

65-22870

SQUAW

Roystone
Hot Springs

T7N
R1E
S16
SWNE
(No Gov lta)

2559-T

2516AT

2678-T

X B.M.
2558

an
Bend

P/u
P/D
X

2502AT

PAYETTE

MICROFILMED
11/5/2004

AFFIDAVIT OF PUBLICATION

RECEIVED

APR 15 2004

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO)
County of Gem) SS.

ANTHONY M. CLARK
of Emmett, Gem County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Messenger Index, a weekly newspaper published in the City of Emmett in the County of Gem, State of Idaho; that the said newspaper is in general circulation in the said County of Gem, and in the vicinity of Emmett, and has been uninterruptedly published in said County during a period of fifty-two consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in the newspaper two times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following:
April 7, 14, 2004

STATE OF IDAHO)
County of Gem)

On this 14th day of April in the year of 2004 before me a Notary Public, personally appeared. Anthony M. Clark known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he executed the same.

Notary Public for Idaho
Residing at Emmett
My Commission expires
February 1, 2005



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

65-22870

RONALD L JARMIN
5505 MONTOUR RD
EMMETT ID 83617

Point(s) of Diversion SWNE S16 T07N R01E
GEM County Source GROUND WATER

Use: IRRIGATION	03/15 To 11/15	0.15 CFS
Use: DOMESTIC	01/01 To 12/31	0.02 CFS
Total Diversion:		0.17 CFS

Date Filed: 03/23/2004
Place Of Use: IRRIGATION
T07N R01E S16 SWNE
Number of Acres 5
Place Of Use: DOMESTIC
T07N R01E S16 SWNE

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Domestic use is for 1 home.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 04/26/2004. The protestant must also send a copy of the protest to the applicant.

Pub: 4-7, 14, 2004

KARL J DREHER, Director

Legal Notice No. 5437
Published in the Messenger Index

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APR 15 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22870

Priority March 23, 2004

Maximum Diversion Rate: 0 17 CFS

This is to certify, that RONALD L JARMIN
 5505 MONTOUR RD
 EMMETT ID 83617

has applied for a permit to appropriate water from

Source: GROUND WATER

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	03/01 to 11/15	0 15 CFS
DOMESTIC	01/01 to 12/31	0 02 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 16, Twp 07N, Rge 01E, B.M., GEM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	01E	16			5 0														5 0
Total Acres: 5																			

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	01E	16			X														

CONDITIONS OF APPROVAL

- 1 Proof of application of water to beneficial use shall be submitted on or before **May 01, 2009.**
- 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 the permit holder had no control.
- 4 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department
- 5 Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
- 6 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4 5 afa per acre at the field headgate for irrigation of the lands above

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MAY 13 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 65-22870

7. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 4th day of May, 2004

Karl J. Dreher

Acting for

KARL J DREHER, Director

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111 15 2004

RECEIVED

APR 30 2004

Department of Water Resources

FORM 202
12/99

Ident. No. 65-22870

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant RONALD L JARMIN Phone (208) 584-3646
Mailing address 5505 MONTAUK RD. EMMETT, ID. 83417
2. Source of water supply GROUND WATER which is a tributary of _____
3. Location of point of diversion is Township 7N Range 1E Sec. 16, in the _____
SW $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot _____, B.M., GEM County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

- RG 3/23/04 Amount 100.15 for IRR purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.02 for DOMESTIC 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) .10-17 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 EXISTING WALL AND PUMP,
SPRINKLERS
- 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? N
- e. If well is already drilled, when? 6/28/99; Drilling firm ADAMSON PUMP & DRILL;
Well was drilled for (well owner) APPLICANT; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)

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

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 HOME IN HOUSE USE
- e. Other; describe fully. _____

NOT FORWARDED
15 2004

3. 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	
7N	1E	16			5														5

Total number of acres to be irrigated 5

10. Describe any other water rights used for the same purposes as described above. NONE

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 enabling the applicant to make this filing:

12. Remarks: 65-22838 is my NEIGHBOR - SEPERATE WELL & ACRES TO EAST OF MY PROPERTY

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.

