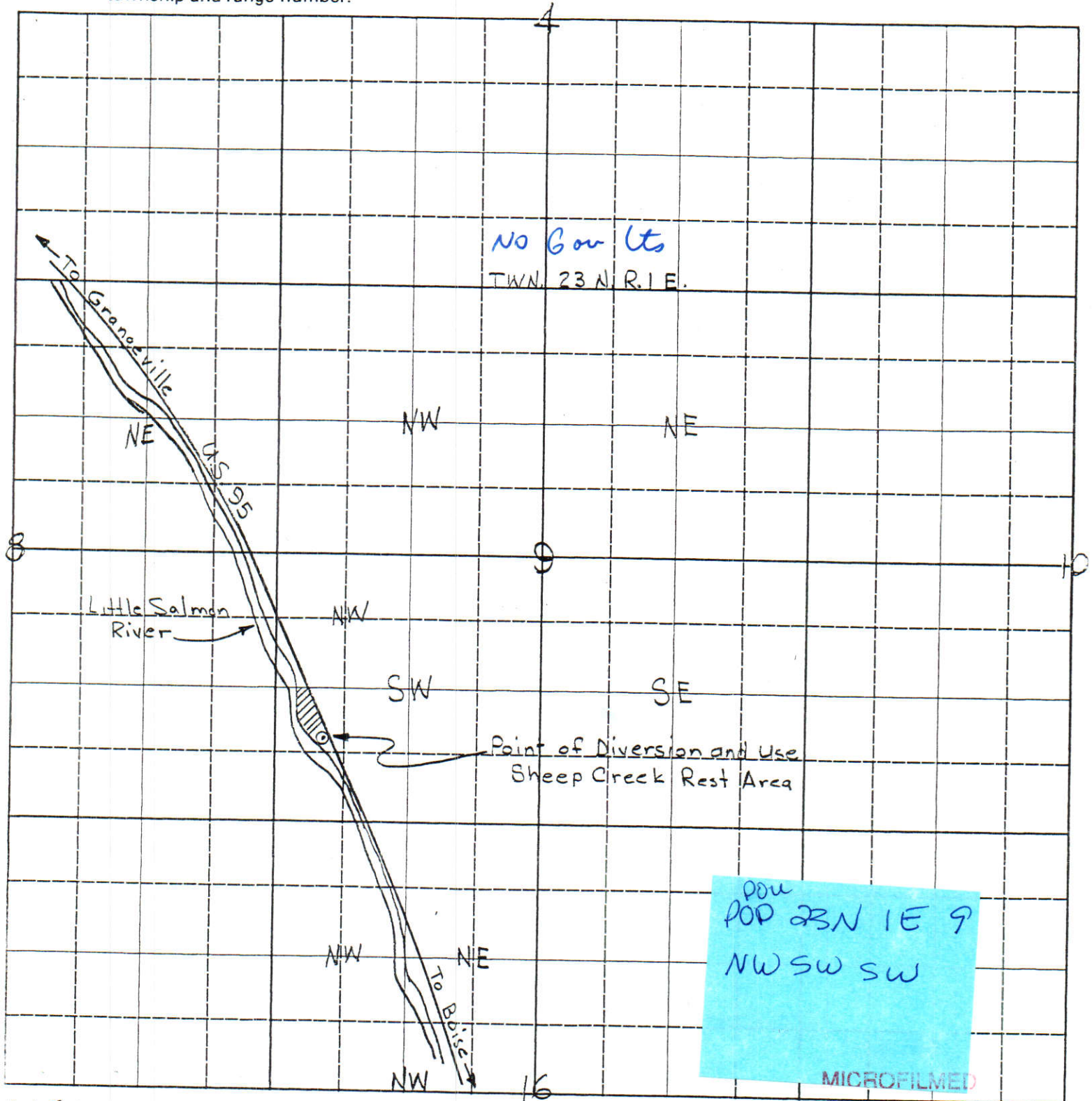


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

4

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

James H. Clayton (Applicant)
District Two Engineer

OCT 04 2002

An aerial photograph of a landscape, likely a river valley or floodplain, with a grid overlay. A yellow box is superimposed on the upper left portion of the image, containing text. The landscape shows a winding river or channel, with some areas appearing to be flooded or saturated. The grid lines are thin and dark, dividing the image into rectangular sections. The colors are primarily earthy tones of brown, tan, and green, with some darker areas suggesting water or dense vegetation.

