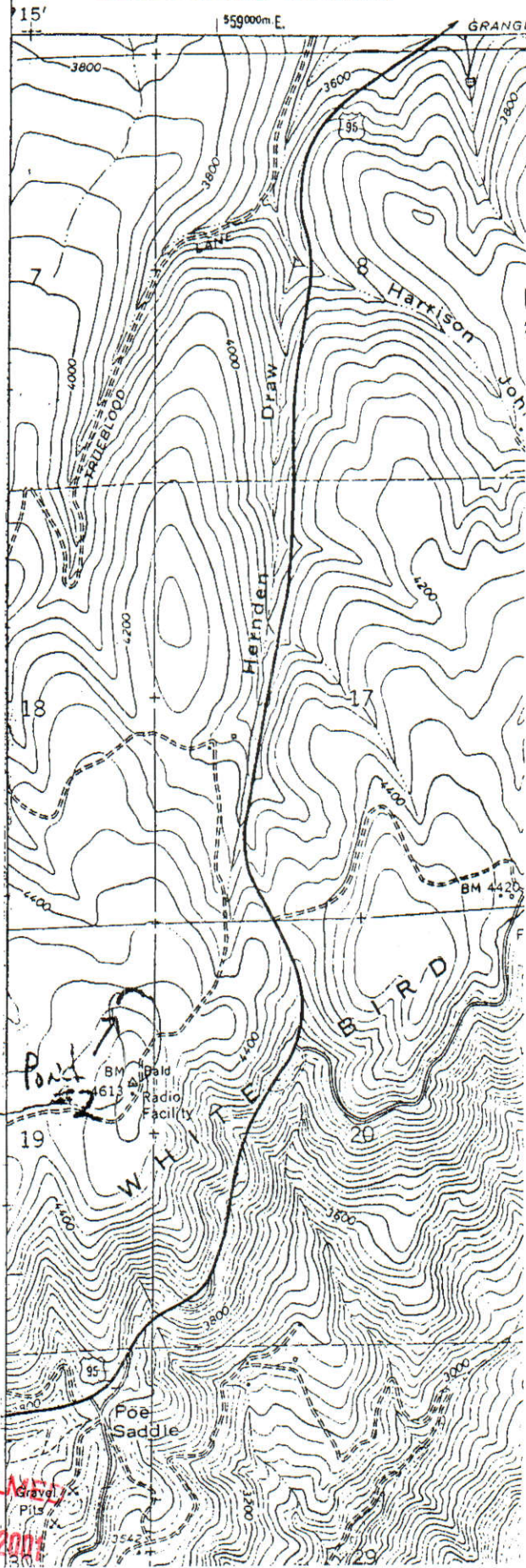


Air Rate Pond
 UNITED STATES
 DEPARTMENT OF THE INTERIOR
 GEOLOGICAL SURVEY





Received with proof of beneficial
use on Oct. 25, 2001. dg

Date on reverse states "8-20-01."

MICROFILMED

JAN 24 2002

RECEIVED

FEB 02 2001

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

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

79-13991

SPENCER RANCH INC.
RT. 2 BOX 504
GRANGEVILLE, ID 83530
Diversion Pt: NESESW Sec 18T 29N R 02E
in IDAHO County, Source: UNNAMED
STREAM
Use: FIRE PROTECTION (01/01 To 12/31 3
AFA)
STORAGE
Total Diversion: (3 AFA)
Date Filed: 11/30/2000
Place of use: FIRE PROTECTION STOR-
AGE

Twp 29N Rge 02E Sec 18 SESW

APPLICATION FOR WATER RIGHT

Tom & Sue Lindsey of P.O. Box 355, Lucile,
ID 83542 applied for an Application for Per-
mit that was advertised on 9-1-1999 and 9-8-
1999 in Idaho County (all sites are in T25N,
R1E, Section 2) as follows:
#79-7269, filed on 6-14-1999, Groundwater
diverted in SWSESW for Commercial (.02
cfs) and Stockwater (.02 cfs) uses in SENW.
Total amount of water is .04 cfs.

AMENDED APPLICATION

The application was amended on 12-15-00
for Groundwater for Commercial (.07 cfs)
and Domestic (0.4 cfs) uses. Will divert and
use water in Gov't. Lot 5 (SWNW). Total
amount of water will be 0.11 cfs. Applicants
agree to mitigate consumptive use in the fu-
ture as needed from an existing well on ap-
plicants' property.

