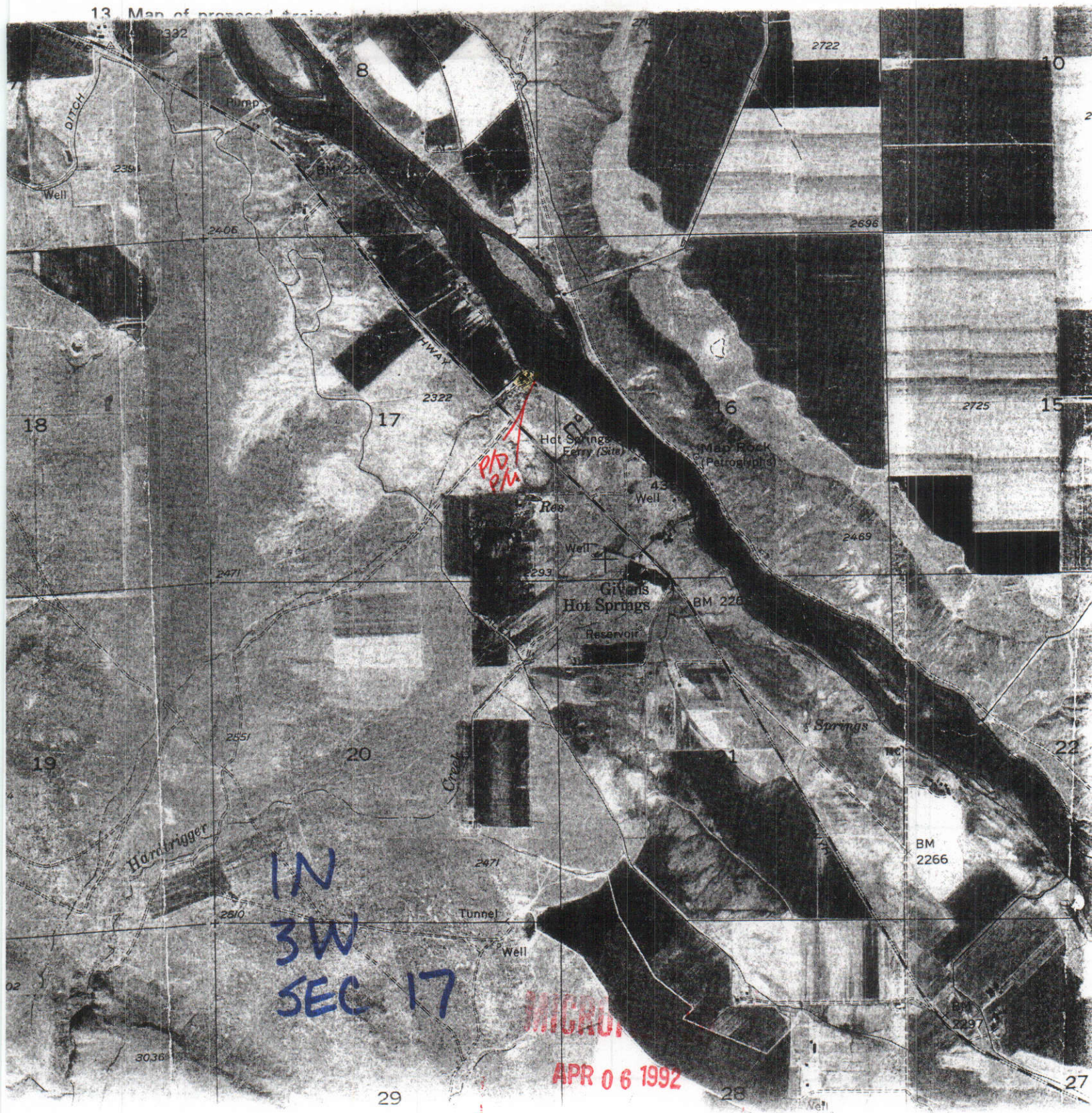


13 Map of proposed project



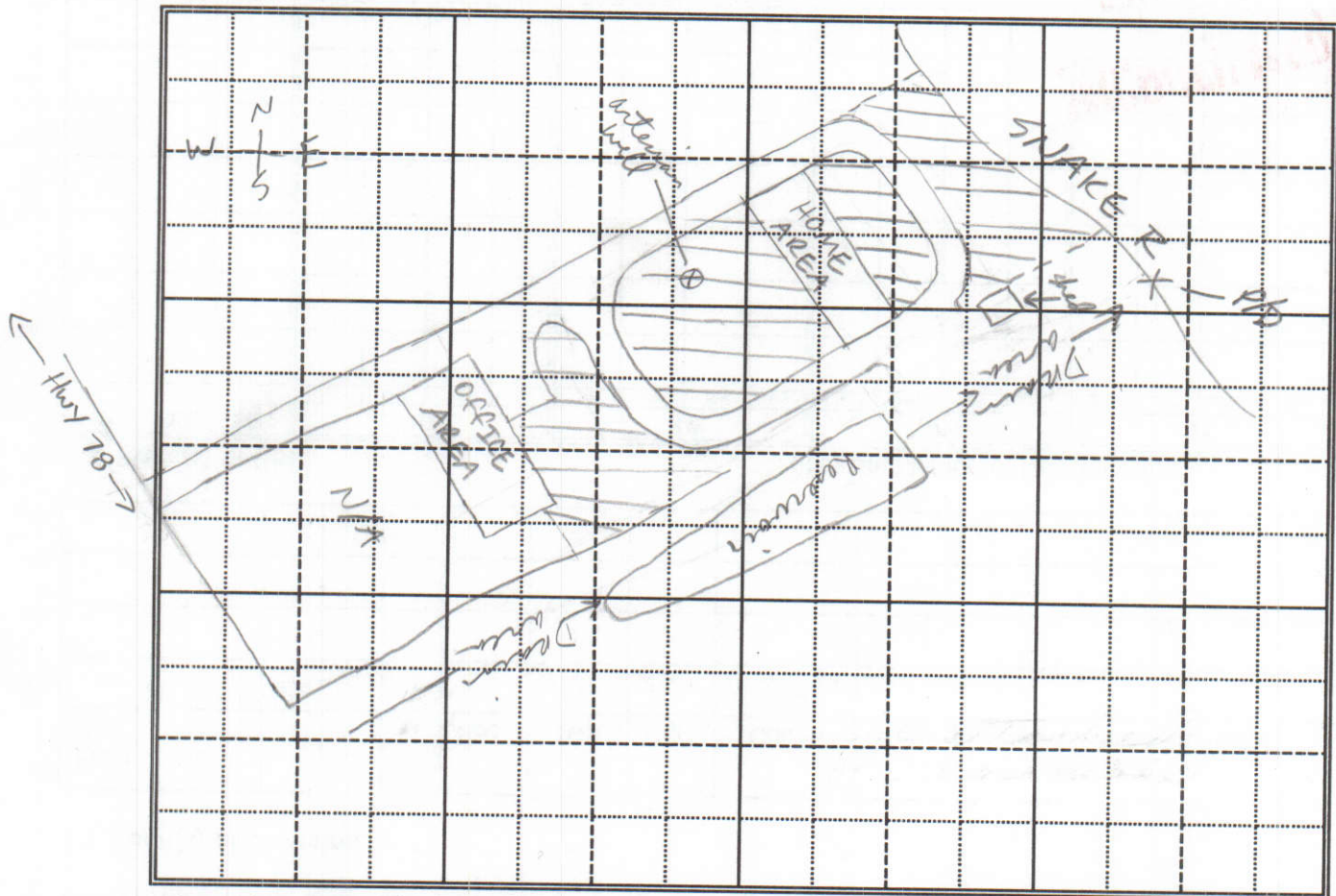
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

