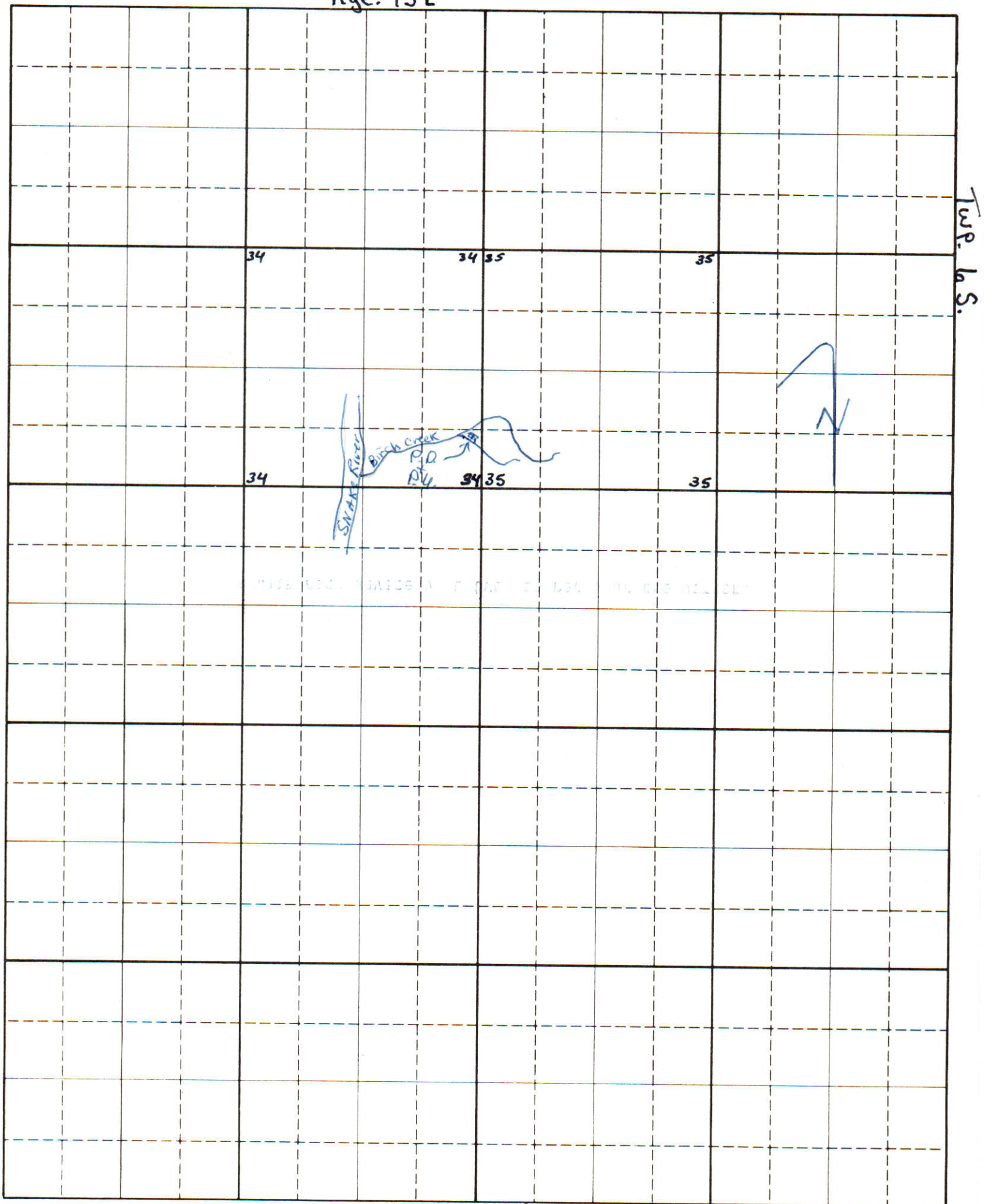


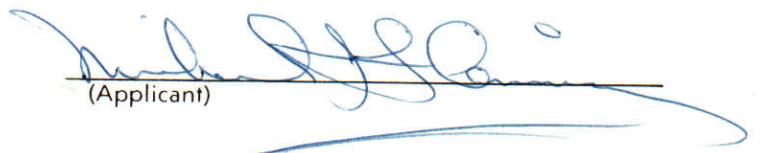
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Rge. 13 E



Scale: 2 inches equal 1 mile

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


(Applicant)

AFFIDAVIT of PUBLICATION

CO. 1 OF NOTICE

(Paste Here)

State of Idaho, }
County of Gooding } SS.