Ronald L. Jermier
Signature of Applicant (and title, if applicable)

Received by g Date 1/28/04 Time 3 PM Preliminary check by DAN
Fee \$ 100 Received by g # W031219 Date 1/28/04
Publication prepared by AK Date 4-20-04 Published in MESSENGER INDEX
Publication approved AK Date 4-26-04

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111 # 5 2003

REQUEST TO PROCESS

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

Name of Applicant

RONALD JARMIN

Mailing Address

5505 MONTGOMERY RD

EMMETT ID 83617

Application No.
(if known)

IN LOCAL PUBLIC INTEREST

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

PROPOSE MITIGATION NOW

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

WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

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

Signature

Ronald Jarmin

Date

1/28/04

Please return this form to:

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

2004

2611-7

65-22870

Roystone
Hot Springs

T7N
R1E
S16
SWNE
(No Gov (ts))

SQUAW

2559-T

2516AT

2678-T

X B.M.
2558

an

Bend

PLU
P/D

2582AT

PAYETTE

MILWAUKEE

2000



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

May 4, 2004

RONALD L JARMIN
5505 MONTGOMERY RD
EMMETT ID 83617

RE: Permit No. 65-22870

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

Upon review of your application, we found that the drilling permit fee submitted by Adamson Pump & Drilling in June of 1999 is not sufficient for this right. The fee paid was for a domestic well for one home. The correct fee for a drilling permit for a well used for irrigation purposes is \$200.00. Since only \$75.00 was previously paid, we request that you submit an additional \$125.00 to upgrade the drilling permit fee. Please note on your check that the money is for "Drilling Permit Upgrade D0009758". If you do not upgrade the drilling permit fee, we may withhold licensing of your development in the future.

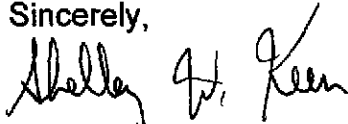
MICROFILMED

MAY 15 2004

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being the most prominent.

Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

MAIL ROOM

2004

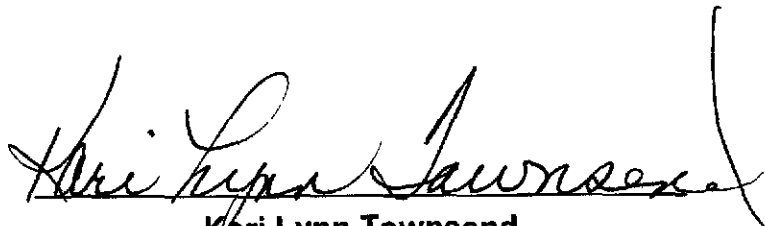
CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2004 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.

65-22870

**RONALD L JARMIN
5505 MONTGOMERY RD
EMMETT ID 83617**



**Kari Lynn Townsend
Secretary**

NOT RECORDED

- 2004

**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).

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.

APPROVED
JUL 15 2004

Comment Report

65-22870

1 scurtis 3/23/2004 Legal Notice Remarks

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

Domestic use is for 1 home

2. dnelson 3/23/2004 Comment/Analysis

Comment: The domestic use for this application is for inhouse use of one home. The 5 acres of irrigation will cover the yard and a small pasture. There are no significant overlapping water rights. The priority date was advanced to 3/23/2004, because the rate of diversion was increased on that date. This application if for 0.03 cfs per acre.

3. kwalker 5/3/2004 Irrigation Season of Use

Comment: I updated the season of use for irrigation purposes for this application pursuant to our standards map for season of use.

APPROVED: [Signature]
DATE: 5/10/04

Printed 05/03/2004
Ident No 851390
Well Tag No. D0009758
Well ID # 289905

Receipt # W025334

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Application Start Card**

Relationship. Owner/Operator
Name: RON JARMIN
Address: TERRY GARDNER
1620 S PLAZA
EMMETT ID 83617

Phone: (208)365-5785

*fee paid by
Adamson for
start card
6/14/99*

Proposed Well Location: Township 07N, Range 01E, Section 16, SW, NE
COUNTY GEM Sub Name MONTOUR HEIGHTS

Street Address of Well Site: MONTOUR HEIGHTS
EMMETT ID

Proposed Use of Well. Domestic-Single Residence

Well Construction Information.

