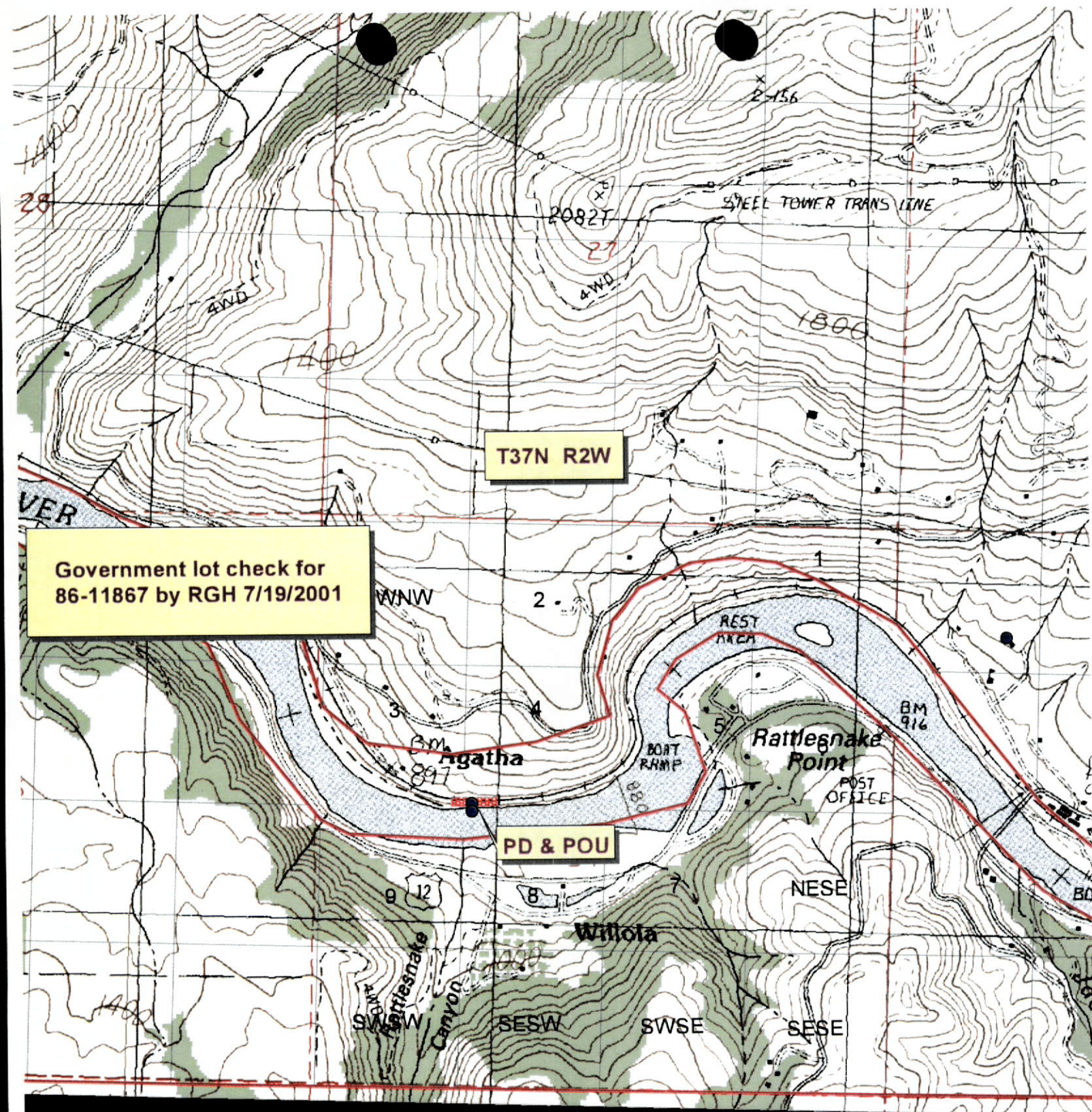
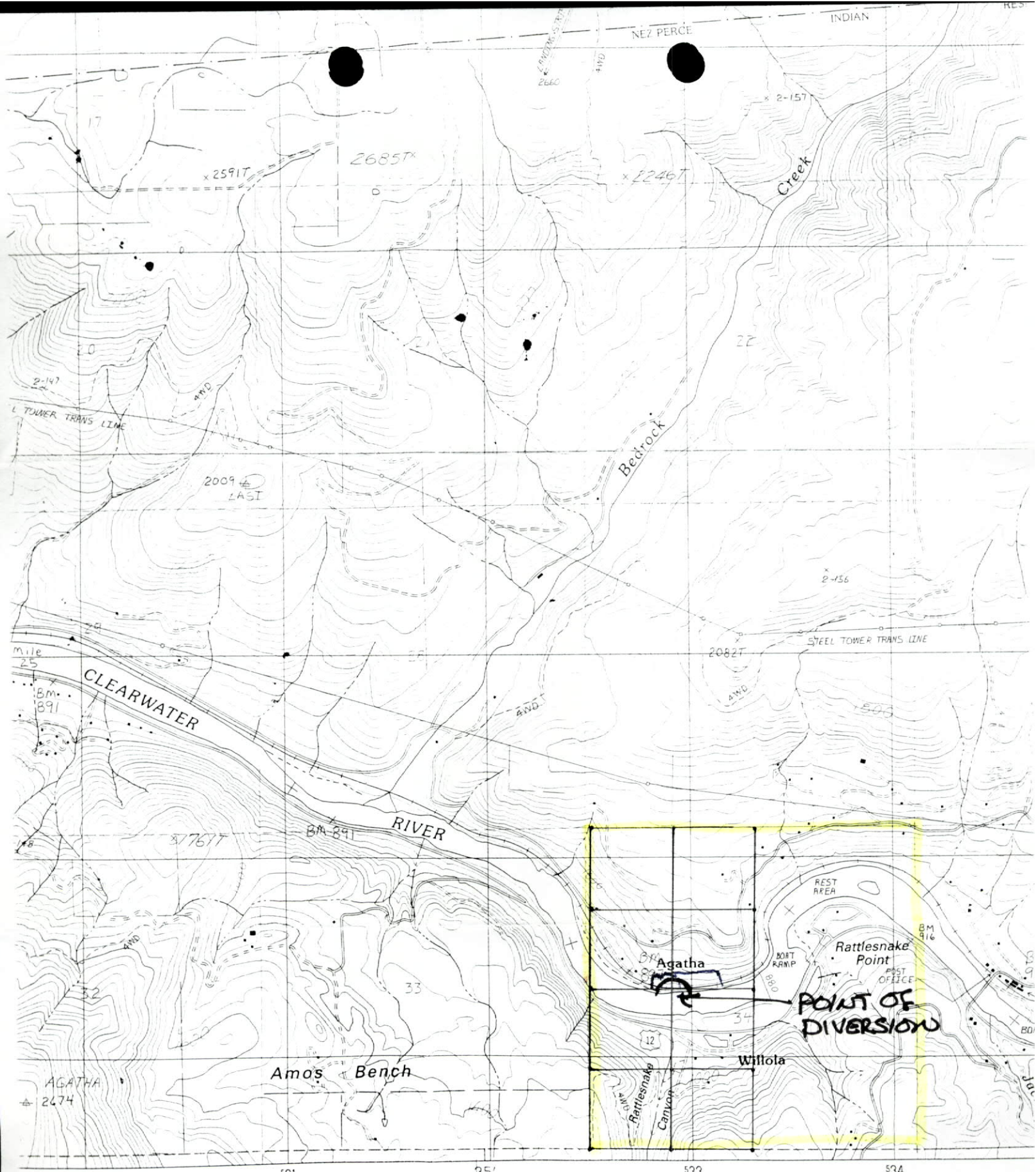






