

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-33761 IN THE)
NAME OF RUBEN ASUMENDI &/OR)
DOMINGO ASUMENDI)
_____)

**PRELIMINARY ORDER VOIDING
APPLICATION FOR PERMIT**

This matter having come before the Department of Water Resources (Department) as a result of an application to appropriate water, the Department finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On April 18, 2013, Ruben Asumendi (applicant) applied to the Department for a permit (application) to appropriate 3.1 cubic feet per second of water from a ground water source, within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 5 North, Rge. 4 West, B.M., for the irrigation of 155 acres in Sections 22 and 23, Twp. 5N, Rge. 4W, Canyon County.

2. On May 29, 2013, and June 13, 2013, the applicant amended the application for permit to appropriate 2.0 cubic feet per second of water from a ground water source, within Sections 30, Twp. 5N, Rge. 3W; Sections 23 and 25, Twp. 5N, Rge. 4W, for the irrigation of 295 acres within Sections 30, Twp. 5N, Rge. 3W; Sections 22, 23 and 25, Twp. 5N, Rge 4W, Canyon County, and adding Domingo Asumendi as an applicant.

3. On November 4, 2013, the Department notified the applicants that additional information was required before the Department could process the application and requested the information be submitted within thirty days of the date of the request.

4. The Department has not received a written response to the letter mailed on November 4, 2013.

5. Idaho Code § 42-204 says, in pertinent part:

If upon such examination the application is found defective, it shall be the duty of the department of water resources to return the same for correction or to correspond with the applicant to obtain the needed information or amendments. If the application is returned to the applicant or the department shall request additional information and the applicant fails to return the corrected application or to supply the needed information within thirty (30)

days, the department may void the record of said application and notify the applicant of such action.

CONCLUSIONS OF LAW

1. Idaho Code § 42-204 authorizes the Department to void an application if the applicant fails to supply requested information within 30 days.
2. More than 30 days have passed since the Department requested additional information from the applicant to support the application.
3. The Department should void the application as provided in Idaho Code § 42-204.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Permit No. 63-33761 in the name of Ruben Asumendi &/or Domingo Asumendi is **VOIDED** and the issuance of a permit is **REFUSED**.

Dated this 11th day of December, 2013.



JOHN WESTRA
Western Regional Supervisor



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 12, 2013

RUBEN ASUMENDI AND/OR DOMINGO ASUMENDI
23032 HWY 20-26
PARMA ID 83660

Re: Preliminary Order in the matter of Permit No. 63-33761

Dear Interested Parties:

The accompanying order is a "**preliminary order**" issued by the Department. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-334-2190.

Sincerely,


For:

John Westra, Manager
Western Regional Office

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2013, I mailed a true and correct copy, postage prepaid of the foregoing **PRELIMINARY ORDER** to the person listed below:



Rachel Sommer
Administrative Assistant I

Documents #63-33761 - Preliminary Order, Order Explanatory

RUBEN ASUMENDI AND/OR DOMINGO ASUMENDI
23032 HWY 20-26
PARMA ID 83660

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

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

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

November 4, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

RUBEN ASUMENDI &/OR DOMINGO ASUMENDI
23032 HWY 20-26
PARMA ID 83660

RE: Application for Permit 63-33761

Gentlemen:

We have been holding the above application pursuant to your request during a telephone conversation at the end of August. It is now time for you to let us know how to proceed with this application. On July 28, 2013, I had sent you a letter stating that you needed to submit a new plan regarding the proposed well and how you will deliver the water to your land without using the Black Canyon Canal system. On August 28, 2013, I received a call from a member of Black Canyon stating that they had not made a decision regarding your proposal and would know more after their board meeting on September 3. I have not heard anything from either of you after that phone conversation.

Please advise this office of your intentions regarding the above application for permit within the next 30 days. You may seek additional time to provide the information by making a written request to delay or interrupt processing. Your response, including your plan for this proposal or a request for more time to seek the information must be received within the next thirty (30) days. The application will be voided without a timely written reply.

