

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 47-17637

Priority: June 04, 2015

Maximum Diversion Rate: 0.04 CFS

This is to certify, that **JEFF HINES**
1926 TEAL LN
BOISE ID 83706

has applied for a permit to appropriate water from:

Source: SALMON FALLS 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>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

SALMON FALLS CREEK	NW1/4SE1/4	Sec. 30, Twp 08S, Rge 14E, B.M.
TWIN FALLS County		

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S 14E 30															X		

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 01, 2017**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home and includes irrigation of 1/2 acre on Parcel 2, Lot 14, Salmon River Ranches #1 Subdivision.
4. This right when combined with the domestic portion of right 47-7520 shall provide no more than 13,000 gallons per day and the irrigation of no more than 1/2 acre on Parcel 2, Lot 14, Salmon River Ranches #1, Subdivision.
5. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review 5 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
6. Point of diversion is located within Parcel 2, Lot 14, Salmon River Ranches #1 Subdivision.
7. Use of water under this right will 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.47-G.

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 47-17637

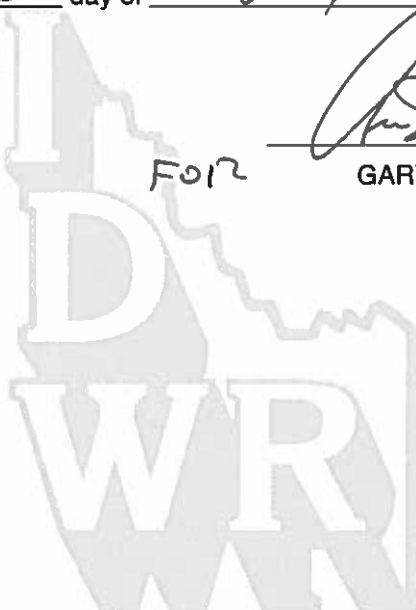
8. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
9. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 20th day of July, 20 15.

For



GARY SPACKMAN, Director



State of Idaho
Department of Water Resources

Attachment To Permit to Appropriate Water

47-17637

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.

14E



-  Taxlots
-  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, 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

July 21, 2015

JEFF HINES
1926 TEAL LN
BOISE ID 83706

RE: Permit No. 47-17637

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 note that the permit is approved for use **ONLY** on Parcel 2 – the existing house site - and may be used indoors or outside as needed. This limitation was applied pursuant to restrictions specified in the Eastern Snake Plain Moratorium Order, dated 1993, preventing approval of appropriations for multiple domestic uses from surface water sources without mitigation. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

Separate applications to appropriate water for Parcels 3 and 4 may be made at your convenience, provided they conform to Idaho Statutes and exemption criteria contained in the Eastern Snake Plain Moratorium Order.

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 "Allen Merritt". The signature is stylized with a large, sweeping initial "A" and a cursive "Merritt".

Allen Merritt
Southern Region Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2015 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. 47-17637

**JEFF HINES
1926 TEAL LN
BOISE ID 83706**

A handwritten signature in cursive script, reading "Denise Maline", is written over a horizontal line.

**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.



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

July 21, 2015

CHARLES RUNYON
WATER DISTRICT #47G
716B E 4900 N
BUHL, ID 83316

Re: **APPROVED Permit No. 47-17637 (Jeff Hines)**

Dear Mr. Runyon:

For your information and records, we have enclosed a copy of an APPROVED Application for Permit within your District.

If you have any questions, please contact this office, or the applicant.

Sincerely,

A handwritten signature in black ink that reads "Denise Maline". The signature is written in a cursive, flowing style.

Denise Maline
Administrative Assistant

Enclosure

*** Proof of Publication ***

RECEIVED

JUL 02 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

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

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

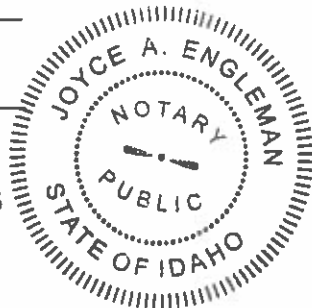
ORDER NUMBER 1982

Ruby Aufderheide
(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 25th day of June in the year of 2015 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.

