

NOTICE

This file has been REPRODUCED
from MICROFICHE [REDACTED]

Emalee Rushing
Person Recreating File

2-10-10
Date

Left side

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 63-8682

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder : provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:
"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.


GLEN SAXTON
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Hultz Farms, Inc. Phone: 459-2956 or 459-7214
post office address Route #5, Caldwell, ID 83605
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 25 Township 5N
Range 4W B.M. Canyon County; additional points of diversion if any: _____
b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 5.1 for irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
5. Total quantity to be appropriated:
a. 5.1 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Ditches, pipelines, pump.
b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ _____
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered: _____
(4) Name of municipality to be served: _____, or number of families to be supplied with domestic water: _____
(5) If water is to be used for other purposes describe: _____

[illegible]

c. Describe any other water rights used for the same purposes as described above _____

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 _____

Proposed Priority 4/11/77

Received by JG Date 4/11/77 Time 3:15

Preliminary check by JG Fee \$ 475.00

Received by JG Date 4/11/77 Rice # 6429

Publication prepared by S Date 4/11/77

Published in Idaho State

Publication dates April 21, 1977 - April 22, 1977

Publication approved Y Date 5-4-77

Priority reduced to Reason

Protests filed by:

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by JG

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8682, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions.

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 82.

c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 17 day of June, 19 77.


Deputy Director

NOTICE

This file has been REPRODUCED
from MICROFICHE [REDACTED]

Emakee Rushing
Person Recreating File

2-10-10
Date

Right Side

I certify that file No. 63-8682 has been
reviewed and is ready to be MICROFILMED
and DESTROYED.

Rita Fleck
Signature

4-11-1988
Date



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

63-R682
HULIZ FARMS INC.
RT. 5 BOX 57
CALDWELL, ID 83605

Mailing address:
Storehouse
Boise Idaho 83720
(208) 334-4440

April 30, 1987

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on June 30, 1987, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on April 30, 1986.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before August 28, 1987, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

L. Glen Saxton
L. GLEN SAXTON, Chief
Operations Bureau

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

63-8662
MOLTZ FARMS, INC.
Rt. 5 Box 57
Caldwell, ID 83400

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

September 4, 1986

EXAMINATION FEE REMINDER

Dear Permit Holder:

Earlier this year you were mailed a certified letter by our state office, which described a new law related to your water right permit. The water right permit to which this law applies is identified by the number at the top of the mailing label above. The purpose of this letter is to act as a reminder of the new law and to warn you that your permit is now losing priority daily.

As described in the certified letter, House Bill 671 enacted by the 1986 Idaho Legislature requires payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. The certified letter described the procedure for selecting the latter alternative, whereby you initially notify us regarding which water right examiner you have selected, and provide a statement from the examiner as verification.

The date of priority of your water right permit is now being delayed one day for each day the response is late. Also, if the fee or completed field examination report are not submitted within a year from the sixty-first day after the certified letter was mailed, the permit may be lapsed and rendered invalid. The fee, or notice that a private field examination will be conducted, should be submitted as soon as possible if you wish to maintain your permit in a valid status.

Enclosed please find an Examination Fee Information Sheet, with the License Examination Fee Schedule printed on the back. This sheet should be submitted if either the fee payment option or the private examination option is selected. If you have questions or desire assistance in this matter, please feel free to contact this office.

Sincerely,

David R. Tuthill Jr.

David R. Tuthill, Jr. P.E.
Manager, Western Regional Office

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

63-8682
HULTZ FARMS INC.
RT. 5 BOX 57
CALDWELL, ID 83605

Mailing address:
Statehouse
Boise, Idaho 83720

138821

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region
Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region
Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region
Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region
Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

Re:

Dear :

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

☐ A field examiner will contact you to arrange to examine your system.

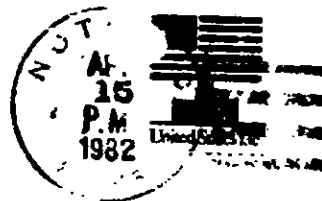
If you have any questions regarding the field examination, please contact this office.

Sincerely,

Judy Pense

Judy Pense
Secretary

2. Hulten
Robert S. Buxer
Caldwell, Idaho



RECEIVED



APR 16 1982
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720
Department of Water Resources

DEPARTMENT OF WATER RESOURCES 31. 6

The Idaho Department of Water Resources will consider this statement that the permit holder(s) has completed development to the extent shown below of Permit No.

Name(s) of Permit holder: H. H. Evans, Jr.

Post Office Address: P.O. Box 533

Colburn, Idaho 83611 Tel. No. _____

Source of Water: Well

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 500 _____ (acres)
☐ Other _____

Measuring Device: Required? ☐ Yes ☐ No Installed? ☒ Yes ☒ No
Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

10/1/72 Date H. H. Evans, Jr. Signature of Permit Holder

DEPARTMENT OF WATER RESOURCES 58112

The Idaho Department of Water Resources will consider this as a statement that the permit holder(s) has a stated development to the extent shown below of permit No.

Name(s) of Permit Holder: H. H. Farnsworth

Post Office Address: P.O. Box 57
Caldwell, Ida 83605 Tel. No.

