

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 65-22855

Priority: December 22, 2003

Maximum Diversion Rate: 0.04 CFS

This is to certify, that N BERNARD ALDRIDGE And/Or DONNA ALDRIDGE
120 STONY POINT RD STE 210
SANTA ROSE CA 95401

have applied for a permit to appropriate water from:

Source: PAYETTE LAKE

Tributary: NORTH FORK PAYETTE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT OF DIVERSION:

PAYETTE LAKE L2 (SW¼NW¼) Sec. 35, Twp 19N, Rge 03E, B.M., VALLEY County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE	NW	SW	SE	Totals
19N 03E 35	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
		X			
		L 2			

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2005**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.
4. Point of diversion and place of use are located within Lot 6B, Lucks Point Subdivision.
5. 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. 65.
6. 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.
7. This right does not grant any right-of-way or easement across the land of another.
8. The Director retains jurisdiction to limit diversion of water to in-house uses only.
9. The availability of water for this right is subject to all prior water rights of Lake Reservoir Co.
10. Water shall not be diverted under this right when flows in the Payette River are below established minimum flow amounts.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 3rd day of March, 2004.

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MAR 23 2004


KARL J DREHER, Director

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OCT 31 2003

FORM 202
12/99Ident. No. 65-22855WATER RESOURCES
WESTERN REGION

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

DEC 22 2003

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

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FEB 27 2004

WATER RESOURCES
WESTERN REGION

Department of Water Resources

Name of Applicant N. Bernard & Donna Aldridge Phone 707-546-5626 x315
 Mailing address 120 STONY Point ROAD, ST. 210 SANTA ROSA CA 95401
 Source of water supply Payette Lake which is a tributary of North Fork of the Payette River
 Location of point of diversion is Township T9 N Range 3 East Sec. 35 in the Valley County HA 12/1/03
SW 1/4, NW 1/4, Govt. Lot 12170 B.M. HA 12/1/03

Additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1/1 to 12/31 both dates inclusive
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.04 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source 3/4 inch PVC pipe -
submersible pump from Lake HA 12/1/03

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

c. Proposed well diameter is NA inches; proposed depth of well is _____ feet

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

e. If well is already drilled, when? NA; Drilling firm _____

Well was drilled for (well owner) NA; Drilling Permit No. HA 12/1/03

7. Time required for completion of works and application of water to proposed beneficial use is 1 year (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. 1 household
- Other; describe fully. _____

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MAR 29 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.

BA 2/17/03

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19	3	35						D											

Total number of acres to be irrigated .5 acre residential Lot + Home

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?

Aldridge BA 2/11/03

b. Who owns the land to be irrigated or place of use? N. Bernard & Donna M. Aldridge.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: We have applied for a water rights encroachment

12. Remarks:

permitted through Dept. of Land - Idaho. 12/17/03
This application is for our home which
We purchased in June and just found out
We needed a permit for our water. The home
is drawing water from payette lake and has been since
it was built in 1991. We only use water for domestic purposes.

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.


Signature of Applicant (and title, if applicable)

Please call me
with questions
Sorry I didn't
understand a lot
of this form

Received by DAH Date 10-31-03 Time 11:30AM Preliminary check by _____
Fee \$ 100 - Received by DAH # W031067 Date 10-31-03
Publication prepared by DAH Date 2-5-04 Published in STAR NEWS
Publication approved DAH Date 2-23-04

Barney Aldridge
(707)484-8020

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MAR 29 2004

27 26

34 35

35 36

35 36

NW NW

NE NW

LUCK'S POINT SUBDIVISION

Dividing Point

SW NW

600' LOT 2

SE NW

PAYETTE LAKE

WILSON EAST PRONG SUBD.

NOKONDO SUBD.

HARRIS COVE SUBD.

