

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 2-10605

Priority: March 26, 2021

Maximum Diversion Rate: 0.12 CFS

This is to certify that

KAREN HUNTER 8900 QUAIL RUN RD MELBA ID 83641-4297 AND/OR
RANDALL L HUNTER 8900 QUAIL RUN RD MELBA ID 83641-4297

has applied for a permit to appropriate water from:

Source : SNAKE RIVER

Tributary: COLUMBIA RIVER

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

Beneficial Use

IRRIGATION

Period of Use

03/01 to 11/15

Rate of Diversion

0.12 CFS

Location of Point(s) of DiversionSNAKE RIVER L1 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Sec. 6, Twp 01N, Rge 03W, B.M. OWYHEE County**Place of Use: IRRIGATION**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	03W	6															5.0 L1		5.0

Total Acres: 5.0

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2026**.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right does not grant any right-of-way or easement across the land of another.
6. 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.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 2-10605

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

Signed this 25th day of June, 2021.



NICK MILLER
Western Regional Manager





Brad Little
Governor

State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Gary Spackman
Director

June 25, 2021

RANDALL L HUNTER
KAREN HUNTER
8900 QUAIL RUN RD
MELBA ID 83641-4297

RE: Permit No. 2-10605

Permit Approval Notice

Dear Permit Holders:

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 June 25, 2021, I served a true and correct copy of Permit to Appropriate Water No. 2-10605 by U.S. Mail, postage prepaid, to the following:

RANDALL L HUNTER (Current Owner)
KAREN HUNTER (Current Owner)
8900 QUAIL RUN RD
MELBA ID 83641-4297



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.

MEMORANDUM

TO: Files 57-12067 & 2-10605

FROM: Tyler Smith

DATE: 5/20/2021

RE: *Renumbering of Application & Permit 57-12067 to 2-10605*

Application for permit 57-12067 in the name of Karen and Randall Hunter was renumbered to 2-10605 due to its source being the Snake River. All documents relating to the new appropriation shall now be in the backfile for 2-10605.

RECEIVED

MAY 06 2021

WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources
Application for Permit
RECOMMENDATION FORM

Application No.: 57-12067

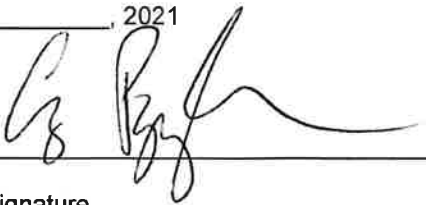
Applicant's Name: Randall and Karen Hunter

Recommendation:

- a) X 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 6th day of May , 2021

Idaho Dept of Fish and Game



Signature

Casey Pozzanghera

Printed Name

RECEIVED

APR 30 2021

WATER RESOURCES
WESTERN REGION

The Owyhee Avalanche

P.O. Box 97 • HOMEDALE, IDAHO 83628

208 / 337-4681

EMAIL: OFFICE@OWYHEE.COM

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a copy of said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper

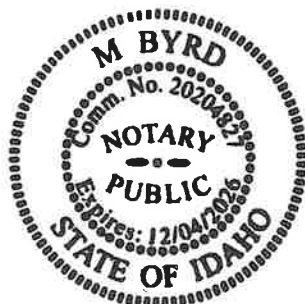
in TWO
(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

April 21st and 28th 2021

SIGNED: _____

STATE OF IDAHO }
COUNTY OF OWYHEE }

On this 28th day of April in the year 2021, before me, a Notary Public, personally appeared JOE E. AMAN, known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



M. Byrd
Notary Public of Idaho
Residing at Homedale ID
My commission expires:
12, 04, 2026

Public notices

LEGAL NOTICE

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

57-12067
RANDALL L HUNTER
KAREN HUNTER
8900 QUAIL RUN RD
MELBA, ID 83641-4297
Point of Diversion SESE S6
TO1N R03W Owyhee County
Source SNAKE RIVER
Tributary COLUMBIA
RIVER
Use: IRRIGATION 03/01 to
11/15 0.12 CFS
Total Diversion: 0.12 CFS
Date Filed: 03-26-2021
Place Of Use: IRRIGATION
TO1N R03W S6 L1 (SWSE)

