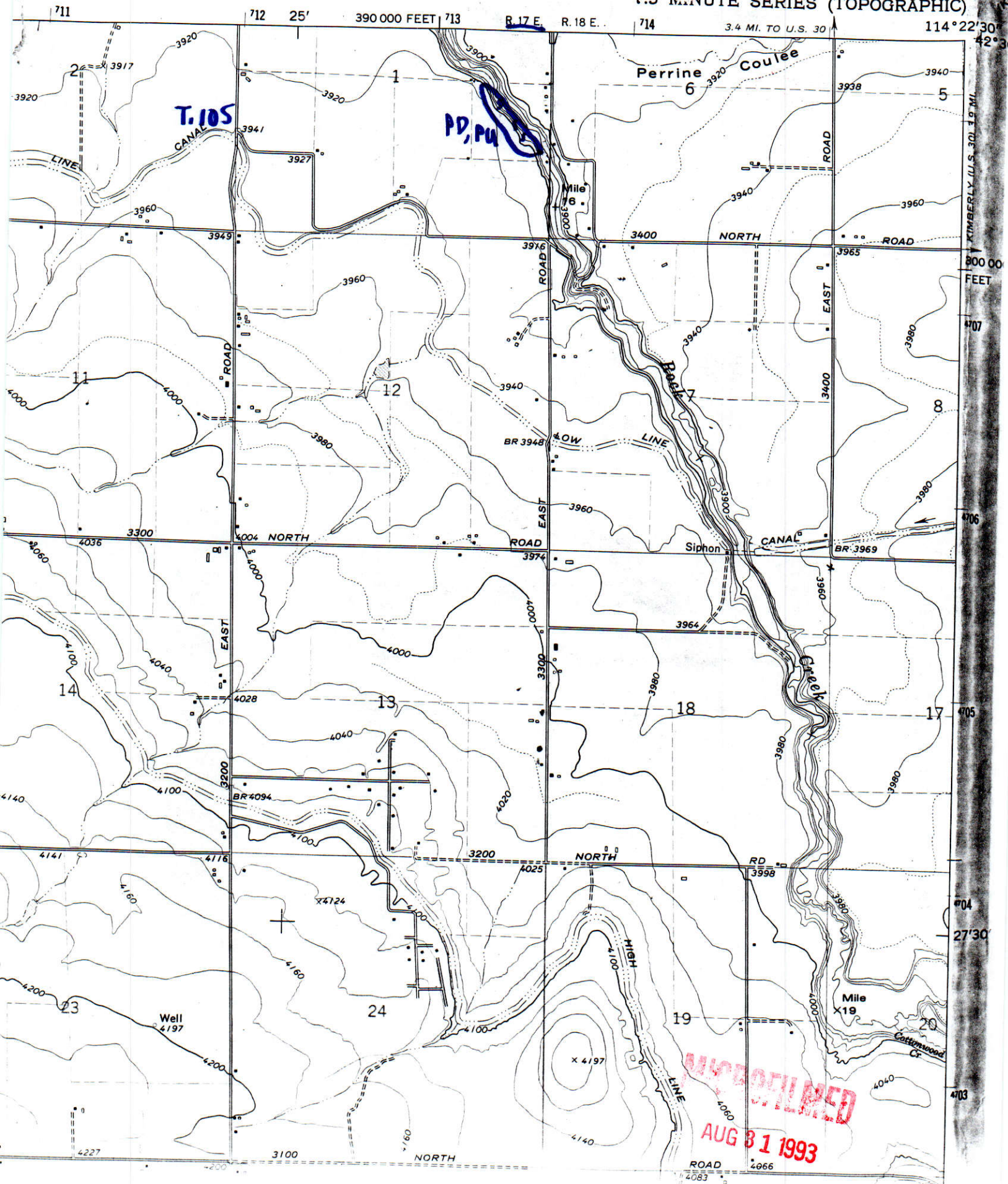


HUB BUTTE QUADRANGLE  
IDAHO-TWIN FALLS CO.  
7.5 MINUTE SERIES (TOPOGRAPHIC)



47-08337



Photo looking SW'ly



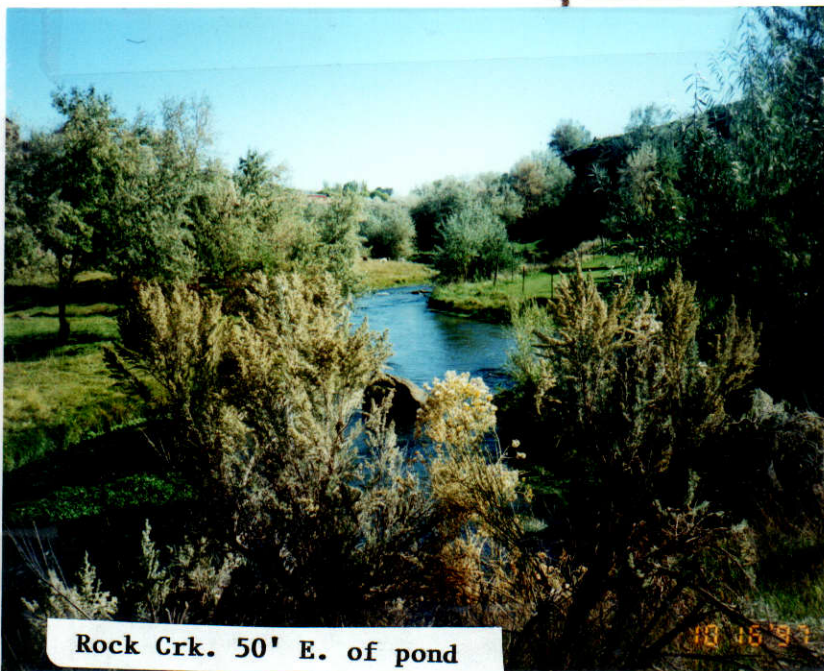
outlets (north)

1/2  
outlets on south side of  
pond were plugged in order to divert  
water from north side (measure w/ flume)

Portable flume leveled and in place  
reading a consistent 0.44 cfs



Photos looking S'ly



Rock Crk. 50' E. of pond

Dutt, Earl &/or Kathy

16 October 1997

1400 hrs

Examiner: Satterlee

47-08337

2/2

Photo looking S'ly



↖ Pond P/U=Sec 1, T11S, R17E NESE¼ ↗

↖ Springs P/D=Sec 1, T11S, R17E NESE¼ ↗



Photo looking N'ly

Dutt, Earl &/or Kathy  
16 October 1997 1400 hrs  
Examiner: Satterlee

47-08337

NOTICE OF APPLICATION  
FOR TRUST WATER RIGHT

The following application has been filed to appropriate the public waters of the State of Idaho:

47-08337

EARL L DUTT &/OR  
KATHY DUTT  
344 MADRID ST  
TWIN FALLS ID 83301  
Source: Springs  
tributary to Rock  
Creek

Diversion Pt:  
NE1/4NE1/4SE1/4,  
NW1/4NE1/4SE1/4,  
SE1/4NE1/4SE1/4, S1,  
T11S, R17E; Twin  
Falls County.

