

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 13-2524

RECEIVED
SEP 19 1994

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant DAL VON ATKINSON Phone 208 852 0654
Post office address 11685 N. TREASURETON RD PRESTON ID 83263
2. Source of water supply Groundwater Spring which is a tributary of Sinks
3. Location of point of diversion is _____ 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____
Sec. 01 Township 15S Range 39E B.M. Franklin County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
- Amount .04 for Domestic purposes from January to 31 Dec (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) .04 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. Headbox and pipeline for single family home
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
3 years (minimum 1 year).

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 10 Head Horses + Cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. ONE
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
15S	39E	71		LT4 D															

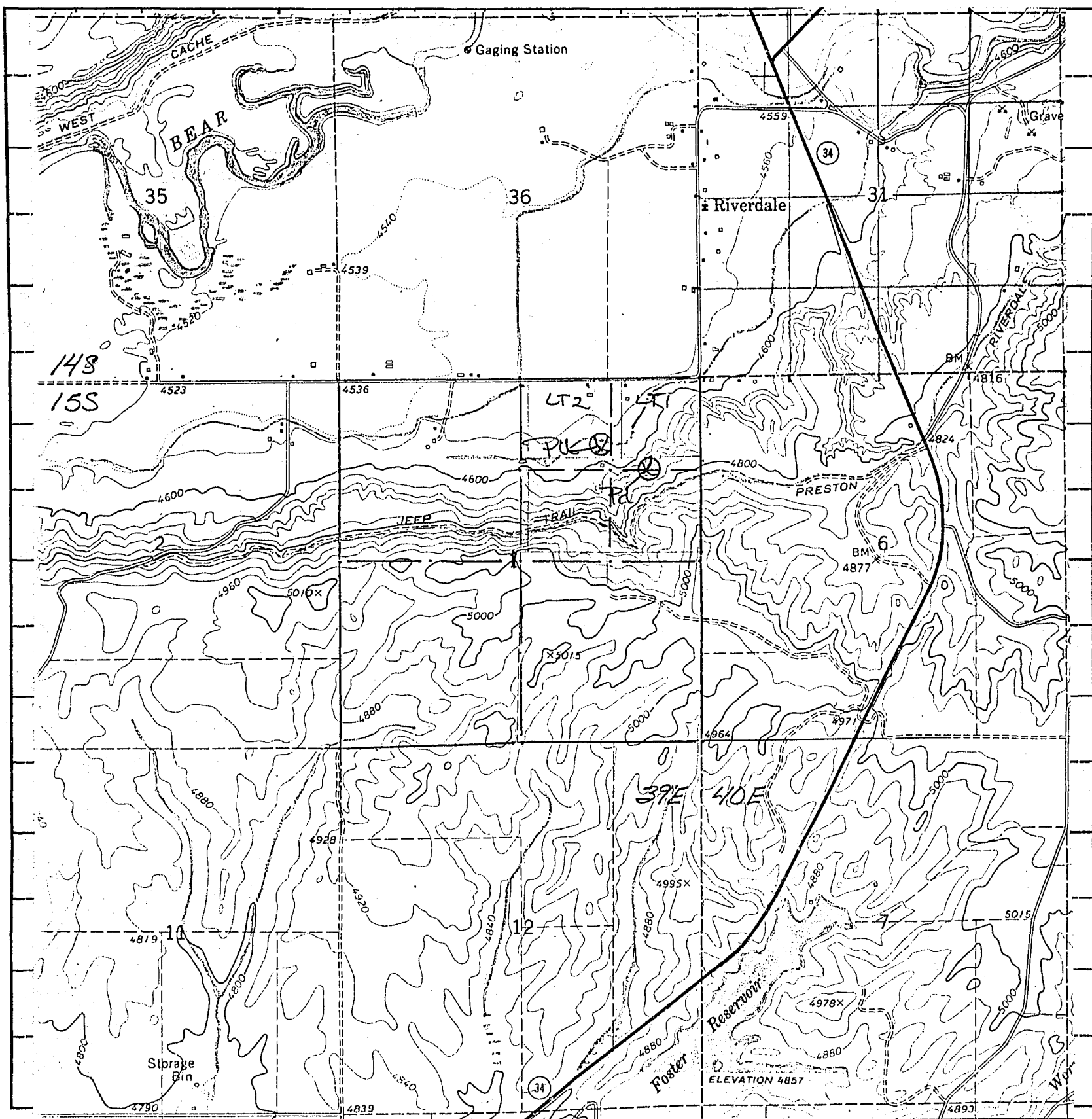
Total number of acres to be irrigated _____

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? Marv W. Porter
- 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. Mr Porter is selling the land to the applicant
HMS 8/8/84

12. Remarks: _____

13. 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.

