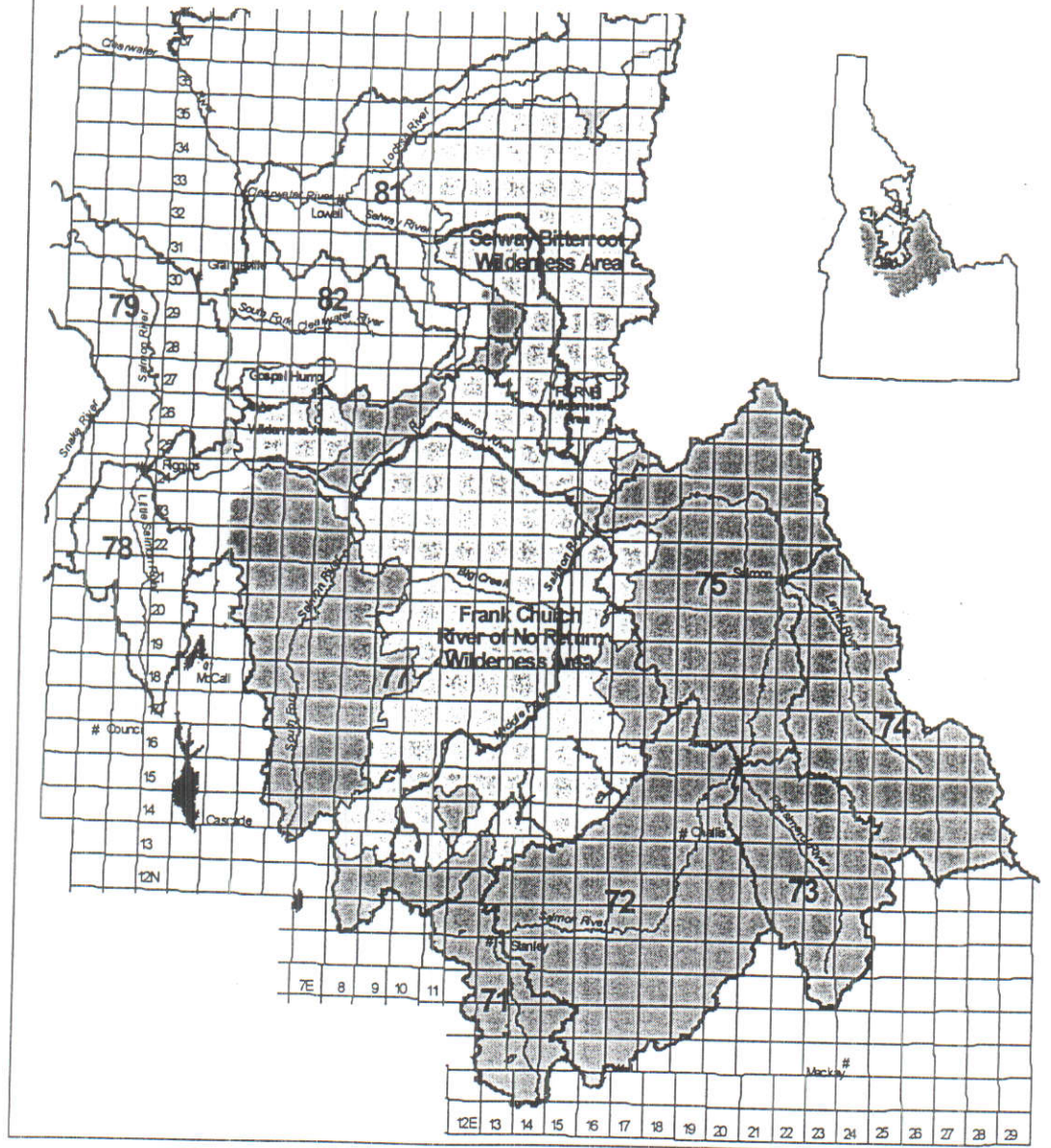


Wilderness Moratorium Areas

October 26, 1999

-  IDWR Administrative Basins with basin number
-  Wilderness Areas
-  Tributary Areas
-  Township/Range



MICROFILMED
MAY 24 2000

COPENHAVER SUBDIVISION

1986

ALL OF H.E.S. NO. 701
 LOCATED WITHIN UNSURVEYED SECTION 6, T.23N., R.8E.,
 8 SECTION 31, T.24N., R.8E., B.M., DAHO COUNTY, IDAHO



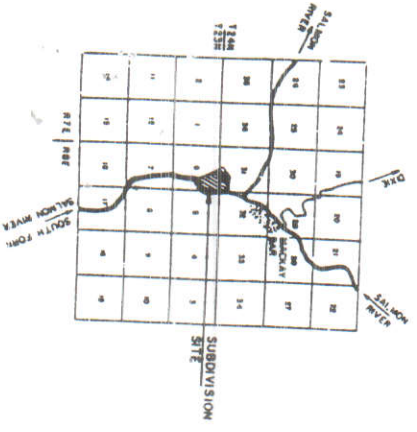
LEGEND

- H.E.S. CORNER, FOUND ORIGINAL STONE
- H.E.S. MEASUREMENT CORNER, NOT SET
- LOT CORNER, SET 2" X 30" G.I.P. W/B.C.
- LOT CORNER, SET 3/8" X 30" REBAR W/SERV. CAP
- SUBDIVISION BOUNDARY LINE
- LOT LINE
- EASEMENT CENTERLINE
- ACCESS & UTILITY EASEMENT
- UTILITY EASEMENT
- ACCESS & UTILITY EASEMENT
- EASEMENT CORNER, SET 5/8" X 30" REBAR W/SERV. CAP
- EASEMENT CENTERLINE, NOT SET
- EASEMENT CORNER, NOT SET

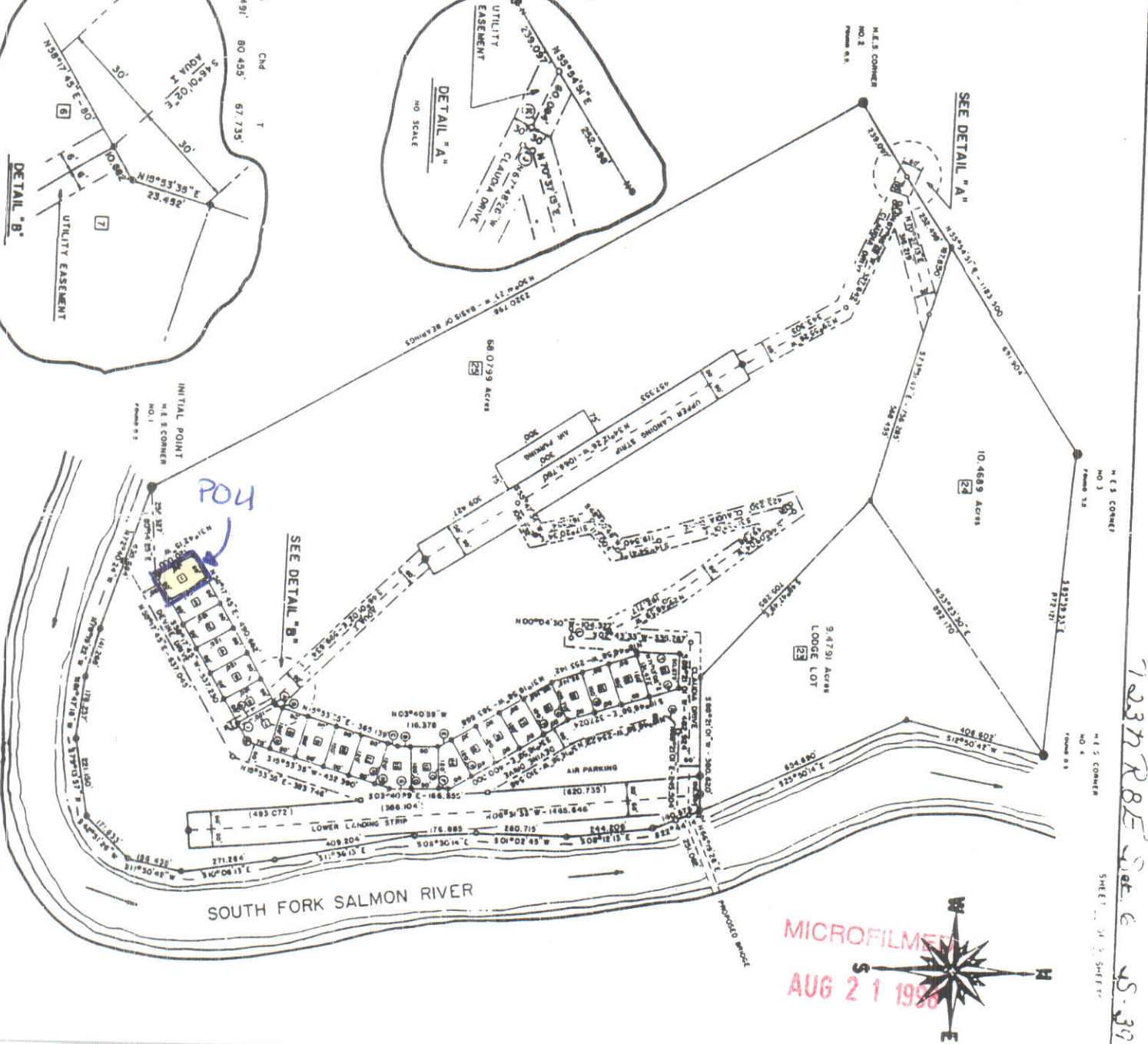
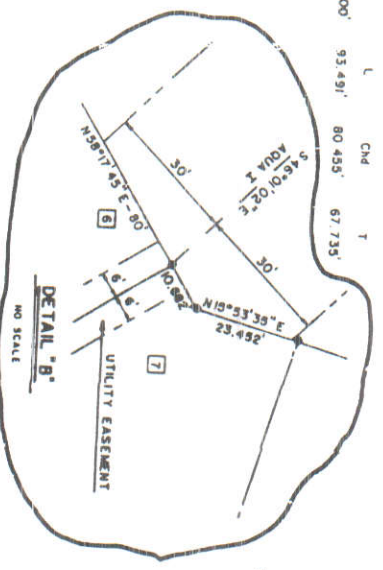
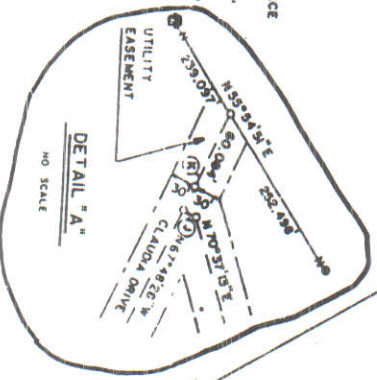
COPENHAVER SUBDIVISION RESTRICTIVE
 COVENANTS ARE FILED AS INSTRUMENT
 NO 3304731

VICINITY MAP

Scale: 1" = 2 Miles



TANGENT	BEARING	DISTANCE
A	N 56°17'45"E	10.462'
B	N 19°53'35"E	23.402'
C	N 19°53'35"E	21.402'
D	M 03°40'59"W	50.326'
E	M 31°16'58"W	50.326'
F	S 03°40'59"E	29.475'
G	S 19°53'35"W	42.390'
H	S 58°17'45"W	57.230'
I	N 23°04'00"E	20.000'
J	N 67°48'28"W	60.084'
K	N 85°34'03"W	20.000'
L	S 50°42'56"W	20.000'
M	S 74°06'25"E	120.000'
N	M 86°19'01"E	120.000'
O	S 56°43'02"W	120.000'
P	S 56°43'02"W	120.000'
Q	S 56°43'02"W	120.000'
R	S 56°43'02"W	120.000'
S	S 56°43'02"W	120.000'
T	S 56°43'02"W	120.000'
U	S 56°43'02"W	120.000'
V	S 56°43'02"W	120.000'
W	S 56°43'02"W	120.000'
X	S 56°43'02"W	120.000'
Y	S 56°43'02"W	120.000'
Z	S 56°43'02"W	120.000'



723788E Site 45-397

1/22/54

T23N

36/31
1/6

BURGDORF SUMMIT QUADRANGLE
IDAHO-ID CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