Use: Aesthetics  
(0.20 cfs) from 1/1  
to 12/31

Date Filed: 3/31/93

In: NE1/4SE1/4, S1,  
T11S, R17E

The permit (s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before May 24, 1993.

R. Keith Higginson,  
Director

Affidavit of Publication

STATE OF AHO }  
COUNTY OF TWIN FALLS } SS.

No 24783

I, Linda Capps McBride being first duly sworn upon oath, depose and say that I am Resident of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated May 6, 1993, and ending with the issue dated May 13, 1993.

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 26 day of May in the year of 1993, before me, a Notary Public, personally appeared Linda Capps McBride, 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

My commission expires: 5/19/94

OK  
MB  
6-3-93

7/94  
**RECEIVED**

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00  
Receipt No. 5018181  
Receipt By: KCC  
Date Received: 6-8-95

JUN 08 1995

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Department of Water Resources  
Southern Region**RECEIVED**  
JUN 09 1995**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. 47-08337 Telephone No. 734 9767
2. Name(s) of Permit Holder(s): Earl Dutt
3. Mailing Address: 344 Madison St, Twin Falls, ID 83301
4. Source of Water: Springs If **GROUNDWATER** (well), Date Drilled: mo. \_\_\_\_ / yr. \_\_\_\_
- a. Well Driller: \_\_\_\_\_ Drilling Permit Number: \_\_\_\_ - \_\_\_\_ - \_\_\_\_
- b. **OPTIONAL:**  
Pump Horsepower: NA 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: Aesthetic Pond
6. Total rate of diversion and/or volume for which proof is submitted: .20 cfs OR \_\_\_\_\_ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)  
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes \_\_\_\_ or No X

Has the measuring device been installed?

Yes \_\_\_\_ or No X

Flow Measurement Port: Is a flow measurement port required?

Yes \_\_\_\_ or No \_\_\_\_

Has the measurement port been installed?

Yes \_\_\_\_ or No \_\_\_\_

8. Fee Enclosed: \$ 50.00 (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.

or Name: Ephraim Dutt Telephone Number: 736 6008

see Above Address: 3298 E 3400 N Kimberly

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: Earl Dutt  
(include your title, if on behalf of company or organization)

Michael Rich 6/8/95  
JUN 29 1995

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 47-08337

Proposed Priority: March 31, 1993 Maximum Diversion Rate: 0.20 CFS  
This is to certify, that EARL L DUTT

KATHY DUTT  
344 MADRIN ST  
TWIN FALLS ID 83301

has applied for a permit to appropriate water from:

SPRINGS

tributary of ROCK 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> |
|-----------------------|----------------------|--------------------------|
| AESTHETIC             | 01/01 to 12/31       | 0.20 CFS                 |

LOCATION OF POINT(S) OF DIVERSION:

NENESE , Sec. 1, Township 11S, Range 17E  
NWNESE , Sec. 1, Township 11S, Range 17E  
SENESE , Sec. 1, Township 11S, Range 17E  
TWIN FALLS County

PLACE OF USE: AESTHETIC  
TWN RGE SEC

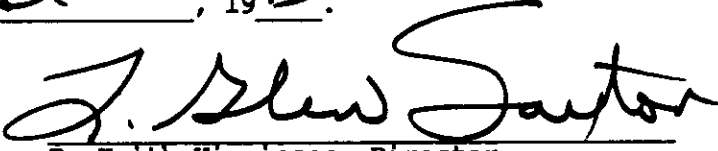
11S 17E 1 NESE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1995.
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.

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

23<sup>rd</sup> day of August, 1993.

  
for R. Keith Higginson, Director

AUG 31 1993

RECEIVED

APR 01 1993

RECEIVED

JUL 19 1993

Form 202  
6/85

Department of Water Resources  
Southern Region Office

Ident. No. 47-08337

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

# APPLICATION FOR PERMIT

AUG 04 1993

To appropriate the public waters of the State of Idaho Department of Water Resources

1. Name of applicant Earl L. &/or Kathy Dutt Phone 734-7767

Post office address 344 Madrin St., Twin Falls, ID 83301

2. Source of water supply Springs which is a tributary of Rock Creek

3. Location of point of diversion is NE 1/4 of NE 1/4 of SE 1/4, Govt. Lot

Sec. 1 Township 11S Range 12E B.M. Twin Falls County; additional

points of diversion if any: NW/NE/SE, SE/NE/SE Sec. 1 T. 11S R. 17E

4. Water will be used for the following purposes:

Amount 0.20 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)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.20 cubic feet per second and/or (b) \_\_\_\_\_ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Small dug ponds on several springs  
along west side of Rock Creek. Pipelines from ponds to Rock Creek.

b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity under 0.1 acre-feet; total  
reservoir capacity under 0.1 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 90°F being sought? \_\_\_\_\_

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

Two years (minimum 1 year).

RECEIVED

AUG 31 1993

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. Aesthetics - create small ponds to add scenic beauty to property,  
Also to reduce the area of the property that is swamp.

