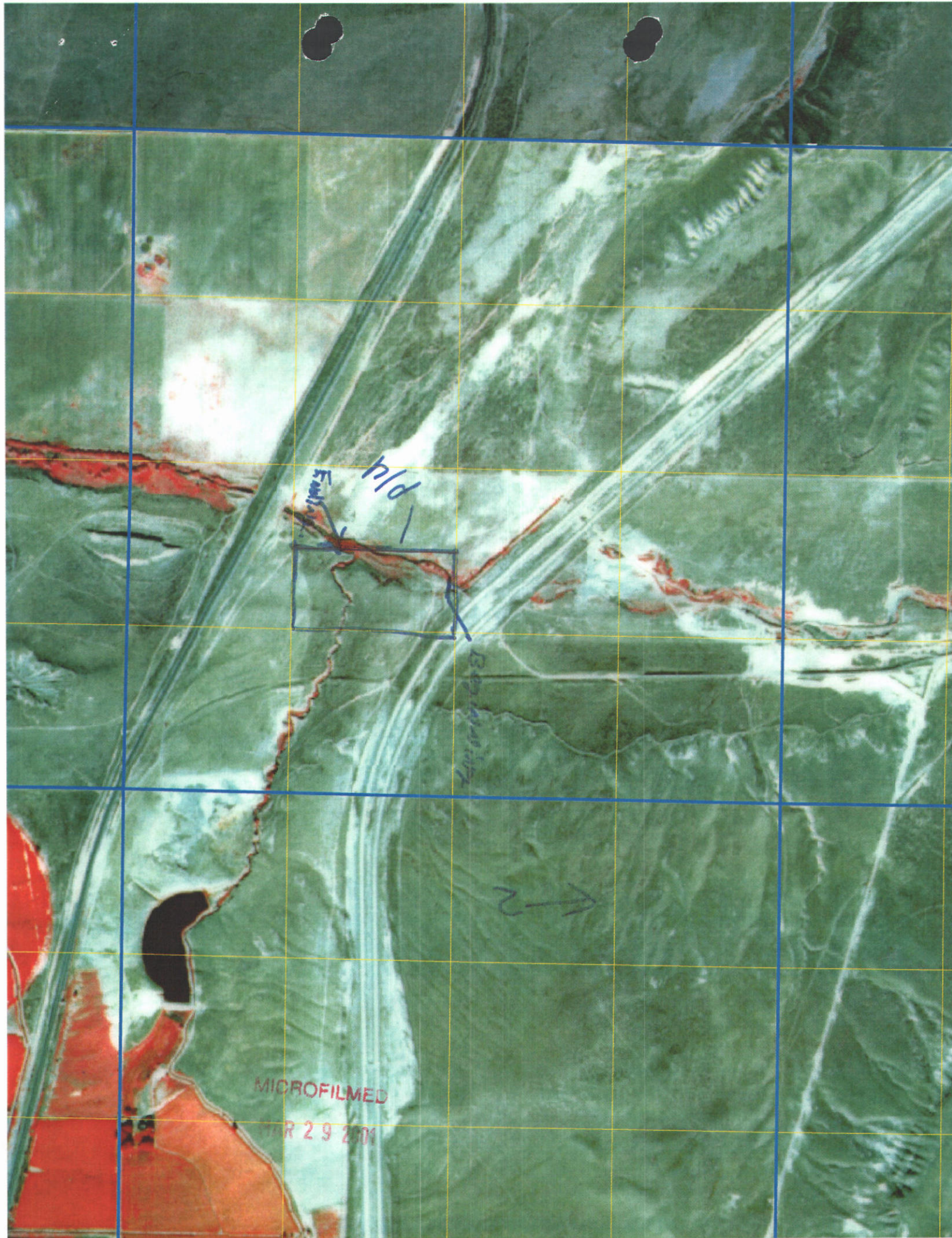
