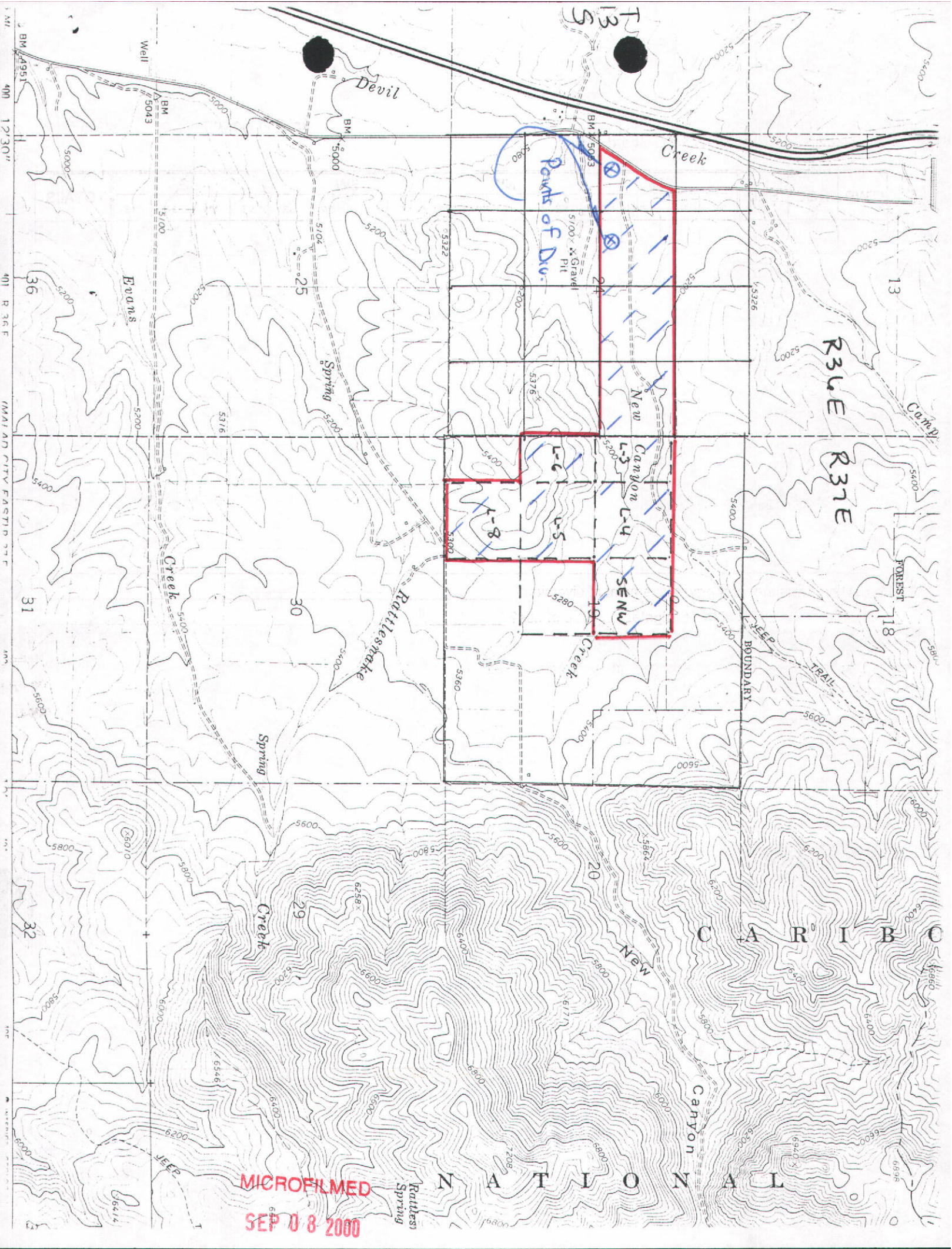




Points of Div.

