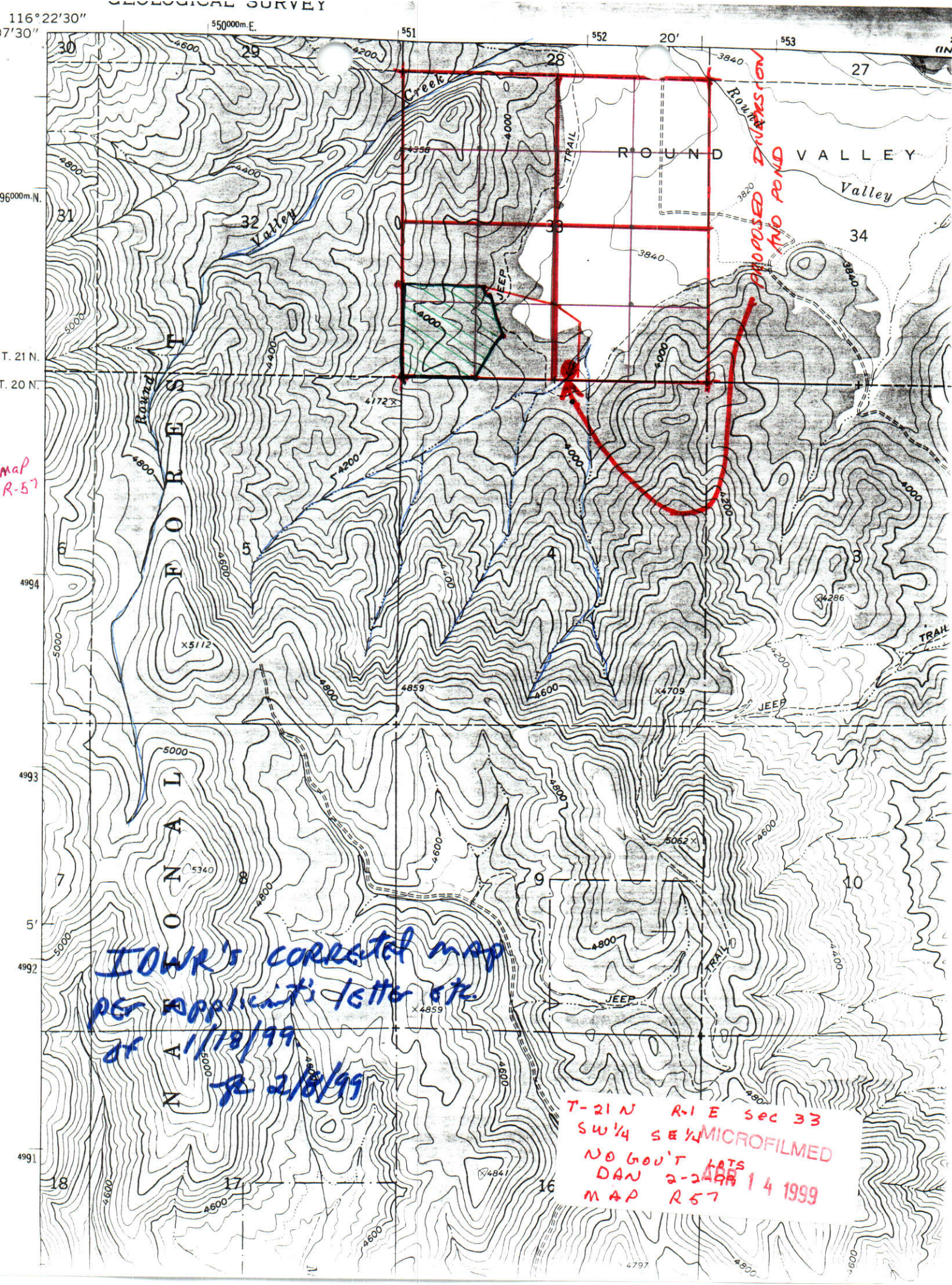




116° 22' 30"

550000m. E.

551

552

553

IN

960000m. N.

T. 21 N.

T. 20 N.

map
R-57

4994

4993

4992

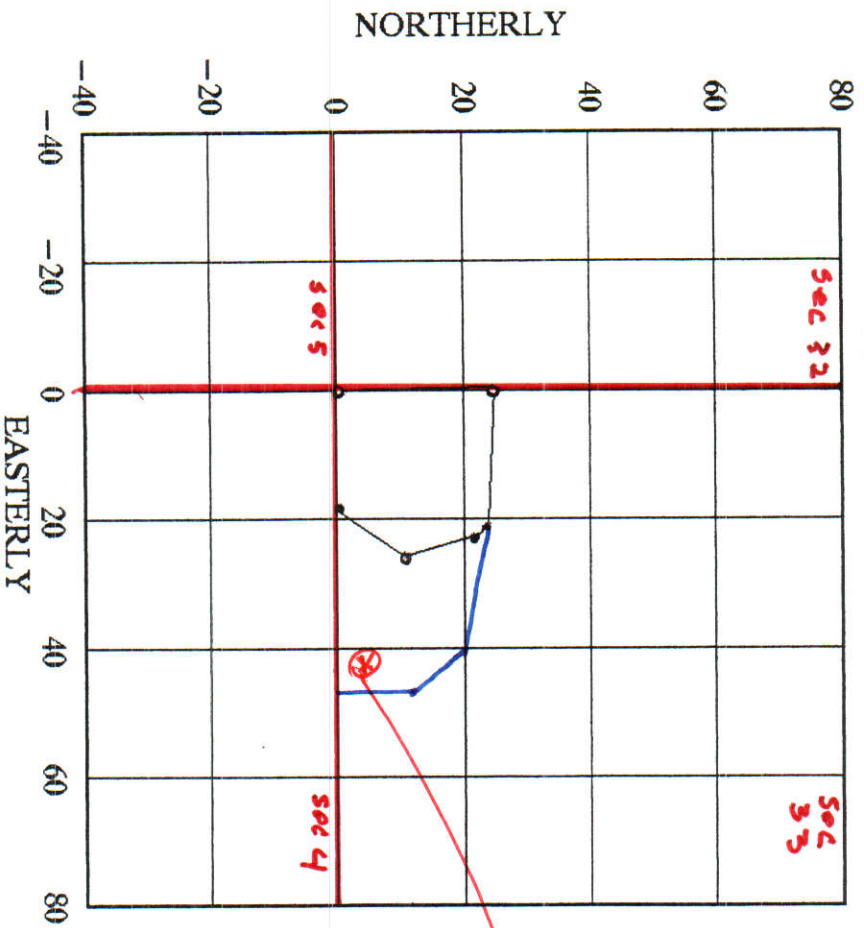
4991

IOWA's corrected map
per applicant's letter etc
of 1/18/99
re 2/8/99

T-21 N R-1 E sec 33
SW 1/4 SE 1/4 MICROFILMED
NO GOVT LOTS
DAN 2-2488 14 1999
MAP R57

COPY

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



MICROFILMED
APR 14 1999

Please note: This was plotted on Metes & Bounds
Program From Deed Provided By Applicant.