EAST SIDE DRIVE

Camp Morrison

BEACH WAY

PINEHURST

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MAR 29 2004



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SCALE IN FEET

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	1820	

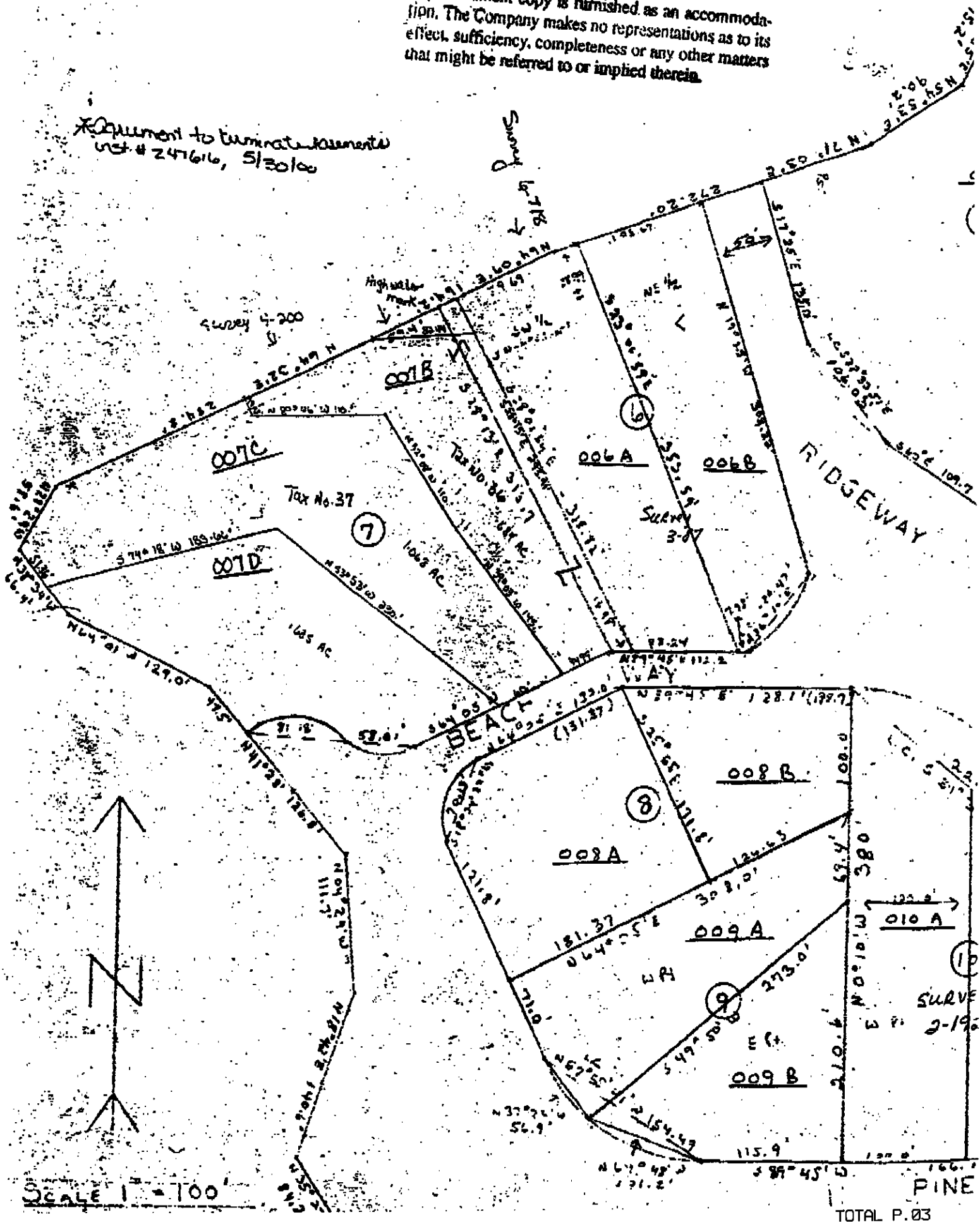
SEC. 35, T.19N., R.3E.

Section 35 Township 19 North Range 3 East

VALLEY COUN.
ENGINEERING DEPAR.