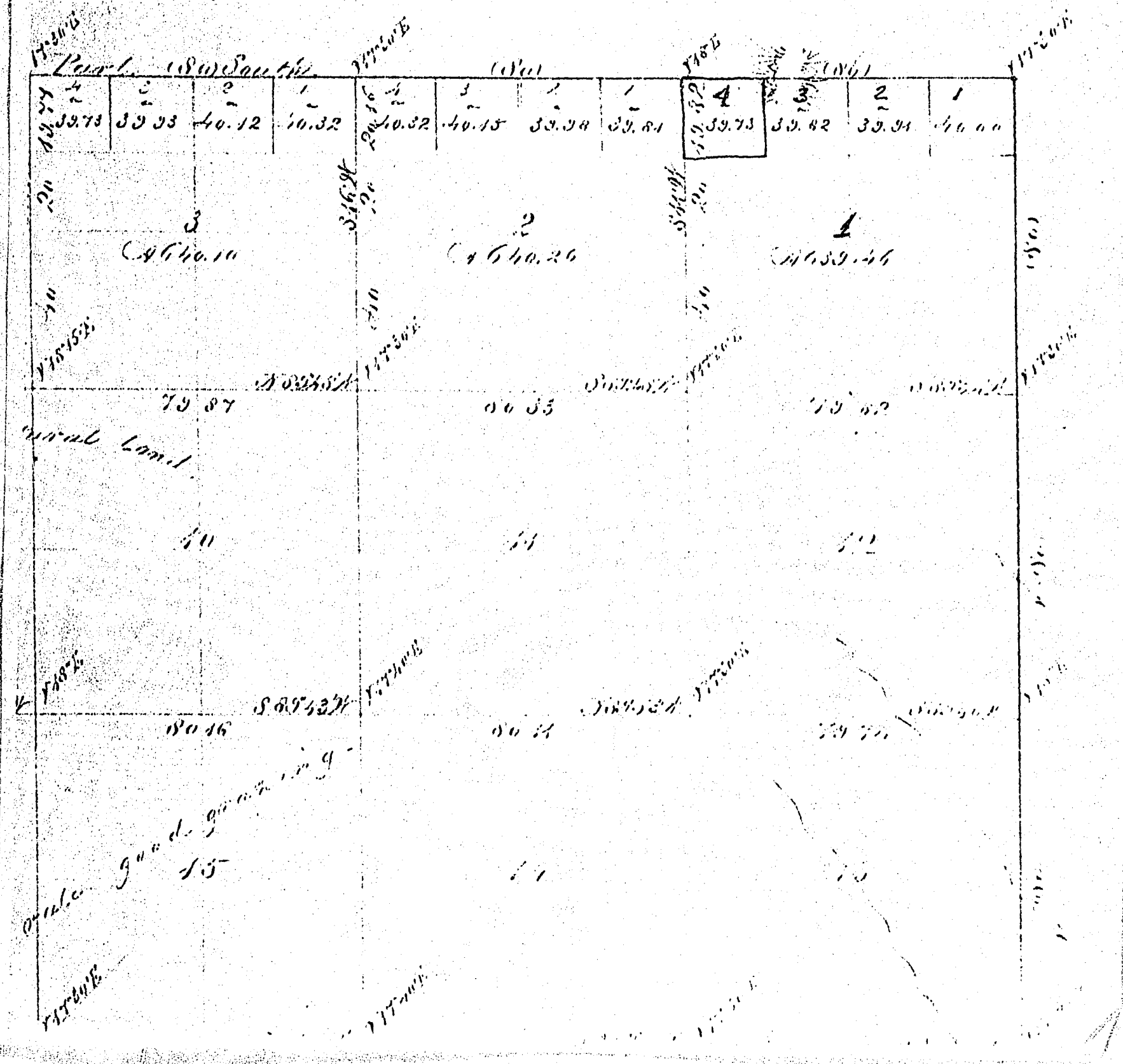
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Dalton Atkinson
(Applicant)

