

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 51-07309

PRIORITY: May 02, 1988

Maximum Diversion Rate: 0.19 CFS

Maximum Diversion Volume: 38.4 AF

It is hereby certified that:

GREG OBENDORF 26496 DEB LN PARMA ID 83660

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 02, 1988, and has submitted Proof of Beneficial Use on April 20, 1994. An examination confirms water is diverted from:

SOURCE:
WASTE WATER

TRIBUTARY:
LITTLE JACKS CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/01 to 11/15	0.19 CFS	38.4 AF

LOCATION OF POINT(S) OF DIVERSION:

WASTE WATER SE¼NW¼ Sec. 7, Twp 07S, Rge 05E, B.M. OWYHEE County

WASTE WATER L3 (NW¼SW¼) Sec. 7, Twp 07S, Rge 05E, B.M. OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	05E	7								6.1	3.5								9.6

Total Acres: 9.6

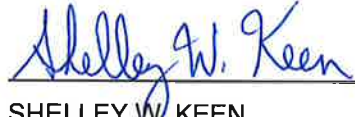
CONDITIONS OF APPROVAL

1. This water right specifically prohibits increasing groundwater diversions to increase the supply of wastewater.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
3. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (April 17, 1992) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
4. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right.

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This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

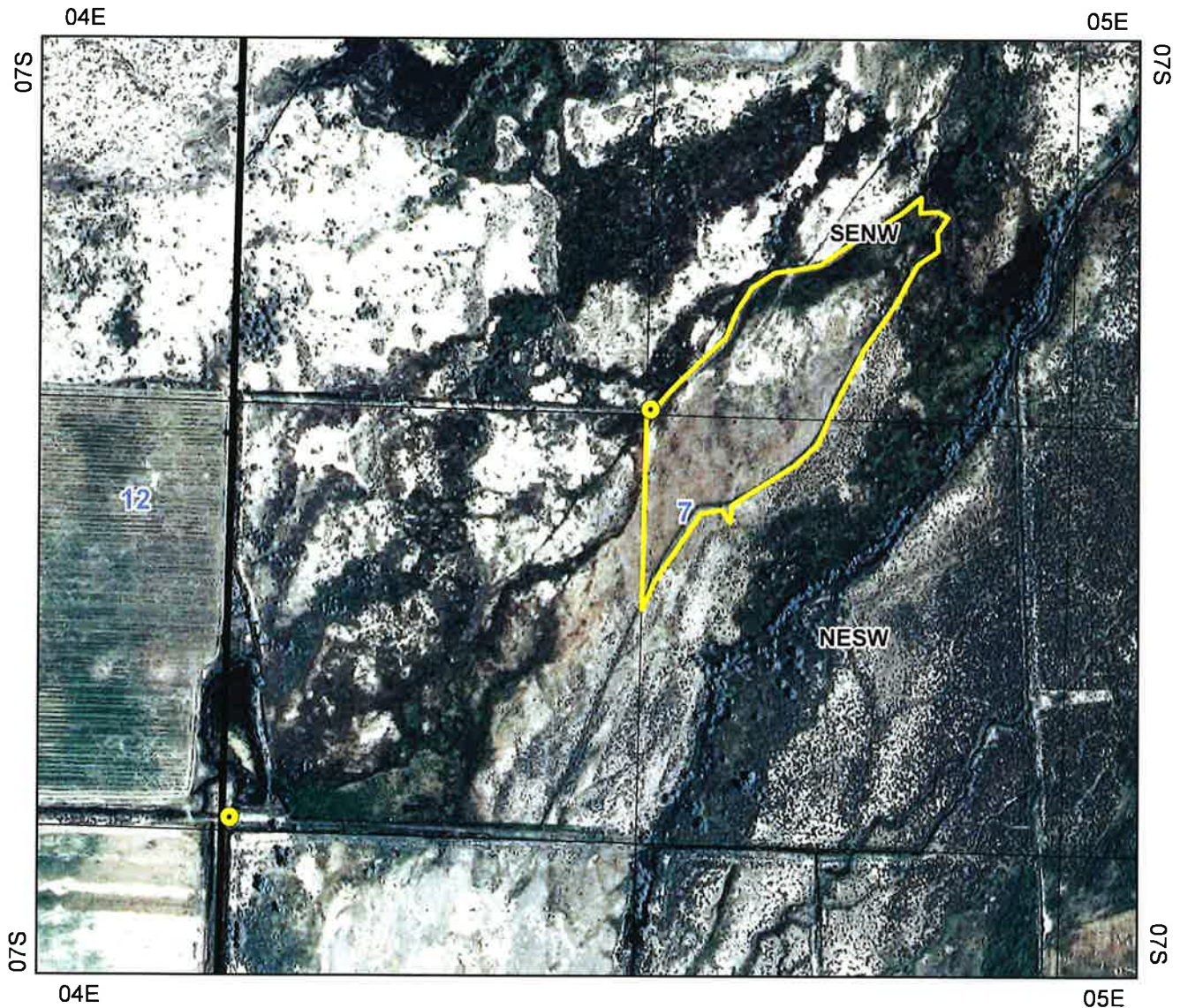
Signed this 23rd day of July, 2018.

A handwritten signature in blue ink, reading "Shelley W. Keen", is written over a horizontal line.

SHELLEY W. KEEN
Water Allocation Bureau Chief

State of Idaho
Department of Water Resources
Attachment to Water Right License
51-7309

This map depicts the IRRIGATION 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

0 0.05 0.1 0.2 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

July 23, 2018

GREG OBENDORF
26496 DEB LN
PARMA ID 83660

RE: License No. 51-7309

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources (IDWR) has enclosed a revised water right license for the water right no. referenced above. The revised license is a preliminary order issued by IDWR pursuant to Rule 760 of IDWR's Rules of Procedure (IDAPA 37.01.01). The revised water right license supersedes the license issued on June 14, 2018. If you disagree with this preliminary order, you can petition for reconsideration, request a hearing, or appeal to district court as further described in the enclosed information sheet.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4910.

Sincerely,

Clay Webster
Water Rights Supv

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on July 24, 2018, I served a true and correct copy of Water Right License No. 51-7309 by U.S. Mail, postage prepaid, to the following:

GREG OBENDORF (Current Owner)
26496 DEB LN
PARMA ID 83660

DANA L HOFSTETTER (Attorney)
HAWLEY TROXELL ENNIS & HAWLEY
877 MAIN ST STE 1000
PO BOX 1617
BOISE ID 83701-1617



Darla Block
Technical Records Specialist I

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.