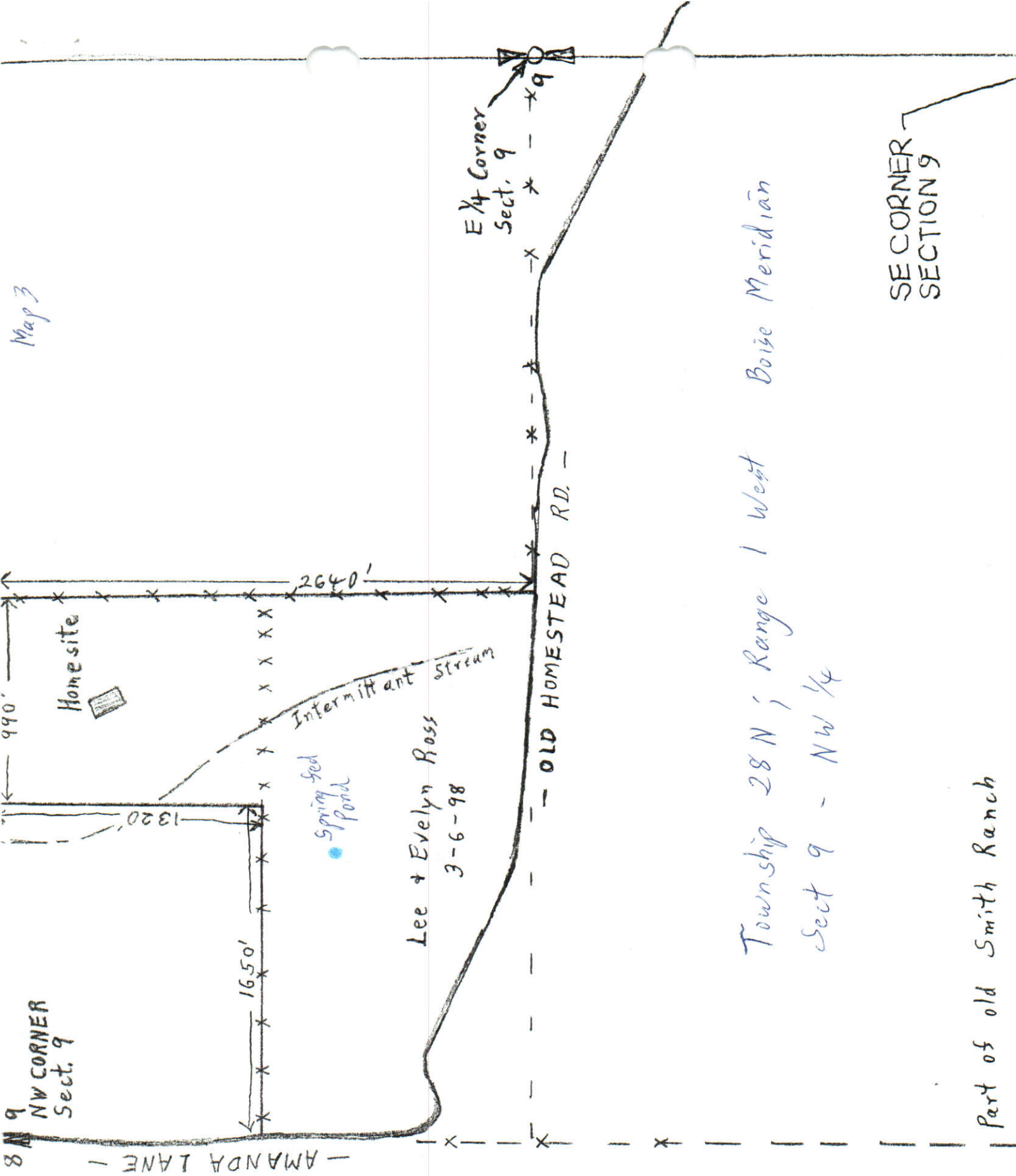


Map 3



Township 28 N ; Range 1 West Boise Meridian
Sect 9 - NW 1/4

Part of old Smith Ranch

MicroFILMED
<No Gov AUG 21 1998>

T. 29 N.

T28N
R01W
S09
S1/2NW

Joseph

Joseph
C. Cem

Brust

PD
POW

No good bits
distances

90 000
FEET

Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

Topography by photogrammetric methods from aerial
photographs taken 1961. Field checked 1963

