

T23N R1E
Sec 5 SWSE
No Gov Lts
in 5 1/2 Sec 5

3400

CROSS O RANCH INC.

2400

LITTLE

NORTH

5

DLEY ET UX

36

32

154

MICROFILMED
AUG 25 2000

52

2400

STATE OF IDAHO, COUNTY OF IDAHO

HEREBY CERTIFY THAT THIS INSTRUMENT
WAS FILED FOR RECORD AT THE REQUEST
OF _____ AT _____ MINUTES
PAST _____ DAY OF _____
198 IN MY OFFICE AND DULY RECORDED
IN BOOK _____ OF _____ ON PAGE _____
RECORDED BY _____ DEPUTY
INSTRUMENT NO _____

TAX NO. OR TRACT COR. - SET 1" DIA. BY 24"
LONG GALV. IRON PIPE.

○ TAX NO. COR. - NOT SET.

○ & POSITION FOR FOUND CULVERTS SHOWN
ON OLD HWY. NO. 95 F.A.P. 9-G.

— G.L.O. 1/4 COR. - FOUND BRASS CAP & PIPE.

— G.L.O. SECTION COR. - FOUND BRASS CAP & PIPE.

— TAX NO. OR TRACT LINE ESTABLISHED.

— G.L.O. SECTION LINE.

— CENTERLINE OLD HWY. NO. 95 F.A.P. 9-G.

— RIGHT-OF-WAY LINE 330' LEFT & OLD HWY. 95.

— WATER LINE EASEMENT CENTERLINE - 6' WIDE, 3' LT. & R.

— ROAD AND UTILITIES EASEMENT LINE & AREA.

RECORD OF SURVEY

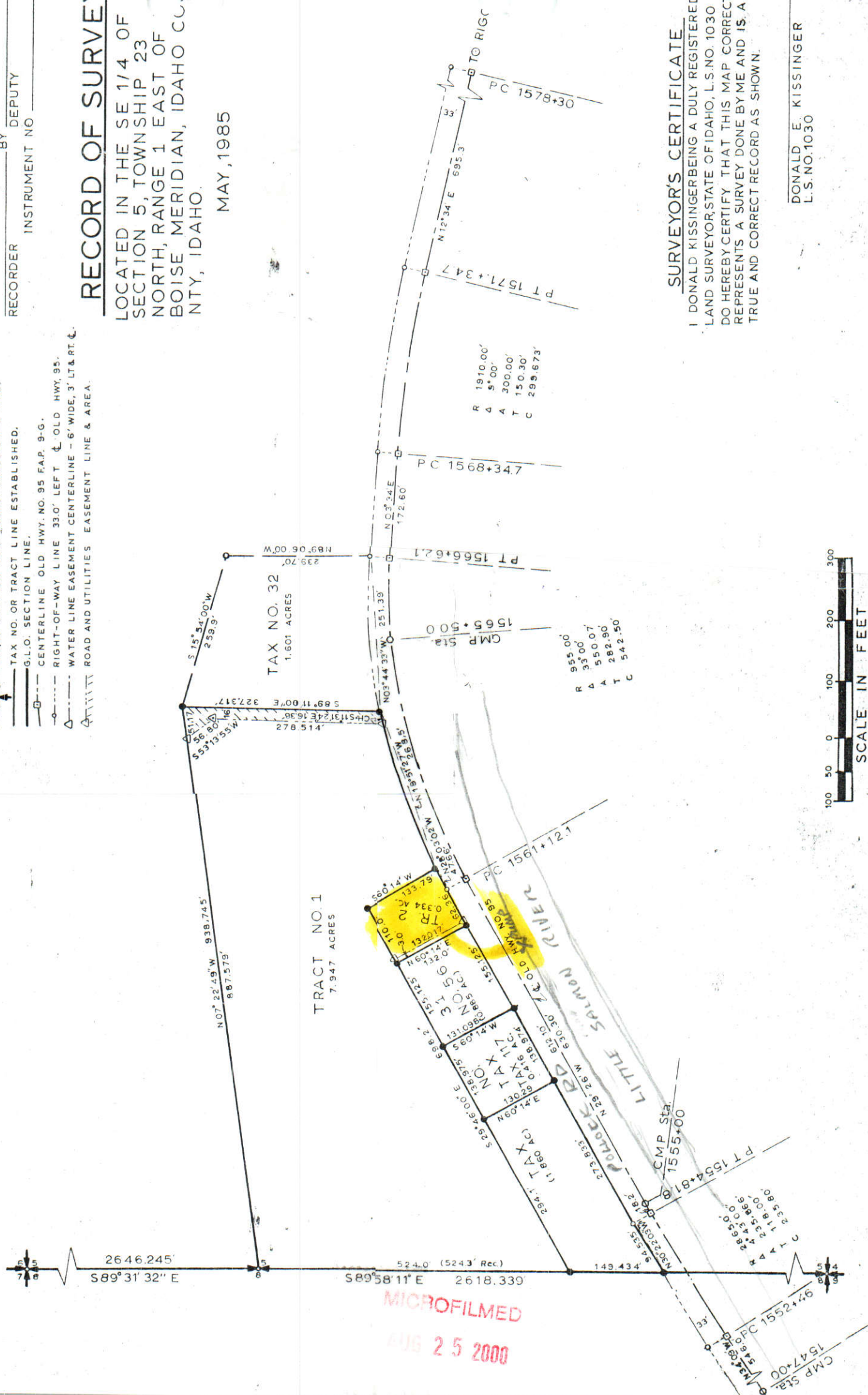
LOCATED IN THE SE 1/4 OF
SECTION 5, TOWNSHIP 23
NORTH, RANGE 1 EAST OF
BOISE MERIDIAN, IDAHO CON-
NTY, IDAHO.

