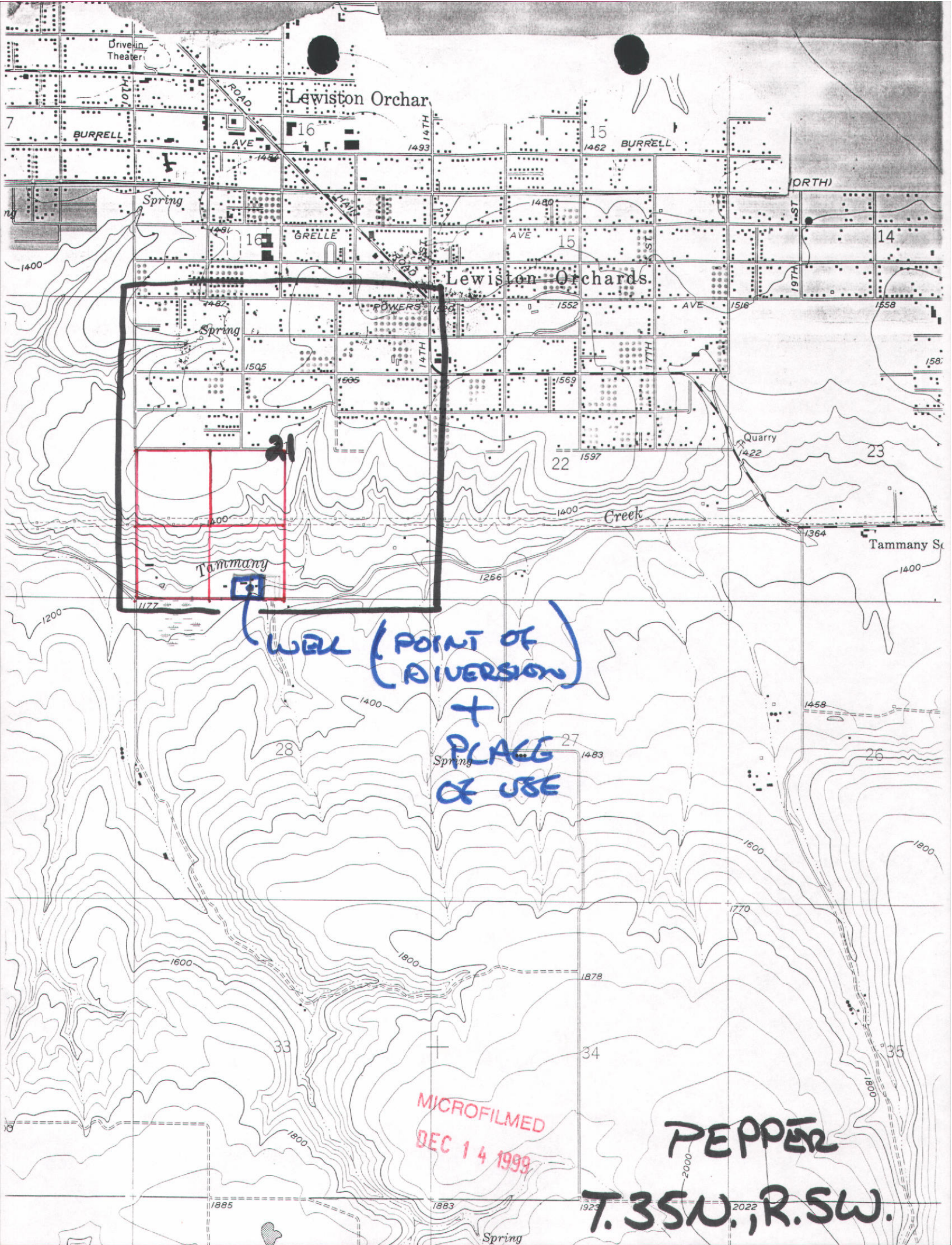




Drive in Theater

Lewiston Orchard

BURRELL

BURRELL

(ORTH)

Lewiston Orchards

Tammany

Tammany St

WELL (POINT OF DIVERSION)
+
PLACE OF USE

MICROFILMED
DEC 14 1999

PEPPER

T.35N., R.5W.

85-7657

Twp 35N
Rng 05W
Sec 21

2576.1
(CLARKSTON)
1.62.500

11
46°22'30"

5135000m N.