The permit will be subject to all prior water
rights. Protests may be submitted based on
the criteria of Idaho Code, § 42-203A. Any
protest against approval of this application
must be filed with the Idaho Department of
Water Resources, Western Region, 2735 Air-
port Way, Boise, ID 83705-5082, together
with a protest fee of \$25 for each application
on or before February 5, 2001. The protes-
tant must also send a copy of the protest to
the applicant.

Karl J. Dreher, Director

Published in the Idaho County Free Press, 1-
17-2001 and 1-24-2001.

J17-24

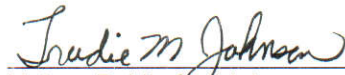
STATE OF IDAHO
County of Idaho - ss.

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 legal 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 17th day of January, 2001; and the last publication
on the 24th day of January, 2001; and that the said legal
notice was published in the newspaper proper and not a supple-
ment; that said newspaper has been continuously and uninter-
ruptedly published in said county during a period of seventy-eight
consecutive weeks prior to the publication of said legal notice of
advertisement.



STATE OF IDAHO)
COUNTY OF)

On this 24th day of January in the year of 2001, 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: 5-15-03

MICROFILMED

JUN 20 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

OCT 25 2001

10-25-01

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. 79-13991 Telephone No. (208) 983-2254
2. Name of Permit Holder(s): Spencer Ranch Inc.
3. Mailing Address: Rt. 2 Box 504
City Grangeville State Id Zip 83530
4. Source of Water: unnamed stream 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): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: Fire Protection Storage
6. Total rate of diversion and/or volume for which proof is submitted: _____ cfs OR 3 acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No _____
8. Fee Enclosed: \$ 50 (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: Craig or Jane Spencer Telephone Number: 208 983-2254
Address: Rt. 2 Box 504 Grangeville Id. 83530
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: [Signature] Date: 10-22-01
(include your title, if on behalf of company or organization)

MICROFILMED

10-22-01

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 79-13991

Priority: 11/30/2000

Maximum Diversion Volume: 3.0 AF

This is to certify, that SPENCER RANCH INC
RT 2 BOX 504
GRANGEVILLE ID 83530

has applied for a permit to appropriate water from:

Source: UNNAMED STREAM **Tributary:** SALMON RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
FIRE PROTECTION STORAGE	01/01 to 12/31	3.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, Twp 29N, Rge 02E, B.M. IDAHO County

PLACE OF USE: FIRE PROTECTION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
29N	02E	18																	X	

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2002**.
2. Subject to all prior water rights.
3. Water shall not be diverted from storage 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 28th day of February, 2001.


for KARL J DREHER, Director

MICROFILMED

FEB 28 2001

SENT BY: IDWR WESTERN REGION,

334 2348;

NOV-2 11:59AM;

PAGE 2

RECEIVED

FORM 202
298

FEB 16 2001

Ident. No. 79-13991RECEIVED
Department of Water ResourcesSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOV 30 2000

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

WATER RESOURCES
WESTERN REGION

Fax 983-1722

1. Name of Applicant Spencer Ranch Inc. (Craig or Jane Spencer) Phone 208 983-2254
Mailing address Rt. 2, Box 504 Grangeville, Idaho 83530
2. Source of water supply 200 acre catchbasin with one reliable spring which is a tributary of Rocky Canyon Creek to the Salmon River
3. Location of point of diversion is Township 29N Range 2 EBM Sec. 18 in the NE 1/4,
SE 1/4, SW 1/4, Govt. Lot , B.M., Idaho County;
additional points of diversion if any:
4. Water will be used for the following purposes:
Amount 3 for Storage for fire suppression 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) and/or (b) 3
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

b. Height of storage dam about 9 feet feet; active reservoir capacity about 3 acre-feet; total
reservoir capacity about 3 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 1 years (minimum 1 year)
8. Description of proposed uses (If irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in KW
b. Stockwatering; list number and kind of livestock. There will be about 100 head of cattle in this pastur
but this will not be their primary water. Summer only
c. Municipal; show name of municipality.
d. Domestic; show number of households.
e. Other; describe fully. Helicopter dipping pond for fire suppression