Source of Water: Well

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 200 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☒ Yes ☐ No
Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

4/8/82
Date

[Signature]
Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138607

MULTZ FARMS INC.
RT. 5
CALDWELL, ID 83605

MARCH 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-8682 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

March 19, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

A handwritten signature in cursive script, reading "David R. Tuthill Jr.", is written over the typed name.

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

June 20, 1977

Re: Permit No. 63-8682

Hultz Farms, Inc.
Route #5
Caldwell, ID 83605

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 63-8682. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

____ Source
____ Point of Diversion
____ County
____ Quantity of Water and Period of Use
____ Description of Diverting Works
____ Time required for B/U of water
____ Place of Use or Acres Irrigated
____ Map
____ Signature
____ Fee

(1) J.C. 4-12-77

In form to receipt

(2) _____

Send Copies to:

____ Idaho State Health Department
____ Idaho Fish and Game Department
____ Bureau of Land Management

(3) _____

____ Request Special Use Permit from U.S.F.S.
____ Request Easement from B.L.M.
____ Request Information from Applicant
____ Request Dam Safety Information

(4) JHA 4-12-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater areas: yes _____ no ✓

(8) _____

Groundwater levels:

____ Declining, ____ Stable, ____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use none

(10) _____

Comments: _____

(11) J OK

Affidavit of Publication received (date) 5-4-77

(12) _____

Final date for protests 5-9-77

Protests received: yes _____ no ✓

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

✓ Approve _____ Deny

____ Proposed Priority

____ Reason for Reduction _____

✓ Measuring device required

____ See attached sheet for other conditions of approval

____ No special conditions for approval

(15) District W

By JHA

Date 5-10-77



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Huggins
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

April 15, 1977

Re: See attached sheets

News-Tribune
P.O. Box 1179
Caldwell, ID 83605

Gentlemen:

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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before May 9, 1977.

Sincerely,

Bill submitted
5-4-77
J

Published in the News-Tribune, Caldwell, Idaho on April 21 & 28, 1977.

NOTICE OF CORRECTION

63-4435	Ruth LeMaster
63-8567	Yoshie Yamada
63-8572	Wendell B. Platt

NOTICE OF CLAIM TO A WATER RIGHT

63-4453	F. Eldon &/or Louise O. Cook
63-4455	Robert M. ZXXXX Batt
63-4456	C. J. &/or Robert Kniefel
63-4457	Kniefel Farms, Inc.
63-4458	Edgar W. Sells
63-4459	Greenleaf Farms, Inc.
63-4460	Greenleaf Farms, Inc.
63-4463	Ivan &/or Alma Dillon
63-4466	Harold Duane &/or XXXXXXX Margret M. Root

NOTICE OF APPLICATION FOR WATER PERMIT

63-8658	J. C. Watson Co.
63-8657	Claude &/or Billie Percy
63-8668	Michio Takasugi
63-8669	Thomas J. &/or Mildred Brown
63-8671	Willie Fletcher
63-8675	Michio Takssugi
63-8677	F. Eldon &/or Louise O. Cook
63-8679	Marvin &/or XXX Yearl Sorenson
63-8680	Orville Obendorf

continued

Published in the News-Tribune, Caldwell, Idaho on April 21, 1977 & April 28, 1977.

63-8682	Hultz Farms, Inc.
63-8683	R. E. Maybon or Norma M. Maybon
63-8684	Cline J. 2/or Winoma Sidener

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Holtz Farms, Inc.
~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ Rt. 5, Caldwell, ID
has on April 11, 1977 submitted Application No. 63-8682
for a permit to appropriate 5.1 cubic feet per second ~~XXXXXX~~
per annum of water from a groundwater source
~~XXXXXXXXXX~~
by means of ditches, pipelines, pump
within the S14NE1, Sec 25 T5N-R4W B.M., Canyon County

to be used from Mar 15 to Nov 15
for the irrigation of 255 acres

within the S14NE1, S14NW1, N14SE1, W14SE1, Sec 25 T5N-R4W B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Director of
the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho
83705 on or before May 9, 1977.

C. STEPHEN ALLRED

~~XXXXXX~~ Acting Director

Published in the News-Tribune, Caldwell, Idaho
April 21, 1977 and April 28, 1977.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
) ss.
County of Canyon.)

NOTICE FOR WATER PERMIT

Notice is hereby given that HULTZ FARMS, INC. RT. 5, Caldwell, ID has on April 11, 1977 submitted Application No. 63-002 for a permit to appropriate 5.1 cubic feet per second of water from a groundwater source by means of ditch, pipelines, pump within the SW 1/4 Sec 25 T5N-R4W S.M., Canyon County to be used from March 15 to Nov. 15 for the irrigation of 255 acres within the SW 1/4, SW 1/4, NW 1/4, W 1/4 Sec 25 T5N-R4W S.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83725 on or before May 9, 1977.

C. STEPHEN ALLRED

Director
April 21, 1977

Verla Barker
of Caldwell, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the News-Tribune, a daily, (except Sunday) newspaper published in the City of Caldwell, 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 Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the 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

Two Times
in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

April 21, 26, 1977

Subscribed and sworn to before me this

19 77 28th day of April

Adrian D. Kew
Notary Public, Residing at Nampa, Idaho

OK 144
5-2-77