

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 77-14221

Priority: October 04, 2005

Maximum Diversion Rate: 0.04 CFS

This is to certify, that JERRY ROBINSON
321 FINN CHURCH LN
MC CALL ID 83638

has applied for a permit to appropriate water from:

Source: SOUTH FORK SALMON RIVER **Tributary:** SALMON RIVER

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

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

LOCATION OF POINT OF DIVERSION:

SOUTH FORK SALMON RIVER NE¼ NE¼ Sec. 6, Twp 23N, Rge 08E, B.M. IDAHO 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
23N	08E	6	X																

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2006**.
2. Subject to all prior water rights.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
4. Domestic use is for 1 home.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
6. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
7. This right does not grant any right-of-way or easement across the land of another.
8. Place of use is located within Lot 15, Copenhaver Subdivision.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 22nd day of November, 20 05.


FOR KARL J DREHER, Director

FORM 202
12/99

Ident. No. 77-14221

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NOV 14 2005

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant JERRY + Cindy Robinson Phone (208) 634-2762
Mailing address 321 Finn Church Lane McCall ID 83638 per attached
2. Source of water supply South Fork of Salmon River which is a tributary of Salmon River
3. Location of point of diversion is Township T23N Range E8E Sec. 6, in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot Idaho, B.M., Idaho County;
- additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | |
|---|
| Amount <u>102.04</u> for <u>Domestic</u> purposes from <u>Jan 1</u> to <u>Dec 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) 102.04 and/or (b) 20
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 Pump
1" line to house
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet
- c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? N/A; Drilling firm N/A;
Well was drilled for (well owner) N/A; Drilling Permit No. N/A
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 home ONE YARD
- e. Other; describe fully. _____

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FEB 18 2005

WATER RESOURCES
WESTERN REGION

3. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	8E	6	X																

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 77-7377 - Cherry Spring - Plan to use the same PD as 77-14162 (Dewey)

11. a. Who owns the property at the point of diversion? Copenhagen Home owners association

b. Who owns the land to be irrigated or place of use? JERRY + Cindy Robinson - Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Applicant is a member of H.O.A. and installation of a water system is

12. Remarks: permitted accross property lot #15 Coppark Copenhagen Subdivision - The sub division has second right on Cherry Springs AND in the fall the springs will not supply enough water for the Subdivision.

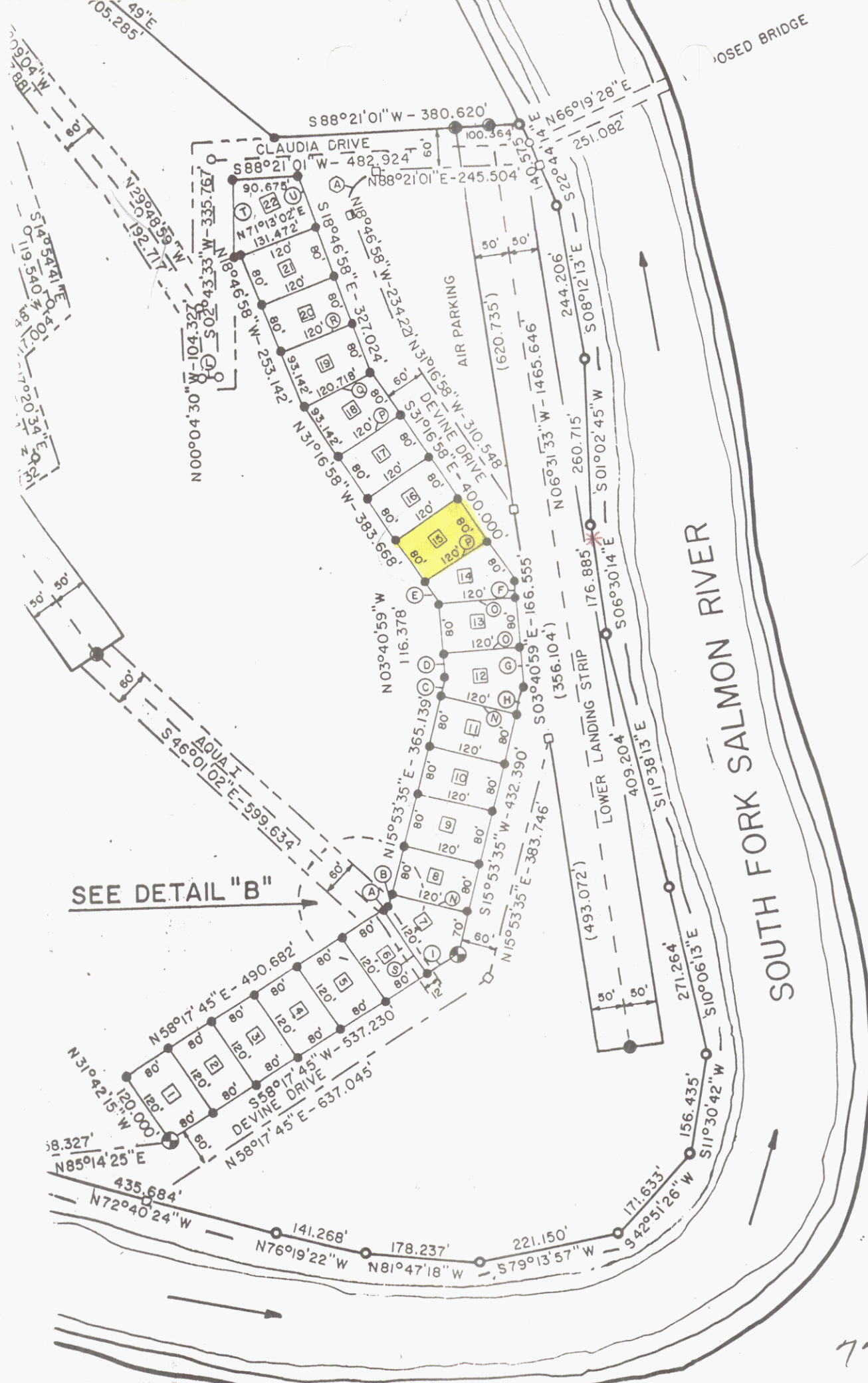
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Jerry L. Robinson
Signature of Applicant (and title, if applicable)

