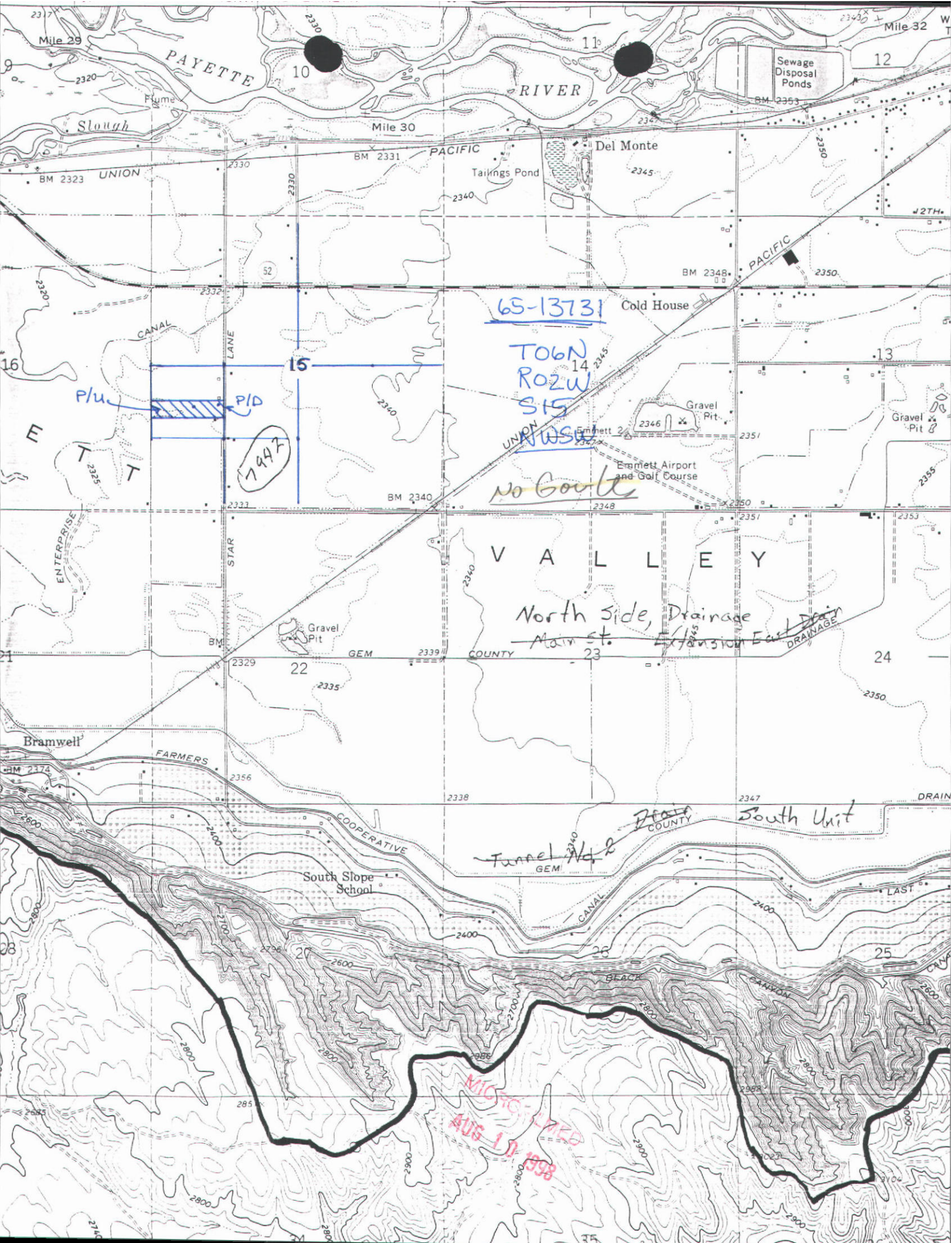




65-13731

T06N
R02W
S15
NWSE

No Google

North Side, Drainage
Main St. Extension East Drain

Tunnel No. 2

MIST-LEED
AUG 11, 1998

PAYETTE

RIVER

Sewage
Disposal
Ponds

Del Monte

Tailings Pond

Cold House

Gravel
Pit

Emmett Airport
and Golf Course

V A L L E Y

Gravel
Pit

Bramwell

South Slope
School

South Unit

\$25.00
 test to
 MICROFILMED
 Director
 AUG 10 1998
 3225

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

RECEIVED

JUN 19 2003

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right

Permit No 65-13731

Name(s) of Permit Holder Lefroy Mulla

Address 2577 STAR LN City LEMMING State ID Zip 83617

Telephone No 3654103 Date Proof is Due: _____

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

well is drilled & water is on the ground for irrigation
domestic & heating is in use

Costing \$ 2200⁰⁰

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

neighbor's irrigation has had me flooded out.
is now cured

Permit holder(s) request an extension to 7.1, 20 06

Lefroy Mulla
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be
APPROVED and the time within which to submit proof of beneficial use is
extended to July 1, 2006.

