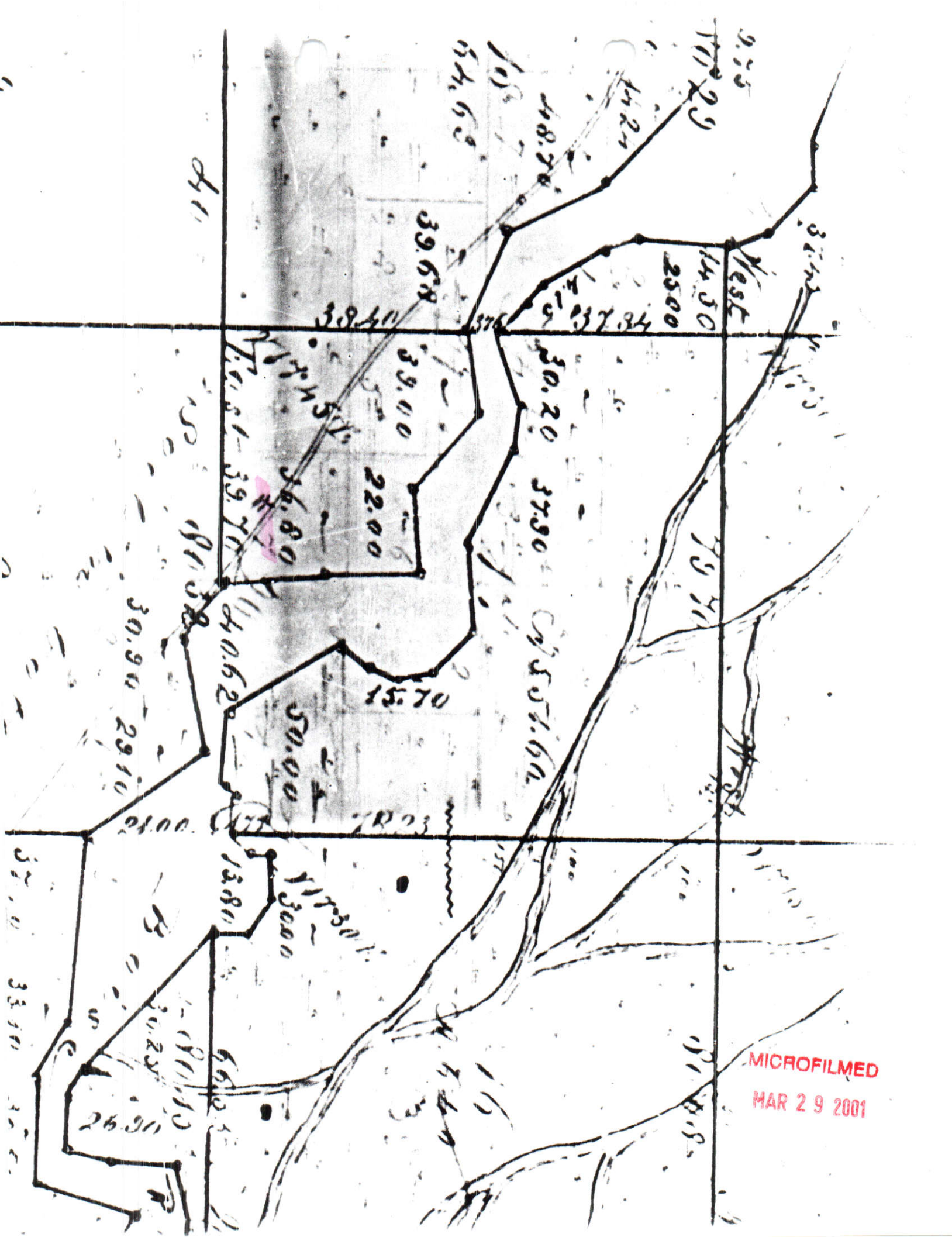