78-12170
23N 1E S9 NWSWSW
6/24/02 LM

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OCT 04 2002

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JUL 01 2002

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

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

78-12170 ✓

IDAHO TRANSPORTATION DEPT
PO BOX 837

LEWISTON ID 83501

Point(s) of Diversion NWSWSW

S9 T23N R01E I D A H O

County Source GROUND WATER

Use: IRRIGATION 02/15 To

11/30 0.08 CFS

Use: DOMESTIC 01/01 To

12/31 1 CFS

Total Diversion: 1.08 CFS

Date Filed: 04/26/2002

Place Of Use: DOMESTIC

T23N R01E S9 SWSW

Place Of Use: IRRIGATION

T23N R01E S9 SWSW

Number of Acres 4

Remark: Applicant agrees to mitigate consumptive use in the future as needed.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/08/2002. The protestant must also send a copy of the protest to the applicant.

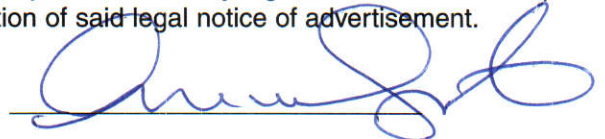
KARL J DREHER, Director

Published in the Idaho County Free Press on June 19 and 26, 2002.

Jn19-26

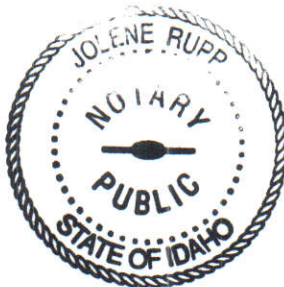
STATE OF IDAHO
County of Idaho - ss.

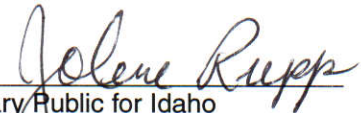
Andrew J. McNab, being first duly sworn, says he is the Publisher of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho County, State of Idaho, and is of general circulation in said county and state, that the said legal notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 19th day of June, 2002; and the last publication on the 26th day of June, 2002; 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 seventy-eight consecutive weeks prior to the publication of said legal notice of advertisement.



STATE OF IDAHO)
COUNTY OF)

On this 26th day of June in the year of 2002, before me a Notary Public personally appeared Andrew J. McNab, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



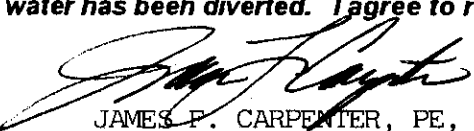

Notary Public for Idaho
Residing at Grangeville, ID
My commission expires: 1-29-07

MICROFILMED
OCT 04 2002

Amt. of Fee \$: 125.50
Receipt No. 2069584
Receipt By: [Signature]
Date Received: 4-13-03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

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

1. Permit No. 78-12170 Telephone No. (208) 799-5090
2. Name of Permit Holder(s): IDAHO TRANSPORTATION DEPARTMENT
3. Mailing Address: PO BOX 837
City LEWISTON State IDAHO Zip 83501
4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. OCT / yr. 1969
Well Driller: UNKNOWN Drilling Permit Number: UNKNOWN
5. Use(s) (as authorized by the water right permit):
PUBLIC
Domestic (No. of households): REST AREA Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 4.0 Ac. Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 1.08 cfs OR _____ 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: \$ 125.00 (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: DAVE STEPHENSON Telephone Number: (208) 799-4291
Address: RT. 2, BOX 477, GRANGEVILLE, IDAHO 83530
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: JAMES F. CARPENTER, PE, DIST TWO ENGR, ITD Date: 4/3/03
(include your title, if on behalf of company of organization)

MICROFILMED
AUG 11 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 78-12170

Priority: 04/26/2002

Maximum Diversion Rate: 1.08 CFS

This is to certify, that STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 837
LEWISTON ID 83501

has applied for a permit to appropriate water from:

Source: GROUND WATER

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	1.00 CFS
IRRIGATION	02/15 to 11/30	0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼SW¼SW¼ Sec. 9, Twp 23N, Rge 01E, B.M. IDAHO County

PLACE OF USE: IRRIGATION

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	9												4.0					4.0

Total Acres: 4

PLACE OF USE: DOMESTIC, same as Irrigation

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before July 1, 2003.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. Domestic use is for 1 home and a rest area and does not include lawn, garden, landscape, or other types of irrigation.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 5th day of July, 2002

