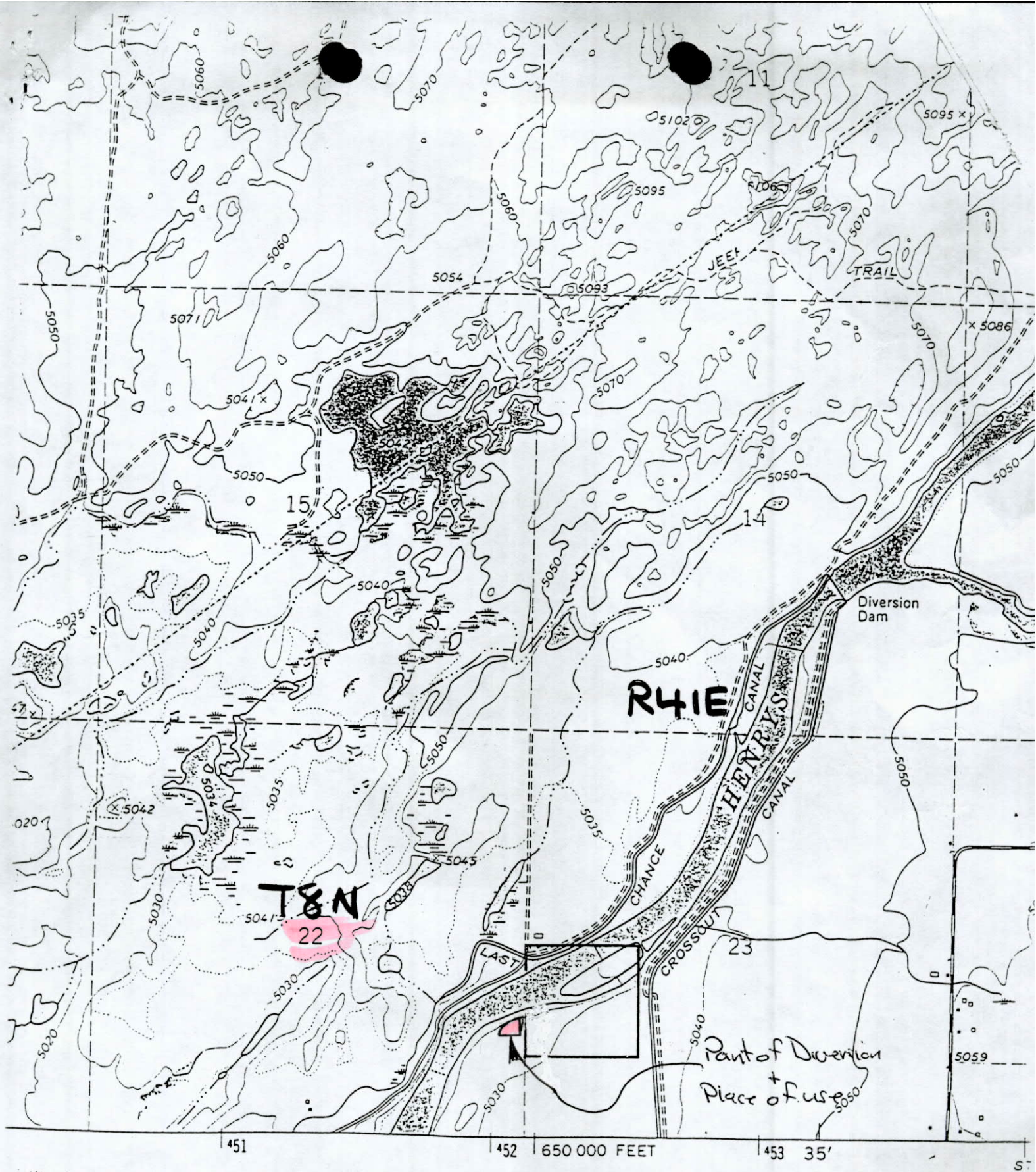


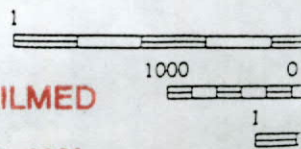
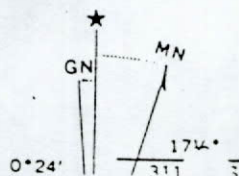


edited, and published by the Geological Survey

USGS and USC&GS

by photogrammetric methods from aerial
photos taken 1963. Field checked 1965

projection. 1927 North American datum
at grid based on Idaho coordinate system.



