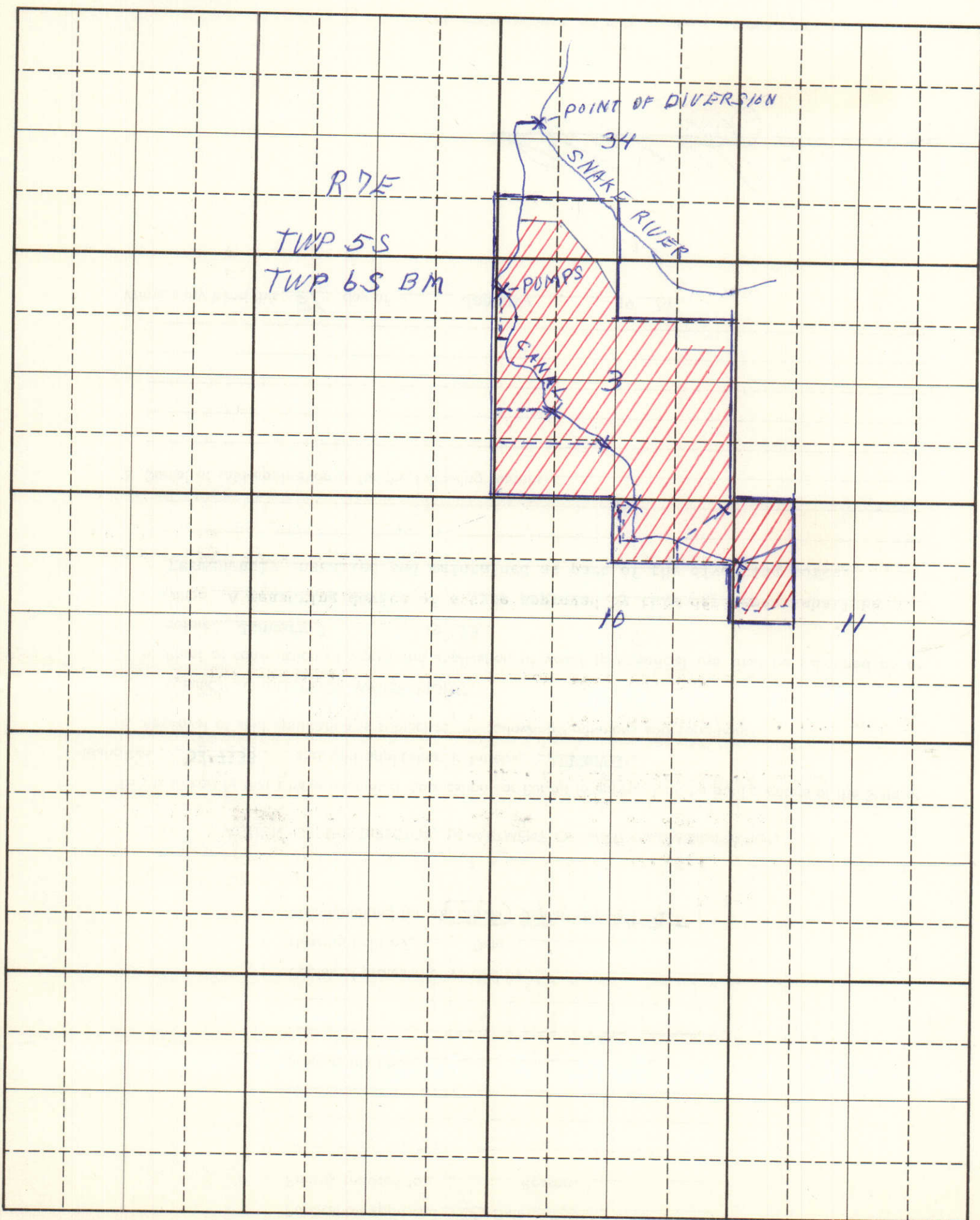


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

West Indian Cove Water Co., Inc.
Wesley Hooley, Sec.

(Applicant)

2 7133

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 10 day of January, 1974, and the last publication being on the 17 day of January, 1974;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 17 day of Jan, 1974.

Leonard Schaefer
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

RECEIVED
JAN 27 1974
Department

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that WEST INDIAN COVE WATER CO., INC., Hammett, ID. has on Dec. 28, 1973 submitted Application No. 02 - 7133, for a permit to appropriate 2.46 cubic feet per second of water from Snake River, trib. to Columbia River, by means of pumps & pipeline within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, S. 34, T. 5 S., R. 7 E., B. M., Owyhee County to be used from March 15 to Oct. 31 for irrigation of 708 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$, S. 34, T. 5 S., R. 7 E., S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, S. 3, N $\frac{1}{2}$ NE $\frac{1}{4}$, S. 10, W $\frac{1}{2}$ NW $\frac{1}{4}$, S. 11, T. 6 S., R. 7 E., B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before Jan. 28, 1974.

R. KEITH HIGGINSON,
Director.

Published in the Owyhee Nugget, Marsing, Idaho, on Jan. 10, 1974, and Jan. 17, 1974.

OK'd
1-21-74

2 7133

02-7133

MICROFILMED

W.I.C. W.C.

