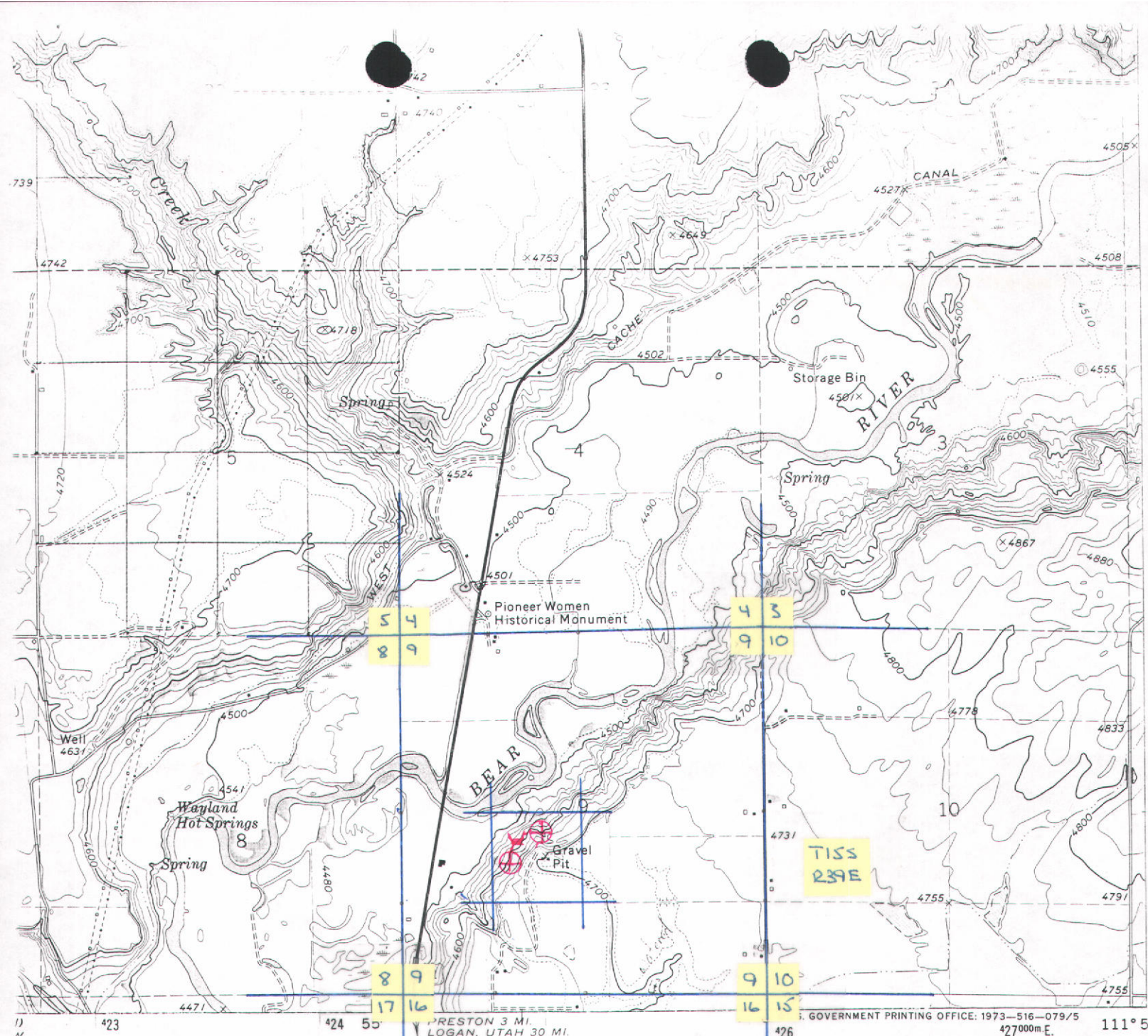




BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
13-07559 IN THE NAME OF DOTTIE) **REINSTATEMENT ORDER**
W. CASPERSON)
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before May 1, 2001; and,

WHEREAS, the Department notified the permit holder on February 28, 2001, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

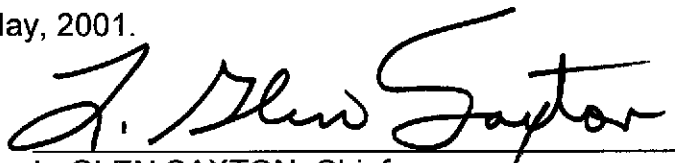
WHEREAS, on May 1, 2001, the permit lapsed since the Department had not received an acceptable proof of beneficial use statement or extension of time from the permit holder; and

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on May 2, 2001;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 13-07559 is **REINSTATED** with an advance in priority to **February 17, 1999**.

