

TOWER T 22 N
T 21 N

RADIO
TOWER

10' N. FIELD
SALMON NW BASE
4001

GR AVENUE

PO BOX 1059T

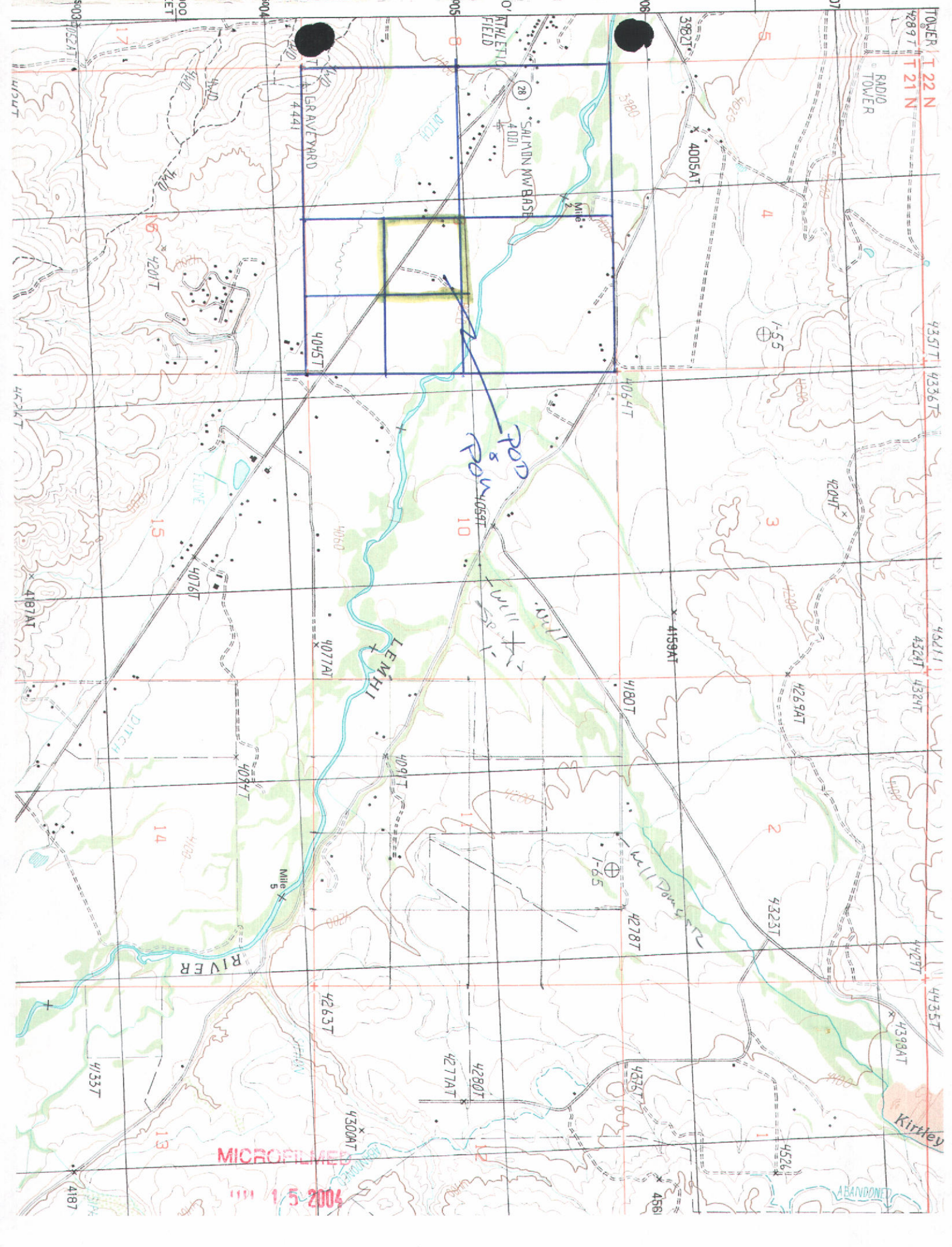
LEMMING

RIVER

Kirkley

MICROFILMED

15 2004



APPLICATIONS FOR PERMIT NO.
74-15075 AND 75-14143

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

74-15075, TERENCE C HEATON, 102 HWY 28, SALMON, ID 83467, Point(s) of Diversion: NENWSE S9 T21N R22E, LEMHI County. Source: WASTE WATER. Use: STOCKWATER. 04/01 to 11/30 0.04 CFS. Total Diversion: 0.04 CFS. Date Filed: 11/17/2003. Place of Use: STOCKWATER. T21N R22E S9 NWSE.

