

17 7041

Identification No. \_\_\_\_\_

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 Joseph J. Daniels 766-4545  
post office address 294 N 100 W MALAD City, Idaho 83252
2. Source of water supply well which is a tributary of Deep Creek
3. a. Location of point of diversion is NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 33 Township 14S  
Range 33E B.M. Onida County; additional points of diversion if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. If water is not consumed, it will be discharged into N.A. at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 5.6 cfs for IRRIGATION purpose from May 1 to Oct 15 (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. 5.6 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. None Well Pump & Sprinkler system. T.C. 24  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Height of storage dam None 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 20 inches; proposed depth of well is 300 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 \$ 50,000.
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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 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 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 14S  | 33E   | 33   | 40     | 40     |        |        | 40     | 40     | 40     | 40     |        |        |        |        |        |        |        |        | 240    |
|      |       | 28   |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 40     | 40     | 80     |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

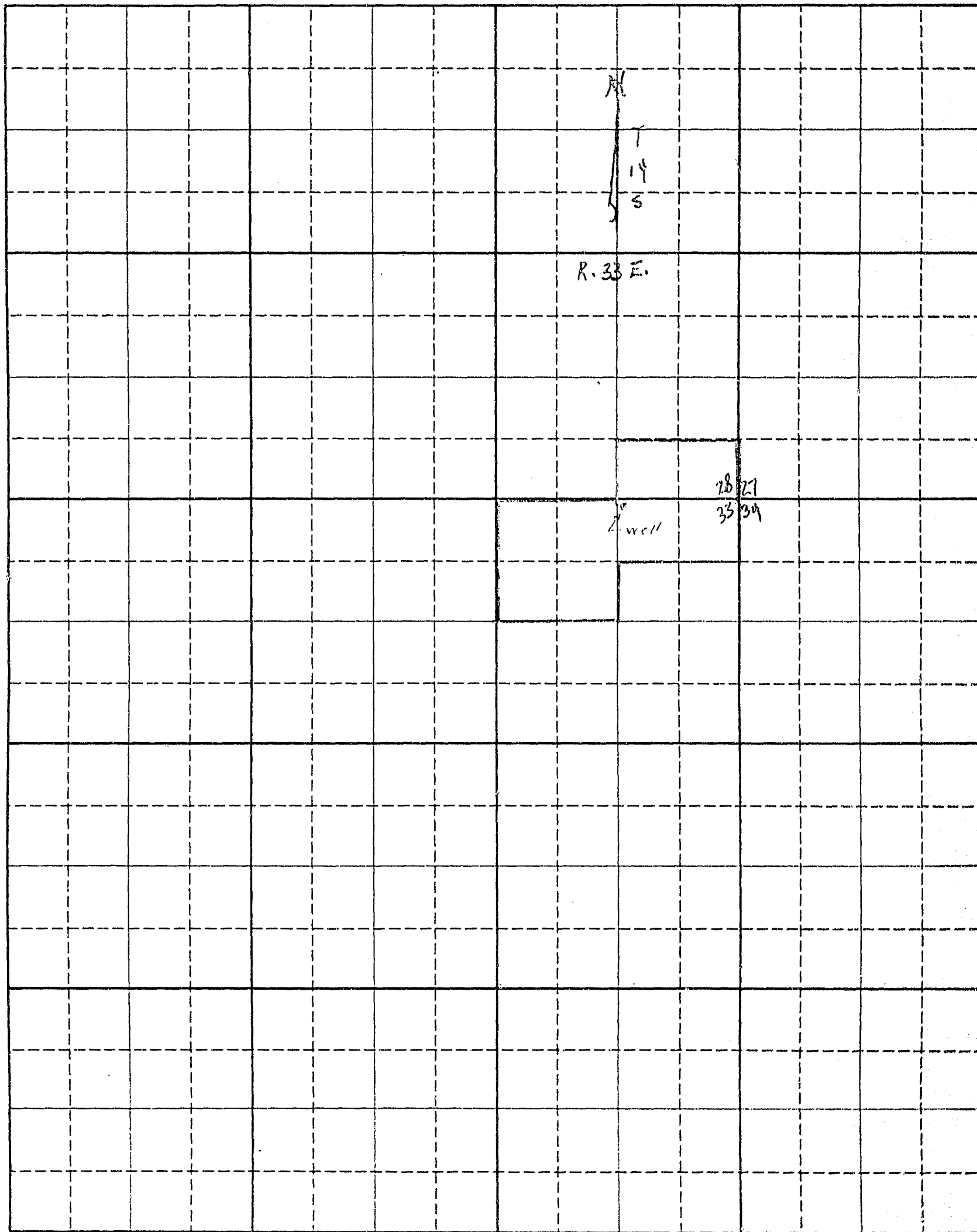
Total number of acres to be irrigated 320

c. Describe any other water rights used for the same purposes as described above. N/A