MAY, 1985

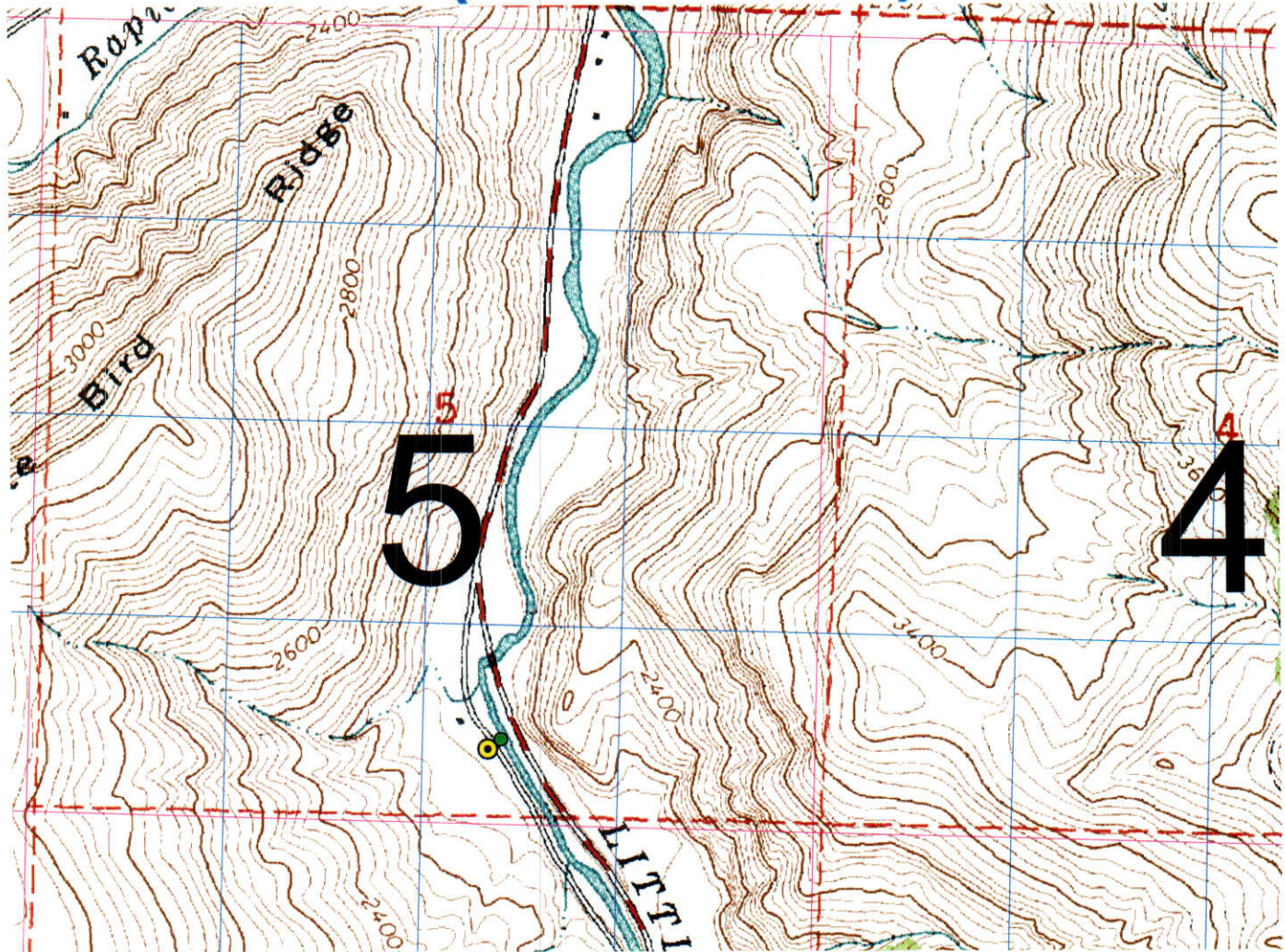
SURVEYOR'S CERTIFICATE

I DONALD KISSINGER BEING A DULY REGISTERED LAND SURVEYOR, STATE OF IDAHO, L.S. NO. 1030 DO HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS A SURVEY DONE BY ME AND IS A TRUE AND CORRECT RECORD AS SHOWN

DONALD E. KISSINGER
L.S. NO. 1030



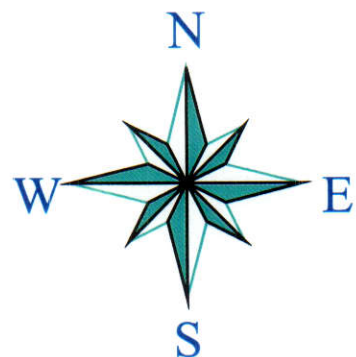
78-7397
T23N R1E S5
(No Gov Lts)



0.4 0 0.4 0.8 Miles

- PD
- P/U
- Sections
- 1/41/4

MICROFILMED
JAN 24 2002





P/D
2 HP PUMP

P/U

MICROFILMED
JAN 24 2002



9 14 01

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 4/7/00

No. 78-07397 Name: Carter Corp. Officers N/A Ad ok ✓ Govt Lots

AREA OF CONCERN: No/Yes S/C dom ok **Moratorium** **GWMA** **TRUST/NON-TRUST**

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 085
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 (20s-70s, 81-86)
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 - 054-081(P10)
FISH PROP - 029(70's only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 4 / 01 / 2001

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

IRRIGATION SEASON - (Per updated map)

OTHER CONDITIONS/REMARKS telecon 4/19/00 - use intended is lawn/garden

COMMENTS irrig ≤ 1/2 ac.
a well is used for indoor use

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response No objection
In/Above MSF - WB9
PLANNING SECTION 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)
~~Weiser R (67)~~ - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(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 NA
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

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

78-07397

CARTER, WILLIAM A
CARTER, MARY E
PO BOX 1301
RIGGINS, ID 83549
Source: LITTLE SALMON RIVER Tribu-
tary: SALMON RIVER
Diversion Pt: SWSE Sec 5 T 23N R 01E in
IDAHO County.
Use: DOMESTIC (0.020 CFS)
Total Diversion: (0.020 CFS)
Date Filed: 8/9/1999
In: IDAHO County
T23N R01E S05 SWSE
79-07270

SCOTT, MARY
815 ASHLEY RD
SANTA BARBARA, CA 93108
Source: GROUNDWATER
Diversion Pt: LOT 1 (NENE) Sec 23 T 27N
R 01E in IDAHO County.
Use: DOMESTIC (0.130 CFS)
Total Diversion: (0.130 CFS)
Date Filed: 4/19/1999
In: IDAHO County
T27N R01E S23 Lot 1 (NENE) Lot 5
(NWNE)
S 24 Lot 2 (NWNW)
Applicant agrees to mitigate consumptive use
in the future as needed.