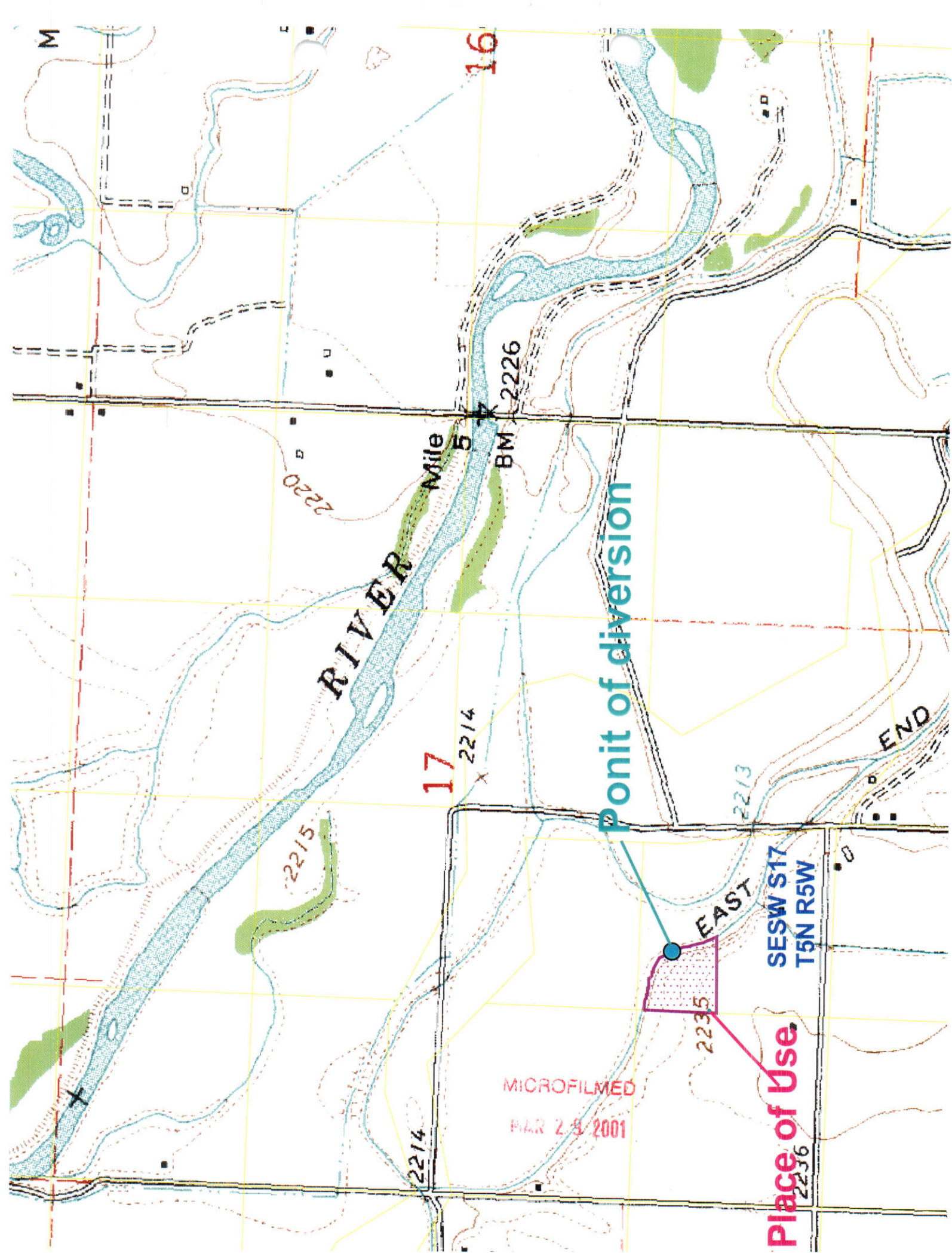






