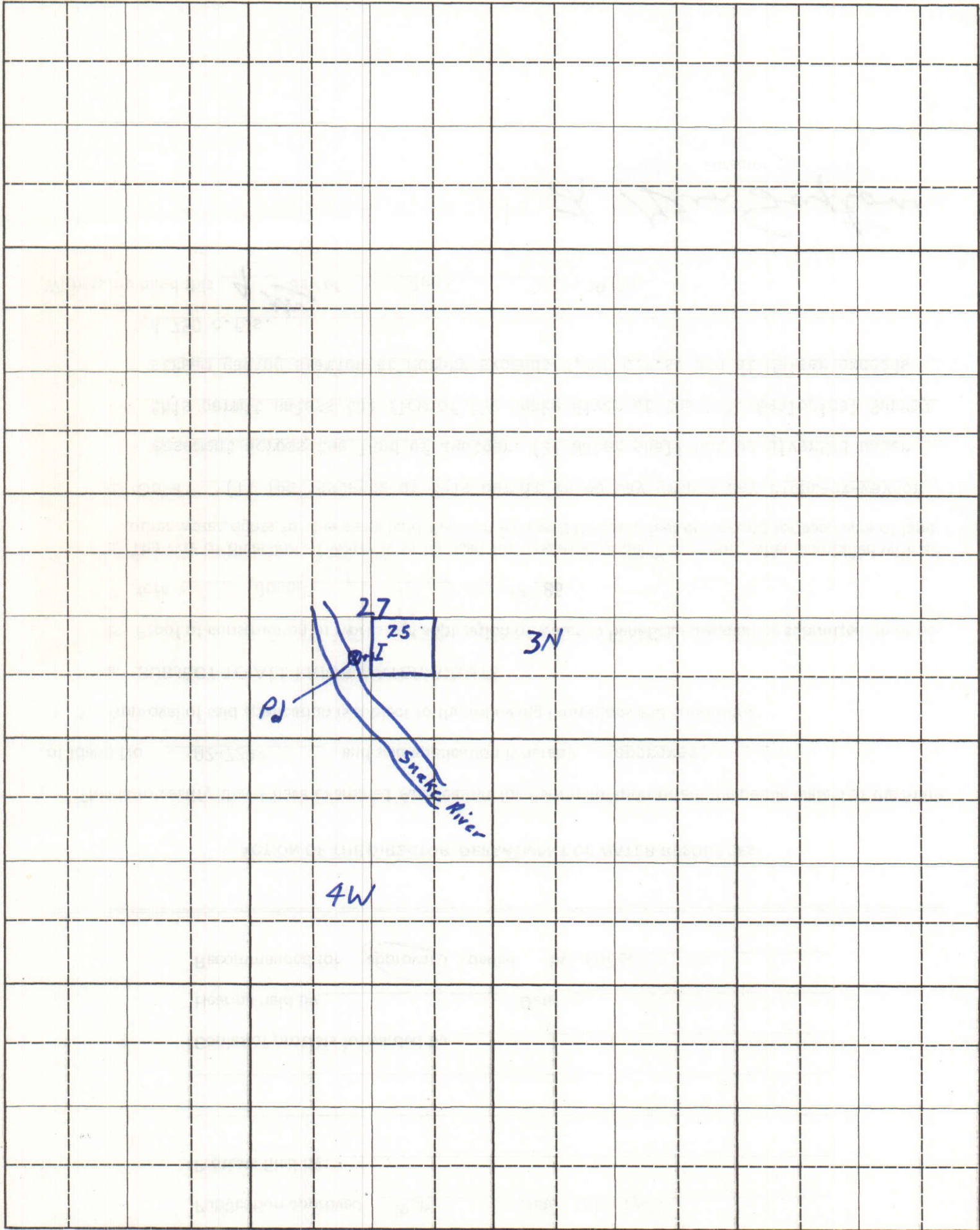


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Wyatt D. Hull
(Applicant)

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Suzanne Smith

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Free Press and The News-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

May 8, 15, 1980

Suzanne Smith

Subscribed and sworn to before me this
15th day of May

19 80

Janne Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981

RECEIVED

MAY 21 1980

Department of Water Resources
Western Regional Office

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

02-7300

LINDEMANN, DONALD
ROUTE 4, BOX 496, CALDWELL, Idaho 83605

Source: SNAKE RIVER

Date Filed: April 25, 1980

Amount: 0.16 CFS

Diversion Point: NESW Sec 27 T 03N R 04W, CANYON County

Use: IRRIGATION (0.16 CFS) from March 15 to November 15

Place of Use: NESW Sec 27 T 03N R 04W FOR 8 ACRES

Diversion Means: PUMP AND PIPELINE

02-7299

HULL, WYATT D.