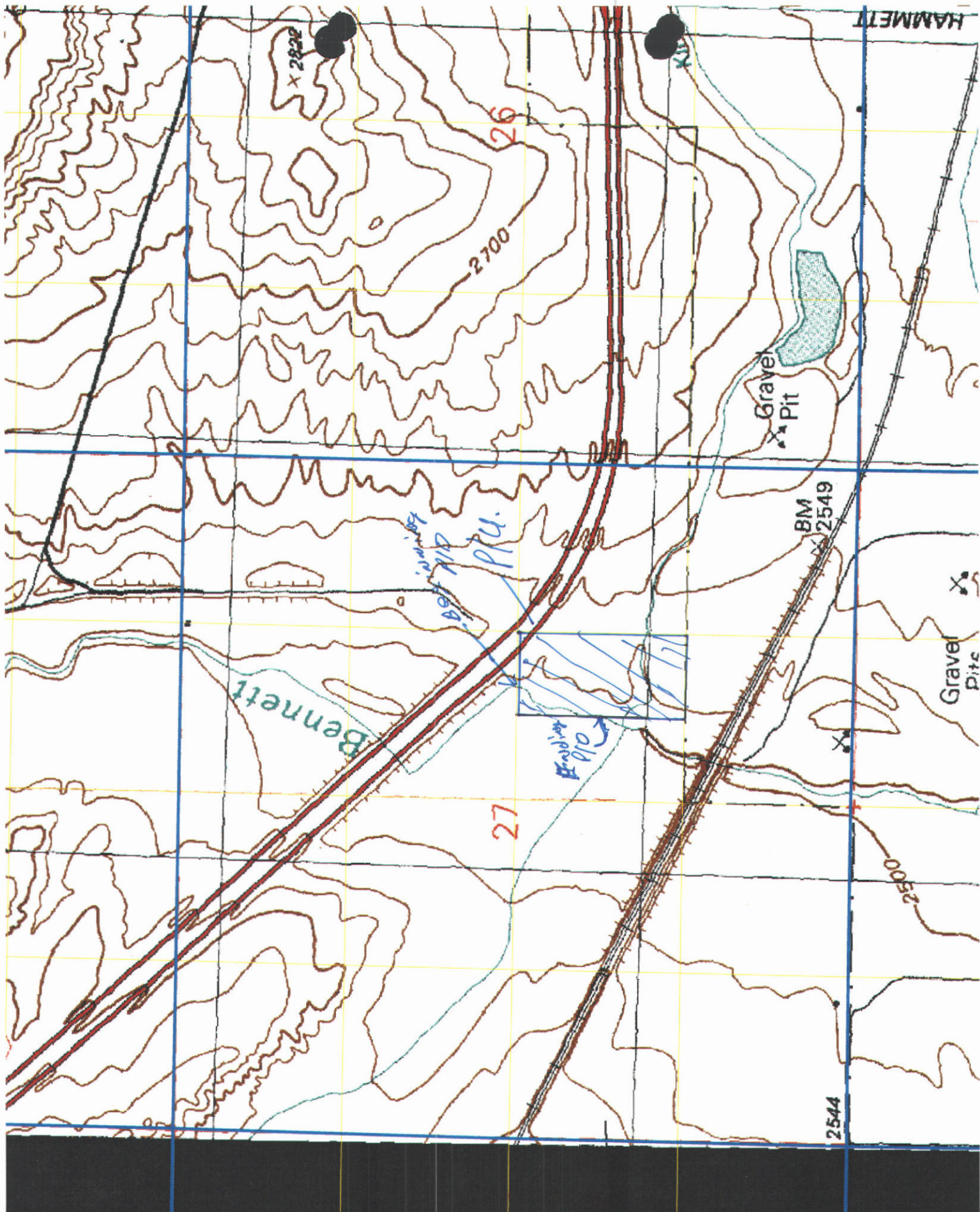