Indi. D. 34

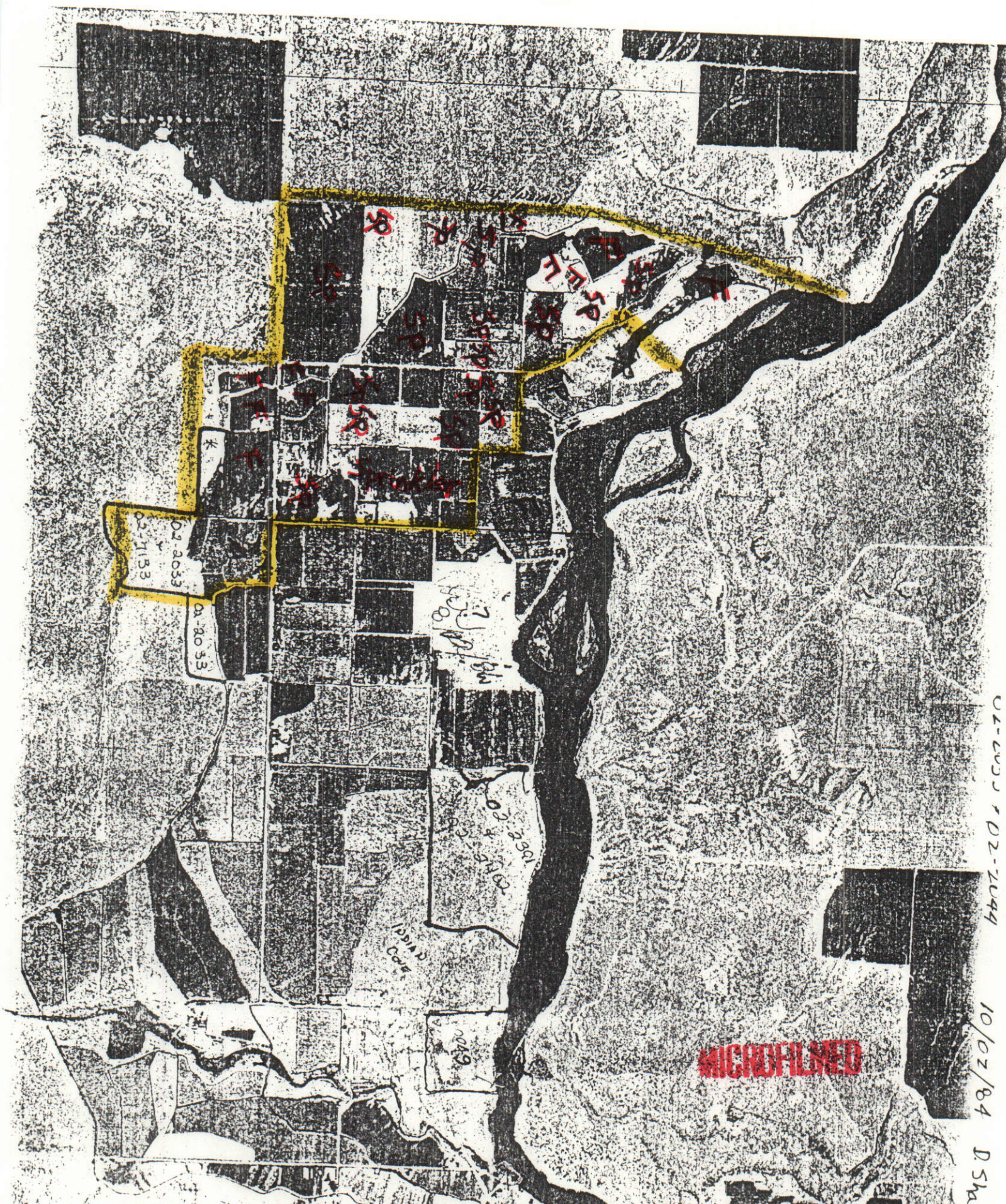
Indian Cove / r. Dist.

2 Total acres within tract
(b) Acres within field or
acres irrigated with
specific ID water.

Source: 1974 Orthodohobauad

as updated by 1980 U-2 "3476-60/52" & Field verified.

30111,
0128,
1133



02-2033
02-1133

02-2033

02-2033
02-2033
02-2033

100111
Cove

02-2033

MICROFILMED

02-2033 02-2044

10/02/84

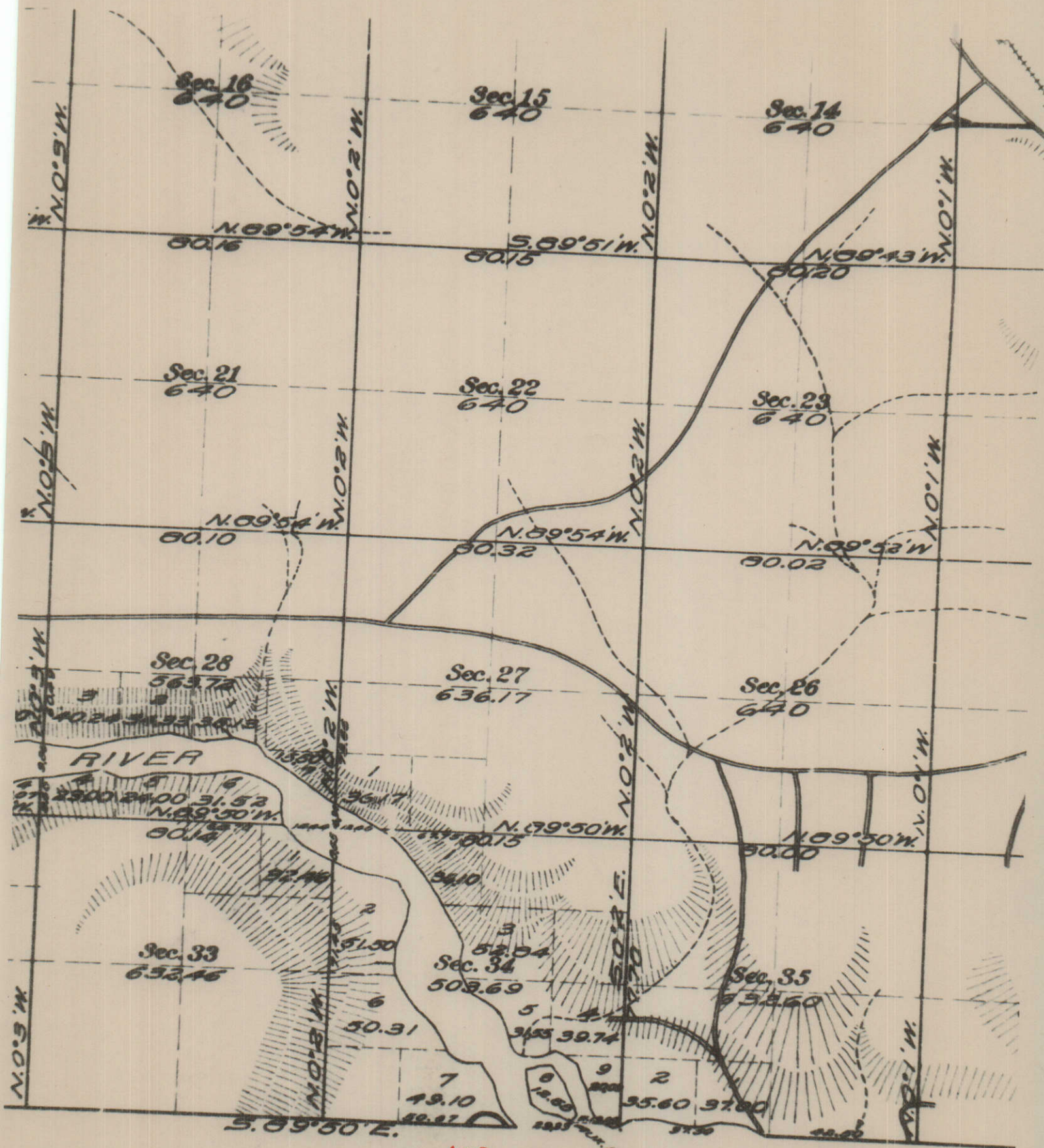
D. Sha

02-7133

Description and location of place of use:

Total number of acres irrigated

Total 718



55-7E

MICROFILMED

	Amount of Surveys			When Surveyed.	
	Mls.	chs.	lks.	Began.	Completed.
1910	0	79	50	Feb. 14, 1910	Feb. 14, 1910
"	1	79	23	" " "	" 27, "
"	0	26	74	" 22, "	" 22, "
"	1	52	21	" " "	" " "

The above map of Township 1 N Meridian, Idaho, is stored in this office, which have been examined by U.S. Surveyor General's

