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JAN 30 2008

DEPARTMENT OF  
WATER RESOURCES

Dana L. Hofstetter, ISB #3867  
Hofstetter Law Office, LLC  
608 West Franklin Street  
Boise, Idaho 83702  
Telephone: (208) 424-7800  
Facsimile: (208) 424-8774  
E-Mail: [Dana@IdahoWaterLaw.com](mailto:Dana@IdahoWaterLaw.com)

Attorney for Greg Obendorf

**BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO**

|                                       |   |                           |
|---------------------------------------|---|---------------------------|
| In the Matter of Permit Nos. 63-32465 | ) | Case No. _____            |
| (split to 63-32911 and 63-32912),     | ) |                           |
| 63-32466, and 63-32467                | ) | <b>AFFIDAVIT OF</b>       |
| In the Name of Tree Top Ranches LP    | ) | <b>DANA L. HOFSTETTER</b> |
| _____                                 | ) |                           |

STATE OF IDAHO           )  
                                  ) ss.  
COUNTY OF ADA         )

Dana L. Hofstetter, being first being duly sworn upon oath, deposes and says:

(1) I am Dana L. Hofstetter, counsel of record in this matter for Greg Obendorf.

(2) Attached hereto as Exhibit A is a true and correct copy of the June 5, 2007 Weekly Water Right Listing that I received from the Idaho Department of Water Resources ("IDWR").

This document includes Notice of Application for Permit No. 63-32462 but it omits any Notice of Application for Permit Nos. 63-32465 (later split to 63-32911 and 63-32912), 63-32466, or 63-32467. I have reviewed the May 2007 and other June 2007 IDWR Weekly Water Right Listings that I received and all of them also omit any Notice of Application for Permit Nos. 63-32465, 63-32466, and 63-32467. True and correct copies of the May 2007 and other June 2007 IDWR Weekly Water Right Listings that I received are attached hereto as Exhibit B.

The coversheets to the IDWR Weekly Water Right Listings refer to the notices published in the newspapers as the official notices of applications. However, the coversheets also state that the Weekly Water Right Listings provide “notice of new applications” and include “applications for permit, applications for transfer, applications to amend a permit, amended applications for permit and statutory claims.” Further, the coversheets state that notices appear in the newspaper about two weeks after they appear in the Weekly Water Right Listing and that protests would be due after publication in the newspapers. Thus, it appears that the Weekly Water Right Listing is intended to be a complete list of new applications about to enter the publication and protest period.

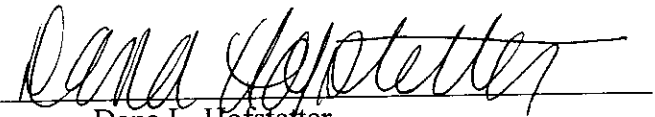
(3) For many years, including the year 2007, I have maintained and paid for a subscription to have IDWR’s Weekly Water Right Listings mailed to me for my legal practice.

(4) Based on the June 5, 2007 IDWR Weekly Water Right Listing and a copy of the subject Application for Permit No. 63-32462 that IDWR had provided to me, on June 22, 2007, I filed Protests with IDWR to Application for Permit No. 63-32462 on behalf of two of my clients, including Petitioner. True and correct copies of these Protests are attached hereto as Exhibits C and D, respectively. If I had known at the time that Application for Permit Nos. 63-32465, 63-32466, and 63-32467. were subject to the same protest deadline of June 25, 2007, I also would have filed timely Protests to at least some, if not all, of these other Applications on behalf of the same, and/or, perhaps, additional clients whose lands and/or water rights would be affected (*e.g.* the point of diversion for 63-32466 appears to be on Petitioner’s property).

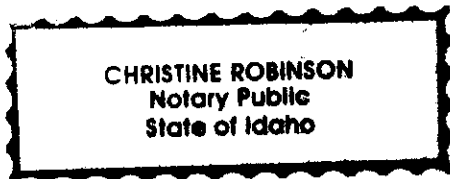
(5) On January 23, 2008, I first learned that Application for Permit Nos. 63-32465, 63-32466, and 63-32467 actually had been published at the same time as Application for Permit No. 63-32462 and had the same protest deadline of June 25, 2007, and that Permit Nos. 63-32911, 63-32912, 63-32466, and 63-32467 had been issued.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 30th day of January, 2008.

  
Dana L. Hofstetter

SUBSCRIBED AND SWORN to before me this 30th day of January, 2008.



  
Notary Public in and for the State of Idaho  
Residing at: Boise IDAHO  
My Commission Expires: 6/11/2013

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 30th day of January, 2008, I caused the foregoing **AFFIDAVIT OF DANA L. HOFSTETTER** to be served by the pre-paid method(s) indicated on the following:

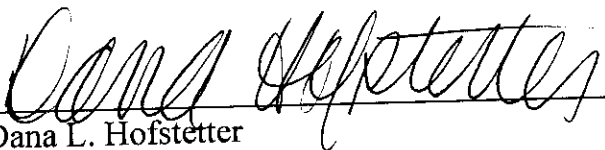
**Original to:**

David R. Tuthill, Jr., Director  
Idaho Department of Water Resources  
The Idaho Water Center  
322 East Front Street  
Boise, Idaho 83702  
☐ U.S. Mail ☐ Fed Ex ☒ Hand ☐ Fax

**Copies to:**

Gary Spackman  
Idaho Department of Water Resources  
The Idaho Water Center  
322 East Front Street  
Boise, Idaho 83702  
☐ U.S. Mail ☐ Fed Ex ☒ Hand ☐ Fax

Scott Campbell  
Moffatt Thomas  
P.O. Box 829  
Boise, Idaho 83701  
☒ U.S. Mail ☐ Fed Ex ☐ Hand ☒ Fax

  
\_\_\_\_\_  
Dana L. Hofstetter

V4027.2\7873

# IDAHO DEPARTMENT OF WATER RESOURCES' WEEKLY WATER RIGHT LISTING

## GENERAL EXPLANATION

The department produces the attached water right application and claim listing from its computer database to provide notice of new applications and claims. The listing includes applications for permit, applications for transfer, applications to amend a permit, amended applications for permit, and statutory claims. This listing is provided as a convenience and is not the official notice of applications and claims, which is published in newspapers of the state. The information is also available at the following Internet address:

<http://www.idwr.idaho.gov/water/rights/>

In about two (2) weeks after applications and claims appear in the attached listing, the department generally publishes a legal notice once a week for two (2) consecutive weeks in a newspaper printed in the county in which the point of diversion lies. Protests against the approval of an application must be **received** by the department no later than ten (10) days after the second and last publication and must be accompanied by a non-refundable \$25 protest fee per application. A protest must include the protestant's name and address and be signed by the protestant, or the protestant's attorney. The protest shall clearly describe the objection to the approval of an application. Exceptions to a statutory claim must be filed in affidavit form, in duplicate, and accompanied by such proof as is deemed appropriate. No fee is required to file an exception to a statutory claim.

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The original applications or claims and supporting information may be reviewed in the department's regional offices described below: The two digits shown to the left of the regional offices' information represents a hydrologic basin administered by that regional office, and represents the first two digits in the identification number of a specific water right in a basin.

### Water Right Basin & the Regional Office assignment

01, 11, 13, 15, 17,  
21, 22, 23, 24, 25,  
27, 29, 31, 32, 33,  
34, 35, 73, 74, 75

Eastern Regional Office  
900 N. Skyline Dr., Suite A  
Idaho Falls, ID 83402-1718  
(208) 525-7161

01, 02, 36, 37, 41, 43,  
45, 47, 71, 72

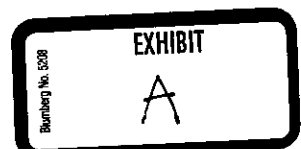
Southern Regional Office  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301  
(208) 736-3033

02, 03, 51, 55, 57,  
61, 63, 65, 67, 69,  
77, 78, 79

Western Regional Office  
2735 Airport Way  
Boise, ID 83705  
(208) 334-2190

03, 81, 82, 83, 84,  
85, 86, 87, 91, 92,  
93, 94, 95, 96, 97,  
98

Northern Regional Office  
7600 Mineral Dr., Ste 100  
Coeur d'Alene, ID 83815  
(208) 769-2800



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IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/5/07

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**Statutory Claim No. 11-7565**

Name: EIGHT MILE RANCH LLC

Diversion Pt SWSENE      Sec 11 T 10S R 42E BEAR LAKE County      Source SPRING  
Use: STOCKWATER      01/01 To 12/31 0 05 CFS

Total Diversion: 0 05 CFS

Priority Date: 04/01/1957

Place Of Use: STOCKWATER  
T10S R42E S11      SENE

**Statutory Claim No. 11-7566**

Name: EIGHT MILE RANCH LLC

Diversion Pt SWSWSW      Sec 12 T 10S R 42E BEAR LAKE County      Source SPRING  
Use: DOMESTIC      01/01 To 12/31 0 04 CFS  
Use: STOCKWATER      01/01 To 12/31 0 02 CFS

Total Diversion: 0 06 CFS

Priority Date: 04/01/1897

Place Of Use: DOMESTIC  
T10S R42E S12      SWSW

Place Of Use: STOCKWATER, same as Domestic

**Statutory Claim No. 11-7567**

Name: EIGHT MILE RANCH LLC

Diversion Pt SWNESE      Sec 11 T 10S R 42E BEAR LAKE County      Source SPRING  
Use: STOCKWATER      01/01 To 12/31 0 05 CFS

Total Diversion: 0 05 CFS

Priority Date: 04/01/1957

Place Of Use: STOCKWATER  
T10S R42E S11      NESE SESE

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/5/07

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**Statutory Claim No. 11-7569**

Name: EIGHT MILE RANCH LLC

Diversion Pt SWSNW      Sec 13 T 10S R 42E BEAR LAKE County      Source SPRING  
Use: STOCKWATER      01/01 To 12/31 0 02 CFS

Total Diversion: 0 02 CFS  
Priority Date: 05/01/1938

Place Of Use: STOCKWATER  
T10S R42E S13      SENW

**Statutory Claim No. 11-7570**

Name: EIGHT MILE RANCH LLC

Diversion Pt NESWSW      Sec 11 T 10S R 42E BEAR LAKE County      Source SPRING  
Use: STOCKWATER      01/01 To 12/31 0 06 CFS

Total Diversion: 0 06 CFS  
Priority Date: 04/01/1997

Place Of Use: STOCKWATER  
T10S R42E S11      SESE  
T10S R42E S12      NWSW

**Statutory Claim No. 11-7571**

Name: EIGHT MILE RANCH LLC

Diversion Pt SENWSE      Sec 11 T 10S R 42E BEAR LAKE County      Source SPRING  
Use: STOCKWATER      01/01 To 12/31 0 02 CFS

Total Diversion: 0 02 CFS  
Priority Date: 05/01/1938

Place Of Use: STOCKWATER  
T10S R42E S11      NWSE

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/5/07

**Application for Permit No. 21-13062**

Name: LAWRY WILDE

Diversion Pt NENE      Sec 23 T 14N R 43E      FREMONT County      Source GROUND WATER  
Use: DOMESTIC      01/01 To 12/31 0.14 CFS

Total Diversion: 0.14 CFS

Date Filed: 04/27/2007

Place Of Use: DOMESTIC

T14N R43E S23      NENE NWNE

**Application for Permit No. 22-13714**

Name: WEST RIM LLC

Diversion Pt NWSENE      Sec 10 T 06N R 44E      TETON County      Source TETON RIVER  
Diversion Pt NWSESE      Sec 15 T 06N R 44E      TETON County      Source TETON RIVER  
Diversion Pt SWNENW      Sec 15 T 06N R 44E      TETON County      Source TETON RIVER

Use: DIVERSION TO STORAGE      04/15 To 10/31 27.2 CFS

Use: AESTHETIC STORAGE      01/01 To 12/31      1807.2 AFA

Use: RECREATION STORAGE      01/01 To 12/31      1807.2 AFA

Use: FIRE PROTECTION STORAGE      01/01 To 12/31      1807.2 AFA

Total Diversion: 27.2 CFS      1807.2 AFA

Date Filed: 04/17/2007

Place Of Use: AESTHETIC STORAGE

T06N R44E S10      NWNW SWSW SESW  
T06N R44E S15      NWNW SESW  
T06N R44E S16      NENE NENW NWNW  
T06N R44E S17      SENE NWSW NESE SESE  
T06N R44E S20      SENE NENW NWNW SWNW SENW NESW NWSW NESE NWSE SWSE SESE  
T06N R44E S21      NWNE NENW  
T06N R44E S29      SWNE  
T06N R44E S4      SWSW  
T06N R44E S5      NESW NWSW SWSW SESW NWSE SWSE SESE  
T06N R44E S7      NENW SWSE  
T06N R44E S8      NENE NWNE SESW SWSE SESE  
T06N R44E S9      NENE SENE NWNW SWSW NESE

Place Of Use: RECREATION STORAGE same as Aesthetic Storage

Place Of Use: FIRE PROTECTION STORAGE

T06N R44E S10      NWNW SWSW SESW  
T06N R44E S15      NWNW SESW  
T06N R44E S16      NENE NENW NWNW  
T06N R44E S10      NWNW SWSW SESW  
T06N R44E S15      NWNW SESW

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/5/07

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|               |                                                        |
|---------------|--------------------------------------------------------|
| T06N R44E S16 | NENE NENW NWNW                                         |
| T06N R44E S17 | SENE NWSW NESE SESE                                    |
| T06N R44E S20 | SENE NENW NWNW SWNW SENW NESW NWSW NESE NWSE SWSE SESE |
| T06N R44E S21 | NWNE NENW                                              |
| T06N R44E S29 | SWNE                                                   |
| T06N R44E S4  | SWSW                                                   |
| T06N R44E S5  | NESW NWSW SWSW SESW NWSE SWSE SESE                     |
| T06N R44E S7  | NENW SWSE                                              |
| T06N R44E S8  | NENE NWNE SESW SWSE SESE                               |
| T06N R44E S9  | NENE SENE NWNW SWSW NESE                               |

**Application for Permit No. 35-13627**

Name: ARLEN TROY FUNK

|                      |                                 |                     |
|----------------------|---------------------------------|---------------------|
| Diversion Pt L2 SENE | Sec 25 T 07S R 30E POWER County | Source GROUND WATER |
| Use: COMMERCIAL      | 01/01 To 12/31 0.04 CFS         |                     |

Total Diversion: 0.04 CFS

Date Filed: 05/29/2007

Place Of Use: COMMERCIAL

T07S R30E S25 SENE Lot 2

**Application for Permit No. 35-13628**

Name: CLEM R YANCEY

|                   |                                   |                     |
|-------------------|-----------------------------------|---------------------|
| Diversion Pt NESW | Sec 28 T 02S R 35E BINGHAM County | Source GROUND WATER |
| Use: DOMESTIC     | 01/01 To 12/31 0.04 CFS           |                     |

Total Diversion: 0.04 CFS

Date Filed: 05/22/2007

Place Of Use: DOMESTIC

T02S R35E S28 NESW

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/5/07

**Application for Permit No. 47-17441**

Name: ST LUKES REGIONAL MEDICAL CENTER

Diversion Pt L3 NENW      Sec 5    T 10S R 17E    TWIN FALLS County    Source GROUND WATER  
Diversion Pt L4 NWNW      Sec 5    T 10S R 17E    TWIN FALLS County    Source GROUND WATER  
Use: COMMERCIAL                      01/01 To 12/31    0.89 CFS

Total Diversion: 0.89 CFS

Date Filed: 01/17/2007

Place Of Use: COMMERCIAL

T10S R17E S5                      NENW Lot 3 NWNW Lot 4

Remarks: This application covers the drilling of a new well for the new hospital to be built at the corner of Poleline Road and Grandview Drive. The well will provide an emergency backup water supply in case Twin Falls city water ever becomes unavailable

**Application for Permit No. 63-32367**

Name: CITY OF CALDWELL

Diversion Pt NWNWNW      Sec 23    T 03N R 03W    CANYON County      Source GROUND WATER  
Diversion Pt NWNWNW      Sec 23    T 03N R 03W    CANYON County      Source GROUND WATER  
Use: MUNICIPAL                      01/01 To 12/31    4.9 CFS

Total Diversion: 4.9 CFS

Date Filed: 06/14/2006

Place Of Use: MUNICIPAL

Remarks: Municipal use is for applicants service area.  
Water bearing zone to be appropriated is from 160 to 850 feet

**Application for Permit No. 63-32462**

Name: TREE TOP RANCHES LP

Diversion Pt NWNW      Sec 23    T 05N R 05W    CANYON County      Source SAND HOLLOW CREEK  
Use: WILDLIFE                      11/15 To 03/15    20 CFS  
Use: DIVERSION TO STORAGE      11/15 To 03/15    20 CFS  
Use: WILDLIFE STORAGE              11/15 To 03/15                      91.5 AFA

Total Diversion: 20 CFS

Date Filed: 12/28/2005

Place Of Use: WILDLIFE

T05N R05W S22                      NWNE SWNE NENW SENW

Place Of Use: WILDLIFE STORAGE same as Wildlife

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/5/07

**Application for Permit No. 72-16719**

Name: UNITED STATES OF AMERICA ACTING THROUGH THE DEPARTMENT  
OF INTERIOR, BUREAU OF LAND MANAGEMENT, IDAHO

Diversion Pt L5 SWNESE      Sec 34 T 16N R 20E CUSTER County      Source GROUND WATER  
Use: IRRIGATION      04/01 To 10/31 0.56 CFS

Total Diversion: 0.56 CFS

Date Filed: 04/18/2007

Place Of Use: IRRIGATION

T16N R20E S26      NESE SESE

Number of Acres 28

**Application for Permit No. 81-11988**

Name: ALLEN R LEWIS

JACQUELINE K LEWIS

Diversion Pt SESESW      Sec 14 T 32N R 04E IDAHO County      Source SPRING  
Use: DOMESTIC      01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 11/20/2006

Place Of Use: DOMESTIC

T32N R04E S14      SESW

Remarks: Domestic use is for 1 home, guest cabin and outbuilding  
This application proposes the diversion and use of water from a tributary of the Middle Fork Clearwater Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for domestic purposes.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/5/07

