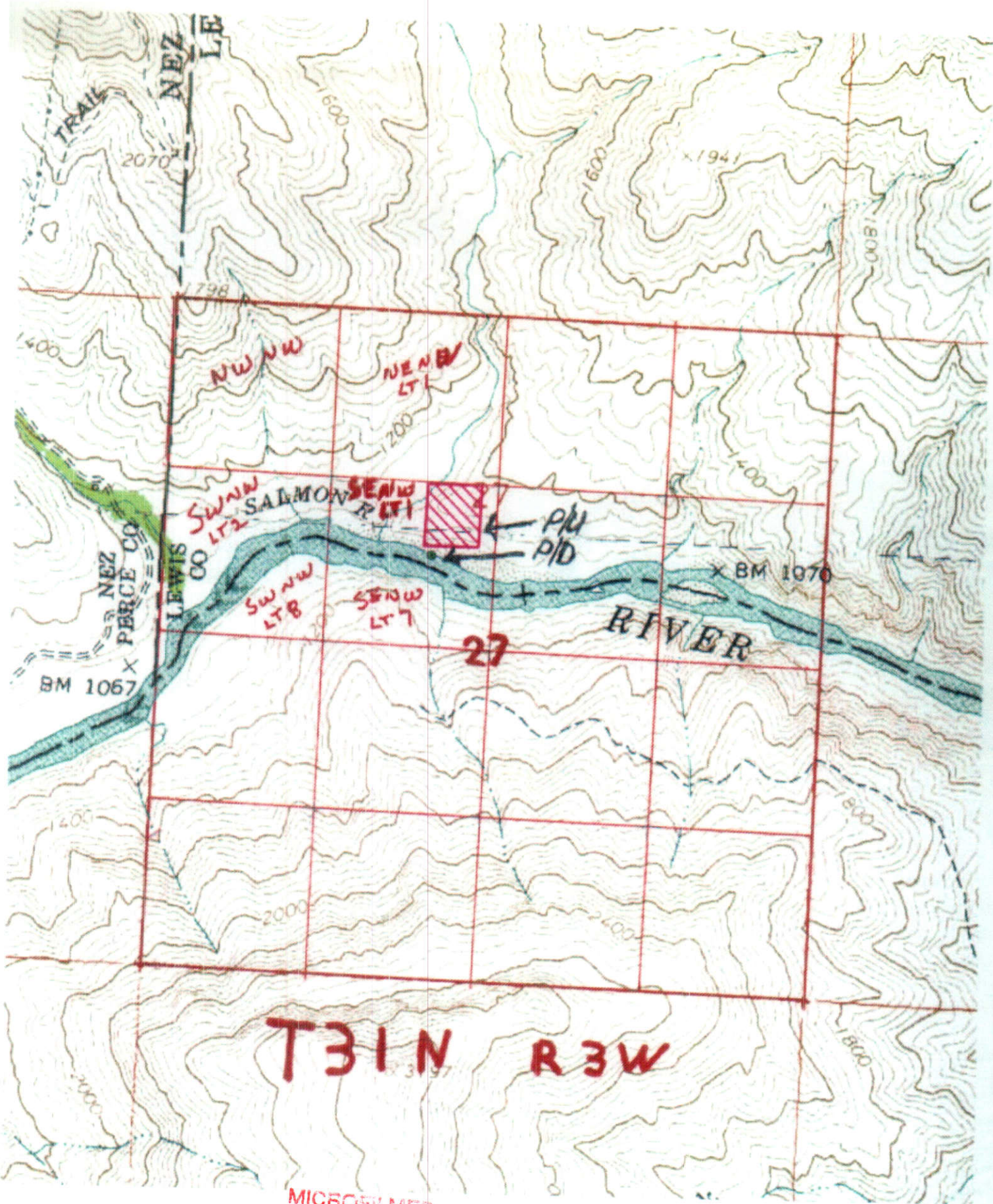




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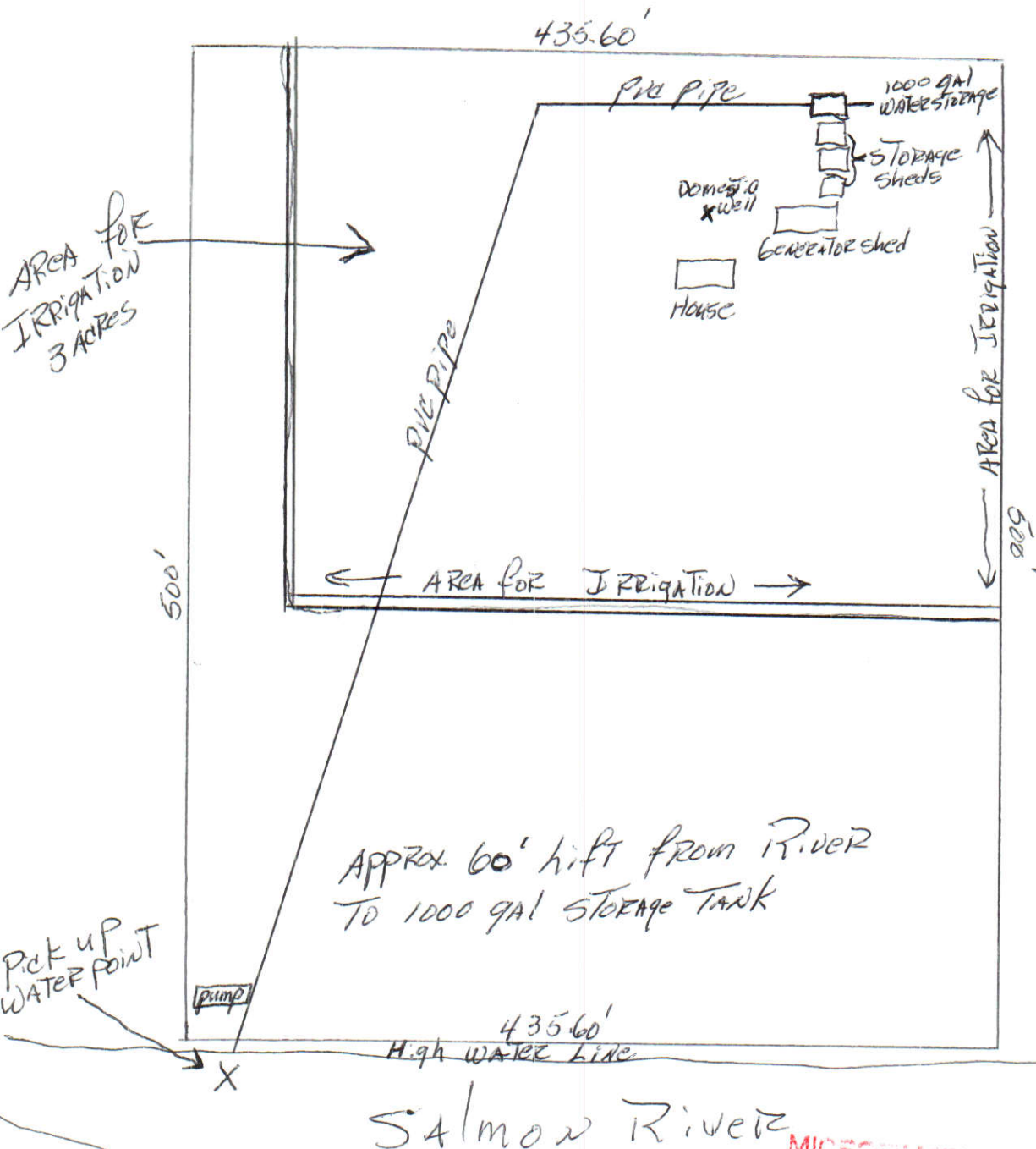
SEP 16 2003