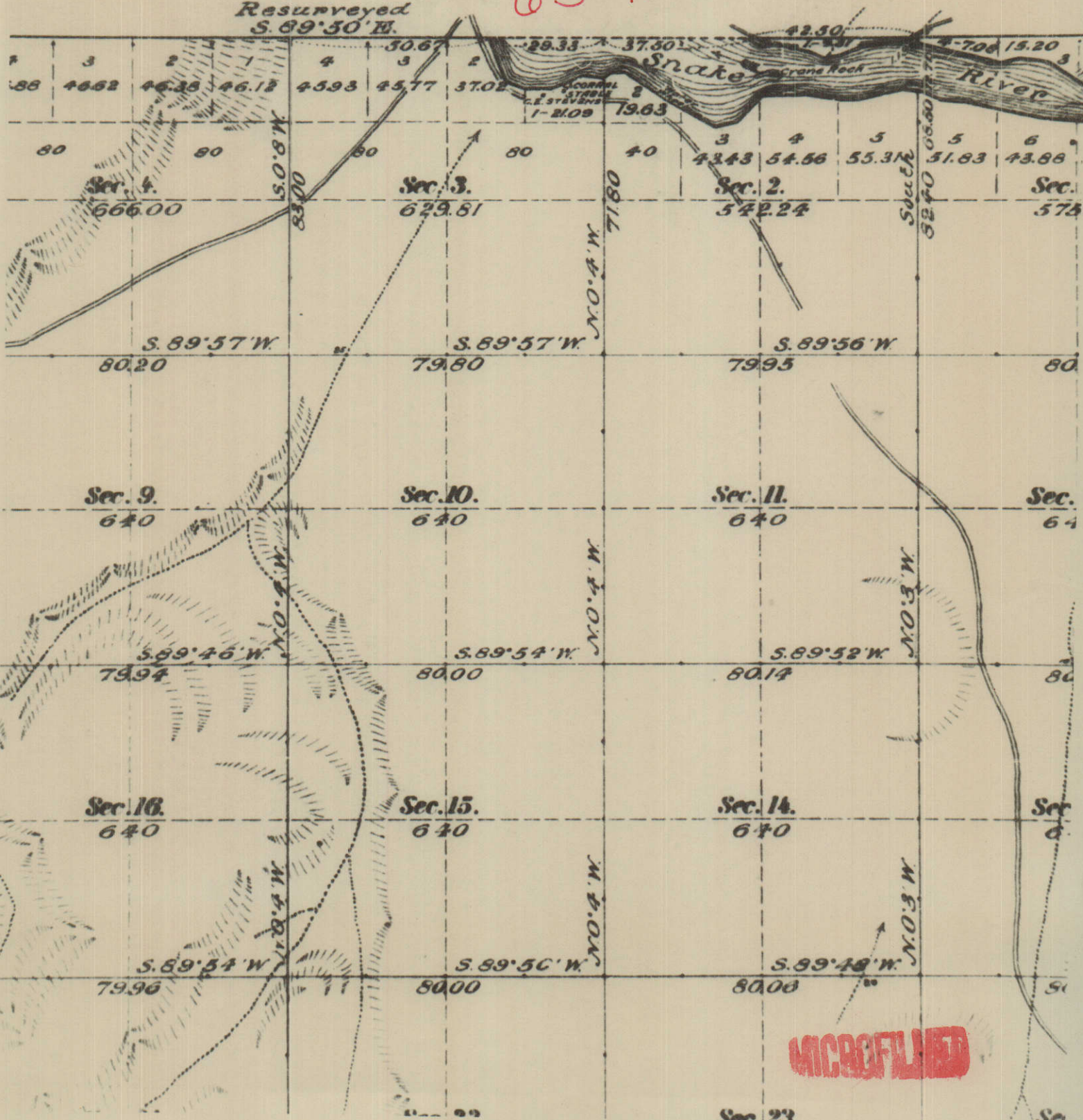
(4-675a.)

gc N^o 7 East of the Boise Meridian

a D c C b B a

65-7E

Resurveyed
S. 89° 50' E.



State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 02-7133 Priority December 28, 1973 Amount 1.30 cfs

THIS IS TO CERTIFY, that West Indian Cove Water Co., Inc.
of Hammett, Idaho, has complied with the terms and conditions of Permit
No. 02-7133 issued pursuant to Application for Permit dated December 28, 1973,
and has submitted proof to the Department of Water Resources on December 27, 1979,
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 23.6 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
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>1.30</u> cfs and	<u>350</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.30 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
325.0 acre feet per year, said waters to be diverted within the Gov. Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
Section 34, Twp 5S, Rge 7E in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SE $\frac{1}{4}$				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 $\frac{1}{4}$	
5S	7E	34								11					11
6S	7E	3						13							13
		10	6												6
		11						35							35

Total number of acres irrigated 65

MICROFILMED

MICROFILMED

CONDITIONS OF APPROVAL

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

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

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

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 5.0 afa per acre for the lands above.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19TH day of NOVEMBER, 19 85.

Acting for the Director

Ronan C. Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. **92-7133**

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

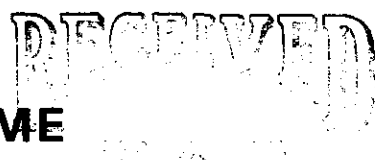
NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME



To provide additional time in which to submit
proof of beneficial use on a water right permit

Department of Water Resources

West Indian Cove Water Co. Inc. of Hammett, Idaho 83627
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 02-7133.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before JANUARY, 1, 19 79.

That he has heretofore performed the following work described under said permit: Have irrigated 78 acres of the 82 acres identified in the permit (This land is newly developed land which is part of 708 acres covered in other water rights of applicant.) Existing points of diversions are supplying sufficient water to supply Co. lands. Therefore the cost involved is converting sage brush land above the canal to irrigateable land and purchase of sprinkler systems Costing \$ 25,000
That he is unable to complete the remainder of the work within the required time for the following

reasons, to-wit: 4 acres are still undeveloped and owned by a individual which will be receiving the water when the land is ready. It is estimated that the land will be cleared and ready for irrigation in one year 1979

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to Dec 31, 19 79.

West Indian Cove Water Co.
by Milton Lander - President
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit proof of beneficial use of water is extended to January 1, 1980.

Signed this 2nd day of January, 19 79.

