State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 61-07751

Proposed Priority: March 9, 1999 Maximum Diversion Rate: 0.075 CFS

This is to certify, that **RICKI HOLDEN**
670 S 36TH W
MOUNTAIN HOME ID 85647
has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
DOMESTIC	01/01 to 12/31	0.075 CFS

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 33, Township 03S, Range 06E
ELMORE County

PLACE OF USE: DOMESTIC

TWN	RGE	SEC	
03S	06E	33	SENE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 2004.**
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 permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. 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 needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary 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.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
7. Approval of this right is authorized in conjunction with the drilling of one domestic well. No other wells will be drilled on the place of use identified above.

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State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 61-07751

CONDITIONS OF APPROVAL AND REMARKS

8. Prior to diversion of water under this right, the right holder shall permanently install and maintain a measuring device capable of recording flow and volume of a type acceptable to the Department.
9. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
10. Domestic use is for 2 duplexes.
11. Point of diversion and place of use are located within Lot 17, Blk. 1, Airport Subdivision.

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

13th day of August, 1999.

for Karl J. Dreher, Director

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SEP 30 1999

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AUG 0 4 1999

Department of Water Resources

Ident. No. **61-07751**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: RICKI HOLDEN 208-587-0609
   Address: 670 S 36TH W
   MOUNTAIN HOME ID 85647

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SENE Sec. 33, Township 03S, Range 06E
   ELMORE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
DOMESTIC	01/01	12/31	~~0.150~~ *0.08 cfs *sc 8/9/99 per protest agreement		

5. Total quantity to be appropriated is: ~~0.150~~ *0.08 CFS (and/or) AF

6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc.
      SUBMERSIBLE PUMP & 8" DIA. WELL 550 FT. DEEP
   b. Height of storage dam feet; active reservoir capacity
      acre-feet; total reservoir capacity acre-feet; period of
      year when water will be diverted to storage: to inclusive.
   c. Proposed well diameter is 8 inches; proposed depth of well is 550
      feet.
   d. Is groundwater with a temperature greater than 85F being sought? NO
   e. If well is already drilled, when?
      Drilling Firm
      Well was drilled for

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8. Place of Use: DOMESTIC

TWN	RGE	SEC	
03S	06E	33	SENE

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Use ORiginal FOR VERIFICATION ONLY!

DAN. 3-29-99

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9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

10. Remarks:
Domestic use is for a community well for 4 duplexes and yards in airport subdivision.

11. Map of proposed point of diversion and place of use attached? [X]

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

See Original FOR SIGNATURE
Applicant

BY DAN FOR
Received by D.I. Date 3.9.99 Time 10:50 Preliminary check by DAN

Fee $ 50.00 Receipted by BY DAN FOR D.I. #W024866 Date 3/ 9/1999

Publication prepared by ST Date 3-31-99 Published in Mtn Home News 4-7 & 14-99

Publication approved ST Date 4-26-99

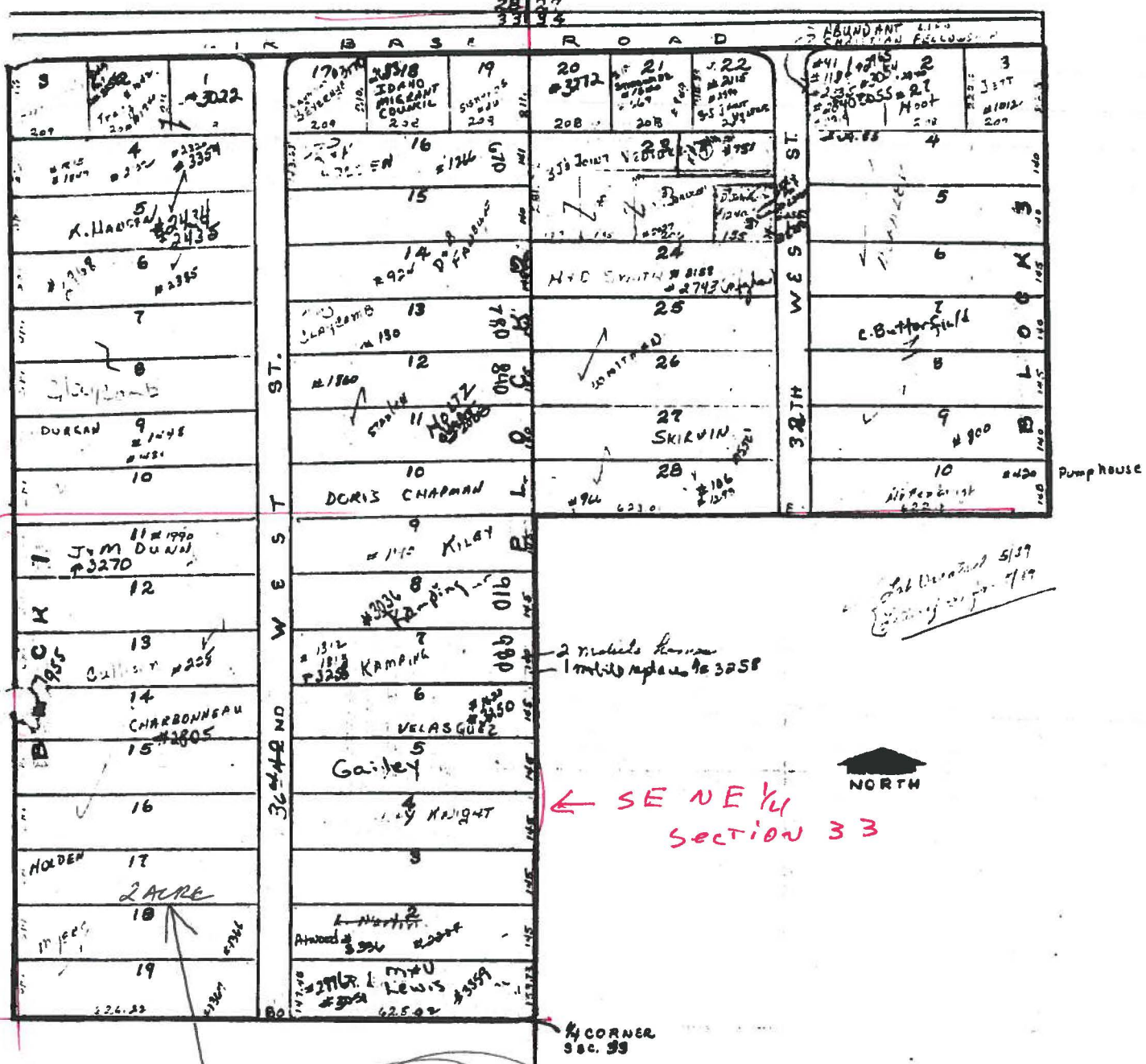
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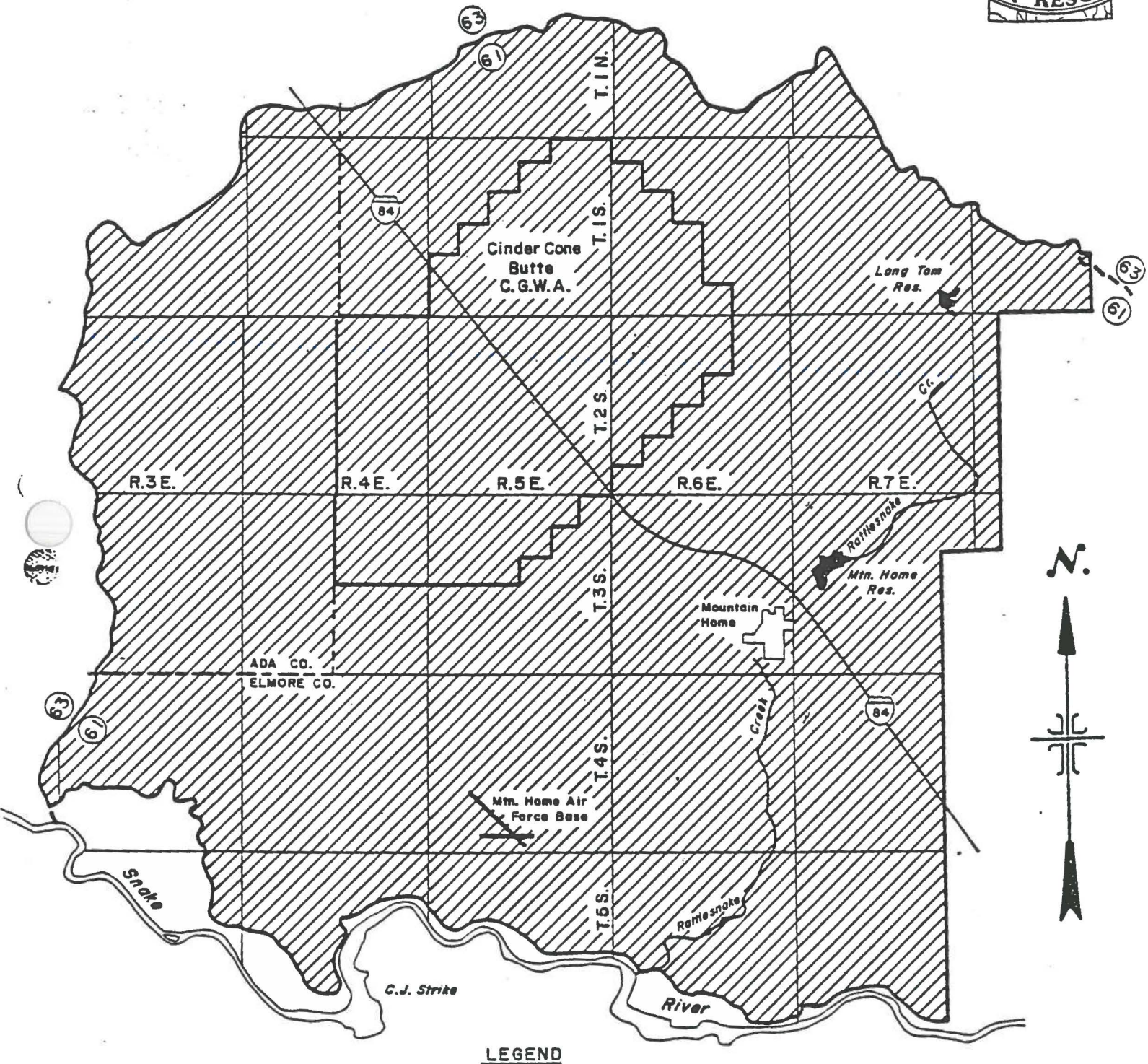
33 T3S R. 6E

AIRPORT HAZARD ZONE

NO Scale

AIRPORT SUBDIVISION





DEPARTMENT OF WATER RESOURCES

MICROFILMED SEP 30 1999

MOUNTAIN HOME GROUNDWATER MANAGEMENT AREA

(Designated Nov. 9, 1982)