18.10.11

T 155

No 39 East Boise Meridian



Received by RB Date 7-18-94 Time 1:15 Preliminary check by _____
Fee \$ 50⁰⁰ Received by HWT # E020052 Date 7-18-94
Publication prepared by RB Date 8-18-94 Published in Lester Citizen
Publication approved RB Date 8-25-94
Date 9-6-94

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:

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 13-07524

Proposed Priority: July 18, 1994 Maximum Diversion Rate: 0.04 CFS

This is to certify, that DAL VON ATKINSON
11685 N TREASURETON RD
PRESTON ID 83263
has applied for a permit to appropriate water from:

SPRING tributary of SINKS

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>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: SENE, Sec. 1, Township 15S, Range 39E
FRANKLIN County

PLACE OF USE: DOMESTIC
TWN RGE SEC
15S 39E 1 Lot 4(NWNE)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1997.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Domestic use is for 1 home.

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

21st day of October, 1994

R. Keith Higginson
R. Keith Higginson, Director

for

12-Aug-1994

DAL VON ATKINSON
11685 N TREASURETON RD
PRESTON ID 83263

RE: Application No. 13-07524

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the PRESTON CITIZEN on 8-18 & 25-1994. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones *rb*
Harold W. Jones
Water Right Supervisor

HWJ:rb

13-07524

ATKINSON, DAL VON
11685 N TREASURETON RD
PRESTON, ID 83263

Source: SPRINGS

Tributary: SINKS

Diversion Pt: SENE Sec 1 T 15S R 39E in FRANKLIN County.

Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 7/18/1994

In: FRANKLIN County
T15S R39E S01 NWNE

No 3823

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

being duly sworn,

deposes and says:

That he is the **CO-PUBLISHER** of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said

newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

8-24, 1994, and ending

with the issue of 8-31, 1994

For \$ 44.67

Subscribed and sworn to before me this 31 day

of Aug, 1994.

Notary Public, Residing at Preston, Idaho

My Commission Expires Aug 14, 1995.

NOTICE OF APPLICATION FOR WATER RIGHT

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

13-07523
CITY OF WESTON
293 S 2ND E
WESTON, ID 83286
Source: GROUNDWATER
Diversion Pt: NWSW Sec 9 T 16S
R 38E in FRANKLIN County.
Use: MUNICIPAL (2.000 CFS)
Total Diversion: (2.000 CFS)
Date Filed: 7/11/1994
In: The City of Weston

13-07524
ATKINSON, DAL VON
11685 N TREASURETON RD
PRESTON, ID 83263
Source: SPRINGS
Tributary: SINKS
Diversion Pt: SENE Sec 1 T 15S R
39E in FRANKLIN County.
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 7/18/1994
In: FRANKLIN County T15SR39E
S01 NWNE

13-07525
CARTER, DWIGHT B
FAMILY TRUST, M DOUGLAS
CARTER
1594 CARTER LN
GRACE, ID 83241
Source: SPRING
Tributary: SINKS
Diversion Pt: NENWSE Sec 1 T
11S R 39E in CARIBOU County.
Use: STOCKWATER (.020 CFS)
Total Diversion: (.020 CFS)
Date Filed: 7/19/1994
In: CARIBOU County T11SR40E
S05 SWSW S07 NENE S08 NWNE
The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, along with a \$25.00 filing fee to the Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID 83402, on or before SEPTEMBER 12, 1994.



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 21, 1994

DAL VON ATKINSON
11685 N TREASURETON RD
PRESTON ID 83263

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 13-07524

Dear Permit Holder:

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

For Office Use Only
\$50 Fee Received by 15
Date 9/29/97
Receipt No. 1000010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 29 1997

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

Department of Water Resources

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

Permit No. 13-07524

Name(s) of Permit Holder: DALTON ATKINSON

Mailing Address: 1428 E 3200N Preston Id 83263

Date Proof is Due: 1 Oct 1997 Telephone No. 208 852 0654

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Brush + Trees Cleared - French for collector Pipe
Partially Dug - Purchased storage tank
Dayer work completed

Costing \$ 1665⁰⁰

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

Back problems during 1995 and 1996 - Back surgery Oct 1996
I am ready to complete work but am unable to get
Equipment at this time - I will complete as soon as possible
Permit holder(s) request an extension to Oct, 1999 *(over)

FEE: \$50.00

Dalton Atkinson
(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to October 1, 1999.

