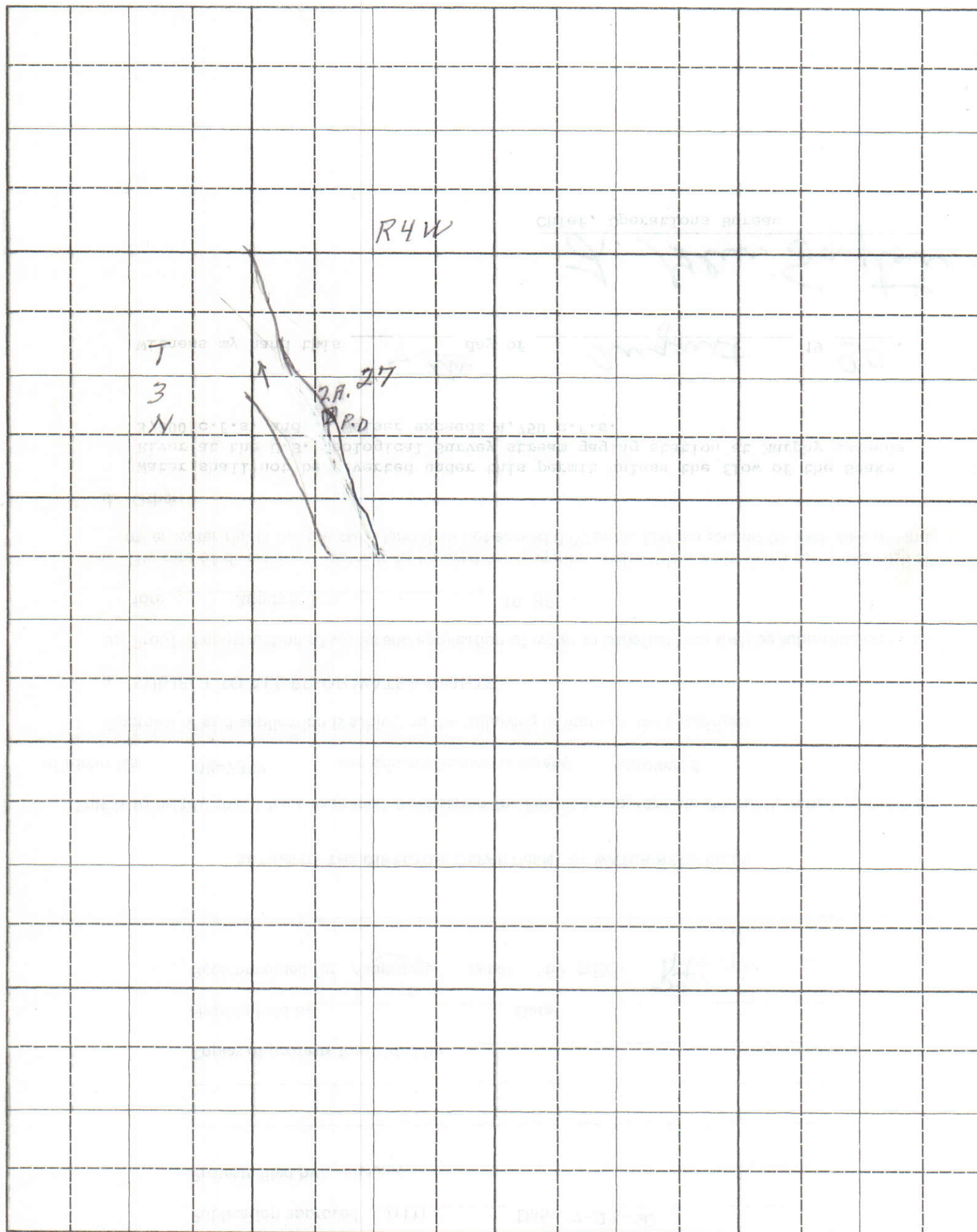


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Byron C. Pratt.
(Applicant)

RECEIVED

JUL 24 1980

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)

County of Canyon) ss.

