

Enlargement from
Allison Creek Quadrangle
Idaho - Lemhi County

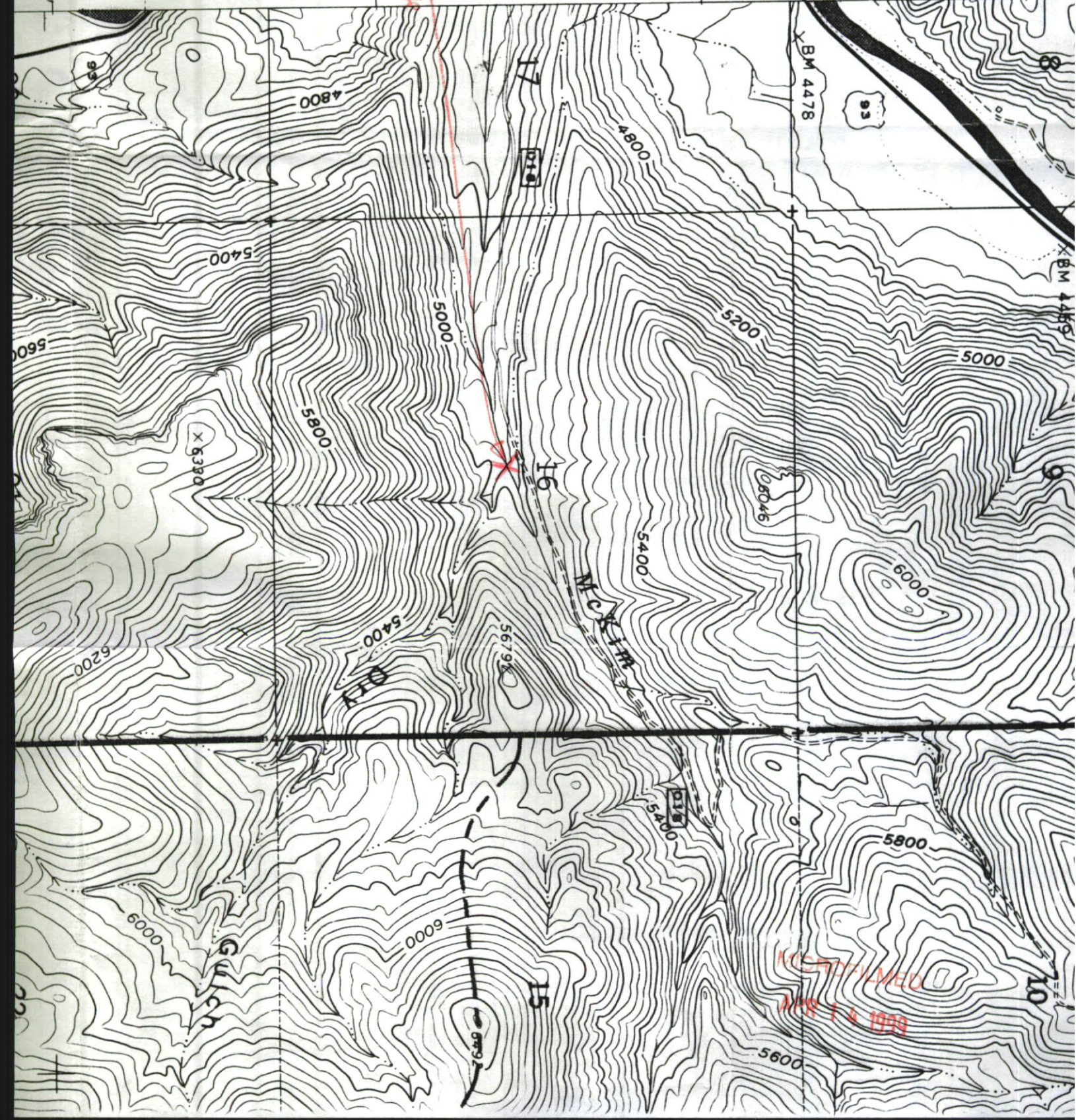
approximate
location
of
diversion
point.

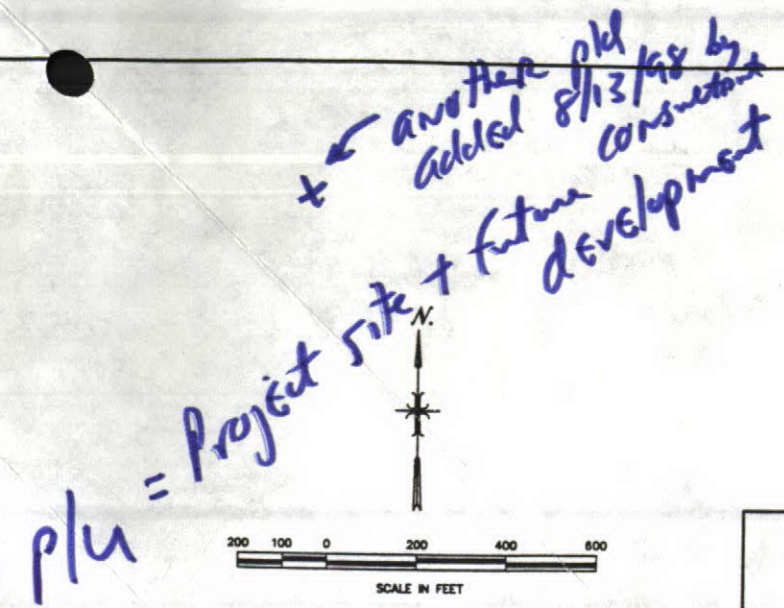
T17N
R21E
S16

(303-4 1)
(HAT CREEK)

CHALLIS 29.8 MI.

