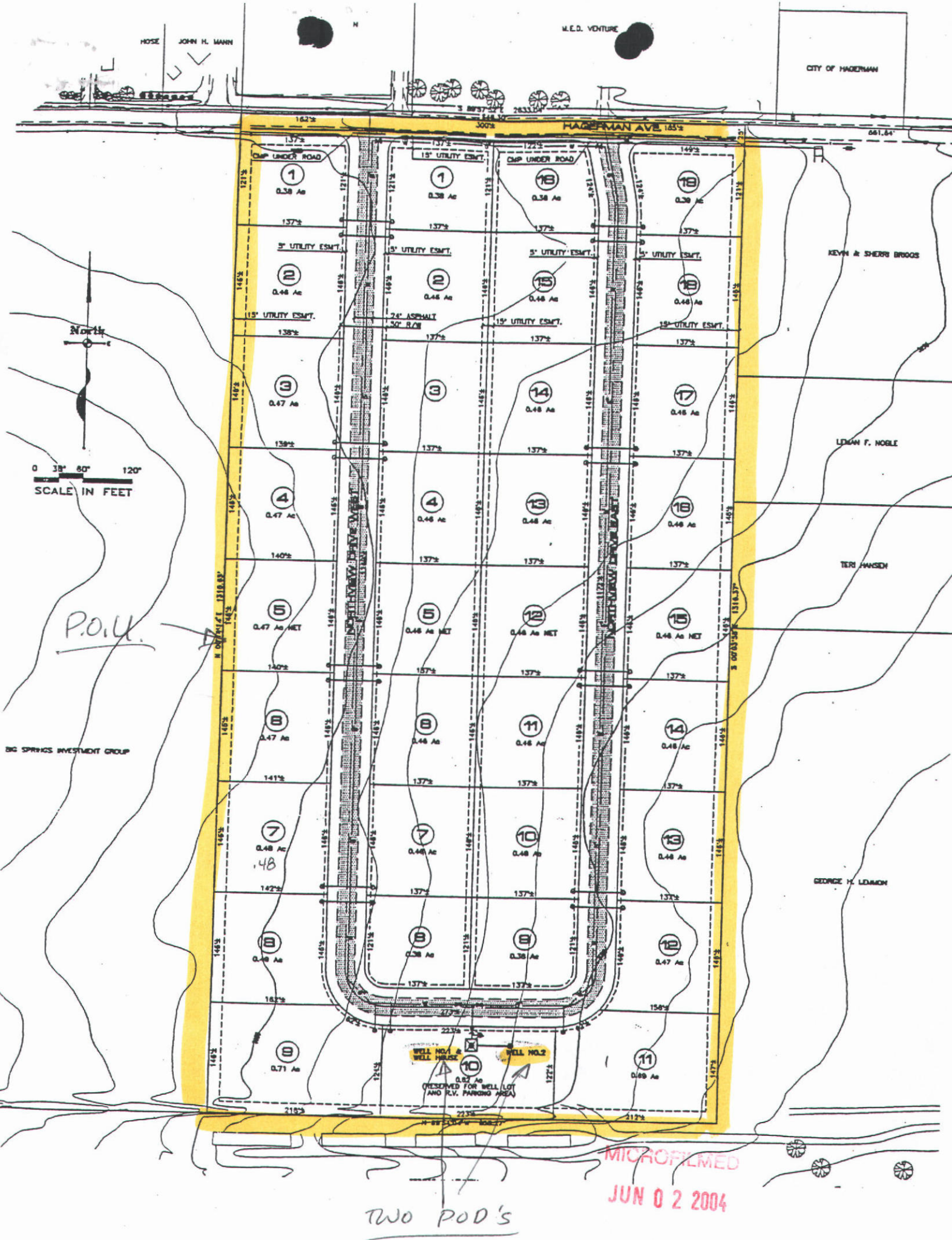
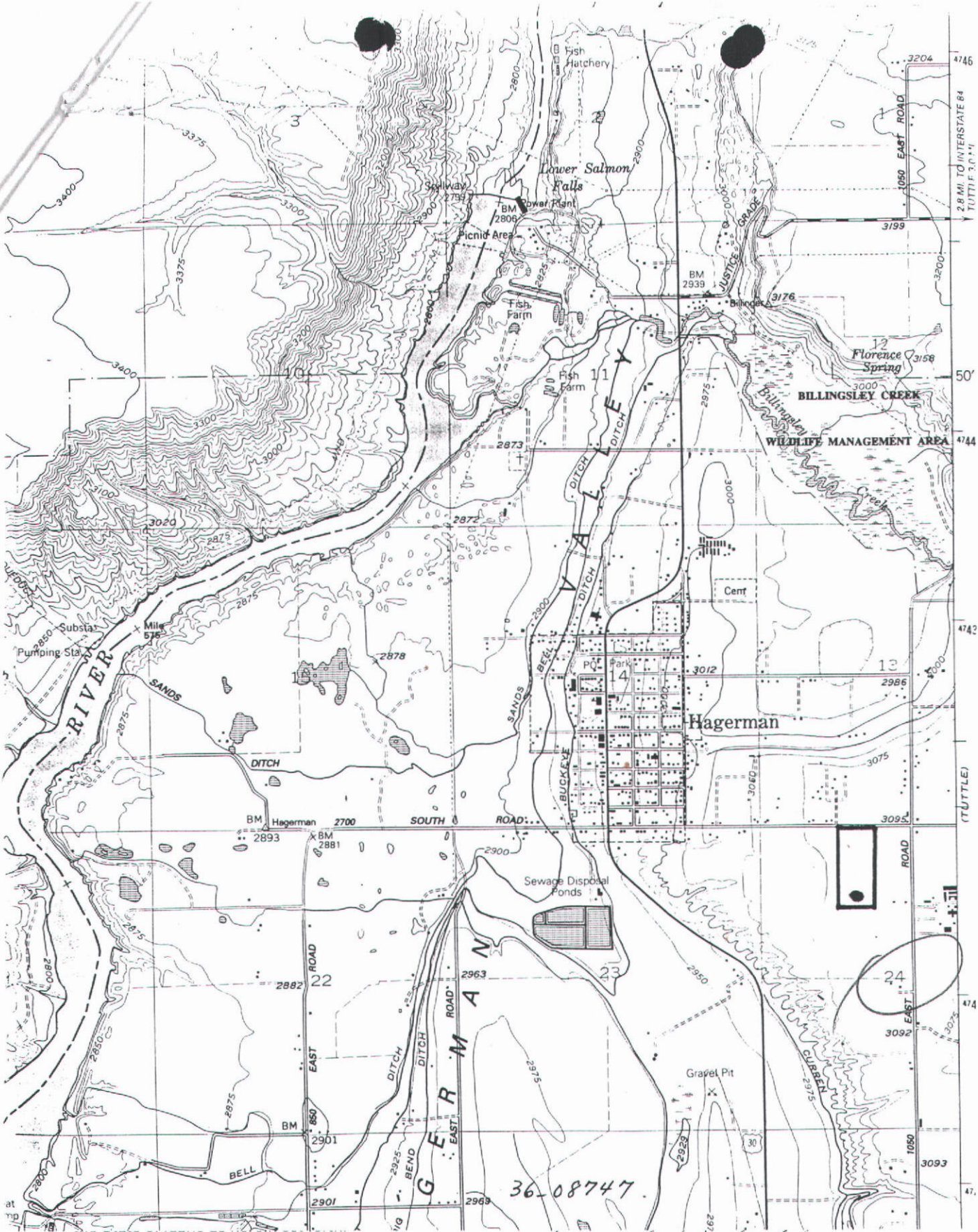