MICROFILMED

OCT 14 2002

Karl J Dreher
for KARL J DREHER, Director

4290 RECEIVED

RECEIVED
JUL 03 2002

FORM 202
12/99

APR 26 2002

WR/North

Ident. No. 78-12170

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JUL - 5 2002

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Idaho Transportation Department Phone (208) 799-5090
Mailing address P.O. Box 837, Lewiston, Idaho 83501

2. Source of water supply Groundwater which is a tributary of Little Salmon

3. Location of point of diversion is Township 23N Range 1E Sec. 9, in the NW $\frac{1}{4}$,
SW $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot _____, B.M., Idaho County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.0 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .08 for Irrigation purposes from 2/15 to 11/30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 1.08 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source well, pump & pipeline

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
c. Proposed well diameter is 6 inches; proposed depth of well is 100 feet
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? 10/1/69; Drilling firm _____;
Well was drilled for (well owner) Idaho Transportation Dept.; Drilling Permit No. _____

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

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

a. Hydropower; show total feet of head and proposed capacity in kW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. one household, and rest area
e. Other; describe fully. _____

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MICROFILMED

JUL 04 2002

JUN 06 2002

WATER RESOURCES
WESTERN REGION

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	
23N	1E	9											D						
23N	1E	9											4						

Total number of acres to be irrigated 4

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

11. a. Who owns the property at the point of diversion? Idaho Transportation Department

b. Who owns the land to be irrigated or place of use? Idaho Transportation Department

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

12. Remarks: Well constructed and in use October 1, 1969. No record of previous filing for water right.

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

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

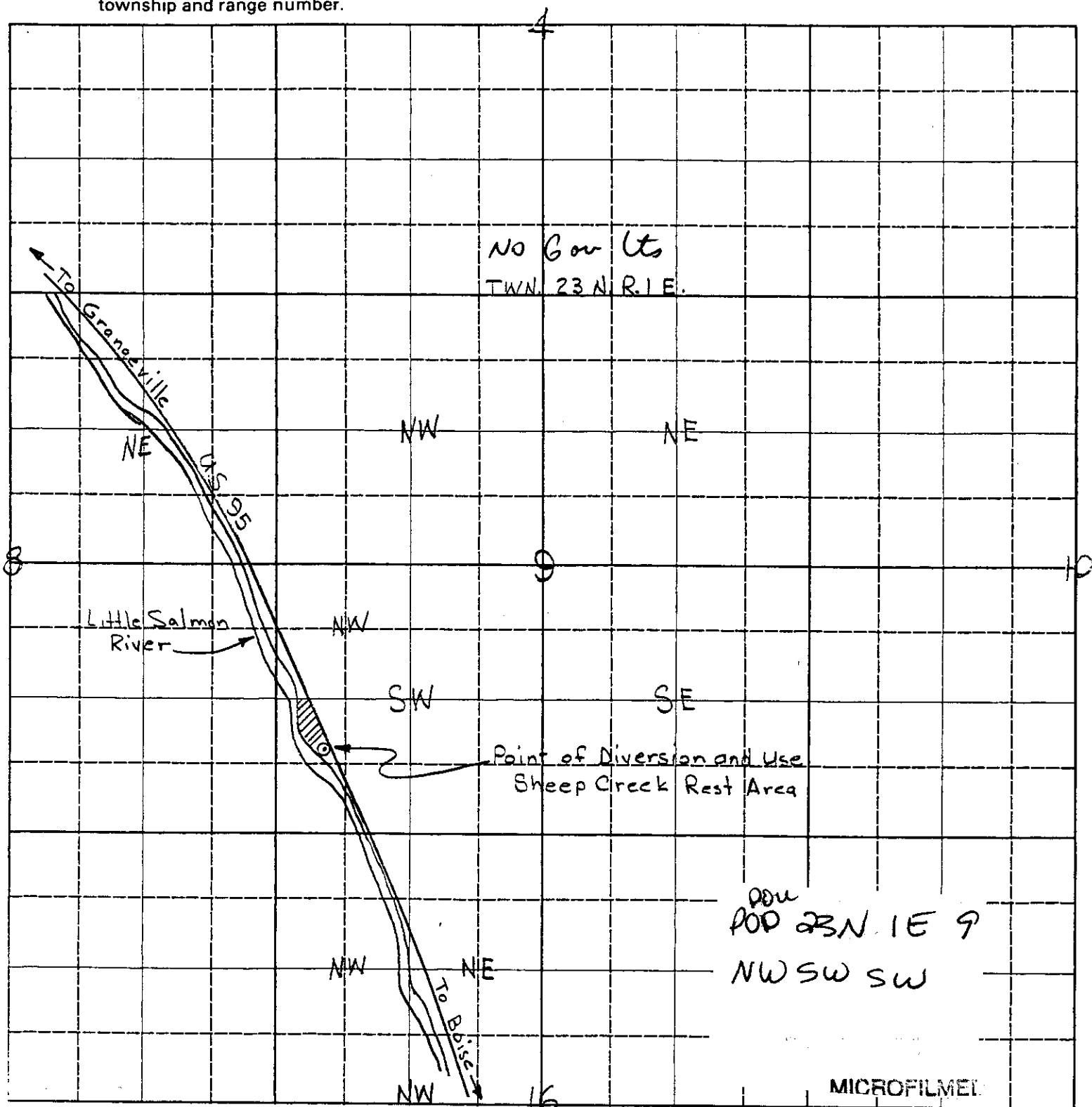
Signature of Applicant (and title, if applicable) Idaho Transportation Department

