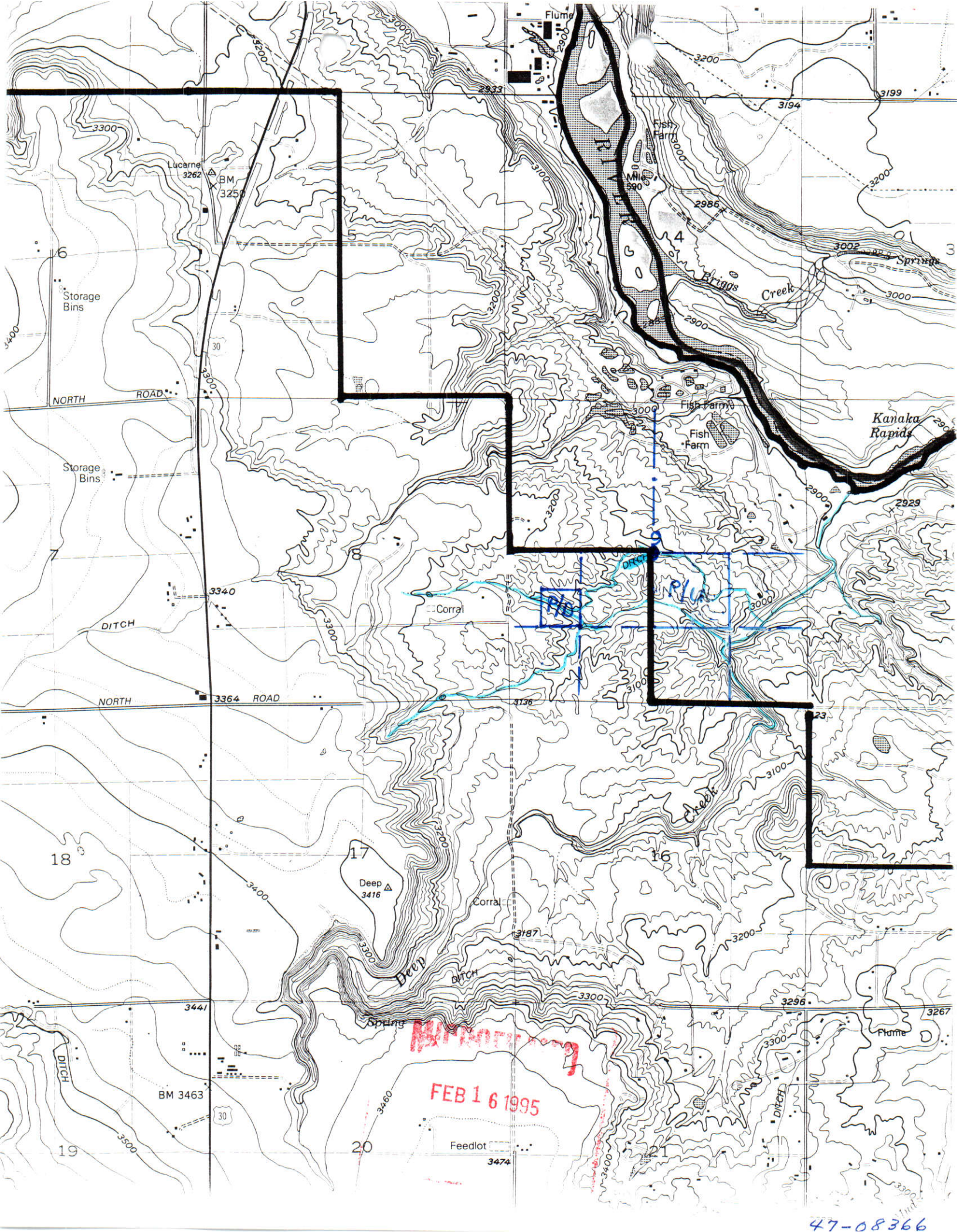
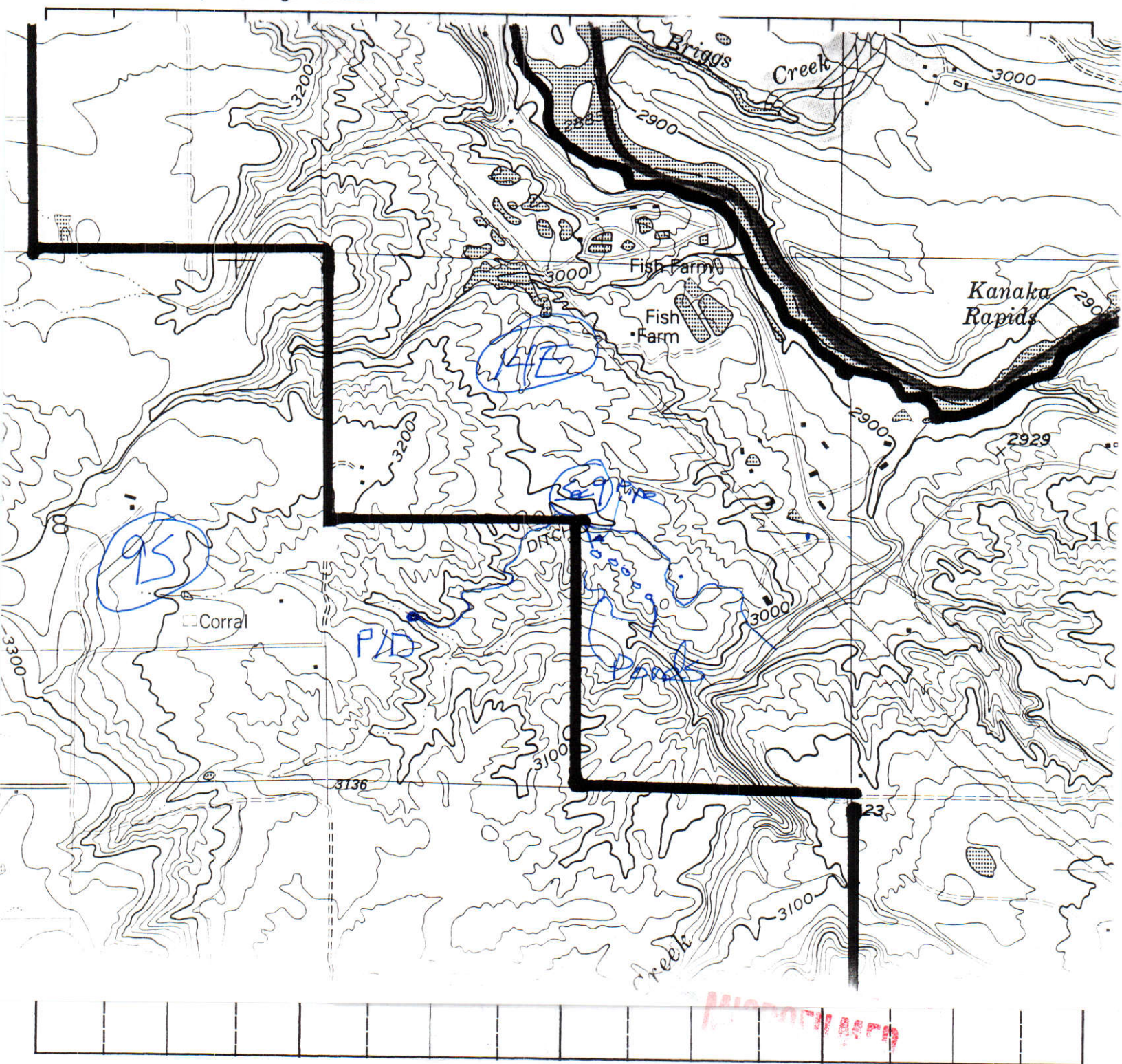




47-08366

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

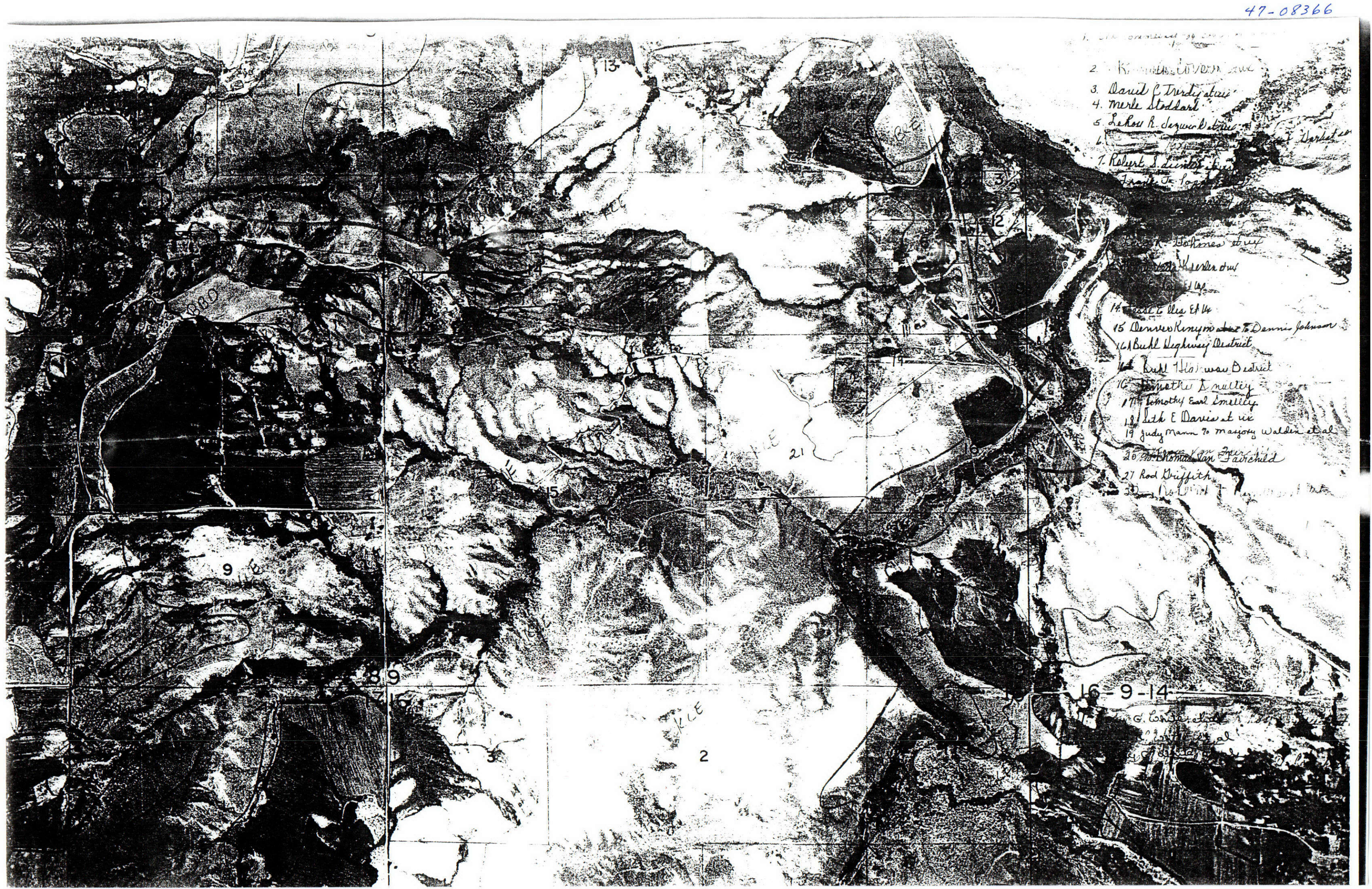


Scale: 2 inches equal 1 mile.

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.

FEB 16 1995

Red G. Huff
(Applicant)



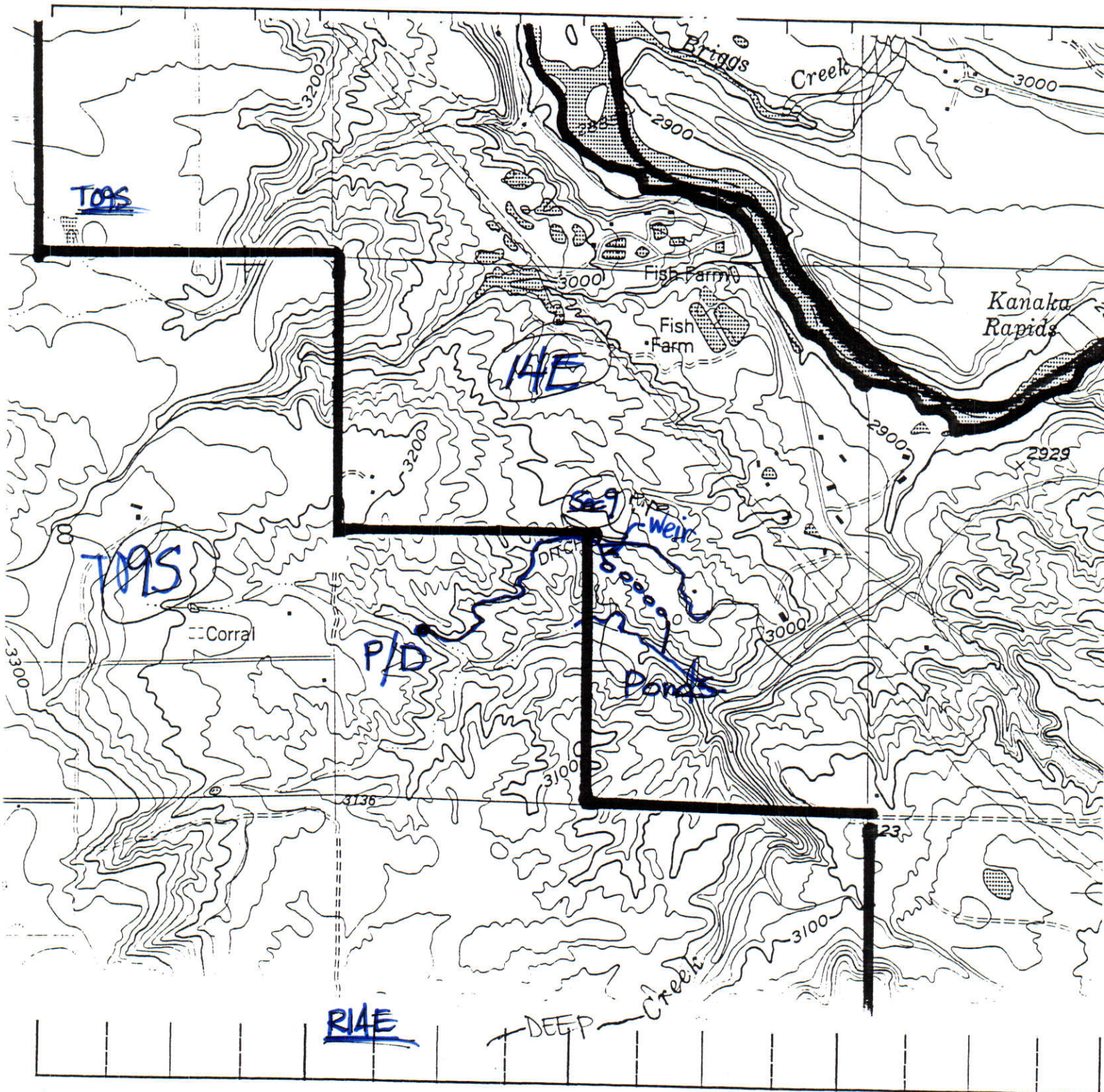
1. [illegible]
2. K. [illegible]
3. David C. [illegible]
4. Merle Stoddard
5. LeRoy R. [illegible]
6. [illegible]
7. Robert J. [illegible]

