

1-477
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64

SPENCER et al

et al

RONALD L.
DENNEY

JOHNATHAN D.
COY. CLERK
JENNETT. E. I.

XXIX

3701

3600

200

10

SCHWAB
SUB-DIV
SEE PLAT

ROY ERIC NAIL
REV TRUST

PATRICIA J NAIL
1996 REV TRUST

MICHO FILMED
SEP 25 2001
WARDS

ESTATE

VILLAGE 7
SUBDIVISION

ETUX
ADGG
CALVIN

Dennis
Albers

From Berkshire

FETTER'S PROPERTY

FM 3681 298

ORIGINAL
TOWNSHIP
SEE DETAIL

2

SEE DEPT

LEKMSR | K. EAB

RECEIVED
MAR 26 2001
IDWR/North

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

85-15335
RAYMOND A. PETERSEN
RT. 2, BOX 410
GRANGEVILLE, ID 83530
Point(s) of Diversion SWSE S28 T30N
R03E IDAHO County Source BUTCHER
CREEK
Use: DIVERSION TO STORAGE 01/01 To
12/31 0.2 CFS
Use: RECREATION 01/01 To 12/31 0.2 CFS
Use: RECREATION STORAGE 01/01 to
12/31 0.2 AFA

Use: WILDLIFE 01/01 To 12/31 0.2 CFS
Use: WILDLIFE STORAGE 01/01 To 12/31
0.2 AFA
Total Diversion: 0.2 CFS
Date Filed: 02/22/2001
Place Of Use: DIVERSION TO STORAGE
T30N R03E S28 SWSE
Place Of Use: RECREATION, RECREA-
TION STORAGE, WILDLIFE, and WILD-
LIFE STORAGE are same as DIVERSION
TO STORAGE.

84-12124
C BAR FIVE, INC.
3252 UPPER FORDS CREEK
OROFINO, ID 83544
Point(s) of Diversion L13 [SESE] S13 T33N
R03E IDAHO County
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.22 CFS
Total Diversion: 0.22 CFS
Date Filed: 02/06/2001
Place Of Use: DOMESTIC
T33N R03E S13 L13 [SESE]
T33N R03E S24 L1 [NENE]
T33N R04E S19 L1 [NWNW] L2 [SWNW]
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 ap-
plication 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 be-
fore 03/26/2001. The protestant must also
send a copy of the protest to the applicant.
KARL J. DREHER, Director
Published on 03/07 and 3/14/2001

M7-14

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

Andrew J. McNab, being first duly sworn, says he is the Publisher of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho County, State of Idaho, and is of general circulation in said county and state, that the said legal notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 7th day of March, 2001; and the last publication on the 14th day of March, 2001; and that the said legal notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said legal notice of advertisement.

STATE OF IDAHO)
COUNTY OF)

On this 14th day of March in the year of 2001, before me a Notary Public personally appeared Andrew J. McNab, 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.



Jolene Rupp
Notary Public for Idaho
Residing at Grangeville, ID
My commission expires: 7-29-07



MICROFILMED
SEP 25 2001

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 - 2 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. 85-15335
Name(s) of Permit Holder: RAY PETERSEN
Address: RT2 BOX 410 City GRANGEVILLE State ID Zip 83530
Telephone No. (208) 983-1584 Date Proof is Due: JULY 01, 2002
(208) 983-7395 - DAY

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".)

THE POND IS COMPLETELY BUILT. THE HEAD GATE
FACILITY IN THE CREEK IS NOT BUILT.

Costing \$ _____

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

I MISSED THE LOW WATER IN THE CREEK LAST FALL
BECAUSE I WAS BUSY CONSTRUCTING THE POND. I WOULD
LIKE TO WAIT FOR THE LOWEST WATER THIS
FALL TO CONSTRUCT THE HEAD GATE.

Permit holder(s) request an extension to DECEMBER 1, 20 02

Ray Petersen
(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
REINSTATED with the priority advanced to February 23, 2001. IT IS
FURTHER ORDERED that the time within which to submit proof of beneficial
use is extended to July 1, 2003.

