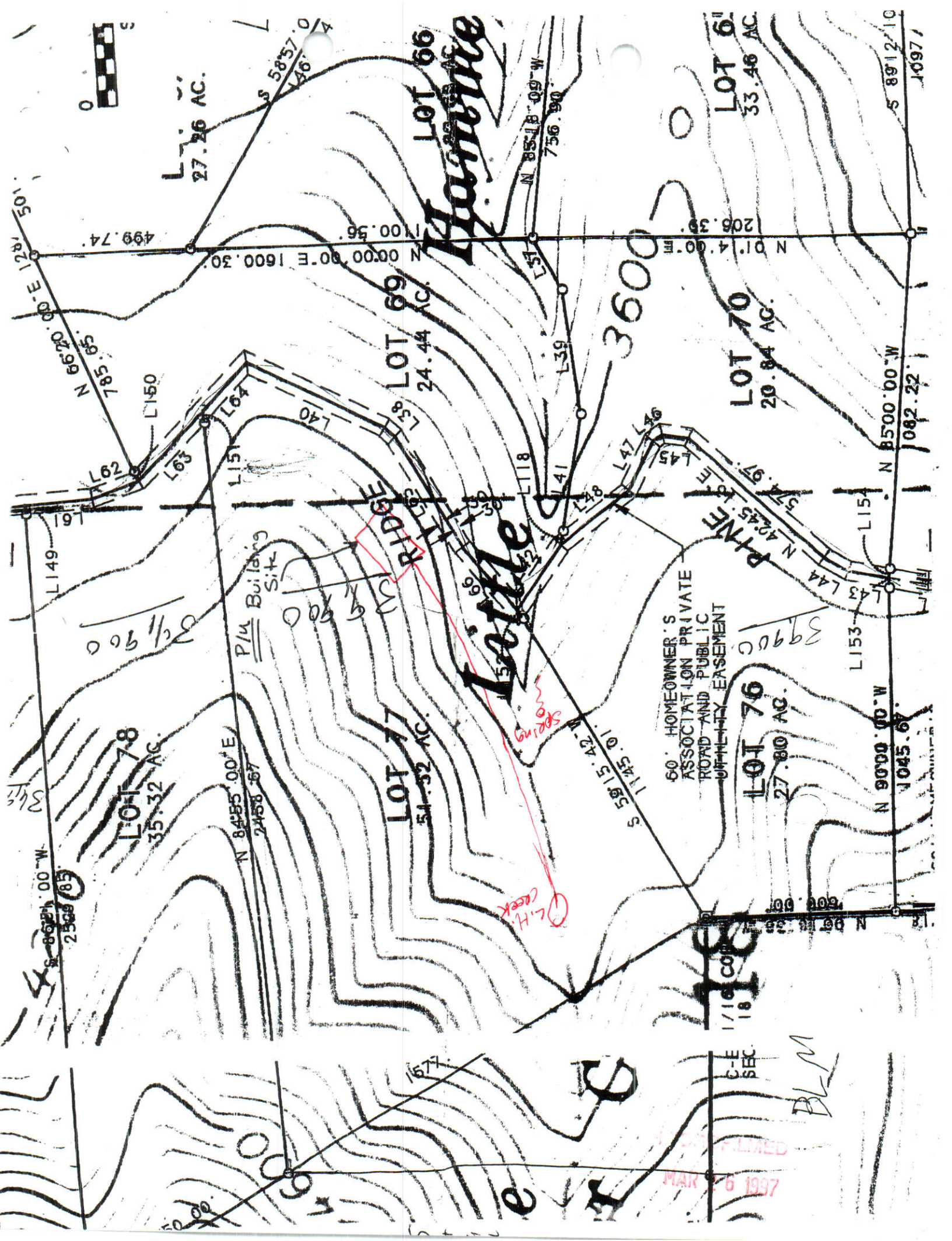
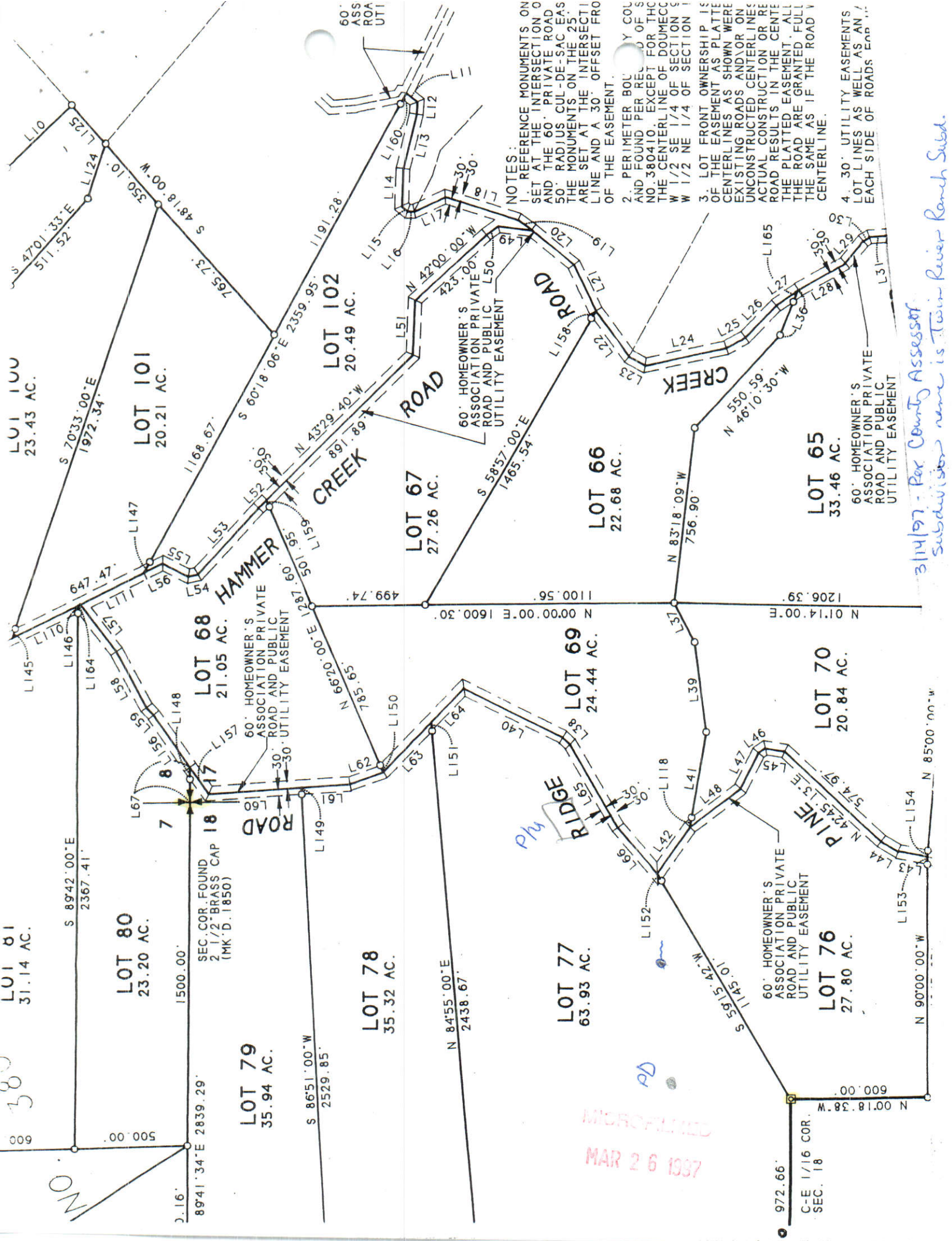