MAR 29 2001





APPLICATION FOR
WATER RIGHTS

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

61-11935

ROBERT &/OR PAMELA HOWARD
HC 85 BOX 119
BRUNEAU ID 83604
Diversion Pt: NWSE Sec 27 T 05S R
08E in ELMORE County Source: BEN-
NETT CREEK

NWSE Sec 27 T 05S
R08E

Use: STOCKWATER (01/01 To 12/31
0.14 CFS 0 AFA)

Total Diversion: (0.14 CFS 0 AFA)

Date Filed: 12/29/2000

Place of use: STOCKWATER

TWP 05S RGE 08E SEC 27 NWSE

Permits will be subject to all prior
water rights. Protests may be submit-
ted 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 Way, Boise, Idaho 83705
together with a protest fee of \$25.00 for
each application on or before
02/05/2001. The protestant must also
send a copy of the protest to the appli-
cant.

KARL J DREHER,
Director

First Publication: January 17, 2001.

Last Publication: January 24, 2001.

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, pub-
lished once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of publication thereof; was pub-
lished in said newspaper for

2 consecutive weeks, the first

publication having been made on 17 day

of Jan, 2001, and the last publication
having been made on the 24 day of

Jan, 2001; every Wednesday

issue of the paper during the period and time of
publication and that the notice was published in
the newspaper proper and not in a supplement
thereof.

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



RECEIVED

JAN 26 2001

WATER RESOURCES
WESTERN REGION

MICROFILMED

MAR 29 2001

Subscribed and sworn to me this 24 day of
Jan, 2001

Christine M Lewis
Notary Public

Residing in Mountain Home, Elmore County, Idaho
My commission expires 9-25-06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

FEB - 6 2002

Department of Water Resources

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. 1-11935 Telephone No. 250-5962 or 590-2651

2. Name of Permit Holder(s): Robert N or Pamela J Howard

3. Mailing Address: P.O. Box 123

City Hammett State ID Zip 83627

4. Source of Water: pond Bennett Creek Drainage 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): cattle - 600

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .14 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 _____

8. Fee Enclosed: \$ 50 (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: Robert Paul Howard Telephone Number: 590 2651 - 250-5962

Address: PO Box 123, Hammett, ID 83627

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: 2-2-02
(include your title, if on behalf of company or organization)
co-owner - rancher

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MAR 27 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 61-11935

Priority 12/29/2000

Maximum Diversion Rate: 0.14 CFS

This is to certify, that ROBERT N HOWARD
HC 85 BOX 119
BRUNEAU ID 83604

And/Or

PAMELA HOWARD
HC 85 BOX 119
BRUNEAU ID 83604

has applied for a permit to appropriate water from:

Source: BENNETT CREEK

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>
STOCKWATER	01/01 to 12/31	0.14 CFS

LOCATION OF POINT(S) OF DIVERSION:

BENNETT CREEK NW¼SE¼ Sec. 27, Twp 05S, Rge 08E, B.M. ELMORE County
(Beginning of Reach)

BENNETT CREEK NW¼SE¼ Sec. 27, Twp 05S, Rge 08E, B.M. ELMORE County
(Ending of Reach)

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE	NW	SW	SE	Totals
05S 08E 27	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	X

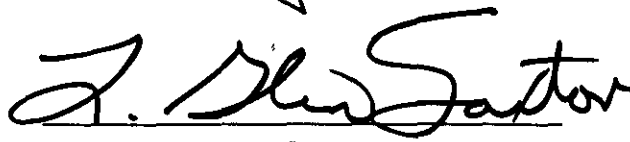
CONDITIONS OF APPROVAL

- 1 Proof of application of water to beneficial use shall be submitted on or before **March 01, 2002**.
- 2 Subject to all prior water rights.
- 3 This right is for instream stockwatering of 600 range cattle &/or 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 28th day of February, 2001.