47'30"

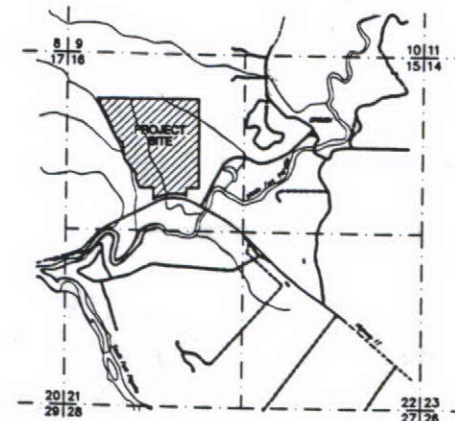




-√ 8/13/98

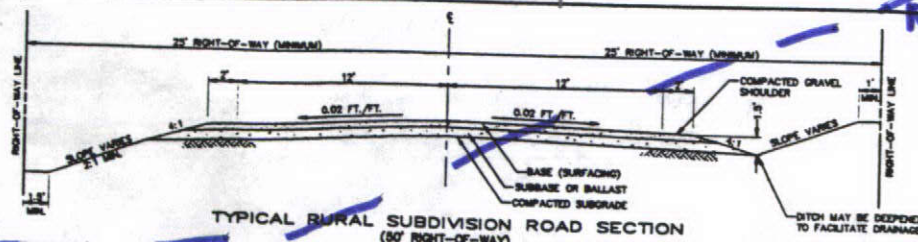
Same plan as 65-13703
(Surface water permit)

CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BRG
1	41° 06' 59"	1260.00	904.19	884.92	472.55	N 83° 44' 29" E
2	3° 38' 19"	100.00	6.35	6.35	3.18	S 87° 54' 21" W
3	58° 41' 56"	100.00	102.45	98.03	56.23	N 64° 33' 50" W
4	54° 26' 58"	100.00	95.03	91.50	51.45	N 62° 26' 21" W
5	76° 26' 07"	200.00	266.81	247.46	157.48	N 51° 26' 47" W
6	46° 47' 20"	200.00	163.32	158.82	86.52	N 30° 47' 53" W
7	16° 13' 41"	200.00	56.65	56.46	28.51	N 46° 04' 42" W
8	58° 54' 59"	60.00	59.60	57.18	32.92	N 66° 25' 21" W



VICINITY MAP
SECTION 16, T.9N., R.4E., B.M., BOISE COUNTY, IDAHO
N.T.S.

