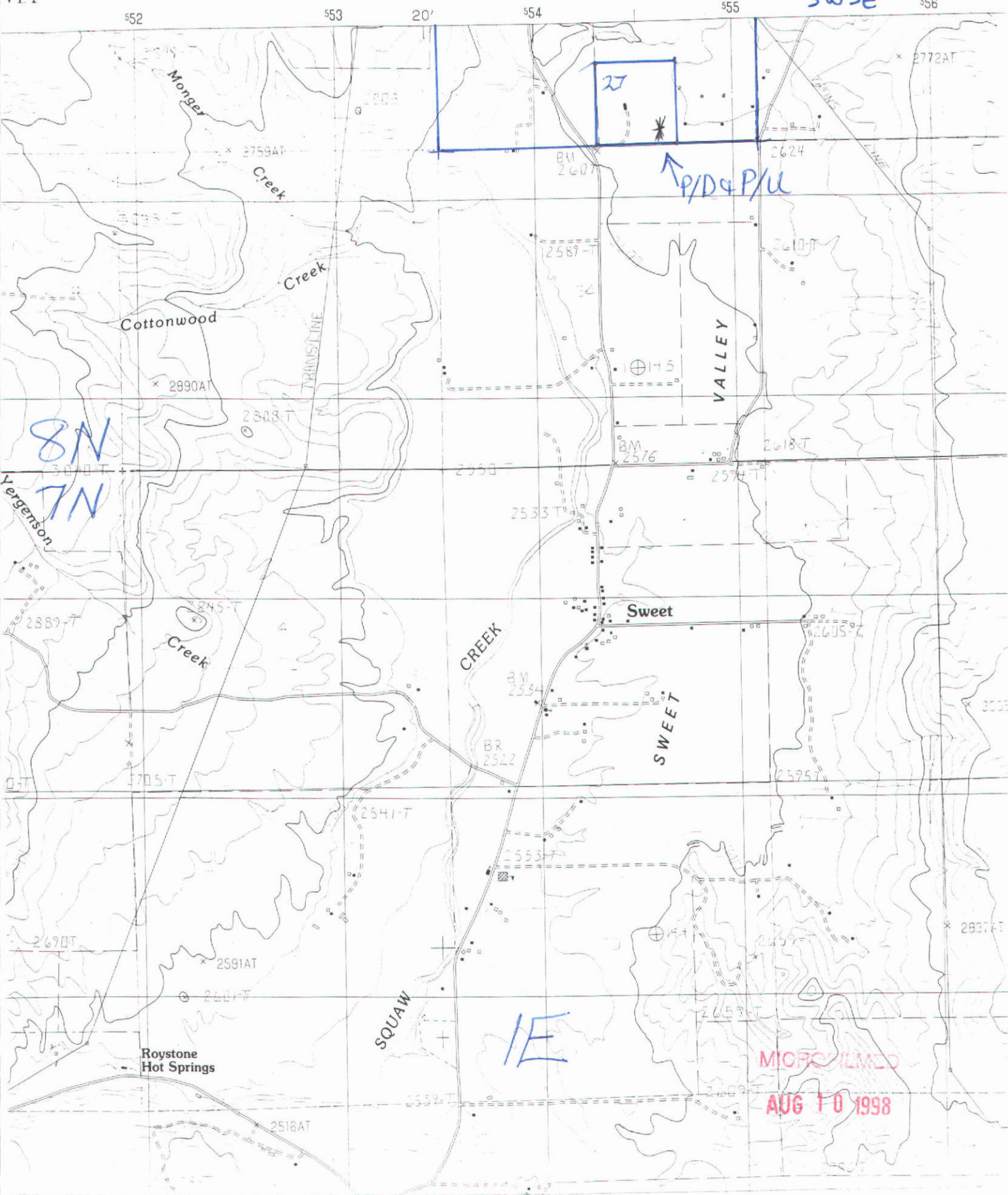


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65-13767

NO GOVT LOT
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S.27
SWSE



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
65-13767 IN THE NAME OF)
KAREN C BRUNER)

)

REINSTATEMENT ORDER

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before July 1, 2002; and,

WHEREAS, the Department notified the permit holder on April 30, 2002, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

WHEREAS, the Department sent the permit holder a lapse notice on July 5, 2002, since the department had not received an acceptable proof of beneficial use statement or extension of time; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on July 31, 2002;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-13767 is **REINSTATED** with an advance in priority to **December 14, 1997**.