Signed this 30th day of June, 20 03

L. Glen Saxton
L. GLEN SAXTON, Administrator
Water Management Division

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
INSTRUCTIONS FOR EXTENSION OF TIME REQUEST
TO SUBMIT PROOF OF BENEFICIAL USE

If the water right development authorized by your permit is not complete and you need more time to submit proof of beneficial use of water under your permit, please read the following:

Under the provisions of Section 42-204, Idaho Code, the department can extend the proof due date of your permit only once, and then only if you can demonstrate that you have been pursuing development of the permit with due diligence.

The Request for Extension of Time form requires that you indicate the extent of development that has occurred, the cost, and the reason(s) the work has not been completed. This information must be provided in enough detail to show due diligence. Examples of work performed are: well drilled, pump installed, 10 acres now irrigated, fish propagation ponds constructed, sprinkler system purchased, etc.

If no work has been accomplished, the statutes provide that the Request for Extension of Time must be denied. **Lack of financial resources, the state of the economy or personal illness usually cannot be considered adequate reasons to approve a Request for Extension of Time.**

EXCEPTIONS TO ONLY ONE EXTENSION

The proof due date for a permit that has not been developed for one of the following reasons may be granted one or more extensions of time even though no work has been accomplished:

- When there is a lack of a required consent or final approval from a federal government agency (**evidence of delay must be submitted with the request**), i.e. right-of-way easement or land classification such as Desert Land Entry or Carey Act.
- When litigation related to title of the water has prevented development of the permit (**evidence must be submitted with the request**).
- When the water project is of a large scale -- storage of more than 10,000 acre-feet or diversion of more than 25,000 acre-feet in one irrigation season for an irrigation project of at least 5,000 acres.
- When the water right permit is held by the United States of America (**reason for request must be submitted**).

A non-refundable filing fee of **\$50.00** must accompany the Request for Extension of Time form

NOTE that in no case should a Proof of Beneficial Use form and a Request for Extension of Time form both be submitted. If your water development project is completed, then the proof of beneficial use form should be completed and returned. If the project is started but not completed, then the Request for Extension of Time form should be completed and returned in compliance with the guidelines above. If the project has not been initiated and does not fit into one of the exceptions listed above, then neither form should be returned and the permit will lapse and become of no further force nor effect

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13731

Proposed Priority: June 30, 1997

Maximum Diversion Rate:

0.20 CFS

This is to certify, that **LE ROY GUILLE**
SHARLEEN GUILLE
2577 STAR LN
EMMETT ID 83616

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>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.14 CFS	
COMMERCIAL	01/01 to 12/31	0.02 CFS	
WILDLIFE	01/01 to 12/31	0.02 CFS	
WILDLIFE STORAGE	01/01 to 12/31		5.0 AF
HEATING	01/01 to 12/31	0.02 CFS	
DOMESTIC	01/01 to 12/31	0.02 CFS	
DIVERSION TO STORAGE	01/01 to 12/31	0.14 CFS	
	Totals	0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 15, Township 06N, Range 02W
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>
06N	02W	15	NWSW	7.0		7.0

Total number of acres irrigated: 7.0

PLACE OF USE: COMMERCIAL, same as IRRIGATION use

PLACE OF USE: WILDLIFE, same as IRRIGATION use

PLACE OF USE: HEATING, same as IRRIGATION use

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, 2003.
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.

