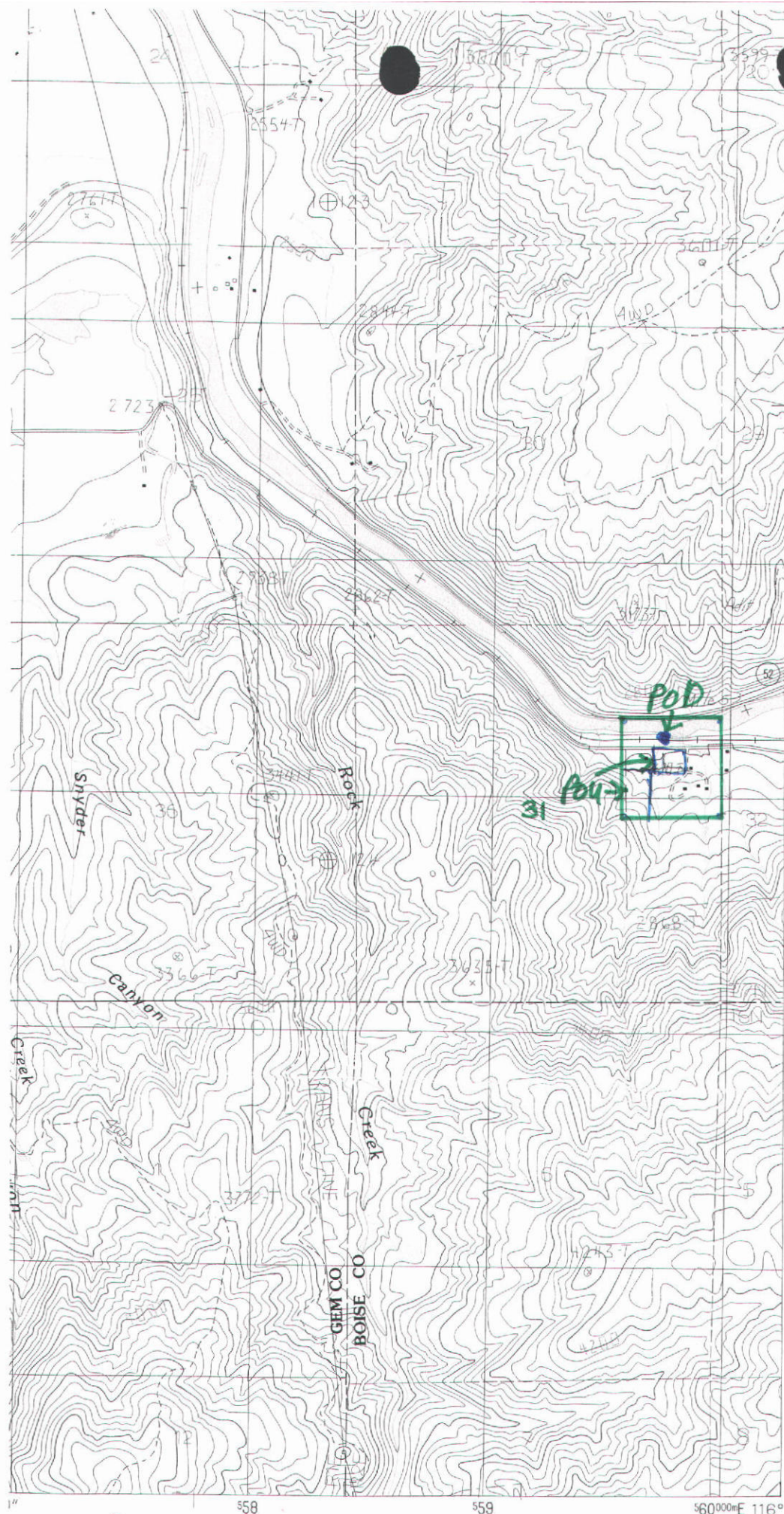