MICROFILMED

MAR 29 2001


for KARL J DREHER, Director

Ident. No. 61-11935
APP ID# 68818

RECEIVED
NOV 08 2000
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
#1305
NOV 06 2000
Department of Water Resources
Southern Region

To appropriate the public waters of the State of Idaho

1. Name of Applicant Robert N and/or Pamela J Howard Phone 208-845-2649
Post Office address HC 85 Box 119, BrunEAU, ID 83604
2. Source of water supply Bennett creek which is a tributary of Snake River
3. Location of point of diversion is 1/4 of NW 1/4 of SE 1/4 1/4, Govt. Lot 854
Sec. 27 Township 5S Range 8E B.M. Elmore County; additional points of
diversion if any: Beginning at North line of 1/4 to mid way through 1/4 DNH 12-29-00
4. Water will be used for the following purposes:
Amount .14 CFS for stockwater purposes from 1/1 to 12/31 yearly (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) .14 CFS and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. INSTREAM STOCK WATER DNH 12-29-00
b. Height of storage dam N/A 12-29-00 feet; active reservoir capacity N/A 12-29-00 acre-feet; total
reservoir capacity N/A 12-29-00 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? No
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 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 if KW. _____
b. Stockwatering; list number and kind of livestock. 500-600 hd cattle-beef-some horse's
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. _____

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MAR 23 2001

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FEB 15 2001
Department of Water Resources

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	
5S	8E	27																	

Total number of acres to be irrigated 0

10. Describe any other water rights used for the same purposes as described above. 0

11. a. Who owns the property at the point of diversion? no diversion - pond - Robert N. Pamela - Hoxworth
 b. Who owns the land to be irrigated or place of use? " "
 c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: " "

12. Remarks: This water ponds on the NW side of the 20 acre parcel
no diversion needed - stockwater use - creek seeps up
in bottom of the pond when rest of creek dries up

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.

Pamela J. Howard
 (Applicant)

Received by HB Date 11/8/00 Time 10:57 Preliminary check by DAN
 Fee \$ 100.00 Receipted by HB # 10027131 Date 11/8/00
 Publication prepared by HB Date 1-17-24-01 Published in 5
 Publication approved HB Date 2-8-01 MOUNTAIN HOME NEWS

MICROFILMED

MAR 29 2001



December 31, 2001

PAMELA HOWARD
ROBERT N HOWARD
HC 85 BOX 119
BRUNEAU, ID 83604

PROOF DUE NOTICE

RE: PERMIT NO. 61-11935

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 March 01, 2002. (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.

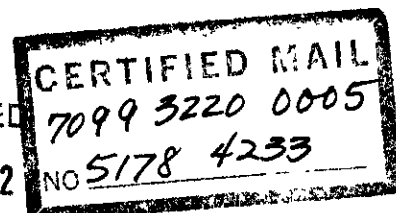
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

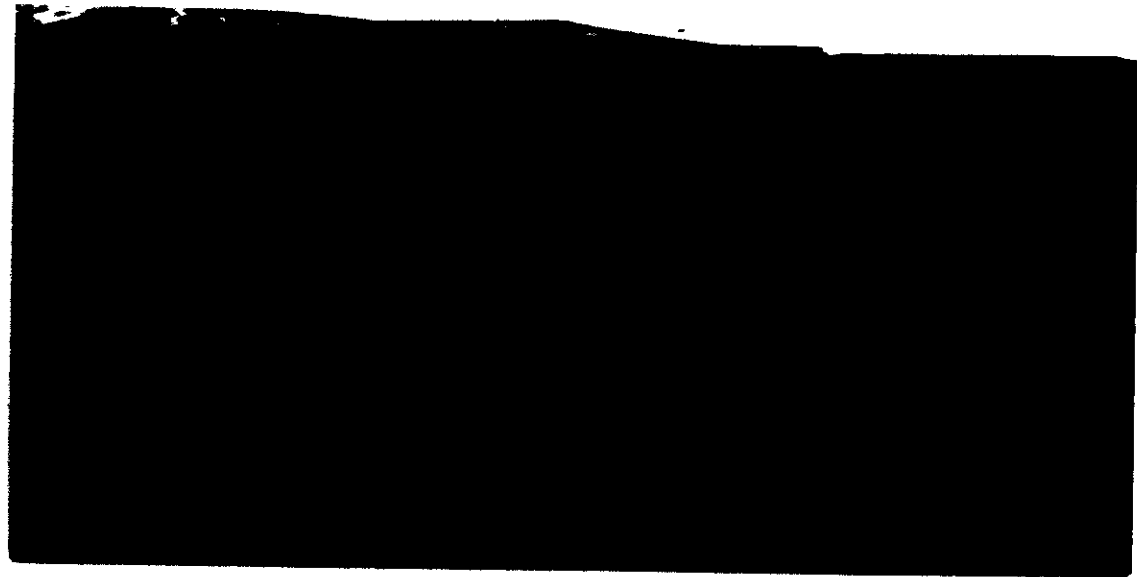
Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau
Enclosures