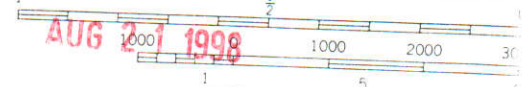
Polyconic projection. 1927 North American datum

79-07260

MICROFILMED

AUG 21 1998

(GRAVE
2775
SCALE



**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF LAPSED PERMIT)
NO. 79-07260 IN THE NAME OF THE)
LEE ROSS)
_____)

REINSTATEMENT ORDER

This matter having come before the Idaho Department of Water Resources ("Department"), the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On June 8, 1998, the Department issued Permit No. 79-07260 to Lee Ross ("permit holder") authorizing the diversion of 0.02 cubic feet per second of surface water to be used for stockwater and domestic within the NWSENW of Section 9, T28N, R01W, Idaho County, B.M. A condition of permit approval required the permit holder to submit proof of beneficial use of water ("proof") to the Department on or before June 1, 2000.

2. On September 7, 2000, the permit holder submitted proof to the Department.

CONCLUSIONS OF LAW

1. Section 42-218a.2, Idaho Code, provides as follows:

That upon receipt of proof of beneficial use after sixty (60) days after such notice of lapsing, the director shall require sufficient evidence to be submitted by the permit holder to clearly establish the extent of beneficial use made during the time authorized by the permit and any extensions of time previously approved. Upon finding that beneficial use had occurred during the authorized period and upon a showing of reasonable cause for filing a late proof of beneficial use,

the director may reinstate the permit with the priority date advanced to the day that proof of beneficial use was received;

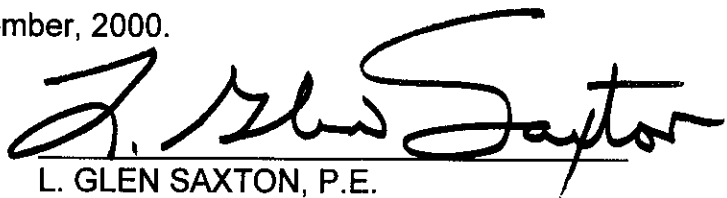
2. The permit holder has provided sufficient information and reasonable cause for the Department to reinstate the permit by submitting proof of beneficial use on September 7, 2000.

3. The Department should reinstate the permit with the priority advanced to the date that proof and the license examination fee were received.

ORDER

IT IS HEREBY ORDERED, that Permit No. 79-07260 in the name of Lee Ross is **REINSTATED** for stockwater and domestic use only, with the priority advanced to **September 7, 2000.**

Dated this 21 day of September, 2000.



L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

RECEIVED

SEP - 8 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. 79-072 60 Telephone No. 208 362-1477

2. Name of Permit Holder(s): Lee Ross

3. Mailing Address: 11605 Highlander
City Boise State ID Zip 83709

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: _____

6. Total rate of diversion and/or volume for which proof is submitted: .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 _____
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: Lee Ross Telephone Number: 208 362-1477

Address: 11605 Highlander Boise ID 83709

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: Lee Ross Date: 9-7-00
(include your title, if on behalf of company or organization)

MICROFILMED

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 79-07260

Proposed Priority: March 11, 1998

Maximum Diversion Rate:

0.02 CFS

This is to certify, that **LEE ROSS**

11605 HIGHLANDER

BOISE ID 83709

has applied for a permit to appropriate water from:

SPRING

tributary of **BRUST CREEK**

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>
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	03/01 to 11/30	0.02 CFS
	Totals	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: STOCKWATER

TWN RGE SEC

28N 01W 9

SWNW

SENW

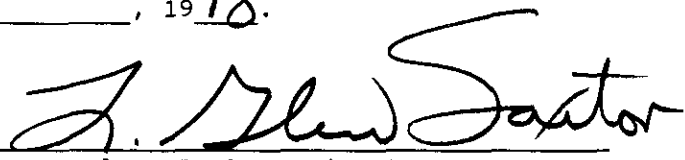
PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 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. Stockwater use is for 6 range cattle and 2 horses.
5. Domestic use is for 1 home.

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

8th day of June, 1998.


Karl J. Dreher, Director
for

MICROFILMED

AUG 21 1998

RECEIVED

MAY 22 1998

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 79-07260

1. Name of Applicant Lee Ross Phone 208 362-1477

Post Office address 11605 Highlander Boise, ID. 83729

2. Source of water supply Spring fed pond & meadow which is a tributary of Rice Creek

3. Location of point of diversion is NW 1/4 of SE 1/4 of NW 1/4, Govt. Lot
Sec. 9 Township 28 N Range 1 W B.M. Idaho County; additional points of
diversion if any: Existing natural spring and 60' dia. pond.

