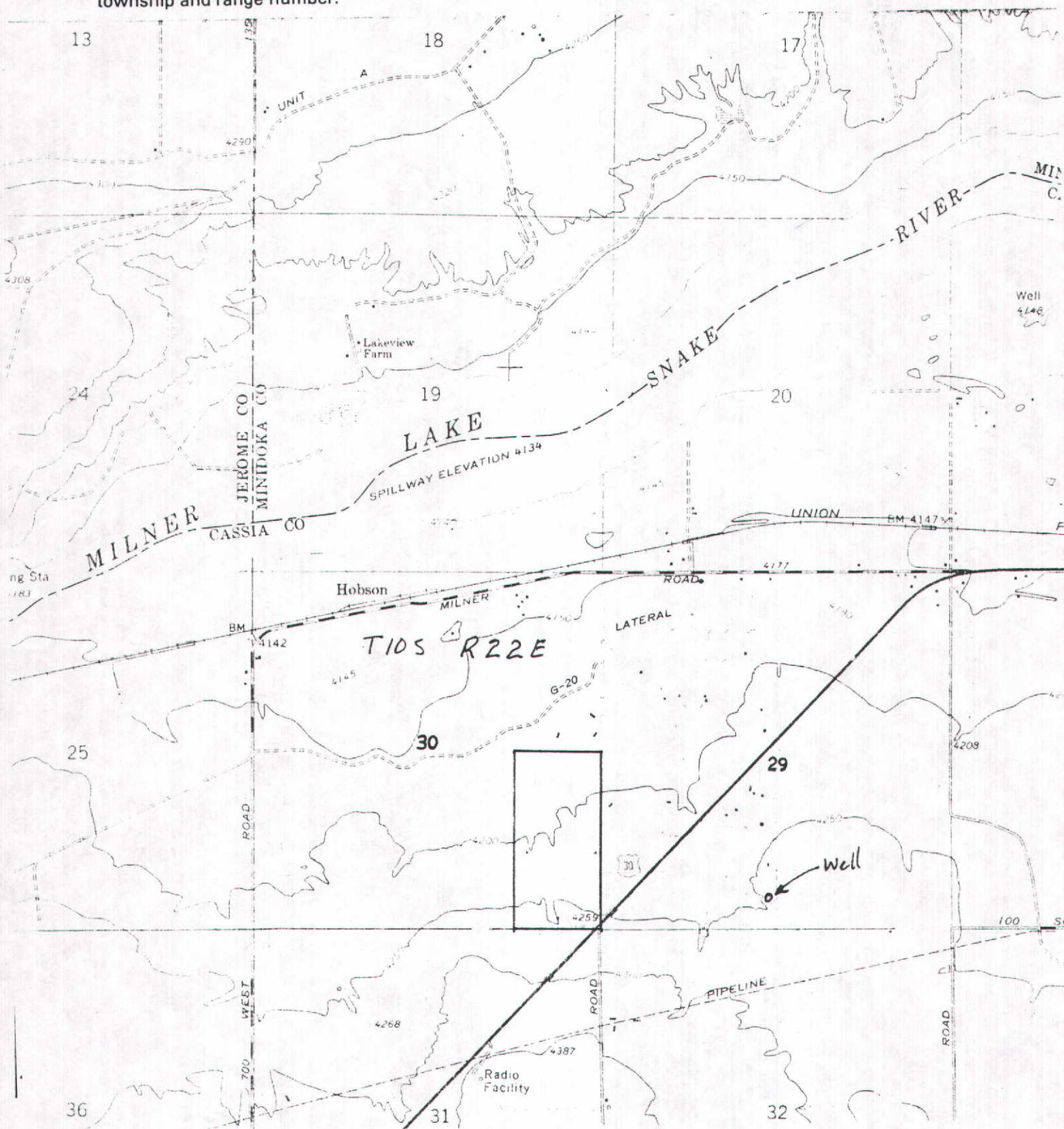


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED
OCT 19 2001

Harry L. Mai
(Applicant)

45-07603, uncertain
pivot extent & corner
irrigation (Held due to
Swan Falls, protested)
Withdrawn

45-07261, license

Clayton's property



45-13400

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 5/1/01

No. 45-13400 Name: Clayton Corp. Officers N/A Ad ok ☒ Govt Lots _____

AREA OF CONCERN: No/Yes ESPA pre-1987 dev. OK Moratorium _____ GWMA _____ TRUST/NON-TRUST perched area

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

- All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
WMD
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

- Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

- Trust - 051 (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

- STORAGE - 18A-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)
MINING - 054-106
FISH PROP - 029 (70's only)-007-042-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8

BENEFICIAL USE DUE: 9 / 01 2001

MISC CONDITIONS/REMARKS:

- Protested - ~~020-W19~~ w/drawn
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

- F&G contacted - Yes/No Response _____
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE _____
WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD

- ≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

- Snake R (01) - W22, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

- POWER - 17H or 17K (+uses)-17G (not under FERC)
or 17M (FERC regulated >25 cfs or 500hp)
08A-025-027-01N-106-W13 (if dewatering stream)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
>1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate
or none allowed - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