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 |        |
| 115 | 17E   | 1    |     |     |     |     |     |     |     |     |     |     |     |     | X   |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

X = Aesthetic Use

Total number of acres to be irrigated \_\_\_\_\_

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

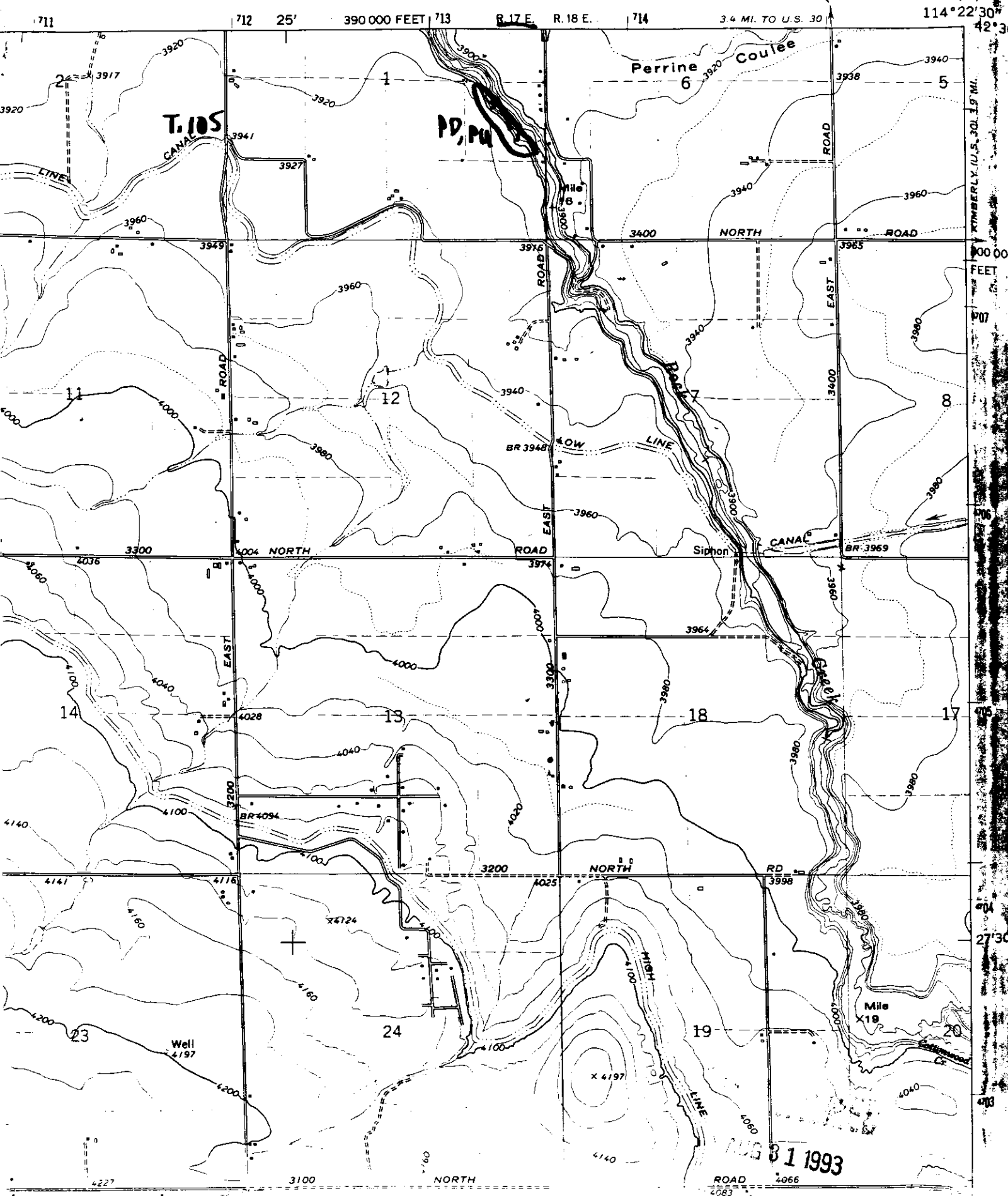
- Who owns the property at the point of diversion? Applicants
- Who owns the land to be irrigated or place of use? "
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12. Remarks: \_\_\_\_\_

**MAINTAINED**

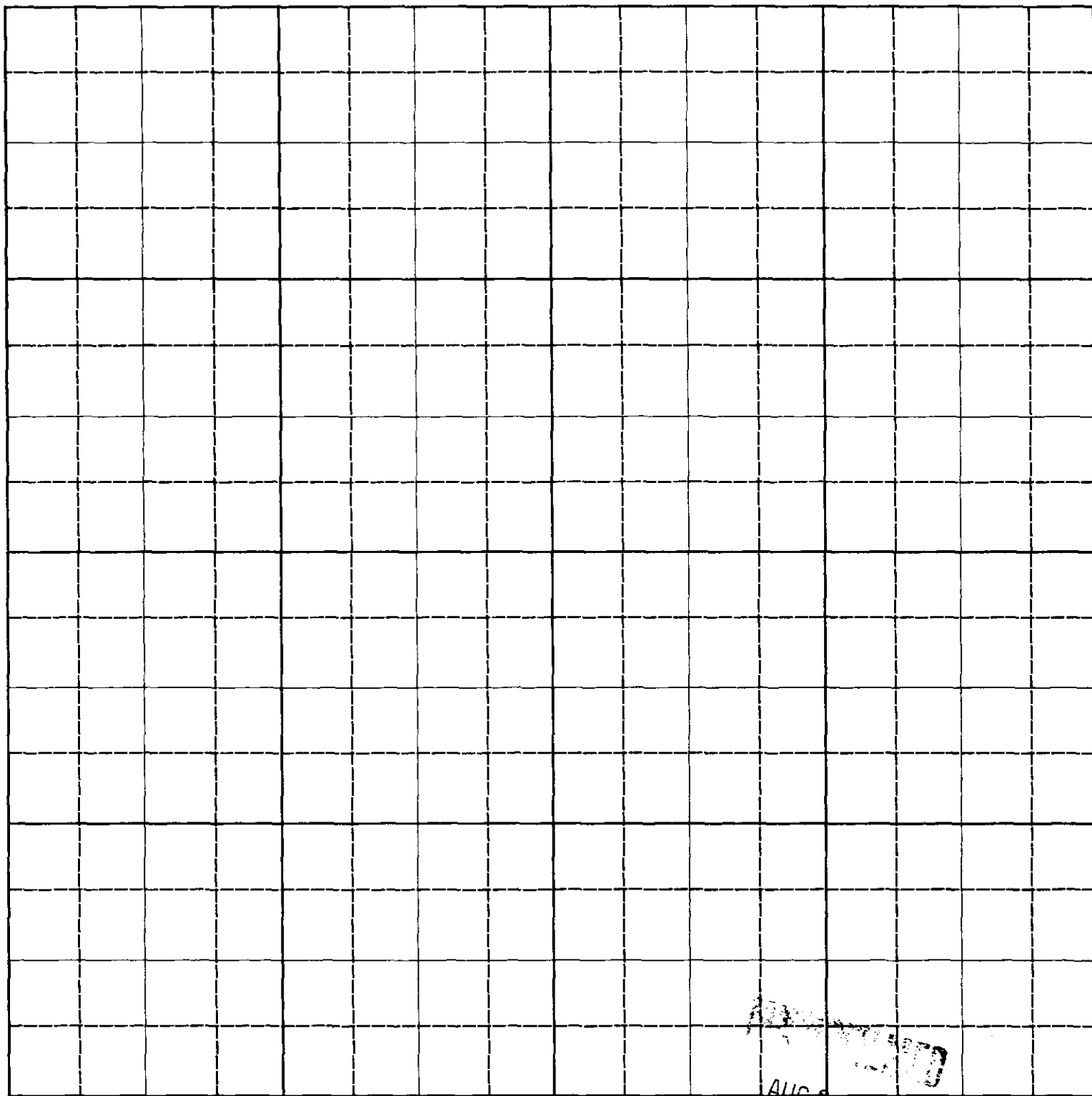
AUG 31 1983

HUB BUTTE QUADRANGLE  
IDAHO-TWIN FALLS CO.  
7.5 MINUTE SERIES (TOPOGRAPHIC)



