

No Color
Documents
In-File



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 24, 2005

BLAIR JAYNES
STATE OF IDAHO
MILITARY DIVISION
STATEHOUSE MAIL
BOISE, ID 83720

RE: Preliminary Order in the Matter of Application for Permit #61-7584
#61-7585

Dear Applicant:

The accompanying order is a "preliminary order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-334-2190.

Sincerely,

John Westra, Manager
Western Regional Office

Enclosures

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION)	PRELIMINARY ORDER
FOR PERMIT 61-7584 IN THE NAME)	VOIDING APPLICATION
OF STATE OF IDAHO MILITARY)	
DIVISION)	
_____)	

FINDINGS OF FACT

1. On July 25, 1988, Blair Jaynes filed an application for permit with the Idaho Department of Water Resources (IDWR) seeking to divert .20 cfs for domestic and industrial use from a well. The application proposed diversion in the SE1/4 of SW1/4 of Section 33, T01S, R03E.
2. On August 11, 1988, IDWR sent the applicant a letter informing them the application was located in the Mountain Home Ground Water Management Area and would be held by the Department.
3. On December 2, 2004, IDWR sent a letter to applicant requesting the application status and the applicant's intentions. If development was abandoned, the application should be withdrawn. A January 15, 2005 response deadline was set.
4. To date no response has been received from the applicant.

CONCLUSIONS OF LAW

1. Idaho Code (IC)§ 42-204 and the Rules and Regulations of IDWR state that if an applicant does not submit requested information to IDWR within thirty (30) days of the date of request, IDWR may void the application.
2. The applicant has failed or refused to submit the requested information to IDWR within the 30 day request period. IDWR should void the application pursuant to IC §42-204.

ORDER

IT IS HEREBY ORDERED that Application for Permit #61-7584 in the name of State of Idaho Military Division be **VOIDED**.

Dated this ____ day of _____, 2005

John Westra
Manager, Western Regional Office

CERTIFICATE OF SERVICE

I hereby certify that on 1-27-05 I mailed a true and correct copy, certified, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

Manuel Sanchez

RE: Application for Permit #61-7584

BLAIR JAYNES
STATE OF IDAHO
MILITARY DIVISION
STATEHOUSE MAIL
BOISE, ID 83720

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 this 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 fourteen (14) 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 this 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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.

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

**IN THE MATTER OF APPLICATION)
FOR PERMIT 61-7585 IN THE NAME)
OF STATE OF IDAHO MILITARY)
DIVISION)
_____)**

**PRELIMINARY ORDER
VOIDING APPLICATION**

FINDINGS OF FACT

1. On July 25, 1988, Blair Jaynes filed an application for permit with the Idaho Department of Water Resources (IDWR) seeking to divert 1.0 cfs for domestic, industrial, and fire protection use from a well. The application proposed diversion in the NW1/4 of NE1/4 of Section 2, T02S, R03E.
2. On August 11, 1988, IDWR sent the applicant a letter informing them the application was located in the Mountain Home Ground Water Management Area and would be held by the Department.
3. On December 2, 2004, IDWR sent a letter to applicant requesting the application status and the applicant's intentions. If development was abandoned, the application should be withdrawn. A January 15, 2005 response deadline was set.
4. To date no response has been received from the applicant.

CONCLUSIONS OF LAW

1. Idaho Code (IC)§ 42-204 and the Rules and Regulations of IDWR state that if an applicant does not submit requested information to IDWR within thirty (30) days of the date of request, IDWR may void the application.
2. The applicant has failed or refused to submit the requested information to IDWR within the 30 day request period. IDWR should void the application pursuant to IC §42-204.

ORDER

IT IS HEREBY ORDERED that Application for Permit #61-7585 in the name of State of Idaho Military Division be **VOIDED**.

