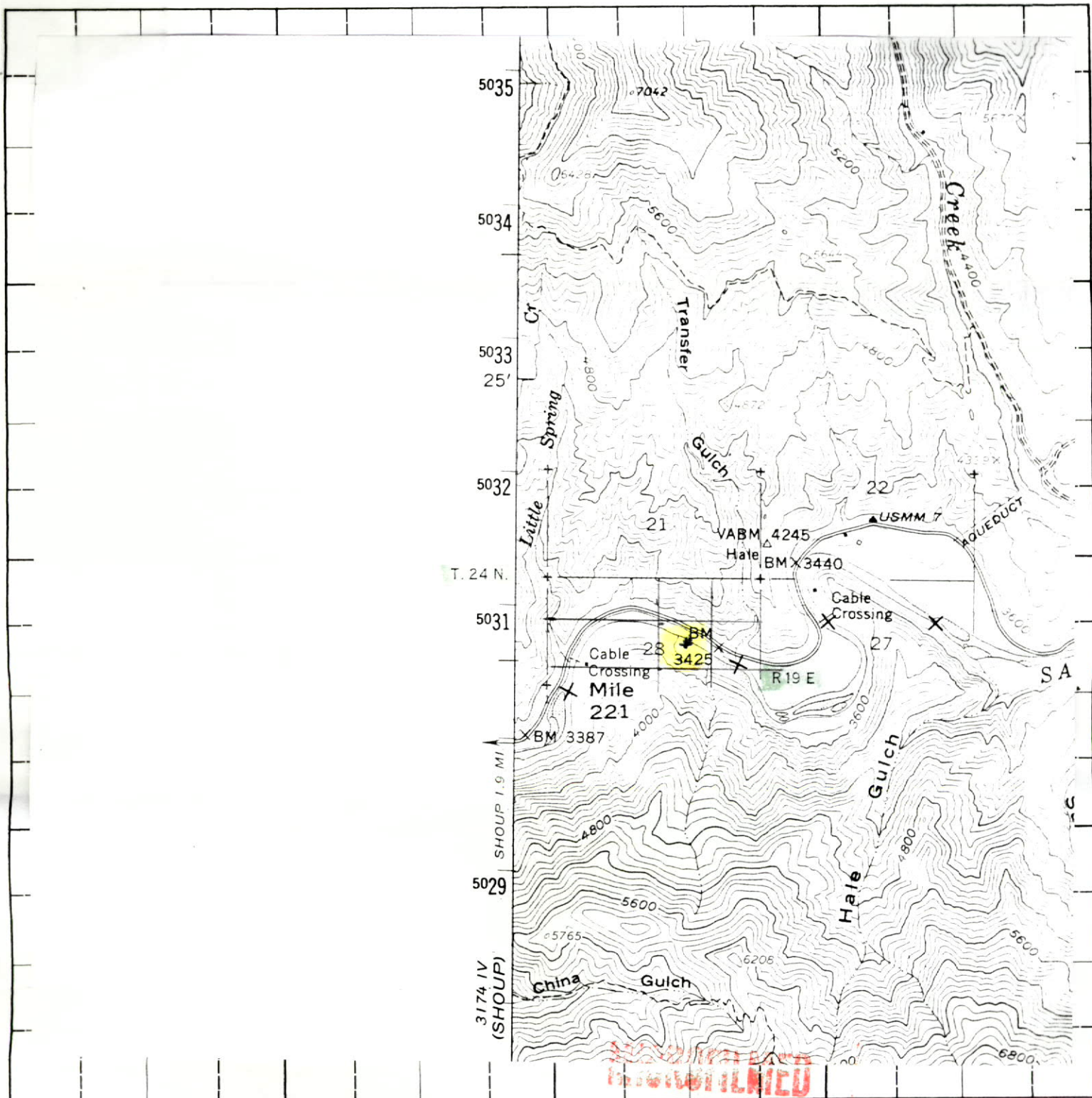


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

JAN 17 1991

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

x *Betty K. Marlison*
(Applicant)

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

OCT 25 1990

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION No. 75-7536

NOTICE IS HEREBY GIVEN, that Application No. 75-7536 in the name of BETTY K. MARTINSON was advertised incorrectly on SEPTEMBER 6 and 13, 1990. The PLACE OF USE was advertised as being in T24N, R19E, S28, SWN.