J. Glen Saxton
Chief, Operations Bureau

Identification No. 02-7133

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant West Indian Cove Water Co., Inc.
post office address Hammett, Idaho 83627 Ph. 366-2011
2. Source of water supply Snake River which is a tributary of Snake River
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 34 Township 5S
Range 7E B.M. Owyhee County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into Snake River at a point in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34 Township 5S Range 7E B.M. _____
4. Water will be used for the following purposes:
Amount 2.46 for irrigation purpose from Mar. 15 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.46 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Three pumps at the point of diversion totaling 250 H.P.; Pipe-400' long, 2' dia.; Lift-60'; Canal 2 1/2 miles long, 9' wide, 2' deep at the beginning; Six canal pumps totaling approx. 150 H.P.
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 8000.
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: _____ hp 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: _____

2 7133

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	
5S	7E	34											18	6					24
6S	7E	3			40	20	34	40	40	40	40	40	40	40	40	40	40	40	534
6S	7E	10	40	40															80
6S	7E	11						35	35										70

Total number of acres to be irrigated 708

Lisc. No. 18636,

c. Describe any other water rights used for the same purposes as described above. priority 6/22/38--10 c.f.s.; Lisc. No. 19467, priority 2/7/44--3.74 c.f.s. Lisc. No. 26267/02-2128, priority 4/30/56--.96 c.f.s.; Use Right Claims (to be filed) 6.84 c.f.s. = total 21.54 c.f.s. on 626 acres

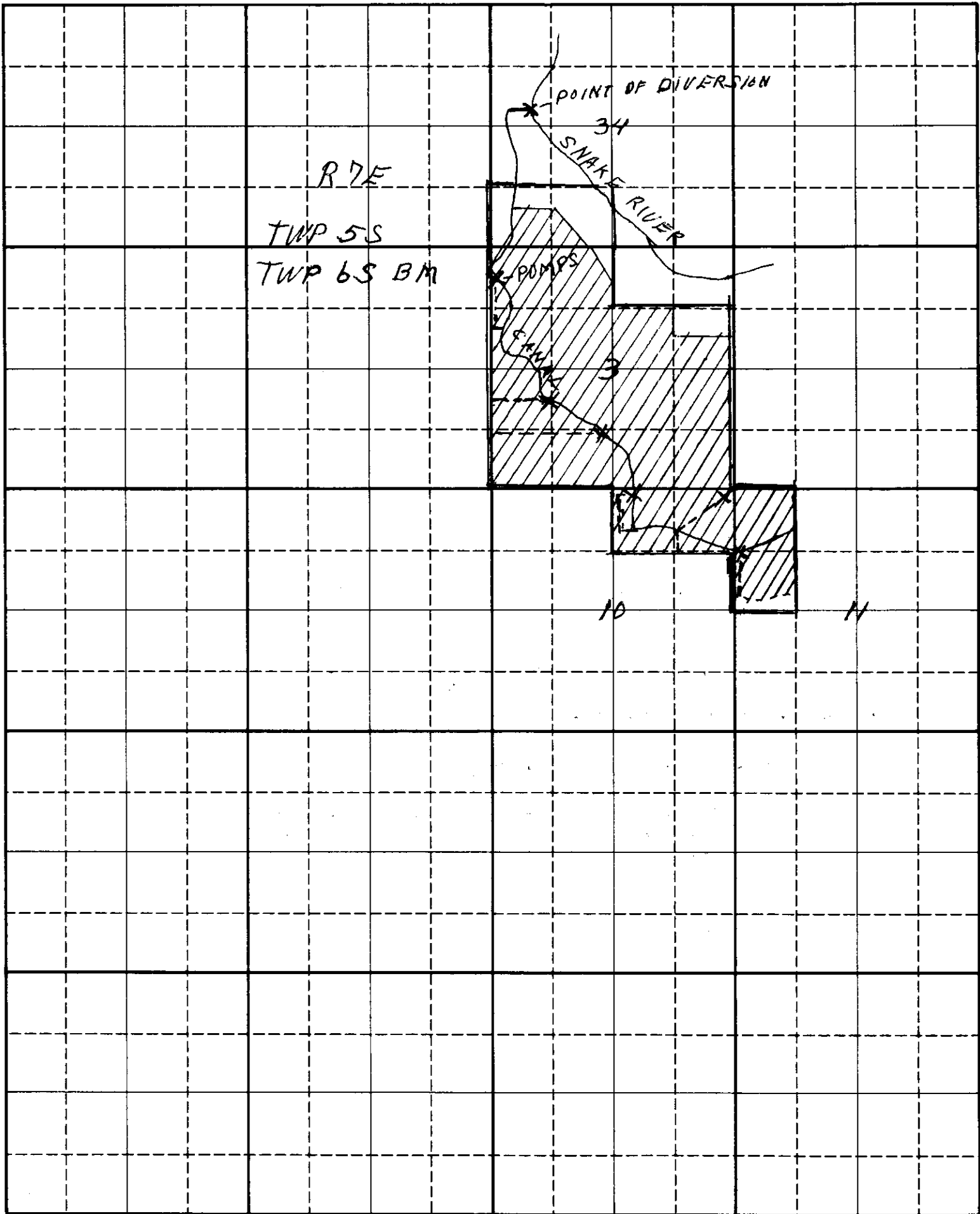
9. a. Who owns the property at the point of diversion U.S. Govt.

b. Who owns the land to be irrigated or place of use Eight stockholders in applicant.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicant is a Corp. for the purpose of delivering water to the stockholders, and as such owns the water rights.

10. Remarks This permit covers 82 acres of additional land that four stockholders want to irrigate, each one increasing the irrigated portion of their land. Existing licenses have been issued for 1½" per acre. This amount of water is necessary to allow this additional acreage to be adequately irrigated. In addition to the licenses shown, we have filed a claim to a water right for an additional 6.84 c.f.s. that we have been using which is needed to take care of our ditch losses and 136 acres of land not covered by license or permits, put in in Aug., 1969 and April, 1971. See Claim No.

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.

West Indian Cove Water Co., Inc.
Wesley Hooley, Sec.
Wesley Hooley
(Applicant)

Proposed Priority 12-28-1973

2 7133

Received by P.W.H. Date 12-28-1973 Time 3:45 P.m.

Preliminary check by P.W.H. Fee \$ 45.00

Receipted by Gj Date 12-28-73 receipt # 13491

Publication prepared by af Date 1-21-74

Published in Owyhee Nugget

Publication dates 1-10 x 1-17-74

Publication approved af Date 1-21-74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by de BDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 62-7133, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 79.
- c. Other: A measuring device of a type approved by this department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 31 day of January 19 74.


Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>R.W.H.</u>	<u>1-3-74</u>	Application No. <u>02-7133</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>R.W.H.</u>	<u>1-3-74</u>	In form to receipt
	<u>NA</u>		Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)		<u>NA</u>	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>R.W.H.</u>	<u>1-3-74</u>	In form for advertising <u>OK</u>
(6)		<u>NA</u>	Located within Water District No. _____
(7)		<u>NA</u>	Critical groundwater area: yes _____ no _____
(8)		<u>NA</u>	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(9)			Comments: _____
(10)	<u>df</u>	<u>1-21-74</u>	Affidavit of Publication received (date) <u>OK</u>
(11)	<u>R.W.H.</u>	<u>1-28-74</u>	Final date for protests <u>1-28-1974</u> Protests received: yes _____ no ☒
(12)		<u>NA</u>	Date and Place of hearing _____ Decision reached at hearing _____
(13)		<u>NA</u>	All requested information received from agencies or applicant yes _____ no _____
(14)	<u>R.W.H.</u>	<u>1-28-1974</u>	Action recommended: ☒ Approve Priority <u>12-28-1973</u> ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☐ No additional conditions for approval
(15)	District <u>Western</u>		By <u>Robert W. Hamilton</u> Date <u>1-28-74</u>

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 16 day of January, 1974, and the last publication being on the 27 day of January, 1974;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 17 day of Jan, 1974.