Dated this 26th day of January, 2005



John Westra
Manager, Western Regional Office

CERTIFICATE OF SERVICE

I hereby certify that on 1-27-05 I mailed a true and correct copy, certified, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

Manuel Raulant

RE: Application for Permit #61-7585

BLAIR JAYNES
STATE OF IDAHO
MILITARY DIVISION
STATEHOUSE MAIL
BOISE, ID 83720

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 this 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 fourteen (14) 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 this 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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.

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. Military facility with restrooms, kitchens & showers for up to 150 personel
- e. Other; describe fully. _____

Industrial use is associated with tank washing and other maintenance water requirements.

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼													
1S	3E	35	X			X													
2S	3E	2		4.2			4.3												
				X			X												

Total number of acres to be irrigated _____

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

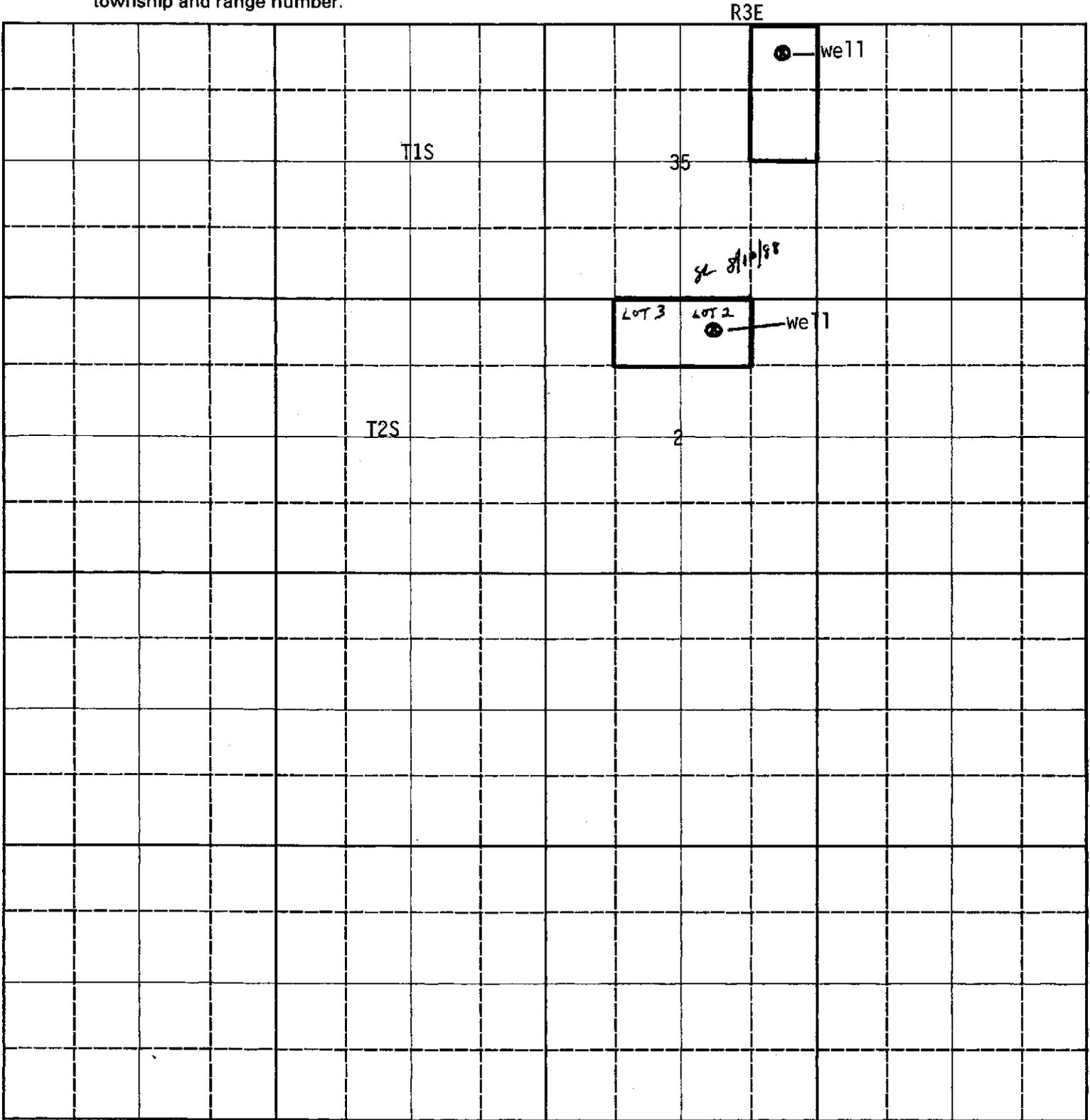
11. a. Who owns the property at the point of diversion? State of Idaho

