

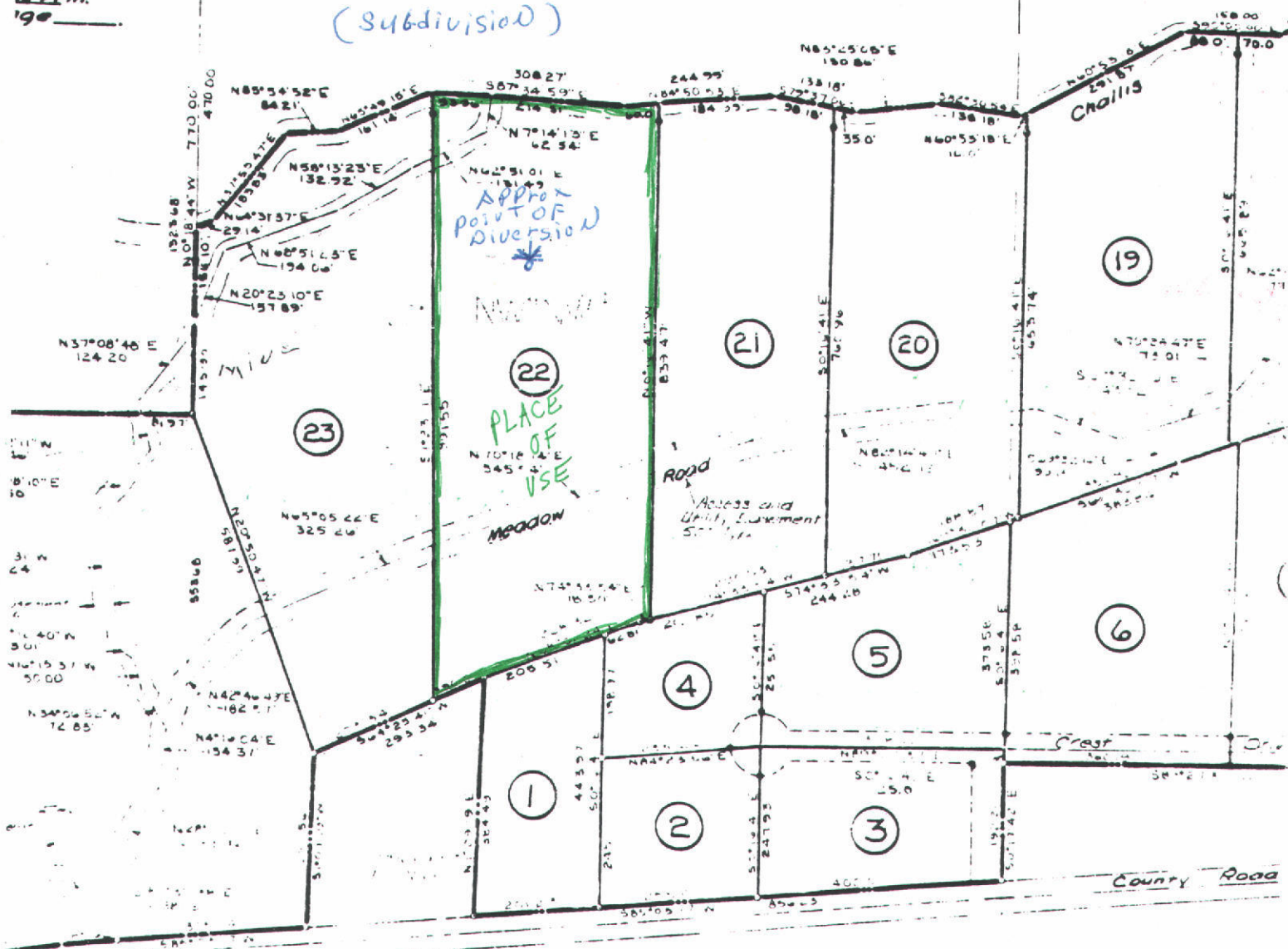
filed in
Idaho on
14 Am.
190_____

Set 5/8" 30" Steel Rod
w/ 2" Alum Cap

4	3
9	10

N 89° 28' 23" E 263119

Rocky Mountain meadows
(subdivision)



- Set $\frac{1}{2}$ " x 24" Steel Rod w/ Plastic Cap as Boundary Corner
- Set $\frac{1}{2}$ " x 24" Steel Rod w/ Plastic Cap set as Point on Line

——— Boundary Line
 ——— Lot Line

(3) Lot Number

1 All lines common
(10) foot wide p.
and irrigation.

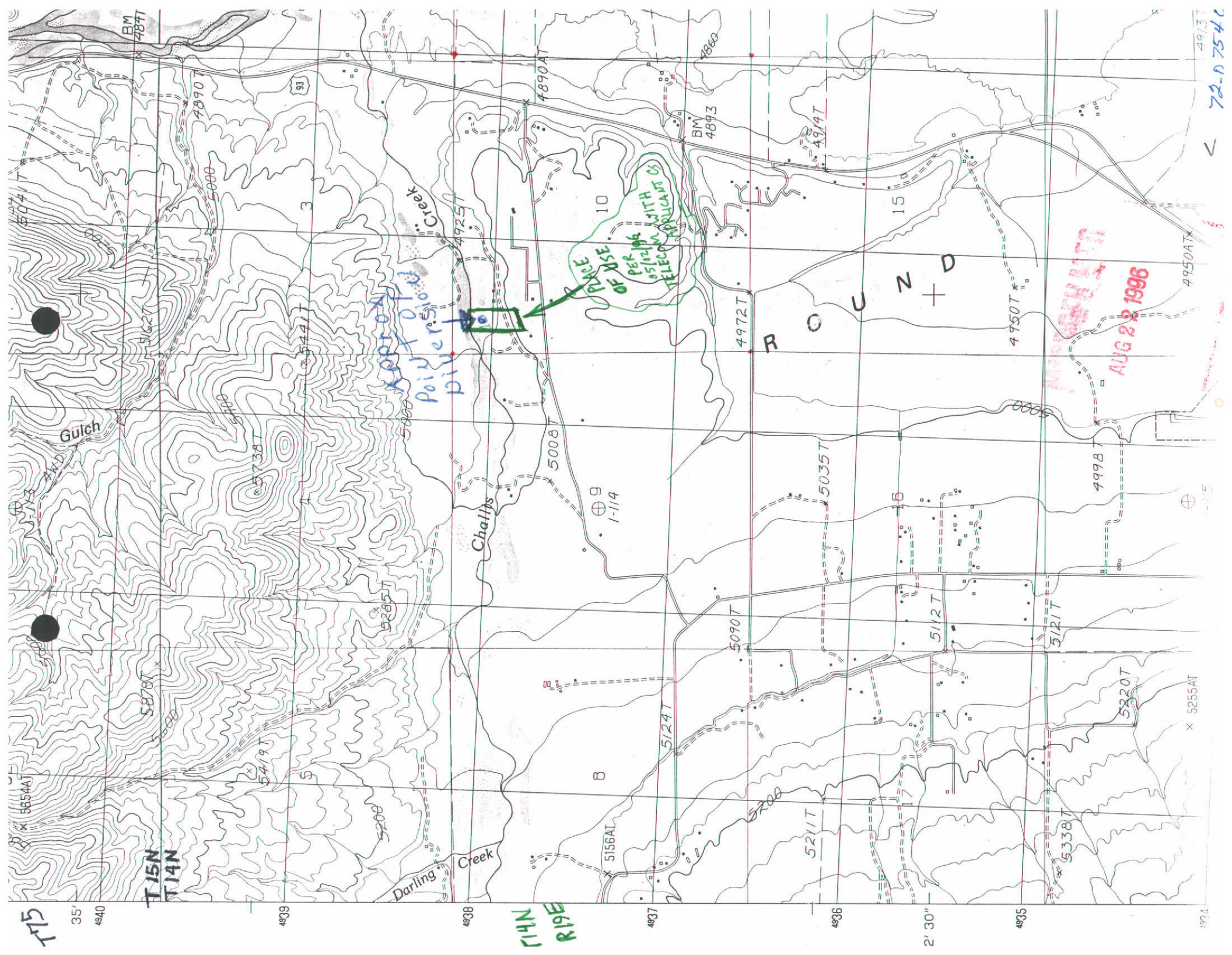
2 Each side of 3.
wide permanent
irrigation easel.