CAL SURVEY
AND NOS NOAA
.....1957
.....1987
.....1990
SI MERCATOR
.....ZONE 11
HO, WEST ZONE
.....0 19' EAST
.....18 00' EAST
DATUM OF 1929
AMERICAN DATUM



SCALE 1:24 000
CONTOUR INTERVAL 40 FEET
SUPPLEMENTARY CONTOUR INTERVAL 20 FEET

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 05/10/2001

INVOICE NO. 260783

Account No. 964750

Description 260783 The following ap

Times 2

Lines 24

Tab. Lines

\$ 77.28

**LEGAL ADVERTISING
INVOICE**

RECEIVED

MAY 11 2001

IDWR/North

SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D'ALENE ID 83814

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

The following application(a) have been filed to appropriate the public waters of the State of Idaho: 86-11867

PHILIP L JENSEN
RT 1 BOX 103A
LENORE, ID 83541

Point(s) of Diversion NESW S34 T37N R02W NEZ PERCE County

Source CLEARWATER RIVER

Point(s) of Diversion SENW S34 T37N R02W NEZ PERCE County

Source CLEARWATER RIVER

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 03/23/2001

Place Of Use: DOMESTIC

T37N R02W S34 SWNW SENW NESW NWSW

Remark: Domestic use is for lawn and garden irrigation.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sac 42-203A, Idaho Code

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 05/21/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on 5/3 and 10/2001

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 260783 The follo attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 05/03, or once a WEEK WEEK for 2 consecutive WEEK, the first publication thereof being on the 05/03/2001, and the last publication thereof being on the 05/10/2001, and said 260783 The follo was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J Lewis

State of Idaho

S.S.

