

MATCH TO SHEET 3 OF 5

WHITE BIRD IDAHO

TWIN ROCK RANCH

Twp 28 N Rge 1E Sec 20
NW 1/4 NE 1/4 IDAHO Co.

LOT 53

23.40 AC.

OWNER DONALD S.

LOT 52

20.20 AC.

LOT 51

20.45 AC.

LOT 5

23.08 AC

MICROFILMED
SEP 29 1998

#13



Produced by the Geological Survey
in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:78 000-scale
aerial photographs taken August 16, 1977

Projection and 10,000-foot grid ticks: Idaho coordinate
system, west zone (transverse Mercator)
1000-meter Universal Transverse Mercator grid ticks,
zone 11. 1927 North American datum

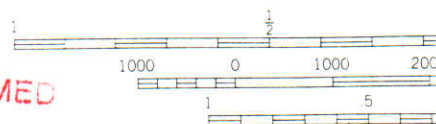
Photoimagery rectified by optical scanning
Where double or mismatched image occurs use the
of image position for map point

T28N
R1E
S20
NWNE
No Gov Lts

NORTH ↑

MICROFILMED

SEP 29 1998



OZALID PRINT

RECEIVED

JUL 31 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 79-07262 Telephone No. 425-432-7219

2. Name of Permit Holder(s):
DON DOUGLAS JESA

3. Mailing Address: 24340 SE 238TH

City MAPLE VALLEY State WA Zip 98038

4. Source of Water: SPRING 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: EXTERNAL USE FOR 1 HOME

6. Total rate of diversion and/or volume for which proof is submitted: 0.02 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 X
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: DALLAS ROBINETT Telephone Number: 208-839-2373

Address: HCO1 Box 119 WHITEBLADE ID 83554

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 D. JESA Date: 7-29-2000
(include your title, if on behalf of company or organization)

MICROFILMED
OCT 12 2000

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 79-07262

Proposed Priority: May 18, 1998

Maximum Diversion Rate:

0.02 CFS

This is to certify, that **DON DOUGLAS DESA**

24340 SE 238TH

MAPLE VALLEY WA 98038-8256

has applied for a permit to appropriate water from:

UNNAMED STREAM

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	08/31 to 03/01	0.02 CFS	
WILDLIFE STORAGE	01/01 to 12/31		0.3 AF
DOMESTIC	08/31 to 11/30	0.02 CFS	
DOMESTIC STORAGE	01/01 to 12/31		0.3 AF
DOMESTIC FROM STORAGE	01/01 to 12/31		0.3 AF
DIVERSION TO STORAGE	08/31 to 03/01	0.02 CFS	
	Totals	0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 20, Township 28N, Range 01E
IDAHO County

PLACE OF USE: WILDLIFE

TWN RGE SEC

28N 01E 20

NWNE

PLACE OF USE: DOMESTIC, same as WILDLIFE use

PLACE OF USE: DOMESTIC FROM STORAGE, same as WILDLIFE 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, 2000**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
5. Point of diversion and place of use are located within Lot 53, Twin River Ranch Subdivision.
6. Domestic use is for external use for 1 home.

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SEP 29 1998

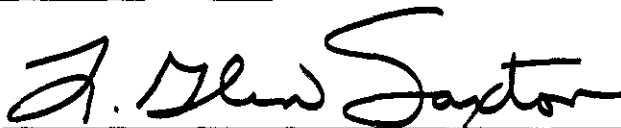
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 79-07262

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

9th day of September, 1998.



Karl J. Dreher, Director

for



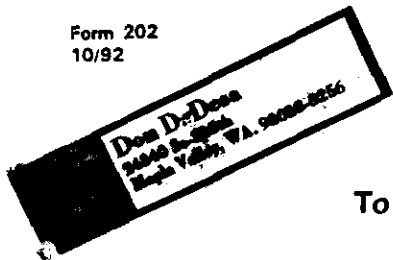
MICROFILMED

SEP 29 1998

RECEIVED

MAY 26 1998

Form 202
10/92



WATER RESOURCES
WESTERN REGION
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 79-07262

To appropriate the public waters of the State of Idaho

1. Name of applicant DON Douglas de SA Phone 425-432-1219

Post office address 24340 SE 238TH MAPLE VALLEY WA 98038
UNNAMED STREAM

2. Source of water supply Ground Spring which is a tributary of SINKS
NONE

3. Location of point of diversion is 1/4 of N.W 1/4 of NE 1/4, Govt. Lot

Sec. 20 Township 28N Range 1E B.M. IDAHO County; additional

points of diversion if any: Lot #55 TWEN RIVER WHITE BIRD

4. Water will be used for the following purposes:

Amount 0.02 for DOMESTIC purposes from 8/31 to 11/30 (both dates inclusive)
(cfs or acre-feet per annum) DOM FROM STOR 1/1 12/31

Amount .3 for DOM STOR purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for WILDLIFE purposes from 8/31 to 3/1 (both dates inclusive)
(cfs or acre-feet per annum) " "

Amount .3 for WILDLIFE STOR purposes from 8/31 to 3/1 (both dates inclusive)
(cfs or acre-feet per annum) .02 cfs DIV to STOR 8/31 3/1

5. Total quantity to be appropriated is (a) .02 and/or (b) .3
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. ALONG NATURAL FLOW
and Power 60' x 100' x 2', pump pump.

b. Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity acre-feet; period of year when water will be diverted to storage:
 to inclusive.

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)

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

* changes per IDF&G

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SEP 29 1998

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. 1 lawn
- e. Other; describe fully. W

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	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
* 28N	1E	20	X	W															

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Don D. CLESA

b. Who owns the land to be irrigated or place of use? Don D. CLESA

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: _____

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SEP 29 1998

* per attached plat map. by 6/10/98

MATCH TO SHEET 3 OF 5

2.06
3.66
1.22
3.93
5.63
7.32
5.32
5.09
5.24
5.64
7.44
1.84
0.11
5.12
1.06
1.00
1.71
1.05
1.19
1.02
1.10
1.99
1.10
1.00
1.46
1.48
1.50
1.89
1.98
1.06
1.88

24.07 AC.

WHITE BIRD IDAHO
TWIN RIVER RANCH
Twp 28N Rge 1E Sec 20
NW 1/4 NE 1/4 Idaho Co.

LOT 53

23.40 AC.

Orange Dow d's S4

LOT 52

20.20 AC.

LOT 51

20.45 AC.

LOT 5

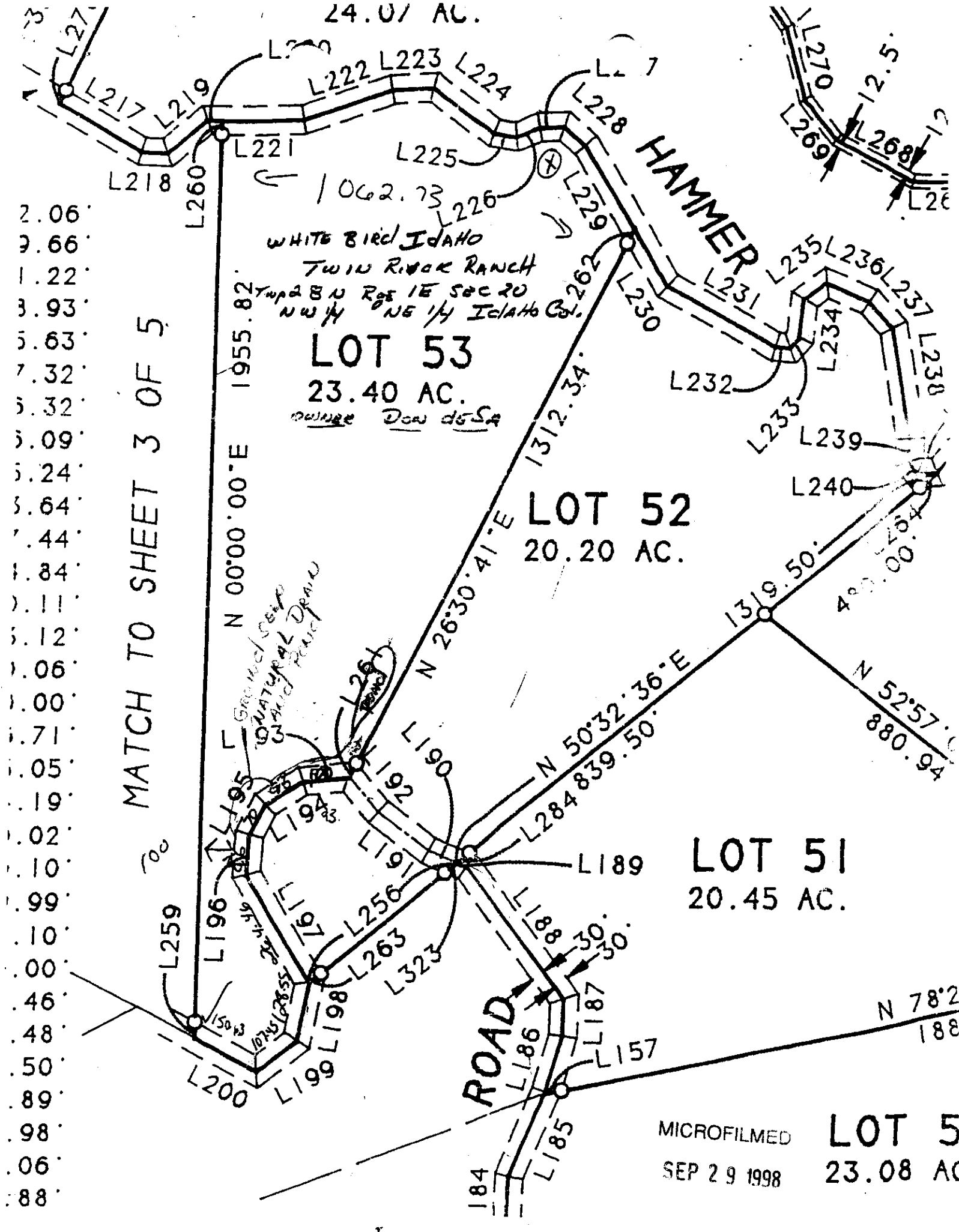
23.08 AC

MICROFILMED
SEP 29 1998

ROAD

HAMMER

*Gravel Deep
NATURAL DRAIN
Gravel*



[illegible]

MICROFILMED
SEP 29 1998

Don Douglas Clark
(Applicant)

Received by db Date 5/18/98 Time 125P Preliminary check by lg
Fee \$ 50.00 Receipted by db # N012058 Date 5/18/98
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

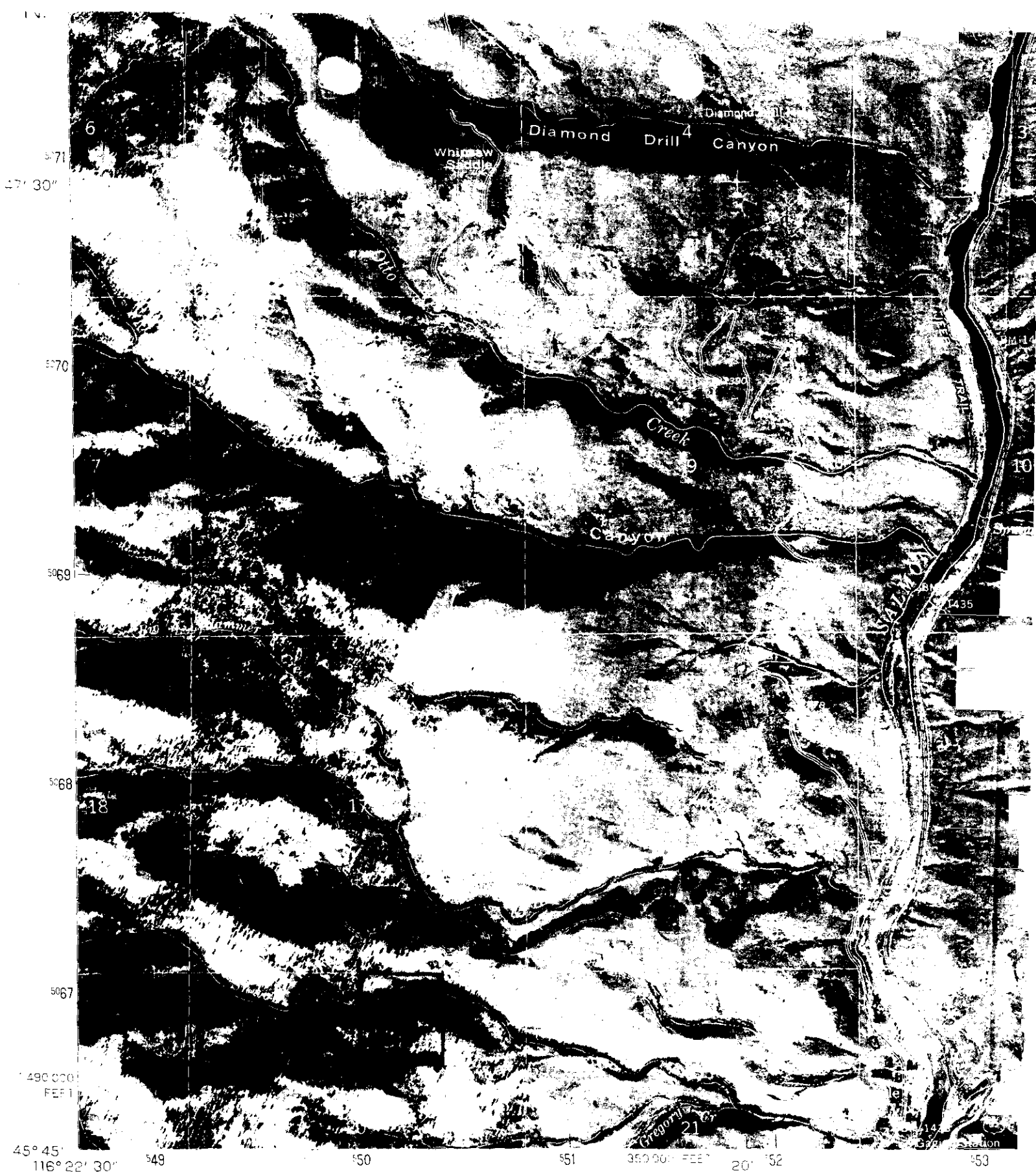
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