DATED this 2nd day of August, 2002.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

AUG 15 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 31 2002

PROOF OF BENEFICIAL USE

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 65-13767 Telephone No. 208-584-3380
2. Name of Permit Holder(s): Karen C Bruner
3. Mailing Address P.O. Box 666
City Emmett State ID Zip 83617
4. Source of Water Well / Groundwater If **GROUNDWATER** (well), Date Drilled. mo. 8 yr. 1997 (?)
Well Driller: Dale Adamson Drilling Permit Number Adamson Drilling
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households). 1 Stockwater (No. and type of stock): yes - 3
Irrigation (No. of acres): 5 acres Other: Agriculture - fruit + nut trees
pasture
6. Total rate of diversion and/or volume for which proof is submitted: .83 cfs OR 50 gallons/minute acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional Please check either yes or no Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes or No X
Has the measuring device been installed? Yes or No X
8. Fee Enclosed: \$ 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: Karen C Bruner Telephone Number: 208-338-8771
Address 9650 Pioneer-Liberty Rd. Sweet, Idaho
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: Karen C Bruner Date: 7-26-02
(include your title, if on behalf of company or organization)

MICROFILMED

AUG 15 2002

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13767

Proposed Priority: November 14, 1997 Maximum Diversion Rate: 0.17 CFS

This is to certify, that **KAREN C BRUNER**
960 BROADWAY AVE STE 515
BOISE ID 83706

has applied for a permit to appropriate water from: **GROUNDWATER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.15 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
	Totals	0.17 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 27, Township 08N, Range 01E
GEM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N	01E	27	SWSE	5.0		5.0

Total number of acres irrigated: 5.0

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 2002.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
7. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

AUG 10 1998

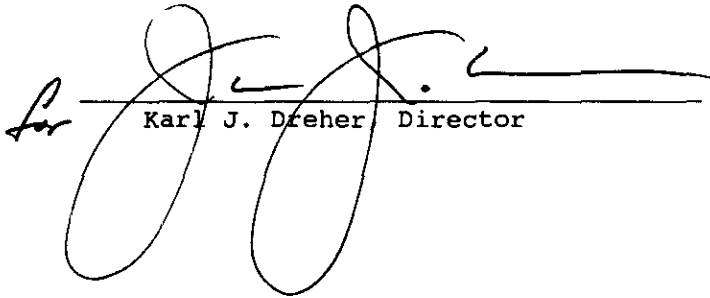
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13767

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

24TH day of June, 1998.

for 
Karl J. Dreher Director

MIS. 2111
AUG 10 1998

Ident. No. 65-13767

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Naren C Bruher Phone home 384-0611
work 338-6771
Mailing address 960 Broadway Ave., Suite 515, Boise, ID 83706
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is Township 8N Range 1E Sec. 27, in the _____ 1/4,
SW 1/4, SE 1/4, Govt. Lot _____, B.M., Gem County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | |
|---|
| Amount <u>0.15</u> for <u>irrigation</u> purposes from <u>3/15</u> to <u>11/15</u> (both dates inclusive) |
| <small>(cfs or acre-feet per annum)</small> |
| * <u>acc</u> Amount <u>0.64</u> for <u>domestic</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| <small>(cfs or acre-feet per annum)</small> |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| <small>(cfs or acre-feet per annum)</small> |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| <small>(cfs or acre-feet per annum)</small> |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| <small>(cfs or acre-feet per annum)</small> |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| <small>(cfs or acre-feet per annum)</small> |
5. Total quantity to be appropriated is (a) 0.19 0.17 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source Well, pump & pipeline & drip irrigation system.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is 10 inches; proposed depth of well is 200 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) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 4 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 home
- e. Other; describe fully. Applicant plans irrigation water to be used in modern drip system for watering small fruit & nut trees.

* max allowable for domestic in-house use. 6/22/98 02/11/1998

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

use below. See instructions for standard symbols.

[illegible]

Total number of acres to be irrigated

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

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

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

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

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12. Remarks:

Remarks: Applicant would like to get well drilled on property within next 4 years. Applicant would be agreeable to mitigate

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

of the State of Idaho as herein set forth.

