

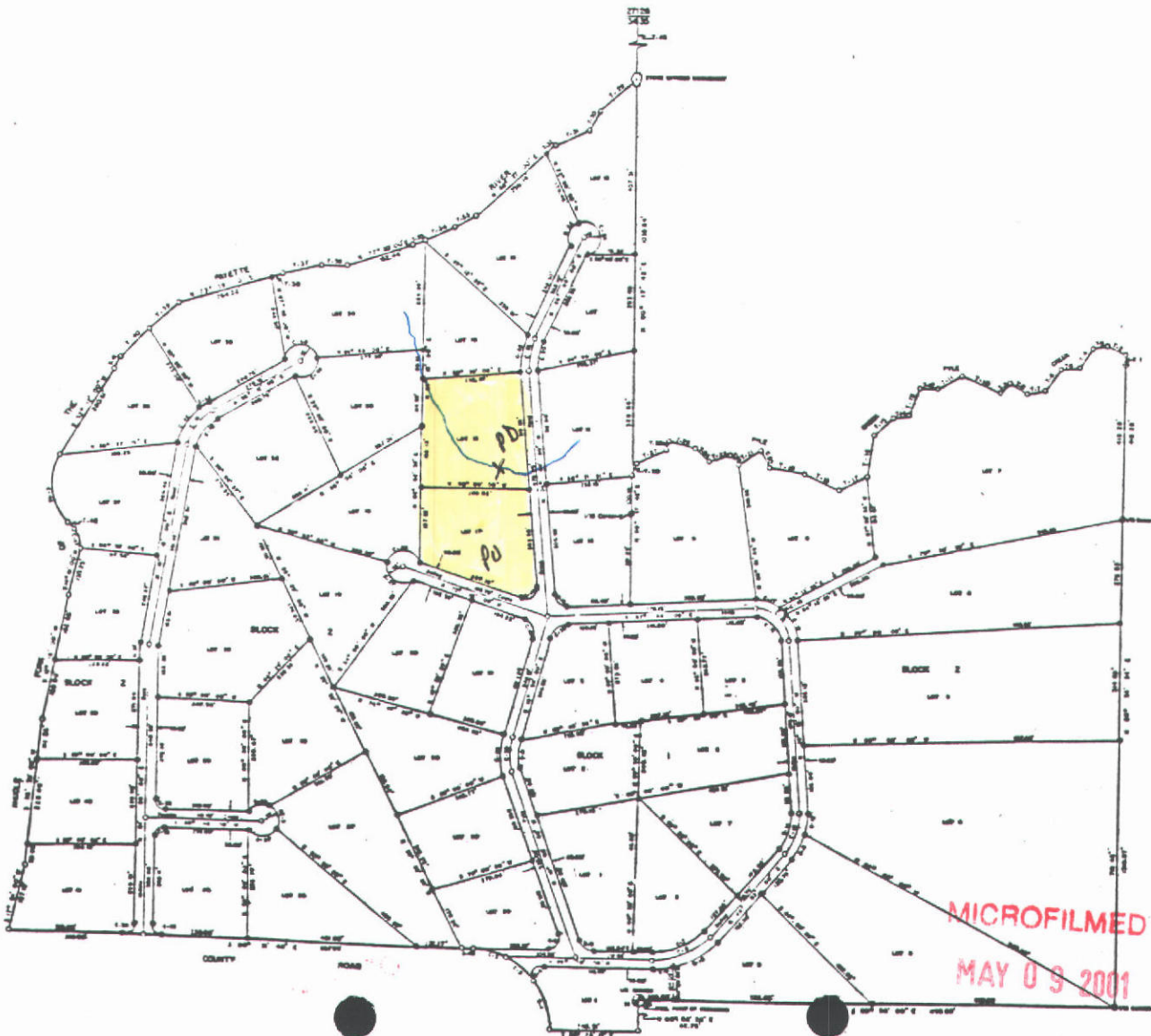
MIDDLEFORK MEADOWS

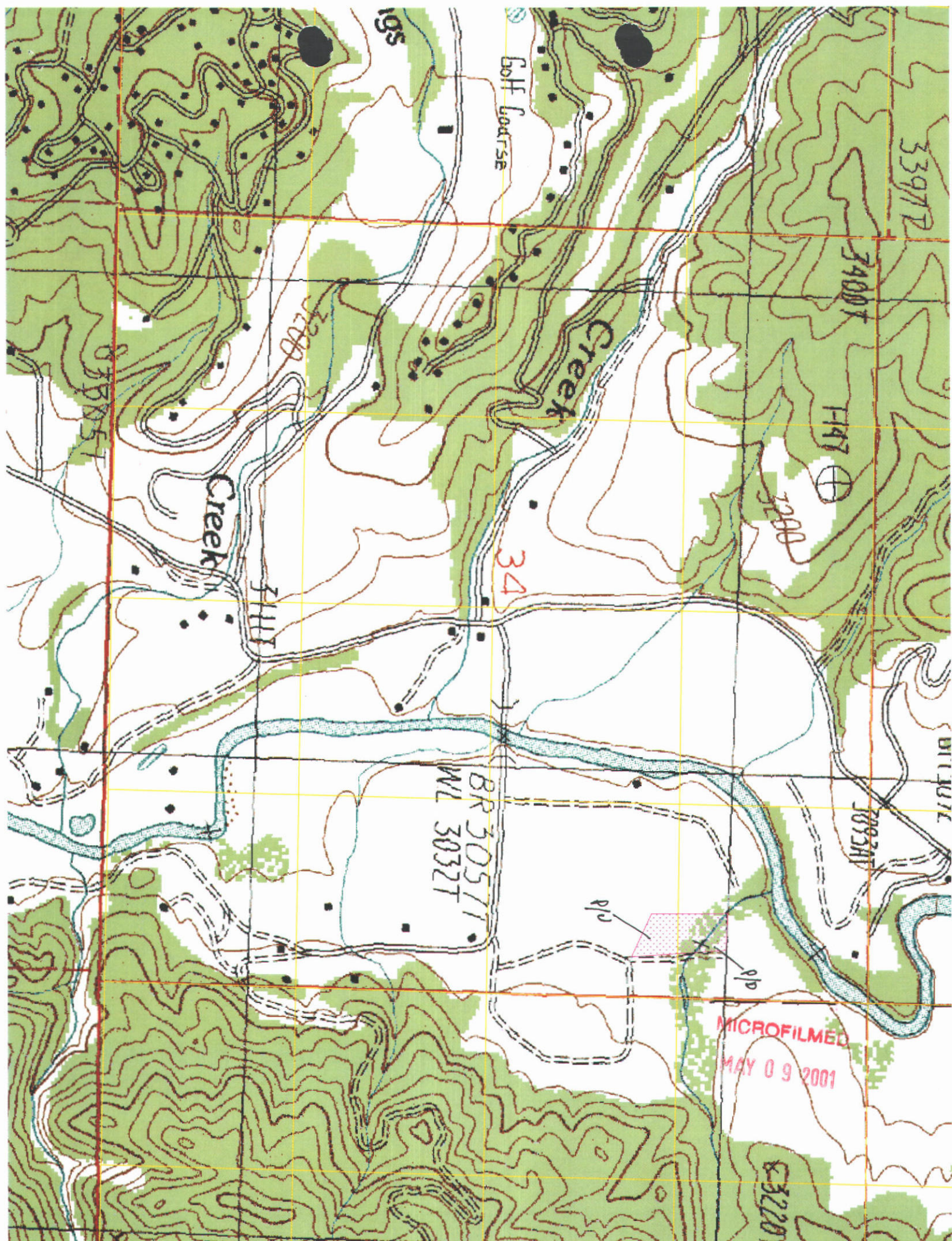
PLAT SHOWING BAILEY ESTATES SUBDIVISION

A part of the NE 1/4 of Section 35, the NE 1/4 of
Section 34, and the NE 1/4 of the SE 1/4 of
Section 34, as located in T10N., R4E., S14.,
Boone County, Idaho

*Land
Bailey*

While this map is a photographic reproduction of that on
file in either the recorder's or surveyor's office, the
company assumes no liability for variation, if any, with
another or re-survey.