Suzanne Smith

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

July 10, 17, 1980

Suzanne Smith

Subscribed and sworn to before me this 17th day of July

19 80

Janet Lusk
Notary Public, Residing at Nampa, Idaho
MY COMMISSION EXPIRES
JULY 12th, 1981

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

02-7302

PRATT, BYRON C. &/or MARY L.
RT. 4, BOX 505, CALDWELL, Idaho 83605
Source: SNAKE RIVER tributary to COLUMBIA RIVER
Date Filed: July 2, 1980
Amount: 0.04 CFS
Diversion Point: LOT 03 (NESW) Sec 27 T 03N R 04W, CANYON County
Use: IRRIGATION (0.04 CFS) from March 15 to November 15
Place of Use: LOT 03 (NESW) Sec 27 T 03N R 04W FOR 2 ACRES
Diversion Means: SUMP AND PUMPING PLANT

63-9411

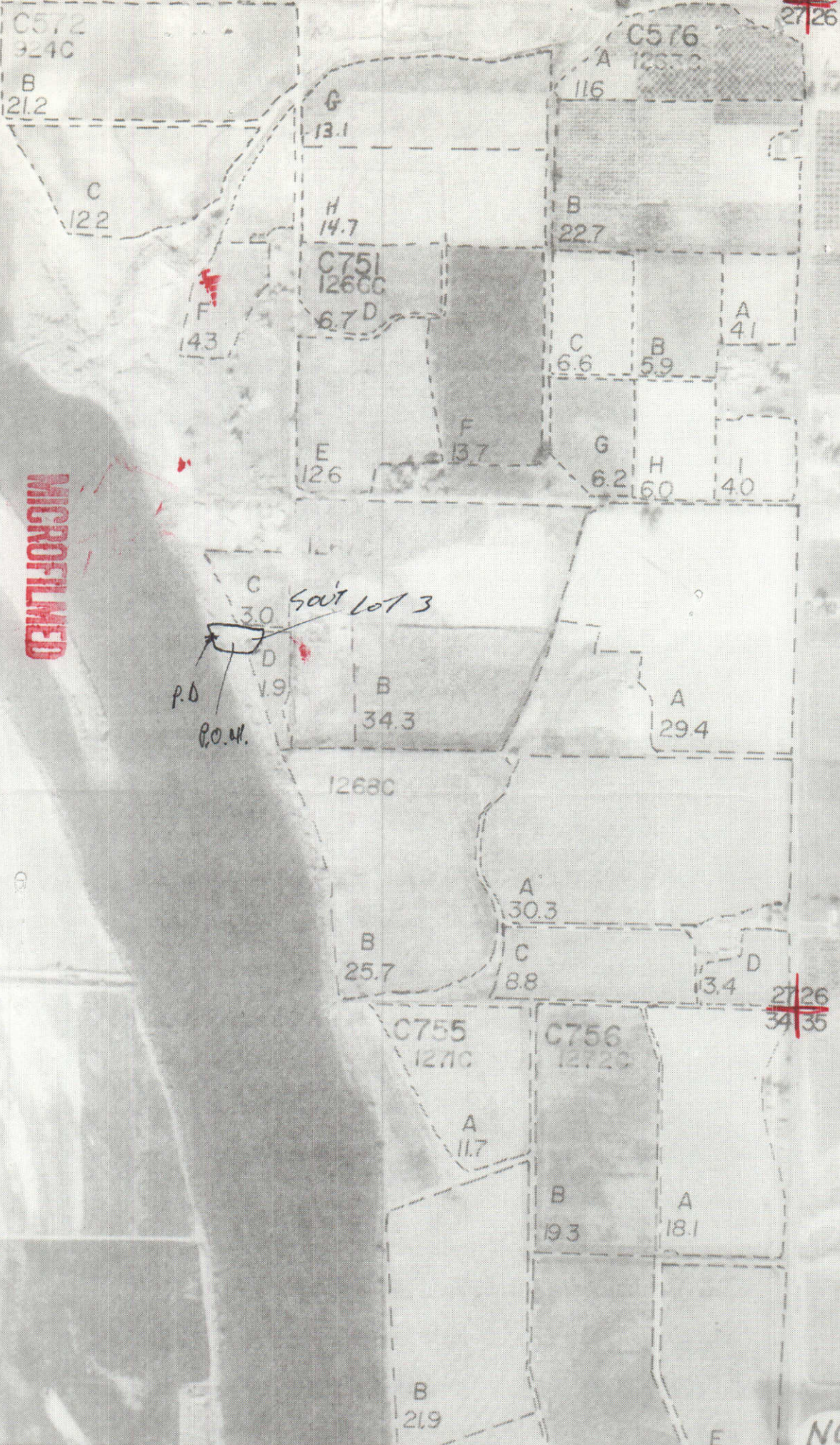
BRANDT, JOHN H. &/or MARILYN &/or JOHN
203 11th AVE. S., NAMPA, Idaho 83651
Source: GROUNDWATER
Date Filed: June 30, 1980
Amount: 0.13 CFS
Diversion Point: SESE Sec 19 T 02N R 03W, CANYON County
Use: IRRIGATION (0.03 CFS) from March 15 to November 15
DOMESTIC (0.10 CFS) from January 1 to December 31
Place of Use: SESE Sec 19 T 02N R 03W FOR 1 ACRES
Diversion Means: WELL, PUMP AND PIPELINE.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before JULY 28, 1980.

