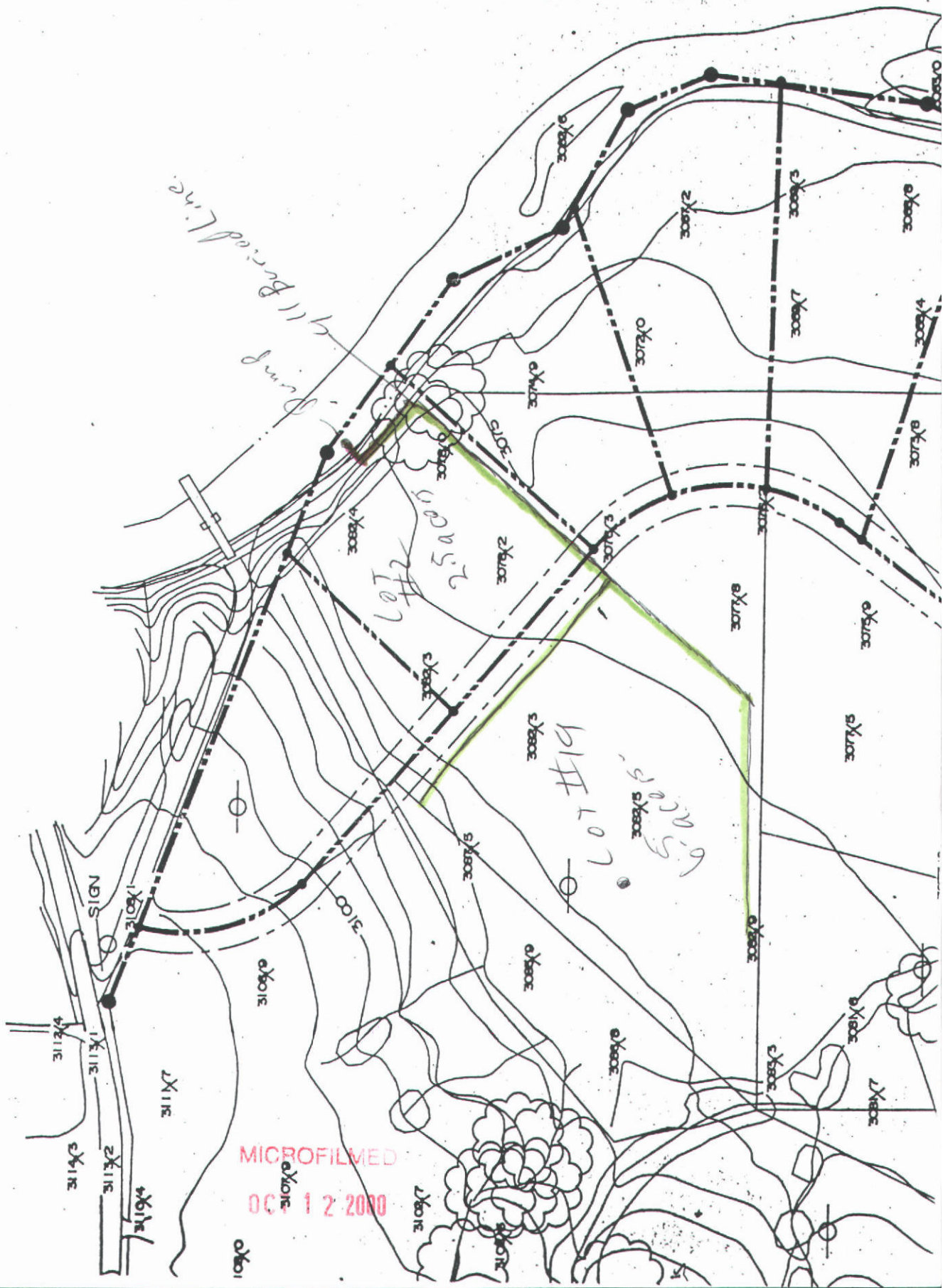




MICROFILMED
OCT 12 2000

Idaho Department of Water Resources

MICROFILMED
OCT 12 2000

T10N, R04E

State(s) ~~66 00222~~

~~005 00220~~

Owner(s) ~~Free Free~~

~~Remitt~~

Prepared by:

