

RESERVOIR

Paddock Valley Reservoir
T10N R2W 17 SE SE
SW SE
NW SE

UO

12' 30"

PT. BEGIN

Paddock Valley Reservoir

Shoreline

PT. END
R 5/18/99

NO GOUT HOIS
OAN 3-12-99

MICROFILMED
JUN 26 2000

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4894

4893

4892

4891

2672 II NW
(HOLLAND GULCH)

18

19

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16

21

28

Linson
Creek

Willow
Creek

Little
Spring

Springs

Springs

Springs

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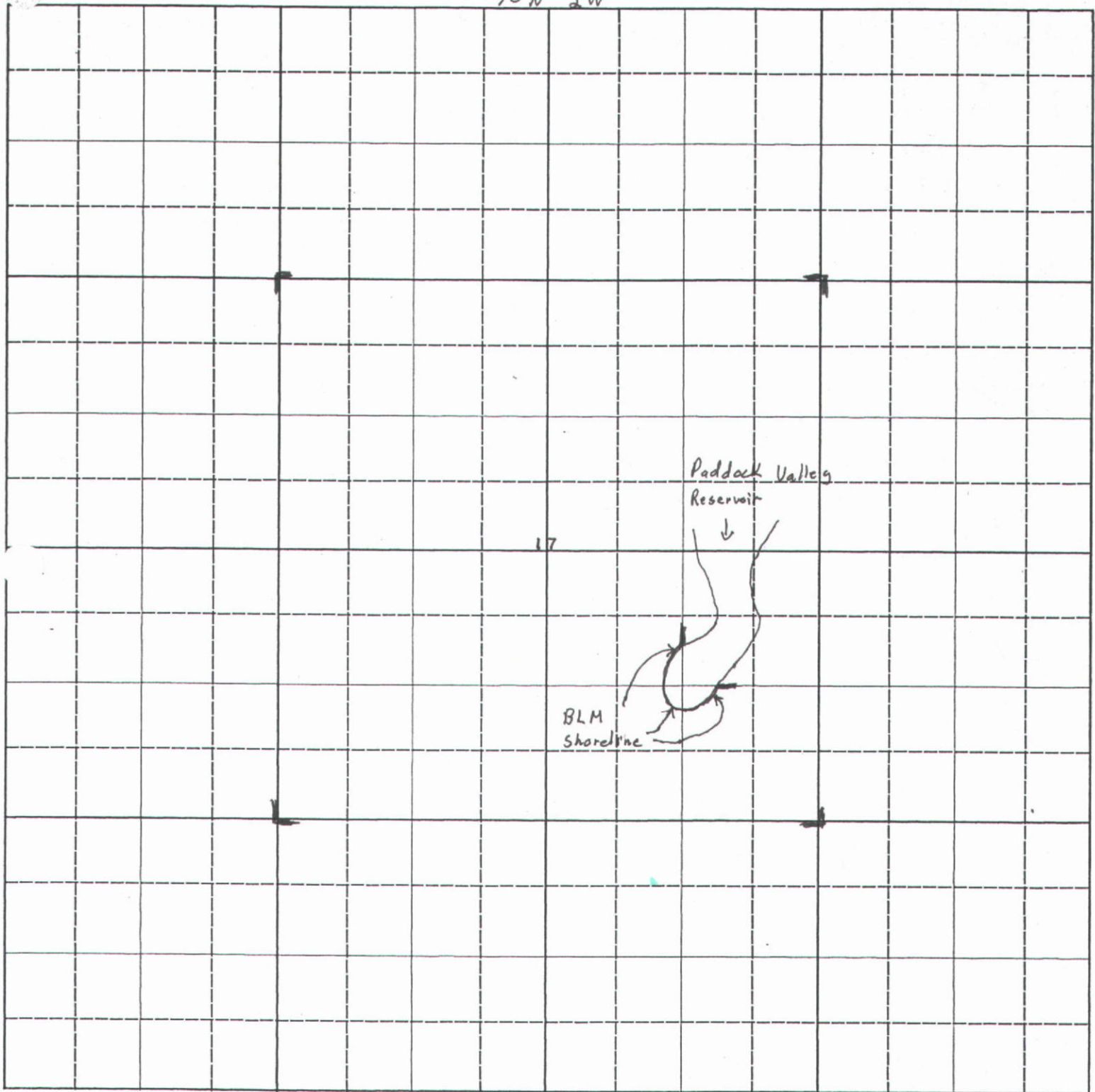
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13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

