



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

January 10, 2003

Special Master Cushman
SRBA Court
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: 65-3160 (Bettis)

Dear Special Master Cushman:

Pursuant to your order issued on August 15, 2002 in this subcase, please be advised that the wastewater permit for Gurnsey Investments, Ltd. (65-22704) was approved by IDWR on October 24, 2002. A copy of the permit is enclosed for your information.

Sincerely,

A handwritten signature in cursive script that reads "Becky J. Harvey".

Becky J. Harvey
Paralegal

/bh
Enclosures

cc: Gurnsey Investments, Ltd.
Harry L. Bettis

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 65-22704

Priority: April 24, 2002

Maximum Diversion Rate: 0.20 CFS

This is to certify, that GURNSEY INVESTMENTS LTD
1111 W HIGHLAND VIEW DR
BOISE ID 83702

has applied for a permit to appropriate water from:

Source: WASTE WATER

Tributary: LAKE FORK CREEK

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>
IRRIGATION	04/15 to 10/31	0.18 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

WASTE WATER NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, Twp 17N, Rge 03E, B.M., VALLEY County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	03E	27														5.0	4.0		9.0
Total Acres:																			9.0

PLACE OF USE: STOCKWATER same as Irrigation

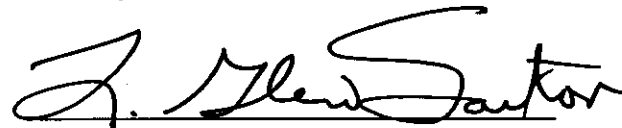
CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2007**.
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. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65K.
6. Prior to diversion of water under this right, the right holder shall install and maintain a lockable controlling works of a type acceptable to the Department or watermaster as part of the diverting works.

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7. When water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate the depletion of water caused by this water use.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. Stockwater use is for 5-10 range cattle or horses.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 24th day of October, 2002


for KARL J DREHER, Director