

212

Twp. 14 S Rye 35 E
Sec 35 Well
1

SE NW

TRANSFERRED

Caribou

MICROFILMED
MAR 24 2003

+

2002

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 1-2 to 2003 and ending with 1-9 to 2003

Kristine D. Smith

STATE OF IDAHO)
)
COUNTY OF ONEIDA)

On this 6 day of Feb in the year of 2003 before me, Lisa D. Lewis, a Notary Public, personally appeared Kristine D. Smith, known and 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

Lisa D. Lewis
Notary public for Idaho
Residing at Malad, ID
My commission expires: 2-5-08

NOTICE

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

15-7235

JEFFERY J THOMAS
LU ANN THOMAS
2705 W 2000 N
MALAD CITY ID 83252
Point(s) of Diversion SWNW S26
T14S R35E, ONEIDA County
Source GROUND WATER
Use: IRRIGATION 04/01 To 10/31 0.6 CFS

Total Diversion: 0.6 CFS
Date Filed: 12/10/2002
Place Of Use: IRRIGATION
T14S R35E S26 NWSW SWSW
T14S R35E S35 NWNW
Number of Acres 30
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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before January 21, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
Published on January 2 and 9, 2003

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

15-7236

JENKIN T PALMER
EDNA PALMER
3798 W 500 S
MALAD ID 83252
Point(s) of Diversion SENW S35
T14S R35E, ONEIDA County
Source GROUND WATER
Use: IRRIGATION 04/01 To 10/31 0.2 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.2 CFS
Place Of Use: IRRIGATION and DOMESTIC
T14S R35E S35 SENW
Number of Acres 10
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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before January 21, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
Published on January 2 and 9, 2003

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

15-7237

JEFFERY J THOMAS
LU ANN THOMAS
2705 W 2000 N
MALAD CITY ID 83252
Point(s) of Diversion: SWNE S28

MICROFILMED

MAR 24 2003

T14S R35E and NWSE S:
T14S R35E, ONEIDA County
Source GROUND WATER
Use: IRRIGATION 04/01 To 10/31 4.9 CFS

Total Diversion: 4.9 CFS
Date Filed: 12/11/2002
Place Of Use: IRRIGATION
T14S R35E S33 NESE SESE
T14S R35E S34 NWNW SWN
NWSW SWSW SESW
Number of Acres 245
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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before January 21, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J Dreher, Director
Published on January 2 and 9, 2003

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

15-7238

SUZY WOOZLEY
BOX 246
MALAD ID 83252
Point(s) of Diversion: NWSW S1
T14S R35E, ONEIDA County
Source GROUND WATER
Use: IRRIGATION 04/01 To 10/31 3.4 CFS

Total Diversion: 3.4 CFS
Date Filed: 12/16/2002
Place Of Use: IRRIGATION
T14S R35E S12 NESW NWSW
SESW SWSE SESE
Number of Acres 170
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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before January 21, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
Published on January 2 and 9, 2003

L. #2926 1/2/03-1/9/03-2T

Original is
in file
15-7235

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

RECEIVED

JAN 10 2005

DEPARTMENT OF
WATER RESOURCES

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 15-7236

Name(s) of Permit Holder: YATER F. ALLEN / KATHERINE E. ALLEN

Address: 14213 LOMA RICA DR. City GRASS VALLEY State CA Zip 95945

Telephone No. 530-274-7889 Date Proof is Due: MARCH 1, 2005

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

NONE

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

PROPERTY WAS PURCHASED TWO YEARS AGO. OUR PLANS TO MOVE TO MALAD, IDAHO
HAVE BEEN PUT ON HOLD. WE DO PLAN TO HAVE ELECTRICAL POWER RUN TO THE
PROPERTY AND THEN HAVE A PUMP INSTALLED.

Permit holder(s) request an extension to MARCH 1, 2010

Yater F. Allen Katherine E. Allen
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit proof of beneficial use is extended
to March 1, 2010.