10 N 2 W

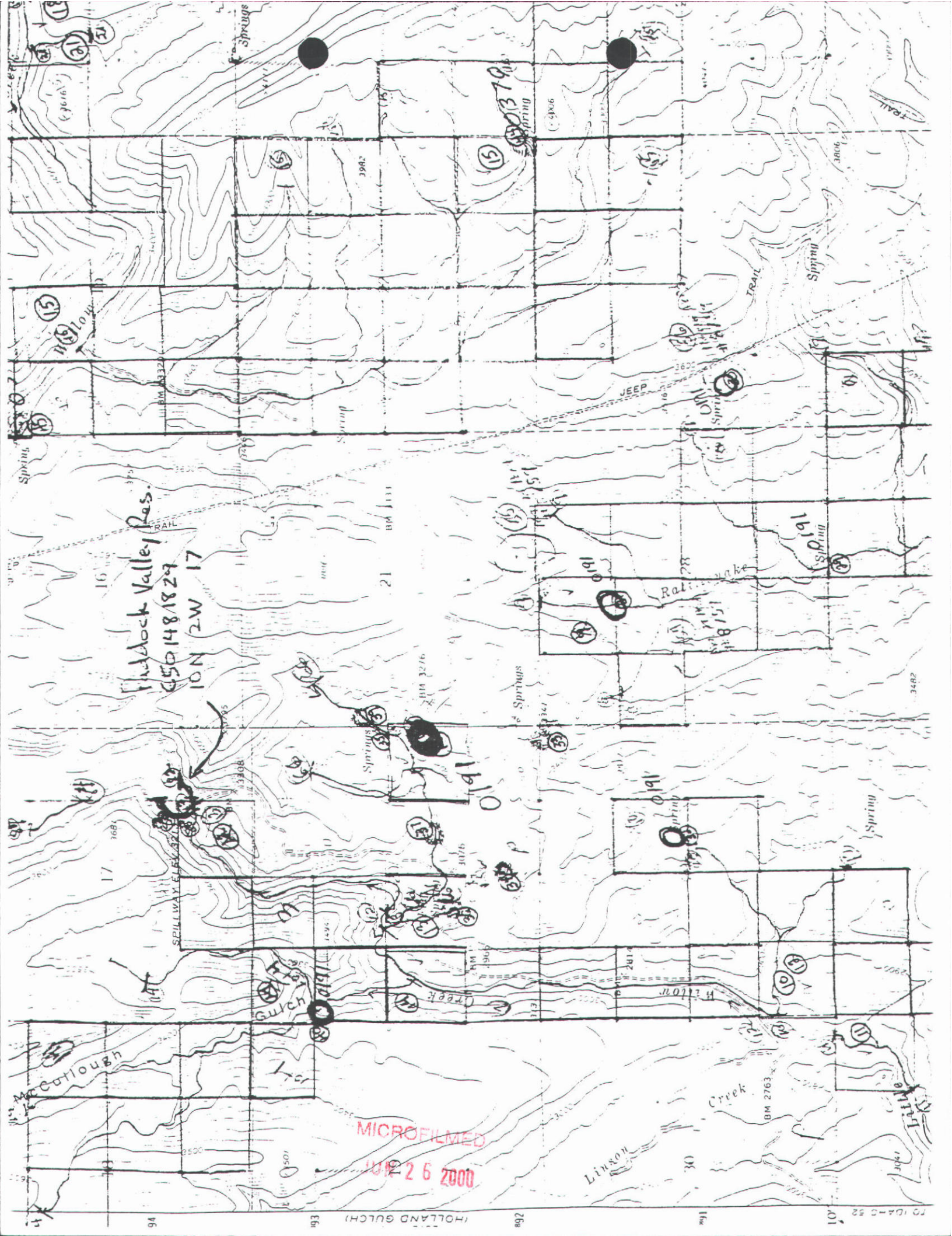


Scale: 2 inches equal 1 mile.

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

MICROFILMED
JUN 26 2000

X Ronny J. Woodward, Ad
(Applicant)



Haddock Valley Res.

4501481829

10N 2W 17

MICROFILMED
JUN 26 2000

FEB 26 1999

FEB 26 1999

Department of Water Resources

WATER RESOURCES
WESTERN REGIONOFFICE USE ONLY
Amt. of Fee \$100.00 50.00
Date 2/23/99
Receipt No. 0024827
Receipt by JHSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 65-13848 Telephone No. (208) 384-3300
2. Name(s) of Permit Holder(s): U.S.D.I. Bureau of Land Management Cascade R.A.
3. Mailing Address: 3948 Development Ave. Boise ID 83705
4. Source of Water: Little Willow Creek

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit): 375 range cattle;
- Domestic _____ (No. of households) Stockwater 6,000 Sheep; wildlife (No. and type of stock)
- Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0 cfs OR 14.0 acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

8. Fee Enclosed: \$ _____ (See License Fee Schedule on back of Instruction Sheet)
9. Person to contact to accompany the Department representative during field examination of the water system.

Jan Haupt (208) 384-3371
Name Telephone No.

3948 Development Ave Boise ID 83705
Address

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

MICROFILMED

JUN 24 2000

2-10-99
Date

Ronnie Woodward Acting Area Manager
Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13848

Priority: February 23, 1999

Maximum Diversion Rate:

0.02 CFS

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705

has applied for a permit to appropriate water from:
LITTLE WILLOW CREEK 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>
STOCKWATER	01/01 to 12/31	0.02 CFS
WILDLIFE	01/01 to 12/31	0.02 CFS
	Totals	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

Beginning of Stream Flow Reach
End of Stream Flow Reach

NWSE , Sec. 17, Township 10N, Range 02W
SESE , Sec. 17, Township 10N, Range 02W
WASHINGTON County

PLACE OF USE: STOCKWATER

TWN RGE SEC

10N 02W 17 NWSE SWSE SESE

PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before May 1, 2001.
2. Subject to all prior water rights.
3. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
4. Use of water under this right may be affected by an agreement between the protestant and the right holder.
5. Water shall not be diverted offstream from Willow Creek nor shall any structure for diversion or stockwatering be constructed under this right.
6. This right is for in-stream stockwatering of 375 range cattle and 5,000 sheep.

MICROFILMED

JUN 26 2000

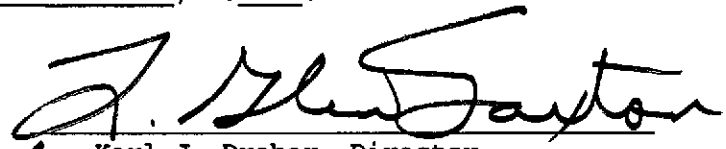
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13848

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

21st day of April, 2000.


for Karl J. Dreher, Director

MICROFILMED
JUN 26 2003

BLM # 6501481829

Form 202
6/85

Ident. No.

65-138⁴⁸

RECEIVED

APR 18 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

FEB 23 1999

Department of Water Resources

To appropriate the public waters of the State of Idaho

WATER RESOURCES
WESTERN REGIONU.S. Dept. of Interior
Bureau of Land Management1. Name of applicant Cascade Resource Area Phone (208) 384-3300Post office address 3948 Development Ave Boise ID 83705* Little Willow Creek Paddock Valley Reservoir
2. Source of water supply Little Willow Creek which is a tributary of Payette River* 3. Location of point of diversion is Ending point of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Govt. LotSec. 17 Township 10 N Range 02 W B.M. Washington County; additionalpoints of diversion if any: SW $\frac{1}{4}$ 17 10 N 02 W NN SE 17 10 N 02 W

beginning point

4. Water will be used for the following purposes:

* Amount 14.00 acres for Stock Water purposes from 0101 to 1231 (both dates inclusive)* Amount 14.00 acres for Wildlife purposes from 0101 to 1231 (both dates inclusive)* Amount 14.00 acres for Storage purposes from 0101 to 1231 (both dates inclusive)* Amount 14.00 acres for Storage purposes from 0101 to 1231 (both dates inclusive)* 5. Total quantity to be appropriated is (a) 1.28 cubic feet per second and/or (b) 14.00 acre feet per annum

6 Proposed diverting works.

* a. Description of ditches, flumes, pumps, headgates, etc. stream bank work

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 90°F being sought? _____

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

_____ years (minimum 1 year)

JUN 25 2000

* changes were made per office visit with Tom Woodward
(BLM) ON 4-6-99. DAN 4-8-99* source OK per original, type, & Iowa standards. D'Ann updated 5/18/99.
+ items 5 & 3

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. 375 range cattle; 5000 sheep; wild life
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10N	02W	17														S	S	S	0
10N	02W	17														W	W	W	0