County of Nez Perce

On this 10 day of MAY in the year of 2001, before me, a Notary Public, personally appeared KAREN LEWIS, 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 in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7-1-03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

RECEIVED
JUL 24 2002

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 86-11867
Name(s) of Permit Holder: Philip Jensen
Address: 19489 Railroad Ave City Lenore State Id Zip 83541
Telephone No. 208 836 5426 Date Proof is Due: Aug 1 2002

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

I have purchased a Goulds Aqua Lawn pump Ser. # N1141013
I have had a Back flow restrictor Built
I have purchased pipe & sprinklers for the system

Costing \$ 470.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

I need to install a waterline and power 4' under the railroad
tracks. From the yard side to the river side of the tracks there
is approximately 18' of Ballast to dig thru. I was going to
rent a boring machine to bore the hole for the pipe and power

Permit holder(s) request an extension to Aug 1 2003 cont. on attached
paper

Philip Jensen
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit proof of beneficial use is
extended to August 1, 2003.

Signed this 25th day of July, 2002

L. Glen Saxton
L. GLEN SAXTON, Chief
Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
INSTRUCTIONS FOR EXTENSION OF TIME REQUEST
TO SUBMIT PROOF OF BENEFICIAL USE

If the water right development authorized by your permit is not complete and you need more time to submit proof of beneficial use of water under your permit, please read the following:

Under the provisions of Section 42-204, Idaho Code, the department can extend the proof due date of your permit only once, and then only if you can demonstrate that you have been pursuing development of the permit with due diligence.

The Request for Extension of Time form requires that you indicate the extent of development that has occurred, the cost, and the reason(s) the work has not been completed. This information must be provided in enough detail to show due diligence. Examples of work performed are: well drilled, pump installed, 10 acres now irrigated, fish propagation ponds constructed, sprinkler system purchased, etc.

If no work has been accomplished, the statutes provide that the Request for Extension of Time must be denied. **Lack of financial resources, the state of the economy or personal illness usually cannot be considered adequate reasons to approve a Request for Extension of Time.**

EXCEPTIONS TO ONLY ONE EXTENSION

The proof due date for a permit that has not been developed for one of the following reasons may be granted one or more extensions of time even though no work has been accomplished:

- When there is a lack of a required consent or final approval from a federal government agency (**evidence of delay must be submitted with the request**), i.e. right-of-way easement or land classification such as Desert Land Entry or Carey Act.
- When litigation related to title of the water has prevented development of the permit (**evidence must be submitted with the request**).
- When the water project is of a large scale—storage of more than 10,000 acre-feet or diversion of more than 25,000 acre-feet in one irrigation season for an irrigation project of at least 5,000 acres.
- When the water right permit is held by the United States of America (**reason for request must be submitted**).

A non-refundable filing fee of \$50.00 must accompany the Request for Extension of Time form.

NOTE that in no case should a Proof of Beneficial Use form and a Request for Extension of Time form both be submitted. If your water development project is completed, then the proof of beneficial use form should be completed and returned. If the project is started but not completed, then the Request for Extension of Time form should be completed and returned in compliance with the guidelines above. If the project has not been initiated and does not fit into one of the exceptions listed above, then neither form should be returned and the permit will lapse and become of no further force nor effect.

I was told by the rental company that the machine would only work in even consistent material such as crushed rock. Railroad maintenance people told me that the ballast was made of river rock and dirt. The boring machine will not work in this type of material. I need to work with the railroad company to find a different way to install the water line and power. I am working road construction away from home 6 days a week so I cannot deal with the project at this time.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 86-11867

Priority: 03/23/2001

Maximum Diversion Rate: 0.04 CFS

This is to certify, that PHILIP L JENSEN
RT 1 BOX 103A
LENORE ID 83541

has applied for a permit to appropriate water from:

Source: CLEARWATER RIVER

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>
DOMESTIC	01/01 to 12/31	0.04 CFS	

LOCATION OF POINT(S) OF DIVERSION:

CLEARWATER RIVER	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 34, Twp 37N, Rge 02W, B.M.	NEZ PERCE County
CLEARWATER RIVER	L4 SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 34, Twp 37N, Rge 02W, B.M.	NEZ PERCE County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
37N	02W	34							X	X	X	X							
									L3			L4							

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 1, 2002**.
2. Subject to all prior water rights.
3. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
4. Domestic use is for lawn and garden irrigation of up to 1/2 acre.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 31st day of July, 2001.