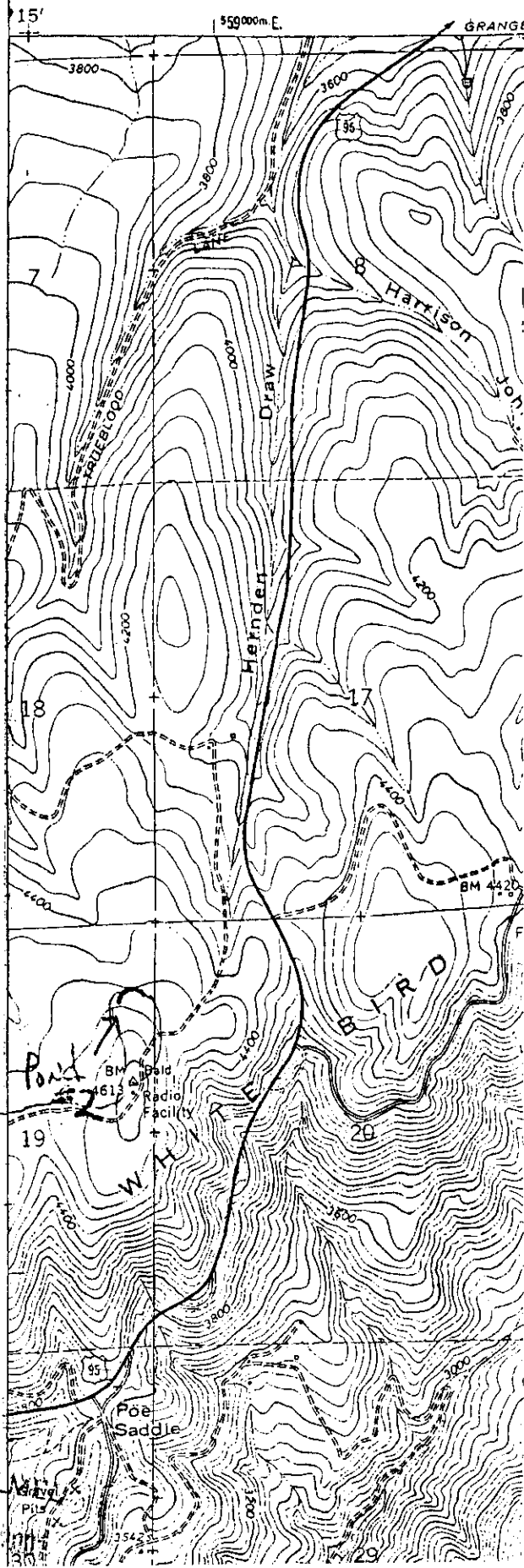
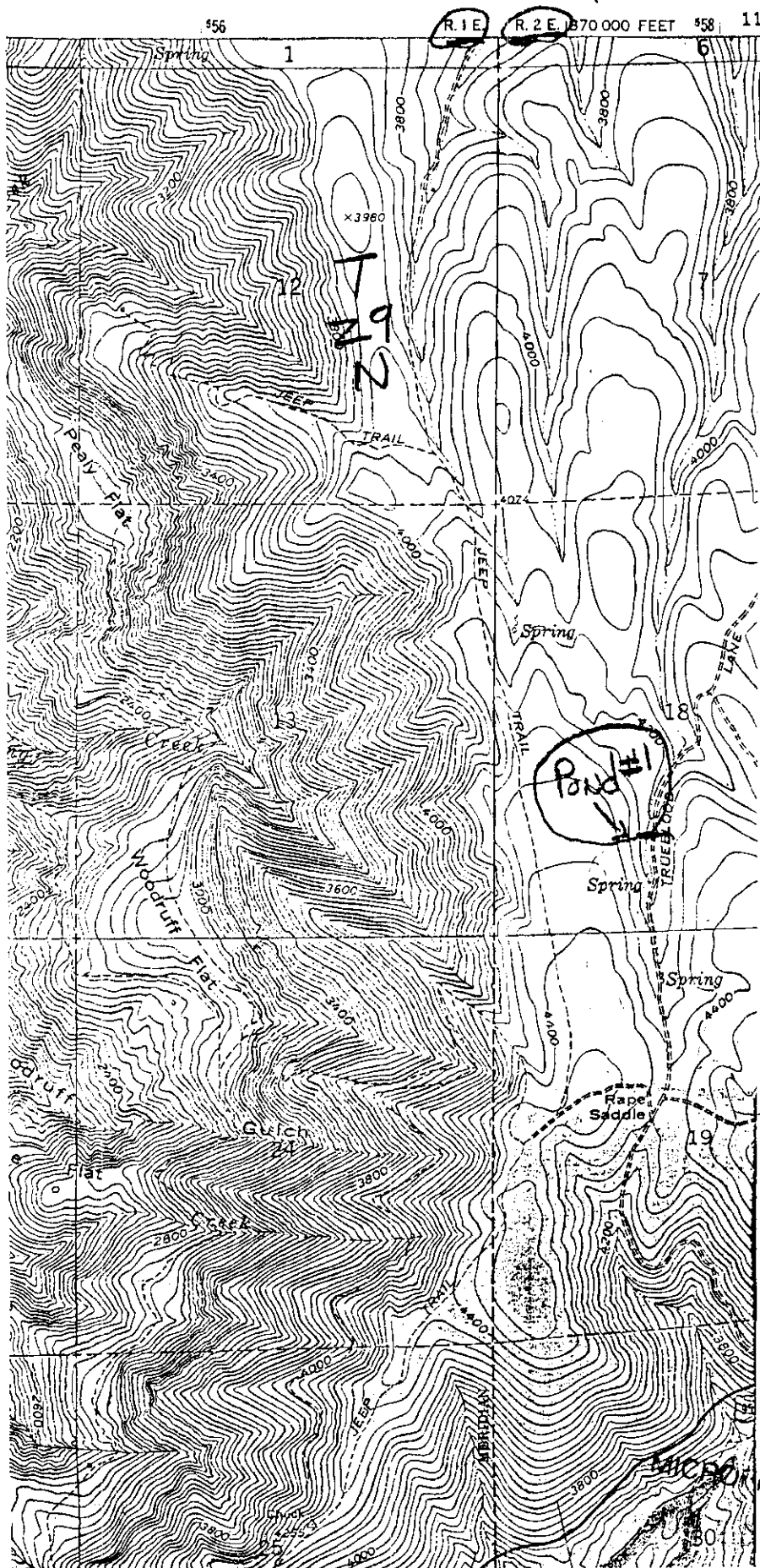
MICROFILMED

