

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 85-15465

Priority: May 26, 2004

Maximum Diversion Rate: 0.12 CFS

This is to certify, that RAY A MARTIN And LULA BELLE MARTIN
HC66 BOX 454
KOOSKIA ID 83539

And

SAM A MARTIN And CODI M MARTIN
PO BOX 285
STITES ID 83552

have applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.06 CFS
IRRIGATION	03/15 to 11/15	0.06 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, Twp 32N, Rge 04E, B.M., IDAHO County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
32N 04E 20								X									

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
32N 04E 20								2.0									2.0

Total Acres: 2

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2007**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 85-15465

4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Domestic use is for 2 homes. Irrigation of lawn, garden and landscaping associated with the homes is authorized under the irrigation component of this right.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 1st day of March, 2005.


FOR KARL J DREHER, Director

JAN 31 2005

FORM 202
12/99

Department of Water Resources

Ident. No.

85-15465

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RAY ALFRED and LULA BELLE MARTIN

208-926-4474

Phone 208-926-4578

NOTE: SEE
ADDRESSES AND
PHONE NUMBERS
BELOW -1. Name of Applicant SAM ALFRED and Codi MICHELLE MARTIN Mailing address HC66 BOX 454 KOOSKIA, ID 83539 PO BOX 285 STITES, ID 835522. Source of water supply GROUNDWATER (WELL) which is a tributary of N/A3. Location of point of diversion is Township 32 NORTH Range 4 EAST Sec. 20, in the NE SE NW Govt. Lot N/A, B.M., IDAHO County;additional points of diversion if any: NONE

4. Water will be used for the following purposes:

27 GPM - Amount .06 for DOMESTIC USE purposes from JAN 1 to DEC 31 (both dates inclusive) (YEAR LONG)
 (cfs or acre-feet per annum)

27 GPM - Amount .06 for IRRIGATION purposes from JAN 1 to DEC 31 (both dates inclusive) (SEASONAL W/IN INCLUSIVE DATES INDICATED)
 (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) 0.12 and/or (b) NO STORAGE
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 N/A

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? 11/7/02; Drilling firm STUIVENGA/VESSEY DRILLING (G/VILLE)
Well was drilled for (well owner) RAYA. and LULA B. MARTIN; Drilling Permit No. D00229297. Time required for completion of works and application of water to proposed beneficial use is 2 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 (2) TWO FAMILY HOUSEHOLDS ON THIS WELL ~ (YEAR LONG)e. Other; describe fully. IRRIGATION CONSIST OF HOSE WATERING (2) TWO LAWNS and (2) TWO GARDENS ~ (SEASONAL) APPROX. (2) TWO ACRES.

NOTE: WE RAISE (1) ONE TO (2) TWO CALFS FOR OUR OWN USE - WATER FROM THE WELL. NO SURFACE WATER ON THE PROPERTY.

RAY A. and LULA B. MARTIN
HC66 BOX 454
KOOSKIA, ID 83539
PHONE # 208-926-4474SAM A. and Codi M. MARTIN
PO BOX 285
STITES, ID 83552
PHONE # 208-926-4578

3. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
32N	4E	20								2									
		20								D									

Total number of acres to be irrigated 2 ACRES (NOTE: GARDENS and LAWNS - HOSE WATERING)

10. Describe any other water rights used for the same purposes as described above. SEE ITEM NO. 8^d and 8^e.

11. a. Who owns the property at the point of diversion? RAY A. and LULA B. MARTIN
 b. Who owns the land to be irrigated or place of use? RAY A. and LULA B. MARTIN / SAM A. and Codi M. MARTIN
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: RAY A. and LULA B. MARTIN - (APPLICANT OWNS PROPERTY WELL IS ON)
12. Remarks: SHARED WELL - WATER LINE TO OUR SON'S (SAM A. MARTIN) HOUSEHOLD AND PROPERTY FOR DOMESTIC USE AND WATERING.

THE SURVEYED PROPERTY THAT OUR HOUSEHOLDS, LAWNS AND GARDENS ARE LOCATED ON, IS 2.10 ACRES. THIS PROPERTY IS NOW SURVEYED IN EQUAL HALVES WHERE EACH FAMILY HAS LEGAL OWNERSHIP OF 1.05 ACRES EACH, TO SERVICE FROM THE SHARED WELL.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Ray Alfred Martin
RAY ALFRED MARTIN
Lula Belle Martin
LULA BELLE MARTIN

Sam Alfred Martin
SAM ALFRED MARTIN
Codi Michelle Martin
CODI MICHELLE MARTIN
 Signature of Applicant (and title, if applicable)

