

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 85-15393

Priority: May 01, 2003

Maximum Diversion Rate: 0.52 CFS

This is to certify, that KIPP K MASSEY
2031 POWERS AVE
LEWISTON ID 83501

has applied for a permit to appropriate water from:

Source: UNNAMED STREAM Tributary: REDBIRD 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>
IRRIGATION	03/15 to 11/15	0.52 CFS

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SE1/4SE1/4 Sec. 7, Twp 33N, Rge 04W, B.M. NEZ PERCE County

PLACE OF USE: IRRIGATION

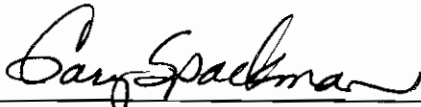
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
33N 04W 7													4.5			21.0	25.5
33N 04W 18	.5																.5

Total Acres: 26

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2004**.
2. Subject to all prior water rights.
3. During the period the pond is filling in the spring 50 percent of the flows shall be allowed to flow through. After the pond is filled in the spring, outflow will equal inflow.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 18th day of December, 2003.


Acting for KARL J DREHER, Director

MICROFILMED

JUN 15 2004

RECEIVED

MAY 01 2003

IDWR/North

70712

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 85-15393

RECEIVED

OCT 30 2003

Department of Water Resources

1. Name of Applicant KIPP V MASSEY Phone 208-743-7225
Mailing address 2031 POWERS AVE LEWISTON ID 83501
2. Source of water supply Unnamed Stream which is a tributary of Redbird Creek
3. Location of point of diversion is Township 33N Range 4W Sec. 7 in the SE 1/4, SE 1/4, Govt. Lot NO PERCE, B.M., NO PERCE County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | | |
|---|------------------------------|
| Amount <u>0.52 cfs</u> for <u>irrigation</u> purposes from <u>3/15</u> to <u>11/15</u> (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) 0.52 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source 8' earthen dam w/ culvert
to ditch - water will be stored behind dam to regulate to get to ditch - Res. is 75' x 75'
- 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. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

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OCT 11 2004

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	
33N	9W	7				~~8~~									4.5			21	25.5
		18	.5																.5

Total number of acres to be irrigated 26

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? Applicant

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

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

12. Remarks: _____

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.

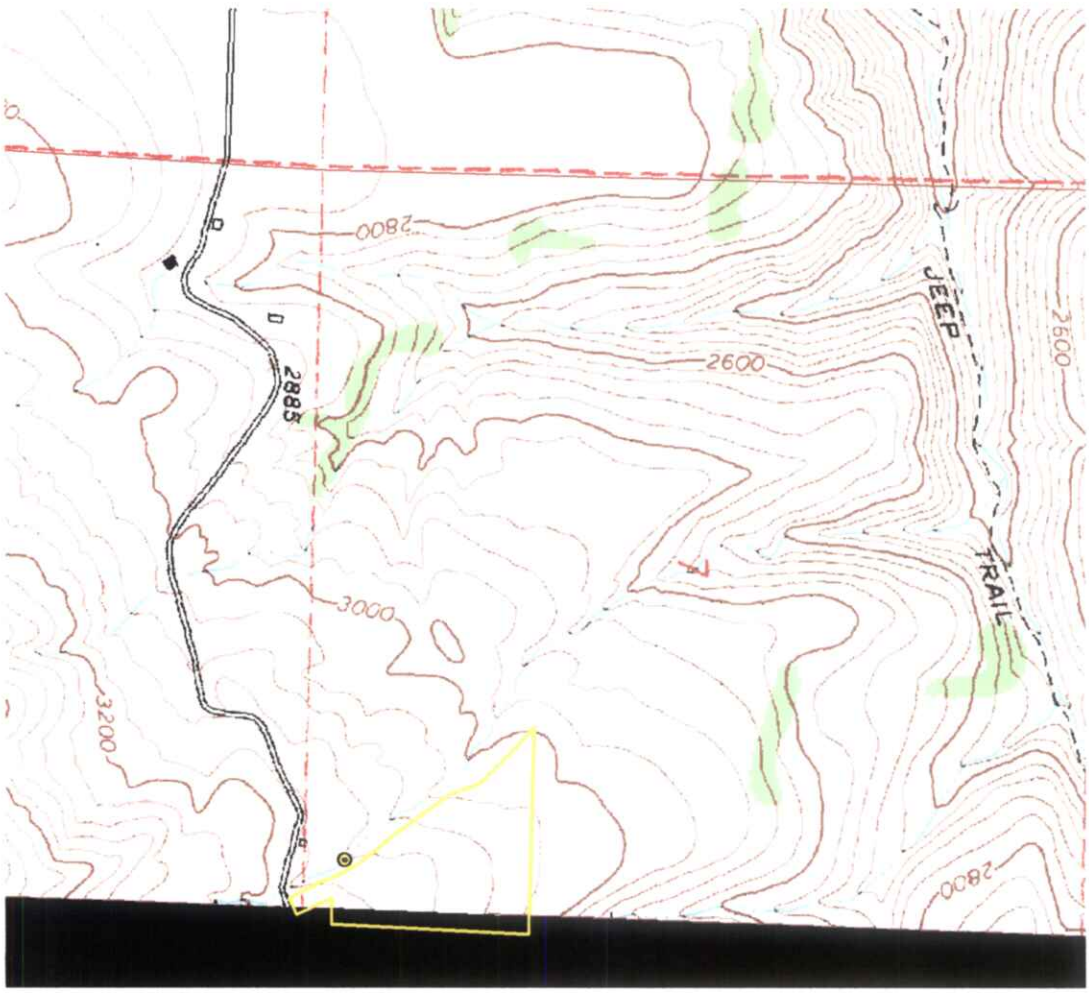
Kipp E. Mc
Signature of Applicant (and title, if applicable)

