

**STARTING
LEFT
SIDE OF
FILE**

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF LAPSED
PERMIT NO. 75-7596 IN THE
NAME OF DOROTHY SHARP,

REINSTATEMENT ORDER

This matter having come before the Idaho Department of Water Resources ("Department"), the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On January 27th, 1993, the Department issued Permit No. 75-7596 to Homer Gene Brogden ("permit holder") authorizing the diversion of 0.02 cubic feet per second ("cfs") of surface water to be diverted from a Spring, tributary of Twelvemile Creek, for domestic and recreational uses in Lot 3 (NENW) Section 1, Township 19N, Range 21 East, B.M., Lemhi County. A condition of permit approval required the permit holder to submit proof of beneficial use of water ("proof") to the Department on or before March 3, 1997.
2. On December 31, 1996, the Department notified the permit holder that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof or a Request for Extension of Time ("extension request").
3. On March 14, 1997, the Department sent the permit holder a lapse notice, since the Department had not received an acceptable proof or extension request.
6. On October 16, 2003, the permit holder submitted Proof of Beneficial Use with the required license examination fee to the Department. The permit holder submitted evidence to show that water has been applied to the authorized beneficial use during the development period and has shown sufficient cause why the beneficial use was not timely submitted.

CONCLUSIONS OF LAW

1. Section 42-218a.2, Idaho Code, provides as follows:

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That upon receipt of proof of beneficial use after sixty (60) days after such notice of lapsing, the director shall require sufficient evidence to be submitted by the permit holder to clearly establish the extent of beneficial use made during the time authorized by the permit and any extensions of time previously approved. Upon finding that beneficial use had occurred during the authorized period and upon a showing of reasonable cause for filing a late proof of beneficial use, the director may reinstate the permit with the priority date advanced to the day that proof of beneficial use was received;

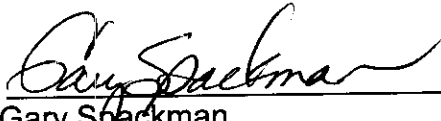
2. The permit holder has provided sufficient information and reasonable cause for the Department to reinstate the permit by submitting sufficient information to show that water was beneficially used during the authorized development period, and evidence of a change of ownership from Homer Gene Brogden to Dorothy Sharp.

3. The Department should reinstate the permit with the priority advanced to the date that proof and the license examination fee were received.

ORDER

IT IS HEREBY ORDERED, that Permit No. 75-7596 in the name of Dorothy Sharp is **REINSTATED** with the priority advanced to **October 16, 2003**.

Dated this 5th day of November, 2003.



Gary Spackman

FOR OFFICE USE ONLY
Amt. of Fee \$ 50.00
Receipt No. 2071288
Receipt By: [Signature]
Date Received: 10-16-03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 16 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. 75-07596 Telephone No. 208 756 4730
2. Name of Permit Holder(s): Dorothy Sharp
3. Mailing Address: 11 Pepper Ln.
City Salmon State Id Zip 83467
4. Source of Water: Spring 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): Horses - fish prop.
Irrigation (No. of acres): 5 acres Other: Five (we had a filter - This pond saved the whole creek bottom)

6. Total rate of diversion and/or volume for which proof is submitted: .08 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 (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: Dorothy Sharp Telephone Number: 208 756 4730
Address: 11 Pepper Ln. 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: [Signature: Dorothy Sharp] Date: 10-14-03
(include your title, if on behalf of company or organization)

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NOTICE

This file has been REPRODUCED
from MICROFICHE [REDACTED]

For Reinstatement.

L. O. Block
Person Recreating File

11/05/03
Date

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 75-07596

Proposed Priority: November 30, 1992 Maximum Diversion Rate: 0.02 CFS

This is to certify, that HOMER GENE BROGDEN
26819 AVE 140
PORTERVILLE CA 93257

has applied for a permit to appropriate water from:

SPRING

tributary of TWELVEMILE 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>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	
RECREATION	01/01 to 12/31		0.9 AF
	Totals	0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NENW), Sec. 1, Township 19N, Range 21E
LEMHI County

PLACE OF USE: DOMESTIC
TWN RGE SEC

19N 21E 1 Lot 3(NENW)

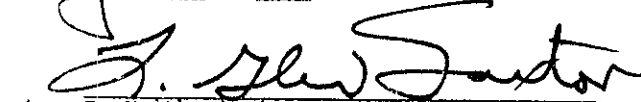
PLACE OF USE: RECREATION, same as DOMESTIC use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 3, 1997.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Recreation use is for a private, non-commercial fish pond.
5. 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

27th day of January, 1993.


for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Hamer Gene Bragden Phone (209) 784-5933
Post office address 26819 Ave 140 Porterville, CA 93257
2. Source of water supply Spring which is a tributary of Twelvemile Creek
3. Location of point of diversion is _____ ¼ of NE ¼ of NW ¼, Govt. Lot 3
Sec. 1 Township 19N Range 21E S.M. Lemhi County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.02 cfs for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-foot per annum)
Amount 0.9 af for Recreation purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-foot per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)
5. Total quantity to be appropriated is (a) 0.02 cfs and/or (b) _____
cubic feet per second acre foot per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Spring flow thru recreation pond and stream outflow to Twelvemile Creek. Pond is 120' x 250' x 10' Deep (= 0.9 af) BLM
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 4 years (minimum 1 year).

