

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31958

Priority: May 27, 2004

Maximum Diversion Rate: 0.20 CFS

This is to certify, that POLLY J HYDE
PO BOX 9
PARMA ID 83660

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	0.20 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	NE¼SW¼	Sec. 12, Twp 06N, Rge 05W, B.M., PAYETTE County
GROUND WATER	NW¼SW¼	Sec. 12, Twp 06N, Rge 05W, B.M., PAYETTE 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	
06N 05W 12										5.0	5.0						10.0

Total Acres: 10

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 05W 12									X	X							

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2006**.
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.
5. Water bearing zone to be appropriated is from 158 to 327 feet.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-31958

6. 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.
7. Stockwater use is for 10 range cattle or horses.
8. 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.
9. 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 17th day of November, 2004.


for KARL J DREHER, Director

Ident. No. 63-31958

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Polly J. Hyde Phone (208) 674-2414
Mailing address P.O. Box 9 Parma, ID 83660
2. Source of water supply ground water which is a tributary of _____
3. Location of point of diversion is Township 6N Range 5W Sec. 12, in the SNE ~~SW~~ NE ~~SE~~ SW ~~NW~~ SE NW County; Govt. Lot _____ B.M., Payette
- additional points of diversion if any: 2nd well NE SW Section 12
4. Water will be used for the following purposes:
- | | |
|--|------------------------------|
| Amount <u>.20</u> for <u>irrigation</u> purposes from <u>3/15</u> to <u>11/15</u> (both dates inclusive) | (cfs or acre-feet per annum) |
| Amount <u>.02</u> for <u>stockwater</u> purposes from <u>1/16</u> to <u>12/1</u> (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) .2 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 with pump - sprinklers
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is 6 inches; proposed depth of well is 327 feet Domestic Well
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? 1996; Drilling firm Adamsen Pump & Drill; Well was drilled for (well owner) Hyde; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 2 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. horses and cattle
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. one
e. Other; describe fully. _____

Note: Intentions are to use the existing well, however, if needed, we would like the option to drill a second well.

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	
6N	8W	12									5	5	●						10