RECEIVED

MAR 1 1977

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

each week for 7 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 17 day of February

1977, and the date of the last publication was on the 24

day of February, 1977.

Subscribed and sworn to before me this 24

day of February, 1977
(SEAL)

NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 40 40
Number of Insertions 2 2
Lines tabular at 315c
40 Lines straight at 21c 8.40
40 Subsequent lines at 15c 6.00
TOTAL COST 14.40

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Michael J. Fleming Hagerman, Idaho 83332 has on 2/8/77 submitted Application No. 37-7559 for a permit to appropriate 10 cubic feet per second of water from an unnamed stream by means of dirt fill with concrete check dam into cement ditch ponds, from ponds cement ditch return flow within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, Twp. 6S, Rge. 13E., B.M., Gooding County to be used from Jan. 1 to Dec. 31 for fish production purposes within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, Twp. 6S, Rge. 13E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before March 7, 1977.

/s/ R. Keith Higginson
Director

Pub: 2-17, 24

3/2/77

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight 21c
7 pt. per line, tabular 315c
7 pt. per line, successive
insertions 15c

Nº 1121

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 27 1978

APPLICATION FOR EXTENSION OF TIME

Department of Water Resources
Southern District Office

State of Idaho)
County of Gooding)

Permit No. 37-7559

MICHAEL J FLEMING of HAGERMAN, IDA
(name) (address)

State of IDA, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 37-7559.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before 4-1, 19 78.

That he has heretofore performed the following work described under said permit:

SURVEILING OF THE SYSTEM
HAS BEEN COMPLETED. BRIDGES COMPLETED.

Costing \$ 500.00

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: WEATHER, CONTRACTORS
HAS NOT BEEN AVAILABLE. PERMIT FROM FISH &
GAME HAS NOT BEEN RECEIVED.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to 4-1, 19 83.

[Signature]
(signature) *

Subscribed and sworn before me this 27th day of March, 19 78.

seal

Sheryl R. Merritt
Notary Public residing at
Swan Falls, Idaho

My commission expires Lifetime

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use of water is extended
to April 1, 1983.

Witness my hand this 31st day of March, 19 78

A. Glen Saxton
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

NOT RECORDED

Identification No. _____

Application No. 37-7559

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Michael J. Fleming Phone: 837-4934
post office address Hagerman, Idaho 83332

2. Source of water supply Unnamed Stream which is a tributary of Birch Creek

3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34 Township 6S
Range 13 E. B.M. Gooding County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Unnamed Stream at a point in SE $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 34 Township 6S Range 13 E. B.M.

4. Water will be used for the following purposes:

Amount 10cfs for Fish Production purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 10cfs cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Dirt fill with concrete check dam into
cement ditch to ponds. From ponds cement ditch return flow

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.

b. Estimated construction cost is \$ 5,000.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34 Township 6S
Range 13E. B.M.

