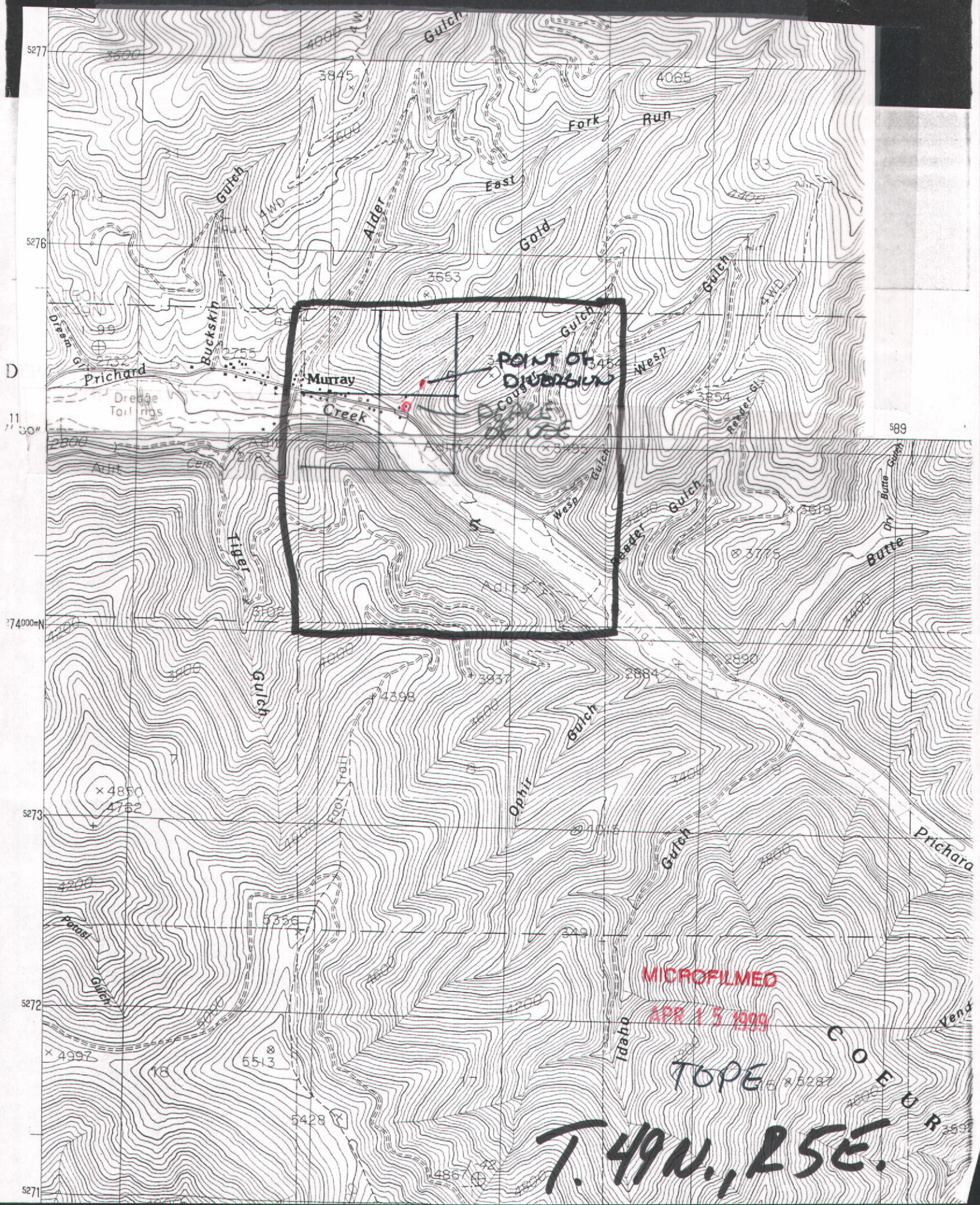
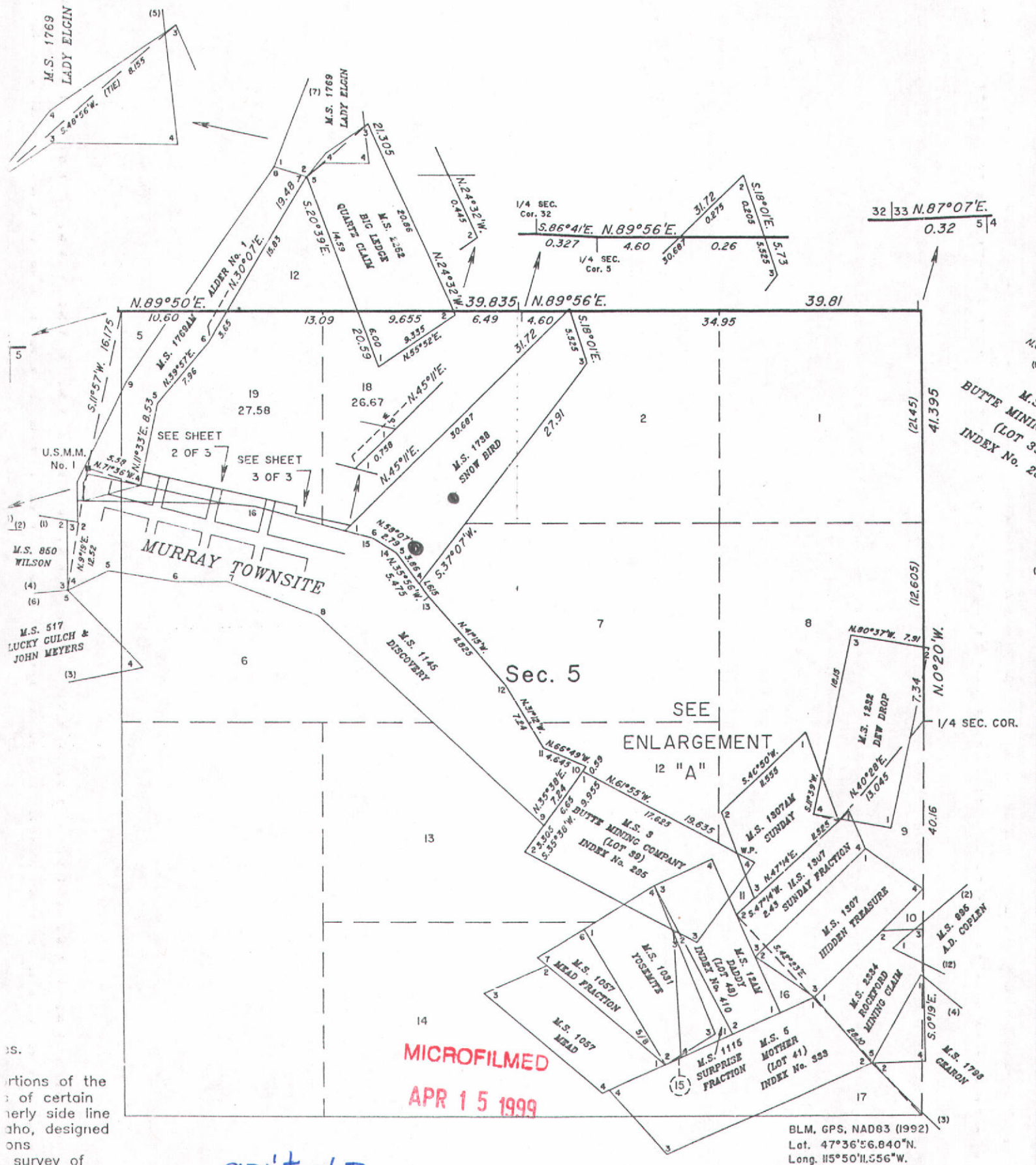