PROPERTY LOCATION:

LEWIS COUNTY, STATE OF IDAHO

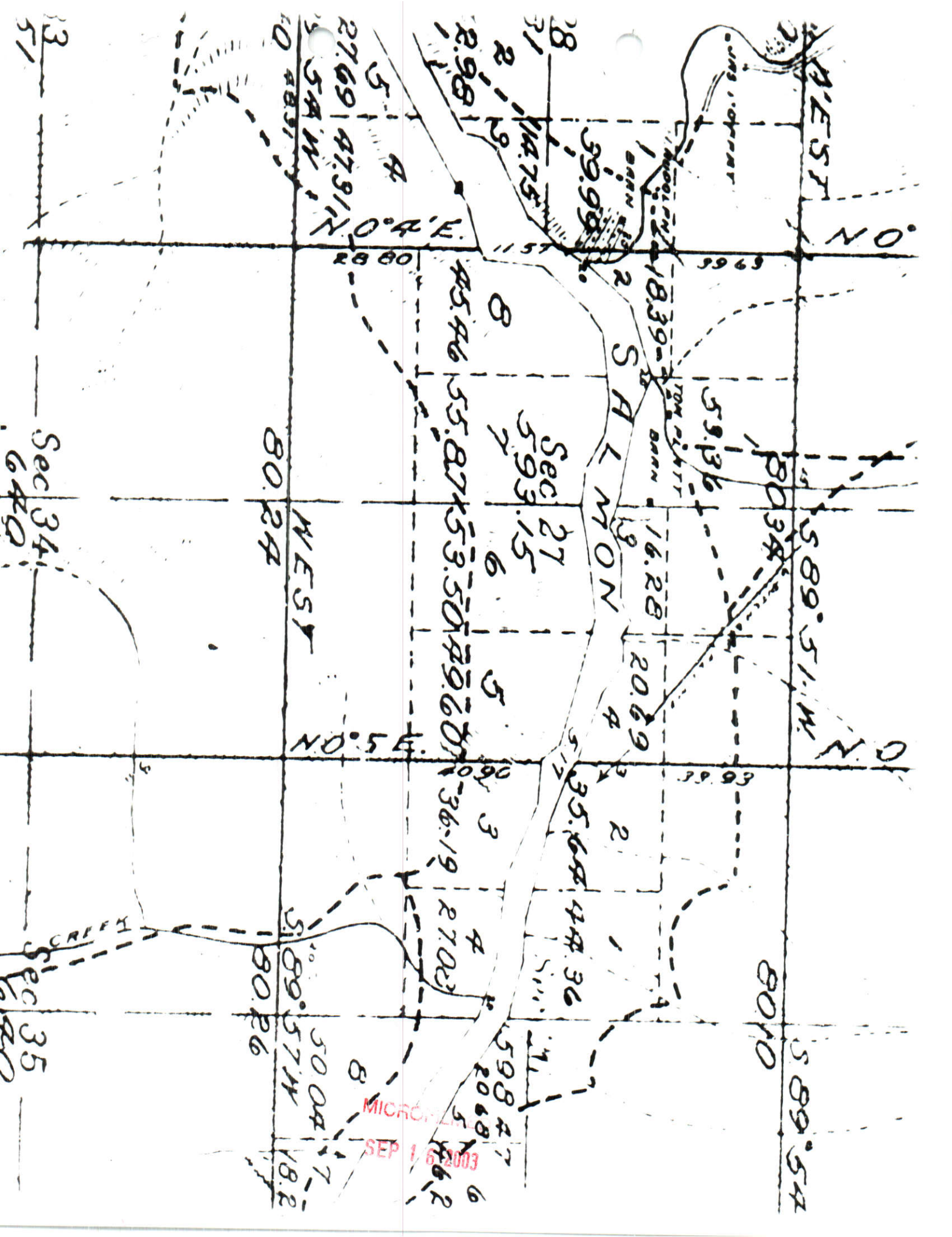
GOVERNMENT LOT 1, SECTION 27, TOWNSHIP 31 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN.

COMMENCING AT THE CENTER NORTH 1/16 CORNER OF SAID SECTION 27; THENCE N.89.48.17 W; 100 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N.89.48.17W; 435.60 FT; THENCE S.0.06.24W; 500 FEET MORE OR LESS TO THE MEAN HIGH WATER LINE OF THE SALMON RIVER; THENCE EASTERLY ALONG SAID HIGH WATER LINE 435.60 FEET MORE OR LESS TO A POINT 500 FEET S.0.06.24W; OF THE POINT OF BEGINNING; THENCE N.0.06.24E; 500 FEET TO THE POINT OF BEGINNING.



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SEP 16 2003



AUG - 8 2003

Form No 202a
April 2003

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEETCOMMENT
LETTERSInitial review by DAN Date 6-27-03 Application # 79-14083

REQUIRED INFORMATION

- ☒ Name (for corporation or partnership, names & addresses for director, officers, &/or other partners must be included)
- ☒ Address
- ☒ Source (see USGS quad for source names)
- ☒ P/D (10 acres for spring, lot & block descriptions for subdivisions, local name)
- ☒ County
- ☒ Quantity (flow & /or volume)
- ☒ Period of use
- ☒ Nature of use (list details in appl. Item 8 if non-irrigation)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ P/U
- ☒ Map (show T, R, S, QQ &/OR QQQ)
- ☒ Subdivision plat (if > 1 home restricted area $\geq$ 5 homes non-restricted area)
- ☒ Signature (if corporation, partnership, municipality, need title of signatory)
- ☒ Correct fee paid
- Government Lots
☒ YES P/D
☒ YES P/U

ADDITIONAL INFORMATION

NO ADVERTISE REMARKS (Yes or No)