Received by [Signature] Date 5/26/04 Time 1:20P Preliminary check by [Signature]
 Fee \$ 100.00 Receipted by [Signature] # N 016304 Date 5/26/04
 Publication prepared by [Signature] Date 9/29/04 Published in Idaho County Free Press 10/16 + 13/04
 Publication approved [Signature] Date 10/14/04

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat: : : Long: : :

1. WELL TAG NO. D 0022929
 DRILLING PERMIT NO. _____
 Other IDWR No. _____

2. OWNER
Name Ray A. Martin
Address HC 66, Box 454
City Kooskia State ID Zip 83539

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

Twp. 32 North ☒ or South ☐
 Rge. 4 East ☒ or West ☐
 Sec. 20 SE 1/4 NW 1/4 1/4
 Gov't Lot _____ County Idaho
 Lat. : : Long: _____
 Address of Well Site _____

Address of Well Site:

City **Stites**

(Give at least name of road - Distance to Road or Landmark)

Lt. 5 Blk. _____ Sub. Name Hillside

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 _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	28	14S	Overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 28
Was drive shoe seal tested? ☒ Y ☐ N How? Air Test

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8	+2	28	250	Steel	☒	☐	☒	☐
6	-5	125	250	PVC	☐	☒	☒	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

X Perforations Method Saw
Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Line
105	125	1/8 x 6	80	6	PVC	☐	☒
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

35 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices: Well Cap

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
40		115	1 hour

Water Temp. 58 Bottom hole temp. _____

Water Quality test or comments: Clear, Cool

Depth first Water Encounter 100

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

[illegible]

RECEIVED
MAY 26 2004
IDWP/North

13. DRILLER'S CERTIFICATION

13. DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Stuivenga Vessey Drilling Firm No. 545

Firm Official _____ Date _____

and
Driller or Operator [Signature] Date 11-8-02

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

Date 11-8-02
 (Official & Operator)
for reference

Well Location

BOISE MERIDIAN
T32N R04E
SEC. 20 NESENW

IDAHO COUNTY, IDAHO

GCS-WGS84 COORDINATES:

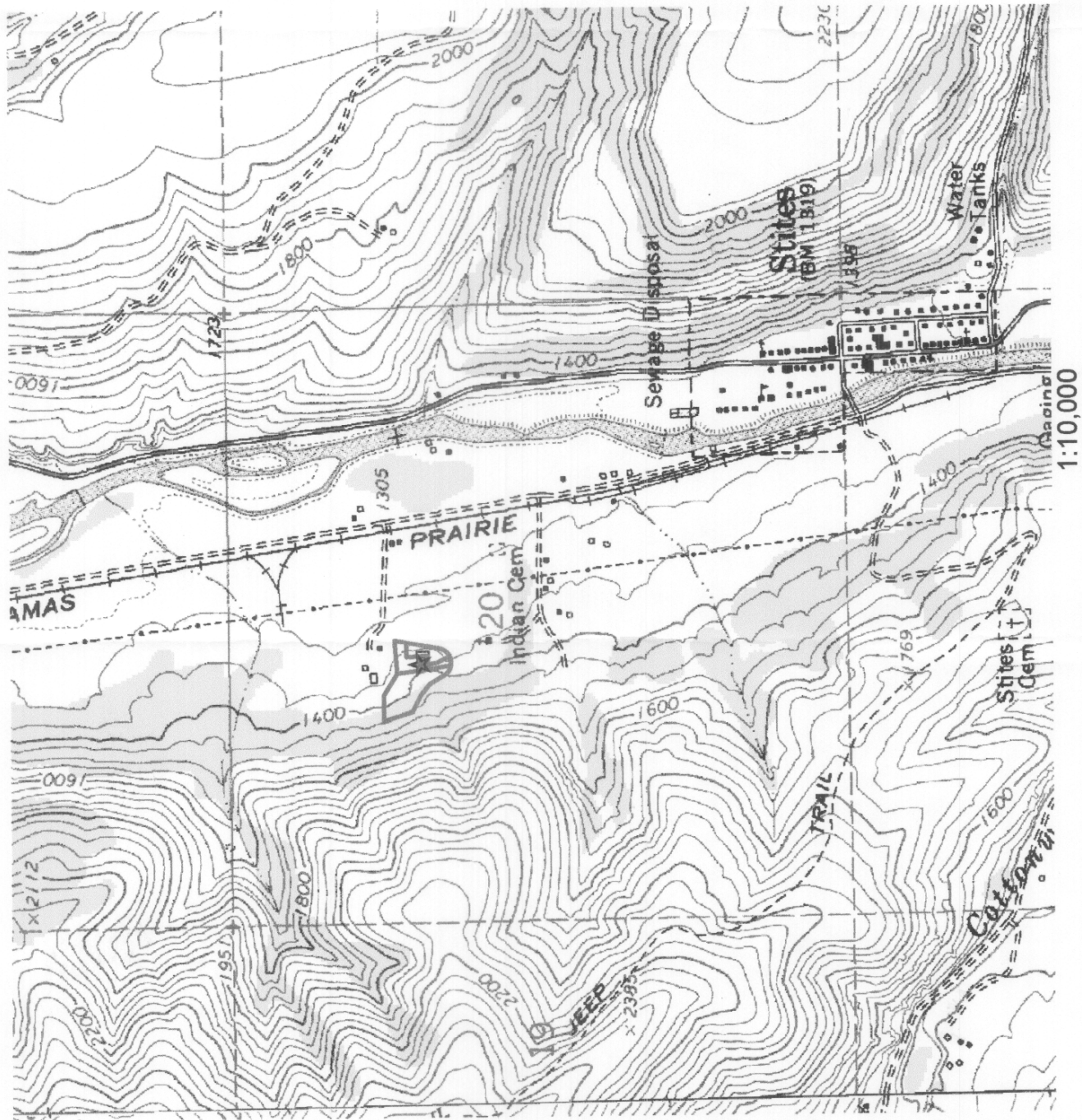
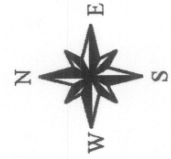
N 46-06'05.9"
W 115-59'09.8"