New Canyon
L-3 L-4 L-5 L-6 L-7 L-8
SE NW

MICROFILMED
SEP 08 2000

Rattlesnake Spring

N A T I O N A L

C A R I B O U

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME RECEIVED
OCT 17 2003
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT 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. 15-7187
Name(s) of Permit Holder: Blaine Price
Address: 6403 N Old Hwy 191 City Mandalay City State ID Zip 83252
Telephone No. 766-2221 Date Proof is Due: Oct. 15, 2003

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".)

(1) one well drilled, Electric motor installed + pumping 1 cfs
cost of Drilling \$36,000.00, 50 hp motor + panel \$18,000.00 misc. welding
Total cost to date \$64,000.00 power hookup
4 years drought conditions - water Table fluctuation backhoe \$10,000.00
Costing \$ 64,000.00

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

4 years of drought conditions on Owyhee County
Water table in first well - fluctuation

Permit holder(s) request an extension to Aug 1
Oct. 15 08, 20 08

Blaine Price
(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

REINSTATED with the priority advanced to August 6, 2000. IT IS FURTHER ORDERED that the time within which to submit proof of beneficial use is extended to August 1, 2008.

Signed this 12th day of December, 2003

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.*

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 15-07187

Priority: May 18, 2000

Maximum Diversion Rate:

5.00 CFS

This is to certify, that **BLAINE PRICE**

6403 N OLD HIGHWAY 191

MALAD ID 83252

has applied for a permit to appropriate water from: **GROUND WATER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 10/31

5.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 24, Township 13S, Range 36E

SENEW , Sec. 24, Township 13S, Range 36E

ONEIDA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13S	36E	24	SWNE 40.0	SENE 35.0	SWNW 25.0		
			SENEW 40.0				140.0
37E	19	Lot 3 (SNNW)	20.0	Lot 4 (SNNW)	15.0	SENEW 30.0	
		Lot 5 (NNSW)	20.0	Lot 8 (NNSW)	10.0	Lot 8 (SWSW) 35.0	130.0

Total number of acres irrigated:

270.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **August 1, 2003**.
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.

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SEP 08 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 15-07187

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

4th day of August, 2000.


Karl J. Dreher, Director
for



MICROFILMED

SEP 08 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No.

15-07187

RECEIVED

MAY 30 2000

Department of Water Resources
Eastern Region

RECEIVED

JUL 17 2000

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant BLAINE PRICE Phone 208-766-2221
Mailing address 6403 N. Old Hwy 191 Malad, ID 83252
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 13S Range 36E Sec. 24, in the _____ 1/4,
SW 1/4, NW 1/4, Govt. Lot _____, B.M., Oneida County;
additional points of diversion if any: SENE Sec 24 T13S R36E
4. Water will be used for the following purposes:
Amount 5.00 cfs for Irrigation purposes from 4-1 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 5.00 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 200hp motor pump with
4000' of mainline + 5 1/4 mile wheel lines
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 300 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 23 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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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	
13S	36E	24			40	35			25	40									140
13S	37E	19							4-4 15	30			4-5 20	4-8 35					130
									4-3 20				4-8 10						

Total number of acres to be irrigated 270

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

Permit 15-07113 was relinquished.

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.