5134

BM 1082

BM 1109

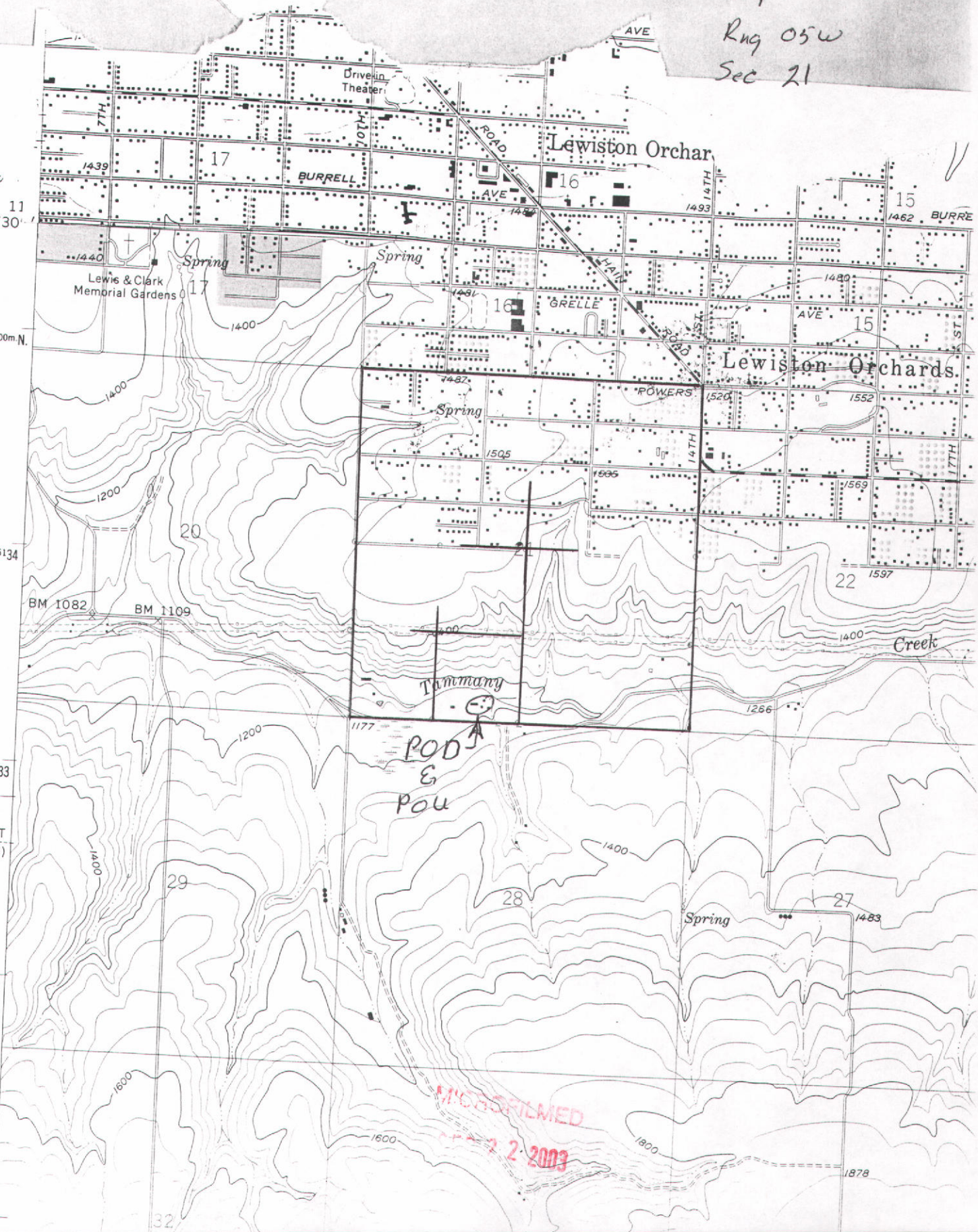
5133

390 000 FEET
(WASH)

5132

5131

20'



85-07657



Photo 1. Looking north showing well house and back of main house.



Photo 2. Showing pasture south of main house.

MICROFILMED

SEP 22 2003

85-07657



Photo 3. Showing irrigation hose attachment.



Photo 4. Showing pasture west of main house.

MICROFILMED
SEP 22 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 85-07657

Priority: July 22, 1999

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 11.1 AF

It is hereby certified that EARL PEPPER
4633 TAMMANY CREEK RD
LEWISTON ID 83501 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated July 22, 1999; and has
submitted Proof of Beneficial Use on October 18, 1999. An examination indicates that the works have a
diversion capacity of 0.04 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
IRRIGATION	02/15 to 11/30	0.02 CFS	10.4 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, Twp 35N, Rge 05W, 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	
35N 05W 21												2.6					2.6
Total Acres: 2.6																	

PLACE OF USE: STOCKWATER – Same as Irrigation

PLACE OF USE: DOMESTIC – Same as Irrigation

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 25TH day of FEBRUARY, 2003.

MICROFILMED

Acting for

KARL J. DREHER
Director

SEP 22 2003

OCT 18 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

1301 North Orchard St. P.O. Box 83720
Boise, Idaho 83720-0098
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 85-07657 Telephone No. 208-746-0986

2. Name(s) of Permit Holder(s): EARL PEPPER

3. Mailing Address: 4633 TAMMANY CR. RD. LEWISTON, IDAHO 83501

4. Source of Water: WELL If GROUNDWATER (well), Date Drilled: mo. 1 yr. 1973

a. Well Driller: UHLENKOTT Drilling Permit Number: - - -

b. **OPTIONAL:**
Pump Horsepower: 2 HP Pressure (psi): Dynamic pumping level (ft):

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

Domestic (No. of households): 2 Stockwater (No. and type of stock): 10 HORSES

Irrigation (No. of acres): 3.0 Other:

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No X

Has the measuring device been installed? Yes or No X

Flow Measurement Port: Is a flow measurement port required? Yes or No X

Has the measurement port been installed? Yes or No X

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: EARL PEPPER Telephone Number: 208-746-0986

Address: 4633 TAMMANY CR. RD. LEWISTON, IDAHO 83501

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Earl Pepper Date: 10-14-99
(include your title, if on behalf of company or organization)

MICROFILMED
DEC 14 1999

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 85-07657

Priority: July 22, 1999

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **EARL PEPPER**

4633 TAMMANY CREEK RD

LEWISTON ID 83501

has applied for a permit to appropriate water from: **GROUNDWATER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/01 to 11/30	0.04 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 21, Township 35N, Range 05W
NEZ PERCE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
35N	05W	21	SESW	3.0		3.0

Total number of acres irrigated: 3.0

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **October 1, 2000**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. Stockwater use is for 10 range cattle.
6. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Witness the signature of the Director, affixed at Boise, this

29 day of

September, 1999.