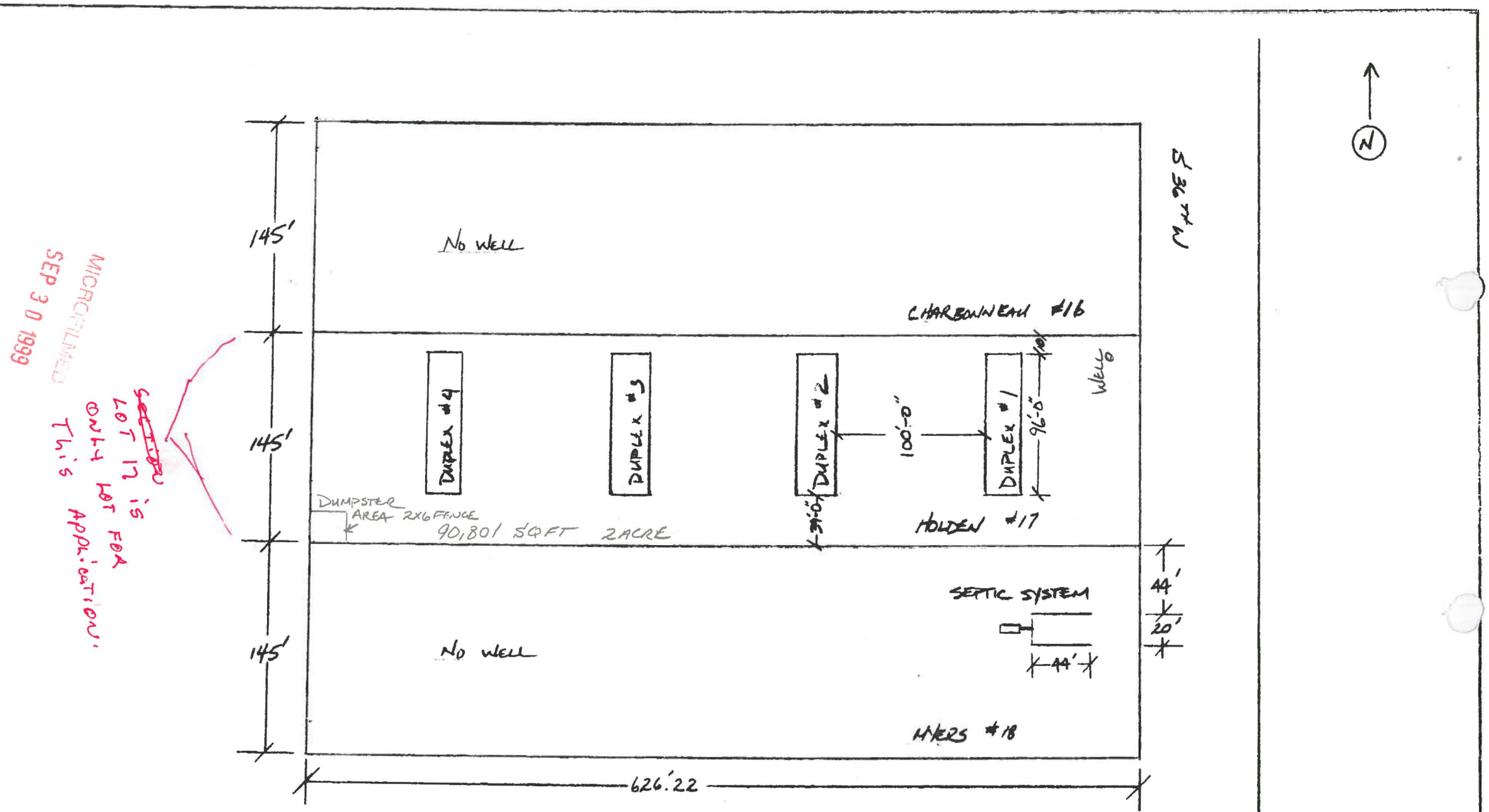
Ident. No. 61-07751

Comments: Date: 3/29/1999 User-ID: DNELSON

Subject: ADDITIONAL INFORMATION

This application is for a community well for 4 duplexes. IDWR review showed no overlapping water rights.

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~~SECTION~~ LOT 17 IS ONLY LOT FOR THIS APPLICATION.

NAME - RKK HOLDEN	PROJECT - DUPLEX	LOCATION - 36TH ST NT HOME	DATE - FEB 99	SCALE - 1/8" = 10'	PAGE 30F

MEMORANDUM

TO: APPLICATION FOR PERMIT FILE

FROM: DANIEL A. NELSON - WATER RIGHT AGENT

DATE: 3/29/1999

SUBJECT: APPLICATION TO DIVERT GROUNDWATER FOR COMMUNITY SYSTEM

This application is associated with only lot # 17 of the Airport subdivision in Mountain Home, Idaho. This lot is approximately 2.1 acres of ground and is to serve 4 individual duplexes. IDWR standards allow inhouse use and 1/2 acre of irrigation per building for a community well. The water right holder is allowed .13 cfs for in house use and .03 cfs/acre for irrigation allowing .06 cfs total for irrigation and a total maximum of .19 cfs for this application. There are a 4 buildings associated with this place of use which allows the full 2 acres to be irrigated if necessary. The applicant applied for .15 cfs which is well below the .19 cfs allowable for a community system. Therefore, this application can be processed as a community well.

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INTERNAL USE

MAXIMUM INSTANTANEOUS WATER REQUIREMENTS FOR * DOMESTIC USE

Houses Served	Rate of Flow (cfs)
1	.04
2	.06
3	.08
4	.10
5	.11
6	.11
7	.12
8	.13
9	.14
10	.15
15	.18
20	.20
30	.25
40	.30
50	.33

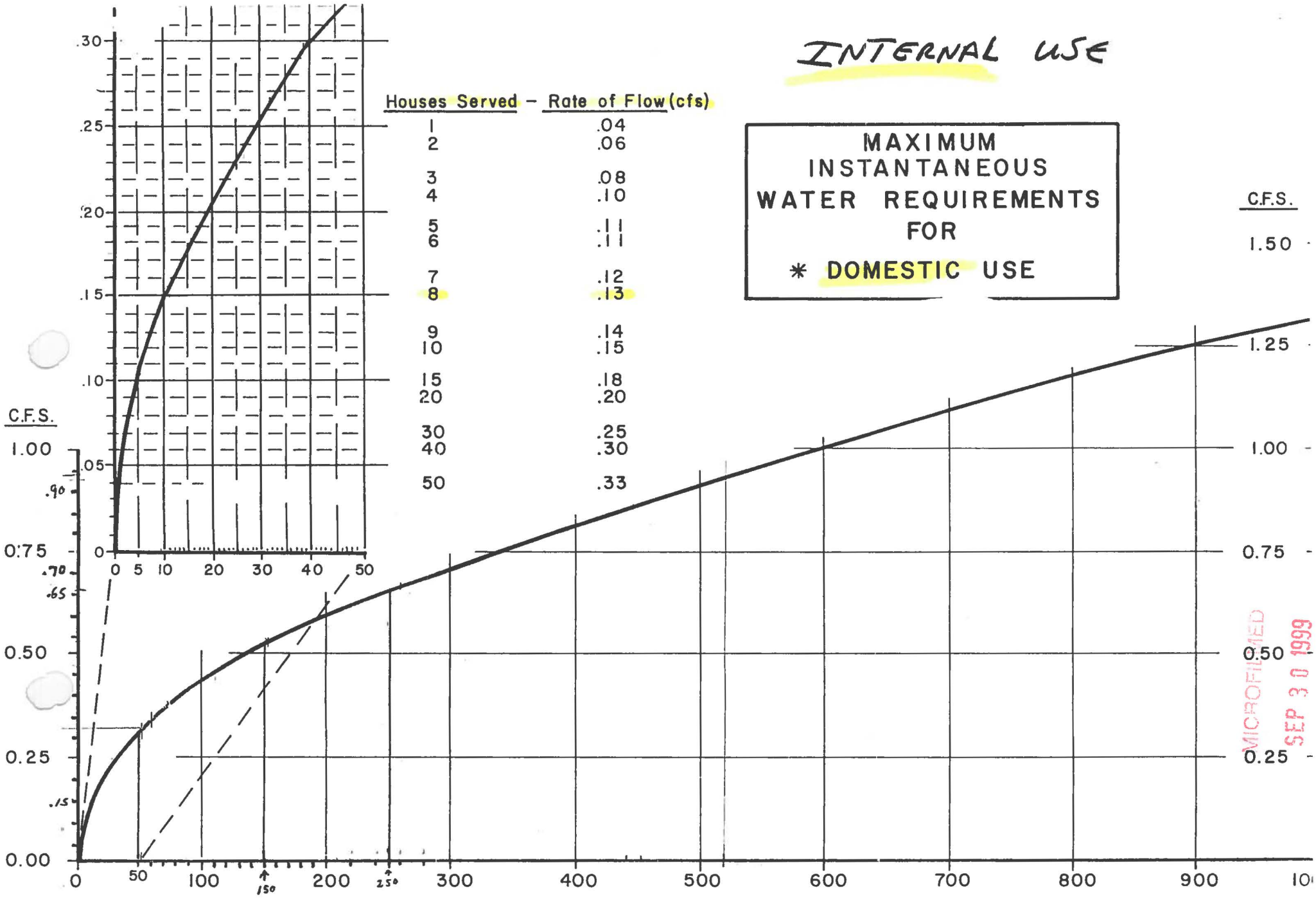


FIG. 1.

* (From Community Water Systems Source Book, J. Ameen, 1977, Technical Proceedings, North Carolina.)

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DEPARTMENT OF WATER RESOURCES

FORM 202
2/96

Ident. No. 61-07751

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MAR 0 9 1999
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

See computer generated copy for processing. Use this copy for umbrella

(Ricki Holden per telephone conversation on 3-29-99. DAN 3-29-99)

1. Name of Applicant Rick Holden * Phone 208-587-0609
   Mailing address 670 S 3rd W MT Home ID. 83647
2. * Source of water supply ~~UNNAMED STREAM~~ GROUND WATER which is a tributary of N/A
3. * Location of point of diversion is Township 03S Range 06E Sec. 33, in the — 1/4, SE 1/4, NE 1/4, Govt. Lot _____, B.M., ELMORE County; additional points of diversion if any: _____
4. * Water will be used for the following purposes:

Amount ~~.13~~ .15 (cfs or acre-feet per annum)	for Domestic	purposes from 01/01	to 12/31	(both dates inclusive)
Amount ~~.02~~ (cfs or acre-feet per annum)	for ~~Irrigation~~	purposes from ~~03/15~~	to ~~10/15~~	(both dates inclusive)
Amount _____ (cfs or acre-feet per annum)	for _____	purposes from _____	to _____	(both dates inclusive)
Amount _____ (cfs or acre-feet per annum)	for _____	purposes from _____	to _____	(both dates inclusive)
Amount _____ (cfs or acre-feet per annum)	for _____	purposes from _____	to _____	(both dates inclusive)
Amount _____ (cfs or acre-feet per annum)	for _____	purposes from _____	to _____	(both dates inclusive)

5. Total quantity to be appropriated is (a) .15 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
   a. Describe type and size of devices used to divert water from the source Submersable Pump + Well 8" DIA well 550'
   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
   c. Proposed well diameter is 8" inches; proposed depth of well is 550' feet
   d. Is ground water with a temperature of greater than 85°F being sought? ~~N/A~~ NO
   e. If well is already drilled, when? N/A; Drilling firm Hiddleston; Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (*minimum 1 year*)
8. Description of proposed uses (*if irrigation only, go to item 9*):
   a. Hydropower; show total feet of head and proposed capacity in KW. N/A
   b. Stockwatering; list number and kind of livestock. N/A
   c. Municipal; show name of municipality. N/A
   * d. Domestic; show number of households. 8 units 4 ~~Dom~~ Buildings
   e. Other; describe fully. N/A

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* Correction was made to source this application is for a well, Legal Description was added for maps. ~~IDWR~~ IDWR Standards do not seperate Domestic & irrigation for a community well if irrigation is less than ~~Dom~~ Buildings added the number of Buildings to 8D per map.