Signed this 2nd day of July, 20 02

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.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 85-15335

Priority: 02/22/2001

Maximum Diversion Rate: 0.20 CFS

This is to certify, that RAYMOND A PETERSEN
RT 2 BOX 410
GRANGEVILLE ID 83530

has applied for a permit to appropriate water from:

Source: BUTCHER CREEK

Tributary: SOUTH FORK CLEARWATER RIVER

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

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

LOCATION OF POINT(S) OF DIVERSION:

BUTCHER CREEK SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28, Twp 30N, Rge 03E, B.M. IDAHO County

PLACE OF USE: RECREATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
30N	03E	28													X				

PLACE OF USE: RECREATION STORAGE, same as Recreation

PLACE OF USE: WILDLIFE, same as Recreation

PLACE OF USE: WILDLIFE STORAGE, same as Recreation

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 1, 2002**.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. The Director retains jurisdiction to require a bypass flow for maintenance of fish, wildlife, riparian and aquatic habitat.
5. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion and point of return back to Butcher Creek.
6. The permit holder shall construct the diversion structure in a manner acceptable to the Department of Water Resources and the Department of Fish and Game in order to prevent fish passage blockage and occupying the entire width of the stream.
7. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
8. Recreation use is for fishing and swimming.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 16th day of July, 2001.

MICROFILMED

SEP 25 2001

Karl J Dreher
for **KARL J DREHER, Director**

68903

68903

Ident. No. 85-15335

RECEIVED

MAY 29 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant RAYMOND A. PETERSEN Phone (208) 983-1584
Mailing address RT 2 BOX 410 GRAEVILLE, ID 836302. Source of water supply BUTCHER CREEK which is a tributary of S.F. CLEARWATER3. Location of point of diversion is Township 30N Range 3E Sec. 28 in the WA 1/4,
SW 1/4, SE 1/4, Govt. Lot _____, B.M., IDAHO County;additional points of diversion if any: N/A

4. Water will be used for the following purposes:

Amount .120 for DIVERSION TO STORAGE purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)Amount .120 for RECREATION purposes from " to " (both dates inclusive)
(cfs or acre-feet per annum)Amount .120 for RECREATION STORAGE purposes from " to " (both dates inclusive)
(cfs or acre-feet per annum)Amount .120 for WILDLIFE purposes from " to " (both dates inclusive)
(cfs or acre-feet per annum)Amount .120 for WILDLIFE STORAGE 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) .120 and/or (b) .120 = (.12)
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 HEADGATE / PAVILION
PVC PIPE, FREE FLOW - BUT PIPE GOES BACK INTO AN EXISTING CREEK CHANNEL,
THEN APPROXIMATELY 15 FEET BACK INTO BUTCHER CREEK.b. Height of storage dam 3.6 feet; active reservoir capacity .120 acre-feet; total
reservoir capacity .120 acre-feetc. Proposed well diameter is N/A inches; proposed depth of well is N/A feetd. Is ground water with a temperature of greater than 85°F being sought? N/Ae. If well is already drilled, when? N/A; Drilling firm N/AWell was drilled for (well owner) N/A; Drilling Permit No. N/A7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

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

a. Hydropower; show total feet of head and proposed capacity in KW. N/Ab. Stockwatering; list number and kind of livestock. N/Ac. Municipal; show name of municipality. N/Ad. Domestic; show number of households. N/Ae. Other; describe fully. NOVE. Recreation use is for fishing + swimming

MICROFILMED

SEP 25 2001

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

use below. See instructions for standard symbols.

[illegible]

~~H/N~~ Total number of acres to be irrigated

THROUGH THE PROPERTY.

11. a. Who owns the property at the point of diversion? RAY & PAH! PETERSEN, (H & W)

b. Who owns the land to be irrigated or place of use? (Ray & Pahl) PRETENSEL (H & W).

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

~~11A~~: Buys this

12. Remarks: We have an existing pond (1988), approximately 100 A/E

WITH A 2" FEE FROM SUPPLY PIPE. W/E WOULD LIKE TO RUN APPROXIMATELY 1/3 OF THIS EXISTING DRAIN AND DRY IT OUT IN THE OPPOSITE DIRECTION TO ALLOW FOR MORE VEGETATION PLANTINGS AROUND THE

Page -

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.

