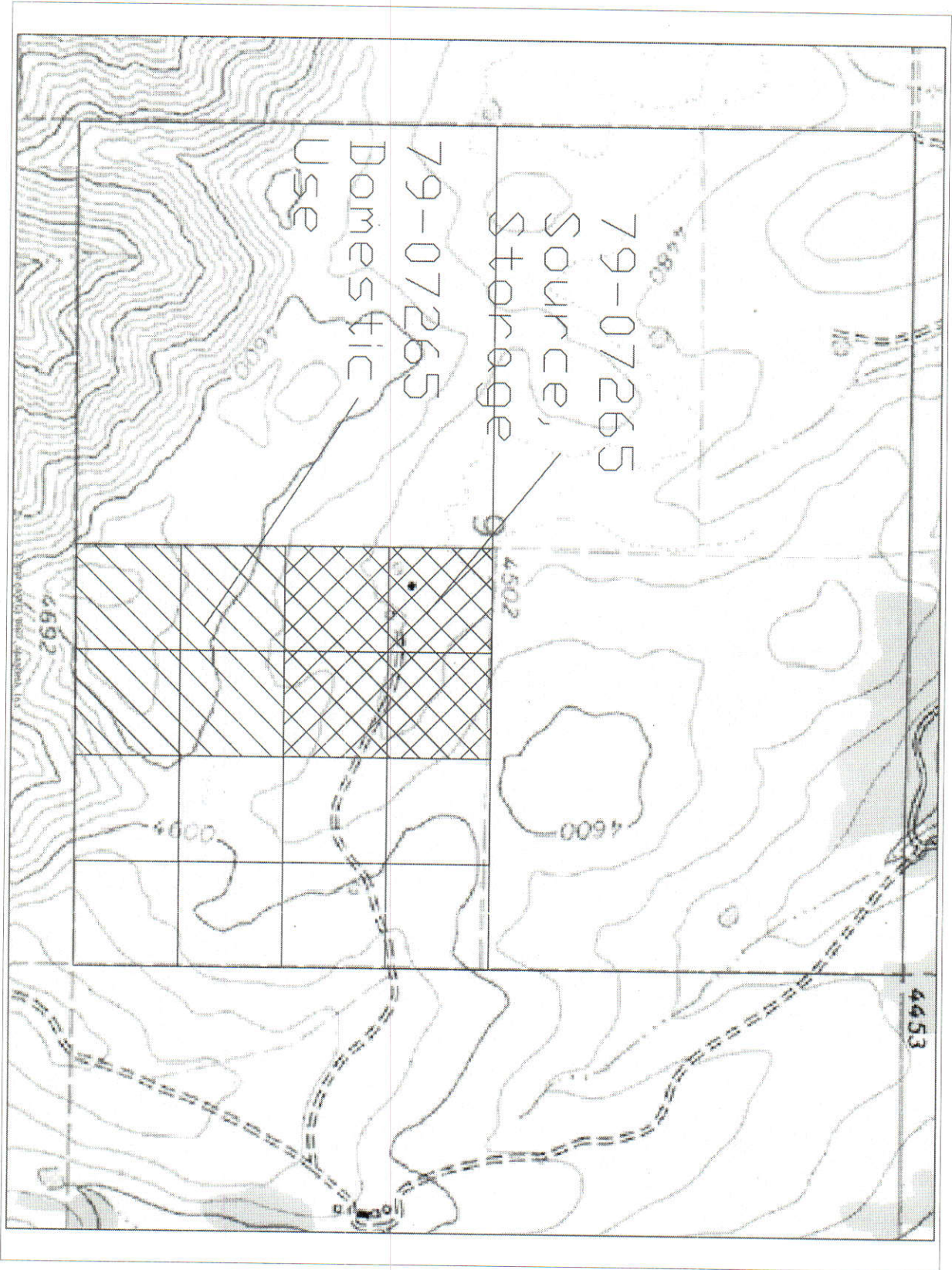
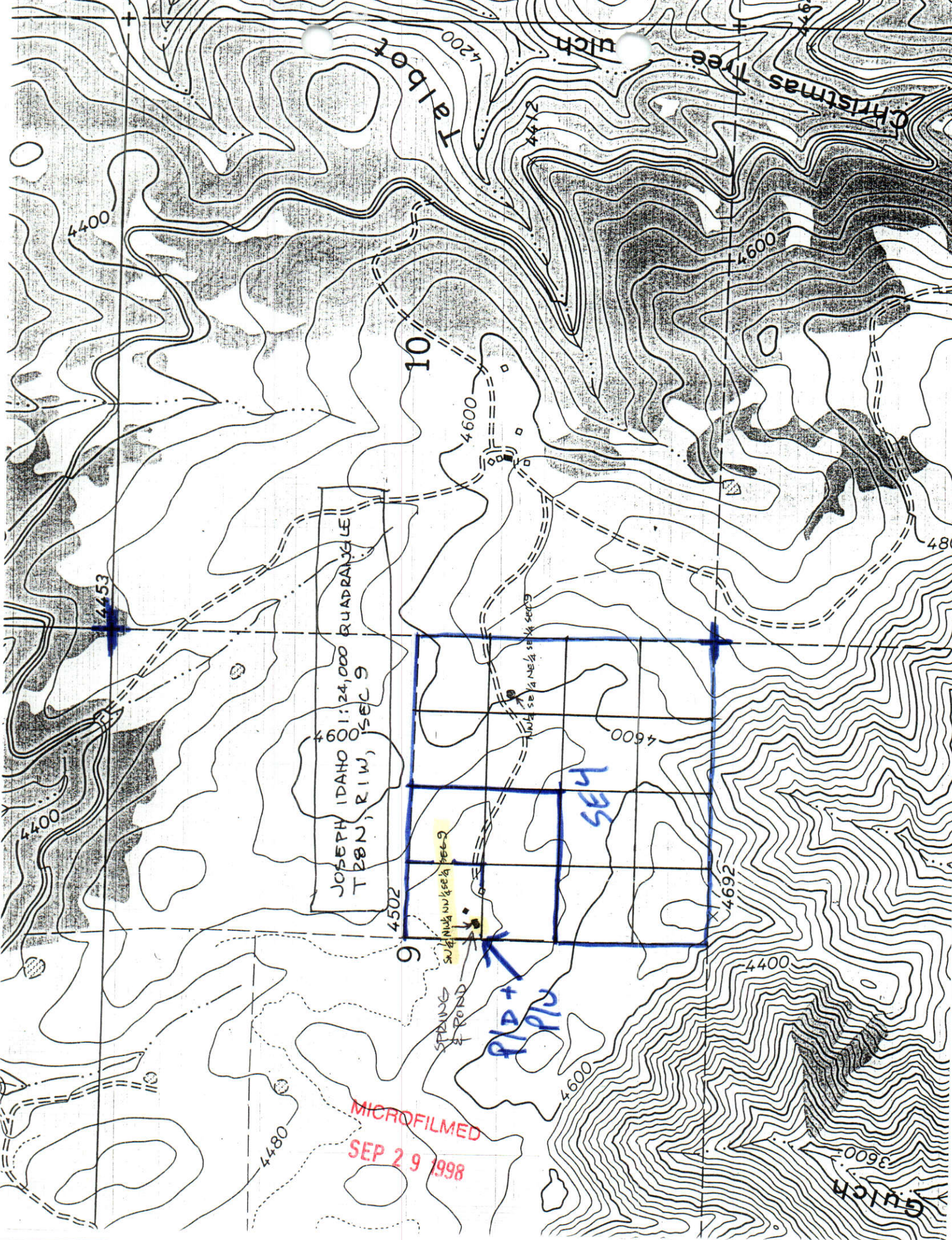
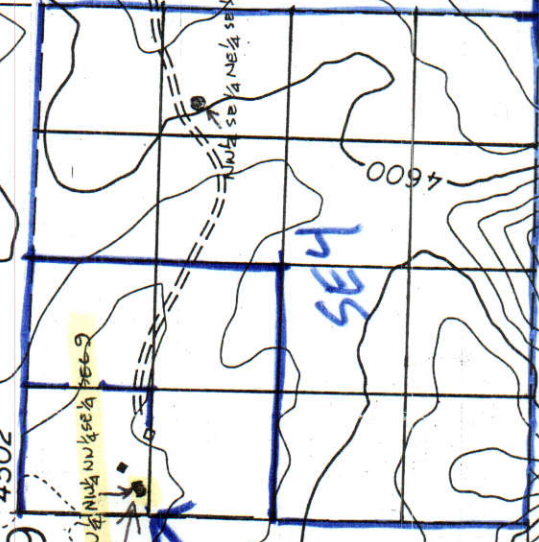




MICROFILMED
JUN 20 2001

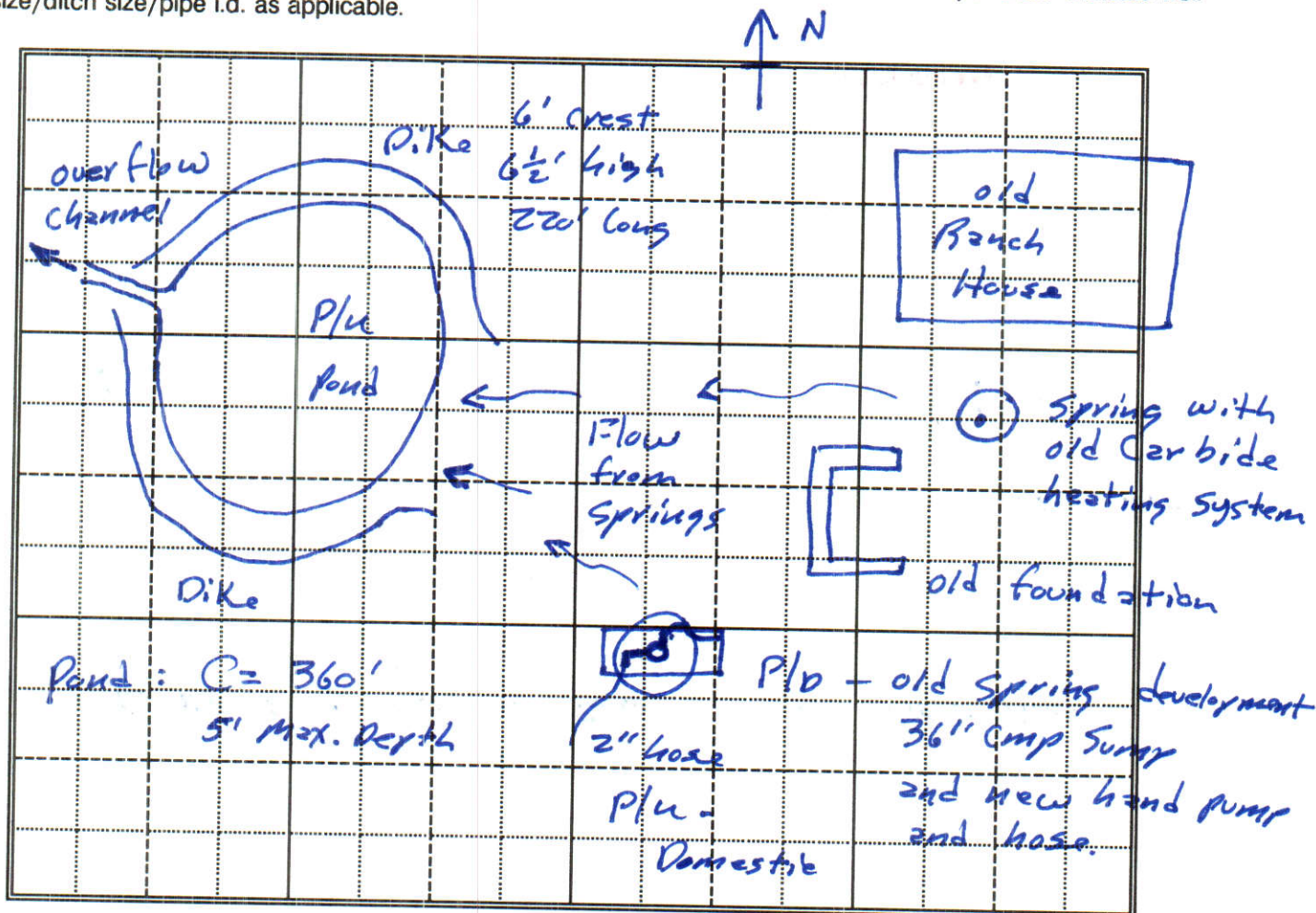


JOSEPH IDAHO 1:24,000 QUADRANGLE
T28N, R1W, 1SEC 9



MICROFILMED
SEP 29 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" = None

☒ 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.

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

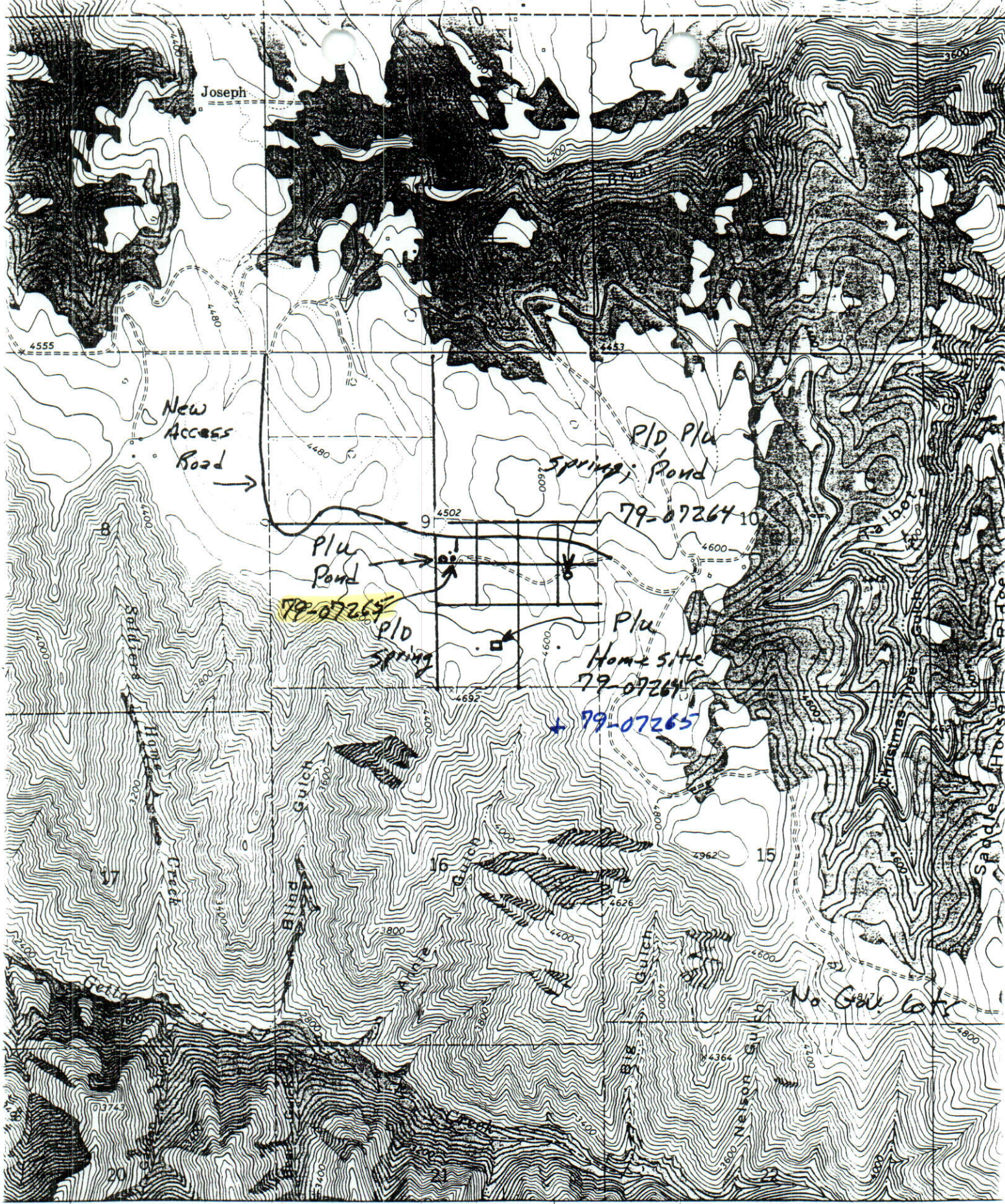
1.

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

2. Measurements: None

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JUL 20 2001



1 of 3

P10

old 36"

Comp Sump

Spring

development

w/ new

hand pump.

old Ranch

house in

background.



View Looking North

P10

Spring

w/ hand

pump.

Plu

Trailer on

hill in

background.



View Looking South

MICROFILMED

JUN 20 2001

79-07265

2 of 3

old Spring
development
by old
Ranch House
Used as
a Carbide
heating
system for
stove in
house.



Gas from Carbide /
water mixing was
piped into house.

old Carbide
Spring in
foreground,
Pond, P/u
in back-
ground.



View Looking West

MICROFILMED
JUN 20 2001

79-07265

3 of 3



View Looking NE

Plu
Pond;
old
Ranch
House
and
Carbide
Spring
on Rt.
Side of
photo



View Looking West

Plu
old carp
Spring
Development
w/ New
Pump, and
Pond in
background.

MICROFILMED
JUN 20 2001

79-07265

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 79-07265

Priority: May 29, 1998

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.7 AF

It is hereby certified that MICHAEL G FOLEY And KATHERINE E FOLEY
2305 TOWHEE LN
WEST RICHLAND WA 99353 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 29, 1998; and have
submitted Proof of Beneficial Use on July 21, 1999. An examination indicates that the works have a
diversion capacity of 0.04 cfs of water from:

SOURCE

SPRING

Tributary: SINKS

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31		0.5 AF
AESTHETIC STORAGE	01/01 to 12/31		0.5 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING NW¼NW¼SE¼ Sec. 9, Twp 28N, Rge 01W, B.M., IDAHO County

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
28N 01W 9															X		

PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
28N 01W 9															X		

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
28N 01W 9															X		

MICROFILMED

JUN 20 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 79-07265

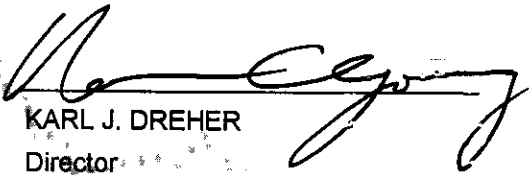
CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. The domestic use authorized under this right shall not exceed 13,000 gallons per day when combined with Right 79-07264.
3. Aesthetic storage use is for a pond.

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

Signed and sealed this 31st day of January, 2001

Acting for


KARL J. DREHER
Director

MICROFILMED
JUN 20 2001

RECEIVED

JAN 29 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 79-07265

Department of Water Resources

Date of Priority: May 29, 1998

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.7 AF

Comes now MICHAEL G And KATHERINE E FOLEY

2305 TOWHEE LN

WEST RICHLAND WA 99353 and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 79-07265, and requests that the permit be changed as follows:

Source: SPRING

Tributary: SINKS

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
WILDLIFE STORAGE	01/01 to 12/31		0.5 AF
AESTHETIC STORAGE	01/01 to 12/31		0.5 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

✓ SPRING NW¼NW¼SE¼ Sec. 9, Twp 28N, Rge 01W, B.M., IDAHO County

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
28N 01W 9														X			

PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
28N 01W 9														X			

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
28N 01W 9															X		

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 27th day of January, 2001.

Michael G Folley
(Signature)
MICROFILMED

JUN 20 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 79-07265

FOR DEPARTMENT USE ONLY
Preliminary check by KEW Fee = 50.00 Received by JM # C052080 Date 1/30/01

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 79-07265 with the following:

CONDITIONS OF APPROVAL AND REMARKS

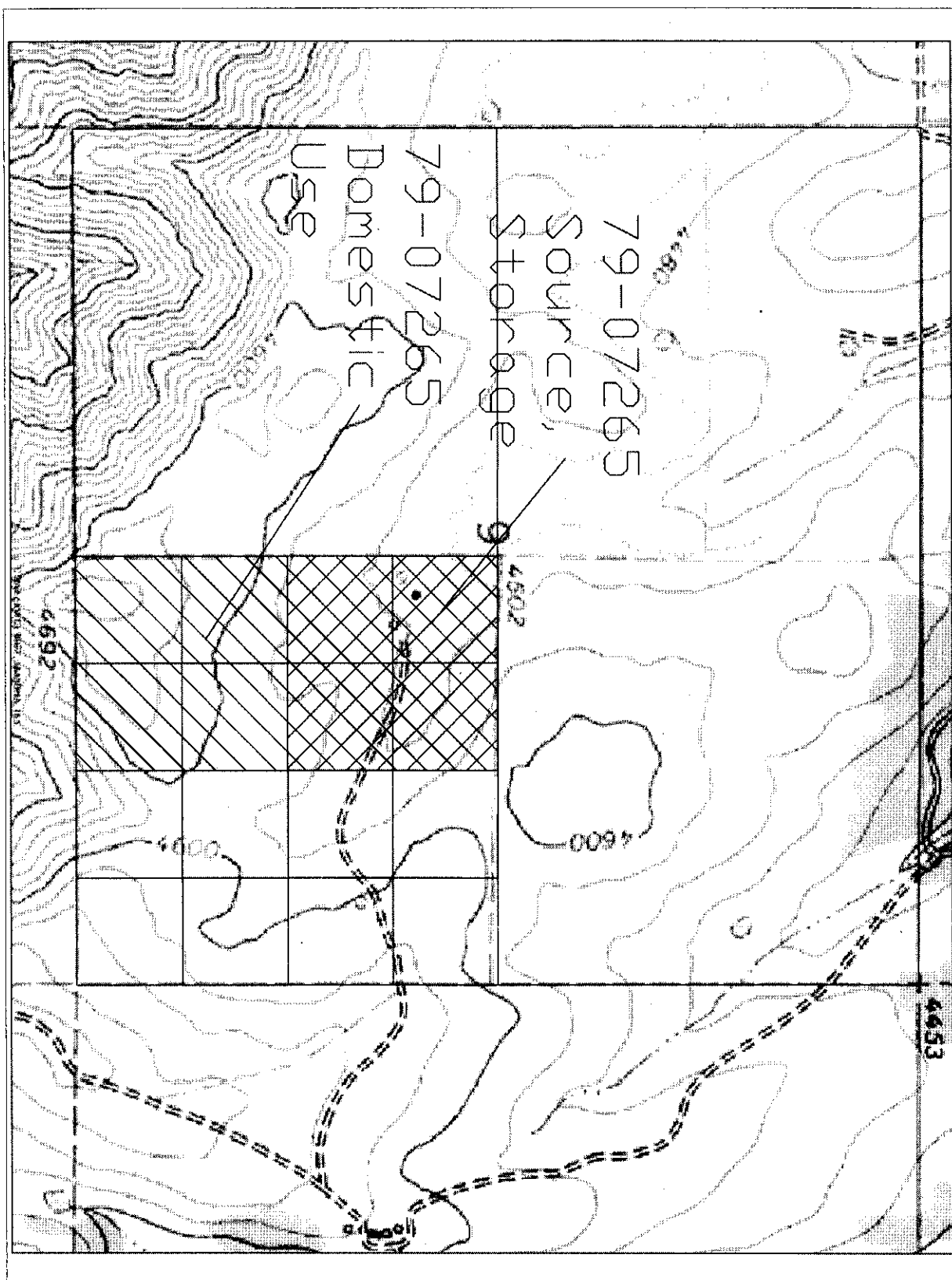
1. Domestic use is for 1 home.
2. The domestic use authorized under this right shall not exceed 13,000 gallons per day when combined with Right 79-07264.
3. Aesthetic storage use is for a pond.

Witness my hand this 31st day of January, 2001

Acting for

KARL J DREHER, Director

MICROFILMED
JUN 20 2001



MICROFILMED
JUN 20 2001

AUG 1 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 79-07265

Proposed Priority: May 29, 1998

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **KATHERINE E FOLEY**

MICHAEL G FOLEY

2305 TOWHEE LN

WEST RICHLAND WA 99353

has applied for a permit to appropriate water from:

SPRING

tributary of **SINKS**

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>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31		1.0 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	
AESTHETIC STORAGE	01/01 to 12/31		1.0 AF
	Totals	0.04 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWNWSE , Sec. 9, Township 28N, Range 01W
IDAHO County

PLACE OF USE: WILDLIFE STORAGE

TWN RGE SEC

28N 01W 9 NWSE

PLACE OF USE: DOMESTIC, same as WILDLIFE STORAGE use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1999**.
2. Subject to all prior water rights.
3. Aesthetic storage use is for a pond.
4. 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

3rd day of September, 1998.

Karl J. Greber
for Karl J. Greber, Director

MICROFILMED
SEP 29 1998

RECEIVED

MAY 29 1998

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUL 28 1998

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant MICHAEL G. & KATHERINE E. FOLEY Phone 509.967.9254
Mailing address 2305 TOWHEE LANE, WEST RICHLAND WA 99353
2. Source of water supply SPRING which is a tributary of SINK
3. Location of point of diversion is Township 28N Range 1W Sec. 9, in the ~~SW~~ 1/4, NW 1/4, NW 1/4, Govt. Lot SE 1/4, B.M., IDAHO County;
additional points of diversion if any: N/A

4. Water will be used for the following purposes:

- Amount 0.04 cfs for DOMESTIC purposes from 1 JAN to 31 DEC (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.16 cfs for WILDLIFE/AESTHETIC POND purposes from 1 JAN to 31 DEC (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 1.0 AF for WILDLIFE STORAGE purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 1.0 AF for AESTHETIC STORAGE purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.20 .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 SPRING BOX, BERM FOR POND
- b. Height of storage dam 3 feet; active reservoir capacity 0.1 1.0 acre-feet; total reservoir capacity 0.1 1.0 acre-feet
- c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? N/A; Drilling firm N/A
Well was drilled for (well owner) N/A; Drilling Permit No. N/A

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

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

- a. Hydropower; show total feet of head and proposed capacity in KW. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. 1 (ONE)
- e. Other; describe fully. WILDLIFE/AESTHETIC STORAGE POND

MICROFILMED

SEP 29 1998

* On-site storage - AF amount only, 1.0 AF as per tel. conv. with applicant 7/22/1998

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	
28N	1W	9																	
28N	1W	9																	
28N	1W	9																	

Total number of acres to be irrigated N/A

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

11. a. Who owns the property at the point of diversion? MICHAEL G. & KATHERINE E. FOLEY

b. Who owns the land to be irrigated or place of use? N/A

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

12. Remarks: This spring is tributary to Snake River via Wolf Creek drainage per USGS gages N56 & N57.

Per applicant, water is diverted re. spring box for either pond or domestic use.
Domestic use is 1 home.

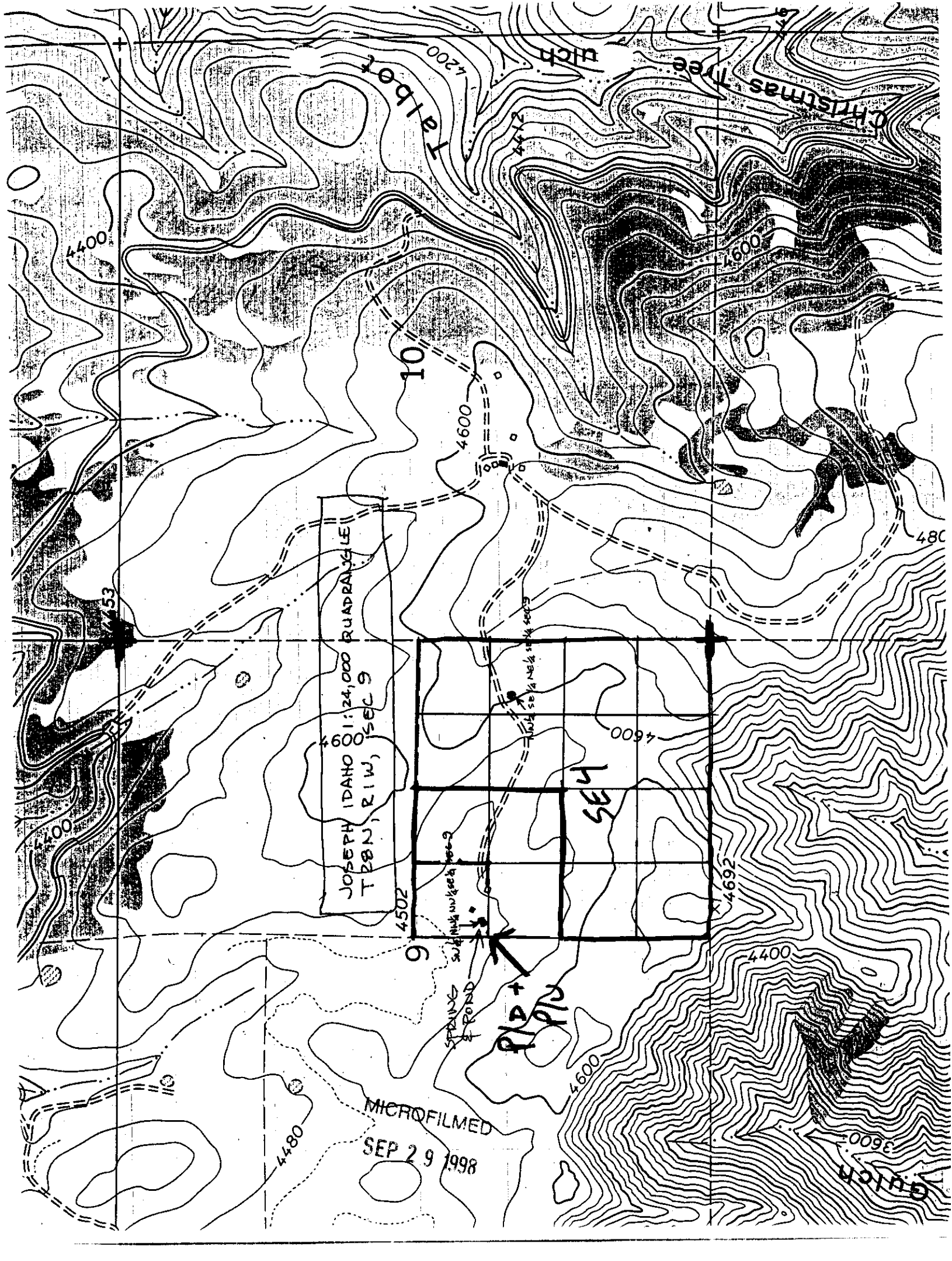
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

MICROFILMED
SEP 29 1998

Michael G. Foley Katherine E. Foley
Signature of Applicant (and title, if applicable)

Received by Kb Date 5/29/98 Time 12:49 Preliminary check by TTT
 Fee \$ 100.00 50- Received by Kb # 10023943 Date 5/29/98
 Publication prepared by AT Date 7-25-98 Published in Idaho Free Press
 Publication approved AT Date 7-22-98 7-1-98-99



JOSEPH IDAHO 000 RUADRANGLE
T28N, R1W, SEC 9

10

9

SE4

SPRING & POND

P1D + P1U

MICROFILMED
SEP 29 1998

Talbot

Christmas Tree

JOHN



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 1, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MICHAEL G FOLEY
KATHERINE E FOLEY
2305 TOWHEE LN
WEST RICHLAND WA 99353

RE: License No. 79-7265 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 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.

Also enclosed is a copy of your approved Application for Amendment.

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 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

MICROFILMED

JUN 20 2001

SWK:klt

Enclosure(s)

MICROFILMED

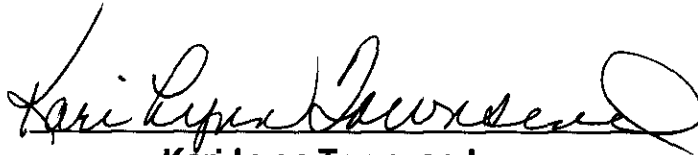
JUN 20 2001

CERTIFICATE OF MAILING

I hereby certify that on February 1, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 79-7265

**MICHAEL G FOLEY
KATHERINE E FOLEY
2305 TOWHEE LN
WEST RICHLAND WA 99353**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

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.

MICROFILMED

JUN 20 2001



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

January 25, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MICHAEL G &/or KATHERINE E FOLEY
2305 TOWHEE LN
WEST RICHLAND WA 99353

RE: Water Right Permit No. 79-7265

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than what was described on your permit:

 Point(s) of Diversion

 ✓ Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED

JUN 20 2001

LICENSE REVIEW CHECKLIST

Permit No. 79-07365 Date: 1-24-2001 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use add

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): 79-07364- diff. spring to

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.04 cfs

Fee Limit 0.2 cfs

Measured _____ cfs

Theoretical _____ cfs

Recommended Total Diversion Rate 0.04

Water Uses OK

OK Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af

Stockwater _____ cfs _____ af

Domestic 0.04 cfs 1.3 af

AS _____ cfs 0.5 af

WS _____ cfs 0.5 af

Total _____ cfs 1.7 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

>1 acre (W31)

Domestic (W01/W06/071/075)

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

~~Fish (042)~~

~~Fire (077)~~

~~Water Quality (081/R07)~~

~~Payette (W22/047/27A)~~

~~Stockwater for US (R37)~~

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: _____

Additional Conditions NO Watermaster Control

~~GW Measurement/Measuring Device~~

~~Other~~

~~Trust (052/R55 - remove 051)~~

~~Non-trust (048/049)~~

~~GW Dist?~~

~~Water Msmt. Dist?~~

~~Crit. GWMA?~~

~~GWMA?~~

~~Government Lots?~~

Advance Priority? yes If yes, explain why below.