APR 06 1992

Alma L. Lee
(Applicant)

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



Scale: 1" = Not to scale - see attached for larger scale

☒ Copy of USGS Quadrange 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
	Mueller	3/4	C55CXEDL-2660	Aermotor	

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

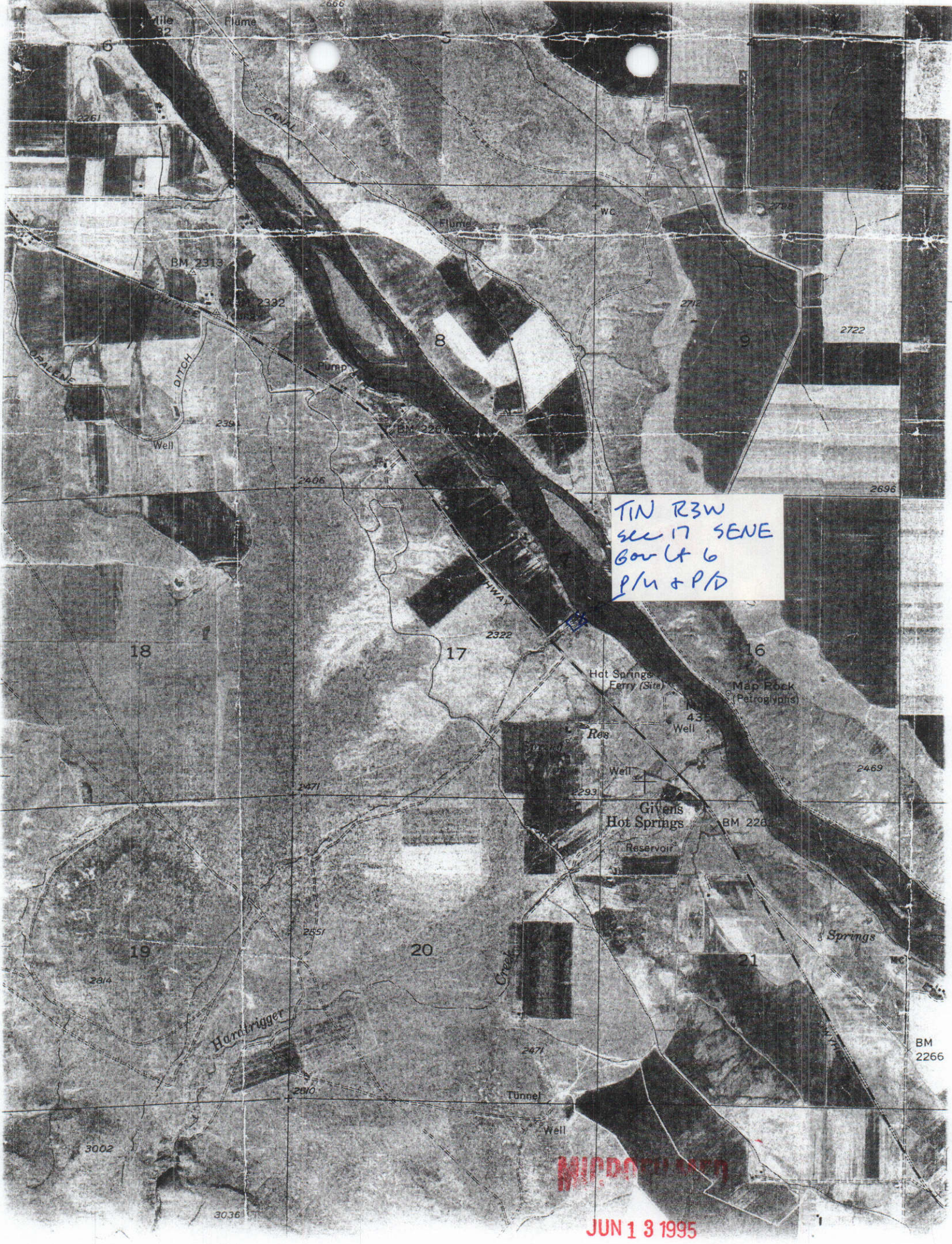
D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
5 gal bucket						