L. A. Spiller
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

NOTICE: I hereby give notice that WEST INDIAN COVE WATER CO., INC., Hammett, ID, has on Dec. 28, 1973 submitted Application No. 02 - 7153, for a permit to appropriate 2.40 cubic feet per second of water from Snake River, trib. to Columbia River, by means of pumps & pipeline within the SW 1/4 NW 1/4, S. 34, T. 5 S., R. 7 E., E. 1/4, Owyhee County to be used from March 15 to Oct. 31 for irrigation of 700 acres within the SW 1/4 NW 1/4, S. 34, T. 5 S., R. 7 E., E. 1/4, S. 34, NW 1/4, SW 1/4, S. 34, S. 3, NW 1/4, S. 10, W. 1/4 SW 1/4, S. 11, T. 5 S., R. 7 E., E. 1/4. If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before Jan. 28, 1974.

R. KEVIN EGGENSON,
Director.

Published in the Owyhee Nugget, Hammett, Idaho, on Jan. 16, 1974, and Jan. 27, 1974.

OK'd
1-21-74

2 7153

November 29, 1985

RE: Permit No. 02-7133

West Indian CoverWater Co., Inc.
Hammett,
Idaho 83627

Gentlemen:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

MEMORANDUM

TO: File 02-7133

FROM: Jim Johnson *Jim*

DATE: July 15, 1985

RE: Licensing of Right

The purpose of this memo is to summarize the review of this right in preparation for issuance of a license. This right is one of seven water right belonging to West Indian Cove Water Co. used to irrigate lands within the company.

A review was made of all of the lands receiving water and of the water rights owned by the company rather than limiting the review to just Right No. 02-7133. This was done because the land and water use is included in the adjudication of Snake River water rights.

On 10/4/84 Don Shaff prepared a memo which explains why the claim submitted by the canal company was limited to 1"/acre. Since Right 02-7133 is diverted at the same point of diversion and is used entirely on company lands, it is logical that it should also be limited to 1"/acre.

All of the canal company lands and water rights are listed on Attachment A and the license for Right 02-7133 was prepared reflecting this information.

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director
January 22, 1985

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

RE: Permit No. 02-7133

West Indian Cove Water Co., Inc.
Hammett,
Idaho 83627

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 02-7133, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.30 cfs Source: Snake River trib to Columbia River

The maximum quantity diverted shall not exceed 292.5 acre feet
per year.

Point(s) of diversion: Gov. Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 34, Twp 5S, Rge 7E

Beneficial Use: Irrigation of 11 acres within SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, Twp 5S, Rge 7E;
13 acres within SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3; 6 acres within NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10; & 35 acres within
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11; Twp 6S, Rge 7E
Priority date established: December 28, 1973

Conditions (if any): This right when combined with all other rights shall provide
no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

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:sc

MICROFILMED

MAP (Attach Aerial Photo)

MICROFILMED									

SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: Lot 2 (SWNW), S 34, T 5S, R 7E.

Place(s) of Use ✓

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
5S	7E	34																	11
6S	7E	3							13										13
6S	7E	10	6																6
6S	7E	11							35										35

65

Recommended Amendments:

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

Examiner's Signature *Ronald H. Hoff*
Checked by *6S*
Approved by *Kay Walker*
kw

Date *10/05/84*
Date *1/9/85*
Date *1-18-85*
10-30-85

MEMO

From: Kay Walker *kw*

To: File *02-7133*

The overlap analysis was limited to that recommended by the Snake River
Adjudication staff.

MICROFILMED

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

IN THE MATTER OF Correcting)
License No. 26267/02-2128,)
West Indian Cove Water Co., Inc.)

ORDER

WHEREAS, on August 20, 1973, the Department of Water Resources (formerly the Department of Water Administration) issued the above numbered license to West Indian Cove Water Co., Inc. for 0.96 cubic feet of water per second from the Snake River for the irrigation of 490 acres with the condition that the maximum volume per season not exceed 2,205 acre feet, or 4.5 acre feet per acre, when combined with Licenses No. 02-2044 and 02-2055; and

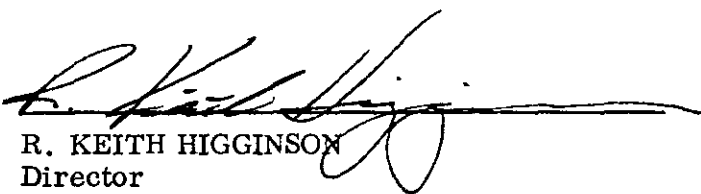
WHEREAS, West Indian Cove Water Co., Inc. objected to the limitation of 2,205 acre feet being placed on the license; and

WHEREAS, West Indian Cove Water Co., Inc. by and through their attorney, William F. Ringert, requested that the acre foot limitation be corrected and offered further proof as to the amount of water beneficially used; and

WHEREAS, after having reviewed the matter, and based upon use records and the type of soil being irrigated, the Director finds that more than 4.5 acre feet per acre is needed and has been put to a beneficial use by the licensee;

IT IS, THEREFORE, HEREBY ORDERED that License No. 26267/02-2128 be corrected to an acre foot limitation of 8.9 acre feet per acre and 4,361 acre feet per season when combined with Licenses No. 02-2044 and 02-2055.

Dated this 18 day of December, 1975.


R. KEITH HIGGINSON
Director

copy

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

02-7133
Permit No.

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

See Form 219-Supp.

- b) Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 65 \times 4.5 = 32.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.30 \times 246 \times 1.9835 = 634$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 32.5$$

- c) Volume Calculations for Other Uses:

NA

2. Overlap Review

- a) Other water rights with same place of use: 02-2033, 02-2128, 02-4015,
02-4025, 02-2044, 02-2055,

- b) Other water rights with same point of diversion: 02-4025D(A+B), 02-2044, 02-2055,
02-2097B, 02-2128, 02-4015A, 02-4015B, 02-7173.

- c) Analysis: No Overlap

T55 RTE S34 SWSW (11): 23 acres total

02-2033 Indian Cove I.D. Wtr. Rt. abandoned on these lands.
02-2128 (18) Recommended as 6 acres in adj., not same lands.
02-4015 (18) Not recommended in adj.
02-4025 (05) Recommended as 6 acres in adj., not same lands.

T63 RTE S3 SWNW (13): 39 acres total

02-2033 (40) Same as above.
02-2044 (30) Recommended as 26 acres in adj., not same lands.
02-2055 (30) " " " "
02-2128 (26) Not recommended in adj., duplicated 02-2044 & 02-2055.
02-4015 (40) " " " "

T63 RTE S10 NENE (6): 39 acres total

02-2033 (40) Same as above.
02-2044 (35) } Recommended 32 acres in adj., not same lands.
02-2055 (35) }
02-2128 (33) Recommended 1 acre in adj., not same lands.
02-4015 (33) Not recommended in adj., duplicated 02-2044, 02-2055 & 02-2128

T65 RTE S11 SWNW (35): 35 acres total

02-2033 (40) Same as above.