Total number of acres to be irrigated 0

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

- Who owns the property at the point of diversion? U.S.D.I Bureau of Land Management
- Who owns the land to be irrigated or place of use? U.S.D.I Bureau of Land Management
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Applicant agrees to mitigate consumption ^{use} to the future ^{as} needed. DAD 4-8-99 N/A *

Comments: Instream study water in 3 tracts at Paddock Valley Reserve. *

* per IDWR standards, figure is original information.
D'Base updated 5/10/99 -fl

RESERVOIR

Paddock Valley Reservoir
T10N R2W 17 SE SE
SW SE
NW SE

VO

12'30"

PT. B5

Paddock Valley Reservoir

Shoreline

PT. END R. SLOPE

NO GOUT HOIS

OAN 3-12-99

MICROFILMED
JUN 25 2000

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X 3833

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2672 II NW
(HOLLAND GULCH)

McCutcheon

Creek

Creek

Willow

Rattlesnake

BM 2763

BM 2966

BM 2814

BLM 3664

BLM 3713

BLM 3795

BLM 3308

BM 3276

BM 3433

BM 3229

Flag Spring

Springs

Springs

Spring

Spring

Spring

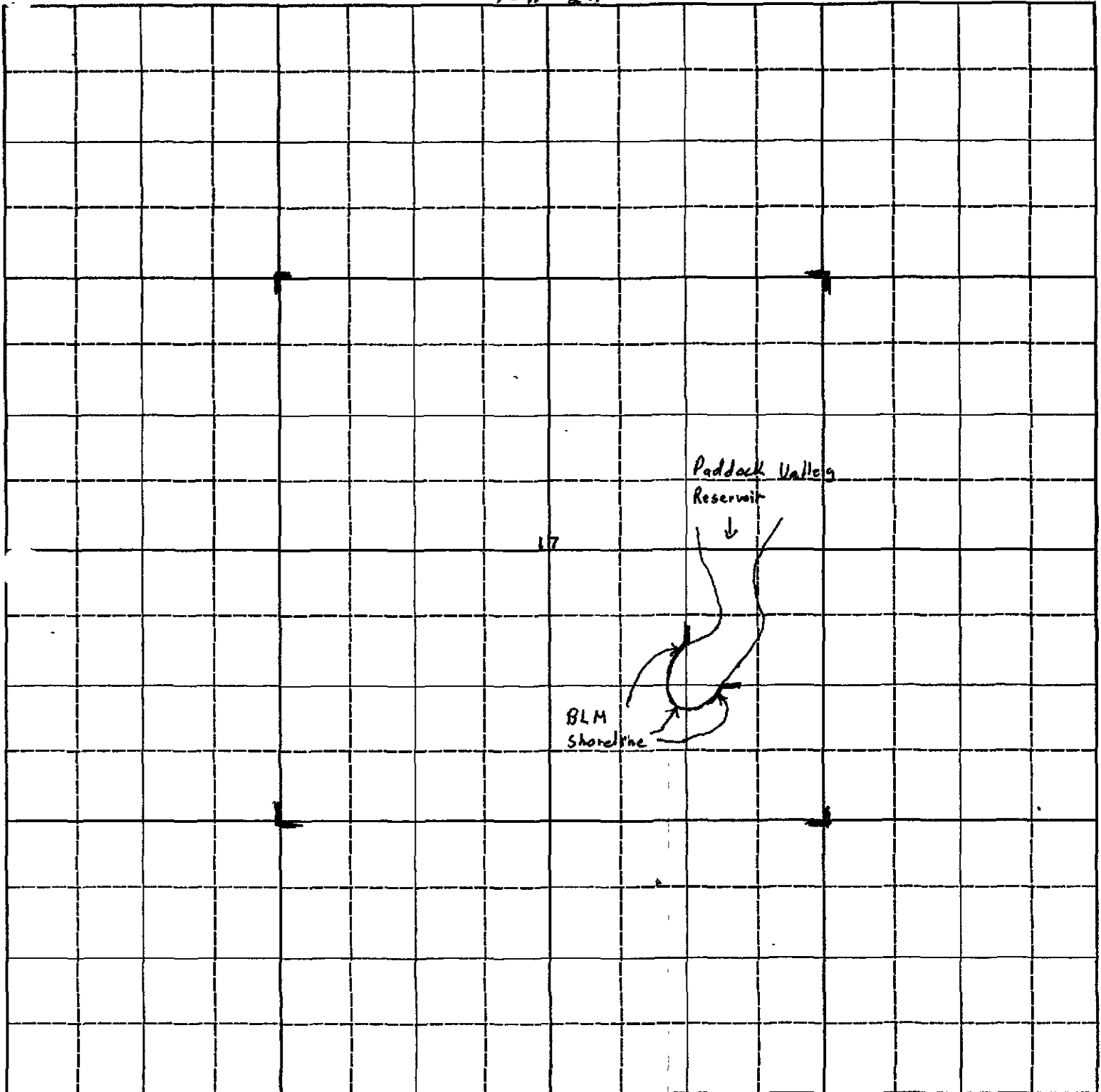
Spring

Springs

Spring

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

10 N 2 W



Scale 2 inches equal 1 mile

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

MICROFILMED

JUN 25 2000

Thomas Jay Woodward, Ad
(Applicant)

