

SCALE 1" = 100'



**LEGEND:**

- SET 5/8" REBAR W/P/S 4203 CAP.
- FND. REBAR AS NOTED.
- BRASS CAP SECTION CORNER.
- ▲ BRASS CAP 1/4 CORNER.
- DIMENSION POINT
- SECTION LINE
- LOT LINE
- SEGREGATION BOUNDARY
- COUNTY ROAD EASEMENT.

**NOTES:**

1. BUILDING SETBACKS SHALL BE AT LEAST:  
FRONT 20 FEET  
REAR 20 FEET  
SIDE 10 FEET
2. A 12 FOOT UTILITY AND DRAINAGE EASEMENT EXISTS INSIDE ALL LOT LINES ALONG THE SUBDIVISION BOUNDARY AND A 12 FOOT EASEMENT WILL BE CENTERED ON ALL THE INTERIOR LOT LINES, UNLESS DETERMINED NOT TO BE NEEDED BY THE BOISE COUNTY COMMISSIONERS.
3. LOTS SHALL NOT BE REDUCED BY SIZE WITHOUT PRIOR APPROVAL OF APPROPRIATE HEALTH AUTHORITY AND THE BOISE COUNTY COMMISSIONERS.
4. ALL AREAS SHOWN HEREON ARE FOR TAX PURPOSES ONLY.
5. UTILITY AND DRAINAGE EASEMENTS ALONG ROADS MAY BE USED AS A ROAD RIGHT-OF-WAY EASEMENT AND FOR SNOW STORAGE.
6. THE DEVELOPER SHALL COMPLY WITH IDAHO CODE 31-3603 RELATING TO THE TRANSFER OF WATER RIGHTS.

**REFERENCES:**

(1) RECORD OF SURVEY INST. No. 145895

**BASIS OF BEARING:**

THE BASIS OF BEARING FOR THIS PLAT IS THE NORTH LINE OF THE NW 1/4 OF SECTION 7, T7N, R3E, BLM, AS SHOWN ON RECORD OF SURVEY INST. No. 145895 L.S. 5 8730'00" W. PER THE MONUMENTS SHOWN HEREON AS FOUND.

**NARRATIVE:**

THIS DIVISION IS BASED ON A RETRACEMENT OF PARCEL 1 OF RECORD OF SURVEY REFERENCE (1), PER THE MONUMENTS SHOWN HEREON AS FOUND.

Hal Gross DSC, USN-RET  
44 Jerusalem Valley Rd.  
Horseshoe Bend, ID 83629

FND. 1/2" REBAR PER (1)  
RE-SET 5/8" REBAR  
W/P/S 4203 CAP AND "T" POST

N 1/4 CORNER SECTION 7  
G.L.O. BRASS CAP MONUMENT  
PER REFERENCE (1)

SURVEY INDEX NUMBER: 731-07-4-0-0-

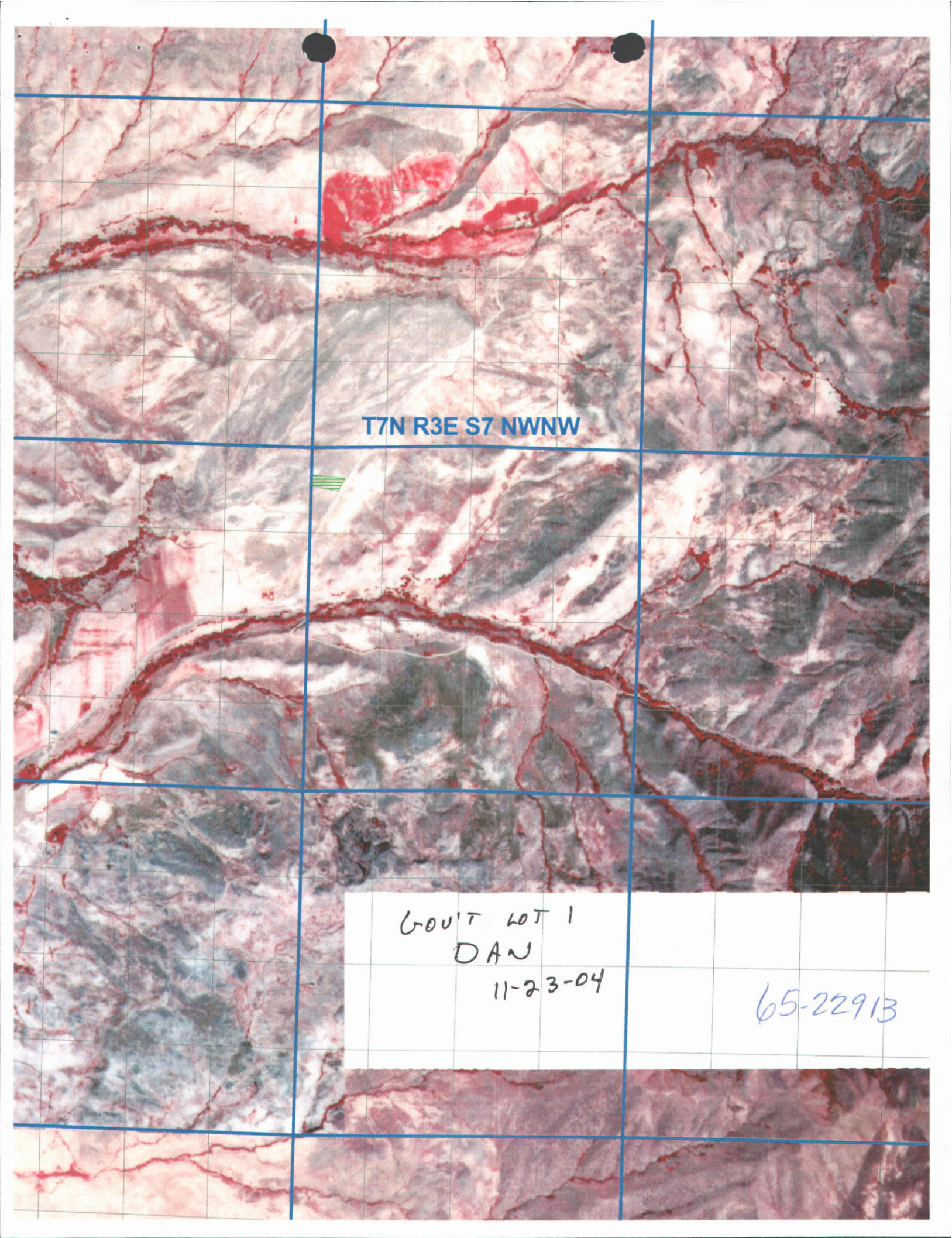
**SEGREGATION PLAT**  
of the  
**DIAMOND NICKLE ESTATES**  
a Portion of NW1/4  
SEC. 7, T. 7 N, R. 3 E, B.L.  
**BOISE COUNTY**  
**IDAHO**



