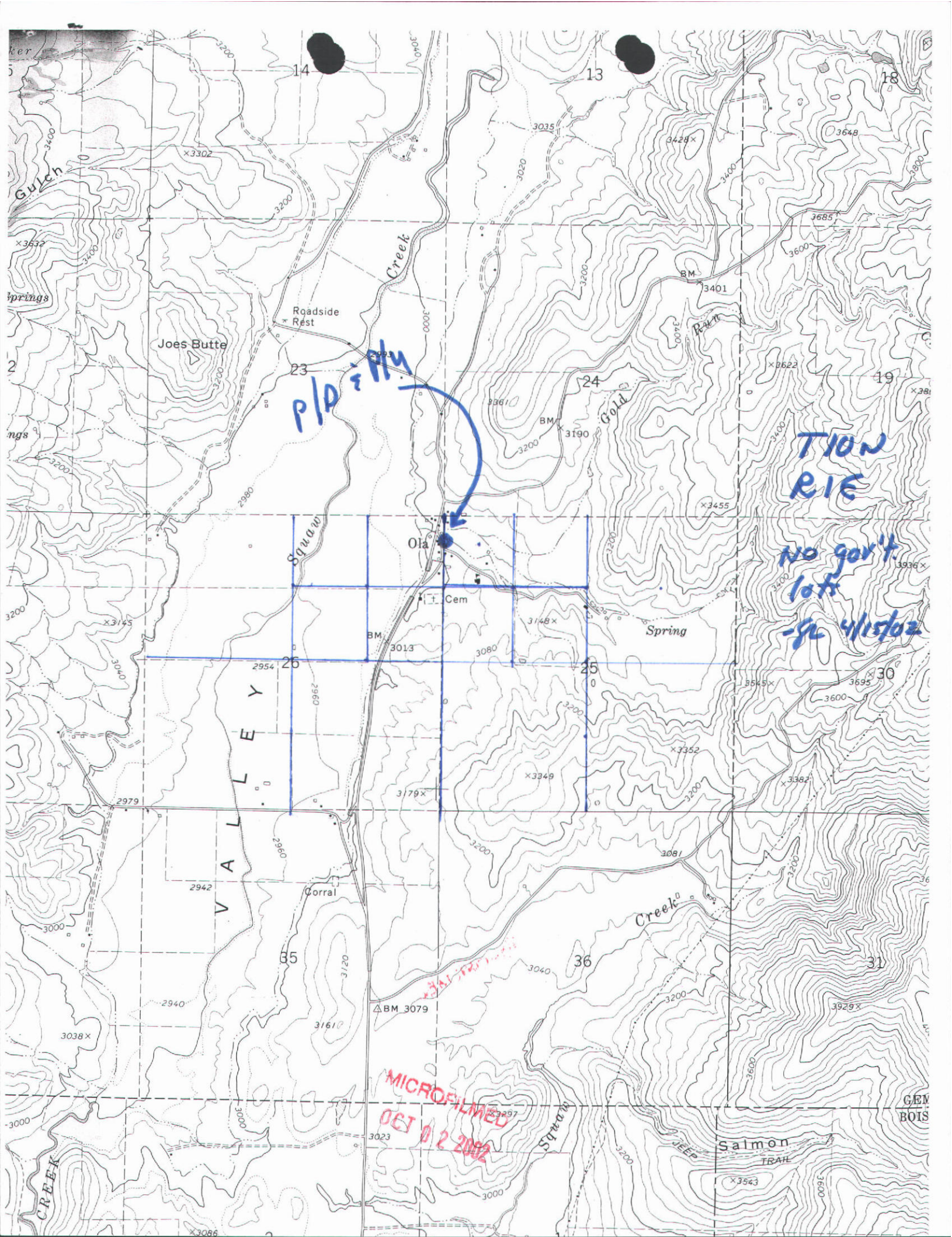




PLA 1/11/11

TION RIE

No gov't lot
9c 4/15/02

MICROFILMED
OCT 02 2002

GEN
BOIS

MAY 29 2002

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

Initial review by DAW Date 4-23-02 Application # 05-22672

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, the names and addresses for the director, officers, and other partners must be included)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County
- ☒ Quantity (Flow and /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 (Show T, R, S, QQ &/OR QQQ)
- ☒ Subdivision plat (for > 1 home in restricted area $\geq$ 5 homes in non-restricted area)
- ☒ Signature (if applicant is corporation, partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Government Lots
NO P/D
NO P/U

