

**STARTING
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RE EIVED

JUL 25 2005

DEPARTMENT OF
WATER RESOURCES

FOR OFFICE USE ONLY

Amt. of Fee \$: 50-

Receipt No. W033191

Receipt By: DB

Date Received: 7-20-05

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

JUL 20 2005

WATER RESOURCES
WESTERN REGION

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. 55-13827 Telephone No. 208-896-5916
2. Name of Permit Holder(s): USDI BLM Owyhee Field Office
3. Mailing Address: 20 First Avenue
City Marsing State ID Zip 83639
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): 410 cattle
Irrigation (No. of acres): _____ Other: Wildlife - Big Game
6. Total rate of diversion and/or volume for which proof is submitted: 0.20 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X
8. Fee Enclosed: \$ _____ (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: Bob Arnold Telephone Number: 208-896-5918
Address: 20 First Ave. Marsing, ID 83639
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: [Signature] Date: 7/14/05
(include your title, if on behalf of company or organization)

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 28 2004

WATER RESOURCES
WESTERN REGION

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. 55-13827

Name(s) of Permit Holder: U.S. Dept. of the Interior, Bureau of Land Management

Address: 13875 Vinnell Way City Boise State ID Zip 83709

Telephone No. 208 373-4097 Date Proof is Due: 8-1-2004

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".)

Site surveys for special status plant & animal species and cultural resources have been completed.

Costing \$ 400.00

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

Due to a lack of adequate funding the project could not be constructed this fiscal year. It is planned for completion next year.

Permit holder(s) request an extension to Aug 1, 20 05

(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 August 1, 2005.

Signed this 22nd day of November, 20 04

Gary Spackman
GARY SPACKMAN

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 55-13827

Priority: April 30, 2003

Maximum Diversion Rate: 0.02 CFS

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
3948 DEVELOPMENT AVE
BOISE ID 83705

has applied for a permit to appropriate water from:

Source: SPRING

Tributary: NIP AND TUCK CREEK

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>
WILDLIFE	01/01 to 12/31	0.02 CFS
STOCKWATER	05/01 to 11/30	0.02 CFS

LOCATION OF POINT OF DIVERSION:

SPRING SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33, Twp 09S, Rge 03W, B.M., OWYHEE County

PLACE OF USE: WILDLIFE and STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09S	03W	33				X													

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 01, 2004**.
2. Subject to all prior water rights.
3. Stockwater use is for 410 range cattle.
4. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 18th day of August, 2003.


for
KARL J DREHER, Director

MICROFILMED

MAR 16 2004

RECEIVED

APR 30 2003

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 55-13827

RECEIVED

AUG - 8 2003

Department of Water Resources

1. Name of Applicant BLM - Owyhee Field Office Phone 208-384-3336
 Mailing address 3948 Development Ave. Boise, ID 83705

2. Source of water supply un named spring which is a tributary of NIPITUCK CREEK

3. Location of point of diversion is Township 9S Range 3W Sec. 33 in the SE 1/4, SE 1/4, NE 1/4, Govt. Lot —, B.M., Owyhee County;
 additional points of diversion if any: —

4. Water will be used for the following purposes:

Amount 0.02 cfs for livestock/wildlife purposes from 5/1 to 11/30 (both dates inclusive)
 (cfs or acre-feet per annum)

Amount 0.02 cfs for wildlife 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)

5. Total quantity to be appropriated is (a) 0.02 cfs. 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 under ground head box
and 2" pipeline to 12' Aluminum water trough with overflow

b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total
 reservoir capacity NA acre-feet

c. Proposed well diameter is NA inches; proposed depth of well is NA feet

d. Is ground water with a temperature of greater than 85°F being sought? NO

e. If well is already drilled, when? NA; Drilling firm NA
 Well was drilled for (well owner) NA; Drilling Permit No. NA

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. NA

b. Stockwatering; list number and kind of livestock. 410 cattle

c. Municipal; show name of municipality. NA

d. Domestic; show number of households. NA

e. Other; describe fully. NA

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MAR 16 2004

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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	3W	33				D													
		33				W													

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? Bureau of Land Management

b. Who owns the land to be irrigated or place of use? Bureau of Land Management

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: NA

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
MAR 16 2004


Signature of Applicant (and title, if applicable)
Jenna Whitlock, Field Manager

Received by KG Date 4/30/03 Time 4:33 Preliminary check by DAN
 Fee \$ 100.00 Received by KG # 10030410 Date 4/30/03
 Publication prepared by AT Date 7-2-9-03 Published in OWYHEE AVALANCHE
 Publication approved AT Date 8-4-03

Ashby Spring (#9620)

Ashby Spring (#9620)
T. 9S, R. 3W Section 33 (SESENE)



Map Created By
Jake Vlasando
RMS/BLM-LSRD
April 22, 2003

Scale 1:24,000

MICROFILMED

MAR 16 2004

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

APRIL 27, 2006

USDI BLM
1387 S VINNELL WAY
BOISE ID 83709

PROOF ACKNOWLEDGMENT LETTER

Re: Permit No. 55-13827

Dear Permit Holders:

The department acknowledges receipt of the proof of beneficial use ("proof") form submitted for the above-referenced permit. The next step in the process of developing a water right is for the department to conduct the field examination to determine and confirm the use of the water, and that it meets the permitted beneficial use.