11-57172  
19 NORTH MAIN STREET  
PAIDITE, IDAHO 83661  
TEL (208) 642-1100  
FAX (208) 642-1184  
SHEET 1 of 2

Gov't Lt 1  
DAN  
11-23-04

65-22913



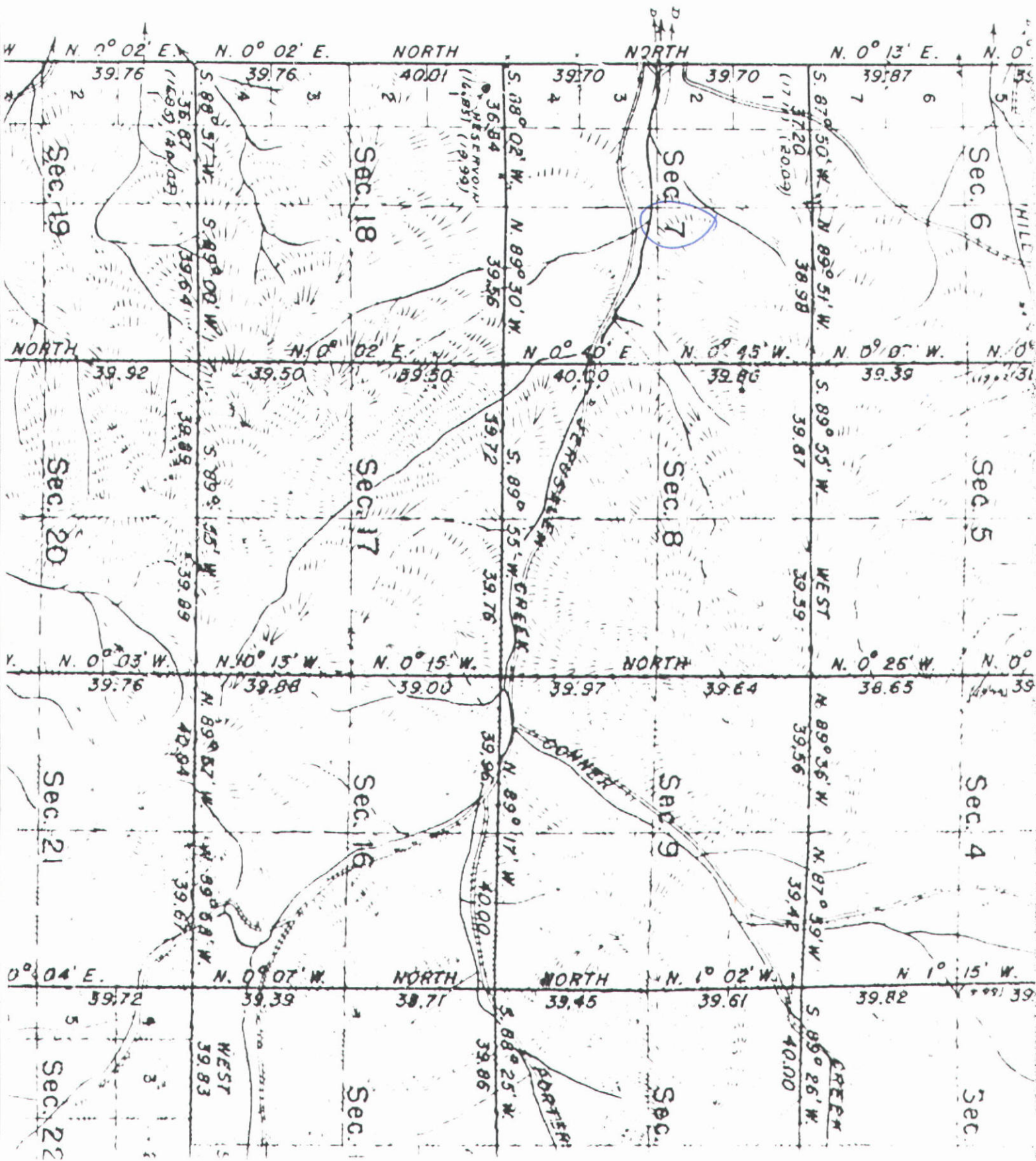
T7N R3E S7 NWNW

Gov't Lot 1  
DAN

11-23-04

65-22913

T<sub>2</sub>N  
R<sub>3</sub>E



RECEIVED

DEC 13 2004

WATER RESOURCES  
WESTERN REGION

# The Idaho World

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

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 Dec 1, 2004 and ending with the issue of Dec 8, 2004.