MICROFILMED  
JUN 02 2004

TWO POD'S



36-08747

*[Signature]*  
(Applicant)  
*[Signature]*

T07S R13E S24  
MICROFILMED  
JUN 02 2004

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
NO. 36-16204

Priority: February 09, 2004

Maximum Diversion Rate: 0.18 CFS  
Maximum Diversion Volume: 36.0 AF

This is to certify, that NORTHVIEW WATER ASSN INC  
PO BOX 466  
HAGERMAN ID 83332

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> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 02/15 to 11/30       | 0.18 CFS                 | 36.0 AF              |

**LOCATION OF POINTS OF DIVERSION:**

|              |                                   |                                                 |
|--------------|-----------------------------------|-------------------------------------------------|
| GROUND WATER | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | Sec. 24, Twp 07S, Rge 13E, B.M., GOODING County |
| GROUND WATER | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | Sec. 24, Twp 07S, Rge 13E, B.M., GOODING 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 |        |
| 07S 13E 24   |    |    |    |    | 9.0 |    |    |    |    |    |    |    |    |    |    |    | 9.0    |
| Total Acres: |    |    |    |    |     |    |    |    |    |    |    |    |    |    |    |    | 9      |

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2005**.
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. Prior to any diversion and use of water under this water right, the right holder shall (1) provide evidence of participation in a mitigation plan, approved by the director, and administered by a ground water district or other recognized organization, or (2) provide individual mitigation approved by the director.
5. Noncompliance with any condition of this right, including the requirement for mitigation, is cause for the director to issue a notice of violation, cancel or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.
6. 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. 130.
7. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
8. Points of diversion are located within Lot 10, Blk. 1, Northview Subdivision.