MICROFILMED

DEC 14 1999

[Signature]
for Karl J. Dreher, Director

Ident. No. 85-07657

WRI
WRA
BCA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
SEP 20 1999

Department of Water Resources

1. Name of Applicant EARL PEPPER Phone 208-746-0986
Mailing address 4633 TAMMANY CR RD LEMISTON IDAHO 83501
2. Source of water supply GRANDWATER which is a tributary of _____
3. Location of point of diversion is Township 35N Range 5W Sec. 21 in the _____ 1/4,
SE 1/4, 3W 1/4, Govt. Lot _____, B.M., NEL POORE County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | | |
|--|------------------------------------|
| Amount <u>0.04</u> for <u>IRRIGATION</u> purposes from <u>3/1</u> to <u>11/30</u> (both dates inclusive) <u>SC</u>
(cfs or acre-feet per annum) | <u>per standard season 9/28/99</u> |
| Amount <u>0.04</u> for <u>DOMESTIC</u> purposes from <u>Y1</u> to <u>12/31</u> (both dates inclusive) | |
| Amount <u>0.02</u> for <u>STOCKWATER</u> purposes from <u>Y1</u> to <u>12/31</u> (both dates inclusive) | |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) | |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) | |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) | |
5. Total quantity to be appropriated is (a) 0.04 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 WELL / PUMP
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is 6 inches; proposed depth of well is 250 feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? 1970's; Drilling firm WITT
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. 10 HEAD RANGE STOCK
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 HOME
- e. Other; describe fully. _____

MICROFILMED
DEC 7 4 1999

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.

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.

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.

[illegible]

5

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?

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

_____: ၆၀၀၀ ရက်

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.

Signature of Applicant (and filer, if applicable)

52

८

20

7/22/99

7/28/99

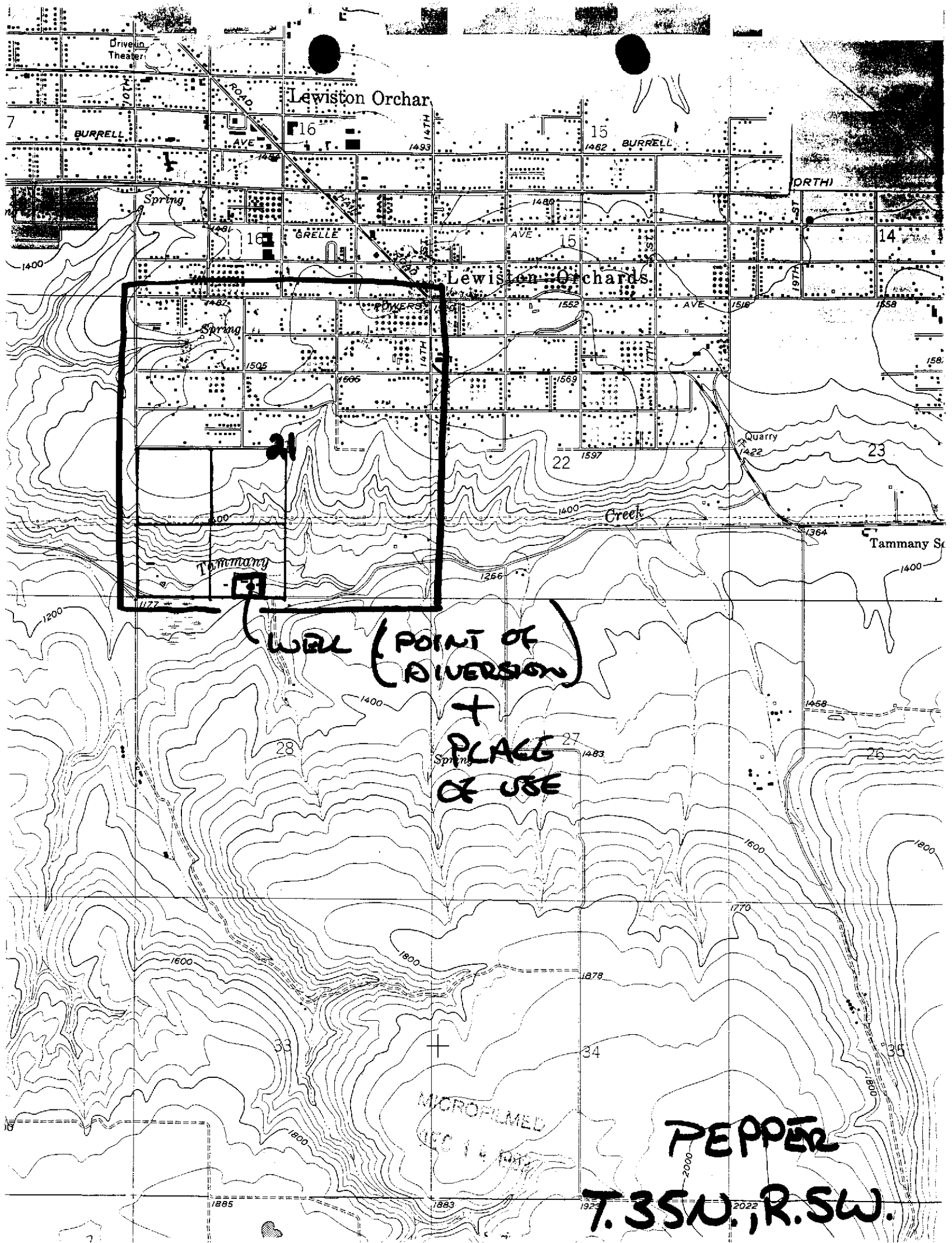
Preliminary ch # A013080

66/54/8

Rate

7-18-82

600 4 1 330
MICROFILMED



Lewiston Orchard

Lewiston Orchards

WELL (POINT OF DIVERSION)
+
PLACE OF USE

MICROFILMED
DEC 14 1985

PEPPER

T.35N., R.5W.

