

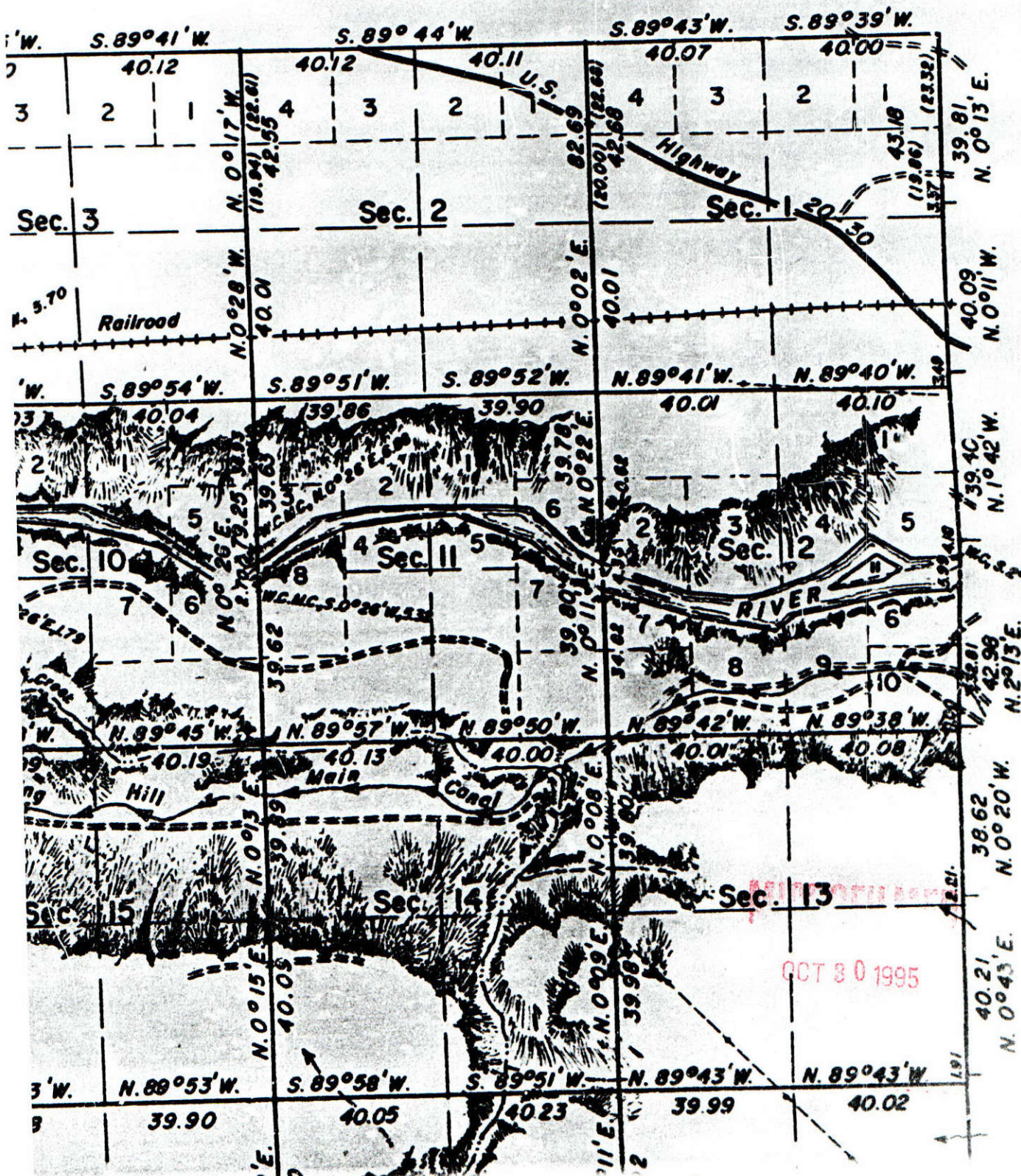
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1969 Survey

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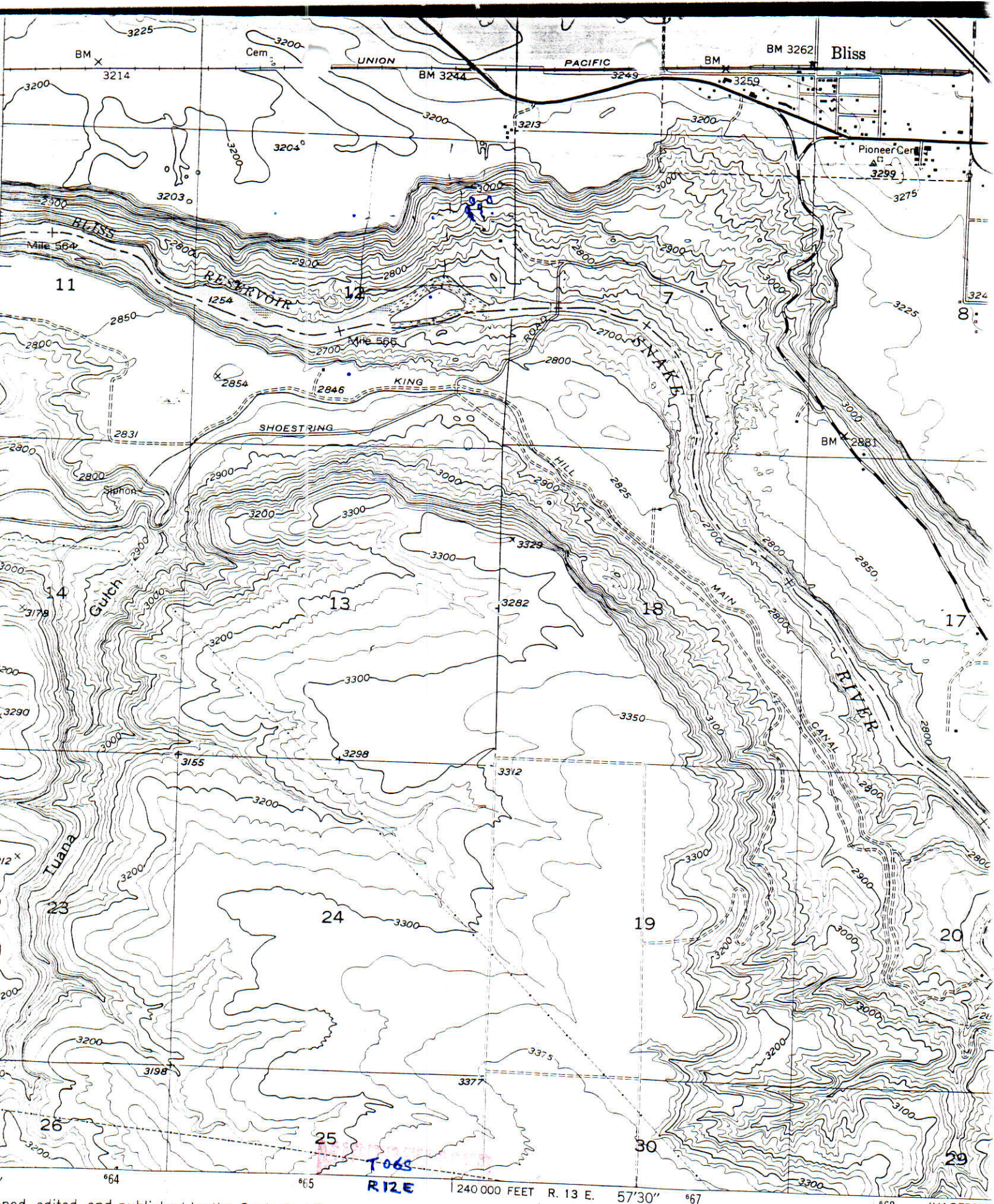
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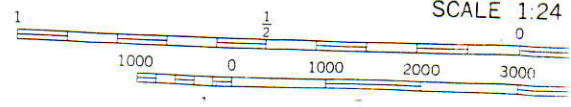
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Compiled, edited, and published by the Geological Survey
Control by USC&GS

