

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 67-15369

Priority: December 07, 2020

Maximum Diversion Rate: 0.02 CFS

This is to certify that

CAROLE M GALLANT 1677 GOODRICH RD COUNCIL ID 83612-5252 AND/OR
GARY GALLANT 1677 GOODRICH RD COUNCIL ID 83612-5252

has applied for a permit to appropriate water from:

Source : GROUND WATER

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

GROUND WATER NW¼ SE¼, Sec. 5, Twp 15N, Rge 02W, B.M. ADAMS County

Place of Use: DOMESTIC

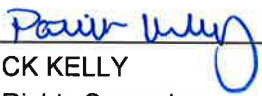
Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	02W	5														X			

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2022**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.
4. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
5. 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 25 day of March, 2021.

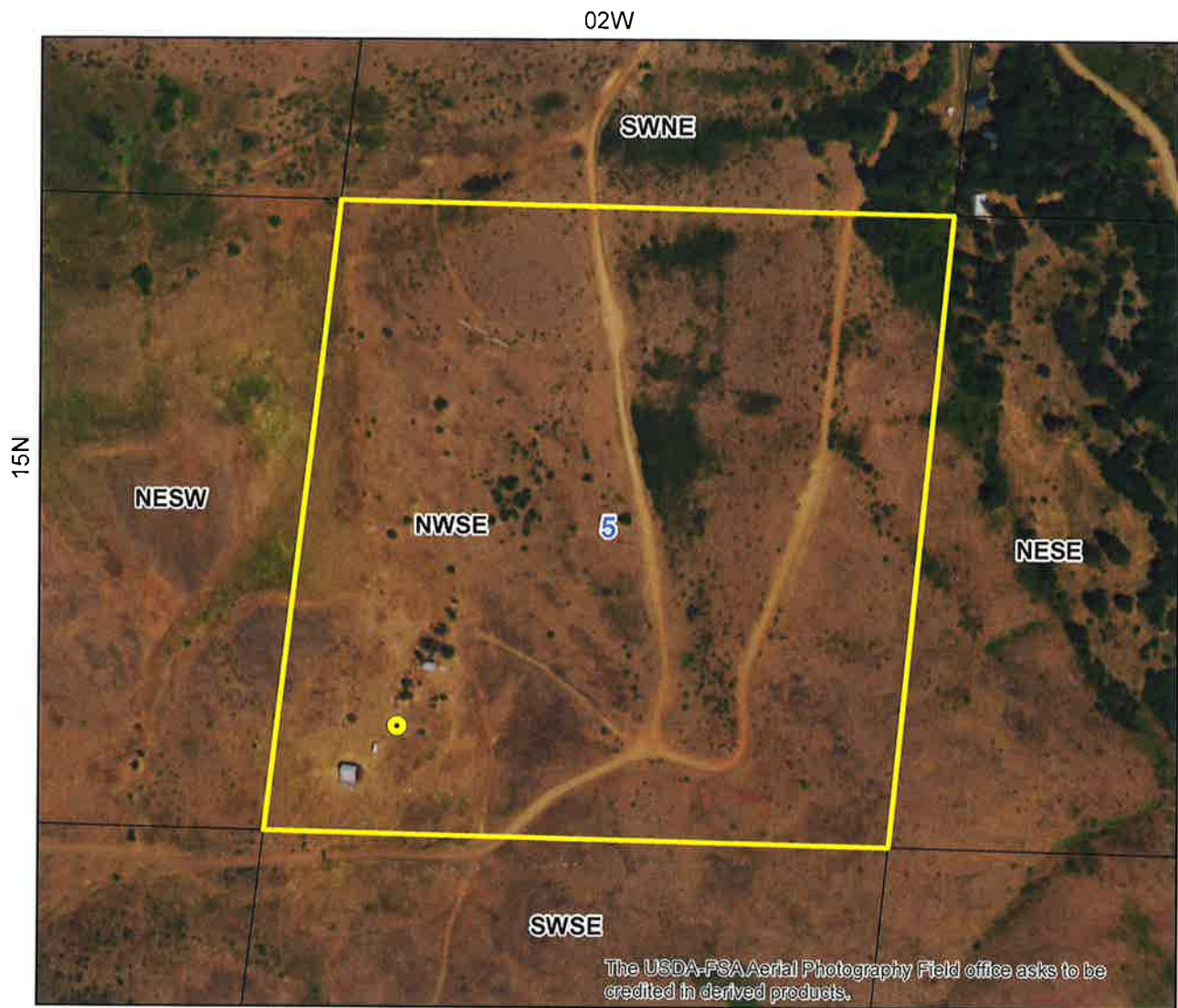

PATRICK KELLY
Water Rights Supervisor

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

67-15369

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.