Signed this 13th day of January, 2005

Gary Spackman
GARY SPACKMAN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
INSTRUCTIONS FOR EXTENSION OF TIME REQUEST
TO SUBMIT PROOF OF BENEFICIAL USE

If the water right development authorized by your permit is not complete and you need more time to submit proof of beneficial use of water under your permit, please read the following:

Under the provisions of Section 42-204, Idaho Code, the department can extend the proof due date of your permit only once, and then only if you can demonstrate that you have been pursuing development of the permit with due diligence.

The Request for Extension of Time form requires that you indicate the extent of development that has occurred, the cost, and the reason(s) the work has not been completed. This information must be provided in enough detail to show due diligence. Examples of work performed are: well drilled, pump installed, 10 acres now irrigated, fish propagation ponds constructed, sprinkler system purchased, etc.

If no work has been accomplished, the statutes provide that the Request for Extension of Time must be denied. **Lack of financial resources, the state of the economy or personal illness usually cannot be considered adequate reasons to approve a Request for Extension of Time.**

EXCEPTIONS TO ONLY ONE EXTENSION

The proof due date for a permit that has not been developed for one of the following reasons may be granted one or more extensions of time even though no work has been accomplished:

- When there is a lack of a required consent or final approval from a federal government agency (**evidence of delay must be submitted with the request**), i.e. right-of-way easement or land classification such as Desert Land Entry or Carey Act.
- When litigation related to title of the water has prevented development of the permit (**evidence must be submitted with the request**).
- When the water project is of a large scale – storage of more than 10,000 acre-feet or diversion of more than 25,000 acre-feet in one irrigation season for an irrigation project of at least 5,000 acres.
- When the water right permit is held by the United States of America (**reason for request must be submitted**).

A non-refundable filing fee of \$50.00 must accompany the Request for Extension of Time form.

NOTE that in no case should a Proof of Beneficial Use form and a Request for Extension of Time form both be submitted. If your water development project is completed, then the proof of beneficial use form should be completed and returned. If the project is started but not completed, then the Request for Extension of Time form should be completed and returned in compliance with the guidelines above. If the project has not been initiated and does not fit into one of the exceptions listed above, then neither form should be returned and the permit will lapse and become of no further force nor effect.

November 26, 1999

For Office Use Only
\$25 filing fee ☒
Receipt # ED28658
Date 4-11-2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

Department of Water Resources

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Jennifer D. Palmer Edna Palmer hereby assign to Yvonne F. + Katherine Ballen (H&W)
of, 14213 Loma Rica DR - Grass Valley, CA 95945-9513 - 530-274-7889
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 15-7236 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 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.)

RECEIVED
APR 03 2003
Department of Water Resources
Eastern Region

RECEIVED
APR 10 2003
Department of Water Resources
Eastern Region

Made this 2nd day of April, 2003.

Jennifer D. Palmer Edna Palmer
Permit Holder(s)

State of Idaho)
County of Lincoln)ss

On this 2nd day of April, 2003, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Sandy J. J. J.
Notary Public residing at
Malad, Idaho

SEAL

My commission expires: 10-2003

MICROFILMED
JUN 02 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 15-07236

Priority: December 10, 2002

Maximum Diversion Rate: 0.20 CFS

This is to certify, that JENKIN T PALMER And/Or
EDNA PALMER
3798 W 500 S
MALAD ID 83252

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>
DOMESTIC	01/01 to 12/31	0.04 CFS
IRRIGATION	04/01 to 10/31	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, Twp 14S, Rge 35E, B.M., ONEIDA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S 35E 35								10.0									10.0

PLACE OF USE: DOMESTIC same as Irrigation

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2005**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. 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.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 10th day of March, 2003.

MICROFILMED

MAR 24 2003

K. J. Dreher
for KARL J DREHER, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

MAR - 3 2003

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Jenkin Thomas Palmer for Edna Palmer. Phone 766-2777
Mailing address 3798 W 500 S Malad City ID 83252.
2. Source of water supply Groundwater. which is a tributary of _____
3. Location of point of diversion is Township 14 S Range 35 E Sec. 35 in the _____ 1/4,
SE 1/4, NW 1/4, Govt. Lot _____, B.M., Oneida County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.20 for Irrigation purposes from 04/01 to 10/31 (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) 0.20 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 well pumps & delivery system.
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. ~~Proposed~~ ^{Existing} well diameter is 6 inches; ~~proposed~~ ^{Existing} depth of well is 145 feet
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? 4/2002; Drilling firm Wolmer Well Drilling;
Well was drilled for (well owner) Tad Arben; 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.
c. Municipal; show name of municipality.
d. Domestic; show number of households. 1 home
e. Other; describe fully. _____