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 Nov 1, 2000 and ending with the issue of Nov 8, 2000.

Deanna Stevenson

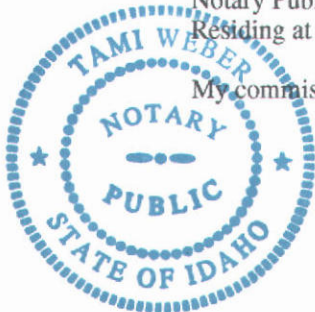
State of Idaho)
County of Boise)

On this 13 day of Nov in the year 2000, 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 2/1/05



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MAY 09 2001

RECEIVED

NOV 14 2000

WATER RESOURCES
WESTERN REGION

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13972

STEEN, KENNETH
22 PYLE CREEK ROAD
GARDEN VALLEY, ID 83622

Source: PYLE CREEK Tributary: PAYETTE RIVER, MIDDLE FORK
Diversion Pt: NENE Sec 34 T 10N R 04E in BOISE County.
Use: IRRIGATION (0.120 CFS)
STOCKWATER (0.020 CFS)
Total Diversion: (0.140 CFS)

Date Filed: 10/24/2000

In: BOISE County
T10N R04E S34 NENE SENE
4.0 ACRES TOTAL

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

65-13973

MCDOWELL, RICHARD
MCDOWELL, JANET
321 VILLAGE CIRCLE
GARDEN VALLEY, ID 83622

Source: GROUNDWATER
Diversion Pt: NWSE Sec 32 T 10N R 04D in BOISE County.
Use: DOMESTIC (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 10/16/2000

In: BOISE County
T10N R04E S32 NWSE

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 Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before NOVEMBER 20, 2000. The protestant must also send a copy of the protest to the applicant.
KARL J. DREHER, Director

Published in The Idaho World November 1 and 8, 2000

RECEIVED
MAR 20 2001
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
MAR 22 2001
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. 65-13972 Telephone No. 208-462-2610
 2. Name of Permit Holder(s): KENNETH STEEN
 3. Mailing Address: 22 PYLE CREEK Rd
City GARDEN VALLEY State ID Zip 83622
 4. Source of Water: PYLE CREEK 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): 4 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 X
Has the measuring device been installed? Yes _____ or No X
 8. Fee Enclosed. \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
 9. Person to contact to accompany the Department representative during field examination of the water system.
Name KENNETH STEEN Telephone Number: 208-462-2610
Address: 22 PYLE CREEK Rd GARDEN VALLEY ID 83622
 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: Kenneth Steen Date: 3/20/01
(include your title, if on behalf of company or organization)

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MAY 09 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-13972

Priority: 07/14/2000

Maximum Diversion Rate: 0.14 CFS

This is to certify, that KENNETH STEEN
22 PYLE CREEK ROAD
GARDEN VALLEY ID 83622

has applied for a permit to appropriate water from.

PYLE CREEK tributary to **MIDDLE FORK PAYETTE RIVER**

and a permit is APPROVED for development of water as follows

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 10/31	0.12 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

PYLE CREEK NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34, Twp 10N, Rge 04E, 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
10N	04E	34	2.0			2.0													4.0

Total Acres: 4

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	04E	34	X			X													

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2002**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control

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MAY 09 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-13972

CONDITIONS OF APPROVAL

- 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- 6 Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
- 7 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above
8. Point of diversion is located within Lot 18, Blk. 2, Middlefork Meadows Subdivision
9. Place of use is located within Lots 17 and 18, Blk 2, Middlefork Meadows Subdivision.
- 10 Stockwater use is for 4 horses and sheep.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 9th day of February, 2001


for KARL J DREHER, Director

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MAY 09 2001

RECEIVED

FORM 202
1/86

JUL 14 2000

Ident. No. 65-13972RECEIVED
WATER RESOURCES
REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

