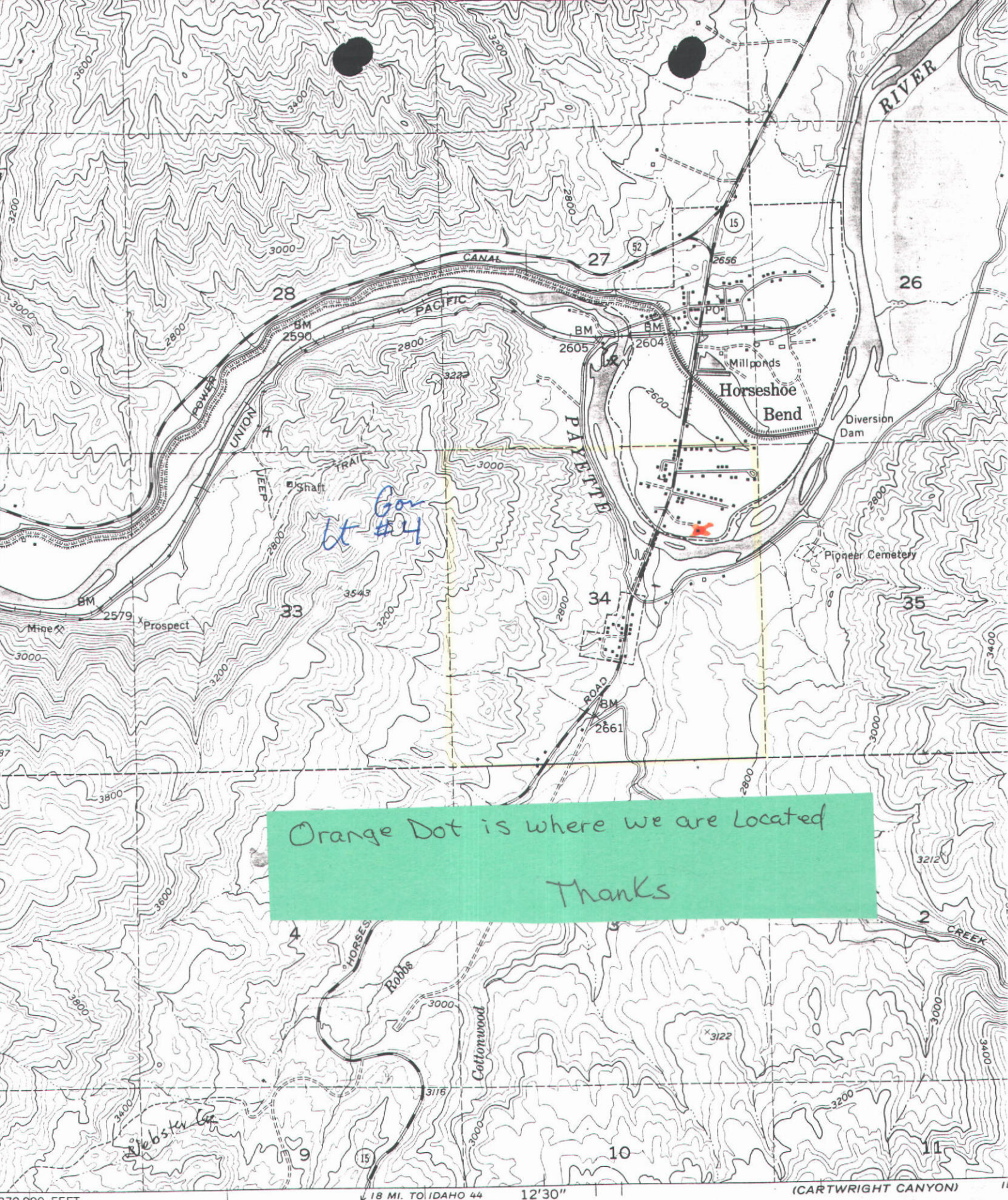




Orange Dot is where we are located
Thanks

370 000 FEET
U. S. Forest Service
Published by the Geological Survey
USC&GS, and USFS

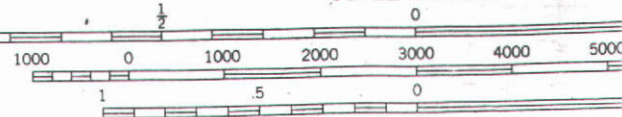
Aerial photographs by KEK plotter
taken 1939, 1943, 1944, and
by USGS 1957

18 MI. TO IDAHO 44
BOISE 25 MI.
MICROFILMED

SEP 19 2001

(CARTWRIGHT CANYON)

SCALE 1:24 000



CONTOUR INTERVAL 40 FEET
DATUM IS MEAN SEA LEVEL

The Idaho World

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

RECEIVED
JUL 06 2001
WATER RESOURCES
WESTERN REGION

State of Idaho)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with June 20, 2001 and ending with the issue of June 27, 2001.