79-07271

HALL TRUST, C WAYNE
WAYNE HALL TRUSTEE
400 A ST
TAFT, CA 93268
Source: UNNAMED STREAM
Diversion Pt: NENWNE Sec 16 T 28N R
01E in IDAHO County.
Use: AESTHETIC STORAGE (0.500 CFS)
Total Diversion: (0.500 CFS)
Date Filed: 8/27/1999
In: IDAHO County
T28N R01E S16 NWNE
Permits will be subject to all prior water
rights. Protests may be submitted based on
the criteria of Sec. 42-203A, Idaho Code.
Any protest against the approval of this ap-
plication must be filed with the Director,
Dept. of Water Resources, Western Region,
2735 Airport Way, Boise, Idaho 83705 to-
gether with a protest fee of \$25.00 for each
application on or before DECEMBER 20,
1999. The protestant must also send a copy
of the protest to the applicant.

KARL J. DREHER, Director

Published: 12/1/1999 & 12/8/1999

D1-8

AFFIDAVIT OF PUBLICATION

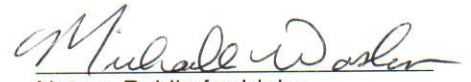
STATE OF IDAHO
County of Idaho - ss.

Andrew J. McNab, being first duly sworn, says he
is the Publisher of the IDAHO COUNTY FREE PRESS, a week-
ly newspaper published and issued weekly at Grangeville, Idaho
County, State of Idaho, and is of general circulation in said coun-
ty and state, that the said 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 1st day of December, 1999; and the last publica-
tion on the 8th day of December, 1999; and that the
said legal 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 sev-
enty-eight consecutive weeks prior to the publication of said legal
notice of advertisement.



STATE OF IDAHO)
COUNTY OF)

On this 8th day of December in the year of 1999, before
me a Notary Public personally appeared Andrew J. McNab,
known or identified to me to be the person whose name sub-
scribed to the within instrument, and being by me first duly sworn,
declared that the statements therein are true, and acknowledged
to me that he executed the same.


Notary Public for Idaho
Residing at Grangeville, ID
My commission expires: 01-16-2002

RECEIVED

DEC 10 1999

WATER RESOURCES
WESTERN REGION



MICROFILMED

AUG 25 2000

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 78-07397

Priority: August 09, 1999

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 0.6 AF

It is hereby certified that WILLIAM A CARTER Or MARY E CARTER
PO BOX 1301
RIGGINS ID 83549 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 09, 1999; and have
submitted Proof of Beneficial Use on May 30, 2000. An examination indicates that the works have a
diversion capacity of 0.11 cfs of water from:

SOURCE

LITTLE SALMON RIVER Tributary: SALMON RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT OF DIVERSION:

LITTLE SALMON RIVER SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5, Twp 23N, Rge 01E, B.M., IDAHO County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	01E	5																X	

CONDITIONS OF APPROVAL

1. Right 78-07050 is also diverted through the point(s) of diversion described above.
2. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
3. Domestic use is for irrigation of lawn and garden not to exceed 1/2 acre.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 20TH day of NOVEMBER, 2001.

MICROFILMED
JAN 24 2002

Acting for 
KARL J. DREHER
Director

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No: 0049300
Receipt By: J. May
Date Received: 5/30/00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 30 2000

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 78-07397 Telephone No. 208-628-3247
2. Name of Permit Holder(s): Mary E. Carter and William A. Carter
3. Mailing Address: P O Box 1301

City Riggins State ID Zip 83549

4. Source of Water: Little Salmon River If **GROUNDWATER** (well), Date Drilled: mo. / yr.

a. 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): less than 1/2 Other: _____
acre

6. Total rate of diversion and/or volume for which proof is submitted: 0.02 cfs OR 4.0 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

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: William A. Carter Telephone Number: 208-628-3247

Address: P O Box 1301, Riggins, Idaho 83549

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: Mary E. Carter Date: 05/25/00

(include your title, if on behalf of company or organization)

MICROFILMED

AUG 25 2003

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 78-07397

Priority: August 9, 1999

Maximum Diversion Rate:

0.02 CFS

This is to certify, that **MARY E CARTER**
WILLIAM A CARTER
PO BOX 1301
RIGGINS ID 83549

has applied for a permit to appropriate water from:
LITTLE SALMON RIVER tributary of **SALMON 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	0.02 CFS
----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 5, Township 23N, Range 01E
IDAHO County

PLACE OF USE: DOMESTIC

TWN RGE SEC

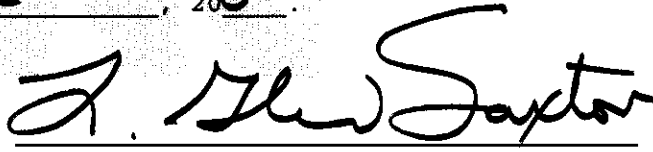
23N 01E 5 SWSE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **April 1, 2001**.
2. Subject to all prior water rights.
3. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
4. Domestic use is for irrigation of lawn and garden not to exceed 1/2 acre.

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

21st day of April, 2000.


for Karl J. Dreher, Director

MICROFILMED

308 2 5 2000

Ident. No. 78-01397

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 09 1999

APPLICATION FOR PERMIT

APR 5 2000

WATER RESOURCES
WESTERN REGION

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant William A. Carter or Mary E. Carter Phone 208-628-3247
Post Office address P O Box 1301, Riggins, ID 83549
2. Source of water supply Little Salmon River which is a tributary of Salmon River
3. Location of point of diversion is SW 1/4 of SE 1/4 of 1/4, Govt. Lot
Sec. 5 Township 23 N Range 1 E B.M. Idaho County; additional points of
diversion if any:
4. Water will be used for the following purposes:
- | | |
|---|--|
| ☒ Amount <u>0.02 cfs</u> for <u>DOMESTIC irrigation</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) | |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> purposes from <u> </u> to <u> </u> (both dates inclusive) | |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> purposes from <u> </u> to <u> </u> (both dates inclusive) | |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> purposes from <u> </u> to <u> </u> (both dates inclusive) | |
| (cfs or acre-feet per annum) | |
5. Total quantity to be appropriated is (a) 0.02 cfs and/or (b) 4.0
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. 1 1/2 HP Pacer pump with 1 1/2" plastic pipe
- b. Height of storage dam n/a feet; active reservoir capacity n/a acre-feet; total
reservoir capacity n/a acre-feet; period of year when water will be diverted to storage:
 to inclusive.
- c. Proposed well diameter is n/a inches; proposed depth of well is n/a feet.
- d. Is ground water with a temperature of greater than 85°F being sought? no
- e. If well is already drilled, when? n/a; Drilling firm :
Well was drilled for (well owner)
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 if KW.
- b. Stockwatering; list number and kind of livestock.
- c. Municipal; show name of municipality.
- d. Domestic; show number of households.
- e. Other; describe fully.