R7E R8E
615

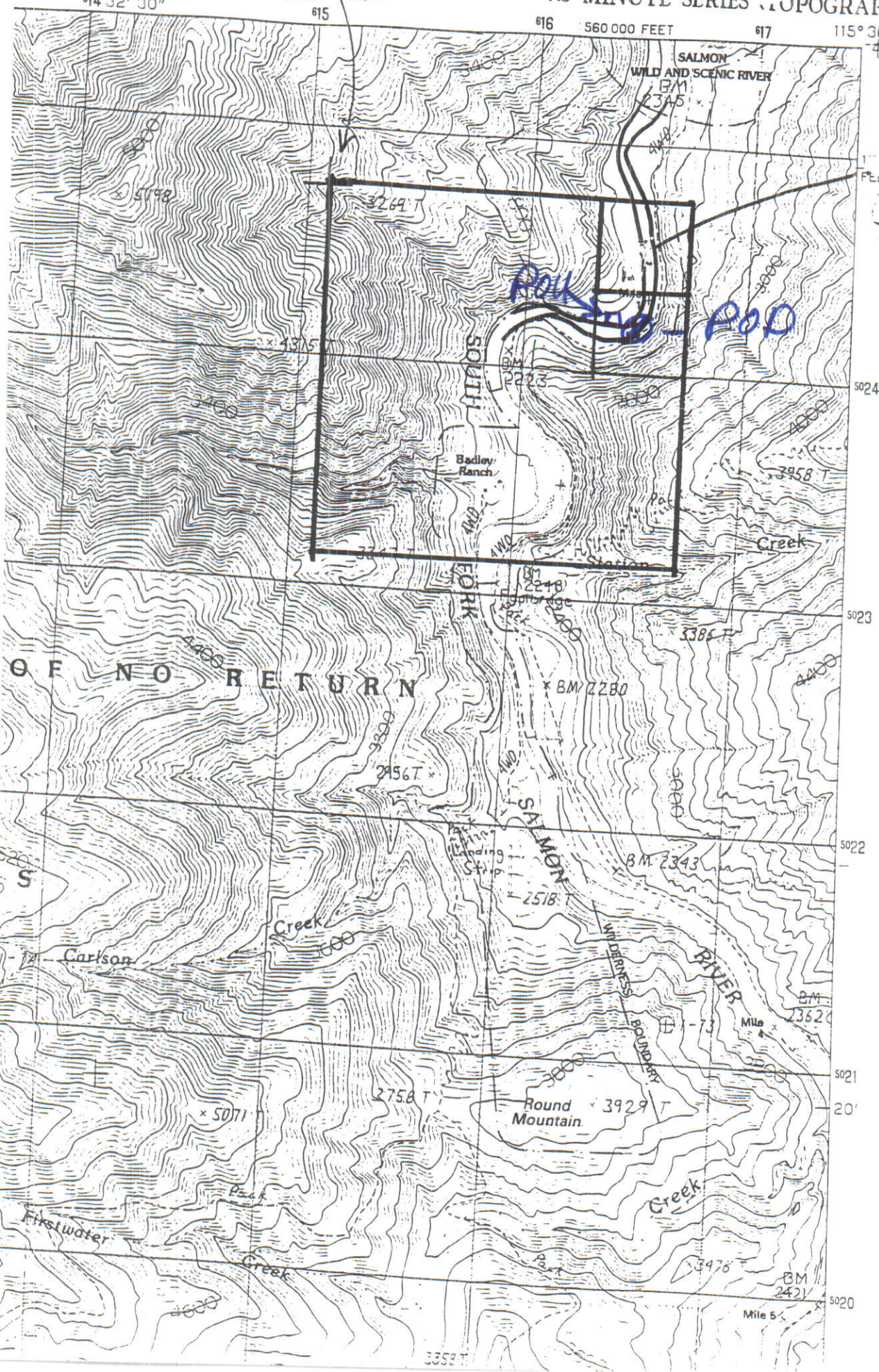
614 32' 30"

616 560 000 FEET

617

115° 30'

43° 22' 30"



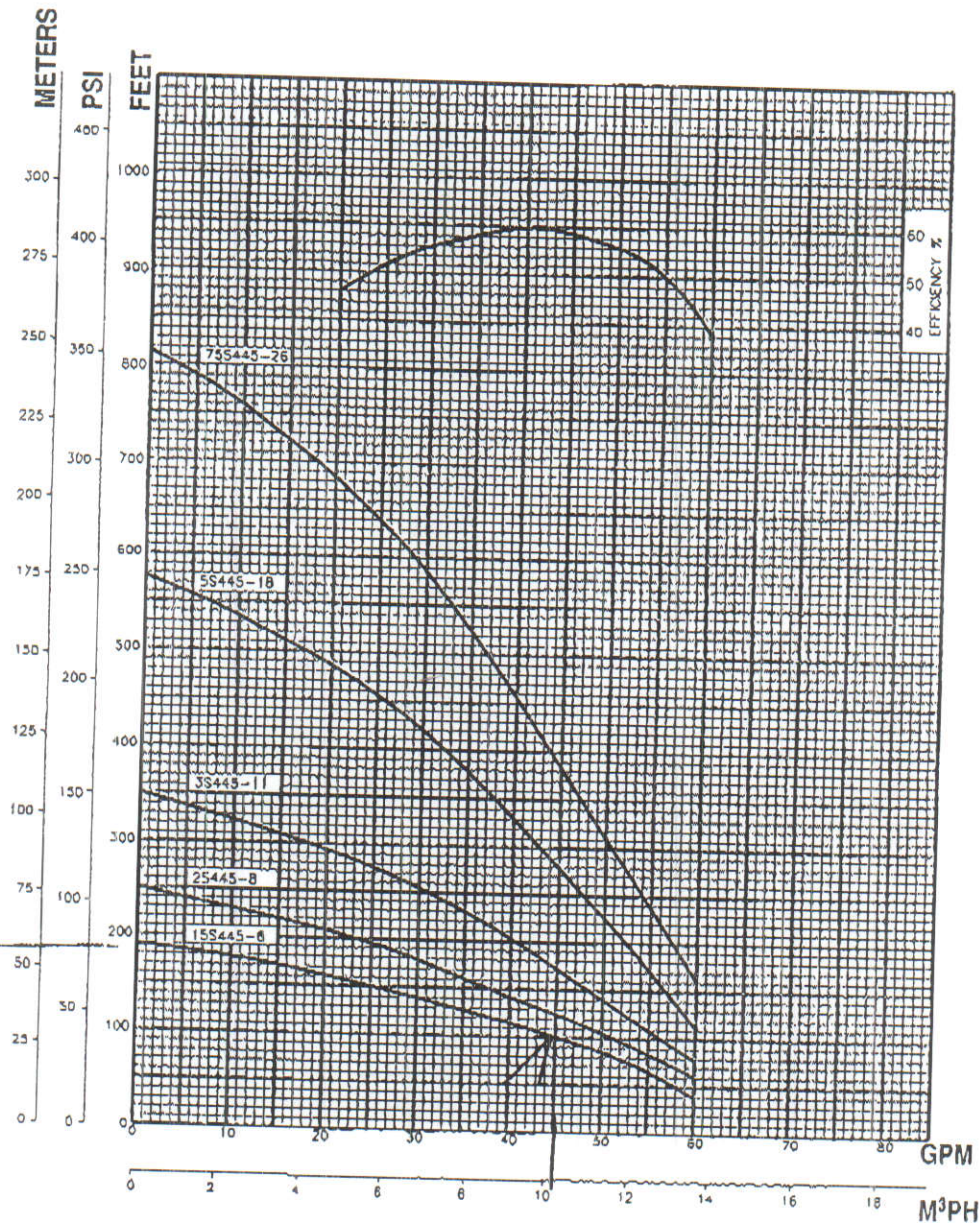
T23N R8E
S6 SENE

(Not Platted)

MICROFILMED
AUG 21 1998

SandHandler™ High Capacity 45 GPM

Performance Curves



45 GPM

Pump Ends

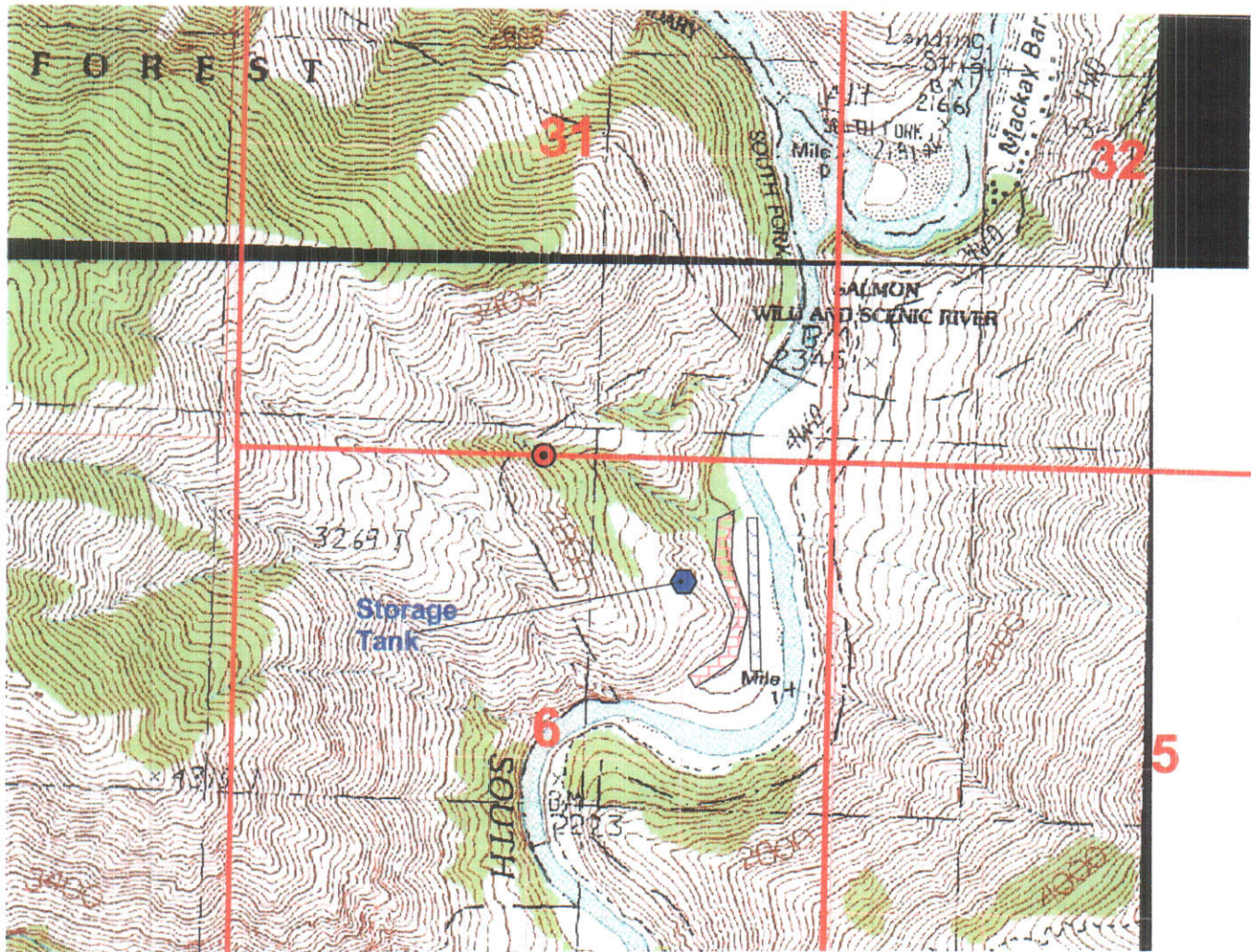
Order No.	Model No.	HP	Weight	Price
9252-0014	S4456	1-1/2	15	669.00
9252-0022	S4458	2	16	721.00
9252-0030	S44511	3	19	845.00
9252-0048	S44518	5	25	1270.00
9252-0139	S44526	7-1/2	33	1545.00

- Notes:
- 1) All performance data is based on 60 cycle motor.
 - 2) Check valve must be ordered separately. See page 79 for ordering information.
 - 3) Discharge size 2" FNPT.