ADDITIONAL INFORMATION

YES ADVERTISE REMARKS (Yes or No)

YES NO

- ☒ Overlapping place of use (Describe source and relationship to present application on next page)
- ☒ Overlapping point of diversion MULTIPLE OVERLAPPING RIGHTS FOR P/D - HOWEVER NOT SEEN SIGNIFICANT.
- ☒ Critical groundwater area
- ☒ Ground water management area
- ☒ 1992 moratorium
- ☒ Surface water source, IDFG letter needed
- ☒ Protected river or minimum flow reach, notify water planning bureau
- ☒ E-mail to SCA staff (perennial stream, non-pump diversion &/or any mining)
- ☒ E-mail to Dam Safety staff (for any storage)
- ☒ Mitigation plan Check any that apply
- ☐ Immediate = acceptable plan required and submitted
- ☒ Future = open areas, acceptance of condition of approval is in file
- ☒ 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 THE APPLICANT

Date Requested _____ Date Response Received _____

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

65-22672

GEM COUNTY FIRE DIST NO 2 OLA STATION
PO BOX 70
SWEET ID 83670

Point(s) of Diversion NWNW S25 T10N R01E GEM County
Source GROUND WATER

Point(s) of Diversion NENE S26 T10N R01E GEM County
Source GROUND WATER

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

Use: FIRE PROTECTION 01/01 To 12/31 0.14 CFS

Total Diversion: 0.14 CFS

Date Filed: 04/15/2002

Place of Use: DOMESTIC

T10N R01E S25 NWNW

T10N R01E S26 NENE

Place Of Use: FIRE PROTECTION

T10N R01E S25 NWNW

T10N R01E S26 NENE

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.

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

65-22673

STEVE MCDERMOTTROE
PO BOX 34
SWEET ID 83670

Point(s) of Diversion L2 NWNE S3 T07N R01E GEM County
Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.05 CFS

Use: DOMESTIC 01/01 To 12/31 0.11 CFS

Total Diversion: 0.16 CFS

Date Filed: 03/14/2002

Place Of Use: DOMESTIC

T07N R01E S3 NWNE Lot 2

Place Of Use: IRRIGATION

T07N R01E S3 NWNE Lot 2

Number of Acres 2.5

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

Domestic use is for 5 homes (and) (or) yards in Sweet Valley Subdivision.

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 05/20/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub.: 5 - 1, 8, 2002

Legal Notice No. 4635
Published in the Messenger Index

RECEIVED

AFFIDAVIT OF PUBLICATION

MAY 09 2002

STATE OF IDAHO)

County of Gem)

SS.

WATER RESOURCES
WESTERN REGION

ERICA L CHADWELL

of Emmett, Gem County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Messenger Index, a weekly newspaper published in the City of Emmett in the County of Gem, State of Idaho; that the said newspaper is in general circulation in the said County of Gem, and in the vicinity of Emmett, and has been uninterruptedly published in said County during a period of fifty-two consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in the newspaper two times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following:
May 1, 8, 2002

Erica L Chadwell

STATE OF IDAHO)

County of Gem)

On this 8th day of May in the year of 2002 before me a Notary Public, personally appeared. Erica L Chadwell 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 acknowledge to me that she executed the same.