*Deanna Stevenson*

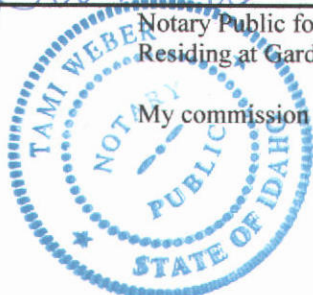
State of Idaho )  
County of Boise )

On this 10 day of Dec in the year 2004, 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 2/10/05



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

65-22913

HAL GROSS  
44 JERUSALEM VALLEY RD  
HORSESHOE BEND ID 83629  
Point(s) of Diversion NWNW S7 T07N R03E BOISE  
County Source GROUND WATER

|                           |                |          |
|---------------------------|----------------|----------|
| Use: IRRIGATION           | 03/15 To 10/31 | 0.06 CFS |
| Use: DOMESTIC             | 01/01 To 12/31 | 0.04 CFS |
| Use: AESTHETIC STORAGE    | 01/01 To 12/31 | 2 AFA    |
| Use: DIVERSION TO STORAGE | 01/01 To 12/31 | 0.1 CFS  |
| Total Diversion:          |                | 0.1 CFS  |

Date Filed: 09/01/2004  
Place Of Use: DOMESTIC,  
T07N R03E S7 NWNW

Place Of Use: IRRIGATION  
T07N R03E S7 NWNW  
Number of Acres 2  
Place Of Use: AESTHETIC STORAGE  
T07N R03E S7 NWNW

Remark: Applicant agrees to mitigate consumptive use in the future as needed. 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 Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/20/2004. The protestant must also send a copy of the protest to the applicant. KARL J DREHER, Director

Published in the Idaho World on December 1 and 8, 2004.

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**

NO. 65-22913

Priority: September 01, 2004

Maximum Diversion Rate: 0 10 CFS

This is to certify, that HAL GROSS  
44 JERUSALEM VALLEY RD  
HORSESHOE BEND ID 83629

has applied for a permit to appropriate water from:

**Source:** GROUND WATER

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 03/15 to 10/31       | 0 06 CFS                 |                      |
| DIVERSION TO STORAGE  | 01/01 to 12/31       | 0.10 CFS                 |                      |
| AESTHETIC STORAGE     | 01/01 to 12/31       |                          | 2 0 AF               |
| DOMESTIC              | 01/01 to 12/31       | 0 04 CFS                 |                      |

**LOCATION OF POINT OF DIVERSION:**

GROUND WATER NW¼NW¼ Sec. 7, Twp 07N, Rge 03E, B M , BOISE County

**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 |
| 07N 03E 7      |    |    |    |    |    | 2 0 |    |    |    |    |    |    |    |    |    |    | 2 0    |
|                |    |    |    |    |    | L 1 |    |    |    |    |    |    |    |    |    |    |        |
| Total Acres: 2 |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |    |        |

**PLACE OF USE:** AESTHETIC STORAGE & 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 |
| 07N 03E 7   |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

- 1 Proof of application of water to beneficial use shall be submitted on or before **January 01, 2010**.
- 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 the permit holder had no control
- 4 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
NO. 65-22913

- 6 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 af/a per acre at the field headgate for irrigation of the lands above
7. Aesthetic storage use is for a 0.1 af pond.
- 8 Point of diversion and place of use are located within Lot 2, Blk. 1, Diamond Nickle Estates
- 9 Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level
- 10 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 12<sup>th</sup> day of January, 2005

  
for KARL J DREHER, Director

RECEIVED

JAN 06 2005

DEPARTMENT OF  
WATER RESOURCES

Ident. No. 65-22913

FORM 202  
12/99

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of Applicant HAL GROSS Phone 793-3238  
Mailing address 44 JERUSALEM VALLEY RD, HORSESHOE BEND, ID 83629
2. Source of water supply GROUND WATER which is a tributary of \_\_\_\_\_
3. Location of point of diversion is Township 7N Range 3E Sec. 7 in the \_\_\_\_\_  
NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Govt. Lot 1, B.M., BOISE County;  
additional points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
 Amount .04 for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount .06 for IRRIGATION purposes from 3-15 to 10-31 (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount .10 for DIVERSION purposes from 1-1 to 12-31 (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount \_\_\_\_\_ for TO STORAGE purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount 2 for AESTHETICS STORAGE purposes from 1-1 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)
5. Total quantity to be appropriated is (a) .10 and/or (b) 2  
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 1.5 HP SUBMERSIBLE PUMP  
30X30X4 POND
  - b. Height of storage dam 0 feet; active reservoir capacity 0.1 acre-feet; total reservoir capacity 0.1 acre-feet
  - c. Proposed well diameter is 5" inches; proposed depth of well is 247 feet
  - d. Is ground water with a temperature of greater than 85°F being sought? NO
  - e. If well is already drilled, when? 6-7-04; Drilling firm RAUCH DRILLING INC.  
Well was drilled for (well owner) HAL GROSS; Drilling Permit No. D0031320
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. \_\_\_\_\_
  - c. Municipal; show name of municipality. \_\_\_\_\_
  - d. Domestic; show number of households. \_\_\_\_\_
  - e. Other; describe fully. 1 HOME



Military Division  
BUREAU OF HOMELAND SECURITY

Hal Gross  
Equipment Specialist

4040 Guard Street, Bldg 600 (208) 334-3460 (Receptionist)  
Boise, ID 83705-5004 (208) 422-4491 (Direct)  
hgross@bhs.idaho.gov (208) 867-4786 (Cell)  
www.bhs.idaho.gov (208) 422-4485 (Fax)  
24-Hour Notification: (208) 846-7610 or (800) 632-8000

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 |        |
| 7N  | 3E  | 7   |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    | 2  |    |    |    |    |    |    |    |    |    |    | 2      |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Total number of acres to be irrigated 2

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? APPLICANT
- b. Who owns the land to be irrigated or place of use? APPLICANT
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

12. Remarks: 1.75 AF INCLUDED IN POND VOLUME TO ACCOUNT FOR EVAPORATIVE LOSS ASSOCIATED WITH A 1/2 ACRE SURFACE AREA POND. ONCE FULL WELL WILL PROVIDE EVAPORATIVE LOSS, IRRIGATION WILL NOT OCCUR FROM POND.

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.