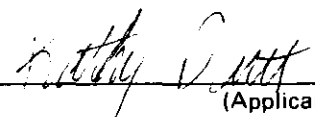
47-08337

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



Scale: 2 inches equal 1 mile.

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

  
(Applicant)

Proposed Priority: 3-31-93

Received by J. F. Stanton Date 3-31-93 Time 4:35 pm Preliminary check by \_\_\_\_\_

Fee \$ 30<sup>00</sup> Receipted by JF # 5015569 Date 4-1-93

Publication prepared by MB Date 4/21/93 Published in Times News

Publication approved W. Baldwin Date 6-3-93

### 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:

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AUG 31 1993



IDAHO DEPARTMENT OF WATER RESOURCES  
SOUTHERN REGION  
1341 FILLMORE ST STE 200  
TWIN FALLS ID 83301-3380  
(208) 736-3033

PHILIP E BATT  
GOVERNOR

KARL J DREHER  
DIRECTOR

# CHANGE IN ADDRESS

RECEIVED

OCT 27 1997

Department of Water Resources

☒ Water Right Number(s): 47-08337

☒ Old Mailing Address: 344 Madrin Street

Twin Falls, ID. 83301

☐ New Mailing Address: 3298 E 3400 N

Kimberly Idaho 83341

☐ New Telephone Number: ( ) no change.

☐ Signature of Claimant(s): Kathy Duff

Earl Duff

Date: 16 October 1997

|                               |     |
|-------------------------------|-----|
| FOR IDWR USE ONLY             |     |
| Initial Review and Data Entry |     |
| Date:                         | By: |
| Further Action Needed:        |     |
| Further Action Taken          |     |
| Date:                         | By: |
| Final Review and Data Entry   |     |
| Date:                         | By: |



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 Quadrangle 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

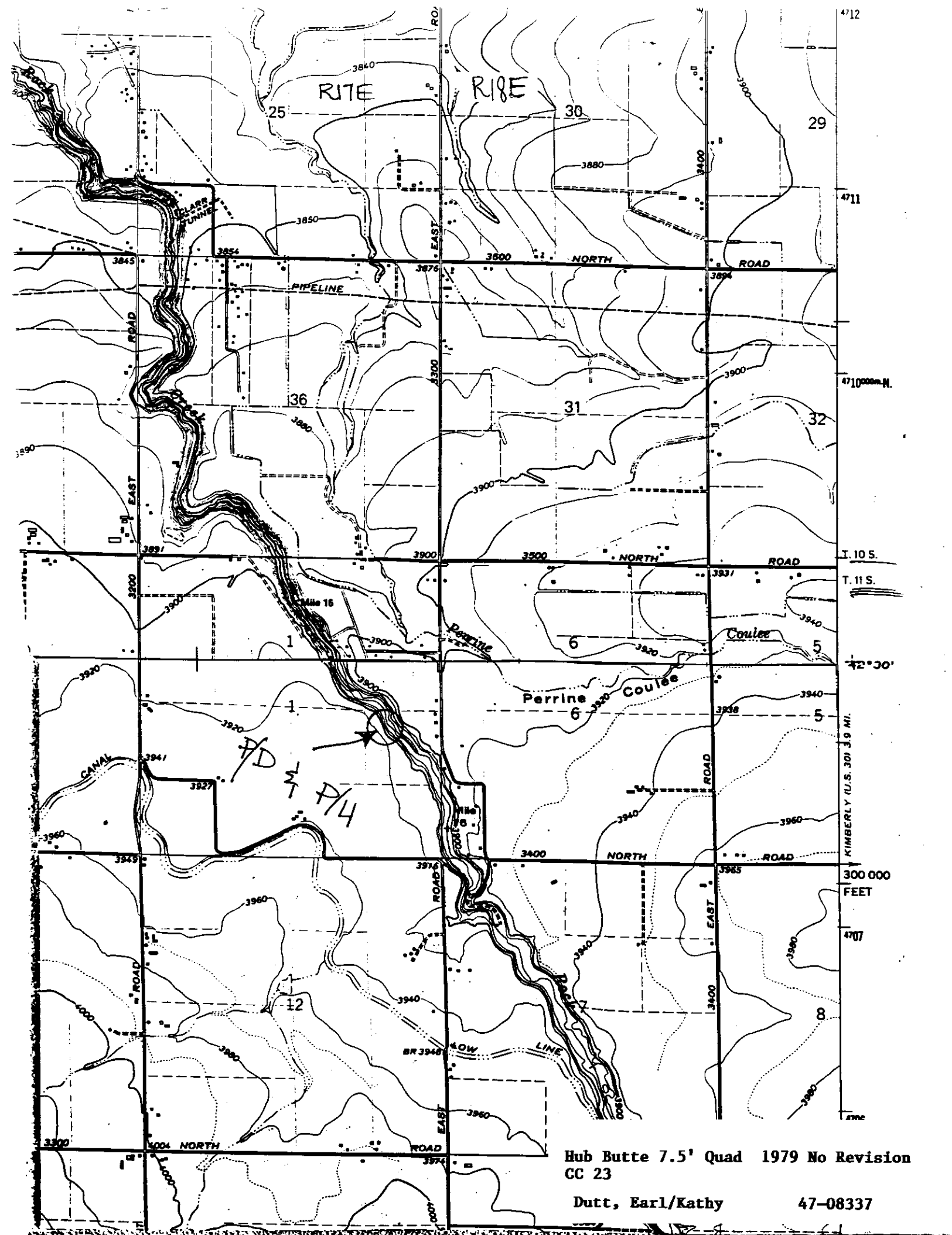
1.

