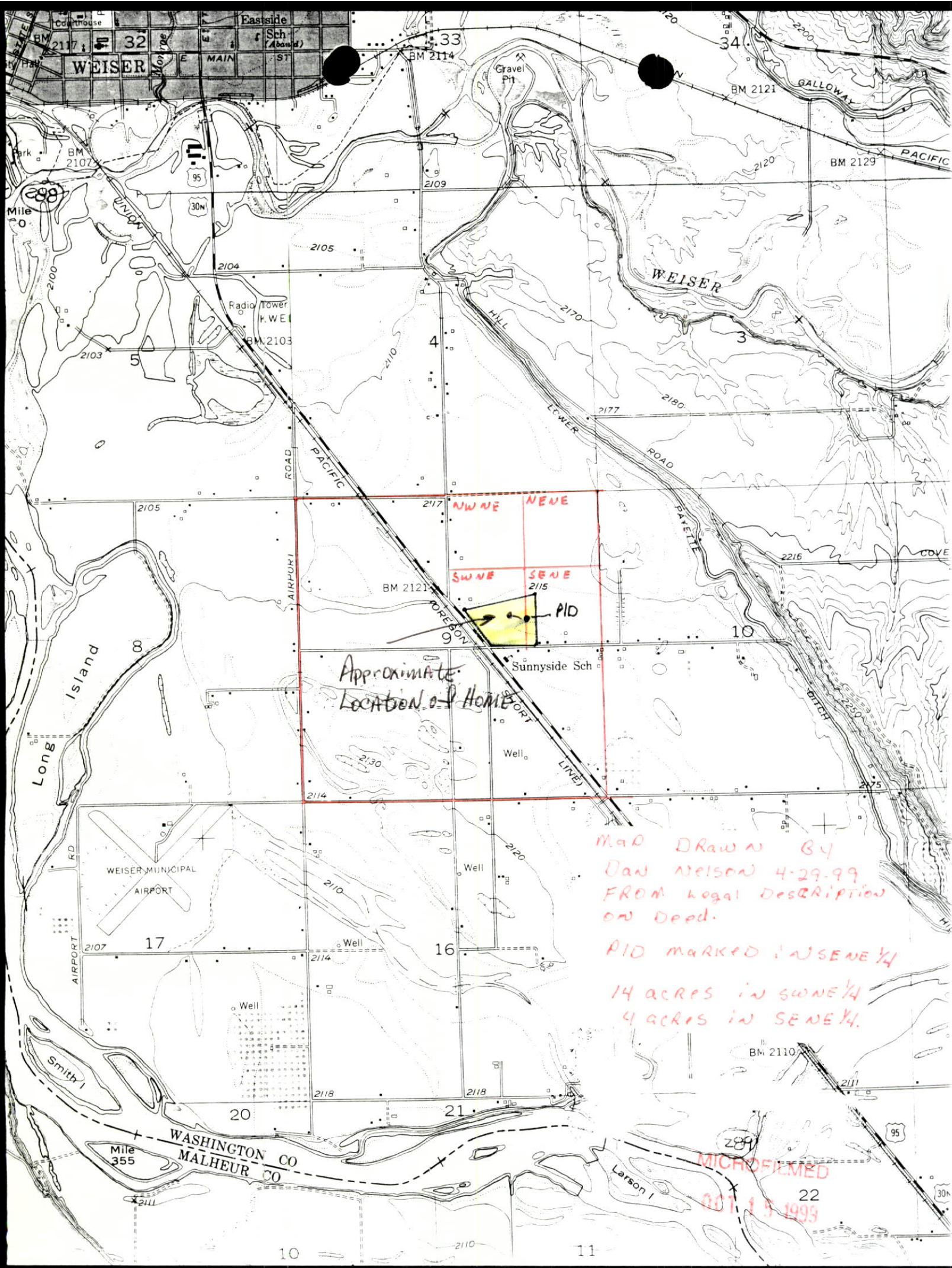




Approximate
Location of Home

Map Drawn By
Dan Nelson 4-29-99
From Legal Description
on Deed.

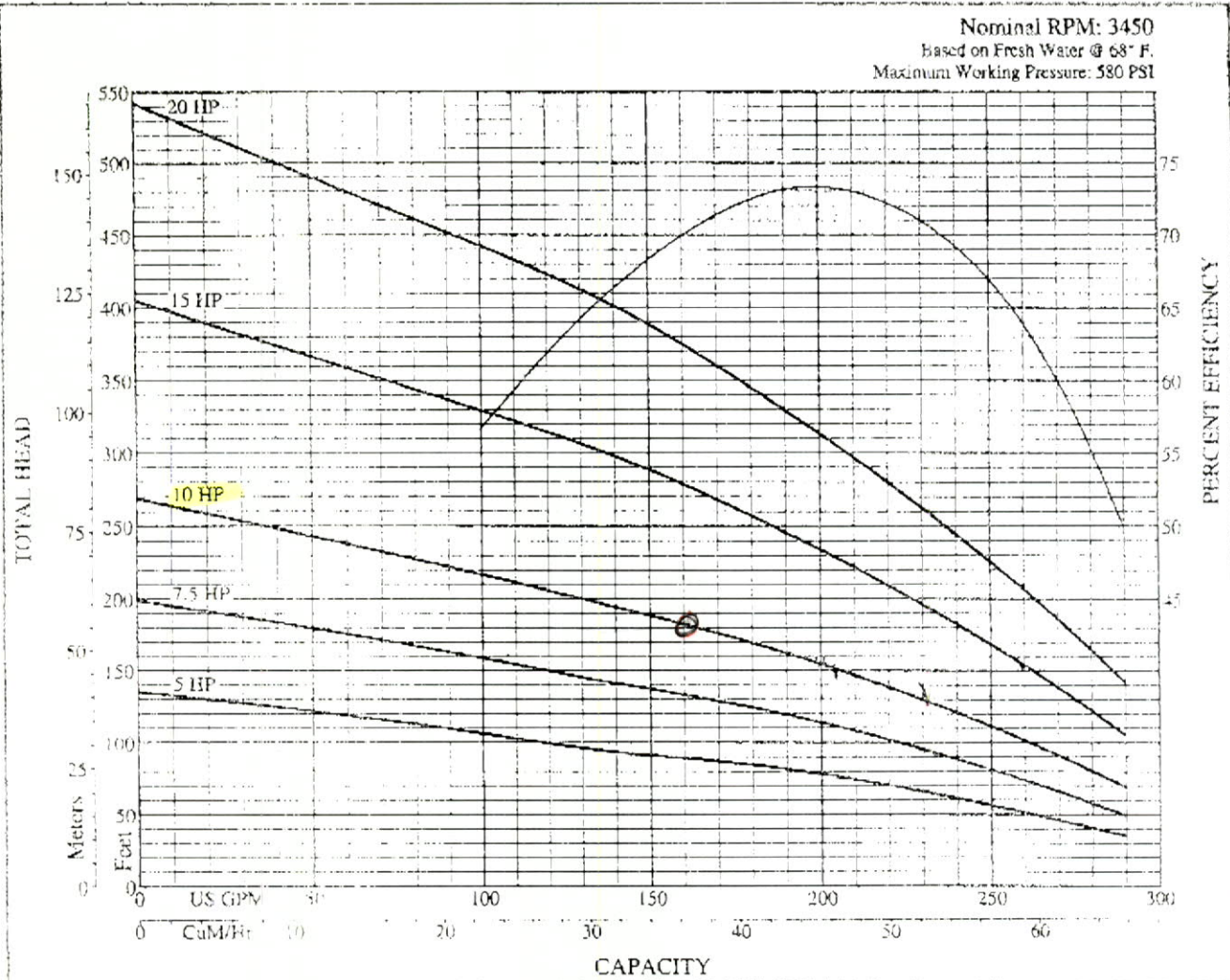
PID marked in SENE 1/4
14 acres in SENE 1/4
4 acres in SENE 1/4.

MICROFILMED
001 15 1999

BERKELEY

SUBMERSIBLE
TURBINE

6T-200



OUTLINE DIMENSIONS / WEIGHTS

HP	stages	Motor size	P length	M* length	MD* dia.	Mtr. wt.	Pump wt.
5	2	6"	23.98	25.44	5.38	105	76
7.5	3	6"	28.98	28.00	5.38	120	95
10	4	6"	33.98	30.56	5.38	135	115
15	6	6"	43.98	33.13	5.38	146	154
20	8	6"	53.98	30.56	5.38	135	193

Note: dimensions = inches; weight = U.S. lbs.

M* Maximum length (Franklin Electric Motor)

MD* Motor diameter (Franklin Electric Motor)

SPECIFICATIONS

Minimum Well I.D.	6.0 Inches
Minimum Submergence @ BEP (above inlet)	10.0 Feet
Capacity Range	95 - 390 GPM
Discharge	3" F NPT
See manufacturer's data for motor cooling requirements	

SUPERSEDES

All Previous

Date 04/15/96

Section **ST**Page **13.01**

MICRO

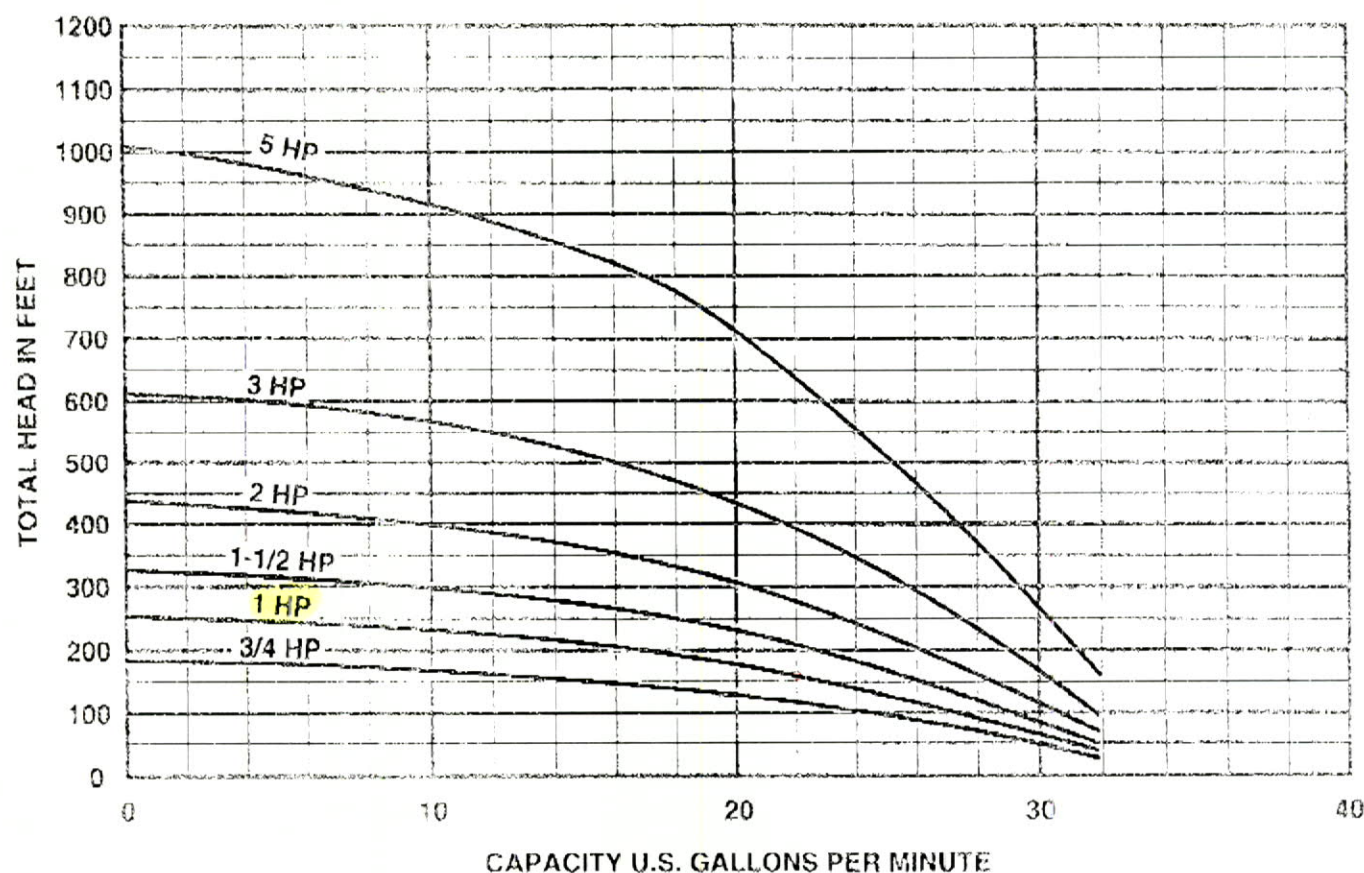
MAR 20 2001

67-08034

10, 15, 20 and 30 GPM 4" Submersible Pumps

Pump Performance

20 GPM



Tested and rated in accordance with Water Systems Council standards.

NOTE: Pumps installed with a CON-AIRE[®] tank require a 100 PSI relief valve. Pumps installed with a conventional tank require a 75 PSI relief valve. Relief valve must be capable of relieving entire flow of pump at relief pressure.



