

STARTING LEFT SIDE OF FILE

SCANNED
MAR 05 2008

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 84-12143

Priority: November 19, 2003

Maximum Diversion Rate: 0.10 CFS

This is to certify, that ROBERT LEE
PO BOX 1232
KAMIAH ID 83536

has applied for a permit to appropriate water from:

Source: SPRING
UNNAMED STREAM

Tributary: UNNAMED STREAM
TOM TAHA CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.10 CFS	
DOMESTIC STORAGE	01/01 to 12/31		8.0 AF
DOMESTIC FROM STORAGE	01/01 to 12/31		8.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	
STOCKWATER STORAGE	01/01 to 12/31		8.0 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		8.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.10 CFS	
WILDLIFE STORAGE	01/01 to 12/31		8.0 AF
RECREATION STORAGE	01/01 to 12/31		8.0 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		8.0 AF
FIRE PROTECTION FROM STORAGE	01/01 to 12/31		8.0 AF

LOCATION OF POINTS OF DIVERSION:

SPRING NW¼NE¼NE¼ Sec. 36, Twp 34N, Rge 03E, B.M., IDAHO County
UNNAMED STREAM NE¼NE¼ Sec. 36, Twp 34N, Rge 03E, B.M., IDAHO County

PLACE OF USE: DOMESTIC, DOMESTIC FROM STORAGE, STOCKWATER, & FIRE PROTECTION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
34N 03E 36		X	X														

PLACE OF USE: DOMESTIC STORAGE, STOCKWATER STORAGE, STOCKWATER FROM STORAGE, WILDLIFE STORAGE, RECREATION STORAGE, & FIRE PROTECTION STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
34N 03E 36	X																

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JUL 15 2004

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 84-12143

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2009**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Domestic use is for 4 homes.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
6. The irrigation occurring under this domestic use shall not exceed 1/2 acre for each home.
7. Stockwater use is for 15 range animals.
8. Water shall not be diverted from storage for fire protection use under this right except to fight or repel an existing fire.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 26th day of April, 2004.



KARL J DREHER, Director

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JUL 15 2004

70959
STATE OF IDAHO

Ident. No. 84-12143

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

NOV 06 2003

IDWR/North

935-0943

RECEIVED

To appropriate the public waters of the State of Idaho

1. Name of Applicant ROBERT A LEE Phone 935-0904 message

Mailing address PO Box 1232 KAMIAH ID 83536

2. Source of water supply SPRING UNNAMED STREAM which is a tributary of UNNAMED STREAM

3. Location of point of diversion is Township 34N. Range 3E Sec. 36, in the NE NE NE Govt. Lot IDAHO County;

4. Water will be used for the following purposes:

Amount 0.10 for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for STOCKWATER purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.10 for DIVERSION TO STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

Amount 0.0 for DOMESTIC FROM STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.10 cubic feet per second and/or (b) 8.0 acre feet per annum PIPED TO

6. Proposed diverting works: POND CONSTRUCTION ON UPPER SPRING & STREAM LOWER POND

a. Describe type and size of devices used to divert water from the source ON-STREAM POND
250' X 275' X 5' BACA

b. Height of storage dam 9.9' feet; active reservoir capacity 4.0 acre-feet; total reservoir capacity 4.0 acre-feet (BACA)

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

d. Is ground water with a temperature of greater than 85°F being sought?

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

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

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

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

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

b. Stockwatering; list number and kind of livestock. 15 RAWE STOCK

c. Municipal; show name of municipality.

d. Domestic; show number of households. 4 HOMES

e. Other; describe fully. REGULATION STORAGE IS FOR SWIMMING & FISH.

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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	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
34N	3E	36	*	P/S	P/S														

Total number of acres to be irrigated _____

* = STORAGE FOR REC
 * STORAGE FOR/ FROM STOCKWATER
 * STORAGE FOR/ FROM DOMESTIC
 * STORAGE FOR WILDLIFE
 * STORAGE FOR FIRE PROT. & FROM

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

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

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: * = REC. STORAGE

WILDLIFE STORAGE

STOCKWATER STORAGE - FOR/ FROM

DOMESTIC STORAGE FOR/ FROM

FIRE PROTECTION STORAGE FOR/ FROM

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"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.