MICROFILMED

OCT 8 4 2002

Received by Smith Date 4-26-2002 Time 2:30 Preliminary check by 6
 Fee \$ 290.00 Received by Debbie Allen # C061646 Date 4-26-2002
 Publication prepared by ST Date 6-17-2002 Published in 2d City & Town
 Publication approved ST Date 7-2-02

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

4

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

James H. Clayton
 James H. Clayton (Applicant)
 District Two Engineer



78-12170
23N 1E S9 NWSWSW
6/24/02 LM



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

July 3, 2003

KARL J. DREHER
DIRECTOR

IDAHO TRANSPORTATION DEPT
PO BOX 837
LEWISTON ID 83501

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 78-12170

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

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

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

AUG 11 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 78-12170

Reviewed By: dgibson

Date: July 2, 2003

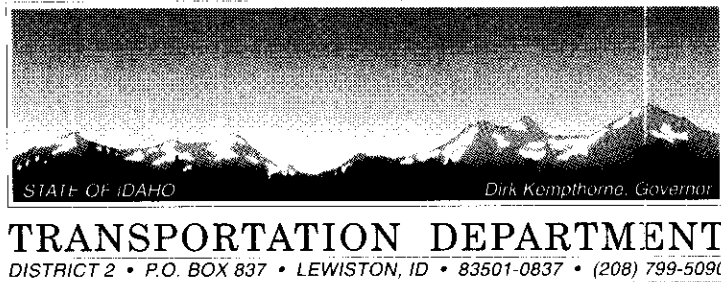
	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		C061646,	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	06/13/2003
Date proof due	- 07/01/2003
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 04/26/2002
New priority date	= 04/26/2002

Deficiencies of Actions Items

Acknowledge proof.



June 9, 2003

Ms. Deborah J. Gibson, Administration Assistant
Water Allocation Bureau
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

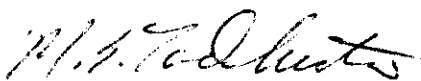
Re: Permit No. 78-12170, Proof of Beneficial Use
Sheep Creek Rest Area

Dear Ms. Gibson:

Enclosed are the required Form 217, Proof of Beneficial Use, and a check for the \$125 fee.

If any further information is required, please contact me or JoAn Thompson at (208) 799-5090.

Sincerely,


M. E. TODHUNTER
Environmental Planner Senior

MET:uo/3-0177/Z:\Admin\OM\WRDFILES\ADM\gibson.doc
Enclosures

MICROFILMED

AUG 11 2003

April 30, 2003

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 837
LEWISTON, ID 83501

PROOF DUE NOTICE

RE: PERMIT NO. 78-12170

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 July 01, 2003. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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.

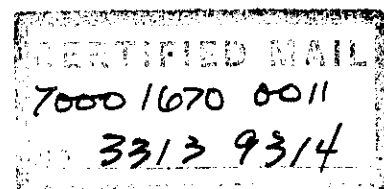
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED
APR 30 2003





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 8, 2002

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 837
LEWISTON ID 83501

RE: Permit No. 78-12170

Permit Approval Notice

Dear Permit Holder:

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

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

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

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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

MICROFILMED

JUL 10 2002

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

Sincerely,

Sharla Curtis

for

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

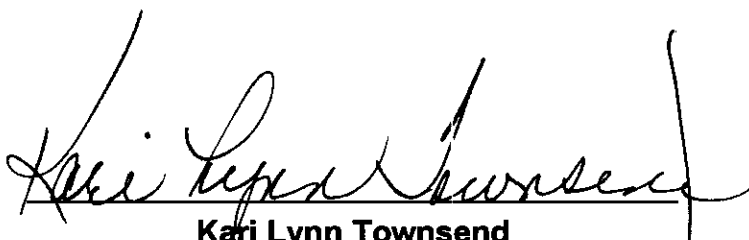
OCT 14 2002

CERTIFICATE OF SERVICE

I hereby certify that on July 8, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 78-12170

**STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 837
LEWISTON ID 83501**



**Kari Lynn Townsend
Secretary**

MICROFILMED

OCT 04 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).