Total number of acres to be irrigated 10

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? Polly J. Hyde

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

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

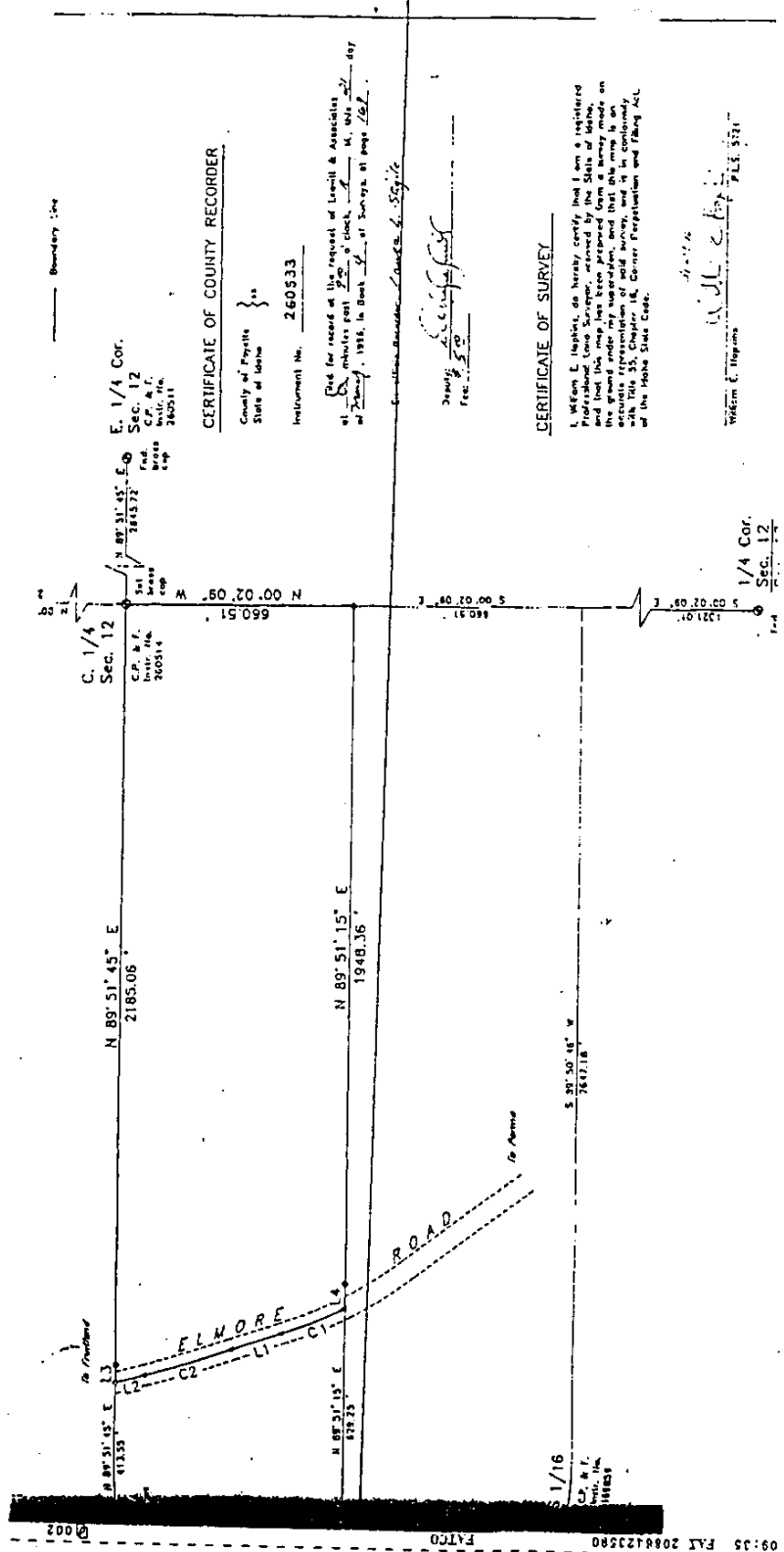
12. Remarks: 158 To 327 Water Bearing zone

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.

Polly J. Hyde
Signature of Applicant (and title, if applicable)

Received by JFW Date 5/27/04 Time 3:00 PM Preliminary check by DAN
Fee \$ 100.00 Received by JFW # W031766 Date 5/27/04
Publication prepared by sk Date 10-6-13-04 Published in INDEPENDENT ENTERPRISE
Publication approved sk Date 10-25-04



C. 1/4
Sec. 12
C.P. & L.
Instr. No. 260514
Bridg. Co.
Bridg. Co.
Bridg. Co.

E. 1/4 Cor.
Sec. 12
C.P. & L.
Instr. No. 260515
Bridg. Co.
Bridg. Co.
Bridg. Co.

CERTIFICATE OF COUNTY RECORDER

County of Fayette
State of Iowa
Instrument No. 260533

Read for record at the request of Leavitt & Associates
at 10 minutes past 2 o'clock, P.M., on the 22nd day
of May, 1916, in Book 26 of Surveys at page 162.

Witness my hand and the Seal of the County Recorder at Iowa City, Iowa, this 22nd day of May, 1916.

James C. Leavitt
Recorder

CERTIFICATE OF SURVEY

I, William E. Higgins, do hereby certify that I am a registered Professional Surveyor in the State of Iowa, and that this map has been prepared from a survey of the ground under my supervision, and that this map is an accurate representation of said survey, and is in conformity with the laws of the State of Iowa, Chapter 100, Section 1, of the Code of Iowa, and the Code of the State of Iowa.

W. E. Higgins

Witness my hand and the Seal of the County Recorder at Iowa City, Iowa, this 22nd day of May, 1916.

