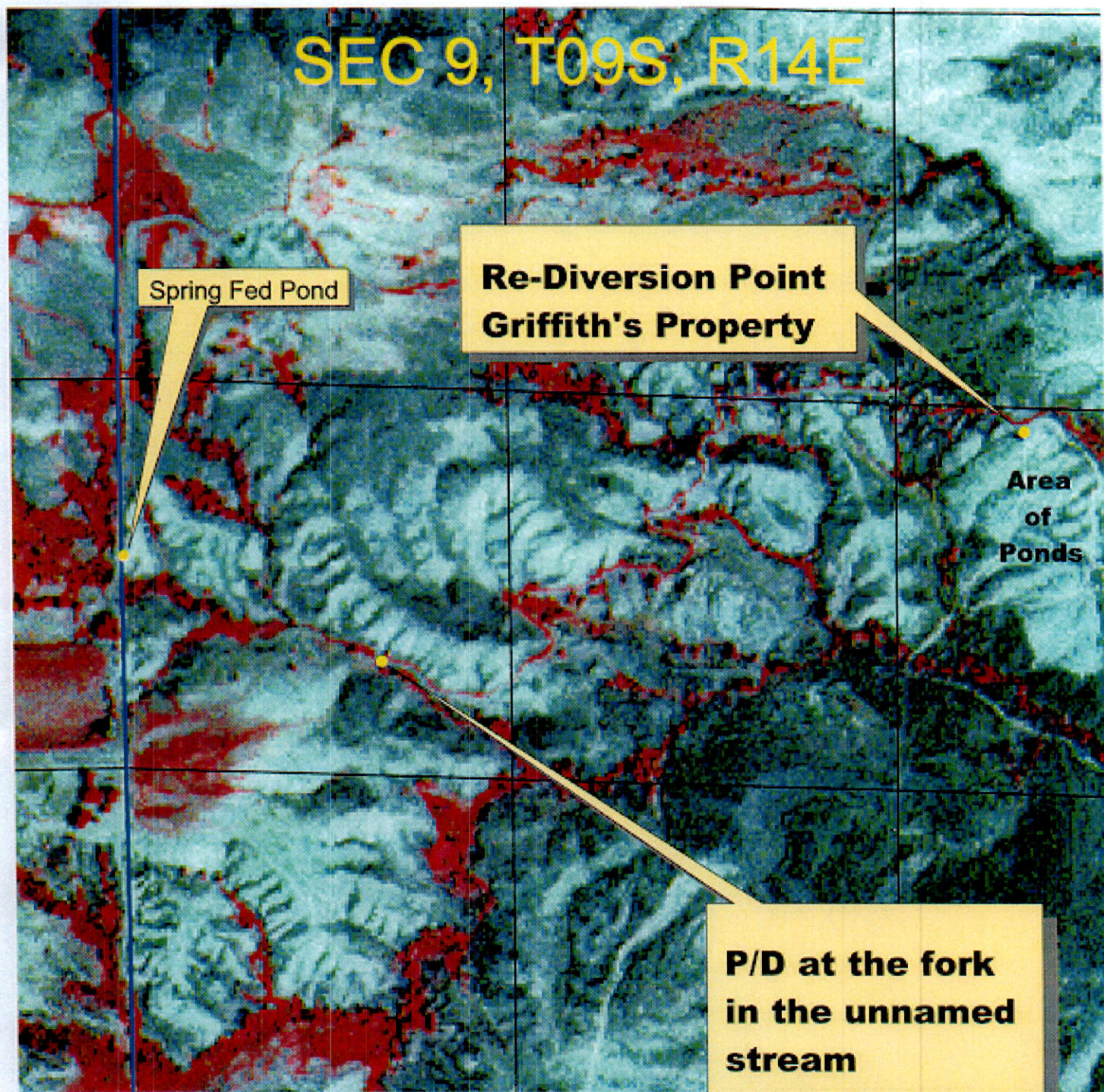


IDAHO DEPARTMENT WATER RESOURCES

47-08366,-08394

SEC 9, T09S, R14E

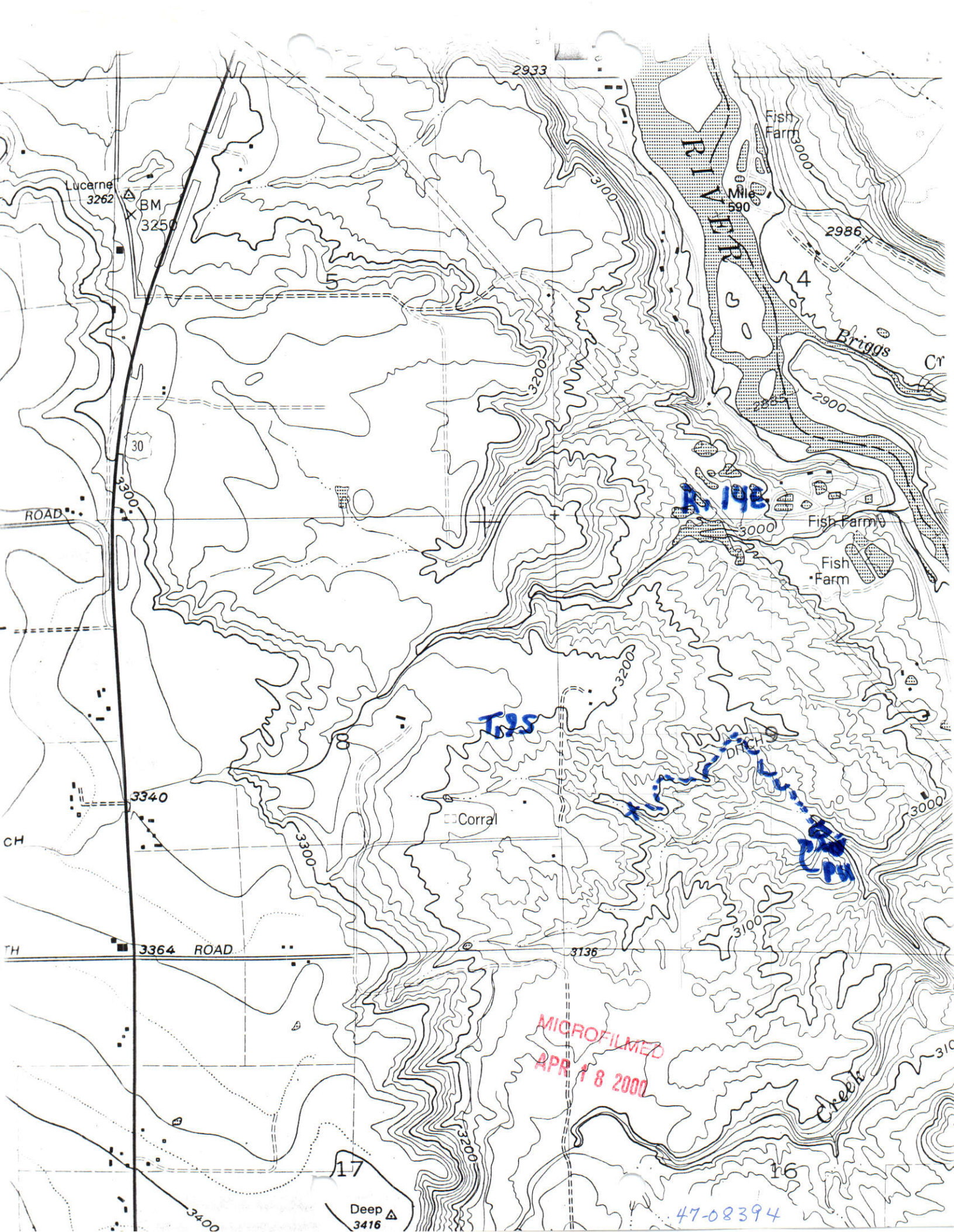


-  Quarter-Quarter Lines
-  Section Lines



P/D & Re-Diversion Presentation
1987-1988 NAPP Photography
G.Satterlee October 1999

MICROFILMED
APR 18 2000





APR 18 2000
MICROFILMED

photos looking W'ly

top photo is the spring fed pond
that feeds the unnamed
stream

photo to the right is the fork
in the unnamed stream, at this
fork the finger diverting to the
right travels to Griffith's ponds

