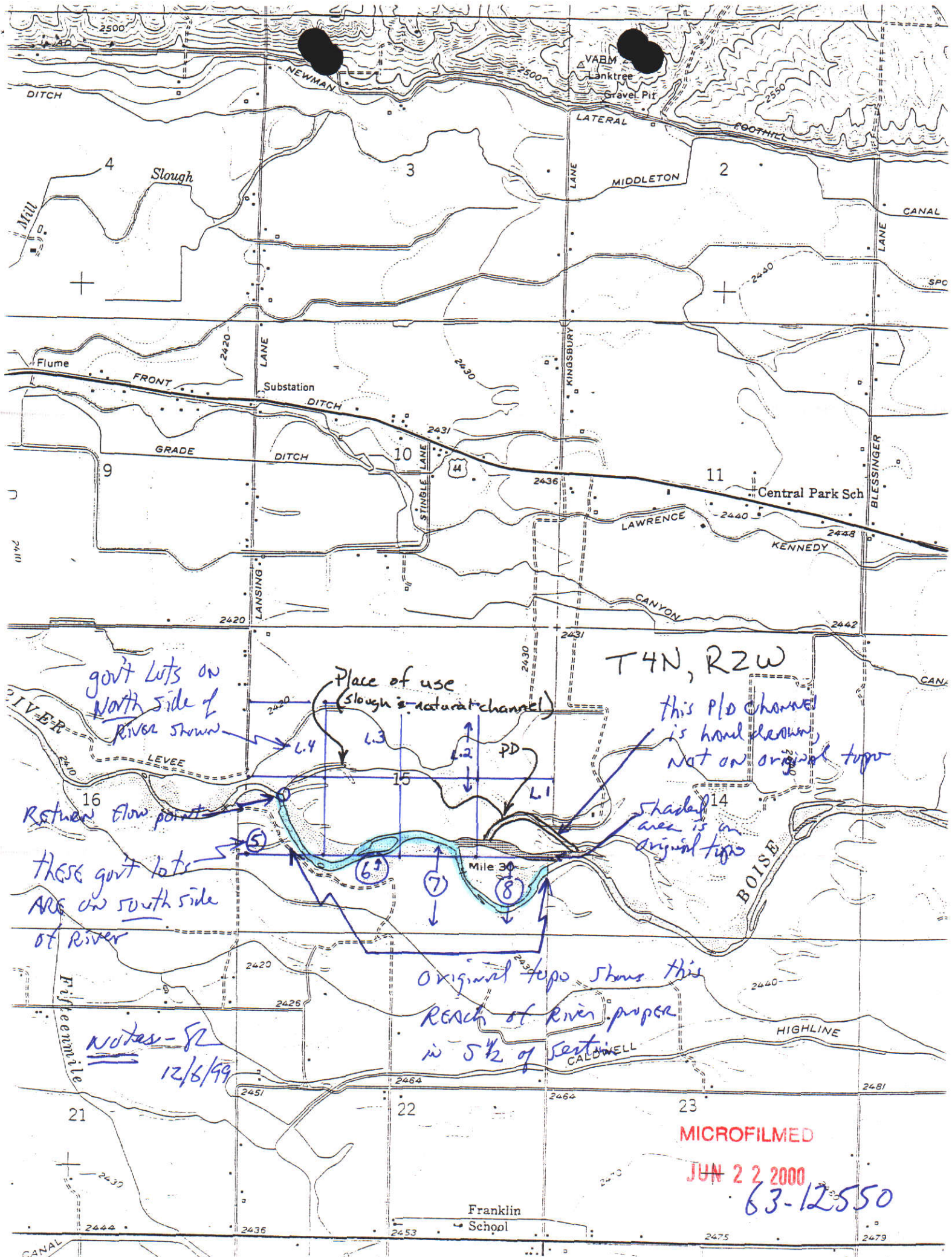
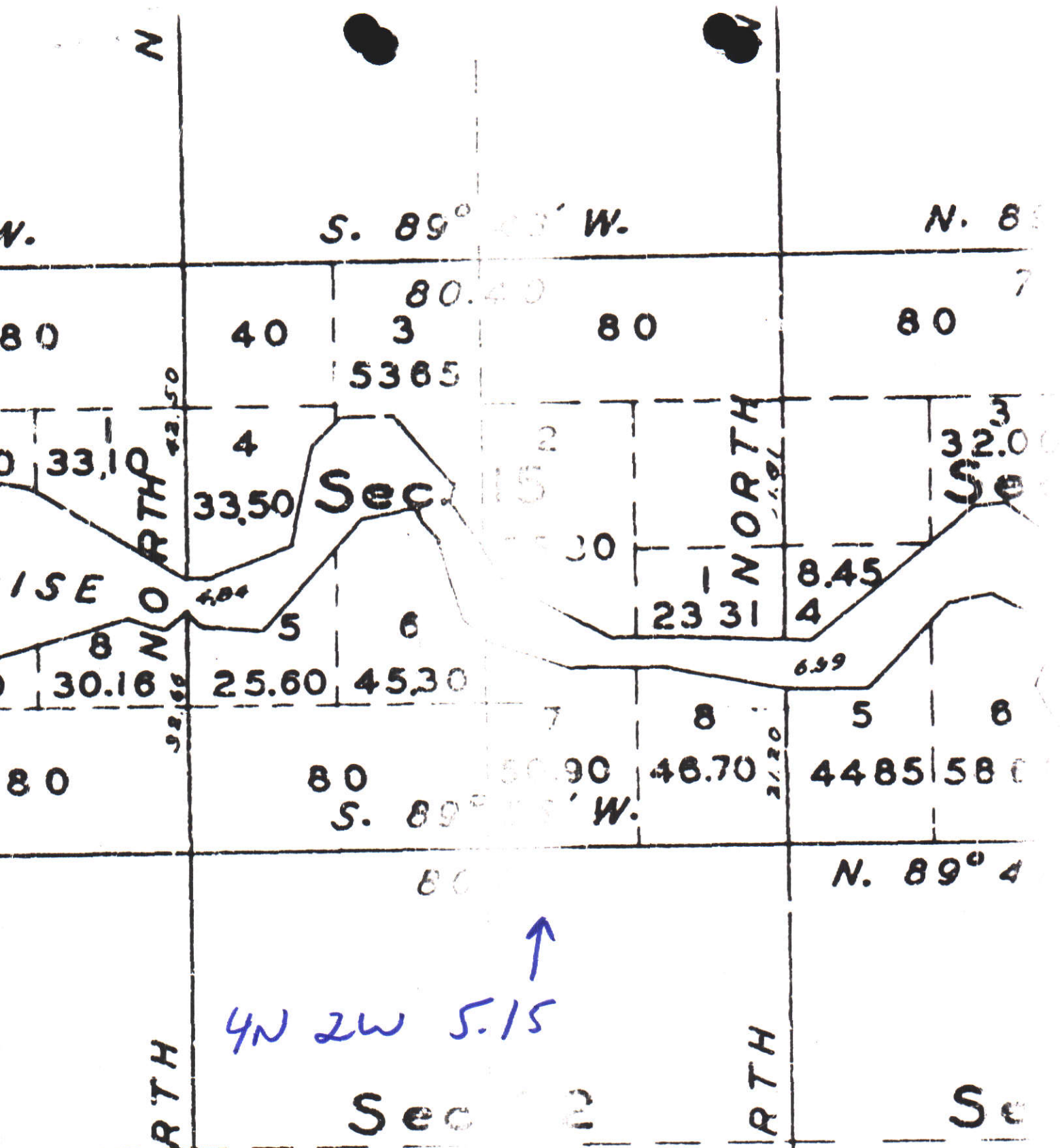