David H. Nelson

1/14/99

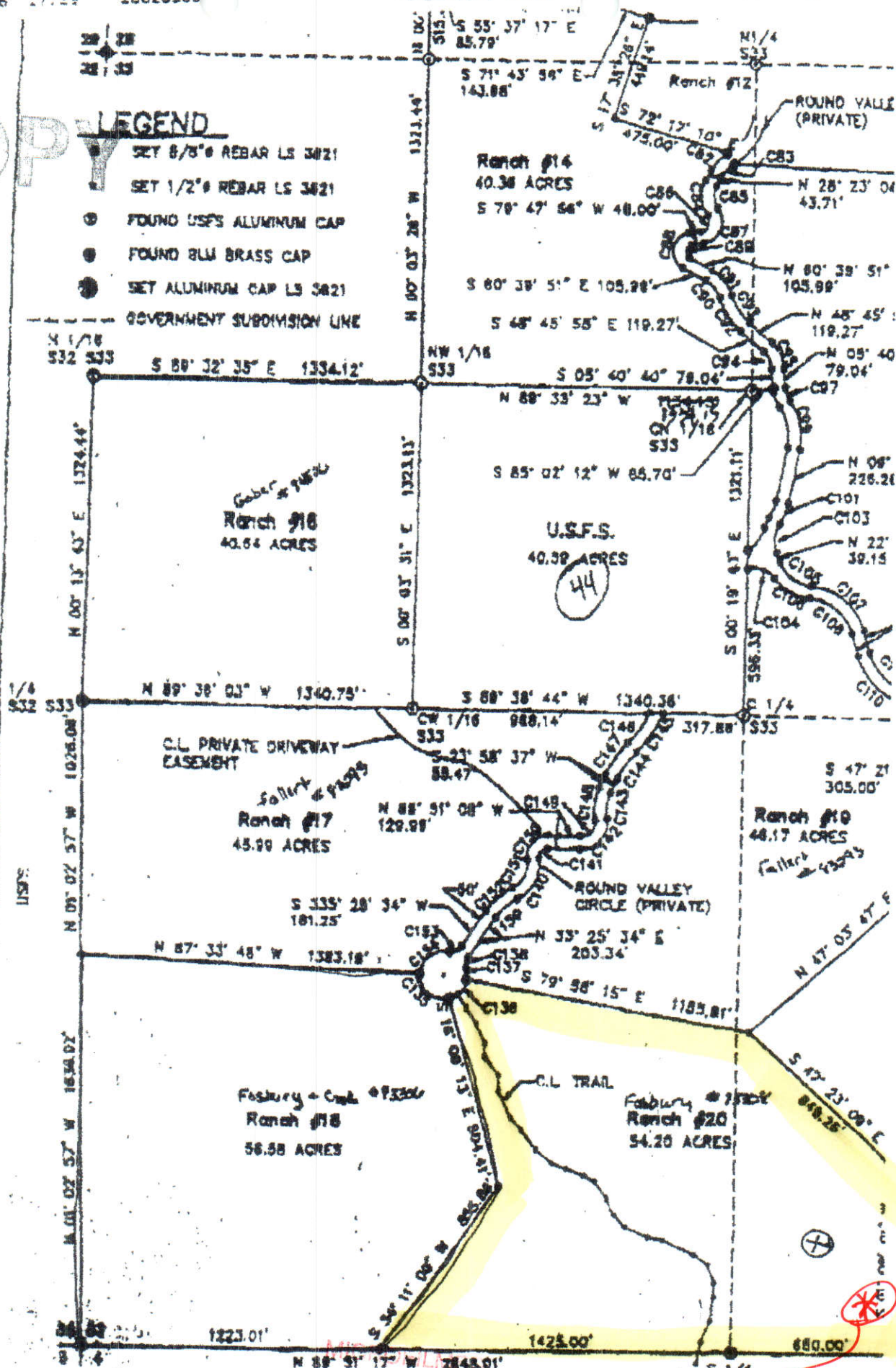
Costello, Lawrence E

COP

LEGEND

- SET 8/8" REBAR LS 3621
- SET 1/2" REBAR LS 3621
- FOUND USFS ALUMINUM CAP
- FOUND BLM BRASS CAP
- SET ALUMINUM CAP LS 3621
- GOVERNMENT SUBDIVISION LINE

GOVERNMENT SUBDIVISION LINE



APR 14 1999

• APPROXIMATE
POINT OF
DIVERSION

1/4" = 40'

4000'

18
Sold

19
Sold

GREENBELT
NO ACCESS THIS AREA

NON-MOTORIZED TRAIL

DRIVEWAY ACCESS TO LOTS 18 & 20

20
Sold

NO FENCING OR ACCESS IN GREENBELT

STREAM

PROPOSED POND

PROPOSED POINT OF DIVERSION

21
Sold

NON-MOTORIZED TRAIL

MICROFILMED

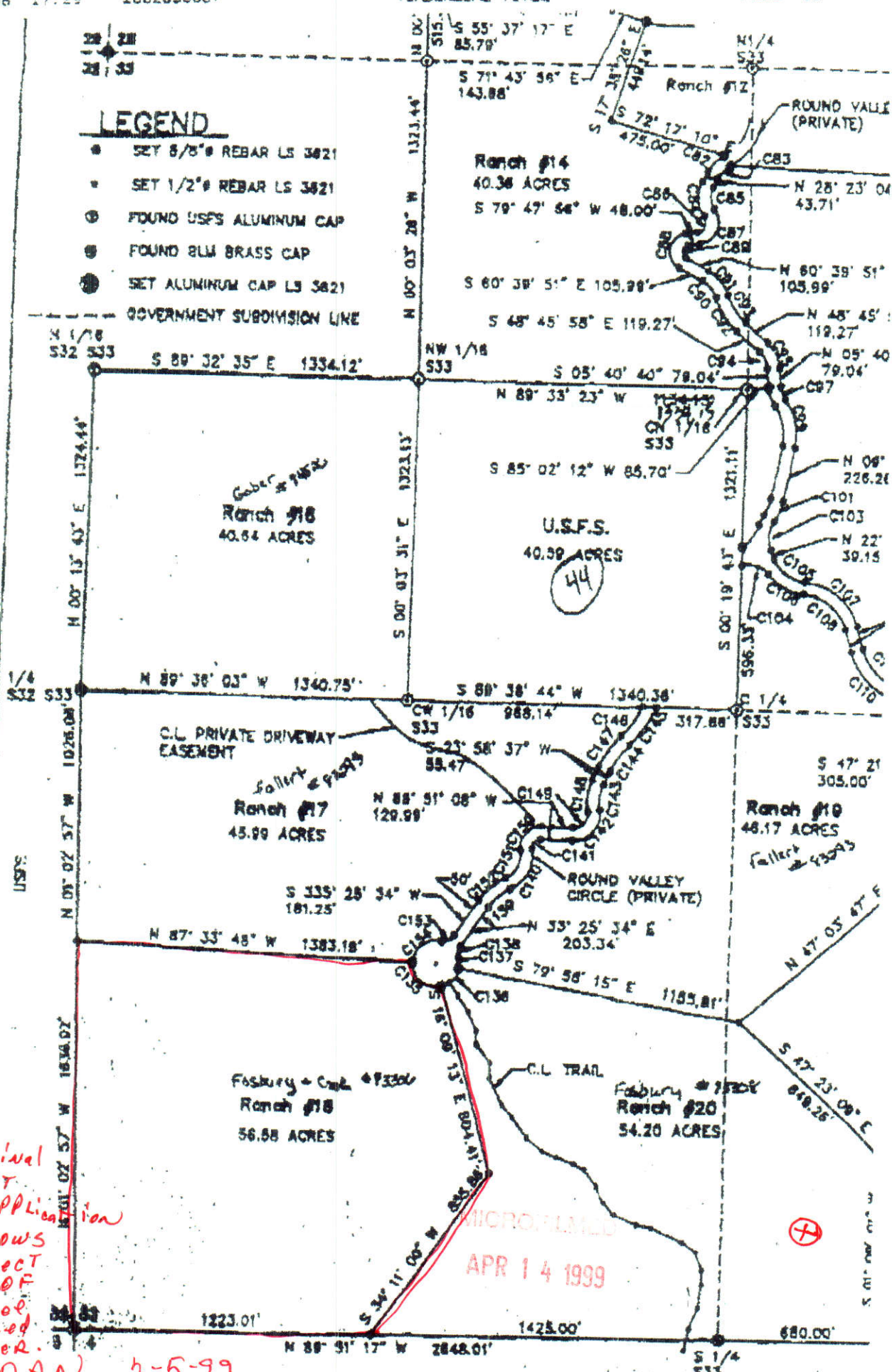
APR 14 1999

FENCING LIMITS

LOT #21

COSTELLO, LAWRENCE E.

FAX NO. 20872885 DOCUMENT NO. 097
TIMELINE TITLE PAGE 81



THIS IS
THE ORIGINAL
MAP SENT
WITH APPLICATION
AND SHOWS
INCORRECT
PLACE OF
HOLDING
ATTACHED
LETTER.

DAN 2-5-99

NOTICES OF PUBLIC INFORMATION

LEGAL NOTICE

NOTICE OF LETTING

Sealed proposals will be received by the IDAHO TRANSPORTATION BOARD only at the office of the IDAHO TRANSPORTATION DEPARTMENT, CENTRAL FILES, 3311 WEST STATE STREET, ROOM 116, BOISE, IDAHO 83703 or received by mail at P.O. Box 7129, BOISE, IDAHO 83707, ATTN: ROADWAY DESIGN until two o'clock p.m., on the 16 day of March, 1999, for the work of Cement Recycled Base Stabilization (CRABS), including pipe culverts, guardrail, survey, & slope repair; US-95, Council N. To Weiser River Bridge & US-95 Culvert & Washout Repair, known as Idaho Project No. STR-3110(613) & STM-3110(624), in Adams County, Key No. 6593 & 7538.

[FOR ADDITIONAL INFORMATION CONCERNING THIS PROPOSAL, PLEASE CONTACT RESIDENT ENGINEER ***PAM LOWE*** AT (208) 334-8330.]

Proposals must be prepared and submitted in accordance with the requirements of Section 102 - Bidding Requirements and Conditions of the Idaho Standard Specifications for Highway Construction, Edition of 1995.

Plans, specifications, form of contract, proposal forms, and other information may be obtained at the office of the Idaho Transportation Department, Boise, Idaho.

A non-refundable charge of **THIRTY DOLLARS (\$30.00) plus applicable sales tax** will be made for each set of plans, payment to be made by check, payable to the Idaho Transportation Department. Plans may be ordered by phone (800) 732-2098 (in Idaho) or (208) 334-8430; or by written request to the Idaho Transportation Department, Attn: Financial Services, P O Box 7129, Boise, Idaho 83707-1129.

COMPUTERIZED BIDDING DISKETTES ARE AVAILABLE UPON REQUEST

The right is reserved to reject all proposals, or to accept the proposal or proposals deemed best for the State of Idaho.

No proposal will be considered unless accompanied by an acceptable proposal guaranty in an amount not less than five percent of the total amount of the proposal. This guaranty must be in the form of a Certified Check or a Cashier's Check drawn on an Idaho bank, made payable to the Idaho Transportation Department, or a Bidder's Bond.

Bidders shall be licensed in the State of Idaho by the State Contractors License Board, except on projects involving federal funds.