NOV 30 2000

100 7 0 2001

WHITE BIRD QUADRANGLE
IDAHO-IDAHO CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

Ar. rinate Pond
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY





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

October 29, 2001

SPENCER RANCH INC
RT 1 BOX 504
GRANGEVILLE ID 83530

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 79-13991

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights 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, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 79-13991

Reviewed By: dgibson

Date: October 29, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		W027193, C057346	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		10/25/2001
Date proof due	-	03/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	11/30/2000
New priority date	=	11/30/2000

Deficiencies of Actions Items

Acknowledge proof.



Received with proof of beneficial
use on Oct. 25, 2001. dg

Date on reverse states "8-20-01."

MICROFILMED

JAN 7 2002



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

March 1, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SPENCER RANCH INC
RT 2 BOX 504
GRANGEVILLE ID 83530

RE: Permit No. 79-13991

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.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

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.

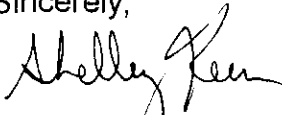
MICROFILMED

APR 2 1998

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,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name being the most prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

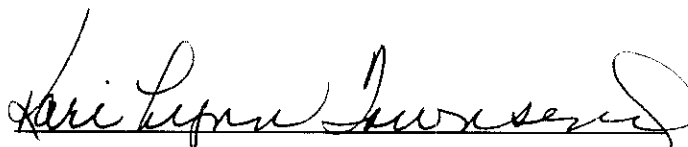
APR 20 2001

CERTIFICATE OF MAILING

I hereby certify that on March 1, 2001 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. 79-13991

**SPENCER RANCH INC
RT 2 BOX 504
GRANGEVILLE ID 83530**

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

**Kari Lynn Townsend
Secretary**

MICROFILMED

APR 11 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
JUL 2 1987

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 2/22/01

No. 79-13991 Name: Spencer Ranch Corp. Officers _____ Ad ok _____ Govt Lots _____

AREA OF CONCERN: No/Yes _____ Moratorium _____ GWMA _____ TRUST/NON-TRUST _____

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 084 (if necessary)
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-106(P10)
FISH PROP - 029(70'S only)-007-042-106 (P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 3/01/2002