THE FOLLOWING IMAGE IS OF A POOR QUALITY DOCUMENT.
THE DOCUMENT MICROFILMED WAS THE BEST COPY AVAILABLE.

POOR QUALITY DOCUMENT



↑
4N 2W 5.15

gov't lots 1-4 north of river
5-8 south " "

Actual 1999 River course not
clear but can be determined
Eventual field exam

MICROFILMED 63-12550
JUN 22 2000

-82 12/6/99

FOR OFFICE USE ONLY
Amt. of Fee \$: 200.00
Receipt No. 0052936
Receipt By: J. Ellison
Date Received: 3/27/01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 27 2001

PROOF OF BENEFICIAL USE

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. 63-12550 Telephone No. 208-585-6658

2. Name of Permit Holder(s): Richard Porter, Robert Horowitz
6225 North Meeker Place, Suite 200

3. Mailing Address: _____
City Boise State ID Zip 83713

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

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

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

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

6. Total rate of diversion and/or volume for which proof is submitted: 5.00 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 x or No _____
Has the measuring device been installed? Yes x or No _____

8. Fee Enclosed: \$ 200.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Terry Scanlan Telephone Number: 208-383-4140

Address: 600 East River Park Lane, Suite 105, Boise, ID 83706

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: Richard Porter owner Rocking R Ranch Date: March 25-01
(include your title, if on behalf of company or organization)

MICROFILMED

APR 18 2001

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12550

Priority: October 12, 1999

Maximum Diversion Rate:

5.00 CFS

This is to certify, that RICHARD PORTER

ROBERT HOROWITZ

6225 N MEEKER PL STE 200

BOISE ID 83713

has applied for a permit to appropriate water from:

BOISE RIVER

tributary of SNAKE RIVER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

AESTHETIC

01/01 to 12/31

5.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 15, Township 04N, Range 02W
CANYON County

PLACE OF USE: AESTHETIC

TWN RGE SEC

04N 02W 15

SWNE

SWNW

SENW

NWSW

NESE

NWSE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before April 1, 2001.
2. Subject to all prior water rights.
3. Use of water under this right shall be non-consumptive.
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 and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
6. The right holder shall also install/maintain a permanent measuring device at the point of discharge back into the river.
7. Water will be diverted under this right from the river through the headgate which delivers water for irrigation under right 63-31049. Water shall be discharged back into the river in the NWSW, S15, T4N, R2W.
8. Water shall not be diverted under this right at any time that the flow of the Boise River, including water released from storage under Right 63-03618 for streamflow maintenance purposes, falls below 240.0 cfs as measured at the Glenwood Bridge.