14. [illegible]
15. Dennis Kinyon at [illegible]
16. Buell Highway District
17. Buell Highway District
18. [illegible]
19. [illegible]
20. [illegible]
21. [illegible]
22. [illegible]
23. [illegible]
24. [illegible]
25. [illegible]
26. [illegible]
27. [illegible]

16-9-14

[illegible handwritten notes]

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.

Red G. Smith
(Applicant)

IDAHO DEPARTMENT WATER RESOURCES

47-08366,-08394



-  Quarter-Quarter Lines
-  Section Lines



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



photos looking W'ly

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

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

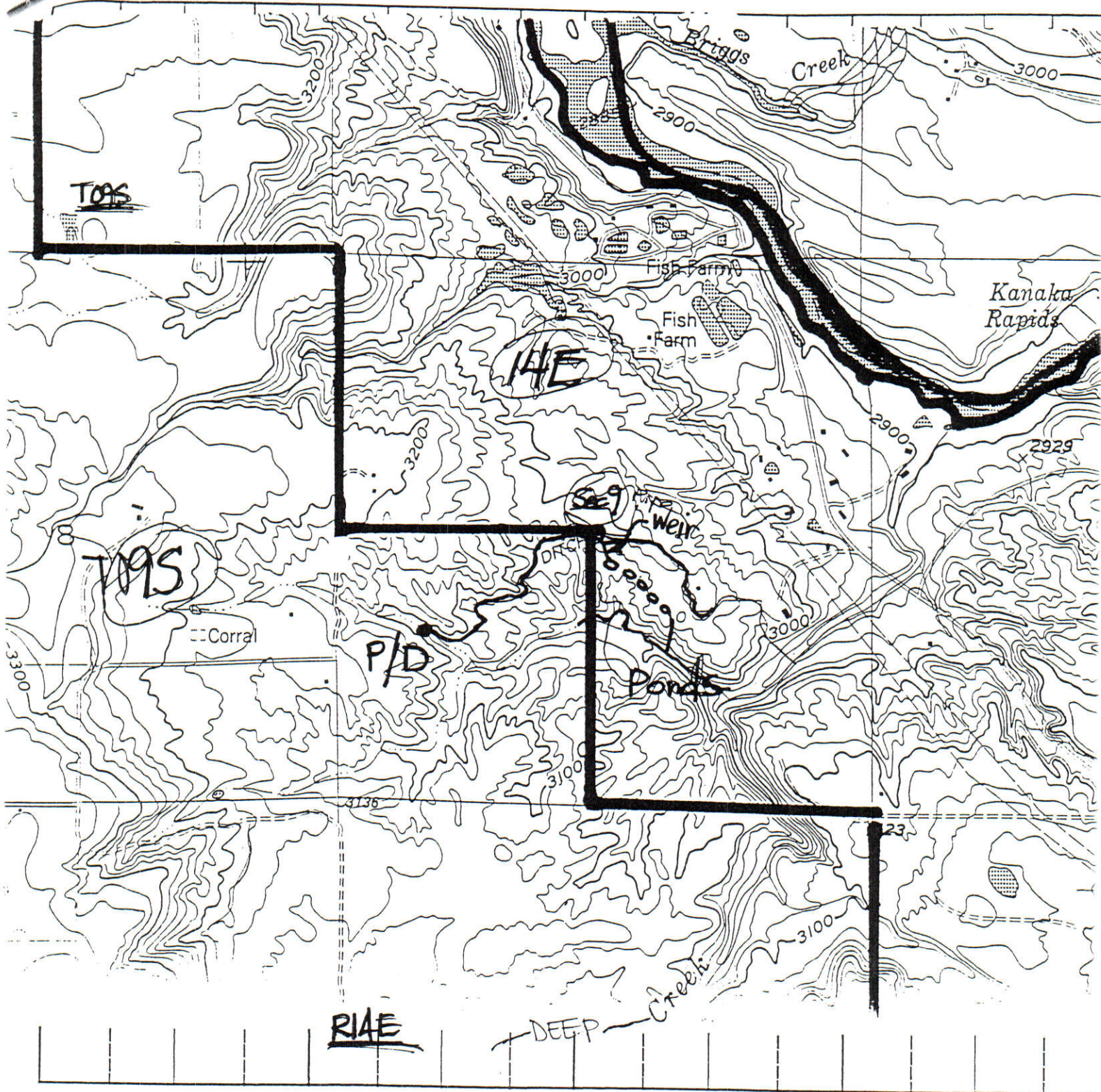
measurement made with the portable
flume 1.65 cfs (75' d/s from fork)



Griffith, Rod & Carla
47-08366, -08394

Photo
1/2

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



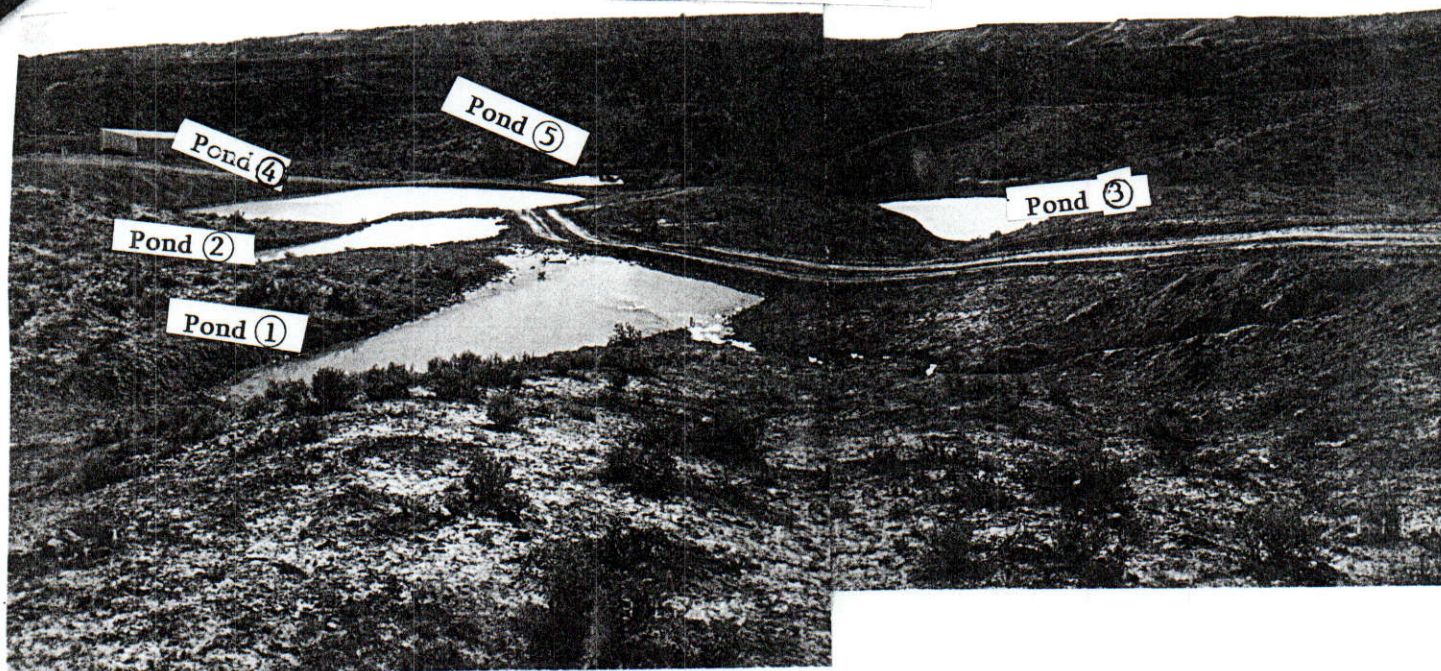
Scale: 2 inches equal 1 mile.

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

Red Gaff
(Applicant)

PHOTO 1/1

photo looking S'ly



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

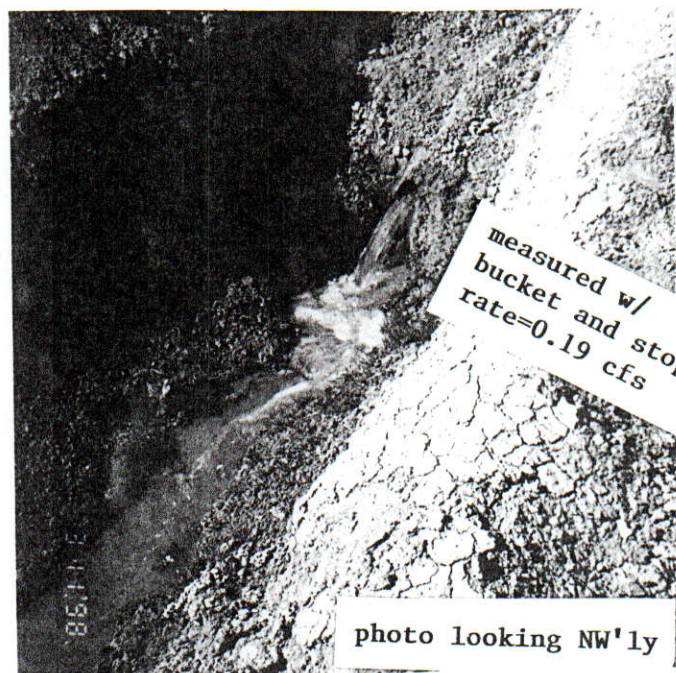


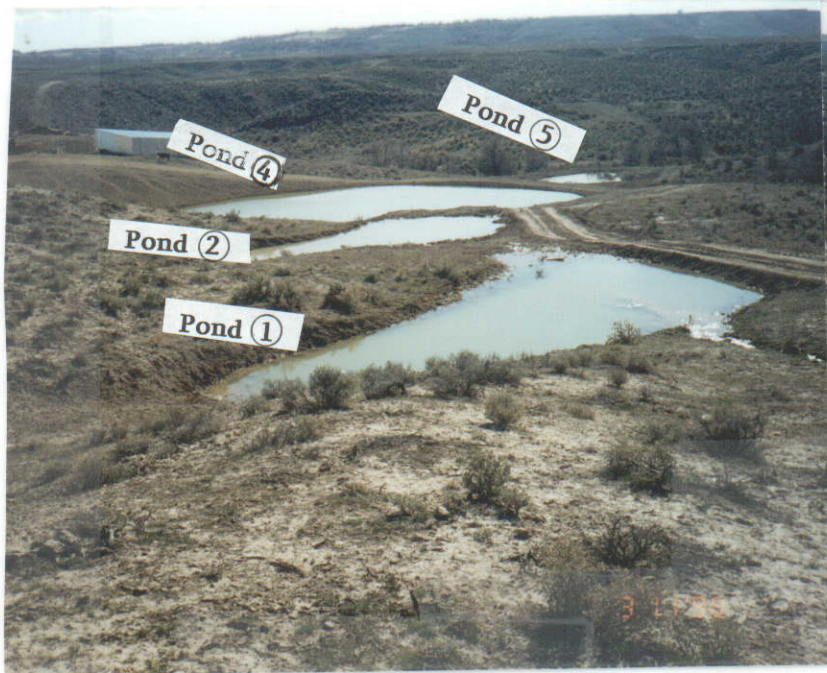
photo looking NW'ly

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

47-08366

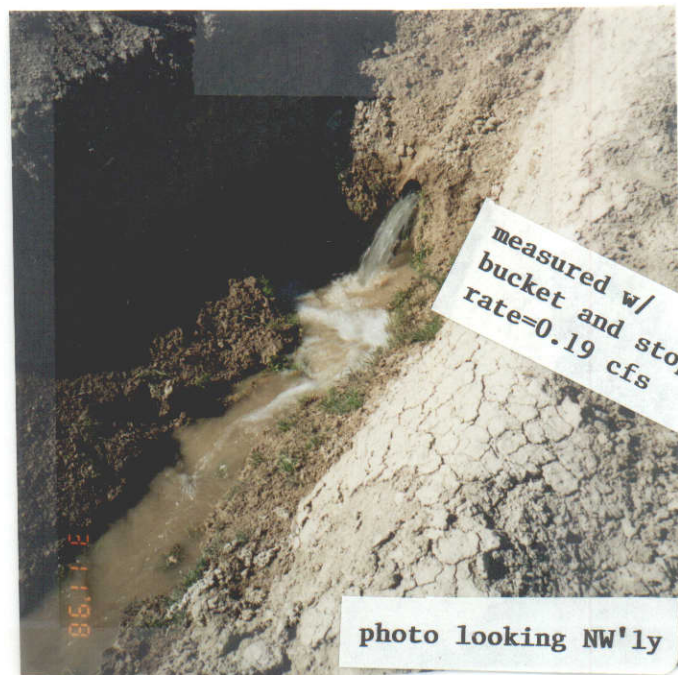
PHOTO 2/2

photo looking S'ly



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

REDIVERSION PT. NW/NWSE 1/4



measured w/
bucket and stopwatch
rate=0.19 cfs

photo looking NW'ly

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

47-08366

NOTICE OF AMENDED
APPLICATION FOR
WATER PERMIT

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

47-08366

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

Date Amended: 10/27/1994

Source: Unnamed Stream
Tributary to Deep Creek

Diversion Pt: SENWSW,
S9, T9S, R14E; Twin Falls
County

Use: Diversion to storage
(2.0 cfs)

Aesthetic Storage
(1.2 afa)

In: NWSE, S9, T9S,
R14E.