T14N R19E

PLACE OF USE ADDED
PER 05/02/96 TELECOM
WITH APPLICANT AS

AUG 22 1996

72-07540



DEPARTMENT OF WATER RESOURCES
1301 N. ORCHARD ST.
BOISE, ID 83706-2237



11/19/99 Not in phonebk.

Custer Co Assessor

879-2325

Same Address

Resent to same

address w/o

Return Receipt.

Should be delivered

w/ regular mail.

Sub

CERTIFIED

Z 269 221 930

MAIL

RECEIVED

NOV 19 1999

Department of Water Resources



Likely that still lives there.
Just didn't come in to sign for it.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:
☐ Complete items 1 and/or 2 for additional
Complete items 3, 4a, and 4b.
☐ Print your name and address on the re-
card to you.
☐ Attach this form to the front of the mail
permit.
☐ Write "Return Receipt Requested" on the
permit.
☐ The Return Receipt will show to whom
delivered.

3. Article Addressed to:

72-07540
WAYNE SIMPSON
PO BOX 1056
CHALLIS

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

PS Form 3811, December 1994

PS Form 3800, April 1995

US Postal Service
Receipt for Certif
No Insurance Coverage Pro
Do not use for International

Sent to

Street & Number

Post Office, State, & ZIP Code

Postage

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to
Whom & Date Delivered

Return Receipt Showing to Whom,
Date, & Addressee's Address

TOTAL Postage & Fees

Postmark or Date

72-07540
WAYNE SIMPSON
PO BOX 1056
CHALLIS

ID 03226

Domestic Return Receipt

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Ruth E. Burchill, representing the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated May 16 1996 and ending with the issue dated May 23 1996.

Ruth E Burchill

STATE OF IDAHO

COUNTY OF CUSTER

On this 23rd day of May in the year of 1996 before me, a Notary Public, personally appeared Ruth E. Burchill 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.

Ethel M. Peck
Notary Public for Idaho
Residing at Challis
My commission expires: 3-19-98

RECEIVED

MAY 28 1996

Department of Water Resources
Southern Region

NOTICE OF APPLICATION FOR WATER PERMIT

The following application has been filed to appropriate the public waters of the State of Idaho:

CALVIN H. LOTT
600 HENDERSON
BLACKFOOT ID 83221
72-07540

Source: groundwater
Diversion Pt: NW1/4NW1/4, S10,
T14N, R19E; Custer County.
irrigation (0.14 cfs)
domestic (0.04 cfs)

Total Diversion: 0.18 cfs

Date Filed: 5/2/96

In: 7.5 acres within NW1/4NW1/4,
S10, T14N, R19E.

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before June 3, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub: May 16 & 23, 1996.

OK MB 5/29/96
AUG 22 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-12400	)	ORDER OF
	)	
IN THE NAME OF WAYNE & DEBBIE	)	REINSTATEMENT
SIMPSON	)	
_____	)	

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before June 1, 1999; and,

WHEREAS, the Department notified the permit holder on March 31, 1999, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

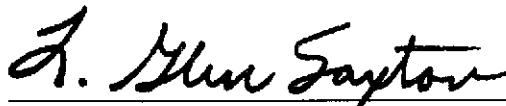
WHEREAS, the department sent the permit holder a lapse notice on June 25, 1999, since the department had not received an acceptable proof of beneficial use statement or extension of time; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on July 9, 1999.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 72-07540 is **REINSTATED** with an advance in priority to June 9, 1996.

DATED this 27th day of December, 1999.



L. GLEN SAXTON, Chief
Water Allocation Bureau

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APR 18 2000

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATIONS AND)
PERMITS FOR THE DIVERSION AND USE)
OF SURFACE WATER AND GROUND)
WATER IN AND TRIBUTARY TO THE)
SELWAY-BITTERROOT WILDERNESS)
AREA, GOSPEL-HUMP WILDERNESS AREA,)
AND FRANK CHURCH-RIVER OF NO)
RETURN WILDERNESS AREA)
_____)

MORATORIUM ORDER

The Director of the Department of Water Resources ("Director"), having responsibility for the administration of the appropriation of water in the State of Idaho, the protection of rights to the use of water within the state, the protection of the public interest in the waters of the state, and the conservation of the water resources of the state, enters the following Findings of Fact, Conclusions of Law, and Final Order.

FINDINGS OF FACT

1. On April 30, 1993, the Director issued an Amended Moratorium Order that stopped the approval of certain applications seeking to appropriate surface water within the Salmon and Clearwater River Basins in Idaho.
2. On December 13, 1993, the United States filed Notices of Claim in the Snake River Basin Adjudication ("SRBA") for federal reserved water rights for the Selway-Bitterroot, Gospel-Hump, and Frank Church-River Of No Return wilderness area designations. On February 27, 1997, a motion to amend the Notices of Claim for all three wilderness area designations was filed with the District Court of the Fifth Judicial District of the State of Idaho (the "SRBA district court") to change the claimed priority dates.
3. As amended, pertinent portions of the claim filed in the SRBA for a federal reserved water right for the Selway-Bitterroot Wilderness are as follows:

Identification Number: A31-11191
Name of Claimant: United States of America

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APR 18 2000

Date of Priority: September 3, 1964, except for Magruder Corridor that has priority date of July 23, 1980

Source of Water Supply: All streams, lakes, ponds, springs, seeps or other natural sources of water including groundwater, whether named or not and whether perennial, intermittent or ephemeral within the boundaries of the Selway-Bitterroot Wilderness. This claim is intended to also include those sources of water which are not presently known or not reasonably susceptible of quantification because of the de minimus and diffuse nature of their flow and which supply wetlands, marshes, or other vegetation which serves such wilderness purposes as habitat protection and drinking water for wildlife. Tributary to Lochsa and Selway Rivers.

