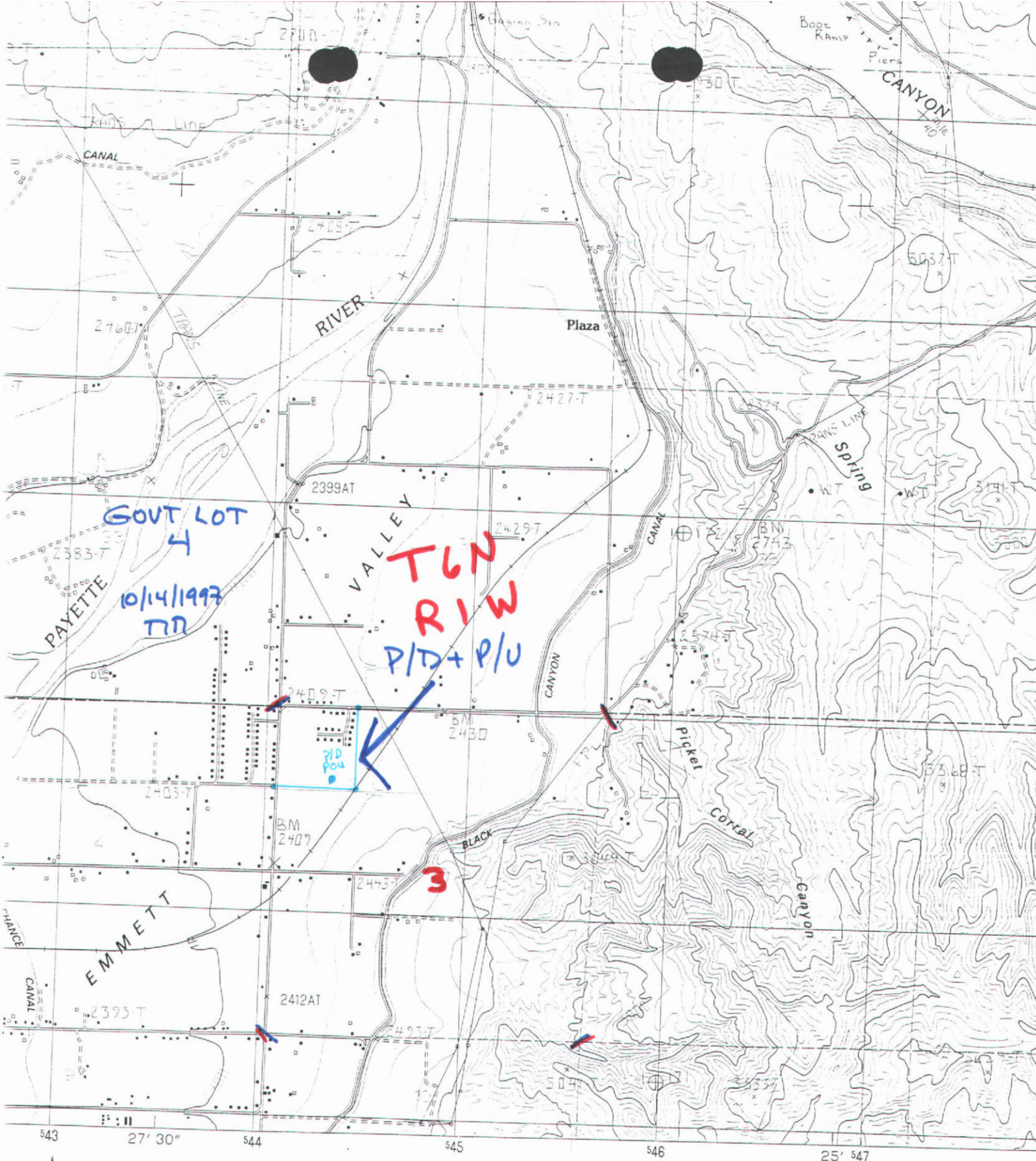
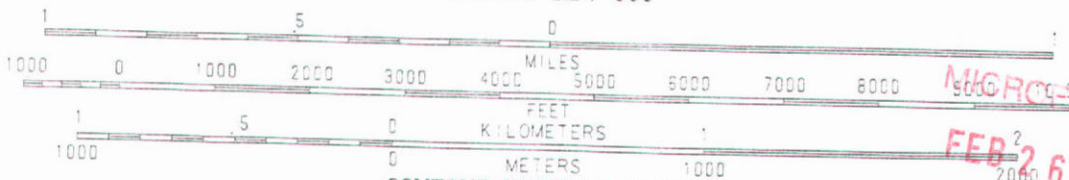




SCALE 1:24 000



CONTOUR INTERVAL 40 FEET

SUPPLEMENTAL CONTOUR INTERVAL 20 FEET

MICROFILMED
FEB 26 1998



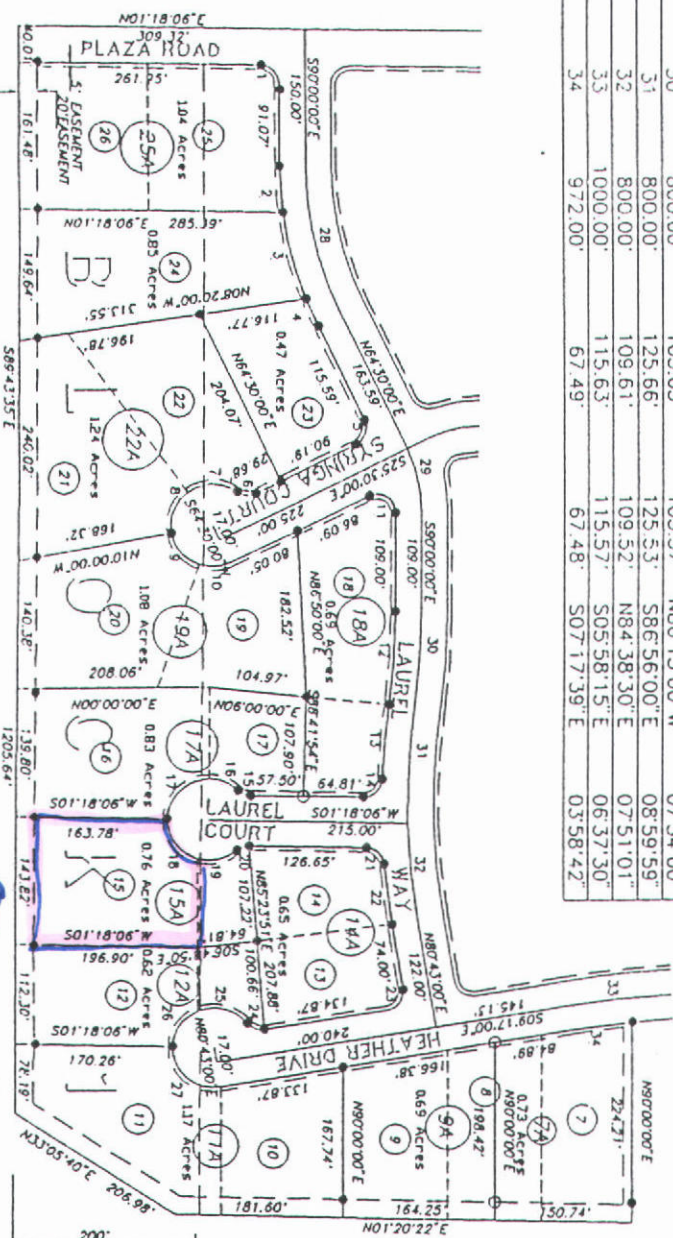
QUADRANGLE LOCATION

PROVISIONAL MAP
based from original
survey drawings

STARNER

1	2	3	1 Hog Cove Butte
			2 Squaw Butte
			3 Webb Creek
			4 ...

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
1	20.00'	30.96'	27.96'	S45.39.03"W	86.41.54"
2	418.00'	51.07'	51.04'	N86.29.59"E	07.00.01"
3	418.00'	100.91'	100.67'	N76.05.01"E	13.49.55"
4	418.00'	34.05'	34.02'	N86.50.03"E	02.40.02"
5	20.00'	31.42'	28.28'	N70.30.00"W	90.00.00"
6	20.00'	21.47'	20.46'	N05.15.28"E	61.30.55"
7	45.00'	57.12'	53.37'	S00.21.04"E	72.43.59"
8	45.00'	49.70'	47.22'	S68.21.37"E	63.17.06"
9	45.00'	48.38'	46.08'	N49.11.55"E	61.35.50"
10	45.00'	34.48'	33.64'	N03.33.00"W	43.54.00"
11	20.00'	40.32'	33.83'	S32.14.58"W	115.29.56"
12	772.00'	101.95'	101.88'	N86.13.00"W	07.34.00"
13	828.00'	80.94'	80.91'	S85.14.02"E	05.36.03"
14	20.00'	31.18'	28.12'	N43.21.58"W	89.20.09"
15	20.00'	14.80'	14.46'	N22.30.05"E	42.23.58"
16	45.00'	34.33'	33.50'	S21.50.56"W	43.42.16"
17	45.00'	69.67'	62.92'	S44.21.16"E	88.42.09"
18	45.00'	58.97'	54.84'	N53.45.21"E	75.04.37"
19	45.00'	45.02'	43.16'	N12.26.25"W	57.18.55"
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21	20.00'	29.38'	26.81'	S43.23.08"W	84.10.04"
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25	45.00'	59.35'	55.14'	S14.27.03"W	75.33.45"
26	45.00'	51.34'	48.60'	S56.00.51"E	65.22.02"
27	45.00'	79.00'	69.24'	N41.00.34"E	100.35.08"
28	390.00'	173.57'	172.14'	N77.15.01"E	25.29.58"
29	159.50'	70.99'	70.41'	S77.15.02"W	25.30.04"
30	800.00'	105.65'	105.57'	N86.13.00"W	07.34.00"
31	800.00'	125.66'	125.53'	S86.56.00"E	08.59.59"
32	800.00'	109.61'	109.52'	N84.38.30"E	07.51.01"
33	1000.00'	115.63'	115.57'	S05.58.15"E	06.37.30"
34	972.00'	67.49'	67.48'	S07.17.39"E	03.58.42"



SCALE 1"=100'

Block 1
Lot 7-26

RECORD OF SURVEY

LOT LINE ADJUSTMENTS FOR LOTS 7 THRU 26 BLOCK 1 OF LAUREL PARK SUBDIVISION AS FILED IN THE OFFICE OF THE COUNTY RECORDER IN GEM COUNTY, IDAHO.