75-14143, THEODORE J ROYER, MARY B ROYER, 6538 MELINDA DRIVE, NASHVILLE, TN 37205, Point(s) of Diversion: SWSW S23 T26N R21E, LEMHI County. Source: UNNAMED CREEK, Tributary to NORTH FORK SALMON RIVER. Use: DOMESTIC. 01/01 to 12/31, 0.04 CFS. Total Diversion: 0.04 CFS. Date Filed: 11/24/2003. Place of Use: DOMESTIC. T26N R21E S23 SWSW.

Permits will be subject to all prior water rights. Protest 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, Eastern Region, 900 N. Skyline Drive, Ste A, Idaho Falls, ID 83402 together with a protest fee of \$25.00 for each application on or before January 5, 2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

12-18-2tc

Affidavit of Publication RECEIVED

JAN 26 2004

Department of Water Resources
Eastern Region

STATE OF IDAHO }
County of Lemhi } ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the 74-15075 & 75-14143, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for TWO (2) consecutive issue(s), commencing with the issue dated 12-18-2003 and ending with the issue dated 12-25-2003.

STATE OF IDAHO }
County of Lemhi } ss.

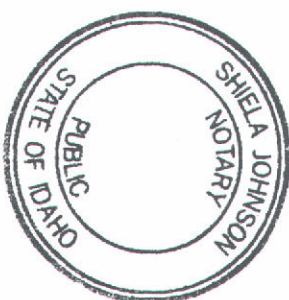
On this 12th day of January in this year of 2003 before me, A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Residing At Salmon, Idaho

Shelia Johnson
Notary Public for Idaho

My Commission expires: 01-02-2007

Publication Fee \$67.08



MICROFILMED
JUN 15 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 13 2004

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. 74-15075 Telephone No. 208-756-3867

2. Name of Permit Holder(s): Terrence C. Heaton

3. Mailing Address: 102 Hwy. 28

City Salmon State ID Zip 83467

4. Source of Water: waste water 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): _____ Stockwater (No. and type of stock): 6 cows & horses

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 4 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 ✓

Has the measuring device been installed?

Yes _____ or No ✓

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: T.C. Heaton Telephone Number: 208-756-3867

Address: 102 Hwy. 28 Salmon Id. 83467

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: T.C. Heaton Date: 4/10/04
(include your title, if on behalf of company or organization)

Microfilm

JUL 13 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 74-15075

Priority: November 17, 2003

Maximum Diversion Rate: 0.04 CFS

This is to certify, that **TERRENCE C HEATON**
102 HWY 28
SALMON ID 83467

has applied for a permit to appropriate water from:

Source: WASTE WATER

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>
STOCKWATER	04/01 to 11/30	0.04 CFS

LOCATION OF POINT OF DIVERSION:

WASTE WATER NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, Twp 21N, Rge 22E, B.M., LEMHI County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
21N 22E 9														X			

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2005**.
2. Subject to all prior water rights.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74.
4. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
5. Stockwater use is for 2 range cattle and 4 horses.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 13th day of February, 2004.

MICROFILMED

JUL 15 2004


Acting for **KARL J DREHER, Director**

RECEIVED

NOV 17 2003

FORM 202
12/99Department of Water Resources
Eastern RegionIdent. No. 74-15075

RECEIVED

FEB - 5 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources T.C. Heaton Phone 756-3867
Mailing address 103 Hwy. 28 Salmon I.D. 834672. Source of water supply WASH WATER which is a tributary of N/A3. Location of point of diversion is Township 21N Range 22E Sec. 9 in the NE ¼,
1/4 ¼, SE ¼, Govt. Lot _____, B.M., Lemhi County;additional points of diversion if any: none

4. Water will be used for the following purposes:

Amount .04 cfs for Stock water purposes from 4-1 to 11-30 (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)

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

5. Total quantity to be appropriated is (a) .04 cfs 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 DITCHb. 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. 4 horses, 2 cows

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

MICHOILMED

FEB 5 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	
21N	22	9													S				

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? 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 8 1/2"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.

R. B. Heaton
Signature of Applicant (and title, if applicable)

Received by DC Date 11/13/2003 Time _____ Preliminary check by _____
Fee \$ 100 Receipted by DC # EO29360 Date 11/13/2003
Publication prepared by SC Date 12/18 & 12/29/03 Published in Recorder Herald
Publication approved SC Date 1/26/04

MICROFILMED

101 3 5 2004

TOWER T 22 N
42897 T 21 N
RADIO
TOWER
43517 43367 43211 43247 43297 44297 44357 4398AT
KIRKEY

4005AT

42047

4289AT

1-55

2

43237

45261

38821

4159AT

40647

41807

42787

42807

42817

1-65

4277AT

38821

4005AT

4078AT

40917

42637

4300AT

10' METEORIC FIELD

4005AT

4078AT

40917

42637

4300AT

4277AT

LENNY

42637

4300AT

4005AT

4055T

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42637

4300AT

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4277AT

45261

RIVER

45261

42017

4078AT

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42637

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4055T

4078AT

42637

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42637

4300AT



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 19, 2004

TERRENCE C HEATON
102 HWY 28
SALMON ID 83467

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 74-15075

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, or at the department's website at: www.idwr.state.id.us.