[Signature] OWNER  
Signature of Applicant (and title, if applicable)

Received by 6 Date 9/1/04 Time 3:30 PM Preliminary check by DAN  
Fee \$ 100 Received by 6 # W032185 Date 9/1/04  
Publication prepared by AK Date 12-14-04 Published in IDAHO WORLD  
Publication approved AK Date 12-22-04

## REQUEST TO PROCESS

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

Name of Applicant

HAL GROSS

Mailing Address

44 JERUSALEM VALLEY Rd.  
HOUSTON BEND, ID 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

Hal Gross

Date

1 SEPT. 2004

Please return this form to:

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

IDAHO DEPARTMENT OF WATER RESOURCES  
**WELL DRILLER'S REPORT**

Office Use Only  
Well ID No 816195  
Inspected by \_\_\_\_\_  
Twp \_\_\_\_\_ Rge \_\_\_\_\_ Sec \_\_\_\_\_  
1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
Lat. \_\_\_\_\_ Long: \_\_\_\_\_

1. WELL TAG NO. D 0031320  
DRILLING PERMIT NO. \_\_\_\_\_  
Water Right or Injection Well No. \_\_\_\_\_

2. OWNER:

Name Hal Gross  
Address 44 Jerusalem Valley Rd  
City Horseshoe Bend State ID Zip 83629

3. LOCATION OF WELL by legal description:

You must provide address or Lot, Blk, Sub. or Directions to well

Twp 7 North ☒ or South ☐  
Rge 3 East ☒ or West ☐  
Sec 7 NW 1/4 NE 1/4  
Gov't Lot \_\_\_\_\_ County Boise

Lat: \_\_\_\_\_ Long: \_\_\_\_\_  
Address of Well Site 44 Jerusalem Valley Rd  
City Horseshoe Bend

(Give at least name of road + Distance to Road or Landmark)  
Lt. 2 Blk. 1 Sub Name Diamond Nickel Estate

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation  
☐ Thermal ☐ Injection ☐ Other \_\_\_\_\_

5. TYPE OF WORK check all that apply (Replacement etc)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other \_\_\_\_\_

6. DRILL METHOD:

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other \_\_\_\_\_

7. SEALING PROCEDURES

| Seal Material | From | To | Weight / Volume | Seal Placement Method |
|---------------|------|----|-----------------|-----------------------|
| Bentonite     | 0    | 50 | 27 bags         | Poured                |

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) \_\_\_\_\_

Was drive shoe seal tested? ☐ Y ☒ N How? \_\_\_\_\_

8. CASING/LINER:

| Diameter | From | To  | Gauge | Material | Casing                              | Liner                    | Welded                              | Threaded                 |
|----------|------|-----|-------|----------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| 5"       | +2   | 230 | 258   | Steel    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Length of Headpipe 230 Length of Tailpipe 7

Packer ☒ Y ☐ N Type 3/8" Pea Gravel

9. PERFORATIONS/SCREENS PACKER TYPE

Perforation Method \_\_\_\_\_

Screen Type & Method of Installation S/S 025

| From | To  | Slot Size | Number | Diameter | Material | Casing                              | Liner                    |
|------|-----|-----------|--------|----------|----------|-------------------------------------|--------------------------|
| 220  | 240 | 025       |        | 5"       | S/S      | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

10. FILTER PACK

| Filter Material | From | To  | Weight / Volume | Placement Method |
|-----------------|------|-----|-----------------|------------------|
| 3/8" Pea Gravel | 50   | 247 | 4 yd            | Poured           |

11. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

80 ft below ground Artesian pressure ? lb

Depth flow encountered 230ft Describe access port or control devices N/A

12. WELL TESTS:

☐ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

| Yield gal / min | Drawdown | Pumping Level | Time |
|-----------------|----------|---------------|------|
| 20              | 230      | 200           | 2 Hr |

Water Temp 57 Bottom hole temp 57

Water Quality test or comments: good

230 Depth first Water Encounter

13. LITHOLOGIC LOG: (Describe repairs or abandonment)

| Bore Dia | From | To  | Remarks: Lithology, Water Quality & Temperature | Water | Y | N |
|----------|------|-----|-------------------------------------------------|-------|---|---|
| 8-5/8"   | 0    | 12  | Boulder Basalt                                  |       |   | X |
| "        | 12   | 170 | Green Sandstone                                 |       |   | X |
| "        | 170  | 225 | Clay, brown                                     |       |   | X |
| "        | 225  | 230 | Brown Sandstone                                 | X     |   |   |
| "        | 230  | 247 | Clay/ Tan Sandstone                             | ?     |   |   |

RECEIVED

JUN 15 2004

WATER RESOURCES  
WESTERN REGION

SCANNED

JUN 28 2004

Completed Depth 247 (Measurable)

Date Started 6/6/04 6/7/04 Completed 6/9/04

14. DRILLER'S CERTIFICATION

We certify that all minimum well construction standards were complied with at the time the rig was removed

Company Name Rauch Drilling Inc Firm No 570

Principal Driller [Signature] Date 6/10/04

and Driller or Operator II \_\_\_\_\_ Date \_\_\_\_\_

Operator I \_\_\_\_\_ Date \_\_\_\_\_

Principal Driller and Rig Operator Required  
Operator I must have signature of Driller/Operator II.

- LEGEND:
- SET 5/8" REBAR W/PLS 4203 CAP.
  - FND. REBAR AS NOTED.
  - BRASS CAP SECTION CORNER.
  - ▲ BRASS CAP 1/4 CORNER.
  - DIMENSION POINT
  - SECTION LINE
  - LOT LINE
  - SEGREGATION BOUNDARY
  - COUNTY ROAD EASEMENT.

- NOTES:
1. BUILDING SETBACKS SHALL BE AT LEAST:
 

| FRONT | 20 FEET |
|-------|---------|
| REAR  | 20 FEET |
| SIDE  | 10 FEET |
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  6. THE DEVELOPER SHALL COMPLY WITH DRAIN CODE 31-3603 RELATING TO THE TRANSFER OF WATER RIGHTS.

REFERENCES:

(1) RECORD OF SURVEY MNT. No. 145885

BASIS OF BEARING:

THE BASIS OF BEARING FOR THIS PLAT IS THE NORTH LINE OF THE NW 1/4 OF SECTION 2, T7N, R3E, 84L AS SHOWN ON RECORD OF SURVEY MNT. No. 145885 & S 87°50'00" W. FOR THE MONUMENTS SHOWN HEREON AS FOUND.

