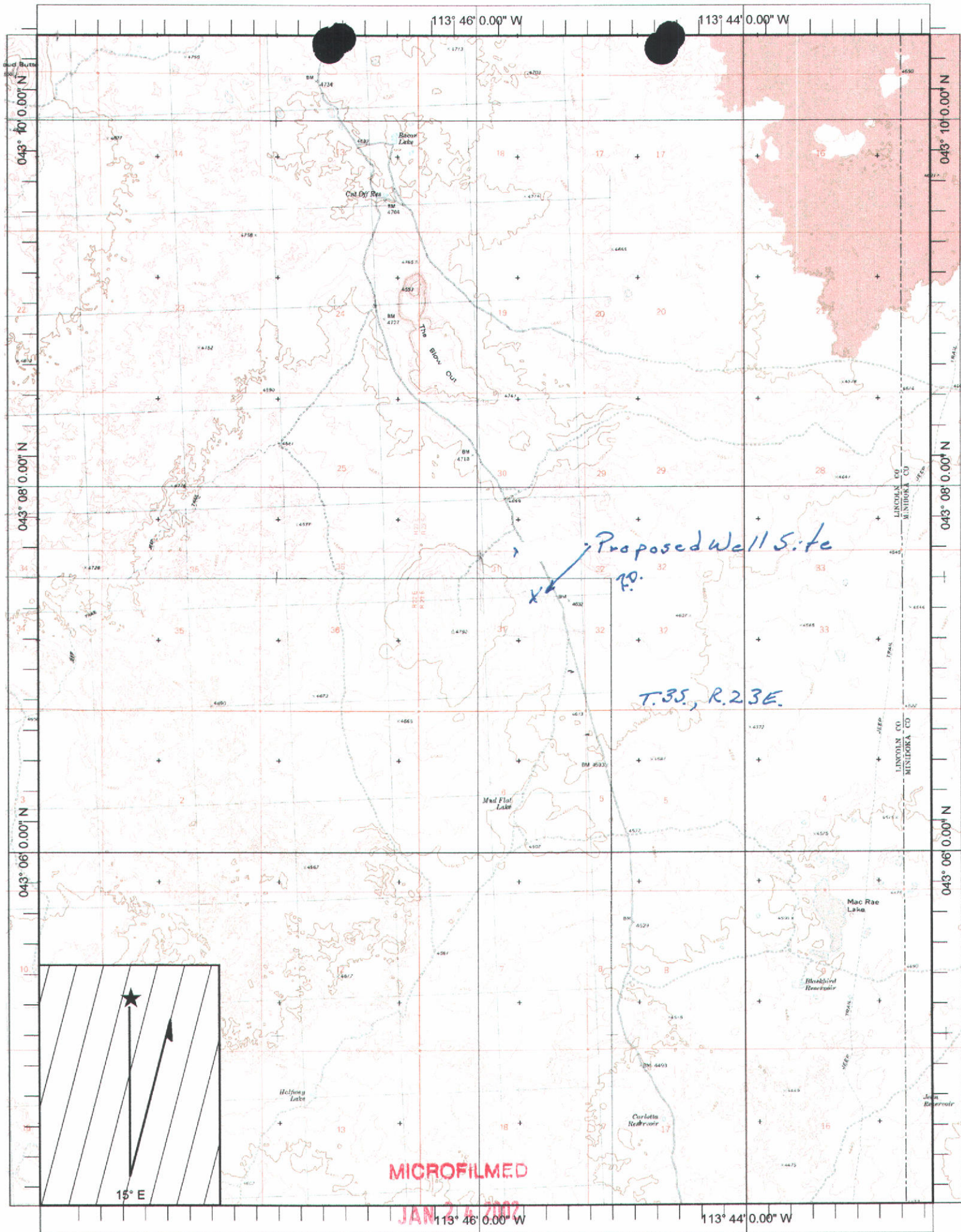




MICROFILMED

JAN 24 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 37-20598

Priority: 10/29/2001

Maximum Diversion Rate: 0.02 CFS

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SHOSHONE FIELD OFFICE
PO BOX 2-B
SHOSHONE ID 83352

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>
STOCKWATER	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31, Twp 3S, Rge 23E, B.M. LINCOLN County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	23E	31			X														

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before January 1, 2004.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
6. Stockwater use is for 5000 sheep.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 14th day of January, 2002.