Received by Kli Date 2/23/99 Time 1:10 Preliminary check by DAN

Fee \$ 5000 Received by Kli # W024827 Date 2/23/99

Publication prepared by ST Date 4-15-99 Published in Western Signal

Publication approved 6/11/99 Date 7-21-99

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

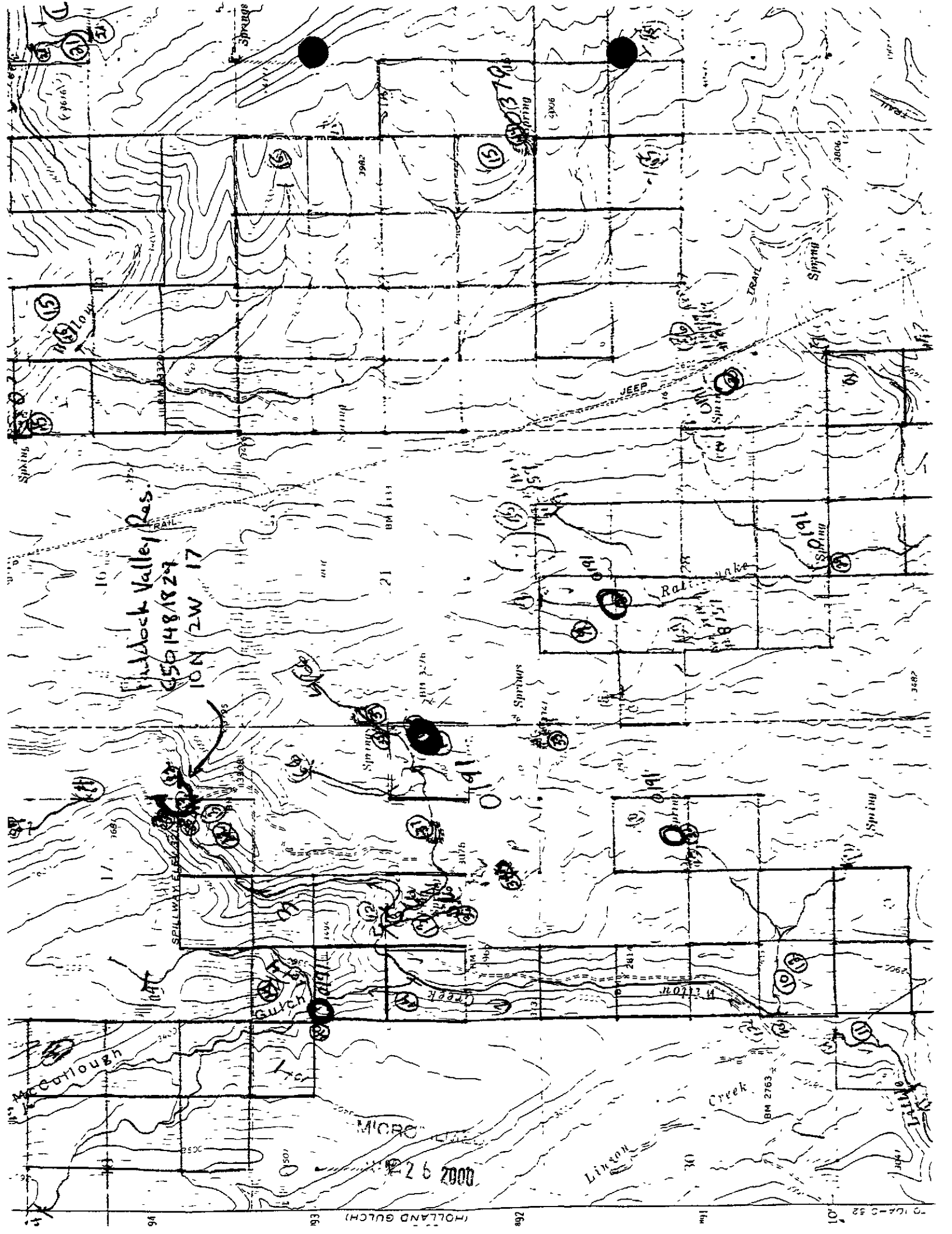
c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

JUN 26 2000





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

May 9, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

USDI BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13836 and 65-13848

Dear Permit Holder.

The department acknowledges receipt of the proofs of beneficial use forms submitted for the above referenced permits. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made 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 Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Encl.

c. IDWR - Regional Office

MICROFILMED

JUN 25 2000

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13848 Reviewed by D. Ellis Date 4/28/00

GENERAL CONSIDERATIONS

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

TYPES OF USE

Stockwater &
Wildlife
Correct Uses? Yes

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

Yes Required?
850 Amount Submitted
Yes Correct?

MEASURING DEVICE

No Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received 2/23/99
Date proof due 5/1/01 -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof

DATA ENTRY

New Address Proof Made 2/23/99



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

DIRK KEMPTHORNE
GOVERNOR

May 9, 2000

KARL J. DREHER
DIRECTOR

THOMAS M WOODWARD
BUREAU OF LAND MANAGEMENT
CASCADE FIELD OFFICE
3948 DEVELOPMENT AVE
BOISE ID 83705

Re. Permit Nos. 65-13836 and 65-13848

Dear Mr. Woodward:

I am enclosing the original Proofs of Beneficial Use you filed with the Department of Water Resources for the above-referenced water right permits. We received your Proofs of Beneficial Use forms and filing fee on April 28, 2000, however, the department previously received Proofs of Beneficial Use for these permits on February 23, 1999. Therefore, I am requesting from Fiscal that a check be issued in the amount of \$100.00 to refund the filing fees you paid. Your refund check will be processed and mailed to you within 7-10 days.

Also enclosed, for your information, are copies of the February 23, 1999 proofs for these permits. I have processed these proofs and I am sending acknowledgement letters under separate cover. If you have any questions, please contact me at (208)327-7953.

Sincerely,

A handwritten signature in cursive script that reads "Deborah Drew-Ellis".

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Enclosures
Cc Fiscal

MICROFILMED
JUN 26 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

- 1 Permit No. 65-13848 Telephone No. 384-3371
- 2 Name of Permit Holder(s) US Dept of the Interior, BLM, Cascade Field Office, 3948 Development Ave.
Boise, Id 83705
- 3 Mailing Address 3948 Development Ave
City Boise State ID Zip 83705
- 4 Source of Water: Stream (L. Willow Cr.) If GROUNDWATER (well), Date Drilled mo _____ / yr _____
a Well Driller _____ Drilling Permit Number: _____ - _____ - _____ - _____
- 5 Use(s) (as authorized by the water right permit)
Domestic (No. of households) _____ Stockwater (No. and type of stock) 375 cattle & 5,000 sheep
Irrigation (No. of acres) _____ Other Wildlife
- 6 Total rate of diversion and/or volume for which proof is submitted 0.02 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 Jon Haupt Telephone Number 384-3371
Address Same as above
- 10 The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder Thomas M. Woodward, Act. CEO, BLM Date 4/26/2000
(include your title or name of company or organization)

MICROFILMED

JUN 26 2000



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 21, 2000

DIRK KEMPTHORNE
GOVERNOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13848

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.

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:klr
Enclosures

MICROFILMED

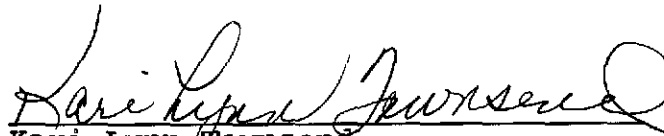
JUN 26 2000

CERTIFICATE OF MAILING

I hereby certify that on the 21st 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. 65-13848

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 26 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 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 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 fourteen (14) 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.

CERTIFICATE OF SERVICE

All documents intended to be part of the Department record in connection with a preliminary order shall be served upon the representatives of each party of record. Every document filed with and intended to be part of the agency record must be attached to or accompanied by proof of service by the following or similar certificate.

I HEREBY CERTIFY (swear or affirm) that I have this day of _____, served the foregoing (name(s) of document(s)) upon all parties of record in this proceeding, (by delivering a copy thereof in person: (list names)) (by mailing a copy thereof, properly addressed with postage prepaid, to: (list names)).
(Signature)

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.