ROUTE 4, BOX 498, J. CALDWELL, IDAHO 83605

Source: SNAKE RIVER

Date Filed: April 25, 1980

Amount: 0.52 CFS

Diversion Point: NESW Sec 27 T 03N R 04W, CANYON County

Use: IRRIGATION (0.50 CFS) from March 15 to November 15

STOCKWATER (0.02 CFS) from January 1 to December 31

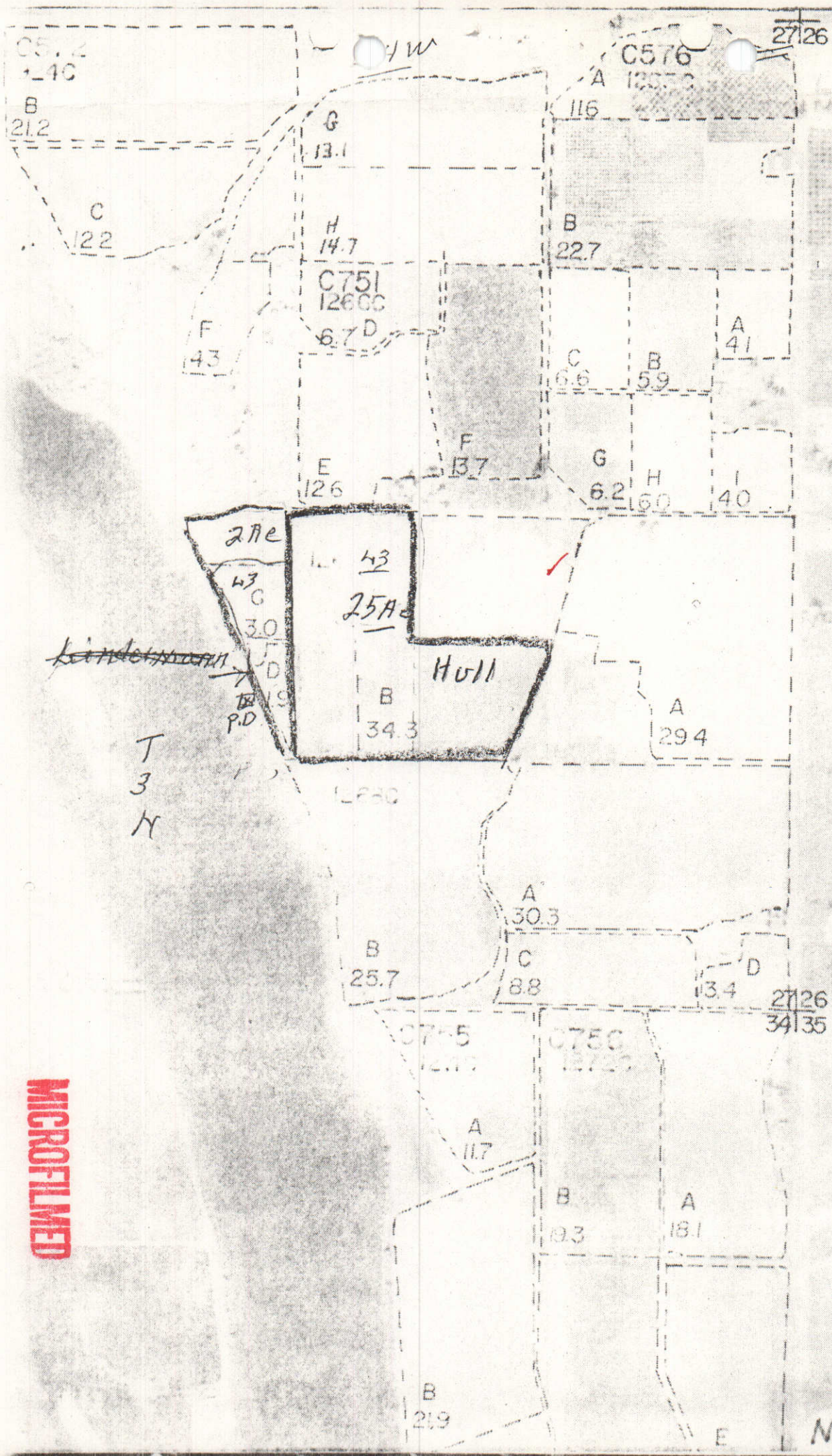
Place of Use: NWSE Sec 27 T 03N R 04W FOR 25 ACRES

Diversion Means: PUMP AND PIPELINE

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before MAY 26, 1980.

