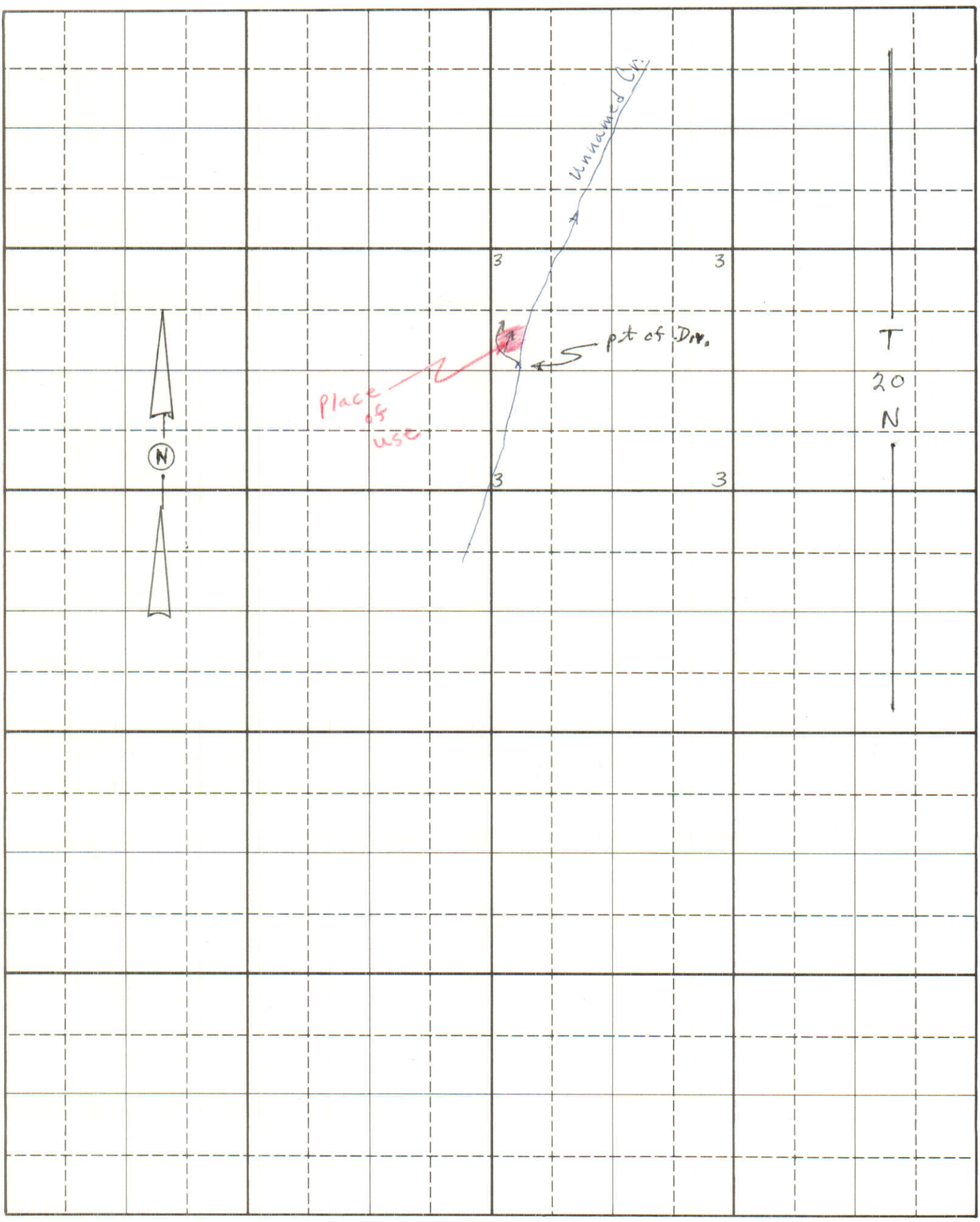
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

Buster C Light
(Applicant)

75 7028

RECEIVED
JUN 26 1972
Department of Water Administration
Eastern District Office

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Buster C. and/or Marjorie J. Light, P. O. Box 1338, Salmon, Idaho has on 6/5/72 submitted Application No. 75-7028 for a permit to appropriate 0.14 cubic feet per second of water from an unnamed stream, tributary to Hot Springs Creek, tributary to Salmon River by means of headgates and ditches within the SW¼NW¼, Sec. 3 T. 20N, R. 22E, B. M., Lemhi County; to be used from Apr, 1 to Nov. 1 for the irrigation of 7 acres within the SW¼NW¼, Sec. 3, T. 20N, R. 22E, B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of this permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401, on or before July 3, 1972.

R. KEITH HIGGINSON
Director

Published in the Recorder-Herald, Salmon, Idaho on June 15 and June 22, 1972.

6-15-2tc

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

JERRY G. ROSIN, being first duly sworn, deposes and says that he is one of the printers (publisher) 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 Permit-#75-7028 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 June 15, 1972 and ending with the issue dated June 22, 1972.