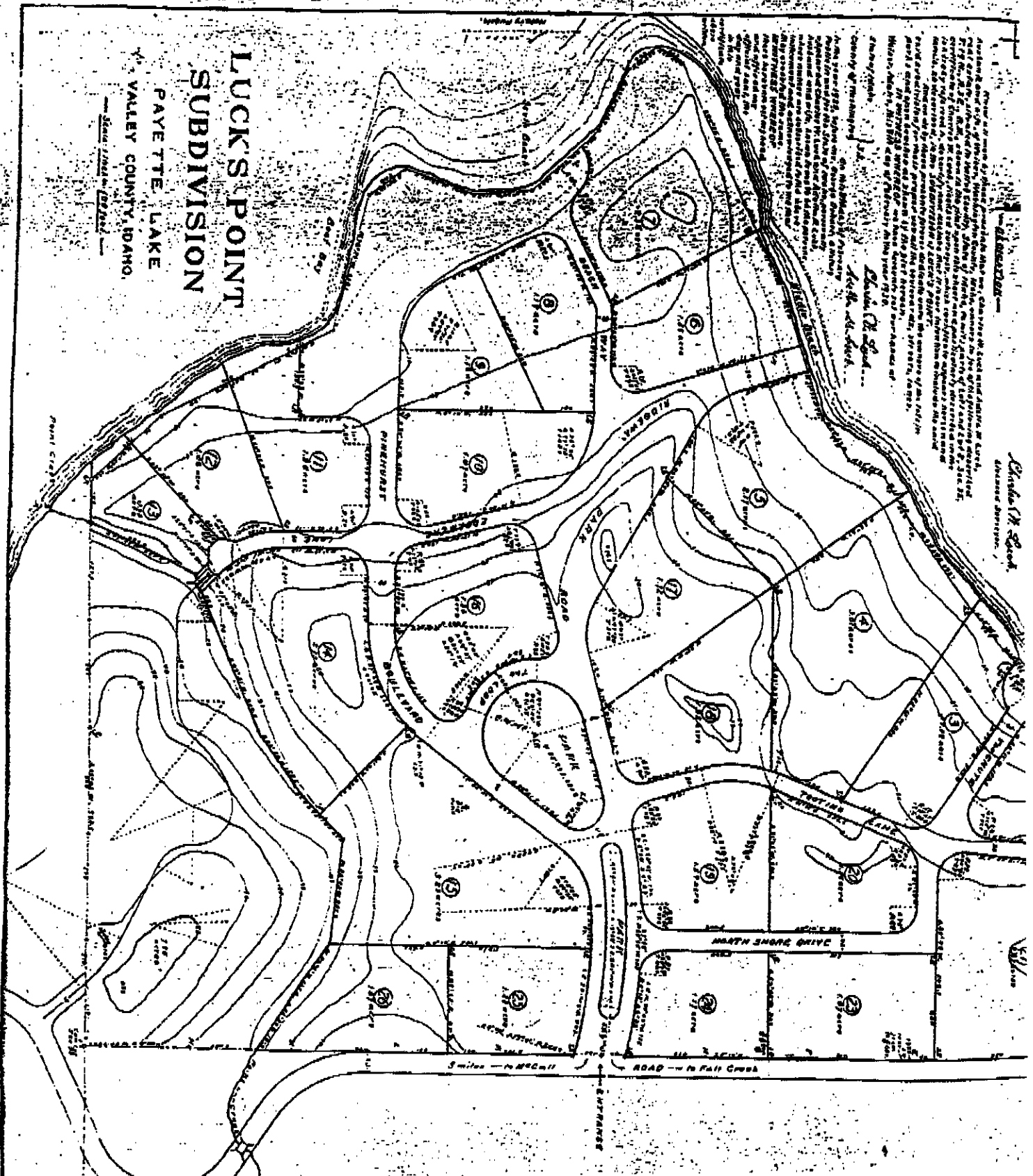
This document copy is furnished as an accommodation. The Company makes no representations as to its effect, sufficiency, completeness or any other matters that might be referred to or implied therein.