Location of Points of Diversion: None

Location of Place of Use: All locations in the Selway-Bitterroot Wilderness where natural sources of water exist.

Instream Flow Beginning

And Ending Points: All locations in the Selway-Bitterroot Wilderness where natural sources of water exist

Total Quantity Claimed: The entire unappropriated flow and all other natural sources of water as of the date of designation, specifically, September 3, 1964.

4. As amended, pertinent portions of the claims filed in the SRBA for federal reserved water rights for the Gospel-Hump Wilderness are as follows:

Identification Numbers: 77-12774, 82-11120

Name of Claimant: United States of America

Date of Priority: February 24, 1978

Source of Water Supply: All streams, lakes, ponds, springs, seeps or other natural sources of water including groundwater, whether named or not and whether perennial, intermittent or ephemeral within the boundaries of the Gospel-Hump Wilderness. This claim is intended to also include those sources of

water which are not presently known or not reasonably susceptible of quantification because of the de minimus and diffuse nature of their flow and which supply wetlands, marshes, or other vegetation which serves such wilderness purposes as habitat protection and drinking water for wildlife. Tributary to Salmon River.

Location of Points of Diversion: None

Location of Place of Use: All locations in the Gospel Hump Wilderness where natural sources of water exist.

Instream Flow Beginning

And Ending Points: All locations in the Gospel-Hump Wilderness where natural sources of water exist

Total Quantity Claimed: The entire unappropriated flow and all other natural sources of water as of the date of designation, specifically, February 24, 1978. =

5. As amended, pertinent portions of the claims filed in the SRBA for federal reserved water rights for the Frank Church-River of No Return Wilderness are as follows:

Identification Numbers: A75-13605, A77-12775

Name of Claimant: United States of America

Date of Priority: July 23, 1980

Source of Water Supply: All streams, lakes, ponds, springs, seeps or other natural sources of water including groundwater, whether named or not and whether perennial, intermittent or ephemeral within the boundaries of the Frank Church-River of No Return Wilderness. This claim is intended to also include those sources of water which are not presently known or not reasonably susceptible of quantification because of the de minimus and diffuse nature of their flow and which supply wetlands, marshes, or other vegetation which serves such wilderness purposes as habitat protection and drinking water for wildlife. Tributary to Salmon River.

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Location of Points of Diversion: None

Location of Place of Use: All locations in the Frank Church-River of No Return Wilderness where natural sources of water exist.

Instream Flow Beginning

And Ending Points: All locations in the Frank Church-River of No Return Wilderness where natural sources of water exist

Total Quantity Claimed: The entire unappropriated flow and all other natural sources of water as of the date of designation, specifically, July 23, 1980.

6. On December 18, 1997, the SRBA district court issued *Order Granting and Denying United States' Motions for Summary Judgment on Reserved Water Rights* for claims made by the United States under the Wilderness Act, Multiple-Use Sustained-Yield Act ("MUSYA"), and Hells Canyon National Recreation Area Act ("HCNRA"), referred to herein as "1997 SRBA Reserved Rights Order." In this order, the SRBA district court ruled that: "The United States is entitled to a federal reserved water right for all unappropriated flows in the Frank Church-River of No Return, the Selway-Bitterroot, and the Gospel-Hump wilderness areas." (1997 SRBA Reserved Rights Order, p. 5). The SRBA district court emphasized its ruling by stating: "The amount of water minimally sufficient to fulfill Congressional intent is the total amount of unappropriated water within each [wilderness] area, **such that none is ever available for future appropriation.**" (1997 SRBA Reserved Rights Order, p. 15, emphasis added).

7. On July 24, 1998, the SRBA district court issued *Memorandum Decision Granting, In Part, and Denying, In Part, the United States' Motion for Summary Judgment on Reserved Water Rights Claims* for claims made by the United States under the Wild and Scenic Rivers Act, referred to herein as "1998 SRBA Wild and Scenic Decision." In this decision, the SRBA district court ruled that under the Central Idaho Wilderness Act, the United States " ... **reserved land north and south of the Mainstem of the Salmon River as wilderness, thereby reserving all unappropriated flows of water in the Mainstem**" referring back to the 1997 SRBA Reserved Rights Order in a footnote. (1998 SRBA Wild and Scenic Decision, p. 7, emphasis added). The SRBA district court noted that "Congress declared that the Mainstem of the Salmon River [that segment of the main Salmon River designated as a component of the Wild and Scenic Rivers System] would be administered solely under the Wild and Scenic Rivers Act, not the Wilderness Act." However, the SRBA district court did not describe any limitation on the reservation of unappropriated flows, nor did the court distinguish between that segment of the main Salmon River designated as Wild and Scenic and that segment adjacent to the Gospel-Hump and Frank Church-River of No Return Wilderness Areas that lies downstream of the Wild and Scenic designation.

8. On October 1, 1999, the Supreme Court of the State of Idaho issued 1999 Opinion No. 113 in the case of *Potlatch Corp. et al. v. United States of America* affirming the 1997 SRBA Reserved Rights Order granting the United States reserved water rights for all unappropriated water in the Frank Church-River of No Return, the Selway-Bitterroot, and the Gospel-Hump Wilderness Areas.

9. As of the date of this Order, there are approximately 60 pending applications for permits to appropriate surface water and ground water in the Selway-Bitterroot, Gospel-Hump, and Frank Church-River of No Return Wilderness Areas, and areas tributary to the wilderness areas. In addition, approximately 90 permits to appropriate water have been issued in these areas for which proof of beneficial use has not yet been submitted.

10. Although the SRBA district court has not issued final decrees for federal reserved water rights in the Selway-Bitterroot, the Gospel-Hump, and the Frank Church-River of No Return Wilderness Areas, the Supreme Court's decision of October 1, 1999, once final, will preclude future appropriations of water within the wilderness areas and in areas tributary to the wilderness areas.

CONCLUSIONS OF LAW

1. The Director is responsible for the allocation of water for new uses in Idaho. Section 42-203A(5), Idaho Code, reads in pertinent part as follows:

... In all applications whether protested or not protested, where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the director that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people in the area directly affected by the proposed use, or (f) that it is contrary to conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions. (emphasis added)

2. The Director is authorized under the provisions of Section 42-1805(7), Idaho Code, as follows:

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After notice, to suspend the issuance or further action on permits or applications as necessary to protect existing vested water rights or to ensure compliance with the provisions of chapter 2, title 42, Idaho Code, or to prevent violation of the minimum flow provisions of the state water plan.

3. The claims filed by the United States in the SRBA for federal reserved water rights for all unappropriated water in the Selway-Bitterroot, Gospel-Hump, and Frank Church-River of No Return Wilderness Areas did not limit the claimed amount to unappropriated water arising solely within the wilderness areas as of the date the wilderness areas were reserved, nor did the claims include subordination to existing permits to appropriate water having junior priority dates for private holdings within the wilderness areas. Neither the 1997 SRBA Reserved Rights Order nor the Idaho Supreme Court decision affirming the 1997 SRBA Reserved Rights Order limited the federal reserved water rights to unappropriated water arising solely within the boundaries of the wilderness areas. Therefore, both the SRBA district court and the Idaho Supreme Court have included unappropriated water flowing into the wilderness areas, either above or below land surface, as part of the unappropriated water "in" or "within" the wilderness areas.