Deanna Stevenson

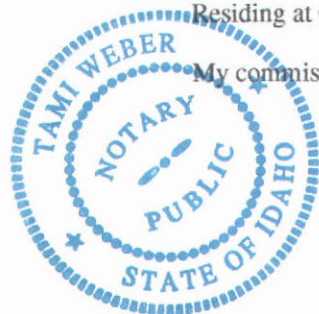
State of Idaho)
County of Boise)

On this 3 day of July in the year 2001, 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:

65-22548 ✓

FRANK &/OR SANDRA FENTON
PO BOX 182
HORSESHOE BEND ID 83629

Point(s) of Diversion L4 NWSENE
Source GROUND WATER

S34 T07N R02E BOISE County

Use: IRRIGATION 03/15 To 10/31
Total Diversion:

0.03 CFS
0.03 CFS

Date Filed: 04/11/2001
Place Of Use: IRRIGATION
T07N R02E S34 SENE Lot 4

Number of Acres 1

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 07/09/2001. The Protest must also send a copy of the protest to the applicant.
KARL J DREHER, Director

Published in the Idaho World on June 20 and 27, 2001.

MICROFILMED
SEP 19 2001

FOR OFFICE USE ONLY

Amt of Fee \$ N/A

Receipt No N/A

Receipt By N/A

Date Received N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 30 2002

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 65-22548 Telephone No. 208-793-2683

2. Name of Permit Holder(s): Frank and Sandra Fenton

3. Mailing Address: P.O. Box 182

City Horseshoe Bend State Idaho Zip 83629

4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

Well Driller _____ Drilling Permit Number. _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 1 acre Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.03 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 _____ or No ☒

Has the measuring device been installed?

Yes _____ or No ☒

8. Fee Enclosed: \$ 0 (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. 261-1825 cell

Name: Frank Fenton Telephone Number: 208-793-2683

Address: _____

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Sandra Fenton Date: 5-30-02
(include your title, if on behalf of company or organization)

MICROFILMED

MAY 30 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22548

Priority 04/11/2001

Maximum Diversion Rate 0.03 CFS

This is to certify, that FRANK FENTON
PO BOX 182
HORSESHOE BEND ID 83629

And

SANDRA FENTON
PO BOX 182
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>
IRRIGATION	03/15 to 10/31	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L4 NW¼SE¼NE¼ Sec. 34, Twp 07N, Rge 02E, B M. BOISE County

PLACE OF USE: 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 02E 34				10													10
				L4													

Total Acres. 1

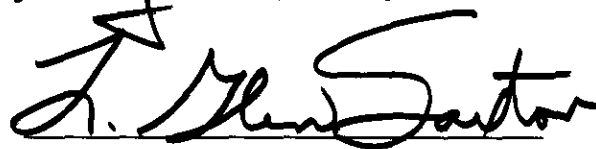
CONDITIONS OF APPROVAL

- 1 Proof of application of water to beneficial use shall be submitted on or before August 1, 2002
- 2 Subject to all prior water rights
- 3 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 4 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.
- 5 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 30th day of July, 2001

MICROFILMED

SEP 19 2001


for KARL J DREHER, Director

RECEIVED

MAY 0 2001

FORM 202
12/99Ident. No. 65-22548

RECEIVED

WATER RESOURCES
WESTERN REGION

APR 11 2001

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1 Name of Applicant Frank & Sandra Fenton Phone 208-793-2683
Mailing address P.O. Box 182 Horseshoe Bend, Id. 836292. Source of water supply Ground Water which is a tributary of _____3. Location of point of diversion is Township 7N Range 2E Sec. 34, in the NW $\frac{1}{4}$,
SE $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot 4, B.M., Boise County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .03 for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)5 Total quantity to be appropriated is (a) .03 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 Pump & Hosesb Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feetc Proposed well diameter is 6 inches; proposed depth of well is 32 feetd. Is ground water with a temperature of greater than 85°F being sought? NOe If well is already drilled, when? Unknown; Drilling firm _____;

