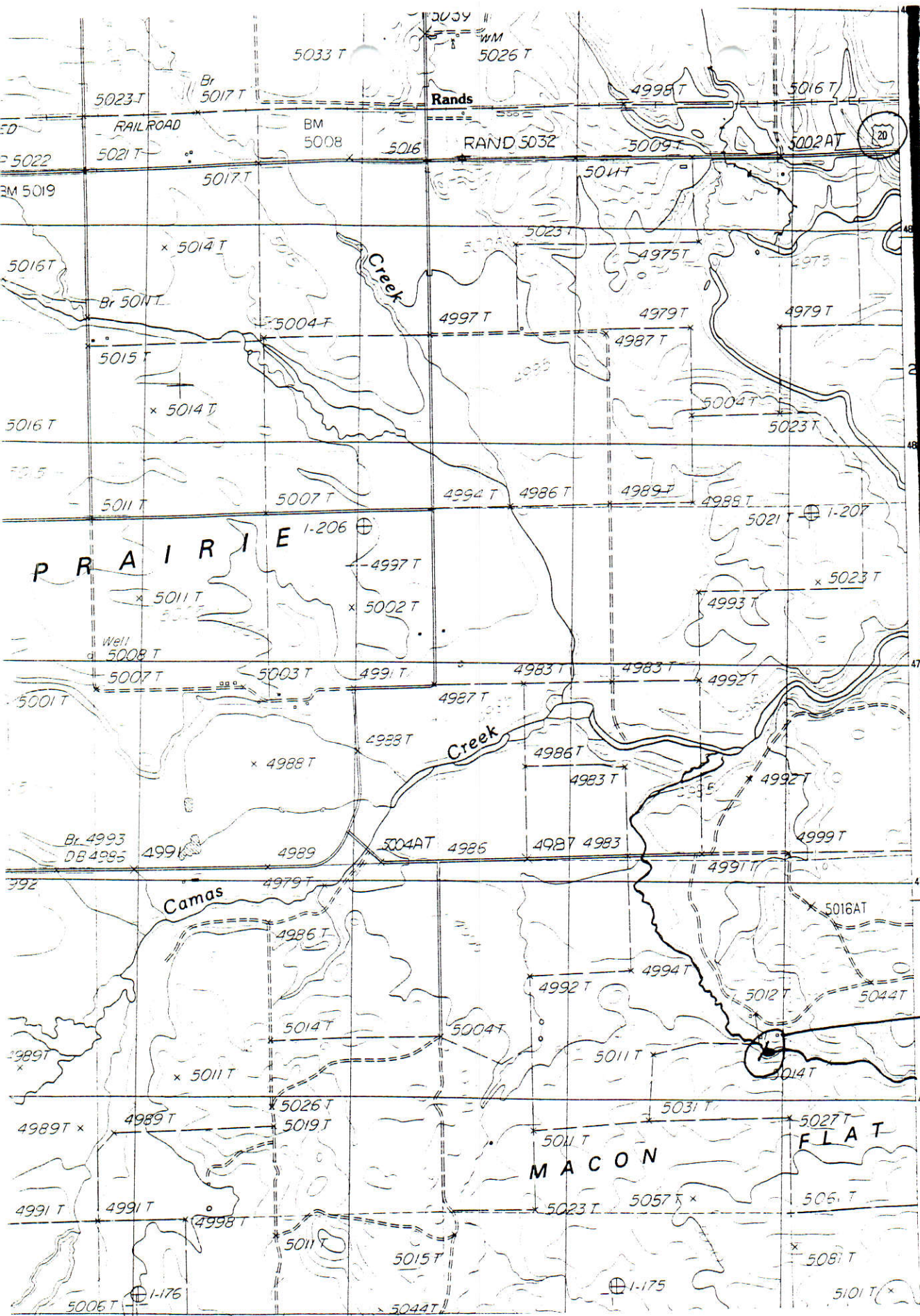


Location Map

HWY 20

4 N



Proposed Pond Location

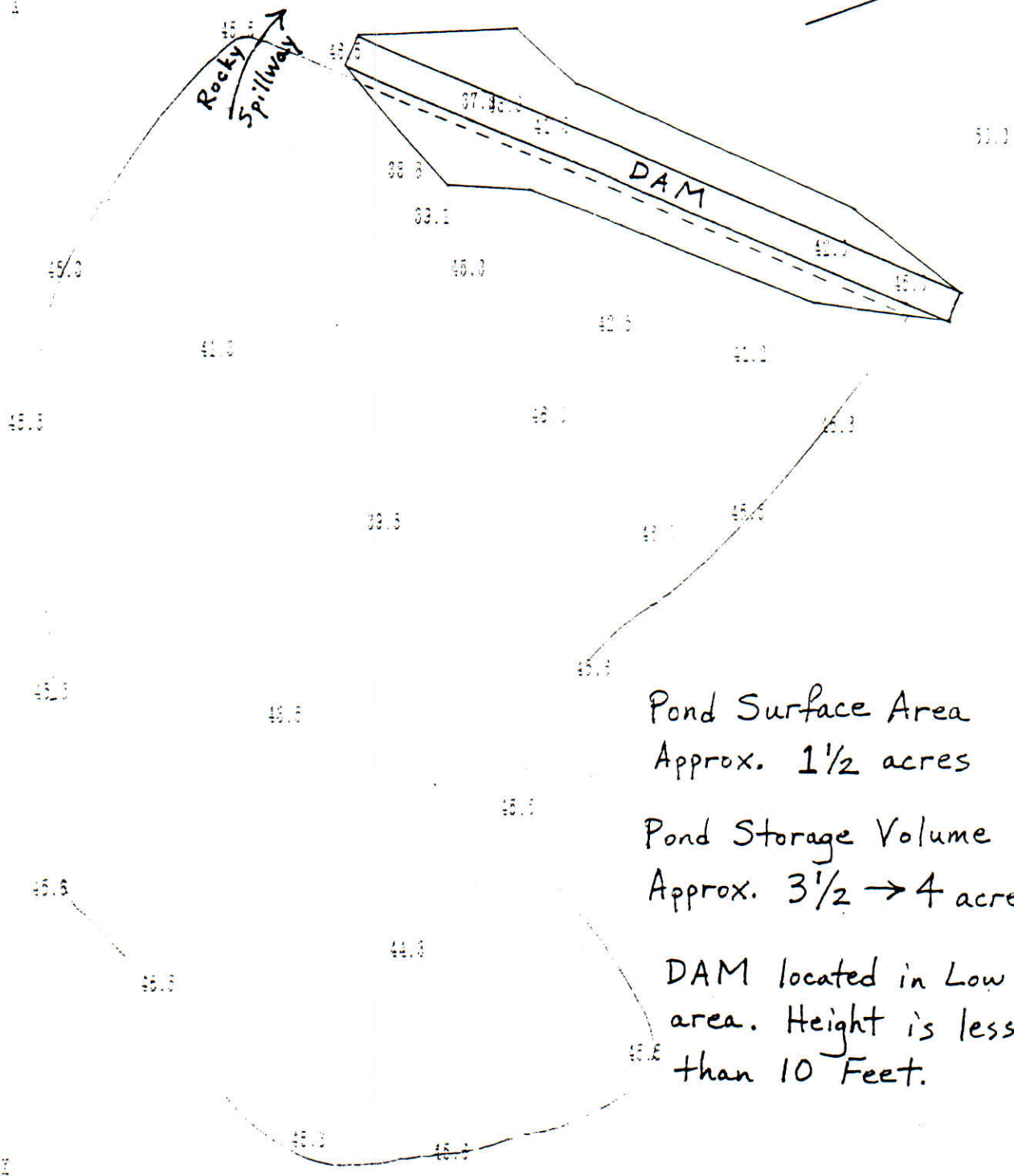
ms. Mackenzie owns entire stretch of stream below proposed pond except last couple hundred feet before confluence with Camas Creek (Rob Strumbers property).

