

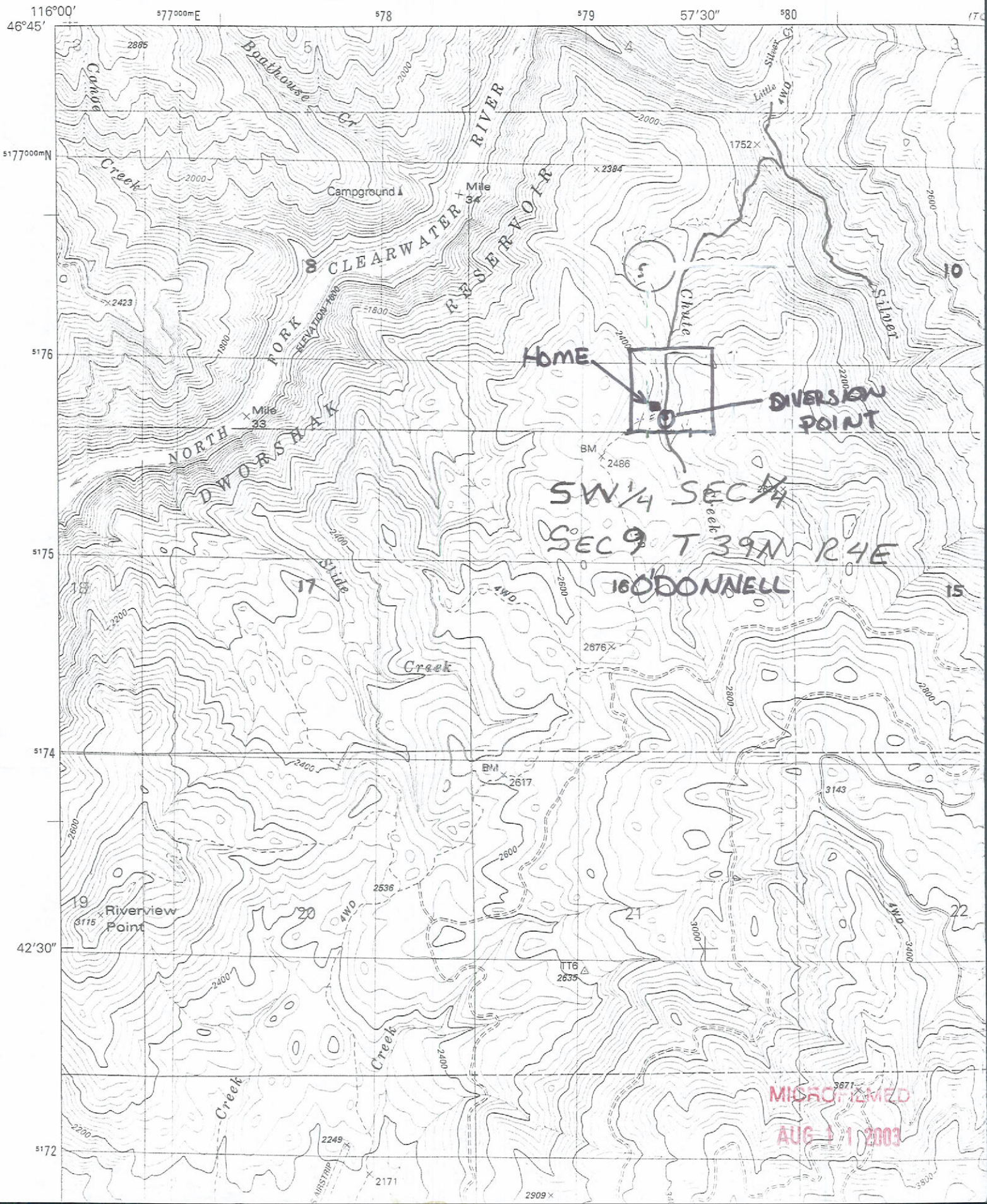
MICROFILMED
AUG 11 2003



277' SE
ELK BUTTE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

R.T.O. DONNELL
T39N R4E
SW 1/4 SE 1/4 SEC 9



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AUG 11 2003

Amt. of Fee \$: 50.00
Receipt No. NO/5553
Receipt By: [Signature]
Date Received: 4/4/03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR - 9 2003

PROOF OF BENEFICIAL USE

Department of Water Resources

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.

