

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22955

Priority: March 08, 2005

Maximum Diversion Rate: 0.07 CFS

This is to certify, that KENNETH W RENFRO
130 3RD ST CIRCLE
HORSESHOE BEND ID 83629

has applied for a permit to appropriate water from:

Source: SPRINGS

Tributary: SHAFER 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>
DOMESTIC	01/01 to 12/31	0.04 CFS
IRRIGATION	03/15 to 10/31	0.03 CFS

LOCATION OF POINTS OF DIVERSION:

SPRING	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 11, Twp 06N, Rge 02E, B.M., BOISE County
SPRING	NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 11, Twp 06N, Rge 02E, B.M., BOISE 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
06N	02E	2									X							X	

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	02E	2									.5							.5	1.0

Total Acres: 1

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 01, 2006**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Domestic use is for 2 homes. Irrigation of lawns, gardens and landscaping associated with the homes is authorized under the irrigation component of this right.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
6. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 65-22955

7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. No water shall be diverted under this right after June 15 of each year without prior approval of the watermaster.
9. Diversion of water after June 15 of each year in violation of the conditions of this water right is cause for the director to cancel or revoke this water right.
10. When water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate the depletion of water caused by this water use.
11. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 17th day of August, 2005.


for KARL J DREHER, Director

RECEIVED

RECEIVED

MAR 08 2005

AUG 16 2005

WATER RESOURCES
WESTERN REGIONDEPARTMENT OF
WATER RESOURCESIdent. No. 65-22955FORM 202
12/99STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Kenneth W. Renfro Phone 793-2278
Mailing address 130 3rd Street Circle Horsehoe Bend ID 836292. Source of water supply Spring which is a tributary of Shafer Creek3. Location of point of diversion is Township 6N Range 2E Sec. 11 in the SE ¼.M.D. NE ¼, SW ¼, Govt. Lot _____, B.M., Boise County;
additional points of diversion if any: 6N 2E Sec 11 in the NW ¼, NW ¼, NW ¼

4. Water will be used for the following purposes:

M.D. Amount .08 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)Amount .03 cfs for Irrigation purposes from 3/15 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)M.D. 5. Total quantity to be appropriated is (a) .08 .07 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 1 1/2" PVCA single pipe line splits and goes to two homesb. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

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

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

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

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. 2 homes + 2 yards M.D.

e. Other; describe fully. _____

3. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	2E	2			D						D			D					
6N	2E	2									.05		.25				D		1