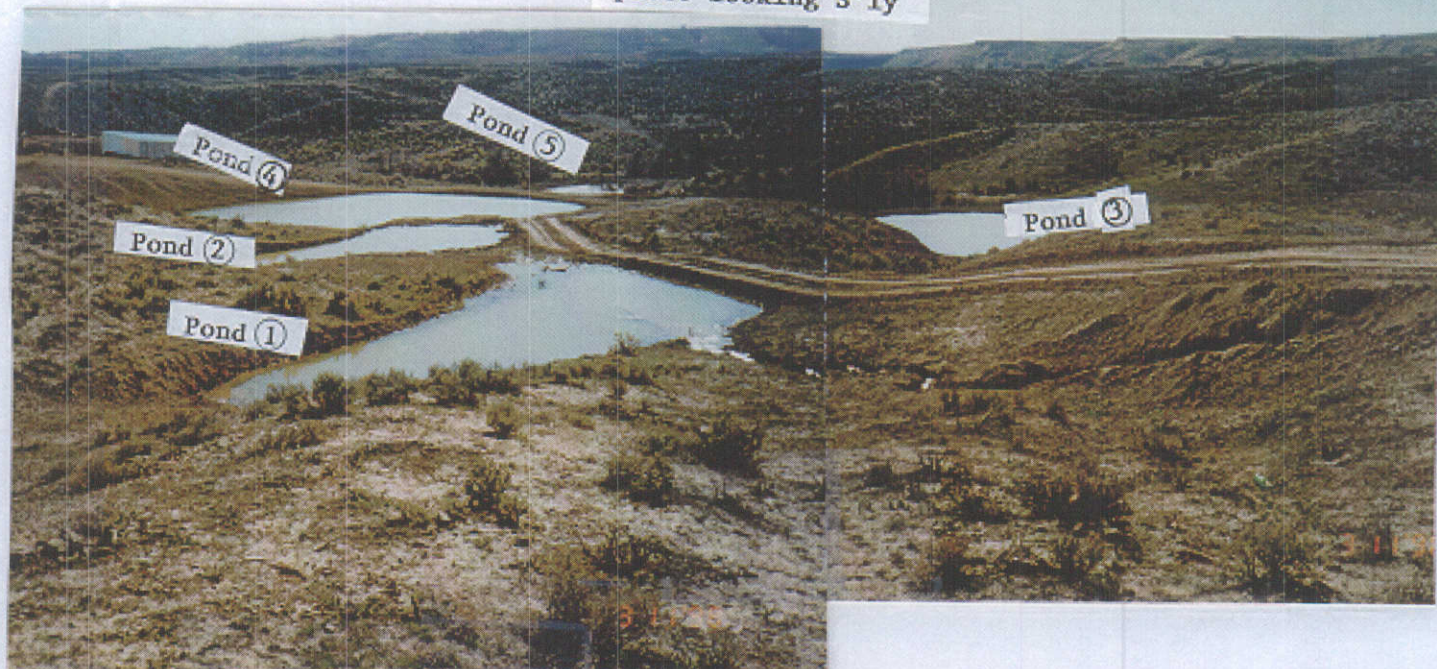
measurement made with the portable
flume 1.65 cfs (75' d/s from fork)



Griffith, Rod & Carla
47-08366, -08394

PHOTO 2/2

photo looking S'ly



measured weir rate=0.31 cfs
weir measurements 1.5' wide
0.16 H
photo looking W'ly

REDIVERSION PT. NW/NWSE 1/4



measured w/
bucket and sta
rate=0.19 cfs

photo looking NW'ly

MICROFILMED
APR 18 2000

Griffith, Rod
11 Mar 1998 1430 hrs
Satterlee, G.

47-08366

0.313 cfs

$H = 0.16$
WEIR 18" WIDE

Div Intake

Re-Diversion
NWNW SE 1/4
SEC 9, T09S, R14E

ALL PONDS

3 Ft

Deep Average



① 43 Ft 26 Ft = 0.08 af

② 18 Ft 65 Ft = 0.08 af

③ 35 Ft = 0.22 af

④ 218 Ft 51 Ft = 0.77 af

⑤ 95 Ft 58 Ft = 0.38 af

NEW
POND PER
47-08394

TO DEEP CREEK

out flow

UNNAMED CREEK

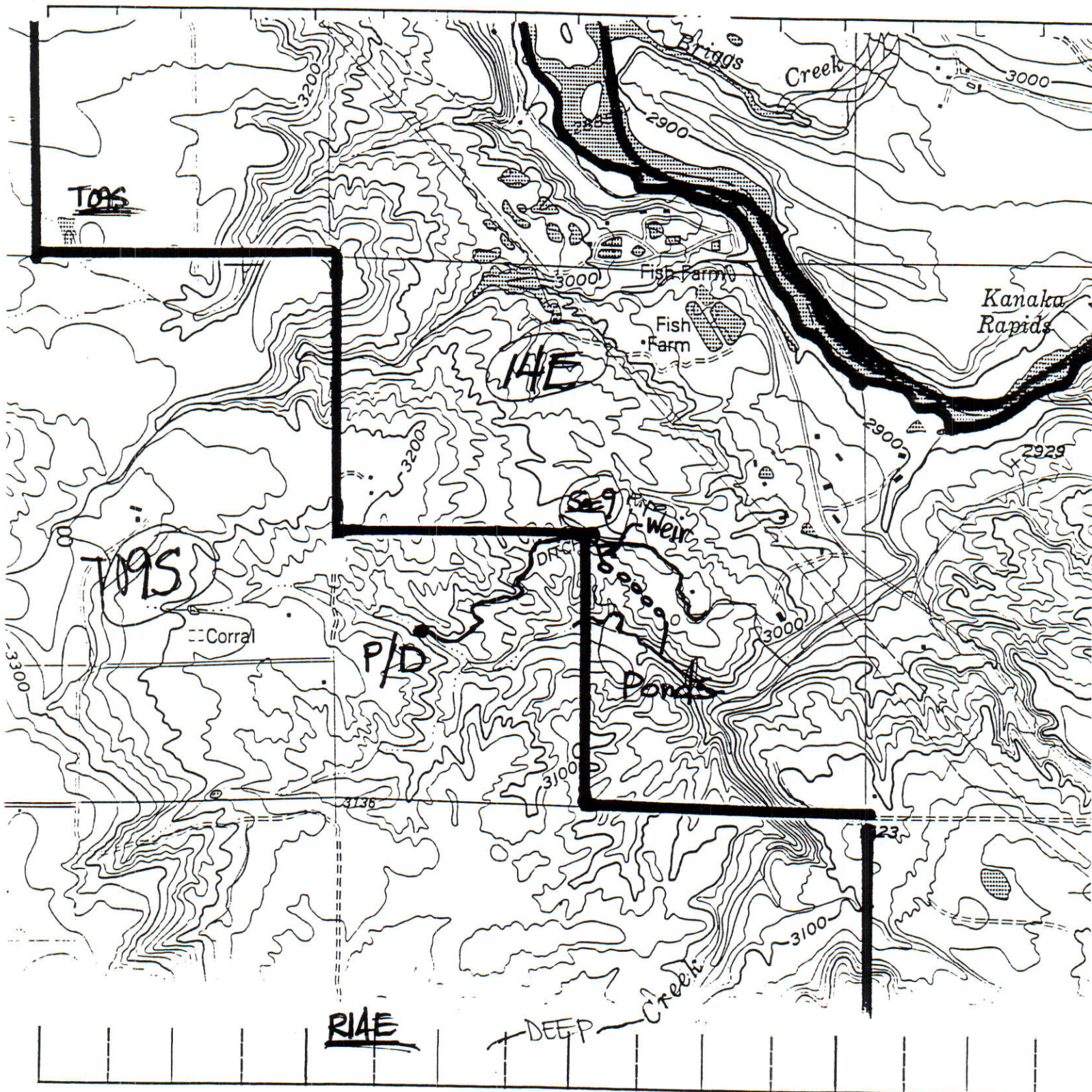
MICROFILMED

APR 18 2000

Griffith, Rod
11 Mar 1998 1430 hrs
Satterlee, G.

47-08366

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



Scale: 2 inches equal 1 mile.

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

MICROFILMED
APR 18 2000

Red Gaff
(Applicant)

**NOTICE OF AMENDED
APPLICATION FOR
WATER PERMIT**

Notice is hereby given that the following application for permit to appropriate the public waters of the State of Idaho has been amended as follows:

47-08394

ROD J. GRIFFITH

4579-B RIVER ROAD

BUHL, ID 83316

Date Amended: 10/28/99

Source: Unnamed Stream

Tributary to Deep Creek

Diversion Pt within NWSW

and Re-division point

within NWSE, both S09,

T09S, R14E; Twin Falls

County;

Use: 1/1-12/31

Diversion to Storage

(2.0 cfs)

Aesthetic Storage (2.9 afa)

Aesthetic Flow (2.0 cfs)

Total quantity to be appro-

riated: 2.0 cfs

In: NWSE, S09, T09S,

R14E

Any protest against the amended application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before January 3, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant. Karl J. Dreher, Director

PUBLISH: December 16
and 23, 1999

RECEIVED RECEIVED

DEC 29 1999

MAR 10 2000

Department of Water Resources
Southern Region

Department of Water Resources

No 32995

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS } SS.

I, Ruby Andersen being first duly sworn upon oath, depose and say that I am principal clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated Dec 16, 19 99, and ending with the issue dated Dec 23, 19 99.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO

COUNTY OF TWIN FALLS

On this 23rd day of Dec in the year of 1999, before me,

a Notary Public, personally appeared Ruby Andersen, 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.

Theresa R. Feltman
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5/19/2000

MICROFILMED

APR 1 8 2000

OK
NB
11/10/2000

RECEIVED

MAR - 4 2002

FOR OFFICE USE ONLY
Amt. of Fee \$: 125.00
Receipt No. 5024629
Receipt By: awd
Date Received: 3-1-2002

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 01 2002

Department of Water Resources
Southern Region

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(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. 47-08394 Telephone No. 208-543-5585

2. Name of Permit Holder(s): Rod J Griffith

3. Mailing Address: 4579-B River Rd

City Buhl State Id Zip 83316

4. Source of Water: UNNAMED stream 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: 2.0 cfs OR _____ acre-feet

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

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

Measuring Device: Is a measuring device required?

Yes ☒ or No ☒

Has the measuring device been installed?

