

Ident. No. 15-07176

RECEIVED

JAN 12 2000

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

RECEIVED

SEP 30 1999

Department of Water Resources
Eastern Region

Department of Water Resources

1. Name of Applicant TIMOTHY R. WILLIE Phone 208-766-4927

Mailing address 3585 WEST HWY 38, MALAD, IDAHO 83252

2. Source of water supply GROUND WATER which is a tributary of N/A

3. Location of point of diversion is Township 15S Range 36E Sec. 6 in the SANDY 1/4,

NE SW 1/4, Govt. Lot ONEIDA County;

additional points of diversion if any: SEE NOTE Exact point where well will be

4. Water will be used for the following purposes: drilled has not yet been determined.

Amount 2.23 for AGRICULTURAL purposes from APR 15 to NOV 1 (both dates inclusive)

Amount 0.04 for LIVESTOCK purposes from JAN 1 to DEC 31 (both dates inclusive)

Amount for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

5. Total quantity to be appropriated is (a) 2.27 2.23 and/or (b) stock water for 200 head

cubic feet per second acre feet per annum Stock cows

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source DEEP WELL

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total

reservoir capacity N/A acre-feet

c. Proposed well diameter is 10 to 14 inches; proposed depth of well is 300 feet

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

e. If well is already drilled, when? N/A; Drilling firm N/A

Well was drilled for (well owner) N/A; Drilling Permit No. N/A

7. Time required for completion of works and application of water to proposed beneficial use is 1 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. N/A

b. Stockwatering; list number and kind of livestock. 200 Head Stock Cows

c. Municipal; show name of municipality. N/A

d. Domestic; show number of households. N/A

e. Other; describe fully. N/A

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	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	36E	6			13				40	35	40	40							

Total number of acres to be irrigated 168

10. Describe any other water rights used for the same purposes as described above. N/A

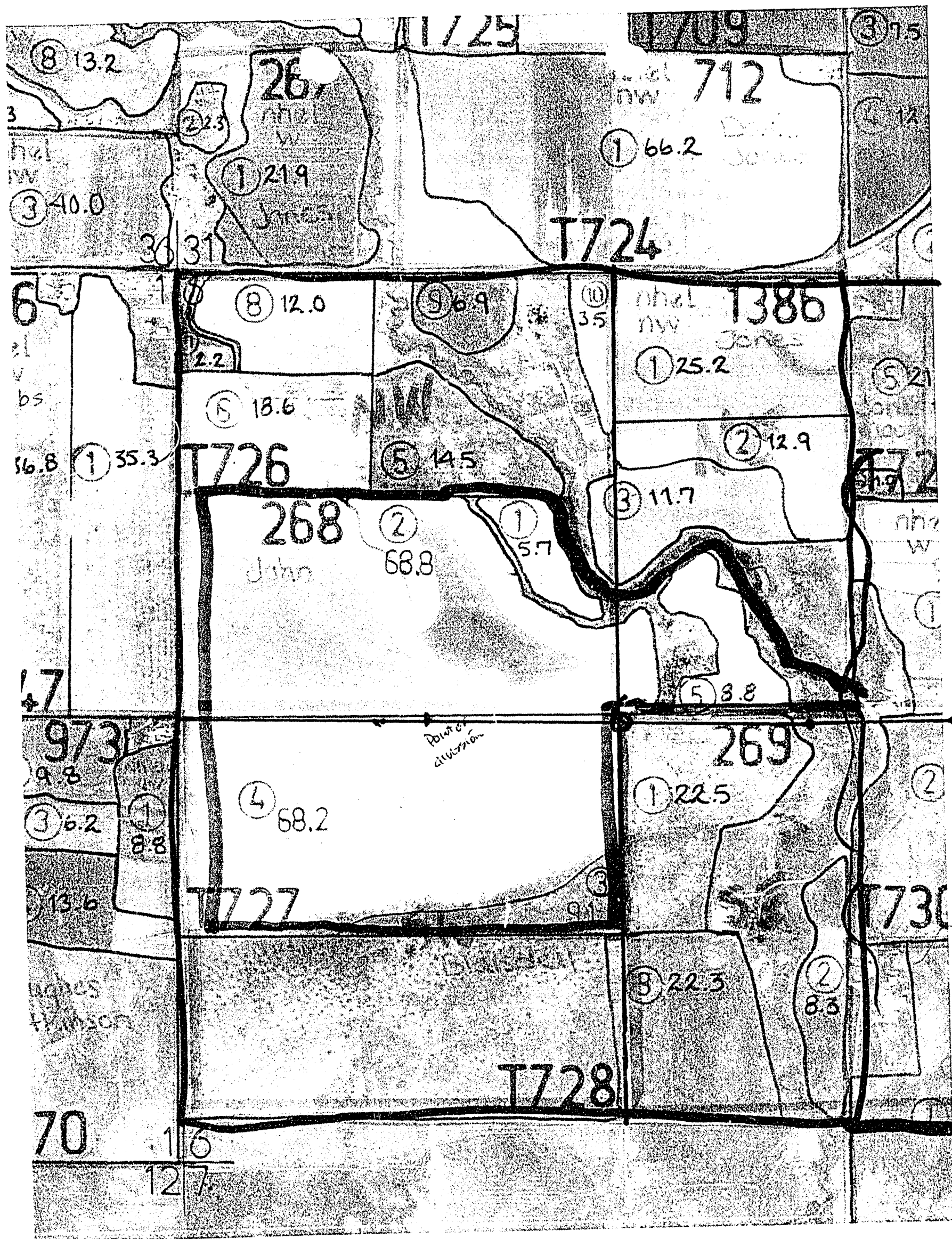
11. a. Who owns the property at the point of diversion? Keith John } Tim Willie is making
b. Who owns the land to be irrigated or place of use? Keith John } an offer^{to buy} property
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Tim Willie is making an application for irrigation
12. Remarks: water & stock water as offer^{to buy} being made
contingent on being able to obtain permit.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Timothy P. Willie
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 9-30-99 Time _____ Preliminary check by _____
Fee \$ 140 Received by [Signature] # E025343 Date 9-30-99
Publication prepared by SL Date 10/28/99 Published in Idaho Enterprise
Publication approved [Signature] Date 11/8/99