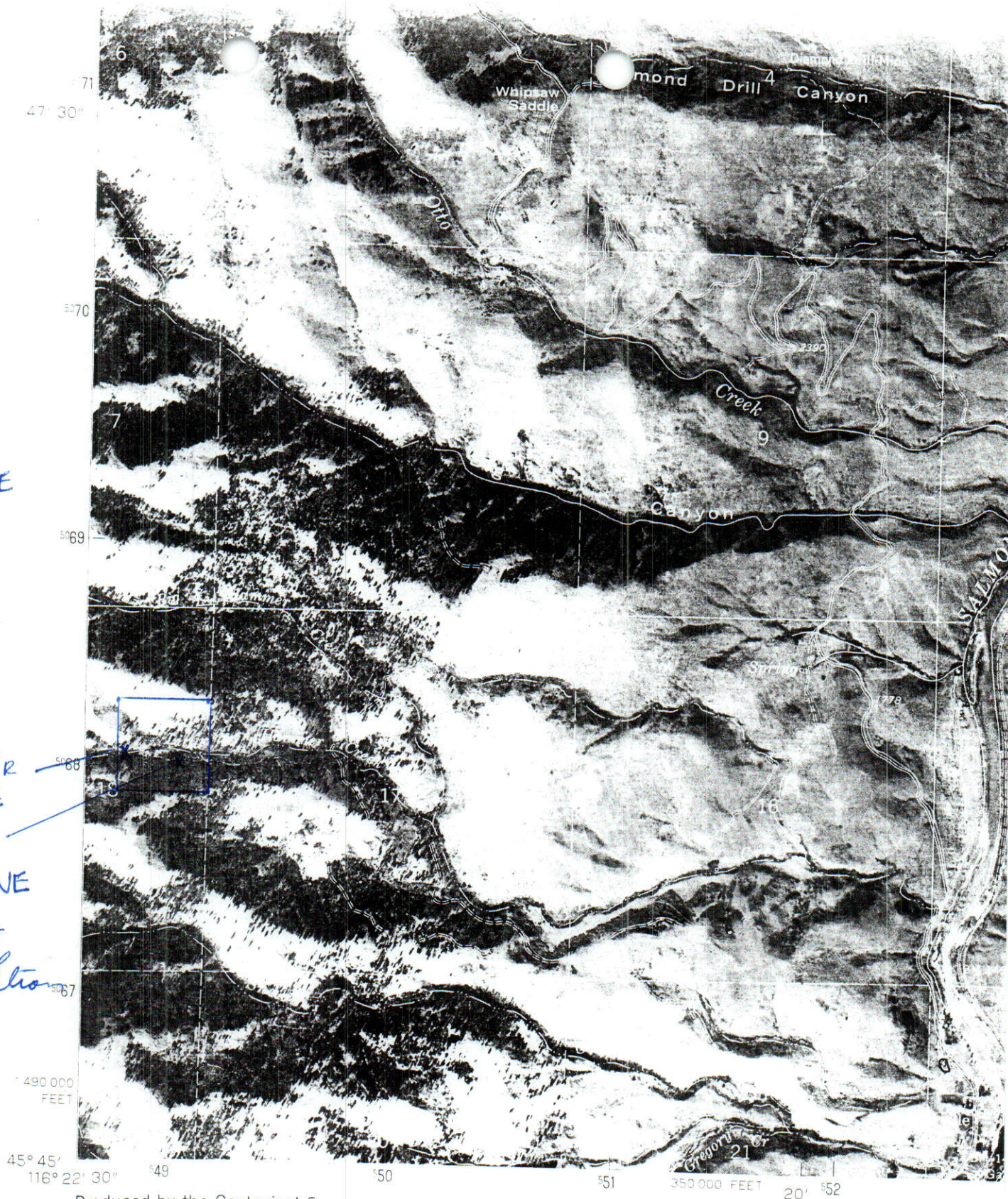
3/14/97 - Per County Assessor  
Subdivisor name is Twin

T28N R1E  
Sec 18

Little  
Hammer Cr  
P/D SENE

Spring  
P/D SESENE

per plat +  
Quad map  
interpretation



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  
mean of image position for map point

MICROFILMED  
MAR 26 1987

RECEIVED

OCT 14 1999

Department of Water Resources

FOR OFFICE USE ONLY

Amt. of Fee \$: 50-

Receipt No. 604680

Receipt By: JM

Date Received: 10/14/99

STATE OF IDAHO  
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 who has been appointed by the department.