no gov't lots 5.16



Bolnisi follows here

LEGEND

—————	BOUNDARY LINE
—————	LOT LINE
— · — · —	CENTERLINE
- - - - -	ROAD RIGHT-OF-WAY (EASEMENT LINE)
=====	EXISTING ROADWAYS
~~~~~	EXISTING CREEK
~~~~~ 50' ~~~~~	EXISTING 40' CONTOUR
~~~~~ 200' ~~~~~	EXISTING 200' CONTOUR

TOTAL ACRES: 145.61±  
TOTAL BUILDABLE LOTS: 50  
50' PRIVATE ROADS (EASEMENTS)  
GRAVEL ROAD SECTION  
MINIMUM LOT SIZE: 2.0 ACRES  
DENSITY: 0.30 DU/AC

**NOTE:** ALL LOTS WILL HAVE INDIVIDUAL SEPTIC SYSTEMS AND WELLS. SUBDIVISION WILL BE SUBJECT TO RESTRICTIVE COVENANTS.

**DEVELOPER:**  
TRIPLE RIDGE  
6036 WINSTEAD PLACE  
BOISE, ID 83704

REVISION : BY

**BRIGGS ENGINEERING, INC.**



(208) 344-9700  
1111 S. ORCHARD, SUITE 600 • BOISE, IDAHO 83705

MOUNTAIN SHADOWS  
SUBDIVISION NO. 1

SUBDIVISION NO. 1

PRELIMINARY PLAT

DWG NO	SCALE:
--------	--------

OWG NO

ONG DATE:

SHEET : 1 OF 1

PRE

DATE	PROJECT	NO.	2000
Base map copied from permit 65-13703 file			

65-13800

**NOTICE OF APPLICATION FOR  
WATER RIGHT**

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

75-07657

HAILEY, DAVID

650 E 200 N

RICHMOND, UT 84333

Source: MCKIM CREEK

Tributary: SALMON RIVER

Diversion Pt: NENESW Sec 16 T  
17N R 21E in LEMHI County.

Use: DOMESTIC (0.020 CFS)

Total Diversion: (0.020 CFS)

Date Filed: 9/25/1998

In: LEMHI County

T17NR21E S16 NESW

Any protest against the proposed  
application must be filed with the De-  
partment of Water Resources, 900 N  
Skyline Dr., Ste A, Idaho Falls, ID,  
83402, together with a protest fee of  
\$25.00 on or before NOVEMBER 2,  
1998 to be considered by the Depart-  
ment in its decision to grant or deny  
any part of the proposed application.  
The protestant must also send a copy  
of the protest to the applicant.

KARL J. DREHER, Director

Published: 10/15/1998 & 10/22/1998

10-15-2/

# Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (print-  
ers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho,  
and of general circulation therein. That the IDAHO DEPT OF WATER NOTICE OF WATER

RIGHT

a true printed copy of which is attached to the margin hereof, has been and was correctly printed  
and published in the regular and entire issue of every number of said newspaper and not in any  
supplement thereof or thereto for Two (2) consecutive issues, commencing with the  
issue dated 10-15-1998 and ending with the issue dated 10-22-1998.

STATE OF IDAHO

County of Lemhi

ss.

On this 22nd day of October in this year of 1998 before me, A Notary Public, person-  
ally appeared RICKY G. HODGES, 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 state-  
ments therein are true, and acknowledged to me that he executed the same.

*Sheila K. Hodges*

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-2001

Publication Fee \$ 42.24

Account No. 630

RECEIVED

NOV 09 1998

Department of Water Resources  
Eastern Region

MICROFILMED

APR 14 1999

RECEIVED  
OCT 05 1999  
Department of Water Resources

**STATE OF IDAHO**  
**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 who has been appointed by the department.

1. Permit No. 75-07657 Telephone No. 435 258 5452
2. Name(s) of Permit Holder(s): DAVID ~~AND~~ HAILEY
3. Mailing Address: 650 E ZOO LN - Richmond UT 84333
4. Source of Water: McKin Creek If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
- a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____
- b. **OPTIONAL:**  
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
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: 0. - 0.2 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)
- |                               |                                          |           |    |                                        |