4. Neither the 1997 SRBA Reserved Rights Order, the 1998 SRBA Wild and Scenic= Decision, nor the Idaho Supreme Court decision affirming the 1997 SRBA Reserved Rights Order excluded portions of the Middle Fork of the Salmon River, the South Fork of the Salmon River, or Big Creek lying upstream of the wilderness area boundaries, or clearly excluded the Mainstem of the Salmon River, from being considered as sources for unappropriated water "in" or "within" the wilderness areas as of the date the wilderness areas were reserved.

5. Although petitions for rehearing are pending before the Idaho Supreme Court, a moratorium on the granting of new permits to appropriate surface water or ground water and on continued development under existing permits is necessary. A moratorium will preserve the status quo until final decrees are issued for federal reserved water rights and limit the potential for resources being expended to develop water rights for which no unappropriated water may be available.

6. Because this moratorium order is issued to preserve the status quo, the order should take effect immediately upon issuance to protect the public interest in accordance with the provisions of Section 67-5247, Idaho Code.

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APR 18 2000

ORDER

IT IS, THEREFORE, HEREBY ORDERED that the prior Amended Moratorium Order of the Director issued on April 30, 1993, remains in effect and the requirements listed below also apply.

IT IS FURTHER HEREBY ORDERED that a moratorium is established on the processing of applications for permits to appropriate surface water or ground water within and tributary to the Selway-Bitterroot Wilderness Area, the Gospel-Hump Wilderness Area, and the Frank Church-River of No Return Wilderness Area, subject to the following conditions:

1. This moratorium order shall be in effect on and after its entry and shall remain in effect until withdrawn or modified by order of the Director, except as provided herein.
2. This moratorium order applies to all applications for permit, previously filed or to be filed, and all existing permits for which proof of beneficial use has not been filed with the Department, seeking to appropriate surface water or ground water within the Salmon River Basin upstream from the location where the Salmon River leaves the Gospel-Hump Wilderness Area in Section 3, T24N, R4E, B.M. and in the Clearwater River Basin upstream from the location where the Selway River leaves the Selway-Bitterroot Wilderness Area in Section 7, T31N, R10E, B.M. The wilderness areas and tributary areas affected by this moratorium order are depicted on the attached map.
3. This moratorium order does not apply to any application proposing a non-consumptive use of water.
4. This moratorium order does not prevent the Director from reviewing an application that otherwise would not be approved under terms of this moratorium on a case by case basis, if the Director determines that the use of the water pursuant to the application would have no effect on other water rights due to:
 - (a) the location of use; or
 - (b) the effect on other water rights would be offset through mitigation provided by the applicant.

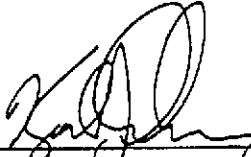
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APR 18 2000

5. The holders of all existing permits to appropriate water within the Selway-Bitterroot, Gospel-Hump, and Frank Church-River of No Return Wilderness Areas, and within areas tributary to those wilderness areas, shall upon receipt of this moratorium order immediately stop further development under the permit, and within sixty (60) days of receipt of this order do one of the following:

- (a) file proof of beneficial use documenting the extent of diversion and beneficial use of water that was completed prior to receiving this moratorium order; or
- (b) request a stay in the development period under the permit, in accordance with Section 42-204, Idaho Code, until the conditions that resulted in this order have been alleviated, if such should ever occur.

Dated this 26th day of October, 1999.

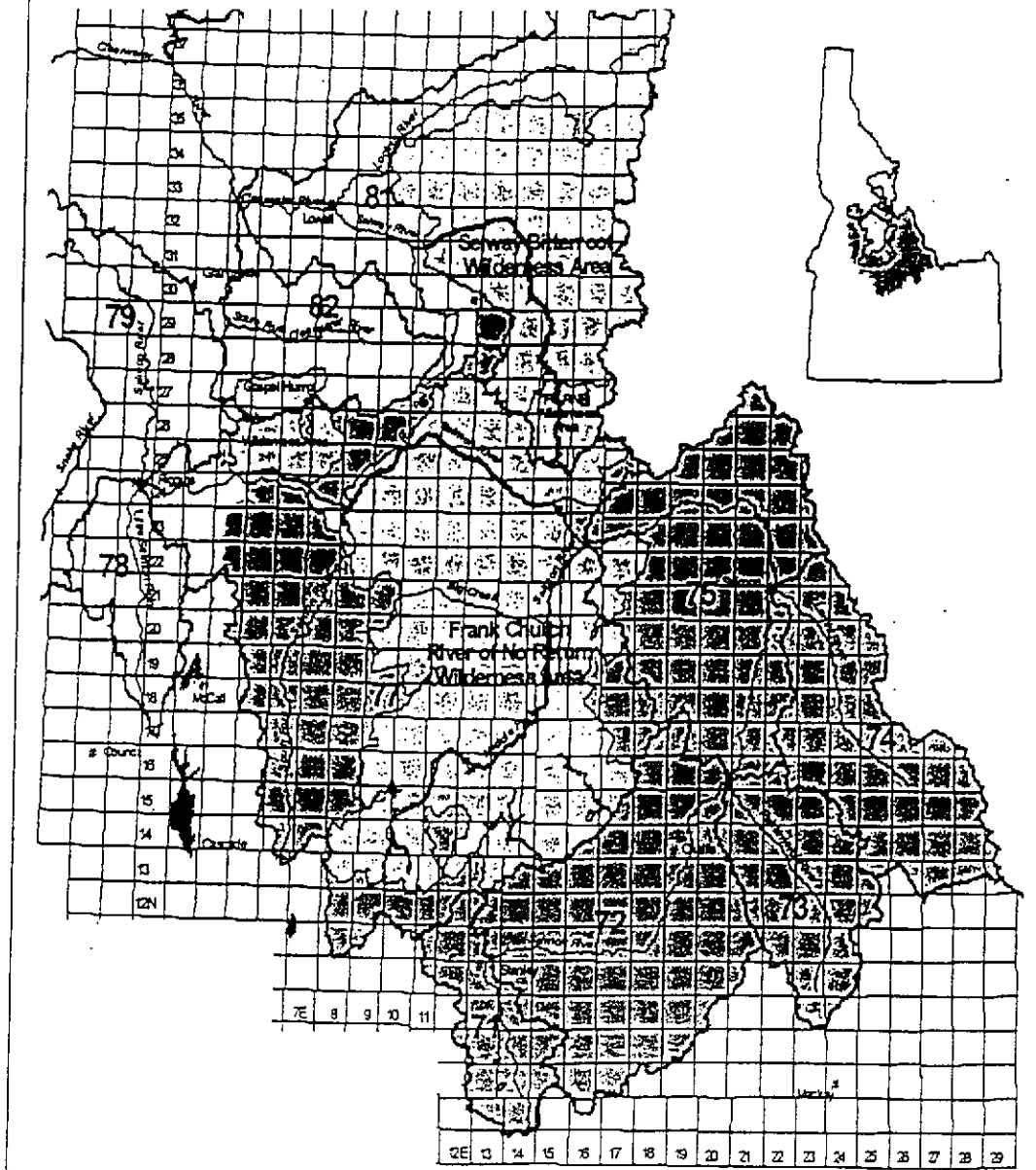


KARL J. DREHER
Director

Wilderness Moratorium Areas

October 26, 1999

-  DWR Administrative Basins with basin number
-  Wilderness Areas
-  Tributary Areas
-  Township/Range