Adj. Recommended Amounts, respectively, from b) above:

$$0.69 + 0.40 + 10.0 + 0.12 + 0.80 + 1.14 + 1.54 + 1.30 + \text{Pending C.A. Appl.} = 15.99 \text{ cfs}$$

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RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	02-7133	12/28/73	1.30	12/28/73	12/27/79	23 ⁶

4. Permit Holder: West Indian Cove Water Co., Inc.

Address: Star Rt., Box 40, Hammett, ID 83627

5. Source: Snake River tributary to Columbia River

6. Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
<u>Irrigation</u>	<u>3-15 11-15</u>	<u>1³⁰</u>	<u>325*</u>

Allowable Maximums: 1³⁰ 325

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
	2	SE	SW	NW	34	55	7E	Owyhee

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
55	7E	34												11					11
65	7E	3								1.3									1.3
		10	6																6
		11								3.5									3.5
Total Acres																			65

Total Acres 65

9. Recommended Conditions/Remarks: N/A unless you consider the AFA condition cited in 02-2128

10. 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

11. Examiner's Signature [Signature] Date 10/05/84

Checked in Regional Office by _____ Date _____

Approved in State Office by _____ Date _____

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: J. Grover & C. Morris Date 6/01/81
Owner: West Indian Cave Water Co. Permit No. 02-7133

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

See Report

Measured inside diameter of pipe in inches

(A) 23.25

Size of Annubar used in test 23.25

State ID No. 91455

Model No. of Annubar Meter Used 75
(Model No. = 75 for 6" and larger)
(Model No. = 73 for 4")

Size Eagle Eye Meter Used 10-80

State ID No. _____

Date of Last Calibration of Meter Not calibrated in '81

Observed inches of H₂O read on Meter

(B) 26

Flow Correction Factor (From Calibration Graph)
(Use 1 if Error is $\pm 2\%$ at observed pressure)

(K) Not applicable

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

If Model No. = 73, then C = 4.14

(C) 3.85

CALCULATION: $\frac{K (A^2) (\sqrt{B}) C}{448.8} =$

= 23.6 cfs measured

= 23.645 $\approx$ 23.65

SKETCH (If not shown on Field Report):

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M E M O

TO: 02-2055
FROM: Don Shaff *W*
DATED: 10-04-84
SUBJ: Reivew Analysis

(West Indian Cove)

The lands of this company were ~~filed~~ inspected by myself on 10-02-84. The purpose of the inspection was to determine which lands are flood irrigated and those lands that are sprinkled. A photocopy of the *orthophotog*uad is enclosed and was used for this purpose. The "f's" on the aerial photo indicate flood irrigated fields and the "sp's" indicate sprinkled fields. The findings of the inspection were that of the 718 acres irrigated by the company, ¹⁶³~~137~~ acres are flood irrigated. These findings as to irrigation methods were used to determine the duty of water as a diversion rate for the company's lands. In conformity with past recommendations of the Department, one-and-one-half inches per acre were recommended as a diversion rate for those fields that are flood irrigated. Of the remainder that are sprinkled, where less than one inch per acre is applied, one inch is recommended as a diversion rate to account for the conveyance loss in the canal.

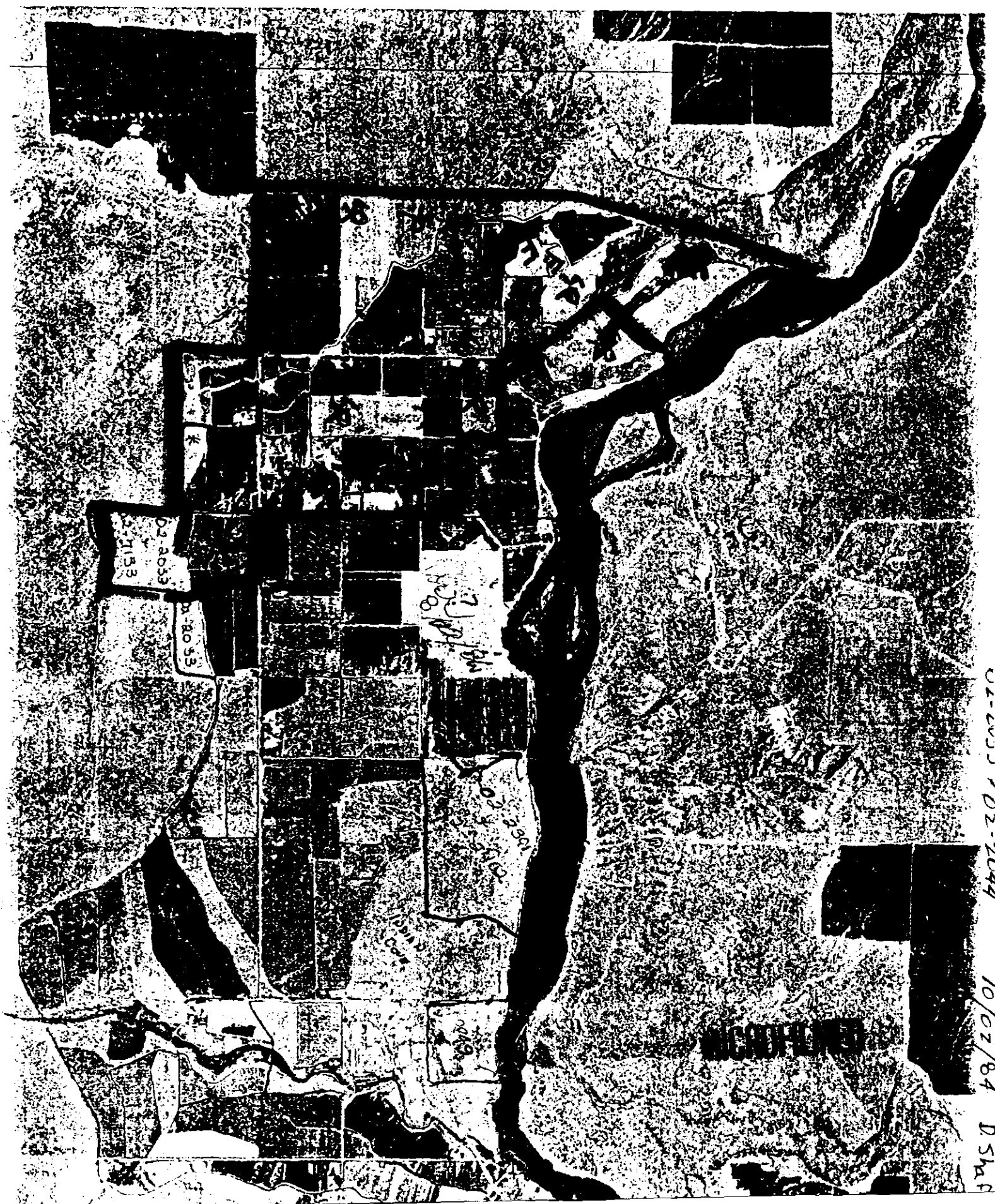
The claimant identified 746 acres irrigated on this claim and all claims submitted. The claimant was apparently stating that each water right is ^{appurtenant}~~pertinent~~ to all the lands. Only in rare cases where a more specific determination is not possible is such a less than desirable recommendation made. In this case, however, a definitive determination is possible. As such the number of acres identified by the license or with some other water rights as identified by the claimant is a specific number of acres recommended for the water right. In this case, the license identified 10 cfs appurtenant to 458

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acres in specific tracts. The recommendation of this water right to the court nearly duplicates this license except where fewer number of acres were identified now as irrigated. The gross exception is 15 acres within the NWNE of Section 10. Through the review process, 443 acres could be identified in the place of use described by the license. This left 15 acres that were unaccounted for. The remainder of the rights consistently identified the gradual development of the claimant's water rights. As a result, the 15 acres from within this original license was recognized as transferred to the more recently developed 15 acres in the NWNE Section 10. This act thus recognized the appropriations and developments that the company has been proceeding with since its inception.

