

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
No. 43-13850

**Priority:** August 22, 2019

**Maximum Diversion Rate:** 35.00 CFS  
**Maximum Diversion Volume:** 10,000.0 AF

This is to certify that

RAFT RIVER GROUND WATER DISTRICT  
PO BOX 122  
ALMO ID 83312-0122

has applied for a permit to appropriate water from:

**Source :** RAFT RIVER

**Tributary:** SNAKE 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>
GROUND WATER RECHARGE	01/01 to 12/31	35.00 CFS	10,000.0 AF

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

RAFT RIVER NE¼ NE¼, Sec. 13, Twp 12S, Rge 26E, B.M. CASSIA County

**Place of Use:** GROUND WATER RECHARGE

Twp	Rng	Sec	NE				NW				SW				SE				No QQ	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
12S	26E	12																	X	
12S	26E	13	X																	

**Conditions of Approval**

1. Proof of application of water to beneficial use shall be submitted on or before **January 01, 2025**.
2. Subject to all prior water rights.
3. Rights 43-13849, 43-13850, 43-13851, when combined shall not exceed a total diversion rate of 35.0 cfs and a total annual maximum diversion volume of 10,000 af.
4. Rights 43-13849, 43-13850, 43-13851, 43-13787, 43-13788, 43-13789, 43-13731, 43-13732, 43-13733 and 43-13734 when combined shall not exceed a total annual maximum diversion volume of 10,000 af.
5. Use of water under this right shall be non-consumptive.
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. 43A.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. Return flow discharged to a subsurface system must be authorized by a separate injection well permit.
9. Pursuant to Idaho Code § 42-234(4), to ensure that other water rights are not injured by the operations of the recharge project authorized by this right, the Director has authority to approve, disapprove, or require alterations in the methods employed to achieve ground water recharge.

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
No. 43-13850

10. Pursuant to Idaho Code § 42-234(3), the Director may reduce the amount of water that may be diverted for recharge purposes under this right even though there is sufficient water to supply the entire amount authorized for appropriation under this right.
11. This approval does not constitute approval by the Idaho Water Resource Board, which may also be required pursuant to Idaho Code § 42-1737.
12. The right holder shall record the daily quantity of water diverted for ground water recharge and shall report the diversion data for the prior calendar year to the Department by February 1 each year. Reporting shall occur in the manner specified by the Department, consistent with Idaho Code § 42-701. To facilitate this reporting requirement, the right holder shall install and maintain a totalizing measuring device approved by the Department at each point of diversion and at each point where water is delivered from the conveyance system into a designated recharge site.
13. 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.
14. This right does not grant any right-of-way or easement across the land of another.
15. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
16. This right is not an authorization for the described recharge effort to be used as mitigation or credit for any other purpose. The sufficiency of the recharge effort authorized under this right for mitigation or credit for some other purpose may be determined by the Department upon proper submission of a mitigation plan pursuant to the Department's Rules of Conjunctive Management of Surface and Ground Water Resources, a mitigation plan to offset depletion in association with a water right application, a Management Program pursuant to Idaho Code Idaho Code § 42-1416B, or any other proposal to utilize credit for the recharge effort.

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

Signed this 2nd day of January, 2020.