Spring Creek Reservoir Quad. (7.5 minute topo.)

1000 0 9 2002

37-20473

Ralph Campanale
SCALE: 1 inch = 50 feet



Pond Surface Area
Approx. 1 1/2 acres

Pond Storage Volume
Approx. 3 1/2 → 4 acre-feet

DAM located in Low Risk
area. Height is less
than 10 Feet.

Pond
Length = 360 ft.

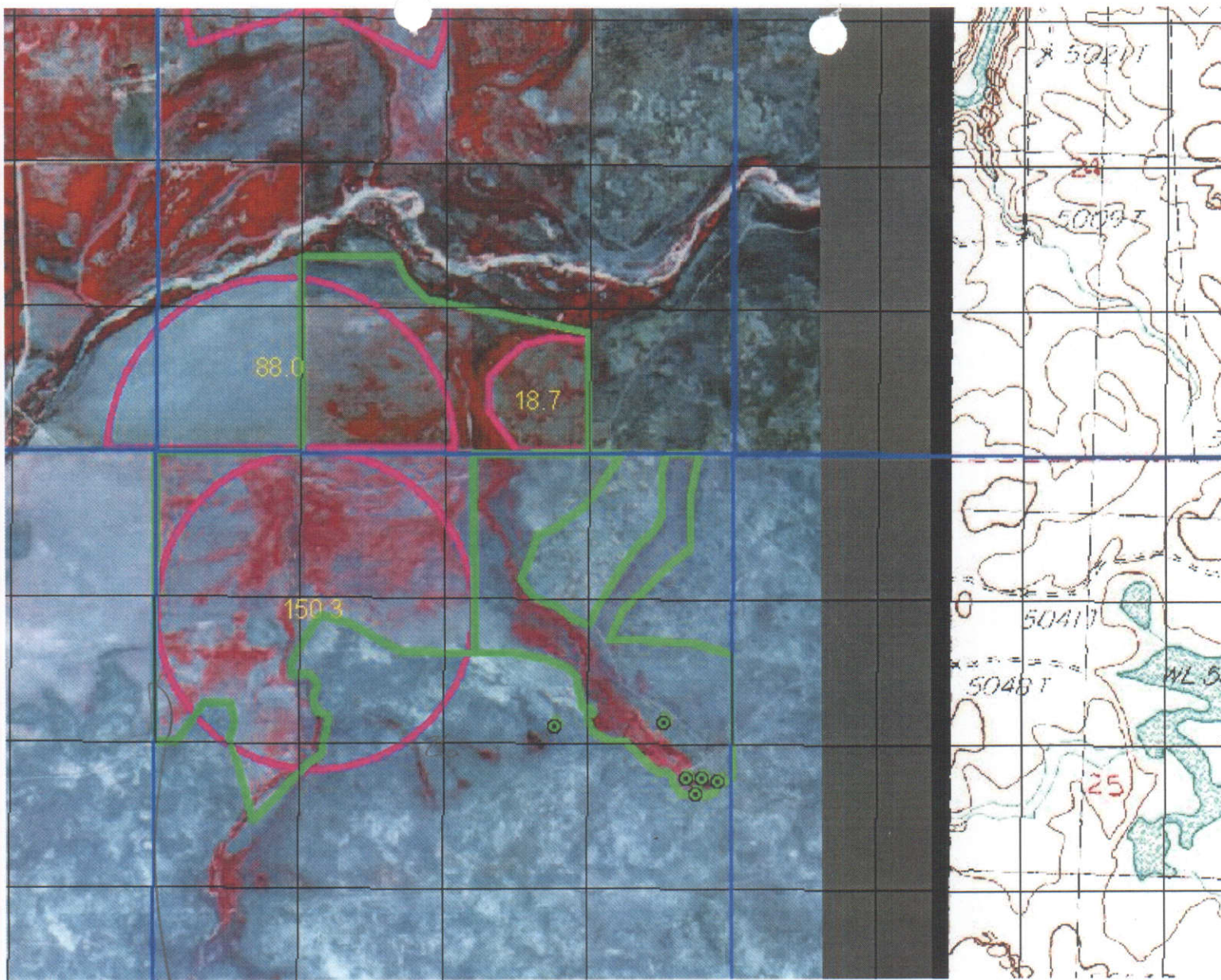
SITE LOCATION: NE 1/4 of SE 1/4 Section 26, T1S, R15E