- A New Well
- B. Proposed Surface Diameter. Inches. Proposed Depth Feet
- C Anticipated Bottom Hole Temperature: 85F and Less

Construction Start Date: Jun 24 1999

Anticipated Well Drilling Company: ADAMSON PUMP & DRILLING (No. 457)

Applicant's Signature: _____ Date: _____

Title: _____

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JUN 15 2004

Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat. : : Long. : :

3111 5 2004
FORWARD WHITE COPY TO WATER RESOURCES

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

APR 30 2004

Department of Water Resources

Initial review by DAN Date 3-18-04 Application # 65-22870

REQUIRED INFORMATION

- ☒ Name (for corporation or partnership, names & addresses for director, officers, &/or other partners must be included)
☒ Address
☒ Source (see USGS quad for source names)
☒ P/D (10 acres for spring, lot & block descriptions for subdivisions, local name)
☒ County
☒ Quantity (flow &/or volume)
☒ Period of use
☒ Nature of use (list details in appl. Item 8 if non-irrigation)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ P/U
☒ Map (show T, R, S, QQ &/OR QQQ)
☒ Subdivision plat (if > 1 home restricted area ≥ 5 homes non-restricted area)
☒ Signature (if corporation, partnership, municipality, need title of signatory)
☒ Correct fee paid

Diversion
Increased on
3-23-04
Priority Date
Should be 3-23-04

Government Lots

NO P/D
NO P/U

ADDITIONAL INFORMATION

YES ADVERTISE REMARKS (Yes or No)

YES NO

- ☒ P/D overlap (explain) NO SIGNIFICANT OVER LAPPING RIGHTS.
☒ P/U overlap (explain)
☒ Critical groundwater area (send letter)
☒ Ground water management area (send letter)
☒ Drilling concern area (send letter)
☒ 1992 moratorium (send letter)
☒ Surface water source, IDFG comment letter
☒ Protected river or minimum flow reach, notify water planning bureau
☒ E-mail to Dam Safety staff (if any storage)
☒ Mitigation plan: "request to process form" in file:
 ☐ Immediate = closed areas, acceptable plan required & submitted
 ☒ Future = open areas, plan not required
☒ 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 APPLICANT

Well up Grade Fee Required!

Date Requested _____ Date Response Received _____

PROCESSING

APPLICATION # 65-22870

YES NO

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

COMMENT LETTERS

YES NO

☒ IDEQ
☒ District Health
☒ IDFG
☒ IDL

YES NO

☒ US BLM
☒ US Forest Service
☒ Water Dist #
☒ Water Planning Bureau
☒ Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ Affidavit of publication received
☒ Application published correctly? If not, record action taken

☒ Publication dates & paper recorded on application
☒ Final date for protest 4-26-04
☒ Protests received
☒ Recommendations attached
☒ Measuring device required
☒ Water delivered by water master? District #
☒ Special conditions of approval or cover letter

Standard conditions 046

Recommended Date of Priority 3-23-04 (see below)

Recommendation ☒ Approve ☐ Deny by Daniel A. Niles Date 4-28-04

ADDITIONAL INFORMATION

☒ See attached proof report, note Legal Notice Remarks &/or Comments

☒ Shapefile completed (optional: attach with proof report)

Rate of Diversion was increased on
3-23-04 as part of a correction.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 65-22870

WATER RIGHT NUMBER: 65-22870

Owner Type

Current Owner

Name and Address

RONALD L JARMIN
5505 MONTOUR RD
EMMETT, ID 83617
(208)584-3649

Priority Date: 03/23/2004

Basis:

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.150 CFS

DOMESTIC

01/01 to 12/31

0.020 CFS

Total Diversion:

0.170 CFS

Annual VolumeLocation of Point(s) of Diversion

GROUND WATER

SW 1/4 NE 1/4

Sec. 16, Twp 07N, Rge 01E, B.M. GEM County

Place of Use

IRRIGATION

Twp Rge Sec

07N 01E 16

NE				NW				SW				SE				Totals
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
		5.0														5.0

DOMESTIC

Twp Rge Sec

07N 01E 16

NE				NW				SW				SE				Totals
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
		X														

Remarks:Comments:

1. scurtis 3/23/2004 Legal Notice Remarks

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

Domestic use is for 1 home

2. dnelson 3/23/2004 Comment/Analysis

Comment: The domestic use for this application is for inhouse use of one home. The 5 acres of irrigation will cover the yard and a small pasture. There are no significant overlapping water rights. The priority date was advanced to 3/23/2004, because the rate of diversion was increased on that date. This application is for 0.03 cfs per acre.