MICRO

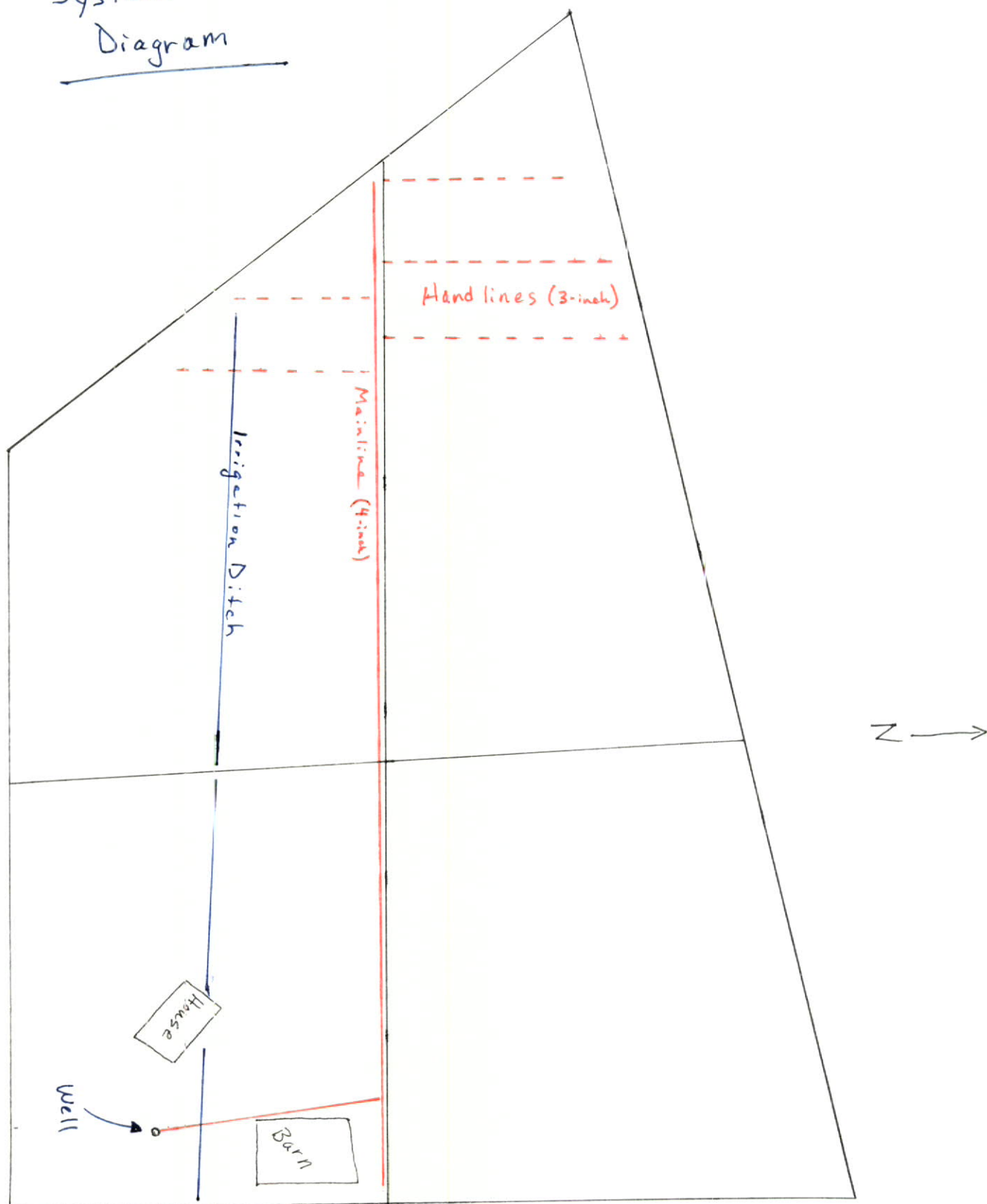
MAR 20 2001

6

67-08034

STA-RITE. Built On Commitment.

System Diagram



MURCHILL
MCP 2.0 2003

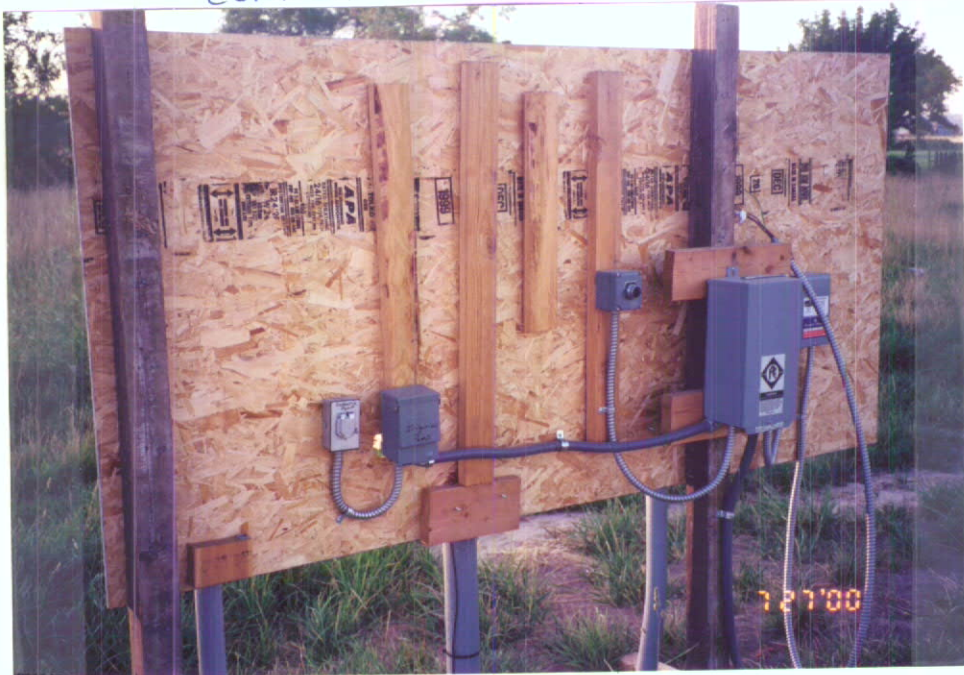
67-08034



Point of Diversion



Controls for the pumps



MICHAEL
MAR 20 2003

67-08034

Place of Use — Domestic



Surface water ditch



— looking west

Microfilm

NOV 20 2003

67-08034

Place of Use — Irrigation

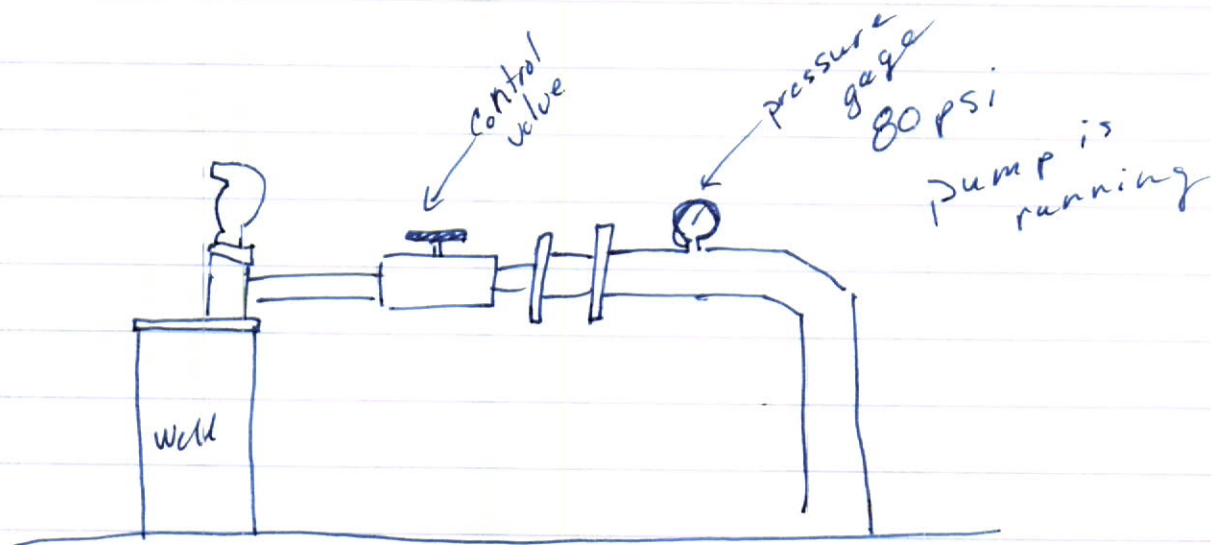


2002 2 2 10:10

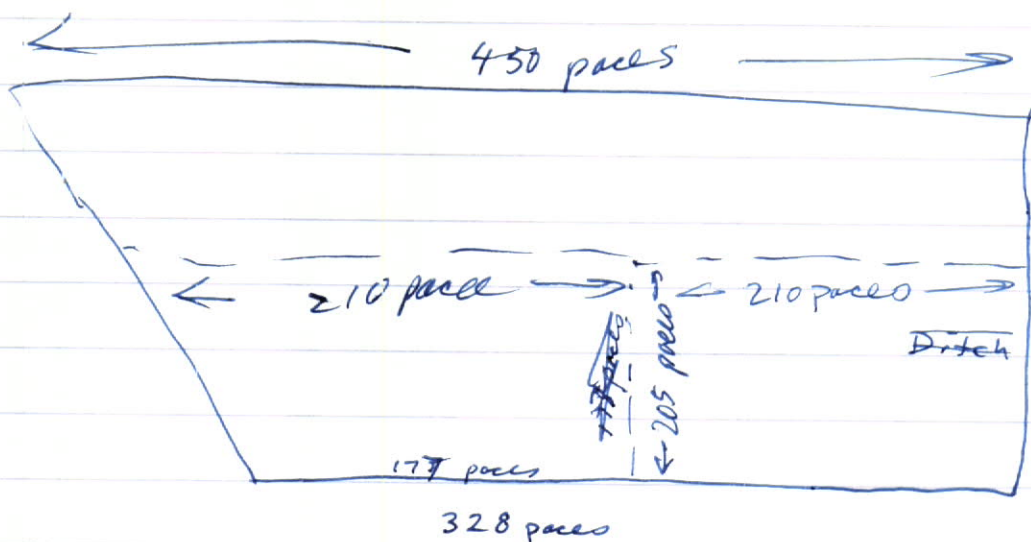
Field Notes

67-08034

7-27-00



Surface water is used for flood irrigation.



Pressure gage at nozzle is 65-70 psi

M.L.

4/20/2000

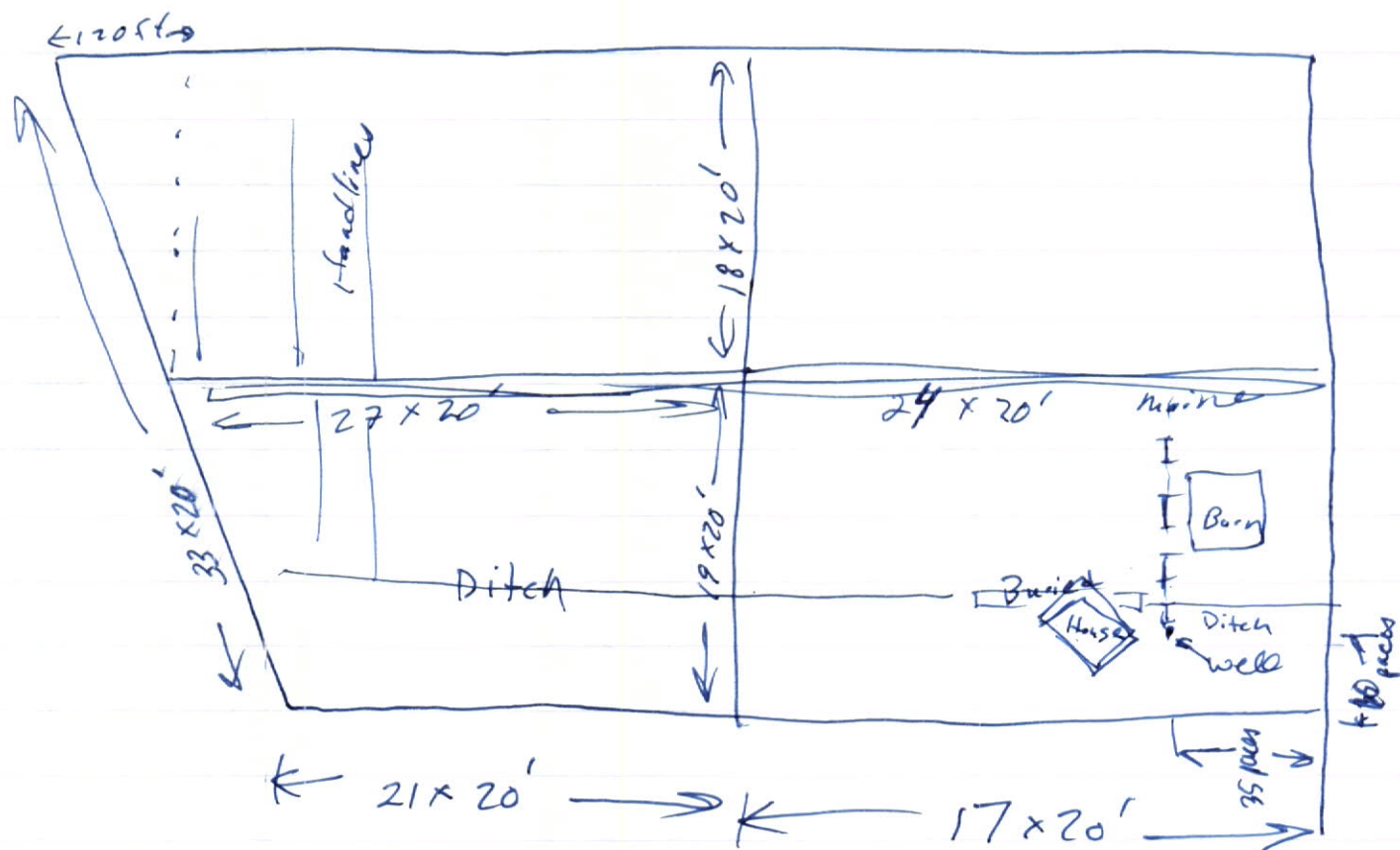
67-08034

Pump info Field Notes 67-08034
 Farm Commercial Irrigation Inc. 7-27-00
 Dick Cox
 Gilbert Ball 549-1907

4" ~~hand~~ mainlines 2.30 ft/s

3" handlines - 20 ft →

31 sprinklers running during exam



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Washington } ss.

