

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 87-10052

Priority: June 15, 2007

Maximum Diversion Rate: 0.02 CFS

This is to certify, that LILLIE BELLE GILLIS
1051 JEROME CREEK RD
HARVARD ID 83834

has applied for a permit to appropriate water from:

Source: JEROME CREEK

Tributary: PALOUSE RIVER

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>
DOMESTIC	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

JEROME CREEK L4 (NW¼NW¼) Sec. 3, Twp 41N, Rge 03W, B.M. LATAH County

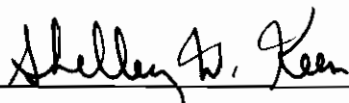
PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
41N 03W 3						X	X										
						L4											

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 1, 2008**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.
4. The irrigation occurring under this domestic use shall not exceed 1/2 acre.

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 September, 2007.


for DAVID R. TUTHILL, JR., Director

73685

Ident. No. 87-10052

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JUN 28 2007

IDWR/North

To appropriate the public waters of the State of Idaho

1. Name of Applicant Lillie Belle Ellis Phone 208-875-0366
Mailing address 1051 Jerome Creek Rd, Harvard, Idaho 83834
2. Source of water supply Jerome Creek which is a tributary of Palouse River
3. Location of point of diversion is Township 41N Range 3W Sec. 3, in the SW $\frac{1}{4}$, NW $\frac{1}{4}$, Govt. Lot , B.M., Latah County;

additional points of diversion if any:

4. Water will be used for the following purposes:

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

5. Total quantity to be appropriated is (a) 0.02 and/or (b)
cubic feet per second acre feet per annum

6. Proposed diverting works: 5.5 hp. motor & pump with 1 inch pipe with 3/4 inch hose on end.
a. Describe type and size of devices used to divert water from the source

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

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 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.

b. Stockwatering; list number and kind of livestock. 1 Cow

c. Municipal; show name of municipality.

d. Domestic; show number of households. 1 house, lawn garden & stock water only

e. Other; describe fully.

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
41N	3W	3					D	D											

Total number of acres to be irrigated _____

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

- Who owns the property at the point of diversion? App Lillie Belle Hillis - applicant
- Who owns the land to be irrigated or place of use? applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: I want to keep a green place so no fires can start. 5 stockwater one cow.

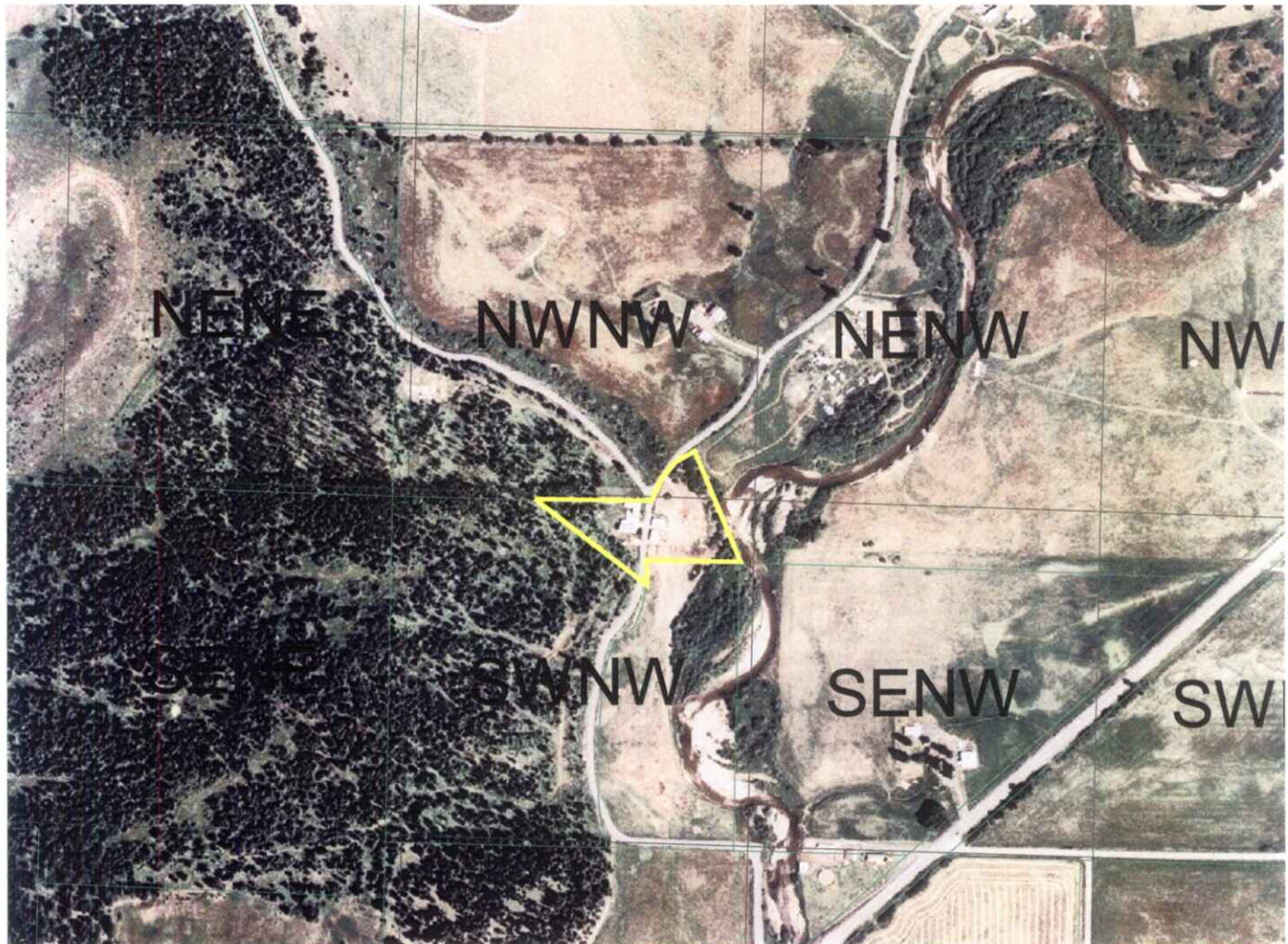
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