2. Measurements: Bucket measurement using T faucet
located ~ 20' North of pump
see attached sheet for area measurements

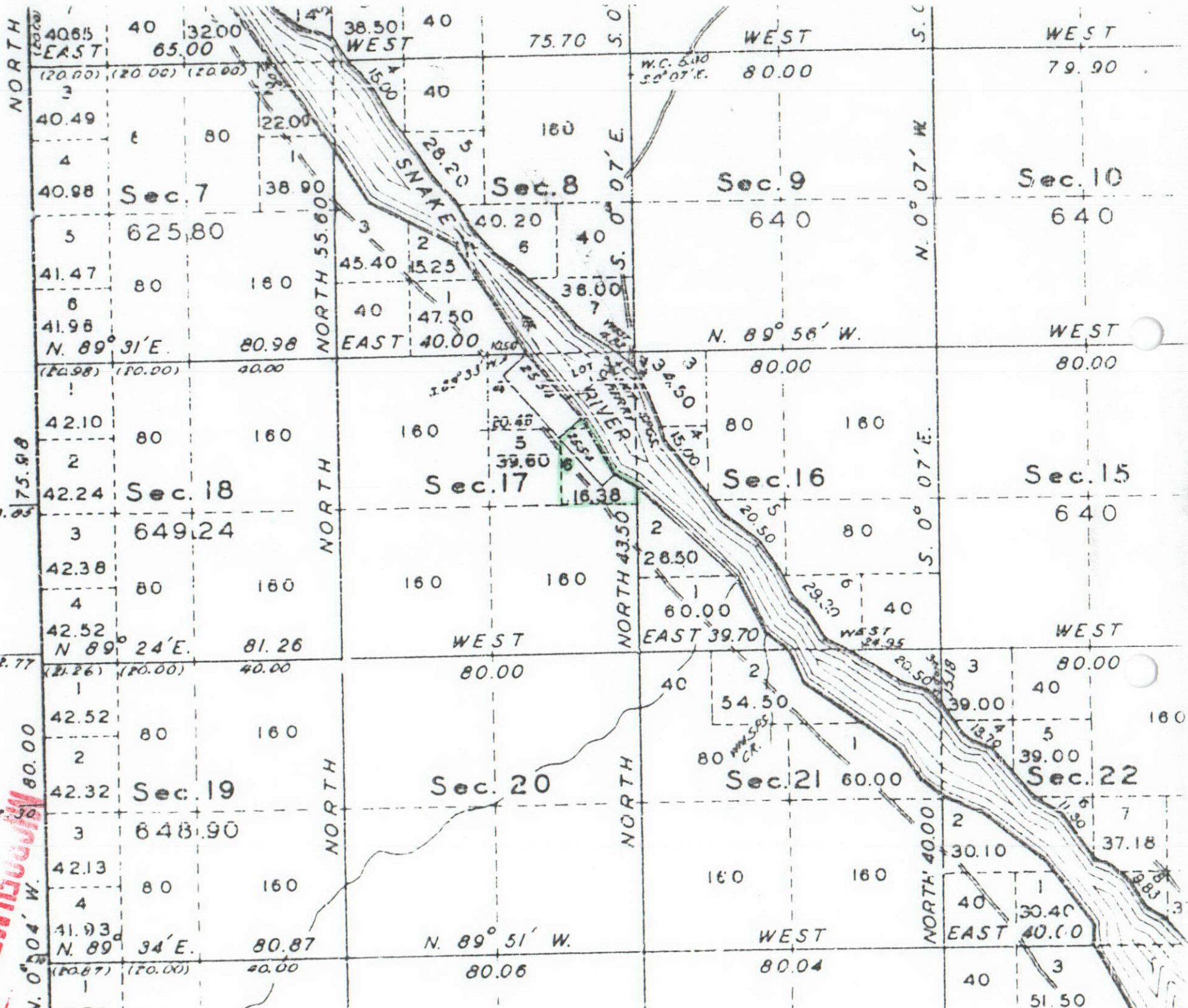
JUN 13 1995



TIN R3W
sec 17 SENE
Box Lt 6
p/m & p/d

MIDGON

JUN 13 1995



13

24

JUN 13 1995

RECORDED

Plat Map

THIS SKETCH IS MADE SOLELY TO ASSIST
IN LOCATING THE PROPERTY. THE COMPANY
ASSUMES NO LIABILITY FOR VARIATION
IF ANY WITH AN ACTUAL SURVEY.

