

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 67-14518

Priority: January 24, 2005

Maximum Diversion Rate: 0.03 CFS

This is to certify, that SNAKE RIVER HERITAGE CENTER
PO BOX 307
WEISER ID 83672

has applied for a permit to appropriate water from:

Source: GROUND WATER

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	03/01 to 11/15	0.03 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER NW¼NE¼ Sec. 30, Twp 11N, Rge 05W, B.M., WASHINGTON 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	
11N 05W 30		1.0															1.0

Total Acres: 1

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2006**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. 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.
5. 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 19th day of April, 2005.


for KATH J DREHER, Director

RECEIVED

APR 18 2005

FORM 202

Ident. No.

67-14518

RECEIVED

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

FEB 11 2005

WATER RESOURCES
WESTERN REGION

AMENDED

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant SNAKE RIVER HERITAGE CENT Phone 208-549-0174
Mailing address PO Box 307 Weiser Idaho 83672

2. Source of water supply Ground water which is a tributary of _____

3. Location of point of diversion is Township 11N Range 5W Sec. 30 in the _____ 1/4,
NW 1/4, NE 1/4, Govt. Lot _____, B.M., Washington County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .03 for irrigation purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
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) .03 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source well feeding into a sprinkler irrigation system

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet

c. Proposed well diameter is 4" inches; proposed depth of well is 150 feet

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? No; 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 _____ years (minimum 1 year)

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

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

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	
11N	5W	30		1															1

Total number of acres to be irrigated 1

city of weiser supplies in house use.

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

we no longer pay for water from institute canal company

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:

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.

[Signature]
Signature of Applicant (and title, if applicable)

President of Board

Received by DRN

Date 2-11-05

Time 9:30

Preliminary check by DRN

Fee \$ 100.00

Received by D. B. Bunting

W032545

Date 1-24-05

Publication prepared by sk

Date 3-2-05

Published in WS

Publication approved sk

Date 4-11-05

67-14518

19	20
30	29

T 808
Proposed
Well
9.0

Museum

T 807
NHCL
1.40

3 NHCL
17.1

T2001

3 NHCL
8.3

T 940
H-D

No. C 33869 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080	Due no later than August 31, 2004 Annual Report Form 1. Mailing Address (Correct in this box if applicable) SNAKE RIVER HERITAGE CENTER, INC. P O BOX 307 WEISER, ID 83672	2. Registered Agent and Office NO PO LYNN ISAACSON 2295 PADDOCK AVENUE WEISER, ID 83672 3. New Registered Agent Signature
--	---	---

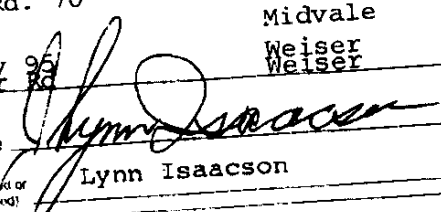
NO FILING FEE IF RECEIVED BY DUE DATE

4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.

Office held	Name	Street or P.O. Address	City	State	Zip
Pres.	Lynn Isaacson	777 Hsy. 95	Weiser	ID	83672
V-P.	Wesley Higgins	1585 US Hwy. 95	Weiser	ID	83672
Sec.	Lisa McKnight	1291 E. 9th	Weiser	ID	83672
Treas.	Cheryl Karnes	673 Boat Dock Rd.	Weiser	ID	83672
	Davies, Patty	1545 Ross Road	"	"	"
	Harberd, Pat	420 E. Hanthorn	"	"	"
	Kleppin, Jeri	780 County Rd. 70	Midvale	"	83645
	Widner, Sharon		Weiser	"	83672
	Womack, Pat	1409 U.S Hwy 95	Weiser	"	"
	Scott, Byron	1305 Pioneer Rd	Weiser	"	"

5. Organized Under the Laws of:

IDAHO
C 33869

Signature:  Date: 6/30/04

Name: Lynn Isaacson Title: President

2004083610

Do Not Tape or Staple

RECEIVED

JAN 24 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

Snake River Heritage center (Museum)

Mailing Address

PO Box 307

Weiser ID 83672

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.

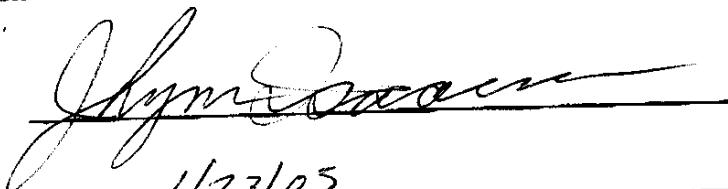
☐ PROPOSE MITIGATION NOW

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.