Signed this 16th day of October, 19 97

J. Glen Taylor
Chief, Water Allocation Bureau

* I have been working on this project each summer and planned to complete by the due date but due to the amount of construction in this area I am unable to hire a track hoe for the completion of development at this time. I have talked to different companies and as soon as equipment becomes available I will go ahead with the spring development and will try to complete this fall if the weather stays good long enough. I asked for a 2 year extension in case I am unable to get all the equipment needed during this next year, however I emphasize we are anxious to complete and will do so as soon as possible

Dalton Atkinson

July 31, 1997

DAL VON ATKINSON
11685 N TREASURETON RD
PRESTON ID 83263

P-5A0062095

PROOF DUE NOTICE

RE: PERMIT NO. 13-07524

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 October 1, 1997. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

CERTIFIED

590 062 095

MAIL

Name _____
1st Notice _____
2nd Notice _____
Return _____

ND

DELIVERABLE TO

DAL VON ATKINSON
11685 N TREASURETON RD
PRESTON ID 83263

couldn't locate
a newer
address
in
phone
book.

MS
8-11

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PAGE

83263-5073 83

CERTIFIED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

150 North Orchard Street
Boise, Idaho 83706-2237

5 590 062 095

MAIL

DELIVERABLE TO

Name _____
1st Notice _____
2nd Notice _____
Return _____

DAL VON ATKINSON
11685 N TREASURETON RD
PRESTON ID 83263

83263-8073 83

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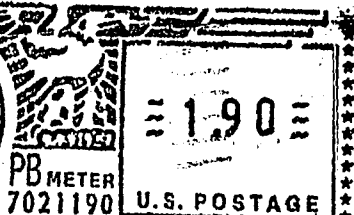
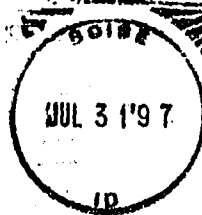
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

CERTIFIED

590 062 095

MAIL

Name _____
1st Notice _____
2nd Notice _____
Return _____



DELIVERABLE AS ADDRESSED-
UNABLE TO FORWARD

ND

DAL VON ATKINSON
11685 N TREASURETON RD
PRESTON ID 83263

RECEIVED
AUG 05 1997
Department of Water Resources

83263-5073 83

VAY
9-17-97

MEMORANDUM

DATE: September 17, 1997

TO: Julie Yarbrough

FROM: Shelley W. Keen *(SWK)*

RE: Permit No. 13-07524

Today Dal Von Atkinson called and asked that we send him a Request for Extension of Time to Submit Proof of Beneficial Use form at his new address, which is:

1428 E. 3200 N.
Preston ID 83263
(208) 852-0654



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 16, 1997

Dal Von Atkinson
1428 E 3200 N
Preston ID 83263

RE: Permit No. 13-07524

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **October 1, 1999**. Please note that the department granted the extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Enclosure

C: IDWR - Regional Office

RECEIVED

SEP 20 1999

STATE OF IDAHO

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.—

Receipt No. C046609

Receipt By: KL

Date Received: 9/20/99

PROOF OF BENEFICIAL USE

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

1. Permit No. 13-07524 Telephone No. (208) 852-0654

2. Name(s) of Permit Holder(s): Dal Ven Atkinson

3. Mailing Address: 1428 E. 3200 N. Preston, Idaho 83263

4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. / yr.

a. Well Driller: _____ Drilling Permit Number: - - -

b. **OPTIONAL:**
 Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

Domestic (No. of households): 1 Stockwater (No. and type of stock): 12 - Cattle & horses

Irrigation (No. of acres): _____ **Other:** _____

6. Total rate of diversion and/or volume for which proof is submitted: .00666 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No ☒

Has the measuring device been installed? Yes or No

Flow Measurement Port: Is a flow measurement port required? Yes or No X

Has the measurement port been installed? Yes or No

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

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

Name: Dal Von Atkinson Telephone Number: (208) 852-0654

Address: 1428 E 3200 N Preston, Idaho 83263

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

Signature of permit holder: Darvon Atkinson Date: Sept. 17, 1999
(include your title, if on behalf of company or organization)

