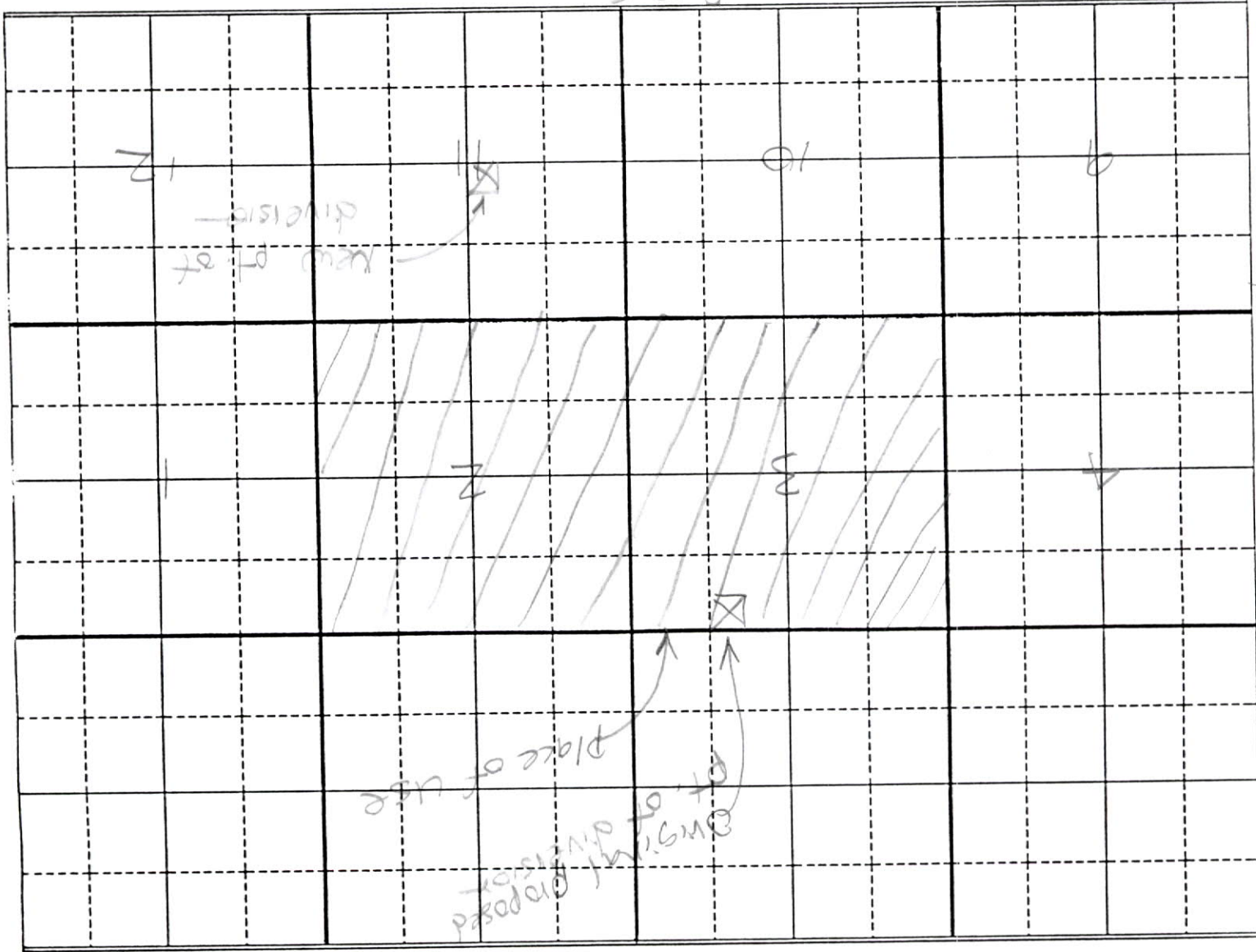


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)



I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

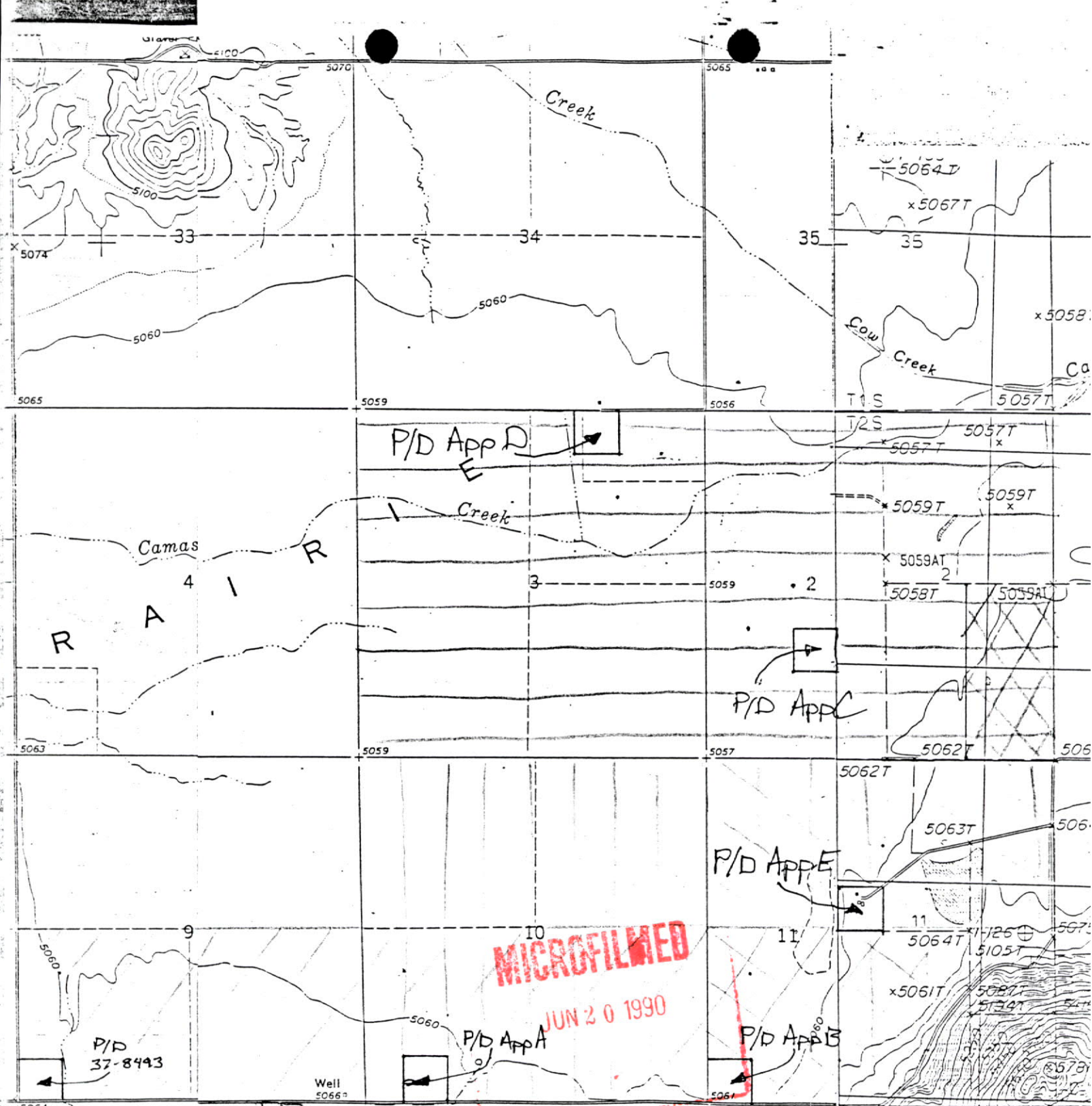
Signed this 5th day of May, 1995.
 Permit Holder [Signature]

ACTION OF THE DEPARTMENT OF WATER RESOURCES
 Publication prepared by [Signature] Date 5/1/95
 Published in The Canyon Recorder Publication dates 8/9 + 8/16/95

I, L. GLEN SAXTON, of the Department of Water Resources hereby
 APPROVE THE ABOVE REFERENCED APPLICATION FOR AMENDMENT. SEE THE ATTACHED SHEET
 FOR THE CONDITIONS OF APPROVAL.

Witness my hand this 10th day of October, 1995
[Signature] Director

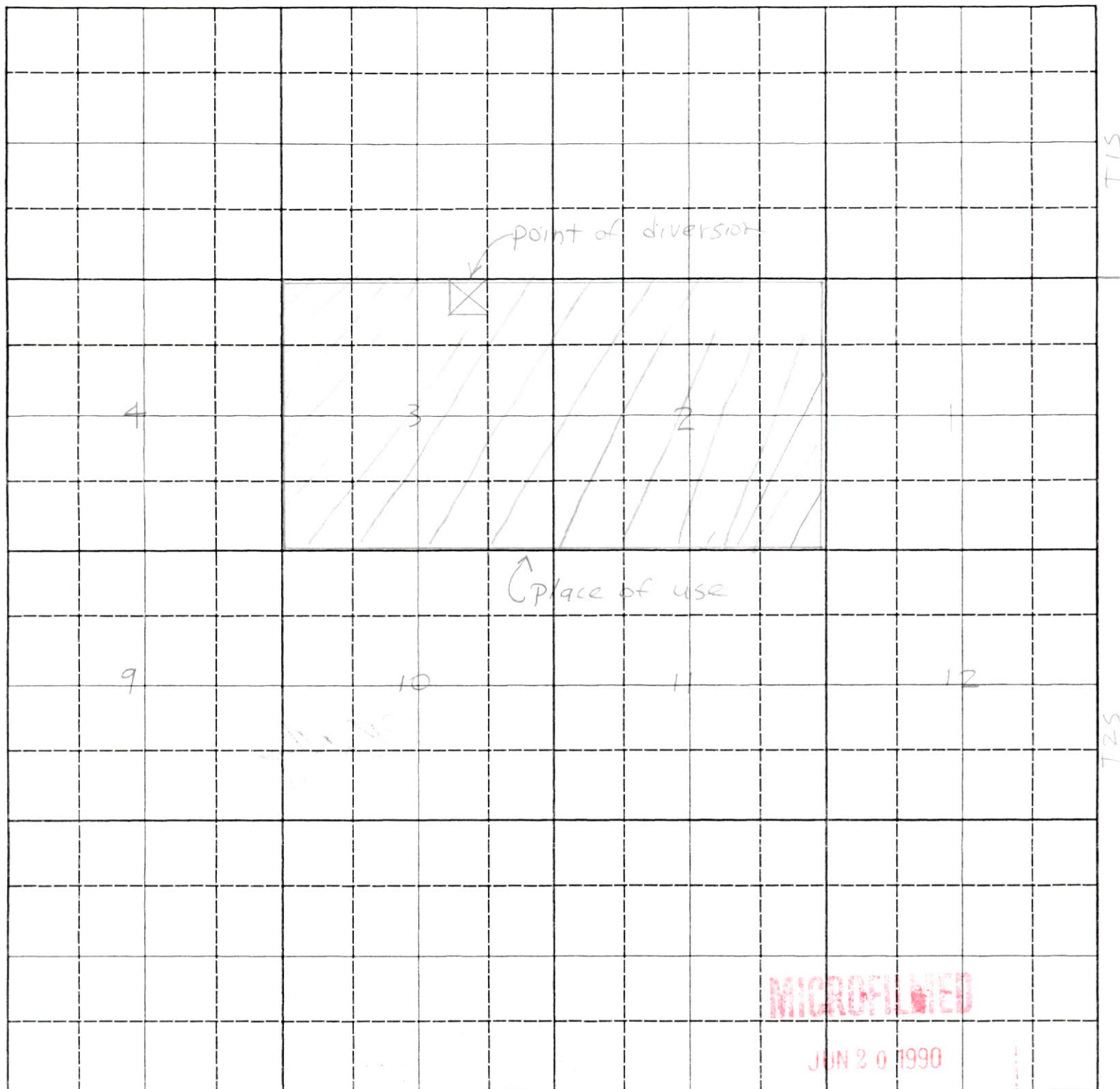
OCT 30 1995



- = P/U 37-7057 (RUBY)
- = P/U 37-8493
- = P/U App A, App B
- = P/U App C, App D
- = P/U App E

FOR DEPT USE
 IDF&G Application
 Summary
 37-08513

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

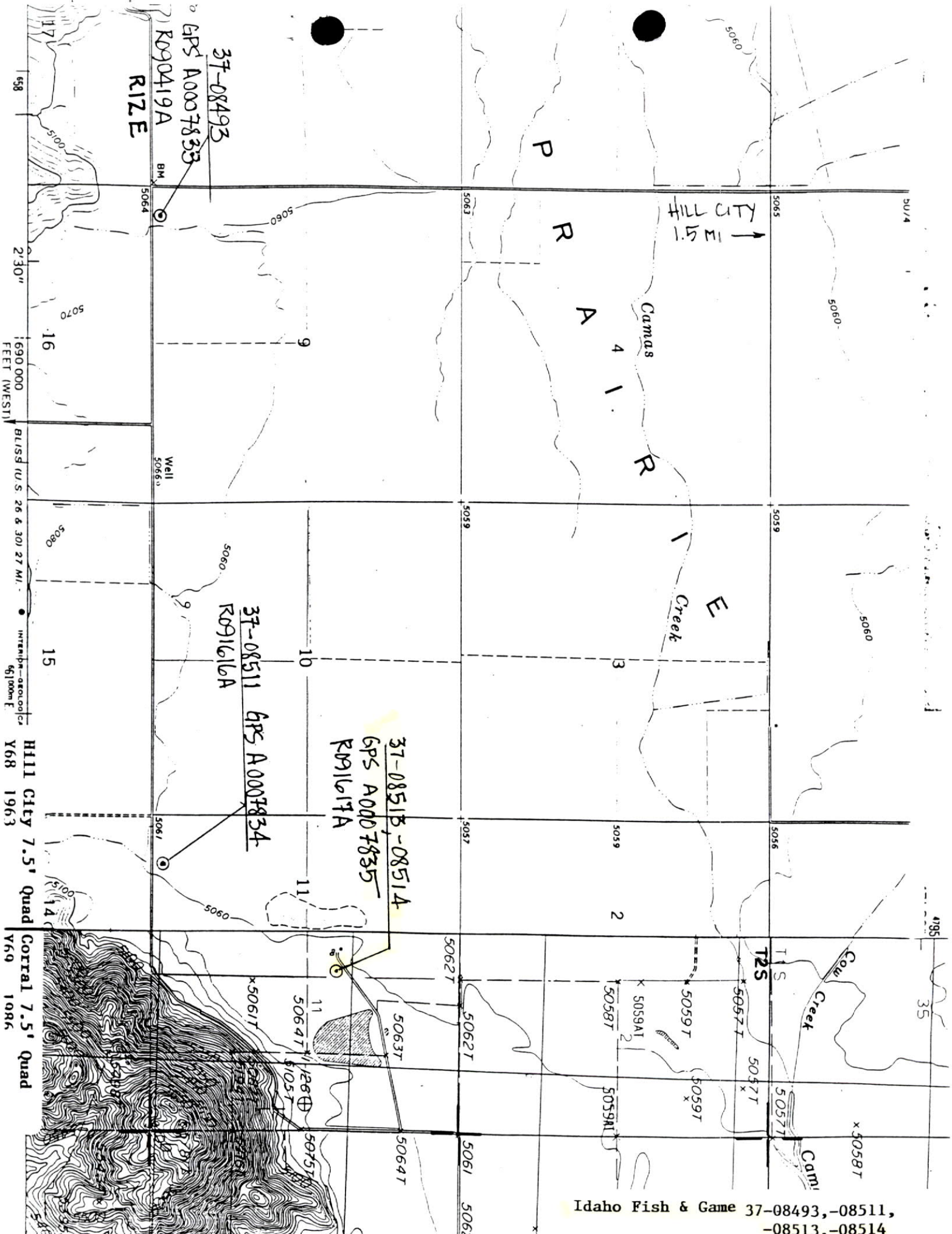


Scale: 2 inches equal 1 mile.

R 12 E

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.

Alto Lopez
(Applicant)



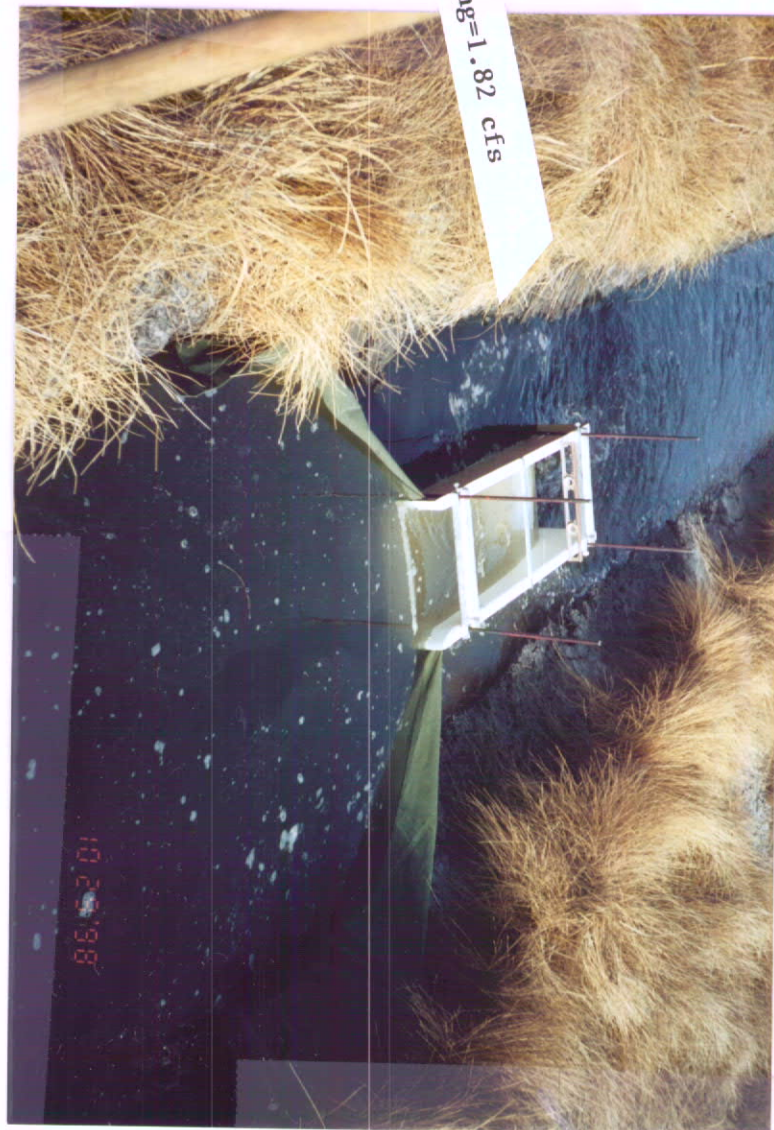
Idaho Fish & Game 37-08493,-08511,
-08513,-08514



PHOTO LOOKING N'LY

(37-08513, -08514)

measurements taken at discharge pipe
located 500 feet+ from the "Homestead"
well SESENW $\frac{1}{4}$ Section 11



LOOKING
NE'LY

Flume Reading=1.82 cfs

37-08513, -08514

Fish&Game 29Oct98 1030 hrs

2/2



MEASUREMENTS
FOR "HOMESTEAD" WELL
SE SE NW $\frac{1}{4}$ SEC. 11
(37-08513, -08514)

←
LOOKING DUE EAST



37-08513, -08514
FISH & GAME 29 Oct 98
1000 hrs.