C. STEPHEN ALLRED
Director

May 8, 15, 1980



MICROFILMED

NOT TO SCALE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7299 Priority April 25, 1980 Amount 0.29 cfs

THIS IS TO CERTIFY, that Wyatt D. Hull
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 02-7299 issued pursuant to Application for Permit dated April 25, 1980,
and has submitted proof to the Department of Water Resources on June 13, 1983,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.29 cfs of water from Snake River,
tributary to Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u> at <u>0.29</u> cfs and <u>112.5</u> acre feet		
Stockwater	from <u>January 1</u> to <u>December 1</u> at <u>0.02</u> cfs and <u>0.7</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	(both dates inclusive)		

Subject, however, to the condition that no more than 0.29 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
113.2 acre feet per year, said waters to be diverted within the Gov. Lot 3 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 27, Twp 3N, Rge 4W in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	4W	27													25

Total number of acres irrigated 25

Water shall not be diverted under this license unless the flow of the Snake River
at the U.S. Geological Survey stream gaging station at Murphy exceeds 3,300 cubic
feet per second and at Weiser exceeds 4,750 cubic feet per second.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19TH day of
MAY, 19 84.

Acting for the Director

Norman C Young

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

1. Name of applicant Wyatt D. Hull Phone 459-7928

Post office address Rt 4, Box 498 Caldwell, Idaho 83605

2. Source of water supply SNAKE RIVER which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27 Township 3N

Range 4W B.M. Canyon County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .50 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for Stockwater 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:

a. .52 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pump with pipeline

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27 Township 3N

Range 4W B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 30 head range (beef)

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

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[illegible]

Total number of acres to be irrigated	25
--	-----------

c. Describe any other water rights used for the same purposes as described above. Wilder Irrigation

District, 63-8937 relinquished 4/25/8 G/S

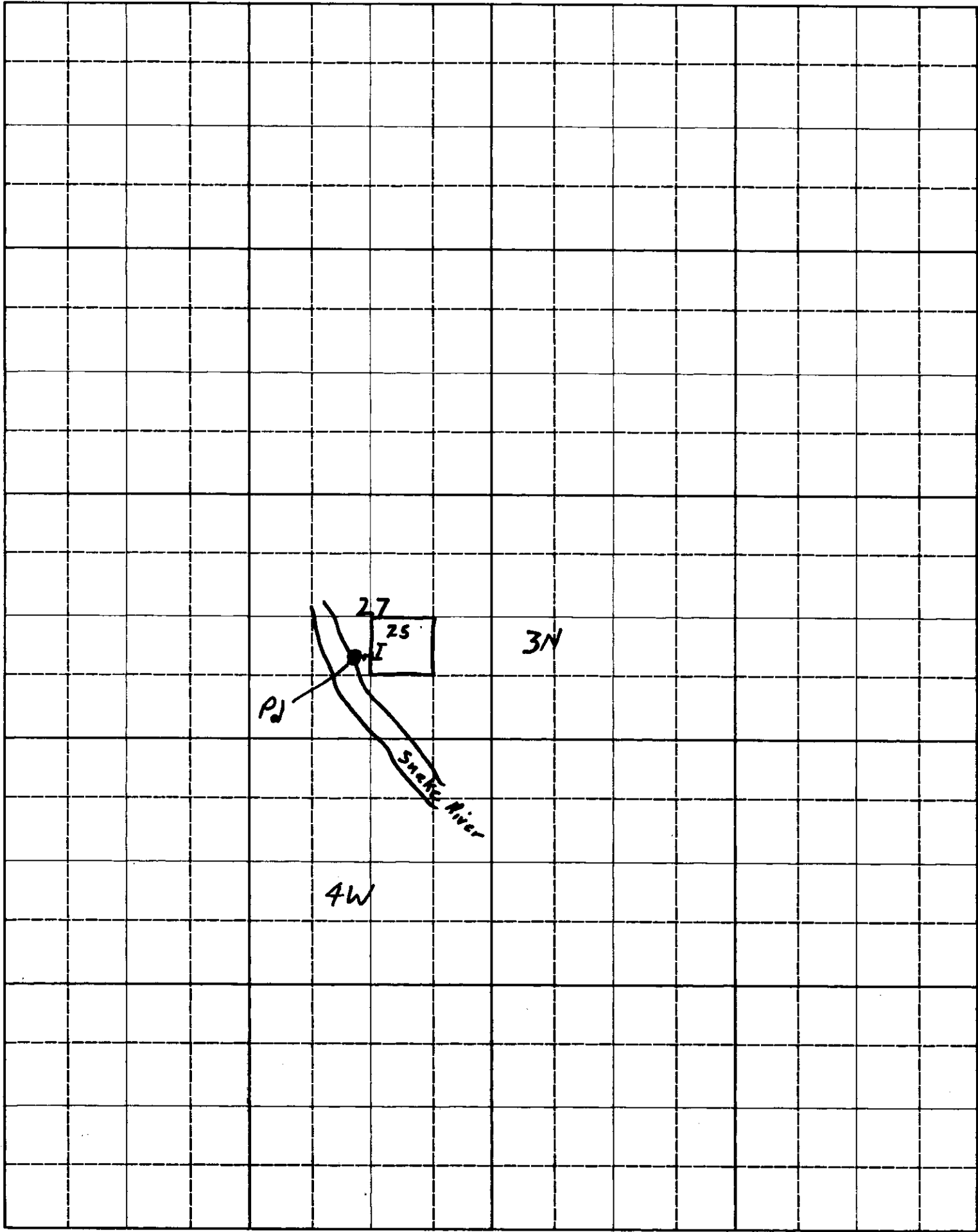
9. a. Who owns the property at the point of diversion Don Lindemann

