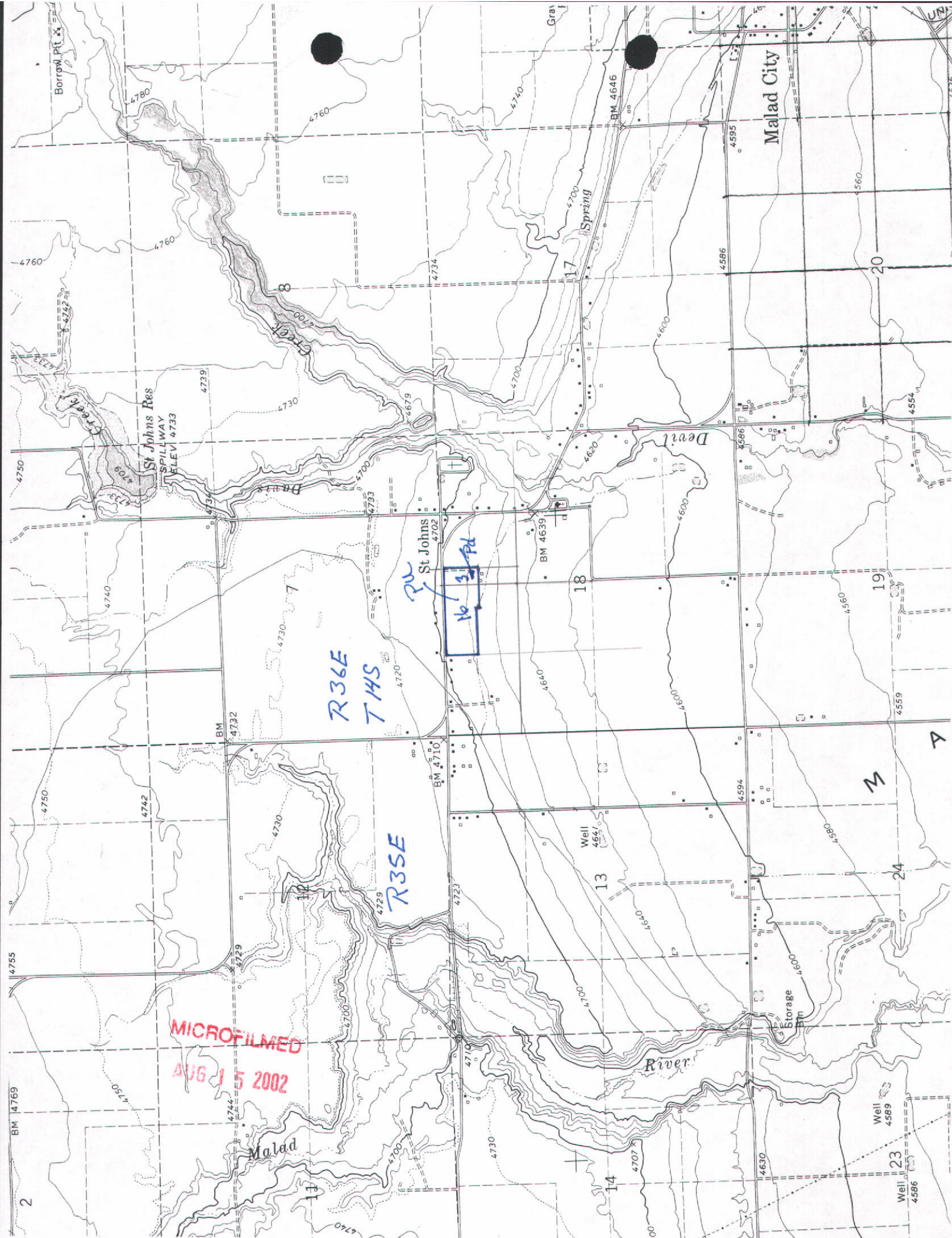




1791 AFFIDAVIT OF PUBLICATION

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.