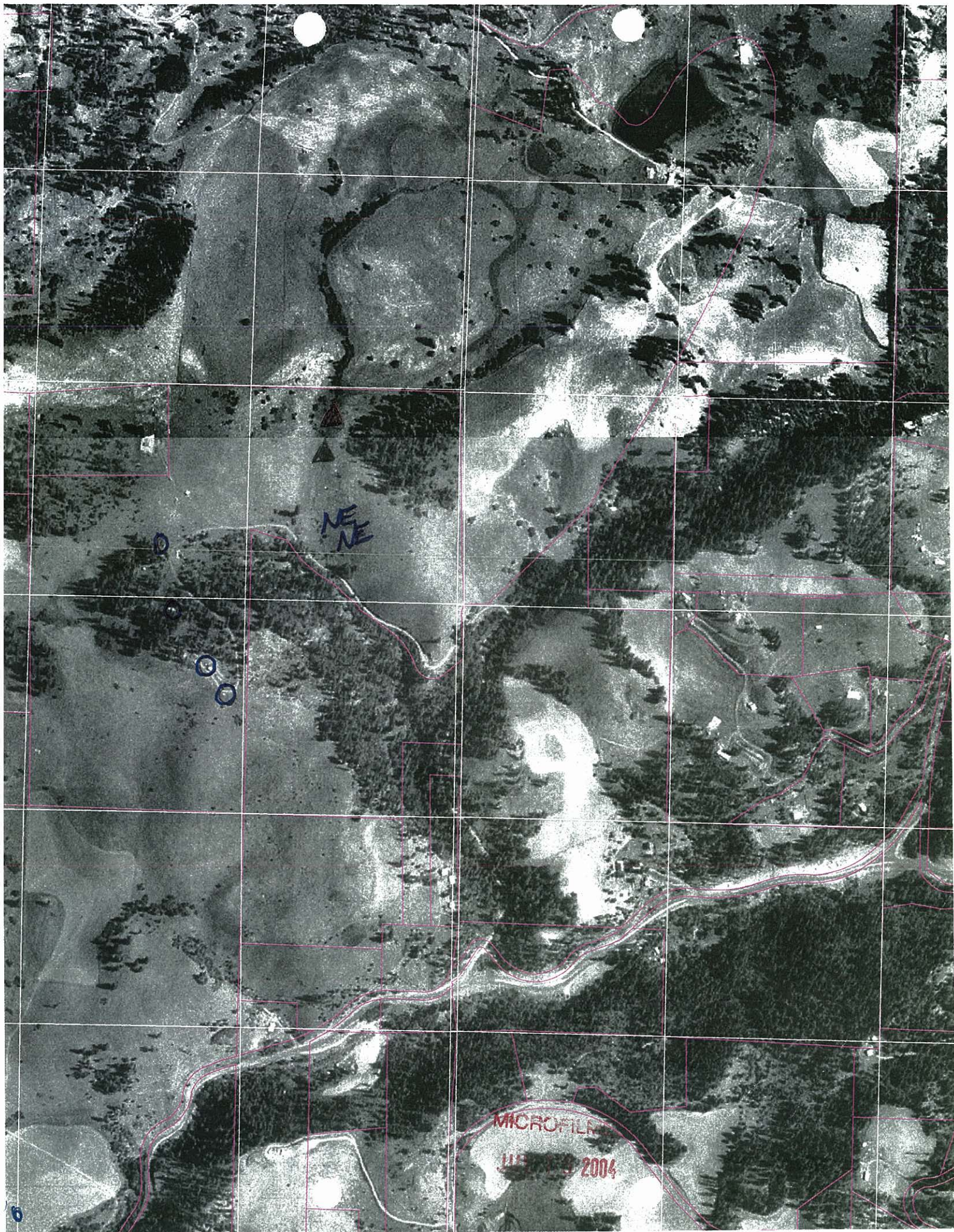
APPLICATION RECEIVED
ON 11-06-03

X Robert A Lee
Signature of Applicant (and title, if applicable)