DATED this 4th day of May, 2001.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

JUN 01 2001

RECEIVED

MAY - 2 2001

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
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. 13-07559 Telephone No. 208-852-0680

2. Name of Permit Holder(s): Dottie W. Casperson

3. Mailing Address: 1582 North 1400 West
City Preston State Ida Zip 83263

4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock):
35 Cattle 7 Horses
Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 602 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 ✓
Has the measuring device been installed? Yes _____ or No _____

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Dottie Casperson Telephone Number: 852-0680
Address: 1582 N. 1400 W. Preston, Idaho 83263

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: Dottie W. Casperson Date: 4-28-01
(include your title, if on behalf of company or organization)

MICROFILMED

JUN 8 1 2001

RECEIVED
MAR 31 2000

For Office Use Only
\$50 Fee Received by 50.00
Date 4-13-00
Receipt No. C048810

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

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. 13-07559
Name(s) of Permit Holder: Dottie W. Casperson
Address: 1582 N. 1400 W. City Preston State Ida Zip 83263
Telephone No. 208-852-0680 Date Proof is Due: May 1, 2000

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".)

One spring has trough-pipe - the other is not developed
We are planning to do more on this when weather
permits.

Costing \$ _____

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

Side hill work - Weather wet and hill muddy
and slippery. Will work on as soon as it dries up some.
This request for more time should give us enough time to
complete during dry weather.

Permit holder(s) request an extension to November 1, 2000

Dottie W. Casperson
(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

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

APPROVED and the time within which to submit proof of beneficial use is extended
to May 1, 2001.

Signed this 14th day of April, 2000

MICROFILMED

APR 20 2000

L. Glen Saxton
L. Glen Saxton, Chief
Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 13-07559

Proposed Priority: February 16, 1999 Maximum Diversion Rate: 0.02 CFS

This is to certify, that DOTTIE W CASPERSON
1582 N 1400 W
PRESTON ID 83263
has applied for a permit to appropriate water from:
SPRINGS tributary of SINKS

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>
-----------------------	----------------------	--------------------------

STOCKWATER	01/01 to 12/31	0.02 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NENESW , Sec. 9, Township 15S, Range 39E
SWNESW , Sec. 9, Township 15S, Range 39E
FRANKLIN County

PLACE OF USE: STOCKWATER

TWN RGE SEC

15S 39E 9 NESW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 2000.
2. Subject to all prior water rights.
3. Stockwater use is for 35 range cattle and 10 horses.