MICROFILMED

SEP 08 2000

Blaine Price

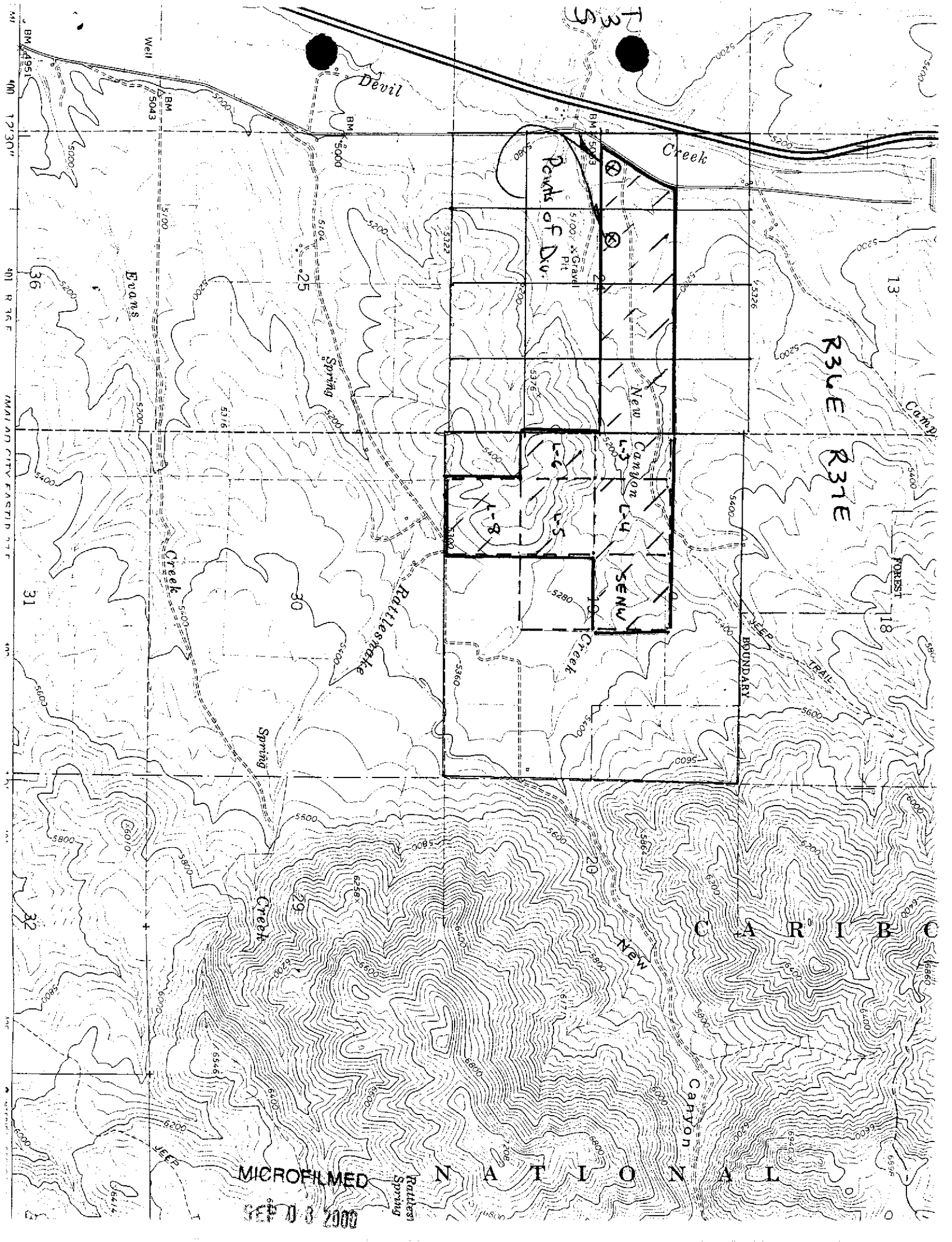
Signature of Applicant (and title, if applicable)

Received by HWT Date 5-18-00 Time _____ Preliminary check by _____

Fee \$ 180.00 Receipted by HWT # E025832 Date 5-18-00

Publication prepared by SC Date 6/15 & 6/22/00 Published in Idaho Enterprise

Publication approved SC Date 7/3/00



MICROFILMED

SEP 10 8 2000

CARIBBEAN NATIONAL FOREST

Rattlesnake Spring



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

December 15, 2003

BLAINE PRICE
6403 N OLD HIGHWAY 191
MALAD ID 83252

Re: Permit No. 15-7187

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 **August 1, 2008**. Please note that the approved request reinstates the permit, however, since your request was submitted after the proof due date the priority of the permit advances to August 6, 2000, as referenced in Section 42-218a, Idaho Code.

Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department may not be able to grant additional extensions based on due diligence.

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.

Thank you for returning this request for additional review, I apologize for your inconvenience. I have submitted a request to correct the database process. Please feel free to contact me at (208)327-7953 if you have questions.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 15-7187 Reviewed by dg Date 12/11/03

BASIC INFORMATION

10/10/03 Date stamp received
Y. Extension received timely
Y Fee received and receipted
Y Name and signature same as permit
No Address Change

BASIS FOR EXTENSION REQUEST

Y Has adequate work been completed to demonstrate due diligence?
N Has the permit been involved in litigation?
 Is supporting documentation needed to complete the file? _____ Requested? _____
N Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____ Requested? _____
N Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Reinstate & advance priority to 8/6/00.
 Acknowledge request & grant extension to Aug. 1, 2008. 5 yrs oh. because of large irrigation project/drought cond.

PRIORITY CALCULATION

Date extension received	<u>10/10/03</u>	=	<u>283</u>
Proof due date	<u>8/1/03</u>	=	<u>213</u>
Number of days late		=	<u>70</u>
Priority date	<u>5/18/00</u>	=	<u>138</u>
New Priority Date	<u>8/6/00</u>	=	<u>218</u>

Lapse sent 8/12/03.
(224) / (59) late

DATA ENTRY

New Address N/A
 Change Proof Due Date 8/1/08
 Change Priority Date 8/6/00

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 15-7187

Reviewed By: dgibson

Date: October 31, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Request received timely?		X	Is delay by a government agency?		
Appropriate fee	X		Is supporting documentation needed to support the file?		
Additional Amount Due:					
Receipt No.:	E025832,		Has the permit been involved in litigation?		
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	10/10/2003	New proof due date
Date proof due	- 08/01/2003	
Lapse notice sent	- 08/12/2003	
No. of days late	= <u>70</u> <i>59 days</i>	
Holiday allowance	+	
Priority date	+ 05/18/2000 - ?	
New priority date	= <u>Cannot reinstate</u>	

$8/12 = 224$
 60
 $10/11 = 284$
Filed $10/10 = 283$
 $01(59) -$

Action Taken

Cannot reinstate request for extension of time. Area of development is still open for applications. Permit holder should reapply for permit.

Called 12/8 to find out why reg. was returned. He will send it back in to be processed. Fee was not refunded. (766-2221 Blaine)

To: Deborah Gibson

RECEIVED

OCT 13 2003

Division of Motor Resources

From: Blair Price

Ref.: Permit No. 15-7187

Phone conversation 12-8-03 (1:30PM)

As per our phone conversation - is
inclosed paperwork you requested. Thanks
for your time and consideration in this
matter.

Blair Price

metrol, Idaho

766-2221

Idaho Department of Water Resources Receipt

Receipt ID E029280

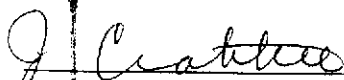
Payment Amount	\$50.00	Date Received	10/10/2003 3:24:15 PM	Region	Eastern	Status	
Payment Type	Check	Check Number	14593				

Payer OXFORD SPRINGS INC

Comment 15-7187 EXTENSION OF TIME

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	EXTENSIONS	0229	21	63103	1155



Signature Line (Dept. Representative)



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

November 6, 2003

BLAINE PRICE
6403 N OLD HWY 191
MALAD CITY ID 83252

Dear Permit Holder(s):

Returned is the original Request for Extension of Time you filed with the department on October 10, 2003. The department is not authorized to accept your request, since it was submitted after the permit had lapsed, and the permit had no force nor effect. In order to continue the development of a water right in connection with your project, you may be able to file Proof of Beneficial Use on what has been developed, and apply for a second permit to finish the remainder of your project while your area for development is open for applications. Or reapply for the entire permit again. Please contact the Eastern Regional Office in Idaho Falls for assistance.

