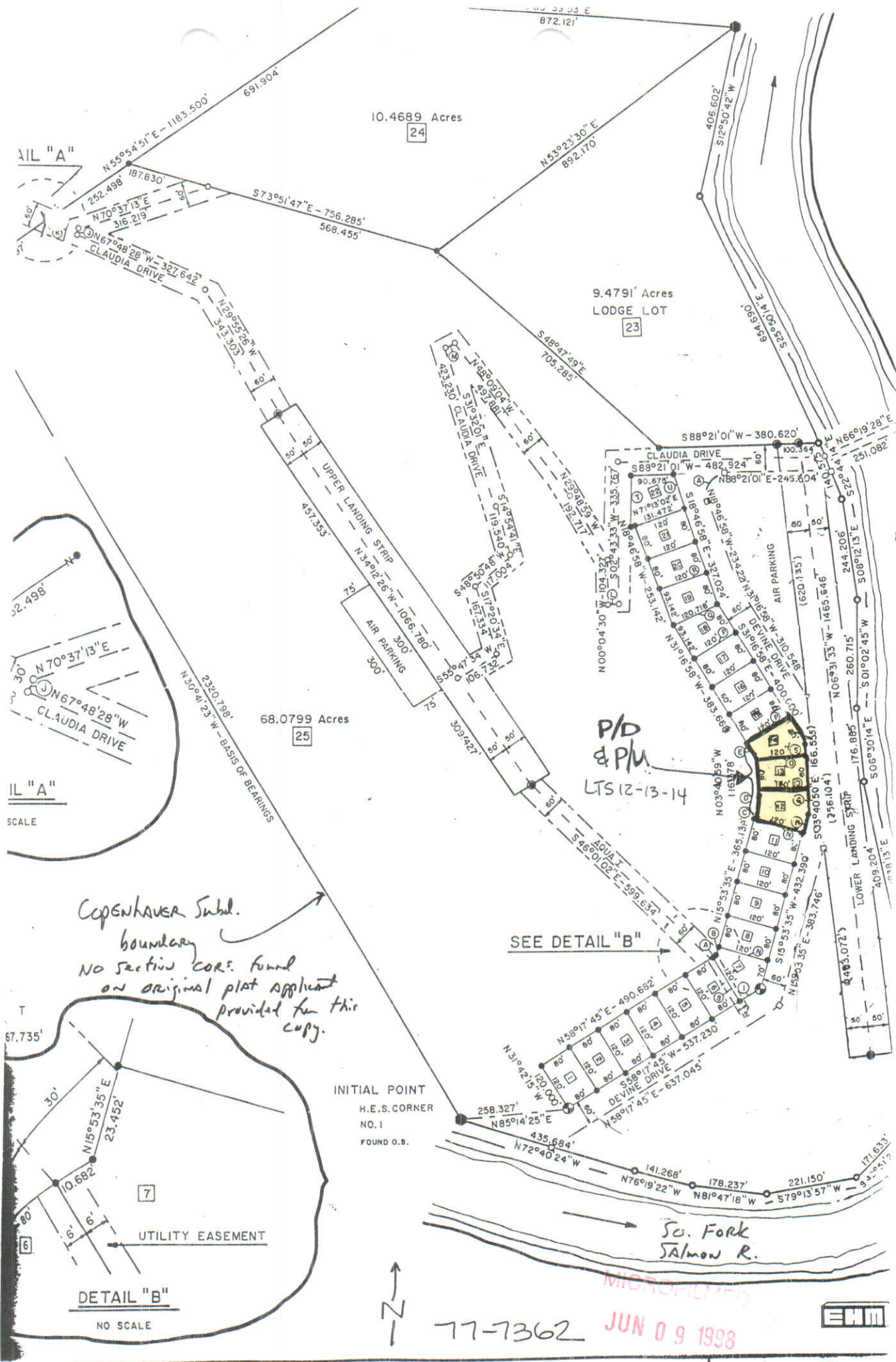




AIL "A"

10.4689 Acres  
24

9.4791 Acres  
LODGE LOT  
23

68.0799 Acres  
25

IL "A"  
SCALE

COPENHAVER Subd.  
boundary  
NO SECTION CORRS. FOUND  
ON ORIGINAL PLAT APPLICANT  
PROVIDED FOR THIS  
COPY.

SEE DETAIL "B"

INITIAL POINT  
H.E.S. CORNER  
NO. 1  
FOUND O.S.

DETAIL "B"  
NO SCALE

So. Fork  
SALMON R.

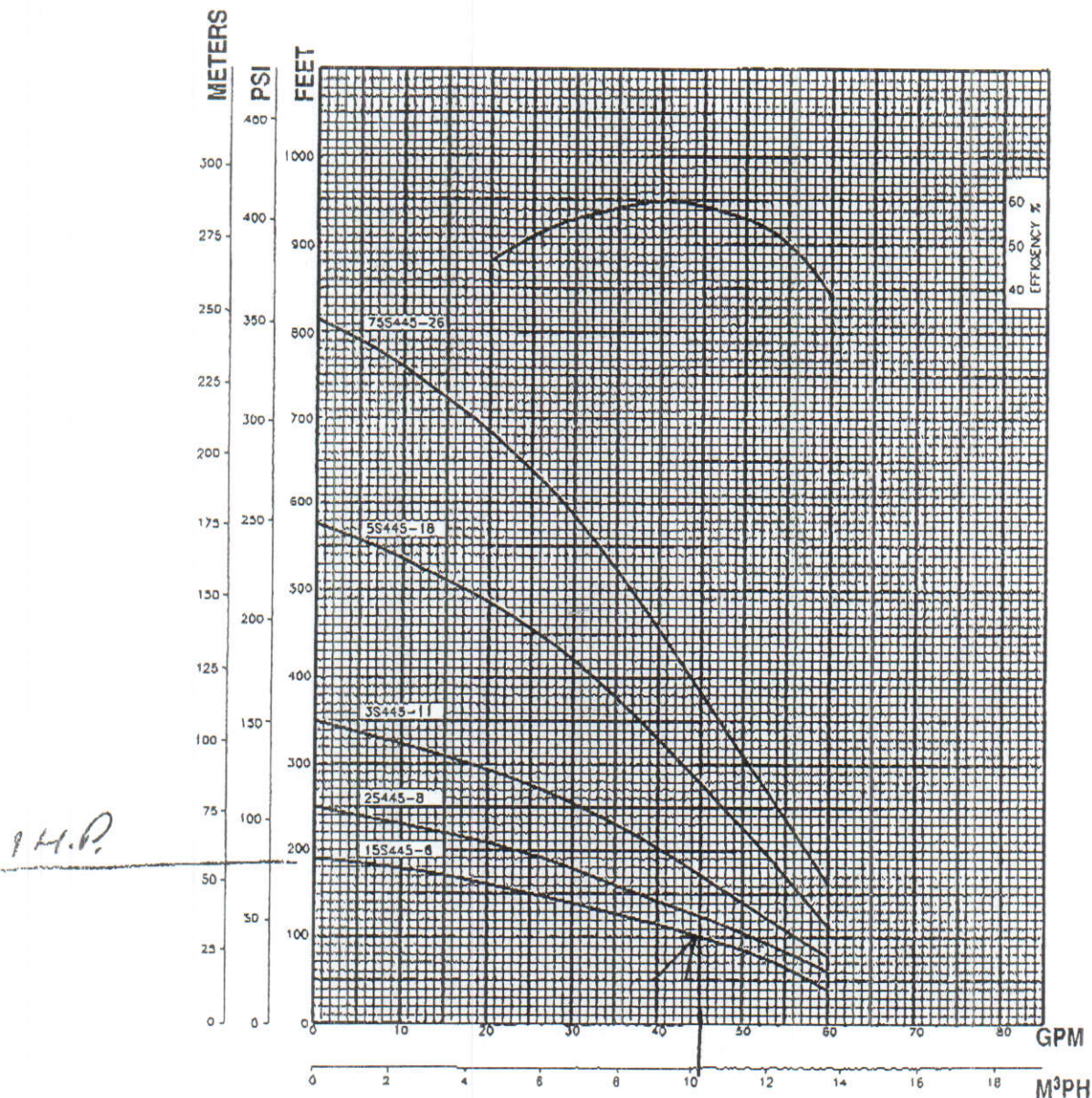
77-7362 JUN 09 1998





# SandHandler™ High Capacity 45 GPM

## Performance Curves

**45 GPM****Pump Ends**

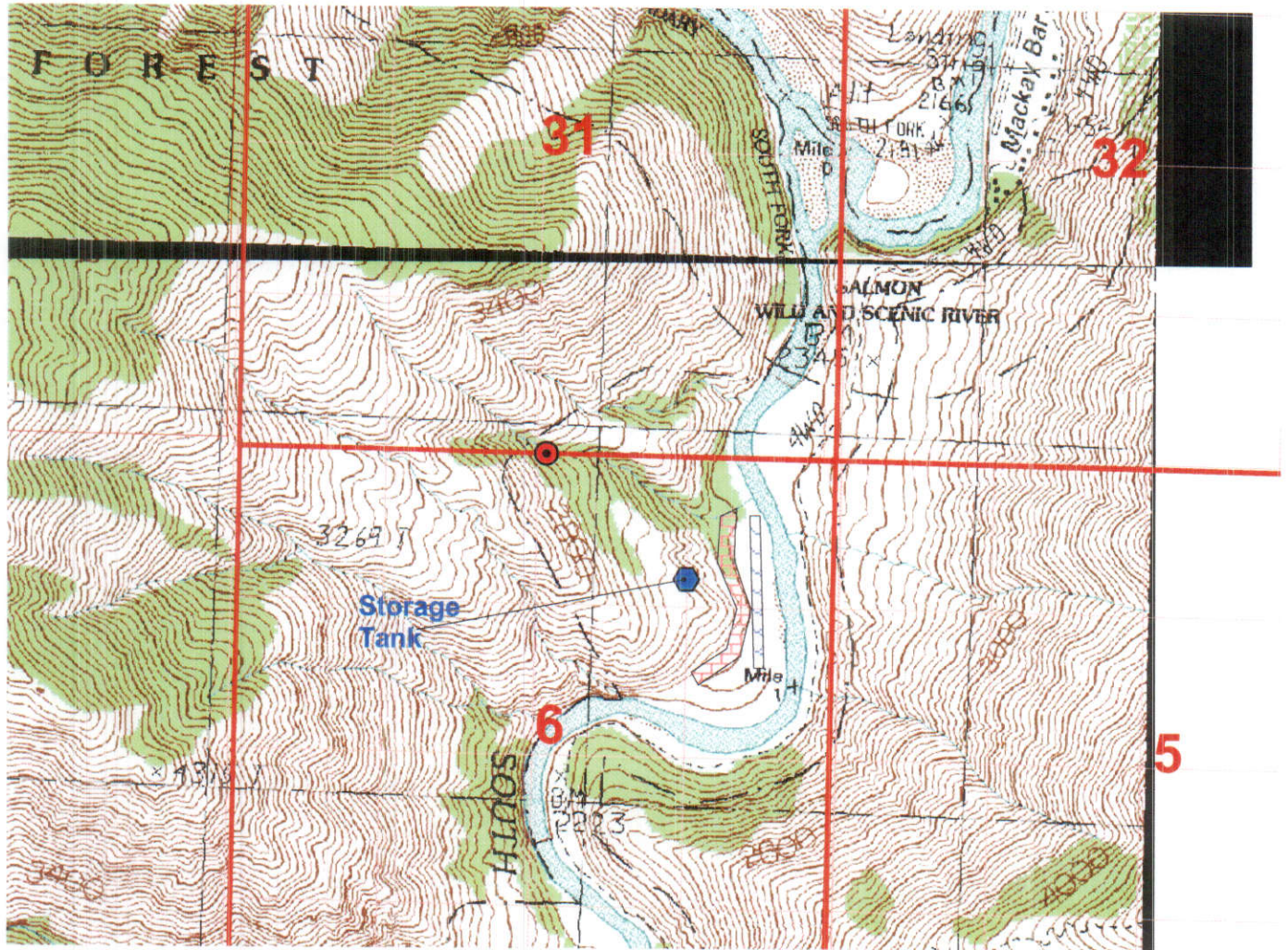
| Order No. | Model No. | HP    | Weight | Price    |
|-----------|-----------|-------|--------|----------|
| 9252-0014 | S4456     | 1-1/2 | 15     | \$69.00  |
| 9252-0022 | S4458     | 2     | 16     | \$74.00  |
| 9252-0030 | S44511    | 3     | 19     | \$89.00  |
| 9252-0048 | S44518    | 5     | 25     | \$127.00 |
| 9252-0139 | S44526    | 7-1/2 | 33     | \$154.90 |

