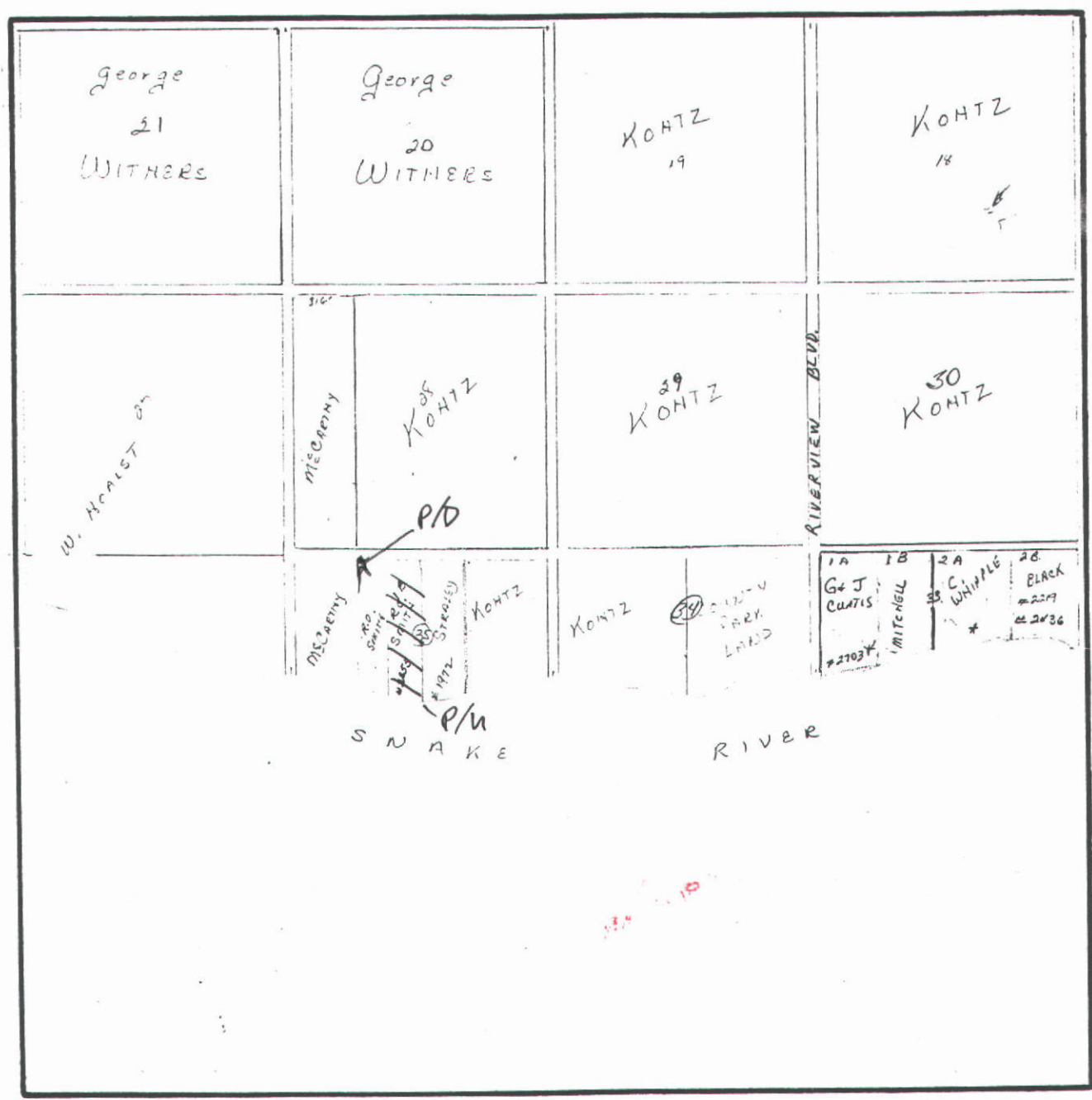


Chad Bond

Gov 45

Section 2 Township 6 South Range 8 East



Replat of Black 35-
* Lots split 3/30/70

T

17



FEB 04 2002

NOTICE

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

61-11952

RONALD SMITH
DEBORAH SMITH
PO BOX 53
HAMMETT ID 83627

Point(s) of Diversion L5 NESW S2
T06S R08E ELMORE County Source
WASTE WATER

Tributary To SNAKE RIVER

Use: IRRIGATION

Total Diversion: 0.04 CFS

Date Filed: 07/13/2001

Place Of Use: IRRIGATION

T06S R08E S2 NESW Lot 5

Number of Acres 2

Remark: Applicant agrees to mitigate consumptive use in the future as needed.