Sarah Boles

, being duly sworn,
deposes and says:

That he/she is the Clerk of
THE WEISER SIGNAL AMERICAN, a bi-weekly newspaper
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 adver-
tisement, 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 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

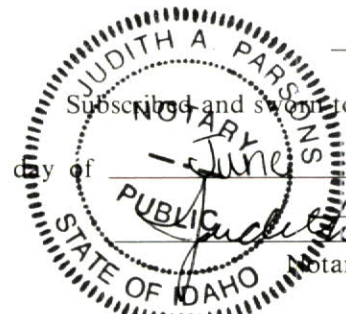
June 2

, 1999, and ending

with the issue of June 9, 1999.

Sarah Boles

Fees, \$ 88.16



Subscribed and sworn to before me this 9
day of June, 1999.

Judith A. Parsons
Notary Public, residing at Weiser, Idaho.

My commission expires 2, 1999.

No. 466
NOTICE OF APPLICATION
FOR WATER RIGHT

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

67-08034

PALMER, MARK E.
707 HAAS RD.
WEISER, ID 83672
Source: GROUNDWATER
Diversion Pt: SENE Sec 9 T 10N R 05W in WASH-
INGTON County.
Use: IRRIGATION (0.360 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.400 CFS)
Date Filed: 4/5/1999
In: WASHINGTON County
T10N R05W S09 SWNE SENE
18.0 ACRES TOTAL
Applicant agrees to mitigate consumptive use in
the future as needed.

Permits will be subject to all prior water rights.
Protests may be submitted based on the criteria of
Sec. 42-203A, Idaho Code. Any protest against
the approval of this application must be filed with
the Director, Dept. of Water Resources, Western
Region, 2735 Airport Way, Boise, Idaho 83705
together with a protest fee of \$25.00 for each
application on or before JUNE 21, 1999. The prot-
estant must also send a copy of the protest to the
applicant.

KARL J. DREHER, Director
Published: 6/3/1999 & 6/10/1999.

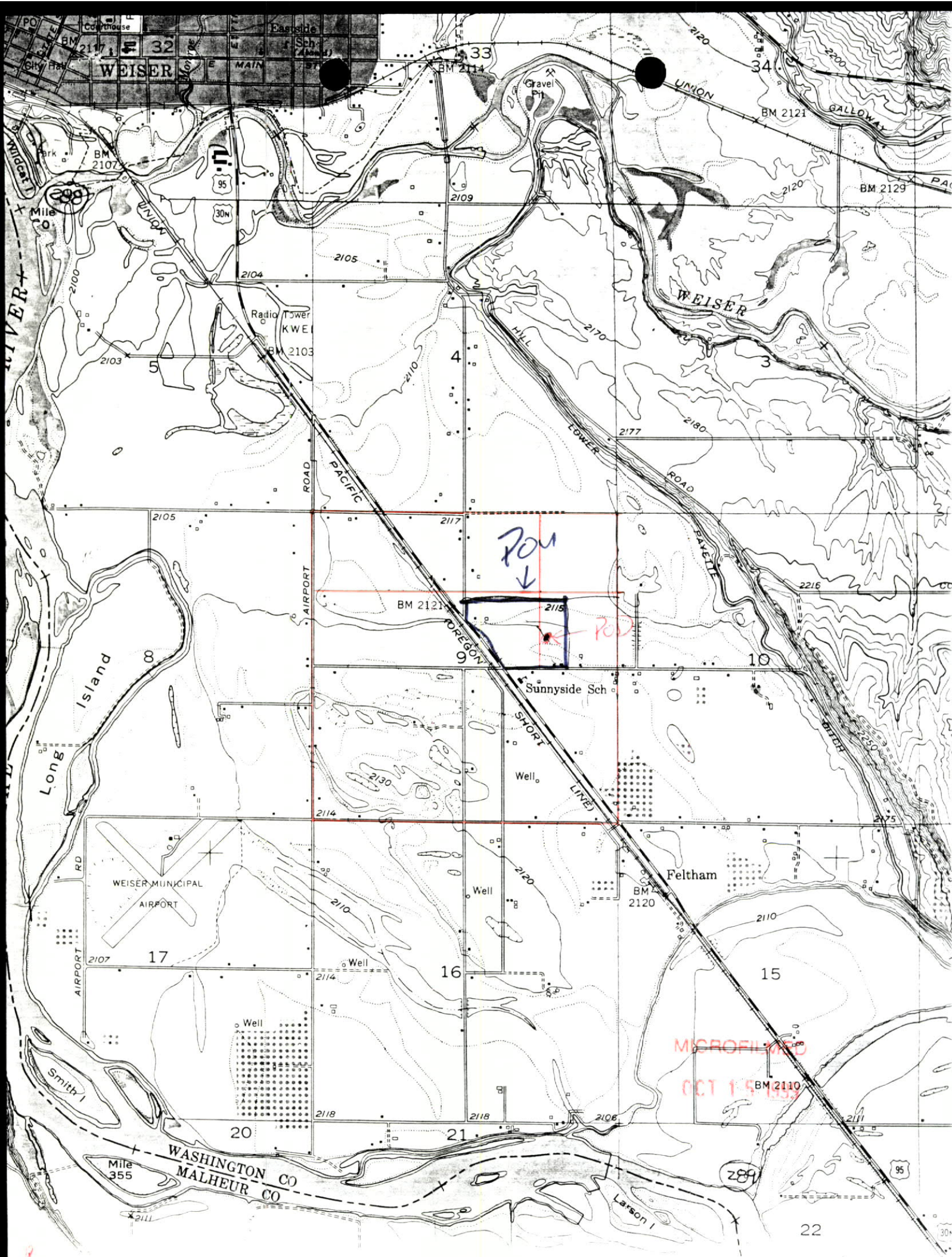
32-2S

RECEIVED

JUN 25 1999

MICROFILMED
WATER RESOURCES
WESTERN REGION

OCT 15 1999



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 67-08034

Priority: April 5, 1999

Maximum Diversion Rate: 0.40 CFS

It is hereby certified that MARK E PALMER
707 HAAS RD
WEISER ID 83672 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 5, 1999; and has
submitted Proof of Beneficial Use on June 21, 2000. An examination indicates that the works have a
diversion capacity of 0.4 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/01 to 11/15	0.36 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9, Twp 10N, 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	
10N	05W	9			15.0	3.0													18.0

Total Acres: 18

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	05W	9			X														

CONDITIONS OF APPROVAL

- Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
- The use of water for domestic purposes under this right shall be limited to 0.6 acre-feet per year.

MICROFILMED

APR 11 1999

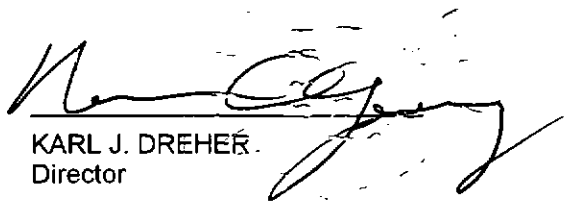
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 67-08034

3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 81 af at the field headgate for the lands above.
7. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
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.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 31st day of January, 2003.

Acting for 
KARL J. DREHER
Director

MICHAEL
JAN 24 2003

RECEIVED

JUN 21 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 67-08034 Telephone No. 208 549-8007

2. Name of Permit Holder(s): MARK E PALMER

3. Mailing Address: 707 HAAS Rd

City WEISER State ID Zip 83672

4. Source of Water: WELL IF GROUNDWATER (well), Date Drilled: mo. / yr. 99

a. Well Driller: Driscoll Drilling Permit Number: 67-99-W-0053-000

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): Horses (20)

Irrigation (No. of acres): 20 Other:

6. Total rate of diversion and/or volume for which proof is submitted: .04 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes or No ✓

Has the measuring device been installed?

Yes or No ✓

8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: MARK PALMER Telephone Number: 208 549-8007

Address: 707 HAAS Rd WEISER ID

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Mark E Palmer Date: 6-18-2000
(include your title, if on behalf of company or organization)

MICROFILMED

JUN 24 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSE EXAMINATION FEE SCHEDULE

(C.F.S. = cubic feet per second AF = acre feet)

<u>CFS</u>	<u>AF</u>	<u>FEE</u>
0 - 0.20	0 - 20	\$50.00*
.21 - 1.00	21 - 100	100.00
1.01 - 2.00	101 - 200	125.00
2.01 - 3.00	201 - 300	150.00
3.01 - 4.00	301 - 400	175.00
4.01 - 5.00	401 - 500	200.00
5.01 - 6.00	501 - 600	225.00
6.01 - 7.00	601 - 700	250.00
7.01 - 8.00	701 - 800	275.00
8.01 - 9.00	801 - 900	300.00
9.01 - 10.00	901 - 1000	325.00
10.01 - 11.00	1001 - 1100	350.00
11.01 - 12.00	1101 - 1200	375.00
12.01 - 13.00	1201 - 1300	400.00
13.01 - 14.00	1301 - 1400	425.00
14.01 - 15.00	1401 - 1500	450.00
15.01 - 16.00	1501 - 1600	475.00
16.01 - 17.00	1601 - 1700	500.00
17.01 - 18.00	1701 - 1800	525.00
18.01 - 19.00	1801 - 1900	550.00
19.01 - 20.00	1901 - 2000	575.00
20.01 - over	2001 - over	600.00

*Checks should be made payable to the
Idaho Department of Water Resources (IDWR.)

A license examination fee is not required in connection with
permits which use a ground water source AND have a total rate of
diversion of 0.04 cfs or less or where the total volume stored is 4.0 AF per annum or less.

A license exam fee is required for ANY permit which uses surface water

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 67-08034

Proposed Priority: April 5, 1999

Maximum Diversion Rate:

0.40 CFS

This is to certify, that **MARK E PALMER**
707 HAAS RD
WEISER ID 83672

has applied for a permit to appropriate water from: **GROUNDWATER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.36 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 9, Township 10N, Range 05W
WASHINGTON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10N	05W	9	SWNE 14.0	SENE 4.0		18.0

Total number of acres irrigated: 18.0

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
10N	05W	9

SWNE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 2000**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. This right shall not be used for irrigation purposes if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

MICROFILMED

2001 11 14

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 67-08034

CONDITIONS OF APPROVAL AND REMARKS

6. 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.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
9. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

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

23rd day of July, 1999.

Karl J. Dreher
for Karl J. Dreher, Director

MICROFILMED

OCT 15 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUL 15 1999

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant MARK E. PALMER Phone 208-549-8007
Mailing address 707 HAAS RD WEISER ID 83672
2. Source of water supply GROUND WATER which is a tributary of _____ *
3. Location of point of diversion is Township 10N Range 5W Sec. 9 in the NE 1/4, SW ^{SE} 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 <u>.36</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>.04</u> for <u>Domestic</u> | purposes from <u>1/1</u> to <u>12/31</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) .40 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
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is 12 inches; proposed depth of well is 50 FT feet *
- d. Is ground water with a temperature of greater than 85°F being sought? N *
- e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 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. 15 Horses
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 Home
- e. Other; describe fully. _____

MICROFILMED

OCT 15 1999

* see memo dated 5-26-99.

DAN 5-26-99

9. 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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	5W	9			18	*													
					14	4													18 *
10N	5W	9			0														

Total number of acres to be irrigated 18

10. Describe any other water rights used for the same purposes as described above. 20 Shares Payette *
Dirch Co. Water

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

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

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: APPLICANT AGREES TO ~~MITIGATE~~ MITIGATE CONSUMPTIVE
USE IN FUTURE AS NEEDED. DAN 5-26-99.

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.