Mareen Clary

Notary Public for Idaho

Residing at Emmett

My Commission expires

February 1, 2005



OCT 02 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22672

Priority: 04/15/2002

Maximum Diversion Rate: 0.14 CFS

This is to certify, that GEM COUNTY FIRE DISTRICT NO 2
OLA STATION
PO BOX 70
SWEET ID 83670

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>
DOMESTIC	01/01 to 12/31	0.04 CFS
FIRE PROTECTION	01/01 to 12/31	0.14 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NW¼NW¼	Sec. 25, Twp 10N, Rge 01E, B.M.	GEM County
GROUND WATER	NE¼NE¼	Sec. 26, Twp 10N, Rge 01E, B.M.	GEM 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	
10N 01E 25					X												
10N 01E 26	X																

PLACE OF USE: FIRE PROTECTION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N 01E 25					X												
10N 01E 26	X																

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before June 1, 2007.
2. Subject to all prior water rights.

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OCT 2 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22672

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. 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.
6. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
7. Domestic use is for a fire station and does not include lawn, garden, landscape, or other types of irrigation.
8. This right authorizes a single point of diversion

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 17 day of June, 2002


for KARL J DREHER, Director

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OCT 02 2002

RECEIVED

MAY 29 2002

FORM 202
12/99

Department of Water Resources

Ident. No. 65-22672

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Gem County Fire District #2 OLA Station Phone 208-5843578
 Mailing address PO Box 70 Sweet ID 83657 83676

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is Township 10N Range 1E Sec. 25, in the _____
NW 1/4, NW 1/4, Govt. Lot _____, B.M., Gem County;

additional points of diversion if any: 5/4 NENE 5.26 (sing well on/NEAR line)

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 .14 for Fire Protection 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)

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) .14 and/or (b) _____
 cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source Well, pump & p.p.c.m.

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 150 feet

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? No; 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. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. } Firestation & truck filling etc

e. Other; describe fully. _____

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OCT 22 2002

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	
10N	15	25						✓											
		26	✓																

Total number of acres to be irrigated —

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? }

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: Single pld & plr on/NGA tract line of two
legals.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"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.)