NARRATIVE:

THIS DIVISION IS BASED ON A RETRACEMENT OF PARCEL 1 OF RECORD OF SURVEY REFERENCE (1). PER THE MONUMENTS SHOWN HEREON AS FOUND.

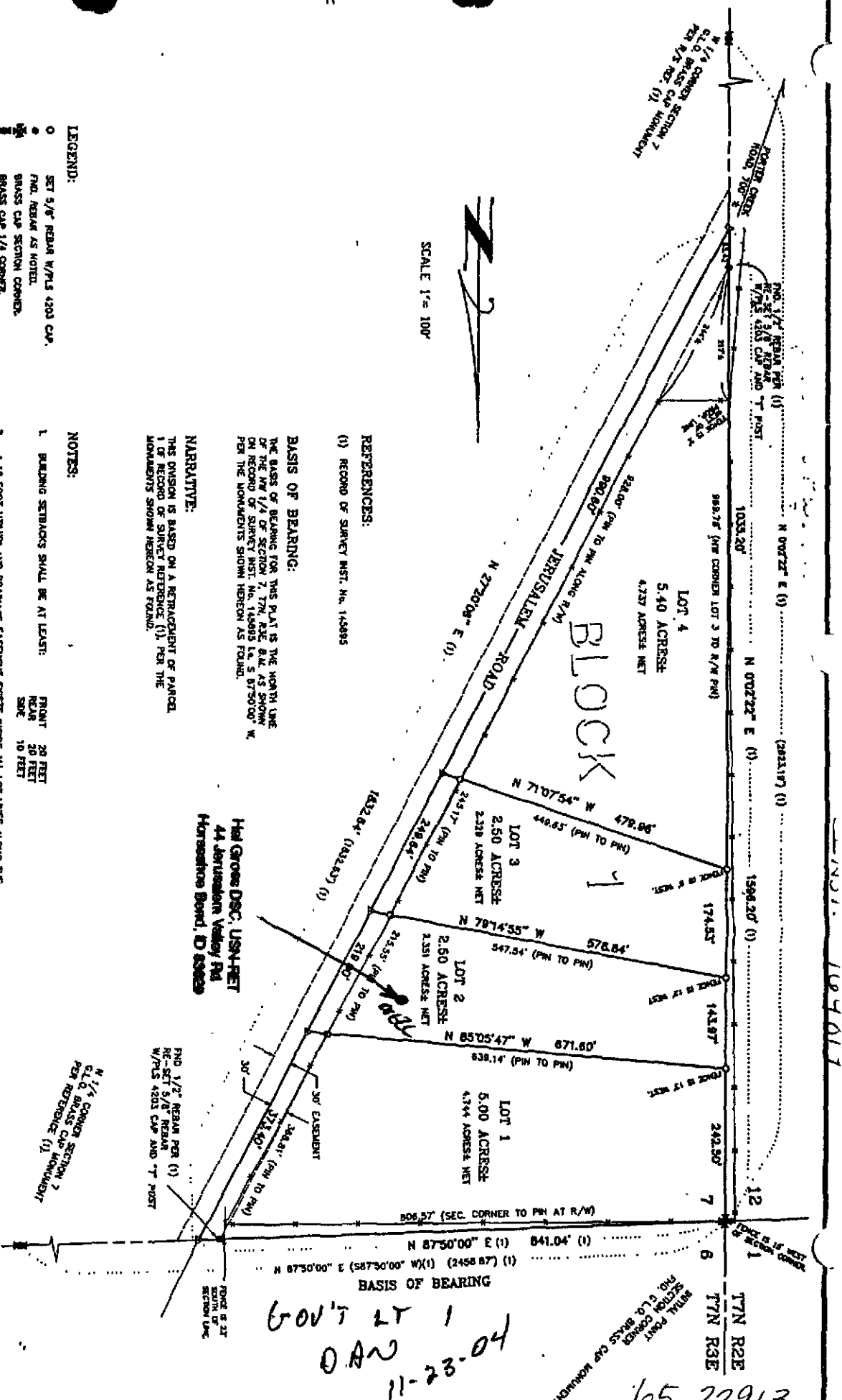
Hill Groves DSC, USA-FET  
44 Jerusalem Valley Rd  
Horseshoe Bend, ID 83628

1/4 CORNER SECTION 2  
RE-SET 5/8" REBAR  
W/PLS 4203 CAP AND "T" POST  
PER REFERENCE (1)

SURVEY BOOK NUMBER 231-07-4-0-0-

SEGREGATION PLAT  
of the  
DIAMOND NICKLE ESTATES  
a Portion of NW1/4  
SEC. 7, T. 7 N, R. 3 E, B.L.  
BOISE COUNTY  
IDAHO