no

SRBA Claim? not req'd

Adjust memo _____

Amend Letters _____

P87, S06

Second Amendment Notice _____

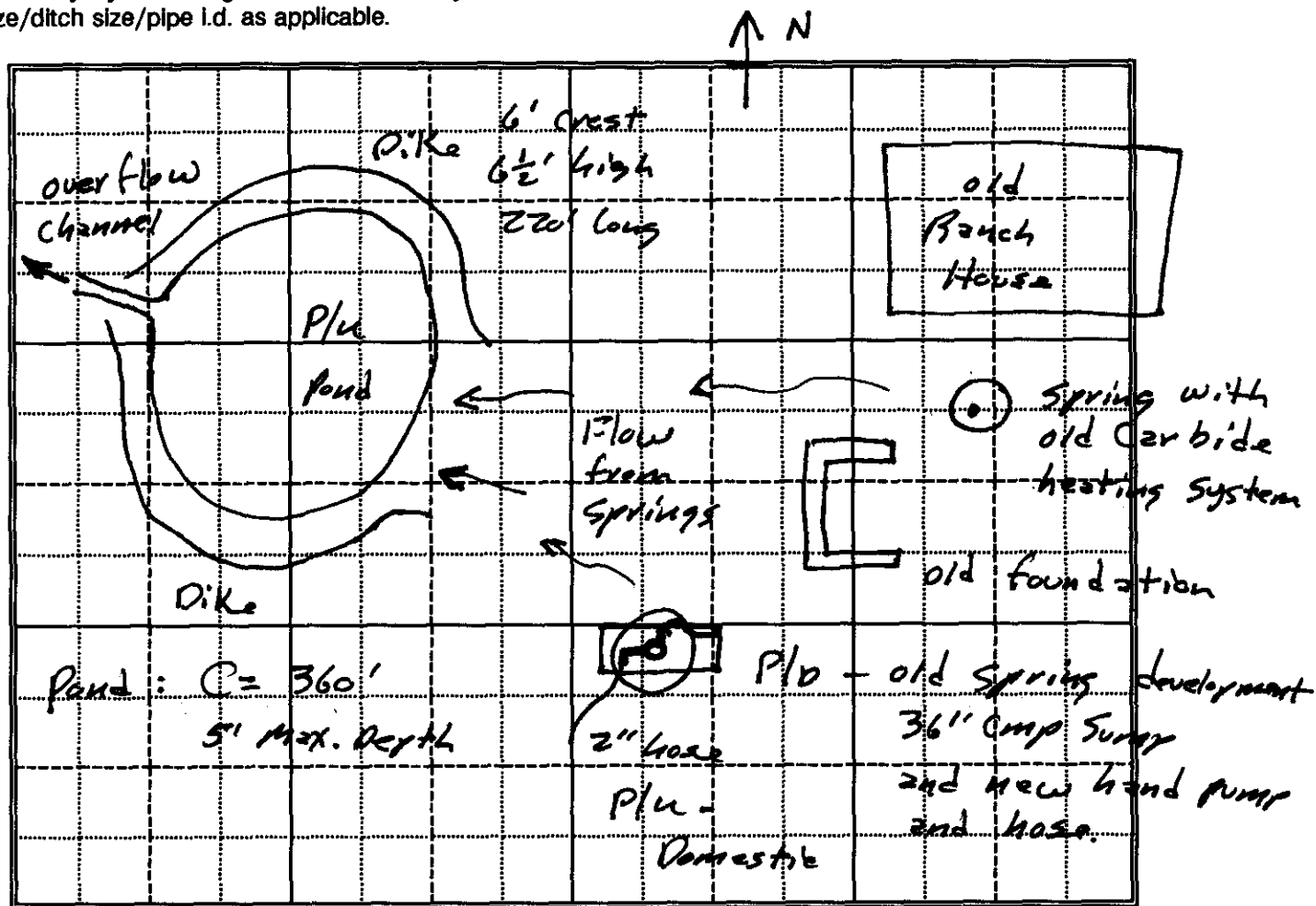
S06

Idaho Department of Water Resources

Place of Use 1/4 1/4 Comparison Report

T28N R01W S9			NE				NW				SW				SE				Total
Type	WR- Number	Source	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Right	79-7264	SPRING				X								X		X			0
Permit	79-7259	UNNAMED STREAM				X	X		X										0
Permit	79-7260	SPRING						X	X										0
Permit	79-7261	SPRING				X			X										0
Permit	79-7264	SPRING							X					X		X			0
Permit	79-7265	SPRING														X			0

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



Scale: 1" = None

☒ 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.

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

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JUL 20 2001

E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for wildlife / Aesthetic Storage in an old pond, and domestic use from an old spring development. The Foley's purchased an old ranch which had developed 2 ponds and 3 springs with out water rights. Permits 79-07265 + ~~79-07264~~ 79-07264 now cover these old water developments on the old ranch.
2. This permit, 79-07265, is for the old water developments at the site of the old ranch house. A spring was developed with a 36" cmg pump, which supplied water to the ranch house. The Foley's installed a new hand pump on top the 36" cmg pump, and pump water for domestic use. Another spring development near the old ranch house supplied gas heat to a stove by using Carbide mixed in the water and then piped ^{the gas} into the house. This spring is not used for domestic by the Foley's. Flow from both these spring areas enters a pond that was probably used for stockwater by the old ranch. The "Carbide spring" water flows into the pond.
3. The Foley's pump water from the 36" cmg pump spring to use in their trailer. Sometimes the trailer is parked by this spring and sometimes it is parked on a nearby hill (SWSE). They plan to build a house on ~~the property~~ ^{the property} is the near future. The domestic use for this permit is for the same house (Trailer) as for 79-07264. When the new house is built, they will pipe water from the springs in both permits, 79-07265, -64, ^{for the} house.

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

NO FILMED
JUN 20 2001

Additional Computation Sheets Attached

Allow domestic use diversion rate of 0.04 cts for
a single home that is also the same home
for 79-07264.

1. Volume Calculations for Irrigation:

$$V_{DB} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

2. Volume Calculations for Other Uses: Domestic - 1.2 AFA - 2150 same

Point: $C = 360'$, 5' max. Depth; $C = \pi D$ home in 79-07264.

$$\text{Vol. pond} = \left(\frac{\pi D^2}{4}\right)(5')(0.4)$$

$$= \left[\pi \left(\frac{360'}{\pi} \right)^2 \right] (5') (0.4) \frac{AF}{(66)(66)(10) (4^3)} = 0.47 AF$$

IONS $\frac{\pi}{4}$ = 0.5 AF Storage

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Wildlife Storage	01/01	12/31		0.5 AF
Domestic	01/01	12/31	0.04 ^{2/}	1.2 AFA ^{4/}
Aesthetic Storage	01/01	12/31		0.5 AF
		Totals:	0.04 ^{2/}	0.5 AF
				1.2 AFA ^{4/}

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

1 2 Domestic
Use - Same
house as
79-07264

I. AUTHENTICATION

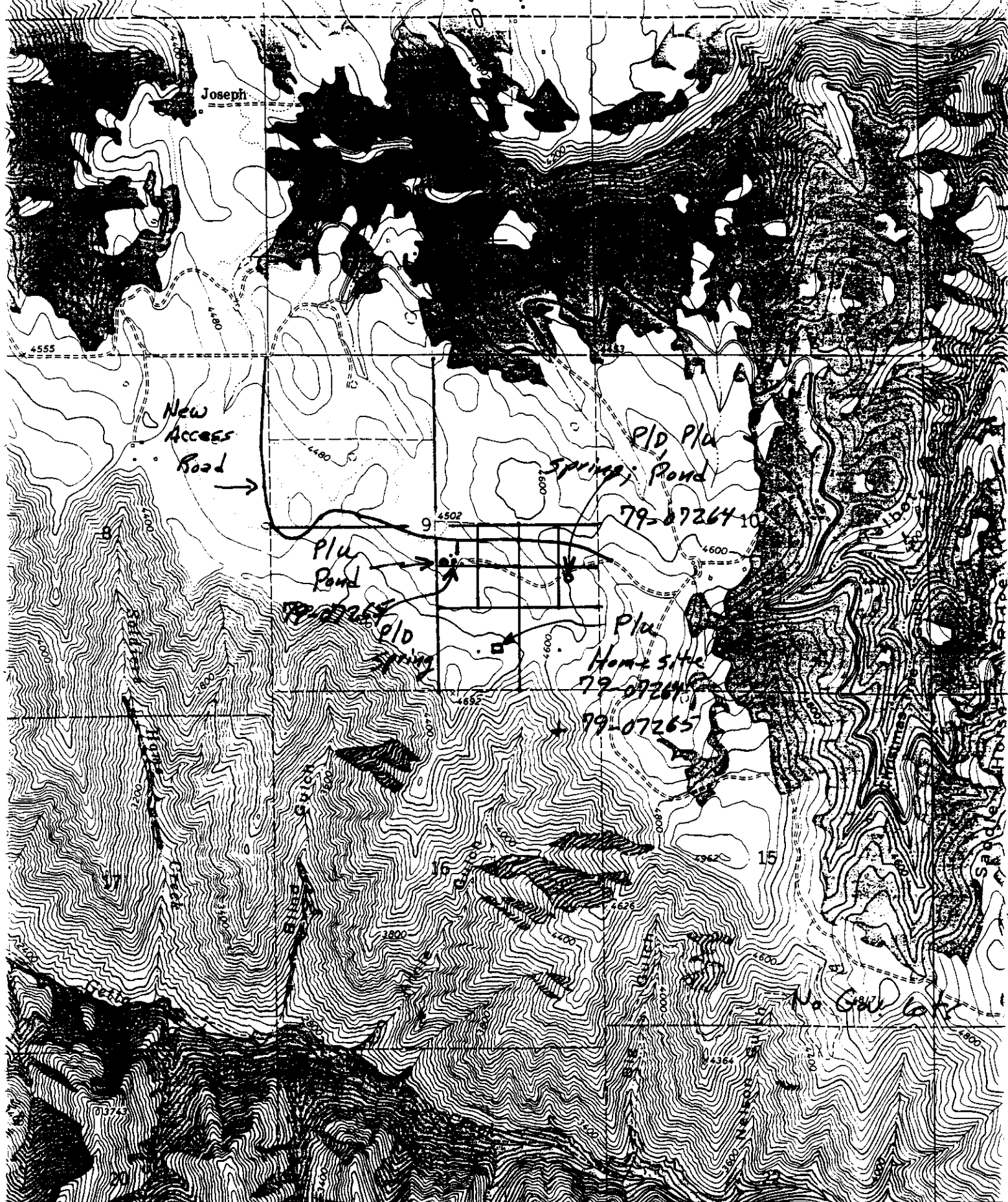
Field Examiner's Name Don Tomich Date 11-22-99

Reviewer _____ Date _____

SEAL

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JUN 20 2001



1 of 3

P/O

old 36"

camp pump

spring

development

w/ new

hand pump.

old Ranch

house in

background.