Yes ☒ or No ☒

8. Fee Enclosed: \$ 125.00 (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: Rod Griffith Telephone Number: 543-5585

Address: 4579-B River Rd Buhl Idaho 83316

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: Rod Griffith
(include your title, if on behalf of company of organization)

Date: 3/1/02

MICROFILMED
MAY 15 2002

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 47-08394

Priority: December 18, 1995

Maximum Diversion Rate:

2.00 CFS

This is to certify, that **ROD J GRIFFITH**
4579B RIVER RD
BUHL ID 83316

has applied for a permit to appropriate water from:
UNNAMED STREAM tributary of **DEEP CREEK**

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>	<u>ANNUAL VOLUME</u>
AESTHETIC	01/01 to 12/31	2.00 CFS	
AESTHETIC STORAGE	01/01 to 12/31		2.3 AF
DIVERSION TO STORAGE	01/01 to 12/31	2.00 CFS	
	Totals	2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 9, Township 09S, Range 14E
TWIN FALLS County

PLACE OF USE: AESTHETIC

TWN RGE SEC

09S 14E 9

NWSE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **March 1, 2002**.
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. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
6. Aesthetic storage is for a pond.

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APR 18 2000

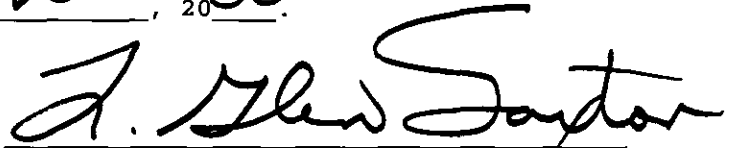
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 47-08394

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

10th day of March, 2000.



Karl J. Dreher, Director

for

MICROFILMED

APR 18 2000

RECEIVED

RECEIVED

JAN 31 2000

DEC 20 1995

Form 202

Department of Water Resources
Southern Region

Department of Water Resources

STATE OF IDAHO

Ident. No. 47-08394**AMEND**DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JUL 15 1995

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant Red J. Griffith Phone 543-5585Post office address 4577-B River Rd, Buhl, ID 833162. Source of water supply Unnamed Stream which is a tributary of Deep Creek3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____Sec. 9 Township 9S Range 14E B.M. Twin Falls County; additionalpoints of diversion if any: RE-DIVERSION NW NW SE $\frac{1}{4}$ SEC 9, T9S, R14E

4. Water will be used for the following purposes:

Amount 2.0 for Div. To Storage purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)Amount 2.9 for Aesthetic Storage purposes from " to " (both dates inclusive)
(cfs or acre-feet per annum)Amount 2.0 for Aesthetic Flow 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)5. Total quantity to be appropriated is (a) 2.0 and/or (b) 2.9 2.3
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing check dam & ditch to 5
existing ponds. Pipeline from bottom pond to additional 100' x 250' x 5'
deep pond to be built. Return flow into Deep Creek 80 R/J, -4-22/99b. Height of storage dam - feet; active reservoir capacity _____ acre-feet; total
reservoir capacity 2.9 2.3 acre-feet; period of year when water will be diverted to storage:
1-1 to 12-31 inclusive.

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) _____

MICROFILMED
APR 18 20007. Time required for the completion of the works and application of the water to be proposed beneficial use is
Two years (minimum 1 year).

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	14E	9														X			

X = P/U for aesthetic storage

Total number of acres to be irrigated _____

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

Permit 47-08366 covers existing system

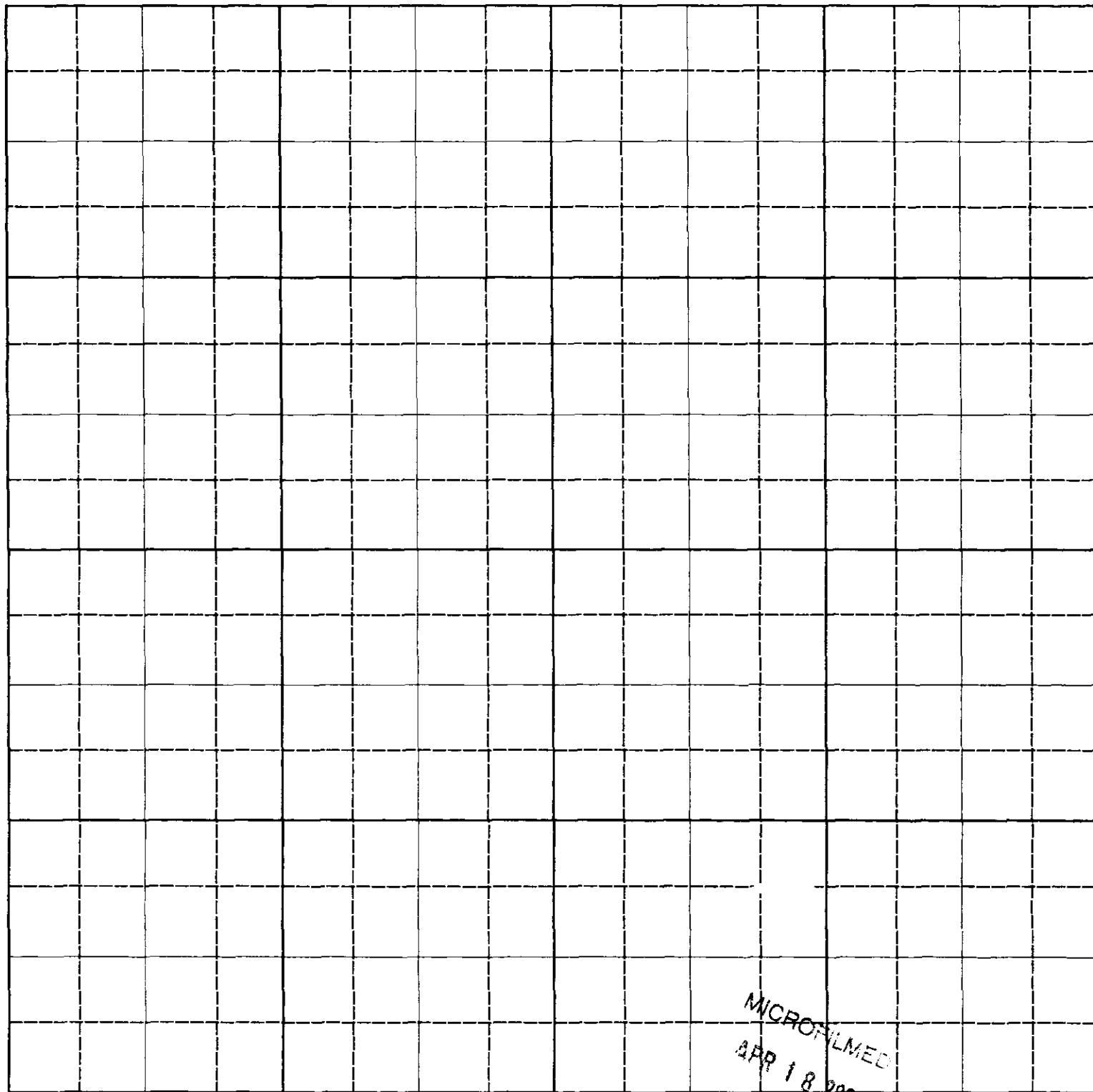
- Who owns the property at the point of diversion? App Denver kinyon Dennis Johnson
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Diversion ditch has a right of way

- Remarks: Ditch will carry 4 cfs from the source, with 2 cfs going to 5 smaller ponds under 47-08366, & 2 cfs going to the proposed large pond under this application.

MICROFILMED

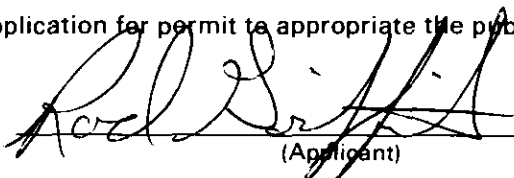
APR 18 2000

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



Scale: 2 inches equal 1 mile.

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


(Applicant)