Jerry G. Rosin

Subscribed and sworn to before me, this twenty second day of June, 1972

Vere Armstrong
Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee $ 12.95

75-7028

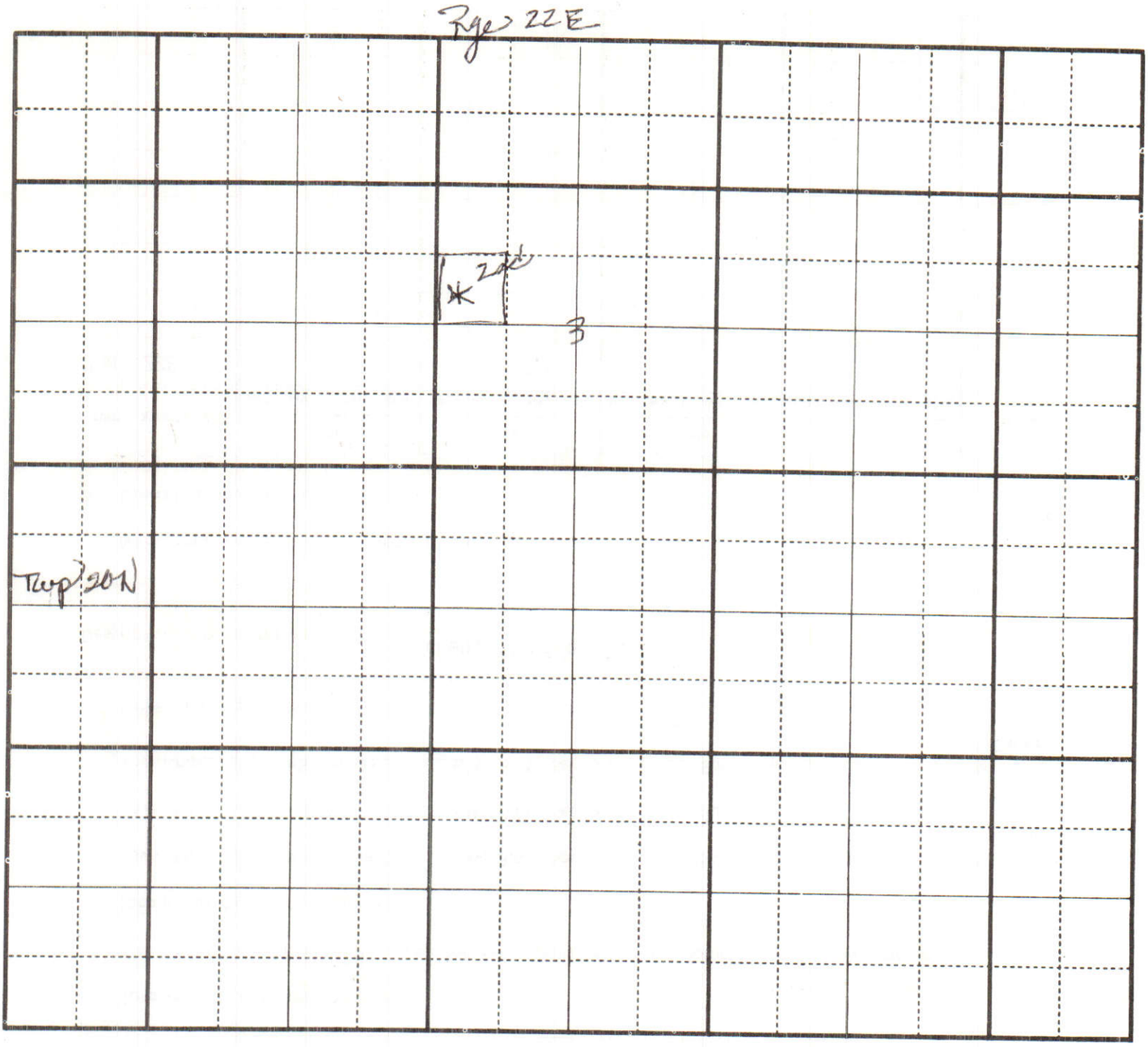
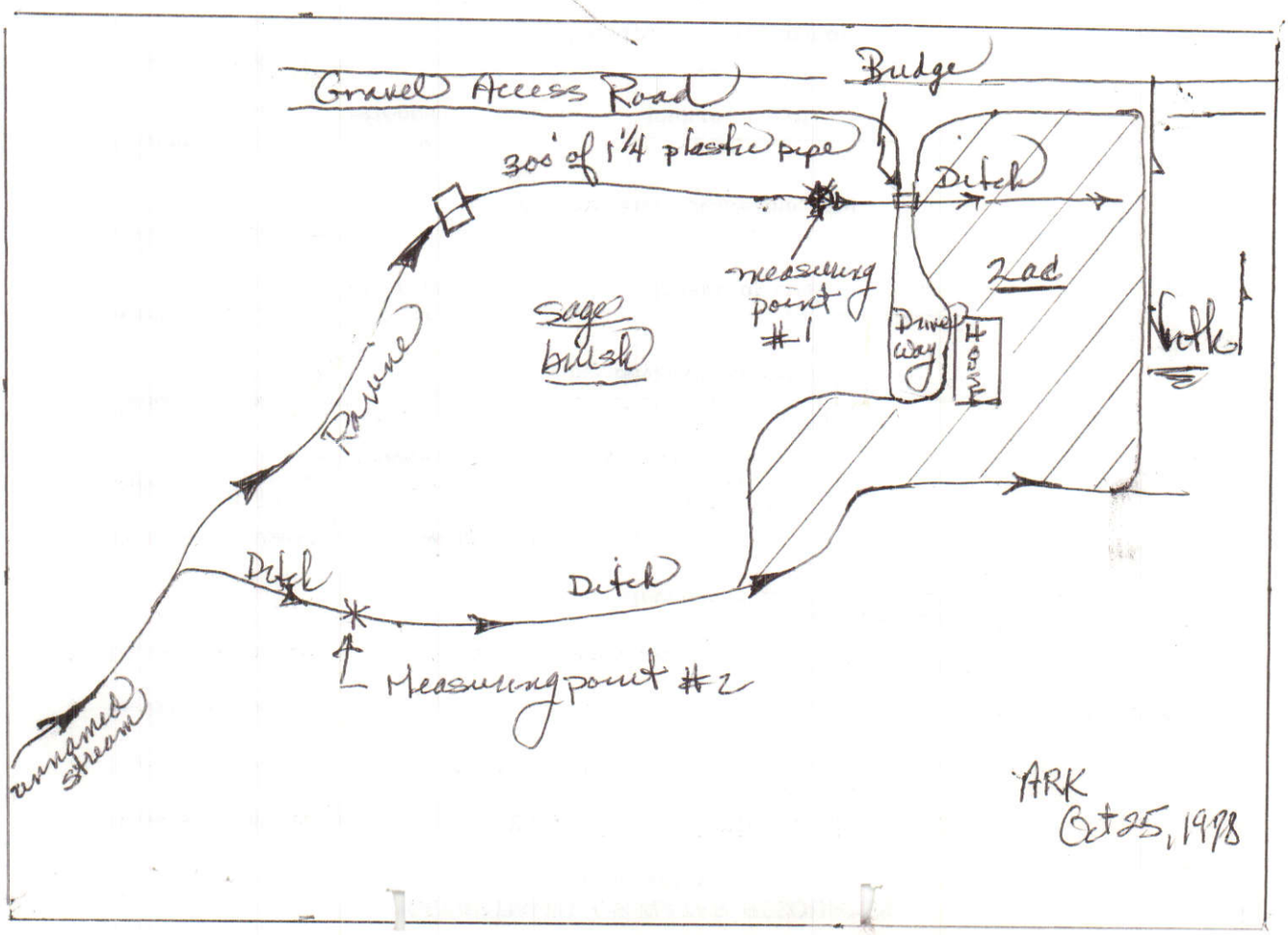


Diagram of System



State of Idaho

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 75-7028 Priority June 5, 1972 Amount 0.04 cfs

THIS IS TO CERTIFY, that Buster C. &/or Marjorie J. Light

of Salmon, Idaho, has complied with the terms and conditions of Permit No. 75-7028 issued pursuant to Application for Permit dated June 5, 1972, and has submitted proof to the Department of Water Resources on July 15, 1977, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 0.23 cfs of water from an unnamed spring, tributary to Hot Springs Creek, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to November 1	at 0.04 cfs	and 6 acre feet
	from to	at cfs	and
	from to	at cfs	and

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 6 acre feet per year, said waters to be diverted within the SW¼NW¼, Sec. 3, Twp. 20N Rge. 22E, B.M., in the County of Lemhi

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
20N	22E	3							2										2

Total number of acres irrigated 2

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of April, 19 79.

Deputy Director

MICROFILMED

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

In the Matter of Application for Permit No. 75-7028 in the name of BUSTER C. &/or MARJORIE J. LIGHT	MEMORANDUM DECISION AND ORDER

On June 5, 1972, Buster C. &/or Marjorie J. Light applied to the Department of Water Administration for a permit to appropriate 0.14 cubic feet per second of water from an unnamed stream within the SW¼NW¼ of Sec. 3, Twp. 20 N, Rge. 22 E, B. M., Lemhi County, to be used from April 1 to November 1 for irrigation purposes.

Notice of the application was published in the Recorder-Herald at Salmon, Idaho, on June 15 and June 22, 1972. The Department received protests against the issuance of a permit from John W. Brown, Stephen Bistline and Mr. & Mrs. H. E. Foge.

A conference was held to consider the protests against said application on August 16, 1972, at Salmon, Idaho. The applicants were represented by Mr. Jack Slavin for J. C. Herndon; the protestants were in attendance and represented themselves.