Don Howerton

Date: 15 NOV 99

 Place of use

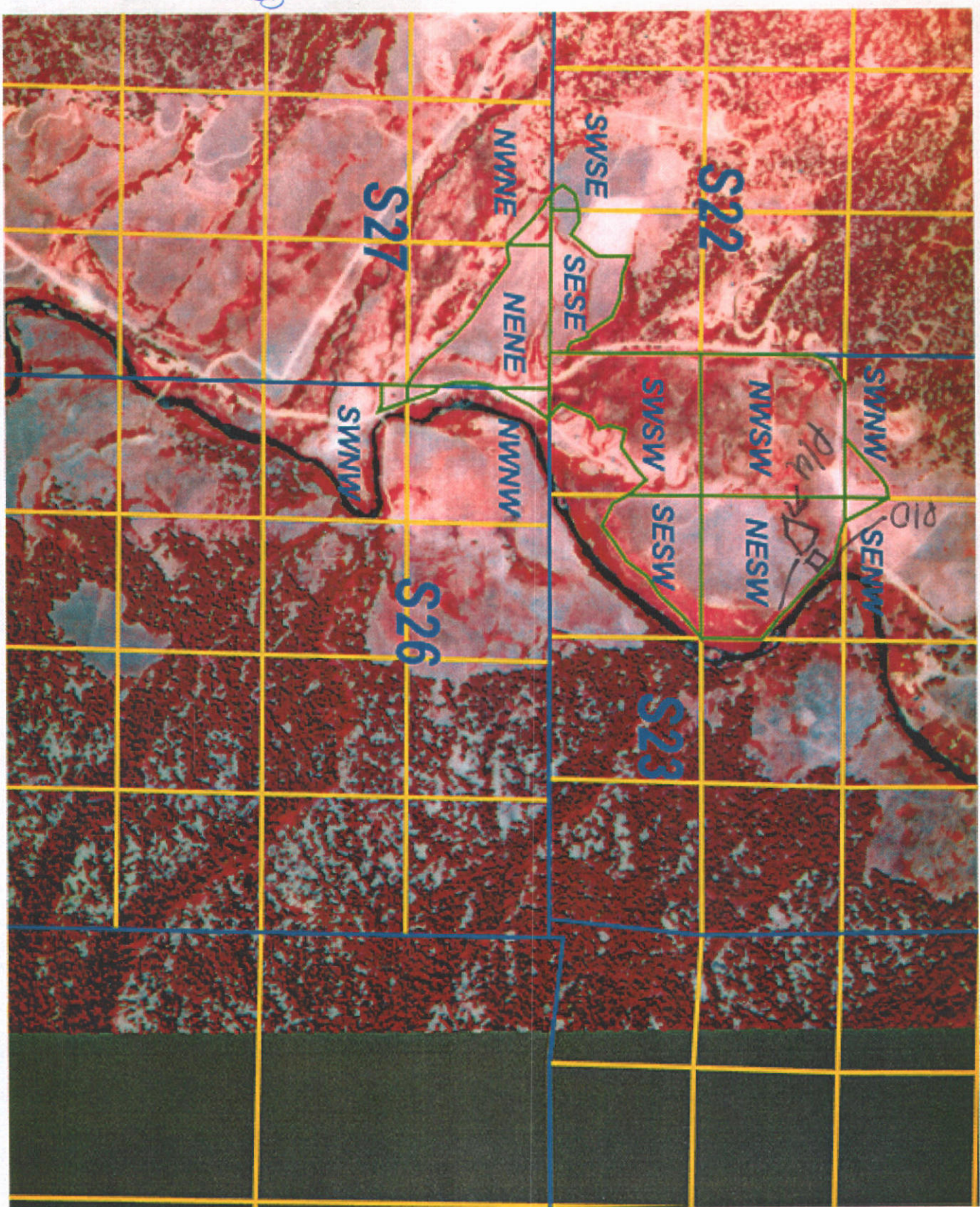
 POD

 SECTION LINES

 1/4 1/4 LINES



*NO. 15
60.15
D. 1/4
8-4-2000*



1987 NAPP





T132

NA
1985

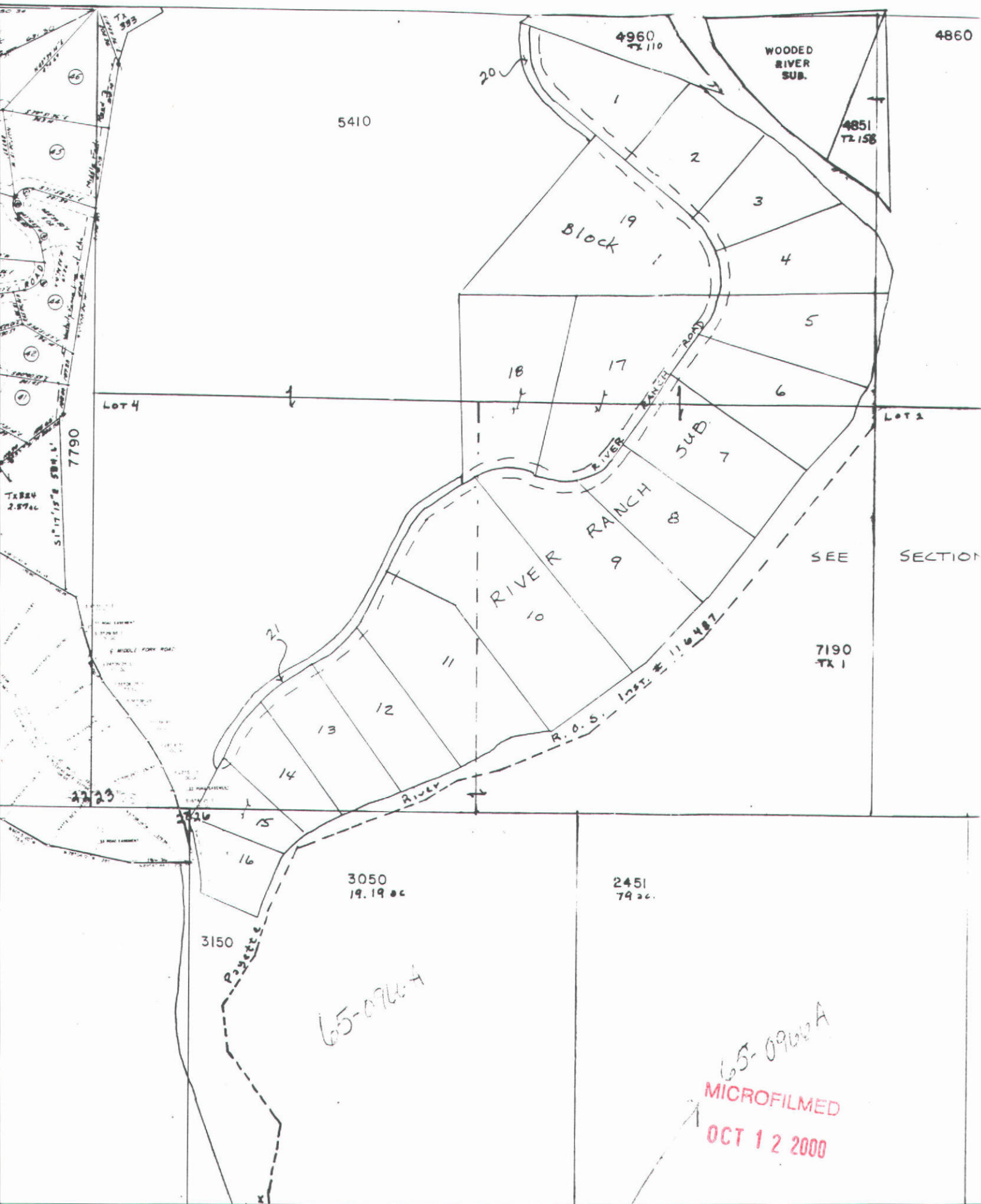
T2

T181

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OCT 12 2000

T180



RECEIVED

MAR 08 2000

WATER RESOURCES
WESTERN REGION

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 Feb 16, 2000 and ending with the issue of Feb 23, 2000.

