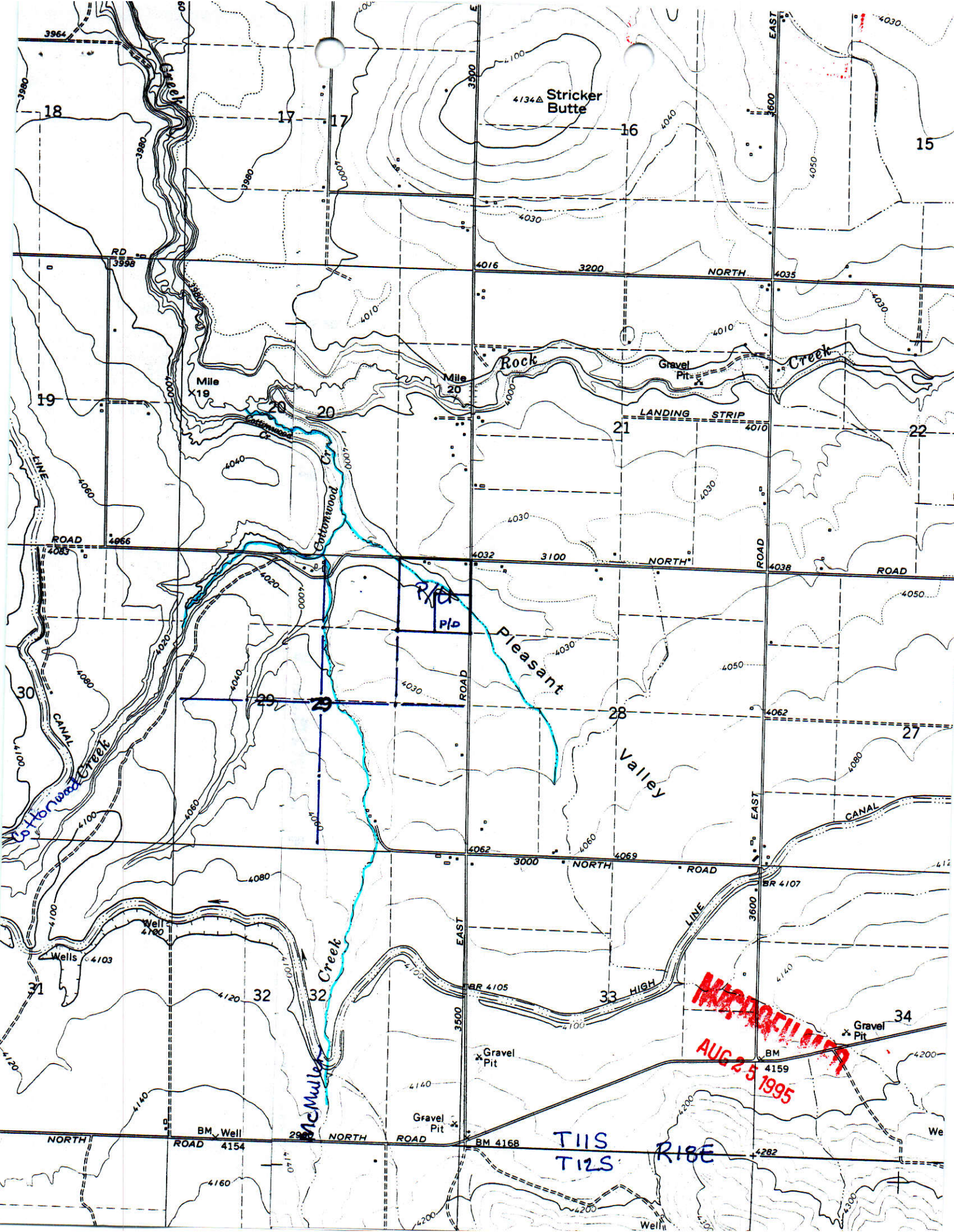
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Rock Creek
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LANDING STRIP
Cottonwood Cr
Cottonwood Creek
Pleasant Valley
McMullen Creek
NORTH ROAD
EAST ROAD
CANAL
HIGH LINE
Well
Wells
BM 4168
BM 4159
BR 4107
BR 4105
T11S
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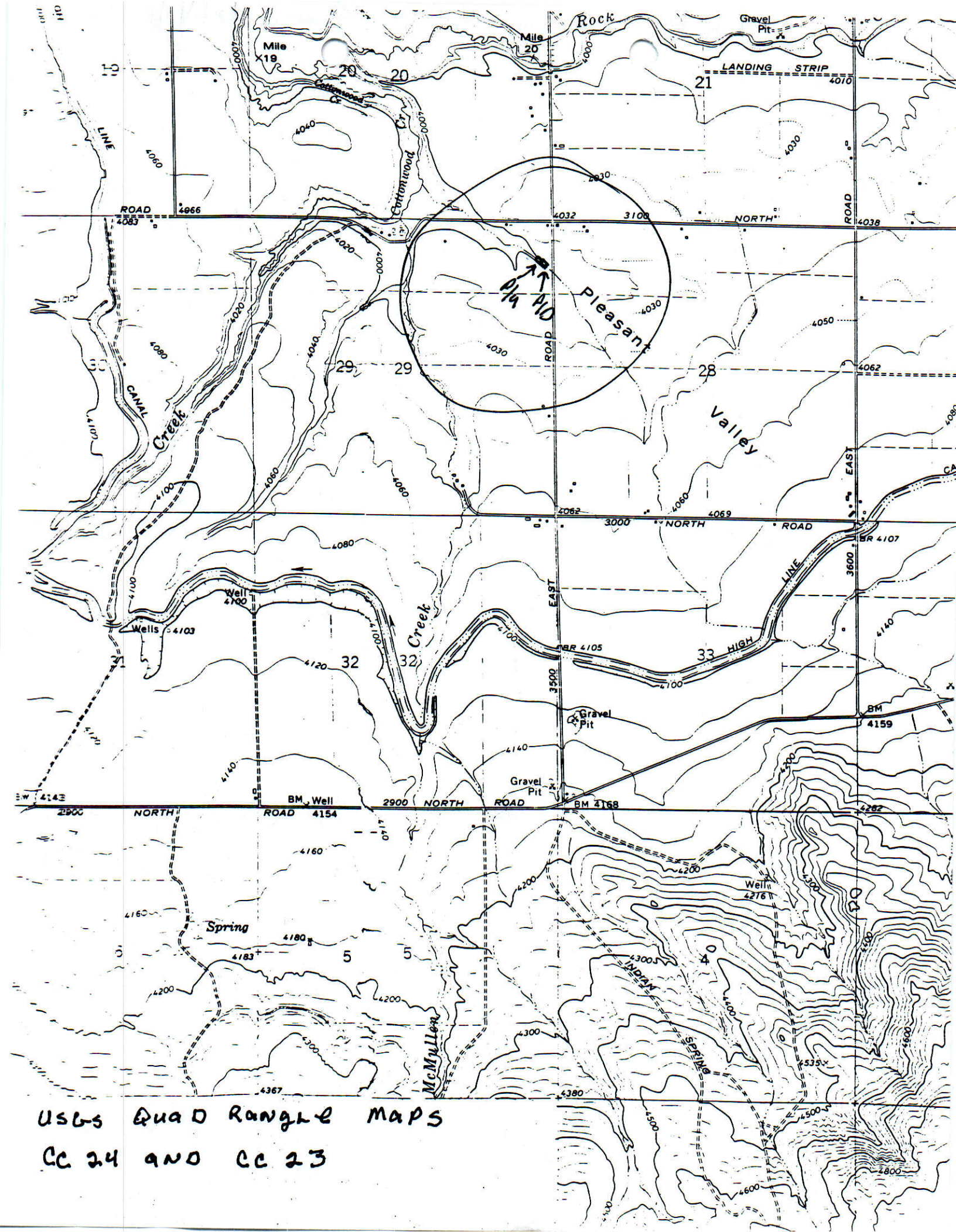
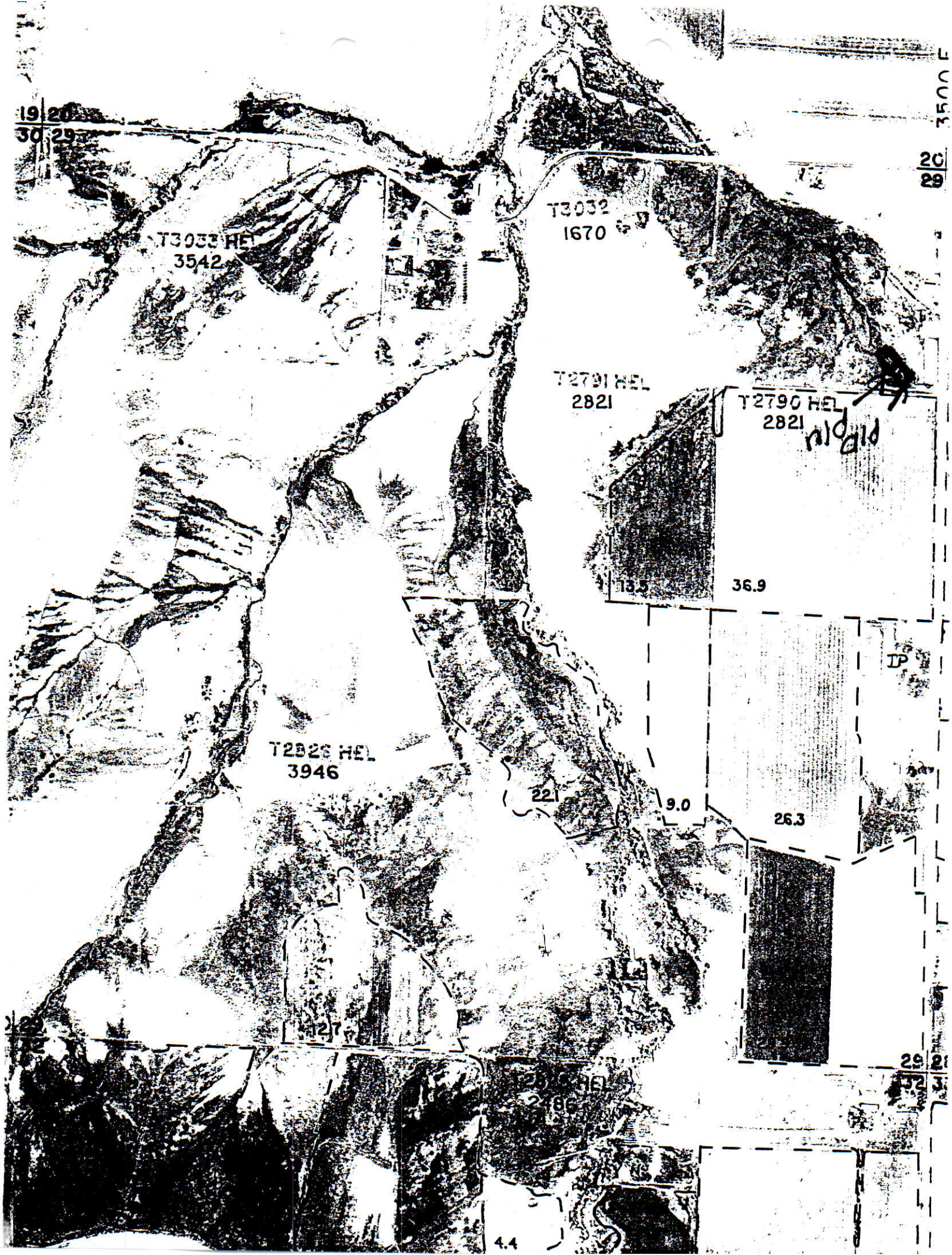
AUG 25 1995



USGS QUAD RANGLE MAPS

CC 24 AND CC 23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06 LT04	06 LT03	06 LT02	06 LT01	05 LT04	05 LT03	05 LT02	05 LT01	04 LT04	04 LT03	04 LT02	04 LT01	03 LT04	03 LT03	03 LT02	03 LT01	02 LT04	02 LT03	02 LT02	02 LT01	01 LT04	01 LT03	01 LT02	01 LT01
06 LT05	06 SENW	06 SWNE	06 SENE	05 SWNW	05 SENW	05 SWNE	05 SENE	04 SWNW	04 SENW	04 SWNE	04 SENE	03 SWNW	03 SENW	03 SWNE	03 SENE	02 SWNW	02 SENW	02 SWNE	02 SENE	01 SWNW	01 SENW	01 SWNE	01 SENE
06 LT06	06 NESW	06 NWSE	06 NESE	05 NWSW	05 NESW	05 NWSE	05 NESE	04 NWSW	04 NESW	04 NWSE	04 NESE	03 NWSW	03 NESW	03 NWSE	03 NESE	02 NWSW	02 NESW	02 NWSE	02 NESE	01 NWSW	01 NESW	01 NWSE	01 NESE
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07 LT01	07 NENW	07 NWNE	07 NENE	08 NWNW	08 NENW	08 NWNE	08 NENE	09 NWNW	09 NENW	09 NWNE	09 NENE	10 NWNW	10 NENW	10 NWNE	10 NENE	11 NWNW	11 NENW	11 NWNE	11 NENE	12 NWNW	12 NENW	12 NWNE	12 NENE
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07 LT03	07 NESW	07 NWSE	07 NESE	08 NWSW	08 NESW	08 NWSE	08 NESE	09 NWSW	09 NESW	09 NWSE	09 NESE	10 NWSW	10 NESW	10 NWSE	10 NESE	11 NWSW	11 NESW	11 NWSE	11 NESE	12 NWSW	12 NESW	12 NWSE	12 NESE
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19 LT03	19 NESW	19 NWSE	19 NESE	20 NWSW	20 NESW	20 NWSE	20 NESE	21 NWSW	21 NESW	21 NWSE	21 NESE	22 NWSW	22 NESW	22 NWSE	22 NESE	23 NWSW	23 NESW	23 NWSE	23 NESE	24 NWSW	24 NESW	24 NWSE	24 NESE
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31 LT02	31 SENW	31 SWNE	31 SENE	32 SWNW	32 SENW	32 SWNE	32 SENE	33 SWNW	33 SENW	33 SWNE	33 SENE	34 SWNW	34 SENW	34 SWNE	34 SENE	35 SWNW	35 SENW	35 SWNE	35 SENE	36 SWNW	36 SENW	36 SWNE	36 SENE
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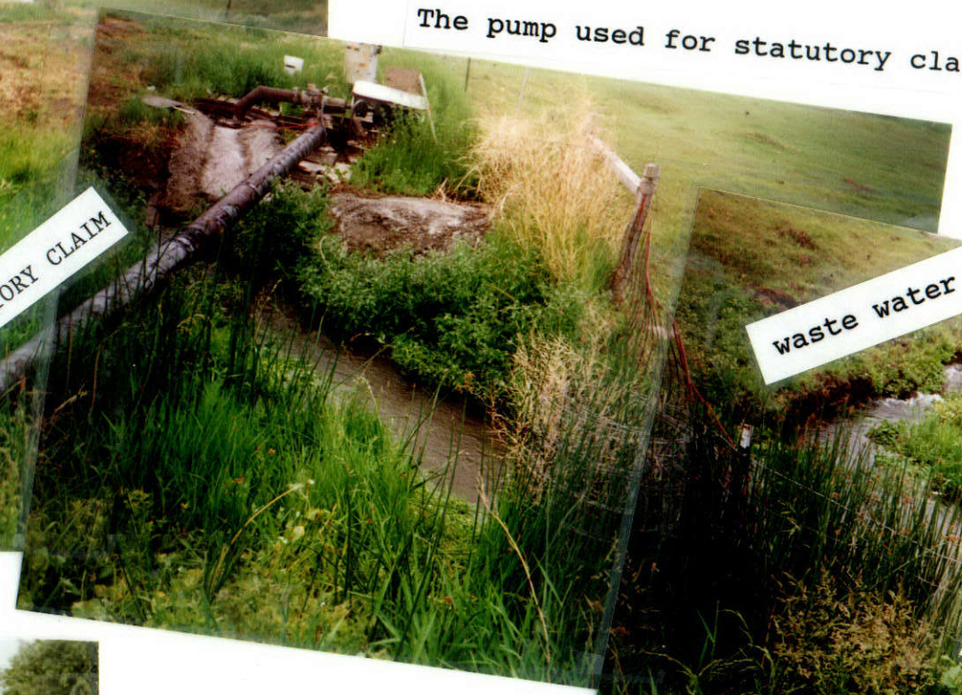
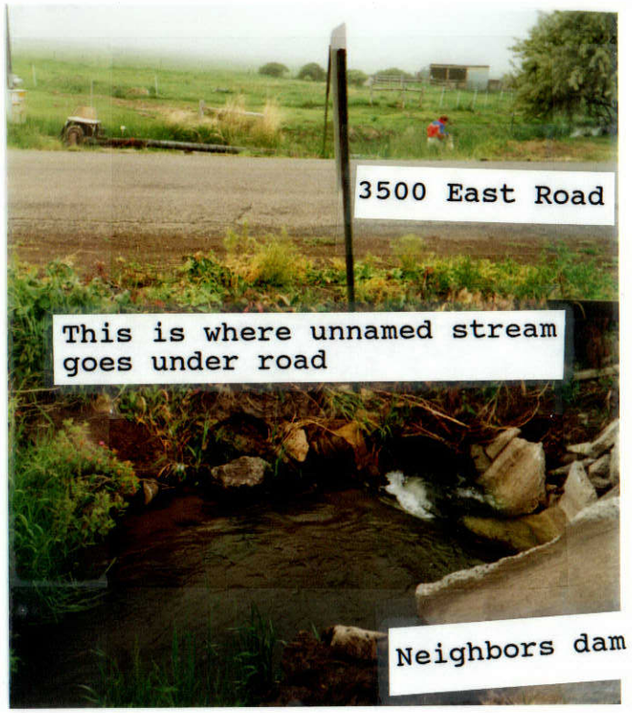
The pump used for statutory claim # A47-04050