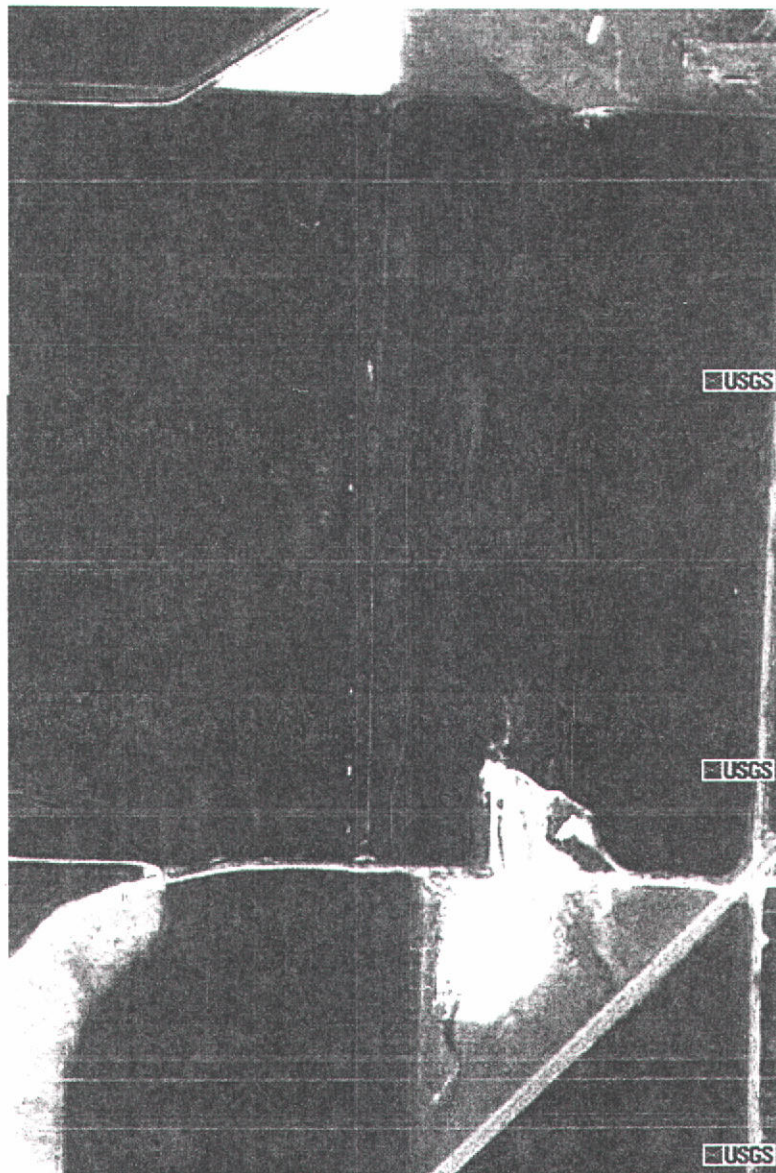
IRRIGATION SEASON 3/15 11/15 (Per updated map)

IRR VOLUME/ACRE 4.0

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

1992 Photo



MICROFILMED

OCT 19 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

SEP 12 2001

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 45-13400 Telephone No. 208-678-7817

2. Name of Permit Holder(s): Douglas M & Carrie Clayton

3. Mailing Address: 602 W. Hwy 30

City Burley State ID Zip 83318

4. Source of Water: Well If **GROUNDWATER** (well), Date Drilled: mo. / yr.

Well Driller: unknown Drilling Permit Number: - - -

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): Stockwater (No. and type of stock):

Irrigation (No. of acres): 2 Other:

6. Total rate of diversion and/or volume for which proof is submitted: .06 cfs OR acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes or No X

Has the measuring device been installed?

Yes or No

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system:

* Name: Barbara Mai Telephone Number: 208-524-4444

Address: 363 W. Hwy 30 Burley or Courthouse Rm. 105
Burley

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Carrie L. Clayton
(include your title, if on behalf of company of organization)

Date: 9-10-01
MICROFILMED

OCT 1 9 2001

Please wait until 2002 for exam as the well used was put into Idaho Power Buy Back by Mr. Mark Hobson, over

Also Mr. Freitag @ Lavin
informed us that we needed
a written agreement with Mr
Hobson regarding the use of
the well. That will be forth
coming.

MICROFILMED

OCT 18 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 45-13400

Priority: 07/07/1986

Maximum Diversion Rate: 0.06 CFS

This is to certify, that CARRIE CLAYTON
602 W HWY 30
BURLEY ID 83318

And

DOUGLAS M CLAYTON
602 W HWY 30
BURLEY ID 83318

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, Twp 10S, Rge 22E, B.M. CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	22E	30																2.0	2.0

Total Acres: 2

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 1, 2001**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
5. This right does not authorize the irrigation of land not previously irrigated.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 12th day of July, 2001.

MICROFILMED
OCT 19 2001


for
KARL J DREHER, Director

11/99

RECEIVED

OCT 11 2000

ASSIGNMENT OF APPLICATION FOR PERMIT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Per # 45-13400

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

I, Larry L Mai, hereby assign to Douglas M + Carrie Clayton
of 602 W Hwy 30 Burley Id 83318 678-7817
(Full Address) (Phone)

All my right, title, and interest in and to Application for Permit No. _____
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Application for
Permit No. 45-07603 to appropriate the public waters of the State of Idaho.

(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

T 10 S. R 22 E Sec 30 Part SE 1/4 SE 1/4
3 acres

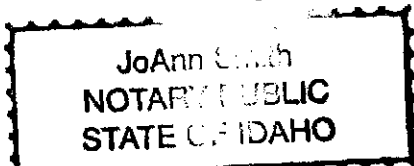
Made this 30 day of OCT, 20 00.

Larry L Mai
Applicant(s)

State of Idaho)

County of Cassia) ss

On this 30th day of October, 20 00, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.



SEAL

JoAnn Smith
Notary Public residing at
Reupert Idaho

My commission expires: 11/3/2006

MICROFILMED

OCT 13 2000

RECEIVED

Form 202 7 1986
6/85

Department of Water Resources
Southwest District Office

Ident. No. 45-7603

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Larry L. Mai Phone 678-5913
Post office address Rt. 4, Box 4191 Burley, ID 83318

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 29 Township 10S Range 22E B.M. Cassia County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.50 for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 1.50 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well and pump

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is Existing 16 inches; proposed depth of well is 340 feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
Existing system
1 years (minimum 1 year).