- 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

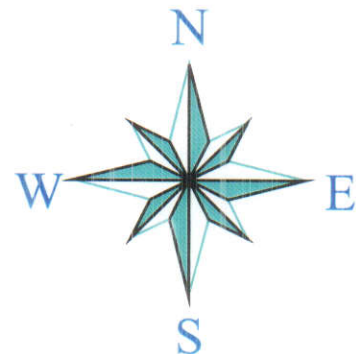
MAR 20 2003

# Copenhaver Subdivision



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

MICROFILM  
MAR 2 2001



77-07360

NO. 1001 LOT 7

7237 RBE Sec. 6 45-397

# 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

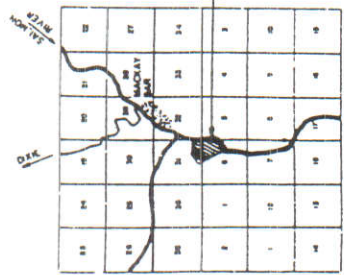
- H.E.S. CORNER, FOUND ORIGINAL STONE
- H.E.S. MEANDER CORNER, NOT SET
- LOT CORNER, SET 2"X30" G.I.P. W/B.C.
- LOT CORNER, SET 5/8"X30" REBAR W/SERV. CAP
- SUBDIVISION BOUNDARY LINE
- LOT LINE
- EASEMENT CENTERLINE
- ACCESS & UTILITY EASEMENT
- UTILITY EASEMENT
- ACCESS & UTILITY EASEMENT
- EASEMENT CORNER, SET 5/8"X30" REBAR W/SERV. CAP
- EASEMENT CENTERLINE, NOT SET
- EASEMENT CORNER, NOT SET

MICROFILMED  
MAR 20 1987

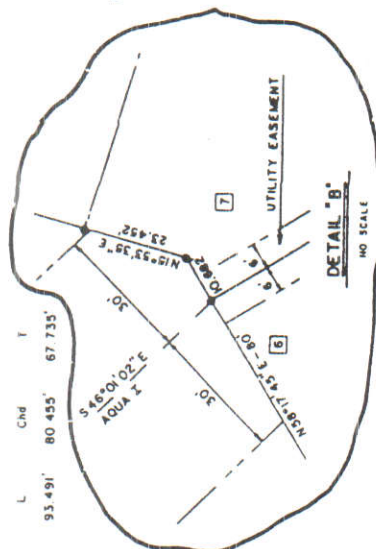
COPENHAVER SUBDIVISION RESTRICTIVE  
COVENANTS ARE FILED AS INSTRUMENT  
NO. 8324731

## VICINITY MAP

Scale: 1" = 2 Miles

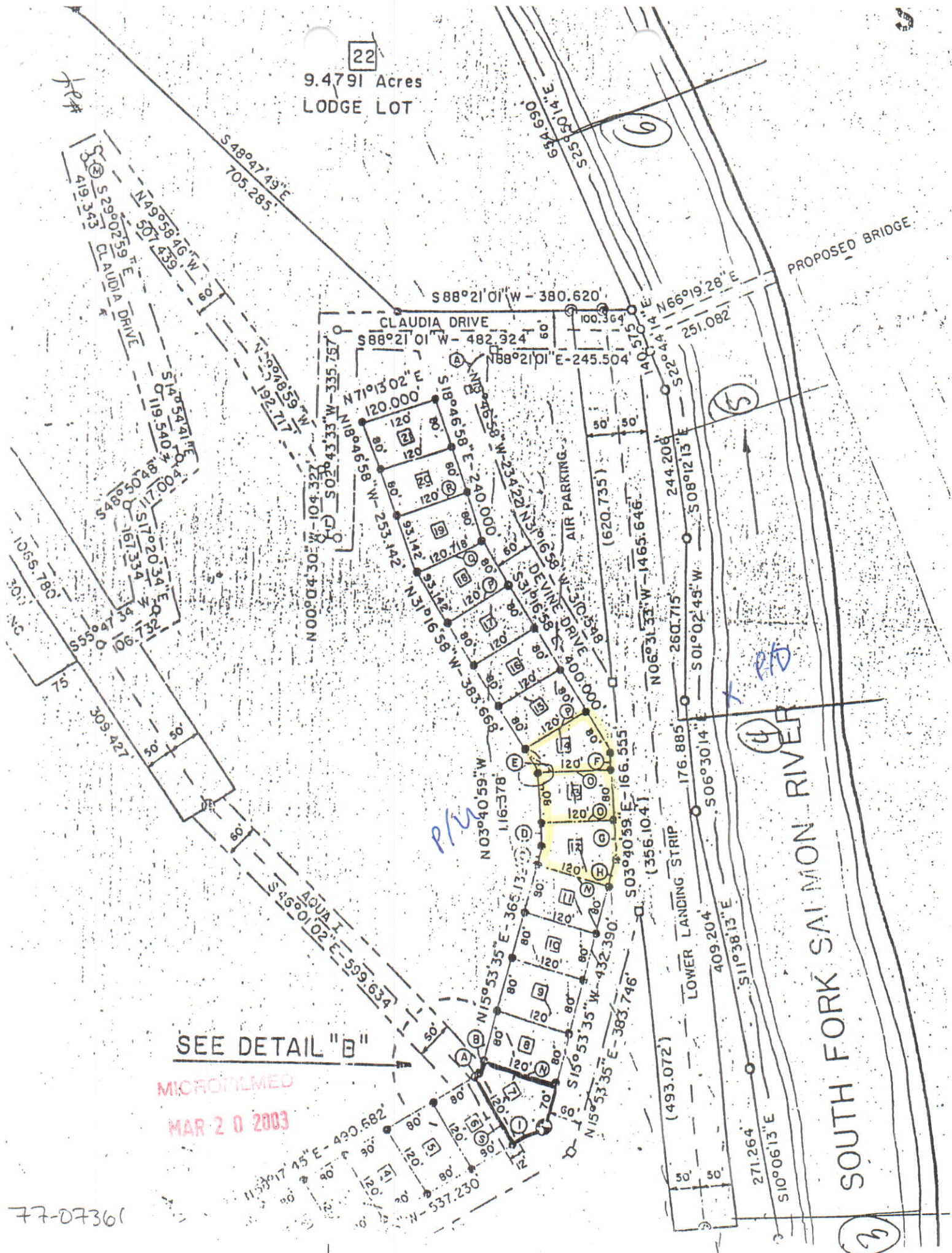


| TANGENT | BEARING      | DISTANCE                                       |
|---------|--------------|------------------------------------------------|
| A       | N 58°17'46"E | 10.882'                                        |
| B       | N 15°33'35"E | 23.462'                                        |
| C       | N 15°33'35"E | 21.087'                                        |
| D       | N 03°40'59"W | 44.878'                                        |
| E       | N 31°16'38"W | 50.326'                                        |
| F       | S 03°40'59"E | 29.475'                                        |
| G       | S 03°40'59"E | 57.080'                                        |
| H       | S 15°33'35"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°38'02"W | 120.718'                                       |
| R       | S 71°13'02"W | 120.000'                                       |
| S       | N 31°42'15"W | 122.000'                                       |
| T       | S 02°43'33"W | 122.249'                                       |
| U       | S 18°46'58"E | 87.024'                                        |
| ○ CURVE | A            | 107°07'59", 30.000', 93.491', 80.455', 67.735' |



ENR

22  
9.4791 Acres  
LODGE LOT



SEE DETAIL "B"

MICROFILMED  
MAR 20 2003

77-07361



1 HP  
submersible  
pump

Two 500 gal  
storage tanks

MICROFILMED  
MAR 20 2003



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FEB 17 1998

WATER RESOURCES  
WESTERN REGION

## AFFIDAVIT OF PUBLICATION

### NOTICE OF APPLICATION FOR WATER RIGHT

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

77-07362 *✓st*

DODGE, ROBERT S  
PO BOX 209  
MC CALL, ID 83638  
Source: SALMON RIVER, SOUTH FORK  
Tributary: SALMON RIVER  
Diversion Pt: NENE Sec 6 T 23N R 08E in  
IDAHO County.  
Use: DOMESTIC (0.060 CFS)  
Total Diversion: (0.060 CFS)  
Date Filed: 7/2/1997  
In: IDAHO County  
T23N R08E S06 NENE

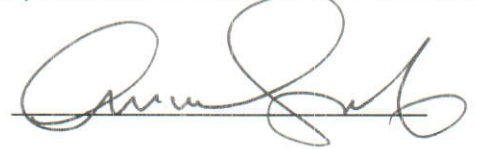
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before FEBRUARY 23, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director  
Published: 2/4/1998 & 2/11/1998

F4-11

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 4th day of February, 1998; and the last publication on the 11th day of February, 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.

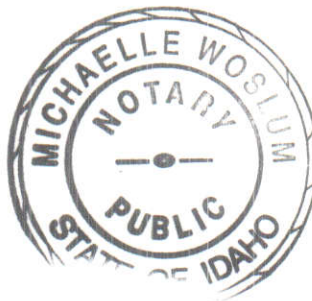


STATE OF IDAHO )  
COUNTY OF )

On this 11th day of February 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.