C. STEPHEN ALLRED
Director

July 10, 17, 1980

MICROFILMED



MICROFILMED

NOT TO SCALE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7302 Priority July 2, 1980 Amount 0.03 cfs

THIS IS TO CERTIFY, that Byron C. &/or Mary L. Pratt
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 02-7302 issued pursuant to Application for Permit dated July 2, 1980,
and has submitted proof to the Department of Water Resources on March 2, 1982,
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 0.11 cfs of water from Snake River,
tributary to Columbia River, 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
Irrigation	from <u>March 15</u> to <u>November 15</u> at <u>0.03</u> cfs and <u>6.8</u> acre feet		
	from _____ at _____ cfs and _____		
	from _____ at _____ cfs and _____		

(both dates inclusive)

subject, however, to the condition that no more than 0.03 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
6.8 acre feet per year, said waters to be diverted within the Government Lot 3 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 27, Twp 3N, Rge 4W in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	4W	27									GL 3 2				2

Total number of acres irrigated 2

Ac. Irr. = 1.5 acres.

NOTE: 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.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20TH day of SEPTEMBER, 19 83.

Acting for the Director [Signature]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Byron C. &/or Mary L. Pratt Phone 459-2795

Post office address Route 4, Box 505, Caldwell, ID 83605

2. Source of water supply Snake River which is a tributary of Columbia River

3. Location of point of diversion is Lot 3
NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27 Township 3N

Range 4W B.M. Canyon County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .04 cfs for Irrigation purposes from 3/15 to 11/15 (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:

a. .04 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____
sump and pumping plant.

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

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

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

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

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

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

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

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

MICROFILM

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	
3N	4W	27									Lt. 3 2								2

Total number of acres to be irrigated 2

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

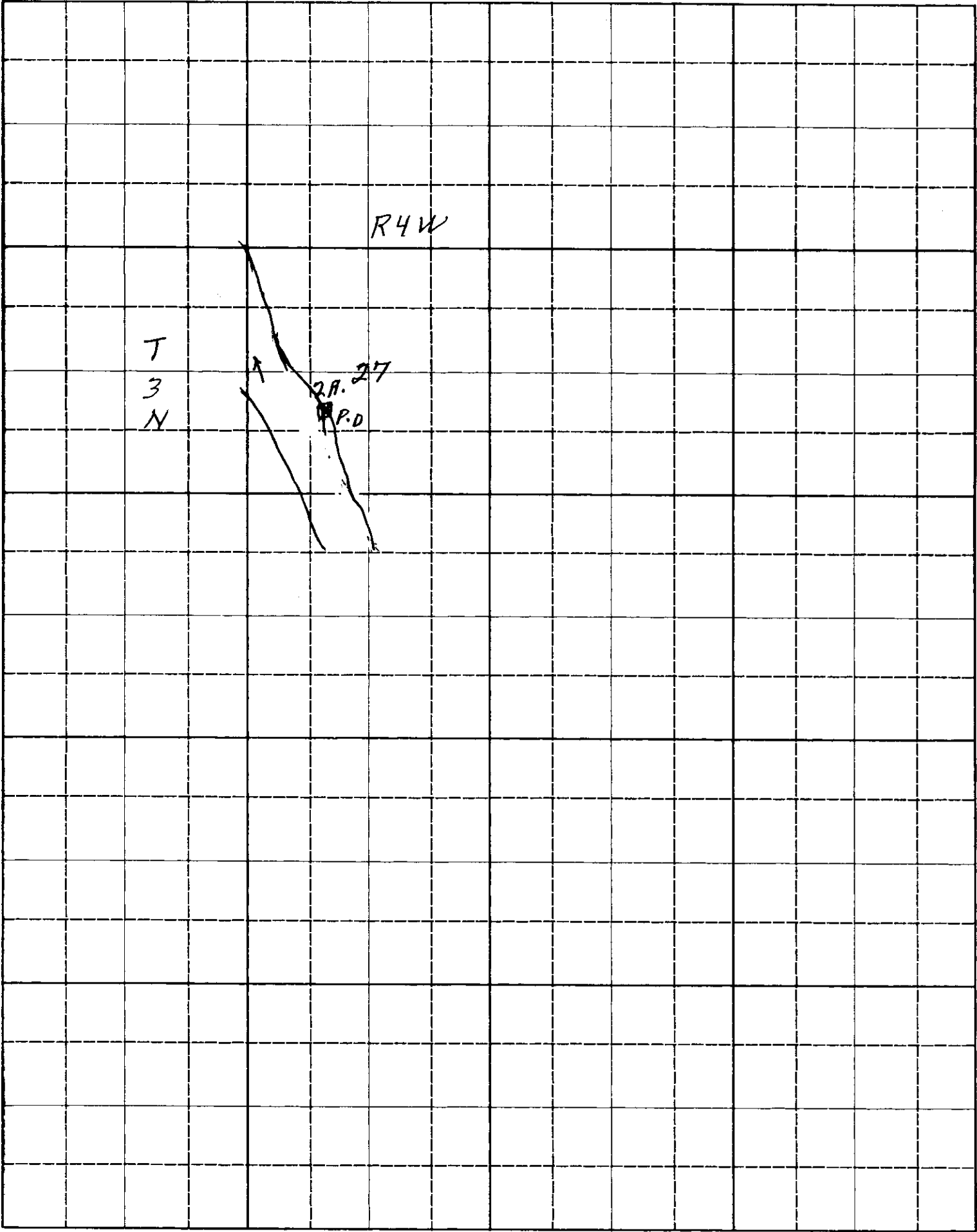
9. a. Who owns the property at the point of diversion applicant