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. One
- e. Other; describe fully. _____

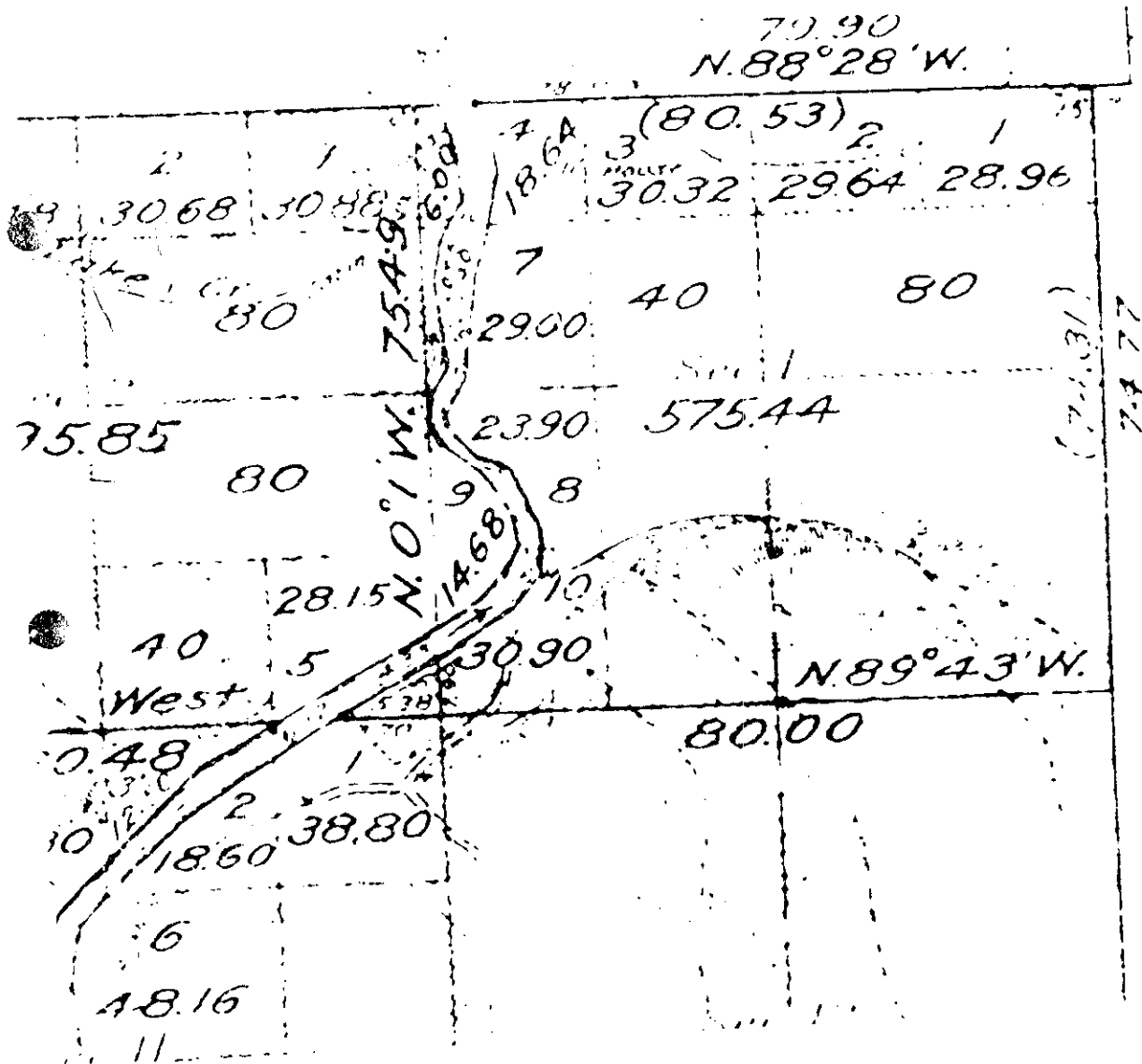
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

[illegible]