Requirement to terminate elements
inst # 247616, 5/30/00

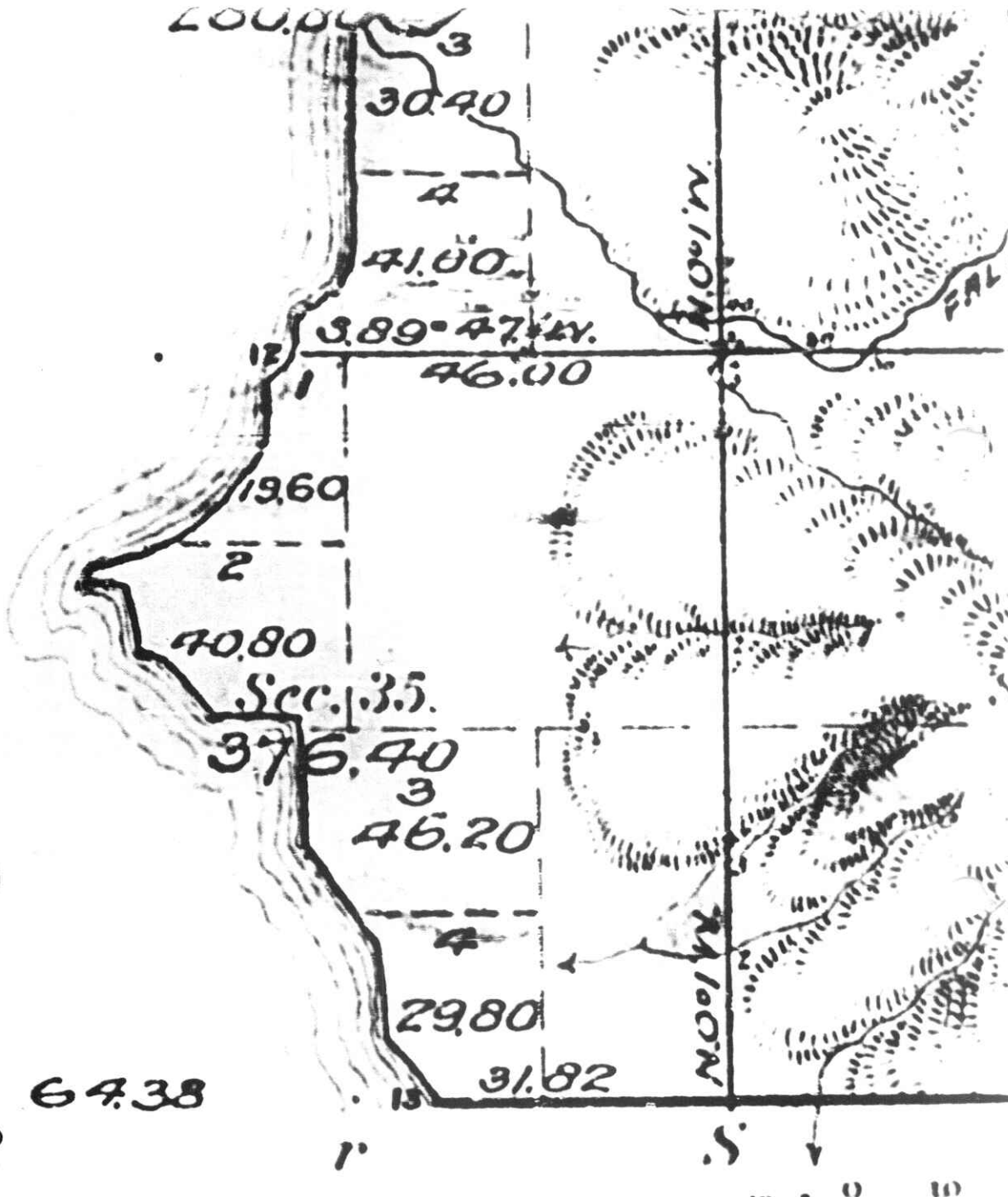
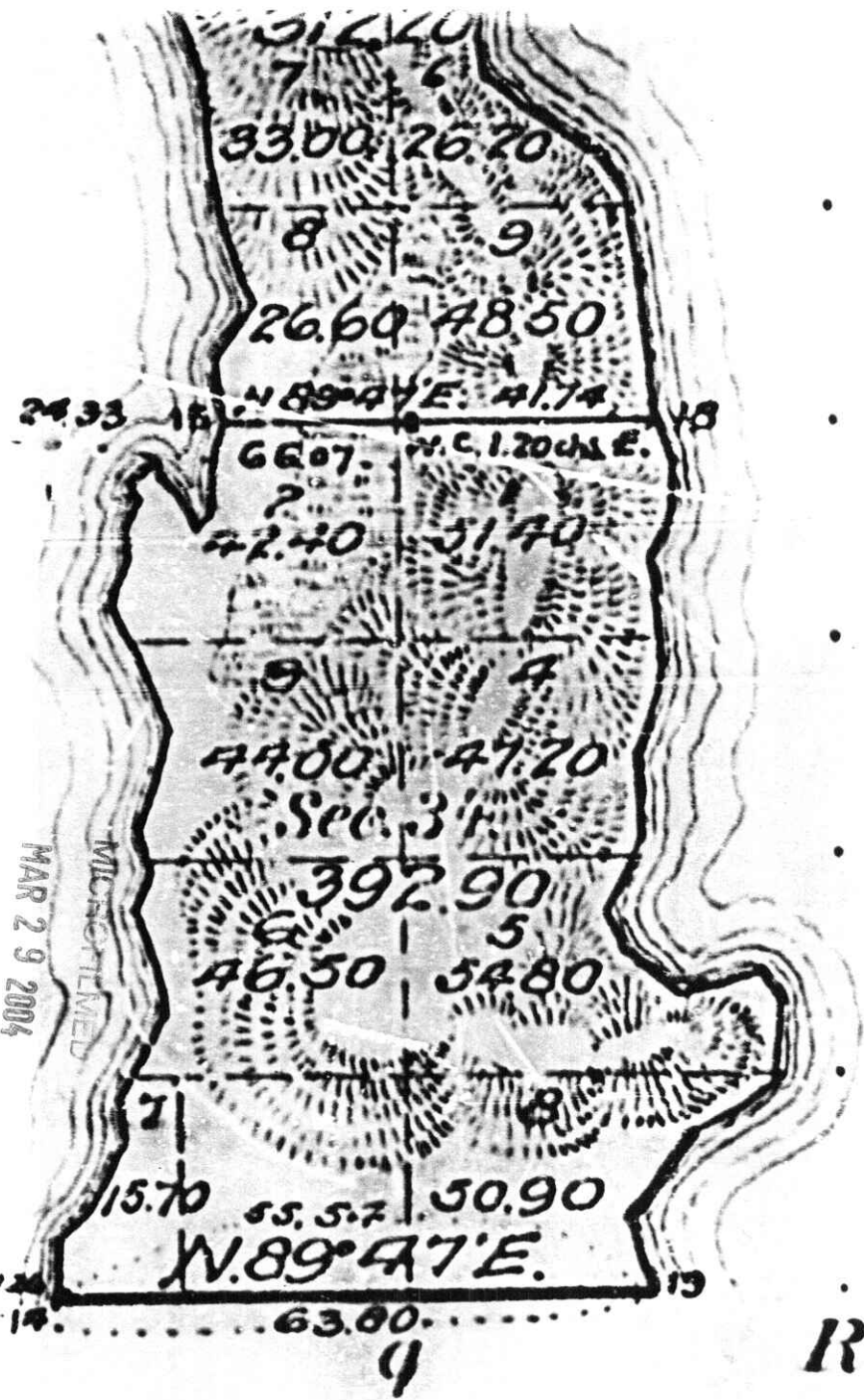