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRADJSearch.aspx>. Protests may be submitted 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 Water 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 5/10/2021. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
04/21/28/2021

NOTICE OF CLAIM TO A WATER RIGHT

The following Notices of Claim and Motions for Determination of Deferred De Minimis Domestic or Stock Water Use to a water right have been filed in the Snake River Basin Adjudication. Note that the places of use are in Owyhee County, within BLM West Castle Creek Grazing Allotment. For information specific to the individual claims search here:
<https://idwr.idaho.gov/apps/ExtSearch/WRADJSearch.aspx>
Water Right: 55-14030
NAME & ADDRESS: BRIAN D COLLETT
CHRISTINE L COLLETT
24777 COLLETT RD
OREANA ID 83650
SOURCE: SPRING
TRIBUTARY: SINKS
PRIORITY DATE: 05/05/1884
POINT OF DIVERSION: T05S R05W SEC 30 NENSW
PURPOSE OF USE: STOCKWATER
PLACE OF USE: T05S R05W SEC 30 NESW

Any objection against the proposed claim must be filed with the Clerk of the District Court, Snake River Basin Adjudication, 253 3rd Avenue North, PO Box 2707, Twin Falls, ID 83303-2707 on or before May 24, 2021
04/07/14.21/2021

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<https://idwr.idaho.gov/apps/ExtSearch/WRADJSearch.aspx>

WRADJSearch.aspx

Water Right: 55-14031, 55-14035
NAME & ADDRESS: BRIAN D COLLETT
CHRISTINE L COLLETT
24777 COLLETT RD
OREANA ID 83650
SOURCE: SPRING
TRIBUTARY: LONG TOM SPRING
PRIORITY DATE: 05/05/1884
POINT OF DIVERSION: T09S R02W SEC 13 LOT 1 NENE
T09S R02W SEC 13 LOT 1
PURPOSE OF USE: STOCKWATER
PLACE OF USE: T09S R01W SEC 13 LOT 1
T09S R02W SEC 13 LOT 1
T09S R02W SEC 13 LOT 1 NENE

Any objection against the proposed claim must be filed with the Clerk of the District Court, Snake River Basin Adjudication, 253 3rd Avenue North, PO Box 2707, Twin Falls, ID 83303-2707 on or before May 24, 2021
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<https://idwr.idaho.gov/apps/ExtSearch/WRADJSearch.aspx>
Water Right: 55-14032
NAME & ADDRESS: BRIAN D COLLETT
CHRISTINE L COLLETT
24777 COLLETT RD
OREANA ID 83650
SOURCE: SPRING
TRIBUTARY: POLE CREEK
PRIORITY DATE: 05/05/1884
POINT OF DIVERSION: T09S R02W SEC 26 NWSE
PURPOSE OF USE: STOCKWATER
PLACE OF USE: T09S R02W SEC 26 NWSE

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<https://idwr.idaho.gov/apps/ExtSearch/WRADJSearch.aspx>
Water Right: 55-14033, 55-14034
NAME & ADDRESS: BRIAN D COLLETT
CHRISTINE L COLLETT
24777 COLLETT RD
OREANA ID 83650
SOURCE: SPRING
TRIBUTARY: POLE CREEK
PRIORITY DATE: 05/05/1884

POINT OF DIVERSION: T09S R01W SEC 30 SENENE
T09S R02W SEC 25 SENWSE
PURPOSE OF USE: STOCKWATER
PLACE OF USE: T09S R01W SEC 30 NESE
T09S R02W SEC 25 NWSE

Any objection against the proposed claim must be filed with the Clerk of the District Court, Snake River Basin Adjudication, 253 3rd Avenue North, PO Box 2707, Twin Falls, ID 83303-2707 on or before May 24, 2021
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<https://idwr.idaho.gov/apps/ExtSearch/WRADJSearch.aspx>
Water Right: 55-14036
NAME & ADDRESS: BRIAN D COLLETT
CHRISTINE L COLLETT
24777 COLLETT RD
OREANA ID 83650
SOURCE: ROCK CREEK
TRIBUTARY: NORTH BOULDER CREEK
PRIORITY DATE: 05/05/1884
POINT OF DIVERSION: T08S R02W SEC 23 NWNW
T08S R02W SEC 35 NENE
PURPOSE OF USE: STOCKWATER
PLACE OF USE: T08S R02W SEC 23 SENW
T08S R02W SEC 23 NWSE
T08S R02W SEC 23 NESW
T08S R02W SEC 23 SWSE
T08S R02W SEC 23 NENW
T08S R02W SEC 25 NWNE
T08S R02W SEC 26 NENE
T08S R02W SEC 26 NWNE
T08S R02W SEC 26 NESE
T08S R02W SEC 26 SESE
T08S R02W SEC 35 NENE