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JUN 07 2004

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
NO. 36-16204

9. Place of use is located within Lots 1-9, Blk. 1; Lots 11-19, Blk. 1; and Lots 1-16, Blk. 2; Northview Subdivision.
10. The use authorized under this right shall not exceed 13,000 gallons per day per lot when combined with Rt. 36-8747.
11. The irrigation use occurring under this right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.
12. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
13. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.
14. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 24<sup>th</sup> day of May, 2004.

  
FOR KARL J DREHER, Director

MICROFILMED

JUN 6 2 2004

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Page 1  
APR 15 2004

Department of Water Resources

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FEB 09 2004

Department of Water Resources  
Southern Region  
Ident. No. 36-16204

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: NORTHVIEW WATER ASSN INC  
PO BOX 466  
HAGERMAN ID 83332  
(208)837-4780

2. Source: GROUND WATER

3. Location of Point of Diversion:

#1 GROUND WATER NE1/4NW1/4 Sec. 24, Twp 07S, Rge 13E, B.M.  
GOODING County  
#2 GROUND WATER NE1/4NW1/4 Sec. 24, Twp 07S, Rge 13E, B.M.  
GOODING County

4. Water will be used for the following purposes:

| Purpose                                  | From To        | RATE OF DIVERSION | ANNUAL VOLUME |
|------------------------------------------|----------------|-------------------|---------------|
| IRRIGATION                               | 01/01 to 12/31 | 0.18 CFS          | 36.0 AF       |
| 5. Total quantity to be appropriated is: |                | 0.18 CFS          | 36.0 AF       |

6. Proposed diverting works:

POINT OF DIVERSION #1

- Type and size of devices used to divert water from the source:
- Height of storage dam \_\_\_\_\_ feet;  
Active reservoir capacity \_\_\_\_\_ acre-feet;  
Total reservoir capacity \_\_\_\_\_ acre-feet;
- Proposed well diameter is \_\_\_\_\_ inches;  
Proposed depth of well is \_\_\_\_\_ feet.
- Is ground water with a temperature of greater than 85F being sought?
- If well is already drilled, when? \_\_\_\_\_;  
Drilling Firm \_\_\_\_\_;  
Drilling Permit No. \_\_\_\_\_.

MICROFILMED

JUN 02 2004

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR PERMIT**

To appropriate the public water of the State of Idaho

**POINT OF DIVERSION #2**

- a. Type and size of devices used to divert water from the source:
- 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 85F being sought?
- e. If well is already drilled, when? \_\_\_\_\_;  
Drilling Firm \_\_\_\_\_;  
Drilling Permit No. \_\_\_\_\_.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

8.

**PLACE OF USE:** IRRIGATION

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 07S 13E 24  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | 9.0    |

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

Individual homeowners

10. Remarks:

Applicant is filing this application to make up for acres not accounted for under 36-8747. Intent is to be allowed to irrigate 1/2 acre per lot for 34 total lots in association with domestic use.

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

MICROFILMED

JUN 02 2004

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

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.

Jim M. Olsen (HOMEOWNER)  
ApplicantReceived by J. F. Date 2-9-04 Time 2:30 Preliminary check by J. F.  
Publication prepared by MB Date 2/23/04 Published in Gooding Co. Leader  
Publication approved MB Date 3/25/04Receipt No. 5026471Date: 2-9-04Received by: J. F.for ED BAILEY PRESIDENT  
NORTHVIEW HOMEOWNERS