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, 4335 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/10/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

First Publication: November 21, 2001.

Last Publication: November 28, 2001.

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AFFIDAVIT OF PUBLICATION

County of Elmore } ss.
STATE OF IDAHO }

I Coleen W. Swenson, do solemnly swear that I am the publisher, of the

MOUNTAIN HOME NEWS

A weekly newspaper of general circulation, published once a week in MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for

2 consecutive weeks, the first publication having been made on the 21 day of Nov, 2001, and the last publication having been made on the 28 day of Nov, 2001; every Wednesday issue of the paper during the period and time of publication and that the notice was published in the paper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during the period of 78 consecutive weeks prior to the first publication of the attached notice.



Subscribed and sworn to me this 28 day of Nov 2001.


Notary Public

Residing in Mountain Home, Elmore
County, Idaho.

MICROFILMED My commission expires 09-25-2006

FEB 04 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 61-11952

Priority 07/13/2001

Maximum Diversion Rate

0.04 CFS

This is to certify, that RONALD SMITH
PO BOX 53
HAMMETT ID 83627

And/Or

DEBORAH SMITH
PO BOX 53
HAMMETT ID 83627

has applied for a permit to appropriate water from

Source: WASTE WATER

Tributary: SNAKE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

WASTE WATER L5 NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2, Twp 06S, Rge 08E, B.M. ELMORE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 08E 2									20								20
									L5								

CONDITIONS OF APPROVAL

- 1 Proof of application of water to beneficial use shall be submitted on or before January 1, 2007
- 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 The issuance of this right does not grant any right-of-way or easement across the land of another
- 5 The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
- 6 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 20th day of December, 2001

MICROFILMED

[Signature]
for KARL J DREHER, Director

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

Ident. No.

7-13-01
67-11952
51-12597

RECEIVED

DEC 17 2001

Department of Water Resources

1. Name of Applicant RONALD &/or Deborah Smith Phone 208/366-7521
Post Office address PO Box 53 Hammett, ID 83627
2. Source of water supply WASTE WATER which is a tributary of Snake River
3. Location of point of diversion is 1/4 of NE 1/4 of SW 1/4, Govt. Lot
Sec. 2 Township 6S Range 8E B.M. Elmore County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .04 for IRRIGATION purposes from 3/15 to 11/15 (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) .04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. ditch & gravity
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - 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) _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 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 if 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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FEB 04 2002

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	8E	2									2								2

Total number of acres to be irrigated 2

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

11. a. Who owns the property at the point of diversion? (ND) APPLICANT'S MOTHER

b. Who owns the land to be irrigated or place of use? RONALD & Deborah Smith

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: see "a" above

12. Remarks: Spoke with GIB BROWN at the KING HILL IRRIGATION DISTRICT & HAVE HIS APPROVAL TO USE THE WASTE WATER

13. MAP OF PROPOSED PROJECT ATTACHED _____ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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.

Debra Smith
(Applicant)