Deanna Stevenson

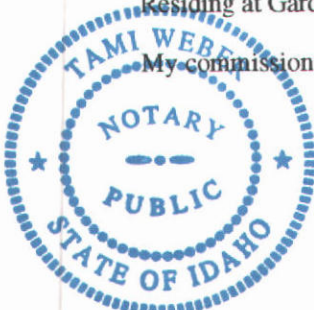
State of Idaho)
County of Boise)

On this 3 day of March in the year 2000, 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



NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13929

WALKER, DONALD E
29 RIVER RANCH RD
GARDEN VALLEY, ID 83622

Source: PAYETTE RIVER, MIDDLE FORK Tributary: PAYETTE RIVER

Diversion Pt: NESW Sec 23 T 10N R 04E in BOISE County.

Use: IRRIGATION (0.180 CFS)
Total Diversion: (0.180 CFS)

Date Filed: 1/28/2000

In: BOISE County
T10N R04E S23 NESW

9.0 ACRES TOTAL

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

65-13931

SCENIC PROPERTIES WATER ASSN
HC 77 BOX 3174
LOWMAN, ID 83637

Source: GROUNDWATER

Diversion Pt: NWSE Sec 18 T 09N R 09E in BOISE County.
Lot 6 (NESWSE) Sec 18 T 09N R 09E in BOISE County.

Use: IRRIGATION (0.150 CFS)
DOMESTIC (0.250 CFS)
Total Diversion: (0.400 CFS)

Date Filed: 2/2/2000

In: BOISE County
T09N R09E S18 SENE Lot 3 (NESE) NWSE Lot 6 (SWSE)
Lot 3 (SESE)

11.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed for supplemental use at Scenic Properties Subd. #1-3. Same two wells involved with proposed Transfer #5654.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before MARCH 6, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Idaho World February 16 and 23, 2000

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OCT 12 2000

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FEB 16 2001

WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

FEB 21 2001

Department of Water Resources

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

1 Permit No. 65-13929 Telephone No. 344 5752

2. Name of Permit Holder(s): Donald E. Walker

3 Mailing Address: 29 River Ranch Rd

City Garden Valley State Id Zip 83622

4. Source of Water: Middle Fork Payette If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____

Well Driller N/A Drilling Permit Number: N/A

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

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

Irrigation (No. of acres): 9 Other: _____

6 Total rate of diversion and/or volume for which proof is submitted. .18 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 ☒

Has the measuring device been installed?

Yes _____ or No ☒

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Donald E. Walker Telephone Number 344 5752

Address: 29 River Ranch Rd G.V. Id 83622

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

Signature of permit holder: [Signature] Date 2/16/01

(Include your title, if on behalf of company or corporation)

UNRECORDED

MAR 23 2001

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13929

Priority: January 6, 2000

Maximum Diversion Rate:

0.18 CFS

This is to certify, that DONALD E WALKER

29 RIVER RANCH RD

GARDEN VALLEY ID 83622

has applied for a permit to appropriate water from:

PAYETTE RIVER, MIDDLE FORK

tributary of PAYETTE 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	0.18 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 23, Township 10N, Range 04E
BOISE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10N 04E 23	NESW 9.0			9.0

Total number of acres irrigated: 9.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before April 1, 2001.
2. Subject to all prior water rights.
3. 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.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
5. 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.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. Water shall not be diverted under this right when flows in the Payette River are below established minimum stream flows.
8. Place of use is located within Lots 2 and 9, River Ranch MICROFILMED Subdivision.

Lots 2 ↑
and 19

See map

DEC 17 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13929

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

3rd day of April, 2000.

Karl J. Dreher
for Karl J. Dreher, Director

MICROFILMED

OCT 12 2000

RECEIVED

MAR 27 2000

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 65-13929*amended
1/28/00*

1. Name of Applicant Donald E. Walker Phone 208-3445757
 Post Office address 29 River Ranch Rd. Garden Valley Id. 83622
 2. Source of water supply Payette River, Middle fork which is a tributary of Payette River
 3. Location of point of diversion is 1/4 of NE 1/4 of SW 1/4, Govt. Lot
 Sec. 23 Township 10N Range 4E B.M. Boise County; additional points of
 diversion if any: _____

4. Water will be used for the following purposes:

- Amount .18 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)

5. Total quantity to be appropriated is (a) .18 cfs and/or (b) _____
 cubic feet per second acre feet per annum

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Pump (7-10 Horse power) from River
as needed to irrigate with sprinklers - 4" pipe buried in ground
probably use wheel line
 b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
 reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
 _____ to _____ inclusive.
 c. Proposed well diameter is _____ 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) _____

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

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

- a. Hydropower; show total feet of head and proposed capacity if KW. _____
 b. Stockwatering; list number and kind of livestock. _____
 c. Municipal; show name of municipality. _____
 d. Domestic; show number of households. _____
 e. Other; describe fully. _____

MICROFILMED

OCT 12 2000

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	
10N	4E	23	9								9								9