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**Application for Permit No. 94-7418**

Name: WILBUR RONALD LEONARD

Diversion Pt L9 SESW      Sec 6 T 47N R 02W KOOTENAI County      Source SPRING  
Diversion Pt L8 SWSW      Sec 6 T 47N R 02W KOOTENAI County      Source SPRING  
Use: DOMESTIC      01/01 To 12/31 0 04 CFS

Total Diversion: 0 04 CFS

Date Filed: 05/16/2007

Place Of Use: DOMESTIC

T47N R02W S6      SESW Lot 9

Remarks: Domestic use is for 1 home

**Application for Permit No. 95-9390**

Name: RUSSELL A WATT

Diversion Pt L2 NWNE      Sec 12 T 51N R 06W KOOTENAI County      Source SHAW CREEK  
Use: IRRIGATION      03/15 To 11/15 0 05 CFS

Total Diversion: 0 05 CFS

Date Filed: 05/15/2007

Place Of Use: IRRIGATION

T51N R06W S12      NWNE Lot 2

Number of Acres 1 5

**Application for Permit No. 95-9391**

Name: KOOTENAI COUNTY SOLID WASTE

Diversion Pt NWNENW      Sec 29 T 51N R 05W KOOTENAI County      Source GROUND WATER  
Use: FIRE PROTECTION      01/01 To 12/31 3 9 CFS

Total Diversion: 3 9 CFS

Date Filed: 05/23/2007

Place Of Use: FIRE PROTECTION

T51N R05W S29      NENW NWNW SENW

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/5/07

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**Application for Permit No. 95-9392**

Name: KOOTENAI COUNTY SOLID WASTE

Diversion Pt NWENW      Sec 29 T 51N R 05W KOOTENAI County      Source GROUND WATER  
Use: DOMESTIC      01/01 To 12/31 0.11 CFS  
Use: IRRIGATION      04/01 To 11/30 0.11 CFS

Total Diversion: 0.22 CFS

Date Filed: 05/23/2007

Place Of Use: IRRIGATION

T51N R05W S29      NENW NWNW

Number of Acres 6

Place Of Use: DOMESTIC, same as Irrigation

Remarks: Domestic use is for County Waste Transfer Station public and employee restroom facilities

**Application for Permit No. 98-7858**

Name: THOMAS SANNER

Diversion Pt NWSE      Sec 26 T 64N R 02E BOUNDARY County      Source MOYIE RIVER  
Use: DOMESTIC      01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 05/11/2007

Place Of Use: DOMESTIC

T64N R02E S26      NESE NWSE

Remarks: Domestic use is for 1 home

**Application for Amendment of Permit No. 95-9240**

Name: WESTVIEW PROPERTY OWNERS ASSOCIATION

Diversion Pt L1 NENW      Sec 31 T 49N R 03W KOOTENAI County      Source GROUND WATER  
Diversion Pt L1 NENW      Sec 31 T 49N R 03W KOOTENAI County      Source GROUND WATER  
Use: MUNICIPAL      01/01 To 12/31 0.42 CFS

Total Diversion: 0.42 CFS

Date Filed: 04/04/2007

Place Of Use: MUNICIPAL

T49N R03W S31      NENW Lot 1

Remarks: Municipal use is within the service area of applicant  
This application for amendment will decrease the diversion rate

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/5/07

**Application for Amendment of Permit No. 95-9247**

Name: LONE MOUNTAIN WATER ASSOCIATION INC

|              |           |       |                |                 |        |              |
|--------------|-----------|-------|----------------|-----------------|--------|--------------|
| Diversion Pt | SESW      | Sec 2 | T 52N R 04W    | KOOTENAI County | Source | GROUND WATER |
| Diversion Pt | SESW      | Sec 2 | T 52N R 04W    | KOOTENAI County | Source | GROUND WATER |
| Use:         | MUNICIPAL |       | 01/01 To 12/31 | 0 2 CFS         |        |              |

Total Diversion: 0 2 CFS

Date Filed: 05/08/2007

Place Of Use: MUNICIPAL

T52N R04W S2 SWSW SESW SWSE

Remarks: Municipal use is within service area of applicant.  
There will be no increase in the diversion rate

**Transfer No 73293**

Water Right No(s) 35-13448

Name: KEITH E KELLER

Right No. 35-13448

Priority 3/13/1952

Source GROUND WATER

Use IRRIGATION (35 acres) 0.70 CFS 140 0 AFA

Point(s) of Diversion NESWSE S13 T02S R34E BINGHAM County

Place of Use S13 T02S R34E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 35-13586 (split from Parent Right No. 35-13448 )

Use IRRIGATION (28 acres) 0 56 CFS 112 0 AFA

Proposed Right No. 35-13587 (split from Parent Right No. 35-13448 )

Use IRRIGATION (7 acres) 0 14 CFS 28 0 AFA

Point(s) of Diversion SENW S5 T02S R34E BINGHAM County

Place of Use S5 T02S R34E

Remarks: The applicant proposes to change the point of diversion and to change the place of use They plan to dry up 7 acres of a groundwater right and move west by 5 miles. The new point of diversion will be an existing domestic well for 0.14 cfs The place of use will be in the SESE Sec 5 T2S R34E for 7 acres.

# IDAHO DEPARTMENT OF WATER RESOURCES' WEEKLY WATER RIGHT LISTING

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The original applications or claims and supporting information may be reviewed in the department's regional offices described below: The two digits shown to the left of the regional offices' information represents a hydrologic basin administered by that regional office, and represents the first two digits in the identification number of a specific water right in a basin.

### Water Right Basin & the Regional Office assignment

01, 11, 13, 15, 17,  
21, 22, 23, 24, 25,  
27, 29, 31, 32, 33,  
34, 35, 73, 74, 75

Eastern Regional Office  
900 N. Skyline Dr., Suite A  
Idaho Falls, ID 83402-1718  
(208) 525-7161

01, 02, 36, 37, 41, 43,  
45, 47, 71, 72

Southern Regional Office  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301  
(208) 736-3033

02, 03, 51, 55, 57,  
61, 63, 65, 67, 69,  
77, 78, 79

Western Regional Office  
2735 Airport Way  
Boise, ID 83705  
(208) 334-2190

03, 81, 82, 83, 84,  
85, 86, 87, 91, 92,  
93, 94, 95, 96, 97,  
98

Northern Regional Office  
7600 Mineral Dr., Ste 100  
Coeur d'Alene, ID 83815  
(208) 769-2800

RECEIVED MAY 09 2007



IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/14/07

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**Application for Permit No. 96-9322**

Name: ARTHUR M KRUCKMAN  
JEAN A KRUCKMAN

Diversion Pt SWSE      Sec 5    T 53N R 03W KOOTENAI County      Source GROUND WATER  
Use: DOMESTIC      01/01 To 12/31 0.02 CFS  
Use: IRRIGATION      04/01 To 10/31 0.15 CFS

Total Diversion: 0.17 CFS  
Date Filed: 05/01/2007

Place Of Use: IRRIGATION  
T53N R03W S5      SWSE  
Number of Acres 5

Place Of Use: DOMESTIC, same as Irrigation

Remarks: Domestic use is for 1 home

**Transfer No 73550**

Water Right No(s) 63-10821

Name: DESERT VIEW ESTATES WATER CORP

Right No. 63-10821

Priority 8/10/1989

Source GROUND WATER

Use MUNICIPAL      1.70 CFS 334.0 AFA

Point(s) of Diversion NENE S27 T02N R01E ADA County  
SWNE S27 T02N R01E ADA County  
NENW S27 T02N R01E ADA County

Place of Use S22 T02N R01E  
S26 T02N R01E  
S27 T02N R01E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 63-10821

Point(s) of Diversion NENE S27 T02N R01E ADA County  
NENE S27 T02N R01E ADA County  
NENE S27 T02N R01E ADA County  
SWNE S27 T02N R01E ADA County  
NENW S27 T02N R01E ADA County  
NWNW S27 T02N R01E ADA County

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/14/07

**Application for Permit No. 86-11975**

Name: PALOUSE PRAIRIE FARMS LLC

|                  |                         |                |             |              |                       |
|------------------|-------------------------|----------------|-------------|--------------|-----------------------|
| Diversion Pt     | SWSW                    | Sec 24         | T 40N R 03W | LATAH County | Source UNNAMED STREAM |
| Diversion Pt     | NESW                    | Sec 24         | T 40N R 03W | LATAH County | Source UNNAMED STREAM |
| Diversion Pt     | NWSW                    | Sec 24         | T 40N R 03W | LATAH County | Source UNNAMED STREAM |
| Use:             | STOCKWATER STORAGE      | 01/01 To 12/31 |             | 15 AFA       |                       |
| Use:             | STOCKWATER FROM STORAGE | 01/01 To 12/31 |             | 15 AFA       |                       |
| Use:             | STOCKWATER              | 01/01 To 12/31 | 0.05 CFS    |              |                       |
| Total Diversion: | 0.05 CFS                | 15 AFA         |             |              |                       |
| Date Filed:      | 01/17/2007              |                |             |              |                       |

Place Of Use: STOCKWATER

T40N R03W S24 NESW NWSW SWSW SESW

Place Of Use: STOCKWATER STORAGE & STOCKWATER FROM STORAGE, same as Stockwater

Remarks: Stockwater use is for 200 head of mixed stock.

**Application for Permit No. 95-9389**

Name: MARK VILLAGOMEZ

JANETTE VILLAGOMEZ

|                  |            |                |             |                 |                     |
|------------------|------------|----------------|-------------|-----------------|---------------------|
| Diversion Pt     | L4 SWSW    | Sec 31         | T 52N R 03W | KOOTENAI County | Source GROUND WATER |
| Use:             | DOMESTIC   | 01/01 To 12/31 | 0.04 CFS    |                 |                     |
| Use:             | STOCKWATER | 01/01 To 12/31 | 0.02 CFS    |                 |                     |
| Use:             | IRRIGATION | 03/15 To 11/15 | 0.14 CFS    |                 |                     |
| Total Diversion: | 0.2 CFS    |                |             |                 |                     |
| Date Filed:      | 04/30/2007 |                |             |                 |                     |

Place Of Use: IRRIGATION

T52N R03W S31 SWSW Lot 4

Number of Acres 15

Place Of Use: DOMESTIC & STOCKWATER same as Irrigation

Remarks: Domestic use is for 2 homes.  
Stockwater use is for 10 head of mixed stock

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/14/07

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**Application for Permit No. 65-23120**

Name: BLACKHAWK PARTNERS LLC

|              |                    |       |                |               |        |              |
|--------------|--------------------|-------|----------------|---------------|--------|--------------|
| Diversion Pt | SESW               | Sec 1 | T 17N R 02E    | VALLEY County | Source | GROUND WATER |
| Use:         | AESTHETIC STORAGE  |       | 01/01 To 12/31 |               |        | 145 AFA      |
| Use:         | RECREATION STORAGE |       | 01/01 To 12/31 |               |        | 145 AFA      |

Total Diversion: 145 AFA

Date Filed: 04/05/2007

Place Of Use: AESTHETIC STORAGE

T17N R02E S1 SWSW SESW

Place Of Use: RECREATION STORAGE, same as Aesthetic

Remarks: Mitigation is proposed for consumptive use from a shallow ground water amenity pond for the Meadows at Blackhawk Subdivision. See companion Application 65-23042 for mitigation.

**Application for Permit No. 77-14272**

Name: BRIAN M HOWARD

|              |          |       |                |              |        |              |
|--------------|----------|-------|----------------|--------------|--------|--------------|
| Diversion Pt | NENE     | Sec 6 | T 23N R 08E    | IDAHO County | Source | SALMON RIVER |
| Use:         | DOMESTIC |       | 01/01 To 12/31 | 0.04 CFS     |        |              |

Total Diversion: 0.04 CFS

Date Filed: 12/01/2005

Place Of Use: DOMESTIC

T23N R08E S6 SENE

Remarks: Place of use is located within Lot 9, Copenhaver Subdivision.

Previously published 1-3 and 10-2006 without the following remarks

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for domestic purposes

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/14/07

**Application for Permit No. 65-23042**

Name: BLACKHAWK PARTNERS LLC

|              |                      |                |             |               |        |              |
|--------------|----------------------|----------------|-------------|---------------|--------|--------------|
| Diversion Pt | NESW                 | Sec 1          | T 17N R 02E | VALLEY County | Source | GROUND WATER |
| Diversion Pt | NESW                 | Sec 1          | T 17N R 02E | VALLEY County | Source | GROUND WATER |
| Diversion Pt | L1 SESE              | Sec 25         | T 18N R 02E | VALLEY County | Source | GROUND WATER |
| Diversion Pt | L1 SESE              | Sec 25         | T 18N R 02E | VALLEY County | Source | GROUND WATER |
| Use:         | FIRE PROTECTION      | 01/01 To 12/31 | 3.34 CFS    |               |        |              |
| Use:         | DIVERSION TO STORAGE | 05/01 To 09/30 | 0.1 CFS     |               |        |              |
| Use:         | AESTHETIC STORAGE    | 05/01 To 09/30 |             | 30 AFA        |        |              |
| Use:         | DOMESTIC             | 01/01 To 12/31 | 0.7 CFS     |               |        |              |
| Use:         | IRRIGATION           | 04/15 To 10/31 | 2.04 CFS    |               |        |              |

Total Diversion: 5 CFS

Date Filed: 05/09/2006

Place Of Use: IRRIGATION

T17N R02E S1 SWNE Lot 3 SWNW SENW NESW NWSW SWSW SESW NWSE Lot 8 SWSE Lot 9  
T17N R02E S11 NENE  
T17N R02E S12 NWNE Lot 2 SWNE Lot 3 NENW NWNW SWNW SENW NESW Lot 6 NWSW NWSE Lot 6  
T17N R02E S2 SWNE SENE NESE SESE

Number of Acres 102

Place Of Use: DOMESTIC & FIRE PROTECTION, same as Irrigation

Place Of Use: AESTHETIC STORAGE

T17N R02E S1 SWNW SENW SWSW SESW

Remarks: Two proposed wells and two existing wells will serve 254 homes and related uses in Blackhawk South Subdivision.  
Storage portion of application will mitigate consumptive use from shallow ground water amenity ponds in companion Applications 65-23043 and 65-23120

**Application for Permit No. 65-23043**

Name: BLACKHAWK PARTNERS LLC

|              |                    |                |             |               |        |              |
|--------------|--------------------|----------------|-------------|---------------|--------|--------------|
| Diversion Pt | SWNW               | Sec 1          | T 17N R 02E | VALLEY County | Source | GROUND WATER |
| Use:         | AESTHETIC STORAGE  | 01/01 To 12/31 |             | 175 AFA       |        |              |
| Use:         | RECREATION STORAGE | 01/01 To 12/31 |             | 175 AFA       |        |              |

Total Diversion: 175 AFA

Date Filed: 05/09/2006

Place Of Use: AESTHETIC STORAGE

T17N R02E S1 SWNW SENW

Place Of Use: RECREATION STORAGE

T17N R02E S1 SWNW SENW

Remarks: Mitigation is proposed for consumptive use from a shallow ground water amenity pond for the Meadows at Blackhawk Subdivision. See companion Application 65-23042 for mitigation

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/14/07

**Application for Permit No. 63-32599**

Name: TUSCANY HILLS LLC

|              |                 |        |                |               |        |              |
|--------------|-----------------|--------|----------------|---------------|--------|--------------|
| Diversion Pt | NWSW            | Sec 11 | T 02N R 03W    | CANYON County | Source | GROUND WATER |
| Diversion Pt | NWSW            | Sec 11 | T 02N R 03W    | CANYON County | Source | GROUND WATER |
| Diversion Pt | NWSW            | Sec 11 | T 02N R 03W    | CANYON County | Source | GROUND WATER |
| Use:         | DOMESTIC        |        | 01/01 To 12/31 | 1.18 CFS      |        |              |
| Use:         | FIRE PROTECTION |        | 01/01 To 12/31 | 3.34 CFS      |        |              |

Total Diversion: 4.52 CFS

Date Filed: 03/07/2006

Place Of Use: DOMESTIC

T02N R03W S10 SWNE SENE NESE

T02N R03W S11 NWNW SWNW NWSW

Place Of Use: FIRE PROTECTION, same as Domestic

Remarks: Water bearing zone to be appropriated is from 300 to 800 feet

**Application for Permit No. 65-23036**

Name: RANDY LINDLEY

|              |            |        |                |            |        |              |
|--------------|------------|--------|----------------|------------|--------|--------------|
| Diversion Pt | NESW       | Sec 23 | T 07N R 02W    | GEM County | Source | GROUND WATER |
| Diversion Pt | NESW       | Sec 23 | T 07N R 02W    | GEM County | Source | GROUND WATER |
| Use:         | STOCKWATER |        | 01/01 To 12/31 | 0.75 CFS   |        |              |
| Use:         | COMMERCIAL |        | 01/01 To 12/31 | 0.75 CFS   |        |              |

Total Diversion: 0.75 CFS

Date Filed: 01/24/2006

Place Of Use: COMMERCIAL

T07N R02W S23 NESW SESW

Place Of Use: STOCKWATER, same as Commercial

Remarks: This application was previously advertised May 17 and 24, 2006; the points of diversion and place of use legal descriptions have since been amended as identified herein.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/14/07

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**Statutory Claim No. 13-7699**

Name: DAV FREW

|              |            |        |                |                 |                |
|--------------|------------|--------|----------------|-----------------|----------------|
| Diversion Pt | SESWNE     | Sec 28 | T 15S R 39E    | FRANKLIN County | Source SPRINGS |
| Use:         | IRRIGATION |        | 02/15 To 11/30 | 1 CFS           |                |
| Use:         | STOCKWATER |        | 01/01 To 12/31 | 0 04 CFS        |                |

Total Diversion: 1 CFS  
Priority Date: 02/15/1922

Place Of Use: IRRIGATION  
T15S R39E S28 NESE NWSE SWSE SESE  
Number of Acres 20.7