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: Fish Production

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. NONE

9. a. Who owns the property at the point of diversion Paul Fleming

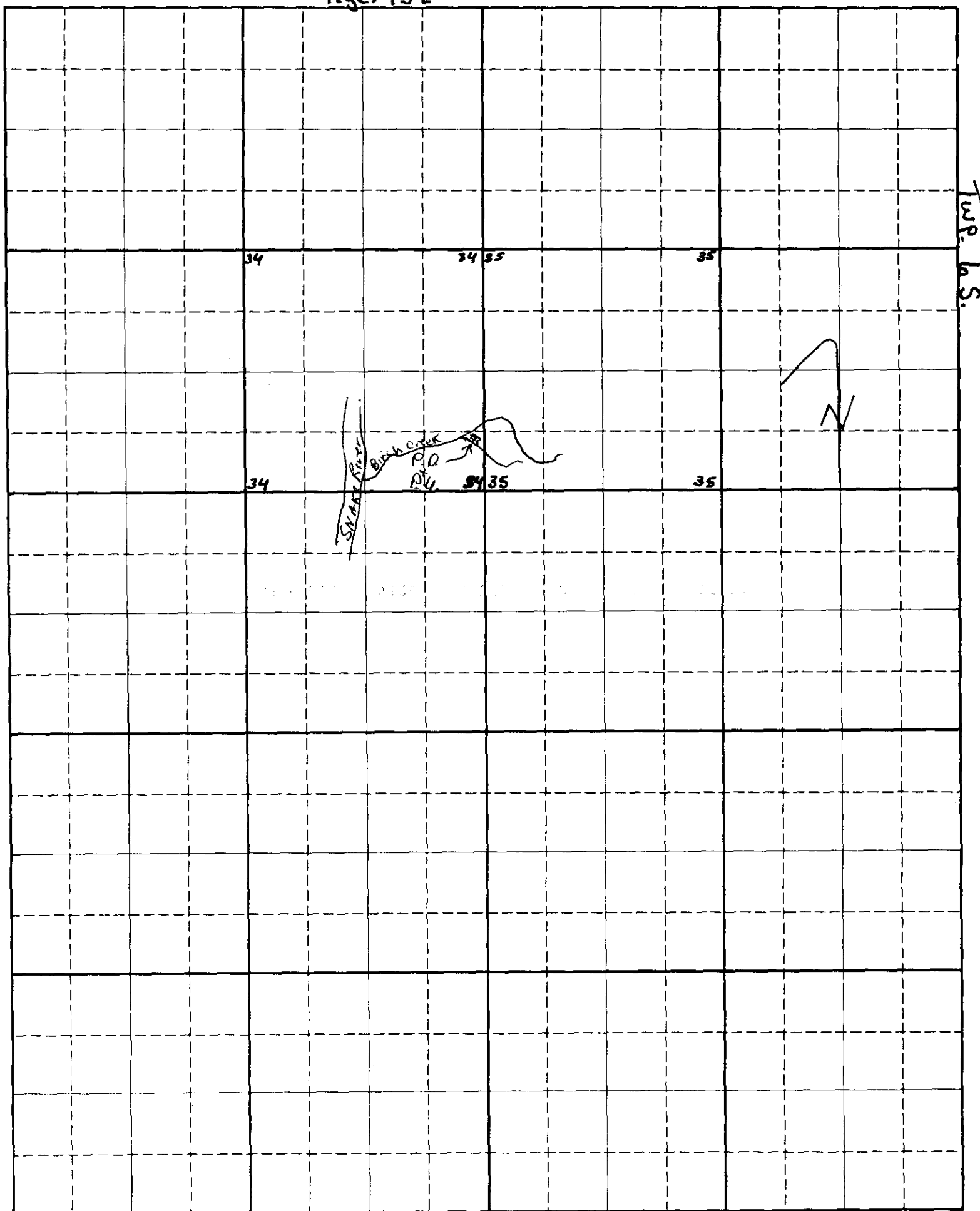
b. Who owns the land to be irrigated or place of use Paul Fleming

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

10. Remarks Two ponds with approximately 30,000 lbs per year production.

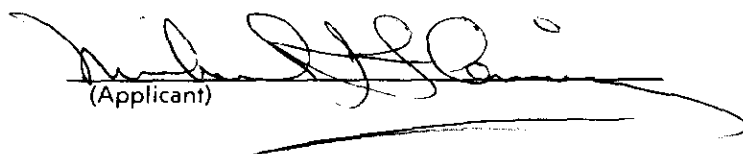
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Rge. 13 E



Scale: 2 inches equal 1 mile

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


(Applicant)

Proposed Priority 2/ 8/77

Received by TGB Date 2/8/77 Time 1:30
Preliminary check by ADM Fee \$ 115.00 Rec'd. # 2337
Receipted by SB Date 2/8/77
Publication prepared by SB Date 2/10/77
Published in Gooding City Id.
Publication dates 2/178 2/24/77
Publication approved SB Date 2/16/77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ADM

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

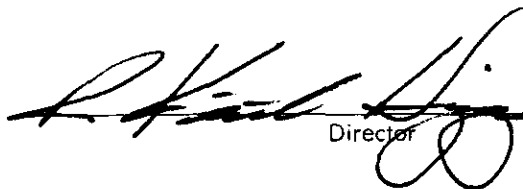
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7559, and said application is hereby APPROVED.