Received by AB Date 2-18-05 Time 11:00 am Preliminary check by DAW
Fee \$ 100.00 Received by DAW # W033477 Date 10-4-05
Publication prepared by AB Date 10-19-05 Published in Idaho City Times Press
Publication approved AB Date 11-8-05

NO \$ 2/18/05



* Point of diversion

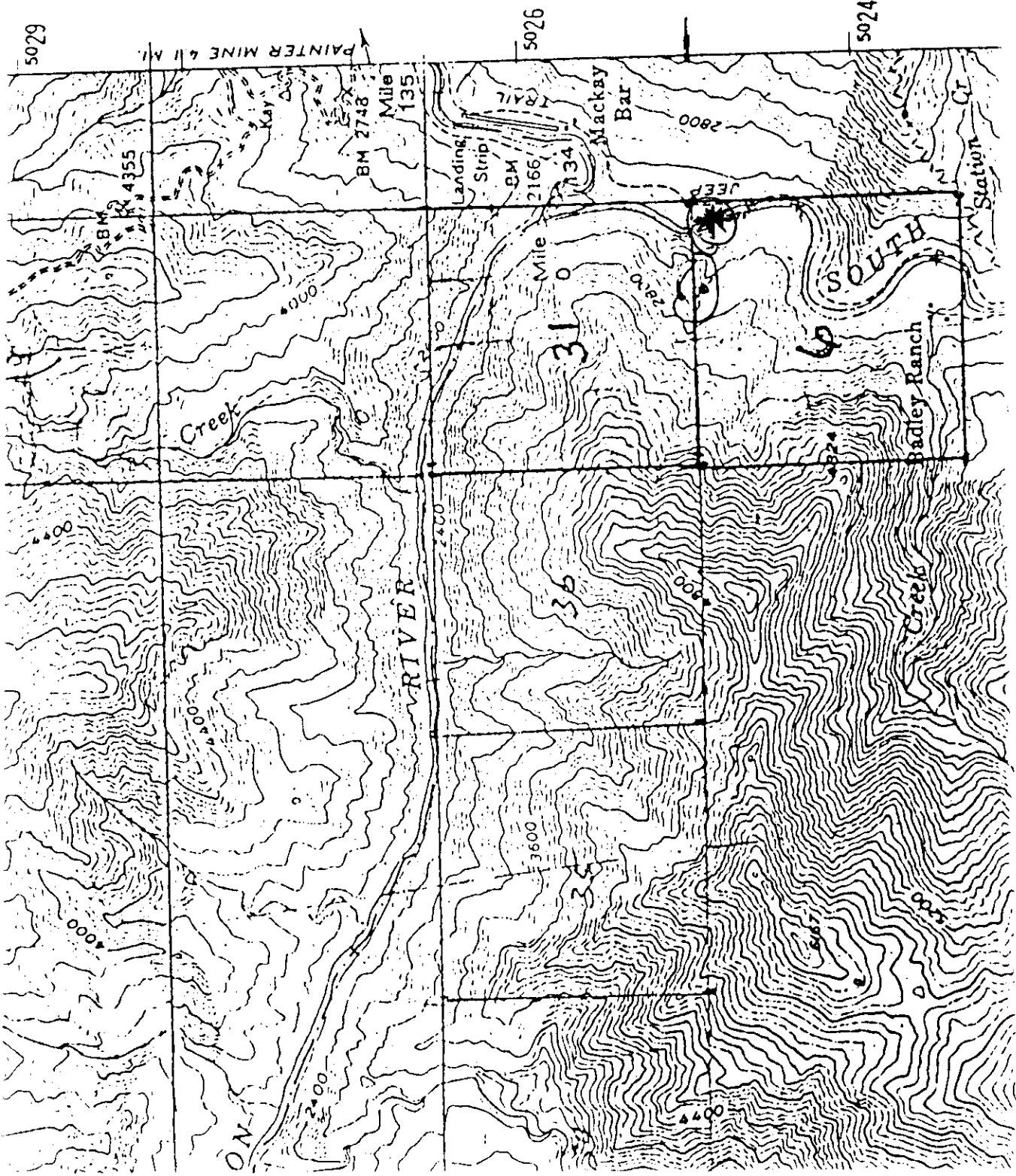
Place of use

77-14221

T 24 N
R 8 E

31

T 23 N
R 8 E
6



(*) Point of diversion

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 23, 2005

JERRY ROBINSON
321 FINN CHURCH LN
MC CALL ID 83638

RE: Permit No. 77-14221

Permit Approval Notice

Dear Permit Holder:

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

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

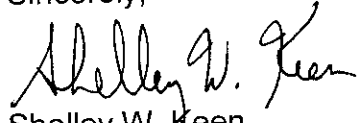
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

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

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

If you have any questions, please contact me at 208-287-4947.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

cc: CINDY ROBINSON

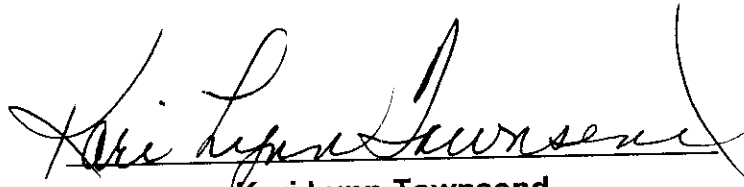
CERTIFICATE OF SERVICE

I hereby certify that on November 23, 2005 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

77-14221

**CINDY ROBINSON
JERRY ROBINSON
321 FINN CHURCH LN
MC CALL ID 83638**



**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MEMORANDUM

Date: November 17, 2005