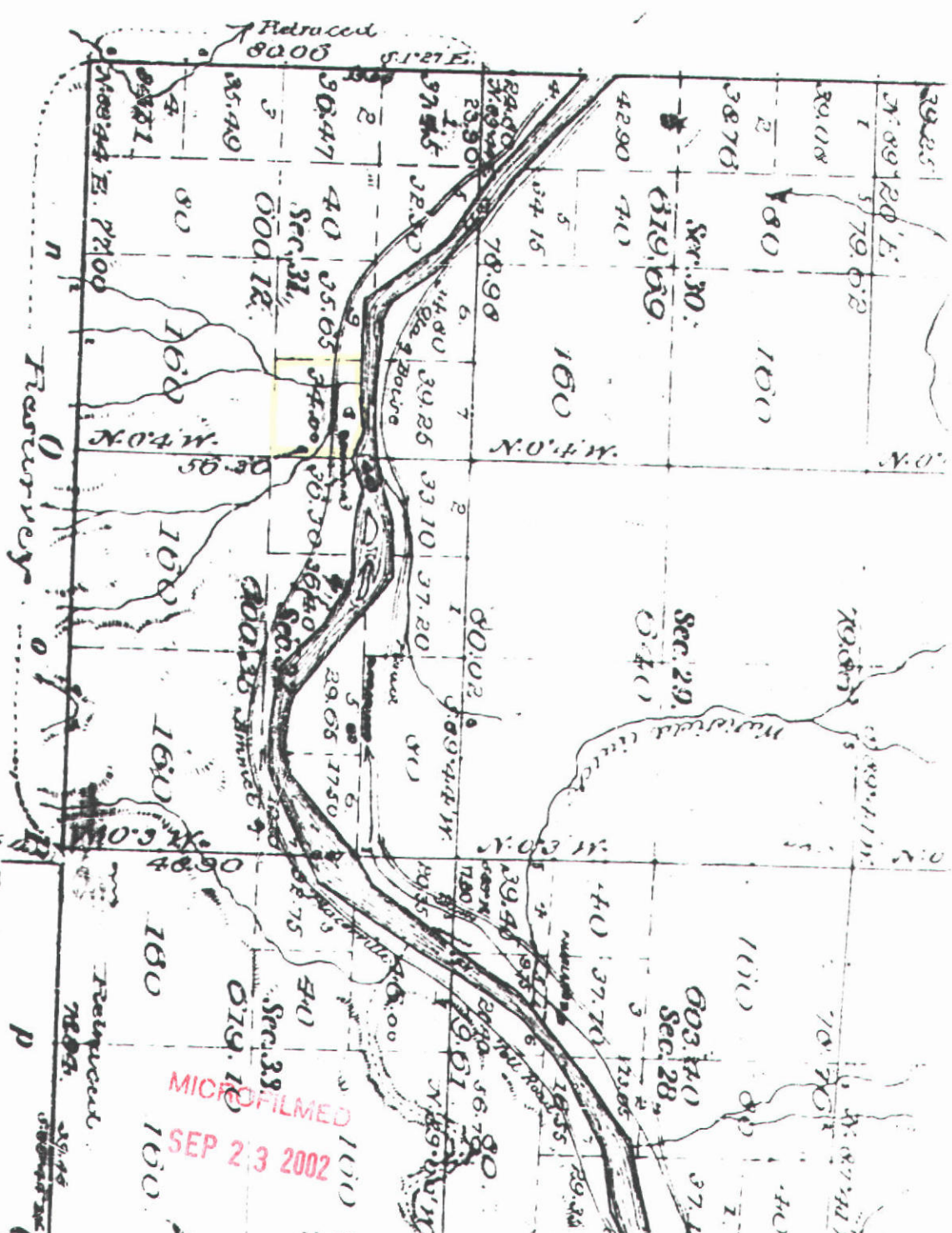




