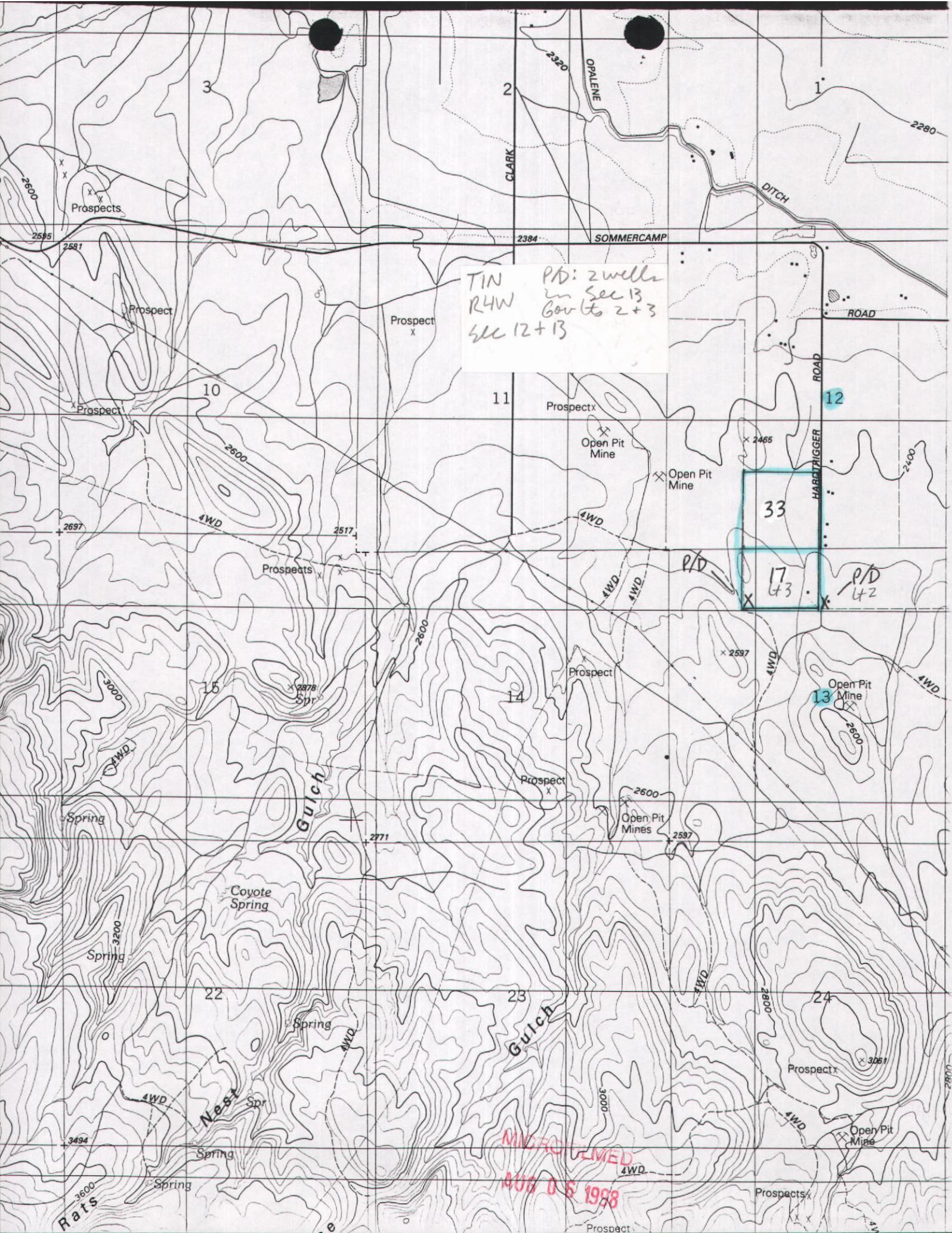




RECEIVED

JUL 01 1998

WATER RESOURCES
WESTERN REGION

The Owyhee Avalanche

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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

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.