MICROFILMED

JUN 2 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12550

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

24th day of March, 2000

J. Glen Saxton
for Karl J. Dreher, Director



MICROFILMED

JULY 2 2 1998

2/96 RECEIVED

MAR 6, 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 63-12550

RECEIVED

OCT 12 1999

WATER RESOURCES
WESTERN REGION

1. Name of Applicant Richard Porter ^{*}/or Robert Horowitz Phone 208-658-2200
Mailing address 6225 North Meeker Place, Suite 200, Boise, ID 83713
2. Source of water supply Boise River which is a tributary of Snake River
3. Location of point of diversion is Township 4N Range 2W Sec. 15, in the 1/4,
NE 1/4, SE 1/4, Govt. Lot 1, B.M., Canyon County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 5.00 for aesthetic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 5.00 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 existing diversion dam in side channel of river diverts water to headgate and delivery ditch (see A63-31049)
 - 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. _____
 - e. Other; describe fully. aesthetic use - increase flow through existing slough (abandoned river channel) to improve water quality and habitat

* IOWA standard is assumed.

-82 12/6/99

JUN 22 2000

9. Description of place of use:

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2W	15			L2 A				L4 A	L6 A			L5 A				L1 A	L7 A	*

A=aesthetic

Total number of acres to be irrigated _____

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

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

12. Remarks: Application seeks water for non-consumptive use in existing waterway. Water will be diverted from river through headgate for irrigation water right A63-31049. Water will increase flow rate through slough and discharge back into river in the NWSW Section 15. No construction or excavation is required. Water will flow through existing irrigation ditches and natural channels.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.

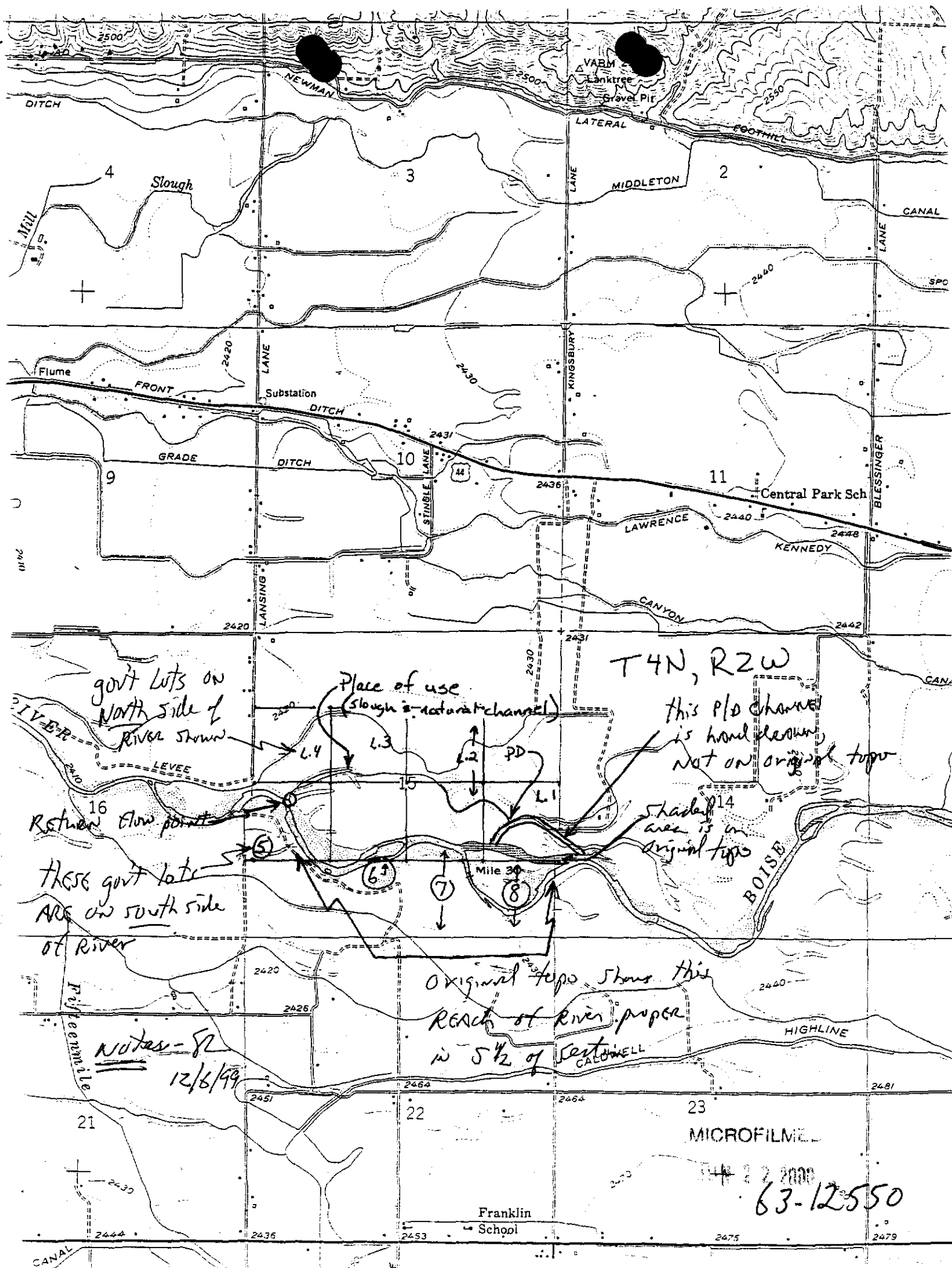
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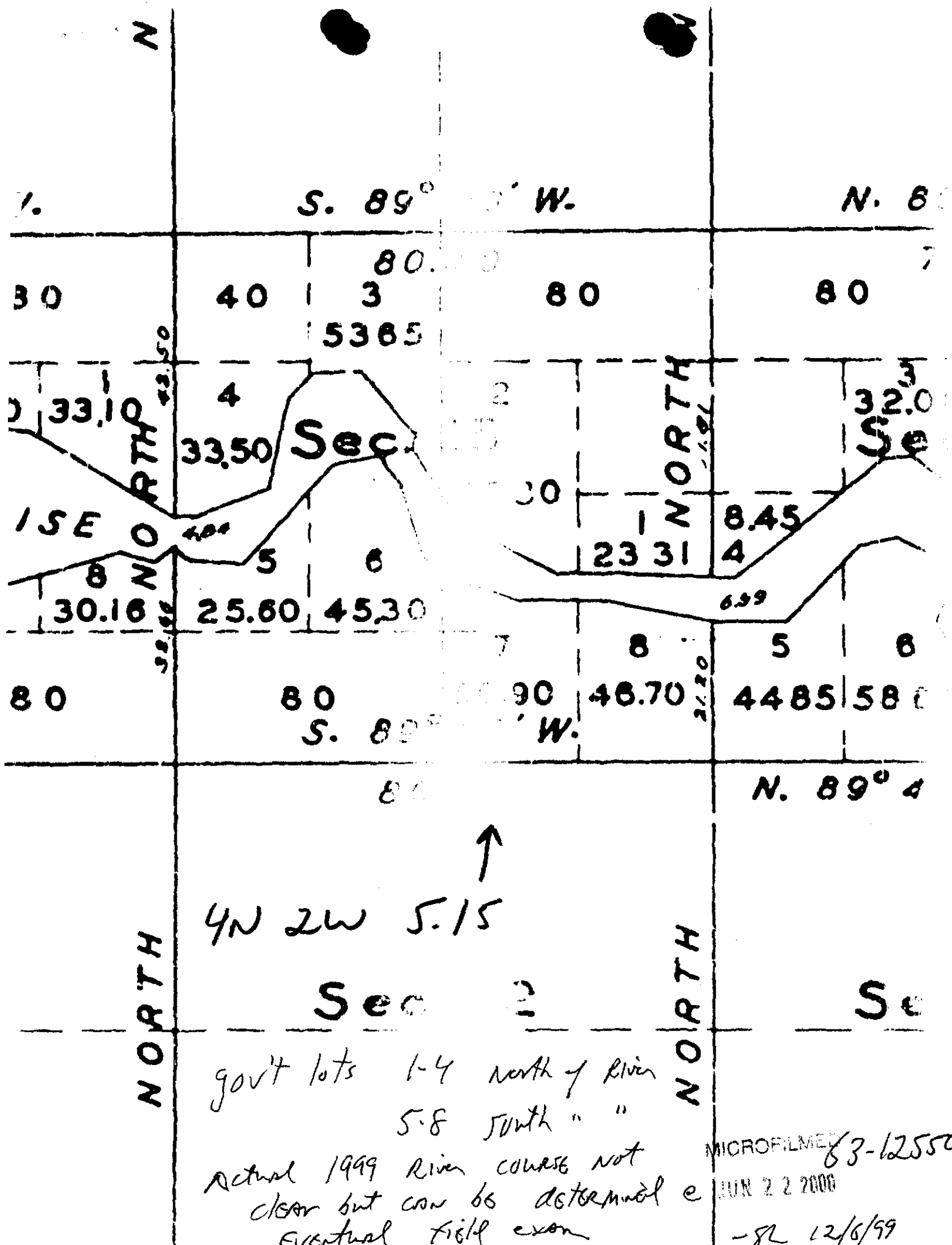
* DISREGARD govt. lot d'entry for now
since probably only lots are involved.
Licensing detail can be handled later.
-R 12/6/99

