

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 Lloyd W. Hubbard Phone 766-4292

Post office address Rt. 1, Box 8, Malad, ID 83252

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 14S

Range 36E B.M. Oneida County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .40 for irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for Domestic purposes from 1-1 to 12-31 (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. .40 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well and Pump

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 6 inches; proposed depth of well is 100 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: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 14S

Range 36E 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 Allow 1 RC 8/17/82

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

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	
14S	36E	28								20									20

Total number of acres to be irrigated 20

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

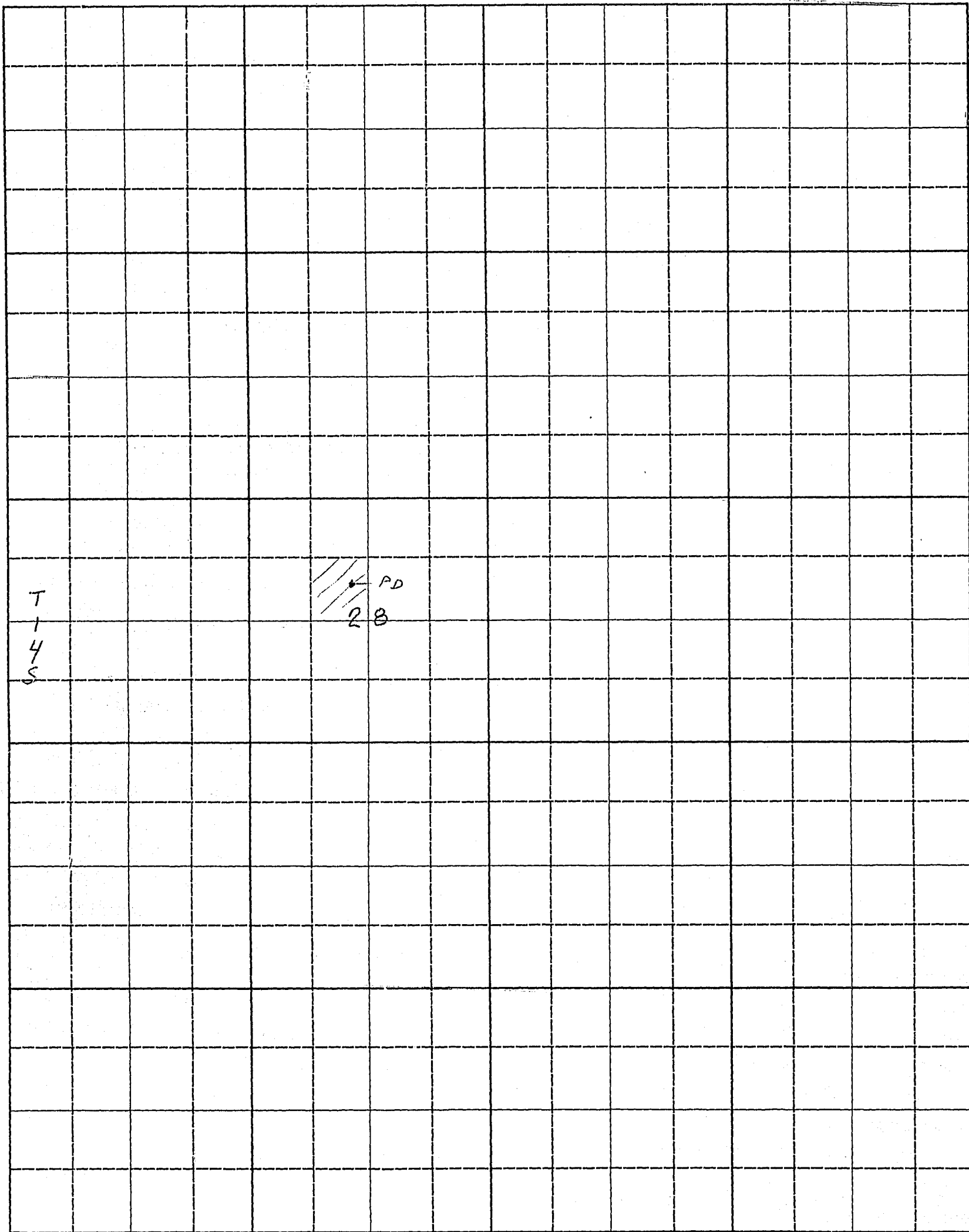
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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

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R 36 E



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.

Lloyd Hubbard
(Applicant)

Proposed Priority 7/12/1982

Received by RDC Date 7-12-82 Time _____

Preliminary check by S.M. Fee \$ 45.00

Receipted by BP Date 7-12-82 # 22383

Publication prepared by BP Date 7-13-82

Published in Idaho Enterprise

Publication dates 7-22 & 7-29-82

Publication approved aw Date 8-02-82

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC KC

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. 15-7083, 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 87.
- 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: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 20 day of August, 1982.

David R. Tuttle
Acting Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Oneida } ss.

Helen Stark

being duly sworn,
deposes and says: That she is the *Secretary* of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; 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 July 22, 19 82, and ending with the issue of July 29, 19 82

Helen Stark

Fee \$ 29.75

Subscribed and sworn to before me this 29th day

of July, 19 82

Ken Hawkins

Notary Public, Residing at Malad, Idaho

My Commission Expires May 5, 19 85

RECEIVED

JUL 30 1982

Department of Water Resources
Eastern District Office

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:

15-7083
HUBBARD, LLOYD W.
RT. 1, BOX 8, MALAD, ID 83252

Source: GROUND-WATER

Date Filed: 07-12-1982

Amount: 0.40 CFS

Diversion Point: SENW Sec 28 T 14S R 36E, ONEIDA Co.