RECEIVED
FEB 26 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
FEB 27 2001

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 63-12606 Telephone No. 722-7440
 2. Name of Permit Holder(s): Doug Mages
 3. Mailing Address: 27205 Wingsett Lane
City Prima State ID Zip 83660
 4. Source of Water: Ross East End Dkn If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____
 5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 3 Other: _____
 6. Total rate of diversion and/or volume for which proof is submitted: 0.09 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 _____
 8. Fee Enclosed: \$ 50 (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: Doug Mages Telephone Number: 722-1119 722-7440
Address: 27205 Wingsett Lane
 10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.
- Signature of permit holder: [Signature] Date: 02-26-01
(include your title, if on behalf of company or organization)

MICROFILMED

MAR 29 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-12606

Priority: 10/13/2000

Maximum Diversion Rate: 0.09 CFS

This is to certify, that DOUGLAS M MERGES
27205 WINGSETTER LANE
PARMA ID 83660

has applied for a permit to appropriate water from:

ROSS EAST END DRAIN tributary to **SOUTH BOISE DRAIN**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/01 to 11/15	0.09 CFS

LOCATION OF POINT(S) OF DIVERSION:

ROSS EAST END DRAIN L7 SE 1/4 SW 1/4 Sec. 17, Twp 05N, Rge 05W, B.M. CANYON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	05W	17																	3.0
																			L7

Total Acres: 3

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before February 01, 2002.
2. Subject to all prior water rights.
3. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
5. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 9th day of February, 2001.

MICROFILMED

MAR 29 2001

[Signature]
for KARL J DREHER, Director

(Internet)
RECEIVED
NOV 20 2000

WATER RESOURCES
WESTERN REGION

RECEIVED
OCT 1 2000

WATER RESOURCES
WESTERN REGION

MAN 1 2001

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 63-12606

RECEIVED
OCT 13 2000

1. Name of Applicant Douglas M. Merges Phone 208-722-7470 Department of Water Resources
Mailing address 27205 Winged Foot Ln Parma ID 83660 (South Boise) (RAW)
2. Source of water supply ROSS EAST END DAM which is a tributary of ROSS CREEK
3. Location of point of diversion is Township 5N Range 5W Sec. 17 in the SE 1/4, SW 1/4, SW 1/4, Govt. Lot 7, B.M., CANYON County; additional points of diversion if any: —
4. Water will be used for the following purposes:
- | |
|--|
| Amount <u>0.09 cfs</u> for <u>Irrigation</u> purposes from <u>3/1</u> to <u>11/15</u> (both dates inclusive) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
5. Total quantity to be appropriated is (a) 0.09 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source Propose To Pump out of Damage Ditch with 5hp pump.
- 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 85°F being sought? _____
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 household - water for irrigation purpose
- e. Other; describe fully. _____

MICROFILMED

MAR 29 2001

8. Description of place of use:

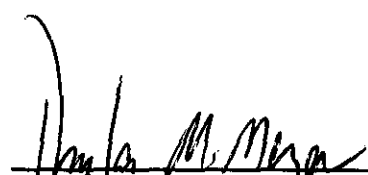
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
SN	SW	17												± 3 AL					± 3 AL

Total number of acres to be irrigated ± 3 AL10. Describe any other water rights used for the same purposes as described above. —11. a. Who owns the property at the point of diversion? Douglas M. Meyerb. Who owns the land to be irrigated or place of use? Samec. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: —12. Remarks: —