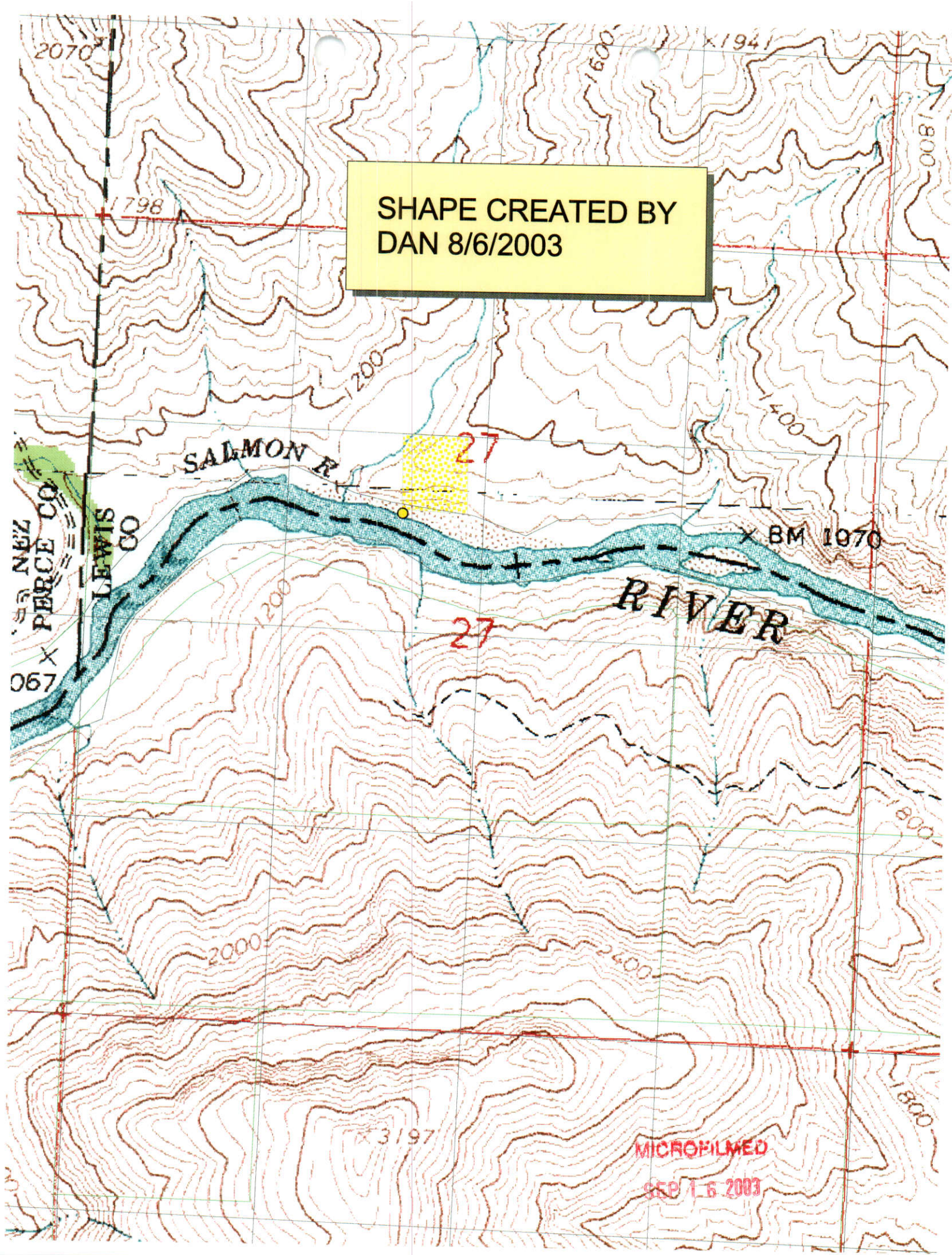
YES NO

- ☒ P/D overlap (explain) *NO SIGNIFICANT OVERFLOW*
- ☒ P/U overlap (explain) *(TRIBAL minimum FLOW Reach).*
- ☒ Critical groundwater area (send letter)
- ☒ Ground water management area (send letter)
- ☒ Drilling concern area (send letter)
- ☒ 1992 moratorium (send letter) *Salmon River moratorium*
- ☒ Surface water source, IDFG comment letter *EXEMPT DOMESTIC USE*
- ☒ Protected river or minimum flow reach, notify water planning bureau
- ☒ E-mail to Dam Safety staff (if any storage)
- ☒ Mitigation plan: "request to process form" in file:
- ☐ Immediate = closed areas, acceptable plan required & submitted
☐ Future = open areas, plan not required
- ☒ Send power requirement letter &/or fish farm requirement letter
- ☒ Power residency affidavit
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach large diversion supplementary analysis sheet)
- ☒ REQUEST ADDITIONAL INFORMATION FROM APPLICANT

arc view
updated-

Date Requested _____ Date Response Received _____

SHAPE CREATED BY
DAN 8/6/2003



Affidavit of Publication

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

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

2 weeks, being published 2 times, the

first publication being on the 17th day of

July, 2003, and the last publication on the

24th day of July, 2003; and that

the said notice was published in the newspaper proper and not in a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight (78) consecutive weeks prior to the first publication of said notice or advertisement.

Steven A. Wherry

STATE OF IDAHO, }
County of Idaho, }

On this 31st day of July in the year of 2003,

before me, a Notary Public, personally appeared Steven A. Wherry, know or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true and acknowledged to me that he executed the same.

PATRICIA E. WHERRY
NOTARY PUBLIC
STATE OF IDAHO

Patricia E. Wherry
Notary Public for Idaho

Residing at Cottonwood

My commission expires: 12-2006

Legal Notice

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

79-14083

ROBERT PAYNE JR. ✓

831 6th AVE

LEWISTON, ID 83501

Point(s) of Diversion L1 (SENW) S27

T31N R03W LEWIS County Source

SALMON RIVER Tributary to

SNAKE RIVER

Use: DOMESTIC 01/01 to 12/32
0.04CFS

Use: FIRE PROTECTION 01/01 to
12/31 0/04 CFS

Total Diversion: 0.04 CFS

Date Filed: 06/05/2003

Place of Use: DOMESTIC T31N
R03W S27 SENW Lot 1

Place of Use: FIRE PROTECTION
T31N R03W S27 SENW Lot 1

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 Resource, Western Region, 2735 Airport Wy., Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 08/04/2003. The protestant must also send a copy of the protest to the applicant.