[Signature]
for
KARL J DREHER, Director

69059

Ident. No. 86-11867

RECEIVED

JUL 24 2001

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Philip L. Jensen Phone 208 836 5426
Post Office address Rt 1 Box 103A Lemore Id 83541
2. Source of water supply CLEARWATER RIVER which is a tributary of SNAKE RIVER
3. Location of point of diversion is 1/4 of NE 1/4 of SW 1/4, Govt. Lot 34
Sec. 34 Township 37N Range 2W B.M. NEZ County; additional points of
diversion if any: SE 1/4 NW 1/4, T. 37N, R. 2W, S. 34
4. Water will be used for the following purposes:
Amount 0.04 for DOMESTIC purposes from 4/1 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 _____ 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) 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 2. H.P. PUMP IN RIVER - PIPELINE TO
SPRINKLER SYSTEM
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 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____:
Well was drilled for (well owner) _____
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 if KW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. LAWN & GARDEN IRRIGATION
e. Other; describe fully. _____

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
37N	2W	34							D	D	D	D							

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? 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 enable the applicant to make this filing: _____

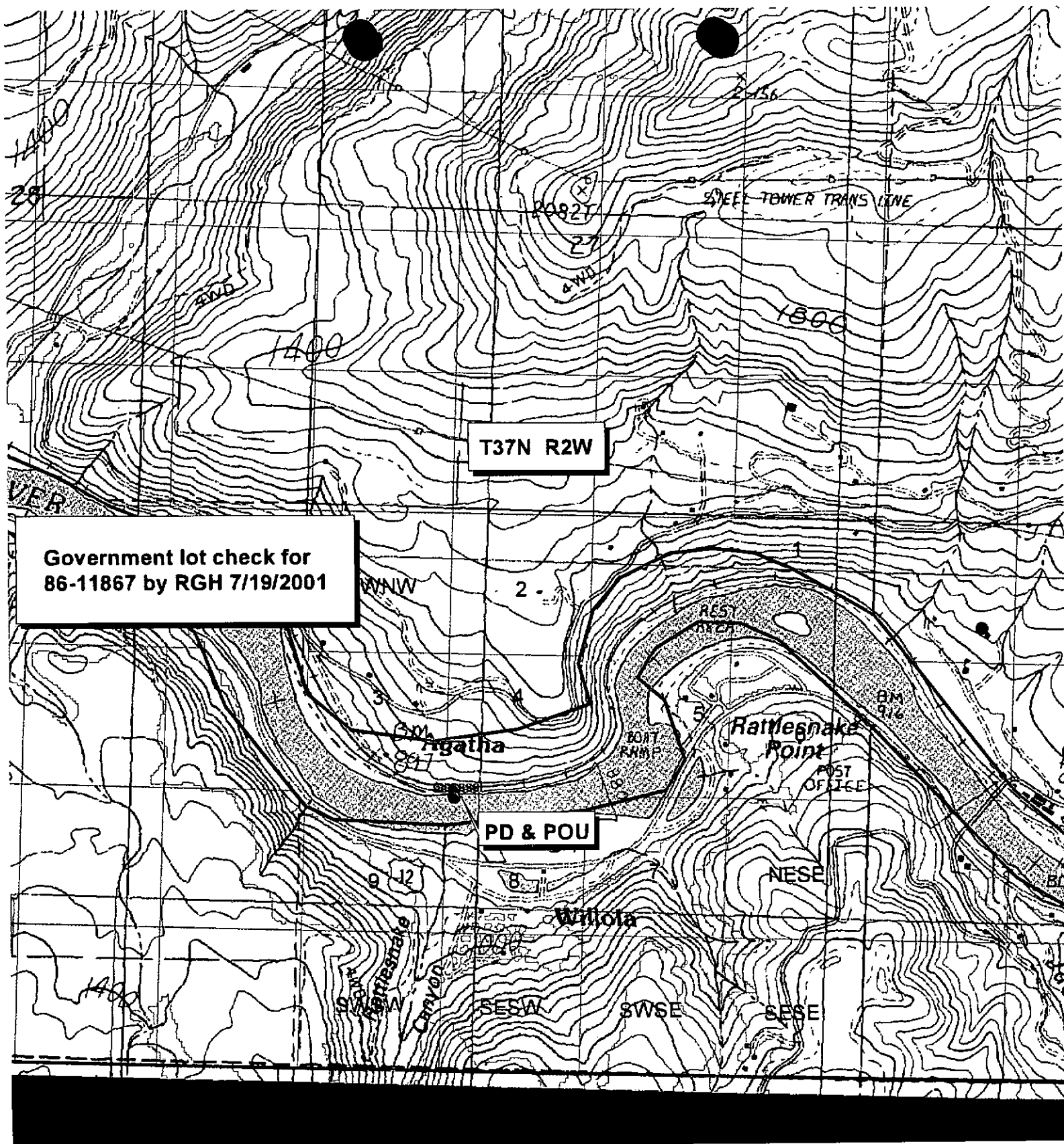
12. Remarks: _____

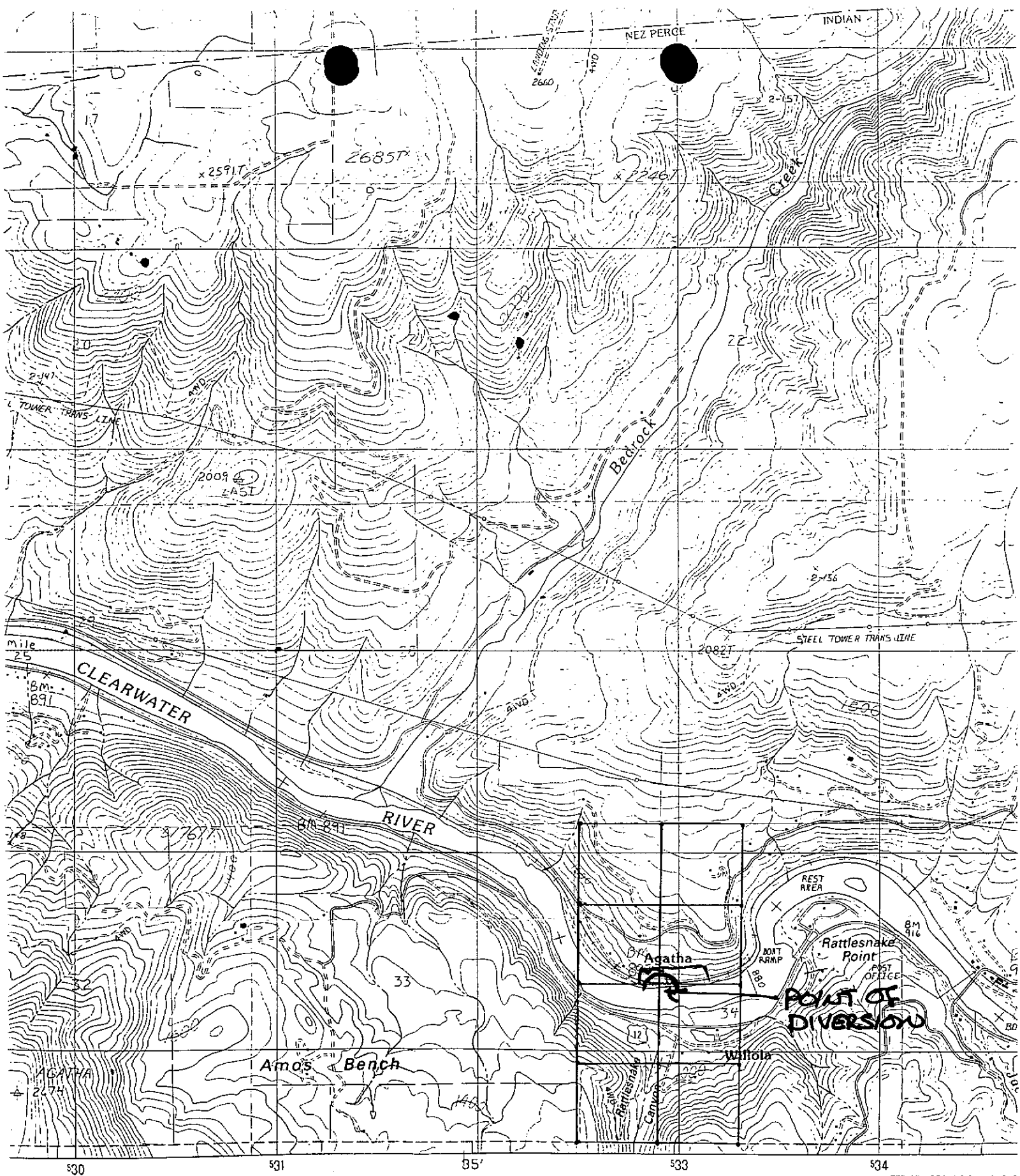
13. MAP OF PROPOSED PROJECT ATTACHED _____ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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.