MICROFILMED

DEC 12 2001

THE FREMONT COUNTY HERALD-CHRONICLE
St Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, TERRY T. WEATHERSTON, being first duly sworn, depose and say, that I am the printer of the FREMONT COUNTY HERALD-CHRONICLE, a 3 times a week newspaper printed and published 3 times a week in Fremont County, Idaho; and I do solemnly swear that the NOTICE WATER RIGHT APPLICATION 21-07594 a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for TWO consecutive issues, the first publication having been made on NOVEMBER 15, 2000 and the last publication having been made on NOVEMBER 22, 2000. Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

Terry T. Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 23RD day of NOVEMBER in the year of 2000 before me, a Notary Public, personally appeared Terry Weatherston, 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 statement therein are true, and acknowledged to me that he executed the same.

Shirley J. Murray
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: April 29, 2005

NOTICE OF APPLICATION
FOR WATER RIGHT

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

21-07594
ALTMAN, GALE
829 HIDDEN ESTATES LN

ST. ANTHONY, ID 83445
Source: Henry's Fork
Tributary: Snake River
Diversion Pt: Lot 1 (NESE) Sec 22 T
08N R 41E in Fremont County.
Use: Diversion to storage (0.200 CFS)
Recreation Storage (0.20 AF)
Irrigation (0.040 CFS)
Total Diversion: (0.200 CFS)
Date Filed: 10/30/2000
In: Fremont County T08N R41E S22
NESE 2.0 Acres Total

The applicant will be required to rent storage water during those times when natural flow is not available for a 10/30/2000 priority date.

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N. Skyline Dr., Ste A, Idaho Falls, ID 83402, together with a protest fee of \$25 on or before December 4, 2000, 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.

KARL J. DREHER,
Director

Publ. Nov. 15 and 22, 2000HC.

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DEC 12 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
NOV 29 2002

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed the development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 21-7594 Telephone No. 208 624-7059
2. Name of Permit Holder(s): GALE ALTMAN
3. Mailing Address: 829 Hidden Estates Lane
City St. Anthony State ID Zip 83445
4. Source of Water: Henry's Fork If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
Well Driller: _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): -0- Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 0.040 CFS Other: Diversion to storage 0.200 CFS
Recreation Storage 0.20 AF
6. Total rate of diversion and/or volume for which proof is submitted: 0.200 cfs OR 0.20 acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not** optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes ____ or No X
Has the measuring device 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: Same as above Telephone Number: _____
Address: _____
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Gale Altman Date: 11/25/02
(include your title, if on behalf of company or organization)

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JAN 08 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 21-07594

Priority: 10/30/2000

Maximum Diversion Rate: 0.20 CFS

This is to certify, that GALE ALTMAN
829 HIDDEN ESTATES LN
SAINT ANTHONY ID 83445

has applied for a permit to appropriate water from:

Source: HENRYS FORK

Tributary: SNAKE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	
RECREATION STORAGE	01/01 to 12/31		0.2 AF
IRRIGATION	04/01 to 10/31	0.04 CFS	

LOCATION OF POINT(S) OF DIVERSION:

HENRYS FORK L1 NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, Twp 08N, Rge 41E, B.M. FREMONT County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	41E	22																	2.0

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 1, 2002**.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
4. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
5. Each year the right holder shall rent storage water from the Fremont-Madison Irrigation District or shall otherwise mitigate the depletion of water caused by this water use.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. Point of diversion is located within Lots 6 or 7, Hidden Estates Subdivision.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 19th day of November, 2001.


for
KARL J DREHER, Director

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DEC 12 2001

RECEIVED

JAN 10 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Gale Altman Phone (208) 624-7059
Mailing address 829 Hidden Estates Ln St Anthony, ID 83445
2. Source of water supply Henrys Fork which is a tributary of Snake River
3. Location of point of diversion is Township 8N Range 4E Sec. 22, in the 1/4,
NE 1/4, SE 1/4, Govt. Lot 1, B.M., Fremont County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.20 cfs for Recreation Diversion purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.20 cfs for Recreation Storage purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 cfs for Irrigation purposes from 4-01 to 10-31 (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) 0.20 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 2 hp pump & line to
a pond 25' x 75' by 4'
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? _____
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.
e. Other; describe fully. Recreation pond

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9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8N	41E	22													R				
															2				2

Total number of acres to be irrigated 2

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

11. 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: _____

12. Remarks: PO will be on Lot 6 or 7 of Hidden Estates
Subdivision.

Applicant will rent 8 a/c as compensation when
2000 priority water is not available.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