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
December 19, 1994. The
protestant must also send
a copy of the protest to
the applicant.

R. Keith Higginson,
Director

Published in Times News
on 12/1 & 12/8/94

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

JAN 04 1995

No 26629

I, Sinda Capps McQuire, being first duly sworn upon oath, depose
and say that I am Business 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 December 1, 19 94,
and ending with the issue dated December 8, 19 94.

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

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

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 29 day of December in the year of 1994, before me,

a Notary Public, personally appeared Sinda Capps McQuire,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

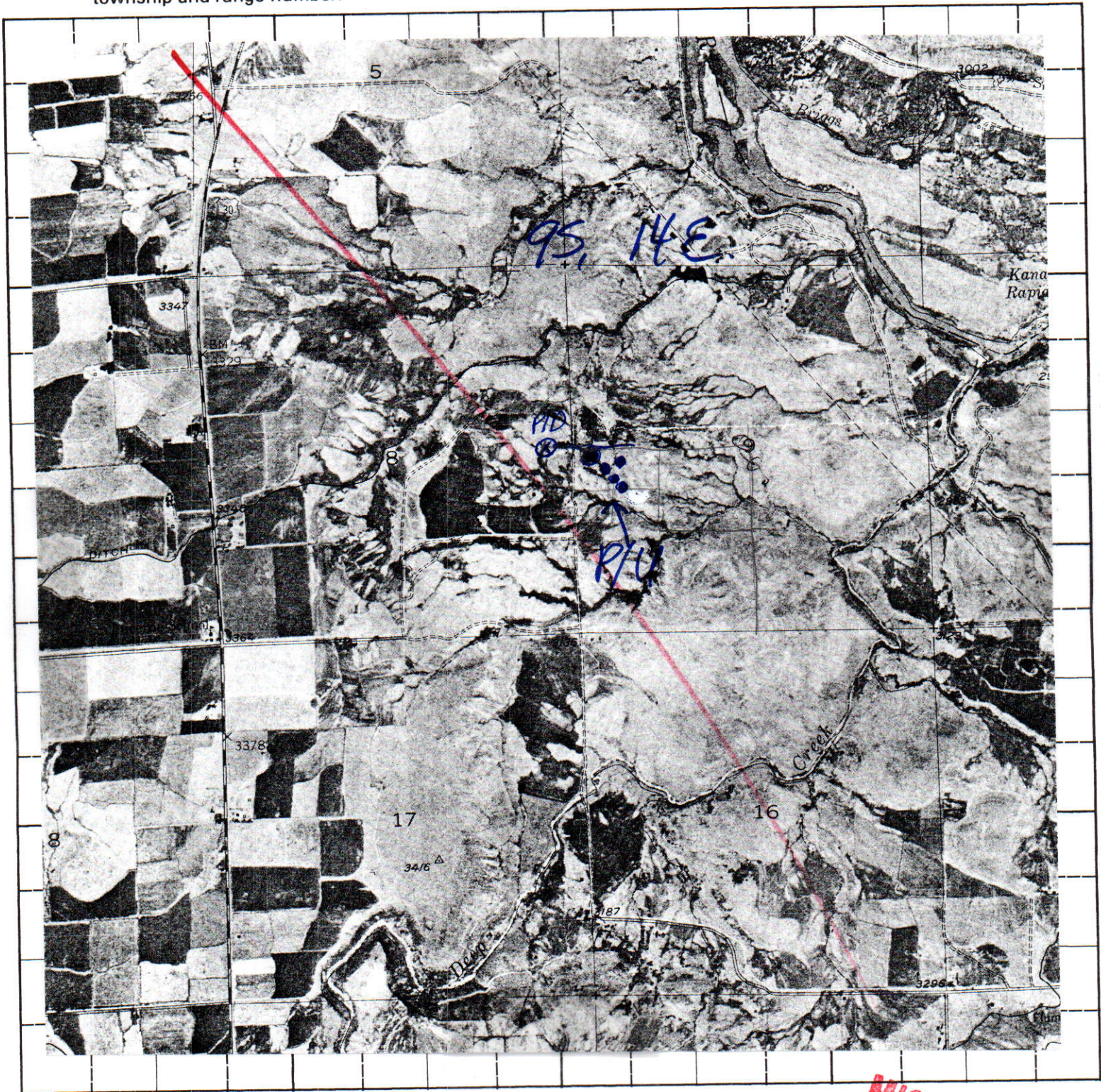
Ineva R. Feltman
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5/19/2000

FEB 16 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.

Rod J. [Signature]
(Applicant)

RECEIVED
FEB 16 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 47-08366

Proposed Priority: June 3, 1994 Maximum Diversion Rate: 2.00 CFS

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

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

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
AESTHETIC STORAGE	01/01 to 12/31		1.2 AF
DIVERSION TO STORAGE	01/01 to 12/31	2.00 CFS	
	Totals	2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION: SENWSW , Sec. 9, Township 09S, Range 14E
TWIN FALLS County

PLACE OF USE: AESTHETIC STORAGE

TWN RGE SEC

09S 14E 9 NWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1998**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. Aesthetic storage use is within 5 ponds with a total combined storage capacity not to exceed 1.2 AF.

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

3rd day of February, 1995

[Signature]
for **R. Keith Higginson, Director**

FEB 16 1995

007 27 1994

Form 202
10/92

Department of Water Resources STATE OF IDAHO
Southern Region

AMENDED

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

47-08366
Amended
JAN 26 1995
Department of Water Resources

1. Name of applicant Red J Griffith Phone 543-5585
Post office address 4579-B River Rd, Buhl, ID 83316
2. Source of water supply Unnamed Stream which is a tributary of Deep Cr
3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 9 Township 9S Range 14E B.M. Twin Falls County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 2.0 for Div. to storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1.2 for Aesthetic storage 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)
5. Total quantity to be appropriated is (a) 2.0 and/or (b) 1.2
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Existing Concrete headgate to a earth ditch. A 6" PVC pipe from ditch with valve to 5 constructed earth ponds.
 - b. Height of storage dam max. 6 feet; active reservoir capacity varies acre-feet; total
reservoir capacity 1.2 acre-feet; period of year when water will be diverted to storage:
1/1 to 12/31 inclusive.
 - c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
3 years (minimum 1 year).

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Series of 5 small ponds totaling about 15,000 to 18,000 sq. ft surface area, average depth of 3'. Ponds used for aesthetic and wildlife.

9. Description of place of use:

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

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

JS = Aesthetic Storage

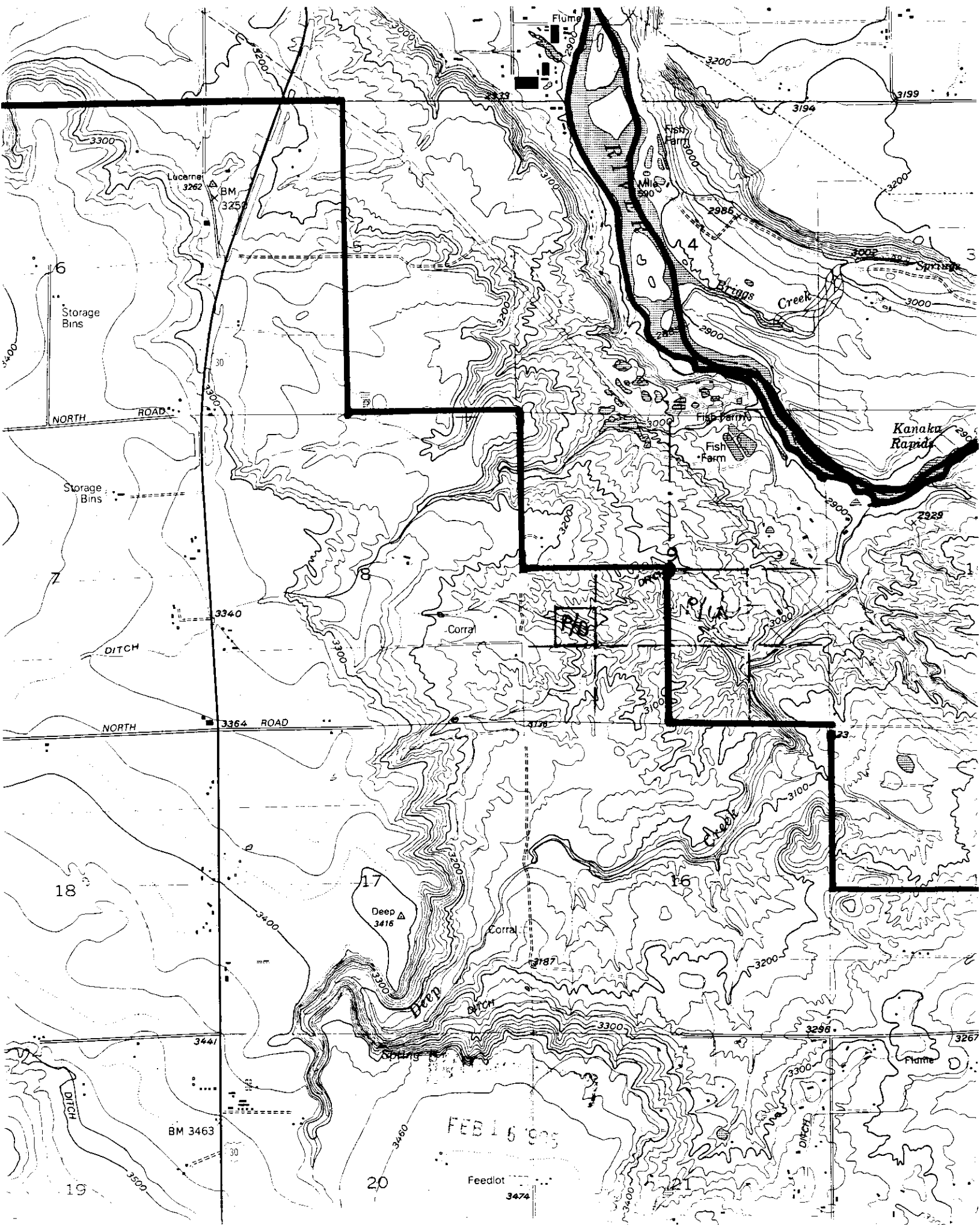
Total number of acres to be irrigated _____