Richard A Porter
Signature of Applicant (and title, if applicable)

[Signature]

Received by JH Date 10-12-99 Time 4:30pm Preliminary check by JH
 Fee \$ 180.00 Receipted by JH # W025812 Date 10-13-99
 Publication prepared by [Signature] Date 10-16-99 Published in PRESS TRIBUNE
 Publication approved LM Date 1-11-00





MICROFILMED 83-12550
 JUN 22 2000
 -82 12/6/99



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

April 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RICHARD PORTER
ROBERT HOROWITZ
6225 NORTH MEEKER PLACE STE 200
BOISE ID 83713

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12550

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.

I am returning a letter you forwarded to us with your proof of beneficial use form and payment of the examination fee. This letter is from Scanlan Engineering to you, and should be kept for your records. Mr. Scanlan refers to installation of a permanent measurement device which should be installed prior to the field examiner's inspection.

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

MICROFILMED

APR 25 2001

Encl.

c: IDWR - Regional Office

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 63-12550

Reviewed By: dgibson

Date: April 4, 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.:		C052936	Weil driller's report filed?		X
Additional Amount Due:			Measuring device required?	X	
Name and address same as permit?	X		Measuring device installed?	X	
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	03/27/2001
Date proof due	- 04/01/2001
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 10/12/1999
New priority date	= 10/12/1999

Deficiencies of Actions Items

Acknowledge proof.