10. Describe any other water rights used for the same purposes as described above. NA

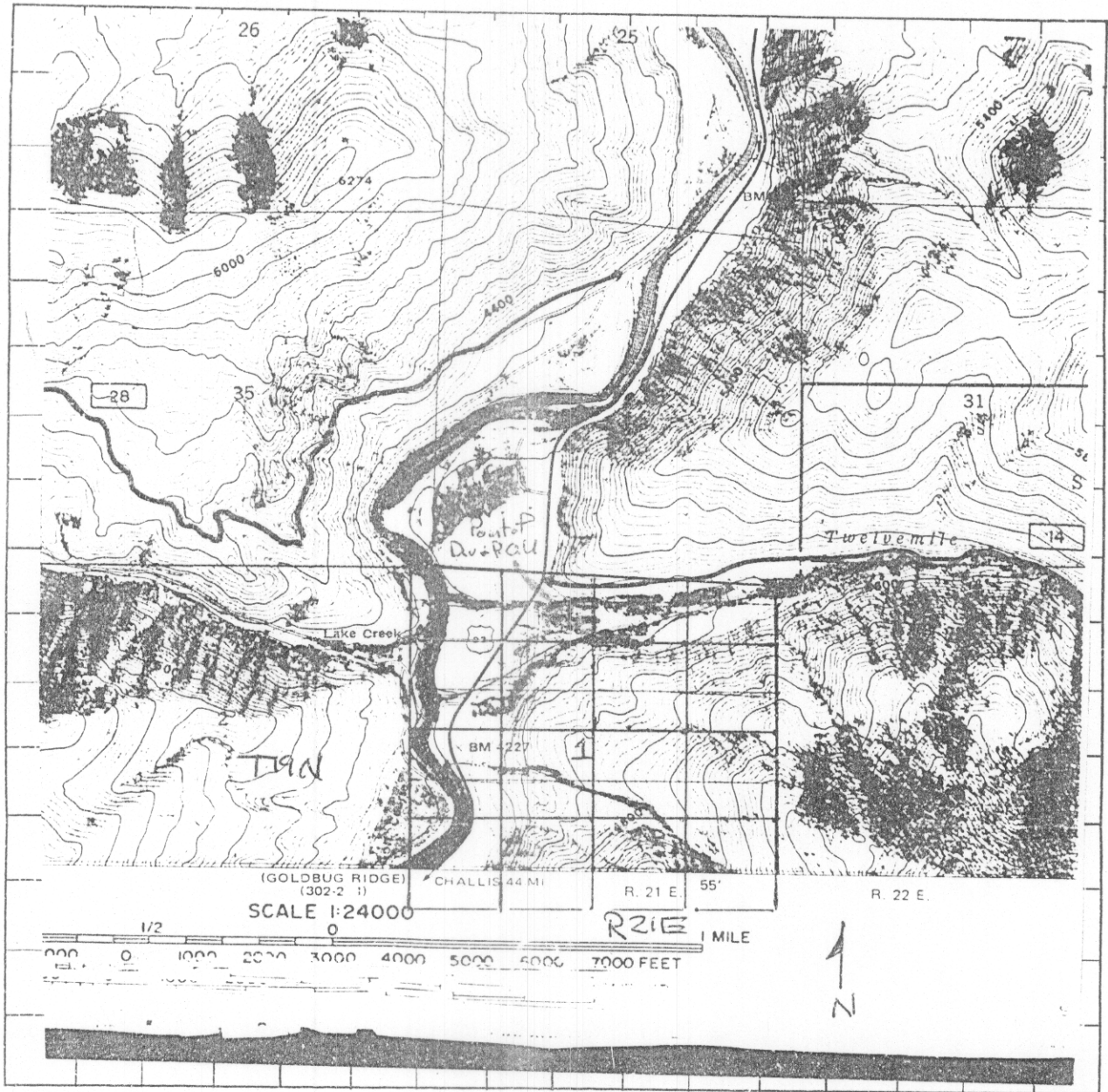
11. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____



75-7596

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Gene Brozden
(Applicant)

HLJ 11-30-92 11:50 am
Received by HLJ Date 11-5-92 Time 1:25 pm Preliminary check by HLJ
Fee \$ 30.00 Received by HLJ # E018074 Date 11-9-92
Publication prepared by RB Date 12-12-92 Published in Recorder-Herald
Publication approved RB Date 1-13-93

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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NOV 06 1992

VOID

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources
Eastern District Office