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

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

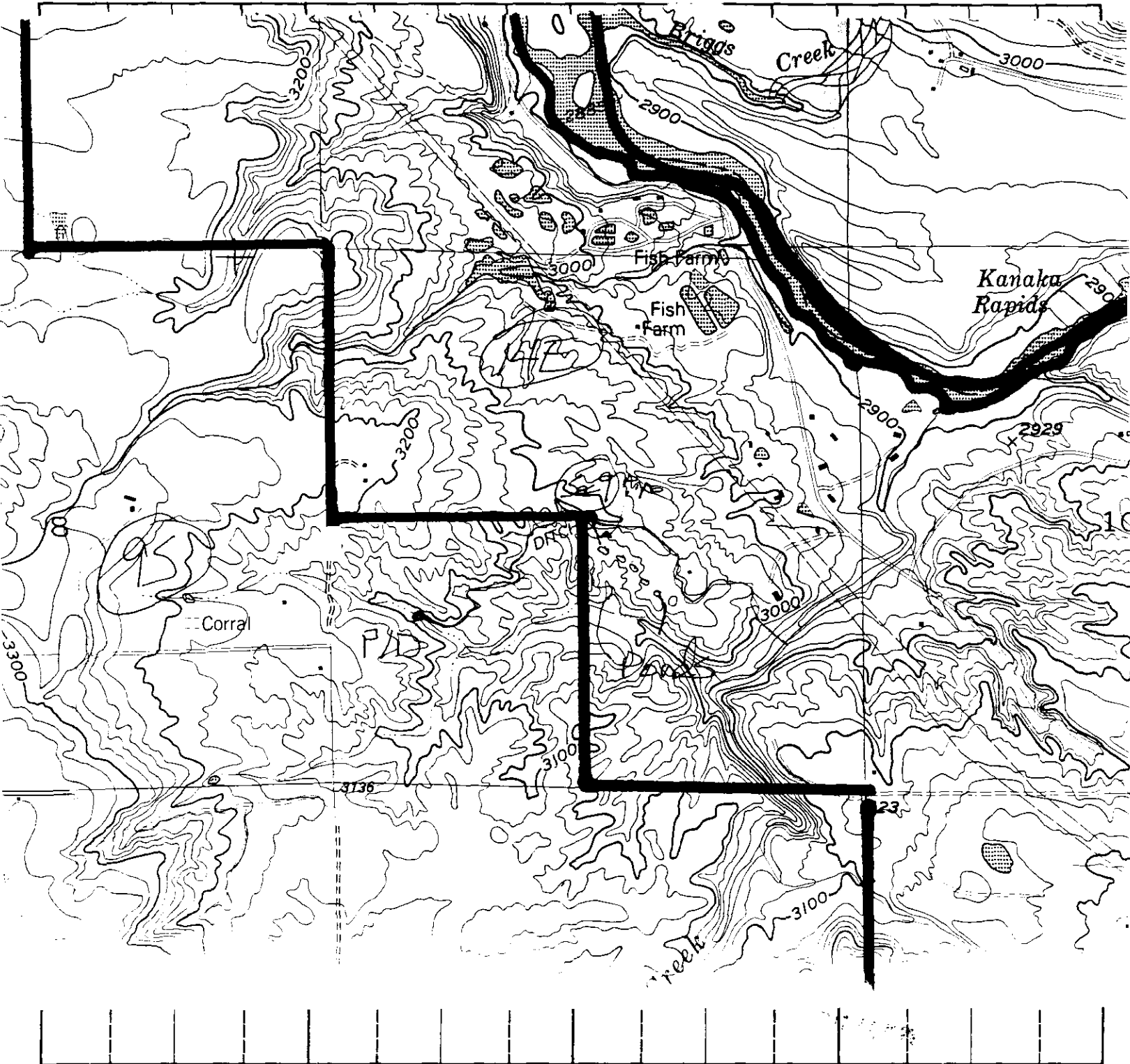
12. Remarks: _____

FEB 16 1995



47-08366

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.

Red G. Smith
(Applicant)

original: MTS 6/13/94 2:30
Received by DJ Date 10/27/94 Time 11:30 Preliminary check by J. P. Stanton
Fee \$ 50 Receipted by MTS # 5016965 Date 6/13/94
Publication prepared by MB Date 11/17/94 Published in Times News
Publication approved MBaldwin Date 11/4/95

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:

RECEIVED

FEB 16 1995

09514E091200
USA

P-12979

09514E091850

774.27'

Tax # 1381

09514E091840
P-12978

816.27'

09514E091855

Tax # 1467

P-12977-002

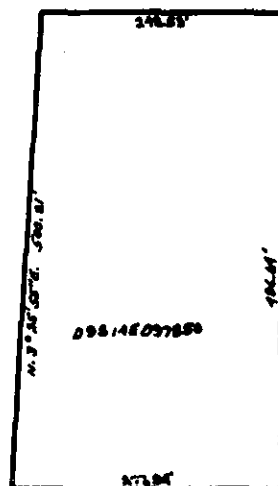
S88°21'34"E 1335.73'

886.93'

1209.62'

1820.22' N88°34'58"W

09514E097805



09514E097130

1066.49'

09514E097210
P-12985

N88°40'39"W 1327.31'

09514E098400

09514E099000
P-12987

47-08366

2. K. ...
3. Daniel C. ...
4. Merle Stoddard
5. ...
6. ...
7. Robert J. ...
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15. Dennis Kinyon ...
16. Buell Highway District
17. Buell Highway District
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16-9-14

KLE

5738SS1 V2R2MD 920925 PRINT KEY OUTPUT S10A2403 10/27/94 PAGE 1 10:28:12

DISPLAY DEVICE : FD
USER : ASSESSOR

PARCEL MASTER/HISTORY INQUIRY

PARCEL: RP 09S14E097805 A MS SW UR HD CB REL PARC DD

NAME/ADDRESS	LEGAL DESCRIPTION
GRIFFITH, ROD	SEC 9 T 9 R 14 NW SE, EXC SE 500.21' X 248.53' OF N 560.21' +

4579-B RIVER RD	CODE AREA 6200	OWNER CODE
BUHL	PARC TYPE	LOC CODE
4579 B	EFFDATE 1011994	EXPDATE
ID 83316	PREV PARCEL	RP09S14E097810A
RIVER ROAD	83316	

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CO MRKT	HS MRKT
5	1991	35990	AC	648				
10	1991	1000	AC	4003				
31	1991			52629	52629	26315		
TOTALS		36990		57280	52629	26315		

F1=HELP F2=TAX DUE F3=EXIT F4=PROMPT F5=SUMMARY F6=NAME F7=LEGAL F24=MORE KEYS

IDWR
Southern Region

RECEIVED

JAN 31 2000

Department of Water Resources

MEMORANDUM

RECEIVED

AUG 26 1999

Department of Water Resources
Southern Region

DATE: August 24, 1999

TO: Allen Merritt and Georgia Satterlee

FROM: Shelley W. Keen ^{SK}

RE: Rod J. Griffith water right filings

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

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

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

THIS IS BENEFICIAL USE FIELD REPORT
TO LICENSE 47-08366 THAT GOES
BACK TO STATE OFFICE AFTER
47-08394 IS ADVERTISED/SENT SO.
FOR PERMIT ISSUANCE.
SOUTHERN FILE 47-08366 HAS BEEN
UPDATED.

RECEIVED

JAN 31 2000

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAV 0 1 1998

Department of Water Resources

Permit No.

47-08366

A. GENERAL INFORMATION

1. Owner: Rod & Carla Griffith Phone No. 543-5585

Current Address: 4579 - B RIVER RD. BUHL, ID. 83316

2. Accompanied by: same as above EXAM DATE: 11 Mar 98

Address: _____ Phone No. 26 UCF 1999

Relationship to Permit Holder: SELF

3. Source: UNNAMED STREAM tributary to DEEP CREEK

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 47-08394 (Permit)

2. Other water rights with the same point of diversion: 47-08394 (" ")

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
P/D		SE	NW	SW	09	04S	14E	TWIN FALLS	FIELD EXAM / APPLICANT VERIFICATION
Re-diversion int		NW	NW	SE	↓	↓	↓	↓	RE-DIVERTS FROM WEIR

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

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

Scale: 1" = _____

☒ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ 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

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

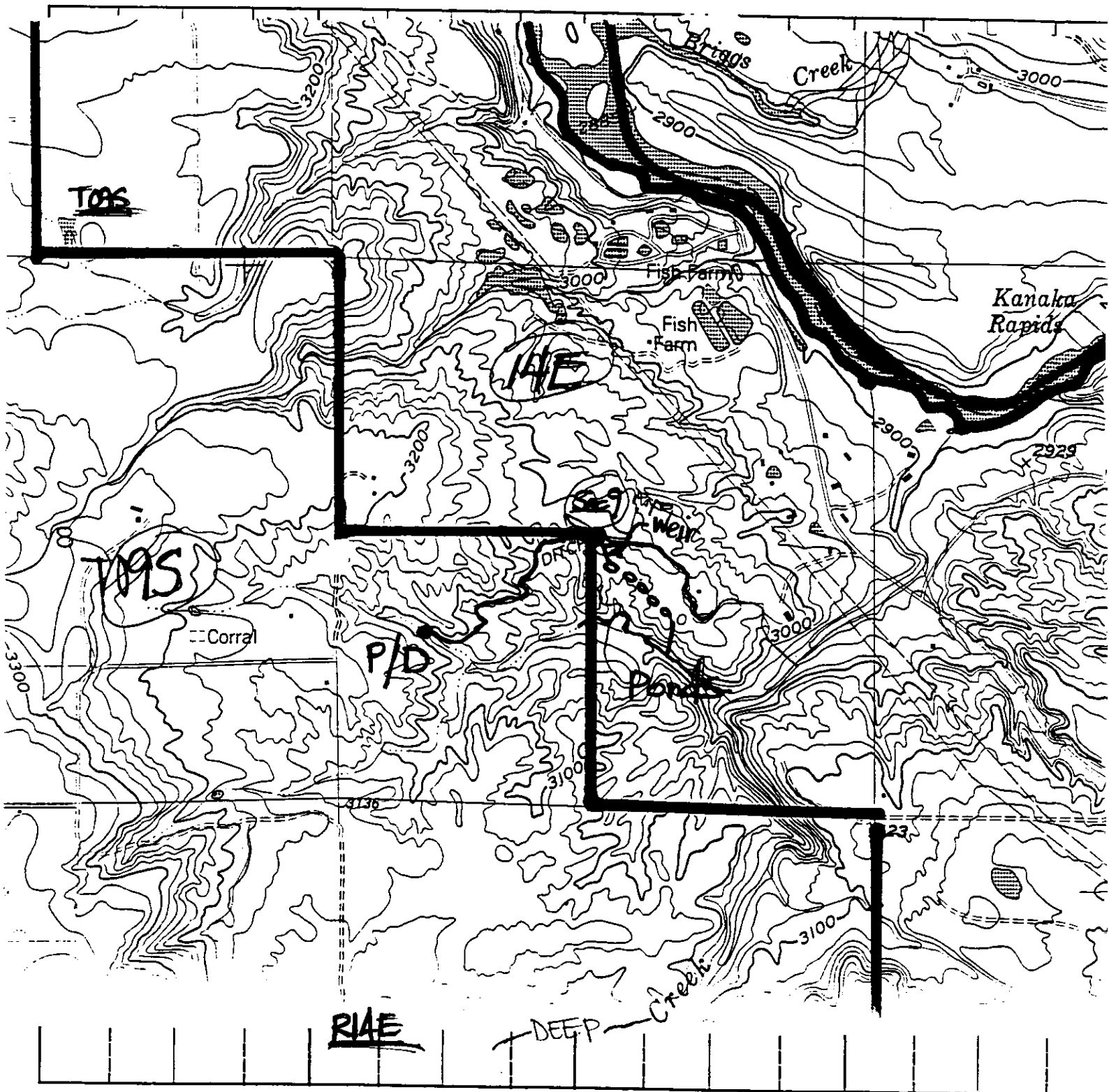
D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
BUCKET STOPWATCH						
WEIR CALCULATIONS						

2. Measurements: Oct 1999 Measured w/ Portable Flume (A)
P/D (fork) = 1.65 cfs

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.

Red Gaff
(Applicant)