9. a. Who owns the property at the point of diversion Joseph J. DANIELS  
 b. Who owns the land to be irrigated or place of use Joseph J. DANIELS  
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing N/A

10. Remarks

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



Scale: 2 inches equal 1 mile

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

*Joseph A. Smith*  
(Applicant)

Proposed Priority 2-27-1975

Received by WJ Date 2-27-75 Time 11:10 A.

Preliminary check by LA Fee \$ 75.00

Receipted by WJ Date 2-27-75 # 4120

Publication prepared by WJ Date 2-28-75

Published in Idaho Enterprise

Publication dates 3064 3/13/75

Publication approved WJ Date 3-14-75

Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Protests filed by: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by EDC JDF

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. 17-7041, 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 March 1, 19 80.

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 March 19 75.

R. Karl Hijo  
Director

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. Daniel

- ☒ 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

(1) LT 2-27-75

In form to receipt yes

(2) LT LT

Send Copies to:

- NA ☐ Idaho State Health Department  
☐ Idaho Fish and Game Department  
☐ Bureau of Land Management

(3) LT LT

- NA ☐ Request Special Use Permit from U.S.F.S.  
☐ Request Easement from B.L.M.  
☐ Request Information from Applicant

(4) LT LT

In form for advertising yes

(5) LT LT

Platted on Map No.       

(6) LT LT

NA Located within Water District No.       

(7) LT LT

Critical groundwater area: yes        no ☒

(8) LT LT

Groundwater levels:

       Declining,        Stable,        Increasing

(comment) NO nearby Obs. wells

(9) LT LT

Other rights on the same place of use NO

(10) LT LT

Comments: NO other G.W. rights Platted

(11) OW 3-14-75

Affidavit of Publication received(date) 3-14-75

(12) MB 3-24-75

Final date for protests March 24, 1975

Protests received: yes        no ☒

(13) RDC 3/24/75

All requested information received from agencies or applicant: yes        no       

(14) LT LT

Action recommended:

☒ Approve

       Deny

4/27/75 Proposed Priority

       Reason for Reduction       

☒ Measuring device required

       See attached sheet for other conditions approval

       No special conditions for approval

(15) District E

By RDC

Date 3/24/75

RECEIVED  
MAR 25 1975  
Department of Water Resources

RECEIVED  
MAR 14 1975

Department of Water Resources  
Eastern District Office

NOTICE OF APPLICATION  
FOR WATER PERMIT

Notice is hereby given that Joseph J. Daniels, 294 N. 100 W., Malad City, Idaho, has on February 27, 1975, submitted Application No. 17-7041 for a permit to appropriate 5.6 cubic feet per second of water from a groundwater source by means of well and pump within the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 33, T. 14S, R. 33E, B.M., Oneida County; to be used

from May 1 to Oct. 15 for the irrigation of 320 acres within the N $\frac{1}{2}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Sec. 33, S $\frac{1}{2}$  SE $\frac{1}{4}$ , Sec. 28, T. 14S, R. 33E, 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 Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before March 24, 1975.

R. KEITH HIGGINSON  
Director

Published in the Idaho Enterprise, Malad City, Idaho on March 6 and March 13, 1975.

AFFIDAVIT OF PUBLICATION

State of Idaho  
County of Oneida, ss.

Norma Beck being first duly sworn on her oath, states: That she is Clerk of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published at regular intervals not less frequently than once a week.

That the annexed notice was published per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2

successive weekly issues thereof the date of the first publication being the 6 day of March, 1975

the date of the last publication being the 13 day of March, 1975

Norma Beck

Subscribed and sworn to before me this 13 day of March, 1975

W. D. Naylor  
Notary Public, residing at Malad, Idaho

My Commission expires the 16 day of Oct, 1977

Costs:

32 lines at 23c per line first insertion \$ 7.39

..... lines tabulated at 34 $\frac{1}{2}$ c per line \$.....