4. Water will be used for the following purposes:

Amount 0.05 cfs for stockwater purposes from Jan. 1 to Dec. 31 (both dates inclusive)

Amount 1 AF .02 for domestic garden purposes from April to Oct. 31 (both dates inclusive)

Amount for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

5. Total quantity to be appropriated is (a) 0.02 and/or (b) 1
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing natural spring
and 60' dia. pond. 1" dia. gravity pipe to garden

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 completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)

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

a. Hydropower; show total feet of head and proposed capacity if KW.

b. Stockwatering; list number and kind of livestock. 6 cattle 2 horses

c. Municipal; show name of municipality.

d. Domestic; show number of households. 1 household domestic garden.

e. Other; describe fully.

per topo. 6/5/98 cz.

MICROFILMED
AUG 21 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							X										X
		9							S	S									

Total number of acres to be irrigated 1X

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? Lee A. & Evelyn G. Rose

b. Who owns the land to be irrigated or place of use? Lee A. & Evelyn G. Rose

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: _____

12. Remarks: _____

13. MAP OF PROPOSED PROJECT ATTACHED 3 Show clearly the proposed point of diversion, place of use, section number, township and range number.

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.

Lee A. Rose
(Applicant)

3-10-98

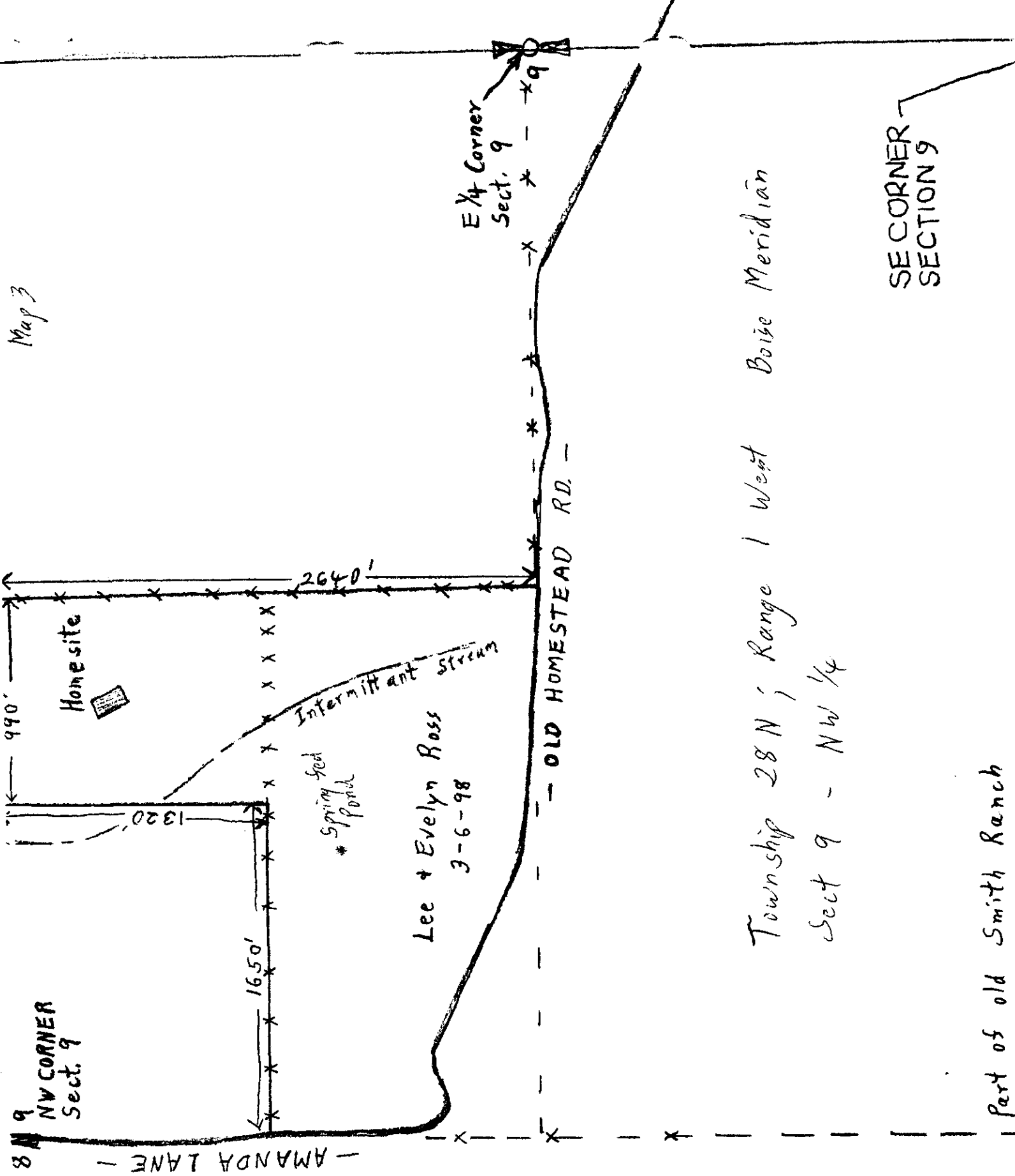
Received by AD Date 3-11-98 Time 11:50 Preliminary check by mm
 Fee \$ 50 Receipted by AD # W023507 Date 3-11-98
 Publication prepared by AD Date 4-8-98 Published in Idaho City Tribune
 Publication approved AD Date 5-18-98