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Long term lease has been aquired from the State of Idaho.

12. Remarks: _____

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.

DARRELL V. MANNING, MG, ADJ GEN, ID

Darrell V. Manning
(Applicant)

Received by DET Date 7/25/88 Time 2:00 pm Preliminary check by [Signature]
Fee \$ 45⁰⁰ Received by DET # Inter-Agency Bill Date 8/8/88
Publication prepared by jp Date 8/10/88 Published in Id. Statesman
8/18 & 8/24/88
Publication approved [Signature] Date 8/29/88

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:

I certify that file No. 61-7585

has been reviewed and is ready to be

SCANNED and DESTROYED


Reviewer

3.17.05
Date

IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report 61-7585

Comments:

- 1. skreger 3/3/2005 3:56:52 PM Explanatory Comment
Comment: Voided by Order

Dates and Other Information:

Application Received Date: 7/25/1988
Application Denied Date:
Last Date of Beneficial Use:
Extension End Date:
Protest Deadline Date:
Number of Protests: 0
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Application Type: New Appropriation
Applicant Remarks:
Other Water Rights:
Time to Complete Works:
Transfer Affected Description:
Transfer Affected Contracts:
Old Transfer Number:
Transfer Reason:
Transfer Return Flows:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

pp {	15	3E	5.	35	NENE
2	25	3G	2	NWNE - 40T2	
pu {	15	3E	5.	35	NENE + SENE
2	25	3E	5.	2	NWNE + NENW
					L.2 L.3

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY SL DATE 8/5/88 APPLICATION NUMBER 61-07585

REQUIRED INFORMATION

- Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- Address
- Source (See USGS Quad for names of water sources)
- Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- County
- Quantity (flow and/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 *voucher submitted*

ADDITIONAL INFORMATION

- Overlapping place of use (Describe source & relationship to present application on the back.) *NO*
- Overlapping point of diversion *NO*
- Yes No Field check required
- Yes No Field report attached
- Yes No Critical groundwater area
- Yes No Groundwater management area *mt Home gwma*
- 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 trust water supplementary analysis sheet.) *NOT AVAILABLE. DGM1 < 2 ac-ft-day so ok to process SL 5/19/89*
- Yes No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- See reverse side for additional information

REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____
_____ Date Requested _____

Conversation Memorandum
Applications For Permit #61-7584 & #61-7585
State of Idaho Military Division
Party: John Eliot
From: J. Westra
Date: 1/27/05

RE: Application- Preliminary Void Order

John Eliot of the Idaho Guard called the Western Regional Office to discuss the above reference applications. We discussed that the applications were filed 1975 & 1976 and were being held because of the Mountain Home Ground Water Management Area designation. The Guard has decreed water rights for the same P/U -61-7246B & 61-7283B that cover the water presently being beneficially used. As the applications have been held for almost 30 years with little chance of being processed, Mr. Eliot agreed to let them be voided.