WHEREAS, the actual PLACE OF USE is in T24N, R19E, S28, SWNE.

Any protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401, on or before OCTOBER 22, 1990.

R. KEITH HIGGINSON
DIRECTOR

Published in the RECORDER-HERALD on OCTOBER 4 and 11, 1990.

10-4-2tc

MICROFILMED

RICKY G. HODGES

being first duly sworn, deposes and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Correction- No. 75-7536

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 2 consecutive issues, commencing with the issue dated Oct. 4, 1990 and ending with the issue dated Oct. 11, 1990.

STATE OF IDAHO

COUNTY OF LEMHI

ss.

On this eleventh day of October in the year of 1990 before me, A Notary Public, personally appeared 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 Salmon, Idaho

28.08

Publication Fee \$

My Commission expires: 9-21-95

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 75-07536

Proposed Priority: June 18, 1990 Maximum Diversion Rate: 0.02 CFS

This is to certify, that BETTY K. MARTINSON
RT. 2 BOX 108
NORTH FORK, ID 83466

has applied for a permit to appropriate water from:

SALMON RIVER

tributary of SNAKE RIVER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 11/01

0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNE Sec. 28, Township 24N, Range 19E
LEMHI County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

24N 19E 28

SWNE 0.5

0.5

Total number of acres irrigated:

0.5

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1992.
2. Subject to all prior water rights.

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

31st day of December, 1990.

for 
R. Keith Higginson, Director

MICROFILMED

JAN 17 1991

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Betty K. Martinson Phone N.A.

Post office address Rt. 2 Box 108, North Fork, ID 83466

2. Source of water supply Salmon River which is a tributary of Snake River

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot Sec. 28 Township 24N Range 19E B.M. Lemhi County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.02cfs for Irrigation purposes from 4-1 to 11-1 (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 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 10 H.P. BRIGGS AND STATION PUMP, UNCOVERED - TO BE USED FOR WATERING SMALL GARDEN AND UP TO 1/2 acre.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

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

d. Is ground water with a temperature of greater than 90°F being sought? _____

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

MICROFILMED

JAN 17 1991

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
24N	19E	28			0.5														0.5

