

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 47-17665

Priority: August 07, 2017

Maximum Diversion Rate: 0.04 CFS

This is to certify, that DEAN N BEAUDET
102 FILLMORE ST
TWIN FALLS ID 83301

And

JULIE ANNE BEAUDET
102 FILLMORE ST
TWIN FALLS ID 83301

has applied for a permit to appropriate water from:

Source: SPRINGS**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>
DOMESTIC	01/01 to 12/31	0.04 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SPRINGS L9 (SW1/4NW1/4NW1/4) Sec. 9, Twp 09S, Rge 15E, B.M.
TWIN FALLS County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	15E	9																	
								X											
								L 9											

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2022**.
2. Subject to all prior water rights.
3. 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.
4. This right does not grant any right-of-way or easement across the land of another.
5. Domestic use is for 1 home.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.

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7. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
8. This right when combined with other existing or future domestic rights from wells or other sources shall not exceed 13,000 gallons per day and 1/2 acre of irrigation per subdivision lot.
9. This right is for the use of trust water, and it is subject to review 5 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.

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

Signed this 14th day of November, 20 17.



COREY SKINNER, Southern Region Manager

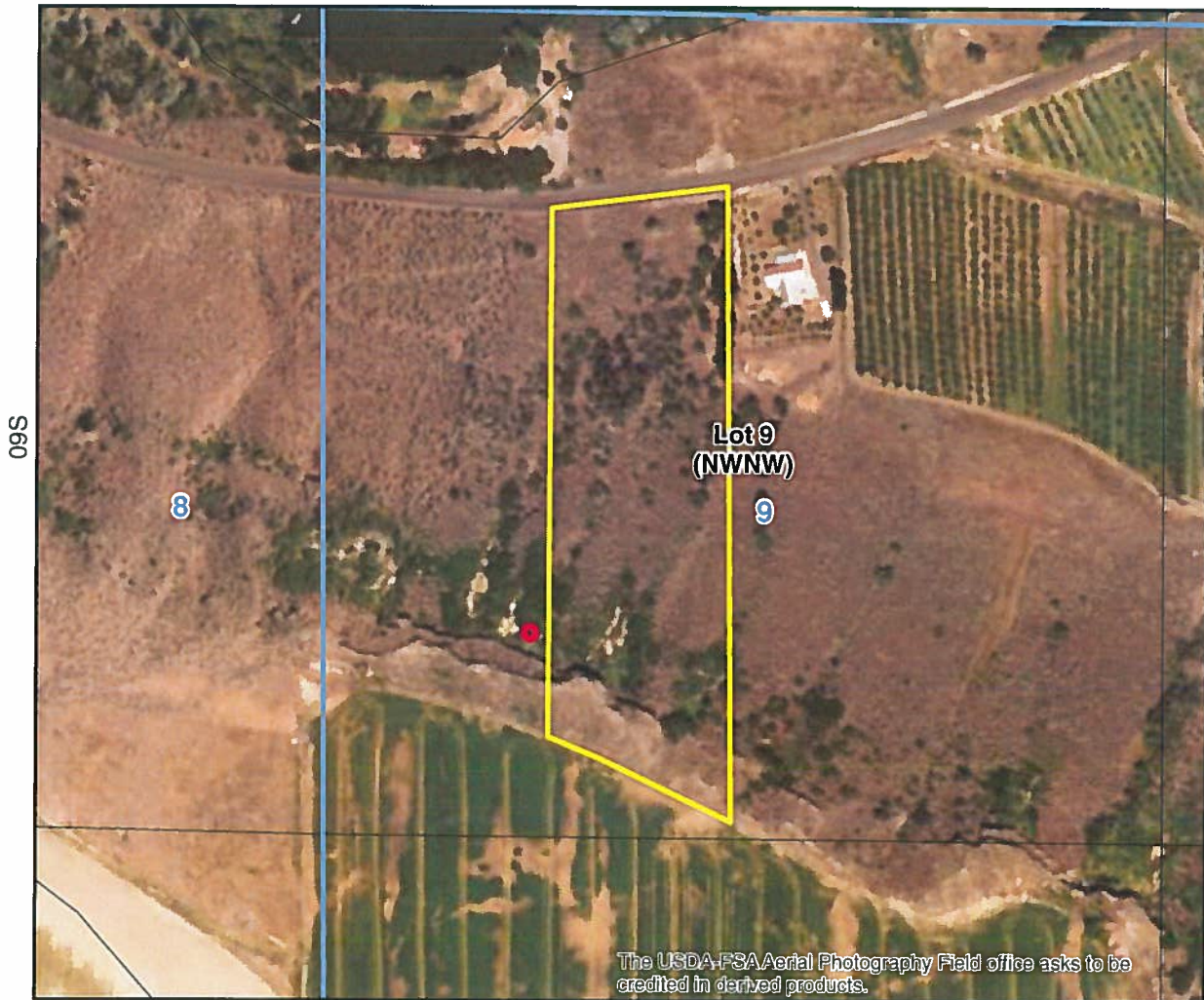
State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

47-17665

This map depicts the DOMESTIC 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.

15E



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.035 0.07 0.14 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 16, 2017

DEAN N BEAUDET
JULIE ANNE BEAUDET
102 FILLMORE ST
TWIN FALLS ID 83301

RE: Permit No. 47-17665, 47-17666

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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 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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Also, 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, please contact me at 208-736-3033.

