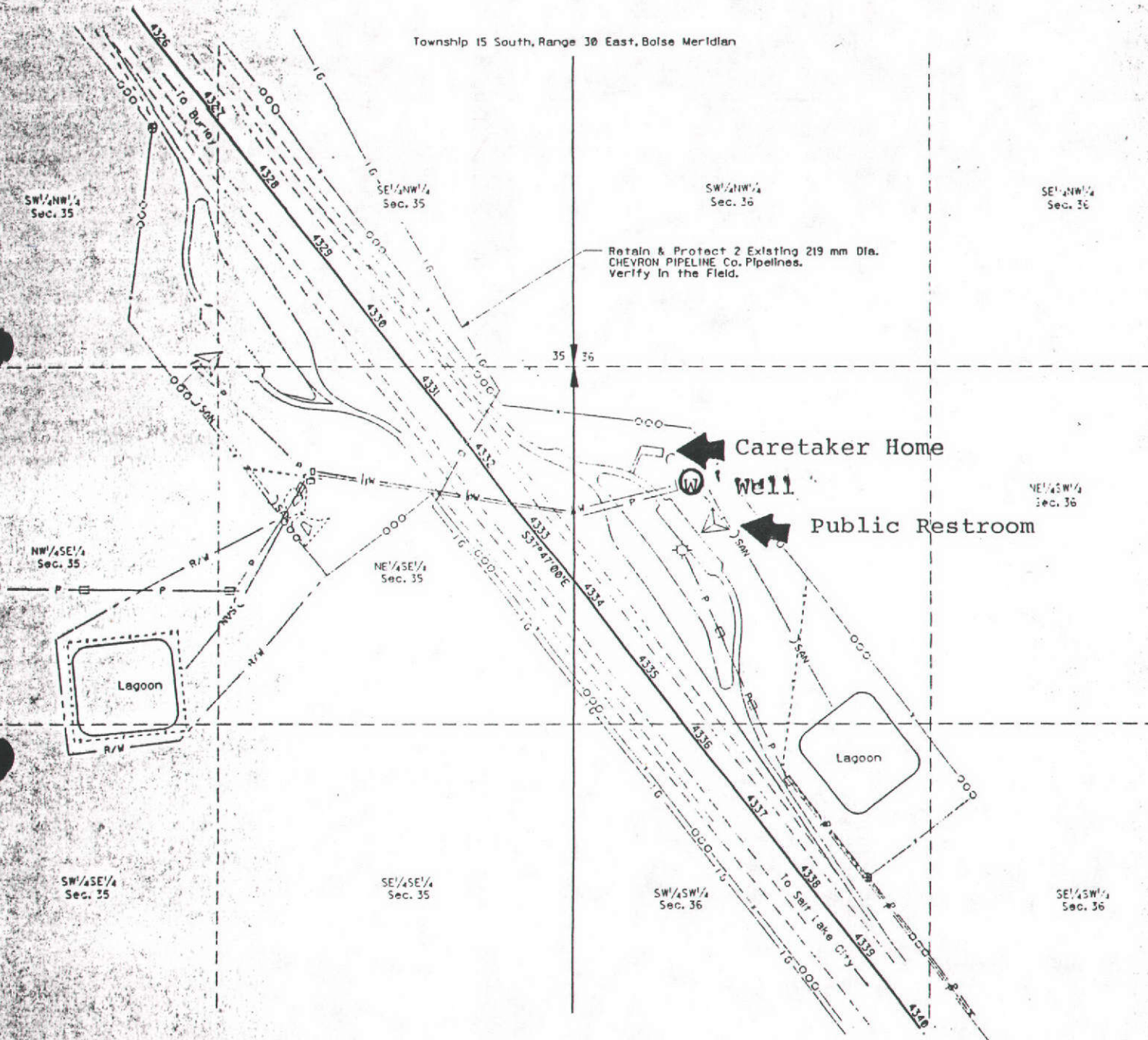
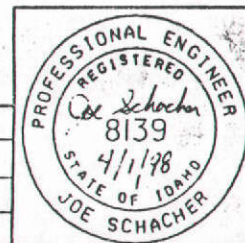