MICHAEL J. GIBBS

4/10/97 1:10 PM

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

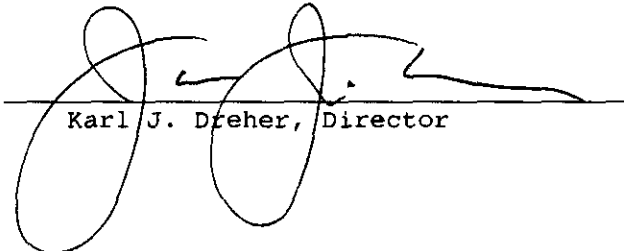
NO. 65-13731

CONDITIONS OF APPROVAL AND REMARKS

4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Return flow discharged to a subsurface system must be authorized by a separate injection well permit.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. 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.
9. Two points of diversion are located within NWSW, S15, T06N, R02W.
10. Commercial use is for a greenhouse.
11. Heating use is for 1 home.
12. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
13. The right holder shall use the full allotment of appurtenant irrigation surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater for irrigation purposes under this right when water from the appurtenant irrigation surface water rights cannot be delivered to the right holder.
14. This right shall not be used if the irrigation surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

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.


Karl J. Dreher, Director

AUG 10 1998

RECEIVED

JUN 30 1997

RECEIVED

JUN 19 1998

Department of Water Resources

Ident. No. 65-13731

RECEIVED

JUL 01 1997

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER RESOURCES
WESTERN REGION

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: LE ROY GUILLE 208-365-4103
Address: 2577 STAR LN
EMMETT ID 83616
OR
Name: SHARLEEN GUILLE 208-365-4103
Address: 2577 STAR LN
EMMETT ID 83616

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NWSW Sec. 15, Township 06N, Range 02W
GEM County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.140		
COMMERCIAL	01/01	12/31	0.020		
WILDLIFE	01/01	12/31	0.020		
WILDLIFE STORAGE	01/01	12/31			5.00
HEATING	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.020		
DIVERSION TO STORAGE	01/01	12/31	0.140		

5. Total quantity to be appropriated is:
0.200 CFS (and/or) AF

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc.
2 WELLS, INTERCONNECTED, PUMPS TO USES
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 8 inches; proposed depth of well is 42
feet.
d. Is groundwater with a temperature greater than 85F being sought? NO
e. If well is already drilled, when? 1970's or 80's
Drilling Firm UNKNOWN
Well was drilled for Jim Mauerhan

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

8. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
06N 02W 15	NWSW 07			7

Total number of acres irrigated: 7

Place of Use: COMMERCIAL, same as IRRIGATION use

Place of Use: WILDLIFE, same as IRRIGATION use

Place of Use: HEATING, same as IRRIGATION use

Place of Use: DOMESTIC, same as IRRIGATION use

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

APPLICANT

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

APPLICANT

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

10. Remarks:

11. Map of proposed point of diversion and place of use attached? ☒

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.