1. Permit No. 79-07251 Telephone No. 503-628-1237

2. Name(s) of Permit Holder(s): STEVEN R. FELDMANN

3. Mailing Address: P.O. BOX 3500 PORTLAND OR 97208

4. Source of Water: SPRING If GROUNDWATER (well), Date Drilled: mo. N/A / yr. N/A

a. Well Driller: N/A Drilling Permit Number: N/A

b. OPTIONAL:  
Pump Horsepower: N/A Pressure (psi): N/A Dynamic pumping level (ft): N/A

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

Domestic (No. of households): 1 Stockwater (No. and type of stock): N/A

Irrigation (No. of acres): N/A Other: N/A

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR N/A 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 X

Flow Measurement Port: Is a flow measurement port required? Yes      or No X

Has the measurement port been installed? Yes      or No X

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: STEVE R. FELDMANN Telephone Number: 503-628-1237

Address: P.O. BOX 3500 PORTLAND OR 97208

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

Signature of permit holder: Steven R. Feldmann Date: 10-9-99  
(include your title, if on behalf of company or organization)

MICROFILMED

OCT 14 1999

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN - 1 1999

REQUEST FOR EXTENSION OF TIME  
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF  
BENEFICIAL USE FOR A WATER RIGHT PERMIT

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 79-07251

Name(s) of Permit Holder: STEVEN FELDMANN

Mailing Address: P.O. BOX 3500 PORTLAND OR, 97208

Date Proof is Due: was due APRIL 1, 1999 Telephone No. 503-628-1237 / cell 541-520-3864

Describe what work has been completed toward the development of this water right:  
(This must be filled out! If no work has been completed, show "none".)

THE SPRING was dug out and water was capped and diverted  
TO a Holding tank made of concrete with submersible pump.  
Tank capacity 1,000 Gals. schedule 40 PVC was used in all water  
diversion. I still need time to wire the pump, and run PVC pipe. Costing \$ 2,000  
to snap sight. so I can show proof of beneficial use.

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Permit holder(s) request an extension to STEVEN R. FELDMANN, 19 99.

FEE: \$50.00

Steven R. Feldmann  
(Signature)\*

\*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to April 1, 2002.

IT IS FURTHER ORDERED that the permit is REINSTATED with no advance in priority.

MICROFILMED

Signed this 16<sup>th</sup> day of June, 19 99

JUN 25 1999

John Saylor  
Chief, Water Allocation Bureau

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**

NO. 79-07251

Proposed Priority: December 12, 1996 Maximum Diversion Rate: 0.04 CFS

This is to certify, that STEVEN FELDMANN

PO BOX 3500

PORTLAND OR 97208-3500

has applied for a permit to appropriate water from:

SPRING tributary of LITTLE HAMMER CREEK  
LITTLE HAMMER CREEK tributary of HAMMER 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> |
|-----------------------|----------------------|--------------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS                 |

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 18, Township 28N, Range 01E  
SESENE , Sec. 18, Township 28N, Range 01E  
IDAHO County

PLACE OF USE: DOMESTIC

TWN RGE SEC

28N 01E 18

SENE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1999.
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. Points of diversion and place of use are located within Lot 77, Twin Rivers Ranch Subdivision.
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

17<sup>th</sup> day of March, 1997.

*[Signature]*  
for Karl J. Dreher, Director

RECORDED

MAR 26 1997

**RECEIVED**  
MAR 11 1997  
Department of Water Resources

**RECEIVED**

**MAR 11 1997**

Department of Water Resources

Ident. No. 79-07251

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR PERMIT**

**To appropriate the public waters of the State of Idaho**

1. Name: STEVEN FELDMANN  
Address: PO BOX 3500  
PORTLAND OR 97208

503-628-1237

2. Source: SPRING  
LITTLE HAMMER CR

Trib. to: LITTLE HAMMER CR  
HAMMER CR

3. Location of Point of Diversion:

~~S~~SENE Sec. 18, Township 28N, Range 01E  
SESENE Sec. 18, Township 28N, Range 01E  
IDAHO County

4. Water will be used for the following purposes:

| Purpose  | From  | To    | CFS   | (or) | AF |
|----------|-------|-------|-------|------|----|
| DOMESTIC | 01/01 | 12/31 | 0.040 |      |    |

5. Total quantity to be appropriated is:

0.040 CFS (and/or) AF

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.

PIPELINE

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 groundwater with a temperature greater than 85F being sought? NO

e. If well is already drilled, when?

Drilling Firm

Well was drilled for

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

8. Place of Use: DOMESTIC

TWN RGE SEC  
28N 01E 18

SENE

1997 MAR 11

MAR 26 1997

9. a. Who owns the property at the point of diversion?  
APPLICANT  
b. Who owns the land to be irrigated or place of use?  
APPLICANT  
c. If the property is owned by a person other than the applicant,  
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

11. Map of proposed point of diversion and place of use attached? [ ]

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

See Original  
Applicant

Received by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ Preliminary check by \_\_\_\_\_

Fee \$ \_\_\_\_\_ Receipted by \_\_\_\_\_ # \_\_\_\_\_ Date \_\_\_\_\_

Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_ Published in \_\_\_\_\_

Publication approved \_\_\_\_\_ Date \_\_\_\_\_

W. J. H. H. H.  
1979 2 8 1979

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**  
To appropriate the public waters of the State of Idaho

1. Name of Applicant Steven Feldmann Phone 503-628-1237  
Mailing address P.O. Box 3500 Portland OR 97208

2. Source of water supply Spring which is a tributary of Hammer Creek.

3. Location of point of diversion is <sup>Little Hammer Creek</sup> Township 28 N Range 1 E Sec. 18 in the SE 1/4, <sup>FW 1/15/9</sup> 1/4, <sup>SW NE SE</sup> 1/4, <sup>NE = Spring</sup> 1/4, Govt. Lot       , B.M., Idaho County:         
additional points of diversion if any:       

4. Water will be used for the following purposes:

Amount .04 for Domestic 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)  
Amount        for        purposes from        to        (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount        for        purposes from        to        (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount        for        purposes from        to        (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .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 & Creek diversions domestic pipeline system.

b. Height of storage dam        feet; active reservoir capacity        acre-feet; total reservoir capacity        acre-feet

c. Proposed well diameter is        inches; proposed depth of well is        feet

d. Is ground water with a temperature of greater than 85°F being sought?       

e. If well is already drilled, when?       ; Drilling firm       ;

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

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

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

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

b. Stockwatering; list number and kind of livestock.       

c. Municipal; show name of municipality.       