MICROFILMED

* changes per telecon with applicant 3/27/98.

APR 21 1998

Map 3



Township 28 N ; Range 1 West Boise Meridian
Sect 9 - NW 1/4

Part of old Smith Ranch

MICROFILMED

<No Gov AUG 2 1998

T. 29 N

T28N
R01W
S09
S1/2NW

Joseph

Joseph
Cem

47°30"

5070

5069

5068

5067

90 000
FEET

5°45'

116°30'

310 000 FEET

540

541

542 27°30"

543

Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

79-07260

Topography by photogrammetric methods from aerial
photographs taken 1961. Field checked 1963

Polyconic projection. 1927 North American datum

MICROFILMED

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2775
SCALE





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 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LEE ROSS
11605 HIGHLANDER
BOISE ID 83709

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 79-07260

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating the permit since proof and the license examination fee were submitted more than 60 days after the lapse notice was issued. Please note that the priority date has been advanced to **September 7, 2000**, as provided in Section 42-218a(2), Idaho Code.

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. 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

Enclosure

c: IDWR - Region

MICROFILMED

NOV 09 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 79-07260 Reviewed by D. Gibson Date 9/21/00

GENERAL CONSIDERATIONS

Yes Name same as permit?
Yes Address same as permit?
No Proof timely received?
If not, complete calculation below.

TYPES OF USE

Domestic & Stockwater

Correct Uses? Yes

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?

/ Installed?

/ Waiver requested?

PRIORITY CALCULATION

Date proof received 9/7/00 250

Date proof due 6/1/00 - 152

No. of days late / = 98

Priority Date 3/11/98 + /

New Priority Date 9/7/00 /

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof. Reinstated
permit and advance priority
to 9/7/00.

DATA ENTRY

New Address No

Proof Made 9/7/00

June 5, 2000

LEE ROSS
11605 HIGHLANDER
BOISE ID 83709

LAPSE NOTICE

RE: PERMIT NO. 79-07260

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated March 31, 2000. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

MICROFILMED

NOV 09 2000

CERTIFICATION OF MAILING

I hereby certify that on 6/5/00
~~a copy~~/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

D. Ellis

March 31, 2000

LEE ROSS
11605 HIGHLANDER
BOISE ID 83709

PROOF DUE NOTICE

RE: PERMIT NO. 79-07260

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 June 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.

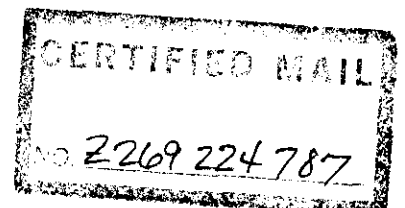
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED
NOV 03 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

June 9, 1998

PHILIP E. BATT
GOVERNOR

LEE ROSS
11605 HIGHLANDER
BOISE ID 83709

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 79-07260

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
AUG 21 1998

CERTIFICATE OF MAILING

I hereby certify that on the 9th day of June, 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. 79-07260

LEE ROSS
11605 HIGHLANDER
BOISE ID 83709


Kari Lynn Townsend
Secretary

MICROFILMED
AUG 21 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.