Lillie Belle Hillis - owner
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 6/28/07 Time 11:20a Preliminary check by _____
 Fee \$ 100 Received by [Signature] # NO18452 Date 6/15/07
 Publication prepared by [Signature] Date 7/11/07 Published in Moscow Pullman Daily News 7/19+26/07
 Publication approved [Signature] Date 7/31/07

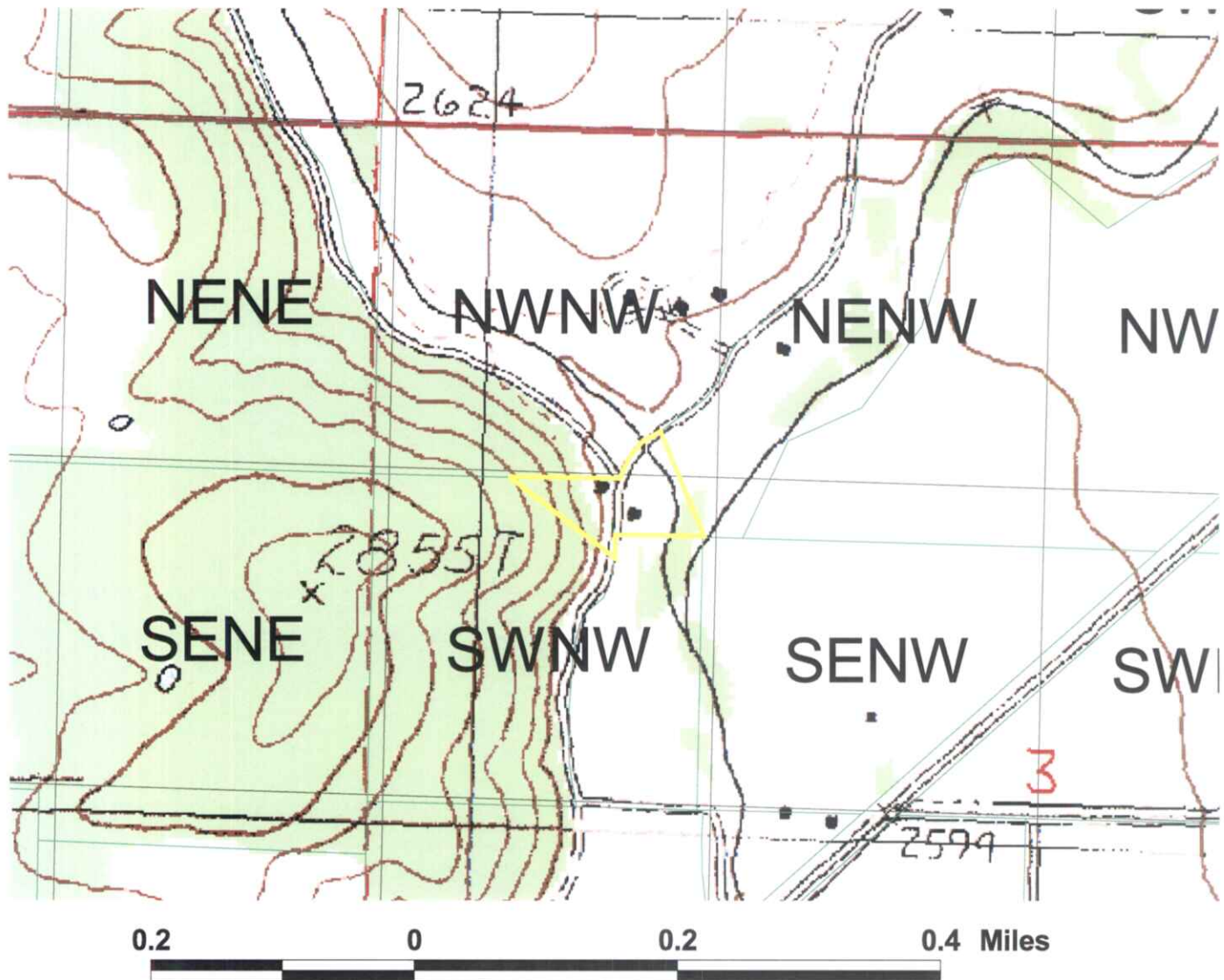
GILLIS



-  Latah taxlots
-  GCDB42N03W GCDB
-  GCDB41N03W GCDB
-  Application POD
-  Application POU
-  Place of use.shp
-  Administrative BasinsAdminbas.shp



GILLIS



- Latah taxlots
- GCDB42N03W GCDB
- GCDB41N03W GCDB
- Application POD
- Application POU
- Place of use.shp
- Administrative BasinsAdminbas.shp



87-10052



0.09 0 0.09 0.18 Miles

-  Latah taxlots
-  GCDB42N03W GCDB
-  GCDB41N03W GCDB
-  Application POD
-  Point of diversion.shp
-  Place of use.shp
-  Administrative BasinsAdminbas.shp



**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

September 27, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

LILLIE BELLE GILLIS
1051 JEROME CREEK RD
HARVARD ID 83834

RE: Permit No. 87-10052

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.

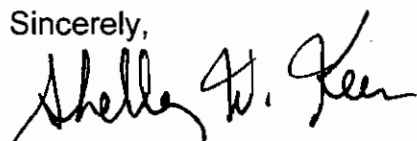
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

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 at 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.

If you have any questions, please contact me at 208-287-4947.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being the most prominent part.

Shelley W. Keen, Manager
Water Right Permits Section

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2007 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person listed below:

RE: WATER RIGHT NO. 87-10052

**LILLIE BELLE GILLIS
1051 JEROME CREEK RD
HARVARD ID 83834**

A handwritten signature in cursive script, appearing to read "Emalee Rushing", is written over a horizontal line.

**Emalee Rushing
Office Services Supervisor**

Statement of Available Procedures and Applicable Time Limits

RESPONDING TO PRELIMINARY ORDERS ISSUED BY THE IDAHO DEPARTMENT OF WATER RESOURCES (To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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. **Note: the petition must be received by the department within this fourteen (14) day period.** 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 Water Resource 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.