The Fair Labor Standards Act of 1938 (U.S.C.A. Title 29, Paragraphs 210-219, Chapter 8) shall apply in the employment of labor for this project.

It is the purpose of the Idaho Transportation Board to build the improvement in the shortest time consistent with good construction. Necessary equipment and an effective organization will be insisted upon.

Dated February 16, 1999

JIMMY D. ROSS, P.E.
Chief Engineer

Published in the Adams County Record, February 18, and February 25, 1999.

LEGAL NOTICE

ADAMS COUNTY JOINT PLANNING COMMISSION
P.O. BOX 849
COUNCIL, ID 83612

NOTICE OF PUBLIC HEARING

A Public Hearing will be conducted by the Adams County Joint Planning Commission on March 15, 1999, at 8:00 p.m. in the Extension Office.

LEGAL NOTICE

ROBERT H. REMAKLUS, Lawyer P.A.
P.O. Box 759, Cascade, Idaho 83611
Telephone (208) 382-4267
Facsimile (208) 382-3971

ATTORNEY FOR APPLICANT

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF ADAMS

IN THE MATTER OF THE	)	
ESTATE OF	)	CASE No. SP -93-00013
	)	
IRMA C. KESKA	)	NOTICE OF HEARING BY
	)	PUBLICATION
Deceased	)	(I.C. 15-1401(a) (3)

Notice is hereby given to all persons who are interested in or who claim an interest in the above estate that on February 4, 1999 the Personal Representative, U.S. Bank, N. A., filed a petition for an order approving final settlement and distribution, determining testacy and determining heirs.

The Petition has been set for hearing in this court at the Adams County Court House, Council, Idaho on March 11, 1999 at 11:00 o'clock a.m..

Dated: February 4, 1999

RECEIVED

MAR 04 1999

WATER RESOURCES
WESTERN REGION

s/ A. Wesley Seidman
A. Wesley Seidman
Vice President
U.S. Bank, N. A.
P.O. Box 7928
Boise, Idaho 83707
208) 383-7218

Published in the Adams County Record February 11, February 18, and February 25, 1999

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

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

78-07395 ✓ st
COSTELLO, LAWRENCE E
749 HIGH POINT LN
BOISE, ID 83712
Source: UNNAMED STREAM Tributary: ROUND
Valley Creek
Diversion Pt: SWSE Sec 33 T 21N R 01E in ADAMS County.
Use: AESTHETIC STORAGE (0.70 AF)
RECREATION STORAGE (0.70 AF)
Total Diversion: MICROFILMED (0.70 AF)
Date Filed: 11/17/1998
In: ADAMS COUNTY
T21N R01E S33 SWSE
APR 14 1999

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before MARCH 8, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in the Adams County Record, February 18, 1999 and February 25, 1999.

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SEP - 5 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. 78-07395 Telephone No. 208-384-0749

2. Name of Permit Holder(s): LAWRENCE E. COSTELLO

3. Mailing Address: 749 HIGH POINT LN

City BOISE State ID Zip 83712

4. Source of Water: UNNAMED STREAM TRIBUTARY OF ROUND VALLEY CR. 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): _____ Other: ARTIFICIAL STORAGE (POND)

6. Total rate of diversion and/or volume for which proof is submitted: _____ cfs OR .7 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: \$ 100.00 (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: LAWRENCE COSTELLO Telephone Number: 208-384-0749

Address: 749 HIGH POINT LN BOISE, ID 83712

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: 8/31/00
(include your title, if on behalf of company or organization)

MICROFILMED

OCT 12 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
RECEIVED **REQUEST FOR EXTENSION OF TIME**
FEB 14 2000 TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

Department of Water Resources

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

Permit No. 78-07395
Name(s) of Permit Holder: LAWRENCE E. COSTELLO
Address: 749 HIGH POINT LN City BOISE State ID Zip 83712
Telephone No. 208-384-0749 Date Proof is Due: APRIL 1, 2000

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

INITIAL CONSTRUCTION OF THE DAM WAS COMPLETED,
HOWEVER, UPON FILLING OF THE POND, EXCESSIVE SEEPAGE WAS NOTED WHICH
REQUIRED DRAINING THE DAM POND AND CREATING A BETTER
BERM. THEN WAS THE DAM BREACHING AND POND DRAINING
WAS ACCOMPLISHED BUT WINTER SET IN BEFORE WE COULD REBUILD THE DAM. Costing \$ SELF LABOR ONLY.

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

OUR PLAN WAS TO CONSTRUCT THE DAM IN COORDINATION WITH
THE CONSTRUCTION OF OUR RESIDENCE. THE RESIDENCE CONSTRUCTION
WAS DELAYED SUCH THAT WINTER SET IN BEFORE WE COULD
GET THE DAM ^{BE} BUILT.

Permit holder(s) request an extension to OCTOBER 1, 2000

(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit proof of beneficial use is extended to
April 1, 2001.

Signed this 16th day of March, 2000

L. Glen Saxton
L. Glen Saxton, Chief
Water Allocation Bureau

MICROFILMED

MAR 20 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 78-07395

Proposed Priority: November 17, 1998

Maximum Storage Volume:

0.7 AF

This is to certify, that **LAWRENCE E COSTELLO**
749 HIGH POINT LN
BOISE ID 83712

has applied for a permit to appropriate water from:

UNNAMED STREAM tributary of **ROUND VALLEY CREEK**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31		0.7 AF
AESTHETIC STORAGE	01/01 to 12/31		0.7 AF
	Totals		0.7 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 33, Township 21N, Range 01E
ADAMS County

PLACE OF USE: RECREATION STORAGE

TWN RGE SEC

21N 01E 33

SWSE

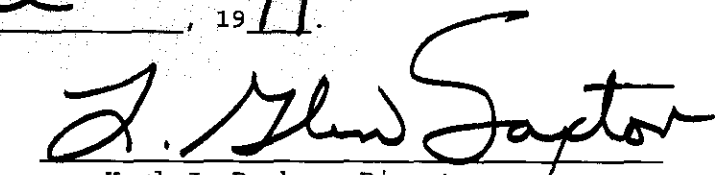
CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 2000.
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. Aesthetic storage and recreation storage uses are for a pond.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Witness the signature of the Director, affixed at Boise, this

12th day of April, 1999.


for Karl J. Dreher, Director

MICROFILMED

APR 14 1999

RECEIVED

MAR 29 1999

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

NOV 17 1998

WATER RESOURCES
WESTERN REGION

1. Name of Applicant LAURENCE E. COSTELLO Phone 384-0749
 Post Office address 749 HIGH POINT LN BOISE, ID. 83712

2. Source of water supply UNNAMED STREAM which is a tributary of ROUND VALLEY CREEK
LAURENCE SALMON RIVER

3. Location of point of diversion is 1/4 of SW 1/4 of 3E 1/4 of 36E 1/4, Govt. Lot 2222
 Sec. 33 Township 21 N Range 1 E B.M. ADAMS County; additional points of
 diversion if any: _____

4. Water will be used for the following purposes:

Amount .30 for RECREATIONAL POND purposes from JAN 1 to DEC 31 (both dates inclusive)
 (cfs or acre-feet per annum)

Amount .70 for AESTHETIC purposes from JAN 1 to DEC 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)

5. Total quantity to be appropriated is (a) _____ and/or (b) .30 .7 *
 cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. ROCK AND EARTHEN DAM

b. Height of storage dam 3'-4' feet; active reservoir capacity .30 .70 * acre-feet; total
 reservoir capacity .30 .70 * acre-feet; period of year when water will be diverted to storage:
JAN 1 to DEC 1 inclusive.

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

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

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

Well was drilled for (well owner) _____

7. Time required for completion of works and application of water to proposed beneficial use is 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. RECREATIONAL POND - AESTHETICS

* Changed acre ft. dimensions per letter from applicant dated 1-18-99. THE POND HAS LESS THAN 1/2
acre surface area and is considered domestic-nonconsumptive
use. DAN 2-5-99.
 ** see attached letter for point of diversion placement. DAN. 2/5/99

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	R1E	33																X*	

X = Aesthetic & Recreational Storage.

Total number of acres to be irrigated NONE

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

11. a. Who owns the property at the point of diversion? LAWRENCE E. COSTELLO (APPLICANT)

b. Who owns the land to be irrigated or place of use? LAWRENCE E. COSTELLO (APPLICANT)

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

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.