January 31, 2001

RICHARD PORTER
ROBERT HOROWITZ
6225 N MEEKER PL STE 200
BOISE, ID 83713

PROOF DUE NOTICE

RE: PERMIT NO. 63-12550

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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

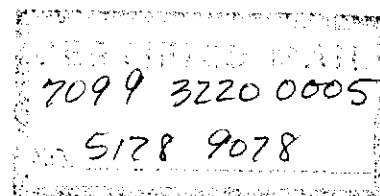
Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

APR 11 2001





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

March 24, 2000

DIRK KEMPTHORNE
GOVERNOR

ROBERT HOROWITZ
RICHARD PORTER
6225 N MEEKER PL STE 200
BOISE ID 83713

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12550

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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.

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 reporting form.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

MICROFILMED

JUN 22 2000

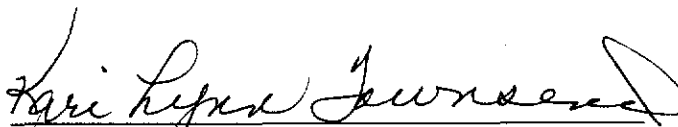
SK:klt
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of March, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 63-12550

RICHARD PORTER
ROBERT HOROWITZ
6225 N MEEKER PL STE 200
BOISE ID 83713


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 22 2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

JUN 27 2000

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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

JUN 22 2000

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 3/8/00

No. 63-12550 Name: Porter/Horowitz Corp. Officers N/A Ad ok _____ Govt Lots _____

AREA OF CONCERN: No/Yes Boise R Moratorium _____ GWMA _____ TRUST/NON-TRUST _____

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 085
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~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

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 3/01/2001

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response _____
In/Above MSF - WB9
PLANNING SECTION REVIEW/RESPONSE _____
In-stream development - P52
WD - R04 (WD# 63)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

IRRIGATION SEASON _____ - _____ (Per updated map)

OTHER CONDITIONS/REMARKS Spec cond from Harry memo of 2/24/00

COMMENTS _____

MEMORANDUM

RECEIVED

MAR 6 , 2000

To: File No. 63-12550, in the Name of Richard Porter &/or Robert Horowitz Department of Water Resources

From: Gary Spackman *Gary Spackman*

Re: Conditions of Approval

Date: February 24, 2000

1. Diversion of water under this right is subject to any future minimum stream flow for the Boise River.
2. Diversion authorized by this right shall cease at any time flows at the Glenwood Bridge are less than 240 cfs.
3. (R04), district 63, Boise River.

4. ~~(121)~~ mitigation is N/A and a form for such purpose was not filed
cc

MICROFILMED

MAR 22 2000

RECEIVED

MAR 6 . 2000

Department of Water Resources

~~RECEIVED~~

~~MAR 8 . 2000~~

~~Department of Water Resources~~

FILE PRESENTATION

This application was processed prior to the January 12, 2000 memo "Changes to Water Right Applications." The old technique of making application changes was used.

*VERY minor
things on
original in
this case.
-JR*

To avoid additional processing delay, the file is forwarded as "one in the pipeline" with respect to that memo. The regional office anticipates that this will be acceptable for this limited group of applications.

MICROFILMED

JUN 22 2000

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
MAR 6 2000
DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: RL DATE: 12/6/99 APPLICATION: 63-12550

REQUIRED 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: Let eventual final exam show if pld at described point
Quantity: (flow and/or volume) or if slightly upstream of "pld" Gov't. Lots: Y P/D
Period of use: channel not really part of Snake River P/U
Nature of proposed use: (Include description of use) channel
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

clarify in future exam

ADDITIONAL INFORMATION

Yes ADVERTISE REMARK(S)
(Reviewer identify which remarks)

SEE ATTACHED NOTE

N/A T FLAG CHANGED TO P FLAG

YES NO

/ Overlapping place of use: (Describe source & relationship to present application on next page.)
/ Overlapping point of diversion. *> Applicant's 1st reg = A63-31049 same pld. F. D. Tel Co. = 63-05239 with 5.15 pld in SESW.*
/ Critical groundwater area:
/ Groundwater management area:
* / 1992 moratorium:
/ 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). *sent 12/6/99 to SCA; no reply in file.*
/ E-mail to Dam Safety staff: (for any storage)
* / Mitigation plan: Check any that apply.
 N/A immediate = acceptable plan required and submitted.
 future = open areas, acceptance of condition of approval is in file.
SINCE NON-CONS. USE
/ 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

CONTACT APPLICANTS' ATTORNEY IF QUESTIONS (10/12/99 letter)

Date Requested Date Response Received

* SEE NEXT PG.

PROCESSING

APP. NO.

63-12550

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. #

Water Planning Bureau

Other Franklin Ditch Co.% Floyd RosdahlRt 3Caldwell 83605FINAL 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

1-3-00

Protests received:

Recommendations attached:

Measuring device required:

Water delivered by water master? District #

63

Special conditions of approval or cover letter:

See below for additional information

Recommended Date or Priority

10-12-99

Recommended by:

Date:

ADDITIONAL INFORMATION:- Requests non-cons. use so mitigation/mitigation N/A.

Applicant is north of river. Franklin Ditch Co. (S. 15 pld S&SW) is
South of river ... downstream from proposed P/O ... no other recorded
diversions in this stretch of river per WR & AT ~~queries~~ queries.

Applicant claims 1 cfs/50 ac. A63-31049 with same P/O system now
proposed. New use is increase in amount diverted at river.