Amend Application ST-022644 28 Oct 1999 GLS \$50⁰⁰

Received by J. Stanton Date 12-18-95 Time 1:30 pm Preliminary check by JLS

Fee \$ 120⁰⁰ Receipted by JP # S018724 Date 12-18-95

Publication prepared by MB Date 5/21/99 ^{12/10/99} Published in Times News

Publication approved MB Date 7/2/99 ^{6/3 & 6/10/99}
4/10/2000

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

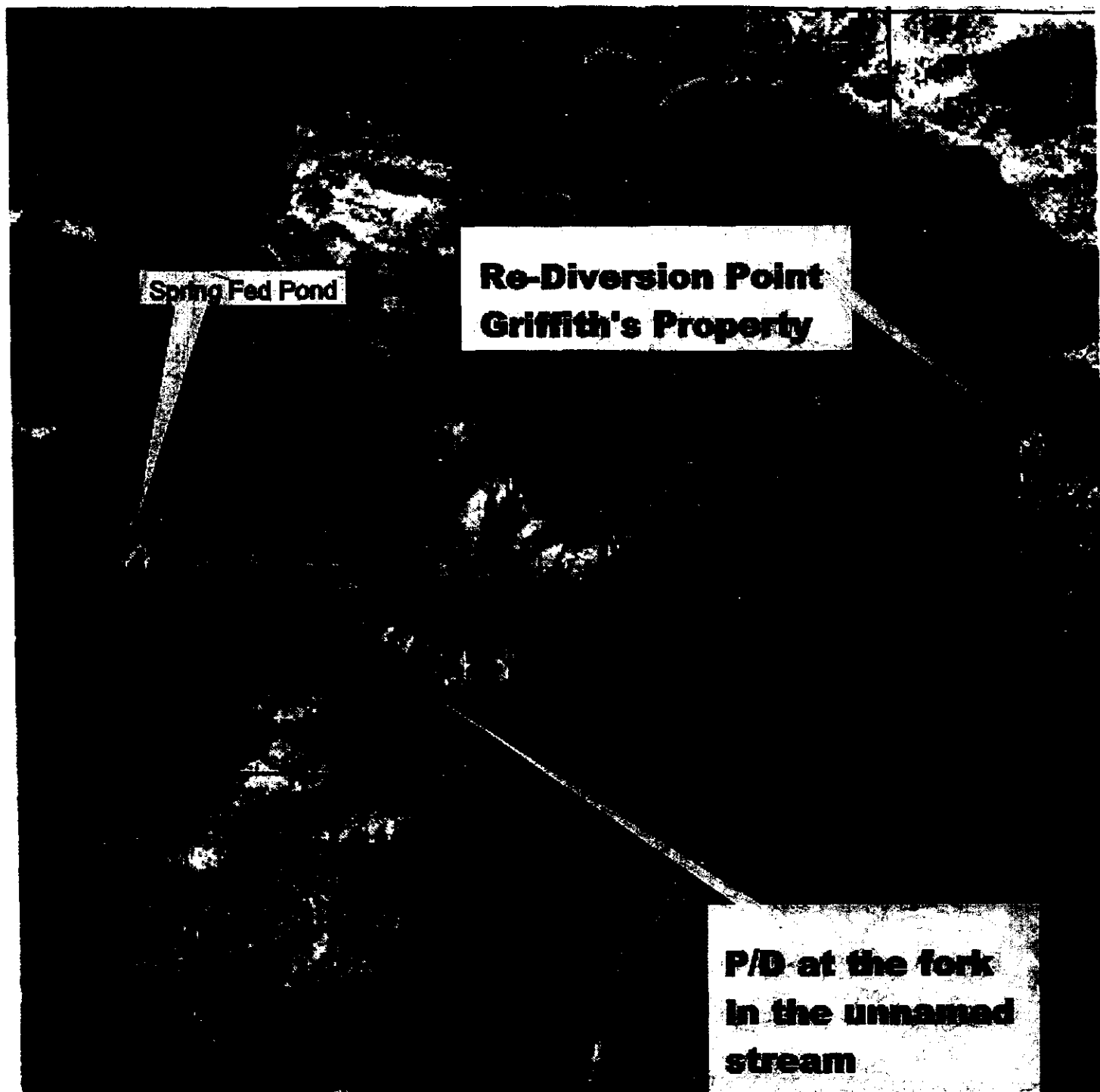
e. Other:

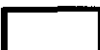
MICROFILMED

APR 18 2000

IDAHO DEPARTMENT WATER RESOURCES

47-08366,-08394



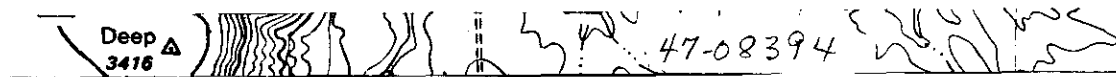
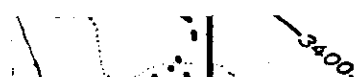
-  Quarter-Quarter Lines
-  Section Lines

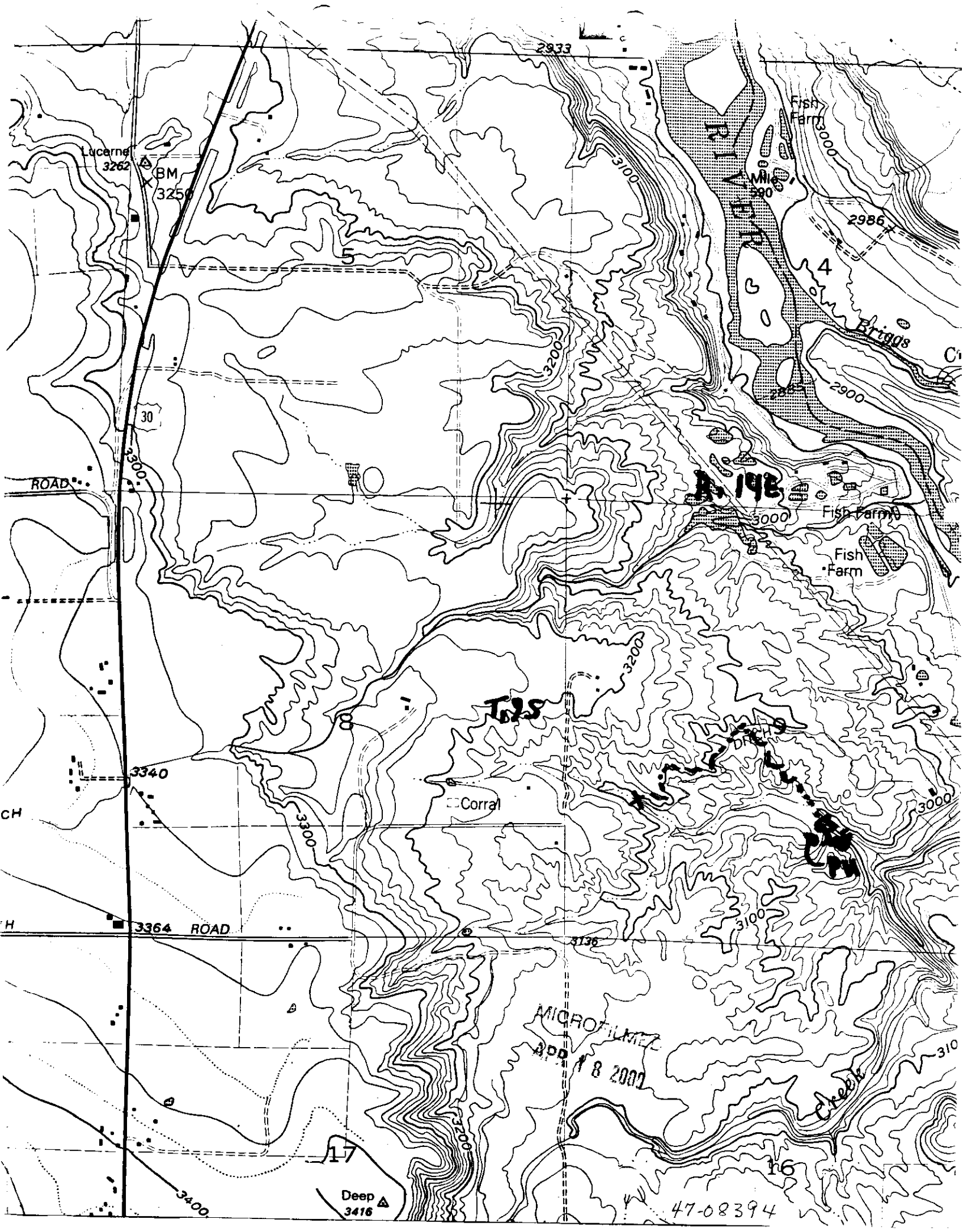


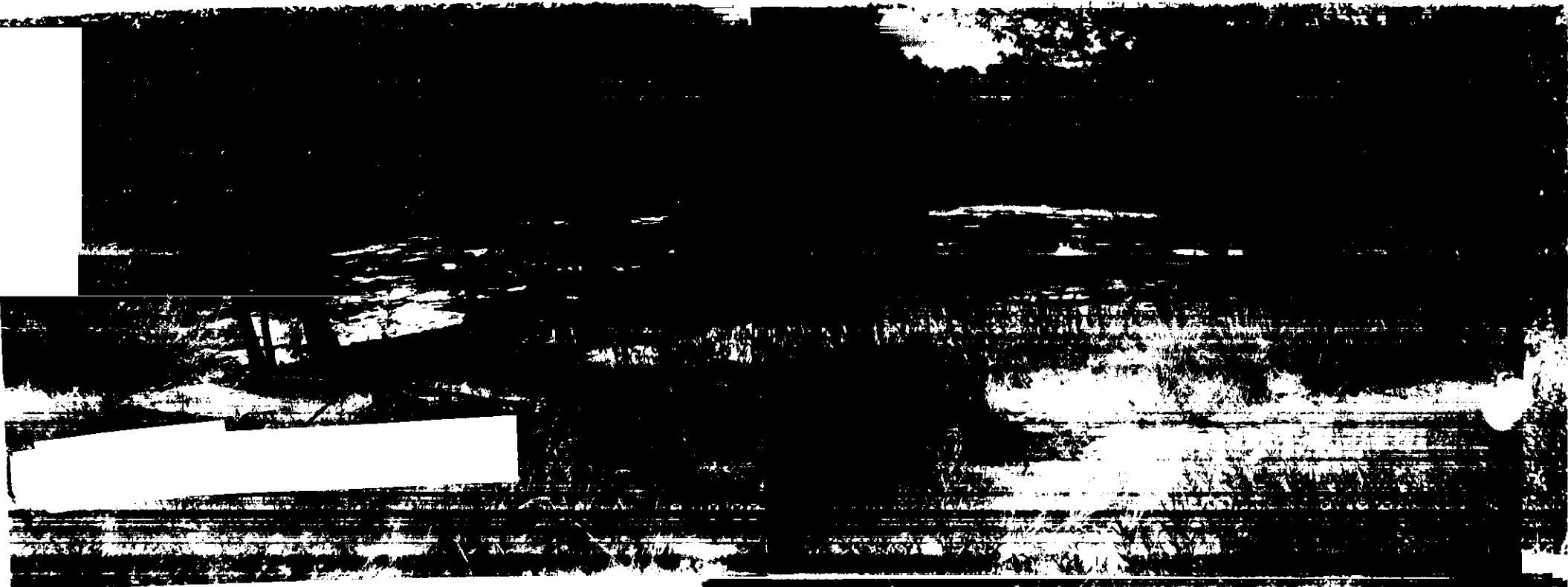
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1987-1988 NAPP Photography
G.Satterlee October 1999