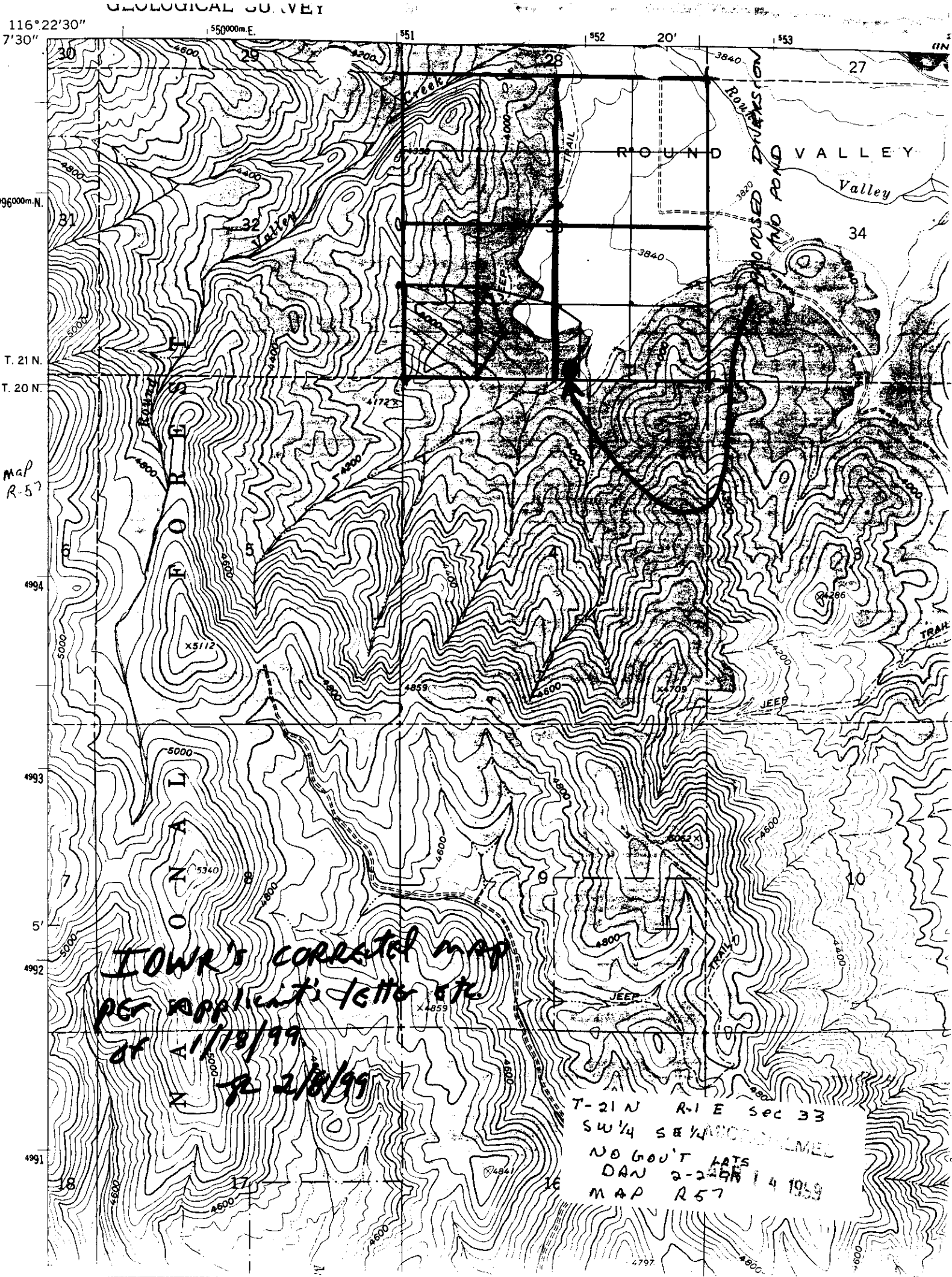
L. Costello
(Applicant)

MICROFILMED

APR 14 1999

Received by AD Date 11-17-98 Time 11:30 Preliminary check by DAN
 Fee \$ 50 Receipted by AD # W024594 Date 11-17-98
 Publication prepared by ST Date 2-10-99 Published in The Record
 Publication approved ST Date 3-9-99 2-18-99 2:55 PM

See Attached Letter For Pond Placement DAN 2-5-99.



116°22'30"
7'30"

96600m.N.

T. 21 N.

T. 20 N.

Map
R-57

4994

4993

4992

4991

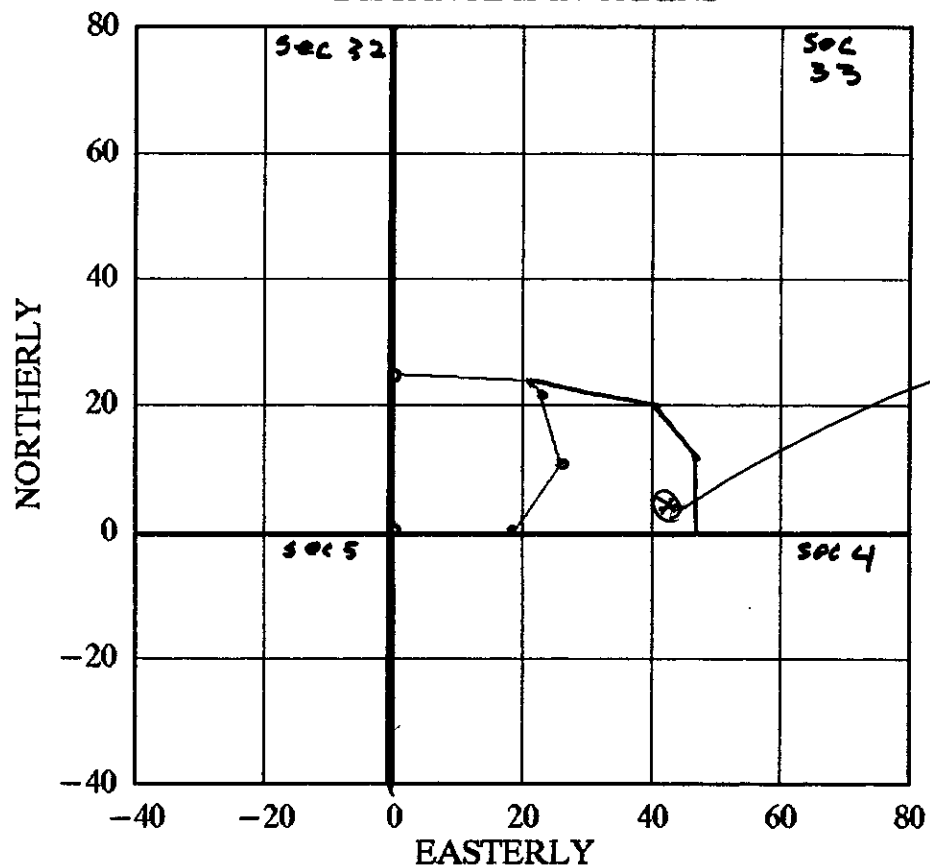
IN

IOWA's corrected map
per applicant's letter etc.
of 1/18/99
2/18/99

T-21 N R-1 E Sec 33
SW 1/4 SE 1/4 COR. 1 MEL
NO GOV'T LATS
DAN 2-2466 14 1959
MAP R 57

COPY

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



RECORDED
APR 14 1950

PLEASE NOTE: This was plotted on Metes & Bounds
Program FROM DEED PROVIDED BY APPLICANT.

Daniel A. Nelson
1/14/99

LOS ANGELES COUNTY

Lawrence E. Costello
749 High Point Lane
Boise, Idaho 83712

RECEIVED

FEB 01 1999

WATER RESOURCES
WESTERN REGION

Daniel A. Nelson
Water Right Agent
State of Idaho
Department of Water Resources, Western Region
2735 Airport Way
Boise, ID 83705-5082

January 18, 1999

RE: APPLICATION FOR PERMIT TO DIVERT WATER FROM UNNAMED STREAM TRIBUTARY
TO LITTLE SALMON RIVER

Dear Mr. Nelson,

Thank you for your letter of January 14, 1999 concerning my application to appropriate the public waters of Idaho, requesting additional information and clarification. I hope the following is helpful.

SOURCE OF WATER SUPPLY:

I'm not sure how the legal description for Ranch #18 got into my documents to be sent to you. You are quite correct, of course, the property in question is Ranch #20, not #18. I am enclosing the correct legal description for Ranch #20, which I own. You are also correct that the unnamed stream is tributary to Round Valley Creek before it gets to the Little Salmon. I am enclosing an enlarged drawing of the property showing the approximate location of the unnamed stream. I have marked in red the proposed location of the diversion point and the resulting pond. My apologies for the confusion.

LOCATION OF POINT OF DIVERSION:

I have located on the various maps the location of the proposed point of diversion.

DESCRIPTION OF DIVERTING WORKS:

The Plan is to construct a rock/earth dam across the unnamed stream at a point where the stream exits an existing depression which is either natural or was formed long ago when the original ranch was creating irrigation ditches or stream channels. Enclosed is a diagram of the approximate shape and dimensions of the proposed pond. At this point, the stream, which is about 3 to four feet wide, is flowing in a channel approximately 10' wide. The dam would be approximately 3 to 4 feet high and about 10 feet across. About 50' upstream from the dam location, the stream flows through an existing depression, roughly circular but a little elliptical, about 75 feet by 100 feet in diameter. Construction of the proposed dam will back up water to fill the depression to a depth of about 3 - 4 feet. Minimal additional excavation or earthmoving is expected to be required.

MICROFILMED

APR 14 1999

*Applicant's letter to revise the application
prior to legal notice - JCL 2/8/99*

DESCRIPTION OF PLACE OF USE:

I'm not sure how to read off the $\frac{1}{4}$, $\frac{1}{4}$ sections, however, I have indicated on the various maps the proposed location.

