

P.D. #3 - CATHERINE CREEK

CHARLES ASH
(WELL) - PRIME DECOR
IN BLUE

Same spring as
57-10538 but
other areas

57-07639
45 1E 5:28
MICROFILMED
NO gov't units
-82 2/15/98

Salsal

5552

JUSTE

SEE 282754b5w

5556

3



AA



Figure 1

10



1514

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)

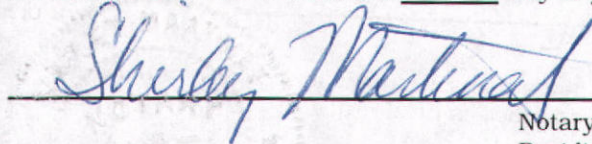
(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

March 4 & 11, 1998

Signed



Subscribed and sworn to me this 11th day of March A.D., 19 98



Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires April 22, 2002

NOTICE OF APPLICATION FOR WATER RIGHT

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

57-07639 ✓

FERRIS, LINDA K
THOMAS, KELLY A
THOMAS, ROBERT A
THOMAS, BEN A
HC 79 BOX 2060
MURPHY, ID 83650
Source: SPRING
Tributary: SINKS
Diversion Pt: SENWSW Sec 28
T 04S R 01E in OWYHEE County.

Use: IRRIGATION (0.820 CFS)
STOCKWATER (0.230 CFS)
Total Diversion: (1.050 CFS)
Date Filed: 2/6/1997
In: OWYHEE County
T04S R01E S28 NESE NWSE
41.0 ACRES TOTAL

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 for 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 MARCH 23, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

3/4&3/11/98

MICROFILMED
JUN 09 1998

RECEIVED

MAR 11 1998

WATER RESOURCES
WESTERN REGION

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
57-7639 IN THE NAME OF)
LINDA K. FERRIS, KELLY A.)
THOMAS, ROBERT A. THOMAS,)
& BEN A. THOMAS)
_____)

REINSTATEMENT ORDER

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before May 1, 2003; and,

WHEREAS, the Department notified the permit holder on February 28, 2003, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

WHEREAS, on May 1, 2003, the permit lapsed since the State Office had not received an acceptable proof of beneficial use statement or extension of time from the permit holder; and

WHEREAS, on June 3, 2003 the State Office received the proof with a receipt in the amount of \$101.25. The proof had been received on April 23, 2003. However, it was determined that the correct fee had not been requested from the permit holder. A letter requesting the additional amount was sent to the permit holder, and the balance of the fee was paid on June 25, 2003.

WHEREAS, Section 42-218a(3), Idaho Code, provides that the Department may reinstate a permit upon a showing of error or mistake of the department; and,

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 57-7639 is **REINSTATED** with no advance in priority.

DATED this 2nd day of July, 2003.


L. GLEN SAXTON, Administrator
Water Management Division

MICROFILMED

OCT 23 2003

SCANNED
APR 22 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY
Amt of Fee \$ 101.25
Receipt No W030371
Receipt By KL
Date Received 4/22/03
Amt. Rec'd: 23.75
Receipt No: W030635
Rec'd By: A. Gale
Date Rec'd: 6/25/03
dy

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 57-7639 Telephone No (208) 834-2638
- 2 Name of Permit Holder(s) Robert A. Thomas
- 3 Mailing Address. HC 79 Box 2060
City MURPHY State Id Zip 83650
- 4 Source of Water. Spring If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
- 5 Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): 1000 Range Cows
Irrigation (No. of acres): 41.0 Other: _____
- 6 Total rate of diversion and/or volume for which proof is submitted 1.050 cfs cfs OR _____ acre-feet
- 7 Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional Please check either yes or no Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X
8. Fee Enclosed: \$ 101.25 (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: Same As Above Telephone Number: (208) 834-2638
Address Same As Above
- 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. Robert A. Thomas Date: 4-22-03
(include your title, if on behalf of company of organization)