Return flow point probably subject to SCA approval (unless no physical
changes there?). Gov't lets probably only L-1-4 (north of river) let allow lots
to be undisturbed until eventual field exam. SEE ADDITIONAL 2/9/00 info.

63-12550 Additional Info

Comment letter results:

- ① Watermaster OK 1/14/00.
- ② D. Fil Co. NO reply, assume OK.
- ③ IDFG see letter rec'd 12/27/99
for suggested condition of approval.

I concur with IDFG's suggestion since winter flows are mostly contractual water. This might be a prevailing local public interest thought that comes down in favor of IDFG recommendation.

Data Entry:

My 12/6/99 notes identified Advertising Remark vs. Comments. That was designed to keep cost of ad down. D'entry did not occur that way & a much longer adv. Remark was shown in paper. This ~~does~~ ^{did} not have the "full disclosure" thought of remarks but Regrettably increased price of the legal notice.

MICROFILMED

JUN 22 2000

-JR
2/9/2000

Porter/Horowitz
Appl.

Add'l. Review
NOTE

PL 12/6/99

DATA ENTRY

① ignore quot late in P/L but ok in P/O.

② Applicants' Remarks = Comments

label as "Applicants info" in d'base.

③ Advertising Remarks

"
Non-consumptive flow-through use proposed for
existing irrigation diversion. Return flow to river
in news section 15."

MICROFILMED

JUN 22 2000

01-99

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No: 163-12550Applicant's Name: Richard Porter, Robert Hoxowitz

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: Standard Watermaster
conditions, enough return flow
has returned to river in this
area to allow non-consumptive use.
- c) ☐ I oppose approval of this application for the following reasons:

- d) Additional Comment: _____

Dated this 14 day of January, 2000.Water District No: 163Lee Smith
Watermaster's Signature

Use reverse side of page if you need more space.

MICROFILMED

JUN 22 2000

1/14/2000

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Carolyn Roberson
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.

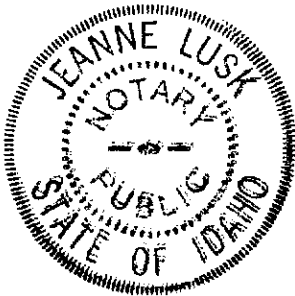
3. That the notice, of which the annexed is a printed copy, was
published in said newspaper two times in the regular and entire
issue of said paper, and was printed in the newspaper proper,
and not in a supplement.

4. That said notice was published the following dates:
December 16 and 23, 1999

Carolyn Roberson

STATE OF IDAHO)
)
County of Canyon)

On this 23rd day of December in the
year of 1999 before me a Notary Public, personally appeared.
Carolyn Roberson, 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 same.



Jeanne Lusk
Notary Public for Idaho
Residing at Nampa

MY COMMISSION EXPIRES
JUNE 21ST, 2003

RECEIVED

DEC 27 1999

WATER RESOURCES
WESTERN REGION

MICROFILMED

DEC 27 2002

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12545

ATKESON, JACK
29411 GRANDVIEW RD
BOX 250
PARMA, ID 83660
Source: WASTE WATER Tributary: SNAKE RIVER
Diversion Pt: NENE Sec 19 T 06N R 05W in CANYON County.
Use: IRRIGATION (0.140 CFS)
Total Diversion: (0.140 CFS)
Date Filed: 9/17/1999
In: CANYON County
T06N R05W S19 NENE NWNE
7.0 ACRES TOTAL
Applicant agrees to mitigate consumptive use in the future as needed.

63-12547

MARSHALL, BOB
DIAMOND Z
1102 FRANKLIN BLVD
NAMPA, ID 83687
Source: GROUNDWATER
Diversion Pt: NENE Sec 18 T 04N R 02W in CANYON County.
Use: DOMESTIC (0.030 CFS)
Total Diversion (0.030 CFS)
Date Filed: 10/4/1999
In: CANYON County
T04N R02W S18 NENE

63-12549

ADAIR HOMES
1904 E CHICAGO
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: LOT 1 (SESE) Sec 33 T 05N R 03W in CANYON County.
Use: DOMESTIC (0.110 CFS)
Total Diversion (0.110 CFS)
Date Filed: 11/23/1999
In: CANYON County
T05N R03W S33 Lot 1 (SESE)
Water bearing zone to be appropriated is from 80 to 180 feet for domestic use for six homes in Willis Ranch Subdivision.

63-12550

PORTER, RICHARD
ROBERT HOROWITZ
6225 N MEEKER PL STE 200
BOISE, ID 83713
Source: BOISE RIVER Tributary: SNAKE RIVER
Diversion Pt: NESE Sec 15 T 04N R 02W in CANYON County.
Use: AESTHETIC (5.000 CFS)
Total Diversion: (5.000 CFS)
Date Filed: 10/13/1999
In: CANYON County
T04N R02W S15 SWNE SWNW SENW NWSW
NESE NWSE

Application seeks water for non-consumptive use in existing water way. Water will be diverted from river through headgate for irrigation water right A63-31049. Water will increase flow rate through slough and discharge back into river in the NWSW section 15. No construction or excavation is required. Water will flow through existing irrigation ditches and natural channels.