OVERLAPPING WATER RIGHTS:

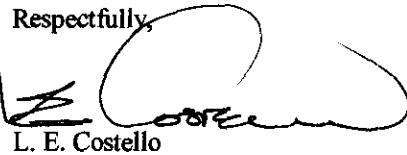
The property in question is part of the Circle C Ranches subdivision, which was purchased from the Circle C Ranch. I believe the Circle C Ranchowners' Association, of which I am a member, holds the water rights on the subject property. I have requested and received from the Association their permission to use their water rights for the pond, insofar, as they own the rights. I am not familiar with any Boise Cascade water rights.

REQUEST TO PROCESS FORM:

Your letter makes reference to a Request to Process form and accompanying letter being enclosed, however, I was unable to locate these items. Perhaps you could resend them. I will contact the Dam Safety Specialist and Stream Channel Specialist as you've suggested to understand their requirements.

Hopefully I've clarified things sufficiently to proceed. I'll appreciate receipt of the Request to Process form. Thank you for your assistance in working through this process.

Respectfully,



L. E. Costello

APR 14 1989

Exhibit A

Ranch 20 of Circle C Ranches, more particularly described as:

A parcel of land lying within Section 33, Township 21 North, Range 1 East, Boise Meridian, Adams County, Idaho, and being more particularly described as follows:

Commencing at the BLM brass cap marking the South 1/4 corner of said Section 33, which point is the REAL POINT OF BEGINNING; Thence North $89^{\circ} 51' 17''$ West 1425.00 feet along the section line to a bar;

Thence North $34^{\circ} 11' 00''$ East 855.86 feet to a bar;

Thence North $16^{\circ} 09' 13''$ West 804.41 feet to a bar lying on the Southerly boundary of Round Valley Circle;

Thence 111.38 feet along said right-of-way being a curve to the left with a radius of 100.00 feet, a central angle of $63^{\circ} 49' 02''$ and a chord which bears North $41^{\circ} 56' 16''$ East 105.71 feet to a bar;

Thence South $79^{\circ} 58' 15''$ East 1155.81 feet to a bar;

Thence South $47^{\circ} 23' 09''$ East 849.26 feet to a bar;

Thence South $01^{\circ} 09' 01''$ West 790.67 feet to a bar;

Thence North $89^{\circ} 39' 34''$ West 650.00 feet to the REAL POINT OF BEGINNING.

APR 14 1983

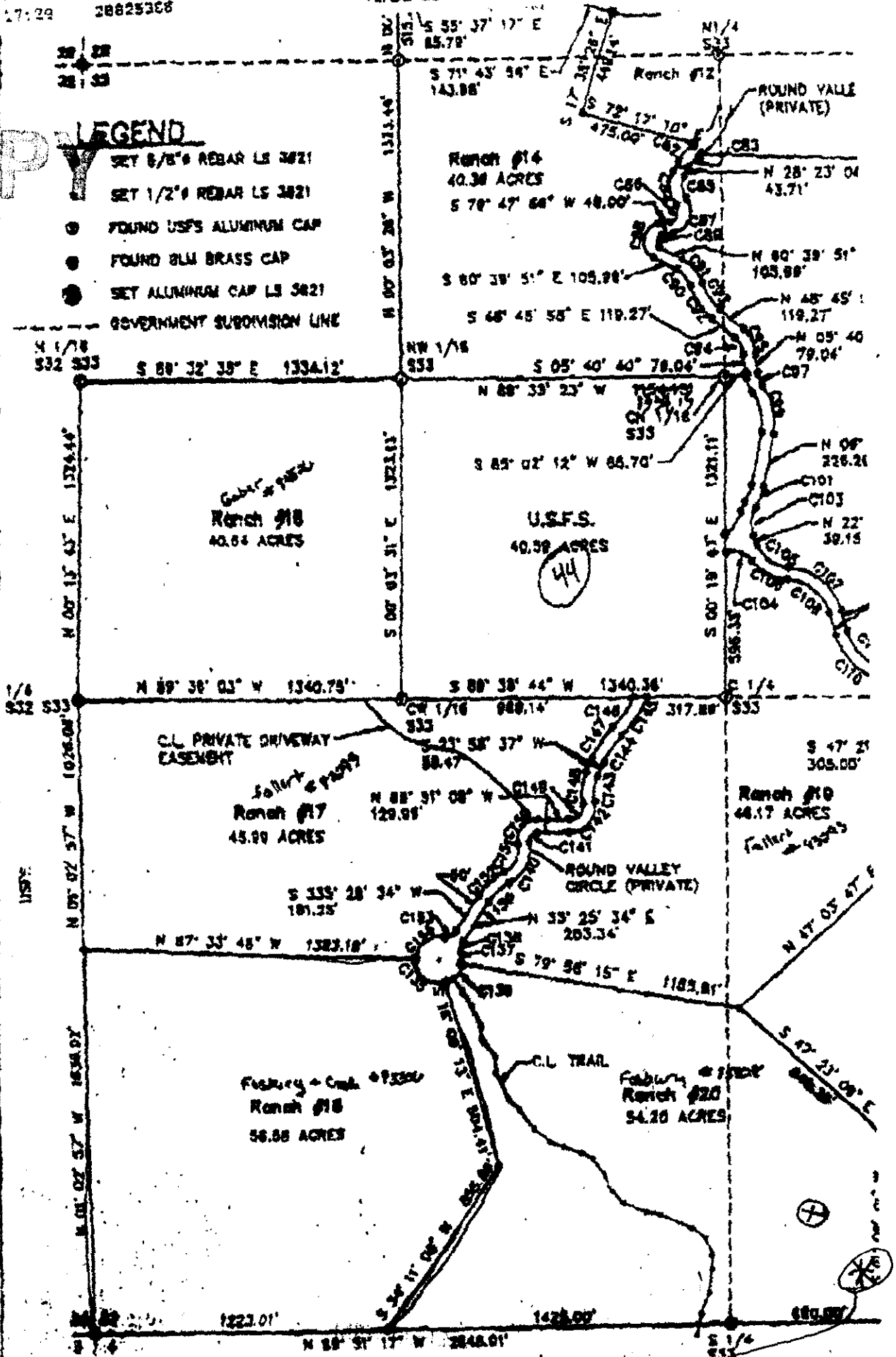
COSTELLO, LAWRENCE E.

JAN-09-96 TUE 10:08 AM 1ST AM-S. RUEBEL
 01/04/1996 17:29 28825368

FAX NO. 2087285507 DOCUMENT NO. 017701
 TIMBERLINE TITLE PAGE 01

COPY

- LEGEND**
- SET 5/8" REBAR LS 3021
 - SET 1/2" REBAR LS 3021
 - FOUND USFS ALUMINUM CAP
 - FOUND BLM BRASS CAP
 - SET ALUMINUM CAP LS 3021
 - GOVERNMENT SUBDIVISION LINE



B

1/4

APPROXIMATE
 POINT OF
 DIVERSION

1/4" = 400'
4000'

18
Sold

GREENBELT
NO ACCESS THIS AREA

19
Sold

NON-MOTORIZED
TRAIL

DRIVEWAY ACCESS TO
LOTS 18 & 20

20
Sold

NORTH
NO FENCING OR ACCI
IN GREENBELT

STREAM

21
Sold

PROPOSED
PRND

PROPOSED
POINT OF
DIVERSION

NON-MOTORIZED TRAIL

FENCING LIMITS
LOT #21

COSTELLO, LAWRENCE E.

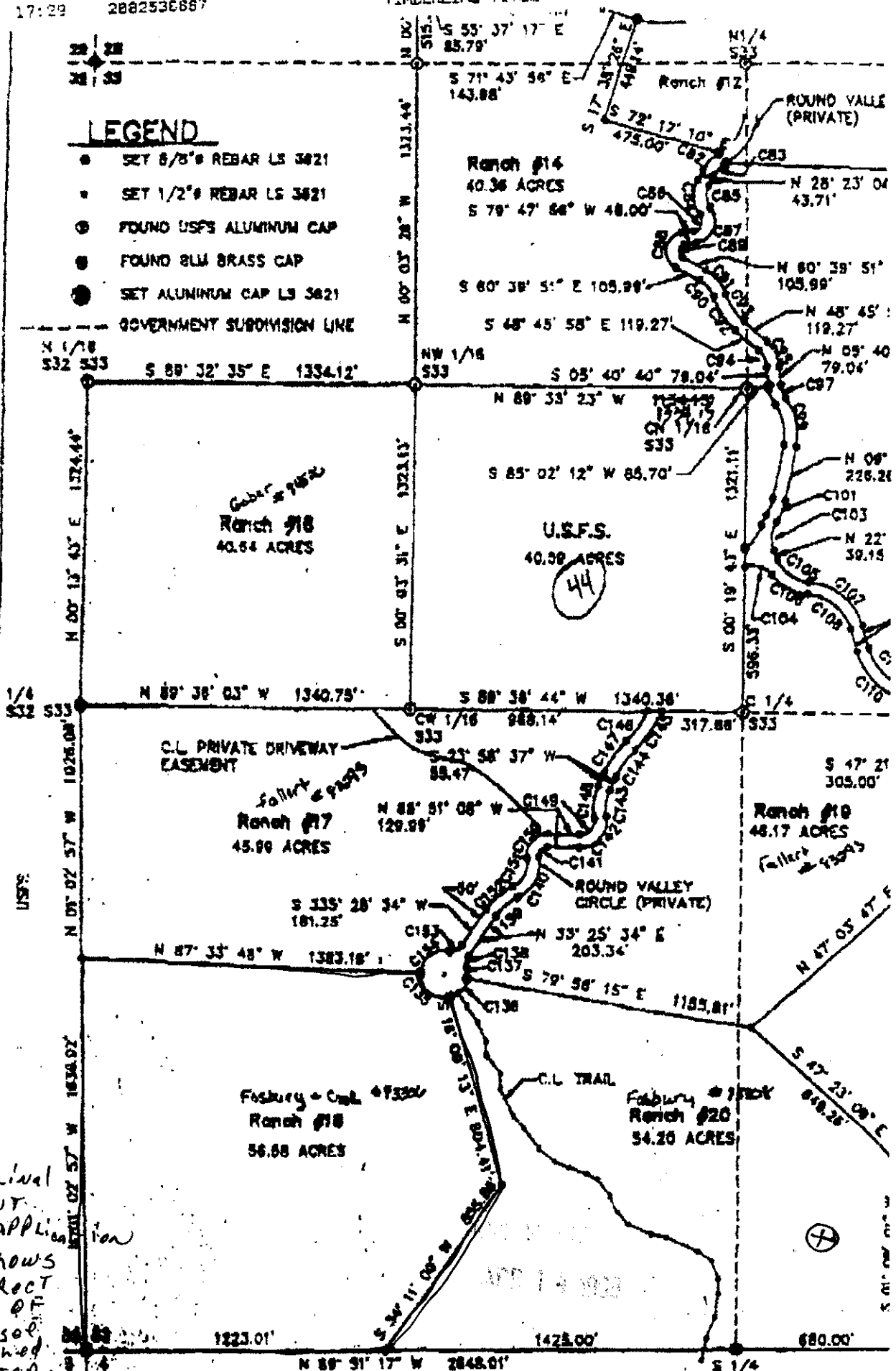
JAN-09-96 TUE 10:08 AM 1ST AM-C UBEL
01/04/1996 17:29 2082536887