15c per line each subsequent insertion \$ 4.80

TOTAL ..... \$ 12.19

(Rates for legal notices are fixed by Idaho law)

Gentlemen

I would appreciate  
a notice as quick as  
possible because  
I have a will  
built ready to go  
as soon as released  
by you people

any thing I can  
do to rush  
would be appreciated

Thank  
Joe J. Daniels  
Mabel Adams

February 28, 1975

RE: Application for Permit No. 17-7041

Mr. Joseph J. Daniels  
294 N 100 W  
Malad City, Idaho 83252

Dear Mr. Daniels:

Attached herewith is departmental receipt No. 4120 in the amount of \$75.00 for the above referenced application.

Very truly yours,

RONALD D. CARLSON  
District Engineer

RDC:CW

Attachment

February 28, 1975

RE: Application for Permit No. 17-7041

Mr. Joseph J. Daniels  
294 N 100 W  
Malad City, Idaho 83252

Dear Mr. Daniels:

Attached herewith is departmental receipt No. 4120 in the amount of \$75.00 for the above referenced application.

Very truly yours,

RONALD D. CARLSON  
District Engineer

RDC:CW

Attachment

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Joseph J. Daniels,  
294 N 100 W, Malad City, Idaho  
has on 2-27-75 submitted Application No. 17-7041  
for a permit to appropriate 5.6 cubic feet per second ~~acres feet per annum~~  
of water from a ground-water source  
by means of well and pump  
within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 33, T. 14S, R. 33E, B.M., Oneida County;

to be used from May 1 to Oct. 15  
for the irrigation of 320 acres

within the N $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Sec. 33, S $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 28, T. 14S, R. 33E, 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 Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before \_\_\_\_\_  
March 24, 1975.

R. KEITH HIGGINSON

Director

Published in the Idaho Enterprise, Malad City, Idaho  
on March 6 and March 13, 1975.

CW-B  
CW-A  
CW-A

**NOTICE OF APPLICATION  
FOR WATER PERMIT**

Notice is hereby given that Joseph J. Daniels, 294 N. 100 W., Malad City, Idaho, has on February 27, 1975, submitted Application No. 17-7041 for a permit to appropriate 5.6 cubic-feet per second of water from a groundwater source by means of well and pump within the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 33, T. 14S, R. 33E, B.M., Oneida County; to be used from May 1 to Oct. 15 for the irrigation of 320 acres within the N $\frac{1}{2}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Sec. 33, S $\frac{1}{2}$  SE $\frac{1}{4}$ , Sec. 28, T. 14S, R. 33E, 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 Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before March 24, 1975.

**R. KEITH HIGGINSON**  
Director

Published in the Idaho Enterprise, Malad City, Idaho on March 6 and March 13, 1975.

February 28, 1975

RE: Application for Permit No. 17-7041 - DANIELS

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

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 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.

Very truly yours,

RONALD D. CARLSON  
District Engineer

RDC:CW

Enc: Legal Notice

Bill submitted 3-14-75 by OW

April 3, 1975

Re: Permit No. 17-7041

Joseph J. Daniels  
294 N. 100W.  
Malad City, ID 83252

Dear Mr. Daniels:

Enclosed is a copy of your approved Application for Permit No. 17-7041. 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  
Chief, Water Rights

BDF:jfr

Enclosures



BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 17-7041  
IN THE NAME OF JOSEPH J. DANIELS

REINSTATEMENT ORDER

WHEREAS, on February 27, 1975, Joseph J. Daniels applied to the Department of Water Resources for a permit to appropriate 5.60 cubic feet per second of water from a groundwater source to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 33, Twp. 14S, Rge. 33E B.M., Oneida County, to be used for irrigation purposes; and,

WHEREAS, on March 31, 1975, the Department approved said application and issued Permit No. 17-7041 with the condition that proof of construction of works and application of water to beneficial use be submitted on or before March 1, 1980; and,

WHEREAS, on December 31, 1979, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on March 1, 1980, the permit automatically lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon showing of reasonable cause within 60 days from the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on March 5, 1980;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 17-7041 be REINSTATED and the priority advanced to March 3, 1975.

