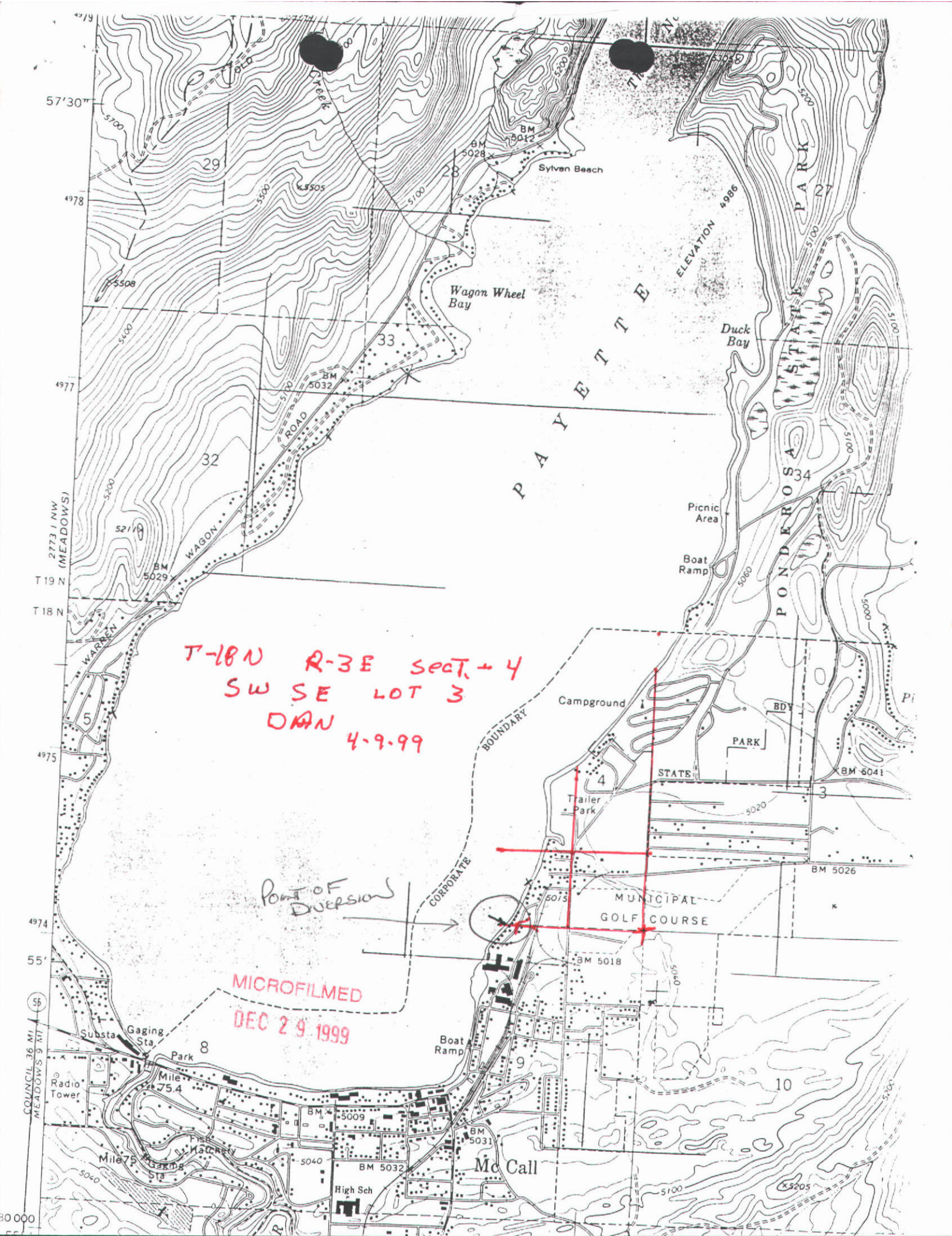
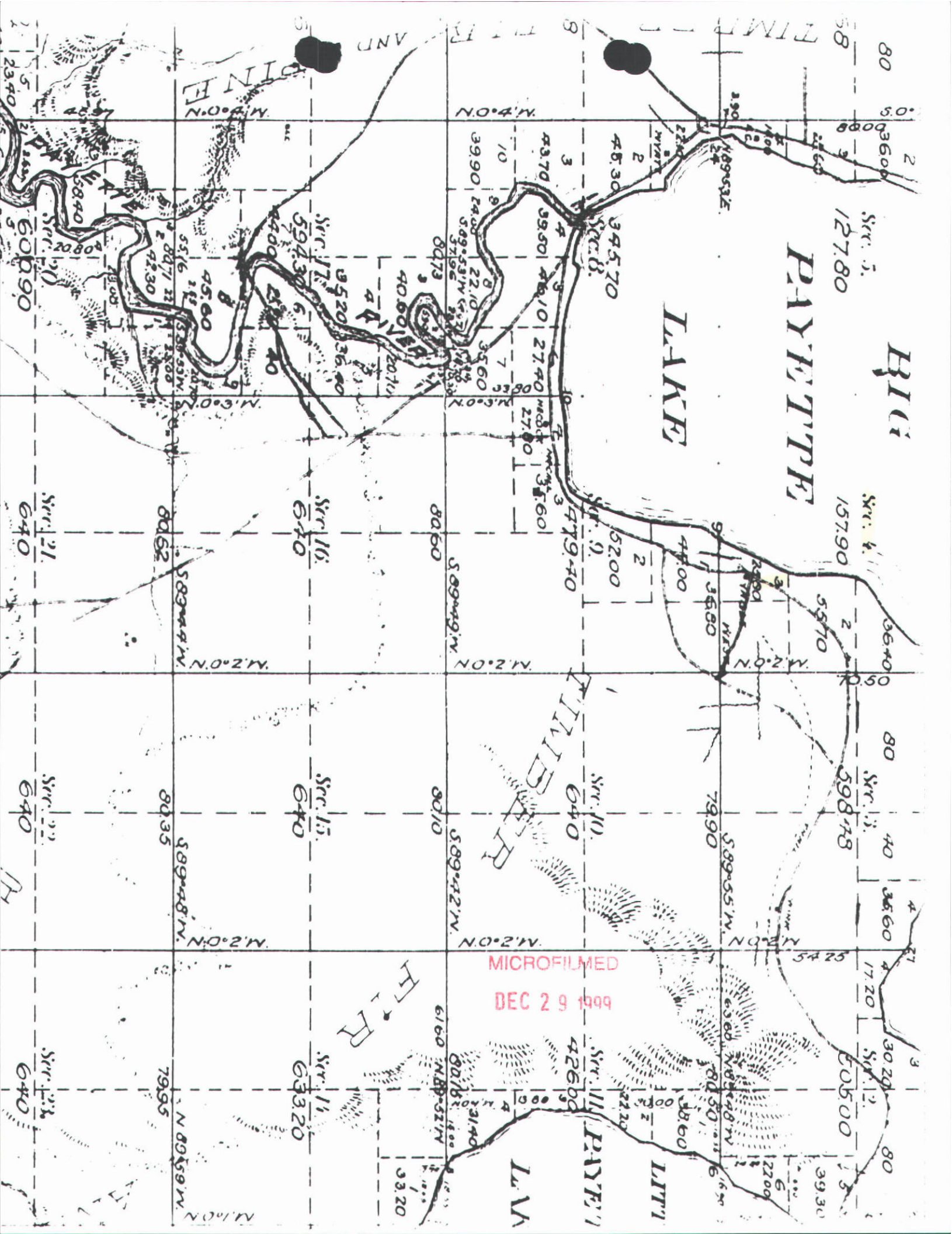
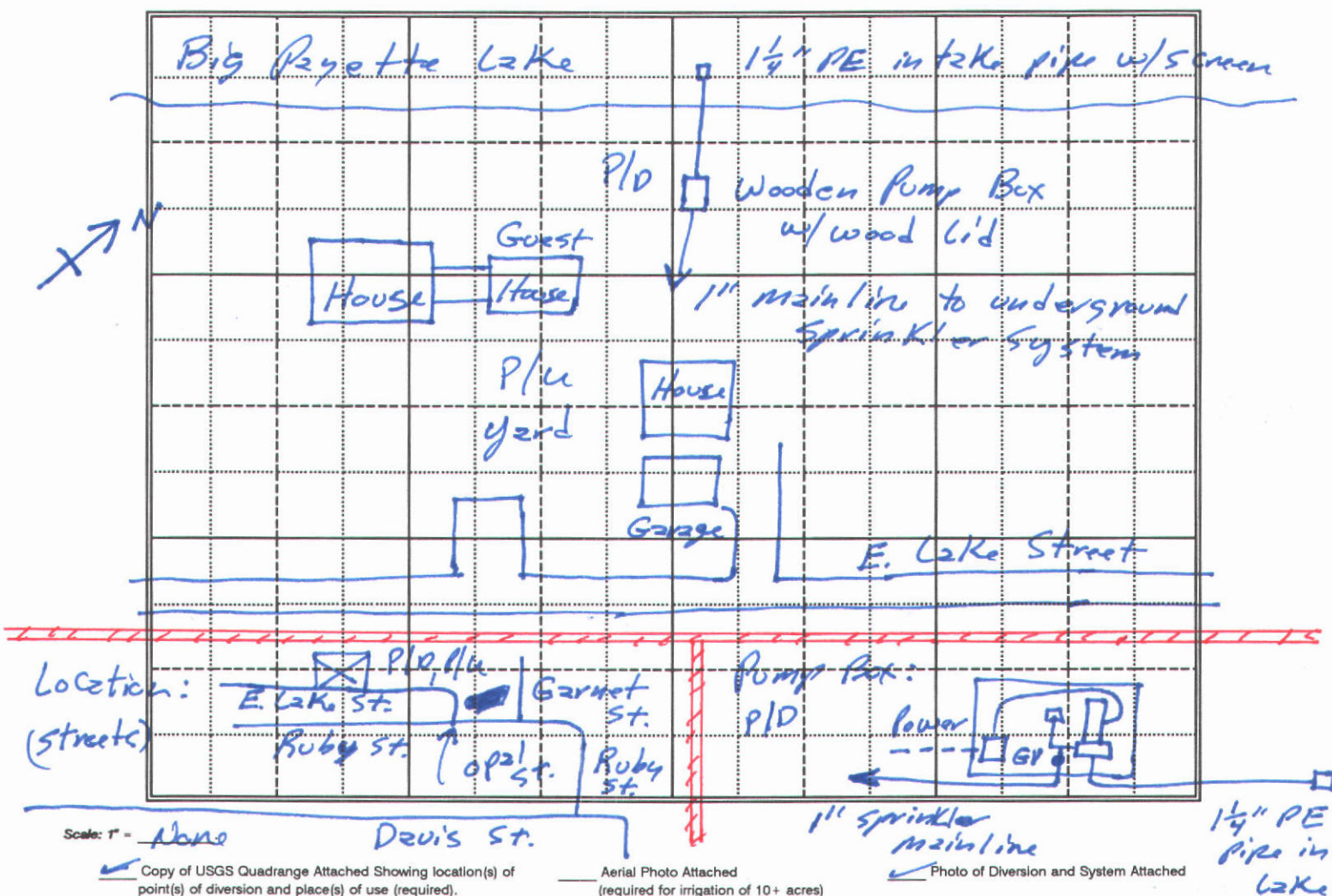