X Philip Jensen
(Applicant)

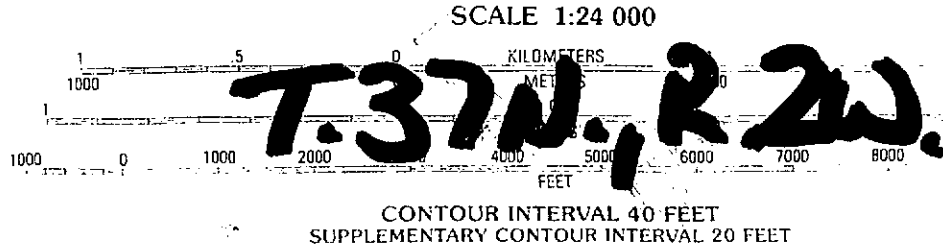
Received by DL Date 3/23/01 Time 1:00pm Preliminary check by _____
 Fee \$ 100 Received by DL # N 014220 Date 3/23/01
 Publication prepared by DL Date 4/26/01 Published in Lewiston Tribune 5/3 + 10/01
 Publication approved _____ Date _____





CAL SURVEY
AND NOS/NOAA
.....1957
.....1987
.....1990
SI MERCATOR
.....ZONE 11
HO. WEST ZONE
.....0 19' EAST
.....18 00' EAST
DATUM OF 1929
ERICAN DATUM

NORTH





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

July 26, 2002

PHILIP JENSEN
19489 RAILROAD AVE
LENORE ID 83541

RE: PERMIT NO. 86-11867

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use of water to **August 1, 2003**.

Please note that the department granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department may not be able to grant additional extensions based on due diligence.

Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please feel free to contact the department if you have questions.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 86-11867

Reviewed By: dgibson

Date: July 25, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Request received timely?	X		Is delay by a government agency?		X
Appropriate fee	X		Is supporting documentation needed to support the file?		
Additional Amount Due:					
Receipt No.:	N014220, C063548		Has the permit been involved in litigation?		X
Name and signature same as permit?	X		Is supporting documentation needed to support the file?		
Is address same as permit?		X	Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?		X
Has adequate work been completed to demonstrate due diligence?	X				

Priority Calculation

Extension request received	07/24/2002	New proof due date	08/01/2003
Date proof due	- 08/01/2002		
Lapse notice sent	-		
No. of days late	= 0		
Holiday allowance	+		
Priority date	+ 03/23/2001		
New priority date	= 03/23/2001		

Action Taken

Approve request for extension and extend proof deadline to Aug. 1, 2003. Change mailing address.

May 31, 2002

PHILIP L JENSEN
RT 1 BOX 103A
LENORE, ID 83541

PROOF DUE NOTICE

RE: PERMIT NO. 86-11867

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 August 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.

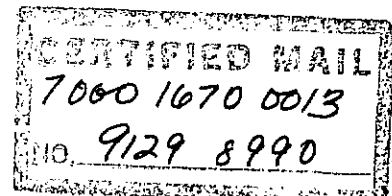
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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





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

August 1, 2001

PHILIP L JENSEN
RT 1 BOX 103A
LENORE ID 83541

RE: Permit No. 86-11867

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.

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

Sincerely,

for 
Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

CERTIFICATE OF MAILING

I hereby certify that on August 1, 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. 86-11867

**PHILIP L JENSEN
RT 1 BOX 103A
LENORE ID 83541**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS
Reviewed by Sharla Curtis on 7/25/01

No. B6-11867 Name: Jensen Corp. Officers N/A Ad ok _____ Govt Lots _____

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

~~GROUNDWATER: (✓Flow Chart)~~

~~DRILLING PERMIT~~

~~All wells - 046
Basin 34 - 084 (if necessary)
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~~

~~LOCATION:~~

~~Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
Trust - 051 (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)~~

~~USES:~~

~~STORAGE - 18C-01H-01P-18B-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/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A~~

