

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**WITHDRAWAL OF PROTEST**

Application for ☐ Transfer ☒ Permit ☐ Amendment of Permit No. 13-8042

In the Name of Weston Creek Irrigation Company  
Applicant

Name of Protestant: Clinton Aston

Represented by: Rob Harris

**I hereby withdraw my protest to the above referenced matter. All of my issues of protest have been addressed and/or resolved.**

☐ My withdrawal is not conditional.

Or

☒ My withdrawal is conditioned on the following:

Conditions of Draft Permit dated 4/02/2020

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Signature of Protestant or Representative

Protestant  
Title

5/1/2020  
Date

State of Idaho  
Department of Water Resources

## Permit to Appropriate Water (4/2/20 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    | 10/16 to 04/30       | 3.00 CFS                 |                      |

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

WESTON CREEK SW¼ SW¼, 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 natural flow from Weston Creek for irrigation storage between May 1 and October 15. The right holder may, however, use the storage pond authorized under this right to control and store water released from Weston Creek Reservoir and delivered through the Weston Creek channel 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.

State of Idaho  
Department of Water Resources

**Permit to Appropriate Water (4/2/20 Draft)**

No. 13-8042

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