Joyce A. Engleman
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 6/8/19



PUBLISHED ON: 06/18/2015, 06/25/2015

TOTAL AD COST: 471.69

FILED ON: 6/25/2015

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

✓
1-10631
FAULKNER BROTHERS HYDRO INC 1997 S 1875 E GOODING, ID 83330. Point of Diversion L5(SWNW) S28 T10S R21E JEROME County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: POWER
04/01 to 10/31 50 CFS
Total Diversion: 50 CFS
Date Filed: 1/12/2015
Place Of Use: POWER
T05S R12E S34 NWNW

Application authorizes existing hydroelectric generating capacity and does not propose increase or modification of existing system of diversion, conveyance or use under terms of present agreements. Published in Times News, Idaho Statesman, Post Register & Lewiston Tribune.

✓
37-22920
FAULKNER BROTHERS HYDRO INC 1997 S 1875 E GOODING, ID 83330

Point of Diversion SESW S22 T05S R14E GOODING County Source BIG WOOD RIVER Tributary MALAD RIVER
Point of Diversion SWNE S6 T06S R15E GOODING County Source LITTLE WOOD RIVER Tributary MALAD RIVER
Point of Diversion L5(SWNW) S28 T10S R21E JEROME County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: POWER 04/01 to 10/31 50 CFS
Use: POWER 11/01 to 03/31 35 CFS
Total Diversion: 50 CFS
Date Filed: 1/12/2015
Place Of Use: POWER
T05S R12E S34 NWNW

Application authorizes existing hydroelectric generating capacity and does not propose increase or modification of existing system of diversion, conveyance or use under terms of present agreements. Published in Times News, Idaho Statesman, Post Register & Lewiston Tribune.

✓
37-22926
BLACK CANYON BLISS LLC
615 E 300 N RUPERT, ID 83350

Point of Diversion L7(ENE) S18 T06S R13E GOODING County Source UNNAMED STREAM Tributary SNAKE RIVER

Use: POWER 01/01 to 12/31 5 CFS
Total Diversion: 5 CFS
Date Filed: 3/5/2015
Place Of Use: POWER
T06S R13E S18 L7(NENE) L7(NWNE)

Application is for an existing small power generating facility.

✓ OK DM 7/6/2015



✓ 45-14470

ALBION HERITAGE GROUP LLC

214 WATER TOWER CIR ALBION, ID 83311

Point of Diversion SWNWNE S12 T12S R24E CASSIA County

Source MARSH CREEK Tributary SNAKE RIVER

Use: DIVERSION TO STORAGE 11/01 to 03/31 2 CFS

Use: GROUND WATER RECHARGE FROM STORAGE 01/01 to 12/31 200 AF

Use: GROUND WATER RECHARGE STORAGE 01/01 to 12/31 200 AF

Total Diversion: 2 CFS

Date Filed: 5/18/2015

Place Of Use: GROUND WATER RECHARGE STORAGE,

GROUND WATER RECHARGE FROM STORAGE

T12S R25E S6 L4(NWNW)

Application filed to divert up to 2.0 cfs of water from Marsh Creek from 11/1 to 3/31 at a point located approximately 1.0 mile south and 0.8 mile west of Albion for Groundwater Recharge Storage and Groundwater Recharge from Storage Uses associated with two ponds to be excavated near the northwest edge of Albion.

✓ 47-17637

JEFF HINES

1926 TEAL LN BOISE, ID 83706

Point of Diversion SWNWSE S30 T08S R14E TWIN FALLS

County Source SALMON FALLS CREEK Tributary SNAKE RIVER

Use: DOMESTIC 01/01 to 12/31 0.12 CFS

Total Diversion: 0.12 CFS

Date Filed: 6/4/2015

Place Of Use: DOMESTIC

T08S R14E S30 NWSE

Application for permit proposes the diversion of 0.12 cfs from Salmon Falls Creek for domestic use to allow for domestic irrigation on three separate parcels to augment current domestic water right 45-7520 which provides each parcel domestic in-house use only. Point of Diversion and place of use are located approximately 2 miles east and 7.8 miles south of the city center of Hagerman.