|-------------------------------|------------------------------------------|-----------|----|----------------------------------------|
| <b>Measuring Device:</b>      | Is a measuring device required?          | Yes _____ | or | No <input checked="" type="checkbox"/> |
|                               | Has the measuring device been installed? | Yes _____ | or | No _____                               |
| <b>Flow Measurement Port:</b> | Is a flow measurement port required?     | Yes _____ | or | No <input checked="" type="checkbox"/> |
|                               | Has the measurement port been installed? | Yes _____ | or | No _____                               |
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: DAVID HALEY Telephone Number: 435 258 5452  
Address: 650 E 200 N Richmond UT 84333

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:**

  
(include your title, if on behalf of com

Date: 9-25-99

JAN 31 2000

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 75-07657

Proposed Priority: September 25, 1998 Maximum Diversion Rate: 0.02 CFS

This is to certify, that DAVID HAILEY

650 E 200 N

RICHMOND UT 84333

has applied for a permit to appropriate water from:

MC KIM CREEK

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

0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 16, Township 17N, Range 21E  
LEMHI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

17N 21E 16

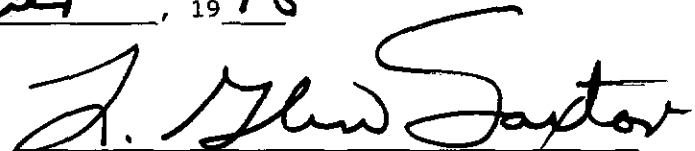
NESW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 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. Point of diversion and place of use are located within Lot 17, Blk. 3, Salmon River Country Estates.
5. Domestic use is for 1 home.

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

17th day of November, 1998

  
for  
Karl J. Dreher, Director

MICROFILMED

APR 14 1999

Ident. No. 75-071657STATE OF IDAHO  
OF WATER RESOURCES

RECEIVED

## APPLICATION FOR PERMIT NOV 12 1998

To appropriate the public waters of the State of Idaho Department of Water Resources

1. Name of Applicant DAVID HAILEY Phone 435 258 5452  
Mailing address 650 E 200 N Richmond UT 84333
2. Source of water supply McKim Creek which is a tributary of Salmon River
3. Location of point of diversion is Township T17N Range R21E Sec. 16 in the NE 1/4.  
NE 1/4, SW 1/4, Govt Lot 17(3), B.M. Lemhi County;  
additional points of diversion if any: none
4. Water will be used for the following purposes:  
Amount 0.02 cfs for domestic purposes from Jan 1 to Dec 31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)  
(cfs or acre-feet per annum)  
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) 0.02 cfs 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 small pump  
run by generator connected to a hose.  
b. Height of storage dam none 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. 1 household  
e. Other; describe fully. _____

MICROFILMED

APR 14 1999

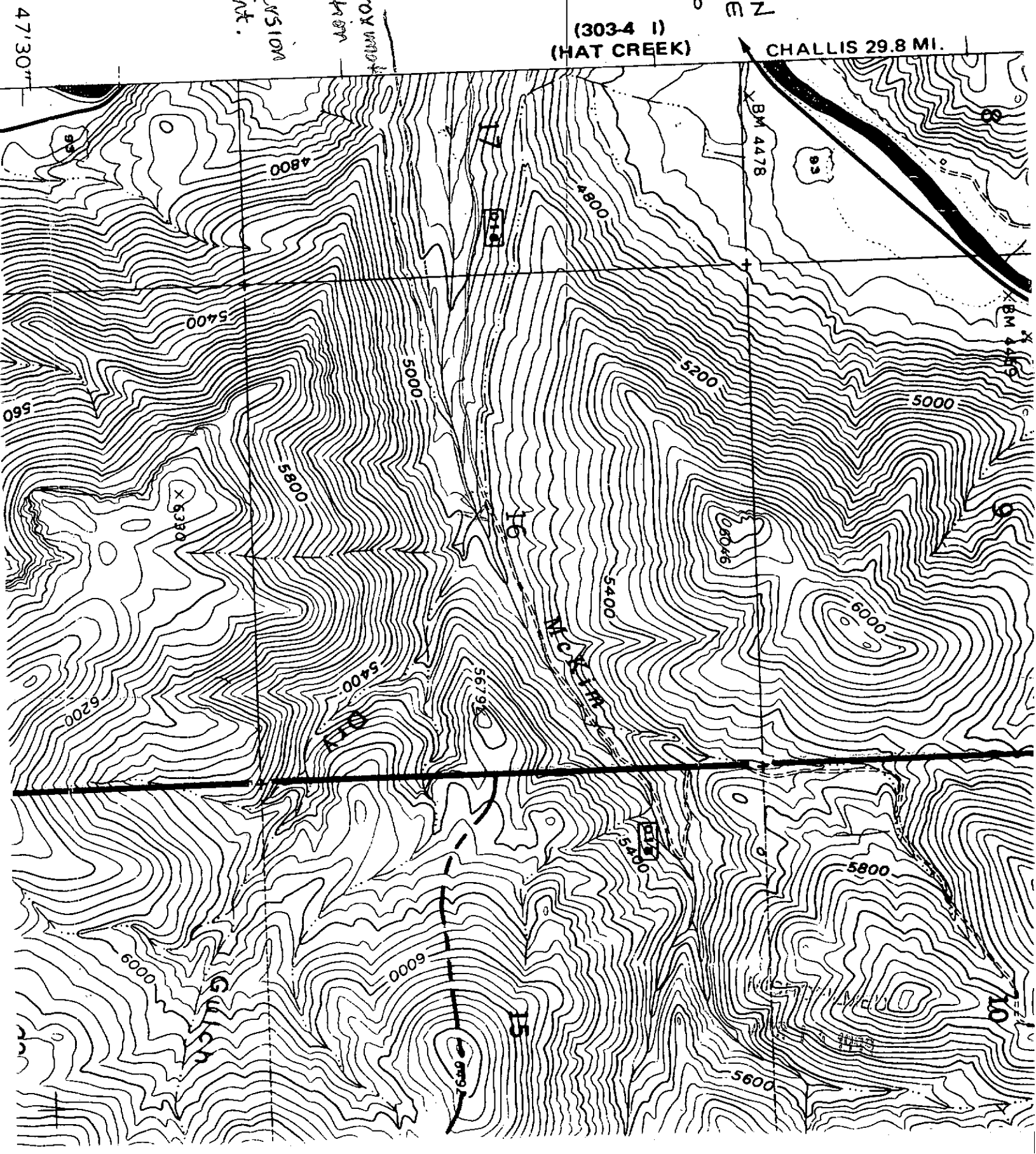
Enlargement from  
Allison Creek Quadrangle  
Idaho - Lemhi County

approximate  
location  
of  
diversion  
point.

T17N  
R24E  
S16

(3034 1)  
(HAT CREEK)

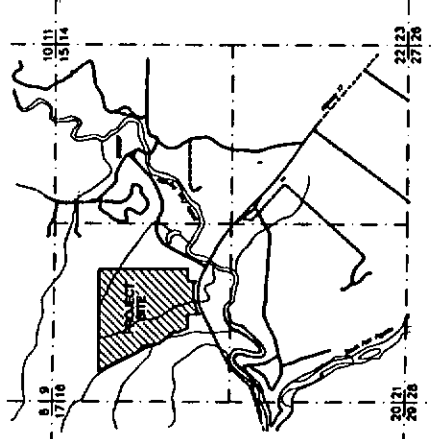
CHALLIS 29.8 MI.



Base map copied from point 65-13703 file

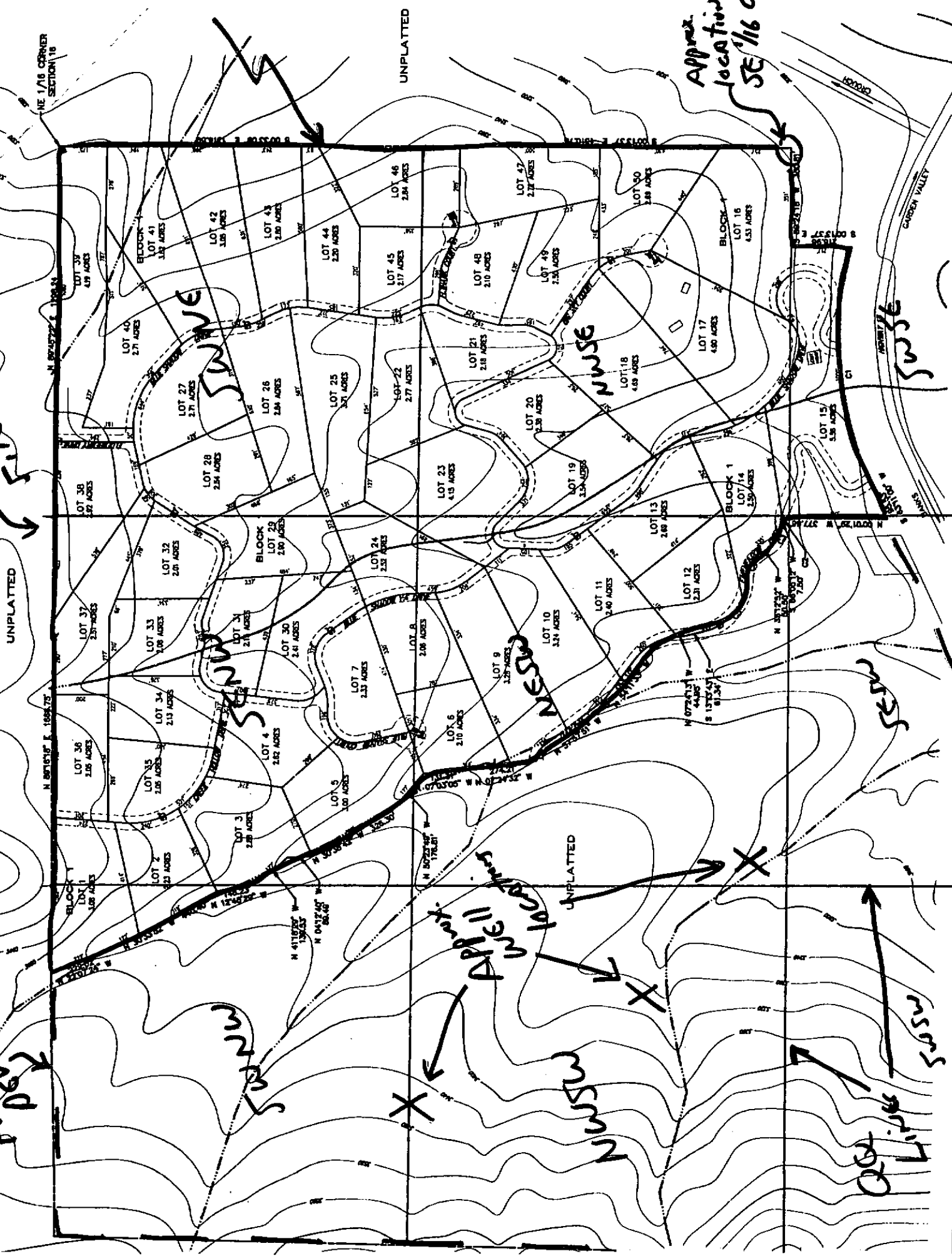
PRE 1 OF 1 10-PRC 1000	DATE: 08/08/96 LUNA DWM NO 960417-PRE SCALE: 1" = 300'	
	MOUNTAIN SHADOWS SUBDIVISION NO. 1 PRELIMINARY PLAT	
BRIGGS ENGINEERING, INC.  1111 S. ORCHARD, SUITE 600 • BOISE, IDAHO 83705 (208) 344-8700 (These drawings or any portion thereof shall not be used on any project or extension of this project except by written permission from Briggs Engineering, Inc.)		