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	06E	33				O													

LOT 17 BLOCK 1 AIRPORT SUB ELMORE COUNTY

.13 DOMESTIC .02 IRRIGATION

Total number of acres to be irrigated ~~50~~

N/A FOR DOMESTIC USE DAN 3/29/

10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? Rick Horow

b. Who owns the land to be irrigated or place of use? Rick Horow

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

12. Remarks: ~~DOMESTIC USE IS FOR 4 DUPLEXES AND YARDS. IRR~~

DOMESTIC USE IS FOR A COMMUNITY WELL FOR 4 DUPLEXES AND 4 YARDS IN AIRPORT SUBDIVISION. DAN 3-29-99

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

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SEP 30 1999

Signature of Applicant (and title, if applicable)

Received by [illegible] Date 3-9-99 Time 10:50 Preliminary check by DAN

Fee $ 50 Receipted by [illegible] # W024866 Date 3-9-99

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

RECEIVED

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 13, 1999

RICKI HOLDEN
670 S 36TH W
MOUNTAIN HOME ID 85647

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 61-07751

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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.

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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater 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 change of mailing address to the department within 120 days of the change. Failure

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SEP 30 1999

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 reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

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CERTIFICATE OF MAILING

I hereby certify that on the **13th** day of **August, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

Water Right No. 61-07751

RICKI HOLDEN
670 S 36TH W
MOUNTAIN HOME ID 85647

Kari Lynn Townsend
Secretary

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SEP 30 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the order. 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

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CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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 issuance 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.

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JUN 10 1999

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AUG 0 4 1999

Department of Water Resources

MEMORANDUM

To: File no. 61-07751 in the name of Rick Holden
From: Gary Spackman
Date: July 30, 1999

Re: Recommended Conditions of Approval

At the hearing for protests against application no. 61-07751, the protestants withdrew their protests after Holden agreed to conditions of approval that would be placed on his water right. The signed agreement is in the file. I recommend the following conditions of approval:

1. One domestic well will be drilled under this right.

2. The place of use shall be limited to two duplexes (six total bedrooms).

3. The total use of water for the two duplexes shall be limited to 0.075 cfs and 13,000 gpm.

4. No additional wells will be drilled on the place of use.

5. Prior to diversion of water under this right, a measuring device capable of recording flow and volume of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

6. (043)

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State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise. Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

August 2, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BILL &/OR JACQUELINE MADDEN
825 S 38TH W
MOUNTAIN HOME ID 83647

Re: Application for Permit No. 61-07751 in the Name of the Rick Holden

Dear Protestant:

This letter is to acknowledge the withdrawal of protest of the above referenced application for permit.

The department will now continue to process this application, subject to certain conditions of approval.

If you have any questions please call this office.

Sincerely,

Gary Spackman

Gary Spackman

GS:st

CC: Applicant

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SEP 30 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 61-07751 IN THE NAME OF RICKY HOLDEN	))))	AGREEMENT AND WITHDRAWAL OF PROTEST

The parties to the above titled matter have negotiated a settlement to the above as follows:

1. The protestants agree to withdraw their protests.

2. One domestic well will be drilled supplying not more than 0.075 cfs and not exceeding 13,000 gallons per day for two duplexes (six bedrooms in all).

3. No additional wells will be drilled on the Holden property.

4. Holden will install a flow and volume meter to measure water diverted from the well.

Dated this 23rd day of July, 1999.

Ricky Holden, Applicant

Jacqueline Madden & Bill M. Madden

Jacqueline & Bill Madden, Protestants

Marilyn Ramirez

Marilyn Ramirez, Intervenor

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ROSTER OF ATTENDANCE

IDAHO DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY, BOISE, IDAHO 83705

Re: **Application for Permit No. 61-07751 in the Name of Rick Holden**

Place: **Elmore County Courthouse**

Date: **July 23, 1999**

Conducted by: **Gary Spackman**

NAME	ADDRESS
Jacqueline Madden	825 So. 38th W. Mtn. Home
BILL MADDEN	SAME AS ABOVE
Marilyn Ramirez	509 W 3rd N Mt. Home
Rick Holden	670 S 36TH W MT HOME
Mark S Hiddleston	Rt 3 Box 670D mtn. Home
Larry H MARTIN	1150 S36W mt Home

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Drilling Permit No. 61-99-W-0046-000

Water Right No. 61-07751

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Rick Holden, Applicant, requests issuance of Drilling Permit prior to approval of a water right. The request is made for the following reason(s):

NEED WATER FOR A MULTIPLE DWELLING DUPLEX PROJECT GOING IN ON 36TH S MOUNTAIN HOME IDAHO.

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

27 JULY 99
Date

Applicant's Signature

OWNER / BUILDER
Applicant's Title

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Protestant A

The proposed use, as set forth in the application and accompanying order, meets all requirements of the Elmore County Development Ordinance at Chapter I, Article XIV, Section [illegible] and therefore should be conditionally approved.

ORDER

Pursuant to **Article XIV** of the Elmore County Zoning and Development Ordinance, the Elmore County Planning and Zoning Commission hereby conditionally approves Ricky Holden's request for a Conditional Use Permit. Ricky Holden is therefore granted approval to develop two (2) duplexes on the aforementioned property. This approval is contingent upon the applicant's compliance with the following **Conditions of Approval:**

1. Each individual rental unit of the duplexes shall have a gable constructed over the entrance door.

2. A centralized trash collection area shall be provided for the development. It shall be enclosed and screened from sight.

3. The backyards of each unit shall be enclosed by a fence.

4. No junked or inoperative vehicles shall be stored on the premises.

5. The applicant is required to receive approval from the Central District Health Department for the septic systems and any other permit the Department may require.

6. The applicant is required to apply for and receive a permit from the Idaho Department to Water Resources to drill and use a water well sufficient to provide domestic water to the two (2) duplexes.

7. The applicant is required to comply with all drawings, specifications, and representations made by him during the application and public hearing process.

8. This conditional use permit may be revoked by the Elmore County Planning and Zoning Commission for violation of any of these conditions of approval.

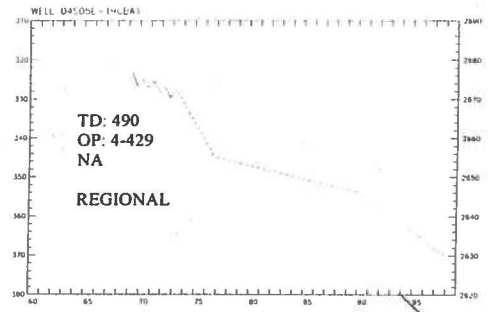
9. Construction shall have begun within 1 year of the effective date of ~~the~~ approval of the CUP.?

APPROVAL OF CONCLUSIONS, FINDINGS AND CONDITIONS

The Elmore County Planning and Zoning Commission hereby adopts and approves the aforementioned Findings of Fact and Conclusions together with the Conditions of Approval and

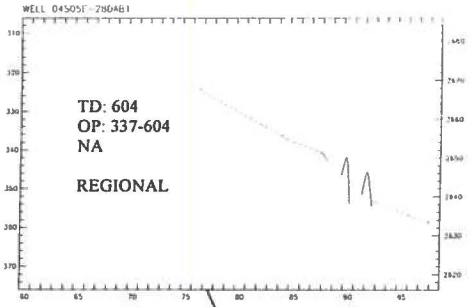
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MOUNTAIN HOME GROUND WATER MANAGEMENT AREA (SOUTH)



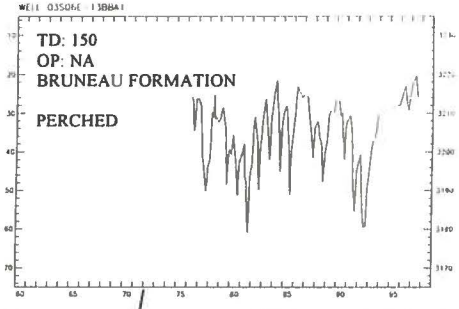
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NA

REGIONAL



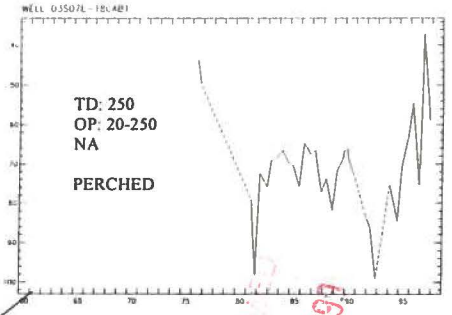
TD: 604
OP: 337-604
NA

REGIONAL



TD: 150
OP: NA
BRUNEAU FORMATION

PERCHED



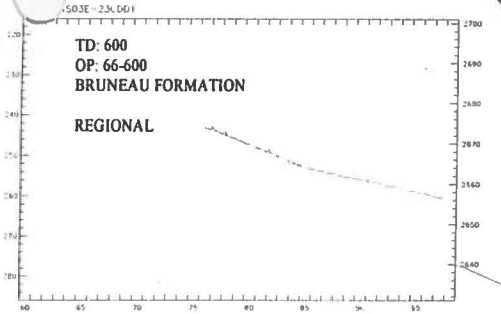
TD: 250
OP: 20-250
NA

PERCHED

LEGEND

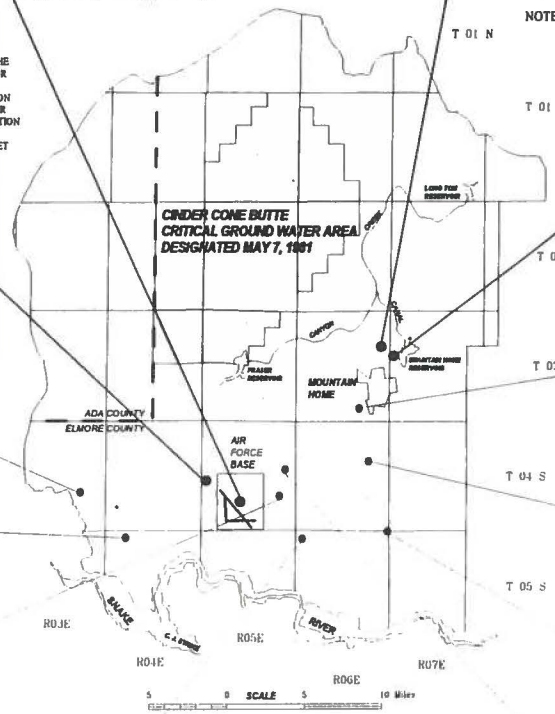
TD: TOTAL DEPTH
OP: INTERVAL AT WHICH THE WELL IS PERFORATED OR OPEN TO THE AQUIFER.
WATER BEARING FORMATION
LEFT SIDE: DEPTH TO WATER
RIGHT SIDE: WATER ELEVATION
BASE: YEAR
ALL MEASUREMENTS IN FEET
CURRENT TO FALL 1997

NOTE: TWO OF THE HYDROGRAPHS ARE FROM THE PERCHED SYSTEM SURROUNDING MOUNTAIN HOME. ALL OTHERS ARE FROM THE REGIONAL SYSTEM.