18 NORTH MAIN STREET  
PLATEAU BLVD 84601  
TEL (208) 642-1100  
FAX (208) 642-1104  
SHEET 1 of 2



OCT 10 1996

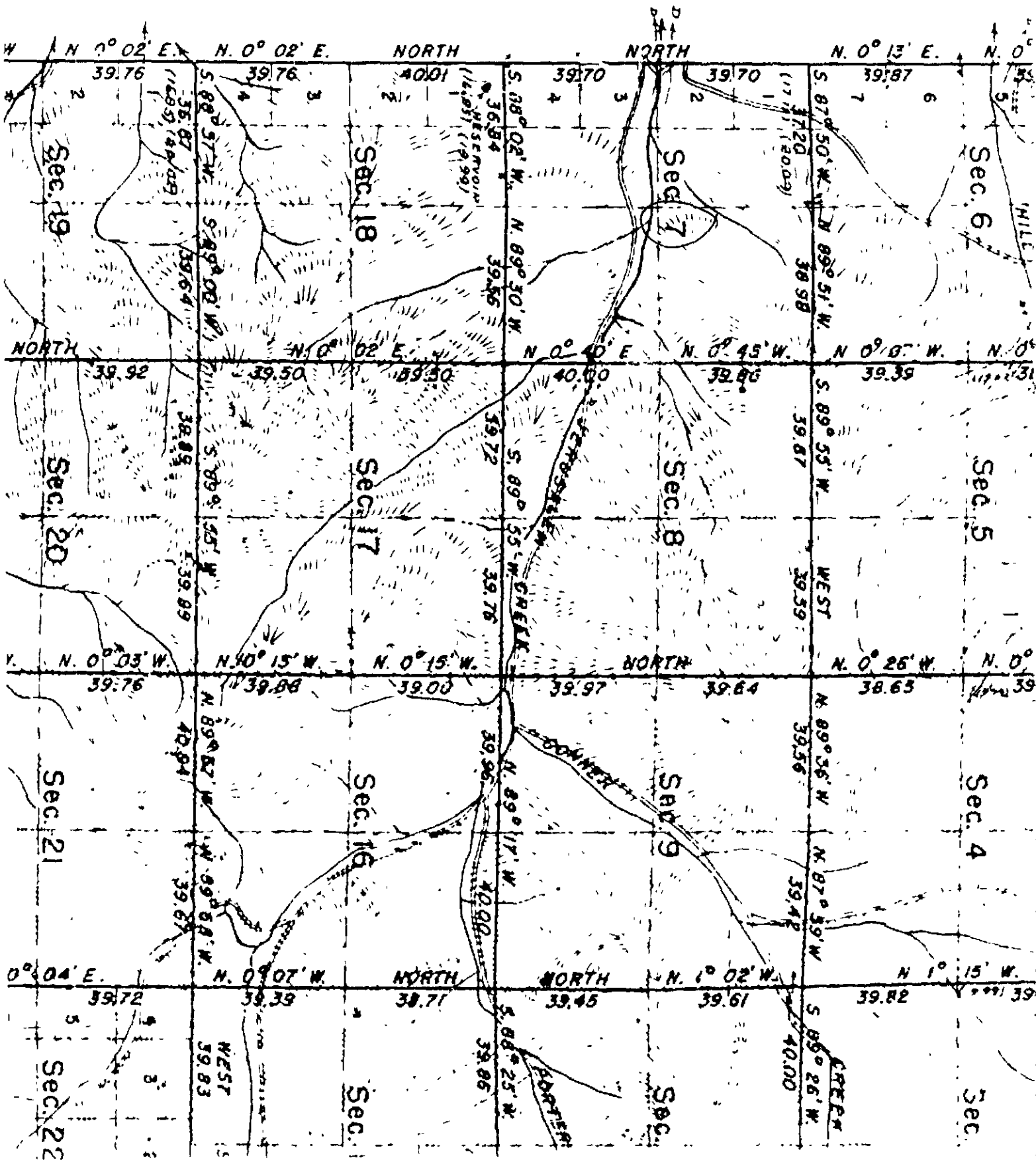
T7NR85 S WNW

GOV'T LOT 1  
DAN

11-23-04

65-22913

T 2 N  
R 3 E





**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](http://www.idwr.idaho.gov)

January 13, 2005

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

HAL GROSS  
44 JERUSALEM VALLEY RD  
HORSESHOE BEND ID 83629

RE: Permit No. 65-22913

**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.

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.

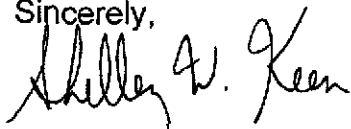
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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)

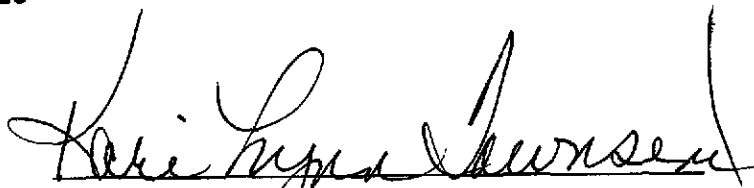
# **CERTIFICATE OF SERVICE**

I hereby certify that on January 13, 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.**

**65-22913**

**HAL GROSS  
44 JERUSALEM VALLEY RD  
HORSESHOE BEND ID 83629**

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

**Kari Lynn Townsend  
Secretary**

**EXPLANATORY INFORMATION  
TO ACCOMPANY A  
PRELIMINARY ORDER**

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

**PETITION FOR RECONSIDERATION**

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

**EXCEPTIONS AND BRIEFS**

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

**REQUEST FOR HEARING**

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

**ORAL ARGUMENT**

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

**CERTIFICATE OF SERVICE**

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

### **FINAL ORDER**

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

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

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

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

### **APPEAL OF FINAL ORDER TO DISTRICT COURT**

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

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

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

## **Comment Report**

**65-22913**

1. scurtis 9/14/2004 Legal Notice Remarks

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

2. dnelson 11/23/2004 Comment/Analysis

Comment: This application is for a domestic home and 2 acres of irrigation use. The applicant as also requested a small pond that will not be used as part of the irrigation system. The applicant has requested that 1.9 afa be allowed for evaporation losses based on the amount of surface area of the pond using the department maps for consumptive use. There are no other overlapping water rights, so there are no foreseen problems. A well upgrade fee has been requested on this application.

3. kwalker 1/11/2005 Permit Review

Comment: Application does not fall within any problem areas. Applicant has upgraded drilling permit fee. No place of use overlaps. Recommend approval.