Total number of acres to be irrigated 9

10. Describe any other water rights used for the same purposes as described above. 65-03222

65-08290

11. a. Who owns the property at the point of diversion? Donald E. Walker

b. Who owns the land to be irrigated or place of use? Donald E. Walker

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

12. Remarks: _____

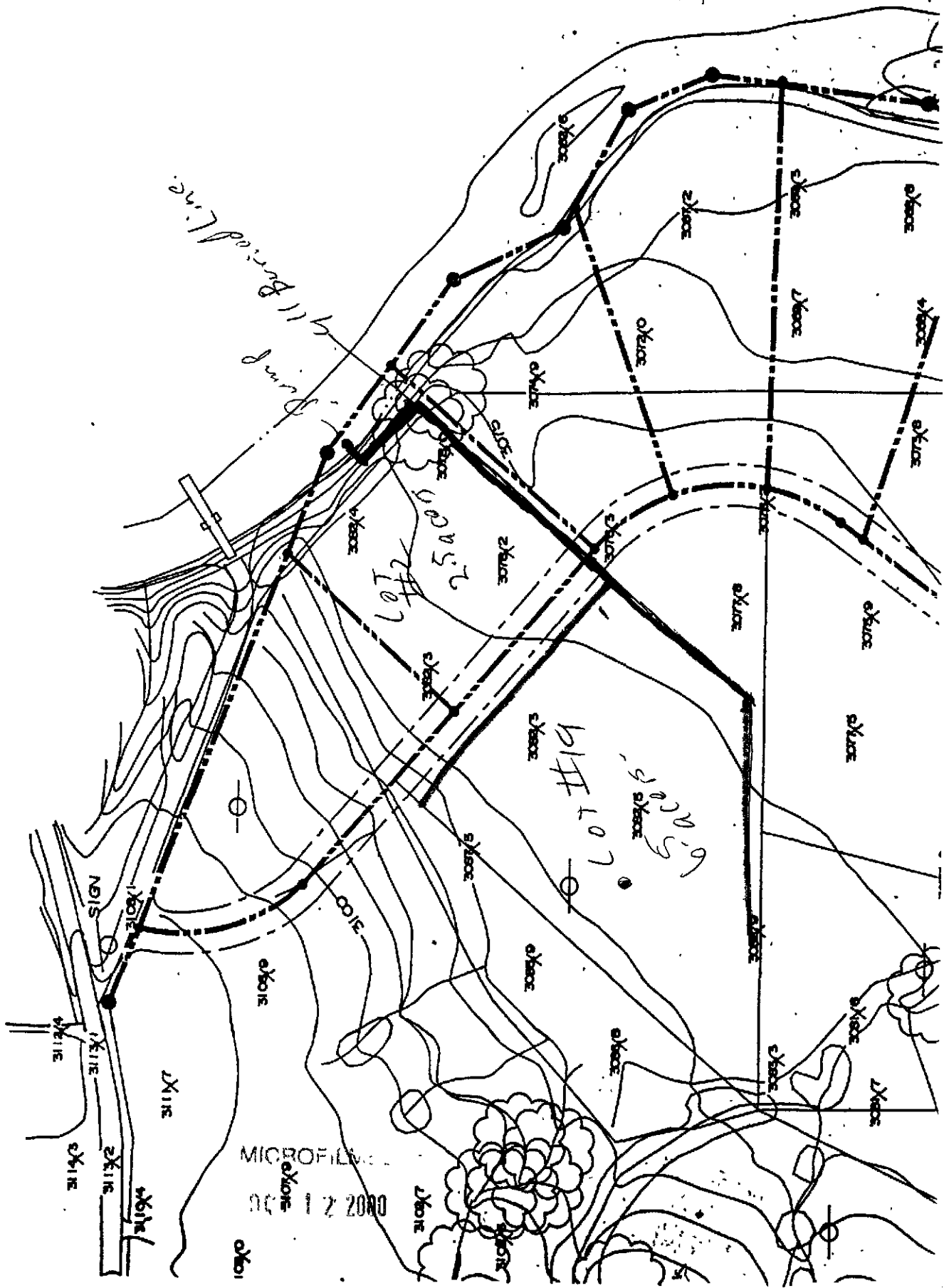
13. MAP OF PROPOSED PROJECT ATTACHED ☒ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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

D. Walker
(Applicant)

Received by _____ Date _____ Time _____ Preliminary check by DAN
 Fee \$ _____ Received by _____ # _____ Date _____
 Publication prepared by ST Date 2-16-23-00 Published in The Idaho World
 Publication approved _____ Date MAR 2023

OCT 12 2000



MICROFILM --
OCT 12 2000

OCT 12 2000

~~State(s) - 06-00222~~

Owner(s) ~~the~~ ~~the~~ ~~the~~

Prepared by:

Ryan Howerton

Date: 15 NOV 99

Place of use

POD

SECTION LINES

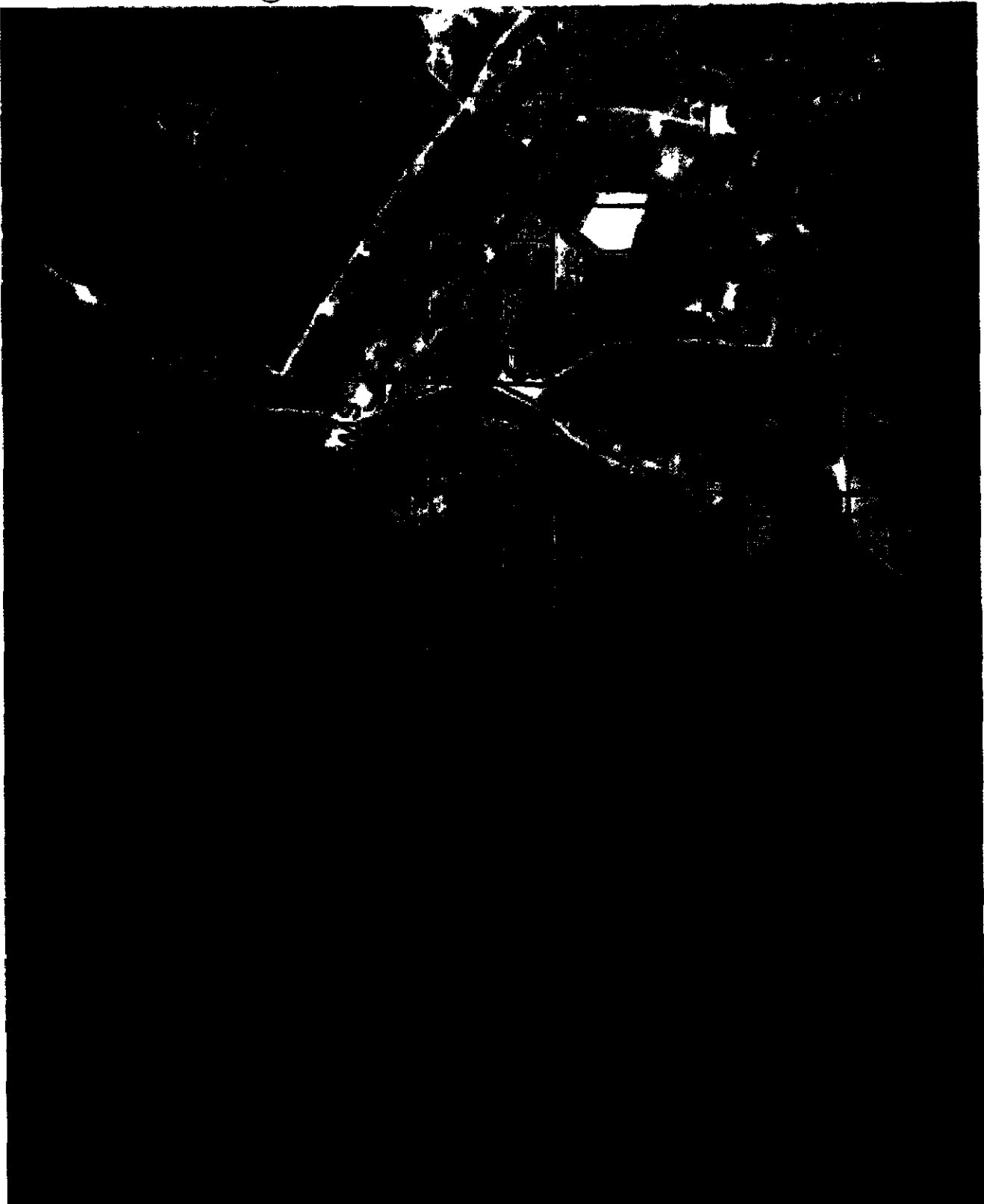
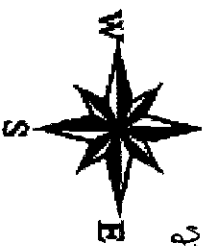
 1/4 1/4 LINES