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response None
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE _____
In-stream development - P52
WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens) NA
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-106 (P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

9/99

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Dep. of Water Resources

INITIAL REVIEW BY: g DATE: 12/29/00 APPLICATION: 79-13991REQUIRED 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) *see comments*
- ☒ 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. ≥ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid

Gov't. Lots:

☒ P/D
☒ P/U
ADDITIONAL INFORMATION

N ADVERTISE REMARK(S)
(Reviewer identify which remarks)

— T FLAG CHANGED TO P FLAG

YES NO

- ☒ ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ ☒ Overlapping point of diversion.
- ☒ ☒ Critical groundwater area:
- ☒ ☒ Groundwater management area:
- ☒ ☒ 1992 moratorium:
- ☒ ☒ Surface water source, IDFG letter needed.
- ☒ ☒ Protected river or minimum flow reach, notify water planning bureau.
- ☒ ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☒ ☒ E-mail to Dam Safety staff: (for any storage) *see attached letter*
- ☒ ☒ Mitigation plan: Check any that apply.
- ☒ ☒ immediate = acceptable plan required and submitted.
- ☒ ☒ future = open areas, acceptance of condition of approval is in file. *> exempt: < 1/2 acre surface area*
- ☒ ☒ 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 THE APPLICANT

original application - received copy

Date Requested 12/11/00Date Response Received 12/29/00

- telecon saying original had been mailed

PROCESSING

APP. NO. 75 13991

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. # _____
☐ ☒ Water Planning Bureau
☐ ☒ 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 _____
☐ ☒ Protests received.
☐ ☐ Recommendations attached:
☐ ☐ Measuring device required:
☐ ☐ Water delivered by water master? District # _____
☐ ☐ Special conditions of approval or cover letter: _____

See below for additional information
Recommended Date or Priority 11/30/2000
Recommended by: _____ Date: _____

ADDITIONAL INFORMATION:

RECEIVED

FEB 02 2001

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

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

79-13981

SPENCER RANCH INC.
RT. 2 BOX 504
GRANGEVILLE, ID 83530
Diversion Pt: NESESW Sec 18T 29N R 02E
in IDAHO County, Source: UNNAMED
STREAM
Use: FIRE PROTECTION (01/01 To 12/31 3
AFA)
STORAGE
Total Diversion: (3 AFA)
Date Filed: 11/30/2000
Place of use: FIRE PROTECTION STOR-
AGE

Twp 29N Rge 02E Sec 18 SESEW

APPLICATION FOR WATER RIGHT

Tom & Sue Lindsay of P.O. Box 559, Eagle,
ID 83542 applied for an Application for Per-
mit that was advertised on 9-1-1999 and 9-8-
1999 in Idaho County (all done up in T29N,
R1E, Section 2) as follows:

#79-7269, filed on 6-14-1999, Groundwater
diverted in SWSEW for Commercial (.02
cfs) and Stockwater (.02 cfs) uses in SENW.
Total amount of water is .04 cfs.

AMENDED APPLICATION

The application was amended on 12-15-00
for Groundwater for Commercial (.87 cfs)
and Domestic (0.4 cfs) uses. Will divert and
use water in Gov't. Lot 5 (SWNW). Total
amount of water will be 0.11 cfs. Applicants
agree to mitigate consumptive use in the fu-
ture as needed from an existing well on ap-
plicants' property.

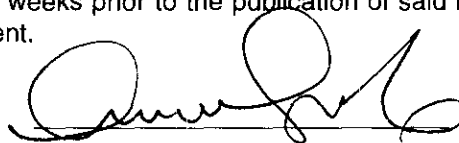
The permit will be subject to all prior water
rights. Protests may be submitted based on
the criteria of Idaho Code, § 42-203A. Any
protest against approval of this application
must be filed with the Idaho Department of
Water Resources, Western Region, 2735 Air-
port Way, Boise, ID 83705-5082, together
with a protest fee of \$25 for each application
on or before February 5, 2001. The protes-
tant must also send a copy of the protest to
the applicant.

Karl J. Dreher, Director
Published in the Idaho County Free Press, 1-
17-2001 and 1-24-2001.

J17-24

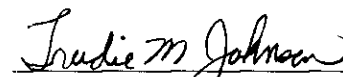
STATE OF IDAHO
County of Idaho - ss.