IDAHO DEPARTMENT WATER RESOURCES

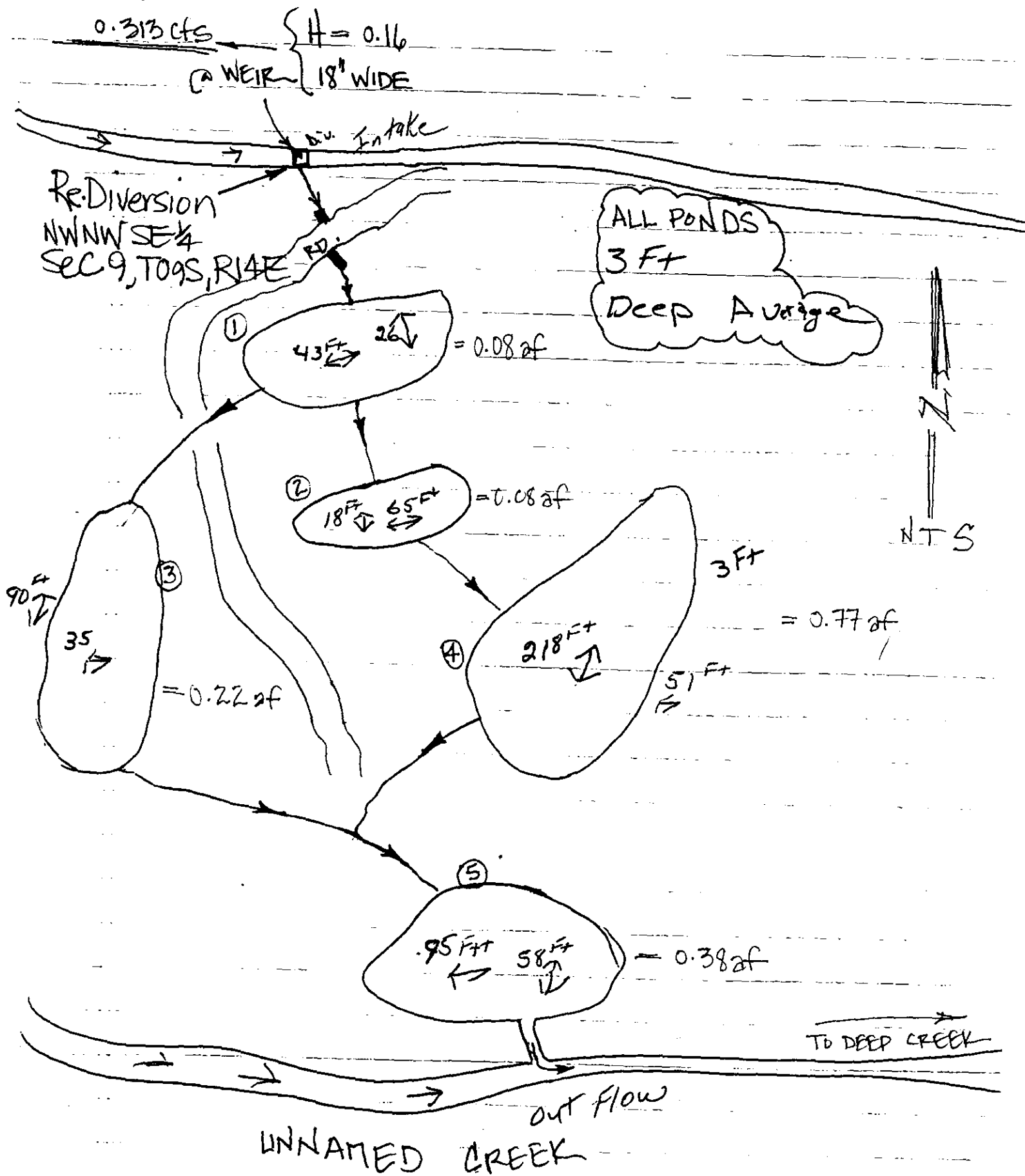
47-08366,-08394



-  Quarter-Quarter Lines
-  Section Lines



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



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

47-08366



photos looking W'ly

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

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

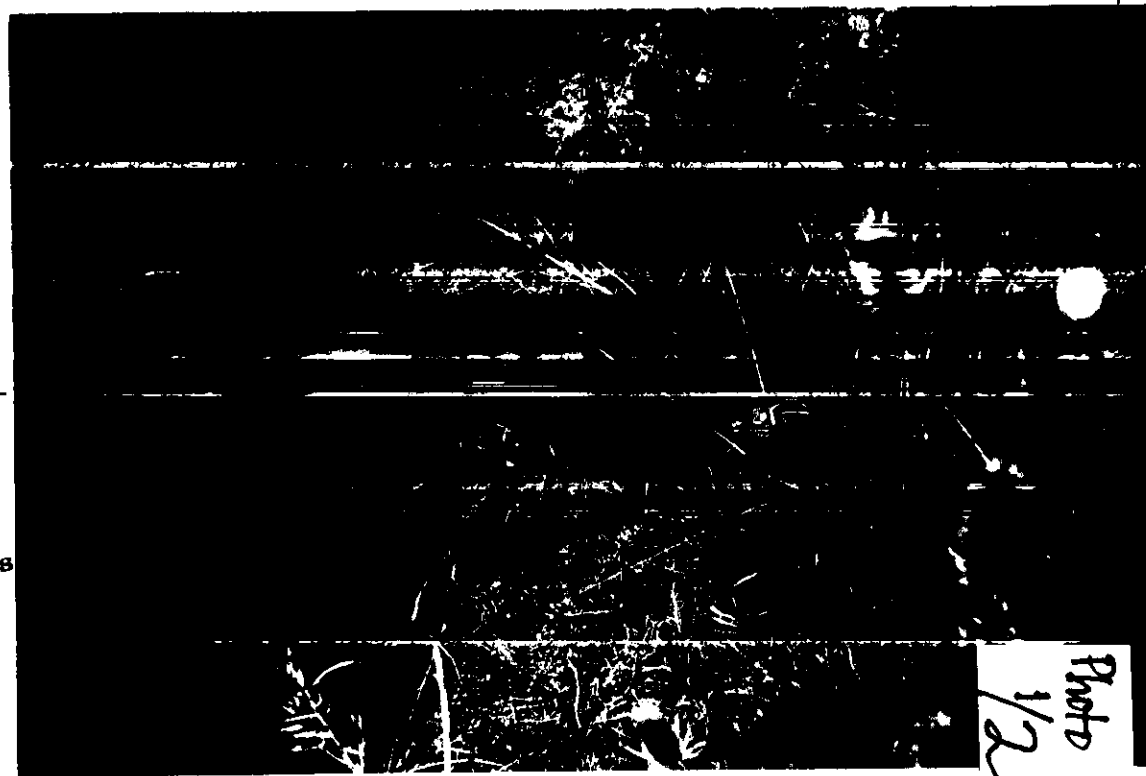


Photo
1/2

measurement made with the portable
fl... 1.5 cfs (75' d/s from fork)

Griffith, Rod & Carla
47-08366, -08394

Department of Water Resources

Permit No.

Phone No. _____

1. Owner:

Current Address:

2. Accompanied by:

EXAM DATE :

Address:

Phone No.

Relationship to Permit Holder:

3. Sources:

tributary to

B. OVERLAP REVIEW

1. Other water rights with the same place of use:

2. Other water rights with the same point of diversion:

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

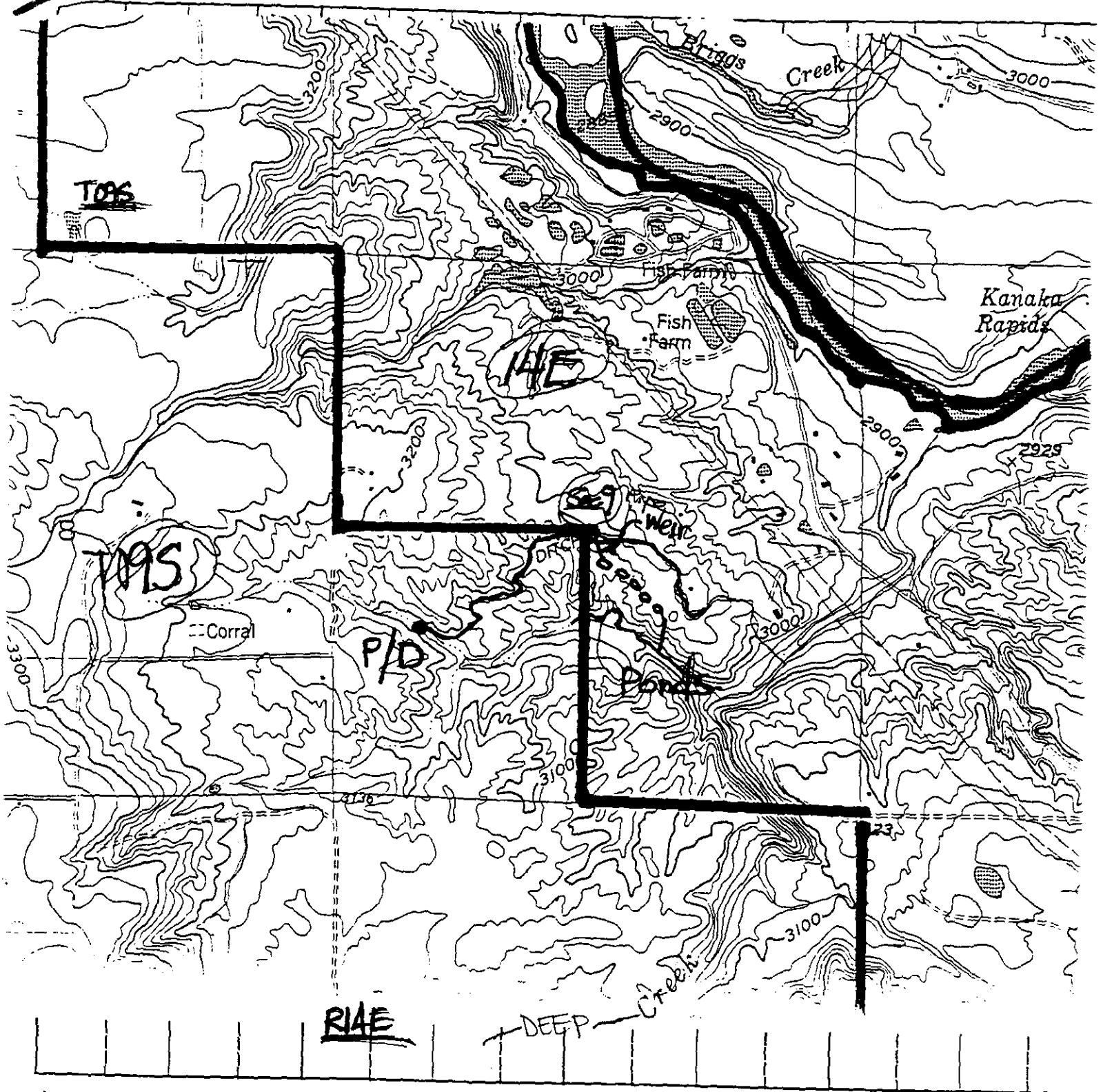
[illegible]

2. Place(s) of Use:

Indicate Method of Determination

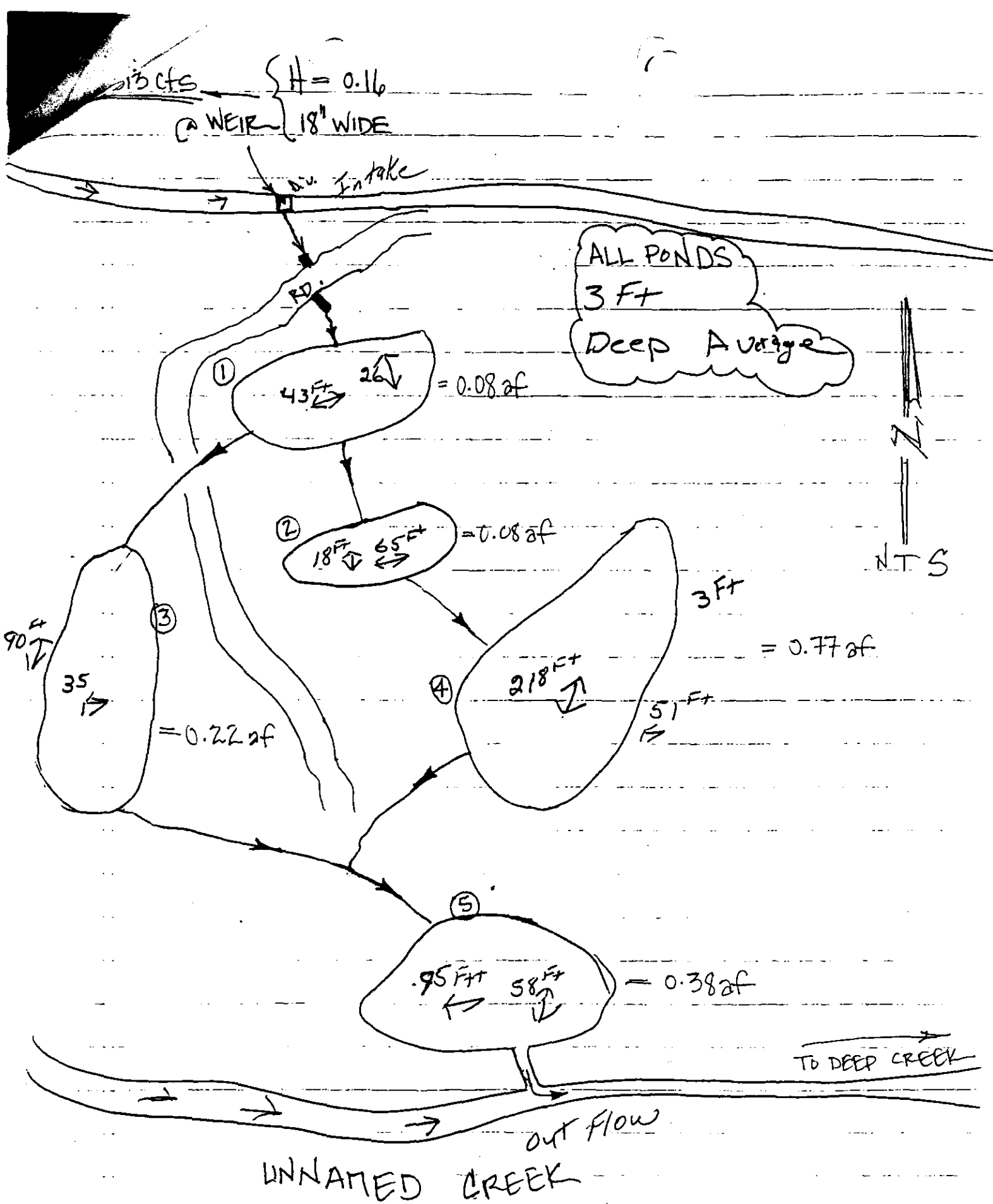
[illegible]

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



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.