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 _____

10. Remarks

11. 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.

Wyatt D. Hull
(Applicant)

Proposed Priority 4/25/80
Received by GHS Date 4/25/80 Time 10:10
Preliminary check by CWB Fee \$ 35.00
Receipted by HHA Date 4/25/80 # 16261
Publication prepared by HHA Date 5/1/80
Published in News-Tribune
Publication dates 5/8-5/15/80
Publication approved HHA Date 5/27/80
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date: _____
Recommended for approval denial by DBS

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. 02-7299, and said application is hereby approved.

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 June 1, 19 85.
- 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. Other: (1) The issuance of this permit in no way grants any right-of-way or easement across the land of another. (2) Water shall not be diverted under this permit unless the flow of the Snake River at the U.S. Geological Survey stream gaging station at Murphy exceeds 3,300 c.f.s. and at Weiser exceeds 4,750 c.f.s.

Witness my hand this 4th day of June, 19 80.

J. Glen Supton
Chief, Office of Water Resources

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Suzanne Smith
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of
America, and at all times hereinafter mentioned
was over the age of eighteen years, and not a party
to the above entitled action.

2. That I am the Principal Clerk of the Idaho Free
Press and The News-Tribune, a daily, (except
Saturday) newspaper published in the City of Nam-
pa and Caldwell, in the County of Canyon, State of
Idaho; that the said newspaper is in general cir-
culation in the said County of Canyon, and in the
vicinity of Nampa and Caldwell, and has been unin-
terruptedly published in said County during a
period of seventy-eight consecutive weeks prior to
the first publication of the notice, a copy of which is
hereto attached.

3. That the notice, of which the annexed is a prin-
ted copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and
was printed in the newspaper proper, and not in a
supplement.

4. That said notice was published the following
dates:

May 8, 15, 1980

Suzanne Smith

Subscribed and sworn to before me this
15th day of May

19 80

Jeanne Smith
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981

MICROFILMED

June 12, 1992

WYATT D. HULL
ROUTE 4, BOX 498
CALDWELL ID 83605

RE: Water Right No. 02-07299

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

June 8, 1992

WILLIAM C. EXON
WYNARDA EXON
P.O. BOX 83
BLISS ID 83314-0000

RE: Water Right No. 02-07315

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

May 19, 1992

WYATT D. HULL
ROUTE 4, BOX 498
CALDWELL ID 83605

RE: Water Right No. 02-07299

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

May 21, 1984

RE: Permit No. 02-7299

Wyatt D. Hull
Rt. 4, Box 498
Caldwell, ID 83605

Dear Mr. Hull:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

May 2, 1984

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

RE: Permit No. 02-7299

Wgatt D. Hull
Rt. 4, Box 498
Caldwell, ID 83605

Dear Mr. Hull:

A representative of this Department has made an examination of the works covered by your Permit No. 02-7299, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.29 cfs Source: Snake River trib to Columbia River

The maximum quantity diverted shall not exceed 113.2 acre feet
per year.