MICROFILMED

Berm length = 220' long (50' at ~~bedrock~~ ^{base}, 10' at top)
width -

14X 0 9 2002

37-20473



MICROFILMED

JAN 09 2002

MEMORANDUM

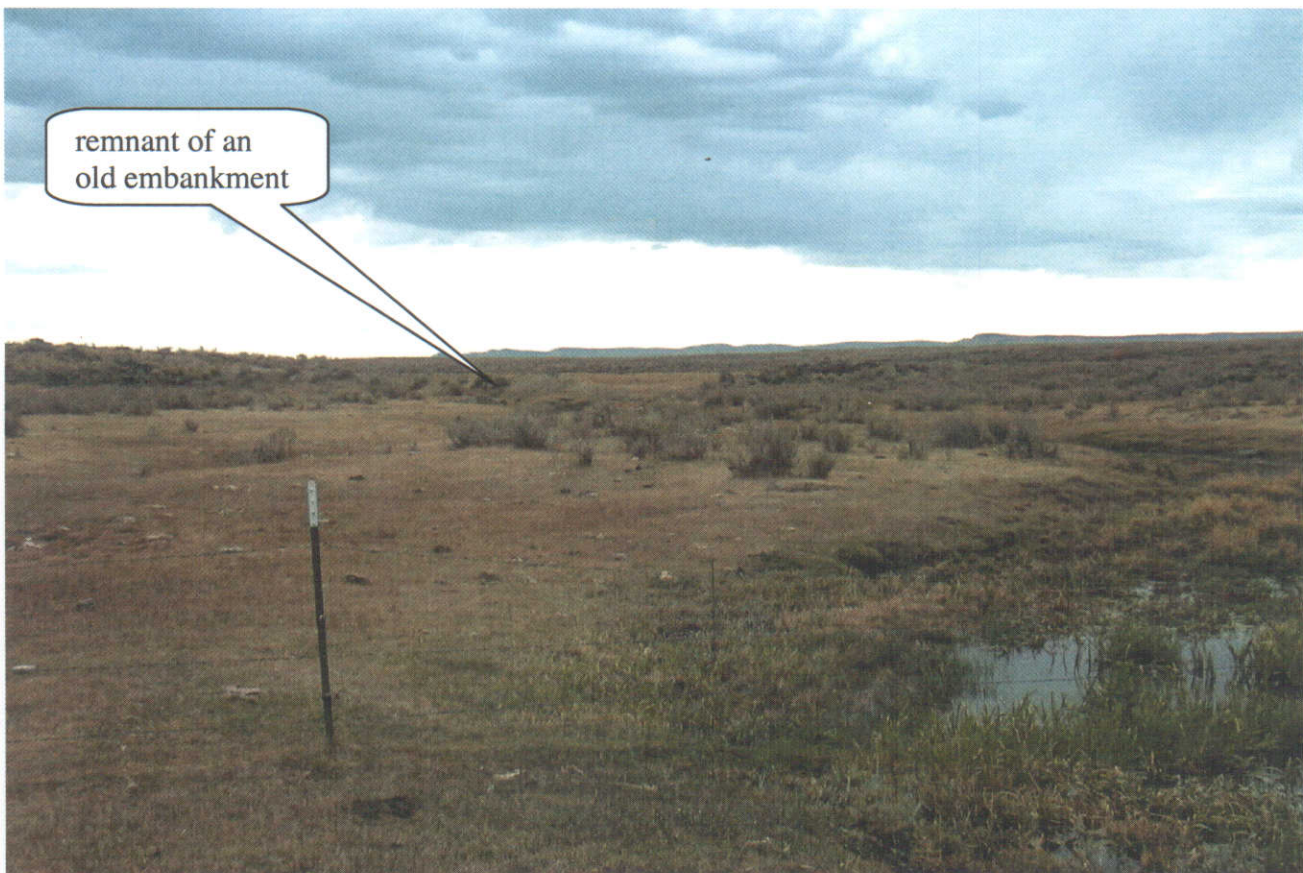
TO: Application for Permit 37-20473 File

FROM: Corey Skinner

DATE: September 28, 2001

SUBJECT: Field Visit

On September 25th, I visited the property involved with Application for Permit 37-20473. It was observed that the area was in the head end of a draw that was tributary to Camas Creek. At the head end of the draw there appeared to be several springs (most of which were dry). There was water flowing in the channel, at the time of my visit. It was also observed that the remnant of an old embankment was located in the general area described in Application for Permit 37-20473. The photo below documents my visit...



View looking upstream, towards the southeast, through the drainage involved with Application for Permit 37-20473.

MICROFILMED

JAN 09 2002

37-20473

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 37-20473

Priority: 09/21/2001

Maximum Diversion Volume: 4.0 AF

This is to certify, that FERN MACKENZIE
PO BOX 2502
SUN VALLEY ID 83353

has applied for a permit to appropriate water from:

Source: SPRING

UNNAMED STREAM

Tributary: UNNAMED STREAM

CAMAS CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	01/01 to 12/31	4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 26, Twp 01S, Rge 15E, B.M.	CAMAS County
UNNAMED STREAM	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 26, Twp 01S, Rge 15E, B.M.	CAMAS County

PLACE OF USE: STOCKWATER STORAGE

Twp Rge Sec	NE	NW	SW	SE	Totals
01S 15E 26	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	X

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 1, 2006**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Water shall not be stored under this right until the applicant formally notifies the department that she has permanently abandoned the right to irrigation 1.5 acres under Water Rights 37-7403 and 37-13369. The formal notice shall also specify the 1/4 1/4 description from which the 1.5 acres will be removed.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
6. The applicant shall install a low level drain or other means to evacuate the pond and a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion and allow draining of the pond.
7. Sources known locally as Ryan's Spring and Ryan's Creek.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 7th day of December, 2001.

MICROFILMED

JAN 29 2002

Karl J Dreher
for **KARL J DREHER, Director**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department
of a change in address for Department records
(Please print or type)

RECEIVED
NOV 02 2001
Department of Water Resources
Southern Region

[] Name(s): X FERN MACKENZIE
app. 37-20473

[] Old Mailing Address: X P.O. Box 2050 (incorrect)
SN. 83353

[] New Mailing Address: X P.O. Box 2502 (correct)

Telephone Number: X (208) 726-5300

[] Signature(s) X 
(must be signed by all
individuals listed unless
you have authority to sign
on their behalf) (include your title if on behalf of company or organization)

Date: X 10/24/01

When complete, please mail or FAX this form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
FAX: (208) 769-1454

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
FAX: (208) 334-2348

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
FAX: (208) 525-7177

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
FAX: (208) 736-3037

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

RECEIVED
SEP 21 2001
Department of Water Resources
Cameron Center

1. Name: FERN MACKENZIE
PO BOX 2050 2502
SUN VALLEY ID 83353

2. Source: RYANS CREEK Tributary to: CAMAS CREEK
RYANS SPRING Tributary to: RYANS CREEK

3. Location of Point of Diversion:

#1 RYANS SPRING	NE1/4SE1/4	Sec. 26, Twp 01S, Rge 15E, B.M.
CAMAS County		
#2 RYANS CREEK	NE1/4SE1/4	Sec. 26, Twp 01S, Rge 15E, B.M.
CAMAS County		

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	01/01 to 12/31		4.0 AF

5. Total quantity to be appropriated is: 4.0 AF

6. Proposed diverting works:

POINT OF DIVERSION #1

a. Type and size of devices used to divert water from the source: SMALL DAM TO STORE WATER CONSTRUCTED ON SPRINGS AND CREEK.

b. Height of storage dam 5 10 feet;
Active reservoir capacity 3 1/2 - 4 acre-feet;
Total reservoir capacity 3 1/2 - 4 acre-feet;.

c. Proposed well diameter is N/A inches;
Proposed depth of well is N/A feet.

d. Is ground water with a temperature of greater than 85F being sought? No

e. If well is already drilled, when? N/A;
Drilling Firm N/A;
Drilling Permit No. N/A.

MICHAEL L. LILL
159 5 5 7800

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

POINT OF DIVERSION #2

N/A

a. Type and size of devices used to divert water from the source: SMALL DAM TO STORE WATER CONSTRUCTED ON SPRINGS AND CREEK.

b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;

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

d. Is ground water with a temperature of greater than 85F being sought?

e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8.

PLACE OF USE: STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 15E 26													X				

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

This application replaces application 37-08895 that was voided. The application is to be mitigated by reducing 1.5 acres of irrigation currently being provided by rights 37-13369 & 37-07403 within SWNW S26, T01S, R15E. The land is currently leased with an option to purchase by Ralph Campanale. It is proposed that a new pivot will be installed which will not cover at least 1.5 acres in this tract that have been historically irrigated. Further transfer of these rights will be contemplated in the future as the property is developed or managed. The initial step is to construct this small reservoir to allow riparian habitat management along Ryans Creek to begin as soon as possible.

MICROFILMED

JAN 11 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

11. Map of proposed point of diversion and place of use attached? ☐ yes

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.