Total number of acres to be irrigated 0.5

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

11. a. Who owns the property at the point of diversion? BETTY K. MARTINSON AND

b. Who owns the land to be irrigated or place of use? OR MARK C. KERNS

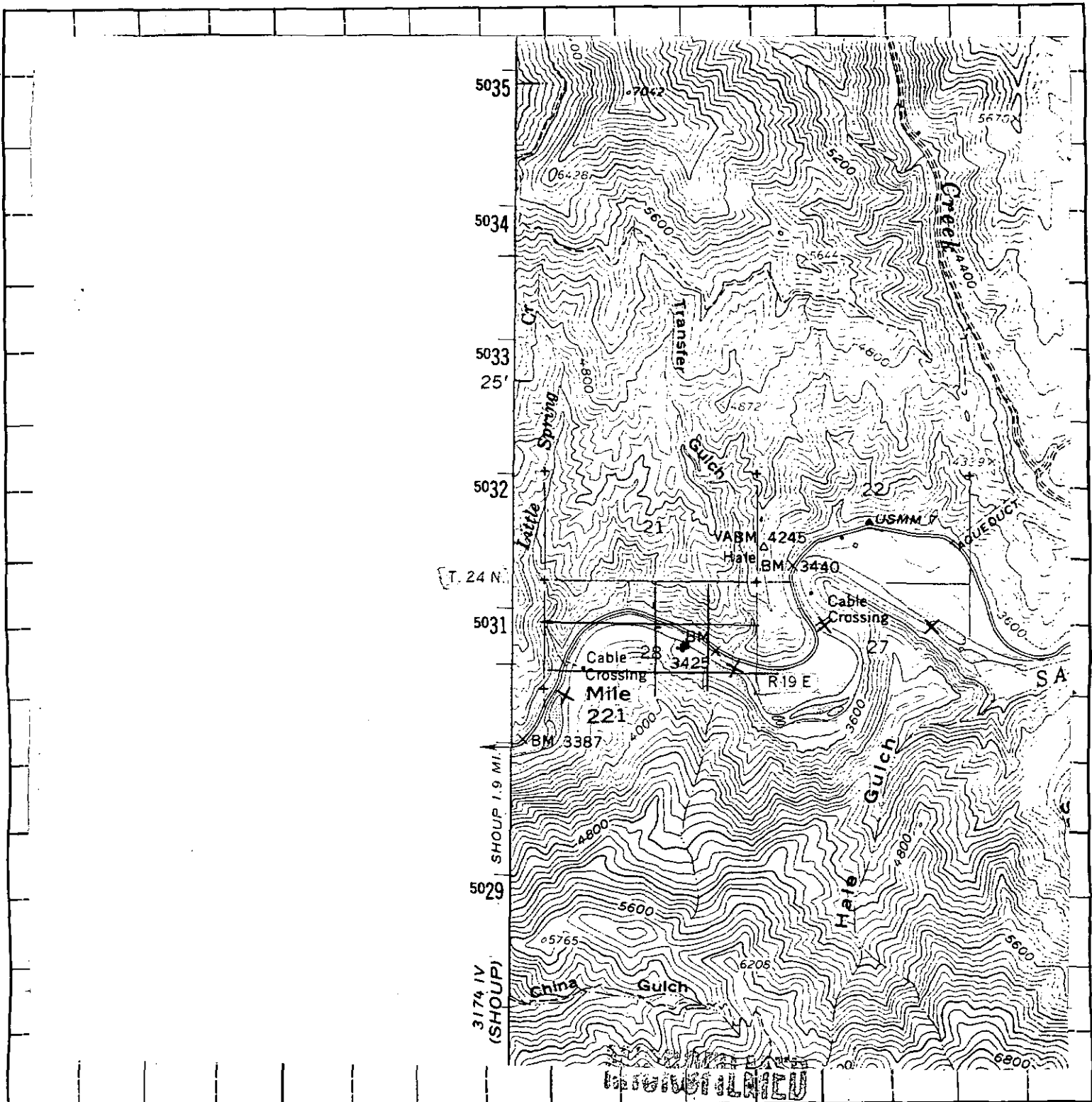
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: LESS THAN 2500 GALLONS PER
DAY WILL BE USED

RECEIVED
JAN 17 1991

JAN 17 1991

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



Scale: 2 inches equal 1 mile.

JAN 17 1991

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

Betty K. Marlison
(Applicant)

Received by HWT Date 6-18-90 Time 3:27 pm Preliminary check by _____
Fee \$ 30.00 Received by HWT # E014857 Date 6-18-90
Publication prepared by LB Date 9-6-90 Published in Recorder Herald
10-4-90
Publication approved CW Date 10-26-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

JAN 17 1991

NOTICE OF APPLICATION

75-07534

SALMON RIVER PROPERTIES
C/O MC CARTY CO.
P.O. BOX 4005
STOCKTON, CA 95204
Source: GROUNDWATER
Diversion Pt: LOT 6 (SWSWNE)
Sec 3 T 18N R 21E
Use: IRRIGATION (.540 CFS)
Total Diversion: (.540 CFS)
Date Filed: 5/8/1990
In: T18N R21E S03 Lot 6 (SWNE)
Lot 3 (NENW) Lot 5 (SENE)
27.0 ACRES TOTAL

75-07535

BLACK, TOM
RILEY, RON
RILEY, TOM
P.O. BOX 845
NORTH FORK, ID 83466
Source: SPRING
Tributary: INDIAN CREEK
Diversion Pt: SWNW Sec 29 T 25N
R 20E

Use: DOMESTIC (.020 CFS)
Total Diversion: (.020 CFS)
Date Filed: 5/11/1990
In: T25N R20E S29 SWNW NWSW

