

State of Idaho
 Department of Water Resources
Permit to Appropriate Water

NO. 57-11885

Priority: October 03, 2016

Maximum Diversion Rate: 3.00 CFS

This is to certify, that HOOK LAND CO LLC
 C/O CONNIE HOOK
 20509 UPPER REYNOLDS CR RD
 MURPHY ID 83650

has applied for a permit to appropriate water from:

Source: REYNOLDS CREEK **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>
IRRIGATION	03/01 to 11/15	3.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

REYNOLDS CREEK L1 (SE ¼ SE ¼) Sec. 36, Twp 01N, Rge 03W, 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				
01N 03W 36									5.0 L3				20.0 L3				10.0 L2	40.0 L2	25.0 L1	100.0
01S 03W 1		40.0 L2			10.0 L3															50.0

Total Acres: 150.0

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2020**.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
5. 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. 57R.
6. 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.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 57-11885

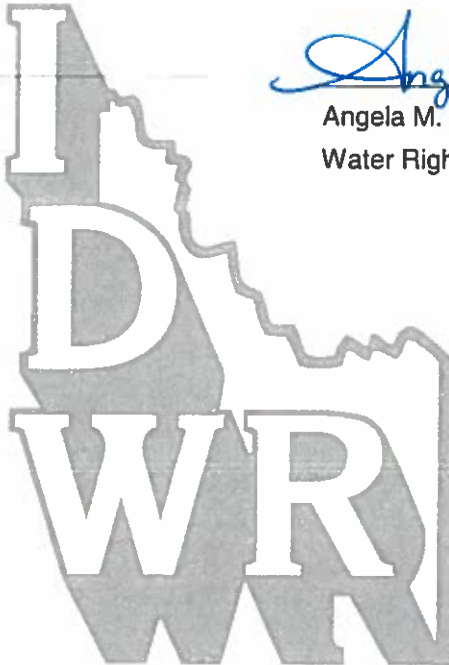
7. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

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

Signed this 31 day of March, 2017.



