

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 65-24049

Priority: July 22, 2021

Maximum Diversion Rate: 0.02 CFS

This is to certify that

RONALD MANNING 2332 E ALDERHILL DR EAGLE ID 83616-6637

has applied for a permit to appropriate water from:

Source : UNNAMED STREAMS

Tributary: NORTH FORK PAYETTE
RIVER

and a permit is APPROVED for development of water as follows:

Beneficial Use

DOMESTIC

Period of Use

01/01 to 12/31

Rate of Diversion

0.02 CFS

Location of Point(s) of Diversion

UNNAMED STREAMS NE¼ NW¼, Sec. 30, Twp 15N, Rge 03E, B.M. VALLEY County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	03E	30					X												

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2022**.
2. Subject to all prior water rights.
3. Use of water under this right may 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. 65.
4. The right holder shall contact the watermaster by June 15 each year for authorization to continue diverting and using water. The right holder shall not divert water after June 15 each year unless the watermaster authorizes continued diversion and use of water under this water right. When the watermaster informs the right holder that 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 for the depletion of water caused by this water use. The department may amend the contact date listed in this administrative provision to more closely coincide with the date when water is not available to fill this water right.
5. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
6. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
7. Domestic use is for 1 home.

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Department of Water Resources
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No. 65-24049

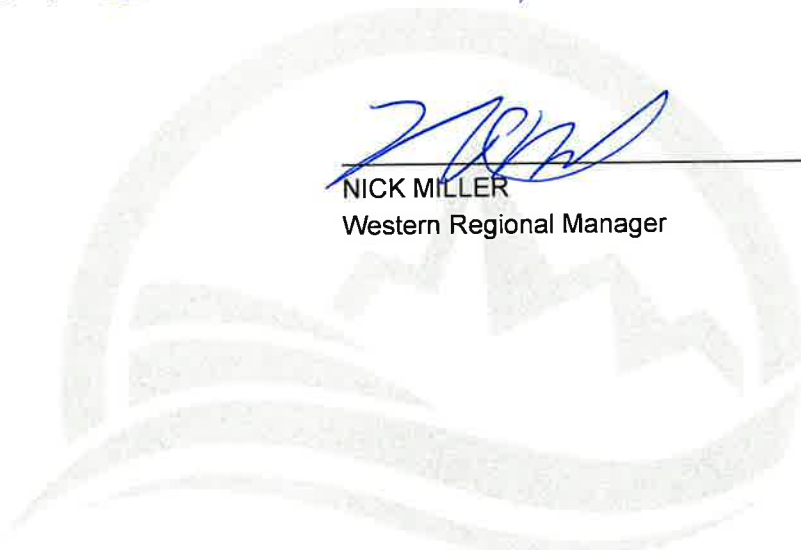
8. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
9. Point of diversion and place of use is located within Lot 3A-13, Blk. 3A, Cascade Reservoir Subdivision.
10. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored 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.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 28th day of October, 2021.



NICK MILLER
Western Regional Manager



State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

65-24049

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

03E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles





October 28, 2021

RONALD MANNING
2332 E ALDERHILL DR
EAGLE ID 83616-6637

RE: Permit No. 65-24049

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

Please be advised that Idaho Code § 42-248, requires you or the owner of this water permit to maintain current ownership and address records on file with the Department. Forms to file an assignment of permit and/or a change in the address of the permit owner are available from any Department office or at the Department's website at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please contact me at (208) 334-2190.

Sincerely,



DENISE LAUERMAN

for

Nick Miller

Western Regional Manager

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on October 28, 2021, I served a true and correct copy of Permit to Appropriate Water No. 65-24049 by U.S. Mail, postage prepaid, to the following:

RONALD MANNING (Current Owner)
2332 E ALDERHILL DR
EAGLE ID 83616-6637

WATER DISTRICT #65
RON SHURTLEFF (Watermaster)
102 N MAIN ST
PAYETTE ID 83661



Denise Lauerman
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

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. **Note: the petition must be received by the department within this fourteen (14) day period.** 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 Water Resource 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 service date 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.

RECEIVED

SEP 07 2021

WATER RESOURCES
WESTERN REGION

Publisher's Affidavit of Publication

STATE OF IDAHO

.SS

County of Valley

I, Tricia Warren, being duly sworn and say, I am the office manager of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two week in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began August 19, 2021 and ended August 26, 2021.

Tricia Warren

Subscribed and sworn before me this 26th day of August, 2021.

STATE OF IDAHO

COUNTY OF VALLEY

On this 26th day of August in the year of 2021, before me, a Notary Public, personally appeared Tricia Warren, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires 1/19/2024

IDAHO DEPARTMENT OF
WATER RESOURCES

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

65-24049

RONALD MANNING

2332 E ALDERHILL DR

EAGLE, ID 83616-6637

Point of Diversion NENW S30 T15N

R03E VALLEY County Source UN-

NAMED STREAM Tributary PAYETTE

RIVER

Use: DOMESTIC 01/01 to 12/31 0.02

CFS

Total Diversion: 0.02 CFS

Date Filed: 07-22-2021

Place Of Use: DOMESTIC

T15N R03E S30 NENW

Permits will be subject to all prior

water rights. For additional informa-

tion concerning the property loca-

tion, contact the Western office at

(208) 334-2190; or for a full description

of the right(s), please see <https://lawr.idaho.gov/apps/ExtSearch/WRAppli->

cationResults/. Protests may be sub-

mitted based on the criteria of Idaho

Code § 42-203A. Any protest against

the approval of this application must

be filed with the Director, Dept. of Wa-

ter Resources, Western Region, 2735

W AIRPORT WAY, BOISE ID 83705-5082

together with a protest fee of \$25.00

for each application on or before

9/6/2021. The protestant must also

send a copy of the protest to the ap-

plicant.

GARY SPACKMAN,

Director

21c8/26

State of Idaho
Department of Water Resources

RECOMMENDATION FORM

RECEIVED

SEP 07 2021

WATER RESOURCES
WESTERN REGION

RE: Application for Permit No. 65-24049

New Appropriation Applicant's
Name:

RONALD MANNING
2332 E ALDERHILL DR
EAGLE, ID 83616-6637

Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned
as follows:
- c) ☐ I oppose approval of this application for the following
reasons:
- d) ☐ Additional comments:

Dated this 7th day of September, 2021



Signature

State of Idaho
Department of Water Resources

RECOMMENDATION FORM

RECEIVED

AUG 20 2021

WATER RESOURCES
WESTERN REGION

RE: Application for Permit No. 65-24049

New Appropriation Applicant's
Name:

RONALD MANNING
2332 E ALDERHILL DR
EAGLE, ID 83616-6637

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned
as follows:
This water right will not be served by natural flow all season long.
Owner shall not divert water after June 15th of each season without
first contacting the Watermaster of Water District No. 65 to insure
storage water will be available to allow season long usage.
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional comments:

Dated this 19th day of August, 2021


Watermaster's Signature