JAN - 8 2001

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Kenneth Steen Phone 462-2610
Post Office address 22 Pyle Creek Rd Garden Valley Id 83622
2. Source of water supply Pyle Creek which is a tributary of Middle fork of Payette
3. Location of point of diversion is 1/4 of NE 1/4 of NE 1/4, Govt. Lot
Sec. 34 Township 10N Range 4E B.M. Beise County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .1206 for irrigating purposes from April 1 to Oct 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for stock water purposes from Jan 1 to Dec 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)
5. Total quantity to be appropriated is (a) .1408 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____
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 if KW. _____
b. Stockwatering; list number and kind of livestock. 2 sheep - 2 horses
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. _____

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MAY 03 2001

9. Description of place of use:

Lot 17 Block 2 middlefork Sub.

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

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	4E	34	2			2													4
			5			5													

Total number of acres to be irrigated 4.2

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

11. a. Who owns the property at the point of diversion? (We do) Kenneth Steen

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 enable the applicant to make this filing:

12. Remarks:

13. MAP OF PROPOSED PROJECT ATTACHED ☒ Show clearly the proposed point of diversion, place of use, section number township and range number.

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.

Mariann Steen

(Applicant)

Received by Kb Date 7/14/00 Time 12:10 Preliminary check by
Fee \$ 100.00 Receipted by Kb # 10026732 Date 7/14/00
Publication prepared by Date 10-17-00 Published in IDAHO WORLD
Publication approved Date 12-13-00