MICROFILMED

JUN 6 2 2004

JOHN H. MANN

M.E.D. VENTURE

CITY OF HAGERMAN

HAGERMAN AVE 185

KOVN & SHERR BROGS

LEON F. NOBLE

TERI WAGNER

GEORGE H. LAMON

North

0 30' 60' 120'  
SCALE IN FEET

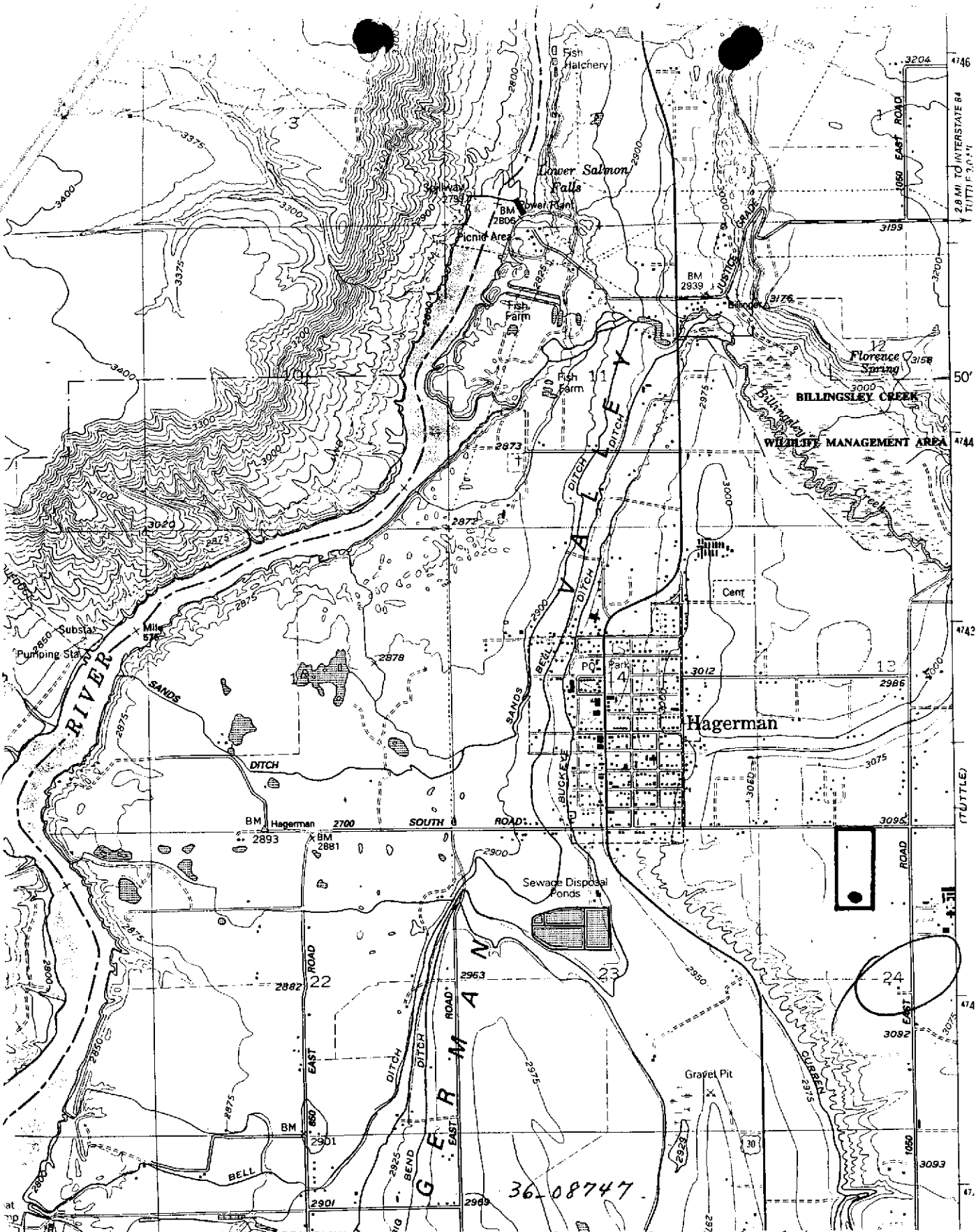
P.O.U.