To: Water Right File 77-14221
From: eretelle
Re: permit review

No moratorium or WD.
Wild & Scenic area.

Wilderness & Salmon-CW moratoriums lifted - 1/2 acre irrigation permitted.

No protests.
PoD overlap with 77-7377. PoU overlap with 77-14162.

Recommend approval as suggested by IDWR Western.

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NOV 02 2005

WATER RESOURCES
WESTERN REGION

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

78-12245

RAYMOND K STOLTEY
HC 75 BOX 3556
NEW MEADOWS ID 83654
Point(s) of Diversion SESW S23
T22N R01E IDAHO County
Source LITTLE ELK CREEK
Tributary To LITTLE SALMON RIVER
Use: DOMESTIC 04/01 To 10/31
0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 05/02/2005
Place Of Use: DOMESTIC
T22N R01E S23 SESW
Remark: Domestic use is for lawn irriga-
tion.

Permits will be subject to all prior water
rights. Protests may be submitted based
on the criteria of Sec 42-203A, Idaho
Code.

Any protest against the approval of this
application must be filed with the Direc-
tor, Dept. of Water Resource, Western
Region, 2735 Airport Way, Boise ID
83705 together with a protest fee of
\$25.00 for each application on or before
11/07/2005. The protestant must also
send a copy of the protest to the appli-
cant.

KARL J DREHER, Director
Published in the Idaho County Free
Press on October 19 and 26, 2005.