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

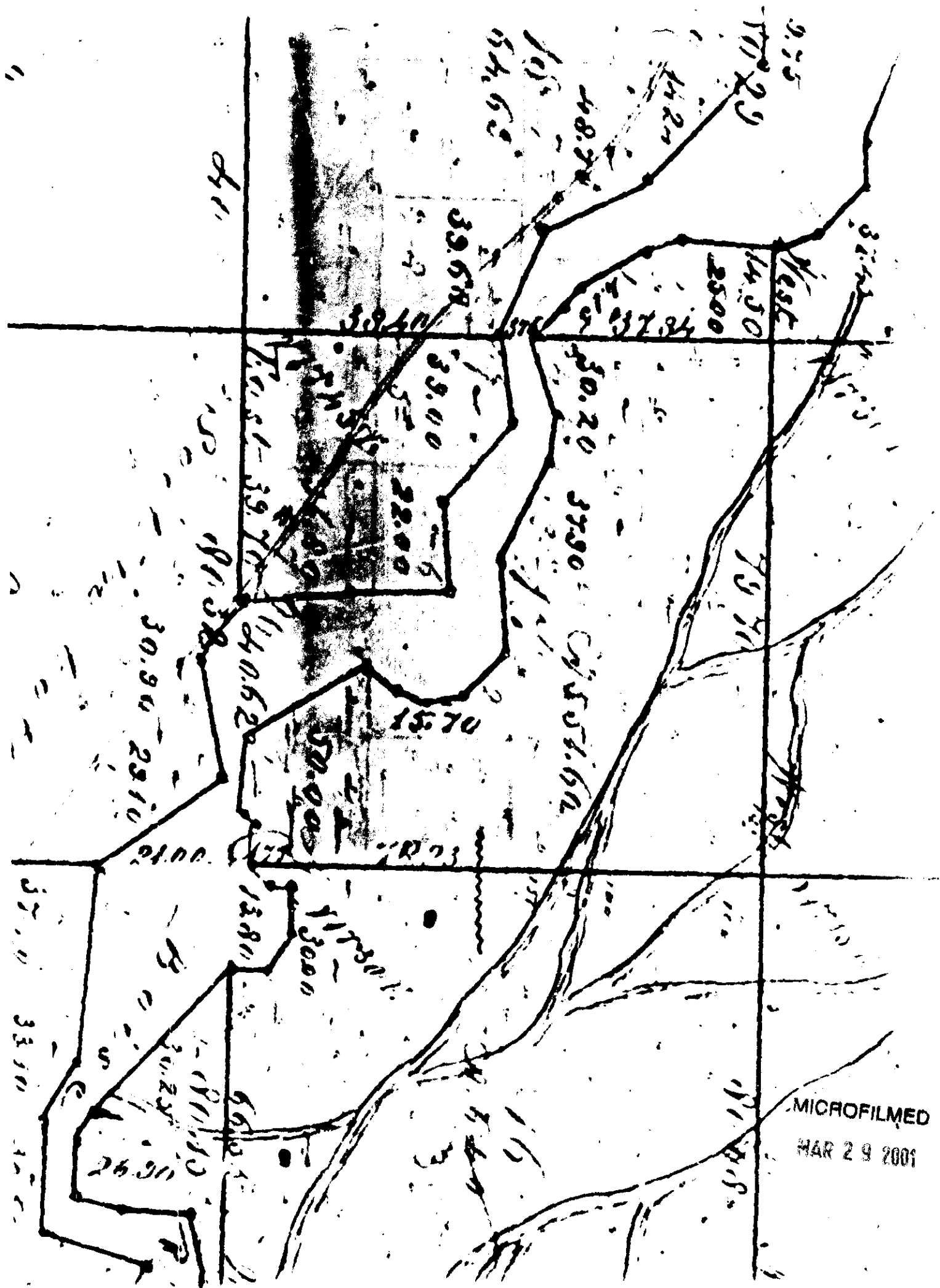

 Signature of Applicant (and title, if applicable)

Received by SBarron Date 10/13/00 Time 3:36 pm Preliminary check by W027168 11/20/00
 Fee \$ 50.00 50.00 Received by SBarron # C050775 Date 10-13-00
 Publication prepared by IL Date 11/30/00 Published in PRESS TRIBUNE
 Publication approved IL Date 1-9-01

priority date 11-20-00 MICROFILMED

MAR 29 2001

12/7+14/00





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

March 7, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DOUGLAS M MERGES
27205 WINGSETTER LANE
PARMA ID 83660

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12606

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

MAR 23 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 63-12606

Reviewed By: dgibson

Date: March 7, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		W027168, W027402	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		02/26/2001
Date proof due	-	02/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	10/13/2000
New priority date	=	10/13/2000

Deficiencies of Actions Items

Acknowledge proof.



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

February 9, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DOUGLAS M MERGES
27205 WINGSETTER LANE
PARMA ID 83660

RE: Permit No. 63-12606

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.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

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.

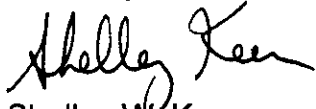
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

MICROFILMED

MAR 29 2001

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)

MICROFILMED
MAR 29 2001

CERTIFICATE OF MAILING

I hereby certify that on February 9, 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. 63-12606

**DOUGLAS M MERGES
27205 WINGSETTER LANE
PARMA ID 83660**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED

MAR 29 2001

**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).

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.