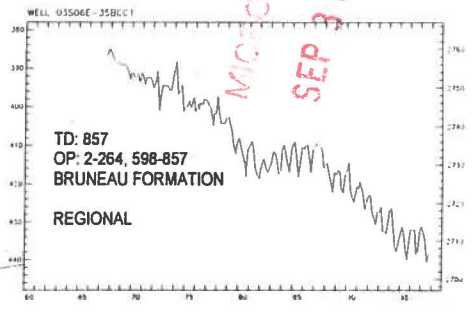


TD: 600
OP: 66-600
BRUNEAU FORMATION

REGIONAL

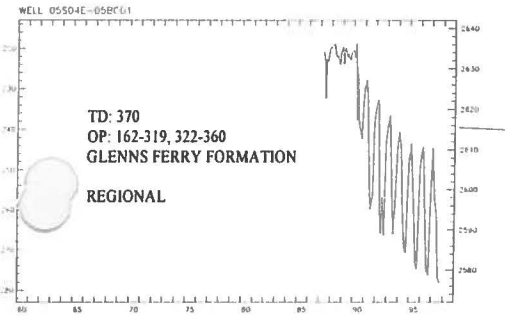


GROUND WATER HYDROGRAPHS



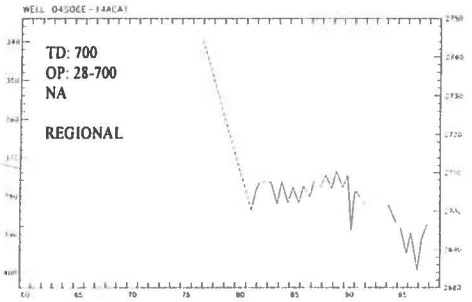
TD: 857
OP: 2-264, 598-857
BRUNEAU FORMATION

REGIONAL



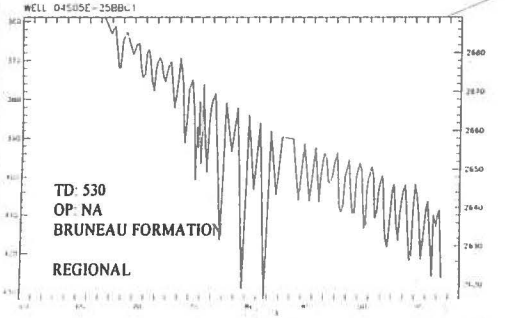
TD: 370
OP: 162-319, 322-360
GLENNS FERRY FORMATION

REGIONAL



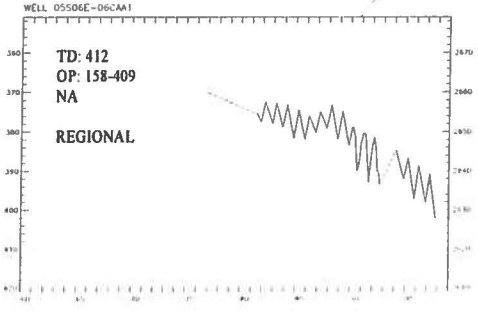
TD: 700
OP: 28-700
NA

REGIONAL



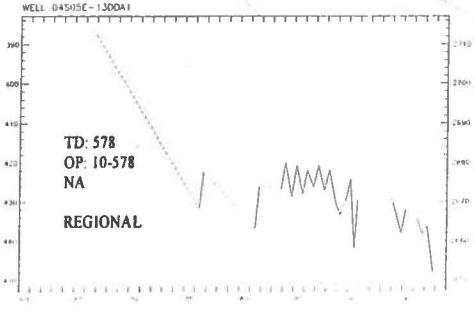
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OP: NA
BRUNEAU FORMATION

REGIONAL



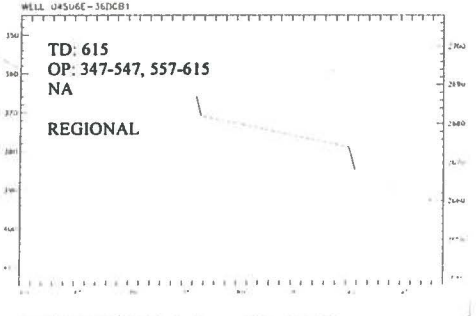
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OP: 158-409
NA

REGIONAL



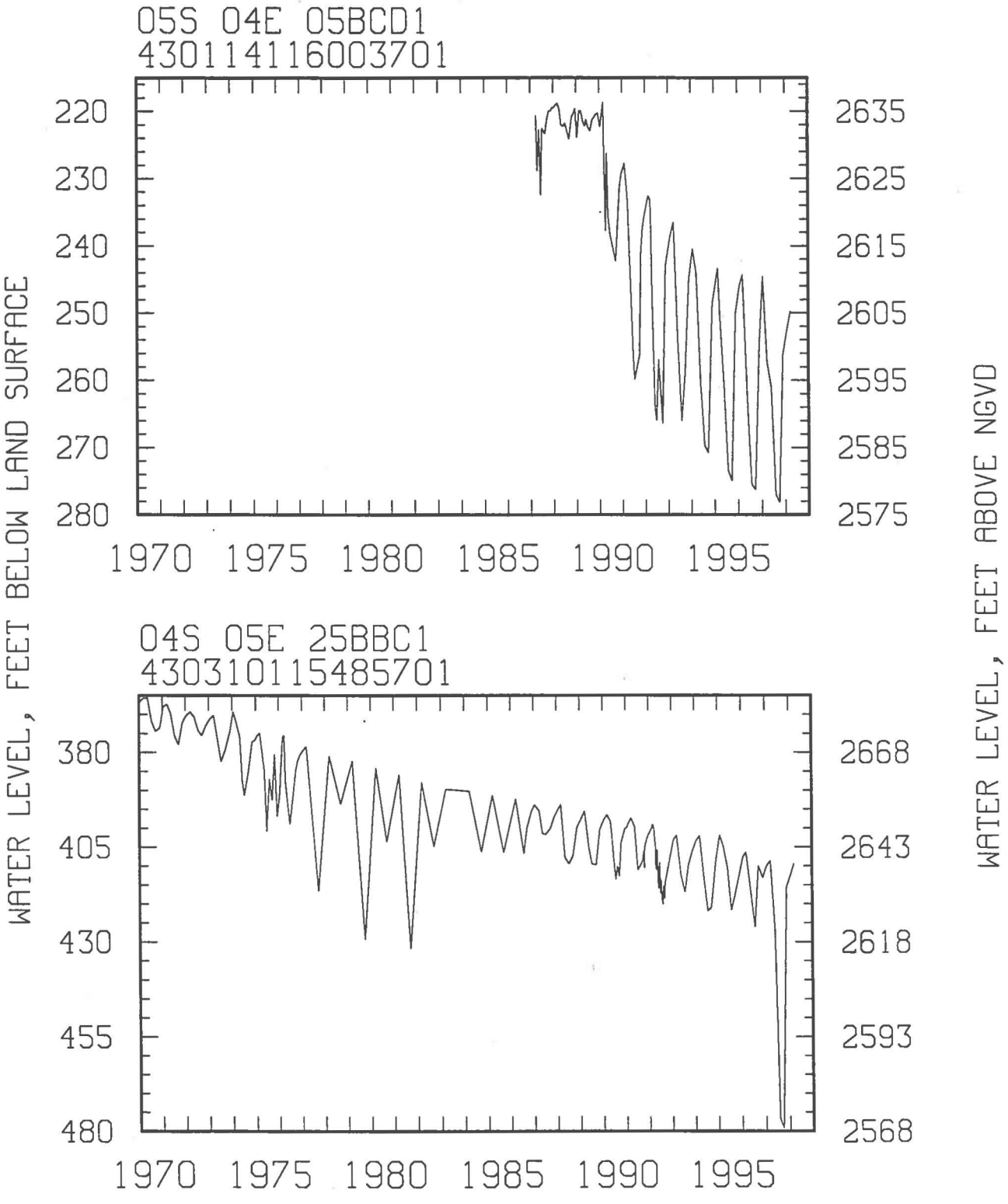
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OP: 10-578
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REGIONAL