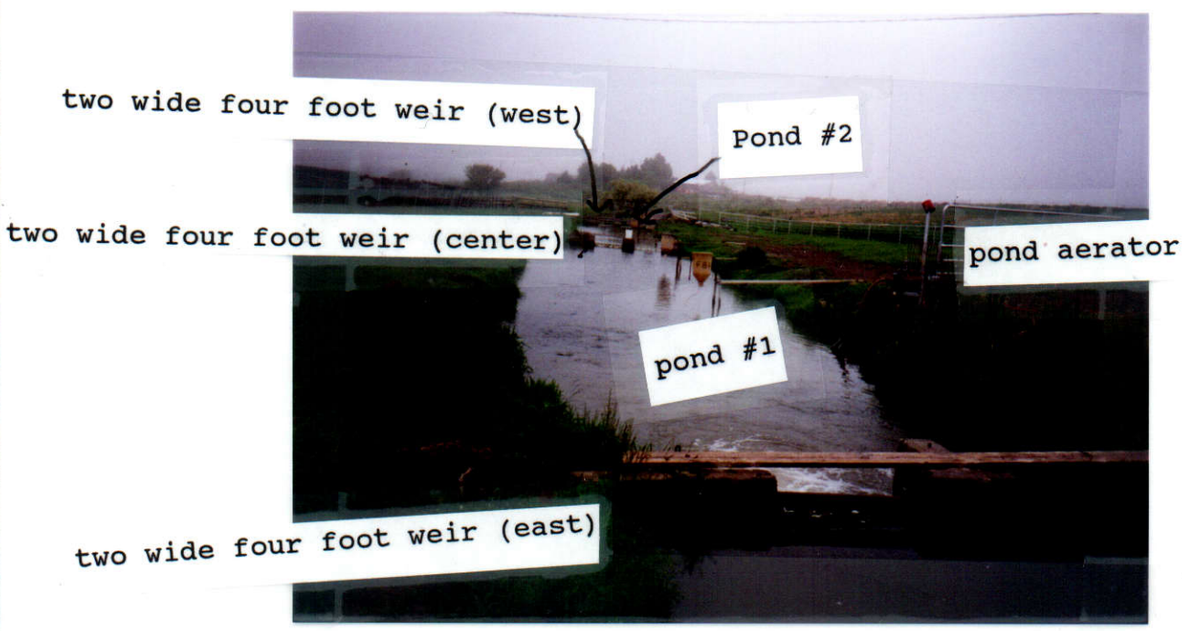


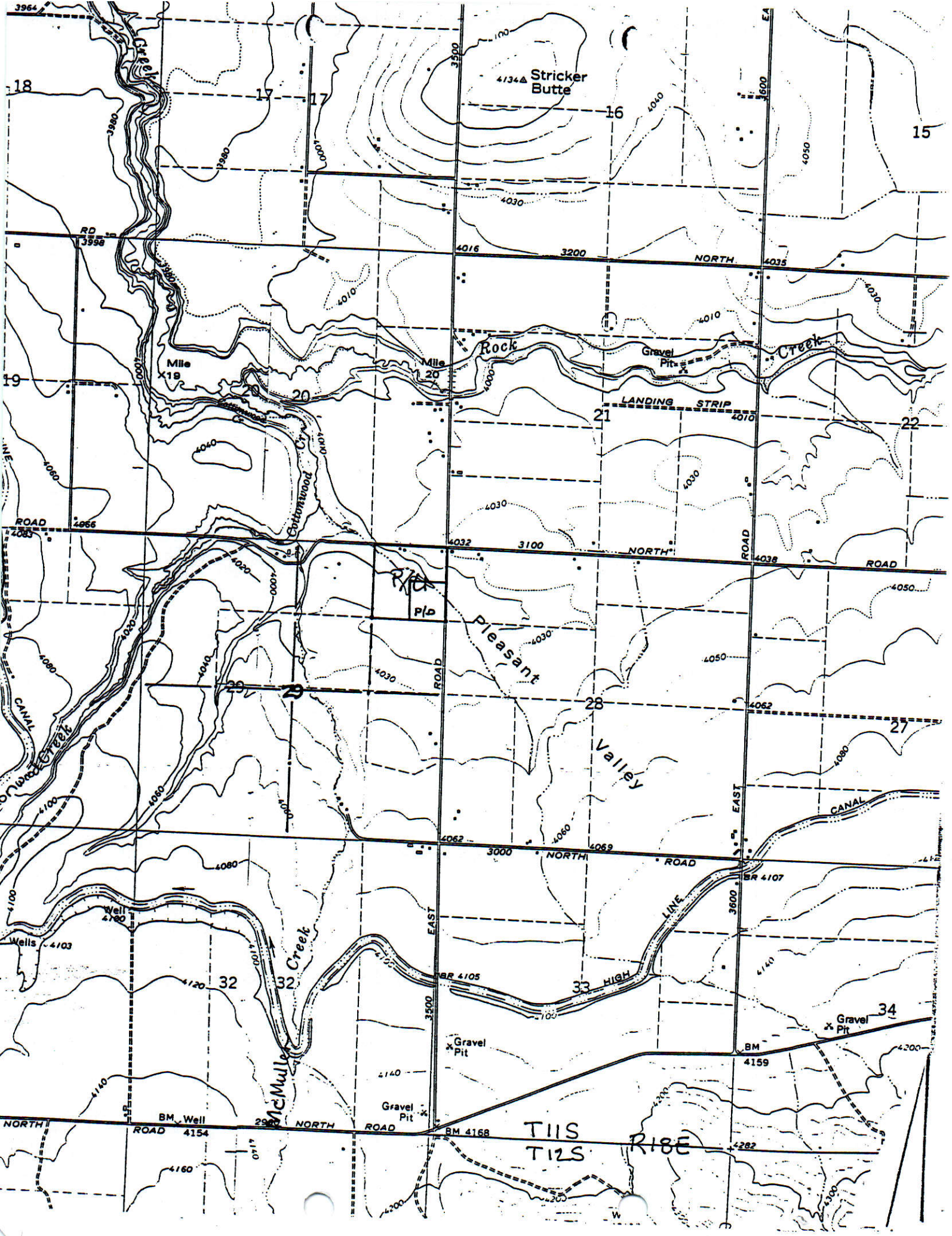
waste water from neighbors field



This is the inflow of water into the area where the two fish ponds are located. The water comes from the unnamed stream and from waster water from the neighbors pond and the neighbors field and from seepage water. The pipe running across the stream is from the statutory claim # A47-04050.

The above picture is of the unnamed stream and the location of the fish ponds. The picture below is on the two fish ponds. There is a double wide four foot weir positioned at the beginning and the end of the ponds and one double wide four foot weir positioned in the center to sperate the two ponds.

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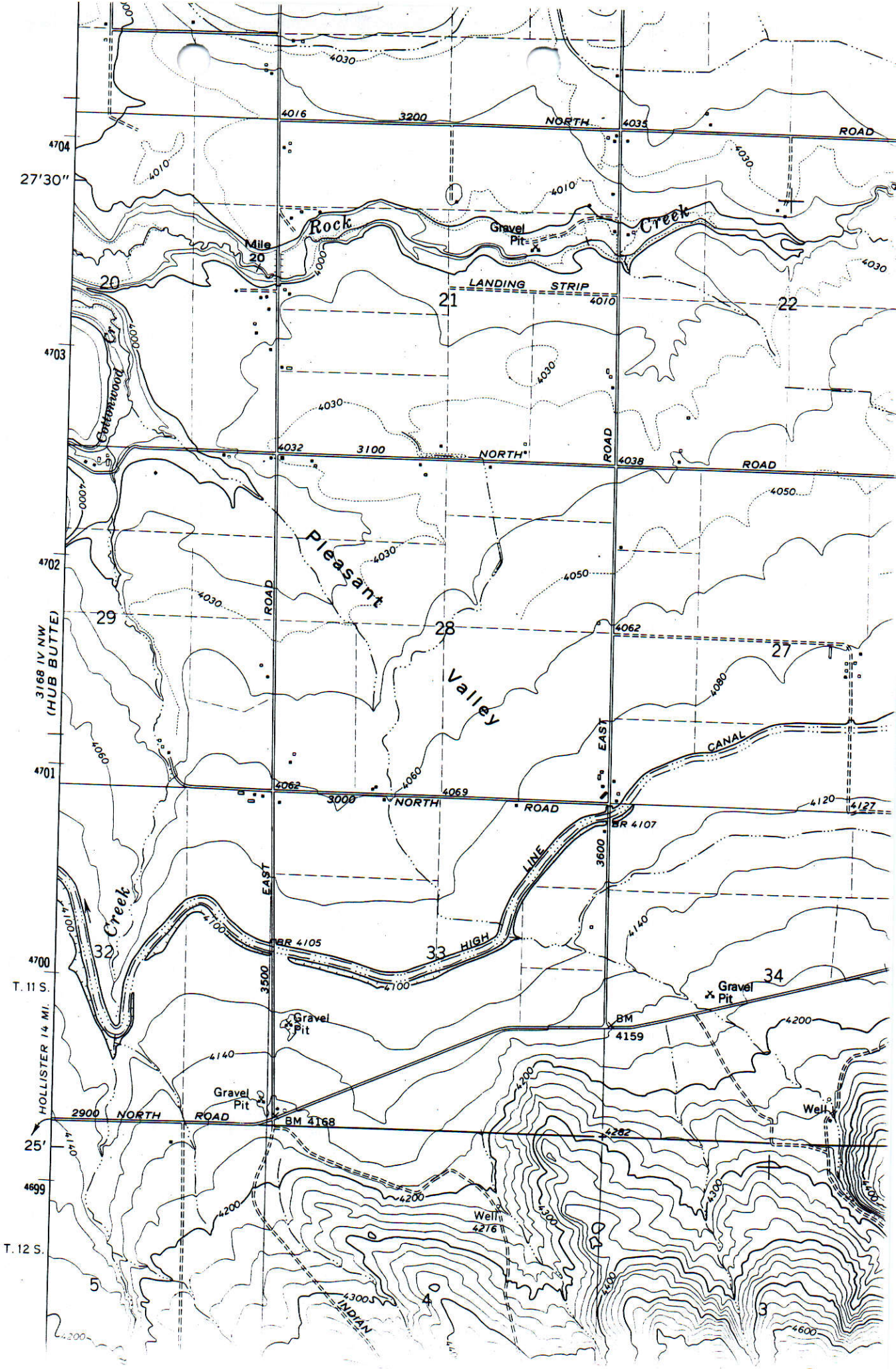
3100
3000
EAST ROAD
Pleasant Valley
CANAL
HIGH LINE
BR 4107
BR 4105
BM 4168
BM 4159
BM 4154
Well
Wells
McMullen Creek
T11S
T12S
R18E

T11S R18E S29
47-08367



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:

Georgianna Roberts
3085 N 3500 E
KIMBERLY ID 83341
47-08367

Dates Amended: 2/16/1995, 4/4/95

Source: Unnamed Stream Trib. to McMullen Creek

Diversion Pt: SE1/4NE1/4NE1/4, S29, T11S, R18E; Twin Falls County

Use: Fish prop. (4.90 cfs)

In: NE1/4NE1/4, S29, T11S, R18E.

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East., Twin Falls, ID 83301 together with a protest fee of $25.00 on or before May 22, 1995. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Dir

Published in Times News on 5/4 & 5/11/95

Affidavit of Publication

RECEIVED
JUN 12 1995
Department of Water Resources
Southern Region

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

№ 27085

I, Linda Capps McGuire being first duly sworn upon oath, depose and say that I am Legal 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 May 4, 19 95,

and ending with the issue dated May 11, 19 95.

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.

RECEIVED
AUG 25 1995

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 7 day of June in the year of 1995, before me, a Notary Public, personally appeared Linda Capps McGuire, 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.

Irva R. Fettman
Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5/19/2000

OK mB 6/29/95

Form No. 217
7/94

D2 —

FOR OFFICE USE ONLY
Amt. of Fee $: 200 00
Receipt No. 501928
Receipt By: [illegible]
Date Receipted: 5-14-96

RECEIVED
MAY 14 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 who has been appointed by the department.

1. Permit No. 47-08367 Telephone No. 423-6256

2. Name(s) of Permit Holder(s): Georgianna Roberts

3. Mailing Address: 3085 N 3500 E, Kimberly, ID 83341

4. Source of Water: Unnamed Stream If **GROUNDWATER** (well), Date Drilled: mo.____ / yr.____

a. Well Driller: ____ Drilling Permit Number: ____ - ____ - ____ - ____

b. *OPTIONAL:*
Pump Horsepower: ____ Pressure (psi): ____ Dynamic pumping level (ft): ____

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: Fish Propagation

6. Total rate of diversion and/or volume for which proof is submitted: 4.9 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 ____	Weir plate
	Has the measuring device been installed?	Yes ____	or No ✓	
Flow Measurement Port:	Is a flow measurement port required?	Yes ____	or No ✓	will be
	Has the measurement port been installed?	Yes ____	or No ____	installed

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: Permit Holder Telephone Number: ____

Address: ____

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Georgianna Roberts Date: 5-14-96
(include your title, if on behalf of company of organization)

JUN 28 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 47-08367

Proposed Priority: June 9, 1994 Maximum Diversion Rate: 4.90 CFS

This is to certify, that **GEORGIANNA ROBERTS**
3085 N 3500 E
KIMBERLY ID 83341
has applied for a permit to appropriate water from:
UNNAMED STREAM tributary of **COTTONWOOD CREEK**

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
FISH PROPAGATION	01/01 to 12/31	4.90 CFS

LOCATION OF POINT(S) OF DIVERSION: SENENE , Sec. 29, Township 11S, Range 18E
TWIN FALLS County

PLACE OF USE: FISH PROPAGATION

TWN	RGE	SEC	
11S	18E	29	NENE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **July 1, 1996.**
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 47-O.
4. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this right.
5. Assignment or sale of this right is subject to a determination by the Department that the right holder has proceeded to develop the right with due diligence and without speculation.
6. The right holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
7. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
8. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.

MICROFILMED
AUG 25 1995

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

21st day of August, 1995.

for L. Glen Saxton
Karl J. Dreher, Director

RECEIVED
JUL 06 1995

RECEIVED
Form 2202
10/92

Department of Water Resources

Ident. No. 47-08367

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 10 1994 Amended

APPLICATION FOR PERMIT

Department of Water Resources
Southern Region Office

To appropriate the public waters of the State of Idaho

1. Name of applicant Georgianna Roberts Phone 423-6256.

   Post office address 3085 N 3500 E; Kimberly, ID 83341.

D.R. Amended 4-4-95 MTS.

2. Source of water supply Unnamed Stream which is a tributary of ~~McMullen Creek~~. Cottonwood Cr. *

3. Location of point of diversion is ~~SW~~ SE ¼ of ~~SE~~ NE ¼ of ~~SE~~ NE ¼, Govt. Lot _____

   Sec. 29. Township 11S Range 18E B.M. Twin Falls County; additional

   points of diversion if any: _____

Amended 2-16-95 D.R. MTS.

4. Water will be used for the following purposes:

   Amount ~~5.0~~ 4.90 cfs for Fish Propagation 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)

5. Total quantity to be appropriated is (a) ~~5.0~~ 4.90 (cubic feet per second) and/or (b) _____ (acre feet per annum)

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Water collects and seeps into a natural channel before flowing into 1st pond. Check gates control flow from 1st to 2nd pond.

   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

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

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

   e. If well is already drilled, when? _____; Drilling firm _____;

   Well was drilled for *(well owner)* _____

AUDITED AUG 25 1995

7. Time required for the completion of the works and application of the water to be proposed beneficial use is 1 years *(minimum 1 year)*.

* per map 7/20/95 c.s.

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. Commercial fish rearing

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 of use below. See instructions for standard symbols.

S.R. amended 4-4-85

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	18E	29.	H															H	

NTD.

H= Fish Propagation

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None.

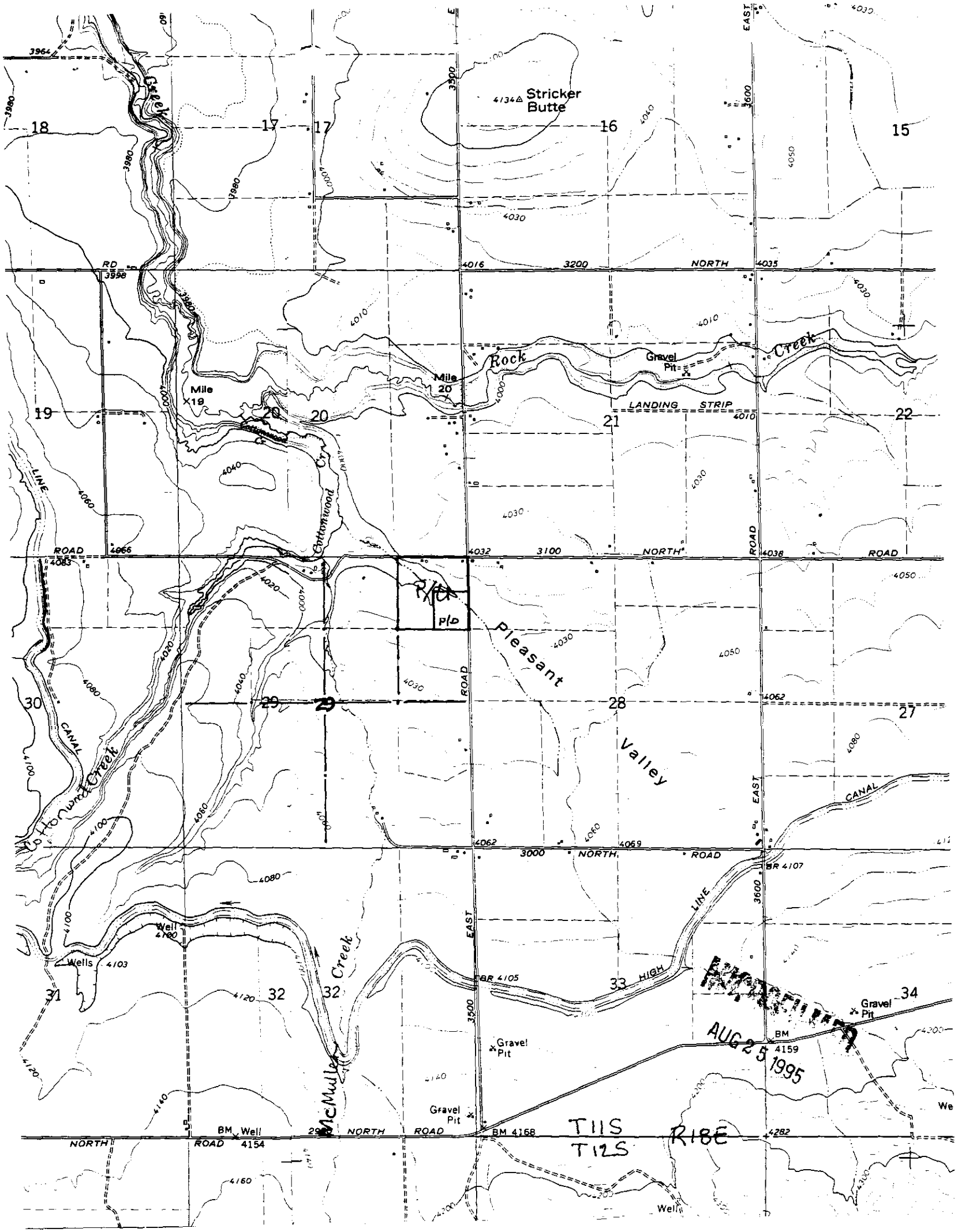
11. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? "

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: 2 earthen ponds are used - dimensions are: 25' X 100' X 4'. The water source is seepage water and waste water that collects into a natural channel.