W. E. Higgins
Recorder

REQUEST TO PROCESS

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

Name of Applicant

Polly J. Hyde

Mailing Address

P. O. Box 9

Parma, ID 83660-0009

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

Polly J. Hyde

Date

5/27/04

Please return this form to:

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

T06N R05W S12

NWSW

NESW

Now
Starting
Right Side
of file.

RECEIVED

DEC 14 2004

DEPARTMENT OF
WATER RESOURCES

Polly J. Hyde
2662 Elmore Road
P. O. Box 9
Parma, Idaho 83660
(208) 674-2414

December 13, 2004

Shelley W. Keen
Water Rights Supervisor
State of Idaho Department of Water Resources
322 East Front Street
P. O. Box 83720
Boise, Idaho 83720-0098

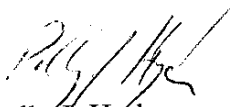
Re: Permit No. 63-31958
Drilling Permit Upgrade 63-96-W-0191-000

Dear Ms. Keen:

Enclosed please find a check for \$165 to upgrade the drilling permit fee for our existing well.

Thank you for your assistance.

Sincerely,



Polly J. Hyde

Idaho Department of Water Resources Receipt

Receipt ID C076135

Payment Amount	\$165.00	Date Received	12/14/2004 2:17:16 PM	Region	State	Status
Payment Type	Check	Check Number	10464			

Payer HYDE BUSINESS PROPERTIES AND VALUATIONS

Comment DRILLING PERMIT FOR 63-31958 DRILLING PERMIT UPGRADE 63-96-W-0191-000

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$165.00	DRILLING PERMITS	0229	21	54116	1205



Signature Line (Dept. Representative)



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

November 18, 2004

POLLY J HYDE
PO BOX 9
PARMA ID 83660

RE: Permit No. 63-31958

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.

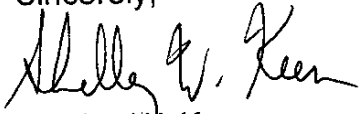
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Upon review of your application, we found that the drilling permit fee submitted by Adamson Pump & Drilling in April of 1996 is not sufficient for this right if you plan to use your existing well for irrigation purposes. The fee paid was for a domestic well for one home. The correct fee for a drilling permit for a well used for irrigation purposes is \$200.00. Since only \$35.00 was previously paid, we request that you submit an additional \$165.00 to upgrade the drilling permit fee. Please note on your check that the money is for "Drilling Permit Upgrade 63-96-W-0191-000". If you do not upgrade the drilling permit fee, we may withhold licensing of your development in the future.

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 being the most prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klf

Enclosure(s)

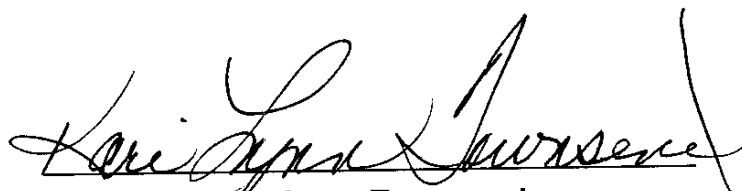
CERTIFICATE OF SERVICE

I hereby certify that on November 18, 2004 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.

63-31958

**POLLY J HYDE
PO BOX 9
PARMA ID 83660**

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

63-31958

1. scurtis 7/14/2004 Legal Notice Remarks

Comment: Applicant agrees to mitigate consumptive use in the future as needed. Water bearing zone to be appropriated is from 158 to 327 feet.

2. dnelson 7/14/2004 Comment/Analysis

Comment: Processing delayed pending moratorium changes.

3. dnelson 9/17/2004 Comment/Analysis

Comment: Proof provided that well is within Snake River influence, so processing can continue.

4. kwalker 11/16/2004 Permit Review

Comment: Recommend standard irrigation season for permit. Need to request upgrade fee for drilling permit on existing well. Paid \$35.00 under Receipt W020764 on 4/23/96. Source trib. to Snake River drainage, not Boise River drainage per information in file. Recommend approval.