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DEC 12 2001

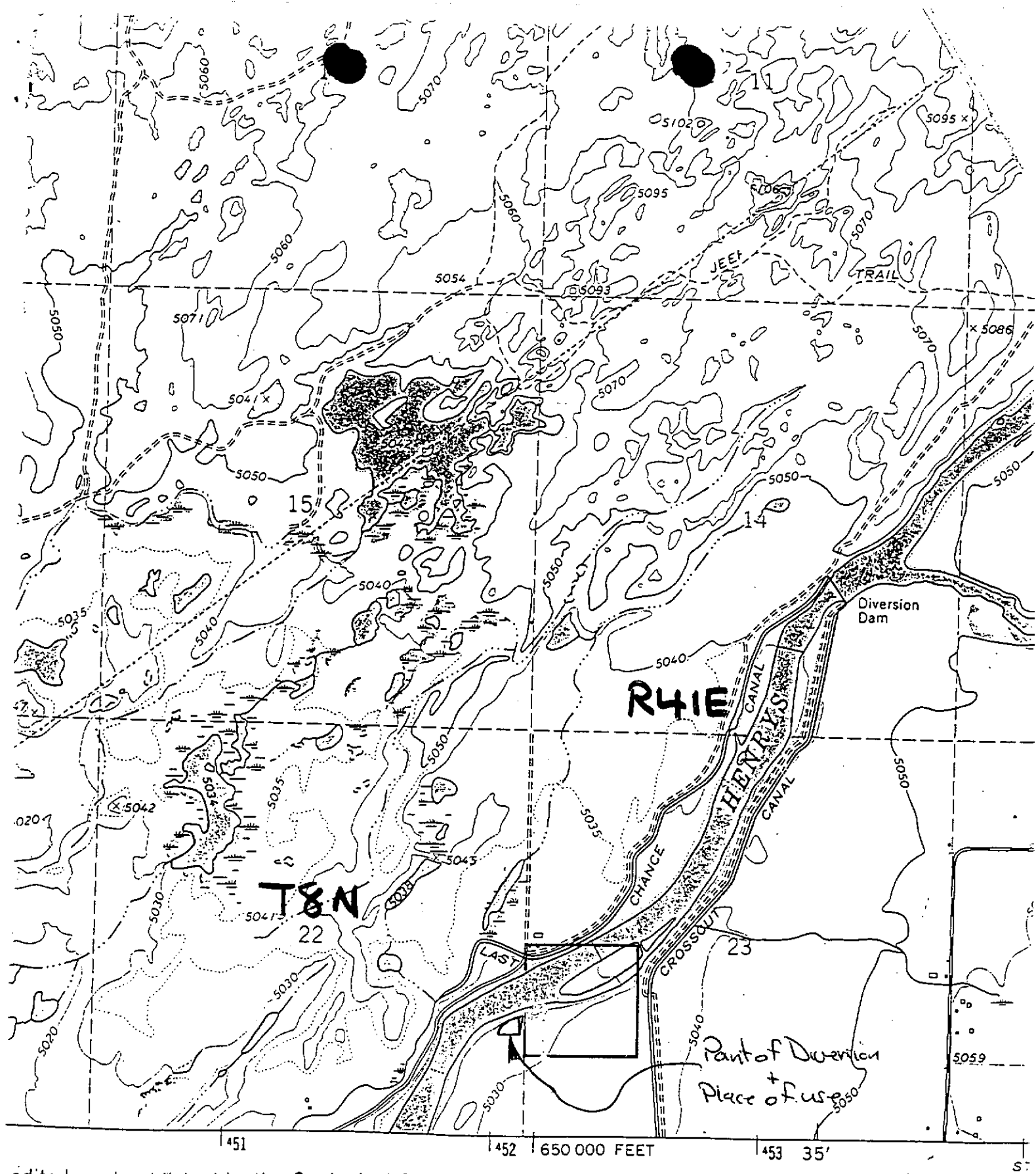
Gale Attkin
Signature of Applicant (and title, if applicable)

Received by HWT Date 10-30-00 Time _____ Preliminary check by _____

Fee \$ 100.00 Received by HWT # E026291 Date 10-30-00

Publication prepared by SC Date 11/5 & 11/22/00 Published in Heppner Chronicle

Publication approved SC Date 12/4/00

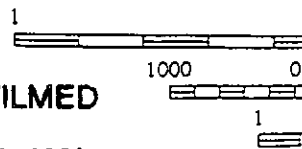
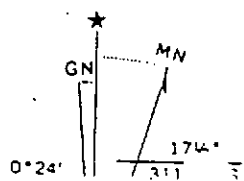


edited, and published by the Geological Survey

USGS and USC&GS

by photogrammetric methods from aerial
photos taken 1963. Field checked 1965

projection. 1927 North American datum
of grid based on Idaho coordinate system.