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MAY 29 2003

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 57-07639

Proposed Priority: February 6, 1997

Maximum Diversion Rate:

1.05 CFS

This is to certify, that LINDA K FERRIS
KELLY A THOMAS
ROBERT A THOMAS
BEN A THOMAS
HC 79 BOX 2060
MURPHY ID 83650

has applied for a permit to appropriate water from:
SPRING tributary of SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.82 CFS
STOCKWATER	01/01 to 12/31	0.23 CFS
	Totals	1.05 CFS

LOCATION OF POINT(S) OF DIVERSION: SENWSW , Sec. 28, Township 04S, Range 01E
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>
04S	01E	28	NESE 24.0	NWSE 17.0		41.0

Total number of acres irrigated: 41.0

PLACE OF USE: STOCKWATER, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 2003.
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. 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.
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.

MICROFILMED

JUN 09 1998

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

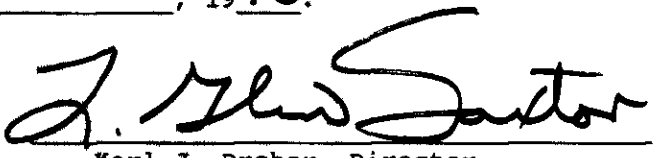
NO. 57-07639

CONDITIONS OF APPROVAL AND REMARKS

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.
7. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
8. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
9. The Director retains jurisdiction over this right and may change, add, or remove any requirement as determined to be appropriate.
10. Stockwater use is for 1000 range cattle.

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

27th day of April, 1998.


for Karl J. Dreher, Director

MICRO FILMED
JUN 09 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

ROBERT A. & KELLY A. THOMAS &

1. Name of Applicant BEN A. THOMAS, JR. & LINDA K. FERRIS Phone _____

Mailing address HC 79, BOX 2060, MURPHY, ID 83650

2. Source of water supply SPRING which is a tributary of SINKS

3. Location of point of diversion is Township 45 Range 1E Sec. 28 in the SE 1/4,

NW 1/4, SW 1/4, Govt. Lot _____, B.M., OWYHEE County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .82 for IRRIGATION purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)

* Amount 24.23 for STOCKWATER purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) * 1.06 1.05 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source DRAINAGE DITCH FOR SPRING
WITH DIVERSION DAM & DITCHES FOR IRRIGATION. POSSIBLE SPRINKLER IRR.

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

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

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? _____; Drilling firm _____

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 3 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. 1000 HEAD RANGE CATTLE

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

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JUN 09 1998

* per dept standard, max. for 1000 hd = 0.25 cfs. cty. 4/21/90

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	
45	1E	28													24	17			41

Total number of acres to be irrigated 41

10. Describe any other water rights used for the same purposes as described above. RIGHT NO. 57-10558-
SAME SOURCE, DIFFERENT LANDS.

11. a. Who owns the property at the point of diversion? APPLICANTS

b. Who owns the land to be irrigated or place of use? APPLICANTS

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

12. Remarks: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

MICROFILME

Robert A. Thomas

JUN 09 1998

Signature of Applicant (and title, if applicable)

Received by [Signature] Date 2-16-97 Time 11:15 AM Preliminary check by [Signature]

Fee \$ 120 Received by [Signature] # 16021939 Date 2-16-97

Publication prepared by ST Date 2/25/98 Published in Owyhee Avalanche 3/4-11/98

Publication approved ST Date 3/27/98

Ident. No. 57-07639

Comments: Date: 3/10/1997 User-ID: STAYLOR

Subject: Additional Water Rights

Water right no. 57-0-10558, same source, different lands.

Comments: Date: 3/10/1997 User-ID: STAYLOR

Subject: Stockwater

1,000 head range cattle.