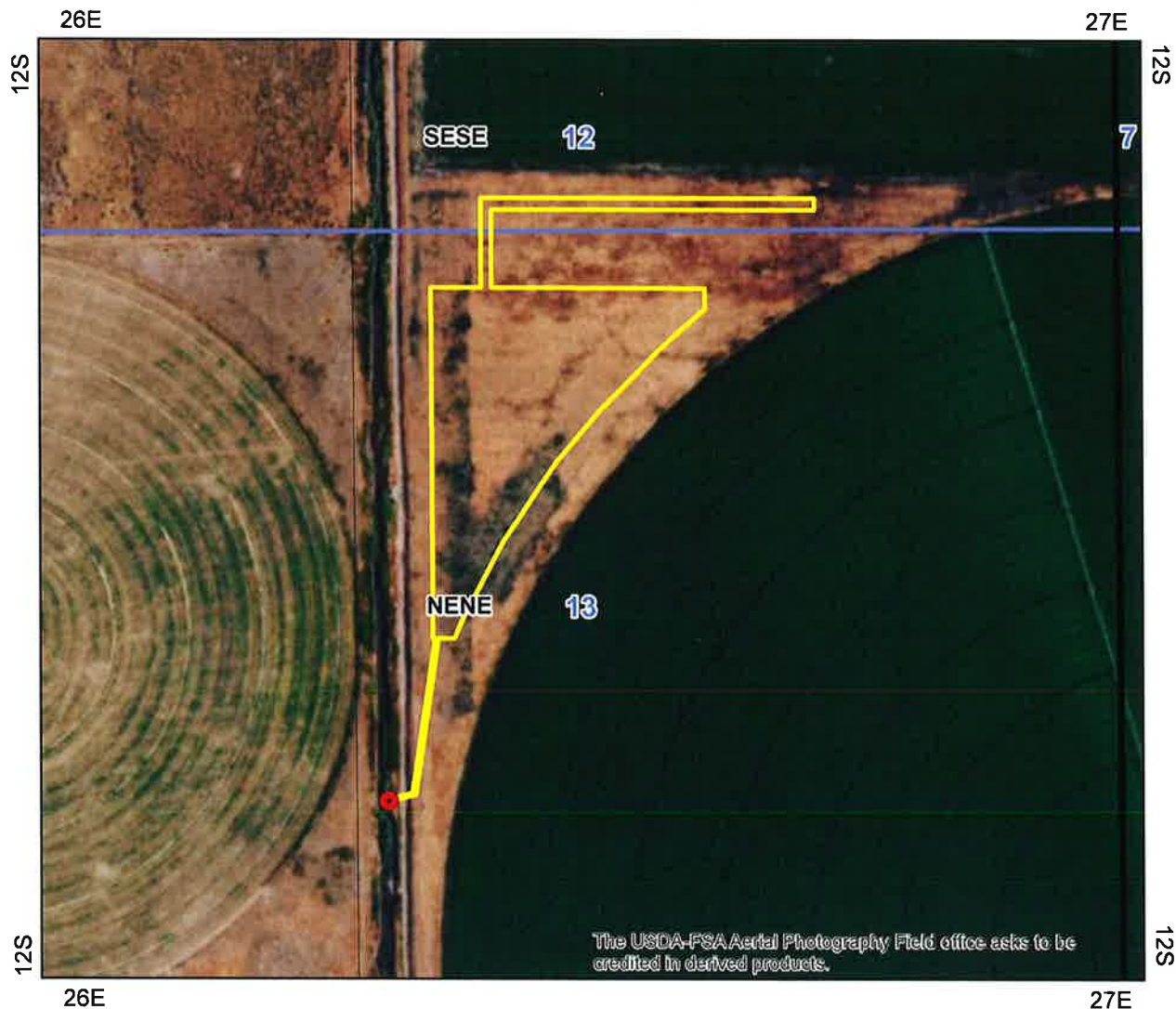
  
\_\_\_\_\_  
COREY SKINNER  
Southern Regional Manager

State of Idaho  
Department of Water Resources

# Attachment to Permit to Appropriate Water

43-13850

This map depicts the GROUND WATER RECHARGE 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





State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858  
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

January 2, 2020

RAFT RIVER GROUND WATER DISTRICT  
PO BOX 122  
ALMO ID 83312-0122

RE: Permit No. 43-13849, 43-13850, 43-13851

### 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 first commence the excavation or construction of your diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is complete. In addition, 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](http://idwr.idaho.gov) for more information about these programs.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in blue ink, appearing to read "Corey Skinner". The signature is fluid and cursive, with the first name "Corey" written in a larger, more prominent script than the last name "Skinner".