MICROFILMED

SEP 25 2001

Signature of Applicant (and title, if applicable)

Received by	Date	Time	#	Preliminary check by	Date	Fee \$	Publication prepared by	Date	Publication approved
NORTHMAN	10/27/60	1:15	A014020		10/27/60			4/3/61	
NORTHMAN	10/28/60				10/28/60			4/3/61	
NORTHMAN	10/29/60				10/29/60			4/3/61	
NORTHMAN	10/30/60				10/30/60			4/3/61	
NORTHMAN	10/31/60				10/31/60			4/3/61	
NORTHMAN	11/1/60				11/1/60			4/3/61	
NORTHMAN	11/2/60				11/2/60			4/3/61	
NORTHMAN	11/3/60				11/3/60			4/3/61	
NORTHMAN	11/4/60				11/4/60			4/3/61	
NORTHMAN	11/5/60				11/5/60			4/3/61	
NORTHMAN	11/6/60				11/6/60			4/3/61	
NORTHMAN	11/7/60				11/7/60			4/3/61	
NORTHMAN	11/8/60				11/8/60			4/3/61	
NORTHMAN	11/9/60				11/9/60			4/3/61	
NORTHMAN	11/10/60				11/10/60			4/3/61	
NORTHMAN	11/11/60				11/11/60			4/3/61	
NORTHMAN	11/12/60				11/12/60			4/3/61	
NORTHMAN	11/13/60				11/13/60			4/3/61	
NORTHMAN	11/14/60				11/14/60			4/3/61	
NORTHMAN	11/15/60				11/15/60			4/3/61	
NORTHMAN	11/16/60				11/16/60			4/3/61	
NORTHMAN	11/17/60				11/17/60			4/3/61	
NORTHMAN	11/18/60				11/18/60			4/3/61	
NORTHMAN	11/19/60				11/19/60			4/3/61	
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NORTHMAN	11/21/60				11/21/60			4/3/61	
NORTHMAN	11/22/60				11/22/60			4/3/61	
NORTHMAN	11/23/60				11/23/60			4/3/61	
NORTHMAN	11/24/60				11/24/60			4/3/61	
NORTHMAN	11/25/60				11/25/60			4/3/61	
NORTHMAN	11/26/60				11/26/60			4/3/61	
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NORTHMAN	12/1/60				12/1/60			4/3/61	
NORTHMAN	12/2/60				12/2/60			4/3/61	
NORTHMAN	12/3/60				12/3/60			4/3/61	
NORTHMAN	12/4/60				12/4/60			4/3/61	
NORTHMAN	12/5/60				12/5/60			4/3/61	
NORTHMAN	12/6/60				12/6/60			4/3/61	
NORTHMAN	12/7/60				12/7/60			4/3/61	
NORTHMAN	12/8/60				12/8/60			4/3/61	
NORTHMAN	12/9/60				12/9/60			4/3/61	
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NORTHMAN	12/11/60				12/11/60			4/3/61	
NORTHMAN	12/12/60				12/12/60			4/3/61	
NORTHMAN	12/13/60								

CARMELITA
G.
SPENCER et

LITA G. SPENCER

4-556

Mountain

Theater

30

See Plot

~~See~~ Plot

R. Hafer of UK

TONI
ROBER

**WAYNE HOLLOPETER
ET UX**

Dennis
Albers

CALVIN
 HOGG
 ETIX

2008

**JERRY
SODERBERG**

ESTATE

SCHWAB
SUB-DIV
SEE PLAT

ROY ERIC NAIL
REV TRUST

PATRICIA J NAIL
1996 REV TRUST

MARDELL EDWARDS

~~REICHSGEHEIMLICHES~~

SEP 25 2001

Location of
Pond, distance
from Bohere

REM = 253

SEE DETAIL
TOWNSITE
BM

SEE DETAIL

FETTERMAN'S PROPERTY,

ELMER K. EARP



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 3, 2002

RAY PETERSEN
RT 2 BOX 410
GRANGEVILLE ID 83530

RE: PERMIT NO. 85-15335

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 proof due date to **July 1, 2003**. Please note that the approved request reinstates the permit, however, since your request was submitted after the proof due date the priority of the permit advances to February 23, 2001, as referenced in Section 42-218a, Idaho Code.

Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of the development 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.: 85-15335

Reviewed By: dgibson

Date: July 2, 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.:	N014020, C063038		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?		
Has adequate work been completed to demonstrate due diligence?	X				

Priority Calculation

Extension request received	07/02/2002	New proof due date	07/01/2003
Date proof due	- 07/01/2002		
Lapse notice sent	-		
No. of days late	= 1		
Holiday allowance	+		
Priority date	+ 02/22/2001		
New priority date	= 02/23/2001		

Action Taken

Acknowledge extension and extend proof deadline to July 1, 2003.

Reinstate permit and advance priority to 7/23/01.

April 30, 2002

RAYMOND A PETERSEN
RT 2 BOX 410
GRANGEVILLE, ID 83530

PROOF DUE NOTICE

RE: PERMIT NO. 85-15335

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 July 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.

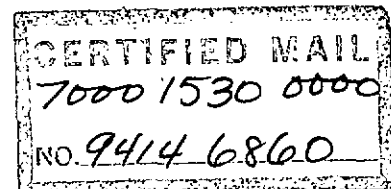
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

July 16, 2001

RAYMOND A PETERSEN
RT 2 BOX 410
GRANGEVILLE ID 83530

RE: Permit No. 85-15335

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.

MICROFILMED

SEP 25 2001

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

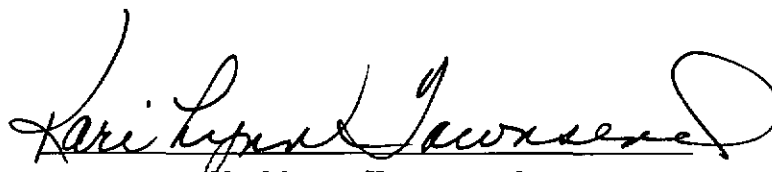
MICROFILMED
SEP 25 2001

CERTIFICATE OF MAILING

I hereby certify that on July 16, 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. 85-15335

**RAYMOND A PETERSEN
RT 2 BOX 410
GRANGEVILLE ID 83530**


Kari Lynn Townsend
Secretary

**MICROFILMED
SEP 25 2001**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED
SEP 25 2001

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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



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

June 19, 2001

RAYMOND PETERSEN
RT 2 BOX 410
GRANGEVILLE ID 83530

RE: Application for Permit No, 85-15335

Dear Mr. Petersen:

Enclosed is a draft copy of the permit we propose to issue for the above referenced application. We are sending the draft so that you can review the conditions of approval that are proposed for the permit as a result of the Department of Fish and Game's concerns.

If we do not hear from you within 14 days, we will assume you are in agreement with these conditions as proposed and we will issue the permit accordingly.

If you have any questions or concerns about the draft, please call me at 208-327-5452.

Sincerely,

Sharla Curtis
Sr. Water Resource Agent

SC:klt

Enclosure

MICROFILMED

SEP 25 2001

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 6/5/07

No. 85-15335 Name: Petersen Corp. Officers N/A Ad ok ☒ Govt Lots _____

AREA OF CONCERN: No/Yes _____ Moratorium ☒ CWMA ☒ 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 - 18A-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)
STOCKWATER - R37 (BLM/FS)
MINING - 054-106
FISH PROP - 029 (70's only)-007-042-106
HEAT/COOL - R07 (injection well)
FIRE/PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8

SURFACE WATER: (✓Flow Chart)

F&G contacted ☒ Yes/No Response Spec cond.