MICROFILMED

MAR 24 2003

RECEIVED

DEC 09 2002

Department of Water Resources
Eastern Region

9. 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	
14S	35E	35								10									10
										D									

Total number of acres to be irrigated 10

10. Describe any other water rights used for the same purposes as described above. None - No Samaria
Irrigation ditches reach this area

11. a. Who owns the property at the point of diversion? Applicant
 b. Who owns the land to be irrigated or place of use? Applicant

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: _____

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.

Jordan Thomas Palmer MICROFILMED
 Signature of Applicant (and title, if applicable)

MAR 24 2003

Received by [Signature] Date 12-10-02 Time _____ Preliminary check by _____
 Fee \$ 100 Receipted by [Signature] # E028371 Date 12-10-02
 Publication prepared by SC Date 1/2 & 1/9/03 Published in Idaho Enterprise
 Publication approved SC Date 2/7/03

el 1501
① 17.9

1305
① 8.9

1293
nhel
nw
① 23.8

SCALE
1:50,000

T1485

nhel
nw
1304
① 38.2

1294
nhel
nw
① 44.5

Fig. 14-5 Rgs 36-5
Wall

① 11.7

T1484

① 4.1
1613
nhel
nw
② 14.9

② 13.6

③ 3.2
SE N16

nhel
nw
① 30

T1408

⑦ 20.3

③ 16.7

① 34.4

④ 21.5

T1480

⑥ 14.1

T163

30

T629

MIOR

+

6

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only

Inspected by _____

Twp _____ Rge _____ Sec _____

_____ 1/4 _____ 1/4 _____ 1/4

Lat: : : Long: : :

1. WELL TAG NO. D 0024225
 DRILLING PERMIT NO. _____
 Other IDWR No. _____

2. OWNER:

Name TAY, R. LUG
Address 1350 S 4600W
City MARIAC State ID Zip 83252

3. LOCATION OF WELL by legal description:

Sketch map location. must agree with written location.

N
 W E S
 Twp. 14 North ☐ or South ☒
 Rge. 35 East ☒ or West ☐
 Sec. 35 1/4 SE 1/4 NW 1/4
 Gov't Lot _____ County Onida
 Lat. : : Long. : :
 Address of Well Site West 1/2
 City MTA
 (Give at least name of road + Distance to Road or Landmark)

Lt. _____ Bk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	20	5 sacks	Overboire

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 145'
Was drive shoe seal tested? ☐ Y ☐ N How? Pressure

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	#1 1/2	145'	28	Steel	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations _____ Method NA
Screens _____ Screen Type NA

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
	NA					Micro	☐
							☐
							☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

23 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices:

11. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. _____ Bottom hole temp. _____
Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

[illegible]

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Vollmer-Kaufmann Firm No. 38.3

Firm Official James H. Keller Date 04/29/92

and
Driller or Operator J. Kellme Date 4/24/02

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 14, 2005

YATER F ALLEN
KATHERINE E ALLEN
14213 LOMA RICA DR
GRASS VALLEY CA 95945

RE: PERMIT NO. 15-7236

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the proof due date to **March 1, 2010**. Please note that the department granted this extension based on evidence of **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed, since the department may not be able to grant an additional extension request based on this category.

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. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Additionally, these forms can be found on our website at: <http://www.idwr.idaho.gov>

If you have any questions regarding this matter, contact me at (208) 287-4942.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 15-7236

Reviewed By: dgibson

Date: January 13, 2005

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Request received timely?	X		Is delay by a government agency?		X
Appropriate fee	X		Is supporting documentation needed to support the file?		
Additional Amount Due:					
Receipt No.:	E028371, C076361		Has the permit been involved in litigation?		X
Name and signature same as permit?		X	Is supporting documentation needed to support the file?		
Is address same as permit?		X	Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?		
Has adequate work been completed to demonstrate due diligence?		X			

Priority Calculation

Extension request received	01/10/2005	New proof due date	03/01/2010
Date proof due	- 03/01/2005		
Lapse notice sent	-		
No. of days late	= 0		
Holiday allowance	+		
Priority date	+ 12/10/2002		
New priority date	= 12/10/2002		

Action Taken

Acknowledge request and extend proof deadline to 3/1/2010.