Red Gifford
(Applicant)



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

47-08366

PHOTO 1/1

photo looking S'ly



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

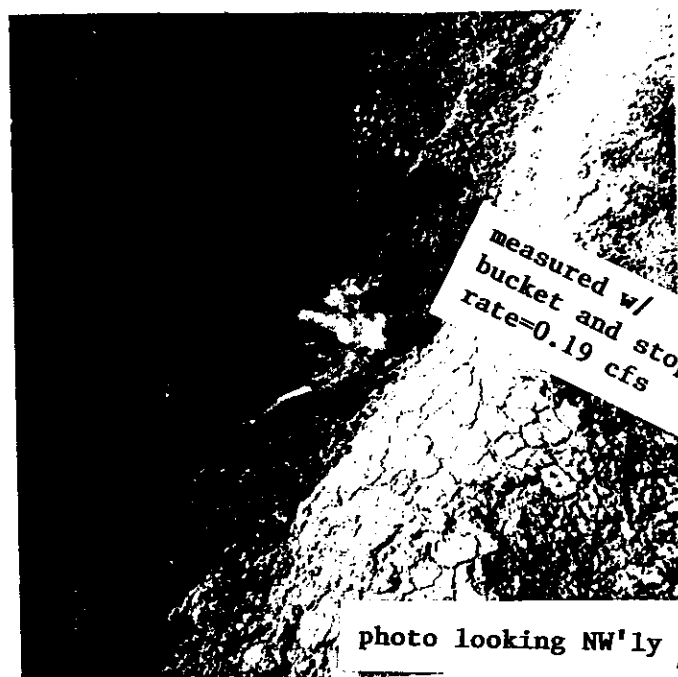


photo looking NW'ly

measured w/
bucket and stopwat
rate=0.19 cfs

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

47-08366

E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

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

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

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

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

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

Additional Computation Sheets Attached

Measured Method:
 BUCKET/STOPWATCH @ OUTFLOW FROM 3-4" PIPE = 0.19 cfs
 WEIR → 1.5' WIDE · $0.16 H = 0.31 \text{ cfs}$ ←

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{10em}}$$

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

$V = \text{Smaller of } V_{LR} \text{ and } V_{DR} =$

Volume Calculations for Other Uses:

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

LIMITING FACTOR 1.2 DIVERSION VOLUME

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
AESTHETIC	1/1	12/31	0.31 cfs	
DIVERSION TO STORAGE	1/1	12/31		1.2
OFF STREAM DIVERSION			Totals: 0.31 cfs	1.2 afa

___ Change P.D. as reflected above ___ Add P.D. as reflected above ✓ None
 Change P.U. as reflected above Add P.U. as reflected above Other

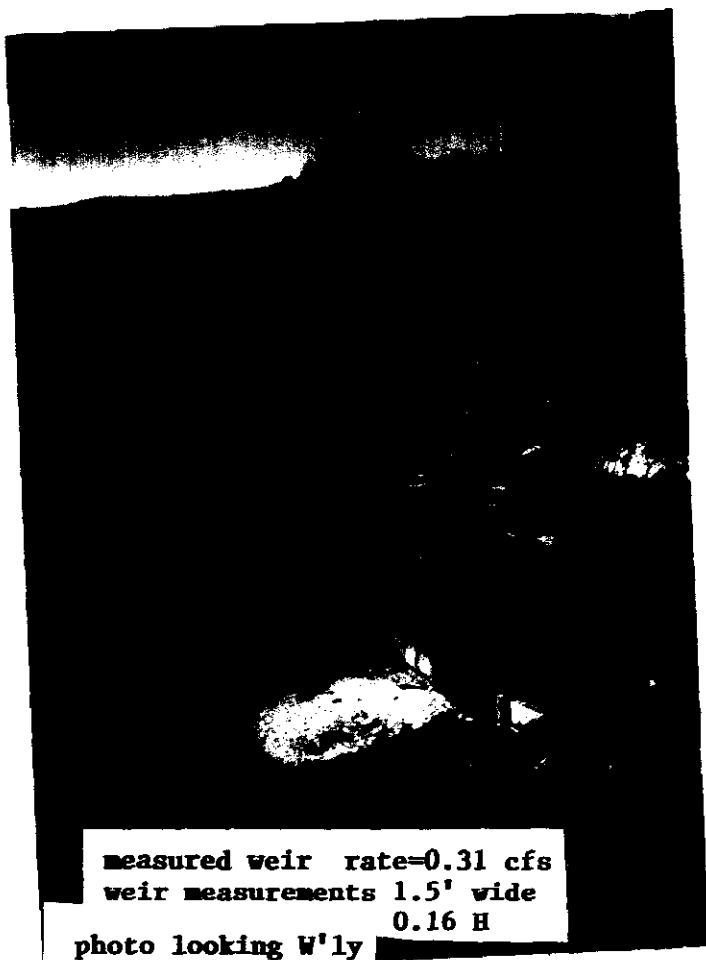
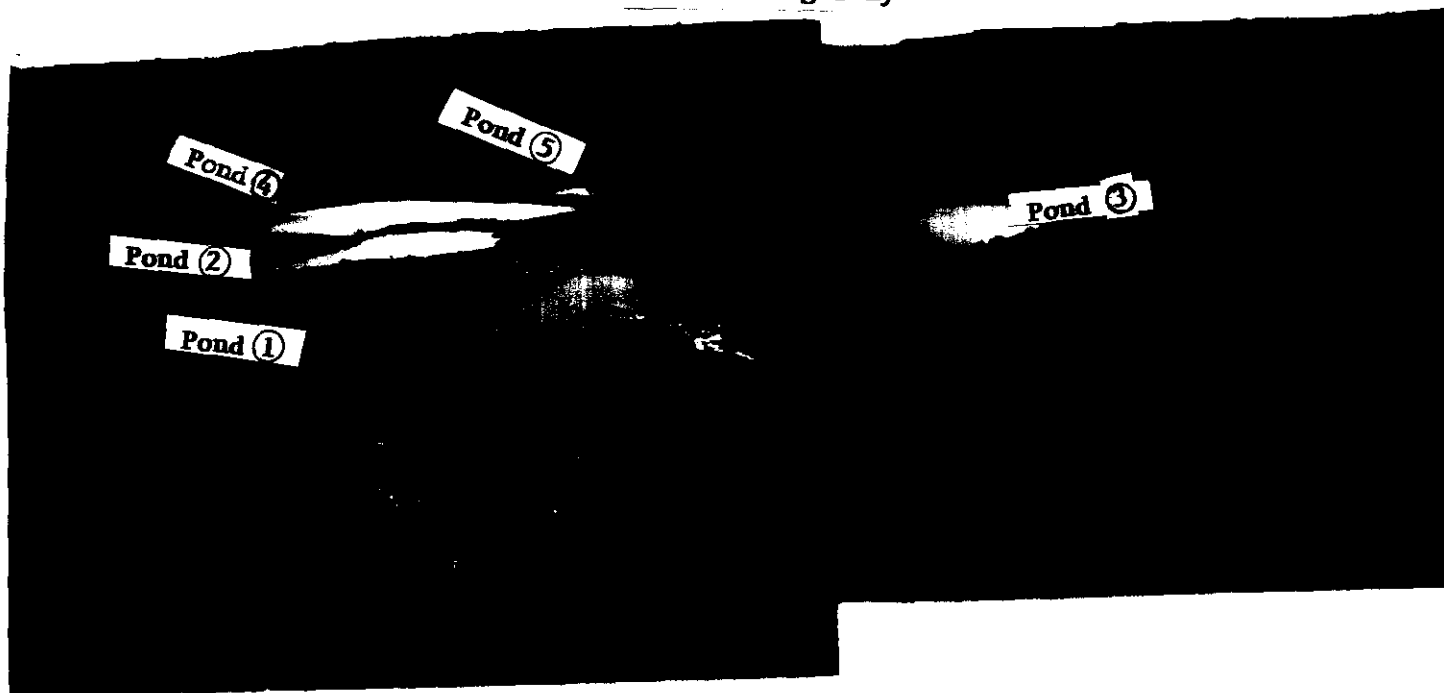
Field Examiner's Name Korin Tatterlee Date 19 Mar 98

Reviewer _____ Date _____

SEAL

PHOTO 2/2

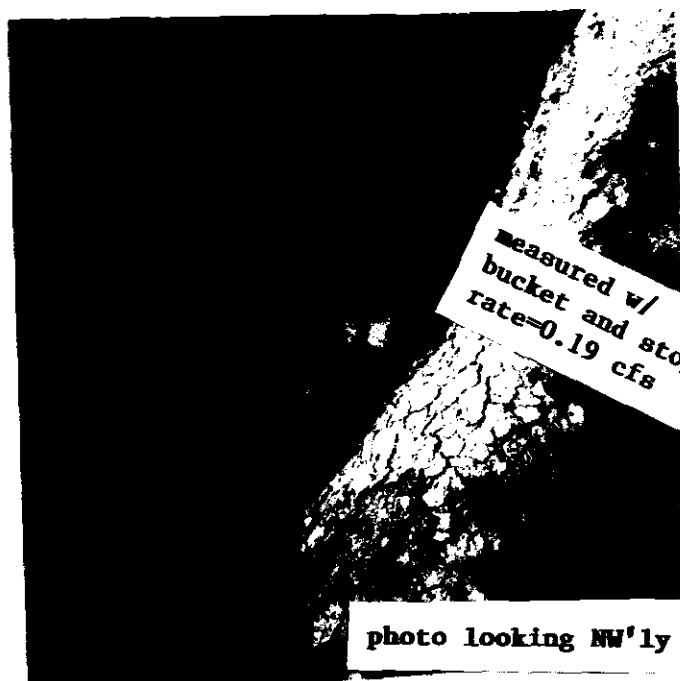
photo looking S'ly



measured weir rate=0.31 cfs
weir measurements 1.5' wide
0.16 H

photo looking W'ly

REDIVERSION PT. NW/NWSE 1/4



measured w/
bucket and stopwate
rate=0.19 cfs

photo looking NW'ly

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

47-08366

E. NARRATIVE/REMARKS/COMMENTS

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

29 October 1999 47-08366 and 47-08394

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

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

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

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

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

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

Additional Computation Sheets Attached

$$\text{DIVERSION PT.} = (\text{FLUME}) \quad 1.65 \text{ cfs}$$

$$\text{RE-DIVERSION PT.} = (\text{WEIR MEASUREMENT}) = 0.31 \text{ cfs}$$

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

G. VOLUME CALCULATIONS

1. Volume Calculations for impingement

1. Volume Calculations for Irrigation:

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

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

2. Volume Calculations for Other Uses:

PONDS 1-5 $0.08+0.08+0.22+0.77+0.38=1.53 \text{ x ft.}$

LIMITING
FACTOR

1. Recommended Amounts

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

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name James D. Miller Date 10/27/98 / 26 Oct 1999

Reviewer _____ Date _____

SEAL

MEMORANDUM

DATE: August 24, 1999

TO: Allen Merritt and Georgia Satterlee

FROM: Shelley W. Keen *swk*

RE: Rod J. Griffith water right filings

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

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

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

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 47-08366 Reviewed by [Signature] Date 3-5-98

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Storage

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit

☐ Well log in the file? _____ Correct?

LICENSE EXAMINATION FEE

yes Required?
125- Amount Submitted
yes Correct?

MEASURING DEVICE

NO Required?
yes Installed?
_____ 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 X

Proof Made 1-30-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

March 16, 1998

KARL J. DREHER
DIRECTOR

ROD J GRIFFITH
4579 B RIVER RD
BUHL ID 83316

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-08366

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.

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

If you have questions concerning the field examination, please contact the department's **SOUTHERN** Regional Office in Twin Falls at (208)736-3033.

Sincerely,

A handwritten signature in black ink, reading 'Julie L. Yarbrough', with a stylized flourish at the end.

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

ARCHIVED
APR 16 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 30 1998

Department of Water Resources

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. 47-08366 Telephone No. 208-543-5585

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

3. Mailing Address: 4579-B River Road Buhl Id. 83316

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: Storage Ponds For wild life

6. Total rate of diversion and/or volume for which proof is submitted: 2.0 cfs OR ____ acre feet

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

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

Measuring Device: Is a measuring device required? Yes X or No ____

Has the measuring device been installed? Yes X or No ____

Flow Measurement Port: Is a flow measurement port required? Yes X or No X

Has the measurement port been installed? Yes X or No X

8. Fee Enclosed: \$ 125.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Rod Griffith Telephone Number: ____

Address: 4579-B River Road Buhl Idaho 83316

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

Signature of permit holder: Rod Griffith Date: 1/27/98
(include your title, if on behalf of company or organization)

November 30, 1997

ROD J GRIFFITH
4579-B RIVER RD
BUHL ID 83316

PROOF DUE NOTICE

RE: PERMIT NO. 47-08366

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 February 1, 1998. (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.

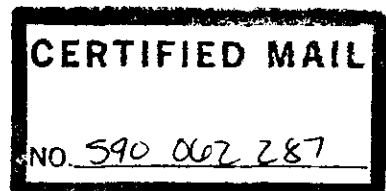
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

APR 16 1998





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 6, 1995

ROD J GRIFFITH
4579-B RIVER RD
BUHL ID 83316

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 47-08366

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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

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

Sincerely,

A handwritten signature in cursive script that reads 'Shelley W. Keen'.

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED
FEB 16 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 47-8366 Name: Giffith Date: 2/2/95 Ad OK? ☒
Correct Fee? ☒ Receipt #: 507563 Priority: 10/21/94

AREA OF CONCERN? - No/Yes ESRP Mor GWMA Trust/Non-trust
PROTESTED: - 020 (Prehearing agreement) or W19 (See Order) NA

SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - ~~P16~~-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? - 046-46A (LG Irr)-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink):
Water District (~~dem~~) - 005 (req) WD # <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)
+ 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 (non-domestic use), NA
Payette R (65) - 064 (consump. use), 047-P04 (Payette Lake), NA

USE:
Domestic (surface) - 021 (Boise R ↑ L Peak); 064 (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)
+ 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 (FERE); 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. - 030 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - A <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP:
Non-land owner -

OTHER CONDITIONS:
STANDARD REMARKS: - 004 (PD/PU) Kinyan/Johnson - right of way easement
- 027
- ① Aesthetic storage is within 5 ponds with a combined
storage capacity & not exceed 1.2 AF.

BENEFICIAL USE DUE:
COMMENTS:

FROM: Allen Merritt

DATE: January 24, 1995

TO: File 47-08366

SUBJECT: Final Recommendation & Conditions

On this day I conducted a pre-hearing conference where Wade Fairchild, protestant withdrew his protest.

As explained at the conference by Mr. Griffith, he seeks to build five (5) small ponds for aesthetics and wildlife. The ponds will be built from water diverted from an existing diversion ditch which is presently used by Mr. Griffith for irrigation. It was noted that the stream sought to be diverted crosses Wade Fairchild's property where he uses same for irrigation. The stream is comprised of spring or seep water and waste water which enters the stream.

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

- The right is de-minimis or non-consumptive.

- The right allows a maximum diversion rate of 2.0 cfs to fill the ponds and a reasonable rate to maintain the ponds.

- The total volume allowed to be developed is 1.2 acre feet storage within the five (5) proposed ponds.

- A portion of the water of the unnamed stream proposed to be diverted is due in part to waste water and as such is subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use to cease wasting it or to recapture it.