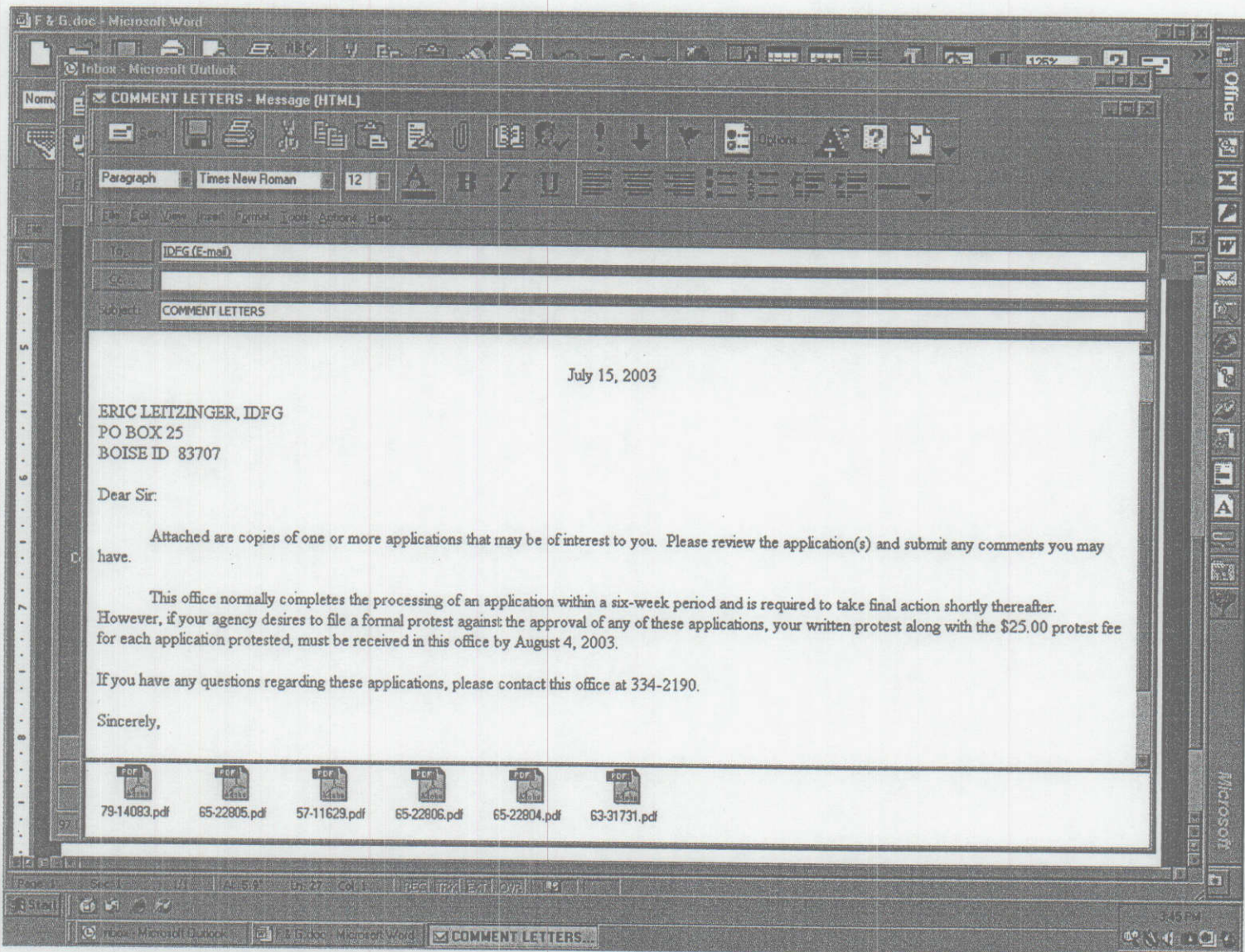
Karl J. Dreher, director

Published in the Lewis County Herald July 17 and 24, 2003.

RECEIVED
AUG 06 2003
WATER RESOURCES
WESTERN REGION

MICROFILMED

SEP 16 2003



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SEP 16 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 79-14083

Priority: June 05, 2003

Maximum Diversion Rate: 0.04 CFS

This is to certify, that ROBERT PAYNE JR
831 6TH AVE
LEWISTON ID 83501

has applied for a permit to appropriate water from:

Source: SALMON RIVER

Tributary: SNAKE RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS
FIRE PROTECTION	01/01 to 12/31	0.04 CFS

LOCATION OF POINT OF DIVERSION:

SALMON RIVER L1 (SE $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 27, Twp 31N, Rge 03W, B.M., LEWIS County

PLACE OF USE: DOMESTIC and FIRE PROTECTION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
31N 03W 27								X									
							L1										

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 01, 2008**.
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. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
5. Domestic use is for 1 home.
6. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 18th day of August, 2003

MICROFILMED

SEP 16 2003


for **KARL J DREHER, Director**

AUG - 8 2003

Department of Water Resources

Page 1

Ident. No. 79-14083

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: ROBERT PAYNE JR.
831 6TH AVE
LEWISTON ID 83501
(208) 746-9042

AMENDED

2. Source: SALMON RIVER Tributary to: SNAKE RIVER

3. Location of Point of Diversion:

#1 SALMON RIVER

L1 (SE1/4NW1/4)

Sec. 27, Twp 31N, Rge 03W, B.M.

LEWIS County

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	
FIRE PROTECTION	01/01 to 12/31	0.04 CFS	

5. Total quantity to be appropriated is: 0.04 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

a. Type and size of devices used to divert water from the source: 5 HP GAS PUMP WILL STORE WATER IN 1,000 GALLON TANK.

- 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 85F being sought? NO

- e. If well is already drilled, when? _____;

Drilling Firm _____;

Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

- 8.

DOMESTIC USE IS FOR ONE HOUSEHOLD AND YARD UP TO 1/2 ACRE.*
WATER WILL BE STORED IN 1,000 GALLON STORAGE TANK FOR FIRE PROTECTION AND DOMESTIC USES. THE 1,000-GALLON STORAGE TANK CAN BE FILLED AND/OR USED WITHIN 24 HOURS AT 18 GPM.

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JUL 03 2003

WATER RESOURCES
WESTERN REGION

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

PLACE OF USE: DOMESTIC AND FIRE PROTECTION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
31N	03W	27																	

PLACE OF USE: FIRE PROTECTION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
31N	03W	27																	

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

State of Idaho

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

Robert Payne JR - owner

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SEP 16 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

10. Remarks:

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

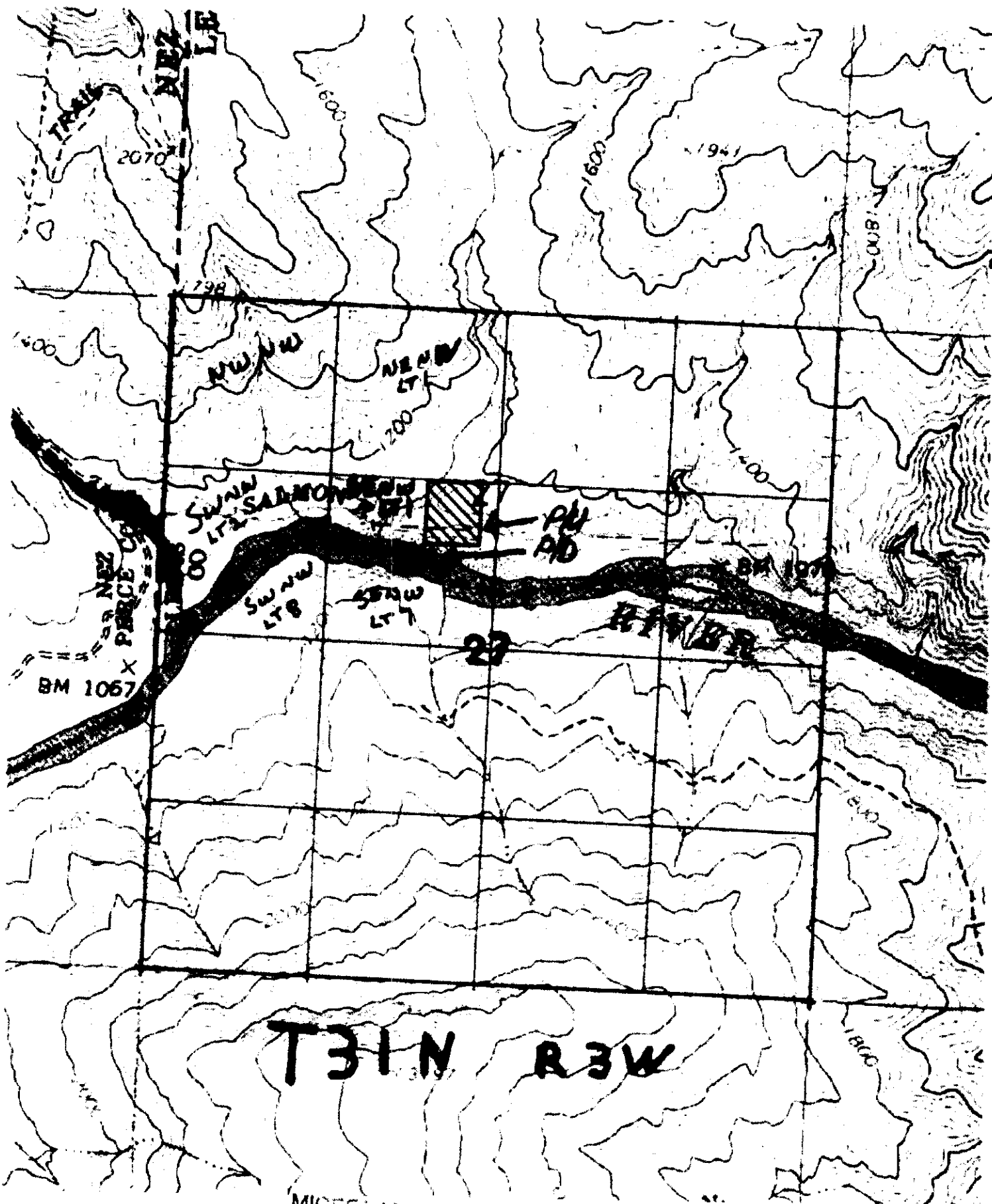
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.