Well was drilled for (well owner) _____; Drilling Permit No. _____

7 Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

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

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

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

c Municipal; show name of municipality. _____

d Domestic, show number of households _____

e Other, describe fully _____

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SEP 13 2001

RECEIVED

JUL 19 2001

Department of Water Resources

ape

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	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	2E	34				1		Gov. Lot 4											1

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? 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: _____

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)

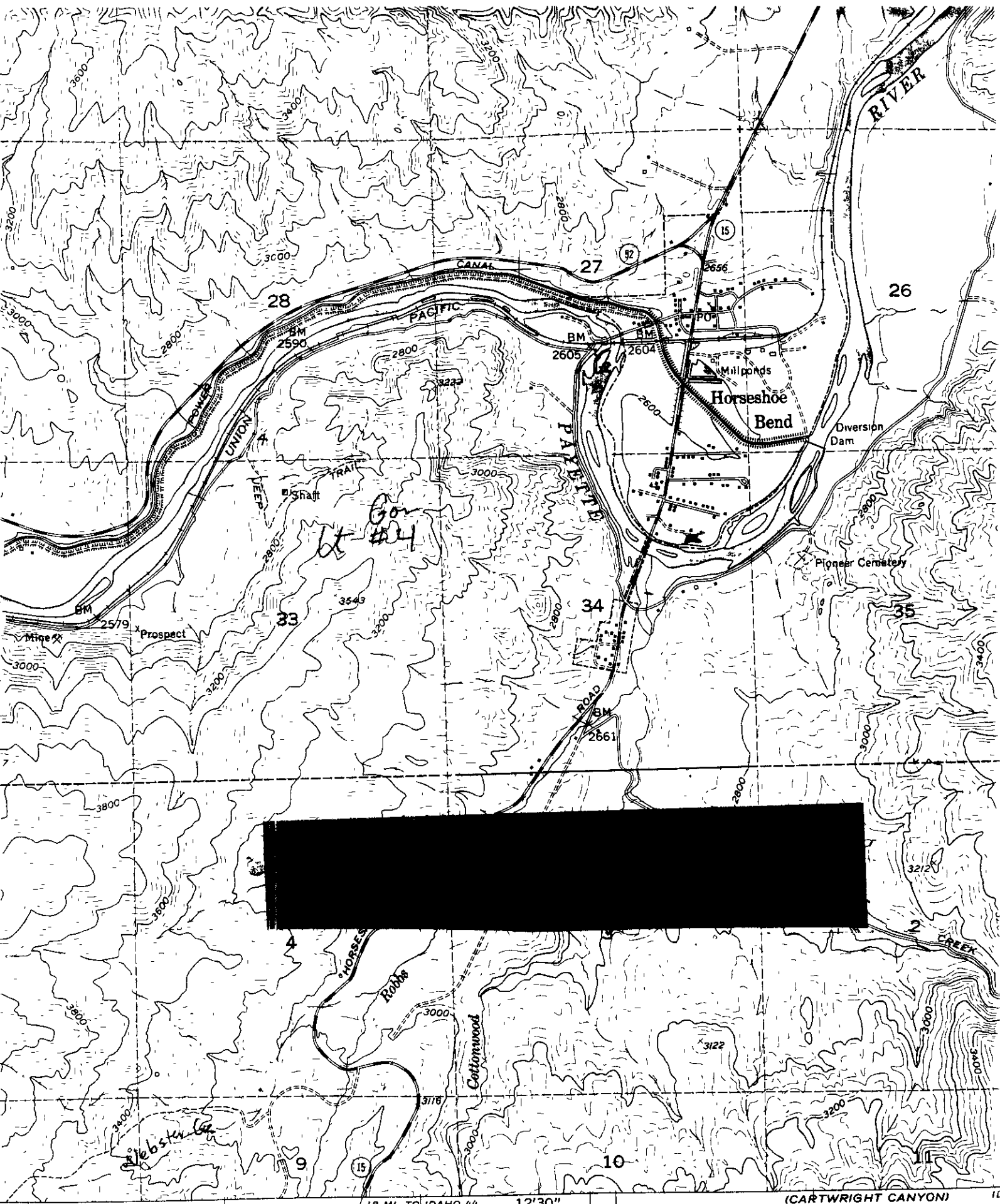
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Frank W. Lenton & Sandra Lenton
Signature of Applicant (and title, if applicable)