BO SPRINGS INVESTMENT GROUP

RESERVED FOR WELL LOT  
AND R.V. PARKING AREA

TWO POD'S

JUN 6 2 2004



*[Handwritten signature]*  
(Applicant)

T07S R13E S24

MAY 02 2006

RECEIVED

MAR 08 2004

Department of Water Resources  
Southern Region

Northview Water Association, Inc.  
P. O. Box 466  
Hagerman, Idaho 83332

March 5, 2004

RE: Application for Permit No. 36-16204

State of Idaho  
Department of Water Resources  
1341 Fillmore Street, Suite 200  
Twin Falls, Idaho 83301-3380

Attention: Mary A. Baldwin, Admin. Assistant I

Dear Ms. Baldwin:

In response to your letter of February 26, 2004, regarding our application for Permit No. 36-16204, this application has been filed by a corporation and the names and addresses of the current officers are listed below.

|           |                                                                 |
|-----------|-----------------------------------------------------------------|
| President | Mr. Ed Bailey<br>2723 Northview Dr. E.<br>Hagerman, Idaho 83332 |
|-----------|-----------------------------------------------------------------|

|                |                                                                     |
|----------------|---------------------------------------------------------------------|
| Vice President | Mr. Don VanLaanen<br>2736 Northview Dr. E.<br>Hagerman, Idaho 83332 |
|----------------|---------------------------------------------------------------------|

|                     |                                                                     |
|---------------------|---------------------------------------------------------------------|
| Secretary/Treasurer | Ms. Helen Tappero<br>2732 Northview Dr. E.<br>Hagerman, Idaho 83332 |
|---------------------|---------------------------------------------------------------------|

|                    |                                                                    |
|--------------------|--------------------------------------------------------------------|
| Board of Directors | Mr. Jack Qualman<br>2715 Northview Dr. W.<br>Hagerman, Idaho 83332 |
|--------------------|--------------------------------------------------------------------|

Ms. Junia Kruse  
2704 Northview Dr. W.  
Hagerman, Idaho 83332

Mr. Marvin Allred  
2732 Northview Dr. E.  
Hagerman, Idaho 83332

MAR 10 2004

MAR 02 2004

If any further information is required to process our application, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Helen Tappero".

Ms. Helen Tappero  
Secretary/Treasurer

Cc: Mr. Ed Bailey, President

RECEIVED

MAY 12 2004



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

May 25, 2004

NORTHVIEW WATER ASSN INC  
PO BOX 466  
HAGERMAN ID 83332

RE: Permit No. 36-16204

### 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.

Please note that one of the conditions of approval on your permit requires that you measure your diversion and record other important hydrologic and physical features and report them annually to the Department. The Department will shortly send you further information about measuring devices, flow estimation using power records, and annual reporting forms. If you have questions about the measuring and reporting requirements, please call the Department at (208) 327-7900 and ask for someone in the Water Distribution Section.

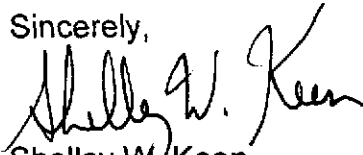
MICROFILM

JUN 8 2 2004

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 208-327-7946.

Sincerely,



Shelley W. Keen  
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED  
JAN 9 2 2003

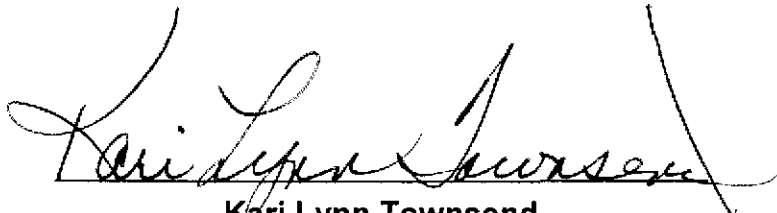
## CERTIFICATE OF SERVICE

I hereby certify that on May 25, 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.

36-16204

NORTHVIEW WATER ASSN INC  
PO BOX 466  
HAGERMAN ID 83332



Kari Lynn Townsend  
Secretary

MAILED  
MAY 25 2004

**EXPLANATORY INFORMATION  
TO ACCOMPANY A  
PRELIMINARY ORDER**

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 Idaho Water Resource Board (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).

Michael  
JUN 8 2 2004

### 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.

MAILED  
JUN 02 2004

## MEMORANDUM

**Date:** April 21, 2004  
**To:** Water Right File 36-16204  
**From:** kwalker  
**Re:** Permit Review

---

Per arc view the season of use for irrigation purposes in this area are 2/15 to 11/30. Recommend this season for permit. Also recommend adding condition 050 since surface water used to be available for this land.