DEPENDENT RESULTS



IS.

portions of the
of certain
erly side line
who, designed
ons
survey of
Boise

are as

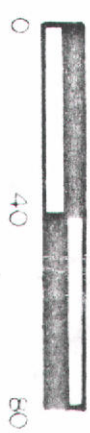
you' + plat.

94-7379

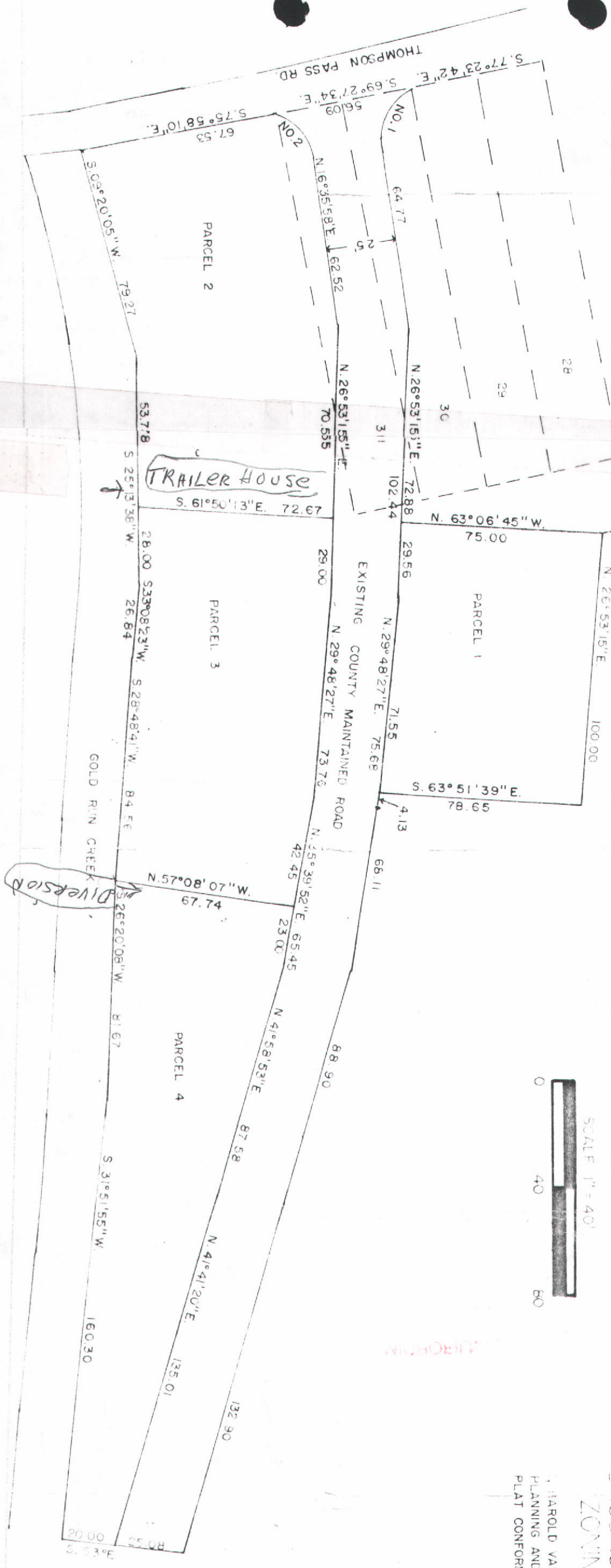
SHORT PLAT
SP 020-91
SEC. 5, T49N, R. 5E B.M
GOLD RUN CREEK
MURRAY, IDAHO