Received by AB Date 11-19-03 Time 1:50 Preliminary check by AB
 Fee \$ 100 Receipted by AB # NO16018 Date 11/19-03
 Publication prepared by AB Date 12/11/03 Published in Cottonwood Chronicle 12/18+25/03
 Publication approved _____ Date _____

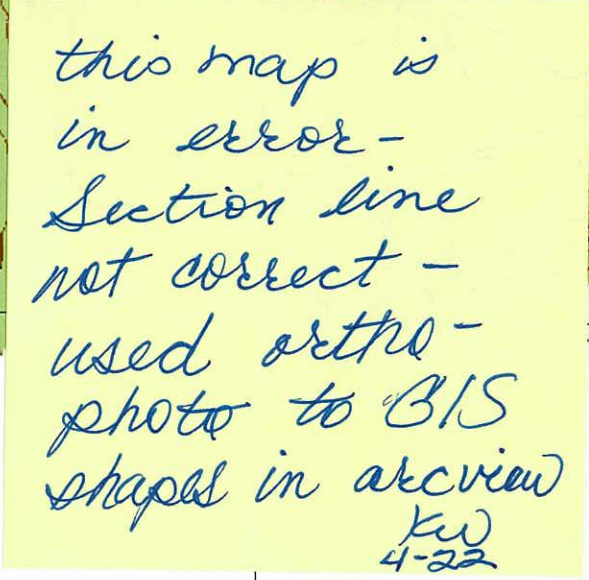
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JUL 13 2004



ROBERT A. LEE
T. 34 N., R. 3 E.

**STARTING
RIGHT
SIDE OF
FILE**



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 27, 2004

ROBERT LEE
PO BOX 1232
KAMIAH ID 83536

RE: Permit No. 84-12143

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources 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 the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

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

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

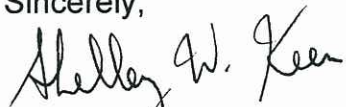
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive style with a large, stylized 'S' and 'K'.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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JUL 15 2002

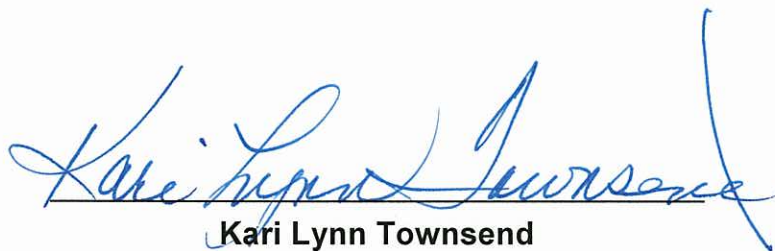
CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

84-12143

**ROBERT LEE
PO BOX 1232
KAMIAH ID 83536**



**Kari Lynn Townsend
Secretary**

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JUL 15 2004

**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.

Comment Report

84-12143

1. dball 12/5/2003 Legal Notice Remarks

Comment: Domestic use is for 4 homes.

Recreation storage is for swimming and fish.

Stockwater use is for 15 head of range stock.

2. kwalker 4/20/2004 Application Review

Comment: This application is in the Salmon Clearwater moratorium area. Northern region has sent a memorandum to the file that recommends approval of the application. I am processing based on their request.

3. kwalker 4/22/2004 Permit Review

Comment: In review of this application I found that the application did not describe the location of the spring to the 10 acre tract. Per phone conversation with Al Beardslee it was determined that the spring was located at the northern pond which I determined was located in NWNENE. I have added that 10 acre tract description to permit approval. Also changed place of use for domestic from storage, and fire protection from storage uses to the location of the homes. Al concurred with these changes.

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JUN 15 2004

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APR 19 2004

Department of Water Resources

Memorandum

To: ~~Jeff Peppersack~~ *File*

From: Al Beardslee & Robert Haynes

Date: April 13, 2004

Re: Request to process 84-12143

Regional review of whether to recommend approval of this filing within the Clearwater River Moratorium of May 15, 1992, is as follows:

The main sources of water applied for on this filing are springs that rise and fall on the applicants property for most of the year, except for high run off events. The 7.5" U.S.G.S. Quadrangle map depicts the drainage where the ponds are located as an intermittent stream. We have been informed by the applicant that the stream rarely flows either above their property, or below it. The topographical map also shows this intermittent stream originating from an up-stream neighbor's (Mr. DuClercque's) pond. I was informed by Dave LePard, of the dam safety program, that there are two spillways constructed on DuClercque's pond. The dam file indicates that the easterly spillway has been used for the past 30 years to drain water in an easterly drainage changing the location of this intermittent stream to the east off of Mr. Lee's property. See attached map. Also, Du Clercque's water right & dam file can be found in our records with ID # 84-07024.