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

22nd day of April, 1999

[Signature]
for Karl J. Dreher, Director

MICROFILMED

MAY 26 1999

Ident. No. 13-07539

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

APR 07 1999

To appropriate the public waters of the State of Idaho

Department of Water Resources

Red Brick House

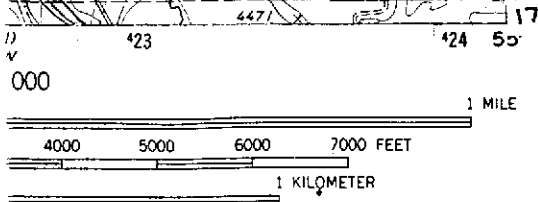
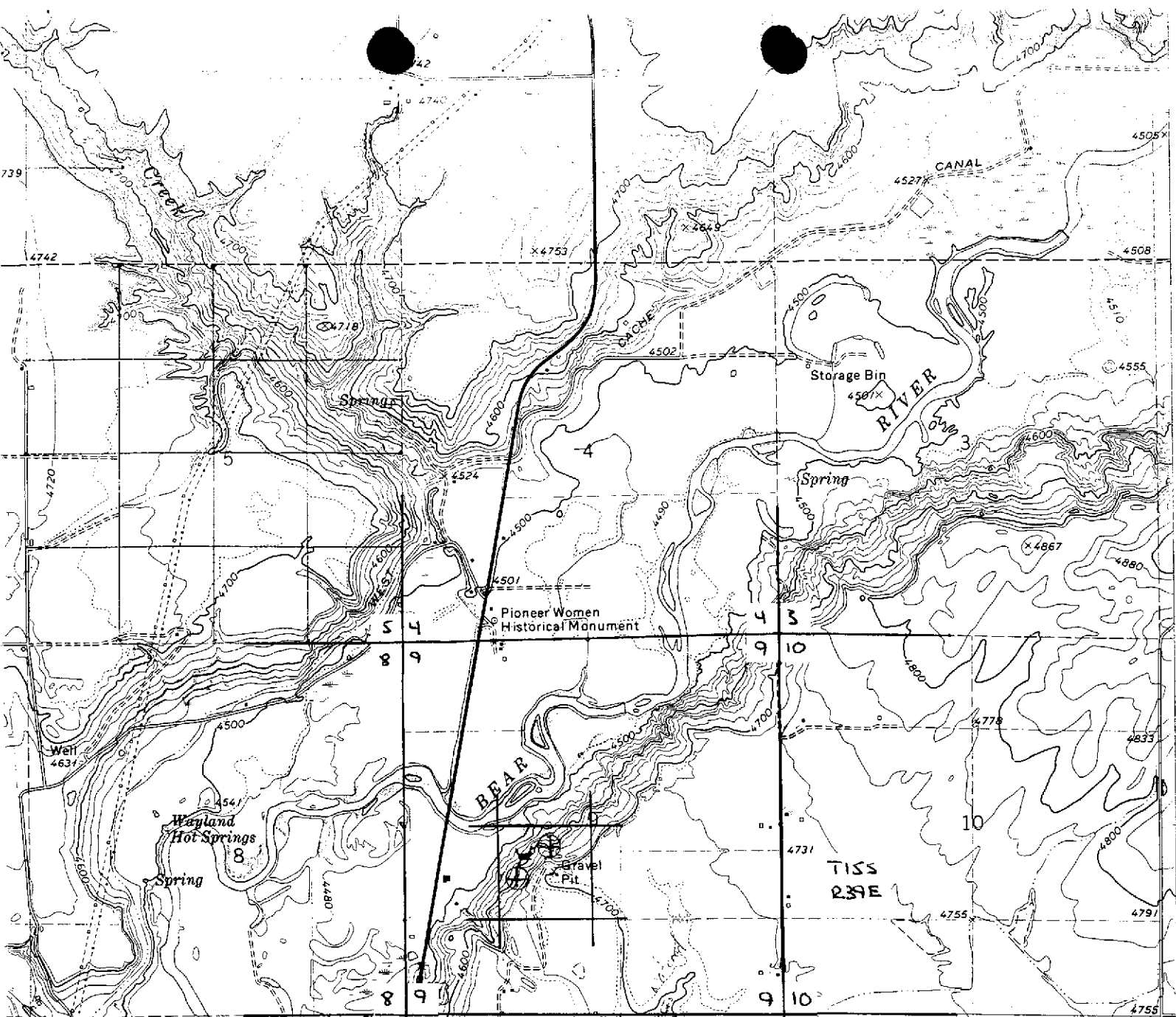
1. Name of Applicant DOTTIE W. CASPERSON Phone (208) 852-0680
Mailing address 1582 N 1400 W PRESTON ID 83263
2. Source of water supply Springs which is a tributary of Sinks
3. Location of point of diversion is Township 15S Range 39E Sec. 9 in the NE 1/4, NE 1/4, SW 1/4, Govt. Lot _____, B.M., FRANKLIN County;
additional points of diversion if any: SWNE SW Sec. 9, T15S, R39E, FRANKLIN County
4. Water will be used for the following purposes:
Amount 0.02 cfs for Stockwater purposes from 1-1 to 12-31 (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) _____ 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 TWO DEVELOPED SPRINGS WITH PIPELINES TO TROUGH
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in KW. _____
b. Stockwatering; list number and kind of livestock. 35 RANGE CATTLE, 10 HORSES
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. _____