MICROFILMED

AUG 25 2000

* per IDWR standards

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	
23N	1E	5															.334 acre		.334

Total number of acres to be irrigated .334

10. Describe any other water rights used for the same purposes as described above. incidental from domestic source (well)

11. a. Who owns the property at the point of diversion? William A. Carter and Mary E. Carter

b. Who owns the land to be irrigated or place of use? William A. Carter and Mary E. Carter

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

12. Remarks: _____

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

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

William A. Carter
(Applicant)
Mary E. Carter

Received by KG Date 8/9/99 Time 11:14 Preliminary check by LG
 Fee \$ 50.00 Received by KG # W025567 Date 8/9/99
 Publication prepared by ST Date 12-1-99 Published in Idaho City Free Press
 Publication approved ST Date 12-20-99

MICROFILMED

AUG 25 2000

T23N R1E
Sec 5 SWSE
No Gov Lts
in S½ Sec 5

CROSS O RANCH INC.

LITTLE

5

DLEY ET UX

MICROFILMED
AUG 25 2000

2600

2400

2400

52

154

31

36

32

36

LEGEND

- TAX NO. OR TRACT COR. - SET 1" DIA. BY 24" LONG GALV. IRON PIPE.
- TAX NO. COR. - NOT SET.
- Q POSITION FOR FOUND CULVERTS SHOWN ON OLD HWY. NO. 95 F.A.R. 9-G.
- G.L.O. 1/4 COR. - FOUND BRASS CAP & PIPE.
- G.L.O. SECTION COR. - FOUND BRASS CAP & PIPE.
- TAX NO. OR TRACT LINE ESTABLISHED.
- G.L.O. SECTION LINE.
- CENTERLINE OLD HWY. NO. 95 F.A.R. 9-G.
- RIGHT-OF-WAY LINE 33.0' LEFT & OLD HWY. 95.
- WATER LINE EASEMENT CENTERLINE - 6' WIDE, 3' LT. & RT. & AREA.
- ROAD AND UTILITIES EASEMENT LINE & AREA.