**Statutory Claim No. 13-7700**

Name: PACIFICORP

|              |            |        |                |                |                       |
|--------------|------------|--------|----------------|----------------|-----------------------|
| Diversion Pt | SESW       | Sec 28 | T 10S R 40E    | CARIBOU County | Source UNNAMED SPRING |
| Diversion Pt | NENW       | Sec 33 | T 10S R 40E    | CARIBOU County | Source UNNAMED SPRING |
| Use:         | IRRIGATION |        | 04/20 To 09/30 | 0 04 CFS       |                       |
| Use:         | STOCKWATER |        | 01/01 To 12/31 | 0 01 CFS       |                       |

Total Diversion: 0 05 CFS  
Priority Date: 06/01/1905

Place Of Use: IRRIGATION  
T10S R40E S33 NENW SENW  
Number of Acres 5  
Place Of Use: STOCKWATER, same as Irrigation

**Statutory Claim No. 13-7701**

Name: PACIFICORP

|              |            |        |                |                |                       |
|--------------|------------|--------|----------------|----------------|-----------------------|
| Diversion Pt | NWNW       | Sec 21 | T 10S R 40E    | CARIBOU County | Source UNNAMED SPRING |
| Diversion Pt | NESW       | Sec 21 | T 10S R 40E    | CARIBOU County | Source UNNAMED SPRING |
| Use:         | IRRIGATION |        | 04/20 To 09/30 | 0 08 CFS       |                       |
| Use:         | STOCKWATER |        | 01/01 To 12/31 | 0 01 CFS       |                       |

Total Diversion: 0 09 CFS  
Priority Date: 06/01/1905

Place Of Use: IRRIGATION  
T10S R40E S21 NWNW SESW  
Number of Acres 15  
Place Of Use: STOCKWATER  
T10S R40E S21 NENW NWNW SWNW SENW SESW

## IDAHO DEPARTMENT OF WATER RESOURCES' WEEKLY WATER RIGHT LISTING

### GENERAL EXPLANATION

The department produces the attached water right application and claim listing from its computer database to provide notice of new applications and claims. The listing includes applications for permit, applications for transfer, applications to amend a permit, amended applications for permit, and statutory claims. This listing is provided as a convenience and is not the official notice of applications and claims, which is published in newspapers of the state. The information is also available at the following internet address:

<http://www.idwr.idaho.gov/water/rights/>

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01, 11, 13, 15, 17,  
21, 22, 23, 24, 25,  
27, 29, 31, 32, 33,  
34, 35, 73, 74, 75

Eastern Regional Office  
900 N. Skyline Dr., Suite A  
Idaho Falls, ID 83402-1718  
(208) 525-7161

01, 02, 36, 37, 41, 43,  
45, 47, 71, 72

Southern Regional Office  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301  
(208) 736-3033

02, 03, 51, 55, 57,  
61, 63, 65, 67, 69,  
77, 78, 79

Western Regional Office  
2735 Airport Way  
Boise, ID 83705  
(208) 334-2190

03, 81, 82, 83, 84,  
85, 86, 87, 91, 92,  
93, 94, 95, 96, 97,  
98

Northern Regional Office  
7600 Mineral Dr., Ste 100  
Coeur d'Alene, ID 83815  
(208) 769-2800

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/7/07

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**Proposed Right No. 25-7498**

Point(s) of Diversion SESENW S22 T02N R38E BONNEVILLE County  
SESWSE S22 T02N R38E BONNEVILLE County  
SEENW S25 T02N R38E BONNEVILLE County  
NWSW S26 T02N R38E BONNEVILLE County  
SWSWNE S27 T02N R38E BONNEVILLE County  
NWNW S27 T02N R38E BONNEVILLE County  
NESEW S27 T02N R38E BONNEVILLE County  
NWSESE S27 T02N R38E BONNEVILLE County  
NESEW S30 T02N R38E BONNEVILLE County  
NWSW S34 T02N R38E BONNEVILLE County

**Proposed Right No. 25-7634**

Point(s) of Diversion SESENW S22 T02N R38E BONNEVILLE County  
SESWSE S22 T02N R38E BONNEVILLE County  
SEENW S25 T02N R38E BONNEVILLE County  
NWSW S26 T02N R38E BONNEVILLE County  
SWSWNE S27 T02N R38E BONNEVILLE County  
NWNW S27 T02N R38E BONNEVILLE County  
NESEW S27 T02N R38E BONNEVILLE County  
NWSESE S27 T02N R38E BONNEVILLE County  
NESEW S30 T02N R38E BONNEVILLE County  
NWSW S34 T02N R38E BONNEVILLE County

**Proposed Right No. 25-13964**

Point(s) of Diversion SESENW S22 T02N R38E BONNEVILLE County  
SESWSE S22 T02N R38E BONNEVILLE County  
SEENW S25 T02N R38E BONNEVILLE County  
NWSW S26 T02N R38E BONNEVILLE County  
SWSWNE S27 T02N R38E BONNEVILLE County  
NWNW S27 T02N R38E BONNEVILLE County  
NESEW S27 T02N R38E BONNEVILLE County  
NWSESE S27 T02N R38E BONNEVILLE County  
NESEW S30 T02N R38E BONNEVILLE County  
NWSW S34 T02N R38E BONNEVILLE County

Remarks: The applicant proposes to add two new wells to an already existing group of eight wells held by the City of Ammon. The transfer also proposes to add all wells and the two proposed new wells to all their water rights. The two new wells points of diversion are in the NWSW Sec 34 and the NENW Sec 25 T2N R38E for a total diversion for all wells of 27 58 cfs. The place of use is within the City of Ammon service area.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/7/07

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The purpose of the transfer is to change a portion of the above rights as follows:

**Proposed Right No. 25-4294**

Point(s) of Diversion SESENW S22 T02N R38E BONNEVILLE County  
SESWSE S22 T02N R38E BONNEVILLE County  
SENENW S25 T02N R38E BONNEVILLE County  
NWSSENW S26 T02N R38E BONNEVILLE County  
SWSWNE S27 T02N R38E BONNEVILLE County  
NWNENW S27 T02N R38E BONNEVILLE County  
NESENW S27 T02N R38E BONNEVILLE County  
NWSESE S27 T02N R38E BONNEVILLE County  
NESENW S30 T02N R38E BONNEVILLE County  
NWSW S34 T02N R38E BONNEVILLE County

**Proposed Right No. 25-4295**

Point(s) of Diversion SESENW S22 T02N R38E BONNEVILLE County  
SESWSE S22 T02N R38E BONNEVILLE County  
SENENW S25 T02N R38E BONNEVILLE County  
NWSSENW S26 T02N R38E BONNEVILLE County  
SWSWNE S27 T02N R38E BONNEVILLE County  
NWNENW S27 T02N R38E BONNEVILLE County  
NESENW S27 T02N R38E BONNEVILLE County  
NWSESE S27 T02N R38E BONNEVILLE County  
NESENW S30 T02N R38E BONNEVILLE County  
NWSW S34 T02N R38E BONNEVILLE County

**Proposed Right No. 25-4297**

Point(s) of Diversion SESENW S22 T02N R38E BONNEVILLE County  
SESWSE S22 T02N R38E BONNEVILLE County  
SENENW S25 T02N R38E BONNEVILLE County  
NWSSENW S26 T02N R38E BONNEVILLE County  
SWSWNE S27 T02N R38E BONNEVILLE County  
NWNENW S27 T02N R38E BONNEVILLE County  
NESENW S27 T02N R38E BONNEVILLE County  
NWSESE S27 T02N R38E BONNEVILLE County  
NESENW S30 T02N R38E BONNEVILLE County  
SWNWSW S34 T02N R38E BONNEVILLE County

**Proposed Right No. 25-7023**

Point(s) of Diversion SESENW S22 T02N R38E BONNEVILLE County  
SESWSE S22 T02N R38E BONNEVILLE County  
SENENW S25 T02N R38E BONNEVILLE County  
NWSSENW S26 T02N R38E BONNEVILLE County  
SWSWNE S27 T02N R38E BONNEVILLE County  
NWNENW S27 T02N R38E BONNEVILLE County  
NESENW S27 T02N R38E BONNEVILLE County  
NWSESE S27 T02N R38E BONNEVILLE County  
NESENW S30 T02N R38E BONNEVILLE County  
NWSW S34 T02N R38E BONNEVILLE County

**Proposed Right No. 25-7168**

Point(s) of Diversion SESENW S22 T02N R38E BONNEVILLE County  
SESWSE S22 T02N R38E BONNEVILLE County  
SENENW S25 T02N R38E BONNEVILLE County  
NWSSENW S26 T02N R38E BONNEVILLE County  
SWSWNE S27 T02N R38E BONNEVILLE County  
NWNENW S27 T02N R38E BONNEVILLE County  
NESENW S27 T02N R38E BONNEVILLE County  
NWSESE S27 T02N R38E BONNEVILLE County  
NESENW S30 T02N R38E BONNEVILLE County  
NWSW S34 T02N R38E BONNEVILLE County

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/7/07

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Right No. 25-7023

Priority 1/16/1973  
Source GROUND WATER  
Use MUNICIPAL 2.79 CFS  
Point(s) of Diversion SWSWNE S27 T02N R38E BONNEVILLE County  
Place of Use

Right No. 25-7168

Priority 1/31/1979  
Source GROUND WATER  
Use MUNICIPAL 6.13 CFS  
Point(s) of Diversion SESWSE S22 T02N R38E BONNEVILLE County  
Place of Use

Right No. 25-7634

Priority 3/24/1995  
Source GROUND WATER  
Use MUNICIPAL 6.69 CFS  
Point(s) of Diversion SENW S22 T02N R38E BONNEVILLE County  
Place of Use

Right No. 25-13964

Priority 3/8/2001  
Source GROUND WATER  
Use MUNICIPAL 6.70 CFS  
Point(s) of Diversion SWSWNE S27 T02N R38E BONNEVILLE County  
NESENW S30 T02N R39E BONNEVILLE County  
Place of Use S11 T01N R38E  
S15 T02N R38E  
S19 T02N R39E  
S2 T01N R38E  
S21 T02N R38E  
S22 T02N R38E  
S23 T02N R38E  
S24 T02N R38E  
S25 T02N R38E  
S26 T02N R38E  
S27 T02N R38E  
S28 T02N R38E  
S29 T02N R39E  
S3 T01N R38E  
S30 T02N R39E  
S31 T02N R39E  
S32 T02N R39E  
S33 T02N R38E  
S34 T02N R38E  
S35 T02N R38E

Right No. 25-4297

Priority 12/1/1946  
Source GROUND WATER  
Use MUNICIPAL 0.78 CFS  
Point(s) of Diversion NWSESE S27 T02N R38E BONNEVILLE County  
Place of Use

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/7/07

**Transfer No 72762**

Water Right No(s) 34-13853

Name: BLAINE L BOHNE

Right No. 34-13853

Priority 12/17/1961

Source GROUND WATER

Use IRRIGATION (105.7 acres) 2.12 CFS 369.9 AFA

Point(s) of Diversion NWNESEW S31 T07N R25E CUSTER County

Place of Use S31 T07N R25E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 34-13879 (split from Parent Right No. 34-13853 )

Use IRRIGATION (100.7 acres) 2.02 CFS 352.4 AFA

Proposed Right No. 34-13880 (split from Parent Right No. 34-13853 )

Use IRRIGATION (5.7 acres) 0.10 CFS 17.5 AFA

Point(s) of Diversion NESESW S31 T07N R25E CUSTER County

Remarks: The applicant proposes to drill a new well at the place of use for this 5.7 acre lot that was purchased from a larger place of use. The new point of diversion is in the SESEW Sec 31 T7N R25E for 0.11 cfs with the place of use in the SESEW Sec 31 T7N R25E for a total of 5.7 acres.

**Transfer No 72881**

Water Right No(s) 25-4295 25-4294 25-7498 25-7023 25-7168 25-7634  
25-13964 25-4297

Name: CITY OF AMMON

Right No. 25-4295

Priority 8/1/1952

Source GROUND WATER

Use MUNICIPAL 0.67 CFS

Point(s) of Diversion NESENEW S27 T02N R38E BONNEVILLE County

Place of Use

Right No. 25-4294

Priority 1/3/1957

Source GROUND WATER

Use MUNICIPAL 1.50 CFS

Point(s) of Diversion NWNENW S27 T02N R38E BONNEVILLE County

Place of Use

Right No. 25-7498

Priority 11/14/1989

Source GROUND WATER

Use MUNICIPAL 2.32 CFS

Point(s) of Diversion SENW S26 T02N R38E BONNEVILLE County

Place of Use

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/7/07

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Proposed Right No. 45-2671

Use IRRIGATION (699 acres) 3.03 CFS 624.0 AFA

Point(s) of Diversion SENENW S32 T11S R20E TWIN FALLS County  
SENESW S32 T11S R20E TWIN FALLS County  
L4 SWNWNW S4 T12S R20E CASSIA County  
SESWSW S5 T12S R20E CASSIA County

Proposed Right No. 45-12432

Point(s) of Diversion SENENW S32 T11S R20E TWIN FALLS County  
SENESW S32 T11S R20E TWIN FALLS County  
L4 SWNWNW S4 T12S R20E CASSIA County  
SESWSW S5 T12S R20E CASSIA County

Proposed Right No. 45-12878

Use IRRIGATION (699 acres) 1.30 CFS

Point(s) of Diversion SENENW S32 T11S R20E TWIN FALLS County  
SENESW S32 T11S R20E TWIN FALLS County  
L4 SWNWNW S4 T12S R20E CASSIA County  
SESWSW S5 T12S R20E CASSIA County

Proposed Right No. 45-13432

Point(s) of Diversion SWSESE S31 T11S R20E TWIN FALLS County  
SWSW S5 T12S R20E CASSIA County  
SWSW S5 T12S R20E CASSIA County

Proposed Right No. 45-14021 (split from Parent Right No. 45-13431 )

Use IRRIGATION (699 acres) 0.94 CFS 188.0 AFA

Point(s) of Diversion SENENW S32 T11S R20E TWIN FALLS County  
SENESW S32 T11S R20E TWIN FALLS County  
L4 SWNWNW S4 T12S R20E CASSIA County  
SESWSW S5 T12S R20E CASSIA County

Proposed Right No. 45-14022 (split from Parent Right No. 45-13431 )

Use COMMERCIAL 0.28 CFS 34.9 AFA  
STOCKWATER 0.28 CFS 34.9 AFA

Total Amount 0.28 CFS 34.9 AFA

Point(s) of Diversion SWSESE S31 T11S R20E TWIN FALLS County  
SWSW S5 T12S R20E CASSIA County  
SWSW S5 T12S R20E CASSIA County

Place of Use S5 T12S R20E

Remarks: Application proposes adding an existing well as an authorized point of diversion for two ground water rights that provide water to an existing dairy operation located approximately 5.9 miles south and 0.8 miles east of Murtaugh. The existing well to be added is located approximately 5.2 miles south and 0.6 miles east of Murtaugh. The recorded place of use for the two dairy water rights will also be changed to more accurately reflect the actual locations of use. The application also proposes converting a 14.0-acre portion of a groundwater irrigation right, appurtenant to the dairy site, to stock water and commercial use to provide additional water for the dairy operation.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/7/07

Right No. 45-12432

Priority 7/15/1949

Source GROUND WATER

Use IRRIGATION (713 acres) 5.60 CFS 1,120.0 AFA

Point(s) of Diversion SWSESE S31 T11S R20E TWIN FALLS County  
SENENW S32 T11S R20E TWIN FALLS County  
SENESE S32 T11S R20E TWIN FALLS County  
L4 SWNWNW S4 T12S R20E CASSIA County  
SESWSW S5 T12S R20E CASSIA County

Place of Use S31 T11S R20E  
S32 T11S R20E  
S5 T12S R20E

Right No. 45-12878

Priority 6/30/1985

Source GROUND WATER

Use IRRIGATION (713 acres) 1.30 CFS

Point(s) of Diversion SWSESE S31 T11S R20E TWIN FALLS County  
SENENW S32 T11S R20E TWIN FALLS County  
SENESE S32 T11S R20E TWIN FALLS County  
L4 SWNWNW S4 T12S R20E CASSIA County  
SESWSW S5 T12S R20E CASSIA County

Place of Use S31 T11S R20E  
S32 T11S R20E  
S5 T12S R20E

Right No. 45-510

Priority 4/2/1916

Source DRY CREEK

Use IRRIGATION (713 acres) 0.80 CFS

Point(s) of Diversion NENENW S13 T12S R19E CASSIA County

Place of Use S31 T11S R20E  
S32 T11S R20E  
S5 T12S R20E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 45-510

Use IRRIGATION (699 acres) 0.80 CFS

Proposed Right No. 45-2174A

Use IRRIGATION (699 acres) 1.60 CFS 320.0 AFA

Point(s) of Diversion SENENW S32 T11S R20E TWIN FALLS County  
SENESE S32 T11S R20E TWIN FALLS County  
L4 SWNWNW S4 T12S R20E CASSIA County  
SESWSW S5 T12S R20E CASSIA County

Proposed Right No. 45-2174B

Point(s) of Diversion SWSESE S31 T11S R20E TWIN FALLS County  
SWSW S5 T12S R20E CASSIA County  
SWSW S5 T12S R20E CASSIA County

Proposed Right No. 45-2633

Use IRRIGATION (699 acres) 1.30 CFS 316.0 AFA

Point(s) of Diversion SENENW S32 T11S R20E TWIN FALLS County  
SENESE S32 T11S R20E TWIN FALLS County  
L4 SWNWNW S4 T12S R20E CASSIA County  
SESWSW S5 T12S R20E CASSIA County

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/7/07

Right No. 45-2633

Priority 2/12/1961  
Source GROUND WATER  
Use IRRIGATION (713 acres) 1 30 CFS 316.0 AFA  
Point(s) of Diversion SWSESE S31 T11S R20E TWIN FALLS County  
SENENW S32 T11S R20E TWIN FALLS County  
SENESEW S32 T11S R20E TWIN FALLS County  
L4 SWNWNW S4 T12S R20E CASSIA County  
SESWSW S5 T12S R20E CASSIA County  
Place of Use S31 T11S R20E  
S32 T11S R20E  
S5 T12S R20E