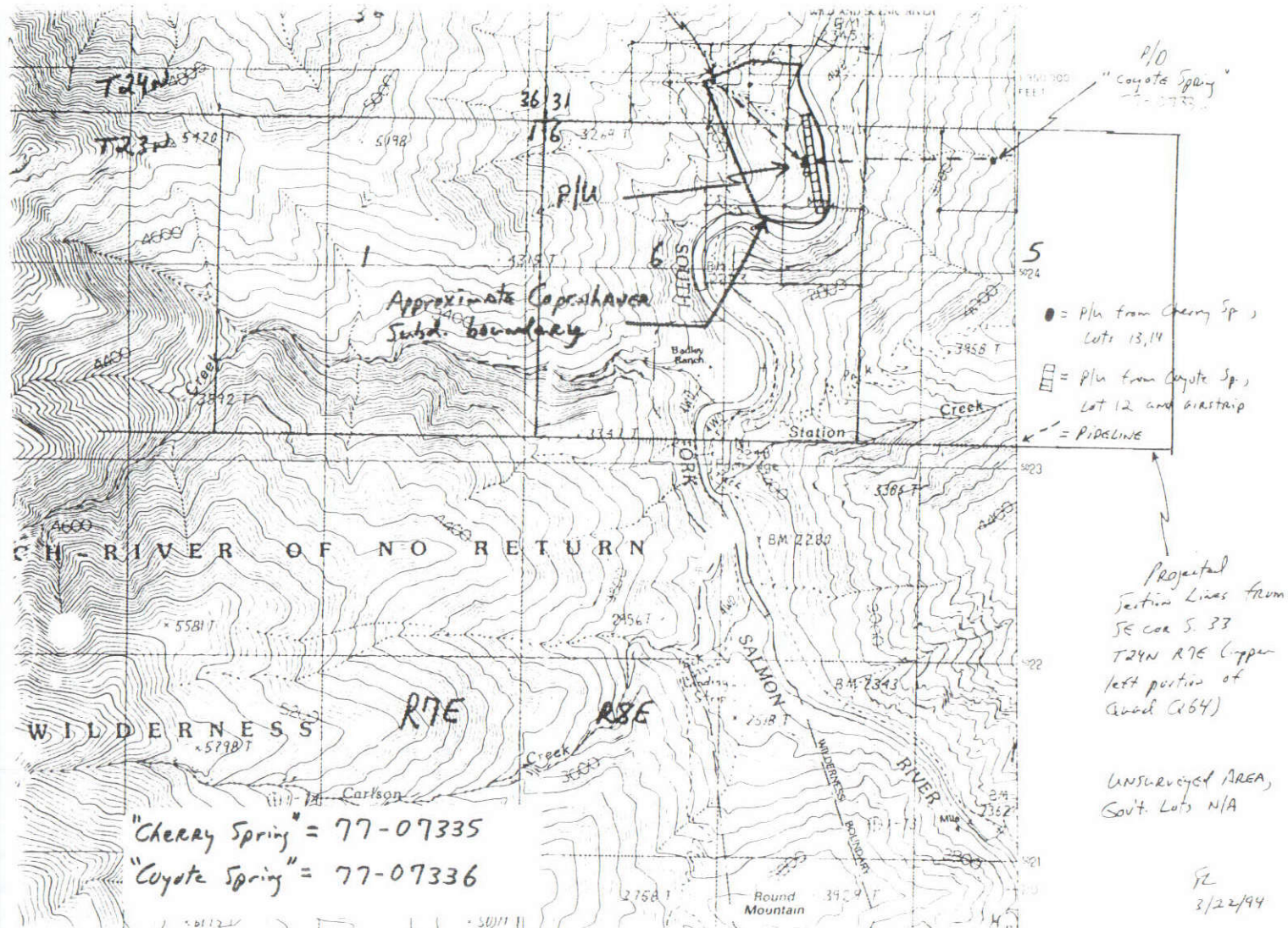


Notary Public for Idaho  
Residing at Grangeville, ID  
My commission expires: 01-16-2002



MICROFILMED

JUN 09 1998



State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 77-07362

Priority: July 02, 1997

Maximum Diversion Rate: 0.06 CFS  
Maximum Diversion Volume: 2.4 AF

It is hereby certified that ROBERT S DODGE  
PO BOX 209  
MC CALL ID 83638-0209 has complied with the terms and  
conditions of the permit, issued pursuant to Application for Permit dated July 02, 1997; and has  
submitted Proof of Beneficial Use on May 14, 1999. 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:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL<br/>DIVERSION VOLUME</u> |
|-----------------------|----------------------|-----------------------|------------------------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.06 CFS              | 2.4 AF                             |

**LOCATION OF POINT OF DIVERSION:**

SOUTH FORK SALMON RIVER      NE¼NE¼ Sec. 6, Twp 23N, Rge 08E, B.M., IDAHO County

**PLACE OF USE:** DOMESTIC

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

**CONDITIONS OF APPROVAL**

1. Place of use is located within Lots 12, 13, and 14, Copenhaver Subdivision.
2. Domestic use is for 2 homes and 1 shop.
3. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
5. Right 77-07359 is also diverted through the point of diversion described above.
6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.

MICROFILMED

MAY 20 2001

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 77-07362

7. 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 27<sup>TH</sup> day of DECEMBER, 2002.

Acting for

  
KARL J. DREHER  
Director

MICROFILMED

MAR 20 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

|                                      |   |                      |
|--------------------------------------|---|----------------------|
| IN THE MATTER OF PERMIT NO. 77-07362 | ) | <b>ORDER OF</b>      |
|                                      | ) |                      |
| IN THE NAME OF ROBERT S. DODGE       | ) | <b>REINSTATEMENT</b> |
| _____                                | ) |                      |

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before April 1, 1999; and,

WHEREAS, the Department notified the permit holder on January 31, 1999, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request. However the department discovered the permit holder may not have received the certified notice; and,

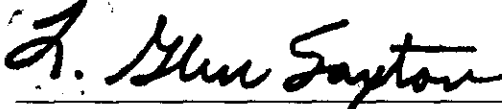
WHEREAS, the permit lapsed on April 2, 1999, since the department had not received an acceptable proof of beneficial use statement or extension of time; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on May 14, 1999;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 77-07362 is **REINSTATED** with no advance in priority.

DATED this 16<sup>th</sup> day of July, 1999.

  
\_\_\_\_\_  
L. GLEN SAXTON, Chief  
Water Allocation Bureau

MICROFILMED

AUG 11 1999

Amnt. of Fee \$: 50

Receipt No. W025193

Receipt By:                     

Date Received: 5/14/99

RECEIVED

**MAY 18 1999**

MAY 14 1999

**STATE OF IDAHO** Department of Water Resources  
**DEPARTMENT OF WATER RESOURCES**

**WATER RESOURCES  
WESTERN REGION**

## 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 who has been appointed by the department.

1. Permit No. 77-07362 Telephone No. 634-5639 HM

2. Name(s) of Permit Holder(s): ROBERT DODGE

3. Mailing Address: PO Box 209 McCall ID 83638-0209

4. Source of Water: SALMON R - S.F. If **GROUNDWATER** (well), Date Drilled: mo. / yr.

a. Well Driller: \_\_\_\_\_ Drilling Permit Number: - - -

b. **OPTIONAL:**  
 Pump Horsepower: 1/2 Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft): \_\_\_\_\_

5. Use(s) (as authorized by the water right permit): SHCP + LAWN  
Domestic (No. of households): 2 CABINS Stockwater (No. and type of stock):

Irrigation (No. of acres): \_\_\_\_\_ Other: \_\_\_\_\_

6. Total rate of diversion and/or volume for which proof is submitted: 06 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 ☒

Has the measuring device been installed? Yes            or No           

**Flow Measurement Port:** Is a flow measurement port required? Yes        or No   /  

Has the measurement port been installed? Yes          or No         

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

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

Name: DUANE SMITH Telephone Number: 634-7015

Address: Mc CALL

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Robert L. Noyce MICROFILMED Date: 6-14-94  
(include your title, if on behalf of company or organization)

~~MICROFILMED~~ ~~Da~~  
~~Organization~~ ~~ED~~

**.Date:**

AUG 1 1942

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 77-07362

Proposed Priority: July 2, 1997

Maximum Diversion Rate:

0.06 CFS

This is to certify, that **ROBERT S DODGE**

PO BOX 209

MC CALL ID 83638-0209

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:

**BENEFICIAL USE**

**PERIOD OF USE**

**RATE OF DIVERSION**

DOMESTIC

01/01 to 12/31

0.06 CFS

**LOCATION OF POINT(S) OF DIVERSION:**

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

**PLACE OF USE:** DOMESTIC

**TWN RGE SEC**

23N 08E 6

NENE

**CONDITIONS OF APPROVAL AND REMARKS**

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **April 1, 1999**.
2. Subject to all prior water rights.
3. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
4. Place of use known as Lots 12, 13, and 14, Copenhaver Subdivision.
5. Domestic use is for up to 3 homes.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
7. The irrigation occurring under this domestic use shall not exceed 1/2 acre.

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

19<sup>th</sup> day of March, 1998.



Karl J. Dreher, Director

for

NOTED  
JUN 8 9 1998

RECEIVED

FORM 202  
2/96

JUL 02 1997

WATER RESOURCES  
WESTERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 87-07362

RECEIVED

MAR 18 1998

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant Rapier S. Dodge Phone (208) 634-5639  
Mailing address Box 209 McCall, Idaho 83638
2. Source of water supply South Fork Salmon River which is a tributary of Salmon River
3. Location of point of diversion is Township 23N Range 8E Sec. 6 in the NE 1/4, NE 1/4, Govt. Lot       , B.M., Idaho County;  
additional points of diversion if any:
4. Water will be used for the following purposes:  
Amount .06 for Domestic Use purposes from Jan 1st to Dec 31st (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount        for        purposes from        to        (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount        for        purposes from        to        (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount        for        purposes from        to        (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount        for        purposes from        to        (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount        for        purposes from        to        (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .06 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 1/2 H.P. Pump w/ Approx 300' of 1" Pipe to lots 12, 13, + rt of Copmhouse Sub., 2-2000', 1-1000 gpc, & 1-7500 gpc. Tanks  
b. Height of storage dam        feet; active reservoir capacity        acre-feet; total reservoir capacity        acre-feet  
c. Proposed well diameter is        inches; proposed depth of well is        feet  
d. Is ground water with a temperature of greater than 85°F being sought? No  
e. If well is already drilled, when?       ; Drilling firm       ;  
Well was drilled for (well owner)       ; Drilling Permit No.
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):  
a. Hydropower; show total feet of head and proposed capacity in KW.         
b. Stockwatering; list number and kind of livestock.         
c. Municipal; show name of municipality.         
d. Domestic; show number of households. 2 Households, with another household or garage shop planned  
e. Other; describe fully.

JUL 09 1997

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 | BE  | 6   | A  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Total number of acres to be irrigated \_\_\_\_\_

10. Describe any other water rights used for the same purposes as described above. #77-07335

11. a. Who owns the property at the point of diversion? Robert S. Dodge, Duane G. Smith

b. Who owns the land to be irrigated or place of use? Same As Above

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: Water Use Is on lots 12, 13, & 14 in Copenhagen Subdivision