The Application for Permit was filed for two ponds listing a surface area of 0.79 acres per pond and a total storage volume of 8.0 acre ft of water. The ponds remained full of water last year during a time of extreme drought conditions even after releasing some water to a down-stream water right holder. Enough water has been developed from the springs to maintain the water level in the ponds minus evaporation.

The surface water sources on this filing do not flow into the Clearwater River or a continuously flowing tributary of the Clearwater River except for high run off periods. Therefore, approval of this filing will not have an affect on flows of Clearwater River or other streams used by anadromous fish during critical periods of flow.

Northern Region recommends approval of this filing with a condition imposed to allow the Director of IDWR the discretion to limit a portion, or all of this right if it is determined to have a negative affect on Clearwater River flows, or anadromous fish.

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JUL 15 2004

ADDendum TO memo ANDUM
4-13-04
84-12143

DU CLERQUE'S POND
OUTLET

LOCATION OF POND

WOODLAND GRADE
ADAMS GRADE
BEAVERSLIDE ROAD
CAMAS
Trailer Park
Gaging Station
Spring
Tom Taha
Creek
Gravel Pit
BOUNDARY
R3E R4E
3164
3202
3200
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2400
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Walker, Kay

From: Walker, Kay
Sent: Tuesday, April 13, 2004 4:48 PM
To: Beardslee, Allen
Cc: Walker, Kay
Subject: Applications for Permit that we discussed 4/12/2004

Hi, Al.

Pursuant to our telephone conversation yesterday, I am listing the applications that you have forwarded down to me that need additional information. Thank you very much for offering to work on these!! The applications are listed below, with the reasons for additional information, in case you lost your notes again.

84-12143 - Robert Lee - Located within Salmon-Clearwater Moratorium area. Application is for surface water for use in 2 ponds at 8.0 af, domestic use for 4 homes and stockwater use - Shelley reminded me that we are moving away from the 1/2 acre limit for ponds that can be authorized under the moratorium. See Application Processing Memorandum #67, page 4, that discusses ponds under domestic exemptions. I know how much you like to read rules so I am attaching memo #67 and the pond spreadsheet for your convenience.

83-11937 - Falls within Salmon-Clearwater Moratorium area. The spring is tributary to sinks but we still need to make sure the diversion will not affect fish migration. You were going to pursue something that details the Swift's plans regarding protection of the fish.

86-11906 - Falls within Salmon-Clearwater Moratorium area. Intends to irrigate 2 acres, wildlife, stockwater and domestic purposes from an unnamed stream trib. to Potlatch River. I believe you were going to contact Mr. Hammond to see if he would drop his irrigation use so we could process the application.

84-12146 - Falls within Salmon-Clearwater Moratorium area. This application claims a pre-87 development but we don't have anything to document that development. You were going to request documentation that provides evidence of the pre-87 development from this spring.

87-10028 and 87-10029 - Pullman-Moscow area. Need to show coordination with Washington Dept. of Ecology and the Pullman-Moscow Resources Committee. You told me that this was to be brought up at one of the meetings and then I would get some comments from Bob Haynes.

I am going to file these applications in our call-up drawer for 30 days. If I don't hear from you by then I am going to send the files back to you to file in your moratorium hold drawer. My office is getting so full of files I am afraid I will get lost in here and never get out. Thanks again for helping with these. I am sure going to miss you when you move over to the well construction section... Kay



App Process 67.pdf App Process 67.xls

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JUN 15 2004

**IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

W.R. # 84-1243

APPLICATION ID # 70959
INITIAL REVIEW

ENT. 12/5/03 BCA 12/12 OK to Publish 12/5/03

APPLICANT: LEE BY: [Signature] DATE: 12/04/03

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
☒ Nature of Proposed Use
☒ Period of Use
5. ☒ Total Quantity
6. ☒ Description of diverting works
7. ☒ Time required for b/u
8. ☒ Proposed use
9. ☒ Place of use or acres irrigated
10. ☒ Other water Rights
11. ☒ Ownership
12. ☒ Map
☒ Signature
☒ Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