Right No. 45-2671

Priority 10/13/1961  
Source GROUND WATER  
Use IRRIGATION (713 acres) 3 03 CFS 624.0 AFA  
Point(s) of Diversion SWSESE S31 T11S R20E TWIN FALLS County  
SENENW S32 T11S R20E TWIN FALLS County  
SENESEW S32 T11S R20E TWIN FALLS County  
L4 SWNWNW S4 T12S R20E CASSIA County  
SESWSW S5 T12S R20E CASSIA County  
Place of Use S31 T11S R20E  
S32 T11S R20E  
S5 T12S R20E

Right No. 45-2174B

Priority 6/17/1929  
Source GROUND WATER  
Use STOCKWATER 0.66 CFS 82.2 AFA  
COMMERCIAL 0.66 CFS 82.2 AFA  
Total Amount 0.66 CFS 82.2 AFA  
Point(s) of Diversion SWSW S5 T12S R20E CASSIA County  
SWSW S5 T12S R20E CASSIA County  
Place of Use S5 T12S R20E

Right No. 45-13431

Priority 7/15/1910  
Source GROUND WATER  
Use IRRIGATION (713 acres) 1 22 CFS 244.0 AFA  
Point(s) of Diversion SWSESE S31 T11S R20E TWIN FALLS County  
SENENW S32 T11S R20E TWIN FALLS County  
SENESEW S32 T11S R20E TWIN FALLS County  
L4 SWNWNW S4 T12S R20E CASSIA County  
SENESEW S5 T12S R20E CASSIA County  
Place of Use S31 T11S R20E  
S32 T11S R20E  
S5 T12S R20E

Right No. 45-2174A

Priority 6/17/1929  
Source GROUND WATER  
Use IRRIGATION (713 acres) 1.60 CFS 320.0 AFA  
Point(s) of Diversion SWSESE S31 T11S R20E TWIN FALLS County  
SWNENW S32 T11S R20E TWIN FALLS County  
SENESEW S32 T11S R20E TWIN FALLS County  
L4 SWNWNW S4 T12S R20E CASSIA County  
SESWSW S5 T12S R20E CASSIA County  
Place of Use S31 T11S R20E  
S32 T11S R20E  
S5 T12S R20E

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/7/07

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**Transfer No 73458**

Water Right No(s) 37-21808

Name: SANDRA D FIGGE  
JAMES K FIGGE

Right No. 37-21808

Priority 4/21/1970

Source GROUND WATER

Use IRRIGATION (36 acres) 0.72 CFS 126.0 AFA

Point(s) of Diversion NENWNE S25 T01N R18E BLAINE County

Place of Use S24 T01N R18E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 37-21808

Point(s) of Diversion SWSESE S24 T01N R18E BLAINE County

Remarks: The transfer proposes changing the point of diversion for a 36 acre supplemental ground water right owned by the applicant to a location on his property. The new well location is approximately 500 ft east northeast of the existing well. The well will be located east of Hwy 75 and approximately 4.5 miles south of the center of Bellevue.

**Transfer No 73065**

Water Right No(s) 45-13432 45-2633 45-2671 45-2174B 45-13431 45-2174A  
45-12432 45-12878 45-510

Name: BRENT A FUNK  
CHALET FUNK

Right No. 45-13432

Priority 7/15/1910

Source GROUND WATER

Use COMMERCIAL 0.78 CFS 97.1 AFA  
STOCKWATER 0.78 CFS 97.1 AFA

Total Amount 0.78 CFS 97.1 AFA

Point(s) of Diversion SWSW S5 T12S R20E CASSIA County  
SWSW S5 T12S R20E CASSIA County

Place of Use S5 T12S R20E

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/14/07

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**Transfer No 73161**

Water Right No(s) 45-2287

Name: DAVID W MOYES  
COLLEEN MOYES

Right No. 45-2287

Priority 12/14/1948

Source GROUND WATER

Use IRRIGATION (155 acres) 3 10 CFS 620 0 AFA

Point(s) of Diversion NESWNW S13 T11S R19E TWIN FALLS County  
NWSWNW S13 T11S R19E TWIN FALLS County

Place of Use S13 T11S R19E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 45-14023 (split from Parent Right No. 45-2287 )

Use IRRIGATION (152 8 acres) 3 06 CFS 611.2 AFA

Proposed Right No. 45-14024 (split from Parent Right No. 45-2287 )

Use IRRIGATION (2 2 acres) 0 04 CFS 8 8 AFA

Point(s) of Diversion NWNWNW S13 T11S R19E TWIN FALLS County

Remarks: Application proposes splitting off a 0 04 cfs and 2 2 acre portion from an existing groundwater right. Location of the 2 2 acres is approximately 1.15 miles south and 1 35 miles west of Murtaugh. The water will be diverted from an existing well located on the same property.

## IDAHO DEPARTMENT OF WATER RESOURCES' WEEKLY WATER RIGHT LISTING

### GENERAL EXPLANATION

The department produces the attached water right application and claim listing from its computer database to provide notice of new applications and claims. The listing includes applications for permit, applications for transfer, applications to amend a permit, amended applications for permit, and statutory claims. This listing is provided as a convenience and is not the official notice of applications and claims, which is published in newspapers of the state. The information is also available at the following internet address:

<http://www.idwr.idaho.gov/water/rights/>

In about two (2) weeks after applications and claims appear in the attached listing, the department generally publishes a legal notice once a week for two (2) consecutive weeks in a newspaper printed in the county in which the point of diversion lies. Protests against the approval of an application must be **received** by the department no later than ten (10) days after the second and last publication and must be accompanied by a non-refundable \$25 protest fee per application. A protest must include the protestant's name and address and be signed by the protestant, or the protestant's attorney. The protest shall clearly describe the objection to the approval of an application. Exceptions to a statutory claim must be filed in affidavit form, in duplicate, and accompanied by such proof as is deemed appropriate. No fee is required to file an exception to a statutory claim.

The department generally will not process applications for ground water or surface water that propose a consumptive use of water within parts of the Snake River drainage or other moratorium or restricted areas in the state. Proposed appropriations of water from the Salmon River, Clearwater River, and their tributaries, will not be approved unless the applicant can establish that the proposed appropriation will not negatively impact anadromous fish and will not diminish streamflows below the established minimums. The department will, however, process applications for non-consumptive uses such as domestic use, fish propagation and hydro-power generation. If the department modifies or rescinds the moratoriums, applications that have been held may be advertised, re-advertised and/or reprinted in this listing.

The original applications or claims and supporting information may be reviewed in the department's regional offices described below: The two digits shown to the left of the regional offices' information represents a hydrologic basin administered by that regional office, and represents the first two digits in the identification number of a specific water right in a basin.

#### Water Right Basin & the Regional Office assignment

01, 11, 13, 15, 17,  
21, 22, 23, 24, 25,  
27, 29, 31, 32, 33,  
34, 35, 73, 74, 75

Eastern Regional Office  
900 N. Skyline Dr., Suite A  
Idaho Falls, ID 83402-1718  
(208) 525-7161

01, 02, 36, 37, 41, 43,  
45, 47, 71, 72

Southern Regional Office  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301  
(208) 736-3033

02, 03, 51, 55, 57,  
61, 63, 65, 67, 69,  
77, 78, 79

Western Regional Office  
2735 Airport Way  
Boise, ID 83705  
(208) 334-2190

03, 81, 82, 83, 84,  
85, 86, 87, 91, 92,  
93, 94, 95, 96, 97,  
98

Northern Regional Office  
7600 Mineral Dr., Ste 100  
Coeur d'Alene, ID 83815  
(208) 769-2800

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/21/07

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**Application for Permit No. 15-7287**

Name: WILLIAM MAX YORK

Diversion Pt L3 NENW      Sec 5    T 14S R 35E    ONEIDA County      Source GROUND WATER  
Use: IRRIGATION                      04/01 To 10/31 1 6 CFS  
Use: DOMESTIC                        01/01 To 12/31 0 04 CFS  
Use: STOCKWATER                    01/01 To 12/31 0 02 CFS

Total Diversion: 1 66 CFS

Date Filed: 05/02/2007

Place Of Use: IRRIGATION

T13S R35E S33              SWSW  
T14S R35E S5              NWNE Lot 2 NENW Lot 3 NWNW Lot 4  
T14S R35E S6              NENE Lot 1

Number of Acres 80

Place Of Use: DOMESTIC

T14S R35E S5              NENW Lot 3

Place Of Use: STOCKWATER

T13S R35E S32              SESW  
T13S R35E S33              SWSW  
T14S R35E S5              NWNE Lot 2 NENW Lot 3 NWNW Lot 4

**Application for Permit No. 21-13061**

Name: STATE OF IDAHO

Diversion Pt L1 SWSWSE      Sec 33    T 16N R 43E    FREMONT County      Source GROUND WATER  
Use: DOMESTIC                      01/01 To 12/31 0 06 CFS

Total Diversion: 0 06 CFS

Date Filed: 05/20/2007

Place Of Use: DOMESTIC

T16N R43E S33              SWSE Lot 1

**Application for Permit No. 21-13062**

Name: LAWRY WILDE

Diversion Pt NENE              Sec 23    T 14N R 43E    FREMONT County      Source GROUND WATER  
Use: DOMESTIC                      01/01 To 12/31 0 14 CFS

Total Diversion: 0 14 CFS

Date Filed: 04/27/2007

Place Of Use: DOMESTIC

T14N R43E S23              NENE NWNE

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/21/07

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**Application for Permit No. 22-13709**

Name: IDAHO HOLDINGS LLC

Diversion Pt NENESE Sec 33 T 05N R 45E TETON County Source UNNAMED STREAM

Use: WILDLIFE STORAGE 01/01 To 12/31 5 AFA

Use: DIVERSION TO STORAGE 04/15 To 10/15 0.1 CFS

Total Diversion: 0.1 CFS 5 AFA

Date Filed: 02/09/2007

Place Of Use: WILDLIFE STORAGE

T05N R45E S33 NESE SESE

**Application for Permit No. 22-13712**

Name: PEACOCK PROPERTIES LLC

Diversion Pt NENESE Sec 7 T 05N R 46E TETON County Source GROUND WATER

Diversion Pt NWNWSE Sec 7 T 05N R 46E TETON County Source GROUND WATER

Use: FIRE PROTECTION 01/01 To 12/31 2.67 CFS

Use: DOMESTIC 01/01 To 12/31 0.88 CFS

Total Diversion: 2.67 CFS

Date Filed: 03/23/2007

Place Of Use: FIRE PROTECTION

T05N R46E S7 NESE NWSE

Place Of Use: DOMESTIC, same as Fire Protection

**Application for Permit No. 22-13713**

Name: PEACOCK PROPERTIES LLC

Diversion Pt L1 SENWNE Sec 8 T 05N R 46E TETON County Source GROUND WATER

Diversion Pt L2 SESWNE Sec 8 T 05N R 46E TETON County Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 0.91 CFS

Use: FIRE PROTECTION 01/01 To 12/31 2.67 CFS

Total Diversion: 2.67 CFS

Date Filed: 05/15/2007

Place Of Use: DOMESTIC

T05N R46E S8 NWNE Lot 1 SWNE Lot 2 NENW NWNW SWNW SENW

Place Of Use: FIRE PROTECTION, same as Domestic

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/21/07

**Application for Permit No. 25-14195**

Name: GARDNER GROUP IDAHO INC

Diversion Pt SENE Sec 8 T 02N R 39E BONNEVILLE County Source GROUND WATER  
Diversion Pt SENE Sec 8 T 02N R 39E BONNEVILLE County Source GROUND WATER  
Use: DOMESTIC 01/01 To 12/31 1.17 CFS

Total Diversion: 1.17 CFS

Date Filed: 05/11/2007

Place Of Use: DOMESTIC

T02N R39E S8 SWNW SENW NESW NWSW NWSE

**Transfer No 73426**

Water Right No(s) 29-406 29-4102 29-403 29-404 29-405 29-4187

Name: JACK HATLEY  
SHELDON HATLEY

Right No. 29-406

Priority 5/1/1904

Source GARDEN CREEK

Use IRRIGATION (117.3 acres) 1.00 CFS

Point(s) of Diversion SENWNW S7 T10S R36E BANNOCK County

Place of Use S5 T10S R36E  
S7 T10S R36E

Right No. 29-4102

Priority 6/1/1942

Source SPRING

Use IRRIGATION (104.3 acres) 0.20 CFS  
STOCKWATER 0.02 CFS

Total Amount 0.20 CFS

Point(s) of Diversion NESENE S5 T10S R36E BANNOCK County

Place of Use S5 T10S R36E

Right No. 29-403

Priority 5/1/1896

Source GARDEN CREEK

Use IRRIGATION (117.3 acres) 0.75 CFS

Point(s) of Diversion SENWNW S7 T10S R36E BANNOCK County

Place of Use S5 T10S R36E  
S7 T10S R36E

Right No. 29-404

Priority 5/1/1904

Source GARDEN CREEK

Use IRRIGATION (117.3 acres) 1.00 CFS

Point(s) of Diversion SENWNW S7 T10S R36E BANNOCK County

Place of Use S5 T10S R36E  
S7 T10S R36E

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/21/07

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**Right No. 29-405**

Priority 5/1/1895

Source GARDEN CREEK

Use IRRIGATION (117.3 acres) 0.75 CFS

Point(s) of Diversion SENWNW S7 T10S R36E BANNOCK County

Place of Use S5 T10S R36E  
S7 T10S R36E

**Right No. 29-4187**

Priority 6/1/1942

Source LITTLE GAP CREEK

Use IRRIGATION (104.3 acres) 0.73 CFS  
STOCKWATER 0.02 CFS

Total Amount 0.73 CFS

Point(s) of Diversion NESE S36 T09S R35E BANNOCK County

Place of Use S5 T10S R36E

The purpose of the transfer is to change a portion of the above rights as follows:

**Proposed Right No. 29-403**

Point(s) of Diversion L1 SENWNW S7 T10S R36E BANNOCK County

**Proposed Right No. 29-404**

Point(s) of Diversion L1 SENWNW S7 T10S R36E BANNOCK County

**Proposed Right No. 29-405**

Use IRRIGATION (117.3 acres) 0.75 CFS

Point(s) of Diversion L1 SENWNW S7 T10S R36E BANNOCK County

**Proposed Right No. 29-406**

Point(s) of Diversion L1 SENWNW S7 T10S R36E BANNOCK County

**Proposed Right No. 29-4102**

No change.

**Proposed Right No. 29-4187**

Point(s) of Diversion SENESE S36 T09S R35E BANNOCK County

Remarks: The applicant proposes to change the place of use for 16 acres by drying up 16 acres and moving them to adjoining acreage of the above 6 surface water rights. The new place of use will be in the Sec 5 and 7 T10S R36E for 117.3 acres. The points of diversion and the amount of water which is 2.35 cfs will not change.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/21/07

**Transfer No 73360**

Water Right No(s) 45-2540A 45-2701C 45-4245A 45-2540B 45-2571B 45-2701D  
45-4070B 45-4245B 45-2571A 45-4070A

Name: DAVID L FUNK  
SHIRLENE FUNK

**Right No. 45-2540A**

Priority 1/24/1957

Source GROUND WATER

Use IRRIGATION (594 acres) 1.94 CFS 614.0 AFA

Point(s) of Diversion SWSESW S14 T11S R19E TWIN FALLS County  
SWNWNE S23 T11S R19E TWIN FALLS County  
SENWNW S23 T11S R19E TWIN FALLS County

Place of Use S22 T11S R19E  
S23 T11S R19E

**Right No. 45-2701C**

Priority 9/16/1961

Source GROUND WATER

Use IRRIGATION (594 acres) 1.05 CFS 512.3 AFA

Point(s) of Diversion SWSESW S14 T11S R19E TWIN FALLS County  
SWNWNE S23 T11S R19E TWIN FALLS County  
SENWNW S23 T11S R19E TWIN FALLS County

Place of Use S22 T11S R19E  
S23 T11S R19E

**Right No. 45-4245A**

Priority 3/1/1960

Source GROUND WATER

Use IRRIGATION (594 acres) 3.71 CFS 1,184.4 AFA

Point(s) of Diversion SWSESW S14 T11S R19E TWIN FALLS County  
SWNWNE S23 T11S R19E TWIN FALLS County  
SENWNW S23 T11S R19E TWIN FALLS County

Place of Use S22 T11S R19E  
S23 T11S R19E

**Right No. 45-2540B**

Priority 1/24/1957

Source GROUND WATER

Use STOCKWATER 0.08 CFS 20.8 AFA  
COMMERCIAL 0.08 CFS 5.2 AFA

Total Amount 0.08 CFS 26.0 AFA

Point(s) of Diversion SWSWNE S22 T11S R19E TWIN FALLS County  
NENW S22 T11S R19E TWIN FALLS County

Place of Use S22 T11S R19E

**Right No. 45-2571B**

Priority 11/4/1958

Source GROUND WATER

Use STOCKWATER 0.13 CFS 20.8 AFA  
COMMERCIAL 0.13 CFS 5.2 AFA

Total Amount 0.13 CFS 26.0 AFA

Point(s) of Diversion SWSWNE S22 T11S R19E TWIN FALLS County  
NENW S22 T11S R19E TWIN FALLS County

Place of Use S22 T11S R19E

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/21/07

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Right No. 45-2701D

Priority 9/16/1961

Source GROUND WATER

Use STOCKWATER 0.05 CFS 14.5 AFA  
COMMERCIAL 0.05 CFS 3.6 AFA

Total Amount 0.05 CFS 18.1 AFA

Point(s) of Diversion SWSWNE S22 T11S R19E TWIN FALLS County  
NENW S22 T11S R19E TWIN FALLS County

Place of Use S22 T11S R19E

Right No. 45-4070B

Priority 3/1/1960

Source GROUND WATER

Use STOCKWATER 0.06 CFS 33.9 AFA  
COMMERCIAL 0.06 CFS 8.5 AFA

Total Amount 0.06 CFS 42.4 AFA

Point(s) of Diversion SWSWNE S22 T11S R19E TWIN FALLS County  
NENW S22 T11S R19E TWIN FALLS County

