

## Cefalo, James

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**From:** Cefalo, James  
**Sent:** Wednesday, March 18, 2020 1:35 PM  
**To:** 'Greg & Marci Bingham'; 'Clinton Aston'; 'Rob Harris'; TJ Budge  
**Subject:** Application for Permit 13-8042 (Weston Creek Irrigation Co)  
**Attachments:** 3-18-20 Draft Permit 13-8042.pdf

Dear Parties,

Thanks for taking the time to meet this morning. Attached is a draft permit incorporating the limits and conditions proposed at the status conference this morning. In order to keep the discussion progressing between now and the next status conference (scheduled for April 15<sup>th</sup>), please review the draft permit and respond to this group email with any questions, revisions or concerns by Friday, April 3<sup>rd</sup>. Please also respond if the draft permit is acceptable. If we find that all of the parties find the draft permit acceptable, the protestants can prepare paperwork withdrawing the protests with reference to the draft permit.

James Cefalo  
Regional Manager  
IDWR Eastern Region  
(208) 525-7161

State of Idaho  
Department of Water Resources

## Permit to Appropriate Water (3/18/20 Draft)

No. 13-8042

**Priority:** September 03, 2019

**Maximum Diversion Rate:** 3.00 CFS  
**Maximum Diversion Volume:** 20.0 AF

This is to certify that

WESTON CREEK IRRIGATION CO  
PO BOX 1  
WESTON ID 83286-0001

has applied for a permit to appropriate water from:

**Source :** WESTON CREEK

**Tributary:** BEAR RIVER

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>	<u>Annual Volume</u>
IRRIGATION STORAGE	01/01 to 12/31		20.0 AF
IRRIGATION FROM STORAGE	04/20 to 09/30		20.0 AF
DIVERSION TO STORAGE	10/01 to 05/31	3.00 CFS	

**Location of Point(s) of Diversion**

WESTON CREEK SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 13, Twp 16S, Rge 38E, B.M. FRANKLIN County

**Place of Use:** IRRIGATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
16S	38E	13												X				

**Conditions of Approval**

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2025**.
2. Subject to all prior water rights.
3. This right does not authorize the diversion of water from Weston Creek for irrigation storage between June 1 and September 30. The right holder may, however, use the storage pond authorized under this right to control and store water released from Weston Creek Reservoir during that time period.
4. This right does not authorize the irrigation of land not previously irrigated under water rights 13-948, 13-949 or 13-2293.
5. Irrigation from storage place of use is within the area served by Weston Creek Irrigation Company.
6. 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. 11.
7. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
8. This right does not grant any right-of-way or easement across the land of another.

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9. 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 the permit holder had no control.

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

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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JAMES CEFALO  
Eastern Regional Manager