2. Y. N.

6075

4

Z



0.5

1.5 Miles

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Original

To appropriate the public waters of the State of Idaho

1. Name of Applicant Donald E. Walter Phone 208-344-5952
 Post Office address 29 River Ranch Rd Garden Valley, Id 83622
2. Source of water supply Middle Fork Payette River which is a tributary of Self Payette River
3. Location of point of diversion is River 1/4 of Ranch 1/4 of Sec. 19 & 20
 Sec. 23 Township 10 North Range 4 East B.M. R. 1.50 County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount 0.18 for Irrigation purposes from May to Sept. (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) 0.18 and/or (b) _____
 cubic feet per second acre feet per annum
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. 7-10 H.P. pump wheel line & hand Pump from River as needed line to irrigate with sprinklers- 4" pipe buried in ground.
 b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 d. Is ground water with a temperature of greater than 85°F being sought? NO
 e. If well is already drilled, when? _____; Drilling firm _____:
 Well was drilled for (well owner) _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 a. Hydropower; show total feet of head and proposed capacity if KW. _____
 b. Stockwatering; list number and kind of livestock. _____
 c. Municipal; show name of municipality. _____
 d. Domestic; show number of households. _____
 e. Other; describe fully. _____

MICROFILM

JUL 13 1996

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	
10N	4E	23	9																9

Total number of acres to be irrigated 9

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

11. a. Who owns the property at the point of diversion? Donald E. Walker

b. Who owns the land to be irrigated or place of use? Donald E. Walker

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

12. Remarks: _____

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

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

Donald E. Walker
(Applicant)

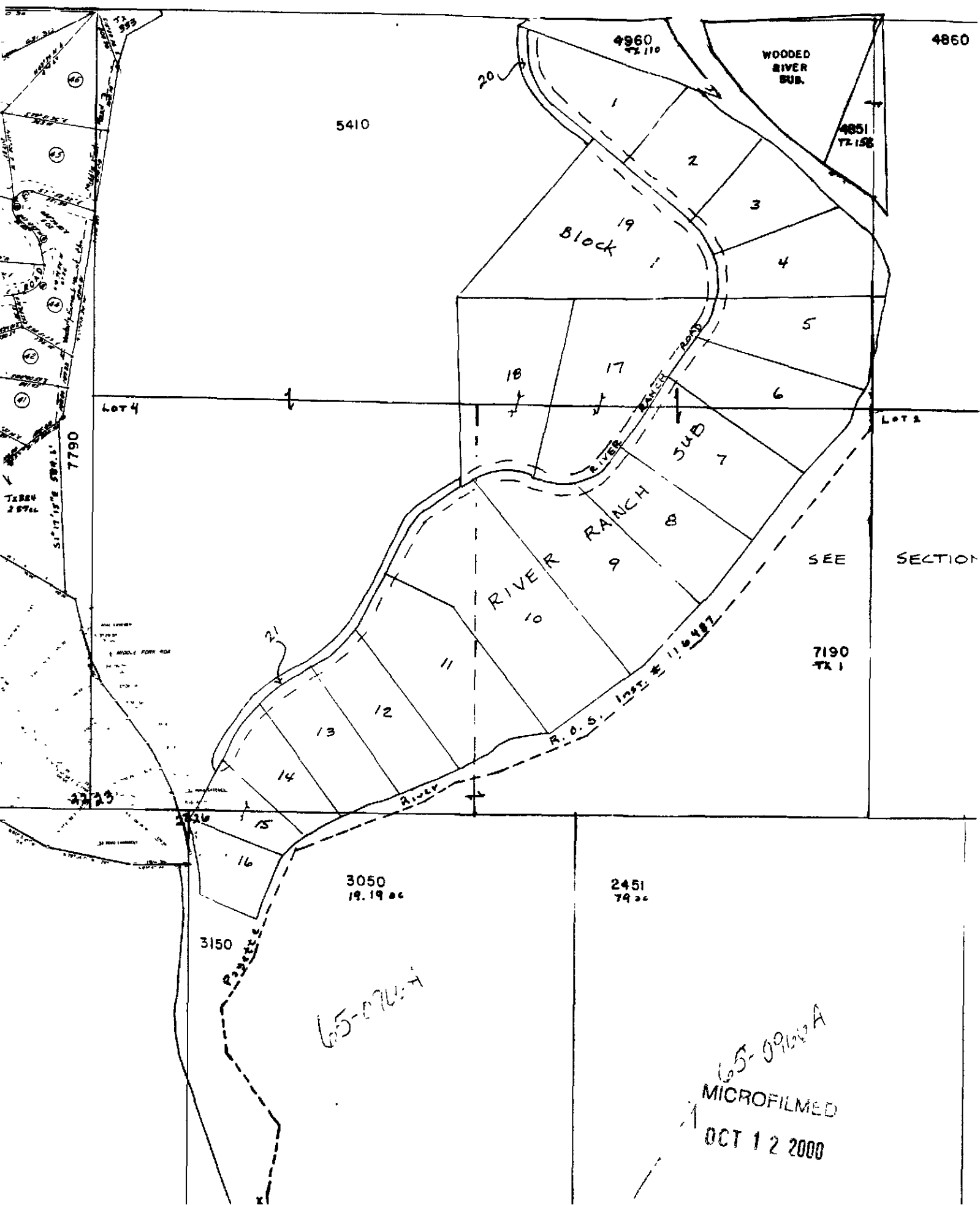
Received by AK Date 11/6/00 Time 4:12 Preliminary check by _____
 Fee \$ 30.80 Receipted by AK # W026040 Date 11/6/00
 Publication prepared by AK Date 2-17-24-00 Published in The Ed World
 Publication approved _____ Date _____