☒ 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



Date

1/23/05

Please return this form to:

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

ORIGINAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Snake River Heritage Center Phone 208-549-0174
Mailing address PO Box 307 Weiser ID 83672
2. Source of water supply Well which is a tributary of _____
3. Location of point of diversion is Township 11N Range 5W Sec. 30 in the NE 1/4, _____ 1/4, _____ 1/4, Govt. Lot Tacts 546 of Paddock addition County Washington
additional points of diversion if any: to the city of Weiser
4. Water will be used for the following purposes:
Amount .13 cfs for Irrigation purposes from Apr to Oct (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
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) .13 cfs 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 feeding into
a sprinkler irrigation system
b. Height of storage dam NA feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
c. Proposed well diameter is 6" inches; proposed depth of well is 150 feet
d. Is ground water with a temperature of greater than 85°F being sought? No
e. If well is already drilled, when? No; 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 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. irrigation of grounds at Museum

RECEIVED

JAN 24 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	
11N	5W	30	✓																
			.75A																

Total number of acres to be irrigated .75A

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

Presently using City water to water yard. City doesn't want to continue furnishing

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

Museum Board

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 this filing:

12. Remarks:

Treated water for this purpose.
There is also a surface water permit for property
but hasn't been used for irrigation recently.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.

[Signature]
Signature of Applicant (and title, if applicable)
Pres. of Board

Received by DB

Date 1-24-05

Time 12:00 PM

Preliminary check by DAW

Fee \$ 100-

Received by DB

W032545

Date 1-24-05

Publication prepared by

Date

Published in

Publication approved

Date

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

April 20, 2005

SNAKE RIVER HERITAGE CENTER
PO BOX 307
WEISER ID 83672

RE: Permit No. 67-14518

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.

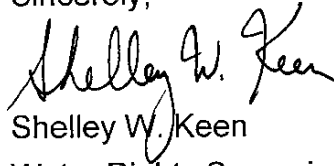
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

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.

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

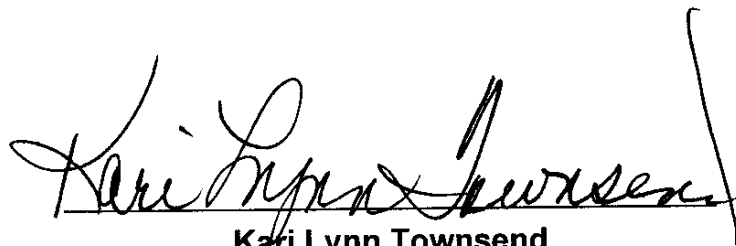
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on April 20, 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. 67-14518

**SNAKE RIVER HERITAGE CENTER
PO BOX 307
WEISER ID 83672**



**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

67-14518

1. scurtis 2/21/2005 Legal Notice Remarks

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

2. dnelson 2/21/2005 Comment/Analysis

Comment: This application is to allow irrigation from ground water for the yard area around the Snake River Heritage Center Museum. The property was irrigated at one time by the Institute Canal Company water rights, but these right have not been used or paid for in several years. The City of Weiser supplies the in-house water for the property. The yard area is very close to an acre in size.

3. kwalker 4/19/2005 Permit Review

Comment: Application does not fall within any problem areas. No surface water for this property. Assume 1 year for development since that is what regional office entered. Recommend approval.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
County of Washington) ss.

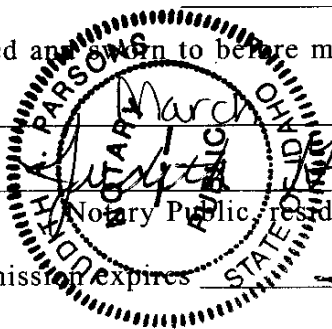
Sarah Biles, being duly sworn,
deposes and says:

That he/she is the Clark of
THE WEISER SIGNAL AMERICAN, a bi-weekly news-
paper published at Weiser, in the County of Washington
and State of Idaho; that said paper has been and is in
general circulation in the county aforesaid, and in the
vicinity of Weiser; that the advertisement, a copy of which
is attached hereto, was published in said newspaper once a
week for two consecutive weeks in the regular and
entire issue of said paper during the period and time of
publication, and was published in the newspaper proper
and not in a supplement; that said paper has been estab-
lished and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of
said advertisement.

Such notice was published in the issue beginning with
March 2, 2005, and ending
with the issue of March 9, 2005
Sarah Biles

Fees \$ 96.26

Subscribed and sworn to before me this 9
day of March, 2005.
Parsons
Notary Public, residing at Weiser, Idaho
My commission expires 2, 08



No. 319

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

67-14518

SNAKE RIVER HERITAGE CENTER
PO BOX 307

WEISER ID 83672

Point(s) of Diversion NWNE S30 T11N R05W
WASHINGTON County Source GROUND WATER
Use: IRRIGATION 03/01 To 11/15 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 01/24/2005

Place Of Use: IRRIGATION

T11N R05W S30 NWNE

Number of Acres 1

Remark: Applicant agrees to mitigate consump-
tive 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 applica-
tion 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 Weiser Signal on March 2 and 9,
2005. 8-2S

RECEIVED
APR 04 2005
WATER RESOURCES
WESTERN REGION

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

February 23, 2005

Legal Notice Department
WEISER SIGNAL
PO BOX 709
WEISER ID 83672

RE: Application for Permit No. 67-14518

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 03/21/2005. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

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

67-14518

SNAKE RIVER HERITAGE CENTER
PO BOX 307

WEISER ID 83672

Point(s) of Diversion NWNE S30 T11N R05W WASHINGTON County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 01/24/2005

Place Of Use: IRRIGATION

T11N R05W S30 NWNE

Number of Acres 1

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 Weiser Signal on March 2 and 9, 2005.