July 31, 1999

DAL VON ATKINSON
1428 E 3200 N
PRESTON ID 83263

PROOF DUE NOTICE

RE: PERMIT NO. 13-07524

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 October 1, 1999. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

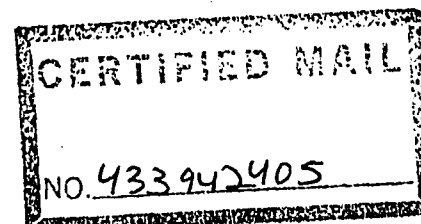
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 20, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAL VON ATKINSON
1428 E 3200 N
PRESTON ID 83263

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07524

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.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **EASTERN** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

A handwritten signature in cursive script that reads "Kari Lynn Townsend".

Kari Lynn Townsend
Secretary

c: IDWR - Regional Office

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 13-07524

Priority: July 18, 1994

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that DAL VON ATKINSON
1428 E 3200 N
PRESTON ID 83263 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated July 18, 1994; and has
submitted Proof of Beneficial Use on September 20, 1999. An examination indicates that the works
have a diversion capacity of 0.02 cfs of water from:

SOURCE

SPRING

Tributary: SINKS

and a water right has been established as follows:

BENEFICIAL USE
DOMESTIC

PERIOD OF USE
1/01 to 12/31

DIVERSION RATE
0.02 CFS

**ANNUAL
DIVERSION VOLUME**
1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, Twp 15S, Rge 39E, B.M. FRANKLIN County

PLACE OF USE: DOMESTIC

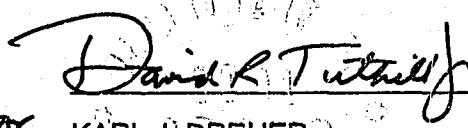
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	39E	1		X															
				L2															

CONDITIONS OF APPROVAL

- Domestic use is for 1 home.

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

Signed and sealed this 25th day of July, 2001.