Township 15 South, Range 30 East, Boise Meridian

MICROFILMED
MAY 26 1999



DESIGNED G. PUSL	SCALES SHOWN ARE FOR 279 x 432 mm PRINTS ONLY	IDAHO TRANSPORTATION DEPARTMENT 	FEDERAL AID PROJECT NO. IM-84-4 (00) 269	VICINITY MAP I-84 JUNIPER R.A. NEAR UTAH ST. LINE	metric COUNTY ONEIDA KEY NUMBER 3713 SHEET 5 OF 29
DESIGN CHECKED G. PUSL	CADD FILE NAME 3713vm.dgn DRAWING DATE 03-16-98		REGION 10 IDAHO		
DETAILED G. PUSL		DISTRICT 4 DESIGN - SHOSHONE			
DRAWING CHECKED W. CHRISTIANSEN					



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
17-07150 IN THE NAME OF) **REINSTATEMENT ORDER**
STATE OF IDAHO, DEPARTMENT)
OF TRANSPORTATION)
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before May 1, 2000, and,

WHEREAS, the Department notified the permit holder on February 28, 2000 by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

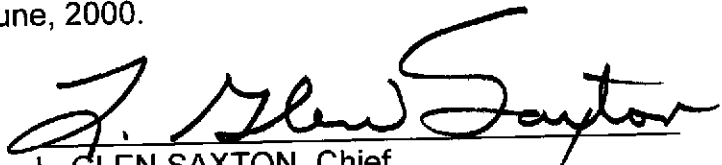
WHEREAS, the Department sent the permit holder a lapse notice on May 11, 2000, since the Department had not received an acceptable proof of beneficial use statement or extension of time; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on June 7, 2000;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 17-07150 is **REINSTATED** with an advance in priority to **April 2, 1999**.

DATED this 19th day of June, 2000.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

JUL 12 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED

JUN 9 - 2000

Department of Water Resources

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. 17-07150 Telephone No. (208) 886-7800
2. Name of Permit Holder(s): IDAHO TRANSPORTATION DEPARTMENT
3. Mailing Address: Box 2-A
City SHOSHONE State ID Zip 83352
4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. OCT / yr. 1999
Well tag # D0008119
 - a. Well Driller: STAN LLOYD DRILLING Drilling Permit Number: 17-99-E-0001-000 "old"
700-604 "new"
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 0.2 Other: PUBLIC REST AREA FACILITY
6. Total rate of diversion and/or volume for which proof is submitted: 0.07 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: Shawn Webb Telephone Number: 736-3088
Address: IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 2-A Shoshone ID 83352
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.

JUL 12 2000

Signature of permit holder: Connie Jones, Environmental Planner Date: 5-25-00
(include your title, if on behalf of company or organization)
Idaho Transportation Department
District 4, Shoshone

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSE EXAMINATION FEE SCHEDULE

(C.F.S. = cubic feet per second AF = acre feet)

<u>CFS</u>	<u>AF</u>	<u>FEE</u>
0 - 0.20	0 - 20	\$50.00*
.21 - 1.00	21 - 100	100.00
1.01 - 2.00	101 - 200	125.00
2.01 - 3.00	201 - 300	150.00
3.01 - 4.00	301 - 400	175.00
4.01 - 5.00	401 - 500	200.00
5.01 - 6.00	501 - 600	225.00
6.01 - 7.00	601 - 700	250.00
7.01 - 8.00	701 - 800	275.00
8.01 - 9.00	801 - 900	300.00
9.01 - 10.00	901 - 1000	325.00
10.01 - 11.00	1001 - 1100	350.00
11.01 - 12.00	1101 - 1200	375.00
12.01 - 13.00	1201 - 1300	400.00
13.01 - 14.00	1301 - 1400	425.00
14.01 - 15.00	1401 - 1500	450.00
15.01 - 16.00	1501 - 1600	475.00
16.01 - 17.00	1601 - 1700	500.00
17.01 - 18.00	1701 - 1800	525.00
18.01 - 19.00	1801 - 1900	550.00
19.01 - 20.00	1901 - 2000	575.00
20.01 - over	2001 - over	600.00

*Checks should be made payable to the
Idaho Department of Water Resources (IDWR.)

A license examination fee is not required in connection with
permits which use a ground water source AND have a total rate of
diversion of 0.04 cfs or less or where the total volume stored is 4.0 AF per annum or less.

A license exam fee is required for ANY permit which uses surface water

MICROFILMED
JUL 12 2006

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 17-07150

Proposed Priority: February 24, 1999 Maximum Diversion Rate: 0.07 CFS

This is to certify, that STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 2A
SHOSHONE ID 83352

has applied for a permit to appropriate water from: GROUNDWATER

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	04/15 to 10/15	0.01 CFS
DOMESTIC	01/01 to 12/31	0.06 CFS
	Totals	0.07 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSW, Sec. 36, Township 15S, Range 30E
ONEIDA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
15S 30E 36	NWSW 0.2			0.2

Total number of acres irrigated: 0.2

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 2000.
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 right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. Two points of diversion are located within NWSW, S36, T15S, R30E.
6. Domestic use is for 1 home and public restrooms at Juniper Rest Area.