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 April 1, 1978.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 18 day of March, 1977.


Director

AFFIDAVIT of PuBLICATION

RECEIVED

State of Idaho,
County of Gooding } SS.

MAR 1 1977

Kim R. Crompton
Department of Water Resources
being first Officially sworn,
deposes and says that he is the printer (publisher) of the Gooding
County Leader, a newspaper published every week in Gooding, County
of Gooding, State of Idaho, that said newspaper has been continuous-
ly and uninterruptedly published for a period of seventy-eight consecu-
tive weeks prior to the first publication of the annexed notice, and is
a newspaper qualified to publish legal notices as provided by act of
the 1919 session of the legislature of the State of Idaho, known as
House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication

of said advertisement was on the 17 day of February

1977, and the date of the last publication was on the 24

day of February, 1977

Subscribed and sworn to before me this 24

day of February, 1977
(SEAL)

NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 40 40

Number of Insertions 2 2

Lines tabular at 315c

40 Lines straight at 40 21c 8.40

40 Subsequent lines at 40 15c 6.00

TOTAL COST 14.40

MICROFILMED

CO. 1 OF NOTICE (Paste Here)

[Illegible text, likely a notice or advertisement, partially obscured by a large black mark.]

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

18637

Nº 1121

MICROFILMED

AFFIDAVIT of PUBLICATION

RECEIVED

MAR 1 1977

Department of Water Resources
Southern District Office

State of Idaho,
County of Gooding
SS.

deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 17 day of February, 1977, and the date of the last publication was on the 24 day of February, 1977.

Subscribed and sworn to before me this 24

day of February, 1977 (SEAL)

NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice	40
Number of Insertions	2
Lines tabular at	315c
Lines straight at	40 21c
Subsequent lines at	40 15c
TOTAL COST	14.40

PUBLICATION RATES	
(Idaho Code, Rev. Statutes 1971)	
7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive	15c
insertions	

Nº 1121

18637



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

RECEIVED

SEP 02 1999

Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MICHAEL J FLEMING
17826 HIGHWAY 30
BLISS ID 83314-5066

August 24, 1999

Re: Snake River Basin Adjudication (SRBA)
Water Rights #36-00064B, 36-10446, 36-15094, 37-00795A,
No. prefix → 37-00796, 37-03155, 37-03157, 37-07559, 37-00798, 37-10993
& 47-10199
Change of Address

*Records changed, MAP prepared
SS 9-2-99*

Dear Water Right Holders:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by September 17, 1999. Thank you for your help.

None

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Michael J Fleming
Claimant Signature

208-837-6453
Telephone No.

4/86

RECEIVED

MAY 18 1987

Department of Water Resources
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received 200.00
Date 5/14/87
Receipt # 40787
Receipt by M. Baldwin
Sent to S.O. 5/15/87

6/29/86

1. Permit No. 37-7559

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Michael J Fleming

3. Post Office Address: RT 1 Box 7 Hagerman

Telephone No. 832-4934

4. Source of Water: Spring

5. Extent of Use:

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

Irrigation _____ (acres) Other/Remark Fish

6. Total rate &/or volume for which proof is submitted 5 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

5/83

8. Person to contact to accompany the department representative during the field examination:

Same

(Name)

(Address)

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date

5/3/87

Signature of Permit Holder (and title, if appropriate)

Michael J Fleming



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

37-7559
FLEMING, MICHAEL J.
HAGGEMAN, ID 83332

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 30, 1987

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on June 30, 1987, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on April 30, 1986.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before August 28, 1987, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

L. Glen Saxton
L. GLEN SAXTON, Chief
Operations Bureau

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

37-7559
FLEMING, MICHAEL J.
HAGERMAN, ID 83332

138693

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

February 25, 1963

Michael J. Fleming
Hagerman,
Idaho 83332

Re: Permit 37-7559

Dear Mr. Fleming:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Gary L. Funderburg
Sr. Water Resource Agent

LOH:GLF:marya

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 37-7559

Name(s) of Permit Holder: Michael J. Fleming

Post Office Address: Hagerman, ID 83332

Tel. No. 837-4934

Source of Water: Birch Cr. trib. to Snake R.