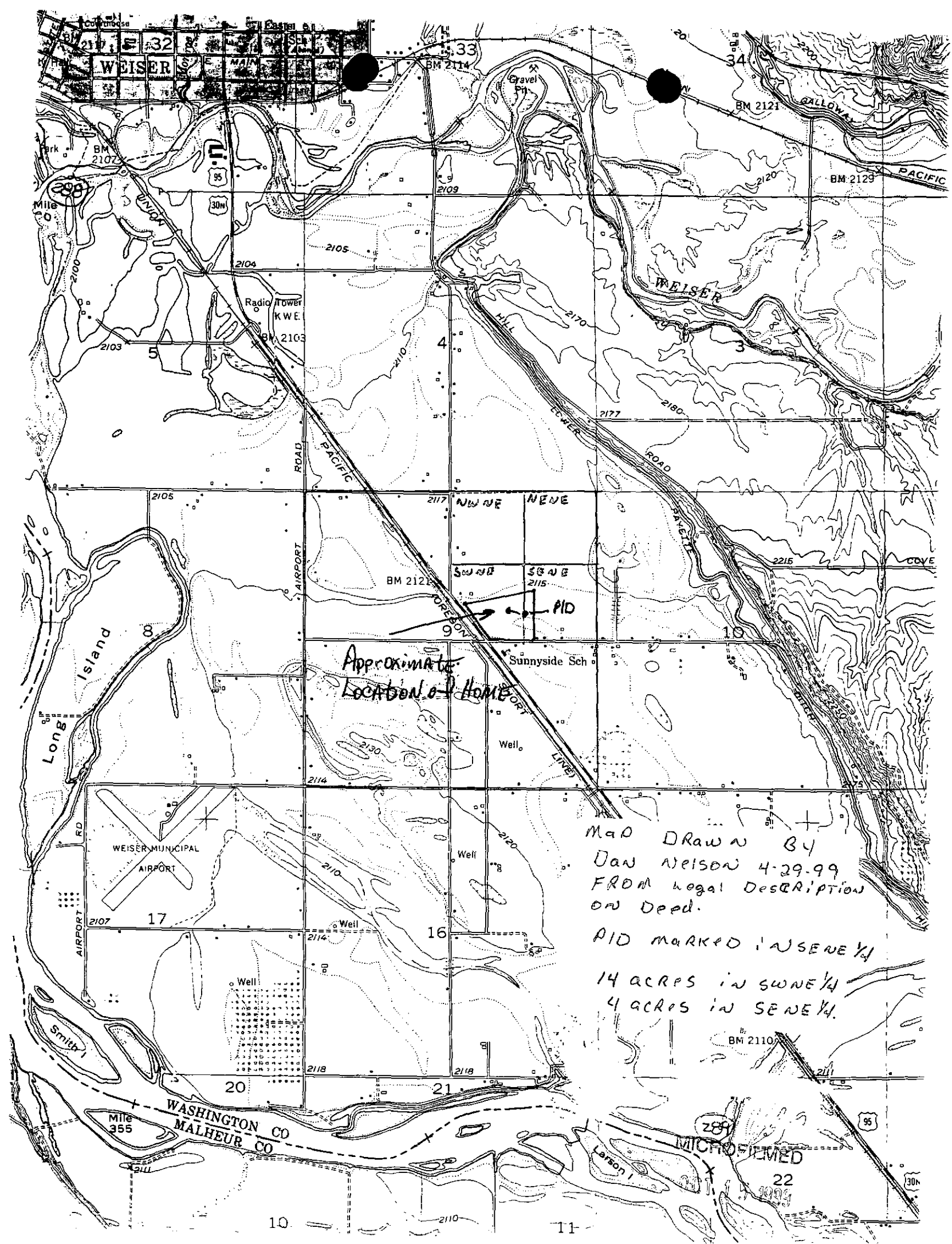
MICROFILMED

OCT 15 1999

Mark E Palmer
Signature of Applicant (and title, if applicable)

Received by SUH Date 4-5-99 Time 11:00 am Preliminary check by DAN
Fee \$ 100- Received by DS # W024982 Date 4-5-99
Publication prepared by AT Date 5-26-99 Published in WEISER SIGNAL 6-30-99
Publication approved AT Date 6-30-99

* See memo Date 5-26-99
DAN



Department of Water Resources

Kate Lynne
2.14.03

Mr Palmer Called w/ new address.
Mail sent to:
1454 Sunnyside Rd, Weiser 83672
w/ address change form.
Kari Lynn
2.14.03

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900

TO

MARK E. WEISER
707 HAASTADT
WEISER ID 83720-0098

NOT POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

4/11/98



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 3, 2003

MARK E PALMER
707 HAAS RD
WEISER ID 83672

RE: License No. 67-8034 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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.

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

FEB 26 2003

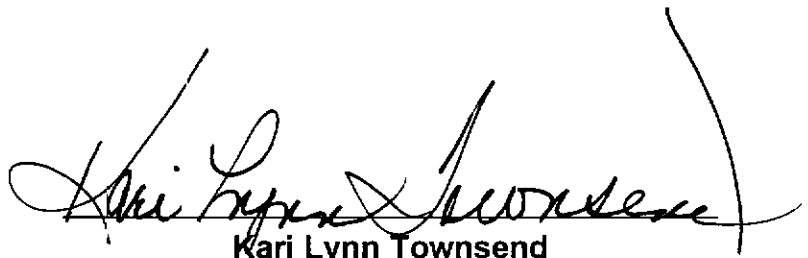
CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

67-8034

MARK E PALMER
707 HAAS RD
WEISER ID 83672



Kari Lynn Townsend
Secretary

RECEIVED

FEB 10 2003

**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).

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.

MICROFILMED
MAR 24 1983

MEMORANDUM

Date: January 31, 2003
To: Water Right File 67-8034
From: S. I. Keen *SWK*
Re: Licensing Review

Licensing review and data entry by S. Keen on 1/31/2003

OVERLAPPING RIGHTS

Other than the surface water from Payette Ditch Co., there are no overlapping water right. Right 67-7104 was established on land to the east of the land irrigated under this right.

MICRO

FEB 2 6 2003

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED SHEET.

X Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

X Aerial Photo Attached (required for irrigation of 10+ acres).

X Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Irrigation	Unknown	10	Unknown	Berkeley	3-inch discharge
Domestic	Unknown	1	Unknown	Sta-Rite	Unknown

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calibration Date
N/A						

2. Measurements: None. It was not possible to measure the flow rate.

MICRO
10/10/11 2:44

E. NARRATIVE/REMARKS/COMMENTS

The point of diversion is located in the SENE of Section 9, Township 10N, Range 05W. The place of use is the SENE and SWNE of Section 9, Township 10N, Range 05W. The domestic use is for the home located in the SWNE. Eighteen acres are irrigated. I verified the number of acres irrigated in each quarter quarter with a planimeter.

There is one well with two pumps. There is a 1-hp pump for the house and a 10-hp pump for irrigation. The pumps were installed by Farm Commercial Irrigation Incorporated. The attached pump curves were provided Farm Commercial Irrigation Incorporated located in Weiser, Idaho.

There is a 4-inch irrigation mainline and 3-inch hand lines. The pressure at the nozzles of the sprinklers was approximately 65-70 psi. Mr. Palmer runs 31-32 sprinklers at a time. Each sprinkler has a discharge rate of about 5 gpm. This gives a diversion rate of approximately 160 gpm (0.36 cfs).

Surface water from the Lower Payette Ditch Company is used for flood irrigation when it is available. Mr. Palmer obtained a water right permit because he was not getting very much surface water. He said that a culvert under the road had been clogged. A crew replacing the culvert found a 5-gallon bucket stuck in the culvert.

The use of surface water has been interrupted due to construction of a home on the property. The ditch will need to be rerouted in order to use surface water in the future.

I recommend allowing a diversion rate of 0.40 cfs with an annual diversion of 64.2 AF. This is the combined diversion rate and volume for domestic and irrigation uses.

See the attached system diagram for more information.

MICHAEL

APR 11 2008

Have the conditions of permit approval been met? X YES NO

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measurement Method:

Pump Curve – Irrigation

160 gpm = 0.36 cfs

Theoretical – Domestic

Assume a pressure of 40 psi.

$[8.8 \times 1\text{-hp} \times 0.70] / [40 \text{ ft} + 2.31 \times 40 \text{ psi}] = 0.047 \text{ cfs}$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 18 \times 3.5 = 63.0 \text{ AF}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.36 \times 246 \times 1.9835 = 175.7 \text{ AF}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 63.0 \text{ AF}$

2. Volume Calculations for Other Uses: Domestic

Allow 1.2 AFA for a single family home.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (AFA)
	From	To		
Domestic	01/01	12/31	0.04	1.2
Irrigation	03/15	11/15	0.36	63.0
Totals:			0.40 cfs	64.2 AFA

2. Recommended Amendments

_____ Change P.D. as reflected above _____ Add P.D. as reflected above X None

_____ Change P.U. as reflected above _____ Add P.U. as reflected above _____ Other

I. AUTHENTICATION

Richard D. Hansen – Field Examiner

Field Examiner's Name Richard D. Hansen Date: 8/2/2000

Reviewer _____ Date: _____

seal

APPROVED
8/2/2000

Farm Commercial Irrigation 431 East 1st Street,
Inc., dba FCI

P.O. Box 471, Weiser, ID 83672

FAX

Date: 08/01/00

Number of pages including cover sheet: _____

To:

RICH HANSEN
IDWR

Phone:

Fax phone: 334-2348

CC:

From:

GILBERT BALL

Phone: (208) 549-1907

Fax phone: (208) 549-2264

REMARKS:



Urgent



For your review



Reply ASAP



Please comment

RE PUMP CURVE - MARK PALMER

MICAS

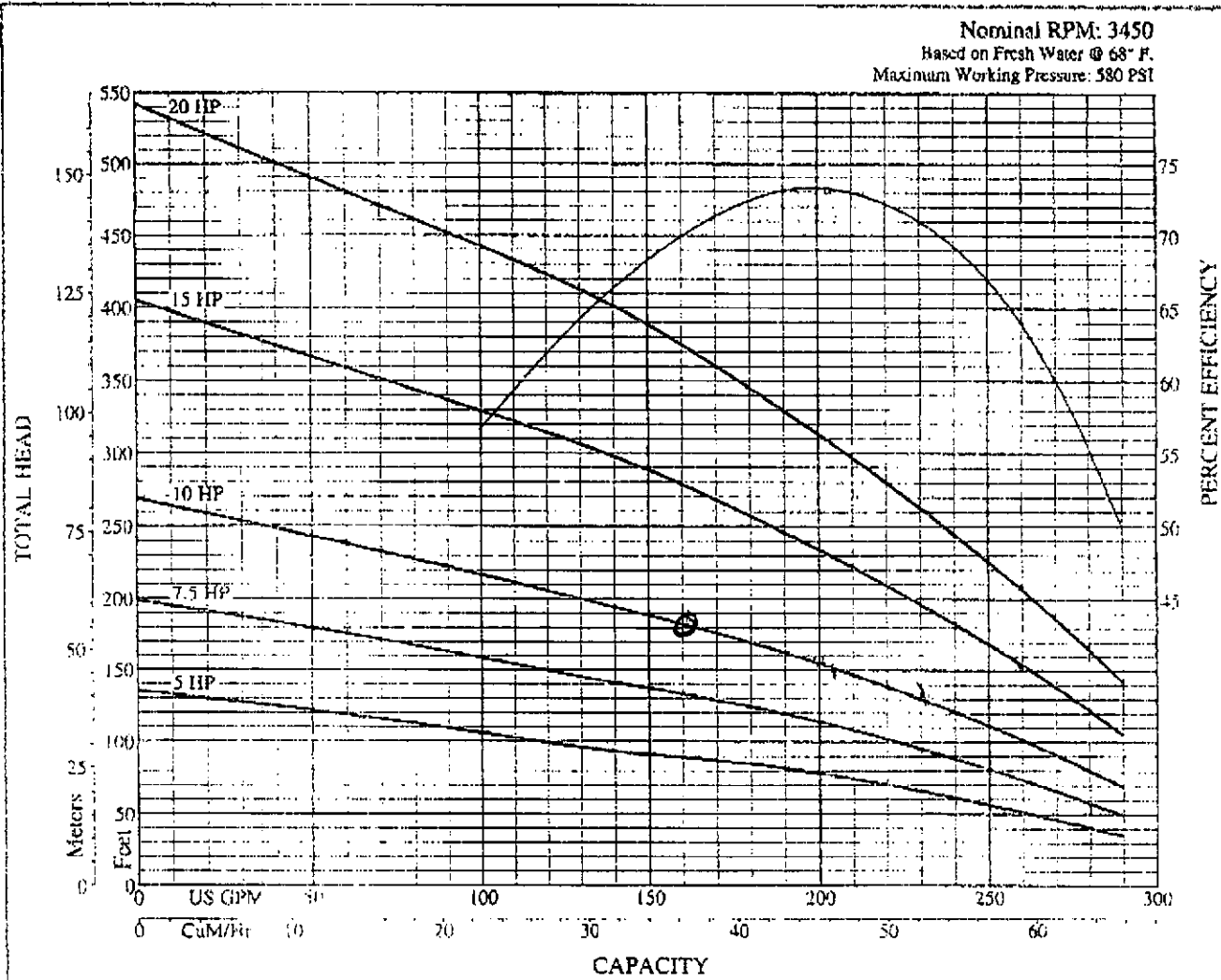
SEP 1 11 21 AM

67-08034

BERKELEY

SUBMERSIBLE
TURBINE

6T-200



OUTLINE DIMENSIONS / WEIGHTS

HP	stages	Motor size	P length	M* length	MD* dia.	Mtr. wt.	Pump wt.
5	2	6"	23.98	25.44	5.38	105	76
7.5	3	6"	28.98	28.00	5.38	120	95
10	4	6"	33.98	30.56	5.38	135	115
15	6	6"	43.98	33.13	5.38	146	154
20	8	6"	53.98	30.56	5.38	135	193

Note: dimensions = inches; weight = U.S. lbs.