The protestants claim a water right based upon diversion and application to beneficial use of all of the water in the stream, even during the spring run-off. An agreement between the protestants and the applicants could not be reached at the conference, and the protestants would not withdraw their protests as they felt they might prejudice their position in a court determination of the water rights on the stream.

The Department does not have jurisdiction to determine the extent of a water right that has been established by diversion and application to beneficial use. Since the amount of water, the period of use, and the date of priority is not known on a right claimed by the protestants as having been established by diversion and application to beneficial use, Application 75-7028 must be considered on its own merits.

Having considered all information available to the Department, the Director of the Department of Water Administration finds that the protests against Application for Permit No. 75-7028 should be set aside without prejudice; and,

IT IS, THEREFORE, HEREBY ORDERED that Application for Permit No. 75-7028 be APPROVED subject to the following conditions:

1. That said permit be and is subject to all prior water rights.

2. That proof of construction of works and application of water to beneficial use be submitted to the Department on or before September 1, 1977.

3. That the permit holder permanently install and maintain a measuring device of a type approved by the Department as part of the diverting works.

Dated this 19th day of September, 1972.

R. KEITH HIGGINSON
Director

75 7028

Identification No. _____

Application No. _____

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Buster C. and/or Marjorie J. Light
   post office address P. O. Box 1338, Salmon, Idaho 83467
2. Source of water supply unnamed stream trib. to Hot Springs Creek which is a tributary of Salmon River
   NCY per USGS Salmon Quad, 6/5/72
3. a. Location of point of diversion is SW ¼ of NW ¼ of Section 3 Township 20N
   Range 22E B.M. Lemhi County; additional points of diversion if any: _____

   b. If water is not consumed, it will be discharged into creek at a point in SW ¼ of NW ¼ of Section 3 Township 20N Range 22E B.M. _____
4. Water will be used for the following purposes:
   Amount 0.14 (cfs or acre-feet per annum) for Irrigation purpose from April 1 to November 1 (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated:
   a. 0.14 cubic feet per second and/or
   b. _____ acre feet per annum.
6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc. None
   Ditches within ~~NW¼SW¼~~ SW¼NW¼, Section 3, T. 20N. R. 22E.

   b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
   Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
   b. Estimated construction cost is $ 100.00 .
8. Description of proposed uses:
   a. If water is **not** for irrigation:
      (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____ Range _____ B.M.
      (2) Amount of power to be generated: _____ hp under _____ feet of head.
      (3) List number of each kind of livestock to be watered _____
      (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
      (5) If water is to be used for other purposes describe: _____

75 7028

75 7028

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
20N	22E	3							7.0										7.0

Total number of acres to be irrigated 7.0

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

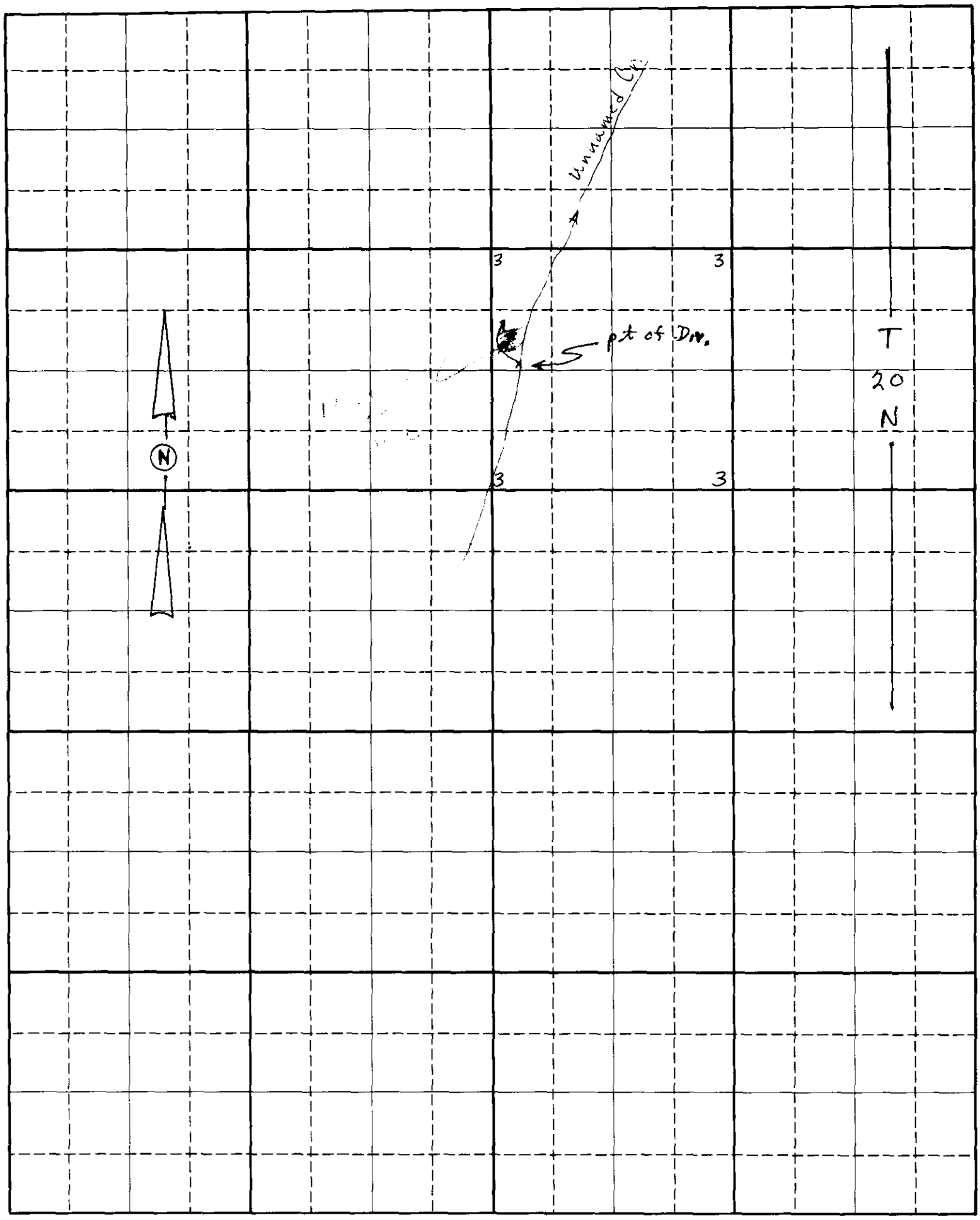
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. R 22 E



Scale: 2 inches equal 1 mile

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.

Buster C Light
(Applicant)

75 7028

75 7028

Received by Ba Date 6-5-72 Time 11:30 am

Preliminary check by NCY Fee $10.00

Receipted by Ba Date 6/6/72

Publication prepared by Ba Date 6/7/72

Published in Recorder-Herald, Salmon, Ida.

Publication dates 6-15-22-72

Publication approved cr Date 6-29-72

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 75-7028, and said application is hereby APPROVED.

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 September 1, 1977.

   c. Other: Pursuant to Memorandum Decision and Order of this date.

2. Denial of said application is for the following reasons: _____

Witness my hand this 19 day of September 1972.

L Kirk Klinger

Director

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 75-7028 Name Buster C. and/or Marjorie J. Light

Source unnamed stream, tributary to Hot Springs, tributary to Salmon River

Point of Diversion SW¼NW¼, Sec. 3, T. 20N, R. 22E, B.M., Lemhi County

Quantity 0.14cfs Use irrigation Period Apr. 1 to Nov. 1

Quantity _____ Use _____ Period _____

Quantity _____ Use _____ Period _____

Well Size _____ Diameter _____ Proposed Depth _____ Feet

Use The irrigation of 7 acres.