T07N, R2E
S31
Gov Lt 8

SE 1/4 NE 1/4

MICROFILMED
SEP 23 2002



Survey Designated	By Whom Surveyed	Date of Contment	Amount of Survey M. Ch. L.	When Surveyed	Total number of Acres
Township lines (Neodiversity) Subdivisions	Abner L. Proulx	August 18-1892	1 27 00	March 30 1892	
Meanders	"	"	33 58 08	"	
"	"	"	9 09 10	"	

MICROFILMED
SEP 23 2002

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

State of Idaho)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Mar 6, 2002 and ending with the issue of Mar 13, 2002.

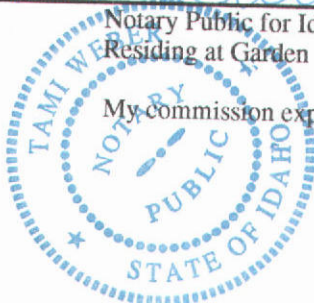
Deanna Stevenson

State of Idaho)
County of Boise)

On this 15 day of Mar in the year 2002, before me, a notary public, personally appeared Deanna Stevenson 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 acknowledged to me that she executed the same.

Tami Weber
Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 2/10/05



RECEIVED

MAR 18 2002

WATER RESOURCES
WESTERN REGION

The following application has been filed to amend Permit to Appropriate Water
65-22659

GENE W GORBET
22 RIVER BLUFF LN
HORSESHOE BEND ID 83629
Point(s) of Diversion L8 SENE
Tributary To SNAKE RIVER
USE: IRRIGATION
Date Filed: 02/19/2002
Place of Use: IRRIGATION
T07N R02E S31
Number of Acres: 5
SENE Lot 8
S31
T07N R02E BOISE County Source PAYETTE RIVER
03/15 To 10/31
0.15 CFS
0.15 CFS
Total Diversion:

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-211, 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 03/25/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in The Idaho World March 6 and 13, 2002

MICROFILMED

SEP 23 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22659

Priority: 02/19/2002

Maximum Diversion Rate: 0.15 CFS

This is to certify, that GENE W GORBET
22 RIVER BLUFF LN
HORSESHOE BEND ID 83629

has applied for a permit to appropriate water from:

Source: PAYETTE RIVER

Tributary: SNAKE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 10/31	0.15 CFS

LOCATION OF POINT(S) OF DIVERSION:

PAYETTE RIVER L8 ~~SE~~^{NE} Sec. 31, Twp 07N, Rge 02E, B.M. BOISE 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 02E 31				5.0													5.0
				L 8													

Total Acres: 5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before April 1, 2007.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
7. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
8. When water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate the depletion of water caused by this water use.

MICROFILMED

SEP 23 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22659

9. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 12th day of April, 2002


for KARL J DREHER, Director

MICROFILMED

SEP 23 2002

Ident. No. 65-22659

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR - 5 2002

FEB 19 2002

APPLICATION FOR PERMIT

WATER RESOURCES
WESTERN REGION

To appropriate the public waters of the State of Idaho

Department of Water Resources

- 1 Name of Applicant Gene W Gorbett Phone 208-793-2674
Mailing address 22 River Bluff Ln
2 Source of water supply Paxette River which is a tributary of Snake River
3 Location of point of diversion is Township 7N Range 2E Sec. 31, in the S.E. 1/4, N.E. 1/4, Govt. Lot 8, B.M., Boise County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.5 cfs for irrigation purposes from 3/15 to 10/31 (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

- 5 Total quantity to be appropriated is (a) 1.5 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 Pump water through pipe line to 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? _____
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 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. _____
e Other; describe fully _____

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APR 23 2002

9 Description of place of use:

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

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	2E	31				5													5

Total number of acres to be irrigated 5

10. Describe any other water rights used for the same purposes as described above. 65-13380

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

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

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: Jim Gaffield will provide me with written permission to pass through his property which lays between Railroad and River

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)