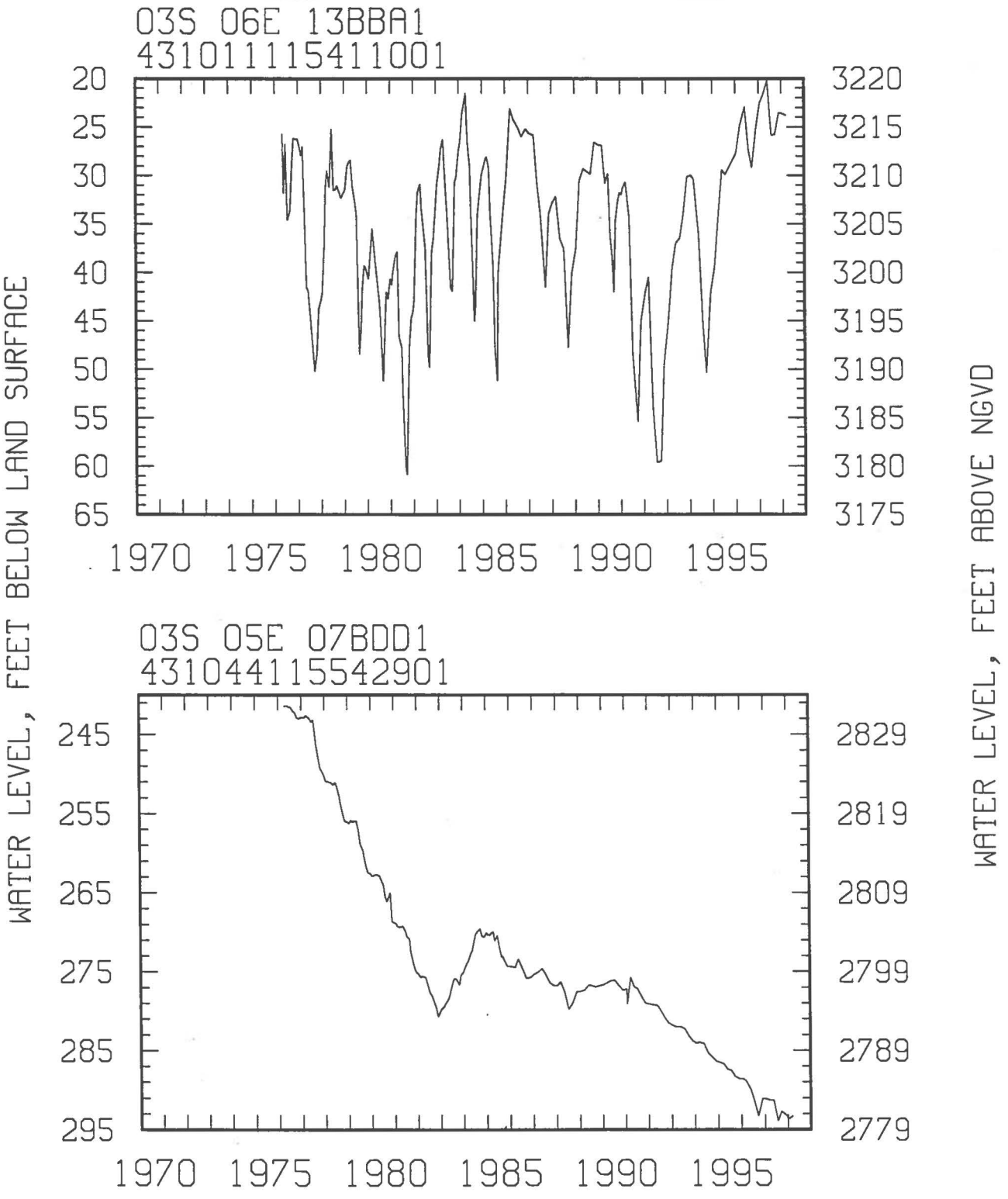


TD: 615
OP: 347-547, 557-615
NA

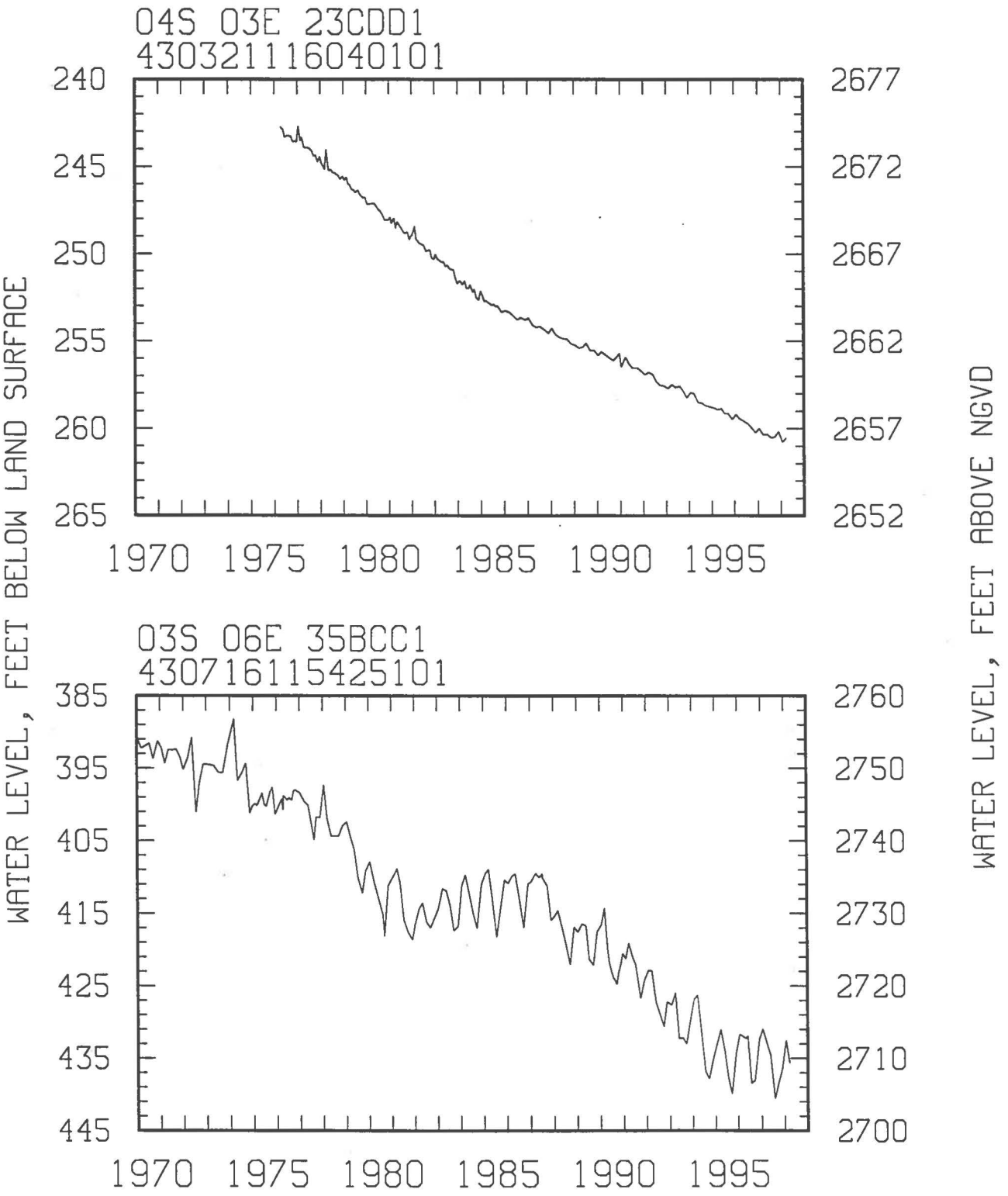
REGIONAL



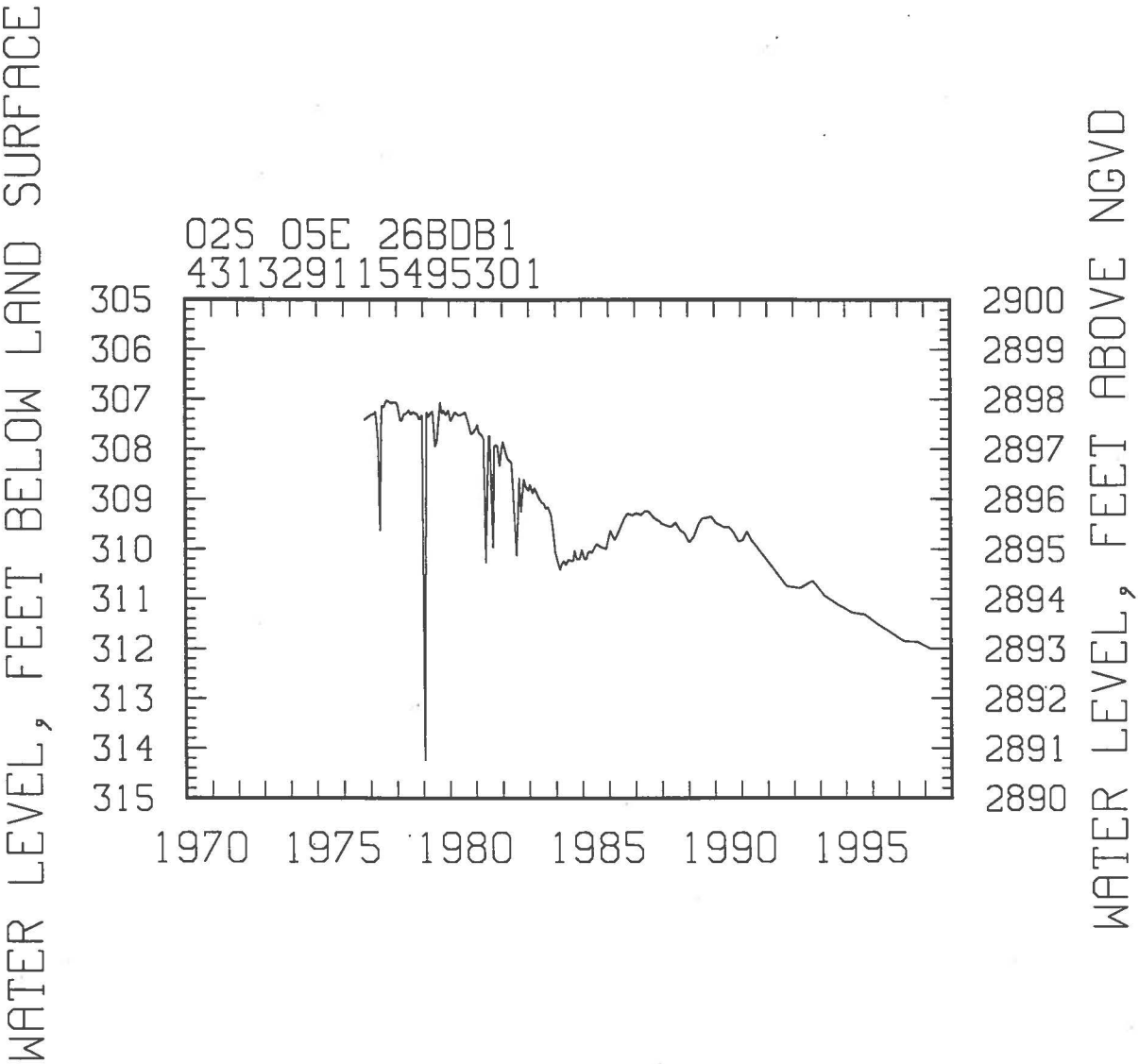
MICROFILMED
SEP 30 1999



MICROFILMED
SEP 30 1999

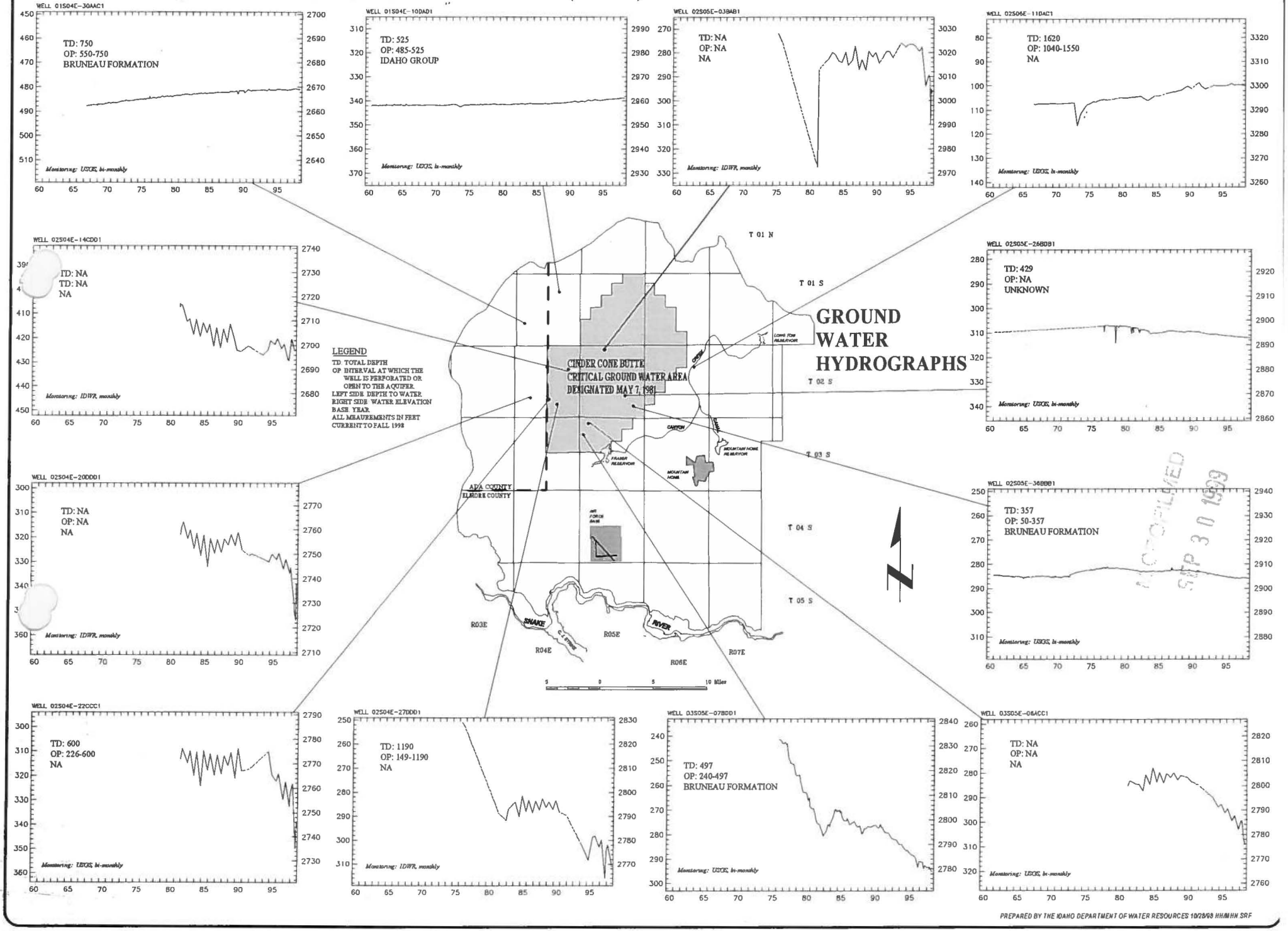


MICROFILMED
SEP 30 1999

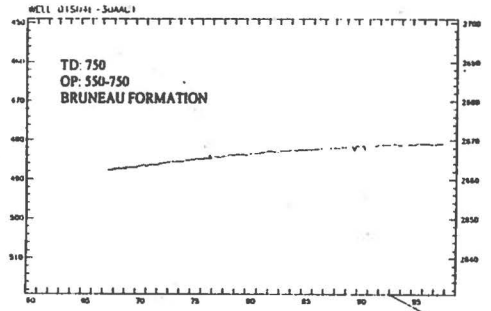


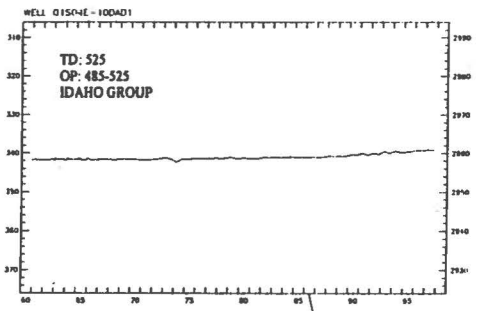
MICROFILM
SEP 30 1999

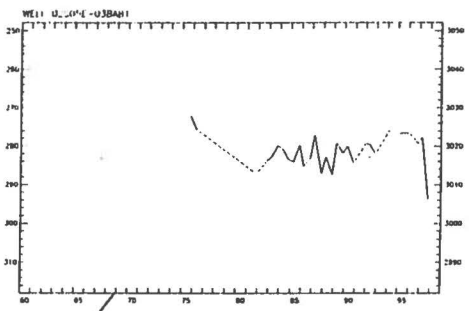
MOUNTAIN HOME GROUND WATER MANAGEMENT AREA (NORTH) AND THE CINDER CONE BUTTE CRITICAL GROUND WATER AREA

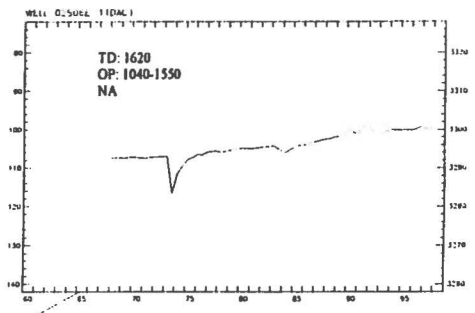


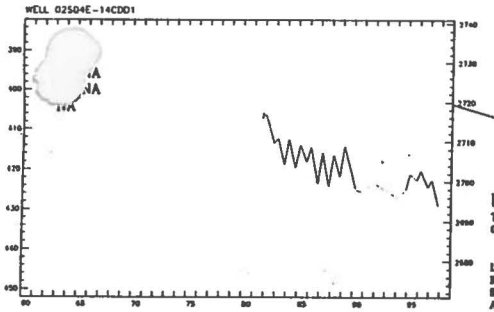