Please feel free to contact me if you have any questions regarding this matter.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k

8/27

870-0992

Ruben -

has talked with Black Canyon & they are considering allowing use of canal for delivery -
or he will pipe water under canal to p/u -
Hold until Nov. 1 -

8/28 -

Black Canyon ^{will hear more after board meeting on Tues 9/3} called -
they may or may not allow use of canal to convey water - will send something in writing to resolve their concerns about this app.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 28, 2013

RUBEN ASUMENDI &/OR DOMINGO ASUMENDI
23032 HWY 20-26
PARMA ID 83660

RE: Application for Permit No. 63-33761

Gentlemen:

We are in receipt of the Withdrawal of Application for Permit 63-33762. That application will be removed from our records and a refund of your filing fee will be requested from the State Auditor's office. You will receive a refund of \$410.00 under separate cover.

We also received a copy of the letter you sent to Black Canyon Irrigation District. After receiving a copy of the letter you sent to them, we received an Objection to this application from Chas McDevitt for Black Canyon Irrigation District. It seems that they do not want you to use their canal system to convey your well water to your different properties. We have returned the Objection to Mr. McDevitt because that form is for use in the Snake River Basin Adjudication only. I have included a copy of my letter to Mr. McDevitt for your information. Before we can take further action on this application we will need you to submit a proposal of how you can get the water to your different properties without use of the canal owned by Black Canyon Irrigation District. Please submit a new plan at your earliest convenience. Once we receive a new proposal from you we will be able to finalize your application as long as it does not include use of the canal.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with a large loop at the end of the last name.

KAY WALKER
Sr. Water Resource Agent

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

July 28, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

CHAS F MC DEVITT & MILLER LLP
420 W BANNOCK
PO BOX 2564-83701
BOISE ID 83702

RE: APPLICATION FOR PERMIT NO. 63-33761
RUBEN ASUMENDI &/OR DOMINGO ASUMENDI

Dear Mr. McDevitt:

The Idaho Department of Water Resources has received the "Standard Form 1 – Objection" that you submitted in regard to the above referenced application for permit. Please be advised that this form has been forwarded to our Department from the Snake River Basin Adjudication (SRBA) Court because this application is not pending before the court. The application was filed with the Department on June 13, 2013 and advertised in the Idaho Press Tribune on June 20 and 27, 2013. The protest period for this application was over on July 8, 2013, and there were no protests received during this period. When we received this application, we requested that the applicants send a copy of it to Black Canyon Irrigation District to see if they had any comments in regard to his proposal. Obviously, Black Canyon Irrigation District will not consent to use of the canal as a conveyance for this water. We will request that the applicants change this proposal so that the canal is not used to convey the ground water, in order to obtain an approval of this application.

Since the Objection form that you submitted cannot be used in this situation, we are returning the form and your Check No. 11994 in the amount of \$25.00 to you. We will make sure that the applicant is aware that he cannot use the Black Canyon Irrigation District as a conveyance system for his well water before making a final decision on this application. We will retain a copy of the Objection in our file so we can insure it is not overlooked in our review.

If you have any other questions or concerns regarding this matter, please do not hesitate to contact me at 334-2190.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures

Cc: Ruben Asumendi &/or Domingo Asumendi



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Phone: (208) 334-2190 • Fax: (208) 334-2191

July 28, 2013

CHAS F MC DEVITT & MILLER LLP
420 W BANNOCK
PO BOX 2564-83701
BOISE ID 83702

RE: APPLICATION FOR PERMIT NO. 63-33761
RUBEN ASUMENDI &/OR DOMINGO ASUMENDI

Dear Mr. McDevitt:

The Idaho Department of Water Resources has received submitted in regard to the above referenced application been forwarded to our Department from the Snake Rive application is not pending before the court. The applica 2013 and advertised in the Idaho Press Tribune on June application was over on July 8, 2013, and there were no received this application, we requested that the applica District to see if they had any comments in regard to his District will not consent to use of the canal as a conveya applicants change this proposal so that the canal is not obtain an approval of this application.

Since the Objection form that you submitted cannot be and your Check No. 11994 in the amount of \$25.00 to y aware that he cannot use the Black Canyon Irrigation Di before making a final decision on this application. We v we can insure it is not overlooked in our review.

If you have any other questions or concerns regarding t at 334-2190.

Sincerely,


KAY WALKER
Sr. Water Resource Agent

Enclosures

Cc: Ruben Asumendi &/or Domingo Asumendi

MEMO

PAY TO THE ORDER OF TDNR

Twenty-five and 00/100's -

\$ 25.00

DOLLARS

McDEVITT & MILLER, LAWYERS LLP

P.O. BOX 2564
BOISE, IDAHO 83701-2564
(208) 343-7500

KEYBANK NATIONAL ASSOCIATION
Boise, Idaho 83701

92-155/1241

7/19/2013

11994

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT

011994 124101555 125900011114

Security Features Included. Details on back.