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

22nd day of April, 1999.

MICROFILMED

MAY 26 1999

Karl J. Dreher
for Karl J. Dreher, Director

RECEIVED

APR 16 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Idaho Transportation Department Phone (208) 986-7800
Mailing address P.O. Box 2A Shoshone, Idaho 83352
2. Source of water supply Ground Water which is a tributary of _____
3. Location of point of diversion is Township 15S Range 30E Sec. 36 in the NW 1/4
NW 1/4, SW 1/4, Govt. Lot _____ B.M., Oneida County
additional points of diversion if any: * Changes as per Tde-con with Gary Burkett 2-25-99 Hef
2 wells in same 1/4 per letter dated 2/19/99, es
4. Water will be used for the following purposes:
* Amount 8.6 AC-FT for Domestic purposes from Jan 1 to Dec. 30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 2.9 AC-FT for Irrigation purposes from April 15 to Oct. 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.07 cfs and/or (b) 11.5
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 Well and Submersible Pump 7.5 Hp
 - 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 495 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 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. 1 Caretaker Home 1 Public Restroom
 - e. Other; describe fully. _____

$$\frac{7.5 \text{ hp} \times 8.814 \times 2.7 (\text{eff})}{306' + (2.304 \times 35)} = \frac{46.27}{386.78} = 0.12 \text{ cfs capacity}$$

MICROFILMED

MAY 25 1999

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

use below. See instructions for standard symbols.

Total number of acres to be irrigated

11. a. Who owns the property at the point of diversion? Idaho Transportation Department

b. Who owns the land to be irrigated or place of use? Idaho Transportation Department

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

: විපාලය අපහ

12. Remarks:

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.)

re the public waters

68 139

Signature of Applicant (and title, if applicable)

Received by
Fee \$ 50

Publication prepared by:

DATE

83-25-95

Published in

DATE

Preliminary check by 084794

F024794

Date _____

66-44-0

WR0749NP
No. 17-02059

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/02/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO DEPT OF TRANSPORTATION DIVISION OF HIGHWAYS PO BOX 7129 BOISE ID 83720	09/13/1966	DOMESTIC	01/01 12/31	0.030 CFS	1.70 AFA
TOTAL DIVERSION:					0.030 CFS	1.70 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.030 CFS

Point(s) of Diversion: T15S R30E S35 NESE ONEIDA County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
15S 30E 35 : : : : : D :															

Pou County: ONEIDA

Remarks: GEN P/U ALSO KNOWN AS JUNIPER REST AREA.

Dates: App. Received: Priority Date: 09/13/1966
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 01/03/1974

Misc: Water District Number: Field Exam Fee:

Audit: 03/10/86 05/21/88 CONVERT 01/19/92 POST-STD

Eastern Region IDAHO FALLS
525-7161 Dennis Dunn

MICROFILMED
MAY 26 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 19, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 2A
SHOSHONE ID 83352

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 17-07150

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order reinstating the permit since proof was submitted after the proof due date.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right 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.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, please contact the **Eastern Regional Office** of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED
JUL 12 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 17-07150 Reviewed by D. Ellis Date 6/14/00

GENERAL CONSIDERATIONS

Yes Name same as permit?
Yes Address same as permit?
No Proof timely received?
If not, complete calculation below.

TYPES OF USE

Domestic & Irrigation

Correct Uses? Yes

SOURCE OF WATER

No Surface water source

Yes Ground water source

Yes Drilling permit required?

No Copy in the file?

? Amount paid for permit

No Well log in the file?

17-99-E-700-604
Drilling Permit No. 17-99-E-0001-000 (old)
Correct?

LICENSE EXAMINATION FEE

Yes Required?

\$50 Amount Submitted

Yes Correct?

MEASURING DEVICE

No Required?

Installed?

Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>6/7/00</u>	<u>158</u>
Date proof due	<u>5/1/00</u>	<u>121</u>
No. of days late	=	<u>37</u>
Priority Date	<u>2/24/99</u>	<u>55</u>
New Priority Date	<u>4/2/99</u>	<u>92</u>

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof, reinstate permit and change priority date.