To appropriate the public waters of the State of Idaho

1. Name of applicant Harmer Gene Braggden Phone 208-756-4730
208-784-5933
Post office address 26819 Ave. 140 Porterville, Calif 93257
2. Source of water supply Spring which is a tributary of N. A.
3. Location of point of diversion is _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot 3
Sec. 1 Township 19N Range 21E B.M. Lemhi County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount _____ for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 CFS for Irrigation purposes from Mar 15 to Oct 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for Fire purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 CFS for Pond & H. purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .08 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____

b. Height of storage dam 10 feet; active reservoir capacity 4 acre-feet; total
reservoir capacity 4 acre-feet; period of year when water will be diverted to storage:
Jan. 1 to Dec. 31 inclusive.
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 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
4 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. 12 A.
 b. Stockwatering; list number and kind of livestock. 2 Horses
 c. Municipal; show name of municipality. _____
 d. Domestic; show number of households. 1
 e. Other; describe fully. Pond for Fish Prop. & Fire Protection

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
19N	21E	1	D.																
		1	H																
		1	S																
		1	F																

Total number of acres to be irrigated 3

10. Describe any other water rights used for the same purposes as described above. R.

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: The spring has been used for Domestic for well over 60 years. I wish to put in a pond for Fish prop. & Recreational use.

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Sec 1	T. 54 N	R. 21 E	Lincoln County
☐ 8 Acres. All proposed uses & springs are on south side of the acreage.			

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

James Gene Brogden
(Applicant)

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ _____ Receipted by _____ # _____ Date _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

**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

November 6, 2003

DOROTHY SHARP
11 PEPPER LANE
SALMON ID 83467

Re: Permit No. 75-7596

Dear Ms. Sharp:

During the processing of your Proof of Beneficial Use I inadvertently failed to prepare a Reinstatement Order for the above-referenced permit. Therefore, the department has issued a Reinstatement Order in regards to this matter, and I am enclosing a copy for your information.

If you have any questions, please contact me at (208) 327-7953.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

Cc: Eastern Regional office
Tim Luke

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DEC 17 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 29, 2003

DOROTHY SHARP
11 PEPPER LANE
SALMON ID 83467

RE: Permit No. 75-7596

Dear Permit Holder:

The department has received your proof of beneficial use (proof) form for the above referenced permit. However, there are some discrepancies in this proof that do not match the permit issued in this matter. I am enclosing for your information, copies of the permit the department issued on January 27, 1993, and the proof you filed October 16, 2003.

The appropriate use for this permit is for Domestic and Recreational Use. The following paragraphs may help to explain the discrepancies in your proof:

1. For a definition of "Domestic" you may refer to Idaho Code Section 42-111. In your case it is for use related to the home and includes irrigation of up to one-half (1/2) acre of land, not in excess of 13,000 gallons per day, with some stockwater;
2. The recreational use is specifically permitted for a "private, non-commercial fish pond," stated in the permit;
3. The permit was issued with a rate of diversion for 0.02 cfs. The proof you filed stated 0.08 cfs, which is considered an expansion of use and cannot be covered under this permit; and
4. Fire protection use is only appropriate in the event of extinguishing an existing fire, not for irrigation of vegetation around a home in the event of a fire.

The department will accept your proof, however the department will only issue a license based on the limitations outlined in the permit. Additional, or an expansion of the permitted use(s) must be covered by a separate water right, which you can apply for through the Eastern Regional office in Idaho Falls.

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October 29, 2003
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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(s) 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 filing a second application or the field examination, please contact the **Eastern** Regional Office of the department in Idaho Falls (208) 525-7161. If you have any questions for me, please contact me in Boise at (208) 327-7953.

Sincerely,



Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures

c: IDWR - Regional Office
Tim Luke

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DEC 17 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 75-7596

Reviewed By: dgibson

Date: October 23, 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.:		C071288	Well driller's report filed?		
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		10/16/2003
Date proof due	-	03/01/1997
Lapse notice sent	-	03/14/1997
No. of days late	=	2407
Holiday allowance	+	
Priority date	+	11/30/1992
New priority date	=	10/16/2003

Deficiencies of Actions Items

This permit will not be reinstated until additional information is received from the customer. It appears the property should be in her name, but the use of the water is an expansion of use according to the proof filed.

Permit info. has been entered in the database, but status remains as lapsed. Status changed to active 10/20/03 & set new priority date. Database complete.



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

October 6, 2003

DOROTHY SHARP
HC 61 BOX 17A
SALMON ID 83467

RE: LAPSED PERMIT NO. 75-7596 in the name of Homer Gene Brogden

Dear Ms. Sharp:

I have received the papers you filed with Tim Luke regarding the pending Notice of Violation from IDWR. Tim asked that I review your papers for reinstatement of the above-referenced lapsed permit. However, in order for the department to consider your request for reinstatement, I must have a (1) Proof of Beneficial Use; (2) documented evidence of development and use; and, (3) documentation of ownership of this property in your name. Therefore, I am enclosing with this letter the Proof of Beneficial Use (proof) form with the instructions and license exam fee schedule. Also for your information, I have enclosed a copy of the permit 75-7596, issued January 27, 1993. The enclosed proof form must be completed and signed by you to reflect the current status of the permit and development of the use of the pond as permitted by the department.