MICROFILMED

OCT 13 2011

8. Description of proposed use (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	22E	30													40			35	75

Total number of acres to be irrigated 75

10. Describe any other water rights used for the same purposes as described above. 45-7164, 45-7261

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Land has been irrigated under same well as 45-7164 since 1974.
Six (6) acres in SESE 30 licensed under 45-7261 is not being used since other land
under that right have been sold. Five (5) acres out that 40 acres in SESE is
presently watered from the household well.

MICROFILMED

OCT 10 2001

Received by LH Date 1/31/96 Time 12:00 Prelim check by ADM
Fee \$ 65.00 Receipted by LH # 38408 Date 7/7/96
Publication prepared by MB Date 3/15/01 Published in So. Id. Press
Publication approved MB Date 4/19/01

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

OCT 1 2 2001

February 7, 2001

Mr. & Mrs. Douglas Clayton
602 West Hwy 30
Burley, Id 83318

RECEIVED
FEB 14 2001
Department of Water Resources
Southern Region

RE: Water Usage On Your Property

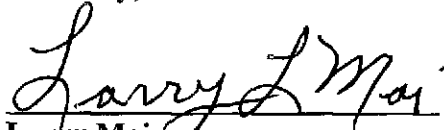
Dear Mr. & Mrs. Clayton,

Alex Mai & Sons started farming the Kenneth & June Carey Property in 1968. We put in all cement ditches in 1968 in order to irrigate the farm property more efficiently. We used the deep well located to the west of the home for the irrigation of the crops, and the tree area with gravity irrigation and siphon tubes. We used a centrifugal pump in ditch with hoses attached to irrigate the lawn areas around the residence.

I resided at the home from 1968 to October 1987. The property was sold to Richard Kechter in September 1987.

See attached legals for the home and well locations.

Sincerely,

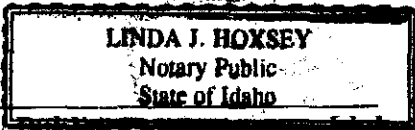

Larry Mai

Cc: Mark Hobson
Department of Water Resources

State of Idaho, County of Cassia ss

On this 8th Day of February, 2001, before me Linda J. Hoxsey a Notary Public, personally appeared LARRY MAI proved to me to be the person whose subscribed to the within instrument and acknowledged to me that he executed the same.

My commission expires December 11, 2006
NOTARY PUBLIC UNDERWRITERS


Notary Public, Linda J. Hoxsey

MICROFILMED

OCT 13 2001

45-13400

Exhibit "A"

TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 30: Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 30, said corner marked by a 5/8 inch rebar; Thence South 89°32'26" West along section line for a distance of 115.45 feet to a point on the Westerly right of way of State Highway 30 which shall be the Point of Beginning;
Thence South 89°32'26" West along section line for a distance of 822.32 feet to a 1/2 inch rebar;
Thence North 00°35'07" West for a distance of 394.83 feet to a 1/2 inch rebar;
Thence South 87°12'51" East for a distance of 130.70 feet to a 1/2 inch rebar;
Thence South 58°14'05" East for a distance of 306.37 feet to a 1/2 inch rebar;
Thence South 19°16'40" East for a distance of 120.33 feet to a 1/2 inch rebar;
Thence South 48°43'15" East for a distance of 127.26 feet to a 1/2 inch rebar;
Thence North 89°57'08" East for a distance of 322.65 feet to a 1/2 inch rebar on the Westerly right of way of State Highway 30;
Thence South 44°14'28" West along said right of way for a distance of 29.78 feet to a concrete highway right of way marker at Station 82+80.23;
Thence South 44°14'28" West along said right of way for a distance of 2.77 feet to the Point of Beginning.

The total acreage for this property is 3.46 acres. Less .46 acres for the home and the driveway. Thus leaving a total of 3 acres to be irrigated.

Well is located as follows.

T10S R22E S31 SESESW

MICROFILMED

OCT 13 2001

45-13400

Office of

CASSIA COUNTY ASSESSOR

Martell C. Holland

1459 Overland Avenue
Burley, Idaho 83318
Phone (208) 878-3540
Fax# (208) 878-1014

February 13, 2001

RECEIVED
FEB 14 2001
Department of Water Resource
Southern Region

To: Department of Water Resources
From: Dan Rorris
Re: Aerial photos

Gentlemen,

The enclosed copy of the F12 aerial photo is the most recent that we have in our office. They were taken in the 1987 fly-over of our county. If you have any questions that we might answer for you please feel free to call me.

