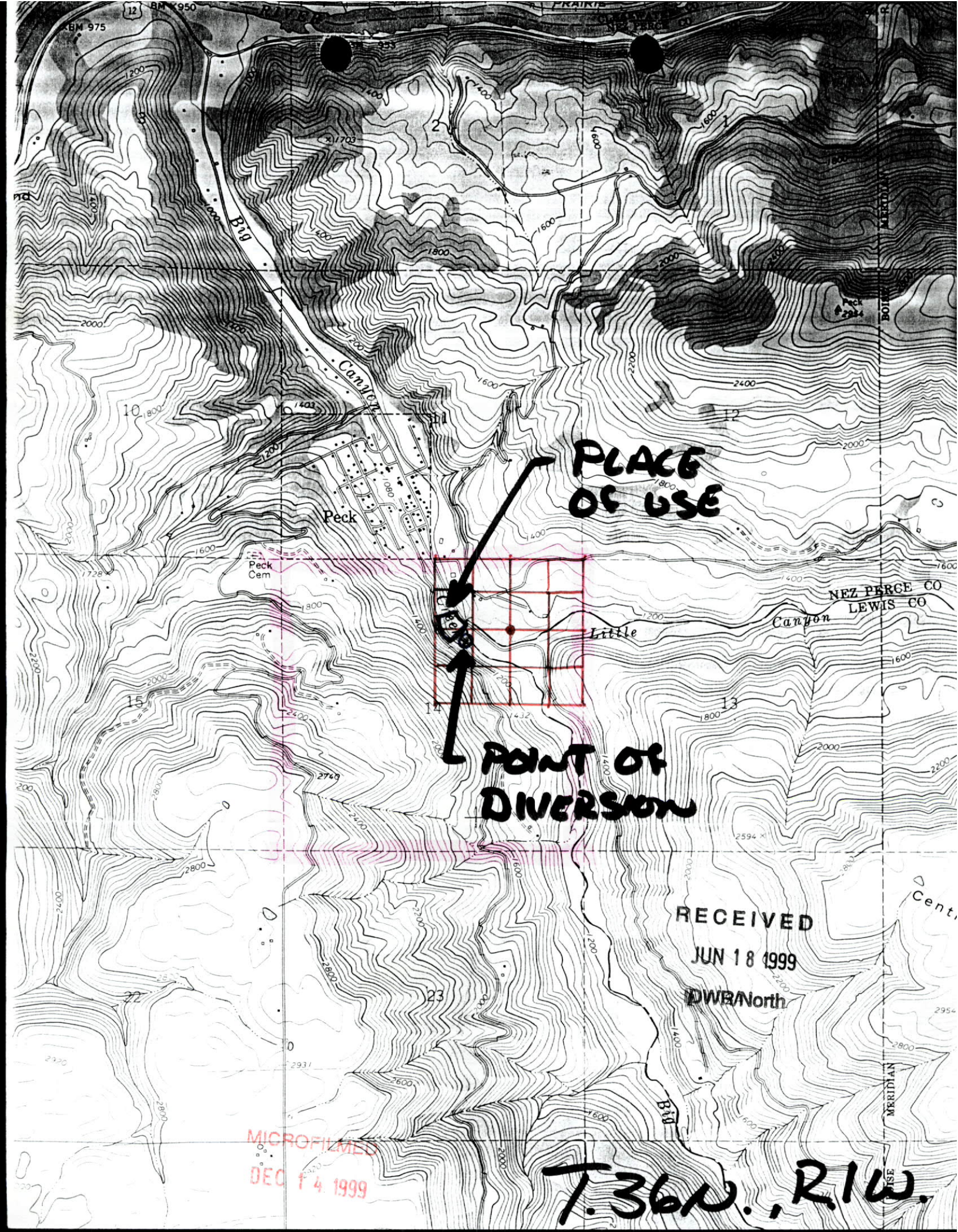




PLACE
OF USE

POINT OF
DIVERSION

RECEIVED
JUN 18 1999
DWR/North

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DEC 14 1999

T.36N., R.1W.

PERCE COUNTY
LEWIS COUNTY

0040
55 AC

00011
59.5 AC

C155
4.0 AC (c)

C038
23.52 AC

0740
2.5 AC

RUSSELL

0600
19.8 AC

1200 (1200)
16 AC (c) 19 AC (c)

1260
18 AC

327

0630
18 AC

329

392

2420
40.0 AC (c)

0791
5.06 AC

397

0925
7.70 AC

918

817

301

413

+

Approximate
location of
spring

1390
20 AC

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

LEGAL ADVERTISING INVOICE

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

Date 07/08/99 INVOICE NO. 205351
Account No. 964750
Description 205351NOTICEOFAPPLICAT
Times 2 Lines 36