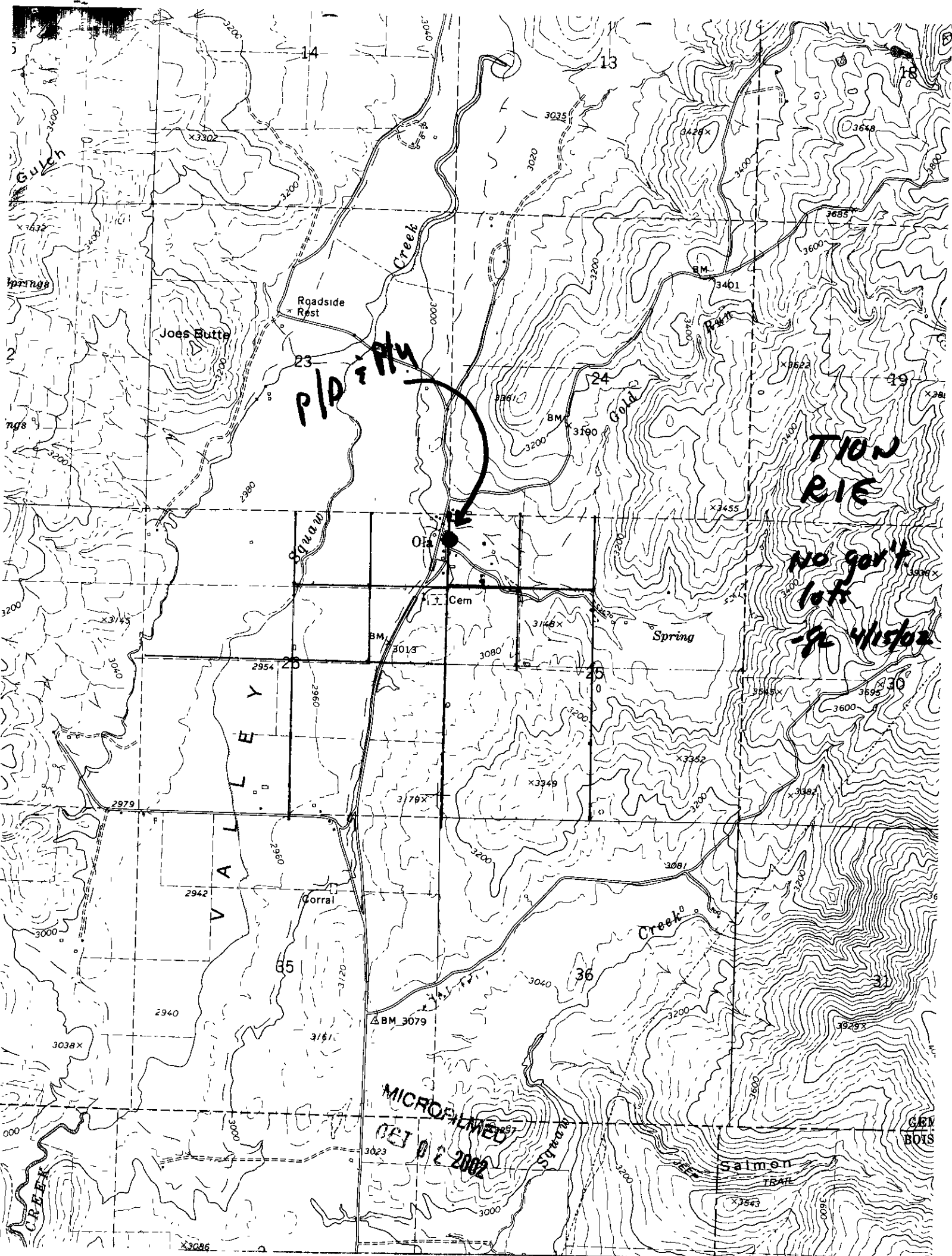
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

*D. C. Sutton Director
 Signature of Applicant (and title, if applicable)

Received by SL Date 4/15/02 Time 11:49 a.m. Preliminary check by SL
 Fee \$ 100 Receipted by SL # 6029011 Date 4/15/02
 Publication prepared by SL Date 5-1-02 Published in SL
 Publication approved SL Date 5-12-02

MESSANGER INDEX

MICROFILMED
 OCT 02 2002



4-23-02

From: Perry Sutton
To: Dan Nelson

list of Gem County Fire District II
Directors

Karl Keller - chairman
Perry Sutton - Director
Art Beal - Director

MICROFILMED
OCT 02 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

GEM COUNTY FIRE DISTRICT NO 2
OLA STATION
PO BOX 70
SWEET ID 83670

RE: Permit No. 65-22672

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.

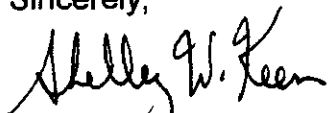
MICROFILMED

JUN 19 2 2002

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 208-327-7946.

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)

MICROFILMED

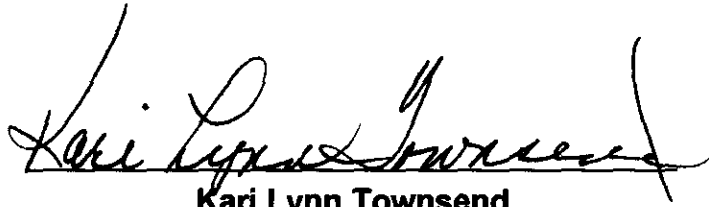
OCT 02 2002

CERTIFICATE OF SERVICE

I hereby certify that on June 18, 2002 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. 65-22672

**GEM COUNTY FIRE DISTRICT NO 2
OLA STATION
PO BOX 70
SWEET ID 83670**

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

**Kari Lynn Townsend
Secretary**

MICRO.