RECEIVED
JAN 26 1995

Department of Water Resources

RECEIVED
FEB 16 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J. E. Stanton DATE 6-6, 19 94
APPLICATION NO. 47-08366

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.)
☒ County
☒ Quantity (flow &/or volume)
☒ Period of use
☒ Nature of proposed use (include description of use)
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

++++PROPOSED PRIORITY DATE
6-3 19 94

ADDITIONAL INFORMATION

- ☐ Overlapping place of use(Describe source & relationship to present application on the back. N/A)
☐ Overlapping point of diversion. Advertise - appears to be non-consumptive
☒ 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

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

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

See below for additional information

Date of priority recommended 6/3/94, 19
By ADm Date 1/24, 1995

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____, 19 _____

ADDITIONAL INFORMATION:

See Attached Memo dated 1/24/95 by ADm
Protest withdrawn

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____

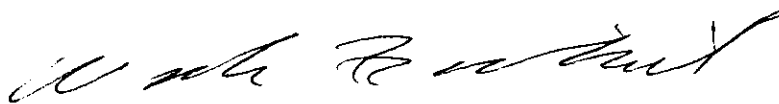
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

WITHDRAWAL OF PROTEST

I, WADE FAIRCHILD, hereby withdraw my protest filed in the matter of application No. 47-08366 in the name of ROD GRIFFITH.

Dated this 24th day of January, 1995.

Signature



Protestant

RECEIVED

JAN 24 1995

Department of Water Resources
Southern Region

RECEIVED

FEB 16 1995

[illegible]

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 47-08366)

NOTICE OF
PRE-HEARING CONFERENCE

ROD J GRIFFITH,
Applicant)

SOURCE: UNNAMED STREAM
COUNTY: Twin Falls

WADE FAIRCHILD,
Protestant)
_____))

On October 27, 1994, Rod J. Griffith, applicant, filed with the Department of Water Resources an amendment of his application for permit to appropriate the public waters of the State of Idaho. The Department has received a continuation of the protest against the approval of said application from Wade Fairchild.

The Department has set the matter of protest for a pre-hearing conference for Tuesday, January 24, 1995, at 10:00 am in the Conference Room in the office of the Idaho Department of Water Resources Southern Region located 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 5th day of January, 1995.



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

RECEIVED

FEB 16 1995

I hereby certify that on the 6th day of January, 1995, I mailed a true and correct copy, postage prepaid by certified mail, of the foregoing Notice of Pre-Hearing Conference to the applicant and protestant listed below:

Mary A. Baldwin
Secretary

Rod J. Griffith
4579B River Road
Buhl ID 83316

Wade Fairchild
Rt 3 Box 372
Buhl ID 83316

RECEIVED
FEB 16 1995

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 next to the article number.

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

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

Consult postmaster for fee.

3. Article Addressed to: **47-8366**

WADE FAIRCHILD
RT 3 BOX 372
BUHL ID 83316

4a. Article Number

1567

4b. Service Type

- | | |
|--|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☒ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

11/11/95

5. Signature (Addressee)

6. Signature (Agent)

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

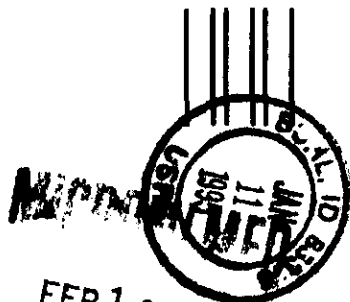
United States Postal Service

Official Business

JAN 15 11 11 AM '95

JAN 12 1995

Department of Water Resources
Southern Region Office



PENALTY FOR PRIVATE
USE, \$300

Print your name, address and ZIP Code here

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE STREET EAST
TWIN FALLS, IDAHO 83301

SENDER:

- Complete items 1, 2 or 3 for additional services.
- Complete items 3, 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 next to the article number.

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

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

Consult postmaster for fee.

3. Article Addressed to: **47-8366**

4a. Article Number

1566

ROD J GRIFFITH
4579-B RIVER ROAD
BUHL ID 83316

FEB 16 1995

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

1/9/95

5. Signature (Addressee)

6. Signature (Agent)

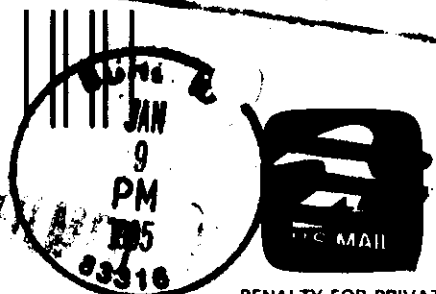
8. Addressee's Address (Only if requested and fee is paid)

United States Postal Service

Official Business

JAN 10 1995

Department of Water Resources
Southern Region Office



PENALTY FOR PRIVATE
USE, \$300

JAN 16 1995

Print your name, address and ZIP Code

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE STREET EAST
TWIN FALLS, IDAHO 83301

FOR REGISTERED, INSURED, C.O.D., CERTIFIED, AND EXPRESS MAIL

PS Form 3877, Feb. 1982

NAME AND
ADDRESS
OF SENDER

Indicate type of mail

☐ Registered
☐ Insured
☐ COD
☐ Certified ☐ Express Mail
Check appropriate block for
Registered Mail:
☐ With Postal Insurance
☐ Without Postal Insurance
Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee Remarks
1	1565	Ken Vollmer/Vollmerwell Dr.	.32	1 ¹⁰	1 ¹⁰	2 ⁵²						
2	1566 ✓	47-8366 Rod J. Griffith AM/1-6-95	.32	1 ¹⁰	1 ¹⁰	2 ⁵²						
3	1567 (2)	Wade Fairchild	}	}	}	}						
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												

FEB 16 1995

RECEIVED

Total Number of Pieces
Listed by SenderTotal Number of Pieces
Received at Post Office

POSTMASTER, PER (Name of receiving employee)

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for COD and \$400 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.

AM
Date 4/95 Time 303 ☐ AM ☒ PM

WHILE YOU WERE OUT

M. Red Griffith
of _____

Phone (_____) 543-5585
Area Code Number Extension

TELEPHONED	☒	PLEASE CALL	☐
CALLED TO SEE YOU	☐	WILL CALL AGAIN	☐
WANTS TO SEE YOU	☐	URGENT	☐

☐ RETURNED YOUR CALL ☐

Message Re: 47-8366

Is ready for a hearing
real soon hopefully.

I advised him spec
were hoping to schedule
it this month.

Operator MB

LET'S
GET
BACK
TO **BASICS**™

#71100

NOTICE OF AMENDED
APPLICATION FOR
WATER PERMIT

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

47-08366

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

Date Amended: 10/27/1994

Source: Unnamed Stream
Tributary to Deep Creek

Diversion Pt: SENWSW,
S9, T9S, R14E; Twin Falls
County

Use: Diversion to storage
(2.0 cfs)
Aesthetic Storage
(1.2 afa)

In: NWSE, S9, T9S,
R14E.

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
December 19, 1994. The
protestant must also send
a copy of the protest to
the applicant.

R. Keith Higginson,
Director

Published in Times News
on 12/1 & 12/8/94

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

JUN 04 1995 No 26629

I, Linda Capps Mrs. Squire being first duly sworn upon oath, depose
and say that I am Public 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 columns,
commencing with the issue dated December 1, 19 94,
and ending with the issue dated December 9, 19 94.

OK
mb
1/4/95
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.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 29 day of December in the year of 1994, before me,

Linda Capps Mrs. Squire
Notary Public, personally appeared Linda Capps Mrs. Squire,
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.

FEB 16 1995

Heva R. Feltman
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5/19/2000

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	
26629		343	12/28/94	
INDEXING TERM				
#47-08366				
START DATE		TELEPHONE NO.		
12/01/94		736-3033		
ISSUES	TIMES	RATE	NET AMOUNT	GROSS AMOUNT
61	2		43.92	43.92
AFFIDAVI			2.00	2.00
PAY THIS AMOUNT			45.92	45.92
GROSS AMT DUE AFTER 01/12				

RECEIVED

JAN 04 1995

Department of Water Resources
 Southern Region Office

RETURN THIS PORTION WITH YOUR REMITTANCE

26629

4592

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

222 SHOSHONE ST E
 TWIN FALLS

ID
 83301

RECEIVED
 FEB 16 1995

IN REGARD TO
Rod Griffith APP.

Permit # 47-08366

I WADE FAIRCHILD
WISH TO CONTINUE MY
PROTEST THAT WAS
ALREADY FILED

DATED 12-16-94

WADE FAIRCHILD
Rt. 3 Box 372

Buhl ID. 83366

Wade Fairchild

J E G E U W

DEC 19 1994

Department of Water Resource
Southern Region Office

RECEIVED

FEB 16 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:

47-08366

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

Date Amended: 10/27/1994

**Source: Unnamed Stream
Tributary to Deep Creek**

**Diversion Pt: SENWSW,
S9, T9S, R14E; Twin Falls
County**

**Use: Diversion to storage
(2.0 cfs)
Aesthetic Storage
(1.2 afa)**

**In: NWSE, S9, T9S,
R14E.**

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 December 19, 1994. The protestant must also send a copy of the protest to the applicant.

**R. Keith Higginson,
Director**

**Published in Times News
on 12/1 & 12/8/94**

FEB 16 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

November 18, 1994

R. KEITH HIGGINSON
Director

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
FEB 16 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:

47-08366

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

Date Amended: 10/27/1994

Source: Unnamed Stream Tributary to Deep Creek

Diversion Pt: SENWSW, S9, T9S, R14E; Twin Falls County

Use: Diversion to storage (2.0 cfs)
Aesthetic Storage (1.2 afa)

In: NWSE, S9, T9S, R14E.

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 December 19, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Published in Times News on 12/1 & 12/8/94

RECEIVED
FEB 16 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

November 17, 1994

ROD J GRIFFITH
4579-B RIVER RD
BUHL ID 83316

Re: Amended Application for Permit No. 47-08366

Dear Mr. Griffith:

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 12/1 & 12/8/94. 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,

James E. Stanton
Sr. Water Resource Agent

JS:MB

cc: Wade Fairchild - Certified Mail # 1548

RECEIVED

FEB 16 1995

PS Form 3877, Feb. 1982 FOR REGISTERED, INSURED, C.O.D., CERTIFIED, AND EXPRESS MAIL

Line	Number of Article	Name of Addressee, Street, and Post Office Address	Postage	Insurance	Special Service	Other
1	1534	W. D. Pardue AM 10-18-94 T # 4434, 36-264B	.29	1.00	1.00	2.29
2	1535	Wm. R. Hill				
3	1536	(3) R. J. Reichard Rep				
4	1537	(1) Wade Fairchild AM 10-27-94 47-8366	.29	1.00	1.00	2.29
5	1538	W. D. Pardue 36-264B, T # 4434 AM 11-14-94	.29	1.00	1.00	2.29
6	1539	Wm. R. Hill				
7	1540	R. J. Reichard, Rep.				
8	1541	(4) Evan Robertson, Esq. 45-7120, 45-7455 AM 11/15/94				
9	1542	Bruce Turner	.29	1.00	1.00	2.29
10	1543	Wm. Parsons				
11	1544	Chuck Brockway				
12	1545	Robert Harrington				
13	1546	Mitao Inouye				
14	1547	(6) Roger Ling / Bob Nielsen MS-11/18/94				
15	1548	(1) Wade Fairchild 47-8366	.29	1.00	1.00	2.29
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail reconstruction insurance is \$50,000 per piece subject to a limit of \$1,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for Insured Mail. Special handling charges apply only to Third-class and First-class parcels. Special delivery service also includes special handling service.	

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U.S. GOVERNMENT PRINTING OFFICE: 1982

FEB 16 1985

Postmaster

Form 202
10/92
RECEIVED

Ident. No. 47-08366

JUN 06 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

De. South Resources To appropriate the public waters of the State of Idaho
Region Office

1. Name of applicant R. J. Griffith Phone 543-5585

Post office address 4579-B River Road; Buhl, ID 83316

2. Source of water supply the natural spring which is a tributary of Deep Creek

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot

Sec. 8 Township 9S Range 14E B.M. Turn-Jells County; additional

points of diversion if any:

4. Water will be used for the following purposes:

Amount 2.0 for Aesthetics purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 1.2 for Aesthetics 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)

5. Total quantity to be appropriated is (a) 2.0 and/or (b) 1.2
cubic feet per second acre-feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Concrete headgate to a ditch. 6" PVC to take water from ditch to ponds.

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 _____ 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 3 years (minimum 1 year).

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

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. a series of 5 small ponds totaling about 15-18,000 sq. ft of surface area at an average depth of 3'. Ponds will be used for aesthetic and bird nesting.

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.

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	14E	9									J								

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? Denver Kenyon

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. An easement to P/D.

12. Remarks: _____

FEB 16 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.

Reed J. Smith
(Applicant)

RECEIVED
FEB 16 1995

Received by MTS Date 6-3-94 Time 2:30 Preliminary check by J. F. Thornton
Fee \$ 65 Receipted by MTS # SD16965 Date 6-3-94
Publication prepared by MB Date 6/15/94 Published in Times News
Publication approved MBaldwin Date 8/18/94

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:

RECORDED

FEB 16 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

October 27, 1994

Certified # 1537

Wade Fairchild
Rt 3 Box 372
Buhl, ID 83316

RE: Application for permit 47-08366 by Rod J. Griffith

Dear Mr. Fairchild:

As you know the department set a pre-hearing conference to discuss the matter of your protest of application for permit 47-08366 for 10:00 AM today at our office. Since you did not appear please be advised that Mr. Griffith appeared at that time and amended his application to correct an error in the original legal descriptions of the proposed point of diversion and place of use. **Please find enclosed a copy of Mr. Griffith's amended application.** Mr. Griffith's amended application will be re-advertised and again be subject to public protest.