Use: IRRIGATION (0.40 CFS) from 04-01 to 11-01 DOMESTIC (0.02 CFS) from 01-01 to 12-31

Place of Use: SENW Sec 28 T 14S R 36E FOR 20 ACRES

Diversion Means: WELL & PUMP

15-7084
HUBBARD LAND AND LIVESTOCK
RT. 1, BOX 8, MALAD, ID 83252

Source: BULL CANYON, SOUTH FORK tributary to SINKS

Date Filed: 07-12-1982

Amount: 20.0 AC-FT

Diversion Point: SENW Sec 11 T 13S R 32E SESW Sec 35 T 12S R 32E, ONEIDA & POWER Co.

Use: STOCKWATER STORAGE (15.0 AC-FT) from 04-01 to 11-01

STOCKWATER STORAGE (5.0 AC-FT) from 04-01 to 11-01

DOMESTIC STORAGE (5.0 AC-FT) from 04-01 to 11-01

Place of Use: SENW Sec 35 T 12S R 32E

Diversion Means: RESERVOIRS

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, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before AUGUST 9, 1982.

A. KENNETH DUNN

Director

Published: 7-22 & 7-29-82.

Lines: 70.

15-7083

HUBBARD, LLOYD W.

RT. 1, BOX 8, MALAD, ID 83252

Source: GROUNDWATER

Date Filed: 07/12/1982

Amount: 0.40 CFS

Diversion Point: SENW Sec 28 T 14S R 36E, ONEIDA Co.

Use: IRRIGATION	(0.40 CFS)	from 04/01 to 11/01
DOMESTIC	(0.02 CFS)	from 01/01 to 12/31

Place of Use: SENW Sec 28 T 14S R 36E FOR 20 ACRES

Diversion Means: WELL & PUMP

Approved

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:

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, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before AUGUST 9, 1982.

A. KENNETH DUNN

Director

Published 7/22 & 7/29/82.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

JULY 15, 1982

The Idaho Enterprise
P. O. Box 205
Malad City, Idaho 83252

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 AUGUST 9, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

APPLICATION NUMBER: 15 7083

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

- ☒ Yes ☒ No
☒ Yes ☒ No
☒ Yes ☒ No
☒ Yes ☒ No

Field check required.

Critical groundwater area.

Request dam safety information. Sent by: _____ Date: _____

In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No
☐ Yes ☒ No
☒ Yes ☐ No
☐ Yes ☒ No

Platted by: _____ Map No. _____

Other rights on same place of use. _____

In form for advertising.

Final date for protests: Aug 9, 1982

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: July 30-82-Oneda
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.

- ☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No

Measuring device required.

Access port required.

Will water be delivered by watermaster? If yes, what district? _____

7-12-82 Date of priority recommended.

Special conditions of approval or cover letter. _____

Code 24

By: Ernest Carlson

Date: Aug 10, 1982

STATE OFFICE REVIEW:

SL/LTZ

20

- ☐ See attached sheet for more information.

By: _____

Date: 8/17/82

RECEIVED

AUG 12 1982

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

HUBBARD, LLOYD W.
RT. 1, BOX 8
MALAD, ID 83252

AUGUST 31, 1982

RE: PERMIT NO. 15-7083

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.

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

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 15-7083 IN THE
NAME OF LLOYD W. HUBBARD

ORDER OF REINSTATEMENT

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before August 1, 1987; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on August 25, 1987;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 15-7083 be REINSTATED and the priority advanced to August 5, 1982.

Dated this 29 day of September, 1987.


L. GLEN SAXTON, Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
MAY 31, 1987

138517

HUBBARD, LLOYD W.
RT. 1, BOX 8
MALAD, ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-7083

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 AUGUST 1, 1987. (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 COMPLETED 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

HUBBARD, LLOYD W.
RT. 1, BOX 8
MALAD, ID 83252

August 6, 1987

LAPSE NOTICE

RE: Permit No. 15-7083

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper forms in our proof due notice to you dated May 31, 1987.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this Department within sixty days of the date of mailing of this lapse notice.

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

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

CERTIFICATION OF MAILING
I hereby certify that on 8-17-1987
a true and correct copy of this document was
deposited in the United States mail,
postage prepaid, addressed to the
individual(s) named above.
Rita Fleck

Form 217

03786

RECEIVED
AUG 25 1987

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received \$100.00

Date 8-25-87

Receipt # 44491

Receipt by

Reviewed by

Sent to region

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 15-7083

Name(s) of Permit Holder: Lloyd W. Hubbard

Post Office Address: Rt. 1 Box 8

Malad Idaho

Telephone No. 766-2692

Source of Water: Under ground water (well)

Extent of Use:

Domestic (number of households)

Stockwater (number and type of stock)

Irrigation 32 (acres)

Other/Remark

Total rate and/or volume for which proof is submitted .38 cfs 100 acre-feet

Show the date water was first diverted and beneficially used under this permit: May 1, 1982

Measuring Device: Required? Yes ☒ No ☒
Installed? Yes ☒ No ☒Fee enclosed \$ 100
(See License Examination Fee Schedule)Flow Measurement Port: Required? Yes ☒ No ☒
Installed? Yes ☒ No ☒

Person to contact to accompany the Department representative during the field examination:

Lloyd W. Hubbard
(Name)766-2692
(Telephone Number)Rt. 1 Box 8 Malad Idaho 83252
(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

Aug. 24, 1987
DateLloyd W. Hubbard Sr.
Signature of Permit Holder (and title, if appropriate)

CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 15-7083

DATE: 9-16-1987

Date proof received

237

Aug. 25, 1987

Proof due

-213

Aug. 1, 1987

Number of day proof late

24

Priority date

+193

July 12, 1982

New priority date

217

Aug. 5, 1982

Remarks: