



LESHNAKE RIDGE)
2675 1 NW

SCALE 1:24,000



CONTOUR INTERVAL 40 FEET
REPRESENT 20-FOOT CONTOURS
MEAN SEA LEVEL DATUM OF 1929

Don Vogel
1009 Grelle Ave.
Lewiston, ID 83501

MICROFILMED

JUN 20 2001



208-746-9590

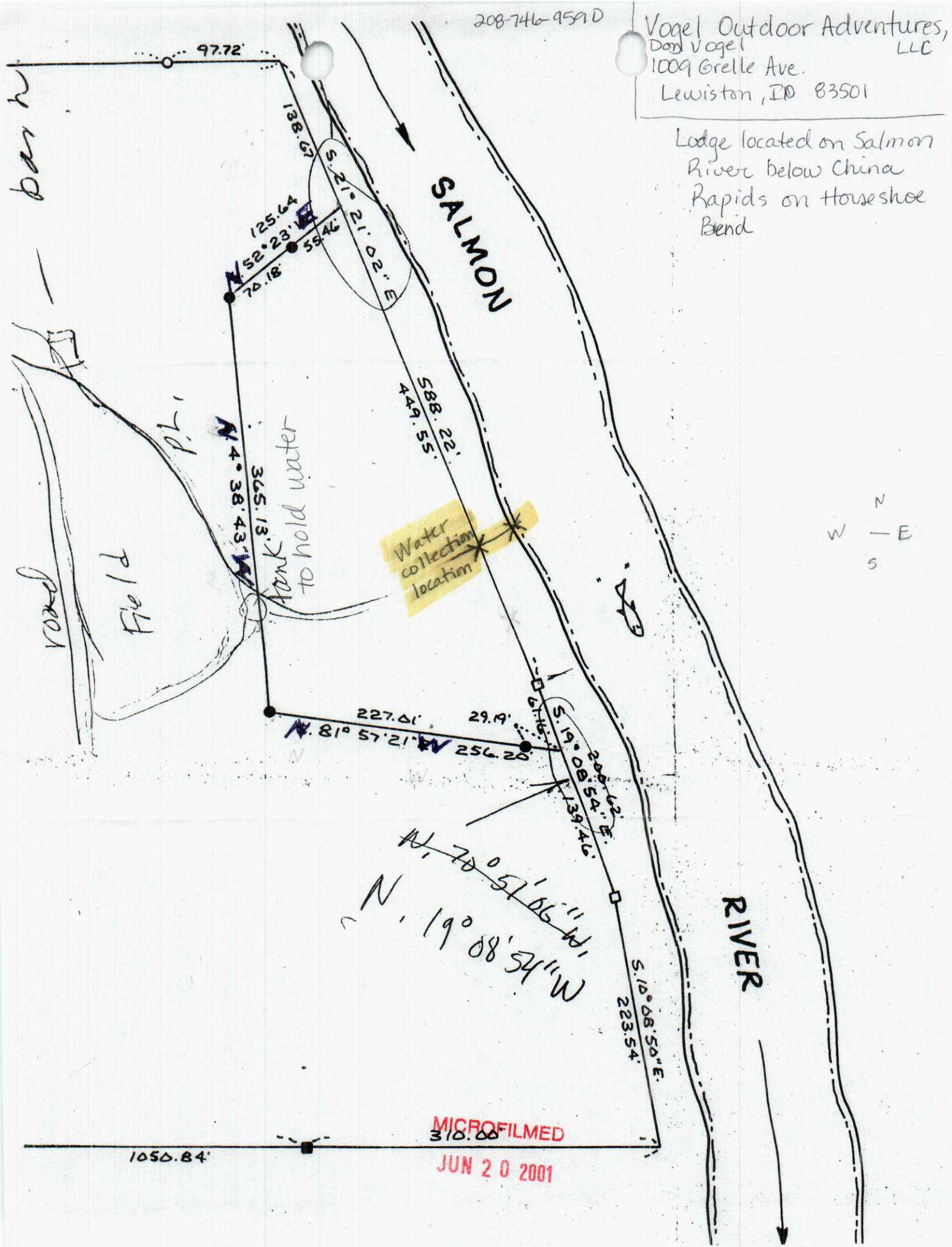
Government Lot 3
Section 24
Township 31 N
Range 3 W, B.M., Lewis County
Hoover Point Quadrangle, ID

ROAD CLASSIFICATION
Unimproved dirt

208-746-9591 D

Vogel Outdoor Adventures,
Don Vogel
1009 Grelle Ave.
Lewiston, ID 83501

Lodge located on Salmon
River below China
Rapids on Horseshoe
Bend



Affidavit of Publication

STATE OF IDAHO, } ss.
County of Idaho, }

I, STEVEN A. WHERRY, being first duly sworn, depose and say that I am Editor of the LEWIS COUNTY HERALD, a weekly newspaper, published and issued weekly at Nezperce, Lewis County, State of Idaho, which is of general circulation in said county and state, that the said notice, of which the hereto attached is a true copy, was published in said newspaper for

2 weeks, being published 2 times, the first publication being on the 5th day of October, 2000, and the last publication on the 12th day of October, 2000; and that the said notice was published in the newspaper proper and not in a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight (78) consecutive weeks prior to the first publication of said notice or advertisement.

Steven A. Wherry

STATE OF IDAHO, }
County of Idaho, }
On this 16th day of October in the year of 2000, before me, a Notary Public, personally appeared Steven A. Wherry, know or identified to me to be the person whose name is 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.

Patricia E. Wherry
Notary Public for Idaho
Residing at cottonwood
My commission expires: 12-2000
PATRICIA E. WHERRY
NOTARY PUBLIC
STATE OF IDAHO

RECEIVED

OCT 18 2000

WATER RESOURCES
WESTERN REGION

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

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

79-07272

VOGEL, DON

VOGEL, VICKI

1009 GRELLA AVE.

LEWISTON, ID 83501

Source: SALMON RIVER

Tributary: SNAKE RIVER

Diversion Pt: LOT 3
(NESWNE) Sec. 24 T 31N R
03W in LEWIS County.

Use: STOCKWATER, 0.040

CFS

FIRE PROTECTION 0.040

CFS

Total Diversion 0.040 CFS

Date Filed: 9/11/2000

In: LEWIS County, T31N
R03W S24 Lot 3 (SWNE)

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 or before OCTOBER 23, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in the Lewis County Herald Oct. 5 & 12, 2000

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JUN 20 2001

1009 Grelle Ave.
Lewiston, ID 83501

September 8, 2000

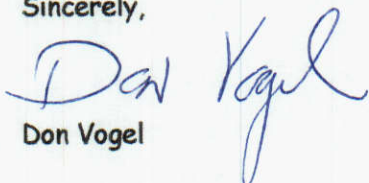
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705

Dear Gary Spackman,

Thank you for your assistance during our phone conversation. I was able to generate the appropriate forms from the website information you provided. Enclosed you will find the application for permit to obtain water from the Salmon River as needed for fire protection. I would also like to fill a 5,500 gallon tank for domestic water use as the spring that is currently available has not been reliable. There is also an urgent need in processing this application as I did have to drain my domestic water tank to fight the recent fire that nearly claimed our property. We will be having guests by the end of October and would like to be able to pump water from the river at that point to meet the needs of our guests.

Thank you for your timely consideration in processing this application.

Sincerely,


Don Vogel

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JUN 20 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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NOV - 8 2001

PROOF OF BENEFICIAL USE

FILED: 11-8-01

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

1. Permit No. 79-7272 Telephone No. 208-798-7701

2. Name of Permit Holder(s): Don + Vicki Vogel

3. Mailing Address: 1009 Grelle Ave

City Lewiston State Id. Zip 83501

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

Well Driller: _____ Drilling Permit Number: _____

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

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

Irrigation (No. of acres): _____ Other: FIRE PROTECTION

6. Total rate of diversion and/or volume for which proof is submitted: .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 ✓
Has the measuring device 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: Don Vogel Telephone Number: 208-798-7701

Address: 1009 Grelle Ave, Lewiston, ID 83501

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

Signature of permit holder: Don Vogel Date: 11-5-01
(include your title, if on behalf of company or organization)

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NOV 24 2002

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDV - 8 2001

JAN 2002

INSTRUCTIONS FOR FILING PROOF OF BENEFICIAL USE

HOW TO MAKE PROOF:

In order for a permit holder to fulfill the conditions of the permit obtain a water right license, the permit holder must submit the Proof of Beneficial Use form (proof) together with the license examination fee (if required) OR submit the proof together with a completed field examination report prepared by a certified water right examiner on or before the date set in the permit for the proof. The information submitted by the permit holder will enable the department to determine the extent of beneficial use before the license is issued. The information entered on the proof form should show the extent of actual development of the project and should correspond to that authorized by the permit. If it does not, an amendment (change) to the permit may be required.

WHAT TO DO IN CASE YOU HAVE NOT FULLY APPLIED THE WATER TO BENEFICIAL USE:

If the development authorized by the permit has not been completed in the time allowed, the permit holder may submit a request for extension of time in which to submit the proof. In order for a request for extension of time to be considered without loss of priority, it must be filed prior to the date on which proof of beneficial use is due. Each request for extension of time will be considered on its own merits.

WHAT IF YOU FAIL TO MAKE PROOF OF BENEFICIAL USE ON TIME:

If you have applied the water to beneficial use, but did not submit the proof of beneficial use on or before the date set for the proof, the permit will lapse. A lapsed permit may be reinstated within **sixty (60) days** from the date the department sends the lapse notice. In order for the department to reinstate the permit, the permit holder must show reasonable cause why the permit should be reinstated. Submission of an acceptable proof of beneficial use form within the sixty (60) day period will be considered as reasonable cause for reinstatement.

EXAMINATION FEE:

Section 42-217 and Section 42-221, Idaho Code, require an examination fee as part of the proof of beneficial use submittal if a completed field examination report prepared by a certified water right examiner is not submitted as part of the proof. The fee is based upon the rate of diversion or volume of water claimed on the proof of beneficial use form. **The appropriate fee can be determined from the license examination fee schedule on the back of these instructions.**

ISSUANCE OF LICENSE:

The department will issue a license of water right based on the determination of the amount of water beneficially used in compliance with existing law. The license will include specific information to describe the water right developed.

NOTE - You must comply with the conditions of approval of your permit or seek to have the department waive the conditions. (See the last page of the permit for conditions).

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JAN 24 2002

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 79-07272

Priority: September 11, 2000

Maximum Diversion Rate:

0.04 CFS

This is to certify, that DON VOGEL
VICKI VOGEL
1009 GRELLE AVE
LEWISTON ID 83501

has applied for a permit to appropriate water from:
SALMON RIVER tributary of SNAKE 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	0.04 CFS
FIRE PROTECTION	01/01 to 12/31	0.04 CFS
	Totals	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (NESWNE), Sec. 24, Township 31N, Range 03W
LEWIS County

PLACE OF USE: DOMESTIC

TWN RGE SEC

31N 03W 24 Lot 3 (SWNE)

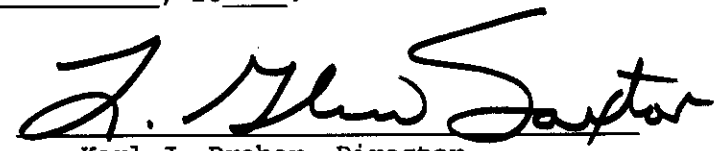
PLACE OF USE: FIRE PROTECTION, same as DOMESTIC use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before December 1, 2001.
2. Subject to all prior water rights.
3. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
4. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
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

22 day of November, 2000.


Karl J. Dreher, Director
for

MICROFILMED

JUN 20 2001

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NOV - 7 2000

FORM 202

Ident. No. 79-07272

RECEIVED

SEP 11 2000

WATER RESOURCES
WESTERN REGIONDepartment of Water Resources
STATE OF IDAHODEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Don & Vicki Vogel Phone 208-746-9590
Mailing address 1009 Grelle Ave, Lewiston, ID 835012. Source of water supply Salmon River which is a tributary of Snake River3. Location of point of diversion is Township 31N Range 3W, BM Sec. 24, in the NE $\frac{1}{4}$,
SW $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot 3, B.M., Lewis County;additional points of diversion if any: 0

4. Water will be used for the following purposes:

Amount 5,500 gal for Fire Protection purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)Amount 5,500 gal for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)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) 11,000 gal 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 2 HP Gould well pump,
2" poly pipe pipelineb. Height of storage dam _____ feet; active reservoir capacity 5,500 gal. 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? _____; Drilling firm _____;

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

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

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

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

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

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. 1e. Other; describe fully. Emergency Fire ProtectionMICROFILMED
JUN 20 2001

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	
31	3	24									D								5,500 gal.
31	3	24									F								5,500 gal.

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? Don & Vicki Vogel
- b. Who owns the land to be irrigated or place of use? Don & Vicki Vogel
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: _____

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

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

Don & Vicki Vogel
Signature of Applicant (and title, if applicable)

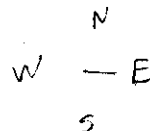
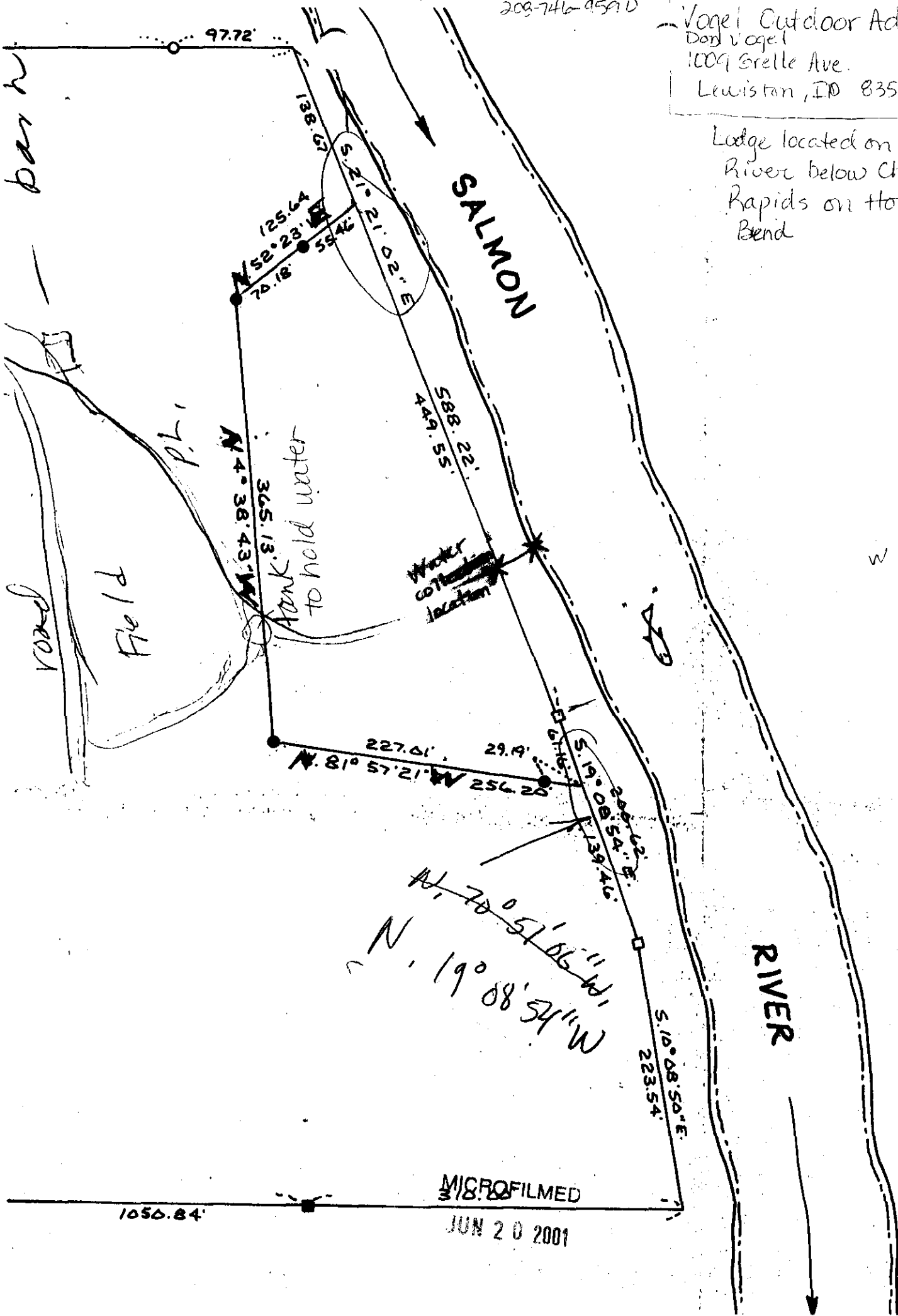
Received by KH Date _____ Time 10:37 Preliminary check by L
Fee \$ 100.00 Receipted by KH # 10026946 Date 9/7/10
Publication prepared by _____ Date _____ Published in _____
Publication approved LM Date 10-24-10