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.

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.

RIGHT TO HEARING

Pursuant to Section 42-1701A(3), Idaho Code, unless the right to a hearing before the Department is otherwise provided by statute, any person aggrieved by any decision, determination, order, or action of the Department or any applicant for any permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the Department, who is aggrieved by a denial or conditional approval ordered by the Department, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Department to contest the denial or conditional approval upon filing with the Department, within fifteen (15) days after receipt of the denial or conditional approval, a written permission stating the grounds for contesting the action by the director and requesting a hearing.

APPEAL OF FINAL ORDER TO DISTRICT COURT

If a preliminary order becomes final, any party aggrieved by the final order or orders previously issued in the 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 (a) a hearing was held, or (b) the final agency action was taken, or (c) the party seeking review of the order resides, or (d) 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. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal. See Sections 67-5270 through 67-5273, Idaho Code.

Reviewed by Sharla Curtis on 4/19/00

AREA OF CONCERN: No/Yes Moratorium GWMA **TRUST/NON-TRUST** *non-fatal difference*

GROUNDWATER: (+/Flow Chart) SURFACE WATER: (+/Flow Chart)

SURFACE WATER: (✓Flow Chart)

F&G contacted

In/Above MSF - WB9
PLANNING REVIEW/RESPONSE _____
In-stream development - P52
~~SND~~ ~~(WB# 16)~~ instream Ste
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

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)
 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)
In use listed separate	- WB5
Moratorium approvable	- W03 (2500 gpd – meets domestic definition i.e. D/convenience store)

MISC CONDITIONS/REMARKS:

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W62 example - S/50 range, 5000 sheep
Pre-1987 development - W08-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map)

OTHER CONDITIONS/REMARKS Be E reach (upstream) . 02 Cfs

COMMENTS 'see cond on notet withdrawn' \$3,000 Gpd

APR 18 2000

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: DAN DATE: 3-11-99 APPLICATION: 65-13848

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:
ND P/D
ND P/U

ADDITIONAL INFORMATION

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

☒ T FLAG CHANGED TO P FLAG

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ Overlapping point of diversion.
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium:
- ☒ Surface water source, IDFG letter needed.
- ☒ Bull trout impact area, IDFG letter needed
- ☒ 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

PROCESSING

APP. NO.

65-13848

YES NO

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

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

- ☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☒ ☐ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

- ☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. #
☒ ☒ Other LITTLE WILLOW IRRIGATION
DISTRICT.
114 NORTH 8TH STREET
Payette, ID
83661

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 5-24-99

- ☒ ☐ Protests received.

- ☐ ☒ Recommendations attached:

- ☐ ☒ Measuring device required:

- ☐ ☒ Water delivered by water master? District #

- ☒ ☐ Special conditions of approval or cover letter: See reductions in application
amounts and conditions in agreement & withdrawal of protest

See below for additional information

Recommended Date or Priority 2/23/99Recommended by: Dan SDate: 4/14/00ADDITIONAL INFORMATION: Put in comments.

This Application is FOR INSTREAM STOCK WATER
FROM Paddock Valley Reservoir. Daily volume
is greater than 13,000 gpd.

RECEIVED

APR 18 2000

Department of Water Resources

FILE PRESENTATION

This application was processed prior to the January 12, 2000 memo "Changes to Water Right Applications." The old technique of making application changes was used.

To avoid additional processing delay, the file is forwarded as "one in the pipeline" with respect to that memo. The regional office anticipates that this will be acceptable for this limited group of applications.

MICROFILMED

APR 25 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 22, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LARRY DAHNKE, PRESIDENT
LITTLE WILLOW IRRIGATION DIST
5700 LITTLE WILLOW RD
PAYETTE ID 83661

Re: Application for Permit Nos. 65-13836 and 65-13848

Dear Protestants:

This letter is to acknowledge the agreement and withdrawal of protest of the above referenced applications for permit.

The department will now continue to process these applications, subject to certain conditions of approval.

If you have any questions please call this office.

Sincerely,

Gary Spackman

GS:st

CC: BOB MALLIS
BUREAU OF LAND MGMT
3948 DEVELOPMENT AVE
BOISE ID 83705

MICROFILMED

JUN 26 2000

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

RECEIVED
BOISE FIELD OFFICE
20 MAR 13 PM 12:26

RECEIVED

MAR 21 2000

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF APPLICATION FOR)
PERMIT NOS. 65-13836 AND 65-13848)
IN THE NAME OF THE BUREAU OF LAND)
MANAGEMENT.)

**AGREEMENT AND
WITHDRAWAL OF PROTEST**

The Bureau of Land Management (BLM) filed application for water right nos. 65-13836 and 65-13848 with the Idaho Department of Water Resources (IDWR). The applications sought to appropriate water from Little Willow Creek for instream stock watering. Each application sought approval to divert 0.28 cubic feet per second (cfs). The applications were protested by the Little Willow Irrigation District.

At the time and place scheduled for a hearing on March 1, 2000, the parties reached an agreement. The terms of the agreement are as follows:

1. BLM will reduce the flow rate and daily volume sought by application no. 65-13836 to 0.02 cfs and 13,000 gallons a day.
2. BLM will reduce the flow rate and daily volume sought by application no. 65-13848 to 0.02 cfs and 13,000 gallons a day.
3. The source for both applications will be Little Willow Creek, tributary to the Payette River, instead of Paddock Reservoir.

The following condition will be placed on any permit and subsequent license:

Water shall not be diverted offstream from Willow Creek or Paddock Reservoir under this right, nor shall any structure for diversion or stock watering be constructed under this water right.

Little Willow Irrigation District agrees to withdraw its protest based on the changes and conditions listed above.



Little Willow Irrigation District
Larry Dahnke



Bureau of Land Management
Bob Mallis

MICROFILM

JUN 25 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

March 2, 2000

LARRY DAHNKE, PRESIDENT
LITTLE WILLOW IRRIG DIST
5700 LITTLE WILLOW RD
PAYETTE ID 83661

BOB MALLIS
BUREAU OF LAND MGMT
3848 DEVELOPMENT AVE
BOISE ID 83705

Re: Agreement and Withdrawal of Protest for Water Right Application Nos. 65-13836 and
65-13848

Gentlemen:

Enclosed is a draft agreement and withdrawal of protest document. Please review the document and communicate with each other regarding any possible changes you feel are necessary. I would appreciate some initial review prior to the meeting of the Little Willow Irrigation District scheduled for March 14, 2000.