Place of Use S22 T11S R19E

Right No. 45-4245B

Priority 3/1/1960

Source GROUND WATER

Use STOCKWATER 0.19 CFS 41.6 AFA  
COMMERCIAL 0.19 CFS 10.4 AFA

Total Amount 0.19 CFS 52.0 AFA

Point(s) of Diversion SWSWNE S22 T11S R19E TWIN FALLS County  
NENW S22 T11S R19E TWIN FALLS County

Place of Use S22 T11S R19E

Right No. 45-2571A

Priority 11/4/1958

Source GROUND WATER

Use IRRIGATION (594 acres) 3.07 CFS 614.0 AFA

Point(s) of Diversion SWSESW S14 T11S R19E TWIN FALLS County  
SWNWNE S23 T11S R19E TWIN FALLS County  
SENWNW S23 T11S R19E TWIN FALLS County

Place of Use S22 T11S R19E  
S23 T11S R19E

Right No. 45-4070A

Priority 3/1/1960

Source GROUND WATER

Use IRRIGATION (594 acres) 0.90 CFS 439.1 AFA

Point(s) of Diversion SWSESW S14 T11S R19E TWIN FALLS County  
SWNWNE S23 T11S R19E TWIN FALLS County  
SENWNW S23 T11S R19E TWIN FALLS County

Place of Use S22 T11S R19E  
S23 T11S R19E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 45-2540B

Point(s) of Diversion SWSWNE S22 T11S R19E TWIN FALLS County  
NENW S22 T11S R19E TWIN FALLS County  
NWNW S22 T11S R19E TWIN FALLS County

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/21/07

Proposed Right No. 45-2571B

Point(s) of Diversion SWSWNE S22 T11S R19E TWIN FALLS County  
NENW S22 T11S R19E TWIN FALLS County  
NWNW S22 T11S R19E TWIN FALLS County

Proposed Right No. 45-2701D

Point(s) of Diversion SWSWNE S22 T11S R19E TWIN FALLS County  
NENW S22 T11S R19E TWIN FALLS County  
NWNW S22 T11S R19E TWIN FALLS County

Proposed Right No. 45-4070B

Point(s) of Diversion SWSWNE S22 T11S R19E TWIN FALLS County  
NENW S22 T11S R19E TWIN FALLS County  
NWNW S22 T11S R19E TWIN FALLS County

Proposed Right No. 45-4245B

Point(s) of Diversion SWSWNE S22 T11S R19E TWIN FALLS County  
NENW S22 T11S R19E TWIN FALLS County  
NWNW S22 T11S R19E TWIN FALLS County

Proposed Right No. 45-14028 (split from Parent Right No. 45-2540A )

Use IRRIGATION (594 acres) 1.82 CFS 576 0 AFA

Proposed Right No. 45-14029 (split from Parent Right No. 45-2540A )

Use COMMERCIAL 0.12 CFS 26.8 AFA  
STOCKWATER 0.12 CFS 26.8 AFA

Total Amount 0.12 CFS 26.8 AFA

Point(s) of Diversion SWSWNE S22 T11S R19E TWIN FALLS County  
NENW S22 T11S R19E TWIN FALLS County  
NWNW S22 T11S R19E TWIN FALLS County

Place of Use S22 T11S R19E

Proposed Right No. 45-14030 (split from Parent Right No. 45-2571A )

Use IRRIGATION (594 acres) 2.88 CFS 576 0 AFA

Point(s) of Diversion SWSESW S14 T11S R19E TWIN FALLS County  
SWNWNE S23 T11S R19E TWIN FALLS County  
SENWNW S23 T11S R19E TWIN FALLS County

Proposed Right No. 45-14031 (split from Parent Right No. 45-2571A )

Use COMMERCIAL 0.19 CFS 26.8 AFA  
STOCKWATER 0.19 CFS 26.8 AFA

Total Amount 0.19 CFS 26.8 AFA

Point(s) of Diversion SWSWNE S22 T11S R19E TWIN FALLS County  
NENW S22 T11S R19E TWIN FALLS County  
NWNW S22 T11S R19E TWIN FALLS County

Place of Use S22 T11S R19E

Proposed Right No. 45-14032 (split from Parent Right No. 45-2701C )

Use IRRIGATION (594 acres) 0.99 CFS 480 6 AFA

Proposed Right No. 45-14033 (split from Parent Right No. 45-2701C )

Use STOCKWATER 0.06 CFS 22.4 AFA  
COMMERCIAL 0.06 CFS 22.4 AFA

Total Amount 0.06 CFS 22.4 AFA

Point(s) of Diversion SWSWNE S22 T11S R19E TWIN FALLS County  
NENW S22 T11S R19E TWIN FALLS County  
NWNW S22 T11S R19E TWIN FALLS County

Place of Use S22 T11S R19E

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/21/07

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Proposed Right No. 45-14034 (split from Parent Right No. 45-4070A)

Use IRRIGATION (594 acres) 0.84 CFS 412.0 AFA

Proposed Right No. 45-14035 (split from Parent Right No. 45-4070A)

Use COMMERCIAL 0.06 CFS 19.2 AFA  
STOCKWATER 0.06 CFS 19.2 AFA

Total Amount 0.06 CFS 19.2 AFA

Point(s) of Diversion SWSWNE S22 T11S R19E TWIN FALLS County  
NENW S22 T11S R19E TWIN FALLS County  
NWNW S22 T11S R19E TWIN FALLS County

Place of Use S22 T11S R19E

Proposed Right No. 45-14036 (split from Parent Right No. 45-4245A)

Use IRRIGATION (594 acres) 3.48 CFS 1,111.2 AFA

Proposed Right No. 45-14037 (split from Parent Right No. 45-4245A)

Use COMMERCIAL 0.23 CFS 51.7 AFA  
STOCKWATER 0.23 CFS 51.7 AFA

Total Amount 0.23 CFS 51.7 AFA

Point(s) of Diversion SWSWNE S22 T11S R19E TWIN FALLS County  
NENW S22 T11S R19E TWIN FALLS County  
NWNW S22 T11S R19E TWIN FALLS County

Place of Use S22 T11S R19E

Remarks: Application proposes converting a 36.7-acre portion of five irrigation groundwater rights to stock water and commercial uses associated with the expansion of an existing dairy operation. The dairy is located approximately 2.3 miles south and 3.2 miles west of Murtaugh. The application also proposes adding a new well to be drilled as an authorized point of diversion for the existing dairy water rights and to change the authorized place of use for the existing dairy rights to accommodate the proposed expansion of the dairy. Two existing wells and the proposed new well, all located at the dairy site, will provide water (0.80 cfs & 206 afa) for the dairy.

## IDAHO DEPARTMENT OF WATER RESOURCES' WEEKLY WATER RIGHT LISTING

### GENERAL EXPLANATION

The department produces the attached water right application and claim listing from its computer database to provide notice of new applications and claims. The listing includes applications for permit, applications for transfer, applications to amend a permit, amended applications for permit, and statutory claims. This listing is provided as a convenience and is not the official notice of applications and claims, which is published in newspapers of the state. The information is also available at the following Internet address:

<http://www.idwr.idaho.gov/water/rights/>

In about two (2) weeks after applications and claims appear in the attached listing, the department generally publishes a legal notice once a week for two (2) consecutive weeks in a newspaper printed in the county in which the point of diversion lies. Protests against the approval of an application must be **received** by the department no later than ten (10) days after the second and last publication and must be accompanied by a non-refundable \$25 protest fee per application. A protest must include the protestant's name and address and be signed by the protestant, or the protestant's attorney. The protest shall clearly describe the objection to the approval of an application. Exceptions to a statutory claim must be filed in affidavit form, in duplicate, and accompanied by such proof as is deemed appropriate. No fee is required to file an exception to a statutory claim.

The department generally will not process applications for ground water or surface water that propose a consumptive use of water within parts of the Snake River drainage or other moratorium or restricted areas in the state. Proposed appropriations of water from the Salmon River, Clearwater River, and their tributaries, will not be approved unless the applicant can establish that the proposed appropriation will not negatively impact anadromous fish and will not diminish stream flows below the established minimums. The department will, however, process applications for non-consumptive uses such as domestic use, fish propagation and hydropower generation. If the department modifies or rescinds the moratoriums, applications that have been held may be advertised, re-advertised and/or reprinted in this listing.

The original applications or claims and supporting information may be reviewed in the department's regional offices described below: The two digits shown to the left of the regional offices' information represents a hydrologic basin administered by that regional office, and represents the first two digits in the identification number of a specific water right in a basin.

#### Water Right Basin & the Regional Office assignment

01, 11, 13, 15, 17,  
21, 22, 23, 24, 25,  
27, 29, 31, 32, 33,  
34, 35, 73, 74, 75

Eastern Regional Office  
900 N. Skyline Dr., Suite A  
Idaho Falls, ID 83402-1718  
(208) 525-7161

01, 02, 36, 37, 41, 43,  
45, 47, 71, 72

Southern Regional Office  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301  
(208) 736-3033

02, 03, 51, 55, 57,  
61, 63, 65, 67, 69,  
77, 78, 79

Western Regional Office  
2735 Airport Way  
Boise, ID 83705  
(208) 334-2190

03, 81, 82, 83, 84,  
85, 86, 87, 91, 92,  
93, 94, 95, 96, 97,  
98

Northern Regional Office  
7600 Mineral Dr., Ste 100  
Coeur d'Alene, ID 83815  
(208) 769-2800

RECEIVED MAY 31 2007

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/29/07

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**Application for Permit No. 72-7566**

Name: CHALLIS IRRIGATION CO

Diversion Pt L5 SWNE Sec 32 T 13N R 19E CUSTER County Source SALMON RIVER

Use: IRRIGATION 04/01 To 10/31 1 CFS

Total Diversion: 1 CFS

Date Filed: 12/17/1998

Place Of Use: IRRIGATION

T13N R20E S6 NENW NWNW

Number of Acres 79

Remarks: Application proposes diverting an additional 1.0 cfs of Salmon River water through the Challis Irrigation Co diversion located approximately 4.0 miles south and 1.8 miles west of the Highway 75 and Highway 93 intersection south of Challis. The 1.0 cfs will be used to irrigate 79 acres of a desert land filing located approximately 0.9 - 1.2 miles north and 2.75 - 3.25 miles east of the Highway 75 and Highway 93 intersection

**Application for Permit No. 72-16645**

Name: MARVIN B STROPE

INGRID STROPE

Diversion Pt L8 NWSWSE Sec 11 T 11N R 18E CUSTER County Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.06 CFS

Use: DOMESTIC 01/01 To 12/31 0.02 CFS

Total Diversion: 0.06 CFS

Date Filed: 10/23/2003

Place Of Use: IRRIGATION

T11N R18E S11 SWSE Lot 8

Number of Acres 2

Place Of Use: DOMESTIC, same as Irrigation

Remarks: This application covers an existing well located on the east side of the Salmon River about 17 miles upstream from Challis. The well provides water for a home and related irrigation.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/29/07

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**Application for Permit No. 72-16686**

Name: PATRICIA W CHALLIS

JOHN R CHALLIS

|              |        |       |             |               |                     |
|--------------|--------|-------|-------------|---------------|---------------------|
| Diversion Pt | SWSENE | Sec 3 | T 14N R 18E | CUSTER County | Source GROUND WATER |
| Diversion Pt | SESENE | Sec 3 | T 14N R 18E | CUSTER County | Source SPRING       |
| Diversion Pt | SESENE | Sec 3 | T 14N R 18E | CUSTER County | Source GROUND WATER |
| Diversion Pt | SWSENE | Sec 3 | T 14N R 18E | CUSTER County | Source SPRING       |

Use: AESTHETIC STORAGE 01/01 To 12/31 1 AFA

Use: RECREATION STORAGE 01/01 To 12/31 1 AFA

Total Diversion: 1 AFA

Date Filed: 11/22/2005

Place Of Use: AESTHETIC STORAGE

T14N R18E S3 SENE

Place Of Use: RECREATION STORAGE, same as Aesthetic Storage

Remarks: The application proposes appropriating 1 0 acre-foot of water for a pond filled with a spring fed unnamed stream and groundwater (note that the pond intercepts the local water table) for recreation and aesthetic storage use(s) on property just north of Challis Creek approximately 4.7 miles north and 4.5 miles west of the Highway 93 and Garden Creek Road intersection in Challis.

This application proposes the diversion and use of water tributary to a federally designated Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for storage purposes.

**Application for Permit No. 72-16687**

Name: JAMES BOLEN

VICKIE BOLEN

|              |         |        |             |               |                     |
|--------------|---------|--------|-------------|---------------|---------------------|
| Diversion Pt | L5 NESW | Sec 28 | T 11N R 17E | CUSTER County | Source GROUND WATER |
|--------------|---------|--------|-------------|---------------|---------------------|

Use: IRRIGATION 04/01 To 10/31 0 07 CFS

Total Diversion: 0 07 CFS

Date Filed: 09/16/2005

Place Of Use: IRRIGATION

T11N R17E S28 SENW NESW

Number of Acres 2 8

Remarks: Application proposes to divert 0 07 cfs from an existing well, already drilled, for irrigation of 2 8 acres around 9 homes in a trailer park. Location of the point of diversion and place of use is on the north side of HWY 75 between the highway and the Salmon River approximately 3 miles west of Clayton

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/29/07

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**Application for Permit No. 72-16693**

Name: ROBIN J WEGNER

Diversion Pt NWSWNW Sec 2 T 14N R 18E CUSTER County Source UNNAMED STREAM

Diversion Pt NWSWNW Sec 2 T 14N R 18E CUSTER County Source GROUND WATER

Use: STOCKWATER STORAGE 01/01 To 12/31 2 4 AFA

Use: IRRIGATION 04/01 To 10/31 0 2 CFS

Use: STOCKWATER 01/01 To 12/31 0 02 CFS

Total Diversion: 0 2 CFS 2 4 AFA

Date Filed: 02/01/2006

Place Of Use: IRRIGATION

T14N R18E S2 SWNW

Number of Acres 12

Place Of Use: STOCKWATER STORAGE & STOCKWATER, same as Irrigation

Remarks: Application proposes appropriating 2.4 acre-feet of water for a pond filled from an unnamed stream and ground water (note that the pond intercepts the local water table) for stock water storage on property located just north of Challis Creek approximately 4 8 miles north and 4 4 miles west of the Highway 93 and Garden Creek Road intersection in Challis. The application also proposes being able to divert up to 0 20 cfs from the pond for stock water use and irrigation use (12 acres also irrigated by other existing rights) on the same property.

This application proposes the diversion and use of water tributary to a federally designated Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for storage and replacement purposes.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/29/07

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**Application for Permit No. 72-16694**

Name: ROBIN J WEGNER

|              |        |       |             |               |                       |
|--------------|--------|-------|-------------|---------------|-----------------------|
| Diversion Pt | NWSWNW | Sec 2 | T 14N R 19E | CUSTER County | Source SPRING         |
| Diversion Pt | SWNW   | Sec 2 | T 14N R 19E | CUSTER County | Source UNNAMED STREAM |
| Diversion Pt | SWNW   | Sec 2 | T 14N R 19E | CUSTER County | Source UNNAMED STREAM |
| Diversion Pt | SWNW   | Sec 2 | T 14N R 19E | CUSTER County | Source UNNAMED STREAM |

Use: DOMESTIC 01/01 To 12/31 0 04 CFS

Use: STOCKWATER STORAGE 01/01 To 12/31 0 4 AFA

Use: IRRIGATION STORAGE 01/01 To 12/31 0 2 AFA

Use: IRRIGATION FROM STORAGE 04/01 To 10/31 0 2 AFA

Use: IRRIGATION 04/01 To 10/31 0 2 CFS

Total Diversion: 0 2 CFS 0 4 AFA

Date Filed: 02/01/2006

Place Of Use: IRRIGATION

T14N R18E S2 SWNW

Number of Acres 12

Place Of Use: IRRIGATION FROM STORAGE, IRRIGATION STORAGE, DOMESTIC, & STOCKWATER STORAGE, same as Irrigation

Remarks: Application proposes appropriating 0 04 cfs of water for domestic use from a spring on the property located north of Challis Creek, approximately 4.8 miles north and 4.4 miles west of the Highway 93 and Garden Creek Road intersection in Challis. The application also proposes to appropriate 0 4 acre-feet of water for three small ponds built on an unnamed stream (fed by overflow from the previously mentioned spring) and to appropriate 0 20 cfs from the same unnamed stream for irrigation use (12 acres also irrigated by other existing rights) on the same property

This application proposes the diversion and use of water tributary to a federally designated Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for domestic, storage, and replacement purposes.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/29/07

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**Application for Permit No. 72-16695**

Name: PETE L NELSON  
SHILEY L NELSON

Diversion Pt NWSWNW Sec 10 T 14N R 19E CUSTER County Source GROUND WATER  
Use: IRRIGATION 04/01 To 10/31 0.12 CFS

Total Diversion: 0.12 CFS

Date Filed: 01/27/2006

Place Of Use: IRRIGATION

T14N R19E S10 NWNW SWNW

Number of Acres 3.9

Remarks: Application proposes developing 0.12 cfs of groundwater for the irrigation of 3.9 acres on property located approximately 3.8 miles north and 0.6 miles east of the Highway 93 and Garden Creek Road intersection in Challis. An existing well on the property will serve as the proposed point of diversion.

This application proposes the diversion and use of water tributary to a federally designated Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Salmon River Wild & Scenic River.

**Application for Permit No. 72-16696**

Name: MARVIN B STROPE  
INGRID STROPE

Diversion Pt L8 NWSWSE Sec 11 T 11N R 18E CUSTER County Source GROUND WATER  
Use: DOMESTIC 01/01 To 12/31 0.04 CFS  
Use: IRRIGATION 04/01 To 10/31 0.04 CFS

Total Diversion: 0.08 CFS

Date Filed: 01/31/2006

Place Of Use: IRRIGATION

T11N R18E S11 SWSE Lot 8

Number of Acres 1.5

Place Of Use: DOMESTIC, same as Irrigation

Remarks: This application proposes to drill a new well to provide water for irrigation and domestic uses on a small parcel of land recently purchased by the applicants. The property is located between the Salmon River and Hwy. 75 about 5 3/4 miles below Clayton, Idaho.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/29/07

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**Application for Permit No. 72-16701**

Name: ANDREW JACOBS

PEGGY A JACOBS

Diversion Pt SESW                      Sec 28 T 11N R 17E   CUSTER County                      Source SALMON RIVER

Use: IRRIGATION                                      04/15 To 10/15   0.09 CFS

Total Diversion: 0.09 CFS

Date Filed: 01/17/2006

Place Of Use: IRRIGATION

T11N R17E S28                      SESW

Number of Acres 2.8

Remarks: Application proposes to divert 0.09 cfs from the Salmon River for the irrigation of 2.8 acres. Location of the point of diversion and place of use is on the east side of HWY 75 between the HWY and the Salmon River approximately 3 miles west of Clayton.