Topography and drainage in part compiled from
Aerial photographs taken 1946
Topography by plane-table methods 1946-1949

OCT 30 1995

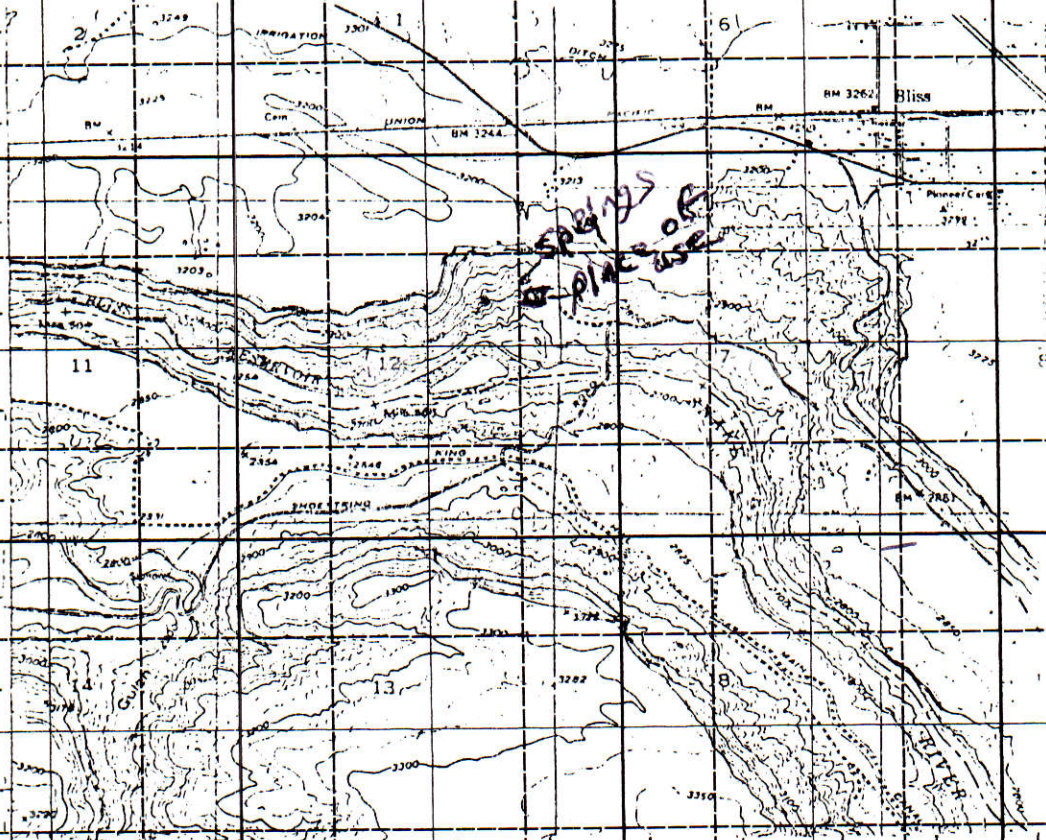


(HAGERMAN)
3069 IV SW
SCALE 1:24

13. Map of proposed project, show clearly the proposed point of diversion, place of use, section number, township and range number.

Scale: 2 inches equal 1 mile

T 6 S R 12 E
Sec. 12



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth

OCT 30 1995

(Applicant)

HARRIS INC

By President

T 6 S R 12 E Sec. 12
No. 1

Allen O. Merritt
 Watersheds Supervisor
 282 Shoreline Dr. E.H.
 Twin Falls ID 83301

North ↑

Pond #1

2' Deep x 50' wide x
 75' long to base of Spring
 Continuous water flow

Pond #2

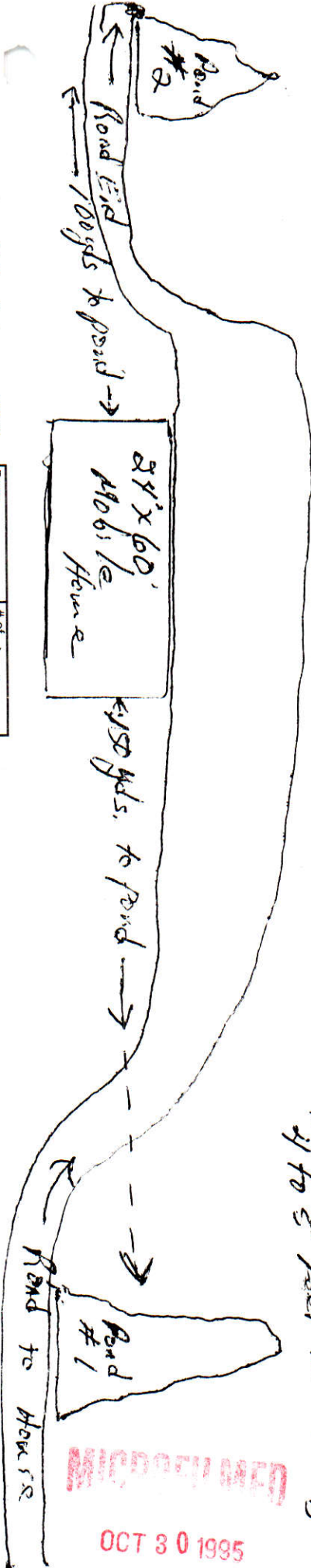
2' Deep x 40' wide x
 35' long to base of Spring
 Continuous water flow

Both will have Natural
 vegetation at least 35' all
 around except on Road side.
 4' to 5' of Natural veg.

RECEIVED

SEP 12 1995

Department of Water Resources
 Southern Region



Post-it® Fax Note 7671

To	Dee Purvis	From	Allen Merritt
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

I just received this in the mail.

TELEPHONE NO.: 1-208-735-3037

SEP-14-95 THU 07:12

PAGE 1

NO.	DATE	ST. TIME	TOTAL TIME	RECEIVED	ID	DEPT CODE	#EGS
559	09-14	07:25	00:00:42	05	13083241160		OK-1 14-0

Jim Lee Pres.
 Horizons Inc.
 550 Spring River Rd.
 Bliss ID. 83314

37-8700

Allen D. McFerritt
 Watersight Supervisor
 282 Shawnee St. East
 Twin Falls ID 83301

North ↑

RECEIVED

SEP 12 1995

Department of Water Resources
 Southern Region

Pond #1

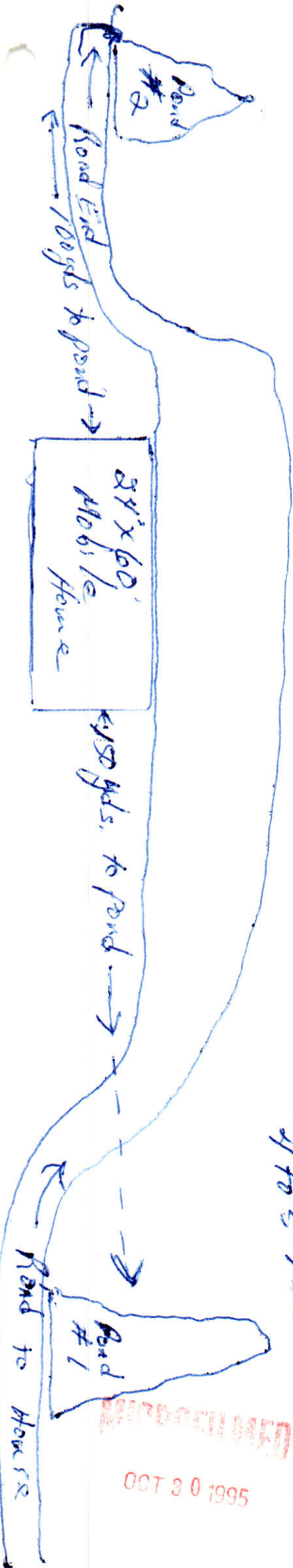
2' deep x 50' wide x
 75' long to base of Spring
 Continuous water flow

Pond #2

2' deep x 40' wide x
 35' long to base of Spring
 Continuous water flow

Both will have natural
 vegetation at least 75' all
 around except on Road side.
 4' to 5' feet natural veg.

