

T1440

④ 7.0

⑧ 10.5  
T619

⑦ 14.3

⑨ 6.8

T618

⑪ 6.8  
⑫ 6.0  
⑬ 8.5

1417

1507  
NW

1508

⑧ 38.5

MICROFILMED  
FEB 1 2003  
T-15

⑨ 50.5

① 38.5

④ 200.0

① 33.4

② 13.0

③ 8.6

① 12.8  
T1281

① 14.8

T1440

⑩ 24.0

T1508

T1565

T1566 T1260

R35E

26 25  
35 36

40

40

21

21

RECEIVED

NOV 2 2003

Department of Water Resources

FOR OFFICE USE ONLY

Amt. of Fee \$: 150.00  
Receipt No. 0220844  
Receipt By: [Signature]  
Date Received: 9-10-03

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 10 2003

Department of Water Resources

PROOF OF BENEFICIAL USE

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. 15-7231 Telephone No. 208-766-4720
2. Name of Permit Holder(s): TIMOTHY KIRK & KAMI D. WILLIE
3. Mailing Address: 52 BUSH AVE  
City MALAD State ID Zip 83252
4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. \_\_\_\_\_ / yr. 1969??  
Well Driller: BETHEA COUCH Drilling Permit Number: NA
5. Use(s) (as authorized by the water right permit):  
Domestic (No. of households): \_\_\_\_\_ Stockwater (No. and type of stock): \_\_\_\_\_  
Irrigation (No. of acres): 200 Other: \_\_\_\_\_
6. Total rate of diversion and/or volume for which proof is submitted: 3.0 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 X
8. Fee Enclosed: \$ 150.00 (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: TIM WILLIE Telephone Number: 208-766-3329  
Address: 3585 W Hwy 3B MALAD, ID 83252
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Timothy Kirk Willie Date: SEPT 2, 2003  
(include your title, if on behalf of company or organization)

MICROFILMED

JAN 15 2004

11/99

RECEIVED

NOV 25 2002

Department of Water Resources

For Office Use Only  
\$25 filing fee OK  
Receipt # 5038308  
Date 11-14-02

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**ASSIGNMENT OF PERMIT**

To change the ownership of a permit

*NAMI D. WILLIE CURRY*  
(PER JEFF CURRY)  
USDA-FSA

I, Aleda Hunt or Curtis Hunt hereby assign to Timothy Kirk/Willie and USDA - FSA  
of, 85 South 100 East, Tremonton, Utah 84337 (435) 257-5402  
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 15-07231 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.)

Made this 10th day of October, 20 02.

C Hunt Aleda Hunt  
Permit Holder(s)

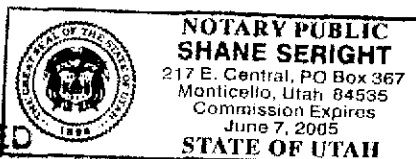
State of Idaho Utah )  
San Juan ) ss  
County of ONEIDA )

On this 10th day of October, 20 02, personally appeared before me the signer(s) of the above  
instrument, who duly acknowledged to me that he (she) (they) executed the same.

Shane Seright  
Notary Public residing at Malad City, ID  
My Commission Expires 5-6-2003  
Monticello, UT

SEAL

My commission expires: 6/7/05



MICROFILMED

FEB 11 2003

Microfilm No. 133271  
21 Day October 2002  
At 4:35 O'clock P M  
Shirley Blaisdell  
Oneida Co. Recorder  
Fee \$ 6.00 Deputy  
Recorded at Request of  
E. L. Scott

## WARRANTY DEED

For Value Received, **CURTIS HUNT and ALEDA A. HUNT**, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto **TIMOTHY KIRK WILLIE and KAMI D. WILLIE**, husband and wife, the Grantees, whose current address is 52 Bush Avenue, Malad City, Idaho, 83252, the following described premises in Oneida County, Idaho, to-wit:

*TK*  
*W*  
**PARCEL 1:**

The following described parcel of land being in Section 26, Township 14 South, Range 35 East, Boise Meridian, Oneida County, Idaho:

Section 26: Commencing at a point 2661.40 feet West of the Northeast Corner of the SW $\frac{1}{4}$  of Section 25, Twp. 14 S., R. 35 E.B.M.; thence running West 1304.78 feet; thence South 1320 feet; thence East 1304.78 feet; thence North 1320 feet to the point of beginning.