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

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.

Byron C. Pratt.
(Applicant)

Proposed Priority 7/2/80

Received by 2KN Date 7/2/80 Time 1:00 PM

Preliminary check by GLB Fee \$ 30 # 15613

Receipted by H.H Date 7/2/80

Publication prepared by HLH Date 7-3-80

Published in New Tribune

Publication dates 7/10 & 17/80

Publication approved hln Date 7-28-80

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS RH Jim

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 02-7302, 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 August 1, 19 85.

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

d. Other:

Water shall not be diverted under this permit unless the flow of the Snake River at the U.S. Geological Survey stream gaging station at Murphy exceeds 3,300 c.f.s. and at Weiser exceeds 4,750 c.f.s.

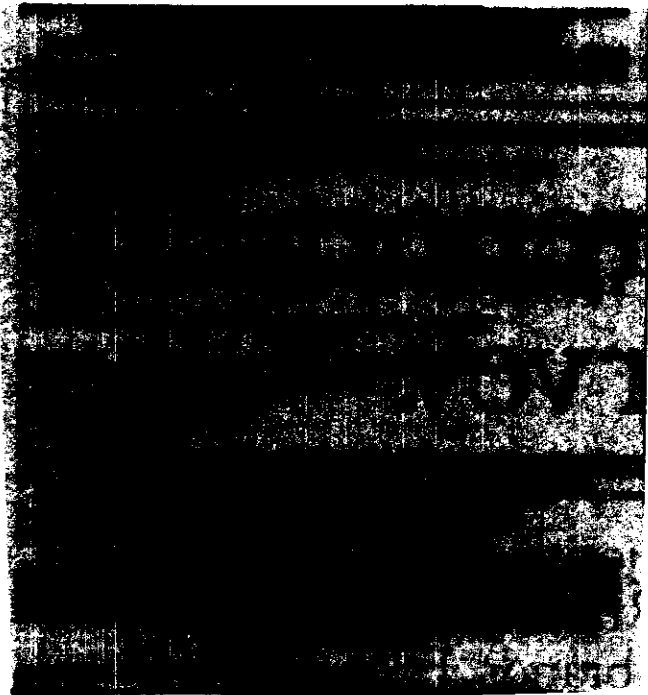
Witness my hand this 7th day of August 19 80.

J. Glen Saxton
Chief, Operations Bureau

JUL 24 1980

**Department of Water Resources
Western Regional Office**

O.K. H2H



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Suzanne Smith

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

July 10, 17, 1980

Suzanne Smith

Subscribed and sworn to before me this
17th day of July

19 80


Notary Public, Residing at Nampa,
MY COMMISSION EXPIRES
JULY 2011

**MY COMMISSION EXPIRES
JULY 12th, 1961**

MICROFILMED

May 19, 1992

BYRON C. PRATT
MARY L. PRATT
RT. 4, BOX 505
CALDWELL ID 83605

RE: Water Right No. 02-07302

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 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

October 7, 1983

Byron C. &/or Mary L. Pratt
Rt. 4, Box 505
Caldwell, ID 83805

RE: Permit No. 02-7302

Dear Mr. and Mrs. Pratt:

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

Sincerely,

A handwritten signature in cursive script that reads "Jim Johnson".