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JAN 24 2002

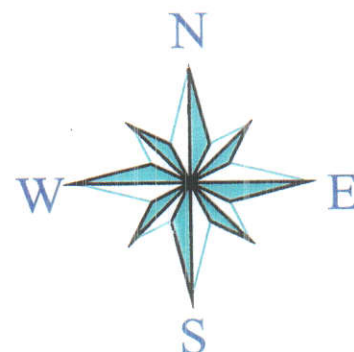
Copenhaver Subdivision



0.5 0 0.5 1 Miles

-  Air strip
-  Sub lots
-  Spring P/D
-  Sections 1/41/4

MICROFILMED
JAN 24 2002



77-07360

NO. 1001 LOT 2
7/7/08/04/1997

1237 RBE Set. 6 45-39
SHEET 1 of 1

COPENHAVER SUBDIVISION 1986

ALL OF H.E.S. NO. 701
LOCATED WITHIN UNSURVEYED SECTION 6, T.23N., R.8E.
& SECTION 31, 124N., R.8E., B.M., DAHO COUNTY, IDAHO



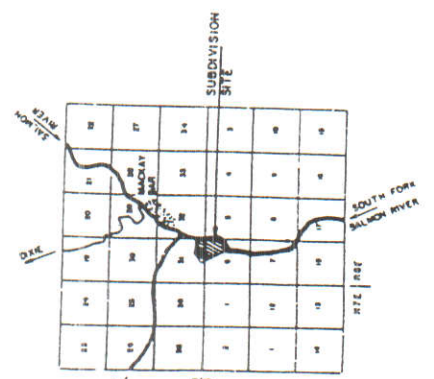
LEGEND

- H.E.S. CORNER, FOUND ORIGINAL STONE
- H.E.S. MEANDER CORNER, NOT SET
- LOT CORNER, SET 2" X 30" G.I.P. W/B.C.
- LOT CORNER, SET 5/8" X 30" REBAR W/SERV. CAP
- SUBDIVISION BOUNDARY LINE
- LOT LINE
- EASEMENT CENTERLINE
- ACCESS & UTILITY EASEMENT
- UTILITY EASEMENT
- ACCESS & UTILITY EASEMENT
- EASEMENT CORNER, SET 5/8" X 30" REBAR W/SERV. CAP
- EASEMENT CENTERLINE, NOT SET
- EASEMENT CORNER, NOT SET

MICROFILMED
JAN 24 2008
COPENHAVER SUBDIVISION
COVENANTS ARE FILED AS INSTRUMENT
NO. 9324731

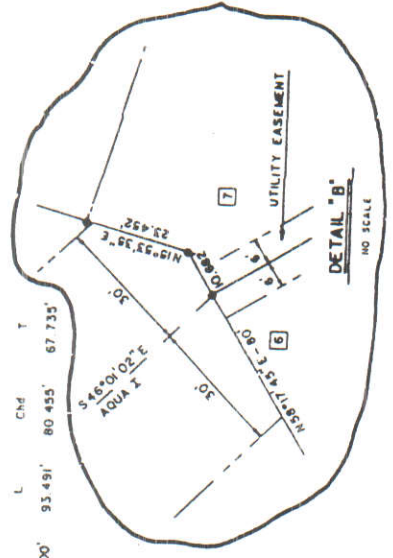
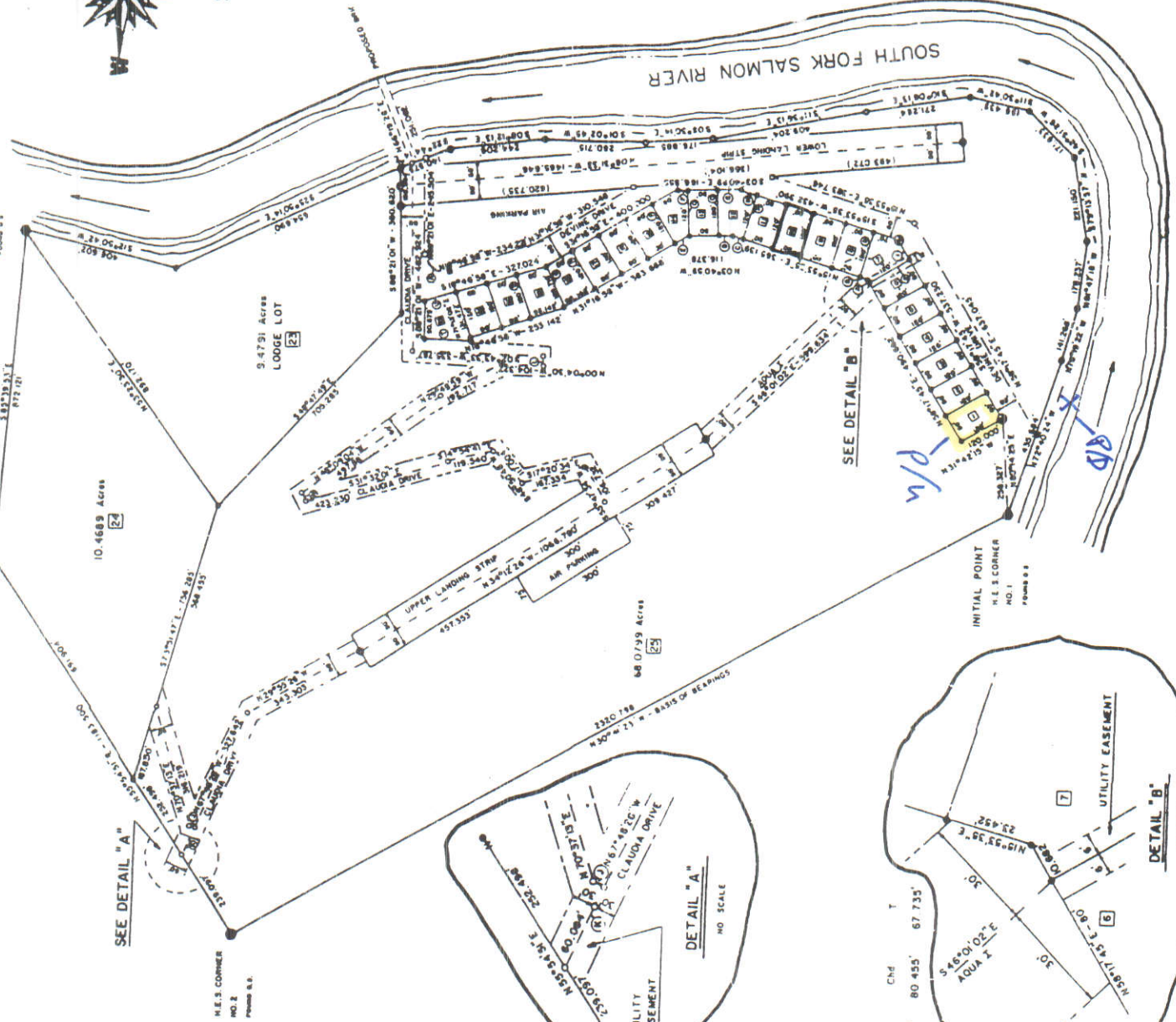
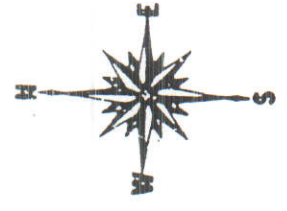
VICINITY MAP

Scale: 1" = 2 miles



TANGENT	BEARING	DISTANCE
A	N 58°17'40"E	10.662'
B	N 15°53'35"E	23.402'
C	N 18°53'35"E	21.887'
D	N 03°40'59"W	44.874'
E	N 31°16'58"W	50.325'
F	S 03°40'59"E	29.475'
G	S 03°40'59"E	57.040'
H	S 15°53'35"W	42.390'
I	S 58°17'45"W	57.230'
J	N 23°04'00"E	20.000'
K	N 67°48'28"W	60.084'
L	N 85°34'03"W	20.000'
M	S 50°42'56"W	20.000'
N	S 74°06'25"E	120.000'
O	N 86°19'01"E	120.000'
P	S 58°43'02"W	120.000'
Q	S 64°58'02"W	120.718'
R	S 71°13'02"W	120.000'
S	N 31°42'15"W	120.000'
T	S 02°43'33"W	122.249'
U	S 18°46'58"E	87.024'

CURVE	A	R	L	Chd	T
A	107°07'55"	50.000'	95.491'	80.455'	67.735'



EMM
Engineering & Mapping
1000 N. 1st Street, Suite 100
Bozeman, MT 59717



Ut 1
Copenhaver
Sub



Encased
submersible
pump

MICROFILMED

JAN 24 2002

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge)
2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

77-07372
JERRY MC CAULEY
95 E JACOB ST
MCCALL

ID 83638

MICROFILMED

4. Article Number

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☒ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Address

X Robin McCauley

MAY 24 2000

6. Signature — Agent

X

7. Date of Delivery

10-28

8. Addressee's Address (ONLY if requested and fee paid)

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

77-07372 ✓

MCCAULEY, JERRY
MCCAULEY, ROBIN
95 E. JACOB ST.
MCCALL, ID 83638
Source: SALMON RIVER, SOUTH FORK
Tributary: SALMON RIVER
Diversion Pt: SENE Sec 6 T 23N R 08E in IDAHO County.
Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)
Date Filed: 6/12/1998
In: IDAHO County
T23N R08E S06 SENE

79-07262

DESA, DON DOUGLAS
24349 SE 237TH
MAPLE VALLEY, WA 98038-8256
Source: UNNAMED STREAM Tributary: SINKS
Diversion Pt: NWNE Sec. 20 T 28N R 01E in IDAHO County.
Use: DOMESTIC FROM STORAGE (0.30 AF)
DOMESTIC STORAGE (0.30 AF)
WILDLIFE (0.020 CFS)
WILDLIFE STORAGE (0.30 AF)
Total Diversion: (0.020 CFS)
Date Filed: 5/18/1998
In: IDAHO County
T28N R01E S20 NWNE

79-07264

FOLEY, MICHAEL G.
FOLEY, KATHERINE E.
2305 TOWHEE LN
WEST RICHMOND, WA 99353
Source: SPRING Tributary: SINKS
Diversion Pt: SENESE Sec 9 T 28N R01W in IDAHO County.
Use: DOMESTIC (0.050 CFS)
AESTHETIC STORAGE (1.00 AF)
MINING STORAGE (1.00 AF)
Total Diversion: (0.050 CFS)
Date Filed: 5/29/1998
In: IDAHO County
T28N R01W S09 NESE SWSE

79-07265

FOLEY, KATHERINE E.
FOLEY, MICHAEL G.
2305 TOWHEE LN
WEST RICHLAND, WA 99353
Source: SPRING Tributary: SINKS
Diversion Pt: NWNWSE Sec. 9 T 28N R 01W in IDAHO County.
Use: DOMESTIC (0.040 CFS)
WILDLIFE STORAGE (1.00 AF)
AESTHETIC STORAGE (1.00 AF)
Total Diversion: (0.040 CFS)
Date Filed: 5/29/1998
In: IDAHO County
T28N R01W S09 NWSE

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 JULY 20, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

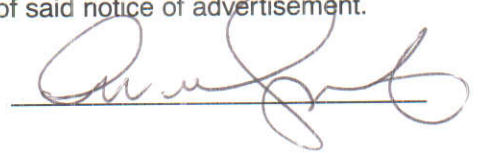
Published: 7/1/1998 & 7/8/1998

Jy 1-

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

Andrew J. McNab, being first duly sworn, says he is the Publisher of the IDAHO COUNTY FREE PRESS, a 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 notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 1st day of July, 1998; and the last publication on the 8th day of July, 1998; and that the said 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 notice of advertisement.

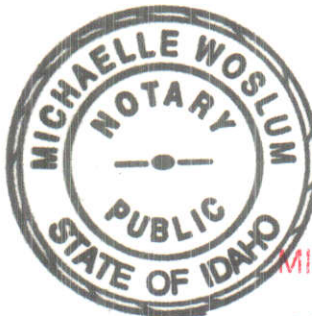


STATE OF IDAHO)
COUNTY OF)

On this 8th day of July in the year of 1998, 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: 01-16-2002



RECEIVED

MICROFILMED JUL 22 1998

AUG 21 1998

WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 77-07372

Priority: June 12, 1998

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that JERRY MC CAULEY And ROBIN MC CAULEY
95 E JACOB ST
MC CALL ID 83638 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 12, 1998; and have
submitted Proof of Beneficial Use on September 21, 2001. An examination indicates that the works
have a diversion capacity of 0.1 cfs of water from:

SOURCE

SOUTH FORK SALMON RIVER

Tributary: SALMON RIVER

and a water right has been established as follows:

ANNUAL

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT OF DIVERSION:

SOUTH FORK SALMON RIVER SE¼NE¼ Sec. 6, Twp 23N, Rge 08E, B.M., IDAHO County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	08E	6				X													

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. Place of use is located within Lot 1, Coperhaver Subdivision.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.

MICROFILMED

MAR 20 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 77-07372

5. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

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

Signed and sealed this 27th day of DECEMBER, 2002.

Acting for 
KARL J. DREHER
Director

MICROFILM

MAR 20 2003

RECEIVED

SEP 20 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

SEP 24 2001

Department of Water Resources

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. 77-7372 Telephone No. 208-634-5185

2. Name of Permit Holder(s): Jerry +/or Robin McCauley

3. Mailing Address: 95 E. Jacob St

City McCall State ID Zip 83638

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

Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: _____ 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?
Has the measuring device been installed?