MICROFILMED

JUN 02 2004

## Comment Report

36-16204

1. jfreitag 2/18/2004 10:47:09 AM Special Administration Area Notes

Comment: Special Administration Areas : Eastern Snake River Plain Area (Moratorium Area)

Exempt: Y

Reason: See below

Doc Attached:

Explanation:

Special Administration Areas : Trust Water Area (Trust Water Area)

Exempt: Y

Reason:

Doc Attached:

Explanation:

2. jfreitag 2/18/2004 Legal Notice Remarks

Comment: Applicant is filing this application to make up for acres not accounted for under water right 36-8747. Intent is to be allowed to irrigate 1/2 acre per lot for 34 total lots in association with domestic use. Two existing wells will be used to divert water.

Location is 1/4 mile south and 1/4 mile east of Hagerman, Idaho

3. jfreitag 2/18/2004 Comment/Analysis

Comment: Right 36-8747 was permitted for domestic use for 34 homes and irrigation of 8 acres. This amounts to 1/4 acre per lot. There were originally shares of Big Springs water appurtenant to this property which were, according to permit 36-8747 to be used to irrigate the remainder of the property not irrigated under permit 36-8747. However the original applicant for 36-8747 sold off the Big Springs shares and then sold the property. The applicant for this application is in fact a water users assoc. made up of lot owners within the subdivision. They are merely seeking to be allowed to irrigate 1/2 acre per lot, based on the domestic definition in Idaho Code. It is the intent that each lot will share both rights 36-8747 and this permit.

4. amerritt 4/12/2004 recommendation

Comment: This application was processed without protest. Recommend approval as drafted.

MICHAEL J. JONES

JUN 6 2 2004

FORM NO.202A  
REVISED 4/8/03

APPLICATION NO. 36-16204

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY John Freeling

DATE 2-18-04

REQUIRED INFORMATION

☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)

☒ Address

☒ Source (see USGS quad for names of water sources)

☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.

☒ County

☒ Quantity (flow &/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

☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)

☒ Fee

☒ Yes ☐ No\* In form to receipt

++++PROPOSED PRIORITY DATE 2-9 19 2004

ADDITIONAL INFORMATION

☒ Overlapping place of use( Describe source & relationship to present application on the back.

36-8747 see comments

☒ Overlapping point of diversion.

36-8747 see comments

☐ Yes ☒ No Field check required Field check by \_\_\_\_\_ Date \_\_\_\_\_

☐ Yes ☒ No Field report attached

☒ Yes ☐ No Critical Ground water area Brinkley Hot Springs

☒ Yes ☐ No Groundwater management area ESPA

☐ Yes ☒ No Send Dam safety information

☐ Yes ☒ No Send power requirement letter

☐ Yes ☒ No Send fish farm requirement letter

☐ Yes ☒ No Power residency affidavit.

☐ Yes ☒ No Power efficiency form

☐ Yes ☒ No Within trustwater boundary

☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

**Comment Letters:**

|                                    | Date Requested              | Date Received               |
|------------------------------------|-----------------------------|-----------------------------|
| Watermaster: District <u>Cindy</u> | <u>2/21/07</u>              | <u>                    </u> |
| Fish & Game                        | <u>                    </u> | <u>                    </u> |
| Canal Company                      | <u>                    </u> | <u>                    </u> |
| Stream Channel                     | <u>                    </u> | <u>                    </u> |
| City                               | <u>                    </u> | <u>                    </u> |
| DEQ                                | <u>                    </u> | <u>                    </u> |
| County                             | <u>                    </u> | <u>                    </u> |
| Department of Ag                   | <u>                    </u> | <u>                    </u> |
| Other                              | <u>                    </u> | <u>                    </u> |

\* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Date Requested \_\_\_\_\_, 20\_\_\_\_

**FINAL REGIONAL PROCESSING REVIEW**

Date of priority recommended 2/9, 1907

By [Signature] Title Southern Region Date 9/12, 2007  
Manager

**ADDITIONAL INFORMATION:**

**STATE OFFICE REVIEW**

Date \_\_\_\_\_, 20\_\_\_\_

# AFFIDAVIT of PUBLICATION

State of Idaho } ss.  
County of Gooding }

RECEIVED  
MAR - 1 2004

Department of Water Resources  
Southern Region

Norma DeVoe, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 4<sup>th</sup> day of March, 2004 and the date of the last publication was on the 11<sup>th</sup> day of March, 2004

On this 11<sup>th</sup> day of March, in the year of 2004, before me, a Notary Public, personally appeared Norma DeVoe, 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/she executed the same.