[Signature]
Applicant

Received by P. SKINNER Date 9/21/01 Time 12:45 Preliminary check by P. SKINNER
Publication prepared by MB Date 10/3/01 Published in Camas Courier
Publication approved _____ Date _____

\$10000

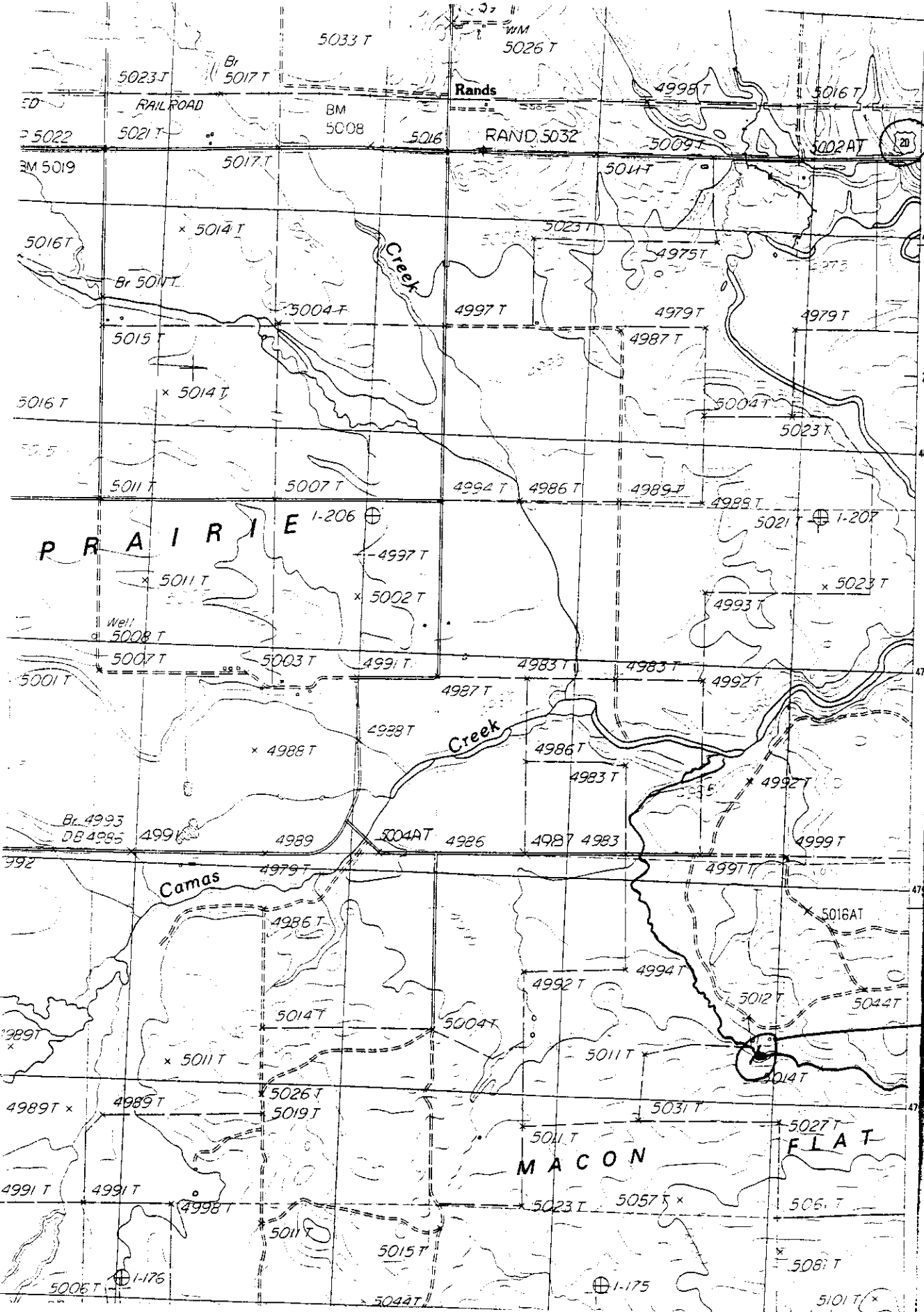
Receipt No. 5024319

Date: 9/21/01

Received by: P. SKINNER

RECEIVED

SEP 21 2001



Location
Map
HWY
20
4
N

Proposed
Pond
Location

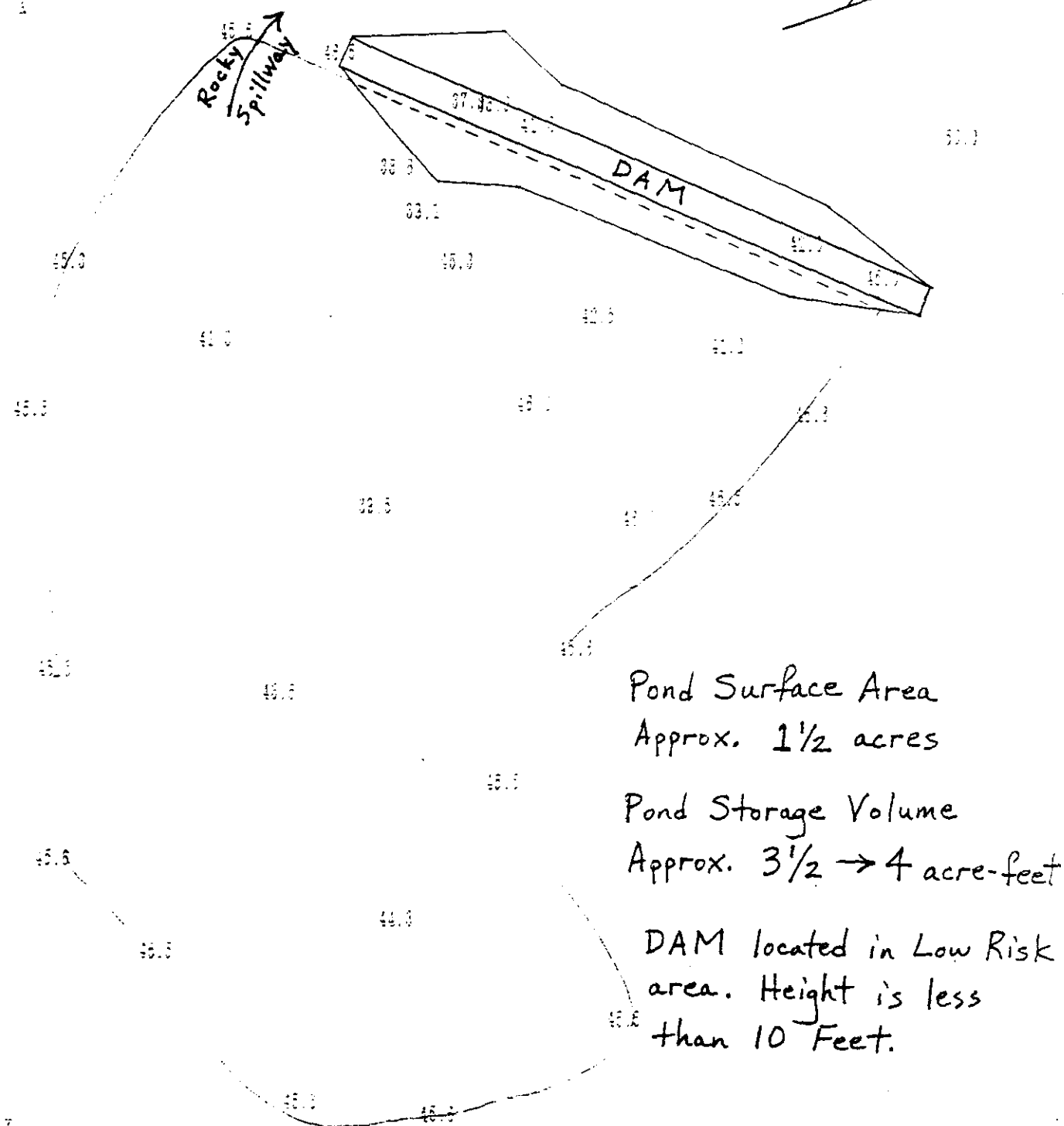
Mr. Mackenzie owns entire stretch of stream below proposed pond except
last couple hundred feet before confluence with Camas Creek (Rob Struthers property).