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MAR 29 2004

This document copy is furnished as an accommodation. The Company makes no representations as to its effect, sufficiency, completeness or any other matters that might be referred to or implied therein.



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MAR 29 2004



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feet

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 3, 2004

N BERNARD ALDRIDGE
DONNA ALDRIDGE
120 STONY POINT RD STE 210
SANTA ROSE CA 95401

RE: Permit No. 65-22855

Permit Approval Notice

Dear Permit Holder:

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

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

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

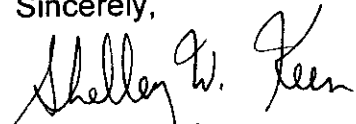
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

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MAR 29 2004

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)

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MAR 29 2004

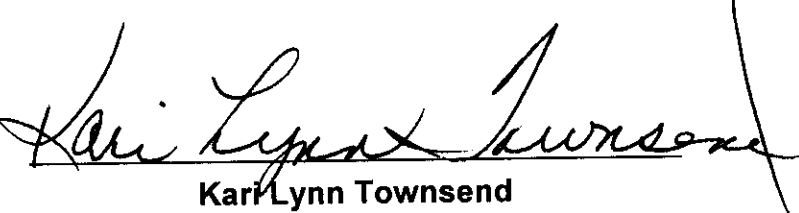
CERTIFICATE OF SERVICE

I hereby certify that on March 3, 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.

65-22855

DONNA ALDRIDGE
N BERNARD ALDRIDGE
120 STONY POINT RD STE 210
SANTA ROSE CA 95401



Karl Lynn Townsend
Secretary

MICROFILMED

MAR 29 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Publisher's Affidavit of Publication

STATE OF IDAHO

.SS

County of Valley

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FEB 17 2004
WATER RESOURCES
WESTERN REGION

I, Carol J. Wright, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began February 5, 2004 and ended February 12, 2004.