**SHELLEY STURGEON**  
Notary Public  
State of Idaho  
Residing at Jerome  
My commission expires: 12/3/05

#8749 / 50787  
GOODING COUNTY LEADER  
Gooding, Idaho

## COST OF PUBLICATION

Number of Picas per Line \_\_\_\_\_  
Number of Lines in Notice \_\_\_\_\_  
Number of Insertions 2x

Lines tabular at \_\_\_\_\_ 8.0¢/Pica  
1008.56 Lines straight at 70.60 7.0¢/Pica  
1008.56 Subsequent lines at 60.51 6.0¢/Pica

Affidavit Fee: 2.50

TOTAL COST 133.61

## COPY OF NOTICE

(Paste Here)

Application - C Bar M Dairy  
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

### NOTICE OF APPLICATIONS FOR WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho, Gooding County:

36-16201

C BAR M DAIRY

268-B S 500 W

JEROME ID 83338

Point(s) of Diversion: L2

(NWSWNW), S31, T08S, R16E

Source: WASTE WATER Tributary

To SINKS

Uses: IRRIGATION - 03/15 To

11/15 (1 CFS)

IRRIGATION STORAGE - 01/01 To

12/31 (1 CFS - 452 AFA)

IRRIGATION FROM STORAGE -

03/15 To 11/15 (452

AFA)

DIVERSION TO STOR-

AGE -

01/01

To 12/31 (1 CFS)

Total Diversion: ( 1

CFS - 452 AFA)

Date Filed: 02/04/2004

Place Of Use: S31, T08S

R16E

IRRIGATION FROM STORAGE &

IRRIGATION of 113 acres within

NENW, (NWNW - Lot 1), (SWNW -

Lot 2), SENW

DIVERSION TO STORAGE & IRRI-

GATION STORAGE within (NWNW -

Lot 1)

Remark: This application proposes

to mitigate the use of an existing

groundwater right with waste water

generated by a feedlot located just

south of the C Bar M property. This

water presently runs into the North

Side Canal Co. delivery system, but

will be diverted and stored on the C

Bar M farm to replace up to 100% of

the ground water used if possible.

The Canal Co. has agreed to this

proposal, as it will reduce the

amount of waste water being dis-

charged into the Snake River. The

farm is located 2 to 2 1/2 miles south

and 5 1/2 to 6 miles west of the

Jerome city center.

36-16204

NORTHVIEW WATER ASSN INC

PO BOX 466

HAGERMAN ID 83332

Source: GROUND WATER

TWO Point(s) of Diversion: NENW,

S24, T07S, R13E

Use: IRRIGATION 03/15 To 11/15

(0.18 CFS - 36 AFA)

Total Diversion: (0.18 CFS - 36 AFA)

Date Filed: 02/09/2004

Place of Use: 9 acres within NENW,

S24, T07S, R13E

Remark: Applicant is filing this

application to make up for acres not

accounted for under water right 36-

8747. Intent is to be allowed to irri-

gate 1/2 acre per lot for 34 total lots

in association with domestic use.

Two existing wells will be used to

divert water. Location is 1/4 mile

south and 1/4 mile east of

Hagerman, Idaho. For specific

details regarding the application(s),

please contact IDWR Southern

Regional Office at 208-736-3033 or

visit [www.idwr.state.id.us](http://www.idwr.state.id.us) with detail

provided under "New Water Right

Applications". Protests may be sub-

mitted based on the criteria of Sec

42-203A, Idaho Code. Protests

against approval must be filed with

IDWR, Southern Region, 1341

Filmore St.-Suite 200; Twin Falls, ID

83301 with a protest fee of \$25.00

for each application on or before

March 22, 2004. The protestant

must also send a copy of the protest

to the applicant.

Karl J. Dreher, Director

PUB: 3/4 - 3/11

G50787

IDAHO DEPARTMENT OF WATER RESOURCES  
1341 FILLMORE STREET-STE# 200  
TWIN FALLS ID 83301  
Phone: 736-3033  
Fax#: 736-3037

February 26, 2004

ATTN: Norma  
MAGIC VALLEY PUBLISHING  
Gooding County Leader  
PO BOX 468  
JEROME ID 83338

Dear Norma:

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 at 736-3033.