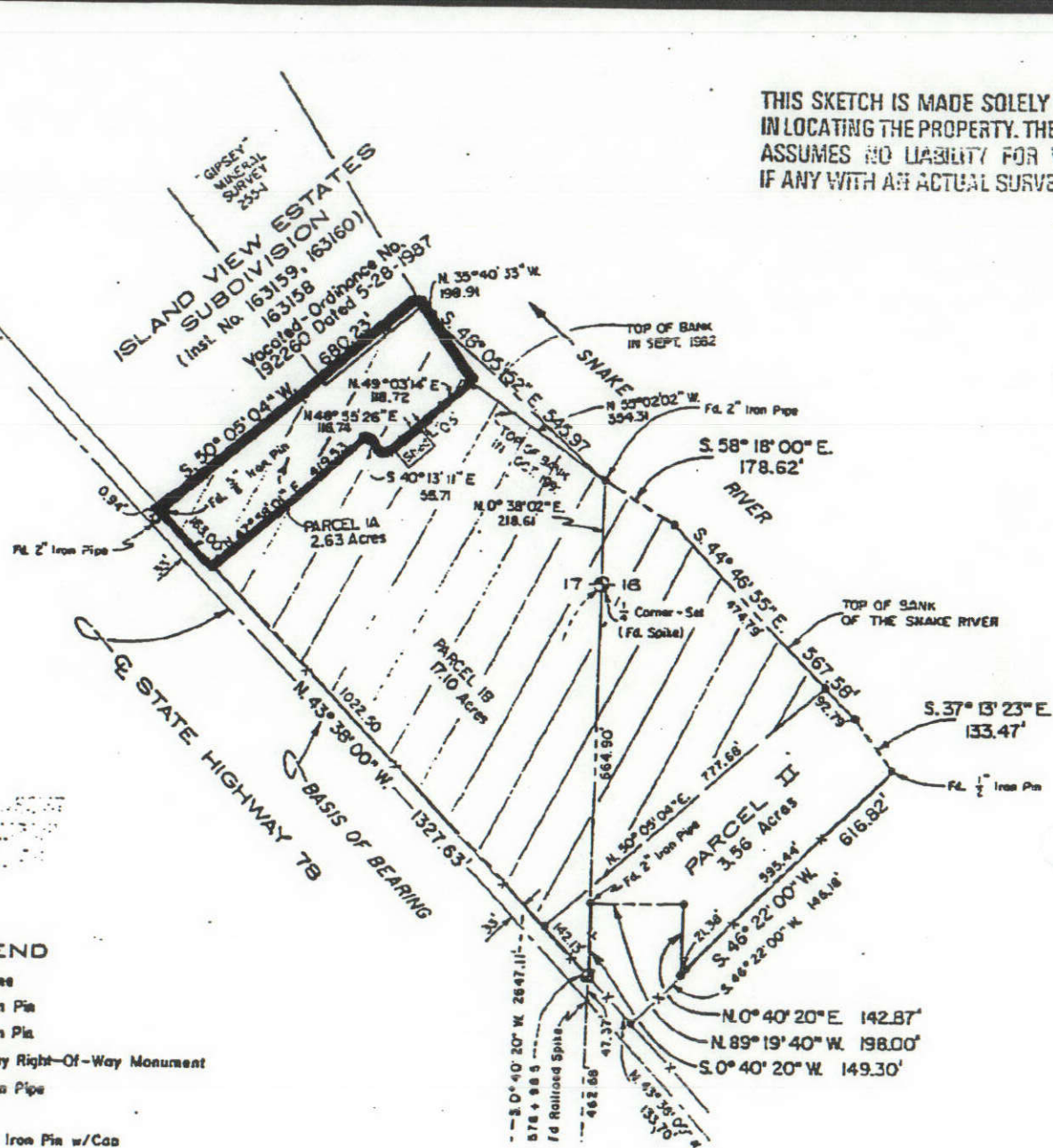


Compliments to:
OWYHEE COUNTY TITLE L.
P.O. Box 8 495-2582
Murphy, ID 83650

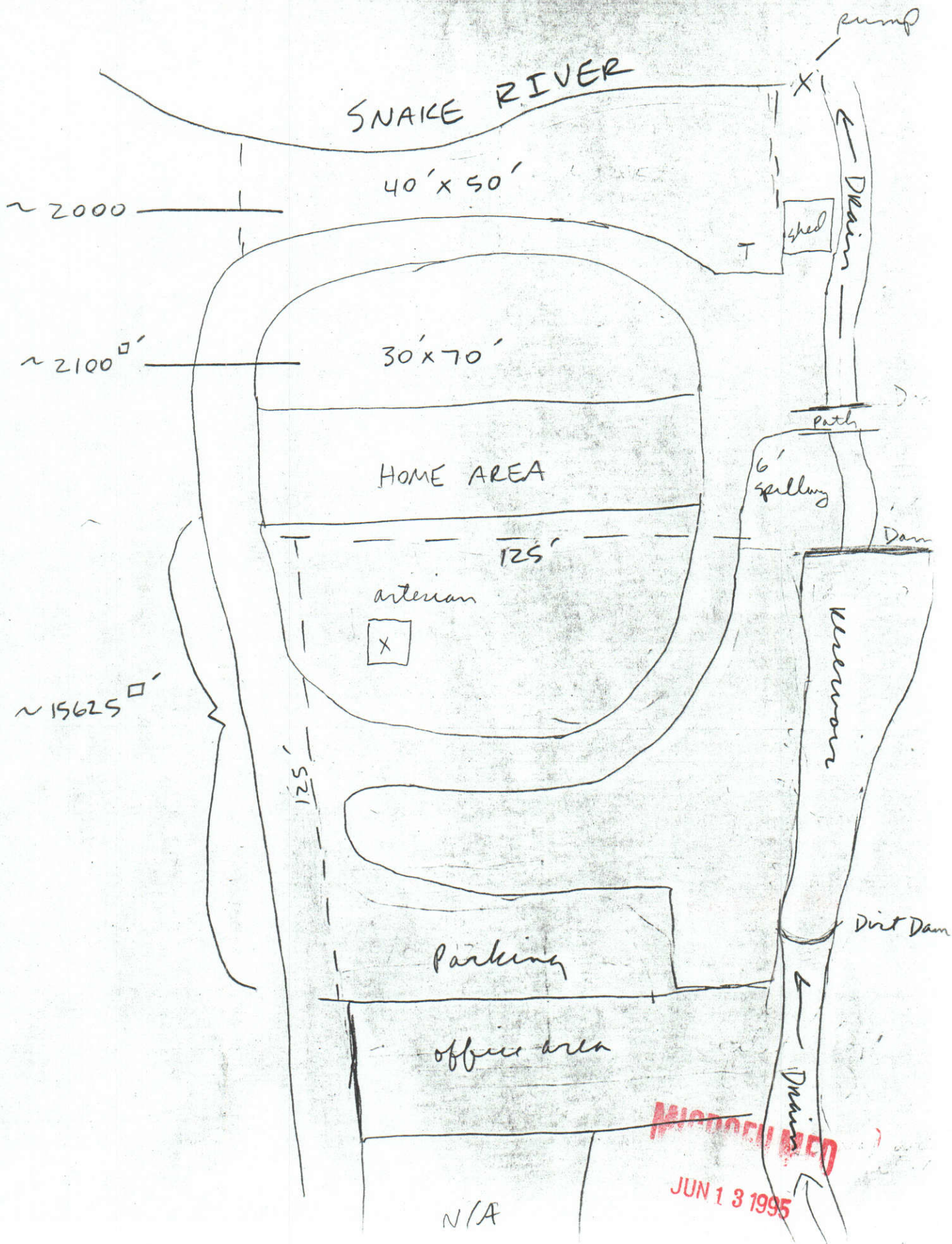
THIS SKETCH IS MADE SOLELY TO ASSIST
IN LOCATING THE PROPERTY. THE COMPANY
ASSUMES NO LIABILITY FOR VARIATION
IF ANY WITH AN ACTUAL SURVEY.

LEGEND

- Boundary Line
- Found $\frac{1}{4}$ " Iron Pin
- Found $\frac{1}{2}$ " Iron Pin
- Found Highway Right-Of-Way Monument
- Found 2" Iron Pipe
- ⊙ Brass Cap
- Set $\frac{1}{4}$ " x 30" Iron Pin w/ Cap



JUN 13 1995





3/4 HP Jet Pump
1.5" intake

P/u
(N of house)



UNRECORDED

JUN 13 1995

P/u
(N of office)

02-07447

Dept. of Water

THE OWYHEE AVALANCHE

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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

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 uninterrupted 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

two(2)

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

December 18 & 25, 1991

Signed

Joe E. Aman

Subscribed and sworn to before me this 26th day of Dec. A.D., 1991

Conrad Bowling

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

NOTICE OF APPLICATION FOR WATER RIGHT

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

02-07447 ✓

GOSS, THOMAS L.

HC 79 BOX 104

MELBA, ID 83641

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 6

(SESENE) Sec 17 T 01N R

03W in OWYHEE County.

Use: IRRIGATION (.030 CFS)

Total Diversion: (.030 CFS)

Date Filed: 11/25/1991

In: OWYHEE County

T01N R03W S17 Lot 6(SENE)

1.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before JANUARY 6, 1992.

R. KEITH HIGGINSON,
Director

Publish December 18 & 25, 1991

MICROFILMED

APR 06 1992

RECEIVED
DEC 31 1991

Department of Water Resources
Western Regional Office

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	02-07447	Thomas L. Goss	0.03
Full Assignment	02-07447	Warren Rekon Shirley Rekon	0.03

02 1 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07447

Priority: November 25, 1991 Maximum Diversion Rate: 0.03 CFS

This is to certify, that WARREN REKON
SHIRLEY REKON

HC 79 BOX 104
MELBA ID 83641

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated November 25, 1991; and
has submitted Proof of Beneficial Use on January 25, 1993. An examination indicates
that the works have a diversion capacity of 0.030 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	
------------	----------------	----------	--

LOCATION OF POINT(S) OF DIVERSION: Lot 6(SENE), Sec. 17, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 03W 17	Lot 6(SENE)	0.5		0.5

Total number of acres irrigated: 0.5

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
5. This right when combined with Right 57-02265 and all other rights shall provide no more than .03 cfs nor exceed a combined annual diversion volume of 2.3 af 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 6TH
day of JUNE, 1995.

Acting for  KARL J. DREHER, Director

JUN 13 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 13 1993

Department of Water Resources

ASSIGNMENT OF PERMIT
To change the ownership of a permit

I, Thomas L. Goss, hereby assign to Warren and Shirley Rekon,

(Permit Holder)

(New Owner)

of HC 79 Box 104 Melba ID 83641

(New Owner's Full Address and Telephone Number)

All my right, title, and interest in and to Permit No. 02-07447 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. N/A to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this 8TH day of October, 1993.



Thomas L. Goss

State of Idaho)
County of Washington ^{ss}

On this 8th day of October, 199 3, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

B. Jo Soules

Notary Public

SEAL



Signature

My commission expires: 8-21-97

RECEIVED

OCT 21 1993

OFFICE USE ONLY
Amt. of Fee \$ 50
Date 1/22/93
Receipt No. W015844
Receipt by S

RECEIVED

JAN 25 1993

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 02-07447 Telephone No. 208-896-4293
2. Name(s) of Permit Holder(s): THOMAS L. GOSS
3. Mailing Address: HC 79 BOX 104 MELBA, ID 83641
4. Source of Water: SNAKE RIVER

If GROUNDWATER, Well Driller's Name: N/A Date Drilled: _____

OPTIONAL:

Pump horsepower: 3 Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

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

Irrigation ☒ (No. of acres) 1 Other _____

6. Total rate and/or volume for which proof is submitted 0.03 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes ☒ No _____ Installed? _____ Yes _____ No

OR
Flow Measurement Port: Required? _____ Yes ☒ No _____ Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 50 (See License Fee Schedule on back of Instruction Sheet)

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

THOMAS L. GOSS - 208-896-4293
Name Telephone No.