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure



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

June 27, 1983

Byron C. &/or Mary L. Pratt
Rt. 4, Box 505
Caldwell, ID 83605

Dear Mr. and Mrs. Pratt:

A representative of this Department has made an examination of the works covered by your Permit No. **02-7302**, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: **.03 cfs** Source: **Snake River**

The maximum quantity diverted shall not exceed **6.8** acre feet per year.

Point(s) of diversion: **GL3 (NESW) Sec. 27, T. 3 N., R. 4 W.**

Beneficial use: **Irrigation of 2 acres in NESW, Sec. 27, T. 3 N., R. 4 W.**

Priority date established: **7-20-1980**

Conditions (if any): **Ac. Irrigation = 1.5 acres**

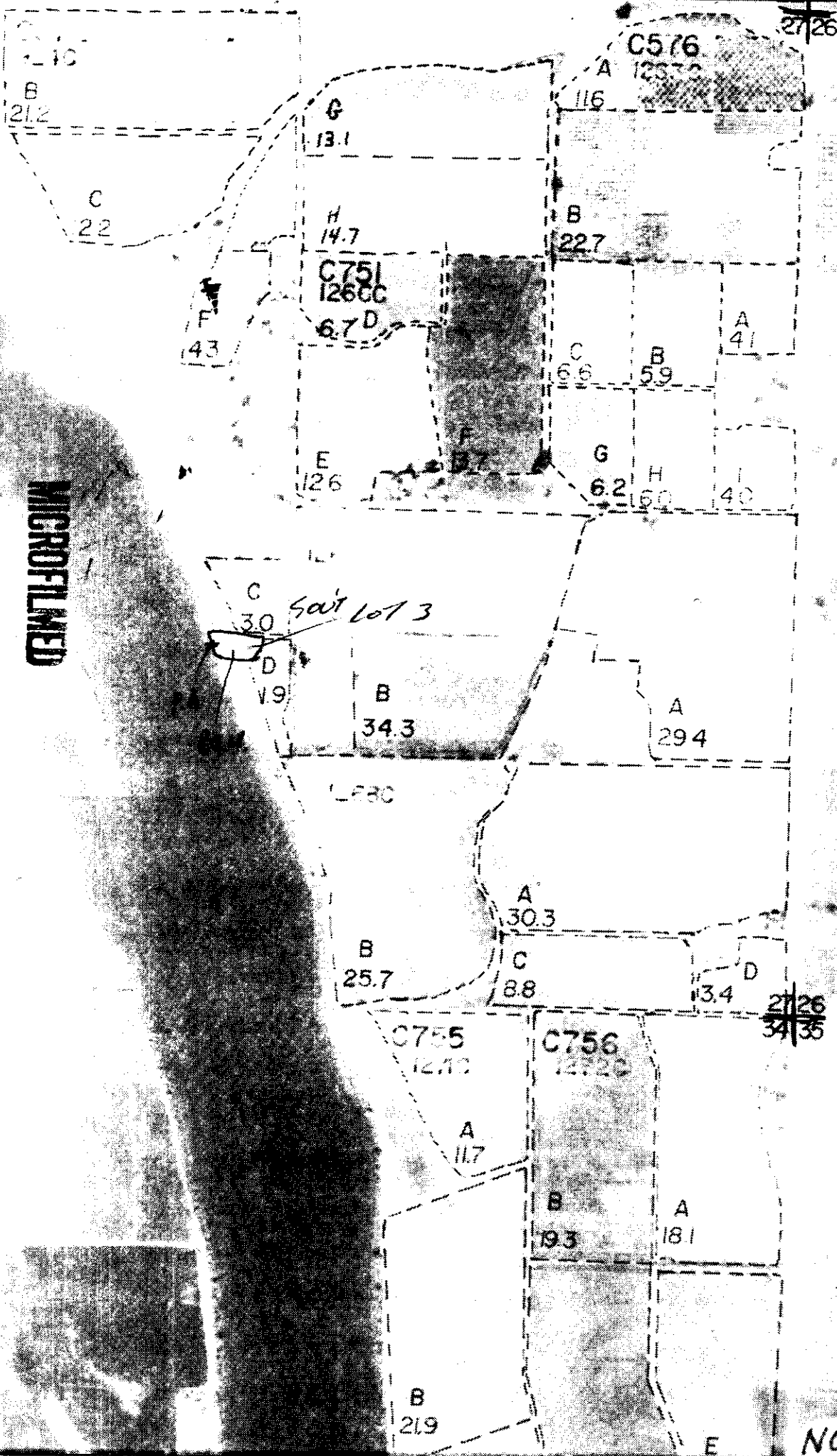
If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