★ Location of Well for Application
M Martin Owned Lots

RECEIVED
MAY 26 2004
IDWR/North

1 Miles

C. Martin
GMCI, Inc.
17-May-2004



Now
Starting
Right Side
of file.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 2, 2005

RAY A MARTIN
LULA BELLE MARTIN
HC66 BOX 454
KOOSKIA ID 83539

SAM A MARTIN
CODI M MARTIN
PO BOX 285
STITES ID 83552

RE: Permit No. 85-15465

Permit Approval Notice

Dear Permit Holder:

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

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

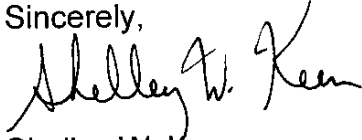
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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

If you have any questions, please contact me at 208-287-4947.

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive style with a large, stylized 'S' and 'K'.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

CERTIFICATE OF SERVICE

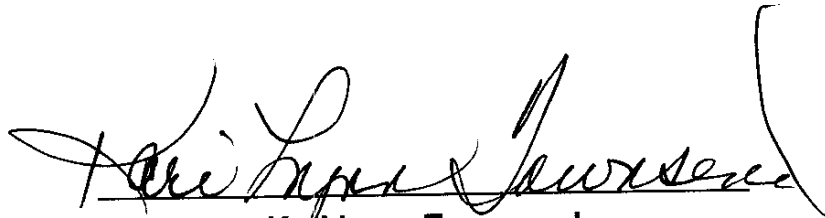
I hereby certify that on March 2, 2005 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

85-15465

**RAY A MARTIN
LULA BELLE MARTIN
HC 66 BOX 454
KOOSKIA ID 83539**

**SAM A MARTIN
CODI M MARTIN
PO BOX 285
STITES ID 83552**



**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

Comment Report

85-15465

1. dball 9/20/2004 Legal Notice Remarks

Comment: Domestic use is for 2 homes.

2. kwalker 2/24/2005 Permit Review

Comment: Application falls within Salmon-Clearwater Moratorium area but is for ground water so exempt. No place of use overlaps found. Region requested and received well upgrade fee under receipt N016702. Recommend approval.

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

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REQUEST FOR HEARING

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

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

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

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

January 8th, 2005
Kooskia, Idaho 83539

Dear Idaho Dept. of Water Resources,
ATTN: BOB HAYNES

As per our tel-con on January 7th, 2005,
enclosed is a check for \$125.00. As you
indicated, this transaction should complete
the process for the permit.

In any event, would you folks please
issue the permit in the names of the
individuals, in the order noted on the
application for permit.

As follows: RAY ALFRED MARTIN } HUSBAND } HC66 BOX 454
LULA BELLE MARTIN } and } KOOSKIA, ID 83539
WIFE } (208) 926-4474

SAM ALFRED MARTIN } HUSBAND } PO BOX 285
Codi MICHELLE MARTIN } and } STITES, ID 83552
WIFE } (208) 926-4578

Also, would you folks, please forward all
future correspondence and replies to me.