MICROFILMED

APR 18 2000







photos looking W'ly

top photo is the spring fed pond
that feeds the unnamed
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photo to the right is the fork
in the unnamed stream, at this
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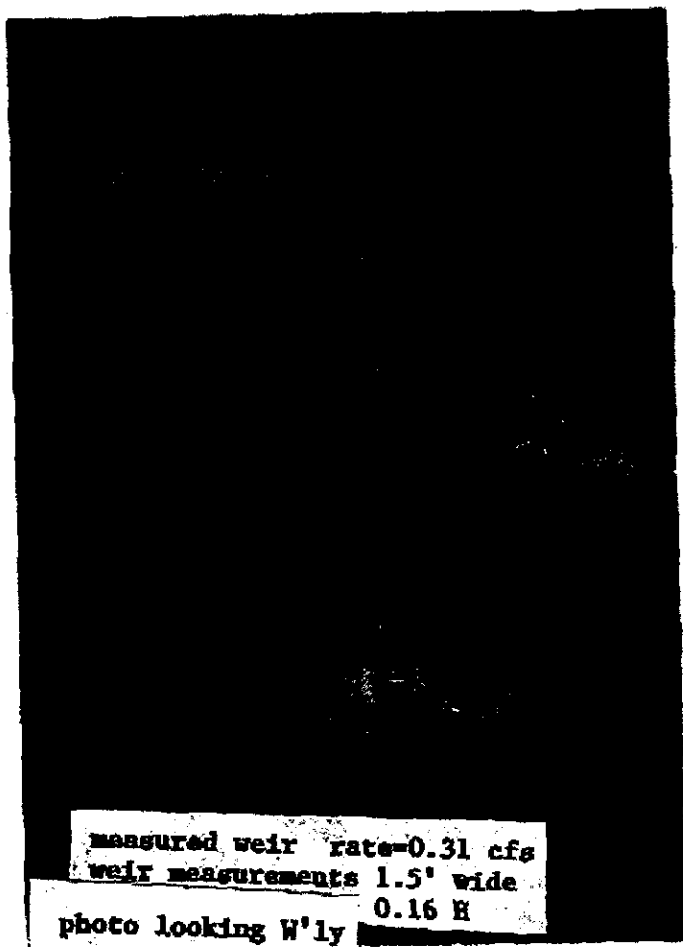
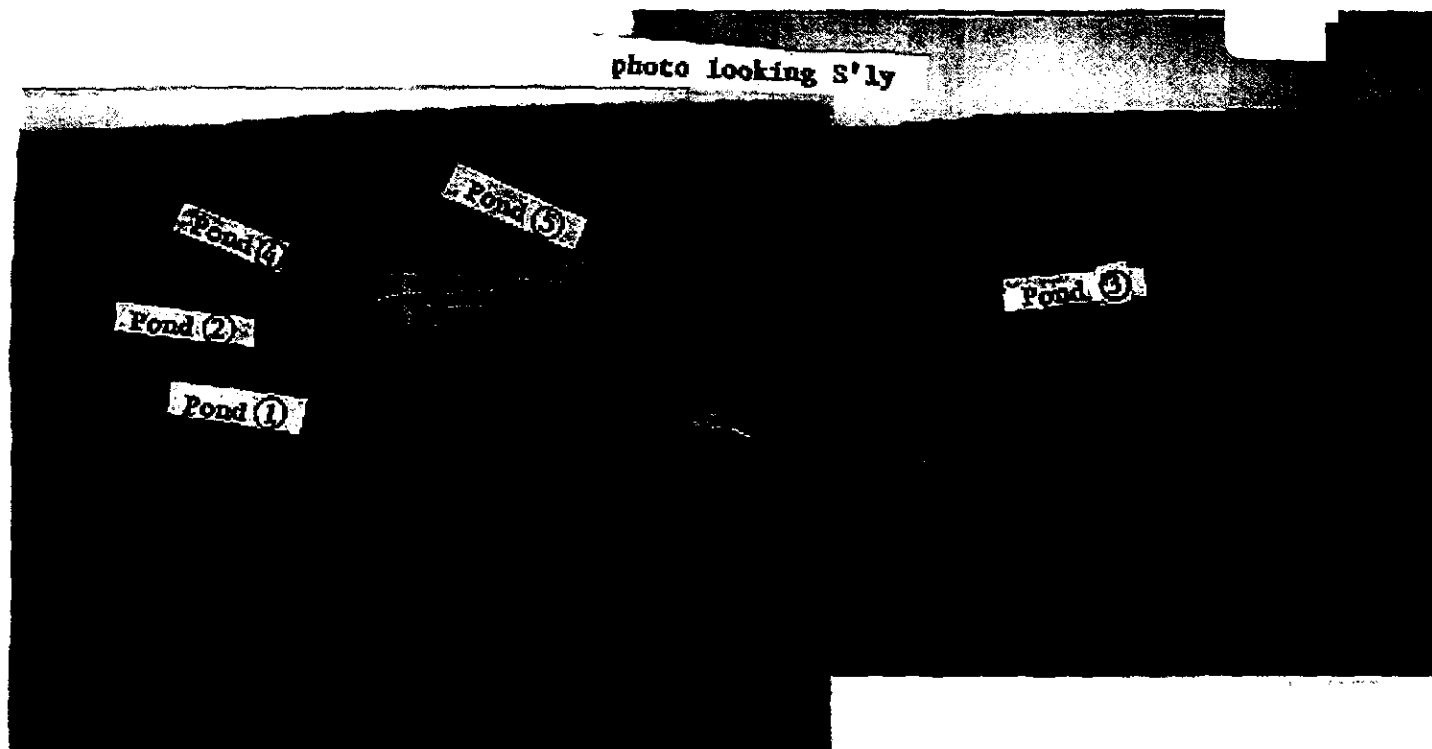
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Griffith, Rod & Carla
47-08366, -08394

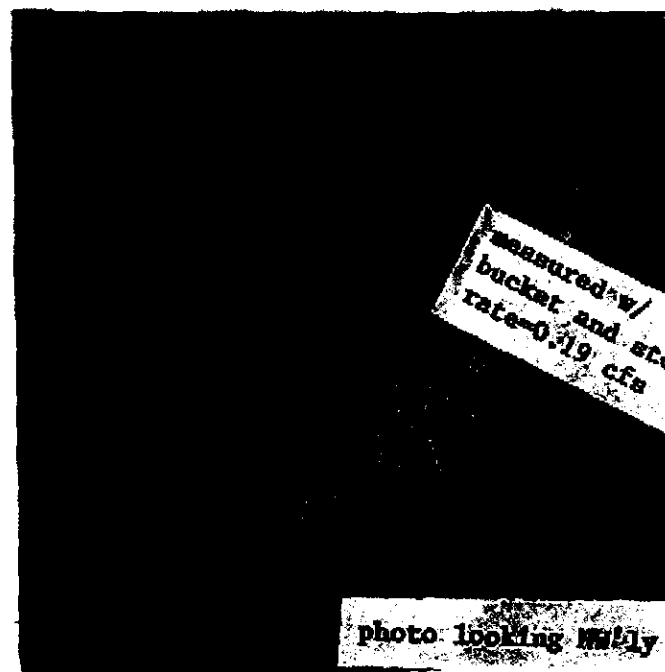
Photo 1/2

Photo 2/2

photo looking S'ly



REDIVERSION PT. NW/NWSE 1/4



MICROFILMED
APR 18 2000

Griffith, Rod
11 Mar 1998 1430 hrs
Satterlee, G.