WFO 11761

JUN 22 1998



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

July 2, 2003

LINDA K FERRIS
KELLY A THOMAS
ROBERT A THOMAS
BEN A THOMAS
HC 79 BOX 2060
MURPHY ID 83650

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 57-7639

Dear Permit Holder:

I acknowledge receipt of the Proof of Beneficial Use you filed in connection with the above referenced permit. Enclosed is an order reinstating the permit without advancement of the priority since proof was submitted on time, and the department requested the wrong amount for the license exam fee. 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 (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure
c: IDWR - Region

MICROFILMED

JUL 2 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.. 57-7639

Reviewed By. dgibson

Date. July 1, 2003

	<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.		W030371, W030635	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	06/25/2003
Date proof due	- 05/01/2003
Lapse notice sent	- 05/05/2003
No. of days late	= 55
Holiday allowance	+
Priority date	+ 02/06/1997
New priority date	= 04/02/1997

Deficiencies of Actions Items

Acknowledge proof and reinstate permit with no advance in the priority date, based on department error



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 5, 2003

RECEIVED

JUN - 6 2003

Department of Water Resources

Robert A Thomas
HC 79 Box 2060
Murphy ID 83650

Re: Proof of Beneficial Use #57-7639

Dear Mr. Thomas:

On April 22nd I assisted you in filing the Proof of Beneficial Use on Permit #57-7639 with the Department. Unfortunately, the fee of \$101.25 I calculated was incorrect for the 1.05 cfs rate of diversion. The correct fee should be \$125.00. Please submit the **\$23.75** difference to the Department within 10 days of this letter. The lapsed permit can then be re-instated by the State Office.

I apologize for the inconvenience.

Should you have any questions, please contact me at the Western Regional Office, phone 334-2190.

Sincerely,

A handwritten signature in cursive script, appearing to read 'John Westra'.

John Westra
Western Region

cc: D. Gibson, SO
Enclosure

MICROFILMED

OCT 24 2003

Receipt Details for ID W030371

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/23/2003 1:06:22 PM	4/23/2003 2:48:57 PM	WESTERN	\$101.25	Check
Payer		THOMAS BROTHERS RANCH		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1839			
Card Expiration Date	Credit Card Transaction #		

Comment PROOF OF BENEFICIAL USE 57-7639

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$101.25	BENEFICIAL USE	62104	0229	21		1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

MICROFILMED

OCT 23 2003

May 5, 2003

ROBERT A THOMAS
KELLY A THOMAS
BEN A THOMAS
LINDA K FERRIS
HC 79 BOX 2060
MURPHY, ID 83650

LAPSE NOTICE

RE: PERMIT NO. 57-7639

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated February 28, 2003. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

Sincerely,

L. Glen Saxton, Chief
Water Allocation Bureau

Enclosures

MICROFILMED

MAY 14 2003

CERTIFICATION OF MAILING

I hereby certify that on 5/5/03
a copy of this notice was
sent by registered mail,
return receipt requested to the
above named party.

[Signature]

February 28, 2003

ROBERT A THOMAS & KELLY A THOMAS
BEN A THOMAS & LINDA K FERRIS
HC 79 BOX 2060
MURPHY, ID 83650

PROOF DUE NOTICE

RE: PERMIT NO. 57-7639

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 01, 2003. (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.

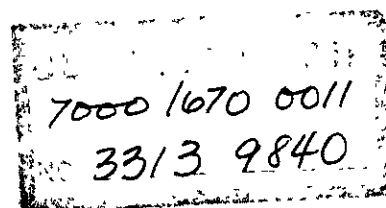
Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILM

1000 1670 0011





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

April 27, 1998

KARL J. DREHER
DIRECTOR

LINDA K FERRIS
KELLY A THOMAS
ROBERT A THOMAS
BEN A THOMAS
HC 79 BOX 2060
MURPHY ID 83650

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 57-07639

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.

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.

