

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-32151

Priority: March 18, 2005

Maximum Diversion Volume: 10.0 AF

This is to certify, that ANTHONY J MARTEL JR
1501 W MACE RD
EAGLE ID 83616

has applied for a permit to appropriate water from:

Source: GROUND WATER**Tributary:** BOISE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
AESTHETIC STORAGE	01/01 to 12/31	10.0 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER L5 (SW¼ NW¼ SW¼) Sec. 17, Twp 04N, Rge 01E, B.M. ADA County

PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 01E 17										X							
										L 5							
04N 01E 18														X			
														L 7			

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2007**.
2. Subject to all prior water rights.
3. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
5. Water bearing zone to be appropriated is from 1 to 24 feet.
6. Aesthetic storage use is for an excavated pond that shall not exceed 1 acre in surface area.
7. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-32151

8. The right holder shall mitigate for the evaporation of water from the pond constructed in connection with this right by diverting 3.0 af of water under right 63-132 into the pond each irrigation season as authorized by Transfer 72169.
9. If the specified mitigation right, or portions thereof, are sold, transferred, leased, used on any place of use, or are not deliverable due to a shortage of water or a priority call, then the right holder shall provide substitute mitigation acceptable to the Department.
10. Noncompliance with any condition of this right, including the requirement for mitigation, is cause for the director to issue a notice of violation, cancel or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.

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 September, 20 06.


KARL J DREHER, Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

September 15, 2006

LEE SISCO
WATERMASTER
6616 OVERLAND RD
BOISE ID 83709

RE: Permit No. 63-32151

Dear Lee:

Enclosed is a copy of the recently issued Permit for the above referenced water right(s) in the name of Anthony J Martel Jr.

If you have any questions, please call me at 208-287-4947.

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being more prominent.

Shelley W. Keen
Water Rights Supervisor

SWK:ka

Enclosure(s)

11/99

RECEIVED

MAR 17 2005

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

RECEIVED

NOV 08 2005

WATER RESOURCES
WESTERN REGION

I, Stephanie J. Burgess, hereby assign to Anthony J. Martel Jr.
 of, 1501 West Mace Road, Eagle, ID 208-860-3696
 (Full Address) (Phone)

All my right, title, and interest in and to Application for Permit No. 63-32151
 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. _____ 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.)

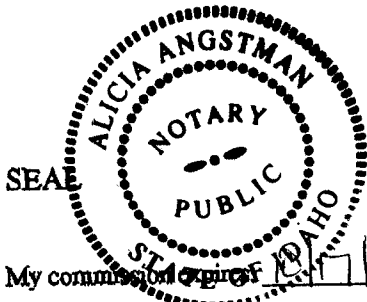
Made this 25th day of October, 2005.

Stephanie J. Burgess
 Applicant(s)

State of Idaho)

County of Ada)ss

On this 25th day of October, 2005, personally appeared before me the signer(s) of the above
 instrument, who duly acknowledged to me that he (she) (they) executed the same.



My commission expires

11/17/09

Meridian, Id.
 Notary Public residing at
Alicia Angstman

AMENDED

FORM 202
12/99

Ident. No. 63-32151

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of Applicant Wilbur L. or Stephanie J. Burgess Phone 208-887-3730
Mailing address 7905 N. Vue Estates Road, Meridian, ID 83642
2. Source of water supply Groundwater which is a tributary of Boise River
3. Location of point of diversion is Township 4N Range 1E Sec. 17 in the SW $\frac{1}{4}$,
NW $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot _____, B.M., Ada County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 10.0 acre-feet for aesthetic storage purposes from 1/01 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) 10.0
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 An approximately 10 acre-foot aesthetic pond with an approximately 1 acre surface area will be excavated to intercept and fill with groundwater.
 - b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity 10.0 acre-feet
 - c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? N/A; Drilling firm N/A;
Well was drilled for (well owner) N/A; Drilling Permit No. N/A
7. Time required for completion of works and application of water to proposed beneficial use is 1 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. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. Intercepted groundwater will be beneficially used to fill an approximately 10 acre-foot aesthetic pond to be constructed on the property.