Spring Creek Reservoir Quad. (7.5 minute topo.)

37-26473

Ralph Campanale
SCALE: 1 inch = 50 feet

SCALE: 1 inch = 50 feet

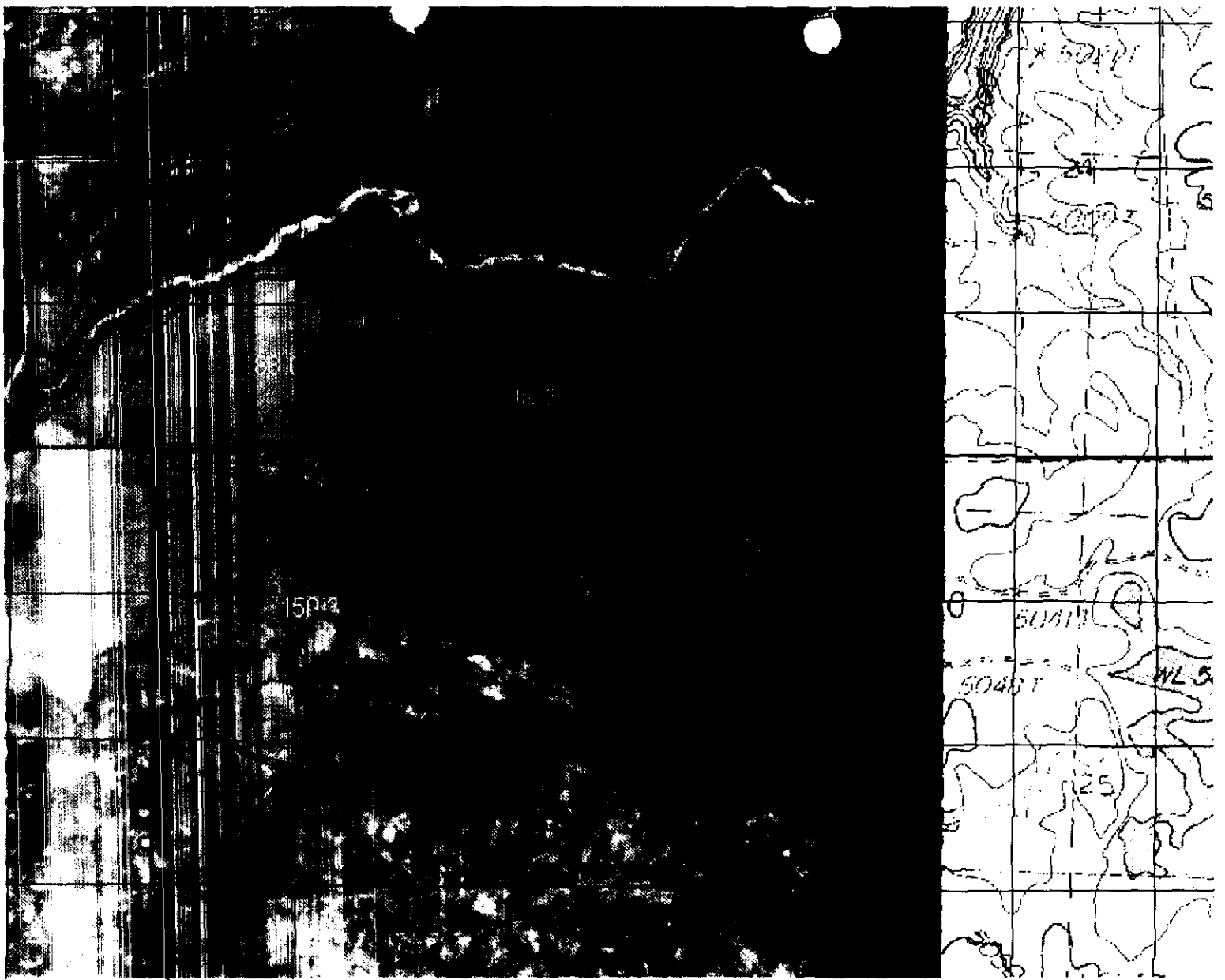


Proposed ^{Pond} Length = 360 ft.

SITE LOCATION: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 26, T1S, R15E

Berm length $\approx 220'$ long (50' at ~~bedrock~~ ^{bedrock}, 10' at top)

37-20473



Area to be dried up
for mitigation

Wetland

Wetland



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 7, 2001

FERN MACKENZIE
PO BOX 2502
SUN VALLEY ID 83353

RE: Permit No. 37-20473

Permit Approval Notice

Dear Permit Holder:

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

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

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

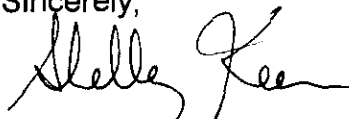
Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

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

MICROFILMED

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

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley Keen". The signature is fluid and cursive, with the first name "Shelley" and last name "Keen" clearly distinguishable.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

cc: RALPH CAMPANALE
PO BOX 3778
KETCHUM ID 83340

MICHOE L M L
JAN 6 2000

CERTIFICATE OF MAILING

I hereby certify that on December 7, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 37-20473

**FERN MACKENZIE
PO BOX 2502
SUN VALLEY ID 83353**

**RALPH P CAMPANALE
PO BOX 3778
KETCHUM ID 83340**



**Kari Lynn Townsend
Secretary**

MICHOI 464
12/8/01

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICHAEL J. HARRIS

10/15/2011

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
JUL 19 1999

Reviewed by Sharla Curtis on 12/6/01

AREA OF CONCERN: No/Yes CSHA Moratorium GWMA TRUST/NON-TRUST

DRILLING PERMIT

~~WMD~~

Supp irr (irr = only use)	- 065-104
Supp irr (+ other uses)	- 100-105
≤ 0.24 cfs/5 acres	- No MD
> 0.24 cfs/5 acres	- 01M