DATA ENTRY

New Address No

Proof Made 6/7/00

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

0049430

Date:

Time: 6/ 9/2000
11:37:03

Received

From:

IDAHO TRANSPORTATION DEPA

Type of Payment

Program A cct

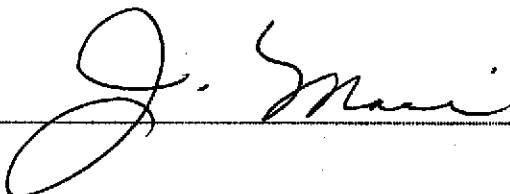
Amount

BENEFICIAL USE	17-07150	56104	229 21 1155	50.00
----------------	----------	-------	-------------	-------

CHECK 113254

Total \$ 50.00

Region: STATE

Signature: 

MICROFILMED

JUL 12 2000

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 2A
SHOSHONE ID 83352

May 11, 2000

LAPSE NOTICE

RE: PERMIT NO. 17-07150

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 our proof due notice dated February 28, 2000. 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.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

MICROFILMED

JUL 12 2000

CERTIFICATION OF MAILING

I hereby certify that on 5/12/00
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

D. Ellis

February 28, 2000

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 2A
SHOSHONE ID 83352

PROOF DUE NOTICE

RE: PERMIT NO. 17-07150

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 May 1, 2000.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete 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.

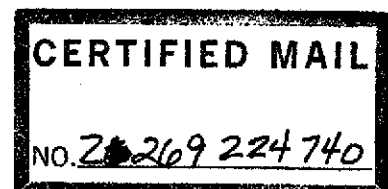
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED
JUL 12 2000





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

April 22, 1999

DIRK KEMPTHORNE
GOVERNOR

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 2A
SHOSHONE ID 83352

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 17-07150

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

MICROFILMED

MAY 26 1999

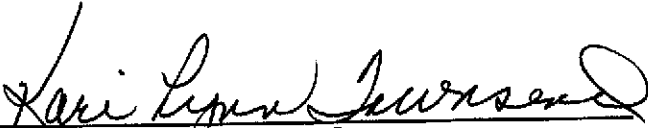
SK:klt
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of April, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 17-07150

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 2A
SHOSHONE ID 83352


Kari Lynn Townsend
Secretary

MICROFILMED

MAY 26 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

MAY 26 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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

 by *Andy*

 No.: 17-7150 Name: DOT Date: 4/21/99 Ad OK? ✓ Gvmt Lts:

 AREA OF CONCERN: - No/Yes: Mor / GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED: - 26A-P17

 > 1 year - P16
 ≤ 1 year/no proof

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 046-P23
- In Basin 34? - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD
- WMD
- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp. irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

- FISH & GAME CONTACTED: - YES / NO; WHEN: RESPONSE:
- IN/ABOVE MSF (✓ MAP) - *WB9
- IN-STREAM DEVELOPMENT - P52 (stream channel alteration)
- WD (✓ MAP & LISTING) - R04 (WD #)
- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)
- WMD (✓ MAP)
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD
- SPRINGS/SINK, INACTIVE WD & REST OF STATE
- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

- Snake R (01) - *W22-P04, NA
- (02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
- Payette R(65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA
- Salmon R (70's) - 029 (fish screens), NA
- Weiser R (67) - 086, 087

USE:

- STORAGE (✓3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req)-081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
- HEATING/COOLING - R07 (injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070

FIRE PROTECTION

- 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 120
- 42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
- SWAN FALLS FLAG (✓Code) -

- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

 STANDARD REMARKS: - 0 W60 Jasper Pasture

 BENEFICIAL USE DUE: - 5 / 1 / 2000

COMMENTS: -

RECEIVED

APR 16 1999

Dist. for staffing

Department of Water Resources Submitted for advertising

2-25-99

Form No. 202

4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS PERMIT

ITD

INITIAL REVIEW BY HWT DATE 2-25-99 APPLICATION NO. 17-07150

REQUIRED INFORMATION

- ☒ 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 and/or volume)
☒ County
☒ Quantity (flow and/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 signatory is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
☐ Yes ☒ No Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

PROCESSING

☒ Yes ☒ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken _____
☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest _____
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations attached
☐ 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 of approval or cover letter below.

Date of priority recommended 2-24-1999
By: [Signature] Date: 4-9-1999

STATE OFFICE REVIEW

By _____ Date: _____
ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation Dist.
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Div. of Environment	<u> </u> Other

Project impacts/implications report

COMMENTS

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

2530

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF ONEIDA)

Kristine D. Smith, begin duly sworn, deposes and says:
That she is the publisher of *THE IDAHO ENTERPRISE*, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said newspaper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 21 consecutive weeks in the regular and entire issue of said newspaper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said newspaper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with the issue of 3-18, 1999, and ending with 3-25, 1999.