RECEIVED

JUL 05 2005

WATER RESOURCES
WESTERN REGION

3. 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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	17										J							
		18													J				

Total number of acres to be irrigated N/A

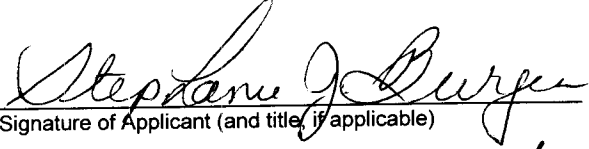
10. Describe any other water rights used for the same purposes as described above. _____

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

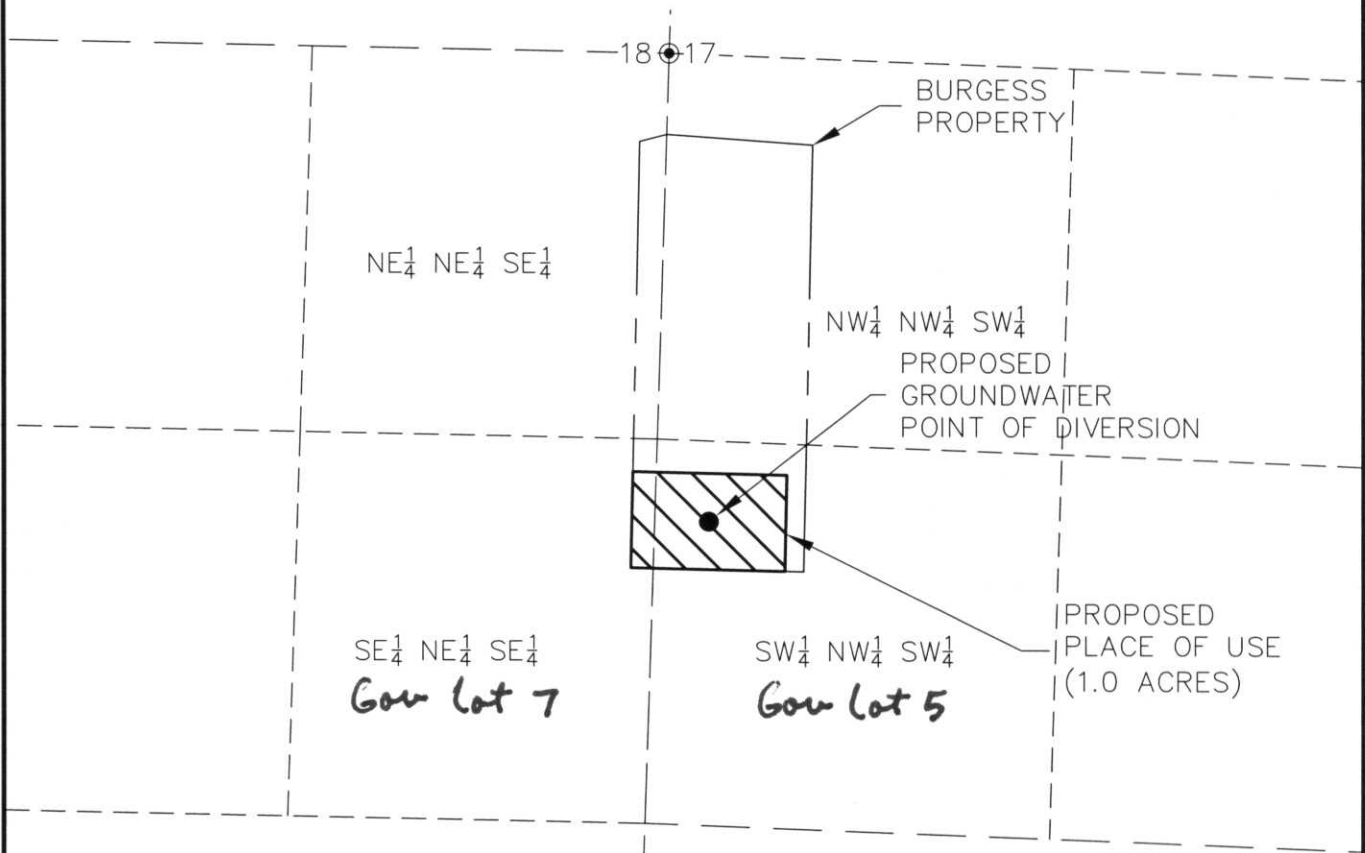
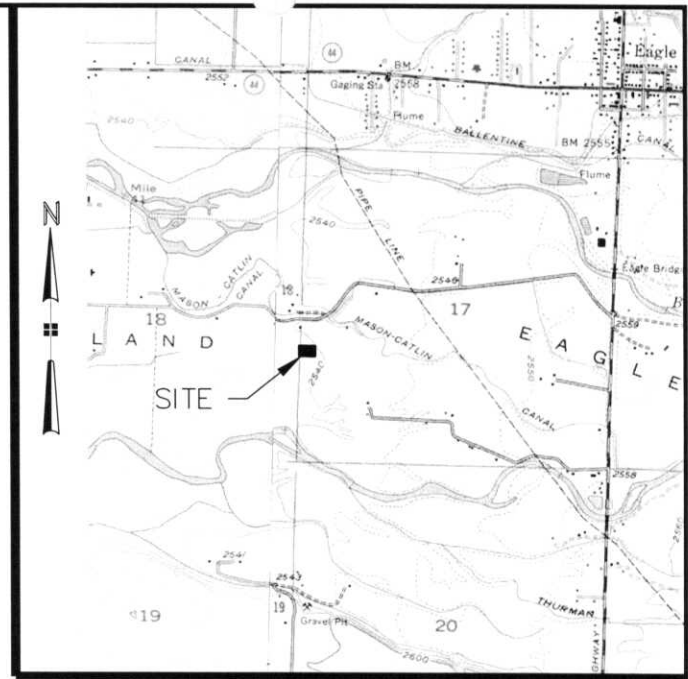
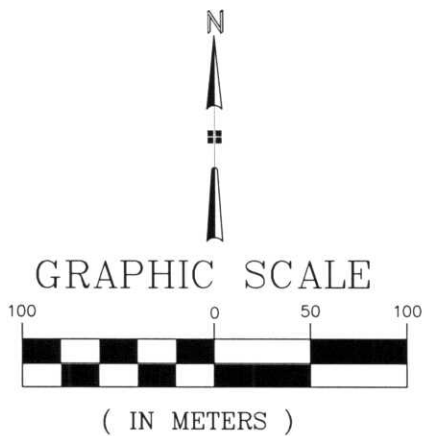
12. Remarks: This application is for 10.0 acre-feet of aesthetic groundwater storage. The water bearing zone to be appropriated extends from 1 to 24 feet below existing ground. Evaporation loss is estimated at 44 inches per year from Molnau, Myron, Kpordze, Kojo C.S., and Craine, Katherine L., "Monthly Shallow Pond Evaporation in Idaho", ASAE Paper PNW (92-111 1992). The applicant is proposing to mitigate for this new groundwater appropriation by offsetting it with an existing surface water right as described in the Mace Catlin Ditch Company transfer application included with this submittal.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"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.