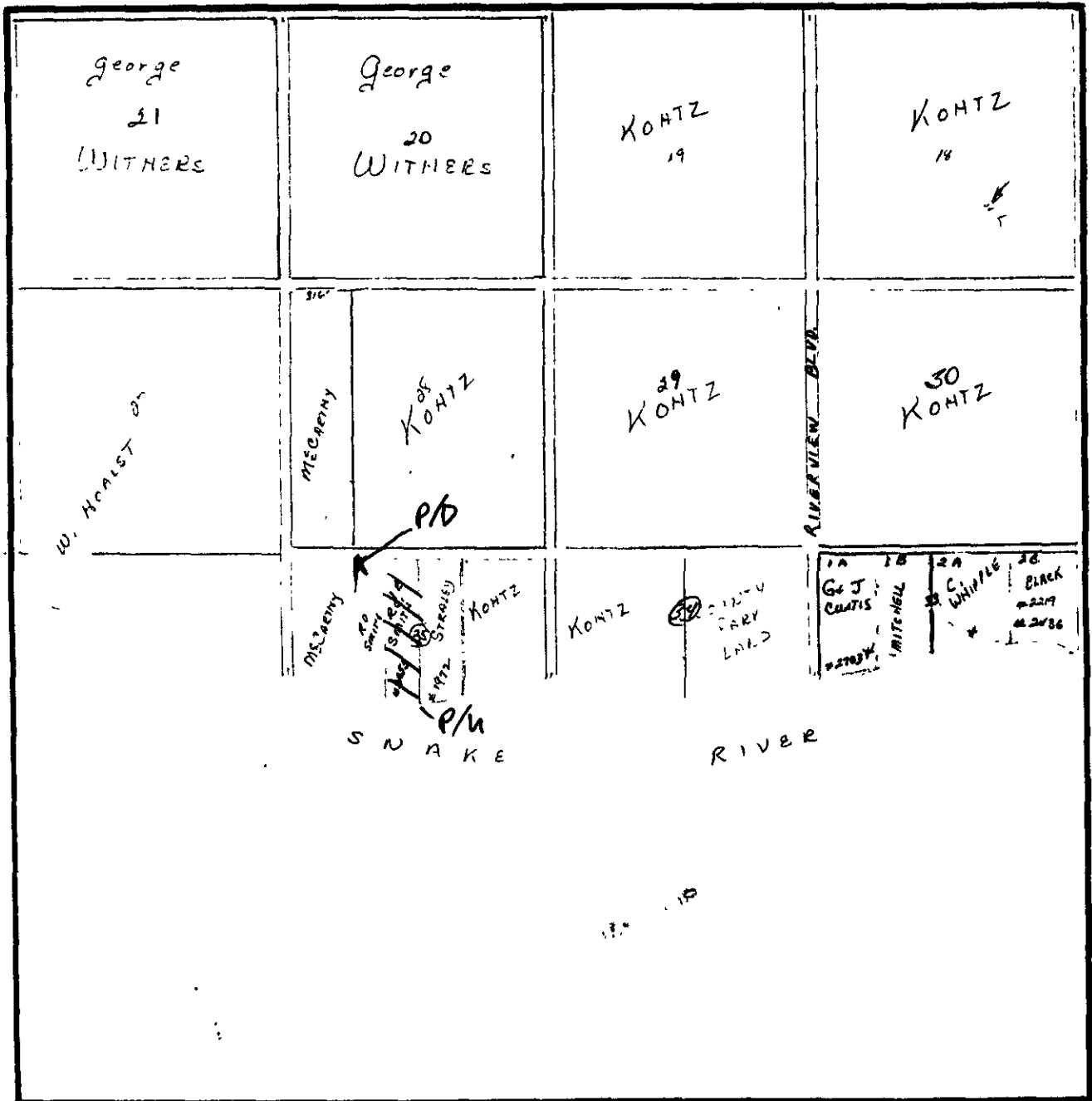
Received by LG Date 7/13/01 Time 2:00 Preliminary check by LG
 Fee \$ 100 Receipted by LG # W028036 Date 7/13/01
 Publication prepared by AS Date 11-21-28-01 Published in MOUNTAIN HOME NEWS
 Publication approved AS Date 12-12-01