Received by JFW Date 4/11/01 Time 3:21 Preliminary check by g
Fee \$ 100.00 Received by LM # W027554 Date 4-11-01
Publication prepared by [initials] Date 6-20-01 Published in _____
Publication approved [initials] Date 7-9-01 IDAHO WORLD

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SEP 17 2001

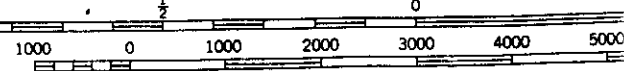


70 000 FEET
 S Forest Service
 released by the Geological Survey
 USC&GS, and USFS
 Aerial photographs by KEK plotter
 taken 1939, 1943, 1944, and
 by USGS, 1957

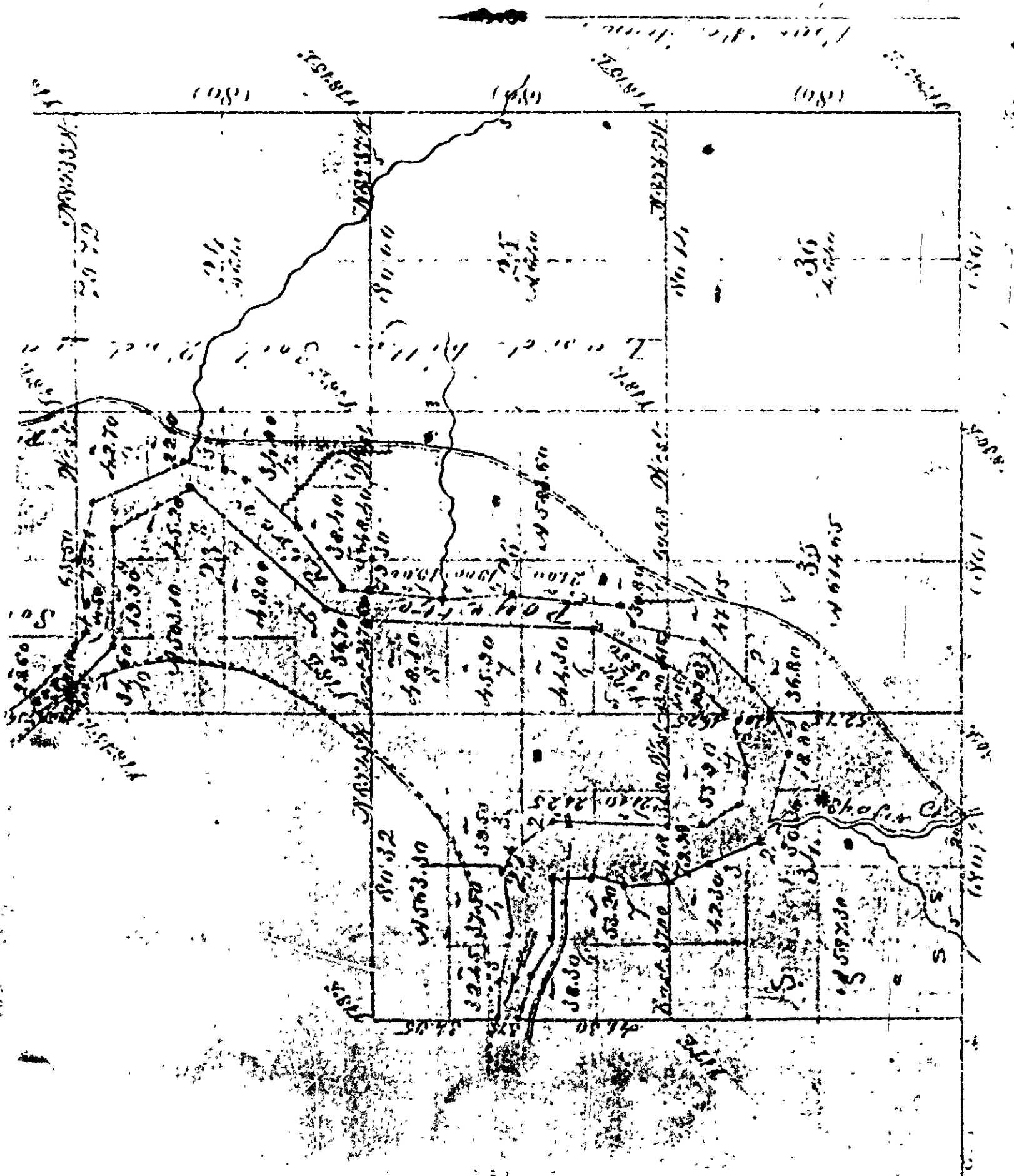
18 MI TO IDAHO 44
 BOISE 25 MI
 MICROFILMED