In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H(P01), 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) - W22, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W22, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H or 17K (+uses)-17G (not under FERC)
or 17M (FERC regulated >25 cfs or 500hp)
08A-025-027-01N-106-W13 (if dewatering stream)

MUNICIPAL

Restricted area - 022,075
Irr., GW supp to SW - 102

DOMESTIC

Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate or none allowed - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

BENEFICIAL USE DUE: 6/01/2007

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period - 2 yr
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

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

R&R/fishery & swim

IRRIGATION SEASON _____ - _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

MAY 29 2001

DEPARTMENT OF WATER RESOURCES

68903

APPLICATION # 85-15335

INITIAL REVIEW

APPLICANT: PETERSEN

BY: AB

DATE: 2/22/01

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

PROCESSING

(Yes)(No) PRIORITY DATE: 2/22/01

(X) (Include Moratorium Remark)

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

10/1/01

ADVERTISE IN: IOAHO 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?
1		Dom. Non-Dom.	Paid \$		Y () N ()
2		Dom. Non-Dom.	Paid \$		Y () N ()
3		Dom. Non-Dom.	Paid \$		Y () N ()

- (X) Groundwater management area
- (X) Critical ground water area
- (X) Well Drilling Permit required
- (X) Well Drilling Application and Fees received
- (X) 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: _____

- 4/12 Publication dates and paper recorded on application | Sr. Agent initial
- 3/23 Protests received, Final protest date: 3/26/01
- Measuring device required
- Measuring port required
- Special conditions:

Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: _____

Date: ____/____/____

MEMORANDUM

RECEIVED
MAY 29 2001
Department of Water Resources

May 25, 2001

MEMO TO: Shelley Keen

FROM: Al Beardslee

RE: 85-15335 - Raymond A. PETERSEN

Shelley, please hold off on the approval of this application until we further discuss the conditions of approval.

Thanks.

Al
Al

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SEP 25 2001

*Protested. Info
entered in new
system. Letter
sent to protestant
& applicant.
4/2*

NOTE

Ball, Dianne

From: JEROME HANSEN [jhanzen@IDFG.STATE.ID.US]
Sent: Monday, April 30, 2001 5:19 PM
To: dball@idwr.state.id.us
Subject: re: Water Right Application for Raymond Petersen - 85-15335

Daniel Stewart and I looked at the site on Friday. Our primary concerns include:

- 1. That the diversion structure does not go entirely across the stream and block fish passage
- ✓ 2. That releases from the impoundment do not decrease water quality in Butcher Creek, including increased temperatures
- ✓ 3. That the inlet and outlet are screened so that fish from the creek and/or fish from the pond are not connected
- ✓ 4. That diversions into the pond during low flow periods do not compromise the integrity of the Butcher Creek aquatic community.

From our site visit, it looked like the diversion structure would not need to go entirely across the stream, hence it should not result in a barrier. In order to ensure that that water releases from the pond do not "warm up" Butcher Creek, the outlet may need to be at a lower level in the pond. I talked to Mr. Peterson about this previously, and he seemed okay with that. I don't know what the lowest flows in Butcher Creek are, but assume that Mr. Peterson's diversion will leave the bulk of the flows in the stream. Please call or e-mail if you have any questions (208-799-5010). Thanks.

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

From: "Ball, Dianne" <dball@idwr.state.id.us>, on 4/30/01 4:28 PM:

Greetings, Jerome, and a happy day to you,

I am ready to forward the above referenced file to our state office for issuance of the Permit. This water right is for .20 cfs from Butcher Creek, tributary to S.F. Clearwater, in the SWSE of Sec. 28, Twp 30N, R3E. I understand you have been working with Mr. Petersen on this project regarding an in-stream "headgate".

Will you please confirm that this is the case and let us know if you have any problem with the issuance of the permit. We would appreciate your response on this right away, so we can finalize our transfer of this to our state office for permit issuance.

Thank you very much for your prompt reply.

May your life be littered with love and blessings.
Dianne Ball
IDWR North, in Cd'A

MICROFILMED

SEP 25 2001

Ball, Dianne

From: Ball, Dianne
Sent: Monday, April 30, 2001 4:29 PM
To: 'Jerome Hansen - IDFG - Lewiston'
Subject: Water Right Application for Raymond Petersen - 85-15335

Greetings, Jerome, and a happy day to you,

I am ready to forward the above referenced file to our state office for issuance of the Permit. This water right is for .20 cfs from Butcher Creek, tributary to S.F. Clearwater, in the SWSE of Sec. 28, Twp 30N, R3E. I understand you have been working with Mr. Petersen on this project regarding an in-stream "headgate".

Will you please confirm that this is the case and let us know if you have any problem with the issuance of the permit. We would appreciate your response on this right away, so we can finalize our transfer of this to our state office for permit issuance.