OCT 02 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED

OCT 02 2002

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.

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**

Reviewed by Sharla Curtis on 5/29/02

No. 65-22672 Name: DemCo Fire Corp. Officers ✓ Ad ok ✓ Govt Lots

AREA OF CONCERN: No/Yes _____ Moratorium _____ GWMA _____ ~~TRUST/NO-TRUST~~

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - ~~No MD~~
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048 (consumptive uses or non-cons > 1.0 cfs)

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

BENEFICIAL USE DUE: 6/01/2007

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WB

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL
Restricted area - 022,075
Irr. GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-122-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas)
- WB5
Irr separate or none allowed - 065-104
GW w/irrigation from SW evident - W03 (2500 gpd - meets domestic def
Moratorium approvable - i.e. D/convenience store)

~~Municipal~~ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map) IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

RECEIVED

MAY 29 2002

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Idaho Department of Water Resources

Initial review by UNA Date 4-23-02 Application # 05-22672

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, the names and addresses for the director, officers, and other partners must be included)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☐ County
- ☒ Quantity (Flow and /or Volume) Government Lots
- ☒ Period of use NC P/D
- ☒ Nature of proposed use (Include description of use) NO P/U
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map (Show T, R, S, QQ &/OR QQQ)
- ☒ Subdivision plat (for > 1 home in restricted area ≥ 5 homes in non-restricted area)
- ☒ Signature (If applicant is corporation, partnership, or municipality, title of signatory is required)
- ☐ Correct fee paid

ADDITIONAL INFORMATION

ADVERTISE REMARKS (Yes or No)

YES NO

- ☒ Overlapping place of use (Describe source and relationship to present application on next page)
- ☐ Overlapping point of diversion MULTIPLE OVERLAPPING RIGHTS FOR
- ☐ Critical groundwater area P.D. HOWEVER NOT BEEN SIGNIFICANT
- ☐ Ground water management area
- ☐ 1992 moratorium
- ☐ Surface water source, IDFG letter needed
- ☐ Protected river or minimum flow reach, notify water planning bureau
- ☒ E-mail to SCA staff (perennial stream, non-pump diversion &/or any mining)
- ☒ E-mail to Dam Safety staff (for any storage)
- ☐ Mitigation plan Check any that apply
- ☐ Immediate = acceptable plan required and submitted
- ☒ Future = open areas, acceptance of condition of approval is in file
- ☐ 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 THE APPLICANT

Date Requested _____ Date Response Received _____

PROCESSINGAPPLICATION # ~~65~~ 65-22672

YES NO

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

SEND COPIES TO NOTE IF E-MAIL COMMENT LETTER USED

YES NO

- ☐ ☒ I.D. Environmental Quality
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

- ☐ ☒ US BLM
☐ ☒ US Forest Service
☐ ☒ Water Dist #
☐ ☒ Water Planning Bureau
☐ ☒ Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

- ☒ ☐ Affidavit of publication received
☒ ☐ Application published correctly? If not, record action taken

- ☒ ☐ Publication dates and paper recorded on application
☐ ☐ Final date for protest 5-20-02
☐ ☒ Protests received
☐ ☒ Recommendations attached
☐ ☒ Measuring device required
☐ ☒ Water delivered by water master? District #
☒ ☐ Special conditions of approval or cover letter

"STANDARD CONDITIONS" "WELL DRILLING STANDARDS"
"FUTURE MITIGATION"

Recommended Date of Priority APRIL 15 2002Recommendation ☒ Approve ☐ Deny by Daniel A. Nelson Date 5-28-02**ADDITIONAL INFORMATION**

☒ See Attachment(s) ... always include application proof report

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

95-22672

EMMETT COUNTY FIRE DIST NO 2-OLA STATION
DIVISION TO:
SHEET ID 93670

Point(s) of Diversion NWNW S25 T10N R01E GEM County
Source GROUND WATER

Point(s) of Diversion NENE S26 T10N R01E GEM County
Source GROUND WATER

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

Use: FIRE PROTECTION 01/01 To 12/31 0.14 CFS

Total Diversion: 0.14 CFS

Date Filed: 04/15/2002

Place of Use: DOMESTIC

T10N R01E S25 NWNW

T10N R01E S26 NENE

Place Of Use: FIRE PROTECTION

T10N R01E S25 NWNW

T10N R01E S26 NENE

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.