Trees from the
old Homestead

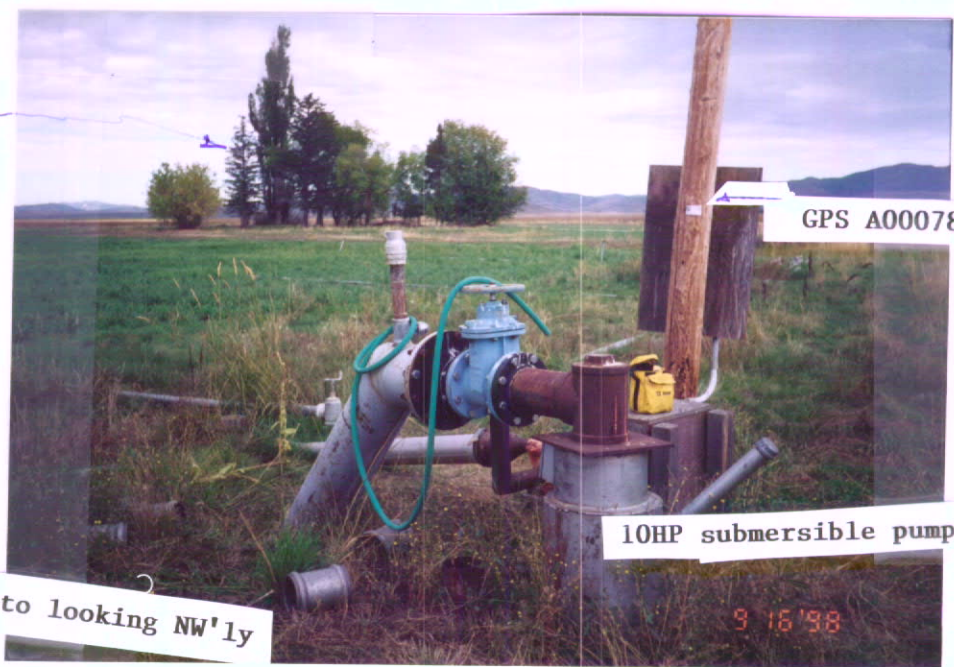


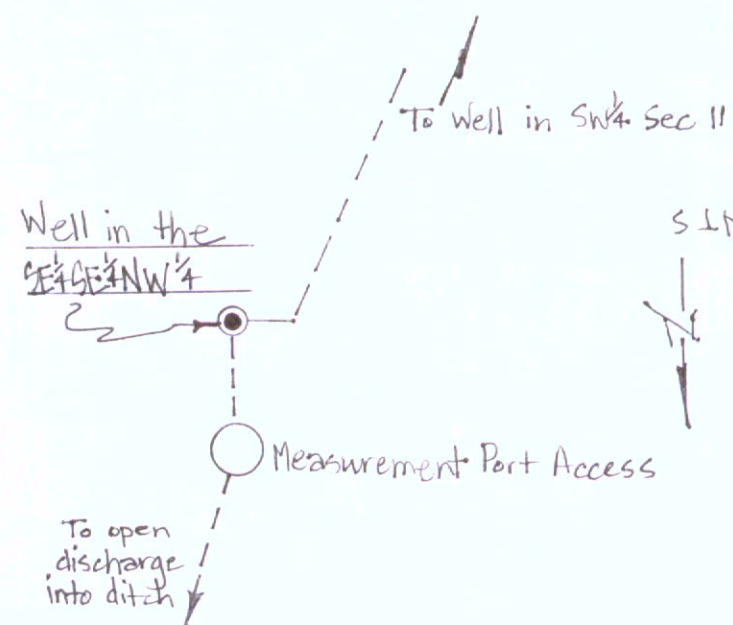
photo looking NW'ly



Measurement Port Access

photo looking S'ly

These handlines are irrigating "pasture"
for geese; wildlife ground cover;
the area is 2 acres +



photos looking N'ly



pond in background is in the SESW $\frac{1}{4}$ Sec 3

stand pipes which divert water from well;
into ditch, then into pond(s)

DISCHARGE FROM SWSWSW $\frac{1}{4}$ WELL
SEC. 11

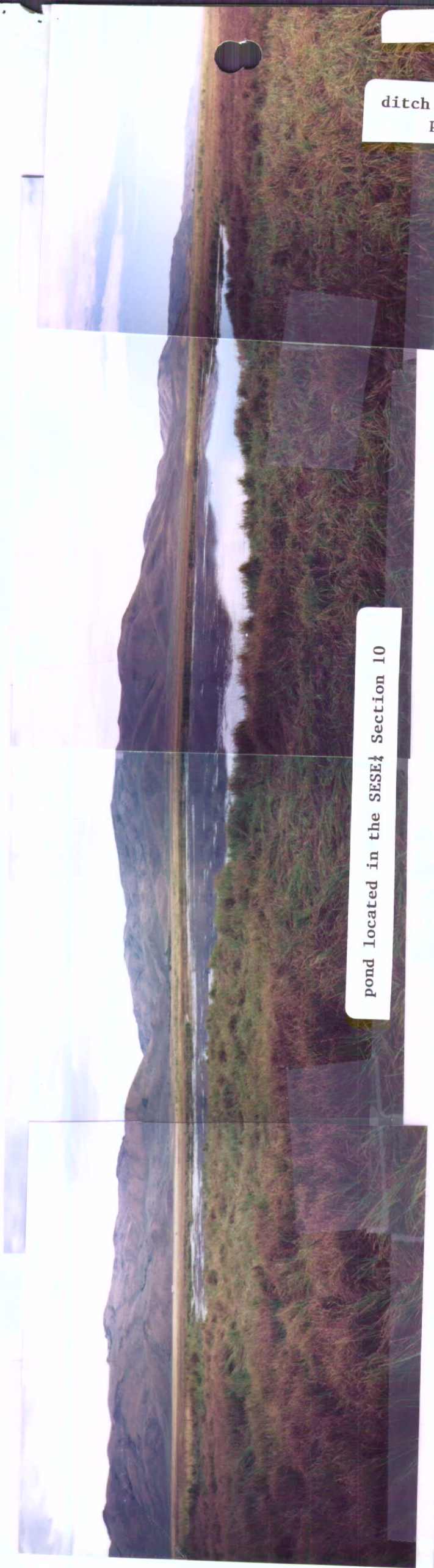


standpipe is approximately on the Section 2 & 11 line

ditch eventually dumps into pond (see
photo 3/3, bottom photo, on right side

DISCHARGE FROM "HOMESTEAD" WELL
SESE NW $\frac{1}{4}$ SEC. 11

ditch diverts from standpipe
photo 2/3, bottom photo



pond located in the SESE 1/4 Section 10

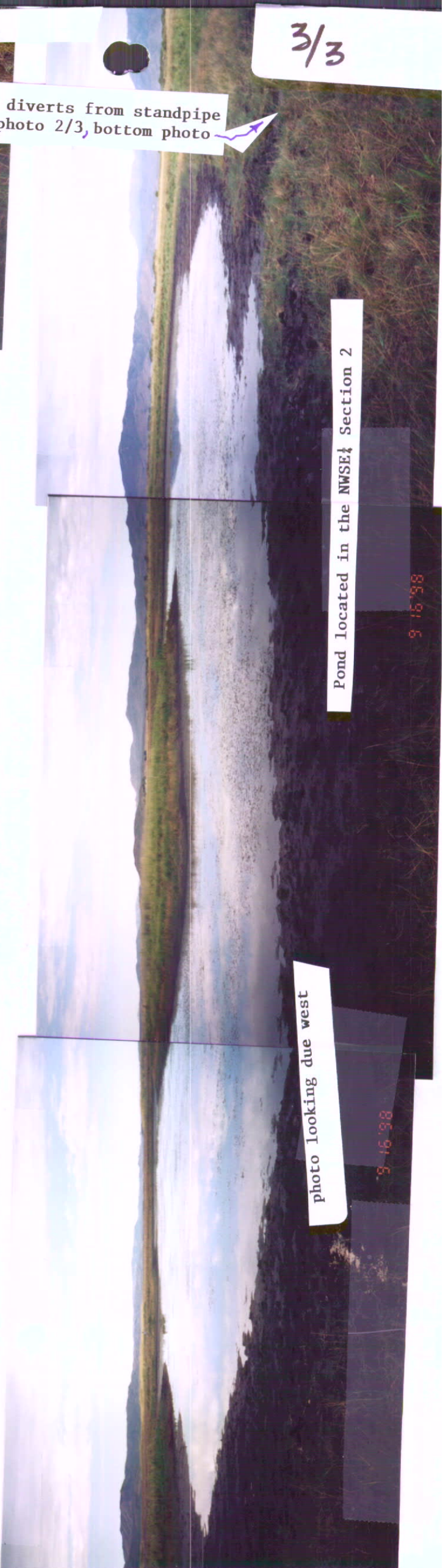
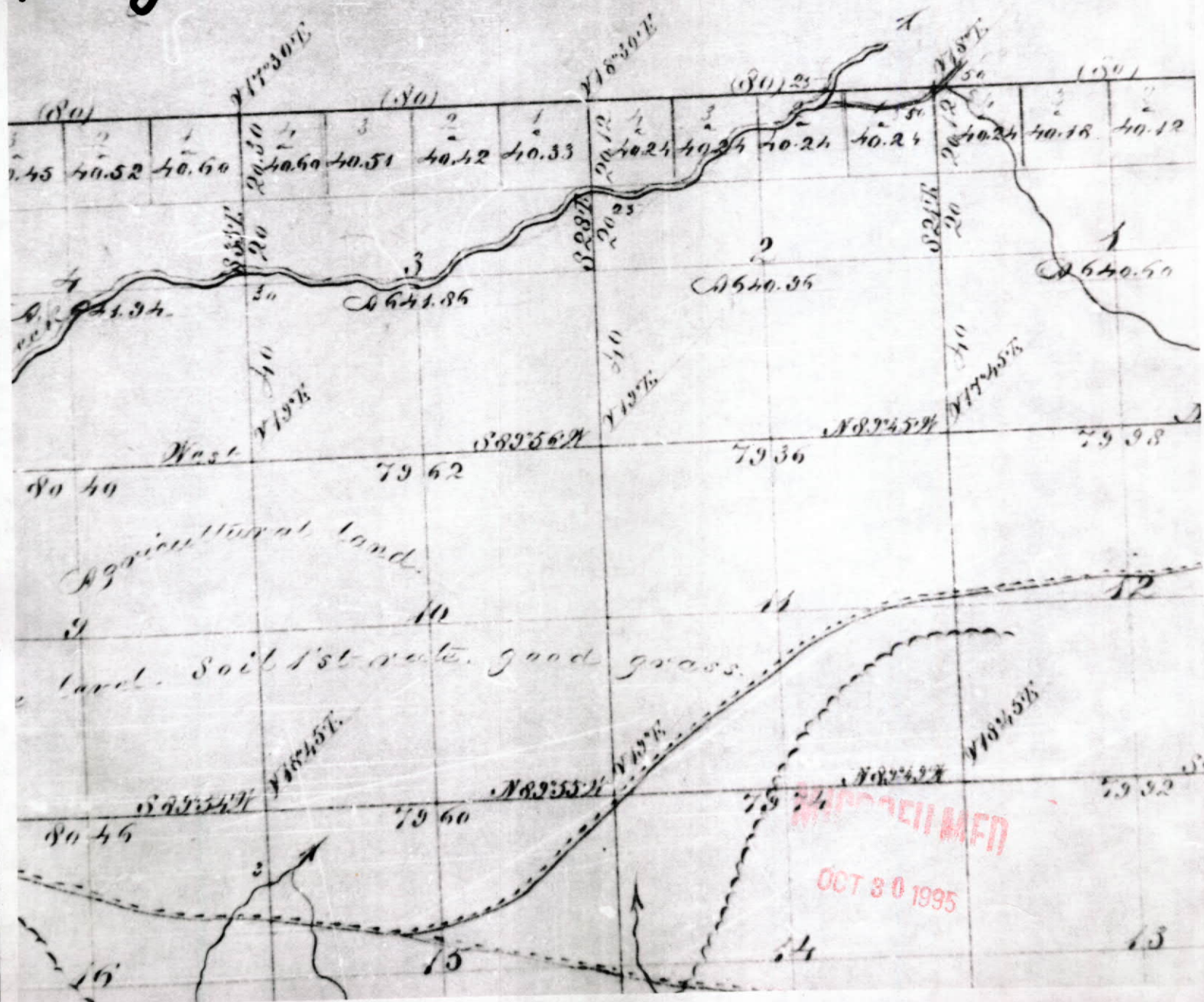


photo looking due west

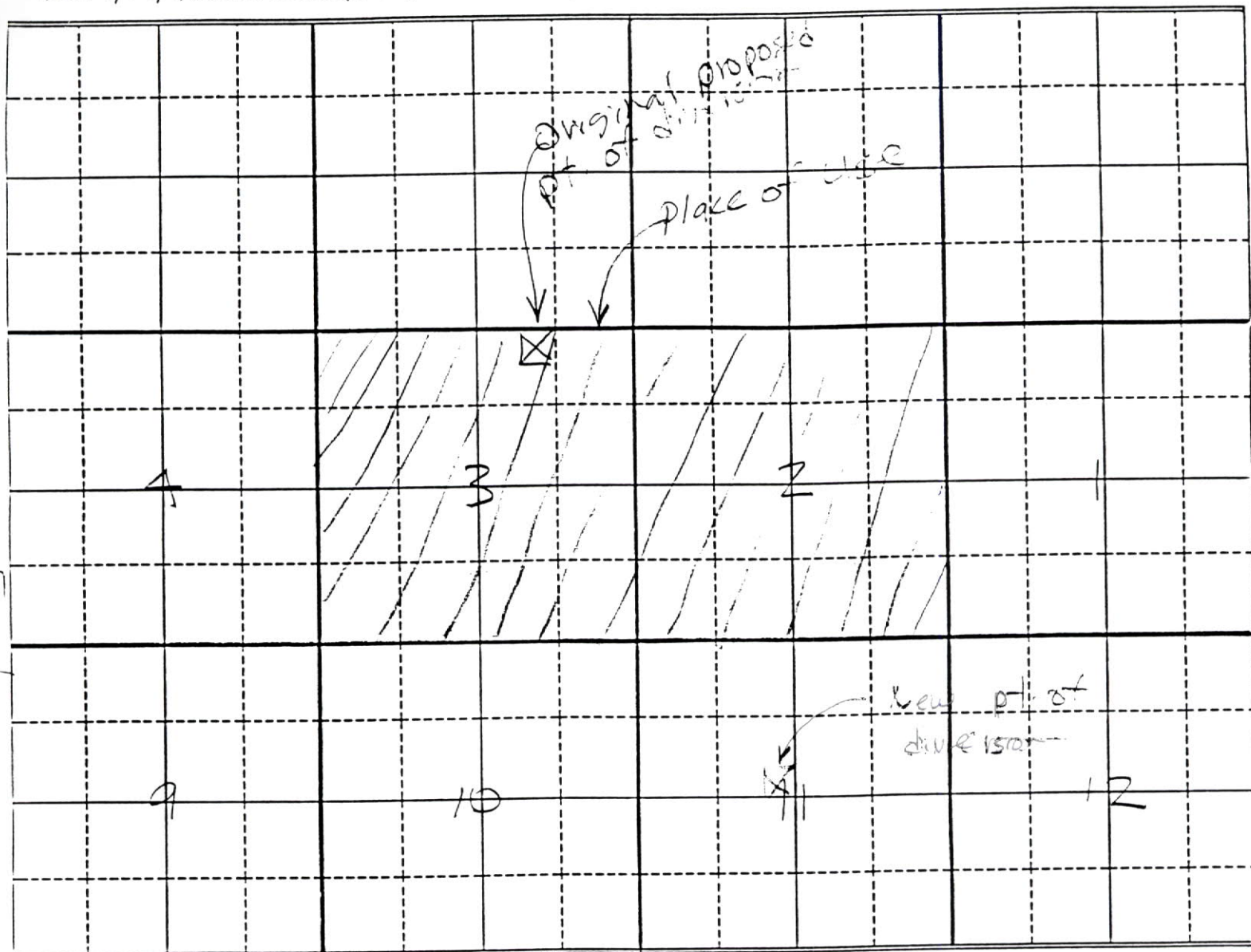
Pond located in the NWSE 1/4 Section 2

Township 02 South

Range ~~C~~ 12 East Boise Meridian



Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)



Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 5th day of May, 1995.

Paul J.

Permit Holder

OCT 03 1995

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by _____ Publication prepared by _____ Date _____

Published in _____ Publication dates _____

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19____.

RECEIVED

APR 08 1996

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 12 1996

Department of Water Resources
Southern Region

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder has the water required for 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. 37-08513 Telephone No. 208/334-3730

2. Name(s) of Permit Holder(s): Idaho State Fish & Game Dept.

3. Mailing Address: P.O. Box 25, Boise, Id. 83707

4. Source of Water: groundwater If **GROUNDWATER** (well), Date Drilled: mo. 0 / yr. 91

a. Well Driller: Hiddleston Drilling Drilling Permit Number: 37-91-2-008

b. **OPTIONAL:**
Pump Horsepower: 10 h.p. Pressure (psi): _____ Dynamic pumping level (ft): 60'

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: Wildlife Habitat

6. Total rate of diversion and/or volume for which proof is submitted: 1.0 cfs OR _____ acre feet

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

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

Measuring Device: Is a measuring device required? Yes _____ or No _____

Has the measuring device been installed? Yes _____ or No _____

Flow Measurement Port: Is a flow measurement port required? Yes ☒ or No _____

Has the measurement port been installed? Yes ☒ or No _____

8. Fee Enclosed: \$ 10000 (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: Terry Gregory Telephone Number: 208/766-2409

Address: P.O. Box 128, Hill City, Id. 83337

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: Philip M. Jones Chief-Engineering Date: 4/11/96
(include your title, if on behalf of company or organization)

APR 29 1996

10/93

RECEIVED

RECEIVED

Receipt No. MTS 5018081
Received By MTS
Date 5-10-95

MAY 12 1995

STATE OF IDAHO
OCT 05 1995
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern Region

APPLICATION FOR AMENDMENT OF A PERMIT

Applicant Idaho State Dept. of Fish and Game Phone 208/ 334-3730Address P.O. Box 25, Boise, ID 83707I am the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 37-8513, and request that the permit and permit map be amended and/or changed as follows:Purpose of Amendment: X Change point of diversion Add point of diversion
 Change place of use Change nature of use Change period of use Other 1. Point of diversion: SE 1/4 SE 1/4 NW 1/4, Section 11, Township 25, Range 12E, B.M.,
County of Camas. Other points of diversion (Orig. proposed pt. of diversion NE 1/4
of NW 1/4 of NE 1/4 of Sec. 3, Twp 25, R12E) * Per telecon w/applicant 5-15-95

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 1.0 cfs for Wildlife Habitat purposes from May 1 to Nov. 15 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated:

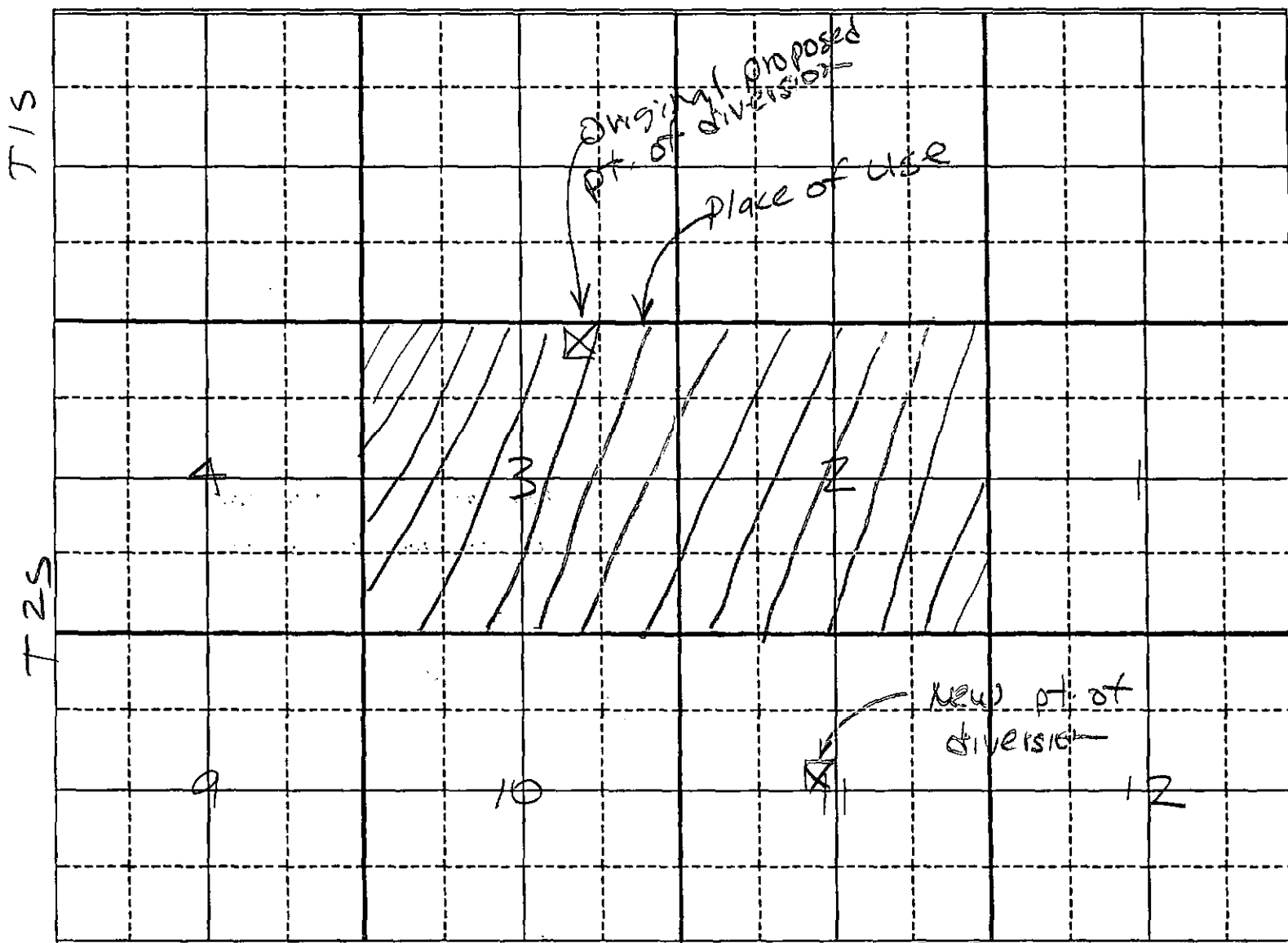
T w p	R g e	S e c	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
25	12E	2	LT1 W	LT2 W	W	W	LT3 W	LT4 W	W	W	W	W	W	W	W	W	W	W	
25	12E	3	LT1 W	LT2 W	W	W	LT3 W	LT4 W	W	W	W	W	W	W	W	W	W	W	

Total number of acres to be irrigated =

4. a. Who owns the property at the point of diversion? Idaho Fish and Game
- b. Who owns the land to be irrigated at the place of use? Idaho Fish and Game
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

OCT 30 1995

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)



Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 5th day of May, 1995.

[Signature]
Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by J. E. Stenton Publication prepared by mb Date 8/1/95
Published in The Camas Courier Publication dates 8/9 + 8/16/95

I, L. GLEN SAXTON, of the Department of Water Resources hereby
APPROVE THE ABOVE REFERENCED APPLICATION FOR AMENDMENT. SEE THE ATTACHED SHEET
FOR THE CONDITIONS OF APPROVAL.

Witness my hand this

10th

day of

October

19

95

OCT 30 1995

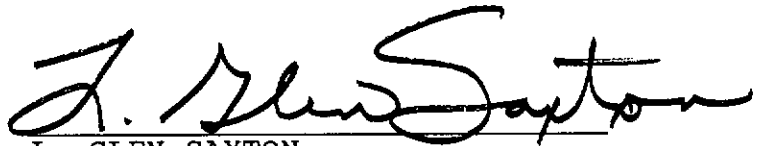
[Signature]
for Director

CONDITIONS OF APPROVAL

Amendment of Permit No. 37-08513

1. The previous conditions as set forth in Permit No. 37-08513 must be met.
2. 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.

Dated this 10th day of October, 1995.



L. GLEN SAXTON

Chief, Water Allocation Bureau

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OCT 30 1995

Form No. 204
RECEIVED

MAY 12 1995

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$50 Fee Received by MTS
Date 5-10-95
Receipt No. 5018081

RECEIVED

MAY 15 1995

**REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT**

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right. -

Permit No. 37-8513

Name(s) of Permit Holder: Idaho State Dept. of Fish and Game

Mailing Address: P.O. Box 25, Boise, ID 83707

Date Proof is Due: June 1, 1995 Telephone No. 208/ 334-3730

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

none

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

We would like to transfer this permit for 1 cfs to an existing well developed
under Permit #37-8514. This well has the capacity for both permits. It now
appears that drilling the new well in the original location would be cost prohibitive.