IDAHO DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

JAN 06 2005

DEPARTMENT OF  
WATER RESOURCES

Initial review by DAN Date 11-23-04 Application # 65-22913

REQUIRED INFORMATION

☒ Name (for corporation or partnership, names & addresses for director, officers, &/or other partners must be included)  
☒ Address  
☒ Source (see USGS quad for source names)  
☒ P/D (10 acres for spring, lot & block descriptions for subdivisions, local name)  
☒ County  
☒ Quantity (flow & /or volume)  
☒ Period of use  
☒ Nature of use (list details in appl. Item 8 if non-irrigation)  
☒ Description of diverting works  
☒ Time required for beneficial use of water  
☒ P/U  
☒ Map (show T, R, S, QQ &/OR QQQ)  
☒ Subdivision plat (if > 1 home restricted area ≥ 5 homes non-restricted area)  
☒ Signature (if corporation, partnership, municipality, need title of signatory)  
☒ Correct fee paid

Government Lots  
yes P/D  
yes P/U

ADDITIONAL INFORMATION

ADVERTISE REMARKS

☒ YES ☐ NO

YES NO

☒ P/D overlap (explain)  
☒ P/U overlap (explain)  
☒ Critical groundwater area (send letter)  
☒ Ground water management area (send letter)  
☒ Drilling concern area (send letter)  
☒ 1992 moratorium (send letter)  
☒ Surface water source, IDFG comment letter  
☒ Protected river or minimum flow reach, notify water planning bureau  
☒ E-mail to Dam Safety staff (if any storage) → E-mail sent 1-23-04  
☒ Mitigation plan: "request to process form" in file:  
    ☐ Immediate = closed areas, acceptable plan required & submitted  
    ☒ Future = open areas, plan not required  
☒ Send power requirement letter &/or fish farm requirement letter  
☒ Power residency affidavit  
☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach large diversion supplementary analysis sheet)

☒ REQUEST ADDITIONAL INFORMATION FROM APPLICANT

well up to grade Fee LETTER

paid 12/13/04

Date Requested 11-23-04 Date Response Received 12-03-04

**PROCESSING**APPLICATION # 65-72913

YES NO

☒ ☐ In form for advertising  
☐ ☒ Statewide advertising (> 10 cfs &/or 1000 af)  
☒ ☐ Fee amount, receipt number, & date recorded on application

**COMMENT LETTERS**

YES NO

☐ ☒ IDEQ  
☐ ☒ IDFG  
☐ ☒ IDL  
☐ ☒ IDWR Water Planning  
Bureau

YES NO

☐ ☒ US BLM  
☐ ☒ US Forest Service  
☐ ☒ Water Dist #  
☐ ☒ Other - list here or attach information

**FINAL REGIONAL PROCESSING REVIEW**

YES NO

☒ ☐ Affidavit of publication received  
☒ ☐ Application published correctly? If not, record action taken  
☒ ☐ Publication dates & paper recorded on application  
☐ ☐ Final date for protest 11-22-04  
☐ ☒ Protests received  
☒ ☐ Recommendations attached  
☐ ☒ Measuring device required  
☐ ☒ Water delivered by water master? District #  
☐ ☒ Special conditions of approval or cover letter

STANDARD CONDITIONS - 046Recommended Date of Priority SEPT. / 01 / 2004Recommendation ☒ Approve ☐ Deny by Daniel A. Nelson Date 12-22-04**ADDITIONAL INFORMATION**☐ See attached proof report, note Legal Notice Remarks &/or Comments☐ Shapefile completed (optional: attach with proof report)

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 65-22913

WATER RIGHT NUMBER: 65-22913

|                   |                                                                                  |
|-------------------|----------------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                          |
| Current Owner     | HAL GROSS<br>44 JERUSALEM VALLEY RD<br>HORSESHOE BEND, ID 83629<br>(208)793-3238 |

Priority Date: 09/01/2004

Basis:

Status: Active

|               |                  |
|---------------|------------------|
| <u>Source</u> | <u>Tributary</u> |
| GROUND WATER  |                  |

|                         |             |           |                       |                      |
|-------------------------|-------------|-----------|-----------------------|----------------------|
| <u>Beneficial Use</u>   | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| DOMESTIC                | 01/01       | to 12/31  | 0.040 CFS             |                      |
| IRRIGATION              | 03/15       | to 10/31  | 0.060 CFS             |                      |
| DIVERSION TO STORAGE    | 01/01       | to 12/31  | 0.100 CFS             |                      |
| AESTHETIC STORAGE       | 01/01       | to 12/31  |                       | 2.00 AF              |
| <u>Total Diversion:</u> |             |           | 0.100 CFS             |                      |

Location of Point(s) of Diversion

|              |            |         |          |               |
|--------------|------------|---------|----------|---------------|
| GROUND WATER | NW1/4NW1/4 | Sec. 7, | Twp 07N, | Rge 03E, B.M. |
| BOISE County |            |         |          |               |

Place of Use

DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07N | 03E | 7   |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |        |

## IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07N | 03E | 7   |    |    |    |    |    |    | 2.0 |    |    |    |    |    |    |    |    |    | 2.0    |

Total Acres. 2

AESTHETIC STORAGE

| Twp | Rge | Sec | NE | NW | SW | SE |
|-----|-----|-----|----|----|----|----|
|     |     |     |    |    |    |    |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Water Application Report 65-22913

|         |   | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|---------|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 07N 03E | 7 |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

Conditions of Approval:Remarks:Comments:

1. scurtis 9/14/2004 Legal Notice Remarks  
 Comment Applicant agrees to mitigate consumptive use in the future as needed.

2. dnelson 11/23/2004 Comment/Analysis  
 Comment: This application is for a domestic home and 2 acres of irrigation use. The applicant also requested a small pond that will not be used as part of the irrigation system. The applicant has requested that 1.9 afa be allowed for evaporation losses based on the amount of surface area of the pond using the department maps for consumptive use. There are no other overlapping water rights, so there are no foreseen problems. A well upgrade fee has been requested on this application.

Dates and Other Information.

Application Received Date: 9/1/2004  
 Application Denied Date:  
 Last Date of Beneficial Use:  
 Extension End Date:  
 Protest Deadline Date:  
 Number of Protests: 0  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 State or Federal:  
 Owner Name Connector:  
 Water District Number:  
 Generic Max Rate Per Acre:  
 Generic Max Volume Per Acre:  
 Application Type: New Appropriation  
 Applicant Remarks: 1.75 af included in pond volume to account for evaporation loss associated with a 1/2 acre surface area pond. Once full, well will provide evaporative loss; irrigation will not occur from pond.  
 Other Water Rights:  
 Time to Complete Works: 5  
 Transfer Affected Description:  
 Transfer Affected Contracts:  
 Old Transfer Number:  
 Transfer Reason:  
 Transfer Return Flows:  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Carey Act Number:  
 Mitigation Plan: False

Combined Use Limits.