for 
KARL J. DREHER
Director

MAY -4 2001

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 13-07524

1. Owner: Dalton Atkinson Phone No. 852-0654

Current Address: 1428 E 3200 N Preston Id 83263

2. Accompanied by: Dal Von Atkinson EXAM DATE: 8 May 2000

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spring tributary to _____

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

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

Scale: 1" = _____

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

____ Aerial Photo Attached (required for Irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

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

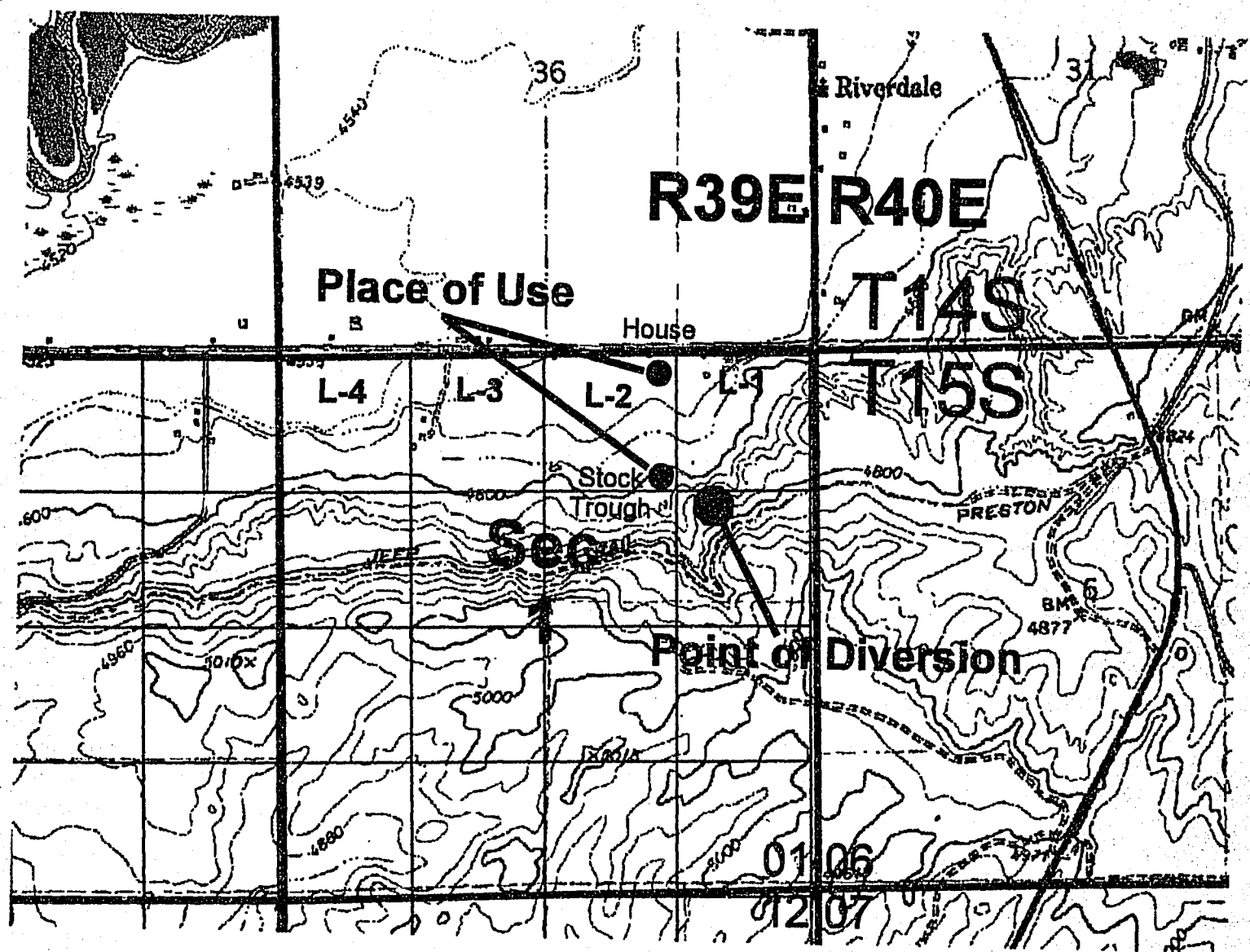
2. Measurements: $2\frac{1}{2}$ gal in 14.63 sec = 10.52 gpm = 0.0228 cfs = 0.02 cfs

E. NARRATIVE/REMARKS/COMMENTS

Collection pipe to 1500 gal underground with distribution line to
single domestic home & stock trough

NOTE: PLACE OF USE IS WITHIN NW $\frac{1}{4}$ NE $\frac{1}{4}$ which is Lot 2.
It appears that the lot # was ~~numbered~~ incorrectly numbered

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



Sections.shp
T15s39e.shp

13-07524

POINT OF
DIVERSION



PLACE OF USE Domestic



PLACE OF USE - STOCK TROUGH

13-07524

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$Q = 0.02 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

$$V_{Dom} = 1.2 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/1	12/31	0.02 cfs	1.2 afa
Totals:			0.02 cfs	1.2 afa

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 KEITH C WILSON Date 5-8-2008

Reviewer _____ Date _____

SEAL

***FOR CLARITY
OF ANY
PHOTOGRAPHS
MICROFILMED,
SEE FILE.***

Comment Report

13-7524

1. skeen 7/25/2001 License Review

Comment: License review by S. Keen on 7/25/2001.

Examiner recommended the point of diversion in the NWSENW, S. 1, T15S, R39E. His map and photos, however, clearly depict the point of diversion in the NWSENE, S. 1, T15S, R39E, which is consistent with the application and the permit. The license will show the point of diversion consistent with the examiners map and photos.

2. VAULT 9/30/1997 Extension of Time Received

Comment: Extension of Time Received

3. KTOWNSEN 1/21/2000 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 27, 2001

DAL VON ATKINSON
1428 E 3200 N
PRESTON ID 83263

RE: License No. 13-7524 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

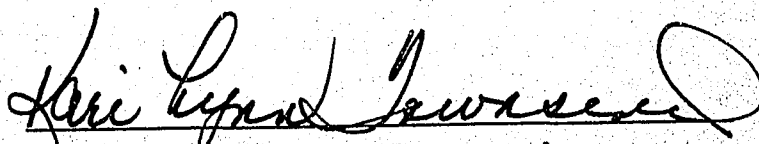
Enclosure(s)

CERTIFICATE OF MAILING

I hereby certify that on July 27, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 13-7524

**DAL VON ATKINSON
1428 E 3200 N
PRESTON ID 83263**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**