

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 67-15076

Priority: February 17, 2012

Maximum Diversion Rate: 0.02 CFS

This is to certify, that CAMAS PRAIRIE ASSOC LLC
C/O WEISER RIVER RANCHES
7351 W LEDGERWOOD LN
MERIDIAN ID 83646

has applied for a permit to appropriate water from:

Source: SPRING

Tributary: SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
WILDLIFE	01/01 to 12/31	0.02 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPRING SE1/4SE1/4SE1/4 Sec. 35, Twp 11N, Rge 04W, B.M. WASHINGTON County

PLACE OF USE: WILDLIFE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 04W 35																	X

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 04W 35																	X

CONDITIONS OF APPROVAL

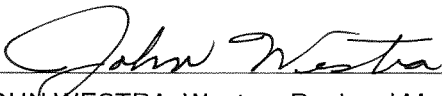
1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2013**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Stockwater use is for 180 range cattle and miscellaneous wildlife.

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5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 67 WEISER RIVER.
6. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 3rd day of May, 2012.


JOHN WESTRA, Western Regional Manager



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
Interim Director

May 4, 2012

CAMAS PRAIRIE ASSOC LLC
C/O WEISER RIVER RANCHES
7351 W LEDGERWOOD LN
MERIDIAN ID 83646

RE: Permit No.67-15076

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-334-2190.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Westra". Below the signature, the word "for" is written in a smaller, lowercase cursive font.

John Westra

Western Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2012 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

67-15076

**CAMAS PRAIRIE ASSOC LLC
C/O WEISER RIVER RANCHES
7351 W LEDGERWOOD LN
MERIDIAN ID 83646**

A handwritten signature in cursive script, appearing to read "Mandi Pearson", is written above a horizontal line.

**Mandi Pearson
Office Specialist II**

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.

Lester, Steve

From: Brandi Horton [watermaster67@hotmail.com]
Sent: Monday, March 26, 2012 6:35 PM
To: Lester, Steve
Subject: RE: Water Right Application

Good Morning Steve!

I looked over this application you sent me (67-15076) and have no objections to it. For some reason I can't get my computer to open the form for Watermaster Recommendations. I figured I'd better just send an email to you to let you know where I'm at on this. If I can figure out the glitch and get the form filled out I'll send it to you...

Have a Good One!

Brandi Horton
Watermaster-District 67
2297 Snapp Ln.
Midvale, ID 83645
(208) 550-0313

P.S. Thanks again to everyone for lunch...I really enjoyed it!

Subject: Water Right Application
Date: Thu, 15 Mar 2012 14:05:10 -0600
From: Steve.Lester@idwr.idaho.gov
To: watermaster67@hotmail.com

Hi Brandi:

I am once again covering legal notices & comment letters until further notice. This is due to some unexpected changes in this office. Attached is a minor application that I don't imagine causes you any concern.

Looking forward to seeing you here for a very informal lunch get together next week.

Steve Lester
Water Rights Supervisor
IDWR Western Region
208-334-2190

No. 011

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
County of Washington) ss.

Sarah Bales, being duly sworn,
deposes and says:

That she is the Clerk of
THE WEISER SIGNAL AMERICAN, a weekly newspaper
published at Weiser, in the County of Washington and State of
Idaho; that said paper has been and is in general circulation in
the county aforesaid, and in the vicinity of Weiser; that the ad-
vertisement, a copy of which is attached hereto, was published in

said newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not in a supplement; that said paper has been established
and regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with
March 21, 2012 and ending
with the issue of March 28, 2012
Sarah Bales

Fees, \$ 110.30

Subscribed and sworn to before me this 28

date of March 2012

Judith A. Parsons
Notary Public, residing at Weiser, Idaho.

My commission expires 2-14

No.
The following application(s) have been filed to appropriate
the public waters of the State of Idaho:

67-15076
CAMAS PRAIRIE ASSOC LLC
C/O WEISER RIVER RANCHES
7351 W LEDGERWOOD LN
MERIDIAN, ID 83646
Point of Diversion: SESESE S35 T11N R04W WASHING-
TON County Source SPRING Tributary SINKS
Use: STOCKWATER & WILDLIFE, both 01/01 to 12/31
0.02 CFS each use
Total Diversion: 0.02 CFS
Date Filed: 2/17/2012
Place of Use: STOCKWATER & WILDLIFE
T11N R04W S35 SESE

Permits will be subject to all prior water rights. For additional
information concerning the property location, contact West-
ern Region office at (208) 334-2190. Protests may be sub-
mitted 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 Wy, Boise ID 83705 together with a protest fee
of \$25.00 for each application on or before 4/9/2012. The
protestant must also send a copy of the protest to the appli-
cant.

GARY SPACKMAN, Interim Director
Published on 3/21/2012 and 3/28/2012

12-2S