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 legal 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 17th day of January, 2001; and the last publication
on the 24th day of January, 2001; and that the said legal
notice was published in the newspaper proper and not a supple-
ment; that said newspaper has been continuously and uninter-
ruptedly published in said county during a period of seventy-eight
consecutive weeks prior to the publication of said legal notice of
advertisement.



STATE OF IDAHO)
COUNTY OF)

On this 24th day of January in the year of 2001, 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: 5-15-03

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1-24-2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 17, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Water Right No. 61-11935 in the Name of Robert &/or Pamela Howard
Application for Water Right No. 63-12607 in the Name of Double D Development
Application for Water Right No. 63-31128 in the Name of Golden Sunrise Mining Co
Application for Water Right No. 65-22313 in the Name of Anna Marie Newell
Application for Water Right No. 77-14138 in the Name of Hubert Buettgenbach
Application for Water Right No. 79-13991 in the Name of Spencer Ranch Inc

Dear Sir:

Enclosed are copies of the above-referenced applications that the proposed use is from surface water. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by February 5, 2001.

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

Sincerely,

Gary Spackman

GS:lm
Encl.

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JAN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 1/17/01

TO: CRAIG SPENCER

FROM: LOKI GRAVES

DOCUMENT DESCRIPTION:

Please sign next to faxed
signature and return to my attention.
Thank you

TOTAL PAGES SENT: 1 + COVER SHEET

CONTACT: _____

MICROFILMED

SENT BY: IDWR WESTERN REGION;

334 2348;

NOV-22-00 12:03PM;

PAGE 8/10

4/80

Attn. John Westra

Fax 334-2348

Related Water
Permit No. _____STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR CONSTRUCTION OF SMALL DAM

As required for construction or alteration of a dam 20 feet or less in height
and capable of storing less than 100 acre-feet of water.

Fax 983 1722

1. Name of Owner (print or type): Spencer Ranch Inc Phone No. 208 983-2254
Post Office Address: Rt. 2, Box 504 Grangeville, ID 83530
2. Application for: ☒ Construction of new dam, ☐ Reconstruction, Alteration of existing dam
3. Location: SE 1/4, SW 1/4, Section 18, Township 29 N, Range 2 EBM
Idaho County.
4. Source of Water 200 acre catchbasin with one reliable spring butary to Rocky Canyon Creek to Salmon River
(Name, Unnamed Stream, Other-describe) (Stream Name)
5. Drainage Area: 200 acres, above the site of the dam.
(Approximate)
6. Downstream Development None

Describe land use below site of dam, indicate approximate distances to buildings or development, roads, etc.

Pasture, hilly, giving way to prairie within 5 miles. Then about ten miles of prairie to the
entrance to Rocky Canyon Creek canyon. No people or housing or any other development.
Approximately ten miles of pasture until drainage would encounter a gravel road.

NOTE: If the small dam is (to be) located in or immediately above a high risk area (urban concentrated development, or in proximity to a habitable dwelling, that could be adversely affected by a release from the dam) this application shall be accompanied by plans and specifications prepared by a registered engineer.

- 5 $\frac{5}{10}$ of an

7. Reservoir: Surface area _____ acres, Storage Capacity about 3 acre-feet.
8. Reservoir Storage Purpose: Helicopter dipping pond for fire suppression
(Irrigation, Recreation, Other-describe)

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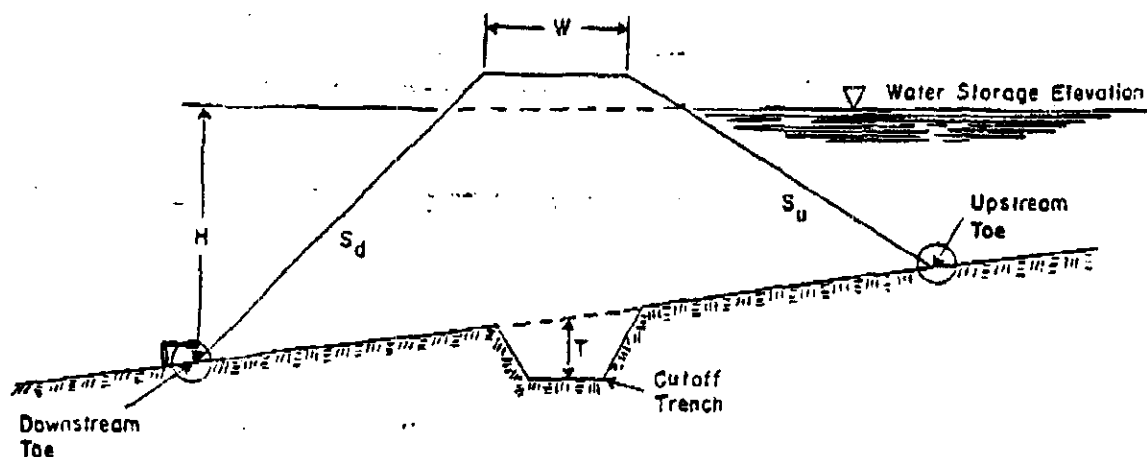
SENT BY: IDWR WESTERN REGION;