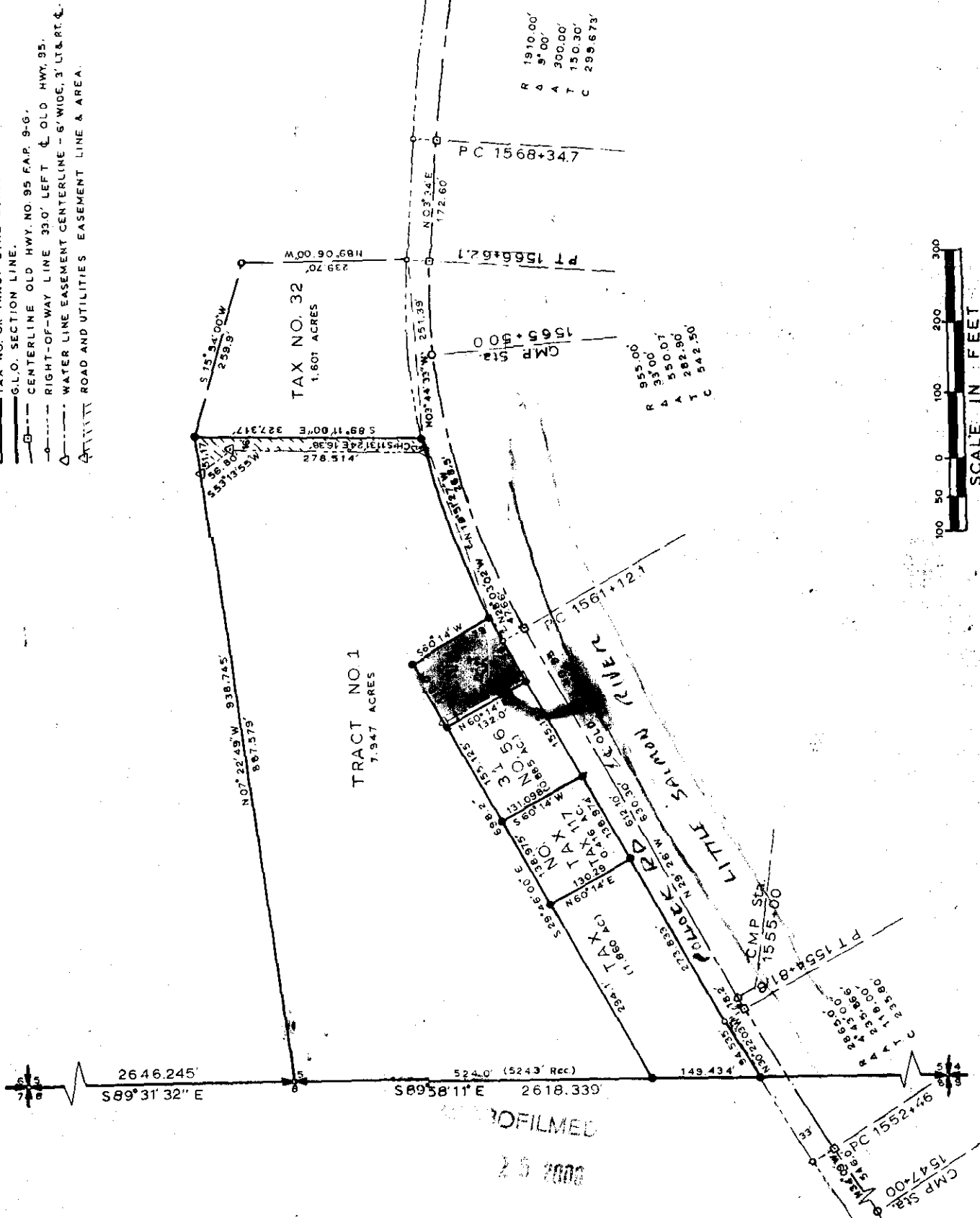
STATE OF IDAHO, COUNTY OF IDAHO

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF _____ AT _____ MINUTES _____ PAST _____ DAY OF _____ 1985 IN MY OFFICE AND DULY RECORDED IN BOOK _____ OF _____ ON PAGE _____ BY _____ DEPUTY RECORDER _____ INSTRUMENT NO. _____

RECORD OF SURVEY

LOCATED IN THE SE 1/4 OF SECTION 5, TOWNSHIP 23 NORTH, RANGE 1 EAST OF BOISE MERIDIAN, IDAHO COUNTY, IDAHO.

MAY, 1985



SURVEYOR'S CERTIFICATE

I DONALD KISSINGER BEING A DULY REGISTERED LAND SURVEYOR STATE OF IDAHO, L.S. NO. 1030 DO HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS A SURVEY DONE BY ME AND IS A TRUE AND CORRECT RECORD AS SHOWN.

DONALD E. KISSINGER
L.S. NO. 1030

SD-0420-2
MODIFY RECORD

Idaho Department of Water Resources
Modify Comment

Date: 11/16/99
Time: 09:31:07

Water Right Number: 78-07397

Comment Date: 11/16/1999 User ID: LGRAVES

Subject: MISC

Per Applicant: well used for internal domestic use.

(Enter=Continue/Exit) (Gold2=Update) (Gold3=Delete) (Gold4=Prev) (Gold5=Next)

MICROFILMED
AUG 25 2000



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

November 20, 2001

WILLIAM A CARTER
MARY E CARTER
PO BOX 1301
RIGGINS ID 83549

RE: License No. 78-7397 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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.

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)

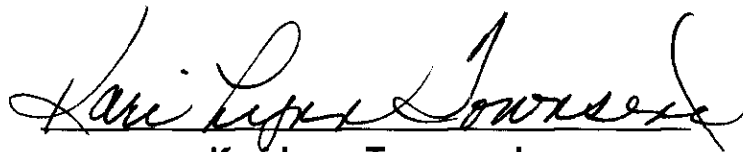
MICROFILMED
JAN 24 2002

CERTIFICATE OF MAILING

I hereby certify that on November 20, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 78-7397

**WILLIAM A CARTER
MARY E CARTER
PO BOX 1301
RIGGINS ID 83549**

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

**Kari Lynn Townsend
Secretary**

RECORDED
JAN 24 2002

**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
JAN 24 2012

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.

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JAN 24 2000

LICENSE REVIEW CHECKLIST

Permit No. 78-7397 Date: 11-16-01 Reviewer: Kay Walker

topo Q58

Change/OK

Name/Address

ok

Source

Point of Diversion:

ok

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use

ok

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): 78-7050@p/d-different p/u.
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.02 cfs
Fee Limit 0.30 cfs
Measured _____ cfs
Theoretical 0.11 cfs

Recommended Total Diversion Rate 0.02

Water Uses

ok

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic 0.02 cfs 0.6 af
_____ cfs _____ af
_____ cfs _____ af
Total 0.02 cfs 0.6 af

~~Irrigation~~ overlap(R58-R61, R62-R65, R66-R69)
~~supp. Gw~~ (WB7/065/104)
~~overlap spec combined rts~~ (W35)
~~1 acre~~ (W31)
Domestic (W01/wb5/070/071/075)
~~Power~~ (W42 or W43/025/027/R22 or R23)
~~Fish~~ (042)
~~Fire~~ (077)
~~Water Quality~~ (081/R07)
~~Payette~~ - (W22/047/27A)
~~Stockwater for US~~ (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks:

W36, 029, D = lawn + garden

Additional Conditions

_____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048/049)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority?

☒ yes
☐ no

If yes, explain why below.

SRBA Claim?

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT - 2 2001

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 78-7397

1. Owner: William and Mary Carter Phone No. 628-3247

Current Address: PO Box 1301, Riggins ID 83549

2. Accompanied by: William EXAM DATE: 9/14/01

Address: same Phone No.

Relationship to Permit Holder:

3. Source: Little Salmon River tributary to Salmon River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 78-10321

2. Other water rights with the same point of diversion: 78-7050

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SE	5	23N	1E	Idaho	GPS, Field Exam, Topo

2. Place(s) of Use:

Indicate Method of Determination same as above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	1E	5															D		

MICROFILMED

JAN 24 2002

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED PHOTOS

Y Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

N Aerial Photo Attached (required for irrigation of 10+ acres).

Y Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Baldor	2	VL3515	Pacer	11199

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Theoretical

E. NARRATIVE/REMARKS/COMMENTS

A 2 hp pump with a 3" intake pipe and a 2" discharge hose is used to divert water from the river to a yard and garden area associated with a home. The lawn and garden area is less than ½ acre and is irrigated via buried sprinklers. The water is not used inside the home.

The pump also serves two other lots owned by the applicant for irrigation of 1 acre covered on water right 78-7050. The system has been upgraded since the exam for license 78-7050, which listed a 1.5 hp Sears pump. The pump location was confirmed using GPS. SRBA file 78-7050 will be flagged with the findings from this exam. Ground water is used for internal domestic use per water right 78-10321. No other rights are used.