Check returned

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



ERIC J. WILDMAN
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

RECEIVED

JUL 24 2013

WATER RESOURCES
WESTERN REGION

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALL, IDAHO 83303-2707

MEMORANDUM

Date: 7-23-13
To: Chas. F. McDevitt
From: Julie Murphy, SRBA Deputy Clerk
Subject: 63-33761

On 7-22-13, this Court received a *Standard Form 1 Objection* form from you for the above-captioned water right number. To date, that number is invalid in our system as it has not yet been reported to the SRBA Court in a *Director's Report* from the Idaho Department of Water Resources. Also on 7-22-13, Shelley Keen from IDWR telephoned and requested I forward your mailing to Kay Walker at the Western Region office of IDWR, which I am doing today, along with your check for \$25.00 made payable to IDWR.

INTER-DEPARTMENT MEMO--1

FROM

Shelley Keen

DATE

7/22/2013

TO

Kay Walker, IDWR Western Region

SUBJECT

Objection to App. 63-33761

I've attached the document we discussed on the phone. It appears the \$25⁰⁰ check went with the original to the SRBA court. I talked with Julie at the Court, and she is going to forward the originals to you. Since this is not timely as a protest, I think we should correspond with Mr. McDevitt to determine whether he wants to petition to intervene ~~or~~ (if ~~not~~ then see other protests) or whether he wants the document to be taken as an indication that Black Canyon ID will not consent to conveyance. See the first ¶ of I.C. 42-202.)

SIGNATURE

Shelley Keen

McDevitt & Miller LLP

Lawyers

420 W. Bannock Street

P.O. Box 2564-83701

Boise, Idaho 83702

RECEIVED

JUL 22 2013

**DEPARTMENT OF
WATER RESOURCES**

Chas. F. McDevitt
Dean J. (Joe) Miller

(208) 343-7500
(208) 336-6912 (Fax)

July 19, 2013

Via U.S. Mail

Clerk of the District Court
Snake River Basin Adjudication
253 Third Ave. North
P.O. Box 2707
Twin Falls, ID 83303-2707

Re: Ruben Asumendi and/or Domingo Asumendi
Black Canyon Irrigation District
Subcase 63-33761

Dear Clerk:

Enclosed for filing, please find an original and one (1) copy of an Objection, together with a check in the amount of \$25.00.

Please file same and return the file stamped copies to this office in the postage paid envelope provided.

Please do not hesitate to contact me if you have any questions. Thank you.

Very truly yours,

McDEVITT & MILLER LLP



Chas. F. McDevitt

CFM/hh
Enclosures

COPY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

RECEIVED

JUL 22 2013

DEPARTMENT OF
WATER RESOURCES

In Re SRBA

A. Subcase 63-33761

Case No. 39576

STANDARD FORM 1
OBJECTION

NAME AND ADDRESS OF PERSON OBJECTING

Name: Black Canyon Irrigation District
Address: P.O. Box 226
Notus, ID 83656
Daytime Phone: 208-459-4141 ext 5

Name & Address of Attorney, if any:
Chas F. McDevitt & Miller LLP
McDevitt & Miller LLP
420 W. Bannock
P.O. Box 2564-83701
Boise, ID 83702

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Ruben Asumendi and/or Domingo Asumendi
Address: 23032 Hwy 20-26
Parma, Idaho 83660

I object to the following elements as recommended in the Director's Report.

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____

7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: Well Site
10. ☐ **I object because:**
☒ This water right Should not exist.
☐ This water right was not recommended, but Should be recommended with the elements described above.

REASONS SUPPORTING OBJECTIONS(S):

Water right dependent on water being conveyed to point of beneficial use of the Black Canyon Irrigation District. Black Canyon Irrigation District. The Black Canyon Irrigation District will not convey the water.