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<https://idwr.idaho.gov/apps/ExtSearch/WRADJSearch.aspx>
Water Right: 55-14037
NAME & ADDRESS: BRIAN D COLLETT
CHRISTINE L COLLETT
24777 COLLETT RD
OREANA ID 83650
SOURCE: POLE CREEK
TRIBUTARY: DEEP CREEK
PRIORITY DATE: 05/05/1884
POINT OF DIVERSION: T09S

R01W SEC 30 SENENE
T09S R01W SEC 30 SENENE
PURPOSE OF USE: STOCKWATER
PLACE OF USE: T09S R01W SEC 30 NENE
T09S R01W SEC 30 NESE

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<https://idwr.idaho.gov/apps/ExtSearch/WRADJSearch.aspx>
Water Right: 55-14038
NAME & ADDRESS: BRIAN D COLLETT
CHRISTINE L COLLETT
24777 COLLETT RD
OREANA ID 83650
SOURCE: CCC SPRING
TRIBUTARY: POLE CREEK
PRIORITY DATE: 05/05/1884
POINT OF DIVERSION: T09S R02W SEC 26 SWNESE
PURPOSE OF USE: STOCKWATER
PLACE OF USE: T09S R02W SEC 26 NESE

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<https://idwr.idaho.gov/apps/ExtSearch/WRADJSearch.aspx>
Water Right: 55-14039
NAME & ADDRESS: BRIAN D COLLETT
CHRISTINE L COLLETT
24777 COLLETT RD
OREANA ID 83650
SOURCE: DRY CREEK
TRIBUTARY: BATTLE CREEK
PRIORITY DATE: 05/05/1884
POINT OF DIVERSION: T09S R01W SEC 22 NENW
T09S R01W SEC 22 SENW
PURPOSE OF USE: STOCKWATER FROM STORAGE
STOCKWATER STORAGE
PLACE OF USE: T09S R01W SEC 22 SENW
T09S R01W SEC 22 NENW

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<https://idwr.idaho.gov/apps/ExtSearch/WRADJSearch.aspx>
Water Right: 55-14040
NAME & ADDRESS: BRIAN D COLLETT
CHRISTINE L COLLETT
24777 COLLETT RD
OREANA ID 83650
SOURCE: UNNAMED STREAM, TRIBUTARY: ROCK CREEK
PRIORITY DATE: 05/05/1884
POINT OF DIVERSION: T09S R02W SEC 09 NENESE
T09S R02W SEC 10 NENESE
PURPOSE OF USE: STOCKWATER
PLACE OF USE: T09S R02W SEC 09 NESE
T09S R02W SEC 10 NWNW
T09S R02W SEC 10 SWSW
T09S R02W SEC 10 SESW

Any objection against the proposed claim must be filed with the Clerk of the District Court, Snake River Basin Adjudication, 253 3rd Avenue North, PO Box 2707, Twin Falls, ID 83303-2707 on or before May 24, 2021
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<https://idwr.idaho.gov/apps/ExtSearch/WRADJSearch.aspx>
Water Right: 55-14041
NAME & ADDRESS: BRIAN D COLLETT
CHRISTINE L COLLETT
24777 COLLETT RD
OREANA ID 83650
SOURCE: UNNAMED STREAM, TRIBUTARY: ROCK CREEK
PRIORITY DATE: 05/05/1884
POINT OF DIVERSION: T09S R02W SEC 04 NENESE
T09S R02W SEC 09 SWSE
PURPOSE OF USE: STOCKWATER
PLACE OF USE: T09S R02W SEC 04 SESW
T09S R02W SEC 09 NWNE
T09S R02W SEC 09 SWNE
T09S R02W SEC 09 NENW
T09S R02W SEC 09 NESE
T09S R02W SEC 09 SESE

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04/07/14.21/2021