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SEP 29 1998



Produced by the Geological Survey
in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:78 000-scale
aerial photographs taken August 16, 1977

Projection and 10,000-foot grid ticks: Idaho coordinate
system, west zone (transverse Mercator)
1000-meter Universal Transverse Mercator grid ticks,
zone 11. 1927 North American datum

Photoimagery rectified by optical scanning
Where double or mismatched image occurs use the
center position for map point

T28N
R 1E
S 20
NWNE
No Gov Lts

NORTH

MICROFILMED

SEP 29 1998



OZALID PRI



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 8, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DON DOUGLAS DESA
24340 SE 238TH
MAPLE VALLEY WA 98038-8256

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 79-07262

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, and that it meets the permitted beneficial use.

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,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

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OCT 17 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 79-07262 Reviewed by D. Gibson Date 9/8/00

GENERAL CONSIDERATIONS

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

TYPES OF USE

Domestic
No Correct Uses?

SOURCE OF WATER

Yes Surface water source

No 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?
No Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>7/31/00</u>	<u>/</u>
Date proof due	<u>9/1/00</u>	<u>/</u>
No. of days late	<u>/</u>	<u>/</u>
Priority Date	<u>/</u>	<u>/</u>
New Priority Date	<u>/</u>	<u>/</u>

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address No Proof Made 7/31/00

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

0049960

Date:

Time: 7/31/2000

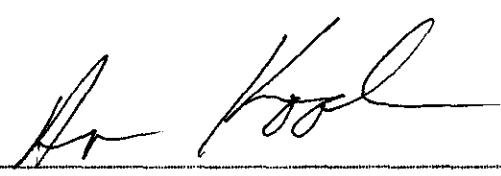
12:44:22

Received

From: DESA DON D

Type of Payment	Program A cct	Amount
PROOF OF BENEFICIAL USE 79-07262	56104 229 21 1155	50.00
CHECK 4739		
	Total	50.00

Region: STATE

Signature: 

MICROFILMED
OCT 12 2000

June 30, 2000

DON DOUGLAS DESA
24340 SE 238TH
MAPLE VALLEY WA 980388256

PROOF DUE NOTICE

RE: PERMIT NO. 79-07262

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, 2000. (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.

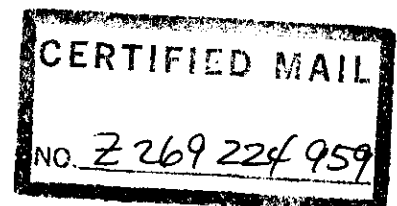
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED
OCT 12 2000





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 11, 1998

PHILIP E. BATT
GOVERNOR

DON DOUGLAS DESA
24340 SE 238TH
MAPLE VALLEY WA 98038-8256

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 79-07262

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.