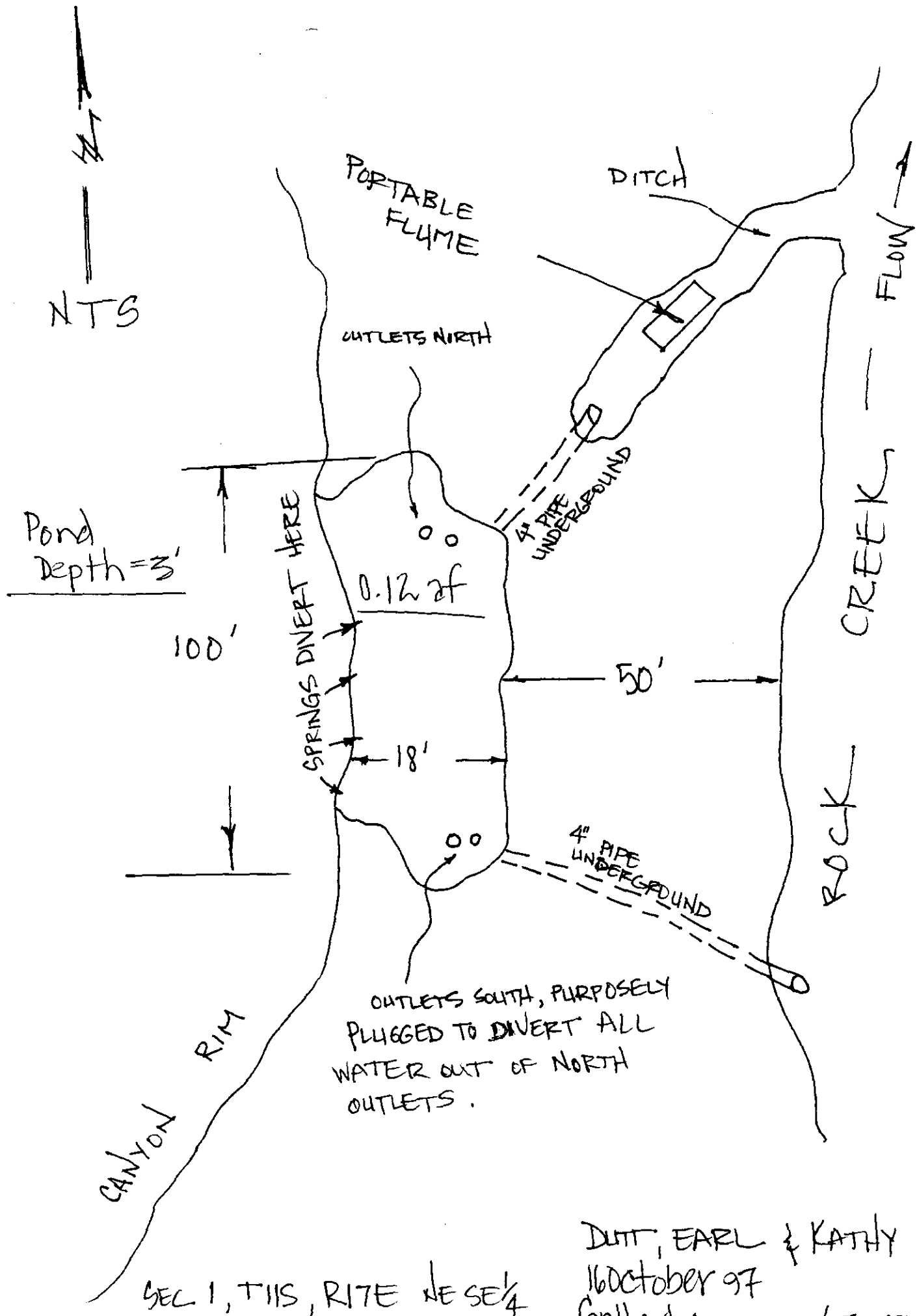
| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| PORTABLE FLUME        |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

→ READS "CM"