Boise Front LoGeo	- 058 (<85 GW)	Paye
Mitigation	- 121	Salmon
		Weiss
Trust	- 051 (consumptive uses)	
Non-Trust	- 048 (consumptive uses or non-cons. > 1.0 cfs)	

STORAGE - 18C-01H-01P-18B-NA
IRR $\leq$ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
 $>$ 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
 or 17M (not FERC regulated)
 025-027-R22-08A

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD# B7)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

MUNICIPAL	
Restricted area	- 022,075
Irr., GW supp to SW	- 102
Future needs	- 007,109
FISH PROP	- 029 (70's only)-007-042-106
DOMESTIC	
Surface water	- WB5 (Big Wood/Boise above Star Bridge)
	- 27A (Payette R)
>1 in restricted area	- 070-071-075 (no parks/common areas)
Irr separate or none allowed	- WB5
GW w/irrigation from SW evident	- 065-104
Moratorium approvable	- W03 (2500 gpd – meets domestic def i.e. D/convenience store)

MISC CONDITIONS/REMARKS:

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example – S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map) IRR VOLUME/ACRE _____

COMMENTS 37-7403 & 37-13369 are the only 8 1/2" x 11" in S2NW, S2E.

APPLICATION NO. 37-20473

Lem Mackenzie

STATE OF IDAHO
IDWR SOUTHERN REGION
APPLICATION FOR PERMIT ANALYSIS SHEET

RECEIVED

INITIAL REVIEW BY A. SKINNER DATE 7/24/01

NOV 15 2001

DEPARTMENT OF WATER RESOURCES

REQUIRED INFORMATION (Ck if OK)

- ☒ 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) USGS QUAD INDICATES "UNNAMED" SPRING & STREAM
- ☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.
- ☒ County
- ☒ Quantity (flow &/or volume)
- ☒ Period of use
- ☒ Nature of proposed use (include description of use)
- ☒ Description of diverting works.
- ☒ Time required for beneficial use of water.
- ☒ Place of use or acres irrigated.
- ☒ Map
- ☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt?

++++PROPOSED PRIORITY DATE 7/21 19, 2001

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back. NONE
- ☒ Overlapping point of diversion. NONE OBSERVED DURING FIELD VISIT
- ☒ Yes ☐ No Is Source Surface Water?
If Yes Send Copy to F&G.
If Yes Field check/memo required.
Field check/memo by A. SKINNER
- ☒ Yes ☐ No Field report attached?
- ☒ Yes ☒ No Critical Ground water area?
- ☒ Yes ☐ No Groundwater management area? R16 WOODS
- ☒ Yes ☒ No Measurement District or Groundwater District?
What District? _____
- ☐ Yes ☒ No Send Dam safety information? IS
- ☐ Yes ☒ No Send power requirement letter?
- ☐ Yes ☒ No Send fish farm requirement letter?
- ☐ Yes ☒ No Power residency affidavit attached?
- ☐ Yes ☒ No Power efficiency form?
- ☒ Yes ☐ No Within trustwater boundary?(If yes, attach trustwater supplementary analysis sheet.
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft? (If yes,attach large diversion supplementary analysis sheet.
- ☐ Yes ☒ No Is Application made to record Pre Nov 1987 Development?
If Yes then request clear evidence of when use started.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Date Requested _____

Date Sent Comments Received

SEND COPIES TO:

☐ Idaho Dept of Health & Welfare	_____	_____
☐ USDI BLM	_____	_____
☒ Idaho Dept of Fish & Game	10/3/01	_____
☐ USFS	_____	_____
☐ Idaho Dept of Lands	_____	_____
☒ Water Dist. No. 37	10/3/01	10-16-01
☐ Adjudication Bureau Unit	_____	_____
☒ STREAM CHANNEL	10/3/01	_____
_____	_____	_____

PROCESSING ☒ Yes ☐ No In form for Advertising?

☐ Yes ☒ No Statewide Advertising?

☒ Yes ☐ No Fee amount, receipt date & No. recorded?

☐ Yes ☐ No Has all requested additional information been received?

If not, describe action taken: _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received?

☒ Yes ☐ No Application published correctly? If not, record action taken.

☒ Yes ☐ No Publication dates and paper recorded?

Final date for protest: _____

☐ Yes ☒ No Protests received?

☐ Yes ☒ No Protested?

Describe Resolution: _____

☐ Yes ☒ No Measuring device required?

☐ Yes ☒ No Access port required?

☒ Yes ☐ No Will water be delivered by watermaster? If yes, what dist? 37

☐ Yes ☐ No Special conditions codes: _____

☒ Yes ☐ No Is Evaluation Memo Attached?

If yes; date of Memo _____

Date of priority recommended: _____

COMMENTS:

RECOMMEND

☒ Approval

☐ Denial

By



Date

11/12/01

MEMO

FROM: Allen Merritt 

DATE: November 13, 2001

TO: Permit No: 3720473

In the Name of Fern Mackenzie

SUBJECT: Review and Recommendation

The application proposes to build a 1.5 acre area pond for stockwater as part of a stream rehabilitation effort. The applicant offered to dry up 1.5 acres to mitigate for any consumptive use.

The application was advertised without formal protest. Negative comments were received from the watermaster and the BWCC. See electronic record for further comment. It appears the application can be approved with special conditions to address the concerns of the watermaster and the BWCC.

Recommendation

I recommend that the application be approved subject to the following conditions:

- R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
- 01P The applicant shall install a low level drain or other means to evacuate the pond and a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion and allow draining of the pond.
- GEN To mitigate for the consumptive nature of this permit the applicant shall dry up 1.5 acres of historically irrigated land described under rights 37-07403 and 37-13369. The location of the acres to be dried up for mitigation is within the SWNW S26, T01S, R15E. This mitigation shall be acknowledged in any future transfer of rights 37-07403 and 37-13369. The director retains jurisdiction to review the mitigation requirements of this permit.

MICROFILMED

NOV 13 2001

4/5/01

20/0000 1000 0000 0000

0000 0000 0000 0000 0000 0000

11/9/01

0000 0000 0000 0000 0000 0000

726-3707 0000

726-6263 0000

RALPH P. CAMPANALE II, M.D., F.A.C.S., P.A.

Board Certified

(208) 726-3707

Your Next Appointment Is:

Day _____ Date _____ Time _____ ☐ a.m.

☐ p.m.

70 Box 3778
Ketchikan Id 99901

MICROFILMED

1991 11 11

Big Wood Canal Company
American Falls Reservoir District No. 2
112 S. Apple * Box C
Shoshone, Idaho 83352
(208) 886-2331 Fax (208) 886-2010

November 1, 2001

RECEIVED

NOV 05 2001

**Department of Water Resources
Southern Region**

Idaho Department of Water Resources
1341 Fillmore St. Suite 200
Twin Falls, Idaho 83301-33380

Re: Fern Mackenize water application # 37-20473

Attention: Alan Merritt

The Big Wood Canal Company would like to go on record as being
opposed to this application for water right # 37-20473, and will file a formal
protest if it proceeds. The water from Ryans Creek flows directly into
Camao Creek which in turn flows into Magic Reservoir. It is our opinion
that a diversion of this type would reduce the amount of available water to
fill the Canal Company's prior water right.