Reviewed by Sharla Curtis on 2/6/09

AREA OF CONCERN: No/Yes **Moratorium** ~~GWMA~~ ~~TRUST/NO-TRUST~~

DRILLING PERMIT

LOCATION:

USES:

USES:

BENEFICIAL USE DUE: 2 / 01 / 2002

Multiple pd's per ¼¼ - W32
~~Subd lot desc (pd)~~ - ~~W59~~ *Cap*
~~Subd lot desc (pu)~~ - ~~W60~~ *Lot 7;*
 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 3/1 - 11/15 (Per updated map)

IRR VOLUME/ACRE 4.5

OTHER CONDITIONS/REMARKS

COMMENTS

9/99

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEETINITIAL REVIEW BY: DAN DATE: 11-15-00 APPLICATION: 63-~~163~~ 12606REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid

RECEIVED

JAN 31 2001

Department of Water Resources

Gov't. Lots:
yes P/D
yes P/UADDITIONAL INFORMATIONyes ADVERTISE REMARK(S)
(Reviewer identify which remarks) T FLAG CHANGED TO P FLAG

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.) River Side Irrig District
- ☒ Overlapping point of diversion. 63-03001 - unnamed drain.
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium: Drain water below Star Bridge.
- ☒ Surface water source, IDFG letter needed.
- ☒ Protected river or minimum flow reach, notify water planning bureau.
- ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ Mitigation plan: Check any that apply.
- immediate = acceptable plan required and submitted.
- ☒ future = open areas, acceptance of condition of approval is in file.
- ☒ Send power requirement letter &/or fish farm requirement letter.
- ☒ Power residency affidavit:
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO. 6. -12606

YES NO

☒ ☐ In form for advertising:
☐ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)
☐ ☐ Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☒ ☐ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☒ ☐ Water Dist. # 63
☐ ☒ Water Planning Bureau
☒ ☐ Other Riverside Irrig. Dist.

P.O. Box 1080

Parma, ID 83660.

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:

Final date for protest 12/26/00☐ ☒ Protests received.☐ ☐ Recommendations attached:☒ ☐ Measuring device required:☒ ☐ Water delivered by water master? District # 63☐ ☐ Special conditions of approval or cover letter: STANDARD CONDITIONS120

See below for additional information

Recommended Date or Priority

11-20-00

Recommended by:

Daniel A. Nelson

Date:

1-12-00ADDITIONAL INFORMATION:

Changes
TO ADD
made BY Applicant

This application can be processed
63-03001 overlaps P/D, BUT THE SOURCE IS AN
UNNAMED DRAIN, 63-04297 IS THE ONLY RIGHT
FOUND ON THE WEST Ross East End DRAIN, BUT IT
IS QUITE A WAYS DOWN STREAM FROM APPLICANT.
THERE ARE A NUMBER OF OVERLAPPING IRRIGATION RIGHTS
THE ONLY SIGNIFICANT RIGHT SEEMS TO BE RIVERSIDE IRRIG. DIST.
COMMENT LETTER SENT.

Ident. No. 63-12606

Comments: Date: 11/24/2000 User-ID: DNELSON

Subject: ADDITIONAL INFORMATION

APPLICANT: Irrigation is for 3 acre pasture.

IDWR: Riverside Irrigation District rights are the only significant overlapping water rights for the place of use. Shelia Seamans, Secretary for Riverside, stated that that the Ross East End Drain was not part of thier delivery system, but it is the drain they use to remove their waste water so this application should not be a problem. Only one other water right was found on the Ross East End drain, but it should not be significant due to the distance between the two points of diversion. Only one right overlaps the Point of Diversion, but it is for an unnamed drain and not significant to this application.