LEGEND

- FOUND BRASS CAP MONUMENT
- FOUND ALUMINUM CAP MONUMENT
- FOUND 5/8" IRON PIN
- FOUND 1/2" IRON PIN
- SET 5/8" IRON PIN P.L.S. 4108
- SET 1/2" IRON PIN P.L.S. 4108
- SET PIN NAIL W/MASHER P.L.S. 4108
- FOUND PIN NAIL
- FOUND ORIGINAL STAKE
- REPLACED WITH 5/8" IRON PIN P.L.S. 4108
- BARBED WIRE FENCE
- CHAIN LINK FENCE
- DITCH

SURVEY FOR
HERBERT HETHERINGTON
3710 S. SUBSTATION ROAD
EMMETT, IDAHO 83617
(208) 365-2280

Fischer Land Surveying, Inc.
PROFESSIONAL LAND SURVEYING
404 So. Washington Ave.
Emmett, Idaho 83617
Phone: (208) 365-4146



STATE OF IDAHO }
COUNTY OF GEM } SS
Recorded at request of
Fischer Land Surveying, Inc.
Date: MAY 19, 1993
Book: 170086
Page: 1
Recorded as a Survey
Theresa R. Kautzsch, Clerk
Ex-Officio Recorder
Jody Bergman
Fee: \$ 5.00
Duty

MICROFILMED
FEB 26 1998

STARNER

d

D

c

C

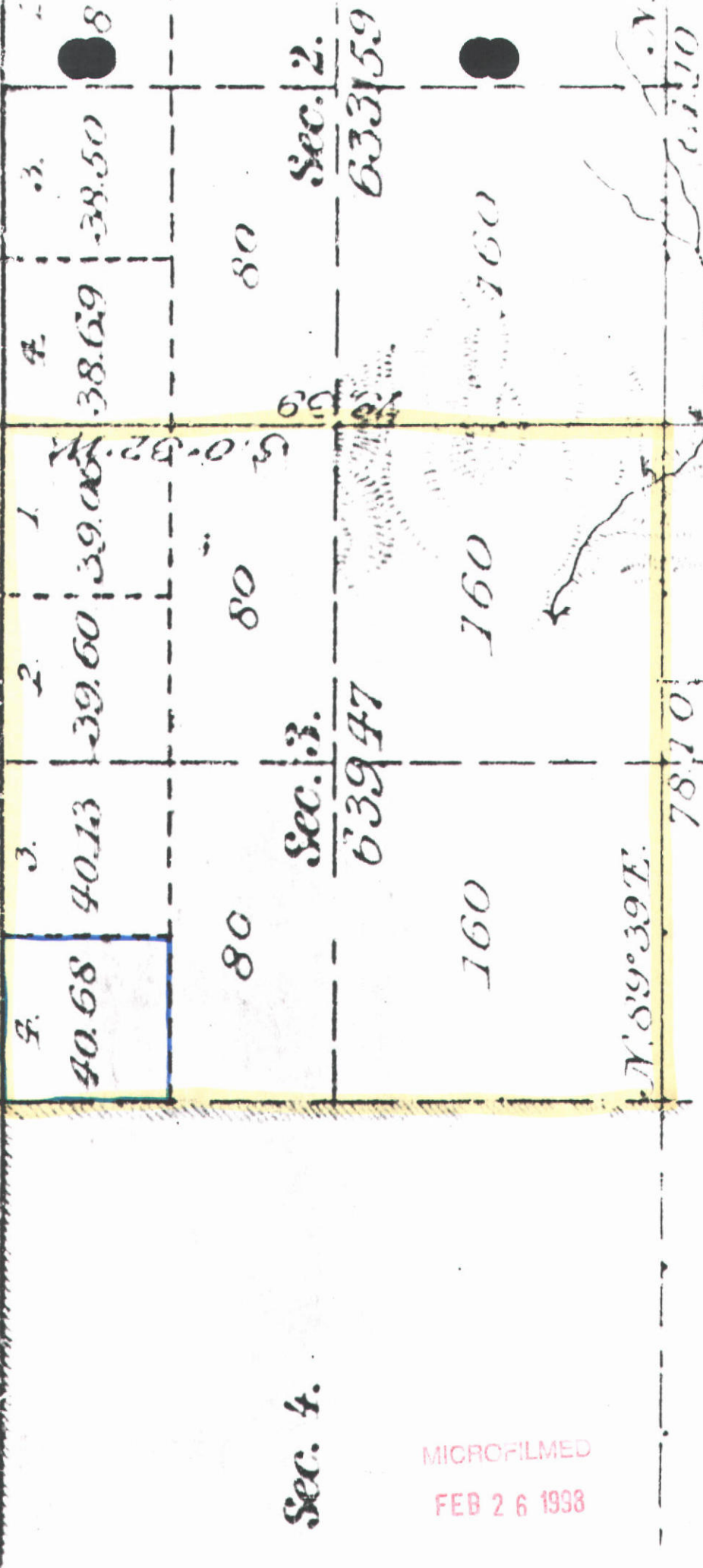
b

Govt Plat (1892)

Town R01W

S. 3

Lot 4

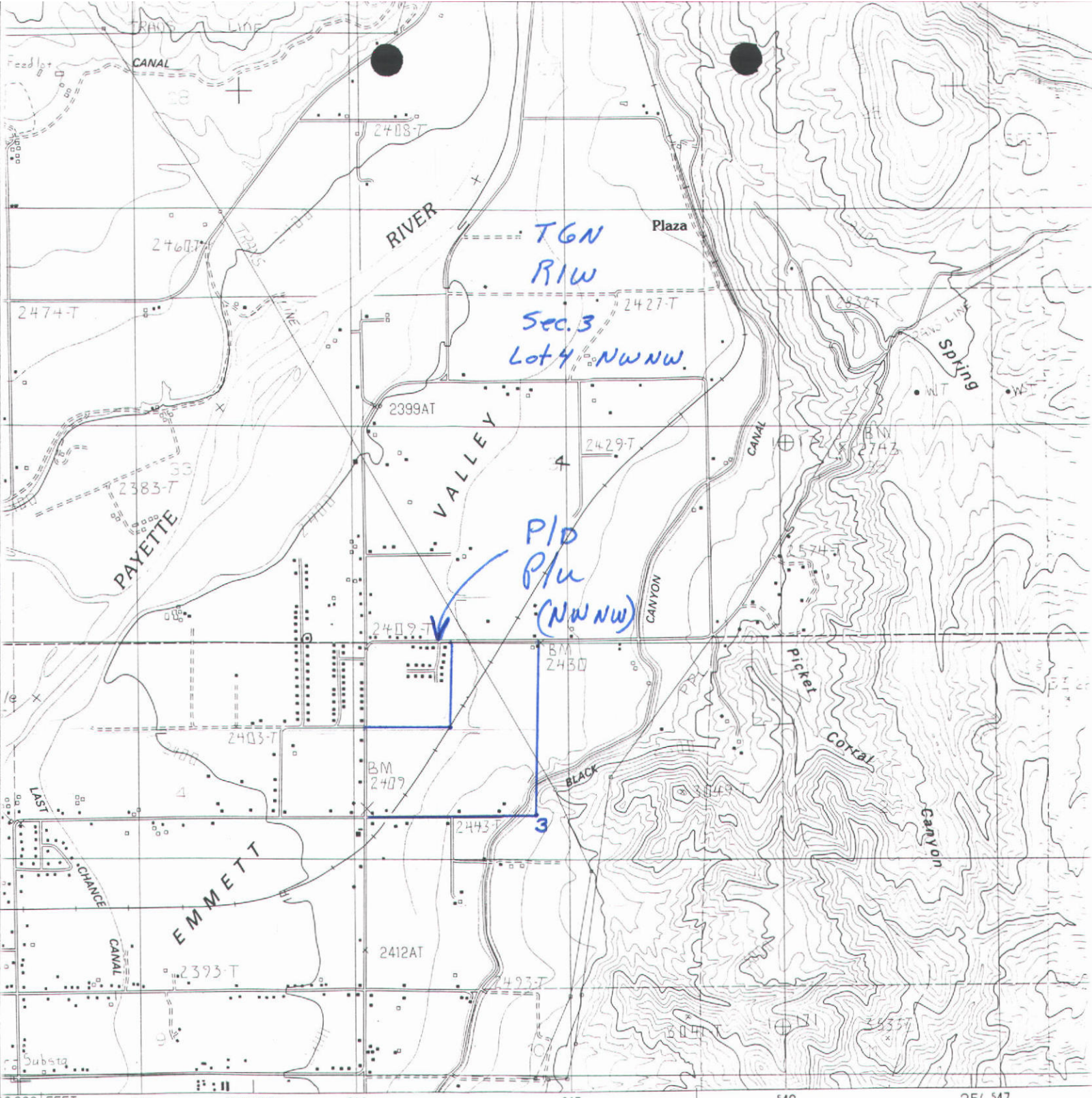


Sec. 4.