Receipt Details for ID W020764

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/23/1996 11:15:12 AM	4/23/1996	Western	\$175.00	Check
Payer		ADAMSON PUMP & DRILLING		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
8601			
Card Expiration Date	Credit Card Transaction #		

Comment 63-96-W-0150-000; 63-96-W-0191-000

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$35.00	DRILLING PERMITS: 63-96-W-0007-000	62115	229	21	0	1205
\$70.00	63-96-W-0139-000; 63-96-W-0170-000	62115	229	21	0	1205
\$70.00	63-96-W-0150-000; 63-96-W-0191-000	62115	229	21	0	1205

Refund(s):

Amount	Payee	Date	Document Number
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↑
paid \$35.00

Well Proof Report

Permit No. 730269

Metal Tag No.

Well ID # 297959

Water Right No.

Relationship: Representative

Name: PAUL HYDE Phone:(208)459-4081

Address: 16816 GOODSON RD
CALDWELL ID 83605

Relationship: Representative

Name: POLLY HYDE Phone:(208)459-4081

Address: 16816 GOODSON RD
CALDWELL ID 83605

Permit Status: Permitted

Well Location: Township 06N, Range 05W, Section 12, SW, SW
COUNTY CANYON

Address of Well Site: 2662 ELMORE
PARMA ID

Use of Well: Domestic-Single Residence

Activity: New Well

Region: Western

Construction Method:

Const Start Date: Apr 12 1996 Const End Date: Apr 16 1996

Well Drilling Company: ADAMSON PUMP & DRILLING (No. 457)

Card Hold Name: DAVID K ADAMSON SR (No. 4135)

Certifying Official:

Date Received: Apr 23 1996

Date Approved: Apr 23 1996

Date Inspected:

Completed Depth: 323 FT Drilled Depth: Surface Diameter: 6 inches

Primary Flow Depth: Overall Temp: Static Water Level: 158

Head Pipe Length: Tail Pipe Length Production Rate: 40 GPM

Closed in Pressure: 0 Psi Bottom Hole Temp: 68 F. Low Temp Geothermal: NO

Control Device Desc:

Access Port Desc:

Casing

From	To	Diam	Type	Gauge	Join Type	Material
------	----	------	------	-------	-----------	----------

300

Seal

From	To	Material	Amount	Method
------	----	----------	--------	--------

Screen

From	To	Dia	Type	Slot Size	# of Slots	Material	Perforation Meth	Screen Type
------	----	-----	------	-----------	------------	----------	------------------	-------------

Lithologic Layer

From	To	Diam	Water	Color	Material	Texture
------	----	------	-------	-------	----------	---------

Drive Shoe

Depth	Test Description
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Affidavit of Publication

Copy of Notice
(First Copy)

STATE OF IDAHO,

COUNTY OF PAYETTE

ss.

The following application(s) have been
filed to appropriate the public waters
of the State of Idaho: 63-31958

Polly J. Hyde

P.O. Box 9

Parma, ID 83660

Point(s) of Diversion NESW S12 TO6N RO5W
Source GROUND WATER

Point(s) of Diversion NWSW S12 TO6N RO5W
Source GROUND WATER

Use: IRRIGATION

03/15 To 11/15 0.2 CFS

Use: STOCKWATER

01/01 To 12/31 0.02 CFS

Total Diversion:

0.2 CFS

DATE FILED: 05/27/2004

Place Of Use: IRRIGATION

TO6N RO5W S12 NESW NWSW

Number of Acres: 10

Place Of Use: STOCKWATER

TO6N RO5W S12 NESW NWSW

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Water bearing zone to be appropriated is from 156 to 327 feet.