Tab. Lines _____

\$ 49.50

RECEIVED

JUL 15 1999

IDWR/North

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

STATE OF IDAHO, ss.
County of Nez Perce

205351
NOTICE OF
APPLICATION FOR WATER RIGHT
The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
85-07655
COLWELL, DARRELL L
JONES, PAULA K
PO BOX 178
PECK, ID 83545
Source: SPRING
Tributary: BIG CANYON CREEK
Diversion Pt: NWSWNE Sec 14 T 36N
R 01W in NEZ PERCE
County.
Use: STOCKWATER (0.020 CFS)
DOMESTIC (0.020 CFS)
Total Diversion: (0.200 CFS)
Date Filed: 6/18/1999
In: NEZ PERCE County
T36N R01W S14 NWNE SWNE
For additional information con-
cerning the property location, call the
Northern Regional Office at (208)
769-1450.
The permit(s) will be subject to all
prior water rights. Protests must be
filed with the applicant and with the
Director, Dept. of Water Resources,
Northern Region, 1910 Northwest
Blvd., Suite 210, Coeur d'Alene, Idaho
83814, together with a protest fee of
\$25.00 on or before JULY 19, 1999.
KARL J. DREHER, Director
Published: 7/1/1999 & 7/8/1999

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 205351NOTICEOFA 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 07/01, or once a WEEK
for 2 consecutive WEEK, the first publication thereof being on
the 07/01/99, and the last publication thereof being on
the 07/08/99, and said 205351NOTICEOFA 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

SUBSCRIBED AND SWORN BEFORE ME THIS THE 14

day of July 1999

Ray Reed

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/1/03

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DEC 14 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
85-7655 IN THE NAME OF)
DARRELL L. AND/OR PAULA K.)
COLWELL)
_____)

REINSTATEMENT ORDER

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before September 1, 2001; and,

WHEREAS, the Department notified the permit holder on June 30, 2001 by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

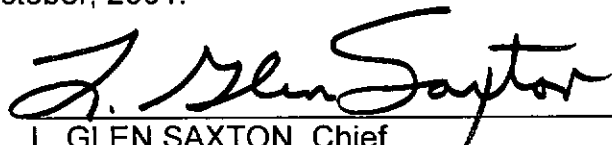
WHEREAS, the Department sent the permit holder a lapse notice on September 6, 2001, since the department had not received an acceptable proof of beneficial use statement or extension of time; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on October 15, 2001;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 85-7655 is **REINSTATED** with an advance in priority to **August 1, 1999**.

DATED this 17th day of October, 2001.



L. GLEN SAXTON, Chief
Water Allocation Bureau

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MAR 27 2002

FOR OFFICE USE ONLY
Amt. of Fee \$ 50.00
Receipt No. 056987
Receipt By J. [Signature]
Date Received: 10-15-01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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OCT 15 2001

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 85-7655 Telephone No. 208-486-6653
2. Name of Permit Holder(s): DARREL L. + PAULA K. COLWELL
3. Mailing Address: PO Box 178
City PECK State ID Zip 83545
4. Source of Water: SPRING 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): .02 CFS Stockwater (No. and type of stock): .02 CFS
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .02 cfs OR _____ acre-feet
7. Measuring Device Requirement: **(refer to the approval conditions on your permit and respond accordingly)**
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X
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: PAULA K. COLWELL Telephone Number: 208-486-6653
Address: PO Box 178, PECK, ID 83545-0178
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: Paula K. Colwell Date: 9-30-01
(include your title, if on behalf of company or organization)

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MAR 27 2002

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 85-07655

Priority: June 18, 1999

Maximum Diversion Rate:

0.02 CFS

This is to certify, that **DARRELL L COLWELL**
PAULA K JONES
PO BOX 178
PECK ID 83545

has applied for a permit to appropriate water from:
SPRING tributary of **BIG CANYON CREEK**

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>
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
	Totals	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSWNE , Sec. 14, Township 36N, Range 01W
NEZ PERCE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

36N 01W 14 NWNE SWNE

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **September 1, 2001**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. Stockwater use is for 8 horses and 3 range cattle.
6. Domestic use is for 1 home and 2 RV's.

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

1st day of September, 1999.

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DEC 14 1999

Karl J. Dreher
Karl J. Dreher, Director

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AUG 26 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of Applicant Darrel L. Colwell + Paula K. Jones Phone 208-486-6653
Mailing address PO Box 178, Peck, ID 83545
2. Source of water supply Springwater which is a tributary of Big Canyon Creek
3. Location of point of diversion is Township 36N. Range 1W Sec. 14 in the NEW 1/4, SW 1/4, NE 1/4, Govt. Lot _____, B.M., NEZ PERCE County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:

Amount <u>.02</u> for <u>Stock</u> purposes from <u>1-1</u> to <u>12-31</u> (both dates inclusive)	(cfs or acre-feet per annum)
Amount <u>.02</u> for <u>domestic</u> purposes from <u>1-1</u> to <u>12-31</u> (both dates inclusive)	(cfs or acre-feet per annum)
Amount <u>.02</u> for <u>irrigation</u> purposes from <u>3-15</u> to <u>11-15</u> (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) .02 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 4' of 3" pipe down to 50' of 1 1/4" pipe into 1,000 gal tank. Pumped uphill 450' w/ 1.5 HP in 1" pipe into 2500 gal. tank. Pumped w/ 1 HP
 - b. Height of storage dam 6' + 10' feet; active reservoir capacity .008 + .00322 acre-feet; total reservoir capacity .01122 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 2 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. 8 Horses 3 Beef Cattle
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. 1 year round / 1RV 6 months / 1RV 3 months
 - e. Other; describe fully. _____

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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	
36N	1W	14		~~E~~	D														~~1~~
36N	1W	14		~~E~~	S														~~1~~
36N	1W	14		D															
36N	1W	14		S															

Total number of acres to be irrigated 5

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? Ken + Lori Fowler

b. Who owns the land to be irrigated or place of use? Darrel L. Colwell + Paula K. Jones

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Signed + recorded grant of water right + easement

12. Remarks:

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.