Sec. 3.

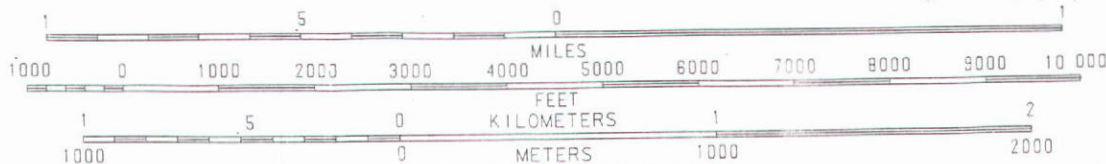
Sec. 2.

MICROFILMED
FEB 26 1998



SCALE 1:24 000

65-13756



CONTOUR INTERVAL 40 FEET

SUPPLEMENTAL CONTOUR INTERVAL 20 FEET

AUG 10 1998

THIS MAP COMPLEIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225
STATISTON, VIRGINIA

PROVISIONAL MAP
Produced from original
manuscript & drawings. Infor-
mation shown is the state of

1	2	3
4		5
6	7	8

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
1	20.00'	30.96'	27.96'	S45°39'03"W	88°41'54"
2	418.00'	51.07'	51.04'	N86°29'59"E	07°00'01"
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4	418.00'	34.05'	34.04'	N66°50'03"E	04°40'02"
5	20.00'	31.42'	28.28'	N70°30'00"W	90°00'00"
6	20.00'	21.47'	20.46'	N05°15'28"E	61°30'55"
7	45.00'	57.12'	53.37'	S00°21'04"E	72°43'59"
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11	40.32'	40.32'	33.83'	S32°14'58"W	115°29'56"
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13	828.00'	80.94'	80.91'	S85°14'02"E	05°36'03"
14	20.00'	31.18'	28.12'	N43°21'58"W	89°20'09"
15	20.00'	14.80'	14.46'	N22°30'05"E	42°23'58"
16	45.00'	34.33'	33.50'	S21°50'56"W	43°42'16"
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19	45.00'	45.02'	43.16'	N12°26'25"W	57°18'55"
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21	20.00'	29.38'	26.81'	S43°23'08"W	84°10'04"
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RECORD OF SURVEY

LOT LINE ADJUSTMENTS FOR LOTS 7 THRU 26 BLOCK 1 OF LAUREL PARK SUBDIVISION AS FILED IN THE OFFICE OF THE COUNTY RECORDER IN GEM COUNTY, IDAHO.

BASIS OF BEARINGS

THE BEARING S01°18'06"W ALONG THE WEST LINE OF SECTION 3, T.6N., R.1W., B.M., GEM COUNTY, IDAHO WAS TAKEN AS THE BASES OF BEARINGS FOR THIS DRAWING.

LEGEND

- FOUND BRASS CAP MONUMENT
- FOUND ALUMINUM CAP MONUMENT
- FOUND 5/8" IRON PIN
- FOUND 1/2" IRON PIN
- SET 5/8" IRON PIN P.L.S. 4108
- SET 1/2" IRON PIN P.L.S. 4108
- SET PK NAIL W/WASHER P.L.S. 4108
- FOUND PK NAIL
- FOUND ORIGINAL STONE REPLACED WITH 5/8" IRON PIN P.L.S. 4108
- BARBED WIRE FENCE
- CHAIN LINK FENCE
- DITCH

SCALE 1"=100'

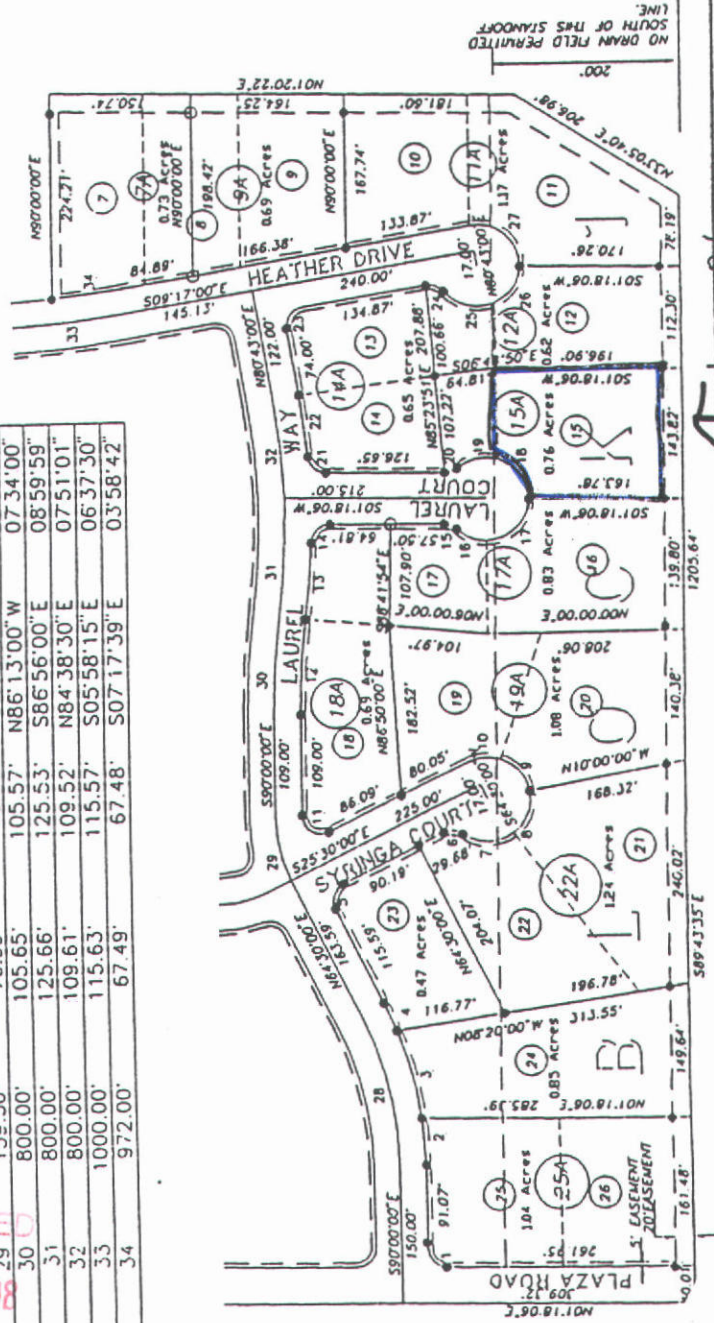
SURVEY FOR
HERBERT HETHERINGTON
3710 S. SUBSTATION ROAD
EMMETT, IDAHO 83617
(208) 365-2280

Fischer Land Surveying, Inc.
PROFESSIONAL LAND SURVEYING
404 So. Washington Ave.
Emmett, Idaho 83617
Phone: (208) 365-4146

STATE OF IDAHO } SS
COUNTY OF GEM }
Recorded at request of
Fischer Land Surveying, Inc.
Time: 3:08 PM
Date: MAY 19, 1993
Instr. No.: 172086
Recorded as a Survey
Thelma R. Koleszaj, Clerk
Ex-officio Recorder
JUDY BINGHAM
Deputy
Fee: \$ 5.00