MEMORANDUM

Date: September 26, 2007
To: Water Right File 87-10052
From: cpadilla
Re: Permit Review

WD-none

No protests

No overlaps

Applicant indicated POD would be in NWNW, from imagery it appears it is in the NWNW. Updated POD.

Recommend for approval as suggested by region.

NEWS REVIEW PUBLISHING COMPANY

The Moscow-Pullman Daily News
P.O.Box 374
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

SOLD TO: IDAHO DEPT/ WATER RESOURCES
7600 N. MINERAL DR STE10
COEUR D AL ID 83814

Date 07/26/2007INVOICE NO. 465438Account No. 30010311Description 465438 Water PermitTimes 2Lines 1**RECEIVED**

Tab. Lines _____

JUL 31 2007\$ 65.78

IDWR/North

PO# _____

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION**LEGAL NOTICE**

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

87-10052

LILLIE BELLE GILLIS

1051 JEROME CREEK RD

HARVARD ID 83834

Point(s) of Diversion SWNW S3

T41N R03W LATAH County

Source JEROME CREEK - Tributary

To PALOUSE RIVER

Use: DOMESTIC 01/01 To 12/31

0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 06/15/2007

Place Of Use: DOMESTIC

T41N R03W S3 NWNW Lot 4

SWNW

Remark: Domestic use is for 1
home.

Permits will be subject to all prior
water rights. Protests may be sub-
mitted 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, 7600
Mineral Drive, Suite 100, Coeur
D' Alene ID 83815 together with a
protest fee of \$25.00 for each appli-
cation on or before 08/06/2007. The
protestant must also send a copy of
the protest to the applicant.

DAVID R. TUTHILL, JR.,

Director

July 19, 26, 2007

Valisa Nelson, Legal Clerk

being first duly sworn, on oath deposes
and says: That she is the printer of
Moscow-Pullman Daily News, a newspaper
of general circulation, printed and published
daily except Sunday at Moscow, Latah County,
Idaho, in compliance with Sections 60-106,
60-107, and 60-108 of the Idaho Code and the
amendments thereto: that the notice of which the
annexed is a full, true and correct printed
copy was published in the regular and entire
issues of said newspaper and not in a
supplement thereto, upon the following dates:

July 19, 26, 2007

the same being the date designated for
the publication of said notice.