If the draft agreement is acceptable, I ask that Little Willow Irrigation District sign the agreement first and forward it to the Bureau of Land Management for signature. Upon signature by both parties, I ask that the document be forwarded to me. When I receive it, I will then process the applications.

Sincerely,

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

Gary Spackman

GS:st

Encl: Agreement

MICROFILMED

JUN 25 2000

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR	)	
	)	
PERMIT NOS. 65-13836 AND 65-13848	)	AGREEMENT AND
	)	WITHDRAWAL OF PROTEST
IN THE NAME OF THE BUREAU OF LAND	)	
	)	
MANAGEMENT.	)	

The Bureau of Land Management (BLM) filed application for water right nos. 65-13836 and 65-13848 with the Idaho Department of Water Resources (IDWR). The applications sought to appropriate water from Little Willow Creek for instream stock watering. Each application sought approval to divert 0.28 cubic feet per second (cfs). The applications were protested by the Little Willow Irrigation District.

At the time and place scheduled for a hearing on March 1, 2000, the parties reached an agreement. The terms of the agreement are as follows:

1. BLM will reduce the flow rate and daily volume sought by application no. 65-13836 to 0.04 cfs and 13,000 gallons a day.
2. BLM will reduce the flow rate and daily volume sought by application no. 65-13848 to 0.04 cfs and 13,000 gallons a day.
3. The source for both applications will be Little Willow Creek, tributary to the Payette River, instead of Paddock Reservoir.

The following condition will be placed on any permit and subsequent license:

Water shall not be diverted offstream from Willow Creek or Paddock Reservoir under this right, nor shall any structure for diversion or stock watering be constructed under this water right.

Little Willow Irrigation District agrees to withdraw its protest based on the changes and conditions listed above.

Little Willow Irrigation District
Bob Dahnke

Bureau of Land Management
Bob Mallis

MICROFILM

JUN 25 2000

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT OF WATER RIGHT) **NOTICE OF HEARING**
NOS. 65-13836 AND 65-13848 IN THE)
NAME OF THE BUREAU OF LAND)
MANAGEMENT.)
_____)

On February 23, 1999, the Bureau of Land Management filed with the Idaho Department of Water Resources (IDWR) application for permit nos. 65-13836 and 65-13848. The application was protested by Little Willow Irrigation District. The pre-hearing conference held by IDWR on Tuesday, August 24, 1999, did not resolve the matter of protest.

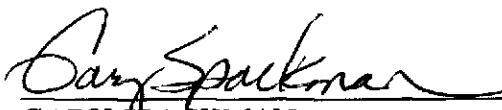
The Department has scheduled the matter for hearing on **Wednesday, March 1, 2000, at 9:00 a.m. at the City of Fruitland, 200 S. Whitley, Fruitland, Idaho 83619.** The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code and the adopted Rules of Procedure of the Department. A copy of the rules may be obtained from the IDWR upon request. The presiding officer at the hearing will be Gary Spackman.

If you plan to offer exhibits for the record, note that IDAPA Rule of Procedure 37.01.01.606 requires that you provide a copy of exhibits to each party and to the presiding officer.

The hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within ten (10) days prior to the hearing.

All parties to the matter will have the opportunity to respond and present information and argument on all issues involved.

Dated this 19th day of January, 2000.

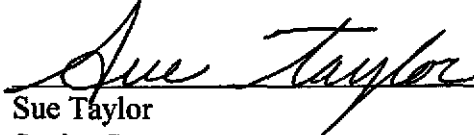


GARY SPACKMAN

MICROFILMED

JAN 25 2000

I hereby certify that on the 20th day of January, 2000, I mailed a true and correct copy, postage prepaid, of this Notice of Hearing to the applicant(s) and protestant(s) listed:


Sue Taylor
Senior Secretary

CERTIFIED MAIL

BOB MALLIS
US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705

LITTLE WILLOW IRRIG DIST
5700 LITTLE WILLOW RD
PAYETTE ID 83661

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

MICROFILMED

JUN 26 2000

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter.

At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon written request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may, by written stipulation, waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer prior to any scheduled hearing.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

MICROFILMED
JUN 26 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 14, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF FRUITLAND
200 S WHITLEY
FRUITLAND ID 83619

Re: Conference Room Reservation

This letter is to confirm the conference room reservation made by the Department of Water Resources at the City of Fruitland conference room on Wednesday, March 1, 2000, at 9:00 a.m.

If you have any questions please call me at 334-2190, Western Region of the Department of Water Resources.

Sincerely,

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

Sue Taylor
Senior Secretary

MICROFILMED
JUN 26 2000

ROSTER OF ATTENDANCE

IDAHO DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY, BOISE, IDAHO 83705

Re: Application for Permit No. 65-13836 and 65-13848 in the Name of The Bureau of
Land Management

Place: Washington County Courthouse, Weiser, Idaho

Date: August 24, 1999

Conducted by: Gary Spackman

NAME

ADDRESS

<i>Lick Peterson</i>	<i>9080 HANSON RD</i>
<i>Douglas Coates</i>	<i>7100 willow RD.</i>
<i>Don Sheddleton</i>	<i>8675 Little Willow</i>
<i>Luth Sheddleton</i>	<i>" "</i>
<i>Clifford D. Morgan</i>	<i>7405 " " "</i>
<i>pres. - Larry Dahneke</i>	<i>5415 Little Willow Rd</i>
<i>Andy Enslin</i>	<i>5675 LITTLE WILLOW RD.</i>
<i>Dennis Steele</i>	<i>6600 LITTLE Willow Rd</i>
<i>Charles & Joe</i>	<i>297 N 40TH PAYETTE</i>
<i>Robert Mallis</i>	<i>3948 Development Ave, Boise 83705</i>
<i>Albert Mitchell</i>	<i>4988 L Willow Cr Payette</i>

MICROFILMED

JUN 26 2000

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NOS. 65-13836 AND)
65-13848 IN THE NAME OF THE)
BUREAU OF LAND MANAGEMENT.)

NOTICE OF CANCELLATION AND
RESCHEDULING OF
PREHEARING CONFERENCE

On February 23, 1999, the Bureau of Land Management filed with the Department of Water Resources (IDWR) applications for permit nos. 65-13836 and 65-13848 to appropriate the public waters of the State of Idaho. The applications were protested by Little Willow Irrigation District.

IDWR scheduled a prehearing conference for the protest to be held on **Tuesday, June 29, 1999**, and at the request of the applicant, the prehearing conference was cancelled and is now rescheduled for **Tuesday, August 24, 1999, at 10:00 a.m. at the Washington County Courthouse, jury room, 485 E. 3rd, Weiser, Idaho 83672**. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources.