MICROFILMED

MAR 23 2001

MEMORANDUM

TO: FILE

FROM: DANIEL A NELSON *DAN*

DATE: 11/16/2000

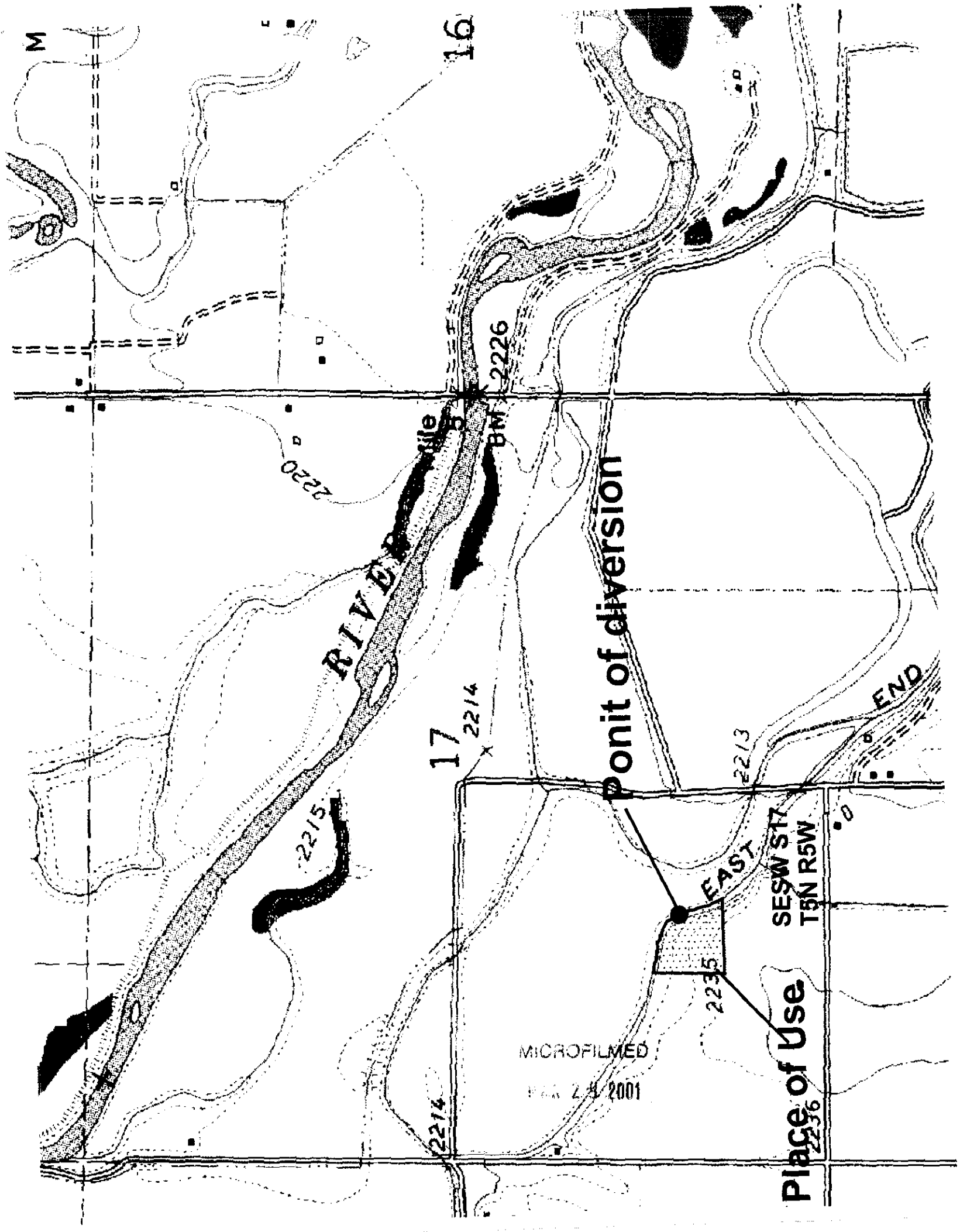
SUBJECT: RIVERSIDE IRRIGATION SYSTEM'S RESPONSE TO PERMIT APPLICATION

Shelia Seamans, secretary for Riverside Irrigation District, called today and informed me that the Ross East End Drain was not apart of their delivery system, but was apart of their waste water removal system. Since Riverside Irrigation District does not use this drain to deliver water to its users, this application for permit should not be a problem.

MICROFILMED

MAR 23 2001

63-12601



01-99

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No: 63-12606Applicant's Name: Douglas M. Merges

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) ☐ I oppose approval of this application for the following reasons: _____

- d) Additional Comment : _____

Dated this 29 day of January, 2001.Water District No: 63Lee Green
Watermaster's Signature

Use reverse side of page if you need more space.

MICROFILMED

MAR 29 2001

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

DANIEL J. JONES
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States, and at all times
hereinafter mentioned was over the age of eighteen years, and
not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a
daily newspaper published in the City of Nampa and Caldwell,
in the County of Canyon, State of Idaho; that the said
newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Nampa and Caldwell, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of
the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper two times in the regular and entire
issue of said paper, and was printed in the newspaper proper,
and not in a supplement.