Sincerely,



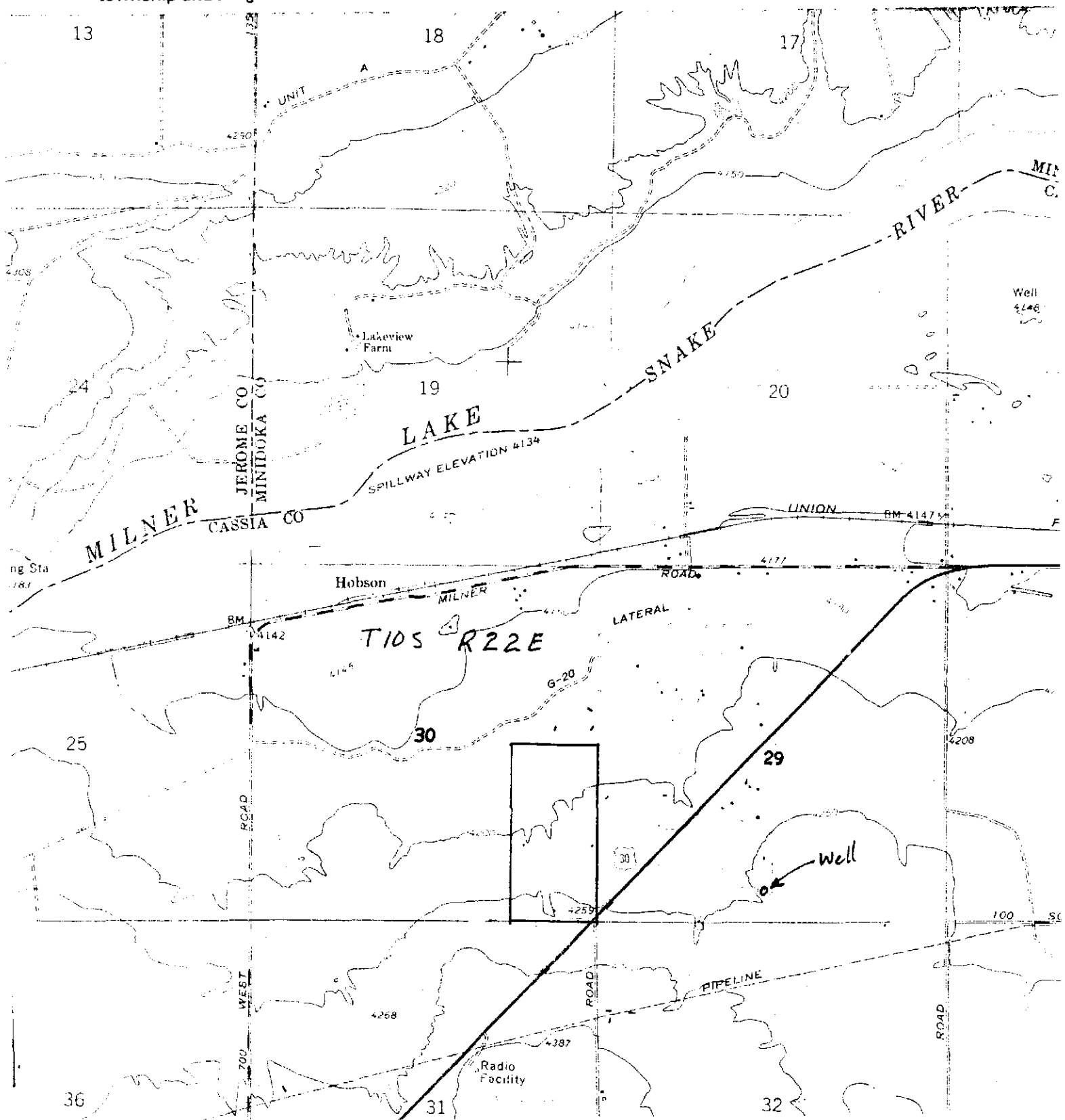
Dan Rorris
Mapper
Cassia County

MICROFILMED

OCT 13 2001

45-13400

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as hereinafter described.

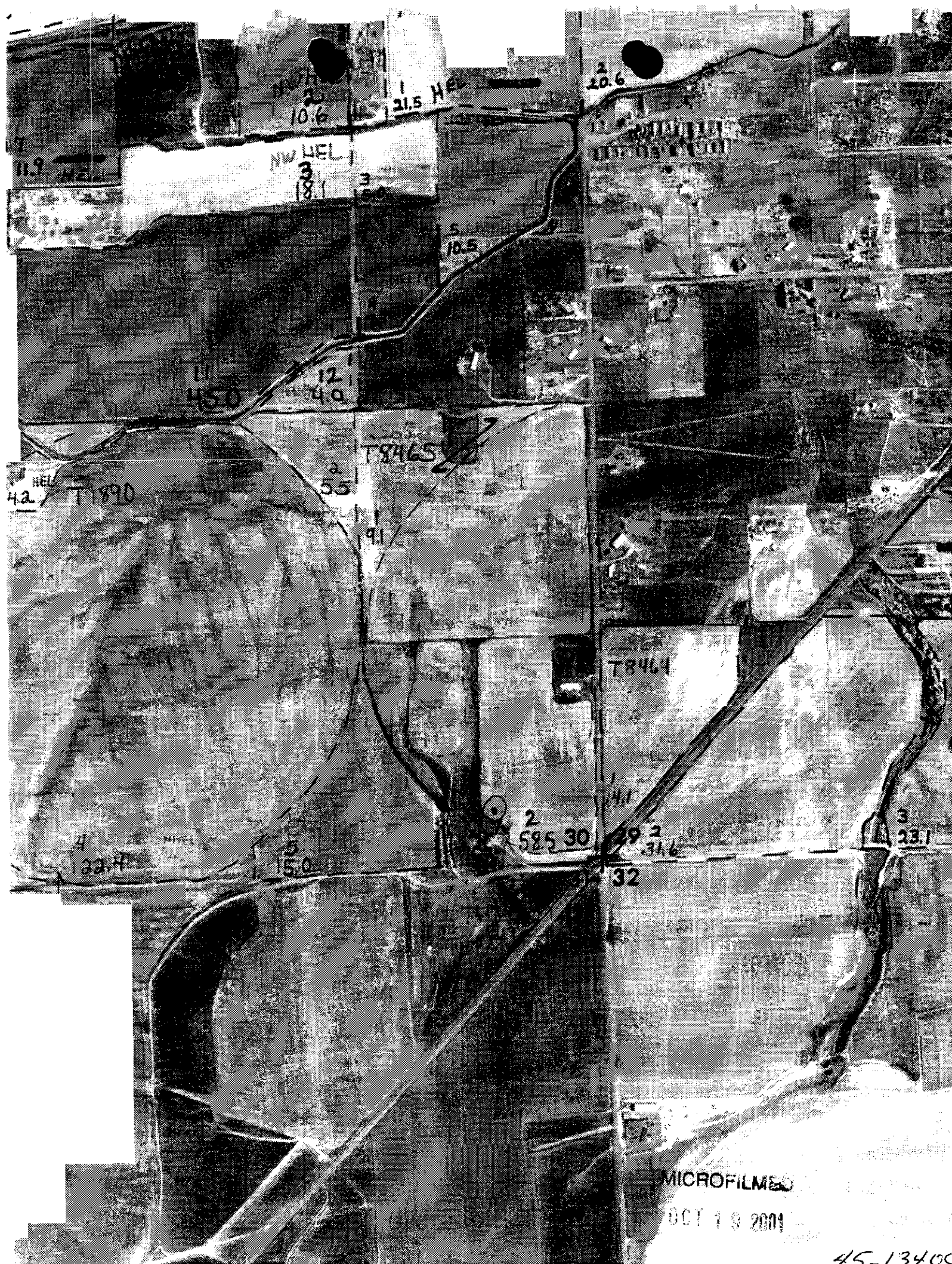
OCT 19 1906

Harry L. Mai
(Applicant)