**PARCEL 2:**

The following described parcel of land being in Section 26, Township 14 South, Range 35 East, Boise Meridian, Oneida County, Idaho:

Commencing at a point 3966.18 feet West of the Northeast corner of the SW $\frac{1}{4}$  of Section 25, Twp 14 S., R. 35 E.B.M.; thence West 870.78 feet; thence South 2000 feet; thence East 870.78 feet; thence North 2000 feet to the point of beginning.

**PARCEL 3:**

The following described parcel of land being in Sections 26 and 35, Township 14 South, Range 35 East, Boise Meridian, Oneida County, Idaho:

Commencing at a point 2661.40 feet West and 1320 feet South of the Northeast corner of the SW $\frac{1}{4}$  of Section 25, Twp 14 S., R. 35 E.B.M.; thence West 1304.78 feet; thence South 680 feet; thence West 870.78 feet; thence South 1860 feet; thence West 435.39 feet; thence South 100 feet; thence East 2640.25 feet; thence North 214.5 feet; thence West 29.3 feet; thence North 2425.50 feet to the point of beginning.

**TOGETHER WITH** Sellers' interest in any and all water rights currently owned by Seller, and in particular in and to that certain deep irrigation well located in the Northeast Corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 25, Twp. 14 S., R 35 EBM, and water right under Permit No. 15-07231 with the State of Idaho, Department of Water Resources and **TOGETHER WITH** all Sellers' interest in all oil, gas and mineral rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever, and the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will Warrant and Defend the same from all lawful claims.

Dated October 10, 2002.

C. Hunt  
CURTIS HUNT

Aleda A. Hunt  
ALEDA A. HUNT

MICROFILMED  
FEB 11 2003

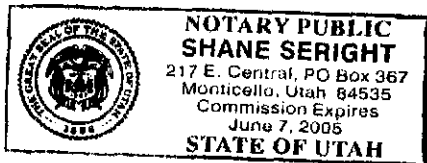
133271

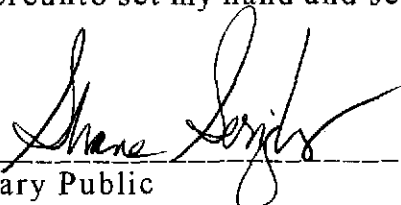
STATE OF UTAH  
COUNTY OF

SS

On this 10<sup>th</sup> day of October, 2002, before me, a Notary Public in and for said State, personally appeared CURTIS HUNT and ALEDA A. HUNT, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



  
\_\_\_\_\_  
Notary Public  
Residing at:  
My Commission Expires:

MICROFILMED  
FEB 11 2003

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**

NO. 15-07231

Priority: July 17, 2002

Maximum Diversion Rate: 3.00 CFS

This is to certify, that ALEDA HUNT Or  
CURTIS HUNT  
HC 63 BOX 120C  
MONTICELLO UT 84535

has applied for a permit to appropriate water from:

**Source:** GROUND WATER

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> |
|-----------------------|----------------------|--------------------------|
| IRRIGATION            | 04/01 to 10/31       | 3.00 CFS                 |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 25, Twp 14S, Rge 35E, B.M., ONEIDA County