**Application for Permit No. 72-16704**

Name: STEVEN E ZETTEL

MICHELLE ZETTEL

Diversion Pt SWNW                      Sec 35 T 14N R 19E   CUSTER County                      Source UNNAMED STREAM

Use: WILDLIFE STORAGE                                      01/01 To 12/31                                      0.7 AFA

Total Diversion: 0.7 AFA

Date Filed: 05/25/2006

Place Of Use: WILDLIFE STORAGE

T14N R19E S35                      SWNW

Remarks: Application proposes developing a 0.7 AF pond on an unnamed stream tributary to the Hannah Slough. Pond will be on the applicants property located approximately 0.3 miles South and 1.5 miles East from the Highway 93 and Garden Creek Road intersection in Challis.

This application proposes the diversion and use of water tributary to a federally designated Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for storage purposes.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/29/07

**Transfer No 73558**

Water Right No(s) 37-21724 37-7527 37-7289 37-13130

Name: SIMON FARMS INC

**Right No. 37-21724**

Priority 6/17/1954

Source GROUND WATER

Use IRRIGATION (316 acres) 4.36 CFS 1,106.0 AFA

Point(s) of Diversion SWSENE S21 T01S R15E CAMAS County

Place of Use S21 T01S R15E  
S22 T01S R15E

**Right No. 37-7527**

Priority 9/21/1976

Source GROUND WATER

Use IRRIGATION (489 acres) 6.71 CFS 1,230.0 AFA

Point(s) of Diversion SENESE S17 T01S R15E CAMAS County

Place of Use S4 T01S R15E  
S9 T01S R15E

**Right No. 37-7289**

Priority 10/1/1973

Source GROUND WATER

Use IRRIGATION (316 acres) 4.00 CFS 948.0 AFA

Point(s) of Diversion SENESE S17 T01S R15E CAMAS County

Place of Use S17 T01S R15E

**Right No. 37-13130**

Priority 9/21/1976

Source GROUND WATER

Use IRRIGATION (489 acres) 1.11 CFS 276.5 AFA

Point(s) of Diversion SENESE S17 T01S R15E CAMAS County

Place of Use S4 T01S R15E  
S9 T01S R15E

The purpose of the transfer is to change a portion of the above rights as follows:

**Proposed Right No. 37-21724**

Use IRRIGATION (408 acres) 4.36 CFS 1,106.0 AFA

**Proposed Right No. 37-22184 (split from Parent Right No. 37-7289 )**

Use IRRIGATION (269.8 acres) 3.41 CFS 809.4 AFA

**Proposed Right No. 37-22185 (split from Parent Right No. 37-7289 )**

Use IRRIGATION (408 acres) 0.59 CFS 138.6 AFA

Point(s) of Diversion SWSENE S21 T01S R15E CAMAS County

Place of Use S21 T01S R15E  
S22 T01S R15E

**Proposed Right No. 37-22186 (split from Parent Right No. 37-7527 )**

Use IRRIGATION (443.2 acres) 6.08 CFS 1,114.8 AFA

**Proposed Right No. 37-22187 (split from Parent Right No. 37-7527 )**

Use IRRIGATION (408 acres) 0.63 CFS 115.2 AFA

Point(s) of Diversion SWSENE S21 T01S R15E CAMAS County

Place of Use S21 T01S R15E  
S22 T01S R15E

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/29/07

Proposed Right No. 37-22188 (split from Parent Right No. 37-13130 )

Use IRRIGATION (443.2 acres) 1.01 CFS 250.6 AFA

Proposed Right No. 37-22189 (split from Parent Right No. 37-13130 )

Use IRRIGATION (408 acres) 0.10 CFS 25.9 AFA

Point(s) of Diversion SWSENE S21 T01S R15E CAMAS County

Place of Use S21 T01S R15E  
S22 T01S R15E

Remarks: Application proposes modifying existing groundwater irrigation rights to allow for the installation of a new pivot sprinkler system. Portions of three groundwater rights totaling 0.63 cfs and allowing for the irrigation of 92 acres of pivot corners on a farm located approximately 4.5 - 5.5 miles east and 1.0 mile south - 1.6 miles north of Fairfield will be moved to a proposed 408-acre permissible place of use on a farm located approximately 1.0 - 2.0 miles south and 5.5 - 6.5 miles east of Fairfield. The transfer also proposes modifying the existing groundwater right (4.36 cfs and 316 acres) on the farm located approximately 1.0 - 2.0 miles south and 5.5 - 6.5 miles east of Fairfield to reflect the proposed 408-acre permissible place of use. An existing well located at the proposed permissible place of use will serve as the point of diversion for the transferred rights which will allow for the diversion of 4.99 cfs for the irrigation of 408 total acres.

**Transfer No 73559**

Water Right No(s) 37-7289 37-7527 37-13130

Name: SIMON FARMS INC

Right No. 37-7289

Priority 10/1/1973

Source GROUND WATER

Use IRRIGATION (316 acres) 4.00 CFS 948.0 AFA

Point(s) of Diversion SENESE S17 T01S R15E CAMAS County

Place of Use S17 T01S R15E

Right No. 37-7527

Priority 9/21/1976

Source GROUND WATER

Use IRRIGATION (489 acres) 6.71 CFS 1,230.0 AFA

Point(s) of Diversion SENESE S17 T01S R15E CAMAS County

Place of Use S4 T01S R15E  
S9 T01S R15E

Right No. 37-13130

Priority 9/21/1976

Source GROUND WATER

Use IRRIGATION (489 acres) 1.11 CFS 276.5 AFA

Point(s) of Diversion SENESE S17 T01S R15E CAMAS County

Place of Use S4 T01S R15E  
S9 T01S R15E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 37-22190 (split from Parent Right No. 37-7289 )

Use IRRIGATION (46.2 acres) 0.59 CFS 138.6 AFA

Proposed Right No. 37-22191 (split from Parent Right No. 37-7289 )

Use IRRIGATION (713 acres) 3.41 CFS 809.4 AFA

Place of Use S17 T01S R15E  
S4 T01S R15E  
S9 T01S R15E

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 05/29/07

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Proposed Right No. 37-22192 (split from Parent Right No. 37-7527 )

Use IRRIGATION (45.8 acres) 0.63 CFS 115.2 AFA

Proposed Right No. 37-22193 (split from Parent Right No. 37-7527 )

Use IRRIGATION (713 acres) 6.08 CFS 1,114.8 AFA

Place of Use S17 T01S R15E  
S4 T01S R15E  
S9 T01S R15E

Proposed Right No. 37-22194 (split from Parent Right No. 37-13130 )

Use IRRIGATION (45.8 acres) 0.10 CFS 25.9 AFA

Proposed Right No. 37-22195 (split from Parent Right No. 37-13130 )

Use IRRIGATION (713 acres) 1.01 CFS 250.6 AFA

Place of Use S17 T01S R15E  
S4 T01S R15E  
S9 T01S R15E

Remarks: Application proposes modifying portions of three groundwater rights totaling 6.08 cfs and allowing for the irrigation of 713 acres on a farm located approximately 4.5 - 5.5 miles east and 1.0 mile south - 1.6 miles north of Fairfield by creating a 713 acre permissible place of use on the same farm. An existing well located on the farm will serve as the point of diversion for the transferred rights which will allow for the diversion of 6.08 cfs for the irrigation of 713 total acres.

## IDAHO DEPARTMENT OF WATER RESOURCES' WEEKLY WATER RIGHT LISTING

### GENERAL EXPLANATION

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#### Water Right Basin & the Regional Office assignment

01, 11, 13, 15, 17,  
21, 22, 23, 24, 25,  
27, 29, 31, 32, 33,  
34, 35, 73, 74, 75

Eastern Regional Office  
900 N. Skyline Dr., Suite A  
Idaho Falls, ID 83402-1718  
(208) 525-7161

01, 02, 36, 37, 41, 43,  
45, 47, 71, 72

Southern Regional Office  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301  
(208) 736-3033

02, 03, 51, 55, 57,  
61, 63, 65, 67, 69,  
77, 78, 79

Western Regional Office  
2735 Airport Way  
Boise, ID 83705  
(208) 334-2190

03, 81, 82, 83, 84,  
85, 86, 87, 91, 92,  
93, 94, 95, 96, 97,  
98

Northern Regional Office  
7600 Mineral Dr., Ste 100  
Coeur d'Alene, ID 83815  
(208) 769-2800

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IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/11/07

**Statutory Claim No. 13-7702**

Name: PACIFICORP

Diversion Pt SWNW                      Sec 21 T 10S R 40E CARIBOU County                      Source SPRING  
Use: IRRIGATION                                              04/20 To 09/30 0.04 CFS  
Use: STOCKWATER                                              01/01 To 12/31 0.01 CFS

Total Diversion: 0.05 CFS

Priority Date: 06/01/1905

Place Of Use: IRRIGATION

T10S R40E S21                      SWNW

Number of Acres 10

Place Of Use: STOCKWATER, same as Irrigation

**Transfer No 73352**

Water Right No(s) 35-10442 35-2218

Name: WALLACE W DRISCOLL  
MAURINE D DRISCOLL

**Right No. 35-10442**

Priority 7/19/1957

Source GROUND WATER

Use IRRIGATION (370 acres)                                              0.30 CFS

Point(s) of Diversion SENE S11 T04S R31E BINGHAM County  
SESE S11 T04S R31E BINGHAM County

Place of Use                      S11 T04S R31E  
S12 T04S R31E  
S13 T04S R31E  
S14 T04S R31E

**Right No. 35-2218**

Priority 3/24/1952

Source GROUND WATER

Use IRRIGATION (370 acres)                                              7.10 CFS

Total Amount                                              7.10 CFS

Point(s) of Diversion SENE S11 T04S R31E BINGHAM County  
SESE S11 T04S R31E BINGHAM County

Place of Use                      S11 T04S R31E  
S12 T04S R31E  
S13 T04S R31E  
S14 T04S R31E

The purpose of the transfer is to change a portion of the above rights as follows:

**Proposed Right No. 35-2218**

Use IRRIGATION (370 acres)                                              7.10 CFS 1,420.0 AFA

**Proposed Right No. 35-10442**

Use IRRIGATION (370 acres)                                              0.30 CFS 60.0 AFA

Remarks: The applicant proposes to rearrange the place of use. The point of diversion will remain the same in SESE and SENE Sec 11 T4S R31E for 7.40 cfs with the place of use within Sec 11, 12, 13 and 14 T4S R31E for 370 acres.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/11/07

**Transfer No 72856**

Water Right No(s) 35-13596 35-13598 35-2419 35-13599

Name: PAUL W BEHREND  
DEBRA J BEHREND  
KRISTIN R BEHREND  
NICHOLAS P BEHREND  
GREGORY W KNITTEL  
JENNECCA S KNITTEL

**Right No. 35-13596**

Priority 4/1/1979  
Source GROUND WATER  
Use IRRIGATION (287 acres) 0.17 CFS 44.4 AFA  
Point(s) of Diversion SWSE S13 T05S R29E POWER County  
Place of Use S13 T05S R29E

**Right No. 35-13598**

Priority 4/1/1979  
Source GROUND WATER  
Use IRRIGATION (287 acres) 0.11 CFS 29.2 AFA  
Point(s) of Diversion SWSE S13 T05S R29E POWER County  
Place of Use S13 T05S R29E

**Right No. 35-2419**

Priority 4/20/1955  
Source GROUND WATER  
Use IRRIGATION (200 acres) 2.50 CFS 800.0 AFA  
Point(s) of Diversion NWSESE S21 T05S R30E BINGHAM County  
Place of Use S21 T05S R30E

**Right No. 35-13599**

Priority 8/5/1976  
Source GROUND WATER  
Use IRRIGATION (212 acres) 3.24 CFS 774.4 AFA  
Point(s) of Diversion SWSE S13 T05S R29E POWER County  
Place of Use S13 T05S R29E

The purpose of the transfer is to change a portion of the above rights as follows:

**Proposed Right No. 35-13570 (split from Parent Right No. 35-2419 )**

Use IRRIGATION (155 acres) 1.94 CFS 620.0 AFA

**Proposed Right No. 35-13571 (split from Parent Right No. 35-2419 )**

Use IRRIGATION (129 acres) 0.56 CFS 180.0 AFA

**Proposed Right No. 35-13596**

Use IRRIGATION (128 acres) 0.17 CFS 44.4 AFA

**Proposed Right No. 35-13598**

Use IRRIGATION (129 acres) 0.11 CFS 29.2 AFA

Point(s) of Diversion NWSESE S21 T05S R30E BINGHAM County

Place of Use S21 T05S R30E

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/11/07

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Proposed Right No. 35-13625 (split from Parent Right No. 35-13599 )

Use IRRIGATION (128 acres) 1 96 CFS 467 6 AFA

Point(s) of Diversion SWSE S13 T05S R29E POWER County

Place of Use S13 T05S R29E

Proposed Right No. 35-13626 (split from Parent Right No. 35-13599 )

Use IRRIGATION (129 acres) 1 28 CFS 306 8 AFA

Point(s) of Diversion NWSESE S21 T05S R30E BINGHAM County

Place of Use S21 T05S R30E

Remarks: The applicant proposes to create a new pivot with an existing point of diversion by drying up acres from the above water rights. The point of diversion for the new pivot will be in the NWSESE Sec 21 T5S R30E for 1 84 cfs with the place of use within the NE Sec 21 T5S R30E for 129 acres

# IDAHO DEPARTMENT OF WATER RESOURCES'

## WEEKLY WATER RIGHT LISTING

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01, 11, 13, 15, 17,  
21, 22, 23, 24, 25,  
27, 29, 31, 32, 33,  
34, 35, 73, 74, 75

Eastern Regional Office  
900 N. Skyline Dr., Suite A  
Idaho Falls, ID 83402-1718  
(208) 525-7161

01, 02, 36, 37, 41, 43,  
45, 47, 71, 72

Southern Regional Office  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301  
(208) 736-3033

02, 03, 51, 55, 57,  
61, 63, 65, 67, 69,  
77, 78, 79

Western Regional Office  
2735 Airport Way  
Boise, ID 83705  
(208) 334-2190

03, 81, 82, 83, 84,  
85, 86, 87, 91, 92,  
93, 94, 95, 96, 97,  
98

Northern Regional Office  
7600 Mineral Dr., Ste 100  
Coeur d'Alene, ID 83815  
(208) 769-2800

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IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/18/07

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**Statutory Claim No. 13-7700**

Name: PACIFICORP

|              |            |        |                |                |                       |
|--------------|------------|--------|----------------|----------------|-----------------------|
| Diversion Pt | SESW       | Sec 28 | T 10S R 40E    | CARIBOU County | Source UNNAMED SPRING |
| Diversion Pt | NENW       | Sec 33 | T 10S R 40E    | CARIBOU County | Source UNNAMED SPRING |
| Use:         | IRRIGATION |        | 04/20 To 09/30 | 0 04 CFS       |                       |
| Use:         | STOCKWATER |        | 01/01 To 12/31 | 0 01 CFS       |                       |

Total Diversion: 0 05 CFS

Priority Date: 06/01/1905

Place Of Use: IRRIGATION

T10S R40E S33          NENW SENW

Number of Acres 5

Place Of Use: STOCKWATER, same as Irrigation

**Statutory Claim No. 13-7701**

Name: PACIFICORP

|              |            |       |                |                |                   |
|--------------|------------|-------|----------------|----------------|-------------------|
| Diversion Pt | L2 NWNE    | Sec 1 | T 10S R 40E    | CARIBOU County | Source BEAR RIVER |
| Use:         | IRRIGATION |       | 04/20 To 09/30 | 0 04 CFS       |                   |
| Use:         | STOCKWATER |       | 01/01 To 12/31 | 0 01 CFS       |                   |

Total Diversion: 0.05 CFS

Priority Date: 06/01/1905

Place Of Use: IRRIGATION

T10S R40E S21          SESW

Number of Acres 6

Place Of Use: STOCKWATER, same as Irrigation

**Statutory Claim No. 13-7702**

Name: PACIFICORP

|              |            |        |                |                |               |
|--------------|------------|--------|----------------|----------------|---------------|
| Diversion Pt | SWNW       | Sec 21 | T 10S R 40E    | CARIBOU County | Source SPRING |
| Use:         | IRRIGATION |        | 04/20 To 09/30 | 0 04 CFS       |               |
| Use:         | STOCKWATER |        | 01/01 To 12/31 | 0 01 CFS       |               |

Total Diversion: 0.05 CFS

Priority Date: 06/01/1905

Place Of Use: IRRIGATION

T10S R40E S21          SWNW

Number of Acres 10

Place Of Use: STOCKWATER, same as Irrigation

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/18/07

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**Application for Permit No. 2-10324**

Name: GREG SIMS  
SUSAN SIMS

Diversion Pt L3 NWSE Sec 23 T 02N R 04W OWYHEE County Source SNAKE RIVER  
Use: IRRIGATION 03/01 To 11/15 0 05 CFS

Total Diversion: 0 05 CFS  
Date Filed: 09/08/2006

Place Of Use: IRRIGATION  
T02N R04W S23 NWSE Lot 3  
Number of Acres 1 5

**Application for Permit No. 11-7572**

Name: DRAKE PROPERTIES

Diversion Pt SWSENW Sec 15 T 12S R 44E BEAR LAKE County Source SPRING  
Use: DOMESTIC 01/01 To 12/31 0 04 CFS  
Use: STOCKWATER 01/01 To 12/31 0 01 CFS  
Use: WILDLIFE 01/01 To 12/31 0 02 CFS