Total number of acres to be irrigated 1

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? Kenneth Renfro

b. Who owns the land to be irrigated or place of use? Ryan Renfro, Todd Renfro

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

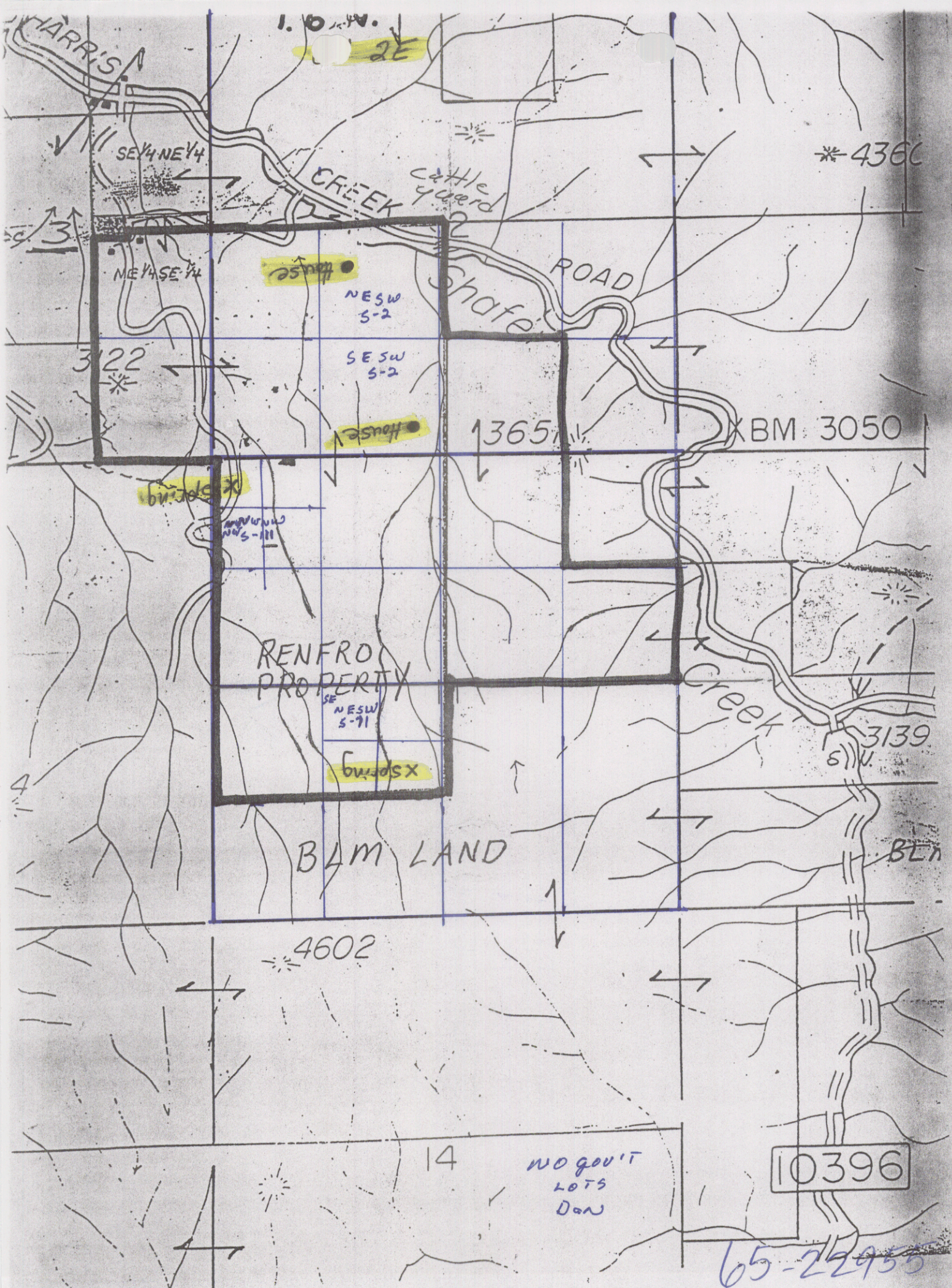
12. Remarks: _____

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

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

Kenneth Renfro owner
Signature of Applicant (and title, if applicable)

Received by DB Date 3-8-05 Time 12:30 PM Preliminary check by _____
Fee \$ 100 - Received by DB # W0326002 Date 3-8-05
Publication prepared by sk Date 6-15-05 Published in Idaho World
Publication approved sk Date 7-6-05



RECEIVED

MAR 08 2005

WATER RESOURCES
WESTERN REGION

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED
USING ONE OF THE THREE ALTERNATIVES BELOW

Name of Applicant

Kenneth W. Renfro

Mailing Address

130 3rd St. Circle

Horseshoe Bend, IDAHO 83629

Application No.
(if known)

____ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

____ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Kenneth W. Renfro

Date

3-4-05

Please return this form to:

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

**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

August 19, 2005

KENNETH W RENFRO
130 3RD ST CIRCLE
HORSESHOE BEND ID 83629

RE: Permit No. 65-22955

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.

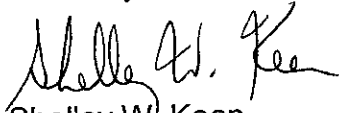
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being more prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

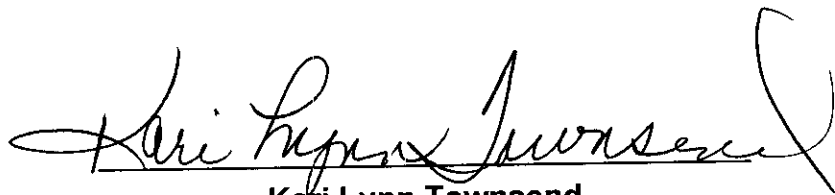
CERTIFICATE OF SERVICE

I hereby certify that on August 19, 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.