MICROFILMED
JUN 14 1999

7/94

 Amt. of Fee \$: 50.00
 Receipt No. 0245955
 Receipt By: HUCOOMB
 Date Received: 7/19/99

RECEIVED

JUL - 9 1999

 STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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. 72-07540 Telephone No. 208-879-2571
2. Name(s) of Permit Holder(s): Wayne + Debbie Simpson
3. Mailing Address: P.O. Box 1056 Challis, Id. 83226
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 12 / yr. 98
 - a. Well Driller: HARBAX DRILLING Drilling Permit Number: - -
 - b. OPTIONAL:
Pump Horsepower: 1 Hp Pressure (psi): 22 gal/min Dynamic pumping level (ft): 123 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): 7 1/2 Other: 6. Total rate of diversion and/or volume for which proof is submitted: .18 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 <u> </u>	or	No <u>✓</u>
	Has the measuring device been installed?	Yes <u> </u>	or	No <u>✓</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes <u> </u>	or	No <u>✓</u>
	Has the measurement port been installed?	Yes <u> </u>	or	No <u>✓</u>

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: Wayne Simpson Telephone Number: 208-879-2571Address: LOT 22 Meadow Drive Challis Id.
 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.

MICROFILMED

 Signature of permit holder: Wayne Simpson APR 18 2009 Date: 7/1/99
 (include your title, if on behalf of company or organization)

RECEIVED

NOV 19 1998

For Office Use Only

\$25.00 Filing Fee

Receipt # 1043945

Date 11-19-99

Department of Water Resources State of Idaho

DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, CALVIN H LOTT, hereby assign to WYNE & DEBORAH SIMPSON
(Permit Holder)
 of Challis, Idaho P.O. Box 1056 83226 (208 879-2571)
(Full Address and Phone Number)

All my right, title, and interest in and to Permit No. # 72-07540
 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
 Permit No. _____ to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
 point of diversion location, and the amount of water in cubic feet per second.

Made this eighth day of September, 19 98.

Calvin H. Lott

Permit Holder(s)

State of Idaho)

County of Bingham ^{SS}

On this 8th day of September, 199 8, personally appeared before me
 the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Carla J. Jensen

Notary Public

SEAL

Carla J. Jensen

Signature

My commission expires: 11/11/2002

MICROFILMED

APR 18 2003

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 72-07540

Proposed Priority: May 2, 1996

Maximum Diversion Rate:

0.18 CFS

This is to certify, that **CALVIN H LOTT**
600 HENDERSON
BLACKFOOT ID 83221

has applied for a permit to appropriate water from: **GROUNDWATER**

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>
IRRIGATION	04/15 to 10/15	0.14 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.18 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 10, Township 14N, Range 19E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14N	19E	10	NWNW	7.5		7.5

Total number of acres irrigated: 7.5

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1999.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The right holder shall comply with Idaho well construction standards when constructing a well pursuant to this right.
7. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
8. Place of use is located within Lot 22, Rocky Mountain Meadow Subdivision.
9. Domestic use is for 1 home and livestock.

AUG 22 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 72-07540

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

13th day of June, 1996.

Karl J. Dreher
Karl J. Dreher, Director
for

JUN 20 1996

RECEIVED
MAY 01 1996

RECEIVED
JUN 11 1996

Ident. No. 72-07540

Department of Water Resources
Southern Region

STATE OF IDAHO
Department of Water Resources

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Calvin H. Lett Phone 208-785-4993
Mailing address 600 Henderson Blackfoot ID 83221

2. Source of water supply ground water which is a tributary of N/A

3. Location of point of diversion is Township 14 N Range 19 E Sec. 10, in the NW 1/4,
NW 1/4, NW 1/4, Govt. Lot _____, B.M., Custer County County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.14 cfs for Irrigation purposes from 04/15 to 10/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.01 for Stock water purposes from 04/15 to 10/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 cfs for DOMESTIC purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.18 cubic feet per second and/or (b) PER 05/02/96 TELECOM WITH APPLICANT CS acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source 5 hp / Pump (submersible),
Well to be drilled

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

c. Proposed well diameter is 8" inches; proposed depth of well is 65' to 100' 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 5 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. 1-10 Head Horses & cows

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. (1) one

e. Other; describe fully. _____

AUG 22 1996

9. Description of place of use:

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

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	19E	10					7.5												7.5

Total number of acres to be irrigated 7.5

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

11. a. Who owns the property at the point of diversion? CALVIN H. LOTT

b. Who owns the land to be irrigated or place of use? CALVIN H. LOTT

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: *PER 05/02/96 TELECOM WITH APPLICANT*

* PLACE OF USE IS LOT 22 ROCKY MOUNTAIN MEADOWS
SUBDIVISION

* DOMESTIC COMPONENT INCLUDES STOCKWATER

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.)