3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Irrigation		1 1/2		STA-RITE	Code 1097P
Pump from					Model JHE-63HL
Lake					

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

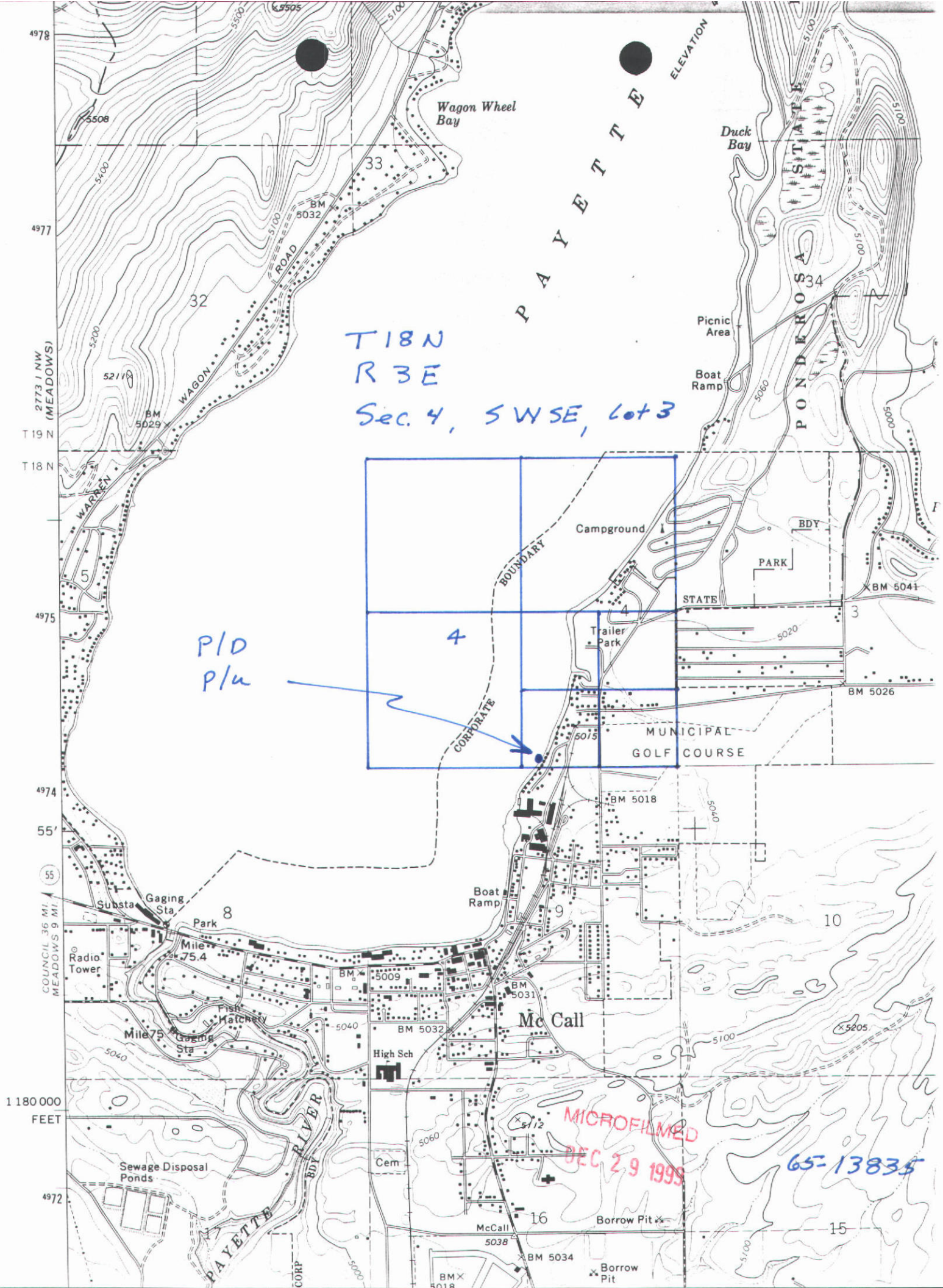
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