FAX NO. 20872886 MENT NO. 04701
TIMBERLINE TITLE PAGE 01

LEGEND

- SET 5/8" REBAR LS 3021
- SET 1/2" REBAR LS 3021
- FOUND USFS ALUMINUM CAP
- FOUND 8MM BRASS CAP
- SET ALUMINUM CAP LS 3021

--- GOVERNMENT SUBDIVISION LINE



This is the original map sent with application and shows INCORRECT PLACE OF the attached letter.

DAN 2-6-99

INSTRUMENT NO. 89423

A parcel of land lying within the SW1/4, Section 33, Township 21 North, Range 1 East, Boise Meridian, Adams County, Idaho, being more particularly described as follows:

Commencing at the BLM brass cap marking the South Section corner common to Sections 32 and 33, which point is the REAL POINT OF BEGINNING;

Thence North 01 degrees 02'06" West 1636.92 feet along the section line to a bar;

Thence South 87 degrees 33'48" East 1383.16 feet to a bar lying on the Westerly right-of-way of Round Valley Circle;

Thence 189.53 feet along said right-of-way being a curve to the left with a radius of 100.00 feet, a central angle of 108 degrees 35'25" and a chord which bears South 51 degrees 51'31" East 162.41 feet to a bar;

Thence South 16 degrees 09'13" East 804.41 feet to a bar;

Thence South 34 degrees 11'00" West 855.86 feet to a bar on the section line;

Thence North 89 degrees 51'17" West 1223.01 feet along said section line to the REAL POINT OF BEGINNING.

INSTRUMENT NO. 89423

State of Idaho)
County of Adams) ss.

Filed for record at the request of
Timberline Title & Escrow
56 min. past 1 o'clock pm
this 16 day of January, 1996

MICHAEL FISK, RECORDER
by Sarah Wilson
Deputy

Fee \$ 21.00

THIS IS THE ORIGINAL PROPERTY
DESCRIPTION SENT IN BY
OWNER. THIS IS THE INCORRECT
LEGAL. PLEASE SEE ATTACHED LETTER.
DAN 2/5/99



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

September 7, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LAWRENCE E COSTELLO
749 HIGH POINT LN
BOISE ID 83712

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 78-07395

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water, and that it 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 J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

OCT 12 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 78-07395 Reviewed by D. Gibson Date 9/6/00

GENERAL CONSIDERATIONS

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

TYPES OF USE

Aesthetic storage
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 / Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

Yes Required?
\$100 Amount Submitted
Yes Correct?

MEASURING DEVICE

No Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received 9/5/00
Date proof due 4/1/01 - /
No. of days late / = /
Priority Date / + /
New Priority Date /

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof

DATA ENTRY

New Address OK Proof Made 9/5/00

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: C050298

Date: 9/ 5/2000
Time: 16:09:52

Received
From: COSTELLO LARRY E

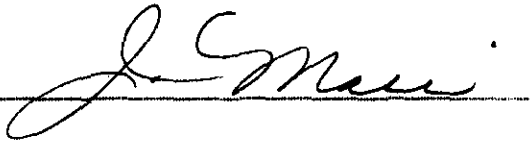
BENEFICIAL USE #	Type of Payment	56104	Program Acct	21 1155	Amount
					100.00

CHECK 5131

\$ 100.00

Total

Region: STATE

Signature: 

MICROFILMED

OCT 12 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street
Boise, Idaho 83706-2237

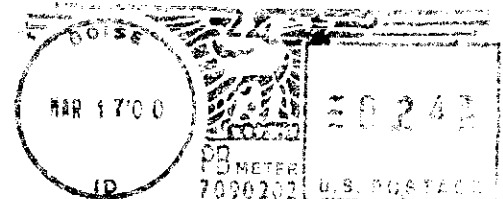
RETURN SERVICE
REQUESTED

RECEIVED

MAR 22 2000

Department of Water Resources

PRESORTED
FIRST CLASS



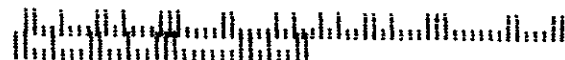
78-07395

MICROFILMED

OCT 12 2000

COST749 T837122007 1100 05 03/20/00
COSTELLO RETURN TO SENDER
TEMPORARILY AWAY
RETURN TO SENDER

2000-03-22





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

March 16, 2000

KARL J. DREHER
DIRECTOR

LAWRENCE E COSTELLO
749 HIGHT POINT LN
BOISE ID 83712

RE: Permit No. 78-07395

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit, which extends the time within which to submit proof of beneficial use to **April 1, 2001**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of this project since the department **will not** be able to grant additional extension requests based on due diligence.

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. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

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

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Enclosure
cc: IDWR - Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
RECEIVED REQUEST FOR EXTENSION OF TIME

FEB 14 2000 TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

Department of Water Resources

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

Permit No. 78-07395

Name(s) of Permit Holder: LAWRENCE E. COSTELLO

Address: 749 HIGH POINT LN City BOISE State ID Zip 83712

Telephone No. 208-384-0749 Date Proof is Due: APRIL 1, 2000

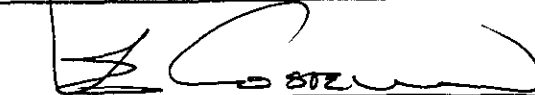
Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

INITIAL CONSTRUCTION OF THE DAM WAS COMPLETED,
HOWEVER, UPON FILLING OF THE POND, EXCESSIVE SEEPAGE WAS NOTED WHICH
REQUIRED DRAINING THE DAM POND AND CREATING A BETTER
BERM. THEN THE DAM BREACHING AND POND DRAINING
WAS ACCOMPLISHED BUT WINTER SET IN BEFORE WE COULD REBUILD THE DAM. Costing \$ SELF LABOR ONLY.

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

OUR PLAN WAS TO CONSTRUCT THE DAM IN COORDINATION WITH
THE CONSTRUCTION OF OUR RESIDENCE. THE RESIDENCE CONSTRUCTION
WAS DELAYED SUCH THAT WINTER SET IN BEFORE WE COULD
GET THE DAM REBUILT.

Permit holder(s) request an extension to OCTOBER 1, 20 00



(Signature)*

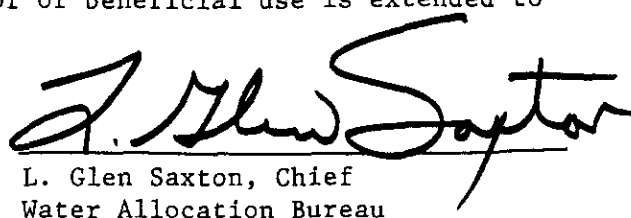
*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit proof of beneficial use is extended to
April 1, 2001.

Signed this 16TH day of March, 20 00


L. Glen Saxton, Chief
Water Allocation Bureau



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

March 16, 2000

KARL J. DREHER
DIRECTOR

LAWRENCE E COSTELLO
749 HIGHT POINT LN
BOISE ID 83712

RE: Permit No. 78-07395

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit, which extends the time within which to submit proof of beneficial use to **April 1, 2001**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of this project since the department **will not** be able to grant additional extension requests based on due diligence.