for KARL J DREHER, Director

MICROFILMED

JAN 24 2002

Ident. No. 37-20598

RECEIVED

RECEIVED

JAN 10 2002

OCT 29 2001

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern Region

1. Name of Applicant Bureau of Land Management Phone 208-886-7229
Mailing address P.O. Box 2-B, Shoshone, Id. 83352

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

3. Location of point of diversion is Township 35. Range 23E. Sec. 31 in the SW $\frac{1}{4}$,
NE $\frac{1}{4}$, _____ $\frac{1}{4}$, Govt. Lot _____, B.M., Lincoln County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

70 Amount 10.015 for _____ purposes from 4-15 to 6-15 (both dates inclusive)
(cfs or acre-feet per annum)

70 Amount 10.015 for _____ purposes from 10-15 to 12-31 (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)

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

5. Total quantity to be appropriated is (a) 10.015 ⁷⁰ and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source 5 H.P. Submersible pump

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

c. Proposed well diameter is 8" inches; proposed depth of well is 650 feet

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)

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

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. Trailing sheep, 5 bands / day

c. Municipal; show name of municipality. ≈ 5,000 sheep / day.

d. Domestic; show number of households. _____

e. Other; describe fully. _____

MICROFILMED

JAN 24 2002

3. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
35	23E	31			5														

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? U.S. Government

b. Who owns the land to be irrigated or place of use? _____

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: As the sheep trail across the desert water trucks haul water to the different campgrounds. This well will be used to load these water trucks & reduce the amount of miles water is being hauled.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

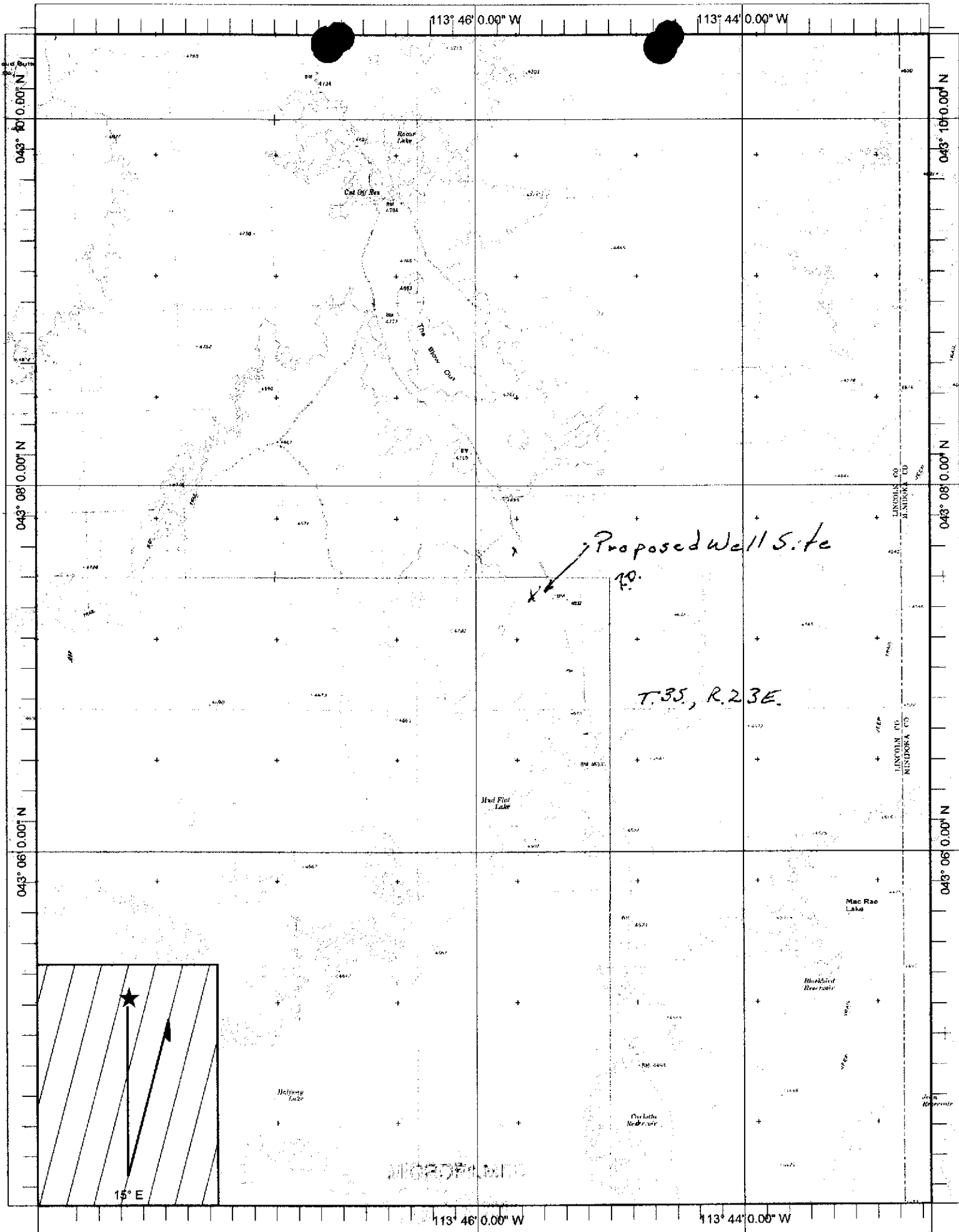
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Roy Delamater / West Zone Engineer
Signature of Applicant (and title, if applicable)