(CARTWRIGHT CANYON)

SCALE 1:24,000

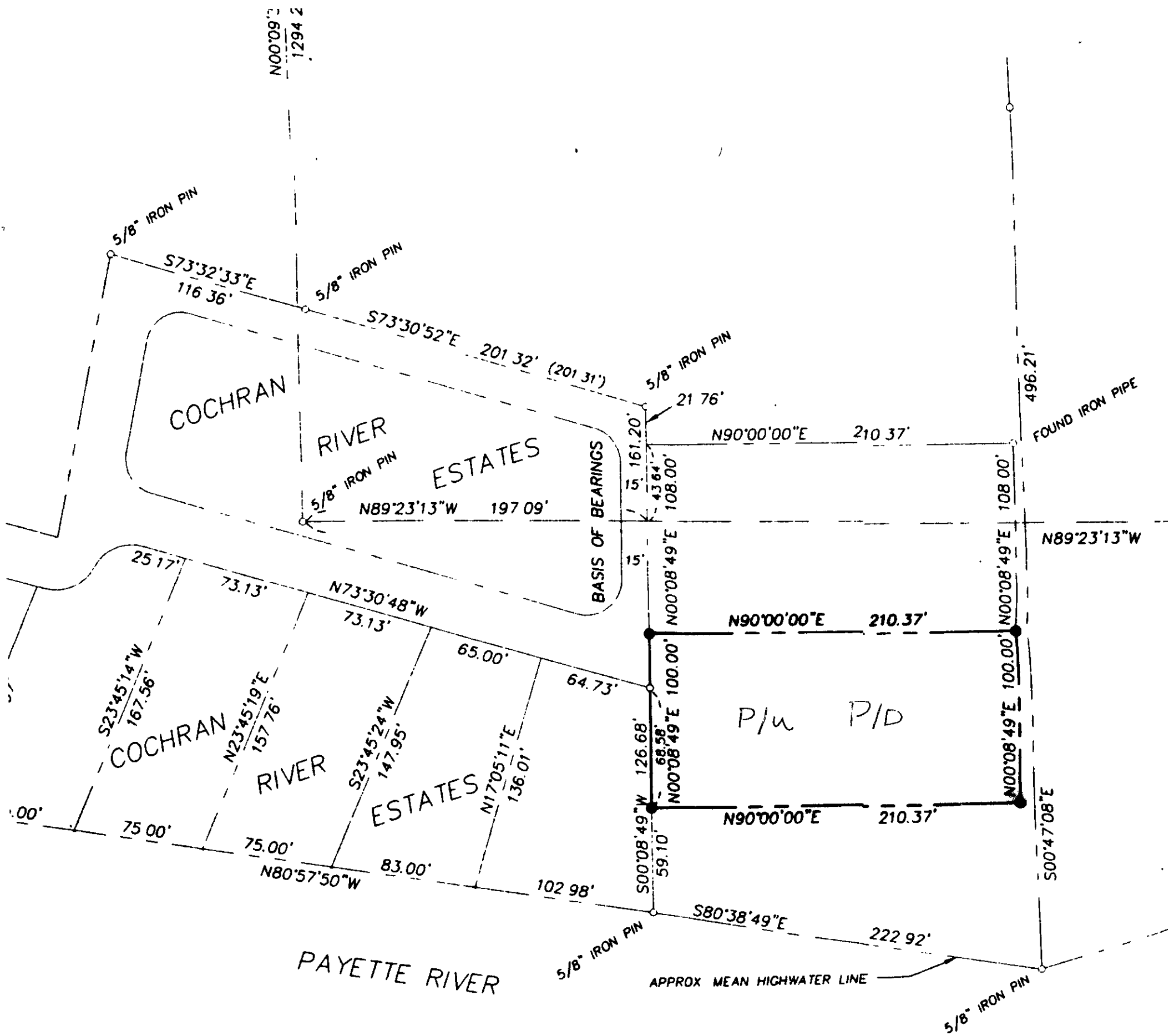


CONTOUR INTERVAL 40 FEET
 DATUM: MEAN SEA LEVEL



MICROFILMED

1981 10 10



LEGEND

- GOVERNMENT CORNER
- FOUND 1/2" REBAR OR AS NOTED
- SET 5/8" REBAR W/ PLASTIC CAP MARKED "LS 7314"
- △ CALCULATED POINT NO PIN SET
- (xxx.xx) RECORD INFORMATION
- STREET CENTER LINE / SECTION LINE
- PROPERTY BOUNDARY LINE
- TING BOUNDARY LINE

Inst # 176136

THIS FORM FURNISHED COURTESY OF:

175513

ALLIANCE TITLE &
ESCROW CORP.

INST# 175513

REQUEST Alliance

99 DEC -9 PM 3:44 (4)

BOISE COUNTY RECORDER

BY J. Rappin

TYPE 31 FEE 6.00/CA

READ & APPROVED BY GRANTEE(S) W.F. 3L.F.

{0118A}

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 99084861 SK-PB

WARRANTY DEED

FOR VALUE RECEIVED ~~THE HEIRS AND DEVISEES OF CLARENCE A. HILL AND ADA HILL, DECEASED~~ "MARY EVELYN ROSS, PERSONAL REPRESENTATIVE OF THE ESTATE OF CLARENCE A. HILL AND ADA HILL, DECEASED"

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto FRANK W. FENTON AND SANDRA L. FENTON, HUSBAND AND WIFE

GRANTEE(S), whose current address is: P. O. BOX 182, HORSESHOE BEND, ID 83629
the following described real property in BOISE County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

THIS DEED BEING RE-RECORDED TO CORRECT THE GRANTORS NAME.

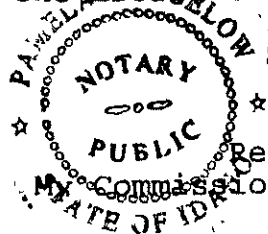
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 08, 1999

Estate of Clarence A. Hill
and Ada Hill
By: Mary Evelyn Ross P.R.

STATE OF IDAHO, County of Ada, ss.

On this 8th day of December in the year of 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared MARY EVELYN ROSS known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, as the Personal Representative of the Estate of CLARENCE A. HILL AND ADA HILL and acknowledged to me that he/she/they executed the same as such Personal Representative of the Estate of CLARENCE A. HILL AND ADA HILL.



Signature: Pamela J. Bigelow

Name: PAMELA J. BIGELOW