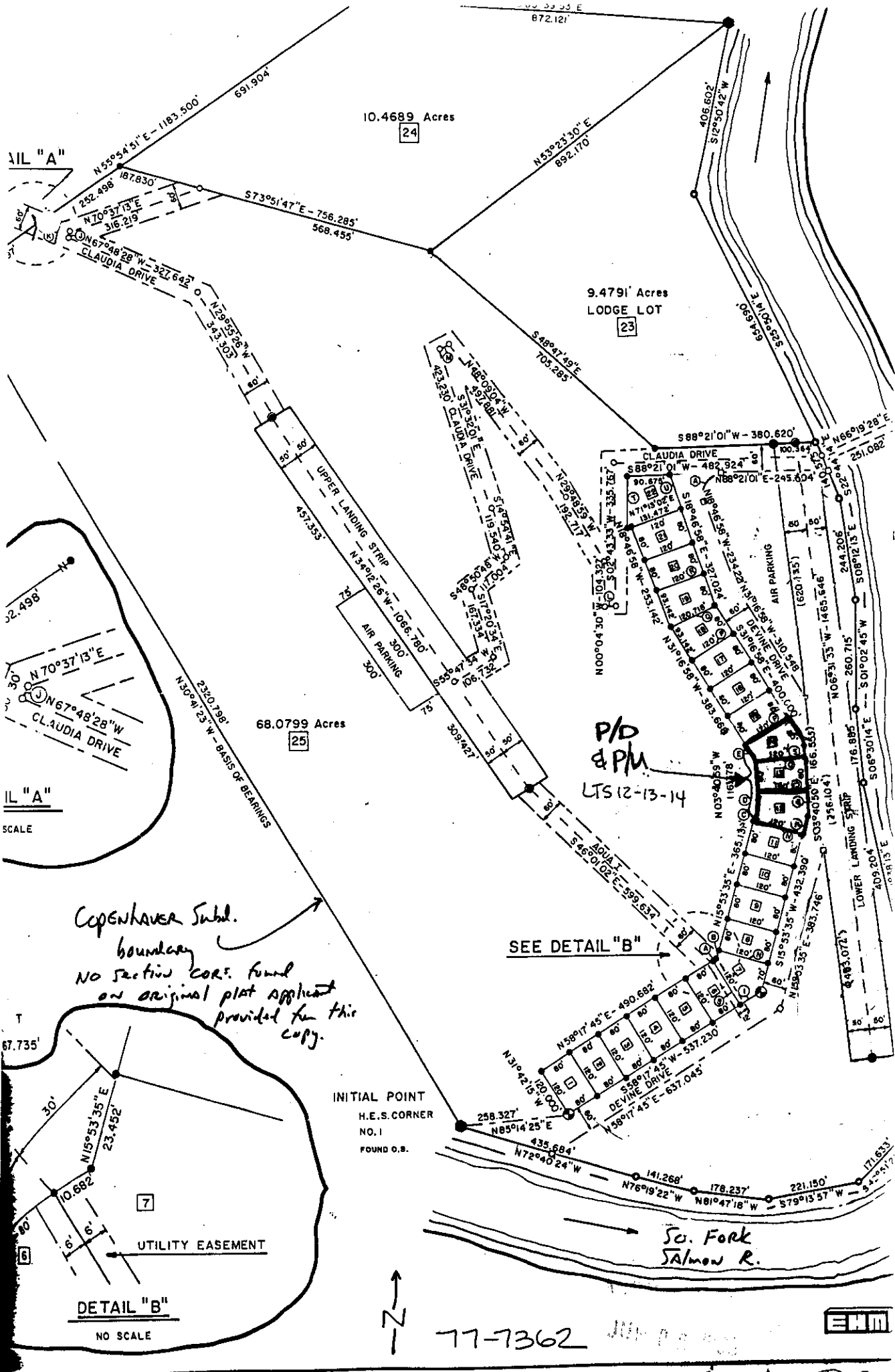
COMMENTS: Mapping + Moratorium - see file 77-07335  
comments

✓ 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.

Robert S. Dodge  
Signature of Applicant (and title, if applicable)

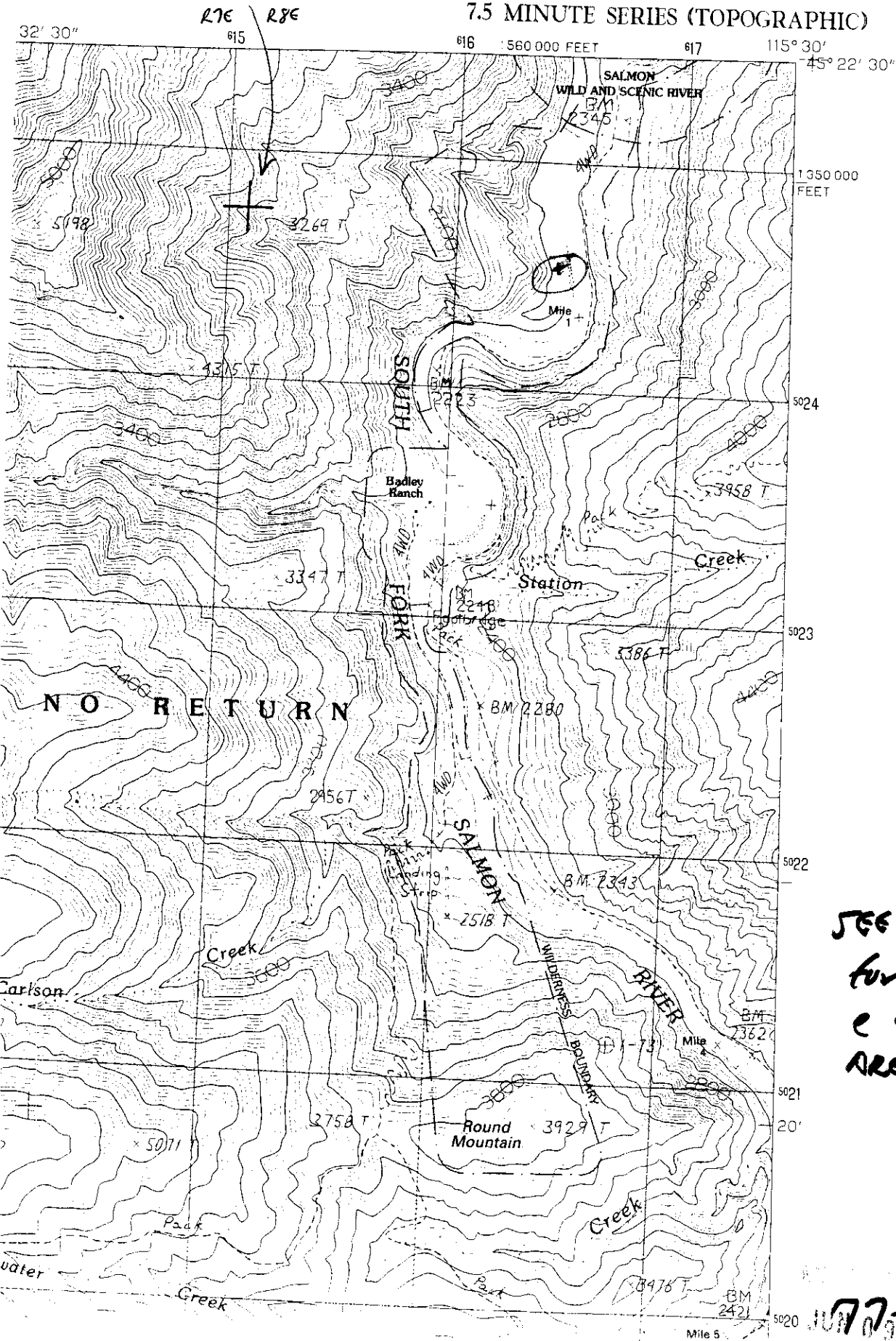
Received by DB Date 7-2-97 Time 3:30 pm Preliminary check by LG  
Fee \$ 50- Received by DB # W022723 Date 7-2-97  
Publication prepared by AY Date 7-30-97 Published in Idaho Free Press  
Publication approved AY Date 2-27-98 2-9-11 280 6-12-97



Projected Section corner

T24N 36/31  
T23N 1/6

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



SEE 77-07335  
for map details  
& unsurveyed  
AREA etc.  
-82 1/28/98

77-07362  
JUN 09 1983



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

December 27, 2002

ROBERT S DODGE  
PO BOX 209  
MC CALL ID 83638-0209

RE: License No. 77-7362 - Issuance of License

Dear Water Right Holder(s):

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

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

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

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

Sincerely,

Shelley W Keen  
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

468 1 0 2003

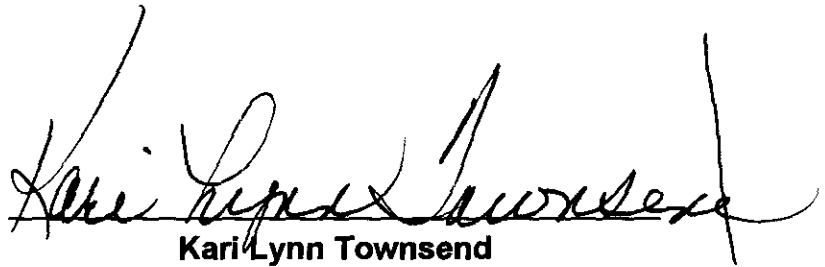
### **CERTIFICATE OF SERVICE**

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.**

**77-7362**

**ROBERT S DODGE  
PO BOX 209  
MC CALL ID 83638-0209**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend  
Secretary**

MICRO  
MAR 2 8 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).

### **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**

**77-7362**

**1. kwalker 11/29/2002 License Review**

Comment: Upon review of this exam for licensing, I found the point of diversion and place of use located in the NENE, S06, as permitted. Examiner had recommended SENE for the pd and pu but arc view found them both located as above. I also found the examiner had recommended 3.6 af for the diversion volume under this right. The permit was limited to 1/2 acre irrigation for all 3 lots under this permit so I recommend 1.2 af for one of the lots and 0.6 af for each of the other 2 lots, thus coming up with 2.4 af for annual volume.

**2. CZIMMERM 3/18/1998 LEGAL DESCRIPTION**

Comment: This is an unsurveyed area. Government lots do not apply. This area is adjacent to the Frank Church Wilderness and Salmon River Wild & Scenic River boundaries. DIVERSION DESCRIPTION 1/2 HP pump in river with approx 300' of 1" pipe to Lots 12, 13, and 14, Copenhagen Subdivision, with two 200 gallon, one 1,000 gallon, and one 2,500 gallon storage tanks.

**3. VAULT 5/6/1999 Lapse Notice Sent**

Comment: Lapse Notice Sent

**4. VAULT 5/18/1999 Proof of Beneficial Use Rcvd**

Comment: Proof of Beneficial Use Rcvd

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. 77-7362

1. Owner: Robert Dodge Phone No. 634-5639

Current Address: PO Box 209, McCall ID 83638 0209

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.E. tributary to Salmon River

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: 77-7335

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

| TOWNSHIP | RANGE | SECTION | NE 1/4 |    |    |    | NW 1/4 |    |    |    | SW 1/4 |    |    |    | SE 1/4 |    |    |    | REMARKS |
|----------|-------|---------|--------|----|----|----|--------|----|----|----|--------|----|----|----|--------|----|----|----|---------|
|          |       |         | NE     | NW | SW | SE | NE     | NW | SW | SE | NE     | NW | SW | SE | NE     | NW | SW | SE |         |
| 23N      | 8E    | 6       | D      |    |    | D  |        |    |    |    |        |    |    |    |        |    |    |    |         |
|          |       |         |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |         |
|          |       |         |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |         |
|          |       |         |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |         |
|          |       |         |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |         |
|          |       |         |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |         |
|          |       |         |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |         |
|          |       |         |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |         |

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SEP 28 2001

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 lots 12, 13 and 14 of Copenhaver Subdivision. The water is vertically pumped ~90' through a 1" buried PVC line to two 500 gallon storage tanks side by side on hillside behind lots 13 and 14. From the tanks, the water gravity flows to lots 12, 13 and 14, which have been plumbed for domestic use. Currently a home exists on lot 14, a guest cabin exists on lot 13 and a shop on lot 12 with lawn and garden area throughout. This right supplements Cherry Spring water right 77-7335, which is also used for domestic use on the lots.