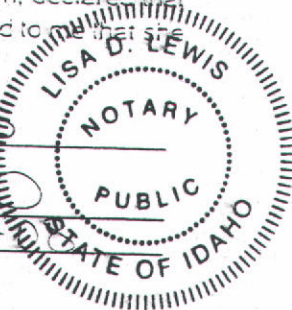
Such notice was published in the issue beginning with 6-20-2002 and ending with the issue of 6-27-2002

Kristine D. Smith

STATE OF IDAHO)
)
 COUNTY OF ONEIDA)

On this 3 day of July 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: 2-05-2005



Received
 7/8/02
 original is
 in file
 15-7226

MICROFILMED
 AUG 15 2002

copy of the protest to the applicant.
 KARL J. DREHER, Director
 Published on June 20 and 27, 2002
 The following application(s) have been filed to appropriate the public waters of the State of Idaho:
 15-7227
 DAVID D TALBOT
 1444 N 3400 W
 MALAD ID 83252
 Point(s) of Diversion: NENE S7
 T14S R36E, ONEIDA County
 Source GROUND WATER
 Use: IRRIGATION 04/01 To 10/
 31 2.64 CFS
 Total Diversion: 2.64 CFS
 Filed: 05/30/2002
 Use: IRRIGATION

T14S R36E S5 NWSW SWSW
 T14S R36E S7 NENE
 T14S R36E S8 NWNW
 Number of Acres 132
 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 July 8, 2002. The protestant must also send a copy of the protest to the applicant.
 KARL J DREHER, Director
 Published on June 20 and 27, 2002
 The following application(s) have been filed to appropriate the public waters of the State of Idaho:
 15-7228

OWEN DANIELS
 2585 W 2000 N
 MALAD ID 83252
 Point(s) of Diversion: NWNE S18
 T14S R36E, ONEIDA County
 Source GROUND WATER
 Use: IRRIGATION 04/01 To 10/
 31 0.38 CFS
 Total Diversion: 0.38 CFS
 Date Filed: 06/04/2002
 Place Of Use: IRRIGATION
 T14S R36E S18 NWNE NENW
 Number of Acres 19
 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 July 8, 2002. The protestant must also send a copy of the protest to the applicant.
 KARL J DREHER, Director
 Published on June 20 and 27, 2002
 L. #2891 6/20/02-6/27/02-2T

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 15-07228

Priority: 06/03/2002

Maximum Diversion Rate: 0.38 CFS

This is to certify, that OWEN DANIELS
2585 W 2000 N
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>
IRRIGATION	04/01 to 10/31	0.38 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NE¼ Sec. 18, Twp 14S, Rge 36E, 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	36E	18			3.0				16.0										19.0

Total Acres: 19

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before August 1, 2004.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. 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.
6. 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.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director at Boise, this 24th day of July, 2002.

RECEIVED
JUL 15 2002

Karl J Dreher
for KARL J DREHER, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUL 16 2002

Department of Water Resources

1. Name of Applicant Owen J. Daniels Phone 208 766 4504
Mailing address 2585 West 2000 North Malad, Idaho 83252
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 14S Range 36E Sec. 18, in the _____ 1/4,
NW 1/4, NE 1/4, Govt. Lot _____, B.M., Onida County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount .38 for Irrigation purposes from April 1 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) .38 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 and pump for irrigation via a sprinkler system
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is 10" inches; proposed depth of well is 200' feet
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? _____; Drilling firm _____;
 Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW.
 - b. Stockwatering; list number and kind of livestock.
 - c. Municipal; show name of municipality.
 - d. Domestic; show number of households.
 - e. Other; describe fully. _____

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JUL 15 2002

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	36E	18		3			16												19

Total number of acres to be irrigated 19

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

1 1/2 shares of St. John Irrigation

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 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