Yes _____ or No /
Yes _____ or No /

8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: same as above Telephone Number: _____

Address: _____

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: Jerry McCauley Date: 9-06-01

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

MICROFILMED

JAN 24 2002

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATIONS AND)
PERMITS FOR THE DIVERSION AND USE)
OF SURFACE WATER AND GROUND)
WATER IN AND TRIBUTARY TO THE)
SELWAY-BITTERROOT WILDERNESS)
AREA, GOSPEL-HUMP WILDERNESS AREA,)
AND FRANK CHURCH-RIVER OF NO)
RETURN WILDERNESS AREA)
_____)

MORATORIUM ORDER

The Director of the Department of Water Resources ("Director"), having responsibility for the administration of the appropriation of water in the State of Idaho, the protection of rights to the use of water within the state, the protection of the public interest in the waters of the state, and the conservation of the water resources of the state, enters the following Findings of Fact, Conclusions of Law, and Final Order.

FINDINGS OF FACT

1. On April 30, 1993, the Director issued an Amended Moratorium Order that stopped the approval of certain applications seeking to appropriate surface water within the Salmon and Clearwater River Basins in Idaho.
2. On December 13, 1993, the United States filed Notices of Claim in the Snake River Basin Adjudication ("SRBA") for federal reserved water rights for the Selway-Bitterroot, Gospel-Hump, and Frank Church-River Of No Return wilderness area designations. On February 27, 1997, a motion to amend the Notices of Claim for all three wilderness area designations was filed with the District Court of the Fifth Judicial District of the State of Idaho (the "SRBA district court") to change the claimed priority dates.
3. As amended, pertinent portions of the claim filed in the SRBA for a federal reserved water right for the Selway-Bitterroot Wilderness are as follows:

Identification Number: A31-11191
Name of Claimant: United States of America

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MAY 24 2000

Date of Priority: September 3, 1964, except for Magruder Corridor that has priority date of July 23, 1980

Source of Water Supply: All streams, lakes, ponds, springs, seeps or other natural sources of water including groundwater, whether named or not and whether perennial, intermittent or ephemeral within the boundaries of the Selway-Bitterroot Wilderness. This claim is intended to also include those sources of water which are not presently known or not reasonably susceptible of quantification because of the de minimus and diffuse nature of their flow and which supply wetlands, marshes, or other vegetation which serves such wilderness purposes as habitat protection and drinking water for wildlife. Tributary to Lochsa and Selway Rivers.

Location of Points of Diversion: None

Location of Place of Use: All locations in the Selway-Bitterroot Wilderness where natural sources of water exist.

Instream Flow Beginning

And Ending Points: All locations in the Selway-Bitterroot Wilderness where natural sources of water exist

Total Quantity Claimed: The entire unappropriated flow and all other natural sources of water as of the date of designation, specifically, September 3, 1964.

4. As amended, pertinent portions of the claims filed in the SRBA for federal reserved water rights for the Gospel-Hump Wilderness are as follows:

Identification Numbers: 77-12774, 82-11120

Name of Claimant: United States of America

Date of Priority: February 24, 1978

Source of Water Supply: All streams, lakes, ponds, springs, seeps or other natural sources of water including groundwater, whether named or not and whether perennial, intermittent or ephemeral within the boundaries of the Gospel-Hump Wilderness. This claim is intended to also include those sources of

water which are not presently known or not reasonably susceptible of quantification because of the de minimus and diffuse nature of their flow and which supply wetlands, marshes, or other vegetation which serves such wilderness purposes as habitat protection and drinking water for wildlife. Tributary to Salmon River.

Location of Points of Diversion: None

Location of Place of Use: All locations in the Gospel Hump Wilderness where natural sources of water exist.

Instream Flow Beginning

And Ending Points: All locations in the Gospel-Hump Wilderness where natural sources of water exist

Total Quantity Claimed: The entire unappropriated flow and all other natural sources of water as of the date of designation, specifically, February 24, 1978.

5. As amended, pertinent portions of the claims filed in the SRBA for federal reserved water rights for the Frank Church-River of No Return Wilderness are as follows:

Identification Numbers: A75-13605, A77-12775

Name of Claimant: United States of America

Date of Priority: July 23, 1980

Source of Water Supply: All streams, lakes, ponds, springs, seeps or other natural sources of water including groundwater, whether named or not and whether perennial, intermittent or ephemeral within the boundaries of the Frank Church-River of No Return Wilderness. This claim is intended to also include those sources of water which are not presently known or not reasonably susceptible of quantification because of the de minimus and diffuse nature of their flow and which supply wetlands, marshes, or other vegetation which serves such wilderness purposes as habitat protection and drinking water for wildlife. Tributary to Salmon River.

MICROFILMED
MAY 24 2000

Location of Points of Diversion: None

Location of Place of Use: All locations in the Frank Church-River of No Return Wilderness where natural sources of water exist.

Instream Flow Beginning

And Ending Points: All locations in the Frank Church-River of No Return Wilderness where natural sources of water exist

Total Quantity Claimed: The entire unappropriated flow and all other natural sources of water as of the date of designation, specifically, July 23, 1980.

6. On December 18, 1997, the SRBA district court issued *Order Granting and Denying United States' Motions for Summary Judgment on Reserved Water Rights* for claims made by the United States under the Wilderness Act, Multiple-Use Sustained-Yield Act ("MUSYA"), and Hells Canyon National Recreation Area Act ("HCNRA"), referred to herein as "1997 SRBA Reserved Rights Order." In this order, the SRBA district court ruled that: "The United States is entitled to a federal reserved water right for all unappropriated flows in the Frank Church-River of No Return, the Selway-Bitterroot, and the Gospel-Hump wilderness areas." (1997 SRBA Reserved Rights Order, p. 5). The SRBA district court emphasized its ruling by stating: "The amount of water minimally sufficient to fulfill Congressional intent is the total amount of unappropriated water within each [wilderness] area, **such that none is ever available for future appropriation.**" (1997 SRBA Reserved Rights Order, p. 15, emphasis added).

7. On July 24, 1998, the SRBA district court issued *Memorandum Decision Granting, In Part, and Denying, In Part, the United States' Motion for Summary Judgment on Reserved Water Rights Claims* for claims made by the United States under the Wild and Scenic Rivers Act, referred to herein as "1998 SRBA Wild and Scenic Decision." In this decision, the SRBA district court ruled that under the Central Idaho Wilderness Act, the United States " ... **reserved land north and south of the Mainstem of the Salmon River as wilderness, thereby reserving all unappropriated flows of water in the Mainstem**" referring back to the 1997 SRBA Reserved Rights Order in a footnote. (1998 SRBA Wild and Scenic Decision, p. 7, emphasis added). The SRBA district court noted that "Congress declared that the Mainstem of the Salmon River [that segment of the main Salmon River designated as a component of the Wild and Scenic Rivers System] would be administered solely under the Wild and Scenic Rivers Act, not the Wilderness Act." However, the SRBA district court did not describe any limitation on the reservation of unappropriated flows, nor did the court distinguish between that segment of the main Salmon River designated as Wild and Scenic and that segment adjacent to the Gospel-Hump and Frank Church-River of No Return Wilderness Areas that lies downstream of the Wild and Scenic designation.

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8. On October 1, 1999, the Supreme Court of the State of Idaho issued 1999 Opinion No. 113 in the case of *Potlatch Corp. et al. v. United States of America* affirming the 1997 SRBA Reserved Rights Order granting the United States reserved water rights for all unappropriated water in the Frank Church-River of No Return, the Selway-Bitterroot, and the Gospel-Hump Wilderness Areas.

9. As of the date of this Order, there are approximately 60 pending applications for permits to appropriate surface water and ground water in the Selway-Bitterroot, Gospel-Hump, and Frank Church-River of No Return Wilderness Areas, and areas tributary to the wilderness areas. In addition, approximately 90 permits to appropriate water have been issued in these areas for which proof of beneficial use has not yet been submitted.

10. Although the SRBA district court has not issued final decrees for federal reserved water rights in the Selway-Bitterroot, the Gospel-Hump, and the Frank Church-River of No Return Wilderness Areas, the Supreme Court's decision of October 1, 1999, once final, will preclude future appropriations of water within the wilderness areas and in areas tributary to the wilderness areas.

CONCLUSIONS OF LAW

1. The Director is responsible for the allocation of water for new uses in Idaho. Section 42-203A(5), Idaho Code, reads in pertinent part as follows:

... In all applications whether protested or not protested, where the proposed use is such **(a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated,** or (c) where it appears to the satisfaction of the director that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people in the area directly affected by the proposed use, or (f) that it is contrary to conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions. (emphasis added)

2. The Director is authorized under the provisions of Section 42-1805(7), Idaho Code, as follows:

After notice, to suspend the issuance or further action on permits or applications as necessary to protect existing vested water rights or to ensure compliance with the provisions of chapter 2, title 42, Idaho Code, or to prevent violation of the minimum flow provisions of the state water plan.

3. The claims filed by the United States in the SRBA for federal reserved water rights for all unappropriated water in the Selway-Bitterroot, Gospel-Hump, and Frank Church-River of No Return Wilderness Areas did not limit the claimed amount to unappropriated water arising solely within the wilderness areas as of the date the wilderness areas were reserved, nor did the claims include subordination to existing permits to appropriate water having junior priority dates for private holdings within the wilderness areas. Neither the 1997 SRBA Reserved Rights Order nor the Idaho Supreme Court decision affirming the 1997 SRBA Reserved Rights Order limited the federal reserved water rights to unappropriated water arising solely within the boundaries of the wilderness areas. Therefore, both the SRBA district court and the Idaho Supreme Court have included unappropriated water flowing into the wilderness areas, either above or below land surface, as part of the unappropriated water "in" or "within" the wilderness areas.

4. Neither the 1997 SRBA Reserved Rights Order, the 1998 SRBA Wild and Scenic Decision, nor the Idaho Supreme Court decision affirming the 1997 SRBA Reserved Rights Order excluded portions of the Middle Fork of the Salmon River, the South Fork of the Salmon River, or Big Creek lying upstream of the wilderness area boundaries, or clearly excluded the Mainstem of the Salmon River, from being considered as sources for unappropriated water "in" or "within" the wilderness areas as of the date the wilderness areas were reserved.

5. Although petitions for rehearing are pending before the Idaho Supreme Court, a moratorium on the granting of new permits to appropriate surface water or ground water and on continued development under existing permits is necessary. A moratorium will preserve the status quo until final decrees are issued for federal reserved water rights and limit the potential for resources being expended to develop water rights for which no unappropriated water may be available.

6. Because this moratorium order is issued to preserve the status quo, the order should take effect immediately upon issuance to protect the public interest in accordance with the provisions of Section 67-5247, Idaho Code.

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MAY 24 2000

ORDER

IT IS, THEREFORE, HEREBY ORDERED that the prior Amended Moratorium Order of the Director issued on April 30, 1993, remains in effect and the requirements listed below also apply.

IT IS FURTHER HEREBY ORDERED that a moratorium is established on the processing of applications for permits to appropriate surface water or ground water within and tributary to the Selway-Bitterroot Wilderness Area, the Gospel-Hump Wilderness Area, and the Frank Church-River of No Return Wilderness Area, subject to the following conditions:

1. This moratorium order shall be in effect on and after its entry and shall remain in effect until withdrawn or modified by order of the Director, except as provided herein.
2. This moratorium order applies to all applications for permit, previously filed or to be filed, and all existing permits for which proof of beneficial use has not been filed with the Department, seeking to appropriate surface water or ground water within the Salmon River Basin upstream from the location where the Salmon River leaves the Gospel-Hump Wilderness Area in Section 3, T24N, R4E, B.M. and in the Clearwater River Basin upstream from the location where the Selway River leaves the Selway-Bitterroot Wilderness Area in Section 7, T31N, R10E, B.M. The wilderness areas and tributary areas affected by this moratorium order are depicted on the attached map.
3. This moratorium order does not apply to any application proposing a non-consumptive use of water.
4. This moratorium order does not prevent the Director from reviewing an application that otherwise would not be approved under terms of this moratorium on a case by case basis, if the Director determines that the use of the water pursuant to the application would have no effect on other water rights due to:
 - (a) the location of use; or
 - (b) the effect on other water rights would be offset through mitigation provided by the applicant.

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MAY 24 2000

5. The holders of all existing permits to appropriate water within the Selway-Bitterroot, Gospel-Hump, and Frank Church-River of No Return Wilderness Areas, and within areas tributary to those wilderness areas, shall upon receipt of this moratorium order immediately stop further development under the permit, and within sixty (60) days of receipt of this order do one of the following:

- (a) file proof of beneficial use documenting the extent of diversion and beneficial use of water that was completed prior to receiving this moratorium order; or
- (b) request a stay in the development period under the permit, in accordance with Section 42-204, Idaho Code, until the conditions that resulted in this order have been alleviated, if such should ever occur.

Dated this 26th day of October, 1999.