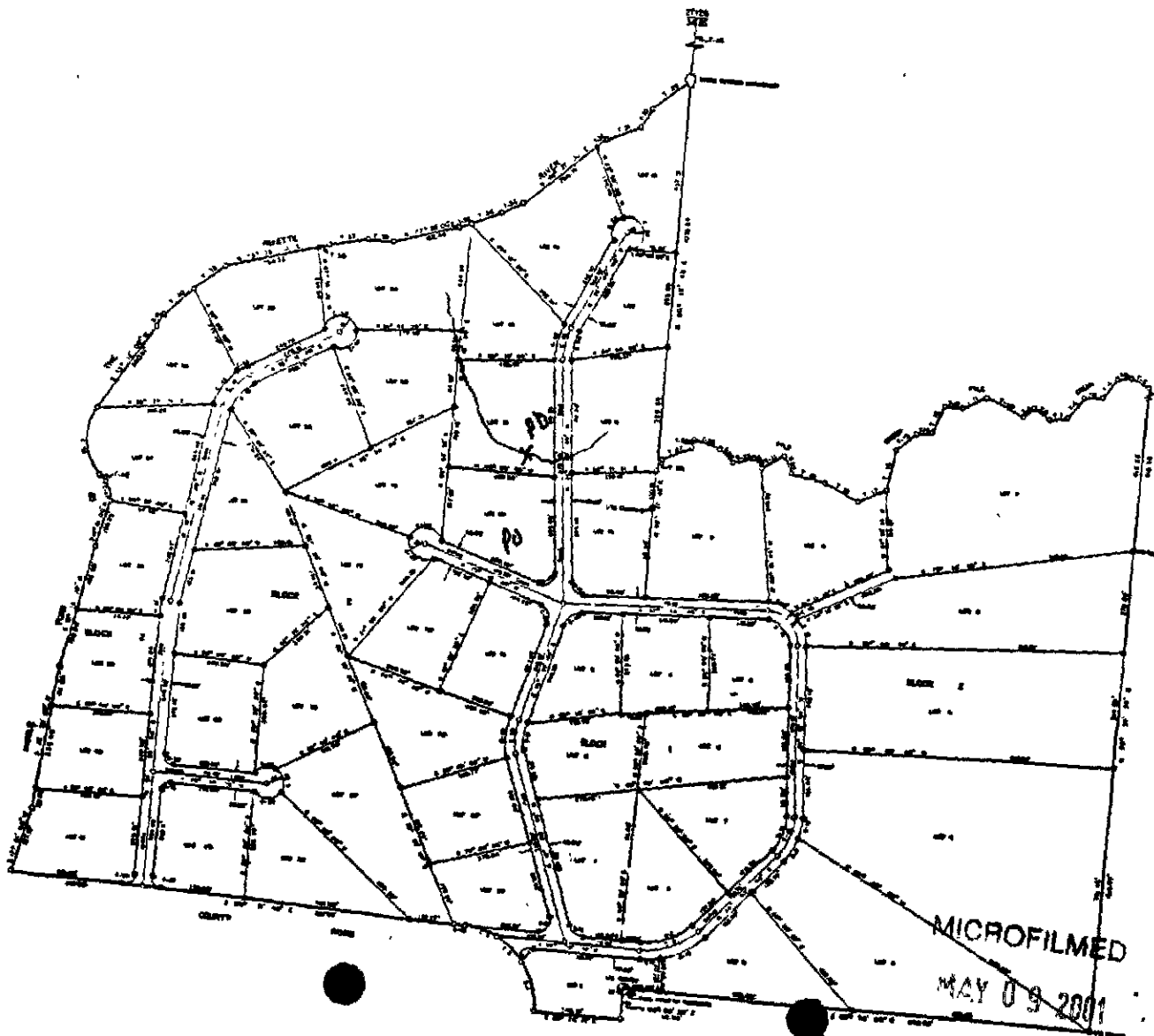
2001

MIDDLEFORK MEADOWS

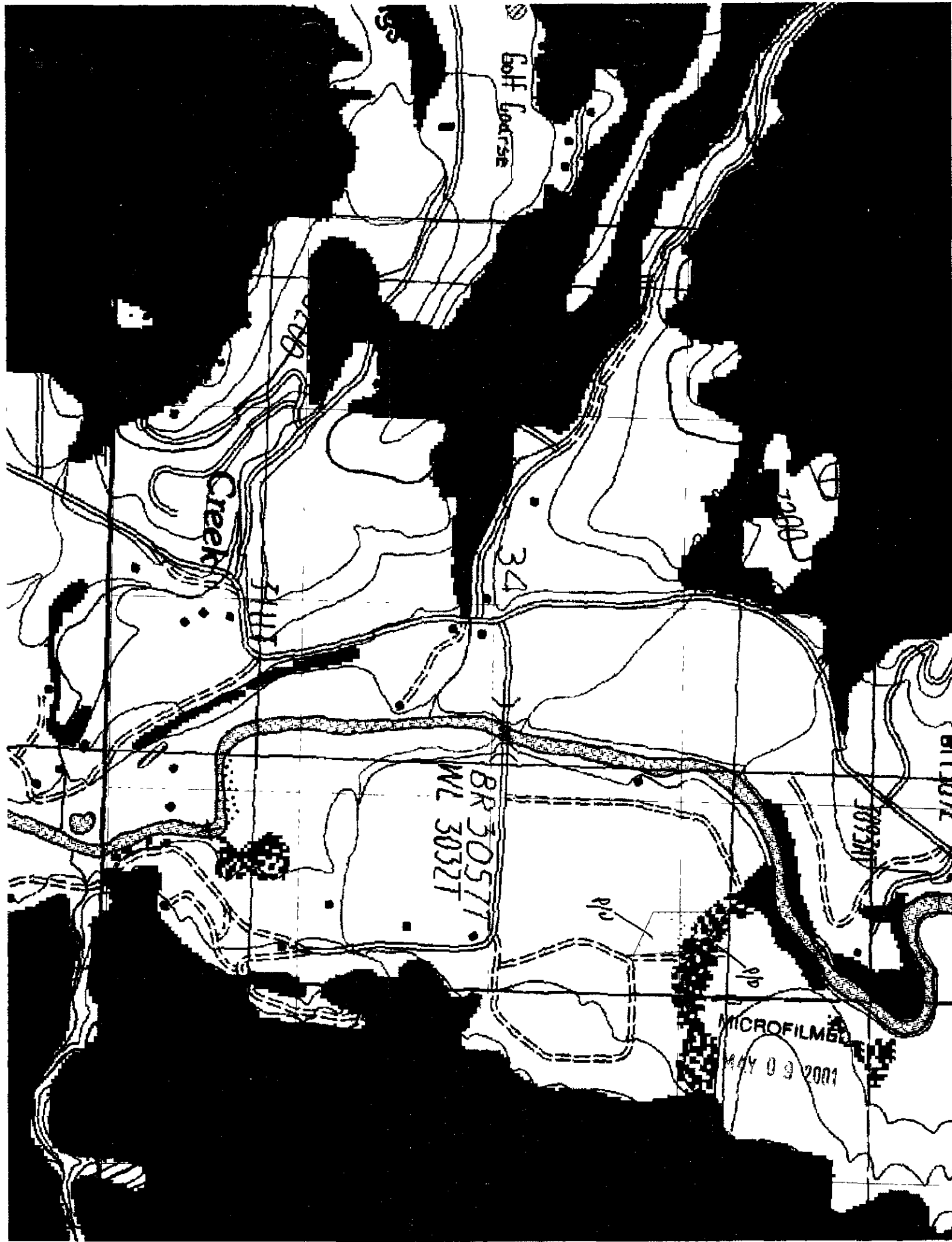
PLAN SHOWING
BAILEY ESTATES SUBDIVISION
A part of the NW 1/4 of Section 20, the NE 1/4 of
Section 34 and the SE 1/4 of the SE 1/4 of
Section 34, all located in T10N, R4E, S4M,
Grant County, Idaho