MOUNTAIN HOME GROUND WATER MANAGEMENT AREA (NORTH) AND THE CINDER CONE BUTTE CRITICAL GROUND WATER AREA

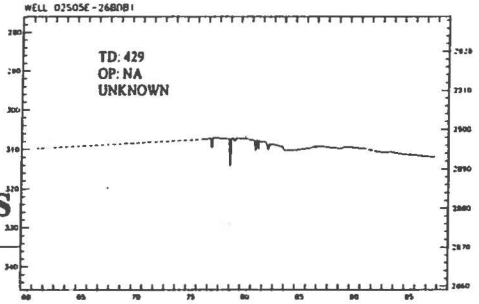


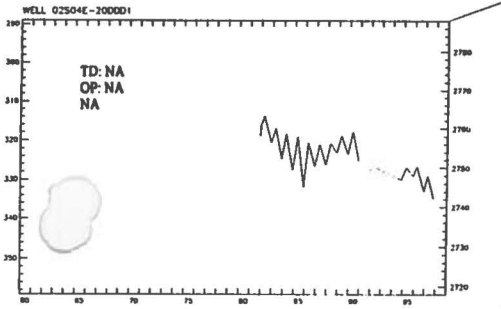


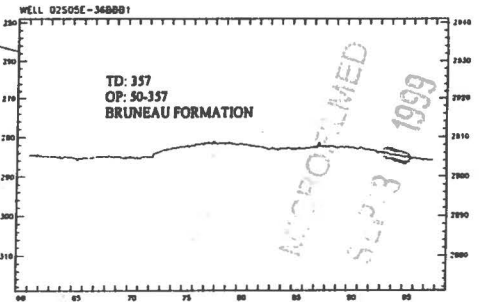


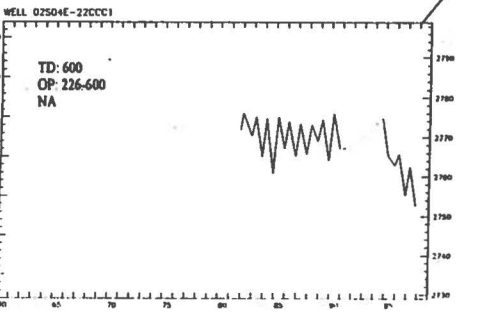


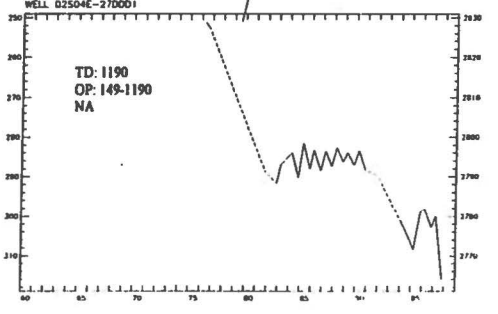


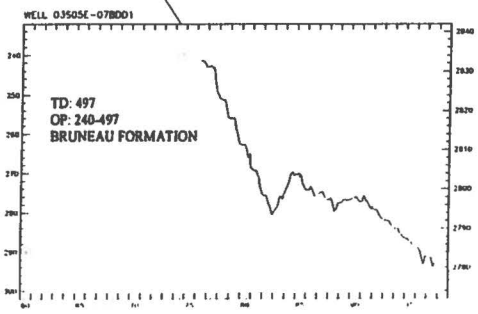


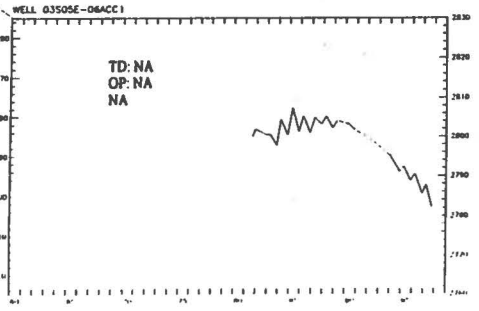


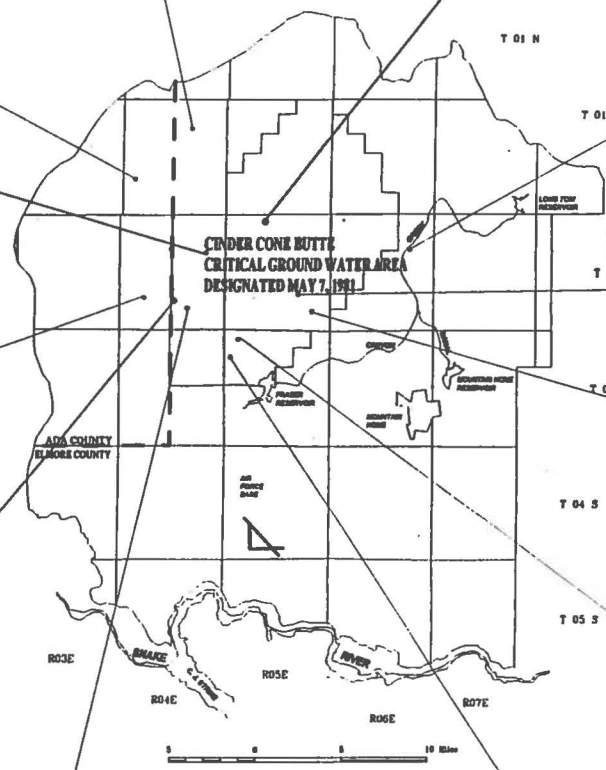












GROUND WATER HYDROGRAPHS

LEGEND

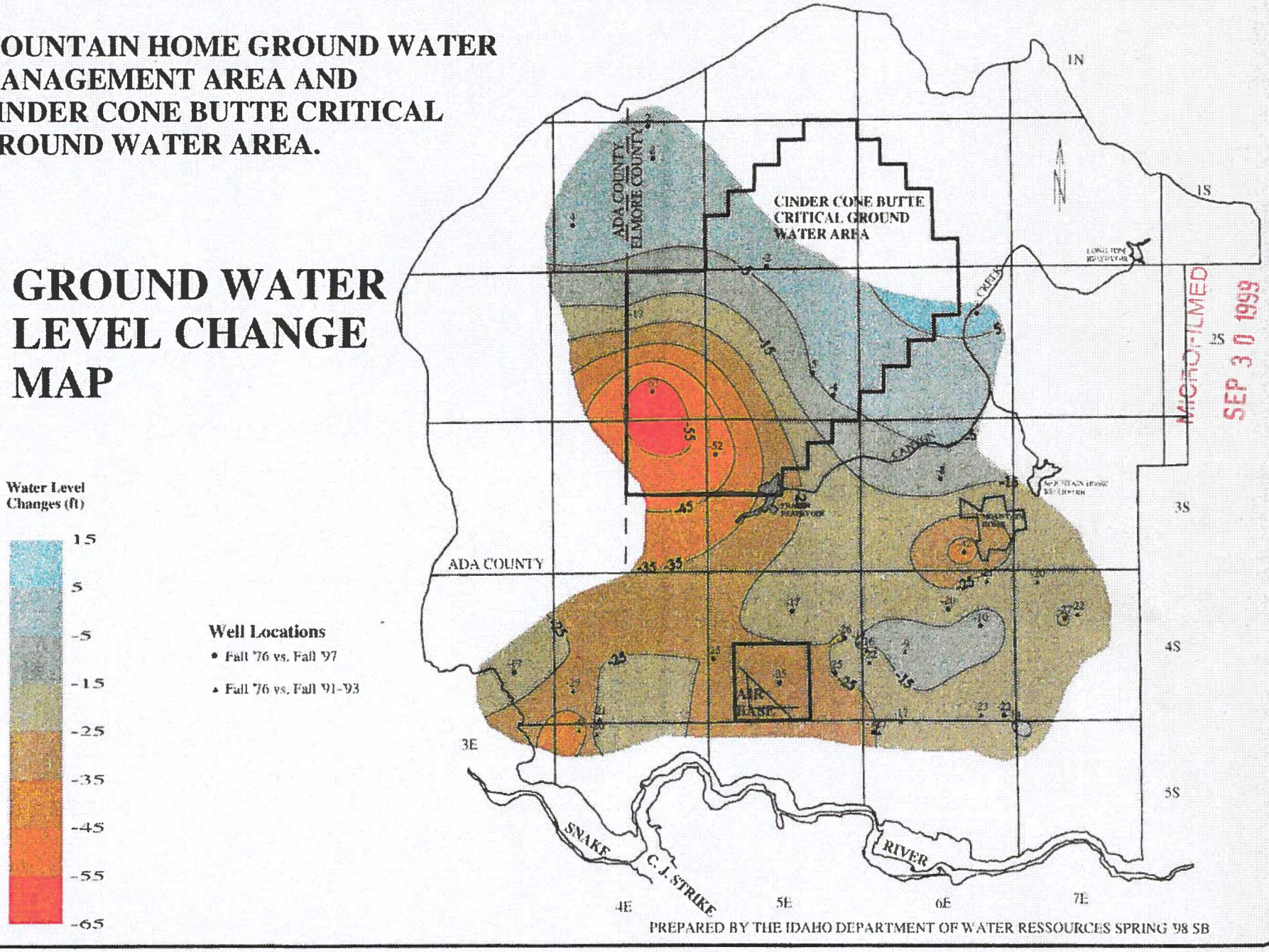
TD: TOTAL DEPTH
OP: INTERVAL AT WHICH THE WELL IS PERFORATED OR OPEN TO THE AQUIFER.
LEFT SIDE: DEPTH TO WATER
RIGHT SIDE: WATER ELEVATION
BASE: YEAR
ALL MEAUREMENTS IN FEET
CURRENT TO FALL 1997