Corey Skinner  
Southern Regional Manager

Enclosure(s)

## CERTIFICATE OF SERVICE

I hereby certify that on January 02, 2020, I served a true and correct copy of Permit to Appropriate Water No. 43-13849, 43-13850, 43-13851 by U.S. Mail, postage prepaid, to the following:

RAFT RIVER GROUND WATER DISTRICT (Current Owner)  
PO BOX 122  
ALMO ID 83312-0122

WATER WELL CONSULTANTS (Representative)  
ATTN: JAXON HIGGS  
355 W 500 S  
BURLEY ID 83318



Denise Maline  
Administrative Assistant 1



## **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.



# TRIBUNE PUBLISHING COMPANY, INC

The Lewiston Tribune  
505 C St., P.O.Box 957  
Lewiston, Idaho 83501  
(208) 743-9411

Date: 11/14/2019 INVOICE NO. 155500  
Account No. 446620  
Description 155500 The foll  
Times 2 Lines 114  
Tab. lines  
\$ 333.45

## LEGAL ADVERTISING INVOICE

Sold To: DEPT OF WATER RESOURCES  
650 ADDISON AVE W, STE 500  
TWIN FALLS ID 83301

RECEIVED

NOV 25 2019

DEPT OF WATER RESOURCES  
SOUTHERN REGION

PO#

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month  
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

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

43-13849  
RAFT RIVER GROUND WATER DISTRICT  
PO BOX 122  
ALMO, ID 83312-0122  
Point of Diversion SENE S24 T12S R26E CASSIA County  
Source RAFT RIVER Tributary SNAKE RIVER  
Use: GROUND WATER RECHARGE 01/01 to 12/31 35  
CFS  
Total Diversion: 35 CFS  
Date Filed: 8/19/2019  
Place Of Use: GROUND WATER RECHARGE  
T12S R26E S24 SENE  
Application for permit proposes diverting up to 35.0 cfs for  
ground water recharge from a new point of diversion from  
Raft River located approximately 3.7 miles north and 0.8  
miles east of Malta. The ground water recharge will occur at a  
site near the point of diversion. The applicant currently holds  
ground water recharge permits 43-13731, 43-13732, 43-13733,  
43-13734, 43-13787, 43-13788, and 43- 13789 for a combined  
total of 25 cfs at different Raft River diversion and recharge  
sites. This application, 43-13849, and companion applications  
for permit 43-13850 and 43-13851 describe the same 35 cfs to  
be diverted (all three applications limited to 35 cfs), but will  
be in addition to the 25 cfs covered under existing permits  
43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788,  
and 43- 13789. Information submitted with the application  
indicates that this application, along with companion applica-  
tions for permit 43-13850 and 43-13851, when combined with  
existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-  
13787, 43-13788, and 43- 13789 will be limited to a combined  
total of 10,000 acre-feet annually.

## AFFIDAVIT OF PUBLICATION

Hollie K Posey , being duly sworn, deposes and  
says, I am the Legal Clerk of the Tribune  
Publishing Company, a corporation organized and existing  
under and by virtue of the laws of the State of Idaho  
and under and by virtue of the laws of the State of Washington,  
publishers of the Lewiston Tribune, a news-  
paper of general circulation published at Lewiston, Nez Perce  
County, Idaho; That the said Lewiston Tribune is  
an established newspaper and has been published regularly  
and issued regularly at least once a day for more than 105  
consecutive years next immediately preceding the first  
publication of this notice, and has been so published  
uninterrupted for said period; that the 155500 The foll  
attached hereto and which is made a part of this affidavit  
was published in the said Lewiston Tribune,  
2 time(s). Publication being on  
11/07 , or once a Week  
for 2 consecutive Week  
the first publication thereof being on the 11/07/2019 ,  
and the last publication thereof being on the 11/14/2019 ,  
and said 155500 The foll was so published in the  
regular and entire issue of said newspaper and was not in a  
supplement thereof and was so published in every issue and  
number of the said paper, during the period and times of  
publication as set forth above.

Hollie K Posey

State of Idaho

S.S.

County of Nez Perce

On this 20<sup>th</sup> day of Nov in the year  
of 2019 , before me, a Notary Public, personally  
appeared Hollie K Posey , known or identified  
to me to be the person whose name subscribed to the  
within instrument, and being by me first duly sworn,  
declared that the statements therein are true, and  
acknowledged to me that he executed the same.