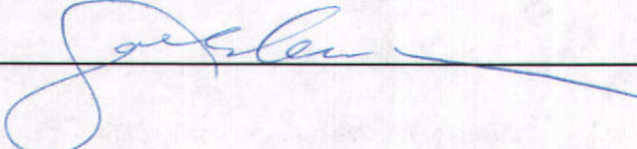
3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

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

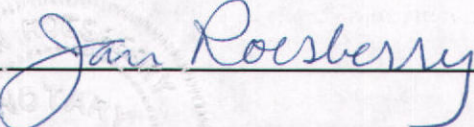
said newspaper, in Two (2)

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

June 17, 24 1998

Signed 

Subscribed and sworn to me this 24th day of June A.D., 19 98



Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires 05/04/2004

NOTICE OF APPLICATION FOR WATER RIGHT

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

57-07664

ALEXANDER, MARK
ALEXANDER, SUSIE
HC 79 BOX 123
OREANA, ID 83650

Source: GROUNDWATER
Diversion Pt: LOT 2 (NWNE)
Sec 13 T 01N R 04W in
OWYHEE County,
LOT 3 (NENW) Sec 13 T 01N
R 04W in OWYHEE County.
Use: IRRIGATION (1.000 CFS)
Total Diversion: (1.00 CFS)
Date Filed: 5/28/1998
In: OWYHEE County
T01N R04W S12 SESW
S13 Lot 3 (NENW)
50.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in 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 Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JULY 6, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

06/17&24/98

MICROFILMED

AUG 06 1998

RECEIVED

SEP 11 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 57-07664 Telephone No. 896-4593
2. Name(s) of Permit Holder(s): MARK + SUSIE ALEXANDER
3. Mailing Address: HC 79 BOX 123 MELBA IDAHO 83641
4. Source of Water: WELL If GROUNDWATER (well), Date Drilled: mo. 1961 / yr. 1963
Lic # 92
- a. Well Driller: ELMER D. JOHNSON Drilling Permit Number: unknown
- b. OPTIONAL:
Pump Horsepower: 7 1/2 Pressure (psi): 40 Dynamic pumping level (ft): 200

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

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 50 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 100 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 <u>X</u> or No _____
	Has the measuring device been installed?	Yes <u>X</u> or No _____
Flow Measurement Port:	Is a flow measurement port required?	Yes <u>X</u> or No _____
	Has the measurement port been installed?	Yes <u>X</u> or No _____

8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: MARK + SUSIE ALEXANDER Telephone Number: 896-4593

Address: HC 79 BOX 123 MELBA 83641

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Mark Alexander Date: 9-10-98
(include your title, if on behalf of company or organization)

MICROFILMED

OCT 27 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 57-07664

Proposed Priority: May 28, 1998

Maximum Diversion Rate:

1.00 CFS

This is to certify, that **MARK ALEXANDER**
SUSIE ALEXANDER
HC 79 BOX 123
MELBA ID 83650

has applied for a permit to appropriate water from: **GROUNDWATER**

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	1.00 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWNE), Sec. 13, Township 01N, Range 04W
Lot 3(NENW), Sec. 13, Township 01N, Range 04W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	04W	12	SESW	33.0		33.0
		13	Lot 3(NENW)	17.0		17.0

Total number of acres irrigated: 50.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1999.
2. Subject to all prior water rights.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
6. 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 needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary 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.

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AUG 06 1998

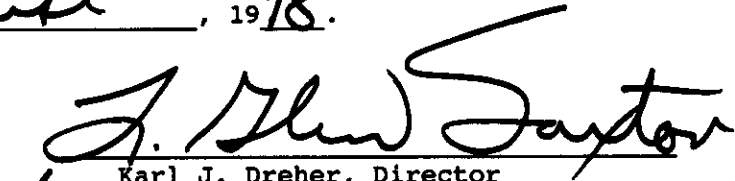
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 57-07664

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

3 day of August, 1998.