65-22955

**KENNETH W RENFRO
130 3RD ST CIRCLE
HORSESHOE BEND ID 83629**



**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.

Comment Report

65-22955

1. kwalker 8/17/2005 POD

Comment: Updated shape

2. kwalker 8/17/2005 POD

Comment: Updated shape

3. kwalker 8/17/2005 POU

Comment: Updated Shape

4. kwalker 8/17/2005 POU

Comment: Updated Shape

5. scurtis 6/1/2005 Legal Notice Remarks

Comment: Applicant agrees to mitigate consumptive use in the future as needed.

Domestic use is for 2 homes.

6. dnelson 6/1/2005 Comment/Analysis

Comment: This application is for domestic use for two homes. The irrigation use is for two 1/2 acre yards. There are no significant overlapping water rights.

7. kwalker 8/17/2005 Permit Review

Comment: This application does not fall within any problem areas. Have applied conditions normally used by Weiser River watermaster but requested by Payette River watermaster on his comment sheet. Also added condition 004 since Kenneth Renfro is not the owner of the lands under place of use. Recommend approval.

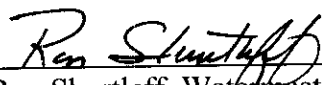
State of Idaho
Department of Water Resources**RECOMMENDATION OF WATERMASTER**Application No: 65-22955Applicant's Name: Kenneth W. Renfro

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned as follows: Applicant agrees to curtail diversion beginning June 15 of each year, or makes arrangements to rent storage water from the local rental pool of Water District No. 65 to continue diversion.
- c) ☐ I oppose approval of this application for the following reasons:
- d) Additional Comment:

Dated this 2nd day of August, 2005

Water District No. 65


Ron Shurtleff, Watermaster

Use reverse side of page if you need more space.

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JUL 08 2005

WATER RESOURCES
WESTERN REGION

Watermaster District 65A

Watermaster : Eric Herr

Permit Application #s : 65-22955
65-22956

I do not have any objection to
the above referenced applications for permits
to divert water.

Eric Herr

7/7/05

Disregard - wrong Watermaster

-JL 8/12/05

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

RECEIVED

JUN 24 2005

WATER RESOURCES
WESTERN REGION

State of Idaho)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice.

Such notice was published with the issue beginning with June 15, 2005 and ending with the issue of June 22, 2005.

Deanna Stevenson

State of Idaho)
County of Boise)

On this 23 day of June in the year 2005, before me, a notary public, personally appeared Deanna Stevenson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tami Weber

Notary Public for Idaho
Residing at Garden Valley, Idaho

MY COMMISSION EXPIRES
February 10, 2011
BONDED THRU NOTARY PUBLIC UNDERWRITERS

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

65-22955

sk

KENNETH WREN FRO
1303RD ST CIRCLE
HORSESHOE BEND ID 83629

Point(s) of Diversion

BOISE County

Point(s) of Diversion

BOISE County

Use: IRRIGATION 03/15 To 10/31 0.03 CFS

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

Total Diversion:

0.07 CFS

Date Filed: 03/08/2005

Place Of Use: IRRIGATION

T06N R02E S2 NESW SESW

Number of Acres 1

Place Of Use: DOMESTIC

T06N R02E S2 NESW SESW

SENESW S11

Source SPRING

NWNWNW

Source SPRING

T06N R02E

Tributary To SHAFER CREEK

S11 T06N R02E

Tributary To SHAFER CREEK

Remark: Applicant agrees to mitigate consumptive use in the future as needed. Domestic use is for 2 homes.

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 07/05/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho World on June 15 and 22, 2005.