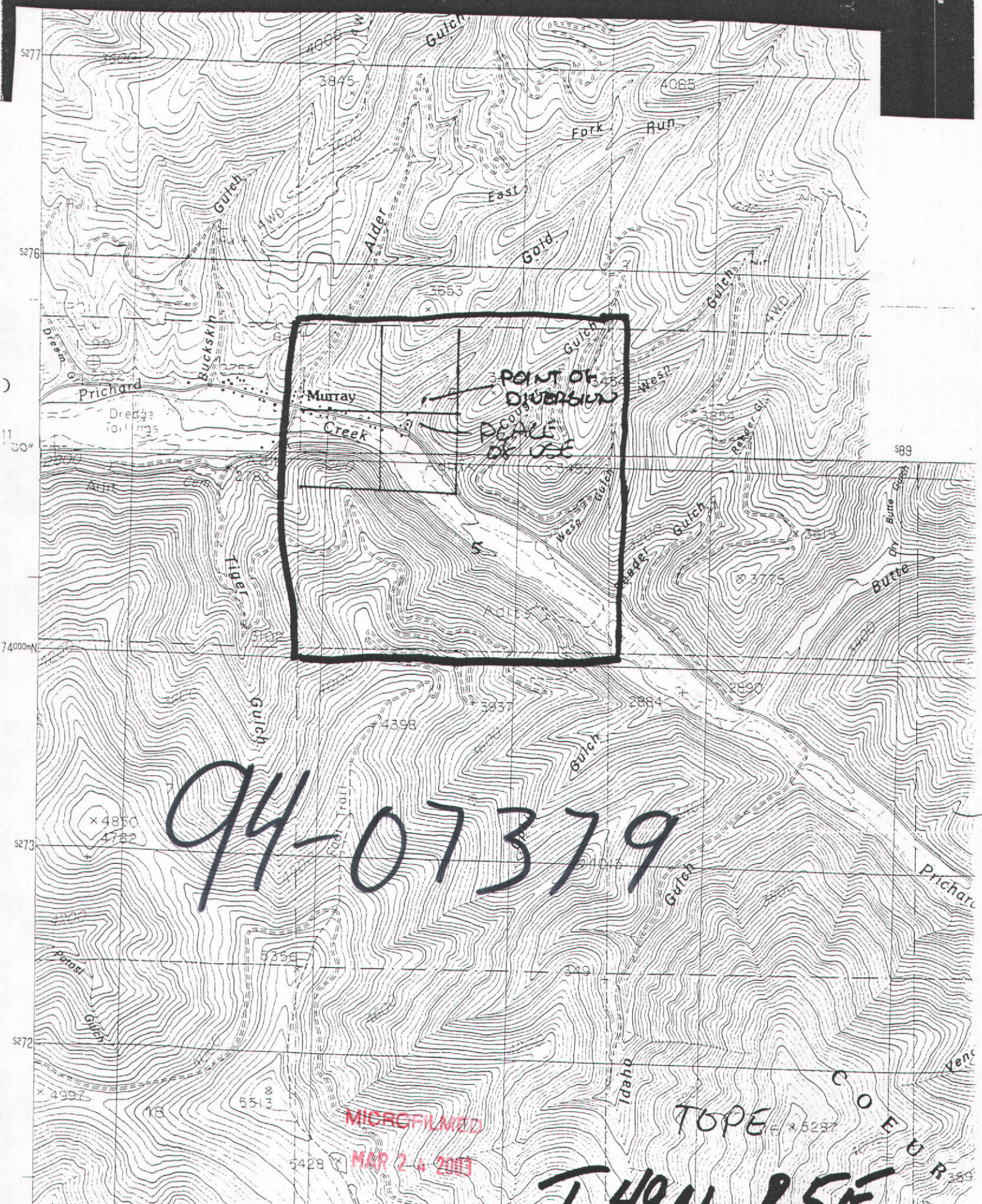


SCALE 1" = 40'



SHOSHONE
ZONING
HAROLD VAN ARNE
PLANNING AND ZONING
PLAT CONFORMS WITH





POINT OF DIVERSION
PEACE OF USE

94-07379

MICROFILMED
MAR 24 2003

TOPE
TWO 11 P.E.N.



ρω



ρυ

94-07379

MICROFILMED
MAR 24 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 94-07379

Priority: August 07, 1998

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that MICHAEL L TAYLOR And/Or BARBARA S TAYLOR
PO BOX 434
MURRAY ID 83874-0434 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 07, 1998; and have
submitted Proof of Beneficial Use on July 26, 1999. An examination indicates that the works have a
diversion capacity of 0.04 cfs of water from:

SOURCE

GOLD RUN CREEK

Tributary: PRICHARD CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT OF DIVERSION:

GOLD RUN CREEK NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, Twp 49N, Rge 05E, B.M., SHOSHONE County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
49N 05E 5								X									

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. Point of diversion and place of use are located within Mining Survey No. 1738.

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

Signed and sealed this 27th day of NOVEMBER 2002.

MICROFILMED

MAR 24 2003

Acting for

KARL J. DREHER
Director

11/99

RECEIVED

SEP 20 2002

For Office Use Only
\$25 filing fee PAID
Receipt # NO15136
Date 7-16-07

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 29 2002

ASSIGNMENT OF PERMIT

To change the ownership of a permit

Department of Water Resources

I, KENNETH J. TOPE Lorraine J. Tope hereby assign to MICHAEL L. &/OR BARBARA S. TAYLOR
of, P0 Box 434 MURRAY, ID 83874-0434 208-682-9420
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 94-07379 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

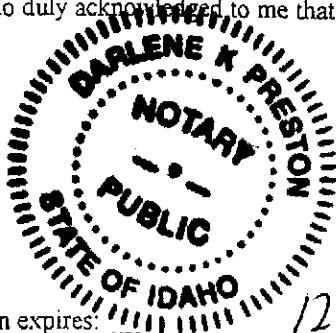
The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 9-20-02 day of _____, 20____.

Kenneth J. Tope Lorraine J. Tope
Permit Holder(s)

State of Idaho)
County of Kootenai)ss

On this Sept day of 17, 2002, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.



2717 W 11th St Coeur d'Alene
Notary Public residing at

Darlene K Preston

SEAL

My commission expires: 12-3-07

MICROFILMED

OCT 17 2002

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

JUL 26 1999

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 who has been appointed by the department.

1. Permit No. 94-07379 Telephone No. 208-263-2384
2. Name(s) of Permit Holder(s): Kenneth J. Tope + Lorraine I. Tope
3. Mailing Address: 664 DuFort Rd. Sagle Ida. 83860
4. Source of Water: GOLD RUN CREEK If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____

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

b. **OPTIONAL:**
Pump Horsepower: 3/4 Pressure (psi): 20-40 Dynamic pumping level (ft): _____

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

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: 0.04

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

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

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

Measuring Device: Is a measuring device required?	Yes _____ or No <u>X</u>
Has the measuring device been installed?	Yes _____ or No _____
Flow Measurement Port: Is a flow measurement port required?	Yes _____ or No <u>X</u>
Has the measurement port 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: Kenneth J. Tope Telephone Number: 208-263-2384

Address: 664 DuFort Rd Sagle Idaho 83860

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

Signature of permit holder: Kenneth J. Tope Date: 7-24-99
(include your title if on behalf of company or organization)

MICROFILMED

FEB 03 2000

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 94-07379

Proposed Priority: August 7, 1998

Maximum Diversion Rate:

0.04 CFS

This is to certify, that LORRAINE I TOPE
KENNETH J TOPE
664 DUFORT RD
SAGLE ID 83860

has applied for a permit to appropriate water from:

GOLD RUN CREEK

tributary of PRICHARD CREEK

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 5, Township 49N, Range 05E
SHOSHONE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

49N 05E 5

SENE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 2000.
2. Subject to all prior water rights.
3. Point of diversion and place of use are located within Mining Survey No. 1738.
4. 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