Darrel L. Colwell

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Paula K. Jones DEC 13 1999

Signature of Applicant (and title, if applicable)

owner

Received by db

Date

6/8/99

Time

1:15P

Preliminary check by AB

Fee \$ 50.00

Received by db

Date

6/23/99

N012945

Date

6/8/99

Publication prepared by db

Date

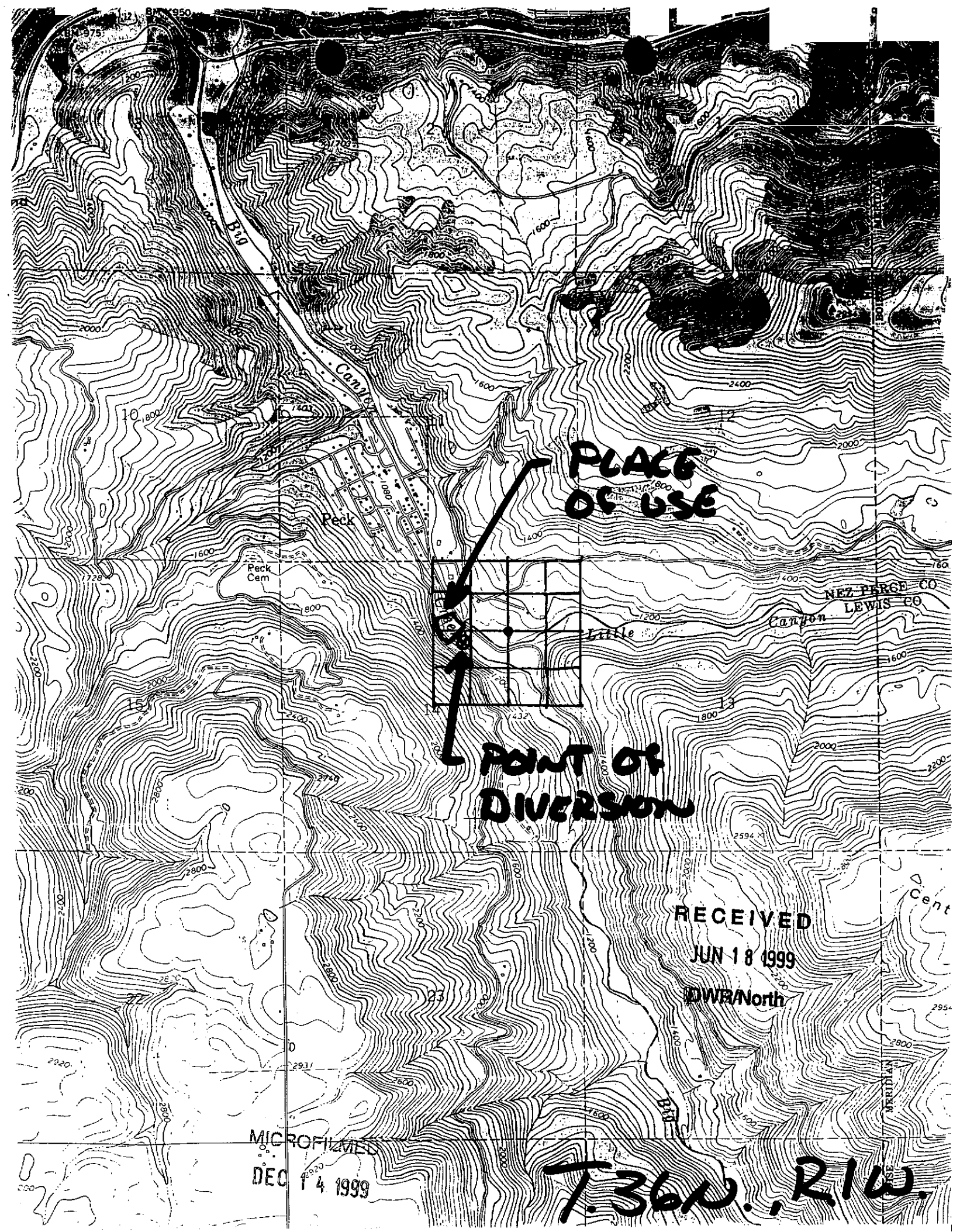
7/15/99

Published in Lemmon

Date

7/15/99

Publication approved db



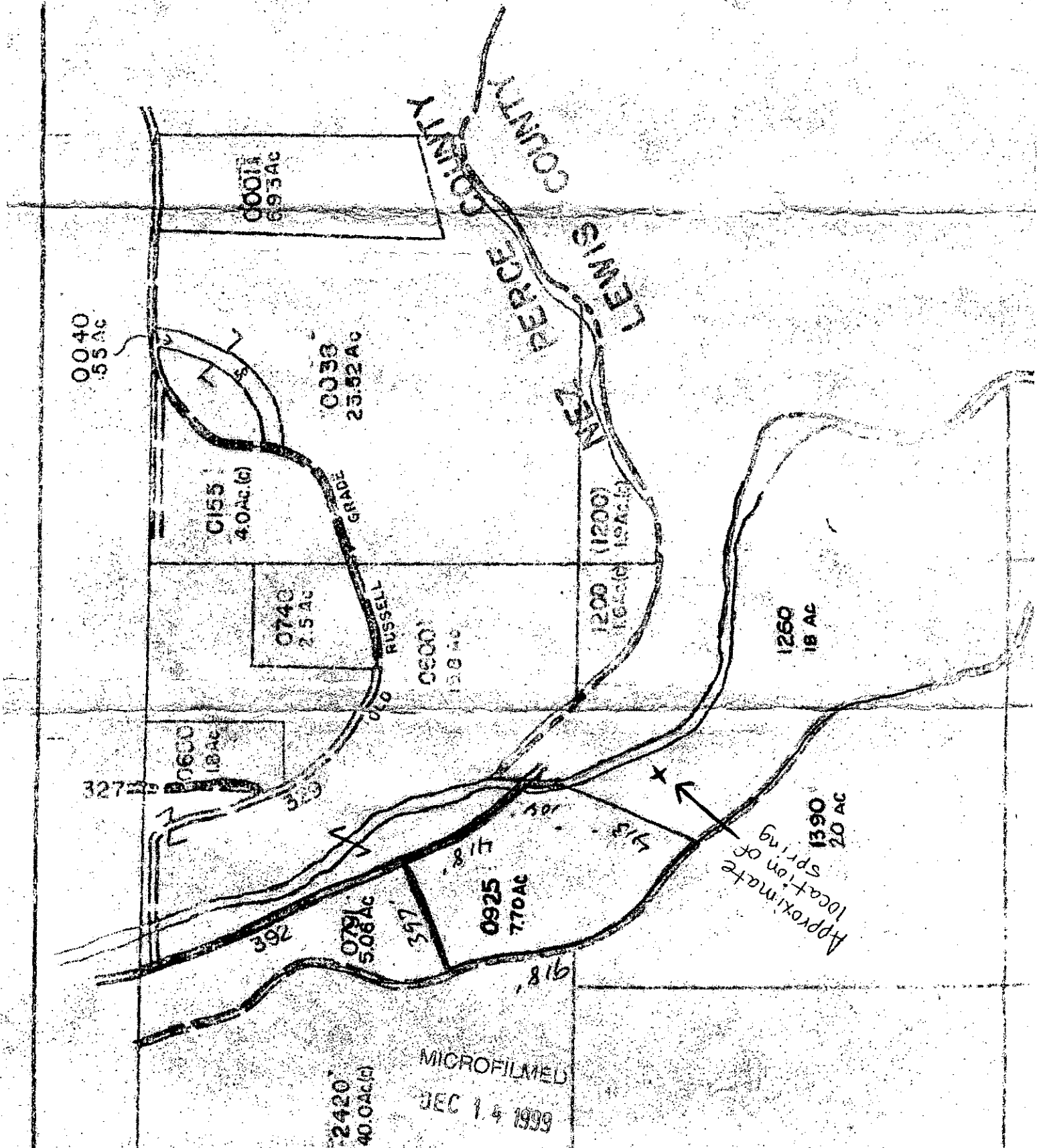
PLACE
OF USE

POINT OF
DIVERSION

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JUN 18 1999
DWR/North

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DEC 4 1999

T.36N., R.1W.



GENERAL TRANSFER/GRANT OF WATER RIGHT AND EASEMENT

This agreement is made and entered into between KENNETH E. FOWLER and LORI L. FOWLER, husband and wife, hereinafter Grantors, and DARREL L. COLWELL, a single man, hereinafter Grantee.

WHEREAS, Grantors are the record owners of the following described real property in the County of Nez Perce, State of Idaho, to-wit:

That portion of the South Half of the NE Quarter of Section 14, Township 36 North, Range 1 West of the Boise Meridian which lies East of Melrose Ridge Road and West of Big Canyon Creek, EXCEPT that portion of the parcel previously deeded to Ralph L. Loper which extends into the South Half of the NE Quarter of Section 14, Township 36N, Range 1 West Boise Meridian and is more particularly described as follows:

Beginning at a point which is the NE Corner of the NE1/4 of the NW1/4 of Section 14, Township 36 North, Range 1W., B.M.; thence west along the North boundary line of Section 14, Township 36 North, Range 1W., B.M., approximately 12 rods to the center of the New Melrose Road; thence southerly with the center line of the New Melrose Road 2000 feet; thence northeasterly to the intersection of Canyon Creek and the south boundary line of the NW1/4 of the NE1/4 of Section 14, Township 36 North, Range 1W., B.M.; thence Northly along the center of Canyon Creek to the Center Line of Central Ridge Road; thence Northnorthwesterly along the Center Line of Central Ridge Road back to the point of beginning.

