U. S. Route

MICROFILMED

QUADRANGLE LOCATION

DEC 29 1998

MAP

N43

PHO

AMS 267

02-07458

COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

AL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242

TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



2HP Ace Pump



P/u -

MICROFILMED
DEC 29 1998

071158

August 5, 1996

LIONEL DANIEL
JUANITA DANIEL
RT 1 BOX 798
MARSING ID 83639

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 02-07458

Dear Permit Holder:

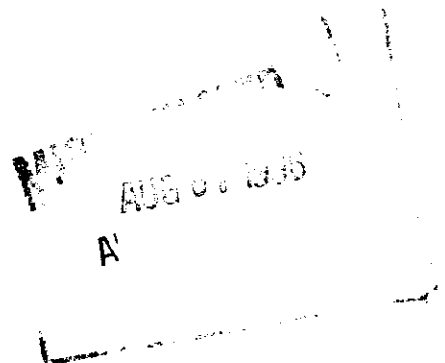
The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region



June 30, 1996

LIONEL DANIEL
JUANITA DANIEL
RT 1 BOX 798
MARSING ID 83639

PROOF DUE NOTICE

RE: PERMIT NO. 02-07458

Dear Permit Holder:

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

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

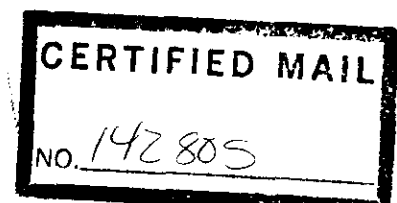
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

AUG 07 1996





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 25, 1995

Leoniel & Juanita Daniel
Rt. 1 Box 798
Marsing, ID 83639

RE: Permit No. 02-07458

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to **September 1, 1996**. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department will not be able to grant additional requests based on due diligence.

Please be advised that since the extension was received after the proof due date of September 1, 1995, it was necessary for the department to reinstate your permit and advance your priority date to July 18, 1993.

If you have any questions or if I can be of any assistance, please feel free to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

OCT 03 1995

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

September 7, 1995

LIONEL DANIEL
JUANITA DANIEL
RT 1 BOX 798
MARSING ID 83639

LAPSE NOTICE

RE: PERMIT NO. 02-07458

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated June 30, 1995. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 9-7-95
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

OCT 03 1995

June 30, 1995

LIONEL DANIEL
JUANITA DANIEL
RT 1 BOX 798
MARSING ID 83639

PROOF DUE NOTICE

RE: PERMIT NO. 02-07458

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1995. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

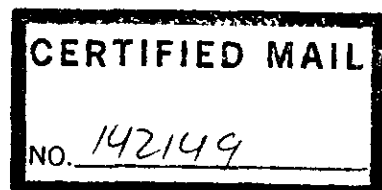
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





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

September 8, 1993

LIONEL DANIEL
JUANITA DANIEL
RT 1 BOX 798
MARSING ID 83639

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 02-07458

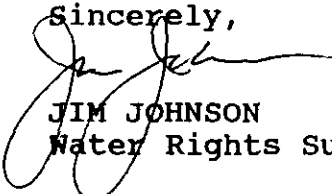
Dear Permit Holder(s):

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

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

Note also that water shall not be diverted under this permit unless the flow of the Snake River exceeds established downstream minimum stream flows. In addition, there are many applications for permit for the use of Snake River water that are prior to your permit. These applications have been filed for the irrigation of lands that the applicants are attempting to obtain under the Federal Land laws such as Desert Entry and Carey Act. If these lands are developed, and if the established minimum stream flows are maintained, then no water would be available for this permit. Therefore, you should carefully consider these facts before making any expenditures for the construction of your system.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