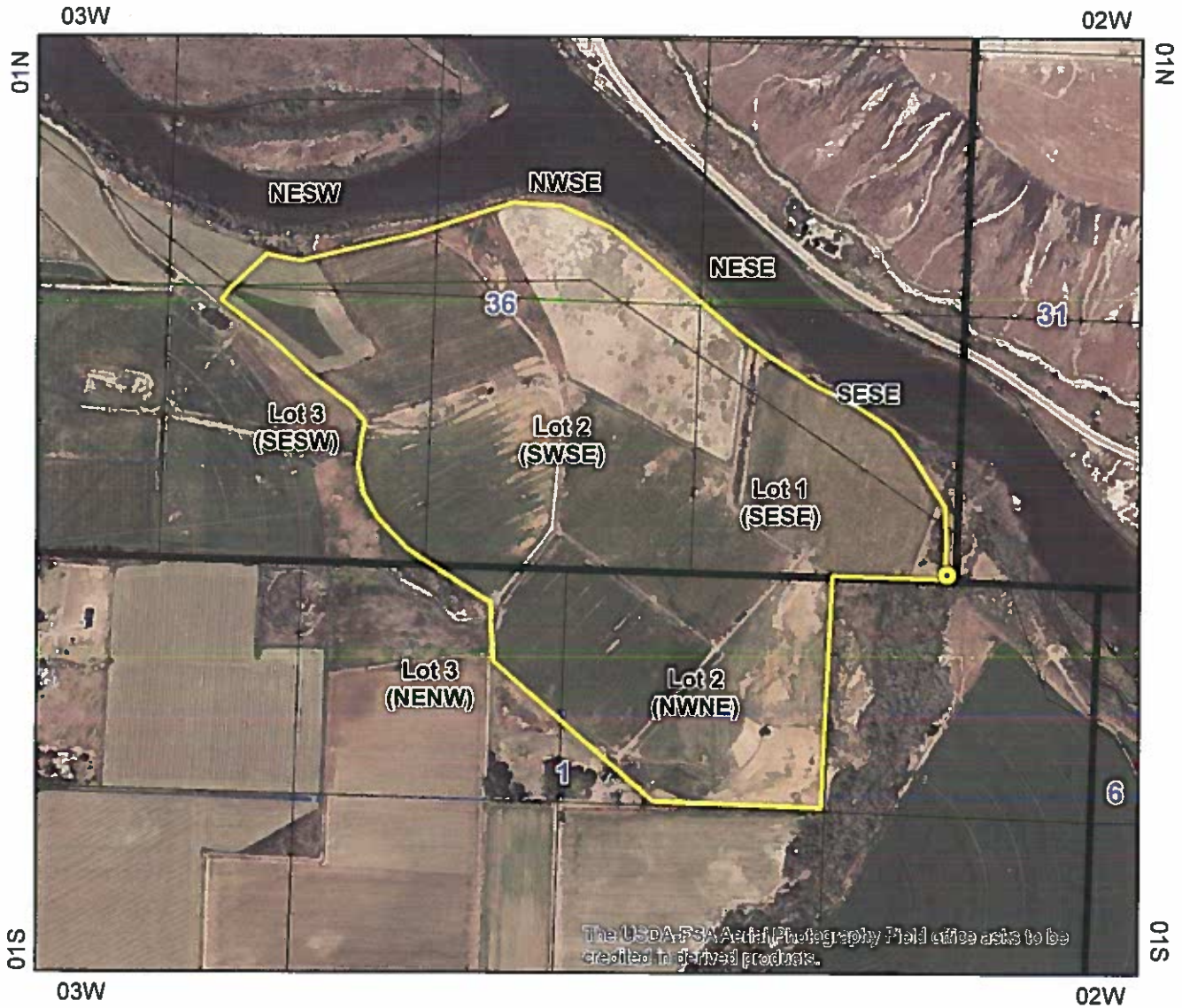
Angela M. Grimm
Water Rights Supervisor







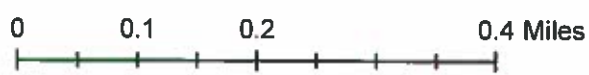
Attachment to Permit to Appropriate Water

57-11885

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





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

March 31, 2017

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

HOOK LAND CO LLC
C/O CONNIE HOOK
20509 UPPER REYNOLDS CR RD
MURPHY ID 83650

RE: Permit No.57-11885

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)334-2190.

Sincerely,

 Rachel Noely for.

Nick Miller

Western Regional Manager

Enclosure(s)

cc: TRISTAN HOOK
WATERMASTER OF DISTRICT 57R

CERTIFICATE OF SERVICE

I hereby certify that on March 31, 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. 57-11885

**TRISTAN HOOK
10844 JOHNSTON LN
MELBA ID 83641**

**HOOK LAND CO LLC
C/O CONNIE HOOK
20509 UPPER REYNOLDS CR RD
MURPHY ID 83650**

**CONNIE M. BRANDAU
WATERMASTER OF DISTRICT 57R
9902 WILSON CEMETERY LN
WILSON ID 83641**



**Rachel Neely
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.

State of Idaho
Department Of Water Resources

RECEIVED
FEB 01 2017
WATER RESOURCES
WESTERN REC

WATERMASTER RECOMMENDATION FORM

Water District # REYNOLDS CREEK DIST 57R
Application # 57-11885
Applicant Name HOOK LAND CO. LLC +/ OR CONNIE HOOK

Watermaster Recommendation:

- a) I do not oppose approval of this application.
- b) X I do not oppose approval of this application if it is conditioned as follows:
1- HAS FLOW CONTROL & MEASURING DEVICES AT THE POINT OF DIVERSION.
2- IS SUBORDINATE TO ALL OTHER DISTRICT 57R WATER RIGHTS
3- LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.28 CFS
- c) I oppose approval of this application for the following reasons: WHEN COMBINED WITH WATER RIGHTS FOR SAME PLACE OF USE (57-276, 2-2061, 2-2086 AND WEST REYNOLDS IRRIGATION DISTRICT BASIN 2 RIGHTS 2-14, 2-66, 2-2258)
- d) X Additional comments:
THIS APPLICATION DID NOT INCLUDE (AT ID.) THE WEST REYNOLDS IRRIGATION DIST WATER RIGHTS 2-14, 2-66, 2-2258 THAT SUPPLY WATER TO THE SAME PLACE OF USE