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, or at the department's website at: www.idwr.idaho.gov

Please note that the permit is approved for .02 cfs and will be limited to .02 cfs, rather than .20 cfs as indicated on the Proof of Beneficial Use. The Proof also shows the mailing address to be 20 1st Ave, Marsing. If you would like the permit and related correspondence to go to the Marsing address in the future, please notify the department in writing so that we may alter our database records.

If you have questions about the field examination, please contact the **Western Regional** Office of the department in Boise at (208) 334-2190.

Sincerely,

A handwritten signature in black ink that reads "Christine Roberts". The signature is written in a cursive, flowing style.

Christine Roberts
Technical Records Specialist

Encl:

May 31, 2005

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

PROOF DUE NOTICE

RE: PERMIT NO. 55-13827

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, 2005. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

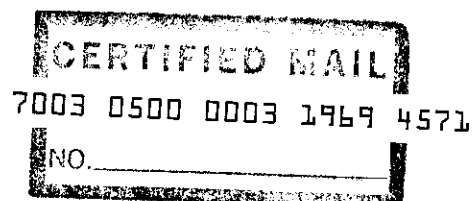
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 23, 2004

US DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1387 S VINNELL WAY
BOISE ID 83709

RE: PERMIT NO. 55-13827

Dear Permit Holder:

I have enclosed a copy of the approved Request for Extension of Time ("request") you submitted to the department in connection with the above referenced permit, which extends the time to submit proof of beneficial use to **August 1, 2005**. Please note that the department granted this extension based on evidence of **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed, since the department may not be able to grant an additional extension request based on this category.

Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Additionally, these forms can be found on our website at: <http://www.idwr.idaho.gov>

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

May 31, 2004

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1387 S VINNELL WAY
BOISE, ID 83709-1657

PROOF DUE NOTICE

RE: PERMIT NO. 55-13827

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, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

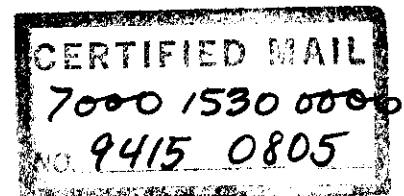
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 18, 2003

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
3948 DEVELOPMENT AVE
BOISE ID 83705

RE: Permit No. 55-13827

Permit Approval Notice

Dear Permit Holder:

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

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

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

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

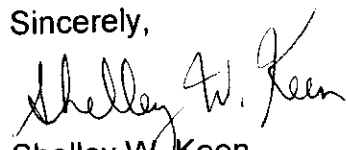
Microfilm

MAR 16 2004

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 that reads "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICRODOT

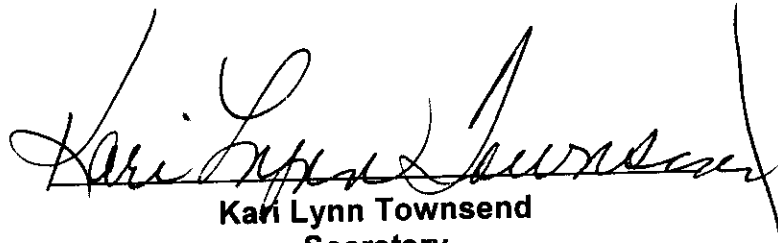
MAR 16 2004

CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 55-13827

**US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
3948 DEVELOPMENT AVE
BOISE ID 83705**



**Kari Lynn Townsend
Secretary**

MIC
MAR 18 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

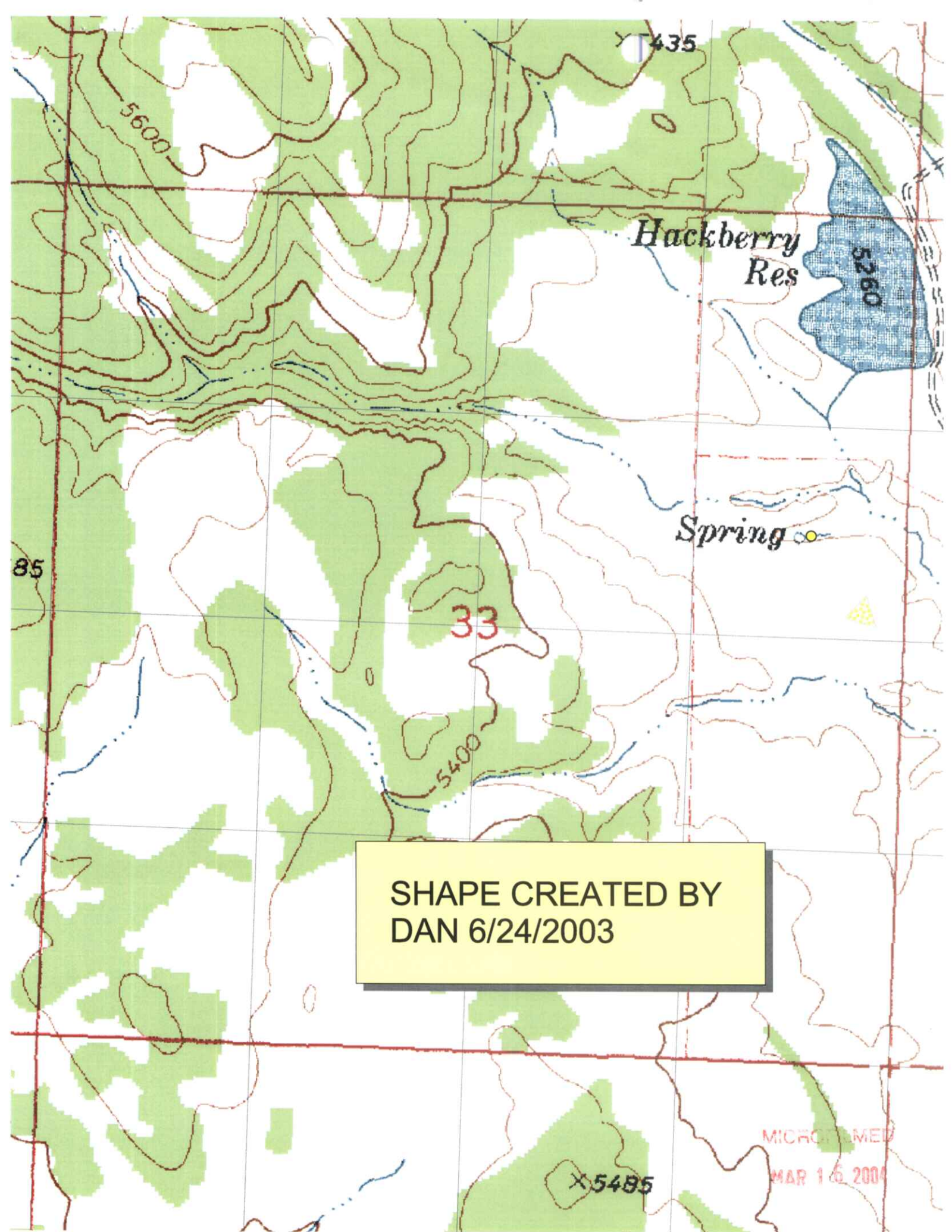
- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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



Hackberry
Res

Spring

SHAPE CREATED BY
DAN 6/24/2003

MICROFILMED
MAR 16 2004

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS
COUNTY OF OWYHEE)

RECEIVED

AUG 01 2003

WATER RESOURCES
WESTERN REGION

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

said newspaper, in TWO (2)
(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

JULY 2, 9, 2003

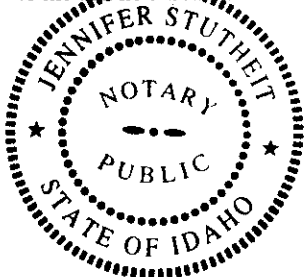
SIGNED: _____

STATE OF IDAHO)
COUNTY OF OWYHEE)

On this 9th day of July in the year of 2003 before me, a

Notary Public, personally appeared JOE E. AMAN

known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Jennifer Stutheit
Notary Public for Idaho

Residing at Homedale, Idaho

My commission expires: January 3, 2009

The following
application(s) have been
filed to appropriate the
public waters of the State
of Idaho:
55-13827 ✓

US DEPT OF INTERIOR
BUREAU OF LAND
MANAGEMENT
3948 DEVELOPMENT AVE
BOISE ID 83705
Point(s) of Diversion SESENE
S33 T09S R03W OWYHEE
County Source UNNAMED
SPRING
Tributary To NIP AND TUCK
CREEK
Use: STOCKWATER 05/01 To
11/30 0.02 CFS
Use: WILDLIFE 01/01 To 12/31
0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 04/30/2003
Place Of Use: WILDLIFE
T09S R03W S33 SENE
Place Of Use: STOCKWATER
T09S R03W S33 SENE