(Type or Print)

Residing At: BOISE, IDAHO

Commission expires: 1-12-2000



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 6, 2002

FRANK FENTON
SANDRA FENTON
P0 BOX 182
HORSESHOE BEND ID 83629

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-22548

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights 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.

If you have questions, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

JUN 11 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No 65-22548

Reviewed By dgibson

Date. June 5, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?		X	Drilling permit No		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No		W027554,	Well driller's report filed?		
Additional Amount Due			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	05/30/2002
Date proof due	- 08/01/2002
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 04/11/2001
New priority date	= 04/11/2001

Deficiencies of Actions Items

Acknowledge proof



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

July 31, 2001

FRANK FENTON
SANDRA FENTON
PO BOX 182
HORSESHOE BEND ID 83629

RE Permit No 65-22548

Permit Approval Notice

Dear Permit Holder:

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

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

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

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.

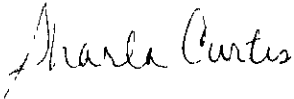
MICROFILMED

SEP 11 2001

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,



for Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

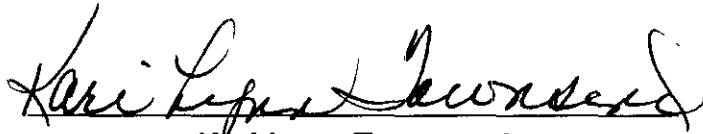
SEP 13 2001

CERTIFICATE OF MAILING

I hereby certify that on July 31, 2001 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. 65-22548

**FRANK FENTON
SANDRA FENTON
PO BOX 182
HORSESHOE BEND ID 83629**

A handwritten signature in black ink, reading "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).