Enclosed for your consideration and use is a blank Proof of Beneficial Use form with its instructions and a fee schedule for your use if you are able to file proof on what has been developed. If you have any questions, please contact me at (208)327-7953, or the Eastern Region at (208)525-7161.

Sincerely,

A handwritten signature in cursive script that reads "Deborah J. Gibson".

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

cc: Eastern Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME **RECEIVED**
OCT 17 2003
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT
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. 15-7187
Name(s) of Permit Holder: Blaine Price
Address: 6403 N Old Hwy 191 City Minaloa City State Id Zip 83252
Telephone No. 766-2221 Date Proof is Due: Oct. 15, 2003

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".)

(1) one well drilled, Electric motor installed + pumping 1 cfs
cost of Drilling \$36,000⁰⁰, 50 hp motor + panel \$18,000⁰⁰ misc. welding
Total cost to date \$64,000⁰⁰ power hookup
backhoe \$10,000⁰⁰
4 years drought conditions - water table fluctuation
Costing \$ 64,000⁰⁰

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

4 years of drought conditions in Oneida County
Water table in first well - fluctuation

Permit holder(s) request an extension to Oct. 15, 20 08

Blaine Price
(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

Signed this _____ day of _____, 20____

August 12, 2003

BLAINE PRICE
6403 N OLD HWY 191
MALAD CITY, ID 83252

LAPSE NOTICE

RE: PERMIT NO. 15-7187

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated May 31, 2003. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

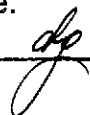
Sincerely,

L. Glen Saxton, Administrator
Water Management Division

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 8/13/03
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



May 31, 2003

BLAINE PRICE
6403 N OLD HWY 191
MALAD CITY, ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-7187

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 August 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.

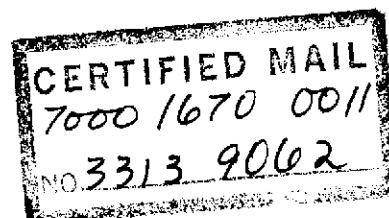
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 8, 2000

BLAINE PRICE
6403 N OLD HIGHWAY 191
MALAD ID 83252

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 15-07187

Dear Permit Holder:

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

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report may result in the permit being voided.

REPORT MICROFILMED
SEP 08 2000

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 reporting form.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

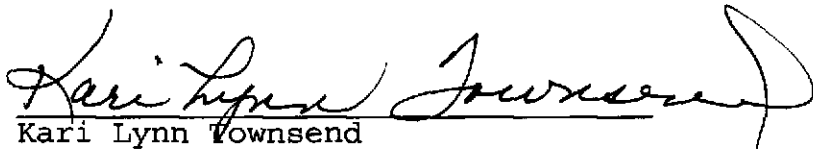
SEP 08 2000

CERTIFICATE OF MAILING

I hereby certify that on the 8th day of August, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 15-07187

BLAINE PRICE
6403 N OLD HIGHWAY 191
MALAD ID 83252


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 08 2000

**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).

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SEP 08 2000

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.

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Sharla Curtis on 7/25/00

No. 15-07187 Name: Price 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 **(P23)**
Basin 34 - 084 (if necessary)
Irr. w/in WD - **P05**
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
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
42-248 Area - **P84** (20s-70s, 81-86)
Swan Falls Flag -
Trust - 051 **(P74)** (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

~~STORAGE~~ - 18A-01H **(P01)**, 01P-18B **(P09)**-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/USFS)
MINING - 054-081 **(P10)**
FISH PROP - 029(70's only)-007-042-081 **(P10)**
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 8 / 01 / 2003

MISC CONDITIONS/REMARKS:

~~Protected~~ - 020-W19
Development Period
≤ 1 yr - **P16**
> 1 yr - 26A **(P17)**
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (√Flow Chart)