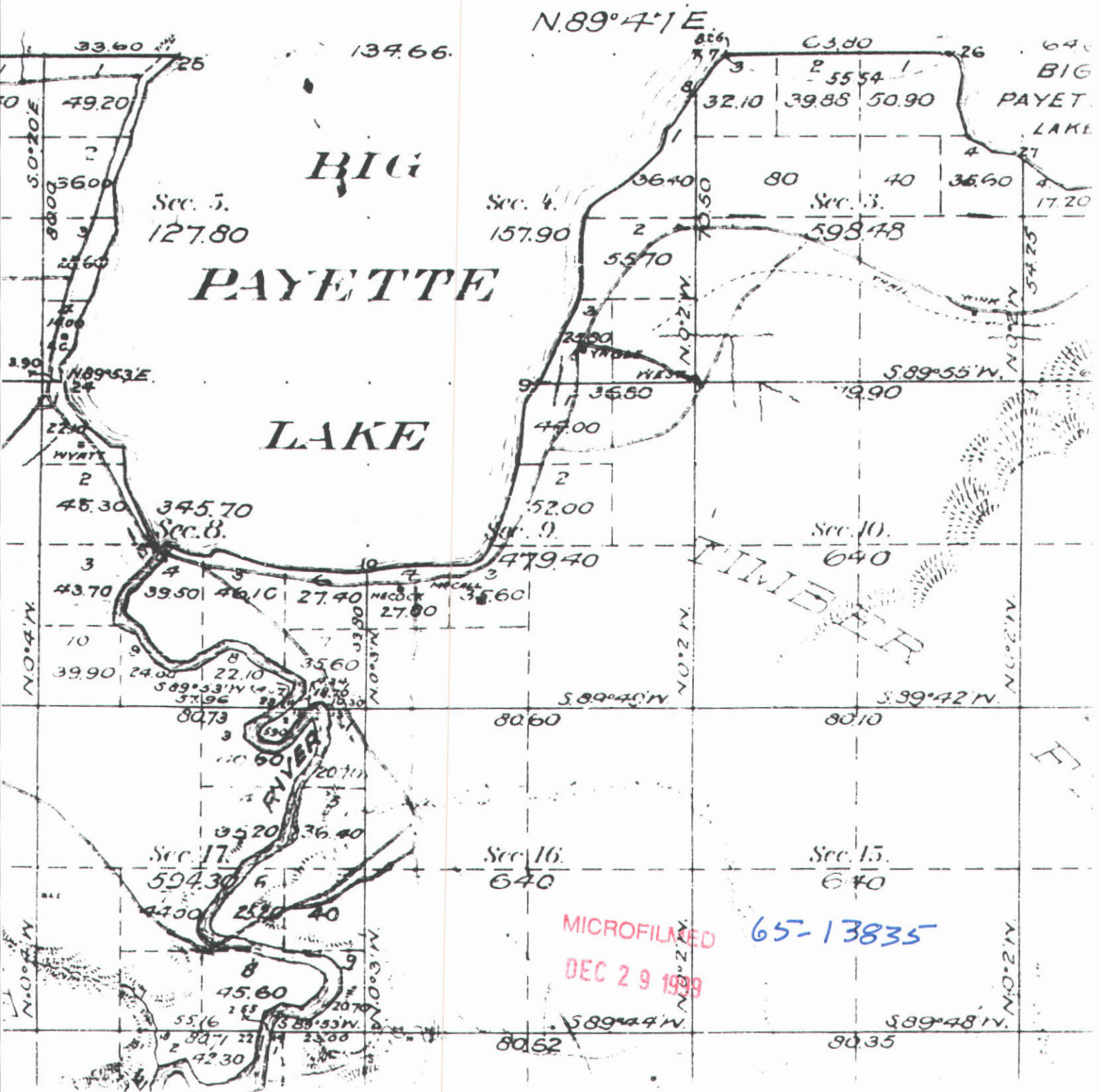
2. Measurements: None - System was off, Lines dewatered - for winter season.

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18 North, Range N^o 3 East of the Bc



1 of 2

P/D

1 1/4" PE

Pipe

in take

Line

at

Docks.

P/u in

Background



P/D

Wood
Pump
Box

In take
Line
at docks
in back-
ground



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DEC 29 1999

65-13835

2 of 2

P/D

1 1/2 HP

Pump

Unit



Plu

irrigated
yard



MICROFILMED
DEC 29 1999

65-13835

Publisher's Affidavit of Publication

STATE OF IDAHO

County of Valley

.ss

I, Carol J. Wright, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began May 6, 1999 and ended May 13, 1999.

Carol J. Wright

Subscribed and sworn before me this the 14th day of May, 1999.
STATE OF IDAHO

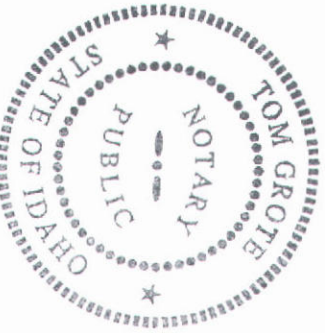
COUNTY OF VALLEY

}

On this 14th day of May, in the year of 1999, before me, a Notary Public, personally appeared Carol J. Wright, 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.

Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires: 1999



RECEIVED

MAY 17 1999

RECEIVED

MAY 18 1999

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:

65-13835

Stein, Keith D.,
P.O. Box 9367 Boise, ID 83707.

Source: Big Payette Lake.

Tributary: Payette River.

Diversion Pt. Lot 3 (SWSE) Sec. 4 T 18N
R 03E in Valley County.

Use: Domestic

Total Diversion: (0.020 CFS), (0.020 CFS).

Date Filed: 3/22/1999.

In: Valley County.

T18N R03E S04 Lot 3 (SWSE).

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 for each application on or before May 24, 1999. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director 2tc/5/13

MICROFILMED

DEC 29 1999

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13835

Priority: March 22, 1999

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

1.5 AF

This is to certify, that KEITH D STEIN

PO BOX 9367

BOISE ID 83707

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 22, 1999; and has submitted Proof of Beneficial Use on July 28, 1999. An examination indicates that the works have a diversion capacity of 0.110 cfs of water from:

BIG PAYETTE LAKE

tributary to **PAYETTE RIVER, NORTH FORK**

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	1.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (SWSE), Sec. 4, Township 18N, Range 03E
VALLEY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

18N 03E 4 Lot 3 (SWSE)

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
2. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
3. The availability of water for this right is subject to all prior water rights of Lake Reservoir Co.
4. Water shall not be diverted under this right when flows in the Payette River are below established minimum stream flows.
5. Domestic use is for lawn and garden irrigation associated with one home and shall not exceed 1/2 acre.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 29th day of DECEMBER, 1999.

Acting for

KARL J. DREHER, Director

PHOTOFILMED

29 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT
NO. 65-13835 IN THE NAME OF
KEITH D. STEIN

ORDER MODIFYING
CONDITION OF APPROVAL

WHEREAS, on March 22, 1999, Keith D Stein applied to the Department of Water Resources (Department) for a permit to appropriate water from the Big Payette Lake for domestic use, and,

WHEREAS, the Department approved Permit No 65-13835 with the following condition.

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.

and,

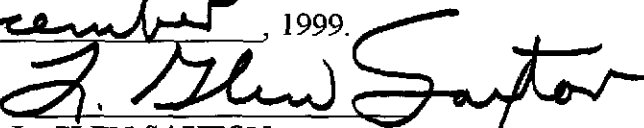
WHEREAS, the right holder has requested a waiver of the lockable device condition due to the fact that the diversion system is under concrete or under ground. The right holder has also agreed to rent water from the Payette River Rental Pool in the future as the need arises; and,

WHEREAS, the Department agrees to waive the requirement for the lockable device prior to diversion of water, the Department retains jurisdiction to require the installation of the lockable device in the future,

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval requiring the installation of a lockable device for Permit No 65-13835 is MODIFIED as follows.

Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

Dated this 28th day of December, 1999.


L GLEN SAXTON

Chief, Water Allocation Bureau

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JUL 28 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 65-13835 Telephone No. (208) 375-1450

2. Name(s) of Permit Holder(s): Keith D. Stein

3. Mailing Address: PO Box 9367 Boise Id 83707

4. Source of Water: Big Payette Lake If GROUNDWATER (well), Date Drilled: mo. N/A / yr.

a. Well Driller: N/A Drilling Permit Number: - -

b. OPTIONAL:
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):

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

Domestic (No. of households): 1 Stockwater (No. and type of stock):

Irrigation (No. of acres): 1/2 - lawn & garden Other:

6. Total rate of diversion and/or volume for which proof is submitted: .02 cfs OR N/A 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 lockable measuring device required? Yes ☒ or No ☐

Has the measuring device been installed? Yes ☐ or No ☒

Flow Measurement Port: Is a flow measurement port required? Yes ☐ or No ☒

Has the measurement port been installed? Yes ☐ or No ☒

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: CRAIG COLLINS Telephone Number: 208 634-2884

Address: P.O. Box 2209 McCall, IDAHO 83638

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

Signature of permit holder: Keith D. Stein DEC 29 1999 Date: 7-28-99
(include your title, if on behalf of company or organization)

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State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13835

Proposed Priority: March 22, 1999

Maximum Diversion Rate:

0.02 CFS

This is to certify, that **KEITH D STEIN**
PO BOX 9367
BOISE ID 83707

has applied for a permit to appropriate water from:
BIG PAYETTE LAKE tributary of **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>
-----------------------	----------------------	--------------------------

DOMESTIC	01/01 to 12/31	0.02 CFS
----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: Lot 3(SWSE), Sec. 4, Township 18N, Range 03E
VALLEY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

18N 03E 4 Lot 3(SWSE)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 2000.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
4. 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.
5. The availability of water for this right is subject to all prior water rights of Lake Reservoir Co.
6. Water shall not be diverted under this right when flows in the Payette River are below established minimum stream flows.
7. Domestic use is for lawn and garden irrigation associated with one home and shall not exceed 1/2 acre.

