

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 37-22880

Priority: June 23, 2014

Maximum Diversion Rate: 0.02 CFS

This is to certify, that MARIANNE KRAMER And JIMMY D KRAMER
478 E 400 S
FAIRFIELD ID 83327

have applied for a permit to appropriate water from:

Source: GROUND WATER

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>
STOCKWATER	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE1/4NW1/4	Sec. 9, Twp 02S, Rge 15E, B.M.
CAMAS County		

PLACE OF USE: STOCKWATER

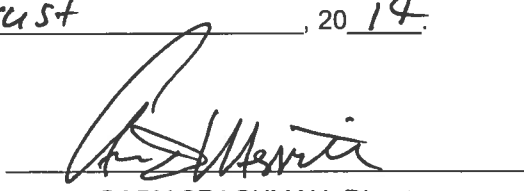
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 15E 9					X	X		X	X	X	X				X	X	

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2015**.
2. Subject to all prior water rights.
3. The quantity of water under this right shall not exceed 13,000 gallons per day.
4. Stockwater use is for 25 range cattle.
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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 28th day of August, 20 14.

FOI2

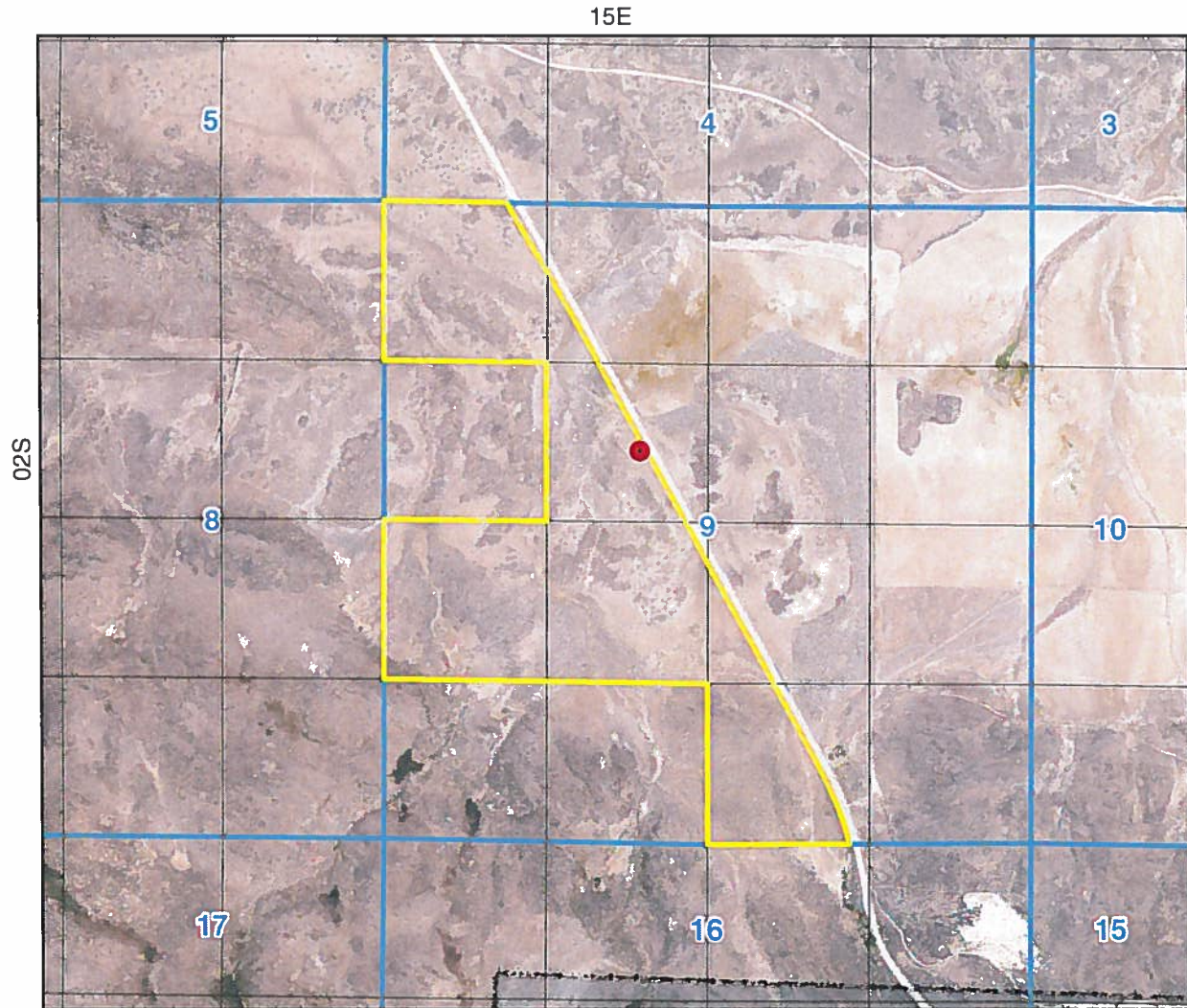

GARY SPACKMAN, Director

State of Idaho
Department of Water Resources

Attachment To Permit to Appropriate Water

37-22880

This map depicts the STOCKWATER 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
- Quarter Quarters

0 0.175 0.35 0.7 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

August 29, 2014

JIMMY D KRAMER
MARIANNE KRAMER
478 E 400 S
FAIRFIELD ID 83327

RE: Permit No. 37-22880 & 37-22881

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.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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 August 29, 2014 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.

37-22880 & 37-22881

**JIMMY D KRAMER
MARIANNE KRAMER
478 E 400 S
FAIRFIELD ID 83327**

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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 29, 2014

RUSTY KRAMER WATERMASTER
WATER DISTRICT # 37-B
PO BOX 591
FAIRFIELD, ID 83327

Re: **APPROVED Permit No(s). 37-22880 & 37-22881 (Jimmy D & Marianne Kramer)**