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JUL 11 2004

Received by db Date 5/1/03 Time 1:15 P Preliminary check by _____
 Fee \$ 250.00 Received by db # N015605 Date 5/1/03
 Publication prepared by db Date 7/30/03 Published in Boxer Cordell, Box 8/7+14/03
 Publication approved db Date 8/19/03

RECEIVED
MAY 01 2003
IDWR/North

Massey



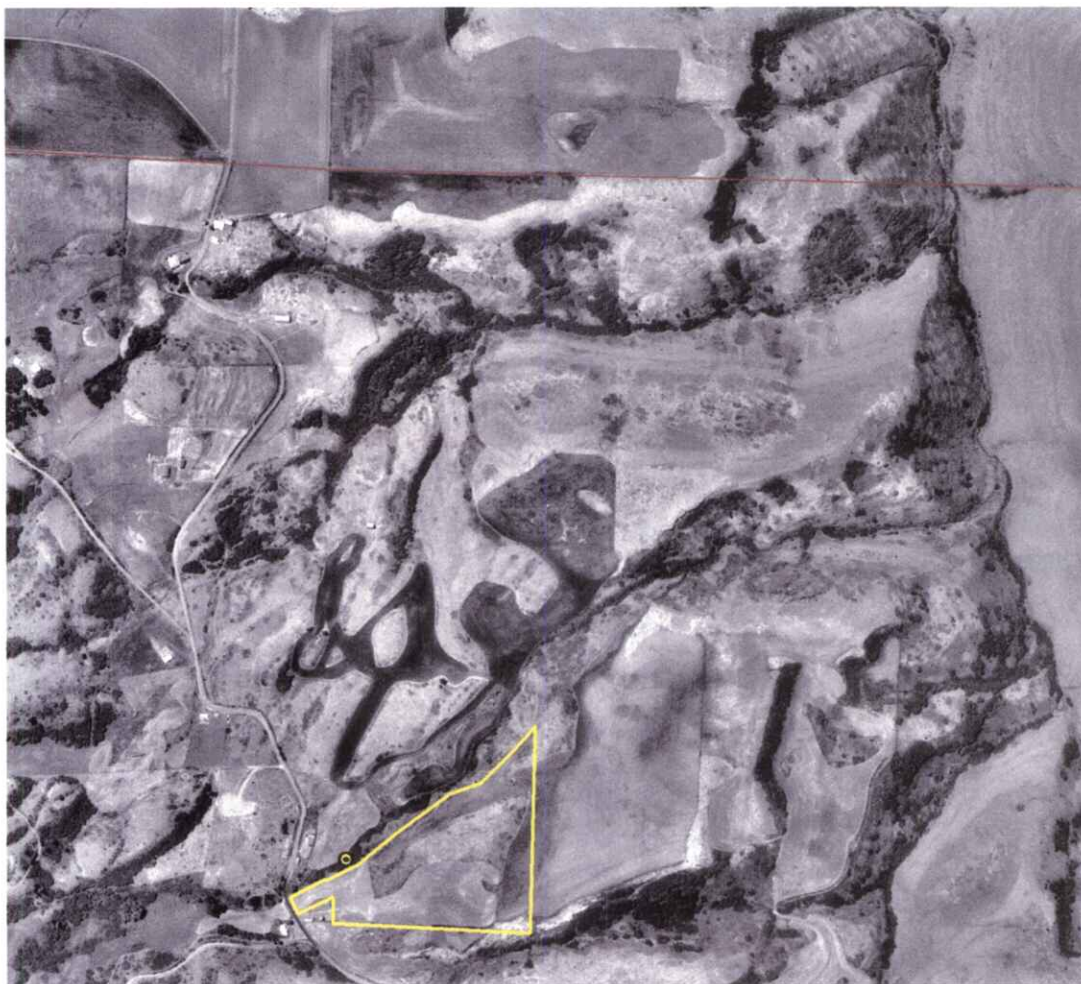
● Point of Diversion
□ Place of Use

T34N R04 W
Section 7

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JUN 16 2004

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MAY 01 2003
IDWR/North

Massey



0 600 1200 Feet

T34N R04 W
Section 7

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JUN 15 2004

● Point of Diversion
□ Place of Use



RECEIVED

MAY 01 2003

IDWR/North

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

KIPP K MASSEY

Mailing Address

2031 POWERS AVE
LEWISTON, ID 83501

Application No.
(if known)

☐ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

☐ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

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MAY 01 2003

**NOW
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

December 18, 2003

KIPP K MASSEY
2031 POWERS AVE
LEWISTON ID 83501

RE: Permit No. 85-15393

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 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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1 11 1 1 2004

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

Sincerely,

for Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

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JUN 16 2004

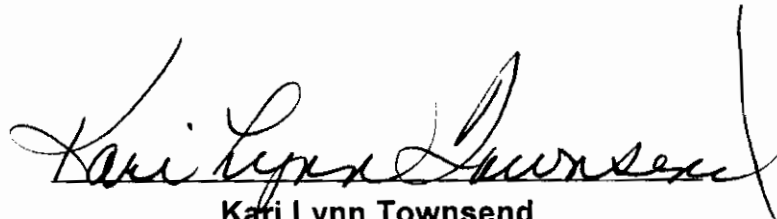
CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2003 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.