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DEC 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 12, 2002

GALE ALTMAN
829 HIDDEN ESTATES LN
SAINT ANTHONY ID 83445

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 21-07594

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

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

If you have questions, please contact the **Eastern** Regional Office of the department in Idaho Falls (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

JAN 08 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 21-7594

Reviewed By: dgibson

Date: December 11, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		E026291, C066054	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	11/29/2002
Date proof due	- 12/01/2002
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 10/30/2000
New priority date	= 10/30/2000

Deficiencies of Actions Items

Acknowledge proof.

September 30, 2002

GALE ALTMAN
829 HIDDEN ESTATES LN
ST ANTHONY, ID 83445

PROOF DUE NOTICE

RE: PERMIT NO. 21-7594

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 December 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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.

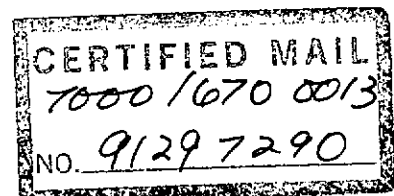
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures

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JAN 08 2003





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 20, 2001

GALE ALTMAN
829 HIDDEN ESTATES LN
SAINT ANTHONY ID 83445

RE: Permit No. 21-7594

Permit Approval Notice

Dear Permit Holder:

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

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.

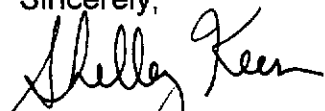
Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

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

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DEC 12 2001

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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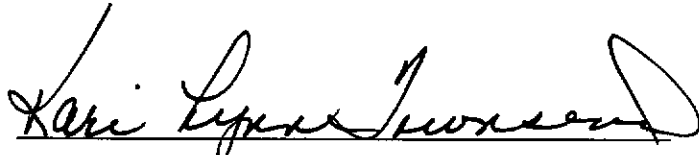
DEC 12 2001

CERTIFICATE OF MAILING

I hereby certify that on November 20, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 21-7594

**GALE ALTMAN
829 HIDDEN ESTATES LN
SAINT ANTHONY ID 83445**


Kari Lynn Townsend
Secretary

MICROFILMED

DEC 12 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

*MICROFILMED
SEP 2 2001*

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
DEC 12 2001

MEMORANDUM

To: File 21-07594

From: Sharla

Date: February 9, 2001

Re: Mitigation

As mitigation for this right, the applicant already owns 2.5 af of storage water and has an agreement with Fremont-Madison Irrig. District for another 2.0 af. The irrigation district indicates the applicant can rent another 4.0 af from the district to fully compensate for diversion under this application. In talking with Skip at Eastern, I asked him if he could get a signed written agreement covering the entire 8 af for documenting the file. He said that the district does not start initiating agreements until early spring but that he would attempt to get something in writing from them for the file.

1/4/01 per telecon w/ Skip.
Applicant hasn't even purchased pump yet. FMID charges at end of season for what was used of storage water. Combine prog ~~data~~ submittal w/ requirement for storage rental.

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DEC 12 2001

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**

Reviewed by Sharla Curtis on 1/16/01

No. 21-07594 Name: Altman Corp. Officers N/A Ad ok ☒ Govt Lots

AREA OF CONCERN: No/Yes SR Moratorium GWMA TRUST/NON-TRUST Perched

rental water as mitigation

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 084 (if necessary)
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response None
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
In-stream development - P52
WD - R04 (WD# 01)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W22(P04) N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84
Swan Falls Flag
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01) 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCK WATER - R37 (BLM/USFS)
MINING - 054-106(P10)
FISH/PROP - 029(70'S only)-007-042-106 (P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-106 (P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

BENEFICIAL USE DUE: 12/01/2002

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

Multiple pd's per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 1/1-10/31 (Per updated map)