Valisa Nelson

State of Idaho

S.S.

County of Latah

On this 30th day of July
in the year of 2006, before me, a Notary Public,
personally appeared Valisa Nelson,
known or identified to me to be the person
whose name subscribed to the within instrument
and being by me first duly sworn, declared that
the statements therein are true and acknowledged
to me that he executed the same.

Notary Public for Idaho,
Residing at Moscow, Idaho
My Commission Expires 11-9-12

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

87-10052

LILLIE BELLE GILLIS

1051 JEROME CREEK RD

HARVARD ID 83834

Point(s) of Diversion SWNW S3 T41N R03W LATAH County

Source JEROME CREEK - Tributary To PALOUSE RIVER

Use: DOMESTIC 01/01 To 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 06/15/2007

Place Of Use: DOMESTIC

T41N R03W S3 NWNW Lot 4 SWNW

Remark: Domestic use is for 1 home.

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, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 08/06/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on July 19 & 26, 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Director

*Please FAX proof copy before this goes to press, to 762-2819
Thanks, Dianne*

July 11, 2007

SHARON FLODIN
LEGAL NOTICE DEPARTMENT
MOSCOW-PULLMAN DAILY NEWS
PO BOX 8187
MOSCOW ID 83843-8187

RE: Application for Permit No. 87-10052

Dear Sharon:

Below you will find a legal notice which we wish to have published in your newspaper on the dates indicated, July 19 and 26, 2007, (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 08/06/2007. Your cooperation is GREATLY appreciated, as always.

Thank you for all your help,
Sincerely

Dianne

Dianne Ball
Administrative Assistant

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

87-10052

LILLIE BELLE GILLIS
1051 JEROME CREEK RD
HARVARD ID 83834

Point(s) of Diversion SWNW S3 T41N R03W LATAH County
Source JEROME CREEK - Tributary To PALOUSE RIVER
Use: DOMESTIC 01/01 To 12/31 0.02 CFS
Total Diversion: 0.02 CFS

Date Filed: 06/15/2007

Place Of Use: DOMESTIC

T41N R03W S3 NWNW Lot 4 SWNW

Remark: Domestic use is for 1 home.

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

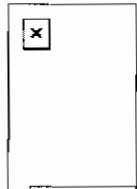
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 08/06/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on July 19 & 26, 2007

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, July 11, 2007 11:50 AM
To: Legal Notices-MoscowPullmanDailyNews (E-mail)
Subject: CoverLetter 07-11-07 MP e-mail with text 87-10052.doc



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Director

Please FAX proof copy before this goes to press, to 762-2819
Thanks, Dianne

July 11, 2007

SHARON FLODIN
LEGAL NOTICE DEPARTMENT
MOSCOW-PULLMAN DAILY NEWS
PO BOX 8187
MOSCOW ID 83843-8187

RE: Application for Permit No. 87-10052

Dear Sharon:

Below you will find a legal notice which we wish to have published in your newspaper on the dates indicated, July 19 and 26, 2007, (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 08/06/2007. Your cooperation is GREATLY appreciated, as always.

Thank you for all your help,
Sincerely

Dianne

Dianne Ball
Administrative Assistant

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

87-10052

LILLIE BELLE GILLIS
1051 JEROME CREEK RD
HARVARD ID 83834

Point(s) of Diversion SWNW S3 T41N R03W LATAH County
Source JEROME CREEK - Tributary To PALOUSE RIVER

7/11/2007

Use: DOMESTIC 01/01 To 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 06/15/2007

Place Of Use: DOMESTIC

T41N R03W S3 NWNW Lot 4 SWNW

Remark: Domestic use is for 1 home.

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, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 08/06/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on July 19 & 26, 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

July 11, 2007

LILLIE BELLE GILLIS
1051 JEROME CREEK RD
HARVARD ID 83834

RE: Application for Permit No 87-10052

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 Moscow Pullman Daily News on July 19 and 26, 2007. 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,

Keith E. Franklin
Senior Water Resource Agent

Enclosure(s) – Receipt No. N018452



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

July 6, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RAY HENNEKEY
IDAHO DEPARTMENT OF FISH & GAME
3316 16TH STREET
LEWISTON, ID 83501

FAXED TO RAY
6 pages total

Re: Water Permit Application No. 87-10052

Dear Ray:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application follows for your reference.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **August 6, 2007**. If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by **FAX to 762-2819**, or by e-mail to Keith.Franklin@idwr.idaho.gov, or to me, Dianne.Ball@idwr.idaho.gov.

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

Sincerely,

Dianne Ball
Administrative Assistant