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (acres)
☒ Other Fish prop.

Measuring Device: Required? ☒ Yes ☐ No Installed? ☐ Yes ☒ No Will be
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No installed.

The above information is a true statement of the extent to which the above numbered permit has been developed.

2/10/83
Date

Michael J. Fleming
Signature of Permit Holder

PLACE
13 CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

FEB 10 1983

Department of Water Resources
Boise District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

FLEMING, MICHAEL J.
HAGERMAN, ID 83332

138193

PROOF DUE NOTICE

JANUARY 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 37-7559 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

April 4, 1978

Re: Permit No. 37-7559

Michael J. Fleming
Hagerman,
Idaho 83332

Dear Mr. Fleming:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to April 1, 1983.

Sincerely,

Jan Grover
Water Rights Supervisor

January 31, 1978

CERTIFIED MAIL

135334

Re: Permit No. 37-7559

Michael J. Fleming
Hagerman,
Idaho 83332

Dear Mr. Fleming:

One of the conditions of approval of your water Permit No. 37-7559 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

RECEIVED

March 21, 1977

Re: Permit No. 37-7559

Michael J. Fleming
Hagerman, ID 83332

Dear Mr. Fleming:

Enclosed is a copy of your approved Application for Permit No. 37-7559. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Allen Merritt

DATE Feb. 11, 1977

TO File (36-7679)

SUBJECT Surface water field investigation

On Feb. 10, 1977 I visited the proposed site of the fish ponds described under application # 36-7679. The site is located on an un-named stream which is fed by springs; the stream flows directly into the Snake River. Below the site of the proposed fish ponds the stream is confined in a deep gully; no diversion from the stream was noted below the proposed site. Nothing was observed that would prevent development of the site.



SIGNATURE

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 37-7559 - Fleming, Michael J.

- ☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

In form to receipt

Send Copies to:

- ☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

- ☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

In form for advertising

Platted on Map No. _____

Located within Water District No. 36-A

Critical groundwater area: yes _____ no _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

Other rights on the same place of use _____

Comments: _____

Affidavit of Publication received(date) _____

Final date for protests 3/2/77

Protests received: yes _____ no ☒

All requested information received from agencies or applicant: yes _____ no _____

Action recommended:

☒ Approve _____ Deny

Proposed Priority 2-8-77

Reason for Reduction _____

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

District Southern By Mike Steele by Allen Messitt Date 3-8-77

Copy Sent to Boise 2/9/77

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NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Michael J. Fleming

Hagerman, Idaho 83332

has on 2/8/77 submitted Application No. 37-7559

for a permit to appropriate 10 cubic feet per second ~~acre feet per annum~~

of water from an unnamed stream

by means of dirt fill with concrete check dam into cement ditch to ponds, from ponds cement ditch return flow

within the SE1/4, Sec. 34, Twp. 6S, Rge. 13E., B.M., Gooding County

to be used from Jan. 1 to Dec. 31

for fish production purposes

within the SE1/4, Sec. 34, Twp. 6S, Rge. 13E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before March 7, 1977.

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader

on 2/17 and 2/24/77

REF ID: A66111

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SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, Twp. 6S,
Rge. 13E., B.M., Gooding
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SE $\frac{1}{4}$, Sec. 34, Twp. 6S, Rge.
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Blue Lakes Blvd., North, Twin
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before March 7, 1977.

/s/ R. Keith Higginson
Director

Pub: 2-17, 24

2/16/77
RKH

February 10, 1977

Gooding County Leader
Box 56
Gooding, Idaho 83330

RE: Application For Permit #37-7559 - Fleming, Michael J.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

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.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sb

enclosure

Bill submitted: 3/2/77

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