RECEIVED
 OCT 30 1995



Jim Lee Pres.

Horizon Inc.
 550 Spring River Rd.
 Bliss ID. 83314

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho,)
) SS.
County of Gooding)

FEB 28 1991

Department of Water Resources
Southern Region Office

Patty Stance, being first duly sworn,
deposes and says that he is the printer (publisher) of the Gooding
County Leader, a newspaper published every week in Gooding, County
of Gooding, State of Idaho, that said newspaper has been continuous-
ly and uninterruptedly published for a period of seventy-eight consecu-
tive weeks prior to the first publication of the annexed notice, and is
a newspaper qualified to publish legal notices as provided by act of
the 1919 session of the legislature of the State of Idaho, known as
House Bill 145; that the annexed advertisement was published once
each week for 2 consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication
of said advertisement was on the 20th day of Feb.
19 91, and the date of the last publication was on the 27th
day of Feb. 19 91.

Patty Stance

Subscribed and sworn to before me this 27th
day of Feb., 19 91.
(SEAL)

Vivian Gaudin
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice _____
Number of Insertions 2X

— Lines tabular at _____ 6¢/Pica
— 337.5 Lines straight at 16.88 5¢/Pica
— Subsequent lines at 13.50 4¢/Pica
TOTAL COST 30.38

COPY OF NOTICE (Paste Here)

Not. Appl. by Wat. R.

TITLE OF NOTICE

Horizon's Inc.
37-08700

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id. Dept. Wat. Res.
BILL TO

**NOTICE OF APPLICATION
FOR WATER RIGHT**
The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
37-08700
HORIZONS INC.
1959 E. 1550 S.
GOODING, ID 83330
Source: SPRINGS— Tributary: SNAKE
RIVER
Division Pt: LOT 1 (NESENE) Sec 12 T
06S R 12E
Use: AESTHETIC (.200 CFS)
Total Diversion (.200 CFS)
Date Filed: 11/29/1990
In: T06S R12E S12 Lot 1 (NENE)
The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public in-
terest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the
Director, Dept. of Water Resources, 222
Shoshone St. East, Twin Falls, Idaho
83330 on or before March 11, 1991. OK
R. Keith Higginson, Director
Pub: 2-20, 27 G4839

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line successive
insertions.....4¢/Pica

No 894

4839

RECEIVED

SEP 20 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. 37-08700 Telephone No. (208) 352-4432

2. Name of Permit Holder(s): Hargraves Inc

3. Mailing Address: 550 Spring River Rd.
City Bliss State Id Zip 83314

4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____

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

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

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

6. Total rate of diversion and/or volume for which proof is submitted: .20 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 X
Has the measuring device been installed? Yes _____ or No X

8. Fee Enclosed: \$ 50.00 (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: Hawn Lee Telephone Number: 208 352-4432

Address: 550 Spring River Rd Bliss, Id 83314

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.

Hargraves, Inc.

Signature of permit holder: Hawn Lee, President Date: 9/18/00
(include your title, if on behalf of company or organization)

MICROFILMED

OCT 30 2000

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08700

Proposed Priority: November 29, 1990 Maximum Diversion Rate: 0.20 CFS

This is to certify, that **HORIZONS INC**

550 SPRING RIVER RD

PO BOX 78

BLISS ID 83314-0078

has applied for a permit to appropriate water from:

SPRINGS

tributary of **SNAKE RIVER**

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>
-----------------------	----------------------	--------------------------

AESTHETIC	01/01 to 12/31	0.20 CFS
-----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: Lot 5 (NESENE), Sec. 12, Township 06S, Range 12E
GOODING County

PLACE OF USE: AESTHETIC

TWN RGE SEC

06S 12E 12 Lot 1 (NENE)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 2000**.
2. Subject to all prior water rights.

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

11 day of October, 1995

Karl J. Dreher
for Karl J. Dreher, Director

OCT 30 1995

RECEIVED

DEC 11 1990

Form 202
6/85

Department of Water Resources
Southern Region Office

STATE OF IDAHO

Ident. No. 37-08700

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant HORIZONS INC Phone 208-934-5018
Post office address 1959 E 1550S Gooding Idaho 83330
2. Source of water supply Two Springs which is a tributary of SNAKE RIVER
3. Location of point of diversion is SE 1/4 of S 1/2 E 1/4 of S 1/2 NE 1/4, Govt. Lot 1
Sec. 12 Township 6S Range 12E B.M. Gooding County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .20 for Aesthetics purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .20 for W and J purposes from 1/1 to 12/31 (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)
5. Total quantity to be appropriated is (a) .20 cubic feet per second and/or (b) 30 acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 4 Small ponds with spillways
to allow continuous flow to Snake River with two small pumps to
supply water to upper ponds and wild life cover via seepage
pipe.
b. Height of storage dam 6 to 10 feet; active reservoir capacity 11 acre-feet; total
reservoir capacity .04 acre-feet; period of year when water will be diverted to storage:
1/1 to 12/31 inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

OCT 30 1995

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Aesthetic's and wild life habitat. Small Fish Ponds with planted Fish and small streams with trees and natural growth of native plants along stream flow back to Snake River.

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	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	12E	12	~~20*~~ X			~~15~~ X	~~10~~ X	~~5~~ X	~~5~~ X	~~5~~ X									
			15 X																

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

None

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

Applicant

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

Applicant

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

12. Remarks:

Springs will be used for domestic purposes under App. 37-8337 Corporation president is Jim Lee, same address.