WHEREAS, Grantee is the record owner of the following described real property in the County of Nez Perce, State of Idaho, to-wit:

Beginning at a point which is the intersection of Canyon Creek and the South boundary line to the NW 1/4 of the NE 1/4 of Section 14, Township 36 North, Range 1W., B.M.; thence N8°W, 104 feet along the center of Canyon Creek to the centerline of Central Ridge Road; thence N45°W, 418 feet along the centerline of Central Ridge Road to a railroad spike set in the road; thence S71°W, 39.11 feet to a 1/2" iron pin set in the fence along Central Ridge Road; Thence continue S71°W, 358 feet to a point on the center-line of New Melrose Road; thence S55°E, 918 feet, with the centerline of the New Melrose Road; thence N33°E, 413 feet to the intersection of Canyon Creek and the South boundary line of the NW 1/4 of the NE 1/4 of Section 14, Township 36 North, Range 1W., B.M.; back to the point beginning, and containing approximately 7.70 acres.

WHEREAS, Grantor has the unrestricted right to grant and assign the water right, and to grant the easement hereinafter described, as appurtenant to and running with the Servient Estate;

NOW, THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties hereto agree as follows.

Section 1: Transfer, Assignment, Grant of Water Right. Grantors do hereby grant, convey, assign and transfer to Grantee, his heirs, successors, and assigns, as appurtenant to Grantee's estate described above, full right, title and interest in that water flowing from that spring located on Grantors' property at approximately: 500 feet South South East up Canyon Creek from the centerline of Central Ridge Road, and thence South approximately sixty feet from the bank of Canyon Creek, exclusively.

GENERAL TRANSFER/GRANT OF WATER RIGHT AND EASEMENT

Page 1

DEC 14 1999

Grantors further agree and covenant to execute all documents and take all action necessary to establish a properly registered, recorded and documented water right, and to guarantee peaceful ownership and possession of the same to Grantee, his heirs, successors, and assigns.

Section 2. Grant of Easement. Grantors do hereby grant to Grantee, his heirs, successors and assigns, a perpetual, non-exclusive easement to, over and upon that portion of the Servient Estate which is reasonable and expedient, to construct, operate, develop, improve, and maintain the above described water right and to transport said water to the Dominant Estate.

Section 3. Scope and Use of Easement.

A. Grantee, his heirs, successors and assigns, as owners of any portion of the Dominant Estate, and their respective agents, independent contractors, guests and invitees, shall use the easement for the construction, installation, maintenance, repair, operation and upgrading of a water collection and transportation system, including utilities required to be installed to operate the same, to the Dominant Estate from the easement's point of beginning in the Servient Estate.

B. Grantors agree that in the event of any partition, subdivision or transfer of any portion of the Dominant Estate, by the Grantee, his heirs, successors or assigns, this easement shall remain appurtenant to any and all of the subdivided or transferred parcels hereafter created from the Dominant Estate, and owners of said parcels into which the Dominant Estate may be divided shall have the same rights to use of the easement as granted herein.

C. Grantor, and its successors and assigns, as owner(s) of any portion of the Servient Estate, and their respective agents, independent contractors, guests and invitees, shall have the nonexclusive right of use of the easement, including the right to use the easement area for roadway and utility purposes, and for the inspection, maintenance, repair and reconstruction of the roadway or utility lines thereon or thereunder.

Section 4. Dominant and Servient Estates. Each right or easement granted pursuant to the provisions of this Agreement is expressly for the benefit of the respective parcels of the property, and all subdivisions thereof. The parcel(s) so benefitted shall be the Dominant Estate and the parcel upon which such easement is located shall be the Servient Estate. Where only a portion of a parcel is bound and burdened by a particular easement, only that portion so bound and burdened shall be deemed to be the servient estate. Any easement granted pursuant to the provisions of this Agreement may be amended, abandoned or terminated by the execution of an agreement signed by the owners of the Dominant and Servient estates.

Section 5. Grantee's Right of Access. Grantee, its successors and assigns, shall have the right to enter upon the Easement Property for the purposes set forth in the Agreement. Grantee shall also have the right to remove any trees, shrubs or brush necessary or convenient to accomplish the purposes of the Agreement. This instrument does not grant or convey to Grantee any right or title to the surface of the soil within the Easement Property, except for the purpose of excavating, constructing, installing, maintaining, inspecting, repairing and upgrading the utilities located within the Easement Property.

Section 6. Grantee's Notice of Entry. Grantee shall provide 48-hours' notice of entry

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DEC 14 1999

to Grantor prior to entering upon the Easement Property.

Section 7. Termination. The easement granted by this Agreement shall be perpetual unless and until all utilities installed by Grantee hereunder shall be dedicated to public use and accepted for public maintenance by the municipal agency or agencies with jurisdiction over the utilities and a public utility easement, coterminous with the Easement Property, is conveyed to said municipal agency or agencies.