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Have conditions of permit approval been met? Y yes no

APR 20 2003

**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 up to 3 homes = 3.6 afa****H. RECOMMENDATIONS****1. Recommended Amounts**

| Beneficial Use | Period Of Use |       | Rate Of Diversion<br>Q (CFS) | Annual Volume<br>V (AFA) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| Domestic       | 1/1           | 12/31 | .06                          | 3.6                      |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| <b>TOTAL</b>   |               |       | <b>.06 cfs</b>               | <b>3.6 afa</b>           |

**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 \_\_\_\_\_

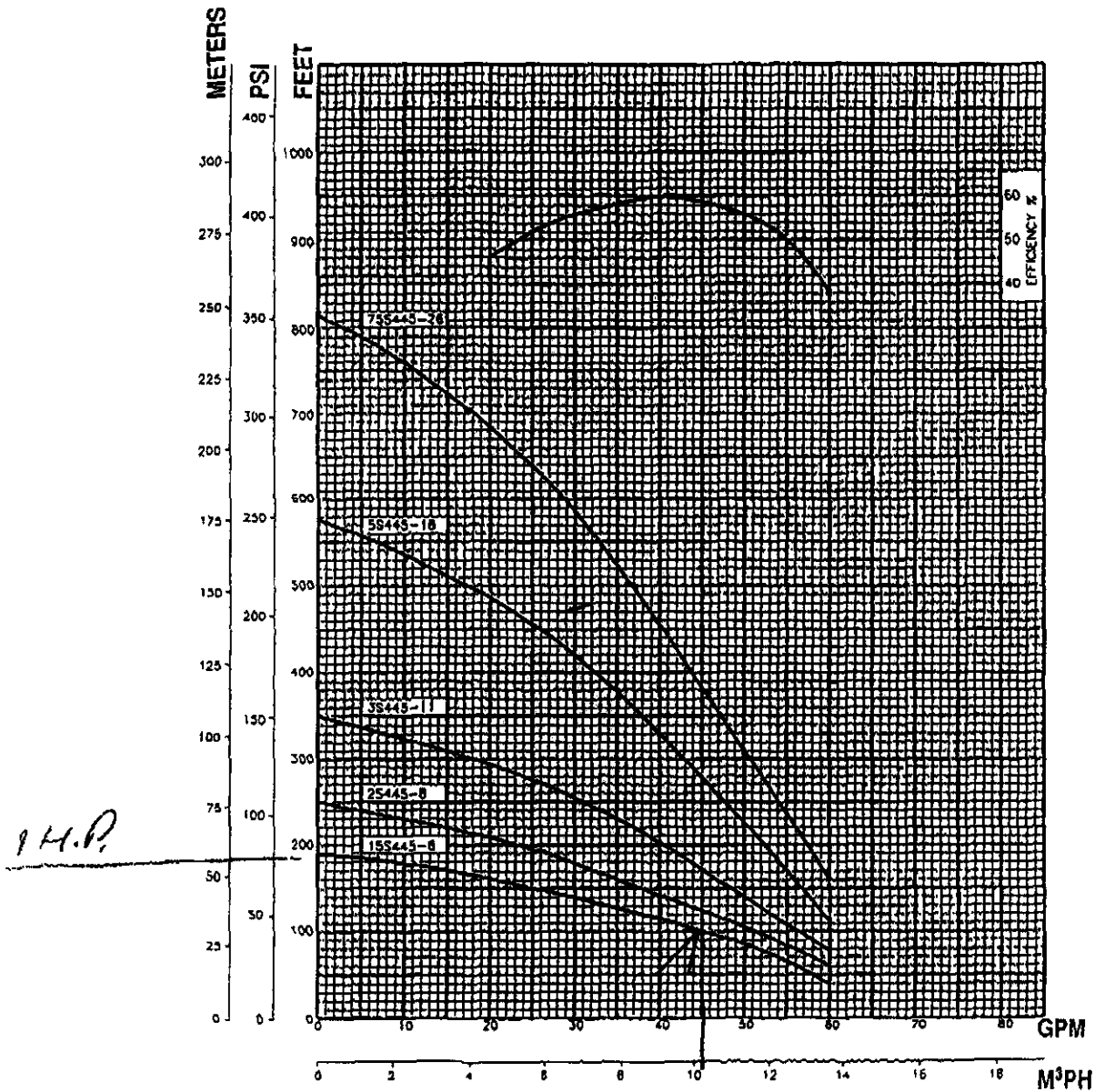
SEAL

MICROFILMED

MAR 20 2003

# SandHandler™ High Capacity 45 GPM

## Performance Curves



### 45 GPM

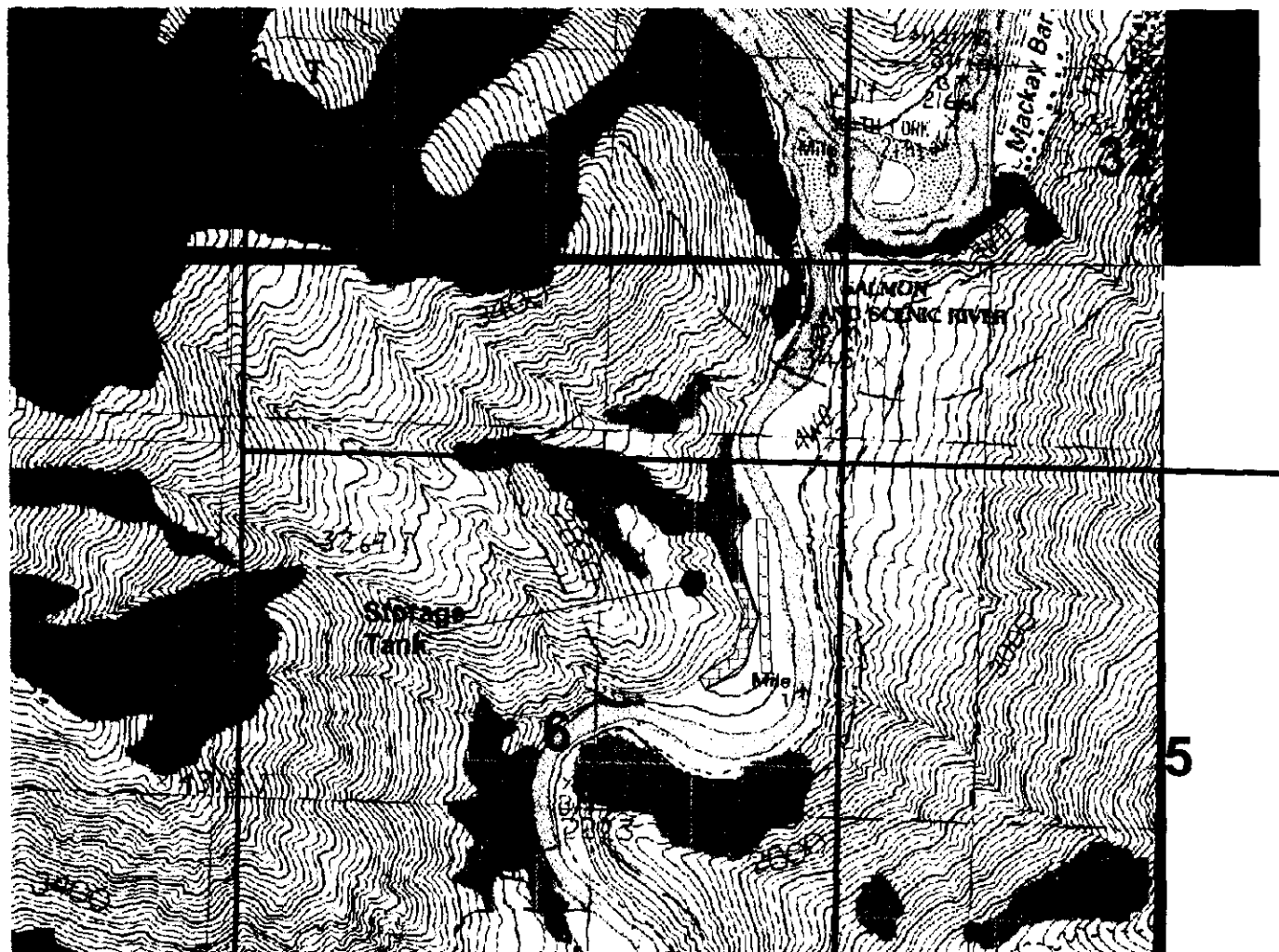
### Pump Ends

| Order No. | Model No. | HP    | Weight | Max. Discharge |
|-----------|-----------|-------|--------|----------------|
| 9252-0014 | S4456     | 1-1/2 | 15     | 60             |
| 9252-0022 | S4458     | 2     | 18     | 60             |
| 9252-0030 | S44511    | 3     | 19     | 60             |
| 9252-0048 | S44518    | 5     | 25     | 60             |
| 9252-0139 | S44528    | 7-1/2 | 33     | 60             |

- 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.

MAR 30 2001

# Copenhagen Subdivision



0.5 0 0.5 1 Miles



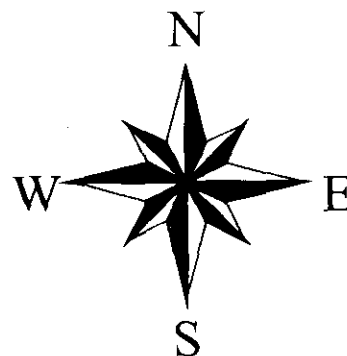
## Air strip

### Sub lots

### Spring P/D

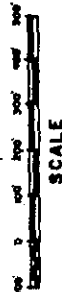
## Sections

1/4 1/4



**COPENHAVEN SUBDIVISION**  
**1986**

ALL OF M.E.S. NO. 701  
LOCATED WITHIN UNSURVEYED SECTION 6, T.23N., R.9E.  
B SECTION 31, T.24N., R.9E., 8.M., IDAHO COUNTY, IDAHO