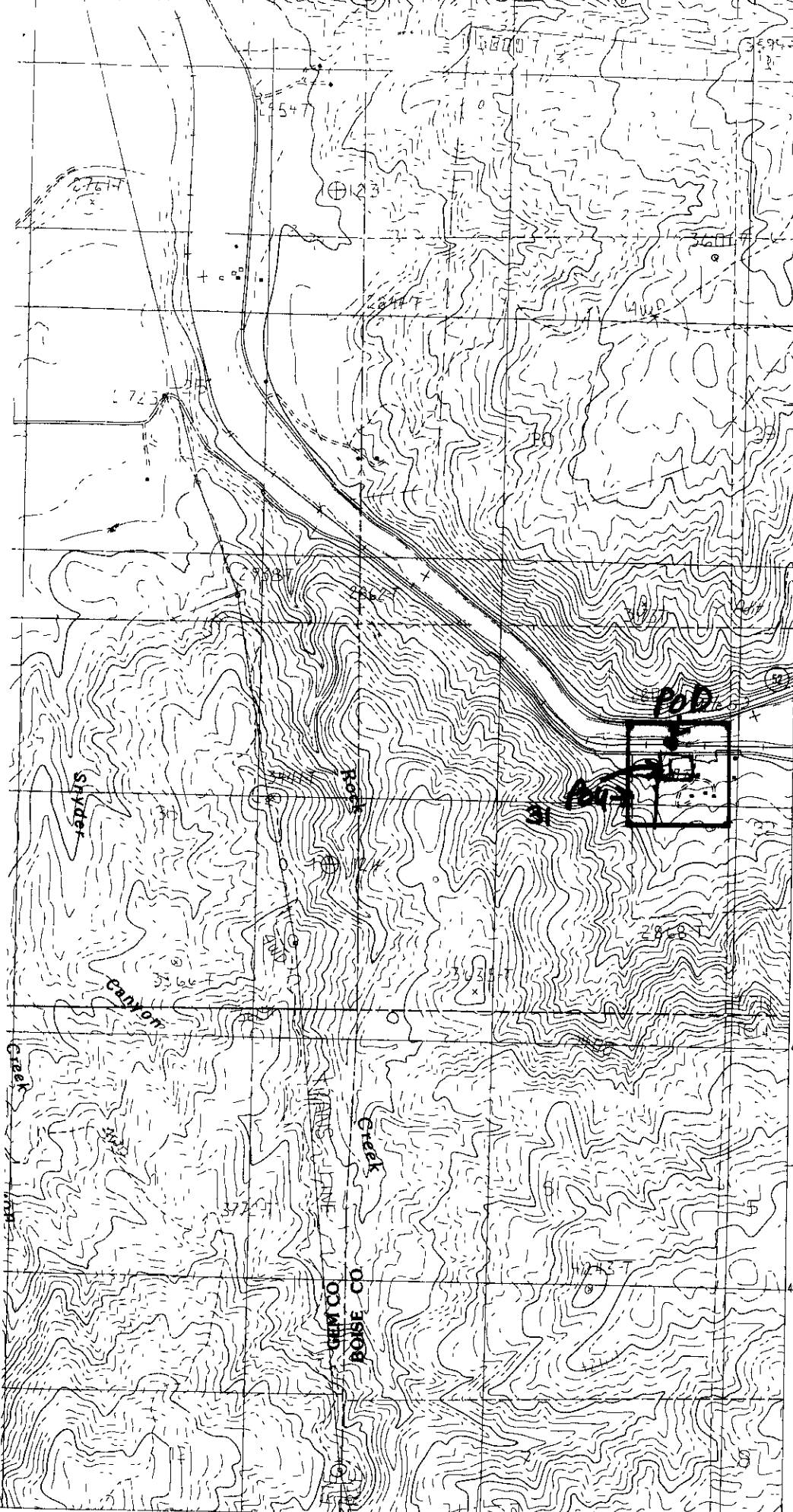
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Don W Dorset
Signature of Applicant (and title, if applicable)

Received by KG Date 2/19/02 Time 11:37 Preliminary check by KG
Fee \$ 100.00 Receipted by KG # W028760 Date 2/19/02
Publication prepared by AT Date 3-6-02 Published in IDAHO WORLD
Publication approved AT Date 4-1-02