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters

Signature of Applicant (and title, if applicable)

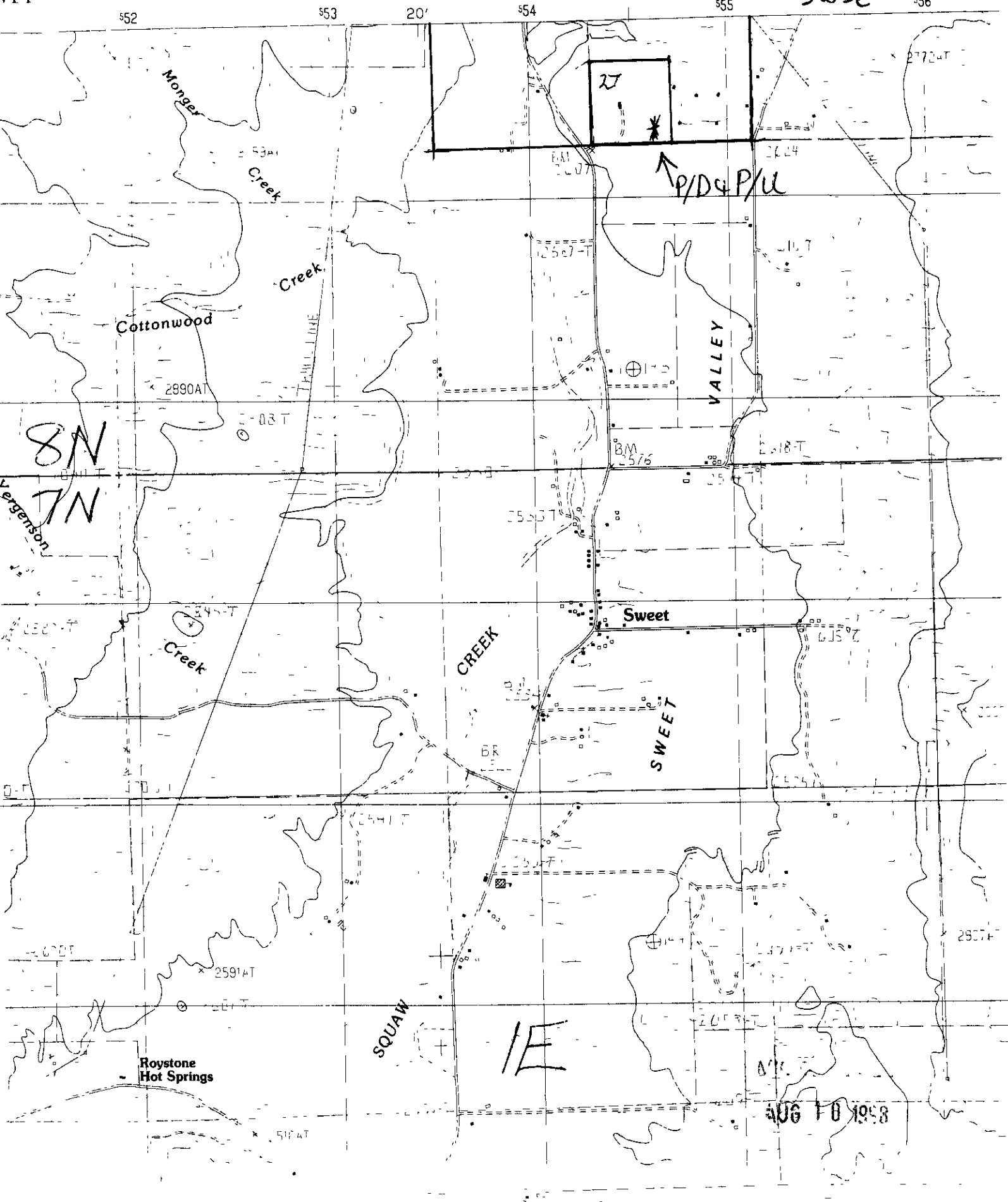
Received by	50.00	Date	11-14-97	Time	3:30	Preliminary check by	120
Free \$		Received by	ST	Date	4/8/98	Published in	Message for industry on 5/6 & 13/98
Publication prepared by	DI	Date	5/18/98				
Publication approved by							

65-13767

NO GOV LOT
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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

August 5, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

KAREN C BRUNER
PO BOX 606
EMMETT ID 83617

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 65-13767

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and examination fee submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since proof was submitted after the proof due date. 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 of the water. The regional office staff will contact you when that examination is to be conducted.