Section 8. Modification. No amendment to or modification of this Agreement shall be valid unless the same shall be in writing, signed by the parties who are then bound by the terms hereof.

Section 9. Breach - Equitable Relief. The parties acknowledge that the uses provided by this Agreement are unique and that money damages alone for breach of this Agreement are inadequate. Any party aggrieved by a breach of the provisions hereof may bring an action at law or a suit in equity to obtain relief, including specific performance, injunctive relief and any other available equitable remedy. Time and strict performance are of the essence of this Agreement.

Section 10. Attorney's Fees. In the event suit or action is instituted for a declaration of rights hereunder or to enforce any of the provisions of this Agreement, the parties agree to pay the cost of such sums as the trial court may adjudge as attorney's fees to be awarded the prevailing party. If any appeal is taken from any judgment or decree, the parties agree to pay further attorney's fees and costs as may be adjudged reasonable by any appellate court and awarded the prevailing party.

Section 11. Binding Effect and Assignment. Both the burdens and benefits of this Agreement shall be appurtenant to and run with the land comprising both the Servient Estate and the Dominant Estate, and shall be binding upon and inure to the benefit of the parties hereto, their respective successors, assigns, heirs and legal representatives.

Section 12. Prior Easement and Encumbrances. This Easement is granted subject to all prior easements or encumbrances of record, if any.

Section 13. True Consideration. The true consideration for this conveyance is \$-0-; however, the consideration consists of the mutual promises and other value given by this Agreement.

Section 14. Protection of Rights of Secured Parties. No breach of the provisions in this Agreement shall defeat or render invalid the lien of any contract of sale, mortgage(s) or deed(s) of trust now or hereafter executed upon land subject to this Agreement; provided, however, that if any portion of said property is sold under a foreclosure of any mortgage(s) or under the provisions of any deed(s) of trust, any purchaser at such sale, and its successors and assigns, shall hold any and all property so purchased subject to all of the provisions of this Agreement.

DEC 14 1999

Section 15. Indemnity. The parties hereto and any subsequent owners shall defend, indemnify and hold the other owner(s) harmless from any claim, loss or liability arising out of the connection with the owner's failure to comply with the terms and provisions of this Agreement.

DATE: 5/19/99

Kenneth E Fowler
KENNETH E. FOWLER

DATE: 5-19-99

Lori L. Fowler
LORI L. FOWLER

DATE: 5-19-99

Darrel L. Colwell
DARREL L. COLWELL

INST. NO. 644436
FILED FOR RECORD
FEE 15.00 REG. BY Paula K. Jones
1999 MAY 20 P 1:41 4003- New Machine Rd
PATTY O. WEEKS
RECORDER, NEZ PERCE CO ID
BY H. J. G. DEPUTY
Cole
Paid, 28
83545

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DEC 14 1999

STATE OF IDAHO)

County of Nez Perce) ss.

On this 19th day of May, 1999, before me, a Notary Public in and for the State of Idaho, personally appeared KENNETH E. FOWLER, known or identified to me to be the person who executed the foregoing instrument and acknowledged to me that he executed the same.

SUBSCRIBED and SWORN to before me this 19th day of May, 1999.



Arlene R Barton
Notary Public for Idaho
Commission expires: 4-4-2000

STATE OF IDAHO)
County of Nez Perce) ss.

On this 19 day of May, 1999, before me, a Notary Public in and for the State of Idaho, personally appeared LORI I. FOWLER, known or identified to me to be the person who executed the foregoing instrument and acknowledged to me that she executed the same.

SUBSCRIBED and SWORN to before me this 19 day of May, 1999.

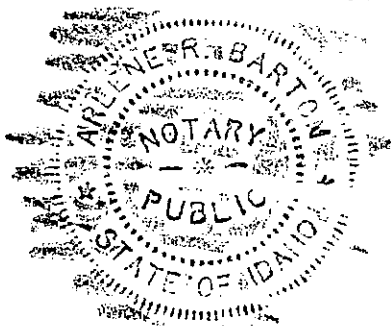


Arlene R Barton
Notary Public for Idaho
Commission expires: 4-4-2000

STATE OF IDAHO)
County of Nez Perce) ss.

On this 19 day of May, 1999, before me, a Notary Public in and for the State of Idaho, personally appeared DARREL L. COLWELL, known or identified to me to be the person who executed the foregoing instrument and acknowledged to me that he executed the same.

SUBSCRIBED and SWORN to before me this 19 day of May, 1999.



Arlene R Barton
Notary Public for Idaho
Commission expires: 4-4-2000

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DEC 14 1999



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

October 17, 2001

KARL J. DREHER
Director

DARRELL L COLWELL
PAULA K COLWELL
PO BOX 178
PECK ID 83545

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 85-07655

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and examination fee submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since proof was submitted after the proof due date. Also enclosed is a Proof Report which reflects the name change you submitted to the department.