Since you did not appear at the scheduled pre-hearing conference our office does not know if you wish to continue your protest. Normally if you do not show up at a scheduled conference or hearing your protest is subject to being dismissed. However, in light of the amendment, you are given until the end of the protest period which will be described in the re-advertisement, to notify this office in writing of your wish to continue your protest. **If you do not respond in writing by that date your protest will be defaulted or dismissed.**

Please review Mr. Griffith's amendment and if you have questions please contact him directly about his proposed project. If you have other questions please feel free to contact our office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Allen Merritt'.

Allen Merritt, P.E.
Acting Southern Region Manager

CC: Rod Griffith, 4579-B River Rd, Buhl, ID 83316

RECORDED

FEB 16 1995

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 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 next to the article number.

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

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to: 47-08366

4. Article Number

1537

WADE FAIRCHILD
RT 3 BOX 372
BUHL ID 83316

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

10/31/94

5. Signature (Addressee)

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

6. Signature (Agent)

United States Postal Service

Official Business

NOV 01 1994 FEB 16 1995

Department of Water Resources
Southern Region Office



PENALTY FOR PRIVATE
USE, \$300

Print your name, address and ZIP Code here

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE STREET EAST
TWIN FALLS, IDAHO 83301

NAME AND
ADDRESS
OF SENDER

Indicate type of mail

☐ Registered
☐ Insured
☐ COD
☐ Certified ☐ Express Mail

Check appropriate block for

Registered Mail:

☐ With Postal Insurance
☐ Without Postal InsuranceAffix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF

FOR REGISTERED, INSURED, C.O.D., CERTIFIED, AND EXPRESS MAIL

Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. F.
1	1534	W. D. Pardue AM 10-18-94 T # 4434, 3674 R	.29	1.00	1.00	2.29					
2	1535	Wm. R. Hill									
3	1536	(3) R. J. Reichard Rep									
4	1537	(1) Wade Fairchild AM 10-27-94 47-8366	.29	1.00	1.00	2.29					
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15											
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	POSTMASTER, PER (Name of receiving employee)			The full declaration of value is required on all domestic and interna The maximum indemnity payable for nonnegotiable documents and ment reconstruction insurance is \$50,000 per piece subject to a l occurrence. The maximum indemnity payable on Express Mail me \$500. The maximum indemnity payable is \$25,000 for Registered M \$400 for Insured Mail. Special handling charges apply only to Th parcels. Special delivery service also includes special handling service.					

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U.S. GOVERNMENT PRINTING OFFICE

161695

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION
FOR PERMIT NO. 47-08366

Rod J. Griffith, Applicant

Wade Fairchild, Protestant

NOTICE OF
PRE-HEARING CONFERENCE

SOURCE: Wastewater,
Springs tributary to
Deep Creek

COUNTY: Twin Falls

On June 3, 1994, Rod J. Griffith, applicant, filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. The Department has received a protest against the approval of said application from the above captioned protestant.

The Department has set the matter of protest for conference on Thursday, October 27, 1994 at 10:00 a.m. in the Department of Water Resources Conference Room, 222 Shoshone Street East, Twin Falls, ID 83301.

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. Opportunity shall be afforded to all parties to respond and present evidence and argument on all issues involved.

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 12th day of October, 1994.


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



FEB 16 1995

I hereby certify that on the 12th day of October, 1994, I mailed a true and correct copy, postage prepaid by certified mail, of the foregoing Notice of Pre-Hearing Conference to the applicant and protestant listed below:

Mary Baldwin
Secretary

Rod J. Griffith
4579B River Road
Buhl ID 83316

Wade Fairchild
Rt 3 Box 372
Buhl ID 83316

RECEIVED
FEB 16 1995

FEB 16 1995

CONFERENCE 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 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.

RECEIVED
FEB 16 1995

SENDER:

- Complete items ☐ d/or 2 for additional services.
- Complete items ☐ ad 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 next to the article number.

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

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

Consult postmaster for fee.

3. Article Addressed to:

47-8366

ROD J. GRIFFITH
4579B RIVER ROAD
BUHL ID 83316

4a. Article Number

1523

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

10/13/94

5. Signature (Addressee)

6. Signature (Agent)

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

United States Postal Service



Official Business

FEB 16 1995

11 51 AM

OCT 1 1994

Department of Water Resources
Southern Region Office



PENALTY FOR PRIVATE
USE, \$300

Print your name, address and ZIP Code here

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

SENDER:

- Complete items 1 or 2 for additional services.
- Complete items 3, 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 next to the article number.

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

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

Consult postmaster for fee.

3. Article Addressed to:

47-8366

WADE FAIRCHILD
RT 3 BOX 372
BUHL ID 83316

4a. Article Number

1524

4b. Service Type

- | | |
|--|---|
| ☒ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

5. Signature (Addressee)

6. Signature (Agent)

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

United States Postal Service



Official Business



PENALTY FOR PRIVATE
USE, \$300

FEB 16 1995

OCT 14 1994

Department of Water Resources
Southern Region Office

Print your name, address and ZIP Code here

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

NAME AND ADDRESS OF SENDER		Indicate type of mail ☐ Registered ☐ Insured ☐ COD ☒ Certified ☐ Express Mail		Check appropriate block for Registered Mail: ☐ With Postal Insurance ☐ Without Postal Insurance		Affix stamp here if issued as certificate of mailing or for additional copies of this bill. POSTMARK AND DATE OF RECEIPT					
Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender if C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee
1	1519	Jacob Bama AM/ 9/7/94 37-8487 RD	.29	1.00	1.00	2.29					
2	1520	Wm. R. Hollifield Esq.									
3	1521	Spring Court Ranch Daniel Butler									
4	1522	Patrick D. Brown, Esq.									
5	1523	AM/ 10-12-94 Rob J. Griffith 47-08366	.29	1.00	1.00	2.29					
6	1524	Wade Fairchild									
7											
8											
9											
10											
11											
12											
13											
14											
15											
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail reconstruction insurance is \$50,000 per piece subject to a limit of \$500. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.						

FOR REGISTERED, INSURED, C.O.D., CERTIFIED, AND EXPRESS MAIL
PS Form 3877, Feb. 1982

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

★ U.S. GOVERNMENT PRINTING OFFICE: 1984

RECEIVED
FEB 16 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

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

RECEIVED

FEB 16 1995

MEMORANDUM

TO: FILE 47-08366
FROM: Mary Baldwin, Southern Region
DATE: October 11, 1994
SUBJECT: Protest

Mr. Griffith called today requesting a conference as soon as possible. His schedule is open and flexible for a conference date.

Mr. Griffith indicated that he had scheduled 2 different meetings with Mr. Fairchild but Mr. Fairchild failed to show.

Idaho Fish & Game withdrew their protest on 8/25/94.

RECEIVED

FEB 16 1995

COMMUNICATION DOCUMENTATION

Applic 47-08366

Claim No. _____

Page No. 1

9/12/94 Rod Griffith phoned & indicated he had met with Mr. Parrish of F&G & resolved protest. He indicated he has attempted to contact Mr. Fairchild but has never been able to get together with him. Mr. Griffith requests that a conference or hearing be scheduled.

543-5403 ^{reached him here}

9/19/94 I phoned Mr. ^{wide} Fairchild (543-5731 Shop) (420-4271 Mobil) and I asked if he had ever gotten together with Mr. Griffith. He indicated Mr. Griffith had called but because of the ~~late~~ protest he has been really busy and have not yet gotten back with him. He indicated he would get with him this week.

9-28-94 - Rod Griffith said he would try again to discuss the matter with Mr. Fairchild. If he is not successful he will contact us again in a couple of weeks to schedule a pre-hearing conference.
Melchillo.

RECEIVED

FEB 16 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

August 24, 1994

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

1 5 6 7 8 9

AUG 25 1994

Department of Water Resource
Southern Region Office

Re: Water Right Applications 47-08366 Deep Creek (Griffith)

Dear Loren,

After meeting with the applicant and discussing the proposed use of water from springs which are a tributary to Deep Creek, we have concluded impacts will be minimal to fish and wildlife. Therefore, we would like to withdraw our protest at this time.

Thank you for your cooperation in this matter.

Sincerely,

for Carl H. Nellis
Magic Valley Regional Supervisor

cc: NRPB (Robertson)
IDFG-Legal (Goddard)
R. Griffith

RECEIVED

FEB 16 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

18-Aug-1994

R. KEITH HIGGINSON
Director

ROD J GRIFFITH
4579-B RIVER ROAD
BUHL ID 83316

RE: APPLICATION FOR PERMIT NO. 47-08366

Dear Mr. Griffith:

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)

RECEIVED

FEB 16 1995

CONFERENCE 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.

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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.

FEB 16 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

18-Aug-1994

R. KEITH HIGGINSON
Director

WADE FAIRCHILD
RT 3 BOX 372
BUHL ID 83316

RE: APPLICATION FOR PERMIT NO. 47-08366 (Griffith)

Dear Mr. Fairchild:

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)

FEB 16 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

18-Aug-1994

R. KEITH HIGGINSON
Director

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

RE: APPLICATION FOR PERMIT NO. 47-08366 (Griffith)

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)

RECEIVED

FEB 16 1995

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST**

JUL 18 1994
Department of Water Resources
Southern Region Office

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains all necessary information.

1. Matter being protested 47-08366 Griffith
2. Name of protestant WADE FAIRCHILD
3. Protestant's representative for service (If different than protestant)
SELF WADE FAIRCHILD
4. Service mailing address Route 3 Box 372 Buhl
ED. 83316
5. Service telephone no. 208 543 5403
6. Basis of protest (including statement of facts and law upon which the protest is based)
PROTECT MY WATER
USE ON MY PLACE

(additional pages may be attached to describe the nature of the protest)

7. What would resolve your protest? come see me
MAYBE SPECIFY ONLY WASTE
WATER RUN OFF MY
PLACE NOT SPECIFIED AMOUNT

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 18 day of JULY, 19 94.

WADE FAIRCHILD
PROTESTANT
[Signature]
PROTESTANT'S REPRESENTATIVE

FEB 16 1995

NOTE:

- a) Not more than two (2) representatives for service of documents may be designated on a protest. If this protest is signed by more than one person without identifying the representative(s) for service of documents, the hearing officer may select the person(s) upon whom documents will be served.
- b) A protestant is required to timely file a protest with the department together with a \$25.00 protest fee in order for the protest to be considered by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.
-

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
 2. Show the name of the protestant.
 3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
 4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
 5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
 6. Specifically describe the nature of the protest.
 7. Describe the relief being sought by the protestant.
-

FOR DEPARTMENT USE ONLY

Received by MB Date 7/18/94 Time 4:45 pm
\$25.00 fee Receipted by MB # 5017136 Date 7/18/94

RECEIVED
FEB 16 1995

RECEIVED
FEB 16 1995



IDAHO FISH & GAME

REGION 4

868 East Main Street / Box 428
Jerome, Idaho 83338-0428

June 27, 1994

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

10 15 16 17 18 19 20

JUN 28 1994

Department of Water Resources
Southern Region Office

Re: Water Right Applications 47-08366 Deep Creek (Griffith)

Dear Loren,

The Idaho Dept. of Fish and Game protests water right application # 47-08366 for diversion of 2.0 cfs of Deep Creek water for aesthetics. During critical low flow periods, 2 cfs constitutes a major portion of the flow within the identified reach of Deep 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

RECEIVED
FEB 16 1995

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

47-08362

ROBERT EMERY & OR
DEBBY EMERY
21359 MY 30
FILER ID 83328

Source: groundwater

Division Pt:
SENEWA, S14, T108,
R16E; Twin Falls
County.

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

Date Filed: 5/13/94

In: SENEWA, S14, T108,
R16E; Twin Falls
County

47-08366

ROD J. GRIFFITH
45799 RIVER ROAD
BUHL ID 83316

Source: Westwater &
Springs tributary to
Deep Creek

Division Pt:
SENESE, S8, T09S,
R14E; Twin Falls
County.

Use: 01/01 to 12/31

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

Total Diversion:
2.0 cfs

Date Filed: 6/3/94

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

47-08367

GEORGINNA ROBERTS
3085 N 3500 E
KIMBERLY ID 83341

Source: Unnamed
Stream tributary to
Mc Mullen Creek

Division Pt:
SENESE, 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 protest 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.

COUNTY OF TWIN FALLS

Conde Capps being first duly sworn upon oath, dep.

say that I am Conde Capps of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per ping attached, was published in the regular and entire issue of said newspaper, and not in supplement thereof, for Two consecutive weeks

commencing with the issue dated July 7, 1994,
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 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 a day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, 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

his 27 day of July in the year of 1994, before me,

Notary Public, personally appeared Conde Capps who is known to me to be the person whose name subscribed to the within instrument, and being by me first sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

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	8366 OK MB	8/17/94			
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					

U U E G E U V E U

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

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:
SENEW, 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.

RECEIVED
FEB 16 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

16-Jun-1994

R. KEITH HIGGINSON
Director

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

FEB 16 1995

NOTICE OF APPLICATION FOR WATER PERMIT

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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.

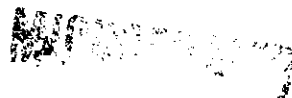
Use: 01/01 to 12/31

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



FEB 16 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

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 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.

FEB 16 1995

15-Jun-1994

ROD J GRIFFITH
4579B RIVER ROAD
BUHL ID 83316

Re: Application for Permit No. 47-08366

Dear Mr. Griffith:

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

This office has scheduled advertising the application in the Times News for 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 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 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. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

FEB 16 1995