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

26th day of July, 1999.

MICROFILMED

DEC 24 1999

Karl J. Dreher
Karl J. Dreher, Director

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JUL 22 1999

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

MAR 22 1999

WATER RESOURCES
WESTERN REGION

1. Name of Applicant KEITH D STEIN Phone 208 375-1450
Mailing address PO BOX 9367 BOISE IDAHO 83707
- *2. Source of water supply PAYETTE LAKE which is a tributary of PAYETTE RIVER
- *3. Location of point of diversion is Township 18 NORTH Range 3 EAST Sec. 4, in the SW 1/4, SE 1/4, Govt. Lot 3, B.M., Valley County;
additional points of diversion if any: _____
- *4. Water will be used for the following purposes: Domestic
Amount 0.03 cfs for Irrigation purposes from 4/15 to 10/15 (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) 0.03 cfs 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 1 H.P. CENTRIFUGAL PUMP ABOVE HIGH WATER WITH 1 1/4" POLY INTAKE LINE 8 FOOT VALVE IN LAKE
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet
- c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet
- d. Is ground water with a temperature of greater than 85°F being sought? N/A
- e. If well is already drilled, when? N/A; Drilling firm N/A
Well was drilled for (well owner) N/A; Drilling Permit No. N/A
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. N/A
- b. Stockwatering; list number and kind of livestock. MICROFILMED
- c. Municipal; show name of municipality. DEC 29 1999
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

* Changes made per Telephone conversation with
Applicant on 4/9/99 at 10:45 AM. DAN 4-9-99

8. Description of place of use:

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

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	3E	4																D	
Gov Lot 3																			

Total number of acres to be irrigated 1/4 OF 1 ACRE

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? KEITH STEIN

b. Who owns the land to be irrigated or place of use? KEITH STEIN

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: _____

ADDITIONAL CONTACT PERSON - CRAIG COLLINS
1-208-634-2884

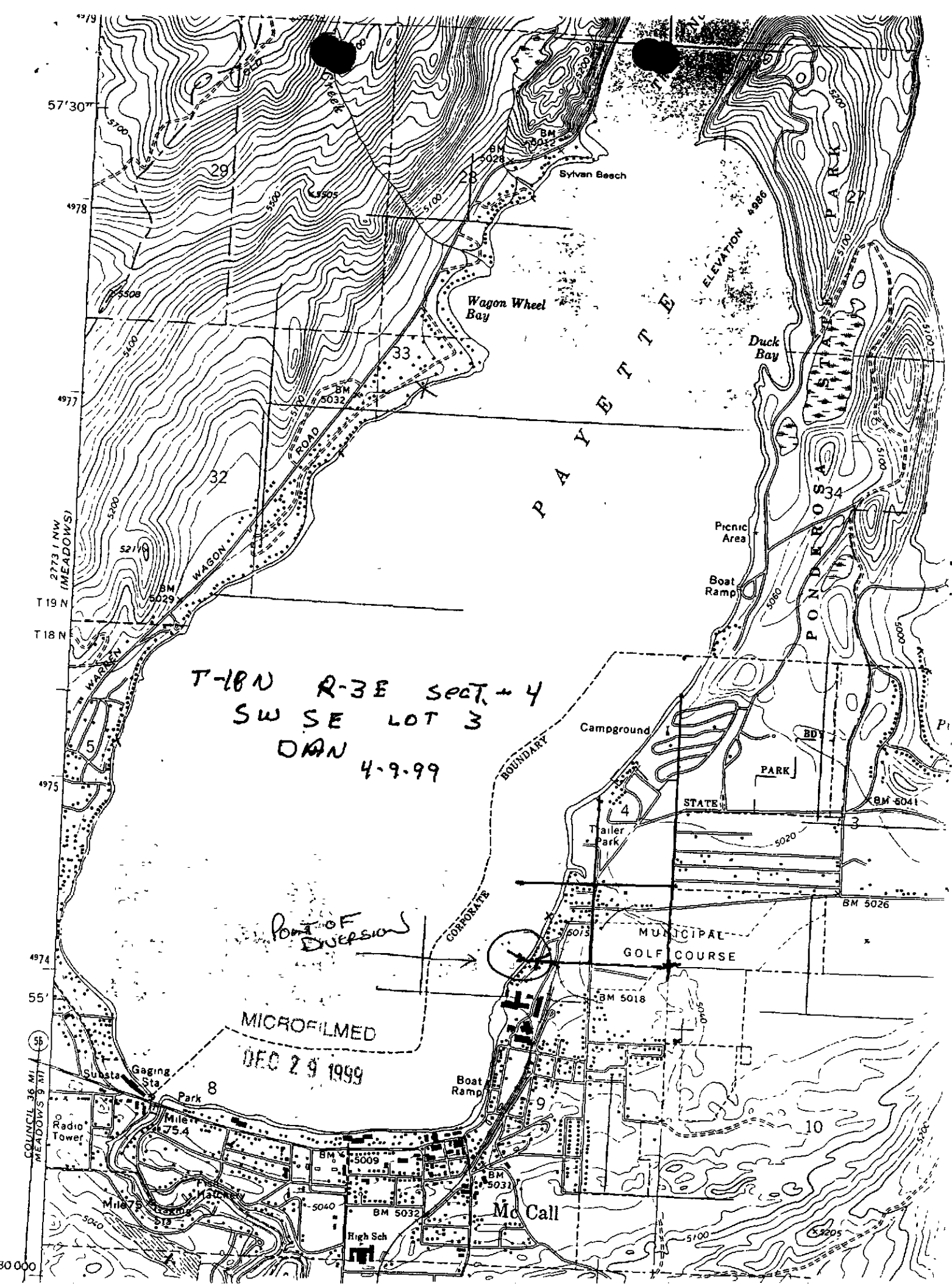
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Keith Stein
Signature of Applicant (and title, if applicable)
Individual

Received by AG Date 3/22/99 Time 11:19 Preliminary check by D.A.N.
Fee \$ 3000 Receipted by AG # W024903 Date 3/22/99
Publication prepared by AT Date 4-28-99 Published in Star News
Publication approved AT Date 5-26-99 NOTED 13-99