Point(s) of diversion: Gov. Lot 3 (NE $\frac{1}{4}$ SW $\frac{1}{4}$) Sec. 27, Twp 3N, Rge 4W

Beneficial Use: Stockwater and irrigation of 25 acres within Lot. 3 (NW $\frac{1}{4}$ SE $\frac{1}{4}$)
Sec. 27, Twp 3N, Rge 4W

Priority date established: April 25, 1980

Conditions (if any): Water shall not be diverted under this license unless the
flow of the Snake River at the U.S. Geological Survey stream gaging station at
Murphy exceeds 3,300 cubic feet per second and at Weiser exceeds 4,750 cubic
feet per second.

If you do not concur with these findings, please contact us within 10 days, other-
wise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

02-7299
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 8/2/83 Accompanied by Wyatt Hull Total Q measured .29 ✓
Source Snake R. ✓ Tributary to Columbia R. Supp. annubar measurement sheet used? _____
If source is surface water, estimate total flow of source _____
Methods of measurement annubar Meets permit requirements? _____

Measurement calculations: See annubar measurement attached -
250 cfs x .02 = .5 cfs flow .29 cfs ✓
250 cfs x .5 = 125 AFA 25 ac. x 4.5 = 112.5 AF ✓
1.98 x .29 x 245 = 140 AFA 30 hd / 100 ft
30 hd x 12 = 360 = 360 = .007 except .07 cfs
54000 2 hr period 360 x .00118 = 40 AFA

WELL/DIV. NO.*	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
	5	Pentair Pump Co.	6-3330 447204	Corrall	26165	annubar	good	

System Description 5 HP motor - 4" PVC penstock - 13 hd - 7/64 nozzle
sprinkler system - 3" mainline

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement = Q (cfs)	V (afa)	AFA/Acre FROM TO
<u>irrigation ✓</u>	<u>.29 ✓</u>	<u>125/112.5</u>	<u>3/15 ✓ 11/15 ✓</u>
<u>stock water ✓</u>	<u>.02 ✓</u>	<u>0.7 + 4</u>	<u>1/1 ✓ 12/31 ✓</u>
		<u>per admin. memo of 4/7/75.</u>	
		<u>113.2</u>	
Total	<u>.29 ✓</u>	<u>125 + 4</u>	

Remarks Belonguished at 03-8937 - 4/25/80
in the boundary of Wilde, irrigation district,
but doesn't use the water as he is on
the end of the lateral.

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[illegible]

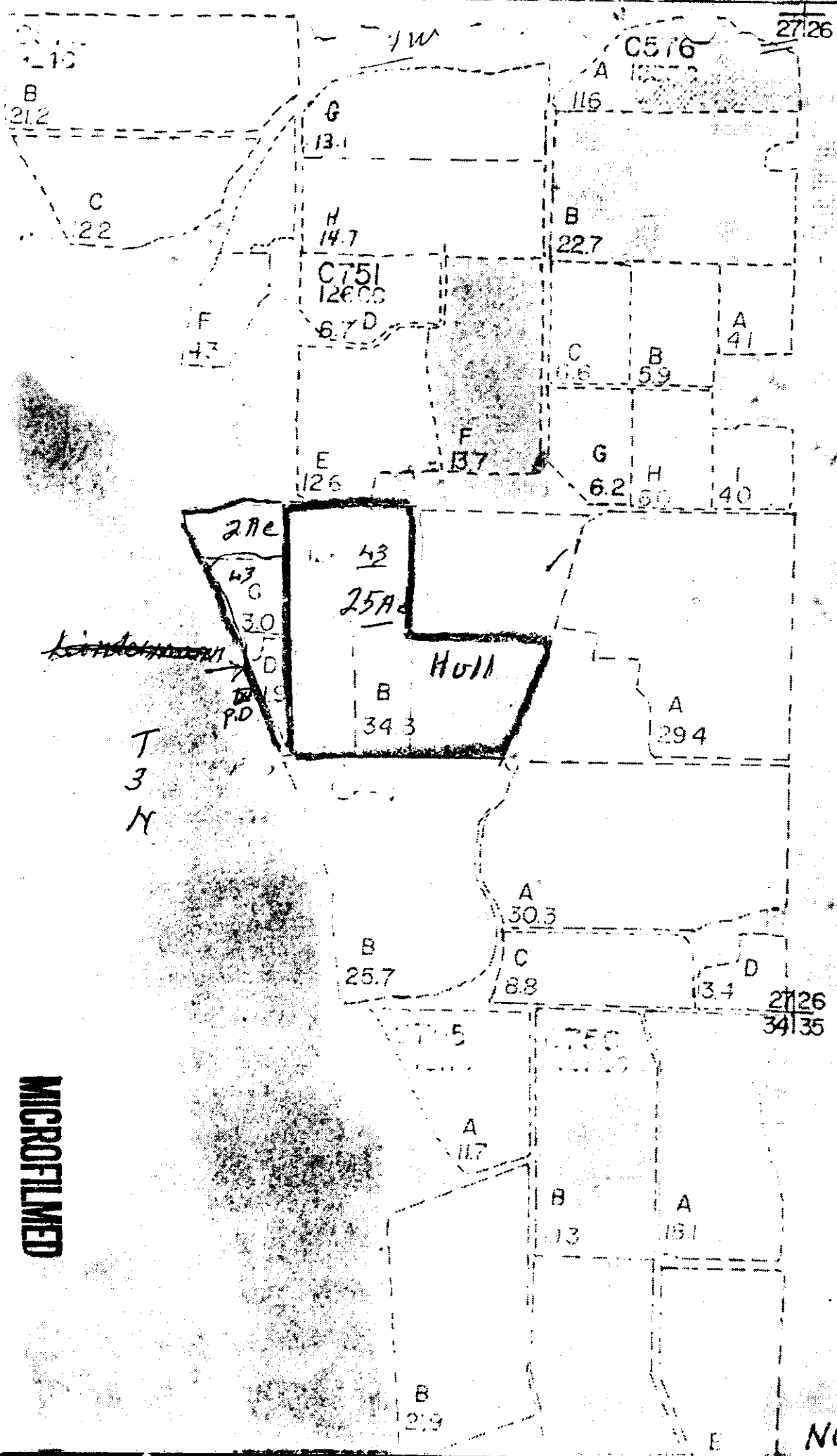
(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: ✓ L3 NESW Sec 27 T3N R4W