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

e. Other; describe fully.

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 | 1E  | 18  |     |    |    | D              |     |    |    |    |     |    |    |    | D   |    |    |    |        |
|     |     |     |     |    |    | JFW<br>1/15/97 |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |                |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |                |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |                |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |                |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |                |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |                |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |                |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |                |     |    |    |    |     |    |    |    |     |    |    |    |        |

Total number of acres to be irrigated \_\_\_\_\_

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

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

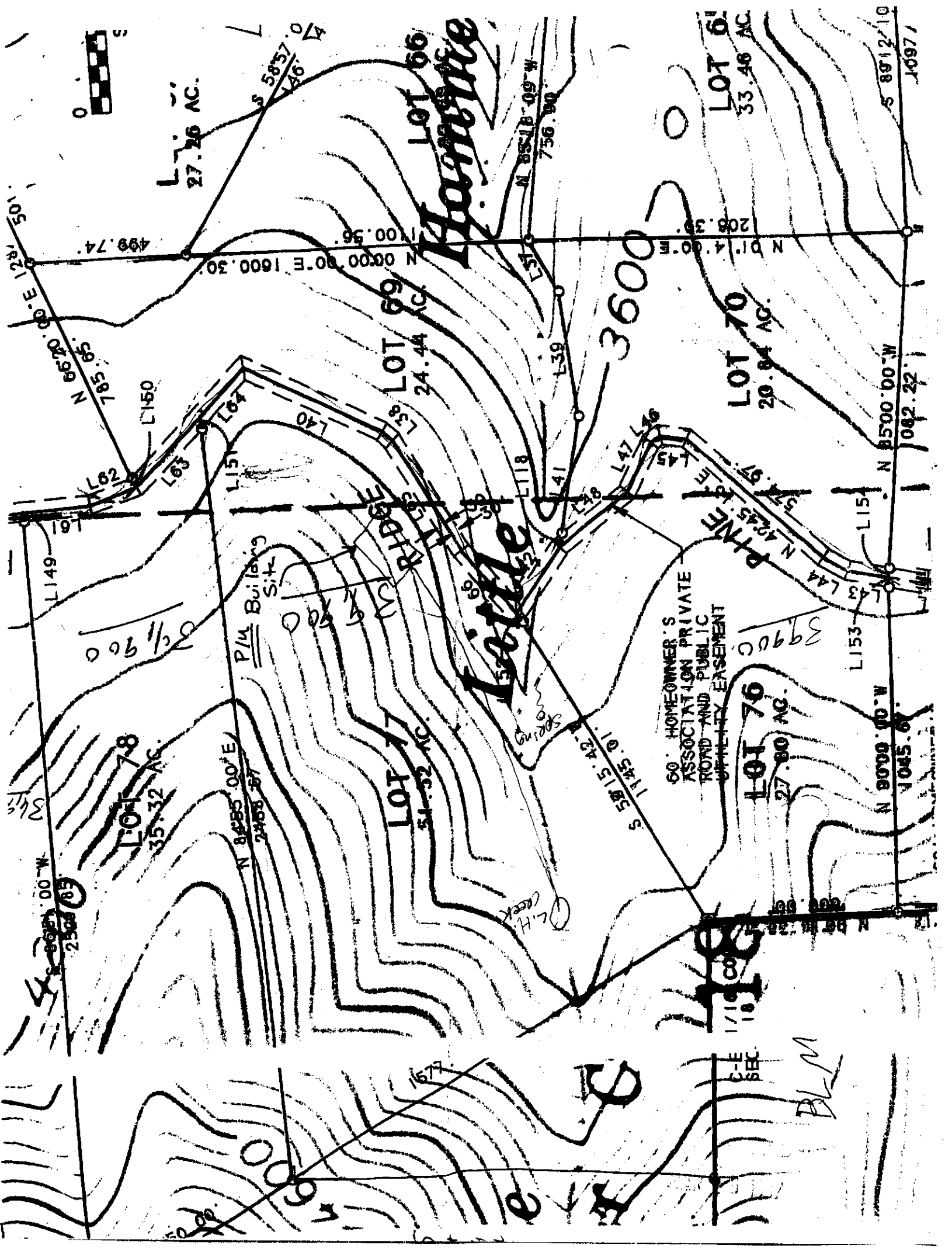
12. Remarks: \_\_\_\_\_

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

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

Steven R. Fickman  
Signature of Applicant (and title, if applicable)

Received by JFW Date 12/12/96 Time 11:00 AM Preliminary check by G  
 Fee \$ 50.00 Receipted by JFW # W021796 Date 12/12/96  
 Publication prepared by AT Date 1-29-95 Published in Idaho Free Press  
 Publication approved AT Date 2-28-97



27.26 AC.

LOT 66

*Little Home*

LOT 69

24.44 AC.

LOT 61

33.46 AC.

LOT 70

29.84 AC.

LOT 76

27.80 AC.

LOT 78

35.32 AC.

P/U Building Site

CRIDGE

*Little Home*

60' HOMEOWNER'S ASSOCIATION PRIVATE ROAD AND PUBLIC UTILITY EASEMENT

181 CO

SEC

BLM

N 90°00'00"W

1045.67'