RECEIVED
AUG 25 1983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EAST ROAD
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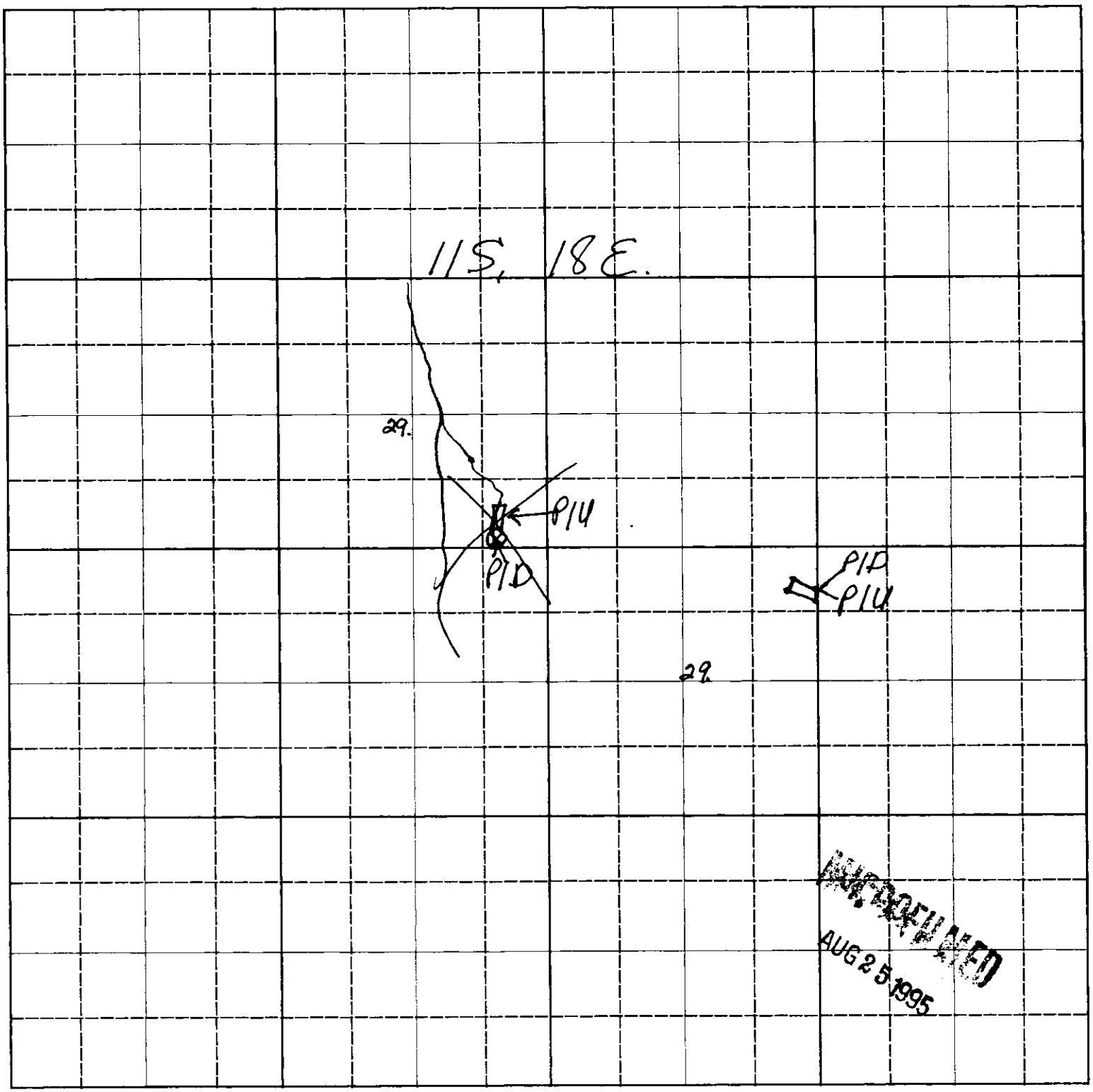
McMullen Creek
Well 4100
Wells 4103
BM 4107
BM 4105
BM 4168
BM 4159
BM Well 4154
T11S
T12S
R18E
AUG 25 1995

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.

Lurgania Robert
(Applicant)

4-4-95 - Amended 12:15

Received by MTS Date 6-9-94 Time 4:50 Preliminary check by J G Stanton 4-4-95

Fee $ 125 $50 Receipted by MTS MTS # 5016993 5019942 Date 6-9-94

Publication prepared by MB Date 6/15/94, 4/17/95 Published in Lewiston Morning Tribune

Publication approved MBaldwin Date 8/18/94, 6/29/95

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 ____.

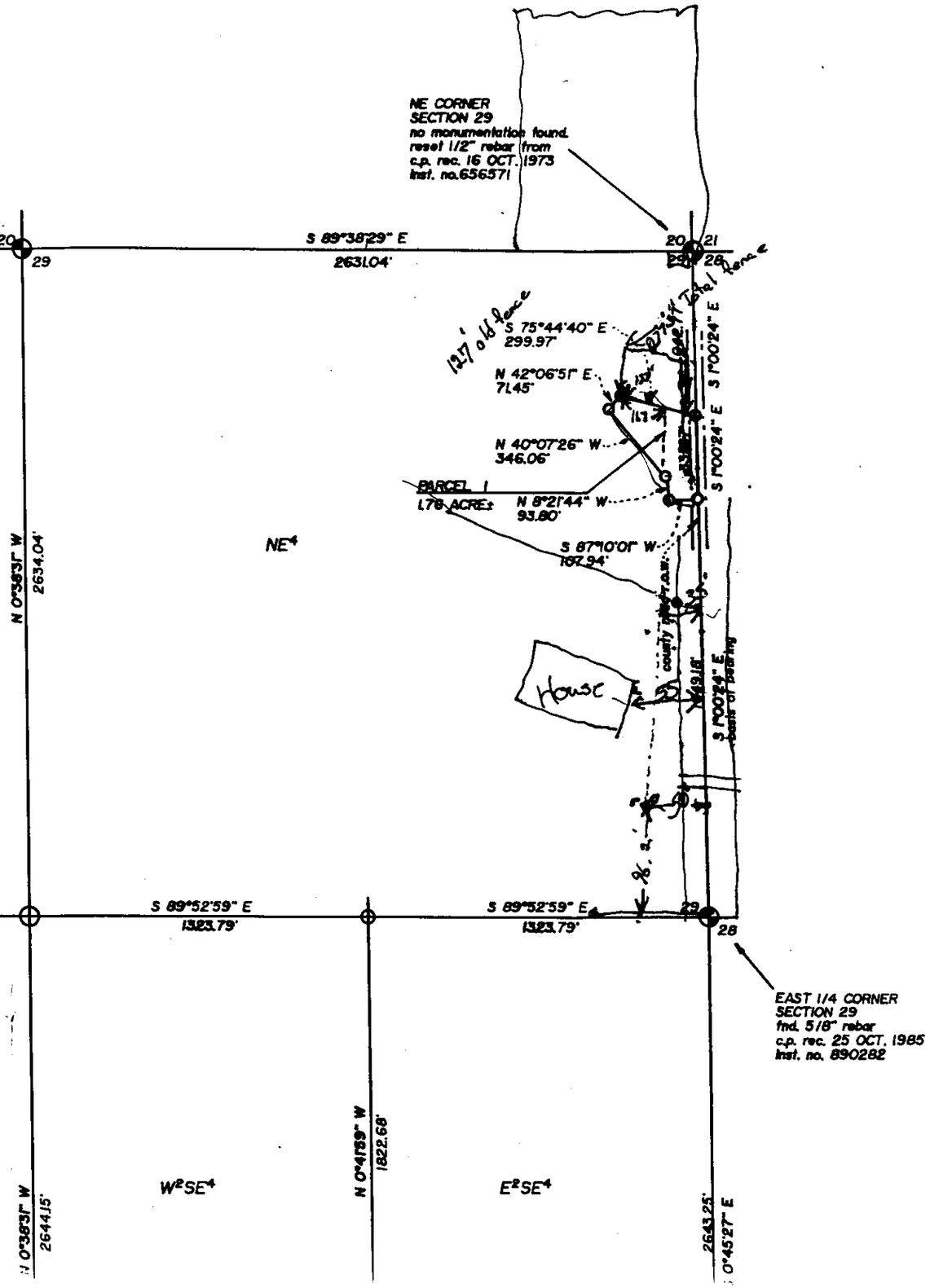
   c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

   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
AUG 25 1995

DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST. EAST
TWIN FALLS, ID 83301-6105



PROPERTY DESCRIPTION - PARCEL 1

Part of the NE¼NE¼ of Section 29 of Township 11 South, Range 18 East of the Boise Meridian, Twin Falls County, State of Idaho.

Beginning at the NE corner of Section 29 of T.11 S, R.18 E.,B.M. said corner marked by a 1/2" rebar; thence S 1°00'24" E along section line for 642.77 feet to a P.K. Nail which shall be the Point of Beginning;

Thence S 1°00'24" E along section line for 331.27 feet to a P.K. Nail;
Thence S 87°10'01" W for 107.94 feet to a ½" rebar;
Thence N 8°21'44" W for 93.80 feet to a ½" rebar;
Thence N 40°07'26" W for 346.06 feet to a ½" rebar;
Thence N 42°06'51" E for 71.45 feet to a ½" rebar;
Thence S 75°44'40" E for 299.97 feet to the Point of Beginning.

Contains 1.76 acre more or less and is subject to a county road right of way along the east side.

PROPERTY DESCRIPTION - PARCEL 2

Part of the SE¼SE¼ of Section 29 of Township 11 South, Range 18 East of the Boise Meridian, Twin Falls County, State of Idaho.

Beginning at the SW corner of the SE¼SE¼ of Section 29 of T.11 S., R.18 E.,B.M. said corner marked by a ½" rebar which shall be the Point of Beginning;

Thence N 0°41'59" W along the west line of the SE¼SE¼ for 821.02 feet to a ½" rebar;
Thence S 70°04'27" E for 194.48 feet to a ½" rebar;
Thence S 0°14'05" E for 754.98 feet to a ½" rebar on section line;
Thence N 89°54'15" W along section line for 175.90 feet to the Point of Beginning.

Contains 3.24 acre more or less and is subject to a county road right of way along the south side.

47-8367

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 1997
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-08367

1. Owner Roberts, Georgianna Phone No. (208) 423-6256

Current Address: 3085 North, 3500 East, Kimberly, Idaho 833341

2. Accompanied by: OWNER EXAM DATE : JUNE 13, 1997

Address: SAME AS ABOVE Phone No. SAME AS ABOVE

Relationship to Permit Holder: OWNER

3. Source: UNAMED STREAM tributary to COTTONWOOD CREEK

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

Ident No.	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
P/D		SE	NE	NE	29	11S	18E	TWIN FALLS	Visual inspection using Rolotape measuring device (model # MM-50) and use of USGS Quadrangle map and ASCS photo.

2. **Place(s) of Use:** Indicate Method of Determination SAME AS ABOVE

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	29	X																

PLEASE NOTE: The use for this permit is Fish Propagation and is marked with an X.

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED SHEET.

YES Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
YES Aerial Photo Attached (required for irrigation of 10+ acres).
YES Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
NONE					

**Code to correspond with No. on map and aerial photo*

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
SWOFFER DIGITAL CURRENT METER	DIGITAL FLOW METER		2100 SERIES	NOT KNOWN	NOT KNOWN	NOT KNOWN

2. **Measurements:** The owner had a set of two four foot weirs entering the ponds. However, I was not confident with the installation of these weirs and choose to use the Swoffer Current meter. I have all of the measurements from the weir and the Swoffer Current meter on an attached sheet. The recommended flow rate will be 9.71 cfs.

E. NARRATIVE/REMARKS/COMMENTS

The water for this permit comes from an unnamed stream in the SE - NE - NE 1/4 of section 29 - township 11S - range 18E. This stream carries waste water and seepage water to Cottonwood Creek. There are numerous rights that draw water from this stream. The closest of these rights is a pump that draws water from the stream approximately 160 feet east of the point of diversion or first weir gate. This permit is for an on stream use and has no other water rights attached to it.

The owner uses these ponds to raise trout for commercial use. The ponds are used between mid May and the end of December depending on the amount of water that is available and the growing time needed for the fish.

Have conditions of permit approval been met? _X_ yes ___ no

F. FLOW CALCULATIONS _YES_ Additional Computation Sheets Attached

Measured Method:

Weirs using IDWR staff gage:

NORTH WEIR = 3.37 CFS
SOUTH WEIR = 6.50 CFS
TOTAL = 9.87 CFS (SEE ATTACHED SHEET)

SWOFFER METER:

MEASUREMENTS = 9.71 CFS (SEE ATTACHED SHEET)

PLEASE NOTE: THIS AMOUNT WILL BE LIMITED BY THE PERMITTED AMOUNT OF 4.9 CFS. HOWEVER THIS IS AN ON STREAM USE AND ALL OF THE WATER FLOWING IN THE STREAM MUST PASS THROUGH THE FISH PONDS.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = _____

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = _____

B

2. Volume Calculations for Other Uses:

FACILITY VOLUME = 9212.4 CUBIC FEET OR .2 ACRE FEET (See attached sheet)

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Facility volume
FISH PROPAGATION	MAY 10	DEC. 31	4.90 CFS	9212.4 CU FT

Totals: 4.90 CFS 9212.4 CU FT

2. Recommended Amendments

__ Change P.D. as reflected above __ Add P.D. as reflected above X None
__ Change P.U. as reflected above __ Add P.U. as reflected above __ Other

I. AUTHENTICATION

Field Examiner's Name Daniel A. Nelser Date 6-24-97

Reviewer _____ Date _____ SEAL

RECOMMENDATIONS:

I recommend that this water right be licensed under the following conditions:

1. **That this permit be licensed with a 4.90 cfs diversion rate and a facility volume of 9212.4 cubic feet or .2 acre feet.**

2. **That the owner of this water right abide the state and federal water quality standards.**

3. **That this water right be subject to all other prior rights on this stream.**

GEORGINA ROBERTS -- PERMIT NUMBER 47-08367

	DISTANCE	WIDTH	DEPTH	VELOCITY	CFS
EDGE OF WATER	3.5	0.25	0	0	0
	4	0.5	1	0.02	0.01
	4.5	0.5	2	0.11	0.11
	5	0.5	2	0.17	0.17
	5.5	0.5	1.7	0.15	0.1275
	6	0.5	1.7	0.15	0.1275
	6.5	0.5	1.7	0.09	0.0765
	7	0.5	1.7	0.08	0.068
	7.5	0.5	1.7	0.02	0.017
	8	0.5	1.7	0.17	0.1445
	8.5	0.5	1.7	0.46	0.391
	9	0.5	1.8	0.76	0.684
	9.5	0.5	1.8	0.94	0.846
	10	0.5	2	1.07	1.07
	10.5	0.5	2.1	0.99	1.0395
	11	0.5	2.1	1.01	1.0605
	11.5	0.5	2.2	1.05	1.155
	12	0.5	2.2	0.95	1.045
	12.5	0.5	2.2	0.65	0.715
	13	0.5	2.2	0.49	0.539
	13.5	0.5	2.1	0.16	0.168
	14	0.5	1.9	0.07	0.0665
	14.5	0.5	1.8	0.09	0.081
	15	0.5	1.8	0	0
	15.5	0.5	1.8	0	0
EDGE OF WATER	16	0.25	0	0	
TOTALS		12.25			9.7115

FLOW RATE WAS CALCULATED USING USGS FLOW RATE STANDARDS

STAFF GAGE READINGS

OWNERS GAGE:

OWNERS GAGE READ 1.16 FEET

FOR A 4 FOOT SUPPRESSED RECTANGULAR WEIR THIS WOULD EQUAL 16.64 CFS

THIS GAGE WAS NOT INSTALLED CORRECTLY WITH THE TOP OF THE WEIR PLATE. THIS GAGE SHOULD HAVE READ APPROXIMATELY .52 FEET.

IDAHO DEPARTMENT OF WATER RESOURCES GAGE:

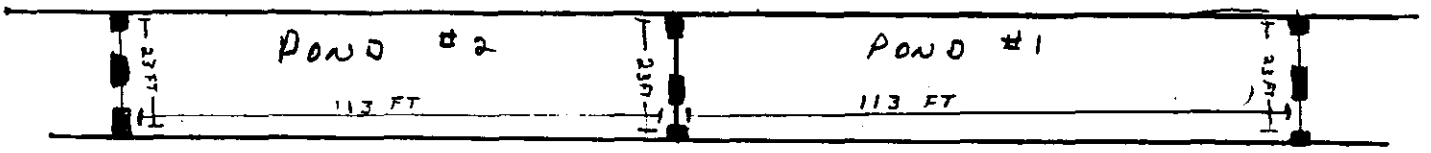
ON THE NORTH SIDE WEIR THE STAFF GAGE READ .4 FEET WHICH FOR A 4 FOOT SUPPRESSED RECTANGULAR WEIR WOULD EQUAL 3.37 CFS.