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. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

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

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Enclosure
cc: IDWR - Regional Office

MICROFILMED

MAR 20 2000

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 78-07395 Reviewed by dlc Date 3/15/00

BASIC INFORMATION

2/14/00 Date stamp received
Yes Extension received timely
Yes Fee received and receipted
Yes Name and signature same as permit
Yes Address Change

BASIS FOR EXTENSION REQUEST

Yes Has adequate work been completed to demonstrate due diligence?
No Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
No Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
No Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Extension approved & advanced to April 1, 2001
Granted for due diligence.*

PRIORITY CALCULATION

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

DATA ENTRY

New Address No
Change Proof Due Date 4/1/2001
Change Priority Date No

*3/16
dlc*

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: L048252

Date: 3/ 1/2000
Time: 15:17:36

Received
From: COSTELLO LARRY E

Type of Payment	Program Acct	Amount
EXTENSIONS, #78-07395	56103 229 21 1155	50.00

CHECK 5347

Total \$ 50.00

Region: STATE

Signature: Jean M. M...

MICROFILMED
MAR 20 2000

January 31, 2000

LAWRENCE E COSTELLO
749 HIGH POINT LN
BOISE ID 83712

PROOF DUE NOTICE

RE: PERMIT NO. 78-07395

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 2000.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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

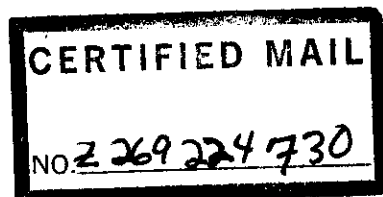
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

MAR 2 0 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 12, 1999

DIRK KEMPTHORNE
GOVERNOR

LAWRENCE E COSTELLO
749 HIGH POINT LN
BOISE ID 83712

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 78-07395

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.

Please note that a separate stream channel alteration permit must be obtained from the IDWR 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 at least sixty days prior to the commencement of work in the stream.

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

MICROFILMED

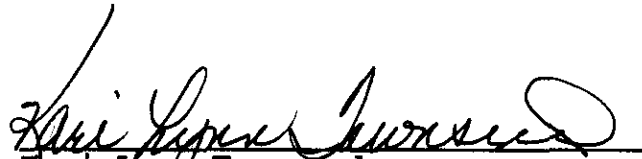
APR 14 1999

CERTIFICATE OF MAILING

I hereby certify that on the 12th day of April, 1999, 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. 78-07395

LAWRENCE E COSTELLO
749 HIGH POINT LN
BOISE ID 83712


Kari Lynn Townsend
Secretary

MICROFILMED
APR 14 1999

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

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

MICROFILMED

APR 14 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy*No.: 78-7395 Name: Costello Date: 4/8/99 Ad OK? ☒ ☒ Gvmt Lts: ☒AREA OF CONCERN: - No/Yes: SC Mor / GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 046-P23
- In Basin 347 - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD
- WMD
- Supp. irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp. irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

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

FISH & GAME CONTACTED: - YES / NO; WHEN: 1/28/99 RESPONSE: _____

IN/ABOVE MSF (✓ MAP)

IN-STREAM DEVELOPMENT

WD (✓ MAP & LISTING)

- > 0.20 cfs - P52 (stream channel alteration)
- ≤ 0.20 cfs - R04 (WD # _____)
- ≤ 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

- Snake R (01) - *W22-P04, NA
- (02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
- Payette R (65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA
- Salmon R (70's) - 029 (fish screens), NA
- Weiser R (67) - 085, 087

USE:

- STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req)-081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
- HEATING/COOLING - R07 (injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070

FIRE PROTECTION

- 077

LOCATION:

BOISE FRONT LOGEO

- 058 (<85° GW temp only)

~~MITIGATION~~

42-248 AREA

- 128 on-stream
- P84 (in 20/30/40/50/60/70/80 (87) basin)

SWAN FALLS FLAG (✓ Code)

- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

- Dec/Rec Sta for pond

BENEFICIAL USE DUE:

- 4/1/2000

COMMENTS:

Lester, Steve *SL*

RECEIVED

~~APR 05 1999~~

From: sgrunder@idfg.state.id.us
Sent: Wednesday, March 10, 1999 10:34 AM
To: slester@idwr.state.id.us
Cc: avanvoor@idfg.state.id.us; cmann@idfg.state.id.us; tvernhol@idfg.state.id.us
Subject: Water Right applications

Department of Water Resources


BEYOND.RTF

Steve,

*attachment is same info as email so
not needed*

The Idaho Department of Fish and Game has reviewed the above referenced water right applications and we offer the following comments for your consideration.

✓ 78-07395, Lawrence Costello, Unnamed trib to Round Valley Creek: We do not anticipate significant adverse impacts on fish or wildlife habitats as a result of permitting this application. There are no sensitive, threatened or endangered species that will be impacted by this water right.

✓ 78-07392, Gary Owen, Little Salmon River: Since this is such a minor application (0.02 cfs), we do not anticipate significant adverse impacts on fish or wildlife habitats as a result of permitting this application. However, since the listed use of the water is for lawn irrigation, why does the applicant need it on a year-round basis? The Little Salmon River is inhabited by steelhead trout (hatchery stock) and bull trout.

Thank you for the opportunity to comment. If you have any questions, give me a call.

Scott A. Grunder
Environmental Staff Biologist
IDFG-SW Region Office, Nampa
465-8465

*standard re
O/I use is restricted
area*

✓ 65-13826, Roger Beal, Unnamed trib to Little Squaw Creek: We do not anticipate significant adverse impacts on fish or wildlife habitats as a result of permitting this application. There are no sensitive, threatened or endangered species that will be impacted by this water right.

NOT FILMED

APR 14 1999

3/10/99 IDFG comments

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

MAR 29 1999

Department of Water Resources

INITIAL REVIEW BY: DAN DATE: 1-14-99 APPLICATION: 78-07395

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:
NO P/D
NO P/U

ADDITIONAL INFORMATION

NO ADVERTISE REMARK(S)
(Reviewer identify which remarks)

X 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.
- ☒ Bull trout impact area, IDFG letter needed
- ☒ 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.
- N/A immediate = acceptable plan required and submitted.
- N/A 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. 78-07395

YES NO

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

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☒ ☐ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. #
☒ ☐ Other ~~CIRCLE C. Ranchowner's Association~~
CIRCLE C. Homeowner's Assoc. Inc.
P.O. Box T
New Meadows, ID
83654

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 3-8-99

☐ ☒ 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 11/17/98Recommended by: Quigley Date: 3/19/99**ADDITIONAL INFORMATION:**

Overlapping Rights - According to the owner
This unnamed stream is part of water right
Number 7B-04272 which is used for irrigation
by the Circle C Ranchowner's Association. This was
confirmed by IDWR Data Base search. The owner
has stated that he has received permission
from them to put in the pond.
Surface area of pond is approximately 0.2 acres, which
is below 1/2 acre allowable for non-consumptive use.

STATE OF IDAHO)
) s.s.
COUNTY OF ADAMS)

RECEIVED

MAR 04 1999

WATER RESOURCES
WESTERN REGION

Nancy Laker being duly sworn, deposes and says That she is the Principle Clerk of The Record, a weekly newspaper printed and published at Council, Adams County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the advertisement, a copy of which is attached hereto; that advertisement was published in the regular edition of The Record.

for two insertion(s) beginning with the
issue of February 18, 19 99 and ending with the
issue of February 18, 19 99.

Nancy Laker

Subscribed and sworn to before me this 3rd day of
March, 19 99

Dorothy J. J. J.

Notary Public for Idaho, Residing at Indian Valley, ID

MICROFILMED
APR 14 1999

NOTICES OF PUBLIC INFORM

LEGAL NOTICE

NOTICE OF LETTING

Sealed proposals will be received by the IDAHO TRANSPORTATION BOARD only at the office of the IDAHO TRANSPORTATION DEPARTMENT, CENTRAL FILES, 3311 WEST STATE STREET, ROOM 116, BOISE, IDAHO 83703 or received by mail at P.O. Box 7129, BOISE, IDAHO 83707, ATTN: ROADWAY DESIGN until two o'clock p.m., on the 16 day of March, 1999, for the work of Cement Recycled Base Stabilization (CRABS), including pipe culverts, guardrail, survey, & slope repair; US-95, Council N. To Weiser River Bridge & US-95 Culvert & Washout Repair, known as Idaho Project No. STR-3110(613) & STM-3110(624), in Adams County, Key No. 6593 & 7538.

[FOR ADDITIONAL INFORMATION CONCERNING THIS PROPOSAL, PLEASE CONTACT RESIDENT ENGINEER ***PAM LOWE*** AT (208) 334-8330.]

Proposals must be prepared and submitted in accordance with the requirements of Section 102 - Bidding Requirements and Conditions of the Idaho Standard Specifications for Highway Construction, Edition of 1995.

Plans, specifications, form of contract, proposal forms, and other information may be obtained at the office of the Idaho Transportation Department, Boise, Idaho.

A non-refundable charge of **THIRTY DOLLARS (\$30.00) plus applicable sales tax** will be made for each set of plans. Payment to be made by check, payable to the Idaho Transportation Department. Plans may be ordered by phone (800) 732-2098 (in Idaho) or (208) 334-8430; or by written request to the Idaho Transportation Department, Attn: Financial Services, P O Box 7129, Boise, Idaho 83707-1129.

*****COMPUTERIZED BIDDING DISKETTES ARE AVAILABLE UPON REQUEST*****

The right is reserved to reject all proposals, or to accept the proposal or proposals deemed best for the State of Idaho.