MICROFILMED

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 7/25/01

No 65 22548 Name: Fenton Corp. Officers N/A Ad ok Govt Lots

AREA OF CONCERN: No/Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER (√ Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 74 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

WMD

Supply (irr = only use) - 065-104
Supply (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front Lo Geo - 058 (<85 GW)
Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048-049 (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)
STOCK WATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROI - 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 8/1/01/2012

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 WD

≤ 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

DOMESTIC

Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

Multiple pd's per ¼ - 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 3/15 - 10/31 (Per updated map)

IRR VOLUME/ACRE 4.5

OTHER CONDITIONS/REMARKS

COMMENTS

ID. NO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: g

DATE: 5/31/01

APPLICATION: 65-22548

REQUIRED INFORMATION

- Name: (If applicant is a corporation or partnership, 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 corp., partnership, or municipality, title of signatory is required)
Correct fee paid

RECEIVED

JUL 19 2001

Department of Water Resources

Gov't. Lots:

P/D

P/U

ADDITIONAL INFORMATION

1 ADVERTISE REMARK(S)

(Reviewer identify which remarks)

YES NO

- N/A < Overlapping place of use: (Describe source & relationship to present application on next page.) less than 5 acres
— — Overlapping point of diversion.
— — Critical groundwater area:
— — Groundwater 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

map, request to process, completed app

Date Requested 4/19/01

Date Response Received 5/2/01

PROCESSING

APP. NO. 6-22548

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. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

- ☐ ☒ U.S. BLM
☐ ☒ U.S. 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 7-9-01
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Water delivered by water master? District #
☐ ☒ Special conditions of approval or cover letter: standards

☐ ☒ See below for additional information

Recommended Date or Priority 4/11/01
Recommended by: Car Gnanu Date: 7/10/01

ADDITIONAL INFORMATION:

The Idaho World

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

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JUL 06 2001

WATER RESOURCES
WESTERN REGION

State of Idaho)
)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with March 20, 2001 and ending with the issue of June 27, 2001.

Deanna Stevenson

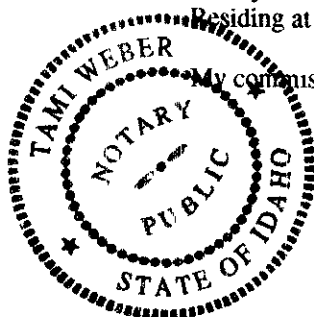
State of Idaho)
)
County of Boise)

On this 3 day of July in the year 2001, 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:

65-22548

FRANK &/OR SANDRA FENTON
PO BOX 182
HORSESHOE BEND ID 83629

Point(s) of Diversion L4 NWSENE S34 T07N R02E BOISE County
Source GROUND WATER

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

Date Filed: 04/11/2001
Place Of Use: IRRIGATION
T07N R02E S34 SENE Lot 4

Number of Acres 1

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 07/09/2001. The Protest must also send a copy of the protest to the applicant
KARL J DREHER, Director

Published in the Idaho World on June 28 and 29, 2001.

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE

Governor

June 13, 2001

KARL J. DREHER

Director

Legal Notice Department

Idaho World

PO Box 99

Garden Valley ID 83622

RE: Application for Permit Nos. 65-22548 and 65-13490 and Application for Amendment of Application No. 65-13490

Dear LEGAL NOTICE DEPARTMENT:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 07/09/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor

Senior Secretary

MICROFILMED

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

65-22548

FRANK &/OR SANDRA FENTON
PO BOX 182
HORSESHOE BEND ID 83629

Point(s) of Diversion L4 NWSENE S34 T07N R02E BOISE County Source GROUND WATER

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

Total Diversion: 0.03 CFS

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Place Of Use: IRRIGATION

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KARL J DREHER, Director

Published in the Idaho World on June 20 and 27, 2001.

MICROFILMED

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APR 24 2001

WATER RESOURCES
WESTERN REGION

REQUEST TO PROCESS

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

Name of Applicant Frank & Sandra Fenton
Mailing Address P.O. Box 182
Horseshoe Bend, Ida 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.

X 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

X Frank & Sandra Fenton

Date

X April 11, 2001

Please return this form to:

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