Permit holder(s) request an extension to June 1, 19 96

FEE: \$50.00

(Signature)*

**If other than permit holder, Power of Attorney must be supplied.*

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to June 1, 1996.

Signed this 15th day of Sept, 19 95

A. Glen Saylor
Chief, Water Allocation Bureau

OCT 03 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS TO)
APPROPRIATE WATER NOS. 37-08511,)
37-08513, 37-08514 AND 37-08526)
IN THE NAME OF THE IDAHO.)
DEPARTMENT OF FISH AND GAME)

ORDER ADOPTING
PROPOSED MEMORANDUM
DECISION AND ORDER

A Proposed Memorandum Decision and Order in the
above-captioned matter has been issued and a copy served on the
parties;

WHEREAS, more than fifteen days have passed since the
service of the Proposed Memorandum Decision and Order; and,

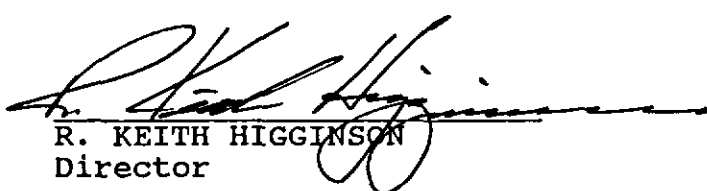
WHEREAS, no exception to that Proposed Memorandum Decision
and Order has been received;

IT IS, THEREFORE, HEREBY ORDERED that said Proposed
Memorandum Decision and Order be adopted and issued as the Final
Decision and Order and proof of construction of works and
application of water to beneficial use shall be submitted on or
before June 1, 1995.

Dated this 6TH day of JUNE, 1990.

MICROFILMED

JUN 20 1990


R. KEITH HIGGINSON
Director

CERTIFICATE OF MAILING

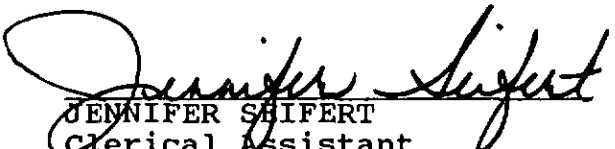
I hereby certify that on the 11th day of June, 1990,
I mailed a true and correct copy, postage prepaid, of the Order
Adopting Proposed Memorandum Decision and Order to the following
individuals:

Steve Goddard
Box 25
Boise, ID 83707

Gwinn Rice
Box 131
Hill City, ID 83337

John Arkoosh
P.O. Box 32
Gooding, ID 83330

Cecil D. Hobdey
125 Fifth Avenue West
P.O. Box 176
Gooding, ID 83330


JENNIFER SHIFERT
Clerical Assistant

RECORDED
JUN 20 1990

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS TO APPROPRIATE
WATER NOS. 37-08511, 37-08513, 37-08514 AND
37-08526 IN THE NAME OF THE IDAHO DEPARTMENT
OF FISH AND GAME

ORDER ISSUING
PROPOSED MEMORANDUM
DECISION

R. Keith Higginson, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by his appointee, Gary Spackman, who conducted the hearing or who has read the record in the this case, hereby approves the same as a proposed decision pursuant to Idaho Code, Sec. 67-5211.

Each party to these proceedings who appeared at the hearing is given the opportunity, pursuant to Idaho Code, Sec. 42-1701A and 67-5211, to file exceptions to the proposed decision and to present briefs and oral arguments. If no timely and proper exceptions are received, an order by the Director will be entered adopting the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,
2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and
3. be sent to each of the parties who appeared or their attorneys.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. All response briefs to the exceptions must be filed with the Director within 15 days after the exceptions were served upon the responding party.

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JUN 20 1990

III.

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exception.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral argument in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposed decision shall be heard at the discretion of the Director, pursuant to Idaho Code, Sec. 42-1701A. If oral arguments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.

CERTIFICATE OF SERVICE

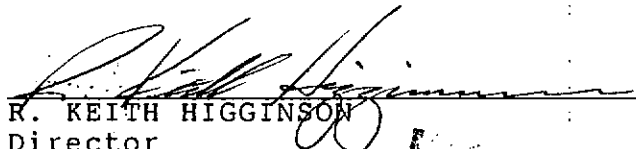
All exceptions, briefs, requests oral arguments and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.

FINAL DECISION

Following the submission of all exceptions, briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

Dated this 17th day of May, 1990.


R. KEITH HIGGINSON
Director

RECORDED

JUN 20 1990

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS TO)
APPROPRIATE WATER NOS. 37-08511,)
37-08513, 37-08514 AND 37-08526)
IN THE NAME OF THE IDAHO)
DEPARTMENT OF FISH AND GAME)

PROPOSED MEMORANDUM
DECISION AND ORDER

Protests having been filed against applications to appropriate water nos. 37-08511, 37-08513, 37-08414 and 37-08526, and a hearing having been conducted, the hearing officer, as a representative of the Director of the Department of Water Resources, finds, concludes and orders as follows:

FINDINGS OF FACT

1. On May 3, 1989, the Idaho Department of Fish and Game (Fish & Game) filed five applications to appropriate ground water with the Department of Water Resources (Department). Each of the applications proposed drilling of a well, and the diversion of 1.0 cubic foot per second (cfs) into a series of small ponds for wildlife habitat purposes. The applications were numbered 37-08510 through 37-08514.

2. On May 16, 1989, Fish & Game filed another application to appropriate water with the Department. This application proposed storage of 220 acre-feet of water in the same waterfowl potholes proposed by the earlier applications. The source of water, however, was listed as both ground water and an unnamed

JUN 20 1990

stream (surface run-off) which was tributary to Camas Creek. The application was numbered 37-8526.

3. Applications for permit no. 37-08510 through 37-08514 were advertised in The Snowshoe, Fairfield, Idaho, on June 7 and 14, 1989. Protests against the first applications were timely filed by Gwinn Rice, and C. Lee Barron, represented by John Arkoosh, attorney at law.

4. Application for permit no. 37-08526 was advertised in The Snowshoe, Fairfield, Idaho, on July 19 and 26, 1989. Protests against application for permit no. 37-08526 were timely filed by the Big Wood Canal Company, and by C. Lee Barron, again represented by John Arkoosh, attorney at law.

5. On July 20, 1989, Fish & Game filed an amended application form pertaining to application no. 37-08526. The only discernible difference between the earlier application and the amended application was that the surface water source had been removed from the application, and Fish & Game had added a phrase in remarks which stated that it believed "a surface water right to fill the excavated ponds is not required because diffuse surface waters will be collected." This amended application was advertised in The Snowshoe, Fairfield, Idaho, on September 6 and 13, 1989.

6. A hearing was conducted to resolve the protests on February 13, 1989. The applicant was represented by Steven Goddard, Deputy Attorney General. Gwinn Rice appeared representing himself. C. Lee Barron appeared through his attorney, John Arkoosh. Big Wood Canal Company did not appear.

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The records of the Department show that the Big Wood Canal Company was properly notified of the hearing.

7. At the hearing, Fish & Game presented a letter from Cecil Hobdey, attorney for Big Wood Canal Company, which conditionally withdrew the protest of Big Wood Canal Company if Fish & Game would consent to certain conditions. These conditions were modified by Fish & Game, and Mr. Goddard represented that Mr. Hobdey had stipulated to the amendments. The purported agreement read as follows:

- a. That no pond will be developed in an area where there is a discernible and defined channel of Camas Creek or a tributary thereof.
- b. No new banks or dikes will be created which would impound run-off water above the existing ground levels. This would not apply to ponds filled from ground water sources.

8. The Department requested and received a consent from Mr. Hobdey after the hearing which stipulated to the modifications by Fish & Game.

9. A question arose during the hearing regarding the intent of amended application no. 37-08526. Fish & Game clarified that the amended application sought the appropriation of surface water, or water defined as diffuse water by Mr. Goddard, and did not seek appropriation of groundwater.

10. Normally an application which changes the source of water from surface water to ground water, and which is advertised as a ground water appropriation, would have to be re-advertised. In this case, however, the original application was advertised as both a ground water and surface water application. The

JUN 20 1990

protestants responded to the application which included both sources. Therefore, the surface water application was properly advertised, and the public was granted an opportunity to protest the surface water proposal. Furthermore, both protestants to application no. 37-08526 responded to the combined surface-ground water application, not the subsequent ground water notice pursuant to the amended application.

11. Prior to the hearing, Fish & Game withdrew applications for permit nos. 37-08510 and 37-08512.

12. Big Wood Canal Company relies on flood water flows from Camas Creek and other tributaries to the Big Wood River to fill Magic Reservoir.

13. Mr. Barron owns an interest in water right no. 37-2801, which authorizes diversion of 6.0 cfs from Camas Creek. The point of diversion is downstream from the proposed Fish & Game project. Mr. Barron expressed an interest in selling his surface water right to Fish & Game, assuming that Fish & Game would transfer it upstream for use on its property.

14. Fish & Game proposes to construct approximately 40 depressions or shallow ponds of between two and ten acres in size located randomly throughout Sections 2, 3, 10 and 11, Township 2 South, Range 12 East, Boise Meridian. These ponds will be from two to five feet deep, and will cumulatively hold a volume of 220 acre-feet.

15. The ponds will be built by scooping depressions out of the ground, and placing the excavated material in mounds that will create islands for nesting waterfowl.

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JUN 20 1990

16. The excavated material is not intended to create dikes that will hold water above its normal elevation, or above the existing elevation of the land.

17. Once constructed, the ponds will collect spring snowmelt waters which now impound on Fish & Game property. These snowmelt waters pond on the Fish & Game property until early summer, when the waters recede, and the area dries up. The excavated ponds proposed by Fish & Game will retain water as the surface water dries up.

18. Shortly after snowmelt, the standing water on the Fish & Game property exits from the property through some culverts located east of the property underneath Wolf Road. Water only flows through these culverts for a short period of time, however, after which the upstream water ponds on the Fish & Game property until it either evaporates or percolates into the ground in early summer.

19. If the banks of the ponds do not form dikes, and islands are constructed with the excavated material, parcels of land which were once flooded will now be exposed, resulting in a smaller surface area, and evaporation will be reduced. Water will also gather more quickly in the depressions, exposing more land. In other words, the construction that is proposed will cause greater undulation of the land, concentrating the water.

20. It is true that concentration of water in the depressions will result in exposure of water to the atmosphere for a longer period of time. The additional evaporation resulting from the longer surface exposure will be offset by

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JUN 20 1990

reduced evaporation because of a reduction in the total water surface area as the flood waters begin to recede.

21. Test holes dug by Fish & Game show that, in the middle and late summer months, the water table underneath its property drops to levels of seven feet or more, and the depressions formed would not hold water through the entire summer. Fish & Game desires to supplement the surface water held in the depressions with ground water diverted from the three wells proposed by applications nos. 37-08511, 37-08513 and 37-08514.

22. Fish & Game proposes to divert water from an artesian aquifer which underlies its property. Phillip Jeppson, an engineer employed by Fish & Game, testified that withdrawal of water from the artesian aquifer, and subsequent seepage from the shallow ponds to the water table would improve the water supply for the shallow aquifer. The withdrawal would, however, reduce artesian pressures.

23. The hearing officer took notice of a report prepared by the United States Geological Survey titled Water Resources of Camas Prairie South-Central Idaho, U.S. Geological Survey Open File Report No. 78-82 (1978) (Hereinafter referred to as "The Report"). The Report states that ground water generally flows east in the direction that Camas Creek flows. It also states that there are two ground water aquifers, a shallow surface aquifer and a deep artesian aquifer. The Report also states that at least a portion of the artesian aquifer is contained in an underground basalt strata. Camas Creek intercepts the water

RECORDED
JUN 20 1990

bearing basalt strata near Blaine, Idaho, and the basalt aquifer contributes to flows of Camas Creek.

24. Mr. Jeppson testified that existing wells in the immediate area of the proposed wells intercept a basalt strata, and that the proposed wells would also intercept a basalt strata.

25. The Report contains a map on Page 9, which depicts the underground buried margin of the basalt formation. The location of the Fish & Game wells does not fall within boundaries of the defined basalt formation. The map identifies the underground composition as valley filled deposits of clay, silt, and gravel.

26. The conflict between testimony and information contained in The Report cannot be readily reconciled. The Report establishes, however, that the basalt does not continuously underlie the valley floor. Water in the strata sought to be tapped by Fish & Game travels underground in an easterly direction, but its relationship to Camas Creek is not clear.

27. The location where Camas Creek intercepts the water bearing basalt strata is approximately 25-30 miles east of the proposed well locations. A patchwork of basalts, volcanic rocks, and deposits of clay, silt, sand and gravel extend throughout the reach. Although ground water may flow generally in an easterly direction, the only ground water The Report finds directly tributary to Camas Creek is the basalt strata intercepted by Camas Creek. Other ground water may never surface but contribute water to the larger Snake River Plain Aquifer by underflow.

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28. Historical data contained in Fish & Game Exhibit No. 1 shows that increased pumping in the Camas Prairie Valley has not significantly reduced flow rates in Camas Creek. The reduction in the flows of Camas Creek may be insignificant when compared to the actual amounts of water withdrawn.

29. Water right 37-2801, in which Barron has an ownership interest, authorizes diversion of 6.0 cfs from points of diversion located in Sections 30 and 31, T1S, R14E, approximately 8 to 10 miles downstream from the proposed points of diversion.

30. The point of diversion is located within a reach of Camas Creek which loses water to the shallow aquifer, and is approximately 8 to 10 miles upstream from the point where Camas Creek intercepts the basalt aquifer.

31. The wells proposed by Fish & Game will divert water from a confined artesian aquifer primarily for a non-consumptive use, minus evaporation and some evapotranspiration by pond-side plants sustained by continued water availability.

32. Much of the water diverted will seep into the shallow aquifer, probably maintaining the shallow aquifer at a higher level.

33. The addition of water to the shallow aquifer should reduce losses in Camas Creek and increase the water supply for water right no. 37-2801.

34. Water right 37-2801 will not be injured by the development proposed by these applications.

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35. The location of the proposed ground water diversion to the gaining reach of Camas Creek is too remote to lead to a conclusion that the proposed wells will deplete surface water downstream.

36. Rice is concerned about the possible effect of these proposals on his ground water rights. All of Rice's wells are located at least two and one half to three miles away from the proposed Fish & Game wells. Phil Jeppson reviewed Rice's well logs, and well logs of wells located near the Fish & Game property, and concluded that Fish & Game would be tapping a different aquifer than the aquifer intercepted by Rice's wells, and that the proposed wells would not interfere with Rice's wells.

37. The proposed wells will not be located in the same strata as Rice's wells. There is probably some hydrologic connection between the water Rice diverts and the water Fish & Game proposes to divert, but there is sufficient water to satisfy Rice's water rights and the diversion sought by Fish & Game. The Fish & Game wells should not locally interfere with the Rice wells, both because of the distance between the wells and the interception of a different water bearing strata.

38. The proposed ground water diversions fall within an area defined by the Water Appropriation Rules and Regulations as a trust water area. A trust water area is a ground water area from which ground water ultimately discharges into the Snake River between Milner Dam and Swan Falls Dam.

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39. The statutes, Department rules and regulations, and agreements which have been ratified by the legislature of the state, state that the Department can approve applications that will not cause a significant reduction in flows of the Snake River near Murphy, Idaho. A significant reduction is defined as a reduction of the flow at Murphy gauge by more than two acre-feet per day.

40. The parties concur that the proposed ground water diversions will not result in depletion of flows at Murphy gauge of more than two acre-feet per day.

41. Fish & Game presented sufficient information to show that there were financial resources to complete the project.

42. Fish & Game submitted sufficient information to show that the applications are not filed for speculation or delay.

43. Fish & Game presented information to show that the local public was generally in favor of the project, and that the project was of high priority to Fish & Game because of loss of wetland nesting habitat. Gwinn Rice testified that some residents of the local area were concerned about the impacts of the project, and that others did not care.

CONCLUSIONS OF LAW

1. The applications to appropriate water filed by Fish & Game must be reviewed by the Department against five criteria contained in Idaho Code § 42-203A(5) which states in part as follows:

The director of the department of water resources shall find and determine from the evidence presented to what use or uses the water sought to be appropriated can be and are intended to be applied. In all applications whether

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protested or not protested, where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the department that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with local public interest, where the local public interest is defined as the affairs of the people in the area directly affected by the proposed use; the director of the department of water resources may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions.

2. Rule 4,4,2,1. states that the "applicant shall bear the initial burden of coming forward with evidence for the evaluation of criteria (a) through (d) of Section 42-203A(5) Idaho Code . . ."

3. Rule 4,4,2,2. of the Water Appropriation Rules and Regulations states that both the applicant and protestant have the burden of coming forward with evidence regarding public interest of which they are each most cognizant.

4. Rule 4,4,3. states that the applicant bears the ultimate burden of persuasion for all criteria considered under Idaho Code § 42-203A.

5. The local public interest criterion of Idaho Code, Sec. 42-203A(5) is defined by Rule 5,1,5. of the Water Appropriation Rules and Regulations to include:

The effect the project will have on the economy of the local area affected by the proposed use as determined by the employment opportunities, both long and short term, revenue changes to various sectors of the economy, short and long term, and the stability of revenue and employment gains;

The effect the project will have on recreation, fish and wildlife resources in the local public area affected by the proposed use;

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JUN 20 1990

Compliance with applicable air, water, hazardous substance standards, and compliance with planning and zoning ordinances of local or state government jurisdiction.

6. Rule 4,5,3,2,1. of the Water Appropriation Rules and Regulations requires submittal of detailed information about required peak and average diversion rates, use periods, annual water volume, and consumptive use. Rule 4,5,3. only requires submittal of information for applications proposing diversion in excess of 5.0 cfs or storage of 500 acre-feet.

7. Shokal v. Dunn, 109 Idaho 330, 707 P.2d, 441 (1985) requires submittal of sufficiently detailed plans to reflect a project's impacts and implications and to apprise the public of the efficacy of the proposed use. Shokal also states that "the design plan for a proposed facility depends on the nature of the facility, the complexity of the proposal and the extent of the proposed appropriation's impact on the local area."

8. The schematic drawing on the applications for permit, and approximate location of the ponds and wells was sufficient to satisfy the test of Shokal. In this case, variation in the exact location of each pond and networking the ponds with pipes and ditches will not substantially change the net effect of the project. Although the interties between the ponds may be complex once pumping starts, the use by wildlife is a natural use as opposed to an intensive, industrialized use of water. The use will not cause an obvious risk to the environment or pose a direct and immediate harm to local residents.

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9. Fish & Game has alleged that the water proposed to be collected in the excavated ponds is diffuse water, and is private, not public water. Fish & Game further argues that use of the water is not subject to the appropriation process, and earlier priority rights. While the Department recognizes that this doctrine has long been an appendage to the laws of appropriation, modern day analysis of the hydrologic relationship between surface and ground water and the ultimate effect on downstream water users may result in the rejection or very narrow application of the diffuse water concept. In this case, however, the Department need not address the diffuse water issue.

10. The testimony of the applicant established that these applications to appropriate water were not filed for purposes of delay or speculation, and that Fish & Game has sufficient financial resources to construct the project.

11. Fish & Game established that there is a local public interest and a general public interest in the development of the project proposed by these applications. Statements by Mr. Rice about local public interest showed, at best, ambivalence toward the project. The local public interest criterion was satisfied.

12. The primary controversy in this matter arose over injury to other water users and adequacy of the water supply.

13. Sufficient testimony and evidence distinguishing the strata intercepted by Rice's well and the strata that will be intercepted by Fish & Game to show that Rice will not be injured by withdrawal of water from the proposed Fish & Game wells. The

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distance between Rice's wells and the proposed Fish & Game wells will prevent local interference.

14. Retention of spring flood water in excavated ponds will not result in injury to other appropriators.

15. Diversion of ground water as proposed will not injure downstream surface water users.

16. The Department must review the applications under the mandates of Idaho Code § 42-203C which reads in pertinent part:

If an applicant intends to appropriate water which is held in trust by the state of Idaho . . . the Director shall consider, prior to approval of the application, the criteria established in Section 42-203A, Idaho Code, and whether the proposed use, individually or cumulatively with other existing uses, or uses reasonably likely to exist twelve (12) months of the proposed use would significantly reduce the amount of trust water available to the holder of a water right use for power production . . .

17. "Significant reduction" has been defined as a diversion of water which will reduce the flow of the Snake River at Murphy gauge by more than two acre-feet per day.

18. Development proposed by these applications will not cause a significant reduction in the flow of the Snake River at Murphy gauge.

ORDER

IT IS HEREBY ORDERED that applications for permit to appropriate water nos. 37-08526, 37-08511, 37-08513 and 37-08514 are APPROVED, subject to the following conditions:

1. No ponds shall be developed in an area where there is a discernible and defined channel of Camas Creek or a tributary thereof.

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2. No new banks or dikes will be created which will impound run-off water above the existing ground level. This condition does apply to ponds filled from ground water sources. Ponds cannot retain water above the elevation of the natural land surface.

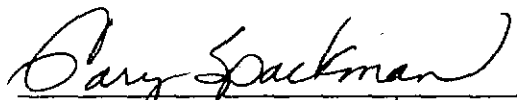
3. Diversion of water under this permit may, in the future, be subject to the control of the watermaster of District #37, Big Wood River, if the Department determines that water diverted must be regulated to protect prior rights.

IT IS FURTHER ORDERED that applications nos. 37-08511, 37-08513 and 37-08514 shall also be conditioned as follows:

1. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine the availability of water for the use and to re-evaluate the public interest at the end of the term.

2. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

Dated this 17th day of May, 1990.