MICROFILMED 1999

PREPARED BY THE IDAHO DEPARTMENT OF WATER RESOURCES JAN '98

MOUNTAIN HOME GROUND WATER MANAGEMENT AREA AND CINDER CONE BUTTE CRITICAL GROUND WATER AREA.

GROUND WATER LEVEL CHANGE MAP



MICROFILMED
SEP 30 1999

CONVERSATION MEMORANDUM

DATE 7/19/99

FILE 61-07751

NAME OF PARTY Marilyn Ramirez 580-0317

EMPLOYEE PK

RE: Intervenor Status

She called today to ask if her request to intervene re 7/23/99 hearing. I informed her of GS's 7/19 letter. We discussed the format & procedures of a hearing (calling witnesses for examination & cross-exam etc.).

MICROFILMED

SEP 30 1999

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 19, 1999

MARILYN J RAMIREZ
509 W 3RD N
MOUNTAIN HOME ID 83647

Re: Application for Water Right No. 61-07751 in the Name of Ricky Holden

Dear Protestant:

We are in receipt of your letter dated July 2, 1999, in which you requested to intervene in the above-referenced matter.

By copy of this letter we are advising the applicant of your intervention and unless the applicant has a valid objection, we will consider you to be an intervenor.

Please feel free to contact this office if you have questions about the procedure for intervention or other matters related to the application.

Sincerely,

Gary Spackman

GS:st

CC: Applicants
protestants

MICROFILMED
SEP 30 1999

July 2, 1999

W025413
Case # 61-07751

To: Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

From: Marilyn J. Ramirez
509 West 3rd North Street
Mountain Home, Idaho 83647
(208) 580-0317

RECEIVED
JUL 0 2 1999
WATER RESOURCES
WESTERN REGION

Dear Sirs,

The purpose of this letter is to communicate my objection to a drilling permit being granted to Mr. Ricky Holden, Airport Subdivion, Block 2, Lot 17 in Mountain Home, Idaho for the purpose of building multiple family dwellings(duplexes). Mr. Holden plans to build duplexes and rent them out. I do not feel that his plans fit under the criteria of a domestic well, since it is not a single family dwelling and he will be collecting revenues from them.

I own the 2 acre lot across the street, Airport Subdivion, Block 2, Lot 3. I purchased this lot a few years ago, anticipating the opportunity of having a home built for a single family dwelling. Neighbors in that area have told me that their wells already go down 550 feet. They also say that your office reports finding of the water levels receding in that area.

I am concerned that I, along with other lot owners will have to drill even deeper than 550 feet or will not be able to have water at all. Mr. Holden has also talked of drilling 2 wells on this single lot to supply his duplexes.

I know your office is very concerned about protecting water and using it wisely. My belief is that the area that Mr. Holden has chosen for his duplexes has limited water and sewage resources and that his plans will take away my rights to have a home there.

Thank you for attending to my concerns in this matter.

Sincerely,

Marilyn J. Ramirez

Marilyn J. Ramirez

MICROFILMED
SEP 3 0 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT OF WATER RIGHT NO. 61-07751 IN THE NAME OF RICK HOLDEN.

NOTICE OF HEARING

On March 9, 1999, Rick Holden filed with the Idaho Department of Water Resources (IDWR) application for permit no. 61-07751. The application was protested by Bill &/or Jacqueline Madden. The prehearing conference held by IDWR on Thursday, June 24, 1999, did not resolve the matter of protest.

The Department has scheduled the matter for hearing on **Friday, July 23, 1999, at 9:00 a.m. at the Elmore County Courthouse, commissioners room, 150 S. 4th E., Mountain Home, Idaho 83647.** The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code and the adopted Rules of Procedure of the Department. A copy of the rules may be obtained from the IDWR upon request. The presiding officer at the hearing will be Gary Spackman.

If you plan to offer exhibits for the record, note that IDAPA Rule of Procedure 37.01.01.606 requires that you provide a copy of exhibits to each party and to the presiding officer.

The hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within ten (10) days prior to the hearing.

All parties to the matter will have the opportunity to respond and present information and argument on all issues involved.

Dated this 1st day of July, 1999.

Gary Spackman

GARY SPACKMAN

MICROFILMED
SEP 30 1999

I hereby certifiy that on the 1st day of July, 1999, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Senior Secretary

CERTIFIED MAIL

RICK HOLDEN
670 S 36TH W
MOUNTAIN HOME ID 83647

BILL &/OR JACQUELINE MADDEN
825 S 38TH W
MOUNTAIN HOME ID 83647

MICROFILMED
SEP 30 1999

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

1) Will the proposed appropriation injure other water rights?

2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?

3) Was the application made in good faith or for delay or speculative purposes?

4) Does the applicant have sufficient financial resources with which to complete the proposed project?

5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?

6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

MICROFILMED

SEP 3 0 1999

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon written request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may, by written stipulation, waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer prior to any scheduled hearing.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

MICROFILMED

SEP 3 0 1999

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 1, 1999

ELMORE COUNTY COURTHOUSE
150 S 4th E
MOUNTAIN HOME ID 83647

Re: Conference Room Reservation

This letter is to confirm the conference room reservation made by the Department of Water Resources for Friday, July 23, 1999, from 9:00 a.m. to 5:00 p.m.

If you have any questions please call me at 334-2190, Western Region of the Department of Water Resources.

Sincerely,

Sue Taylor
Senior Secretary

MICROFILMED
SEP 30 1999

ROSTER OF ATTENDANCE

IDAHO DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY, BOISE, IDAHO 83705

Re: **Application for Permit No. 61-07751 in the Name of Ricky Holden**

Place: **Mountain Home City Hall, Mountain Home, Idaho 83647**

Date: **June 24, 1999**

Conducted by: **Gary Spackman**

NAME	ADDRESS
Rick Holden	670 S 36TH W MT Home ID 83647
Marilyn Ramirez	Airport Sub Lot 3 MtHome ID 83647
Jacqueline Madden	825 So. 38th W. Mtn. Home, Id. 8364;
Bill N. Madden	825 So. 38th W. Mt Home 83647
Larry H Martin	1150 S 36 W mt Home 83647

MICROFILMED
SEP 3 0 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 61-07751 IN THE RICKY HOLDEN.	))))	**AMENDED NOTICE OF PREHEARING CONFERENCE**

Notice is hereby given that the conference for the above-referenced matter is hereby changed from Thursday, June 3, 1999, at 11:00 a.m. to **Thursday, June 24, 1999, at 9:00 a.m. The location of the conference remains the same, at the Mountain Home City Hall, 160 S. 3rd E., Mountain Home, Idaho 83647.** The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources.

The conference will be conducted in a facility which satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the department within (10) days prior to the conference.

Dated this 17th day of May, 1999.

Gary Spackman

MICROFILMED
SEP 30 1999

CERTIFICATE OF MAILING

I hereby certify that on the 17TH day of May, 1999, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Senior Secretary

RICKY HOLDEN
670 S 36TH W
MOUNTAIN HOME ID 83647

BILL &/OR JACQUELINE MADDEN
825 S 38TH W
MOUNTAIN HOME ID 83647

MICROFILMED
SEP 30 1999

RECEIVED
MAY 05 1999
WATER RESOURCES
WESTERN REGION

DEPARTMENT OF WATER RESOURCES 1 MAY 99

SUB: Application for Permit # 61-07751

Gary Spackman,

I received your letter and a copy of a protest that has been filed. We had a planning and zoning meeting on the 28th of April. One of the neighbors concerns was the water table going down because of this project, we compromised by decreasing the amount of units from four duplexes to two duplexes or four dwellings. In answer to the six questions on your letter:

1. Enclosed is a drawing showing intended water uses, they are strictly for residential use, and a small yard in the back. The front yard will be different types of decorative rock and small plant and trees. I am not asking to irrigate two acres.

2. According to Mark Hiddelson, the person that will be drilling the well this will be more than enough water to take care of my tenants.

3. This application is made in good faith the construction loan has been approved by First Security Bank in Boise (Monnete Glenn) and the long term loan is approved through Trinity Mortgage in Boise (Jim Hicks) this project is a go as soon as we get it approved through your office.

4. See #3

5. I received opposition at the planning and zoning meeting regarding this project. Their concerns were that they felt there would be to much sewage generated for the two acres, I hired an engineer out of Boise to draw a alternative sewage system to help ease their concerns. They did not like the style of the duplexes, so we changed the exterior design. They were concerned about the traffic and the amount of water that would be used to house this many people so we compromised by decreasing the amount of units in half.

6. Here again were not asking to flood irrigate, or run a commercial business that would require enormous amounts of water to operate.

I realize that the Protestant does not want this project to go in and will try and use your office to shut the project down by forcing me to put a separate well in per unit. I feel that I have compromised enough with property owners and that if it became necessary I would have to drill two wells, I hope that it will not come to that because of the expense.

Thank you for your assistance.