OCT 30 1995

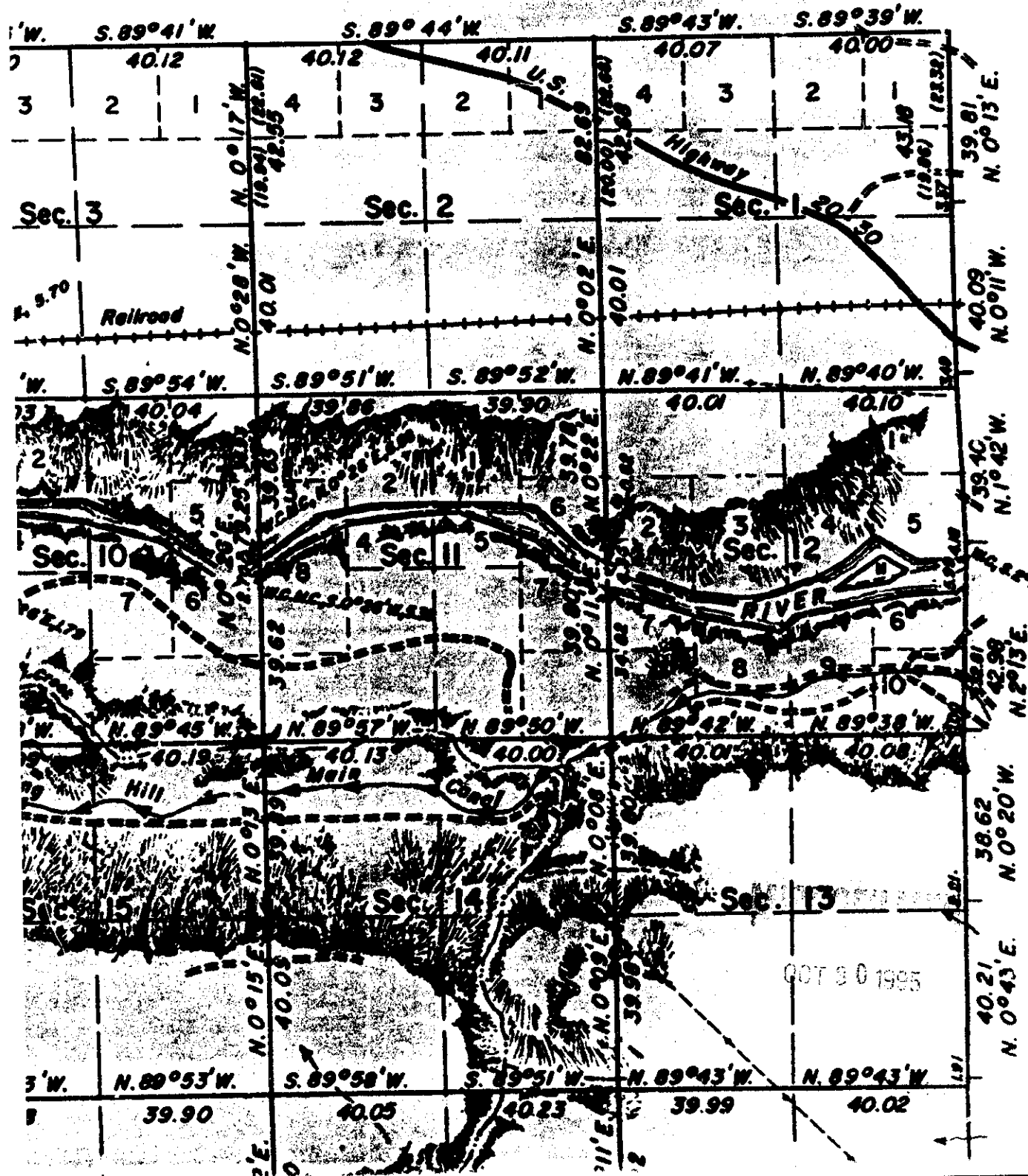
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1969 Survey



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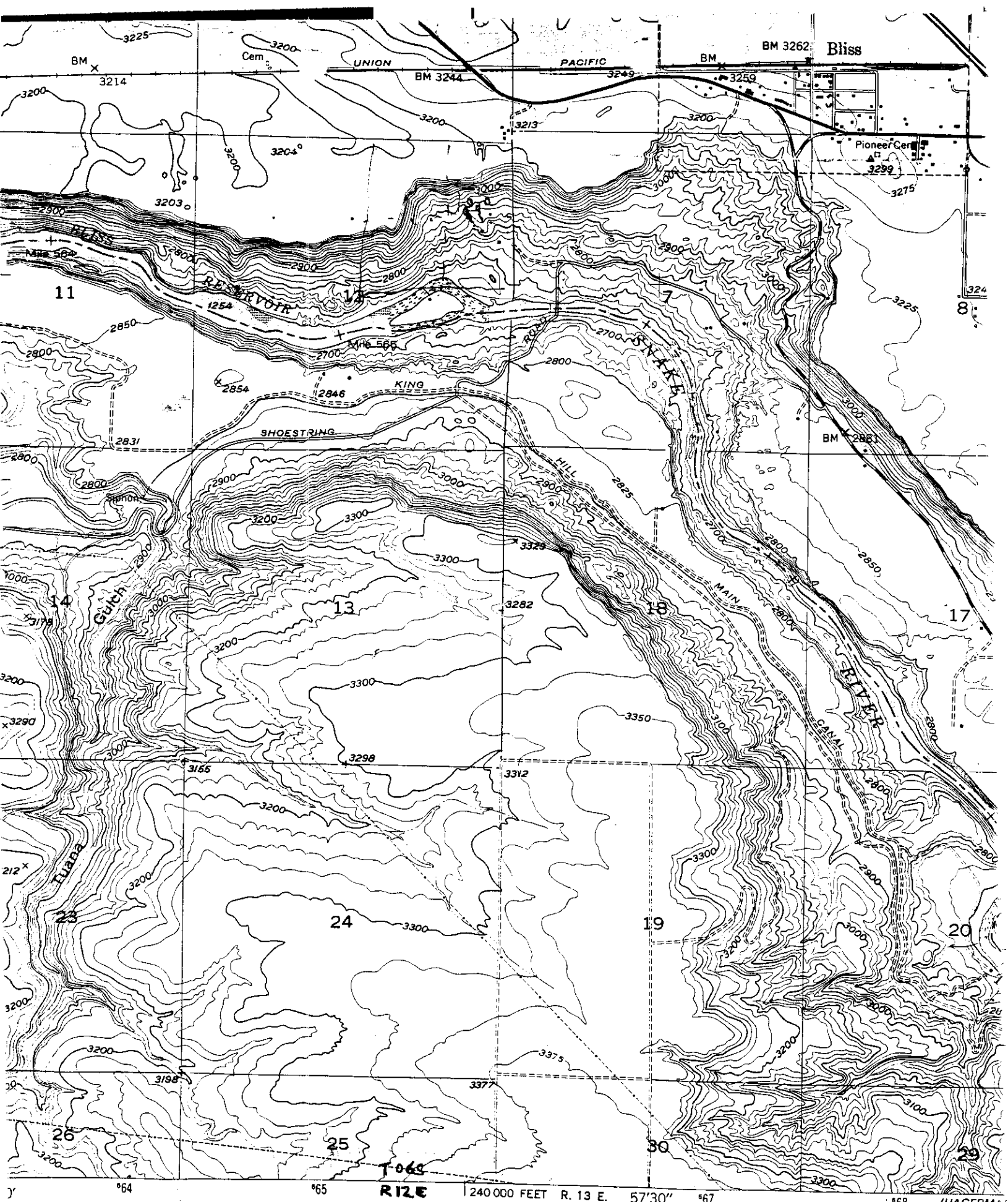
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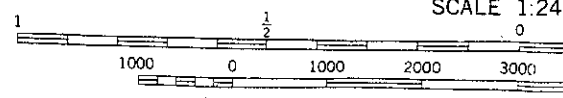
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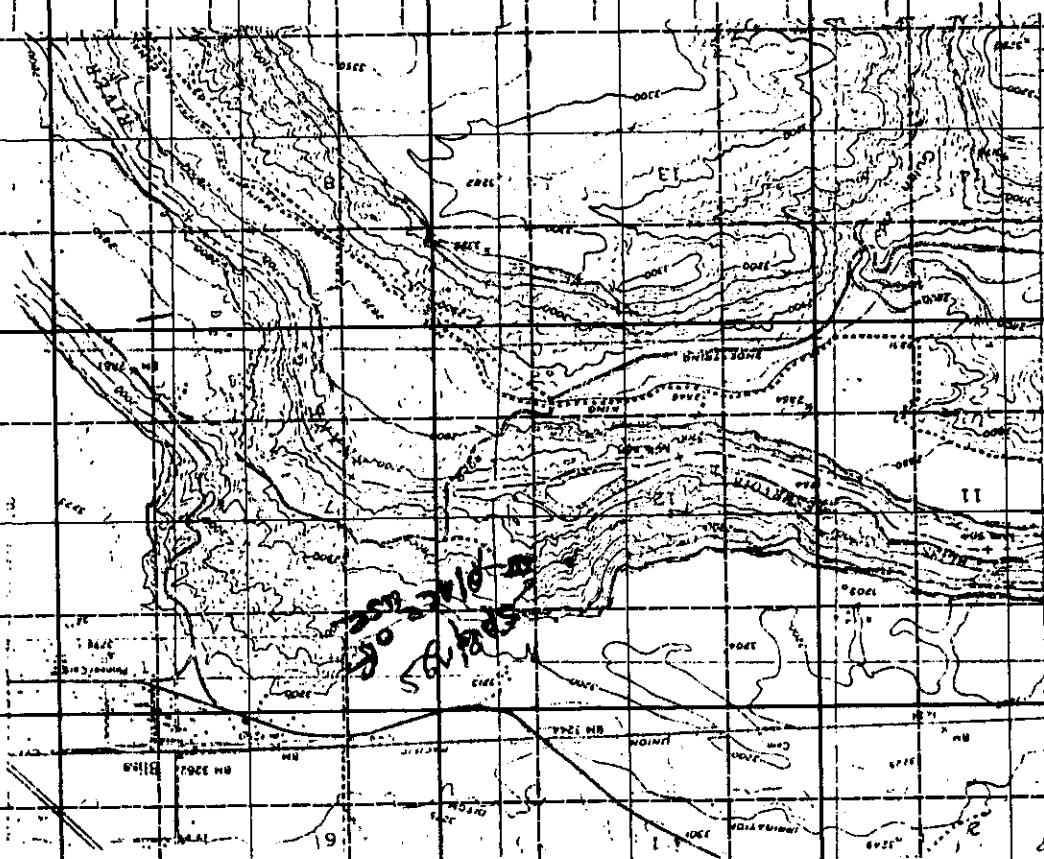
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(HAGERMAN)
 3069 IV SW
 SCALE 1:24