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

JUN 10 1998

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

NOTED

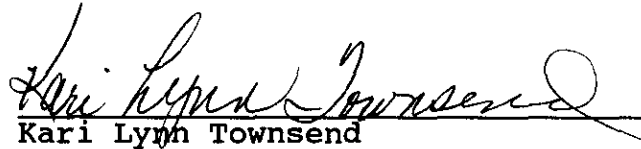
JUN 09 1998

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of April, 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. 57-07639

LINDA K FERRIS
KELLY A THOMAS
ROBERT A THOMAS
BEN A THOMAS
HC 79 BOX 2060
MURPHY ID 83650


Kari Lynn Townsend
Secretary

MICROFILM

JUN 09 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.

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Clady Lou*

No.: 51-7639 Name: Thomas/Ferris Date: 4/22/98 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

- P16

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- No MD

WMD Supplemental use

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- 01M (report when notified)

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

Included w/permit

- Permit No _____ - _____ - _____ - _____, P99

irr in WD

- P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (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) 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

- P84 (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)

Irr Dist/Canal Co

- 023 (Twin Falls area)

SWAN FALLS FLAG (See Code Chart)

Trust

- 7

Non-Trust (1)

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

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU) _____

OWNERSHIP:**OTHER CONDITIONS:**- 120**STANDARD REMARKS:**- 0.002/1000 RC (2)**BENEFICIAL USE DUE:**- 01/2001**COMMENTS:**

- Same spring as 57-10558 but diff lands.
 some (13) same lands (off) as 57-00050 but diff source.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

APR 21 1998

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: SL DATE: 2/24/98 APPLICATION: 57-07639

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:

N P/D
P/U

ADDITIONAL INFORMATION

yes ADVERTISE REMARK(S)
(Reviewer identify which remarks)

✓ T FLAG CHANGED TO P FLAG DONE on 2/24/98

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
 Copy to SCA staff: (perennial stream, non-pump diversion &/or any mining).
 Copy to Dam Safety staff: (for any storage)
 Mitigation plan: where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge
 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

NOTE - 1 of 3 appls. for 3 systems, each for unique acres when compared to rights from same diversion i/a when compared to 2 of 26- appls. This one processed now but other 2 held pending add'l info.

Date Requested _____ Date Response Received _____

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:

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 3-23-98
☒ Protests received.
☒ Recommendations attached:
☒ Measuring device required:
☒ Measuring port required:
☒ Water delivered by water master? District #
☒ Special conditions of approval or cover letter: 049, (Anadromous fish mitigation condition).

See below for additional information
 Recommended Date or Priority 2/6/97
 Recommended by: Cam Date: 4/28/98

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION:

Overlap. same system as 57-10558 (recently described) but for different area.

Applicants' 2/12/98 Response form addresses future mitigation so can proceed.

Attorneys (see 3/14/97) requested to be notified when ad Revs. " notified per reviewer's 4/24/98 letter. Sent letter to law firm 2/25/98

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

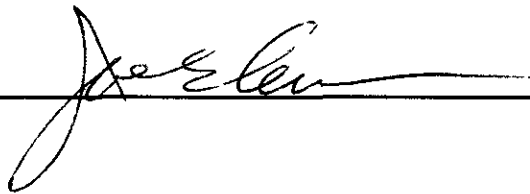
4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

said newspaper, in Two (2)

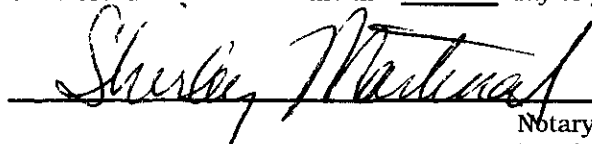
(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s)

March 4 & 11, 1998

Signed



Subscribed and sworn to me this 11th day of March A D , 19 98



Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires April 22, 2002

RECORDED
JUN 09 1998

RECEIVED

MAR 11 1998

WATER RESOURCES
WESTERN REGION



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

February 25, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT THOMAS ET AL
HC 79 BOX 2060
MURPHY ID 83650

RE: WATER RIGHT FILINGS PENDING AT IDWR

Dear Mr. Thomas:

This letter regards several water right filings pending at the Western Region office. Each filing is addressed separately as noted below.