RECEIVED

NOV 9 1997

Department of Water Resources

TAX MASTER INQUIRY - NEZ PERCE COUNTY

PMPKEY: RP 35N05W216951 A YEAR 2002 BILL# 22562

TXPKEY: RP35N05W216951A

BILLED TO: PEPPER EARL N &

NAME PEPPER EARL N &

CODE AREA 5113

ACCOUNT TYPE

PEPPER LUCILLE A

BANK

FLB

OWNER

PUP

ADDRESS 1159 TAMMANY CREEK ROAD

MARKET VALUE

160,865

HARDSHIP

*

HOMEOWNER

49,387

LEWISTON

ID 83501

NET MARKET

111,478

TAX AMOUNT

1,384.70

LEGAL 815.3-521.03

LESS: CIRCUIT

*

#7600 OF SESW

21 35 5W

PLUS: SPECIALS

186.00

NET TAX BILLED

1,570.70

TAX PAYMENTS

785.35

TAX CANCELLED

SPEC CANCELLED

REMAINING TAX DUE

785.35

1159

TAMMANY CK RD

83501

NEXT PARCEL# RP _____ A OR NEXT BILL# RP _____ 2002

F3=EXIT F14=OTHER TAXES F2=PRT SCREEN F5=PAYMNTS F6=TRANSACTIONS F24=MORE

F17=RELATED PARCELS

WR 85-7657

The county changed our # in
our address from 4633 to

1159 so please make this #
change on our water right forms
& papers.

Earle N. Pepper
Earle N. Pepper

RECEIVED
MAR 5 2003
Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900

EARL PEPPER
4633 TAMMANY CREEK RD

Phoned for address info. Mail resent to
1159 Tammany Creek Rd, Lewiston. Mrs. Pepper
said the Postoffice changed their street number.
Included ownership change form so she can be
added to WR. Address Correction can be made
from same form.

Kelli Lynn
3.7.03



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

February 26, 2003

EARL PEPPER
4633 TAMMANY CREEK RD
LEWISTON ID 83501

RE: License No. 85-7657 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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.

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 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
SEP 22 2003

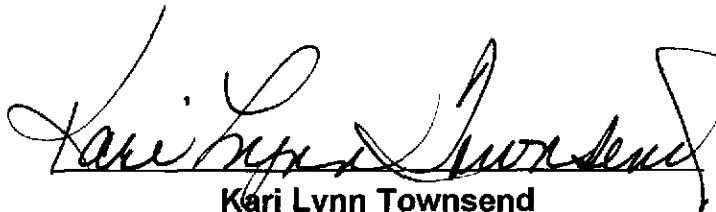
CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

85-7657

EARL PEPPER
4633 TAMMANY CREEK RD
LEWISTON ID 83501

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

Kari Lynn Townsend
Secretary

MICROFILMED
SEP 22 2003

**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).

MICHAEL
SEP 22 2009

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.

MICHAEL J. LEE
SEP 22 2003

Comment Report

85-7657

1. kwalker 2/24/2003 Irrigation Flow Rate

Comment: In review of the measurement of the irrigation system we found that the examiner did not do his calculation right. The measurements were taken when the entire system was operating so the examiner should have averaged the number of seconds in his calculation rather than limiting to seconds found. I revised the calculation and found the system could produce 15 gal in 102 seconds which turns out to 0.019 cfs or 0.02 cfs. Recommend we allow 0.02 cfs for the irrigation use.

2. DBALL 7/23/1999 Examiner's notes.

Comment: Existing well 6" diameter, 250' deep, and pump. Time required 1 year.

3. VAULT 10/18/1999 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

MICROFILMED
SEP 22 2003

LICENSE REVIEW CHECKLIST

Permit No. 85-7457 Date: 3-20-03 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): None

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.04 cfs

Fee Limit 0.29 cfs

Measured 0.04 cfs

Theoretical _____ cfs

Recommended Total Diversion Rate 0.04

Water Uses OK

Change (P46)

Season of Use per new Standards

2/15 11/30

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
_____ cfs _____ af
Total _____ cfs _____ af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

$$0.02 \times 1.9835 \times 294 = 11.7$$

Volume Determination

$$0.04 \text{ cfs} \times 1.9835 \times 294 \text{ days} = 5.8 \text{ af}$$

$$(vs) 2.6 \text{ acres} \times \frac{4.0}{3.0} \text{ (FHR)} = 10.4 \text{ af}$$

Remarks:

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? _____

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

all this use of rate of 0.02 cfs

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 3 - 2003
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 85-07657

1. Owner: Earl Pepper

Phone No. (208) 746-0986

Current Address: 4633 Tammany Creek Rd
Lewiston, ID 83501

2. Accompanied by: Permit Holder

EXAM DATE : August 24, 2000

Address: See Above

Phone No. See Above

Relationship to Permit Holder: Permit Holder

3. Source: Groundwater

tributary to:

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
NA			SE	SW	21	35N	05W	Nez Perce	USGS 7½ min. topographical map