proposed project: show clearly the proposed
and range number.



T65 R12E Sec12
Lot 1

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Horizons INC.
(Applicant)
By President *[Signature]*

Received by M. Baldwin Date 11-29-90 Time 3:13 pm Preliminary check by S.J.
Fee \$ 30⁰⁰ ^{ck#} Receipted by [Signature] # 5012867 Date 12-3-90
Publication prepared by M. Baldwin Date 1-29-91 Published in Leading Co. Leader
Publication approved M. Baldwin Date 3-26-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

RECORDED

OCT 30 1995



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

September 20, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

HORIZONS INC
550 SPRING RIVER RD
BLISS ID 83314

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08700

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, and that it 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 Southern Regional Office of the department in Twin Falls at (208) 736-3033.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

OCT 06 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 37-08700 Reviewed by D. Gibson Date 9/20/00

GENERAL CONSIDERATIONS

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

TYPES OF USE

Aesthetics
Correct Uses? Yes

SOURCE OF WATER

Yes Surface water source
No 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?
\$50 Amount Submitted
Yes Correct?

MEASURING DEVICE

No Required?
No Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received 9/20/00
Date proof due 10/1/00 - /
No. of days late / = /
Priority Date / + /
New Priority Date /

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address No Proof Made 9/20/00

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

0050507

Date:

Time: 9/20/2000
09:30:16

Received

From: HORIZON INC

Type of Payment

Program A cct

Amount

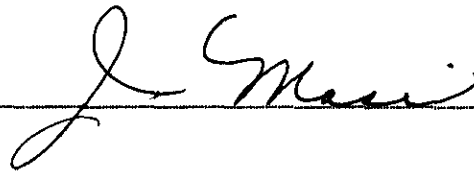
PROOF OF BENEFICIAL USE #37-08700	56104	229 21 1155	50.00
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Total \$ 50.00

MONEY ORDER 859928

Region: STATE

Signature: _____



MICROFILMED
OCT 06 2000

July 31, 2000

HORIZONS INC
550 SPRING RIVER RD
PO BOX 78
BLISS ID 833140078

PROOF DUE NOTICE

RE: PERMIT NO. 37-08700

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 October 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.

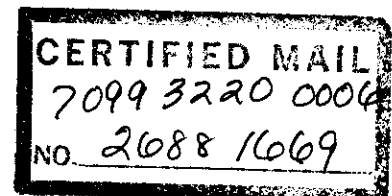
SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED

OCT 05 2000





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

October 12, 1995

HORIZONS INC
550 SPRING RIVER RD
PO BOX 78
BLISS ID 83314-0078

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08700

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED

OCT 30 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 37-8700 Name: Horsing Inc Date: 10/6/95 Ad OK? ☒
Correct Fee? ☒ Receipt #: 5012867 Priority: 12/3/90 ☒ Gvmt Lts: ☒

AREA OF CONCERN? - No/Yes ESRP Mor ESRP Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

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

Water District(~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 028(may report)-01J(meas dev)-P08
=/- 0.2 cfs - 028(may report)-01H(lock dev)-P01 or No MD
=/+ 5 a. irr. - 028(may report)
In-WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-11F use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - 021(Boise R + L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - A <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

- Aesthetic use is for 2 ponds as described in development plan.

BENEFICIAL USE DUE:

COMMENTS:

- 10-1-199-2000
- Corp off.

RECEIVED
No. 2023
OCT 05 1995
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET HORIZONS INC.

INITIAL REVIEW BY AD DATE 12-26-90 APPLICATION NUMBER 37-08700

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ 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
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt ***PROPOSED PRIORITY DATE 12-29-90 3:13 pm

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☒ Yes ☐ No Field check required
- ☐ Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☒ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

let of Corp Officers Date Requested _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from:

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other _____

Project impacts/implications report

COMMENTS

FROM: Allen Merritt *AM*

DATE: October 2, 1995

TO: File: 37-08700

SUBJECT: Review and Recommendation

This application was filed in 1990 and protested by F&G.

On 7/11/95 a pre-hearing conference was held where the applicant indicated that he had developed one of the proposed ponds and only wished to make one more small pond. F&G requested that a plan or sketch of the project be provided and that only natural vegetation be allowed around the ponds. Further F&G indicated that if the plan for development and operation were acceptable they would withdraw their protest.

On 9/12/95 our office received what appeared to be the plan discussed in the conference. A copy of the plan was faxed to F&G.

On 9/21/95 F&G withdrew their protest.

RECOMMENDATION

It is recommended that the application be approved subject to the following conditions:

- The extent of development under this application is limited to two (2) ponds as described in the development plan.
- The operation and maintenance of the ponds is subject to the private agreement between F&G and the applicant as evidenced by the plan submitted by the applicant.

OCT 30 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

September 26, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JIM LEE PRESIDENT
HORIZONS INC
PO BOX 78
BLISS ID 83314

RE: Protested Application for Permit No. 37-08700

Dear Mr. Lee:

We have received a withdrawal of the protest filed by the Idaho Dept. of Fish & Game against approval of the above referenced application.

Since they were the only protestant, the issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of the application which includes regional review prior to being forwarded to our State Office.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

SEP 27 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

September 26, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

ATTN CARL H NELLIS
ID DEPT FISH & GAME
PO BOX 428
JEROME ID 83338

RE: Application for Permit No. 37-08700 (Horizons, Inc.)

Dear Mr. Nellis:

This office acknowledges receipt of the withdrawal of your protest against the above referenced application.

Since you were the only protestant, the issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of the application which includes regional review prior to being forwarded to our State Office.