Date Forwarded _____ Date Returned _____ Received by _____

COMMENTS: Flow data are not available for this stream. Hot Springs Creek is not listed as an adjudicated stream.

RECOMMENDED:

Applied:	Qty.	0.14 cfs	Use	irrig.	Period	4/1-11/1	AF/A	3.0	AF 21
	Qty.		Use		Period		AF/A		AF
	Qty.		Use		Period		AF/A		AF
Maximum:	Qty.	0.14 cfs	Use	irrig.	Period	4/1-11/1	AF/A	3.0	AF 21
	Qty.		Use		Period		AF/A		AF
	Qty.		Use		Period		AF/A		AF

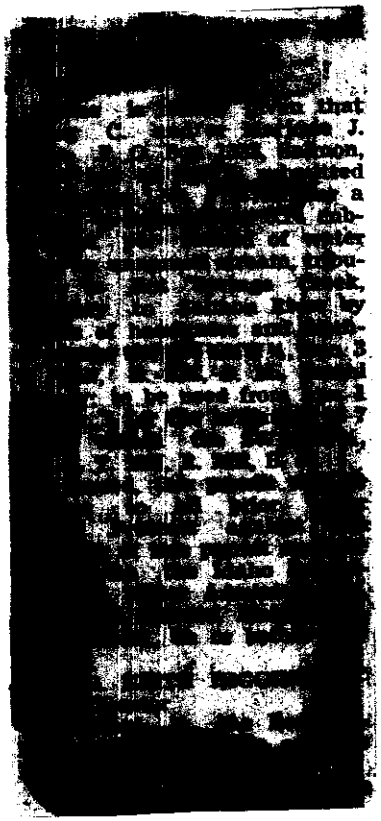
ACTION: Approved X Denied _____

Conditions of approval or reason for denial: -----

_____ By NCY Title District Engineer

NORMAN C. YOUNG

Date 6/5/72



Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

JERRY G. ROSIN

..... , being first duly sworn, deposes and says that he is one of the printers (publisher) 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 Permit-#75-7028

..... 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 June 15, 1972 and ending with the issue dated June 22, 1972

Jerry G. Rosin

Subscribed and sworn to before me, this twenty second

day of June, 1972

Vera Armstrong

Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee $ 12.95

75-7028

WATER RIGHT NUMBER 75-7028

OWNER LAST NAME - LIGHT FIRST NAME - BUSTER C. ORIG OWNER -
OWNER LAST NAME - LIGHT FIRST NAME - MARJORIE J. ORIG OWNER -
ADDRESS LINE 1 - P.O. BOX 1338 ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - SALMON STATE - ID ZIP CODE - 83467
SOURCE - SPRING TRIBUTARY OF - HOT SPRINGS CREEK
STAGE - LICENSE STATUS - PRIORITY - 06-05-1972 COUNTY - LEMHI TOTAL DIV. RATE - .0400 -CFS
TOTAL DIV. VOLUME - 6.00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SWNW 03 20N 22E LOT REDIV - 272.0 92.0 342.0 1.0 0.0 0.0 0.0 0.0 0.0 0.0 0.4
FROM - 04-01 TO - 11-01 USE - IRRIGATION USE DIV. RATE - .0400 CFS USE DIV. VOLUME - 6.00 AFA
USE - IRRIGATION PLACE OF USE - TWN 20N RNG 22E SEC 03 TRACT SWNW LOT AC 02
DECREE NAME - DATE - TOTAL ACRES 2
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. -
PROOF MADE - FLD EXAM - COND. OF APPROVAL - 01
DIVERSION MEANS -

3/79

IDENT. NO. 95-7028

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT DATA ENTRY LOG

Initials	Date	Item
		Original form entered
		Edit Report Correct
		Date Protested
		Date of Hearing
		Date Approved/Denied (Proof due date, stage and/or status, conditions of approval, water district)
		Record Verified
		Amendment Approved
		Extension Approved
		Partial Proof
		Proof Complete
		Field Exam Received
		Field Exam Accepted and changes entered
		License Signed
		Transfer Approved
dc	11-11-79	Keypunched by State Office

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

April 24, 1979

Re: Water Right No. 75-7028

Buster C. &/or Marjorie J. Light
P.O. Box 1338
Salmon, Idaho 83467

Dear Mr. or Mrs. Light:

Enclosed is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

Jan Grover

JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

April 2, 1979

Re: Permit No. 75-7028

Buster C. &/or Marjorie J. Light
P.O. Box 1338
Salmon, Idaho 83467

Dear Mr. or Mrs. Light:

A representative of this Department made an examination of the works covered by your Permit No. 75-7028 on May, 1978, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 0.04 cfs Source: unnamed stream

The maximum quantity diverted shall not exceed 6 acre feet per year.

Point of diversion: SW¼NW¼, Sec. 3, Twp. 20N, Rge. 22E, B. M.

Beneficial use: Irrigation of 2 acres within the SW¼NW¼, Sec. 3, Twp. 20N, Rge. 22E, B. M.

Priority date established: June 5, 1972

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

AUG 30 1977

Eastern District Office

1. Name of permit holder Buster C. &/or Marjorie J. Light

Post office address P. O. Box 1338, Salmon, ID 83467 Phone

Person to contact Phone no phone

2. Source of water supply: Groundwater ☐ Surface water ☑ Unnamed stream
(name spring, stream, etc.)

Tributary to Hot Springs Cr. & Salmon River

3. Water will be used for the following purposes:

Amount 0.14 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from Apr. 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount c.f.s. for
AF/Annum (nature of use)

Period of Use: from to
(mo.-day) inclusive (mo.-day)

Amount c.f.s. for
AF/Annum (nature of use)

Period of Use: from to
(mo.-day) inclusive (mo.-day)

Other uses:

Permit No.

Examination for 75-7028 b/u

4. Total amount to be appropriated:

Max Rate of Diversion 0.14 cubic feet per second and annual volume AF/Annum.

5. Location of Point(s) of Diversion:

Township 20N N/S, Range 22E E/W, B.M., Section 3, Subdivision SW ¼ NW ¼, Lemhi County

Township N/S, Range E/W, B.M., Section, Subdivision ¼ ¼, County

Township N/S, Range E/W, B.M., Section, Subdivision ¼ ¼, County

Other Points of Diversions:

Description of diverting works: 2' deep, 2' wide ditch

Measuring device required: yes ☑ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
20N	22E	3							7.0										7.0