View Looking North

P/O

Spring

w/ hand

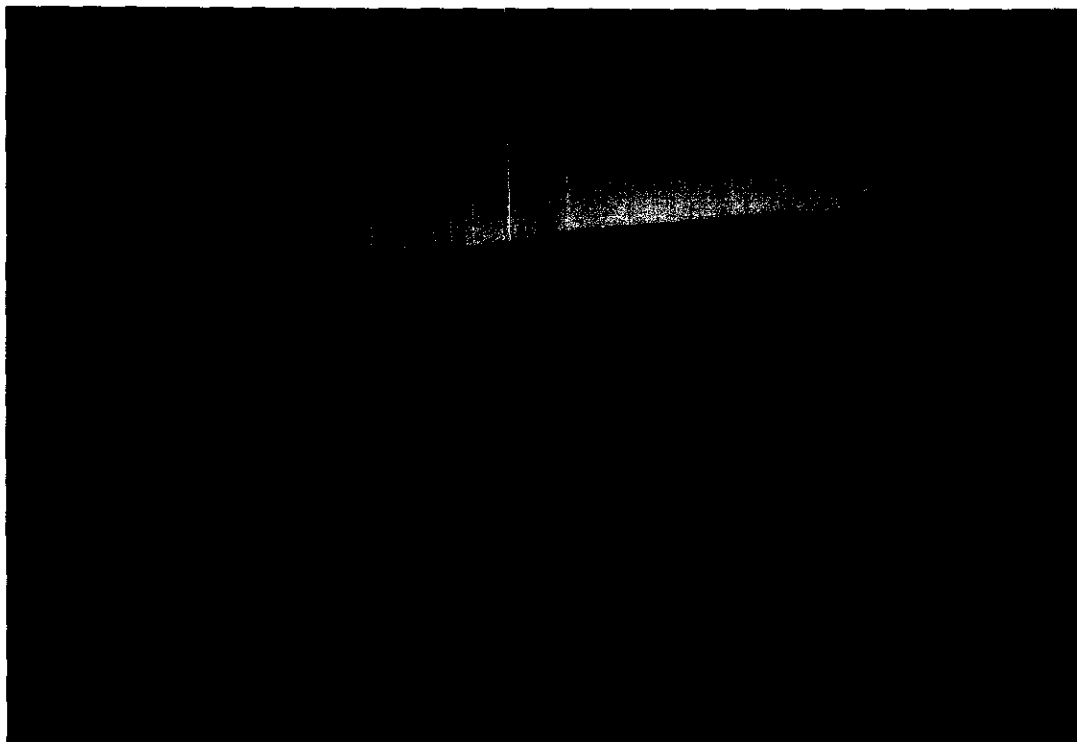
pump.

Plu

Trailer on

hill in

background.



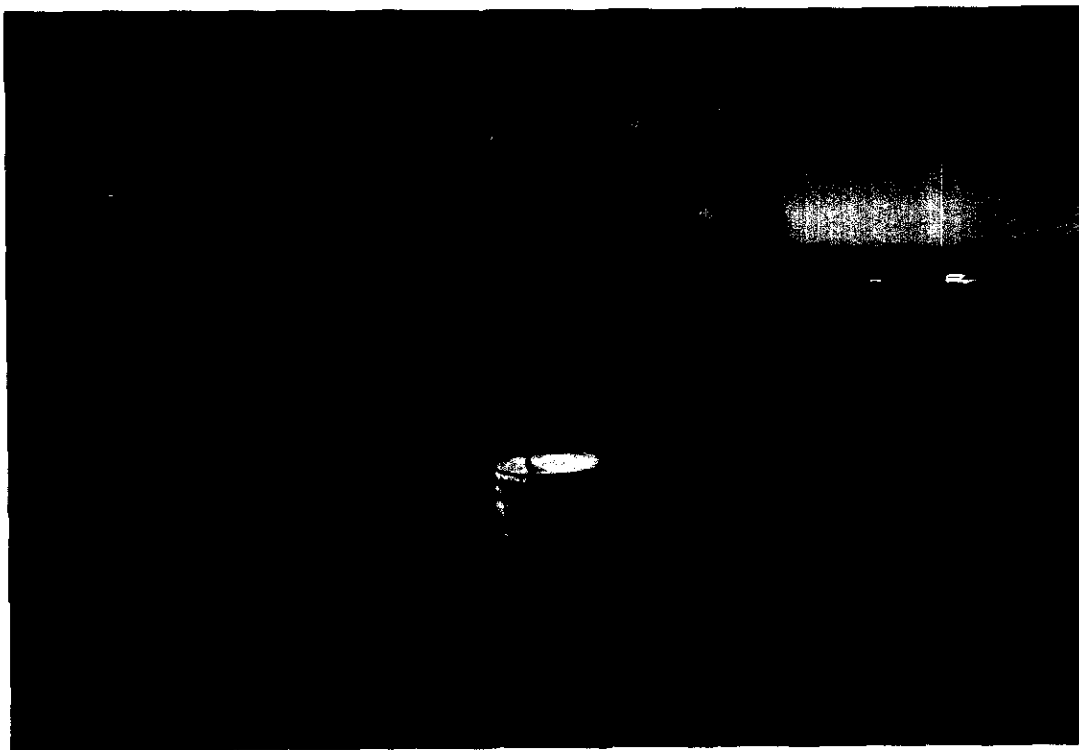
View Looking South

MICROFILMED

REN 26 0001

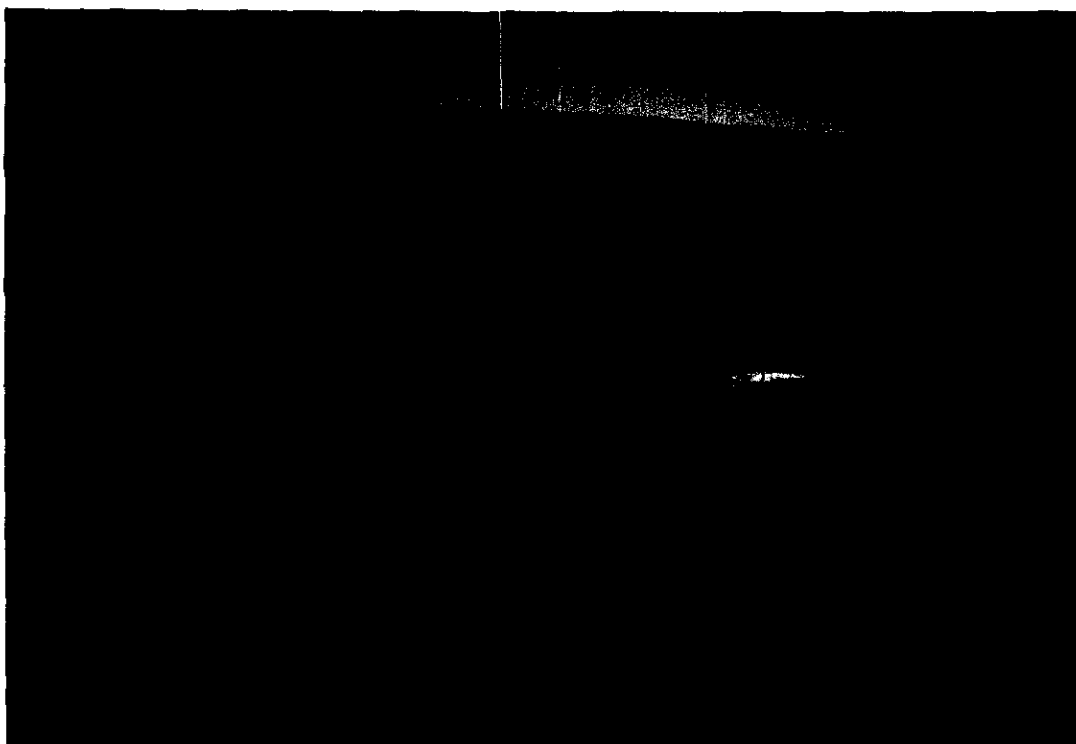
79-07265

2 of 3



old Spring
development
by old
Ranch House
used as
a Carbide
heating
system for
stove in
house.

Gas from Carbide /
water mixing was
piped into house.



old Carbide
Spring in
foreground,
Pond, P/u
in back-
ground.

