

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 61-07664

PRIORITY: May 01, 1991

Maximum Diversion Rate: 0.18 CFS

It is hereby certified that:

MILDRED M NORSTEBON 14158 NE MEMORY LN MOUNTAIN HOME ID 83647

STANLEY G NORSTEBON 14158 NE MEMORY LN MOUNTAIN HOME ID 83647

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 01, 1991, and has submitted Proof of Beneficial Use on November 06, 1991. An examination confirms water is diverted from:

SOURCE:
MUD SPRINGS CREEK

TRIBUTARY:
SQUAW CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
STOCKWATER	01/01 to 12/31	0.02 CFS
IRRIGATION	03/15 to 11/15	0.16 CFS

LOCATION OF POINT(S) OF DIVERSION:

MUD SPRINGS CREEK L6 (NW¼SW¼) Sec. 6, Twp 02S, Rge 06E, B.M. ELMORE County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	06E	6										X L 6							

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	
02S	06E	6									8.0								8.0

Total Acres: 8

CONDITIONS OF APPROVAL

1. Rights 61-7435 and 61-7664 when combined shall not exceed a total diversion rate of 0.16 cfs, a total annual maximum diversion volume of 32.0 af at the field headgate, and the irrigation of 8 acres.
2. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.

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3. 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.
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.

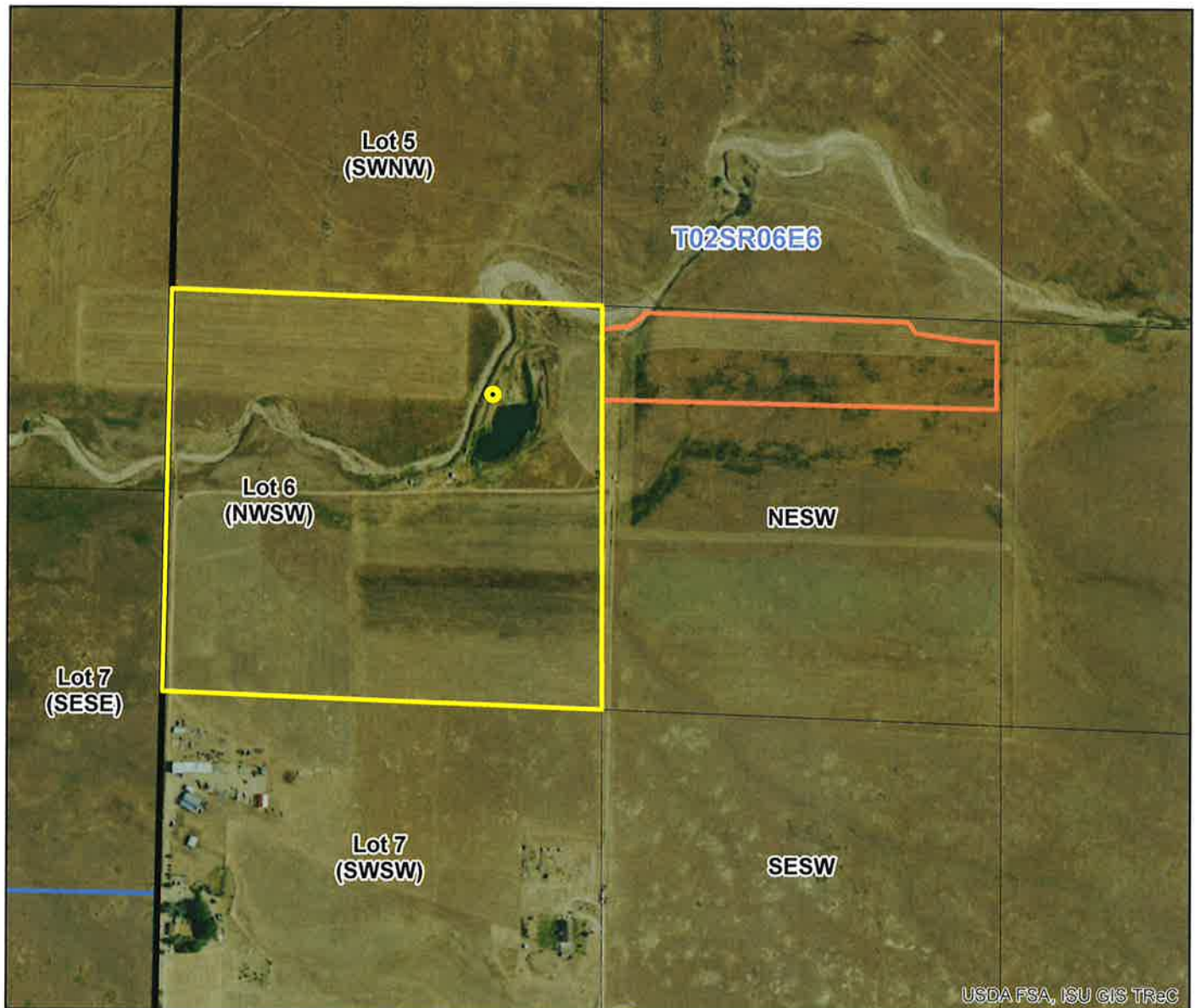
This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 2nd day of July, 2018.


GARY SPACKMAN
Director

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61-7664

This map depicts the IRRIGATION and STOCKWATER places of use boundary and points of diversion for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Irrigation Place of Use Boundary
-  Stockwater Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



0  Miles
0.25



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 5, 2018

STANLEY G NORSTEBON
MILDRED M NORSTEBON
14158 NE MEMORY LN
MOUNTAIN HOME ID 83647

RE: Water Right 61-07664

Dear Water Right Holder:

On June 5, 2018, the Idaho Department of Water Resources (Department) issued a license for permit 61-7664. The license was issued as a preliminary order. On June 21, 2018, the Bureau of Land Management (BLM) filed a Petition for Reconsideration. According to the Petition NE¼NE¼ Section 7, Township 2 North, Range 6 East in Elmore County is not on the permit. The Department confirmed the permit did not authorize stockwater use in NE¼NE¼ Section 7. The Department did not address the Petition. The license was withdrawn and replaced with the changes requested by the BLM.

The Amended License is a FINAL ORDER issued by the Department pursuant to Rule 740.02.a of the Department's Rules of Procedure (IDAPA 37.01.01). It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

If you disagree with this final order, you can petition for reconsideration, request a hearing, or appeal to district court as further described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right 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. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions about this information, please contact me at 208-287-4881 or sandra.thiel@idwr.idaho.gov.

Sincerely,

Sandra Thiel
Sr. Water Resource Agent

Enclosure(s)

EXPLANATORY INFORMATION TO ACCOMPANY A FINAL ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 740.02)

The accompanying order is a "Final Order" issued by the department pursuant to section 67-5246, Idaho Code.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order within fourteen (14) days of the service date of this order as shown on the certificate of service. **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 67-5246(4), Idaho Code.

REQUEST FOR HEARING

Unless the right to a hearing before the director or the water resource board is otherwise provided by statute, any person who is aggrieved by the action of the director, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the director to contest the action. The person shall file with the director, within fifteen (15) days after receipt of written notice of the action issued by the director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the director and requesting a hearing. See section 42-1701A(3), Idaho Code. **Note: The request must be received by the Department within this fifteen (15) day period.**

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter 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: a) the service date of the final order, b) the service date of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.