TOTAL ACREAGE 7.0

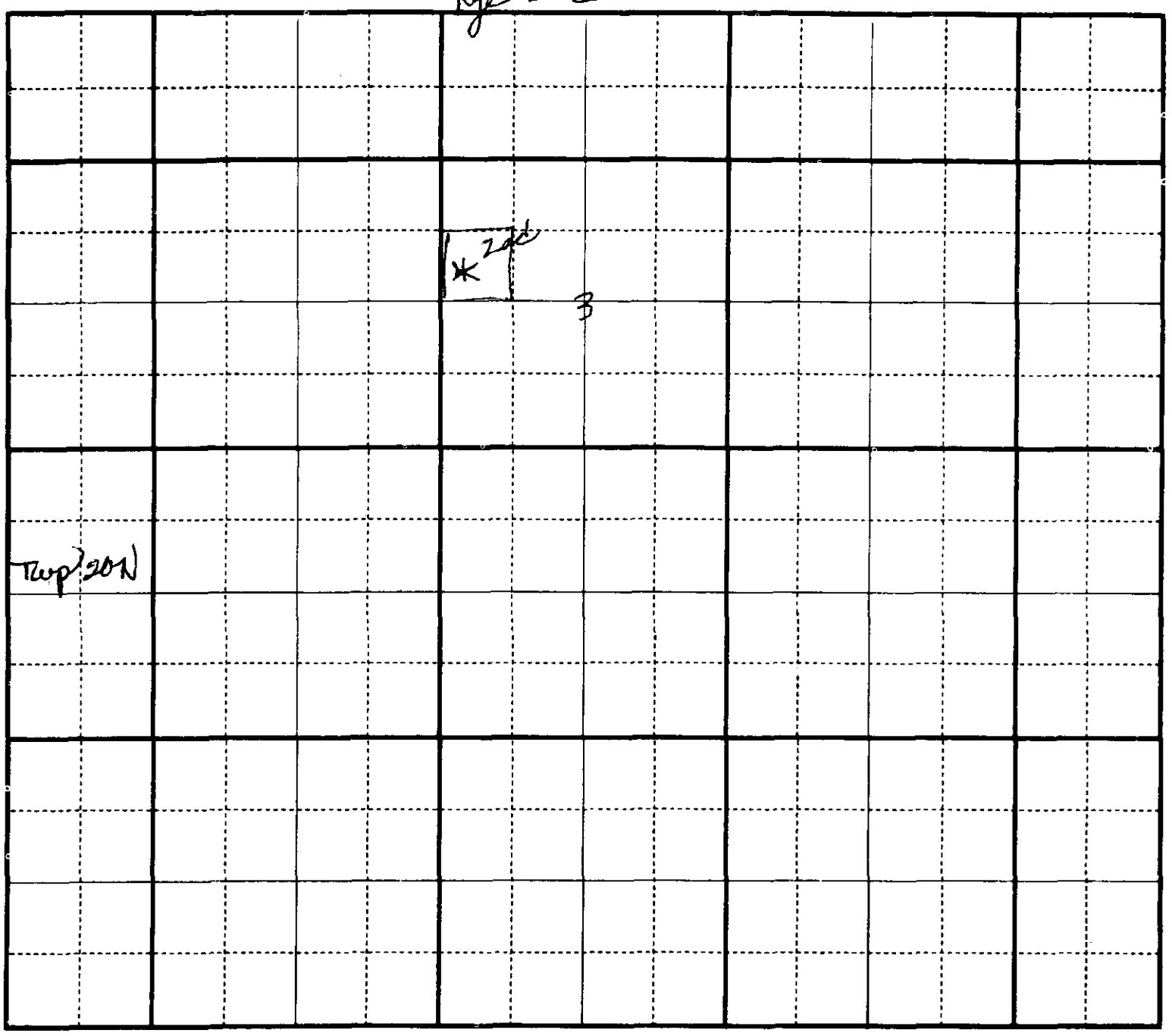
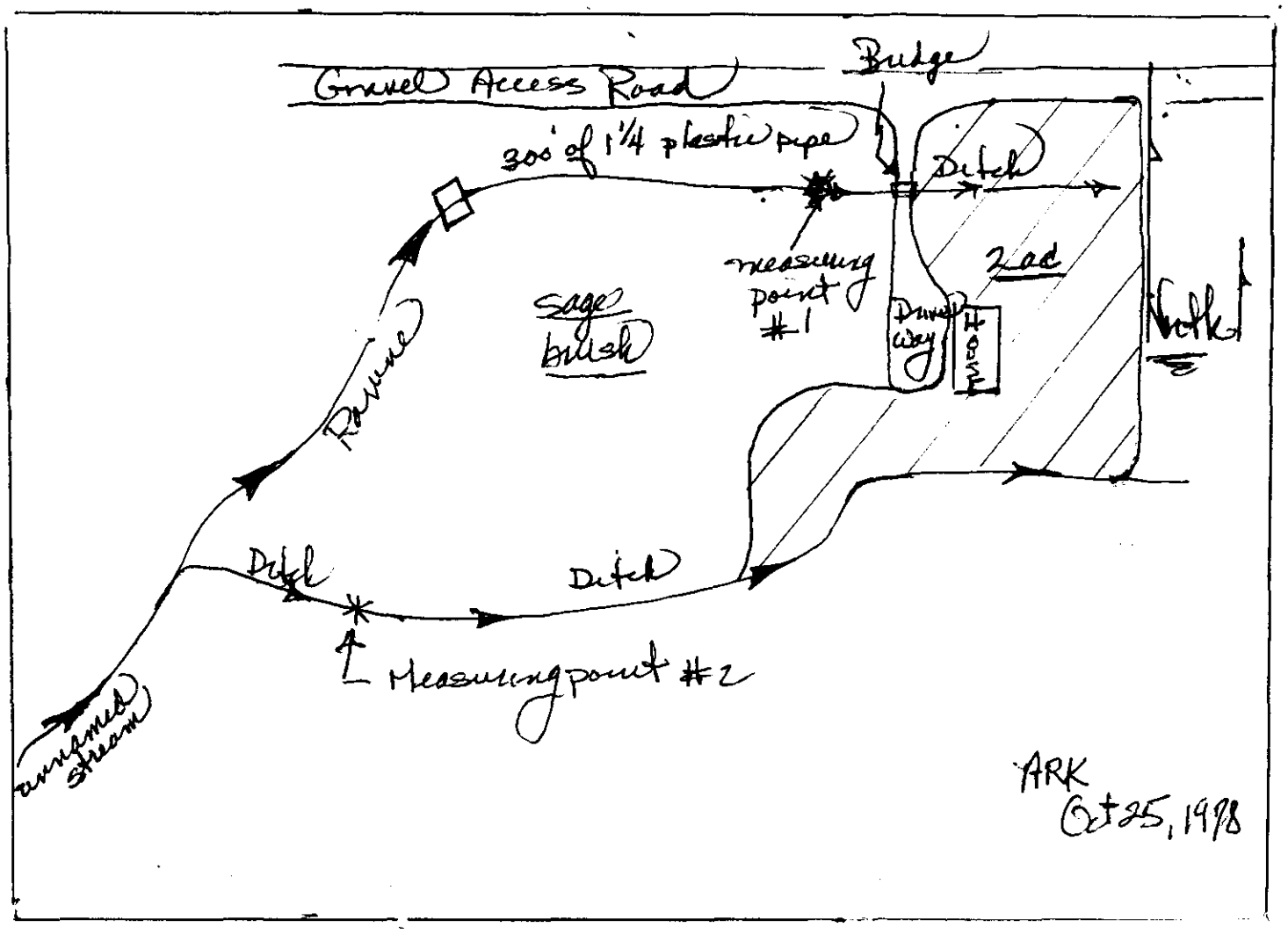


Diagram of System



DATE OF EXAM 5/78

ACREAGE
Found 2 ac
Recommended 2 ac

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q= .04 c.f.s. V= 6 AF/Ann. from April 1 to Nov 1
Domestic Q= c.f.s. V= AF/Ann. from to
Livestock Q= c.f.s. V= AF/Ann. from to