Total Diversion: 0 06 CFS  
Date Filed: 06/13/2007

Place Of Use: DOMESTIC  
T12S R44E S15 SENW

Place Of Use: STOCKWATER  
T12S R44E S15 NWSW

Place Of Use: WILDLIFE, same as Domestic

**Application for Permit No. 22-13717**

Name: CITY OF VICTOR

Diversion Pt SWNE Sec 19 T 03N R 46E TETON County Source GROUND WATER  
Use: MUNICIPAL 01/01 To 12/31 3 CFS

Total Diversion: 3 CFS  
Date Filed: 05/15/2007

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/18/07

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**Application for Permit No. 23-11341**

Name: PALISADES CREEK LLC

Diversion Pt SESESW      Sec 24 T 01N R 44E    BONNEVILLE County    Source GROUND WATER  
Diversion Pt SESESW      Sec 24 T 01N R 44E    BONNEVILLE County    Source GROUND WATER  
Use: DOMESTIC                      01/01 To 12/31 0 55 CFS

Total Diversion: 0 55 CFS

Date Filed: 06/04/2007

Place Of Use: DOMESTIC

T01N R44E S24                      NESW SESW SWSE

**Application for Permit No. 25-14196**

Name: ALMA CRAM

Diversion Pt SWSESE      Sec 34 T 01S R 39E    BINGHAM County      Source SPRING  
Use: DOMESTIC                      01/01 To 12/31 0 01 CFS

Total Diversion: 0 01 CFS

Date Filed: 06/08/2007

Place Of Use: DOMESTIC

T02S R39E S3                      NWNE Lot 2

**Application for Permit No. 37-21975**

Name: JAMES REED

LESLEE REED

Diversion Pt SENWNW      Sec 27 T 06S R 13E    GOODING County      Source STODDARD CREEK SPRINGS  
Use: POWER                      01/01 To 12/31 1 CFS

Total Diversion: 1 CFS

Date Filed: 11/24/2006

Place Of Use: POWER

T06S R13E S27                      NWSW Lot 1

Remarks: This application proposes to add a small power plant to the existing irrigation and aesthetic uses on the property, which has a 1914 water right on Stoddard Creek Springs 1 cfs of the 1 816 cfs already used there will be run thru the proposed power plant. The existing diversion rate will not be increased under this application. The property is located about 3 3/8 miles north of Hagerman and about 1/2 mile west of Hwy. 30.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/18/07

**Application for Permit No. 47-17437**

Name: CORNERSTONE INDUSTRIES LLC

|              |                   |                |             |                   |                    |
|--------------|-------------------|----------------|-------------|-------------------|--------------------|
| Diversion Pt | NWSENE            | Sec 6          | T 10S R 18E | TWIN FALLS County | Source WASTE WATER |
| Diversion Pt | SWNESE            | Sec 6          | T 10S R 18E | TWIN FALLS County | Source WASTE WATER |
| Diversion Pt | SESENE            | Sec 6          | T 10S R 18E | TWIN FALLS County | Source WASTE WATER |
| Diversion Pt | SESENE            | Sec 6          | T 10S R 18E | TWIN FALLS County | Source WASTE WATER |
| Diversion Pt | NESENE            | Sec 6          | T 10S R 18E | TWIN FALLS County | Source WASTE WATER |
| Use:         | AESTHETIC STORAGE | 01/01 To 12/31 |             | 4.6 AFA           |                    |

Total Diversion: 4.6 AFA

Date Filed: 03/14/2007

Place Of Use: AESTHETIC STORAGE

T10S R18E S6 NENE Lot 1 SENE

Remarks: This application proposes to record the storage of irrigation wastewater in several existing ponds for aesthetic purposes in a subdivision that will be developed on the property. Other than cleaning out the ponds to maintain their storage capacity, nothing else will change. The property is located about 4 miles east and 1 1/2 miles north of the Twin Falls city center.

**Application for Permit No. 57-11692**

Name: REGINA ROSE

|              |            |                |             |               |                     |
|--------------|------------|----------------|-------------|---------------|---------------------|
| Diversion Pt | NWNE       | Sec 23         | T 04S R 01E | OWYHEE County | Source GROUND WATER |
| Use:         | IRRIGATION | 03/01 To 11/15 | 0.4 CFS     |               |                     |
| Use:         | STOCKWATER | 01/01 To 12/31 | 0.05 CFS    |               |                     |

Total Diversion: 0.45 CFS

Date Filed: 09/06/2006

Place Of Use: IRRIGATION

T04S R01E S23 NWNE

Number of Acres 20

Place Of Use: STOCKWATER, same as Irrigation

**Application for Permit No. 63-32546**

Name: DAN J ERSKINE

CONNIE R ERSKINE

|              |            |                |             |               |                      |
|--------------|------------|----------------|-------------|---------------|----------------------|
| Diversion Pt | L3 NENW    | Sec 36         | T 05N R 05W | CANYON County | Source UNNAMED DRAIN |
| Diversion Pt | L3 NENW    | Sec 36         | T 05N R 05W | CANYON County | Source UNNAMED DRAIN |
| Use:         | IRRIGATION | 03/01 To 11/15 | 0.5 CFS     |               |                      |

Total Diversion: 0.5 CFS

Date Filed: 09/07/2006

Place Of Use: IRRIGATION

T05N R05W S36 NENW Lot 3

Number of Acres 26

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/18/07

**Application for Permit No. 63-32547**

Name: HERBERT C MITCHELL

Diversion Pt SWNW      Sec 5   T 03N R 04W CANYON County      Source GROUND WATER  
Use: DOMESTIC      01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 09/06/2006

Place Of Use: DOMESTIC

T03N R04W S5      SWNW

**Application for Permit No. 67-14757**

Name: JEFFREY V MUSSER

REBECCA C MUSSER

Diversion Pt NWSE      Sec 1   T 12N R 03W WASHINGTON County Source GROUND WATER  
Use: IRRIGATION      03/15 To 10/31 0.68 CFS

Total Diversion: 0.68 CFS

Date Filed: 07/26/2006

Place Of Use: IRRIGATION

T12N R03W S1      NWSE SWSE

Number of Acres 63

**Application for Permit No. 71-10904**

Name: RON SMITH

JOANNE CAMBARERI SMITH

Diversion Pt NWNENE      Sec 22   T 08N R 14E CUSTER County      Source CHAMPION CREEK  
Diversion Pt NESWSW      Sec 13   T 08N R 14E CUSTER County      Source CHAMPION CREEK  
Use: DOMESTIC      01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 03/05/2007

Place Of Use: DOMESTIC

T08N R14E S22      NWNENE

Remarks: This application proposes to use water from Champion Creek to water the lawn around an existing home. Water will be pumped either from the Humphries irrigation ditch, or directly from Champion Creek. The place of use is located about 16 miles south of Stanley, and about 1 3/4 miles east of Hwy 93 a little north of Champion Creek

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/18/07

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**Application for Permit No. 72-16699**

Name: TRAVIS BULLOCK  
BRENDA BULLOCK

|                   |                    |               |                     |
|-------------------|--------------------|---------------|---------------------|
| Diversion Pt SWNE | Sec 10 T 14N R 19E | CUSTER County | Source GROUND WATER |
| Diversion Pt SENW | Sec 10 T 14N R 19E | CUSTER County | Source GROUND WATER |
| Use: DOMESTIC     | 01/01 To 12/31     | 0.04 CFS      |                     |
| Use: STOCKWATER   | 01/01 To 12/31     | 0.02 CFS      |                     |
| Use: IRRIGATION   | 04/01 To 10/31     | 0.72 CFS      |                     |

Total Diversion: 0.78 CFS

Date Filed: 04/05/2006

Place Of Use: DOMESTIC

T14N R19E S10 SWNE

Place Of Use: STOCKWATER, same as Domestic

Place Of Use: IRRIGATION

T14N R19E S10 SWNE SENW

Number of Acres 36

Remarks: This application proposes to provide water for a new home, livestock use, and 36 acres of irrigation from a new well to be drilled on the property. The property is located 1 1/2 miles east and 3 7/8 miles north of the Challis city center on the south side of Stephens Road.

**Application for Permit No. 72-16703**

Name: MICHELLE MC GINLEY  
CHARLES E CAMPBELL

|                     |                    |               |                     |
|---------------------|--------------------|---------------|---------------------|
| Diversion Pt SENESW | Sec 24 T 10N R 18E | CUSTER County | Source SALMON RIVER |
| Use: IRRIGATION     | 04/01 To 10/31     | 0.2 CFS       |                     |

Total Diversion: 0.2 CFS

Date Filed: 03/29/2006

Place Of Use: IRRIGATION

T10N R18E S13 NENW SENW

Number of Acres 5

Remarks: Application proposes to divert 0.20 cfs from the East Fork of the Salmon River for the irrigation of 5 acres on Lot 26 of the East Fork Subdivision. Location of the point of diversion is Lot 10 of the East Fork Subdivision, approximately 6.5 miles from HWY 75 up East Fork Road.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/18/07

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**Application for Permit No. 81-11991**

Name: KEVEN PARSONS

LINDA WELCH

Diversion Pt L1 SESW Sec 24 T 32N R 07E IDAHO County Source SELWAY RIVER  
Use: DOMESTIC 01/01 To 12/31 0 02 CFS

Total Diversion: 0 02 CFS

Date Filed: 05/15/2007

Place Of Use: DOMESTIC

T32N R07E S24 SESW Lot 1

Remarks: Domestic use is for 1 home

This application proposes the diversion and use of water from a tributary of the Selway Wild and Scenic River. The decreed minimum stream flow rights for the federal Wild and Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for domestic purposes.

**Application for Permit No. 87-10051**

Name: WILLIAM D BROWN

Diversion Pt NENW Sec 12 T 39N R 05W LATAH County Source UNNAMED STREAM  
Use: STOCKWATER 01/01 To 12/31 0 04 CFS

Total Diversion: 0 04 CFS

Date Filed: 06/05/2007

Place Of Use: STOCKWATER

T39N R05W S12 NENW

Remarks: Stockwater use is for 100 sheep

**Application for Permit No. 91-7161**

Name: JAMES HUDSON

CHERLY HUDSON

Diversion Pt L5 SWNE Sec 17 T 46N R 02W BENEWAH County Source ST JOE RIVER  
Use: IRRIGATION 03/15 To 10/31 0 02 CFS

Total Diversion: 0 02 CFS

Date Filed: 05/17/2007

Place Of Use: IRRIGATION

T46N R02W S17 SWNE Lot 5

Number of Acres 0 8

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/18/07

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**Application for Permit No. 95-9393**

Name: KEVIN L. WAITE  
CAROL L. HANSEN

Diversion Pt L8 SWSW Sec 34 T 52N R 03W KOOTENAI County Source HAYDEN LAKE  
Use: IRRIGATION 04/01 To 10/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 05/15/2007

Place Of Use: IRRIGATION

T52N R03W S34 SWSW Lot 8

Number of Acres 0.84

**Application for Permit No. 95-9394**

Name: MILTON NELSON

Diversion Pt L3 SENW Sec 3 T 51N R 05W KOOTENAI County Source LOST CREEK

Use: FIRE PROTECTION 01/01 To 12/31 0.02 CFS

Use: DOMESTIC 03/15 To 11/15 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 05/31/2007

Place Of Use: FIRE PROTECTION

T51N R05W S3 SENW Lot 3

Place Of Use: DOMESTIC

T51N R05W S3 SENW Lot 3

Remarks: Domestic use is for 1 home.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/18/07

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**Application for Permit No. 96-9323**

Name: MARK R. YOUNG

Diversion Pt L1 NENENE      Sec 6    T 55N R 02W    BONNER County      Source COCOLALLA CREEK  
Use: IRRIGATION                      04/01 To 10/31    0.3 CFS  
Use: STOCKWATER                    01/01 To 12/31    0.02 CFS

Total Diversion: 0.3 CFS

Date Filed: 05/03/2007

Place Of Use: IRRIGATION

T55N R02W S5                    NWNW Lot 4  
T55N R02W S6                    NENE Lot 1  
T55N R02W S5                    NWNW Lot 4  
T55N R02W S6                    NENE Lot 1

Number of Acres 15

Place Of Use: STOCKWATER

T55N R02W S5                    NWNW Lot 4  
T55N R02W S6                    NENE Lot 1

Remarks: Stockwater use is for 2 horses

**Application for Permit No. 96-9324**

Name: JEFFRY D KORTE

JULIA A KORTE

Diversion Pt SWNE              Sec 3    T 56N R 01E    BONNER County      Source LAKE PEND OREILLE  
Use: DOMESTIC                      01/01 To 12/31    0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 05/23/2007

Place Of Use: DOMESTIC

T56N R01E S3                    SWNE

Remarks: Domestic use is for 2 homes - [house and guest house]

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/18/07

**Application for Permit No. 96-9325**

Name: SCOTT BROWN

Diversion Pt NESW      Sec 2   T 56N R 02W   BONNER County      Source FRY CREEK  
Use: IRRIGATION      04/01 To 10/31   0.02 CFS      0.3 AFA

Total Diversion: 0.02 CFS

Date Filed: 05/23/2007

Place Of Use: IRRIGATION

T56N R02W S2      NESW

Number of Acres 0.5

**Transfer No 73568**

Water Right No(s) 2-10208

Name: HAGERMAN WINGS FARM LLC

Right No. 2-10208

Priority 2/25/1963

Source SNAKE RIVER

Use IRRIGATION (3080 acres)      49.16 CFS   9,832.0 AFA

Point(s) of Diversion L6 NWSW S9 T06S R11E ELMORE County

Place of Use      S1 T06S R10E  
                         S11 T06S R10E  
                         S12 T06S R10E  
                         S13 T06S R10E  
                         S17 T06S R11E  
                         S18 T06S R11E  
                         S19 T06S R11E  
                         S2 T06S R10E  
                         S20 T06S R11E  
                         S24 T06S R10E  
                         S6 T06S R11E  
                         S7 T06S R11E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 2-10337 (split from Parent Right No. 2-10208 )

Priority 2/25/1963

Source SNAKE RIVER

Use IRRIGATION (3080 acres)      48.56 CFS   9,712.0 AFA

Point(s) of Diversion L6 NWSW S9 T06S R11E ELMORE County

Place of Use      S1 T06S R10E  
                         S11 T06S R10E  
                         S12 T06S R10E  
                         S13 T06S R10E  
                         S17 T06S R11E  
                         S18 T06S R11E  
                         S19 T06S R11E  
                         S2 T06S R10E  
                         S20 T06S R11E  
                         S24 T06S R10E  
                         S6 T06S R11E  
                         S7 T06S R11E

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/18/07

Proposed Right No. 2-10338 (split from Parent Right No. 2-10208 )

Priority 2/25/1963

Source SNAKE RIVER

Use IRRIGATION (202 acres) 0 60 CFS 120.0 AFA

Point(s) of Diversion L3 NESE S16 T07S R13E GOODING County

Place of Use S15 T07S R13E  
S16 T07S R13E

Remarks: This application proposes to move 30 inches of Snake River water from Elmore County upstream about 15 miles to a new pump to be established 1 3/4 miles west of the Hagerman city center. The water will be used to irrigate 30 additional acres of the Hagerman Wings property just east of the pump site.

**Transfer No 72786**

Water Right No(s) 47-17186

Name: DOROTHY BAGGETT

Right No. 47-17186

Priority 8/31/1913

Source UNNAMED STREAMS

Use IRRIGATION (59.1 acres) 1.18 CFS

Point(s) of Diversion L10 SESW S5 T09S R15E TWIN FALLS County  
L2 NWNE S8 T09S R15E TWIN FALLS County  
L2 NWNE S8 T09S R15E TWIN FALLS County  
L5 NWNE S8 T09S R15E TWIN FALLS County

Place of Use S5 T09S R15E  
S8 T09S R15E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 47-17334 (split from Parent Right No. 47-17186 )

Use IRRIGATION (33.9 acres) 0 68 CFS

Point(s) of Diversion L2 NWNE S8 T09S R15E TWIN FALLS County  
L2 NWNE S8 T09S R15E TWIN FALLS County  
L5 NWNE S8 T09S R15E TWIN FALLS County

Proposed Right No. 47-17335 (split from Parent Right No. 47-17186 )

Use IRRIGATION (25.2 acres) 0 50 CFS

Point(s) of Diversion NWNENW S8 T09S R15E TWIN FALLS County

Place of Use S5 T09S R15E

Remarks: Transfer proposes to split a water right which currently diverts 1.14 cfs from unnamed streams for the irrigation of 59.1 acres. The transfer adds a new point of diversion for a portion of the right and proposes to divert 0.5 cfs into a pivot to irrigate 25.2 acres. Location is approximately 4 miles north and 1.25 miles east of Buhl on River Road in the Snake River Canyon.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/18/07

**Transfer No 72469**

Water Right No(s) 37-2499

Name: MARY C PETERSON  
W JAMES PETERSON

Right No. 37-2499

Priority 2/28/1949

Source GROUND WATER

Use IRRIGATION (60 acres) 1.20 CFS 210.0 AFA

Point(s) of Diversion SENWNW S16 T01S R21E BLAINE County

Place of Use S16 T01S R21E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 37-2499

Priority 2/28/1949

Source GROUND WATER

Use IRRIGATION (23 acres) 0.46 CFS 80.5 AFA

Point(s) of Diversion SENWNW S16 T01S R21E BLAINE County

Place of Use S16 T01S R21E

Remarks: This application proposes to change the place of use for this groundwater right from one portion of this farm to another. The right was originally used further south, but has been used only at the north end of the farm since a pivot was installed on the property in 1987. The pivot runs off canal shares, while the well irrigates the land north of the pivot. The well is located about 1 3/4 miles NW of Carey on the west side of the Little Wood River Road.