Signature of Applicant (and title, if applicable)

Received by SK Date 7/05/05 Time 1:35 Preliminary check by 6
 Fee \$ 100 Received by SK # W032696 Date 3/18/05
 Publication prepared by SK Date 2-16-06 Published in THE IDAHO STATESMAN
 Publication approved SK Date 3-8-06



PERMIT APPLICATION MAP

 **Quadrant**
Consulting, Inc.
405 South 8th, Suite 295
Boise, Idaho 83702
(208) 342-0091 PHONE (208) 342-0092 FAX
CIVIL ENGINEERING-SURVEYING-CONSTRUCTION MANAGEMENT

BURGESS

PROPOSED APPLICATION FOR PERMIT
SECTIONS 17 & 18, T4N, R1E, B.M.
ADA COUNTY, IDAHO
MARCH 2005

63-32151

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

Wilbur L. & Stephanie J. Burgess

Mailing Address

7905 N. Vue Estates Road

Mendon, ID 83642

Application No.
(if known)

☐ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

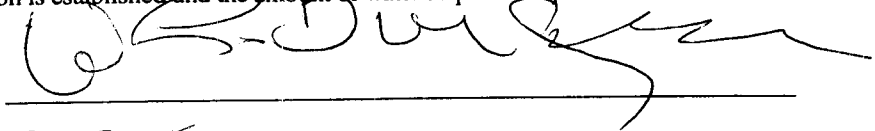
☒ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