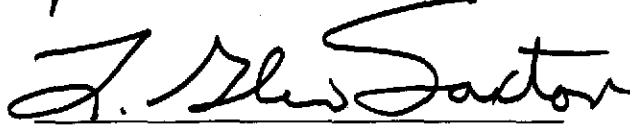
**PLACE OF USE:** IRRIGATION

| 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 26   |      |      |    |    |    |    |    |    |    |    |    |    | 39.0 | 27.0 | 27.0 | 40.0 | 133.0  |
| 14S 35E 35   | 40.0 | 27.0 |    |    |    |    |    |    |    |    |    |    |      |      |      |      | 67.0   |
| Total Acres: |      |      |    |    |    |    |    |    |    |    |    |    |      |      |      |      | 200.0  |

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2003**.
2. Subject to all prior water rights.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 24<sup>th</sup> day of September, 2002

  
for KARL J DREHER, Director

MICROFILMED

FEB 11 2003

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

RECEIVED  
SEP 16 2002

Department of Water Resources

1. Name of Applicant Curtis or Alveda Hunt Phone 1-435-547-3342  
Mailing address HC 63 Box 120C Monticello, UT 84535
2. Source of water supply Ground water which is a tributary of \_\_\_\_\_
3. Location of point of diversion is Township 14S Range 35E Sec. 25, in the \_\_\_\_\_ 1/4,  
NW 1/4, SW 1/4, Govt. Lot \_\_\_\_\_, B.M., Oneida County;  
additional points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 3.00<sup>cfs</sup> for Irrigation purposes from April to Oct 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) 3.00 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, pump + sprinkler  
b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total  
reservoir capacity \_\_\_\_\_ acre-feet  
c. Proposed well diameter is 16 inches; proposed depth of well is 139 feet  
d. Is ground water with a temperature of greater than 85°F being sought? No  
e. If well is already drilled, when? Sept 1994 Drilling firm Gardner;  
Well was drilled for (well owner) Senkin L Palmer; 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.  
e. Other; describe fully. \_\_\_\_\_

MICROFILMED

FEB 11 2003

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 | 26  |    |    |    |    |    |    |    |    |    |    |    |    | 39 | 27 | 27 | 46 | 133    |
|     |     | 35  | 40 | 27 |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 67     |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Total number of acres to be irrigated 200

10. Describe any other water rights used for the same purposes as described above. Same P.D. as # 15-2061

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: System has been in place for many years.

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.)