N 85°00'00"W

1042.22'

S 89°12'10"

1097.1'

N 85°18'09"W

756.80'

L118

L41

S 58°15'42"

1145.01'

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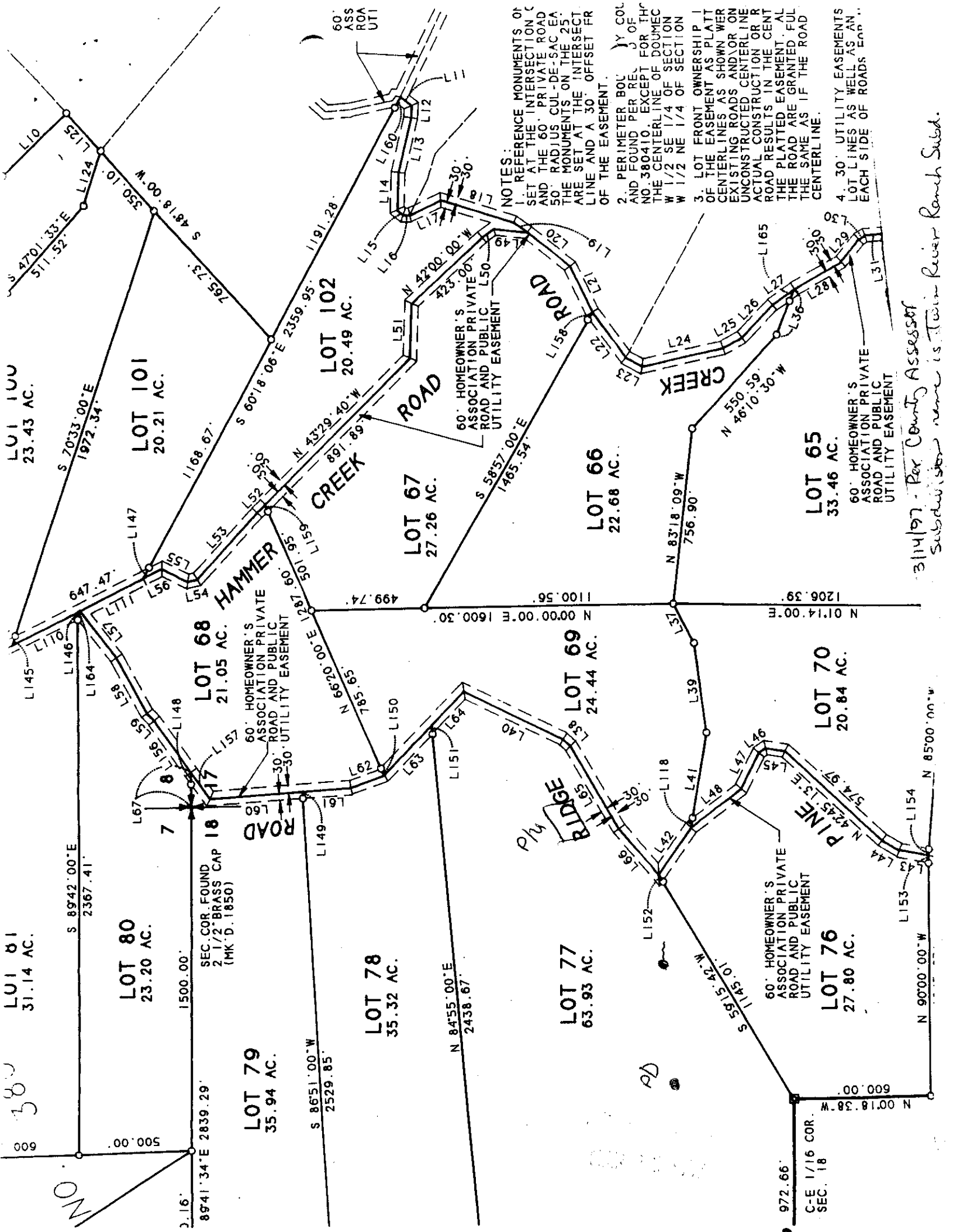
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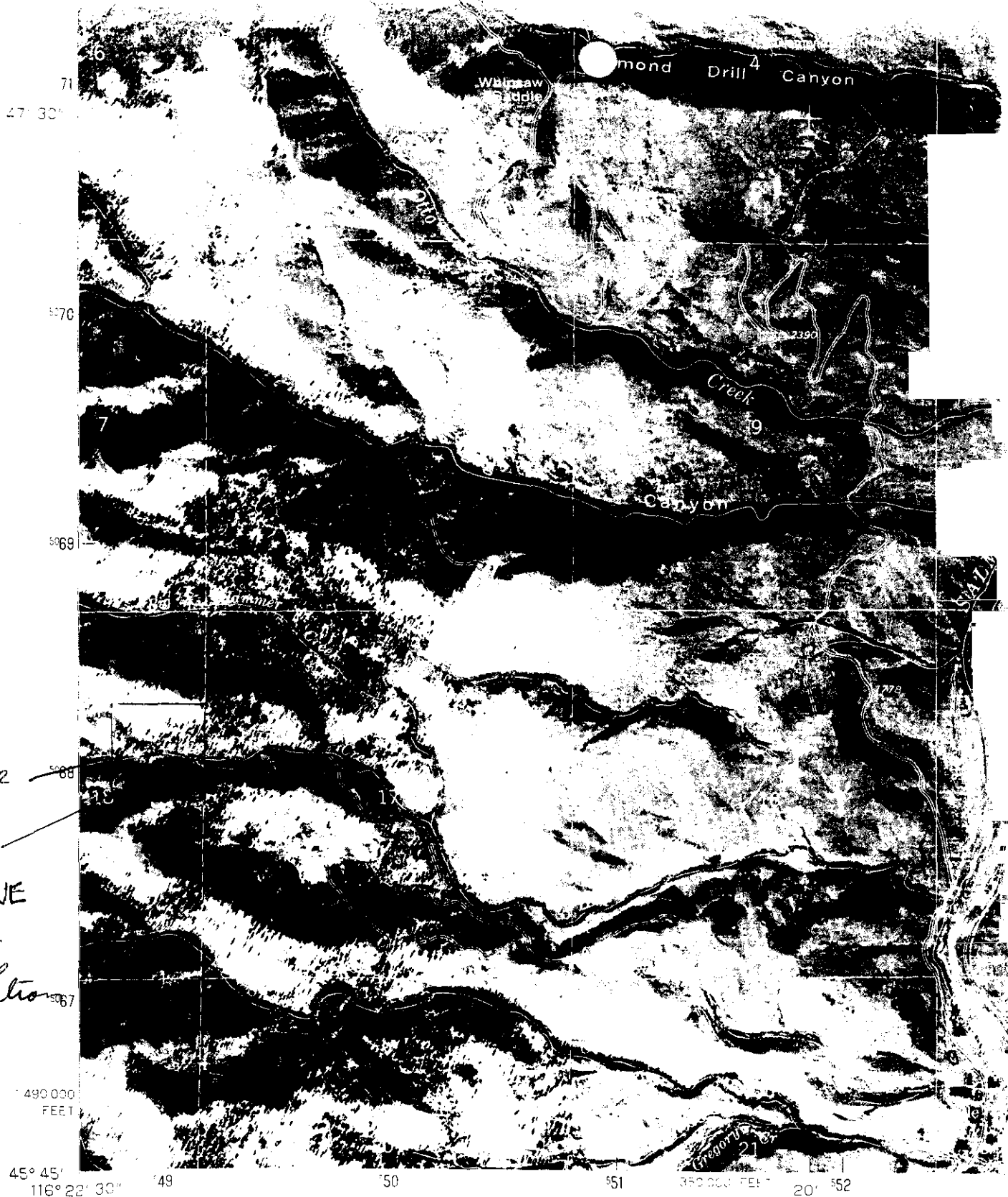
L330