4. That said notice was published the following:
December 7, 14, 2000

STATE OF IDAHO)
County of Canyon)

On this 20th day of December
in the year of 2000 before me a Notary Public, personally
appeared. Daniel J. Jones, 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 acknowledge to me that she executed the

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12601
MALLARD FARMS
ROCKY MTN PIZZA HUTS INC
504 N PHILLIPPI
BOISE, ID 83706
Source: WASTE WATER
Tributary: BOISE RIVER
Diversion Pt: LOT 4 (NENWNW)
Sec 27 T 05N R 05W
in CANYON County.
Use: WILDLIFE STORAGE
(20.00 AF)
DIVERSION TO STORAGE:
(0.200 CFS)
Total Diversion: (0.200 CFS)
Date Filed: 11/ 6/2000
In: CANYON County
T 05N R 05W S21 Lot 8 (NENE)
S22 NWNW
Lot 4 (SWNW)

Applicant agrees to mitigate consump-
tive use in the future as needed.

63-12606
MERGES, DOUGLAS M.
27205 WINGSETTER LANE
PARMA, ID 83660
Source: ROSS EAST END DRAIN
Tributary: SOUTH BOISE DRAIN
Diversion Pt: LOT 7 (SESW)
Sec 17 T 05N R 05W
in CANYON County.
Use: IRRIGATION (0.090 CFS)
Total Diversion: (0.090 CFS)
Date Filed: 10/ 16/2000 11-30-00
In: CANYON County
T 05N R 05W S17 Lot 7 (SESW)
3.0 ACRES TOTAL

Applicant agrees to mitigate consump-
tive use in the future as needed.

Permits will be subject to all prior wa-
ter rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code. Any protest against the ap-
proval of this application must be filed
with the Director, Dept. of Water Re-
sources, Western Region, 2735 Airport
Way, Boise, Idaho 83705 together with
a protest fee of \$25.00 for each applica-
tion on or before DECEMBER 26, 2000.
The protestant must also send a copy of
the protest to the applicant.

KARL J. DREHER, Director
December 7, 14, 2000

2284

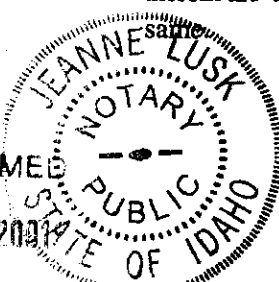
RECEIVED

DEC 15 2000

WATER RESOURCES
WESTERN REGION

MICROFILMED

MAR 29 2001



Jeanne Lusk
Notary Public for Idaho
Residing at Nampa
My Commission expires June 21st, 2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

December 1, 2000

KARL J. DREHER
DIRECTOR

LEE SISCO
WATER DISTRICT 63
6616 OVERLAND RD
BOISE ID 83709

Re: Application for Water Right No. 63-12606 in the Name of Douglas M Merges
Application for Water Right No. 63-12601 in the Name of Mallard Farms
Application for Water Right No. 63-12602 in the Name of Jack and/or Sheila Larkin
Application for Water Right No. 63-12603 in the Name of Jack and/or Sheila Larkin
Application for Water Right No. 63-12605 in the Name of Steve Hanson

Dear Watermaster:

Enclosed are copies of the above-referenced applications for permit. Also enclosed are forms for your recommendation concerning these applications.

Please review the applications. We must have your comments within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application
Recommendation of Watermaster Form

MICROFILMED

MAR 29 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

December 1, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SCOTT GRUNDER
STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Water Right No. 65-13976 in the Name of Billy and/or Joan Klas
Application for Water Right No. 65-13978 in the Name of Carol Lynn MacGregor
Application for Water Right No. 65-13979 in the Name of USDA Forest Service Banks
Store and Cafe
Application for Water Right No. 65-13981 in the Name of Patrick and/or Terri Greeson
Application for Water Right No. 65-13982 in the Name of Randy and /or Marian Woods
Application for Water Right No. 65-13983 in the Name of Gina Pagel
Application for Water Right No. 65-13984 in the Name of Gina Pagel
Application for Water Right No. 65-13985 in the Name of Quaker Hill Conference, Inc.
Application for Water Right No. 57-7700 in the Name of John and/or Joyce Turner
Application for Water Right No. 57-7699 in the Name of Barney R Hughes
Application for Water Right No. 63-12606 in the Name of Douglas M Merges
Application for Water Right No. 63-12601 in the Name of Mallard Farms
Application for Water Right No. 63-12602 in the Name of Jack and/or Sheila Larkin
Application for Water Right No. 63-12603 in the Name of Jack and/or Sheila Larkin
Application for Water Right No. 63-12605 in the Name of Steve Hanson

Dear Sir:

Enclosed are copies of the above-referenced applications that the proposed use is from surface water. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by December 26, 2000.