Received by JF Date 10/29/01 Time 2:28 pm Preliminary check by JF
Fee \$ 100.00 Receipted by JF # 5024385 Date 10/29/01
Publication prepared by MB Date 11/21/01 Published in Lincoln Co. Journal
Publication approved _____ Date _____

MICROFILMED

JAN 24 2002



WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

January 9, 2004

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
PO BOX 2-B
SHOSHONE, ID 83352

LAPSE NOTICE

RE: PERMIT NO. 37-20598

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated October 31, 2003. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

Sincerely,

Gary Spackman

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 1/12/04
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



October 31, 2003

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
PO BOX 2-B
SHOSHONE, ID 83352

PROOF DUE NOTICE

RE: PERMIT NO. 37-20598

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 January 01, 2004. (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.

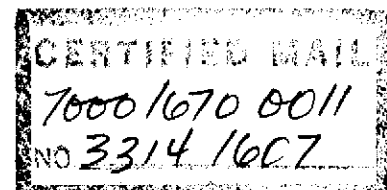
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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, Administrative Assistant
Water Allocation Bureau

Enclosures





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

January 16, 2002

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SHOSHONE FIELD OFFICE
PO BOX 2-B
SHOSHONE ID 83352

RE: Permit No. 37-20598

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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.

JAN 24 2002 MICROFILMED

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

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

Sincerely,

for Kari Lynn Swensen
Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

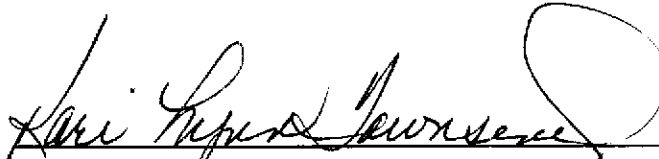
JAN 24 2002

CERTIFICATE OF MAILING

I hereby certify that on January 16, 2002 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. 37-20598

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SHOSHONE FIELD OFFICE
PO BOX 2-B
SHOSHONE ID 83352

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

Kari Lynn Townsend
Secretary

MICROFILMED
JAN 24 2002

**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).

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.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS
Reviewed by Sharla Curtis on 1/11/02

No. 37-20598 Name: Bum Corp. Officers _____ Ad ok ☒ Govt Lots _____

AREA OF CONCERN: No/Yes ESPA stock ok Moratorium _____ GWMA TRUST/NON-TRUST _____

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 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18C-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)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

BENEFICIAL USE DUE: 1/01/2004

MISC CONDITIONS/REMARKS:

Protested - 020-W19
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, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WB

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

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL

Restricted area - 022,075

Irr., GW supp to SW - 102

Future needs - 007,109

FISH PROP - 029 (70's only)-007-042-106

DOMESTIC

Surface water - WB5 (Big Wood/Boise above Star Bridge)

> 1 in restricted area - 27A (Payette R)

Irr separate or none allowed - 070-071-075 (no parks/common areas)

GW w/irrigation from SW evident - WB5

Moratorium approvable - 065-104

- W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

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 p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

APPLICATION NO. 37-20598

BLM

STATE OF IDAHO
IDWR SOUTHERN REGION
APPLICATION FOR PERMIT ANALYSIS SHEET

RECEIVED

JAN 10 2002

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY John Freuty DATE 11/16/01

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 10/29 3⁰⁰ 01

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back.
- ☒ 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? _____
- ☐ 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 1/9/02

Date of priority recommended: 10/29/01

COMMENTS:

RECOMMEND ☒ Approval ☐ Denial

By ADW Date 1/9/02

REC'D - FEB

JAN 10 2002

MEMO

FROM: Allen Merritt *AM*

DATE: January 9, 2002

TO: Permit No: 37-20598

In the Name of: BLM

SUBJECT: **Review and Recommendation**

This application is for drilling a well for the purpose of supplying water to various sheep bands as they trail across the desert area between Carey and Minidoka. The sheep graze the area now but are supplied water from water trucks that get water from other distant wells. In the over all picture this should not represent an increase in use in the aquifer.