HC 79 BOX 104 MELBA, IDAHO 83641
Address

10. The above information 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.

1/22/93
Date

Thomas L. Goss
Signature (and title, if on behalf of a company or organization)

FEB 16 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 02-07447

Proposed Priority: November 25, 1991 Maximum Diversion Rate: 0.03 CFS
This is to certify, that **THOMAS L GOSS**
HC 79 BOX 104
MELBA ID 83641
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 6(SESENE), Sec. 17, Township 01N, Range 03W
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>
01N	03W	17	Lot 6(SENE)	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 **March 1, 1993**.
2. Subject to all prior water rights.
3. Water shall not be diverted under this right unless the flow of the Snake River exceeds prior rights and established downstream minimum stream flows.
4. 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 seal and signature of the Director, affixed at Boise, this

10th day of March, 1993

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

APR 06 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant THOMAS L. GOSS Phone 896-4293
Post office address HC 79 Box 104 MELBA 83641
2. Source of water supply SNAKE RIVER which is a tributary of COLUMBIA RIVER
3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot 6
Sec. 17 Township 1N Range 3W B.M. OWYHEE County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .03 for IRRIGATION purposes from 3/15 to 4/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .03 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. PUMP, SPRINKLERS

b. Height of storage dam N/A 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 ground water with a temperature of greater than 90°F being sought? N
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

APR 06 1992

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
W	3W	17				66 1													1

Total number of acres to be irrigated 1

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? APPLICANT

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

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

12. Remarks: _____

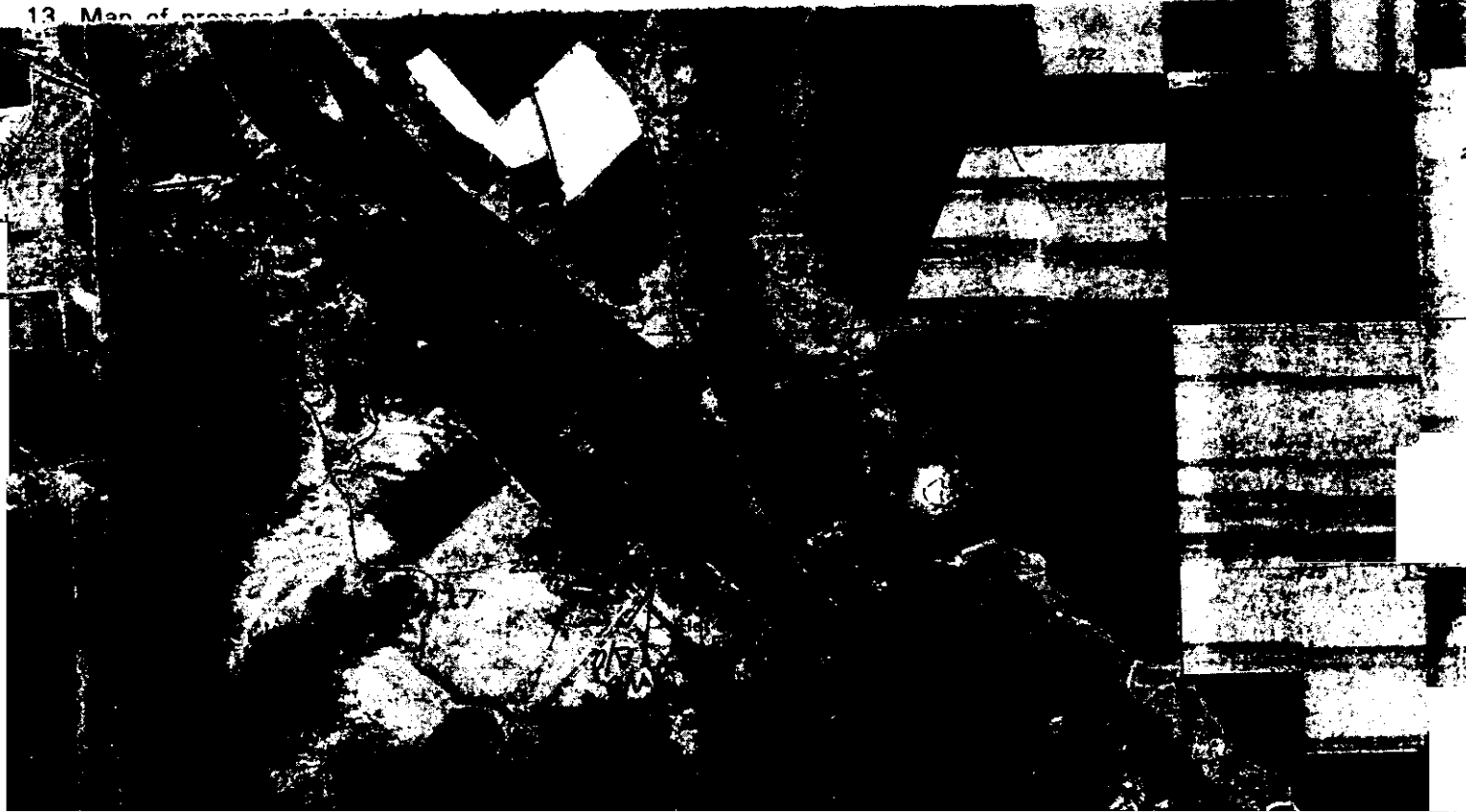
RECEIVED
MAY 11 1992

APR 06 1992

CO

CO

13 Map of proposed project



29

APR 06 1992

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.

APR 06 1992

Thomas L. Lee
(Applicant)

Received by lw Date 11/25/91 Time 1:15 Preliminary check by gy
Fee \$ 30 Receipted by lw # W013915 Date 11/25/91
Publication prepared by GG Date 12-11-91 Published in Owyhee Avalanche
12/18 & 12/25/91
Publication approved st Date 1-24-92

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. _____, and said application is hereby _____.

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 _____, 19 ____.