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JUN 20 2001

208-741-9590

Vogel Outdoor Adventures,
Don Vogel
1009 Grelle Ave.
Lewiston, ID 83501

Lodge located on Salmon
River below China
Rapids on Horseshoe
Bend



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JUN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 20, 2001

DON VOGEL
VICKI VOGEL
1009 GRELLE AVE
LEWISTON ID 83501

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 79-07272

Dear Permit Holder:

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

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

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

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

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13 V 2 4 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 79-7272

Reviewed By: dgibson

Date: December 19, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		W026946, C057691	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		11/08/2001
Date proof due	-	12/01/2001
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	09/11/2000
New priority date	=	09/11/2000

Deficiencies of Actions Items

Acknowledge proof.

September 30, 2001

DON VOGEL
VICKI VOGEL
1009 GRELLE AVE
LEWISTON, ID 83501

PROOF DUE NOTICE

RE: PERMIT NO. 79-7272

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

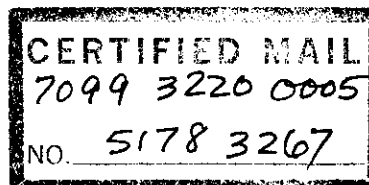
Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

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JAN 7 6 2002





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

November 24, 2000

DON VOGEL
VICKI VOGEL
1009 GRELLE AVE
LEWISTON ID 83501

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 79-07272

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.