334 2348;

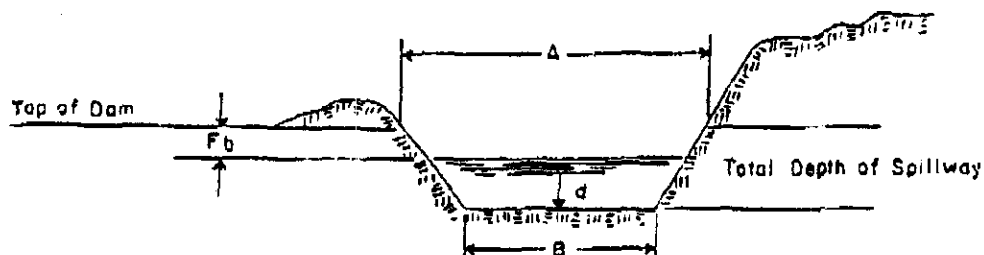
NOV-22-00 12:03PM;

PAGE 9/10

DETAILS OF DAM AND APPURTENANT STRUCTURES

Type of dam (embankment, other, describe) embankmentHydraulic Height (H) 16 feet. If dam is being raised, indicate increase in height feet.Crest Length 115 feet. Crest (top of dam) Width (W) 8 feet.Downstream Slope (S_d) 3 : 1; Upstream Slope (S_u) 2 : 1.Depth of Cutoff Trench (T) about 2 feet.OUTLET 2 ft (Size); culvert (Type); Maximum Release Rate cfs. (under full reservoir head)Size and number of anti-seep collars (also indicate spacing of collars along outlet)

SPILLWAY

☐ Service (auxiliary) Spillway, describe ☐ Emergency Spillway, Located at: ☐ left, ☒ right abutment, ☐ other location.Total Depth of Spillway (below top of dam) about 3.5 feet.Spillway: Bottom width (B) 15 feet; Top Width (A) 25 feet.Discharge Capacity of Spillway cfs at spillway flow depth (d) feet.Freeboard (F_b) feet (total depth of spillway minus the spillway flow depth).Spillway Channel Lining Rock Rip Rap MICROFILMED
(Rock Cut, Rock Riprap, Other-describe)

SENT BY: IDWR WESTERN REGION;

334 2348;

NOV-22-00 12:04PM;

PAGE 10/10

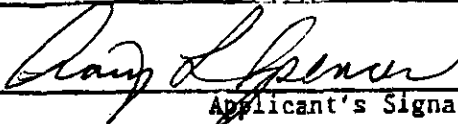
CONSTRUCTION SCHEDULE

Proposed date for start of construction

Nov. 27, 2000

Nov. 22, 2000

(Date)



Applicant's Signature

FOR DEPARTMENT USE ONLY

Date application received _____

By _____

Fee \$ _____

Date receipted _____

Receipted by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

In accordance with the provisions of Title 42, Chapter 17, Idaho Code, and the Department's Rules and Regulations for Safety of Dams, the application for construction of _____ Dam is hereby approved, subject to the following conditions:

1. This action does not constitute the required authority to appropriate water under Idaho Water Law.
2. The applicant shall notify the Department at the following times and at such other times deemed necessary, to conduct inspections.
 - a. After clearing and excavation of the foundation area, and prior to placing fill material.
 - b. After installation of the outler conduit, and before placing any backfill material around the conduit.
 - c. After construction is complete and before any water is stored in the reservoir.
3. Approval of the application for construction of the dam shall not be construed to grant the applicant other authorization required to proceed. It is the responsibility of the applicant (dam owner) to secure all lands, easements, and rights-of-way; water rights; or the approval of other regulatory agencies, prior to commencing to construct the dam or to store water in the reservoir area.
4. In the event the owner fails to pursue actual construction and maintain reasonable progress on construction of the dam, in conformance with this approval, the Director may revoke the approval one year after such approval.
5. Additional Conditions:

Witness my hand this _____ day of _____, 19____.