for
Karl J. Dreher, Director

MICROFILMED

AUG 06 1998

1/86 RECEIVED

JUL 28 1998

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 57-07664

RECEIVED

MAY 28 1998

WATER RESOURCES
WESTERN REGION

1. Name of Applicant MARK & SUSIE ALEXANDER Phone 896-4593
Post Office address HC 79 Box 123 MELBA IDAHO 83650
2. Source of water supply Groundwater which is a tributary of n/a
3. Location of point of diversion is 1/4 of NW 1/4 of NE 1/4, Govt. Lot 2
Sec. 13 Township 01N Range 04W B.M. Owyhee County; additional points of diversion if any: NE 1/4, Govt Lot 3, sec 13, T1N R4W
4. Water will be used for the following purposes:
Amount 1,000 CFS for IRRIGATION farming 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) 1,000 CFS and/or (b) AF
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 2 wells - approx 310' x 2,900' deep
7 1/2 x 5 HP pumps sprinklers - center pivot
 - 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 10" x 8" inches; proposed depth of well is 310' x 2,900' feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? 1963 & 1978; Drilling firm Elmer D. Johnston & H2O
Well was drilled for (well owner) Darrell Pascoe & Steve Koteles
7. Time required for completion of works and application of water to proposed beneficial use is completed 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. _____

MICROFILMED

AUG 06 1998

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	
01N	04W	12											33						33
01N	04W	13																	33

Total number of acres to be irrigated 50

10. Describe any other water rights used for the same purposes as described above. Water rights pending approval

11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: 0

12. Remarks: Applicant agrees to mitigate consumption use in future as needed

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

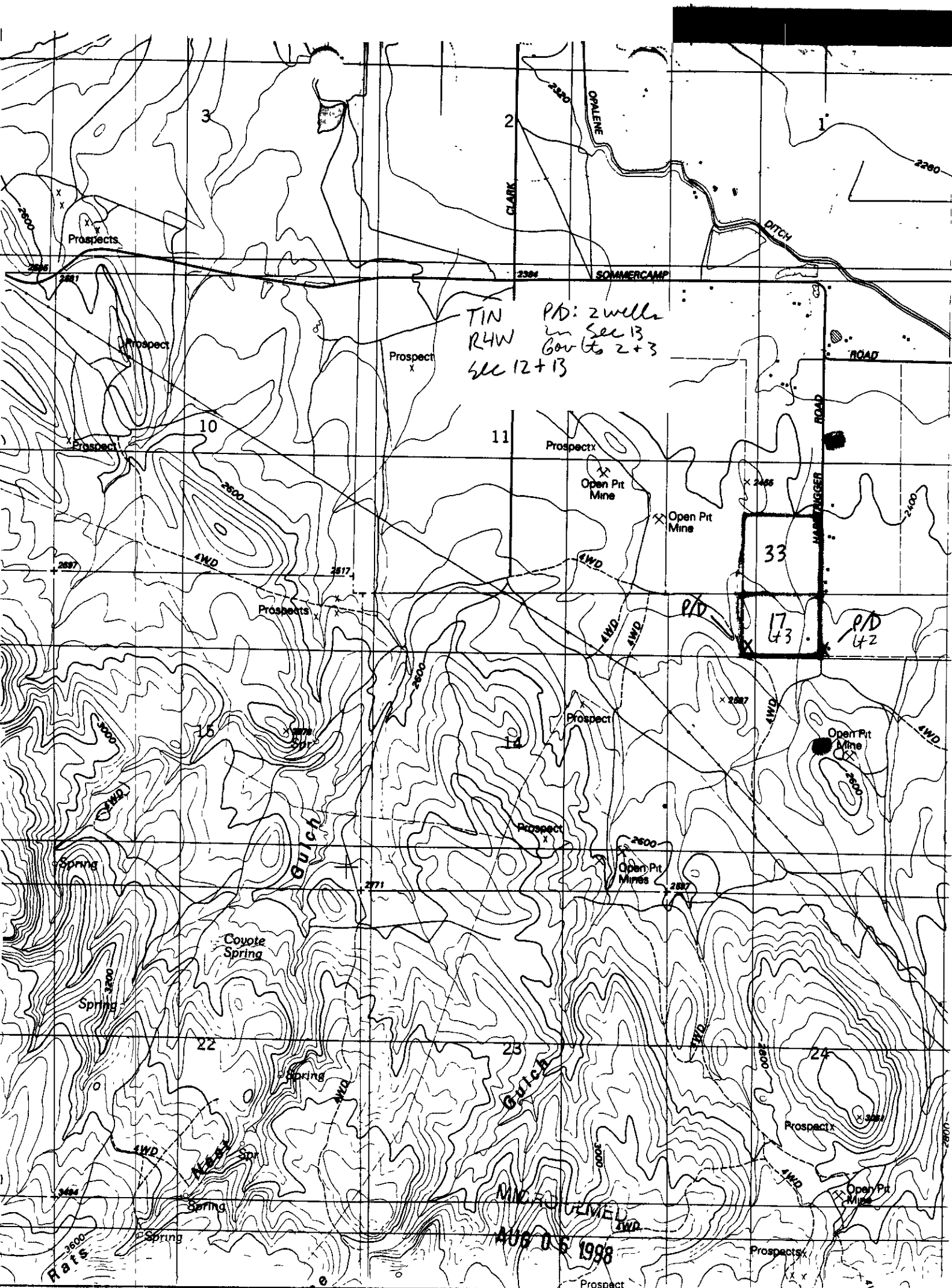
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Mark Alexander
(Applicant)