Have conditions of permit approval been met? Y yes no

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168 2 4 2002

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

$$2hp \times 8.8 \times .7 = 12.32 = .11$$

$$25' + 40psi \times 2.31 = 117.1$$

HP and Lift per exam

PSI assumed per use found

Allow .02 cfs per permit

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

2. Volume Calculations for Other Uses:

External domestic use = .6 afa

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period Of Use		Rate Of Diversion Q (CFS)	Annual Volume V (AFA)
	From	To		
Domestic	1/1	12/31	.02	.6
TOTAL			.02 cfs	.6 afa

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

MICROFILMED
JAN 26 2002**I. AUTHENTICATION**

Lori Graves - Senior Agent

Field Examiner's Name

Lori Graves

Date

9/21/01

Reviewer _____

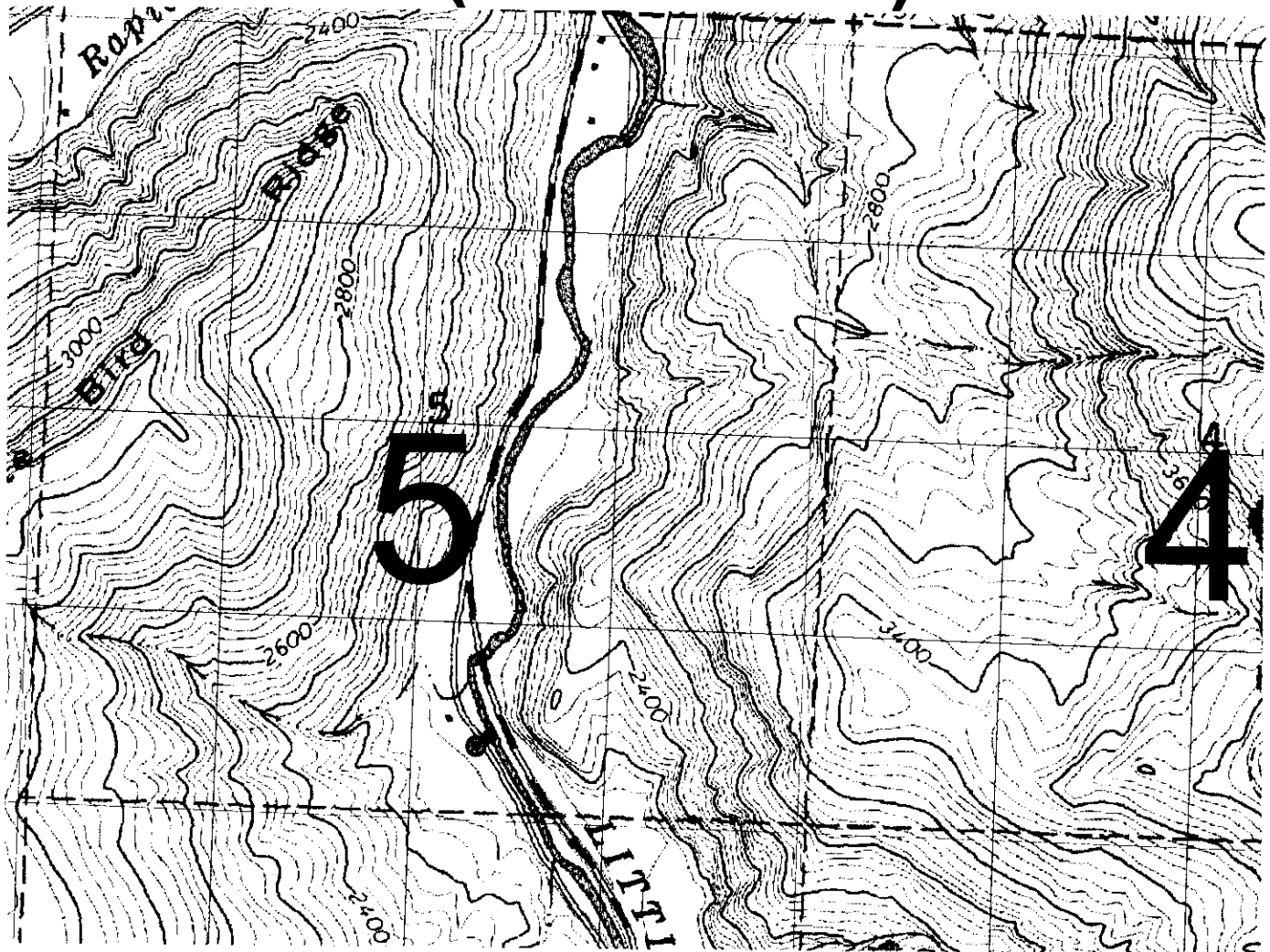
Date _____

SEAL

78-7397

T23N R1E S5

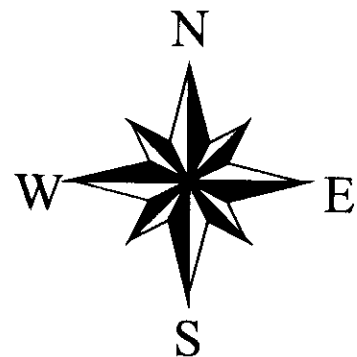
(No Gov Lts)