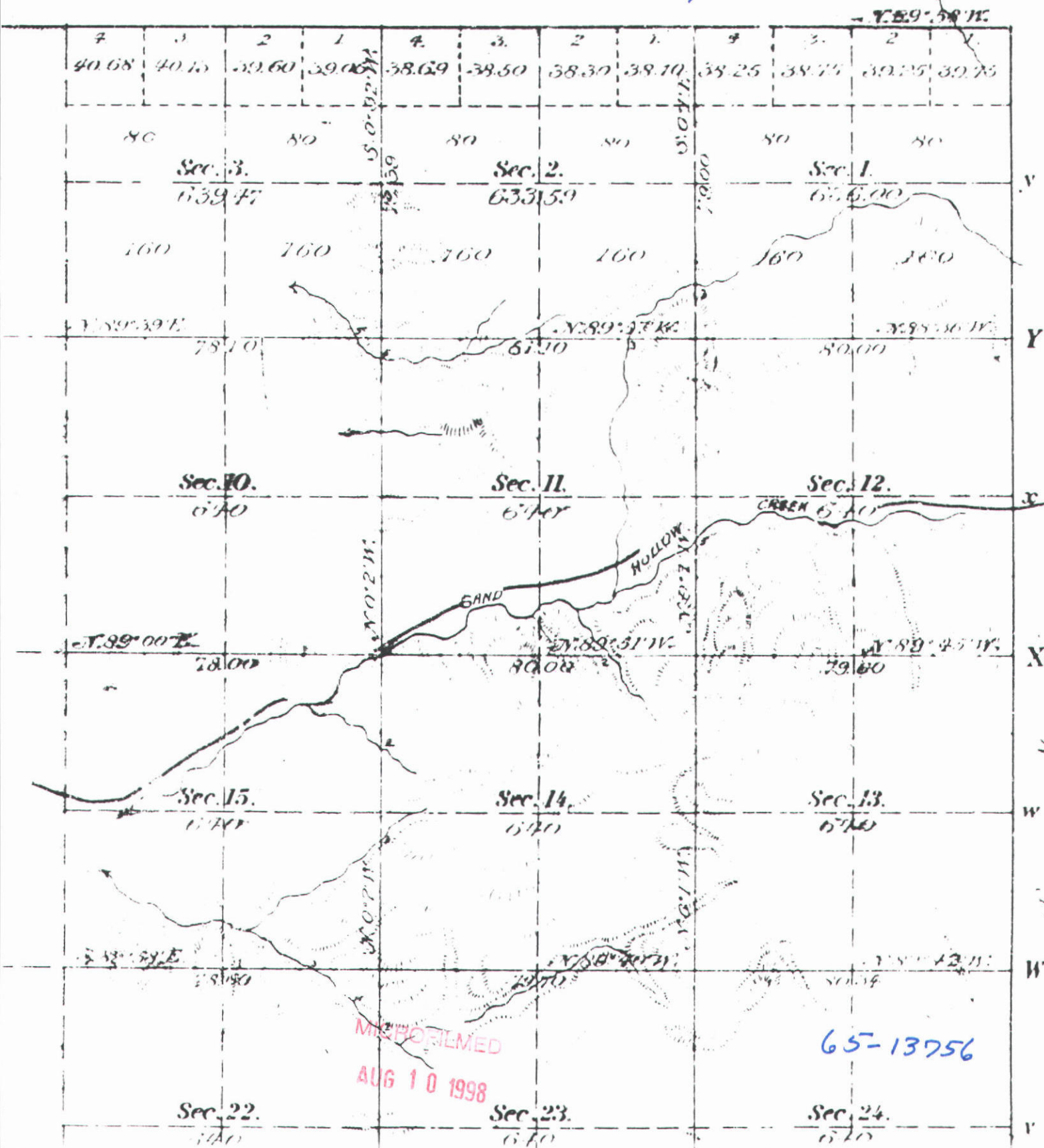
65-13756



APD+R10

Meridian

T6N, R1W, Sec. 3, Lot 4. NWNW



State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 65-13756

Priority: September 26, 1997

Maximum Diversion Rate

0 04 CFS

Maximum Diversion Volume

1 2 AF

This is to certify, that DENNIS M STARNER
DORA S STARNER

1510 LAUREL CT

EMMETT ID 83617

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 26, 1997; and has submitted Proof of Beneficial Use on December 23, 1997. An examination indicates that the works have a diversion capacity of 0 400 cfs of water from a **GROUNDWATER** 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 04 CFS	1 2 AF

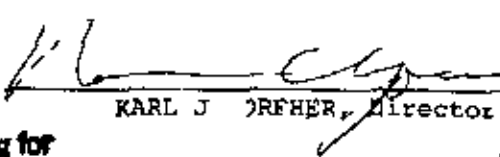
LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWNW), Sec 3, Township 06N, Range 01W
GEM County

PLACE OF USE DOMESTIC
TWN RGE SEC
06N 01W 3 Lot 4(NWNW)

CONDITIONS OF APPROVAL AND REMARKS

- 1 The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
- 2 This water right is appurtenant to the described place of use
- 3 This right is subject to all prior water rights and may be forfeited by five years of non-use.
- 4 Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law
- 5 Domestic use is for 1 home
- 6 Point of diversion and place of use are located within Lot 15, Blk 1, Laurel Park Subdivision

This license is issued pursuant to the provisions of Section 42-219, Idaho Code
Witness the seal and signature of the Director, affixed at Boise, this 9TH
day of June, 1998


KARL J ORFNER, Director

Acting for

AUG 10 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 23 1997

PROOF OF BENEFICIAL USE

Department of Water Resources

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

- 1 Permit No 65-13756 Telephone No (208) 398-2574
- 2 Name(s) of Permit Holder(s) Dennis M. Starnes, Dora E. Starnes
- 3 Mailing Address 1510 Laurel Court, Emmett, ID. 83617
- 4 Source of Water Groundwater If GROUNDWATER (well), Date Drilled mo 7 / yr 1996
 - a. Well Driller Firm # 0212 Drilling Permit Number 65-96-W-0169-000
 - 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) _____ Other _____
- 6 Total rate of diversion and/or volume for which proof is submitted 0.04 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 <u>X</u>
	Has the measuring device been installed?	Yes _____ or No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____ or No <u>X</u>
	Has the measurement port been installed?	Yes _____ or No <u>X</u>
- 8 Fee Enclosed \$ 0 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
- 9 Person to contact to accompany the Department representative during field examination of the water system.
Name Dennis M. Starnes Telephone Number (208) 398-2574
Address 1510 Laurel Court Emmett ID 83617
- 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

Dennis M. Starnes
(include your title, if on behalf of company or organization)

Date 12-15-97

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13756

Proposed Priority: September 26, 1997 Maximum Diversion Rate: 0 04 CFS

This is to certify, that DENNIS M STARNER
DORA E STARNER
1510 LAUREL CT
EMMETT ID 83617

has applied for a permit to appropriate water from GROUNDWATER

and a permit is APPROVED for development of water as follows

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

DOMESTIC	01/01 to 12/31	0 04 CFS
----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION Lot 4(NWNW), Sec 3, Township 06N, Range 01W
GEM County

PLACE OF USE DOMESTIC

1WN RGE SEC

06N 01W 3 Lot 4(NWNW)

CONDITIONS OF APPROVAL AND REMARKS

- 1 Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1998
- 2 Subject to all prior water rights.
- 3 Point of diversion is located within Lot 15, Blk 1, Laurel Park Subdivision
- 4 Place of use is located within Lot 15, Blk 1, Laurel Park Subdivision
- 5 Domestic use is for 1 home.

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 December, 1997


Karl J. Dreher, Director
for

SEP 26 1997

RECEIVED

FORM 202

2/86

SEP 29 1997

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 65-13756

RECEIVED

SEP 26 1997

RECEIVED

DEC 03 1997

Department of Water Resources

- 1 Name of Applicant DEANIS M. STARVER & DOA E. STARVER 898-0551
Mailing address 1510 Laurel Court, Emmett, ID 83617*
- 2 Source of water supply Ground Water which is a tributary of _____
- 3 Location of point of diversion is Township 6 N Range 1 W Sec 3, in the 1/4
N W 1/4, NW 1/4, Govt. Lot 04, B.M. GEM County,
additional points of diversion if any _____
- 4 Water will be used for the following purposes
- | |
|---|
| Amount <u>.04</u> for <u>Domestic</u> purposes from <u>1/1</u> to <u>12/31</u> (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) .04 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 Domestic well - existing
6" - 103 ft. deep
- b Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
- 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? 7-1-1996, Drilling firm #0212
Well was drilled for (well owner) Wright Construction, Drilling Permit No 65-96-W-0169-000
- 7 Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
- 8 Description of proposed uses (if irrigation only, go to item 9)
- a Hydropower, show total feet of head and proposed capacity in KW _____
- b Stockwatering, list number and kind of livestock _____
- c Municipal, show name of municipality _____
- d Domestic, show number of households One home
- e Other; describe fully _____

9 Description of place of use

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

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

TWP	RGE	SEC	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	
6N	W	3					D												
							lot 4												

Total number of acres to be irrigated _____

10 Describe any other water rights used for the same purposes as described above None

11 a Who owns the property at the point of diversion? Steven J Bailey

b Who owns the land to be irrigated or place of use? Steven J. Bailey

c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicant is purchasing the home closing 9/29/97 VA requires filing

12 Remarks _____

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

FEB 16 1993

Dana E. Hammer

Signature of Applicant (and title, if applicable)

Received by SW Keen Date 9/26/97 Time 2 45 p m Preliminary check by PTT
 Fee \$ 50.00 Receipted by Kathy Strand # 6040251 Date 9/26/97
 Publication prepared by AT Date 10-2-97 Published in Mason's Index
 Publication approved AT Date 11-14-97 11-2-12-97

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
1	20.00	30.95	27.96	S45.39.03 W	88.41.54
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5	20.00	31.42	28.28	N70.30.00 W	90.00.00
6	20.00	21.47	20.46	N05.15.28 E	61.30.55
7	45.00	57.12	53.57	S00.21.04 E	72.43.59
8	45.00	42.22	38.87	S68.21.37 E	63.17.06
9	45.00	48.70	46.08	N49.11.55 E	61.35.50
10	45.00	34.48	33.64	N03.33.00 W	43.54.00
11	20.00	40.32	33.83	S52.14.56 W	115.29.56
12	772.00	101.85	101.88	N86.13.02 W	07.34.00
13	628.00	80.94	80.91	S85.14.02 E	05.36.03
14	20.00	31.18	28.12	N43.21.58 W	89.20.09
15	20.00	14.80	14.46	N22.30.05 E	42.23.58
16	45.00	34.33	33.50	S21.50.56 W	43.42.16
17	45.00	69.67	62.92	S44.21.16 E	86.42.09
18	45.00	58.97	54.84	N53.45.21 E	75.04.37
19	45.00	45.02	43.16	N12.26.25 W	57.18.55
20	20.00	14.80	14.46	S19.53.57 E	42.23.58
21	20.00	28.38	26.81	S43.23.08 W	84.10.04
22	828.00	68.68	68.66	N83.05.35 E	04.45.10
23	20.00	31.42	28.28	N54.17.00 W	80.00.00
24	20.00	21.47	20.46	N23.29.29 E	63.30.55
25	45.00	57.12	53.57	S11.27.03 W	75.33.45
26	45.00	51.34	48.60	S56.00.51 E	65.22.02
27	45.00	79.00	69.24	N41.00.34 E	100.32.08
28	240.00	173.57	172.14	N77.15.01 E	25.29.56
29	150.50	70.99	70.41	S77.15.02 W	25.30.04
30	900.00	105.65	105.57	N86.13.00 W	07.34.00
31	801.00	125.65	125.53	S86.56.00 E	08.59.59
32	810.00	109.61	109.52	N84.38.30 E	07.51.01
33	1000.00	115.63	115.52	S05.58.15 E	06.37.30
34	92.00	67.49	67.49	S07.17.39 E	03.58.42