GARY SPACKMAN, Hearing Officer
Department of Water Resources

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JUN 20 1990

CERTIFICATE OF MAILING

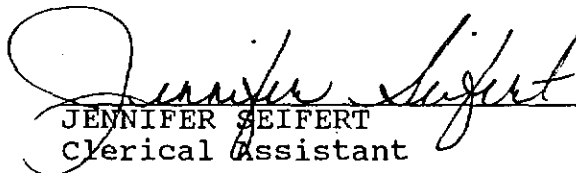
I hereby certify that on the 18th day of May, 1990, I mailed a true and correct copy of this letter from Cecil D. Hobdey, postage prepaid, to the following individuals:

Steve Goddard, Attorney at Law
Box 25
Boise, ID 83707

John Arkoosh
Attorney at Law
P.O. Box 32
Gooding, ID 83330

Gwinn Rice
Box 131
Hill City, ID 83337

Cecil D. Hobdey
125 Fifth Avenue West
P.O. Box 176
Gooding, ID 83330


JENNIFER SEIFERT
Clerical Assistant

RECORDED

JUN 20 1990

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS TO)
APPROPRIATE WATER NOS. 37-08511,)
37-08513, 37-08514 AND 37-08526)
IN THE NAME OF THE IDAHO STATE)
FISH AND GAME DEPARTMENT)

SUMMARY ORDER FOR
BRIEFING AND SUBMITTAL
INFORMATION

A hearing having been held, and the hearing officer having determined that additional time for briefing and submittal of information is required,

IT IS HEREBY ORDERED that the parties may submit any factual information relating to a report distributed by the hearing officer at the hearing entitled Water Resources of Camas Prairie, South-Central Idaho, U.S. Geological Survey Open File Report No. 78-82 (1978) on or before March 15, 1990. Any rebuttal to submittal by the parties shall be submitted prior to March 30, 1990.

IT IS FURTHER ORDERED any briefs regarding legal issues raised at the hearing shall be submitted to the Department prior to March 15, 1990, and any rebuttal briefs to original briefs must be submitted to the Department on or prior to March 30, 1990.

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Dated this 26th day of February, 1990.

Gary Spackman
GARY SPACKMAN, Hearing Officer
Department of Water Resources

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of February, 1990, I mailed a true and correct copy of the Summary Order For Briefing and Submittal Information, postage prepaid, to the following individuals:

Cecil Hobdey
Attorney at Law
125 Fifth Avenue West
P.O. Box 176
Gooding, ID 83330

Gwinn Rice
Box 131
Hill City, ID 83337

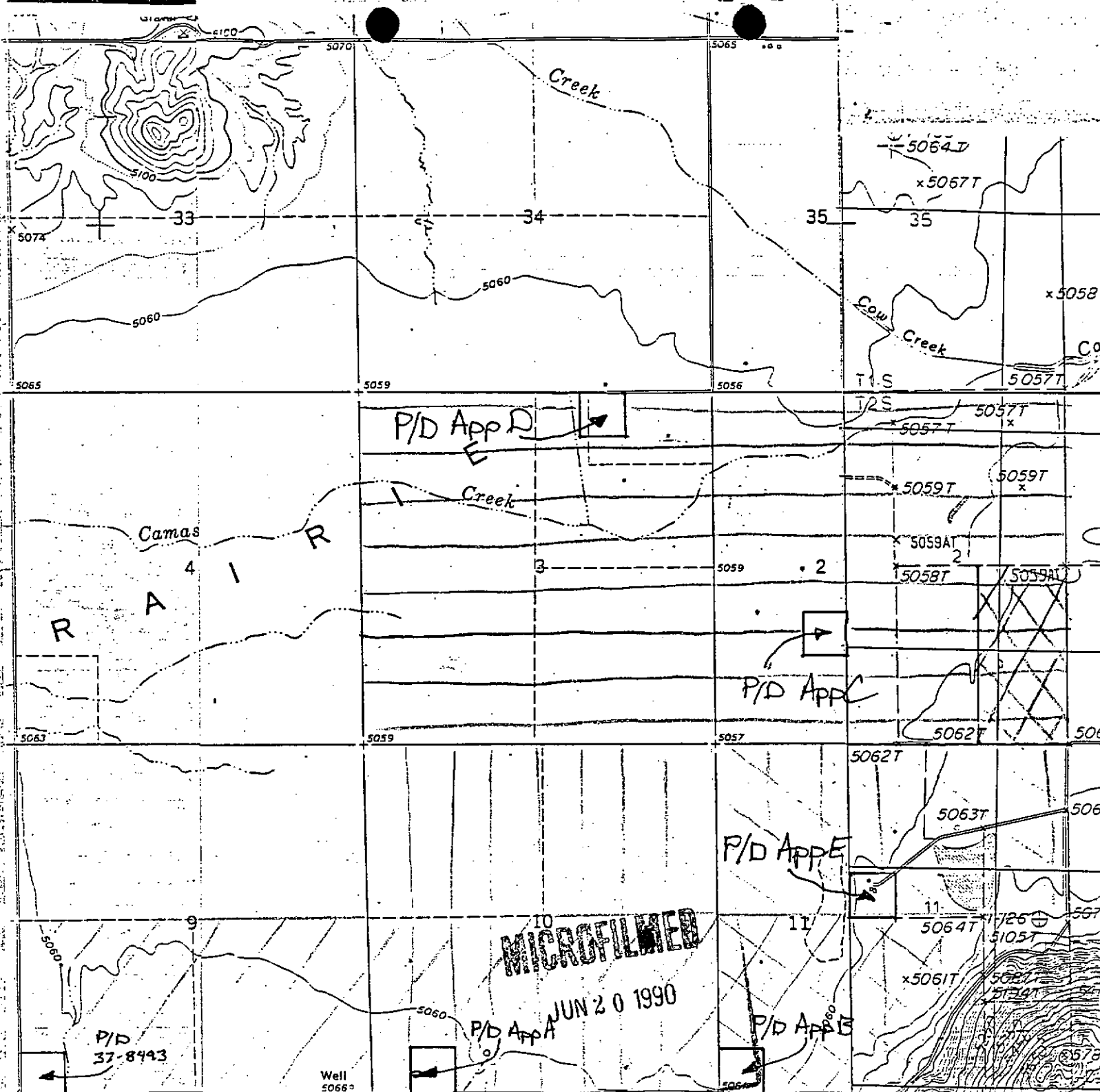
John Arkoosh
P.O. Box 32
Gooding, ID 83330

Steve Goddard
Box 251
Boise, ID 83707

Jennifer Seifert
JENNIFER SEIFERT
Clerical Assistant

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- = P/U 37-8493 (RUBY)
- = P/U 37-8493
- = P/U App A, App B
- = P/U App C, App D
- = P/U App E

FOR DEPT US
IDFG Application
Summary
37-08513

ADD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Idaho Department of Fish and Game Phone 334-3730
Post office address 600 South Walnut Street, P. O. Box 25, Boise, ID 83707

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 3 Township 2 S. Range 12 E. B.M. Camas County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1 cfs for Wildlife Habitat purposes from May 1 to Nov. 15 (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) 1 cfs and/or (b) 390
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. An approx. 25 hp vertical turbine
pump would be used with a combination of open ditches and piping to convey the
water to ponds.

b. Height of storage dam NA 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 approx. 14 inches; proposed depth of well is approx. 300 feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

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).

JUN 20 1990

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Wildlife Provide nesting, rearing and feeding habitat for migratory waterfowl.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2 S.	12 E.	2	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	
2 S.	12 E.	3	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Water right application for Permit #37-08493 and the four concurrent applications submitted with this one.

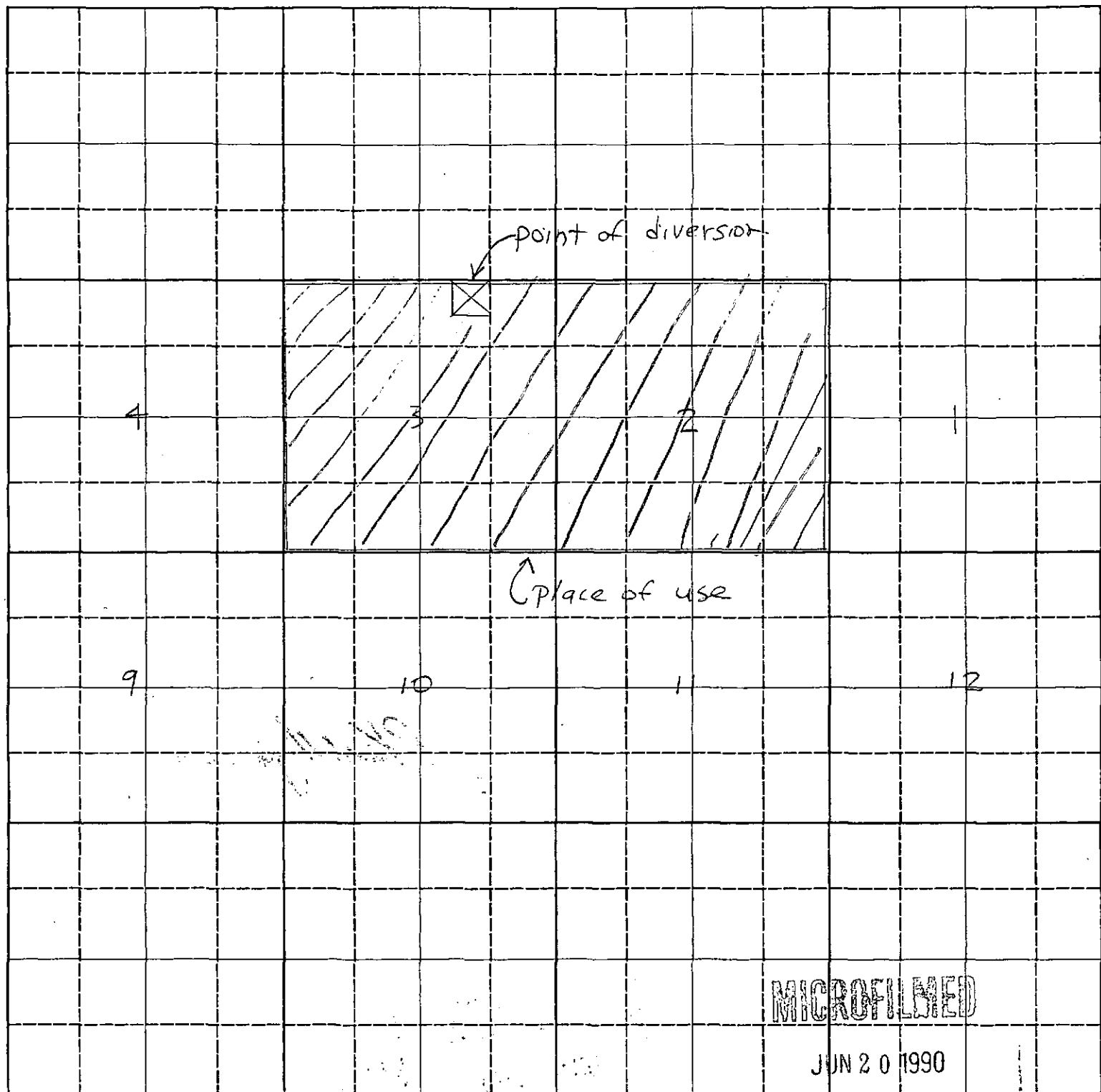
- Who owns the property at the point of diversion? Idaho Department of Fish and Game
- Who owns the land to be irrigated or place of use? Idaho Department of Fish and Game
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: This water will be used to fill excavated, shallow ponds after the water table starts to lower.

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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.

R I Z E

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.


(Applicant)

Received by LC Date 5/3/89 Time 11:00 AM Preliminary check by check attached
Fee \$ 45.00 Received by DRJ # 3002019 Date 5-3-89
Publication prepared by M. Baldwin Date 5/31/89 Published in The Snowshoe
Publication approved LP Date 6/21/89

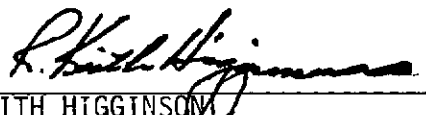
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-08513, and said application is hereby APPROVED

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 June 1, 19 95.
- 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: Pursuant to the Order Adopting Proposed Memorandum Decision and Order.

Witness my hand this 6th day of June, 1990.


R. KEITH HIGGINSON
Director



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

ss.

County of Camas)

Edward Reagan, being first duly sworn, deposes and says that he/she is the designated agent for publisher of the Snowshoe, a newspaper published every week in Fairfield, County of Camas, 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, a copy of which is hereto attached, 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 7th day of June, 1989, and the date of the last publication was on the 14th day of June, 1989.

Edward Reagan

Subscribed and Sworn to before me this 19th day of June, 1989.

Cindy Aeternose
Notary Public in and for
The State of Idaho.
Residing at Fairfield.

THE SNOWSHOE
Fairfield, Idaho
Cost of Publication

Number of lines in notice 104
Number of insertions 2
Cost for advertisement \$145.60

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JUN 20 1990

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JUN 20 1989

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 02 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08513, -08514

1. Owner: DEPT of FISH & GAME Phone No. (208) 334-3730

Current Address: PO BOX 25, BOISE, ID. 83707

2. Accompanied by: TERRY GREGORY EXAM DATE: 16 SEPT 98

Address: _____ Phone No. (208) 764-2489

Relationship to Permit Holder: F&G Employee @ Centennial Marsh Camas Prairie

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 37-08511, -08526

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	NW	11	02S	12E	CAMAS	GPS A0007835
									Field Exam

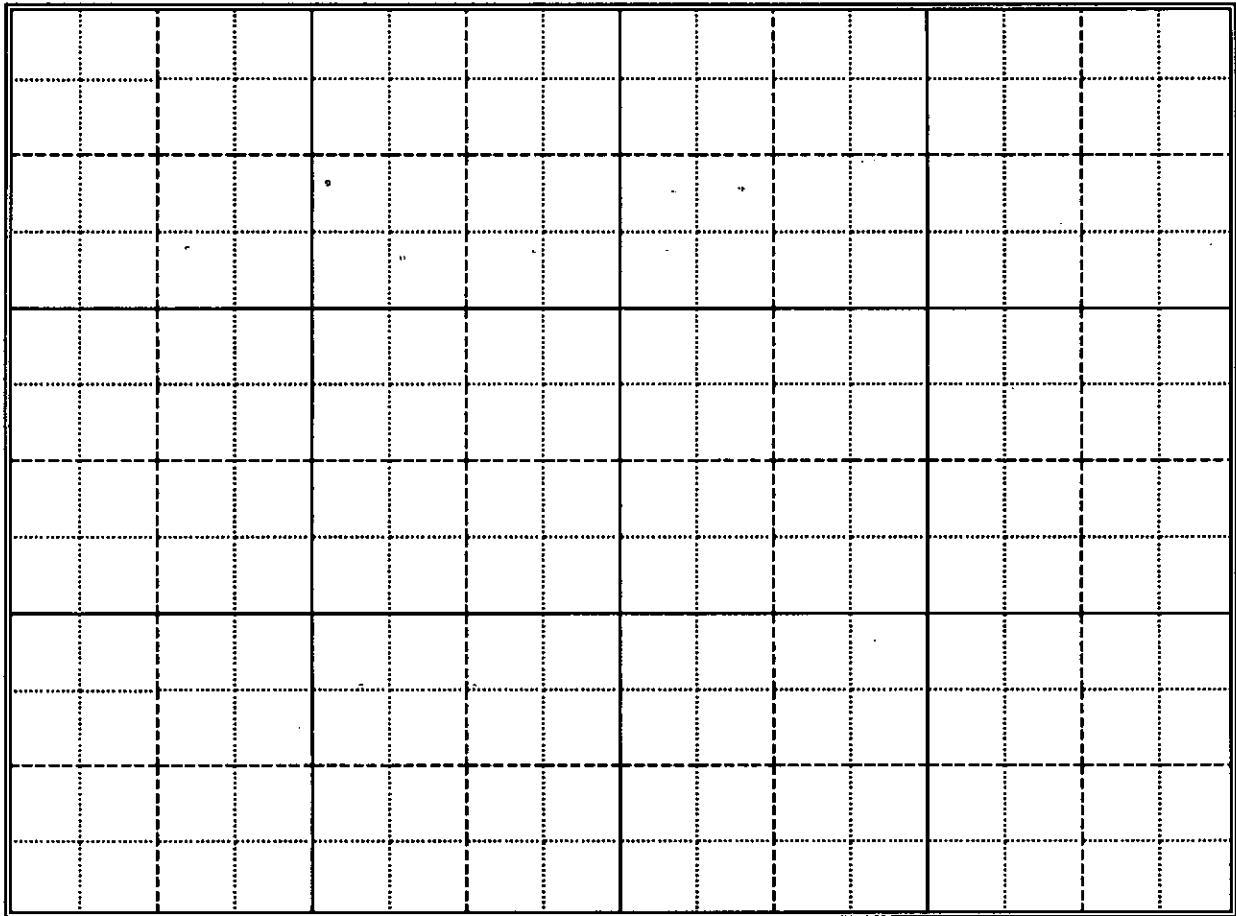
2. Place(s) of Use:

Indicate Method of Determination Same as above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	12E	02									WS		WS	WS	WS				
"	"	03												WS	WS	WS			
"	"	10	WS			WS		WS		WS		WS			WS			WS	
"	"	11			WS				WS	WS		WS							

WS = Wildlife Storage
W = Wildlife

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



Scale: 1" = _____

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

✓ ☐ Aerial Photo Attached (required for irrigation of 10+ acres)

✓ ☐ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
GPS A0007835	FRANKLIN	10			

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
TIME FLYTE		140744	TF-P	N7H5506		4/1998
PORTABLE FLUME						

2. Measurements: Included in file w/ photos

HOMESTEAD WELL

MODE SELECT
INPUT

OUTER DIAMETER
10.780 IN

PIPE MATERIAL
? CS, SS

WALL THICKNESS
0.1840 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
8.312 IN U

ZERO MODE
CLEAR

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

MODE SELECT
TO CHECK

~~0397.7 MMSEC~~
~~102.22 % T0~~

10-29 12:3400 *R
+002.70 % AI2

0396.2 MMSEC
101.84 % T0 ✓

10-29 12:3600 *R
+629.522E 0GPM

1 10-29 12:3600 *R
+632.956E 0GPM

2 10-29 12:4000 *R
+615.520E 0GPM

10-29 12:4100 *R
+002.70 % AI2

MODE SELECT
TO CHECK

0396.1 MMSEC
101.81 % T0 ✓

3 10-29 12:4200 *R
+625.031E 0GPM

4 10-29 12:4300 *R
+620.804E 0GPM

5 10-29 12:4400 *R
+630.314E 0GPM

6 10-29 12:4500 *R
+619.747E 0GPM

> 10-29 12:4600 *R
+624.238E 0GPM

8 10-29 12:4700 *R
+628.465E 0GPM

9 10-29 12:4800 *R
+630.314E 0GPM

10 10-29 12:5100 *R
+625.823E 0GPM

$$\frac{\sum V}{10} =$$

625 gpm

TIME FLYTE = 1.39 cfs

@ 1240 hrs.
FLUME READING = 1.82 cfs

29 OCT 98

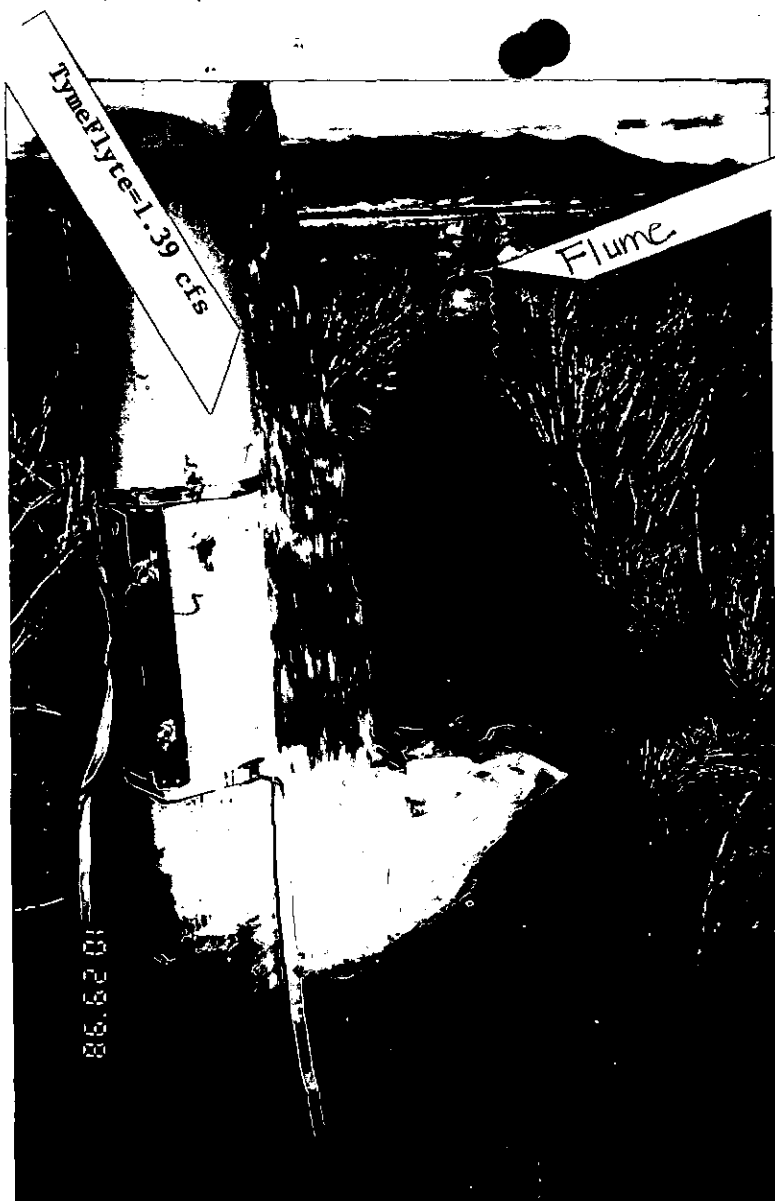


PHOTO LOOKING N'LY

(37-08513, -08514)

measurements taken at discharge pipe
located 500 feet+ from the "Homestead"
well SESENW 1/4 Section 11



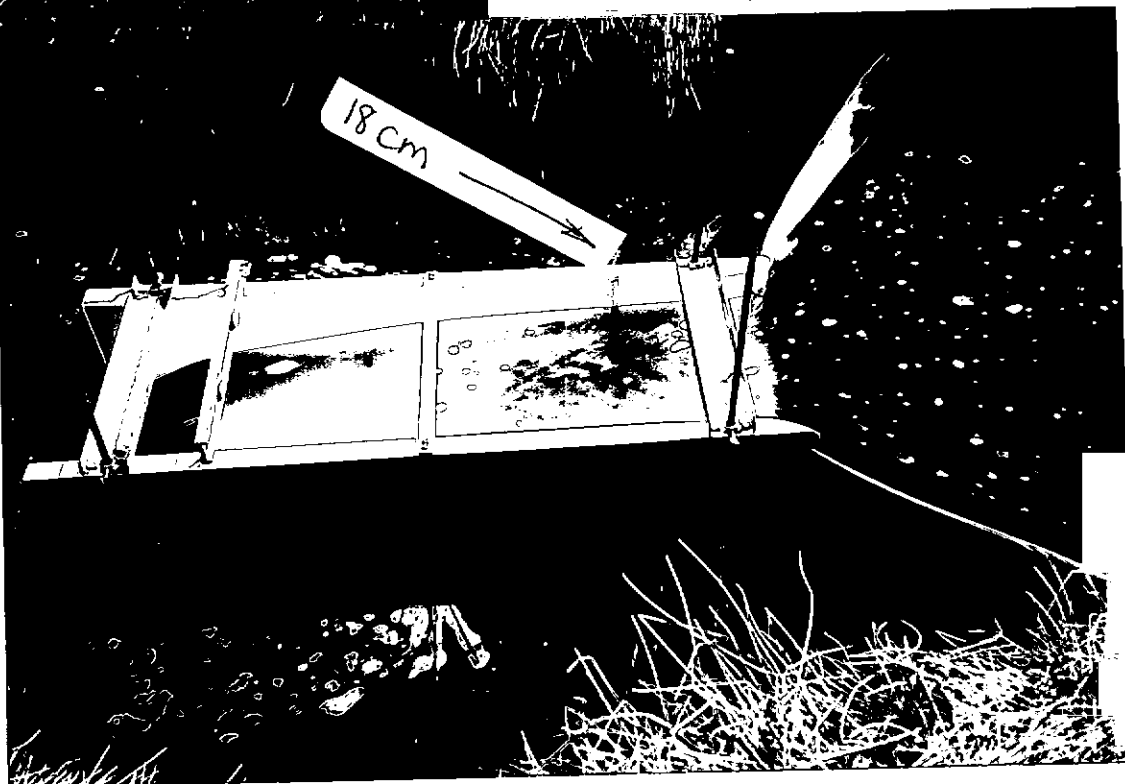
37-08513, -08514

Fish&Game 29Oct98 1030 hrs



MEASUREMENTS
FOR "HOMESTEAD" WELL
SESE NW $\frac{1}{4}$ SEC 11
(37-08513, -08514)

←
LOOKING DUE EAST



37-08513, -08514
FISH & GAME 29 Oct 98
1000 hrs.