Cheri Whitby  
Notary Public in and for the State of Idaho,  
residing at Lewiston, therein  
Commission Expires 4/1/22



✓ DM 11/25/2019

✓  
43-13850

RAFT RIVER GROUND WATER DISTRICT  
PO BOX 122  
ALMO, ID 83312-0122

Point of Diversion NENE S13 T12S R26E CASSIA County  
Source RAFT RIVER Tributary SNAKE RIVER

Use: GROUND WATER RECHARGE 01/01 to 12/31 35 CFS

Total Diversion: 35 CFS

Date Filed: 8/19/2019

Place Of Use: GROUND WATER RECHARGE

T12S R26E S12 SESE

T12S R26E S13 NENE

Application for permit proposes diverting up to 35.0 cfs for ground water recharge from a new point of diversion from Raft River located approximately 5.0 miles north and 0.6 miles east of Malta. The ground water recharge will occur at a site near the point of diversion. The applicant currently holds ground water recharge permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 for a combined total of 25 cfs at different Raft River diversion and recharge sites. This application, 43-13850, and companion applications for permit 43-13849 and 43-13851 describe the same 35 cfs to be diverted (all three applications limited to 35 cfs), but will be in addition to the 25 cfs covered under existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789. Information submitted with the application indicates that this application, along with companion applications for permit 43-13849 and 43-13851, when combined with existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 will be limited to a combined total of 10,000 acre-feet annually.

✓  
43-13851

RAFT RIVER GROUND WATER DISTRICT  
PO BOX 122

ALMO, ID 83312-0122

Point of Diversion NWSW S6 T12S R27E CASSIA County

Source RAFT RIVER Tributary SNAKE RIVER

Use: GROUND WATER RECHARGE 01/01 to 12/31 35 CFS

Total Diversion: 35 CFS

Date Filed: 8/19/2019

Place Of Use: GROUND WATER RECHARGE

T12S R27E S6 L6(NWSW)

Application for permit proposes diverting up to 35.0 cfs for ground water recharge from a new point of diversion from Raft River located approximately 6.5 miles north and 0.9 miles east of Malta. The ground water recharge will occur at a site near the point of diversion. The applicant currently holds ground water recharge permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 for a combined total of 25 cfs at different Raft River diversion and recharge sites. This application, 43-13851, and companion applications for permit 43-13849 and 43-13850 describe the same 35 cfs to be diverted (all three applications limited to 35 cfs), but will be in addition to the 25 cfs covered under existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789. Information submitted with the application indicates that this application, along with companion applications for permit 43-13849 and 43-13850, when combined with existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 will be limited to a combined total of 10,000 acre-feet annually.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the right(s), please see [research.idwr.idaho.gov](http://research.idwr.idaho.gov). 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, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before November 25, 2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published in the Times News, Idaho Statesman, Post Register & Lewiston Morning Tribune on November 7th & 14th, 2019

✓ dm 11/25/2019





Proof of Publication  
The Post Register

RECEIVED

NOV 18 2019

DEPARTMENT OF  
WATER RESOURCES

State of Idaho  
County of Bonneville

RECEIVED

NOV 25 2019

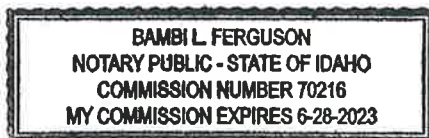
DEPT OF WATER RESOURCES  
SOUTHERN REGION

I, ~~Dawn Giannini~~ Collins Crapo, first being duly sworn, depose and say: That I am the ~~Classified Manager~~, or Processing Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published Tuesday through Sunday at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880, and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidations up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register under ad number: 174109 for 2 consecutive (days) weeks, between 11/07/2019 and 11/14/2019, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

*Collins Crapo*

Subscribed and sworn to before me, this 14th day of November 2019



*Bambi*

Notary Public  
My commission expires: 06/28/2023

\_\_\_\_\_ attached jurat \_\_\_\_\_

STATE OF IDAHO

ss.