75-07536

MARTINSON, BETTY K.
RT. 2 BOX 108
NORTH FORK, ID 83466
Source: SALMON RIVER
Tributary: SNAKE RIVER
Diversion Pt: SWNE Sec 28 T 24N
R 19E

Use: IRRIGATION (.020 CFS)
Total Diversion: (.020 CFS)
Date Filed: 6/18/1990

In: T24N R19E S28 SWN

0.5 ACRES TOTAL
75-07537

GATTUNG, BILL
RT. 1 BOX 243-A
SALMON, ID 83467
Source: WILLIAM CREEK
Tributary: SALMON RIVER
Diversion Pt: LOT 3 (NWSW) Sec 7
T 20N R 22E
Use: RECREATION (15.00 AF)
RECREATION STORAGE (.500
CFS)
Total Diversion: (.500 CFS)
Date Filed: 5/7/1990
In: T20N R22E S07 SWNW SENW
NWSW

75-07538

LANNI, ELBRIDGE
LANNI, TERRENA
P.O. BOX 836
NORTH FORK, ID 83466
Source: DITCH CREEK
Tributary: HUGHES CREEK
Diversion Pt: NWNESE Sec 8 T
25N R 21E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.030 CFS)
Total Diversion: (.090 CFS)
Date Filed: 5/28/1990
In: T25N R21E S08 NWSE
2.0 ACRES TOTAL

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Eastern Region,
150 Shoup Avenue, Suite 15, Idaho
Falls, Idaho 83402 on or before SEP-
TEMBER 24, 1990.

R. KEITH HIGGINSON,
Director

Published 9/6/1990 and 9/13/1990
9-6-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

SEP 14 1990

Department of Water Resources
Eastern District Office

RICKY G. HODGES

being first duly sworn, deposes
and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published
weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Application for Water Rights 74-07282,
74-07307 thru 74-07309, 75-07522, 75-07534 thru 75-07537
printed copy of which is attached to the margin hereof, has been and was correctly printed and pub-
lished in the regular and entire issue of every number of said newspaper and not in any supplement
thereof or thereto for 2 consecutive issues, commencing with the issue
dated Sept. 6, 1990 and ending with the issue dated Sept. 13
1990.

STATE OF IDAHO

COUNTY OF LEMHI

ss.

On this thirteenth day of September in the year of 1990
before me, A Notary Public, personally appeared
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.

Sheila K. Hodges
Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-95

Publication Fee \$ 186.84

TO RITA

RECORDED

JAN 17 1991

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

OCT 25 1990

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION No. 75-7536

NOTICE IS HEREBY GIVEN,
that Application No. 75-7536 in the
name of BETTY K. MARTINSON
was advertised incorrectly on SEP-
TEMBER 6 and 13, 1990. The
PLACE OF USE was advertised as
being in T24N, R19E, S28, SWN.

WHEREAS, the actual PLACE
OF USE is in T24N, R19E, S28,
SWNE.

Any protests against the grant-
ing of this application as a result of
this correction must be filed with the
Idaho Department of Water Re-
sources, 150 Shoup Ave., Idaho Falls,
ID, 83401, on or before OCTOBER
22, 1990.

R. KEITH HIGGINSON
DIRECTOR

Published in the RECORDER-
HERALD on OCTOBER 4
and 11, 1990.

10-4-2tc

MICROFILMED

RICKY G. HODGES

being first duly sworn, deposes
and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published
weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Correction- No. 75-7536

a true
printed copy of which is attached to the margin hereof, has been and was correctly printed and pub-
lished in the regular and entire issue of every number of said newspaper and not in any supplement
thereof or thereto for 2 consecutive issues, commencing with the issue
dated Oct. 4, 1990 and ending with the issue dated Oct. 11
1990.

STATE OF IDAHO

COUNTY OF LEMHI

ss.

On this eleventh day of October in the year of 1990
before me, A Notary Public, personally appeared
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.

Residing At Salmon, Idaho

Notary Public for Idaho

My Commission expires: 9-21-95
Publication Fee \$ 28.08

April 23, 1991

BETTY K. MARTINSON
RT. 2 BOX 108
NORTH FORK ID 83466

Dear Ms. Martinson:

Re: Permit No. 75-7536

The department received the proof of beneficial use form submitted on March 13, 1991. I'll try to address your concerns about both the fees previously submitted and the types of water right filings you have.