MICROFILMED

MAR 27 2002





Cattle above pond on Bennett cr.
61-11935

MICROFILMED
MAR 17 2002



Cattle on Pond-Bennett or drainage

61-11935



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

March 28, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ROBERT N HOWARD
PAMELA HOWARD
PO BOX 123
HAMMETT ID 83627

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 61-11935

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made 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 these water rights 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.

If you have questions, please contact the **Western** Regional Office of the department in Boise at (208) 334-1290.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED
MAR 27 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No 61-11935

Reviewed By: dgibson

Date March 28, 2002

	<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?		
Receipt No.:		W027131, C059774	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	02/06/2002
Date proof due	- 03/01/2002
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 12/29/2000
New priority date	= 12/29/2000

Deficiencies of Actions Items

Acknowledge proof



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

March 1, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

PAMELA HOWARD
ROBERT N HOWARD
HC 85 BOX 119
BRUNEAU ID 83604

RE: Permit No. 61-11935

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.

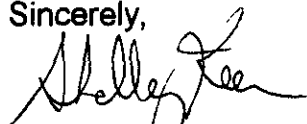
RECEIVED

9 2001

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:klt

Enclosure(s)

MICROFILMED

MAR 29 2001

CERTIFICATE OF MAILING

I hereby certify that on March 1, 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. 61-11935

**PAMELA HOWARD
ROBERT N HOWARD
HC 85 BOX 119
BRUNEAU ID 83604**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
MAR 29 2001**

**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
MAR 29 2001

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 2/22/01

No. 61-11935 Name: Howard Corp. Officers N/A Ad ok ☒ Govt Lots _____

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

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 084 (if necessary)
Irr w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104
Supp irr (other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84
Swan Falls Flag -
Trust - 051(P74) (consumptive uses) N/A
Non-Trust - 048-049 (consumptive uses or non-cons. > 10 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS) N/A
MINING - 054-106(P10)
FISH PROP - 029(70'S only)-007-042-106 (P10)
HEAT/COOL - R07(injection well)
FIRE/PROT. - 077

BENEFICIAL USE DUE: 3 1 01 2002

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response _____
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE _____
In-stream development - P52
WD - ~~P04 (WD# 121)~~ N/A for in-stream stock
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

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

RIVER BASINS: (SW special considerations)

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

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-106 (P10)
MUNICIPAL
Restricted area - 022,075
Irr, GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS Instream Stockwatering of 500-600 range cattle.

COMMENTS _____

9/99

FEB 15 2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY: DAN DATE: 11-28-00 APPLICATION: 61-11935APP ID# 68818REQUIRED 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

Gov't. Lots:

NO PID
NO PIUNO ADVERTISE REMARK(S)

(Reviewer identify which remarks)

ADDITIONAL INFORMATIONX T FLAG CHANGED TO P FLAG

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ 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. *BELOW DOMESTIC DEFINITION 4000 gal/Day*
- ☐ 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 11935APP ID# 68818

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. # 61 C
☐ ☒ Water Planning Bureau
☐ ☒ Other _____

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 2-5-01
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☒ ☐ Water delivered by water master? District # 61 C
☒ ☐ Special conditions of approval or cover letter: WATER MASTER

CONTROL - STANDARD CONDITIONS, INSTREAM STOCK WATER.