Dated this 14<sup>th</sup> day of March, 1980.

*L. Glen Saxton*  
L. GLEN SAXTON

Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING  
DEVICE REQUIREMENT FOR PERMIT NO. 17-7041

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,

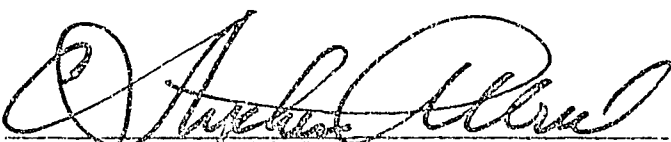
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

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 18<sup>th</sup> day of August, 1978.

  
C. STEPHEN ALLRED  
Director

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

DANIELS, JOSEPH J.  
294 N. 100 W.  
MALAD, ID 83252

101617

DECEMBER 31, 1979

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 1/-7041 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 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

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 17-7041

Name(s) of Permit Holder:

Joseph J. Daniels

Post Office Address:

294 N. 100 W.

Malden, Idaho

Tel. No.

766-4545

Source of Water:

Well

Extent of Use:

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation

280

(acres)

☐ Other

Measuring Device: Required?

☐ Yes ☐ No

Installed?

☒ Yes ☐ No

Access Port: Required?

☒ Yes ☐ No

Installed?

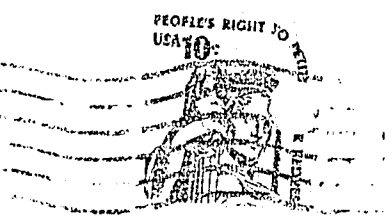
☒ Yes ☐ No

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

2-29-80  
Date

Joe Daniels  
Signature of Permit Holder

Joseph J. Blanton  
294 R 100 W  
Malad, Idaho



RECEIVED

MAR 6 1980

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

1515 Lincoln Road  
Idaho Falls, Idaho 83401  
(208) 523-7185

March 27, 1980

RE: Permit No. 17-7041

Joseph J. Daniels  
294 N. 100 W.  
Malad, ID

Dear Mr. Daniels:

Enclosed is a copy of the order reinstating your permit and advancing the priority date to March 3, 1975. We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

JACKIE S. DENNING  
Senior Clerk

cc: IDWR - State Office



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

*August 16, 1979*

Dear Wateruser:

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

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

*David R. Tuthill Jr.*

DAVID R. TUTHILL, JR.  
Supervisor, Water Allocations Section

DRT:lr

Enclosures

Northern Region Office  
Rt. #5, Box 203 Government Way  
Coeur d'Alene, Idaho 83814

Eastern Region Office  
1515 Lincoln Street  
Idaho Falls, Idaho 83401

Southern Region Office  
1041 Blue Lake Blvd. North  
Twin Falls, Idaho 83301

Western Region Office  
92 S. Cole Road  
Boise, Idaho 83705

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

(late proof)

License of Water Right No. 17-7041 Priority March 3, 1975 Amount 1.93 cfs

THIS IS TO CERTIFY, that Joseph J. Daniels  
of Malad City, Idaho, has complied with the terms and conditions of Permit  
No. 17-7041 issued pursuant to Application for Permit dated February 27, 1975,  
and has submitted proof to the Department of Water Resources on March 5, 1980,  
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 1.93 cfs of water from a groundwater source,  
tributary to \_\_\_\_\_, 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>May 1</u> to <u>October 15</u> at <u>1.93</u> cfs and <u>639.0</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 1.93 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  
639.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 33, Twp.  
14S, Rge. 33E in the County of Oneida

Description and location of place of use:

| Twp. | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | 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 $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 14S  | 33E   | 33   | 39               | 39               |                  |                  | 39               | 38               | 39               | 40               |                  |                  |                  |                  |                  |                  |                  |                  | 234    |
|      |       | 28   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 39               |                  | 39     |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 273