L. Roy Smith
Applicant

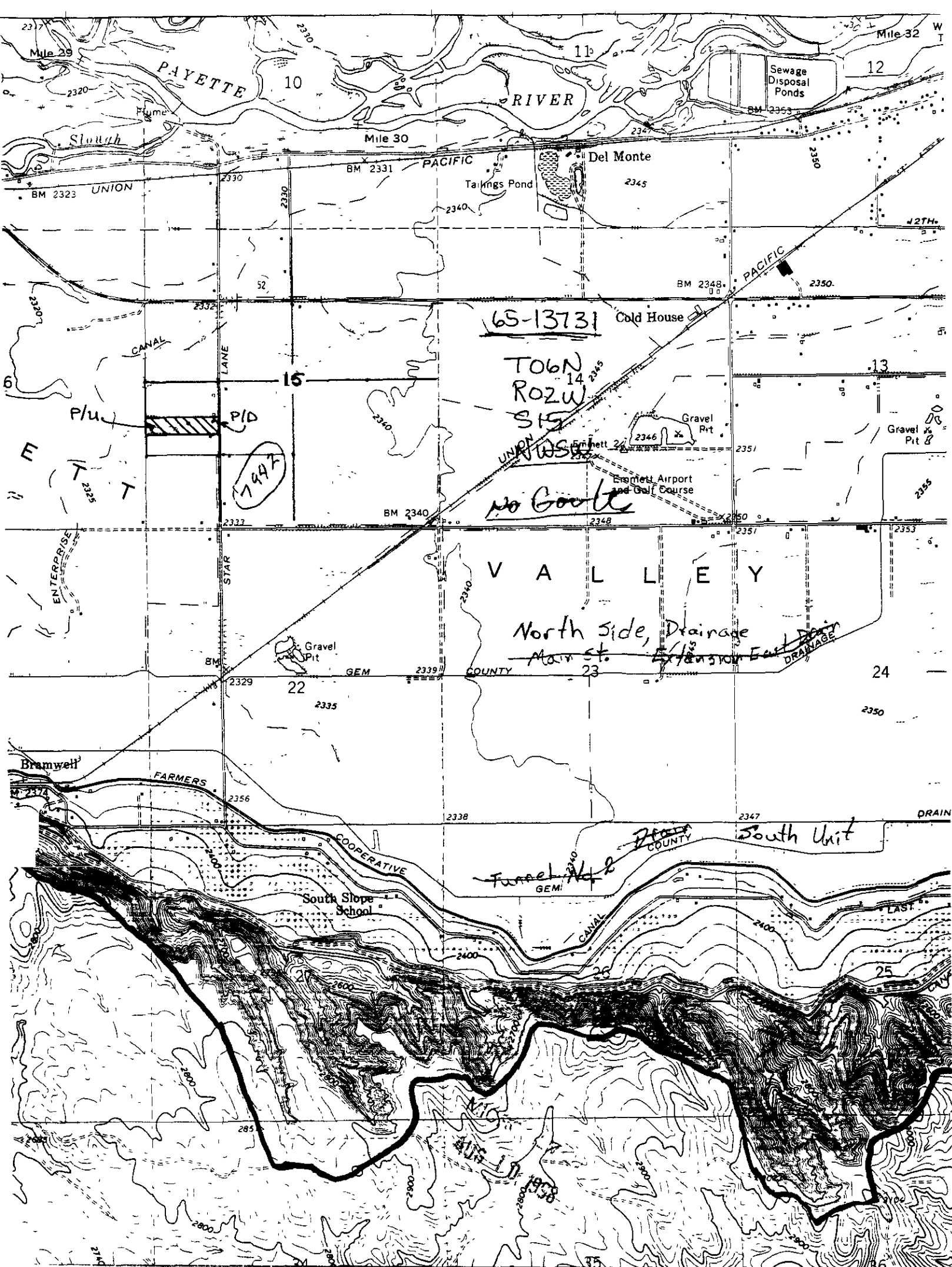
Received by Czy. Date 6/30/97 Time 12:30p Preliminary check by ly

Fee \$ 50.00 Receipted by Czy. #C039409 Date 6/30/1997

Publication prepared by At Date 4-8-98 Published in Messenger-Index

Publication approved CD Date 5-18-98 5-6413-98

REC'D
AUG 10 1998



Ident. No. 65-13731

Comments: Date: 6/30/1997 User-ID: CZIMMERM

Subject: DIVERSION DESCRIPTION

2 points of diversion on interconnected system. 1 well existing since late 70's or early 80's.

Commercial use is for a greenhouse.

Domestic use is for 1 home and does not include lawn or garden watering.

Heating use is for 1 home. (ground source heat pump)

Storage pond will be approx. 3 acre surface area x 5 ft deep with sloping sides and duck island in middle.

Applicant understands application will not be processed at this time.

REC-1
JUN 10 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 1, 2003

LEROY GUILLE
SHARLEEN GUILLE
2577 STAR LN
EMMETT ID 83616

RE: PERMIT NO. 65-13731

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit that extends the time within which to submit proof of beneficial use of water to **July 1, 2006**.

Please note that the department granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department may not be able to grant additional extension based on due diligence.

According to Section 42-248, Idaho Code, which requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please feel free to contact the department if you have questions.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.. 65-13731

Reviewed By dgibson

Date: June 26, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Request received timely?	X		Is delay by a government agency?		X
Appropriate fee	X		Is supporting documentation needed to support the file?		
Additional Amount Due:					
Receipt No.:	C069655		Has the permit been involved in litigation?		X
Name and signature same as permit?	X		Is supporting documentation needed to support the file?		
Is address same as permit?	X		Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?		
Has adequate work been completed to demonstrate due diligence?	X				

Priority Calculation

Extension request received	06/19/2003	New proof due date	07/01/2006
Date proof due	- 07/01/2003		
Lapse notice sent	-		
No. of days late	= 0		
Holiday allowance	+		
Priority date	+ 06/30/1997		
New priority date	= 06/30/1997		

Action Taken

Acknowledge request and extend proof deadline to July 1, 2006, based on due diligence.