1/3

Trees from the
Old Homestead

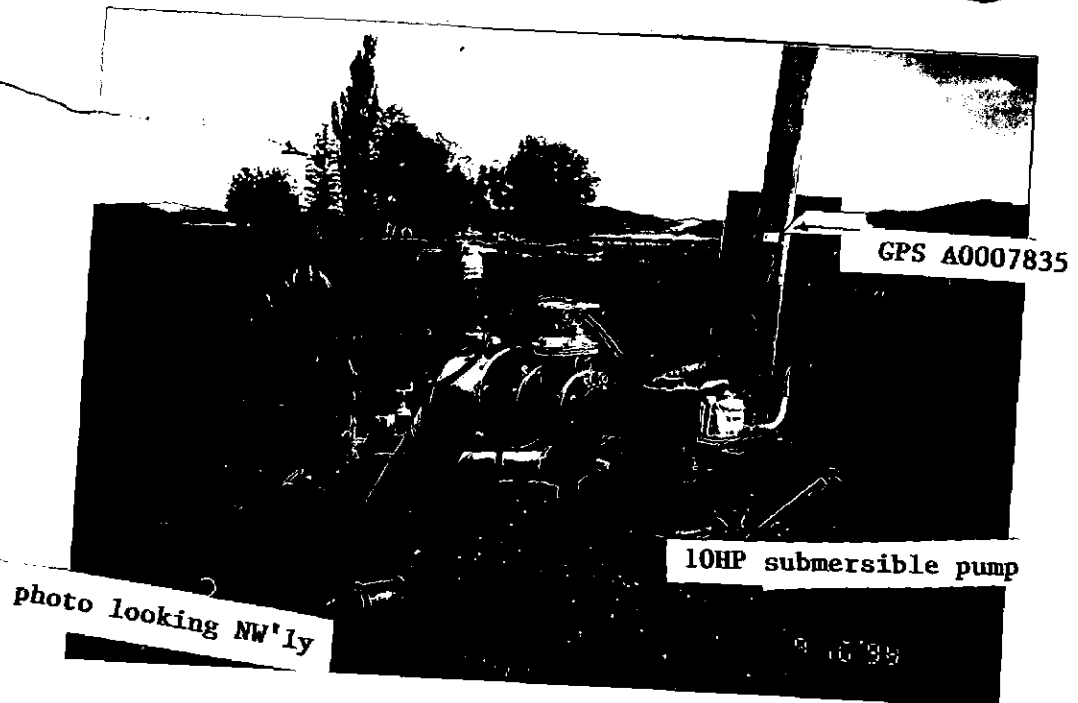


photo looking NW'ly

10HP submersible pump

GPS A0007835

9 16 98



Measurement Port Access

photo looking S'ly

These handlines are irrigating "pasture"
for geese; wildlife ground cover;
the area is 2 acres ±

Well in the
SE 1/4 NW 1/4

To Well in SW 1/4 Sec 11

S 1/4

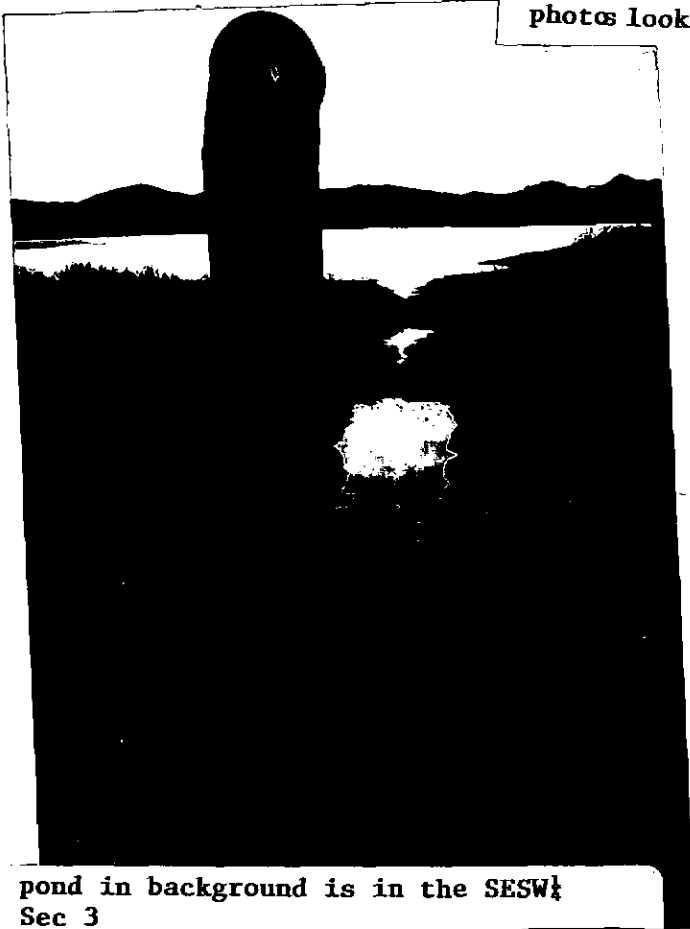
Measurement Port Access

To open
discharge
into ditch

Fish & Game 16Sept98 1030 hrs
Examiner: Satterlee

37-08513, -08514

photos looking N'ly



pond in background is in the SESW 1/4 Sec 3

stand pipes which divert water from well;
into ditch, then into pond(s)

DISCHARGE FROM SWSWSW 1/4 WELL
SEC. 11



standpipe is approximately on the Section 2 & 11 line

ditch eventually dumps into pond (see
photo 3/3, bottom photo, on right side

DISCHARGE FROM "HOMESTEAD" WELL
SESE NW 1/4 SEC. 11

ditch diverts from standpipe
photo 2/3, bottom photo

pond located in the SESE $\frac{1}{2}$ Section 10

Pond located in the NWSE $\frac{1}{2}$ Section 2

photo looking due west

Water Right Number - 37-08513 Prefix Translation: WATER RIGHT Old (D) Number -
*** C - CURRENT OWNER ***
STATE OF IDAHO

1 - DEPT OF FISH & GAME
2 - PO BOX 25
3 -
City- BOISE State- ID Zip- 837070025
Phone - 208-334-3730

Priority Date - 05/03/1989 Region - 17 SOUTHERN Stage - P - PERMIT Status -

Source - GROUNDWATER Tributary -

Trn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
-----	-----	-----	-------	-----	------	--------	--------------------	----------------	----------------	---------------

02S	12E	11	SE SE NW			(25)	CAMAS			
-----	-----	----	----------	--	--	------	-------	--	--	--

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
16 - WILDLIFE		05/01	11/15	1.000		

Total Div. Rate - 1.000 Total Div. Volume - 1.000 Total Div. Capacity - 0.0 Total Consumptive Use - 0.0 KW Usage -

Trn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
02S	12E	2	NE NE	1		16	WILDLIFE	(25) CAMAS	
02S	12E	2	NW NE	2		16	WILDLIFE	(25) CAMAS	
02S	12E	2	SW NE			16	WILDLIFE	(25) CAMAS	
02S	12E	2	SE NE			16	WILDLIFE	(25) CAMAS	
02S	12E	2	NW NW	3		16	WILDLIFE	(25) CAMAS	
02S	12E	2	SW NW	4		16	WILDLIFE	(25) CAMAS	
02S	12E	2	SE NW			16	WILDLIFE	(25) CAMAS	
02S	12E	2	NE SW			16	WILDLIFE	(25) CAMAS	
02S	12E	2	NW SW			16	WILDLIFE	(25) CAMAS	
02S	12E	2	SE SW			16	WILDLIFE	(25) CAMAS	
02S	12E	2	SW SW			16	WILDLIFE	(25) CAMAS	
02S	12E	2	SE SW			16	WILDLIFE	(25) CAMAS	
02S	12E	2	NW SE			16	WILDLIFE	(25) CAMAS	
02S	12E	2	SW SE			16	WILDLIFE	(25) CAMAS	
02S	12E	2	SE SE			16	WILDLIFE	(25) CAMAS	
02S	12E	3	NE NE	1		16	WILDLIFE	(25) CAMAS	
02S	12E	3	NW NE	2		16	WILDLIFE	(25) CAMAS	
02S	12E	3	SW NE			16	WILDLIFE	(25) CAMAS	
02S	12E	3	SE NE			16	WILDLIFE	(25) CAMAS	
02S	12E	3	NW NW	3		16	WILDLIFE	(25) CAMAS	

Water right number - 37-08513

Prefix Translation: WATER RIGHT

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
02S	12E	3	NW NW	4				16 WILDLIFE	(25) CAMAS
02S	12E	3	SW NW					16 WILDLIFE	(25) CAMAS
02S	12E	3	SE NW					16 WILDLIFE	(25) CAMAS
02S	12E	3	NE SW					16 WILDLIFE	(25) CAMAS
02S	12E	3	NW SW					16 WILDLIFE	(25) CAMAS
02S	12E	3	SW SW					16 WILDLIFE	(25) CAMAS
02S	12E	3	SE SW					16 WILDLIFE	(25) CAMAS
02S	12E	3	NE SE					16 WILDLIFE	(25) CAMAS
02S	12E	3	NW SE					16 WILDLIFE	(25) CAMAS
02S	12E	3	SW SE					16 WILDLIFE	(25) CAMAS
02S	12E	3	SE SE					16 WILDLIFE	(25) CAMAS

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - Remarks -

GEN

NO PONDS SHALL BE DEVELOPED IN AN AREA WHERE THERE IS A DISCERNIBLE & DEFINED CHANNEL OF CAMAS CREEK OR A TRIBUTARY THEREOF. NO NEW BANKS OR DIKES WILL BE CREATED WHICH WILL IMPOUND RUN-OFF WATER ABOVE THE EXISTING GROUND LEVEL. THIS CONDITION DOES APPLY TO PONDS FILLED FROM GROUNDWATER SOURCES. PONDS CANNOT RETAIN WATER ABOVE THE ELEVATION OF THE NATURAL LAND SURFACE. DIVERSION OF WATER UNDER THIS PERMIT MAY, IN THE FUTURE, BE SUBJECT TO THE CONTROL OF THE WATERMASTER OF DISTRICT #37, BIG WOOD RIVER, IF THE DEPT. DETERMINES THAT WATER DIVERTED MUST BE REGULATED TO PROTECT PRIOR RIGHTS. ANY LICENSE ISSUED BY IDWR PURSUANT TO THE PERMIT OR PORTION THEREOF FOR THE USE OF TRUST WATER IS SUBJECT TO A TERM REVIEW OF 20 YEARS AFTER THE DATE OF THIS APPROVAL TO DETERMINE THE AVAILABILITY OF WATER FOR THE USE & TO RE-EVALUATE THE PUBLIC INTEREST AT THE END OF THE TERM. DIVERSION & USE OF WATER UNDER THIS PERMIT IS SUBJECT TO AN ANNUAL USE FEE IF RULES ARE SUBSEQUENTLY PROMULGATED WHICH PROVIDE FOR THE SUBMITTAL OF THE FEE.

+ - - Old Water Right Numbers -

No Old Water Right Numbers found.

+ - - Conditions of Approval -

- 016 - See remarks for additional conditions of approval.
- 01M - 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.

E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 01 October 1998
RE: 37-08513,-08514

On 16 September 1998, I met with Terry Gregory, who oversees the Camas Prairie Centennial Marsh for the Department of Fish and Game. The permit allows numerous ponds to be filled from two wells (37-08511 and 37-08513,-08514) for wildlife habitat.

The well associated with 37-08513,-08514 is located SESENW $\frac{1}{4}$ Section 11, T02S, R12E. Terry Gregory says, "Although this well is the smallest of all, it pumps the best..." The power records submitted by Gregory show that the well was used consistently from 1994 through 1997.

The "Homestead Well" was measured two ways. The first method was using the Tyme-Flyte on the vertical discharge pipe (the pipe is located 500' north of the well). The diversion rate was measured at 625 gallons per minute or 1.39 cfs. The second method of measurement was accomplished by placing the portable flume in the ditch, 25 yards north of the vertical discharge pipe. The diversion rate recorded was 1.82 cfs.

Because the placement for the Tyme-Flyte was not in optimum conditions, i.e. less than 3 feet above and below the transducer bar were 2-45 degree elbows, the recommended diversion rate will be from the results using the portable flume.

The field examination verified 17 ponds (15 small ponds consistent in size and 2 other ponds irregular shaped). The well discharges into a mainline, which then divert into laterals, dumping into ditches that lead into the ponds.

Recommendation for the capacity volume are from actual measurements of the ponds. Rate recommendation is from measurement with the portable flume.

"GROUNDWATER" RIGHTS 37-08513,-08514:

Total capacity of system is 1.82 cfs, both permits add up to 2.00 cfs. The measured rate from portable flume will be recommended for the combined use of the two permits.

"SURFACE" RIGHT 37-08526:

The ponds are excavated below the water table. The permit 37-08526 allows the ponds to be filled, when available, from the high groundwater supply. The accumulative volume when combining 37-08511,-08513,-08514 is 144 acre feet. The volume permitted for 37-08526 is 220 acre feet.

Have conditions of permit approval been met? ☒ yes ☐ no

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

Ponds Total Capacity = 144 ac ft

Annual Volume = $1.82 (1.9835) 199 \text{ days} = 718 \text{ ac ft.}$ **G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

Combine 37-08513, -08514

Permits Rate 2.00

Exam. Fee Limit 2.00

Measured Rate 1.82

Recommend Rate 1.82

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
WILDLIFE	5/1	11/15	1.82 cfs	
WILDLIFE STORAGE	"	"		718 ac ft.
Totals:			1.82 cfs	718 ac ft.

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name

Georgia Satterlee

Date

02 Oct 98

Reviewer _____

Date _____

SEAL

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 37-08513 Reviewed by [Signature] Date 3-4-16-96

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? _____
yes Address same as permit? _____
yes Proof timely received? Correct Uses? _____
If not, complete calculation below.

SOURCE OF WATER

_____ Surface water source

✓ Ground water source

yes Drilling permit required?

no Copy in the file? Drilling Permit No. 37-91-C-0008-000

200- Amount paid for permit

no Well log in the file?

yes Correct?

LICENSE EXAMINATION FEE

yes Required?

100- Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

yes Installed?

_____ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority Date	_____	_____
New Priority Date	_____	_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address [Signature] Proof Made 4-8-96

April 17, 1996

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 837070025

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08513

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.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208) 736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

APR 29 1996



IDAHO FISH & GAME

600 South Walnut / Box 25
Boise, Idaho 83707-0025

Phil Batt / Governor
Jerry M. Conley / Director

RECEIVED

APR 08 1996

Department of Water Resources
Southern Region

April 5, 1996

Idaho Department of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, ID 83301

Re: Proof of Beneficial Use Form and Fee

Enclosed is the Proof of Beneficial Use Form and \$100.00 fee (warrant #27783) for permit No. 37-08513.

If you have any questions, please call me at 208/334-3730.

Sincerely,

Philip G. Jeppson
Chief, Bureau of Engineering

PGJ:rl

Enclosure

RECEIVED

APR 29 1996

March 31, 1996

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 837070025

PROOF DUE NOTICE

RE: PERMIT NO. 37-08513

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 June 1, 1996.

(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.

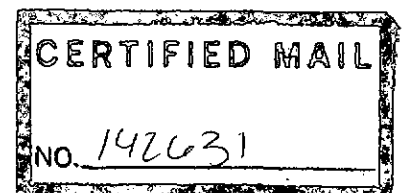
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

APR 29 1996





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 11, 1995

STATE OF IDAHO
DEPT OF IFSH & GAME
PO BOX 25
BOISE ID 837097

RE: Permit No. 37-08513

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please contact me at (208) 327-7946.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

RECEIVED

OCT 30 1995

DATE: 10/06/95
PAGE: 1

Remarks: NO PONDS SHALL BE DEVELOPED IN AN AREA WHERE THERE IS A DISCERNIBLE & DEFINED CHANNEL OF CAMAS CREEK OR A TRIBUTARY THEREOF. NO NEW BANKS OR DIKES WILL BE CREATED WHICH WILL IMPOUND RUN-OFF WATER ABOVE THE EXISTING GROUND LEVEL. THIS CONDITION DOES APPLY TO PONDS FILLED FROM GROUNDWATER SOURCES. PONDS CANNOT RETAIN WATER ABOVE THE ELEVATION OF THE NATURAL LAND SURFACE. DIVERSION OF WATER UNDER THIS PERMIT MAY, IN THE FUTURE, BE SUBJECT TO THE CONTROL OF THE WATERMASTER OF DISTRICT #37, BIG WOOD RIVER, IF THE DEPT. DETERMINES THAT WATER DIVERTED MUST BE REGULATED TO PROTECT PRIOR RIGHTS. ANY LICENSE ISSUED BY IDWR PURSUANT TO THE PERMIT OR PORTION THEREOF FOR THE USE OF TRUST WATER IS SUBJECT TO A TERM REVIEW OF 20 YEARS AFTER THE DATE OF THIS APPROVAL TO DETERMINE THE AVAILABILITY OF WATER FOR THE USE & TO RE-EVALUATE THE PUBLIC INTEREST AT THE END OF THE TERM. DIVERSION & USE OF WATER UNDER THIS PERMIT IS SUBJECT TO AN ANNUAL USE FEE IF RULES ARE SUBSEQUENTLY PROMULGATED WHICH

WR0749NP
No. 837-08513

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/06/95
PAGE: 2

Remarks: PROVIDE FOR THE SUBMITTAL OF THE FEE.

Dates: App. Received: 05/10/1995 Priority Date: 05/03/1989
Proof Due Date: 06/01/1996 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 37 Field Exam Fee:

Comments: Date: 08/01/1995 User-ID: MBALDWIN Subject: APP. FOR AMENDMENT
App. for amendment filed on 5/10/95 to change point of diversion
from NENWE, S03 to SESENW, S11, T02S, R12E.

Audit: 08/01/95 MBALDWIN

AMENDMENT OF PERMIT REVIEW

Reviewed by Cindy Zimmerman

on 10/6/95

outside
ESRP Aquifer

PERMIT NO. 37-08513

NAME Id. F&G

Ad OK? ☒

TYPE:

A = AMENDED
~~B~~ = CHANGE P/D
 C = ADD P/D
 D = CHANGE P/U
 E = CHANGE N/U
 F = CHANGE Per/U
 G = OTHER
 H = CHANGE P/D & + P/D
 I = CHANGE P/D & P/U
 J = ADD P/D & CHANGE P/U

AREA OF CONCERN: ESRP Mor Big Wood R. GWMA (Trust/Non-trust)

B/U PROOF DUE DATE: 6/1/96 Submitted? Yes ☒ No ☒ Due -6 months? Yes ☒ No ☒

SURFACE WATER: <flow chart>

In Water District - 005; WD No. _____
 + 0.2 cfs - 01J
 - 0.2 cfs - 01H
 Not in WD; +0.2 cfs - 01M
 -0.2 cfs - No MD

GROUNDWATER: <flow chart>

+ 0.2 cfs - ☒ 01M
 - 0.2 cfs - No MD
 (Drilling Permit - Included? No. _____ -
 - Not included? 046-46B
 - ☒ NA new pld is existing well.