0.4 0 0.4 0.8 Miles

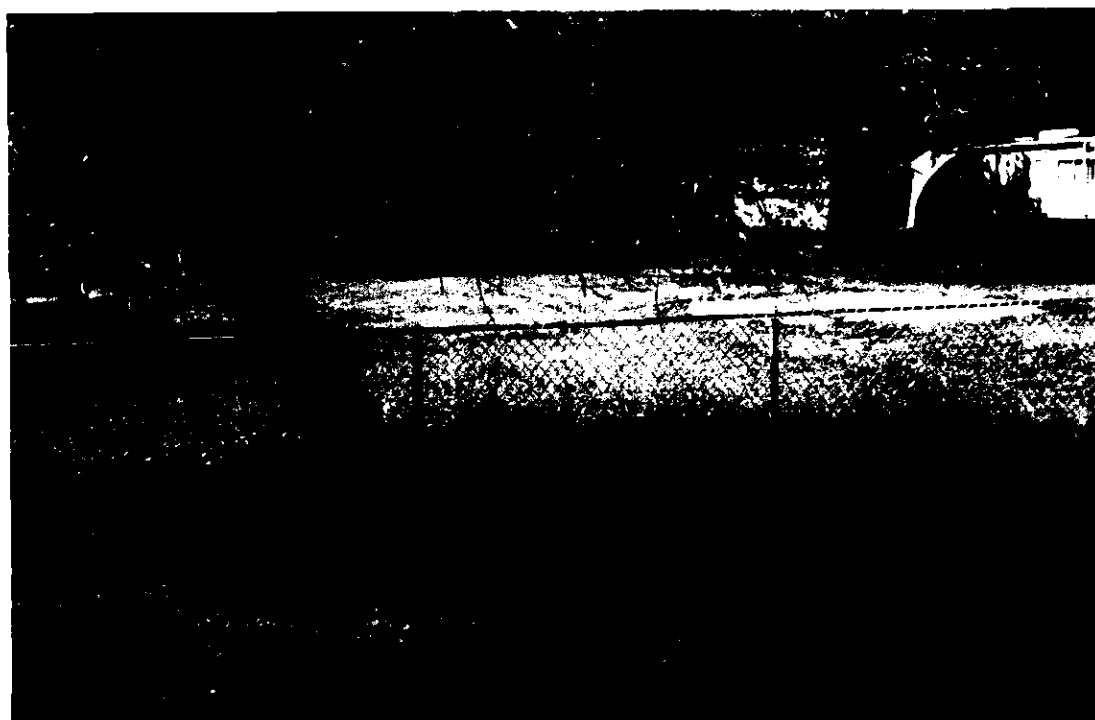
- PD
- P/U
- Sections
- 1/41/4

MICROFILMED
JAN 24 2002





P/D
2 HP PUMP



P/u

MICROFILMED

JAN 24 2002

Department of Water Resources

Exam Sent to State Office 10-1-01 (initial & date)



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 15, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARY E CARTER
WILLIAM A CARTER
PO BOX 1301
RIGGINS ID 83549

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 78-07397

Dear Permit Holder:

The department acknowledges receipt of the proofs of beneficial use forms submitted for the above referenced permits. 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 meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED
AUG 25 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 78-07397 Reviewed by D. Ellis Date 6/15/00

GENERAL CONSIDERATIONS

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

TYPES OF USE

Irrigation / Domestic

Correct Uses? Yes

SOURCE OF WATER

Yes Surface water source

No Ground water source

/ Drilling permit required?

/ Copy in the file? Drilling Permit No. /

/ Amount paid for permit

/ Well log in the file?

/ Correct?

LICENSE EXAMINATION FEE

Yes Required?

\$50 Amount Submitted

Yes Correct?

MEASURING DEVICE

No Required?

No Installed?

/ Waiver requested?

PRIORITY CALCULATION

Date proof received

5/30/00

Date proof due

4/1/01 - /

No. of days late

/ = /

Priority Date

/ + /

New Priority Date

/

DEFICIENCIES OR ACTION ITEMS

I acknowledge proof

DATA ENTRY

New Address No

Proof Made 5/30/00

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

0049300

Date:

Time: 5/30/2000

16:49:35

Received

From:

CARTER WILLIAM A

Type of Payment

Program A cct

Amount

BENEFICIAL USE #78-07397

56104

229 21 1155

50.00

Total

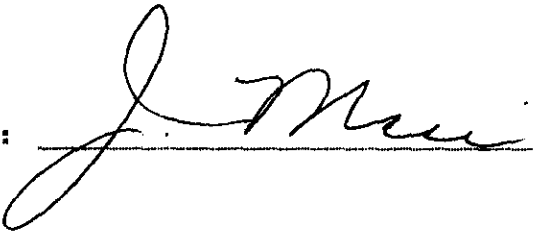
\$

50.00

CHECK

3359

Region: STATE

Signature: 

MICROFILMED
AUG 25 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 21, 2000

DIRK KEMPTHORNE
GOVERNOR

MARY E CARTER
WILLIAM A CARTER
PO BOX 1301
RIGGINS ID 83549

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 78-07397

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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.

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

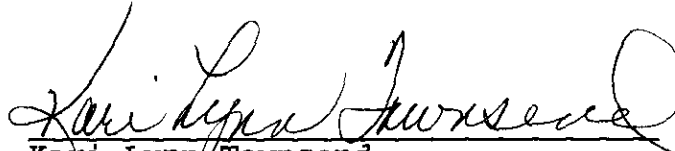
MICROFILMED
AUG 25 2000

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of April, 2000, 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. 78-07397

MARY E CARTER
WILLIAM A CARTER
PO BOX 1301
RIGGINS ID 83549


Kari Lynn Townsend
Secretary

MICROFILMED
AUG 25 2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below.**

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within 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 a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

CERTIFICATE OF SERVICE

All documents intended to be part of the Department record in connection with a preliminary order shall be served upon the representatives of each party of record. Every document filed with and intended to be part of the agency record must be attached to or accompanied by proof of service by the following or similar certificate.

I HEREBY CERTIFY (swear or affirm) that I have this day of _____, served the foregoing (name(s) of document(s)) upon all parties of record in this proceeding, (by delivering a copy thereof in person: (list names)) (by mailing a copy thereof, properly addressed with postage prepaid, to: (list names)).
(Signature)

MICROFILMED
AUG 25 2000

ORAL ARGUMENT

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

FINAL ORDER

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

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.

RIGHT TO HEARING

Pursuant to Section 42-1701A(3), Idaho Code, unless the right to a hearing before the Department is otherwise provided by statute, any person aggrieved by any decision, determination, order, or action of the Department or any applicant for any permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the Department, who is aggrieved by a denial or conditional approval ordered by the Department, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Department to contest the denial or conditional approval upon filing with the Department, within fifteen (15) days after receipt of the denial or conditional approval, a written permission stating the grounds for contesting the action by the director and requesting a hearing.

APPEAL OF FINAL ORDER TO DISTRICT COURT

If a preliminary order becomes final, any party aggrieved by the final order or orders previously issued in the 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 (a) a hearing was held, or (b) the final agency action was taken, or (c) the party seeking review of the order resides, or (d) 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. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal. See Sections 67-5270 through 67-5273, Idaho Code.