ON THE SOUTH SIDE WEIR THE STAFF GAGE READ .62 FEET WHICH FOR A 4 FOOT RECTANGULAR WEIR WOULD EQUAL 6.50 CFS.

THE TOTAL FOR BOTH SIDES ACCORDING TO THE STAFF GAGES IS 9.87 CFS.

PLEASE NOTE:

THE WEIRS WERE NOT INSTALLED CORRECTLY. THEY WERE OBVIOUSLY NOT LEVEL. THEREFORE, I WILL BE USING THE FLOW RATE OBTAINED BY THE SWOFFER DIGITAL CURRENT METER.



SURFACE AREA

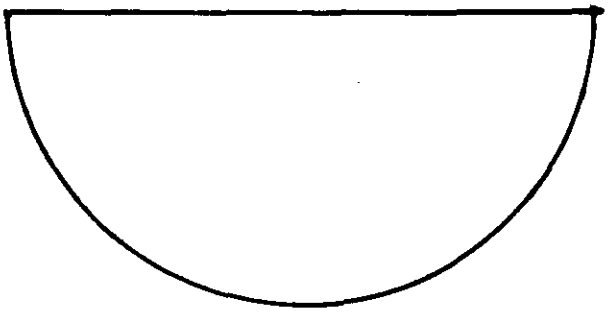
POND # 2

113 FT. X 23 FT. = 2559 SQ FT

POND # 1

113 FT. X 23 FT. = 2559 SQ FT

Depth



PLEASE NOTE: MEASUREMENT TAKEN APPROX. EVERY 1.5 FEET

0	.6	.7	.9	1.9	2.1	2.3	2.5	2.6	2.8	2.8	2.8	2.7	2.6	2.7	.2	0

AVERAGE DEPTH CALCUALATION:

0 + .6 + .7 + .9 + 1.9 + 2.1 + 2.3 + 2.5 + 2.6 + 2.8 + 2.8 + 2.8 +

2.7 + 2.6 + 2.7 + .2 + 0 = 30.2

30.2 / 17 = 1.8 FT AVERAGE DEPTH

AREA CALCULATION

POND # 1 -

2559 SQ FT (SURFACE AREA) X 1.8 FT (AVE. DEPTH) = 4606.2 CUBIC FEET

POND # 2 -

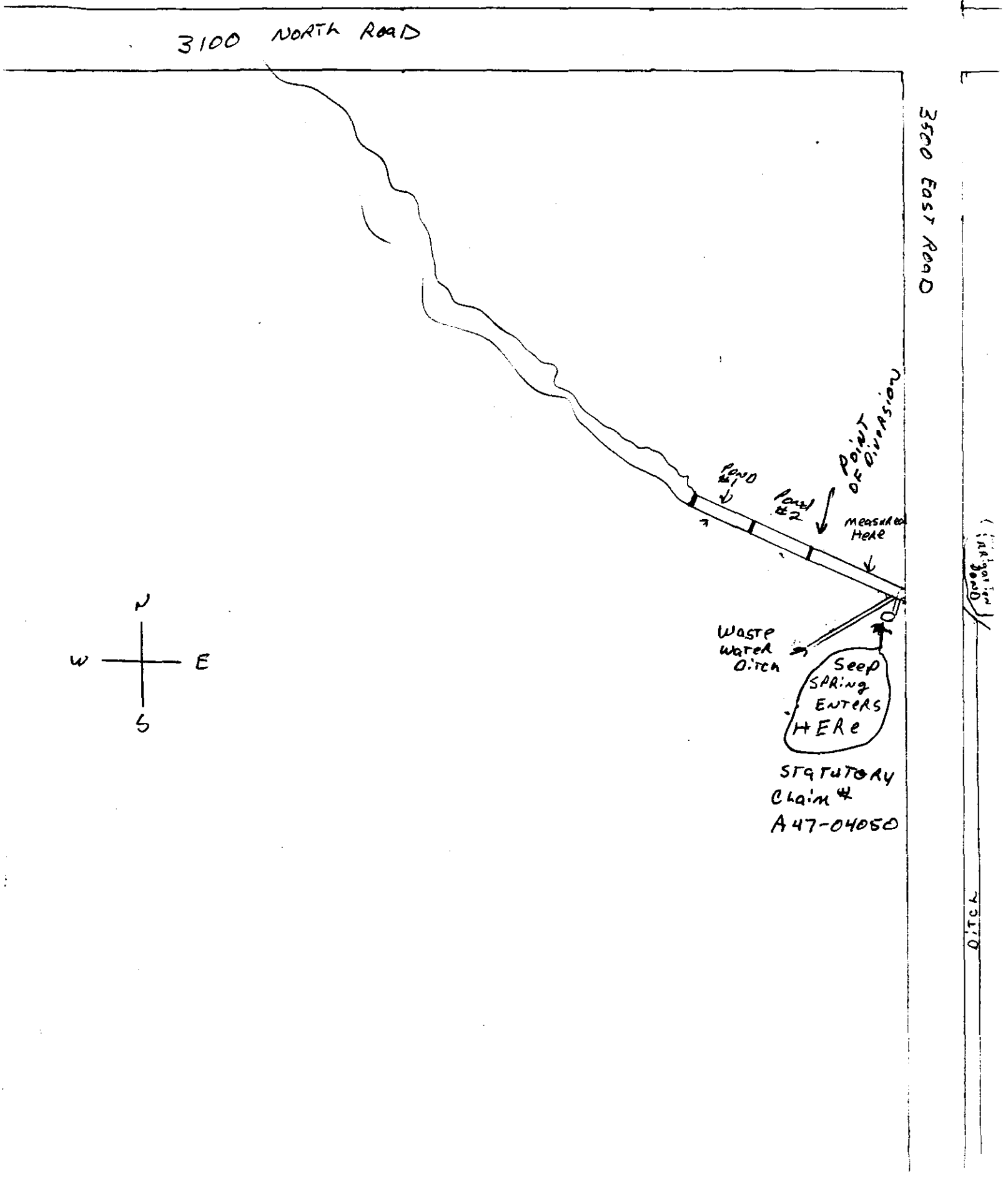
2559 SQ FT (SURFACE AREA) X 1.8 FT (AVE. DEPTH) = 4606.2 CUBIC FEET

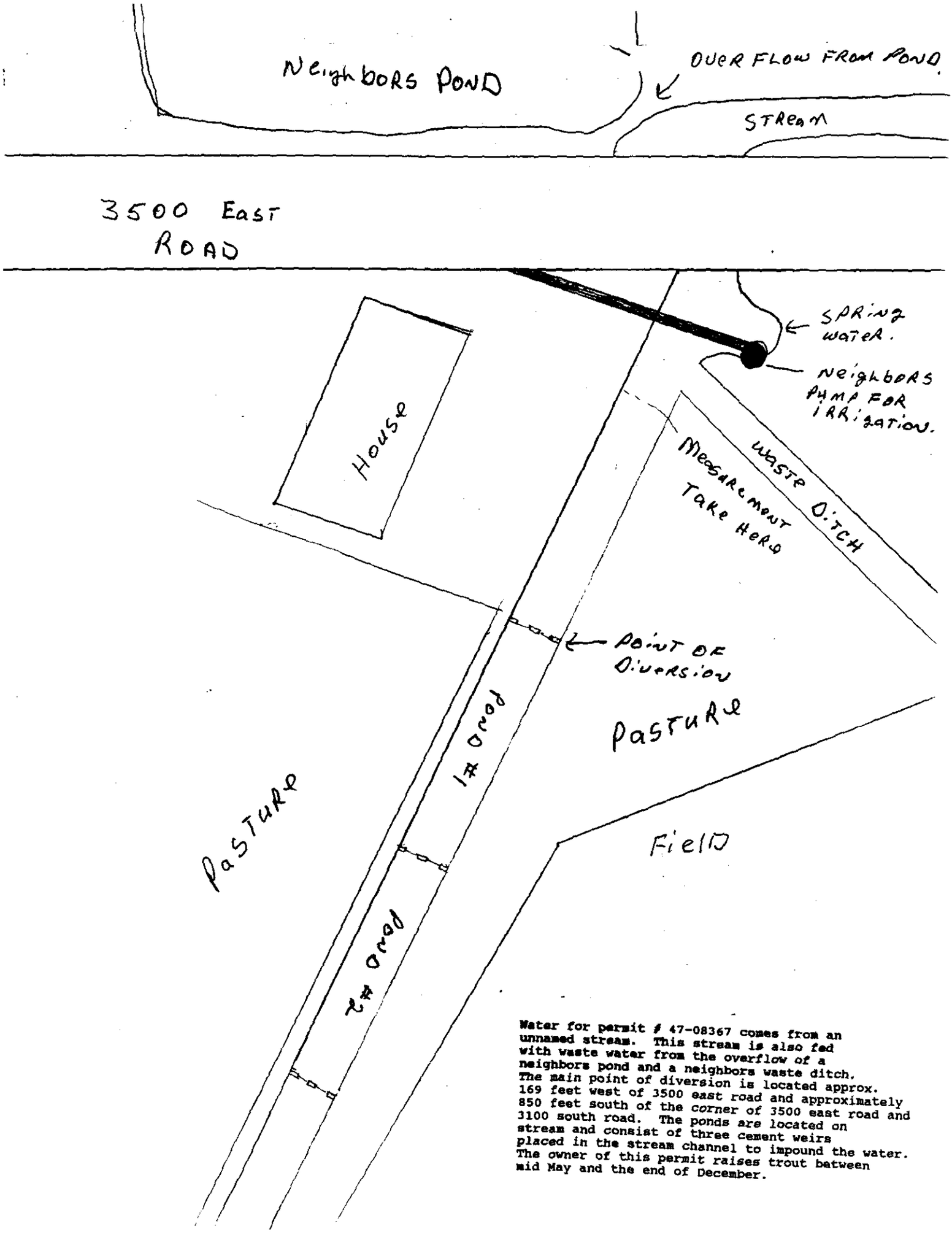
TOTAL CUBIC FEET -

4606.2 (POND 1) + 4606.2 (POND 2) = 9212.4 CUBIC FEET

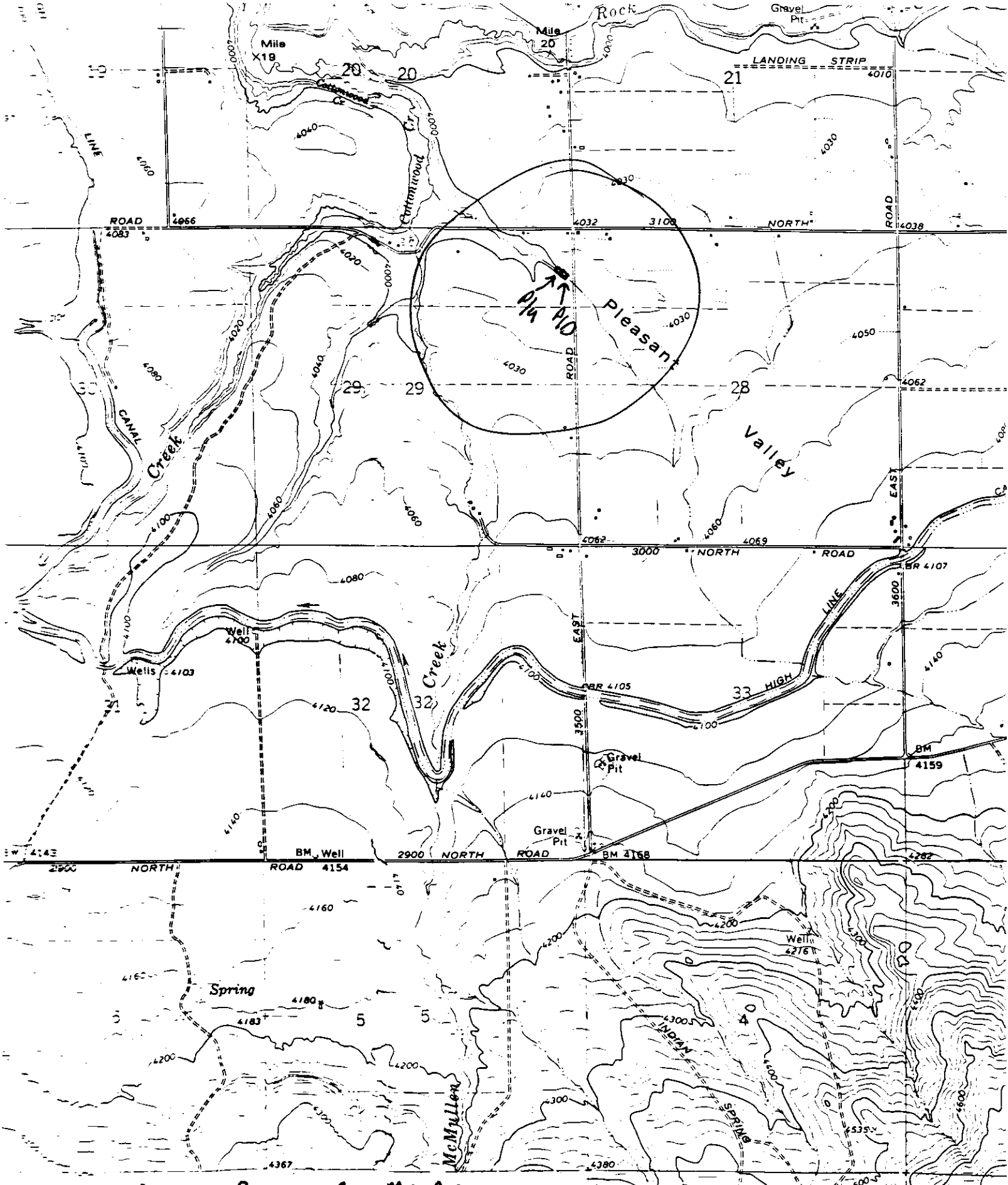
TOTAL ACRE FEET -

9212.4 / 43560 = .2 ACRE FEET


3100 NORTH ROAD
3500 EAST ROAD
POINT OF DIVERSION
Pond #1
Pond #2
Measured Here
Irrigation Pond
Waste Water Ditch
Seep Spring Enters HERE
STATUTORY Claim # A47-04050
Ditch
N
W
E
S

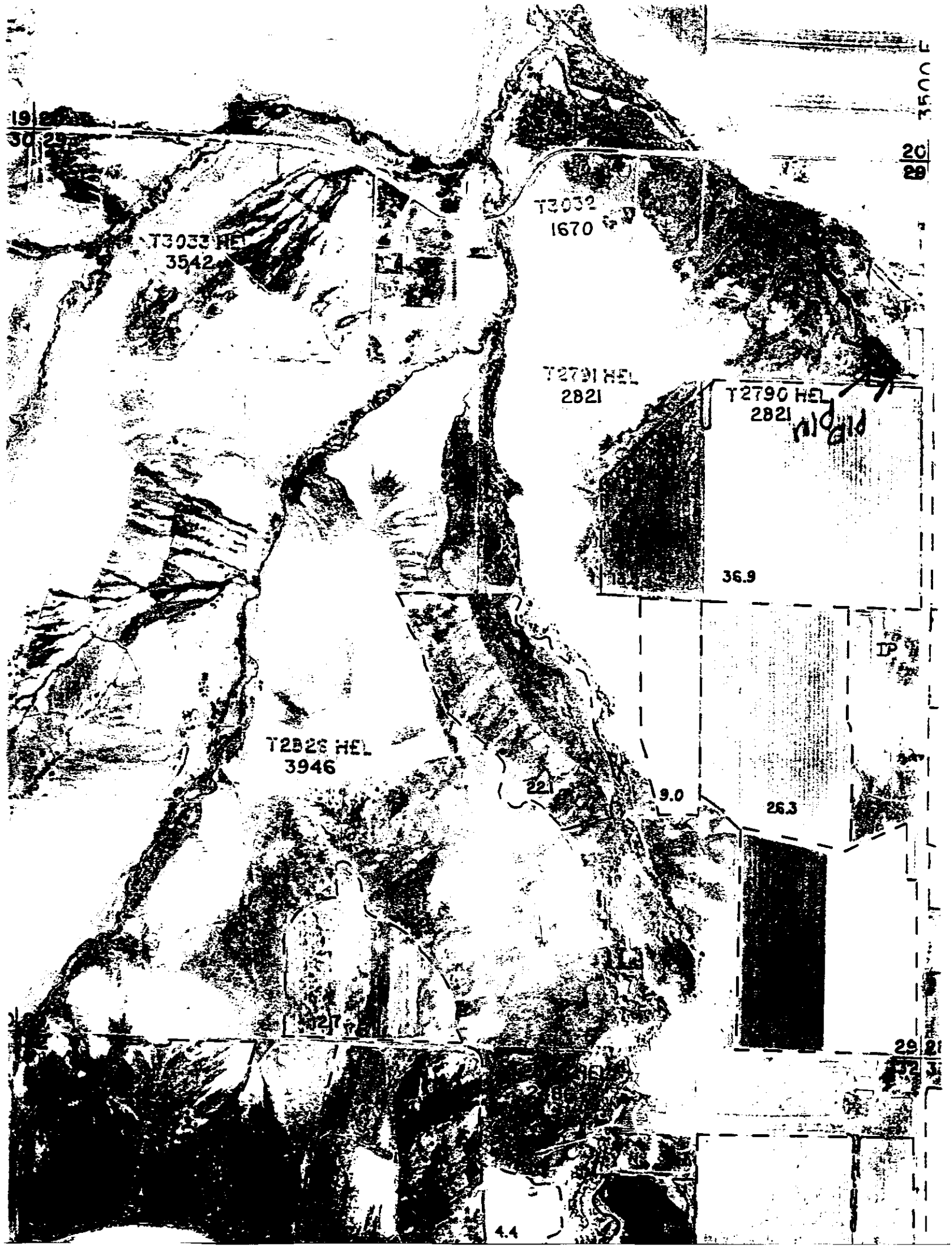


Water for permit # 47-08367 comes from an unnamed stream. This stream is also fed with waste water from the overflow of a neighbors pond and a neighbors waste ditch. The main point of diversion is located approx. 169 feet west of 3500 east road and approximately 850 feet south of the corner of 3500 east road and 3100 south road. The ponds are located on stream and consist of three cement weirs placed in the stream channel to impound the water. The owner of this permit raises trout between mid May and the end of December.