NOTE: THE ENCLOSED CHECK #2040
FOR \$125.00 WOULD BE IN ADDITION
TO CHECK #1897 FOR \$100 ON 5/25/04
FOR A TOTAL OF \$225.00 ~

Thanks
Sincerely,
Ray A. Martin

RECEIVED
OCT 14 2004
IDWR/North

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

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

85-15465

RAY A MARTIN
LULA BELLE MARTIN
SAM A MARTIN
CODI M MARTIN
PO BOX 285
STITES ID 83552

Point(s) of Diversion NESENW
S20 T32N R04E IDAHO County
Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15
0.06 CFS

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

Total Diversion: 0.12 CFS

Date Filed: 05/26/2004

Place Of Use: DOMESTIC T32N
R04E S20 SENW

Place Of Use: IRRIGATION same as
DOMESTIC

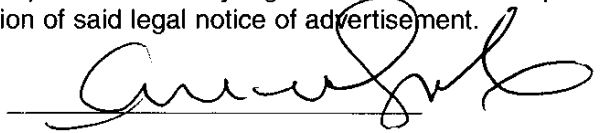
Number of Acres 2

Remark: Domestic use is for 2 homes.
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 Direc-
tor, Dept. of Water Resource, Northern
Region, 1910 Northwest Blvd, Suite
210, Coeur D' Alene ID 83814 together
with a protest fee of \$25.00 for each ap-
plication on or before 10/25/2004. The
protestant must also send a copy of the
protest to the applicant.

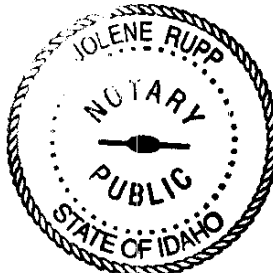
KARL J DREHER, Director
Published on October 6 and 13, 2004
O6-13

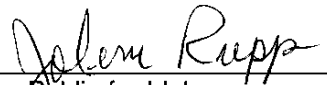
Andrew J. McNab, being first duly sworn, says he is the
Publisher of the IDAHO COUNTY FREE PRESS, a weekly news-
paper published and issued weekly at Grangeville, Idaho County,
State of Idaho, and is of general circulation in said county and
state, that the said legal notice, of which the one hereto attached
is a true copy, was published in said paper for two weeks, being
published two times, the first publication being on the 6th
day of October, 2004; and the last publication on the 13th day
of October, 2004; and that the said legal notice was published in
the newspaper proper and not a supplement; that said newspa-
per has been continuously and uninterruptedly published in said
county during a period of seventy-eight consecutive weeks prior
to the publication of said legal notice of advertisement.



STATE OF IDAHO)
COUNTY OF IDAHO)

On this 13th day of October in the year of 2004, before me a
Notary Public personally appeared Andrew J. McNab, 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 he
executed the same.




Notary Public for Idaho
Residing at Grangeville, ID 83407
My commission expires: 9-24-07



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 29, 2004

RAY A MARTIN
LULA BELLE MARTIN
SAM A MARTIN
CODI M MARTIN
PO BOX 285
STITES ID 83552

RE: Application for Permit No 85-15465

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Idaho County Free Press on October 6 and 13, 2004. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Allen Beardslee
Senior Water Resource Agent

Enclosure(s) - Receipt no. N016301



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 29, 2004

NONA DONALDSON
LEGAL NOTICE DEPARTMENT
IDAHO COUNTY FREE PRESS
PO BOX 690
GRANGEVILLE ID 83530

e-mailed to ndonaldson@eaglenewspapers.com
also FAXED for purpose of confirmation

RE: Application for Permit No. 85-15465

Dear Nona:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, October 6 and 13, 2004, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 10/25/2004. Your cooperation is, as always, GREATLY appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, September 29, 2004 1:45 PM
To: Legal Notices-ID CO Free Press (E-mail)
Subject: Legal notice for publication on October 6 and 13, 2004

Good afternoon, Nona,

Attached is a copy of our cover letter requesting publication on October 6 and 13, 2004 of a legal notice, also attached.

PLEASE FAX A PROOF PRIOR TO PUBLICATION to 208-769-1454 so I can check to make sure the tabs didn't do something crazy when you did a cut or copy and paste.

If you have ANY questions, please call me at 208-769-1450.

Thank you and have a marvelous day.



May your day be filled with wonder and beauty.

Dianne

Dianne Ball, Administrative Assistant
Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone 208-769-1450 **FAX 208-769-1454**

9/29/2004

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

85-15465

RAY A MARTIN
LULA BELLE MARTIN
SAM A MARTIN
CODI M MARTIN
PO BOX 285
STITES ID 83552

Point(s) of Diversion NESENW S20 T32N R04E IDAHO County

Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.06 CFS

Use: DOMESTIC 01/01 To 12/31 0.06 CFS

Total Diversion: 0.12 CFS

Date Filed: 05/26/2004

Place Of Use: DOMESTIC T32N R04E S20 SENW

Place Of Use: IRRIGATION same as DOMESTIC

Number of Acres 2

Remark: Domestic use is for 2 homes.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 10/25/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on October 6 and 13, 2004