MICROFILMED

SEP 23 2002



T07N, R2E
S31
Cor Lt 8

SE 1/4 NE 1/4

MICROFILMED
SEP 23 2002

INTERIOR GEOLOGICAL SURVEY RESTON VIRGINIA-1986

ROAD LEGEND

✓
Your Copy

WATER LINE EASEMENT

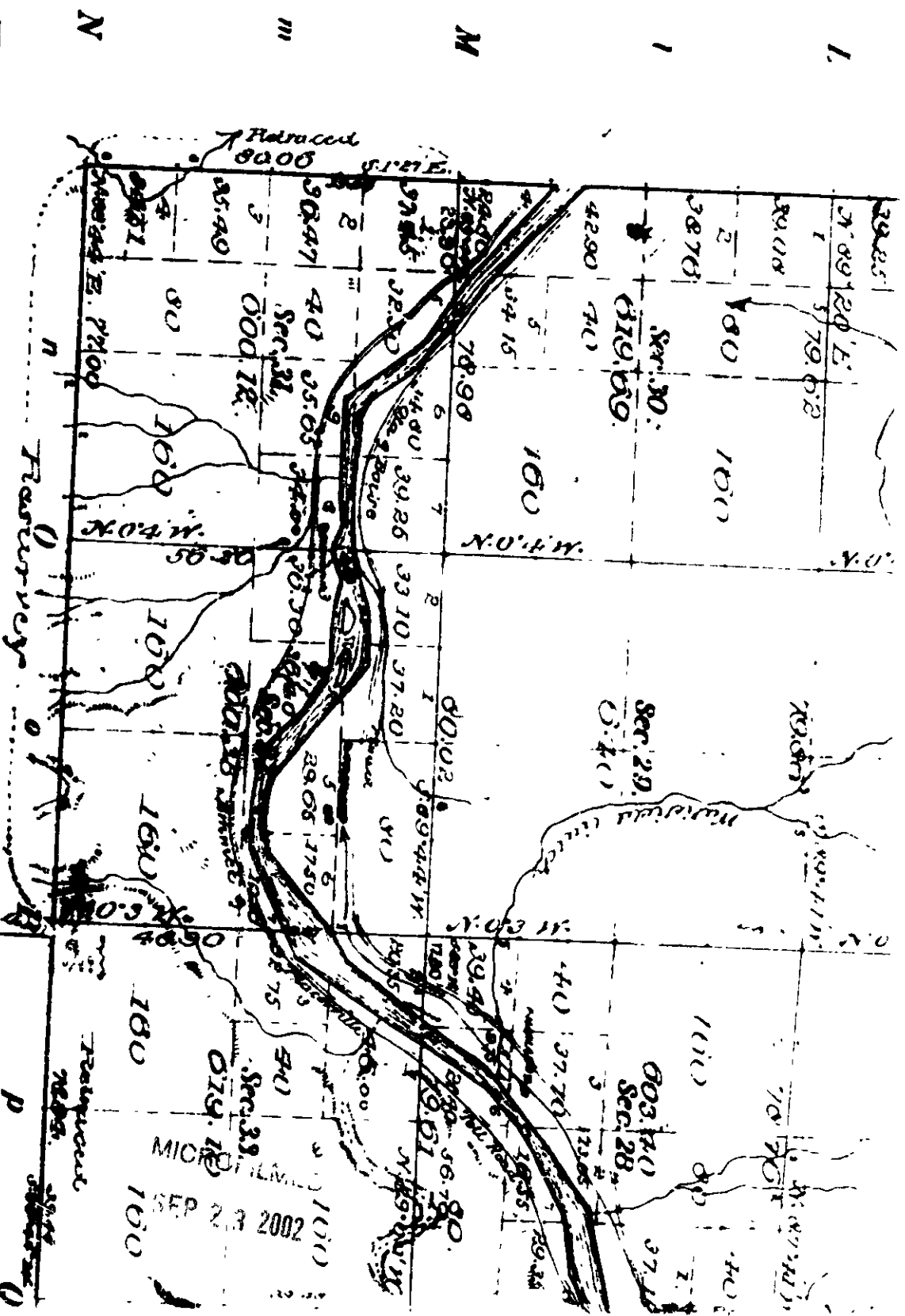
on this, 7th day February 2002 Gene W. & Susanna Gort et
request permission to put in and maintain a water and electrical line to a
pump through the Gortfeld Family's property which lies between my own and
the Pavette River for the sole purpose of irrigation.