M* Maximum length (Franklin Electric Motor)

MD* Motor diameter (Franklin Electric Motor)

SPECIFICATIONS

Minimum Well I.D.	6.0 Inches
Minimum Submergence @ BEP (above inlet)	10.0 Feet
Capacity Range	95 - 290 GPM
Discharge	3" F NPT
See manufacturer's data for motor cooling requirements	

SUPERSEDES

All Previous

Date 04/15/96

Section **ST**

Page 13.01

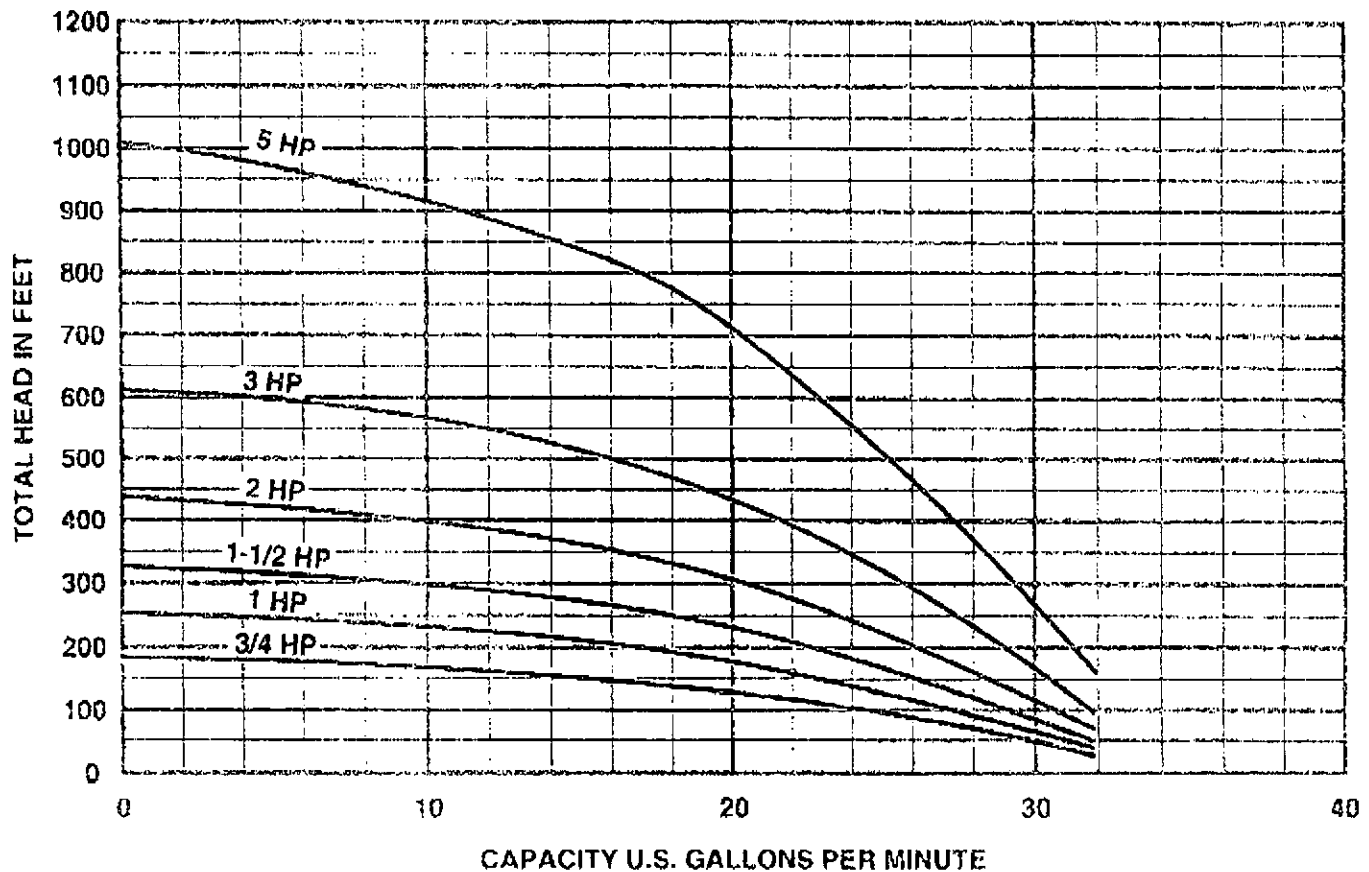
MICHAEL

67-08034

10, 15, 20 and 30 GPM 4" Submersible Pumps

Pump Performance

20 GPM



Tested and rated in accordance with Water Systems Council standards.

NOTE: Pumps installed with a CON-AIRE™ tank require a 100 PSI relief valve. Pumps installed with a conventional tank require a 75 PSI relief valve. Relief valve must be capable of relieving entire flow of pump at relief pressure.



AMCONE

67-08034

STA-RITE. Built On Commitment.

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: 67-99-W-0053-000 OTHER APPLICABLE NO: 67-08034
2. OWNER: Mark Palmer Phone: (208) 549-8007
Address: 707 Haas Rd. Weiser, ID 83672
3. WELL LOCATION: Twp 10 N, Rge. 05 W, Sec. 9, SE 1/4 NE 1/4
County Washington (Provide sketch map and photo on reverse.)
4. DRILLER: Driscoll Well Drilling Lic. No. _____
When Drilled? 1999
5. WELL CONSTRUCTION:
Casing Diameter 10 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing 39 ft. Method Drilled Cable
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☐ Yes ☐ No
Condition of Piping and Valving Good
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☒ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water 8 ft. Water Temperature cold °F
Flowing Artesian ☐ Yes ☒ No Pressure: 80 (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☒ Domestic ☒ Irrigation ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: _____

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chernigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS: _____

Richard D. Hansen — Field Examiner
Signature of Dept. Representative & Title

7-27-00
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

Handwritten notes:
...
...
...

IDAHO D.L. ARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
 Inspected by _____
 Twp _____ Rge _____ Sec _____
 _____ 1/4 _____ 1/4 _____ 1/4
 Lat : : Long: : :

1. WELL TAG NO. D 0009860
 DRILLING PERMIT NO. 67-99-W-0053-000
 Other IDWR No. 67-08034

2. OWNER:
Name Mark Palmer
Address 707 Haas Rd.
City Weiser State ID Zip 83672

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location.


 Twp. 10 North ☐ or South ☐
 Rge. 5 East ☐ or West ☒
 Sec. 9 $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$
 Gov't Lot 10 acres County Washington $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$
 Lat. : : : Long. : : :

Address of Well Site Corner of
Sunnyside Rd. & Hwy 95 City Weiser

Li. _____ Bld. _____ Sub. _____ Name _____

4. USE:

☐ Domestic	☐ Municipal	☐ Monitor	☒ Irrigation
☐ Thermal	☐ Injection	☐ Other _____	

5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD
☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEALED/PUTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
bentonite	0	18	450lb	overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 39"
Was drive shoe seal tested? ☐ Y ☒ N How?

8. CASING/LINER:

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
10	+1	39	.25	steel	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe	Length of Tailpipe
--------------------	--------------------

9. PERFORATIONS/SCREENS
Perforations Yes Method machine cut

Screens _____ Screen Type _____

From	To	Steel Size	Number	Diameter	Material	Casing	Liner
26'	36'	.125	168	10"	steel	X	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

8 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices: removeable cap

11. WELL TESTS:

☐ Pump ☐ Baller ☒ Air ☐ Flowing Artesian

Yield gal/min.	Drawdown	Pumping Level	Time
200gpm	9'	40'	2hr

Water Temp. 56deg Bottom hole temp. 56

Water Quality test or comments: _____

Depth first Water Encounter 8'

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
12	0	8	soil		n
	8	18	gravel	y	
10	18	37	gravel	y	
	37	40	blue clay		n

RECEIVED RECEIVED

AUG 12 1999 AUG 10 1999

Department of Water Resources WATER RESOURCES
WESTERN REGION

Completed	Depth	40'	(Measurable)
Date: Started	7/12/99	Completed	7/21/99

13. DRILLER'S CERTIFICATION

1/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Driscoll Well Drilling Erm No. 524

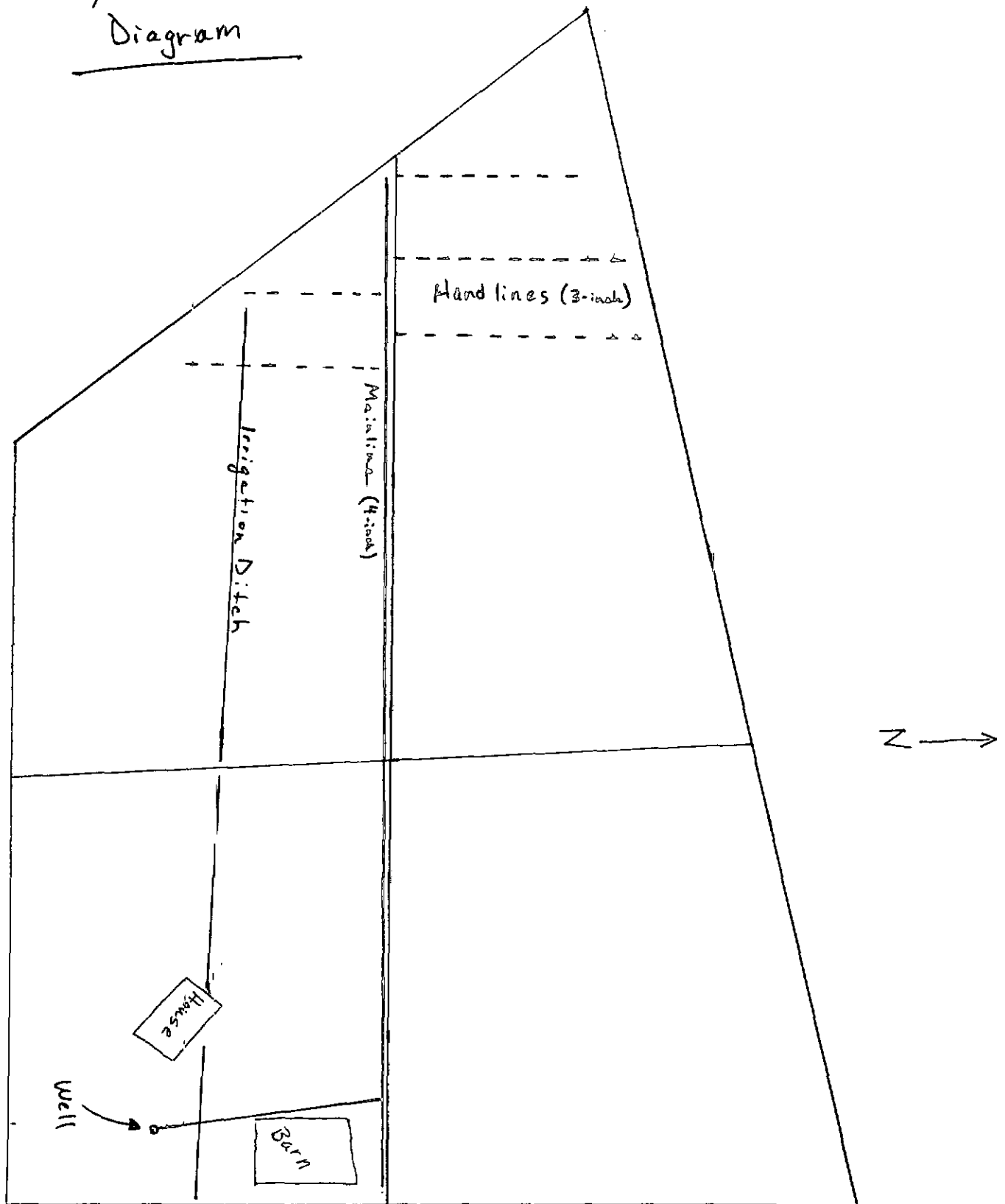
Firm Official [Signature] Date 1/21/97
and
Driver or Operator _____ Date _____

(Sign once if Firm Official & Designer)

FORWARD WHITE COPY TO WATER RESOURCES

67-08034

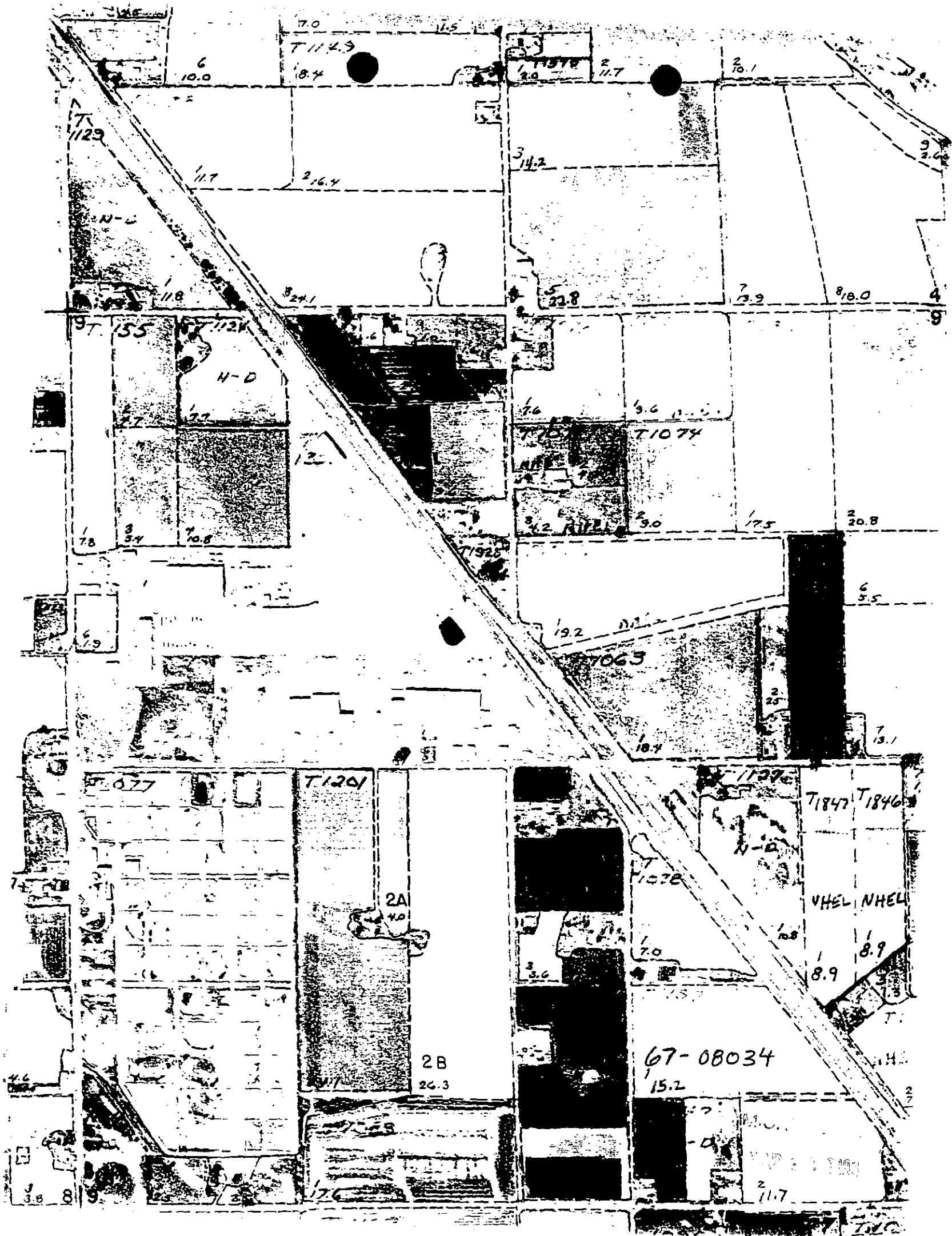
System
Diagram



Drawn by [illegible]