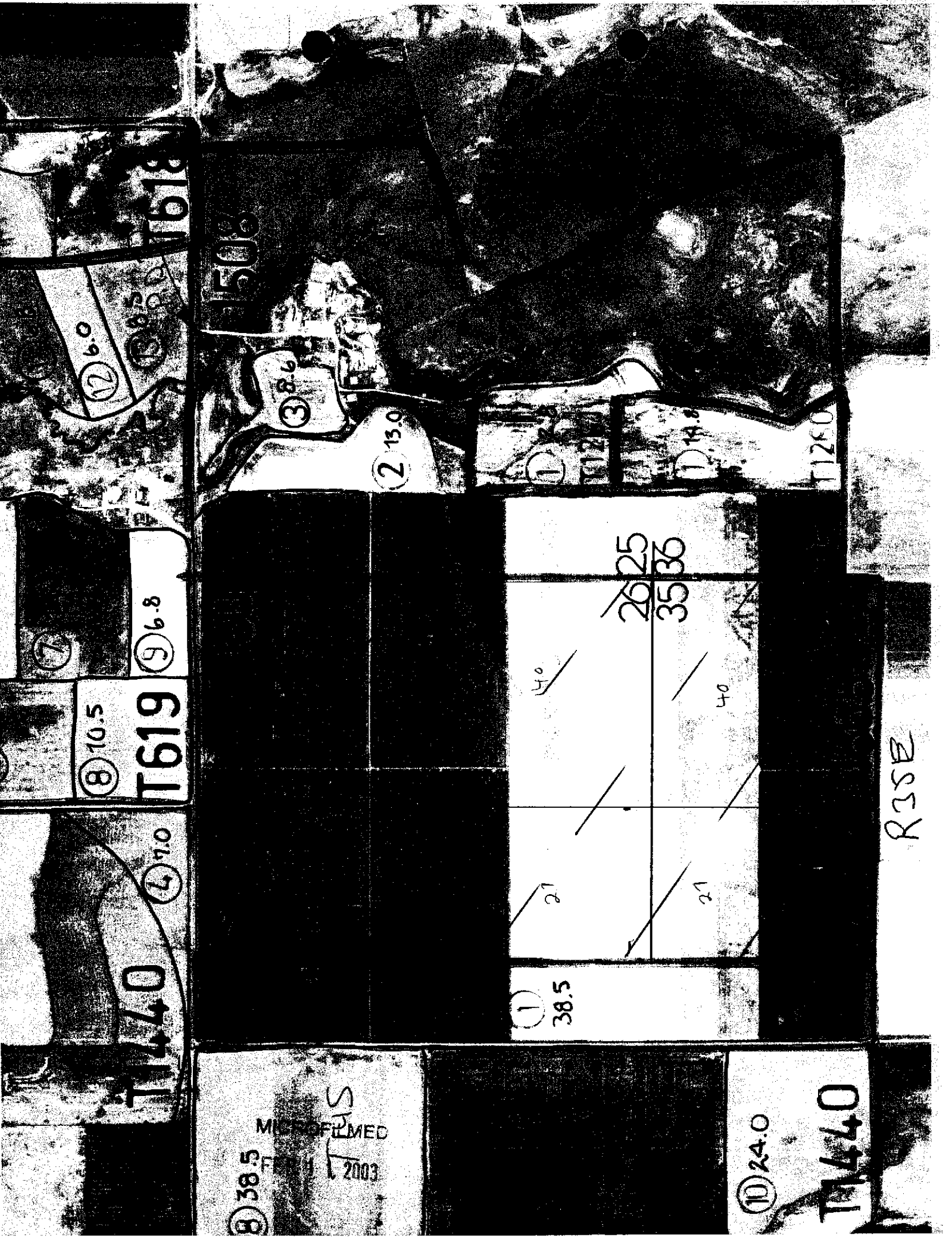
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

FEB 11 2003

C. Hunt Alexander (owner)  
Signature of Applicant (and title, if applicable)

Received by HWT Date 7-17-02 Time \_\_\_\_\_ Preliminary check by \_\_\_\_\_  
Fee \$ 330.00 Received by HWT # B027971 Date 7-17-02  
Publication prepared by SC Date 8/15 & 8/22/02 Published in Enterprise  
Publication approved SC Date 9/10/02



T1440

④ 7.0

⑧ 10.5  
T619

⑨ 6.8

⑫ 6.0

T618

⑧ 38.5

MICROFILMED  
FEB 2003

TS

① 38.5

21

40

26 25  
35 36

21

40

⑩ 24.0

T1440

R35E

T508

③ 8.6

② 13.0

① 14.8

T1280



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

December 2, 2003

TIMOTHY KIRK WILLIE  
KAMI D WILLIE  
52 BUSH AVE  
MALAD CITY, ID 83252

### PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 15-7231

Dear Permit Holder(s):

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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.

If you have any questions concerning the field examination, please contact the Eastern Regional Office of the department in Idaho Falls, Idaho (208) 525-7161.