The lines will be located
Here Gort

1997 Gortfeld Family Trust
Trustee - John Gortfeld

MICROFILMED

SEP 23 2002



Survey Designated	By Whom Surveyed	Date of Contract	Amount of Survey, A.C.	When Surveyed	Total number of Acres
Township lines (Nearest)	John W. L. Flanagan	August 18-1924	1	22	00
Subdivisions	"	"	33	58	08
Measurements	"	"	9	09	10

MICROFILMED
SEP 23 2002



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

April 15, 2002

GENE W GORBET
22 RIVER BLUFF LN
HORSESHOE BEND ID 83629

RE Permit No. 65-22659

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

MICROFILMED

SEP 23 2002

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

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

Sincerely,

for 
Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

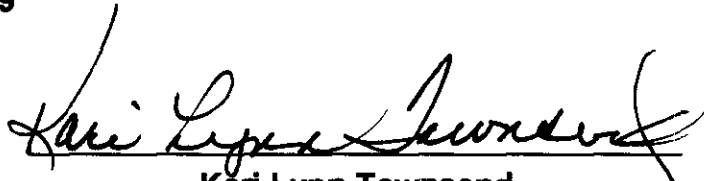
SEP 23 2002

CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2002 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. 65-22659

**GENE W GORBET
22 RIVER BLUFF LN
HORSESHOE BEND ID 83629**


**Kari Lynn Townsend
Secretary**

MICROFILMED

SFP 2 3 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Reviewed by Sharla Curtis on 4/9/02

No. 605 2265 Name: J. H. Lee Corp. Officers N/A Ad ok ✓ Govt Lots

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

GROUNDWATER: ($\sqrt{\text{Flow Chart}}$)

DRILLING PERMIT

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

~~WMD~~

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

LOCATION:

Boise Front LoGeo	- 058 (<85 GW)	Paye
Mitigation	- 121	Salm
		Weiss
Trust	- 051(consumptive uses)	
Non-Trust	- 048 (consumptive uses or non-cons > 1 0 cfs)	

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0 03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0 02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

BENEFICIAL USE DUE: 4 / 01 / 2007

MISC CONDITIONS/REMARKS:

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

SURFACE WATER: (✓Flow Chart)

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

PLANNING REVIEW/RESPONSE

WD - R04 (WD# 65)
 ≤ 0 20 cfs/others - 01H, 01P or No MD
 > 0 20 cfs - 01J

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

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

RIVER BASINS: (SW special considerations)

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

USES:

MUNICIPAL

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

IRRIGATION SEASON 3/15 - 10/31 (Per updated map)

IRR VOLUME/ACRE 43

OTHER CONDITIONS/REMARKS

COMMENTS

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

APR - 1 2002

Initial review by lg Date 2/22/02 Application # 65-22659 Department of Water Resources

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, the 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 ≥ 5 homes in non-restricted area)
- ☒ Signature (If applicant is corporation, partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid

Government Lots

7 P/D Gov 4 8
7 P/U

ADDITIONAL INFORMATION

Y ADVERTISE REMARKS (Yes or No)

YES NO

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

confirmation that 65-12855 overlap was
for neighbors

Date Requested 2/22/02 Date Response Received 2/22/02

PROCESSINGAPPLICATION # 65-

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. Environmental Quality
☐ ☒ I.D. District Health
☒ ☐ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

- ☐ ☒ US BLM
☐ ☒ US Forest Service
☒ ☐ Water Dist # 65
☐ ☒ Water Planning Bureau
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW

YES NO

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

- ☒ ☐ Publication dates and paper recorded on application
☐ ☐ Final date for protest 3-28-02
☐ ☒ Protests received
☒ ☒ Recommendations attached (WM)
☐ ☒ Measuring device required
☒ ☐ Water delivered by water master? District # 65
☐ ☒ Special conditions of approval or cover letter