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

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

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 11th 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. 79-07262

**DON DOUGLAS DESA
24340 SE 238TH
MAPLE VALLEY WA 98038-8256**


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.

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SEP 29 1998

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by Cindy LouNo.: 19-07262 Name: de Sa Date: 9/8/98 Ad OK? ☒ ☒ Gvmt Lts: ☒

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

SYSTEM COMPLETED:

> 1 year

≤ 1 year/no proof

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

WMD Supplemental use

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

DRILLING PERMIT:

All wells (✓ WDQ3)

In Basin 34?

Irr. within WD

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

FISH & GAME CONTACTED:

IN/ABOVE MIN. STR. FLOW (✓ MAP)

WD (✓ MAP & LISTING)

> 0.10 cfs

≤ 0.10 cfs

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R (70's)

Weiser R (67)

USE:

Domestic surface

>1 in rest. area

Fire Protection

Fish Propagation

Heating/Cooling

Irr ≤ 5 acres

> 5 acres

Mining

Municipal

Power

Stockwater

Storage (✓ 3 compo.)

LOCATION:

42-248 area

Boise Front LoGeo

~~In stream day~~

Mitigation

SWAN FALLS FLAG (See Code Chart)

Trust

Non-Trust (1)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- 06A-P17- P18

- North / East / West

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

- No MD

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

- 01M (report when notified)

- No MD

- 046-P23

- 085

- P05 (new well location)

- Yes / No; RESPONSE: Limit diversion Season

- *WB9

- R04 (WD # _____)

- 01J-P08 (MD & LD)

- 01H-P01 (LD), 01P or No MD (in-stream stock)

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

- No MD

- 01M or No MD (in-stream stock or power)

- No MD

- *W22 -P04, NA

- 007 (w/ remark *WB9 if above Weiser), NA

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

- 009 (fish screens), NA

- 080, 087

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

- 071-070

- 077

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

- R07 (injection well)

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- 054(req)-081-P10

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

- 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

- R37 (BLM/USFS); NA

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

- P84 in 20/30/40/50/60/70/80 (87) basin)

- 058 (<85° GW temp only)

- P52 stream channel alteration)

- 120

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

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU)

- W501/1 W59/W60- 9/1/2000- Change season



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 6, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Don Douglas deSa
24340 SE 238th
Maple Valley WA 98038-8256

Re: Application No. 79-07262

Dear Mr. deSa,

I am reviewing your application for a permit to divert an unnamed stream for domestic, wildlife, and storage uses. As you are probably aware, under the provisions of Section 42-203A(5), Idaho Code, the Department of Water Resources must address issues of impact on existing water rights, water availability, and public interest when processing an application to appropriate water. While your application was not formally protested during the protest period, we have received a letter from Idaho Department of Fish & Game (IDFG) expressing concern that your proposal may negatively impact the fishery habitat in the Salmon River watershed by depleting the stream flow. I have enclosed a copy of IDFG's letter for you to review. I have also enclosed a printout of your application.

If you have any comments on the IDFG letter, please respond to me within 30 days from the date of this letter. If I do not hear from you within the 30-day period, I will assume you agree with IDFG's recommendations, and I will proceed with issuing a permit including those recommendations.

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,

A handwritten signature in cursive script that reads 'Cindy Zimmerman'.

Cindy Zimmerman
Water Resource Agent

Enclosures

9/8/98 - No response. cz.

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SEP 29 1998



IDAHO FISH & GAME

CLEARWATER REGION

1540 Warner Avenue
Lewiston, Idaho 83501-5699

RECEIVED

JUL 27 1998

WATER RESOURCES
WESTERN REGION

Philip E. Batt / Governor
Stephen P. Mealey / Director

July 21, 1998

Gary Spackman
Western Region
2735 Airport Way
Boise, ID 83705

Dear Gary,

We have reviewed the proposed water right by Don Douglas Desa.

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JUL 29 1998

Department of Water Resources

We recommend that from the point of diversion, the appropriation be no more than 18 gpm (gallons per minute) to allow granting of the right despite the moratorium in the Salmon River watershed on water rights. We would also recommend the appropriation be diverted to storage only during the period from September 1 to March 1 and that during the normal low water period of March 2 to August 30, no water be diverted from the unnamed stream. This provides for normal water flow in the unnamed stream during low flow periods, when it is most critical.

Thank you for the opportunity to comment.