Secondly, once you have filed the proof with the department, I will need the following:

(1) two (2) pieces of evidence to show that development and the beneficial use of the water did commence, during the authorized permit period, i.e. from the time the permit was issued until the proof due date (January 27, 1993 through to March 3, 1997). You can submit receipts from equipment purchased and/or installed, Idaho Fish & Game documentation regarding development if it existed during this time period. Or other third party information to verify development and use during the authorized period.

(2) The second evidence the department requires, you provided in your August 20, 2003 letter, explaining reasonable cause why the proof of beneficial use was filed late. I will maintain a copy of your August 20, 2003 letter to the department in the permit file to satisfy this requirement.

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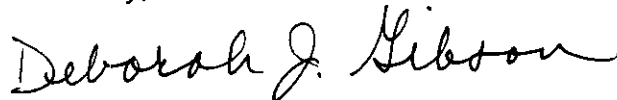
Dorothy Sharp
October 6, 2003
Page 2

Lastly, in order to change the ownership of this permit, the department will need either a completed and signed Assignment of Permit, which would be signing by your ex-husband changing ownership of the permit over to you. Or a Notice of Change of Ownership completed by you with your divorce decree if it grants the property to you in the Property Settlement, or a Deed showing the property in your name that identifies the legal description including the pond area.

Please be aware that this permit is lapsed and is of no force nor effect unless it is reinstated. The department must receive your proof of beneficial use and its filing fee immediately to establish a new priority date for this permit. Then the department will hold this matter for thirty days (30) while you gather the evidence of development to submit to the department. After receipt of these documents, the department will review them for issuance of a reinstatement order. Filing of the Assignment of Permit, or the Notice of Change of Ownership should be filed as soon as possible in relation to this process.

If you have questions regarding this matter, please feel free to contact me at (208) 327-7953.

Sincerely,



Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR – Salmon Office
Tim Luke

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DEC 17 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Louis Gene Snodgrass Phone 208-734-4530
208-734-5330
Post office address 2222 Ave. 140 Porterville, Calif 93257
2. Source of water supply Spring which is a tributary of N.A.
3. Location of point of diversion is _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot 3
Sec. 1 Township 19N Range 21E B.M. Lambi County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount _____ for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 cfs for Irrigation purposes from Mar 15 to Oct 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for Fire purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 cfs for Pond & H purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .08 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____

b. Height of storage dam 10 feet; active reservoir capacity 4 acre-feet; total
reservoir capacity 4 acre-feet; period of year when water will be diverted to storage:
Jan 1 to Dec 31 inclusive.
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 90°F being sought? N.A.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
4 years (minimum 1 year).

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 3-20-92

LEGAL DESCRIPTION OF PROPERTY: Township 19 N Range 21 E
Section 1, 1/4 of 1/4 of 1/4 Govt. Lot 3, BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: 75-0715 ?
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): David L. Shrader and Susan N. ~~Shrader~~ Shrader
husband & wife and William E. Armour
- ☐ New Owner/Claimant (Purchaser): Homer Gene Brogden & Dorothy Jean Brogden
- ☐ New Mailing Address: 26819 Ave 140
Porterville, Calif. 93257
- ☐ New Telephone Number: (209) 784-5933
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): Homer Gene Brogden Date 11-4-92
Dorothy Jean Brogden Date 11-4-92
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

MICROFILMED

DEC 17 2003

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

8. Description of proposed uses (if it is for a use not previously approved, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in KW. 2,400

b. Stockwatering; list number and kind of livestock. 2 Horses

c. Municipal; show name of municipality.

d. Domestic; show number of households. 1

d. Domestic; show number of households. _____

e. Other; describe fully. Panel for Fire Prop. & Fire Protection

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.

[illegible]

Total number of acres to be irrigated 7

10. Describe any other water rights used for the same purposes as described above. Recreation

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: The spring has been used for domestic use well over 60 years. I wish to put in a pond for fish prop. & Recreational use.

~~MICROFILMED~~

DEC 17 2003

QUITCLAIM DEED

For Value Received HOMER GENE BROGDEN

do hereby convey, release, remise and forever quit claim unto
DOROTHY JEAN BROGDEN

whose current address is HC 61, BOX 17A, SALMON, IDAHO 83467

The following described premises, to-wit:

SEE ATTACHED EXHIBIT "A"

together with their appurtenances.