See below for additional information

Recommended Date or Priority 12-29-2000
 Recommended by: Daniel A. Neha Date: 2-9-01

ADDITIONAL INFORMATION:

INSTREAM STOCK WATER - NON CONSUMPTIVE
USE. NO MITIGATION NEEDED.
NO OVERLAPPING RIGHTS.

Affidavit of Publication

County of Elmore } ss.
STATE OF IDAHO }

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

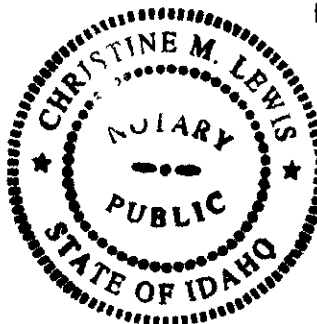
Mountain Home News

a weekly newspaper of general circulation, published once a week at 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 17 day
of Jan, 2001, and the last publication
having been made on the 24 day of
Jan, 2001; every Wednesday

issue of the paper during the period and time of
publication and that the notice was published in
the newspaper 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 24 day of
Jan, 2001

Christine M. Lewis
Notary Public

Residing in Mountain Home, Elmore County, Idaho
My commission expires 9-25-06

RECEIVED

JAN 26 2001

WATER RESOURCES
WESTERN REGION

MICROFILMED

MAR 29 2001

JAN 23 2001

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

Application No: 68818 water right # 61-11935Applicant's Name: Robert N and Pamela J. Howard

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows: _____

- c) ☐ I oppose approval of this application for the following reasons: _____

- d) Additional Comment : _____

Dated this 21st day of January, 2001Water District No: 61CCheryl McCallister
Watermaster's Signature

MICROFILMED

Use reverse side of page if you need more space.

MAR 29 2001



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

January 17, 2001

WATERMASTER DIST 61C
CHERAL MCCALLISTER
PO BOX 157
GLENN'S FERRY ID 83623

Re: Application for Water Right No. 61-11935 in the Name of Robert &/or Pamela Howard

Dear Watermaster:

Enclosed is a copy of the above-referenced application for permit. Also enclosed is a form for your recommendation concerning this application.

Please review the application. We must have your comments within two weeks.

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

Sincerely,


Gary Spackman

GS:lm

Encl: Copy of Application
Recommendation of Watermaster Form

MICROFILMED

MAR 29 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 17, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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

Re: Application for Water Right No. 61-11935 in the Name of Robert &/or Pamela Howard
Application for Water Right No. 63-12607 in the Name of Double D Development
Application for Water Right No. 63-31128 in the Name of Golden Sunrise Mining Co
Application for Water Right No. 65-22313 in the Name of Anna Marie Newell
Application for Water Right No. 77-14138 in the Name of Hubert Buettgenbach
Application for Water Right No. 79-13991 in the Name of Spencer Ranch Inc

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 February 5, 2001.

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

Sincerely,

Gary Spackman

GS:lm
Encl.

MICROFILMED

MAR 29 2001

01/10/2001

MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME ID 83647

RE: Application for Permit No 61-11935

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 February 5, 2001. Your cooperation is appreciated.

Sincerely,

Sue Taylor
Senior Secretary

MICROFILMED

MAR 29 2001

01/10/2001

MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME ID 83647

RE: Application for Permit No 61-11935

Dear Legal Notice Department.

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Sincerely,



Sue Taylor
Senior Secretary

MICROFILMED

MAR 29 2001

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

61-11935

ROBERT &/OR PAMELA HOWARD

HC 85 BOX 119

BRUNEAU ID 83604

Diversion Pt: NWSE Sec 27 T 05S R 08E in ELMORE County Source: BENNETT CREEK

NWSE Sec 27 T 05S R 08E

Use: STOCKWATER (01/01 To 12/31 0.14 CFS 0 AFA)

Total Diversion: (0.14 CFS 0 AFA)

Date Filed: 12/29/2000

Place of use: STOCKWATER

Twp 05S Rge 08E Sec 27 NWSE

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 Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before 02/05/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

Published on January 17 and 24, 2001.

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MAR 29 2001