April 30, 2003

SHARLEEN GUILLE
LE ROY GUILLE
2577 STAR LN
EMMETT, ID 83616

PROOF DUE NOTICE

RE: PERMIT NO. 65-13731

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, 2003. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

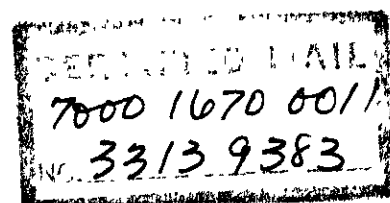
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures





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

LE ROY GUILLE
SHARLEEN GUILLE
2577 STAR LN
EMMETT ID 83616

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13731

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.

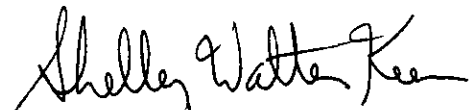
MICHAEL L. MEL

496 10 1998

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 cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MIC 3

AUG 10 1990

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. 65-13731

LE ROY GUILLE
SHARLEEN GUILLE
2577 STAR LN
EMMETT ID 83616


Kari Lynn Townsend
Secretary

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.

MICROFILMED

AUG 10 1998

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.

MICROFILMED

AUG 10 1998

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Lou*

No.: 65-13731 Name: Guille 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 - 26A/P17
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

- WMD (✓ MAP) - North / East / West
- > 0 24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0 24 cfs/5 acres - No MD
- WMD Supplemental use - 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)
- > 0 24 cfs/5 acres - 01M (report when notified)
- ≤ 0 24 cfs/5 acres - No MD

DRILLING PERMIT:

- All wells (✓ WDQ3) - 046/P23
- In Basin 34? - 085
- Irr within WD - P05 (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) - R04 (WD # _____)
- > 0 10 cfs - 01J-P08 (MD & LD)
- ≤ 0 10 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)
- WMD (✓ MAP) - 067 or No MD (in-stream stock or power)
- > 0 24 cfs/5 acres - No MD
- ≤ 0 24 cfs/5 acres - 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 - P84 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 - 120

SWAN FALLS FLAG (See Code Chart)

- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA
- 004 (PD/PU)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

① WB5/1 ② W02 ③ W32 ④ Hg/1 km S
7/1/ 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

advised RECEIVED

JUN 19 1998

INITIAL REVIEW BY: ly DATE: 4/6/98 APPLICATION: DEPARTMENT OF WATER RESOURCES

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:

☒ P/D

☒ P/U

ADDITIONAL INFORMATION

to do ☒ ADVERTISE REMARK(S)
(Reviewer identify which remarks)

to do ☒ 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:
- ☐ ☐ Bull trout impact area
- ☐ ☒ 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:
- ☐ ☒ 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.

65-17771

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

YES NO

I.D. Health & Welfare

I.D. District Health

I.D. Fish & Game

I.D. Lands

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 6/30/97

Recommended by: Gary S

Date: 6/17/98

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION:

P/W 65-13009 surface water

-00054X

P/D: 65-01709 GW - separate owner + well
(domestic)

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, 2001

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

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
980 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 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

MICROFILMED
JUN 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

MAIL ROOM

APR 10 1998

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications were advertised with the incorrect protest date and incorrect hearing 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!

KARL L. BREWER, Director

MICHAEL L. LEE

AUG 10 1998

6-30-97

RECEIVED

FEB 12 1998

WATER RESOURCES
WESTERN REGION

RESPONSE FORM

COMPLETE ONLY IF YOU WANT YOUR
APPLICATION TO BE PROCESSED

Name of Applicant

LeRoy Guille

Mailing Address

2577 Star Lane

Emmett, Idaho 83617

Application No.

65-13731

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

LeRoy Guille

Date

2/9/98

Please return this form to:

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

MICROFILMED

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

MC

AUG 10 1998

Enclosures: Profile Report, Response Form and Withdrawal Form



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 8, 1998

Legal Notices Department
Messenger-Index
P.O. Box 577
Emmett, ID 83617

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before MAY 4, 1998.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

REC'D

APR 10 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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

REC'D
AUG 10 1998

65-13731

GUILLE, LE ROY
GUILLE, SHARLEEN
2577 STAR LN
EMMETT, ID 83616

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

7.0 ACRES TOTAL

AUG 10 1998

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 4, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 4/15/1998 & 4/22/1998

NOT
AUG 10 1998