During my review of the proof form you filed with the department, I had one question. Please refer to paragraph no. 6, Total rate of diversion.... The proof you submitted stated that 0.83 cfs was developed, which exceeds the permitted amount for this water right. However, I see that you added "50 gallons/minute" which is less than the actual amount you are permitted. 50 gallons per minute is approximately 0.11 cfs. Since you are permitted for 0.17 cfs, or approximately 80 gallons per minute. You may want to clarify this statement if possible, otherwise the field examiner will complete his report to reflect that amount being diverted at the time of his examination or the 0.11 cfs total. If you do clarify this question, please do so in writing and send it to my attention.

Please 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.

MICROFILMED

2002 1 5 2002

Karen C. Bruner
August 5, 2002
Page 2

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

Enclosure

c: IDWR - Region (w/encl.)

MICROFILMED

AUG 15 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No 65-13767

Reviewed By dgibson

Date. August 2, 2002

	<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		C063665	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		07/31/2002
Date proof due	-	07/01/2002
Lapse notice sent	-	
No of days late	=	30
Holiday allowance	+	
Priority date	+	11/14/1997
New priority date	=	12/14/1997

Deficiencies of Actions Items

Acknowledge proof Address changed on database Mention that 83 cfs does not equal 50 gallons per minute, and that I will accept it because the 50 gallons per minute is close to the correct rate of diversion. Reinstate permit and advance priority o Dec 14, 1997



RECEIVED

JUL 31 2002

Department of Water Resources

Debbie L.

KAREN C. BRUNER, CMFC

Senior Financial Advisor

7-26-02

960 Broadway Avenue, Suite 540
Boise, ID 83706
208-338-0771 Fax 208-338-0781

Dear Department of Water Resources:

Your original mail was never received. My mailing address is P.O. Box 606 Emmett, ID 83417.

I have completed your form and included a check for \$50. If you need anything more... please let me know at the address above.

Sincerely,

Karen C. Bruner

MICROFILMED

AUG 15 2002

MICROFILMED

AUG 15 2002

July 5, 2002

KAREN C BRUNER
960 BRDWAY AVE STE 515
BOISE, ID 83706

LAPSE NOTICE

RE: PERMIT NO. 65-13767

Dear Permit Holder.

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated July 5, 2002. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

Sincerely,

L. Glen Saxton, Chief
Water Allocation Bureau

Enclosures

UNRECORDED
JUL 11 2002

CERTIFICATION OF MAILING
I hereby certify that on 7/5/02
a copy of this notice was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

dg

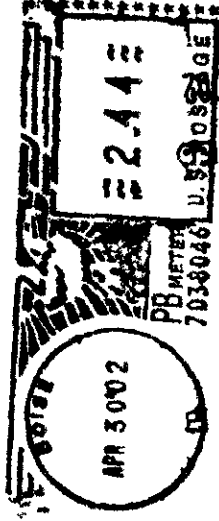
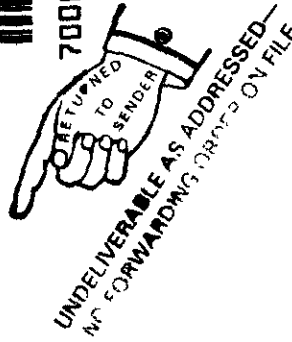
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street, P.O. Box 83720
Idaho 83720-0098

Return Service Requested

CERTIFIED MAIL



7000 1530 0000 9414 6761



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AUG 15 2002

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BHUNY60 8370662007 IN US 05/02/02
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

8370662007 22



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

RECEIVED

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 30, 2002

MAY - 6 2002

Department of Water Resources

KAREN C BRUNER
960 BRDWAY AVE STE 515
BOISE, ID 83706

PROOF DUE NOTICE

RE: PERMIT NO. 65-13767

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 July 01, 2002. (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, Admin. Assistant
Water Allocation

Enclosures

April 30, 2002

KAREN C BRUNER
960 BRDWAY AVE STE 515
BOISE, ID 83706

PROOF DUE NOTICE

RE: PERMIT NO. 65-13767

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 July 01, 2002. (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.

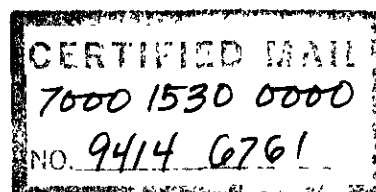
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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, Admin. Assistant
Water Allocation

Enclosures



MICROFILMED
AUG 15 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 25, 1998

KAREN C BRUNER
960 BROADWAY AVE STE 515
BOISE ID 83706

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13767

Dear Permit Holder:

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

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

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

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

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

Also enclosed is a copy of the approved drilling permit submitted in connection with this water right.