2. Measurements:

STAFF GAGE ON FLUME PLUS STAFF GAGE  
READING CFS DIRECTLY COMPARE 2 MEASUREMENTS





SEC 1, T11S, R17E NE SE 1/4

DUTT, EARL & KATHY  
16 October 97  
Gatterlee

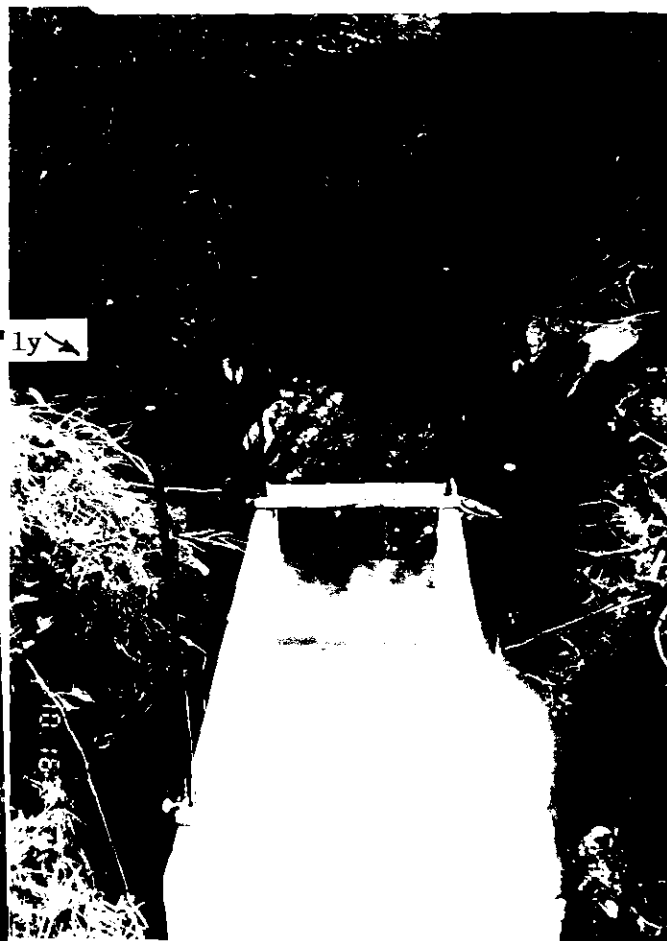
47-08337

Photo looking SW'ly

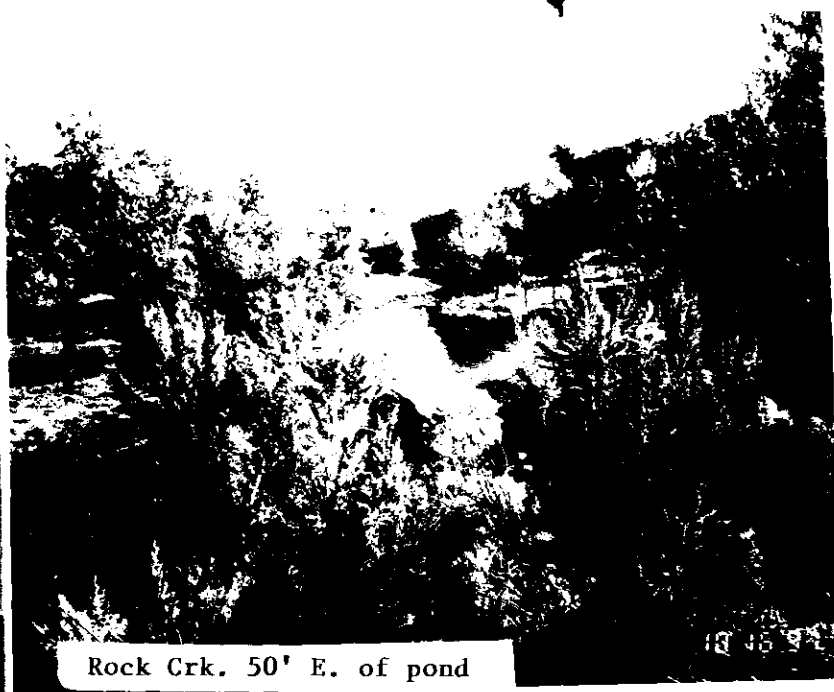


outlet on south side of  
pond were plugged in order to divert  
water from ~~rock~~ (measure w/ flume)

Portable flume leveled and in place  
reading a consistent 0.44 cfs



Photos looking S'ly



Rock Crk. 50' E. of pond

Dutt, Earl &/or Kathy  
16 October 1997  
1400 hrs  
Examined Satterlee

47-08337

2/2

Photo looking S'ly



Pond

P/U=Sec 1, T11S, R17E NESE 1/4

↑ Springs P/D=Sec 1, T11S, R17E NESE 1/4 ↓



Photo looking N'ly

Dutt, Earl &/or Kathy  
16 October 1997 1400 hrs  
Examiner: Satterlee

47-08337

**E. NARRATIVE/REMARKS/COMMENTS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**E. NARRATIVE/REMARKS/COMMENTS**

**FROM:** Georgia Satterlee  
**DATE:** 21 October 1997  
**RE:** 47-08337

On 16 October 1997 at 1330 hrs., I met with Earl Dutt to perform a field examination on the above permit. The permit is year round aesthetic use for a pond.

The pond is spring fed from numerous springs. Diversion Points and Place of Use: Located in the NESE $\frac{1}{4}$  of Section 1, T11S, R17E.

According to Mr. Dutt, the average depth of the pond is 3 feet. The surface dimension is 18 feet wide and 100 feet long. Please see schematic with the pond volume calculation.

The south outlet was plugged up in order to divert all water out of the north outlet. The north outlet eventually dumped in a ditch that could accomodate the portable flume. The rate was measured by the gage on the portable flume (7.0 cm = 0.44 cfs).

I recommend the permit be licensed for aesthetics with the permit rate which is 0.20 cfs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**F. FLOW CALCULATIONS**

\_\_\_\_ Additional Computation Sheets Attached

Measured Method:

PORTABLE FLUME USED w/ STAFF GAGE

**G. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

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

## 2. Volume Calculations for Other Uses:

PERMIT RATE 0.20  
EXAM FEE LIMIT 0.20  
MEASURED RATE 0.44

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| AESTHETIC      | 1/1           | 12/31 | 0.20 cfs                     | 0.12 af                  |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | 0.20 cfs                     | 0.12 af                  |

facility only

## 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

Georgia Satterlee

Date

21 Oct 97

Reviewer

Date

SEAL

June 20, 1995

EARL L DUTT  
KATHY DUTT  
344 MADRIN ST  
TWIN FALLS ID 83301

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-08337

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

c: IDWR - Region

**MICROFILMED**

JUN 29 1995

**ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE**

Permit No. 47-8337 Reviewed by [Signature] Date 6-20-95

**GENERAL CONSIDERATIONS**

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

**TYPES OF USE**

aesthetic

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?

50.00 Amount Submitted

yes Correct?

**MEASURING DEVICE**

170 Required?

1 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 6-8-95



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

KARL J. DREHER  
DIRECTOR

May 31, 1995

EARL L. DUTT  
KATHY DUTT  
344 MADRID ST  
TWIN FALLS ID 83301

COPY

PROOF DUE NOTICE

RE: PERMIT NO. 47-08337

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 August 1, 1995.

(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.

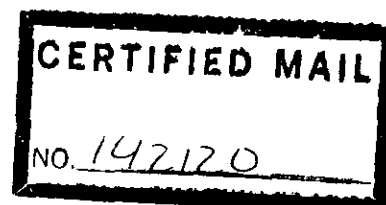
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

*Julie L. Yarbrough*

JULIE L. YARBROUGH  
Senior Secretary

Enclosures





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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

August 23, 1993

EARL L DUTT  
KATHY DUTT  
344 MADRIN ST  
TWIN FALLS ID 83301

PERMIT APPROVAL NOTICE

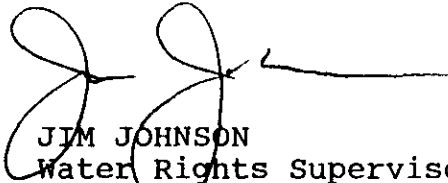
RE: PERMIT NO. 47-08337

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. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Sincerely,



JIM JOHNSON  
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED  
AUG 31 1993

APPLICATION FOR PERMIT  
STATE OFFICE REVIEW

Application #: 47-8337 Date: 8/10/93 Reviewer: Cindy Zimmerman

**AREA OF CONCERN?** - No/Yes E.S.R.P. MCR.

**SYSTEM COMPLETED:**

No - 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - N/A

**GROUNDWATER:**

+ 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing), NMR

- 0.2 cfs - NMR <flow chart>

Drilling Permit:

Included w/permit - P99 Permit No.

Existing well - N/A (if drilled before 7/1/87)

No WD permit? - 046-46A(IRR)-46B-P23 (if drilled after 7/1/87)

**SURFACE WATER:** not in WD - 01C-P03 (+.2 w/pump), NMR <flow chart>

**LOCATION:**

Water District - WD No.