RECORD OF SURVEY LOT LINE ADJUSTMENTS FOR LOTS 7 THRU 26 BLOCK 1 OF LAUREL PARK SUBDIVISION AS FILED IN THE OFFICE OF THE COUNTY RECORDER IN CEM COUNTY IDAHO

BASIS OF BEARINGS
THE BEARING S01.18.06 W ALONG THE WEST LINE OF SECTION 3 TEN R 11 W 11 N CEM COUNTY IDAHO WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS DRAWING

LEGEND

- FOUND BRONZE CUP ANCHOR
- FOUND ALUMINUM CUP ANCHOR
- FOUND 5/8" IRON PIN
- FOUND 1/2" IRON PIN
- SET 5/8" IRON PIN P.L.S. 4108
- SET 1/2" IRON PIN P.L.S. 4108
- SET IRON PIN WATCHER P.L.S. 4108
- FOUND IRON NAIL
- FOUND BRONZE STONE
- REPLACED WITH 7/8" IRON PIN P.L.S. 4110
- DRAWN WITH FORCE
- DATA LINK FENCE
- Q. DATA

SURVEY FOR
HEBERT HETHERTON TRACT
3710 S SUBSTATION ROAD
EMMETT IDAHO 83617
(208) 365-2280

Fischer Land Surveying, Inc.
PROFESSIONAL LAND SURVEYING
404 So Washington Ave
Emmett Idaho 83617
Phone (208) 365-4146



STATE OF IDAHO
COUNTY OF CEM
No. 4308 B
Fischer Land Surveying, Inc.
Date: 10/18/2001
Survey No. 170000
Reviewed as a Survey
Theresa A. Schneider, Clerk
Emmett, Idaho

Fee: \$ 5.00 Survey

Fischer Land Surveying, Inc
PROFESSIONAL LAND SURVEYORS
404 S. Washington Ave
Emmett, Idaho 83617
(208)365-4146

JOB No 11-2-15A
August 2, 1993

LEGAL DESCRIPTION
LOT 15A

A tract of land situate in a portion of US Government Lot 4,
of Section 3, Township 6 North Range 1 West, Boise Meridian, Gem
County, Idaho

Being all of Lot 15 and a portion of Lot 14 as said lots are
shown on that certain LAUREL PARK SUBDIVISION as said subdivision
was filed in book 4 at page 10, records of Gem County, Idaho (see
Record of Survey Lot line adjustment filed as instrument no
176086, Records of Gem County, Idaho) More particularly
described as follows

BEGINNING at the Southwest corner of Lot 15, thence North
01°18'06" East, 163.78 feet to a point on a curve to the left
Thence along a curve to the left having a central angle of
75°04'31", a radius of 45.00 feet, an arc length of 58.97 feet
and a chord which bears North 52°45'21" East, 54.84 to the
Northwest corner of Lot 15 Thence continuing along said curve to
the left having a central angle of 57°18'55", a radius of 43.00
feet, an arc length of 45.02 feet and a chord which bears North
12°46'15" West 43.16 feet to the beginning of a curve to the
right Thence along a curve to the right having a central angle
of 42°23'58", a radius of 20.00 feet an arc length of 14.80 feet
and a chord which bears North 14°53'53" West, 14.16 feet Thence
North 85°23'51" East, 107.22 feet Thence South 06°48'50" East,
64.81 feet to the Northeast corner of Lot 15 Thence South
01°18'06" West, 316.40 feet to the Southeast corner of Lot 15
Thence North 89°43'35" West 143.82 feet to the point of
beginning

Said tract of land including all water and ditch rights
appurtenant to or used in connection with the properties being
sold or conveyed hereby

Said tract of land subject to rights of way or easements of
record or in use

Said tract of land containing therein a calculated area of
0.76 acres more or less



11-52 Lot 15A
August 2, 1993

10 15 11
FEB 26 1998

STARNER

2

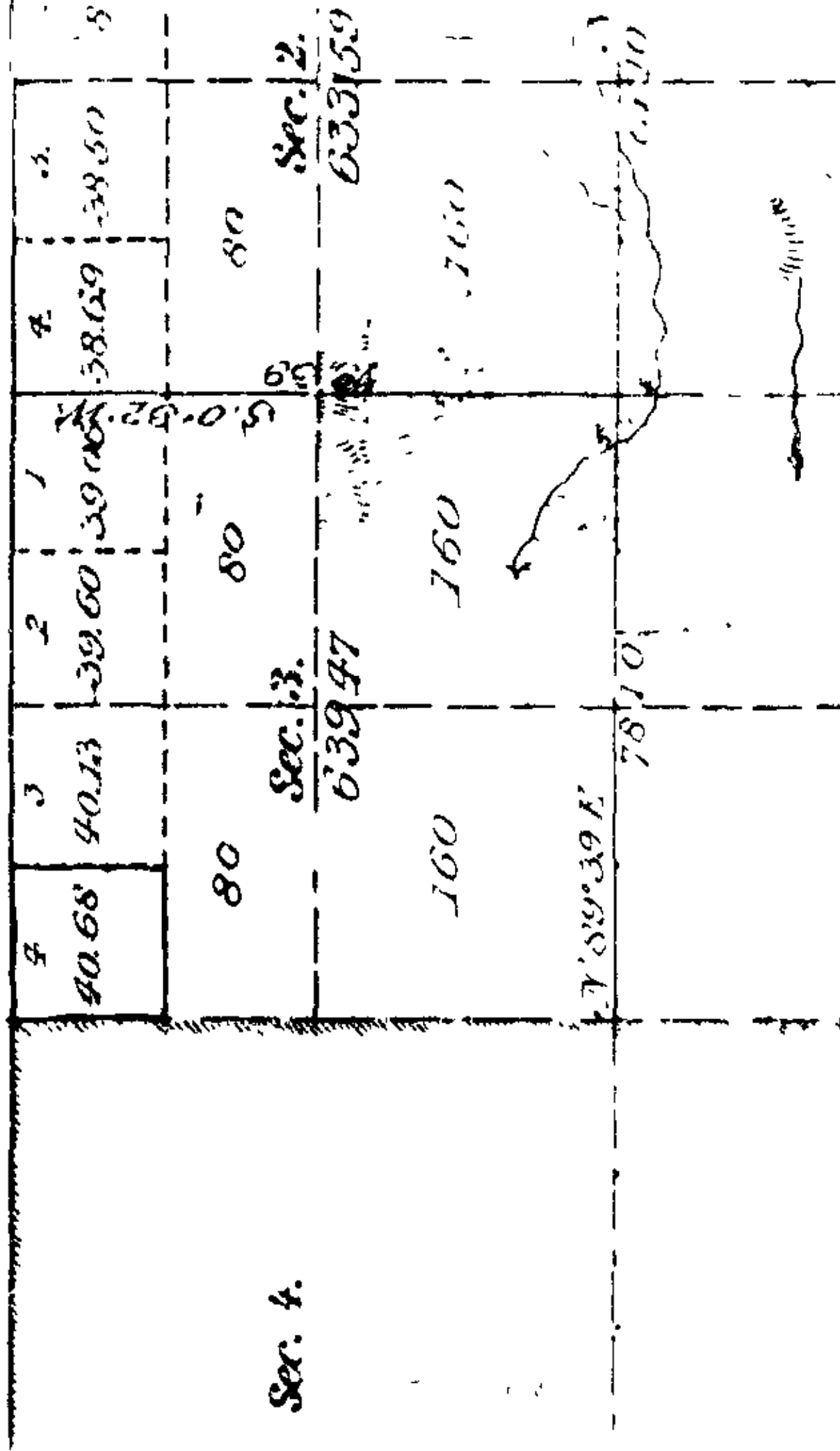
9

Q

6, 25 Plar 1992

Tobacco

丁巳





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

July 10, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DENNIS M. STARNER
DORA E. STARNER
1510 LAUREL CT
EMMETT ID 83617

RE: WATER RIGHT NO 65-13756

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 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 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 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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.

5/10/98

AUG 10 1998

ORAL ARGUMENT

If the Department grants a petition to review the 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.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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:

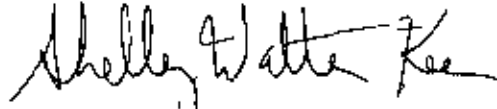
- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located

M.L.

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.