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. The water right acquired under this permit if 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 permit 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 permit.

e. Other:

RECORDED
APR 06 1992



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

June 8, 1995

WARREN REKON
SHIRLEY REKON
HC 79 BOX 104
MELBA ID 83641

RE: WATER RIGHT NO. 02-07447

Dear Water Right Holder(s):

Enclosed 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,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

MICROFILMED

JUN 13 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 22 1994
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-07447

1. Owner: Warren + Shirley Rekow Phone No. 896-4908

Current Address: Hc 79 Box 104 Melba 83641

2. Accompanied by: Shirley EXAM DATE: 10/24/94

Address: same Phone No. _____

Relationship to Permit Holder: owner

3. Source: Snake R tributary to Columbia R

B. OVERLAP REVIEW

SRBA: R02-10041, 57-10768, 57-04092A

1. Other water rights with the same place of use: WR: 57-04092, 02-02072, 57-07528

SRBA: R02-10041, 57-02265, 57-10768

2. Other water rights with the same point of diversion: WR: 57-02265, 57-07528

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
	6	SE	SE	NE	17	1N	3W	Owyhee	USGS Quad

2. Place(s) of Use:

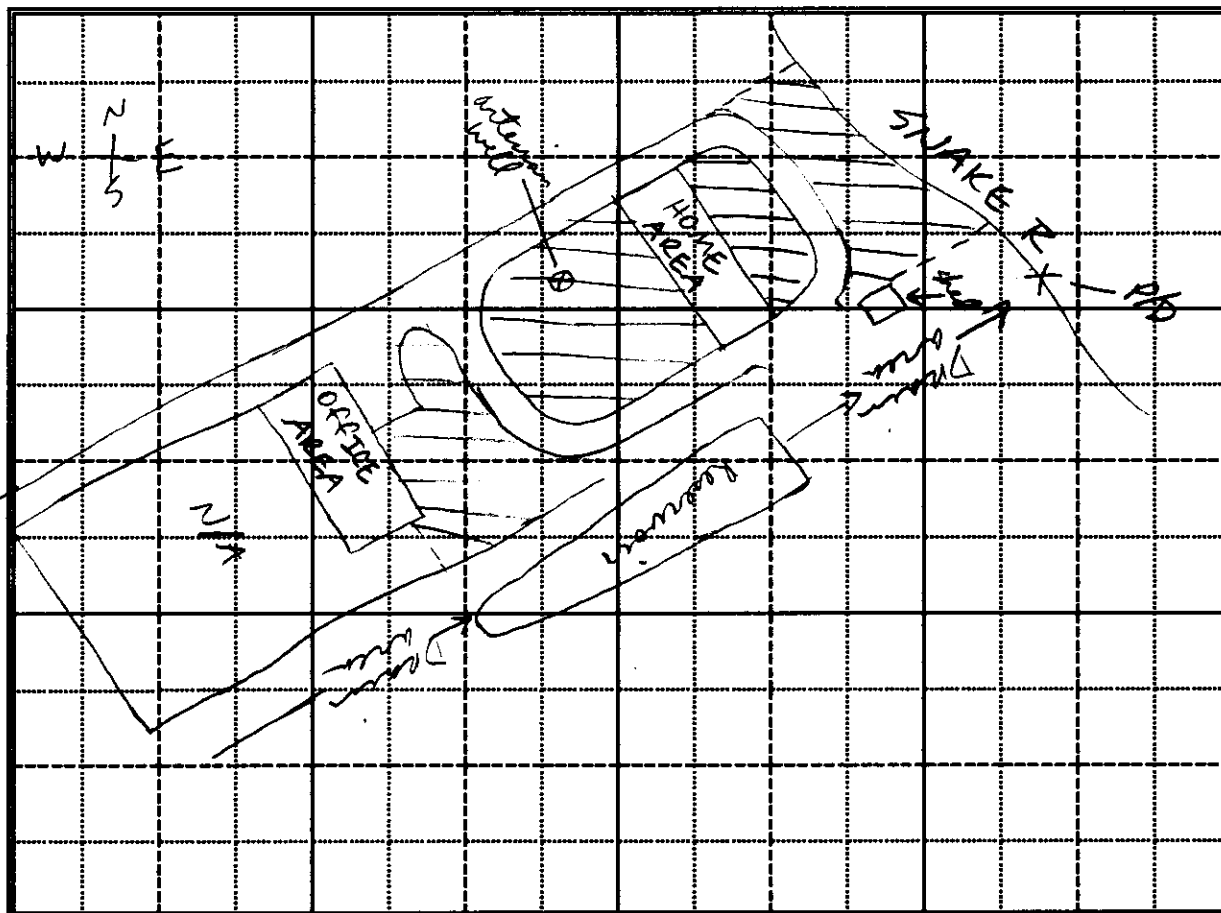
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	17				.5													.5

MICROFILMED

JUN 13 1995

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



Scale: 1" = Not to scale - see attached for larger scale

☒ 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
	Mueller	3/4	CSSCXEDF-2660	hermotor	

*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
5 gal bucket						

2. Measurements: Bucket measurement using T faucet located ~ 20' North of pump
see attached sheet for area measurements

JUN 13 1995

E. NARRATIVE/REMARKS/COMMENTS

A $3/4$ HP pump with $1\frac{1}{2}$ " intake pipe is used to irrigate $\sim 1/2$ acre of lawn via portable hose + sprinklers. Total lot area is about 3 acres however the area SW of the office area had not been irrigated with the Snake River water because of the amount of lift involved and the pump's limited capacity. The area irrigated with this rt is all the lawn area NE of the office area. Artesian well water is also used for irrigation of the lawn represented by license 57-02265, which was not claimed in the SKBA, but the McKowns are in the process of filing a motion with the court to have this license included in the decree. No other water rts are used.

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

MICHAEL MEN

JUN 18 1995

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

$$\frac{5 \text{ gal} \times 60 \text{ sec}}{20 \text{ sec}} = 15 \text{ GPM} = \underline{\underline{.03 \text{ cfs}}}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{.5 \times 4.5 = 2.3}$$

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

$$V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} = \underline{\underline{2.3}}$$

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		
<u>Irrigation</u>	<u>3/15</u>	<u>11/15</u>	<u>.03</u>	<u>2.3</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>.03 cfs</u>	<u>2.3 afa</u>

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name Loi Gnanen Date 11/9/94