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

Sincerely

Mary A. Baldwin  
Administrative Assistant

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**NOTICE OF APPLICATIONS FOR WATER PERMIT**

The following applications have been filed to appropriate the public waters of the State of Idaho, Gooding County:

**36-16201**

**C BAR M DAIRY**

268-B S 500 W

JEROME ID 83338

Point(s) of Diversion: L2 (NWSWNW), S31, T08S, R16E

Source: WASTE WATER Tributary To SINKS

Uses: IRRIGATION - 03/15 To 11/15 (1 CFS)

IRRIGATION STORAGE - 01/01 To 12/31 (1 CFS - 452 AFA)

IRRIGATION FROM STORAGE - 03/15 To 11/15 (452 AFA)

DIVERSION TO STORAGE - 01/01 To 12/31 (1 CFS)

Total Diversion: (1 CFS - 452 AFA)

Date Filed: 02/04/2004

Place Of Use: S31,T08S R16E

IRRIGATION FROM STORAGE & IRRIGATION of 113 acres within NENW, (NWNW -Lot 1), (SWNW - Lot 2), SENW

DIVERSION TO STORAGE & IRRIGATION STORAGE within (NWNW - Lot 1)

Remark: This application proposes to mitigate the use of an existing groundwater right with waste water generated by a feedlot located just south of the C Bar M property. This water presently runs into the North Side Canal Co. delivery system, but will be diverted and stored on the C Bar M farm to replace up to 100% of the ground water used if possible. The Canal Co. has agreed to this proposal, as it will reduce the amount of waste water being discharged into the Snake River. The farm is located 2 to 2 1/2 miles south and 5 1/2 to 6 miles west of the Jerome city center.

RECEIVED  
JUN 02 2004

**36-16204**

**NORTHVIEW WATER ASSN INC**

PO BOX 466

HAGERMAN ID 83332

Source: GROUND WATER

TWO Point(s) of Diversion: NENW, S24, T07S, R13E

Use: IRRIGATION 03/15 To 11/15 (0.18 CFS - 36 AFA)

Total Diversion: (0.18 CFS - 36 AFA)

Date Filed: 02/09/2004

Place of Use: 9 acres within NENW, S24, T07S, R13E

Remark: Applicant is filing this application to make up for acres not accounted for under water right 36-8747. Intent is to be allowed to irrigate 1/2 acre per lot for 34 total lots in association with domestic use.

Two existing wells will be used to divert water. Location is 1/4 mile south and 1/4 mile east of Hagerman, Idaho. For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit [www.idwr.state.id.us](http://www.idwr.state.id.us) with detail provided under "New Water Right Applications".

Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before March 22, 2004. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Gooding County Leader on 3/4 & 3/11/04.

RECEIVED

JUN 02 2004



State of Idaho

## DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

February 26, 2004

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

ED BAILEY PRESIDENT  
NORTHVIEW WATER ASSN INC  
PO BOX 466  
HAGERMAN ID 83332

RE: Application for Permit No. **36-16204**

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared for publication in the Gooding County Leader on 03/04 & 3/11/04. Submittal of protests to the application will be allowed for a period ending ten days after the second publication. **(March 22, 2004)**

If an application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If an application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an un-protested application is about eight weeks.

In addition, our initial review of the application for compliance with the requirements of the Department's Rules and Regulations for Water Appropriations, indicates that the following information is required to make the Application complete for processing: **If the Application is filed in the name of a corporation, the names and addresses of its directors and officers shall be provided. If the application is filed by or in behalf of a partnership or joint venture, the application shall provide the names and addresses of all partners and shall designate the managing partner, if any. (Rule 035.03.b, i)**

Please feel free to contact this office if you have any questions.

Sincerely,

Mary A. Baldwin  
Administrative Assistant I

Michael...

JUN 6 / 2004

**Baldwin, Mary**

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**From:** Baldwin, Mary  
**Sent:** Thursday, February 26, 2004 4:24 PM  
**To:** Yenter, Cindy (Hodges)  
**Cc:** Baldwin, Mary  
**Subject:** MEMORANDUM



MASTER-GEN-MEM  
ORANDUM.doc

**MEMORANDUM**

**DATE:** February 26, 2004  
**TO:** Watermaster, WD# 130  
**FROM:** Mary A. Baldwin, Southern Region  
**SUBJECT:** FYI &/or Recommendation/Comment

**36-16204**

**NORTHVIEW WATER ASSN INC**

PO BOX 466

HAGERMAN ID 83332

Source: GROUND WATER

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MAILED

FEB 26 2004