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 JANUARY 3, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
December 16, 23, 1999

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JUN 22 2000



IDAHO FISH AND GAME
Southwest Region
3101 S. Powerline Road
Nampa, ID 83686

Dirk Kempthorne/Governor
Jerry Mallet/Interim Director

12/21/1999

RECEIVED
DEC 27 1999
WATER RESOURCES
WESTERN REGION

Gary Spackman, Regional Manager
Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

RE: Application for Permit No. 63-12550/Porter & Horowitz

Dear Mr. Spackman:

The Idaho Department of Fish and Game (IDFG) has reviewed the above referenced application for a water right and we have some concerns. The applicants propose to divert 5 cubic feet per second (cfs) of water year-round through an existing slough and canal system. We assume this area is being developed as a subdivision and they want this water for aesthetic purposes. As you are aware, we have been instigating consideration of a minimum stream flow in the Boise River for many years. While we have been formally unsuccessful to date, the Department of Water Resources did clarify water right permit No 63-03618 in a letter dated January 21, 1994 signed by former regional manager Dave Tuthill. In this letter, Mr. Tuthill listed two conclusions about this water right:

1. "A condition should be added to water right No. 63-03618 as it is licensed, clarifying the place of use of the streamflow maintenance water to be within the channel of the Boise River from Lucky Peak downstream to the mouth."
2. "Pursuant to Section 42-801, Idaho Code, the Bureau of Reclamation and the Idaho Department of Fish and Game should provide written instructions to the Department of Water Resources for conveyance to the Watermaster regarding delivery of the Lucky Peak stream flow maintenance storage water."

As per water right No. 63-03618, there are a total of 152,300 acre-feet of storage water available for stream flow maintenance purposes. The IDFG is responsible for 50,000 acre-feet and the Bureau of Reclamation is responsible for the other 102,300 acre-feet. We jointly manage this water for fish and wildlife to provide a suitable maintenance flow in the Boise River channel. Historically, we would strive to maintain a flow of around 150 cfs. In recent years, we have increased the non-irrigation season flows to 240 cfs with the objective to improve available fish habitat. As per condition number one cited

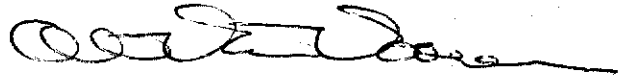
MICROFILMED

JUN 22 2000

above, the recognized place of use of the stream flow maintenance water is within the channel of the Boise River from Lucky Peak Dam to the mouth.

We ask the Department of Water Resources to consider placing the following condition on the water right if granted: **Prohibit the diversion of water from the Boise River channel during the non-irrigation season when flows are less than or equal to 240 cfs as measured at Glenwood Bridge to protect the intent of water right No. 63-03618.** The IDFG wants this water to remain in the Boise River channel. Obviously, the river picks up drain water further downstream of the Glenwood Bridge and in most years, this may not be a problem. But we want to ensure that our winter storage releases do not end up being diverted out of channel. From our perspective, the intent of this water is to provide winter habitat for fish and wildlife. Thank you for the opportunity to comment. Questions should be directed to Scott Grunder, Environmental Staff Biologist.

Sincerely,



Al VanVooren
Regional Supervisor

AV:sag

Cc: IDFG-NRB
BOR (Jerry Gregg)

MICROFILMED

MAR 22 2000



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 16, 1999

KARL J. DREHER
DIRECTOR

FRANKLIN DITCH CO
C/O FLOYD ROSEDAHL
ROUTE 3
CALDWELL ID 83605

Re: Application for Water Right No. 63-12550 in the Name of Richard Porter &/or Robert Horowitz

Dear Sir:

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 January 3, 2000.

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

Sincerely,

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

Gary Spackman

GS:st

Encl: Copy of Application

MICROFILMED

JUN 22 2000



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 16 1999

KARL J. DREHER
DIRECTOR

LEE SISCO
WATER DISTRICT 63
6616 OVERLAND RD
BOISE ID 83709

Re: Applications for Water Right Nos. 63-12548 in the Name of John McGrew, 63-12550 in the Name of Richard Porter and Robert Horowitz and 63-12545 in the Name of Jack Atkenson

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 and return any comments you might have within two weeks.

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

Sincerely,

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

Gary Spackman

GS:st

Encl: Copy of Application
Recommendation of Watermaster Form

MICROFILMED

JUN 22 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

November 15, 1999

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 Permit

Dear Sir:

Enclosed are copies of applications for permit 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 January 3, 2000.

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

Sincerely,

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

Gary Spackman

GS:st

Encl.

MICROFILMED

JUN 22 2000

SD-0605-2 Township: 04N Range: 02W Section: 15 Tract: SW Lot:			STATE		O S		Max # Records		1
E L R			Water		Name		W T Priority		Total
L Tract	T V	Right No.	Last, First		N G	Date	Source	Diversion	
SESW		63-05239	FRANKLIN DITCH		C S	04/01/1880	BACK SLOUGH	9.80	

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

Only AJQS = A63-05239
 in 5 1/2 5.15
 A63-31049 = exity. Erag. div = same as Appl.

only 1 pld overlap 5 1/2 5.15

MICROFILMED
 JUN 2 2000

Overlap Into e P/D

WRQS
 12/1/99

WR5809NP
No. 63-05239

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/01/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRANKLIN DITCH CO.	04/01/1880	IRRIGATION	04/01 10/30	9.800 CFS	
TOTAL DIVERSION:					9.800 CFS	