LOCATION:

Swan Falls Flag - ☒ W (1, Blank or Other)
 Trust - ~~051-052-053~~ (Consumptive Uses); ☒ NA
 Non Trust <1> - 048-049; NA

RIVER BASINS (Surface Water)

Boise (63) - 05A & 11E, N/A
 Payette (65) - 047 (Payette Lake), 064 (consump. use), NA
 Snake (01, 02 & 03) - 11A (01), 061 (02/03 No WD Cond.), NA

USE:

Fish Propagation - 06A/09E/010 (WQ/Choose One), 042-002,
 - 07A (Spec.), 044 (Policy 5G)
 Power - _____ (Use Power Review)
 Mining - 06A/010/09E (WQ) & 054 (req.)
 Storage (3 comp?) - 18A (multi MD in WD), 18B (+10' dam)
 Domestic - 021 (Boise R + L Peak), 064 (Payette R)

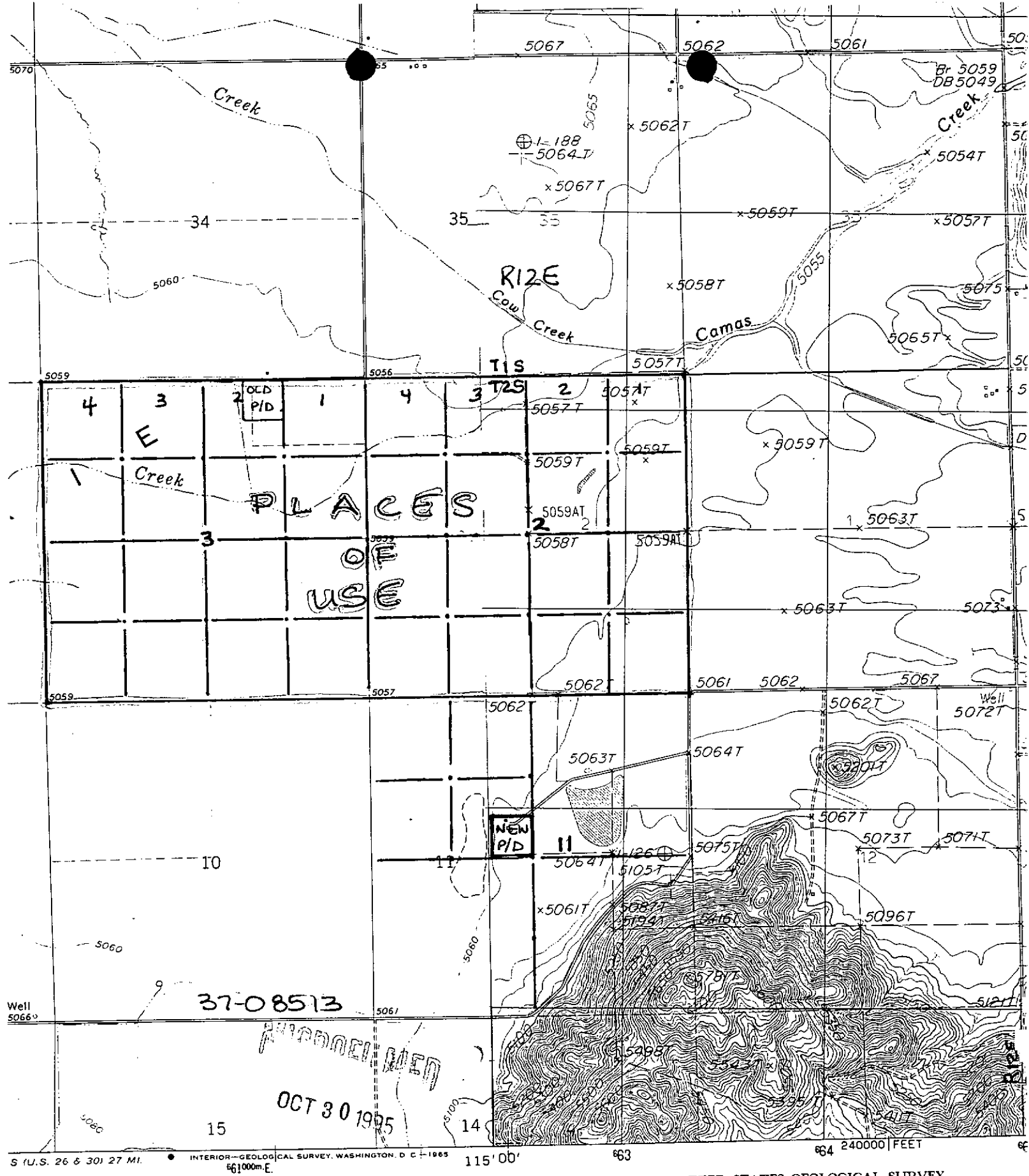
NON LAND OWNER - 004

PROTEST AGREEMENT - 020

Recommended conditions same as on the permit or subsequent amendment(s) to the permit? ☒ Yes ☒ Yes + cond 01M No _____

Conditions of Approval: Standard, 01M
 (do not include any conditions already on permit)

Comments add gov't lts to p/u



S 10. S. 26 & 30 27 MI. • INTERIOR—GEOLOGICAL SURVEY, WASHINGTON, D. C. — 1985
661000m.E. 115° 00' 663 664 240000 FEET

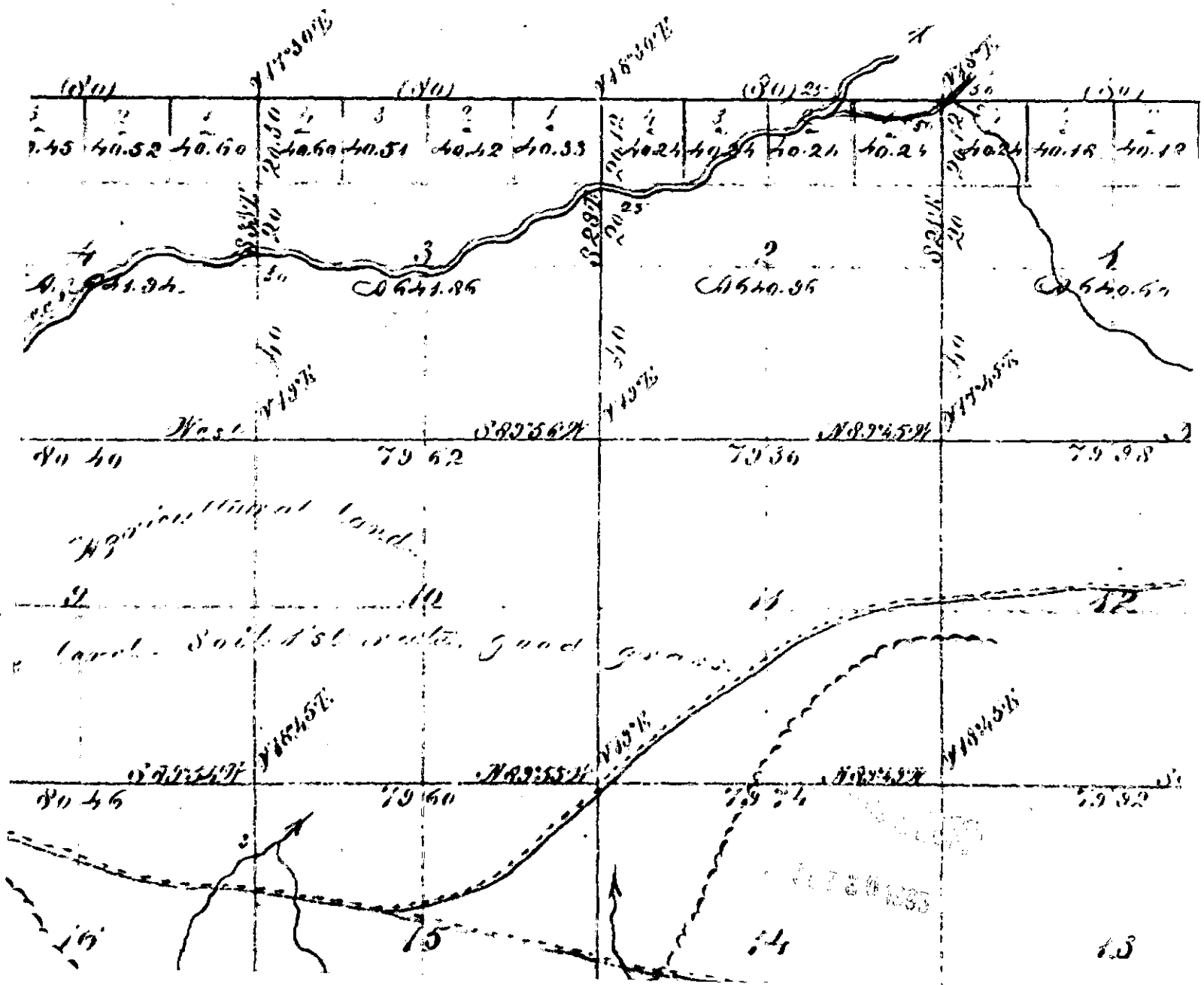
ROAD CLASSIFICATION
 Medium-duty ————— Light-duty —————
 Unimproved dirt =====
 ○ State Route

PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY USGS, NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1980
 FIELD CHECKED 1981 MAP EDITED 1986
 PROJECTION TRANSVERSE MERCATOR
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 11
 10,000-FOOT STATE GRID TICKS IDAHO, CENTRAL ZONE
 UTM GRID DECLINATION 1°25' EAST
 1986 MAGNETIC NORTH DECLINATION 16°30' EAST
 VERTICAL DATUM NATIONAL GEODETIC VERTICAL DATUM OF 1929
 HORIZONTAL DATUM 1927 NORTH AMERICAN DATUM
 To place on the predicted North American Datum of 1983,

PF

Township 02 South

Range 12 East Boise Meridian



State of Idaho
Department of Water Resources

RECEIVED
OCT 05 1995

AMENDMENT ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY: J. E. Stanton

Right Number 37-8513

Applicant Chas. Hoxby of F&B

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☐ Stream index information (reverse).
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☐ Right number(s) N/A
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☒ Protests processed. -None
- ☒ Approve.
- ☐ Deny.

Conditions - Same Conditions as original permit

By ADW Date 10/2/95

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By cg Date 10/6/95
- ☒ Approved copy sent to applicant and to Region. By ON Date 10/11/95

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

DEPARTMENT OF AGRICULTURE

NOV 10 1982
REGISTERED

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

ss.

County of Camas)

Edward Reagan, being first duly sworn, deposes and says that he/she is the designated agent for the publisher of The Camas Courier, a newspaper published every week in Fairfield, County of Camas, 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, a copy of which is hereto attached, 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 9th day of August, 1995, and the date of the last publication was on the 16th day of August, 1995.

Edward Reagan

Subscribed and Sworn to before me this 1st day of Sept., 1995.

Gayle L. Dettler
Notary Public in and for
The State of Idaho.
Residing in Fairfield.

Comm. expires 10-19-99

THE CAMAS COURIER
Post Office Box 339
Fairfield, Idaho

OK
nb
9/28/95

Cost of Publication

Number of lines in notice	<u>36</u>	
Number of insertions	<u>2</u>	
Cost for advertisement	First insertion	\$ <u>14.40</u>
	Second insertion(s)	\$ <u>12.60</u>
	Total cost	\$ <u>27.00</u>

RECEIVED

SEP 28 1995

Department of Water Resources
Southern Region

OCT 30 1995

6" = 36 lines

1st In. 36X.40 = 14.40

2nd In 36X.35 = 12.60

PUBLIC RELEASE FOR FREE AND REDUCED MEALS

The Camas County School District today announced its policy for free and reduced price meals for children unable to pay the full price for meals served under the National School Lunch Program. The Elementary School (District Office) and the High School office both have a copy of the policy, which may be reviewed by any interested party.

The following household size and income criteria will be used in determining eligibility. Children from households whose income is at or below the levels shown are eligible for free and reduced price meals.

Application forms are being sent to all homes with a letter to parents or guardians. To apply for free or reduced price meals, households should fill out the application and return it to the school. Additional copies are available from the principal's office in each school. The information provided on the application will be used for the purpose of determining eligibility and may be verified at any time during the school year by school or other program officials.

For school officials to determine eligibility, households receiving food stamps or AFDC must list the child's name, their food stamp or AFDC case number and the signature and name of an adult household member. Households not receiving food stamps or AFDC must list: Names of all household members; the name and Social Security number of the primary wage earner or the household member who signs the application, and the entire household income with the amount and source of the income received by each household member. The signature of the adult household member who signs the application certifies that the information provided is correct.

Applications may be submitted at any time during the year.

Under the provisions of free and reduced price policy Mrs. Strickler will review the application and determine eligibility. Parents or guardians dissatisfied with the ruling of the official may wish to discuss the decision with the determining official on an informal basis. Parents wishing to make a formal appeal may make a request either orally or in writing to Dick Mutterer, Camas County High School, P.O. Box 370, Fairfield, Idaho 83327 or call 764-2497, for a hearing on the decision.

Households that list a food stamp or AFDC case number must report when the household no longer receives these benefits. Other households approved for benefits are required to report increases in household income of over \$50 per month or \$600 per year and decreases in household size. Also, if a household member becomes unemployed or if the household size increases, the household must contact the school. Such changes may make the children of the household eligible for benefits if the household's income falls at or below the levels shown below.

In certain cases, foster children are also eligible for school meal benefits. If a household wished to apply for benefits for foster children living with them, the household should contact the school for more information.

The information provided by the household is confidential and will be used only for the purposes of determining eligibility and verifying date.

In the operation of child feeding programs administered by the U.S. Department of Agriculture, no child will be discriminated against because of race, color, sex, national origin, age, or handicap. If any member of a household believes he/she has been discriminated against, he/she should write immediately to the Secretary of Agriculture, Washington, D.C. 20250.

FEDERAL INCOME GUIDELINES
Effective July 1, 1995 to June 30, 1996

FREE			HOUSEHOLD SIZE	REDUCED		
ANNUAL	MONTHLY	WEEKLY		ANNUAL	MONTHLY	WEEKLY
9,711	810	187	1	13,820	1,152	266
13,029	1,087	251	2	18,536	1,547	357
16,367	1,364	315	3	23,292	1,941	448
19,695	1,642	379	4	28,028	2,336	539
23,023	1,919	443	5	32,764	2,731	631
26,351	2,196	507	6	37,500	3,125	722
29,679	2,474	571	7	42,236	3,520	813
33,007	2,751	635	8	46,972	3,915	904
+ 3,228	+ 278	+ 64	For each additional family member add	+ 4,736	+ 395	+ 92

Revised 4/17/95

NOTICE OF AMENDMENT TO A WATER PERMIT

Notice is hereby given that IDAHO DEPT OF FISH & GAME, PO BOX; BOISE, ID 83707 has applied to the Department of Water Resources to change the point of diversion for the following described water permit.

WATER PERMIT AS RECORDED:

Permit No. 37-08513

Source: groundwater

Priority: 5/3/1989

Amount: 1.0 cfs

Use: Wildlife (5/1-11/15)

Point of Diversion: NE1/4NW1/4NE1/4, S3, T2S, R12E, Camas County.

Place of Use: all 40-acre tracts of S2 & S3, T2S, R12E, Camas County.

WATER RIGHT TO BE CHANGED AS FOLLOWS:

Point of Div: SE1/4SE1/4NW1/4, S11, T2S, R12E (existing well under Permit No. 37-08514); Camas County

Any protest against approval of the proposed amendment water right application must be filed with the Director, Idaho Department Water Resources, 222 Shoshone Street East, Twin Fall, ID 83301 together with a protest fee of \$25.00 on or before August 28, 1995. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Camas Courier on 8/9 & 8/16/95.

LEGAL NOTICE OF PUBLIC HEARING

Pursuant to Idaho Code 67-6509, NOTICE IS HEREBY GIVEN that the Board of County Commissioners will hold a public hearing in the commissioner's room in the sheriff's office on the 29th day of August 1995 at 11:00 a.m.

The purpose of the public hearing is for the third and final reading of the ordinance to amend the zoning Ordinance Map and change the following described property from Agricultural to Agricultural Transition:

The East 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 11, Township 2 South, Range 17 East, Boise Meridian.

This property is owned by Don Farnes and Ismael Scott who wish to put a subdivision on said parcel.

Publish the week of 8/9, 8/16 & 8/23.



Camas Grain
Fairfield, Idaho

Quality Organic Products

Exxon Twine
Bridon Twine on Request
Dog, Cat, and
other small animal feeds

219 Soldier Road
Fairfield, Idaho 83327
(208) 764-2254
(phone/fax)

WE BUY
LEVI 501's
Any size,
any condition

HOMETOWN VIDEO

We also buy Levi, Lee,
and Wrangler Denim Jackets
and Denim Shirts with Snaps.



SOLDIER MOUNTAIN RESORT RESTAURANT

Open Friday 6:00 to 8:30 p.m.
Saturday Night - 6:00 to 8:30 p.m.
Sunday Lunch 11:30 to 3:00 p.m.

Please call for RESERVATIONS - 764-2506

The Market Basket

Highway 20
Fairfield, Idaho 83327
208-764-2211

Cold Drinks - Beer - Meat - Produce - Non Foods
Hardware - Sporting Goods - Liquor - Lotto - One Stop




NOTICE OF AMENDMENT TO A WATER PERMIT

Notice is hereby given that IDAHO DEPT OF FISH & GAME, PO BOX; BOISE, ID 83707 has applied to the Department of Water Resources to change the point of diversion for the following described water permit.

WATER PERMIT AS RECORDED:

Permit No. 37-08513

Source: groundwater

Priority: 5/3/1989

Amount: 1.0 cfs

Use: Wildlife (5/1-11/15)

Point of Diversion: NE1/4NW1/4NE1/4, S3, T2S, R12E; Camas County.

Place of Use: all 40-acre tracts of S2 & S3, T2S, R12E; Camas County.

WATER RIGHT TO BE CHANGED AS FOLLOWS:

Point of Div: SE1/4SE1/4NW1/4, S11, T2S, R12E (existing well under Permit No. 37-08514); Camas County

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Karl J. Dreher, Director

Published in the Camas Courier on 8/9 & 8/16/95.

OCT 30 1995

PUBLIC RELEASE FOR FREE AND REDUCED MEALS

The Camas County School District today announced its policy for free and reduced price meals for children unable to pay the full price for meals served under the National School Lunch Program. The Elementary School (District Office) and the High School office both have a copy of the policy, which may be reviewed by any interested party.

The following household size and income criteria will be used in determining eligibility. Children from households whose income is at or below the levels shown are eligible for free and reduced price meals.

Application forms are being sent to all homes with a letter to parents or guardians. To apply for free or reduced price meals, households should fill out the application and return it to the school. Additional copies are available from the principal's office in each school. The information provided on the application will be used for the purpose of determining eligibility and may be verified at any time during the school year by school or other program officials.

For school officials to determine eligibility, households receiving food stamps or AFDC must list the child's name, their food stamp or AFDC case number and the signature and name of an adult household member. Households not receiving food stamps or AFDC must list: Names of all household members; the name and Social Security number of the primary wage earner or the household member who signs the application, and the entire household income with the amount and source of the income received by each household member. The signature of the adult household member who signs the application certifies that the information provided is correct.

Applications may be submitted at any time during the year.

Under the provisions of free and reduced price policy Mrs. Strickler will review the application and determine eligibility. Parents or guardians dissatisfied with the ruling of the official may wish to discuss the decision with the determining official on an informal basis. Parents wishing to make a formal appeal may make a request either orally or in writing to Dick Mutterer, Camas County High School, P.O. Box 370, Fairfield, Idaho 83327 or call 764-2497, for a hearing on the decision.

Households that list a food stamp or AFDC case number must report when the household no longer receives these benefits. Other households approved for benefits are required to report increases in household income of over \$50 per

NOTICE OF AMENDMENT TO A WATER PERMIT

Notice is hereby given that IDAHO DEPT OF FISH & GAME, PO BOX; BOISE, ID 83707 has applied to the Department of Water Resources to change the point of diversion for the following described water permit.

WATER PERMIT AS RECORDED:

Permit No. 37-08513

Source: groundwater

Priority: 5/3/1989

Amount: 1.0 cfs

Use: Wildlife (5/1-11/15)

Point of Diversion: NE1/4NW1/4NE1/4, S3, T2S, R12E; Camas County.

Place of Use: all 40-acre tracts of S2 & S3, T2S, R12E; Camas County.

WATER RIGHT TO BE CHANGED AS FOLLOWS:

Point of Div: SE1/4SE1/4NW1/4, S11, T2S, R12E (existing well under Permit No. 37-08514); Camas County

Any protest against approval of the proposed amendment water right application must be filed with the Director, Idaho Department Water Resources, 222 Shoshone Street East, Twin Fall, ID 83301 together with a protest fee of \$25.00 on or before August 28, 1995.

The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Camas Courier on 8/16/95.

LEGAL NOTICE OF PUBLIC HEARING

Pursuant to Idaho Code 67-6509, NOTICE IS HEREBY GIVEN that the Board of County Commissioners will hold a public hearing in the commissioner's room in the sheriff's office on the 29th day of August 1995 at 11:00 a.m.

The purpose of the public hearing is for the third and final reading of the ordinance to amend the zoning Ordinance Map and change the following described property from Agricultural to Agricultural Transition:

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This property is owned by Don Farnes and Ismael Scott who wish to put a subdivision on said parcel.

Publish the week of 8/9, 8/16 & 8/23.



OK
NB
8/17/95

REPRODUCED

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

August 2, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

THE CAMAS COURIER
PO BOX 339
FAIRFIELD ID 83327

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

RECEIVED

OCT 30 1995

NOTICE OF AMENDMENT TO A WATER PERMIT

Notice is hereby given that IDAHO DEPT OF FISH & GAME, PO BOX; BOISE, ID 83707 has applied to the Department of Water Resources to change the point of diversion for the following described water permit.

WATER PERMIT AS RECORDED:

Permit No. 37-08513

Source: groundwater

Priority: 5/3/1989

Amount: 1.0 cfs

Use: Wildlife (5/1-11/15)

Point of Diversion: NE1/4NW1/4NE1/4, S3, T2S, R12E; Camas County.

Place of Use: all 40-acre tracts of S2 & S3, T2S, R12E; Camas County.