MICROFILMED

MAY 26 1999

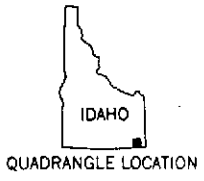
9. Description of place of use:
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC				
155	39E	9				
			NE	NW	SW	SE
			NE	NW	SW	SE
			NE	NW	SW	SE
			NE	NW	SW	SE
			NE	NW	SW	SE
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			NE	NW	SW	SE
			NE	NW		



AL 20 FEET
10-FOOT CONTOURS
SEA LEVEL

MAP ACCURACY STANDARDS
COLORADO 80225, OR WASHINGTON, D. C. 20242
ADDITIONAL SYMBOLS IS AVAILABLE ON REQUEST



GOVERNMENT PRINTING OFFICE: 1973-516-079/5
427000m.E. 111° 5

ROAD CLASSIFICATION

Primary highway, hard surface	Light-duty road, hard or improved surface
Secondary highway, hard surface	Unimproved road
○ Interstate Route	○ U. S. Route
○ State Route	

BANIDA, IDAHO
N4207.5—W11152.5/7.5

1969

AMS 3668 III NW—SERIES V893

MICROFILMED
MAY 26 1989



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

May 10, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DOTTIE W CASPERSON
1582 N 1400 W
PRESTON ID 83263

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 13-07559

Dear Permit Holder:

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

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED

JUN 01 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 13-7559

Reviewed By: dgibson

Date: May 3, 2001

	<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?		X
Receipt No.:		C053486	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	05/02/2001
Date proof due	- 05/01/2001
Lapse notice sent	-
No. of days late	= 1
Holiday allowance	+
Priority date	+ 02/16/1999
New priority date	= 02/17/1999

Deficiencies of Actions Items

Acknowledge proof. Reinstate permit and advance priority to Feb. 17, 1999.

February 28, 2001

DOTTIE W CASPERSON
1582 N 1400 W
PRESTON, ID 83263

PROOF DUE NOTICE

RE: PERMIT NO. 13-7559

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 01, 2001. (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.

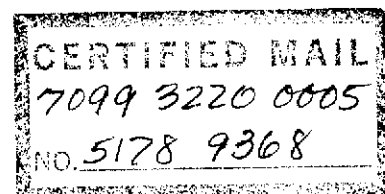
Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

JUN 01 2001





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 14, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DOTTIE W CASPERSON
1582 N 1400 W
PRESTON ID 83263

RE: PERMIT NO. 13-07559

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **May 1, 2001** (we issue extensions in 1 year increments). Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of the project since the department **will not** be able to grant future extension requests 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 this office or any regional 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.

Please contact the department, if you have any questions regarding this matter.

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED
APR 20 2000

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 13-07559 Reviewed by D. Allen Date 4/14/00

BASIC INFORMATION

3/31 Date stamp received
Yes Extension received timely
4/13 Fee received and receipted
Yes Name and signature same as permit
No Address Change

BASIS FOR EXTENSION REQUEST

Yes Has adequate work been completed to demonstrate due diligence?
No Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
No Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
No Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Approve extension to 5/1/2001 for due diligence.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address _____
Change Proof Due Date 5/1/2001
Change Priority Date _____

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

0048810

Date:

Time: 4/18/2000

09:28:32

Received

From:

CASPERSON DOTTIE W

Type of Payment

Program A cct

Amount

EXTENSIONS, # 13-07559	56103	229 21 1155	50.00
------------------------	-------	-------------	-------

Total

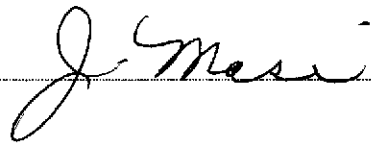
\$

50.00

CHECK

210

Region: STATE

Signature: 

MICROFILMED

APR 20 2000

Permit # 13-07559

To: Deborah Drew-Ellis,

I am enclosing a check for \$50⁰⁰
but I had paid this amount to
Idaho Falls Dept of Water Resources
when I filed on the springs.
Therefore - I did not enclose
another \$50 because I did not
feel it was required.

I appreciate your help.