Reviewer _____ Date _____

RECEIVED
JUN 13 1995

SEAL

File 32 Fiume

BM 2343

DITCH

Well

8

2722

2686

TIN R3W
Sec 17 T5NE
Gov Lt 6
P/M + P/D

17

2322

Hdt 5

Well

2465

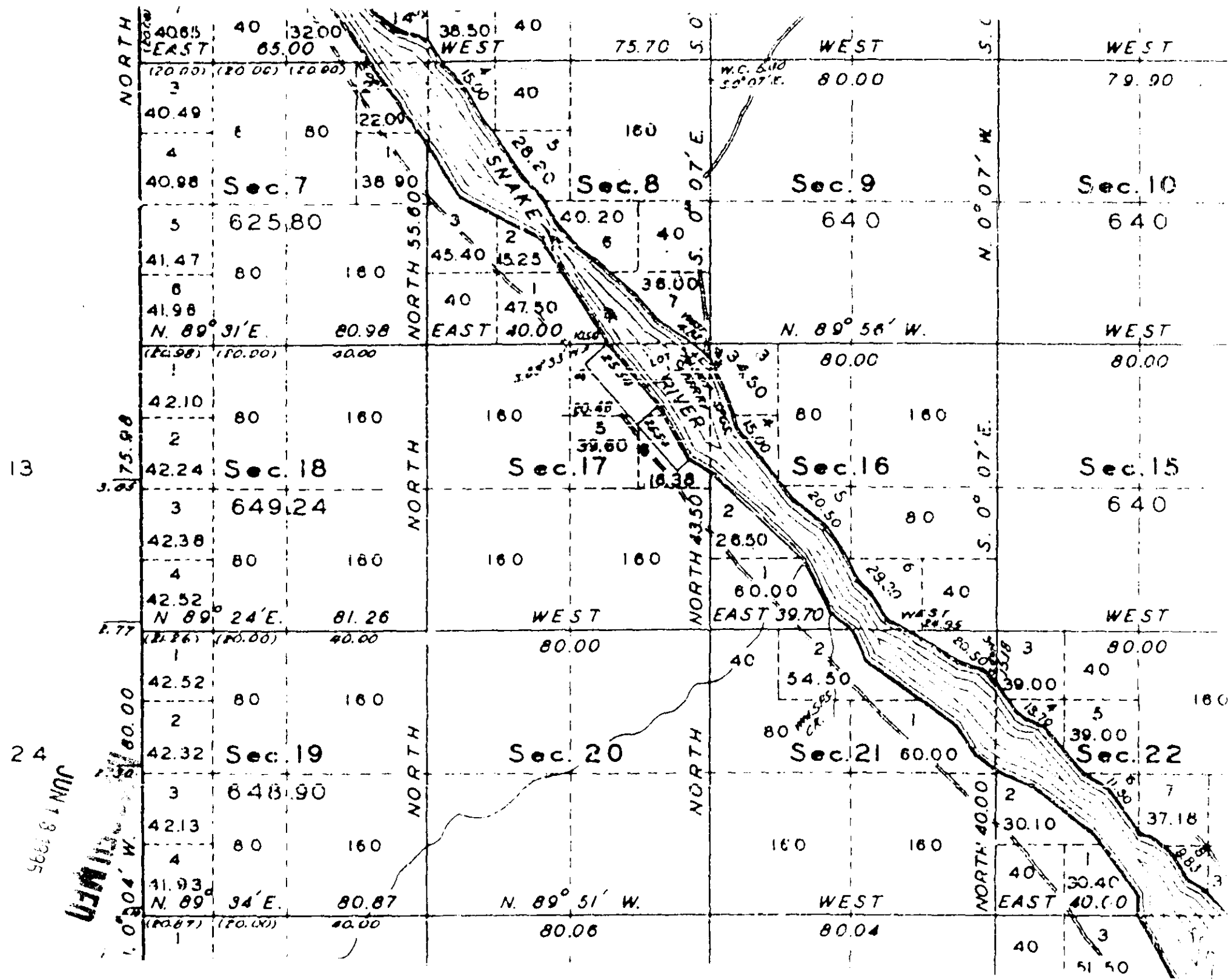
BM

BM 2266

Harding

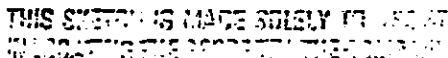
3C36

JUN 13 1954



Plat Map

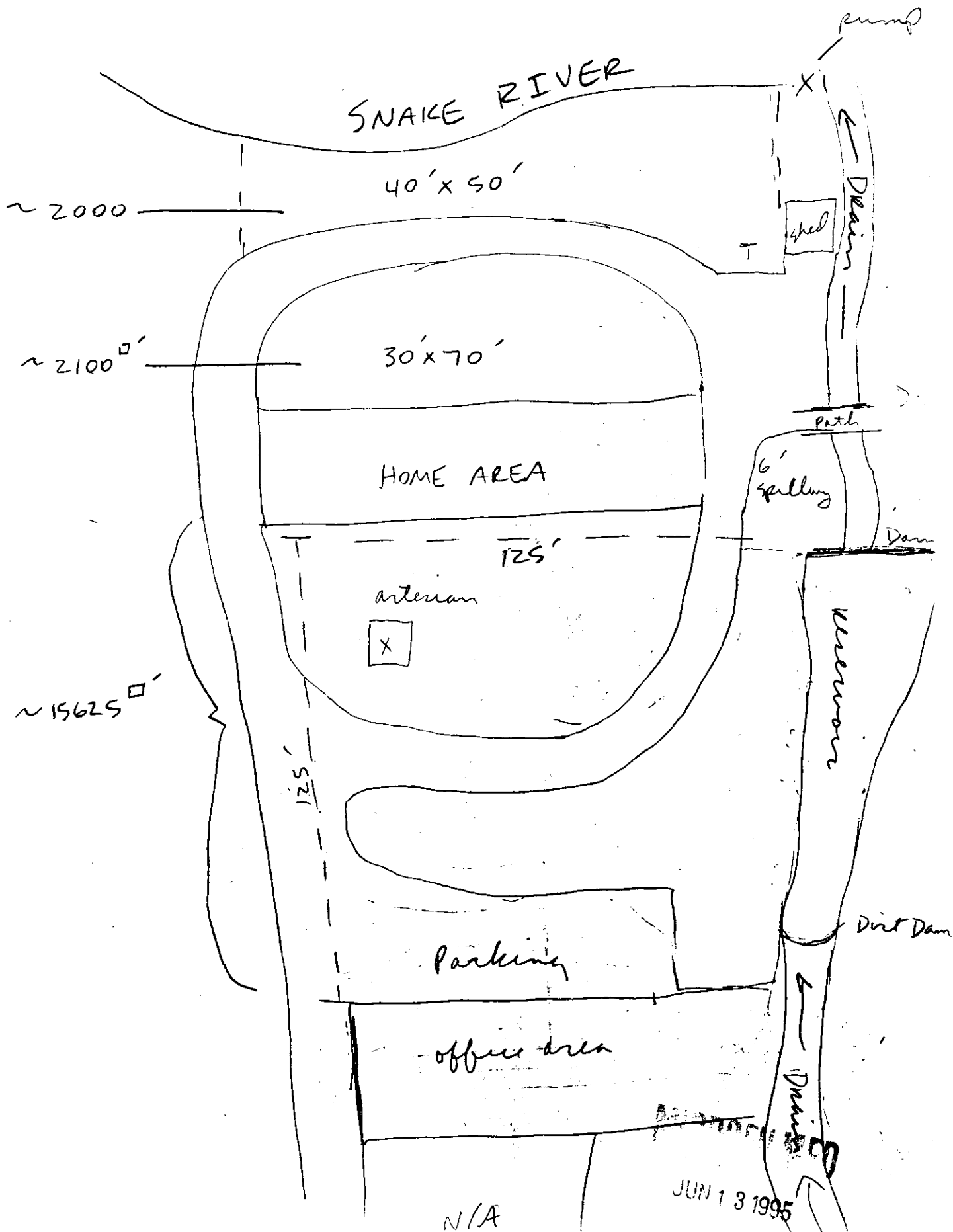
THIS SKETCH IS MADE SOLELY TO ASSIST
IN LOCATING THE PROPERTY. THE COMPANY
ASSUMES NO LIABILITY FOR VARIANCE
IF ANY WITH AN ACTUAL SURVEY.