NORTH 48	DEVELOPER: TRIPLE RIDGE 6038 WHISTLEAD PLACE BOISE, ID 83704 SIGNATURE OF DEVELOPER: _____	

CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD	20' CHORD
1	41° 06' 39"	1260.00	504.19	584.92	472.55	N 83° 44' 20" E
2	3° 30' 18"	100.00	6.35	6.35	3.16	S 87° 54' 21" W
3	55° 41' 56"	100.00	102.45	98.03	56.23	N 64° 33' 50" W
4	54° 26' 58"	100.00	95.03	91.50	51.45	N 62° 26' 21" W
5	76° 26' 07"	200.00	266.81	247.46	157.48	N 51° 26' 47" W
6	46° 47' 20"	200.00	163.32	156.82	86.52	N 30° 43' 47" W
7	16° 13' 41"	200.00	56.65	56.48	28.31	N 68° 45' 42" E
8	56° 54' 59"	60.00	59.60	57.18	32.52	N 48° 25' 21" W



**VICINITY MAP**  
SECTION 16, T.9N., R.4E., E.4M., BOISE COUNTY, IDAHO

no gift lots 5.16



SITE DATA

TOTAL ACRES: 145.61±  
TOTAL BUILDABLE LOTS: 50  
50' PRIVATE ROADS (EASEMENTS)  
GRAVEL ROAD SECTION  
MINIMUM LOT SIZE: 2.0 ACRES  
DENSITY: 0.30 DU/AC

**NOTE: ALL LOTS WILL HAVE INDIVIDUAL SEPTIC SYSTEMS AND WELLS. SUBDIVISION WILL BE SUBJECT TO RESTRICTIVE COVENANTS**

### LEGEND

BOUNDARY LINE  
LOT LINE  
CENTERLINE  
ROAD RIGHT-OF-WAY  
EXISTING ROADWAY  
EXISTING DRAIN  
EXISTING 40' CO  
EXISTING 200' CO

**TYPICAL ~~BURIAL~~ SUBDIVISION ROAD SECTION**

K, Approx 5w cor

## 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	
17N	21E	16									D								

Total number of acres to be irrigated none

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

11. a. Who owns the property at the point of diversion? DAVID & CHRISTINE HAILEY Applicants

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

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:

We have a seasonal use cabin on the McKim.  
We would like to have access to the creek for  
domestic water use. The cabin is located in  
Lot 17, Block 3, Salmon River Country Estates,  
Lemhi County, Idaho

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township &amp; range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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



Signature of Applicant (and wife, if applicable)

Received by AD Date 9-23-98 Time 1:19 PM Preliminary check by   
 Fee \$ 50.00 Received by AD # E024484 Date 9-25-1998  
 Publication prepared by SC Date 10-15-98 10-22-98 Published in Recorder Herald  
 Publication approved SC Date 11/1/98

MICROFILMED

APR 14 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

January 13, 2000

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

DAVID HAILEY  
650 E 200 N  
RICHMOND UT 84333

**PROOF ACKNOWLEDGMENT LETTER**

**RE: PERMIT NO. 75-07657**

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

If you have questions concerning the field examination, please contact the **EASTERN** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Kari Lynn Townsend  
Secretary

c: IDWR - Regional Office

**MICROFILMED**

**JAN 31 2000**

ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE

Permit No. 75-07657 Reviewed by WJA Date 1-11-00

GENERAL CONSIDERATIONS

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

TYPES OF USE

Dom - 1  
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

       Required?

       Installed?

       Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>      </u>	<u>      </u>
Date proof due	<u>      </u>	<u>      </u>
No. of days late	<u>      </u>	<u>      </u>
Priority Date	<u>      </u>	<u>      </u>
New Priority Date	<u>      </u>	<u>      </u>

DEFICIENCIES OR ACTION ITEMS

OK - action proof

DATA ENTRY

New Address       

Proof Made 10-05-99

August 31, 1999

DAVID HAILEY  
650 E 200 N  
RICHMOND UT 84333

PROOF DUE NOTICE

RE: PERMIT NO. 75-07657