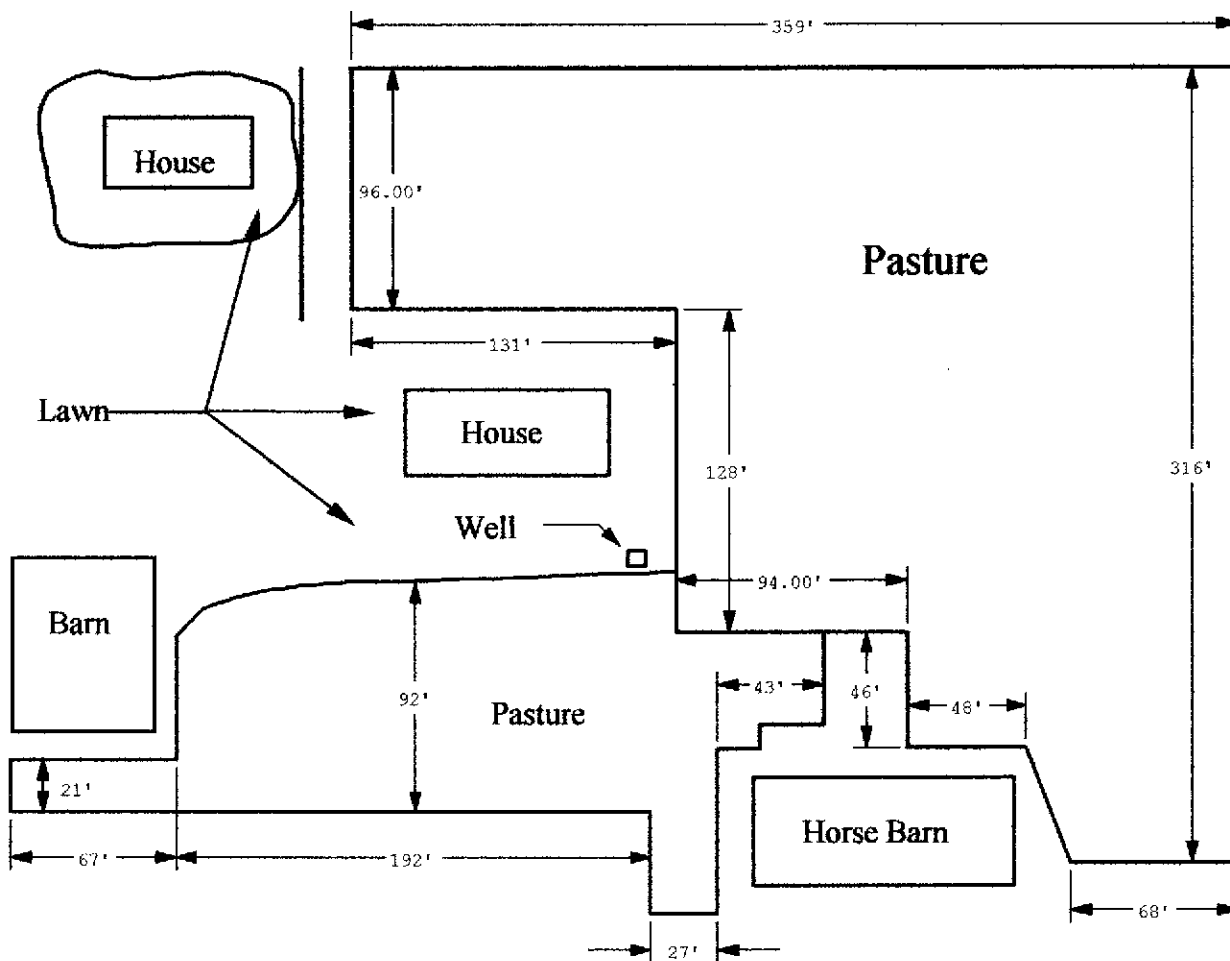
2. Place(s) of Use:

Indicate Method of Determination: USGS 7½ min. topographical map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
35N	05W	21												2.6					2.6
35N	05W	21												D					
35N	05W	21												S					

MICROFILMED
SEP 22 2003

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = Not to scale.

X Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

X Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
NA	Jacuzzi	2	Unkn	Jacuzzi	Unkn

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
5 Gal Bucket					5 Gal	2000
Stopwatch	Wrist	Timex	Ironman			

MICROFILMED

SEP 22 2003

2. Measurements:

Three (3) measurements were taken at each of three (3) nozzles and averaged.

<u>Nozzle #</u>	<u>Sec./5Gal</u>	<u>Ave./Nozzle</u>
1	108	
	108	
	108	
Total #1	<u>324</u>	<u>108</u>
2	98	
	98	
	98	
Total #2	<u>294</u>	<u>98</u>
3	100	
	100	
	100	
Total #3	<u>300</u>	<u>100</u>
Total Sec./15Gal.		<u>306</u>

E. NARRATIVE/REMARKS/COMMENTS

The well (*Photo 1*) is located near the main house. It supplies the interior needs of that house, irrigation for two (2) lawns and pasture which totals approximately 2.6 acres, and stock water for five (5) horses.

The permit is for three (3) acres of irrigation. On the day of the exam, there were 2.6 acres under irrigation. The lawns and pastures are irrigated from a garden hose that feeds three (3) sprinkler heads (*Photos 2 & 3*). Measurements were taken from each sprinkler head while all three were running. These measurements totaled **0.01cfs** rather than the 0.04 cfs given on the permit.

The livestock consisted of five (5) horses and were watered from a trough in the horse barn. I saw no cattle. Mr. Pepper stated that there were no cattle and that the normal number of horses was, indeed, five (5).