Applicant

Received by DAN Date 7-3-03 Time 12:00 Preliminary check by DAN
Publication prepared by AT Date 7-17-03 Published in Tennis City Herald
Publication approved AT Date 8-6-03

Receipt No. N015424

Date: 1/10/2003Receipted by: SEE ORIGINALMICROFILMED
SEP 10 2003



T31N R3W

MICROFILMED

1987

70359

Ident. No. 79-14083

RECEIVED
JUN 05 2003

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JAN 10 2003

IDWR/North

1. Name of Applicant Robert Payne JR Phone 208-746-9042
Mailing address 831 6th Ave Lewiston Idaho 83501

2. Source of water supply Salmon River which is a tributary of Snake River

3. Location of point of diversion is Township 31 N Range 3 W Sec. 27 in the 1/4,
 1/4, 1/4, Govt. Lot 1, B.M.,

County; additional points of diversion if any: Lewis County Parcel No. RP31N03W272855A (5 ACRES)
"See MAP for Detailed location."

4. Water will be used for the following purposes:

Amount 0.00 - 0.20 for IRRIGATION purposes from April to OCT. (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) 0.20 and/or (b) 0 - 20
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 5HP GAS PUMP (2")

Will STORE WATER IN 1000gal TANK

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 5 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.

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SEP 16 2003

- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____
- _____
- _____

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SEP 16 2003

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	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
31N	3W	27	1					1					1						3
			F					F					F						

Total number of acres to be irrigated 3 ACRES

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

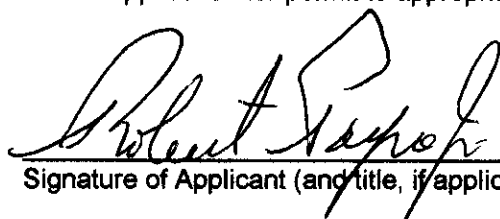
11. a. Who owns the property at the point of diversion? State of Idaho
b. Who owns the land to be irrigated or place of use? Robert Payne Jr

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: The water will be used for irrigation and fire protection. My Domestic Well is not big enough to produce for irrigation and fire protection.

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.)

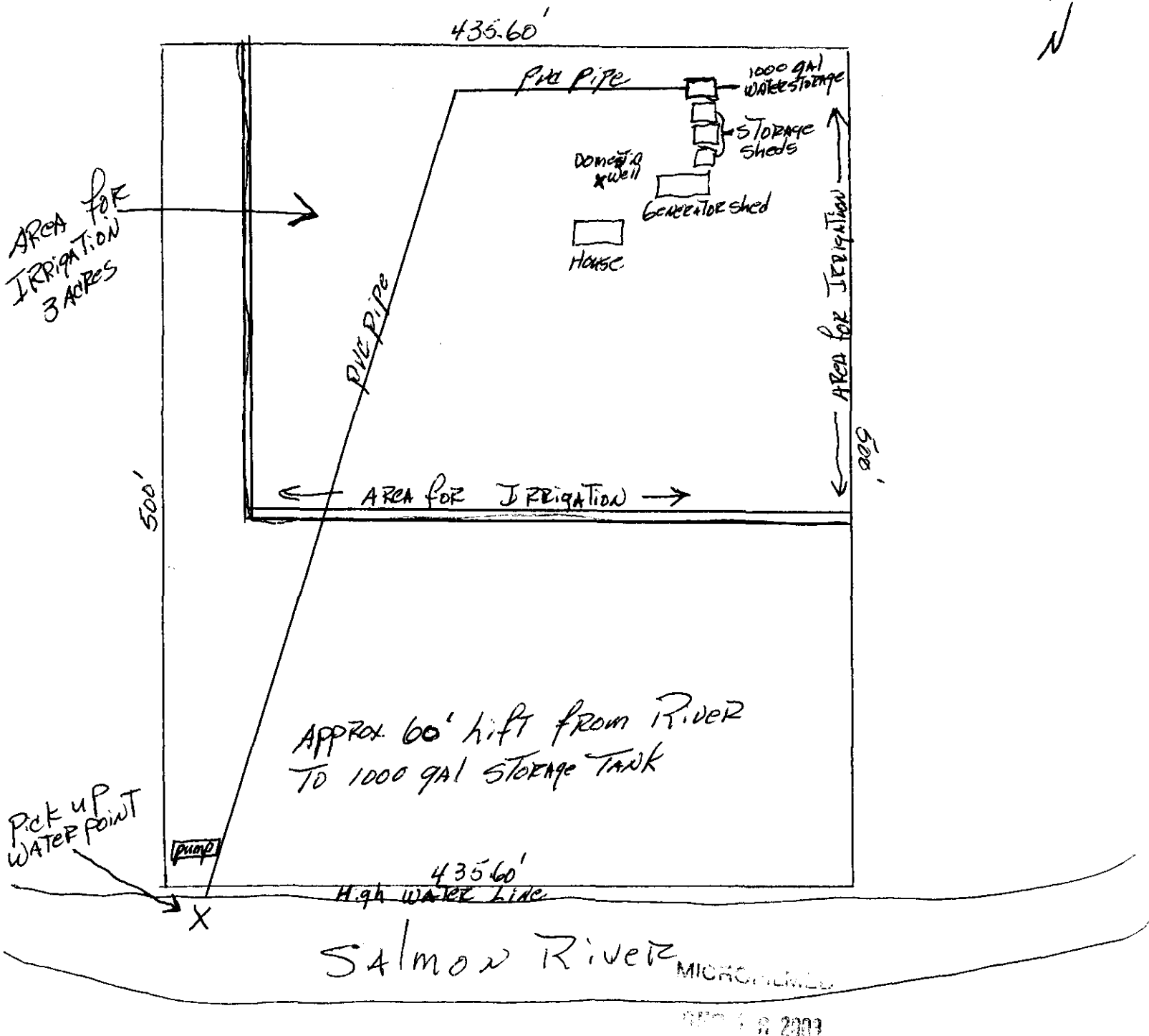
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.