DEC 29 1999



T-18N R-3E SECT. 4
SW SE LOT 3
OWN 4-9-99

Point of Diversion

MICROFILMED
DEC 29 1999

PAYETTE

PONDEROSA STATE PARK

Campground

PARK

STATE

MUNICIPAL GOLF COURSE

McCall

High Sch

Gaging Sta

Substa

Radio Tower

Mile 7.5

Mile 7.4

Mile 7.3

Mile 7.2

Mile 7.1

Mile 7.0

Mile 6.9

Mile 6.8

Mile 6.7

Mile 6.6

Mile 6.5

Mile 6.4

Mile 6.3

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Mile 5.7

Mile 5.6

Mile 5.5

Mile 5.4

Mile 5.3

Mile 5.2

Mile 5.1

Mile 5.0

Mile 4.9

Mile 4.8

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Mile 2.6

Mile 2.5

Mile 2.4

Mile 2.3

Mile 2.2

Mile 2.1

Mile 2.0

Mile 1.9

Mile 1.8

Mile 1.7

Mile 1.6

Mile 1.5

Mile 1.4

Mile 1.3

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Mile 0.5

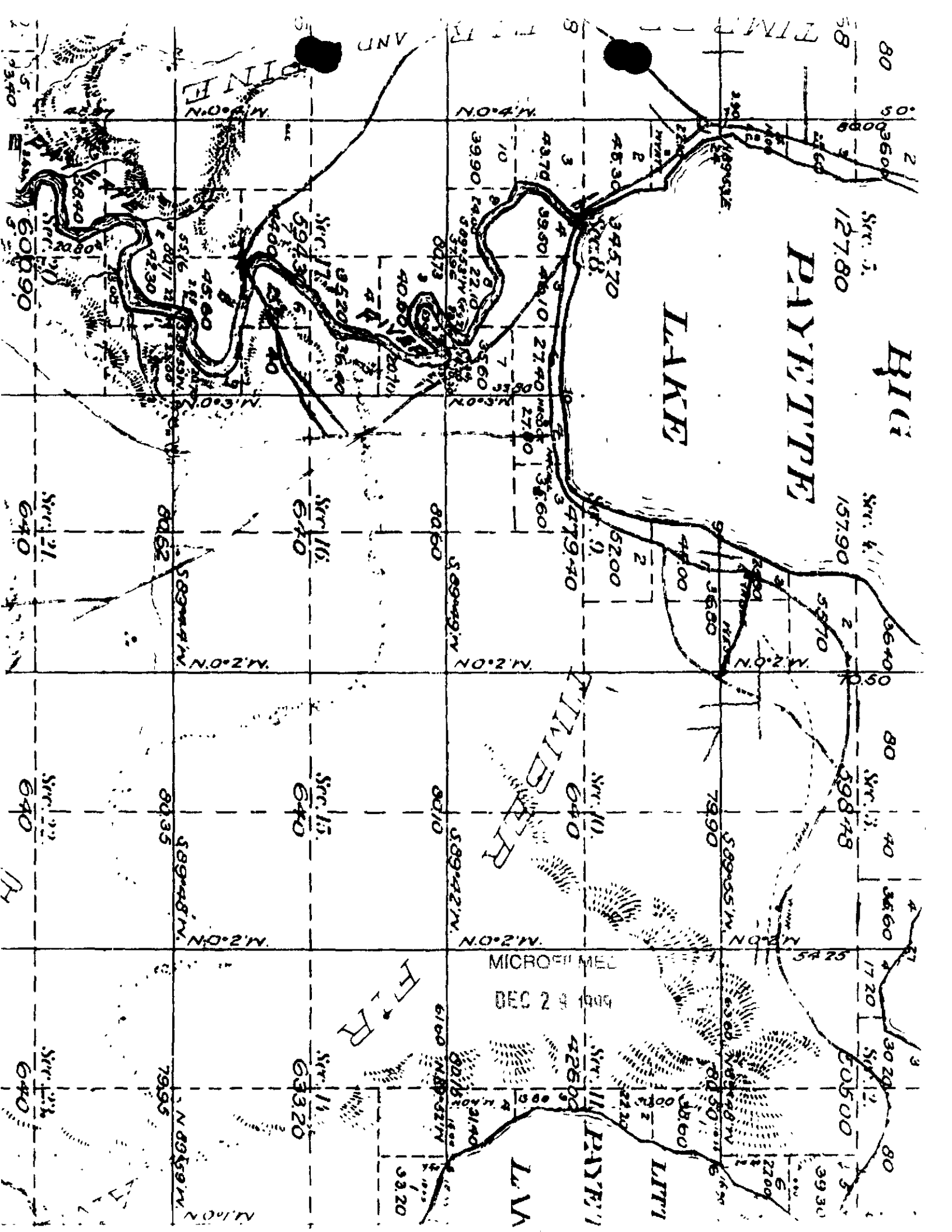
Mile 0.4

Mile 0.3

Mile 0.2

Mile 0.1

Mile 0.0



Comments: Date: 4/ 9/1999 User-ID: DNELSON

Subject: ADDITIONAL INFORMATION

IDWR review shows overlapping rights for place of use, none of these rights seem significant. There were no overlapping rights for the point of diversion. However, there are a large number of rights associated with the source, Big Payette Lake. Owner said that domestic use is for irrigation of 1/4 acre of lawn. Additional contact person is Crane Collins telephone number (208) 634-2884.

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DEC 29 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 29, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KEITH D STEIN
PO BOX 9367
BOISE ID 83707

RE: WATER RIGHT NO. 65-13835

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license 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 unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 reporting form.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

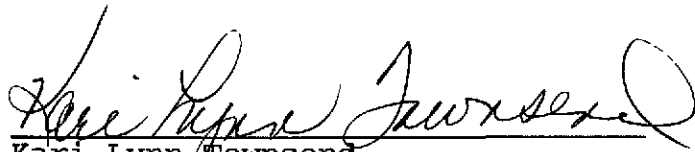
MICROFILMED
DEC 29 1999

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of **December, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 65-13835

KEITH D STEIN
PO BOX 9367
BOISE ID 83707


Kari Lynn Townsend
Secretary

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DEC 29 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

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DEC 29 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

SD-0420-2
MODIFY RECORD

Idaho Department of Water Resources
Modify Comment

Date: 12/27/99
Time: 14:23:37

Water Right Number: 45-07588

Comment Date: 12/27/1999 User ID: SKEEN

Subject: Licensed diversion volume

The licensed diversion volume of 1.5 AFY is based on 3.0 AFY/acre
times half an acre.

(Enter=Continue/Exit) (Gold2=Update) (Gold3=Delete) (Gold4=Prev) (Gold5=Next)

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OCT 29 1999

Department of Water Resources

Shelley

October 28, 1999

Ms. Julie L. Yarbrough
Administrative Assistant
State of Idaho
Department of Water Resources
PO Box 83720
Boise, Idaho 83720-0098

RE: Permit No. 65-13835

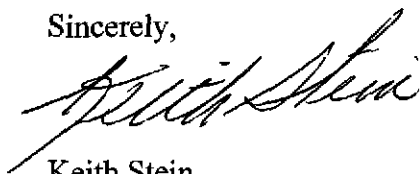
Dear Ms. Yarbrough,

At this time I would like to request a waiver of condition No. 4 of my water right permit. Mr. Craig Collins the contractor I employed to make the installation, advised me while it is a simple installation, all the systems are either in the closed garage, poured under concrete or underground. While it would not be impossible to comply to condition No.4 and install a lockable device, the timing subject to an inspection may be difficult.

Therefore I would agree to rent water from the Payette River Rental Pool should the need arise.

Thank you in advance for your consideration.

Sincerely,



Keith Stein
Stein Distributing Company

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DEC 29 1999

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NOV 08 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13835

1. Owner: Keith D. Stein Phone No. (208) 375-1450

Current Address: P.O. Box 9367, Boise, ID 83707

2. Accompanied by: No one; Contact: Craig Collins EXAM DATE: 10-28-99

Address: P.O. Box 2209, McCall, ID, 83638 Phone No. (208) 634-2884

Relationship to Permit Holder: Friend

3. Source: Big Payette Lake tributary to Payette River

B. OVERLAP REVIEW

McCall Municipal

1. Other water rights with the same place of use: None for irrigation; for ~~water~~ use.

2. Other water rights with the same point of diversion: None *internal*

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	<u>3</u>		<u>SW</u>	<u>SE</u>	<u>4</u>	<u>18N</u>	<u>3E</u>	<u>Valley</u>	<u>Site Visit, May</u>

2. Place(s) of Use:

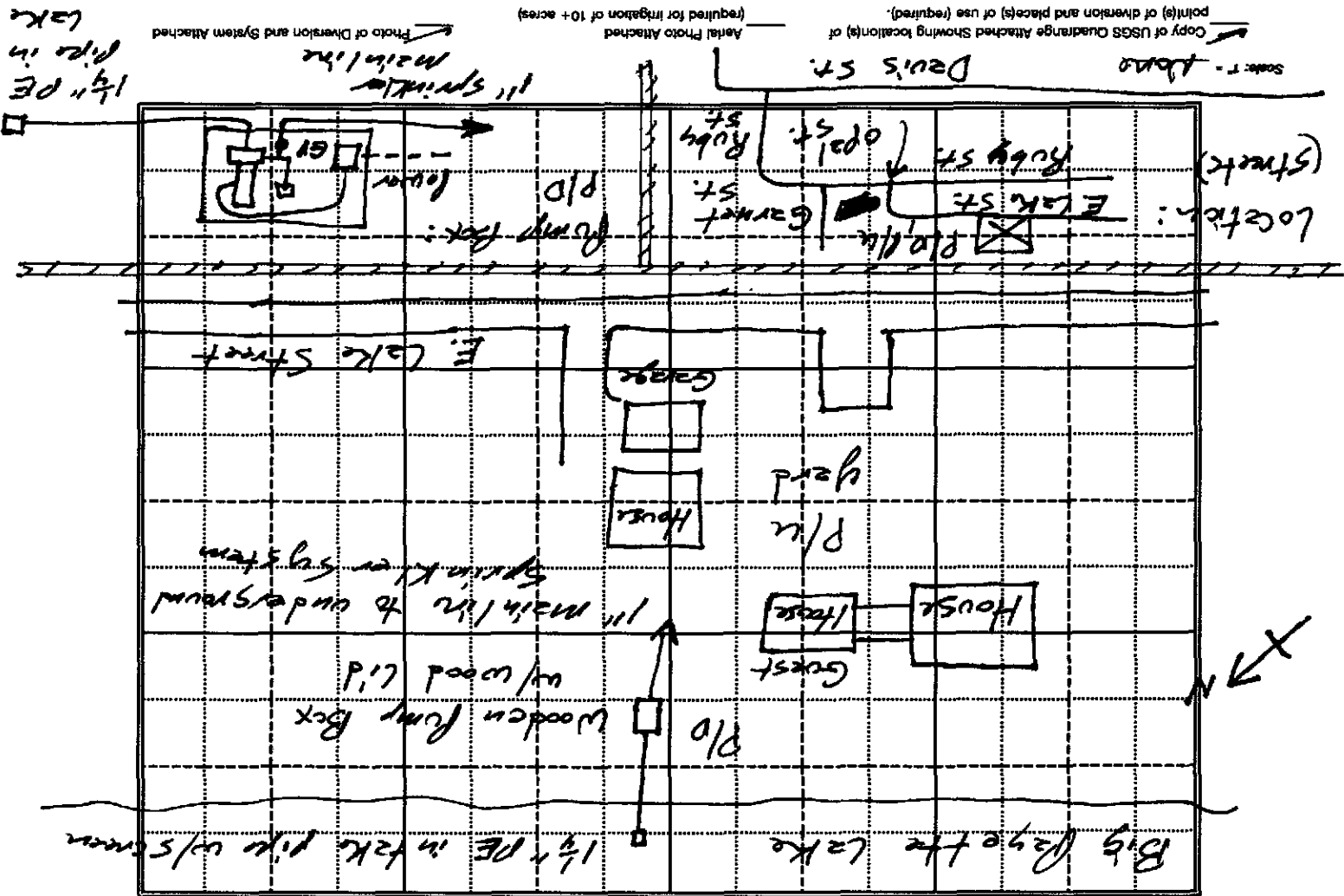
Indicate Method of Determination Site Visit, May