TRANSFER #5182

The transfer involves adding a new diversion point to Catherine Creek right #57-00040. The new point will also serve as a new re-diversion point for well water injected into the creek via right #57-02235, which concerns a geothermal well.

The transfer file indicates that you are going to provide authorization for the change from the lienholder of the land described by the rights. The authorization is needed before processing can resume. Enclosed for your convenience is a copy of the first page of the transfer application plus printouts for the two rights recently decreed in the adjudication process.

APPLICATION FOR PERMIT #57-07637

This application lists the same well identified in #57-02235 but for different acres. Two pieces of information are needed for this filing.

1. The application includes land on both sides of Catherine and/or Brown Creek. Will the additional use of the well include injection of well water into the creek(s) and re-diversion of that water from the creek(s) as described by the current use of right #57-02235? If so, the injection and re-diversion points should be included in the application.

2. I.C. § 42-233 requires that geothermal ground water must first be used for heat value in a new appropriation before being used for irrigation or other non-heat value uses. It does not appear that heat value from this well is being utilized according to current water right and/or adjudication claim records. Please provide a response to the requirement of this statute.

MICROFILMED
JUN 09 1998

Robert Thomas Et Al
February 25, 1998
Page 2

APPLICATION FOR PERMIT #57-07638

This filing involves additional irrigation from the well listed in license #57-07267. The application states that the license incorrectly locates the well, and the application includes a well site in NWSW and/or SWSW Section 31. Now is the time to correctly locate this well. Please use the enclosed map to locate the well. Include a justification for the location (distance from 90 degree road corner?).

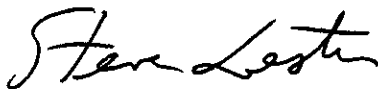
If the well is actually in NWSW Section 31, a transfer application will be needed to correct license #57-07267 while application #57-07638 is corrected and then processed.

APPLICATION FOR PERMIT #57-07639

The last application includes additional acres from the spring noted in recently decreed right #57-10558. This application can be processed without delay.

Please provide the necessary information for transfer #5182 and applications #57-07637 and #57-07638 at your earliest convenience to allow processing of these three filings to proceed. Please let me know if you need any help in this process. Application #57-07639 will move ahead in the meantime. This letter is copied to Sharon Hart Strickland at Rosholt Robertson & Tucker per her request of March 14, 1997.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosures

c: Sharon Hart Strickland

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JUN 09 1998

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM				
		NE		NW		SW		SE		NE		NW		SW		SE						
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac					
5707639	T04S R01E S28 SPRING																					
		:			:				:				:	24	17		:	41				
*5700040	CATHERINE	:			:				01	:	34	16	05	03	:	07	05	17	18	:	106	
A5700040	CATHERINE	:			:				02	:	34	18	03	03	:	08	17	17	17	:	119	
T5700040	CATHERINE	:			:				01	:	34	16	05	03	:	07	05	17	18	:	106	
5700040B	CATHERINE	:			:				I	:	I	I	I	I	:					:		
A5700049	CATHERINE	:			:				02	:	34	18	03	03	:	08	17	17	17	:	119	
5700050	CATHERINE	:			:				:					I	:	I	I	I		:		
*5700050	CATHERINE	:			:				:					:			13			:	13	
A5700050	CATHERINE	:			:				02	:	34	18	03	03	:	08	17	17	17	:	119	
5700054	CATHERINE	:			:				I	:	I			:						:		
A5700054	CATHERINE	:			:				02	:	34	18	03	03	:	08	17	17	17	:	119	
5702235	GROUNDWATE	:			:				:		40	38		:	32	38	13	17	:	178		
*5702235	GROUNDWATE	:			:				03	:	01	34	29	05	03	:	07	05	17	18	:	122
A5702235	GROUNDWATE	:			:				:		02	34	27	03	03	:	08	17	17	17	:	128
T5702235	GROUNDWATE	:			:				03	:	01	34	29	05	03	:	07	05	17	18	:	122
5707640	GROUNDWATE	:			:				30	:				:						:	30	
*5710558	SPRING	:			:				:		01			03	:	07	03	17	18	:	49	
A5710558	SPRING	:			:				:					:		08	03	16	17	:	44	