Sincerely,

A handwritten signature in black 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 November 16, 2017 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

47-17665, 47-17666

**DEAN N BEAUDET
JULIE ANNE BEAUDET
102 FILLMORE ST
TWIN FALLS ID 83301**



**Denise Maline
Administrative Assistant**

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.

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

RECEIVED
SEP 18 2017
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 53294

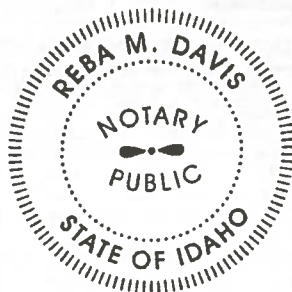
Ruby Aufderheide
(Legals Clerk)

STATE OF IDAHO)
 .SS
COUNTY OF TWIN FALLS)

On this 5th day of September in the year of 2017 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.

Reba M Davis
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: May 8, 2020

PUBLISHED ON: 09/07/2017, 09/14/2017



over →

TOTAL AD COST: 300.00
FILED ON: 9/14/2017

✓ ok dm 9-20-2017

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

47-17665

DEAN N BEAUDET

JULIE ANNE BEAUDET

102 FILLMORE ST

TWIN FALLS, ID 83301

Point of Diversion L9(SWNWNW) S9 T09S R15E TWIN FALLS

County Source SPRINGS Tributary SNAKE RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 8/7/2017

Place Of Use: DOMESTIC

T09S R15E S9 L9(NWNW)

Application for permit proposes to divert 0.04 cfs for domestic use from a spring located approximately 4.4 miles north and 2.4 miles east of Buhl. Diverted water will be used for domestic use on a parcel located approximately 4.3 to 4.6 miles north and 2.4 to 2.5 miles east of Buhl.

47-17666

DEAN N BEAUDET

JULIE ANNE BEAUDET

102 FILLMORE ST

TWIN FALLS, ID 83301

Point of Diversion L9(SWNWNW) S9 T09S R15E TWIN FALLS

County Source SPRINGS Tributary SNAKE RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 8/7/2017

Place Of Use: DOMESTIC

T09S R15E S9 L9(NWNW)

Application for permit proposes to divert 0.04 cfs for domestic use from a spring located approximately 4.4 miles north and 2.4 miles east of Buhl. Diverted water will be used for domestic use on a parcel located approximately 4.4 to 4.6 miles north and 2.3 to 2.4 miles east of Buhl.

RECEIVED

SEP 18 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81521**

MIDWAY DAIRY LLC, 2150 E 403 S, DECLO, ID 83323; ADT FARMS LLC, 246 E 300 S, BURLEY, ID 83318; ADT FARMS LLC, 246 E 300 S, BURLEY, ID 83318; has filed Application No. 81521 for changes to the following water rights within CASSIA County(s): Right No(s). 43-11132B, 43-12986, 43-12987, 43-12989, 43-12990, 43-13034, 43-13068, 43-13620, 43-13621, 43-13622, 43-13623, 43-13624, 43-13625, 43-13626, 43-13627, 43-13628, 43-13629, 43-13630, 43-13631, 43-13632, 43-13633, 43-13671, 43-13672, 43-13673, 43-13674, 43-13675, 43-13676, 43-13689, 43-2328, 43-2338B, 43-2369, 43-2427, 43-2492, 43-2544, 43-4207, 43-4229. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes the creation of a 4038.2 acre irrigation Permissible Place of Use (PPU) for thirty-six ground water rights which currently irrigate 3000.7 acres on ground located approximately 9.5 to 15.5 miles north and 1.7 miles west to 1.9 miles east of Malta. The rights are currently irrigating ground under three separate entities and this transfer will consolidate the rights into a single PPU in the same general area. One group of 3 rights irrigates 60.5 acres with a 1.17 cfs flow rate, another group of 3 rights irrigates 346.0 acres with a 6.22 cfs flow rate, and the final group of 30 rights irrigates 2594.2 acres with a total flow rate of 39.78 cfs. After the transfer, 3000.7 acres will be irrigated with a combined flow rate of 47.17 cfs within the proposed 4038.2 acre PPU.

Currently, the rights in the three separate farms have distinct Points of Diversion (POD) for each farm. This transfer will add the PODs from each farm to the other two farms so that each ground water right will have 19 PODs.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81865**

ALONZO B LEAVELL, PO BOX 54, GOODING, ID 83330; has filed Application No. 81865 for changes to the following water rights within GOODING County(s): Right No(s). 37-11199. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes transferring 0.06 cfs (14.8 acre feet) portion from a commercial stockwater ground water right and moving it to two existing wells and a new place of use (POU) at an existing dairy facility. Proposed points of diversion (PODs) and POU are located approximately 1.8 to 2.0 miles east and 4.2 to 4.6 miles south of the intersection of Main St and Lincoln Ave in Jerome. Current PODs and POU are located approximately 0.25 to 1.0 miles west and 1.3 to 1.58 miles north of the intersection of Hwy 26 and Hwy 46 in Gooding.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights & proposed transfer, please see www.idwr.idaho.gov/ppsr/veryNewTransfers/veryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/waterManagement/waterRights/NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before **September 25, 2017**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
PUBLISH: September 7 and 14, 2017

✓ OK DM 9-20-2017