Sincerely,


Lynn Harmon
General Manager

MICROFILMED

1/24/02



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

October 26, 2001

FERN MACKENZIE
PO BOX 2502
SUN VALLEY 83353

Re: Application for Permit No. 37-20473

Dear Ms. Mac Kenzie:

This office acknowledges receipt of your Change of Address for the above referenced application.

The change has been made to our computer database. Enclosed please find a printout for your information and records. Please check the accuracy on these documents.

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

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure(s)

MICROFILM

NOV 2 2001

October 16, 2001

FERN MACKENZIE
C/O ASSOCIATED BROKERS
PO BOX 186
SUN VALLEY 83353

Re: Application for Permit No. 37-20473

Dear Applicant:

Our recent correspondence to you regarding the above referenced application was returned by the US Postal System due to an improper address.

Our records show your address as PO Box 2050; SUN VALLEY 83353. Please complete, sign and return the enclosed Change of Address form with the correct address to this office at your earliest convenience.

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

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure(s)

MAILED

OCT 17 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

ADDRESS SERVICE REQUESTED

4/8 ASSC

RECEIVED

OCT 16 2001

Department of Water Resources
Southern Region



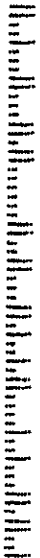
MICROFILMED

OCT 16 2001

ASSOCIATED TIME EXP RTN TO SEND
PO BOX 106
SUN VALLEY ID 83353-0106

RETURN TO SENDER

83301/3380



RECEIVED

OCT 15 2001

Department of Water Resources
Southern Region

State of Idaho
Department of Water Resources
Transfer of Water Right(s)

RECOMMENDATION OF WATERMASTER

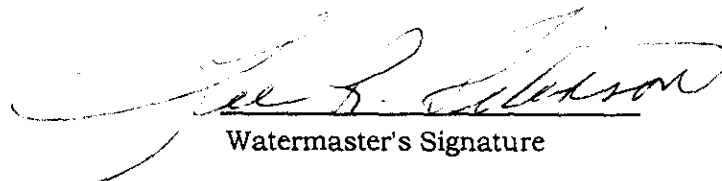
Application No: 37-20473 Water Right No(s):
Applicant's Name: Fern Mackenzie

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows.
- c) X I oppose approval of this application for the following reasons: I'm concerned that the ponding within the Creek will contribute to a lot of water loss; evaporation and seepage. This could have an effect on the water flowing into Magic Reservoir, for older decreed water users. If this permit should be issued, a regulating gate should be installed so water can be released when needed for older water rights.
- d) _____ Additional Comment:

Dated this 11th day of October, 2002.

Water District No. 37


Watermaster's Signature

MICHO...

...

AFFIDAVIT OF PUBLICATION

RECEIVED

DEC 27 2001

Department of Water Resources
Southern Region

STATE OF IDAHO)
)
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 17th day of October, 2001, and the date of the last publication was on the 24th day of October, 2001.

Edward Reagan

On this 6th day of December, in the year of 2001, before me,
a Notary Public, personally appeared Ed Reagan,
known or identified to me to be the person whose name subscribed to the within
instrument, and being by me first duly sworn, declared that the statements therein
are true, and acknowledged to me that he executed the same.

Korri Blodgett
Notary Public for Idaho
Residing in Fairfield.
My commission expires: Deputy Clerk

THE CAMAS COURIER
Post Office Box 339
Fairfield, Idaho

Cost of Publication

Number of lines in notice	<u>46</u>
Number of insertions	<u>2</u>
Cost for advertisement First insertion	\$ <u>16.10</u>
Second insertion(s)	\$ <u>13.80</u>
Total cost	\$ <u>29.90</u>

MICROFILMED

JAN 0 0 2002

NOTES Free
Student Breakfast
Starting Wed., Sept. 5th

All Students K-12 Welcome!!!

Monday, Wednesday & Fridays
8:00-8:30 a.m.

Served at the
Fairfield Community Church
(across from the High School)

 **Camas Medical Services**

Protime Blood Tests will be run every last Wednesday of the month. If you need a Protime test, please call 764-2611

Family Practice
 Monday, Wednesday, Friday ~ 9:30 A.M. to 1:30 P.M.

Dr. Carter - Dentistry ~ **Shawn Rudkin** - Chiropractor
Lynn Jacobson - Massage ~ **Public Health** - 3rd Tuesday

Please call 764-2611 for appointments.

Woodside R.V. Center



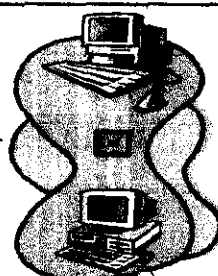
Full Service Dealer for S&S Campers & Rochwood Tent Trailers Sales, Parts, Repairs
Under New Ownership
Polaris ATVs & Snowmachines

John Goddard
 Randy Bird
 208-788-4005

4040 Glenbrook Dr.
 (South of Airport)

Got Mail? We Do!

Keep sending us your news and questions by e-mail.
Our e-mail address is:
samacva@ltlink.com
 Look forward to hearing from you.



Legal Advertisements

The following application(s) have been filed to appropriate the public waters of the State of Idaho, Camas County:

37-20473
FERN MACKENZIE
PO BOX 2050
SUN VALLEY ID 83353

Point(s) of Diversion: NESE S26 T01S R15E
Source: RYANS SPRING Tributary To RYANS CREEK
Point(s) of Diversion: NESE S26 T01S R15E
Use: 01/01 To 12/31
STOCKWATER STORAGE 4 AFA
Date Filed: 09/21/2001
Place Of Use: NESE S26 T01S R15E

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before 11/05/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

published in the Camas Courier on October 17 & 24, 2001

LEGAL NOTICE OF PUBLIC HEARING

Pursuant to Idaho Code 67-6509 NOTICE IS HEREBY GIVEN that the Camas County Planning and Zoning Commission will hold a public hearing in the Camas County High School Study Hall on Tuesday the 6th day of November, 2001, at 7:00 P.M. The purpose of this hearing is to hear a request by the Camas County Board of Commissioners for a Conditional Use Permit. This permit pertains to a gravel quarry. This quarry is located one mile north, 1/2 mile east of Fairfield. The legal description of this property is:

Section 3: SW1/4 SE1/4
(T1S, R14E, B.M. County of Camas, State of Idaho)

published in The Camas Courier on October 17, 24, & 31, 2001

2.3 X 2 columns = 46 lines
 1st In 46 X.35 = 16.10
 2nd In 46 X.30 = 13.80

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN Regional Manager
1341 FILLMORE STREET-SUITE #200
TWIN FALLS ID 83301

Phone: 736-3033

Fax#: 736-3037

October 3, 2001

EDWARD REAGAN EDITOR
CAMAS COURIER
PO BOX 339
FAIRFIELD ID 83327

Dear Mr. Reagan:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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 prompt cooperation is appreciated.