WATER RIGHT TO BE CHANGED AS FOLLOWS:

Point of Div: SE1/4SE1/4NW1/4, S11, T2S, R12E (existing well under Permit No. 37-08514); Camas County

Any protest against approval of the proposed amendment water right application must be filed with the Director, Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before August 28, 1995. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Camas Courier on 8/9 & 8/16/95.

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

August 1, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

PHILIP G. JEPSON
ID FISH & GAME
PO BOX 25
BOISE ID 83707-0025

Re: Application for Amendment, 37-08513

Dear Mr. Jeppson:

The Department of Water Resources acknowledges receipt of your application for amendment of a permit.

This office has scheduled advertising the application in the Camas Courier on 8/9 & 8/16/95. 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. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

RECEIVED
OCT 30 1995

OCT 30 1995



IDAHO FISH & GAME

600 South Walnut / Box 25
Boise, Idaho 83707-0025

Phil Batt / Governor
Jerry M. Conley / Director
RECEIVED

MAY 09 1995

Department of Water Resources
Southern Region

May 5, 1995

ck no.
153821

Idaho State Department of Water Resources
Southern Region
222 Shoshone St., East
Twin Falls, ID 83301

Attention: Mr. Doug Jones

Subject: Permits No. 37-8513 and 37-8514

We recently discussed on the phone the proper procedure for amending a permit we have for groundwater (37-8513). It has recently been decided that we would spend too much money to drill the well associated with this permit. We would like to amend the permit by changing the point of diversion to an existing well drilled under permit No. 37-8514. This well turned out to be an excellent well that has the capacity to supply the water for both permits.

Per your suggestion, I have enclosed a Proof of Beneficial Use form for Permit No. 37-8514, an Application for Amendment of Permit for Permit No. 37-8513, and a Request for Extension of Time for Permit No. 37-8513. Also enclosed is a warrant for the fees totaling \$200.00.

Please advise if there is any more information we may furnish you.

Sincerely,

Philip G. Jeppson
Chief, Bureau of Engineering

PGJ:rl

Enc.

CC: Cindy Robertson, Terry Gregory

RECEIVED
MAY 11 1995

OCT 30 1995

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 37-08513 Reviewed by [Signature] Date 5-23-95

BASIC INFORMATION

5-12-95 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Should extend to June 1, 1996, on basis of due diligence.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address X
Change Proof Due Date 6-1-96
Change Priority Date X



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

September 15, 1995

Idaho Dept. of Fish & Game
P.O. Box 25
Boise, ID 83707

RE: Permit No. 37-08513

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to **June 1, 1996**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

If you have any questions or if I can be of any assistance, please feel free to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

RECEIVED

OCT 03 1995

COPY

May 5, 1995

Idaho State Department of Water Resources
Southern Region
222 Shoshone St., East
Twin Falls, ID 83301

Attention: Mr. Doug Jones

Subject: Permits No. 37-8513 and 37-8514

We recently discussed on the phone the proper procedure for amending a permit we have for groundwater (37-8513). It has recently been decided that we would spend too much money to drill the well associated with this permit. We would like to amend the permit by changing the point of diversion to an existing well drilled under permit No. 37-8514. This well turned out to be an excellent well that has the capacity to supply the water for both permits.

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Please advise if there is any more information we may furnish you.

Sincerely,

Philip G. Jeppson
Chief, Bureau of Engineering

PGJ:rl

Enc.

CC: Cindy Robertson, Terry Gregory

OCT 03 1995

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

 Applicant Idaho State Dept. of Fish and Game Phone 208/ 334-3730

 Address P.O. Box 25, Boise, ID 83707

 I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-8513, and request that the permit and permit map be amended and/or changed as follows:

 Purpose of Amendment: X Change point of diversion Add point of diversion
 Change place of use Change nature of use Change period of use Other

 1. Point of diversion: SE 1/4 SE 1/4 NW 1/4, Section 11, Township 25, Range 12E, B.M.,
 County of Camas. Other points of diversion (Orig. proposed pt. of diversion = NE1/4
 of NW1/4 of NE1/4 of Sec. 3, Twp 25, R12E)

2. Period and nature of use: (Irrigation, domestic, stockwatering, industrial, etc.)

 Amount 1.0 cfs for Wildlife purposes from May 1 to Nov. 15 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

 Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

 Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated:

T w p	R g e	S e c	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
25	12E	2	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	
25	12E	3	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	

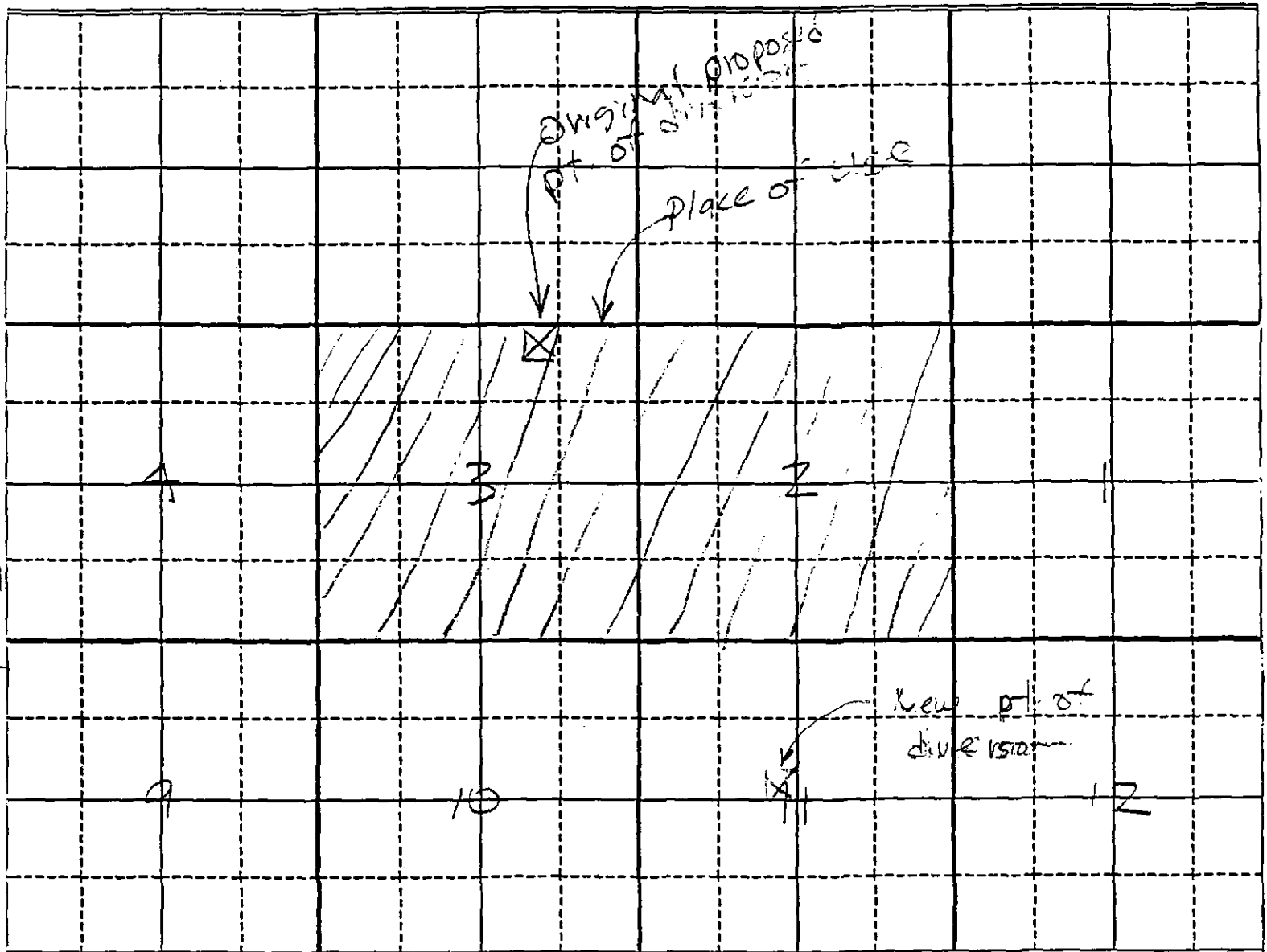
 Total number of acres to be irrigated =

4. a. Who owns the property at the point of diversion? Idaho Fish and Game
- b. Who owns the land to be irrigated at the place of use? Idaho Fish and Game
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

OCT 03 1995

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)



Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 5th day of May, 1995.

[Signature]

Permit Holder

OCT 03 1995

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by _____ Publication prepared by _____ Date _____

Published in _____ Publication dates _____

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19____.



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

May 24, 1995

Idaho Dept. of Fish & Game
P.O. Box 25
Boise, ID 83707

RE: Water Right No. 37-08513

Dear Permit Holder:

I am in receipt of the Request for Extension of Time which was submitted in connection with the above referenced water right permit. You indicate that no work has been done towards development of the water right due to the fact that you wish to change the point of diversion to an existing well. Before the department can act on the extension request, you will need to file an Application for Amendment to change the point of diversion of the permit.

I have enclosed an amendment form for your convenience. I will hold the extension request without action for thirty (30) days to allow you time to submit the amendment.

If you have any questions concerning the amendment, please contact Cindy Zimmerman at this office.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

RECEIVED
OCT 03 1995

March 31, 1995

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

PROOF DUE NOTICE

RE: PERMIT NO. 37-08513

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 June 1, 1995.

(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.

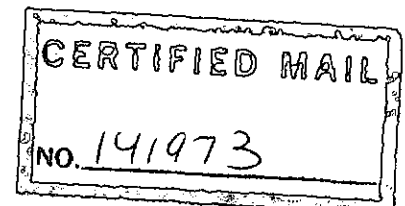
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

OCT 03 1995



INTER-DEPARTMENT MEMO — 1

FROM J.J.

DATE May 31, 1990

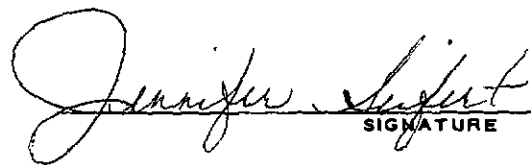
TO 37-8513

SUBJECT

See File No. 37-8511 for all of the Exhibits.

MICROFILMED

JUN 20 1990


SIGNATURE

-NOTICE-

See file 37-8511
for reference to
hearing cassette.

MICROFILMED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 11, 1990

Steve Goddard
Box 25
Boise, ID 83707

RE: Permits Nos. 37-8511, 37-8513, 37-8514 and 37-8526

Dear Mr. Goddard:

Please find enclosed a copy of the Order Adopting Proposed Memorandum Decision and Order and a copy of Applications for Permit Nos. 37-8511, 37-8513, 37-8514 and 37-8526.

Any party who disagrees with the decision of the Director may request a rehearing before the Director within twenty (20) days or may appeal to the district court within thirty (30) days from the date this decision is mailed.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

MICROFILMED

JUN 20 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 11, 1990

Gwinn Rice
Box 131
Hill City, ID 83337

RE: Permits Nos. 37-8511, 37-8513, 37-8514 and 37-8526

Dear Mr. Rice:

Please find enclosed a copy of the Order Adopting Proposed Memorandum Decision and Order and a copy of Applications for Permit Nos. 37-8511, 37-8513, 37-8514 and 37-8526.

Any party who disagrees with the decision of the Director may request a rehearing before the Director within twenty (20) days or may appeal to the district court within thirty (30) days from the date this decision is mailed.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

MICROFILMED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 11, 1990

Cecil D. Hobdey
125 Fifth Avenue West
P.O. Box 176
Gooding, ID 83330

RE: Permits Nos. 37-8511, 37-8513, 37-8514 and 37-8526

Dear Mr. Hobdey:

Please find enclosed a copy of the Order Adopting Proposed Memorandum Decision and Order and a copy of Applications for Permit Nos. 37-8511, 37-8513, 37-8514 and 37-8526.

Any party who disagrees with the decision of the Director may request a rehearing before the Director within twenty (20) days or may appeal to the district court within thirty (30) days from the date this decision is mailed.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

Memorandum

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 11, 1990

John Arkoosh
P.O. Box 32
Gooding, ID 83330

RE: Permits Nos. 37-8511, 37-8513, 37-8514 and 37-8526

Dear Mr. Arkoosh:

Please find enclosed a copy of the Order Adopting Proposed Memorandum Decision and Order and a copy of Applications for Permit Nos. 37-8511, 37-8513, 37-8514 and 37-8526.

Any party who disagrees with the decision of the Director may request a rehearing before the Director within twenty (20) days or may appeal to the district court within thirty (30) days from the date this decision is mailed.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

MICROFILMED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 18, 1990

Steve Goddard
Box 25
Boise, ID 83707

RE: Applications to Appropriate Water Nos. 37-08511, 37-08513,
37-08514 and 37-08526 in the Name of the Idaho Department of
Fish and Game

Dear Mr. Goddard:

Please find enclosed a copy of the Proposed Memorandum
Decision and Order and Order Issuing Proposed Memorandum Decision
for the above referenced applications.

Any party who disagrees with the Proposed Decision may file
exceptions to the decision within fifteen (15) days of service of
the Proposed Decision.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:JS

Enclosure

RECORDED

JUN 20 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 18, 1990

Gwinn Rice
Box 131
Hill City, ID 83337

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the Proposed Decision.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:JS

Enclosure

MICROFILMED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 18, 1990

Cecil D. Hobdey
125 Fifth Avenue West
P.O. Box 176
Gooding, ID 83330

RE: Applications to Appropriate Water Nos. 37-08511, 37-08513,
37-08514 and 37-08526 in the Name of the Idaho Department of
Fish and Game

Dear Mr. Hobdey:

Please find enclosed a copy of the Proposed Memorandum
Decision and Order and Order Issuing Proposed Memorandum Decision
for the above referenced applications.

Any party who disagrees with the Proposed Decision may file
exceptions to the decision within fifteen (15) days of service of
the Proposed Decision.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:JS

Enclosure

Microfilmed

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 18, 1990

John Arkoosh
Attorney at Law
P.O. Box 32
Gooding, ID 83330

RE: Applications to Appropriate Water Nos. 37-08511, 37-08513,
37-08514 and 37-08526 in the Name of the Idaho Department of
Fish and Game

Dear Mr. Arkoosh:

Please find enclosed a copy of the Proposed Memorandum
Decision and Order and Order Issuing Proposed Memorandum Decision
for the above referenced applications.

Any party who disagrees with the Proposed Decision may file
exceptions to the decision within fifteen (15) days of service of
the Proposed Decision.

Respectfully,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Manager
Water Right Permits Section

GS:JS

Enclosure

MICROFILMED

JUN 20 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 11, 1990

John Arkoosh
Attorney at Law
P.O. Box 32
Gooding, ID 83330

Dear Mr. Arkoosh:

John Arkoosh has represented to me that his client, Mr. Barron, owns an interest in water right no. 37-02801. Enclosed is a summary of the water right as contained in the records of the Department of Water Resources.

Please note that the water right has been split into two pieces by prior transfers. Apparently Rocco Perry, and Perry's predecessor, Ernest Wilson, owned a portion of the water right. The only component of the water right that changed was the point of diversion.

I intend to use the information about the respective points of diversion and the place of use for right no. 37-02801 in reaching a decision regarding Fish & Game applications to appropriate water nos. 37-08511, 37-08513, 37-085114 and 37-08526.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

RECORDED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 11, 1990

Gwinn Rice
Box 131
Hill City, ID 83337

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A handwritten signature in cursive script that reads 'Gary Spackman'.

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

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JUN 20 1990



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DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 11, 1990

Steve Goddard, Attorney at Law
Box 25
Boise, ID 83707

Dear Mr. Goddard:

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Please note that the water right has been split into two pieces by prior transfers. Apparently Rocco Perry, and Perry's predecessor, Ernest Wilson, owned a portion of the water right. The only component of the water right that changed was the point of diversion.

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GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

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JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 11, 1990

Cecil Hobdey
125 Fifth Avenue West
P.O. Box 176
Gooding, ID 83330

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Please note that the water right has been split into two pieces by prior transfers. Apparently Rocco Perry, and Perry's predecessor, Ernest Wilson, owned a portion of the water right. The only component of the water right that changed was the point of diversion.

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Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

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Enclosure

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JUN 20 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 5, 1990

John C. Arkoosh
Attorney at Law
116 Fourth Avenue West
P.O. Box 32
Gooding, ID 83330

RE: Applications to Appropriate Water Nos. 37-08511, 37-08513,
37-08514, 37-08526; in the Name of the Idaho State Fish and
Game Department

Dear John:

In the testimony presented at the hearing and in your post hearing brief you referred to a water right in which your client, Mr. Barrons, owns a property interest. The water is not identified.

This letter is a request that you identify the water right by water right number. Upon receipt of the information, I will distribute an abstract of the water right to the parties. I do not view this information as giving rise to a factual dispute requiring additional testimony.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

cc. Steve Goddard
Gwinn Rice

MINUTELMED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 21, 1990

Steve Goddard
Box 251
Boise, ID 83707

RE: Fish and Game Applications to Appropriate Water Nos.
37-08511, 37-08513, 37-08514, 37-08526

Dear Mr. Goddard:

In speaking to the parties, there has been some expression that an order for briefing and submittal of information was not sent to all of the parties. Although the mailing certificate shows that a copy was mailed to all interested parties, I am enclosing a copy of the order for your reference. I have also enclosed a copy of a letter received from Cecil Hobdey confirming that the letter, listed as Fish and Game Exhibit #13, as amended by Fish and Game, represents the agreement for withdrawal of Big Wood Canal Company's protest.

I plan to adhere to the same briefing and information submittal schedule contained in the order unless one of the parties complains that its position may be prejudiced by adherence. I note from the order that the last date for submittal of materials is March 30, 1990. I will attempt to issue a decision shortly thereafter.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosures

cc. Southern Region

MICROFILMED

JUN 20 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 21, 1990

John Arkoosh
P.O. Box 32
Gooding, ID 83330

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Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosures

cc. Southern Region

NOT RECORDED

JUN 20 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 21, 1990

Gwinn Rice
Box 131
Hill City, ID 83337

RE: Fish and Game Applications to Appropriate Water Nos.
37-08511, 37-08513, 37-08514, 37-08526

Dear Mr. Rice:

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Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosures

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DEPARTMENT OF WATER RESOURCES

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CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 21, 1990

Cecil Hobdey
Attorney at Law
125 Fifth Avenue West
P.O. Box 176
Gooding, ID 83330

RE: Fish and Game Applications to Appropriate Water Nos.
37-08511, 37-08513, 37-08514, 37-08526

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GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosures

cc. Southern Region

INDEXED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 27, 1990

Steve Goddard
Box 251
Boise, ID 83707

Dear Mr. Goddard:

Enclosed is a Summary Order for Briefing and Submittal of Information for applications nos. 37-08511, 37-08513, 37-08514 and 37-08526.

Please note the deadlines to submit any additional information.

Respectfully,

Jennifer Seifert
JENNIFER SEIFERT
Clerical Assistant

RECEIVED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 27, 1990

Gwinn Rice
Box 131
Hill City, ID 83337

Dear Mr. Rice:

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Respectfully,

Jennifer Seifert
JENNIFER SEIFERT
Clerical Assistant

MICROFILMED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 27, 1990

John Arkoosh
P.O. Box 32
Gooding, ID 83330

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Please note the deadlines to submit any additional information.

Respectfully,


JENNIFER SEIFERT
Clerical Assistant

NOT RECORDED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 27, 1990

Cecil Hobdey
Attorney at Law
125 Fifth Avenue West
P.O. Box 176
Gooding, ID 83330

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JENNIFER SEIFERT
Clerical Assistant

MICROFILMED

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State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 27, 1990

Cecil B. Hobdey
Attorney at Law
125 Fifth Avenue West
P.O. Box 176
Gooding, ID 83330

RE: Protest of Big Wood Canal Company to Idaho Department of
Fish & Game Water Right Application in the Hill City Area

Dear Mr. Hobdey:

On February 13, 1990, the Department of Water Resources conducted a hearing regarding application to appropriate water no. 37-08526, filed by the Idaho Department of Fish & Game (Fish & Game). Big Wood Canal Company filed a protest to the application. The application proposed the construction of approximately 40 shallow ponds on Fish & Game property to capture surface run-off early in the year, and retain water in the pond after the water has disappeared from the surface.

Big Wood Canal Company was not represented by anyone at the hearing. Steve Goddard, attorney for Fish & Game presented a FAX letter, signed by you, which set forth some conditions for withdrawal of Big Wood Canal Company's protest to Fish & Game's application. The letter was signed by you, but had been amended by Fish & Game to include additional language. Mr. Goddard represented that he had spoken to you about the letter, and the insertion of the additional language, and that you had consented to the language.

I have enclosed a copy of the letter which was submitted as evidence.

Please review the document I have enclosed, and acknowledge by letter that the Big Wood Canal Company consents to the conditions of the protest withdrawal as set forth therein.

MICROFILMED

JUN 20 1990



Failure to appear at the hearing jeopardizes the right of the Big Wood Canal Company to formally appear as a party. I am, however, enclosing a copy of a report which I agreed to recognize in reaching a decision. I am also enclosing a copy of an order for briefing and submittal of information. If Big Wood Canal Company desires to submit any additional information to the Department regarding this proposal, would you please do so within the time set forth in the order.