This memo will serve as documentation to proceed to void the applications.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

December 2, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BLAIR JAYNES
STATE OF IDAHO
MILITARY DIVISION
STATEHOUSE MAIL
BOISE ID 83720

RE: Applications for Permit #61-7584 – Irrigation and Domestic filed July 1988
61-7585 – Irrigation, Domestic and Fire Protection
filed July 1988

Dear Applicant:

The Department is in the process of reviewing and updating applications that have been held without action for an extended period, application copies attached. The last written communication regarding your applications was in 1989.

As you are aware, your applications are located within the boundaries of the Mountain Home Ground Water Management Area. The Department has not processed your applications due to the ground water management designation. Unfortunately, over the past few years the ground water levels have continued to decline; because of this, it is unlikely the management area restrictions will be removed.

If you still plan to develop the project as identified, and wish the applications continued to be held, please advise this office of your intentions, **OR** sign and return the enclosed application withdrawals if the project has been abandoned. Please respond by **January 15, 2005**. If no response is received, the Department will consider voiding the applications pursuant to Idaho Code §42-204.

Should you have any questions please contact me at the Western Regional Office, 334-2190.

Sincerely,

for John Westra
Western Regional Manager.

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 19, 1989

Mr. Blair Jaynes
Military Division
Statehouse Mail
Boise, Id. 83720

Re: Applications for Permit 61-07584 and 61-07585

Dear Sir:

Two copies of my August 11, 1988 letter are provided at your request. The reference to Trustwater was incorrectly stated. The applications address uses of Trustwater that are exempt from Trustwater processing delays. The exemptions include domestic, commercial, municipal, and industrial (DCMI) uses that deplete the Trustwater less than two acre-feet per day. Therefore, the remaining issue involves the Mountain Home Ground Water Management Area (GWMA).

Idaho Code 42-233b allows designation of a GWMA. New appropriations of ground water within such areas may be approved only if the applicant proves that water is available and that the new appropriation will neither adversely affect existing water rights nor contribute to an additional decline in the aquifer. A qualified professional may conduct the study and submit it to this office for approval.

Additional information is available through this office.

Sincerely,

Steve Lester
Sr. Water Resource Agent

SL: sl
Enclosures
CC: D.V. Manning, MG, ADJ GEN



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

September 20, 1988

State of Idaho, Military Division
P.O. Box 45, DEH
Boise, ID 83707-4507

RE: Application for Permit #61-07585.

Dear Ladies & Gentlemen:

This office has received a letter from the State of Idaho, Department of Lands regarding the above referenced application. Please find enclosed a copy of the letter, which pertains to the name of the applicant. If, based on the letter, you choose to assign the application to include the Idaho Department of Lands, this procedure can be accomplished using an Assignment of Application form, a copy of which is enclosed.

Please feel free to contact this office if you have questions in this regard.

Sincerely,

David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

DRT:lh
Enclosures



STATE OF IDAHO

RECEIVED
SEP 11 1988

DEPARTMENT OF LANDS

Southwestern Idaho Area Office
8355 West State Street
Boise, Idaho 83703
Telephone: 208 — 334-3488

Department of Water Resources
Western Regional Office

Sept. 8, 1988

David R. Tuthill, Jr.
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

RE: Application No. 61-07585 State of Idaho, Military Division

Dear Dave:

In our telephone conversation on 8/24/88, you indicated that the above referenced application is for a location within a groundwater management area where your department is not planning to approve any permit at this time.

Our only concern pertains to the applicant's name. We request that the application for permit be in the name of the IDL or Military Division and IDL jointly.

Sincerely,

ROBERT L. SNAPP
Resource Supervisor

RLS/slp

cc Don Hobbs, CBRM



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Darrell V. Manning, MG, ADJ GEN
State of Idaho, Military Division
P.O. Box 45, DEH
Boise, ID. 83707-4507

August 11, 1988

Re: Applications for Permit 61-07584 and 07585 ✓

Dear Sir:

Your recent applications were received, given an initial review, and will be delayed for two reasons. The reasons involve Trust Water and Groundwater Management Area concerns.