Surface water - 005 or 005-01J-P08(+.2)  
or 005-01H-P01(-.2 w/pump); NMR

Groundwater - P05 (if well has not been drilled)

Irrigation Dist. - 023

Canal Co. Areas - 023

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (Groundwater temperature)

Swan Falls Flag - A (1, Blank or Other)

Trust <sup>non-consumptive</sup> - 051-052-053-P74(Consumptive Uses), NA

Non Trust <1> - 048-049

**RIVER BASINS (Surface):** Water District Control Condition (005) &....

Boise (63) - 05A (req), 11E (non-domestic use)

Payette (65) - 047-P04, -P

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

**USE:**

Fish Propagation - 06A, 09E-P10 (WQ/Choose One) & 010, 042 (req),  
002-P06(MD), 07A(Special), 044(Policy 5G)

Power - 08A, 17K, 025, 027 (req); 01F-P19; 09E-P10;  
+25 cfs-P18; 17G or 17M; 18B-P09

Mining - 06A, 010, or 09E-P10 & 054 (req)

Storage(✓ 3 compo.) - 18A-for multi MD in WD, 18B-P09 (+10'Size)

Rec/Wildlf/Aesthetic - 027-if + 1/2 A. pond (Non-Consumptive)

Domestic (surface - 021 - Boise River upstream from L Peak  
restricted areas) 27A - Payette River & main tributaries

**OWNERSHIP:**

Non land owner - 004

**PROTESTED:**

Hearing agreement - 020

**REMARKS:**

\_\_\_\_\_

\_\_\_\_\_

**OTHER CONDITIONS:** - \_\_\_\_\_

**BENEFICIAL USE DUE:** - 8-1-1995

**COMMENTS:** - \_\_\_\_\_

\_\_\_\_\_

WR0749NP  
No. P47-08337

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT  
(REGIONAL)

DATE: 08/10/93  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS      | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|---------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C             | EARL L DUTT         | 03/31/1993       | AESTHETIC | 01-01 12-31           | 0.20 CFS          |                     |
| C             | KATHY DUTT          |                  |           |                       |                   |                     |
|               | 344 MADRID ST       |                  |           |                       |                   |                     |
|               | TWIN FALLS ID 83301 |                  |           |                       |                   |                     |
|               | (208) 734-9767      |                  |           |                       |                   |                     |
|               |                     |                  |           | TOTAL DIVERSION:      | 0.20 CFS          |                     |

Water Source: SPRINGS

Tributary to: ROCK CREEK

Stage: PERMIT

Point(s) of Diversion: T11S R17E S01 NE NE SE NW NE SE SE NE SE

Place of use Legal Description for: AESTHETIC

|     |     |   |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |   |
|-----|-----|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T   | R   | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : |
| 11S | 17E | 1 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |
|     |     |   | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |

Pou County: TWIN FALLS

Conditions of Approval:

- 26A - 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.

Dates: App. Received: 04/01/1993 Priority Date: 03/31/1993  
Proof Due Date: 08/01/1995 Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 08/10/1993 User-ID: ZIMMERMA Subject: DIVERSION DESCRIPTION  
Small dug ponds on several springs along west side of Rock Creek.  
Pipelines from ponds to Rock Creek.

Audit: 08/10/93 ZIMMERMA

## MEMORANDUM

DATE: August 3, 1993  
TO: File No. 47-08337  
FROM: Cindy Zimmerman  
SUBJECT: My letter dated 7/21/93

=====

The applicant visited Jim Stanton at Eastern Region offices today in regards to the above letter on one source/system per application. Jim Stanton explained the concerns of the applicant and unique situation of this application to Jim Johnson. It was decided to continue with the processing of this application as submitted.

AUG 3 1 1993



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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

July 21, 1993

EARL L DUTT  
KATHY DUTT  
344 MADRIN ST  
TWIN FALLS ID 83301

RE: Application for Permit No. 47-08337

Dear Mr. & Mrs. Dutt:

The above referenced application has been received at the State Office for final review and processing. This application identifies several individual springs as sources.

Water Appropriation Rule 3,3,2,2. reads in part "Only one source shall be listed on an application unless the application is for a single system which will have more than one source."

We can continue processing this application if: 1. the application were limited to one source; or, 2. the several sources were identified as being interconnected in a single system.

In the event that you choose to limit this application to one source, you may file an application for permit on the each of the other sources. I have enclosed additional application forms for this purpose.

I am returning the application to you for further consideration. I will hold further processing of this application pending your reply.

Sincerely,

*Cindy Zimmerman*  
CINDY ZIMMERMAN  
Water Resource Agent

Enclosure

c: Southern Region

*RECEIVED*  
AUG 31 1993

STATE OF IDAHO *Duff, Earl L. Von Kathy*  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY MTS DATE 4-5-, 1993  
APPLICATION NO. 47-08337

REQUIRED INFORMATION

*Process -* *[Signature]*

☒ 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  
3-31- 1993

ADDITIONAL INFORMATION

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

**RECEIVED**  
JUL 19 1993

Department of Water Resources

See reverse side for additional information.

\* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

Date Requested \_\_\_\_\_, 19\_\_\_\_

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

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

☒ Yes ☐ No Publication dates and paper, recorded on App.  
☐ Yes ☒ No Protests received  
 Final date for Protest 5/24/93  
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on app.  
☐ Yes ☒ No Recommendations attached  
☐ Yes ☒ No Measuring device required  
☐ Yes ☒ No Access port required  
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist. \_\_\_\_\_  
☐ Yes ☒ No Special conditions of approval or cover letter below.

Date of priority recommended 3/31, 1993  
By Loren O. Kallala Date 7/13, 1993

See below for additional information

By \_\_\_\_\_ Date \_\_\_\_\_, 19\_\_\_\_

**ADDITIONAL INFORMATION:**

LOCAL PUBLIC INTEREST

**Comments recieved from:**

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

## PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE \_\_\_\_\_, 19\_\_\_\_

**NOTICE OF APPLICATION  
FOR WATER RIGHT**

The following  
application has been  
filed to appropriate  
the public waters of  
the State of Idaho:

47-08337

EARL L. BUTT & OR  
KATHY BUTT  
344 MOORE ST  
TWIN FALLS ID 83301  
Source: Springs  
tributary to Rock  
Creek

Diversion Pt:  
NE1/4NE1/4SE1/4,  
NW1/4NE1/4SE1/4,  
SE1/4NE1/4SE1/4, S1,  
T11S, R17E; Twin  
Falls County.