KARL J. DREHER
Director

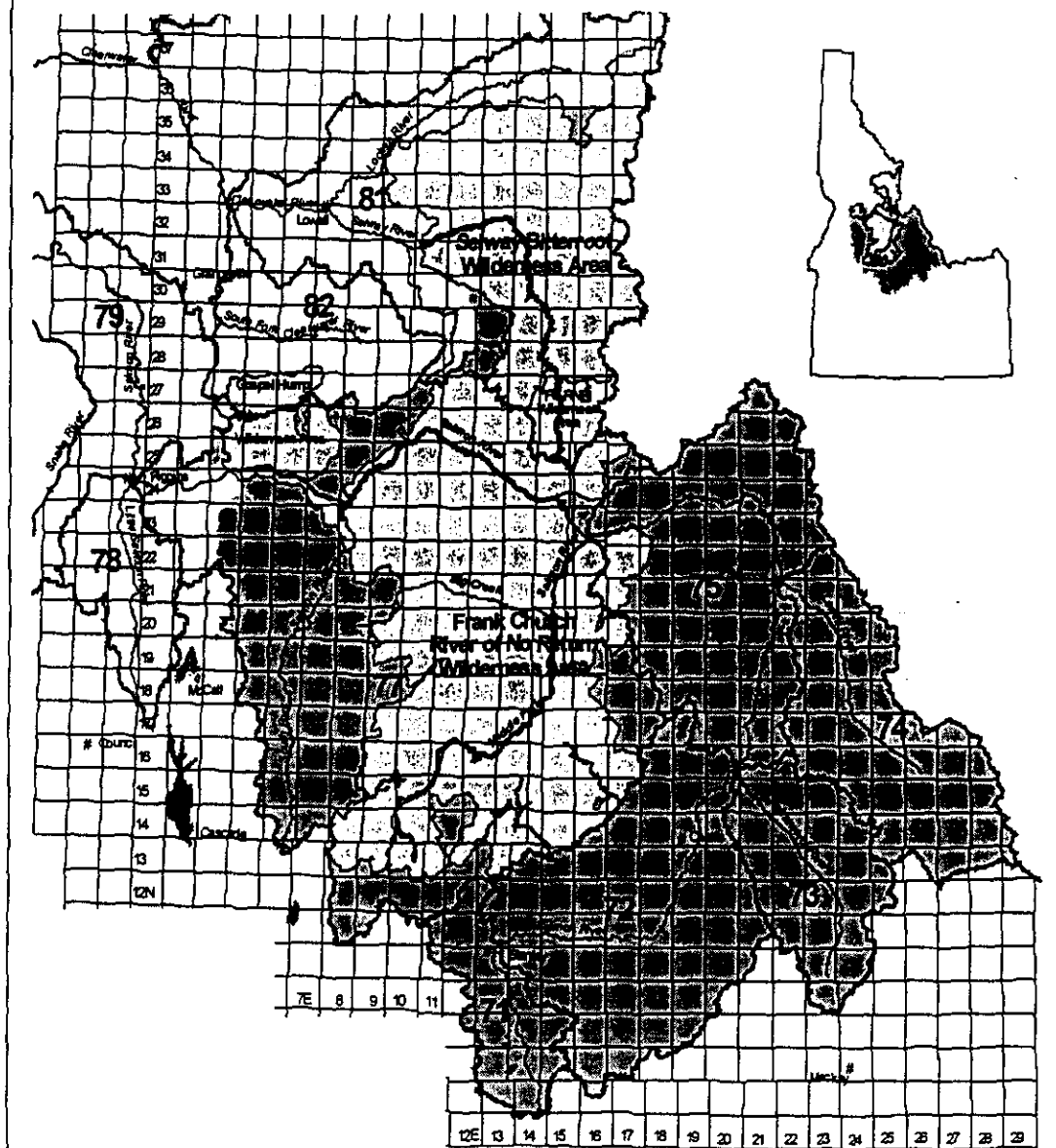
MICROFILMED

MAY 24 2000

Wilderness Moratorium Areas

October 26, 1999

-  DWR Administrative Basins with basin number
-  Wilderness Areas
-  Tributary Areas
-  Township/Range



MICROFILMED
MAY 24 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 77-07372

Proposed Priority: June 12, 1998

Maximum Diversion Rate:

0.04 CFS

This is to certify, that JERRY MC CAULEY
ROBIN MC CAULEY
95 E JACOB ST
MCCALL ID 83638

has applied for a permit to appropriate water from:
SALMON RIVER, SOUTH FORK tributary of SALMON RIVER

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

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

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 6, Township 23N, Range 08E
IDAHO County

PLACE OF USE: DOMESTIC

TWN RGE SEC

23N 08E 6

SENE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 2003.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
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 needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary 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. The issuance of this right does not grant any right-of-way or easement across the land of another.
7. Place of use is located within Lot 1, Copenhaver Subdivision.
8. Domestic use is for 1 home.

MICROFILMED
AUG 21 1998

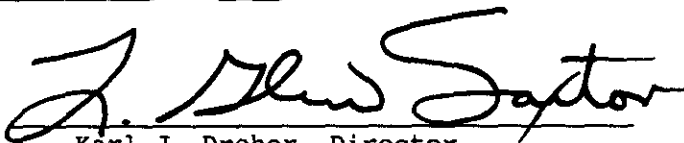
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 77-07372

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

3rd day of August, 1998


for Karl J. Dreher, Director

MICROFILMED
AUG 21 1998

RECEIVED

JUN 12 1998

FORM 202

1/96

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. TV-07372

RECEIVED

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

JUL 28 1998

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant Jerry & Robin McCauley Phone 634-7934(h) 634-5785(w)
Post Office address 98 E Jacob St. McCall, ID 83338
2. Source of water supply S. Fork Salmon River which is a tributary of Salmon River
3. Location of point of diversion is 1/4 of SE 1/4 of NE 1/4, Govt. Lot
Sec. 6 Township 23N Range 8E B.M. Idaho County; additional points of diversion if any:
4. Water will be used for the following purposes:
Amount .04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .04 and/or (b) .6
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. One hp pump to a 1000 gallon holding tank
b. Height of storage dam feet; active reservoir capacity acre-feet; total reservoir capacity acre-feet; period of year when water will be diverted to storage: to 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 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity if KW.
b. Stockwatering; list number and kind of livestock.
c. Municipal; show name of municipality.
d. Domestic; show number of households. One cabin - culinary use only.
e. Other; describe fully.

MICROFILMED

AUG 21 1998

9. Description of place of use:

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

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	8E	6.				D													

Total number of acres to be irrigated _____

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? Copenhaver Owners Assn.

b. Who owns the land to be irrigated or place of use? applicant

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

12. Remarks: Also known as Lot 1, Copenhaver Sub.

Comments

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.

Jerry McLaure
(Applicant)

Received by Kh Date 6/12/98 Time 11:00 Preliminary check by st
 Fee \$ 50.00 Received by Kh # W024008 Date 6/12/98
 Publication prepared by st Date 6-24-98 Published in ad City & Town Plan
 Publication approved st Date 7-22-98

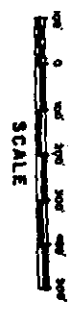
MICROFILMED

MAY 21 1998

COPENHAVER SUBDIVISION

1986

ALL OF H.E.S. NO. 701
LOCATED WITHIN UNSURVEYED SECTION 6, T.23N., R.8E.
S. SECTION 31, T.24N., R.8E., B.M., BANDO COUNTY, IDAHO



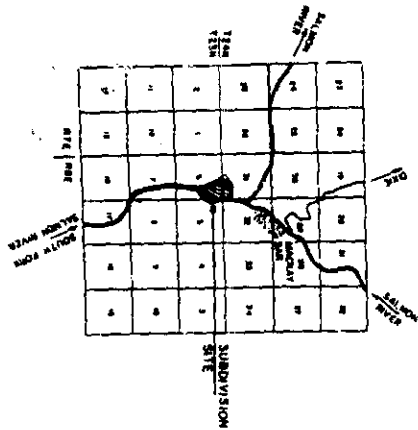
LEGEND

- H.E.S. CORNER, FOUND ORIGINAL STONE
- H.E.S. MEASUREMENT CORNER, NOT SET
- LOT CORNER, SET 2" X 30" G.I.P. W/B.C.
- LOT CORNER, SET 3/8" X 30" REBAR W/SEW. CAP
- SUBDIVISION BOUNDARY LINE
- LOT LINE
- EASEMENT CENTERLINE
- ACCESS & UTILITY EASEMENT
- UTILITY EASEMENT
- ACCESS & UTILITY EASEMENT
- EASEMENT CORNER, SET 5/8" X 30" REBAR W/SEW. CAP
- EASEMENT CENTERLINE, NOT SET
- EASEMENT CORNER, NOT SET

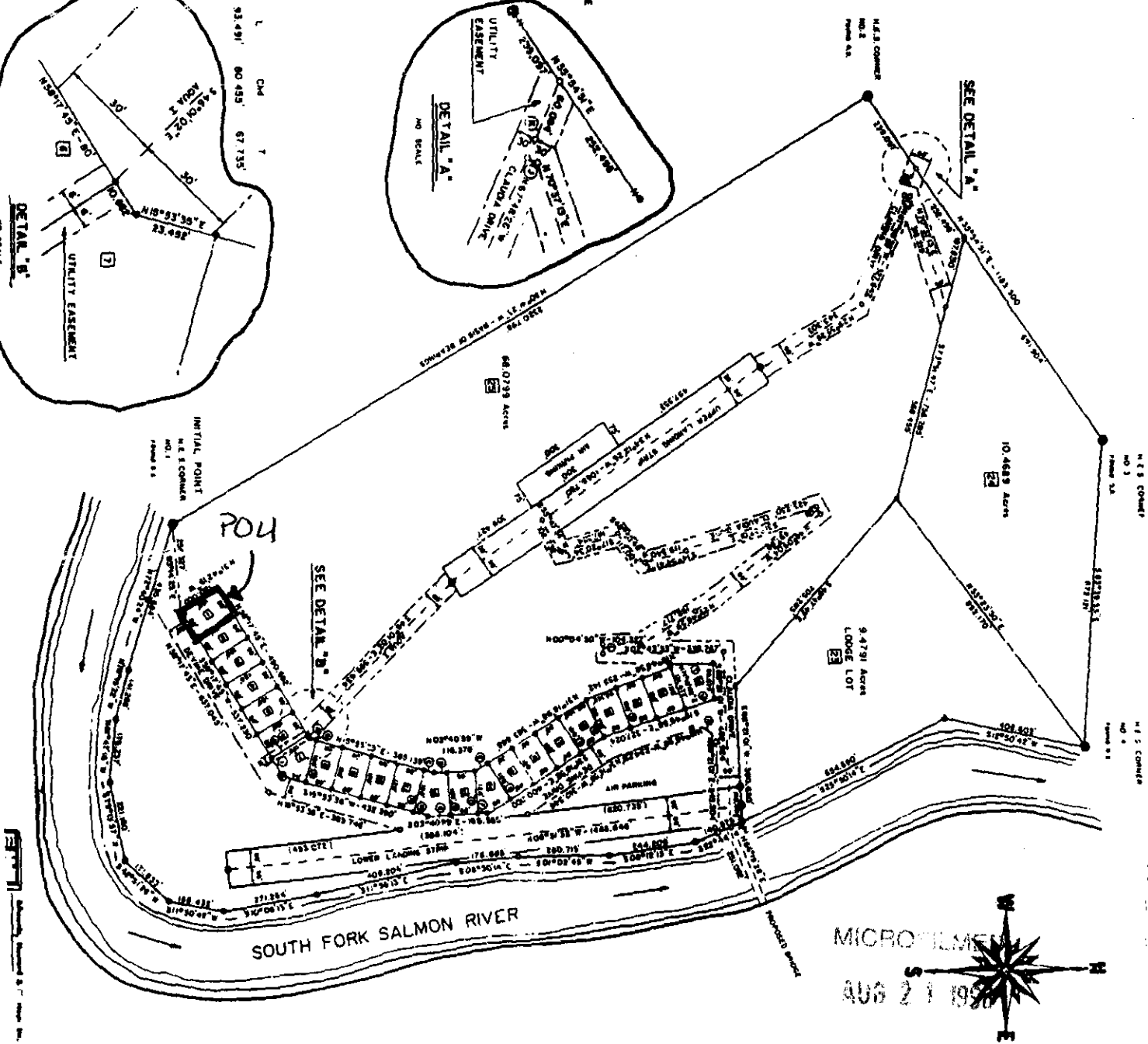
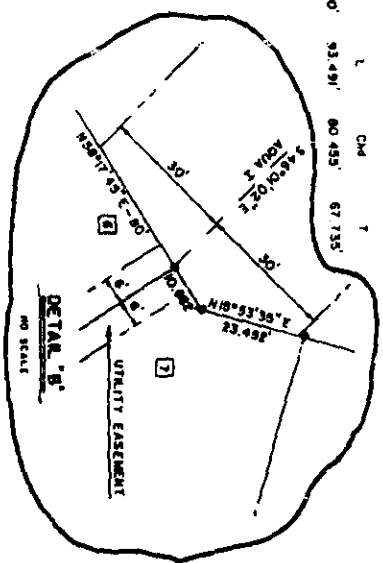
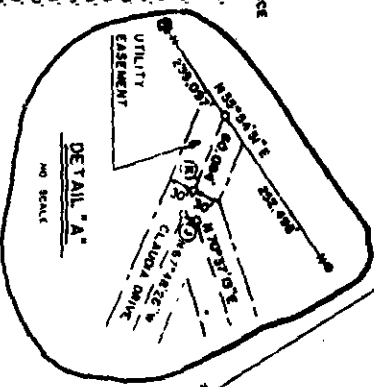
COPENHAVER SUBDIVISION RESTRICTIVE COVENANTS ARE FILED AS INSTRUMENT NO. 3334731