85-15393

**KIPP K MASSEY
2031 POWERS AVE
LEWISTON ID 83501**


**Kari Lynn Townsend
Secretary**

MICROFILMED

JUN 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).

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JUN 15 2004

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: December 12, 2003
To: Water Right File 85-15393
From: jzokan
Re: Applicant's Response to IDFG Comments

I called Kipp Massey (applicant) to ask why he did not respond to the letter that was sent out on 11/10/03, regarding the comments that were made by IDFG. He thought he did not need to reply if they had no issues with the IDFG comments. We discussed the design of his pond and I let him know that he needed to make sure that the it was designed to withstand large spring run offs. Due to Mr. Massey not having an issues with the suggestion that IDFG made, it will be put into the permit as a condition. This will insure that 50% of spring flow will be allowed to pass the diversion structure(dam).

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DEC 15 2003



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

November 10, 2003

KIPP K MASSEY
2031 POWERS AVE
LEWISTON ID 83501

RE: Application for Permit 85-15393

Dear Mr. Massey,

Upon review of your application for permit it has been brought to my attention that there has been a special condition recommended to be associated with your permit. The recommended condition made by Jerome Hansen of Idaho Fish and Game states:

"During the period that the pond is filling in the spring, approximately 50 percent of flows will be allowed to flow through. After the pond is filled in the spring, outflow will equal inflow until such time in late summer when flows downstream would have diminished to zero under pre-pond conditions."