TAMI WEBER
Notary Public
State of Idaho

Kreger (Taylor), Sue

To: eleitzin@idfg.state.id.us
Subject: comment letters

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

June 10, 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 July 6, 2005.

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

Sincerely,



65-22955.pdf



65-22956.pdf



65-22957.pdf



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 10, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ERIC HERR
8917 BUTTE RD
SWEET ID 83670

Re: Application(s) for Permit Nos. 65-22955 and 65-22956

Dear Watermaster:

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

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

Sincerely,

A handwritten signature in cursive script that reads 'Sue Kreger'.

Sue Kreger
Idaho Department of Water Resources
2735 Airport Way
Boise ID 83705
334-2190 phone
334-2348 fax

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

June 08, 2005

Legal Notice Department
IDAHO WORLD
PO BOX 99
GARDEN VALLEY ID 83622

RE: Application for Permit No. 65-22955, 65-22956 and 65-22957

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 07/05/2005. 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:

65-22955

KENNETH W RENFRO
130 3RD ST CIRCLE
HORSESHOE BEND ID 83629

Point(s) of Diversion SENESW S11 T06N R02E BOISE County Source SPRING
Tributary To SHAFER CREEK

Point(s) of Diversion NWNWNW S11 T06N R02E BOISE County Source SPRING
Tributary To SHAFER CREEK

Use: IRRIGATION 03/15 To 10/31 0.03 CFS

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

Total Diversion: 0.07 CFS

Date Filed: 03/08/2005

Place Of Use: IRRIGATION

T06N R02E S2 NESW SESW

Number of Acres 1

Place Of Use: DOMESTIC

T06N R02E S2 NESW SESW

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Domestic use is for 2 homes.

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 07/05/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho World on June 15 and 22, 2005.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 25, 2005

COPY

KENNETH W RENFRO
130 3RD STREET CIRCLE
HORSESHOE BEND ID 83629

RE: 2 APPLICATIONS FOR PERMIT TO DIVERT SPRINGS

Dear Renfro:

Our office received your applications for permit on March 8, 2005. The applications are incomplete, and will need to be properly completed prior to resuming processing. I tried several times to contact you by telephone with out success. Therefore, I am returning your application to you. If you would like, please call me to set up an appointment, and I will go over the applications with you to ensure that they are properly completed.

The following information needs to be completed on the application for domestic use:

- 1.) You marked two springs on the map, but only list one of the springs in the legal description in Section 3. If you want to use only one spring, please indicate that on the map, or add the second spring's legal description to Section 3.
- 2.) The county was not included in Section 3. Please add the county name in the space provided.
- 3.) In Section 8d, marked 2 for number of household. However, in this space, we also need to know if the proposed application is for 2 homes and 2 yards or just for 2 homes for in-house use only. If the application is for two homes for in-house use only, you will need to change the rate of diversion in Section 4 to 0.04 cfs, which is the maximum amount allowed for two homes.
- 4.) The legal description in table under Section 9 doesn't match the maps. The map shows a home in the SENW (which is correctly marked on the table), but the map shows the second home in the SESW instead of the NESW marked on the table. Please clarify this discrepancy.

The following information needs to be completed on the application for stockwater use:

- 1.) The source of water supply in Section 2 was listed as stockwater. I am assuming it should be listed as an unnamed spring.
- 2.) You neglected to list the county in Section 3. Please include the county in the space provided.

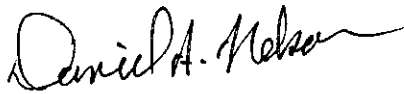
- 3.) The township, Range, and Section was not marked in the table in Section 9. Please list the correct legal description in this space.
- 4.) The map provided does not show the location of the stockwater tank. Please clearly mark the location of the stockwater tank on the map. Please make sure that it matches the legal description described in Section 9.

I have also supplied current aerial photos of your property. Although it is not required, I would appreciate it if you could locate the springs on these aerial photos if possible. This will help us to more accurately map your springs.

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

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

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel A. Nelson", with a stylized flourish at the end.

Daniel A. Nelson
Sr. Water Right Agent