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	3E	4															D lot 3		

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DEC 29 1999

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.d. as applicable.



4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
IN-1010		1 1/2		SIN-RITE	Code 1097P
Pump from					Model JHE-63H
Lake					

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: None - System was off, lines devastated - for winter season -

E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for external domestic use only: irrigation of lawn and garden from Big Bayette Lake. The internal domestic (potable) water is supplied by the City of McCall Municipal System.
 2. A $1\frac{1}{2}$ HP pump unit, located in a wooden box at the NE edge of the property, pumps water from the Lake to an underground sprinkler system for the yard + garden. The system was turned off for the winter season.
 3. I contacted Craig Collins by phone, and he described the location and water system and said to do the exam without him as he was going fishing on the Henry's Fork.
 4. There was no lockable device, Cond. 4, but the power panel box could be locked up if necessary.
 5. The meter data could not be read because of its location in the pump box.
 6. The location of the property is about 1626 E. Lake Street - but this number was not posted on the property.
- Have conditions of permit approval been met? ☐ yes ☒ no

Cond 4 - Lockable device
not found, but the power panel box
can be locked.

DEC 23 1995

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: None - system off for season - Theoretical Cal.:

$$Q = \frac{(8.8)(1.5 \text{ HP})(70\%)}{7' + (35 \text{ psi}) \left(\frac{34'}{14.7 \text{ psi}} \right)} = 0.11 \text{ cfs} > 0.02 \text{ cfs}$$

Allow 0.02 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

External Domestic - irrigation
of yard + garden
Allow 0.6 AFA

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic</u>	<u>01/01</u>	<u>12/31</u>	<u>0.02</u>	<u>0.6</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.02</u>	<u>0.6</u>

2. Recommended Amendments

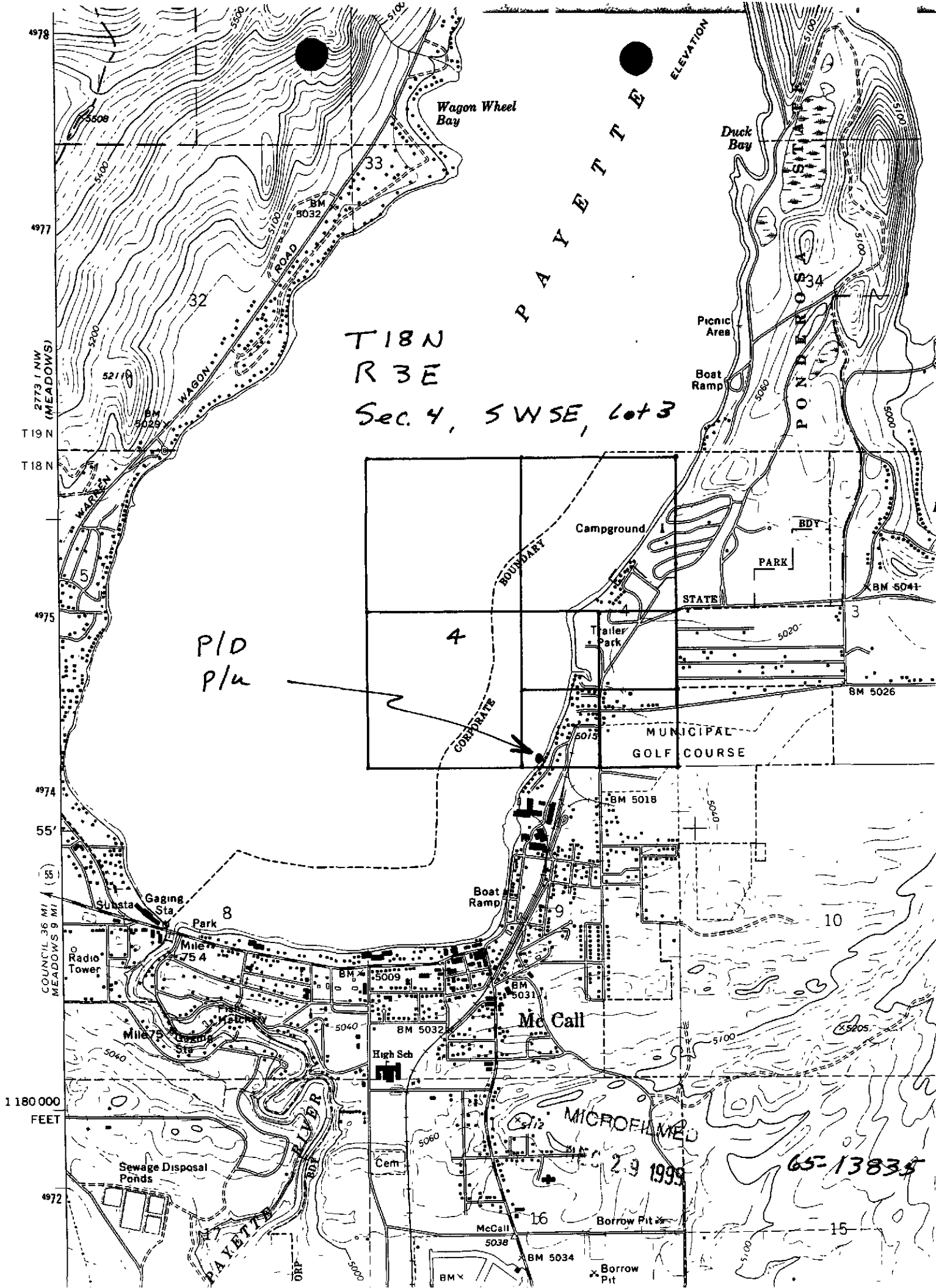
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name L. J. Smith Date 11-1-99