The application was advertised without protest.

Recommendation

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

WATER RIGHT NO. 37 20598

046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

W02 Stockwater use is for 5000 sheep.

MICROFILMED

JAN 24 2002



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

November 21, 2001

USDI-BUREAU OF LAND MANAGEMENT
PO BOX 2-B
SHOSHONE ID 83352

Re: Application for Permit No. 37-20598

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office has scheduled advertising the application in the **Lincoln County Journal** for 12/6 & 12/13/01. A period of ten days following the second publication will be allowed for the submittal of protests. (December 24, 2001)

If an application is protested the applicant will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If an application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify the applicant of the outcome of this review. If a permit is issued, the applicant will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

Mary A. Baldwin
Administrative Assistant

MICROFILMED

JAN 24 2002

mb-mv-norma

November 21, 2001

ATTN NORMA
MAGIC VALLEY PUBLISHING
ATTN: Lincoln County Journal
PO BOX 468
JEROME ID 83338

Dear Norma:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper(s).

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED

Page 1

JAN 24 2002

AFFIDAVIT of PUBLICATION

RECEIVED
DEC 18 2001

Department of Water Resources
Southern Region

State of Idaho } ss.
County of Lincoln }

Norma DeVoe, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 6th day of December, 2001, and the date of the last publication was on the 13th day of December, 2001.

On this 13th day of December, in the year of 2001, before me, a Notary Public, personally appeared Norma DeVoe, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

SHELLEY STURGEON
Notary Public
State of Idaho

Shelley Sturgeon
Notary Public for Idaho

Residing at Jerome
My commission expires: 12/3/05

7122/38355
LINCOLN COUNTY JOURNAL
Shoshone, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

Lines tabular at _____ 8.0¢/Pica

451.69 Lines straight at 31.62 7.0¢/Pica

451.69 Subsequent lines at 27.10 6.0¢/Pica

Affidavit Fee: 2.50
MICROFILMED

TOTAL COST 61.22

JAN 24 2002

COPY OF NOTICE

(Paste Here)

37-20598-USDT-BLM
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF APPLICATION

The following application has been filed to appropriate the public waters of the State of Idaho, Lincoln County:

37-20598

USDI-BUREAU OF LAND MANAGEMENT
PO BOX 2-B
SHOSHONE ID 83352

Point(s) of Diversion: SWNE S31
T03S R23E
Source: GROUND WATER
Use: 01/01 To 12/31
STOCKWATER (0.02 CFS)
Date Filed: 11/07/2001
Place Of Use: SWNE S31 T03S R23E

Remark: Application is for a new well to be drilled to provide groundwater for approximately 5000 sheep.

Proposed point of diversion and place of use are located approximately 20 miles east and 5 miles north of Richfield Idaho. Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, 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 12/24/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
PUB: 12/6 - 12/13 L38355

38355

The following application has been filed to appropriate the public waters of the State of Idaho, Lincoln County:

37-20598

USDI-BUREAU OF LAND MANAGEMENT
PO BOX 2-B
SHOSHONE ID 83352

Point(s) of Diversion: SWNE S31 T03S R23E
Source: GROUND WATER
Use: 01/01 To 12/31
STOCKWATER (0.02 CFS)
Date Filed: 11/07/2001
Place Of Use: SWNE S31 T03S R23E

Remark: Application is for a new well to be drilled to provide groundwater for approximately 5000 sheep. Proposed point of diversion and place of use are located approximately 20 miles east and 5 miles north of Richfield Idaho. Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, 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 12/24/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Lincoln County Journal on 12/06 & 12/13/01

MICROFILMED

JAN 24 2002

Memorandum

To: Application 37-20598

From: John Freitag, Water Resource Agent

Re: Legal notice remarks

Date: 11-7-01

Application is for a new well to be drilled to provide groundwater for approximately 5000 sheep.

Proposed point of diversion and place of use are located approximately 20 miles east and 5 miles north of Richfield Idaho.

MICROFILMED

JAN 24 2002