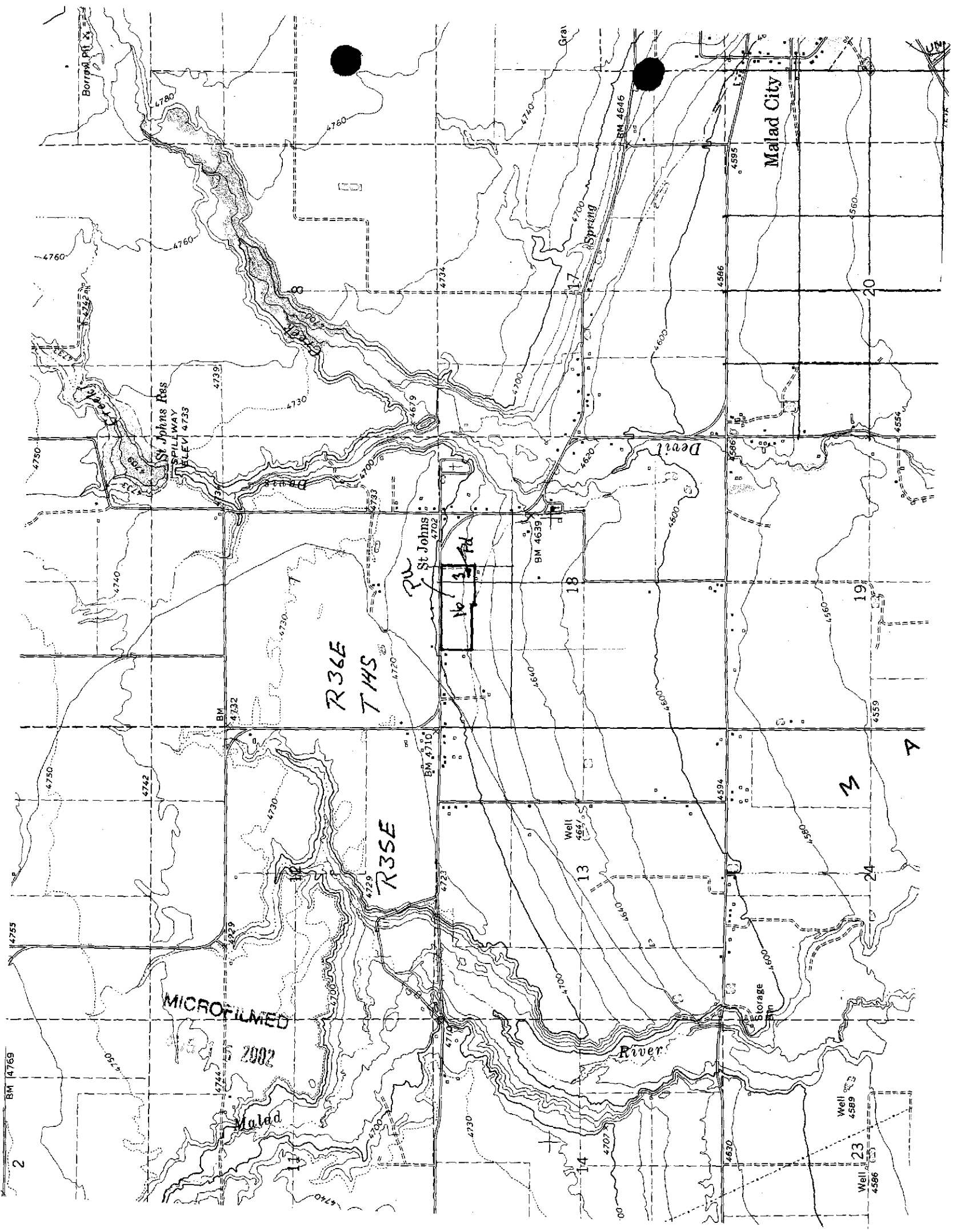
MICROFILMED

AUG 15 2002

Clara J. Daniel
Signature of Applicant (and title, if applicable)