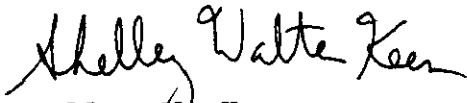
Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should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

MICROFILMED
JUN 20 2001

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

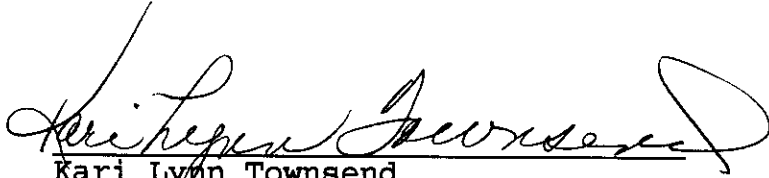
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JUN 20 2001

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of **November, 2000**, 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. 79-07272

**DON VOGEL
VICKI VOGEL
1009 GRELLA AVE
LEWISTON ID 83501**


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 20 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 11/18/00

No. 79-07272 Name: Vogel Corp. Officers N/A Ad ok ☒ Govt Lots _____

AREA OF CONCERN: No/Yes SPC Moratorium dom OK GWMA ~~TRUST/NON-TRUST~~

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 084 (if necessary)
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

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

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCK WATER - R37 (BLM/USFS)
MINING - 054-106(P10)
FISH PROP - 029(70'S only)-007-042-106 (P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 12/01/2001

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period -
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response _____
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE _____
In-stream development - P52
WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

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

RIVER BASINS: (SW special considerations)

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

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-106 (P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC W01 (1)
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS rate? .04 cfs

COMMENTS _____

9/99

NOV - 7 2000

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY: ly DATE: 9/19/00 APPLICATION: 79-07272

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid

Gov't. Lots:

☒ P/D
☒ P/U

ADDITIONAL INFORMATION

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

done T FLAG CHANGED TO P FLAG

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☐ ☒ Overlapping point of diversion.
- ☐ ☒ Critical groundwater area:
- ☐ ☒ Groundwater management area:
- ☐ ☒ 1992 moratorium:
- ☒ ☐ Surface water source, IDFG letter needed.
- ☐ ☒ Protected river or minimum flow reach, notify water planning bureau.
- ☐ ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☐ ☒ E-mail to Dam Safety staff: (for any storage)
- ☐ ☒ Mitigation plan: Check any that apply.
- ☐ ☐ immediate = acceptable plan required and submitted.
- ☐ ☐ future = open areas, acceptance of condition of approval is in file.
- ☐ ☒ Send power requirement letter &/or fish farm requirement letter.
- ☐ ☒ Power residency affidavit:
- ☐ ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☐ ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO.

9-07272

YES NO

- ☒ ☐ In form for advertising:
☐ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

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

YES NO

- ☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. #
☐ ☒ Water Planning Bureau
☐ ☒ Other

FINAL REGIONAL PROCESSING REVIEW:

YES NO

- ☐ ☒ Affidavit of publication received:
☐ ☒ Application published correctly: If not, record action taken.

- ☐ ☒ Publication dates and paper recorded on application:
☐ ☒ Final date for protest 10-23-2000
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Water delivered by water master? District #
☐ ☒ Special conditions of approval or cover letter: 3 standards

☐ ☒ See below for additional information

Recommended Date or Priority 9/11/00

Recommended by: Lori Grawner

Date: 11/1/00

ADDITIONAL INFORMATION:

overlaps P/U - 79-04426 - different place
different source

SD-0111
ADD COMMENT

Idaho Department of Water Resources
Comment Addition

Date: 09/19/00
Time: 15:21:30

Water Right Number: 79-07272

FIRST PAGE

Comment Date: 9/19/2000 User ID: LGRAVES

Subject: MORE INFO

Per Applicant: Water will be diverted to a 5500 gallon tank for domestic use and emergency fire protection. A small spring is also used to fill the tank, but is unreliable.

Per IDWR: Applicant applied for 11,000 gallons total...allow .04 cfs per Salmon River Moratorium guidelines. P/U listed in NESW rather than SWNE. Assume SWNE as specified on attached topo map and plat map.