With some exceptions, we cannot process applications such as the above that divert groundwater or surface water within the hydrologic region upstream from Swan Falls or downstream from Milner Dam on the Snake River (see attached map). These waters are "Trust Waters" as defined by the Swan Falls water rights controversy and are not presently available for appropriation. Resolution of the final legal problems and procedures will allow us to complete the processing of such applications.

The second delay involves the Mountain Home Groundwater Management Area (GWMA). Designation as a GWMA means that the Department will consider the approval of new groundwater applications only if the applicant can show that water is available. Each application must be examined to determine impacts on the aquifer and on existing water rights. Once Trust Waters are available for appropriation, you will have the chance to demonstrate that the proposed use will neither adversely affect existing water rights nor contribute to an additional decline in the aquifer. You may want to hire a qualified hydrologist to conduct a study at that time and submit a report to this office.

We will advise you of any developments in this matter. Please contact this office for additional help.

Sincerely,

Steve Lester
Sr. Water Resource Agent

SL:s
encl.



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

August 15, 1988

Idaho Department of Lands
Bureau of Navigable Waters
Attn: Lance Nielsen
Statehouse Mail
Boise, ID 83720

Re: Application for Permit No. 61-07585, State of Idaho, Military Division

Dear Mr. Nielsen:

Enclosed is a copy(s) of the above-referenced application(s) for permit which may be of interest to your agency. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by September 6, 1988.

If you have any questions regarding the application, please contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

Enclosure(s):

7540-224-7445
FORM DA-18 Rev. 6-86

WHITE - State Auditor
GREEN - Paying Agency
YELLOW - Billing Agency
PINK - Retain in Paying Agency
GOLDENROD - Retain in Billing Agency

State of Idaho
Office of State Auditor
INTER-AGENCY BILL

AUDITOR USE

Document No.	
Pre Audit	Date

FOR AGENCY USE

Delivery Date	Billing Date
Agency Code	8/3/88
06 20 1101	

TO: (Paying Agency)

MILITARY DIVISION

FROM: (Billing Agency)

**Water Resources
Western Regional Office**

INSTRUCTIONS:

- BILLING AGENCY:** Prepare 5 copies of DA-18. Complete sections A and B and sign. Detach goldenrod copies and forward rest of form to receiving agency. Yellow copy will be returned to you after this transaction has been processed.
- PAYING AGENCY:** Upon receipt of this form, complete section C. Sign, detach pink copy for your files and forward remaining copies to office of State Auditor. Green copy will be returned to you after form has been processed.
- NOTE:** Inter-agency bills may be used only for charges of materials or services from one agency to another. This form may not be used for intra-agency transfers of adjustment.

A. THIS SECTION CONTAINS THE NAME, PRICE, AND DESCRIPTION OF MATERIALS OR SERVICES SUPPLIED.				
Description	Unit	Quantity	Unit Price	Amount
Water right application for permits New site for SALES New site for support facility	61 07584 51-07585			45 00 30 00
				75 00

B. THIS SECTION PROVIDES FOR AN INTER-AGENCY CREDIT TO THE BILLING AGENCY FOR THOSE ITEMS SHOWN ABOVE.					
Line	Program	Acct.	Recpt. Class	Amount	For Agency Use

C. THIS SECTION CHARGES THE AMOUNT SHOWN IN SECTION A TO THE PROPER ACCOUNTS INDICATED BELOW.						
<input type="checkbox"/> PARTIAL		<input type="checkbox"/> FINAL		Encumbrance Reference Number:		
Agency Code	Line	Program	Acct.	Exp. Class	Amount	For Agency Use
01.70.01	1.	07-02-000	1101	8090	75 00	
TOTAL					75 00	

I hereby certify that the items listed above were furnished to the state agency indicated and that the amounts billed are proper charges:

Signed David R. Tuttle
(Authorized Agent of Billing Agency)