The conference will be conducted in a facility which satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the IDWR within (10) days prior to the conference.

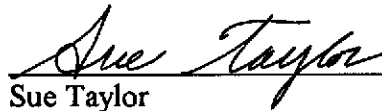
Dated this 14th day of July, 1999.



Gary Spackman

CERTIFICATE OF MAILING

I hereby certify that on the 15TH day of July, 1999, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:



Sue Taylor
Senior Secretary

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705

LITTLE WILLOW IRRIG DIST
5700 LITTLE WILLOW RD
PAYETTE ID 83661

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

MICHAEL J. ...

JUN 25 2000

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon written request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may, by written stipulation, waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer prior to any scheduled hearing.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

MICROFILMED

JUN 26 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 15, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WASHINGTON COUNTY COURTHOUSE
485 E 3RD
WEISER ID 83672

Re: Conference Room Reservation

This letter is to confirm the conference room reservation made by the Department of Water Resources at the Washington County Courthouse, jury room on Tuesday, August 24, 1999, at 10:00 a.m.

If you have any questions please call me at 334-2190, Western Region of the Department of Water Resources.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sue', is written over a horizontal line.

Sue Taylor
Senior Secretary

MICROFILMED
JUN 26 2000

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO**

**IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 65-13836 and)
65-13848 IN THE NAME OF THE)
BUREAU OF LAND MANAGEMENT.)**

**NOTICE OF PREHEARING
CONFERENCE**

On February 23, 1999, the Bureau of Land Management filed with the Department of Water Resources (IDWR) two applications for permit to appropriate the public waters of the State of Idaho. The applications were protested by Little Willow Irrigation District.

IDWR has scheduled a conference for the protest to be held on **Tuesday, June 29, 1999, at 1:30 p.m. at the Washington County Courthouse, jury room, 485 E 3rd, Weiser, Idaho 83672.** The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources.

The conference will be conducted in a facility which satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the IDWR within (10) days prior to the conference.

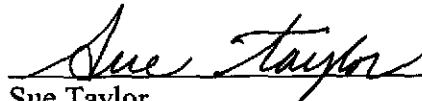
Dated this 8th day of June, 1999.



Gary Spackman

CERTIFICATE OF MAILING

I hereby certify that on the 9th day of June, 1999, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:


Sue Taylor
Senior Secretary

US BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705

LITTLE WILLOW IRRIG DIST
5700 LITTLE WILLOW RD
PAYETTE ID 83661

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) *Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?*
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

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JUN 26 2000

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon written request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may, by written stipulation, waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer prior to any scheduled hearing.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

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JUN 26 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 2, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WASHINGTON COUNTY COURTHOUSE
485 E 3RD
WEISER ID 83672

Re: Conference Room Reservation

This letter is to confirm the conference room reservation made by the Department of Water Resources at the Washington County Courthouse, June 29 1999, from 1:30 p.m. until 5:00 p.m.

If you have any questions please call me at 334-2190, Western Region of the Department of Water Resources.

Sincerely,

Sue Taylor
Senior Secretary

MICROFILMED
JUN 25 2000

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Washington } ss.

Sarah Boles

RECEIVED

MAY 28 1999

WATER RESOURCES
WESTERN REGION
being duly sworn,

deposes and says:

That he/she is the clerk of
THE WEISER SIGNAL AMERICAN, a bi-weekly newspaper
published at Weiser, in the County of Washington and State of
Idaho; that said paper has been and is in general circulation in the
county aforesaid, and in the vicinity of Weiser; that the adver-
tisement, a copy of which is attached hereto, was published in

said newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not in a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive weeks
prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

May 5, 1999, and ending

with the issue of May 12, 1999

Sarah Boles

Fees, \$ 300.02

Subscribed and sworn to before me this 12

day of May, 1999

Judith Larson
Notary Public, residing at Weiser, Idaho.

My commission expires Feb, 192002

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

65-13836

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE.
BOISE, ID 83705
Source: PADDOCK VALLEY RESERVOIR
Tributary: LITTLE WILLOW CREEK
Diversion Pt: SWSE Sec 32 T 11N R 02W in
WASHINGTON County.
SWSE Sec 32 T 11N R 02W in WASHINGTON
County.
Use: STOCKWATER (0.280 CFS)
WILDLIFE (0.280 CFS)
Total Diversion: (0.280 CFS)
Date Filed: 2/23/1999
In: WASHINGTON County
T11N R02W S32 SWSE

65-13842

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE.
BOISE, ID 83705
Source: POND
Tributary: LITTLE WILLOW CREEK
Diversion Pt: NESWSE Sec 9 T 10N R 01W in
WASHINGTON County.
Use: STOCKWATER STORAGE (0.30 AF)
WILDLIFE STORAGE (0.30 AF)
Total Diversion: (0.30 AF)
Date Filed: 2/23/1999
In: WASHINGTON County
T10N R01W S09 SWSE

65-13843

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE.
BOISE, ID 83705
Source: POND
Tributary: GEORGE WAY GULCH
Diversion Pt: SENWSE Sec 13 T 10N R 02W in
WASHINGTON County.
Use: STOCKWATER STORAGE (0.30 AF)
WILDLIFE STORAGE (0.30 AF)
Total Diversion: (0.30 AF)
Date Filed: 2/23/1999
In: WASHINGTON County
T10N R02W S13 NWSE

65-13844

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE.
BOISE, ID 83705
Source: POND
Tributary: BIG WILLOW CREEK
Diversion Pt: NENWNW Sec 29 T 10N R 01E in
WASHINGTON County.
Use: STOCKWATER STORAGE (0.30 AF)
WILDLIFE STORAGE (0.30 AF)
Total Diversion: (0.30 AF)
Date Filed: 2/23/1999
In: WASHINGTON County
T10N R01E S29 NWNW

65-13847

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE.
BOISE, ID 83705
Source: POND
Tributary: LITTLE WILLOW CREEK
Diversion Pt: SENSW Sec 20 T 11N R 02W in
WASHINGTON County.
Use: STOCKWATER STORAGE (0.30 AF)
WILDLIFE STORAGE (0.30 AF)
Total Diversion: (0.30 AF)
Date Filed: 2/23/1999
In: WASHINGTON County
T11N R02W S20 NESW

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE.
BOISE, ID 83705
Source: PADDOCK VALLEY RESERVOIR
Tributary: PAYETTE RIVER
Diversion Pt: SESE Sec 17 T 10N R 02W in WASH-
INGTON County.
Use: STOCKWATER (0.280 CFS)
WILDLIFE (0.280 CFS)
Total Diversion: (0.280 CFS)
Date Filed: 2/23/1999
In: WASHINGTON County
T10N R02W S17 NWSE SWSE SESE

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 MAY 24, 1999. The prot-
estant must also send a copy of the protest to the
applicant.