1. Permit No. 83-11932 Telephone No. 208-743-4342
2. Name of Permit Holder(s): RICHARD T. & LINDA L. O'DONNELL
3. Mailing Address: 193 HILLCREST RD
City LEWISTON State ID Zip 83501
4. Source of Water: CUTE CREEK If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .20 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
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: RICHARD T. O'DONNELL Telephone Number: 208-743-4342
Address: 193 HILLCREST RD LEWISTON, ID 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 water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Richard T. O'Donnell Date: 3-31-2003
(include your title, if on behalf of company of organization)

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State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 83-11932

Priority: 02/04/2002

Maximum Diversion Rate: 0.04 CFS

This is to certify, that RICHARD T O DONNELL And/Or
LINDA O DONNELL
193 HILLCREST RD
LEWISTON ID 83501

has applied for a permit to appropriate water from:

Source: CHUTE CREEK

Tributary: SILVER 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>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

CHUTE CREEK SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, Twp 39N, Rge 04E, B.M. CLEARWATER County

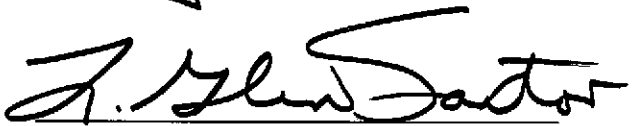
PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
39N	04E	9																X	

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before June 1, 2003.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 23rd day of May, 2002


for KARL J DREHER, Director

MICROFILMED
AUG 11 2003

69693

Ident. No. 83-11932

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

MAY 16 2002

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Richard T. ALINDA L. O'Donnell Phone 208-798-8524
Mailing address 193 HILL CREST RD LEWISTON, IDAHO 83501

2. Source of water supply CHUTE CREEK which is a tributary of SILVER CREEK

3. Location of point of diversion is Township 39N Range 4E Sec. 9, in the SW $\frac{1}{4}$,
SE $\frac{1}{4}$, Govt. Lot _____, B.M., CLEARWATER County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 cfs for DOMESTIC purposes from JAN. 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount N/A for IRRIGATION purposes from APR 1 to SEP 30 (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) 0.04 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 CATCH BASIN & 3/4" PIPING To household & IRRIGATION STAND BIPES

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

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

d. Is ground water with a temperature of greater than 85°F being sought? NO

e. If well is already drilled, when? NO; Drilling firm _____;
Well was drilled for (well owner) N/A; 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. N/A

b. Stockwatering; list number and kind of livestock. N/A

c. Municipal; show name of municipality. N/A

d. Domestic; show number of households. ONE

e. Other; describe fully. FIRE SUPPRESSION & LAWN IRRIGATION

MICROFILMED

AUG 1 1 2002

3. 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	
39N	4E	9																	
39N	4E	9																D	
39N	4E	9																	

Total number of acres to be irrigated 0

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? SAME

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

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.

Richard T. O'Donnell and/or
Signature of Applicant (and title, if applicable)

Linda L. O'Donnell

Received by cm Date 2-4-02 Time 1:33 p.m. Preliminary check by R. J. O'Donnell
Fee \$ 100.00 Received by cm # ND14834 Date 2-4-02
Publication prepared by db Date 2/13/02 Published in Clearwater Trib 2/21/28/02
Publication approved db Date 3/4/02