45-07603, uncerain
pivot extent & corner
irrigation (Held due to
Swan Falls, ~~protected~~)
Withdrawn

45-07261, license

Clayton's property



MICROFILMED

OCT 18 2001

45-13400

SOUTH 1/4 CORNER
SECTION 30
Find 5/8" rebar
alongside U.S. R.S. Iron pipe
c.p. rec. 3 Mar. 1983
Inet. no. 149942

Clayton Property

PARCEL 1
3.46 ACRES +/-

set 1/2" rebar
18" deep

set 1/2" rebar
12" deep

to last wheel

set 1/2" rebar
6" below plow layer

MICROFILMED
OCT 19 2001

45-13400

S 89°32'26"W
1715.53'

N 00°35'07"W
394.83'

S 87°12'51"E
138.70'

S 58°14'05"E
306.37'

S 19°16'48"E
120.33'

S 48°43'15"E
127.26'

set 1/2" rebar

N 89°57'00"E
322.65'

set 1/2" rebar

S 89°32'26"W
822.32'

Find hwy r/w mkr.
Sta. 82+80.23

S 89°32'26"W
115.45'

SE CO
SECTION 30
Find 5/8"
w/ 3"
c.p. r
Inet.

2653.30

SECTION 30
T.10 S.. R.22 E..B..
CASSIA COUNTY, IDAHO



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 10, 2001

DOUGLAS M CLAYTON
CARRIE CLAYTON
602 W HWY 30
BURLEY ID 83318

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 45-13400

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use. I am forwarding a copy of your Proof of Beneficial Use form to the Southern Regional office in Twin Falls for their information regarding scheduling the field exam in 2002.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Southern** Regional Office of the department in Twin Falls at (208) 736-3033.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED
OCT 18 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 45-13400

Reviewed By: dgibson

Date: September 13, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		C056191	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	09/12/2001
Date proof due	- 10/01/2001
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 07/07/1986
New priority date	= 07/07/1986

Deficiencies of Actions Items

Ask Well Const. to review. If they ok, then acknowledge proof and return receipt.

(Exempt from filing drilling permit. It's prior to 1987.)

July 31, 2001

DOUGLAS M CLAYTON
CARRIE CLAYTON
602 W HWY 30
BURLEY, ID 83318

PROOF DUE NOTICE

RE: PERMIT NO. 45-13400

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

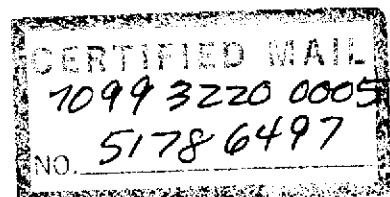
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Admin. Asst.
Water Allocation Bureau
Enclosures

MICROFILMED

OCT 19 2001





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 13, 2001

DOUGLAS M CLAYTON
CARRIE CLAYTON
602 W HWY 30
BURLEY ID 83318

RE: Permit No. 45-13400

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

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

MICROFILMED

DEC 19 2001

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

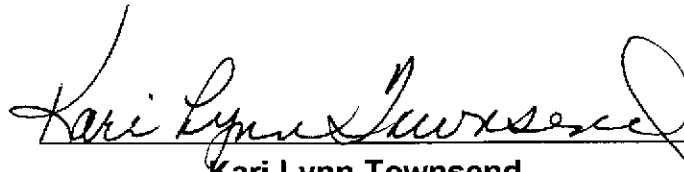
OCT 16 2001

CERTIFICATE OF MAILING

I hereby certify that on July 13, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. **45-13400**

DOUGLAS M CLAYTON
CARRIE CLAYTON
602 W HWY 30
BURLEY ID 83318



Kari Lynn Townsend
Secretary

MICROFILMED

OCT 19 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
OCT 19 2001

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

To: Files 45-7603 and 45-13400

From: Sharla

Date: June 5, 2001

Re: Measurement Records

Yesterday I spoke with Burke Scholer, asking for copies of any measurement/reporting they may have so that we can document these files with the data that can then be compared with data collected by the department's field examiner when the inspection is made.

Burke said they have nothing for 2000 and the 1999 form was submitted but is totally blank. He suggested that we send a copy of the permits when issued to Brian Higgs who is the consultant for Magic Valley Ground Water District and Southwest Irrigation District. He said that when we send the copies we should ask Brian to go out and make an inspection ASAP and then forward his info to us for the files. I will make a note to have KariLynn send the copies with a note requesting the data.

MICROFILMED

OCT 19 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 2, 2001

DOUGLAS & CARRIE CLAYTON
602 W HWY 30
BURLEY ID 83318

RE: Application for Permit No. 45-13400

Dear Mr. and Mrs. Clayton:

The department is ready to issue a permit on the above referenced application. Before we do so, however, I want you to be aware that the number of acres being recommended for permit approval is less than the number of acres identified in the application and advertised in the paper.

The reduction is due to our review of aerial photography for determination of the development that occurred prior to November of 1987. Although your application was held under the Eastern Snake Plain Aquifer moratorium, we are able to process your application because the development occurred before the moratorium was put in place. The aerial photos we collected allow us to approve the permit for 2 acres rather than the 3 acres requested.

If I do not hear from you within ten (10) days, I will assume you agree with our assessment and will forward the permit for approval. If you have any questions, please call me.