MICROFILM

2000



Sec. 26, 27, 1Wp. 10N, R. 4E., B. 11.





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

March 8, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DONALD E WALKER
29 RIVER RANCH RD
GARDEN VALLEY ID 83622

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13929

Dear Permit Holder:

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

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED
MAR 29 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 65-13929

Reviewed By dgibson

Date March 8, 2001

	<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		W027373	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		02/16/2001
Date proof due	-	04/01/2001
Lapse notice sent	-	
No of days late	=	0
Holiday allowance	+	
Priority date	+	01/06/2000
New priority date	=	01/06/2000

Deficiencies of Actions Items

Acknowledge proof

January 31, 2001

DONALD E WALKER
29 RIVER RANCH RD
GARDEN VALLEY, ID 83622

PROOF DUE NOTICE

RE: PERMIT NO. 65-13929

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 April 01, 2001. (See last page of your approval permit or your last approved extension request) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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

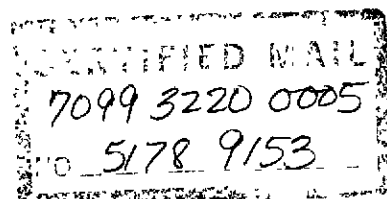
Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

MAY 23 2001





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

April 4, 2000

DIRK KEMPTHORNE
GOVERNOR

DONALD E WALKER
29 RIVER RANCH RD
GARDEN VALLEY ID 83622

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13929

Dear Permit Holder:

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

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

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

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

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.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED
APR 12 2000

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of April, 2000, 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. 65-13929

DONALD E WALKER
29 RIVER RANCH RD
GARDEN VALLEY ID 83622


Kari Lynn Townsend
Secretary

RECORDED
OCT 12 2000

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.

MICROFILMED
OCT 12 2000

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 ANALYSIS

Reviewed by Sharla Curtis on 3/29/00

No. 5-13929 Name: Wacker Corp. Officers N/A Ad ok ✓ Govt Lots —

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

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 085
Irr w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

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

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

~~STORAGE~~ - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCK WATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT - 077

BENEFICIAL USE DUE: 4/1/01 12001

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

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

OTHER CONDITIONS/REMARKS

COMMENTS

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response ?

In/Above MSF - WB9

PLANNING SECTION REVIEW/RESPONSE

In-stream development - P52

WD - R04 (WD# 25)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

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

RIVER BASINS: (SW special considerations)

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

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr, GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60 lots 2 & 4, River Ranch Subd.
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

priority = 1/6/00 amended

app only chgd
the net re-adv.

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

MAR 27 2000

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: DAN DATE: 1-25-2000 APPLICATION: 65-13929

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:
NO P/D
NO P/U

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

X T FLAG CHANGED TO P FLAG

ADDITIONAL INFORMATION

YES NO

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

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO. 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. Health & Welfare
☐ ☒ I.D. District Health
☒ ☐ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☒ ☐ Water Dist. # 65
☐ ☒ Water Planning Bureau
☐ ☒ Other

Please see responses to SCOTT GRUNDERS

FINAL REGIONAL PROCESSING REVIEW:

Response and Western Office Response,
 STEVE LESTER is still communicating
 with Mr. GRUNDER.

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 3-6-00

☐ ☒ Protests received.

☐ ☒ Recommendations attached:

☒ ☐ Measuring device required:

☒ ☐ Water delivered by water master? District # 65

☐ ☐ Special conditions of approval or cover letter:

STANDARD CONDITIONS + WATERMASTER CONTROL
SHOULD USE RIGHTS 65-08290 & HOME OWNERS
ASSOCIATION WATER FIRST. (SUPPLEMENTAL RIGHT)

☒ ☐ See below for additional information

Recommended Date or Priority 1-28-00

Recommended by: Daniel A. Nelson Date: 3-23-00

ADDITIONAL INFORMATION:

Water Rights 65-08290 & 65-03222 overlap

The place of use. The applicant states

he has access to the water for

the rights, but has trouble getting the

water. These rights are owned by the

subdivision known as Pine Tree Ranch Subdivision.

Place of use also known as Lots 2 & 9 ~~Area~~
River Ranch Subdivision.

Ident. No. 65-13929

Comments: Date: 2/ 4/2000 User-ID: DNELSON

Subject: ADDITIONAL INFORMATION

APPLICANT: Place of use is also known as lot 9 and lot 2 of River Ranch subdivision. Applicant states that rights 63-03222 and 65-08290 overlap place of use. The applicant stated that the water right belonged to subdivision and that it was very difficult to get it delivered and burned up his pasture.
IDWR REVIEW: Overlap was confirmed from different source (Scriber Creek).