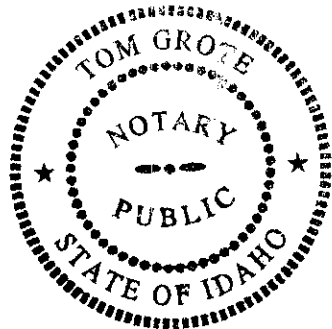
Carol J. Wright

Subscribed and sworn before me this the 12th day of February, 2004.
STATE OF IDAHO

COUNTY OF VALLEY

}

On this 12th day of February, in the year of 2004, before me, a Notary Public, personally appeared Carol J. Wright, 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 she executed the same.



Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires 2/8/06

THE FOLLOWING APPLICATION(S) HAVE BEEN FILED TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO:

65-22855
N BERNARD ALDRIDGE, DONNA
ALDRIDGE
120 STONY POINT RD STE 210, SANTA
ROSE CA 95401
Point(s) of Diversion L2 (SWNW) S35
T19N R03E VALLEY County Source
PAYETTE LAKE
Tributary To NORTH FORK PAYETTE
RIVER
Use: DOMESTIC 01/01 To 12/31 0.04
CFS

Total Diversion: 0.04 CFS
Date Filed: 10/31/2003
Place Of Use: DOMESTIC
T19N R03E S35 SWNW Lot 2
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, Western Region,
2735 Airport Wy, Boise ID 83705 together
with a protest fee of \$25.00 for each application
on or before 02/23/2004. The protestant must
also send a copy of the protest to the applicant.

KARL J DREHER, Director 2tc2/12

MICHAEL J. WILSON

MAR 2 2004

State of Idaho
Department of Water Resources

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FEB 09 2004

RECOMMENDATION OF WATERMASTER

WATER RESOURCES
WESTERN REGIONApplication No: 65-22855Applicant's Name: N. Bernard & Donna Aldrige

Watermaster's Recommendation:

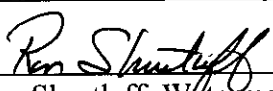
- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows: _____

- c) ☐ I oppose approval of this application for the following reasons:

- d) Additional Comment: _____

Dated this 5th day of February, 2004

Water District No. 65


Ron Shurtleff, Watermaster

Use reverse side of page if you need more space.

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MAR 29 2004

Kreger (Taylor), Sue

To: DGRUENHAGEN@IDL.STATE.ID.US
Subject: comment letter
Contacts: IDL

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

January 29, 2004

ID DEPT OF LANDS
DAVE GRUENHAGEN
PO BOX 83720
BOISE ID 83720

Dear Mr. Gruenhagen:

Attached are copies of one or more applications that may be of interest to you. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of any of these applications, your written protest along with the \$25.00 protest fee for each application protested, must be received in this office by February 23, 2004.

If you have any questions regarding these applications, please contact this office at 334-2190.

Sincerely,

Sue Kreger
Administrative Assistant



65-22855.pdf

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MAR 29 2004

Kreger (Taylor), Sue

From: Kreger (Taylor), Sue
Sent: Thursday, January 29, 2004 10:59 AM
To: 'WATERDIST65@FMTC.COM'
Subject: comment letter

Contacts: WD65

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

January 29, 2004

RON SHURTLEFF
WATER DISTRICT 65
102 N MAIN
PAYETTE ID 83661

Re: Application(s) for Water Right

Dear Watermaster:

Attached are copies of one or more applications. Also attached is a form for your recommendation concerning these application(s).

Please review the application(s) that are in your area. We must have your comments within two weeks. If you have any questions or need information, feel free to contact this office at 334-2190.

Sincerely,

Sue Kreger
Administrative Assistant



65-22855.pdf



Copy of
commendation of Wa

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MAR 29 2004

Kreger (Taylor), Sue

From: Kreger (Taylor), Sue
Sent: Thursday, January 29, 2004 10:51 AM
To: 'eleitzin@IDFG.STATE.ID.US'
Subject: comment letters

Contacts: Leitzinger, Eric

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

January 29, 2004

ERIC LEITZINGER, IDFG
PO BOX 25
BOISE ID 83707

Re: Application for Permit No. 65-22855 & Transfer No. 70910

Dear Eric:

Attached are copies of one or more applications that may be of interest to you. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of any of these applications, your written protest along with the \$25.00 protest fee for each application protested, must be received in this office by February 9, 2004.