You have filed a Notice of Claim No. A75-10925 (\$25 fee) to make a record of your diversion of water from a well for your domestic use for two cabins. This filing was in answer to a call to determine all the water right located in the Snake River Basin Adjudication which is a civil case. Unless some corrections/modifications have to be made, no action is required on this filing. The end product will be a decree of all the water rights in the basin.

You also filed an Application for Permit identified by No. 75-7536 (\$30 fee). Given the legal definitions of what can be claimed and what has to be applied for, this filing makes a record of the water used for irrigation from the Salmon River. This filing is, however, different than the claim and must be followed through to a license before being considered a valid right. To complete the processing to a license, the proof of beneficial use form must be submitted (which you have, no fee required), then the department will conduct the field inspection to confirm and determine the extent of beneficial use and a license will be issued. At that time you will have bona fide evidence that a water right exists.

So, the next step is for the department to conduct the field inspection. I cannot tell just when the representative from our Eastern Regional office will conduct the exam, but he will try to contact you or your representative prior to being in the area.

If you have questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

RECEIVED

JUN 10 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 75-7536

Date 4-16-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☒ Surface water source
☒ Ground water source
NA Drill permit req'd?
☒ Copy in file? Drill permit no. _____
☒ Amt paid for drilling permit? _____ Correct?
☒ Well log in file?

LICENSE EXAMINATION FEE

- NO Required?
-0- Amount submitted?
☒ Correct amount?

MEASURING DEVICE

- NO Measuring device or access port required?
☒ Installed?
☒ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

PRIORITY CALCULATION

Date proof received

NA

Date proof due

_____ - _____

No. of days late

_____ = _____

Priority date

_____ + _____

NEW PRIORITY DATE

_____ = _____

LB

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 75-07536 Telephone No. No Phone
2. Name(s) of Permit Holder(s): BETTY K. MARTINSON
3. Post Office Address: Rt 2, BOX 108 NORTH FORK, IDAHO, 83466
4. Source of Water: SALMON RIVER (MAIN)
- a. If ground water, well driller's name: _____ Date drilled: _____
- b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic ☒ (No. of households) 1 Irrigation ☒ (No. of acres) 1/2

Stockwater _____ (No. and type of stock) Other _____

A REQUEST FOR AND 25.00 FEE REQUIRED WAS INCLUDED WITH INITIAL APPLICATION FOR DOMESTIC 12 FOOT DEEP HAND DUG WELL, PITCHER PUMP.

6. Total rate and/or volume for which proof is submitted 0.02 cfs 0.5 acre/feet (IRRIGATION)

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

8. Fee Enclosed: \$ _____ (See License Examination Fee Schedule) I have already sent you the 25.00 fee and a 30.00 fee - total (55.00) for water use;
9. Person to contact to accompany the Department representative during the field examination:

I DON'T UNDERSTAND THIS

Name

Telephone No.

Address

10. The above information 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.

JUN 10 1991

March 12, 1991

Betty K. Martinson

Date

Signature (and title if on behalf of a company or organization)

Dear Mr. Johnson, For nearly one full year I have been dinging around with this deal. I've been patiently putting up with false accusations - paper work etc. I would like to get to the end of all this matter. I do not

(Cont.)

Understand one whitt of this questionnaire.

So if it is not properly completed I am sorry. All I want to do is take enough water from the Salmon River ~~at~~ through a 1 inch plastic pipe ~~for~~ by way of a 4 hp. engine to water a measly 50' x 100' foot garden plot. And to draw water from our 12 foot deep well that is operated by an old fashioned pitcher pump, from which we pump up about 10 to 20 gallons of water per day. That is all. Please --- let us get this legal stuff finished up so I may have peace again and get on with my work. Thank you.