Reviewer _____ Date _____

SEAL

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DEC 29 1999



T18N
R3E
Sec. 4, SWSE, Lot 3

P/D
P/u

PAYETTE

65-13834

MICROFILMED
2.9.1999

Ma Call

High Sch

Cem

Sewage Disposal Ponds

Radio Tower

Gaging Sta

Boat Ramp

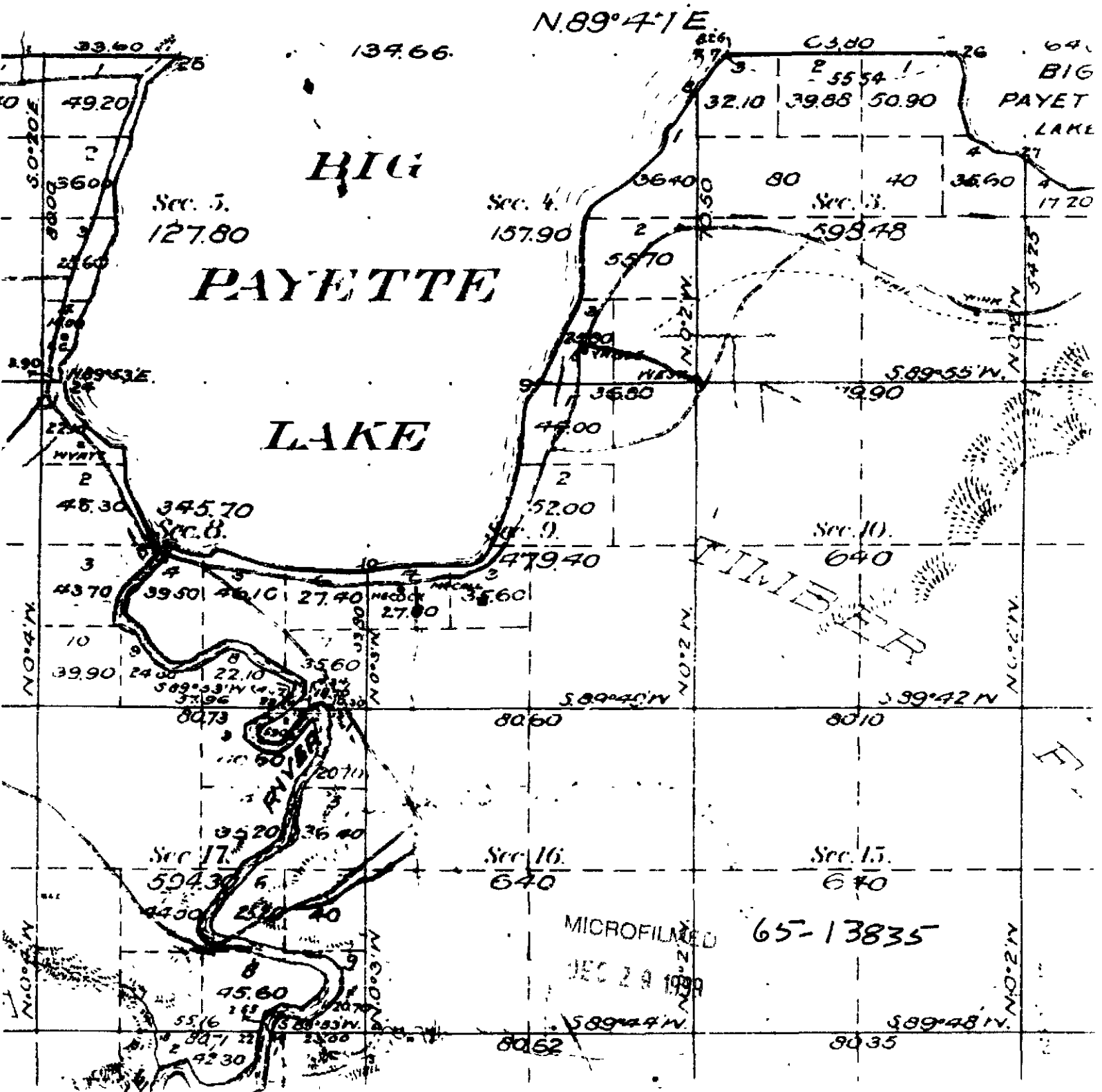
Picnic Area

Boat Ramp

Duck Bay

Wagon Wheel Bay

18 North, Range N^o 3 East of the 13c



1 of 2

P/D

1 1/4" PE

Pipe

in take

Line

at

Docks.

P/u in

Background



P/D

Wood

pump

Box

In take

Line

at docks

in back-
ground



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DEC 28 1999

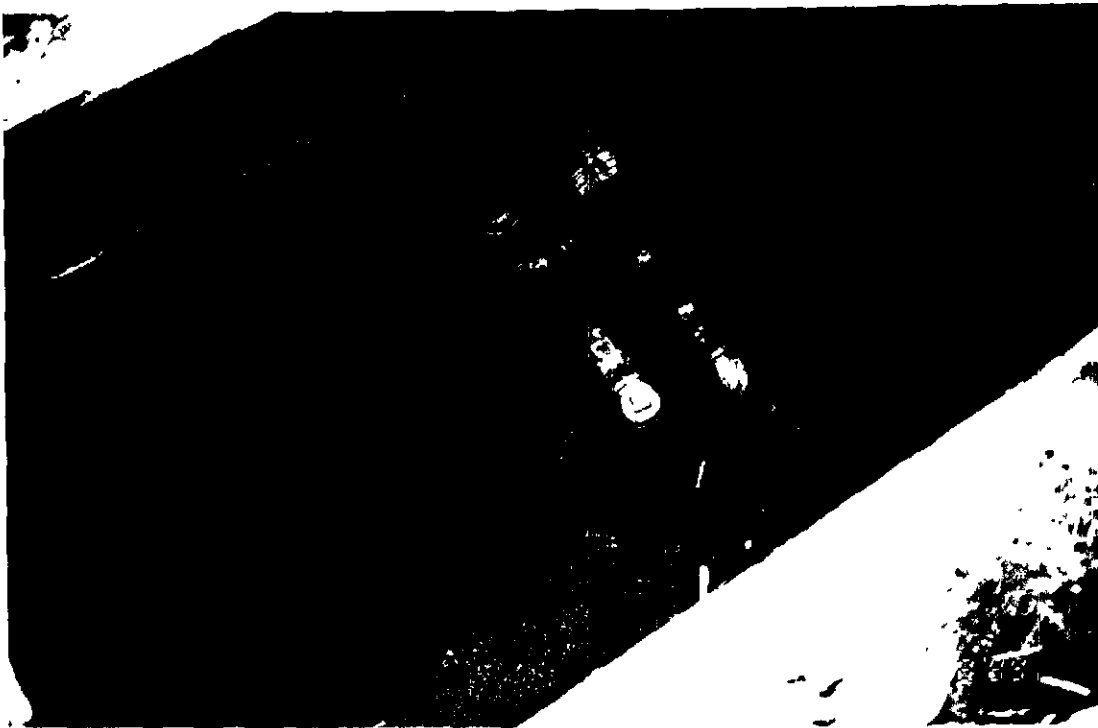
65-13835

2 of 2

P/D

1 1/2 HP

Pump
Unit



P/u

irrigated
yard



MICROFILMED
DEC 29 1998

65-13835

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13835 Reviewed by Jay Date 9-29-99

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below

TYPES OF USE

dom
Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☒ Drilling permit required?
☒ Copy in the file?
☒ Amount paid for permit
☒ Well log in the file?

Drilling Permit No. _____
Correct? _____

LICENSE EXAMINATION FEE

yes Required?
50- Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

Date proof received	_____		_____
Date proof due	_____	-	_____
No. of days late	_____	=	_____
Priority Date	_____	+	_____
New Priority Date	_____		_____

DEFICIENCIES OR ACTION ITEMS

*Inform of locatable device requirement.
Proof Acceptable*

DATA ENTRY

New Address X Proof Made 7-28-99



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

October 19, 1999

KARL J. DREHER
DIRECTOR

Keith D Stein
PO Box 9367
Boise ID 83707

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13835

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 conduct a field examination to determine and confirm the use being made of the water.

Condition No. 4 of your water right permit requires that you install a lockable device to provide the watermaster suitable control of the diversion. Your proof submittal shows that you have not installed this device. Please be aware that your failure to have the device installed and operable at the time the department conducts the field examination may jeopardize the validity of the permit. You may request, in writing, a waiver of the condition by the department.

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, please contact the WESTERN Regional Office of the department in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

MICHO-FILED

c: IDWR - Regional Office

DEC 29 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 27, 1999

KEITH D STEIN
PO BOX 9367
BOISE ID 83707

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13835

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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 IDWR 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 at least sixty days prior to the commencement of work in the stream.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Please be advised that there is insufficient natural flow available from the source identified on your right to provide water throughout the entire season. You may want to arrange for a supplemental supply from a different source.

