



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

February 18, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

David Robidoux
1827 Deer Creek RD
Weiser ID 83672

Wayne W Williamson
1691 Thousand Springs RD
Weiser ID 83672

RE: Application for Permit #67-14952

Gentlemen:

Attached is a permit **draft** copy for the above application as was discussed at the prehearing conference last week. Both parties should carefully review the draft specifically the conditions of approval. A protest withdrawal form is enclosed if Mr. Williamson desires to withdraw his protest.

Please feel free to contact Kay Walker or me if you questions or need clarification regarding the draft, phone 334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Westra', is written over a horizontal line.

John Westra, Manager

Enclosure: draft permit, withdrawal form—Williamson.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 67-14952

Priority: November 15, 2006

Maximum Diversion Rate: 0.20 CFS
Maximum Diversion Volume: 10.0 AF

This is to certify, that DAVID F ROBIDOUX
1827 DEER CREEK RD
WEISER ID 83672

has applied for a permit to appropriate water from:

DRAFT**Source:** DEER CREEK**Tributary:** MANN CREEK

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>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	01/01 to 12/31		0.7 AF
DIVERSION TO STORAGE	03/01 to 06/15	0.20 CFS	
IRRIGATION STORAGE	01/01 to 12/31		9.3 AF
IRRIGATION FROM STORAGE	03/15 to 10/31		9.3 AF

LOCATION OF POINT OF DIVERSION:

DEER CREEK NW1/4SE1/4 Sec. 36, Twp 13N, Rge 05W, B.M., WASHINGTON County

PLACE OF USE: STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N 05W 36														X	X		

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N 05W 36														X	X		

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N 05W 36														1.8	8.2		10.0

Total Acres: 10

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 67-14952

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CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2010**.
2. Subject to all prior water rights.
3. 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.
4. No water shall be diverted under this right after June 15 of each year without prior approval of the watermaster.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion. The Deer Creek diversion will be measured at the inlet pipe of West Pond No. 1.
6. Irrigation storage and stockwater storage are for 4 ponds totaling 10 acre feet of storage.
7. Right Nos. 67-14790 and 67-14952 are limited to a total combined diversion rate of 0.25 cfs from Deer Creek between March 1 and June 15.
8. Stockwater use is for 10 range cattle.
9. This right does not grant any right-of-way or easement across the land of another.
10. 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 if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this _____ day of _____, 20____.

DRAFT

DAVID R. TUTHILL, JR., Director