

highlighted
square =
SWSW 40 acre
tract

Proposed
Well —
12 ACME —

T-100N R-5W
SECTION 2 41 1995 W $\frac{1}{4}$, 5W $\frac{1}{4}$.
D.A.N. 1-5-99 NO GOV.
map V3 LOTS

No

459 50

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
January 20, 1999, and ending
with the issue of January 27, 1999.

Sarah Boles

Fees, \$ 84.20

Subscribed and sworn to before me this 27

day of January, 1999.

Judith Parsons

Notary Public, residing at Weiser, Idaho.

My commission expires 02, 1002.

No. 564 NOTICE OF APPLICATION FOR WATER RIGHT

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

67-08025 ✓ et

ROOT, DON
1406 ROSS RD.
WEISER, ID 83672
Source: GROUNDWATER
Diversion Pt: SWSW Sec 4 T 10N R 05W in
WASHINGTON County.
Use: IRRIGATION (0.240 CFS)
Total Diversion: (0.240 CFS)
Date Filed: 1/6/1999
In: WASHINGTON County
T10N R05W S04 SWSW
12.0 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 on or before
FEBRUARY 8, 1999. The protestant must also
send a copy of the protest to the applicant.

KARL J. DREHER, Director
Published: 1/21/1999 & 1/28/1999.

RECEIVED

MAR 19 1999

WATER RESOURCES
WESTERN REGION

MICROFILMED

MAR 24 1999

DEC 9 1999

RECEIVED

FOR OFFICE USE ONLY
Amt. of Fee \$: 100.00
Receipt No. 0047409
Receipt By: A. Kosch
Date Received: 12-10-99STATE OF IDAHO DEC 9 1999
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 who has been appointed by the department.

1. Permit No. 67-08025 Telephone No. 208 642 4520
2. Name(s) of Permit Holder(s): DON E ROOT
3. Mailing Address: 1406 ROSS RD WEISER, ID, 83672
4. Source of Water: Well If GROUNDWATER (well), Date Drilled: mo. 67-99 / yr. W 0024 000
- a. Well Driller: Dallas Drilling (John Goff) Drilling Permit Number: 67-99 W 0024 000
- b. OPTIONAL:
Pump Horsepower: 7.5 Pressure (psi): 70 Dynamic pumping level (ft): 10'

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

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 12 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .24 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 <u>X</u>
	Has the measuring device been installed?	Yes _____	or	No <u>X</u>
Flow Measurement:	Port: Is a flow measurement port required?	Yes _____	or	No <u>X</u>
	Has the measurement port been installed?	Yes _____	or	No <u>X</u>

8. Fee Enclosed: \$ 100 (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: DON E ROOT Telephone Number: 642 4520
Address: 1890 BAKER LANE PAYETTE ID 83661

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

Signature of permit holder: DON E ROOT Date: 12-7-99
(include your title, if on behalf of company or organization)

MICROFILMED

DEC 31 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 67-08025

Proposed Priority: January 6, 1999

Maximum Diversion Rate:

0.24 CFS

This is to certify, that DON ROOT

1406 ROSS 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	0.24 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 4, 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	4	SWSW	12.0		12.0

Total number of acres irrigated: 12.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 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 under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
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.

RECORDED

JAN 14 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

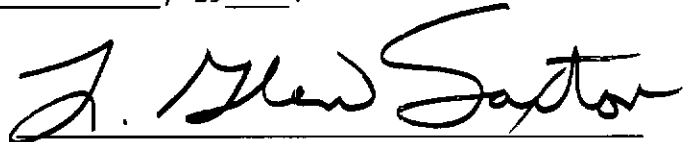
NO. 67-08025

CONDITIONS OF APPROVAL AND REMARKS

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.

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

21st day of April, 1999.



Karl J. Dreher, Director

for

RECEIVED

APR 07 1999

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

OCT 26 1998

WATER RESOURCES
WESTERN REGION

1. Name of Applicant DON ROOT Phone 208-642-4520
Post Office address 1406 ROSS RD WEISER ID 83672
2. Source of water supply Ground water which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____
Sec. 4 Township 10N Range 5W B.M. Washington County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount .24 for Irrigation purposes from 4/1 ^{3/15} ~~4/1~~ to 10/31 ^{11/15} ~~10/31~~ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .24 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. well, pump
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is 8" inches; proposed depth of well is 50 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) _____
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 if KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

MICROFILMED

APR 23 1999

* changed irrigation season per IDWR standard DAN 1-5-99

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	4											12						12

Total number of acres to be irrigated 12

10. Describe any other water rights used for the same purposes as described above. Mr. Root holds 20 shares of Lower Payette Ditch Company water. (Per telephone conversation D.A.N. 1-5-99)

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

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

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: _____

12. Remarks: Applicant agrees to mitigate ~~any~~ consumptive use in the future as needed. D.A.N. 1-5-99

13. MAP OF PROPOSED PROJECT ATTACHED X Show clearly the proposed point of diversion, place of use, section number, township and range number.

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.

X Don E Root
(Applicant)

Date of Priority: 1/6/99 c3.