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Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 reporting form.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED
DEC 29 1999

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of July, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 65-13835

KEITH D STEIN
PO BOX 9367
BOISE ID 83707


Kari Lynn Townsend
Secretary

MICROFILMED

DEC 29 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

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DEC 29 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

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DEC 2 9 1999

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

No.: 18-13835 Name: Stein Date: 7/23/99 Ad OK? / / Gvmt Lts: by J. Curtis

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust
PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year - 26A-P17
≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDAQ3) - 046-P23
In Basin 34? - 085
Irr. within WD - P06 (new well location)
WMD (✓ MAP) - North / East / West
> 0.24 cfs/5 acres - 067
≤ 0.24 cfs/5 acres - No MD

WMD

Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
Supp. irr + uses - 100-101
> 0.24 cfs/5 acres - 01M (report when notified)
≤ 0.24 cfs/5 acres - No MD

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

FISH & GAME CONTACTED: - YES / NO: WHEN 5/5/99 RESPONSE: NONE

IN/ABOVE MSF (✓ MAP)

IN-STREAM DEVELOPMENT - P62 (stream channel alteration)

WD (✓ MAP & LISTING) - R04 (WD # 25)
> 0.20 cfs - 01J-P08 (MD & LD)
≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

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

USE:

STORAGE (✓3 compo) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA
IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3 5/4.0/4 5 AF)
> 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3 5/4.0/4 5 AF)
STOCKWATER - R37 (BLM/USFS); NA
MINING - 054(req)-081-P10
FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
HEATING/COOLING - R07 (injection well)
POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);
17G (FERC) or 17M (FERC), 18B-P09; >25 cfs-P18

MUNICIPAL

In restricted area? - 022, 075, 004 (+memo?)
Irr., GW supp to SW? - 102

DOMESTIC

Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
>1 in rest. area - 071-070
FIRE PROTECTION - 077

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)
MITIGATION - 120
42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
SWAN FALLS FLAG (✓ Code) -

Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- Shawn & Gordon W.
- 8/11/2000

JUL 22 1999

Form No. 202a.
9/98

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEETINITIAL REVIEW BY: DAN DATE: 4-9-99 APPLICATION: 65-13835REQUIRED 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:

yes P/D
yes P/UADDITIONAL INFORMATIONNO 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. NO OVERLAP AT SOURCE, BUT LARGE OVERLAP
- ☐ X Critical groundwater area: FROM SOURCE ITSELF;
- ☐ X Groundwater management area:
- ☐ X 1992 moratorium:
- ☒ Surface water source, IDFG letter needed.
- ☐ X Bull trout impact area, IDFG letter needed
- ☐ X E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☐ X E-mail to Dam Safety staff: (for any storage)
- ☐ X Mitigation plan: Check any that apply. Domestic irrigation
- ☐ immediate = acceptable plan required and submitted.
- ☐ future = open areas, acceptance of condition of approval is in file.
- ☐ X Send power requirement letter &/or fish farm requirement letter.
- ☐ X Power residency affidavit:
- ☐ X Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☐ X *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

PROCESSING

APP. NO.

65-13835

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
☐ ☒ 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 5-24-99
☐ ☒ Protests received.
☐ ☐ Recommendations attached:
☒ ☐ Measuring device required:
☒ ☐ Water delivered by water master? District # 65
☐ ☐ Special conditions of approval or cover letter: "STANDARD WM CONTRACTS"
 AND STANDARD CONDITIONS

☒ See below for additional information

Recommended Date or Priority 3-22-1999

Recommended by: Daniel A. Nelson Date: 7-21-99

ADDITIONAL INFORMATION:

I DWR Review shows overlapping rights
 for place of use, but they do not seem significant.
 There were no overlapping rights for
 point of diversion. However, there are a large
 number of water right ^{using the same} source, Big Payette
 Lake. Owner states domestic use is for 1/4
 acre of irrigation of lawn.

APPLICATION FOR PERMIT FOR WATER RIGHT

NO. 65-13835

RECEIVED

MAY 18 1999

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

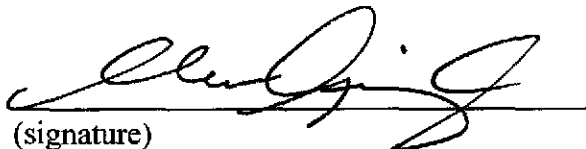
I, Mark Limbaugh, watermaster of the Payette River, of Water District No. 65, County of Valley, State of Idaho, whose address is 102 N. Main, Payette, Idaho 83661, have read the attached copy of the application for permit for a water right in the name of Keith D. Stein.

- A. I hereby endorse the above numbered application and recommend that the Director of the Department of Water Resources approve the application subject to the following conditions: This diversion will be under the control of the Watermaster for Water District No. 65.

OR

- B. I do not endorse approval of the above numbered application for water right as requested for the following reasons: _____

Dated at Payette, Idaho, this 17th day of May, 1999.


(signature)

RECORDED

MAY 24 1999

Publisher's Affidavit of Publication

STATE OF IDAHO

County of Valley

} .ss

I, Carol J. Wright, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began May 6, 1999 and ended May 13, 1999.

Carol J. Wright

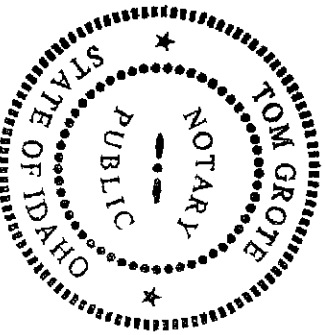
Subscribed and sworn before me this the 14th day of May, 1999.
STATE OF IDAHO

COUNTY OF VALLEY
}

On this 14th day of May, in the year of 1999, before me, a Notary Public, personally appeared Carol J. Wright, 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.

Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires: 1999



RECEIVED

MAY 17 1999

RECEIVED

MAY 18 1999

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:

65-19835

Shin, Keith D.,

P.O. Box 9267, Boise, ID 83702.

Source: Big Payette Lake.

Tributary: Payette River.

Diversion Pt. Lot 3 (SW/SE) Sec. 4 T 18N

R 03E in Valley County.

Use: Domestic

Total Diversion: (0.020 CFS). (0.020 CFS).

Date Filed: 3/22/1999.

In: Valley County.

T18N R03E S04 Lot 3 (SW/SE).

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 for each application on or before May 24, 1999. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director 260/5/13



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

May 5, 1999

MARK LIMBAUGH
WATER DISTRICT 65
102 N MAIN
PAYETTE ID 83661

Re: Application for Permit Nos. 65-13835, in the Name of Keith Stein and 65-13837, 65-13838, 65-13839, 65-13840, 65-13841, 65-13842, 65-13844, 65-13846 and 65-13847 in the Name of the Bureau of Land Management

Dear Sir:

Enclosed are copies of the above-referenced application for permits within your district. Also, enclosed are forms for your recommendation concerning these applications for permit.

Please review the applications and submit any comments you may have 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:st

Encl.

MICROFILMED

DEC 29 1999

MEMORANDUM

TO: APPLICATION FOR PERMIT FILE

FROM: DANIEL A. NELSON - WATER RIGHT AGENT

DATE: 4/9/1999

SUBJECT: OVERLAPPING WATER RIGHTS FOR PERMIT 65-13835

I performed a search of overlapping water rights for water right 65-13835 and found no water rights that seemed significant to this place of use. However, I also performed a query of water rights using the Big Payette Lake as the source and found approximately 302 water rights. Most of these rights are domestic or domestic type irrigation rights under 1.0 cfs (most are .04 or .02 cfs). There are 4 major water users for the Big Payette Lake. The first user is the City of McCall that has 2 rights for a total diversion rate of 7.44 cfs diversion rate. The second user is Boise Cascade who has a total of 5.56 cfs for industrial and fire protection. The third user is Lake Reservoir Co. who has a right for 27,750 acre feet of storage from the lake. The forth user is the State of Idaho and has rights to divert 23 cfs of water from the lake and has 25,495 af of storage.

This application is for a domestic irrigation use of .02 cfs that should not effect the larger users. A large number of similar rights have been approved for the same use in the late 80's and 90's. The latest priority date was for 1998 for a water right out of Big Payette Lake.

NOTED - JML

DEC 29 1999



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 28, 1999

Legal Notices Department
The Star News
PO Box 985
McCall, ID 83638

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 MAY 24, 1999.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

APR 29 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

FILED
JUL 29 1959

65-13835

STEIN, KEITH D
PO BOX 9367
BOISE, ID 83707

Source: BIG PAYETTE LAKE

Tributary: PAYETTE RIVER

Diversion Pt: LOT 3 (SWSE) Sec 4 T 18N R 03E in VALLEY County.

Use: DOMESTIC	(	0.020 CFS)
Total Diversion:	(	0.020 CFS)

Date Filed: 3/22/1999

In: VALLEY County
T18N R03E S04 Lot 3(SWSE)

MICRO
DEC 23 1999

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 MAY 24, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 5/ 6/1999 & 5/13/1999

ENCLOSURE

MAY 29 1999