25th day of January, 1999

Karl J. Dreher
for Karl J. Dreher, Director

MICROFILMED
APR 15 1999

Ident. No. 94-07379

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

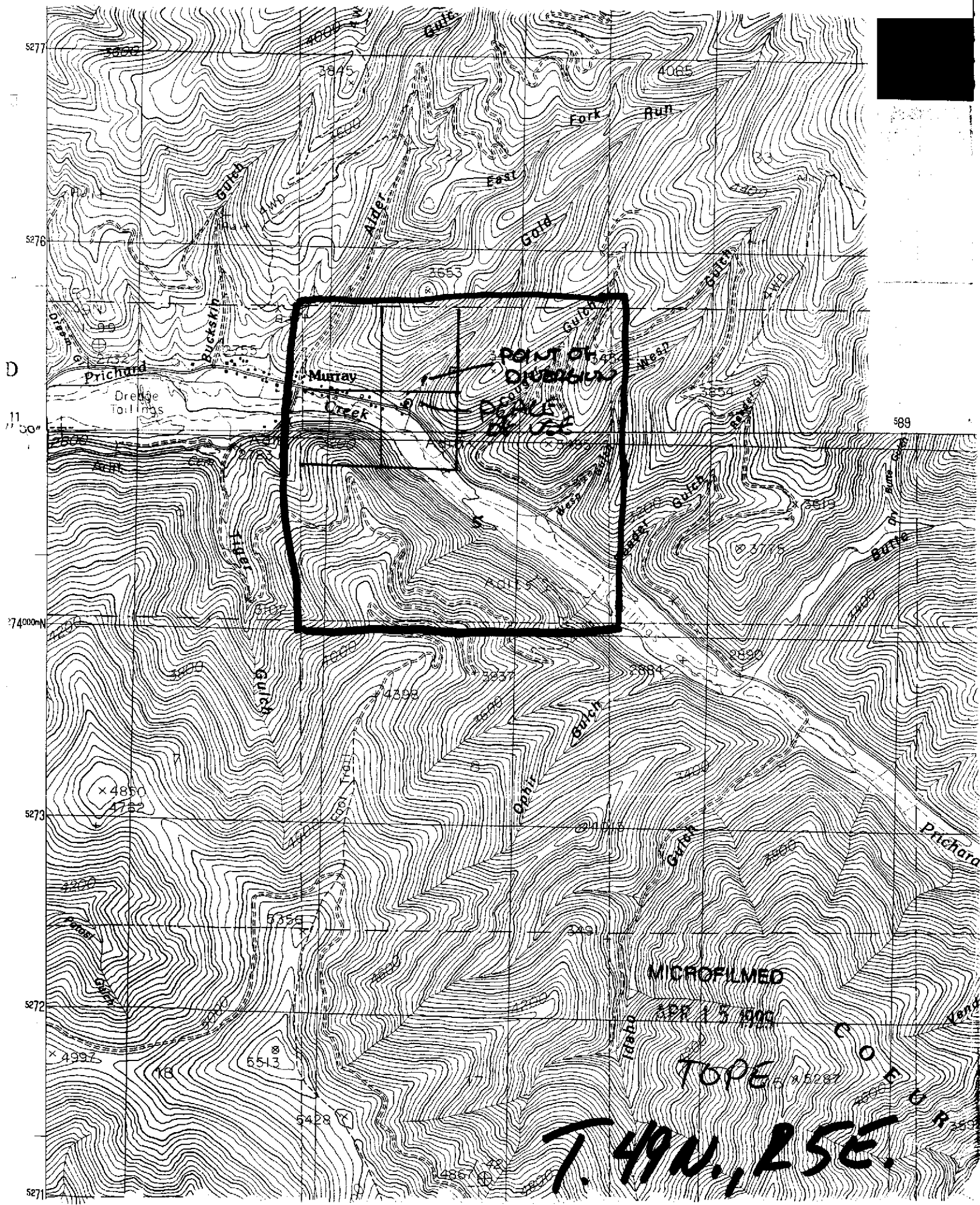
RECEIVED

JAN 13 1999

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant KENNETH J. & LORRAINE I. TOPE Phone 208-263-2384
Mailing address 664 DUFORT RD. SAGLE, ID. 83860
2. Source of water supply GOLD RUN CREEK which is a tributary of PRICHARD CREEK
3. Location of point of diversion is Township 49 N Range 5 E Sec. 25 in the S.E. 1/4 N 25 1/4, SE 1/4, Govt. Lot SE, B.M., SHOSHONE County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | |
|--|
| Amount <u>0.04</u> for <u>DOMESTIC</u> purposes from <u>1/1</u> to <u>12/31</u> (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 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 14" INLET 31" OUTLET
- b. 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? NO
- 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. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. ONE
- e. Other; describe fully. _____

MICROFILMED
APR 15 1999

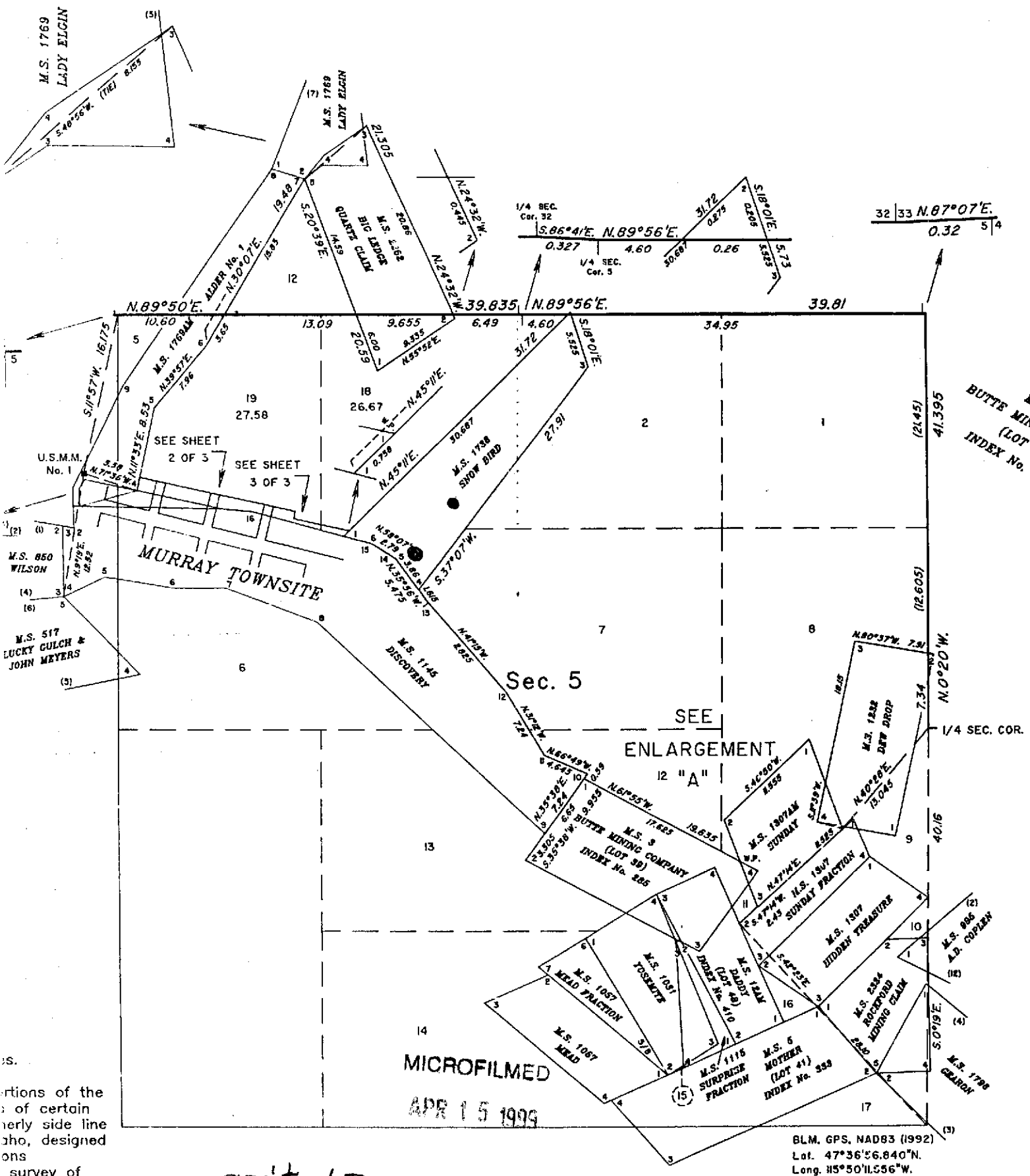


MICROFILMED
APR 15 1996

TOPE 95287

T. 49N., 25E.

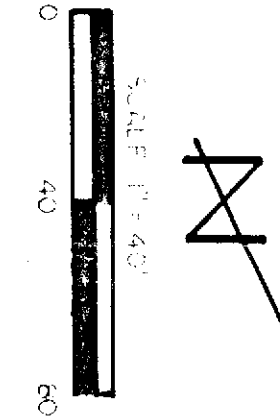
SHIP 49 NORTH, RANGE 5 EAST, OF THE BOISE MERIDIAN
DEPENDENT RESURVEY



you' + plat.