(Enter=Add)

(GOLD4=Prev) (GOLD5=Next)

Affidavit of Publication

STATE OF IDAHO, } ss.
County of Idaho, }

I, STEVEN A. WHERRY, being first duly sworn, depose and say that I am Editor of the LEWIS COUNTY HERALD, a weekly newspaper, published and issued weekly at Nezperce, Lewis County, State of Idaho, which is of general circulation in said county and state, that the said notice, of which the hereto attached is a true copy, was published in said newspaper for

2 weeks, being published 2 times, the first publication being on the 5th day of October, 2000, and the last publication on the 12th day of October, 2000; and that the said notice was published in the newspaper proper and not in a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight (78) consecutive weeks prior to the first publication of said notice or advertisement.

Steven A. Wherry

STATE OF IDAHO, }
County of Idaho, }
On this 16th day of October in the year of 2000, before me, a Notary Public, personally appeared Steven A. Wherry, know or identified to me to be the person whose name is 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.

PATRICIA E. WHERRY

NOTARY PUBLIC

STATE OF IDAHO

Notary Public for Idaho

Residing at Cottonwood

My commission expires: 12-2000

RECEIVED

OCT 18 2000

WATER RESOURCES
WESTERN REGION

NOTICE OF APPLICATION FOR WATER RIGHT

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

79-07272

VOGEL, DON

VOGEL, VICKI

1009 GRELLA AVE.

LEWISTON, ID 83501

Source: SALMON RIVER

Tributary: SNAKE RIVER

Diversion Pt. LOT 3
(NE1/4 Sec. 24 T 81N R
05W in LEWIS County.

Use: STOCKWATER, 0.040

CFS

FIRE PROTECTION, 0.040

CFS

Total Diversion 0.040 CFS

Date Filed: 8/11/2000

In: LEWIS County, T81N

R05W S24 Lot 3 (SWNE)

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Article 15, Idaho Code. Any protest must be filed with the Department of Water Resources, Western Region, 2100 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application or before OCTOBER 23, 2000. The protestant must also send a copy of the protest to the applicant.

Published in the Lewis County Herald Oct 18, 2000

MICROFILMED

JUN 20 2001

1009 Grelle Ave.
Lewiston, ID 83501

September 8, 2000

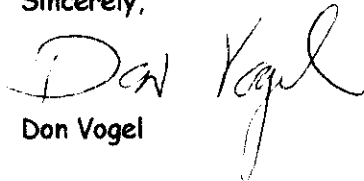
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705

Dear Gary Spackman,

Thank you for your assistance during our phone conversation. I was able to generate the appropriate forms from the website information you provided. Enclosed you will find the application for permit to obtain water from the Salmon River as needed for fire protection. I would also like to fill a 5,500 gallon tank for domestic water use as the spring that is currently available has not been reliable. There is also an urgent need in processing this application as I did have to drain my domestic water tank to fight the recent fire that nearly claimed our property. We will be having guests by the end of October and would like to be able to pump water from the river at that point to meet the needs of our guests.

Thank you for your timely consideration in processing this application.

Sincerely,


Don Vogel

MICROFILMED

SEP 20 2000



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

SEPTEMBER 27, 2000

Legal Notices Department
Lewis County Herald
517 Oak
Nez Perce, ID 83543

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 OCTOBER 23, 2000.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

JUN 20 2001

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

JUN 20 2001

79-07272

VOGEL, DON
VOGEL, VICKI
1009 GRELLE AVE
LEWISTON, ID 83501

Source: SALMON RIVER

Tributary: SNAKE RIVER

Diversion Pt: LOT 3 (NESWNE) Sec 24 T 31N R 03W in LEWIS County.

Use: STOCKWATER	(	0.040 CFS)
FIRE PROTECTION	(	0.040 CFS)
Total Diversion:	(	0.040 CFS)

Date Filed: 9/11/2000

In: LEWIS County
T31N R03W S24 Lot 3(SWNE)

MICROFILMED

JUN 20 2001

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 OCTOBER 23, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 10/ 5/2000 & 10/12/2000

MICROFILMED

JUN 20 2001