Thank You,

Dottie Casperson
1582 N. 1400 W.
Preston, Idaho

83263

RECEIVED

APR 13 2000

Department of Water Resources

MICROFILMED

APR 20 2000

RECEIVED

MAR 31 2000

RECEIVED

APR 13 2000

Department of Water Resources

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

COPY

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

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. 13-07559

Name(s) of Permit Holder: Dottie W. Casperson

Address: 1582 N. 1400 W. City Preston State Ida Zip 83263

Telephone No. 208-852-0680 Date Proof is Due: May 1, 2000

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".)

One spring has trough-pipe - the other is not developed
We are planning to do more on this when weather
permits.

Costing \$ _____

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

Side hill work - Weather wet and hill muddy
and slippery. Will work on as soon as it dries up some.
This request for more time should give us enough time to
complete during dry weather.

Permit holder(s) request an extension to November 1, 2000

Dottie W. Casperson
(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____

MICROFILMED

APR 20 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Dottie W. Casperson
1582 N. 1400 W.
Preston, ID 83263

RE: Permit No. 13-07559

Dear Permit Holder:

Enclosed is a copy of your recent Request for Extension of Time submitted in connection with the above referenced water right. In order for the department to take action on the extension request, it must be accompanied by a \$50.00 filing fee.

Please return the copy of the extension request along with the \$50.00 filing fee prior to the May 1, 2000 proof due deadline, and address your correspondence to my attention.

Please contact me directly at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Deborah Drew-Ellis".

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Enclosure

MICROFILMED
APR 20 2000

February 28, 2000

DOTTIE W CASPERSON
1582 N 1400 W
PRESTON ID 83263

PROOF DUE NOTICE

RE: PERMIT NO. 13-07559

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 2000.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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

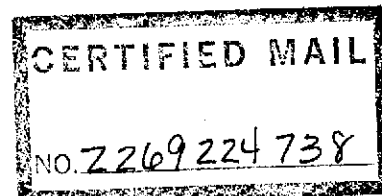
SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED

APR 28 2000





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 22, 1999

DOTTIE W CASPERSON
1582 N 1400 W
PRESTON ID 83263

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 13-07559

Dear Permit Holder:

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

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

MICROFILMED

MAY 26 1999

SK:klt

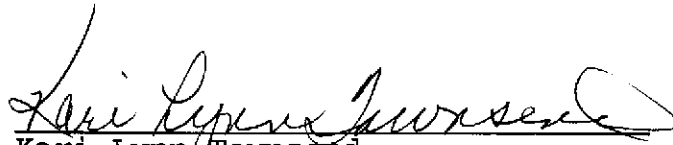
Enclosures

CERTIFICATE OF MAILING

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

Water Right No. 13-07559

DOTTIE W CASPERSON
1582 N 1400 W
PRESTON ID 83263


Kari Lynn Townsend
Secretary

MICROFILMED

MAY 26 1999

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

MICROFILMED

MAY 26 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by Cindy StenNo.: 13-07559 Name: Casperson Date: 4/20/99 Ad OK? ☒ ☒ Gvmt Lts: ☒

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

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

SYSTEM COMPLETED:

> 1 year - 26A-P17
≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

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

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

FISH & GAME CONTACTED: - YES / NO; WHEN: 2/23/99 RESPONSE: None
IN/ABOVE MSF (✓ MAP) - *WB9
IN-STREAM DEVELOPMENT - P52 (stream channel alteration)
WD (✓ MAP & LISTING) - R04 (WD # _____)
> 0.20 cfs - 01J-P08 (MD & LD)
≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)
WMD (✓ MAP)
> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
≤ 0.24 cfs/5 acres - No MD
SPRINGS/SINK, INACTIVE WD & REST OF STATE
> 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

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

USE:

STORAGE (✓3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA
IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
> 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
STOCKWATER - R37 (BLM/USFS); NA
MINING - 054(req) -081-P10
FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
HEATING/COOLING - R07 (injection well)
POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);
17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18
MUNICIPAL
In restricted area? - 022, 075, 004 (+memo?)
Irr., GW supp. to SW? - 102