L331



NOTES:  
1. REFERENCE MONUMENTS OF SET AT THE INTERSECTION OF THE 60' PRIVATE ROAD AND THE 60' RADIUS CUL-DE-SAC. THE MONUMENTS ON THE 25' ARE SET AT THE INTERSECTION LINE AND A 30' OFFSET FROM THE EASEMENT.  
2. PERIMETER BOUNDARY OF AND FOUND PER RECORD OF NO. 380410, EXCEPT FOR THE CENTERLINE OF DOUGHERTY W 1/2 SE 1/4 OF SECTION 17 NE 1/4 OF SECTION 3.  
3. LOT FRONT OWNERSHIP OF THE EASEMENT AS PLATTED CENTERLINES AS SHOWN WHERE EXISTING ROADS AND/OR ON UNCONSTRUCTED CENTERLINE ACTUAL CONSTRUCTION OR ROAD RESULTS IN THE CENT THE PLATTED EASEMENT. AL THE ROAD ARE GRANTED FULL THE SAME AS IF THE ROAD CENTERLINE.  
4. 30' UTILITY EASEMENTS LOT LINES AS WELL AS AN EACH SIDE OF ROADS END.

3/14/97 - Per County Assessor  
Subdivision name is Twin River Ranch Subd.



T28N R1E  
Sec 18

Little  
Hammer CR  
P/D SENE

Spring  
P/D SESENE

per plat +  
Quad map  
interpretation

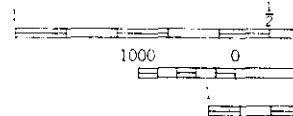
Produced by the Geological Survey  
in cooperation with the Soil Conservation Service

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  
mean of image position for map point

NORTH



**ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE**

Permit No. 79-07251 Reviewed by [Signature] Date 11-22-99

**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.

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 [X] Proof Made 10-14-99



**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

November 24, 1999

**KARL J. DREHER**  
DIRECTOR

Steven R Feldmann  
PO Box 3500  
Portland OR 97208

**PROOF ACKNOWLEDGMENT LETTER**

**RE: PERMIT NO. 79-07251**

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  
DEC 14 1999

## ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 79-07251 Reviewed by [Signature] Date 6-16-99

### BASIC INFORMATION

6-1-99 Date stamp received  
yes Extension received timely - *no priority Advance*  
yes Fee received and receipted  
yes Name and signature same as permit  
NO Address Change

### BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?  
\_\_\_\_\_ Has the permit been involved in litigation?  
Is supporting documentation needed to complete the file? \_\_\_\_\_ Requested? \_\_\_\_\_  
\_\_\_\_\_ Is delay by a government agency?  
Is supporting documentation needed to complete the file? \_\_\_\_\_ Requested? \_\_\_\_\_  
\_\_\_\_\_ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

**ACTION TAKEN** *Recommend extend to April 1, 2002, on basis of due diligence. Priority will not be advanced since the permit holder may have not received proof due notice.*

### PRIORITY CALCULATION

|                         |       |   |       |
|-------------------------|-------|---|-------|
| Date extension received | _____ | = | _____ |
| Proof due date          | _____ | = | _____ |
| Number of days late     | _____ | = | _____ |
| Priority date           | _____ | = | _____ |
| New Priority Date       | _____ | = | _____ |

### DATA ENTRY

New Address X  
Change Proof Due Date 4-1-2002  
Change Priority Date X



**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 18, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

Steven Feldmann  
PO Box 3500  
Portland OR 97208

**RE: Permit No. 79-07251**

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **April 1, 2002**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Be advised that since the extension was received after the proof due date of April 1, 1999, it was necessary to reinstate the permit. However, the department was made aware that you may not have received the proof due notice, therefore, the priority date of the permit was not advanced.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant  
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED  
JUN 25 1999

# WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

May 6, 1999

STEVEN FELDMANN  
PO BOX 3500  
PORTLAND OR 972083500

LAPSE NOTICE

RE: PERMIT NO. 79-07251

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 February 28, 1999. 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.