Dated this 30TH day of JANUARY, 2017

Connie M. Brandau

Watermaster Signature

CONNIE M. BRANDAU

Printed Name

The Owyhee Avalanche

P.O. Box 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

RECEIVED

JAN 31 2017

WATER RESOURCES
WESTERN REGION

I, Robert E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of publication of the notice hereinafter mentioned, I was and now am the president of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper, in TWO (2) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

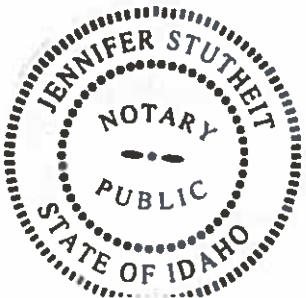
JANUARY 18, 25, 2017

SIGNED: _____

STATE OF IDAHO }
COUNTY OF OWYHEE }

On this 26 day of Jan in the year of 2017 before me, a

Notary Public, personally appeared ROBERT E. AMAN known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Jennifer Stuthert
Notary Public of Idaho

Residing at HOMEDALE, IDAHO
My commission expires: JANUARY 3, 2021

THE FOLLOWING APPLICATIONS HAVE BEEN FILED TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO:

55-13929, BILL WILLARD, RORRIE WILLARD, PO BOX 2312, NYSSA, OR 97913

Points of Diversion L3(NWNENW) L9(NENWNW) S4 T05S R04W OWYHEE County Source SPRING Tributary JORDAN CREEK

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

Use: IRRIGATION 04/01 to 10/31 0.02 CFS

Total Diversion: 0.06 CFS
Date Filed: 11/28/2016

Places of Use: DOMESTIC, IRRIGATION
T05S R04W S4 L10(NWNW)

Total Acres: 2

57-11885, HOOK LAND CO LLC C/O CONNIE HOOK, 20509 UPPER REYNOLDS CR RD, MURPHY, ID 83650

Point of Diversion L1(SESE) S36 T01N R03W OWYHEE County Source REYNOLDS CREEK Tributary SNAKE RIVER

Use: IRRIGATION 03/01 to 11/15 3 CFS

Total Diversion: 3 CFS
Date Filed: 10/3/2016

Place of Use: IRRIGATION
T01N R03W S36 L3(NESW) L3(SESW)L2(NWSE)L2(SWSE) L1(SESE)

T01S R03W S1 L2(NWNE) L3(NENW)

Total Acres: 150

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81191, NEDEREND FARMS LLLP, 4998 HOGG RD, HOMEDALE, ID 83628; has filed Application

No. 81191 for changes to the following water rights within OWYHEE County(s): Right No(s). 57-10655, 57-7045; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to add potentially two more wells and more accurately describe the existing commercial and stockwater use. Water will be used at the current place of use near the intersection of Hogg and E Thompson Rd approximately 3 miles west of Marsing.

Use: IRRIGATION 03/01 to 11/15 3 CFS

Total Diversion: 3 CFS
Date Filed: 10/3/2016

Place of Use: IRRIGATION
T01N R03W S36 L3(NESW) L3(SESW)L2(NWSE)L2(SWSE) L1(SESE)

T01S R03W S1 L2(NWNE) L3(NENW)

Total Acres: 150

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81191, NEDEREND FARMS LLLP, 4998 HOGG RD, HOMEDALE, ID 83628; has filed Application No. 81191 for changes to the following water rights within OWYHEE County(s): Right No(s). 57-10655, 57-7045; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to add potentially two more wells and more accurately describe the existing commercial and stockwater use. Water will be used at the current place of use near the intersection of Hogg and E Thompson Rd approximately 3 miles west of Marsing.

Jok RN 2/1/17

Jok RN 2/1/17

Jok RN 2/1/17

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at 208-334-2190; or for a full description of the right(s) or proposed transfer (s) please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 2/6/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
1/18,25/2017