JUN 10 1998

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your right may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

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,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

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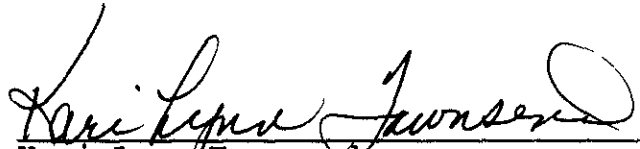
AUG 10 1998

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of June, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 65-13767

KAREN C BRUNER
960 BROADWAY AVE STE 515
BOISE ID 83706


Kari Lynn Townsend
Secretary

MIC 3

AUG 10 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

AUG 10 1998

WELL DRILLER: PLEASE COMPLETE FOR VERBALSIDWR Employee Issuing Verbal: _____
Verbal Issued Date: _____ Time: _____

D 537

State of Idaho
Department of Water Resources**APPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)**

1. Applicant (please print): Karen C Bruner
2. Mailing Address: 960 Broadway Ave., Suite 515, Boise, ID 83706
City & State _____ Zip Code _____ Telephone 384-0611 (home)
338-0771 (work)
- ☒ Well Owner ☐ Well Operator ☐ Contractor or Other, specify _____
3. Proposed Well Location: Twp. 8N, Rge. 1E, Sec. 27, SW 1/4 SE 1/4
Gov't Lot No. _____ County Gem
Street Address of Well Site Brownlee-Liberty Rd. City Sweet
Give at least name of road + Distance to Road or Landmark
Lot, block and subdivision _____

4. Proposed Use of Well:

- ☐ DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

- NON-DOMESTIC: ☒ Irrigation ☐ Municipal ☐ Industrial
☐ Stock ☐ Test ☒ Other domestic
(Over 1,000 Head) (Describe)
- ☐ INJECTION
- ☐ MONITORING: A well bore schematic and map is required for each blanket permit.
No. of proposed wells: _____

5. Well Construction Information:

- A. ☒ New well ☐ Modify ☐ Replace
- B. Proposed Casing Diameter 10" Proposed Maximum Depth 200'
- C. Anticipated bottom hole temperature:
☒ 85°F or less (Cold Water Well) ☐ 85°F to 212°F (Low Temp. Geo. Well) ☐ 212° F. or more (Geothermal Well)

6. Construction Start Date: - as soon as water right is approved - hopefully in 1998

7. Anticipated Well Driller: SOS or Valley Pump Driller's Lic. No. _____
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature Karen C. Bruner Date AUG 14-97
Title Owner AUG 10 1998
(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is _____ Date _____

If approved, this permit authorizes the constuction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum of 50 feet and 100 feet respectively from a septic tank.
3. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS:

Signature of Authorized Department Representative _____

Title _____

Receipt No. W023347 Received by EW Fee 200. Date 11-14-97

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension expires: _____

MICROC-FILMED

AUG 10 1998

Ident. No. 65-98-C-0153-000
Well Tag No. D0000537
Water Right No. 65-13767

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: KAREN C BRUNER O 208-384-0611
Address: 960 BROADWAY AVE
SUITE 515
BOISE ID 83706

2. Proposed Well Location: Township 08N, Range 01E, Sec. 27, SWSE
GEM County

Street Address of Well Site: BROWNLEE - LIBERTY
SWEET ID

3. Proposed Use of Well: Non-Domestic Irrigation

4. Well Construction Information:

- A. NEW WELL
 - B. Proposed Surface Diameter 10 In. Proposed Maximum Depth 200 Ft.
 - C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
- (NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 12/12/2112

6. Anticipated Well Driller: SOS WELL DRILLING & PUMP CO INC (No. 0212)
NOTE: The actual well driller must be identified to IDWR prior to drilling commencement.

7. Applicant's Signature _____ Date _____
Title _____
(Owner, Firm Representative, Other)

Fee \$ 250.00 Received by _____ No. W023247 Date 11/14/1997

MIC
AUG 10 1998
(Continued)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is Approved Date: 6-25-98

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is 1-800-342-1585.
9. Failure to construct the well in accordance with these conditions may result in the revocation of the drilling permit and constitute a violation of Idaho Law.
10. The well owner has obtained the Drilling Permit and Well Tag. The permit is approved under the condition that the Well Driller submit a Start Card to this office by Mail or Fax prior to the commencement of construction.
11. Please be advised that this drilling permit should be considered and treated as a preliminary permit. If you are in disagreement with this preliminary permit you have fourteen (14) days of the service date of this permit to petition the Department for reconsideration pursuant to Section 67-5243, Idaho Code.
12. The uppermost unconfined aquifer shall be cased and sealed to exclude water from this zone from entering the well. All seals will be placed from the bottom up.