*standard WM conditions
(see WM comments)*

Recommended Date of Priority 2/19/02Recommendation ☒ Approve ☐ Deny by Loi Gauran Date 4/3/02**ADDITIONAL INFORMATION**

*same source overlaps in SENE: 65-2614, different
65-12855, users + land*
applicant's down well: 65-10161
" Irrig spring: 65-13380

☐ See Attachment(s) ... always include application proof report

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

RECEIVED

MAR 18 2002

WATER RESOURCES
WESTERN REGION

State of Idaho)
)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Mar 6, 2002 and ending with the issue of Mar 13, 2002.

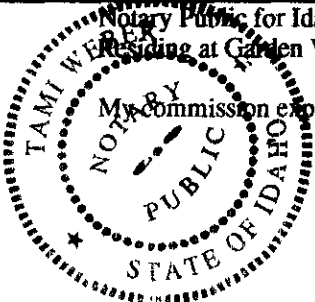
Reanna Stevens

State of Idaho)
)
County of Boise)

On this 15 day of Mar in the year 2002, before me, a notary public, personally appeared Deanna Stevenson 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 acknowledged to me that she executed the same.

Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires



The following application has been filed to amend Plaintiff's Affidavit in Water

●

CONFIDENTIAL

五世祖

SECRET

Figure 6

THE UNIVERSITY OF CHICAGO

1. *Phragmites australis* (Cav.) Trin. ex Steud.

Figure 1

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SEP 23 2002

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MAR 13 2002

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

Application Number: 65-22659

Applicant's Name: Gene W. Gorbet

Watermaster's Recommendation:

a) _____ I do not oppose approval of this application.

X

b) _____ I do not oppose approval of this application if it is conditioned as follows:

Applicant should install a Head Gate and appropriate measuring devise to divert water

Applicant should obtain storage rights (purchased or rented) to insure water supply for entire season.

Applicant should not start an irrigation season unless proof of storage rights are current and in

good standing

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

d) Additional Comments: _____

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SEP 23 2002

Dated this 11th day of March, 2002

Water District Number: 65 Watermaster's Signature Ron L. Jurek

Use back side of this page if you need more space



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

February 28, 2002

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

Re: Application for Water Right No. 65-22659 in the Name of Gene Gorbet.

Dear Sir:

Enclosed is a copy of the above-referenced application for permit that the proposed use is from surface water. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by March 25, 2002.

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

Sincerely,

Gary Spackman

GS:lm

Encl.

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SEP 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 28, 2002

MARK LIMBAUGH
WATER DISTRICT 65
102 N MAIN
PAYETTE ID 83661

Re: Application for Water Right No. 65-22659 in the Name of Gene Gorbet.

Dear Mr. Limbaugh:

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

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

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

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application
Recommendation of Watermaster Form

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SEP 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 27, 2002

Legal Notice Department

Idaho World

PO Box 99

Garden Valley ID 83622

RE: Application for Permit No. 65-22659

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 03/25/2002. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

RECEIVED

FEB 23 2002

The following application has been filed to amend Permit to Appropriate Water

65-22659

GENE W GORBET
22 RIVER BLUFF LN
HORSESHOE BEND ID 83629

Point(s) of Diversion L8 SENE S31 T07N R02E BOISE County Source PAYETTE RIVER
Tributary To SNAKE RIVER

Use: IRRIGATION 03/15 To 10/31 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed 02/19/2002

Place Of Use: IRRIGATION

T07N R02E S31 SENE Lot 8

Number of Acres 5

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

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-211, 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 03/25/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho World on March 6 and 13, 2002.

APPROVED

SEP 23 2002

REQUEST TO PROCESS

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

Name of Applicant

Gene W Corbett

Mailing Address

22 River Bluff Ln.
Horseshoe Bend Id 83629

Application No.
(if known)

RECEIVED

FEB 19 2002

WATER RESOURCES
WESTERN REGION

___ 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

Gene W Corbett

Date

Feb. 14, 2002

Please return this form to:

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

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SEP 23 2002