Sincerely

Ricky C. Holden

MICROFILMED
SEP 30 1999

D - DRIVEWAY

P - EXTRA PARKING

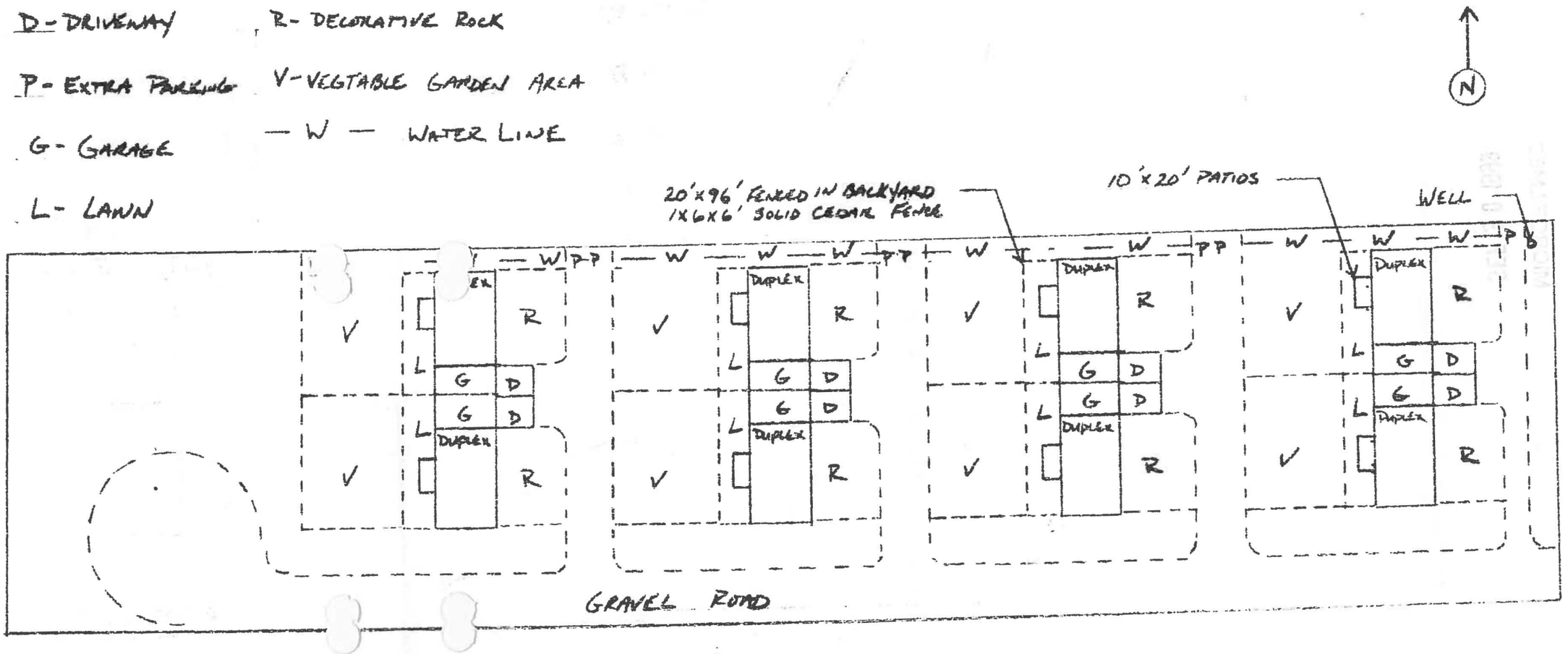
G - GARAGE

L - LAWN

R - DECORATIVE ROCK

V - VEGTABLE GARDEN AREA

— W — WATER LINE



WE WILL NOT BE BUILDING THE BACK TWO DUPLEXES.

NAME - RICK HOLDEN	PROJECT - DUPLEX	LOCATION - 36TH ST AT HOME	DATE FEB 99	SCALE 1/8"=1'		PAGE 4 OF 5

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 61-07751 IN THE NAME OF RICKI HOLDEN	**NOTICE OF PREHEARING CONFERENCE**

On March 9, 1999, Ricki Holden filed with the Department of Water Resources (IDWR) an application for permit to appropriate the public waters of the State of Idaho. The application was protested by Bill N. &/or Jacqueline L. Madden.

IDWR has scheduled a conference for the protest to be held on **Thursday, June 3, 1999, at 11:00 a.m. at the Mountain Home City Hall, 160 S. 3rd E., Mountain Home, Idaho 83647.** The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources.

The conference will be conducted in a facility which satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the IDWR within (10) days prior to the conference.

Dated this 3rd day of May, 1999.

Gary Spackman

MICROFILMED
SEP 30 1999

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of May, 1999, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Senior Secretary

RICKI HOLDEN
670 S 36TH W
MOUNTAIN HOME ID 83647

BILL &/OR JACQUELINE MADDEN
825 S 38TH W
MOUNTAIN HOME ID 83647

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SEP 30 1999

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

1) Will the proposed appropriation injure other water rights?

2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?

3) Was the application made in good faith or for delay or speculative purposes?

4) Does the applicant have sufficient financial resources with which to complete the proposed project?

5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?

6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

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CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon written request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may, by written stipulation, waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer prior to any scheduled hearing.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

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SEP 30 1999

State of Id
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 27, 1999

BILL N &/OR JACQUELINE MADDEN
825 S 38TH W
MOUNTAIN HOME ID 83647

Re: Application for Permit No. 61-07751 in the Name of the Ricki Holden

Dear Protestants:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application.

The following are the criteria the department must consider in either approving or denying an application for permit (Section 42-203A, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

The department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

This office will shortly schedule a conference if the matter is not resolved informally. At the conference, the department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

If this office can be of further assistance, please contact us.

Sincerely,

Gary Spackman

GS:st

MICROFILMED
SEP 30 1999

State of Id
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 27, 1999

RICKI HOLDEN
670 S 36TH W
MOUNTAIN HOME ID 83647

Re: Application for Permit No. 61-07751

Dear Applicant:

Enclosed is a protest filed against the issuance of a permit pursuant to the above-referenced application.

The following are the criteria the department must consider in either approving or denying an application for permit (per Section 42-203A, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

The department suggests you contact the protestant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

This office will shortly schedule a conference if the matter is not resolved informally. At the conference, the department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

Please contact this office if you have questions regarding this procedure.

Sincerely,

Gary Spackman

GS:st

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SEP 30 1999

Enclosure: Copy of protest(s)

Receipt #
W025109

April 21, 1999

To Whom It May Concern,

We wish to formally list an objection to a well that is being requested by Mr. Ricky Holden of Mtn. Home. We as his neighbors are quite concerned that such a well will end up taking water from our well. We understand that he can put in four wells for these units and you will not be able to have any say on the matter. We feel that he probably would not do this as the expense would be exorbitant.

We wish to point out your own graft of the way that the water in this area has been declining over the years. A community well serving eight families we feel will put far too much strain on our already demenishing supply. Please consider this request very carefully.

Thank You,

Bill N. Madden

Bill N. Madden
Jacqueline L. Madden
825 So. 38th. W.
Mtn. Home, Id.
83647

Jacqueline Madden

RECEIVED
APR 2 3 1999
WATER RESOURCES
WESTERN REGION

MICROFILMED
SEP 3 0 1999

State of Id...
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

April 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RICKI HOLDEN
670 S 36TH W
MOUNTAIN HOME ID 83647

Re: Application for Water Right Permit No. 61-07751

Dear Mr. Holden:

The Mountain Home Groundwater Advisory Committee regularly reviews all new applications in the Mountain Home Area. The next committee meeting will be on May 6, 1999, and we will be reviewing your application for permit no. 61-07751. It is not necessary for you to attend but you are welcome to attend the committee meeting. The meeting will be held at the Mountain Home City Hall, 160 S. 3rd E., in Mountain Home and will begin at 8:00 a.m.

If you have any questions please call Gary Spackman at the Idaho Department of Water Resources, 334-2190.

Sincerely,

Gary Spackman

GS:st

MICROFILMED
SEP 30 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

61-07751
HOLDEN, RICKI
670 S 36TH W
MOUNTAIN HOME, ID 83647
Source: GROUNDWATER
Diversion Pt: SENE Sec 33 T 03S R 06E in ELMORE County.
Use: DOMESTIC (0.150 CFS)
Total Diversion: (0.150 CFS)
Date Filed: 3/9/1999
In: ELMORE County
T03S R06E S33 SENE
Domestic use is for a community well for 4 duplexes and yards in airport subdivision.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of $25.00 for each application on or before APRIL 26, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
First Publication April 7, 1999.
Last Publication April 14, 1999.

Affidavit of Publication

County of Elmore } ss.
STATE OF IDAHO }

I, Coleen W. Swenson, do solemnly swear that I am the foreman, or publisher of the

Mountain Home News

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for

2 consecutive weeks, the first publication having been made on 7th day of April, 1999, and the last publication having been made on the 14th day of April, 1999; every Wednesday issue of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Coleen W. Swenson

Subscribed and sworn to me this 14th day of April, 1999

Cynthia A. Roberson
Notary Public

Residing in Mountain Home, Elmore County, Idaho. My commission expires 09-09-2002.

RECEIVED
APR 23 1999
WATER RESOURCES
WESTERN REGION

CYNTHIA A. ROBERSON NOTARY PUBLIC STATE OF IDAHO

MICROFILMED
SEP 30 1999

State of Id
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 9, 1999

ENVIRONMENTAL HEALTH
CENTRAL DISTRICT HEALTH DEPT
707 N ARMSTRONG PL
BOISE ID 83604

Re: Application for Water Right Permit No. 61-07751 in the Name of Ricki Holden

Dear Sir:

Enclosed is a copy of the above-referenced application for water right which may be of interest to you.

Please review the application and return any comments you might have.

A protest must be received with a $25.00 protest fee on or before April 26, 1998. If you do not wish to protest, informal comments should still be submitted by the end of the protest period.

Sincerely,

Gary Spackman

Gary Spackman

GS:st

Encl.

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SEP 30 1999

State of Ida
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

03/29/1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RICKI HOLDEN
670 S 36TH W
MOUNTAIN HOME, ID 83647

RE: APPLICATION FOR PERMIT 61-07751

Dear Mr. Holden,

On 3/29/1999 you called requesting an update on your application for permit for Elmore County. In this telephone call I verified the necessary information to submit this application for advertising. If this application is not protested during the advertising period and there are no unforseen problems this application could be processed within few weeks after its advertised. If it is protested it could take a great deal longer to go through the hearing process.

This application is to license a community well for 4 duplexes for inhouse use and irrigation of adjoining yards. This application for permit is in the Mountain Home Groundwater Management Area (MHGWMA), which restricts processing new applications for permits to domestic uses only. However, the Idaho Department of Water Resources does allow a community well to service domestic residences that individually would be within the domestic definition of in house use and 1/2 acre of irrigation per building in the MHGWMA. Where as your well is considered a community well this application will continue to be processed baring any protests or unforseen problems.

If you have anymore questions please do not hesitate to call me at the above address or telephone number. You should be seeing your application advertised in your local paper within the next 2-4 weeks.

Respectfully,

Daniel A. Nelson

Daniel A. Nelson
Water Right Agent

COPY

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SEP 3 0 1999

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARCH 31, 1999

Legal Notices Department
Mountain Home News
PO Box 1330
Mountain Home, ID 83647

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 26, 1999.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED
SEP 30 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED
SEP 30 1993

61-07751

HOLDEN, RICKI
670 S 36TH W
MOUNTAIN HOME, ID 85647

Source: GROUNDWATER

Diversion Pt: SENE Sec 33 T 03S R 06E in ELMORE County.

Use: DOMESTIC (0.150 CFS)
Total Diversion: (0.150 CFS)

Date Filed: 3/ 9/1999

In: ELMORE County
T03S R06E S33 SENE

Domestic use is for a community well for 4 duplexes and yards in airport subdivision.

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SEP 3 0 1999

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of $25.00 for each applicatio on or before APRIL 26, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 4/ 7/1999 & 4/14/1999

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SEP 30 1999

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE THREE ALTERNATIVES BELOW

Name of Applicant Rick Hrouw

Mailing Address 670 S 36TH W
MT Home Id. 83647

Application No. (if known) _____

____ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

____ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

_X_ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature _____

Date 8 Mar 99

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

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SEP 30 1999