SEP 24 1993

Enclosures

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 02-07199D

Priority: July 16, 1975

Maximum Diversion Rate: 0.10 CFS
Maximum Diversion Volume: 18.0 AF

This is to certify, that LAWRENCE MYERS
LIONEL DANIEL

RT 1 BOX 747
PARSING ID 83639

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 16, 1975, and
has submitted Proof of Beneficial Use on October 3, 1984. An examination indicates
that the works have a diversion capacity of .90 cfs of water from:

SNAKE RIVER

tributary to COLUMBIA RIVER

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	03/15 to 11/15	0.10 CFS	18.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(SEW), Sec. 14, Township 02N, Range 04W
CHYSEE County

PLACE OF USE: IRRIGATION

<u>TWP</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	04W	14	Lot 2(SEW)	4		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 which 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. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.

SEP 24 1984

PAGE 2

1993
Department of Natural Resources

WATER RIGHT LICENSE

RIGHT NO. 02-07199D

CONDITIONS/REMARKS

This license is to
Witness the seal
day of EE

to the provisions of Section 42-219, Idaho Code.
of the District Office at Boise, this 5th

William E. Gunn
William E. Gunn, Director

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A02-07199D
Date Received: 10/14/1988
Receipt No: W001109
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LIONEL DANIEL 208-896-4765
Address: RT. 1, BOX 798
MARSING, ID 83639

Name: LAWRENCE MYERS 206-692-1471
Address: 3641 HYAK WAY N.E.
BREMERTON, WA 98310

2. Date of Priority: JUL 16, 1975

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
02N	04W	14	SW NW	2	OWYHEE

5. Description of diverting works: **SE ?**
2- 2 HP PUMPS IN RIVER W/PIPELINE TO SPRINKLER IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.130		

7. Total Quantity Appropriated is:
0.130 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A02-07199D

Page 1

Date: 10/14/88

SEP 24 1993

02-07458

DANIEL, LIONEL
DANIEL, JUANITA
RT 1 BOX 798
MARSING, ID 83639

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 2 (SENW) Sec 14 T 02N R 04W in OWYHEE County.

Use: IRRIGATION (.030 CFS)
Total Diversion: (.030 CFS)

Date Filed: 7/ 7/1993

In: OWYHEE County
T02N R04W S14 Lot 2 (SENW)

1.0 ACRES TOTAL

SEP 24 1993

THE OWYHEE AVALANCHE

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

RECEIVED

AUG 02 1993

STATE OF IDAHO)
COUNTY OF OWYHEE)ss

I, Joe E. Aman, being first duly sworn, depose and say: Department of Water Resources
Western Regional Office

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

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

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

newspaper, in

2 (two)

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

July 21 and 28, 1993

Signed

Joe E. Aman

Subscribed and sworn to before me this 28th day of July A.D., 1993

Colin B. Bunting

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 1997

SEP 24 1993

The following applicants have been filed to appropriate the public waters of the State of Idaho:

DANIEL, LIONEL
DANIEL, JAMES
RT 1 BOX 789
HOMEDALE, ID 83628
Source: Owyhee River
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 2 (HOMEDALE)
Sec: 14 T 36 N R 10 E
OWYHEE County
Use: IRRIGATION (1,000 CFS)
Total Diversion: 1,000 CFS
Date Filed: 7/7/1993
In: OWYHEE County
TOWN RANGE LOT 2
HOMEDALE, ID
1.0 ACRES TOTAL

JOHN HIGGINS
RT 1 BOX 789
HOMEDALE, ID 83628
Source: Owyhee River
Diversion Pt: LOT 2 (HOMEDALE)
Sec: 14 T 36 N R 10 E
OWYHEE County
Use: IRRIGATION (1,000 CFS)
DOMESTIC (100 CFS)
Total Diversion: 1,200 CFS
Date Filed: 8/23/1993
In: OWYHEE County
TOWN RANGE LOT 2
HOMEDALE, ID
3.0 ACRES TOTAL

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of B-42-205A, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2795 Airport Way, Boise, Idaho 83745 on or before AUGUST 1, 1993.

JOHN HIGGINS
Director
September 21, 1993