View Looking West

MIDWESTERN
FARM 2. 1911

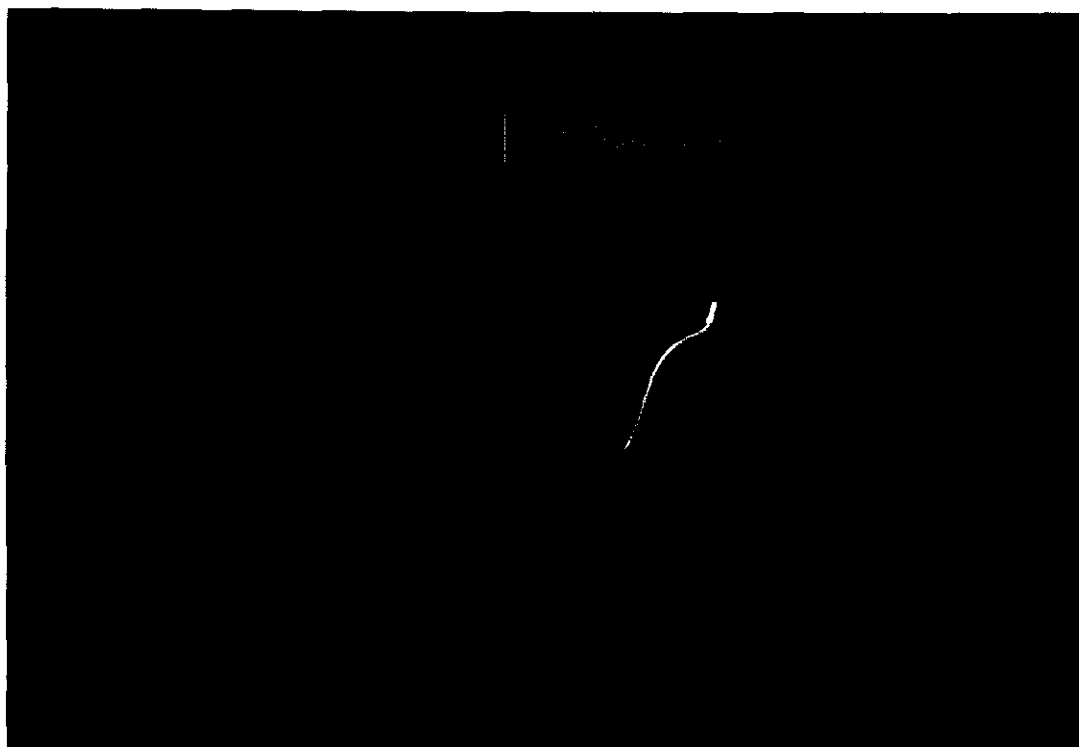
79-07265

3 of 3



View Looking NE

Plu
Pond;
old
Ranch
House
and
Carbide
Spring
on Rt.
Side of
photo



Plu
old camp
Spring
Development
w/ New
Pump, and
Pond in
background.

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JUN 20 2001
View Looking West

79-07265

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 79-07265 Reviewed by Jay Date 7-22-99

GENERAL CONSIDERATIONS

yes Name same as permit?

yes Address same as permit?

yes Proof timely received?

If not, complete calculation below.

TYPES OF USE

dom., wildlife storage

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit

☐ Well log in the file?

Correct? _____

LICENSE EXAMINATION FEE

yes Required?

50- Amount Submitted

yes Correct?

MEASURING DEVICE

no Required?

☐ Installed?

☐ 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 7-21-99



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

July 22, 1999

KARL J. DREHER
DIRECTOR

KATHERINE AND MICHAEL FOLEY
2305 TOWHEE LN
WEST RICHLAND WA 99353

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 79-07265

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

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

AUG 11 1999

June 30, 1999

KATHERINE E FOLEY
MICHAEL G FOLEY
2305 TOWHEE LN
WEST RICHLAND WA 99353

PROOF DUE NOTICE

RE: PERMIT NO. 79-07265

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 September 1, 1999. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete 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.

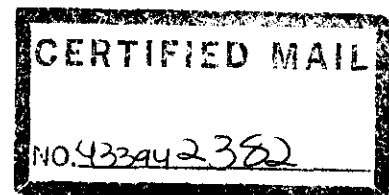
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
AUG 11 1999





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

September 3, 1998

PHILIP E. BATT
GOVERNOR

KATHERINE E FOLEY
MICHAEL G FOLEY
2305 TOWHEE LN
WEST RICHLAND WA 99353

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 79-07265

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

MICROFILMED
SEP 29 1998

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of **September, 1998**, 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. 79-07265

**KATHERINE E FOLEY
MICHAEL G FOLEY
2305 TOWHEE LN
WEST RICHLAND WA 99353**


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 29 1998

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.

MICROFILMED

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**

by *Cindy Lou*

No.: 79-7265 Name: Foley Date: 8/4/98 ^{11/1/98} 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 - 26A-P17

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

GROUNDWATER: (✓ ~~FLO-CH~~)

WMD	(✓ MAP)	- North / East / West
	> 0.24 cfs/5 acres	- 067 or No MD (in-stream stock or power)
	≤ 0.24 cfs/5acres	- No MD
WMD	Supplemental use	- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)
	> 0.24 cfs/5acres	- 01M (report when notified)
	≤ 0.24 cfs/5acres	- No MD

DRILLING PERMIT:

All wells (✓ WDAQ3) - 046-P23
In Basin 34? - 085
Irr. within 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 & USTING) - R04 (WD # _____)
 > 0.10 cfs - 01J-P08 (MD & LD)
 ≤ 0.10 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)
WMD (✓ MAP)
 > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
 ≤ 0.24 cfs/5acres - 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/5acres	- No MD

RIVER BASINS: (*Surface water):

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

USE:

Domestic surface	- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
>1 in rest. area	- 071-070
Fire Protection	- 077
Fish Propagation	- 029-007-042(req)-081 (WQ)-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(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18
Stockwater	- R37 (BLM/USFS); NA
Storage (✓3 compo.)	- 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 (87) basin)
Boise Front LoGeo - 058 (<85° GW temp only)
~~In stream dev.~~ - ~~P84~~ (stream channel alteration)
Mitigation - 120

SWAN FALLS FLAG (See Code Chart)

Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust (1) - 048-049 (Consumptive Uses), NA
HIP: - 004 (PD/PU)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- ① Aesthetic / pond ② woi / i
- 11/1999

Zimmerman, Cindy

From: gservee
To: Zimmerman, Cindy; croberts
Subject: 79-07264, 79-07265, and 84-07297
Date: Tuesday, September 01, 1998 12:56PM

Cindy Z,

Thanks for the details on the above water right applications.

For 264, the application is for 0.04cfs in upper Wolf Ck. This is a steelhead drainage, so would recommend domestic use only, excluding irrigation as part of permit. Pond storage ok.

Others look ok.

Gregg Servheen
Environmental Coordinator
Idaho Department of Fish and Game
1540 Warner Ave
Lewiston, ID 83501
208-799-5010
FAX 208-799-5012

----- Message Header Follows -----

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by adm-smtp.state.id.us (Post.Office MTA v3.5 release 215
ID# 0-0U10L2S100V35) with SMTP id us
for <czimmerm@idwr.state.id.us>; Tue, 1 Sep 1998 12:54:22 -0600
Received: by goldmine.idfg.state.id.us; Tue, 1 Sep 98 13:16:09 MDT
Date: Tue, 1 Sep 98 14:05:19 PDT
Message-ID: <vines.gq29+jJ2vpA@goldmine.idfg.state.id.us>
X-Priority: 3 (Normal)
To: <czimmerm@idwr.state.id.us>,
<croberts@idfg.state.id.us> (CYNTHIA ROBERTSON)
From: <gservee@idfg.state.id.us> (GREGG SERVHEEN)
Subject: 79-07264, 79-07265, and 84-07297
MIME-Version: 1.0
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SEP 29 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

August 19, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Gregg Servheen
Idaho Dept. of Fish & Game
1540 Warner Ave
Lewiston ID 83507-5699

RE: Applications for Permit Nos. 79-07264, 79-07265, & 84-07297

Dear Gregg,

In follow-up to your e-mail message to me today, I am sending you copies of the above applications for your review. You may want to contact the applicant for any additional information you may require. I will hold further processing on these applications for two weeks. Please respond with your comments by September 2. If I have not heard from you by then, I will assume you have no comment and will proceed with issuing the permits.

If you have any further questions, you may contact me directly at (208) 327-7944 or by electronic mail at czimmerm@idwr.state.id.us.

Respectfully,

Cindy Zimmerman
Water Resource Agent

Enclosure

MICROFILMED

SEP 29 1998

Zimmerman, Cindy

From: gservee
To: Zimmerman, Cindy
Subject: surface water rights
Date: Tuesday, August 18, 1998 4:54PM

Cindy,

I have notices from you about surface water right appropriations 84-07297, 79-07264, and 79-07265.