**Transfer No 73561**

Water Right No(s) 36-15467 36-98

Name: HAGERMAN WINGS FARM LLC

Right No. 36-15467

Priority 4/1/1905

Source BILLINGSLEY CREEK

Use IRRIGATION (91 acres) 2.95 CFS

Point(s) of Diversion NWSWNE S11 T07S R13E GOODING County

Place of Use S15 T07S R13E  
S16 T07S R13E

Right No. 36-98

Priority 4/1/1895

Source BILLINGSLEY CREEK

Use IRRIGATION (91 acres) 7.00 CFS

Point(s) of Diversion NWSWNE S11 T07S R13E GOODING County

Place of Use S15 T07S R13E  
S16 T07S R13E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 36-98

Use IRRIGATION (202 acres) 7.00 CFS

Proposed Right No. 36-15467

Use IRRIGATION (202 acres) 2.95 CFS

## IDAHO DEPARTMENT OF WATER RESOURCES' WEEKLY WATER RIGHT LISTING

### GENERAL EXPLANATION

The department produces the attached water right application and claim listing from its computer database to provide notice of new applications and claims. The listing includes applications for permit, applications for transfer, applications to amend a permit, amended applications for permit, and statutory claims. This listing is provided as a convenience and is not the official notice of applications and claims, which is published in newspapers of the state. The information is also available at the following Internet address:

<http://www.idwr.idaho.gov/water/rights/>

In about two (2) weeks after applications and claims appear in the attached listing, the department generally publishes a legal notice once a week for two (2) consecutive weeks in a newspaper printed in the county in which the point of diversion lies. Protests against the approval of an application must be **received** by the department no later than ten (10) days after the second and last publication and must be accompanied by a non-refundable \$25 protest fee per application. A protest must include the protestant's name and address and be signed by the protestant, or the protestant's attorney. The protest shall clearly describe the objection to the approval of an application. Exceptions to a statutory claim must be filed in affidavit form, in duplicate, and accompanied by such proof as is deemed appropriate. No fee is required to file an exception to a statutory claim.

The department generally will not process applications for ground water or surface water that propose a consumptive use of water within parts of the Snake River drainage or other moratorium or restricted areas in the state. Proposed appropriations of water from the Salmon River, Clearwater River, and their tributaries, will not be approved unless the applicant can establish that the proposed appropriation will not negatively impact anadromous fish and will not diminish stream flows below the established minimums. The department will, however, process applications for non-consumptive uses such as domestic use, fish propagation and hydropower generation. If the department modifies or rescinds the moratoriums, applications that have been held may be advertised, re-advertised and/or reprinted in this listing.

The original applications or claims and supporting information may be reviewed in the department's regional offices described below: The two digits shown to the left of the regional offices' information represents a hydrologic basin administered by that regional office, and represents the first two digits in the identification number of a specific water right in a basin.

#### Water Right Basin & the Regional Office assignment

01, 11, 13, 15, 17,  
21, 22, 23, 24, 25,  
27, 29, 31, 32, 33,  
34, 35, 73, 74, 75

Eastern Regional Office  
900 N. Skyline Dr., Suite A  
Idaho Falls, ID 83402-1718  
(208) 525-7161

01, 02, 36, 37, 41, 43,  
45, 47, 71, 72

Southern Regional Office  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301  
(208) 736-3033

02, 03, 51, 55, 57,  
61, 63, 65, 67, 69,  
77, 78, 79

Western Regional Office  
2735 Airport Way  
Boise, ID 83705  
(208) 334-2190

03, 81, 82, 83, 84,  
85, 86, 87, 91, 92,  
93, 94, 95, 96, 97,  
98

Northern Regional Office  
7600 Mineral Dr., Ste 100  
Coeur d'Alene, ID 83815  
(208) 769-2800

RECEIVED JUN 27 2007

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/25/07

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**Application for Permit No. 78-12291**

Name: STEVE SCHWEICH  
LINDA SCHWEICH

Diversion Pt NESE                      Sec 21 T 24N R 01E IDAHO County                      Source LITTLE SALMON RIVER  
Use: IRRIGATION                      03/01 To 11/15 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 07/28/2006

Place Of Use: IRRIGATION

T24N R01E S21                      NESE

Number of Acres 10

**Transfer No 73557**

Water Right No(s) 36-16244 36-4157F 36-16242

Name: WILLIAM J MILLENKAMP  
SUSAN MILLENKAMP

**Right No. 36-16244**

Priority 5/11/1957

Source GROUND WATER

Use COMMERCIAL 0.24 CFS 59.0 AFA  
STOCKWATER 0.24 CFS 59.0 AFA

Total Amount 0.24 CFS 59.0 AFA

Point(s) of Diversion SWNW S27 T07S R16E JEROME County  
SENE S28 T07S R16E JEROME County  
SENE S28 T07S R16E JEROME County  
NENW S28 T07S R16E JEROME County

Place of Use S27 T07S R16E  
S28 T07S R16E

**Right No. 36-4157F**

Priority 6/1/1956

Source GROUND WATER

Use STOCKWATER 0.33 CFS 49.2 AFA

Point(s) of Diversion SWNW S27 T07S R16E JEROME County  
SENE S28 T07S R16E JEROME County  
SENE S28 T07S R16E JEROME County  
NENW S28 T07S R16E JEROME County

Place of Use S27 T07S R16E  
S28 T07S R16E

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/25/07

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**Right No. 36-16242**

Priority 6/11/1957

Source GROUND WATER

Use STOCKWATER 0.08 CFS  
COMMERCIAL 0.08 CFS

Total Amount 0.08 CFS

Point(s) of Diversion SWNW S27 T07S R16E JEROME County  
SENE S28 T07S R16E JEROME County  
SENE S28 T07S R16E JEROME County  
NENW S28 T07S R16E JEROME County

Place of Use S27 T07S R16E  
S28 T07S R16E

The purpose of the transfer is to change a portion of the above rights as follows:

**Proposed Right No. 36-4157F**

Point(s) of Diversion SENWNW S27 T07S R16E JEROME County  
SENE S28 T07S R16E JEROME County  
SENE S28 T07S R16E JEROME County  
NENW S28 T07S R16E JEROME County

**Proposed Right No. 36-16242**

Point(s) of Diversion SENWNW S27 T07S R16E JEROME County  
SENE S28 T07S R16E JEROME County  
SENE S28 T07S R16E JEROME County  
NENW S28 T07S R16E JEROME County

**Proposed Right No. 36-16244**

Point(s) of Diversion SENWNW S27 T07S R16E JEROME County  
SENE S28 T07S R16E JEROME County  
SENE S28 T07S R16E JEROME County  
NENW S28 T07S R16E JEROME County

Remarks: Transfer proposes changing one of four points of diversion for three water rights to a new well located approximately 4.75 miles North and 2.75 miles West of the center of the City of Jerome. The three rights allow for the diversion of 0.65 cfs for stockwater and commercial use associated with a CAFO located approximately 4.25 - 5.0 miles north and 2.75 - 3.75 miles west of the center of the City of Jerome. The transfer proposes abandoning an existing well at the CAFO site, and replacing it with the proposed new well while continuing to use the other three wells (a total of four points of diversion).

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/25/07

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**Transfer No 73456**

Water Right No(s) 36-16200 36-13767

Name: JAMES K SCHAEFFER  
DIANNE SCHAEFFER

**Right No. 36-16200**

Priority 1/22/1958

Source GROUND WATER

Use STOCKWATER 0.26 CFS 58.0 AFA

Point(s) of Diversion NESENW S29 T08S R22E MINIDOKA County

Place of Use S29 T08S R22E

**Right No. 36-13767**

Priority 3/1/1955

Source GROUND WATER

Use STOCKWATER 0.09 CFS 11.0 AFA  
DOMESTIC 0.08 CFS 3.6 AFA

Total Amount 0.17 CFS 14.6 AFA

Point(s) of Diversion NESENW S29 T08S R22E MINIDOKA County

Place of Use S29 T08S R22E

The purpose of the transfer is to change a portion of the above rights as follows:

**Proposed Right No. 36-13767**

Point(s) of Diversion NENW S29 T08S R22E MINIDOKA County  
NESENW S29 T08S R22E MINIDOKA County

**Proposed Right No. 36-16200**

Point(s) of Diversion NENW S29 T08S R22E MINIDOKA County  
NESENW S29 T08S R22E MINIDOKA County

Remarks: Transfer proposes adding a well to rights 36-13767 and 26-16200 that are for domestic and stock water use for a feedlot operation located approximately 6.0 miles west and 6.65 miles north of Paul. In addition, the transfer proposes redesigning the feedlot boundary to include an additional quarter/quarter joining the current place of use to the north

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/25/07

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**Transfer No 72746**

Water Right No(s) 36-2151 36-7417

Name: STAR FALLS AG INC

Right No. 36-2151

Priority 11/14/1957

Source GROUND WATER

Use IRRIGATION (160 acres) 2.32 CFS

Point(s) of Diversion NENESW S14 T10S R20E JEROME County

Place of Use S14 T10S R20E

Right No. 36-7417

Priority 12/11/1973

Source GROUND WATER

Use IRRIGATION (45 acres) 0.51 CFS

Point(s) of Diversion NENESW S14 T10S R20E JEROME County

Place of Use S14 T10S R20E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 36-2151

Use IRRIGATION (200 acres) 2.32 CFS 640.0 AFA

Proposed Right No. 36-7417

Use IRRIGATION (200 acres) 0.51 CFS 160.0 AFA

Remarks: The transfer covers a land exchange between two adjacent farms that occurred about 3 years ago in order to square up the properties for more-efficient sprinkler operation. A companion transfer adjusts the place of use for the other farm. The same wells will be used on each farm; no new wells will be drilled under either transfer. The property is located 1 1/2 miles south and 3 1/4 miles east of Hazelton, Idaho.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/25/07

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**Transfer No 72751**

Water Right No(s) 36-2157 36-2079

Name: RICHARD E TRAIL TRUST

Right No. 36-2157

Priority 12/4/1951

Source GROUND WATER

Use IRRIGATION (530 acres) 4 04 CFS 960 0 AFA

Point(s) of Diversion NWNESE S14 T10S R20E JEROME County  
NWNWNW S23 T10S R20E JEROME County

Place of Use S14 T10S R20E  
S22 T10S R20E  
S23 T10S R20E

Right No. 36-2079

Priority 10/26/1948

Source GROUND WATER

Use IRRIGATION (530 acres) 4 13 CFS 1,160 0 AFA

Point(s) of Diversion NWNESE S14 T10S R20E JEROME County  
NWNWNW S23 T10S R20E JEROME County

Place of Use S14 T10S R20E  
S22 T10S R20E  
S23 T10S R20E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 36-2079

Use IRRIGATION (545 acres) 4 13 CFS 1,160 0 AFA

Proposed Right No. 36-2157

Use IRRIGATION (545 acres) 4 04 CFS 960 0 AFA

Remarks: This transfer covers a land exchange between two adjacent farms that occurred about 3 years ago in order to square up the properties for more-efficient sprinkler operation. A companion transfer adjusts the place of use for the other farm. The same wells will be used on each farm; no new wells will be drilled under either transfer. The property is located about 2 miles south and 3 1/4 miles east of Hazelton, Idaho.

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/25/07

**Transfer No 72396**

Water Right No(s) 36-16383 36-16060

Name: THE DUNCAN LIMITED PARTNERSHIP  
PKD PROPERTIES LC

**Right No. 36-16383**

Priority 2/23/1948

Source GROUND WATER

Use IRRIGATION (290 acres) 3 63 CFS 1,160 0 AFA

Point(s) of Diversion SENENE S19 T07S R25E MINIDOKA County

Place of Use S19 T07S R25E  
S20 T07S R25E

**Right No. 36-16060**

Priority 5/2/1953

Source GROUND WATER

Use IRRIGATION (305 5 acres) 3 82 CFS 1,222 0 AFA

Point(s) of Diversion NESESE S19 T07S R25E MINIDOKA County

Place of Use S19 T07S R25E  
S20 T07S R25E

The purpose of the transfer is to change a portion of the above rights as follows:

**Proposed Right No. 36-16060 (split from Parent Right No. 36-2221 )**

Use IRRIGATION (640 acres) 3 82 CFS 1,222 0 AFA

Point(s) of Diversion SENENE S19 T07S R25E MINIDOKA County  
NESESE S19 T07S R25E MINIDOKA County

**Proposed Right No. 36-16383 (split from Parent Right No. 36-16058 )**

Use IRRIGATION (640 acres) 3 63 CFS 1,160 0 AFA

Point(s) of Diversion SENENE S19 T07S R25E MINIDOKA County  
NESESE S19 T07S R25E MINIDOKA County

Remarks: Transfer proposes to create a permissible place of use of 640 acres by combining two existing water rights and their two existing wells with a total combined diversion rate of 7 45 cfs and total combined annual volume of 2382 AF to be used for the irrigation of 595 5 acres within the proposed permissible place of use located approximately 8 5 - 9 5 miles north and 1 0 - 2 0 miles east of Acequia

IDAHO DEPARTMENT OF WATER RESOURCES  
NEW WATER RIGHT FILINGS

DATE: 06/25/07

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**Transfer No 72395**

Water Right No(s) 36-16384

Name: MART PRODUCE CORP

Right No. 36-16384

Priority 2/23/1948

Source GROUND WATER

Use IRRIGATION (15.5 acres) 0.19 CFS 62.0 AFA

Point(s) of Diversion SENENE S19 T07S R25E MINIDOKA County

Place of Use S19 T07S R25E  
S20 T07S R25E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 36-16384 (split from Parent Right No. 36-16058 )

Use COMMERCIAL 0.19 CFS 38.8 AFA

Point(s) of Diversion NESENE S21 T09S R24E MINIDOKA County  
NWSENE S21 T09S R24E MINIDOKA County

Place of Use S21 T09S R24E

Remarks: Transfer proposes to dry up 15.5 acres of an irrigation water right currently diverted approximately 9.0 miles north and 1.5 miles east of Acequia and convert 0.19 cfs and 40.0 AF to commercial use to be diverted from two existing wells at an existing potato processing plant located 0.75 miles north and 1.0 mile east of Rupert. 38.8 AF will be diverted for commercial use at the new place of use. No new wells will be drilled.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 22 2007

DEPARTMENT OF  
WATER RESOURCES

**NOTICE OF PROTEST**

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Application for Permit No. 63-32462 in the Name of Tree Top Ranches LP.
2. Name of protestant Greg Obendorf.
3. Protestant's Representative for service (If different than protestant)  
Dana L. Hofstetter, Hofstetter Law Office, LLC.
4. Service mailing address 608 West Franklin Street, Boise, Idaho 83702.
5. Service telephone no. (208) 424-7800.
6. Basis of protest (including statement of facts and law upon which the protest is based)

The proposed use will reduce the quantity of water available to other senior water rights; the water supply appears insufficient to fulfill this proposed use along with other senior uses; the downstream Idaho Department of Fish and Game's Fort Boise Wildlife Management Area will be adversely affected and, generally, downstream conditions and habitat will be adversely affected in conflict with the local public interest.

(additional pages may be attached to describe nature of the protest)

What would resolve your protest? Denial or appropriate conditions, if any are possible, to address any such impacts.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 22<sup>nd</sup> day of June, 2007.

Protestant

Protestant's Representative

*Dana Hofstetter*



**NOTE:**

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

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**INSTRUCTIONS**

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. \_\_\_\_\_ in the name of \_\_\_\_\_" or "Application for Transfer No. \_\_\_\_\_ in the name of \_\_\_\_\_."
  2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
  3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
  4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
  5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
  6. Specifically describe the nature of the protest.
  7. Describe the relief being sought by the protestant.
- 

**FOR DEPARTMENT USE ONLY**

Received by AMB Date 6-22-07 Time 4:55 P.M.  
\$25.00 fee Received by AMB # CO84403 Date 6-22-07

# Idaho Department of Water Resources Receipt

Receipt ID: C084403

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Payment Amount \$25.00      Date Received 6/22/07 4:55      Region STATE  
Payment Type Check      Check Number 2280  
Payer HOFSTETTER LAW OFFICE LLC

Comments PROTEST

## Fee Details

| Amount  | Description | Fund | Fund<br>Detail | PCA   | Subobject |
|---------|-------------|------|----------------|-------|-----------|
| \$25.00 | PROTESTS    | 0229 | 21             | 56103 | 1155      |

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Signature Line (Department Representative)

11/99

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 22 2007

DEPARTMENT OF  
WATER RESOURCES

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Application for Permit No. 63-32462 in the Name of Tree Top Ranches LP.
2. Name of protestant J.F. Watson Farms Company.
3. Protestant's Representative for service (If different than protestant)  
Dana L. Hofstetter, Hofstetter Law Office, LLC.
4. Service mailing address 608 West Franklin Street, Boise, Idaho 83702.
5. Service telephone no. (208) 424-7800.
6. Basis of protest (including statement of facts and law upon which the protest is based)

The proposed use will reduce the quantity of water available to other senior water rights, including without limitation, the Protestant's Application for Permit No. 63-32461; the water supply appears insufficient to fulfill this proposed use along with other senior uses; the downstream Idaho Department of Fish and Game's Fort Boise Wildlife Management Area will be adversely affected and, generally, downstream conditions and habitat will be adversely affected in conflict with the local public interest.

(additional pages may be attached to describe nature of the protest)

What would resolve your protest? Denial or appropriate conditions, if any are possible, to address any such impacts.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 22<sup>nd</sup> day of June, 2007.

Protestant

Dana Hofstetter

Protestant's Representative

EXHIBIT

D

Blumberg No. 5208

**NOTE:**

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

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**INSTRUCTIONS**

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. \_\_\_\_\_ in the name of \_\_\_\_\_" or "Application for Transfer No. \_\_\_\_\_ in the name of \_\_\_\_\_."
  2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
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  4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
  5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
  6. Specifically describe the nature of the protest.
  7. Describe the relief being sought by the protestant.
- 

**FOR DEPARTMENT USE ONLY**

Received by AMB Date 6-22-07 Time 4:55 P.M.  
\$25.00 fee Receipted by AMB # C084402 Date 6-22-07

# Idaho Department of Water Resources Receipt

Receipt ID: C084402

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Payment Amount \$25.00      Date Received 6/22/07 4:54      Region STATE  
Payment Type Check      Check Number 2281  
Payer HOFSTETTER LAW OFFICE LLC

Comments protest

## Fee Details

| Amount  | Description | Fund | Fund Detail | PCA   | Subobject |
|---------|-------------|------|-------------|-------|-----------|
| \$25.00 | PROTESTS    | 0229 | 21          | 56103 | 1155      |

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Signature Line (Department Representative)