Dear Mr. Kramer:

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

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

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

Enclosure

AUG 18 2014

DEPT OF WATER RESOURCES
SOUTHERN REGIONAFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

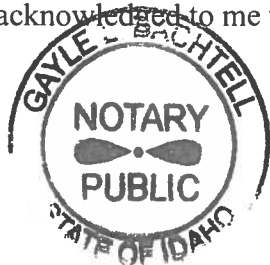
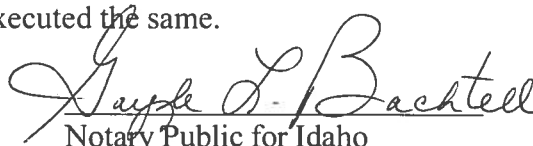
ss.

County of Camas)

Edward Reagan being first duly sworn, deposes and says that he/she is the designated agent for the publisher of The Camas Courier, a newspaper published every week in Fairfield, County of Camas, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145, that the annexed advertisement, a copy of which is hereto attached, was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 2nd day of July, 2014, and the date of the last publication was on the 9th day of July, 2014.



On this 15th day of August, in the year of 2014 before me,
a Notary Public, personally appeared Edward Reagan,
known or identified to me to be the person whose name subscribed to the within
instrument, and being by me first duly sworn, declared that the statements therein
are true, and acknowledged to me that he/she executed the same.

Notary Public for Idaho

Residing in Fairfield

My commission expires: 10-19-2017

✓ OK
DM 8/19/2014

Cost of Publication

Number of lines in notice 94
Number of runs 2

Cost for advertisement: First run \$ 75.20
Additional runs \$ 65.80
Total Cost \$ 141.00

Legal ad rates:

1st or single run - \$ 0.80 pcl
Additional run - \$0.70 pcl
(pcl - per column line)

Mail payment to:

THE CAMAS COURIER
Post Office Box 339
Fairfield, Idaho 83327



LEGAL NOTICES ~ LEGAL NOTICES ~ LEGAL NOTICES ~ LEGAL NOTICES ~ LEGAL NOTICES ~ LEGAL NOTICES

Richfield District Library Budget Hearing

On July 10th, 2014 at 6:55 PM the Richfield District Library will hold a budget hearing at 105 South Main Street for the purpose of setting a budget for the 2014-2015 fiscal year.