Signature of Applicant (and title, if applicable)

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SEP 16 2003

Received by db Date 1/10/03 Time 11:30a Preliminary check by DAN

COMMENCING AT THE CENTER NORTH 1/16 CORNER OF SAID SECTION 27;
THENCE N.89.48.17 W; 100 FEET TO THE POINT OF BEGINNING; THENCE
CONTINUING N.89.48.17W; 435.60 FT; THENCE S.0.06.24W; 500 FEET MORE OR
LEST TO THE MEAN HIGH WATER LINE OF THE SALMON RIVER; THENCE
EASTERLY ALONG SAID HIGH WATER LINE 435.60 FEET MORE OR LESS TO
A POINT 500 FEET S.0.06.24W; OF THE POINT OF BEGINNING; THENCE
N.0.06.24E; 500 FEET TO THE POINT OF BEGINNING.



Idaho Department of Water Resources Receipt

Receipt ID N015424

Payment Amount \$100.00 Date Received 1/10/2003 11:47:30 AM Region Northern Status ☐
Payment Type Check Check Number 2177

Payer ROBERT PAYNE JR
Comment WR App fee

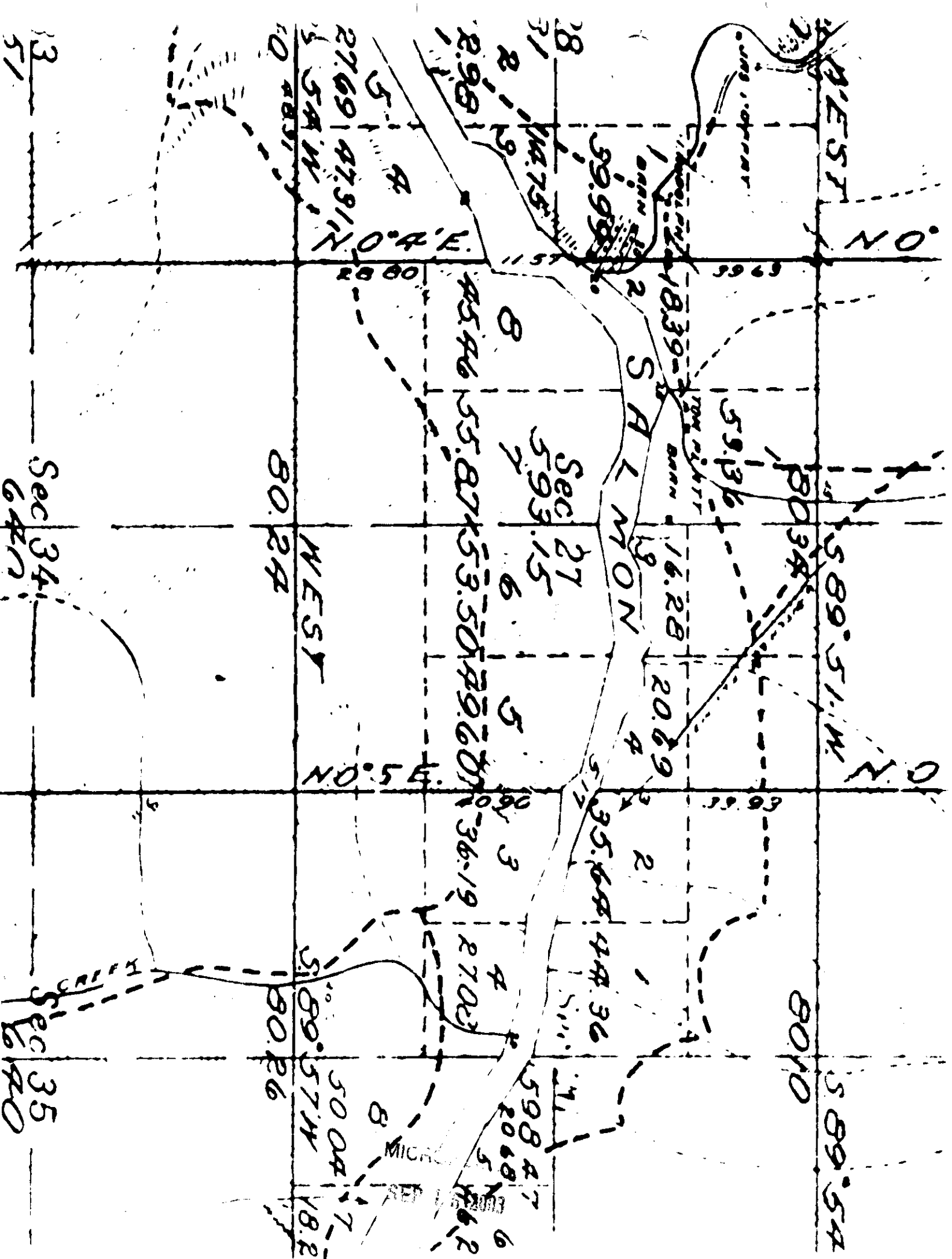
Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	PERMITS	0229	21	65103	1155


Signature Line (Dept. Representative)

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SEP 16 2003





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 18, 2003

ROBERT PAYNE JR
831 6TH AVE
LEWISTON ID 83501

RE: Permit No. 79-14083

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources 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 the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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.

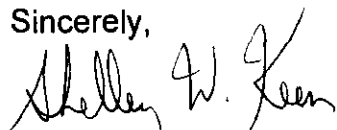
Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

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SEP 2 8 2003

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,



Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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SEP 16 2000

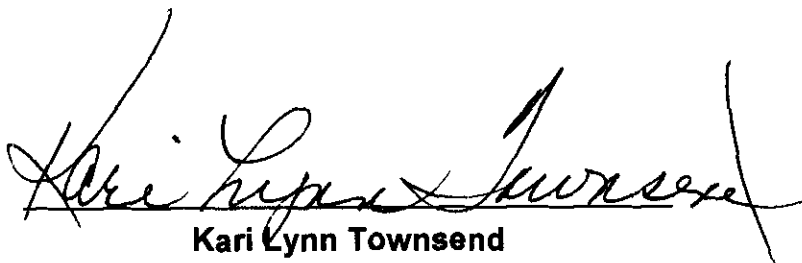
CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