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 November 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.

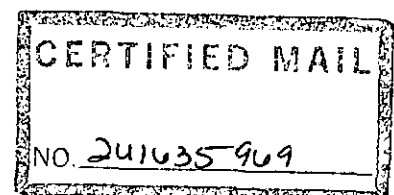
SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

MICROFILMED

JAN 31 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

November 17, 1998

PHILIP E. BATT  
GOVERNOR

DAVID HAILEY  
650 E 200 N  
RICHMOND UT 84333

KARL J. DREHER  
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 75-07657

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

RECEIVED

APR 14 1999

SK:klt

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of November, 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. 75-07657

DAVID HAILEY  
650 E 200 N  
RICHMOND UT 84333

  
Kari Lynn Townsend  
Secretary

MICROFILMED

APR 14 1999

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

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

### PETITION FOR RECONSIDERATION

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

### EXCEPTIONS AND BRIEFS

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

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

### ORAL ARGUMENT

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

### 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.

# APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by

Cindy

No.: 15-07657 Name: Hailey Date: 11/13/98 Ad OK? / / Gvmt Lts: /

## AREA OF CONCERN:

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

## SYSTEM COMPLETED:

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

## GROUNDWATER: (✓ FLO-CH)

## WMD (✓ MAP)

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

## WMD Supplemental use

- > 0.24 cfs/5 acres - 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)
- ≤ 0.24 cfs/5 acres - 01M (report when notified)
- No MD

## DRILLING PERMIT:

## All wells (✓ WDQ3)

## In Basin 34?

## Irr. within WD

- 046-P23
- 085
- P05 (new well location)

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

## FISH &amp; GAME CONTACTED:

## IN/ABOVE MIN. STR. FLOW (✓ MAP)

## WD (✓ MAP &amp; LISTING)

## &gt; 0.10 cfs

## ≤ 0.10 cfs

## WMD (✓ MAP)

## &gt; 0.24 cfs/5 acres

## ≤ 0.24 cfs/5 acres

- Yes / No; RESPONSE: None
- *WB9 No
- R04 (WD #         )
- 01J-P08 (MD & LD)
- 01H-P01 (LD), 01P or No MD (in-stream stock)

- 067 or No MD (in-stream stock or power)
- No MD

## SPRINGS/SINK, INACTIVE WD &amp; REST OF STATE

## &gt; 0.24 cfs/5 acres

## ≤ 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)
- No MD

## RIVER BASINS: (*Surface water):

## Snake R (01)

## (02/03-irr)

## Payette R(65)

## Salmon R (70's)

## Weiser R (67)

- *W22 -P04, NA
- 007 (w/ remark *WB9 if above Weiser), NA
- *W22 (regulated uses), 047-P04 (Payette Lake), NA
- 029 (fish screens), NA
- 086, 087

## USE:

## Domestic surface

## &gt;1 in rest. area

## Fire Protection

## Fish Propagation

## Heating/Cooling

## Irr ≤ 5 acres

## &gt; 5 acres

## Mining

## Municipal

## Power

## Stockwater

## Storage (✓3 compo.)

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- 071-070
- 077
- 029(70's only)-007-042(req)-081 (WQ)-P10
- R07 (injection well)
- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- 054(req) -081-P10
- 022, 075, 004 (+memo?), NA (not in restricted area)
- 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
- R37 (BLM/USFS); NA
- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

## LOCATION:

## 42-248 area

## Boise Front LoGeo

## In-stream dev.

## Mitigation

## SWAN FALLS FLAG (See Code Chart)

## Trust

## Non-Trust (1)

- P84 in 20/30/40/50/60/70/80 (87) basin
- 058 (<85° GW temp only)
- P52 stream channel alteration
- 120

## OWNERSHIP:

## OTHER CONDITIONS:

## STANDARD REMARKS:

## BENEFICIAL USE DUE:

## COMMENTS:

- 051-052-053-P74 (Consumptive Uses), NA