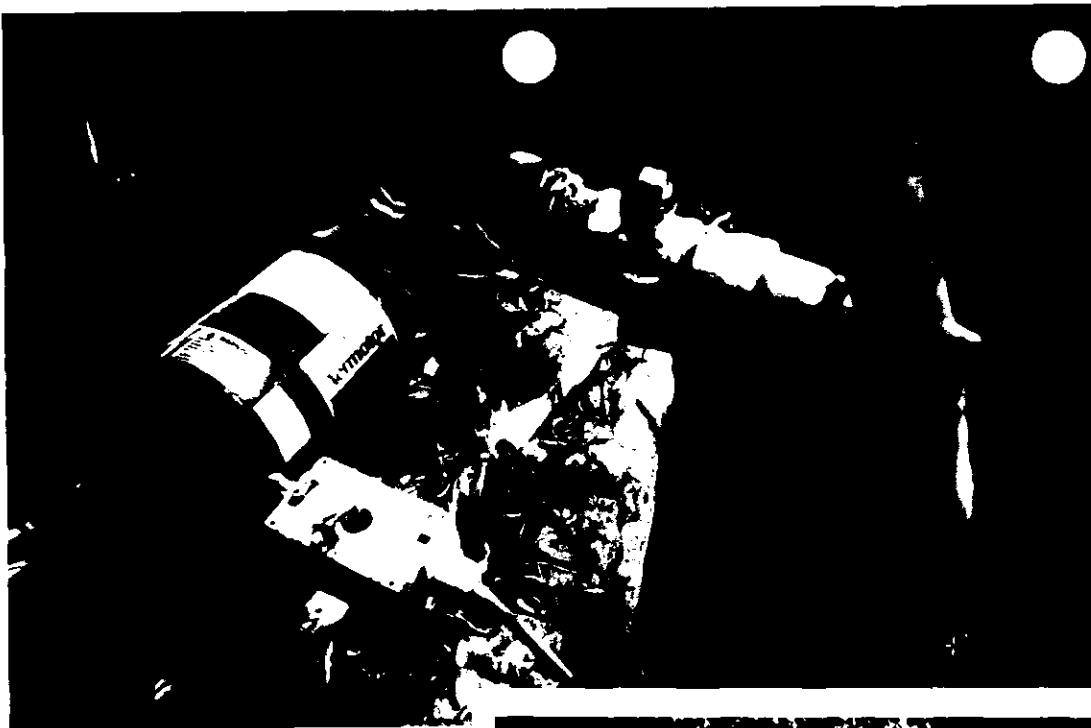


LEGEND

- Boundary Line
- Found $\frac{1}{2}$ " Iron Pin
 - Found $\frac{1}{2}$ " Iron Pin
 - ☒ Found Highway Right-Of-Way Monument
 - Found 2" Iron Pipe
 - ⊕ Brass Cap
 - Set $\frac{1}{2}$ " x 30" Iron Pin w/ Cap

JUN 3 1995





$\frac{3}{4}$ HP Jet Pump
1.5" intake



P/u
(N of house)



REC-100

JUN 13 1995

P/u
(N of office)

02-07447



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

October 18, 1993

WARREN REKON
SHIRLEY REKON
HC 79 BOX 104
MELBA ID 83641

Re: Permit No. 02-07447

Dear Mr. and Mrs. Rekon:

We acknowledge receipt of the correspondence assigning the ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

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OCT 21 1993



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 29, 1993

WARREN REKON
SHIRLEY REKON
HC 79 BOX 104
MELBA ID 83641

RE: Permit No. 02-07447

Dear Mr. & Mrs. Rekon:

I recently received an assignment of permit on the above referenced permit assigning the permit to you.

In Idaho, a permit is considered personal property and can only be assigned by the owner of record. Our records identify Thomas L. Goss as owner of the permit. The assignment submitted was not signed by Thomas L. Goss and, therefore, is not acceptable.

I am returning the assignment to you. I have enclosed a partially completed assignment of permit form which Mr. Goss can sign.

If you have any questions, please feel free to contact me directly at 327-7944.

Sincerely,

CINDY ZIMMERMAN
Water Resource Agent

c: Thomas L. Goss
Carol L. Goss

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State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 N. Orchard St., Statehouse Mall, Boise ID 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

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SEP 27 1993

Department of Water Resources

ASSIGNMENT OF PERMIT

I, Carol L. Hars, hereby assign to Warren and Shirley Rekon
of, HC 79 Box 104 Melba Idaho 83641
(Full Address)

All my right, title, and interest in and to Permit No. 02-07447
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. 02-07447 to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per
second.

1 acre irrigation of yard trees
and garden spot.

Made this 24th day of September, 1993.

Carol L. Hars

Applicant - signature not that of
permit holder of record c. 3. 9/29/93

State of Idaho)
County of Douglas ss

On this 24th day of Sept, 1993, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

MARGE M. ACKERLUND
Notary Public

SEAL

Marge M. Ackerkund
Signature

My commission expires: 1-30-97

6/93
OCT 21 1993

January 29, 1993

THOMAS L GOSS
HC 79 BOX 104
MELBA ID 83641

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 02-07447

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

FEB 16 1993

December 31, 1992

THOMAS L GOSS
HC 79 BOX 104
MELBA ID 83641

PROOF DUE NOTICE

RE: PERMIT NO. 02-07447

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 March 1, 1993. (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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

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FEB 16 1993

CERTIFIED MAIL

NO. 139749

May 19, 1992

THOMAS L GOSS
HC 79 BOX 104
MELBA ID 83641

RE: Water Right No. 02-07447

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

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existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

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FEB 16 1992



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

March 13, 1992

THOMAS L GOSS
HC 79 BOX 104
MELBA ID 83641

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P02-07447

Dear Permit Holder(s):

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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

Note also that water shall not be diverted under this permit unless the flow of the Snake River exceeds established downstream minimum stream flow. 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,

PAMELA SKAGGS
Technical Records Specialist

PS:clh

Enclosure

RECORDED

APR 06 1992

THE OWYHEE AVALANCHE

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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

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 two (2)

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

December 18th 25, 1991

Signed 

Subscribed and sworn to before me this 26th day of Dec A.D., 1991

Conrad Buckley

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

[illegible]

APR 06 1992

DEC 31 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

DECEMBER 11, 1991

Owyhee Avalanche
P.O. Box 97
Homedale, ID 83628

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 6, 1992.

Yours truly,

GAIL GARRETT
Secretary

Encl.

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APR 06 1992

02-07447

GOSS, THOMAS L.
HC 79 BOX 104
MELBA, ID 83641

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 6 (SESENE) Sec 17 T 01N R 03W in OWYHEE County.

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

Date Filed: 11/25/1991

In: OWYHEE County
T01N R03W S17 Lot 6(SENE)

1.0 ACRES TOTAL

MICROFILMED

APR 06 1992