

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 67-15370

Priority: November 16, 2020

Maximum Diversion Rate: 0.04 CFS

This is to certify that

MATT MCQUEEN 1315 MONROE CREEK RD WEISER ID 83672-5547

has applied for a permit to appropriate water from:

Source : GROUND WATER

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>
STOCKWATER	01/01 to 12/31	0.04 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS

Location of Point(s) of Diversion

GROUND WATER SE¼ SW¼, Sec. 27, Twp 12N, Rge 05W, B.M. WASHINGTON County

Place of Use: STOCKWATER and 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	
12N	05W	27												X					

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **February 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. Stockwater use is for 25 cattle.

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

Signed this 26th day of January, 2021.



PATRICK KELLY
Water Rights Supervisor

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

67-15370

This map depicts the DOMESTIC and STOCKWATER 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 0.035 0.07 0.14 Miles





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

January 26, 2021

MATT MCQUEEN
1315 MONROE CREEK RD
WEISER ID 83672-5547

RE: Permit No. 67-15370

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

 Nick Miller
Western Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2021, I served a true and correct copy of Permit to Appropriate Water No. 67-15370 by U.S. Mail, postage prepaid, to the following:

MATT MCQUEEN (Current Owner)
1315 MONROE CREEK RD
WEISER ID 83672-5547


Denise Lauerman
Administrative Assistant 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was held)

The accompanying order is a **Preliminary Order** issued by the Idaho Department of Water Resources (Department) pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and brief as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of the order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The hearing officer 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 to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

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, request 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 Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
County of Washington) ss.

Sarah Boles, being duly sworn,
deposes and says:

That she is the Clerk of
THE WEISER SIGNAL AMERICAN, a weekly newspaper
published at Weiser, in the County of Washington and State of
Idaho; that said paper has been and is in general circulation in
the county aforesaid, and in the vicinity of Weiser; that the ad-
vertisement, a copy of which is attached hereto, was published in

said newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not in a supplement; that said paper has been established
and regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

December 16, 2020 and ending

with the issue of December 23, 2020

Sarah Boles

Fees, \$ 110.30

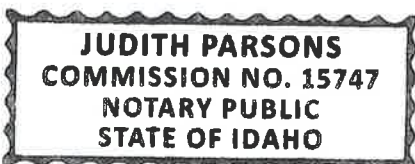
Subscribed and sworn to before me this 23

date of Dec 2020

Judith Parsons

Notary Public, residing at Weiser, Idaho.

My commission expires 2-12-26



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

67-15370

MATT MCQUEEN

1315 MONROE CREEK RD

WEISER, ID 83672-5547

Point of Diversion SESW S27 T12N R05W WASHINGTON

County Source GROUND WATER

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

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

Total Diversion: 0.04 CFS

Date Filed: 11-16-2020

Place Of Use: DOMESTIC, STOCKWATER

T12N R05W S27 SESW

Permits will be subject to all prior water rights. For addi-
tional 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 pro-
test fee of \$25.00 for each application on or before 1/4/2021.
The protestant must also send a copy of the protest to the
applicant.

GARY SPACKMAN, Director

Published on 12/16/2020 and 12/23/2020

51-2S

RECEIVED

JAN 04 2021

WATER RESOURCES
WESTERN REGION