APR 23 2008

67-08034



67-08034

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26.3

2A

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T1846

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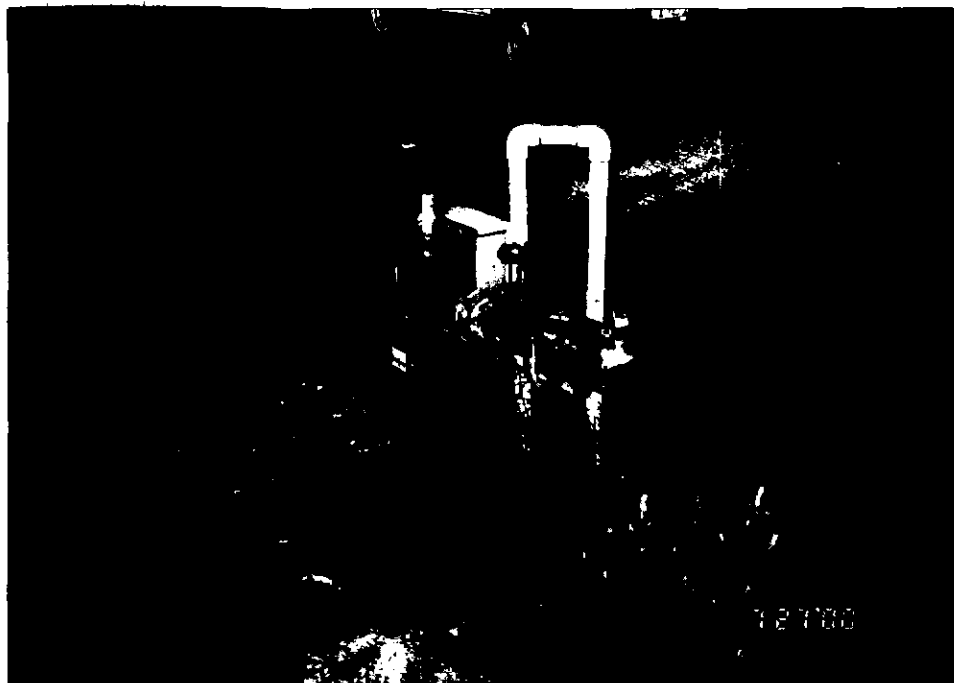
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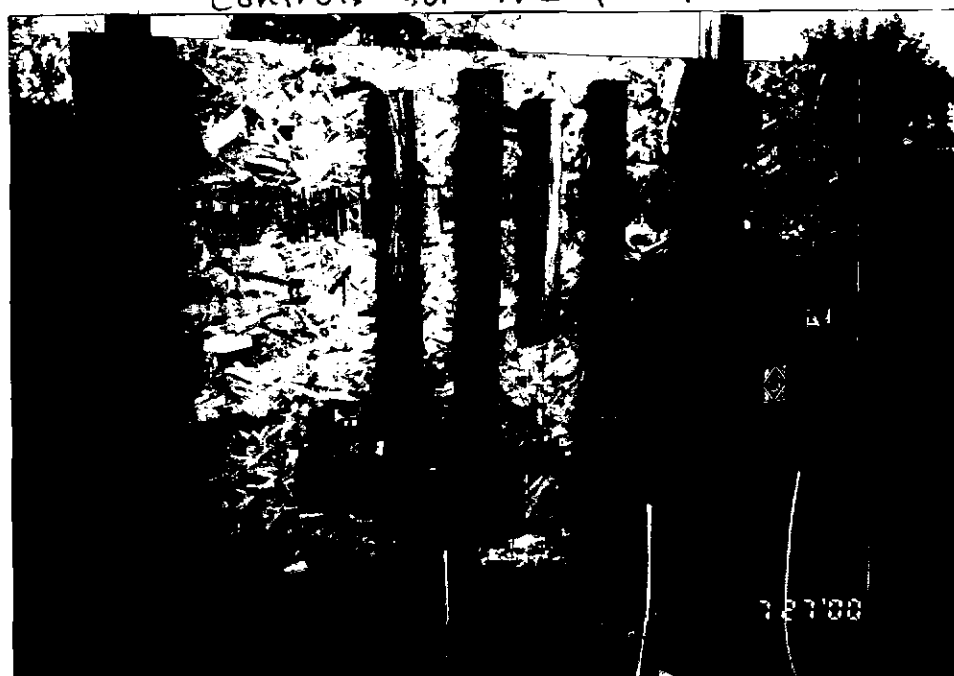
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Point of Diversion



Controls for the pumps



McDonnell

72700

67-08034

Place of Use — Domestic



Surface water ditch



— looking west

10/10/67

10/10/67

67-08034

Place of Use — Irrigation

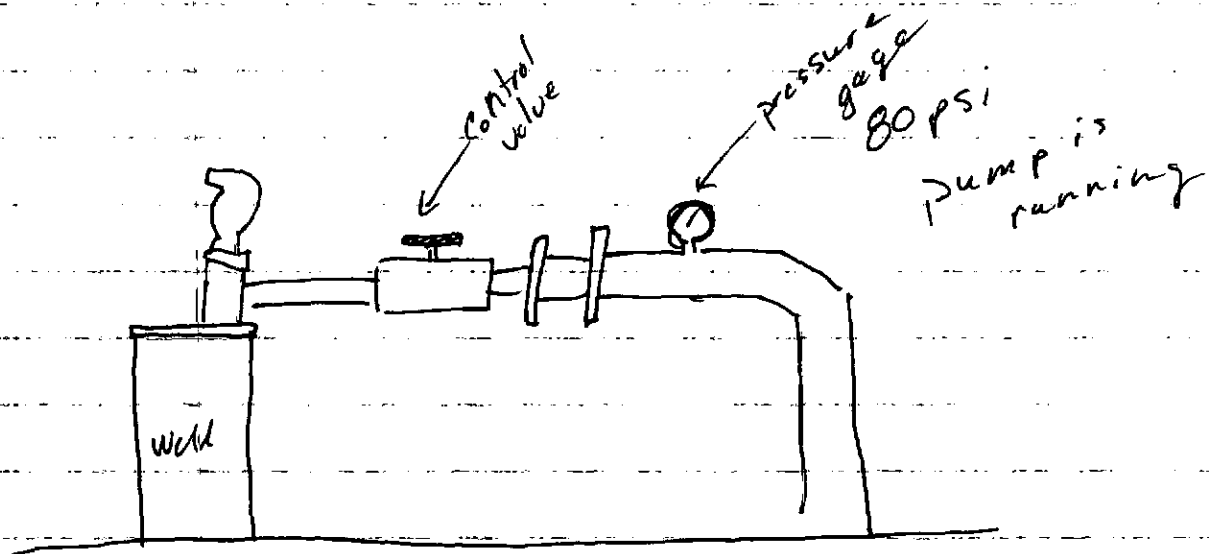


67-08034

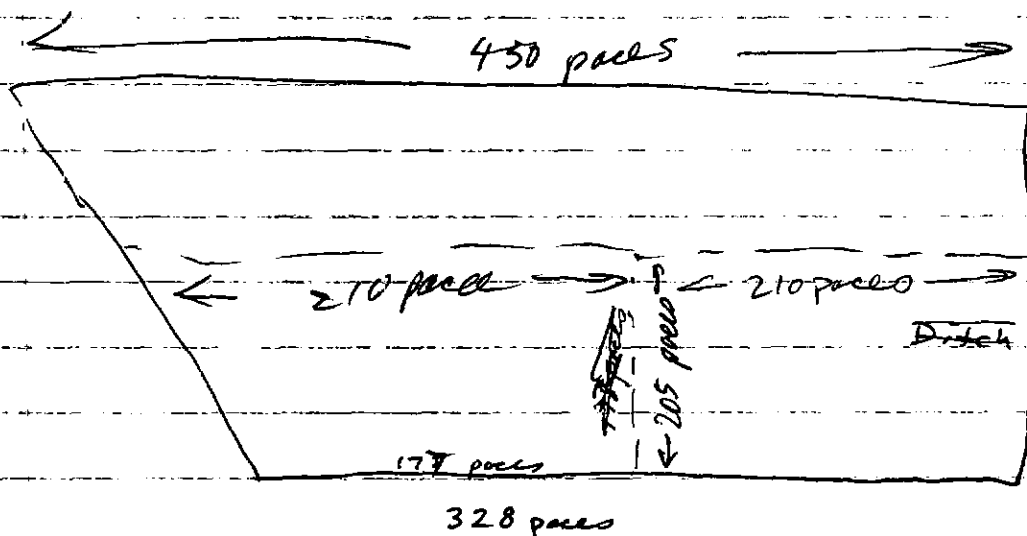
Field Notes

67-08034

7-27-00



Surface water is used for
flood irrigation.

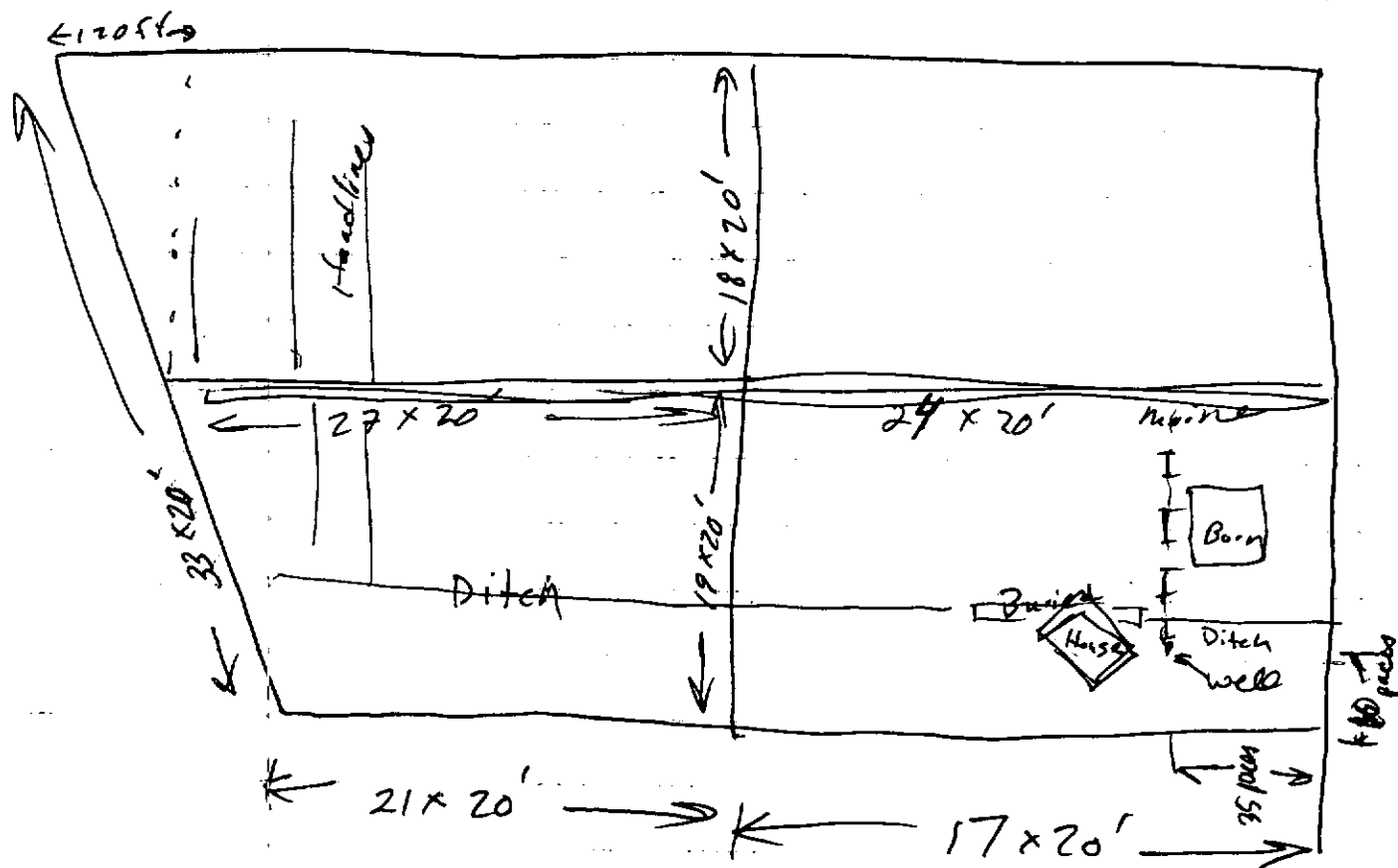


Pressure gage at nozzle is 65-70 psi

67-08034

Pump info Field Notes 67-08034
 Farm Commercial Irrigation Inc. 7-27-00
 Dick Cox
 Gilbert Bell 549-1907

4" ~~hand~~ mainlines 2.30 fts
 3" handlines - 20 ft →
 31 sprinklers running during exam



4-inch mainline

67-08034



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK E PALMER
707 HAAS RD
WEISER ID 83672

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 67-08034

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the Western Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

A handwritten signature in cursive script that reads 'Deborah Drew-Ellis'.