December 31, 2004

YATER F ALLEN
KATHERINE E ALLEN
14213 LOMA RICA DR
GRASS VALLEY, CA 95945-9513

PROOF DUE NOTICE

RE: PERMIT NO. 15-7236

Dear Permit Holder:

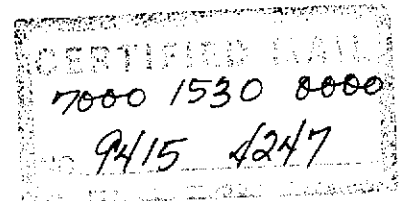
One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 01, 2005. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied 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

April 23, 2003

YATER F ALLEN
KATHERINE E ALLEN
14213 LOMA RICA DR
GRASS VALLEY CA 95945-9513

RE: Change of Ownership for Water Right Permit 15-7236

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right permit to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
JUN 02 2003



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

March 11, 2003

JENKIN T PALMER
EDNA PALMER
3798 W 500 S
MALAD ID 83252

RE: Permit No. 15-7236

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.

MICROFILMED

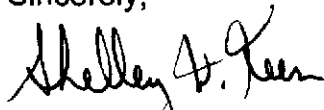
MAR 24 2003

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 208-327-7946.

Sincerely,



Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

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MAR 24 2003

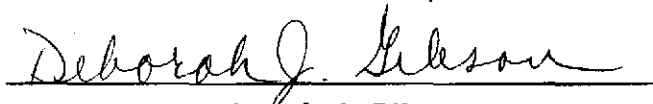
CERTIFICATE OF SERVICE

I hereby certify that on March 11, 2003 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.

15-7236

**EDNA PALMER
JENKIN T PALMER
3798 W 500 S
MALAD ID 83252**

A handwritten signature in cursive script, reading "Deborah J. Gibson", is written over a horizontal line.

**Deborah J. Gibson
Administrative Assistant**

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MAR 24 2003

**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.

RECEIVED

MAR - 3 2003

Department of Water Resources

Dist for Staffing 12-10-02
Submitted for advertising _____

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

PALMER
INITIAL REVIEW BY HWT DATE 12-10-02 APPLICATION NO. 15-7236

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 subdivision, 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
☒ Yes GIS Complete

ADDITIONAL INFORMATION:

- _____ Overlapping place of use (Describe source & relationship to present application on the back)
_____ Overlapping point of diversion
_____ Yes _____ No Critical groundwater area
_____ Yes _____ No Groundwater management area
_____ Yes _____ No Send dam safety information
_____ Yes _____ No Send fish farm requirement letter
_____ Yes _____ No Power residency affidavit
_____ Yes _____ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet)
_____ Yes _____ No Public Water System
_____ Yes _____ No Planning section review
_____ Yes _____ No Moratorium Hold file
_____ 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:

- _____ Id Dept of Environmental Quality
_____ Id Dept of Fish & Game
_____ Id Dept of Lands
_____ Adjudication Bureau Unit
_____ U.S. BLM
_____ U.S. Forest Service
_____ Water District
_____ 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 District
☐ Yes	☒ No	Special conditions of approval or cover letter below.