Sincerely,

Sharla Curtis
Senior Water Resource Agent

MICROFILMED

OCT 19 2001

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 5/1/01

No. 45-13400 Name: Clayton Corp. Officers N/A Ad ok ☒ Govt Lots _____

AREA OF CONCERN: No/Yes ESPA pre-1987 dev. Moratorium OK GWMA TRUST/NON-TRUST perched area

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

~~STORAGE~~ - 18A-01H-01P-18B-NA
~~IRR ≤ 5 ac~~ - R66/R67/R68/R69 (0.03 cfs/ac)
~~> 5 ac~~ - R62/R63/R64/R65 (0.02 cfs/ac)
~~STOCKWATER~~ - R37 (BLM/FS)
~~MINING~~ - 054-106
~~FISH PROP~~ - 029 (70's only)-007-042-106
~~HEAT/COOL~~ - R07 (injection well)
~~FIRE PROT~~ - 077
~~COMMERCIAL/~~
~~INDUSTRIAL~~ - 106-R07
~~DAIRY~~ - 082-WD8

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response _____
In/Above MSF - WB9

PLANNING REVIEW/RESPONSE

WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H or 17K (+uses)-17G (not under FERC)
or 17M (FERC regulated >25 cfs or 500hp)
08A-025-027-01N-106-W13 (if dewatering stream)

MUNICIPAL

Restricted area - 022,075
Irr., GW supp to SW - 102

DOMESTIC

Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
>1 in restricted area - 070-071-075 (no parks/common areas, etc)
In use listed separate or none allowed - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

BENEFICIAL USE DUE: 9 / 01 / 2001

MISC CONDITIONS/REMARKS:

Protested - 020-W19 w/drawn
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single pd intended - 076

IRRIGATION SEASON 3/15 11/15 (Per updated map)

IRR VOLUME/ACRE 4.0

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

MEMO

FROM: Allen Merritt



DATE: April 24, 2001

TO: Permit No: 45-07603 part

45-13400

RECEIVED

In the Name of: HOBSON

CLAYTON

APR 24 2001

SUBJECT: **Review and Recommendation**

Department of Natural Resources

These two applications should be reviewed together. Both stem from the original application 45-07603 filed in the name of MAI. That application was protested. Subsequently the land was ultimately split and sold to Hobson and Clayton. During some inquiry of water rights it was discovered that the land was being watered without a right. This resulted in the current owners working to get things straightened around. The current owners were able to get the protest resolved and the original application split up. They requested that the applications be processed since the lands had been irrigated prior to November 1987.

The electronic record is somewhat confusing. Original application 45-07603 for 1.50 cfs and 75 acres has been split two ways. 1.44 cfs and 72 acres has replaced the old record 45-07603 and probably should have been re-numbered part A but was not. 0.06 cfs for 3 acres was data entered under 45-13400.

Review of Historical Use

The files contain aerial photos for the years: 1968, 1986, 1987 and 1992. Note that 6 acres are licensed in SESE under 45-07261.

My estimate of the acres irrigated are as follows:

Tract	Potential Acres	1968	1986	1987	1992
NESE	40	28	34	39	40
SESE	<u>34</u>	<u>27</u>	<u>26</u>	<u>26</u>	<u>32</u>
	74	56	60	65	72

Since the permits can only be issued for pre-Nov 1987 development then they should be limited to 65 acres total.

The 65 acres should be split as follows:

45-13400 for 2 acres within SESE.

45-07603 for 39 acres in NESE and 24 acres in SESE for total of 63 acres.

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APR 24 2001

Recommendation

I recommend that the applications be approved subject to the following conditions:

45-13400

- Limited to 0.06 cfs for irrigation of no more than 2.0 acres.

45-07603

- Limited to 1.26 cfs for irrigation of no more than 63 acres.
- May need to have number modified to show parent type relationship.
- Measuring device required.
- Measure and report use in West Measurement District or through Southwest Irrigation District as appropriate.