USGS QUAD RANGLE MAPS

CC 24 AND CC 23


19
30
29
20
29
T3032
1670
T3033 HEL
3542
T2791 HEL
2821
T2790 HEL
2821
36.9
IP
T2828 HEL
3946
22.1
9.0
26.3
29
4.4

1S18E

06 LT04	06 LT03	06 LT02	06 LT01	05 LT04	05 LT03	05 LT02	05 LT01	04 LT04	04 LT03	04 LT02	04 LT01	03 LT04	03 LT03	03 LT02	03 LT01	02 LT04	02 LT03	02 LT02	02 LT01	01 LT04	01 LT03	01 LT02	01 LT01
06 LT05	06 SENW	06 SWNE	06 SENE	05 SWNW	05 SENW	05 SWNE	05 SENE	04 SWNW	04 SENW	04 SWNE	04 SENE	03 SWNW	03 SENW	03 SWNE	03 SENE	02 SWNW	02 SENW	02 SWNE	02 SENE	01 SWNW	01 SENW	01 SWNE	01 SENE
06 LT06	06 NESW	06 NWSE	06 NESE	05 NWSW	05 NESW	05 NWSE	05 NESE	04 NWSW	04 NESW	04 NWSE	04 NESE	03 NWSW	03 NESW	03 NWSE	03 NESE	02 NWSW	02 NESW	02 NWSE	02 NESE	01 NWSW	01 NESW	01 NWSE	01 NESE
06 LT07	06 SESW	06 SWSE	06 SESE	05 SWSW	05 SESW	05 SWSE	05 SESE	04 SWSW	04 SESW	04 SWSE	04 SESE	03 SWSW	03 SESW	03 SWSE	03 SESE	02 SWSW	02 SESW	02 SWSE	02 SESE	01 SWSW	01 SESW	01 SWSE	01 SESE
07 LT01	07 NENW	07 NWNE	07 NENE	06 NWNW	06 NENW	06 NWNE	06 NENE	05 NWNW	05 NENW	05 NWNE	05 NENE	04 NWNW	04 NENW	04 NWNE	04 NENE	03 NWNW	03 NENW	03 NWNE	03 NENE	02 NWNW	02 NENW	02 NWNE	02 NENE
07 LT02	07 SENW	07 SWNE	07 SENE	06 SWNW	06 SENW	06 SWNE	06 SENE	05 SWNW	05 SENW	05 SWNE	05 SENE	04 SWNW	04 SENW	04 SWNE	04 SENE	03 SWNW	03 SENW	03 SWNE	03 SENE	02 SWNW	02 SENW	02 SWNE	02 SENE
07 LT03	07 NESW	07 NWSE	07 NESE	06 NWSW	06 NESW	06 NWSE	06 NESE	05 NWSW	05 NESW	05 NWSE	05 NESE	04 NWSW	04 NESW	04 NWSE	04 NESE	03 NWSW	03 NESW	03 NWSE	03 NESE	02 NWSW	02 NESW	02 NWSE	02 NESE
07 LT04	07 SESW	07 SWSE	07 SESE	06 SWSW	06 SESW	06 SWSE	06 SESE	05 SWSW	05 SESW	05 SWSE	05 SESE	04 SWSW	04 SESW	04 SWSE	04 SESE	03 SWSW	03 SESW	03 SWSE	03 SESE	02 SWSW	02 SESW	02 SWSE	02 SESE
10 LT01	10 NENW	10 NWNE	10 NENE	17 NWNW	17 NENW	17 NWNE	17 NENE	16 NWNW	16 NENW	16 NWNE	16 NENE	15 NWNW	15 NENW	15 NWNE	15 NENE	14 NWNW	14 NENW	14 NWNE	14 NENE	13 NWNW	13 NENW	13 NWNE	13 NENE
10 LT02	10 SENW	10 SWNE	10 SENE	17 SWNW	17 SENW	17 SWNE	17 SENE	16 SWNW	16 SENW	16 SWNE	16 SENE	15 SWNW	15 SENW	15 SWNE	15 SENE	14 SWNW	14 SENW	14 SWNE	14 SENE	13 SWNW	13 SENW	13 SWNE	13 SENE
10 LT03	10 NESW	10 NWSE	10 NESE	17 NWSW	17 NESW	17 NWSE	17 NESE	16 NWSW	16 NESW	16 NWSE	16 NESE	15 NWSW	15 NESW	15 NWSE	15 NESE	14 NWSW	14 NESW	14 NWSE	14 NESE	13 NWSW	13 NESW	13 NWSE	13 NESE
10 LT04	10 SESW	10 SWSE	10 SESE	17 SWSW	17 SESW	17 SWSE	17 SESE	16 SWSW	16 SESW	16 SWSE	16 SESE	15 SWSW	15 SESW	15 SWSE	15 SESE	14 SWSW	14 SESW	14 SWSE	14 SESE	13 SWSW	13 SESW	13 SWSE	13 SESE
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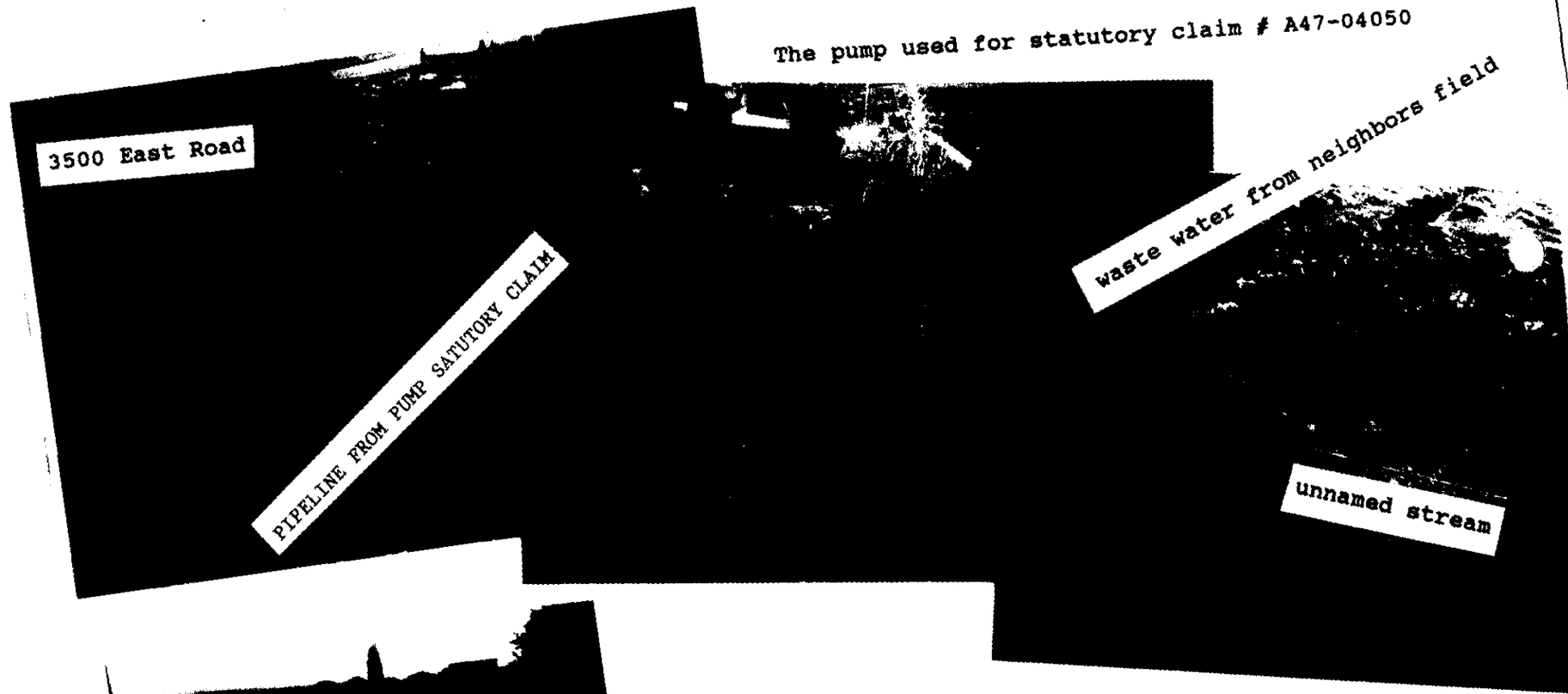
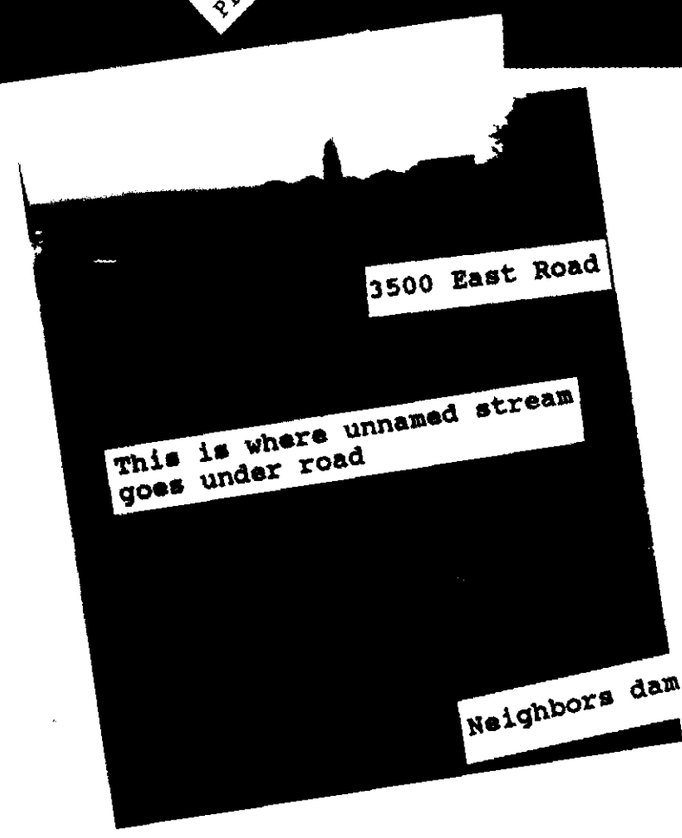
19 LT02	19 SENW	19 SWNE	19 SENE	20 SWNW	20 SENW	20 SWNE	20 SENE	21 SWNW	21 SENW	21 SWNE	21 SENE	22 SWNW	22 SENW	22 SWNE	22 SENE	23 SWNW	23 SENW	23 SWNE	23 SENE	24 SWNW	24 SENW	24 SWNE	24 SENE
19 LT03	19 NESW	19 NWSE	19 NESE	20 NWSW	20 NESW	20 NWSE	20 NESE	21 NWSW	21 NESW	21 NWSE	21 NESE	22 NWSW	22 NESW	22 NWSE	22 NESE	23 NWSW	23 NESW	23 NWSE	23 NESE	24 NWSW	24 NESW	24 NWSE	24 NESE
19 LT04	19 SESW	19 SWSE	19 SESE	20 SWSW	20 SESW	20 SWSE	20 SESE	21 SWSW	21 SESW	21 SWSE	21 SESE	22 SWSW	22 SESW	22 SWSE	22 SESE	23 SWSW	23 SESW	23 SWSE	23 SESE	24 SWSW	24 SESW	24 SWSE	24 SESE
30 LT01	30 NENW	30 NWNE	30 NENE	29 NWNW	29 NENW	29 NWNE	29 NENE	28 NWNW	28 NENW	28 NWNE	28 NENE	27 NWNW	27 NENW	27 NWNE	27 NENE	26 NWNW	26 NENW	26 NWNE	26 NENE	25 NWNW	25 NENW	25 NWNE	25 NENE
30 LT02	30 SENW	30 SWNE	30 SENE	29 SWNW	29 SENW	29 SWNE	29 SENE	28 SWNW	28 SENW	28 SWNE	28 SENE	27 SWNW	27 SENW	27 SWNE	27 SENE	26 SWNW	26 SENW	26 SWNE	26 SENE	25 SWNW	25 SENW	25 SWNE	25 SENE
30 LT03	30 NESW	30 NWSE	30 NESE	29 NWSW	29 NESW	29 NWSE	29 NESE	28 NWSW	28 NESW	28 NWSE	28 NESE	27 NWSW	27 NESW	27 NWSE	27 NESE	26 NWSW	26 NESW	26 NWSE	26 NESE	25 NWSW	25 NESW	25 NWSE	25 NESE
30 LT04	30 SESW	30 SWSE	30 SESE	29 SWSW	29 SESW	29 SWSE	29 SESE	28 SWSW	28 SESW	28 SWSE	28 SESE	27 SWSW	27 SESW	27 SWSE	27 SESE	26 SWSW	26 SESW	26 SWSE	26 SESE	25 SWSW	25 SESW	25 SWSE	25 SESE
31 LT01	31 NENW	31 NWNE	31 NENE	32 NWNW	32 NENW	32 NWNE	32 NENE	33 NWNW	33 NENW	33 NWNE	33 NENE	34 NWNW	34 NENW	34 NWNE	34 NENE	35 NWNW	35 NENW	35 NWNE	35 NENE	36 NWNW	36 NENW	36 NWNE	36 NENE
31 LT02	31 SENW	31 SWNE	31 SENE	32 SWNW	32 SENW	32 SWNE	32 SENE	33 SWNW	33 SENW	33 SWNE	33 SENE	34 SWNW	34 SENW	34 SWNE	34 SENE	35 SWNW	35 SENW	35 SWNE	35 SENE	36 SWNW	36 SENW	36 SWNE	36 SENE
31 LT03	31 NESW	31 NWSE	31 NESE	32 NWSW	32 NESW	32 NWSE	32 NESE	33 NWSW	33 NESW	33 NWSE	33 NESE	34 NWSW	34 NESW	34 NWSE	34 NESE	35 NWSW	35 NESW	35 NWSE	35 NESE	36 NWSW	36 NESW	36 NWSE	36 NESE
31 LT04	31 SESW	31 SWSE	31 SESE	32 SWSW	32 SESW	32 SWSE	32 SESE	33 SWSW	33 SESW	33 SWSE	33 SESE	34 SWSW	34 SESW	34 SWSE	34 SESE	35 SWSW	35 SESW	35 SWSE	35 SESE	36 SWSW	36 SESW	36 SWSE	36 SESE

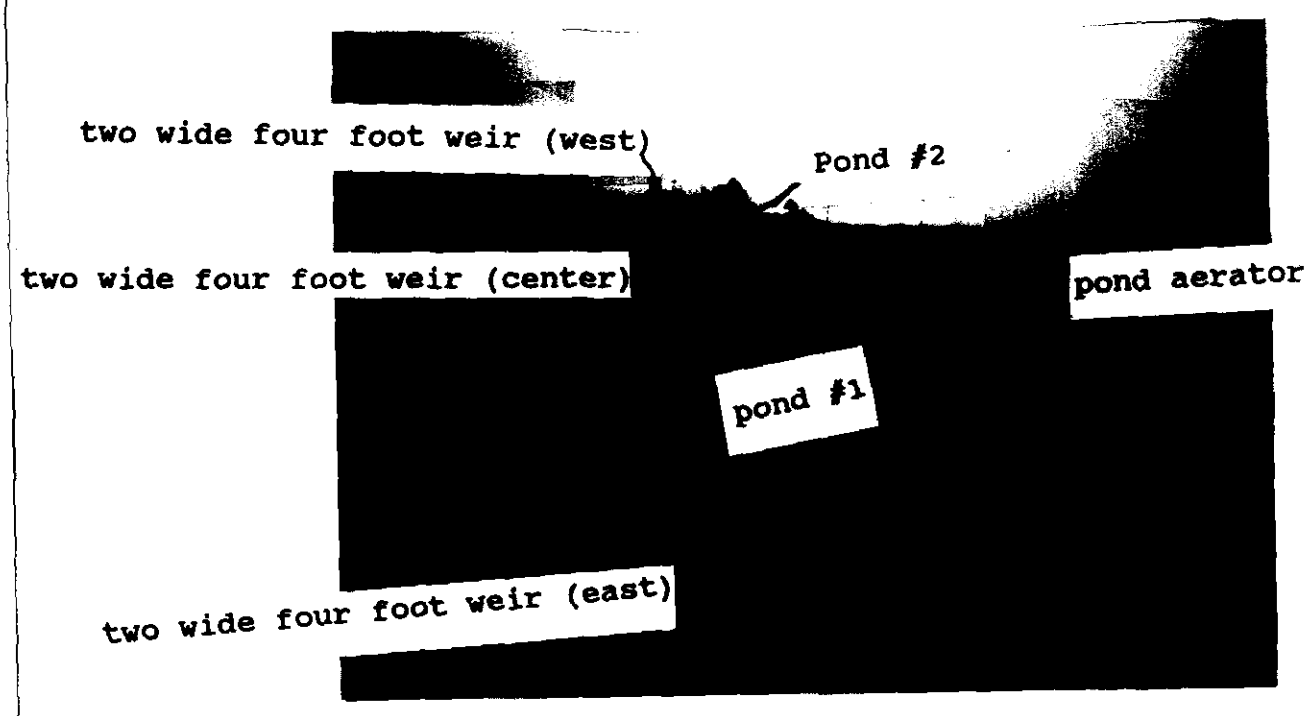
The pump used for statutory claim # A47-04050





This is the inflow of water into the area where the two fish ponds are located. The water comes from the unnamed stream and from waster water from the neighbors pond and the neighbors field and from seepage water. The pipe running across the stream is from the statutory claim # A47-04050.

The above picture is of the unnamed stream and the location of the fish ponds. The picture below is on the two fish ponds. There is a double wide four foot weir positioned at the beginning and the end of the ponds and one double wide four foot weir positioned in the center to sperate the two ponds.