Can you provide me info on what watersheds these are in? The legal description is not very helpful.

Also, is it possible to provide more background info on the applications. Such as if a pond already exists, what construction will occur, method of appropriation, etc.

Thanks for your help.

Gregg Servheen
Environmental Coordinator
Idaho Department of Fish and Game
1540 Warner Ave
Lewiston, ID 83501
208-799-5010
FAX 208-799-5012

----- Message Header Follows -----

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by adm-smtp.state.id.us (Post.Office MTA v3.5 release 215
ID# 0-0U10L2S100V35) with SMTP id us
for <czimmerm@idwr.state.id.us>; Tue, 18 Aug 1998 16:52:18 -0600
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Date: Tue, 18 Aug 98 17:30:56 PDT
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X-Priority: 3 (Normal)
To: <czimmerm@idwr.state.id.us>
From: <gservee@idfg.state.id.us> (GREGG SERVHEEN)
Subject: surface water rights
MIME-Version: 1.0
Content-type: text/plain;
charset=US-ASCII

MICROFILMED 1

SEP 29 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

August 5, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Idaho Dept. of Fish & Game
Clearwater Region
1540 Warner Ave.
Lewiston ID 83501-5699

RE: Surface Water Appropriations

To Whom It May Concern:

The Department of Water Resources (IDWR) is preparing to issue water appropriation permits for application nos. 79-07264 and 79-07265. Before proceeding, IDWR would appreciate receiving your comments, if any, on the draft permits. I have enclosed copies of the drafts for you to review. Please respond by August 19, 1998. If I have not heard from you by then, I will assume you have no comment.

If you have any questions, you may contact me directly at (208) 327-7944 or by electronic mail at czimmerm@idwr.state.id.us.

Respectfully,

Cindy Zimmerman
Water Resource Agent

Enclosures

MICROFILMED

SEP 29 1998

ILLINOIS DEPARTMENT OF WATER RESOURCES

WATER RIGHT NO. 79-07265

KATHERINE E FOLEY
MICHAEL G FOLEY
2305 TOWHEE LN
WEST RICHLAND WA 99353

Priority Date: 05/29/1998
Stage: PERMIT

Source: SPRING
Tributary: SINKS

Beneficial Use	From:	To:	Diversion Rate	Volume
WILDLIFE STORAGE	01-01	12-31		1.00 AFA
DOMESTIC	01-01	12-31	0.04 CFS	
AESTHETIC STORAGE	01-01	12-31		1.00 AFA
	Total:		0.04 CFS	

Point(s) of Diversion: NWNWSE, Sec. 09, Township 28N, Range 01W

Place(s) of Use: WILDLIFE STORAGE

Twp:	Rng:	Sec:	Tract: Acres:	Tract: Acres:	Tract: Acres:
28N	01W	09	NWSE		

Place of Use: DOMESTIC, same as WILDLIFE STORAGE

Conditions of Approval and Remarks:

1. Proof of construction of works and application of water to beneficial use shall be subitted on or before August 1, 1999.
2. Subject to all prior water rights.
3. Aesthetic storage use is for a pond.
4. Domestic use is for 1 home.

Dates: App. Received: 05/29/1998 Proof Due Date: 08/01/1999

MICROFILMED

SEP 29 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
JUL 28 1998
DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: RR DATE: 6/1/1998 APPLICATION: 79-07265

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) *on-stream storage?* yes
- ☒ 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 2 apps on one receipt # W023943
- Gov't. Lots:
NO P/D
NO 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 on next page.)
- ☒ Overlapping point of diversion.
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium:
- ☒ Bull trout impact area *Non-trib*
- ☒ 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:
- ☒ 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

Description of diversion - oversystem or two? left msg 6/16/1998 rrr. 2 apps.
6/22/1998: external use only as per tel conv w/ applicant 6/17/1998.
Spring box is for domestic use - or can be diverted to pond. rrr 6/22/1998

PROCESSING

APP. NO. 79-07265

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. # _____
☐ ☒ 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 7-20-98
☐ ☒ Protests received.
☐ ☒ 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 5/29/98
Recommended by: Gary S Date: 7/25/98

STATE OFFICE REVIEW _____

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION:

6/1/98: per USGS Quads (N56+N57) drainage is tributary to Snake River (via Wolf Creek) rather than Salmon River. 7/7

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

77-07372

MCCAULEY, JERRY
MCCAULEY, ROBIN
95 E. JACOB ST.
MCCALL, ID 83638
Source: SALMON RIVER, SOUTH FORK
Tributary: SALMON RIVER
Diversion Pt: SENE Sec 6 T 23N R 08E in
IDAHO County.
Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)
Date Filed: 6/12/1998
In: IDAHO County
T23N R08E S06 SENE

79-07262

DESA, DON DOUGLAS
24349 SE 237TH
MAPLE VALLEY, WA 98038-8256
Source: UNNAMED STREAM Tributary:
SINKS
Diversion Pt: NWNE Sec. 20 T 28N R 01E
in IDAHO County.
Use: DOMESTIC FROM STORAGE (0.30
AF)
DOMESTIC STORAGE (0.30 AF)
WILDLIFE (0.020 CFS)
WILDLIFE STORAGE (0.30 AF)
Total Diversion: (0.020 CFS)
Date Filed: 5/18/1998
In: IDAHO County
T28N R01E S20 NWNE

79-07264

FOLEY, MICHAEL G.
FOLEY, KATHERINE E.
2305 TOWHEE LN
WEST RICHMOND, WA 99353
Source: SPRING Tributary: SINKS
Diversion Pt: SENESE Sec 9 T 28N R01W
in IDAHO County.
Use: DOMESTIC (0.050 CFS)
AESTHETIC STORAGE (1.00 AF)
MINING STORAGE (1.00 AF)
Total Diversion: (0.050 CFS)
Date Filed: 5/29/1998
In: IDAHO County
T28N R01W S09 NESE SWSE

79-07265

FOLEY, KATHERINE E.
FOLEY, MICHAEL G.
2305 TOWHEE LN
WEST RICHLAND, WA 99353
Source: SPRING Tributary: SINKS
Diversion Pt: NWNWSE Sec. 9 T 28N R
01W in IDAHO County.
Use: DOMESTIC (0.040 CFS)
WILDLIFE STORAGE (1.00 AF)
AESTHETIC STORAGE (1.00 AF)
Total Diversion: (0.040 CFS)
Date Filed: 5/29/1998
In: IDAHO County
T28N R01W S09 NWSE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JULY 20, 1998. The protestant must also send a copy of the protest to the applicant.

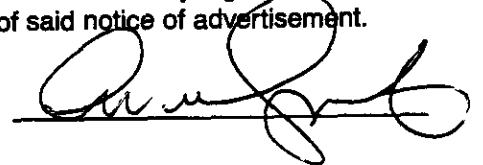
KARL J. DREHER, Director
Published: 7/1/1998 & 7/8/1998

By 1-8

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

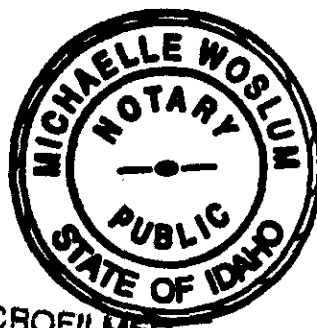
Andrew J. McNab, being first duly sworn, says he is the Publisher of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho County, State of Idaho, and is of general circulation in said county and state, that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 1st day of July, 1998; and the last publication on the 8th day of July, 1998; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice of advertisement.



STATE OF IDAHO)
COUNTY OF)

On this 8th day of July in the year of 1998, 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
My commission expires: 01-16-2002



MICROFILMED

SEP 29 1998

RECEIVED

JUL 22 1998

WATER RESOURCES
WESTERN REGION

telecon w/ Mr Foley
6/17/98
L.E.

2 Ponds : 30 x 30 x 1

3' beams on each pond

springs run into ponds ~ 50' away

Ponds fill in less than 24 hrs

Lower pond used for garden, less
than 1/2 acre via pump + pipe

upper pond used for aesthetic
when spring's direct flow not
diverted for domestic use (internal
+ external if quality tests allow)
Directly piped from spring box

509-372-4671 (there 9 AM to 6 PM)

MICROFILMED

SEP 29 1998

79-07265

FOLEY, KATHERINE E
FOLEY, MICHAEL G
2305 TOWHEE LN
WEST RICHLAND, WA 99353

Source: SPRING

Tributary: SINKS

Diversion Pt: NWNWSE Sec 9 T 28N R 01W in IDAHO County.

Use: DOMESTIC	(	0.040 CFS)		
WILDLIFE STORAGE			(	1.00 AF)
AESTHETIC STORAGE			(	1.00 AF)
Total Diversion:	(	0.040 CFS)		

Date Filed: 5/29/1998

In: IDAHO County
T28N R01W S09 NWSE

MICROFILMED

SEP 29 1998