same spring but

derived for different acres
than 1157 57-07639

P/O overlap WRQ5 & ATQ5

just 57-10558

- overlap -

AJ5809NP
No. 57-10558

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/24/98
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT A THOMAS	10/08/1915	IRRIGATION	03-15 11-15	1.30 CFS	
C	KELLY A THOMAS		STOCKWATER	01-01 12-31	0.07 CFS	
C	BEN A THOMAS JR					
C	LINDA K FERRIS					
D	SHIRLEY COX					
				TOTAL DIVERSION:	1.37 CFS	

Water Source: SPRING

Tributary to: SINKS

Stage: DECREED

Point(s) of Diversion:

T04S R01E S28

SENWSW

OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
04S	01E	27	:											03	18	14	01			36.0
04S	01E	28	:											01			03	07	03	49.0
																			TOTAL ACRES	85.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: OWYHEE

Other Rights: 57-00040, 57-02235

Conditions of Approval:

- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.
- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NOS. 57-00040 & 57-02235 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.86 CFS.

POU1 USE OF THIS RIGHT WITH RIGHT NOS. 57-00040 & 57-02235 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 237 ACRES IN A
SINGLE IRRIGATION SEASON.

EXP STOCKWATER, 250 RANGE CATTLE.

Dates: Exam Made Date: Verified Date: 04/16/1997 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. 57-10558

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/24/98
PAGE: 6

=====

Comments: Date: 01/16/1997 User-ID: LHARRIS Subject: NAME CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Date: 04/16/1997 User-ID: KWALKER Subject: CONVEYANCE LOSSES
1.18 CFS OF RIGHT NO. 57-00040 IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NOS. 57-00040 AND
57-02235.

Audit: 01/16/97 LHARRIS 01/22/97 JSHURTE 04/16/97 KWALKER 07/03/97 PD-DSHAF

RESPONSE FORM

RECEIVED

FEB 12 1998

WATER RESOURCES
WESTERN REGION

COMPLETE ONLY IF YOU WANT YOUR
APPLICATION TO BE PROCESSED

Name of Applicant THOMAS Brothers Ranch

Mailing Address HC 79

Box 2060

OREANA, Id . 83650

Application No. 57-07637, 57-07638, 57-07639

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 Robert A. Thomas

Date Feb. 9, 1998

Please return this form to:

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

NOTED JUNE

JUN 09 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

February 4, 1998

DISTRIBUTION: Applicants whose water right applications were held without action pending fishery resources issues.

Dear Applicant:

You filed an application for permit to develop a water right that includes consumptive use (see attached profile report). This office was not been able to process such applications in your area until some water supply issues related to fishery resources were resolved.

A method to address these issues now exists. Applications that include consumptive use can be processed if applicants are willing to accept a condition of approval that can require mitigation at a later date if the need for mitigation is clearly documented. Mitigation can include steps such as purchasing storage water to offset adverse impacts to fishery resources that new water developments might cause.

Enclosed is a response form to be completed and returned if you want your application to be processed. To the extent possible given other factors, applications will be processed in the order in which they were filed.

Also enclosed is a withdrawal form. If you no longer have an interest in obtaining the water right outlined in your filing, please complete and return this form. You will receive a refund for the filing fee associated with the application.

Delays in processing due to department considerations such as those discussed in this letter do not affect the priority date of your application. Please contact this office at 334-2190 if you have any questions about your application.