State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 15-07176

Priority: September 30, 1999

Maximum Diversion Rate:

2.23 CFS

This is to certify, that TIMOTHY R WILLIE

3585 W HWY 38

MALAD ID 83252

has applied for a permit to appropriate water from: GROUNDWATER

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>
IRRIGATION	04/01 to 10/31	2.23 CFS
STOCKWATER	01/01 to 12/31	0.04 CFS
	Totals	2.23 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 6, Township 15S, Range 36E
ONEIDA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
15S	36E	6	SWNE 13.0	SWNW 40.0	SENE 35.0	
			NESW 40.0	NWSW 40.0		168.0

Total number of acres irrigated: 168.0

PLACE OF USE: STOCKWATER, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before January 1, 2001.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Use of water under this right may be affected by an agreement between the protestant and the right holder.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.
6. 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.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. Stockwater use is for 200 range cattle.

PAGE 2

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 15-07176

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

17 th day of January, 2000

Karl J. Dreher

Karl J. Dreher, Director

for





**State of Idaho
DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 13, 1999

TIMOTHY R WILLIE
3585 W HWY 38
MALAD ID 83252

RE: Application for Permit #15-07176

Dear Applicant:

This office is currently in the process of advertising the application in the Idaho Enterprise on October 21 and 28, 1999. The advertisement will be published once a week for two consecutive weeks, and 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.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

15-07176

WILLIE, TIMOTHY R
3585 W HWY 38
MALAD, ID 83252

Source: GROUNDWATER

Diversion Pt: NESW Sec 6 T 15S R 36E in ONEIDA County.

Use: IRRIGATION	(	2.230 CFS)
STOCKWATER	(	0.040 CFS)
Total Diversion:	(	2.230 CFS)

Date Filed: 9/30/1999

In: ONEIDA County				
T15S R36E S06	SWNE	SWNW	SENW	NESW
	NWSW			

168.0 ACRES TOTAL

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls ID 83402, together with a protest fee of \$25.00 on or before NOVEMBER 8, 1999. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