☐ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature



Date

3-17-05

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
~~Attn: Dan Nelson~~
2735 Airport Way
Boise, ID 82705-5082

Graves, Lori

From: Nicholas Kraus [nick@quadrant.cc]
Sent: Wednesday, July 06, 2005 11:12 AM
To: Lori Graves
Subject: Burgess Groundwater Application

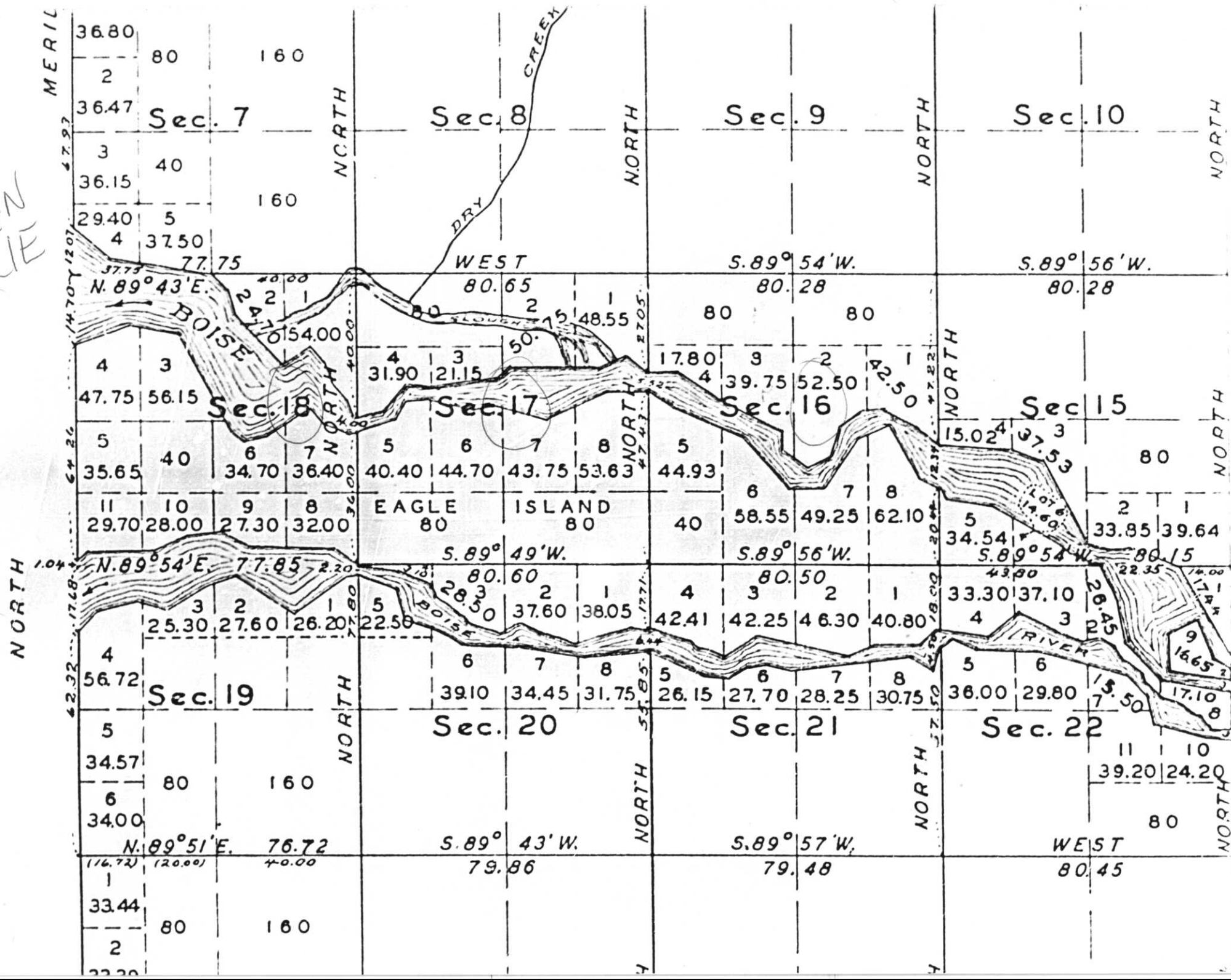
Lori,

The proposed pond surface area for the Burgess application is about 30,300 square feet. Taking into account the side slopes of the pond, the proposed bottom area is about 6,100 square feet and the pond is designed to be 24 feet deep. After doing the math, I came up with a pond volume of 436,800 cubic feet or 10 acre-feet.