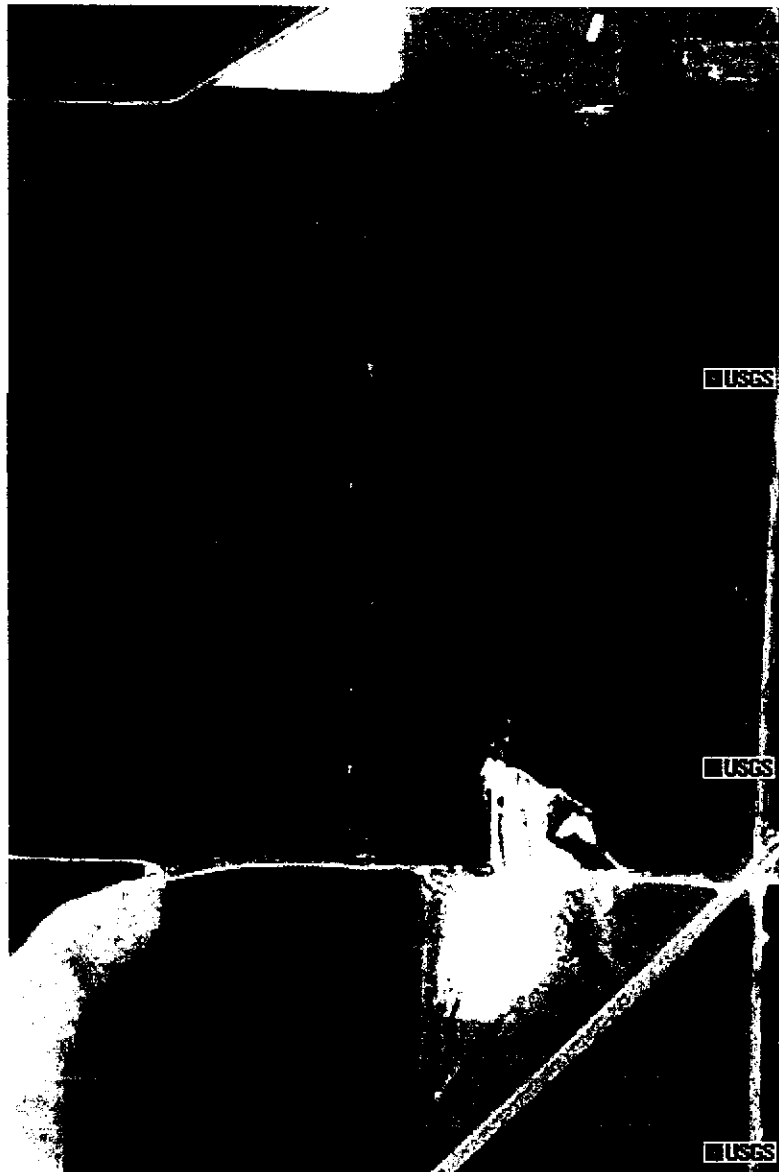
BOTH

- Use limited to historical use established by November 1987. No additional capacity or acreage allowed beyond historical limit.

MICROFILMED

OCT 13 2001

1992 Photo



MICROFILMED

OCT 13 2001

APPLICATION NO. 45-13400

STATE OF IDAHO
IDWR SOUTHERN REGION
APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY John Friday DATE 02/26/01

REQUIRED INFORMATION (Ck if OK)

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.
☒ County
☒ Quantity (flow &/or volume)
☒ Period of use
☒ Nature of proposed use (include description of use)
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
☒ Fee
☐ Yes ☐ No* In form to receipt?

++++PROPOSED PRIORITY DATE 07/07/98

(Per original application
by Larry Mal)

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back. 45-02261 (see memo)
☒ Overlapping point of diversion.
☐ Yes ☒ No Is Source Surface Water?
If Yes Send Copy to F&G.
If Yes Field check/memo required.
Field check/memo by _____
☐ Yes ☒ No Field report attached?
☐ Yes ☒ No Critical Ground water area?
☐ Yes ☒ No Groundwater management area?
☒ Yes ☐ No Measurement District or Groundwater District?
What District? Southwest irrigation district
☐ Yes ☒ No Send Dam safety information?
☐ Yes ☒ No Send power requirement letter?
☐ Yes ☒ No Send fish farm requirement letter?
☐ Yes ☒ No Power residency affidavit attached?
☐ Yes ☒ No Power efficiency form?
☐ Yes ☒ No Within trustwater boundary?(If yes, attach trustwater supplementary analysis sheet.
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft? (If yes, attach large diversion supplementary analysis sheet.
☐ Yes ☒ No Is Application made to record Pre Nov 1987 Development?
If Yes then request clear evidence of when use started.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Date Requested _____

Date Sent Comments Received

SEND COPIES TO:

☐ Idaho Dept of Health & Welfare	_____	_____
☐ USDI BLM	_____	_____
☐ Idaho Dept of Fish & Game	_____	_____
☐ USFS	_____	_____
☐ Idaho Dept of Lands	_____	_____
☐ Water Dist. No. _____	_____	_____
☐ Adjudication Bureau Unit	_____	_____
_____	_____	_____
_____	_____	_____

PROCESSING ☒ Yes ☐ No In form for Advertising?
☐ Yes ☒ No Statewide Advertising?
☒ Yes ☐ No Fee amount, receipt date & No. recorded?

☒ Yes ☐ No Has all requested additional information been received?
If not, describe action taken: _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received?
☒ Yes ☐ No Application published correctly? If not, record action taken.

☒ Yes ☐ No Publication dates and paper recorded?

Final date for protest: _____

☐ Yes ☒ No Protests received?

☐ Yes ☒ No Protested?

Describe Resolution: _____

☐ Yes ☒ No Measuring device required?

☐ Yes ☒ No Access port required?

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist? _____

☐ Yes ☒ No Special conditions codes: _____

☒ Yes ☐ No Is Evaluation Memo Attached?

If yes; date of Memo _____

Date of priority recommended: _____

COMMENTS:

RECOMMEND

☒ Approval

☐ Denial

By

AM

Date

4/24/01



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 15, 2001

DOUGLAS & CARRIE CLAYTON
602 W HWY 30
BURLEY ID 83318

RE: Application for Permit No 45-13400

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the South Idaho Press on 04/02 & 04/09/01. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Mary A. Baldwin
Administrative Assistant

MICROFILMED

OCT 19 2001



RECEIVED

FEB 13 2001

Department of Water Resources
Southern Region

COUNTY OF CASSIA

COURTHOUSE

1459 Overland Avenue
BURLEY, IDAHODARRELL M. ROSKELLEY
CLERK OF THE DISTRICT COURT

PHONE: 208-878-4367

FAX: 208-878-1993

e-mail: dkelley@safelink.net

FAX COVER SHEET

Name:

Organization:

Fax:

Phone:

From:

Date:

Subject:

Pages:

John Freilas
Dept of Water Res.
208 736 3037
Barbara Mai
Clayton Aerial photo
2

Comments:

CONFIDENTIALITY NOTICE: The documents accompanying this telecopy transmission may contain confidential information belonging to the sender, which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of the telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents.

MICROFILMED

OCT 13 2001

Office of

CASSIA COUNTY ASSESSOR*Martell C. Holland*

1459 Overland Avenue
Burley, Idaho 83318
Phone (208) 878-3540
Fax# (208) 878-1014

February 13, 2001

RECEIVED**FEB 13 2001**

Department of Water Resources
Southern Region

To: Department of Water Resources
From: Dan Rorris
Re: Aerial photos

Gentlemen,

The enclosed copy of the F12 aerial photo is the most recent that we have in our office. They were taken in the 1987 fly-over of our county. If you have any questions that we might answer for you please feel free to call me.

Sincerely,



Dan Rorris
Mapper
Cassia County

MICROFILMED

OCT 19 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

Memorandum

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

To: 45-7603 and 45-13400

From: John Freitag

Re: Assignment of Applications for Permit

Date: 03/02/01

Larry Mai originally filed application for Permit 45-7603 in 1986. It was advertised by mistake (should have been held due to Swan Falls Moratorium) and was protested by Farm Credit Services in 1986. Farm Credit Services withdrew their protest on September 07 2000.