If you have any questions regarding the application, please contact this office.

Sincerely,

Gary Spackman

GS:lm
Encl.

MICROFILMED

JAN 29 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

December 5, 2000

KARL J. DREHER
DIRECTOR

RIVERSIDE IRRIGATION DIST
PO BOX 1080
PARMA ID 83660

Re: Application for Water Right No. 63-12606 in the Name of Douglas M Merges

Dear Sir or Madam:

Enclosed is a copy of the above-referenced application for permit.

Please review the application and return any comments you might have within two weeks. If you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by December 26, 2000.

If you have any questions or need information, feel free to contact this office.

Sincerely,


Gary Spackman

GS:lm

Encl: Copy of Application

MICROFILMED
MAR 23 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

NOVEMBER 30, 2000
KARL J. DREHER
DIRECTOR

Legal Notices Department
Press-Tribune
P.O. Box 9399
Nampa, ID 83652

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before DECEMBER 26, 2000.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Sue Taylor', is written over the typed name.

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

MAR 29 2001

NOTICE OF APPLICATION FOR WATER RIGHT

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

UNRECORDED

MAR 29 2001

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before DECEMBER 26, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 12/ 7/2000 & 12/14/2000

MICROFILMED

SEP 28 2001

63-12606

MERGES, DOUGLAS M
27205 WINGSETTER LANE
PARMA, ID 83660

Source: ROSS EAST END DRAIN

Tributary: SOUTH BOISE DRAIN

Diversion Pt: LOT 7 (SESW) Sec 17 T 05N R 05W in CANYON County.

Use: IRRIGATION (0.090 CFS)

Total Diversion: (0.090 CFS)

Date Filed: 10/16/2000

In: CANYON County
T05N R05W S17 Lot 7 (SESW)

3.0 ACRES TOTAL

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

MICROFILMED

SEP 23 1991

REQUEST TO PROCESS

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

Name of Applicant

DOUGLAS M. MERGET

Mailing Address

27205 WING PETER LN.

PARMA, ID. 83660

Application No.
(if known)

N/A

 IN LOCAL PUBLIC INTEREST

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

 PROPOSE MITIGATION NOW

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

 WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

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

Signature

Douglas M. Merget

Date

11/17/00

Please return this form to:

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

ENCLOSURE

MAR 23 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

11/15/2000

DOUGLAS M MERGES
27205 WINGSETTER LN
PARMA ID 83660

COPY

RE: APPLICATION FOR PERMIT FOR IRRIGATION

Dear Mr. Merges:

Enclosed is your original application for permit for irrigation from the Ross East End Drain. In order to process this application you will need to clarify the application per our telephone conversation on 11/15/2000, submit a request to process form and pay the remaining \$50.00 fee. I have highlighted the areas that need addressed and will describe each area below:

2.) The tributary for Ross East End Drain is the South Boise Drain. This is the main body of water that the drain enters and is no longer known as that drain.

4.) The maximum allowable diversion rate that we can allow is 1 ½ inches or .03 cfs of water per acre for irrigation of a property under 5 acres. Therefore, the maximum diversion rate that we can allow for your 3 acres is .09 cfs (3 acres X .03 cfs/acre = .09 cfs total). Also on this portion is the season of use. We have a standard season of use of 3/1 to 11/15. This season of use should be entered to in the space marked.

- The minimum fee for water use is \$100.00 and you only submitted \$50.00. You will need to submit the remaining \$50.00 in order for our office to process the application.
- You will also need to submit a request to process form. We discussed this during our telephone conversation and you agreed that the third choice "Will agree to mitigate in the future if needed" would be the right choice for you. Please fill it out and mark the choice you need.

If you have any questions please contact me and I will do everything I can to help you.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

NOV 15 2000