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20-116
2138
1133



02-000102-2049

10/02/84

DShaf

02-7133

West Indian Cove

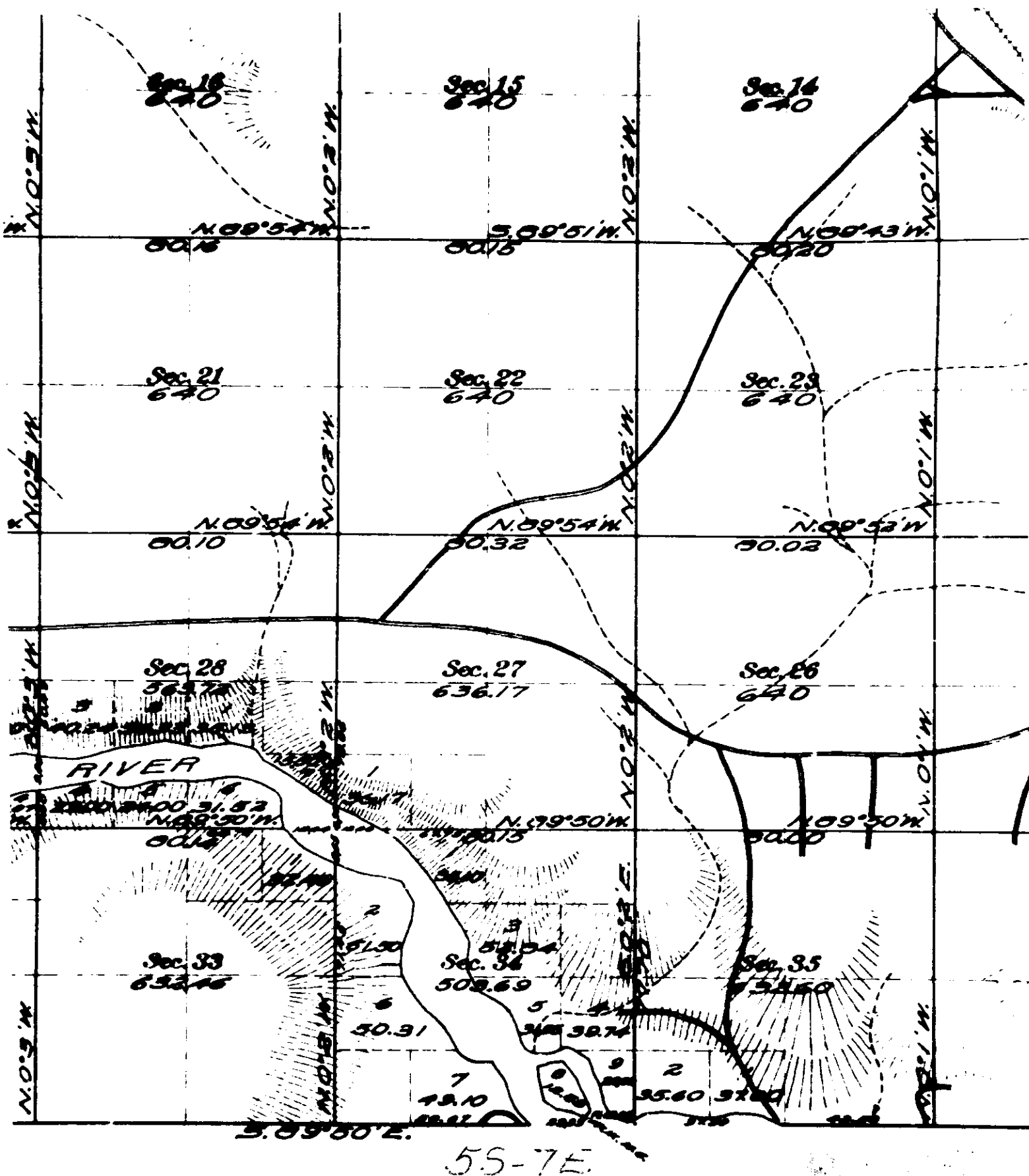
ATTACHMENT "A" LAND LIST ATTACHMENT

Description and location of place of use

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
			02-4025 D												
5S	7E	1													44
6S	7E	3			39	26	35	35	39	39	39	39	39	39	523
			(10)	(39)	(39)										78
			(11)				(38)	(35)							73
															718
			02-4025 D												
5S	7E	1													23
			02-4025 D 02-8042												
6S	7E	3			39	18	20	35	26	39	28		39	39	355
			(10)	(32)	(33)										65
			(11)				(38)								38
															458
			02-4097 B												
6S	7E	3			6										6
			02-4097 B												
5S	7E	1													10
6S	7E	3			2	3			3	2	1		4		15
			(10)	(1)	(6)										7
															32
			02-4015 A												
6S	7E	3			12				8	37					57
			02-4015 B												
6S	7E	3									39	38			77
			02-4015 B - THIS PT. - RECOMMENDATION												
5S	7E	1													11
6S	7E	3						13							13
			(10)	(6)											6
			(11)				(35)								35
															65