47-08366

0.313 cfs

$H = 0.16$

(A) WEIR 18" WIDE

Intake

Re-Diversion

NWNW SE 1/4
SEC 9, T09S, R14E

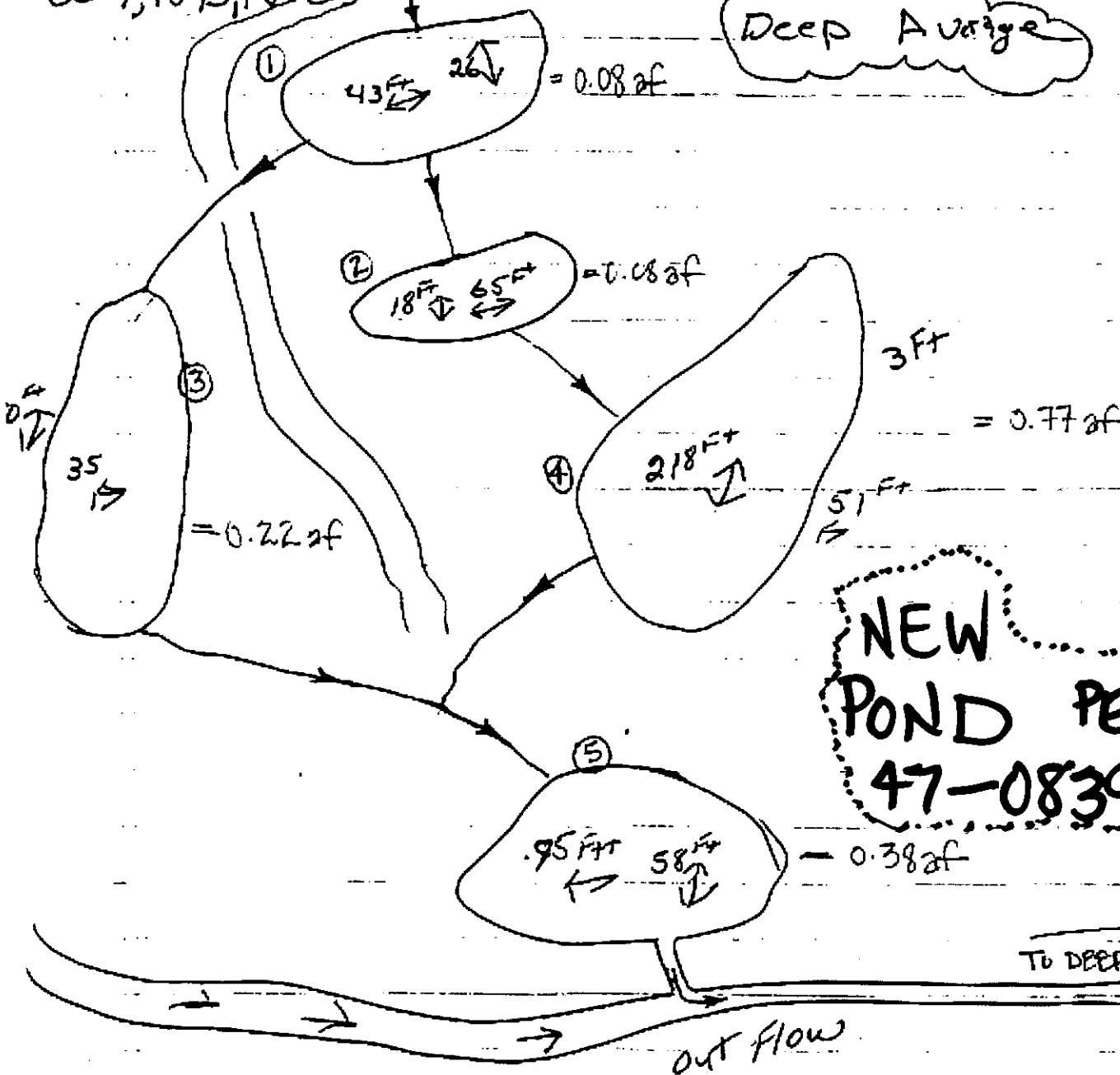
ALL PONDS

3 Ft

Deep Average



N.T.S



NEW
POND PER
47-08394

UNNAMED CREEK

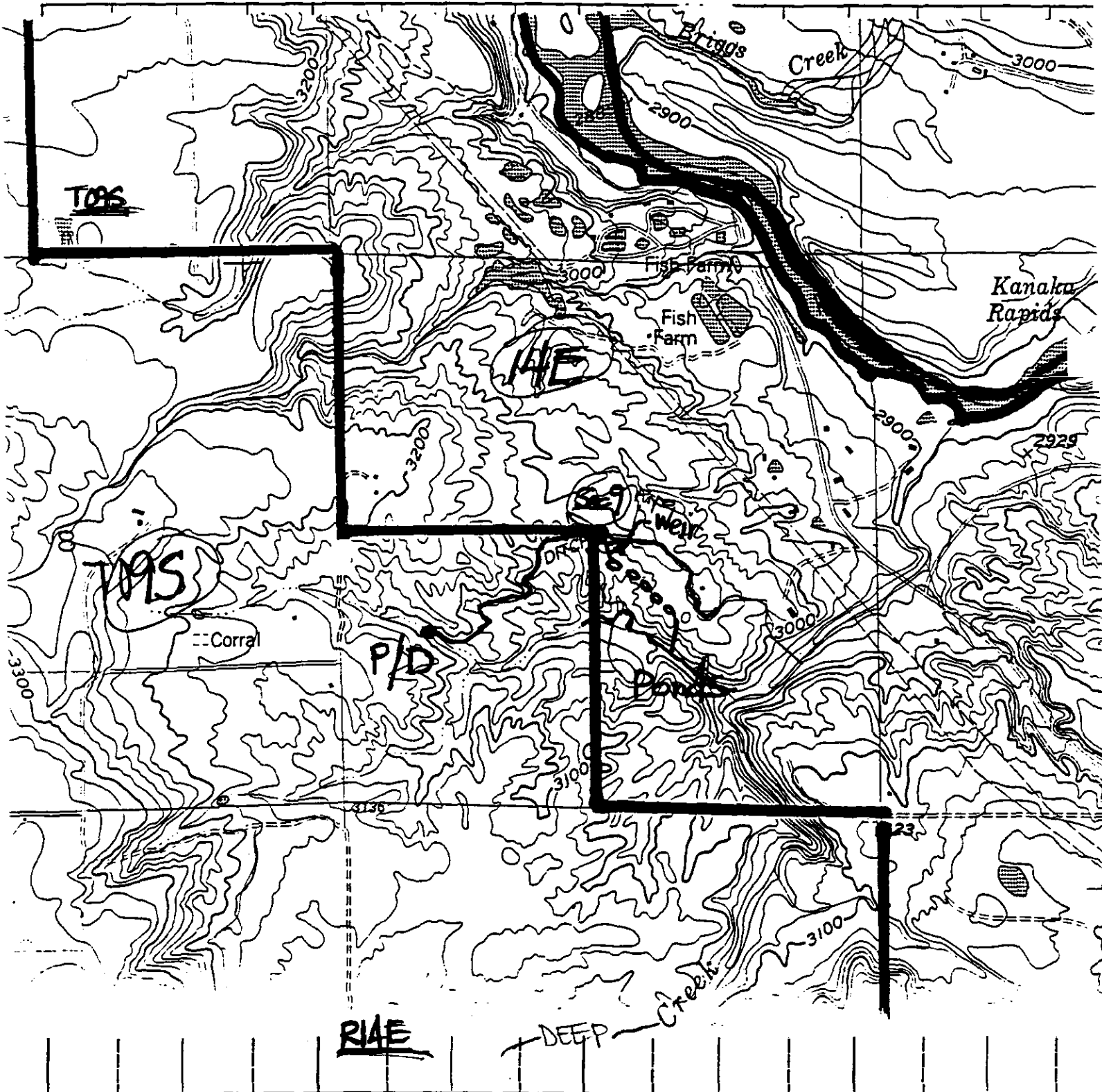
MICROFILM

APR 18 2000

Griffith, Rod
11 Mar 1998 1430 hrs
Satterlee, G.

47-08366

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



Scale: 2 inches equal 1 mile.

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

MICROFILM
APR 18 2000

Red Gifford
(Applicant)



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 5, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ROD J GRIFFITH
4579-B RIVER RD
BUHL ID 83316

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-08394

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 these water rights 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, please contact the **Southern** Regional Office of the department in Twin Falls at (208) 736-3033.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED
MAY 15 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 47-8394

Reviewed By: dgibson

Date: April 4, 2002

	<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.:		S024629	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		03/01/2002
Date proof due	-	03/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	12/18/1995
New priority date	=	12/18/1995

Deficiencies of Actions Items

Acknowledge proof.

December 31, 2001

ROD J GRIFFITH
4579B RIVER RD
BUHL, ID 83316

PROOF DUE NOTICE

RE: PERMIT NO. 47-8394

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 March 01, 2002. (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.

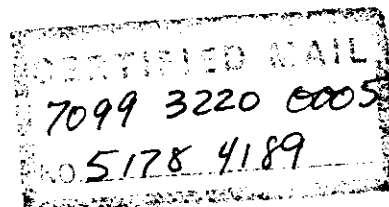
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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

MAY 16 2002



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 10, 2000

DIRK KEMPTHORNE
GOVERNOR

ROD J GRIFFITH
4579B RIVER RD
BUHL ID 83316

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 47-08394

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.

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.

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

SK:klt
Enclosures

MICROFILMED

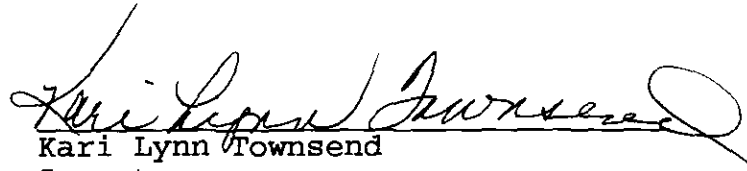
APR 18 2000

CERTIFICATE OF MAILING

I hereby certify that on the 10th 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. 47-08394

ROD J GRIFFITH
4579B RIVER RD
BUHL ID 83316


Kari Lynn Townsend
Secretary

MICROFILMED

APR 18 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.

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APR 18 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.

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APR 18 2006

MEMORANDUM

TO: File 47-08394

FROM: Sharla

DATE: March 9, 2000

RE: Storage Capacity

This filing covers a pond which is to be developed in addition to five smaller ponds already developed under right 47-08366. The field examination for 47-08366 was conducted in 1998 and pertinent copies from that field report are attached. Permit 47-08366 was filed for aesthetic storage and diversion to storage components only. As indicated in Shelley Keen's memo of 8/24/99, it is appropriate for the right holder to have an aesthetic flow-through component in addition to the storage. A direct flow for aesthetic use can't be added to the existing permit, so an aesthetic flow-through rate was added to application 47-08394.

Under the remarks section of the application, it is noted that 2 cfs goes to the smaller ponds and 2 cfs goes to the proposed new pond. Georgia Satterlee's measurement was 1.65 cfs from the point of diversion to be shared by the two rights. The measurement is less than the requested flow in the application so it appears the flow-through rate on the application should be sufficient to cover both rights.