MICROFILMED

OCT 12 2000

AJ5809NP
No. R65-08290

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/25/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PINE TREE RANCH INC GARDEN VALLEY ID 83622	02/04/1928	IRRIGATION	04-01 11-01	0.320 CFS	
TOTAL DIVERSION:					0.320 CFS	

Water Source: SCRIVER CREEK

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: DECREED

Point(s) of Diversion:

T10N R04E S22

NWSW

BOISE 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	
10N	04E	22	:																	:	13.0	
10N	04E	23	:							03	01			33	39	29	16			:	121.0	
10N	04E	26	:							02	01									:	3.0	
10N	04E	27	:	22		02														:	24.0	
																				TOTAL ACRES		161.0

POU County: BOISE

Other Rights: 65-03222

Remarks: POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-03222 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 161.0 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-03221, 65-03222, 65-03223,
65-03224 & 65-03225.

Dates: Exam Made Date: Verified Date: 11/23/1999 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Audit: 03/26/99 JSHURTE 11/23/99 RHOWERTO

MICROFILMED
OCT 12 2000

AJ5809NP
No. R65-03222

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/25/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PINE TREE RANCH INC GARDEN VALLEY ID 83622	09/26/1881	IRRIGATION	04-01 11-01	2.900 CFS	
TOTAL DIVERSION:					2.900 CFS	

Water Source: SCRIVER CREEK

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: DECREED

Point(s) of Diversion: T10N R04E S22 NWSW BOISE 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		
10N	04E	22	:																	:	13.0		
10N	04E	23	:							03	01			33	39	29	16			:	121.0		
10N	04E	26	:							02	01									:	3.0		
10N	04E	27	:	22		02														:	24.0		
																			TOTAL ACRES				161.0

POU County: BOISE

Other Rights: 65-08290

Remarks: POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-08290 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 161.0 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-03221, 65-03223, 65-03224,
65-03225 & 65-08290.

Dates: Exam Made Date: Verified Date: 11/23/1999 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Audit: 03/26/99 JSHURTE 11/23/99 RHOWERTO

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OCT 12 2000

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MAR 08 2000

WATER RESOURCES
WESTERN REGION

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 Feb 16, 2000 and ending with the issue of Feb 23, 2000.

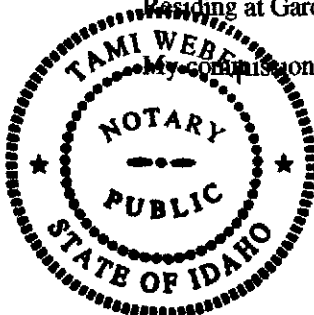
Deanna Stevenson

State of Idaho)
County of Boise)

On this 3 day of March in the year 2000, 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.

Dami Widen

Notary Public for Idaho
Residing at Garden Valley, Idaho



NOTICE OF APPLICATION FOR WATER RIGHT

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

85-13929

WALKER, DONALD E
29 RIVER RANCH RD
GARDEN VALLEY, ID 83622

Source: PAYETTE RIVER, MIDDLE FORK Tributary: PAYETTE RIVER

Diversion Pt: NESW Sec 23 T 10N R 04E in BOISE County

Use: IRRIGATION (0.180 CFS)
Total Diversion (0.180 CFS)

Date Filed: 1/28/2000

In: BOISE County
T10N R04E S23 NESW

9.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed

65-13931

SCENIC PROPERTIES WATER ASSN
HC 77 BOX 3174
LOWMAN, ID 83637

Source: GROUNDWATER

Diversion Pt. NWSE Sec 18 T 09N R 09E in BOISE County.
Lot 6 (NESWSE) Sec 18 T 09N R 09E in BOISE County.

Use: IRRIGATION (0.150 CFS)
DOMESTIC (0.250 CFS)
Total Diversion: (0.400 CFS)

Date Filed: 2/2/2000

In: BOISE County
T09N R09E S18 SENE Lot 3 (NESE) NWSE Lot 6 (SWSE)
Lot 8 (SESE)

11.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed for supplemental use at Scenic Properties Subd. #1-3. Same two wells involved with proposed Transfer #5654.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before MARCH 6, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in The Idaho World February 16 and 23, 2000

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OCT 12 2000

01-99

State of Idaho
Department of Water Resources

RECEIVED

FEB 14 2000

WATER DISTRICTS
DIVISION

RECOMMENDATION OF WATERMASTER

Application No: 65-13929

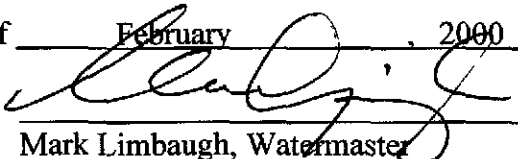
Applicant's Name: Donald E. Walker

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned as follows: Under control of Watermaster for Water District
No. 65
- c) ☐ I oppose approval of this application for the following reasons:
- d) Additional Comment:

Dated this 10th day of February, 2000

Water District No. 65


Mark Limbaugh, Watermaster

Use reverse side of page if you need more space.

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OCT 12 2000

Nelson, Dan

From: Lester, Steve
Sent: Thursday, March 23, 2000 2 11 PM
To: Nelson, Dan
Subject: RE: Scott Grunder Letter

Have not had chance yet but as long as Scott already gave green light on your file, should be ok to proceed with processing. Let me know if he has not & I'll make some time to get email word to him.

-- Steve

-----Original Message-----

From: Nelson, Dan
Sent: Friday, March 17, 2000 4:56 PM
To: Lester, Steve
Subject: Scott Grunder Letter

Steve,

Have you written a letter back to Scott Grunder about the memos we wrote each other? I am holding a file for review until I receive your response back to Scott Grunder and I was curious if you had time to send it yet. Please Let me know.

Thanks

Dan Nelson

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OCT 12 2000

Nelson, Dan

From: SCOTT GRUNDER [sgrunder@IDFG.STATE.ID.US]
Sent: Wednesday, March 08, 2000 1:55 PM
To: dnelson@idwr.state.id.us
Cc: slester@idwr.state.id.us
Subject: re: Donald E. Walker application for permit - 65-13929

Dan,

Thanks for your letter. However, I am somewhat unsatisfied with your explanation. When bull trout were listed as threatened in summer 1998, the IDWR began soliciting comments from the IDFG regarding potential impacts of pending water rights on bull trout. I thought that was a very good idea. In fact, Steve Lester crafted language having water right holders agree to subordinate part of their right if necessary in the future. Again, I thought this was a good idea.