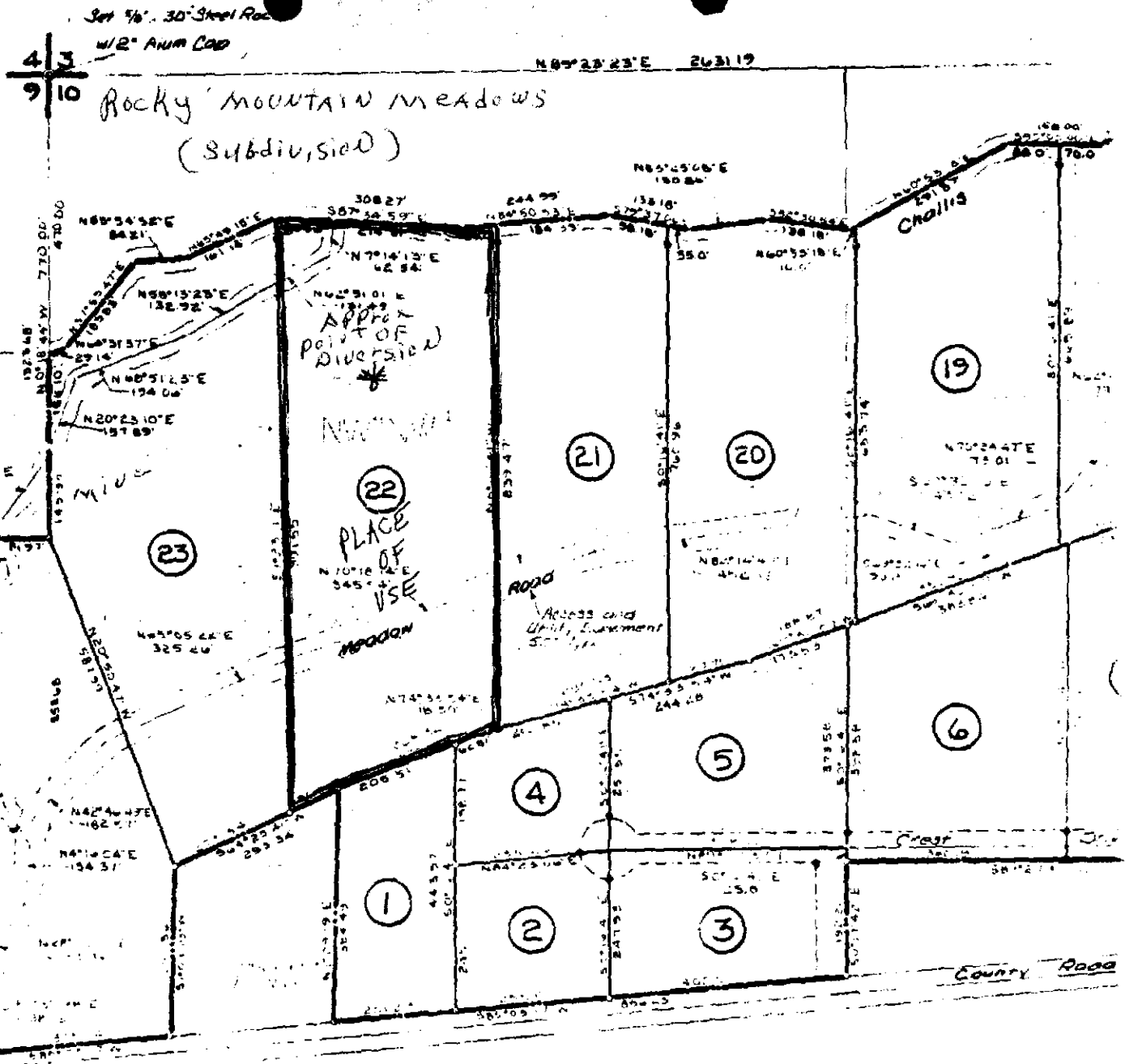
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Calvin H. Lott
Signature of Applicant (and title, if applicable)

Received by KJ USD Clerk Date 5-1-96 Time 9:30am Preliminary check by J. E. Lott
Fee \$ 50.00 Received by CJ # 5019090 Date 5-2-96
Publication prepared by mb Date 5/9/96 Published in Challis Messenger
Publication approved mb Date 5/29/96

4TE

Filed in Idaho on 11/11/96



LEGEND

- Set 1/2" x 24" Steel Rod w/ Plastic Cap as Boundary Corner
- Set 1/2" x 24" Steel Rod w/ Plastic Cap Set as Part on Line
- Boundary Line
- Lot Line
- Lot Number

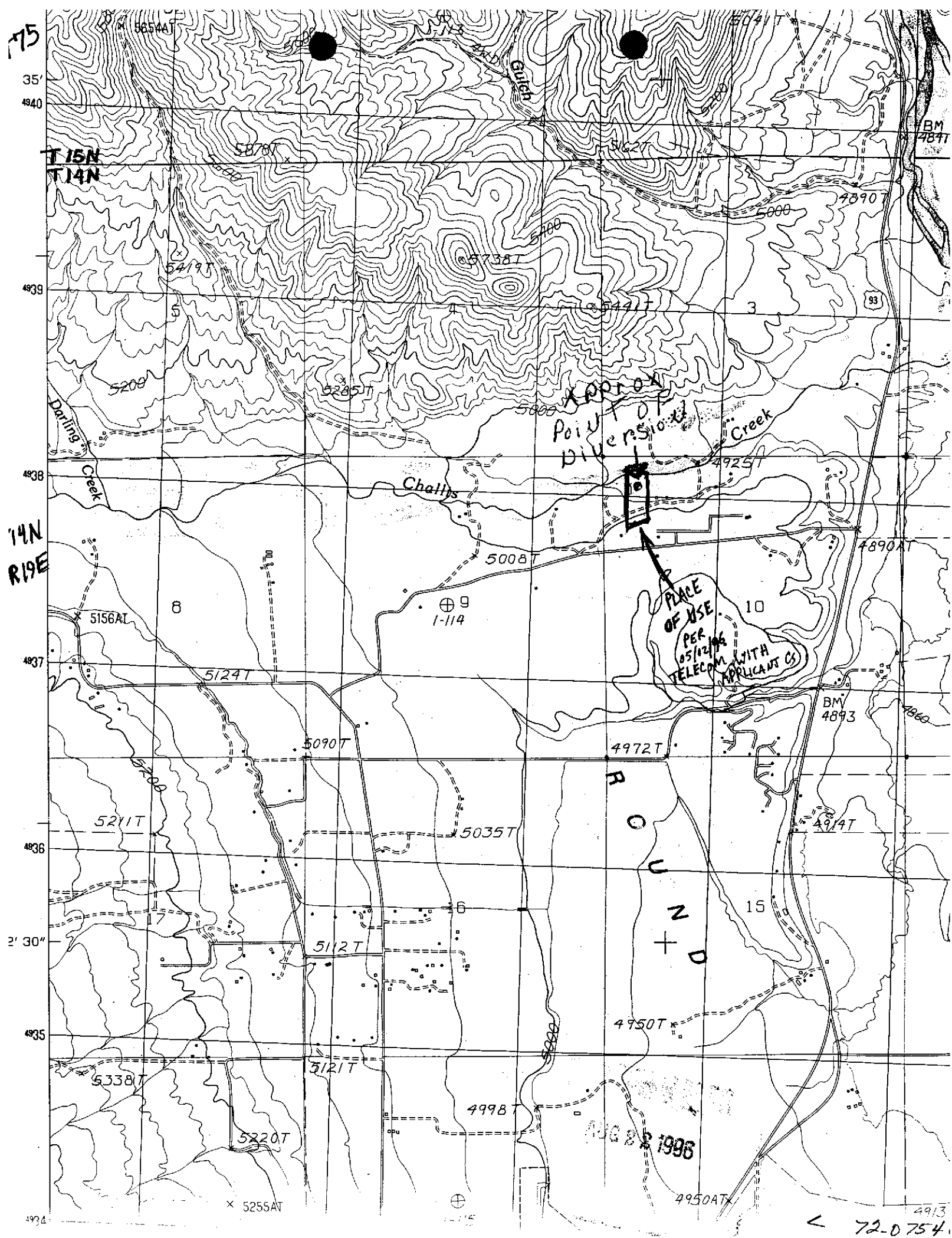
NOTES

- All lines common (10) foot wide p. and irrigation.
- Each side of 3. wide permanent irrigation easer.