The Department will continue review of the application without further contact with you unless information is requested.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB



IDAHO FISH & GAME

Phil Batt / Governor

Magic Valley Region
868 East Main • P.O. Box 428
Jerome, Idaho 83338
(208) 324-4350
Fax (208) 324-1160

Jerry M. Conley / Director

September 21, 1995

RECEIVED

SEP 22 1995

Department of Water Resources
Southern Region

Mr. Allen Merritt
Southern Region Supervisor
Idaho Dept. of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

Re: Protest of Water Right Application 37-08700 Horizons, Inc. Snake River

Dear Allen,

The Idaho Dept. of Fish and Game would like to withdraw our protest of water right application # 37-08700 for the diversion of 0.20 cfs from springs which are a tributary to the Snake River. Efforts by the applicant to minimize impacts on riparian vegetation and water quality while promoting the development of wildlife habitat have adequately mitigated damage to public resources associated with this diversion.

Once again, thank you for your cooperation in resolving this matter. If you have further questions please contact Dave Parrish, Environmental Staff Biologist at this office.

Sincerely,

Carl H. Nellis
Magic Valley Regional Supervisor

cc: IDFG-Natural Resource Policy Bureau (Robertson)
IDFG-Legal

OCT 30 1995

Allen D. Merritt
 Waterfalls Supervisor
 282 Shoreline St. East
 Twin Falls ID 83301

North ↑

Pond #1

2' deep x 50' wide x
 75' long to base of Spring
 Continuous water flow

Pond #2

2' deep x 40' wide x
 35' long to base of Spring
 Continuous water flow

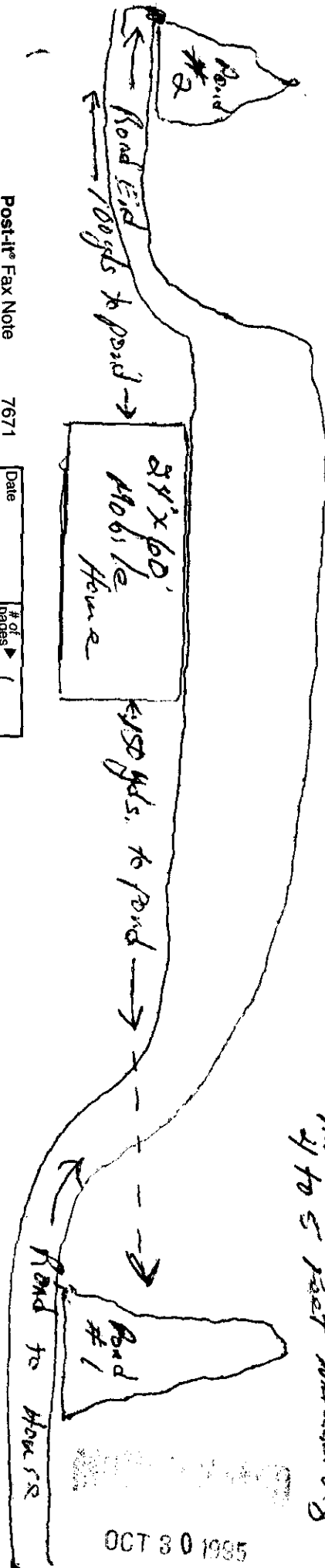
Both will have natural
 vegetation at least 35' all
 around except on Road side.
 4' to 5' just natural veg.

RECEIVED

SEP 12 1995

Department of Water Resources
 Southern Region

OCT 30 1995



PAGE CONF
 TRANSMISSION

Post-It® Fax Note 7671		Date	# of pages 1
To	Dee Rivis	From	Allen Merritt
Co/Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

I just received this in the mail

TELETYPE: 1348 SOUTHERN
 TEL. NO.: 1-208-756-1837

SEP 14 1995 THU 07:12

Jim Lee Pres.

NO.	DATE	ST. TIME	TOTAL TIME	RECEIVED	ID	DEPT CODE	#PAGES
359	09-14	07:25	00:00:42	05	1208241180		01-116-0

Horizons Inc.
 555 Spring River Rd.
 Bliss ID. 83314

37-8700

Allen O. Meyer, Jr.
 Water Rights Supervisor
 282 Shawnee St. East
 Twin Falls ID 83301

North ↑

RECEIVED

SEP 12 1975

Department of Water Resources
 Southern Region

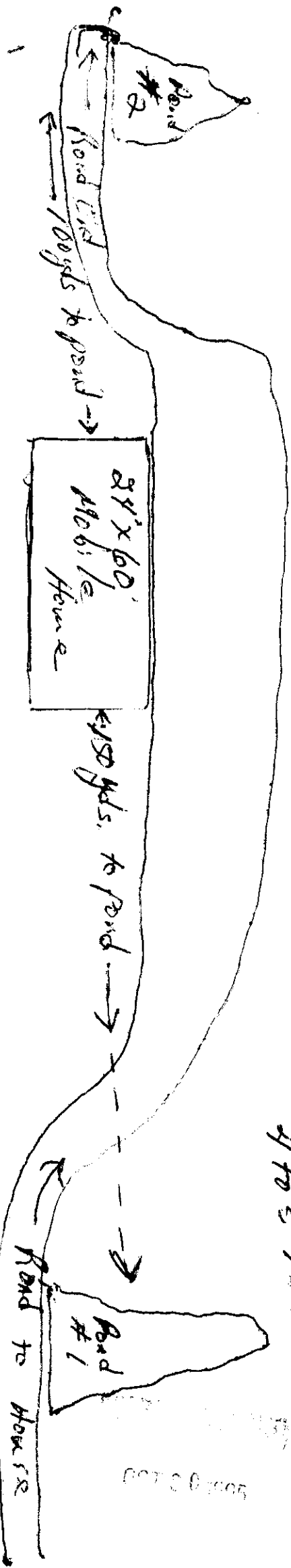
Pond #1

2' Deep x 50' wide x
 75' long to base of Spring
 Continuous water flow

Pond #2

2' Deep x 40' wide x
 35' long to base of Spring
 Continuous water flow

Both will have Natural
 Vegetation at least 75' all
 around except on Road Side.
 4 to 5 feet Natural Veg.



Jim Lee Pres.

Horizons Inc.
 555 Spring River Rd.
 Bliss ID. 83314



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

September 1, 1995

Jim Lee, President
Horizons Inc
PO Box 78
Bliss, ID 83314

RE: Application for Permit 37-08700

Dear Mr. Lee:

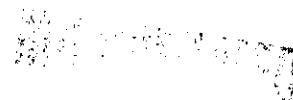
As you know we conducted an informal pre-hearing conference July 11th of this year regarding the matter of protest by the Idaho Dept. of Fish & Game (F&G) of your application for permit. At the conference I recall that you were going to provide F&G with a sketch of existing and future ponds and an operation plan for maintaining native vegetation around the ponds. I recall that the F&G would review the plan and if acceptable would withdraw their protest.

The purpose of this letter is to inquire of the status your getting with F&G and working things out. Please provide me with an update of your progress.

Sincerely


Allen Merritt, PE
Southern Region Manager

CC: Dave Parrish - F&G



OCT 30 1995

From: DWR60::AMERRITT 11-JUL-1995 17:10:53.94
To: DWR03::GSAXTON
CC: AMERRITT
Subj: fyi

FROM: Allen Merritt DATE: July 11, 1995
TO: File: Application for permit 37-08700
SUBJECT: Pre-hearing conference

This day I conducted a conference with the applicant and the protestant at the Gooding City Hall. All parties were present; reference the attached roster of attendance.

The applicant has already built one pond and may build another but not sure. He provided pictures to show what he has done. Mr. Parrish with F&G looked at the pictures and indicated that they had no problem with the pond and would withdraw protest if applicant would provide them a sketch of existing and future pond(s) and an operation plan to provide native vegetation around pond and not just mowed grass down to water level. The applicant agreed to provide this to F&G and copy to us.

I expect that F&G will withdraw protest as soon as information provided.

No hearing was scheduled but we talked about a 2 week timeframe to provide the sketch and plan.