306 10 1998 (Continued)

Ident. No.
Well Tag No.

65-98-C-0153-000
D0000537

CONDITIONS OF APPROVAL:

13. Drilling fluids shall be mixed with water which meets or exceeds drinking water standards.
14. The screened, perforated, filterpacked or otherwise open and commingled strata which are to be produced from, shall be of similiar hydraulic head, temperature and quality. If there are notable variations encountered as the well is drilled and/or developed, the Department will be notified for evaluation.
15. If an annular seal of bentonite is to be utilized, it shall be a high solids (>30) bentonite. The bentonite shall not contain chemical polymers which effect long term stability of the seal and are often found in drilling fluid grade bentonites, but rather will be specifically recommended by the manufacturer for use as a seal in the construction or abandonment of water wells.
16. If an annular space of at least 4 inches greater than the outside diameter of the casing is provided a granular bentonite or bentonite chips may be poured at the manufacturer's recommended rate or no greater than 50 pounds in five minutes. The pour shall also be presifted through 1/4 inch mesh screen to reduce the introduction of fines unless the annular space is free of water, ie. (above the water table and there is no cascading water). The top of the seal shall be tagged at regular intervals, ie. (30' intervals) during placement with a sinker bar or other appropriate device to ensure the seal is reaching the intended depth. If bridging occurs, the seal shall be tamped to its intended position or the Department will be contacted for evaluation.

M.B. Jeff

Signature of Authorized Dept. Representative

Sec. Mayor

Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____

Expires On: _____

406 10 1998

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Lou*
 No.: 65-13767 Name: Brunner Date: 6/22/98 Ad OK? ✓ / Gvmt Lts: ✓

AREA OF CONCERN:

- No/Yes _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED:

- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year

- ~~P17~~

≤ 1 year/no proof

- P16

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- North / East / West

≤ 0.24 cfs/5 acres

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

WMD Supplemental use

- No MD

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- 01M (report when notified)

- No MD

DRILLING PERMIT:

All wells (✓ WDG3)

- ~~P23~~

In Basin 34?

- 085

Irr. within WD

- ~~P23~~ (new well location)

SURFACE WATER (✓ FLO-CH) (Surface water that doesn't sink is regulated)

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

> 0.10 cfs

- R04 (WD # _____)

≤ 0.10 cfs

- 01J-P08 (MD & LD)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 01H-P01 (LD), 01P or No MD (in-stream stock)

≤ 0.24 cfs/5 acres

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

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water)

Snake R (01)

- *W22-P04, NA

(02/03-irr)

- 007 (w/ remark *WB9 if above Weiser), NA

Payette R(65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

USE:

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge), 27A (Payette River), NA

>1 in rest area

- 071-070

Fire Protection

- 077

Fish Propagation

- 029-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3 0/3 5/4 0/4 5 AF)

> 5 acres

- R62/R63/R64/R65 (0.02 cfs/acre + 3 0/3 5/4 0/4 5 AF)

Mining

- 054(req)-081-P10

Municipal

- 022, 075, 004 (+memo?), NA (not in restricted area)

Power

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons use),

17G (FERC) or 17M (FERC), 18B-P09, >25 cfs-P18

Stockwater

- R37 (BLM/USFS), NA

Storage (✓3 compo)

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

- ~~P24~~ (in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev

- P52 (stream channel alteration)

Mitigation

- ~~P20~~

SWAN FALLS FLAG (See Code Chart)

Trust

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

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

STANDARD CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- ~~P25~~ /

- 7/1/2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Processing DELAY
RECEIVED

JUN 19 1998
ket
DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: TTF DATE: 11/24/1997 APPLICATION: 65-13767

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

ADDITIONAL INFORMATION

YES **ADVERTISE REMARK(S)** *Mitigation agreement*
(Reviewer identify which remarks)