In summary, the permit should be corrected in the following manner to reflect the findings of the exam:

1. The number of acres irrigated should be **2.6 acres** rather than 3.0 acres.
2. The rate of diversion to irrigation should be **0.01cfs** rather than 0.04cfs.
3. The rate of diversion to stock water should be **0.01cfs** rather than 0.02.

Have conditions of permit approval been met?

x

Yes

no

MIDSON LINES
SEP 22 2003

F. FLOW CALCULATIONS

Domestic:

$$(\text{Interior Single Home}) = 0.04 \text{ cfs}$$

Livestock:

From Field Examiner's Handbook, *Table 3 and Exhibit 15*

$$5 \text{ horses} = 0.01 \text{ cfs}$$

Irrigation:

Measured Method: 5 Gal. Bucket & Stopwatch

$$\frac{15 \text{ gal}}{306 \text{ sec}} \times \frac{60 \text{ sec}}{\text{min}} \times \frac{\text{cfs}}{448.83 \text{ gpm}} \approx 0.007 \text{ cfs} \approx 0.01 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.6 \text{ acres} \times 3.0 = 7.8 \text{ AF}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.01 \text{ cfs} \times 289 \text{ da} \times 1.9835 \approx 5.7 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 5.7 \text{ afa}$$

2. Volume Calculations for Other Uses:

$$\text{Domestic (Interior)} = 0.6 \text{ afa}$$

Stock water:

From Field Examiner's handbook, *Table 3 and Exhibit 15*

$$5 \text{ horses} = 0.1 \text{ afa}$$

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SEP 22 2000

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Domestic	1/1	12/31	0.04	0.6
Stock water	1/1	12/31	0.01	0.1
Irrigation	12/15	11/30	0.01	5.7
Totals:			0.06	6.4

2. Recommended Amendments

Change P.D. as reflected above

Add P.D. as reflected above

☒ None

Change P.U. as reflected above

Add P.U. as reflected above

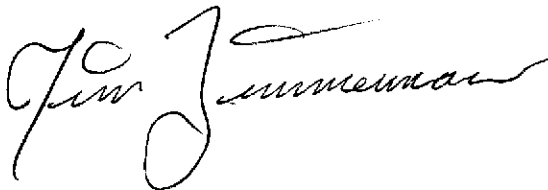
Other

I. AUTHENTICATION

Field Examiner's Name: Jim Zimmerman

Date: August 30, 2000

Signature



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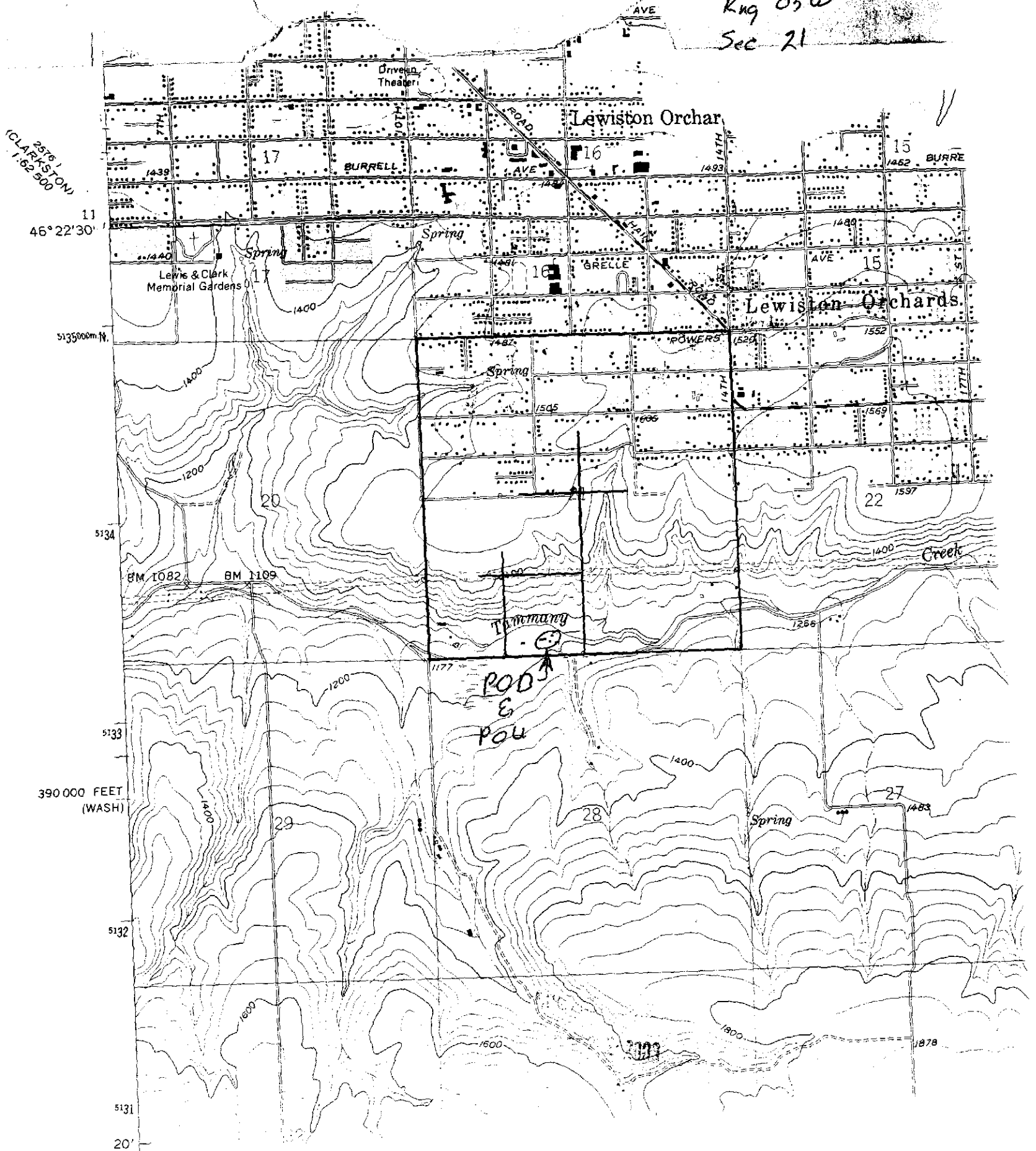
SEP 22 2000

85-7657

Twp 35N

Rng 05W

Sec 21



85-07657



Photo 1. Looking north showing well house and back of main house.