F&G contacted - Yes/No Response _____
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE _____
In-stream development - **P52**
WD - **P04** (WD# _____)
≤ 0.20 cfs/others 01H(P01), 01P or No MD
> 0.20 cfs - 01J **(P08)**

SPRINGS/SINK, INACTIVE WD & REST OF STATE

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

RIVER BASINS: (SW special considerations)

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

USES:

POWER - 17H-17K (+uses)-08A-025 **(P18)**-01N-081 **(P10)**
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
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 41 - 10/31 (Per updated map)

IRR VOLUME/ACRE 3.5

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

RECEIVED

JUL 17 2000

Dist for Staffing
Submitted for advertising 5-31-00

Blaine Price

Department of Water Resources
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT ANALYSIS PERMIT

INITIAL REVIEW BY HWT DATE 5-31-00 APPLICATION NO. 15-07187

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

FINAL REGIONAL PROCESSING REVIEW:

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

Date of priority recommendation

By: [Signature]

Date: 5-18-00
7-12-00

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

2658

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
10-15-2000 and ending with
the issue of 10-20-2000

Kristine D. Smith

STATE OF IDAHO)
)
COUNTY OF ONEIDA)

On this 29 day of June in the year of 2000
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: 2-05-02

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application (s)
have been filed to appropriate the
public waters of the State of Idaho:
15-07187

PRICE, BLAINE
6403 N. OLD HIGHWAY 191
MALAD, ID 83252
Source: GROUNDWATER
Diversion Pt: SWNW Sec 24 T
13S R 36E in ONEIDA County.
SEnw Sec 24 T 13S R 36E in
ONEIDA County.

Use: IRRIGATION (5.000 CFS)
Total Diversion: (5.000 CFS)

Date Filed: 5/18/2000

In: ONEIDA County

T13S R36E S24 SWNE
SENE SWNW SENW
R37E S19 Lot 3 (SWNW) Lot 4
(SWNW) SENW Lot 5 (NWSW)
Lot 8 (NWSW) Lot 8 (SWSW)
270.0 ACRES TOTAL

Any protests against the pro-
posed application must be filed
with the Dept. of Water Resources,
900 N. Skyline Dr., Ste A, Idaho
Falls ID 83402, together with a
protest fee of \$25.00 on or before
JULY 3, 2000. to be considered by
the Department in its decision to
grant or deny any part of the pro-
posed application. The protestant
must also send a copy of the pro-
test to the applicant.

Published: 6/15/2000 & 6/22/
2000

L. #2658 6/15/00 6/22/00-2T

RECEIVED

JUL 03 2000

Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

June 7, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BLAINE PRICE
6403 N OLD HWY 191
MALAD ID 83252

RE: Application for Permit #15-07187

Dear Applicant:

This office is currently in the process of advertising the application in the Idaho Enterprise on June 15 and 22, 2000. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

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SEP 08 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JUNE 7, 2000

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

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JULY 3, 2000.

Yours truly,

Sharla Cox
Senior Secretary

Encl.

*Mailed
6/7/00
SC*

MICROFILMED

SEP 03 2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

15-07187

PRICE, BLAINE
6403 N OLD HIGHWAY 191
MALAD, ID 83252

Source: GROUNDWATER

Diversion Pt: SWNW Sec 24 T 13S R 36E in ONEIDA County.
 SENW Sec 24 T 13S R 36E in ONEIDA County.

Use: IRRIGATION (5.000 CFS)
 Total Diversion: (5.000 CFS)

Date Filed: 5/18/2000

In: ONEIDA County
 T13S R36E S24 SWNE SENE SWNW SENW
 R37E S19 Lot 3 (SWNW) Lot 4 (SWNW) SENW Lot 5 (NWSW)
 Lot 8 (NWSW) Lot 8 (SWSW)

270.0 ACRES TOTAL

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls ID 83402, together with a protest fee of \$25.00 on or before JULY 3, 2000. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 6/15/2000 & 6/22/2000
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SEP 08 2000