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

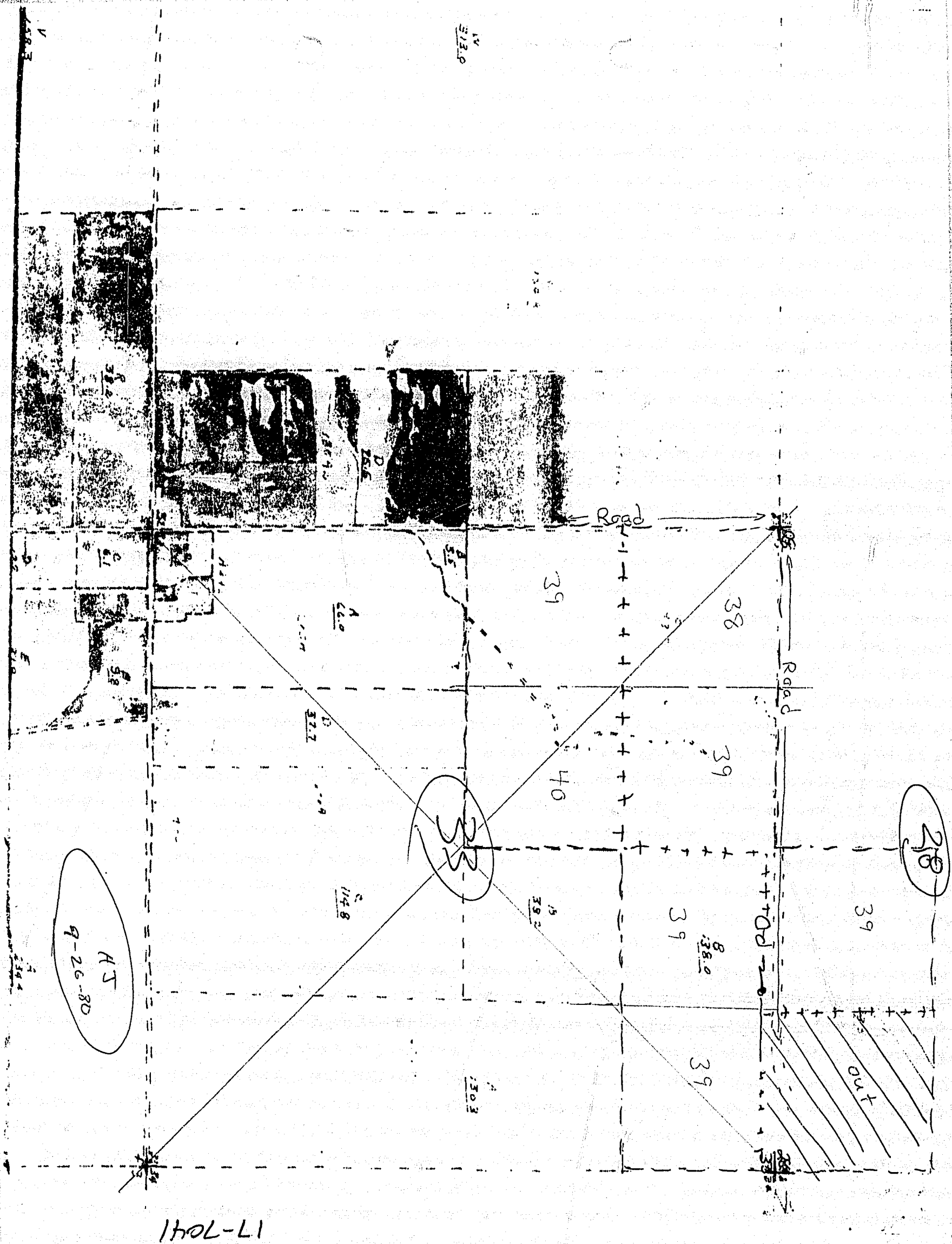
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of  
November, 19 81.

Acting for the

Director

*Norman C. Young*



State of Idaho  
DEPARTMENT OF WATER RESOURCES  
FIELD REPORT

17-7041

Permit No.