60730 1995

RE: WR# 37-08700 (Horizons, Inc)

PLACE: Multi-purpose Room, Gooding City Hall; Gooding, ID

DATE: 1:00 p.m., Tuesday, July 11, 1995

CONFERENCE OFFICER: Allen D. Merritt

ASSISTED BY: *None*

ROSTER OF ATTENDANCE

[illegible]

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION
FOR PERMIT NO. 37-08700

Horizons, Inc., Applicant

Id. Dept. Fish & Game,
Protestant

NOTICE OF
PRE-HEARING CONFERENCE

SOURCE: Springs
Tributary to Snake River
COUNTY: Gooding

On November 29, 1990, Horizons, Inc.,, applicant, filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. The Department has received a protest against the approval of said application from the above captioned protestant.

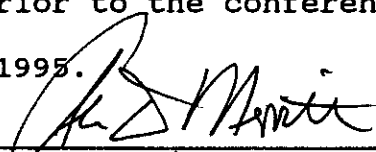
The Department has set the matter of protest for conference on Tuesday, July 11, 1995 at 1:00 p.m. in the Multi-purpose Room, Gooding City Hall, 308 5th Ave. West; Gooding, ID 83330.

The purpose of the conference is to formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

The conference will be held in accordance with Chapter 2, Title 42, of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Resources.

The conference will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the department within (10) days prior to the conference.

Dated this 13th day of June, 1995.


Allen D. Merritt, P.E.
Regional Manager

OCT 30 1995

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of June, 1995, a true and correct copy of the forgoing Notice of Pre-hearing Conference was forwarded with all required charges prepared, by the method(s) indicated below, to the parties listed:

Mary A. Baldwin
Secretary

JIM LEE PRESIDENT
HORIZONGS INC
PO BOX 78
BLISS ID 83314

Hand delivered _____
U.S. Mail-Regular ✓
U.S. Mail-Certified _____
Fax _____

CARL H NELLIS SUPERVISOR
ID DEPT OF FISH & GAME
PO BOX 428
JEROME ID 83338

Hand delivered _____
U.S. Mail-Regular ✓
U.S. Mail-Certified _____
Fax _____

JUN 20 1995

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT ISSUES

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

1. Will the proposed appropriation injure other water rights?
2. Is the water supply sufficient for the purpose for which it is sought to be appropriated?
3. Was the application made in good faith or for delay or speculative purposes?
4. Does the applicant have sufficient financial resources with which to complete the proposed project?
5. Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
6. Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, 3, 4, and 6 above and must provide evidence for the department to evaluate these criteria. The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a pre-hearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement or make settlement offers, schedule hearings, establish procedure at hearing and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement. The department may issue a "pre-conference statement order" which requires response to the inquiries.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape. The hearing likely will be conducted by a hearing officer appointed by the Director rather than by the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director. Parties may by written stipulation waive the right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer. As part of the conference a date may be set by which exchange of exhibits and witness lists must occur.

EFFECT OF FAILURE TO APPEAR AT A CONFERENCE OR HEARING

Failure to appear at the time and place set for a conference or hearing by the applicant or protestant(s) may allow the department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing party.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within (10) days prior to the hearing.

OCT 8 0 1985



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

June 13, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

ATTN KATHY
GOODING CITY HALL
308 5TH AVE WEST
GOODING ID 83330

Dear Kathy:

This is a follow-up to our telephone conversation on this date to confirm the reservation of the Multi-purpose Room for public meetings to be held by this office on Tuesday, July 11, 1995 and Wednesday, July 19, 1995 from 10:00 a.m.- 5:00 p.m.

If you have any questions please feel free to contact me or Allen Merritt, Southern Regional Office Manager.

Thank you very much for your assistance in this matter.

Very truly yours,

Mary Baldwin
Sr. Secretary

OCT 8 0 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 27, 1995

Horizons, Inc.
c/o Jim Lee
550 Spring River Rd
Bliss, ID 83314

RE: PROTESTED APPLICATION FOR PERMIT NO. 37-08700

Dear Mr. Lee:

I have reviewed your letter dated April 24, 1995 in connection with the above referenced application for permit.

Since the Department of Fish and Game has protested the application, this department needs to resolve the matter of protest before you are authorized to proceed with any development.

The department encourages you to contact the protestant directly to attempt to resolve the protest without a hearing. If you are unsuccessful in such an attempt, please contact our office in Twin Falls and request that a hearing be scheduled in the matter. Alan Merritt is the regional manager there.

Sincerely,

A handwritten signature in dark ink, appearing to read 'L. Glen Saxton', is written over the typed name.

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region
Alan Merritt

APR 28 1995

APR 30 1995

RECEIVED

APR 24 1995

Department of Water Resources

1
Horizons Inc. 550 Spring River Rd
Bliss Idaho 83314

Jim
4-24-95

Department of Water Resources
1301 North Orchard St P.O. Box 83720
Boise Idaho 83720
L. Glen Saxton, Chief

Dear Sir:

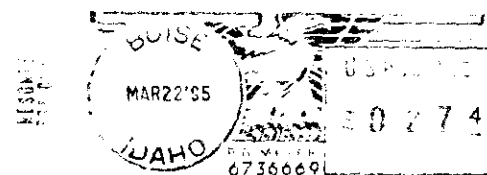
I Just Received your Letter Postmarked
Mar. 29'95 Even though the Letter is dated Mar.
21'95. Horizons is definitely Pursuing Building
these two Small Ponds which are Not Actually
diverting the Spring water at all. We will
Simply Slow the Flow for an hour or so until
the Pond Fills. Then the Spring will Continue
on its Natural Course. Since the Ponds are
only approximately 50 Feet x 40 Feet x 2 Feet Deep
There will be very Little Interruption in the
Natural Flow. These two Little ponds will
Provide habitat for a limited amount of Ducks
and wild Life as well as add aesthetic Value
to the Area. There will be No Effect on
Down Stream Flow After they originally Fill.
Thanking you Again for your Consideration,
With Every Good wish I Am;

Jim Lee
Pres. Horizons Inc.

APR 30 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1201 North Orchard Street
Idaho 83706-2237

wd



RECEIVED
MAR 24 1995
Department of Water Resources

HORIZONS INC
C O JIM LEE
1959 E 1550 S
GOODING ID 83330

Handwritten notes:
madd. to
550 Spring River Rd.
Gooding, ID 83330
3-28-95
JML

Vertical stamp: D
OCT 3 1995



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

March 21, 1995

PHILIP E. BATT
GOVERNOR

Horizons, Inc.
c/o Jim Lee
1959 E. 1550 S.
Gooding, ID 83330

R. KEITH HIGGINSON
DIRECTOR

RE: APPLICATION FOR PERMIT NO. 37-08700

Dear Mr. Lee:

The department of Water Resources (IDWR) is currently reviewing protested applications for permit which are pending before the department. Our files show that on November 29, 1990, you filed the above referenced application proposing the diversion of 0.20 cubic feet per second (cfs) of water from two springs tributary to the Snake River to be used year-round for aesthetic purposes. The application was subsequently protested by the Idaho Department of Fish and Game.

Since substantial time has passed subsequent to the filing of the application, it appears that one of two potential actions needs to occur in connection with the application as follows:

1. If you are no longer actively pursuing the development proposed in the application, please complete and return the enclosed relinquishment form. IDWR will then remove the application from IDWR records.
2. If you are actively pursuing the proposed development, you need to specifically advise IDWR in writing of your continued interest within thirty (30) days of the date of this letter. In addition, you must provide information to IDWR within sixty (60) days of the date of this letter to demonstrate that you have been actively pursuing the project.