79-14083

**ROBERT PAYNE JR
831 6TH AVE
LEWISTON ID 83501**



**Kari Lynn Townsend
Secretary**

MICROFILMED

SEP 18 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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SEP 16 2003

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

RECEIVED
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Form No 202a
April 2003

Department of Water Resources

*Salmon River
LETTERS*

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by DAN Date 6-27-03 Application # 79-14083

REQUIRED INFORMATION

- ☒ Name (for corporation or partnership, names & addresses for director, officers, &/or other partners must be included)
- ☒ Address
- ☒ Source (see USGS quad for source names)
- ☒ P/D (10 acres for spring, lot & block descriptions for subdivisions, local name)
- ☒ County
- ☒ Quantity (flow & /or volume)
- ☒ Period of use
- ☒ Nature of use (list details in appl. Item 8 if non-irrigation)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ P/U
- ☒ Map (show T, R, S, QQ &/OR QQQ)
- ☒ Subdivision plat (if > 1 home restricted area $\geq$ 5 homes non-restricted area)
- ☒ Signature (if corporation, partnership, municipality, need title of signatory)
- ☒ Correct fee paid
- Government Lots
yes P/D
yes P/U

ADDITIONAL INFORMATION

NO ADVERTISE REMARKS (Yes or No)

YES NO

- ☒ P/D overlap (explain) *NO SIGNIFICANT OVER FLOW (TRIBAL minimum FLOW Reach).*
- ☒ P/U overlap (explain)
- ☒ Critical groundwater area (send letter)
- ☒ Ground water management area (send letter)
- ☒ Drilling concern area (send letter)
- ☒ 1992 moratorium (send letter) *SALMON RIVER MORATORIUM*
- ☒ Surface water source, IDFG comment letter *EXEMPT DOMESTIC USE*
- ☒ Protected river or minimum flow reach, notify water planning bureau
- ☒ E-mail to Dam Safety staff (if any storage)
- ☒ Mitigation plan: "request to process form" in file:
 ___ Immediate = closed areas, acceptable plan required & submitted
 ___ Future = open areas, plan not required
- ☒ Send power requirement letter &/or fish farm requirement letter
- ☒ Power residency affidavit
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach large diversion supplementary analysis sheet)

☒ REQUEST ADDITIONAL INFORMATION FROM APPLICANT

*are view
updated-*

Date Requested _____ Date Response Received _____

PROCESSINGAPPLICATION # 79-14083YES ☒ NO ☐

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

COMMENT LETTERS

YES NO

☐ IDEQ
☒ District Health
☒ IDFG
☒ IDL

YES NO

☒ US BLM
☒ US Forest Service
☒ Water Dist #
☒ Water Planning Bureau
☒ Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

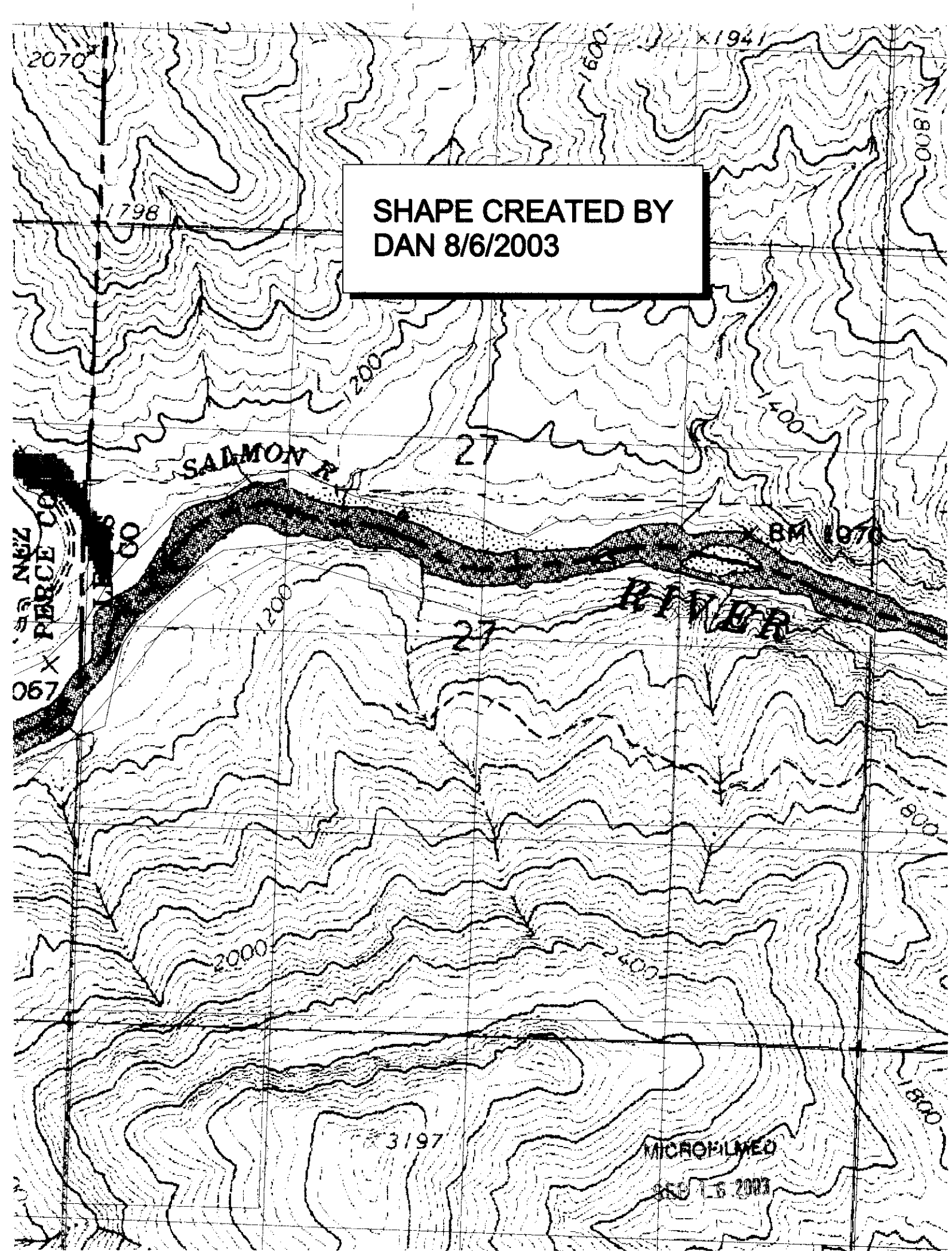
☒ Affidavit of publication received
☒ Application published correctly? If not, record action taken

☒ Publication dates & paper recorded on application
☐ Final date for protest 8-4-03
☒ Protests received
☒ Recommendations attached
☒ Measuring device required
☒ Water delivered by water master? District #
☒ Special conditions of approval or cover letter

Domestic Limitations - (including 1/2 acre yard)Standard conditions - Salmon River conditionRecommended Date of Priority 7-3-2003 * See BelowRecommendation ☒ Approve ☐ Deny by Daniel A. Nelson Date 8-6-03**ADDITIONAL INFORMATION**☒ See attached proof report, note Legal Notice Remarks &/or Comments☒ Shapefile completed (optional: attach with proof report)

Fire Protection was added on Amendment
Received 7-3-03. Therefore, Priority should
Be advanced to 7-3-03.