Kristine D. Smith

STATE OF IDAHO)
)
COUNTY OF ONEIDA)

On this 6 day of April in the year of 1999, before me, Susan J. Wittman, a Notary Public, personally appeared Kristine D. Smith, 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.

Susan J. Wittman
Notary public for Idaho
Residing at Malad Idaho
My commission expires: 2-9-2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

15-07170
COLTON, MARK G
143 BANNOCK ST
MALAD, ID 83252
Source: GROUNDWATER
Diversion Pt: SWNE Sec 32 T 14S R 36E in ONEIDA County.
Use: IRRIGATION (0.080 CFS)
DOMESTIC (0.060 CFS)
Total Diversion: (0.080 CFS)
Date Filed: 3/2/1999
In: ONEIDA County
T14S R36E S32 SWNE
4.0 ACRES TOTAL
17-07150

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 2A
SHOSHONE, ID 83352
Source: GROUNDWATER
Diversion Pt: NWNWSW
Sec 36 T 15S R 30E in ONEIDA County.
Use: IRRIGATION (0.010 CFS)
DOMESTIC (0.060 CFS)
Total Diversion: (0.070 CFS)
Date Filed: 2/24/1999
In: ONEIDA County
T15S R30E S36 NWSW
0.2 ACRES TOTAL

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls ID 83402, together with a protest fee of \$25.00 on or before APRIL 5, 1999. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
Published: 3/18/1999 & 3/25/1999
L. #2530 3/18/99-3/25/99-2T

RECEIVED

APR 09 1999

Department of Water Resources
Eastern Region

MICROFILMED

MAY 25 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

March 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

**IDAHO TRANSPORTATION DEPARTMENT
PO BOX 2A
SHOSHONE ID 83352**

RE: Applications for Permit #17-07150

Dear Applicant:

This office is currently in the process of advertising the application in the Idaho Enterprise on March 18 and 25, 1999. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you 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.

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

Sincerely,

**Harold W. Jones
Water Right Supervisor**

HWJ::sc

MICROFILMED

MAY 26 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARCH 9, 1999

Legal Notices Department
THE IDAHO ENTERPRISE
P.O. BOX 205
MALAD CITY, ID 83252

Dear Legal Dept.:

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

Please send the affidavit of publication and publication billing to this office before APRIL 5, 1999.

Yours truly,

Sharla Cox
Senior Secretary

Encl.



MICROFILMED

MAY 26 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

17-07150

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 2A
SHOSHONE, ID 83352

Source: GROUNDWATER

Diversion Pt: NWNWSW Sec 36 T 15S R 30E in ONEIDA County.

Use: IRRIGATION	(	0.010 CFS)
DOMESTIC	(	0.060 CFS)
Total Diversion:	(	0.070 CFS)

Date Filed: 2/24/1999

In: ONEIDA County
T15S R30E S36 NWSW

0.2 ACRES TOTAL

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls ID 83402, together with a protest fee of \$25.00 on or before APRIL 5, 1999. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

Published: 3/18/1999 & 3/25/1999

KARL J. DREHER, Director

MICROFILMED

MAY 25 1999

February 19, 1999

RECEIVED

FEB 24 1999

Department of Water Resources
Eastern Region

Scott VanHoff
IDWR
900 N. Skyline Drive
Suite A
Idaho Falls, ID 83402-1718

Mr. VanHoff,

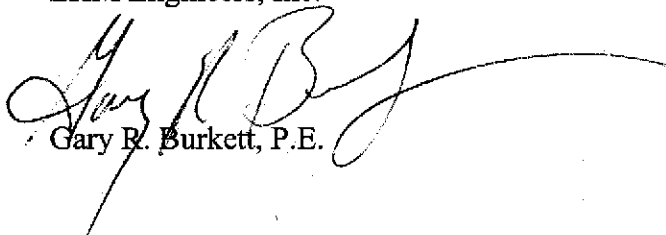
As we discussed by phone, enclosed is an application for a water right for a proposed well at the ITD Juniper Rest Stop in Oneida County.

The well will serve a restroom expansion project and new caretaker home on the east side of the interstate. An existing well located on the west side has a licensed right (attached). The two wells will be connected by piping in case of failure of either system.

Please process this application as appropriate.

Respectfully,

EHM Engineers, Inc.


Gary R. Burkett, P.E.

Enclosure

723-98

MICROFILMED

MAY 26 1999