☒ **T FLAG CHANGED TO P FLAG**
03/31/1998 TTF

YES NO

- ☐ ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☐ ☒ Overlapping point of diversion.
- ☐ ☒ Critical groundwater area:
- ☐ ☒ Groundwater management area:
- ☐ ☒ 1992 moratorium:
- ☐ ☒ Bull trout impact area
- ☐ ☒ Copy to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☐ ☒ Copy to Dam Safety staff: (for any storage)
- ☐ ☒ Mitigation plan: where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge *Response form Rec'd 2/13/1998*
- ☐ ☒ Send power requirement letter:
- ☐ ☒ Send fish farm requirement letter:
- ☐ ☒ Power residency affidavit:
- ☐ ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☐ ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO. 65-13767

YES NO

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

SEND COPIES TO:

YES NO

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

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. # _____
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:
☐ ☒ Final date for protest 5-4-98 5-26-98
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Measuring port required:
☐ ☒ Water delivered by water master? District # _____
☒ ☐ Special conditions of approval or cover letter: 120,046

See below for additional information

Recommended Date or Priority 11/14/97

Recommended by: Gary S Date: 6/17/98

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION:

11/24/1997. Applicant willing to mitigate. Processing delay until further
notice. Irrigation drilling permit paid under receipt NO. W023247.
TTT

RECEIVED
MAY 14 1998
WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
COUNTY OF GEM,

Mary K. Black, being first
duly sworn, on her oath deposes and
says that she is the clerk of the Mes-
senger Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho; that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document; and that the document
notice, process, or advertisement
hereunto annexed was published in
the regular edition of Messenger
Index for two

consecutive weekly issues thereof,
beginning with the issue of
May 6, 1998,
and ending with the issue of
May 13, 1998
Mary K. Black

Subscribed and sworn to me this
13th day of
May, 1998
[Signature]
Notary Public
Residing at Emmett, Idaho

MY COMMISSION EXPIRES
JUNE 21ST, 2003

My Commission Expires _____

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13731

GUILLE, LE ROY
GUILLE, SHARLEEN
2577 STAR LN
EMMETT, ID 83617

Source: GROUNDWATER

Diversion Pt: NWSW Sec 15 T 06N R 02W in GEM County.

Use:	IRRIGATION	0.140 CFS
	COMMERCIAL	0.020 CFS
	WILDLIFE	0.020 CFS
	WILDLIFE STORAGE	5.00 AF
	HEATING	0.020 CFS
	DOMESTIC	0.020 CFS
	DIVERSION TO STORAGE	0.140 CFS
	Total Diversion:	0.200 CFS

Date Filed: 6/30/1997

In: GEM County
T06N R02W S15 NWSW

2.0 ACRES TOTAL

65-13749

BROWN, GERALD A
BROWN, APRIL L
12008 HIGHWAY 52
HORSESHOE BEND, ID 83629

Source: PAYETTE RIVER Tributary: SNAKE RIVER

Diversion Pt: LOT 1 (NESE) Sec 25 T 07N R 01E in GEM County.

Use:	IRRIGATION	0.200 CFS
	STOCKWATER	0.020 CFS
	Total Diversion:	0.200 CFS

Date Filed: 12/26/1997

In: BOISE County
T07N R02E S30 Lot 2 (SWNW) LOT 3 (NWSW)

10.0 ACRES TOTAL

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

65-13767

BRUNER, KAREN C
SUITE 515
980 BROADWAY AVE
BOISE, ID 83706

Source: GROUNDWATER

Diversion Pt: SWSE Sec 27 T06N R01E in GEM County.

Use:	IRRIGATION	0.150 CFS
	DOMESTIC	0.040 CFS
	Total Diversion:	0.190 CFS

Date Filed: 11/14/1997

In: GEM County
T06N R01E S27 SWSE

5.0 ACRES TOTAL

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

Permits will be subject to all prior water rights. Protests may be submitted based on
the criteria 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
on or before MAY 26, 1998. The protestant must also send a copy of the protest to
the applicant.

Pub.: 5 - 6, 13, 1998

KARL J. DREHER, Director

Legal Notice No. 3225
Published in the Messenger Index

AUG 10 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 10, 1998

MESSENGER-INDEX
PO BOX 577
EMMETT ID 83617

Re: Ads for Applications for Permit Nos. 65-13767, 65-13749 and 65-13731

Dear Legal Dept.