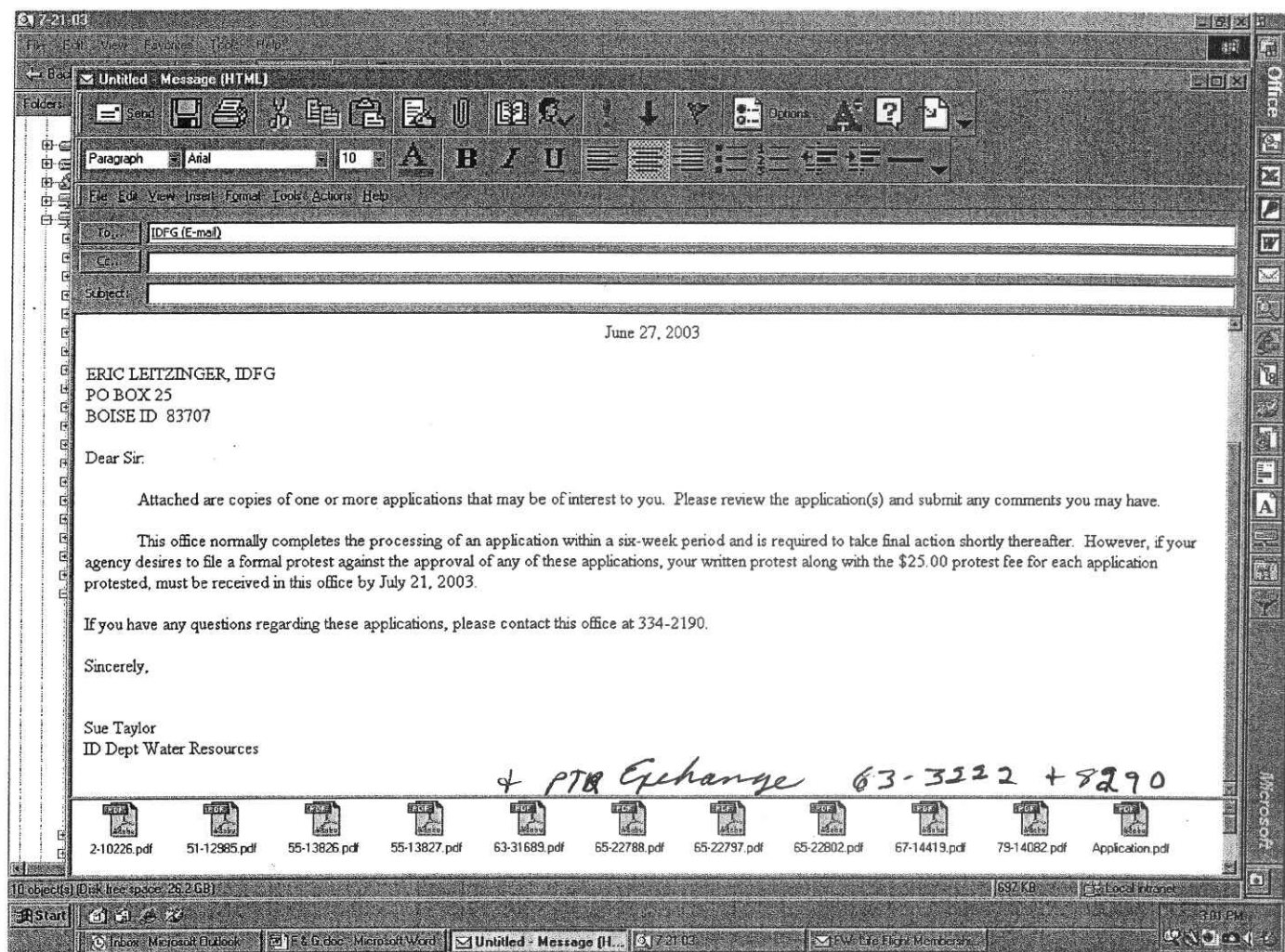
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/21/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

7/2,9/03

MICROFILMED

MAR 16 2004



MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 26, 2003

Legal Notice Department

OWYHEE AVALANCHE

PO BOX 97

HOMEDALE ID 83628

RE: Application for Permit Nos. 55-13826, 55-13827, 51-12985, and 02-10226

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 07/21/2003. Your cooperation is appreciated.

Sincerely

Sue Taylor

Senior Secretary

ID DEPT OF WATER RESOURCES

2735 AIRPORT WAY

BOISE ID 83705

MICROFILMED

MAR 16 2004

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

55-13827

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
3948 DEVELOPMENT AVE
BOISE ID 83705

Point(s) of Diversion SESENE S33 T09S R03W OWYHEE County Source UNNAMED SPRING

Tributary To NIP AND TUCK CREEK

Use: STOCKWATER 05/01 To 11/30 0.02 CFS

Use: WILDLIFE 01/01 To 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 04/30/2003

Place Of Use: WILDLIFE

T09S R03W S33 SENE

Place Of Use: STOCKWATER

T09S R03W S33 SENE

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, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/21/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

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