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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

KARL J. DREHER
DIRECTOR

December 11, 2000

Craig Spencer
Route 2, Box 504
Grangeville, ID 83530

RE: Trueblood (Proposed) Dam

D79-XX04

Dear Mr. Spencer:

The Department received your application for construction of a small dam, which is to be located in Section 18, Township 29 North, Range 2 East B.M., in Idaho County. The dam, as proposed, is high enough to be addressed by the Safety of Dams Program. However, since the location of the dam is such that the downstream risk, due to sudden failure, is currently determined to be low, and since it stores less than 10 acre-feet, it is exempt from regulation by IDWR. In the future, if there is further development below the dam, that reclassifies the downstream risk to significant, the dam will then be regulated by IDWR.

A small dam located above a low risk area is not required to be constructed to meet the construction standards set forth in the rules. However, we recommend the dam be constructed to meet the standards, the information supplied on the application and by the NRCS, and also the following guidelines:

- A water right has been filed for storage at the dam and is currently being processed. Construction shall not proceed until a water right permit is issued.
- The application indicates the cutoff trench depth, to be excavated under the dam, will be 2 feet. The trench, however, should be excavated to an impervious layer (clay or rock), to prevent seepage flow directly underneath the dam.
- The material to be used for backfill of the cutoff trench and for construction of the core of the dam should be clayey material placed in lifts not exceeding 6 inches, before compaction.
- The fill should be compacted by means of a loaded sheepsfoot or pneumatic roller to the required density to be determined in the field. An acceptable range of moisture content should be established and maintained throughout construction.

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DEC 11 2001

Craig Spencer
RE: D79-XX04
Page 2

- The core material should be free of organic material, frozen or cloddy material and rocks greater than 4 inches in maximum diameter.
- A minimum of 2 anti-seep collars should be placed around the outlet-spillway pipe to prevent seepage from flowing along the outside of it. The collars should be spaced a minimum of 14 feet apart within the clay zone of the dam, and should extend out from the pipe a minimum of 2 feet in all directions.

As proposed, your dam is classified as a small, low risk dam. Rule 50.11 indicates that a dam so classified must be capable of passing an inflow design flood (IDF) that has a 1 in 50 chance of occurring in any given year (Q50). Since the drainage area above the dam appears to be small, approximately 200 acres, the IDF is estimated to be 40 cfs. The proposed spillway is adequate to handle the IDF with adequate freeboard.

As previously mentioned, the dam is not required to meet the construction standards; however, if the dam is placed on the active inventory for any reason, such as downstream development, modifications to the dam may be required if the dam was not constructed properly. The owner of the dam is liable for any damage that may be caused by failure.

Should you have any questions, please contact John Westra, phone (208) 334-2190 in our Western Regional Office in Boise. Also, please notify Mr. Westra when construction is complete so that a final inspection can be conducted.

Sincerely,



A. Michael Stubblefield, P.E.
Dam Safety Section

✓cc: IDWR - Western Region

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JUN 25 2007

01/10/2001

IDAHO COUNTY FREE PRESS
PO BOX 267
GRANGEVILLE ID 83530

RE: Application for Permit No. 79-7269 and 79-13991

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 February 5, 2001. Your cooperation is appreciated.

Sincerely,



Sue Taylor
Senior Secretary

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FEB 21 2001

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

79-13991

SPENCER RANCH INC
RT 2 BOX 504
GRANGEVILLE ID 83530

Diversion Pt: NESESW Sec 18T 29N R 02E in IDAHO County, Source: UNNAMED STREAM

Use: FIRE PROTECTION (01/01 To 12/31 3 AFA)
STORAGE

Total Diversion: (3 AFA)

Date Filed: 11/30/2000

Place of use: FIRE PROTECTION STORAGE

Twp 29N Rge 02E Sec 18 SESW

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 Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before 02/05/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

Published on January 17 and 24, 2001.

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