Sincerely,

Deborah J. Gibson  
Administrative Assistant  
Water Allocation Bureau

Encl.

cc: USDA-Farm Services Admin.  
Regional Office

MICROFILMED

JAN 15 2004

## ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 15-7231

Reviewed By: dgibson

Date: November 7, 2003

|                                   | <u>Yes</u> | <u>No</u>           |                                  | <u>Yes</u> | <u>No</u> |
|-----------------------------------|------------|---------------------|----------------------------------|------------|-----------|
| Proof received timely?            | X          |                     | Drilling permit required?        |            | X         |
| License examination fee required? | X          |                     | Drilling permit No.:             |            |           |
| Appropriate fee submitted?        | X          |                     | Drilling permit upgrade needed?  |            |           |
| Receipt No.:                      |            | E027971,<br>C070844 | Well driller's report filed?     |            |           |
| Additional Amount Due:            |            |                     | Measuring device required?       |            | X         |
| Name and address same as permit?  |            | X                   | Measuring device installed?      |            | X         |
| Are the water uses correct?       | X          |                     | Measure device waiver requested? |            |           |

### Priority Calculation

|                     |   |            |
|---------------------|---|------------|
| Date proof received |   | 09/10/2003 |
| Date proof due      | - | 10/01/2003 |
| Lapse notice sent   | - |            |
| No. of days late    | = | 0          |
| Holiday allowance   | + |            |
| Priority date       | + | 07/17/2002 |
| New priority date   | = | 07/17/2002 |

### Deficiencies of Actions Items

Acknowledge proof. Check to make sure address is correct on database. Address is different on Proof than on the Assignment, update if necessary.

*Return form for signatures.*



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

November 18, 2003

TIMOTHY KIRK WILLIE  
KAMI D WILLIE  
52 BUSH AVE  
MALAD ID 83252

Re: Permit No. 15-7231

Dear Mr. And Mrs. Willie:

Enclosed is the original Proof of Beneficial Use received by the department on September 10, 2003, for the above-referenced water right. I am returning the original form to you for your signature. Please sign the document and return it to me as soon as possible, so I can finish processing your proof.

If you have any questions, regarding this matter, please do not hesitate to contact me at (208) 327-7953.

Sincerely,

Deborah J. Gibson  
Administrative Assistant  
Water Allocation Bureau

Enclosure

MICROFILMED

JAN 15 2004

Amt. of Fee \$: 150.00  
Receipt No. 070844  
Receipt By: [Signature]  
Date Received: 9-10-03

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 10 2003

PROOF OF BENEFICIAL USE

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. 15-7231 Telephone No. 208-766-4720
2. Name of Permit Holder(s): TIMOTHY KIRK & KAMI D. WILLIE
3. Mailing Address: 52 BUSH AVE  
City MAVAD State ID Zip 83252
4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. \_\_\_\_\_ / yr. 1969??  
Well Driller: SHERM COUCH Drilling Permit Number: NA
5. Use(s) (as authorized by the water right permit):  
Domestic (No. of households): \_\_\_\_\_ Stockwater (No. and type of stock): \_\_\_\_\_  
Irrigation (No. of acres): 200 Other: \_\_\_\_\_
6. Total rate of diversion and/or volume for which proof is submitted: 3.0 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 X
8. Fee Enclosed: \$ 150.00 (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: TIM WILLIE Telephone Number: 208-766-3327  
Address: 3585 W Hwy 3B MAVAD, ID 83252
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: \_\_\_\_\_ Date: SEPT 2, 2003  
(include your title, if on behalf of company or organization)

MICROFILMED

JAN 15 2004

July 31, 2003

TIMOTHY KIRK WILLIE  
KAMI D WILLIE  
52 BUSH AVE  
MALAD CITY, ID 83252

USDA-FARM SERVICES ADMIN  
85 S 100 E  
TREMONTON, UT 84337

7000 1670 0013 9129 9539

7000 1670 0013 9129 9522

PROOF DUE NOTICE

RE: PERMIT NO. 15-7231

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 01, 2003. (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.