State of Idaho
Department of Water Resources

Permit To Appropriate Water

RECEIVED
AUG 28 1995
Department of Water Resources
Southern Region

NO. 47-08367

Proposed Priority: June 9, 1994 Maximum Diversion Rate: 4.90 CFS

RECEIVED
JUL 11 1997
Department of Water Resources

This is to certify, that **GEORGIANNA ROBERTS**
3085 N 3500 E
KIMBERLY ID 83341
has applied for a permit to appropriate water from:
UNNAMED STREAM tributary of **COTTONWOOD CREEK**

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
FISH PROPAGATION	01/01 to 12/31	4.90 CFS

LOCATION OF POINT(S) OF DIVERSION: SENENE , Sec. 29, Township 11S, Range 18E
TWIN FALLS County

PLACE OF USE: FISH PROPAGATION

TWN	RGE	SEC	
11S	18E	29	NENE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1996.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 47-O.
4. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this right.
5. Assignment or sale of this right is subject to a determination by the Department that the right holder has proceeded to develop the right with due diligence and without speculation.
6. The right holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
7. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
8. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this
21st day of August, 1995.

L. Glen Saxton
for Karl J. Dreher, Director

47-08367

M E M O R A N D U M

DATE: August 17, 1995

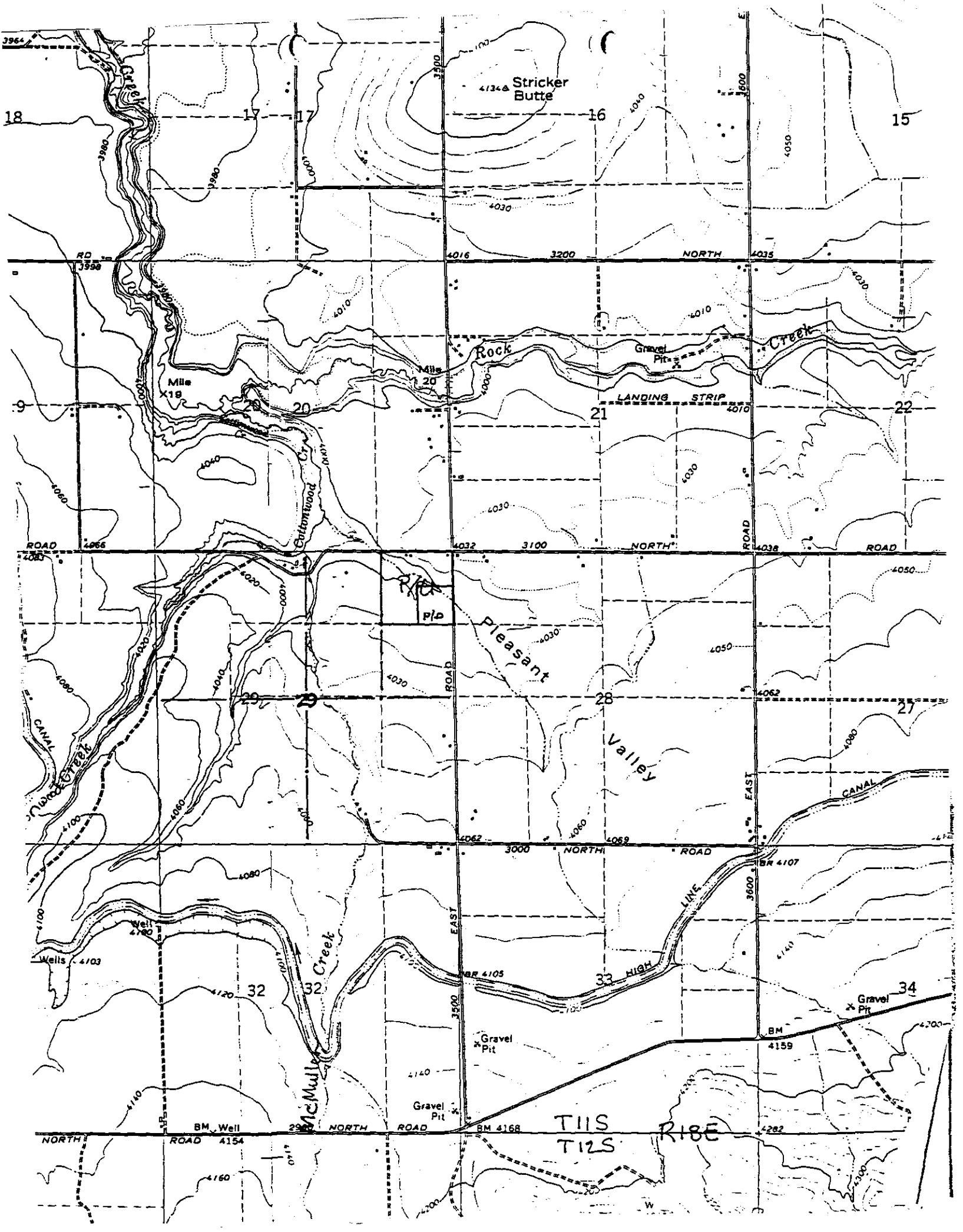
TO: File 47-08367

FROM: Shelley W. Keen SWK

RE: DEQ regulation of the fish propagation facility

==========

Today I spoke with Rob Sharpnack of the Division of Environmental Quality in Twin Falls about the fish propagation facility proposed by Georgianna Roberts. Mr. Sharpnack told me that he is familiar with the development, which is existing and in operation. He says it consists of two small ponds used to raise a few thousand fish. Mr. Sharpnack told me that he is monitoring Ms. Roberts facility and that she is currently in compliance with DEQ regulations to the best of his knowledge.


Stricker Butte
4134
Green
Rock
Creek
Gravel Pit
Mile 20
Mile X19
LANDING STRIP
Cottonwood Cr.
Rich
Pleasant
Valley
Cottonwood Creek
CANAL
McMullen Creek
Wells
Well 4160
4103
BM 4105
BM 4107
BM 4159
BM 4168
BM 4154
Well
NORTH ROAD
EAST ROAD
HIGH LINE
T11S
T12S
R18E
18
17
16
15
9
20
21
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29
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27
32
33
34

Date Sent to S.O. JUL 06 1995

RECEIVED

Form 202 10/82

JUN 10 1994 Amended

Department of Water Resources
Southern Region Office

Ident. No. 47-08367

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of applicant Georgianna Roberts Phone 423-6256.

   Post office address 3085 N 3500 E; Kimberly, ID 83341.

   Amended 4-4-95 D.R. MTS.

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

3. Location of point of diversion is ~~SW~~ SE ¼ of ~~SE~~ NE ¼ of ~~SE~~ NE. ¼, Govt. Lot _____

   Sec. 29. Township 11S Range 18E B.M. Twin Falls County; additional

   points of diversion if any: _____

   Amended 2-16-95 D.R. MTS.

4. Water will be used for the following purposes:

   Amount ~~5.0~~ 4.90 cfs for Fish Propagation 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)

5. Total quantity to be appropriated is (a) ~~5.0~~ 4.90 (cubic feet per second) and/or (b) _____ (acre feet per annum)

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Water collects and seeps into a natural channel before flowing into 1st pond. Check gates control flow from 1st to 2nd pond.

   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

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

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

   e. If well is already drilled, when? _____; Drilling firm _____;

   Well was drilled for *(well owner)* _____

7. Time required for the completion of the works and application of the water to be proposed beneficial use is 1 years *(minimum 1 year)*.

T-8367

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. Commercial fish rearing

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 of use below. See instructions for standard symbols.

S.R. amended 4-4-95

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	18E	29.	H															X	

NTP.

H= Fish Propagation

Total number of acres to be irrigated _____

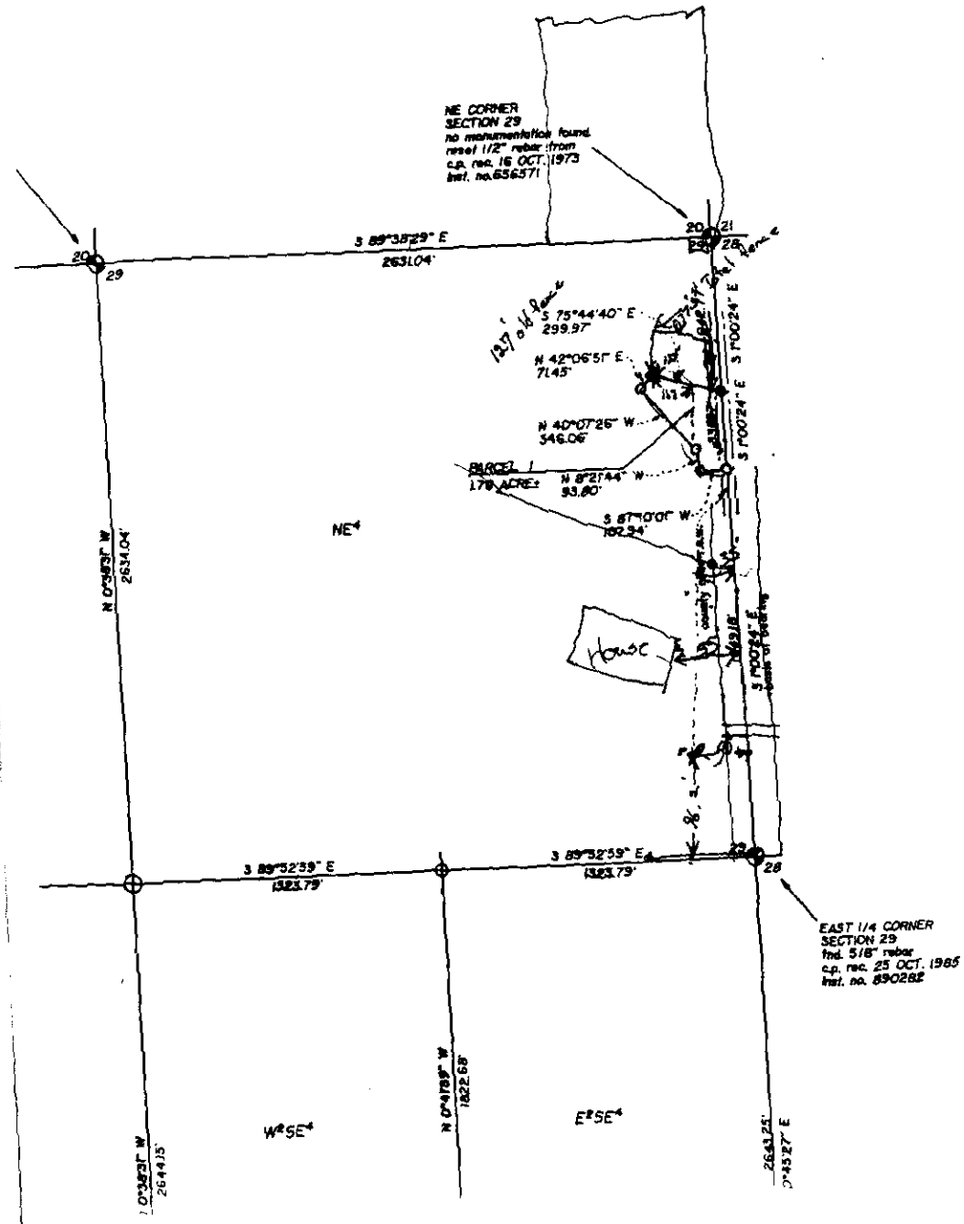
10. Describe any other water rights used for the same purposes as described above. None.

11. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? "

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: 2 earthen ponds are used - dimensions are: 25' X 100' X 4'. The water source is seepage water and waste water that collects into a natural channel.



PROPERTY DESCRIPTION - PARCEL 1

Part of the NE¼NE¼ of Section 29 of Township 11 South, Range 18 East of the Boise Meridian, Twin Falls County, State of Idaho.

Beginning at the NE corner of Section 29 of T.11 S, R.18 E.,B.M. said corner marked by a 1/2" rebar; thence S 1°00'24" E along section line for 642.77 feet to a P.K. Nail which shall be the Point of Beginning;

Thence S 1°00'24" E along section line for 331.27 feet to a P.K. Nail;
Thence S 87°10'01" W for 107.94 feet to a ½" rebar;
Thence N 8°21'44" W for 93.80 feet to a ½" rebar;
Thence N 40°07'26" W for 346.06 feet to a ½" rebar;
Thence N 42°06'51" E for 71.45 feet to a ½" rebar;
Thence S 75°44'40" E for 299.97 feet to the Point of Beginning.

Contains 1.76 acre more or less and is subject to a county road right of way along the east side.

PROPERTY DESCRIPTION - PARCEL 2

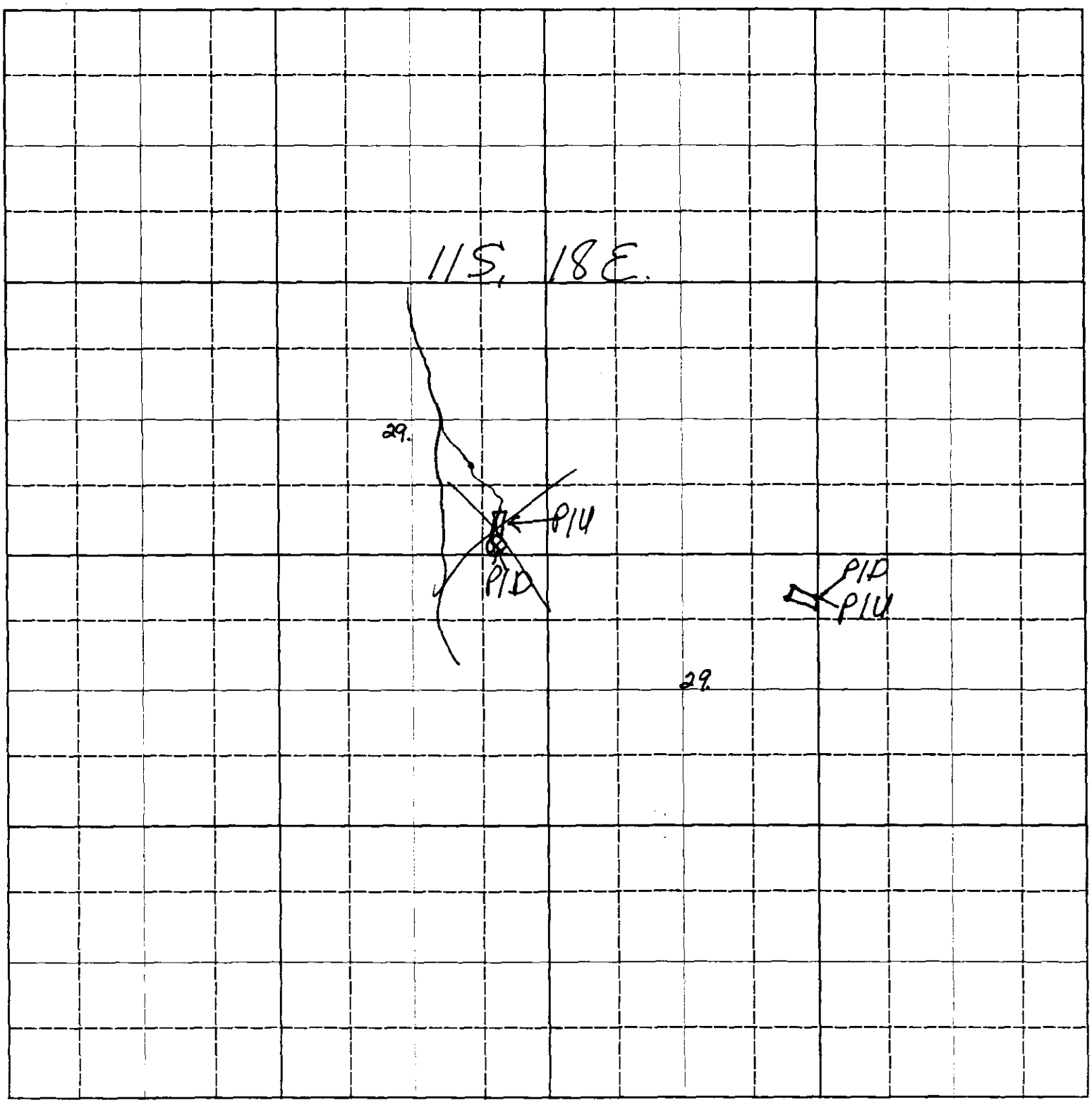
Part of the SE¼SE¼ of Section 29 of Township 11 South, Range 18 East of the Boise Meridian, Twin Falls County, State of Idaho.

Beginning at the SW corner of the SE¼SE¼ of Section 29 of T.11 S., R.18 E.,B.M. said corner marked by a ½" rebar which shall be the Point of Beginning;

Thence N 0°41'59" W along the west line of the SE¼SE¼ for 821.02 feet to a ½" rebar;
Thence S 70°04'27" E for 194.48 feet to a ½" rebar;
Thence S 0°14'05" E for 754.98 feet to a ½" rebar on section line;
Thence N 89°54'15" W along section line for 175.90 feet to the Point of Beginning.

Contains 3.24 acre more or less and is subject to a county road right of way along the south side.

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.

Lorraine Robert
(Applicant)

-1-4-95-Amended 12:15

Received by MTS Date 6-9-94 Time 4:50 Preliminary check by J.G. Stanton 6-4-95

Fee $ 125 $50 Receipted by MTS MTS # 5016993 5017942 Date 6-9-94

Publication prepared by MB Date 6/15/94, 4/17/95 Published in Lewiston Morning Tribune

Publication approved MBaldwin Date 8/18/94, 6/29/95

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.