Received by KG Date 5/28/98 Time 10:38 Preliminary check by LG
 Fee \$ 100.00 Received by KG # W023935 Date 5/28/98
 Publication prepared by ST Date 6/11/98 Published in Owyhee Avalanche
 Publication approved ST Date 7/21/98

MICROFILMED

AUG 06 1998



TIN PD: 2 wells
R4W in Sec 13
Gov'ts 2+3
sec 12+13

33
17
43

PD
42

AUG 05 1998

Ident. No. 57-07664

Comments: Date: 6/10/1998 User-ID: LGRAVES

Subject: OVERLAPS

Permit 57-07540 uses same system for seperate acres. 57-02337 & 57-04024 were forfeited in the SRBA. No other rights are used. (Field exam for 57-07540 found 7 acres in SESW, S12 and 1 acre in NENW, S13, exam conducted 10/27/1997).

MICROFILMED
AUG 06 1998

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 57-07664 Reviewed by [Signature] Date 10-21-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
NO Drilling permit required? pre 87
1 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
NO Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
100- Amount Submitted
yes Correct?
NO Required?
yes Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>
Date proof due	<u> </u>
No. of days late	<u> </u>
Priority Date	<u> </u>
New Priority Date	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address X Proof Made 9-11-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 22, 1998

Mark and Susie Alexander
HC 79 Box 123
Melba ID 83641

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 57-07664

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 conduct a field examination to determine and confirm the use being made of the water.

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.

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

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

OCT 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 4, 1998

MARK ALEXANDER
SUSIE ALEXANDER
HC 79 BOX 123
MELBA ID 83650

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 57-07664

Dear Permit Holder:

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

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

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

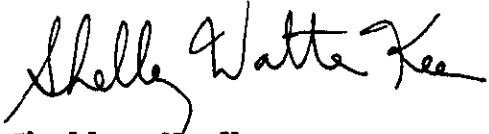
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

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

MICROFILMED
AUG 06 1998

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

AUG 06 1998

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of August, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 57-07664

MARK ALEXANDER
SUSIE ALEXANDER
HC 79 BOX 123
MELBA ID 83650


Kari Lynn Townsend
Secretary

MICROFILMED

AUG 06 1998

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

AUG 06 1998

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Lee*
 No.: 57-7664 Name: Alexander Date: 7/30/98 Ad OK? ☒ / Gvmt Lts: ☒

AREA OF CONCERN:

- No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED:

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

SYSTEM COMPLETED:

> 1 year

- 26A-P17

≤ 1 year/no proof

- P18

GROUNDWATER: (✓ FLO-GH)

WMD (✓ MAP)

- North / East / West

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD Supplemental use

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5 acres

- 01M (report when notified)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 010-P23

In Basin 34?

- 085

Irr. within WD

- P05 (new well location)

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

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs

- 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22 -P04, NA

(02/03-irr)

- 007 (w/ remark *WB9 if above Weiser), NA

Payette R(65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

USE:

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area

- 071-070

Fire Protection

- 077

Fish Propagation

- 029-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Mining

- 054(req)-081-P10

Municipal

- 022, 075, 004 (+memo?), NA (not in restricted area)

Power

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons use),

17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18

Stockwater

- R37 (BLM/USFS); NA

Storage (✓ 3 compo.)