MICROFILMED
JUN 25 2000

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**

Reviewed by Sharla Curtis on 4/7/00

No. 78-67397 Name: Carter Corp. Officers R/H Ad ok ☒ Govt Lots _____

AREA OF CONCERN: No/Yes S/C dom ok ~~Moratorium~~ GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 085
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 (20s-70s, 81-86)
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 - 054-081(P10)
FISH PROP - 029(70's only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 1/101/2001

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response Not applicable
In/Above MSF - WB9
PLANNING SECTION 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 & BEST 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)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(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 - ~~WB3~~
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼ - 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)

OTHER CONDITIONS/REMARKS Telecon 4/19/00 use intended is lawn/garden

COMMENTS irrig ≤ 1/2 ac.
a well is used for indoor use.

RECEIVED

APR 5 2000

Department of Water Resources

FILE PRESENTATION

This application was processed prior to the January 12, 2000 memo "Changes to Water Right Applications." The old technique of making application changes was used.

To avoid additional processing delay, the file is forwarded as "one in the pipeline" with respect to that memo. The regional office anticipates that this will be acceptable for this limited group of applications.

MICROFILMED

AUG 25 2000

send copy to Maria +
F+6

IDA. DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: 6 DATE: 11/15/99 APPLICATION: 78-07397

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Gov't. Lots:
☒ P/D
☒ P/U

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

Y T FLAG CHANGED TO P FLAG

ADDITIONAL INFORMATION

YES NO

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

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO. 78-07397

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 _____

*Maria ✓ AT*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 12-20-99
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☒ ☒ Measuring device required:
☐ ☒ Water delivered by water master? District # _____
☐ ☒ Special conditions of approval or cover letter: standards

☐ ☒ See below for additional informationRecommended Date or Priority 8/9/99Recommended by: Car. QuaverDate: 3/31/00ADDITIONAL INFORMATION:



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

December 22, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Re: Application for Permit No. 78-07397 in the Name of William A. &/or Mary E. Carter

Dear Sir:

Enclosed is a copy of the above-referenced application for permit that the proposed use is from surface water. Please review the application 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 January 3, 2000.

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

Sincerely,

Gary Spackman

Gary Spackman

GS:st

Encl.

Gary -
The IDFG does not anticipate significant adverse effects to fish or wildlife habitats as a result of granting this water right. Thank you for the opportunity to comment.

Boyd
IDFG
12-27-99

MICROFILMED

AUG 25 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

Encl.

MICROFILMED

AUG 25 2000

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

CARTER, WILLIAM A
CARTER, MARY E
PO BOX 1301
BOISE, ID 83740

Use: DOMESTIC (0.028 CFS)
Total Diversion: (0.028 CFS)
Date Filed: 8/9/1999
In: IDAHO County
T23N R01E S05 SWSE
75-87270

SCOTT, MARY
815 ASHLEY RD
SANTA BARBARA, CA 93108
Source: GROUNDWATER
Division Pt: LOT 1 (NESE) Sec 23 T 27N
R 01E in IDAHO County
Use: DOMESTIC (0.130 CFS)
Total Diversion: (0.130 CFS)
Date Filed: 4/29/1999
In: IDAHO County
T27N R01E S23 Lot 1 (NESE) Lot 5
(NWNE)
S 24 Lot 2 (NWNW)
Applicant agrees to mitigate consumptive use
in the future as needed.

HALL TRUST, C WAYNE
WAYNE HALL TRUSTEE
400 A ST
TAFT, CA 93268
Source: UNNAMED STREAM
Division Pt: NENE Sec 16 T 28N R
01E in IDAHO County
Use: DOMESTIC STORAGE (0.560 CFS)
Total Diversion: (0.560 CFS)
Date Filed: 8/23/1999
In: IDAHO County
T28N R01E S16 NWNE

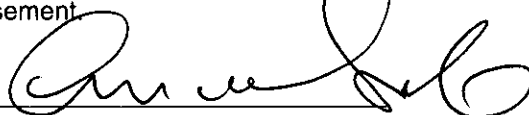
Permits will be subject to all prior water
rights. Protests may be submitted based on
the criteria of Sec. 42-203A, Idaho Code.
Any protest against the approval of this ap-
plication must be filed with the Director,
Dept. of Water Resources, Boise, Idaho, to-
gether with a protest fee of \$25.00 for each
application on or before DECEMBER 20,
1999. The protestant must also send a copy
of the protest to the applicant.

KARE J. BREMER, Director
Published: 12/10/1999

AFFIDAVIT OF PUBLICATION

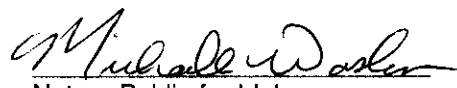
STATE OF IDAHO
County of Idaho - ss.

Andrew J. McNab, being first duly sworn, says he
is the Publisher of the IDAHO COUNTY FREE PRESS, a week-
ly newspaper published and issued weekly at Grangeville, Idaho
County, State of Idaho, and is of general circulation in said coun-
ty and state, that the said 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 1st day of December, 1999; and the last publica-
tion on the 8th day of December, 1999; and that the
said legal 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 sev-
enty-eight consecutive weeks prior to the publication of said legal
notice of advertisement.



STATE OF IDAHO)
COUNTY OF)

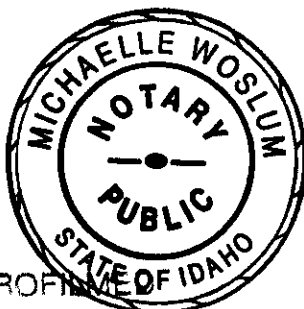
On this 8th day of December in the year of 1999, before
me a Notary Public personally appeared Andrew J. McNab,
known or identified to me to be the person whose name sub-
scribed to the within instrument, and being by me first duly sworn,
declared that the statements therein are true, and acknowledged
to me that he executed the same.


Notary Public for Idaho
Residing at Grangeville, ID
My commission expires: 01-16-2002

RECEIVED

DEC 10 1999

WATER RESOURCES
WESTERN REGION



MICROFILMED

AUG 25 2000

78-07397

CARTER, WILLIAM A
CARTER, MARY E
PO BOX 1301
RIGGINS, ID 83549

Source: LITTLE SALMON RIVER

Tributary: SALMON RIVER

Diversion Pt: SWSE Sec 5 T 23N R 01E in IDAHO County.

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

Date Filed: 8/ 9/1999

In: IDAHO County
T23N R01E S05 SWSE

MICROFILMED

AUG 25 2000