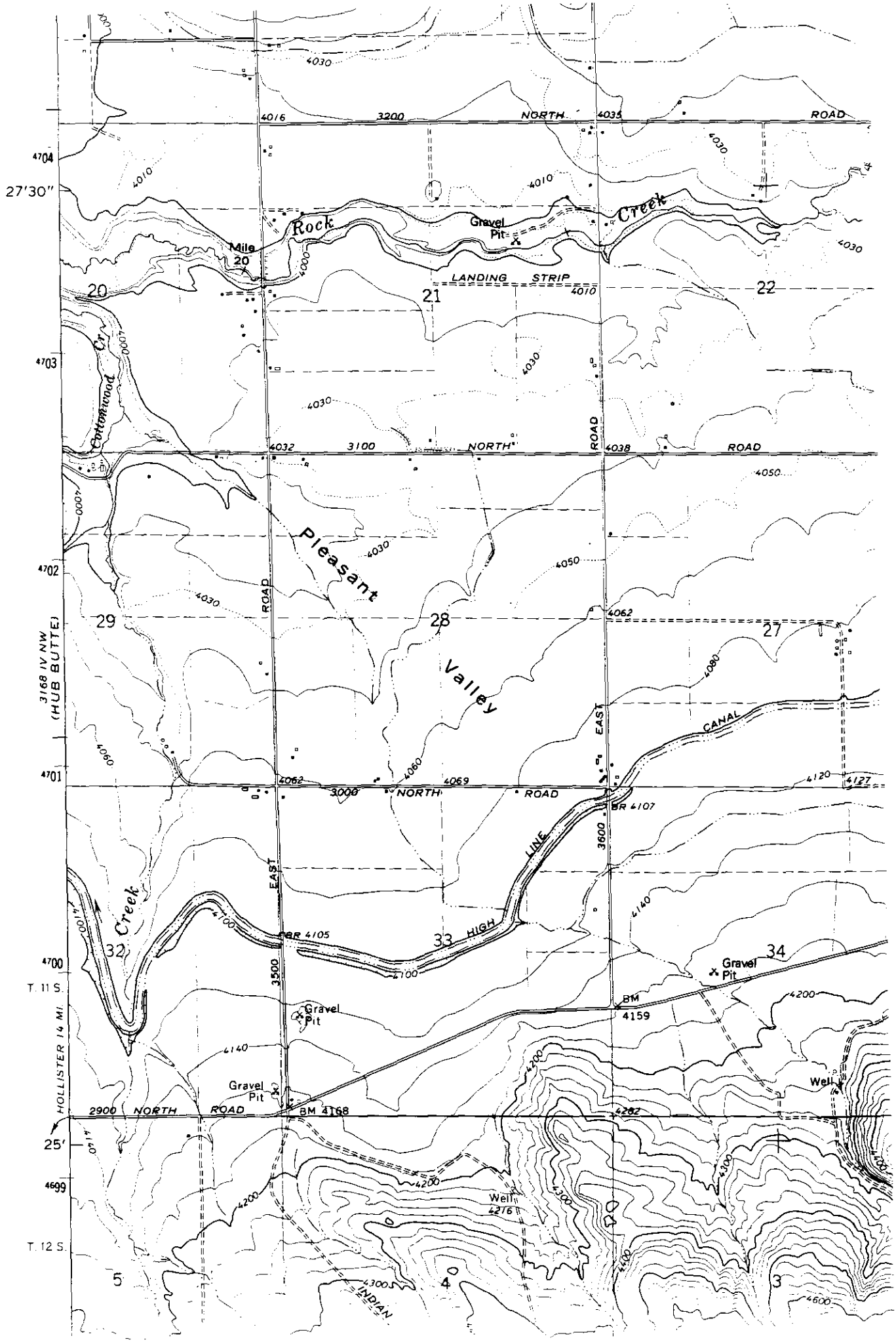
   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

   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:

T11S R16E S29
42-08367



Water Right Number - 47-08367 Prefix Translation: WATER RIGHT Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
ROBERTS	GEORGIANNA	1 - 3085 N 3500 E 2 - 3 - City- KIMBERLY State- ID Zip- 83341 Phone - 208-423-6256

Priority Date	Region	Stage	Status
06/09/1994	17 SOUTHERN	P - PERMIT	

Source	Tributary
UNNAMED STREAM	COTTONWOOD CREEK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
11S	18E	29	SE NE NE			(83) TWIN FALLS			

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
19	FISH PROPAGATION	01/01	12/31	4.900	

Total Div. Rate	Total Div. Volume	Total Div. Capacity
4.900		

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
11S	18E	29	NE NE			19	FISH PROPAGATION	(83) TWIN FALLS

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

No Remarks found.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

005 - Use of water under this right is subject to control by the
- watermaster of State Water District No. 470.
01J - A measuring device and lockable controlling works of a type
- acceptable to the Department shall be permanently installed and
- maintained as part of the diverting works prior to diversion of
- water under this right.
07A - Assignment or sale of this right is subject to a determination
- by the Department that the right holder has proceeded to develop
- the right with due diligence and without speculation.

Form No. 217
7/94

D2

FOR OFFICE USE ONLY
Amt. of Fee $: 200.00
Receipt No. 501928
Receipt By: G Stanton
Date Receipted: 5-14-96

RECEIVED

MAY 14 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 who has been appointed by the department.

1. Permit No. 47-08367 Telephone No. 423-6256

2. Name(s) of Permit Holder(s): Georgianna Roberts

3. Mailing Address: 3085 N 3500 E, Kimberly, ID 83341

4. Source of Water: Unnamed Stream If GROUNDWATER (well), Date Drilled: mo.____ / yr.____

a. Well Driller: ____ Drilling Permit Number: ____ - ____ - ____ - ____

b. *OPTIONAL:*
Pump Horsepower: ____ Pressure (psi): ____ Dynamic pumping level (ft): ____

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: Fish Propagation

6. Total rate of diversion and/or volume for which proof is submitted: 4.9 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 ____	Weir plate
	Has the measuring device been installed?	Yes ____	or No ✓	will be
Flow Measurement Port:	Is a flow measurement port required?	Yes ____	or No ✓	installed
	Has the measurement port been installed?	Yes ____	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: Permit Holder Telephone Number: ____

Address: ____

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Georgianna Roberts Date: 5-14-96
(include your title, if on behalf of company of organization)

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 47-0 8367 Reviewed by [illegible] Date 5-31-96

GENERAL CONSIDERATIONS

yes Name same as permit?

yes Address same as permit?

yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

TYPES OF USE

Fish Prop.

SOURCE OF WATER

✓ Surface water source

____ Ground water source
- ____ Drilling permit required?
- ____ Copy in the file? Drilling Permit No. ____
- ____ Amount paid for permit ____ Correct?
- ____ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

200 — Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

no Installed? - will be soon

____ Waiver requested?

PRIORITY CALCULATION

Date proof received ____

Date proof due ____ - ____

No. of days late ____ = ____

Priority Date ____ + ____

New Priority Date ____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address ____ Proof Made 5-14-96

June 3, 1996

GEORGIANNA ROBERTS
3085 N 3500 E
KIMBERLY ID 83341

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-08367

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 conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MICROFILMED

JUN 28 1996

April 30, 1996

GEORGIANNA ROBERTS
3085 N 3500 E
KIMBERLY ID 83341

PROOF DUE NOTICE

RE: PERMIT NO. 47-08367

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 July 1, 1996. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete 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,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

JUN 28 1996

CERTIFIED MAIL
NO. 142740

M E M O R A N D U M

DATE: August 17, 1995

TO: File 47-08367

FROM: Shelley W. Keen SWK

RE: DEQ regulation of the fish propagation facility

==========

Today I spoke with Rob Sharpnack of the Division of Environmental Quality in Twin Falls about the fish propagation facility proposed by Georgianna Roberts. Mr. Sharpnack told me that he is familiar with the development, which is existing and in operation. He says it consists of two small ponds used to raise a few thousand fish. Mr. Sharpnack told me that he is monitoring Ms. Roberts facility and that she is currently in compliance with DEQ regulations to the best of his knowledge.

MICROFILMED
AUG 2 5 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 47-8367 **Name:** Roberts **Date:** 7/10/95 **Ad OK?** ✓
Correct Fee? ✓ **Receipt #:** 5017942 **Priority:** 4/4/95 ✓ **Gvmt Lts:** ✓

AREA OF CONCERN? - No/Yes ESRP Mor _____ GWMA Trust/Non-trust
PROTESTED: unconditionally withdrawn 020(Protest Agr) or W19(See Final/Prelim Order)
SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - **P16**
+1 year - 26A-**P17**
GROUNDWATER: <√ *FLO-CH*>
+ 0.2 cfs - 01M
- 0.2 cfs - No MD
+ 5 a. (*POU cmp*) - 01M, 803(if GW use SW 1st)
Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. ___-___-___-_____-____, **P99**
No WD permit? - 046-46B-**P23** (post 7/1/87)
irr. in WD - **P05** (new well)
SURFACE WATER <√ *FLO-CH*>(Surface water that *doesn't sink*):
Water District(~~*dom*~~) - 005 (*req*) WD # 47-0 <SEE MAP & LISTING>
+ 0.2 cfs - 01J-**P08** or 01M
- 0.2 cfs - 01H-**P01** or No MD
+ 5 a. irr. - 01M (*POU cmp*)
~~In WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (*POU cmp*)
RIVER BASINS (**Surface water*):
Snake R (01) - 11A-**P04**, NA
(02/03) - 007-**P07** (w/remark WB9), NA
Boise R (63) - 05A (if ~~WD~~), 11E (not 42-111 use), NA
Payette R (65) - 064(consump. use), 047-**P04**(Payette Lake), NA
USE:
Domestic (*surface*) - 021(Boise R ↑ L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(*rq*)-010/06A/09E(WQ)-**P10**; 044(N 1000 Spr)
Irr - 5 acres - 057 (0.03 cfs/A) (*upstream of 1000 Spr.)
+ 5 acres - 03A (0.02 cfs/A)
Mining - 054 (*req*) & 06A/010/09E-**P10**
Power - 08A-17K-025-027-01M-01F(**P19**)-09E(**P10**);
+25 cfs-**P18**; 17G(FERC) or 17M(~~FERC~~); 18B-**P09**
Storage(✓ *3 compo.*) - 18A(multi MD in WD), 18B-**P09** (+10' dam), NA
LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - **P52** (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - 4 <SEE CONDITION CODE CHART>
Trust - 051-052-053-**P74** (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP: Non-land owner - 004 (PD/PU) _____
OTHER CONDITIONS: - _____ _____ _____
~~**STANDARD REMARKS:**~~ - _____
_____
BENEFICIAL USE DUE: - 7-1-1996
COMMENTS: - _____

15

Georgianna Roberts

FORM NO. 002A
REVISED 6-6-91

RECEIVED
JUL 06 1995
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J E Stanton DATE 6-10, 1994
APPLICATION NO. 47-08367

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 munincipality, title of signator is required)
✓ Fee
✓ Yes ____ No* In form to reciept

++++PROPOSED PRIORITY DATE
6-9 19, 94
Process

ADDITIONAL INFORMATION

— Overlapping place of use(Describe source & relationship to present application on the back.
— Overlapping point of diversion.
✓ Yes ____ No Field check required
Field check by _____
____ Yes ____ No Field report attached
____ Yes ✓ No Critical Ground water area
____ Yes ✓ No Groundwater management area
____ 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___

PROCESSING ✓ Yes ____ No In form for Advertising
____ Yes ✓ No No Statewide Advertising
✓ Yes ____ No Fee amount, receipt date & No. recorded on app.

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 _____

FINAL REGIONAL PROCESSING REVIEW

X Yes ____ No Affidavit of publication received.
X Yes ____ No Application published correctly. If not, record action taken. _____

X Yes ____ No Publication dates and paper, recorded on App.
X Yes ____ No Protests received
Final date for Protest _____
X Yes ____ No Protests, dates, resolution of protest, recorded on app.
____ Yes X No Recommendations attached
X Yes ____ No Measuring device required
____ Yes X No Access port required
____ Yes X No Will water be delivered by watermaster? If yes, what dist. ____
X Yes ____ No Special conditions of approval or cover letter below. ____
002, 009D, 027, 17B

See below for additional information X
Date of priority recommended 6/9, 1994
By ADm Date Feb 21, 1995
ADm 6/29/95

STATE OFFICE REVIEW _____

See below for additional information
By _____ Date _____, 19 ____

ADDITIONAL INFORMATION: _____

— Subject to all Federal, State & County permit requirements.

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_____,19____

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:

Georgianna Roberts
3085 N 3500 E
KIMBERLY ID 83341
47-08367

Dates Amended: 2/16/1995, 4/4/95

Source: Unnamed Stream Trib. to McMullen Creek

Diversion Pt: SE1/4NE1/4NE1/4, S29, T11S, R18E; Twin Falls County

Use: Fish prop. (4.90 cfs)

In: NE1/4NE1/4, S29, T11S, R18E.

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East., Twin Falls, ID 83301 together with a protest fee of $25.00 on or before May 22, 1995. The protestant must also send a copy of the protest to the applicant.

[illegible] Dir

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

RECEIVED [illegible] 1995

№ 27085

I, [illegible] being first duly sworn upon oath, depose and say that I am [illegible] 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 [illegible] consecutive [illegible],

commencing with the issue dated [illegible], 19[illegible],

and ending with the issue dated [illegible], 19[illegible].

Department of Water Resources
Southern Region

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 consolidated 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

AUG 25 1995

On this [illegible] day of [illegible] in the year of [illegible], before me, a Notary Public, personally appeared [illegible], 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.

[illegible]
Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: [illegible]

OK MB 6/27/95

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:

Georgianna Roberts
3085 N 3500 E
KIMBERLY ID 83341
47-08367

Dates Amended: 2/16/1995, 4/4/95

Source:Unnamed Stream Trib. to McMullen Creek

Diversion Pt: SE1/4NE1/4NE1/4, S29, T11S, R18E; Twin Falls County

Use:Fish prop. (4.90 cfs)

In: NE1/4NE1/4, S29, T11S, R18E.

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East., Twin Falls, ID 83301 together with a protest fee of $25.00 on or before May 22, 1995. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson,Dir

Published in Times News on 5/4 & 5/11/95

MICROFILMED
AUG 2 5 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor PHIL BATT

R. KEITH HIGGINSON
Director

April 17, 1995

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. If time allows, please submit a galley proof for review before publication.

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.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

RECEIVED
AUG 25 1995

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:

GEORGIANNA ROBERTS
3085 N 3500 E
KIMBERLY ID 83341

47-08367

Dates Amended: 2/16/1995, 4/4/95

Source: Unnamed Stream Tributary to McMullen Creek

Diversion Pt: SE1/4NE1/4NE1/4, S29, T11S, R18E; Twin Falls County

Use: Fish propagation (4.90 cfs)

In: NE1/4NE1/4, S29, T11S, R18E.

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East., Twin Falls, ID 83301 together with a protest fee of $25.00 on or before May 22, 1995. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Published in Times News on 5/4 & 5/11/95

MICROFILMED
AUG 25 1995

S' :e of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

****
CECIL D. ANDRUS
Governor
PHIL BATT

R. KEITH HIGGINSON
Director

April 17, 1995

GEORGIANNA ROBERTS
3085 N 3500 E
KIMBERLY ID 83341

Re: Amended Application for Permit No. 47-08367

Dear Ms. Roberts:

The Department of Water Resources acknowledges the changes to your application for permit as referenced above.

This office will be advertising the amended application in the Times News on 5/4 & 5/11/95. A period of ten days following the second publication will be allowed for the submittal of protests.

If the amended 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 the amended 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.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Mel Schulte
Sr. Water Resource Agent

MS:MB

AUG 25 1995

INTER-DEPARTMENT MEMO

TO: File 97-08367

SUBJECT:

FROM: ADM

DATE: 3/

I phoned Georgianne Roberts & asked if she is going to amend (correct permit) She said she still plans to and may be in 4/3 (Monday). I told her to either see me or Mel.

P/D & P/U as originally filed is incorrect. I believe correct description is in (NE NE) Sec 29.

MICROFILMED

AUG 2 5 1995

( ) For your information

( ) Response required

ADM
signature

INTER-DEPARTMENT MEMO

TO: 47-08367

SUBJECT:

FROM: Allen Merritt

DATE: 2/21/95

- This day I called T.F. county assessor (736-4010) sister Mathers Ranch Suzanne Pendleton NENE

(Stephan Hendricks
Patrick & Michael Brierley)

are the owners of record. I phoned Mrs. Robert. & she indicates land was deeded her from portion of Mathers Ranch. She will bring in deed.

( ) For your information

( ) Response required

MICROFILMED

signature

AUG 25 1995

* Appears Applic is not correct.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor
PHIL BATT

R. KEITH HIGGINSON
Director

February 8, 1995

GEORGIANNA ROBERTS
3085 N 3500 E
KIMBERLY ID 83341

RE: Protested Application for Permit No. 47-08367

Dear Ms. Roberts:

We have received withdrawals of all protests filed against approval of the above referenced application.

The Department will continue review of the application pending receipt of the additional information as requested in our correspondence of 5/15/94. An additional copy is enclosed for your reference.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

Enclosure

RECEIVED
AUG 2 5 1995

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
THOMAS J. RYAN
GARY L. QUIGLEY
JOHN K. SIMPSON
PATRICK D. MADIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO
ERIK P. SMITH

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

RECEIVED
FEB 07 1995
Department of Water Resources
Southern Region

February 7, 1995

VIA HAND DELIVERY

Idaho Department of Water Resources
ATTN: Allen D. Merritt
222 Shoshone Street E.
Twin Falls, Idaho 83301

Re: Twin Falls Canal Company Withdrawal of Protest
Re: Georgianna Roberts, Permit No. 47-08367

Dear Allen:

Enclosed please find Twin Falls Canal Company's Notice of Withdrawal of Protest. If you should have any questions, please feel free to contact me.

Yours truly,

GARY D. SLETTE

GDS:jc
Enclosure
cc: Twin Falls Canal Co.
(w/enc.)

02079506.gds

MICROFILMED
AUG 25 1995

Gary D. Slette
ROSHOLT, ROBERTSON & TUCKER
P. O. Box 1906
Twin Falls, Idaho 83303-1906
Telephone: (208) 734-0700
02039501.GDS/jc

RECEIVED
FEB 07 1995
Department of Water Resources
Southern Region

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 47-08367 Applicant: Georgianna Roberts	))))	NOTICE OF WITHDRAWAL OF PROTEST

* * * * * * * * * * *

Twin Falls Canal Company, by and through its attorneys of record, Rosholt, Robertson & Tucker, hereby withdraws its Notice of Protest with regard to the above-referenced Application for Permit which was filed with the Department on June 29, 1994.

DATED this 7 day of February, 1995.