If you have questions about the field examination, please contact the **Eastern Regional Office** of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

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

MICROFILMED

APR 15 2004

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 74-15075

Reviewed By: dgibson

Date: April 16, 2004

	<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.:		E029360, C073475	Well driller's report filed?		
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		04/13/2004
Date proof due	-	02/01/2005
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	11/17/2003
New priority date	=	11/17/2003

Deficiencies of Actions Items

Acknowledge proof.



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 13, 2004

TERRENCE C HEATON
102 HWY 28
SALMON ID 83467

RE: Permit No. 74-15075

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.

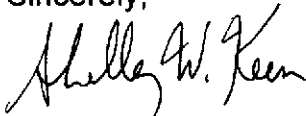
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

MICROFILMED

JUN 15 2004

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
1997 9 5 2004

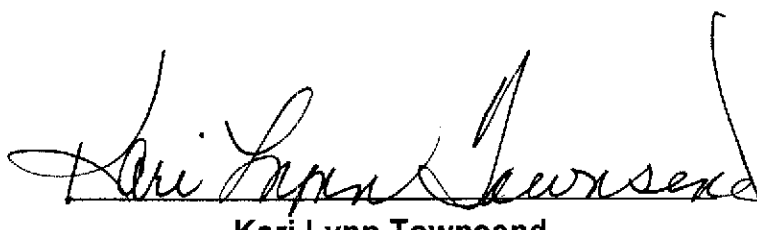
CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

74-15075

TERRENCE C HEATON
102 HWY 28
SALMON ID 83467

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

Kari Lynn Townsend
Secretary

MICROFILMED

FEB 25 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).

MICHAEL J. LEE

JUL 15 2006

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.

MICROFILMED
JUL 15 2003

Comment Report

74-15075

1. kwalker 2/11/2004 Permit Review

Comment: Recommend approval. In Wilderness Area and Salmon-Clearwater area but is non-consumptive use. Recommend priority date of 11/17/2003 since that was date received and receipted.

MICROFILMED

SEP 5 2004

RECEIVED

FEB - 5 2004

Department of Water Resources

Dist for Staffing _____

Submitted for advertising _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT ANALYSIS PERMIT

INITIAL REVIEW BY DC DATE 11/17/2003 APPLICATION NO. 74-15075

REQUIRED INFORMATION:

- ☐ Name (if applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☐ Address
☐ Source (See USGS Quad for names of water sources)
☐ Point of Diversion (10 acres for spring, lot & block descriptions for subdivision, local name, flow and/or volume)
☐ County
☐ Quantity (flow and/or volume)
☐ Period of Use
☐ Nature of proposed use (Include description of use.)
☐ Description of diverting works
☐ Time required for beneficial use of water
☐ Place of use or acres irrigated
☐ Map
☐ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee
☐ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION:

- ☐ Overlapping place of use (Describe source & relationship to present application on the back)
☐ Overlapping point of diversion
☐ Yes ☐ No Critical groundwater area
☐ Yes ☐ No Groundwater management area
☐ Yes ☐ No Send dam safety information
☐ Yes ☐ No Send fish farm requirement letter
☐ Yes ☐ No Power residency affidavit
☐ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet)
☐ Yes ☐ No **Public Water System**
☐ Yes ☐ No **Planning section review**
☐ Yes ☐ No **Moratorium Hold file**
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____

PROCESSING:

- ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO:

- ☐ Id Dept of Environmental Quality
☐ Id Dept of Fish & Game
☐ Id Dept of Lands
☐ Adjudication Bureau Unit

- ☐ U.S. BLM
☐ U.S. Forest Service
☒ Water District
☐ Other _____

74

☒	Yes	☐	No	Affidavit of publication received
☒	Yes	☐	No	Application published correctly. If not, record action taken
☒	Yes	☐	No	Publication dates & paper, recorded on application
☐	Yes	☒	No	Protests received
				Final date for protest _____
☐	Yes	☐	No	Protests, dates, resolution of protest, recorded on application
☐	Yes	☐	No	Recommendations attached
☐	Yes	☐	No	Measuring device required
☐	Yes	☐	No	Access port required
☐	Yes	☐	No	Will water be delivered by watermaster? If yes, what District _____
☐	Yes	☐	No	Special conditions of approval or cover letter below.