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

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, please contact the **Northern** Regional Office of the department in Coeur d'Alene at (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure
c: IDWR - Region

MICROFILMED
MAR 27 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 85-7655

Reviewed By: dgibson

Date: October 15, 2001

	<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.:		C056987	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		10/15/2001
Date proof due	-	09/01/2001
Lapse notice sent	-	
No. of days late	=	44
Holiday allowance	+	
Priority date	+	06/18/1999
New priority date	=	08/01/1999

Deficiencies of Actions Items

Acknowledge proof, reinstate permit, and adjust priority to 8/1/1999.

RECEIVED

OCT 15 2001

ATTENTION

Department of Water Resources

The initial permit was issued

under DARRELL L. COLWELL

PAULA K. JONES

PO BOX 178

PECK, ID 83545-0178

I wanted to let you know that
we have gotten married since
then so my legal name now
is: PAULA K. COLWELL.

Also the spelling for Darrel's
name was done incorrectly.

The correct spelling is:

FIRST NAME MI LAST NAME

DARREL L. COLWELL

Thanks - Paula K. Colwell

MICROFILMED

1981

September 6, 2001

DARRELL L COLWELL
PAULA K JONES
PO BOX 178
PECK, ID 83545

LAPSE NOTICE

RE: PERMIT NO. 85-7655

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated June 30, 2001. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

Sincerely,

L. Glen Saxton, Chief
Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING
I hereby certify that on 9/6/01
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.
MICROFILMED *edg*
MAR 27 2002

June 30, 2001

DARRELL L COLWELL
PAULA K JONES
PO BOX 178
PECK, ID 83545

PROOF DUE NOTICE

RE: PERMIT NO. 85-7655

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 September 01, 2001. (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.

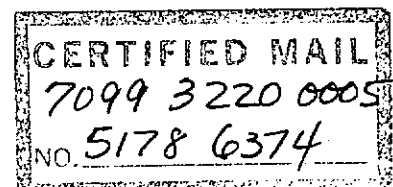
Sincerely,

Deborah J. Gibson, Admin. Asst.
Water Allocation Bureau

Enclosures

MICROFILMED

MAR 27 2002





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 2, 1999

DARRELL L COLWELL
PAULA K JONES
PO BOX 178
PECK ID 83545

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 85-07655

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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

Sincerely,

for Shelley W. Keen
Water Rights Supervisor

SK:klt

MICROFILMED

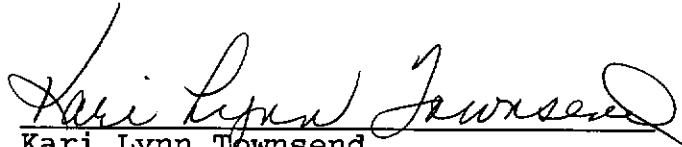
DEC 14 1999

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of **September, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

Water Right No. 85-07655

**DARRELL L COLWELL
PAULA K JONES
PO BOX 178
PECK ID 83545**


Kari Lynn Townsend
Secretary

MICROFILMED
DEC 14 1999

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

DEC 14 1999

WR0749NP
No. P85-07655

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/27/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DARRELL L COLWELL	06/18/1999	STOCKWATER	01/01 12/31	0.020 CFS	
C	PAULA K JONES		DOMESTIC	01/01 12/31	0.020 CFS	
	PO BOX 178					
	PECK ID 83545					
	(208) 486-6653					
				TOTAL DIVERSION:	0.020 CFS	

Water Source: SPRING

Tributary to: BIG CANYON CREEK

Stage: PERMIT

Point(s) of Diversion: T36N R01W S14 NWSWNE NEZ PERCE County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
36N	01W	14	:			S		S										:

Place of use location for DOMESTIC is the same location as described for: STOCKWATER

Pou County: NEZ PERCE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
85-07655

Other Water Rights Listing Overlapping Place(s) of use:
85-04230

Conditions of Approval:

- 26A - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.
- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.

Remarks: GEN Stockwater use is for 8 horses and 3 range cattle.
Domestic use is for 1 home and 2 RV's.

Dates: App. Received: 06/18/1999 Priority Date: 06/18/1999
Proof Due Date: 09/01/2001 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

WR0749NP
No. P85-07655

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/27/99
PAGE: 2

Comments: Date: 06/18/1999 User-ID: DBALL Subject: Examiner's notes.
POD owned by Ken & Lori Fowler. Signed & recorded grant of water
right & easement.
Diversion works: 4 ft of 3" pipe down to 50 ft of 1-1/4" pipe
into 1,000 gal tank. Pumped uphill w/ 1.5 HP pump, 450 ft of 1"
pipe into 2500 gal tank; pumped w/ 1 HP pump.
Time required 2 years.