VICINITY MAP

Scale 1" = 2 Miles



TANGENT	BEARING	DISTANCE
A	N 28° 17' 40" E	10.482'
B	N 19° 53' 30" E	23.402'
C	N 19° 53' 30" E	23.402'
D	N 19° 53' 30" E	23.402'
E	N 19° 53' 30" E	23.402'
F	N 19° 53' 30" E	23.402'
G	N 19° 53' 30" E	23.402'
H	N 19° 53' 30" E	23.402'
I	N 19° 53' 30" E	23.402'
J	N 19° 53' 30" E	23.402'
K	N 19° 53' 30" E	23.402'
L	N 19° 53' 30" E	23.402'
M	N 19° 53' 30" E	23.402'
N	N 19° 53' 30" E	23.402'
O	N 19° 53' 30" E	23.402'
P	N 19° 53' 30" E	23.402'
Q	N 19° 53' 30" E	23.402'
R	N 19° 53' 30" E	23.402'
S	N 19° 53' 30" E	23.402'
T	N 19° 53' 30" E	23.402'
U	N 19° 53' 30" E	23.402'
V	N 19° 53' 30" E	23.402'
W	N 19° 53' 30" E	23.402'
X	N 19° 53' 30" E	23.402'
Y	N 19° 53' 30" E	23.402'
Z	N 19° 53' 30" E	23.402'



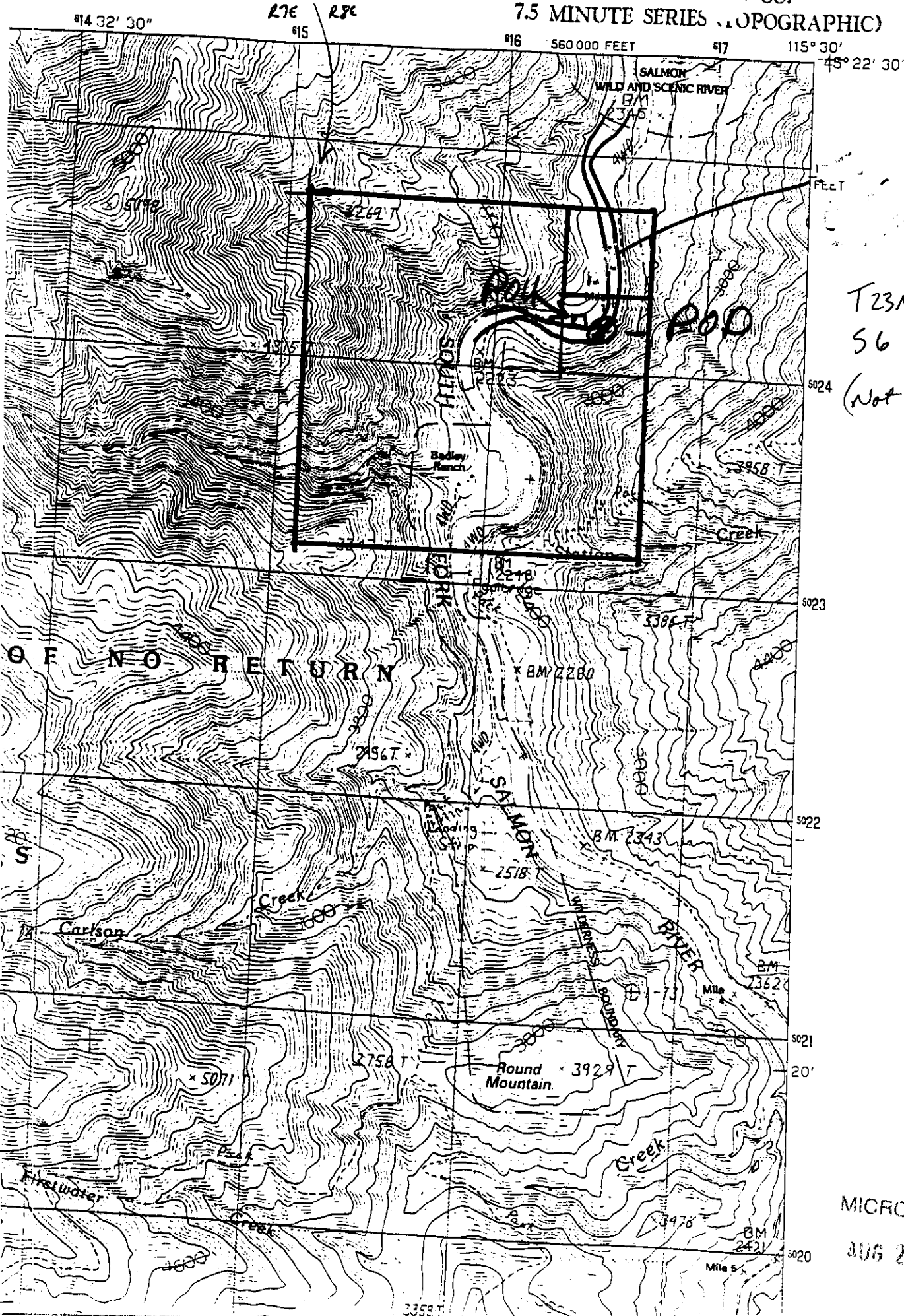
1237 RBE Sec 6 S-397

12/24/64

T23N

36/31
1/6

BURGDORF SUMMIT QUADRANGLE
IDAHO-IDAHO CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



T23N R8E
S6 SENE
(Not Platted)

MICROFILMED
JUG 21 1998



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

December 27, 2002

JERRY MC CAULEY
ROBIN MC CAULEY
95 E JACOB ST
MC CALL ID 83638

RE: License No. 77-7372 - Issuance of License

Dear Water Right Holder(s):

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

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

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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MAR 20 2003

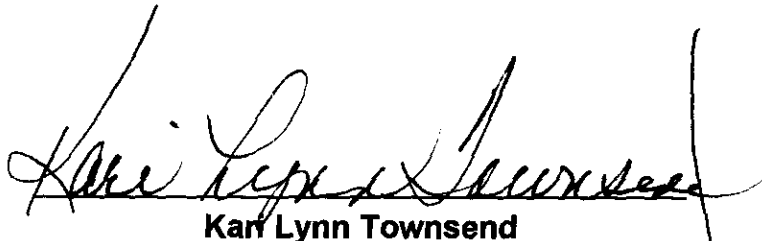
CERTIFICATE OF SERVICE

I hereby certify that on December 27, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

77-7372

**JERRY MC CAULEY
ROBIN MC CAULEY
95 E JACOB ST
MC CALL ID 83638**



**Kar Lynn Townsend
Secretary**

MICROFILMED
MAR 27 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICHO
MAR 2 11 11 AM

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.

Comment Report

77-7372

1. kwalker 11/29/2002 License Recommendation
Comment: Recommend as permitted.

MICROFILMED

MAR 20 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 28 2001
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 77-7372

1. Owner: Jerry and Robin McCauley Phone No. 634-5185

Current Address: 95 E. Jacob St. McCall ID 83638

2. Accompanied by: David Dewey EXAM DATE: 9/7/01

Address: PO Box 616, Lakefork ID 83635 Phone No. 325-8661

Relationship to Permit Holder: Neighbor

3. Source: Salmon River, S.F. tributary to Salmon River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 77-7366

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NE	6	23N	8E	Idaho	GPS, Topo

2. Place(s) of Use: Indicate Method of Determination: Field Exam, Plat Map, Topo

Ident No.	Govt. Lot	1/4	NE				NW				SW				Remarks
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	8E	6				D									

MICROFILMED

JAN 24 2002

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

SEE ATTACHED MAPS

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

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

Y Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		1		Submersible	

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

45 gpm with 90' lift and 5 psi for open discharge per pump curve

E. NARRATIVE/REMARKS/COMMENTS

A 1 hp portable submersible pump (encased in a black PVC pipe) is used to divert S.E. Salmon River water in the SENE S6 to lot 1 of Copenhagen Subdivision. The water is vertically pumped ~90' through a 1" buried PVC line to a 500 gallon storage tank on the hillside behind lot 1. From there, the water gravity flows to lot 1 which has been plumbed for domestic use. This right supplements Cherry Spring water right 77-7366, which is also used for internal domestic use.

Have conditions of permit approval been met? Y yes no

MICROFILMED

JAN 2 2002

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

45 gpm at 100' TDH from the River (90' lift, 5 psi for open discharge into sisterns) = .10 cfs system capacity.**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

 $V_{I.R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$

2. Volume Calculations for Other Uses:

Internal/external domestic use for 1 home = 1.2 afa**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period Of Use		Rate Of Diversion Q (CFS)	Annual Volume V (AFA)
	From	To		
Domestic	1/1	12/31	.04	1.2
TOTAL			.04 cfs	1.2 afa