There have been two assignments of application for permit filed on 45-7603. One in the name of David Mark Hobson and Lisa Sue Hobson for 1.44 cfs and 72 acres of irrigation. The other is in the name of Douglas M. and Carrie Clayton for .06 cfs and 3 acres of irrigation. Both parties have included pre-1987 proof in order to process their applications through the current drought moratorium.

In order to enter both assignments on the database it required modifying the current information already existing in the database to reflect the Hobson's portion of 45-7603 and then entering a brand new application for permit (now known as 45-13400) to reflect the Clayton's portion of 45-7603.

Both of the assignments will need to be re-advertised per Norm Young's recommendation.

MICROFILMED

OCT 12 2000



Farm Credit Services

1700 South Assembly Street
P.O. Box 2515
Spokane, Washington 99220
509/838-9300 FAX 509/838-9400
800/827-6505

September 1, 2000

Via Facsimile (208) 736-3037 and Regular Mail

John Freitag
Water Resource Agent
Southern Regional Office
Idaho Department of Water Resources
1341 Filmore Street, Suite 200
Twin Falls, Idaho 83301

RECEIVED
SEP 07 2000
Department of Water Resources
Southern Region

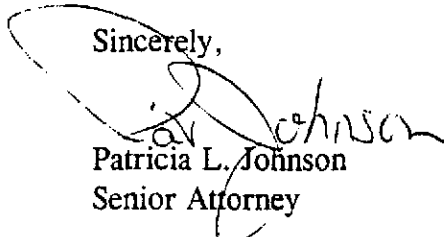
Subject: Application for Permit 45-07603; Larry L. Mai

Dear John:

As we discussed, by letter dated July 28, 1986, Farm Credit Services filed a formal protest against the pending Application for Permit 45-07603. Northwest Farm Credit Services hereby withdraws this formal protest.

If you have any questions, please contact me by telephone at (509) 838-9412. Thank you for your cooperation.

Sincerely,


Patricia L. Johnson
Senior Attorney

cc: Bob Blakeslee
Glen Leak
Mark Hobson

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OCT 9 2000

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Holmes, being first duly sworn, deposes and is a legal clerk of the South Idaho Press, a newspaper published at Burley, Idaho, in the county aforesaid. The paper is of general circulation therein. Deponent that the printed notice attached hereto was distributed according to law in the regular editions of the Press for 2 consecutive week(s), commencing with issue dated April 2, 2001, and ending with the issue dated April 9, 2001.

Ruth Holmes

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 9th day of April in the year of 2001, me, a Notary Public, personally appeared Ruth Holmes, identified to me to be the person whose name is subscribed within instrument, and being by me first duly sworn, the statements therein are true, and acknowledged to be executed the same.

Kay M. Munn
Notary Public for Idaho

Residing at: Paul, Idaho

My commission expires:

Cost of Publication 105.82
Affidavit Fee 5.00
Total Cost 110.82

01-087

NOTICE OF APPLICATION

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

45-7603
DAVID MARK &/or LISA SUE HOBSON
24 S 700 W
BURLEY ID 83318
Point(s) of Diversion SESW S29 T10S R22E; CASSIA County
Source GROUNDWATER
Use: IRRIGATION (1.44 CFS) 03/15 To 11/15
Date Filed: 01/31/2001
Place of Use: 72 acres within E1/2SE S30 T10S R22E
Remark: Development completed by November 1987.

45-13400
DOUGLAS M & CARRIE CLAYTON
602 W HWY 30
BURLEY ID 83318
Point(s) of Diversion SESW S29 T10S R22E; CASSIA County
Source GROUNDWATER
Use: IRRIGATION (0.06 CFS) 03/15 To 11/15
Date Filed: 02/27/2001
Place of Use: 3 acres within SESE S30 T10S R22E
Remark: Development completed by November 1987.

43-12934
ELBA INC.
HC 61 BOX 1345
ELBA ID 83326
Point(s) of Diversion NESE S31 T13S R25E; CASSIA County
Source GROUNDWATER
Use: IRRIGATION (0.12 CFS) 04/01 To 10/31
DOMESTIC (0.04 CFS) 04/01 To 10/31
Total Diversion: 0.16 CFS
Date Filed: 01/31/2001
Place of Use: domestic & 4 acres within NESE S31 T13S R25E

The applications above propose to divert groundwater from the "Eastern Snake River Plain Aquifer" presently under a moratorium order dated April 30th, 1993. The order allows the Director to consider on a case-by-case basis applications; if it can be shown the development will have no effect on prior surface and groundwater rights because of its location, insignificant consumption, or mitigation by the application to offset injury to other rights. The applicants have submitted material as evidence of pre-1987 development as part of the applications. Any protest against the approval of an application must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before 04/20/2001. The protestant must also send a copy of the protest to the applicant.

KARL J. DEHER, Director
Published in the South Idaho Press on April 2 and 9, 2001.

MICROFILMED

2001 4 11 2:40 PM

RECEIVED
APR 12 2001
Department of Water Resources
Southern Region

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
45-7603

DAVID MARK &/or LISA SUE HOBSON
24 S 700 W
BURLEY ID 83318
Point(s) of Diversion SESW S29 T10S R22E; CASSIA County
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45-13400

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43-12934

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MICROFILMED

Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before 04/20/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the South Idaho Press on 04/02 & 04/09/01

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OCT 10 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

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SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

March 15, 2001

**Legal Notice Department
SOUTH IDAHO PRESS
230 E MAIN ST
BURLEY ID 83318**

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues).

If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 04/20/2001. Your cooperation is appreciated.

Sincerely

**Mary A. Baldwin
Administrative Assistant**

MICROFILMED

OCT 18 2001