BENEFICIAL USE DUE: 8/01/2002

~~MISC CONDITIONS/REMARKS:~~

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

~~SURFACE WATER: (✓Flow Chart)~~

~~F&G contacted - Yes/No Response Screens
In/Above MSF - WB9~~

~~PLANNING REVIEW/RESPONSE~~

~~WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J~~

~~SPRINGS/SINK, INACTIVE WD or WD?~~

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

~~RIVER BASINS: (SW special considerations)~~

~~Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087~~

~~USES:~~

~~MUNICIPAL~~

~~Restricted area - 022,075~~

~~Irr., GW supp to SW - 102~~

~~Future needs - 007,109~~

~~FISH PROP~~

~~029 (70's only)-007-042-106~~

~~DOMESTIC W01 lawn & garden up to 1/2 ac vrs.~~

~~Surface water - WB5 (Big Wood/Boise above Star Bridge)~~

~~- 27A (Payette R)~~

~~>1 in restricted area - 070-071-075 (no parks/common areas)~~

~~Irr separate or none allowed - WB5~~

~~GW w/irrigation from SW evident - 065-104~~

~~Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)~~

~~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 _____ - _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

535343
344

RECEIVED

'JUL 24 2001

DEPARTMENT OF WATER RESOURCES

IDWFO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET69059
APPLICATION # 86-11867

INITIAL REVIEW

6
BCA
WRAAPPLICANT: JENSONBY: JBDATE: 3/23/01

ITEM REQUIRED INFORMATION

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & County
4. (X) Quantity
(X) Nature of Proposed Use
(X) Period of Use
5. (X) Total Quantity
6. (X) Description of diverting works
7. (X) Time required for b/u
8. (X) Proposed use
9. (X) Place of use or acres irrigated
10. (X) Other water Rights
11. (X) Ownership
12. (X) Map
(X) Signature
(X) Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

(Yes) (No)

- X Field check: by _____
- + Field report attached
- + Analysis Supp. attached (>5cfs/500af)
- + Water delivered by water master?
Water District # _____

PROCESSING

(Yes) (No) PRIORITY DATE: 3/23/01— X (Include Moratorium Remark)— X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).ADVERTISE IN: NEZ PERCE County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

GROUNDWATER SECTION

WD Permit No.'s:	TAG #	Type:	Fees	Receipt No.	Upgrade Needed?
—	—	Dom. Non-Dom.	Paid \$	—	Y () N ()
—	—	Dom. Non-Dom.	Paid \$	—	Y () N ()
—	—	Dom. Non-Dom.	Paid \$	—	Y () N ()

- + Groundwater management area
- + Critical ground water area
- + Well Drilling Permit required
- + Well Drilling Application and Fees received
- + Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- + Notice of pending void order issued. Final order response date: _____
- + Further information required from applicant
- 5/11 — + Affidavit of publication received
- 5/16 — + Application published correctly. If not, record action taken: _____
- 4/26 — + Publication dates and paper recorded on application | Sr. Agent initial JB
- + Protests received, Final protest date: 5/21/01
- + Measuring device required
- + Measuring port required
- + Special conditions:
- + Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: JBDate: 5/22/01

Ball, Dianne

From: JEROME HANSEN [jhansen@IDFG.STATE.ID.US]
Sent: Monday, May 14, 2001 4:11 PM
To: dball@idwr.state.id.us
Subject: RE: New water right filing

Even though it is pretty small, I expect that the end of the intake pipe should be screened. Thanks.
----- Original Text -----

From: "Ball, Dianne" <dball@idwr.state.id.us>, on 5/14/01 3:39 PM:

Diversion is by a 2HP pump in river with pipeline to sprinkler system. Does this help any?

Dianne

-----Original Message-----

From: JEROME HANSEN [mailto:jhansen@IDFG.STATE.ID.US]
Sent: Monday, May 14, 2001 3:00 PM
To: dball@idwr.state.id.us
Subject: re: New water right filing

It is hard to tell how the water will be diverted from the river. If there is any chance that fish could become entrained in the diversion, it should be screened. I guess since it is a domestic application, it does not fall under the moratorium. Thanks for the opportunity to comment.

----- Original Text -----

From: "Ball, Dianne" <dball@idwr.state.id.us>, on 5/7/01 3:19 PM:

SUBJECT too long. Original SUBJECT is
New water right filing on which we need your comments by no later than
5/21/01

----- Original Message Follows -----

Jerome, this is another one - they don't all hit the internet at the same time - this one has a final date for protest of 5/21/01. We would appreciate your comments as to whether or not you have a problem with our issuing this permit. Thanks for your early response.