CONTACT WITH PERMIT HOLDER

|                                                                               | DATE | INITIALS | REMARKS |
|-------------------------------------------------------------------------------|------|----------|---------|
| <input type="checkbox"/> Appointment letter mailed:                           |      |          |         |
| <input type="checkbox"/> Telephone call made:<br>(List Telephone No. used)    |      |          |         |
| <input type="checkbox"/> Appointment scheduled for:<br>(Date, time, location) |      |          |         |

EXAMINATION

Date 8-20-80 Accompanied by Joseph Daniels Total Q measured 1.93 cfs ✓  
If source is surface water, estimate total flow of source \_\_\_\_\_  
Methods of measurement Pitot Gauge Meets Permit requirements? \_\_\_\_\_

|                                                                                          |                                                                                                                                                                                         |                                                                                                           |
|------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| Measurement calculations:<br>$V = 273 \text{ acfs} \times 3.5$<br>$V = 956 \text{ acfs}$ | Line #1 - 125 gpm<br>Line #2 - 183 gpm<br>Line #3 - 127 gpm<br>Line #4 - 117 gpm<br>Line #5 - 124 gpm<br>Line #6 - 129 gpm<br>Line #7 - 145 gpm<br>Total = 865 gpm<br><u>1.93 cfs</u> ✓ | $V = 1.93 \text{ cfs} \times 1.9835 \times 167 \text{ days}$<br>$V = 639 \text{ acfs}$<br><u>        </u> |
|------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|

| WELL/DIVERSION* NO. | HP         | MOTOR MAKE | MOTOR SERIAL NO. | PUMP MAKE       | PUMP SERIAL NO. | MEASURING DEVICE TYPE | CONDITION OF MEAS. DEV. | REMARKS |
|---------------------|------------|------------|------------------|-----------------|-----------------|-----------------------|-------------------------|---------|
|                     | <u>250</u> | <u>GE</u>  | <u>MKT121110</u> | <u>Johnston</u> | <u>5149</u>     |                       |                         |         |
|                     |            |            |                  |                 |                 |                       |                         |         |
|                     |            |            |                  |                 |                 |                       |                         |         |

System Description From well thru pump/motor then a gate valve to a 10" buried mainline  
and then to 7 wheel lines (1/4 mile)

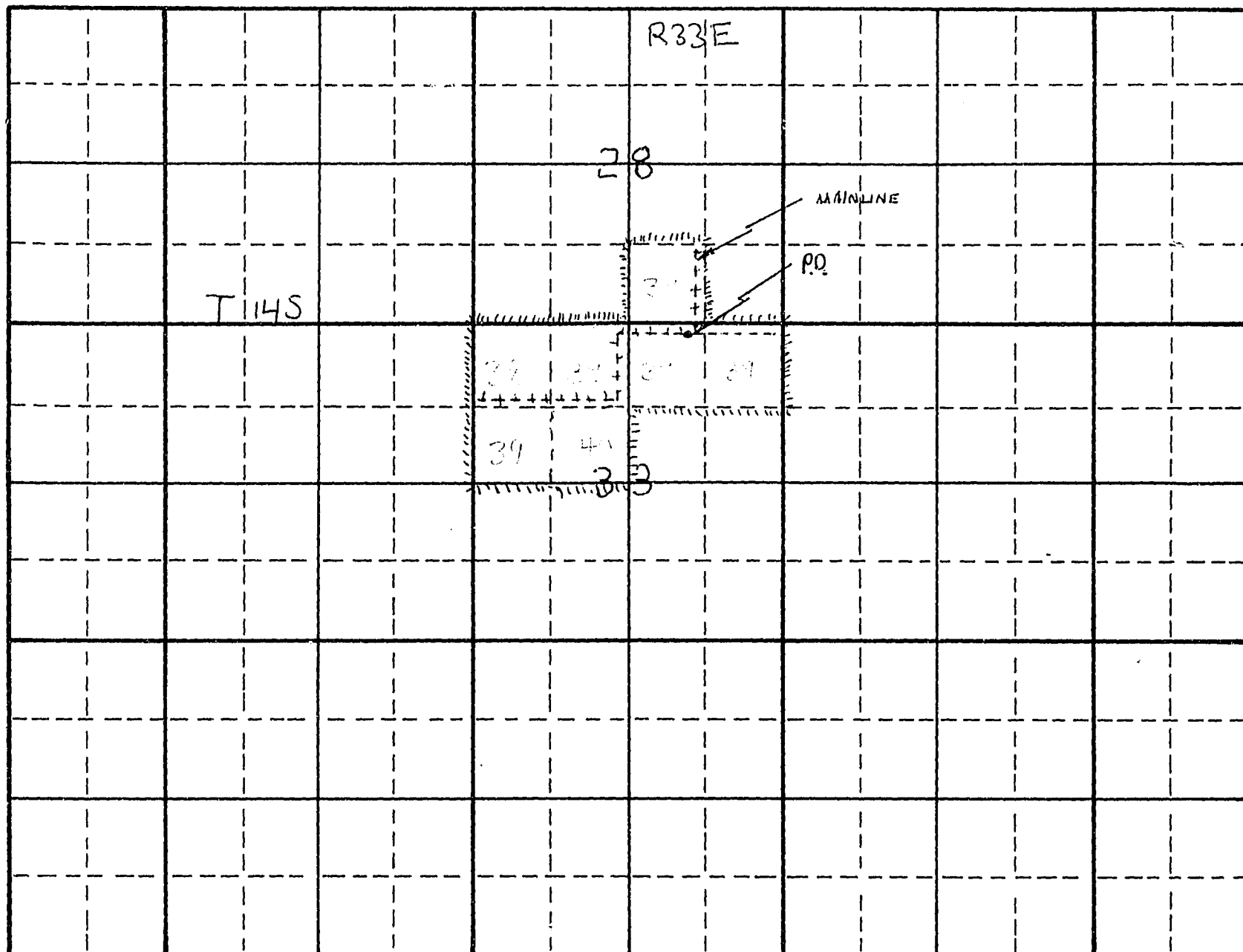
\*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