Is water co-mingled? yes no X

Name source: n/a
twp. N/S, Rge E/W, B.M., Sec., Sub. ¼ ¼ County

Exchange? yes no X

Name source exchanged with: n/a
twp. N/S, Rge E/W, B.M., Sec., Sub. ¼ ¼ County

Point of injection: n/a
twp. N/S, Rge E/W, B.M., Sec., Sub. ¼ ¼ County

Point of exchange: n/a
twp. N/S, Rge E/W, B.M., Sec., Sub. ¼ ¼ County

Total Q measured .23 cfs Method of measurement Bucket & stopwatch

Total Q recommended .04 cfs Meter No. n/a Type n/a Condition n/a

Total V recommended 6 Af/yr

Recommended Amendments:

P.D.
Place of Use
Other
None

MEASUREMENT CALCULATION:
measuring point #1 - measured 2.5 gal in 29.5 sec = 5.08 gpm = .01 cfs
measuring point #2 - measured 2.5 gal in 1.5 sec = 100 gpm = .22 cfs
Q total = .23 cfs
V = 2ac x 3 Af/ac = 6 Af/yr < 1.9835 x .04 x 215 = 17.1 Af/yr

SYSTEM DESCRIPTION:
Surface water is diverted into 2 separate irrigation ditches and approx 2 ac of pasture, lawn, and garden are flood irrigated

REMARKS: System shown & described by Buster Light
No [illegible]

Examiner's Signature Anthony R. Kozlowske Date Oct 25, 1978
Checked by Rodney A Parker Date Nov 29 1978
Approved by Date

August 18, 1977

Re: Permit No. 75-7028

Buster C. &/or Marjorie J. Light
P.O. Box 1338
Salmon, ID 83467

Dear Mr. and Mrs. Light:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Idaho Falls.

Sincerely,

JANICE RENK
Water Rights

jr/la

RECEIVED
AUG 8
Department of Water Resources

Identification No. _____

Permit No. _____

RECEIVED
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Buster C. and/or Marjorie J. Light

   b) Post Office Address P.O. Box 1338, Salmon, Idaho 83467

2. Permit Number 75-7028

3. Date of Priority that you are prepared to establish 6-5-72

4. a) Source from which water was appropriated unnamed stream trib. to Hot Spring Creek

   b) Location of the point of diversion: SW ¼ NW ¼, Section 3 Township 20N, Range 22E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

   Amount 0.14 for irrigation purposes from April1 to Nov. 1 incl.
   (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

   Amount _____ for _____ purposes from _____ to _____ incl.
   (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

   Amount _____ for _____ purposes from _____ to _____ incl.
   (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

   b) Total amount appropriated 0.14 cfs and/or acre-feet per annum

   c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: None, not enough run off

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

   a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

   b) Describe the agreement or understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) ditch 2 ft. deep 2 ft. wide

   b) Describe the type and size of measuring device which you have installed at your point of diversion:
   90 degree V-Noth Weir. 4 ft long, 2 ft 7 in deep, 1ft 4 in
   V Notch, 8 inch deep - notch, 3/4 inch exterior plywood

   c) Give well driller's name and address and the date the well was completed:

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
   Water for 5 head of live-stock in in SW¼, NW¼,
   Section 3T, 20NR, 22E

Examined by

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
20N	22E	3							7.0										7.0

Total number of acres irrigated 7.0

10. Remarks: Aerial photograph of property in question, not available

The above information is a true statement of the extent to which the above numbered permit has been developed.

~~7/14/77~~ (Date) 8-4-77

Mayone J. Light (Signature) Mayone J. Light

State of Idaho)
) ss.
County of Lemhi)

On this ~~14th~~ 4th day of ~~July~~ August, 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Linda K. Sorensen
~~Robert L. Jacobsen~~
Notary Public residing at Salmon
Idaho

My commission expires ~~Indefinite 12/19/1976~~
10-6-79

August 2, 1977

Re: Permit No. 75-7028

Buster C. &/or Marjorie J. Light
Bx, 1338
Salmon, Idaho 83467

Dear Mr. & Mrs. Light:

We acknowledge receipt of the affidavit submitted as proof of beneficial use on the above referenced permit.

We cannot, however, process this affidavit as the commission of the notary public, Mr. Robert L. Jacobsen, has expired as of December 19, 1975. Please have your signature notarized by another notary and return this proof to this office as soon as possible in order to keep this permit in good standing with our office.

If you have any questions, please contact us.

Sincerely,

JANICE RENK
Water Rights

Encl.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

June 30, 1977

CERTIFIED MAIL 138730

Re: Permit No. 75-7028

Buster C. &/or Marjorie J. Light
Box 1338
Salmon, Idaho 83467

Dear Mr. & Mrs. Light:

One of the conditions of approval of your water Permit No. 75-7028 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before September 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

C. STEPHEN ALLRED
Director

CSA:jfr

Encl: Proof affidavit

September 20, 1972

Re: Permit No. 75-7028

Buster C. &/or Marjorie J. Light
P. O. Box 1338
Salmon, Idaho 83467

Dear Mr. & Mrs. Light:

Enclosed is a copy of your approved Application for Permit No. 75-7028 along with a copy of the Memorandum Decision and Order. We direct your attention to the conditions of approval.

Be sure to note that a special condition requiring you to install and maintain a measuring device as part of the diverting works has been placed upon your permit. We have enclosed a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of permit w/ Memorandum
Decision and Order

cc: Protestants
Enc: Copy of Memorandum
Decision & Order

bc: Eastern District Office

75-702

M E M O R A N D U M

RE: Application for Permit No. 75-7028

28-1972

A conference was held on August 16, 1972, at Salmon, Idaho, to consider the protest against the above referenced application.

The applicants, Buster C. and Marjorie J. Light, were represented by themselves. The protestants, John W. Brown, Virginia Brown, Mr. and Mrs. H. E. Foge, and Steven Bistline, were represented by themselves.

During the informal conference the discussion centered around an apparent hostile attitude of the applicant toward controlling the surface water resource of the area. The stream in question flows only during spring runoff or for a short time after a violent summer storm. The protestants do not have recorded water rights and are claiming only a long time use right. It soon became apparent that an agreement could not be reached in an informal conference and the protestants, as counciled by Steve Bistline, Attorney, intended to pursue a court determination of the use right.

Because the protestant's rights are not recorded and the general attitude and lack of accord between protestant and applicant, I stated that the Department's only course would be to dismiss the protest without prejudice and to consider the application only on its own merits. The protestants appeared to be satisfied with this procedure.

August 24, 1972

Norman C. Young

NORMAN C. YOUNG
District Engineer

75 7028

75-7028 - Buster C. &/or Marjorie J. Light

Federal Services Bldg., Salmon, Idaho

August 16, 1972 - 1:00 pm

ROSTER OF ATTENDANCE

Name	Address	Representing
Virginia M Brown	Salmon, Ida Box 834	
Steve Bistline	Sandpoint, Ida 101 N 1st	
John W. Brown	Salmon, Ida. Box 834	
L. Glen Saxton	Salmon, Id.	Salmon Off. Dept. Water Admin
M. L. Fage	Box 0 Salmon	Self
H. C. Fage	Box 0 Salmon	Idaho
Buster C Light	POB 1338 Salmon Id. 83467	
Jack Slavin	P.O. Box 789 Salmon, Ida. 83467	
		J. C. Herndon
		Wso. B. Light

75 7028

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, $300

Postmark of Delivering Office

SENDER INSTRUCTIONS

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

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

RETURN TO

DEPARTMENT OF WATER ADMINISTRATION
STATE HOUSE ANNEX #2
BOISE, IDAHO 83707

75-708

PS Form **3811** Nov. 1970 e55—16—81277-1

SENDER: Be sure to follow instructions on other side

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☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 23846

INSURED NO.