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

AUG 24 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 67-08034 Reviewed by D. Ellis Date 6/21/00

GENERAL CONSIDERATIONS

Yes Name same as permit?
Yes Address same as permit?
Yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Domestic, Stockwater
& Irrigation of 20 acres
Correct Uses? Yes

SOURCE OF WATER

No Surface water source
Yes Ground water source
Yes Drilling permit required?
No Copy in the file? Drilling Permit No. 67-99-W-0053-000
Amount paid for permit _____ Correct?
No Well log in the file?

LICENSE EXAMINATION FEE

Yes Required?
\$100 Amount Submitted
Yes Correct?

MEASURING DEVICE

No Required?
No Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>6/21/00</u>	
Date proof due	<u>8/1/00</u>	-
No. of days late		=
Priority Date		+
New Priority Date		

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address _____ Proof Made 6/21/00

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

Date:
Time: 5/21/2000
JUL 1 2000

Received

From: PALMER MARK E DR ELLEN E

Type of Payment

Program A cct

Amount

PROOF OF BENEFICIAL USE 57-08004

56104

329 21 1130

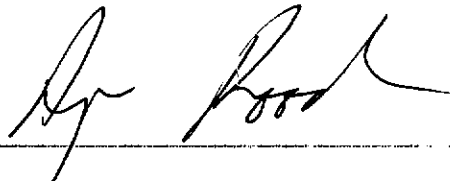
1111.11

Total

CHECK

497

Region: STATE

Signature: 

MICROFILMED

AUG 7 2000

May 31, 2000

MARK E PALMER
707 HAAS RD
WEISER ID 83672

PROOF DUE NOTICE

RE: PERMIT NO. 67-08034

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 2000.

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

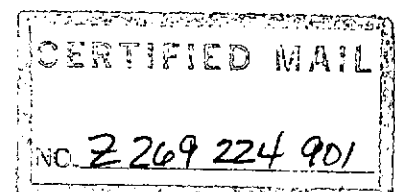
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures



MICROFILMED

AUG 24 2000

IDaho DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat: : : : : : : :
Long: : : : : : : :

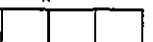
1. WELL TAG NO. D 0009860
 DRILLING PERMIT NO. 67-99-W-0053-000
 Other IDWR No. 67-08034

2. OWNER:

Name Mark Palmer
Address 707 Haas Rd.
City Weiser State ID Zip 83672

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



Twp. 10 North ☒ or South ☐
 Rge. 5 East ☐ or West ☒
 Sec. 9 1/4 SE 1/4 NE 1/4
10 acres 40 acres 160 acres
 Gov't Lot _____ County Washington
 Lat: _____ Long: _____

Address of Well Site Corner of
Sunnyside Rd. & Hwy 95 City Weiser
(Give at least name of road & distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
bentonite	0	18	450lb	overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 39'

Was drive shoe seal tested? ☐ Y ☒ N How?

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
10	+1	39	.25	steel	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations Yes Method machine cut

Screens	Screen Type
---------	-------------

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
26'	36'	.125	168	10"	steel	☒	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

8	ft. below ground	Artesian pressure	lb.
---	------------------	-------------------	-----

Depth flow encountered _____ ft. Describe access port or control devices: removeable cap

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
200gpm	9'	40'	2hr

Water Temp. 56deg Bottom hole temp. 56

Water Quality test or comments: _____

Depth first Water Encounter 8'

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

[illegible]

Completed Depth 40' (Measurable)
Date: Started 7/12/99 Completed 7/21/99

13. DRILLER'S CERTIFICATION

1/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Driscoll Well Drilling Firm No. 524

Firm Official [Signature] Date 7/26/99 MICROFILMED

Driller or Operator _____ Date _____
(Sign once if Firm Official & Operator)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 23, 1999

MARK E PALMER
707 HAAS RD
WEISER ID 83672

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 67-08034

Dear Permit Holder:

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

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

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

FILED
OCT 15 1999

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

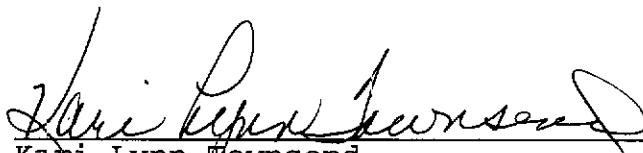
MICROFILMED
OCT 15 1992

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of July, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 67-08034

MARK E PALMER
707 HAAS RD
WEISER ID 83672


Kari Lynn Townsend
Secretary

MICROFILMED

OCT 15 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

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

MICROFILMED
OCT 15 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

No.: 67-08034 Name: Palmer Date: 7/20/99 Ad OK? ☒ Gvmt Lts: by G. Curtis

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W/19 (Order)

SYSTEM COMPLETED:

- > 1 year - 28A-P17
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 043-P23
- In Basin 34? - 085
- Irr. within WVD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067
- ≤ 0.24 cfs/5 acres - No MD

WMD

- Supp. irr. use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr. source)
- Supp. irr. + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

- FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____
- IN/ABOVE MSF (✓ MAP) - *W/B9
- IN-STREAM DEVELOPMENT - P62 (stream channel alteration)
- WD (✓ MAP & LISTING) - R04 (WD # _____)
- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)
- WMD (✓ MAP)
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD
- SPRINGS/SINK, INACTIVE WD & REST OF STATE
- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

- Snake R (01) - *W/22 -P04, NA
- (02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
- Payette R(65) - *W/22 (regulated uses), 047-P04 (Payette Lake), NA
- Salmon R (70's) - 029 (fish screens), NA
- Weiser R (67) - 086, 087

USE:

- STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam); NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req)-081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
- HEATING/COOLING - R07 (injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070

FIRE PROTECTION

- 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 120
- 42-248 AREA - P24 (in 20/30/40/50/60/70/80 (BZ) basin)
- SWAN FALLS FLAG (✓ Code) -

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

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

-

STANDARD REMARKS:

- w/11

BENEFICIAL USE DUE:

- 8/11/2000

COMMENTS:

-

JUL 15 1999

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: DAN DATE: 4-29-99 APPLICATION: 67-08034

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Gov't. Lots:
NO P/D
NO P/U

ADDITIONAL INFORMATION

YES ADVERTISE REMARK(S)
(Reviewer identify which remarks)

 T FLAG CHANGED TO P FLAG

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.) canal company water.
- ☒ Overlapping point of diversion. no significant overlap.
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium:
- ☒ Surface water source, IDFG letter needed.
- ☒ Bull trout impact area, IDFG letter needed
- ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ Mitigation plan: Check any that apply.
 immediate = acceptable plan required and submitted.
☒ future = open areas, acceptance of condition of approval is in file.
- ☒ Send power requirement letter &/or fish farm requirement letter.
- ☒ Power residency affidavit:
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

see LETTER DATED 4-29-99

Date Requested 4-29-99

Date Received 5-26-99

PROCESSING

APP. NO. 67-08034

YES NO

☒ ☐ In form for advertising:
☐ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. # _____
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:

☐ ☒ Final date for protest 6-21-99

☐ ☒ Protests received.

☐ ☒ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Water delivered by water master? District # _____

☒ ☐ Special conditions of approval or cover letter: 046, 120, 065

See below for additional information

Recommended Date of Priority 4/5/99Recommended by: Kang Date: 7/13/99

ADDITIONAL INFORMATION:

The ONLY significant overlapping water

Right are Payette Ditch Co. Rights

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Washington }ss.

Sarah Boles

, being duly sworn,
deposes and says:

That he/she is the Clerk of
THE WEISER SIGNAL AMERICAN, a bi-weekly newspaper
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 adver-
tisement, 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 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

June 2

, 1999, and ending

with the issue of June 9, 1999.

Sarah Boles

Fees, \$ 88.16

Subscribed and sworn to before me this 9
day of June, 1999.
Judith A. Parsons
Notary Public, residing at Weiser, Idaho.

My commission expires 2, 02.

No. 466 NOTICE OF APPLICATION FOR WATER RIGHT

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

67-08034

PALMER, MARK E.
707 HAAS RD.
WEISER, ID 83672
Source: GROUNDWATER
Diversion Pt: SENE Sec 9 T 10N R 05W in WASH-
INGTON County.
Use: IRRIGATION (0.360 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.400 CFS)
Date Filed: 4/5/1999
In: WASHINGTON County
T10N R05W S09 SWNE SENE
18.0 ACRES TOTAL
Applicant agrees to mitigate consumptive use in
the future as needed.

Permits will be subject to all prior water rights.
Protests may be submitted based on the criteria of
Sec. 42-203A, Idaho Code. Any protest against
the approval of this application must be filed with
the Director, Dept. of Water Resources, Western
Region, 2735 Airport Way, Boise, Idaho 83705
together with a protest fee of \$25.00 for each
application on or before JUNE 21, 1999. The prot-
estant must also send a copy of the protest to the
applicant.

KARL J. DREHER, Director
Published: 6/3/1999 & 6/10/1999.

32-2S

RECEIVED

JUN 25 1999

MICROFILMED
WATER RESOURCES
WESTERN REGION

JUN 25 1999

MEMORANDUM

TO: FILE

FROM: DANIEL A. NELSON

DATE: 5/26/1999

SUBJECT: CHANGE TO APPLICATION FOR PERMIT FOR MARK PALMER

This memo deals with the changes to the Mark E. Palmer application for permit. The following is a section by section description of the changes by section number:

2.) **SOURCE** - The source for this application is groundwater per conversation with applicant on 5/25/1999 (see telephone conversation memo)

3.) **LEGAL DESCRIPTION** - The applicant sent a corrected map with the well marked on the map. The applicant also confirmed the legal description by telephone on 5/25/1999.

6.) **WELL INFORMATION** - The applicant confirmed the proposed well information per a telephone call on 5/26/1999 (see telephone conversation memo).

9.) **PLACE OF USE** - The applicant confirmed that the place of use was in 2 separate $\frac{1}{4}, \frac{1}{4}$ sections in a telephone conversation on 5/25/1999 and by the map returned on 5/26/1999.

10.) **OVERLAPPING WATER RIGHTS** - The applicant confirmed that there was 20 shares of Payette Ditch Co. water on the place of use and this well is supplemental to the surface water.

MICROFILMED

OCT 15 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

5/27/1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK E PALMER
707 HAAS RD
WEISER, ID 83672

RE: REQUEST TO EXPEDITE WELL DRILLING PERMIT

Dear Mr. Palmer,

In our telephone conversation on 5/26/1999 you requested that I find out if you could drill your well before your application for permit has been approved and if I could expedite your application for permit. I am pleased to inform you that I was able to sneak your application in after the deadline and get it advertised 2 weeks early. This means that your application will be advertised on June 3 and June 10 and if it is not protested, you should know if State Office will approve or deny it by the end of June or first of July.

I have also talked with our well drilling specialist Rob Whitney to find out if you could drill the 12" well before your application is approved. Mr. Whitney informed me that you would need to file a waiver and this waiver would have to be approved by Mr. Whitney and our regional manager. Enclosed you will find a Request to Expedited Issuance of a Drilling Permit and a Application for Drilling Permit. In order for you to drill a 12" well before your application for permit is approved, you will need to fill out both of these forms and provide clear and convincing reasons for this well to be drilled early. Once you have filled out these forms you will then need to send them back to our office at the above address with the \$ 200.00 drilling permit fee. Our regional manager and well drilling specialist will then review your request and determine if it is reasonable to allow you to drill your well without a approved application for permit.

If you have any questions or concerns please contact me at the above address or telephone number.

Respectfully,

Daniel A. Nelson
Water Right Agent

COPY

MICROFILMED
OCT 15 1999

TELEPHONE COMMUNICATION DOCUMENTATION

SUBJECT APPLICATION FOR PERMIT TO DIVERT GROUNDWATER FOR IRRIGATION AND DOMESTIC USE.

IDWR EMPLOYEE/AGENT: DAN NELSON

DATE: 05/26/1999

PERSON CONTACTED: MARK PALMER - APPLICANT

PHONE: (208) 549-8007

MAILING ADDRESS:

RE: APPLICATION FOR PERMIT TO DIVERT GROUNDWATER FOR IRRIGATION

On this date I returned a telephone call from the applicant, Mark Palmer. During this telephone conversation I informed Mr. Palmer that his application should be advertised on 6/17 and 6/24 and that if it was not protested it should be ready to go by 7/23. I also informed Mr. Palmer that if it is protested that it would take a great deal longer.