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SEP 04 2002

Gov Lt 5

Section 2 Township 6 South Range 8 East



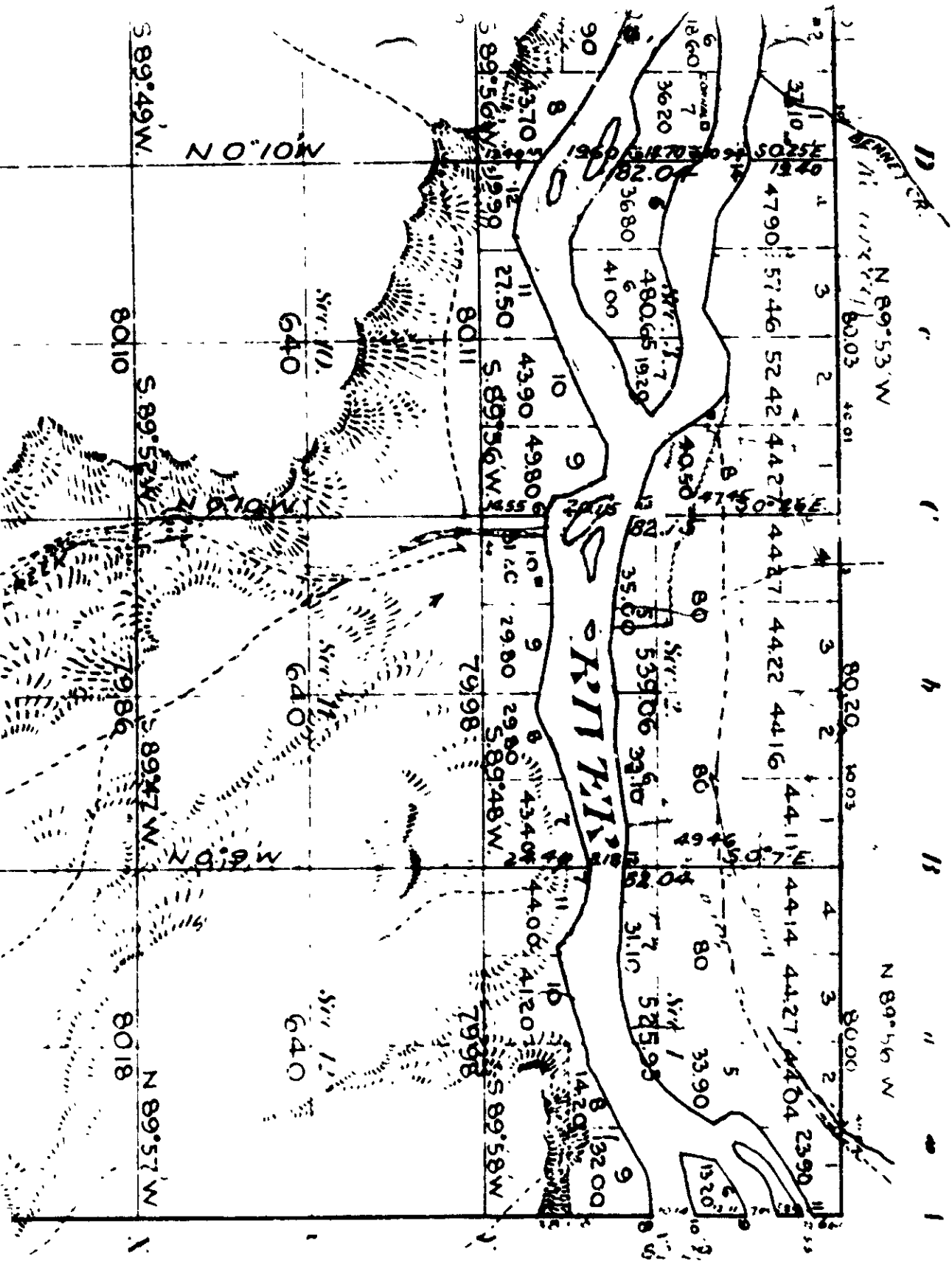
Replat of Black 35 =
* Lots split 3/30/70

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FEB 04 2002

East of the Boise Meridian, Idaho.



MICROFILMED

SEP 04 2002

Boundaries of
Boise Meridian



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 21, 2001

RONALD SMITH
DEBRA SMITH
PO BOX 53
HAMMETT ID 83627

RE: Permit No. 61-11952

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

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.

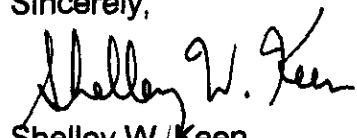
MICROFILMED

FEB 04 2002

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,



Shelley W. Keen

Water Rights Supervisor

SWK:kit

Enclosure(s)

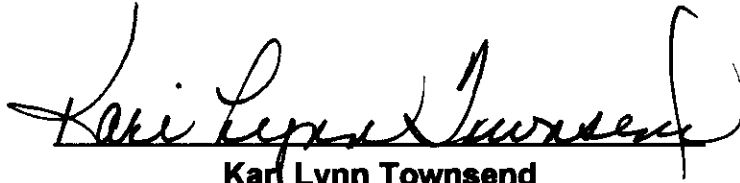
MICROFILMED
FEB 04 2002

CERTIFICATE OF MAILING

I hereby certify that on December 21, 2001 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. 61-11952

**RONALD SMITH
DEBORAH SMITH
PO BOX 53
HAMMETT ID 83627**

A handwritten signature in black ink, appearing to read 'Karl Lynn Townsend', is written over a horizontal line.