*See
Bailey*

While this map is a photographic reproduction of that on
file in either the recorder's or surveyor's office, the
company assumes no liability for variation, if any, with
another or re-survey.



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MAY 09 2001





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

March 26, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

KENNETH STEEN
22 PYLE CREEK RD
GARDEN VALLEY ID 83622

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13972

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and license examination fee submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Please refer to paragraphs 5 and 6 in the Conditions of Approval and Remarks portion of your permit, which refer to a lockable controlling works for the use by the watermaster of State Water District No. 65. A lockable device must be installed on the diverting works, which meet the department's requirements, and provide the watermaster with suitable control. If you have not installed this lockable device, I suggest you contact your watermaster about this requirement and install this device prior to the department's field examination. However, you may request a waiver of the condition in writing, stating your reasons for the request, accompanied by a letter of agreement from the watermaster. If you have installed this means of measurement, please disregard this reminder, and acknowledge to your field examiner that you have completed this condition.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office

If you have questions concerning the field examination or the lockable controlling works condition, please contact the **WESTERN** Regional Office of the department in

MICROFILMED

MAY 03 2001

Page 2

Boise at (208) 334-2190. Any questions regarding the Proof process you may contact me at (208) 327-7953.

Sincerely,

A handwritten signature in cursive script that reads "Deborah J. Gibson".

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

c: IDWR - Region

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MAY 09 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 65-13972

Reviewed By: dgibson

Date: March 26, 2001

	<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.:		W026732, W027470	Well driller's report filed?		X
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		03/20/2001
Date proof due	-	02/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	07/14/2000
New priority date	=	05/28/2001

Deficiencies of Actions Items

Acknowledge proof and reminder of lockable device for watermaster's use



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

February 9, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KENNETH STEEN
22 PYLE CREEK ROAD
GARDEN VALLEY ID 83622

RE Permit No. 65-13972

Permit Approval Notice

Dear Permit Holder:

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

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

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

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream

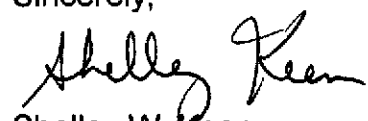
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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MAY 03 2001