(Yes)(No)
☐ Shape File Created Date _____ By: _____
☐ Field check: by _____
☐ Field report attached
☐ Analysis Supp. attached(>5cfs/500af)
☐ Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No) PRIORITY DATE: 11/1/98-03
☐ ☒ (Include Moratorium Remark)
☐ ☒ Statewide Advertising: (Diversion rate greater than 10 cfs or 1000 af)
 ADVERTISE IN: IDAHO County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information
 () Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information
 () Power Information () Other: N/A

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y() N()
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y() N()
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y() N()

☐ Groundwater management area
☐ Critical ground water area
☐ Well Drilling Permit required
☐ Well Drilling Application and Fees received
☐ Well Drilling Application approved?
 Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)
☐ Notice of pending void order issued. Final order response date: ____/____/____
☐ Further information required from applicant
1/6/04 ☐ Affidavit of publication received
1/6 ☐ Application published correctly. If not, record action taken: _____
2/1 ☐ Publication dates and paper recorded on application
☐ Protests received, Final protest date: 1/15/04
☐ Measuring device required
☐ Measuring port required
☐ Special conditions: _____
☐ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by:

[Signature]

Date: 2/1/04

Affidavit of Publication

RECEIVED

JAN 06 2004

IDWR/North

STATE OF IDAHO, } ss.
County of Idaho, }

I, GREGORY A. WHERRY, being first duly sworn, depose and say that I am Editor of the COTTONWOOD CHRONICLE, a weekly newspaper, published and issued weekly at Cottonwood, Idaho County, State of Idaho, which is of general circulation in said county and state, that the said notice, of which the hereto attached is a true copy, was published in said newspaper for

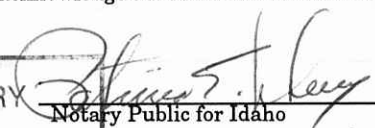
2 weeks, being published 2 times, the first publication being on the 18th day of December, 2003 and the last publication on the 25th day of December, 2003, and that the said notice was published in the newspaper proper and not in a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight (78) consecutive weeks prior to the first publication of said notice or advertisement.



STATE OF IDAHO, }
County of Idaho, }

On this 30th day of December in the year of 2003, before me, a Notary Public, personally appeared Gregory A. Wherry, know or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true and acknowledged to me that he executed the same.

PATRICIA E. WHERRY
NOTARY PUBLIC
STATE OF IDAHO


Notary Public for Idaho
Residing at Cottonwood
My commission expires: 12-2006

Notice

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

84-12143

ROBERT LEE
PO BOX 1232
KAMIAH ID 83536
Point(s) of Diversion: NENE S36 T34N R03E IDAHO County
Source SPRING—Tributary To UNNAMED STREAM
Source UNNAMED STREAM—Tributary To TOM TAHA CREEK
Use: STOCKWATER 01/01 To 12/31 0.02 CFS
Use: STOCKWATER STORAGE 01/01 To 12/31 8 AFA
Use: STOCKWATER FROM STORAGE 01/01 To 12/31 8 AFA
Use: WILDLIFE STORAGE 01/01 To 12/31 8 AFA
Use: DOMESTIC 01/01 To 12/31 0.1 CFS
Use: DOMESTIC STORAGE 01/01 To 12/31 8 AFA
Use: DOMESTIC FROM STORAGE 01/01 To 12/31 8 AFA
Use: RECREATION STORAGE 01/01 To 12/31 8 AFA
Use: FIRE PROTECTION STORAGE 01/01 To 12/31 8 AFA
Use: FIRE PROTECTION FROM STORAGE 01/01 To 12/31 8 AFA

Use: DIVERSION TO STORAGE 01/01 To 12/31 0.1 CFS
Total Diversion: 0.1 CFS
Date Filed: 11/19/2003
Place Of Use: DOMESTIC T34N R03E S36 NWNE SWNE
Place Of Use: STOCKWATER same as DOMESTIC
Place Of Use: ALL OTHER USES T34N R03E S36 NENE
Remark: Domestic use is for 4 homes.