Application for Permit No. 86-11867 Name: PHILIP L JENSEN
Diversion Pt NESW Sec 34 T 37N R 02W NEZ PERCE County
Source CLEARWATER RIVER Diversion Pt SENW Sec 34 T 37N R 02W NEZ PERCE County
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 03/23/2001
Place Of Use: DOMESTIC T37N R02W S34 SWNW SENW NESW NWSW
Remarks: Domestic use is for lawn and garden irrigation.
~~~~~

May your life be littered with love and blessings.  
Dianne Ball  
IDWR - Coeur d'Alene (208) 769-1450 (FAX 769-1454)

**Ball, Dianne**

---

**From:** Ball, Dianne  
**Sent:** Monday, May 07, 2001 3:18 PM  
**To:** 'Jerome Hansen - IDFG - LEWISTON'  
**Subject:** New water right filing on which we need your comments by no later than 5/21/01

Jerome, this is another one - they don't all hit the internet at the same time - this one has a final date for protest of 5/21/01. We would appreciate your comments as to whether or not you have a problem with our issuing this permit. Thanks for your early response.

Application for Permit No. 86-11867 Name: PHILIP L JENSEN

Diversion Pt NESW Sec 34 T 37N R 02W NEZ PERCE County

Source CLEARWATER RIVER Diversion Pt SENW Sec 34 T 37N R 02W NEZ PERCE County

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 03/23/2001

Place Of Use: DOMESTIC T37N R02W S34 SWNW SENW NESW NWSW

Remarks: Domestic use is for lawn and garden irrigation.

~~~~~

May your life be littered with love and blessings.

Dianne Ball

IDWR - Coeur d'Alene (208) 769-1450 (FAX 769-1454)

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 05/10/2001INVOICE NO. 260783Account No. 964750Description 260783 The following apTimes 2Lines 24

Tab. Lines _____

**LEGAL ADVERTISING
INVOICE****RECEIVED****MAY 11 2001****IDWR/North**

SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D AL ID 83814

\$ 77.28

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

The following application(a) have been filed to appropriate the public waters of the State of Idaho: 86-11867

PHILIP L JENSEN

RT 1 BOX 103A

LENORE, ID 83541

Point(s) of Diversion NESW S34 T37N R02W NEZ PERCE County

Source CLEARWATER RIVER

Point(s) of Diversion SENW S34 T37N R02W NEZ PERCE County

Source CLEARWATER RIVER

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 03/23/2001

Place Of Use: DOMESTIC

T37N R02W S34 SWNW SENW NESW NWSW

Remark: Domestic use is for lawn and garden irrigation.

Permits will be subject to all prior water rights. Protests may be sub-

mitted based on the criteria of Sac 42-203A, Idaho Code

Any protest against the approval of this application must be filed with

the Director, Dept. of Water Resource, Northern Region, 1910 North-

west Blvd, Suite 210, Coeur D'Alene ID 83814 together with a protest

fee of \$25.00 for each application on or before 05/21/2001. The protes-

tant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on 5/3 and 10/2001

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 260783 The follo attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 05/03, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 05/03/2001, and the last publication thereof being on the 05/10/2001, and said 260783 The follo was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

State of Idaho

S.S.

County of Nez Perce

On this 10 day of MAY in the year of 2001, before me, a Notary Public, personally appeared KAREN LEWIS, 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 in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7-1-03

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

86-11867

PHILIP L JENSEN
RT 1 BOX 103A
LENORE ID 83541

Point(s) of Diversion NESW S34 T37N R02W NEZ PERCE County

Source CLEARWATER RIVER,

Point(s) of Diversion SENW S34 T37N R02W NEZ PERCE County

Source CLEARWATER RIVER,

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 03/23/2001

Place Of Use: DOMESTIC

T37N R02W S34 SWNW SENW NESW NWSW

Remark: Domestic use is for lawn and garden irrigation.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 05/21/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on 5/3 and 10/2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 26, 2001

Legal Notice Department
LEWISTON MORNING TRIBUNE
505 C ST PO BOX 957
LEWISTON ID 83501

RE: Application for Permit No. 86-11867

*Filed to Tribune
4/26/01*

*Karen@Tribune got
ok ok*

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 05/21/2001. Your cooperation is appreciated.

Sincerely

Dianne Ball

Dianne Ball
Administrative Assistant



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 26, 2001

PHILIP L JENSEN
RT 1 BOX 103A
LENORE ID 83541

RE: Application for Permit No 86-11867

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application. Enclosed is receipt No. N014220 for your records.

A legal notice of the application has been prepared and is scheduled for publication in the Lewiston Morning Tribune on May 3 and 10. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the 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 Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

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

Sincerely,

Allen Beardslee
Senior Water Resource Agent

Enclosure