

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22947

Priority: January 14, 2005

Maximum Diversion Rate: 0.50 CFS

This is to certify, that KENNETH D DONLEY
5268 S YARROW AVE
BOISE ID 83716

has applied for a permit to appropriate water from:

Source: ANDERSON CREEK
GROUND WATER

Tributary: MIDDLE FORK PAYETTE RIVER
ANDERSON CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 10/31	0.09 CFS
AESTHETIC	01/01 to 12/31	0.50 CFS
RECREATION	01/01 to 12/31	0.50 CFS
DOMESTIC	01/01 to 12/31	0.06 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	SW¼NE¼	Sec. 23, Twp 09N, Rge 04E, B.M., BOISE County
ANDERSON CREEK	SW¼NE¼	Sec. 23, Twp 09N, Rge 04E, B.M., BOISE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N 04E 23			3.0														3.0

Total Acres: 3

PLACE OF USE: AESTHETIC, RECREATION & DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N 04E 23			X														

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2008**.
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 the permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 65-22947

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
6. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
7. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.
8. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. Recreation use is for fishing and swimming.
10. When water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate the depletion of water caused by this water use.
11. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 4th day of May, 2005.


FOR KARL J DREHER, Director

RECEIVED

APR 29 2005

Department of Water Resources

FORM 202
12/99Ident. No. 65-22947

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of Applicant Kenneth D Donley Phone 208-484-6339
Mailing address 5268 S Yarrow Ave Boise ID 83716
2. Source of water supply Ground Water which is a tributary of Anderson Cr
Anderson Cr
3. Location of point of diversion is Township 9N Range 4E Sec. 23 in the Anderson Cr Payette R.
SW 1/4, NE 1/4, Govt. Lot _____, B.M., Boise County;
additional points of diversion if any: 9N 4E S23 SWNE
4. Water will be used for the following purposes:
Amount .09 for Irrigation purposes from 3/15 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .50 for Aesthetics purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .50 for Recreation purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .06 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .50 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 Pipe, less than 1 AF pond,
pump, sprinklers
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? 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 3 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. 2
e. Other; describe fully. Recreation for fish and swimming

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APR 15 2005

WATER RESOURCES
WESTERN REGION

3. Description of place of use:

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

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	4E	23			3														3
					A														
					R														
					D														

Total number of acres to be irrigated 3

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? 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: _____

12. Remarks: Ground water naturally occurs from the excavation of the pond adjacent to Anderson Creek. Anderson Creek water will be diverted to the pond through a 4 inch pipe. The pond can be filled in less than 24 hours. Overflow from the pond will be diverted back to Anderson Creek. External domestic use (lawn area) is included in the three acres listed for irrigation. If feasible, I may filter the water for internal domestic use.

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.)

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

Kenny Dooling
Signature of Applicant (and title, if applicable)

Received by DB Date 4-15-05 Time 11:30am Preliminary check by G
Fee \$ 250 Receipted by JS # W032518 Date 1/14/05
* Publication prepared by SK Date 3-3-05 Published in IDAHO WORLD
Publication approved _____ Date _____

* advertised as 65-22936 + 65-22937. later combined both rights into this application. see explanation memo dated 4/19/05.

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APR 15 2005

WATER RESOURCES
WESTERN REGION

REQUEST TO PROCESS

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

Name of Applicant Kenneth D. Donley

Mailing Address 5268 S Yarrow Ave

Boise ID 83716

Application No. _____
(if known)

 IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

 PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

 X WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Kenny Donley

Date

4/13/05

Please return this form to:

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

Approx. Pond Location
Groundwater PD - subs into pond

Irrigation Place of Use

Location of Homes

Point of Diversion
Anderson Creek

65-22947

TWP 9N
R6E 3E
SEC 23
No Gov Lts

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 5, 2005

KENNETH D DONLEY
5268 S YARROW AVE
BOISE ID 83716

RE: Permit No. 65-22947

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

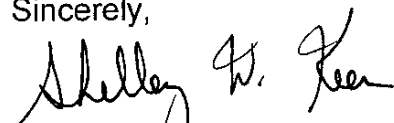
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened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

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

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

If you have any questions, please contact me at 208-287-4947.