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

- P64 (in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Mitigation

- 120

SWAN FALLS FLAG (See Code Chart)

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

~~CONSUMPTIVE USES:~~

- 1

SPECIAL USE DUE:

- 8/1/ 1999

COMMENTS:

-

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

JUL 28 1998

INITIAL REVIEW BY: ly DATE: 6/8/98 APPLICATION: 57-07664 DEPARTMENT OF WATER RESOURCES

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
- Gov't. Lots:
☒ P/D
☒ P/U

ADDITIONAL INFORMATION

ADVERTISE REMARK(S)

(Reviewer identify which remarks)

done 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:
- ☐ ☒ Bull trout impact area
- ☐ ☒ 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:
- ☐ ☒ Send 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

are clarification regarding overlap
in 57-07540 per telecon in Sue Alexander

Date Requested

6/8/98

Date Response Received

6/8/98

PROCESSING

APP. NO.

57-07664

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. # _____
☐ ☒ 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 7-6-98
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Measuring port required:
☐ ☒ Water delivered by water master? District # _____
☒ ☐ Special conditions of approval or cover letter: 120

See below for additional information

Recommended Date or Priority 5/28/90Recommended by: GarayDate: 7/25/98**STATE OFFICE REVIEW**

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION:

P/h- 57-02337 - forfeited per SRBA
57-04024 - " " "

57-07540 - same system, separate acres

RECEIVED

JUL 01 1998

WATER RESOURCES
WESTERN REGION

The Owyhee Avalanche

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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS
COUNTY OF OWYHEE)

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)

June 17, 24 1998

Signed _____

Subscribed and sworn to me this 24th day of June A D , 19 98

Jan Roesberry

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires 05/04/2004

NOTICE OF APPLICATION FOR WATER RIGHT

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

57-07884

ALEXANDER, MARK ✓
ALEXANDER, SUSIE

HC 79 BOX 123

OREANA, ID 83650

Source: GROUNDWATER

Diversion Pt: LOT 2 (NWNE)

Sec 13 T 01N R 04W in OWYHEE County.

LOT 3 (NENW) Sec 13 T 01N

R 04W in OWYHEE County.

Use: IRRIGATION (1.000 CFS)

Total Diversion: (1.00 CFS)

Date Filed: 5/28/1998

In: OWYHEE County

T01N R04W S12 SESW

S13 Lot 3 (NENW)

50.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in 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 Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JULY 6, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

06/17/98 24/98

MICROFILMED

JUL 06 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JUNE 11, 1998

Legal Notices Department
Owyhee Avalanche
P.O. Box 97
Homedale, ID 83628

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before JULY 6, 1998.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

AUG 06 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

AUG 06 1998

57-07664

ALEXANDER, MARK
ALEXANDER, SUSIE
HC 79 BOX 123
OREANA, ID 83650

Source: GROUNDWATER

Diversion Pt: LOT 2 (NWNE) Sec 13 T 01N R 04W in OWYHEE County.
LOT 3 (NENW) Sec 13 T 01N R 04W in OWYHEE County.

Use: IRRIGATION (1.000 CFS)
Total Diversion: (1.000 CFS)

Date Filed: 5/28/1998

In: OWYHEE County
T01N R04W S12 SESW
S13 Lot 3 (NENW)

50.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in future as needed.

MICROFILMED

AUG 06 1998

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 Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JULY 6, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 6/17/1998 & 6/24/1998

MICROFILMED

AUG 06 1998

RESPONSE FORM

COMPLETE ONLY IF YOU WANT YOUR APPLICATION TO BE PROCESSED

Name of Applicant MARK & Susie Alexander

Mailing Address HC 79 Box 123

Melba, Idaho 83641

Application No. 57-075⁶⁶⁴~~48~~

Mitigation

Yes, I agree to accept a condition of approval on my application that will require mitigation related to fishery resources based upon a finding by the Director, Idaho Dept. of Water Resources. I understand that mitigation is not needed now but may be needed in the future. I also understand that the Director will not invoke this condition until I have an opportunity to participate in the process by which mitigation is identified and quantified.

Signature

Mark Alexander

Date

May 26 1998

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

AUG 06 1998