If you have any questions regarding these applications, please contact this office at 334-2190.

Sincerely,

Sue Kreger
ID Dept Water Resources



Application.pdf



65-22855.pdf

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MAR 29 2004

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

January 28, 2004

Legal Notice Department

STAR NEWS

1000 1ST ST

MC CALL ID 83638

RE: Application for Permit No. 65-22855

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 02/23/2004. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

MICROFILMED
MAR 29 2004

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

65-22855

N BERNARD ALDRIDGE
DONNA ALDRIDGE
120 STONY POINT RD STE 210
SANTA ROSE CA 95401

Point(s) of Diversion L2 (SWNW) S35 T19N R03E VALLEY County Source PAYETTE LAKE
Tributary To NORTH FORK PAYETTE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 10/31/2003

Place Of Use: DOMESTIC

T19N R03E S35 SWNW Lot 2

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, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 02/23/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published the Star News on February 5 & 12, 2004.

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MAR 29 2004

To: File
~~Curtis, Sharla~~

From: Graham, Bill
Sent: Thursday, January 15, 2004 4:06 PM
To: Curtis, Sharla
Subject: RE: App for Permit 65-22855

Permit # 65-22855 should be conditioned as follows:

Water shall not be diverted from Payette Lake when flows in the Payette River downstream of the lake are below established minimum stream flows.

Please feel free to modify this as you wish.

Regards - Bill G.

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MAR 29 2004

Curtis, Sharla

From: Curtis, Sharla
Sent: Thursday, January 15, 2004 9:16 AM
To: Graham, Bill
Subject: App for Permit 65-22855

Hi Bill. Dan Nelson asked me to send you this copy of an application for permit filed for domestic use from Payette Lake so you can do your normal Min. Streamflow review.

Thanks.

PDF

Payette Lake
app.pdf

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MAR 29 2004

January 14, 2004

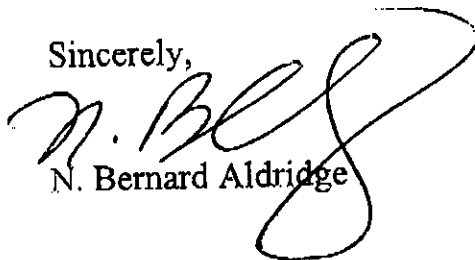
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5085

Attention: Daniel A. Nelson

Dear Daniel,

This letter is to clarify that the property we owe at 1338 Ridgeway Drive in McCall, Idaho (LOT 6B) was build in 1990. We believe that the water rights filed in 1955 belongs to lot 6A. Please feel free to contact us if you need any further information.

Sincerely,



N. Bernard Aldridge

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MAR 29 2004

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DEC 22 2003

WATER RESOURCES
WESTERN REGION

December 17, 2003

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5085

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DEC 22 2003

WATER RESOURCES
WESTERN REGION

Attention: Daniel A. Nelson

Dear Daniel,

Thank you so much for the response to our water rights application. I appreciate your time and effort with our application. I have tried to complete the requested information correctly along with supplying a plat map for our property. I have contacted the Idaho Department of Land regarding item number 11C and I'm working with Jay Sila (Lands Resource Supervisor) to complete a water encroachment permit.

We hope this application is now complete and we can move forward in receiving our water rights permit. Once again, I would like to thank you for your help.

Sincerely,
N. Bernard Aldridge

MICRO

MAR 29 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

December 8, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

N BENARD & DONNA ALDRIDGE
120 STONY POINT ROAD STE 210
SANTA ROSA CA 95401

***RE: APPLICATION FOR PERMIT TODIVERT PAYETTE LAKE
WATER FOR DOMESTIC USE***

Dear Mr. and Ms. Aldridge:

Your application for permit was received on 10/31/2003. Processing on the application must be delayed until the form has been properly completed. I have returned your original application to allow you to properly complete the application for permit. Please supply the following information:

- 1.) **In section 2**, you correctly listed the source as Payette Lake; however, you neglected to fill in the tributary. The Tributary for Payette Lake is the North Fork of the Payette River.
- 2.) **In Section 3**, you listed the location of the point of diversion as 18 north and 3 east. This encompasses 36 square miles of area. You also listed the point of diversion as Tax #13, in Lot 6, Lucks Point Subdivision. However, our records show that Lucks Point Subdivision is located in Section 35, Township 19 North, Range 3 East. All of our office's record keeping is dependent on the legal description. Correct description of the property is imperative to granting a water right. Therefore, please review the maps, warranty deeds, tax records, and other legal documentation that you received when you purchased the property and properly locate the application on a map. I have enclosed a diagram on how to properly describe a legal description using the section, township, range, and quarter-quarter. I have also enclosed 3 maps showing Lucks Point on Lake Payette if your property is actually in Section 35, Township 19 North Range 3 East. Once you have located the proper location, please complete question 3 with the proper legal description and county.

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- 3.) **In Section 4**, you included irrigation and domestic uses for your property. However, in the place of use grid in section 9 you have only listed $\frac{1}{2}$ acre of irrigation. Domestic use includes in-house use and $\frac{1}{2}$ acre of irrigation. Since your application does not ask for more than $\frac{1}{2}$ acre of irrigation, the irrigation component should be included with the Domestic use. The maximum allowable diversion rate for Domestic use with in-house use for one home and $\frac{1}{2}$ acre of yard irrigation is 0.04 cfs. *Therefore, section 4 should be 0.04 cfs for Domestic use purposes from 1/1 to 12/31.* This would allow you to use the water right for year around use if you plan to visit the home during the winter months or sell it to someone in the future that plans to live there year round.
- 4.) **In Section 5**, you listed the total diversion rate as 0.06 cfs. The maximum allowable diversion rate we can allow for a Domestic use (with $\frac{1}{2}$ acre irrigation included) is 0.04 cfs. Please correct this to match the Domestic use listed above.
- 5.) **In Section 6a**, you describe your system as a $\frac{3}{4}$ inch PVC pipe. Please give a few more details concerning your system. For example: Submersible pump from lake through a $\frac{3}{4}$ inch PVC pipe to house and yard. OR A $\frac{3}{4}$ inch PVC pipe gravity flowing from lake to house and yard.
- 6.) **In Section 7**, you state that the project has already been completed. We are required by Idaho Code allow a minimum of 1 year to a maximum of 5 years for such projects. Even though the project is completed, you will still need to list a minimum of 1 year in this section.
- 7.) **In Section 9**, this section was not completed on your application. You will need to insert the proper legal description from your map and place a "D" in the proper quarter-quarter section. The township, range, and section will also need to be place in the table. Since you are not irrigating more than $\frac{1}{2}$ acre, you will not need to complete the total number of acres irrigated.
- 8.) **In Section 10a**, you list the owner of the property at the point of diversion as Payette Lake. Payette Lake is a source of water and cannot own property. The Idaho Department of Lands owns the beachfront and the lands under the lake.

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- 9.) **In Section 10c**, you listed that an agreement with the Idaho Department of Lands was Not Applicable. However, water use or a water right does not grant an easement or approval from another person or entity for you to use their property or the water on their property. Therefore, we will need to know what easements or approvals you have received from Idaho Department of Lands to cross their property and divert water from Payette Lake. I have enclosed a printed copy of the Idaho Department of Lands, Payette Lakes Supervisory area homepage for your records. The contact information for this office is on the home page. Please inform us of what you have done to gain access to divert water from Payette Lake.
- 10.) **In Section 13**, you neglected to supply a map with your application. The map is necessary to verify your place of use and make sure that you have properly described your place of use. A plat map is generally supplied with all property purchases in the State of Idaho. This plat map should have the legal description (township, Range, and Section). I have included 3 maps with this letter for Lucks Point Subdivision. If your property is on these maps, please mark the location of your place of use and point of diversion.

I apologize for the need to return your application, but reviewing an application without any map and legal description is simply not possible. I understand that completing an application can be confusing, so I have enclosed a list of known water right consultants that you can hire to complete your application. Several of these consultants have worked with the department on several applications in the past and are very efficient at completing and supplying the information needed to have your application approved.

The Department will hold further processing of your application for 30 days to allow submittal of the required information. Additional time may be granted by the Department upon receipt of a written request and sufficient justification for an extension. After that time, if adequate information is not received, the Department will issue a preliminary order to reject or deny the application.

If you have any questions or concerns please contact me at the above address.

Respectfully,



Daniel A. Nelson
Sr. Water Right Agent

Enclosures:

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