✓ **NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

TRANSFER NO. 80092

FED AGRIBUSINESS LLC and TUGAW RANCHES LLC, 568

W 1650 S, OAKLEY, ID 83346; has filed Application No. 80092

for changes to the following water rights within CASSIA, TWIN

FALLS County(s): Right No(s). 45-10158, 45-10164, 45-12757,

45-2057, 45-2283, 45-2321, 45-2322, 45-2338, 45-2374,

45-2380, 45-2381, 45-2384, 45-2575, 45-2589, 45-2596,

45-2626, 45-2715, 45-4212, 45-4239, 45-7156, 45-7201,

45-7456. The purpose of the transfer is to change a portion of

the above rights as follows: Application proposes changing the

authorized point of diversion locations for three ground water

irrigation rights that authorize the total diversion of 4.24 cfs from

two wells on a farm located approximately 8.5 to 9.0 miles north

and 7.0 to 8.0 miles west of Oakley. The transfer will identify

three existing wells on a nearby farm located approximately 9.0

to 10.0 miles north and 8.85 to 9.3 miles west of Oakley as

authorized points of diversion for the three ground water

irrigation rights. The transfer will also change the place of use

of 22 rights by creating a 3,101 acre permissible place of use

consisting of lands owned by Fed Agribusiness LLC and Tugaw

Ranches LLC. In total, the 22 rights will divert up to 44.58 cfs

from groundwater, Mountain Meadow Creek, Robber Gulch

Creek, and Buckhorn Creek sources for irrigation of up to 3,101

acres.

✓ **NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

TRANSFER NO. 80116

PKD PROPERTIES LC and TLD PROPERTIES LLC, 1404 E

500 N, JACKSON, ID 83350; has filed Application No. 80116

for changes to the following water rights within CASSIA

County(s): Right No(s). 45-7182. The purpose of the transfer is

to change a portion of the above rights as follows: Application

proposes to change a 317 acre portion of the place of use of a

groundwater irrigation right from a farm located approximately

10.0 to 10.5 miles north and 7.5 to 8.5 miles west of Oakley to a

farm located approximately 8.5 to 9.0 miles north and 7.0 to 8.0

miles west of Oakley. The application proposes to continue to

use an existing well located approximately 8.0 miles north and

8.0 miles west of Oakley and to add another existing well

located approximately 8.75 miles north and 7.5 miles west of

Oakley to divert up to 6.4 cfs for irrigation use.

✓ **NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

TRANSFER NO. 80137

EVARD LLC, 872 E PEBBLE DR, BURLEY, ID 83318; has filed

Application No. 80137 for changes to the following water rights

within CASSIA County(s): Right No(s). 43-13741. The purpose

of the transfer is to change a portion of the above rights as

follows: Application proposes adding a new well to be drilled as

an authorized point of diversion for an irrigation groundwater

right appurtenant to a farm located approximately 17.75 to 19.5

miles north and 7.9 to 9.9 miles east of Malta. Three existing

irrigation wells and the new well to be drilled (all located on the

farm) will be utilized to divert up to 17.02 cfs for the irrigation of

1437.0 acres on the farm. Published in Times News, Idaho

Statesman, Post Register & Lewiston Tribune.

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 &/or proposed transfer, please see [www.idwr.idaho.gov](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx)

/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx For

additional information on new permits, please see [www.idwr.idaho.gov](http://www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings)

WaterManagement/WaterRights/#NewListings. Pro-

tests 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 July 6, 2015. The protestant must

also send a copy of the protest to the applicant GARY

SPACKMAN, Director

Published on June 18th & 25th, 2015

✓ OK DM 7/6/2015