If you have any questions, please contact me at 208-327-7946

Sincerely,

A handwritten signature in cursive script that reads "Shelley Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

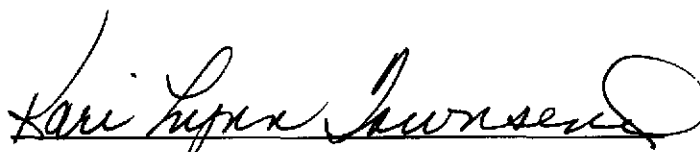
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MAY 03 2001

CERTIFICATE OF MAILING

I hereby certify that on February 9, 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. 65-13972

KENNETH STEEN
22 PYLE CREEK ROAD
GARDEN VALLEY ID 83622


Kari Lynn Townsend
Secretary

MICROFILMED
MAY 03 2001

**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.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 11/20/01

No. SS 13472 Name: Lot 17 & 18 Corp. Officers NA Ad ok _____ Govt Lots _____

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

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 084 (if necessary)
Irr. w/in WD - P05
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 Lo Geo~~ - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84
Swan Falls Flag
Trust -
Non-Trust - 051(P74) (consumptive uses)
- 048-049 (consumptive uses or non-cons > 1.0 cfs)

USES:

~~STORAGE~~ - 18A-01H(P01), 01P-18B(P09)-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/USFS) NA
MINING - 054-106(P10)
FISH PROP - 029(70'S only)-007-042-106 (P10)
HEAT/COOL - R07(injection well)
FIRE PROT - 077

BENEFICIAL USE DUE: 2 / 01 / 2006

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
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 _____
In-stream development - P52
WD - R04(WD# 105)
≤ 0.20 cfs/others - 01H(P01) 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

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

RIVER BASINS: (SW special considerations)

Snake R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-106 (P10)
MUNICIPAL
Restricted area - 022,075
Irr, GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼¼ - 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 pd intended - 076

IRRIGATION SEASON 4/1 - 10/31 (Per updated map)

IRR VOLUME/ACRE 3.5

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
JAN 8 2000 K
DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: DAW DATE: 10-24-00 APPLICATION: 65-13972

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
- Gov't. Lots:
ND P/D
ND P/U

ADDITIONAL INFORMATION

yes ADVERTISE REMARK(S)
(Reviewer identify which remarks)

☒ T FLAG CHANGED TO P FLAG

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ 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

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO. 5

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. # 65
☐ ☒ Water Planning Bureau
☒ ☐ Other Clyde & Mary Porter

HC 76 Box 2523

Garden Valley, ID

83622.

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 11-20-00
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☒ ☐ Water delivered by water master? District # 65
☒ ☐ Special conditions of approval or cover letter: STANDARD CONDITIONS
ULMASTER CONTROL

See below for additional information

Recommended Date or Priority

Recommended by:

Date:

ADDITIONAL INFORMATION:

Recommended PRIORITY DATE

Application was completed on 10-24-00.

There are multiple overlapping rights

The only significant right ~~may~~ might be

65-013002, which takes water from the

same source.

1734 8142

Ident. No. 65-13972

Comments: Date: 10/24/2000 User-ID: DNELSON

Subject: ADDITIONAL INFORMATION

APPLICANT: Stockwater is for 2 sheep and 2 horses. Place of use is also known as lot 17 and 18 block 2 Middlefork Meadows Subdivision.

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MAY 09 2001

The Idaho World

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

RECEIVED

NOV 14 2000

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 Nov 1, 2000 and ending with the issue of Nov 8, 2000.

Deanna Stevenson

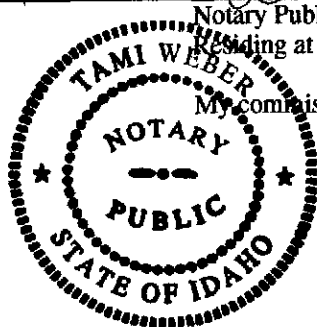
State of Idaho)
)
County of Boise)

On this 13 day of Nov in the year 2000, 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.