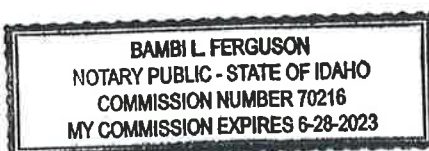
COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 14th day of November 2019, before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini~~ Collins Crapo, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

*Bambi*

Notary Public for The Post Company  
Residing: Idaho Falls, Idaho  
Commission expires: 06/28/2023



✓ *DM*  
11-25-2019



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

**43-13849**

RAFT RIVER GROUND WATER DISTRICT  
PO BOX 122  
ALMO, ID 83312-0122  
Point of Diversion SENE S24 T12S R26E  
CASSIA County Source RAFT RIVER Tributary  
SNAKE RIVER

Use: GROUND WATER RECHARGE 01/01 to 12/31 35 CFS

Total Diversion: 35 CFS

Date Filed: 8/19/2019

Place Of Use: GROUND WATER RECHARGE  
T12S R26E S24 SENE

Application for permit proposes diverting up to 35.0 cfs for ground water recharge from a new point of diversion from Raft River located approximately 3.7 miles north and 0.8 miles east of Malta. The ground water recharge will occur at a site near the point of diversion. The applicant currently holds ground water recharge permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43- 13789 for a combined total of 25 cfs at different Raft River diversion and recharge sites. This application, 43-13849, and companion applications for permit 43-13850 and 43-13851 describe the same 35 cfs to be diverted (all three applications limited to 35 cfs), but will be in addition to the 25 cfs covered under existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43- 13789. Information submitted with the application indicates that this application, along with companion applications for permit 43-13850 and 43-13851, when combined with existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43- 13789 will be limited to a combined total of 10,000 acre-feet annually.

**43-13850**

RAFT RIVER GROUND WATER DISTRICT  
PO BOX 122  
ALMO, ID 83312-0122  
Point of Diversion NENE S13 T12S R26E  
CASSIA County Source RAFT RIVER Tributary  
SNAKE RIVER

Use: GROUND WATER RECHARGE 01/01 to 12/31 35 CFS

Total Diversion: 35 CFS

Date Filed: 8/19/2019

Place Of Use: GROUND WATER RECHARGE  
T12S R26E S12 SESE  
T12S R26E S13 NENE

Application for permit proposes diverting up to 35.0 cfs for ground water recharge from a new point of diversion from Raft River located approximately 5.0 miles north and 0.6 miles east of Malta. The ground water recharge will occur at a site near the point of diversion. The applicant currently holds ground water recharge permits 43-13731, 43-13732, 43-13733, 43-13734,

43-13787, 43-13788, and 43- 13789 for a combined total of 25 cfs at different Raft River diversion and recharge sites. This application, 43-13850, and companion applications for permit 43-13849 and 43-13851 describe the same 35 cfs to be diverted (all three applications limited to 35 cfs), but will be in addition to the 25 cfs covered under existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43- 13789. Information submitted with the application indicates that this application, along with companion applications for permit 43-13849 and 43-13851, when combined with existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43- 13789 will be limited to a combined total of 10,000 acre-feet annually.

**43-13851**

RAFT RIVER GROUND WATER DISTRICT  
PO BOX 122

ALMO, ID 83312-0122

Point of Diversion NWSW S6 T12S R27E  
CASSIA County Source RAFT RIVER Tributary  
SNAKE RIVER

Use: GROUND WATER RECHARGE 01/01 to 12/31 35 CFS

Total Diversion: 35 CFS

Date Filed: 8/19/2019

Place Of Use: GROUND WATER RECHARGE  
T12S R27E S6 L6(NWSW)