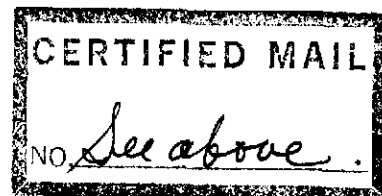
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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



MICROFILMED

JAN 15 2004



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

December 3, 2002

TIMOTHY KIRK WILLIE  
KAMI D WILLIE  
52 BUSH AVE  
MALAD CITY ID 83252

USDA-FARM SERVICES ADMIN  
85 S 100 E  
TREMONTON UT 84337

RE: Change of Ownership for Water Right Permit 15-7231

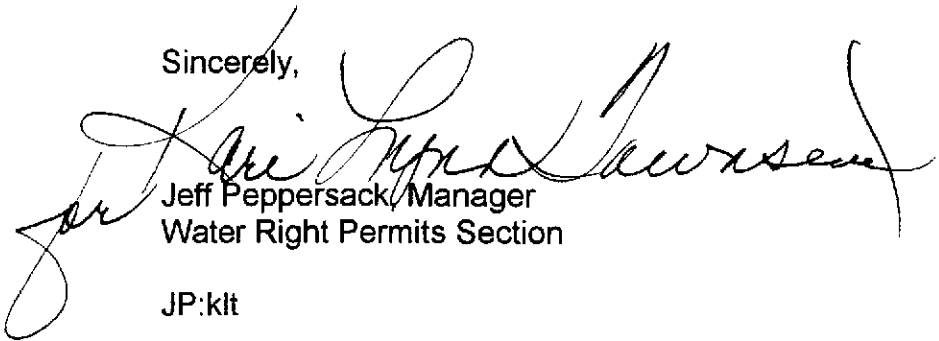
Dear Water Right Holder(s):

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,

  
Jeff Peppersack, Manager  
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED  
FEB 11 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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

September 24, 2002

ALEDA HUNT  
CURTIS HUNT  
HC 63 BOX 120C  
MONTICELLO UT 84535

RE: Permit No. 15-7231

### 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.

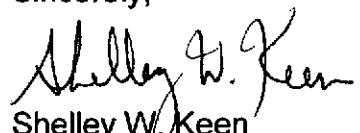
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened 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.

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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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FEB 11 2003

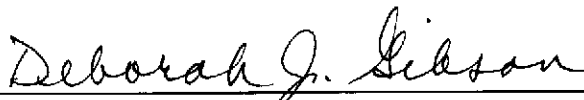
**CERTIFICATE OF SERVICE**

I hereby certify that on September 24, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

**RE: WATER RIGHT NO.**

**15-7231**

**ALEDA HUNT  
CURTIS HUNT  
HC 63 BOX 120C  
MONTICELLO UT 84535**



---

**Deborah J. Gibson  
Secretary**

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FEB 11 2003

## EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the Department of Water Resources (Department) pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the 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.

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## **Comment Report**

**15-7231**

1. dgibson 9/23/2001 Permit Review

Comment: The season of use published does not reflect the application dates 4/1 to 10/31, which are correct for this area.

**MICROFILMED**  
**FEB 14 2003**

RECEIVED

SEP 16 2002

Department of Water Resources

Dist for Staffing

Submitted for advertising 7-17-02

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

HUNT

INITIAL REVIEW BY HWT DATE 7-17-02 APPLICATION NO. 15-7231

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

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

|                                         |                                        |                                                                     |
|-----------------------------------------|----------------------------------------|---------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | Affidavit of publication received                                   |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | Application published correctly. If not, record action taken _____  |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | Publication dates & paper, recorded on application                  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | Protests received                                                   |
|                                         |                                        | Final date for protest _____                                        |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Protests, dates, resolution of protest, recorded on application     |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Recommendations attached                                            |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Measuring device required                                           |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Access port required                                                |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Will water be delivered by watermaster? If yes, what District _____ |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Special conditions of approval or cover letter below.               |

Date of priority recommend 7-17-2002  
By: [Signature] Date: 9-11-02  
STATE OFFICE REVIEW: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 ADDITIONAL INFORMATION: \_\_\_\_\_

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**

[illegible]

# 2907

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 27 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.