Nick Kraus, PE
Quadrant Consulting, Inc.
phone: 208-342-0091
fax: 208-342-0092

7/6/2005

TAN
RIE



RECEIVED

MAR 18 2005

WATER RESOURCES
WESTERN REGION

ORIGINAL

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

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Mailing address 7905 N. Vue Estates Road, Meridian, ID 83642
2. Source of water supply Groundwater which is a tributary of Boise River
3. Location of point of diversion is Township 4N Range 1E Sec. 17, in the SW $\frac{1}{4}$,
NW $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot _____, B.M., Ada County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount 13.0 acre-feet for aesthetic storage purposes from 1/01 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)
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 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
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cubic feet per second acre feet per annum
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 - a. Describe type and size of devices used to divert water from the source An approximately 10 acre-foot aesthetic pond with an approximately 1 acre surface area will be excavated to intercept and fill with groundwater.
 - b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity 10.0 acre-feet
 - c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? N/A; Drilling firm N/A;
Well was drilled for (well owner) N/A; Drilling Permit No. N/A
7. Time required for completion of works and application of water to proposed beneficial use is 1 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. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. Intercepted groundwater will be beneficially used to fill an approximately 10 acre-foot aesthetic pond to be constructed on the property.

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	
4N	1E	17									J								
		18													J				

Total number of acres to be irrigated N/A

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? Wilbur L. and Stephanie J. Burgess

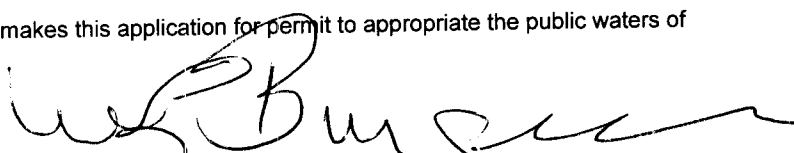
b. Who owns the land to be irrigated or place of use? Wilbur L. and Stephanie J. Burgess

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: This application is for 10.0 acre-feet of aesthetic groundwater storage plus 3.0 acre-feet of estimated annual evaporation loss for a total of 13.0 acre-feet. Evaporation loss is estimated at 44 inches per year from Molnau, Myron, Kpordze, Kojo C.S., and Craine, Katherine L., "Monthly Shallow Pond Evaporation in Idaho", ASAE Paper PNW 92-111 (1992). The applicant is proposing to mitigate for this new groundwater appropriation by offsetting it with an existing surface water right as described in the Mace Catlin Ditch Company transfer application included with this submittal.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"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.


Signature of Applicant (and title, if applicable)

Received by SR Date 3/18/05 Time 1:35 Preliminary check by _____
 Fee \$ 100 Received by SR # W032696 Date 3/18/05
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____

Burgess

[illegible]

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

September 13, 2006

ANTHONY J MARTEL JR
1501 W MACE RD
EAGLE ID 83616

RE: Permit No. 63-32151

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.

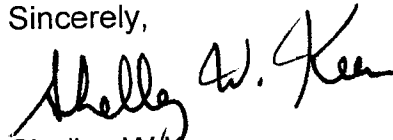
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

If you have any questions, please contact me at 208-287-4947.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being more prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:ka

Enclosure(s)

cc: QUADRANT CONSULTING INC

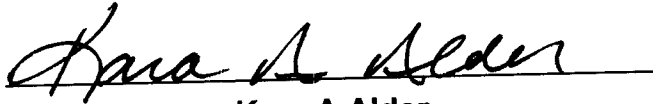
CERTIFICATE OF SERVICE

I hereby certify that on September 15, 2006 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. 63-32151

**ANTHONY J MARTEL JR
1501 W MACE RD
EAGLE ID 83616**

**QUADRANT CONSULTING INC
ATTN: NICKOLAS KRAUS, PE
405 S 8TH ST STE 295
BOISE ID 83702**

A handwritten signature in black ink, reading "Kara A Alder", written over a horizontal line.