Photo 2. Showing pasture south of main house.

SEP 22 2003

85-07657

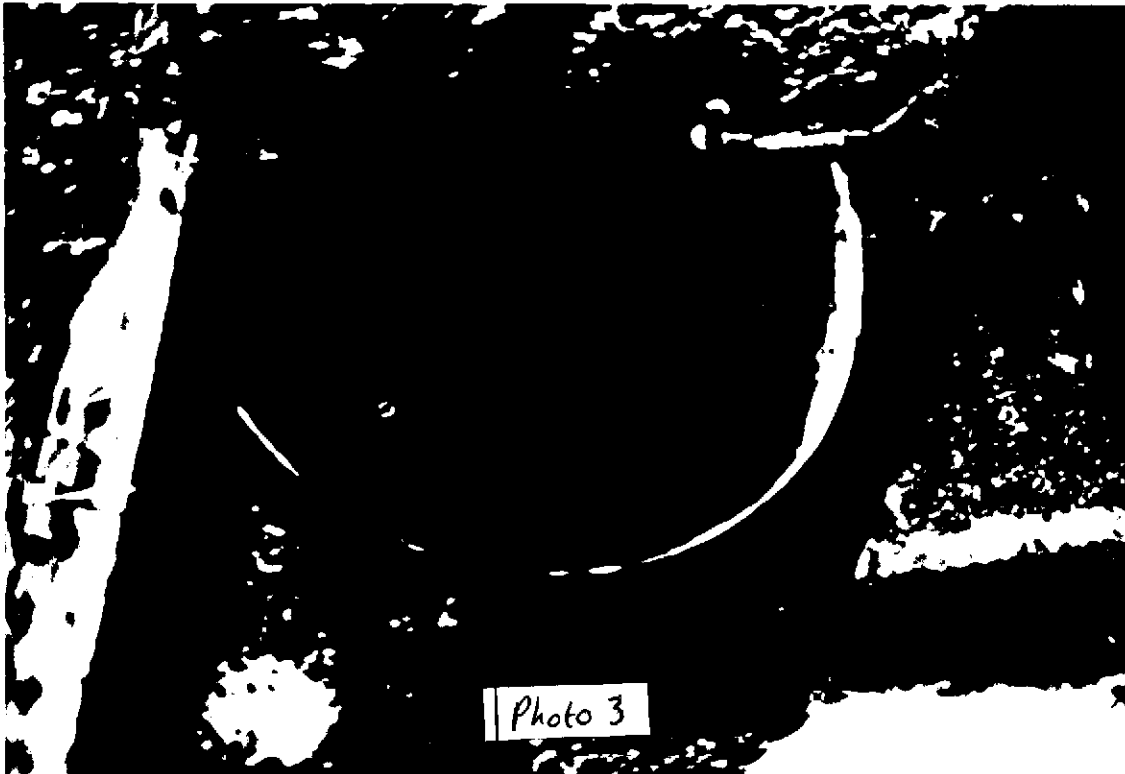


Photo 3. Showing irrigation hose attachment.



Photo 4. Showing pasture west of main house.

MICRO...

SEP 22 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

November 26, 1999

KARL J. DREHER
DIRECTOR

Earl Pepper
4633 Tammany Creek Rd
Lewiston ID 83501

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 85-07657

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and \$50.00 license fee submitted for the above referenced permit. Please be advised that a license examination fee is not required for a rate of diversion of 0.04 cfs or less from a groundwater source. Therefore, I have initiated the process to refund the \$50.00 exam fee submitted with the proof. The refund should arrive within seven (7) to ten (10) business days under separate cover.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **NORTHERN** Regional Office of the department in Coeur d'Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office
Fiscal

MICROFILMED

DEC 14 1999

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 85-07657 Reviewed by [Signature] Date 11-22-99

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

dom, irr, stock

Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

NO Drilling permit required? pre 87

 | Copy in the file? Drilling Permit No.

 | Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

NO Required?

50- Amount Submitted

NO Correct?

MEASURING DEVICE

NO Required?

 | Installed?

 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>
Date proof due	<u> </u>
No. of days late	<u> </u>
Priority Date	<u> </u>
New Priority Date	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Refund 50.00 exam fee
Proof Acceptable

DATA ENTRY

New Address X Proof Made 10-18-92



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 30, 1999

EARL PEPPER
4633 TAMMANY CREEK RD
LEWISTON ID 83501

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 85-07657

Dear Permit Holder:

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

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

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

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

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 reporting form.