Dates and Other Information:

Application Received Date: 3/23/2004

Application Type: New Appropriation

Applicant Remarks: 65-22838 is my neighbor - separate well & acres to east of my property.

Other Water Rights:

Time to Complete Works: 5



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

April 28, 2004

RONALD JARMIN
5505 MONTOUR RD
EMMETT ID 83617

RE: APPLICATION FOR PERMIT 65-22870

Dear Mr. Jarmin:

Your application for permit 65-22870 for domestic use and irrigation of 5 acres has completed advertising and has been forwarded to our State Office staff for approval/denial. There were no protests on your application and everything seems to be proceeding well at this point.

Your well was drilled as a domestic well with a well drilling fee of \$ 75.00 that your well driller probably included in the cost of drilling your well. However, you are asking that this well now be used for irrigation. The drilling permit fee for an irrigation well is \$200.00. In order to keep our paperwork correct, and to properly classify your well as an irrigation and domestic well you will need to pay a \$125.00 well upgrade fee. At the time of approval you should receive a letter requesting the \$125.00 well upgrade fee. If you feel confident that the water right will be approved, you could send the fee at any time to my attention. Please send a cover letter referring to the water right number, so we can make sure the money gets charged to the proper accounts.

If you have any questions or concerns please contact me at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

MICROFILMED

MAY 15 2004

AFFIDAVIT OF PUBLICATION

RECEIVED

APR 15 2004

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO)
) SS.
County of Gem)

ANTHONY M. CLARK
of Emmett, Gem County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Messenger Index, a weekly newspaper published in the City of Emmett in the County of Gem, State of Idaho; that the said newspaper is in general circulation in the said County of Gem, and in the vicinity of Emmett, and has been uninterruptedly published in said County during a period of fifty-two consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in the newspaper two times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following:
April 7, 14, 2004

Anthony M. Clark

STATE OF IDAHO)
County of Gem)

On this 14th day of April in the year of 2004 before me a Notary Public, personally appeared. Anthony M. Clark known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he executed the same.

Marianne Chaney

Notary Public for Idaho
Residing at Emmett
My Commission expires
February 1, 2005
NOTARY PUBLIC
STATE OF IDAHO

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

65-22870

RONALD L JARMIN
5505 MONTGOMERY RD
EMMETT ID 83617

Point(s) of Diversion GEM County	SWNE Source GROUND WATER	S16 T07N R01E
Use: IRRIGATION	03/15 To 11/15	0.15 CFS
Use: DOMESTIC	01/01 To 12/31	0.02 CFS
Total Diversion:		0.17 CFS
Date Filed: 03/23/2004		
Place Of Use: IRRIGATION		
T07N R01E S16 SWNE		
Number of Acres 5		
Place Of Use: DOMESTIC		
T07N R01E S16 SWNE		

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Domestic use is for 1 home.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 04/26/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub: 4-7, 14, 2004

Legal Notice No. 5437
Published in the Messenger Index

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APR 15 2004

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

April 01, 2004

Legal Notice Department
MESSENGER-INDEX
PO BOX 577
EMMETT ID 83617

RE: Application for Permit No 65-22870

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 04/26/2004. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

MICROFILM

JUL 15 2004

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

65-22870

RONALD L JARMIN
5505 MONTOUR RD
EMMETT ID 83617

Point(s) of Diversion SWNE S16 T07N R01E GEM County Source GROUND WATER

Use. IRRIGATION 03/15 To 11/15 0 15 CFS

Use: DOMESTIC 01/01 To 12/31 0 02 CFS

Total Diversion 0 17 CFS

Date Filed: 03/23/2004

Place Of Use IRRIGATION

T07N R01E S16 SWNE

Number of Acres 5

Place Of Use. DOMESTIC

T07N R01E S16 SWNE

Remark: Applicant agrees to mitigate consumptive use in the future as needed
Domestic use is for 1 home

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25 00 for each application on or before 04/26/2004 The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Messenger-Index on april 7 and 14, 2004.

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APR 15 2004