Published: 10/21/1999 & 10/28/1999

KARL J. DREHER, Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

OCTOBER 13, 1999

Legal Notices Department
THE IDAHO ENTERPRISE
P.O. BOX 205
MALAD CITY, ID 83252

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

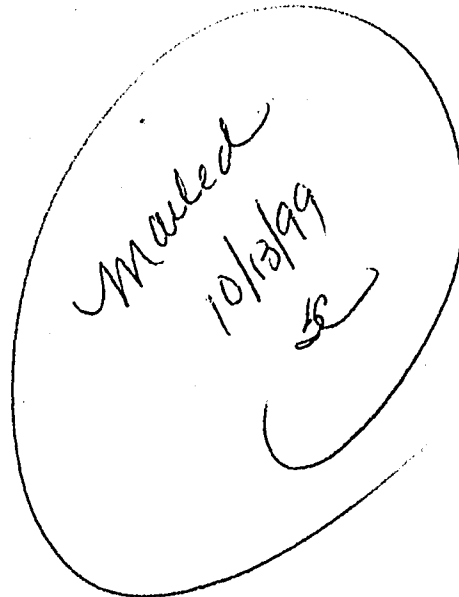
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 8, 1999.

Yours truly,

Sharla Cox
Senior Secretary

Encl.



2580

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF ONEIDA)

Kristine D. Smith, begin duly sworn, deposes and says:
That she is the publisher of *THE IDAHO ENTERPRISE*, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said newspaper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 27 consecutive weeks in the regular and entire issue of said newspaper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said newspaper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with 10-21, 19 99, and ending with the issue of 10-28, 19 99.

Kristine D. Smith

STATE OF IDAHO)
)
COUNTY OF ONEIDA)

On this 5 day of November in the year of 99,
before me, Lisa D Lewis, a Notary Public,
personally appeared Kristine Smith, 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 she
executed the same.

Lisa D Lewis
Notary public for Idaho
Residing at Malad ID
My commission expires: 2-05-2002

STATE OF APPLICATION FOR
WATER RIGHT
The Following application(s)
have been filed to appropriate the
public waters of the State of Idaho:
15-07176
WILLIE, TIMOTHY R
3585 W HWY 38
MALAD, ID 83252
Source: GROUNDWATER
Diverson Pt: NESW Sec 6 T 15S
R 36E in ONEIDA County.
Use: IRRIGATION (2.230 CFS)
STOCKWATER (0.040 CFS)
Total Diverson: (2.230 CFS)
Date Filed: 9/30/1999
In: ONEIDA County
T15S R36E S06 SWNE
SWNW SENW NESW NWSW
168.0 ACRES TOTAL
Any protests against the pro-
posed application must be filed
with the Dept. of Water Resources,
900 N. Skyline Dr., Ste A, Idaho
Falls ID 83402, together with a
protest fee of \$25.00 on or before
NOVEMBER 8, 1999, to be con-
sidered by the Department in its
decision to grant or deny any part
of the proposed application. The
protestant must also send a copy
of the protest to the applicant.

Receipt # EC 25438

RECEIVED

NOV 03 1999

Department of Water Resources
Eastern Region

IN THE MATTER OF:)
CLAIM TO A WATER RIGHT,)
NO. 15-07176,)
TIMOTHY R. WILLIE,)
3585 W HWY 38,)
MALAD CITY, IDAHO 83252)

AFFIDAVIT OF PROTEST TO
CLAIM OF WATER RIGHT

STATE OF IDAHO)
: ss
County of Oneida)

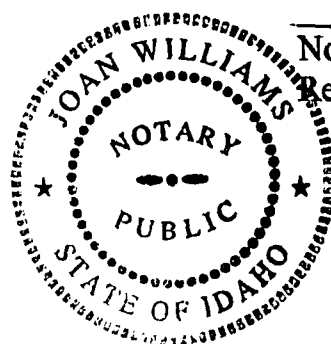
COMES NOW DEAN BLAISDELL being first duly sworn,
deposes and says:

1. That the claim of Timothy R. Willie, No. 15-07176 for
GROUNDWATER, Diversion Pt: NESW Sec 6 T 15S R 36E in
Oneida County, for use:
IRRIGATION (2.230 CFS);
STOCKWATER (0.040 CFS);
Total Diversion: (2.230 CFS);
is without right.
2. That the GROUNDWATER in question is used by Dean Blaisdell
for stock and irrigation purposes from flowing wells,
and that the additional proposed use will severely impact or
eliminate the water supply for said use.

DATED this 29th day of October, 1999.

Dean Blaisdell
Dean Blaisdell

SUBSCRIBED AND SWORN to before me this 29 day of
October, 1999.