No proposal will be considered unless accompanied by an acceptable proposal guaranty in an amount not less than five percent of the total amount of the proposal. This guaranty must be in the form of a Certified Check or a Cashier's Check drawn on an Idaho bank, made payable to the Idaho Transportation Department, or a Bidder's Bond.

Bidders shall be licensed in the State of Idaho by the State Contractors License Board, except on projects involving federal funds.

The Fair Labor Standards Act of 1938 (U.S.C.A. Title 29, Paragraphs 210-219, Chapter 8) shall apply in the employment of labor for this project.

It is the purpose of the Idaho Transportation Board to build the improvement in the shortest time consistent with good construction. Necessary equipment and an effective organization will be insisted upon.

Dated February 16, 1999

JIMMY D. ROSS, P.E.
Chief Engineer

Published in the Adams County Record, February 18, and February 25, 1999.

LEGAL NOTICE

ADAMS COUNTY JOINT PLANNING COMMISSION
P.O. BOX 849
COUNCIL, ID 83612

NOTICE OF PUBLIC HEARING

A Public Hearing will be conducted by the Adams County Joint Planning Commission on March 15, 1999 at 8:00 p.m. in the Extension Office.

LEGAL NOTICE

ROBERT H. REMAKLUS, Lawyer P.A.
P.O. Box 759, Cascade, Idaho 83611
Telephone (208) 382-4267
Facsimile (208) 382-3971

ATTORNEY FOR APPLICANT

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF ADAMS

IN THE MATTER OF THE ESTATE OF

IRMA C. KESKA

Deceased

CASE No. SP -93-00013

NOTICE OF HEARING BY PUBLICATION
(I.C. 15-1401(a) (3))

Notice is hereby given to all persons who are interested in or who claim an interest in the above estate that on February 4, 1999 the Personal Representative, U.S. Bank, N. A., filed a petition for an order approving final settlement and distribution, determining testacy and determining heirs.

The Petition has been set for hearing in this court at the Adams County Court House, Council, Idaho on March 11, 1999 at 11:00 o'clock a.m..

Dated: February 4, 1999

RECEIVED

MAR 04 1999

WATER RESOURCES
WESTERN REGION

s/ A. Wesley Seidman
A. Wesley Seidman
Vice President
U.S. Bank, N. A.
P.O. Box 7928
Boise, Idaho 83707
208) 383-7218

Published in the Adams County Record February 11, February 18, and February 25, 1999

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

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

78-07395

COSTELLO, LAWRENCE E
749 HIGH POINT LN
BOISE, ID 83712

Source: UNNAMED STREAM
VALLEY CREEK

Tributary: ROUND

Diversion Pt: SWSE Sec 33 T 21N R 01E in ADAMS County.

Use: AESTHETIC STORAGE (0.70 AF)
RECREATION STORAGE (0.70 AF)
Total Diversion: MICRO (LMED) (0.70 AF)

Date Filed: 11/17/1998

In: ADAMS COUNTY
T21N R01E S33

SWSE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before MARCH 8, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in the Adams County Record, February 18, 1999 and February 25, 1999.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 28, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Re: Application for Permit Nos. 78-07395, 78-07392 and 65-13826

Dear Sir:

Enclosed are copies of the above-referenced applications for permit which may be of interest to your agency. The proposed use of application nos. 78-07395 and 78-07392 is from a source in the bull trout impact area. The proposed source of all three applications is 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 March 8, 1999.

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

Sincerely,

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

Gary Spackman

GS:st

Encl.

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APR 1 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

February 17, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CIRCLE C HOMEOWNER'S ASSOC. INC.
PO BOX T
NEW MEADOWS ID 83654

Re: Application for Water Right No. 78-07395 in the Name of Lawrence E. Costello

Dear Interested Party:

Enclosed is an copy of the above-referenced application for water right which may be of interest to you.

Please review the application and return any comments you might have.

A protest must be received with a \$25.00 protest fee on or before March 8, 1999. If you do not wish to protest, informal comments should still be submitted by the end of the protest period.

Sincerely,

Gary Spackman

GS:st

Encl.

MICROFILMED

APR 14 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

01/14/1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LAWRENCE E. COSTELLO
749 HIGH POINT LN
BOISE, ID 83712

***RE: APPLICATION FOR PERMIT TO DIVERT WATER FROM
UNNAMED STREAM TRIBUTARY TO LITTLE SALMON RIVER***

Dear Mr. Costello,

We received your application for permit to appropriate the public waters of Idaho on 11/17/1998. In order to process this application we will need some additional information and clarification of your application. In order to process this application in due time please submit the following information by ~~February~~ **February 14, 1999**.

SOURCE OF WATER SUPPLY:

In your application you state that the source of water is an unnamed stream tributary to the Little Salmon River. However, according to the map the only stream in section 33, township 21N, range 01E is actually tributary to Round Valley Creek. This stream in section 33 is also not located on the property that is associated with the deed sent to our office. The deed that you sent to our office is for ranch # 18 on the plat map you supplied our office and the unnamed stream in section 33 is located in the area described on the map as ranch # 20. I have included with this letter a copy of the plat map that you sent us and photo copy of the USGS quadrangle map showing section 33. Please mark clearly where the pond where be located on the USGS quadrangle and label the place where the point of diversion is and location of the pond. If you own ranch # 20 and this is the unnamed stream you are referring to, please write me a letter stating this or include the deed for this property.

LOCATION OF POINT OF DIVERSION:

On your application for permit you neglected to write the $\frac{1}{4}$, $\frac{1}{4}$ section that your point of diversion is located in. I have marked the division lines on the USGS quadrangle map supplied. Please indicate the $\frac{1}{4}$, $\frac{1}{4}$ that the unnamed stream is located in.

[Handwritten signature]

DESCRIPTION OF DIVERTING WORKS:

We will also need a description of the pond you intend to construct. You can draw a diagram marking the pond dimensions in feet or give us the pond dimensions. We will need to know the width, length, and depth of the pond in feet to determine the actual size of the pond. We will also need to know if you plan to dam the existing unnamed stream or if you are planning to divert water away from the stream to a pond constructed off the stream. Please draw a diagram or give a detailed explanation of how you plan to put water in the pond.

DESCRIPTION OF PLACE OF USE:

You have neglected to mark the $\frac{1}{4}, \frac{1}{4}$ section in the place of use table. We will need the place of use or the pond location identified. Please tell where the pond will be located.

OVERLAPPING WATER RIGHTS:

In my overlap review I discovered some water rights in your area belonging to Circle C Ranch and Boise Cascade. If you have purchased your property from one of these two entities please tell us which one you purchased your property from and if you hold any of their existing water rights.

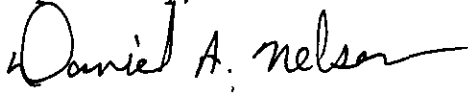
REQUEST TO PROCESS FORM:

I have enclosed a request to process form and accompanying letter with this letter. In order to process this application you will need to complete the request to process form and return it to our office. Please read the accompanying letter carefully and mark the appropriate box. If you need further information concerning this form please contact me and I will be happy to explain it to you.

In constructing a dam on a stream you may need file a stream channel alteration permit and/or dam construction permit. You will not be required to have these permits prior to processing your application for permit, but you may want to contact John Westra, Dam Safety Specialist and Gene Gibbson, Stream Channel Specialist in order to get a head start on the paperwork if it is determined that you will need one of these permits. Both of these gentlemen are located in the Western Office of Idaho Department of Water Resources. You can contact them at the above address or telephone number.

I have given you a great deal of information that you will need to submit. I have enclosed a copy of your application and map for you to reference. I have also enclosed a USGS quadrangle map for your area with the $\frac{1}{4}, \frac{1}{4}$ sections drawn in to assist you with supplying a proper legal description of the point of diversion and place of use. If you have any questions please contact me at the above address or telephone number.

Respectfully,


Daniel A. Nelson
Water Right Agent

COPY

APR 14 1988

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: **W024594**

Date: **11/17/1998**
Time: **11:32:05**

Received
From: **COSTELLO, LARRY E**

Type of Payment	Program A cct	Amount
APPLICATION FOR PERMIT	62103 229 21 1155	50.00
CHECK 4463		
	Total	\$ 50.00

Region: **WESTERN**

Signature: *Public Affairs*

MICROFILMED

APR 14 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FEBRUARY 10, 1999

Legal Notices Department
The Record
PO Box R
Council, ID 83612

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 8, 1999.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED
APR 14 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECORDED

APR 14 1933

78-07395

COSTELLO, LAWRENCE E
749 HIGH POINT LN
BOISE, ID 83712

Source: UNNAMED STREAM

Tributary: ROUND VALLEY CREEK

Diversion Pt: SWSE Sec 33 T 21N R 01E in ADAMS County.

Use: AESTHETIC STORAGE	(	0.70 AF)
RECREATION STORAGE	(	0.70 AF)
Total Diversion:	(	0.70 AF)

Date Filed: 11/17/1998

In: ADAMS County
T21N R01E S33 SWSE

RECEIVED - 11/17/98

APR 14 1999

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KARL J. DREHER, Director

Published: 2/18/1999 & 2/25/1999

RECEIVED

APR 14 1999