Under item 6(a) of the application, the pond's dimensions were changed from 100 x 250 to 80 x 250 and item 6(b) shows the reservoir capacity as 2.3 af, which is correct for dimensions of 80 x 250'. The aesthetic storage component will be reduced to 2.3 af on the permit approval.

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APR 18 2000

RECEIVED RECEIVED

DEC 29 1999

MAR 10 2000

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

Department of Water Resources
Southern Region

Department of Water Resources

No 32995

I, Ruby Auerhaide being first duly sworn upon oath, depose and say that I am principal clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated Dec 16, 19 99, and ending with the issue dated Dec 23, 19 99.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 23rd day of Dec in the year of 1999, before me,
a Notary Public, personally appeared Ruby Auerhaide,
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.

Laura R. Feltman
Notary Public for Idaho
Residing at Twin Falls, Idaho.

My commission expires: 5/19/2000

3PR 1 A 1000

OK
NB
11/10/2000

NOTICE OF ADVERTISED APPLICATION FOR
DIVERSION OF WATER
The following information is given
that the following application for
diversion of water from the
State of Idaho has been
amended as follows:
47-0588
RBD J. GRIFFITH,
4579-B RIVER ROAD
BUHL, ID 83316
Date Amended: 10/28/99
Source: Unnamed Stream
Tributary to Deep Creek
Division Pt within NW3W
and Re-diversion point
within NWSE, both S09,
T09S, R14E; Twin Falls
County,
Use: 1/1-12/31
Diversion to Storage
(2.0 cfs)
Aesthetic Storage (2.9 afa)
Aesthetic Flow (2.0 cfs)
Total quantity to be appro-
priated: 2.0 cfs
In: NWSE, S09, T09S,
R14E
Any protest against the
amended application must
be filed with the Depart-
ment of Water Resources,
Southern Region, 1341 Fil-
more St., Suite 200, Twin
Falls, ID 83301 together
with a protest fee of \$25.00
on or before January 3,
2000 to be considered by
the Department in its deci-
sion to grant or deny any
part of the proposed
application. The protestant
must also send a copy of
the protest to the applicant.
Karl J. Dreher, Director
PUBLISH: December 16
and 23, 1999

RETAIN THIS PORTION FOR YOUR RECORDS

REMITTANCE ADDRESS THE TIMES-NEWS - LE P.O. BOX 548, TWIN FALLS, ID 83303-0548		BILL TO DEPT WATER SOURCES	
AD NUMBER 248485	CLASS 0050 LEGAL	SALESPERSON 5	BILLING DATE 12/25/99
AD DESCRIPTION NOTICE OF AMENDED APPLICATION FOR W 47-08394		START DATE 12/16/99	STOP DATE 12/23/99
PUBLICATION 4 THE TIMES NEWS LEGAL TOTAL AD CHARGE	INSERTIONS 2	RATE LGL	NET AMOUNT 44.00 44.00
4 AFFIDAVIT CHARGE		AFFID	2.00
DAYS RUN			
PURCHASE ORDER legal		PAY THIS AMOUNT	
		46.00	46.00*

OK
MB
1/10/2000

MESSAGE:

RECEIVED
DEC 29 1999
Department of Water Resources
Curtis Center

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

THE TIMES-NEWS - LEGAL
P.O. BOX 548, TWIN FALLS, ID 83303-0548

legal

AD NUMBER 248485	CLASS 050 LEGAL	START DATE 12/16/99	STOP DATE 12/23/99
AD DESCRIPTION NOTICE OF AMENDED APPLICATION FOR W		BILLING DATE 12/25/99	TELEPHONE NUMBER 208-736-3033

GROSS AMOUNT OF
46.00
DUE AFTER

☐ VISA ☐ MASTERCARD

CREDIT CARD NUMBER

EXPIRATION DATE: /

SIGNATURE:

DEPT WATER RESOURCES
1341 FILLMORE, SUITE 200
TWIN FALLS, ID

83301

MICROFILMED

APR 18 2000

TOTAL AMOUNT DUE 46.00
ENTER AMOUNT ENCLOSED

2040000000248485000000000000000000460000000046005

NOTICE OF APPLICATIONS FOR WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho:

ROD J. GRIFFITH

4579-B RIVER RD

BUHL ID 83316

Application for Permit No. 47-08394

Source: Unnamed Stream tributary to Deep Creek

Diversion Pt(s): NW1/4SW1/4, S09, T09S, R14E; Twin Falls County.

Use: 01/01-12/31

Diversion to Storage (2.0 cfs)

Aesthetic Storage (2.9 afa)

Total Diversion: (2.0 cfs)

In: NW1/4SE1/4, S09, T09S, R14E; Twin Falls County

Date Filed: 12/18/95; Date Amended: 04/22/99

NATASHA KIMMELL

PO BOX 5775

KETCHUM ID 83340

Application for Permit No. 47-08430

Source: Snake River tributary to Columbia River

Diversion Pt): Lot 4 (SE1/4SW1/4), S17, T06S, R13E; Twin Falls Co.

Use: 01/01-12/31

Wildlife (2.4 afa)

Fire protection (2.4 afa)

Aesthetic (2.4 afa)

Total Diversion: 2.4 afa

In: Lot 4 (S1/2SW1/4), S17, T06S, R13E; Twin Falls Co.

Date Filed: 04/20/99

Any protest against the proposed application(s) must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before June 21, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed application(s). (Each application requires a separate protest). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Times News on 06/03 & 06/10/99.

RECEIVED

JUN 17 1999

Department of Water Resources
Southern Region

No 31890

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

I, Carole Williams being first duly sworn upon oath, depose and say that I am principal clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated June 3, 19 99, and ending with the issue dated June 10, 19 99.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorials of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

APR 18 2000

On this 15th day of June in the year of 1999, before me,

a Notary Public, personally appeared Carole Williams, 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.

Ineva R. Feltman
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5/19/2000

OK
NB
7/12/99

NOTICE OF APPLICATIONS FOR WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho:

ROD J. GRIFFITH

4579-B RIVER RD

BUHL ID 83316

Application for Permit No. 47-08394

Source: Unnamed Stream tributary to Deep Creek

Diversion Pt(s): NW1/4SW1/4, S09, T09S, R14E, Twin Falls County.

Use: 01/01-12/31

Diversion to Storage (2.0 cfs)

Aesthetic Storage (2.9 afa)

Total Diversion: (2.0 cfs)

In: NW1/4SE1/4, S09, T09S, R14E; Twin Falls County

Date Filed: 12/18/95; Date Amended: 04/22/99

NATASHA KIMMELL

PO BOX 5775

KETCHUM ID 83340

Application for Permit No. 47-08430

Source: Snake River tributary to Columbia River

Diversion Pt(s): Lot 4 (SE1/4SW1/4), S17, T06S, R13E; Twin Falls Co.

Use: 01/01-12/31

Wildlife (2.4 afa)

Fire protection (2.4 afa)

Aesthetic (2.4 afa)

Total Diversion: 2.4 afa

In: Lot 4 (S1/2SW1/4), S17, T06S, R13E; Twin Falls Co.

Date Filed: 04/20/99

Any protest against the proposed application(s) must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before June 21, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed application(s). (Each application requires a separate protest). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Times News on 06/03 & 06/10/99.

MICROFILMED

APR 18 2000



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

May 21, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTENTION LEGALS
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

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

If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED

APR 18 2000

E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 19 March 1998
RE: 47-08366

On 11 March 1998 at 1400 hrs., I met with Rod Griffith to perform a field examination on the above permit. The permit is year round aesthetic and storage aesthetic for five ponds.

The ponds are filled from an unnamed stream. The initial point of diversion from the stream is in the NWSW $\frac{1}{4}$ of Section 9, T09S, R14E. The water diverts into a ditch that runs in a west to east direction. The weir (NWSE $\frac{1}{4}$ of Section 9, T09S, R14E), on the applicant's property, re-diverts water to the ponds. All the ponds are located in the NWSE $\frac{1}{4}$ of Section 09, T09S, R14E. After the water flows through the ponds, it then dumps back into an unnamed creek bed, which flows into Deep Creek.

The limiting factor appears to be the storage capacity (not to exceed 1.2-acre feet). The recommendation will be aesthetic and storage for aesthetic reflecting the condition of the storage capacity limit.

29 October 1999 47-08366 and 47-08394

Conducted measurement and GPS'd all the diversion points for the field examination for 47-08366 and pre-permit field work per 47-08394.

See GIS map showing the spring fed pond, (please note the actual location of the pond is south approximately 100 feet of the yellow dot on map). The actual diversion point is at the fork in the stream, and finally, the weir on Griffith's property is the re-diversion point. All are labeled on the GIS map.

The portable flume was used to obtain a measurement. The flume was placed downstream of the fork approximately 75 feet. The measurement was observed to be 1.65 cfs.

The application for permit 47-08394 has been amended and it will be re-advertised with the aesthetic flow-through component.