MICROFILMED



NOT TO SCALE

[illegible]

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

MICROFILMED

Place(s) of Use

[illegible]☐ Other

Date **4/26/83**

April 15, 1982

Byron C. and Mary L. Pratt
Route 4, Box 505
Caldwell, ID 83605

Dear Mr. and Mrs. Pratt:

Re: Permit No. 02-7302

This office acknowledges receipt of the statement of beneficial use submitted for the above-referenced permit.

I understand that the field examination of the system has been completed. Based upon the field examiner's recommendations a water right license will be forthcoming.

Sincerely,

RITA I. FLECK
Sr. Secretary

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. 02-7302

Name(s) of Permit Holder: Byron C. Pratt

Post Office Address: Box 505 Caldwell, ID

Tel. No. _____

Source of Water: Snake River

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 2.0 (acres)
☐ Other _____

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No
 Access Point: 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.

20 July 1981
 Date

Byron C. Pratt
 Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE

RECEIVED

MAR 02 1982

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



S T A E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

PRATT, BYRON C. & MARY L.
RT. 4, BOX 505
CALDWELL, ID 83605

AUGUST 12, 1980

RE: PERMIT NO. 02-7302

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE EXERCISE OF THIS PERMIT MAY ALSO BE AFFECTED BY THE COURT'S DETERMINATION OF WATER RIGHTS IN THE CASE OF IDAHO POWER COMPANY V. STATE OF IDAHO, ET AL., CIVIC NO. 62237, CURRENTLY PENDING BEFORE THE DISTRICT COURT OF ADA COUNTY. SINCE THE USE OF WATER UNDER YOUR PERMIT MAY AFFECT THE FLOWS IN THE SNAKE RIVER BETWEEN MILNER DAM AND HELLS CANYON, THE FINAL DECISION IN THIS CASE MAY DETERMINE TO WHAT EXTENT THE EXERCISE OF YOUR PERMIT IS SUBJECT TO WATER RIGHTS OF IDAHO POWER. WHILE THE ADA COUNTY COURT IS EXAMINING THIS QUESTION, IDAHO POWER COMPANY HAS NOT FILED A SPECIFIC PROTEST TO YOUR PERMIT. HOWEVER, THE DEPARTMENT OF WATER RESOURCES HAS BEEN ADVISED THAT THE POWER COMPANY IS NOT WAIVING ANY OF ITS RIGHTS TO CONTEST OR LIMIT THE EXERCISE OF YOUR PERMIT OR SUBSEQUENT LICENSE.

NOTE ALSO THAT WATER SHALL NOT BE DIVERTED UNDER THIS PERMIT UNLESS A BASE FLOW OF THE SNAKE RIVER AT THE U.S. GEOLOGICAL SURVEY STREAM GAGING STATION AT MURPHY EXCEEDS 3,300 C.F.S. AND AT WEISER EXCEEDS 4,750 C.F.S. 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 LAND 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 BASE FLOW IS 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.

MICROFILMED

RE: PERMIT 02-7302

PAGE 01
AUGUST 12, 1980

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

JULY 3, 1980

News-Tribune
Box 1179
Caldwell, ID 83605

Gentlemen:

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 JULY 28, 1980.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

MICROFILMED

NOTICE APPLICATION FOR WATER RIL /

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before JULY 28, 1980.

C. STEPHEN ALLRED

Director

Published 7/10 & 7/17.

MICROFILMED

PRATT, BYRON C. &/or MARY .

RT. 4, BOX 505, CALDWELL, ID 83605

Source: SNAKE RIVER tributary to COLUMBIA RIVER

Date Filed: 07/02/1980

Amount: 0.04 CFS

Diversion Point: LOT 03 (NESW) Sec 27 T 03N R 04W, CANYON Co.

Use: IRRIGATION (0.04 CFS) from 03/15 to 11/15

Place of Use: LOT 03 (NESW) Sec 27 T 03N R 04W FOR 2 ACRES

Diversion Means: SUMP AND PUMPING PLANT.

MICROFILMED