Respectfully,



GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

cc. Steve Goddard
John Arkoosh
Gwinn Rice
Southern Region

MICROFILMED

JUN 20 1990



NAME AND ADDRESS OF SENDER

Re: 37-8510-14

Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ Certified

Check appropriate block for Registered Mail:
☐ With Postal Insurance
☐ Without Postal Insurance

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Express Mail	Handling Charge	Act. Value (If Reg.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee	Remarks
1	931	Ed. Fish & Lamer	25		85	2.05							
2	932	Lee Barron											
3	933	Lincoln River											
4	934	John Arkosch, Atty.											
5	935	Big Wood Canal Co.											
6		Non cert. to Reid Newby											
7													
8													
9													
10													
11													
12													
13													
14													
15													

RECEIVED
JUN 20 1990

POSTMASTER, PER (Name of receiving employee)

Total Number of Pieces Received at Post Office

Total Number of Pieces Listed by Sender

5

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$30,000 per piece subject to a limit of \$300,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for COD and \$400 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Big Wood Canal Co.
Attn: Richard Oneida
Box C
Shoshone, ID 83352

4. Article Number

935

Type of Service:

- ☒ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

7/2/90

8. Addressee's Address (ONLY if requested and fee paid)

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

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3. Article Addressed to:

4. Article Number

37-08510-14

934

John C. Arkoosh
P.O. Box 32
Gooding, ID 83330

MICROFILMED

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

JUN 20 1990

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X

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X

7. Date of Delivery

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



RECEIVED

FEB 5 - 1990

Department of Water Resources
Southern Region Office



PENALTY FOR PRIVATE
USE, \$300

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2148 4th AVENUE EAST
TWIN FALLS, IDAHO 83301

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

FEB 5 - 1990

Department of Water Resources
Southern Region Office



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



JUN 20 1990

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2148 4th AVENUE EAST
TWIN FALLS, IDAHO 83301

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS
FOR PERMIT TO APPROPRIATE
WATER NO. 37-8511, 37-8513,
AND 37-8514

Idaho Department of Fish
and Game

Applicant

Lee Barron,
Gwinn Rice

Protestants

NOTICE OF HEARING

SOURCE: Groundwater

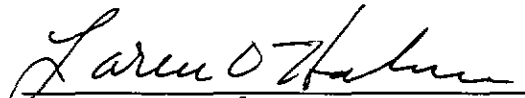
COUNTY: Camas

On May 3, 1989, the Idaho Department of Fish and Game, applicant, filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On June 26, 1989, the Department received a protest against the approval of said application from Lee Barron via his attorney, John Arkoosh. A protest was also received from Gwinn Rice and subsequently withdrawn, but reinstated at a pre-hearing conference held on November 9, 1989.

The Department has set the matter for hearing for Tuesday, February 13, 1990 at 10:00 AM, at the Fish and Game Region 4 office, 868 East Main, Jerome.

The hearing 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. Opportunity shall be afforded to all parties to respond and present evidence and argument on all issues involved.

Dated this 1 day of February, 1990.


Loren O. Holmes
Southern Region Manager

MICROFILMED

JUN 20 1990

CONFERENCE AND HEARING PROCEDURE

IN THE MATTER OF A PROTESTED APPLICATION FOR PERMIT

In accordance with IDAHO CODE, Section 42-203, the following issues are involved in the consideration of the application and protest(s):

- 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?

PROCEDURE

The procedure normally followed by the department in arriving at a decision on the issues which must be considered is to first hold a conference in the matter and then, if necessary, hold a hearing. If a hearing is held a written decision is issued based on the hearing record.

CONFERENCE

Preliminary to holding a hearing, a pre-hearing conference is held to familiarize the department and the parties with the matter and to determine if a resolution of the protest(s) is possible without the need for a hearing.

At the conference the department may 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.

HEARING

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be issued and the parties will be afforded the opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by IDAHO CODE, Section 42-1701A.

The parties by written stipulation, may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the director's review of a party's evidence and arguments. However, such a waiver will shorten the decision making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the District Court.

Under the provisions of the IDAHO CODE, Sections 42-1701A and 67-5215, any court review of the department's decision on appeal shall be confined to the record created before the department.

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 parties.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Jan-1990

Lee Barron
Fairfield, ID 83327

Re: Idaho Fish & Game Department applications 37-8510 thru 8514
and 37-8526

Dear Mr. Barron:

This office is tentatively scheduling the matter of the Department of Fish & Game Hill City Marsh applications for hearing on February 13, 1990 with time set aside to continue hearing on February 14 if needed.

Please be advised that applications 37-8510 and 37-8512 which proposed diversions within Sections 10 and 2 of Township 2S Range 12E have been withdrawn by the applicant and will not be further considered.

We expect to mail formal hearing notices setting the time and place for hearing on about January 31, 1990.

If you have any questions or if this office can be of assistance in this matter, please let us know.

Very Truly yours,

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

CC: John C. Arkoosh
P.O. Box 32
Gooding, ID 83330

MICROFILMED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Jan-1990

Richard M. Oneida, Manager
Big Wood Canal Co.
P.O. Box C
Shoshone, ID 83352

Re: Idaho Fish & Game Department applications 37-8510 thru 8514
and 37-8526

Dear Dick:

This office is tentatively scheduling the matter of the Department of Fish & Game Hill City Marsh applications for hearing on February 13, 1990 with time set aside to continue hearing on February 14 if needed.

Please be advised that applications 37-8510 and 37-8512 which proposed diversions within Sections 10 and 2 of Township 2S Range 12E have been withdrawn by the applicant and will not be further considered.

We expect to mail formal hearing notices setting the time and place for hearing on about January 31, 1990.

If you have any questions or if this office can be of assistance in this matter, please let us know.

Very Truly yours,

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

MICROFILMED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Jan-1990

Gwinn Rice
Box 131
Hill City, ID 83337

Re: Idaho Fish & Game Department applications 37-8510 thru 8514
and 37-8526

Dear Mr. Rice:

This office is tentatively scheduling the matter of the Department of Fish & Game Hill City Marsh applications for hearing on February 13, 1990 with time set aside to continue hearing on February 14 if needed.

Please be advised that applications 37-8510 and 37-8512 which proposed diversions within Sections 10 and 2 of Township 2S Range 12E have been withdrawn by the applicant and will not be further considered.

We expect to mail formal hearing notices setting the time and place for hearing on about January 31, 1990.

If you have any questions or if this office can be of assistance in this matter, please let us know.

Very Truly yours,


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

MICROFILMED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Jan-1990

Steve Goddard, Deputy Attorney General
Idaho Dept. of Fish & Game
P.O. Box 25
Boise, ID 83707

Re: Hill City Marsh applications 37-8510 thru 14 and 37-8526

Dear Mr. Goddard:

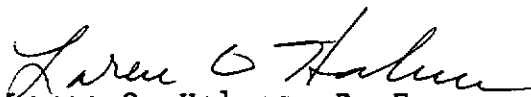
This office is tentatively scheduling the matter of the Hill City Marsh applications for hearing on February 13, 1990 with time set aside to continue hearing on February 14 if needed.

The withdrawal of applications 37-8510 and 37-8512 which proposed diversions within Sections 10 and 2 of Township 2S Range 12E is acknowledged. These applications will not be further considered.

We expect to mail formal hearing notices setting the time and place for hearing on about January 31, 1990.

If you have any questions or if this office can be of assistance in this matter, please let us know.

Very Truly yours,


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

MICROFILMED

JUN 29 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Jan-1990

Phillip G. Jeppson, Engineering Supervisor
Idaho Dept. of Fish & Game
P.O. Box 25
Boise, ID 83707

Re: Hill City Marsh applications 37-8510 thru 14 and 37-8526

Dear Mr. Jeppson:

This office is tentatively scheduling the matter of the Hill City Marsh applications for hearing on February 13, 1990 with time set aside to continue hearing on February 14 if needed.

The withdrawal of applications 37-8510 and 37-8512 which proposed diversions within Sections 10 and 2 of Township 2S Range 12E is acknowledged. These applications will not be further considered.

We expect to mail formal hearing notices setting the time and place for hearing on about January 31, 1990.

If you have any questions or if this office can be of assistance in this matter, please let us know.

Very Truly yours,

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

MICROFILMED

JUN 20 1990

MEMORANDUM

DATE: 13-Nov-1989

FROM: Loren Holmes *LH*

TO: Files 37-8510 thru 37-8514

SUBJECT: Outcome of pre-hearing conference on 11/9/89

The conference was held in conjunction with conference on application 37-8526 also filed by Fish & Game.

Lee Barron was not present, having advised the office that, due to a death in his family, he would not be able to attend. He was somewhat represented by Gwinn Rice, who had filed and withdrawn a protest.

Mr. Rice expressed the position that Fish & Game should acquire water from existing rights (by purchase or lease from himself or Mr. Barron) rather than place additional burden on the resource with new rights.

On finding that Fish & Game proposed drilling a series of new deep wells, Mr. Rice requested that his protest be reinstated. There was no objection from Fish & Game.

Mr. Rice expressed the concern that the use of the proposed wells may reduce groundwater levels and thus affect the availability of water to existing groundwater rights.

Fish & Game requested that hearing on these applications and application 37-8526 be set for the same time frame to reduce travel.

Hearing was tentatively scheduled for January 1989.

MICROFILMED

JUN 20 1990

Conference held by: Loren Holmes

ROSTER OF ATTENDANCE

[illegible]

UNCLASSIFIED

JUN 20 1990

NAME AND
ADDRESS
OF SENDERIndicate type of mail
☐ Registered
☐ Insured
☐ COD
☐ Certified
☐ Express MailCheck appropriate block for
Registered Mail:
☐ With Postal Insurance
☐ Without Postal InsuranceAffix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

IDWR

10-24-89

Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (if Regs.)	Insured Value	Due Sender if C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee	Remarks
1	883	Millard, David R 47-7971	25	85	95	205							
2	884	Longleis, Jeff 47-7971	25	85	95	215							
3	885	Twin Falls County 47-8017	25			205							
4	886	Braga, Earl L + Glenda C 47-8017	25			205							
5	887	Rice, Edwin 37-8510-14	25			205							
6	888	Id. Dept of Fish & Game 37-8510-14	45			225							
7	889	Barron, Ler 37-8510-14	45			225							
8	890	Oncida, Richard M 37-8526	25			205							
9													
10		John C Arkhoush Uncertified											
11													
12													
13													
14													
15													
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for COD and \$400 for Insured Mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.							

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS)
FOR PERMIT TO APPROPRIATE)
WATER NO. 37-8510, 37-8511,)
37-8512, 37-8513, 37-8514)

Idaho Department of Fish)
and Game)

Applicant)

Lee Barron)

Protestant)

NOTICE OF
PRE-HEARING CONFERENCE

SOURCE: Groundwater

COUNTY: Camas

On May 3, 1989, the Idaho Department of Fish and Game, applicant, filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On June 26, 1989, the Department received a protest against the approval of said application from Lee Barron via his attorney, John Arkoosh. A protest was also received from Gwinn Rice and subsequently withdrawn.

The Department has set the matter of protest for conference for Thursday, November 9, 1989, at 10:00 AM, at the Health & Welfare Mental Health Center, 823 Harrison St. N, Twin Falls.

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. Opportunity shall be afforded to all parties to respond and present evidence and argument on all issues involved.

Dated this 23 day of October, 1989.

MICROFILMED

JUN 20 1990

Loren O. Holmes
Loren O. Holmes
Southern Region Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 11, 1989

Lee Barron
Fairfield, ID 83327

Re: Application for permit No. 37-8510 thru 37-8514 and
Application 37-8526, Fish & Game, Hill City Marsh Project

Dear Mr. Barron:

Due to a scheduling conflict, the date for pre-hearing conference on the Hill City Marsh applications is being rescheduled to November 9, 1989 in Twin Falls. Notices formally setting the conference time and place will be mailed about October 23.

If you will not be available on this date, please advise this office prior to formal setting.

Very Truly yours,

A handwritten signature in cursive script, reading 'Loren O. Holmes'.

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

CC: John C. Arkoosh
P.O. Box 32
Gooding, ID 83330

MICROFILMED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 11, 1989

Steve Goddard
Idaho Dept. of Fish & Game
P.O. Box 25
Boise, ID 83707

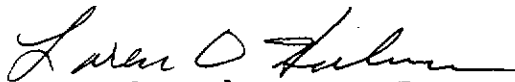
Re: Application for permit No. 37-8510 thru 37-8514 and
Application 37-8526, Fish & Game, Hill City Marsh Project

Dear Mr. Goddard:

Due to a scheduling conflict, the date for pre-hearing conference on the Hill City Marsh applications is being rescheduled to November 9, 1989 in Twin Falls. Notices formally setting the conference time and place will be mailed about October 23.

If you will not be available on this date, please advise this office prior to formal setting.

Very Truly yours,


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

RECEIVED

OCT 26 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 11, 1989

Richard M. Oneida, Manager
Big Wood Canal Co.
P.O. Box C
Shoshone, ID 83352

Re: Application for permit No. 37-8510 thru 37-8514 and
Application 37-8526, Fish & Game, Hill City Marsh Project

Dear Mr. Oneida:

Due to a scheduling conflict, the date for pre-hearing conference on the Hill City Marsh applications is being rescheduled to November 9, 1989 in Twin Falls. Notices formally setting the conference time and place will be mailed about October 23.

If you will not be available on this date, please advise this office prior to formal setting.

Very Truly yours,

A handwritten signature in cursive script, reading 'Loren O. Holmes'.

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

RECORDED
INDEXED

OCT 29 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 4, 1989

Idaho Dept. of Fish & Game
P.O. Box 25
Boise, ID 83707

Re: Applications for permit No. 37-08510 thru 37-08514,
Idaho Dept. of Fish & Game

Gentlemen:

Please be advised that Mr. Gwinn Rice has withdrawn his protest against the application. We have received no response from Mr. Lee Barron, the other protestant.

This office is tentatively scheduling the matter of protests for a pre-hearing conference for November 2, 1989 in Twin Falls. Notices formally setting the conference time and place will be mailed about October 16.

The purpose of the conference will be to familiarize the department and the parties with the issues and to provide a forum for possible resolution of the matter.

If you will not be available on this date, please advise this office prior to formal setting.

Very Truly yours,

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

RECORDED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 4, 1989

Lee Barron
Fairfield, ID 83327

Re: Applications for permit No. 37-08510 thru 37-08514,
Idaho Dept. of Fish & Game

Dear Mr. Barron:

This office is tentatively scheduling the matter of protests for a pre-hearing conference for November 2, 1989 in Twin Falls. Notices formally setting the conference time and place will be mailed about October 16.

The purpose of the conference will be to familiarize the department and the parties with the issues and to provide a forum for possible resolution of the matter.

If you will not be available on this date, please advise this office prior to formal setting.

Very Truly yours,

A handwritten signature in cursive script that reads "Loren O. Holmes".

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

CC: John C. Arkoosh
P.O. Box 32
Gooding, ID 83330

MicroFILMED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 4, 1989

Gwinn Rice
Box 131
Hill City, ID 83337

Re: Applications for permit No. 37-08510 thru 37-08514,
Idaho Dept. of Fish & Game

Dear Mr. Rice:

The Department acknowledges the withdrawal of your protest against the above referenced applications.

Your withdrawal concludes the matter of your protest. We will now proceed with processing the application with no further contact with you.

Very Truly yours,

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

RECEIVED

JUN 20 1990

Hill City, Idaho
August 22, 1989

Department of Water Resources
2148 4th Ave. East
Twin Falls, Idaho 83301

RECEIVED

AUG 24 1989

Department of Water Resources
Southern Region Office

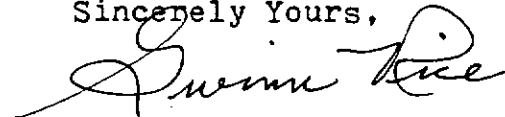
Dear Mr. Holmes:

In regard to application for Permit No. 37-08510, 37-08511, 37-08512, 37-08513, 37-08514

I have talked with Terry Gregory who is in charge of the Camas Centennial Marsh in question. He assured me that their use of water would not in any way reduce my quantity of water.

I appreciate your interest in the matter and trust there will be no further reason to protest.

Sincerely Yours,



Gwinn Rice
Box 131
Hill City, Idaho 83337

GR/LR

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Phil Jeppson
Idaho Dept. of Fish & Game
P. O. Box 25
Boise, ID
83707

August 16, 1989

RE: Applications for Permit 37-08510 thru 37-08514, Hill City Marsh Project

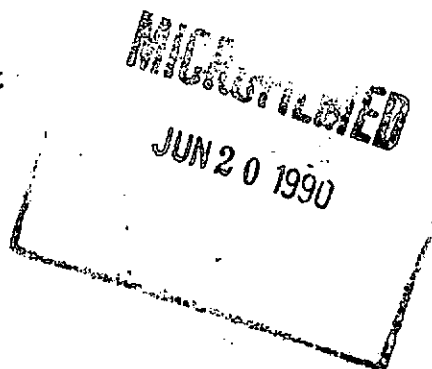
Dear Phil;

Your attention is directed to Rule 3.1.1 of our Rules and Regulations for Water Appropriation dated October, 1986. Briefly, the rule states that it is illegal to divert water or to construct diverting works until an application for permit has been approved by this Department. This rule applies to all potential appropriators of surface water. Early approval of drilling permits for groundwater appropriators is possible on a case-by-case basis. Construction of the proposed wildlife ponds before the above-referenced permits are approved is clearly in violation of this rule. Since all of these applications have been protested, it will be some time before final action on these filings can be taken.

Thank you for your inquiry into this matter. If you have further questions, please feel free to contact this office.

Sincerely,

James E. Stanton
James E. Stanton
Sr. Water Resource Agent





State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

04-Aug-1989

R. KEITH HIGGINSON
Director

Idaho Dept. of Fish & Game
P.O. Box 25
Boise, ID 83707

Re: Application for Permit No. 37-8510, 37-8511, 37-8512, 37-8513,
37-8514

Gentlemen:

Enclosed are copies of protests filed against the issuance of a permit pursuant to your above referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, 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 project?
- 5) Will the proposed use conflict with the local public interest?

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

RECEIVED
JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

04-Aug-1989

John C. Arkoosh
P.O. Box 32
Gooding, ID 83330

Re: Application for Permit No. 37-08510, 37-08511, 37-08512,
37-08513, 37-08514

Dear Mr. Arkoosh:

The protest on behalf of Lee Barron against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, 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 project?
 - 5) Will the proposed use conflict with the local public interest?
- If this office can be of further assistance, please contact us.

Very truly yours,

MicroFILMED

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

cc: Lee Barron

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

04-Aug-1989

R. KEITH HIGGINSON
Director

Gwinn Rice
Box 131
Hill City, ID 83337

Re: Application for Permit No. 37-08510, 37-08511, 37-08512,
37-08513, 37-08514

Dear Mr. Rice:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, 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 project?
- 5) Will the proposed use conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

Handwritten signature

JUN 20 1990

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

JOHN C. ARKOOSH
Attorney at Law
P.O. Box 32
Gooding, Idaho
(208) 934-8401

RECEIVED

June 23, 1989

JUN 26 1989

Director
Department of Water Resources
2148 4th Ave E.
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region Office

RE: Protest of Water Applications: #37-08510, 37-08511,
37-08512, 37-08513, 37-08514

Dear Sir:

Please be informed that I represent Mr. Lee Barron, Fairfield, Idaho. I am writing on Mr. Barron's behalf to protest the above listed applications based on the criteria set out in 42-203A and 42-203C of the Idaho Code.

Please address all further correspondence concerning this matter to Mr. Barron at the above address.

Sincerely Yours

John C. Arkoosh

INDEXED

JUN 20 1990

RECEIVED

JUN 22 1989

Hill City, Idaho
June 21, 1989

Department of Water Resources
Southern Region Office

R. Keith Higginson
Director, Dept of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301

Re: Applications for permit nos.: 37-08510, 37-08511, 37-08512,
37-08513 and 37-08514 in the name of State of Idaho, Dept. of Fish
and Game.

Dear Mr. Higginson:

This letter is a protest against applications for permit nos.
37-08610, 37-08511, 37-08512, 37-08513, and 37-08514 filed by the State
of Idaho, Dept. of Fish and Game. This protest is filed on the basis
that: (1) The proposed diversions would reduce the quantity of water
under existing rights; (2) The water supply is insufficient for the
purpose for which it is sought to be appropriated; and (3) the proposed
use will conflict with the local public interest.

Respectfully,

Gwynn Rice

RECORDED

JUN 20 1990

37-08513

STATE OF IDAHO
DEPT. OF FISH & GAME
P.O. BOX 25
BOISE, ID 83707

Source: GROUNDWATER

Diversion Pt: NENWNE Sec 3 T 02S R 12E

Use: WILDLIFE (1.000 CFS)

Date Filed: 5/03/1989

In: T02S R12E S02	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S03	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE

MICROFILMED

JUN 20 1990

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, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JUNE 26, 1989.

R. Keith Higginson, Director

Published 6/07/1989 & 6/14/1989

MICROFILMED

JUN 20 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

MAY 31, 1989

THE SNOWSHOE
BOX 360
FAIRFIELD, ID 83327

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 JUNE 26, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

JUN 20 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

JUN 20 1990

31-May-1989

Idaho Fish & Game
P.O. Box 25
Boise, ID 83707

Re: Application for Permit No. 37-8510, 37-8511,
37-8512, 37-8513, 37-8514

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right applications for permit. The applications have been assigned the above referenced identification numbers. Please refer to these numbers in all further correspondence.

This office will be advertising the applications in the The Snowshoe on 6/7 & 6/14/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If an 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 unprotested application is about eight weeks.

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

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

MICROFILMED

JUN 20 1990



IDAHO FISH & GAME

600 South Walnut / Box 25
Boise, Idaho 83707

May 2, 1989

Idaho Department of Water Resources
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301

Gentlemen:

Enclosed are five separate Applications for Permit to Appropriate the Public Waters of the State of Idaho, together with the application fees in the amount of \$225.

Sincerely,

Philip G. Jeppson
Engineering Supervisor
Bureau of Engineering

PGJ:Q

Encs.

RECEIVED

MAY 3 1989

Department of Water Resources
Southern Region Office

RECEIVED

JUN 20 1990

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



37-08513

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY DR DATE 5/10/89 APPLICATION NUMBER 37-08513

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

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 _____

_____ Date Requested _____

PROCESSING

☒ Yes ☐ No form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM, District _____
☐ Idaho Dept. of Fish & Game, Region _____ ☐ U.S. Forest Service, Forest _____
☐ Idaho Dept. of Lands ☐ Water District # _____
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☐ Yes ☐ No Affidavit of publication received
☐ Yes ☐ No Application published correctly. If not, record action taken.

☐ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☐ No Protests received
Final date for protest _____
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

_____ ☐ See below for additional information
Date of priority recommended _____
By _____ Date _____

STATE OFFICE REVIEW

_____ ☐ See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

See 2 WESE & SESE under
in stock by 37-7057 in name
of Ruby