| USE               | Q (cfs)     | V (afa)    | FROM         | TO               |
|-------------------|-------------|------------|--------------|------------------|
| <u>Irrigation</u> | <u>1.93</u> | <u>639</u> | <u>May 1</u> | <u>Oct. 15</u> ✓ |
|                   |             |            |              |                  |
|                   |             |            |              |                  |
|                   |             |            |              |                  |
|                   |             |            |              |                  |
|                   |             |            |              |                  |
|                   |             |            |              |                  |
|                   |             |            |              |                  |
| Total             | <u>1.93</u> | <u>639</u> |              |                  |

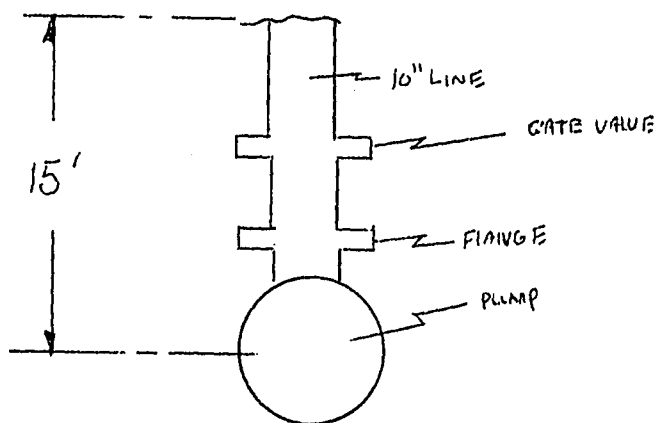
Remarks May 1 to Oct 15 equals 167 days. ✓

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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



Point(s) of diversion: NW of NE SECT 33 T14S R33E

Place(s) of Use

| TWP. | RGE. | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |      |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 14S  | 33E  | 33   | 39  | 39  |     |     | 39  | 38  | 39  | 40  |     |     |     |     |     |     | 39  |     | 234    |
|      |      | 28   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 39     |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 273    |

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 [Signature]    Date 9-26-80  
 Checked by [Signature]    Date 2-5-81  
 Approved by [Signature]    Date 10/6/81



ate of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

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

November 4, 1981

RE: Permit No. 17-7041

Joseph J. Danfield  
294 N. 100 W.  
Malad City, ID 83252

Dear Mr. Daniels:

A representative of this Department has made an examination of the works covered by your Permit No. 17-7041, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 1.93 cfs Source: a groundwater source

The maximum quantity diverted shall not exceed 639.9 acre feet per year.

Point(s) of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 33, Twp. 14S, Rge. 33E, Oneida County

Beneficial use: Irrigation of 273 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Sec. 33; SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 28; Twp. 14S, Rge. 33E

Priority date established: March 5, 1975 (late proof)

Conditions (if any):

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



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

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

December 2, 1981

RE: Permit No. 17-7041

Joseph J. Daniels  
294 N. 100 W.  
Malad City, ID 83252

Dear Mr. Daniels:

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson", is written over the printed name.

JIM JOHNSON  
Water Distribution Supervisor

Enclosure