~~The license for 47-08366 will be issued at the same time the permit is issued for 47-08394 because they are companion to one another.~~

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

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3PP 18 2000

Additional Computation Sheets Attached

$$\text{INVERSION PT.} = (F_{\text{LIME}}) \quad 1.65 \text{ GFS}$$
$$\text{RE-DIVERSION PT.} = (\text{WEIR MEASUREMENT}) = 0.31 \text{ cfs}$$

STANDARD CONTRACTED WEIR $\left\{ \begin{array}{l} L = 1.5' \\ H = 0.16' \end{array} \right\}$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$
$$V_{D,R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$V = \text{Smaller of } V_{IB} \text{ and } V_{DB} =$

2. Volume Calculations for Other Uses:

PONDS 1-5 $0.08 + 0.08 + 0.22 + 0.77 + 0.38 = 1.53 \text{ mg/g}$

LIMITING
FACTOR

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
AESTHETIC STORAGE	1/1	12/31		1.2
DIVERSION STORAGE	"	"	1.65 cfs	
			Totals:	1.2
			1.65 cfs	

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Dorcas Gutierrez Date 9/12/98 / 26 Oct 1999

Reviewer _____ Date _____

SEAL

MICROFILMED
APR 18 2000

MEMORANDUM

DATE: August 24, 1999

TO: Allen Merritt and Georgia Satterlee

FROM: Shelley W. Keen *SWK*

RE: Rod J. Griffith water right filings

As we discussed on the phone, I am returning the field report for Permit 47-08366 and Application 47-08394.

Because there may be conveyance losses in the ditch, the field report for 47-08366 should probably reflect a diversion rate measurement closer to the actual point of diversion. Also, including a flow rate for aesthetic purposes on this right would exceed the use authorized by the permit. Therefore, beneficial use recommendations should probably include only a flow rate for diversion to storage and a volume for aesthetic storage.

Application 47-08394 should probably be amended to include the aesthetic flow-through component that cannot be described on 47-08366. It may also be prudent to compare the flow rate requested to Georgia's measurements for 47-08366.

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APR 18 2000

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 3/9/00

No. 17-08394 Name: Griffith Corp. Officers N/A Ad ok _____ Govt Lots _____

AREA OF CONCERN: No/Yes _____ 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 - N/A
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 1 01 12002

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 MSP - WB9
PLANNING SECTION REVIEW/RESPONSE _____
In-stream development - P52
WD - R04 (WD# _____)
≤ 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)

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)

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

RECEIVED

JAN 3 1 2000

MEMO

Department of Water Resources

FROM: Allen Merritt 

DATE: January 19, 2000

TO: Application for Permit No: 47-08394 Amended

In the Name of: Rod Griffith

SUBJECT: Review and Recommendation

The amendment of the original application has been processed without protest.

This application proposes to develop a pond for aesthetics purposes and to provide a continuous aesthetic flow for this new pond and the other ponds developed under permit 47-08366. The source of water for the ponds is an unnamed stream. The size of the new pond is approximately 2.9 af. and is insignificant with total consumptive use less than the domestic exemption. For this reason the application was processed as non-consumptive. The proposal utilizes the same diversion system which allowed development of other ponds under permit 47-08366.

RECOMMENDATION:

I recommend this permit be approved and the following conditions be considered:

- The use is non-consumptive. The director retains jurisdiction to determine future injury to other water rights and may require future mitigation.
- A measuring device be installed at the point of diversion and use subject to annual reporting.
- Other county, state and federal approvals may be required (DEQ discharge permit, SCA permit for discharge site)

MICROFILMED
APR 18 2000

ROD J. GRILLET

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 15 1999

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY Georgia Satterlee DATE 02 Jan., 1996
APPLICATION NO. 47-08394

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/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
DECEMBER 18 19, 95
- ~~HOLD
DUE TO SRB
MORATORIUM~~

ADDITIONAL INFORMATION

- Overlapping place of use(Describe source & relationship to present application on the back.
Overlapping point of diversion.
☒ Yes ☒ No Field check required No, due to moratorium
Field check by _____
Yes ☐ No Field report attached _____
Yes ☒ No Critical Ground water area
Yes ☒ No Groundwater management area N/A, SURFACE ONLY
Yes ☒ No Send Dam safety information
Yes ☒ No Send power requirement letter
Yes ☒ No Send fish farm requirement letter
Yes ☒ No Power residency affidavit.
Yes ☒ No Power efficiency form
Yes ☐ No Within trustwater boundary(If yes, attach trustwater supplementary analysis sheet.
Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.

See reverse side for additional information.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

_____ Date Requested _____, 19____

SEND COPIES TO: _____ Idaho Dept of Health & Welfare _____ USDI BLM
 _____ Idaho Dept of Fish & Game _____ USFS
 _____ Idaho Dept of Lands _____ Water Dist.
 _____ Adjudication Bureau Unit _____ Other

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

☒ Yes ☐ No Publication dates and paper, recorded on App.

☐ Yes ☒ No Protests received

☐ Yes ☒ No Final date for Protest

☐ Yes ☒ No Protests, dates, resolution of protest, recorded on app.

☒ Yes ☐ No Recommendations attached

☒ Yes ☐ No Measuring device required

☐ Yes ☒ No Access port required

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

☐ Yes ☒ No Special conditions of approval or cover letter below.

Date of priority recommended 12/20, 19 95
By [Signature] Date ~~6/20/95~~
7/13/95

See below for additional information

By _____ Date _____, 19____

ADDITIONAL INFORMATION:

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that the following application for permit to appropriate the public waters of the State of Idaho has been amended as follows:

47-08394

ROD J. GRIFFITH
4579-B RIVER RD
BUHL ID 83316

Date Amended: 10/28/99

Source: Unnamed Stream Tributary to Deep Creek

Diversion Pt within NWSW and Re-diversion point within NWSE, both S09, T09S, R14E; Twin Falls County;

Use: 1/1-12/31

Diversion to Storage (.2.0 cfs)

Aesthetic Storage (2.9 afa)

Aesthetic Flow (2.0 cfs)

Total quantity to be appropriated: 2.0 cfs

In: NWSE, S09, T09S, R14E

Any protest against the amended application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before January 3, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Times News on 12/16 & 12/23/99

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APR 18 2008



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**

December 10, 1999

**ATTN LEGALS DEPT
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303-0548**

Ladies and Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

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APR 18 2000

FROM: Allen Merritt *AM*

DATE: July 13, 1999

TO: Application No. 47-08394
In the Name of: Griffith

SUBJECT: Review and Recommendation

This application propose to develop a pond for aesthetics purposes. The source of water for the ponds is an unnamed stream. The size of the pond is approximately 2.9 af. and is insignificant with total consumptive use less than the domestic exemption. For this reason the application was processed as non-consumptive. The proposal utilizes the same diversion system which allowed development of other ponds under permit 47-08366.

ANALYSIS

Although the total use may be insignificant the rate of diversion seems excessive; however the water returns to the source below the proposed pond.

RECOMMENDATION:

I recommend that the permit be approved and the following conditions be considered:

- The use is non-consumptive. The director retains jurisdiction to determine future injury to other water rights and may require future mitigation.
- A measuring device be installed at the point of diversion and use subject to annual reporting.
- Other county, state and federal approvals may be required (DEQ discharge permit, SCA permit for discharge site)

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APR 18 2000

LOCAL PUBLIC INTEREST

Comments recieved from:

_____ City	_____ Idaho Fish & Game	_____ Irrigation Dist.
_____ County	_____ Idaho Health & welfare	_____ Canal Company
_____ Reservations	_____ Div. of Enviromental Quality	_____ Other _____

PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE _____

7/13/99, 19

NOTICE OF APPLICATIONS FOR WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho:

ROD J. GRIFFITH
4579-B RIVER RD
BUHL ID 83316

Application for Permit No. 47-08394

Source: Unnamed Stream tributary to Deep Creek

Diversion Pt(s): NW1/4SW1/4, S09, T09S, R14E; Twin Falls County.

Use: 01/01-12/31
Diversion to Storage (2.0 cfs)
Aesthetic Storage (2.9 afa)

Total Diversion: 2.0 cfs

In: NW1/4SE1/4, S09, T09S, R14E; Twin Falls County

Date Filed: 12/18/95; Date Amended: 04/22/99

NATASHA KIMMELL
PO BOX 5775
KETCHUM ID 83340

Application for Permit No. 47-08430

Source: Snake River tributary to Columbia River

Diversion Pt(s): Lot 4 (SE1/4SW1/4), S17, T06S, R13E; Twin Falls County.

Use: 01/01-12/31
Wildlife (2.4 afa)
Fire protection (2.4 afa)
Aesthetic (2.4 afa)

Total Diversion: 2.4 afa

In: Lot 4 (S1/2SW1/4), S17, T06S, R13E; Twin Falls County.

Date Filed: 04/20/99

Any protest against the proposed application(s) must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before June 21, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed application(s). (Each application requires a separate protest). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Times News on 06/03 & 06/10/99.

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APR 18 2000



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

May 21, 1999

KARL J. DREHER
DIRECTOR

ROD J. GRIFFITH
4579-B RIVER RD
BUHL ID 83316

Re: AMENDED Application for Permit No. 47-08394

Dear Mr. Griffith:

Pursuant to the changes you made to the above referenced application on 4/22/99, departmental processing will continue.

This office has scheduled advertising the application in the Times News for 6/3 & 6/10/99. A period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If 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.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

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APR 18 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

January 10, 1996

ROD J GRIFFITH
4579-B RIVER RD
BUHL ID 83316

Re: Application for Permit No. 47-08394

Dear Mr. Griffith:

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

Please be advised that your application is subject to a moratorium on processing new applications which has been imposed due to drought conditions.

Your application will be held in this office without further processing until the Moratorium is lifted.

At this time we are unable to give a date for further review of this application.

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

Very truly yours,

Georgia Satterlee, LSIT
Water Resource Agent

GS:mb

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APR 18 2000

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~