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

OCT 14 2002

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**

Reviewed by Sharla Curtis on 7/5/02

No. 78-12170 Name: Id Trans. Corp. Officers N/A Ad ok ☒ Govt Lots

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

GROUNDWATER: (√Flow Chart)

DRILLING PERMIT

All wells - **046**
Basin 34 - **084** (if necessary)
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**

Trust - **051 (consumptive uses)**
Non-Trust - **048 (consumptive uses or non-cons. > 1.0 cfs)**

USES:

STORAGE - **18C-01H-01P-18B-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/FS)-111 (instream stock)**
MINING - **054-106**
HEAT/COOL - **R07 (injection well)**
FIRE PROT - **077**
COMMERCIAL/
INDUSTRIAL - **106-R07**
DAIRY - **082-WD8**
POWER - **17H or 17K (+uses)-17G (under FERC)**
or **17M (not FERC regulated)**
025-027-R22-08A

BENEFICIAL USE DUE: 7/10/2003

MISC CONDITIONS/REMARKS:

Protested - **020-W19**
Development Period
≥ 1 yr - **26A**
Ownership - **004**
Non-consumptive - **027**
Water Quality - **106-R07**

SURFACE WATER: (√Flow Chart)

F&G contacted - **Yes/No Response**
In/Above MSF - **WB9**

PLANNING REVIEW/RESPONSE

WD - **R04 (WD#)**
≤ 0.20 cfs/others - **01H, 01P or No MD**
> 0.20 cfs - **01J**

SPRINGS/SINK, INACTIVE WD or WB

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

RIVER BASINS: (SW special considerations)

Snake R (01) - **W23, N/A**
(02,03) - **007 (w/ remark WB9 if above Weiser)**
Payette R (65) - **W23, 047 (Payette Lake)**
Salmon R (70's) - **029 (fish screens)**
Weiser R (67) - **086-087**

USES:

MUNICIPAL

Restricted area - **022,075**
Irr., GW supp to SW - **102**
Future needs - **007,109**
FISH PROP - **029 (70's only)-007-122-106**

DOMESTIC

Surface water *home & rest area*
> 1 in restricted area - **WB5 (Big Wood/Boise above Star Bridge)**
Irr separate or none allowed - **27A (Payette R)**
GW w/irrigation from SW evident - **070-071-075 (no parks/common areas)**
Moratorium approvable - **WB5**
065-104
W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

Multiple pd's per ¼¼ - **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 2/15 - 11/30 (Per updated map)

IRR VOLUME/ACRE 4.0

OTHER CONDITIONS/REMARKS

COMMENTS

No overlaps

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

JUL - 5 2002

Department of Water Resources

Initial review by 6 Date 6/10/02 Application # 78-12170

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, the 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 ≥ 5 homes in non-restricted area)
- ☒ Signature (If applicant is corporation, partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Government Lots
☒ P/D
☒ P/U

ADDITIONAL INFORMATION

Y ADVERTISE REMARKS (Yes or No)

YES NO

- ☒ Overlapping place of use (Describe source and relationship to present application on next page)
- ☒ Overlapping point of diversion
- ☒ Critical groundwater area
- ☒ Ground water management area
- ☒ 1992 moratorium
- ☒ Surface water source, IDFG letter needed
- ☒ Protected river or minimum flow reach, notify water planning bureau
- ☒ E-mail to SCA staff (perennial stream, non-pump diversion &/or any mining)
- ☒ E-mail to Dam Safety staff (for any storage)
- ☒ Mitigation plan Check any that apply
- ☒ 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

request to proceed

Date Requested 6/10/02 Date Response Received 6/10/02

PROCESSINGAPPLICATION # 78-

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. Environmental Quality
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