Signed [Signature]
(Authorized Agent of Paying Agency)

61-07585

STATE OF IDAHO
MILITARY DIVISION
P.O. BOX 45 DEH
BOISE, ID 837074507

Source: GROUNDWATER

Diversion Pt: NENE Sec 35 T 01S R 03E
 LOT 2 (NWNE) Sec 2 T 02S R 03E

Use: INDUSTRIAL (.150 CFS)
 DOMESTIC (.150 CFS)
 FIRE PROTECTION (1.000 CFS)

Date Filed: 7/25/1988

In: T01S R03E S35 NENE SENE
 T02S R03E S02 Lot 2 (NWNE) Lot 3 (NENW)

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due	135.91
Account Number	#47628
City/State	Boise, ID
Zip	83705
Run Dates	1988 August 18, 25
Estimated Inches	
Real Inches	
Legal Number	#9392

Account Name		Account Number	
Idaho Department of Water Resources (Western)		#47628	
Address		City/State	Zip
2735 Airport Way		Boise, ID	83705
Ordered By	P.O. Number	Rate	Run Dates
Judy Pense		NT	1988 August 18, 25
Identification		Estimated Inches	Real Inches
Applications for Water Rights			

Number of Affidavits Requested

1

RECEIVED
AUG 25 1988

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Department of Water Resources
Western Regional Office

Debbie Richards, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for 2 consecutive weekly consecutive weekly consecutive daily single odd skip insertion(s) beginning with the issue of August 18, 19 88 and ending with the issue of August 25, 19 88

Debbie Richards

Subscribed and sworn to before me this 25th day of August, 19 88

Karla E. Plow 12/93
Notary Public for Idaho, Residing at Boise, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

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

61-07584
State of Idaho
Military Division
P.O. Box 45, DEH
Boise, ID 83707-4507
Source: Groundwater
Diversions Pt:
NESW Sec 33 T 01S R 03E
SESW Sec 33 T 01S R 03E
Use: Industrial (.100 CFS)
Domestic (.100 CFS)
Date Filed: 07/25/1988
In: T01S R03E S33 NESW SESW

61-07585
State of Idaho
Military Division
P.O. Box 45 DEH
Boise, ID 83707-4507
Source: Groundwater
Diversions Pt:
NENE Sec 35 T 01S R 03E
Lot 2 (NWNE) Sec 2 T 02S R 03E
Use: Industrial (.150 CFS)
Domestic (.150 CFS)
Fire Protection (1,000 CFS)
Date Filed: 07/25/1988
In: T01S R03E S35 NENE SENE
T02S R03E S02 Lot 2 (NWNE)
Lot 3 (NENW)

63-10665
Asumendi, Louie
5620 N. McDermitt
Meridian, ID 83642
Source: Groundwater
Diversions Pt:
NESW Sec 27 T 04N R 01W
Use: Irrigation (2,400 CFS)
Date Filed: 07/22/1988
In: T04N R01W S27 NESW NWSW
S28 NESE
120.0 acres total

63-10666
McKay, Darwin L.
3220 E. Lake Hazel Rd.
Meridian, ID 83642
Source: Groundwater
Diversions Pt:
NENE Sec 20 T 03N R 01E
NENW Sec 21 T 03N R 01E
NWNW Sec 21 T 03N R 01E
Use: Irrigation (1,420 CFS)
Date Filed: 07/22/1988
In: T03N R01E S21 NWNW SWNW
71.0 acres total

63-10668
Fisher Acre Lateral Assn.
161 Fisher St.
Eagle, ID 83616
Source: Groundwater
Diversions Pt:
Lot 4 (NWNW) Sec 4 T 04N R 01E
Use: Irrigation (.220 CFS)
Date Filed: 08/04/1988
In: T04N R01E S04 Lot 4 (NWNW)
20.0 acres total

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705, on or before September 4, 1988.

R. KEITH HIGGINSON
Director