Joan Williams
Notary Public
Residing at Malad City, Idaho 83252

RECEIVED

NOV 03 1999

Department of Water Resources
Eastern Region

IN THE MATTER OF:)
CLAIM TO A WATER RIGHT,)
NO. 15-07176,)
TIMOTHY R. WILLIE,)
3585 W HWY 38,)
MALAD CITY, IDAHO 83252)

AFFIDAVIT OF PROTEST TO
CLAIM OF WATER RIGHT

STATE OF IDAHO)

: ss

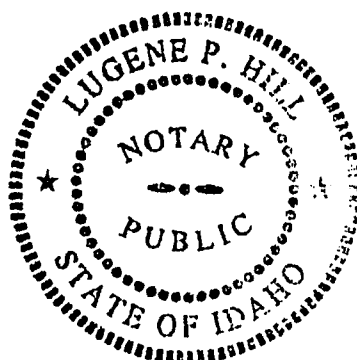
County of Oneida)

766-2698

3690 W. 1000 N
Malad

COMES NOW J. DALE BLAISDELL being first duly sworn,
deposes and says:

1. That the claim of Timothy R. Willie, No. 15-07176 for
GROUNDWATER, Diversion Pt: NESW Sec 6 T 15S R 36E in
Oneida County, for use:
IRRIGATION (2.230 CFS);
STOCKWATER (0.040 CFS);
Total Diversion: (2.230 CFS);
is without right.
2. That the GROUNDWATER in question is used by J. Dale
Blaisdell for stock and irrigation purposes from flowing wells,
and that the additional proposed use will severely impact or
eliminate the water supply for said use.



DATED this 29th day of October, 1999.

J. Dale Blaisdell
J. Dale Blaisdell

SUBSCRIBED AND SWORN to before me this 29 day of
October, 1999.

Eugene P. Hill
Notary Public

Residing at Malad City, Idaho 83252

MY Commission Expires 5-13-2004

EO25465



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 17, 1999

J DALE BLAISDELL
3690 W 1000 N
MALAD ID 83252

RE: Application for Permit No. 15-07176

Dear Protestant:

Your protest against approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protest. At such a conference and/or hearing, the following are the principle items the Department can consider in their approving or denying the application (Idaho Code ' 42-203):

1. Will the proposed use reduce the quantity of water under existing rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Is the proposed use contrary to conservation of water resources within the State of Idaho?

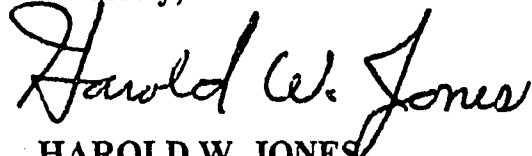
Page 2

The protestant must be prepared to present proof of allegations involving one or more of the six items.

In addition, Rule 302 of the Department's Rules of Procedure requires a protestant to send a copy of the protest to the applicant in question.

If this office can be of further assistance, please contact us.

Sincerely,

A handwritten signature in cursive script that reads "Harold W. Jones".

HAROLD W. JONES
Water Rights Supervisor

HWJ: sc

cc: IDWR - State Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

November 17, 1999

KARL J. DREHER
DIRECTOR

DEAN BLAISDELL
3690 W 1000 N
MALAD ID 83252

RE: Application for Permit No. 15-07176

Dear Protestant:

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Page 2

The protestant must be prepared to present proof of allegations involving one or more of the six items.

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If this office can be of further assistance, please contact us.

Sincerely,


HAROLD W. JONES
Water Rights Supervisor

HWJ: sc

cc: IDWR - State Office



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 17, 1999

TIMOTHY R WILLIE
3585 W HWY 38
MALAD ID 83252

RE: Application for Permit No. 15-07176

Dear Applicant:

Enclosed are copies of a protest filed against the issuance of the above referenced applications. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protests. At a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Idaho Code ' 42-203):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Is the proposed use contrary to conservation of water resources within the State of Idaho?

Page 2

The applicant must be prepared to present evidence and/or testimony addressing each of the six items. Although representation by legal counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

If this office can be of further assistance, please contact us.

Sincerely,

A handwritten signature in cursive script that reads "Harold W. Jones".

HAROLD W. JONES
Water Rights Supervisor

Enclosure

HWJ:sc

cc: IDWR - State Office

December 22, 1999

Harold W. Jones
Water Rights Supervisor
Department of Water Resources
State of Idaho
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402

Dear Mr. Jones,

I have reached an agreement with Timothy R. Willie (Application for Permit No. 15-07176) and do hereby withdraw my protest of said application.