Dated MAY 14, 1999

Homer Gene Brogden
HOMER GENE BROGDEN

STATE OF IDAHO, COUNTY OF

of this day of 19
before me, a notary public in and for said State, personally
appearedknown to me to be the person who name
appeared to the within instrument, and acknowledged to
me that executed the same.Notary Public
IdahoResiding at
Comm. Expires

MICROFILMED

DEC 17 2003

State of Idaho
County of Lemhi

SS No. 240690

This instrument was filed for record at the request
of Lemhi Title
at 3:46 o'clock P m 5-24 1999
and duly filmed and indexed in the records of Lemhi
CountyTerri J. Morton
Ex-Officio RecorderBy Sandra Armstrong Deputy
Fee 9.00

Return to

240691

EXHIBIT "A"

A parcel of land located in Lot 3, Section 1, T. 19 N., R. 21 E., Boise Meridian, Lemhi County, Idaho more particularly described as follows:

Commencing at the North 1/4 corner of said Section 1, run thence S 00°10'00" W along the easterly boundary of Lot 3, the Axis of Bearing of this description, a distance of 525.16 ft. to the POINT OF BEGINNING;

Thence continuing S 00°10'00" W a distance of 469.34 ft. to the southeast corner of Lot 3;

Thence N 89°41'00" W along the southerly boundary of said Lot 3, a distance of 664.21 ft.;

Thence N 00°10'00" E a distance of 528.11 ft.;

Thence N 78°18'54" E a distance of 161.05 ft.;

Thence S 77°00'14" E a distance of 116.15 ft.;

Thence S 85°54'20" E a distance of 121.33 ft.;

Thence S 06°16'59" W a distance of 30.13 ft.;

Thence S 83°43'00" E a distance of 277.08 ft. to the POINT OF BEGINNING.

MICROFILMED

DEC 17 2003

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
 County of Shasta
 On May 17, 1999 before me, Jami Baker, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
 personally appeared HOMER Gene Brogden
Name(s) of Signer(s)

☐ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Jami Baker
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Quit Claim Deed
 Document Date: 5-14-99 Number of Pages: _____
 Signer(s) Other Than Named Above: NONE

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
 Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
 Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

RECEIVED

AUG 27 2003

Department of Water Resources

Memorandum

Date: August 22, 2003

To: Tim Luke, State Office

From: Bob Foster, Salmon

Re: Dorothy Sharp pond

Dorothy Sharp regarding the pending Notice of Violation she received from IDWR in reference to a pond on her property contacted me. Ms. Sharp has asked IDWR to allow the continued use of the pond but has agreed to allow the outflow of the pond to the Hanson ditch to equal the inflow from the spring source.

I advised Ms. Sharp she would have to ask the department to reinstate permit 75-7596 if she wishes to continue to use the pond. I also advised Ms. Sharp that the use of the pond would be junior to the Hansen irrigation right from the spring source.

We may still want to issue a Notice of Violation to ensure the proper procedures are followed. I have enclosed Ms. Sharp's letter to IDWR as well as the F&G permit for the pond.

MICROFILMED
DEC 17 2003

August 20, 2003

State of Idaho
Department of Water Resources
206 Van Dreff, Suite B
Salmon, ID 83467-4117

Re: Lapsed Pond Permit 75-7596

To Whom It May Concern:

My husband left our marriage and took all papers on the pond and everything else. It seems IDWR was sending mail to an address other than the one at which I live. Here in Idaho, I never received any of these correspondences.

I did, however, receive correspondence from the Idaho Department of Fish and Game, to whom I responded. I inadvertently thought that it was the only permit I had to be concerned with. I have kept that permit up to date. I would have done the same with an IDWR permit, had I known it was needed.

We used spring water for domestic use when we first moved here twelve years ago. In the past two years it has depleted completely. I had to have a well dug for our use.

The pond was used by the Forrest Service to help put out a fire which happened several years ago. Tankers were brought in and sprayed on the hillside to retard the fire and keep it from the creek proper.

Little or no water is coming from the spring now. I have diverted my Twelve Mile Creek allotment water to the pond and I water my grounds directly from the pond.

I keep the pond clean and stocked with rainbow trout. There are approximately one hundred fish there now. I live here with my daughter and granddaughter and try to make ends meet. Please let me keep the pond.

Thank you for your consideration,

Dorothy Sharp

HT

A handwritten signature in cursive script that reads "Dorothy Sharp". The signature is written in black ink and is positioned to the right of the typed name "Dorothy Sharp".

MICROFILMED
DEC 17 2003



The logo for the Idaho Department of Fish and Game. It features a shield-shaped emblem with a mountain range and a river. The text "IDAHO" is arched over the top, and "FISH & GAME" is arched along the bottom.