Date of priority recommend Nov 12, 2003
By: K. Roger K. Warner Date: Jan 30, 2004
STATE OFFICE REVIEW: _____

By: _____ Date: _____
 ADDITIONAL INFORMATION: _____

Comments received from:

_____ City	_____ Id Fish & Game	_____ Irrigation District
_____ County	_____ Id Health & Welfare	_____ Canal Company
_____ Reservations	_____ Div. Of Environment	_____ Other _____

COMMENTS

(This area contains horizontal ruling lines.)

APPLICATIONS FOR PERMIT NO.
74-15075 AND 75-14143

The following application(s) have
been filed for appropriate the public
water of the State of Idaho.

74-15075 TERENCE C
HEATON 103 HWY 28, SALMON,
ID 83462. Point(s) of Diversion:
MENWSE SR T21N R22E, LEMHI
COUNTY. SOURCE: WASTE WATER
FROM STGO KWATER 04/01 to 11/30
01/04 CFS. Total Diversion: 0.04
CFS. Date filed 11/17/2003. Place
of Use: STGO KWATER T21N R22E
SS. NAME:
75-14143 THEODORE J
ROYER, MARY B ROYER, 6538
MEUNDA DRIVE, NASHVILLE, TN
37205. Point(s) of Diversion: SWSW
S23 T26N R21E, LEMHI County.
SOURCE: UNNAMED CREEK. Tribu-
tary to NORTH FORK SALMON
RIVER. Use: DOMESTIC. 01/01 to
12/31, 0.04 CFS. Total Diversion:
0.04 CFS. Date Filed: 11/24/2003.
Place of Use: DOMESTIC. T26N
R21E S23 SWSW.

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Region, 900 N. Skyline Drive, Ste A,
Idaho Falls, ID 83402 together with
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2004. The applicant must also send
a copy of the protest to the applicant.
KARL J DREHER, Director

12-18-2tc

Affidavit of Publication RECEIVED

JAN 26 2004

Department of Water Resources
Eastern Region

STATE OF IDAHO }
County of Lemhi } SS.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (print-
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of general circulation therein. That the 74-15075 & 75-14143, a true printed copy of which is
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entire issue of every number of said newspaper and not in any supplement thereof or thereto for
TWO (2) consecutive issue(s), commencing with the issue dated 12-18-2003 and ending with the
issue dated 12-25-2003.

STATE OF IDAHO }
County of Lemhi } SS.

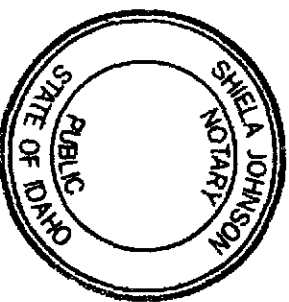
On this 12th day of January in this year of 2003 before me, A Notary Public, personally appeared
RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within
instrument, and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Residing At Salmon, Idaho

Sheila Johnson
Notary Public for Idaho

My Commission expires: 01-02-2007

Publication Fee \$67.08



MICROFILMED
JAN 26 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

December 10, 2003

KARL J. DREHER
Director

RICK SAGER
WATERMASTER
SALMON, ID 83467

RE: Application for Permit No 74-15075

Dear RICK SAGER:

Enclosed is a copy of the above referenced application. Please review the application, complete the enclosed recommendation form, and submit it to this office by January 1, 2004.

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

Sincerely,

W Roger Warner
Water Rights Supervisor

Enclosure(s)

WRW:sc

RECORDED

DEC 15 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 10, 2003

Legal Notice Department
RECORDER-HERALD
PO BOX 310
SALMON ID 83467

RE: Applications for Permit No. 74-15075 and 75-14143

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 January 5, 2004. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*Mailed
12/10/03
SC*

RECEIVED

DEC 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION
December 10, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

TERRENCE C HEATON
102 HWY 28
SALMON ID 83467

RE: Application for Permit No 74-15075

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 Recorder Herald on December 18 and 25, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

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

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

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

Sincerely,

W Roger Warner
Water Rights Supervisor

WRW:sc

MICROFILMED

JUN 15 2004
MICROFILMED

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

74-15075

TERRENCE C HEATON

102 HWY 28

SALMON ID 83467

Point(s) of Diversion: NENWSE S9 T21N R22E, LEMHI County

Source WASTE WATER

Use: STOCKWATER 04/01 To 11/30 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 11/17/2003

Place Of Use: STOCKWATER

T21N R22E S9 NWSE

75-14143

THEODORE J ROYER

MARY B ROYER

6538 MELINDA DRIVE

NASHVILLE TN 37205

Point(s) of Diversion: SWSW S23 T26N R21E, LEMHI County

Source UNNAMED CREEK, Tributary To NORTH FORK SALMON RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 11/24/2003

Place Of Use: DOMESTIC

T26N R21E S23 SWSW

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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before January 5, 2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on December 18 and 25, 2003

JUL 15 2004