KARL J. DREHER, Director
Published: 5/6/1999 & 5/13/1999.

24-2S

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JUN 26 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 25, 1999

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705

Re: Applications for Permit Nos. 65-13836 and 65-13848

Dear Applicant:

Enclosed is a protest filed against the issuance of a permit pursuant to the above-referenced application.

The following are the criteria the department must consider in either approving or denying an application for permit (per Section 42-203A, Idaho Code):

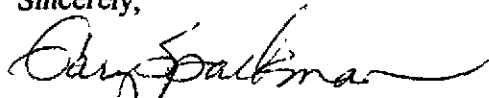
1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

The department suggests you contact the protestant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

This office will shortly schedule a conference if the matter is not resolved informally. At the conference, the department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

Please contact this office if you have questions regarding this procedure.

Sincerely,



Gary Spackman

GS:st

Enclosure: Copy of protest(s)

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JUN 25 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 25, 1999

LITTLE WILLOW IRRIG DIST
5700 LITTLE WILLOW RD
BOISE ID 83661

**Re: Applications for Permit Nos. 65-13836 and 65-13848 in the Name of the Bureau
of Land Management**

Dear Protestant:

**This office acknowledges receipt of your protest to the issuance of a permit pursuant to
the above referenced applications.**

**The following are the criteria the department must consider in either approving or denying
an application for permit (Section 42-203A, Idaho Code):**

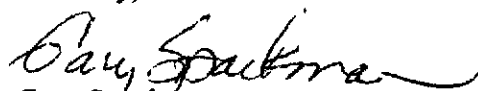
- 1. Will the proposed use reduce the quantity of water under existing water rights?**
- 2. Is the proposed water supply insufficient for the purposes intended?**
- 3. Is the application made in good faith or for delay or speculative purposes?**
- 4. Has the applicant sufficient financial resources with which to complete the project?**
- 5. Will the proposed use under this permit conflict with the local public interest?**
- 6. Will the proposed use be contrary to conservation of water resources within the
state of Idaho?**

**The department suggests you contact the applicant(s) directly in an effort to determine
what is proposed by the application and to attempt to resolve the protest. Direct, sincere
conversation between the parties prior to initiation of formal proceedings can often resolve a
protest.**

**This office will shortly schedule a conference if the matter is not resolved informally. At
the conference, the department will review possibilities for resolution of the protest. If the matter
cannot be resolved at that time, a formal hearing will be arranged for a future date.**

If this office can be of further assistance, please contact us.

Sincerely,


Gary Spackman

GS:st

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JUN 25 2000

W025160

may 5, 1999

STATE OF IDAHO
DEPT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, ID 83705

RECEIVED
MAY 06 1999
WATER RESOURCES
WESTERN REGION

ATTENTION: JOHN WESTRA

RE: PERMIT 65-13848

THE DIRECTORS OF LITTLE WILLOW IRRIGATION DISTRICT PROTEST
THE APPLICATION FOR WATERRIGHT APPLICATION PERMIT
65-13848 IN THE NAME OF BUREAU OF LAND MANAGEMENT.

ENCLOSED CHECK FOR \$25.00.

SINCERELY,



LARRY DAHNKE
PRESIDENT
LITTLE WILLOW IRRIGATION DIST

MICROFILMED

JUN 26 2000

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: W025160

Date:
Time: 5/ 6/1999
11:33:45

Received
From: LITTLE WILLOW IRRIGATION

Type of Payment	Program A cct	Amount
PROTEST - 65-13848	62103 229 21 1155	25.00
CHECK 1450		
	Total \$	25.00

Region: WESTERN

Signature: Kathy Gale

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JUN 26 2000

Lester, Steve

From: Lester, Steve
Sent: Tuesday, May 18, 1999 1:25 PM
To: Keen, Shelley
Cc: Lester, Steve
Subject: RE: Source for 65-13836 and 65-13848

That was an error on this end. I just checked the coder's handbook and, sure enough, cannot list existing reservoir as a source. Will correct asap.

Thanks for the reminder

-- Steve

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

From: Keen, Shelley
Sent: Tuesday, May 11, 1999 10:39 AM
To: Lester, Steve
Cc: Curtis, Sharla
Subject: Source for 65-13836 and 65-13848

Steve,

Glen and Jim have asked me to inquire why the source for applications 65-13836 and 65-13838 is listed as Paddock Valley Reservoir. Normally a reservoir is not considered a source of public water. I'm sure it was just an oversight, but the source be probably be changed to Little Willow Creek in the database. Thanks.

Shelley Keen

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JUN 26 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

May 5, 1999

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

Re: Application for Permit Nos. 65-13835 in the Name of Keith Stein, 65-13836, 65-13837, 65-13838, 65-13839, 65-13840, 65-13841, 65-13842, 65-13843, 65-13844, 65-13946, 65-13847, 65-13848, and 67-08030 in the Name of the Bureau of Land Management, 65-13876 in the Name of Earl Bishop, and 57-07678 in the Name of Nate Good

Dear Sir:

Enclosed are copies of the above-referenced applications for permit which may be of interest to your agency. Please review the applications 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 these applications, your written protest along with the \$25.00 protest fee must be received in this office by May 24, 1999.

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

Sincerely,


Gary Spackman

GS:st

Encl.

MICROFILMED

JUN 26 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

~~April 30, 1999~~

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LITTLE WILLOW IRRIG DIST
5700 LITTLE WILLOW RD
PAYETTE ID 83661

Re: Application for Water Right Permit No. 65-13848 in the Name of the Bureau of Land Management

Dear Sir:

Enclosed is a copy of the above-referenced application for water right which may be of interest to you.

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

A protest must be received with a \$25.00 protest fee on or before May 24, 1999. If you do not wish to protest, informal comments should still be submitted by the end of the protest period.

Sincerely,

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

Gary Spackman

GS:st

Encl.

MICROFILMED

JUN 26 2000

65-13848

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE, ID 83705

Source: PADDOCK VALLEY RESERVOIR

Tributary: PAYETTE RIVER

Diversion Pt: SESE Sec 17 T 10N R 02W in WASHINGTON County.

Use: STOCKWATER	(	0.280 CFS)
WILDLIFE	(	0.280 CFS)
Total Diversion:	(	0.280 CFS)

Date Filed: 2/23/1999

In: WASHINGTON County
T10N R02W S17

NWSE

SWSE

SESE

MICROFILMED

JUN 26 2000