- 048-049 (Consumptive Uses), NA
- 004 (PD/PU)

059/60/117.03, Salmon R. Conting. Est. ② 001/1  
11/1/ 1999

RECEIVED

NOV 12 1998

DEPARTMENT OF WATER RESOURCES

Sand Copy To Dept Game  
in Salmon + BLM

Dist. for staffing  
Submitted for advertising

9-28-98

Form No. 202  
4/87

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATIONS FOR PERMIT ANALYSIS PERMIT

INITIAL REVIEW BY AWJ DATE 9-28-98 APPLICATION NO. 75-07657

RECEIVED  
NOV 12 1998

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)  
☒ Address  
☒ Source (See USGS Quad for names of water sources)  
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)  
☒ 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  
☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)  
☒ Fee  
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)  
☐ Overlapping point of diversion  
☐ Yes ☐ No Field check required  
☐ Field check by _____  
☐ Yes ☐ No Field report attached  
☐ Yes ☐ No Critical groundwater area  
☐ Yes ☐ No Groundwater management area  
☐ Yes ☐ No Send dam safety information  
☐ Yes ☐ No Send power requirement letter  
☐ Yes ☐ No Send fish farm requirement letter  
☐ Yes ☐ No Power residency affidavit  
☐ Yes ☐ No Power efficiency form  
☐ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)  
☐ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)  
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

Date Requested _____

PROCESSING

☒ Yes ☒ No In form for advertising  
☒ Yes ☒ No Statewide advertising  
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare  
☒ Idaho Dept. of Fish & Game *Salmon*  
☐ Idaho Dept. of Lands *sent 10/9/98*  
☐ Adjudication Bureau Unit

☒ U.S. BLM *Salmon*  
☐ U.S. Forest Service  
☐ Water District  
☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received  
☒ Yes ☐ No Application published correctly. If not, record action taken _____

☒ Yes ☐ No Publication dates & paper, recorded on application  
☐ Yes ☒ No Protests received  
Final date for protest _____  
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application  
☐ Yes ☐ No Recommendations attached  
☐ Yes ☐ No Measuring device required  
☐ Yes ☐ No Access port required  
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. _____  
☐ Yes ☐ No Special conditions of approval or cover letter below.

Date of priority recommended 9-23-1998  
By: [Signature] Date: 11-9-1998  
STATE OFFICE REVIEW

By _____ Date: _____  
ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

_____ City	_____ Idaho Fish & Game	_____ Irrigation Dist.
_____ County	_____ Idaho Health & Welfare	_____ Canal Company
_____ Reservations	_____ Div. of Environment	_____ Other _____

## Project impacts/implications report

COMMENTS

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slightly textured appearance and some minor discoloration or shadows, suggesting it's a scan of a physical document. There is no handwriting or printed text on the page.

**NOTICE OF APPLICATION FOR  
WATER RIGHT**

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

75-07657

HAILEY, DAVID

650 E 200 N

RICHMOND, UT 84333

Source: MCKIM CREEK

Tributary: SALMON RIVER

Diversion Pt: NENESW Sec 16-T

17N R 21E in LEMHI County.

Use: DOMESTIC (0.020 CFS)

Total Diversion: (0.020 CFS)

Date Filed: 9/25/1998

In: LEMHI County

T17N R21E S16 NESW

Any protest against the proposed  
application must be filed with the De-  
partment of Water Resources, 900 N  
Skyline Dr., Ste A, Idaho Falls, ID,  
83402, together with a protest fee of  
\$25.00 on or before NOVEMBER 2,  
1998 to be considered by the Depart-  