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 Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each appli-
known or identification on are before 10/25/2004. The protestant must also send a copy of the protest to the
subscribed to the w/applicant.

sworn, declared th: KARL J. DREHER, Director
acknowledged to me No. 1535

Oct. 6, 13

Notary Public for Idaho

Residing at

My commission expires: 7-1-10

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines 41

Number of Insertions two (2)

41 Lines @ 2.38 . . . \$ 97.58

41 Lines @ 2.04 . . . \$ 83.64

TOTAL COST
WILL BE \$ 181.22

RECEIVED

OCT 15 2004

WATER RESOURCES
WESTERN REGION

No 1535

Affidavit

STATE OF IDAHO,

COUNTY OF PAYETTE

Applications for Public Water
TITLE OF PUBLICATION

Dept. Water Resources
SPONSOR OF PLAINTIFF
PLAINTIFF OR LEGAL AGENT

I, Susan Riddick, being

duly sworn, deposes and says:

That She is the Clerk of

THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at Payette, in the County of Payette and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Payette; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two (2) 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 a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with Oct. 11, 2004, and ending with the issue of Oct. 13, 2004.

STATE OF IDAHO

COUNTY OF

On this 14th day of Oct in the year of 2004 before me,

a Notary Public, personally appeared Susan Riddick 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 he executed the same.

Diana J. Williams
Notary Public for Idaho

Residing at Payette

My commission expires: 7-1-10

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines 41

Number of Insertions two (2)

41 Lines @ 2.38 . . . \$ 97.58

41 Lines @ 2.04 . . . \$ 83.64

TOTAL COST
WILL BE \$ 181.22

RECEIVED

OCT 15 2004

WATER RESOURCES
WESTERN REGION

No 1535

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

September 29, 2004

Legal Notice Department
INDEPENDENT ENTERPRISE
124 S MAIN
PAYETTE ID 83661

RE: Application for Permit No. 63-31958

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 10/25/2004. 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:

63-31958

POLLY J HYDE
PO BOX 9
PARMA ID 83660

Point(s) of Diversion NESW S12 T06N R05W PAYETTE County Source GROUND WATER

Point(s) of Diversion NWSW S12 T06N R05W PAYETTE County Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.2 CFS

Use: STOCKWATER 01/01 To 12/31 0.02 CFS

Total Diversion: 0.2 CFS

Date Filed: 05/27/2004

Place Of Use: IRRIGATION

T06N R05W S12 NESW NWSW

Number of Acres 10

Place Of Use: STOCKWATER

T06N R05W S12 NESW NWSW

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Water bearing zone to be appropriated is from 158 to 327 feet.

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 10/25/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Independent Enterprise on October 6 and 13, 2004.



August 10, 2004

Mr. Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED

AUG 12 2004

WATER RESOURCES
WESTERN REGION

Subject: Application for Permit – Polly Hyde, Parma, Idaho

Dear Dan,

Polly Hyde has submitted an Application for Permit to your office (received on 5/27/2004) to divert ground water for irrigation and stockwater. It is our understanding that this application has been placed on an administrative hold along with other applications in Basin 63. The purpose of this letter is to request an exemption from the administrative hold on processing new applications for water rights permits in Basin 63.

The Hyde property is located in the SW $\frac{1}{4}$, SW $\frac{1}{4}$ of Section 12 in Township 6N, Range 5W (Figure 1). The Application for Permit requests 0.20 cfs for irrigation of 10 acres, and 0.02 cfs for stockwater. The water would be withdrawn through an existing well, with the option of withdrawing water from a second well if needed.

It is our understanding that the purpose of the administrative hold on processing new permit applications in Basin 63 has been to allow completion of the Treasure Valley Hydrologic Project (TVHP) and to incorporate results of the project into water management in the Lower Boise River Basin. However, the Hyde property is in the USGS Middle Snake-Payette hydrologic unit (Figure 2). This area was not included in the TVHP because surface water from this hydrologic unit is directly tributary to the Snake River.