Place(s) of Use ☒ same acreage amt.

[illegible]☐ Other

Date 4-16-84



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NOT TO SCALE

IDWR SUPPLEMENTAL FIELD REPORT
FOR ANNUBAR MEASUREMENT

Measured by: J.K.N.

Date 8/2/83

Owner: W. J. D. Hill

Permit No. 02-7299

Description of well &/or measuring site (give distance to restrictions upstream and downstream): access port 3 ft from pump. 4" PVC penstock

Measured inside diameter of pipe in inches (A) 4.0

Size of Annubar used in test 4.026

State ID# of Annubar Meter used 191753

Size Eagle Eye Meter used 0-10

State ID# of Meter used 091470

Date of Last Calibration of Meter 4/27/83

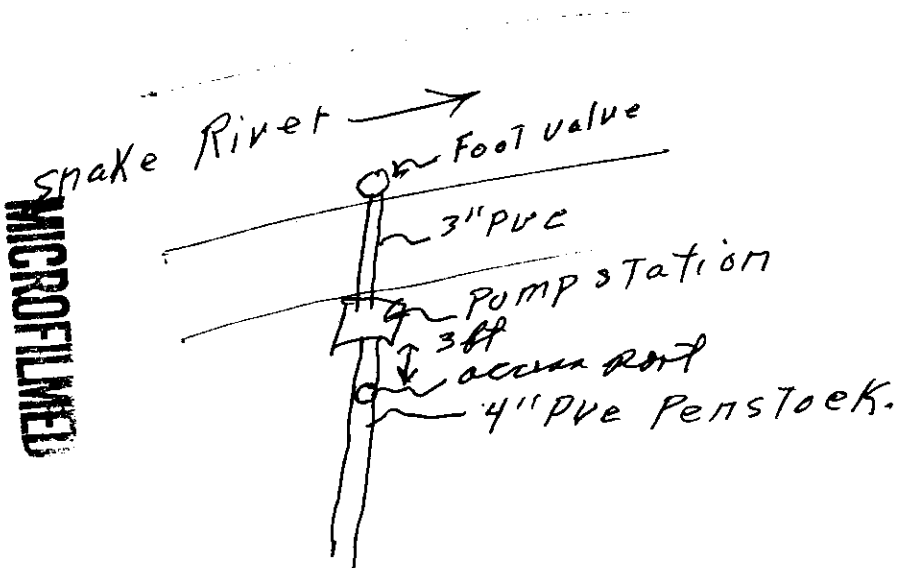
Observed inches of H2O read on Meter 4.8