Received by Dennis Dunn Date 3 June 2002 Time 10:59 Preliminary check by E027811

Fee \$ 250.00 Received by Dennis Dunn # _____ Date 3 June 2002
Publication prepared by SC Date 6/20 & 6/27/02 Published in Idaho Enterprise
Publication approved _____ Date 7/8/02



OWEN J. DANIELS

66300100456330998

ATTACHMENT A
Property Description

COMMENCING AT A POINT 142 RODS WEST OF THE NORTHEAST
CORNER OF SECTION 18, TOWNSHIP 14 SOUTH, RANGE 36 EAST,
BOISE MERIDIAN; THENCE RUNNING SOUTH 610.5 FEET;
THENCE WEST 641 FEET; THENCE NORTH 60 FEET; THENCE
WEST 807 FEET; THENCE NORTH 550.5 FEET; THENCE EAST
1448 FEET TO THE POINT OF BEGINNING. T-3718.
SITUATE IN THE COUNTY OF ONEIDA, STATE OF IDAHO.

MICROFILMED

406 1 5 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 15-7228

Reviewed By: dgibson

Date: June 15, 2005

	<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.:		0026545
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		E027811, C074760	Well driller's report filed?	X	
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		08/05/2004
Date proof due	-	08/01/2004
Lapse notice sent	-	
No. of days late	=	4
Holiday allowance	+	
Priority date	+	06/03/2002
New priority date	=	06/07/2002

Deficiencies of Actions Items

Acknowledge proof.



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

July 25, 2002

OWEN DANIELS
2585 W 2000 N
MALAD ID 83252

RE: Permit No. 15-7228

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

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

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

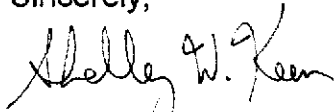
MICROFILMED

AUG 15 2002

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,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

AUG 15 2002

CERTIFICATE OF SERVICE

I hereby certify that on July 25, 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. 15-7228

**OWEN DANIELS
2585 W 2000 N
MALAD ID 83252**


Kari Lynn Townsend
Secretary

MICROFILMED

AUG 15 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
AUG 15 2002

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.

MICROFILMED
AUG 15 2002

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 7/22/02

No. 15-7228 Name: Daniels Corp. Officers N/A Ad ok ☒ Govt Lots

AREA OF CONCERN No/Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104 *edit not full supply*
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (-85 GW)
Mitigation - 121
Trust - 051 (consumptive uses)
Non-Trust - 048 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE/PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-122-08A

BENEFICIAL USE DUE: 8/01/2004

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD

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

RIVER BASINS: (SW special considerations)

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

USES:

MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-122-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
>1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 4/1 - 10/31 (Per updated map)

IRR VOLUME/ACRE 3.5

OTHER CONDITIONS/REMARKS

COMMENTS

15-7033 the only overlapping st, however
St John Irr its have no pds listed, see item
#10 on app.

JUL 13 2002

Dist for Staffing _____
Submitted for advertising 6-4-02

INITIAL REVIEW BY HWT DATE 6-4-02 APPLICATION NO. 15-7228
 REQUIRED INFORMATION 69926

- ☒ 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

- | | |
|--|--|
| ☐ | 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, <u>attach trust water supplementary analysis sheet</u>) |
| ☐ Yes | ☐ No Public Water System |
| ☐ Yes | ☐ No Planning section review |
| ☐ Yes | ☐ No Moratorium Hold file |
| ☐ See reverse side for additional information | |

Date Requested

- | | | |
|-------------------|------------------|--|
| <u>1</u> Yes | <u> </u> No | In form for advertising |
| <u> </u> Yes | <u>1</u> No | Statewide advertising |
| <u>1</u> Yes | <u> </u> No | Fee amount, receipt date & No. recorded on application |

- | | |
|--|---------------------------|
| _____ Id Dept of Environmental Quality | _____ U.S. BLM |
| _____ Id Dept of Fish & Game | _____ U.S. Forest Service |
| _____ Id Dept of Lands | _____ Water District |
| _____ Adjudication Bureau Unit | _____ Other _____ |