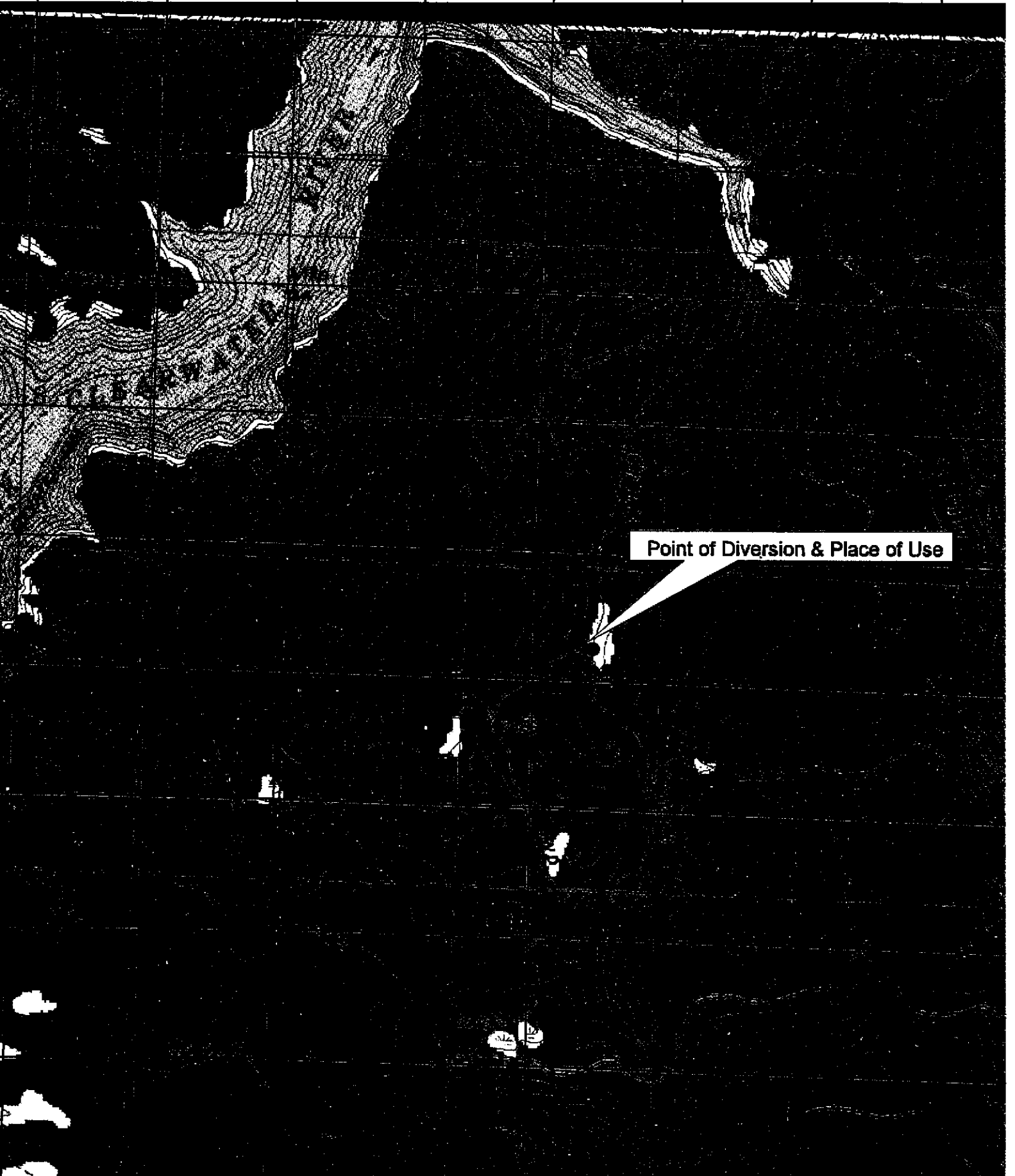
MICROFILMED

AUG 11 2003

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AUG 11 2003

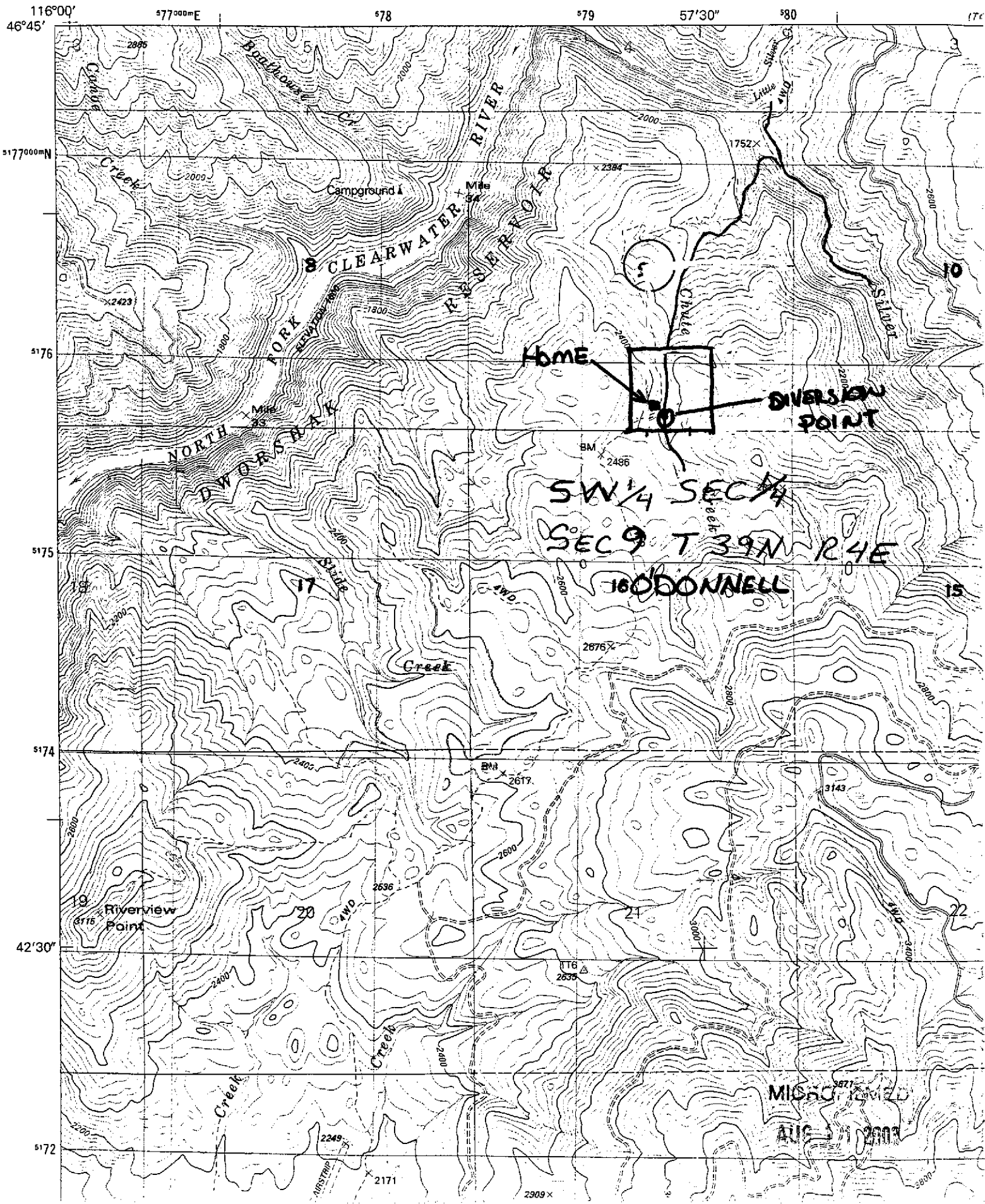
Point of Diversion & Place of Use

A high-contrast, black and white map or aerial photograph. The left side shows a rugged coastline with numerous inlets and peninsulas. The right side is a dark, textured area representing water. A white callout line originates from a label and points to a small, light-colored feature in the water, likely a small island or a specific point of interest.

2771 SE
CLK BUTTE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

R.T.O. DONNELL
T39N R4E
SW 1/4 SE 1/4 SEC 9





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

May 2, 2003

RICHARD T O'DONNELL
LINDA L O'DONNELL
193 HILLCREST RD
LEWISTON ID 83501

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 83-11932

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights 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, please contact the **Northern** Regional Office of the department in Coeur d'Alene (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

AUG 11 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 83-11932

Reviewed By: dgibson

Date: May 1, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		N014834, N015555	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	04/04/2003
Date proof due	- 06/01/2003
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 02/04/2002