EXPENDITURES:	Salaries:	\$13,950
	Operations:	\$ 9,847
	Utilities:	\$ 3,450
	Total Budget:	\$27,247
REVENUE:	Taxes:	\$20,350
	Donations, Fines, Sales:	\$ 4,750
	Carryover:	\$ 2,147
	Total Revenue:	\$27,247

Advertisement for Bids

Owner: City of Fairfield, Idaho
Address: 407 Soldier Road
PO Box 336
Fairfield, ID 83327

Separate sealed Bids for the construction of the City of Fairfield.

FAIRFIELD WATER IMPROVEMENTS PHASE III

The construction of a 256,000 gallon bolted steel potable water storage tank and booster station building, the installation of a well pump, site piping, a 7-pump booster package, chlorination equipment, backup generator and all appurtenances.

will be received by: **The Fairfield City Clerk**
at the office of: **City of Fairfield** (see address above)
until **July 9, 2014 at 2:00 pm**, and then at said office publicly opened and read aloud.

A pre-bid tour will be held **June 26, 2014**, at 2:00 p.m. at the office of City of Fairfield. A copy of the 2012 Idaho Standards for Public Works Construction (ISPMC) will be required for bidding and construction purposes.

The Contract Documents may be examined at the following locations:

- City of Fairfield Municipal Offices, Fairfield, Idaho
- Idaho Association of General Contractors Plan Room, Boise, Idaho
- Idaho Association of General Contractors Plan Room, Twin Falls, Idaho

Copies of the Contract Documents may be obtained at the following location:

Project Engineering Consultants, Ltd
986 West 9000 South
West Jordan, UT 84088
(801) 495-4240

upon payment of **\$150** (check or exact cash only) for each set.

published on 6/18, 6/25 & 7/2, 2014

Do you have a subscription?

1 Yr - \$20.00....2 Yr - \$34.00

Make checks out to:

the Courier NEWS

P.O. Box 339 - Fairfield, Idaho 83327



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

37-22880 ✓

JIMMY D KRAMER
MARIANNE KRAMER
478 E 400 S
FAIRFIELD, ID 83327

Point of Diversion: SENW S9 T02S R15E CAMAS County

Source: GROUND WATER Tributary

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 6/23/2014

Place of Use: STOCKWATER

T02S R15E S9 NENW NWNW SENW NESW NWSW NWSE SWSE

Application for permit proposes the diversion of 0.02 cfs of ground water for stockwater use from an existing well located 5.2 miles east and 5.4 miles south of the intersection of Hwy 20 and Soldier Rd in Fairfield.

37-22881 ✓

JIMMY D KRAMER
MARIANNE KRAMER
478 E 400 S
FAIRFIELD, ID 83327

Point of Diversion: SENW S15 T02S R15E CAMAS County

Source: GROUND WATER Tributary

Point of Diversion: SWSE S15 T02S R15E CAMAS County

Source: GROUND WATER Tributary

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

Total Diversion: 0.04 CFS

Date Filed: 6/23/2014

Place Of Use: STOCKWATER

T02S R15E S14 SWSW

T02S R15E S15 NE (ALL) NENW NWNW SENW NESW SESW SE (ALL)

T02S R15E S22 NE (ALL) NW (ALL) NESW NWSW NESE NWSE

T02S R15E S23 NWNW SWNW NWSW

Application for permit proposes the diversion of 0.04 cfs of ground water for stockwater use from two existing wells. One well is located approximately 6.2 miles east and 6.3 miles south and the other is located 6.5 miles east and 7.0 miles south of the intersection of Hwy 20 and Soldier Rd in Fairfield.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the right(s), please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application 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 21, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

published on July 2nd & 9th, 2014

Send your News & Articles to
News4u@gmx.com or call 764-3322

✓ OK DM 8/19/2014

State of Idaho
Department of Water Resources
Application for Permit
RECOMMENDATION FORM

RECEIVED
JUL 02 2014
DEPT OF WATER RESOURCES
SOUTHERN REGION

Application No.: 37-22880

Applicant's Name: JIMMY D KRAMER
MARIANNE KRAMER
478 E 400 S
FAIRFIELD, ID 83327

Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional comments:

Dated this 30 day of June, 2014

Water District No. 37-B


Watermaster's Signature

Rusty Kramer
Printed Name