Application for permit proposes diverting up to 35.0 cfs for ground water recharge from a new point of diversion from Raft River located approximately 6.5 miles north and 0.9 miles east of Malta. The ground water recharge will occur at a site near the point of diversion. The applicant currently holds ground water recharge permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43- 13789 for a combined total of 25 cfs at different Raft River diversion and recharge sites. This application, 43-13851, and companion applications for permit 43-13849 and 43-13850 describe the same 35 cfs to be diverted (all three applications limited to 35 cfs), but will be in addition to the 25 cfs covered under existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43- 13789. Information submitted with the application indicates that this application, along with companion applications for permit 43-13849 and 43-13850, when combined with existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43- 13789 will be limited to a combined total of 10,000 acre-feet annually.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the right(s), please see [research.idwr.idaho.gov](http://research.idwr.idaho.gov). 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, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **November 25, 2019**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published: November 7th & 14th, 2019

(174109-43079)

✓ DM 11-25-2019

## Maline, Denise

---

**From:** Peterson, Mike <mike.peterson@idfg.idaho.gov>  
**Sent:** Thursday, November 21, 2019 4:57 PM  
**To:** Maline, Denise  
**Cc:** Edelmann, Frank; Conley, Keats  
**Subject:** RE: Comment Letters for Raft River Ground Water District 43-13849, etc.  
**Attachments:** 43-13849 Raft River GWD.pdf; 43-13850 Raft River GWD.pdf; 43-13851 Raft River GWD.pdf; Comment letter to F&G for 43-13849, 43-13850, 43-13851.docx

Good morning Denise,

Thank you for the opportunity to review the attached Application for Permits 43-13849, 43-13850, and 43-13851 for Raft River in Cassia County.

After speaking with Benny Walker, he clarified that the combined water rights identified above would be limited to 35 cfs and these water rights plus the seven already permitted would be limited to no more than 10,000 acre feet for the year.

Based on the clarification, IDFG has no comments at this time.

Mike Peterson  
Regional Fisheries Manager  
Idaho Department of Fish and Game

Magic Valley Region  
324 S. 417 E., Suite #1  
Jerome, ID 83338  
Office: 208-644-6326  
Cell: 208-863-2901





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NOV 18 2019  
Ada County Clerk

# Idaho Statesman

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NOV 21 2019

DEPT OF WATER RESOURCES  
SOUTHERN REGION

## AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
263072 <u>263982</u>	0004445828	The following application(s) have been filed to ap	LEGAL NOTICE	\$313.55	1	21.89 In

**Attention:** Denise Maline

ADA COUNTY FOURTH DIST COURT  
200 W FRONT ST  
BOISE, ID 837027300

IDAHO DEPT OF WATER RESOURCES  
650 ADDISON AVE W STE 500  
TWIN FALLS ID 83301-5858

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

✓ 43-13849  
RAFT RIVER GROUND WATER DISTRICT  
PO BOX 122  
ALMO, ID 83312-0122  
Point of Diversion SENE S24  
T12S R26E CASSIA County  
Source RAFT RIVER Tributary  
SNAKE RIVER  
Use: GROUND WATER RECHARGE 01/01 to 12/31 35 CFS

Total Diversion: 35 CFS  
Date Filed: 8/19/2019  
Place Of Use: GROUND WATER RECHARGE

T12S R26E S24 SENE  
Application for permit proposes diverting up to 35.0 cfs for ground water recharge from a new point of diversion from Raft River located approximately 3.7 miles north and 0.8 miles east of Malta. The ground water recharge will occur at a site near the point of diversion. The applicant currently holds ground water recharge permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 for a combined total of 25 cfs at different Raft River diversion and recharge sites. This application, 43-13849, and companion applications for permit 43-13850 and 43-13851 describe the same 35 cfs to be diverted (all three applications limited to 35 cfs), but will be in addition to the 25 cfs covered under existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789. Information submitted with the application indicates that this application, along with companion applications for permit 43-13850 and 43-13851, when combined with existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 will be limited to a combined total of 10,000 acre-feet annually.

✓ 43-13850  
RAFT RIVER GROUND WATER DISTRICT  
PO BOX 122  
ALMO, ID 83312-0122  
Point of Diversion NENE S13

VICTORIA RODELA, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

Beginning issue of: 11/07/2019

Ending issue of: 11/14/2019

*V Rodela*

(Legals Clerk)

On this 14th day of November in the year of 2019 before me, a Notary Public, personally appeared before me Victoria Rodela known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

*Cmls*

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.  
Legal document please do not destroy!