T14N R19E

PLACE OF USE ADDED
PER 05/02/96 TELECOM
WITH APPLICANT AS

72-07540



CERTIFIED

Z 269 221 930

MAIL

is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional postage.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse card to you.
- Attach this form to the front of the mail if you permit.
- Write "Return Receipt Requested" on the front of the mail.
- The Return Receipt will show to whom the item was delivered.

3. Article Addressed to:

72-07540
WAYNE SIMPSON
PO BOX 1056
CHALLIS

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

PS Form 3811, December 1994

PS Form 3800, April 1995

2 269 221 930

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided
Do not use for International Mail

Sent to	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

72-07540
WAYNE SIMPSON
PO BOX 1056
CHALLIS

ID 03216

Domestic Return Receipt



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

October 26, 1999

CERTIFIED MAIL

RE: Procedures Available upon Issuance of Final Moratorium Order

Dear Applicant or Permit Holder:

The accompanying "Final Order" by the Director of the Department of Water Resources establishes a moratorium on the processing of applications for permits to appropriate surface water or ground water within and tributary to the Selway-Bitterroot Wilderness Area, the Gospel-Hump Wilderness Area, and the Frank Church-River of No Return Wilderness Area. The order is issued pursuant to Section 67-5246, Idaho Code, and is effective as of October 25, 1999.

This letter provides a statement of the available procedures pursuant to Section 67-5246, Idaho Code, and provides the time limits for filing a petition for reconsideration of the order. The statement is required by the Department's Rule of Procedure 740.02.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order 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 deemed denied by operation of law pursuant to Section 67-5246(4), Idaho Code.

A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.

OPPORTUNITY TO REQUEST HEARING

The department did not conduct a hearing prior to issuance of the accompanying order. Section 42-1701A(3) provides, in pertinent part, as follows:

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APR 18 2000

Unless the right to a hearing before the director or the water resource board is otherwise provided by statute, any person aggrieved by any decision, determination, order or action of the director of the department of water resources or any applicant for any permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the director, who is aggrieved by a denial or conditional approval ordered by the director, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the director to contest the denial or conditional approval upon filing with the director, within fifteen (15) days after receipt of the denial or conditional approval, a written petition stating the grounds for contesting the action by the director and requesting a hearing.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to Sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter 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 (a) the service date of the final order, (b) an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See Section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

For questions regarding the moratorium order please contact Glen Saxton, Water Allocation Bureau Chief, or me at (208) 327-7900.

Sincerely,



Norman C. Young
Administrator
Water Management Division

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APR 18 2002

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 72-07540 Reviewed by Jay Date 11-15-99

GENERAL CONSIDERATIONS

TYPES OF USE

Yes Name same as permit? dom, etc
Yes Address same as permit?
NO Proof timely received? Correct Uses? Yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
Yes Drilling permit required?
NO Copy in the file? Drilling Permit No. 72-98-S-0039-000
75.00 Amount paid for permit NO Correct?
NO Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

Yes Required?
50- Amount Submitted
Yes Correct?
NO Required?
1 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>7-9-99</u>	<u>190</u>
Date proof due	<u>6-1-99</u>	<u>- 152</u>
No. of days late		<u>= 38</u>
Priority Date	<u>5-2-96</u>	<u>+ 122</u>
New Priority Date	<u>6-9-96</u>	<u>160</u>

76-9-96

DEFICIENCIES OR ACTION ITEMS

Re-state + advance priority to June 9, 1996.
Proof acceptable

DATA ENTRY

New Address X Proof Made 7-9-99



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

December 27, 1999

Wayne and Debbis Simpson
PO Box 1056
Challis ID 83226

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 72-07540

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Please note that the priority date has been advanced to June 9, 1996, pursuant to Section 42-218a, Idaho Code.

Please 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.

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. If you have questions concerning the field examination, please contact the SOUTHERN Regional Office of the department in Twin Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region

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APR 18 2000

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

June 25, 1999

WAYNE SIMPSON
DEBORAH SIMPSON
PO BOX 1056
CHALLIS ID 83226

LAPSE NOTICE

RE: PERMIT NO. 72-07540

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated March 31, 1999. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

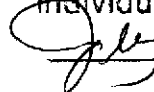
Enclosures

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APR 18 2000

CERTIFICATION OF MAILING

I hereby certify that on 6/25/99
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



March 31, 1999

WAYNE SIMPSON
DEBORAH SIMPSON
PO BOX 1056
CHALLIS ID 83226

PROOF DUE NOTICE

RE: PERMIT NO. 72-07540

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1999.

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

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

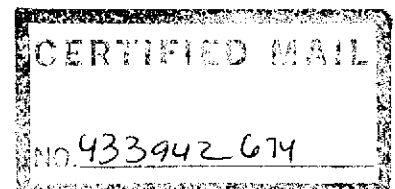
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

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APR 1 8 2000





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

December 31, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WAYNE SIMPSON
DEABORAH SIMPSON
PO BOX 1056
CHALLIS ID 83226

RE: ASSIGNMENT OF PERMIT 72-07540

Dear Mr. & Mrs. Simpson:

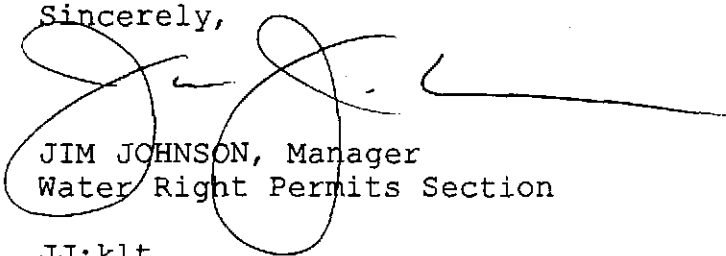
We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership. A computer generated report is enclosed for your information.

Also, 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 to the department. If you have acquired a water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address **AFTER** July 1, 1996, you must notify 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 to obtain the proper reporting form.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED

APR 18 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 13, 1996

CALVIN H LOTT
600 HENDERSON
BLACKFOOT ID 83221

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 72-07540

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

Shelley W. Keen
Shelley W. Keen
Water Rights Supervisor

SK:rl
Enclosures

AUG 22 1996

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 72-7540 Name: Lott Date: 6/12/96 Ad OK? ✓
Correct Fee? ✓ Receipt #: 5019090 Priority: 5/2/96 ✓ Gvmt Lts: ✓

AREA OF CONCERN? source exempt - No/Yes S/C Mor GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st) R72-2104B forfeited

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

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

Water District (dem) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J(meas dev)-P08
=- 0.2 cfs - 01H(lock dev)-P01 or No MD
In-WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - 021(Boise R † Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

① Pu/LT 22 Rocky Mtn Meadows Subd. ② woi/1 + stock.