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

FINAL REGIONAL PROCESSING REVIEW

YES NO

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

☐ ☐ Publication dates and paper recorded on application☐ ☐ Final date for protest 7-8-02☐ ☒ Protests received☐ ☐ Recommendations attached☐ ☐ Measuring device required☐ ☐ Water delivered by water master? District #☐ ☐ Special conditions of approval or cover letter

Recommended Date of Priority _____

Recommendation ☐ Approve ☐ Deny by _____ Date _____**ADDITIONAL INFORMATION**overlaps - other owners, systems + uses☐ See Attachment(s) ... always include application proof report



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

June 13, 2002

Legal Notice Department
IDAHO COUNTY FREE PRESS
PO BOX 690
GRANGEVILLE ID 83530

RE: Application for Permit No. 78-12170

Dear LEGAL NOTICE DEPARTMENT:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 07/08/2002. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

OCT 04 2002

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

78-12170

IDAHO TRANSPORTATION DEPT
PO BOX 837
LEWISTON ID 83501

Point(s) of Diversion NWSWSW S9 T23N R01E IDAHO County Source GROUND WATER

Use: IRRIGATION 02/15 To 11/30 0.08 CFS

Use: DOMESTIC 01/01 To 12/31 1 CFS

Total Diversion: 1.08 CFS

Date Filed: 04/26/2002

Place Of Use: DOMESTIC

T23N R01E S9 SWSW

Place Of Use: IRRIGATION

T23N R01E S9 SWSW

Number of Acres 4

Remark: Applicant agrees to mitigate consumptive use in the future as needed.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/08/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho County Free Press on June 19 and 26, 2002.

MICROFILMED

OCT 04 2002

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JUL 01 2002

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

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S9 T23N R01E IDAHO

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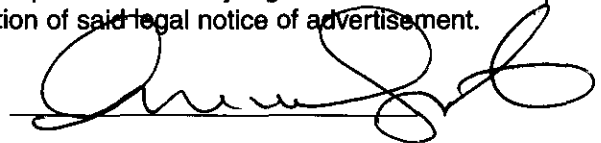
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KARL J DREHER, Director

Published in the Lewiston Free Press on June 19 and 26, 2002.

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 weekly newspaper published and issued weekly at Grangeville, Idaho County, State of Idaho, and is of general circulation in said county and state, that the said 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 19th day of June, 2002; and the last publication on the 26th day of June, 2002; 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 seventy-eight consecutive weeks prior to the publication of said legal notice of advertisement.



STATE OF IDAHO)
COUNTY OF)

On this 26th day of June in the year of 2002, before me a Notary Public personally appeared Andrew J. McNab, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Jolene Rupp

Notary Public for Idaho

Residing at Grangeville, ID

My commission expires: 1-29-07

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OCT 04 2002

JUNE 21, 2002

PAGE 1 OF 1

SOLD TO:
IDAHO DEPARTMENT OF WATER (IDWATE)
RESOURCES
2735 AIRPORT WAY
Boise ID 83705-5082

DATE	QUANTITY	DESCRIPTION	ZONE	ORIG AMT	AMT OPEN	BALANCE
		PREVIOUS BALANCE				\$0.00
06/21/02	4.75I	78-12170 Lewiston Trans	A	\$69.68		\$69.68
CURRENT	OVER 30 DAYS	OVER 60 DAYS	OVER 90 DAYS	OVER 120 DAYS		
\$69.68	\$0.00	\$0.00	\$0.00	\$0.00		

Idaho County FREE PRESS
The SHOPPER
900 W. Main St.
P.O. Box 690
Grangeville, ID 83530

RECEIVED

JUL 01 2002

WATER RESOURCES
WESTERN REGION

MICROFILMED
OCT 04 2002



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

ALAN G. LANCE

FAX TRANSMITTAL COVER SHEET

DATE: 6/10/02
TO: Lori (Graver) SP
FAX #: 334-2348
FROM: Tim

Idaho Transportation Department
Legal Section
Telephone: (208) 334-8815
Fax #: (208) 334-4498

NO. OF PAGES (INCLUDING COVER SHEET): 2DESCRIPTION OF ITEM(S) TO FOLLOW: Thank You

INSTRUCTIONS: _____

PLEASE DELIVER IMMEDIATELY!

The information contained in this facsimile message may be attorney privileged and confidential information intended only for the use of the individual or entity named above. If you have received this communication in error, please notify us by telephone for return of the original documents to us. Thank you.

MICROFILMED

Contracts & Administrative Law Division, Transportation Department
PO Box 7400, Boise, ID 83725-7400, Telephone: (208) 334-2348, FAX: (208) 334-2349