Sincerely,

Cal Groen
Regional Supervisor

cc: NRPB
Team 4

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SEP 29 1998

3/98 RECEIVED

JUL 28 1998

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Send comment letter to F+G

INITIAL REVIEW BY: lg DATE: 6/18/98 APPLICATION: 79-07262

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)

YES NO

done ☒ T FLAG CHANGED TO P FLAG

- ☒ 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: *exempt from Salmon R mor*
- ☒ Bull trout impact area
- ☒ 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

source + trib, well per telecon

Date Requested 6/18/98

Date Response Received 6/18/98

PROCESSING

APP. NO. 9-07262

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

YES NO

☐	☒	I.D. Health & Welfare	☐	☒	U.S. BLM
☐	☒	I.D. District Health	☐	☒	U.S. Forest Service
☒	☐	I.D. Fish & Game	☐	☒	Water Dist. # _____
☐	☒	I.D. Lands	☐	☒	Other _____

Impact area for Bull Trout

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 5/18/98

Recommended by: Gay S Date: 7/25/98

STATE OFFICE REVIEW _____

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION:

**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 ap-
plication must be filed with the Director,
Dept. of Water Resources, Western Region,
2735 Airport Way, Boise, Idaho 83705 to-
gether with a protest fee of \$25.00 on or be-
fore JULY 20, 1998. The protestant must
also send a copy of the protest to the appli-
cant.

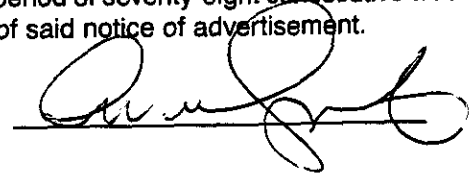
KARL J. DREHER, Director
Published: 7/1/1998 & 7/8/1998

Jy 1-8

AFFIDAVIT OF PUBLICATION

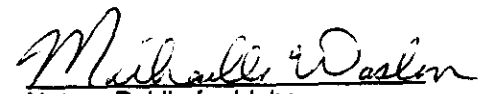
STATE OF IDAHO
County of Idaho - ss.

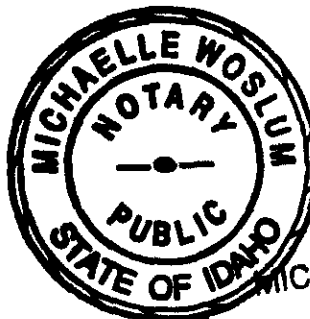
Andrew J. McNab, being first duly sworn, says he is the Publisher of the IDAHO COUNTY FREE PRESS, a week-ly newspaper published and issued weekly at Grangeville, Idaho County, State of Idaho, and is of general circulation in said coun-ty and state, that the said notice, of which the one hereto attached 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 pub-lished 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 sub-scribed 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



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JUL 22 1998

WATER RESOURCES
WESTERN REGION

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SEP 29 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

June 29, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STATE OF IDAHO
DEPT OF FISH & GAME
600 WALNUT ST
BOISE ID 83707

Re: Applications for Permit Nos. 63-13794 in the Name of Linda Byington, 77-07372 in the Name of Jerry &/or Robin McCauley and 79-07262 in the Name of Don Douglas Desa

Dear Sir:

Enclosed are a copies of the above-referenced applications for permit which may be of interest to your agency. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by July 20, 1998.

If you have any questions regarding the application, please contact this office.

Sincerely,


Gary Spackman

GS:st

Encl.

MICROFILMED

SEP 29 1998

79-07262

DESA, DON DOUGLAS
24340 SE 238TH
MAPLE VALLEY, WA 980388256

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

MICROFILMED

SEP 29 1998

~~4/11/1998~~
6/12/1998

Lori.

I spoke with Mr. DeSa today regarding his application. He gave me the following info:

Source is seep (spring) which comes out of the ground + runs via a natural channel to a small natural pond. When his subdivision was developed and (his) road put in, the construction people routed the stream down a roadside ditch. It is culverted under the road then to a barrel he has set up for some reason,* then to the little pond.

He filed an appl. because he wants to protect the pond from other appropriation - heavy use by wildlife.

I said I would talk with you, and that if didn't hear from IDWR by 19 JUNE to assume that we are moving forward with advertising.

So I guess I'll talk to you at greater length on 16 JUNE.

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SEP 29 1998

TARCA

*Typically the barrel would be used to prevent or reduce erosion. CSJ.
8/5/98