**Kara A Alder
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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 Water Resource 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.

1/06

RECEIVED

MAR 29 2006

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATERMASTER

Application No: Transfer 72169Applicant's Name: Mace Catlin Ditch Co

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned as follows (be sure to check/list conditions as needed):

 No water shall be diverted under this right after June 15 of each year without prior approval of the watermaster.

Other conditions: Standard Watermaster
conditions the period of use will
be 4/1 to 10/31 for the Mace Catlin
Ditch

- c) ☐ I oppose approval of this application for the following reasons:

- d) ☐ Additional comments: _____

Dated this 28 day of March, 2006Water District No: 63Lee Lisco
Watermaster's signature

1/06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATERMASTER

Application No: 63-32151Applicant's Name: Wilbur & Stephanie Burgess

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned as follows (be sure to check/list conditions as needed):

 No water shall be diverted under this right after June 15 of each year without prior approval of the watermaster.

Other conditions: Standard WatermasterConditions plus approval of Transfer72169 (Mace Catlin Ditch)

- c) ☐ I oppose approval of this application for the following reasons:

- d) ☐ Additional comments:

Dated this 28 day of March, 2006Water District No: 63Watermaster's signature Lee J. J. J.

Use reverse side of page if you need more space.

The Idaho Statesman

RECEIVED

MAR 02 2006

WATER RESOURCES
WESTERN REGION

P.O. Box 40, Boise, Idaho 83707-0040
LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount
047628	1429812	APPLICATION FOR PERMIT	\$127.50
Attention:	P.O. #	Run Dates	
SUE KREGER		FEBRUARY 16, 23, 2006	
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WY. BOISE, ID 83705			Number of Lines 2 X 35
			Affidavit 1
			Legal # 24751

LEGAL NOTICE

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

63-32151
ANTHONY J MARTEL JR
1501 W MACE RD
EAGLE ID 83616

Point(s) of Diversion L5 (SWNWSW) S17 T04N R01E ADA County Source GROUND WATER

Tributary To BOISE RIVER
Use: AESTHETIC STORAGE 01/01 To 12/31 10 AFA
Total Diversion: 10 AFA
Date Filed: 03/18/2005

Place Of Use: AESTHETIC STORAGE
T04N R01E S17 NWSW Lot 5
T04N R01E S18 NESE Lot 7

Remark: Mitigation is proposed for consumptive use as noted in accompanying Application No. 72169.

Water bearing zone to be appropriated is from 1 to 24 feet.
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, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 03/06/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub. Feb. 16, 23, 2006

24751

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended, for:

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning issue of: FEBRUARY 16, 2006

ending issue of: FEBRUARY 23, 2006

Janice Hildreth

STATE OF IDAHO)
) ss

COUNTY OF ADA)

On this 23 day of FEBRUARY in the year of 2006

before me, a Notary Public, personally appeared before me Janice Hildreth 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 she executed the same.

Dorinda L. Brughman

Notary Public for Idaho

Residing at: Boise, Idaho

My Commission expires: 6/12/06

Kreger (Taylor), Sue

From: Kreger (Taylor), Sue
Sent: Thursday, February 09, 2006 2:50 PM
To: "Wd63@iglide.net"
Subject: comment letters

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

February 9, 2006

LEE SISCO
WATERMASTER DIST. NO. 63
6616 OVERLAND RD
BOISE ID 83709

Re: Application(s) for Water Right (s)

Dear Watermaster:

Attached are copies of one or more applications. Also attached is a form for your recommendation concerning these application(s).

Please review the application(s) that are in your area. We must have your comments within two weeks. If you have any questions or need information, feel free to contact this office at 334-2190.

Sincerely,



Recomm
atermaster Eform.d



71722.pdf



72169.pdf



63-32151.pdf

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

February 9, 2006

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit No. 63-32151
Application for Transfer No. 72169

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 03/06/2006. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

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KARL J DREHER, Director

Published in the Idaho Statesman on February 16 and 23, 2006.