Received by AK Date 10/26/98 Time 11:49 Preliminary check by DAN
Fee \$ 5000 Receipted by AK # W024522 Date 10/26/98
Publication prepared by AK Date 1-12-99 Published in Boise Star
Publication approved AK Date 3-23-99 W024522 1-20-99

Receipt # W024692 was submitted on 1/6/1999
FOR the Remainder of \$5000 TO BRING THE TOTAL
Application Fee TO THE Needed \$10000 Fee Required.
D.A.N. 1-6-99

highlighted
square =
SWSW 40 acre
tract.

Proposed
Well
12 Acre

T-10N R-5W
SECTION 2 E 1993 W 1/4, SW 1/4.
D.A.N. 1-5-99 NO GOV.
MAP V3 LOTS

RECEIVED
OCT 26 1998
WATER RESOURCES
WESTERN REGION

REQUEST TO PROCESS

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

Name of Applicant

DON ROOF

Mailing Address:

1406 ROSS RD

WEISER ID 83672

Application No.
(if known)

67 -

 IN LOCAL PUBLIC INTEREST

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

 PROPOSE MITIGATION NOW

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

 / WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

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

Signature

Don E Roof

Date

10-23-98

Please return this form to:

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

NOV 2 1998



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

January 13, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DON E ROOT
1406 ROSS RD
WEISER ID 83672

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 67-08025

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 of the water.

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,

Kari Lynn Townsend
Secretary

c: IDWR - Regional Office

MICROFILMED

JAN 31 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 67-08025 Reviewed by [Signature] Date 1-13-00

GENERAL CONSIDERATIONS

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

TYPES OF USE

I-12
Y Correct Uses?

SOURCE OF WATER

 Surface water source

✓ Ground water source

 Drilling permit required?

 Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100 Amount Submitted
Y Correct?

MEASURING DEVICE

NO Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received
Date proof due -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

none - action proof

DATA ENTRY

New Address Proof Made 12-9-99



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

April 22, 1999

DON ROOT
1406 ROSS RD
WEISER ID 83672

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 67-08025

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.

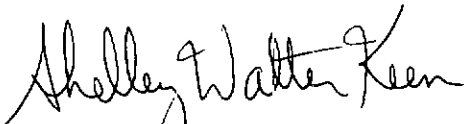
You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your right may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to

regulate your water use.

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.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

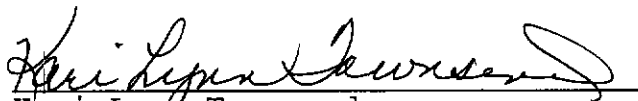
RECEIVED
JUN 25 1992

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of April, 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. 67-08025

DON ROOT
1406 ROSS RD
WEISER ID 83672


Kari Lynn Townsend
Secretary

67-08025-11
JUL 26 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

JUN 23 1997

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.

RECEIVED
APR 25 1997

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy*No.: 67-8025 Name: Root Date: 4/19/99 Ad OK? ☒ Gvmt Lts: ☒

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

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year - 26A-P17
≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDQ3) - C46-P23
 In Basin 34? - C85
 Irr. within WD - P05 (new well location)
 WMD (✓ MAP) - North / East / West
 > 0.24 cfs/5 acres - C67 or No MD (in-stream stock or power)
 ≤ 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) - *WB9
 IN-STREAM DEVELOPMENT - P52 (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 W/O & 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) - *W22 -P04, NA
 (02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
 Payette R(65) - *W22 (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), 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 (BLWUSFS); 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);
 7G (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 LOGEC - 058 (<85° GW temp only)
 MITIGATION - 120
 42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
 SWAN FALLS FLAG (✓ Code) -
 Trust - 051-052-053-P74 (Consumptive Uses), NA
 Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

S 1/ 2000
 DOP 1/10/99

APR 07 1999

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY: DAN DATE: 1-5-98 APPLICATION: 67-08025

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

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

ADDITIONAL INFORMATION

N/A T FLAG CHANGED TO P FLAG

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.) Lower ...
- ☒ Overlapping point of diversion.
- ☒ 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

NEED an additional \$50.00 Application Fee. and
Information concerning the possible Lower Payette Ditch
company shares.

Date Requested 1-4-1999 Date Response Received 1-6-1999

PROCESSING

APP. NO. 67-08025

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. # 53☒

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 2-8-99☒

Protests received.

☒

Recommendations attached:

☒

Measuring device required:

☒

Water delivered by water master? District #

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

See below for additional information

Recommended Date or Priority Advanced to 1/6/1999 w/ balance paidRecommended by: Lang Date: 4/5/99

-82 4/8/99

ADDITIONAL INFORMATION:

Mr. Root Holds 20 shares of Lower Payette
 River Company water. However, re-construction of
 supply line also disputes with neighbors
 has prevented him from receiving some and
 at times all of his allotted water. He asking
 to use ground water to supplement his canal water.

There are no point of diversion overlap except
 for domestic stock adjudication claims. NOT RELEVANT
 to this irrigation right.