RECEIVED

DEC 13 2004

WATER RESOURCES  
WESTERN REGION

# The Idaho World

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

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.

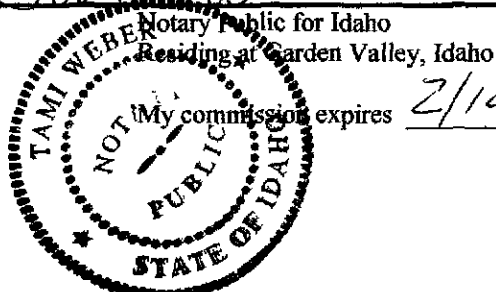
Such notice was published with the issue beginning with Dec 1, 2004 and ending with the issue of Dec 8, 2004.

*Deanna Stevenson*

State of Idaho )  
 )  
County of Boise )

On this 10 day of Dec in the year 2004, 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.

*Jamie Weber*



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

65-22913

*✓ sk*

HAL GROSS  
44 JERUSALEM VALLEY RD  
HORSESHOE BEND ID 83629

Point(s) of Diversion NWNW S7 T07N R03E BOISE  
County Source GROUND WATER

|                           |                  |          |       |
|---------------------------|------------------|----------|-------|
| Use: IRRIGATION           | 03/15 To 10/31   | 0.06 CFS |       |
| Use: DOMESTIC             | 01/01 To 12/31   | 0.04 CFS |       |
| Use: AESTHETIC STORAGE    | 01/01 To 12/31   |          | 2 AFA |
| Use: DIVERSION TO STORAGE | 01/01 To 12/31   | 0.1 CFS  |       |
|                           | Total Diversion: | 0.1 CFS  |       |

Date Filed: 09/01/2004  
Place Of Use: DOMESTIC,  
T07N R03E S7 NWNW

Place Of Use: IRRIGATION  
T07N R03E S7 NWNW  
Number of Acres 2  
Place Of Use: AESTHETIC STORAGE  
T07N R03E S7 NWNW

Remark: Applicant agrees to mitigate consumptive use in the future as needed. 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 Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/20/2004. The protestant must also send a copy of the protest to the applicant.  
KARL J DREHER, Director

Published in the Idaho World on September 4 and 5, 2004.

# Idaho Department of Water Resources Receipt

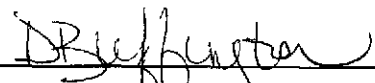
Receipt ID W032441

Payment Amount  Date Received  Region  Status   
Payment Type  Check Number

Payer Comment   

## Fee Detail

| Amount   | Description      | Fund | FD | PCA   | SO   |
|----------|------------------|------|----|-------|------|
| \$125.00 | DRILLING PERMITS | 0229 | 21 | 62134 | 1205 |

  
\_\_\_\_\_  
Signature Line (Dept. Representative)



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

FAX (208) 334-2348

November 23, 2004

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

HAL GROSS  
44 JERUSALEM VALLEY RD  
HORSESHOE BEND ID 83629

Re: Water Right Application 65-22913 and Well Drilling Fee Upgrade

Dear Applicant:

Your recent water right application proposes ground water use from a well. This application has been submitted for advertising and should appear in the Idaho World newspaper on the first 2 Wednesdays of December. All wells drilled in Idaho after June 30, 1987, require well drilling permits. A well might need a water right along with the drilling permit, depending on the intended use of the well.

According to the records of Idaho Department of Water Resources (IDWR), your well was drilled in <year> under a \$75 domestic well drilling permit. A \$75 drilling permit covers a well that does not require water right approval from IDWR. This is typically a single-family domestic well.

Proposed use from your well does require water right approval, and your water right application seeks that approval. The well drilling fee for a well requiring a water right is \$200 instead of \$75. IDWR must collect the unpaid balance of \$125 for a well drilled under those circumstances.

**Please remit \$125 to upgrade your well drilling permit within the next thirty days to facilitate processing of your water right application.**

IDWR forms and other information are available on the Internet at [www.idwr.state.id.us](http://www.idwr.state.id.us). Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

Daniel A. Nelson  
Sr. Water Right Agent

**Memorandum**

Small Dams & Storage Ponds

From: M. Rauhut

Date: 11/23/04

Re: Application for Permit, 65-22913

The Storage dam is not subject to department (dam safety) jurisdiction, because it is six (6) feet or less in height, regardless of storage.

**Nelson, Dan**

---

**To:** Rauhut, Manuel; Westra, John  
**Subject:** Storage Application for Permit

Hello Gentlemen,

I have an application for permit for storage that I have just turned into for advertising. The permit will be at Sue's desk. The permit number is 65-22913 for Hal Gross.

Thank you.

Dan Nelson  
Western Region

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

November 23, 2004

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

RE: Application for Permit No. 65-22913

**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 12/20/2004. 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:

65-22913

HAL GROSS  
44 JERUSALEM VALLEY RD  
HORSESHOE BEND ID 83629

Point(s) of Diversion NWNW S7 T07N R03E BOISE County Source GROUND WATER

|                           |                |          |       |
|---------------------------|----------------|----------|-------|
| Use. IRRIGATION           | 03/15 To 10/31 | 0.06 CFS |       |
| Use DOMESTIC              | 01/01 To 12/31 | 0.04 CFS |       |
| Use. AESTHETIC STORAGE    | 01/01 To 12/31 |          | 2 AFA |
| Use: DIVERSION TO STORAGE | 01/01 To 12/31 | 0.1 CFS  |       |
| Total Diversion           |                | 0.1 CFS  |       |

Date Filed: 09/01/2004

Place Of Use DOMESTIC

T07N R03E S7 NWNW

Place Of Use. IRRIGATION

T07N R03E S7 NWNW

Number of Acres 2

Place Of Use AESTHETIC STORAGE

T07N R03E S7 NWNW

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

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 Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/20/2004. The protestant must also send a copy of the protest to the applicant

KARL J DREHER, Director

Published in the Idaho World on December 1 and 8, 2004.