94-7379

BLM, GPS, NAD83 (1992)
Lat. 47°36'56.840"N.
Long. 115°50'11.556"W.



CHAROLD VAN ARMAN
PLANNING AND ZONING
PLAT CONFORMS WITH



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

December 2, 2002

MICHAEL L TAYLOR
BARBARA S TAYLOR
PO BOX 434
MURRAY ID 83874-0434

RE: License No. 94-7379 - Issuance of License

Dear Water Right Holder(s):

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

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

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

MAR 24 2003

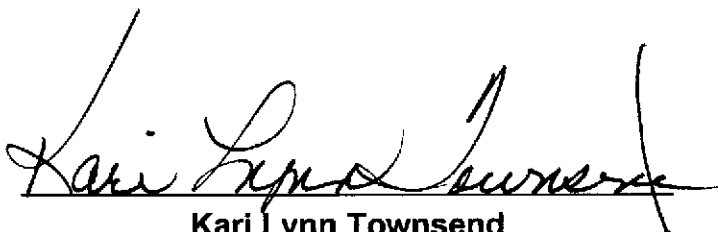
CERTIFICATE OF SERVICE

I hereby certify that on December 2, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

94-7379

BARBARA S TAYLOR
MICHAEL L TAYLOR
PO BOX 434
MURRAY ID 83874-0434

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

Kari Lynn Townsend
Secretary

MICROFILMED

DEC 2 4 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Comment Report

94-7379

RECEIVED

NOV 29 2002

1. kwalker 11/27/2002 License Review

Department of Water Resources

Comment: In review of this permit for licensing, I found the examiner had made a bucket and stopwatch measurement at the point of diversion. In talking with Shelley about these measurements, he said we should go ahead and allow the typical domestic amount rather than reduce the right to the measured amount. I have recommended 0.04 cfs for this proposed license.

2. DBALL 8/10/1998 DIVERSION DESCRIPTION

Comment: 1-1/2 inch inlet, 1 inch outlet.

3. VAULT 7/27/1999 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

4. KTOWNSEN 1/5/2000 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

MICROFILMED

MAR 24 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 17 2002
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 94-07379

1. Owner: Kenneth J. Lorraine I. Tope Phone No. (208) 263-2354

Current Address: 664 Dufort Rd. Sage Id. 83860

2. Accompanied by: Neighbor EXAM DATE: 9-1-02

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Gold Run Creek tributary to Richard Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	NW	05	49N	05E	Shoshone	USGS 7.5 min Quad

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
49N	05E	05																	

MICROFILMED

MAR 24 2003

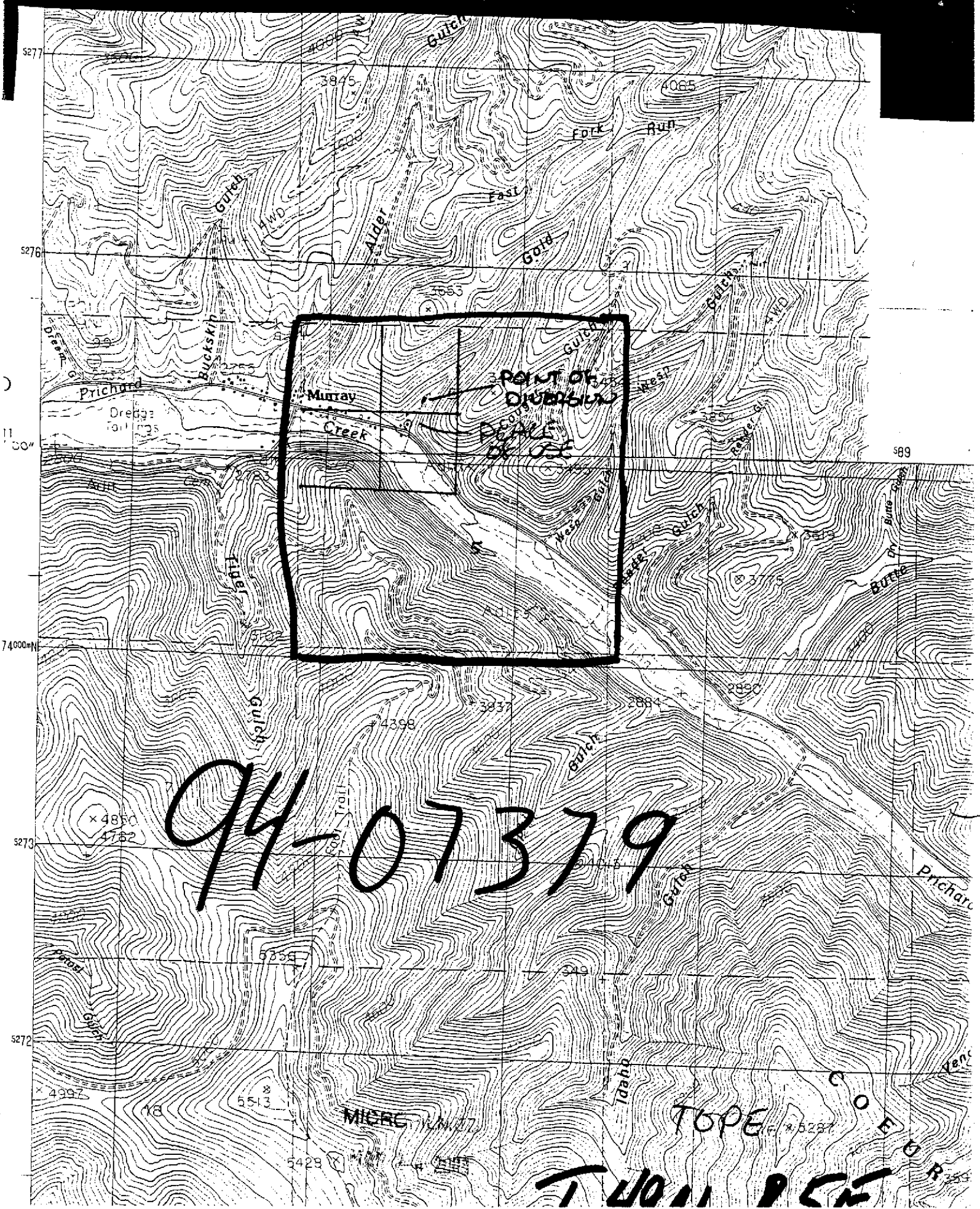
E. NARRATIVE/REMARKS/COMMENTS

Point of Diversion picture not very good. The diversion simply consist of 1.5" pvc pipe put in creek, no damming or string.