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

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK klt

Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of July, 1998, 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. 65-13756

DENNIS M STARNER
DORA E STARNER
1510 LAUREL CT
EMMETT ID 83617


Kari Lynn Townsend
Secretary

Jul 13 1998

LICENSE REVIEW CHECKLIST

PERMIT NO

65-13756

DATE 7/6/98

REVIEWER SHARLA

NAME
Address

Change/OK

SOURCE

OK

Does change clarify orig intended source? If no, Void permit

POINT OF DIV

OK

Change (P39 /P47)

Add (P45/P42)

Feds - P40

W32 (multiple in 1/4)

W36 (overlap)

W59 (subd desc)

Let 15' back 1 Laurel tank Subd

Overlaps

Right(s)

File reviewed Profile reports printed

PLACE OF USE

OK

Change (P41/P47)

Add (P41/P42)

Feds P43

W60 (subd desc)

W27 (ppu acre limit)

Overlaps

Right(s)

File reviewed Profile reports printed

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate

OK

cfs

Fee limit

OK

cfs NO FEE

Measured

cfs

Theoretical

.41 cfs

Recommended Total Div Rate

all the above permit + imp
store in the barrel - 7
black deposit 103'
rate - 180 gpm

WATER USES

OK

Change (P46)

1-1771

OK

cfs

12

af

img

overlap (R58 R61 R62-R65 R66-R69)

cfs

af

supp gw (WB7/065/079)

cfs

af

overlap spec combined rts (W35)

cfs

af

store (W31)

TOTALS

OK

cfs

12

af

Domestic

(W01/WB5/070/071/075)

Power

(W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Wtr Quality (081/R07)

Flow rate .44 cfs X 715 days X 1 98 = 570 af

REMARKS

ADD'L CONDITIONS

Watermaster Control WD#

GW Measurement/Measuring Device

Others Trust (052/R55 remove 051) Non trust (048/049)

Advance Priority yes / no

SRBA Claim N/A

Adjust Memo
Amend letters

**IDaho DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT**
Use Typewriter or Ballpoint Pen

Office Use Only		
Inspected by		
Dwg	Rev	Sec
1/1	1/4	1/4
Lat	Long	

1 DRILLING PERMIT NO 65
Other IDWR No _____

2 OWNER
Name Greg Wright / Lubright Const
Address 2056 Horseshoe Drive
City Emmett State ID Zip 83617

3 LOCATION OF WELL by legal description
N 1/4 Sec 3 T 14 S R 1 E NW 1/4

	Typ <u>6</u> North ☒ or South ☐
	Rge <u>1</u> East ☐ or West ☒
	Sec <u>3</u> NW 1/4

Gov lot _____ County Gem
Lat _____ Long _____
Address of Well Site 1510 Laurel Court
City Emmett
Blk 1 Sub Name Laurel Park

4 USE
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5 TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6 DRILL METHOD
☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

SEALING MATERIAL		From	To	AMOUNT Bags or Pounds	METHOD
Emment	4	14	13	overhaul	

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) _____
Was drive shoe seal tested? ☐ Y ☒ N How? _____

Depth	From	To	Comp.	Material	Casing	Liner	Welded	Threaded
0	+18	79.2	250	steel	☒	☐	☒	☐
4.5	63	103	240	PVC	☐	☒	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9 PERFORATIONS/SCREENS
☒ Perforations Method saw
☐ Screens Screen Type _____

From	To	Sl & Sp	Number	Diameter	Material	Casing	Liner
4.5	63		10	4.5	PVC	☐	☒

10 STATIC WATER LEVEL OR ARTESIAN PRESSURE
____ ft below ground Artesian Pressure _____ lb
Depth flow encountered _____ ft Describe a case report or condition _____

11 WELL TESTS

☐ Pump	☐ Bailor	☒ Air	☐ Flowing Artesian
190	no test		
Water Temp	Bottom hole temp		
Water Quality test or comment			
Depth first Water Encountered			

12 LITHOLOGIC LOG (Describe repairs or abandonment)

More Dip	From	To	Remarks, Lithology, Water Quality & Temperature	Water Y N
10"	0	6	brown clay	
10	6	14	sand & gravel	
10	14	18	sand & gravel	
6"	18	51	sand & gravel	
6	51	91	gray clay	
6	91	101	coarse quartz sand	
RECEIVED JUL 30 1996 Department of Water Resources RECEIVED JUL 18 1996 WATER RESOURCES WESTERN REGION				
Completed Depth <u>102.5</u> (Measurable) Date Started <u>07-01-96</u> Completed <u>07-01-96</u>				

13 DRILLER'S CERTIFICATION

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

Firm Name SOS Well Drilling & Pump Co Firm No 212
Firm Official Paul Shuman Date 7-10-96
Supervisor or Operator W. B. Buss Date 7-9-96
(Sign once if Firm Official & Operator)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 16 1998

DEPARTMENT OF WATER RESOURCES

A GENERAL INFORMATION

Permit No 65-13756

1 Owner Dennis M. & Dora E. Starmer Phone No (208) 398-7574

Current Address 1510 Laurel Ct. Emmett, ID 83617

2 Accompanied by (office exam) EXAM DATE 5-2-98

Address _____ Phone No _____

Relationship to Permit Holder _____

3 Source Groundwater tributary to _____

B OVERLAP REVIEW

1 Other water rights with the same place of use None

2 Other water rights with the same point of diversion None

C DIVERSION AND DELIVERY SYSTEM

1 Point(s) of Diversion

Ident No	Govt Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Method of Determination/Remarks
	4		NW	NW	3	6N	1W	Gem	Gem County Assessor

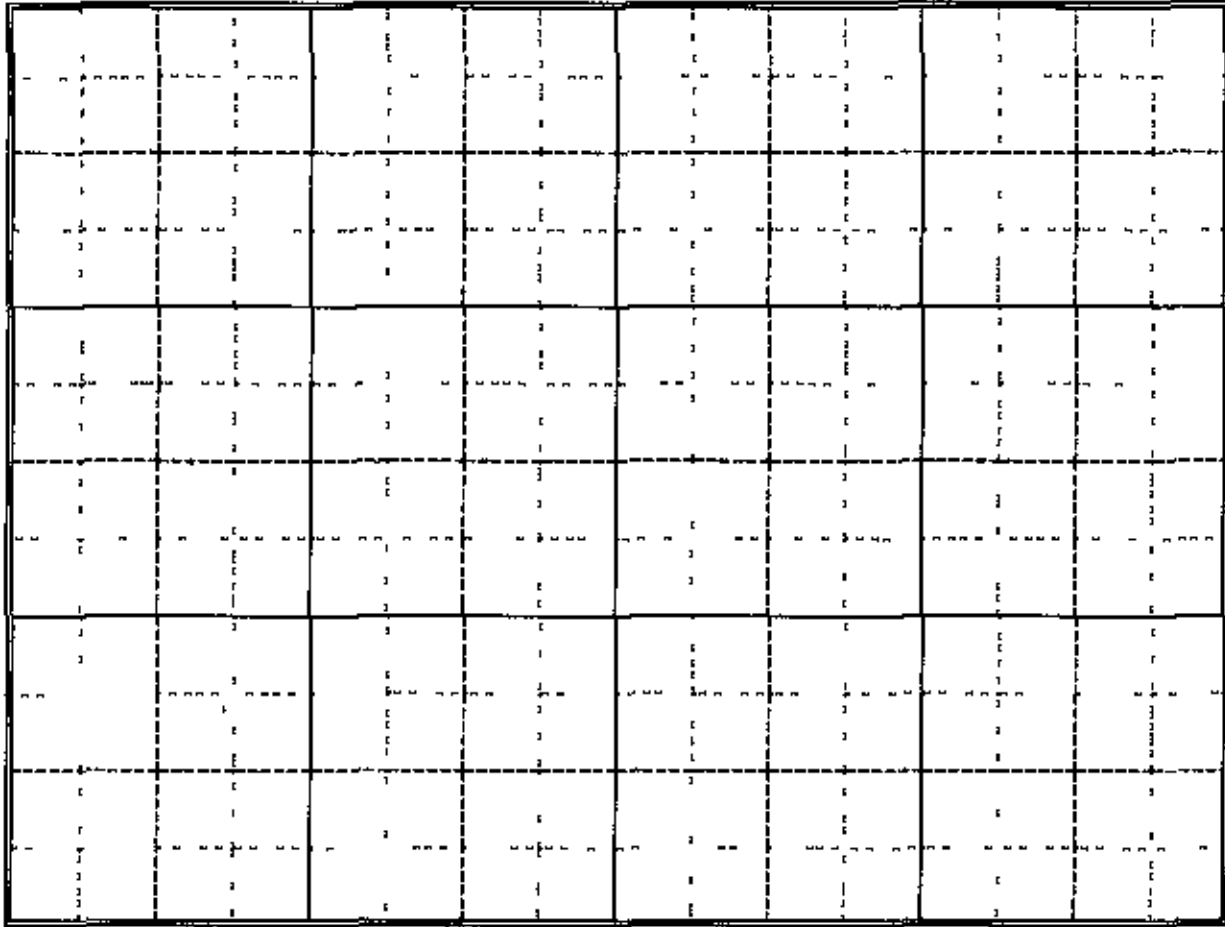
2 Place(s) of Use

Indicate Method of Determination County Assessor

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	1W	3						D											
								LAH											

JUN 10 1998

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



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required)

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☐ Photo of Diversion and System Attached

4 Drilling Permit 65-96-W-0169-000

Well or Diversion Identification No *	Motor Make	Hp	Motor Serial No	Pump Make	Pump Serial No. or Discharge Size

*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 - officer exam

E NARRATIVE/REMARKS/COMMENTS

1. This was done as an office exam.

2. Called Gem County Assessor's office,
Linda, and verified:

a. Owners live in Laurel Park Subdivision,
Lot 15A, BLK 1.

b. On tax rolls; 1 home on site.

c. Location: Lot 4, NWNW, Sec. 3, T6N, R1W.

d. Name & Address correct on permit
and plans

Have conditions of permit approval been met? ☒ yes ☐ no

AUG 10 1998

F FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method

*None -**Allow 0.04 cfs***G VOLUME CALCULATIONS****1 Volume Calculations for Irrigation** $V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____**2 Volume Calculations for Other Uses***Domestic ; Allow 1.2 AFA***H RECOMMENDATIONS****1 Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Domestic</i>	<i>01/01</i>	<i>12/31</i>	<i>0.04</i>	<i>1.2</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals			<i>0.04</i>	<i>1.2</i>