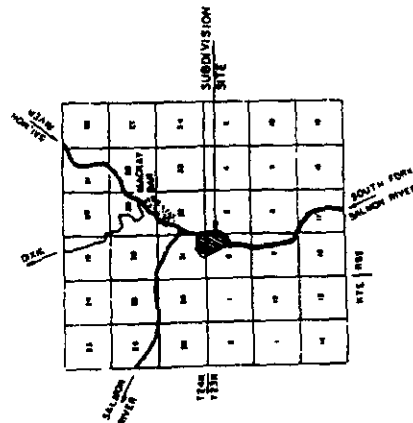


**023637**

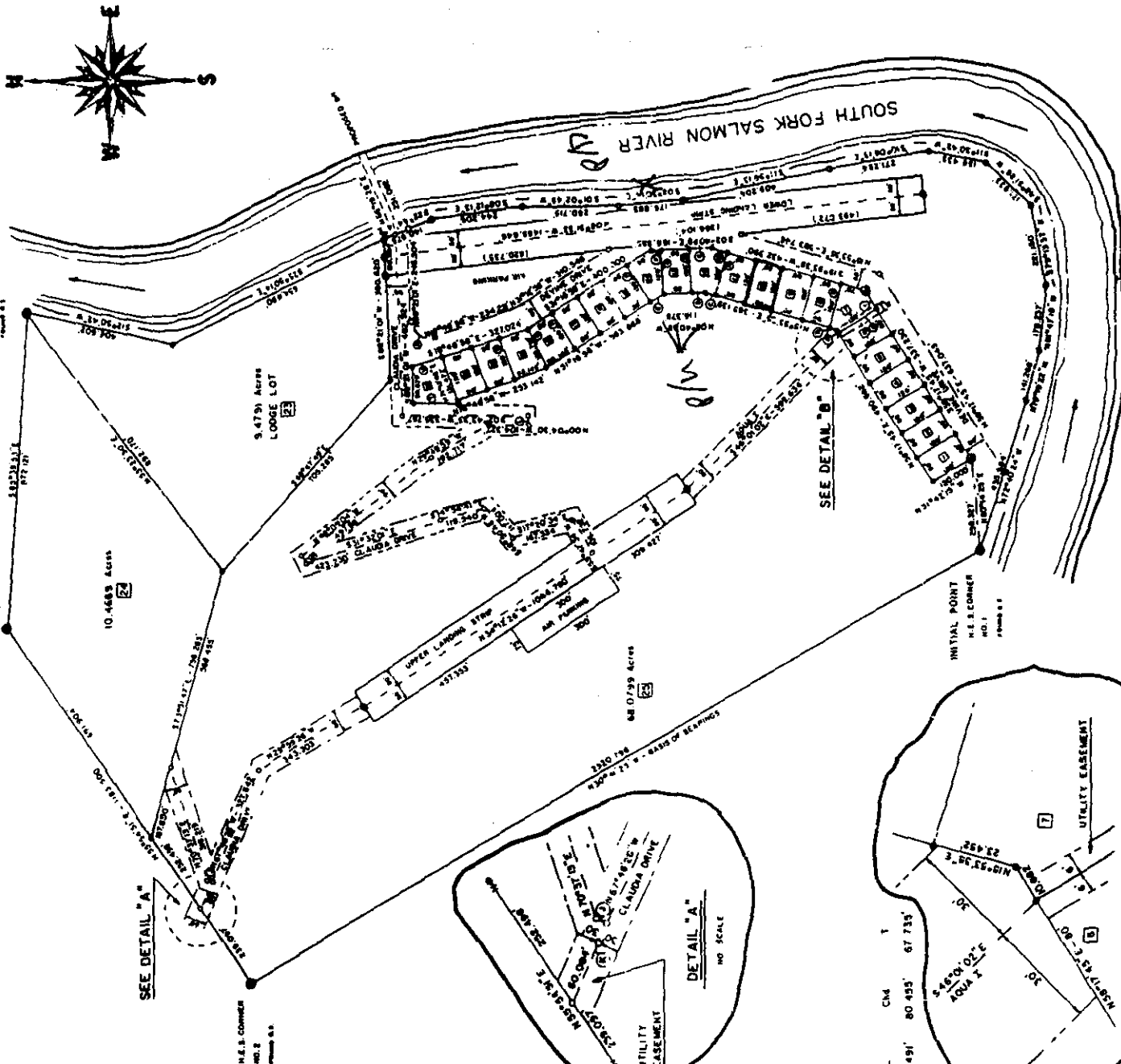
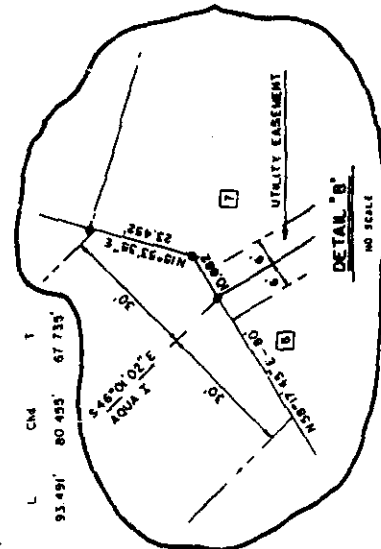
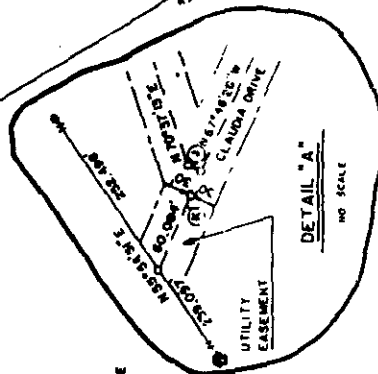
- N.E.S. CORNER, FOUND ORIGINAL STONE  
 N.E.S. MEADOW CORNER, NOT SET  
 LOT CORNER, SET 2" X 30" G.I.P. W/B.C.  
 LOT CORNER, SET 5/8" X 30" REBAR W/SERV. CAP  
 SUBDIVISION BOUNDARY LINE  
 LOT LINE  
 EASEMENT CENTERLINE  
 ACCESS & UTILITY EASEMENT  
 UTILITY EASEMENT  
 ACCESS & UTILITY EASEMENT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

COMPETITIVE SUBMISSION RESTRICTIVE  
COVENANTS ARE FILED AS INSTRUMENT  
NO 0324731

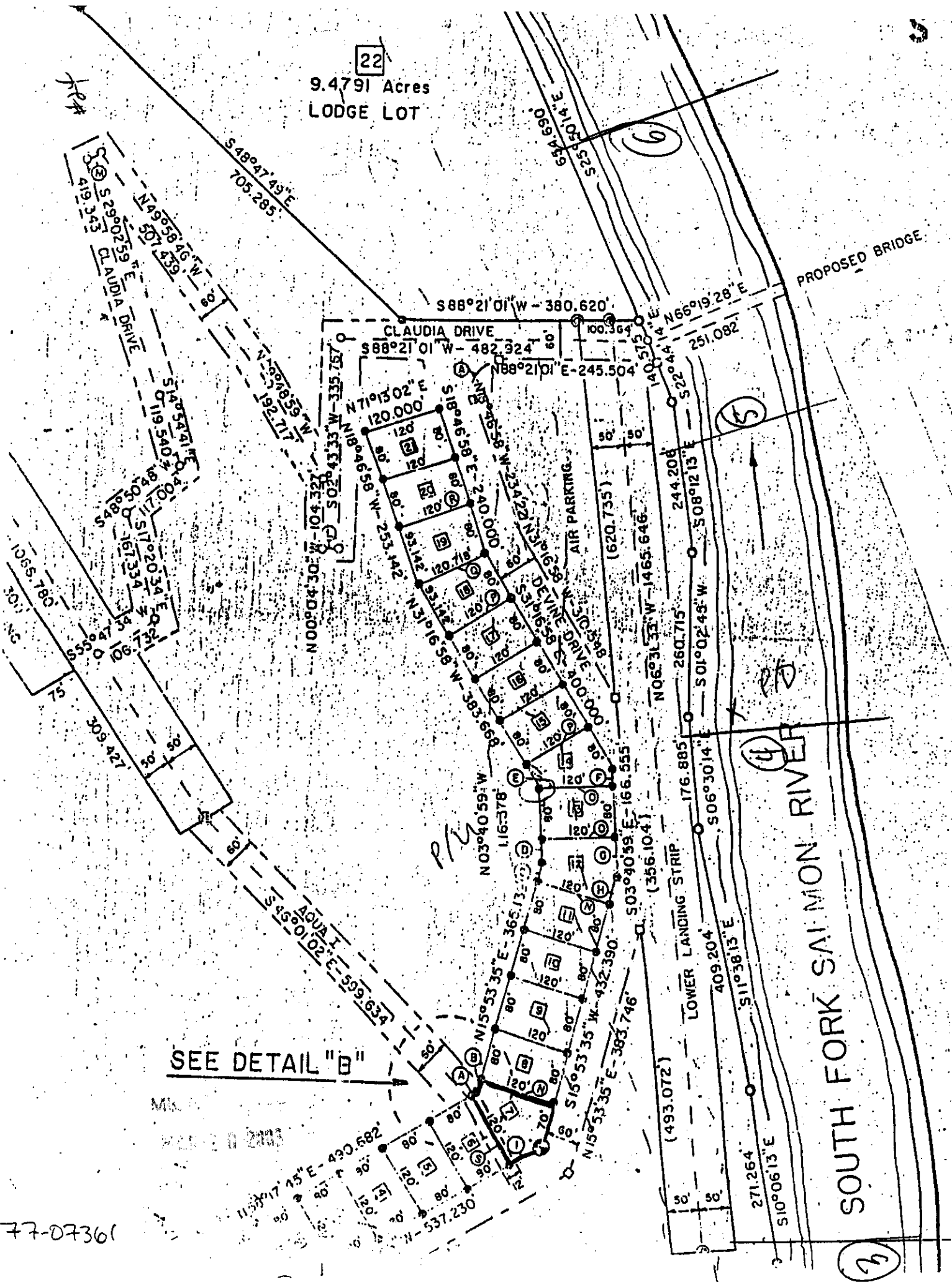
### VICINITY MAP



| POINT | Bearing         | Distance |
|-------|-----------------|----------|
| A     | N 58° 17' 45" E | 10.423'  |
| B     | N 15° 53' 35" E | 23.403'  |
| C     | N 15° 53' 35" E | 21.007'  |
| D     | N 03° 40' 55" W | 30.556'  |
| E     | N 31° 16' 58" W | 30.526'  |
| F     | S 03° 40' 55" E | 29.875'  |
| G     | S 03° 40' 55" E | 17.040'  |
| H     | S 15° 53' 35" W | 42.190'  |
| I     | S 58° 17' 45" W | 37.230'  |
| J     | N 58° 14' 00" E | 20.000'  |
| K     | N 47° 48' 28" W | 60.004'  |
| L     | N 85° 34' 03" W | 20.000'  |
| M     | S 50° 42' 58" W | 20.000'  |
| N     | S 74° 06' 23" E | 120.000' |
| O     | N 86° 19' 01" E | 120.000' |
| P     | S 58° 43' 02" W | 120.000' |
| Q     | S 54° 58' 02" W | 120.116' |
| R     | S 71° 13' 02" W | 120.000' |
| S     | S 31° 42' 15" W | 120.000' |
| T     | S 02° 43' 33" W | 122.249' |
| U     | S 18° 46' 58" E | 87.024'  |
| V     |                 |          |



22  
9.4791 Acres  
LODGE LOT

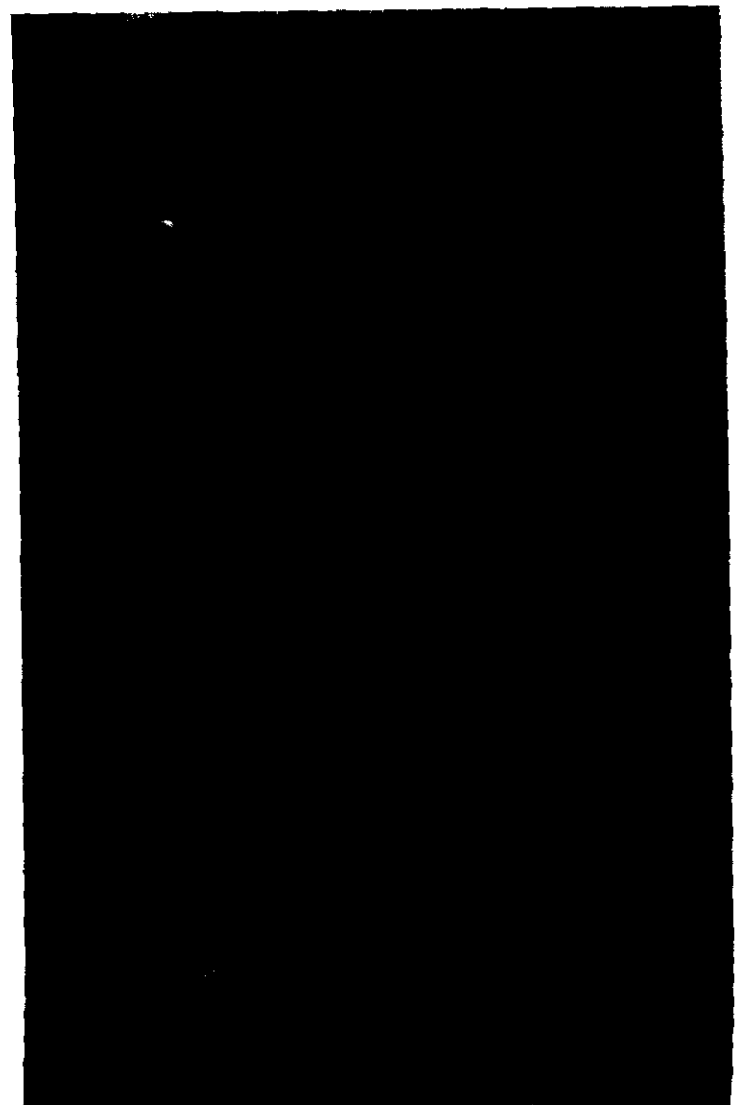


77-07361



1 HP  
submersible  
pump

Two 500 gal  
storage tanks



MICHAEL  
MAY 12 2000

[illegible][illegible]

- \*copies attached only if needed for analysis**

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

Appointment Made and Telephone Conversation Memo Attached

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

Exam Completed by 9/18/01 (signature of examiner & date)  
Exam Sent to State Office 9-28-01 JS (initial & date)



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

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

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

July 16, 1999

DIRK KEMPTHORNE  
GOVERNOR

Robert S Dodge  
PO Box 209  
McCall ID 83638-0209

KARL J. DREHER  
DIRECTOR

#### PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 77-07362

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Please note that the priority date has not been advanced.