T12S R26E CASSIA County  
 Source RAFT RIVER Tributary  
 SNAKE RIVER  
 Use: GROUND WATER RE-  
 CHARGE 01/01 to 12/31 35  
 CFS  
 Total Diversion: 35 CFS  
 Date Filed: 8/19/2019  
 Place Of Use: GROUND WATER  
 RECHARGE  
 T12S R26E S12 SESE  
 T12S R26E S13 NENE

Application for permit proposes diverting up to 35.0 cfs for ground water recharge from a new point of diversion from Raft River located approximately 5.0 miles north and 0.6 miles east of Malta. The ground water recharge will occur at a site near the point of diversion. The applicant currently holds ground water recharge permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 for a combined total of 25 cfs at different Raft River diversion and recharge sites. This application, 43-13850, and companion applications for permit 43-13849 and 43-13851 describe the same 35 cfs to be diverted (all three applications limited to 35 cfs), but will be in addition to the 25 cfs covered under existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789. Information submitted with the application indicates that this application, along with companion applications for permit 43-13849 and 43-13851, when combined with existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 will be limited to a combined total of 10,000 acre-feet annually.

✓ 43-13851  
 RAFT RIVER GROUND WATER  
 DISTRICT  
 PO BOX 122  
 ALMO, ID 83312-0122  
 Point of Diversion NWSW S6  
 T12S R27E CASSIA County  
 Source RAFT RIVER Tributary  
 SNAKE RIVER  
 Use: GROUND WATER RE-  
 CHARGE 01/01 to 12/31 35  
 CFS

Total Diversion: 35 CFS  
 Date Filed: 8/19/2019  
 Place Of Use: GROUND WATER  
 RECHARGE  
 T12S R27E S6 L6(NWSW)  
 Application for permit proposes diverting up to 35.0 cfs for ground water recharge from a new point of diversion from Raft River located approximately 6.5 miles north and 0.9 miles east of Malta. The ground water recharge will occur at a site near the point of diversion. The applicant currently holds ground water recharge permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 for a combined total of 25 cfs at different Raft River diversion and recharge sites. This application, 43-13851, and companion applications for permit 43-13849 and 43-13850 describe the same 35 cfs to be diverted (all three applications limited to 35 cfs), but will be in addition to the 25 cfs covered under existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789. Information submitted with the applica-

✓ dm 11/22/2019

don submitted that the application indicates that this application, along with companion applications for permit 43-13849 and 43-13850, when combined with existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 will be limited to a combined total of 10,000 acre-feet annually.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the right(s), please see [research.idwr.idaho.gov](http://research.idwr.idaho.gov). 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, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before November 25, 2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director  
Published in the Times News, Idaho Statesman, Post Register & Lewiston Morning Tribune on November 7th & 14th, 2019

0004445828-01

✓ dm 11/22/2019

\* Proof of Publication \*

Twin Falls Times-News  
132 Fairfield St W, Twin Falls, Idaho 83301

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NOV 20 2019

DEPT OF WATER RESOURCES  
SOUTHERN REGION

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES

650 ADDISON AVE W, STE 500  
TWIN FALLS ID 83301

ORDER NUMBER 94459

Ruby Aufderheide  
(Legals Clerk)

STATE OF IDAHO )  
SS  
COUNTY OF TWIN FALLS )

On this 14 day of November in the year of 2019 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Erica Izaguirre  
Notary Public FOR Idaho  
Residing at: Twin Falls, Idaho  
My Commission expires: 8/7/25

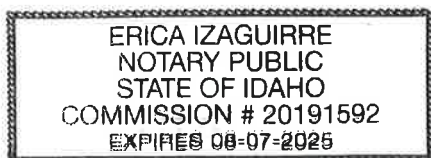
Section: Legals

Category: 50 Legal

PUBLISHED ON: 11/07/2019, 11/14/2019

TOTAL AD COST: 320.37

FILED ON: 11/14/2019



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

43-13849  
RAFT RIVER GROUND WATER DISTRICT  
PO BOX 122  
ALMO, ID 83312-0122  
Point of Diversion SENE S24 T12S R26E CASSIA County  
Source RAFT RIVER Tributary SNAKE RIVER  
Use: GROUND WATER RECHARGE 01/01 to 12/31 35 CFS  
Total Diversion: 35 CFS  
Date Filed: 8/19/2019  
Place Of Use: GROUND WATER RECHARGE  
T12S R26E S24 SENE