It was also suggested by Mr. Hansen that it is important that you have your pond, dam and outlet professionally designed to withstand any large run-off events.

The Idaho Water Resource Department wanted to bring this to your attention and let you know that if we do not here any comment on this issue from you within 30 days, that it will be come a condition within your Permit to Appropriate Water, Permit 85-15393. The condition in the permit will reflect the general concepts that are stated in Mr. Hansen's recommended condition, but may be worded differently to address the issue in respect to the permitting process.

Thank you for your past and continued cooperation throughout this process. If you have any questions please contact me at 327-5452.

Sincerely,

James F. Zokan
Sr. Water Resource Agent

MICROFILMED

JUN 16 2004

Ball, Dianne

From: Hansen, Jerome [jhansen@IDFG.STATE.ID.US]
Sent: Thursday, August 21, 2003 11:46 AM
To: dball@idwr.state.id.us
Cc: McNeill, Sam; Schriever, Ed
Subject: 85-15393

RECEIVED

OCT 30 2003

Department of Water Resources

Hi Diane,

Redbird Creek is a tributary to the Snake River. The lower portion of Redbird Creek has restoration potential for steelhead trout. It is not clear to me if it supports steelhead currently. I spoke to Al about this water right application a couple of days ago and met with the applicant, Kip Massey this morning. I told him of my concern that we don't impact the riparian vegetation downstream of his proposed pond site. From my discussion, it appears that there are some springs downstream of his land which help recharge flows in the stream. We talked about putting a condition in the permit that would address this concern. I think something like the following will work:

During the period that the pond is filling in the spring, approximately 50 percent of flows will be allowed to flow through. After the pond is filled in the spring, outflow will equal inflow until such time in late summer when flows downstream would have diminished to zero under pre-pond conditions.

Also, it is my understanding that the flows in this drainage can really get ripping in the spring. It is important that Mr. Massey have the pond dam and outlet professionally designed to withstand any large run-off events. Thanks Diane. Please call if you have any questions. I will be back in the office on August 27.

*Entered in file
on computer
8/21/03
D*

MICROFILMED

OCT 30 2003

Ball, Dianne

From: Hansen, Jerome [jhansen@IDFG.STATE.ID.US]
Sent: Wednesday, August 13, 2003 3:12 PM
To: dball@idwr.state.id.us
Cc: McNeill, Sam; Barlow, Corinne
Subject: #85-15393

Hi Diane,

I was able to get out and check out the site of the proposed pond in upper Red Bird Creek yesterday and speak with Mrs. Massey. Apparently their goal is to store spring runoff in their pond for pasture irrigation and fire protection. There is a well established riparian shrub community downstream of the pond area. The stream is apparently intermittent. There was a small flow in the vicinity of the proposed pond, but it dries up just downstream. Flows will pick up again this fall. Once Mr. Massey's pond fills in the spring, it would be desirable to pass remaining stream flow through the pond for the rest of the year, to reduce risk of impacting the downstream riparian shrub community. It is my understanding that this will be possible with the water control structure that will be installed in the dam. Thanks Diane. Give a call if I can provide anymore information.

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JUN 6 2004

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D'ALENE ID 83814

Date 08/14/2003INVOICE NO. 333631Account No. 964750Description 333631 The following apTimes 2Lines 39**RECEIVED**

Tab. Lines

AUG 18 2003

\$ 116.61

IDWR/North

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

The following application(s) have been filed to appropriate the public waters of the State of Idaho: ³³³⁶³¹ 85-15392

JOE GRECO
TRACI GRECO
2316 GRELLE AVE
LEWISTON ID 83501
Point(s) of Diversion SESW S13 T35N R05W NEZ PERCE County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.12 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.16 CFS
Date Filed: 04/30/2003
Place Of Use: IRRIGATION T35N R05W S13 SESW
Number of Acres 4
Place Of Use: DOMESTIC - same as IRRIGATION
Remark: Domestic use is for 1 home.
85-15393

KIPP K MASSEY
2031 POWERS AVE
LEWISTON ID 83501
Point(s) of Diversion SESE S7 T33N R04W NEZ PERCE County
Source UNNAMED STREAM
Tributary To REDBIRD CREEK
Use: IRRIGATION 03/15 To 11/15 0.52 CFS
Total Diversion: 0.52 CFS
Date Filed: 05/01/2003
Place Of Use: IRRIGATION T33N R04W S18 NENE
T33N R04W S7 NESE SESE
Number of Acres 26

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 08/25/2003. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director
Published in the Lewiston Morning Tribune on August 7 and 14, 2003.