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

77-14221

JERRY ROBINSON
321 FINN CHURCH LN
MC CALL ID 83638
Point(s) of Diversion NENE S6
T23N R08E IDAHO County Source
SOUTH FORK SALMON RIVER
Tributary To SALMON RIVER
Use: DOMESTIC 01/01 To 12/31
0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 10/04/2005
Place Of Use: DOMESTIC
T23N R08E S6 NENE

Remark: This application proposes the
diversion and use of water tributary to a
federally designated Wild & Scenic
River. The decreed minimum stream
flow rights for the federal Wild & Scenic
Rivers are subordinate to certain cate-
gories of water use and to specific
amounts of water use established after
the minimum stream flow. The water
use proposed in this application will ben-
efit from the subordination provision be-
cause it is for in-house domestic use
with yard irrigation. The diversion rate
of 0.04 cfs and 1/2 acre will be applied to
the subordination amounts specified in
the decree for the applicable Wild &
Scenic River.

Permits will be subject to all prior water
rights. Protests may be submitted based
on the criteria of Sec 42-203A, Idaho
Code.

Any protest against the approval of this
application must be filed with the Direc-
tor, Dept. of Water Resource, Western
Region, 2735 Airport Way, Boise ID
83705 together with a protest fee of
\$25.00 for each application on or before
11/07/2005. The protestant must also
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cant.

KARL J DREHER, Director
Published in the Idaho County Free
Press on October 19 and 26, 2005.

019-26

AFFIDAVIT OF PUBLICATION

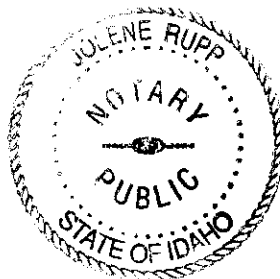
STATE OF IDAHO
County of Idaho - ss.

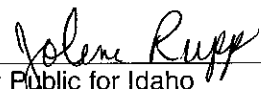
Andrew J. McNab, being first duly sworn, says he is the
Publisher of the IDAHO COUNTY FREE PRESS, a weekly news-
paper published and issued weekly at Grangeville, Idaho County,
State of Idaho, and is of general circulation in said county and
state, that the said legal notice, of which the one hereto attached
is a true copy, was published in said paper for two weeks, being
published two times, the first publication being on the 19th
day of October, 2005; and the last publication on the 26th day
of October, 2005; and that the said legal notice was published in
the newspaper proper and not a supplement; that said newspa-
per has been continuously and uninterruptedly published in said
county during a period of seventy-eight consecutive weeks prior
to the publication of said legal notice of advertisement.



STATE OF IDAHO)
COUNTY OF IDAHO)

On this 26th day of October in the year of 2005, before me a
Notary Public personally appeared Andrew J. McNab, 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 at Grangeville, ID
My commission expires: 1-29-07

Kreger (Taylor), Sue

From: Donaldson Nona [NDonaldson@Eaglenewspapers.com]
Sent: Wednesday, October 12, 2005 11:42 AM
To: Kreger (Taylor), Sue
Subject: RE: legal ads

Received - Nona

-----Original Message-----

From: Kreger (Taylor), Sue [mailto:Sue.Kreger@idwr.idaho.gov]
Sent: Wednesday, October 12, 2005 9:30 AM
To: Donaldson Nona
Subject: legal ads

Hi. Please let me know that you received these ads.

Thanks,

Sue

<<11-7-05 ip.rtf>>

Kreger (Taylor), Sue

To: eleitzin@idfg.idaho.gov
Subject: comment letters

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

October 13, 2005

ERIC LEITZINGER, IDFG
PO BOX 25
BOISE ID 83707

Re: Applications for Permit

Dear Eric:

Attached is a copy(s) of one or more applications that may be of interest to your agency. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of any of these applications, your written protest along with the \$25.00 protest fee for each application protested, must be received in this office by November 7, 2005.

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

Sincerely,



57-11676.pdf



57-11677.pdf



67-14618.pdf



75-12245.pdf



77-14221.pdf

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

October 12, 2005

Legal Notice Department
IDAHO COUNTY FREE PRESS
PO BOX 690
GRANGEVILLE ID 83530

RE: Applications for Permit Nos. 78-12245 and 77-14221

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 11/07/2005. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

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

77-14221

JERRY ROBINSON
321 FINN CHURCH LN
MC CALL ID 83638

Point(s) of Diversion NENE S6 T23N R08E IDAHO County Source SOUTH FORK SALMON RIVER
Tributary To SALMON RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 10/04/2005

Place Of Use: DOMESTIC

T23N R08E S6 NENE

Remark: This application proposes the diversion and use of water tributary to a federally designated Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for in-house domestic use with yard irrigation. The diversion rate of 0.04 cfs and ½ acre will be applied to the subordination amounts specified in the decree for the applicable Wild & Scenic River.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 11/07/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho County Free Press on October 19 and 26, 2005.