APPLICATION FOR PRIVATE POND PERMIT

Dorothy Jean Brogden HC- Box 1114 Salmon
 Operator's / Owner's Name Address City
 d. 83467 208756-4730 Same
 State Zip Daytime phone Evening phone

☒ owned by Operator
☐ leased from: _____
 Name Address City State Zip
☐ utilized under cooperative agreement with:

Landowner	Address	City	State	Zip
-----------	---------	------	-------	-----

Water Source: Spring Water Source is on: _____
(Spring, stream diversion, well, etc.) (Watershed, location)

Description of fish pond(s), location and direction and distance from definite landmark:

Discharge Flow: _____ (cfs) Discharge Flows into: _____ (stream or lake)

County: Lemhi Township: 19 N Range: 21 Sec. 1

Quarter. Sec. _____ or UTM _____ Easting _____ Northing _____

East of the Intersection of Highway 93 S & 12 mile creek
3/4 acre or so

MICROFILMED
DEC 17 2003

731-0-000012

2000-01

State of Idaho
Department of Fish and Game

\$21.50

License expires June 30, 2005

PRIVATE POND PERMIT

Dorothy Jean Brogden is hereby granted permission to establish and maintain a
Name
private pond in the State of Idaho. Application number PDP-00 - R7 - 00012 is hereby part of this permit
and must be available for inspection upon the request of any qualified Idaho Fish and Game representative.
All laws, terms and conditions listed on the application apply.

Rod Sando, Director
Department of Fish and Game
P.O. Box 25, Boise, ID 83707

MICROFILMED
DEC 17 2003

NOTICE

This file has been REPRODUCED
from MICROFICHE [REDACTED]

For Reinstatement.

Daniel Block

Person Recreating File

11/05/03

Date

I certify that file No. 75-07596

has been reviewed and is ready to be

MICROFILMED and DESTROYED.

The attached proof report is the water right as it appeared in the database prior to final status entry and deletion from the database.

CB
Reviewer

6/5/97
Date

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/04/97 16:30:02

Page 1

Water Right Number - 75-07596

Prefix Translation: WATER RIGHT

Old (D) Number -

----- Last Name ----- + - First Name - - + ----- Address ----- +

*** C - CURRENT OWNER ***
HOMER GENE BROGDEN

1 - 26819 AVE 140

2 -

3 -

City- PORTERVILLE

State- CA Zip- 93257

Phone - 209-784-5933

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
11/30/1992 15 EASTERN P - PERMIT

+ - - Source - - - - - + + - - Tributary - - - - - +
SPRING TWELVENILE CREEK

+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFig County Diversion Name Diversion Rate Diversion No.
19N 21E 1 NE NW 3 (59) LEMHI

+ - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.020
46 - RECREATION 01/01 12/31 0.90

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.020

+ - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
19N 21E 1 NE NW 3 43 DOMESTIC (59) LEMHI

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - Remarks - - - - - +
Domestic use is for 1 home.

+ - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - Conditions of Approval - - - - - +
26A - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Prefix Translation: WATER RIGHT

Proof Due Date	- 03/03/1997	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 01/27/1993	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carrey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- E018074	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 11/30/1992	Transfer/Amended	-
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	- Y
Presumption Flag	-				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
9 North Orchard Street
Boise, Idaho 83706-2237

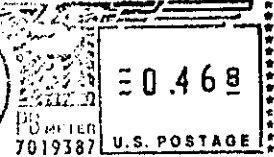
FILE
1507596

GOES

HOMER GENE BROGDEN
26819 AVE 140
PORTERVILLE CA 93257

83706/2237 01
AUTI

PRESORTED
FIRST CLASS



RECEIVED

MAR 24 1997

Department of Water Resources

UNDELIVERABLE AS ADDRESSED
RETURN TO SENDER
FORWARDING ORDER EXPIRED

HOMER GENE BROGDEN
26819 AVE 140
PORTERVILLE CA 93257

March 14, 1997

RE: PERMIT NO. 75-07596 LAPSE NOTICE

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated December 31, 1996. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

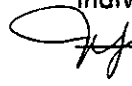
Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

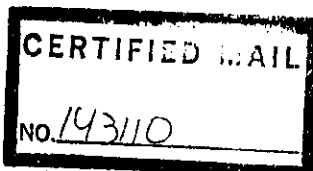
Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 3-14-97
a ~~copy~~an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street
Boise, Idaho 83706-2237



FOR 13

RECEIVED
JAN 15 1997
Department of Water Resources

HOMER GENE BROOKEN
26819 AVE 1
PORTERVILLE CA 93257

December 31, 1996

HOMER GENE BROGDEN
26819 AVE 140
PORTERVILLE CA 93257

PROOF DUE NOTICE

RE: PERMIT NO. 75-07596

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 March 1, 1997. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