Sincerely,

Dean E. Blaisdell

Dean Blaisdell

December 22, 1999

Harold W. Jones
Water Rights Supervisor
Department of Water Resources
State of Idaho
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402

Dear Mr. Jones,

I have reached an agreement with Timothy R. Willie (Application for Permit No. 15-07176) and do hereby withdraw my protest of said application.

Sincerely,

J. Dale Blaisdell





State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 6, 2000

DEAN BLAISDELL
J DALE BLAISDELL
3690 W 1000 N
MALAD ID 83252

RE: Withdrawal of protest on Applications for Permit No.: 15-07176

Dear Protestants:

This Department has received your withdrawal of protest against the application of Timothy R Willie.

If you have any questions, please call our office.

Sincerely,

Harold W Jones
Water Rights Supervisor

HWJ/sc



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 6, 2000

TIMOTHY R WILLIE
3585 W HWY 38
MALAD ID 83252

RE: Withdrawal of protest on Applications of Permit No. 15-07176

Dear Sir:

This Department has received a withdrawal of protest from J Dale Blaisdell and Dean E Blaisdell. Our office will continue to process your applications.

If you have any questions, please call our office.

Sincerely,

Harold W Jones
Water Rights Supervisor

HWJ/sc

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



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

January 18, 2000

DIRK KEMPTHORNE
GOVERNOR

TIMOTHY R WILLIE
3585 W HWY 38
MALAD ID 83252

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 15-07176

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

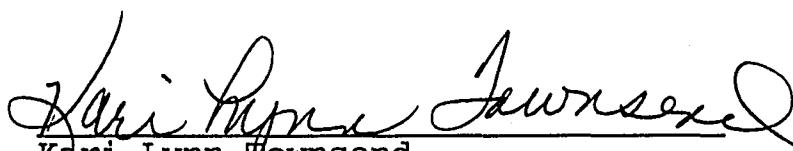
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Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of January, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 15-07176

TIMOTHY R WILLIE
3585 W HWY 38
MALAD ID 83252


Kari Lynn Townsend
Secretary

FOR OFFICE USE ONLY
Amt. of Fee \$: 150.00
Receipt No. C051407
Receipt By: J. Eason
Date Received: 12-8-00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 08 2000

PROOF OF BENEFICIAL USE

Department of Water Resources

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. 15-07176 Telephone No. 208-766-4927

2. Name(s) of Permit Holder(s): TIMOTHY R. WILLIE

3. Mailing Address: 3585 West Highway 38, MALAD, IDAHO 83252

4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. 5 / yr. 2000

a. Well Driller: COLE GARDNER Drilling Permit Number: 76-37-59

b. OPTIONAL:
Pump Horsepower: 75 Pressure (psi): 90 Dynamic pumping level (ft): 57

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 0 Stockwater (No. and type of stock): 200 cows/bulls

Irrigation (No. of acres): 168 Other: N/A

6. Total rate of diversion and/or volume for which proof is submitted: 2.23 cfs OR N/A 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? N/A Yes or No

Has the measuring device been installed? N/A Yes or No

Flow Measurement Port: Is a flow measurement port required? N/A Yes or No

Has the measurement port been installed? N/A Yes or No

8. Fee Enclosed: \$ 150.00 (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: TIMOTHY R. WILLIE Telephone Number: 208-766-4927

Address: 3585 W Hwy 38 MALAD, IDAHO 83252

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: Timothy R. Willie Date: 11/30/2000
(include your title, if on behalf of company or organization)

October 31, 2000

TIMOTHY R WILLIE
3585 W HWY 38
MALAD ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-07176

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 January 1, 2001. (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.

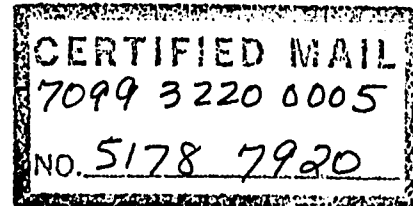
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

DEBORAH GIBSON
Administrative Assistant

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

January 3, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

TIMOTHY R WILLIE
3585 W HWY 38
MALAD, ID 83252

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 15-07176

Dear Permit Holder(s):

The department acknowledges receipt of the proof of beneficial use form and field examination 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.

Please 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 any questions concerning the field examination, please contact the **Eastern** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

c: IDWR - Region