DEC 14 1999

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

Sincerely,



FOR Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

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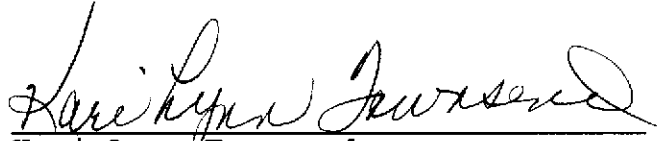
DEC 14 1999

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of September, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 85-07657

EARL PEPPER
4633 TAMMANY CREEK RD
LEWISTON ID 83501


Kari Lynn Townsend
Secretary

MICROFILMED

DEC 14 1999

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
DEC 14 1999

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

No.: 85-07657 Name: Peggy Date: _____ Ad OK? _____ / Gvmt Lts: _____ by SCurtis

AREA OF CONCERN: - No/Yes: Yes Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year
- ≤ 1 year/no proof

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 045-P23
- In Basin 34? - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067
- ≤ 0.24 cfs/5 acres - No MD

WMD

- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary Irr source)
- Supp. irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

- FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____
- IN ABOVE MSF (✓ MAP) - *WB9
- IN-STREAM DEVELOPMENT - P52 (stream channel alteration)
- WD (✓ MAP & LISTING) - R04 (WD # _____)
- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)
- WMD (✓ MAP) - 067 or No MD (in-stream stock or power)
- > 0.24 cfs/5 acres - No MD
- ≤ 0.24 cfs/5 acres - No MD
- SPRINGS/SINK, INACTIVE WD & REST OF STATE
- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

- Snake R (01) - *W22-P04, NA
- (02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
- Payette R (65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA
- Salmon R (70's) - 029 (fish screens), NA
- Weiser R (67) - 086, 087

USE:

- STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req)-081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
- HEATING/COOLING - R07 (injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070

FIRE PROTECTION

- 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 120
- 42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
- SWAN FALLS FLAG (✓ Code)

- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- Dihome 510 range cattle
- 10/11/2000
- 31-11/30 Season

**ID# DEPARTMENT OF WATER RESOURCES
APPROVAL APPLICATION ANALYSIS SHEET**

RECEIVED

SEP 20 1999

APPLICATION # 85-07657

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW

APPLICANT: PEPPER

BY: AB

DATE: 7/22/99

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes) (No)

- Y Field check: by _____
- + Field report attached
- + Analysis Supp. attached(>5cfs/500af)
- + Water delivered by water master?
- Water District # _____

PROCESSING

(Yes) (No) PRIORITY DATE: 7/22/99

X (Include Moratorium Remark)

X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

LT/churs/ok

ADVERTISE IN: NEZ PERCE 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: WELL DRILLED PRIOR TO FORMING REQUIREMENTS.

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- _____ Notice of pending void order issued. Final order response date: / /
- _____ Further information required from applicant
- 8/30 _____ Affidavit of publication received
- 8/30 _____ Application published correctly. If not, record action taken: _____
- 8/14/99 _____ Publication dates and paper recorded on application | Sr. Agent initial AB
- _____ Protests received, Final protest date: 8/23/99 Sept 7/99
- _____ Measuring device required
- _____ Measuring port required
- _____ Special conditions: *Paper didn't get it in for proper day - brebo*

Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB

Date: 9/14/99

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'AL ID 83814

Date 08/26/1999 INVOICE NO. 208236
Account No. 964750
Description 208236NOTICEOFAPPLICAT
Times 2 Lines 37

RECEIVED Tab. Lines

AUG 30 1999 \$ 50.88

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.

RECEIVED
AUG 30 1999
IDWR/North

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

208236
NOTICE OF
APPLICATION FOR WATER RIGHT
The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
85-07657

PEPPER, EARL
4633 TAMMANY CREEK RD
LEWISTON, ID 83501
Source: GROUNDWATER
Diversion Pt: SESW Sec 21 T 35N R
05W in NEZ PERCE
County.
Use: IRRIGATION (0.040 CFS)
STOCKWATER (0.020 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 7/22/1999
In: NEZ PERCE County
T35N R05W S21 SESW
3.0 ACRES TOTAL

For additional information con-
cerning the property location, call the
Northern Regional Office at (208)
769-1450.

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the applicant and with the
Director, Dept. of Water Resources,
Northern Region, 1910 Northwest
Blvd., Suite 210, Coeur d'Alene, Idaho
83814, together with a protest fee of
\$25.00 on or before SEPTEMBER 7,
1999.

KARL J. DREHER, Director
Published: 8/19/1999 & 8/26/1999

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,
publishers of the LEWISTON MORNING TRIBUNE, a news-
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 208236NOTICEOFA
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
08/19, or once a WEEK
for 2 consecutive WEEK
the first publication thereof being on the 08/19/1999
and the last publication thereof being on the 08/26/1999
and said 208236NOTICEOFA 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.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 26

day of August 1999

Notary Public in and for the State of ID
residing at Lewiston, therein
Commission Expires 7/1/02

MICROFILMED

DEC 14 1999

85-07657

PEPPER, EARL
4633 TAMMANY CREEK RD
LEWISTON, ID 83501

Source: GROUNDWATER

Diversion Pt: SESW Sec 21 T 35N R 05W in NEZ PERCE County.

Use: IRRIGATION	(	0.040 CFS)
STOCKWATER	(	0.020 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.040 CFS)

Date Filed: 7/22/1999

In: NEZ PERCE County
T35N R05W S21 SESW

3.0 ACRES TOTAL

MICROFILMED

DEC 14 1999

July 28, 1999

Earl Pepper
4366 Tammany Creek Rd
Lewiston ID 83501

Re: Water Appropriation Application No. 85-07657

Dear Mr. Pepper:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If your source is groundwater, a Well Drilling Permit is required for all wells constructed after July 1, 1987.

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

DEC 14 1999