RECEIVED
JUL 16 2002
DEPARTMENT OF WATER RESOURCES

☒	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 6-03-02
By: [Signature] Date: 7-9-02
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

[illegible]

7791

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 6-20-2002 and ending with the issue of 6-27-2002

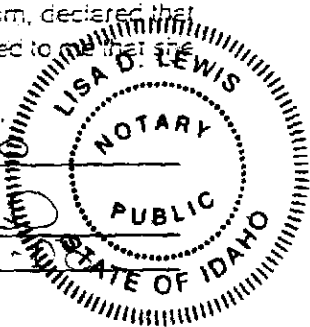
Kristine D. Smith

STATE OF IDAHO)

COUNTY OF ONEIDA)

On this 3 day of July 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: 2-05-2005



Received
7/8/02
original is
in file
15-7226

MICROFILMED
JUL 15 2002

WATER DIVISION, Eastern Region
Published on June 20 and 27, 2002
The following application(s) have been filed to appropriate the public waters of the State of Idaho:
15-7226
DAVID D TALBOT
1404 N 3100 W
MALAD ID 83252
Point(s) of Diversion: NENE S7 T14S R36E, ONEIDA County
Source: GROUND WATER
USE: IRRIGATION 6400' 10' 10' 31' 05' 05' 05'
Total Diversion: 0.25 CFS
Date Filed: 6/14/02
Filed for: 1000' 10' 10' 31' 05' 05' 05'
T14S R36E S10 NE NW
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 July 8, 2002. The protestant must also send a copy of the protest to the applicant.
KARL J. DREHER, Director
Published on June 20 and 27, 2002
L #2891 6/20/02-6/27/02-27

THE IDAHO ENTERPRISE
PUBLISHED ON JUNE 20 AND 27, 2002
THE FOLLOWING APPLICATION(S) HAVE BEEN FILED TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO:
15-7226
DAVID D TALBOT
1404 N 3100 W
MALAD ID 83252
Point(s) of Diversion: NENE S7 T14S R36E, ONEIDA County
Source: GROUND WATER
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KARL J. DREHER, Director
Published on June 20 and 27, 2002
L #2891 6/20/02-6/27/02-27

OWEN DANIELS
2505 W 2000 N
MALAD ID 83252
Point(s) of Diversion: NENE S18 T14S R36E, ONEIDA County
Source: GROUND WATER
USE: IRRIGATION 6400' 10' 10' 31' 05' 05' 05'
Total Diversion: 0.25 CFS
Date Filed: 6/14/02
Filed for: 1000' 10' 10' 31' 05' 05' 05'
T14S R36E S10 NE NW
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 July 8, 2002. The protestant must also send a copy of the protest to the applicant.
KARL J. DREHER, Director
Published on June 20 and 27, 2002
L #2891 6/20/02-6/27/02-27



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
June 12, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

OWEN DANIELS
2585 W 2000 N
MALAD ID 83252

RE: Application for Permit No 15-7228

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 June 20 and 27, 2002. Submittal of protests to this application will be allowed for a period ending ten days (July 8, 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
AUG 15 2002



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

June 12, 2002

Legal Notice Department

Idaho Enterprise
PO Box 205
Malad City ID 83252

RE: Application for Permit No. 15-7226, 15-7227 and 15-7228

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 July 8, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*Mailed
6/13/02
SC*

MICROFILMED

AUG 15 2002

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

15-7228

OWEN DANIELS
2585 W 2000 N
MALAD ID 83252

Point(s) of Diversion: NWNE S18 T14S R36E, ONEIDA County
Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.38 CFS

Total Diversion: 0.38 CFS

Date Filed: 06/04/2002

Place Of Use: IRRIGATION

T14S R36E S18 NWNE NENW

Number of Acres 19

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 July 8, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

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AUG 15 2002