If you do not timely respond to this letter or do not make a sufficient showing that you have been pursuing the proposed project, the department will reject the application pursuant to provisions of Section 42-203A(5), Idaho Code, as being filed for speculative purposes. If you have questions, feel free to contact this office or our Southern Regional Office in Twin Falls.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region
Encl: 1

OCT 30 1995



ate of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

16-Oct-1991

R. KEITH HIGGINSON
Director

ATTN CARL H NELLIS REG SUPERVISOR
IDAHO DEPT OF FISH & GAME
PO BOX 428
JEROME ID 83338

RE: APPLICATION FOR PERMIT NO. 37-08700 (HORIZONS INC)

Dear Mr. Mr. Nellis:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application for permit. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure(s)
cc: Boise office-IDFG

POSTAL
OCT 30 1995

Attachment to letter dated 16-Oct-1991

To all parties in the matter of
Application for permit No. 37-08700
In the name of Horizons Inc.

PROTESTED APPLICATION FOR PERMIT:
ISSUES CONSIDERED, CONFERENCE PROCEDURE

In processing all applications for permit, the department must consider the following issues, which are specified in Section 42-203A of the IDAHO CODE:

- 1) Will the proposed use reduce the quantity of water under existing rights?
- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the proposed project?
- 5) Will the proposed use conflict with the local public interest?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

When an application is protested, the statute requires the department to conduct a hearing to create a record of the evidence considered in approving or denying the application.

Normally, an informal pre-hearing conference is held prior to the actual hearing. The objectives of the informal conference are as follows:

- 1) To familiarize all parties with the application and the issues being raised.
- 2) To provide a forum for discussion and possible resolution of the matter among the parties.
- 3) To provide information to the parties about the department's hearing procedure in deciding protested applications.
- 4) To discuss scheduling of the matter for hearing.

Notices setting the time and place for the conference will be sent by certified mail to all parties at least 10 days prior to the conference. This is the same procedure specified by law for serving notice of hearings.

Conferences are conducted under Rules for Practice and Procedure adopted under the Idaho Administrative Procedures Act.

RECEIVED
OCT 20 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

16-Oct-1991

R. KEITH HIGGINSON
Director

ATTN JIM LEE PRESIDENT
HORIZONS INC
PO BOX 78
BLISS ID 83314

RE: APPLICATION FOR PERMIT NO. 37-08700

Dear Mr. Lee:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your above referenced application.

The Department suggests you contact the protestant(s) directly to determine the exact nature of the protest(s) and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application for permit. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure(s)

OCT 30 1995

AFFIDAVIT of PUBLICATION

RECEIVED

FEB 28 1991

Department of Water Resources
Southern Region Office

State of Idaho,)
) SS.
County of Gooding)

Patty Spence, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 20th day of Feb. 19 91, and the date of the last publication was on the 27th day of Feb., 19 91.

Patty Spence

Subscribed and sworn to before me this 27th

day of Feb., 19 91.
(SEAL)

Notary Public
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho
COST OF PUBLICATION

OK
MB
3-26-91

Number of Lines in Notice _____
Number of Insertions 2 X

— Lines tabular at _____ 6¢/Pica
— 337.5 Lines straight at 16.50 5¢/Pica
— Subsequent lines at 13.50 4¢/Pica
TOTAL COST 30.30

COPY OF NOTICE
(Paste Here)

TITLE OF NOTICE

Horizons Inc.

37-28766

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

BILL TO

The following notice was published in the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 20th day of Feb. 19 91, and the date of the last publication was on the 27th day of Feb., 19 91.

Source: SPENCE - Tributary: SPENCE

Pub: 2-20, 27

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line successive
insertions.....4¢/Pica

No 894

4839

RECEIVED
S. Region
5/88 1999n
OCT 03 1999n
Department of Water Resources

RECEIVED

ELB 12 1991

Department of Water Resources
Southern Region Office

Application No. 37-08700

ADDITIONAL INFORMATION REQUIREMENTS
FOR APPLICATIONS IN THE NAME OF A CORPORATION,
COMPANY, OR PARTNERSHIP

In reviewing the application for compliance with the requirements of the Department's Rules and Regulations for Water Appropriations, we have determined that the following information is required to make the Application complete for processing.

- 1) If the Application is filed in the name of a corporation, the names and addresses of its directors and officers shall be provided. If the application is filed by or in behalf of a partnership or joint venture, the application shall provide the names and addresses of all partners and shall designate the managing partner, if any. (Rule 3,3,2,1)

Because the required information does not appear in the legal notice, we are proceeding with advertising of your Application. If the required information is received within ten days of the second publication date, no additional delay should be incurred in processing.

Horizons Inc
1959E 1550S
Gooding Idaho 83330

President
Jim Lee
1959E 1550S
Gooding Idaho 83330

Secretary
Dawn Ashmead
17801 US. 20
Bliss Idaho 83314

Note:

Horizons Inc will
be changing it mailing
address the first part of
March 1991 to:

Horizons Inc
550 Spring River Rd.
P.O. Box 78

Bliss Idaho 83314

Thank you
Jim Lee Pres.

OCT 30 1995



IDAHO FISH & GAME

REGION 4
868 East Main Street
Jerome, ID 83338
(208) 324-4350

February 1, 1991

RECEIVED

FEB - 5 1991

Department of Water Resources
Southern Region Office

Idaho Department of Water Resources
ATTN: Gary Funderburg
222 Shoshone Street East
Twin Falls, Idaho 83301

RE: Application 37-08700, Horizons Inc.

Dear Mr. Funderburg:

We have reviewed this application and are concerned the proposed work may negatively impact important wildlife habitat. Prior to your issuing this permit we would like the applicant to prepare a plan describing what work will be accomplished and how the water will be used. My staff would be happy to assist the applicant in this process. Until such time as an approved plan has been developed, however, we will oppose this application.

Thank you for the opportunity to comment on this application.

Sincerely,

Carl H. Nellis
Regional Supervisor

Cecil D. Andrus / Governor
Jerry M. Conley / Director



FEB 30 1991

37-08700

HORIZONS INC.
1959 E. 1550 S.
GOODING, ID 83330

Source: SPRINGS

Tributary: SNAKE RIVER

Diversion Pt: LOT 1 (NESENE) Sec 12 T 06S R 12E

Use: AESTHETIC (.200 CFS)
Total Diversion: (.200 CFS)

Date Filed: 11/29/ 1990

In: T06S R12E S12 Lot 1 (NENE)

OCT 30 1995

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 222 Shoshone St. East, Twin Falls, Idaho 83301 on or before FEBRUARY 25, 1991. *March 11?*

R. Keith Higginson, Director

Published 2/ 6/1991 & 2/ 13/1991
20 21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208)734-3578

JANUARY 29, 1991

GOODING COUNTY LEADER
BOX 56
GOODING, ID 83330

Gentlemen:

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 25, 1991.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

OCT 30 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

29-Jan-1991

R. KEITH HIGGINSON
Director

ATTENTION JIM LEE
HORIZONS INC
1959 E 1550 S
GOODING ID 83330

Re: Application for Permit No. 37-08700

Dear Mr. Lee:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Gooding County Leader on 2/6 & 2/13/91. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unopposed application is about eight weeks. Please see attached list for additional information requirement.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

S. Region
5/89

Application No. 37-08700

ADDITIONAL INFORMATION REQUIREMENTS
FOR APPLICATIONS IN THE NAME OF A CORPORATION,
COMPANY, OR PARTNERSHIP

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OCT 30 1995

29-Jan-1991

IDAHO DEPT OF FISH & GAME
PO BOX 428
JEROME ID 83338

Re: Application(s) for Permit

Gentlemen:

Please find enclosed copy(ies) of an Application(s) for Permit for your information and files.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

Enclosure(s)

NOT RECORDED