VERIFICATION

State of Idaho)
)ss.
County of Ada)

Chas F. McDevitt, duly sworn, upon oath, deposes and says:

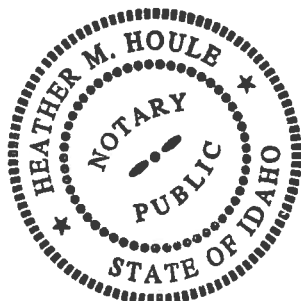
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



Chas F. McDevitt
McDEVITT & MILLER LLP

Subscribed and sworn to before me on:

July 19, 2013 Heather Houle



Notary Public for Heather Houle
Residing at: Boise, Idaho
My Commission Expires:

CERTIFICATE OF MAILING

I certify that on July 19th, 2013, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Current Owner:

Name: Ruben Asumendi
Domingo Asumendi

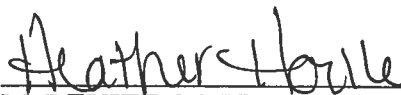
Address: 23032 Hwy 20-26
Parma, Idaho 83660

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449


McDEVITT & MILLER LLP

RECEIVED

JUL 22 2013

WATER RESOURCES
WESTERN REGION

July 16, 2013

Black Canyon Irrigation District

PO Box 226

Notus, ID 83656

Enclosed is a copy of an application for permit that I have filed with the Idaho Dept. of Water Resources. The Department requested that I send a letter to you requesting any comments you may have in regard to this application. Please contact me if your district has any concerns about the application.

If you have any questions regarding the application please contact me at 208-870-0992.

Sincerely,

Ruben Asumendi

RECEIVED

JUL 10 2013

29512 910562

1 IDAHO DEPT. OF WATER RESOURCES

WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

RECEIVED

JUL 01 2013

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)

County of Canyon)

SS.

Leann Nobella
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 times(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following:

06/26/2013 06/27/2013

Leann Nobella

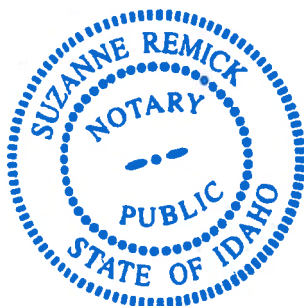
STATE OF IDAHO)

County of Canyon)

On this 27th day of June in the year of 2013 before me a Notary Public, personally appeared. Leann Nobella, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Suzanne Remick

Notary Public for Idaho
Residing at Canyon County
My Commission expires 07/25/2018



RECEIVED

JUL 01 2013

WATER RESOURCES
WESTERN REGION

RECEIVED

JUL 01 2013

WATER RESOURCES
WESTERN REGION

LEGAL NOTICE

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-33761

RUBEN ASUMENDI
DOMINGO ASUMENDI
23032 HWY 20 26
PARMA, ID 83660

Points of Diversion NESE SENE S23 T05N R04W CANYON
County Source GROUND WATER

Point of Diversion L1(NWNW) S30 T05N R03W CANYON
County Source GROUND WATER

Point of Diversion NENE S25 T05N R04W CANYON County
Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 2 CFS

Total Diversion: 2 CFS

Date Filed: 4/18/2013

Place Of Use: IRRIGATION

T05N R03W S30 L1(NWNW)

T05N R04W S22 NESW NWSW

T05N R04W S23 SENE NESE

T05N R04W S25 NENE NWNE NENW

Total Acres: 295

Water bearing zone to be appropriated is from 20 to 300 feet.

63-33779

DEL MONTE MEAT CO INC
21696 STATELINE RD
WILDER, ID 83676

Point of Diversion L1(NWNW) S14 T04N R06W CANYON
County Source ALLEN DRAIN Tributary SNAKE RIVER

Use: IRRIGATION 03/01 to 11/15 1.04 CFS

Use: STOCKWATER 01/01 to 12/31 0.24 CFS

Total Diversion: 1.28 CFS

Date Filed: 5/17/2013

Place Of Use: IRRIGATION & STOCKWATER

T04N R06W S14 NENW L1(NWNW) L2(SWNW) SENW

Total Acres: 52

63-33787

MIYASAKO FARMS LLP
PO BOX 1060
HOMEDALE, ID 83628-1060

Point of Diversion SESW S11 T03N R04W CANYON County
Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 2.96 CFS

Total Diversion: 2.96 CFS

Date Filed: 6/5/2013

Place Of Use: IRRIGATION

T03N R04W S11 NENW SENW NESW SWSE

Total Acres: 148

Water bearing zone to be appropriated is from 230 to 500 feet.

This well currently being drilled as replacement well for right
63-11220, well will be used for supplemental irrigation under
63-11220 & this application.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. 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, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 7/8/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

June 20, 27, 2013

OK
7-11-13
RS.

910562