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

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, please contact the **WESTERN** Regional Office of the department in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant  
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED

AUG 11 1999

**ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE**

Permit No. 77-01362 Reviewed by [Signature] Date 7-8-99

## GENERAL CONSIDERATIONS

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

## TYPES OF USE

Chom.

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

\_\_\_\_\_ Ground water source

           Drilling permit required?

Copy in the file?      Drilling Permit No.

Amount paid for permit

Well log in the file?

Correct?

**LICENSE EXAMINATION FEE**

Yes Required?

50 Amount Submitted

yes Correct?

### MEASURING DEVICE

NO Required?

\_\_\_\_/\_\_\_\_ Installed?

           Waiver requested?

### PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

**New Priority Date**

### DEFICIENCIES OR ACTION ITEMS

Reinstate w/no advance in priority.  
Proof Acceptable

## DATA ENTRY

New Address ✓ Proof Made 5-14-99

# WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

May 6, 1999

ROBERT S DODGE  
PO BOX 209  
MC CALL ID 836380209

LAPSE NOTICE.

RE: PERMIT NO. 77-07362

Dear Permit Holder:

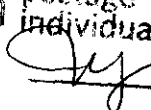
You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated February 28, 1999. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosures

**CERTIFICATION OF MAILING**  
I hereby certify that on 5/6/99  
MICROFILMED a copy/an original of this document was  
deposited in the United States mail,  
AUG 11 1999 postage prepaid addressed to the  
individual(s) named above.  


January 31, 1999

ROBERT S DODGE  
PO BOX 209  
MC CALL ID 836380209

PROOF DUE NOTICE

RE: PERMIT NO. 77-07362

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1999.

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

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

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

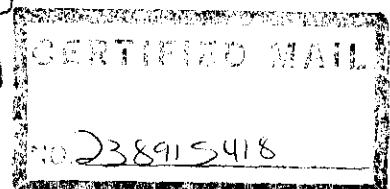
SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

MICROFILMED

AUG 11 1999





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

March 19, 1998

PHILIP E. BATT  
GOVERNOR

ROBERT S DODGE  
PO BOX 209  
MC CALL ID 83638-0209

KARL J. DREHER  
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 77-07362

Dear Permit Holder:

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

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

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

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

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,

Shelley W. Keen  
Water Rights Supervisor

SK:klt

MAILED  
JUN 8 1998

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of March, 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. 77-07362

ROBERT S DODGE  
PO BOX 209  
MC CALL ID 83638-0209

  
Kari Lynn Townsend  
Secretary

Jul 06 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.

FILED  
JUL 10 1997

### **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.

APR 11 1997  
FBI - BUTTE

# APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy Lou

No.: 77-7362 Name: Dodge Date: 3/18/98 Ad OK? ☒ ☒ Gvmt Lts: ☒

AREA OF CONCERN: 42-111

- No/Yes: S/C Mor / \_\_\_\_\_ GWMA / Trust / Non-trust  
- 020 (Protest Agreement) or \*W19 (Order)

SYSTEM COMPLETED:

&gt; 1 year

- 26A-P17

≤ 1 year/no proof

- P18

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

&gt; 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)

&gt; 0.24 cfs/5 acres

- 01M (report when notified)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

Included w/permit

- Permit No. \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ P99

irr. in 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 &amp; LISTING)

- R04 (WD # \_\_\_\_\_)

&gt; 0.10 cfs

- 01J-P08 (MD &amp; LD)

≤ 0.10 cfs

- 01H-P01 (LD) or No MD (in-stream stock)

WMD (✓ MAP)

&gt; 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 &amp; REST OF STATE

&gt; 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

&gt;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)

&gt; 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; &gt;25 cfs-P18

Stockwater

- R37 (BLM/USFS); NA

Storage (✓ 3 compo.)

- 18A (in &amp; out MD for on-stream storage), 18B-P09 (&gt;10' dam), NA

LOCATION:

42-248 area

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

Boise Front LoGeo

- 058 (&lt;85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

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 W60/L12.13.14, Copenhagen ② W01/3

BENEFICIAL USE DUE:

- 4/1/1999

COMMENTS:

MAR 18 1998

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: g DATE: 7/22/97 APPLICATION: 77-07362

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)
- ☒ Fee:
- ☒ Yes ☐ No\* In form to receipt:

Gov't. Lots:

☒ P/D

☒ P/U

\*  
UNSUREVEYED AREA  
SO QQ IS BEST ESTIMATE

ADDITIONAL INFORMATION

ADVERTISE REMARK(S) *existing on data*  
(Reviewer identify which remarks) *entered copy*

\* N/A T FLAG CHANGED TO P FLAG

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ ☐ Overlapping point of diversion.
- ☐ ☒ Critical groundwater area:
- ☐ ☒ Groundwater management area:
- ☒ ☒ 1992 moratorium: *exempt*
- ☐ ☒ Copy to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☐ ☒ Copy to Dam Safety staff: (for any storage)
- ☐ ☒ Mitigation plan: where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge
- ☐ ☒ 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

ADDITIONAL INFORMATION ON REVERSE SIDE:

\* NOTE - COMMENT LETTER SENT TO IDFG 8/29/97  
RESPONSE RECEIVED 9/17/97 = limit to "42-111 amount."

\* 82 12/11/97

## PROCESSING

APP. NO. 77-07362

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:

YES NO

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

YES NO

☐ ☒ U.S. BLM  
☐ ☒ U.S. Forest Service  
☐ ☒ Water Dist. # \_\_\_\_\_  
☐ ☒ 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:  
☐ ☒ Protests received. Final date for protest 8-25-97 2-23-98  
☐ ☒ Protest dates, resolution of protest recorded on application:

☐ ☒ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Measuring port required:

☐ ☒ Water delivered by water master? District # \_\_\_\_\_

☒ ☐ Special conditions of approval or cover letter: Domestic use shall not exceed 13,000 gal/day for single ownership homes and buildings. Domestic water supply two homes, a garage, and a shop. Irrigation shall not exceed 1/2 acre for all domestic uses described by this right. 041

See below for additional information

Recommended Date or Priority 7/2/97

Recommended by: Day's Date: 3/16/98

STATE OFFICE REVIEW

See below for additional information. By \_\_\_\_\_ Date \_\_\_\_\_

ADDITIONAL INFORMATION:

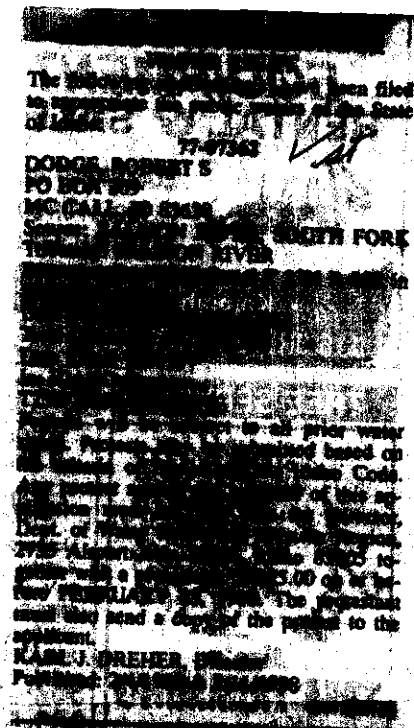
overlaps in 77-07335 - spring used for irrig on  
lots 13 + 14. P/L + P/D in unsurveyed area.  
see file 77-07335 + attached for legal  
description determination + explanation  
+ additional maps

RECEIVED

FEB 17 1998

WATER RESOURCES  
WESTERN REGION

## AFFIDAVIT OF PUBLICATION



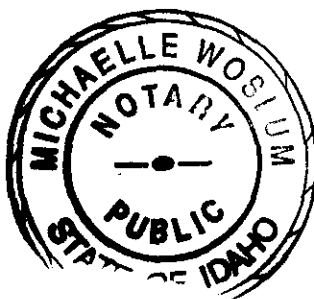
STATE OF IDAHO  
County of Idaho - ss.

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 4th day of February, 1998; and the last publication on the 11th day of February, 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 11th day of February 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



FILED  
JAN 03 1998

1/26/98

# MEMO

**To:** File No. 77-07362  
**From:** Gary Spackman *Gary*  
**Subject:** Application for Permit No. 77-07362

After asking of the Idaho Dept. of Fish & Game for recommendations about application for water right no. 77-07362, IDWR received a letter from Will Reid dated September 15, 1997. Fish & Game stated that it did not object to the approval of the application if IDWR limited the approval to domestic purposes as defined in Idaho Code § 42-111.

Idaho Code § 42-111 states that single ownership homes can divert up to 13,000 gallons per day. There is no flow restriction. In talking to the applicants, water would be used for two households and a garage and shop. Not more than ½ acre would be irrigated. I recommend that we process application for permit no. 77-07362 as proposed.

In looking through the file, I could not determine whether notice of the application was published. The file contains a letter dated July 31, 1997, to the Idaho County Free Press, asking the newspaper to publish notice. The letter is unsigned, however, and we did not receive an affidavit of publication. Sue Taylor talked to employees of the Idaho County Free Press who said the notice was never published. Because notice of the application has not been published, we should do so immediately.

RECEIVED

JUL 09 1998

**IDAHO FISH & GAME**

600 South Walnut / Box 25  
Boise, Idaho 83707-0025

September 15, 1997

**Phillip E. Batt** / Governor  
**Stephen P. Mealey** / Director

RECEIVED

SEP 17 1997

WATER RESOURCES  
WESTERN REGION

Mr. Gary Spackman  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID 83705-5082

Re: Water right application no. 77-07362

Dear Gary:

We have reviewed the above-referenced application for appropriation of 0.06 cfs of water from the Salmon River for domestic purposes. The application as proposed does not meet the definition of "domestic purposes" as defined under Idaho Code 42-111. The applicant seeks nearly three times the diversion volume allowed under the law. If the application were amended to conform to that definition, we would not object to its approval.