Betty K. Martinson

March 12, 1991

Rt 2 Box 108
North Fork, Idaho
83466

MAILED

JUN 10 1991

TO: BOISE

APR-19-'91 FRI 11:41

IDAHO EASTERN REGION TEL NO: (208) 725-7177

#367 P01

Form No. 42-1409 (2) b 6/89

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

RECEIVED

Case Number: 39576
Identification No. A75-10925
Date Received 6-18-90
Receipt Number E014857
Not Late / HWS

for information

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

MAY 10 1990

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use Is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) BETTY K. MARTINSON AND/OR Phone (208) 466-1416

Mailing Address Rt 2, Box 108 North Fork Zip 83466

2. Date of Priority (Only one per claim) MAY 1, 1979 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other ☐ (a) well
which is tributary to (b) _____
Name or kind of source

4. Location of point of diversion is: Township 24 N Range 19 E
Section 28 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____, BM.,
County of LEMHI

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. DUG WELL - 12 foot deep - Hand pump

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For domestic purposes from 1-1-90 to 12-31 amount 0-90 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0-0.03 (cfs)

8. Total consumptive use claimed is de minimus

JUN 10 1991

9. Non-Irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 2 Cabins - ~~Stockwater~~

TO: BOISE

APR-19-91 FRI 11:41

IDWR EASTERN REGION

TEL NO: (208) 325-7177

#367 P02

10. Place of use is: Township: 24N Range 19E
Section 28 SW 1/4 of NE 1/4, Govt. Lot _____ B.M.

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? LEMHI

12. Do you own the property listed above as place of use? Yes ✓ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
(X) None or _____

14. Remarks: HES 276 (LOT #4.)

15. Basis of Claim (Circle One) Beneficial Use Posti

Court _____ Decree Date _____

If applicable provide IDWR Water Right Number _____

Post-It™ brand fax transmittal memo 7671 # of pages 1

To <u>RITA FLECK</u>	From <u>JO LERNIE</u>
Co. _____	Co. _____
Dept. _____	Phone # _____
Fax # _____	Fax # _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received notice in the Snake River Basin Adjudication. (b.) I/We do _____ do not ✓ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Betty H. Martinson Date May 3, 1990

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____ that I have signed the foregoing
document in the space below as _____ of _____
Organization Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Lemhi) SS. **NOTARIZATION REQUIRED FOR EACH CLAIM**

Subscribed and sworn (or affirmed) before me this 3rd day of May 19 90

SEAL

Notary Public Carter F. Fitch

Residing at Eagle, Id.

My Commission Expires 3-21-94

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Gaimant

JUN 10 1991

6/18/1990

MARTINSON, BETTY

ADJUDICATION FEE	410162 9337 6490	25.00
APPLIC. FOR PERMIT	630199 1238 6390	30.00

CHECK	834670	\$55.00
-------	--------	---------

A75-10925	-	Water Right Numbers	-	-	-
-----------	---	---------------------	---	---	---

Region: EASTERN

Signature: _____

MICROFILMED

JUN 10 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 2, 1991

BETTY K. MARTINSON
RT. 2 BOX 108
NORTH FORK, ID 83466

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 75-07536

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

INDEXED FILMED

JAN 17 1991

APPLICATION FOR PERMIT REVIEW

Application #: 75-7536
Date: 12-20-90

Reviewer: Pam Skaggs *PS*

Existing:

No - 26A-P17
Complete in 1 year - P16

Yes

Proof not submitted - P16
Proof submitted - N/A

Groundwater:

GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)
LT. 0.7 cfs - N/A

Drilling Permit:

Approved w/permit - P99
Not included - 046-P23(All GW, even existing wells)

Location:

Water Districts - WD No. _____
Surface water - 005, 005-01H-P01(LT.7 w/pump)
005-01J-P08(GT.7)

Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

Swan Falls Flag - _____ (1 or Blank)

Trust - 051-052-053-P74(Cons.), 041(DCMI)

Non Trust - 048-049

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 11D-P72

Payette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 002-P06, 06A, 007, 09E-P10, 010, 042, 044
Power - (less than 25cfs P18), 01F-P19, 08A(Req.),

- 017K, 017G-017M(Choose One), 025

Mining - 06A, 006, 09E-P10, 010, 54

Storage - 18A-P09(In W.D.), 18B-P09(Size)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

Beneficial Use Due Date: - 01-01-1992

Other Conditions Recommended _____

October 25, 1990

Betty K Martinson
Rt 2 Box 108
North Fork ID 83466

Dear Betty Martinson:

Enclosed is a copy of a letter received from Roger Rife and Rich Rodgers indicating they had protested your application No. 75-7536 in error. The protest was originally meant for application No. 75-7537.