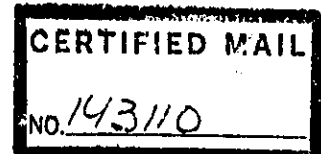
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 27, 1993

HOMER GENE BROGDEN
26819 AVE 140
PORTERVILLE CA 93257

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 75-07596

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Sincerely,

Brenda L. Miller

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosures



IDAHO FISH & GAME

SALMON REGION
P.O. Box 1336
Salmon, ID 83467-1336
(208) 756-2271

RECEIVED

JAN 04 1993

Department of Water Resources
Eastern District Office

December 30, 1992

Harold W. Jones
Water Right Supervisor
ID Department of Water Resources
150 Shoup Ave, Suite 15
Idaho Falls, ID 83402

RE: Application 75-07596

Dear Harold:

Department personnel have reviewed the application by Homer Gene Brogden to divert spring water through his pond. As this is non consumptive we have no objection to the issuance of a permit.

Thank you for the opportunity to comment on this matter.

Sincerely,

Gary Power
Regional Supervisor
Region 7

GP:ML:jw

c: U.S. Fish & Wildlife Service
Bureau of Fisheries
Natural Resources Policy Bureau
James R. Lukens

Cecil D. Andrus / Governor
Jerry M. Conley / Director



Working for wildlife since 1916

15-Dec-1992

ID DEPT OF FISH & GAME
PO BOX 1336
SALMON ID 83467

RE: Application No. 75-07596

Dear Sir:

We are enclosing a copy of the application(s) that may be of interest to your department. Please review the application(s) and submit any comments you may have to our Department as soon as possible. The last date of protest is 1-4-93 , and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,


Harold W. Jones ^{rb}
Water Right Supervisor

HWJ:rb
enc

14-Dec-1992

HOMER GENE BROGDEN
26819 AVE 140
PORTERVILLE CA 93257

RE: Application No. 75-07596

Dear Water Right Applicant:

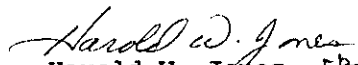
The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Recorder-Herald on 12-17 & 24-92. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this 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 about five weeks. State Office Personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,


Harold W. Jones *rb*
Water Right Supervisor

HWJ:rb

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 9, 1992

RECORDER-HERALD
P.O. BOX 310
SALMON, ID 83467

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 4, 1993.

Yours truly,

Rita Bodell
Secretary

Encl.

NOTICE OF APPLICATION FOR WATER RIGHT

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

75-07596

HOMER GENE BROGDEN
26819 AVE 140
PORTERVILLE, CA 93257

Source: SPRING

Tributary: TWELVEMILE CREEK

Diversion Pt: LOT 3 (NENW) Sec 1 T 19N R 21E in LEMHI County.

Use: DOMESTIC (.020 CFS)
RECREATION (.90 AF)
Total Diversion: (.020 CFS)

Date Filed: 11/30/1992

In: LEMHI County
T19N R21E S01 Lot 3(NENW)

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before JANUARY 4, 1993.

R. KEITH HIGGINSON, Director

Published: 12/17/1992 & 12/24/1992

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

75-07596

HOMER GENE BROGDEN
26819 AVE 140
PORTERVILLE, CA 93257
Source: SPRING
Tributary: TWELVEMILE
CREEK

County: LEMHI COUNTY
Diversion: Pt LOT 3 (NENW)
Sec 1 T 19N R 21E

Use: DOMESTIC (.020 CFS)
RECREATION (.90 AF)

Total Diversion: (.020 CFS)
Date Filed: 11/30/1992

in: LEMHI County
T19N R21E S01 Lot 3(NENW)

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Eastern Region,
150 Shoup Avenue, Suite 15, Idaho
Falls, Idaho 83402 on or before
JANUARY 4, 1993.

R. Keith Higginson, Director
Published: 12/17/1992 & 12/24/
1992

12-17-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

RICKY G. HODGES

being first duly sworn, deposes
and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published
weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Application for Water Right
75-07596

a true
printed copy of which is attached to the margin hereof, has been and was correctly printed and pub-
lished in the regular and entire issue of every number of said newspaper and not in any supplement
thereof or thereto for two (2) consecutive issues, commencing with the issue
dated Dec 17, 19 92 and ending with the issue dated Dec 24
19 92

STATE OF IDAHO

COUNTY OF LEMHI

On this 24 day of December in the year of 1992
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.

Rachel E. Swook
Notary Public for Idaho

Residence: McCall, Idaho

My Commission expires 10/18/97

Publication Fee \$ 36.72

#630