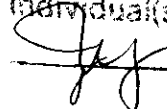
L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosures

MICROFILMED

JUN 25 1999

CERTIFICATION OF MAILING  
I hereby certify that on 5/6/99  
~~a copy~~/an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.



January 31, 1999

STEVEN FELDMANN  
PO BOX 3500  
PORTLAND OR 972083500

PROOF DUE NOTICE

RE: PERMIT NO. 79-07251

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 April 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.

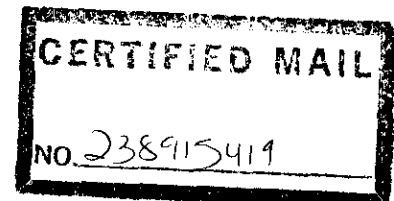
SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

MICROFILMED

JUN 25 1999





## State of Idaho

# DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

March 17, 1997

STEVEN FELDMANN  
PO BOX 3500  
PORTLAND OR 97208-3500

### PERMIT APPROVAL NOTICE

RE: PERMIT NO. 79-07251

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 within fourteen (14) days after issuance. To learn more about preliminary orders, please refer to the enclosed information sheet.

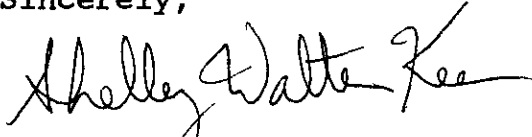
As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

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 as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify 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 to obtain the proper reporting form.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen  
Water Rights Supervisor

SK:ph

Enclosures

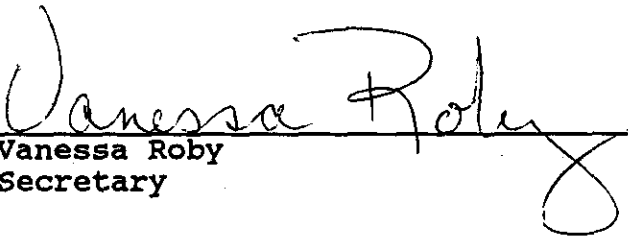
6/2/00  
2000/06/02

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of March, 1997, 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. 79-07251

STEVEN FELDMANN  
PO BOX 3500  
PORTLAND OR 972083500

  
Vanessa Roby  
Secretary

MAR 16 1997

APPLICATION FOR PERMIT  
STATE OFFICE REVIEW  
by Cindy Zimmerman

01/97

No.: 79-7251 Name: Feldman Date: 3/14/97 Ad OK? ☒ ☐ Gvmt Lts:           

AREA OF CONCERN? <sup>42-111</sup> - No/Yes: slc Mor /            GWMA / Trust / Non-trust  
PROTESTED: - 020 (Protest Agreement) or \*W19 (Order)

SYSTEM COMPLETED:

Yes/proof filed - NA  
1 year/no proof - P16  
+1 year - 26A P17

GROUNDWATER: <✓ FLO-CH>

+ 0.24 cfs - 01M  
=/- 0.24 cfs - No MD  
=/+ 5 a. - 01M, 065 (if GW use SW 1st)

DRILLING PERMIT:

Existing well - NA (pre 7/1/87; ✓ WDQ3)  
Included w/permit - Permit No.            -            -            -           , P99  
No WD permit? - 046-46B-P23 (post 7/1/87)  
irr. in WD - P05 (new well)

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

Water District (~~dem~~) - R04 (req) WD #            <SEE MAP & LISTING>  
=/+ 0.24 cfs - 01J (meas dev)-P08  
- 0.24 cfs - 01H (lock dev)-P01 or No MD  
In-WD =/+ 0.24 cfs - 01M or No MD (in-stream stock or power)  
- 0.24 cfs - No MD  
=/+ 5 a. irr. - 01M

RIVER BASINS (\*Surface water):

Snake R (01) - 11A-P04, NA  
(02/03-irr) - 007-P07 (w/ remark \*WB9 if above Weiser), NA  
Boise River (63) - 05A (if WD), 11E (not 42-111 use), NA  
Payette River (65) - 064 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic (surface) - \*WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA  
Fish Propagation - 07A-042 (req)-09E (WQ)-P10; 044 (North of 1000 Springs)  
Irr <POU> =/- 5 a - 057 (0.03 cfs/acre)  
+ 5 a - 03A (0.02 cfs/acre)  
Mining - 054 (req) & 09E-P10  
Power - 08A-17K-025-028-01F(P19)-09E(P10); 027 (if no other cons. use);  
+25 cfs-P18; 17G (FERC) or 17M (FERG); 18B-P09  
Storage (✓ 3 compo.) - 072 (req); 18A (multiple MD within district), 18B-P09 (+10' dam),

LOCATION:

42-248 area - P84 (if in 20/30/40/50/60/70/80 (87) basin)  
Boise Front LoGeo - 058 (-85° GW temp only)  
In-stream dev. - P52 (stream channel alteration)  
Irr Dist/Canal Co. - 023 (Twin Falls area)  
Swan Falls Flag -            <SEE CODE CHART>  
Trust - 051-052-053-P74 (Consumptive Uses), NA  
Non-Trust <1> - 048-049 (Consumptive Uses), NA  
OWNERSHIP: Non-owner - 004 (PD/PU)           

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

① woi/1 ② pu/lt 77, Twin Rivers Ranch Subd.  
4-1-1999

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: ly DATE: 1/15/97 APPLICATION: 79- 07251

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)
- ☒ Fee:
- ☒ Yes ☐ No\* In form to receipt:
- Gov't. Lots:  
☒ P/D  
☒ P/U

RECEIVED  
MAR 11 1997

ADDITIONAL INFORMATION

YES NO

Department of Water Resources

- ☐ ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☐ ☒ Overlapping point of diversion.
- ☐ ☐ Field check required: Field check by: \_\_\_\_\_
- ☐ ☐ Field report attached:
- ☐ ☒ Critical groundwater area:
- ☐ ☒ Groundwater management area:
- ☐ ☒ 1992 moratorium: domestic exemption
- ☐ ☒ Copy to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☐ ☒ Copy to Dam Safety staff: (for any storage)
- ☐ ☒ Mitigation plan: where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge
- ☐ ☒ Send power requirement letter:
- ☐ ☒ Send fish farm requirement letter:
- ☐ ☒ Power residency affidavit:
- ☐ ☒ Power efficiency form:
- ☐ ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☐ ☒ \*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED \_\_\_\_\_

ADDITIONAL INFORMATION ON REVERSE SIDE:

PROCESSING

APP. NO.

79-07251

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:

YES NO

I.D. Health & Welfare

I.D. District Health

I.D. Fish & Game

I.D. Lands

Adjudication Bureau

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:

Protests received. Final date for protest

Protest dates, resolution of protest recorded on application:

Recommendations attached:

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

NOTE IDFG letter received 1/31/97.  
CAN approve 1/1-12/31 c .04 cfs  
per domestic exclusion in memorandum.

2/6/97

See below for additional information

Recommended Date or Priority

12/12/96

Recommended by:

Dan Spackman

Date:

3/7/97

STATE OFFICE REVIEW

See below for additional information. By

Date

ADDITIONAL INFORMATION:

RECEIVED

FEB 28 1997

WATER RESOURCES  
WESTERN REGION

**NOTICE OF APPLICATION FOR  
WATER RIGHT**

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

79-07250

KLAUS, JAMES A.  
HC 1 BOX 64  
WHITE BIRD, ID 83554  
Source: GREGORY CREEK  
Tributary: SALMON RIVER  
Division Pt: SWSW Sec. 20 T 287N R 01E  
in IDAHO County  
Use: AESTHETIC (0.040 CFS)  
Total Diversion: (0.040 CFS)  
Date Filed: 12/13/1996  
In: IDAHO COUNTY  
T28N R01E S20 (SESW)

FELDMANN, STEVEN  
PO BOX 3500  
PORTLAND, OR 97208  
Source: SPRING  
Tributary: LITTLE HAMMER CREEK  
Source: LITTLE HAMMER CREEK  
Tributary: HAMMER CREEK  
Division Pt: SWSENE Sec 18 T 28N R 01E  
in IDAHO County.  
SESENE Sec. 18 T 28N R 01E in IDAHO  
County.  
Use: DOMESTIC (0.040 CFS)  
Total Diversion: (0.040 CFS)  
Date Filed: 12/12/1996

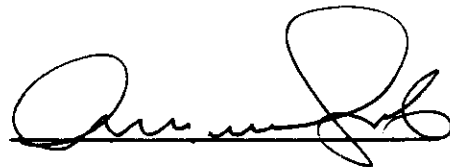
In: IDAHO COUNTY  
T28N R01E S18 (SENE)  
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before FEBRUARY 24, 1997. The protestant must also send a copy of the protest to the applicant.  
KARL J. DREHER, Director  
Published: 2/6/1997 & 2/13/1997

FS-12

# AFFIDAVIT OF PUBLICATION

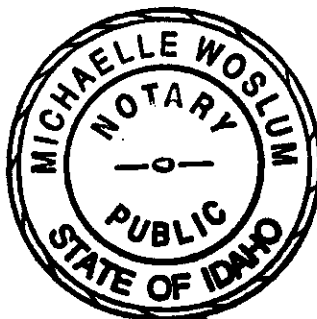
STATE OF IDAHO  
County of Idaho - ss.

Andrew J. Mc Nab, being first duly sworn, says she 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 2 weeks, being published 2 times, the first publication being on the 5 day of February, 19 97, and the last publication on the 12 day of February, 19 97; 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 or advertisement.



STATE OF IDAHO }  
COUNTY OF }

On this 12 day of February in the year of 1997,  
Before me, a Notary Public, personally appeared Andrew J. Mc Nab, 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.



Michaelle Woslum  
Notary Public for Idaho  
Residing at Grangeville, ID  
My commission expires: 01-16-2001

FEB 28 1997



**IDAHO FISH & GAME**

CLEARWATER REGION  
1540 Warner Avenue  
Lewiston, Idaho 83501-5699

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

January 27, 1997

✓  
Steve Lester  
Idaho Department of Water Resources  
Western Region  
2735 Airport Way  
Boise, ID 83705

Dear Steve,

We have reviewed the application for a water right on Little Hammer Creek, a tributary of Hammer Creek, by Steve Feldmann (79-07291). We request you consider the following specifications in granting the right despite the moratorium in the Salmon River watershed on water rights.

We would recommend that the diversion be limited to a 1 inch diameter pipe with a gravity-feed from the point of diversion and that the water right be for domestic use only. We would also suggest that the period of diversion be from March 1 to July 15 inclusive and that the rate not exceed 18 gpm (gallons per minute) during this period.

Thank you for the opportunity to comment. Please call if you have any questions.

Sincerely,

*Herbert A. Pollard II*

Herbert A. Pollard II  
Regional Supervisor

cc: NRPB  
Team 4  
Steve Feldman

79-07251  
-JP  
RECEIVED

JAN 31 1997

WATER RESOURCES  
WESTERN REGION

MAR 20 1997

79-07251

FELDMANN, STEVEN  
PO BOX 3500  
PORTLAND, OR 97208

Source: SPRING  
Source: LITTLE HAMMER CREEK

Tributary: LITTLE HAMMER CREEK  
Tributary: HAMMER CREEK

Diversion Pt:                SWSENE    Sec 18 T 28N R 01E in IDAHO County.  
                              SESENE    Sec 18 T 28N R 01E in IDAHO County.

Use: DOMESTIC                                (                0.040 CFS)  
                              Total Diversion: (                0.040 CFS)

Date Filed: 12/12/1996

In:    IDAHO County  
         T28N R01E S18                        SENE

FILED  
MAR 26 1997