ment in its decision to grant or deny  
any part of the proposed application.  
The protestant must also send a copy  
of the protest to the applicant.

KARL J. DREHER, Director  
Published: 10/15/1998 & 10/22/1998

10-15-2

**Affidavit of Publication**

STATE OF IDAHO

County of Lemhi

ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (print-  
ers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho,  
and of general circulation therein. That the IDAHO DEPT OF WATER NOTICE OF WATER  
RIGHT

a true printed copy of which is attached to the margin hereof, has been and was correctly printed  
and published in the regular and entire issue of every number of said newspaper and not in any  
supplement thereof or thereto for Two (2) consecutive issues, commencing with the  
issue dated 10-15-1998 and ending with the issue dated 10-22-1998

STATE OF IDAHO

County of Lemhi

ss.

On this 22nd day of October in this year of 1998 before me, A Notary Public, person-  
ally appeared RICKY G. HODGES, 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 state-  
ments therein are true, and acknowledged to me that he executed the same.

*Sheila K. Hodges*

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-2001

Publication Fee \$ 42.24

Account No. 630

MICROFILMED

APR 14 1999

RECEIVED

NOV 09 1998

Department of Water Resources  
Eastern Region



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT  
GOVERNOR

October 9, 1998

KARL J. DREHER  
DIRECTOR

DAVID HAILEY  
650 E 200 N  
RICHMOND UT 84333

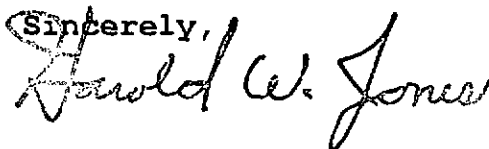
RE: Application for Application #75-07657

Dear Applicant:

This office is currently in the process of advertising the application in the Recorder Herald on October 15 and 22, 1998. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,  


Harold W. Jones  
Water Right Supervisor

HWJ::sc

MICROFILMED

APR 14 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

OCTOBER 8, 1998

Legal Notices Department  
RECORDER-HERALD  
P.O. BOX 310  
SALMON, ID 83467

Gentlemen:

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.

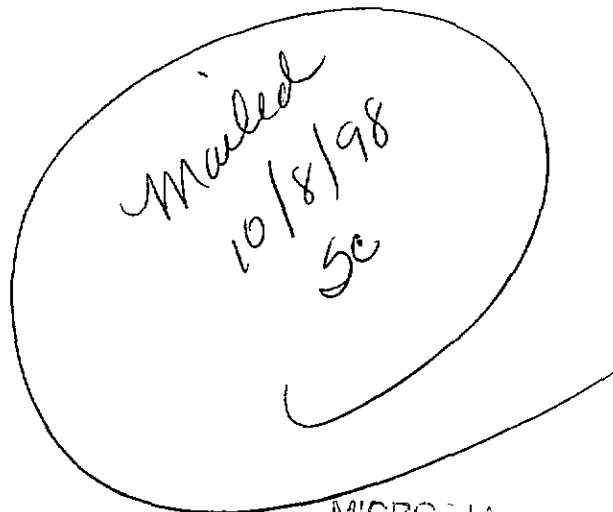
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 2, 1998.

Yours truly,

Sharla Cox  
Secretary

Encl.



MICROFILM

APR 14 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

75-07657

HAILEY, DAVID  
650 E 200 N  
RICHMOND, UT 84333

Source: MCKIM CREEK

Tributary: SALMON RIVER

Diversion Pt: NENESW Sec 16 T 17N R 21E in LEMHI County.

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

Date Filed: 9/25/1998

In: LEMHI County  
T17N R21E S16 NESW

---

Any protest against the proposed application must be filed with the Department of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls, ID, 83402, together with a protest fee of \$25.00 on or before NOVEMBER 2, 1998. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

Published: 10/15/1998 & 10/22/1998

KARL J. DREHER, Director

MICROFILMED

APR 14 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

October 8, 1998

ID DEPT OF FISH & GAME  
PO BOX 1336  
SALMON ID 83467

RE: Application for Permit No. 75-07657

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is Nov 2, 1998, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

Harold W. Jones  
Water Right Supervisor

HWJ:sc  
enc.

MICROFILMED

APR 14 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

October 8, 1998

BLM - SALMON  
RR2 BOX 610  
SALMON ID 83467-9812

RE: Application for Permit No. 75-07657

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is Nov 2, 1998, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

Harold W. Jones  
Water Right Supervisor

HWJ:sc  
enc.

MICROFILMED

APR 14 1999