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, paper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 333631 The follo attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 08/07, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 08/07/2003, and the last publication thereof being on the 08/14/2003, and said 333631 The follo was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

State of Idaho

S.S.

County of Nez Perce

On this 15th day of August in the year of 2003, before me, a Notary Public, personally appeared Karen J. Lewis, 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 in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires June 1, 04



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

85-15392

JOE GRECO
TRACI GRECO
2316 GRELLE AVE
LEWISTON ID 83501
Point(s) of Diversion SESW S13 T35N R05W NEZ PERCE County
Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.12 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.16 CFS
Date Filed: 04/30/2003

Place Of Use: IRRIGATION
T35N R05W S13 SESW
Number of Acres 4
Place Of Use: DOMESTIC - same as IRRIGATION
Remark: Domestic use is for 1 home.

85-15393

KIPP K MASSEY
2031 POWERS AVE
LEWISTON ID 83501

Point(s) of Diversion SESE S7 T33N R04W NEZ PERCE County
Source UNNAMED STREAM Tributary To REDBIRD CREEK
Use: IRRIGATION 03/15 To 11/15 0.52 CFS
Total Diversion: 0.52 CFS
Date Filed: 05/01/2003
Place Of Use: IRRIGATION
T33N R04W S18 NENE
T33N R04W S7 NESE SESE
Number of Acres 26

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 08/25/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Lewiston Morning Tribune on August 7 and 14, 2003.

MICROFILMED

JUN 15 2006

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, July 30, 2003 1:40 PM
To: Legal Notices-Lewiston Tribune (E-mail)
Subject: CoverLetter and Legal Notice (2 pages total)

x

July
30,
2003

**KAREN LEWIS
LEGAL NOTICE DEPARTMENT
LEWISTON MORNING TRIBUNE
505 C ST PO BOX 957
LEWISTON ID 83501**

E-MAILED TO KAREN 7/30/03

PLEASE FAX PROOF PRIOR TO PUBLICATION

RE: Application for Permit No. 85-15392 and 85-15392

Dear Karen:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates Indicated, August 7 and 14, 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 08/25/2003. Your cooperation is GREATLY appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

RECEIVED

JUL 31 2003

7/30/2003



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

July 30, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KIPP K MASSEY
2031 POWERS AVE
LEWISTON ID 83501

RE: Application for Permit No 85-15393

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 Lewiston Morning Tribune on August 7 and 14, 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, reading 'Allen Beardslee'.

Allen Beardslee
Senior Water Resource Agent

Enclosure(s) - Receipt No. N015605

MICROFILMED

JUN 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**

July 25, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JEROME HANSEN
STATE OF IDAHO
DEPT OF FISH & GAME
1540 WARNER AVE
LEWISTON, ID 83501

FAXED TO JEROME 7/25/03

6 pages total

Application to Permit No. 85-15393

Dear Jerome:

Enclosed is a copy of the above referenced application. Please review the application, complete the enclosed recommendation form, and submit it to this office within two weeks of receipt of this request, by August 8, 2003. If you prefer to respond by e-mail, my e-mail address is dball@idwr.state.id.us.

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

Sincerely,

A handwritten signature in cursive script that reads "Dianne".

Dianne Ball
Administrative Assistant

Enclosure(s)

MICROFILMED

7/25/03

State of Idaho
Department of Water Resources
Application for Permit
RECOMMENDATION FORM

Application for Permit No 85-15393
Applicant's Name: KIPP K MASSEY
2031 POWERS AVE
LEWISTON ID 83501

Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional Comment:

Dated this _____ day of _____,

Signature

MICROFILMED

JUN 15 2004