MICROFILM

AUG 2 1 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

MAY 22 1998

INITIAL REVIEW BY: ly DATE: 3/28/98 APPLICATION: 79-07260

DEPARTMENT OF WATER RESOURCES

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/UNO ADVERTISE REMARK(S)

(Reviewer identify which remarks)

ADDITIONAL INFORMATION☒ T FLAG CHANGED TO P FLAG

YES NO

- N/A ☒ 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 exempt
- ☒ 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.
- ☒ exempt 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 proposal per telecon

Date Requested 3/27/98Date Response Received 3/27/98

PROCESSING

APP. NO.

79-01260

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 5-4-98

☐ ☒ Protests received.

☐ ☒ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Measuring port required:

☐ ☒ Water delivered by water master? District # _____

☐ ☒ Special conditions of approval or cover letter: ~~none~~

See below for additional informationRecommended Date or Priority 3/11/98Recommended by: BarysDate: 5/20/98**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:

79-07259

ROSS, LEE
11605 HIGHLANDER
BOISE, ID 83709
Source: UNNAMED STREAM Tributary:
RICE CREEK
Diversion Pt: SWNENW Sec. 9 T 28N R
01W in IDAHO County.
Use: STOCKWATER STORAGE (4.80 AF)
STOCKWATER FROM STORAGE (4.80
AF)
WILDLIFE STORAGE (4.80 AF)
Total Diversion: (4.80 AF)
Date Filed: 3/11/1998
In: IDAHO County T28N R01W S09
NENW NWNW SENW
79-07260

ROSS, LEE
11605 HIGHLANDER
BOISE, ID 83709
Source: SPRING Tributary: RICE CREEK
Diversion Pt: NWSNW Sec 9 T 28N R
01W in IDAHO County.
Use: DOMESTIC (0.020 CFS)
STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS)
Date Filed: 3/11/1998
In: IDAHO County T28N R01W S09
SWNW SENW
79-07261

ROSS, LEE A
11605 HIGHLANDER
BOISE, ID 83709
Source: SPRING Tributary: RICE CREEK
Diversion Pt: NESENW Sec 9 T 28N R 01W
in IDAHO County.
Use: STOCKWATER (0.020 CFS)
DOMESTIC (0.020 CFS)
Total Diversion: (0.020 CFS)
Date Filed: 3/11/1998
In: IDAHO County T28N R01W S09
NENW SENW
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 MAY 4, 1998. The protestant must also
send a copy of the protest to the applicant.

KARL J. DREHER, Director

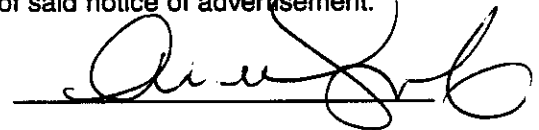
Published: 4/15/1998 & 4/22/1998

A15-22

AFFIDAVIT OF PUBLICATION

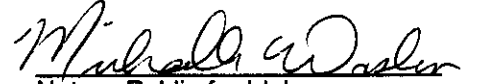
STATE OF IDAHO
County of Idaho - ss.

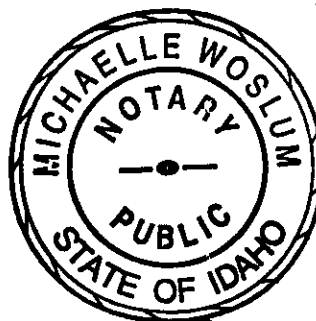
Andrew J. McNab , being first duly sworn, says he
is the Publisher of the IDAHO COUNTY FREE PRESS, a week-
ly newspaper published and issued weekly at Grangeville, Idaho
County, State of Idaho, and is of general circulation in said coun-
ty and state, that the said notice, of which the one hereto attached
is a true copy, was published in said paper for two weeks,
being published two times, the first publication being on the
15th day of April, 1998; and the last publication on the
22nd day of April, 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 22nd day of April 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



RECEIVED
MAY 11 1998
WATER RESOURCES
WESTERN REGION

MICROFILMED

AUG 21 1998

79-07260

ROSS, LEE
11605 HIGHLANDER
BOISE, ID 83709

Source: SPRING

Tributary: RICE CREEK

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

Use: DOMESTIC	(	0.020 CFS)
STOCKWATER	(	0.020 CFS)
Total Diversion:	(	0.020 CFS)

Date Filed: 3/11/1998

In: IDAHO County		
T28N R01W S09	SWNW	SENW

MICROFILMED
AUG 21 1998