Have conditions of permit approval been met? ☒ yes ☐ no

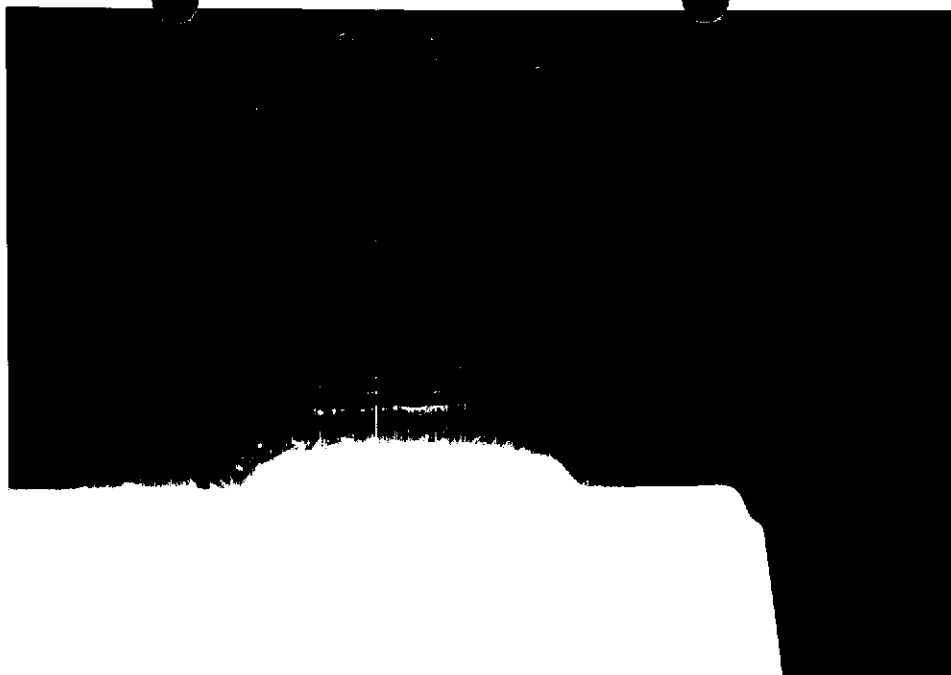
MICROFILMED

MAR 24 2003



94-07379

TOPE
T 4011 R 5287
R 359



pu



pu

94-07379

MICROFILMED

MAR 24 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

October 1, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MICHAEL L TAYLOR
BARBARA S TAYLOR
PO BOX 434
MURRAY ID 83874-0434

RE: Change of Ownership for Water Right Permit 94-7379

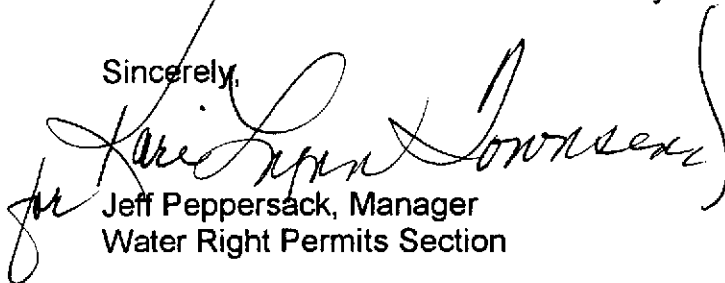
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right permit to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED
OCT 17 2002

October 1, 2002

MICHAEL L TAYLOR
BARBARA S TAYLOR
PO BOX 434
MURRAY ID 83874-0434

RE: Change of Ownership for Water Right Permit 94-7379

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right permit to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

Debbie - Per our conversation this morning, please refund the remaining \$25.00 on receipt # NO15136 to the Taylors as shown above.

*Thank you,
Kari Lyles
9.30.02*

MICROFILMED

OCT 17 2002



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

September 12, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MICHAEL L TAYLOR
BARBARA S TAYLOR
PO BOX 434
MURRAY ID 83874-0434

RE: Change in Ownership for Water Right Permit 94-07379

Dear Mr. & Mrs. Taylor:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change.

Because this water right is still in the permit stage, an Assignment of Permit will be required to complete the ownership change. Enclosed is an assignment form for your use. Please note that the \$25 filing fee paid for the ownership change will be transferred to the fee required for the Assignment of Permit. We are returning the paperwork that you sent as we only require the completed assignment form and filing fee to process the change.

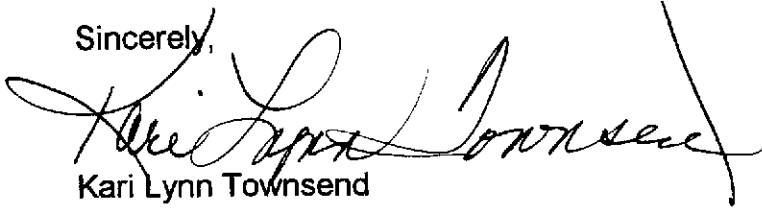
Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return the file to storage and it will not be processed.

Please note that water right owners are required to report any change in 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 (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

MICROFILMED
OCT 17 2002

Please feel free to contact the Department if you have any questions.

Sincerely,

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

Kari Lynn Townsend
Secretary

KLT:k

cc: IDWR, Northern Region Office

Enclosures

MICROFILMED
OCT 17 2012

RECEIVED

SEP - 9 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
 Department of Water Resources
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
94-07379					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Kenneth J. Tope + Lorraine I. Tope
464 DuPont Rd. Sagle, Id 83860
4. New Owner/Claimant(s) Michael L Taylor & Barbara S Taylor
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 434
- City, State and ZIP Code Murray, Id 83874-0434
- New Telephone Number (208) 682-9420
5. Date you acquired the property 7/1/2002

MICROFILMED
OCT 17 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

X *Michael D. Taylor*
X *Barbara S. Taylor*

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by *[Signature]* Date 7/16/02 Fee 950.00 (425.00 to be refunded)
 Receipted by *[Signature]* Date 7/16/02 Receipt No. N015136
 Processed by _____ AJ Date _____ WR _____ Date _____

MICROFILMED

OCT 17 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

(208) 769-1450

RECEIVED

SEP - 9 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 4, 2002

MICHAEL L & BARBARA S TAYLOR
PO BOX 434
MURRAY ID 83874-0434

Re: Water Right 94-07379 (TOPE TO TAYLOR)

Dear Mr. and Mrs. Taylor:

This acknowledges receipt of the balance of the information needed regarding the Change in Water Right Ownership for the above referenced water right, changing the ownership to you.

We are now forwarding the paperwork to the State Office for processing.