DATE DELIVERED

① SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

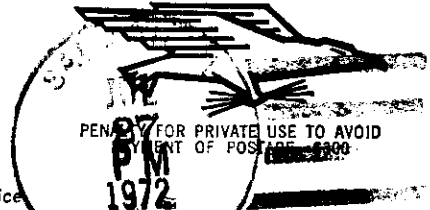
Marjorie J. Leigh

② SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

③ SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

75

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



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RETURN TO

DEPARTMENT OF [illegible] ADMINISTRATION
STATEHOUSE ANNEX #2
BOISE, IDAHO 83707

75-7028

PS Form **3811** Nov. 1970 e55—16—81277-1

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RECEIPT

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CERTIFIED NO. 23848

INSURED NO.

DATE DELIVERED

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SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED (*Only if requested, and include ZIP Code*)

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

SANDPOINT ID 1972 PM JUL 28 83864

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DEPARTMENT OF ADMINISTRATION
STATEHOUSE - MAIL
BOISE, IDAHO 83707

75 - 7028

PS Form 3811 Nov. 1970 e55—10—81277-1

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RECEIPT

Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 23849

INSURED NO.

DATE DELIVERED 7/28/72

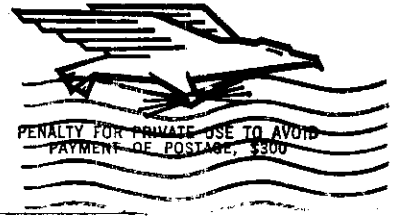
1 SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

Postmark of Delivering Office



SENDER INSTRUCTIONS

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RETURN TO

DEPARTMENT OF [illegible] ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

75-7098

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☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 23847

INSURED NO.

1 SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

3 SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

HEARINGS

NAME AND ADDRESS OF SENDER: DEPT. OF WATER ADMINISTRATION

Indicate type of mail: ☐ REGISTERED ☐ REGISTERED C.O.D. ☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT 7-26-72

	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	RESTR. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1	23835	Bureau of Land Management, Box 1867, Idaho Falls, Idaho	08	30	15				32-7012
2	23836	Fred J. Hahn, Holden, Holden, Kidwell, Hahn & Crapo,							
3		P.O. Box 129, Idaho Falls, Idaho							"
4	23837	Cockeye Land & Livestock Company &/or Leland Small and							
5		O. Dale Randall, Dubois, Idaho							"
6	23838	Gus Hines, Route 1 - Gary Lane, Boise, Idaho							65-7272
7	23839	Mary R. Allen &/or Everett K. Allen, Cascade, Idaho							"
8	23840	Robert H. Remaklus, Attny., P.O. Box 759, Cascade, Idaho							"
9	23841	Donald A. Blatz, P.O. Box 23, Ellis, Idaho							73-7017
10	23842	Fidele Amar, P.O. Box U, Salmon, Idaho							"
11	23843	Merle Hamilton, Ellis, Idaho							"
12	23844	W.J. &/or Frances H. Wraspir, Box 633, Salmon, Idaho							75-7026
13	23845	Martin R. Capps, Salmon, Idaho							"
14	23846	Buster C. &/or Marjorie J. Light, P.O. Box 1338, Salmon							75-7028
15	23847	Mr. & Mrs. H.E. Foge, Box O, Salmon, Idaho							"
16	23848	John W. & Virginia Brown, Box 834, Salmon, Idaho							"
17	23849	Stephen Bistline, Attny., 101 North 1st Ave., Sandpoint, Idaho							"
18									
19									
20									

TOTAL NO. OF PIECES LISTED BY SENDER: 15

TOTAL NO. OF PIECES REC'D AT P.O.

POSTMASTER, PER (*Name of receiving employee*)

*Show under "Remarks" class postage paid if other than first or if international

POD Form 3877, Nov. 1968

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

c48—16—8793-15 U.S. GOVERNMENT PRINTING OFFICE

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

In the Matter of Protests Against Approval of Application for Permit No. 75-7028 in the name of BUSTER C. &/or MARJORIE J. LIGHT	NOTICE OF CONFERENCE AND/OR HEARING

On June 5, 1972, Buster C. &/or Marjorie J. Light filed with the Department of Water Administration an application to appropriate the public waters of the State of Idaho. The Department has received protests against the approval of said application from Mr. & Mrs. H. E. Foge and John W. & Virginia Brown.

The Department has set the matter of protests for conference and/or hearing for Wednesday, August 16, 1972, at 1:00 p.m., in the Conference Room of the Federal Services Building (across from the post office) at Salmon, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protests or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 26 day of July, 1972.

Bobby D. Fleenor

BOBBY D. FLEENOR
Assistant Director

75 7028

July 19, 1972

Re: Application for Permit No. 75-7028 - Buster C. &/or Marjorie Light

Mr. Stephen Bistline
Attorney-at-Law
101 North First Avenue
Sandpoint, ID 83864

Dear Mr. Bistline:

We have enclosed a copy of the letter we wrote to your client, Mr. John W. Brown, acknowledging receipt of the protest filed against the issuance of a permit in connection with the above referenced application.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Enclosure

75 7028

July 19, 1972

Re: Application No. 75-7028 - Buster C. &/or Marjorie Light

Mr. John W. Brown
Box 834
Salmon, ID 83467

Dear Mr. Brown:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 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 purposes 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?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

75 7028

cc: Stephen Bistline, Atty.
101 North First Avenue
Sandpoint, ID

bc: BOISE OFFICE

July 19, 1972

Re: Application for Permit No. 75-7028 - Buster C. &/or Marjorie Light

Mr. H. E. Foge
Box 0
Salmon, ID 83467

Dear Mr. Foge:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 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 purposes 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?

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You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA
cc: ~~Stephen Bistline, Atty.~~
~~101 First North Avenue~~
~~Sandpoint, ID~~

75 7028

bc: BOISE OFFICE

Dear Sirs,

RECEIVED
JUL 18 1972
Department of Water Administration
Eastern District Office

I wrote you the last week in June to protest an application for water [illegible] and informing you that we would be out of town for several weeks and to direct any further correspondence to John Brown. You sent a letter directly to us and we did not receive it until well passed the time for entering protests.

We neglected to send you the number of the Application which I will remedy now

The name is Buster C. & Marjorie J. Light. Application # 75-7028.

Since that application was submitted, Mr. Light has closed of the water and has informed everyone

75 7028

that he alone has the rights to these waters.

I would greatly appreciate an answer and some action before the water leases running for the year.