Mr. Palmer stated that he talked to someone (female) in our office and was told that he could drill a 12" well prior to the application being approved. I told Mr. Palmer that this was not standard practice and that normally domestic wells are the only wells that can be drilled without an approved application and that domestic wells are limited to a 6" casing or 8" casing with a waiver form.

Mr. Palmer requested that I speak with Rob Whitney, Western Well Specialist, about acquiring a special waiver to drill the 12" well immediately. He stated that he had 15 horses on the property that he is currently hauling water to and needed a way to get water to them.

Mr. Palmer informed me that he was not seeking geothermal water and that the 12" well that he is proposing will only be approximately 50 ft deep, according to the people he has spoken to in the local area.

MICROFILMED
OCT 15 1999

TELEPHONE COMMUNICATION DOCUMENTATION

SUBJECT APPLICATION FOR PERMIT TO DIVERT GROUNDWATER FOR IRRIGATION AND DOMESTIC USE.

IDWR EMPLOYEE/AGENT: DAN NELSON *- DAN* ^{25 DAN} **DATE: 05/20/1999**

PERSON CONTACTED: MARK PALMER - APPLICANT

PHONE: (208) 549-8007

MAILING ADDRESS:

RE: APPLICATION FOR PERMIT TO DIVERT GROUNDWATER FOR IRRIGATION

On this date I called Mark Palmer concerning his application for permit to divert groundwater. In this conversation he told me that the map that was sent was correct. He also told me that he would locate the well and domestic use on the map. Mr. Palmer also informed me that he had 20 shares of Payette Ditch Co. Water that overlapped the place of use. He did not want to use this water on his place due to concern about repair to the delivery system. I informed him that this application would be for supplemental water and that he would need to use his ditch co. water first and could not sell them off.

Mr. Palmer also stated that he wanted to drill his well. I told him that he could drill the well for the domestic household, but that he could not drill the well for the irrigation portion of this right.

Well Driller Call:

After Mr. Palmer called I received a call from his well driller. The well driller stated that Mr. Palmer said that I gave the OK to drill his well. The well driller called to verify that I OK'd them to drill a 12" well for Mr. Palmer. I informed them that I only OK'd the drilling of a domestic well with a maximum 8" casing. They stated that they would call Mr. Palmer back and let him know what I had told him.

MICROFILMED

DEC 15 1999

REQUEST TO PROCESS

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

Name of Applicant

MARK E PALMER

Mailing Address

707 HAAS Rd

WEISER ID 83672

Application No.
(if known)

UNKNOWN

RECEIVED

MAY 26 1999

WATER RESOURCES
WESTERN REGION

 IN LOCAL PUBLIC INTEREST

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

 PROPOSE MITIGATION NOW

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

X WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

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

Signature

Mark E Palmer

Date

5-25-99

Please return this form to:

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

MICROFILMED

JUL 15 1999

I HAVE 20 shares of
Payette Ditch Co. water
Mark Palmer

Approved by:
Initials RG

INSTRUMENT NO. 168399
PAGE 1 OF 2

WARRANTY DEED

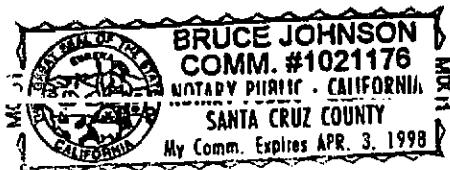
FOR VALUE RECEIVED, GEORGE R. WARNER, SR., aka George Richard Warner, Sr., a widower, the Grantor, does hereby, grant, bargain, sell and convey unto MARK E. PALMER and ELLEN PALMER, husband and wife, the Grantees, whose address is 21777 Seven Lakes Ln., Redding, CA 96003, the following described real estate situated in Washington County, State of Idaho, to-wit:

SEE LEGAL DESCRIPTION ATTACHED:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all incumbrances, and that he will warrant and defend the same from all lawful claims whatsoever.

DATED this 9 day of January, 1997.

George R. Warner Sr
George R. Warner, Sr.



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

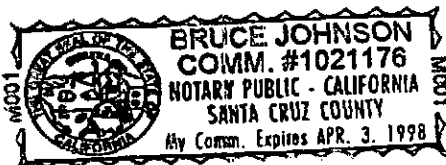
State of CALIFORNIA

County of SANTA CRUZ

On January 9, 1997 before me, Bruce Johnson NOTARY PUBLIC
DATE

personally appeared George R. Warner
NAME(S) OF SIGNER(S)

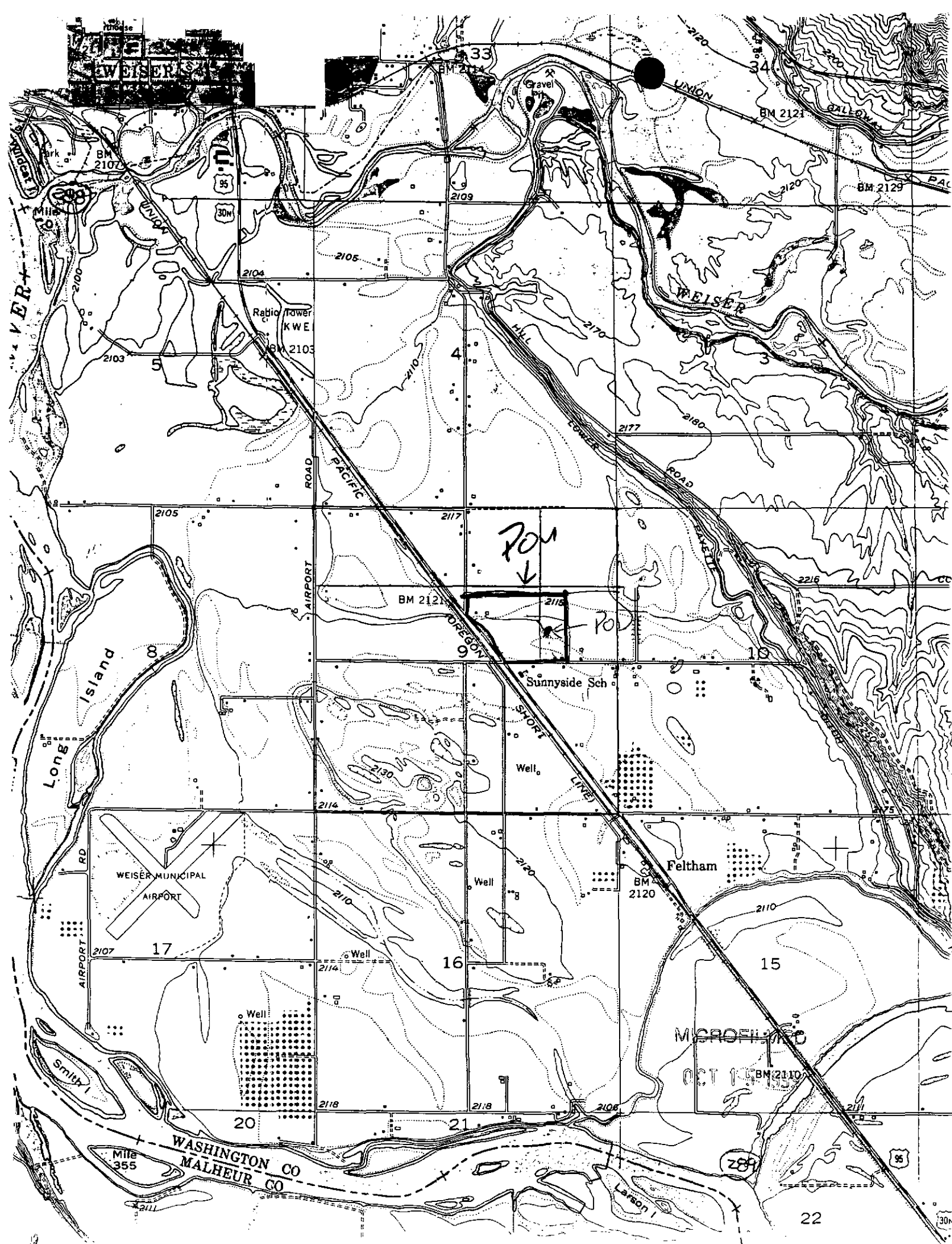
☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



MICROFILMED

WITNESS my hand and official seal.

[Signature]
SIGNATURE OF NOTARY



ATTACHMENT TO: Warner/Palmer Warranty Deed

A parcel of land situated within the S $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 10 North, Range 5 West, Boise Meridian, more particularly described as follows:

Beginning at the southeast corner of the W $\frac{1}{4}$ W $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, T.10N., R.5W., B.M.; thence N 89°56'05" W, along the south line of said NE $\frac{1}{4}$, a distance of 163.00 feet to the TRUE POINT OF BEGINNING (said point formerly described as 1153 feet west of the Quarter Section corner between Sections 9 and 10); thence continuing N 89°56'05" W, along the south line of said NE $\frac{1}{4}$, a distance of 772.22 feet to a point on the northeasterly right of way line of U.S. Highway 95 (formerly 827.3 feet to the center of the County Road); thence N 37°27'45" W, along the northeasterly right of way line of U.S. Highway 95, a distance of 678.53 feet to a point of curvature; thence along the northeasterly right of way of U.S. Highway 95, a distance of 144.33 feet along the arc of a 3314.30 foot radius curve to the left with a central angle of 2°29'42"; and a long chord of 144.32 feet bearing N 38°43'51" W, to a point on tangent; thence N 78°39'32" E, a distance of 1299.67 feet to a point on a line which is 163.00 feet west of the east line of said W $\frac{1}{4}$ W $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence S 0°03'30" E, parallel to the east line of said W $\frac{1}{4}$ W $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 907.63 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO right of way for Sunnyside Road as the same exists along the South boundary.

INSTRUMENT NO. 168399
STATE OF IDAHO, COUNTY OF WASHINGTON as
Filed for record at the request of
WASHINGTON COUNTY TITLE
33 Min. past FOURTEEN o'clock P. M.
This 14TH day of JANUARY 19 97
Index to: DEEDS
SHARON WIDNER, Recorder Fee: \$6.00
By [Signature] Deputy

Comp. Index
Comp. Fee
Film
Compare
Card Ref.
Bk. Fee
Up-charge
Notary
Copy

WASHINGTON COUNTY TITLE

MICROFILMED

OCT 14 1997



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

4/29/99

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK E. PALMER
707 HAAS RD
WEISER, ID 83672

RE: APPLICATION FOR PERMIT TO DIVERT GROUNDWATER

Dear Mr. Palmer,

Your application to divert groundwater was received on 4/5/1999. In order to continue processing this application our office will need the following information sent to us or clarified.

- 1.) **Well location:** From the map that you supplied and a map that I drew from the legal description supplied (map enclosed), it looks like the well is located in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, of township 10N, range 5W, section 9. You stated on this application that the well was in the SW $\frac{1}{4}$, NE $\frac{1}{4}$, of township 10N, range 5W, section 9. Please determine the correct position of the well on the map supplied so I can determine the correct legal description.
- 2.) **Place of use:** You listed in the legal description that all 18 acres were located in the SW $\frac{1}{4}$, NE $\frac{1}{4}$, of township 10N, range 5W, section 9. However, from the map supplied by you and the legal description you gave us it looks as though approximately 4 acres are located in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, of township 10N, range 5W, section 9 and 14 acres are located in the SW $\frac{1}{4}$, NE $\frac{1}{4}$, of township 10N, range 5W, section 9. Please confirm whether the map I have enclosed with this letter is correct or if it is improperly drawn and all the 18 acres are in the SWNE $\frac{1}{4}$.
- 3.) **Domestic use place of use:** You neglected to mark where the domestic use (home and stockwater) will be located on the map.
- 4.) **Will domestic and irrigation share the same well:** From your map it seems as though you plan to use 1 well for both the irrigation and domestic uses. Please confirm that one well will be used. If you plan to use 2 separate wells and do not plan to connect them together, you will need to file 2 separate water rights for both systems.
- 5.) **Possible Lower Payette Ditch Co. Shares:** According to our files the land described in this application could have Lower Payette Ditch Co. Shares. If you do have water available from the Lower Payette Ditch Co., Please let us know how much water is available to this property each year. You may want to include delivery records if they are available.

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OCT 14 1999

COPY

page 2
Palmer
4/29/1999

- 6.) **Request To Process Form:** Enclosed you will find a request to process form and an accompanying letter. In order to continue processing this application you will need to choose one of the three options on the form. Most of the applicants from our office choose the third choice (will agree to mitigate consumptive use in the future as needed) to avoid costly studies and mitigation plans required with the other 2 choices. Please fill out this form and send it back to our office.

In order to process your application in a timely manner please return the above information by May 28, 1999. I have given you a great deal of information to send back. If you need assistance or have questions please contact me at the above address or telephone number to set up an appointment.

Respectfully,

Daniel A. Nelson
Water Right Agent

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OCT 15 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MAY 26, 1999

Legal Notices Department
The Weiser Signal
P.O. Box 709
Weiser, ID 83672

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before JUNE 21, 1999.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

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MAY 15 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

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OCT 15 1992

67-08034

PALMER, MARK E
707 HAAS RD
WEISER, ID 83672

Source: GROUNDWATER

Diversion Pt: SENE Sec 9 T 10N R 05W in WASHINGTON County.

Use: IRRIGATION	(	0.360 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.400 CFS)

Date Filed: 4/ 5/1999

In: WASHINGTON County
T10N R05W S09 SWNE SENE

18.0 ACRES TOTAL

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

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201 1 5 1999

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before JUNE 21, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 6/ 3/1999 & 6/10/1999

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OCT 15 1999