Therefore, your application has been taken from the "protest" status and final processing has resumed. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

HAROLD W. JONES
Water Resource Supervisor

HWJ:CW

Enclosure

MICROFILMED

JAN 17 1991

October 5, 1990

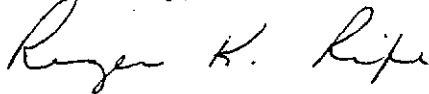
Mr. Harold W. Jones
Department of Water Resources
Eastern Region
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

Dear Mr. Jones:

On September 17, 1990, myself and Mr. Rich Rodgers filed a "Protest Letter" regarding a water rights application filed by Mr. Bill Gattung to appropriate waters from Williams Creek, tributary to the Salmon River.

In that letter of protest the application number referenced was 75-07536. That was in error and should have been 75-07537. Please correct the records to show the proper application number that is being protested.

Sincerely,



Roger K. Rife
Rt. 1 Box 235B
Salmon, Idaho 83467

RECEIVED

JAN 17 1991

RECEIVED

OCT 9 1990

Department of Water Resources
Eastern District Office

RECEIVED

SEP 21 1990

Department of Water Resources
Eastern District Office

September 17, 1990

COPY

Director
Department of Water Resources,
Eastern Region
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

Dear Mr. Director

This letter is a "Protest Letter" regarding Application Number 75-07536 filed by Bill Gattung to appropriate and divert .500 CFS for recreation Storage of 15 AF.

Currently there is an 1886 right for 760 inches that is shared by several land owners including Mr. Gattung that is diverted from Williams Creek approximately one mile upstream from the diversion point requested in the new application. During the critical irrigation period from mid-July to mid-September there is considerably less than 760 inches total in Williams Creek at this diversion point. Below this diversion the creek is dry for some distance until natural regeneration in the creek along with waste water spillage does create some flow again however it is quite minimal until the water users stop irrigating in late September.

As application 75-07536 names a point of diversion in Lot 3, Sec 7, T20N R22E and there is not 25 inches of water at that location during much of the year, we feel that the application should be denied.

Roger K. Rife

(ROGER K. RIFE)
RT. 1 BOX 235 B
SALMON, IDAHO 83467

Rich Rogers

(RICHARD ROGERS)
RT. 1 BOX 239 A
SALMON, IDAHO 83467

RECEIVED

JAN 17 1991

October 2, 1990

Betty K. Martinson
Rt. 2, Box 108
North Fork, ID 83466

Dear Ms. Martinson:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to application No. 75-7536. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances requiring additional time, our objective is to schedule a conference and/or hearing to consider the protests within 60 days. At a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. That it is contrary to conservation of water resources within the State of Idaho.

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JAN 17 1991

Betty K. Martinson
October 2, 1990
Page 2

The applicant must be prepared to present evidence and/or testimony addressing each of the five items. Although representation by legal counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

If this office can be of further assistance, please contact us.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure

cc: IDWR - State Office

P.S. You should be aware the newspaper made a mistake on the place of use at the time of advertising and this application must be readvertised.

MICROFILMED

JAN 17 1991

October 2, 1990

RE: Application for Permit No. 75-07536 MARTINSON

Mr. Roger K. Rife
Rt. 1, Box 235-B
Salmon, ID 83467

Dear Mr. Rife:

Your protest against approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances requiring additional time, our objective is to schedule a conference and/or hearing to consider the protests within 60 days. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code): the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. That it is contrary to conservation of water resources within the State of Idaho.

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JAN 17 1991

Mr. Roger K. Rife
October 2, 1990
Page 2

The protestant must be prepared to present proof of allegations involving one or more of the five items.