Recreation storage is for swimming and fish.

Stockwater use is for 15 head of range stock.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 01/05/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Cottonwood Chronicle December 18 and 25, 2003.

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15 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 11, 2003

ROBERT LEE
PO BOX 1232
KAMIAH ID 83536

RE: Application for Permit No 84-12143

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Cottonwood Chronicle on December 18 and 25, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

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

Sincerely,

A handwritten signature in cursive script that reads "Allen Beardslee".

Allen Beardslee
Senior Water Resource Agent

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JUL 15 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 11, 2003

LEGAL NOTICE DEPARTMENT
COTTONWOOD CHRONICLE
PO BOX 157
COTTONWOOD ID 83522

e-mailed to [cotchon@camasnet.com](mailto:cotchron@camasnet.com)

--PLEASE FAX PROOF PRIOR TO PUBLICATION--

RE: Application for Permit No. 84-12143

LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated. December 18 and 25, 2003, (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 01/05/2004. Your cooperation is GREATLY appreciated, as always.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

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DEC 15 2004

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, December 11, 2003 2:18 PM
To: Legal Notices CotChron-LewisCoH (E-mail)
Subject: Legal notice for publication on December 18 and 25, 2003.

Good afternoon.

Attached you will find a copy of our cover letter requesting publication on December 18 and 25, 2003 of a legal notice, also attached. Hopefully you will be able to simply cut and paste the legal notice, eliminating having to re-type it first.

Please FAX a proof copy prior to publication.

If you have ANY questions, please do not hesitate to call me.

Thank you, and have a wonderful day.

Dianne

Dianne Ball, Administrative Assistant
Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone 208-769-1450 FAX 208-769-1454

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JUN 15 2004

12/11/2003

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84-12143

ROBERT LEE
PO BOX 1232
KAMIAH ID 83536

Point(s) of Diversion NENE S36 T34N R03E IDAHO County

Source SPRING Tributary To UNNAMED STREAM

Source UNNAMED STREAM Tributary To TOM TAHA CREEK

Use: STOCKWATER	01/01 To 12/31	0.02 CFS	
Use: STOCKWATER STORAGE	01/01 To 12/31		8 AFA
Use: STOCKWATER FROM STORAGE	01/01 To 12/31		8 AFA
Use: WILDLIFE STORAGE	01/01 To 12/31		8 AFA
Use: DOMESTIC	01/01 To 12/31	0.1 CFS	
Use: DOMESTIC STORAGE	01/01 To 12/31		8 AFA
Use: DOMESTIC FROM STORAGE	01/01 To 12/31		8 AFA
Use: RECREATION STORAGE	01/01 To 12/31		8 AFA
Use: FIRE PROTECTION STORAGE	01/01 To 12/31		8 AFA
Use: FIRE PROTECTION FROM STORAGE	01/01 To 12/31		8 AFA
Use: DIVERSION TO STORAGE	01/01 To 12/31		0.1 CFS

Total Diversion: 0.1 CFS

Date Filed: 11/19/2003

Place Of Use: DOMESTIC T34N R03E S36 NWNE SWNE

Place Of Use: STOCKWATER same as DOMESTIC

Place Of Use: ALL OTHER USES T34N R03E S36 NENE

Remark: Domestic use is for 4 homes.
Recreation storage is for swimming and fish.
Stockwater use is for 15 head of range stock.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 01/05/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on December 18 and 25, 2003.

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11 15 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

December 05, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JEROME HANSEN
STATE OF IDAHO
DEPT OF FISH & GAME
2750 KATHLEEN AVE
COEUR D ALENE, ID 83814

FAXED TO JEROME 12/5/03

5 pages total

Application to Permit No. 84-12143 - Robert Lee

Dear Jerome:

Enclosed is a copy of the above referenced application. Please review the application, and submit your comments to this office within two weeks of receipt of this request, by December 22, 2003. You may respond by e-mail to dball@idwr.state.id.us, if you choose to do so.

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

Sincerely,

Dianne Ball
Administrative Assistant

Enclosure(s)

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JUL 15 2004