BENEFICIAL USE DUE:

COMMENTS:

6-1-1999

Calvin H. Lott

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

RECEIVED
JUN 11 1996

INITIAL REVIEW BY *J.F. Stanton* DATE 5-8, 1996
APPLICATION NO. 072-07540 Department of Water Resources

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.)
☒ County
☒ Quantity (flow &/or volume)
☒ Period of use
☒ Nature of proposed use (include description of use)
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

---PROPOSED PRIORITY DATE
5-1 1996

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back. Surface water)
Overlapping point of diversion.
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☐ No Field report attached
☐ Yes ☒ No Critical Ground water area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send Dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit.
☐ Yes ☒ No Power efficiency form
☐ Yes ☒ No Within trustwater boundary (If yes, attach trustwater supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

_____ Date Requested _____, 19____

SEND COPIES TO: ~~Idaho Dept of Health & Welfare~~ ~~USDI BLM~~
~~Idaho Dept of Fish & Game~~ ~~USFS~~
~~Idaho Dept of Lands~~ ~~Water Dist.~~
~~Adjudication Bureau Unit~~ ~~Other~~

☒ Yes ☐ No Affidavit of publication received.
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates and paper, recorded on App.
☐ Yes ☒ No Protests received
Final date for Protest
N/A ☐ Yes ☐ No Protests, dates, resolution of protest, recorded on app.
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist.
☒ Yes ☐ No Special conditions of approval or cover letter below.
Drilling Permit Requirement.

Date of priority recommended 5/1, 1996
By AD Date 6/2, 1996

See below for additional information

By _____ Date _____, 19____

ADDITIONAL INFORMATION:

AFFIDAVIT OF PUBLICATION

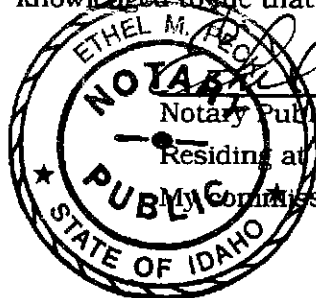
State of Idaho, County of Custer, ss:

I, Ruth E. Burchill, representing the
Challis Messenger, a weekly newspaper, pub-
lished at Challis, Idaho, do solemnly swear that
the notice hereto attached and made a part here-
of, was published in the regular and entire issue
of the Challis Messenger for 2
consecutive weeks, commencing with the issue
dated May 16 1996 and ending with
the issue dated May 23 1996.

STATE OF IDAHO

COUNTY OF CUSTER

On this 23rd day of May in the
year of 1996 before me, a Notary Public,
personally appeared Ruth E. Burchill
known or identified to me to be the person
whose name subscribed to the within instru-
ment, and being by me first duly sworn, declared
that the statements therein are true, and ac-
knowledgeed to me that he executed the same.



Notary Public for Idaho

Residing at Challis

My Commission expires: 3-19-98

RECEIVED

MAY 28 1996

Department of Water Resources
Southern Region

NOTICE OF APPLICATION FOR WATER PERMIT

The following application has been filed
to appropriate the public waters of the
State of Idaho:

CALVIN H. LOTT
600 HENDERSON
BLACKFOOT ID 83221
72-07540

Source: groundwater

Diversion Pt: NW1/4NW1/4, S10,
T14N, R19E; Custer County.

Irrigation (0.14 cfs)

domestic (0.04 cfs)

Total Diversion: 0.18 cfs

Date Filed: 5/2/96

In: 7.5 acres within NW1/4NW1/4,
S10, T14N, R19E.

The permit will be subject to all prior
water rights. Any protest must be filed
with the Director, Dept. of Water
Resources, Southern Region, 222
Shoshone Street East, Twin Falls, ID
83301 together with a protest fee of
\$25.00 on or before June 3, 1996. The
protestant must also send a copy of the
protest to the applicant.

Karl J. Dreher, Director

Pub: May 16 & 23, 1996.

OK MB 5/29/96
AUG 22 1996



Phone 879-4445

P.O. Box 405

STATEMENT

Custer Publishing, Inc.

RECEIVED
MAY 29 1996
Department of Water Resources
Chattanooga Region

Dept. of Water
222 Skoshone St. East
Jurn Falls, Ia 83301-6105

Job No.	Date	DESCRIPTION	Amount
	5-23-96	Notice of Application for Water Permit <u>72-07540</u> 5/16+23/96 28 lines.	\$28.98 OK mb 5/29/96

A finance charge of 1 1/2 percent (annual percentage rate of 18%) with a minimum charge of 50¢ will be charged to all accounts not paid within 30 days of billing.

AUG 22 1996

**NOTICE OF APPLICATION FOR
WATER PERMIT**

The following application has been filed
to appropriate the public waters of the
State of Idaho:

**CALVIN H. LOTT
600 HENDERSON
BLACKFOOT ID 83221
72-07540**

Source: groundwater

Diversion Pt: NW1/4NW1/4, S10,
T14N, R19E; Custer County.

irrigation (0.14 cfs)

domestic (0.04 cfs)

Total Diversion: 0.18 cfs

Date Filed: 5/2/96

In: 7.5 acres within NW1/4NW1/4,
S10, T14N, R19E.

The permit will be subject to all prior
water rights. Any protest must be filed
with the Director, Dept. of Water
Resources, Southern Region, 222
Shoshone Street East, Twin Falls, ID
83301 together with a protest fee of
\$25.00 on or before June 3, 1996. The
protestant must also send a copy of the
protest to the applicant.

Karl J. Dreher, Director

✓ Published in The Challis Messenger on
5/16 & 5/23/96. ✓

AUG 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

May 9, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

CUSTER PUBLISHING CO
PO BOX 405
CHALLIS ID 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

NOTICE OF APPLICATION FOR WATER PERMIT

The following application has been filed to appropriate the public waters of the State of Idaho:

CALVIN H. LOTT
600 HENDERSON
BLACKFOOT ID 83221

72-07540

Source: groundwater

Diversion Pt: NW1/4NW1/4, S10, T14N, R19E; Custer County.

Use: irrigation (0.14 cfs)
domestic (0.04 cfs)

Total Diversion: 0.18 cfs

Date Filed: 5/2/96

In: 7.5 acres within NW1/4NW1/4, S10, T14N, R19E.

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before June 3, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in The Challis Messenger on 5/16 & 5/23/96.



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CALVIN H LOTT
600 HENDERSON
BLACKFOOT ID 83221

Re: Application for Permit No. 72-07540

Dear Mr. Lott:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office has scheduled advertising the application in The Challis Messenger for 5/16 & 5/23/96. A period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If an application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

MAILED 5/10/96

AUG 22 1996

MEMORANDUM

TO: Calvin Lott Application for Permit File

FROM: Corey Skinner *CS*

DATE: May 2, 1996

SUBJECT: Pertinent Information

This day I spoke on the phone with Mr. Lott and confirmed and made the changes to his application for permit as indicated on the application. Incidentally, Mr. Lott said that if we had any other questions concerning his application, call him and leave a message at the number indicated on the application, or call him at work. His work telephone # is as follows....

1. (208) 785-5880
2. Ask for "Freshpack"
3. Then ask for Calvin Lott

Corey Skinner
AUG 2 2 1996

72-07540