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 the most prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

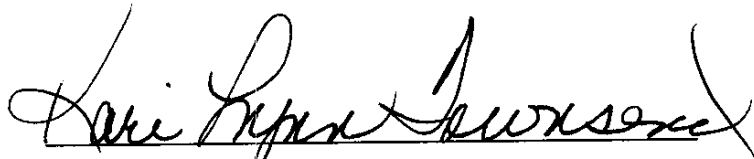
CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2005 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

65-22947

**KENNETH D DONLEY
5268 S YARROW AVE
BOISE ID 83716**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Comment Report

65-22947

1. kwalker 5/3/2005 POD

Comment: Updated shape

2. kwalker 5/3/2005 POD

Comment: Updated shape

3. kwalker 5/3/2005 POU

Comment: Updated Shape

4. kwalker 5/3/2005 POU

Comment: Updated Shape

5. kwalker 5/3/2005 POU

Comment: Updated Shape

6. kwalker 5/3/2005 POU

Comment: Updated Shape

7. scurtis 4/19/2005 Legal Notice Remarks

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

8. Igraves 4/19/2005 Comment/Analysis

Comment: This application replaces withdrawn applications 65-22936 and 65-22937.

No other rights are used. Please refer to the memo dated 4/19/05 located in the file for further information.

9. kwalker 5/3/2005 Permit Review

Comment: Application does not fall within any problem areas. Recommend approval.

MEMORANDUM

DATE: 4/19/05

FROM: Lori Graves

TO: Application File 65-22947

RE: Explanation

Ken Donley filed applications 65-22936 and 65-22937 with IDWR 1/14/2005. Jan Shurte and Shelley Keen advised Ken to file two separate applications because two different sources are involved (I'm assuming that was the reason). Application 65-22937 was filed for 10.55 af of ground water storage that naturally occurs from the excavation of a **.6 af capacity pond** adjacent to Anderson Creek. This application was amended 2/11/2005 to 12.5 af to account for evaporative loss. Please note the majority of the volume listed represents consumptive use volume, not pond capacity. Application 65-22936 was filed for 1.0 cfs for Anderson Creek water to be diverted through the pond for uses covered on application 65-22937 minus the storage component. I'm assuming an excessive flow rate of 1.0 cfs was listed because that was the upper limit on the fee chart. The applications were advertised without protest. During regional manager review, Steve Lester advised that these two applications be combined into one application because a common system has been proposed and one application is simpler to license, condition and regulate with regards to watermaster control. As a result, the applicant withdrew applications 65-22936 and 65-22937 and replaced them with combined application 65-22947.

Storage is n/a application 65-22947 because the pond can fill in less than 24 hours from Anderson Creek water. The applicant also reduced the proposed flow rate to .50 cfs to reflect a more reasonable diversion rate from Anderson Creek. Because storage is not a factor and amounts have not increased from what was originally proposed, application 65-22947 can retain the original 1/14/2005 priority date and not have to be re-advertised.

Please note that the applicant confirmed the overflow from the pond will be returned to Anderson Creek. I told him to contact the Corp regarding the return flows.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 18, 2005

KENNETH D DONLEY
5268 S YARROW AVE
BOISE ID 83716

Re: Withdrawal of Applications for Permit Nos. 65-22936 and 65-22937

Dear Mr. Donley:

Thank you for your recent withdrawal of the above referenced applications. Your replacement application to cover the intent of the two withdrawn applications will be processed without delay.

Please contact Lori Graves at 208-334-2190 if you have additional questions in this matter. Also, more information about water rights and other matters administered by this agency is available on the Internet at www.idwr.idaho.gov.

Sincerely,

Steve Lester
Water Rights Supervisor

Copy: Lori Graves, IDWR Western Region

RECEIVED

MAR 10 2005

WATER RESOURCES
WESTERN REGION

The Idaho World

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

State of Idaho)

County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Mar 2, 2005 and ending with the issue of Mar 9, 2005.

Deanna Stevenson

State of Idaho)

County of Boise)

On this 9 day of March in the year 2005, before me, a notary public, personally appeared Deanna Stevenson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

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

My commission expires February 15, 2007

TAMI WEBER
Notary Public
State of Idaho

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

65-22936

KENNETH D DONLEY
5268 S YARROW AVE
BOISE ID 83716

Point(s) of Diversion BOISE County SWNE S23 T09N R04E
Tributary To MIDDLE FORK PAYETTE RIVER

Use: IRRIGATION 03/15 To 10/31 0.09 CFS
Use: DOMESTIC 01/01 To 12/31 0.08 CFS
Use: RECREATION 01/01 To 12/31 1 CFS
Use: AESTHETIC 01/01 To 12/31 1 CFS
Total Diversion: 1 CFS

Date Filed: 01/14/2005
Place Of Use: IRRIGATION
T09N R04E S23 SWNE
Number of Acres 3
Place Of Use: AESTHETIC
T09N R04E S23 SWNE

Place Of Use: RECREATION
T09N R04E S23 SWNE

Place Of Use: DOMESTIC
T09N R04E S23 SWNE

Remark: Domestic use is for 2 homes.