Sincerely
Mrs. H. E. Fogg
Box 0
Salmon, Ida.
83467

75 7028

LAW OFFICES OF
STEPHEN BISTLINE
101 NORTH FIRST AVENUE
SANDPOINT, IDAHO 83864

STEPHEN BISTLINE
GARY A. FINNEY

TELEPHONE
CONGRESS 3-2105

RECEIVED
JUL 10 1972
Department of Water Administration
Eastern District

July 7, 1972

Mr. Norman C. Young
District Engineer
Department of Water Administration
240 South Holmes Avenue
Idaho Falls, Idaho

Re: Application for Permit No. 75-7028 - Light

Dear Mr. Young:

This is responsive to your letter of June 30th to Mr. John Brown, and you are to consider it as an official protest, as requested by the second paragraph of your letter. The protest is based upon the singular proposition that there is not that much water in existence. For over twenty years Mr. Brown has irrigated with the water in question, having under cultivation and irrigation over 100 acres. In the months of July and August every year the water dwindles down to less than enough to provide one hundred miner's inches of water.

Since Mr. Brown wrote you on the 28th day of June, he and I discussed the situation with Mr. Saxon, at the Salmon office, who very thoroughly explained the whole situation to us. After that we talked with Mr. Light, and the whole situation seems to be now better understood and ironed out. We now understand that Mr. Light's application for a permit does not presume to be prior to Mr. Brown's prior appropriation. We also understand that the only way to perfect upon waters is by court decree. This has been discussed with Mr. Light, and apparently the procedure which will now be followed will be the bringing or an appropriate action in District Court, wherein Mr. Light and Mr. Fogey will both join with Mr. Brown as plaintiffs.

Mr. Brown's prior appropriation of one hudnred inches is recognized by both Mr. Light and Mr. Fogey, both of whom have purchased acreages from Mr. Brown, and it is agreeable that, subject to Mr. Brown's first and prior requirements for one hundred inches, Mr. Light will be second in line with seven, and Mr. Fogey with three and one-half. It is my understanding that Mr. Light

75 7028

understands the advantage of perfecting his claim through Mr. Brown's (and fifty years or more of predecessors' use) appropriation, and getting a decree rather than a permit.

Very sincerely,

Stephen Bistline

SB:smb
cc: Mr.John Brown
Mr. Buster Light

LAW OFFICES OF
PHEN BISTLINE
NORTH FIRST AVENUE
DPOINT, IDAHO 83864

SANDPOINT, ID
1972
PM
JUL 7
83864

Mr. Norman Young
District Engineer
Department of Water Administration
240 South Holmes Avenue
Idaho Falls, Idaho

83864
JUL 7
PM

75 7028

RECEIVED
JUL 7 1972
Department of Water Administration
Eastern District Office

July 6-72
Salmon, Ida.
Box 834
83467

Idaho Water Admistration Dept.
240 South Holmes
Idaho Falls, Ida.

Dear Sir:

The reason we protested the water permit for Buster C. Light no. 75-7028 is. We owned 320 acers of land in sec. 3 T 30 N. 17 E That is being irrigated by this water. We sold Mr. Light 20 acers of land + told him he had a right to use water. but not a first water right above us. Also we sold Bert + Peggy Foge 10 acers + they should have a water right to,

We have sold the rest of the land now to Steve Bustline in Sand Point, Idaho. 75 7028

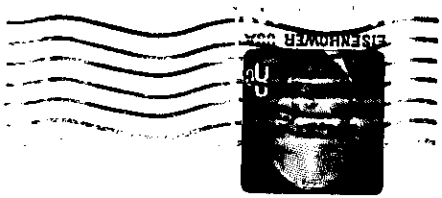
So Joe + Mr. Light + we have agreed to go to Court and settle the water rights in a quiet title. We have given the letter we received from you to Mr. Bastline, so you should hear from him about this also.

Yours Truly
John W. Bowen
Salmon Ida.
Bx 834 83467

75 7028

Box 834
Salmon, Ida.
83467

SALMON, ID
JUL 6
AM
1972



Idaho Water Administration
240 So. Holmes
Idaho Falls
Idaho

75 7028

RECEIVED

JUL 5 1972

Department of Water Administration
Eastern District Office

July 3, 1972

Application # 75-7028

Dear Sirs:

We received your letter of June 30, 1972 stating that John and Virginia Brown have protested our request for a water permit.

This is to inform you that John and Virginia Brown sold the Salmon Hot Springs about 1 or 2 months ago and have no legal right to protest our application.

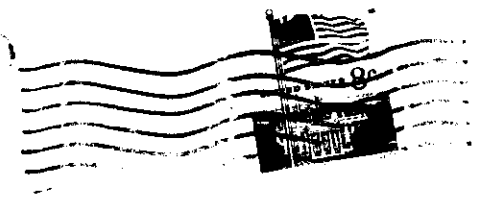
Sincerely,

Buster Light Marjorie Light

Buster C. and Marjorie Light

75 7028

Buster C. Light
P.O. Box 1338
Salmon, Idaho 83467



SALMON, ID
JUL 3
PM
1972

Norm Young, District Engineer
Department of Water Administration
Eastern District Office
240 South Holmes Ave.
Idaho Falls, Idaho 83401

75 7028

June 26, 1972

Mr. H. E. Poge
Box 0
Salmon , ID 83467

Dear Mr. Poge:

We are in receipt of your letter regarding a protest of application for a water right. We cannot, however, consider this to be an official protest as you have not indicated the application you are protesting, nor the reason that you feel that this application would affect your existing water rights. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 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 purposes intended?

3. Is the application made in good faith or for delay or speculative p purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

Because we are unable to determine which of several applications you are protesting, we must insist that you provide us with the necessary information before the official end of the protest period, as advertised in the notice of application for permit.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:ba

75 7028

June 30, 1972

Re: Application for Permit No. 75-7028

Mr. Buster C. Light
P.O. Box 1338
Salmon, ID 83467

Dear Mr. Light:

We are enclosing a copy of a protest filed against your application for permit. and a copyoof the letter we wrote to the protestant concerning same application.

We will keep you informed of the protestant's desire to either withdraw or continue his protest against your application.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Enc: (2)

75 7028

June 30, 1972

Re: Application for Permit No. 75-7028 - Light

Mr. John W. Brown
Box 834
Salmon Hot Springs
Salmon, ID 83467

Dear Mr. Brown:

We are in receipt of your letter dated June 28, 1972, protesting the issuance of a permit on the above referenced application.

We cannot consider this to be an official protest, as you have not indicated how the application will injure your existing water rights.

Please provide this office within ten days of the date of this letter, information as to the detrimental effect that you believe the diversion of the water as proposed in the application will have upon specific water rights that you own.

If we do not hear from you within this time period, we will consider that you no longer wish to pursue your protest.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:ba

cc: Mr. Buster C. Light
P.O. Box 1338
Salmon, ID 83467

75 7028

Salmon Idaho.
June 28 - 1972
Box 834 - 83467

Idaho Dept. of Water Administration;

240 South Holmes
Idaho - Falls Idaho 83401

Dear Sirs:

We want to protest the Aplication No. 75-7028 for a permit to appriote 0.14 Cubic feet per second of water from unnamed Stream, tributary to Hot Springs, Creek, tributary to the Salmon River within the S.W.¼ N.W.½ sect 3.520 N.R. 22 E B.M. Lemhi County, Submitted by Buster C. Light & Margie J. Light.

Your Truly
John W. Brown
Virginia Brown

75 7-28

Salmon Hot Springs
Salmon, Idaho
Box 834 - 83467

June 6, 1972

Re: Application for Permit No. 75-7028

Mr. Buster C. Light
P.O. Box 1338
Salmon, ID 83467

Dear Mr. Light:

Attached herewith is departmental receipt No. 7318 in the amount of $10.00 for your application for permit which was received in this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Attachment

75 7028