**Karl Lynn Townsend
Secretary**

MICROFILMED

FEB 04 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

**MICROFILMED
FEB 04 2002**

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Reviewed by Sharla Curtis on 12/17/01

AREA OF CONCERN: No/Yes _____ Moratorium _____ GWMA ~~TRUST/NON-TRUST~~

DRILLING PERMIT

LOCATION:

Boise Front LoGeo	- 058 (<85 GW)
Mitigation	- 121

Trust	- 051(consumptive uses)
Non-Trust	- 048 (consumptive uses or non-cons. > 1.0 cfs)

USES:

~~STORAGE~~ - 18C-01H-01P-18B-NA
~~IRR ≤ 5 ac~~ - R66/R67/R68/R69 (0.03 cfs/ac)
~~> 5 ac~~ - R62/R63/R64/R65 (0.02 cfs/ac)
~~STOCK WATER~~ - R37 (BLM/FS)-111 (instream stock)
~~MINING~~ - 054-106
~~HEAT/COOL~~ - R07 (injection well)
~~FIRE PROT~~ - 077
~~COMMERCIAL/~~
~~INDUSTRIAL~~ - 106-R07
~~DAIRY~~ - 082-WD8
~~POWER~~ - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

BENEFICIAL USE DUE: 1/01/2007**MISC CONDITIONS/REMARKS:**

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

F&G contacted - Yes/No Response
In/Above MSF - WB9

PLANNING REVIEW/RESPONSE

WD ~~_____~~ - R04 (WD# _____)
 ≤ 0.20 cfs/others - 01H, 01P or No MD
 > 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or ~~WD~~

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

RIVER BASINS: (SW special considerations)

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

USES:

MUNICIPAL

Restricted area	- 022,075
Irr., GW supp to SW	- 102
Future needs	- 007,109
FISH PROP	- 029 (70's only)-007-042-106
DOMESTIC	
Surface water	- WB5 (Big Wood/Boise above Star Bridge)
	- 27A (Payette R)
>1 in restricted area	- 070-071-075(no parks/common areas)
Irr separate or none allowed	- WB5
GW w/irrigation from SW evident	- 065-104
Moratorium approvable	- W03 (2500 gpd – meets domestic def i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example – S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single ¼/d intended - 076

IRRIGATION SEASON 3/15 - 11/15 (Per updated map)

IRR VOLUME/ACRE 4.0

OTHER CONDITIONS/REMARKS

COMMENTS

WYOMING DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: LG DATE: 10/31/01 APPLICATION: 51-12597

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ 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: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid

RECEIVED

DEC 17 2001

Gov't. Lots:

P/D

P/U

Gov't 5

☒

ADVERTISE REMARK(S)

(Reviewer identify which remarks)

ADDITIONAL INFORMATION

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.) *61-10243*
- ☐ ☒ Overlapping point of diversion.
- ☐ ☒ Critical groundwater area:
- ☐ ☒ Groundwater management area:
- ☐ ☒ 1992 moratorium:
- ☒ ☐ Surface water source, IDFG letter needed.
- ☐ ☒ Protected river or minimum flow reach, notify water planning bureau.
- ☐ ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☐ ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ ☐ Mitigation plan: Check any that apply.
- ☐ ☐ immediate = acceptable plan required and submitted.
- ☒ ☐ future = open areas, acceptance of condition of approval is in file.
- ☐ ☒ Send power requirement letter &/or fish farm requirement letter.
- ☐ ☒ Power residency affidavit:
- ☐ ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☐ ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO. 61-11952
1-12547-

YES NO

☒ ☐ In form for advertising:
☐ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☒ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☒ ☐ Water Dist. # King Hill
☐ ☒ Water Planning Bureau
☐ ☒ Other _____

*Irving
Dist
% of
Gib
Brown*

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:

☐ ☒ Final date for protest 12-10-01

☐ ☒ Protests received.

☐ ☒ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Water delivered by water master? District # _____

☐ ☒ Special conditions of approval or cover letter: standards

☐ ☒ See below for additional information

Recommended Date or Priority 7/13/01

Recommended by: for Gwamer Date: 12/13/01

ADDITIONAL INFORMATION:

*P/N overlap: different source, different
property + owners
61-10243 - domestic well
for applicant (N/A)*

AFFIDAVIT OF PUBLICATION

County of Elmore } ss.
STATE OF IDAHO }

I Coleen W. Swenson, do solemnly swear that I
am the publisher, of the

MOUNTAIN HOME NEWS

A weekly newspaper of general circulation,
published once a week in MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of publication thereof; was
published in said newspaper for

2 consecutive weeks, the first publication
having been made on the 21 day of
Nov, 2001, and the last publication having
been made on the 08 day of Nov, 2001;
every Wednesday issue of the paper during
the period and time of publication and that
the notice was published in the paper proper
and not in a supplement thereof.