We believe the State needs the ability to cumulatively assess diversions and the impact they may have on the ability of a stream to sustain in-stream beneficial uses. As currently applied, State water policy will remain in conflict with Idaho Fish and Game policy, the Endangered Species Act, and the Clean Water Act. The existing in-stream flow legislation should be the obvious mechanism to insure adequate water supplies remain in the stream channel. Under existing conditions, State agencies will continually be placed in an adversarial position with each other and development interests. We suggest the State develop a less rigorous criteria to establish interim base flow conditions, by major watersheds. The interim base flow conditions would serve as a "red flag" for more detailed in-stream flow assessment. Withdrawals could occur as long as the base flow is maintained. When withdrawals are proposed that would reduce the base flow, a site specific flow study could be undertaken to determine the impact of the proposal.

We recognize that the above discussion is only a concept and there may be other options. We suggest the Idaho Department of Water Resources, the Idaho Department of Fish and Game, and the Idaho Division of Environmental Quality convene a "study group" to explore options for better managing Idaho waters that will meet the demands of both in-stream and out-of-stream use. We recognize that any recommendation from such a group would probably require legislation to implement and "buy-in" from a large number of groups.

I look forward to hearing from you.

Sincerely,

Will Reid  
Fishery Program Coordinator

WR:tlv

FILED 93



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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

August 29, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

WILL REID  
ID DEPT OF FISH & GAME  
PO BOX 25  
BOISE ID 83707

Re: Appropriations of Water from the Salmon River

Dear Will:

Enclosed is a copy of application to appropriate water no. 77-07362 filed by Robert S. Dodge. The application proposes diversion of 0.06 cfs for domestic purposes. Dodge and his partner own three lots in the Copenhaver subdivision. I spoke with Dodge's partner and he stated that there is a cabin and a small guest house on the property, and they anticipate building a garage on the property.

The Department of Water Resources (IDWR), by order dated April 30, 1993, prohibited almost all appropriations of water from the Salmon River and its tributaries. The order allowed approval of permits for domestic water uses that satisfy the definition of Idaho Code § 42-111.

Application for permit no. 77-07632, although perhaps not qualifying exactly as a section 42-111 domestic use, probably satisfies the spirit of the law. This application for domestic use, along with several others, have become a source of controversy if more restrictive conditions are suggested by Fish & Game because of the bull trout plan adopted by the State of Idaho.

This letter requests your comments regarding application for permit no. 77-07362. This letter also requests an interpretation of how IDWR should handle applications for single family domestic use as well as possible multi domestic uses.

Thank you for considering this matter.

Sincerely,

  
Gary Spackman

GS:st

Encl.

CC: Robert S. Dodge  
Box 209  
McCall Id 83638

Norm Young, Glen Saxton, Steve Lester

WR0749NP  
No. 77-07335

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 07/22/97  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                   | PRIORITY<br>DATE | WATER USE              | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE      | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------------------|------------------|------------------------|----------------------------|------------------------|---------------------|
| C                | DUANE B SMITH<br>207 N 3RD<br>MC CALL ID 83638<br>(208) 634-7015 | 03/21/1994       | IRRIGATION<br>DOMESTIC | 04/15 10/15<br>01/01 12/31 | 0.090 CFS<br>0.060 CFS |                     |
| TOTAL DIVERSION: |                                                                  |                  |                        |                            | 0.150 CFS              |                     |

Water Source: SPRING

Tributary to: SINKS

Stage: PERMIT

Point(s) of Diversion: T24N R08E S31 NESESW SESESW NWSWSE SWSWSE IDAHO County

Place of use Legal Description for: IRRIGATION

| NE          |     |   |   | NW |    |    |    | SW |    |    |    | SE |    |    |    |    |    |   |     |
|-------------|-----|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|-----|
| T           | R   | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : | SUM |
| 23N         | 08E | 6 | : | 03 |    |    |    |    |    |    |    |    |    |    |    |    |    | : | 3.0 |
| TOTAL ACRES |     |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |   | 3.0 |

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: IDAHO

Conditions of Approval:

- 26A - 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.
- 057 - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
- 004 - The issuance of this right does not grant any right-of-way or easement across the land of another.

Remarks:

Source locally known as Cherry Spring.  
Single point of diversion located on or near the center of NESESW, SESESW, NWSWSE, SWSWSE, S31, T24N, R08E.  
Point of diversion is located within Lot 25, Copenhaver Subdivision.  
Places of use are located within Lots 13-14, and Lower Landing Strip, Copenhaver Subdivision.  
Domestic use is for 2 homes.  
The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.

Dates: App. Received: 03/21/1994 Priority Date: 03/21/1994  
Proof Due Date: 12/01/1999 Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 03/22/1994 User-ID: LESTER Subject: MAPPING & MORATORIUM

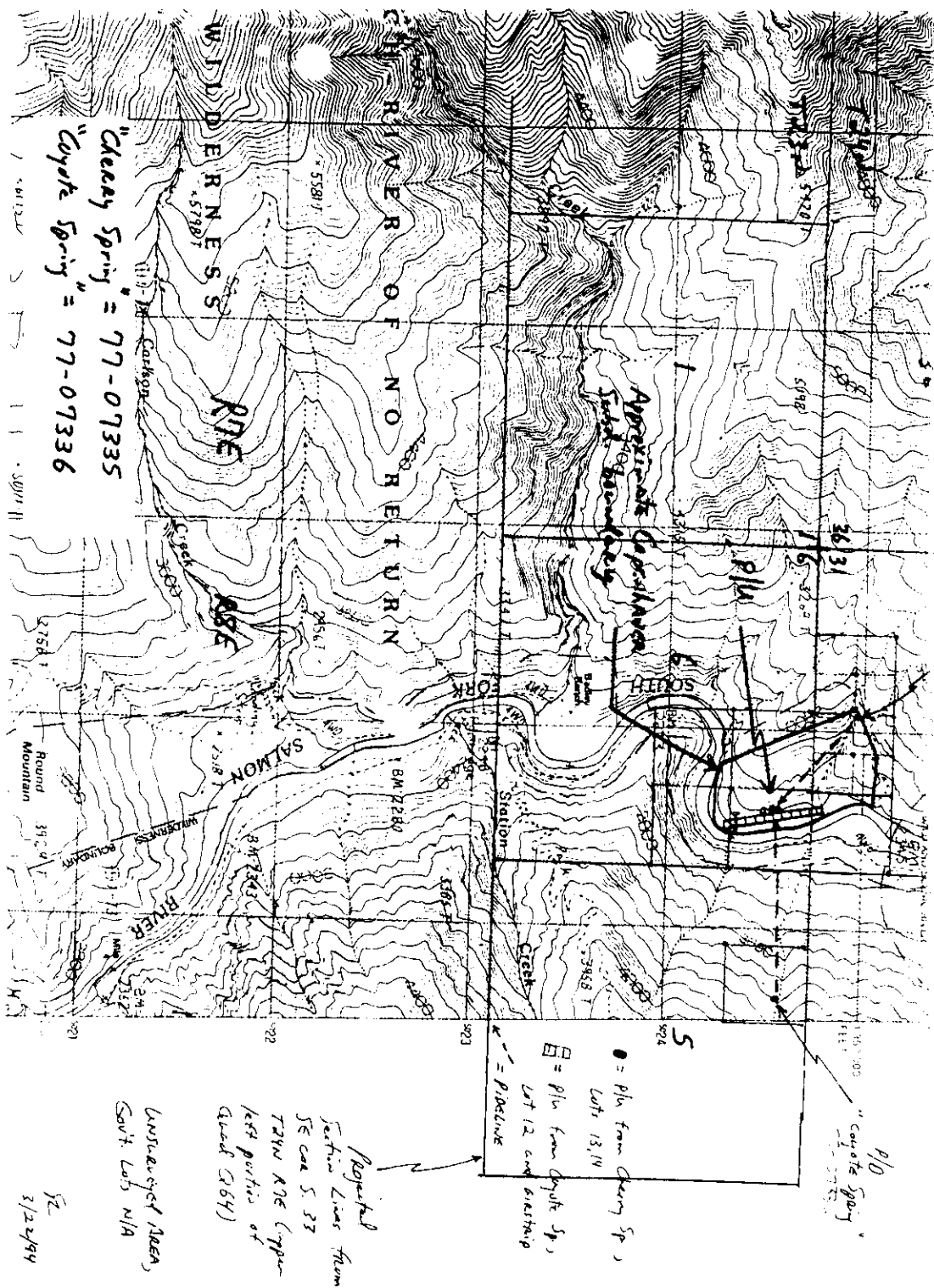
This is an unsurveyed area. Gov't lots do not apply. Subdivision plat shows some information relating to H.E.S. data but cannot be correlated to a gov't. lot plat. The original application was prepared in-office on 3/21/94 per applicant's information and per best estimate from Payette Nat'l. Forest map. Subsequent staff work allowed a more refined estimate of legal description based on projecting sections lines from nearest known lines several miles to the west of site in question. The corrected legals were affirmed by applicant's wife, Alberta Smith, per 3/22/94 telephn. conversation (she accompanied applicant in office visit on 3/21). This area is adjacent to the Frank Church Wilderness and Salmon River Wild & Scenic River boundaries.

Applicant stated that spring sinks about 50 yards from its origin and therefore requests exemption from moratorium. Item 4, page 2, of Amended Order identifies "Salmon ...River...and tributaries" as within the moratorium. The proximity of the spring to an unnamed stream clearly tributary to So. Fk. Salmon River suggests that the spring may indeed be tributary, but we have no definite knowledge one way or another. If the spring is considered trib., the application could be split into approvable & hold portions where D/2 plus up to 1 acre could be approved as an exemption & the hold portion would be subject to additional moratorium review.

The map & moratorium comments in this application also apply to applicant's other filing, 77-07336, which will serve a home in Lot 12 plus irrigation of an airstrip.

Audit: 03/22/94 LESTER 04/21/94 TAYLOR 11/23/94 STAYLOR 12/02/94 CZIMMERM  
12/06/94 CZIMMERM 05/24/95 RLOVEALL 01/07/97 JJOHNSON

*Relinquished 11/95  
-82 8/1/97*





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

**JANUARY 28, 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 FEBRUARY 23, 1998.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Sue'.

SUE TAYLOR  
Secretary/Office Coordinator

Encl.

RECEIVED

JAN 28 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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

JUL 09 1935

77-07362

DODGE, ROBERT S  
PO BOX 209  
MC CALL, ID 83638

Source: SALMON RIVER, SOUTH FORK      Tributary: SALMON RIVER

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

Use: DOMESTIC                      (                      0.060 CFS)  
Total Diversion: (                      0.060 CFS)

Date Filed: 7/ 2/1997

In: IDAHO County  
T23N R08E S06                      NENE

870 80 123

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 FEBRUARY 23, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 2/ 4/1998 & 2/11/1998

6-1-98  
JAN 19 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

JULY 31, 1997

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 AUGUST 25, 1997.

Yours truly,

SUE TAYLOR  
Secretary/Office Coordinator

Encl.

**NOTICE OF APPLICATION FOR WATER RIGHT**

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

77-07362

DODGE, ROBERT S  
PO BOX 209  
MC CALL, ID 83638

Source: SALMON RIVER, SOUTH FORK      Tributary: SALMON RIVER

Diversión Pt:                      NENE      Sec 6 T 23N R 08E in IDAHO County.

Use: DOMESTIC                      (                      0.060 CFS)  
Total Diversión: (                      0.060 CFS)

Date Filed: 7/ 2/1997

In: IDAHO County  
T23N R08E S06                      NENE

Place of use known as Lots 12, 13, and 14, Copenhaver  
Subdivision.

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 AUGUST 25, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 8/ 6/1997 & 8/13/1997