Audit: 08/27/99 SCURTIS

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

No.: 85-07655 Name: Colwell Jones Date: 8/24/99 Ad OK? ✓ ✓ Gvmt Lts: by SCurtis

AREA OF CONCERN: - No/Yes: 5/0 Mor / GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

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

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDQ3) - 046-P23
In Basin 34? - 085
Irr. within WVD - P05 (new well location)

WMD (✓ MAP) - North / East / West

> 0.24 cfs/5 acres - 067
≤ 0.24 cfs/5 acres - No MD

WMD

Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
Supp. irr + uses - 100-101
> 0.24 cfs/5 acres - 01M (report when notified)
≤ 0.24 cfs/5 acres - No MD

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

FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____

IN/ABOVE MSF (✓ MAP) - *WB9

IN-STREAM DEVELOPMENT - P52 (stream channel alteration) NA

WD (✓ MAP & LISTING) - R04 (WD # _____)

> 0.20 cfs - 01J-P08 (MD & LD)
≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)
> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

Snake R (01) - *W22 -P04, NA
(02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
Payette R(65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA
Salmon R (70's) - 029 (fish screens), NA
Weiser R (67) - 086, 087

USE:

STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA
IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
> 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
STOCKWATER - R37 (BLM/USFS); NA
MINING - 054(reg)-081-P10
FISH PROPAGATION - 029(70's only)-007-042(reg)-081 (WQ)-P10
HEATING/COOLING - R07 (injection well)
POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);
17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

In restricted area? - 022, 075, 004 (+memo?)
Irr., GW supp. to SW? - 102

DOMESTIC

Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
>1 in rest. area - 071-070

FIRE PROTECTION - 077

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)
MITIGATION - 120
42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
SWAN FALLS FLAG (✓ Code) -

Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS: - 5/8 horses & 3 range cattle. D/

BENEFICIAL USE DUE: - 9/11/2001

COMMENTS: -

RECEIVED

AUG 26 1999

IDENTIFICATION DEPARTMENT OF WATER RESOURCES
APPROXIMATION APPLICATION ANALYSIS SHEET

WR1
WRA
BCA

Department of Water Resources

APPLICATION # 85-07655

INITIAL REVIEW

APPLICANT: COWELL/JONES

BY: B

DATE: 6/18/99

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)

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

PROCESSING

(Yes) (No) PRIORITY DATE: 6/18/99

 (Include Moratorium Remark)

 Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

LT/Thurs/ok

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?
<u> </u>	<u> </u>	Dom. <u> </u> Non-Dom. <u> </u>	Paid \$ <u> </u>	<u> </u>	Y () N ()
<u> </u>	<u> </u>	Dom. <u> </u> Non-Dom. <u> </u>	Paid \$ <u> </u>	<u> </u>	Y () N ()
<u> </u>	<u> </u>	Dom. <u> </u> Non-Dom. <u> </u>	Paid \$ <u> </u>	<u> </u>	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
- Affidavit of publication received
- Application published correctly. If not, record action taken:
- Publication dates and paper recorded on application | Sr. Agent initial
- Protests received, Final protest date: 7/19/99
- Measuring device required
- Measuring port required
- Special conditions:
- Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: B PMA

Date: 8/23/99

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

LEGAL ADVERTISING INVOICE

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

Date 07/08/99

INVOICE NO. 205351

Account No. 964750

Description 205351NOTICEOFAPPLICAT

Times 2

Lines 36

Tab. Lines

\$ 49.50

RECEIVED

JUL 15 1999

IDWR/North

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

STATE OF IDAHO, ss.
County of Nez Perce

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 205351NOTICEOFA 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 07/01, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 07/01/99, and the last publication thereof being on the 07/08/99, and said 205351NOTICEOFA 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

SUBSCRIBED AND SWORN BEFORE ME THIS THE 14

day of JULY 1999

Ray Reed

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/1/03

MICROFILMED

DEC 14 1999

205351
NOTICE OF
APPLICATION FOR WATER RIGHT
The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

85-07655
COLWELL, DARRELL L
JONES, PAULA K
PO BOX 178
PECK, ID 83545
Source: SPRING

Tributary: BIG CANYON CREEK
Diversion Pt: NWSWNE Sec 14 T 36N
R 01W in NEZ PERCE
County.

Use: STOCKWATER (0.020 CFS)
DOMESTIC (0.020 CFS)
Total Diversion: (0.200 CFS)

Date Filed: 6/18/1999

In: NEZ PERCE County

T36N R01W S14 NWNE SWNE
For additional information concerning
the property location, call the
Northern Regional Office at (208)
769-1450.

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the applicant and with the
Director, Dept. of Water Resources,
Northern Region, 1910 Northwest
Blvd., Suite 210, Coeur d'Alene, Idaho
83814, together with a protest fee of
\$25.00 on or before JULY 19, 1999.

KARL J. DREHER, Director
Published: 7/1/1999 & 7/8/1999

85-07655

COLWELL, DARRELL L
JONES, PAULA K
PO BOX 178
PECK, ID 83545

Source: SPRING

Tributary: BIG CANYON CREEK

Diversion Pt: NWSWNE Sec 14 T 36N R 01W in NEZ PERCE County.

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

Date Filed: 6/18/1999

In: NEZ PERCE County		
T36N R01W S14	NWNE	SWNE

MICROFILMED

DEC 14 1999



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

June 23, 1999

Darrel L Colwell & Paula K Jones
PO Box 178
Peck ID 83545

Re: Water Appropriation Application No. 85-07655

Dear Mr. Colwell & Ms. Jones:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application. Enclosed for your file is Receipt Number N012945.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

MICROFILMED

DEC 14 1999