James Weber

Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 2/10/05



NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13972

STEEN, KENNETH
22 PYLE CREEK ROAD
GARDEN VALLEY, ID 83622

Source: PYLE CREEK Tributary: PAYETTE RIVER, MIDDLE FORK
Diversion Pt: NENE Sec 34 T 10N R 04E in BOISE County.
Use: IRRIGATION (0.120 CFS)
STOCKWATER (0.020 CFS)
Total Diversion: (0.140 CFS)

Date Filed: 10/24/2000

In: BOISE County
T10N R04E S34 NENE SENE

4.0 ACRES TOTAL

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

65-13973

MCDOWELL, RICHARD
MCDOWELL, JANET
321 VILLAGE CIRCLE
GARDEN VALLEY, ID 83622

Source: GROUNDWATER
Diversion Pt: NWSE Sec 32 T 10N R 04D in BOISE County.
Use: DOMESTIC (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 10/16/2000

In: BOISE County
T10N R04E S32 NWSE

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 Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before NOVEMBER 20, 2000. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director

Published in The Idaho World ~~November 1, 2000~~ 11/14/2000

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MAY 03 2001

State of Idaho
Department of Water Resources

RECEIVED

NOV 15 2000

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

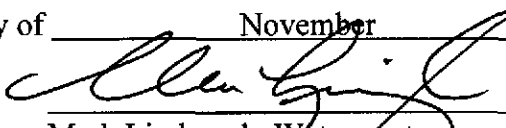
Application No: 65-13972Applicant's Name: Kenneth Steen

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned as follows: Under control of Watermaster for Water District
No. 65
- c) ☐ I oppose approval of this application for the following reasons:
- d) Additional Comment: _____

Dated this 14th day of November, 2000

Water District No. 65


Mark Limbaugh, Watermaster

Use reverse side of page if you need more space.

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MAY 03 2001



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

October 31, 2000

KARL J. DREHER
DIRECTOR

MARK LIMBAUGH
102 N MAIN
PAYETTE ID 83661

Re: Applications for Water Right No. 65-13972 in the Name of Kenneth Steen

Dear Watermaster:

Enclosed is the copy of the above-referenced application for permit. Also enclosed is the form for your recommendation concerning this application.

Please review the application. We must have your comments within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:lm

Encl: Copy of Application
Recommendation of Watermaster Form

MICROFILMED

MAY 09 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

October 31, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CLYDE AND MARY PORTER
HC 76 BOX 2523
GARDEN VALLEY ID 83622

Re: Application for Water Right No 65-13972 in the Name of Kenneth Steen

Dear Sir or Madam:

Enclosed is a copy of the above-referenced application for permit which may be of interest to you. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by November 20, 2000.

If you have any questions regarding the application, please contact this office.

Sincerely,

A handwritten signature in black ink that reads "Gary Spackman".

Gary Spackman

GS:lm

Encl: Copy of Application

MICROFILMED

MAY 03 2001



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

OCTOBER 26, 2000

Legal Notices Department
The Idaho World
PO Box 99
Garden Valley, ID 83622

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 20, 2000.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

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MAY 09 2001

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MAY 03 2001

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MAY 03 2001

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KARL J. DREHER, Director

Published: 11/ 1/2000 & 11/ 8/2000

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MAY 09 2001

REQUEST TO PROCESS

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

Name of Applicant

KENNETH STEEN

Mailing Address

22 PYLE CREEK RD

GARDEN VALLEY ID 83622

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.

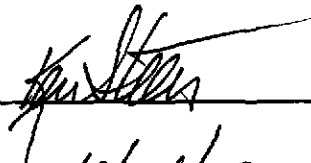
 PROPOSE MITIGATION NOW

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



Date

10/24/00

Please return this form to:

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

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MAY 03 2001