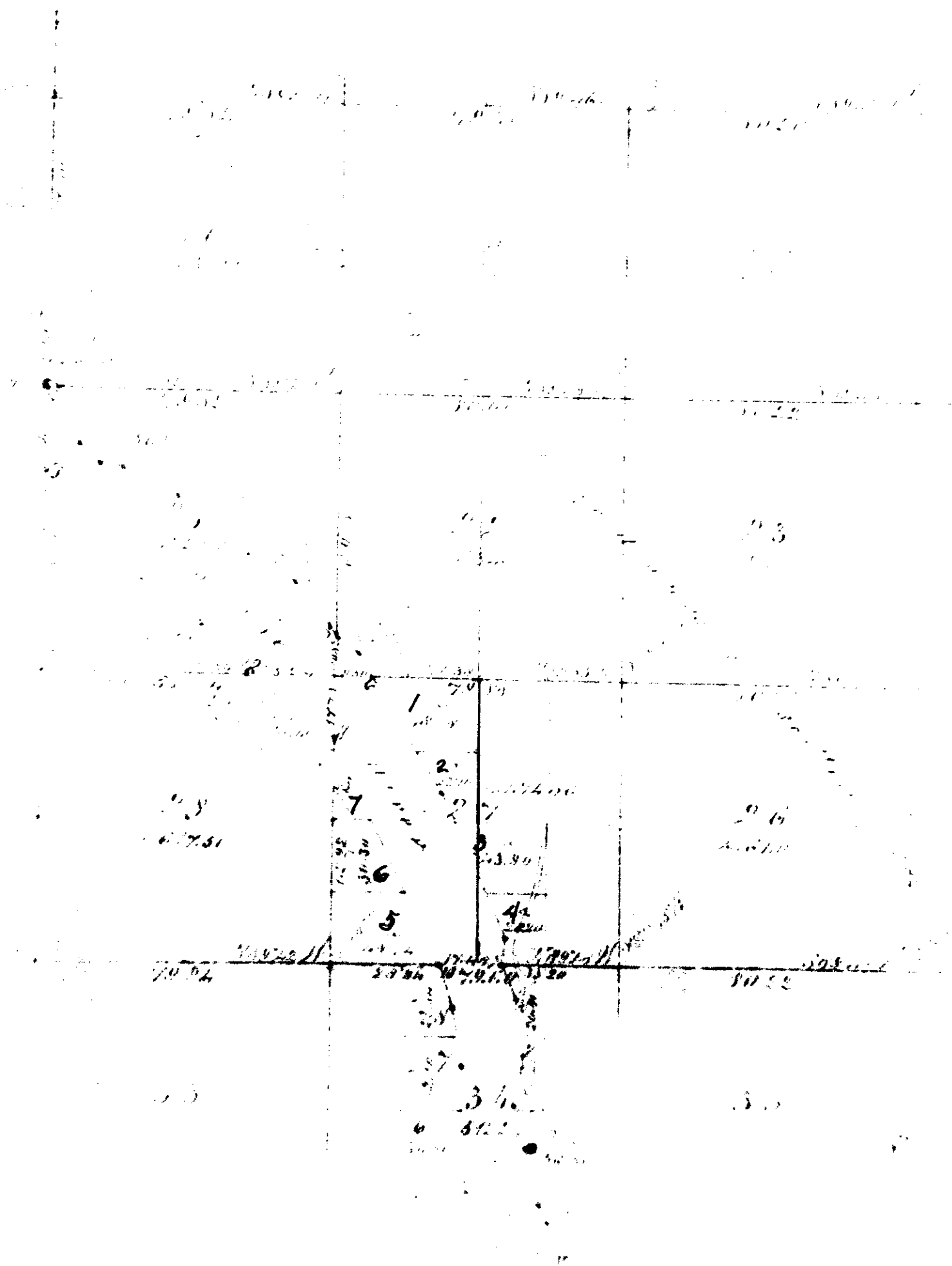
Adjusted inches of H2O from Last Calibration (B) 4.45

CALCULATION:
$$\frac{3.85 \times 16 \times 2.11}{448.8} \times \frac{129.98}{448.8} = \frac{129.98}{448.8} = 0.29 \text{ cfs measured}$$

$B = .927 \times 4.8 = 4.45$ Where A and B are measured in inches and 3.85 is a constant for the model 75 Annubar.