DOMESTIC

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

FIRE PROTECTION

- 077

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)
MITIGATION - 120
42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
SWAN FALLS FLAG (✓Code) -
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS: - 0 W02/35RC/10HBENEFICIAL USE DUE: - 5 /1/ 2000

COMMENTS:

RECEIVED

APR 07 1999

Dist. for staffing

Department of Water Resources Submitted for advertising

2-17-99

Form No. 202

4/87

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS PERMIT

CASPERSON

INITIAL REVIEW BY HWT DATE 2-17-99 APPLICATION NO. 13-07559

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☒ Overlapping point of diversion 13-07174 (Different set of springs according to applicant)
- ☐ Yes ☒ No Field check required
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- See reverse side for additional information
- *REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

PROCESSING

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

SEND COPIES TO

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

FINAL REGIONAL PROCESSING REVIEW

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

Date of priority recommended 2-16-1997
By: [Signature] Date: 4-1-97

STATE OFFICE REVIEW

By _____ Date: _____
ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

_____ City	_____ Idaho Fish & Game	_____ Irrigation Dist.
_____ County	_____ Idaho Health & Welfare	_____ Canal Company
_____ Reservations	_____ Div. of Environment	_____ Other _____

Project impacts/implications report

COMMENTS

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white. There is no handwriting or other markings on the page.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. WALTER ROSS

being duly sworn,

deposes and says:

That he is the PUBLISHER of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said

newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper 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

3/3, 1999, and ending
with the issue of 3/10, 1999

Fee \$ 58.24

Subscribed and sworn to before me this 10 day
of March, 1999.

Notary Public, Residing at Preston, Idaho

My Commission Expires 8/14, 2001.

RECEIVED

APR 01 1999

Department of Water Resources
Eastern Region

NOTICE OF APPLICATION
FOR WATER RIGHT

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

13-07559

CASPERSON, DOTTIE W
1582 N 1400 W
PRESTON, ID 83263

Source: SPRINGS

Tributary: SINKS

Diversion Pt: NENESW Sec 9 T
15S R 39E in FRANKLIN County.

SWNESW Sec 9 T 15S R 39E in
FRANKLIN County.

Use: STOCKWATER (0.020 CFS)

Total Diversion: (0.020 CFS)

Date Filed: 2/16/1999

In: FRANKLIN County

T15S R39E S09 NESW

Any protest against the proposed application must be filed with the Department of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls, ID 83402, together with a protest fee of \$25.00 on or before MARCH 22, 1999, to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Legal No. 4775 - Publish
March 3 and 10, 1999.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

February 23, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

IDAHO FISH & GAME
1345 BARTON RD
POCATELLO ID 83201

RE: Application for Permit #13-07559

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is March 22, 1999, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.

MICROFILMED

MAY 26 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

February 23, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

**DOTTIE W CASPERSON
1582 N 1400 W
PRESTON ID 83263**

RE: Applications for Permit #13-07559

Dear Applicant:

This office is currently in the process of advertising the application in the Preston Citizen on March 4 and 11, 1999. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

Sincerely,

**Harold W. Jones
Water Right Supervisor**

HWJ::sc

MICROFILMED
MAY 26 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FEBRUARY 23, 1999

Legal Notices Department
THE PRESTON CITIZEN
P.O. BOX 472
PRESTON, ID 83263

Gentlemen:

Enclosed you will find a legal notice 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 MARCH 22, 1999.

Yours truly,

Sharla Cox
Secretary

Encl.

MICROFILMED

MAY 26 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

13-07559

CASPERSON, DOTTIE W
1582 N 1400 W
PRESTON, ID 83263

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Tributary: SINKS

Diversion Pt: NENESW Sec 9 T 15S R 39E in FRANKLIN County.
 SWNESW Sec 9 T 15S R 39E in FRANKLIN County.

Use: STOCKWATER (0.020 CFS)
 Total Diversion: (0.020 CFS)

Date Filed: 2/16/1999

In: FRANKLIN County
 T15S R39E S09 NESW

Any protest against the proposed application must be filed with the Department of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls, ID, 83402, together with a protest fee of \$25.00 on or before MARCH 22, 1999. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

Published: 3/ 4/1999 & 3/11/1999

KARL J. DREHER, Director

MICROFILMED

MAY 26 1999