2. Recommended Amendments

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

Lori Graves –Senior Agent

Field Examiner's Name Lori Graves Date 9/18/01

Reviewer _____ Date _____

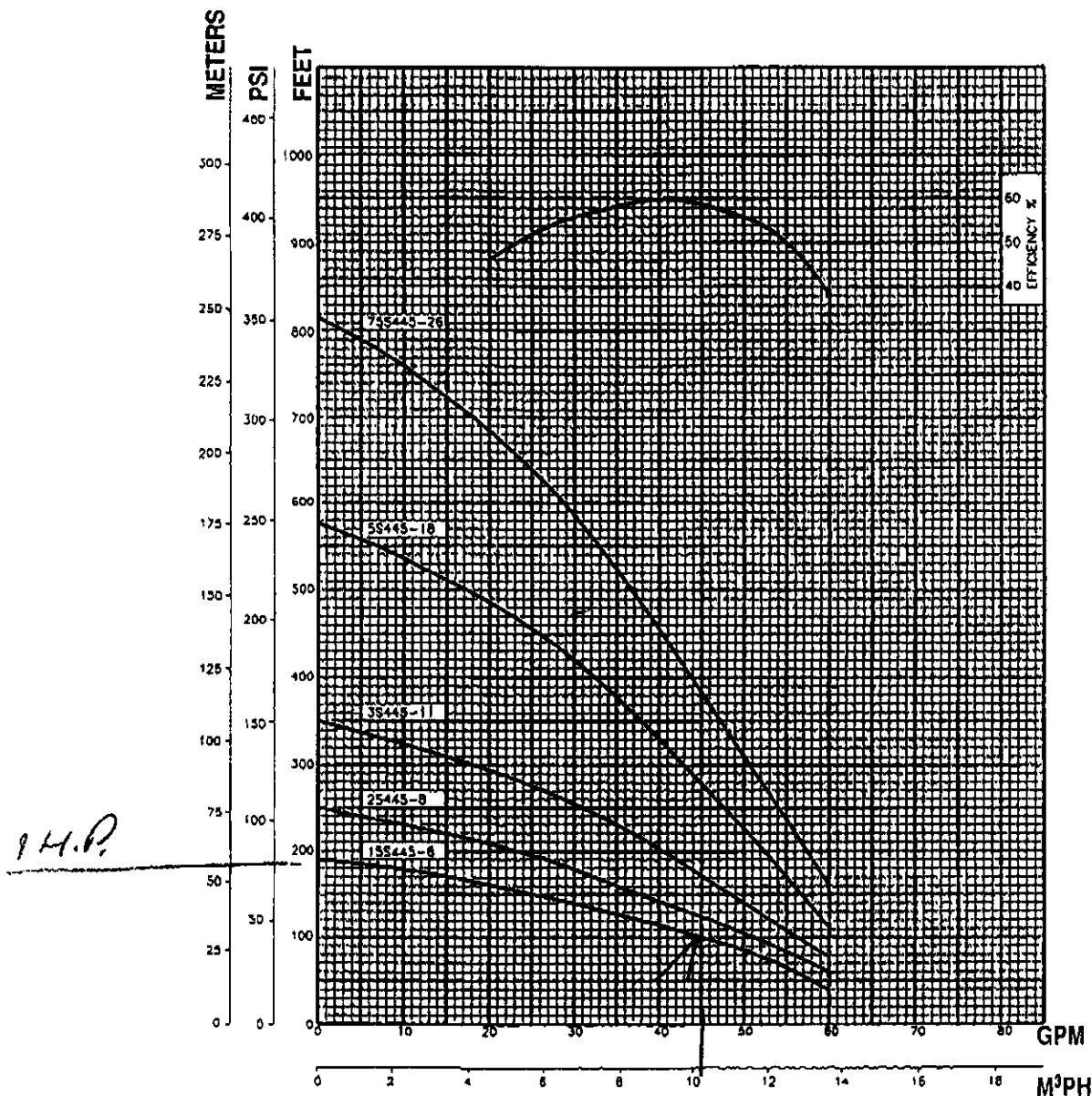
SEAL

MICROFILMED

JAN 2 2002

SandHandler™ High Capacity 45 GPM

Performance Curves



45 GPM

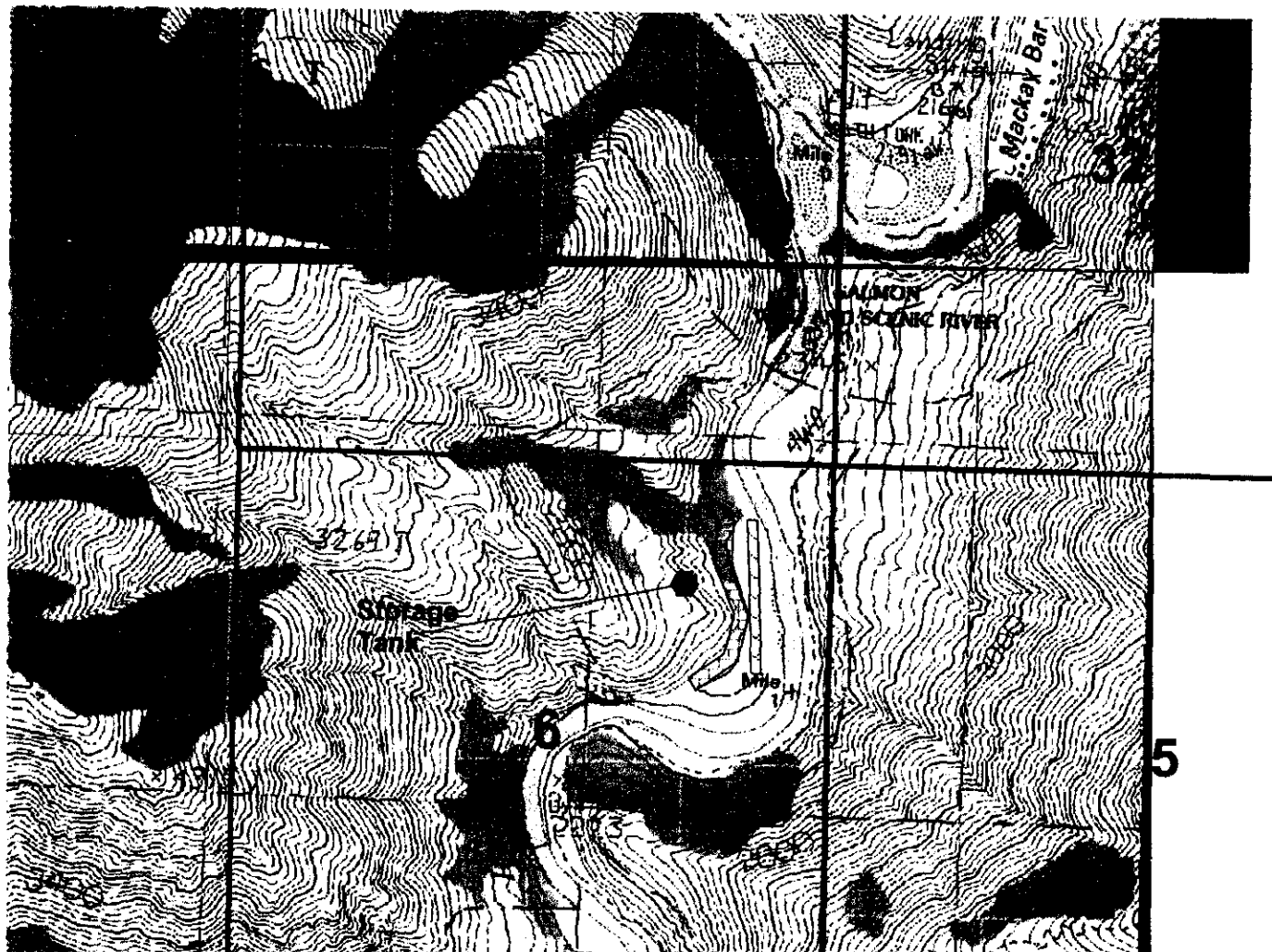
Pump Ends

Order No.	Model No.	HP	Weight	Price
9252-0014	S4456	1-1/2	15	331.00
9252-0022	S4458	2	18	331.00
9252-0030	S44511	3	19	331.00
9252-0048	S44518	5	25	331.00
9252-0139	S44526	7-1/2	33	331.00

- Notes:
- 1) All performance data is based on 60 cycle motor.
 - 2) Check valve must be ordered separately. See page 79 for ordering information.
 - 3) Discharge size 2" FNPT.

MICROFILMED
2002

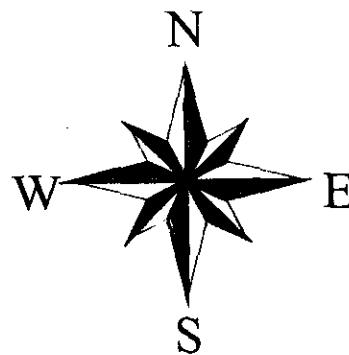
Copenhaver Subdivision



0.5 0 0.5 1 Miles

-  Air strip
-  Sub lots
-  Spring P/D
-  Sections
- 1/41/4

MICROFILMED
18N 2 4 2107



7237 RBE Set 6 15-39

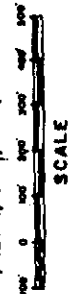
NO 0001 2077

777 08/04/1997

77-07360

COPENHAVER SUBDIVISION 1986

ALL OF H.E.S. NO. 701
LOCATED WITHIN UNSURVEYED SECTION 6, T.23N., R.8E.
& SECTION 31, T.24N., R.8E., B.M., IDAHO COUNTY, IDAHO



LEGEND

- H.E.S. CORNER, FOUND ORIGINAL STONE
- H.E.S. MEANDER CORNER, NOT SET
- LOT CORNER, SET 2"x30" G.L.P. W/B.C.
- LOT CORNER, SET 5/8"x30" MEAS W/SERV. CAP
- SUBDIVISION BOUNDARY LINE
- LOT LINE
- EASEMENT CENTERLINE
- ACCESS & UTILITY EASEMENT
- UTILITY EASEMENT
- ACCESS & UTILITY EASEMENT
- EASEMENT CORNER, SET 5/8"x30" MEAS W/SERV. CAP
- EASEMENT CENTERLINE, NOT SET
- EASEMENT CORNER, NOT SET

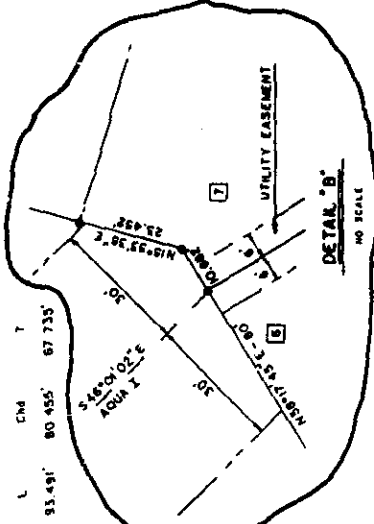
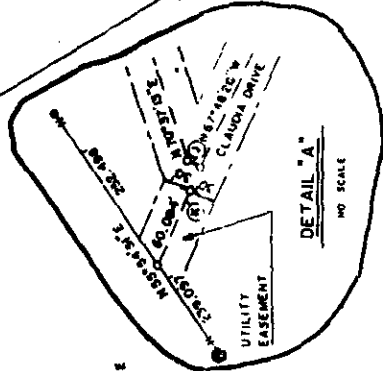
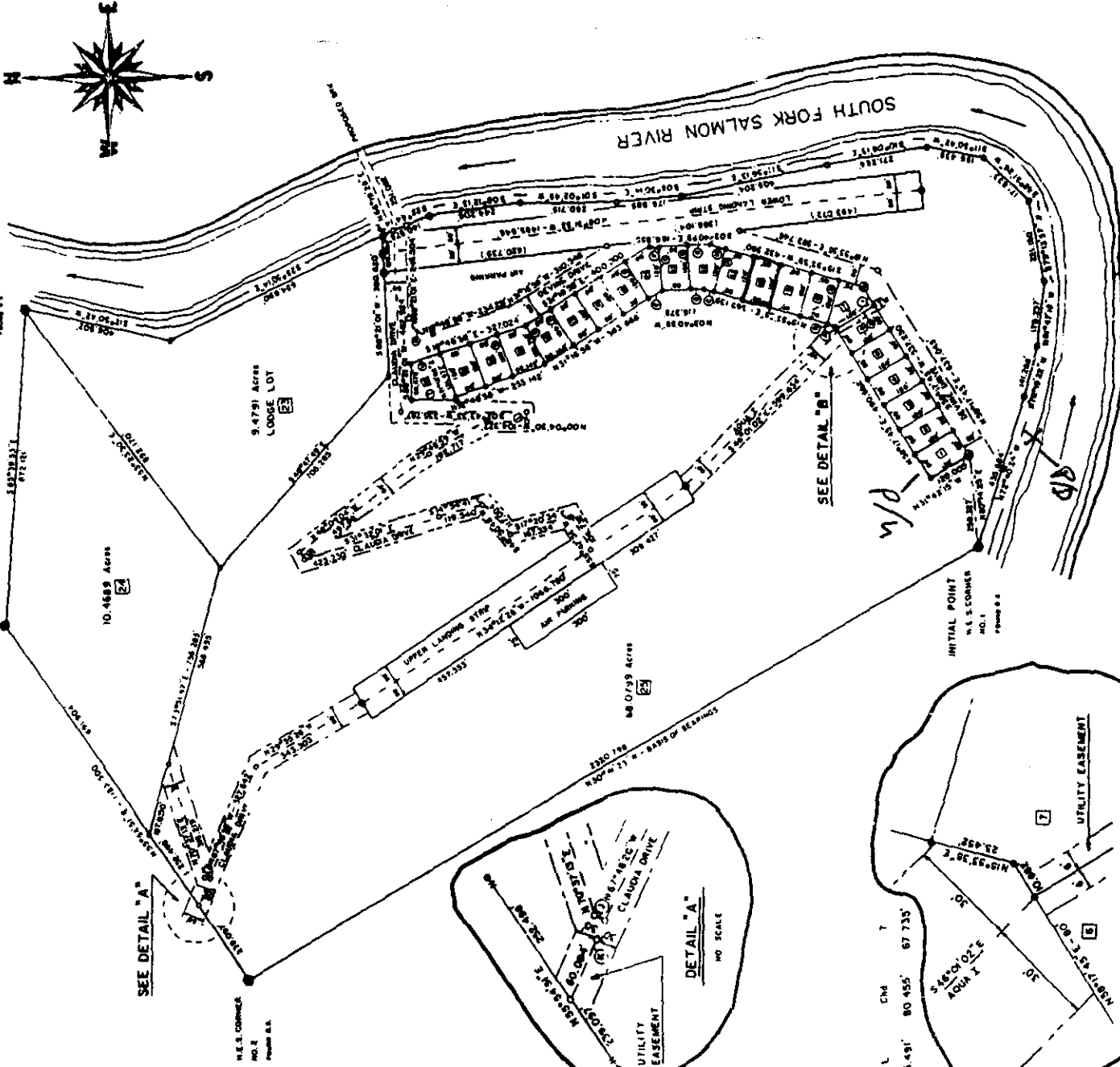
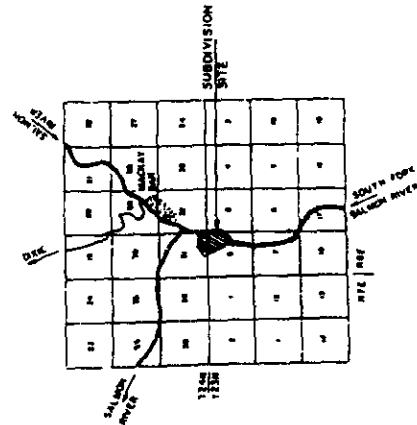
MICROFILMED