ROSHOLT, ROBERTSON & TUCKER

By: _____
Gary D. Slette

MICROFILMED
AUG 25 1995

CERTIFICATE OF HAND DELIVERY

I hereby certify that on this 7 day of February, 1995, I served a copy of the foregoing NOTICE OF WITHDRAWAL OF PROTEST, by hand delivering the same to the following:

Idaho Department of Water Resources
222 Shoshone Street E.
Twin Falls, ID 83301

Gary D. Slette

CERTIFICATE OF MAILING

I hereby certify that on this 7 day of February, 1995, I served a copy of the foregoing NOTICE OF WITHDRAWAL OF PROTEST, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

Idaho Department of Water Resources
Statehouse Mail
1301 North Orchard
Boise, ID 83720

Gary D. Slette

AUG 25 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 47-08367	)	*NOTICE OF PRE-HEARING CONFERENCE*
GEORGIANNA ROBERTS, Applicant	)	*SOURCE: Unnamed Stream Tributary to McMullen Creek*
TWIN FALLS CANAL CO., Protestant	)	*COUNTY: Twin Falls*

On June 9, 1994, Georgianna Roberts, applicant, filed with the Department of Water Resources an application for permit 47-08367. The Department has received protests against the approval of said application from the above captioned protestant and the Idaho Department of Fish and Game. On October 3, 1994, the Idaho Department of Fish and Game withdrew their protest.

The Department has set the matter of the unresolved protest for a pre-hearing conference for Thursday, February 16, 1995, at 10:00 am in the Conference Room in the office of the Department of Water Resources' Southern Region at 222 Shoshone St. E., Twin Falls, Idaho.

The purpose of the conference is to formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

The conference will be held in accordance with Chapter 2, Title 42, of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Resources.

The conference will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the department within (10) days prior to the conference.

Dated this 1st day of February.

Allen D. Merritt, P.E.
Southern Regional Manager

MICROFILMED
AUG 2 5 1995

I hereby certify that on the 1st day of February, 1995, I mailed a true and correct copy, postage prepaid by certified mail, of the foregoing Notice of Pre-Hearing Conference to the parties listed below:

Mary Baldwin
Secretary

GEORGIANNA ROBERTS
3085 N 3500 E
KIMBERLY ID 83341

GARY SLETTE ESQ
TWIN FALLS CANAL CO
PO BOX 1906
TWIN FALLS ID 83303-1906

AUG 25 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

RECEIVED

3. Article Addressed to: 47-8367

GEORGIANNA ROBERTS
3085 N 3500 E
KIMBERLY ID 83341

Department of Water Resources
Southern Region

4a. Article Number: 1597

4b. Service Type
☐ Registered ☐ Insured
☑ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery: 2-3-95

AUG 25 1995

5. Signature (Addressee): Pat Lowery

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form **3811**, December 1991 ☆U.S. GPO: 1993—352-714 **DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.

UN STATES POSTAL SERVICE

Official Business

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

U.S. MAIL

RECEIVED

AUG 25 1995

Print your name, address and ZIP Code here

IDAHO DEPT. OF WATER RESOURCES
SOUTHERN REGION
222 Shoshone Street East
Twin Falls, ID 83301

FOR REGISTERED, INSURED, C.O.D., CERTIF

5	1584	John Le Mayne 1/30/95 - AM 36-7729	32	1 10	1 10	2 52							
6	1585	Leon Smith Esq											
7	1586	Hagerman Valley Cit. Alert											
8	1587 (4)	James C. Tucker Esq 1/30/95 - AM 37-8767C	.32	1 10	1 10	2 52							
9	1588	Timothy Stover											
10	1589	Jake Reichhard Rep											
11	1590	Richard D Greenwood											
12	1591 (4)	John S. Ritchie 2/1/95 - AM											
13	1592	Stan Hayes 47-8368	.32			2 52							
14	1593	Id. Dept. of Fish & Game 47-8352, 8368 47-8352, 64, 67	.32			2 52							
15	✓ 1594	Gary Slette Esq.	.55			2 75							

Charge | Amount | Value | If C.O.D. | Fee | Fee | Fee

FOR REGISTERED, INSURED, C.O.D., CERTIFIED, AND EXPRESS MAI Feb. 1982

1	1595	Ronald M. Potts 47-8364 AM/2-1-95	.32	1 10	1 10	2 52							
2	1596	Jim Smalley 47-8352 AM/2-1-95											
3	✓ 1597 (6)	Georgionna Roberts 47-8367 AM/2-1-95											
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AUG 2 3 1995

State of Idaho
EPARTMENT OF WA ER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 12, 1994

CARL H NELLIS SUPERVISOR
IDAHO FISH & GAME
PO BOX 428
JEROME ID 83338

RE: Applications for Permit Nos. 47-08366 (Griffith) and 47-08367 (Roberts)

Dear Mr. Nellis:

This office acknowledges receipt of the withdrawal of your protests against the above referenced applications.

Since there were multiple protestants, the concerns of the other protestants will need to be addressed by the Department before final processing of the application can be completed.

The Department will continue review of the application without further contact with you unless information is requested.

Please feel free to contact this office if you have any questions regarding this procedure please feel free to contact use.

Very truly yours,

Allen D. Merritt, P.E.
Acting Southern Region Manager

AM:MB

MICROFILMED
AUG 2 5 1995

IDAHO FISH & GAME

Magic Valley Region
868 East Main • P.O. Box 428
Jerome, Idaho 83338
(208) 324-4350
Fax (208) 324-1160

Cecil D. Andrus / Governor
Jerry M. Conley / Director

October 3, 1994

OCT 11 1994
Department of Water Resources
Southern Region Office

Mr. Alan Merritt
Idaho Dept. of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

RE: **Application for Water Right Permit No. 47-08367 - Georganne Roberts**

Dear Alan,

After meeting on-site with the applicant and discussing the intended use of the water we have concluded there will be minimal impact to fish and wildlife resources, therefore, **we would like to withdraw our protest** at this time.

Thank you for your cooperation and patience in this matter. If you have further questions please contact Dave Parrish, Environmental Staff Biologist at this office.

Sincerely,

Dave Parrish

for Carl H. Nellis
Magic Valley Regional Supervisor

cc: NRPB (Robertson)
IDFG-Legal (Goddard)
G. Roberts

AUG 25 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Aug-1994

GEORGIANNA ROBERTS
3085 N 3500 E
KIMBERLY ID 83341

RE: APPLICATION FOR PERMIT NO. 47-08367

Dear Ms. Roberts:

Enclosed are copies of protests filed against the above referenced application.

The Department suggests you contact the protestants directly to determine the exact nature of the protests and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

Allen D. Merritt, P.E.
Water Rights Supervisor

AM:MB

Enclosure(s)

'FERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

ISSUES

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

1. Will the proposed appropriation injure other water rights?

2. Is the water supply sufficient for the purpose for which it is sought to be appropriated?

3. Was the application made in good faith or for delay or speculative purposes?

4. Does the applicant have sufficient financial resources with which to complete the proposed project?

5. Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?

6. Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, 3, 4, and 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a pre-hearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement or make settlement offers, schedule hearings, establish procedure at hearing and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than by the Director himself. If so, the hearing officer will prepare a recommended order for the the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may by written stipulation waive the right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within (10) days prior to the hearing.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Aug-1994

CARL H NELLIS SUPERVISOR
IDAHO FISH & GAME
PO BOX 428
JEROME ID 83338

RE: APPLICATION FOR PERMIT NO. 47-08367 (Roberts)

Dear Mr. Nellis:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

Allen D. Merritt, P.E.
Water Rights Supervisor

AM:MB

Enclosure(s)

MICROFILMED
AUG 25 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Aug-1994

GARY SLETTE ESQUIRE
PO BOX 1906
TWIN FALLS ID 83301

RE: APPLICATION FOR PERMIT NO. 47-08367 (Roberts)

Dear Mr. Slette:

The protest on behalf of your client, Twin Falls Canal Company, against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

Allen D. Merritt, P.E.
Water Rights Supervisor

AM:MB

Enclosure(s)

MICROFILMED
AUG 25 1995

Gary D. Slette
ROSHOLT, ROBERTSON & TUCKER
P. O. Box 1906
Twin Falls, Idaho 83303-1906
Telephone: (208) 734-0700
06279413.GDS/mw

RECEIVED
JUN 29 1994
Department of Water Resource
Southern Region Office

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 47-08367 Applicant: Georgianna Roberts	**NOTICE OF PROTEST**

* * * * * * * * * * *

Twin Falls Canal Company (hereinafter the "Company"), by and through its attorneys, Rosholt, Robertson & Tucker, files its Notice of Protest to the continuance or approval of the Application for Permit Number 47-08367 filed in the name of Georgianna Roberts. The basis for the Company's protest is as follows:

1. The application filed by the applicant seeks to divert waters owned and delivered by the protestant; and

2. The proposed diversion and use of the waters described in the aforesaid application violate all, or a portion of, the criteria set forth in Idaho Code Sections 42-203(A)(5) and 42-203(C); and

3. For such other and further reasons as may be set forth at the hearing on this matter.

MICROFILMED
AUG 25 1995

DATED this 29th day of June, 1994.

ROSHOLT, ROBERTSON & TUCKER

By: _____
Gary D. Slette

CERTIFICATE OF MAILING

I hereby certify that on this 29th day of June, 1994, I served a copy of the foregoing NOTICE OF PROTEST, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

Idaho Department of Water Resources
Statehouse Mail
1301 North Orchard
Boise, ID 83720

_____
Gary D. Slette

AUG 2 5 1995

IDAHO FISH & GAME
REGION 4
868 East Main Street / Box 428
Jerome, Idaho 83338-0428

June 27, 1994

RECEIVED
JUN 28 1994
Department of Water Resources
Southern Region Office

Mr. Loren Holmes
Southern Region Supervisor
Idaho Dept. of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

Re: **Water Right Applications 47-08367 Tributary to McMullen Creek (Roberts)**

Dear Loren,

The Idaho Dept. of Fish and Game protests water right application # 47-08367 for diversion of 5.0 cfs of tributary water to McMullen Creek for fish propagation. During critical low flow periods, 5.0 cfs constitutes a major portion of the flow within the identified reach of McMullen Creek. Further withdrawal has the potential to degrade water quality and damage aquatic and terrestrial resources which is not in the public interest.

We would be willing to meet on-site with the applicant and a representative of IDWR to further concerns and issues. To coordinate a meeting please contact Dave Parrish, Environmental Staff Biologist at this office, (208) 324-4359.

Sincerely,

Carl H. Nellis
Magic Valley Regional Supervisor

cc: IDFG-Natural Resource Policy Bureau (Robertson)
IDFG-Legal

MICROFILMED
AUG 25 1995

NOTICE OF APPLICATION FOR WATER PERMIT

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

47-08362

ROBERT EMERY &/OR DEBBY EMERY
21359 HY 30
FILER ID 83328

Source: groundwater

Diversion Pt: SENENW, S14, T10S, R16E; Twin Falls County.

Use: 1/1 to 12/31 domestic (0.04 cfs).

Date Filed: 5/13/94

In: NENW, S14, T10S, R16E; Twin Falls County

47-08366

ROD J. GRIFFITH
45798 RIVER ROAD
BUHL, ID 83316

Source: Wastewater & Springs tributary to Deep Creek

Diversion Pt: NENESE, S8, T09S, R14E; Twin Falls County.

Use: 01/01 to 12/31

Aesthetics (1.2 afa) Diversion to storage (2.0 cfs)

Total Diversion: 2.0 cfs

Date Filed: 6/3/94

In: NWSW, S9, T09S, R14E; Twin Falls County

47-08367

GEORGIANNA ROBERTS
3085 N 3500 E
KIMBERLY ID 83341

Source: Unnamed Stream tributary to Mc Mullen Creek

Diversion Pt: SWSESE, S29, T11S, R18E; Twin Falls County.

Use: 1/1 to 12/31 Fish Propagation (5.0 cfs)

Date Filed: 6/9/94

In: SESE, S29, T11S, R18E; Twin Falls County

The permits will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of $25.00 on or before July 25, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Published in Times News on 7/7 & 7/14/94.

Affidavit of Publication

№ 26138

STATE OF IDAHO
COUNTY OF TWIN FALLS } ss.

Linda Capps McBurney being first duly sworn upon oath, depo... say that I am Legal 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 a supplement thereof, for Two consecutive weeks, commencing with the issue dated July 7, 1994, and ending with the issue dated July 14, 1994.

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 the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, if published weekly, will be published; and that at the head of the editorial column of said combined newspapers, 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

This 17 day of July in the year of 1994, before me, Notary Public, personally appeared Linda Capps McBurney, 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.

Sherri L. Martinez
Notary Public for Idaho
Residing at Twin Falls
My commission expires: 9/22/98

OK MB 8/17/94

CLASSIFIED ADVERTISING INVOICE
TWIN FALLS TIMES NEWS
132 3RD ST W.
P. O. BOX 548
TWIN FALLS ID 83303

Forwarding & address correction requested

INVOICE NO.	CLASS	BILLING DATE
26138	343	07/27/94

INDEXING TERM: 47-08362 8364 OK MB 8/17/94 8367

START DATE	TELEPHONE NO.
7/07/94	736-3033

LINES/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT
114	2		82.08	82.08
AFFIDAVI			2.00	2.00
PAY THIS AMOUNT ▶			84.08	84.08

GROSS AMT DUE AFTER 08/11

RECEIVED
AUG 12 1994
Department of Water Resources
Southern Region Office

RETURN THIS PORTION WITH YOUR REMITTANCE

26138 8408

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES
222 SHOSHONE ST E
TWIN FALLS ID
83301

AUG 25 1994

NOTICE OF APPLICATION FOR WATER PERMIT

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

47-08362

ROBERT EMERY &/OR
DEBBY EMERY
21359 HY 30
FILER ID 83328

Source: groundwater

Diversion Pt: SENENW, S14, T10S, R16E; Twin Falls County.

Use: 1/1 to 12/31 domestic (0.04 cfs)

Date Filed: 5/13/94

In: NENW, S14, T10S, R16E; Twin Falls County

47-08366

ROD J. GRIFFITH
4579B RIVER ROAD
BUHL ID 83316

Source: Wastewater & Springs tributary to Deep Creek

Diversion Pt: NENESE, S8, T09S, R14E; Twin Falls County.

Use: 01/01 to 12/31

Aesthetics (1.2 afa)
Diversion to storage (2.0 cfs)

Total Diversion: 2.0 cfs

Date Filed: 6/3/94

In: NWSW, S9, T09S, R14E; Twin Falls County

47-08367

GEORGIANNA ROBERTS
3085 N 3500 E
KIMBERLY ID 83341

Source: Unnamed Stream tributary to Mc Mullen Creek

Diversion Pt: SWSESE, S29, T11S, R18E; Twin Falls County.

Use:1/1 to 12/31 Fish Propagation (5.0 cfs)

Date Filed: 6/9/94

In: SESE, S29, T11S, R18E; Twin Falls County

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R. Keith Higginson, Director

Published in Times News on 7/7 & 7/14/94.

MICROFILMED
AUG 2 5 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

16-Jun-1994

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. If time allows, please submit a galley proof for review before publication.

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.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

AUG 25 1995

NOTICE OF APPLICATION FOR WATER PERMIT

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

47-08362

ROBERT EMERY &/OR
DEBBY EMERY
21359 HY 30
FILER ID 83328

Source: groundwater

Diversion Pt: SENENW, S14, T10S, R16E; Twin Falls County.

Use: domestic (0.04 cfs) from 01/01 to 12/31

Date Filed: 5/13/94

In: NENW, S14, T10S, R16E; Twin Falls County

47-08366

ROD J. GRIFFITH
4579B RIVER ROAD
BUHL ID 83316

Source: Wastewater
Springs tributary to Deep Creek

Diversion Pt: NENESE, S8, T09S, R14E; Twin Falls County.

Use: 01/01 to 12/31

Aesthetics (1.2 afa)
Diversion to storage (2.0 cfs)

Total Diversion: 2.0 cfs

Date Filed: 6/3/94

In: NWSW, S9, T09S, R14E; Twin Falls County

RECEIVED
AUG 25 1995

47-08367

GEORGIANNA ROBERTS
3085 N 3500 E
KIMBERLY ID 83341

Source: Unnamed Stream tributary to Mc Mullen Creek

Diversion Pt: SWSESE, S29, T11S, R18E; Twin Falls County.

Use: Fish Propagation (5.0 cfs) from 01/01 to 12/31

Date Filed: 6/9/94

In: SESE, S29, T11S, R18E; Twin Falls County

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R. Keith Higginson, Director

Published in Times News on 7/7 & 7/14/94.

MICROFILMED
AUG 25 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

15-Jun-1994

GEORGIANNA ROBERTS
3085 N 3500 E
KIMBERLY ID 83341

Re: Application for Permit No. 47-08367

Dear Ms. Roberts:

The Department of Water Resources acknowledges receipt of your application for a water right permit. The application has been assigned identification No. 47-08367. Please refer to this number in all further correspondence.

A legal notice of the application is being prepared for publication in the Times News and will appear on 7/7 & 7/14/94. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be notified and sent a copy of all protests filed.

Review of your application indicates that additional information is required to be made part of the application file pursuant to Idaho Code provisions and the department's Rules and Regulations for Water Appropriation. The attached sheet(s) give details regarding the information which is required.

The required additional information must be submitted within 30 days after the final date for receiving protests July 25, 1994. The time may be extended upon request and showing of good cause that additional time is required to submit the information.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosure

MICROFILMED
AUG 25 1995

S. Region
5/89

Application No. 47-08367

ADDITIONAL INFORMATION REQUIREMENTS
FOR FISH PROPAGATION APPLICATIONS
FIVE (5) CFS AND LESS

The following additional information is required to be made part of the application file pursuant to IDAHO CODE section 42-203A and the Rules and Regulations for Water Appropriation:

1) Copies of deeds, leases, easments, or other information documenting that you have a possessory interest in the place of use. (Rule 4,5,3,3,1)

2) Copies of plans and specifications for the project works. The plans must be definite enough to allow for determination of project impacts and implications. For fish propagation facilities the plans must show the number of ponds proposed and give the length, width and depth dimensions of all ponds. (Rule 4,5,3,4,2)

3) You must seek comment on the effects of the construction and operation of the proposed project from the city and/or county within which the project is to be located, the Idaho Department of Fish and Game, the Idaho Department of Health and Welfare, Division of Environment, and any irrigation district or canal company within which the project is to be located. (Rule 4,5,3,5,1) A copy of your application is enclosed for your use in seeking comments.

MICROFILMED
AUG 25 1995