If you have any questions, please contact KariLynn Townsend in our State Office, at 208-327-7941.

Sincerely,

Dianne Ball
Administrative Assistant

Enc.

db

cc: IDWR State Office

MICROFILMED
OCT 17 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

(208) 769-1450

Fax (208) 769-1454

RECEIVED

SEP - 9 2002

DIRK KEMPTHORNE
GOVERNOR

RECEIVED J. DREHER
DIRECTOR

SEP 04 2002

IDWR/North

August 26, 2002

MICHAEL L & BARBARA S TAYLOR
PO BOX 434
MURRAY ID 83874-0434

Re: Water Right 94-07379 - TOPE TO TAYLOR

Dear Mr. and Mrs. Taylor:

Thank you for notifying us of the Notice of Change in Water Right Ownership regarding the above referenced water right.

We are returning the paperwork for this to you because it **requires your signatures on the reverse side of the form**. Additionally, we must have the following information in order to process the ownership change:

- A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**. (See item 2 on instruction sheet attached to Change in Ownership form.)

We have requested a refund of \$25.00 of the \$50.00 fee you submitted, because the fee for a Change of Water Right Ownership is only \$25.00.

We will await the return of the signed form, together with documentation showing how the chain of title transferred from the Topes to you. **Upon receipt of the signed Notice of Change in Water Right Ownership and the additional documentation, we will forward the paperwork to our state office for processing.**

If you have any questions, please call our office.

Sincerely,

Dianne Ball
Administrative Assistant

db

MICROFILMED

OCT 17 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-261

(208) 769-1450

Fax (208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 26, 2002

MEMO TO: Debbie Allen

FROM: Dianne Ball

RE: Refund on Receipt No. NO15136

It is necessary to refund part of the fees received under Receipt No. NO15136, a copy of said receipt is attached for your reference. We also need to change the comment portion of the receipt to read "CHANGE OF WATER RIGHT OWNERSHIP RE: 94-7379", (rather than "partial payment on new water right application").

Please refund funds as follows:

TO: MICHAEL TAYLOR
ADDRESS: PO BOX 434
MURRAY ID 83874-0434

THE REASON FOR THE REFUND: Incorrect paperwork and amount sent to our office.

Part of correct paperwork for Change in Water Right Ownership is in hand, but additional documentation is still required. I am sending letter to Taylors today requesting copies of documentation indicating chain of title. I will notify them in that letter that the request for refund is being processed.

If you have any questions, please call me at the northern regional office.

Thank you.

DIANNE BALL

MICROFILMED

OCT 17 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 4, 2000

KENNETH J. TOPE
664 DUFORT RD
SAGLE, ID 83860

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 94-07379

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 conduct a field examination to determine and confirm the use being made of the water.

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

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

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

FEB 03 2000

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 94-07379 Reviewed by WJ Date 01-03-00

GENERAL CONSIDERATIONS

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

TYPES OF USE

Dom.
yes
Correct Uses? yes

SOURCE OF WATER

✓ Surface water source
 Ground water source
 Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50⁰⁰ Amount Submitted
yes Correct?

MEASURING DEVICE

NO Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

- Proof acceptable
- acknowledge proof

DATA ENTRY

New Address Proof Made 7-26-99

RECEIVED

SEP - 9 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
94-07379					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Kenneth J. Tope + Lorraine I. Tope
464 DuFort Rd. Sagle, Id 83860
4. New Owner/Claimant(s) Michael L Taylor & Barbara S Taylor
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 434
- City, State and ZIP Code Murray, Id 83874-0434
- New Telephone Number (208) 682-9420
5. Date you acquired the property 7/1/2002

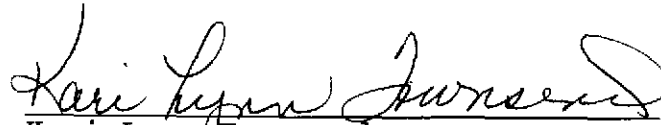
MICROFILMED
OCT 17 2002

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of **January, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

Water Right No. 94-07379

LORRAINE I TOPE
KENNETH J TOPE
664 DUFORT RD
SAGLE ID 83860


Kari Lynn Townsend
Secretary

MICROFILMED

APR 15 1999

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

MICROFILMED

APR 15 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

APR 15 1999

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by Cindy JonesNo.: 94-7379 Name: Tope Date: 1/21/99 Ad OK? ✓ / ✓ Gvmt Lts: ✓

AREA OF CONCERN:

- No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED:

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

SYSTEM COMPLETED:

> 1 year

- 26A-P17

≤ 1 year/no proof

- P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

In Basin 34?

- 085

Irr. within WD

- P05 (new well location)

WMD (✓ MAP)

- North / East / West

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD Supplemental use

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5 acres

- 01M (report when notified)

≤ 0.24 cfs/5 acres

- No MD

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

FISH & GAME CONTACTED:

- YES / No; WHEN: _____? RESPONSE: None

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs

- 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

In-stream dev.

- P52 (stream channel alteration)

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22 -P04, NA

(02/03-irr)

- 007 (w/ remark *WB9 if above Weiser), NA

Payette R(65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

Weiser R (67)

- 086, 087

USE:

Storage (✓3 compo.)

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

Irr ≤ 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Stockwater

- R37 (BLM/USFS); NA

Mining

- 054(req) -081-P10

Fish Propagation

- 029(70's only)-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Power

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

Municipal

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

Domestic surface

- 022, 075, 004 (+memo?), NA (not in restricted area)

>1 in rest. area

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

Fire Protection

- 071-070

- 077

LOCATION:

Boise Front LoGeo

- 058 (<85° GW temp only)

Mitigation

- 120

42-248 area

- P84 (in 20/30/40/50/60/70/80 (87) basin)

SWAN FALLS FLAG (See Code Chart)

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

- 0 WOI / 1

BENEFICIAL USE DUE:

- 2 / 1 / 2000

COMMENTS:

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

WR1
PCA1
WRA

JAN 13 1999

APPLICATION # 94-07379

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: TOPE

BY: RB

DATE: 8/7/98

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

- (Yes) (No)
- Y Field check: by _____
- Y Field report attached _____
- Y Analysis Supp. attached (>5cfs/500af) _____
- Y Water delivered by water master? _____
- Water District # _____

PROCESSING

- (Yes) (No) PRIORITY DATE: 8/7/98
- X (Include Moratorium Remark)
- X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

NP/Steve/ek

ADVERTISE IN: SHOSHONE County

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

GROUNDWATER SECTION

WD Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
<u>Y</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
<u>Y</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
<u>Y</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

- (Yes) (No)
- Y Notice of pending void order issued. Final order response date: _____
- Y Further information required from applicant
- Y Affidavit of publication received
- Y Application published correctly. If not, record action taken: Readvertise to correct county where POV is located.
- Y Publication dates and paper recorded on application _____ Sr. Agent initial RB
- Y Protests received, Final protest date: 9/18/98
- Y Measuring device required 10/19/98
- Y Measuring port required
- Y Special conditions:
- Y Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: RB

Date: 12/28/98

Memorandum to File

Date: December 28, 1998

From: Beardslee

File: 94-07379

RE: Fish and Game review of surface water Application for Permit

The Idaho State Fish and Game Department was given the opportunity to review this filing, in addition to our notification of new water right filings list.