JAN 24 2002

COPENHAVER SUBDIVISION RESTRICTIVE COVENANTS ARE FILED AS INSTRUMENT NO 3324731

TANGENT	BEARING	DISTANCE
A	N 58°17'45"E	10.642'
B	N 19°53'35"E	23.462'
C	N 15°53'35"E	21.067'
D	N 03°40'59"W	46.884'
E	N 31°18'38"W	30.315'
F	S 03°40'59"E	29.475'
G	S 03°40'59"E	57.080'
H	S 15°53'35"W	42.390'
I	S 58°17'45"W	97.230'
J	N 23°04'00"E	20.000'
K	N 67°48'28"W	60.084'
L	N 85°34'03"W	20.000'
M	S 50°42'56"W	20.000'
N	S 74°06'25"E	120.000'
O	N 86°19'01"E	120.000'
P	S 58°43'02"W	120.000'
Q	S 5°49'08"W	120.718'
R	S 71°13'02"W	120.000'
S	N 31°42'15"W	120.000'
T	S 02°43'33"W	122.249'
U	S 18°46'58"E	87.024'
○ CURVE	A	107°07'59"
	R	90.000'
	L	93.491'
	CMD	90.455'
	T	67.735'

VICINITY MAP



77-07360



Ut 1
Copenhagen
Sub



Encased
submersible
pump

ENCASED

ENCASED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Staff Analysis Sheet
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copy of Proof of Beneficial Use
- ☒ Copies of any Amendments/Orders with Conditions of Approval
- ☒ Well Inspection Form (If Needed)
- ☒ Aerial Photo Required? ☐ yes ☒ no If yes: ☐ copy attached
- ☒ SRBA Claim Required (required if proof filed by 11-19-1987)
- ☐ Yes ☒ No If yes: ☐ claim filed? (check AJ5, AJQ1, AJQ4)
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of government plat
- ☒ Check of P/D index by 9/6/01 (initial & date)
- Overlap ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?*
- Type of Overlap: ☐ Same source ☐ Other source
- ☒ Check of P/U index by 9/6/01 (initial & date)
- Overlap? ☒ yes ☐ no If yes: ☐ copy of water right(s) attached?*
- Type of Overlap: ☐ Same land, same source
- ☐ Same land, other source
- ☐ Other land &/or other uses

*copies attached only if needed for analysis

N Irrigation from groundwater (all basins):Surface water currently or previously used ☐ Yes ☐ No

If yes: identify water source, water right, and explain current or previous use.

N Scheduling Letter Sent? ☐ (initial & date)☒ Appointment Made and Telephone Conversation Memo Attached**B. After Conducting the Exam, the File Contains:**

- ☒ Fully Completed and Signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use

C. Review and Processing:Exam Completed by 9/18/01 (signature of examiner & date)Exam Sent to State Office 9-28-01 ST (initial & date)MICROFILMED
JAN 24 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

October 10, 2001

KARL J. DREHER
Director

JERRY MC CAULEY
ROBIN MC CAULEY
95 E JACOB ST
MC CALL ID 83638

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 77-7372

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. I also acknowledge receipt of the Beneficial Use Field Report done by Lori Graves with IDWR's Western Region. The next step in this process is for the file to be reviewed and the issuance of a licensed water right.

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

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED
OCT 23 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 77-7372

Reviewed By: dgibson

Date: October 10, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		W028320	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	09/21/2001
Date proof due	- 08/01/2003
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 06/12/1998
New priority date	= 06/12/1998

Deficiencies of Actions Items

Acknowledge proof and field exam.

P 241 635 814

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail

Sent to
Street & Number
Post Office, State, & ZIP Code
Postage
Certified Fee
Special Delivery Fee
Restricted Delivery Fee
Return Receipt Showing to Whom & Date Delivered
Return Receipt Showing to Whom, Date, & Addressee's Address
TOTAL Postage & Fees
Postmark or Date

PS Form 3800, April 1995

77-67372

JERRY MC CAULEY

95 E JACOB ST

MCCALL

MICROFILMED

100 9 2000
11 00000

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make an inquiry.

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

701 ... NC ...
PO ...
MICROFILMED

4. Article Number

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☒ Return Receipt
for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee

X *Robin McCauley*

MAY 24 2008

Addressee's Address (ONLY if requested and fee paid)

6. Signature - Agent

X

7. Date of Delivery

10-28

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

NOV 2 - 1999

Department of Water Resources



PENALTY FOR PRIVATE
USE, \$300

RETURN

TO



Print Sender's name, address, and ZIP Code in the space below.

WA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

1301 NORTH ORCHARD STREET
BOISE, IDAHO 83706-2237

MICROFILMED
MAY 24 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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 26, 1999

CERTIFIED MAIL

RE: Procedures Available upon Issuance of Final Moratorium Order

Dear Applicant or Permit Holder:

The accompanying "Final Order" by the Director of the Department of Water Resources establishes a moratorium on the processing of applications for permits to appropriate surface water or ground water within and tributary to the Selway-Bitterroot Wilderness Area, the Gospel-Hump Wilderness Area, and the Frank Church-River of No Return Wilderness Area. The order is issued pursuant to Section 67-5246, Idaho Code, and is effective as of October 25, 1999.

This letter provides a statement of the available procedures pursuant to Section 67-5246, Idaho Code, and provides the time limits for filing a petition for reconsideration of the order. The statement is required by the Department's Rule of Procedure 740.02.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order 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 deemed denied by operation of law pursuant to Section 67-5246(4), Idaho Code.

A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.

OPPORTUNITY TO REQUEST HEARING

The department did not conduct a hearing prior to issuance of the accompanying order. Section 42-1701A(3) provides, in pertinent part, as follows:

MICROFILMED
MAY 24 2000

Unless the right to a hearing before the director or the water resource board is otherwise provided by statute, any person aggrieved by any decision, determination, order or action of the director of the department of water resources or any applicant for any permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the director, who is aggrieved by a denial or conditional approval ordered by the director, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the director to contest the denial or conditional approval upon filing with the director, within fifteen (15) days after receipt of the denial or conditional approval, a written petition stating the grounds for contesting the action by the director and requesting a hearing.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to Sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter 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 (a) the service date of the final order, (b) an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See Section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

For questions regarding the moratorium order please contact Glen Saxton, Water Allocation Bureau Chief, or me at (208) 327-7900.

Sincerely,



Norman C. Young
Administrator
Water Management Division

MICROFILMED
MAY 24 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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 4, 1998

JERRY MC CAULEY
ROBIN MC CAULEY
95 E JACOB ST
MCCALL ID 83638

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 77-07372

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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.

MICROFILMED

SEP 21 1998

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.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

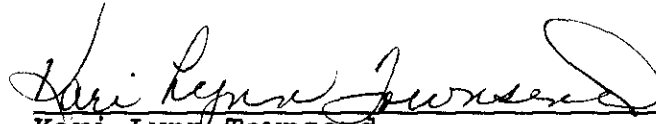
MICROFILMED
AUG 21 1998

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of August, 1998, 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. 77-07372

JERRY MC CAULEY
ROBIN MC CAULEY
95 E JACOB ST
MCCALL ID 83638


Kari Lynn Townsend
Secretary

MICROFILMED

AUG 21 1998

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.

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

AUG 21 1998

05/98

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by Cindy Lou

No.: 17-7372 Name: McCauley Date: 7/31/98 Ad OK? ☒ Gvmt Lts: ☒

AREA OF CONCERN: - No/Yes: S/C Mor / GWMA / Trust / Non-trust

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

SYSTEM COMPLETED:

> 1 year - 26A-P17

≤ 1 year/no proof - P18

GROUNDWATER: (✓ FLO-CH)

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 Supplemental use - 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5 acres - 01M (report when notified)

≤ 0.24 cfs/5 acres - No MD

DRILLING PERMIT:

All wells (✓ WDQ3) - 046-P23

In Basin 34? - 085

Irr. within WD - P05 (new well location)

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

IN/ABOVE MIN. STR. FLOW (✓ MAP) - *WB9

WD (✓ MAP & LISTING) - R04 (WD #)

> 0.10 cfs - 01J-P08 (MD & LD)

≤ 0.10 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

USE:

Domestic surface - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area - 071-070

Fire Protection - 077

Fish Propagation - 029-007-042(req)-081 (WQ)-P10

Heating/Cooling - R07 (injection well)

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)

Mining - 054(req) -081-P10

Municipal - 022, 075, 004 (+memo?), NA (not in restricted area)

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

Stockwater - R37 (BLM/USFS); NA

Storage (✓ 3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area - P84 (in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo - 058 (<85° GW temp only)

In-stream dev. - P52 (stream channel alteration)

Mitigation - 120

SWAN FALLS FLAG (See Code Chart)

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP: - 004 (PD/PU)

OTHER CONDITIONS: -

STANDARD REMARKS: - ① W59/60 ② W01/1

BENEFICIAL USE DUE: - 8/1/ 2003

COMMENTS: -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

F+6 comment
RECEIVED

JUL 28 1998

INITIAL REVIEW BY: ly DATE: 6/22/98 APPLICATION: 77-07372

DEPARTMENT OF WATER RESOURCES

REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

to do T FLAG CHANGED TO P FLAG

YES NO

- N/A - small app ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ Overlapping point of diversion.
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium: exempt - 42-111 category
- ☒ Bull trout impact area
- ☒ 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:
- ☒ Send 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. na 67372

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

YES NO

☐ ☒	I.D. Health & Welfare	☐ ☒	U.S. BLM
☐ ☒	I.D. District Health	☐ ☒	U.S. Forest Service
☒ ☐	I.D. Fish & Game	☐ ☒	Water Dist. # _____
☐ ☒	I.D. Lands	☐ ☒	Other _____

Bull Trout impact

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 7-20-98
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Measuring port required:
☐ ☒ Water delivered by water master? District # _____
☒ ☐ Special conditions of approval or cover letter: 120

See below for additional information

Recommended Date or Priority 7/22/98
Recommended by: Gary Date: 7/25/98

STATE OFFICE REVIEW _____

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION:

AFFIDAVIT OF PUBLICATION

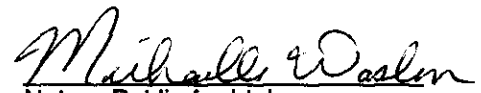
STATE OF IDAHO
County of Idaho - ss.

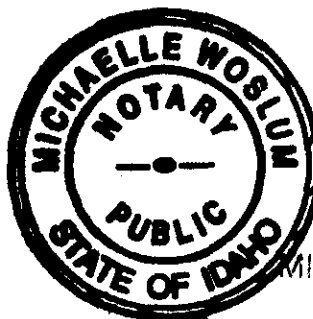
Andrew J. McNab , being first duly sworn, says he is the Publisher of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho County, State of Idaho, and is of general circulation in said county and state, that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 1st day of July, 1998; and the last publication on the 8th day of July, 1998; and that the said 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 notice of advertisement.



STATE OF IDAHO)
COUNTY OF)

On this 8th day of July in the year of 1998, 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: 01-16-2002



RECEIVED

MICROFILMED JUL 22 1998

AUG 21 1998

WATER RESOURCES
WESTERN REGION



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 29, 1998

STATE OF IDAHO
DEPT OF FISH & GAME
600 WALNUT ST
BOISE ID 83707

Re: Applications for Permit Nos. 63-13794 in the Name of Linda Byington, 77-07372 in the Name of Jerry &/or Robin McCauley and 79-07262 in the Name of Don Douglas Desa

Dear Sir:

Enclosed are a copies of the above-referenced applications for permit which may be of interest to your agency. 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 July 20, 1998.

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

Sincerely,


Gary Spackman

GS:st

Encl.

MICROFILMED

AUG 21 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JUNE 24, 1998

Legal Notices Department
Idaho County Free Press
P.O. Box 267
Grangeville, ID 83530

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 JULY 20, 1998.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

AUG 21 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

AUG 21 1998

77-07372

MCCAULEY, JERRY
MCCAULEY, ROBIN
95 E JACOB ST
MCCALL, ID 83638

Source: SALMON RIVER, SOUTH FORK

Tributary: SALMON RIVER

Diversion Pt: SENE Sec 6 T 23N R 08E in IDAHO County.

Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 6/12/1998

In: IDAHO County
T23N R08E S06 SENE

MICROFILMED

AUG 21 1998

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 JULY 20, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 7/ 1/1998 & 7/ 8/1998

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AUG 21 1998