And I further swear that the said MOUNTAIN
HOME NEWS has been continuously and
uninterruptedly published in said Elmore
County during the period of 78 consecutive
weeks prior to the first publication of the
attached notice.

Coleen W. Swenson

Subscribed and sworn to me this 28 day
of Nov 2001.

Christine M. Lewis
Notary Public

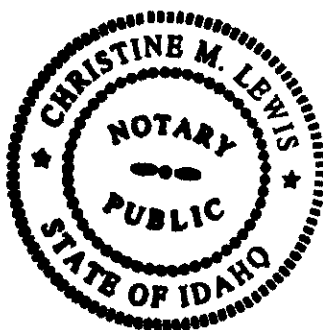
Residing in Mountain Home, Elmore
County, Idaho.

RECEIVED

NOV 29 2001

WATER RESOURCES
WESTERN REGION

43



MICROFILMED My commission expires 09-25-2006

FEB 04 2002

Mountain Home Area Groundwater Advisory Committee

"Planning Today for Water Tomorrow"

November 27, 2001

RONALD &/OR DEBORAH SMITH
PO BOX 53
HAMMETT ID 83627

Re: Application for Permit No. 61-11952

Dear Applicants:

On Thursday, December 6, 2001, at 9:00 a.m. the Mountain Home Groundwater Advisory Committee will hold its monthly meeting at the Mountain Home City Hall. At this meeting we will be reviewing new applications for water rights in the Mountain Home Area. The above-referenced application in the name of Ronald &/or Deborah Smith will be presented to the committee at this time. You are welcome to attend this meeting.

If you have any questions please call Gary Spackman at the Department of Water Resources at 334-2190.

Sincerely,



Gary Spackman

GS:st

MICROFILMED

FEB 04 2002



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

November 16, 2001

GIB BROWN
KING HILL IRRIGATION DIST
PO BOX 428
KING HILL ID 83633

Re: Application for Water Right No. 61-11952 in the Name of Ronald &/or Deborah Smith.

Dear Sir or Madam:

Enclosed is a copy of the above-referenced application for permit.

Please review the application and return any comments you might have within two weeks. If you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by December 10, 2001.

If you have any questions or need information, feel free to contact this office.

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application

MICROFILMED

FEB 04 2002



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

November 16, 2001

STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Water Right No. 65-22630 in the Name of Randy Hefner.
Application for Water Right No. 65-22631 in the Name of Randy Hefner.
Application for Water Right No. 61-11952 in the Name of Ronald &/or Deborah Smith.
Application for Water Right No. 51-12958 in the Name of Richard &/or Jessie Byrd.
Application for Water Right No. 65-22633 in the Name of Randy and/or Amy Hefner.
Application for Water Right No. 63-31341 in the Name of Greene Tree, Inc.
Application for Water Right No. 63-31344 in the Name of McGrew Ranch LLC.
Application for Water Right No. 77-14143 in the Name of Barbara Pyle.

Dear Sir:

Enclosed are copies of the above-referenced applications that the proposed use is from surface water. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by December 10, 2001.

If you have any questions regarding the application, please contact this office.

Sincerely,

Gary Spackman

GS:lm
Encl.

MICROFILMED

FEB 04 2002

November 14, 2001

Legal Notice Department
MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME ID 83647

RE: Applications for Permit Nos. 61-11952, 63-31341, and 63-31344

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find legal notices 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 notices 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 12/10/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

FEB 04 2002

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

61-11852

RONALD SMITH
DEBORAH SMITH
PO BOX 53
HAMMETT ID 83627

Point(s) of Diversion L5 NESW S2 T06S R08E ELMORE County Source WASTE WATER
Tributary To SNAKE RIVER

Use: IRRIGATION

Total Diversion: 0.04 CFS

Date Filed: 07/13/2001

Place Of Use: IRRIGATION

T06S R08E S2 NESW Lot 5

Number of Acres 2

Remark: Applicant agrees to mitigate consumptive use in the future as needed.

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 12/10/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on November 21 and 28, 2001.

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FEB 04 2002

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE THREE ALTERNATIVES BELOW

Name of Applicant

RONALD + DEBRA SMITH

Mailing Address

PO BOX 53

HAMMETT ID 83627

Application No.

(if known)

 IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

 PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

 / WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Debra Smith

Date

7/13/01

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way

MICROFILMED 83705-5082

FEB 04 2002