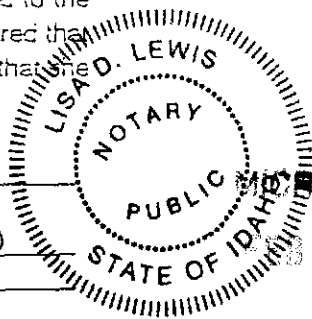
Such notice was published in the issue beginning with 8-15-2002 and ending with the issue of 8-22-2002

Kristine D. Smith  
STATE OF IDAHO )

COUNTY OF ONEIDA )

On this 16 day of Sept in the year of 2002  
before me, Lisa D. Lewis, a Notary Public,  
personally appeared Kristine 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.

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  
**15-7231**

CURTIS HUNT  
ALEDA HUNT  
HC 63 BOX 120C  
MONTICELLO UT 84535  
Point(s) of Diversion: NWSW  
S25 T14S R35E, ONEIDA  
County  
Source GROUND WATER  
Use: IRRIGATION 01-01 To 12/  
31 3 CFS  
Total Diversion: 3 CFS  
Date Filed: 07/17/2002  
Place Of Use: IRRIGATION  
T14S R35E S26 NESE NWSE  
SWSE SESE  
T14S R35E S35 NENE NWNE  
Number Of Acres 200  
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 Resources, 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 September 3, 2002. The protestant must also send a copy of the protest to the applicant.  
KARL J DREHER, Director  
Published on August 15 and 22, 2002  
L. #2907 8/15/02-8/22/02-2T

NO FILM

Received  
9/10/02  
SC



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

September 6, 2002

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

Mt. Valley Realty  
158 E 500 S  
Malad, Idaho 83252

Attention: Tom Palmer

Mr. Palmer:

Application for permit #15-7231 in the name of Curtis or Aleda Hunt has been advertised with a final protest date of September 03, 2002. There were no protests filed.

Processing will continue and the application will then be sent to our Boise office.

Sincerely,

Harold W. Jones

Water Resource Supervisor

MICROFILMED

FEB 11 2003  
MICROFILMED



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  
August 30, 2002

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

Mt. Valley Realty  
158 E. 500 S.  
Malad, Idaho 83252

Attention: Tom Palmer

Mr. Palmer:

Application for permit #15-7231 in the name of Curtis or Aleda Hunt is currently being processed with a final protest date of September 03, 2002.

When the final galley proofs are sent from the Idaho enterprise newspaper, the application will be sent to our Boise office for final approval.

This time period for approval depends on the current work load in our State office. At this time some permits are being processed in 30-45 days.

Sincerely,

Harold W. Jones  
Water Resources Supervisor

HWJ/clk

FEB 11 2003  
MICROFILMED

FEB 11 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

August 07, 2002

CURTIS HUNT  
ALEDA HUNT  
HC 63 BOX 120C  
MONTICELLO UT 84535

RE: Application for Permit No 15-7231

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 August 15 and 22, 2002. Submittal of protests to this application will be allowed for a period ending ten days (September 3, 2002) 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  
FEB 11 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

August 07, 2002

**Legal Notice Department**

Idaho Enterprise

PO Box 205

Malad City ID 83252

RE: Application for Permit No. 15-7231

**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 September 3, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox  
Administrative Assistant

*mailed  
8/7/02  
sc*

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FEB 11 2003

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

15-7231

CURTIS HUNT  
ALEDA HUNT  
HC 63 BOX 120C  
MONTICELLO UT 84535

Point(s) of Diversion: NWSW S25 T14S R35E, ONEIDA County

Source GROUND WATER

Use: IRRIGATION 01/01 To 12/31 3 CFS

Total Diversion: 3 CFS

Date Filed: 07/17/2002

Place Of Use: IRRIGATION

T14S R35E S26 NESE NWSE SWSE SESE

T14S R35E S35 NENE NWNE

Number of Acres 200

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 September 3, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on August 15 and 22, 2002

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