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

0 0.045 0.09 0.18 Miles





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

Brad Little
Governor

Gary Spackman
Director

March 25, 2021

CAROLE M GALLANT
GARY GALLANT
1677 GOODRICH RD
COUNCIL ID 83612-5252

RE: Permit No. 67-15369

Permit Approval Notice

Dear Permit Holder(s):

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

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on March 25, 2021, I served a true and correct copy of Permit to Appropriate Water No. 67-15369 by U.S. Mail, postage prepaid, to the following:

CAROLE M GALLANT (Current Owner)
GARY GALLANT (Current Owner)
1677 GOODRICH RD
COUNCIL ID 83612-5252

WATER DISTRICT #67
BRANDI HORTON-BONNER (Watermaster)
2297 SNAPP LN
MIDVALE ID 83645-5005



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

March 22, 2021

Water Permit: 67-15369

Author: ABradbury

Subject: Comment

There is an existing shallow well within the legal description having water right #67-11270 for 0.02 domestic and 0.02 stockwater. Applicant drilled a new well requesting 0.02 livestock for 39 head of beef cattle and 0.04 cfs from well for domestic use of 1 home. The Department will permit an additional 0.02 cfs.

JAN 21 2021

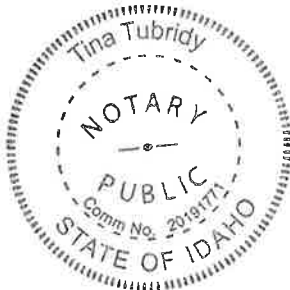
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO)
) SS
COUNTY OF ADAMS)
COUNTY OF WASHINGTON)

David Tubridy being duly sworn, deposes and says that he is the Principle Clerk of The Record Reporter, a weekly newspaper published at Council, Adams County, State of Idaho and at Cambridge, Washington County, State of Idaho and having a general circulation therein and which said newspaper has been published continuously and uninterrupted in said Counties under the imprint of "The Adams County Record" in Adams County and "The Upper Country News-Reporter" in Washington County for a period exceeding seventy-eight (78) consecutive weeks prior to the first publication of this advertisement, a copy of which is attached thereto: that advertisement was published in the regular edition of The Record Reporter for two (2) insertions beginning with the Issue of January 06, 2021 and ending with the Issue of January 13, 2021.

David M Tubridy

On this 13th day of January, 2021, before me, a Notary Public, personally appeared David Tubridy, known or identified to me to be the person whose name subscribed to the written instrument, and being by me first and duly sworn, declared that the statements therein are true and acknowledged to me that he executed the same.



Tina Tubridy
Notary Public of Idaho
Residing at Council, Idaho
My Commission Expires 8/30/2025

To: IDAHO DEPARTMENT OF WATER RESOURCES
Subject: APPLICATIONS TO APPROPRIATE 78-12521, 78-12522, 67-15369, 6715372

RECEIVED

JAN 21 2021

WATER RESOURCES
WESTERN REGION

LEGAL NOTICE

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

78-12521

CITY OF NEW MEADOWS
PO BOX 324

NEW MEADOWS, ID 83654-0324

CHARLES L HONSINGER

PO BOX 517

BOISE, ID 83701-0517

Point of Diversion NWNW S24 T19N R01E ADAMS

County Source GROUND WATER

Point of Diversion SWSW S13 T19N R01E ADAMS

County Source GROUND WATER

Use: IRRIGATION 04/01 to 10/31 0.39 CFS

Total Diversion: 0.39 CFS

Date Filed: 07-06-2020

Place Of Use: IRRIGATION

T19N R01E S13 NWSW, SWSW

Place Of Use: IRRIGATION

T19N R01E S24 NENW, NWNW

Total Acres: 19.5

78-12522

CITY OF NEW MEADOWS

PO BOX 324

NEW MEADOWS, ID 83654-0324

CHARLES L HONSINGER

PO BOX 517

BOISE, ID 83701-0517

Point of Diversion NWNW S24 T19N R01E ADAMS

County Source LITTLE SALMON RIVER Tributary
SALMON RIVER

Use: IRRIGATION 04/01 to 10/31 0.39 CFS

Total Diversion: 0.39 CFS

Date Filed: 07-06-2020

Place Of Use: IRRIGATION

T19N R01E S13 NWSW, SWSW

Place Of Use: IRRIGATION

T19N R01E S24 NENW, NWNW

Total Acres: 19.5

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

67-15369

CAROLE M GALLANT

GARY GALLANT

1677 GOODRICH RD

COUNCIL, ID 83612-5252

Point of Diversion NWSE S5 T15N R02W ADAMS

County Source GROUND WATER

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.06 CFS

Date Filed: 10-29-2020

Place Of Use: DOMESTIC, STOCKWATER

T15N R02W S5 NWSE

Domestic use is for 1 home.

67-15372

ROBERT A YANTIS

NANCY A YANTIS

JERRY A YANTIS

1725 HIGHWAY 95

COUNCIL, ID 83612-5225

Point of Diversion NWSE S27 T16N R01W ADAMS

County Source WASTE WATER Tributary WEISER
RIVER

Use: IRRIGATION 03/15 to 11/15 0.5 CFS

Total Diversion: 0.5 CFS

Date Filed: 12-15-2020

Place Of Use: IRRIGATION

Total Acres: 25

T16N R01W S27 NESW

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/WRAApplicationResults/>. 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 1/25/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/6/2021 and 1/13/2021

Published in the The Record-Reporter on January 06, 2021