SKETCH:





Overlap Review for 02-7299

per permit:- Wilder Sr. District
- 63-8937 - relinquished ✓

per examiner:- 63-8937 - relinquished ✓
- does not use Wilder Sr.
District water - see exam
remarks

per micro-fische 4/16/84:

p/d = 02-7300 permit
02-7302 license

p/u = none in NWSE
02-7302 in Lot 3

02-7300 - permit, no exam in file,
same p/d location - different
p/u - same priority date

02-7302 - license - different pumps -
not same p/d - different
place of use - no overlap.

kw
4-16-84

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

OCTOBER 21, 1983

WYATT D. HULL
RT. 4 BOX 498
CALDWELL

ID 83605

RE: Permit No. 02-7299

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/Judy Pense
Secretary



DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Perm. No. 02-7299

Name(s) of Permit Holder: Wyatt D. Hull

Post Office Address: Rt 41 - Box 498

Caldwell Id. Tel. No. 459-7928

Source of Water: Snake River

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater (number and type of stock)
☒ Irrigation 25 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No
 Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

6-13-83
 Date

Wyatt D. Hull
 Signature of Permit Holder

Wendy O'Hall
Rt-4 Box 498
Caldwell, Idaho
83605



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PLACE
TEN CENT
STAMP
HERE

RECEIVED

JUN 13 1983

Department of Water Resources
Western Regional Office

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

HULL, WYATT D.
ROUTE 4, BOX 498
CALDWELL, ID 83605

JUNE 11, 1980

RE: PERMIT NO. 02-7299

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE EXERCISE OF THIS PERMIT MAY ALSO BE AFFECTED BY THE COURT'S DETERMINATION OF WATER RIGHTS IN THE CASE OF IDAHO POWER COMPANY V. STATE OF IDAHO, ET AL., CIVIC NO. 62237, CURRENTLY PENDING BEFORE THE DISTRICT COURT OF ADA COUNTY. SINCE THE USE OF WATER UNDER YOUR PERMIT MAY AFFECT THE FLOWS IN THE SNAKE RIVER BETWEEN MILNER DAM AND HELLS CANYON, THE FINAL DECISION IN THIS CASE MAY DETERMINE TO WHAT EXTENT THE EXERCISE OF YOUR PERMIT IS SUBJECT TO WATER RIGHTS OF IDAHO POWER. WHILE THE ADA COUNTY COURT IS EXAMINING THIS QUESTION, IDAHO POWER COMPANY HAS NOT FILED A SPECIFIC PROTEST TO YOUR PERMIT. HOWEVER, THE DEPARTMENT OF WATER RESOURCES HAS BEEN ADVISED THAT THE POWER COMPANY IS NOT WAIVING ANY OF ITS RIGHTS TO CONTEST OR LIMIT THE EXERCISE OF YOUR PERMIT OR SUBSEQUENT LICENSE.

NOTE ALSO THAT WATER SHALL NOT BE DIVERTED UNDER THIS PERMIT UNLESS A BASE FLOW OF THE SNAKE RIVER AT THE U.S. GEOLOGICAL SURVEY STREAM GAGING STATION AT MURPHY EXCEEDS 3,300 C.F.S. AND AT WEISER EXCEEDS 4,750 C.F.S. IN ADDITION, THERE ARE MANY APPLICATIONS FOR PERMIT FOR THE USE OF SNAKE RIVER WATER THAT ARE PRIOR TO YOUR PERMIT. THESE APPLICATIONS HAVE BEEN FILED FOR THE IRRIGATION OF LAND THAT THE APPLICANTS ARE ATTEMPTING TO OBTAIN UNDER THE FEDERAL LAND LAWS SUCH AS DESERT ENTRY AND CAREY ACT. IF THESE LANDS ARE DEVELOPED, AND IF THE BASE FLOW IS MAINTAINED, THEN NO WATER WOULD BE AVAILABLE FOR THIS PERMIT. THEREFORE, YOU SHOULD CAREFULLY CONSIDER THESE FACTS BEFORE MAKING ANY EXPENDITURES FOR THE CONSTRUCTION OF YOUR SYSTEM.

APPROVED

RE: PERMIT 02-7299

PAGE 01
JUNE 11, 1980

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

MAY 1, 1980

News-Tribune
Box 1179
Caldwell, ID 83605

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 26, 1980.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

100-20111-103

02-7299-

HULL, WYATT D.

ROUTE 4, BOX 498, J. CALDWELL, ID 83605

Source: SNAKE RIVER

Date Filed: 04/25/1980

Amount: 0.52 CFS

Diversion Point: NESW Sec 27 T 03N R 04W, CANYON Co.

Use: IRRIGATION	(0.50 CFS)	from 03/15 to 11/15
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31

Place of Use: NWSE Sec 27 T 03N R 04W FOR 25 ACRES

Diversion Means: PUMP AND PIPELINE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before MAY 26, 1980.

C. STEPHEN ALLRED

Director

Published 5/8 & 5/15/80.