IRR VOLUME/ACRE 3.5

OTHER CONDITIONS/REMARKS Special cond re: rental water - tie w/ proof submittal

COMMENTS

RECEIVED

JAN 10 2001

Department of Water Resources

Hittman

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

Dist for Staffing _____
Submitted for advertising _____

INITIAL REVIEW BY HWT DATE 10-30-00 APPLICATION NO. 21-07594

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 subdivision, 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 Critical groundwater area
_____ Yes _____ No Groundwater management area
_____ Yes _____ No Send dam safety information
_____ Yes _____ No Send fish farm requirement letter
_____ Yes _____ No Power residency affidavit
_____ Yes _____ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet)
_____ Yes _____ No Public Water System
☒ Yes _____ No Planning section review
_____ Yes ☒ No Moratorium Hold file
_____ 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:

- _____ Id Dept of Health & Welfare
☒ Id Dept of Fish & Game
_____ Id Dept of Lands
_____ Adjudication Bureau Unit
_____ U.S. BLM
_____ 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
☐ Yes	☐ No	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 District <u>01</u>
☒ Yes	☐ No	Special conditions of approval or cover letter below.

Date of priority recommend 10-30-00
 By: HWS Date: 12-27-00
 STATE OFFICE REVIEW:

By: _____ Date: _____
 ADDITIONAL INFORMATION:

LOCAL PUBLIC INTEREST:

Comments received from:

☐ City	☐ Id Fish & Game	☐ Irrigation District
☐ County	☐ Id Health & Welfare	☐ Canal Company
☐ Reservations	☐ Div. Of Environment	☐ Other _____

Project impacts/implications report

COMMENTS

1/ Applicant will have to rent own 8 acre first
of storage from Fremont-Madison Div. District
each year when water a 2000 priority is
not available from natural flow.
Zuf

JEFF RAYBOULD, CHAIRMAN

GEORGE CRAPO, SECRETARY-TREASURER

DALE L. SWENSEN, EXECUTIVE DIRECTOR

FREMONT-MADISON IRRIGATION DISTRICT

P.O. BOX 15

ST. ANTHONY, IDAHO 83445

BOARD MEMBERSMARK RICKS
GEORGE CRAPO
KEITH ERICSON**BOARD MEMBERS**LELAND E. CLARK
DOUGLAS HILLAM
SCOTT NEVILLE
JEFF RAYBOULDFAX COVER: NUMBER OF PAGES INCLUDING COVER 3 FAX NO. 624-3990TO: Harold JonesFROM: Dale SwensenDATE: 12-27-00

MESSAGE Attached is evidence that Gale Altman owns
2 1/2 a.f. of storage water and our rental agreement
for another 2 a.f. on a year to year basis. Mr.
Altman could rent another 4 a.f. on a year to year
basis to get up to a total of 8 a.f.

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DEC 12 2001

WATER RENTAL AGREEMENT

THIS AGREEMENT made this 12 day of May 2000 by and between the Fremont-Madison Irrigation District a quasi-municipal corporation, with its office located in St. Anthony, Idaho, Lessor, and Gale Altman of St. Anthony ID Lessee,

WITNESSETH:

The Lessor leases to Lessee for the 2000 irrigation season, from April 1, to November 1, 2 acre feet of storage water, at the rental price of \$3.00 per acre foot and in addition thereto Lessee to pay his pro rata share of pumping charges of wells leased from the United States by the District to furnish rental storage water. The total rental charge to be paid to Lessor by Lessee at the time application is made.

Lessee's point of diversion of said leased water is

Henry's Fork to be used on personal property

It is understood and agreed that the Lessor does not guarantee that the above acre feet of storage water is or will be available for the Lessee's use.

It is further understood and agreed that the rental of said storage water to the Lessee by the Lessor, is subject to prior rights and cannot be used by the Lessee in derogation of prior rights. Delivery of rental water by Lessor to Lessee may be terminated at any time Lessor is unable to fill prior rights or make delivery of rental storage water through the Cross-Cut Canal. By virtue of this lease, Lessee is not establishing any use right or accumulating any record of use.