Date of priority recommend 12-10-2002
By: glw Date: 2-14-03
STATE OFFICE REVIEW:

By: _____ Date: _____
ADDITIONAL INFORMATION:

LOCAL PUBLIC INTEREST:

Comments received from:

☐ City	☐ Id Fish & Game	☐ Irrigation District
☐ County	☐ Id Health & Welfare	☐ Canal Company
☐ Reservations	☐ Div. Of Environment	☐ Other

Project impacts/implications report

COMMENTS

2002

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 1-2 to 2003 and ending with 1-9 to 2003

Kristine D. Smith

STATE OF IDAHO)
)
COUNTY OF ONEIDA)

On this 6 day of Feb in the year of 2003 before me, Lisa D. Lewis, a Notary Public, personally appeared Kristine D. Smith, known to me to be the person whose name subscribed to it 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

Lisa D. Lewis
Notary public for Idaho
Residing at Malad, ID
My commission expires: 2-5-08

Original is in file 15-7235

NOTICE
The following application(s) have been filed to appropriate the public waters of the State of Idaho:
15-7235
JEFFERY J THOMAS
LU ANN THOMAS
2705 W 2000 N
MALAD CITY ID 83252
Point(s) of Diversion SWNW S26
T14S R35E, ONEIDA County
Source GROUND WATER
Use: IRRIGATION 04/01 To 10/31 0.6 CFS
Total Diversion: 0.6 CFS
Date Filed: 12/10/2002
Place Of Use: IRRIGATION
T14S R35E S26 NWSW SWSW
T14S R35E S35 NWNW
Number of Acres 30
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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before January 21, 2003. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director
Published on January 2 and 9, 2003
The following application(s) have been filed to appropriate the public waters of the State of Idaho:
JENKIN T PALMER
EDNA PALMER
3798 W 500 S
MALAD ID 83252
Point(s) of Diversion SENW S35
T14S R35E, ONEIDA County
Source GROUND WATER
Use: IRRIGATION 04/01 To 10/31 0.2 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.2 CFS
Place Of Use: IRRIGATION and DOMESTIC
T14S R35E S35 SENW
Number of Acres 10
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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before January 21, 2003. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director
Published on January 2 and 9, 2003
The following application(s) have been filed to appropriate the public waters of the State of Idaho:
15-7237
JEFFERY J THOMAS
LU ANN THOMAS
2705 W 2000 N
MALAD CITY ID 83252
Point(s) of Diversion: SWNE S26

T14S R35E S26 NWSW S
T14S R35E, ONEIDA County
Source GROUND WATER
Use: IRRIGATION 04/01 To 10/31 4.9 CFS
Total Diversion: 4.9 CFS
Date Filed: 12/11/2002
Place Of Use: IRRIGATION
T14S R35E S33 NESE SESE
T14S R35E S34 NWNW SWN
NWSW SWSW SESW
Number of Acres 245
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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before January 21, 2003. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director
Published on January 2 and 9, 2003
The following application(s) have been filed to appropriate the public waters of the State of Idaho:
15-7238
SUZY WOOZLEY
BOX 246
MALAD ID 83252
Point(s) of Diversion: NWSW S31
T14S R35E, ONEIDA County
Source GROUND WATER
Use: IRRIGATION 04/01 To 10/31 3.4 CFS
Total Diversion: 3.4 CFS
Date Filed: 12/16/2002
Place Of Use: IRRIGATION
T14S R35E S12 NESW NWSW
SESW SWSE SESE
Number of Acres 170
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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before January 21, 2003. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director
Published on January 2 and 9, 2003
L. #2926 1/2/03-1/9/03-2T

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2003 2 4 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 20, 2002

JENKIN T PALMER
EDNA PALMER
3798 W 500 S
MALAD ID 83252

RE: Application for Permit No 15-7236

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the Idaho Enterprise on January 2 and 9, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

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

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

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

Sincerely,

Harold W Jones
Water Right Supervisor

HWJ:sc

MICROFILMED

MAR 24 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION
December 20, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department

Idaho Enterprise
PO Box 205
Malad City ID 83252

RE: Application for Permit No. 15-7235, 15-7236, 15-7237, 15-7238

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 January 21, 2003. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*Mailed
12/20/02
SC*

MICROFILMED

MAY 24 2003

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

15-7236

JENKIN T PALMER

EDNA PALMER

3798 W 500 S

MALAD ID 83252

Point(s) of Diversion SENW S35 T14S R35E, ONEIDA County

Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.2 CFS

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.2 CFS

Place Of Use: IRRIGATION and DOMESTIC

T14S R35E S35 SENW

Number of Acres 10

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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before January 21, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on January 2 and 9, 2003

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MAR 24 2003