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 Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 03/21/2005. The protestant must also send a copy of the protest to the applicant. KARL J DREHER, Director.

Published in the Idaho World on March 2 and 9, 2005

Background info c
65-22947:

65-22936 & 65-22937 - Advertiser ok
- no protests
- IDFG letter
- WM letter

OK for 65-22947 → WM Reply

The Idaho World

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

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MAR 10 2005

WATER RESOURCES
WESTERN REGION

State of Idaho)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Mar 2, 2005 and ending with the issue of Mar 9, 2005.

Deanna Stevenson

State of Idaho)
County of Boise)

On this 9 day of March in the year 2005, before me, a notary public, personally appeared Deanna Stevenson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

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

My commission expires February 10, 2011

My commission expires February 10, 2011

TAMI WEBER
Notary Public
State of Idaho

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

65-22937

KENNETH D DONLEY
5268 S YARROW AVE
BOISE ID 83716

Point(s) of Diversion	SWNE	S23	T09N	R04E
BOISE County				
Source GROUND WATER				
Tributary To ANDERSON CREEK				
Use: IRRIGATION STORAGE		01/01 To 12/31		10.5 AFA
Use: IRRIGATION FROM STORAGE		03/15 To 10/31		10.5 AFA
Use: DOMESTIC STORAGE		01/01 To 12/31		1.2 AFA
Use: DOMESTIC FROM STORAGE		01/01 To 12/31		1.2 AFA
Use: RECREATION STORAGE		01/01 To 12/31		0.8 AFA
Use: AESTHETIC STORAGE		01/01 To 12/31		0.8 AFA
Total Diversion:				12.5 AFA

Date Filed: 02/11/2005
Place Of Use: IRRIGATION STORAGE
T09N R04E S23 SWNE

Place Of Use: IRRIGATION FROM STORAGE
T09N R04E S23 SWNE
Number of Acres 3
Place Of Use: AESTHETIC STORAGE
T09N R04E S23 SWNE

Place Of Use: RECREATION STORAGE
T09N R04E S23 SWNE

Place Of Use: DOMESTIC STORAGE
T09N R04E S23 SWNE

Place Of Use: DOMESTIC FROM STORAGE
T09N R04E S23 SWNE

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

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 03/21/2005. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director

Published in the Idaho World on March 2 and 9, 2005

RECEIVED
MAR 07 2005
WATER RESOURCES
WESTERN REGION**RECOMMENDATION OF WATERMASTER**Application No: 65-22936Applicant's Name: Kenneth D. Donley

Watermaster's Recommendation:

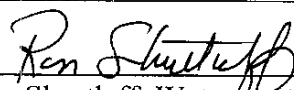
- a) ☐ I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned as follows: Under the control of Water District No. 65 and
subject to the Annual Assessments, Rental Pool Fees and, or
curtailment of usage.

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

d) Additional Comment: _____

Dated this 4th day of March, 2005

Water District No. 65



Ron Shurtleff, Watermaster

Use reverse side of page if you need more space.

WATER RESOURCES
WESTERN REGION

Use reverse side of page if you need more space.

Kreger (Taylor), Sue

From: Kreger (Taylor), Sue
Sent: Tuesday, March 01, 2005 10:01 AM
To: 'Waterdist65@srvinet.com'
Subject: comment letters

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

March 1, 2005

RON SHURTLEFF
102 N MAIN
PAYETTE ID 83661

Re: Application(s) for Water Right

Dear Watermaster:

Attached are copies of one or more applications. Also attached is a form for your recommendation concerning these application(s).

Please review the application(s) that are in your area. We must have your comments within two weeks. If you have any questions or need information, feel free to contact this office at 334-2190.

Sincerely,

Sue Kreger
Idaho Department of Water Resources
2735 Airport Way
Boise ID 83705
334-2190 phone
334-2348 fax



65-22936.pdf



65-22937.pdf



65-22938.pdf



65-22939.pdf



65-22940.pdf



Copy of
commendation of Wa

Kreger (Taylor), Sue

From: Kreger (Taylor), Sue
Sent: Thursday, February 24, 2005 12:02 PM
To: 'eleitzin@idfg.state.id.us'
Subject: comment letters

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

February 24, 2005

ERIC LEITZINGER, IDFG
PO BOX 25
BOISE ID 83707

Re: Applications for Permit

Dear Eric:

Enclosed is a copy(s) of an application(s) for permit. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of any of these applications, your written protest along with the \$25.00 protest fee for each application protested, must be received in this office by March 21, 2005.

If you have any questions regarding these applications, please contact this office at 334-2190.

Sincerely,
Sue Kreger
(208) 334-2190
Id Dept Water Resources
Sue.Kreger@idwr.idaho.gov



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