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 *Don Zanic* Date *6-12-98*

Reviewer _____ Date _____

SEAL

RECORD OF SURVEY

LOT LINE ADJUSTMENTS FOR LOTS 7 THRU 26 BLOCK 1 OF LAUREL PARK SUBDIVISION AS FILED IN THE OFFICE OF THE COUNTY RECORDER IN GEM COUNTY IDAHO

BASIS OF BEARINGS

THE BEARING $50^{\circ}19'06''$ ALONG THE WEST LINE OF SECTION 3 T 6N R 19E GEM COUNTY IDAHO WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS DRAWING

LEGEND

- FOUND BRASS CAP MONUMENT
- FOUND ALUMINUM CAP MONUMENT
- FOUND 5/8" IRON PIN
- FOUND 1/2" IRON PIN
- SET 3/8" IRON PIN P.L.S. #108
- SET 1/2" IRON PIN P.L.S. #108
- SET PIN NAK P/RE-SUR P.L.S. #102
- FOUND PIN NAK
- FOUND ORIGINAL STONE REPLACED WITH 3/8" IRON PIN P.L.S. #102
- BARBED WIRE FENCE
- CHAIN LINK FENCE
- 6' DITCH

SCALE 1"=100'

SURVEY FOR
HERBERT HETHERINGTON
3710 S SUBSTATION ROAD
EMMETT IDAHO 83617
(208) 365-2280

Fischer Land Surveying Inc.

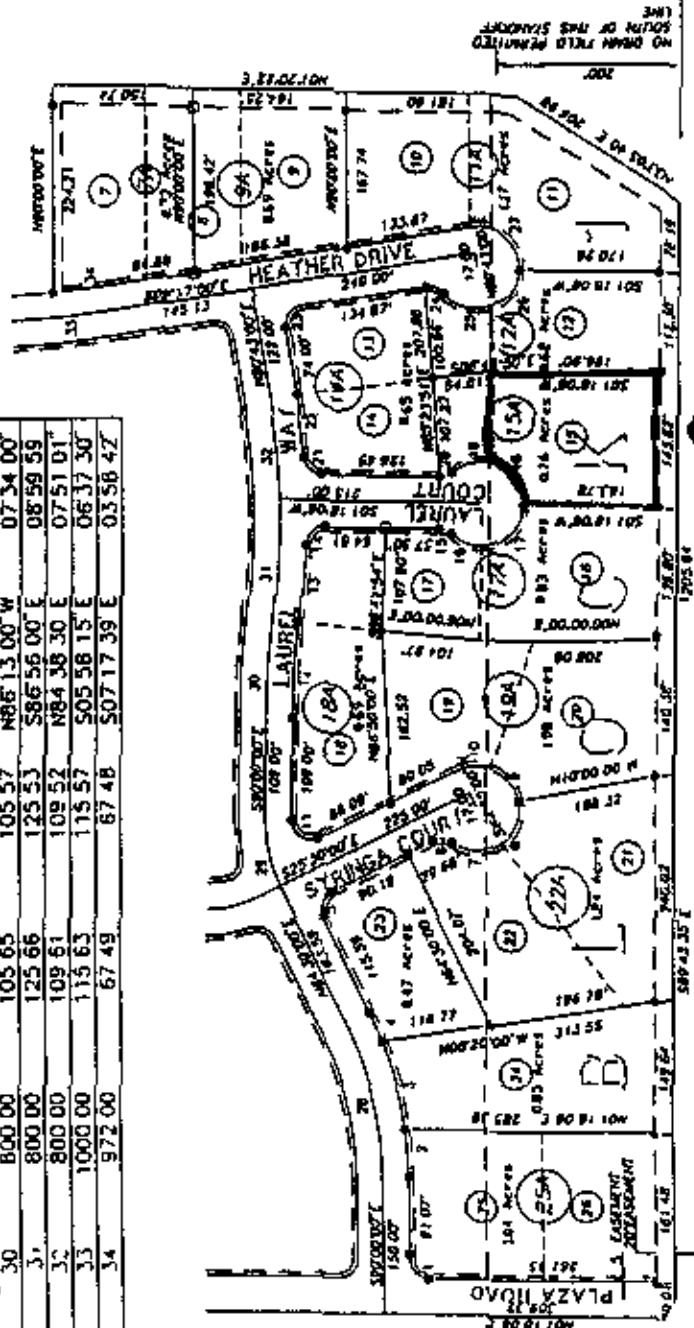
PROFESSIONAL LAND SURVEYING
404 So Washington Ave
Emmett Idaho 83617
Phone (208) 365-4146



65-13956

STATE OF IDAHO
COUNTY OF GEM
Received of record of
Fischer Land Surveying Inc.
This
Date
Sub
Book
Page
Recorded as a Survey
Thomas P. Fischer, Clerk
E-Office Recorder
Per
Fees

