

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-23414

Priority: April 05, 2010

Maximum Diversion Rate: 0.04 CFS

This is to certify, that DENNIS GRIBBLE
And/Or
VICKI GRIBBLE
5321 KEYBRIDGE DR
BOISE ID 83703

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L2 (SW1/4NW1/4) Sec. 14, Twp 11N, Rge 03E, B.M., VALLEY County

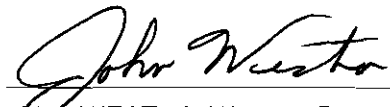
PLACE OF USE: DOMESTIC

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 03E 14							X										
							L2										

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2011**.
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. Domestic use is for 1 home.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 25th day of October, 2010.


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

October 26, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

DENNIS GRIBBLE
And/Or
VICKI GRIBBLE
5321 KEYBRIDGE DR
BOISE ID 83703

RE: Permit No.65-23414

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

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

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

Sincerely,

for John Westra
Western Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

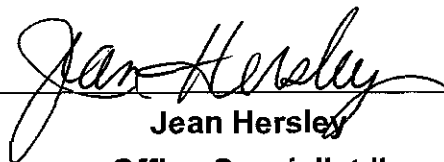
I hereby certify that on October 27, 2010 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

65-23414

**DENNIS GRIBBLE
5321 KEYBRIDGE DR
BOISE ID 83703**

**VICKI GRIBBLE
5321 KEYBRIDGE DR
BOISE ID 83703**



Jean Hersley
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.

RECEIVED

SEP 23 2010

WATER RESOURCES
WESTERN REGION
via e-mail

Publisher's Affidavit of Publication

STATE OF IDAHO

} ss

County of Valley

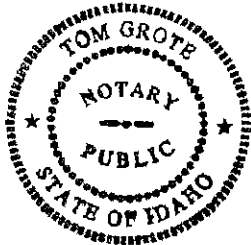
I, Carol J. Wright, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began September 16, 2010 and ended September 23, 2010.

Carol J. Wright

Subscribed and sworn before me this the 23rd day of September, 2010.
STATE OF IDAHO

COUNTY OF VALLEY

On this 23rd day of September, in the year of 2010, before me, a Notary Public, personally appeared Carol J. Wright, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Tom Grote

THE FOLLOWING APPLICATION(S) HAVE BEEN FILED TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO:

- ✓ 65-23369
GOLD FORK RIVER RANCH LLC
PO BOX 1001
EAGLE, ID 83616
Point of Diversion SWNE S32 T16N R04E VALLEY County Source GOLD FORK RIVER Tributary PAYETTE RIVER
Use: AESTHETIC STORAGE 01/01 to 12/31 67.2 AF
Use: DIVERSION TO STORAGE 01/01 to 12/31 0.12 CFS Total Diversion: 0.12 CFS
Date Filed: 12/9/2009
Place Of Use: AESTHETIC STORAGE
T16N R03E S25 SW (ALL)
Mitigation to protect senior river water users is proposed for evaporation losses from the ponds by changing the nature of use of 6 acres of irrigation under a 1919 water right from the Gold Fork River (ponds will replace irrigation on proposed site).
- ✓ 65-23377
GOLD FORK RIVER RANCH LLC
PO BOX 1001
EAGLE, ID 83616
Point of Diversion NESW S25 T16N R03E VALLEY County Source GROUND WATER Tributary GOLD FORK RIVER
Point of Diversion NWSW S25 T16N R03E VALLEY County Source GROUND WATER Tributary GOLD FORK RIVER
Point of Diversion NWSW S25 T16N R03E VALLEY County Source GROUND WATER Tributary GOLD FORK RIVER
Point of Diversion SWSW S25 T16N R03E VALLEY County Source GROUND WATER Tributary GOLD FORK RIVER
Point of Diversion SWSW S25 T16N R03E VALLEY County Source GROUND WATER Tributary GOLD FORK RIVER
Point of Diversion SESW S25 T16N R03E VALLEY County Source GROUND WATER Tributary GOLD FORK RIVER
Use: AESTHETIC STORAGE 01/01 to 12/31 60.8 AF
Total Diversion: 60.8 AF
Date Filed: 12/24/2009
Place Of Use: AESTHETIC STORAGE
T16N R03E S25 SW (ALL)
Excavation of shallow ground water tributary to the Gold Fork River is proposed for 5 ponds within Gold Fork River Ranch Subdivision approximately 0.25 miles east of Hwy 55 off Plant Rd 3.5 miles south of Donnelly. Mitigation to protect senior water rights is proposed for evaporation losses from the ponds by retiring 6 acres of irrigation under a 1919 water right from the Gold Fork River.
- ✓ 65-23414
DENNIS GRIBBLE
VICKI GRIBBLE
5321 KEYBRIDGE DR
BOISE, ID 83705
Point of Diversion L2(SWNW) S14 T11N R03E VALLEY County Source GROUND WATER Tributary
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 4/5/2010
Place Of Use: DOMESTIC
T11N R03E S14 L2(SWNW)
✓ PROPOSED CHANGE OF WATER RIGHT(S)
Gold Fork Irrigating Co LTD of PO Box 12, Donnelly ID 83615 filed Application No. 76177 to transfer three water rights with 1907 and 1919 priority dates from the Gold Fork River totaling 58.92 cfs. The purpose of the transfer is to correct the service area boundary of all three rights and change the nature of use for a portion of the 1919 right, previously used for irrigation of 6 acres, to diversion to storage and aesthetic storage uses for mitigation of the consumptive losses associated with two ponds in Gold Fork River Ranch Subdivision located approximately 0.25 miles east of Hwy 55 off Plant Rd. The unchanged portion of the right will remain within the service area of Gold Fork Irrigating Co LTD, the largest portion of which is generally located south/southeast along the Gold Fork River where it empties into Cascade Reservoir extending approximately 2 miles to the northeast and southwest of the intersection of Hwy 55 and Plant Rd approximately 3.5 miles southeast of Donnelly.
Published in the Idaho Statesman, Post Register, Lewiston Tribune and Times News on September 16th & 23rd, 2010.
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-211 / § 42-222. For specific details regarding the application, please contact the Idaho Department of Water Resources (IDWR) Western Region at 208-334-2190 or visit www.idwr.idaho.gov with details provided under "new water right applications." 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 October 4, 2010. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Interim Director. 2tc9/23

✓ OK DB 10/7/2010