SHAPE CREATED BY
DAN 8/6/2003



Affidavit of Publication

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

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

2 weeks, being published 2 times, the

first publication being on the 17th day of

July, 2003, and the last publication on the

24th day of July, 2003; and that

the said notice was published in the newspaper proper and not in a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight (78) consecutive weeks prior to the first publication of said notice or advertisement.

Steven A. Wherry

STATE OF IDAHO, }
County of Idaho, }

On this 31st day of July in the year of 2003, before me, a Notary Public, personally appeared Steven A. Wherry, know or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true and acknowledged to me that he executed the same.

PATRICIA E. WHERRY
NOTARY PUBLIC
STATE OF IDAHO

Patricia E. Wherry
Notary Public for Idaho
Residing at Cottonwood
My commission expires: 12-2006

Legal Notice

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

72-14882

ROBERT PAYNE JR

881 6th AVE

LEWISTON, ID 83601

Point of Diversion LT (SENW) S27

T21N R27W E1W1 Lot 1

SALE OF RIVERS Authority to

ENHANCEMENT

Use: DOMESTIC 01/01 to 12/31

0.04 CFS

Use: FISH PROTECTION 01/01 to

12/31 0.04 CFS

Total Diversion: 0.04 CFS

OK

Point of Diversion LT (SENW) S27

T21N R27W E1W1 Lot 1

Point of Diversion PROTECTION

T21N R27W E1W1 Lot 1

Persons will be subject to all prior water rights. Protests may be submitted based on the criteria of Ch. 48-2004, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 8735 Airport Wy., Boise, ID 83705 together with a protest fee of \$35.00 for each application on or before 06/04/2003. The protestant must also send a copy of the protest to the applicant.

Mark J. Straley, Director

Published in the Lewis County Herald July 17 and 24, 2003.

RECEIVED
AUG 06 2003
WATER RESOURCES
WESTERN REGION

MICROFILMED

SEP 16 2003

Taylor, Sue

To: IDFG (E-mail)

Subject: COMMENT LETTERS

July 15, 2003

ERIC LEITZINGER, IDFG
PO BOX 25
BOISE ID 83707

Dear Sir:

Attached are copies of one or more applications that may be of interest to you. Please review the application(s) 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 any of these applications, your written protest along with the \$25.00 protest fee for each application protested, must be received in this office by August 4, 2003.

If you have any questions regarding these applications, please contact this office at 334-2190.

Sincerely,

Sue Taylor
ID Dept Water Resources

MICROFILMED

SEP 16 2003

7/15/2003

Office Memorandum

COMMENT LETTERS

Paragraph Three New Roman 12

DATE (F-mail)

COMMENT LETTERS

July 15, 2003

ERIC LEITZINGER, IDFG
PO BOX 25
BOISE ID 83707

Dear Sir:

Attached are copies of one or more applications that may be of interest to you. Please review the application(s) 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 any of these applications, your written protest along with the \$25.00 protest fee for each application protested, must be received in this office by August 4, 2003.

If you have any questions regarding these applications, please contact this office at 334-2190.

Sincerely,

79-14083.pdf 65-22805.pdf 57-11623.pdf 65-22806.pdf 65-22804.pdf 63-31731.pdf

MICROFILMED

SEP 4 6 2003

IDAHO DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY

BOISE ID 83704

1-208-334-2190

July 10, 2003

Legal Notice Department
LEWIS COUNTY HERALD
517 OAK
NEZPERCE ID 83543

RE: Application for Permit No. 79-14083

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 08/04/2003. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

SEP 16 2003

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

79-14083

ROBERT PAYNE JR.
831 6TH AVE
LEWISTON ID 83501

Point(s) of Diversion L1 (SENW) S27 T31N R03W LEWIS County Source SALMON RIVER
Tributary To SNAKE RIVER

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Use: FIRE PROTECTION 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 06/05/2003

Place Of Use: DOMESTIC

T31N R03W S27 SENW Lot 1

Place Of Use: FIRE PROTECTION

T31N R03W S27 SENW Lot 1

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 Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 08/04/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Lewis County Herald on July 17 2003. _____

MICROFILMED

SEP 1 8 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 27, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ROBERT PAYNE JR.
831 67TH AVE
LEWISTON ID 83501

RE: APPLICATION FOR PERMIT 79-14083

Dear Mr. Payne:

Attached to this email is the amended application for permit and map for your proposed water use. I have made the corrections that we spoke about on the telephone on 6/27/2003. Please review this form carefully to ensure that everything has been done correctly.

You neglected to complete section 9c on your original application for permit and I forgot to question you on this issue. Please complete 9c on the form and review the form to ensure there are no errors and that everything is filled out properly. If you feel that there is an error, please make the needed corrections to the application and/or map and initial the changes.

Once you feel the form accurately describes your proposed water use, please sign the application in the space provided on the last page and mail the form and map back to our office at the following address:

If you have any questions or concerns, please contact me at (208) 334-2190. I will be more than happy to go over the application with you. I will mail a copy of this application to you in case this email does not make it through the email system.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

MICROFILMED

SEP 16 2003

Nelson, Dan

From: Nelson, Dan
Sent: Friday, June 27, 2003 8:23 AM
To: 'PAYNER@DIRECWAY.COM'
Subject: AMENDED APPLICATION FOR PERMIT



PAYNE APP.rtf



payne map.jpg

Dear Mr. Payne,

Attached to this email is the amended application for permit and map for your proposed water use. I have made the corrections that we spoke about on the telephone on 6/27/2003. Please review this form carefully to ensure that everything has been done correctly.

You neglected to complete section 9c on your original application for permit and I forgot to question you on this issue. Please complete 9c on the form and review the form to ensure there are no errors and that everything is filled out properly. If you feel that there is an error, please make the needed corrections to the application and/or map and initial the changes.

Once you feel the form accurately describes your proposed water use, please sign the application in the space provided on the last page and mail the form and map back to our office at the following address:

Idaho Department of Water Resources
Attn: Dan Nelson
2735 Airport Way
Boise, ID 83705-5082

If you have any questions or concerns, please contact me at (208) 334-2190. I will be more than happy to go over the application with you. I will mail a copy of this application to you in case this email does not make it through the email system.

Respectfully,

Daniel A. Nelson
Senior Agent
Western Region
Idaho Department of Water Resources

MICRONICHE

SEP 1 8 2003

CONVERSATION MEMORANDUM

DATE 8/28/03

NAME OF PARTY Robert Payne

EMPLOYEE FR

FILE _____

RE: Appl. Status

Filed in c 3 Area + fire protection from
Salmon River.

Discussed monitoring.

CAN process if

1) mitigate cons. use or

2) limit to domestic w/ 1/2 Acre or less
yard area, fire protection OK unless
paved issues

Said $\leq 1/2$ Acre is fine, wants amend appl.
to

So CAN process as exception to monitoring.

tel. 208-746-9042 } Lewiston
cell " - 413-0277 }

MICROFILMED

SEP 18 2003