APR 1983 140 811-01-00 108 11-8-

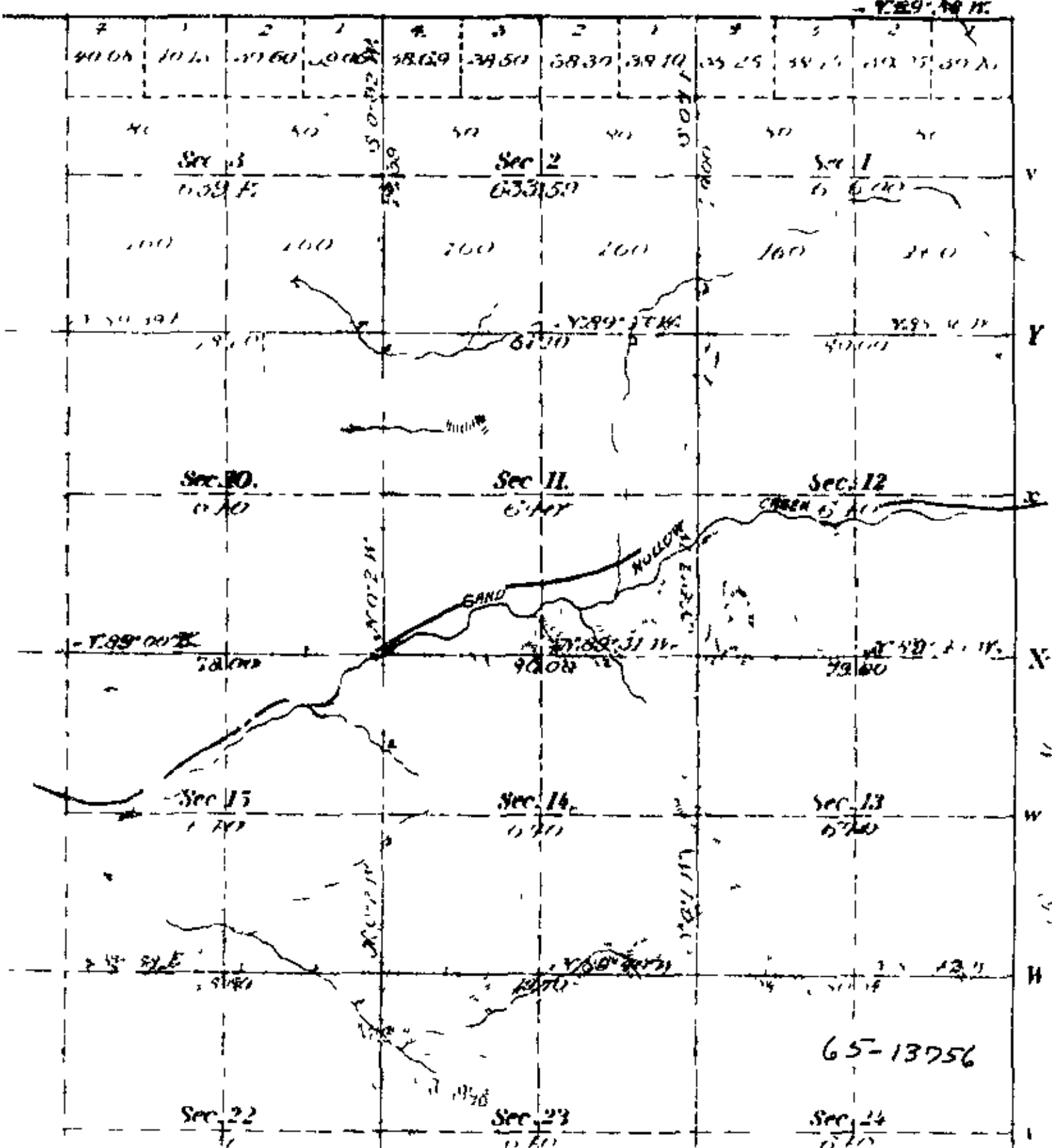


APD-810

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
1	20.00	30.96	27.96	S45.39.03 W	88.41.54
2	418.00	51.07	31.04	N86.29.59 E	07.00.01
3	418.00	100.91	100.67	N78.05.01 E	13.49.55
4	418.00	34.05	34.04	N86.50.03 E	04.40.02
5	20.00	31.42	28.28	N70.30.00 W	90.00.00
6	20.00	21.47	20.46	N05.15.28 E	61.30.55
7	45.00	57.12	53.37	S00.21.04 E	72.43.59
8	45.00	49.70	47.22	S86.21.37 E	63.17.06
9	45.00	48.38	46.08	N49.11.55 E	61.35.50
10	45.00	34.48	33.64	N05.33.00 W	43.54.00
11	20.00	40.32	33.83	S32.14.58 W	115.29.56
12	772.00	101.95	101.88	N86.13.00 W	07.34.00
13	828.00	80.94	80.91	S85.14.02 E	05.36.03
14	20.00	31.18	28.12	N43.21.58 W	89.20.09
15	20.00	14.80	14.46	N22.30.05 E	42.23.58
16	45.00	34.33	33.50	S21.50.56 W	43.42.16
17	45.00	69.67	62.92	S44.21.16 E	88.42.09
18	45.00	58.97	54.84	N53.45.21 E	75.04.37
19	45.00	45.02	43.16	N12.26.25 W	57.18.55
20	20.00	14.80	14.46	S19.53.53 E	42.23.58
21	20.00	29.38	26.81	S43.23.08 E	84.10.04
22	828.00	68.68	68.66	N83.05.35 E	04.45.10
23	20.00	31.42	28.28	N54.17.00 W	90.00.00
24	20.00	21.47	20.46	N21.28.28 E	61.30.55
25	45.00	59.35	55.14	S14.27.03 W	75.33.45
26	45.00	51.34	48.60	S56.00.51 E	65.22.02
27	45.00	79.00	69.24	N41.00.34 E	100.35.08
28	390.00	173.57	172.14	N77.15.01 E	25.29.58
29	159.50	70.99	70.41	S77.15.02 W	25.30.04
30	800.00	105.65	105.57	N86.13.00 W	07.34.00
31	800.00	125.66	125.53	S86.56.00 E	08.59.59
32	800.00	109.61	109.52	N84.38.30 E	07.51.01
33	1000.00	115.63	115.57	S05.58.15 E	06.37.30
34	972.00	67.49	67.48	S07.17.39 E	03.56.42

West of the Boise Meridian

T 6 N, R 1 W, Sec 3, Lot 4 NWNW



**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No 65-13756 Reviewed by [Signature] Date 2-19-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

dom.

yes Address same as permit?

yes Proof timely received?

Correct Uses? _____

If not complete calculation below

SOURCE OF WATER

_____ Surface water source

✓ Ground water source

yes Drilling permit required?

no Copy in the file?

Drilling Permit No 65-96-W-C169-000

_____ Amount paid for permit

Correct? _____

no Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

no Required?

no Required?

_____ Amount Submitted

_____ Installed?

_____ Correct?

_____ Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address _____

Proof Made 12-23-97



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 23, 1998

Dennis Starner
Dora Starner
1510 Laurel Ct
Emmett ID 83617

PROOF ACKNOWLEDGMENT LETTER

RE PERMIT NO 65-13756

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.

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 department's Western Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c IDWR - Regional Office

20 2 6 1998



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 10, 1997

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

DENNIS M STARNER
DORA E STARNER
1510 LAUREL CT
EMMETT ID 83617

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13756

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

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

Enclosures

FEB 26 1998

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of December, 1997, 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. 65-13756

DENNIS M STARNER
DORA E STARNER
1510 LAUREL CT
EMMETT ID 83617


Kari Lynn Townsend
Secretary

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.

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.

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy Lee

No 45-13736 Name Starmer Date 12/8/97 Ad OK? ✓ Gvmt Lts ✓**AREA OF CONCERN**- No/Yes Mor / GWMA / Trust / Non-trust**PROTESTED**

- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED

1 year/no proof

- ~~(P16)~~

>1 year

- 28A-P17

GROUNDWATER (✓ FLO-CH)

WMD (✓ MAP)

>0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD

>0.24 cfs/5 acres

- 01M (report when notified)

Supplemental use

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT

Existing well

- NA (pre 7/1/87 ✓ WDQ3)

Included w/permit

- Permit No - - - P99

No drilling permit?

- 048-468-P23 (post 7/1/87)

Irr in WD

- P05 (new well location)

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

IN/ABOVE MIN STR FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

- R04 (WD #) - 01J-P08 (MD)

Pumped >0.20 cfs

- 01H-P01 (LD & MD) 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-P07 (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

USE

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge) 27A (Payette River), NA

*1 in rest area

- 071-070-P53

Fish Propagation

- 029-007-042(req)-081 (WQ1-P10)

Heating/Cooling

- R07 (injection well)

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)

Mining

- 054(req)-081-P10

Municipal

- 022 075 004 (+memo?) NA (not in restricted area)

Power

- 17H/17K(+uses)-08A-025-01N(P19)-028-081-027 (if no other cons use)

Stock

- 17G (FERC) or 17M (FERC) 18B-P09 >25 cfs-P18

Storage (✓3 compo)

- R37 (BLM/USFS) NA

- 18A (in & out MD for on-stream storage) 18B-P09 (>10' dam), NA

LOCATION

42-248 area

- ~~(P84)~~ in 20/30/40/50/60/70/80 (#7) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev

- P52 (stream channel alteration)

Irr Dist/Canal Co

- 023 (Twin Falls area)

SWAN FALLS FLAG (See Code Chart)

Trust

- 051-052-053-P74 (Consumptive Uses) NA

Non-Trust (1)

- 048-049 (Consumptive Uses) NA

OWNERSHIP- 004 (PD/PU) **OTHER CONDITIONS****STANDARD REMARKS**- WFD&PU LITS, B1, Laurel Park Sub @W01/1**BENEFICIAL USE DUE**12/1/1998**COMMENTS**

No 2 a.
8/97

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

DEC 03 1997

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY TRN DATE 10/14/1997 APPLICATION 45-13756

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
☒ Address Add zip code TRN 10/14/1997
☒ 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)
☐ Fee
☒ Yes ☐ No* In form to receipt

Gov't Lots
LOT 4 P/D
LOT 4 P/U

ADDITIONAL INFORMATION

N/A ADVERTISE REMARK(S)
(Reviewer identify which remarks)

N/A T FLAG CHANGED TO P FLAG

YES NO

- ☒ ☐ Overlapping place of use (Describe source & relationship to present application page)
☒ ☐ Overlapping point of diversion
☐ ☒ Critical groundwater area
☐ ☒ Groundwater management area
☐ ☒ 1992 moratorium
☐ ☒ Copy to SCA staff (perennial stream, non-pump diversion &/or any mining)
☐ ☒ Copy to Dam Safety staff (for any storage)
☐ ☒ Mitigation plan where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge
☐ ☒ Send power requirement letter
☐ ☒ Send 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

APP NO 65-13756

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.

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 # _____
☐ ☒ 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 11-24-97
☐ ☐ Protests received.
☐ ☒ Resolution of protest recorded on application
☐ ☒ Recommendations attached
☐ ☒ Measuring device required
☐ ☒ Measuring port required
☐ ☒ Water delivered by water master? District # _____
☐ ☒ Special conditions of approval or cover letter _____

See below for additional information

Recommended Date or Priority 9/26/97
 Recommended by. Duffy Date 11/20/97

STATE OFFICE REVIEW

See below for additional information By _____ Date _____

ADDITIONAL INFORMATION.

10/14/1997 Property is also known as LOT 15, BLK 1, Laurel
Park Subdivision. Two waste water rights 65-01367 + 65-01370,
are appurtenant to the GGA but applicant indicates no
other water rights are used on it

RECEIVED

NOV 14 1997

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
SS
COUNTY OF GEM,

Doris Miller being first
duly sworn, on her oath deposes and
says that she is the clerk of the Mes-
senger Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho, that said newspaper
is in general circulation in said
county and has been published un-
interruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document, and that the document
notice, process or advertisement
hereunto annexed was published in
the regular edition of Messenger
Index for two
consecutive weekly issues thereof,
beginning with the issue of
NOV 5, 1997,
and ending with the issue of
NOV 12, 1997
Doris Miller
Subscribed and sworn to me this
13th day of
November, 1997
Jane L. Lusk
Notary Public
Residing at Emmett, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12415

UNITED MINING CORP
6733 W STATE ST
BOISE ID 83703

Source UNNAMED STREAM Tributary SCHILLER CREEK

Diversion Pt SESW Sec 6 T 06N R 01E in GEM County

Use STOCKWATER STORAGE	3.00 AF
RECREATION STORAGE	3.00 AF
AESTHETIC STORAGE	3.00 AF
Total Diversion	3.00 AF

Date Filed: 8/11/1997

In GEM County
T06N R01E S08 SESW

STARNER DENNIS M
STARNER, DORA E
1510 LAUREL CT
EMMETT, ID 83617

Source GROUNDWATER

Diversion Pt Lot 4 (NWNW) Sec 3 T 06N R 01W in Gem County

Use DOMESTIC	0.040 CFS
Total Diversion	0.040 CFS

Date Filed: 9/26/1997

In GEM County
T06N R01W S03 NWNW

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
on or before AUGUST 25, 1997. The protestant must also send a copy of the
protest to the applicant.

KARL J. DREHER, Director

Pub 11 5 12, 1997

Legal Notice No. 2967
Published in the Messenger Index

MY COMMISSION EXPIRES
JUNE 21ST, 2000

My Commission Expires

FEB 26 1998

65-13756

STARNER, DENNIS M
STARNER, DORA E
1510 LAUREL CT
EMMETT, ID 83617

Source. GROUNDWATER

Diversión Pt: LOT 4 (NWNW) Sec 3 T 06N R 01W in GEM County.

Use: DOMESTIC	(	0.040 CFS)
Total Diversión:	(	0.040 CFS)

Date Filed: 9/26/1997

In: GEM County	
T06N R01W S03	NWNW