FREMONT-MADISON IRRIGATION DISTRICT

By _____
Chairman

ATTEST: _____
Secretary

Lessee

Gale Altman
555 Hidden Estates Ln
Saint Anthony, ID 83445

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DEC 12 2001

*Dale,
I think this is correct
If not, give me a call.
gale*

ASSESSMENT RECORD

FREMONT-MADISON IRRIGATION DISTRICT - ST. ANTHONY, IDAHO

YEAR	NUMBER OF ACRES ASSESSED	WASTE LAND	ASSESSED BENEFITS	MAINT'NCE RATE PER ACRE	REPAYMENT RATE PER ACRE	SPECIAL	TOTAL ASSESSMENT	UNPAID ASSESSMENTS	ACRE FEET	RECEIPT NUMBER	PAID
87	2 1/2		75	2.63			2.63		2 1/2		
				2.25			2.25				
89				3.00			3.00				
				3.38			3.38				
91				2.63			2.63				
				8.10			8.10				
93				5.63			5.63				
94				4.50			4.50				
95				7.13			7.13				
96				5.63			5.63				
97				5.03			5.03				
98				5.03			5.03				
99				7.13			7.13				
00				7.13			7.13				

NAME: Blanchard, Harold *Sale 1/1/00* ADDRESS: *Hidden Estate*
Box 114, Chester, Idaho

DESCRIPTION: L-1-2, BIR 6

CANAL: Chester

SEC: Chester WP:

RNG:

ACCT. NO. 1159

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DEC 12 2001

THE FREMONT COUNTY HERALD-CHRONICLE
St Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, TERRY T. WEATHERSTON, being first duly sworn, depose and say, that I am the printer of the FREMONT COUNTY HERALD-CHRONICLE, a 3 times a week newspaper printed and published 3 times a week in Fremont County, Idaho; and I do solemnly swear that the NOTICE WATER RIGHT APPLICATION 21-07594 a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for TWO consecutive issues, the first publication having been made on NOVEMBER 15, 2000 and the last publication having been made on NOVEMBER 22, 2000. Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

Terry T. Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 23RD day of NOVEMBER in the year of 2000 before me, a Notary Public, personally appeared Terry Weatherston, 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 statement therein are true and acknowledged to me that he executed the same.

Shirley J. Murray
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: April 28, 2005

NOTICE OF APPLICATION
FOR WATER RIGHT

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

21-07594

ALTMAN, GALE
829 HIDDEN ESTATES LN

ST. ANTHONY, ID 83445

Source: Henry's Fork

Tributary: Snake River

Diversion Pt: Lot 1 (NESE) Sec 22 T
08N R 41E in Fremont County.

Use: Diversion to storage (0.200 CFS)

Recreation Storage (0.20 AF)

Irrigation (0.040 CFS)

Total Diversion: (0.200 CFS)

Date Filed: 10/30/2000

In: Fremont County T08N R41E S22
NESE 2.0 Acres Total

The applicant will be required to rent storage water during those times when natural flow is not available for a 10/30/2000 priority date.

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N. Skyline Dr., Ste A, Idaho Falls, ID 83402, together with a protest fee of \$25 on or before December 4, 2000, 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.

KARL J. DREHER,
Director

Publ. Nov. 15 and 22, 2000HC.

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DEC 12 2001

November 9, 2000

Id Fish & Game
1515 Lincoln Rd
Idaho Falls ID 83401

RE: Application for Permit 21-07594

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 December 4, 2000, 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.

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DEC 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

November 9, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Gale Altman
829 Hidden Estates Ln
St Anthony ID 83445

RE: Applications for Permit #21-07594

Dear Applicant:

This office is currently in the process of advertising the application in the Herald Chronicle on November 15 and 22, 2000. 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

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DEC 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NOVEMBER 9, 2000

Legal Notices Department
HERALD CHRONICLE
P.O. BOX 10
REXBURG, ID 83440

Dear Legal Dept.:

Enclosed you will find legal notices 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 DECEMBER 4, 2000.

Yours truly,

Sharla Cox
Senior Secretary

Encl.



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DEC 12 2001

NOTE OF APPLICATION FOR WATER RIGHT

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

21-07594

ALTMAN, GALE
829 HIDDEN ESTATES LN
ST ANTHONY, ID 83445

Source: HENRY'S FORK

Tributary: SNAKE RIVER

Diversion Pt: LOT 1 (NESE) Sec 22 T 08N R 41E in FREMONT County.

Use: DIVERSION TO STORAGE	(	0.200 CFS)	
RECREATION STORAGE			(0.20 AF)
IRRIGATION	(	0.040 CFS)	
Total Diversion:	(	0.200 CFS)	

Date Filed: 10/30/2000

In: FREMONT County
T08N R41E S22 NESE

2.0 ACRES TOTAL

The applicant will be required to rent storage water during those times when natural flow is not available for a 10/30/2000 priority date.

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls ID 83402, together with a protest fee of \$25.00 on or before DECEMBER 4, 2000. 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: 11/15/2000 & 11/22/2000

KARL J. DREHER, Director

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DEC 12 2001