New priority date	= 02/04/2002

Deficiencies of Actions Items

Acknowledge proof.

March 31, 2003

RICHARD T O DONNELL
LINDA O DONNELL
193 HILLCREST RD
LEWISTON, ID 83501

PROOF DUE NOTICE

RE: PERMIT NO. 83-11932

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 01, 2003. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

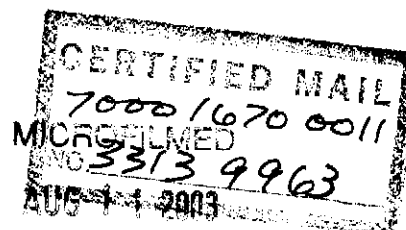
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures





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

May 23, 2002

RICHARD T O DONNELL
LINDA O DONNELL
193 HILLCREST RD
LEWISTON ID 83501

RE: Permit No. 83-11932

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.

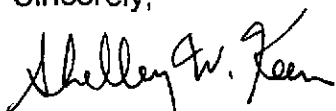
Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least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

MICROFILMED
JUL 11 2002

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

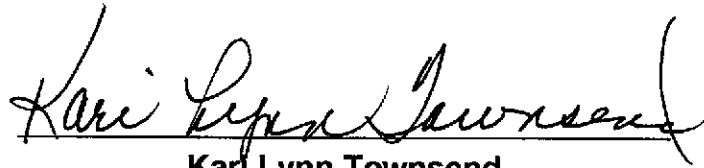
MICROFILMED
AUG 11 2003

CERTIFICATE OF SERVICE

I hereby certify that on May 23, 2002 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. 83-11932

**RICHARD T O DONNELL
LINDA O DONNELL
193 HILLCREST RD
LEWISTON ID 83501**

A handwritten signature in cursive script, reading "Karl Lynn Townsend", written over a horizontal line.

**Karl Lynn Townsend
Secretary**

MICROFILMED
AUG 11 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).

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.