Use: Aesthetics  
(0.20 cfs) from 1/1  
to 12/31

Date Filed: 3/31/93

In: NE1/4SE1/4, S1,  
T11S, R17E

The permit (a) will  
be subject to all  
prior water rights.  
Protests may be  
submitted based on  
the criteria of Sec.  
42-203A, Idaho Code  
and/or the new public  
interest criteria of  
Sec. 42-203C, Idaho  
Code. Protests must  
be filed with the  
Director, Dept. of  
Water Resources,  
Southern Region, 222  
Shoshone Street East,  
Twin Falls, ID 83301  
on or before May 24,  
1993.

R. Keith Higginson,  
Director

**Affidavit of Publication**

STATE OF IDAHO }  
COUNTY OF TWIN FALLS } SS.

No 24783

I, Linda Capps McBurnie being first duly sworn upon oath, depose  
and say that I am Linda 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  
clipping attached, was published in the regular and entire issue of said newspaper, and not in  
any supplement thereof, for Two consecutive Weeks,  
commencing with the issue dated May 6, 1993,  
and ending with the issue dated May 13, 1993.

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 ex-  
cept 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 notice will be published.

STATE OF IDAHO  
COUNTY OF TWIN FALLS

On this 26 day of May in the year of 1993, before me,  
a Notary Public, personally appeared Linda Capps McBurnie,  
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.

Janeva R. Feltman  
Notary Public for Idaho

Residing at Twin Falls

My commission expires: 5/19/94

OK  
NB  
6-3-93

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 |              |
| 24783           |       | 343           | 05/27/93     |              |
| INDEXING TERM   |       |               |              |              |
| #47-08337       |       |               |              |              |
| START DATE      |       | TELEPHONE NO. |              |              |
| 5/06/93         |       | 736-3033      |              |              |
| LINES/WORDS     | TIMES | RATE          | NET AMOUNT   | GROSS AMOUNT |
| 59              | 2     |               | 42.48        | 42.48        |
| AFFIDAVI        |       |               | 2.00         | 2.00         |
| PAY THIS AMOUNT |       |               | 44.48        | 44.48        |

GROSS AMT DLE AFTER 06/11

RECEIVED

JUN 02 1993

Department of Water Resources  
Southern Basin

RETURN THIS PORTION WITH YOUR REMITTANCE

24783

4448

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

222 SHOSHONE ST E  
TWIN FALLS ID  
83301

AUG 31 1993

NOTICE OF APPLICATION  
FOR TRUST WATER RIGHT

The following application has been filed to appropriate the public waters of the State of Idaho:

47-08337

EARL L DUTT &/OR  
KATHY DUTT  
344 MADRID ST  
TWIN FALLS ID 83301  
Source: Springs  
tributary to Rock  
Creek

Diversion Pt:  
NE1/4NE1/4SE1/4,  
NW1/4NE1/4SE1/4,  
SE1/4NE1/4SE1/4, S1,  
T11S, R17E; Twin  
Falls County.

Use: Aesthetics  
(0.20 cfs) from 1/1  
to 12/31

Date Filed: 3/31/93

In: NE1/4SE1/4, S1,  
T11S, R17E

The permit (s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before May 24, 1993.

R. Keith Higginson,  
Director

Affidavit of Publication

STATE IDAHO }  
COUNTY OF TWIN FALLS } SS.

No 24733

I, Linda Capps McBurnie being first duly sworn upon oath, depose and say that I am Editor of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated May 6, 1993, and ending with the issue dated May 13, 1993.

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 26 day of May in the year of 1993, before me,

a Notary Public, personally appeared Linda Capps McBurnie 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.

Janeva R. Feltman  
Notary Public for Idaho

Residing at Twin Falls

My commission expires: 5/19/94

AUG 31 1993

NOTICE OF APPLICATION  
FOR TRUST WATER RIGHT

The following  
application has been  
filed to appropriate  
the public waters of  
the State of Idaho:

47-08337

EARL L DUTT &/OR  
KATHY DUTT  
344 MADRID ST  
TWIN FALLS ID 83301

Source: Springs  
tributary to Rock  
Creek

Diversion Pt:  
NE1/4NE1/4SE1/4,  
NW1/4NE1/4SE1/4,  
SE1/4NE1/4SE1/4, S1,  
T11S, R17E; Twin  
Falls County.

Use: Aesthetics  
(0.20 cfs) from 1/1  
to 12/31

Date Filed: 3/31/93

In: NE1/4SE1/4, S1,  
T11S, R17E

The permit (s) will  
be subject to all  
prior water rights.  
Protests may be  
submitted based on  
the criteria of Sec.  
42-203A, Idaho Code  
and/or the new public  
interest criteria of  
Sec. 42-203C, Idaho  
Code. Protests must  
be filed with the  
Director, Dept. of  
Water Resources,  
Southern Region, 222  
Shoshone Street East,  
Twin Falls, ID 83301  
on or before May 24,  
1993.

R. Keith Higginson,  
Director

Published in Times  
News on 5/6 &  
5/13/93.

AUG 8 1 1993



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
Governor

22-Apr-1993

A. 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 once a week for two consecutive weekly issues of 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  
Secretary/Office Coordinator

Enclosure

MAILED  
AUG 31 1993

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

The following application has been filed to appropriate the public waters of the State of Idaho:

47-08337

EARL L DUTT &/OR  
KATHY DUTT  
344 MADRIN ST  
TWIN FALLS ID 83301

Source: Springs tributary to Rock Creek

Diversion Pt: NE1/4NE1/4SE1/4, NW1/4NE1/4SE1/4,  
SE1/4NE1/4SE1/4, S1, T11S, R17E; Twin Falls County.

Use: Aesthetics (0.20 cfs) from 1/1 to 12/31

Date Filed: 3/31/93

In: NE1/4SE1/4, S1, T11S, R17E

The permit (s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before May 24, 1993.

R. Keith Higginson, Director

Published in Times News on 5/6 & 5/13/93.

AUG 31 1993



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

21-Apr-1993

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

EARL L &/OR KATHY DUTT  
344 MADRIN ST  
TWIN FALLS ID 83301

Re: Application for Permit No. 47-08337

Dear Applicant (s):

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 will be advertising the application in the Times News on 5/6 & 5/13/93. 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,

Mel Schulte  
Water Right Agent

MS:MB

MAILED

AUG 31 1993