No

450 50

AFFIDAVIT OF PUBLICATIONSTATE 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 insaid 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
January 20, 1999, and ending
with the issue of January 27, 1999.Sarah Boles
Fees, \$ 84.20Subscribed and sworn to before me this 27
day of January, 1999.Judith Parsons
Notary Public, residing at Weiser, Idaho.My commission expires 02, 02.No. 564
**NOTICE OF APPLICATION
FOR WATER RIGHT**The Following application(s) have been filed to
appropriate the public waters of the State of Idaho:

67-08025 ✓

ROOT, DON
1406 ROSS RD.
WEISER, ID 83672
Source: GROUNDWATER
Diversion Pt: SWSW Sec 4 T 10N R 05W in
WASHINGTON County.
Use: IRRIGATION (0.240 CFS)
Total Diversion: (0.240 CFS)
Date Filed: 1/6/1999
In: WASHINGTON County
T10N R05W S04 SWSW
12.0 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 on or before
FEBRUARY 8, 1999. The protestant must also
send a copy of the protest to the applicant.KARL J. DREHER, Director
Published: 1/21/1999 & 1/28/1999.**RECEIVED****MAR 19 1999**WATER RESOURCES
WESTERN REGION



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER

Director

JANUARY 12, 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 FEBRUARY 8, 1999.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

JUN 25 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED

JUN 21 1989

67-08025

ROOT, DON
1406 ROSS RD
WEISER, ID 83672

Source: GROUNDWATER

Diversion Pt: SWSW Sec 4 T 10N R 05W in WASHINGTON County.

Use: IRRIGATION (0.240 CFS)
Total Diversion: (0.240 CFS)

Date Filed: 1/ 6/1999

In: WASHINGTON County
T10N R05W S04 SWSW

12.0 ACRES TOTAL

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

MICHO:MAEL

JUN 25 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 on or before FEBRUARY 8, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 1/21/1999 & 1/28/1999

RECEIVED

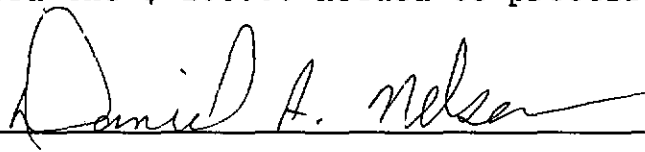
JUN 25 1999

MEMORANDUM

TO: APELICATION FOR PERMIT FILE
FROM: DANIEL A. NELSON - WATER RIGHT AGENT
DATE: 01/06/1999
SUBJECT: RECEIPT OF APPLICATION FOR PERMIT ADDITIONAL FEE

On this date received and receipted \$ 50.00 in additional fees from Don E. Root receipt # W024692. This additional fee was required because Mr. Root only sent \$ 50.00 in with his application for permit receipt number W024522. This application for permit is for .24 cfs which requires a application fee of \$ 100.00. With the original fee of \$ 50.00 and the additional fee of \$ 50.00 Mr. Root has submitted the \$ 100.00 needed to process his application.

SIGNED



DATE

1- 6 - 99

REC 2 5 1999

Idaho Dept of Water
2735 Airport Way
Boise ID 83705-5082

1-5-99

RECEIVED

JAN 06 1999

WATER RESOURCES
WESTERN REGION

ATT Dan Nelson

Please find enclosed \$50. fee
(additional part) for my well
application submitted Oct. '98
as we discussed by telephone
today.

Thanks

Don E Root

Jan 7 1999

00121432

TELEPHONE COMMUNICATION DOCUMENTATION

PERMIT NUMBER APPLICATION FOR PERMIT TO DIVERT GROUNDWATER

IDWR EMPLOYEE/AGENT: DAN NELSON

DATE: 01/05/1999

PERSON CONTACTED: DON ROOT

PHONE: (208) 642-4520

MAILING ADDRESS: 1406 ROSS RD, WEISER, IDAHO 83672

RE: OVERLAPPING WATER RIGHTS FOR APPLICATION OF PERMIT AND APPLICATION FEES

On this date I called Don Root to verify overlapping water rights for his property and to request additional fees for under payment of application for permit.

In the overlap research for Mr. Root's application for permit I discovered the Lower Payette Ditch Company (LPDC) held water rights for 34 acres in the same 40 acre tract. I call Mr. Root and discussed this with him and he told me that he held 20 shares from LPDC. He also stated that in the construction of a New Highway that his supply line runs under the amount of water from LPDC has been restricted and that he can no longer attain his full allotment. I informed Mr. Root that the Idaho Department of Water Resources (IDWR) could continue with his application, but that it would probably be considered a supplemental right. I also told him that if this water right is licensed as a supplemental right that he would be required to use all of his canal water that his available first and that he could not replace the canal water with the groundwater and sell his canal shares and use his groundwater as a replacement. Mr. Root acknowledge this and said he understood the explanation and would be willing to abide those conditions.

I also informed Mr. Root that he applied for .24 cfs of water and only submitted \$ 50.00 for the application fee. I told Mr. Root that for any application diverting more than .21 cfs was required to submit a fee of \$ 100.00. Mr. Root said that he would send the balance of \$ 50.00 as soon as possible.

101 7 1 1999