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Sharla Curtis on 5-21/02

No. 83-11932 Name: O'Donnell Corp. Officers N/A Ad ok ☒ Govt Lots

AREA OF CONCERN: ☒ No/Yes ☐ Moratorium ☐ GWMA ☐ TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE/PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

BENEFICIAL USE DUE: 6/01/2003

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9

PLANNING REVIEW/RESPONSE

WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or ~~WB~~

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL

Restricted area - 022,075
Irr., GW supp to SW - 102

Future needs - 007,109

FISH PROP

- 029 (70's only)-007-122-106

DOMESTIC

Surface water 1 - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
>1 in restricted area - 070-071-075(no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32

Subd lot desc (pd) - W59

Subd lot desc (pu) - W60

Use definitions - W02 example - S/50 range

Pre-1987 development - 068-074 (allow 120 days for proof due)

Single p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

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

W.R. # 83-11932

APPLICATION ID # 69693
INITIAL REVIEW

ENT 2/11 BCA 2/11 OK to Publish 2/11

APPLICANT: O'DONNELL BY: AB DATE: 2/5/02

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes)(No)

- ___ Shape File Created Date ___ By: ___
- ___ Field check: by ___
- ___ Field report attached
- ___ Analysis Supp. attached(>5cfs/500af)
- ___ Water delivered by water master? Water District # ___

RECEIVED

MAY 19 2002

Department of Water Resources

PROCESSING

(Yes)(No)

PRIORITY DATE: 2/4/02

(Include Moratorium Remark)

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

ADVERTISE IN:

CLEARWATER

County

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

GROUNDWATER SECTION

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

- ___ Groundwater management area
- ___ Critical ground water area
- ___ Well Drilling Permit required
- ___ Well Drilling Application and Fees received
- ___ Well Drilling Application approved?

Remarks: ___

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- ___ Notice of pending void order issued. Final order response date: ___/___/___
- ___ Further information required from applicant
- 3/4 ___ Affidavit of publication received
- 3/4 ___ Application published correctly. If not, record action taken: ___
- 2/13 ___ Publication dates and paper recorded on application | Sr. Agent initial ___
- ___ Protests received, Final protest date: 3/11/02
- ___ Measuring device required
- ___ Measuring port required
- ___ Special conditions: ___
- ___ Special conditions of approval supplement and/or cover letter attached: ___

Approval Recommended by: _____ Date: ___/___/___

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Clearwater)

LA RAE CALL

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of the THE CLEARWATER TRIBUNE; that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the

NOTICE TO APPROPRIATE PUBLIC WATER

DEPT. OF WATER RESOURCE

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full period of two consecutive issues, commencing on the 21st day of February 2002 and ending on the 28th day of February 2002.

La Rae Call

STATE OF IDAHO)
)
COUNTY OF CLEARWATER)

On this 1st day of March in the year of 2002, before me, a Notary Public, personally appeared

known or acquainted to me to be the person whose name subscribed the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Pamela A. Jones

Notary Public for the State of Idaho
Resident at Orofino, Idaho
My commission expires: 11-20-07

NOTICE

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

83-11932

RICHARD T O DONNELL

LINDA O DONNELL

193 HILLCREST RD

LEWISTON ID 83501

Points(s) of Diversion SWSE S9 T39N

R04E CLEARWATER County

Source CHUTE CREEK Tributary to

SILVER CREEK

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 02/04/2002

Place of Use: DOMESTIC

T39N R04E S9 SWSE

Remark: Domestic use is for 1 home, lawn irrigation and fire suppression. 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 03/11/2002. The protestant must also send a copy of the protest to the applicant.

2-21,28c

RECEIVED
MAR 04 2002
DWR/North

MICROFILMED
AUG 17 2003

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KARL J DREHER, Director

Published on 2/21 and 28, 2002.

MICROFILMED
AUG 11 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

February 13, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Legal Notice Department
CLEARWATER TRIBUNE
PO BOX 71
OROFINO ID 83544

FAXED 2/13/02
2 PAGES

RE: Application for Permit No. 83-11932

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (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 03/11/2002. Your cooperation is appreciated.

Sincerely

Dianne Ball
Administrative Assistant

MICROFILMED
AUG 11 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

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February 13, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RICHARD T O DONNELL
LINDA O DONNELL
193 HILLCREST RD
LEWISTON ID 83501

RE: Application for Permit No 83-11932

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 Clearwater Tribune on February 21 and 28, 2002. 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,

Allen Beardslee
Senior Water Resource Agent

Enclosure(s) Receipt No. N014834

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AUG 11 2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
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February 11, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Application to Permit No. 83-11932 - O'DONNELL

STATE OF IDAHO:

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.

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

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

Enclosure(s)

MICROFILMED
AUG 11 2003