Sincerely

Mary A. Baldwin
Administrative Assistant

MICROFILMED
JAN 11 2002

The following application(s) have been filed to appropriate the public waters of the State of Idaho, Camas County:

37-20473

FERN MACKENZIE
PO BOX 2050
SUN VALLEY ID 83353

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Source: RYANS SPRING Tributary To RYANS CREEK
Point(s) of Diversion: NESE S26 T01S R15E
Use: 01/01 To 12/31
STOCKWATER STORAGE 4 AFA
Date Filed: 09/21/2001
Place Of Use: NESE S26 T01S R15E

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KARL J DREHER, Director

Published in the Camas Courier on 10/17 & 10/24/01

MICROFILMED

10/17/2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 3, 2001

FERN MACKENZIE
PO BOX 2050
SUN VALLEY ID 83353



Re: Application for Permit No. 37-20473

Dear Applicant(s):

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

This office has scheduled advertising the application in the Camas Courier for 10/17 & 10/24/01. A period of ten days following the second publication will be allowed for the submittal of protests. (November 5, 2001)

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 an 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. If 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.

Sincerely,

Mary A. Baldwin
Administrative Assistant

RECORDED
OCT 10 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 3, 2001

ATTN CHARLES WARREN
ID DEPT FISH & GAME
PO BOX 428
JEROME ID 83338

Re: Application for Permit No. 37-20473-Fern MacKenzie

Dear Mr. Warren:

The Department is seeking a written Comment &/or Recommendation from your agency regarding the above referenced application for surface water; a copy of the application is enclosed for your information and reference.

Regional review of an unprotested application can be completed as soon as the final protest period is past; therefore, your prompt response to this request is appreciated.

If you have any questions about an application, please contact this office or the applicant.

Very truly yours,

Mary A. Baldwin
Administrative Assistant

Enclosure(s)

MICROFILMED

OCT 10 2002



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 3, 2001

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Application for Permit No. 37-20473 – Fern MacKenzie

Dear Mr. Peterson:

Enclosed is a copy of an Application for Permit within your District.

We also have enclosed a Watermaster's Recommendation Form for your comment and/or recommendation.

Regional review of an unprotested application can be completed as soon as the final protest period is past; therefore, your prompt response to this request is appreciated.

If you have any questions about an application, please contact this office or the applicant.

Very truly yours,

Mary A. Baldwin
Administrative Assistant

Enclosure(s)

RECORDED

OCT 11 2001

Baldwin, Mary

From: Baldwin, Mary
Sent: Wednesday, October 03, 2001 4:28 PM
To: Blau, Terry
Cc: Bates, Allan; Baldwin, Mary
Subject: app. 37-20473

FYI, Fern MacKenzie has filed app. 37-20473 on Ryans Spring Trib. to Ryans Creek for 4.0 afa of stockwater storage in Camas County.

WORK

10/3/2001

11

[illegible]

37. 20473

MEMORANDUM

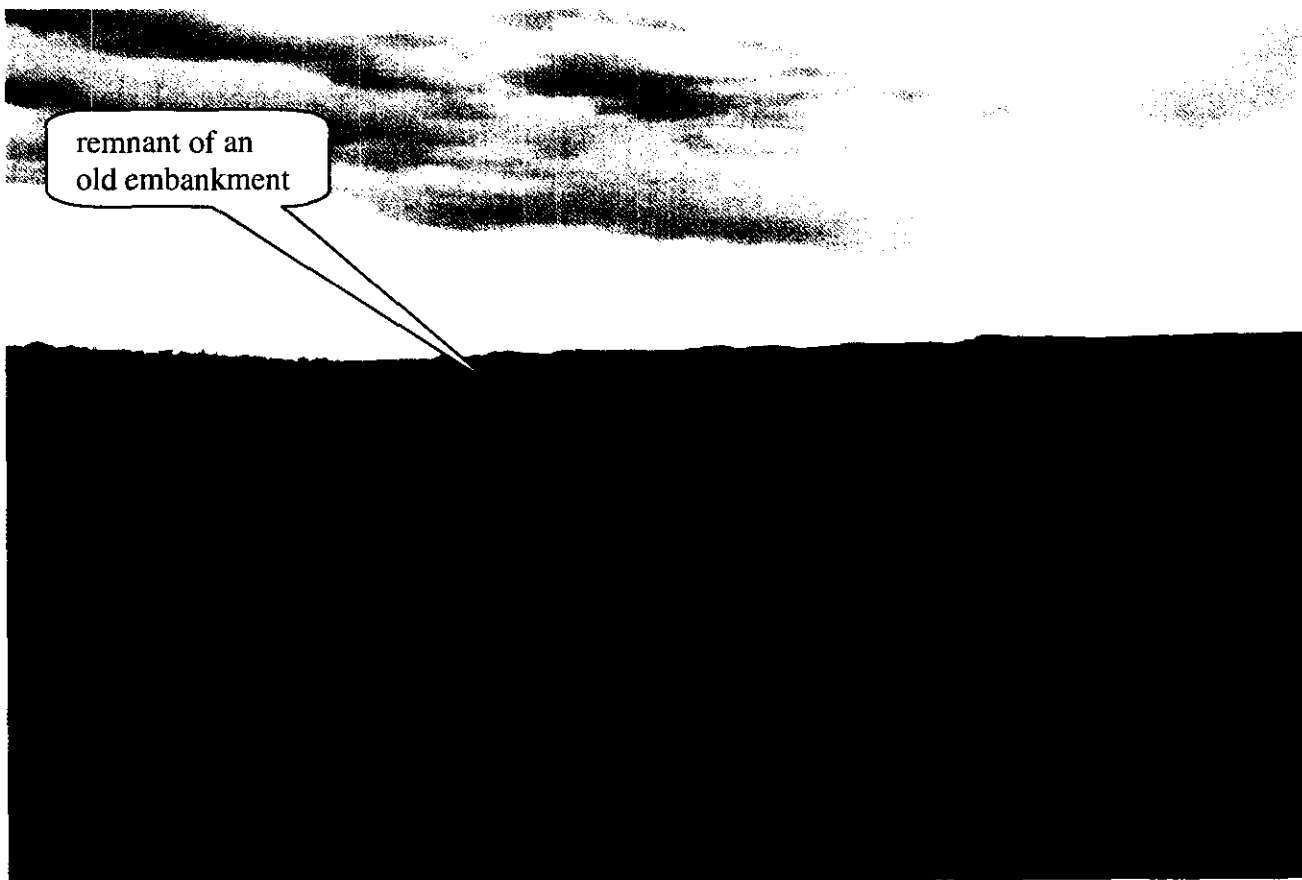
TO: Application for Permit 37-20473 File

FROM: Corey Skinner

DATE: September 28, 2001

SUBJECT: Field Visit

On September 25th, I visited the property involved with Application for Permit 37-20473. It was observed that the area was in the head end of a draw that was tributary to Camas Creek. At the head end of the draw there appeared to be several springs (most of which were dry). There was water flowing in the channel, at the time of my visit. It was also observed that the remnant of an old embankment was located in the general area described in Application for Permit 37-20473. The photo below documents my visit...



View looking upstream, towards the southeast, through the drainage involved with Application for Permit 37-20473.

MICROFILMED

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37-20473