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

95-22673

STEVE MODERMOFFT ROE
POWER CO.
SHEET ID 93670

Point(s) of Diversion L2 N44E S3 T07N R01E GEM County
Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.05 CFS

Use: DOMESTIC 01/01 To 12/31 0.11 CFS

Total Diversion: 0.16 CFS

Date Filed: 05/14/2002

Place Of Use: DOMESTIC

T07N R01E S3 N44E Lot 2

Place Of Use: IRRIGATION

T07N R01E S3 N44E Lot 2

Number of Acres 2.5

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

Domestic use is for 5 homes (and) (or) yards in Sweet Valley Subdivision.

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 Resources, Western Region, 2735 Airport Wy, Boise ID 83725 together with a protest fee of \$25.00 for each application on or before 05/20/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub.: 5 - 1, 5, 2002

Legal Notice No. 4035
Published in the Messenger Index

RECEIVED

AFFIDAVIT OF PUBLICATION

MAY 09 2002

STATE OF IDAHO)
County of Gem) SS.

WATER RESOURCES
WESTERN REGION

ERICA L CHADWELL
of Emmett, Gem County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Messenger Index, a weekly newspaper published in the City of Emmett in the County of Gem, State of Idaho; that the said newspaper is in general circulation in the said County of Gem, and in the vicinity of Emmett, and has been uninterruptedly published in said County during a period of fifty-two consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in the newspaper two times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following:
May 1, 8, 2002

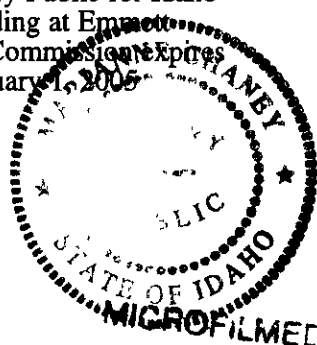
Erica L Chadwell

STATE OF IDAHO)
County of Gem)

On this 8th day of May in the year of 2002 before me a Notary Public, personally appeared Erica L Chadwell 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 acknowledge to me that she executed the same.

Merran Cary

Notary Public for Idaho
Residing at Emmett
My Commission Expires
February 1, 2005



MAY 09 2002

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

65-22672

GEM COUNTY FIRE DIST NO 2 OLA STATION
PO BOX 70
SWEET ID 83670

Point(s) of Diversion NWNW S25 T10N R01E GEM County Source GROUND WATER

Point(s) of Diversion NENE S26 T10N R01E GEM County Source GROUND WATER

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

Use: FIRE PROTECTION 01/01 To 12/31 0.14 CFS

Total Diversion: 0.14 CFS

Date Filed: 04/15/2002

Place Of Use: DOMESTIC

T10N R01E S25 NWNW

T10N R01E S26 NENE

Place Of Use: FIRE PROTECTION

T10N R01E S25 NWNW

T10N R01E S26 NENE

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 05/20/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Messenger Index on May 1 and 8, 2002.

MICROFILMED

MAY 2 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 24, 2002

Legal Notice Department

Messenger-Index

PO Box 577

Emmett ID 83617

RE: Application for Permit Nos. 65-22672 and 65-22673

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 05/20/2002. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

OCT 02 2002

REQUEST TO PROCESS

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

Name of Applicant 96m County Fire Dist. #2 OIA Station
Mailing Address PO Box 70
Tweet ID 83670
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

D. C. Lutter Director

Date

4/15/02

Please return this form to:

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

MICROFILMED

APR 17 2002