Total number of acres irrigated

Total 718

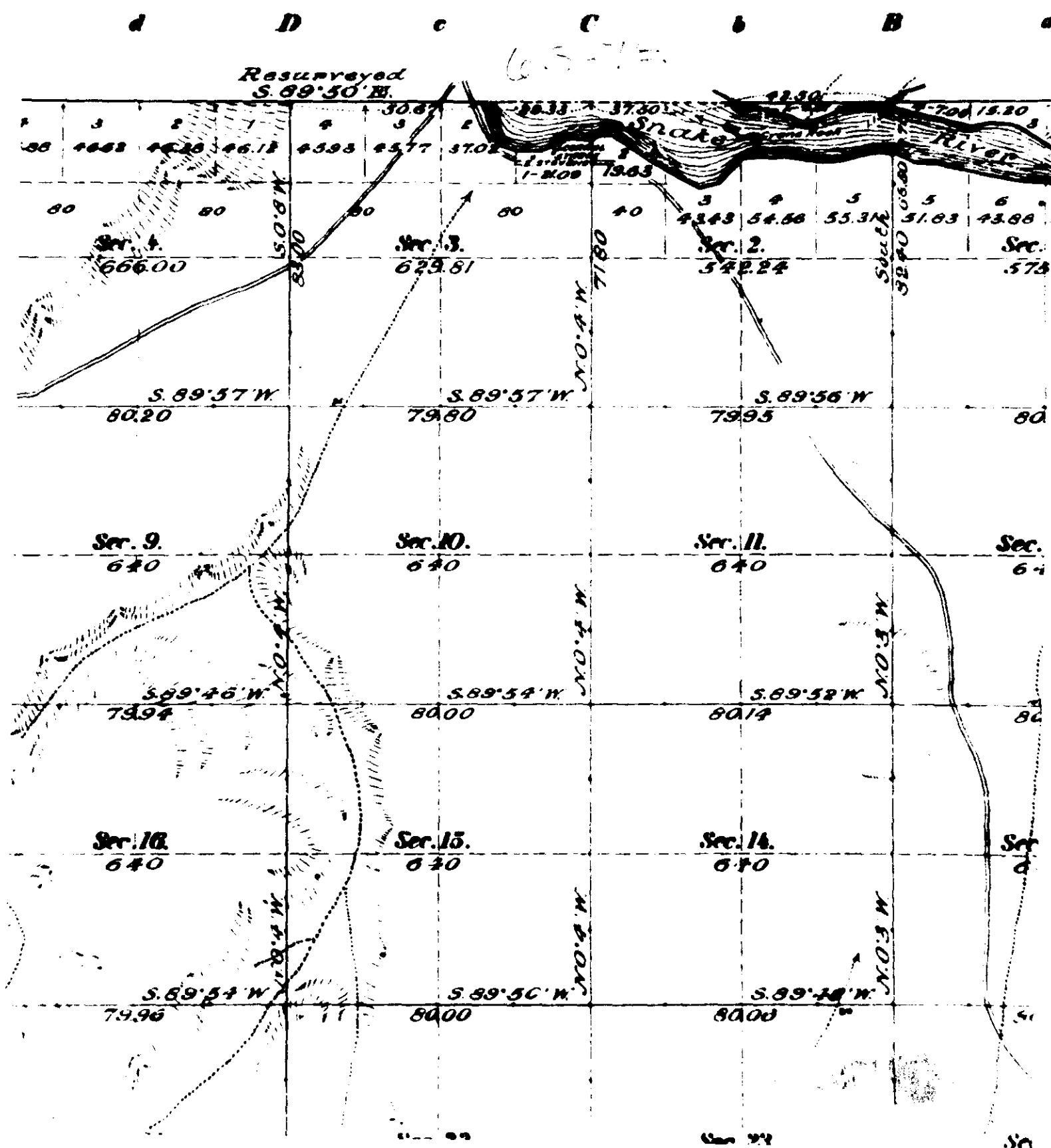


	Amount of Surveys			When Surveyed.	
	Mls.	chs.	lbs.	Began.	Completed.
1910	0	79	50	Feb. 14, 1910	Feb. 14, 1910
"	1	79	23	" " "	" 27. "
"	0	26	74	" 22. "	" 22. "
"	1	52	21	" " "	" " "

The above map of Township 1 North, Range 55-7 East, Idaho, is shown in this office, which have been examined by the U.S. Surveyor General's

(4-678a.)

Sec. N^o 7 East of the Boise Meridian.



IDENT. . 02-7133

WATER RIGHT
DATA ENTRY LOG

[illegible]

DEPARTMENT OF WATER RESOURCES

River

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 c mit No. 02-7133

Name(s) of Permit Holder: West Indian Cove Water Co.

Post Office Address: Hammett Idaho

Tel. No. 366-2022

Source of Water: Snake River

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 82 acres (acres)
☐ Other

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

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

12-22-79

Date

Milton Landis - Sec.

Signature of Permit Holder

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will install access port by the time field exam is conducted.

West Jordan Co. Water Co
Star Rt Box 40
Hammett Idaho 83627

PLACE
TEN CENT
STAMP
HERE

RECEIVED



DEC 27 1979

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

October 31, 1979

West Indian Cove Water Co., Inc.
Hammett, ID 83627

100421

Gentlemen:

One of the conditions of approval of your water Permit No. 02-7133 was that evidence of the extent of development must be submitted to this office on or before January 1, 1980. (See last page of your approved permit). Enclosed is a post card which may be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use post card or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect within 60 days.

Sincerely,

RITA FLECK
Sr. Secretary

Enc: 1

RECEIVED



STATE OF IDAHO, DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720 (208) 384-2215

January 3, 1979

West Indian Cove Water Co., Inc.
Hammett,
Idaho 83627

Gentlemen:

Re: Permit No. 02-7133

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to January 1, 1980.

Sincerely,

Jan Grover
Water Rights Supervisor

MAIL ROOM



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

CERTIFIED MAIL

10-258

October 31, 1978

Re: Permit No. 02-7133

West Indian Cove Water Co., Inc.
Hammett,
Idaho 83627

Gentlemen:

One of the conditions of approval of your water Permit No. 02-7133 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.


RITA FLECK
Water Rights

Encl: Proof affidavit

10-258



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

9/12/78

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition should be less restrictive and provide more flexibility to you in the development of your water right system. The specifications related to the size and location of the access port will be available upon request from the Department, as soon as the Department's measuring equipment is obtained.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JG:kw

Enclosure

February 1, 1974

Re: Permit No. 02-7133

West Indian Cove Water Co., Inc.
Hammett,
Idaho 83627

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 02-7133. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

2 7133

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Funding
Waste Disposal Wells
Stream Channel Protection

January 4, 1974

Owyhee Nugget
Marsing, Idaho 83639

Re: Claim to a Water Right No. 02-4015 - West Indian Cove Water Co., Inc.
Application for Permit No. 02-7133 - West Indian Cove Water Co., Inc.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Sincerely,

Bill submitted 1-21-74 by df
2-1-74

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that WEST INDIAN COVE WATER CO., INC., Hammett,
ID
has on Dec. 28, 1978 submitted Application No. 02-7133
for a permit to appropriate 2.66 cubic feet per second ~~XXXXXX~~
~~XXXXXX~~ of water from Snake River, trib. to Columbia River
by means of pumps & pipeline
within the SW $\frac{1}{4}$, S. 34, T. 5 S., R. 7 E., B.M., Owyhee County

to be used from March 15 to Oct. 31
for irrigation of 708 acres

within the S $\frac{1}{2}$ SW $\frac{1}{4}$, S. 34, T. 5 S., R. 7 E., S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, S. 3,
XX NE $\frac{1}{4}$, S. 10, W $\frac{1}{2}$ NW $\frac{1}{4}$, S. 11, T. 6 S., R. 7 E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before Jan. 28, 1974.

R. KEITH HIGGINSON

Director

Published in the Owyhee Nugget, Marsing, Idaho
on Jan. 10, 1974 and Jan. 17, 1974

2 7133