Water Source: BACK SLOUGH

Tributary to: BOISE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T04N R02W S15 SESW CANYON County
S16 SESE CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
04N	02W	15	:						:						:		10	35	15	:											60.0	
04N	02W	16	:						:			30	05	:		40	40		30	:	25	30	40	40	:						280.0	
04N	02W	21	:	30		15	:							:						:											45.0	
04N	02W	22	:						:	25	35			:						:											60.0	
TOTAL ACRES																												445.0				

Pou County: CANYON

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-00179

Dates: App. Received: Priority Date: 04/01/1880
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 01/17/84 05/01/88 CONVERT

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JUN 22 2000

AJ5809NP
No. A63-05239

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/01/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRANKLIN DITCH CO C/O FLOYD ROSDAHL RT 3 CALDWELL ID 83605 (208) 466-1983	04/01/1880	IRRIGATION	03-15 11-15	9.800 CFS	
					TOTAL DIVERSION:	9.800 CFS
					CONSUMPTIVE USE:	8813.00 AFA

Water Source: BACK SLOUGH

Tributary to: BOISE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion:	T04N R02W S15	SESESW	CANYON County
	S16	NESESE	CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
04N	02W	13	:						:								40	25	:												65.0	
04N	02W	14	:						:								25		:						20	40	:				85.0	
04N	02W	15	:						:								40	40	:						40	20	:				140.0	
04N	02W	16	:						:			30	10	:	40	40	40	40	:	20	20	40	40	:							320.0	
04N	02W	17	:					40	:										:		40										80.0	
04N	02W	18	:						:						40			40	:			40	40	40	:						200.0	
04N	02W	20	:	40	40		40	:											:												120.0	
04N	02W	21	:	40	40	25	30	:	40	40	40	40	:	40	40				:			40									415.0	
04N	02W	22	:	40	40	35	35	:	40	40	35	40	:						:												305.0	
04N	02W	23	:	40	40	20	20	:	40	40	30	20	:						:												250.0	
04N	02W	24	:		20	20		:	40	40	20	20	:						:												160.0	
04N	03W	11	:					:					:						:							18	18	:				36.0
04N	03W	13	:		14	14		:	14	14	14	14	:	14	14		14	:			14	14									154.0	
04N	03W	14	:	18	18	18	18	:					:						:	18	18	40	40	:							188.0	
04N	03W	24	:	20				:					:						:													20.0
																												TOTAL ACRES	2538.0			

POU County: CANYON

Non-Irrigation Uses: STOCK WATER FROM DITCHES DURING THE IRRIGATION SEASON

Other Rights: 63-00166, 63-00167

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-27315 A63-27315

Remarks: GEN THE LANDS LISTED IN ITEM 10 ARE FOR THE ENTIRE FRANKLIN DITCH
COMPANY'S LANDS, AS THIS WATER MAY BE EXCHANGED FOR BOISE RIVER
WATER.
ALL LANDS ARE WITHIN THE SERVICE AREA OF THE FRANKLIN DITCH CO.

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1997 2 2000

DATE: 12/01/99
PAGE: 3

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

GIVENS PURSLEY LLP

RECEIVED

OCT 12 1999

LAW OFFICES

277 North 6th Street, Suite 200
PO Box 2720, Boise, Idaho 83701

TELEPHONE: 208 388-1200

FACSIMILE: 208 388-1300

Gary G. Allen
Christopher J. Beeson
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Jeffrey C. Fereday
Richard W. Jankowski
Amanda L. Keating
Karl T. Klein
David R. Lombardi
Kimberly D. Maloney

John M. Marshall
Kenneth R. McClure
Cynthia A. Melillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Angela K. Nelson
W. Hugh O'Riordan
Kenneth L. Pursley
Virginia L. Stukel

**WATER RESOURCES
WESTERN REGION**

Lonley Ward
Stephanie C. Westemeier
Robert B. White

Raymond D. Givens
James A. McClure
OF COUNSEL

October 12, 1999

VIA HAND DELIVERY

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Matter: Water Rights
Our File: 5491-1

Dear Sir/Madam:

Enclosed please find an Application for Permit for Richard Porter and Robert Horowitz. Also enclosed is a check in the amount of \$180.00 to cover the charges of filing this Application, as well as an extra copy of the Application to be conformed and returned to me.

Done 12/6/99

If you have any questions concerning this Application, please call me immediately.

Sincerely,


Michael C. Creamer

MCC:dr

Enclosures

S:\Clients\5491\1\Corr\MCC Ltr to IDWR Enclosing Application for Permit.wpd

cc: Richard A. Porter (w/encl.)
Terry Scanlan (w/encl.)
Jeffrey Fereday (w/encl.)

MICROFILMED

OCT 22 2000

63-12550

PORTER, RICHARD
ROBERT HOROWITZ
6225 N MEEKER PL STE 200
BOISE, ID 83713

Source: BOISE RIVER

Tributary: SNAKE RIVER

Diversion Pt: NESE Sec 15 T 04N R 02W in CANYON County.

Use: AESTHETIC (5.000 CFS)
Total Diversion: (5.000 CFS)

Date Filed: 10/13/1999

In: CANYON County
T04N R02W S15

SWNE
NESE

SWNW
NWSE

SENW

NWSW

Application seeks water for non-consumptive use in existing water way. Water will be diverted from river through headgate for irrigation water right A63-31049. Water will increase flow rate through slough and discharge back into river in the NWSW section 15. No construction or excavation is required. Water will flow through existing irrigation ditches and natural channels.

MICROFILMED

JUN 22 2000