Northern Region was given no negative response to the approval of this filing.

MICROFILMED

APR 15 1999

RECEIVED

NOV 06 1998

IDWR/North

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 94-07379 in the name of KENNETH J. AND LORRAINE I. TOPE, 664 DUFORT ROAD, SAGLE, ID 83860, was incorrectly advertised on August 20 and 27, 1998.

The PLACE OF USE was incorrectly advertised as being located within the SENW of T49N, R05E, S05, in FREMONT County, whereas correctly it should read SHOSHONE County.

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

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before October 19, 1998.

KARL J. DREHER, Dir.

Legal #SH0561
2 x 10-1/8/1998

PROOF OF PUBLICATION

) Department of Water Resources
) Northern Region
) Suite #210, 1910 Northwest Blvd
) Coeur d'Alene, Idaho 83815-2615

s/ Daniel C. Drewry, being first duly sworn deposes and says:
SHOSHONE NEWS-PRESS, a daily newspaper of general circulation in said county, published in the city of Kellogg, in the County of Shoshone and the State of Idaho, and which has been published continuously in said county for a period of 78 weeks immediately prior to the publication of this notice hereinafter described, and that the

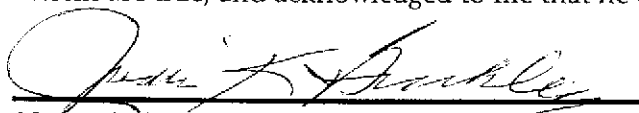
LEGAL NOTICE

of which the annexed is a true copy, was published in each regular weekly/daily issue of said newspaper, and not in supplement thereto, for a period of two (2) consecutive weeks/days, the first publication thereof being in the issue dated 10/1/98-10/8/98

STATE OF IDAHO)
)
)

COUNTY OF Shoshone)
)
)

On this 28th day of October in the year of 1998, before me a Notary Public, personally appeared Daniel C. Drewry 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.



Notary Public for Idaho
Residing in Kellogg, Idaho
My Commission expires:
10/17/2000

MICROFILMED

NOV 13 1998

September 23, 1998

Shoshone County News Press
Legal Notices Department
PO Box 149
Kellogg ID 83837

Re: Water Right No. 94-07379 - TOPE

Gentlemen:

Enclosed you will find a legal Notice of Correction 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.

Please send the Affidavit of Publication, and the bill, to this office before October 19, 1998.

Thank you.

Sincerely,

Dianne Ball
Senior Secretary

Enclosure

MICROFILMED

APR 15 1999

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 94-07379 in the name of KENNETH J AND LORRAINE I TOPE, 664 DUFORT ROAD, SAGLE, ID 83860, was incorrectly advertised on August 20 and 27, 1998.

The PLACE OF USE was incorrectly advertised as being located within the SENW of T49N, R05E, S05, in **FREMONT** County, whereas correctly it should read **SHOSHONE** County.

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

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before October 19, 1998.

KARL J. DREHER, Dir.

Published in the Shoshone County News Press on October 1 & 8, 1998.

MICROFILMED
APR 15 1999

PROOF OF PUBLICATION

RECEIVED
SEP 23 1998
NORTHERN REGION
NWWS

NOTICE OF APPLICATION FOR WATER RIGHT

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

94-07378

BLODGETT - DIRECTOR
PO BOX 1300

COEUR D'ALENE, ID 83816

Source: GROUNDWATER

Diversion Pt: NWSE Sec 18 T 49N R

02E in SHOSHONE County.

Use: DOMESTIC (0.200 CFS)

Total Diversion: (0.200 CFS)

Date Filed: 8/7/1998

In: SHOSHONE County

T49N R02E S18 NESW NWSE

94-07379

TOPE, KENNETH J

TOPE, LORRAINE I

664 DUFORT ROAD

SAGLE, ID 83860

Source: GOLD RUN CREEK Tributary:

PRICHARD CREEK

Diversion Pt: NENW Sec 5 T 49N R

05E in SHOSHONE County.

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 8/7/1998

In: FREMONT County

T49N R05E S05 SENW

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before SEPTEMBER 8, 1998.

KARL J. DREHER, Director

LEGAL #SHO 508

2 X 8-20/27/1998

) Idaho Department of Water Resources
) Northern Region, Suite #210
) 1910 NW Boulevard
) Coeur d'Alene, Idaho 83814-2615

s/ Daniel C. Drewry, being first duly sworn deposes and says:
SHOSHONE NEWS-PRESS, a daily newspaper of general circulation in said county, published in the city of Kellogg, in the County of Shoshone and the State of Idaho, and which has been published continuously in said county for a period of 78 weeks immediately prior to the publication of this notice hereinafter described, and that the

LEGAL NOTICE

of which the annexed is a true copy, was published in each regular weekly/daily issue of said newspaper, and not in supplement thereto, for a period of two (2) consecutive weeks/days, the first publication thereof being in the issue dated 8/20/98-8/27/98

STATE OF IDAHO

COUNTY OF Shoshone

On this 21st day of September in the year of 1998, before me a Notary Public, personally appeared Daniel C. Drewry 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.

Notary Public for Idaho
Residing in Kellogg, Idaho
My Commission expires:

10/17/2000

MICROFILMED

APR 15 1999

94-07379

TOPE, KENNETH J
TOPE, LORRAINE I
664 DUFORT ROAD
SAGLE, ID 83860

Source: GOLD RUN CREEK

Tributary: PRICHARD CREEK

Diversion Pt: NENW Sec 5 T 49N R 05E in SHOSHONE County.

Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 8/ 7/1998

In: FREMONT County
T49N R05E S05

SEnw

MICROFILMED

APR 15 1999

August 12, 1998

Kenneth J & Lorraine I Tope
664 Dufort Road
Sagle ID 83860

Re: Water Appropriation Application No. 94-07379

Dear Mr. and Mrs. Tope:

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

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

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

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

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

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

MICROFILMED

APR 15 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

PHILIP E. BATT
Governor

KARL J. DREHER
Director

August 4, 1998

Kenneth Tope
664 Dufort Rd
Sagle ID 83860

RE: Application for Permit

Dear Mr. Tope:

We are returning your Application for Permit, along with Receipt Number N012280, for the amount of \$50.00. Your filing is not acceptable at this time.

Please mark the enclosed map where your diversion point and home will be located.

The most common diversion rate for domestic use is 0.04 CFS (18 GPM). The rate of 0.20 CFS is 90 GPM. If the rate will be less, please change.

We will be happy to process your filing upon receiving back at this office with the map.

If you have further questions, please feel free to call me at this office.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

MICROFILMED

APR 15 1999