Ground water levels in the Middle Snake-Payette hydrologic unit were not measured as part of the TVHP. The last mass measurement that included the Middle Snake-Payette hydrologic unit (which includes the Hyde property area) was conducted by the USGS in 1980. Potentiometric surface contours based on this mass measurement (courtesy of S. Bendixsen, IDWR) are shown in Figure 1. These contours indicate that the ground water flow direction in the vicinity of the Hyde property is toward the Snake River (not the Boise River).

Water level data are maintained by IDWR in the Well_Log database. The database does not contain multiple water level readings from wells in the immediate vicinity of the Hyde property. The database does contain multiple water level measurements from several wells south of the Hyde property (data courtesy of Shane Bendixsen, IDWR). The locations of these wells are shown in Figure 1. Hydrographs from these wells are shown in Figure 2. These hydrographs reflect relatively stable water levels.

On behalf Polly Hyde I would like to respectfully request processing of this Application for Permit. Ground and surface water in the vicinity of the Hyde property is not tributary to the lower Boise River and therefore should not be restricted by the

SPF

administrative hold on new applications in the lower Boise River Basin. Ground water levels in this area appear to be stable.

Please call me if you have any questions regarding this application, or would like additional information. In advance, thank you for your efforts.

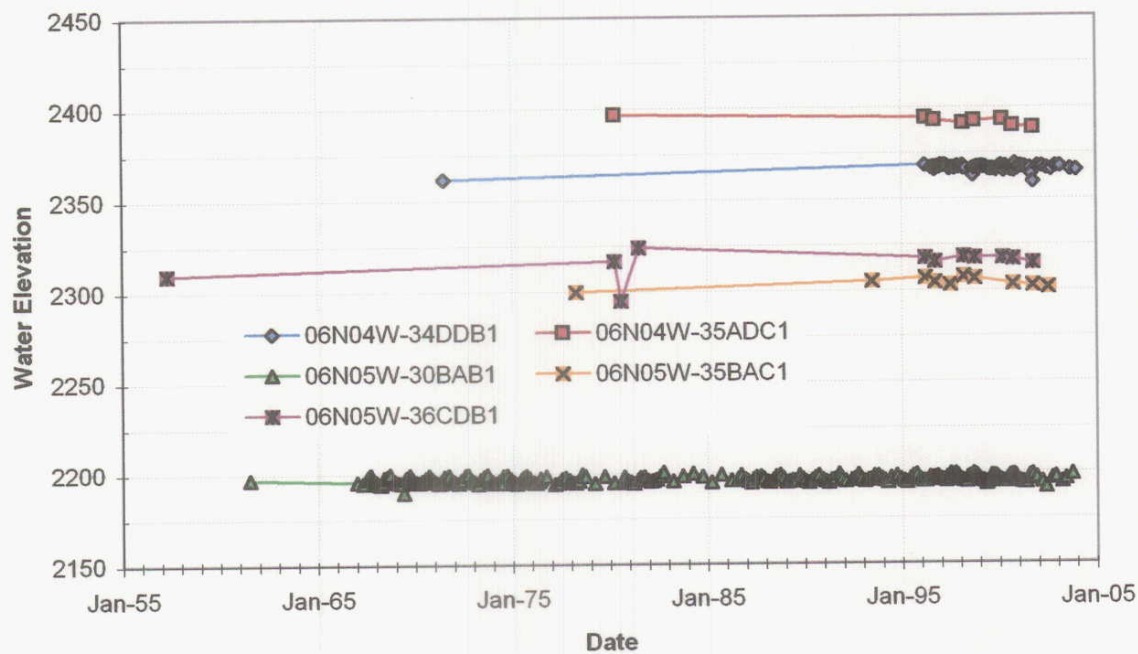
Sincerely,

A handwritten signature in black ink, appearing to read "Christian R. Petrich". The signature is fluid and cursive, with a long horizontal line extending to the right.

Christian R. Petrich, Ph.D., P.E.
Principal Engineer/Hydrologist

Enclosure

Figure 2: Hydrographs from Selected Wells in Vicinity of Hyde Property



SCANNED
JAN 18 2005