Sincerely,

Western Region Allocation Staff

Enclosures: Profile Report, Response Form and Withdrawal Form

MICROFILM

JUN 09 1998

W021939

2/ 6/1997

THOMAS BROTHER RANCH

APPLICATIONS FOR PERMIT (3) 62103 229 21 1155 400.00

CHECK

1036

\$

400.00

Region: WESTERN

Signature: _____

57-07637 \$180
57-07638 \$120
57-07639 \$120
\$400 total

OK

- J 2/24/98

MICHAEL

JUN 09 1998

ROSHOLT, ROBERTSON & TUCKER

Chartered

ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

RECEIVED

MAR 17 1997

WATER RESOURCES
WESTERN REGION

March 14, 1997

Cindy Hodges
Sr. Water Resource Agent
Idaho Dept. of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RE: ROBERT THOMAS APPLICATIONS FOR PERMIT

Dear Cindy:

Thank you for forwarding copies of the Thomas applications for my review. Would you please document your file to contact me when these applications are publicly noticed, as mentioned in your letter.

Once again, thanks for your assistance.

Sincerely,



SHARON HART STRICKLAND
Certified Legal Assistant

ANCOR MAIL

JUN 09 1998

TBR

THOMAS BROTHERS RANCH
HC 79 Box 2060 ~ Oreana, ID 83650 ~ USA
Phone (208) 834-2638 ~ Fax (208) 834-2638

RECEIVED

MAR 10 1997

WATER RESOURCES
WESTERN REGION

March 7, 1997

Mr Karl Dreyer, Director
1301 N Orchard St
Boise, Idaho 83705-5082

Dear Mr Karl Dreyer,

On February 6, 1997, we applied for three applications for permits with Jan Shurte. The purpose of this correspondence is to express hope that this process be completed for the 1997 growing season. Under our existing water rights, we are trying to increase the efficiency of water currently being utilized. A brief summarization of each of those applications is as follows

First, regarding water right known as 57-07267. Currently this well is being utilized only three out of the four weeks a month during the growing season. In addition to this existing time period, it would be our intent to use this well water during that one week period of non-use.

Secondly, water right 57-02235 is a well that is currently being utilized only as flood irrigating via miles of dirt laden ditches. As you are aware, sprinkling would be a much more efficient method and useage of the water. It is our goal to utilize the existing amount of water with sprinklers but apply it over a broader base of ground

Lastly, right 57-10558 is a situation where the water is in useage approximately 80% of the time. We would like to utilize that remaining 20% in order to make more efficient use of the current system

In closing, we would appreciate you and your staff's efforts to expedite the processing of these three permits. If you have any questions or concerns we would be happy to address those. Thank you for your time and attention regarding this matter

Sincerely,

Robert Thomas

Robert Thomas

Same
diverting
if

APPLICATION FOR PERMIT NO'S

57-07637

57-07638

57-07639

MAR 09 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

March 12, 1997

SHARON STRICKLAND
ROSHOLT ROBERTSON AND TUCKER
PO BOX 1906
TWIN FALLS ID 83303

RE: Robert Thomas Applications for Permit

Dear Sharon:

Enclosed are copies of three applications for permit, numbered 57-07637, 57-07638 and 57-07639, which were filed on 2-6-97 by Robert Thomas. As we discussed over the telephone, these applications are not yet scheduled for advertising, even though one of them was inadvertently placed on the new applications listing.

These filings will remain on hold at this office until they are advertised. If you would like to be contacted during the public notice period, please advise me and I will place a request in the files.

Please let me know if I can be of further assistance.

Sincerely,

Cindy Hodges
Sr. Water Resource Agent

enclosures

RECEIVED

JUN 09 1998

57-07639

FERRIS, LINDA K
THOMAS, KELLY A
THOMAS, ROBERT A
THOMAS, BEN A
HC 79 BOX 2060
MURPHY, ID 83650

Source: SPRING

Tributary: SINKS

Diversion Pt: SENWSW Sec 28 T 04S R 01E in OWYHEE County.

Use: IRRIGATION	(	0.820 CFS)
STOCKWATER	(	0.230 CFS)
Total Diversion:	(	1.050 CFS)

Date Filed: 2/ 6/1997

In: OWYHEE County
T04S R01E S28 NESE NWSE

41.0 ACRES TOTAL

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

11/11/97