Dan, my problem is when I comment on surface water right apps in places like the South Fork Salmon River or South Fork Payette River, where there are listed fish species, I get real nervous saying over and over again there should be no problem when I have no cumulative accounting of water rights. I keep asking myself, "Well, how much is left over for fish?" I have no idea. There is no instream flow dedicated on many of these important fish waters. How am I to know how much is enough? Should we start doing IFIM on all of these systems and applying for instream flows? I know that hasn't been real popular. The Water Board and Legislature don't seem real inclined to process a bunch of applications for fish and wildlife.

I don't want to deny Mr. Walker or anyone else the opportunity to request some water for their lawns, however, fish and wildlife have a stake as well. If I don't have some accounting of the way water is used in a system, I must be conservative. When we are dealing with ESA listed fish, then this definitely raises the concern level. How do we start figuring out how much is left over for fish? I am honestly confused as to what the IDWR expects from the IDFG.

Scott A. Grunder
Environmental Staff Biologist
Idaho Department of Fish and Game, Southwest Region Office
3101 South Powerline Road
Nampa, Idaho 83686
Phone (208)-465-8465
FAX (208)-465-8467
email address: sgrunder@idfg.state.id.us
----- Original Text -----

From: "Nelson, Dan" <dnelson@idwr.state.id.us>, on 3/3/00 2:53 PM.

Dear Mr. Grunder,

Steve Lester and Gary Spackman asked me to address the questions you had concerning the Donald E. Walker application. In order to save a little time, I have attached a letter to this email that should answer your questions. Emailing this letter will give you the opportunity to protest the application if you wish.

Thank You

Daniel A. Nelson
Senior Agent

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OCT 12 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

February 9, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Re: Application for Permit No. 65-13929 in the Name of Donald E. Walker

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 6, 2000.

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

Sincerely,

Gary Spackman

Gary Spackman

GS:st

Encl.

Gary -
Doesn't the subdivision have a common well source or does everyone have individual wells? It seems to me we have a proliferation of these minor water rights that are difficult to account for in their entirety.

Scott Grunder
2-11-2000

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OCT 12 2000

Nelson, Dan

From: Nelson, Dan
Sent: Friday, March 03, 2000 2:45 PM
To: 'sgrunder@idfg.state.id.us'
Subject: Donald E. Walker application for permit - 65-13929

Dear Mr. Grunder,

Steve Lester and Gary Spackman asked me to address the questions you had concerning the Donald E. Walker application. In order to save a little time, I have attached a letter to this email that should answer your questions. Emailing this letter will give you the opportunity to protest the application if you wish.

Thank You

Daniel A. Nelson
Senior Agent
Western Region - IDWR



IDFG response doc

MICROFILMED

MAR 12 2000

3/3/2000

SCOTT GRUNDER
STATE OF IDAHO
DEPT OF FISH AND GAME
3101 S POWERLINE RD
NAMPA, ID 83686

RE: APPLICATION FOR PERMIT FOR DONALD E WALKER – 65-13929

Dear Mr. Grunder,

On 2/11/2000 you sent a fax to our office with questions concerning an application for permit for Donald E. Walker (65-13929). The first question that you asked was concerning the wells for this subdivision. Transfer 4883 was filed on water rights 65-12103 and 65-12347 to supply the domestic needs from a community well to most of the subdivision. Some of the homeowners have opted to drill their own wells for domestic uses. I was unable to determine whether Mr. Walker had his own domestic well or was part of the subdivision's water system. Mr. Walker's domestic use does not allow him to irrigate more than ½ acre of ground and would not cover the entire 9 acres he irrigates.

Mr. Walker is currently irrigating the 9 acres associated with this permit from water from Scriver Creek (water rights 65-03222 and 65-08290). These rights are owned and delivered by the homeowner's association. Mr. Walker stated on his application that the association did not deliver this water often enough to prevent his pastures from drying out and he needed an alternative water source to maintain the pastures. We can not deny Mr. Walker the opportunity to file this application to supplement his Scriver Creek water. However, if there is evidence that this application could have an adverse effect on other water users or the integrity of the stream, we could deny the application.

The final statement that you made concerned the accountability of the water rights on the Payette River system. All water rights on the Payette River are under the control of the water master. It is the responsibility of the watermaster to comment on all new applications and regulate and monitor many of the surface water rights in portions of Basin 65. It will be the watermaster's responsibility to ensure that such water is used in a responsible manner.

MICROFILMED

OCT 12 2000

Page 2
IDFG letter

I hope that I have answered your questions and would like to thank you for your inquiry. If you have any further questions please contact me at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

MICROFILM

SEP 12 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

February 9, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Re. Application for Permit No 65-13929 in the Name of Donald E. Walker

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 6, 2000.

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

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

Encl.

MICROFILMED
JUL 12 2000



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 9, 2000

MARK LIMBAUGH
102 N MAIN
PAYETTE ID 83661

Re: Application for Permit No. 65-13929 in the Name of Donald E. Walker

Dear Watermaster:

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

Please review the application and return any comments you might have within two weeks.

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

Sincerely,

Gary Spackman

GS:st

Encl: Copy of Application
Recommendation of Watermaster Form

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OCT 12 2000

REQUEST TO PROCESS

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

Name of Applicant

Donald E. WALKER

Mailing Address

29 River Ranch Rd
Garden Valley ID 83622

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.

 X 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

D. Walker

Date

1/2/00

Please return this form to:

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

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OCT 12 2000



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 9, 2000

Legal Notices Department
The Idaho World
PO Box 99
Garden Valley, ID 83622

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before MARCH 6, 2000.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

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NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED
OCT 12 2009

65-13929

WALKER, DONALD E
29 RIVER RANCH RD
GARDEN VALLEY, ID 83622

Source: PAYETTE RIVER, MIDDLE FORK Tributary: PAYETTE RIVER

Diversion Pt: NESW Sec 23 T 10N R 04E in BOISE County.

Use: IRRIGATION (0.180 CFS)
Total Diversion: (0.180 CFS)

Date Filed: 1/28/2000

In: BOISE County
T10N R04E S23 NESW

9.0 ACRES TOTAL

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

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Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before MARCH 6, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 2/16/2000 & 2/23/2000

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