Application for permit proposes diverting up to 35.0 cfs for ground water recharge from a new point of diversion from Raft River located approximately 3.7 miles north and 0.8 miles east of Malta. The ground water recharge will occur at a site near the point of diversion. The applicant currently holds ground water recharge permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 for a combined total of 25 cfs at different Raft River diversion and recharge sites. This application, 43-13849, and companion applications for permit 43-13850 and 43-13851 describe the same 35 cfs to be diverted (all three applications limited to 35 cfs), but will be in addition to the 25 cfs covered under existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789. Information submitted with the application indicates that this application, along with companion applications for permit 43-13850 and 43-13851, when combined with existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 will be limited to a combined total of 10,000 acre-feet annually.

43-13850  
RAFT RIVER GROUND WATER DISTRICT  
PO BOX 122  
ALMO, ID 83312-0122  
Point of Diversion NENE S13 T12S R26E CASSIA County  
Source RAFT RIVER Tributary SNAKE RIVER  
Use: GROUND WATER RECHARGE 01/01 to 12/31 35 CFS  
Total Diversion: 35 CFS  
Date Filed: 8/19/2019  
Place Of Use: GROUND WATER RECHARGE  
T12S R26E S12 SESE  
T12S R26E S13 NENE

Application for permit proposes diverting up to 35.0 cfs for ground water recharge from a new point of diversion from Raft River located approximately 5.0 miles north and 0.6 miles east of Malta. The ground water recharge will occur at a site near the point of diversion. The applicant currently holds ground water recharge permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 for a combined total of 25 cfs at different Raft River diversion and recharge sites. This application, 43-13850, and companion applications for permit 43-13849 and 43-13851 describe the same 35 cfs to be diverted (all three applications limited to 35 cfs), but will be in addition to the 25 cfs covered under existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789. Information submitted with the application indicates that this application, along with companion applications for permit 43-13849 and 43-13851, when combined with existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 will be limited to a combined total of 10,000 acre-feet annually.

✓ OK dm 11/22/2019 →



✓  
**43-13851**

**RAFT RIVER GROUND WATER DISTRICT**  
**PO BOX 122**

**ALMO, ID 83312-0122**

**Point of Diversion NWSW S6 T12S R27E CASSIA County**

**Source RAFT RIVER Tributary SNAKE RIVER**

**Use: GROUND WATER RECHARGE 01/01 to 12/31 35 CFS**

**Total Diversion: 35 CFS**

**Date Filed: 8/19/2019**

**Place Of Use: GROUND WATER RECHARGE**  
**T12S R27E S6 L6(NWSW)**

Application for permit proposes diverting up to 35.0 cfs for ground water recharge from a new point of diversion from Raft River located approximately 6.5 miles north and 0.9 miles east of Malta. The ground water recharge will occur at a site near the point of diversion. The applicant currently holds ground water recharge permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 for a combined total of 25 cfs at different Raft River diversion and recharge sites. This application, 43-13851, and companion applications for permit 43-13849 and 43-13850 describe the same 35 cfs to be diverted (all three applications limited to 35 cfs), but will be in addition to the 25 cfs covered under existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789. Information submitted with the application indicates that this application, along with companion applications for permit 43-13849 and 43-13850, when combined with existing permits 43-13731, 43-13732, 43-13733, 43-13734, 43-13787, 43-13788, and 43-13789 will be limited to a combined total of 10,000 acre-feet annually.

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GARY SPACKMAN, Director

**Published in the Times News, Idaho Statesman, Post Register & Lewiston Morning Tribune on November 7th & 14th, 2019**

✓ ok dm 11/22/2019