If this office can be of further assistance, please contact us.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure

cc: IDWR - State Office

RECEIVED

JAN 17 1991

October 2, 1990

RE: Application for Permit No. 75-07536 MARTINSON

Mr. Richard Rogers
Rt. 1, Box 239-A
Salmon, ID 83467

Dear Mr. Rogers:

Your protest against approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances requiring additional time, our objective is to schedule a conference and/or hearing to consider the protests within 60 days. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code): the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code):

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2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. That it is contrary to conservation of water resources within the State of Idaho.

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JAN 17 1991

Mr. Richard Rogers
October 2, 1990
Page 2

The protestant must be prepared to present proof of allegations involving one or more of the five items.

If this office can be of further assistance, please contact us.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure

cc: IDWR - State Office

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JAN 17 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

20-Sep-1990

Recorder-Herald
P.O. Box 310
Salmon, ID 83467

RE: APPLICATION NO. 75-7536, BETTY K. MARTINSON

Gentlemen:

We are resubmitting a legal notice to be published on October 4 & 11, 1990. This notice was originally published in your paper on September 6 & 13, 1990. Unfortunately, it was advertised incorrectly. As we had no way of checking the accuracy of this notice before it went to print we, therefore, request this be readvertised again at your expense.

To prevent future problems in this matter, please submit a galley proof before the first date of publication. If we have any corrections, we will notify you; otherwise, assume the notice is correct. If the administrative procedures of your paper will not allow time for making corrections by submitting a galley proof, we will be glad to review the notice with you by telephone prior to publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to this office by October 22, 1990. Your cooperation in this matter is greatly appreciated.

Very truly yours,

RITA BODELL
Secretary/Office Coordinator

enclosure

MICROFILMED

JAN 17 1991

NOTICE OF CORRECTION
NO. 75-7536

NOTICE IS HEREBY GIVEN, that Application No. 75-7536 in the name of BETTY K. MARTINSON was advertised incorrectly on SEPTEMBER 6 & 13, 1990. The PLACE OF USE was advertised as being in T24N, R19E, S28, SWN.

WHEREAS, the actual PLACE OF USE is in T24N, R19E, S28, SWNE.

Any protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401, on or before OCTOBER 22, 1990.

R. KEITH HIGGINSON

DIRECTOR

Published in the RECORDER-HERALD on OCTOBER 4 & 11, 1990.

MICROFILMED

JAN 17 1991

Dist. for staffing 7-3-90

Submitted for advertising 8-8-90

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY BWS DATE 8-8-90 APPLICATION NUMBER 75-7536
Betty K. Martinson
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 signator 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

RECEIVED
OCT 29 1990

Department of Water Resources

SEND COPIES TO _____ Idaho Dept. of Health & Welfare _____ U.S. BLM
 _____ Idaho Dept. of Fish & Game _____ U.S. Forest Service
 _____ Idaho Dept. of Lands _____ Water District
 _____ Adjudication Bureau Unit _____ Other

☒ 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 <u>Withdrawn</u>
				Final date for protest <u>9-24-90 10-22-90</u>
☐	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.

See below for additional information

Date of priority recommended ~~6~~ 6-18-90

By HWS Date 10-26-90

By _____ See below for additional information
Date _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from:

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other _____

Project impacts/implications report

COMMENTS

75-07536

MARTINSON, BETTY K.
RT. 2 BOX 108
NORTH FORK, ID 83466

Source: SALMON RIVER

Tributary: SNAKE RIVER

Diversion Pt: SWNE Sec 28 T 24N R 19E

Use: IRRIGATION (.020 CFS)
Total Diversion: (.020 CFS)

Date Filed: 6/18/ 1990

In: T24N R19E S28 SWNE

0.5 ACRES TOTAL

RECORDED

JAN 17 1991

14-Aug-1990

BETTY K. MARTINSON
RT. 2, BOX 108
NORTH FORK, ID 83466

RE: Application for Permit No. 75-7536

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Recorder-Herald on SEPTEMBER 6 & 13, 1990. The advertisement will be published 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.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECEIVED

JAN 17 1991