Enclosed is a copy of a legal notice and a copy of the affidavit for the above-referenced applications for permit. You will notice that there are discrepancies between the two. The paragraph at the end of the three ads was published with the protest date of April 20, 1998 instead of May 4, 1998. The correct protest date will now be May 26, 1998

Also, ad no. 65-13731 in the name of Le Roy & Sharleen Guille was published with the heating cfs as 0.200 and should be 0.020

Please republish the ads on May 6 and 13, 1998 with the above corrections and also with a heading that says **"The following applications were advertised with the incorrect protest date and incorrect heating cfs in no. 65-13731. They are now being readvertised with the correct information."** (an example is enclosed).

An affidavit of the corrected publication should be submitted to the department by May 26, 1998, at which time I will forward the bill for the first publication to our accounting section.

Sincerely,

Sue Taylor
Senior Secretary

Enclosures

MICROFILMED

AUG 10 1998

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications were advertised with the incorrect protest date and incorrect heating
 cfs in no. 65-13731. They are now being readvertised with the correct information.

65-13731

GUILLE, LE ROY
 GUILLE, SHARLEEN
 2577 STAR LN
 EMMETT, ID 83617

Source: GROUNDWATER

Diversion Pt: NWSW Sec 15 T 06N R 02W in GEM County.

Use:	IRRIGATION	(	0.140 CFS)
	COMMERIAL	{	0.020 CFS)
	WILDLIFE	{	0.020 CFS)
	WILDLIFE STORAGE	(	5.00 AF)
	HEATING	{	0.200 CFS)
	DOMESTIC	{	0.020 CFS)
	DIVERSION TO STORAGE	{	0.140 CFS)
	Total Diversion:		0.200 CFS)

Date Filed: 6/30/1997

In: GEM County
 T06N R02W S15 NWSW

7.0 ACRES TOTAL

65-13749

BROWN, GERALD A
 BROWN, APRIL L
 12008 HIGHWAY 52
 HORSESHOE BEND, ID 83629

Source: PAYETTE RIVER Tributary: SNAKE RIVER

Diversion Pt: LOT 1 (NESE) Sec 25 T 07N R 01E in GEM County.

Use:	IRRIGATION	(	0.200 CFS)
	STOCKWATER	{	0.020 CFS)
	Total Diversion:		0.200 CFS)

Date Filed: 12/26/1997

In: BOISE County
 T07N R02E S30 Lot 2 (SWNW) LOT 3 (NWSW)

10.0 ACRES TOTAL

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

65-13767

BRUNER, KAREN C
 SUITE 515
 960 BROADWAY AVE
 BOISE, ID 83706

Source: GROUNDWATER

Diversion Pt: SWSE Sec 27 T08N R01E in GEM County.

Use:	IRRIGATION	(	0.150 CFS)
	DOMESTIC	{	0.040 CFS)
	Total Diversion:		0.190 CFS)

Date Filed: 11/14/1997

In: GEM County
 T08N R01E S27 SWSE

5.0 ACRES TOTAL

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

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria 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 on or before APRIL 20, 1998. The protestant must also send a copy of the protest to the applicant.

FATAL!

MICROFILMED

AUG 10 1998

RESPONSE FORM

RECEIVED

FEB 13 1998

WATER RESOURCES
WESTERN REGION

COMPLETE ONLY IF YOU WANT YOUR APPLICATION TO BE PROCESSED

Name of Applicant

Karen C. Bruner

Mailing Address

960 Broadway Ave #515
Boise, Idaho 83706

Application No.

65-13767

Mitigation

Yes, I agree to accept a condition of approval on my application that will require mitigation related to fishery resources based upon a finding by the Director, Idaho Dept. of Water Resources. I understand that mitigation is not needed now but may be needed in the future. I also understand that the Director will not invoke this condition until I have an opportunity to participate in the process by which mitigation is identified and quantified.

Signature

Karen C. Bruner

Date

2-10-98

Please return this form to:

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

MICHAEL L. NELSON

AUG 10 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 4, 1998

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

Dear Applicant:

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

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

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

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

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

Sincerely,

Western Region Allocation Staff

ENCLOSURES: Profile Report, Response Form and Withdrawal Form

AUG 10 1998

65-13767

BRUNER, KAREN C
SUITE 515
960 BROADWAY AVE
BOISE, ID 83706

Source: GROUNDWATER

Diversion Pt: SWSE Sec 27 T 08N R 01E in GEM County.

Use: IRRIGATION	(	0.150 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.190 CFS)

Date Filed: 11/14/1997

In: GEM County
T08N R01E S27 SWSE

5.0 ACRES TOTAL

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

MICRO FILMED

AUG 10 1998