Thank you very much for your prompt reply.

May your life be littered with love and blessings.

Dianne Ball

IDWR North, in Cd'A

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SEP 25 2001

4-20-07

RAY CALLED ME BACK
TO DISCUSS DIVERSION
WORKS- SAID HE WANTED
TO PUT A "HEADGATE" IN
STREAM- I SUGGEST THAT
HE TALK WITH JEROME
HANSEN EOPB-

ALSO - HE SAID THAT
CASE WAS GOING TO WITHDRAW
PROTEST -

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SEP 25 2001

RECEIVED

APR 30 2001

IDWR/North

RECEIVED

APR 30 2001

IDWR/North

4-28-01

Department of water resources
Northern region

This is to inform you that
I wish to withdraw my protest
against application # 85-15335 filed
by Raymond A. Peterson.

Thank you

Larry R. Case
RD 2 Box 120
Grazzville, ID
83530

MICROFILMED

SEP 25 2001

Memorandum to File

Date: April 30, 2001

 File: 85-15335 (Petersen)

RE: Protest from Larry R. Case Withdrawn

~~~~~  
Since Mr. Case has withdrawn his protest against the above filing, Northern Region recommends approval of this filing.

MICROFILMED

SEP 25 2001

LURA  
BCA

Application No. 85-15335

SPECIAL NOTE: \_\_\_\_\_

PROTEST INFORMATION SHEET

Protestant(s)

|    |                                                           |                |
|----|-----------------------------------------------------------|----------------|
| 1  | <u>Larry R. Case, Rt 2 Box 120, Grangeville, ID 83530</u> | <u>3/23/01</u> |
| 2  | _____                                                     | _____          |
| 3  | _____                                                     | _____          |
| 4  | _____                                                     | _____          |
| 5  | _____                                                     | _____          |
| 6  | _____                                                     | _____          |
| 7  | _____                                                     | _____          |
| 8  | _____                                                     | _____          |
| 9  | _____                                                     | _____          |
| 10 | _____                                                     | _____          |

ATTORNEY

ADDRESS

DATE FILED: 2/22/01 PROTEST DUE DATE: 3/26/01  
ISSUES: Not enough water in Butcher Creek; will impact fish downstream;

Applicant(s)

ATTORNEY

ADDRESS

DATE

Protest Date Entered on Computer 4/2/01  
Acknowledgment Letters Sent 4/2/01  
Hearing Date \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Other Dates)

Other Information: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Protest information submitted to computer (following hearing): \_\_\_\_\_

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Protest Information

SEP 25 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

April 02, 2001

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

RAYMOND A PETERSEN  
RT 2 BOX 410  
GRANGEVILLE, ID 83530

Application to Permit No. 85-15335

Dear Applicant(s):

Enclosed is a copy of a protest filed against approval of the above referenced application. The Department suggests that you contact the protestant(s) directly to determine the nature of the protest and, if possible, to resolve the matter without action by the Department. In our experience, informal discussion between the parties prior to initiation of formal proceedings often leads to resolution of the protest.

If the protest cannot be resolved informally, the matter will be scheduled for conference and/or hearing. The following are criteria the Department must consider in either approving or denying the application (Section 42-203A, Idaho Code).

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

You will be notified at a later date of the time and place of the conference and/or hearing. Please contact this office if you have any questions regarding this procedure.

Sincerely,

Robert G. Haynes, P.E.  
Regional Manager

MICROFILMED

SEP 25 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

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

April 02, 2001

LARRY R CASE  
RT 2 BOX 120  
GRANGEVILLE, ID 83530

Application to Permit No. 85-15335 - Raymond A. Petersen

Dear Protestant(s):

The Department of Water Resources acknowledges receipt of your protest against the approval of the above referenced application. A copy of your protest has been sent to the applicant. The Department suggests that you contact the applicant directly for details regarding the application and, if possible, to resolve the matter without action by the Department. In our experience, informal discussion between the parties prior to initiation of formal proceedings often leads to resolution of the protest.

If the protest cannot be resolved informally, the matter will be scheduled for conference and/or hearing. The following are criteria the Department must consider in either approving or denying the application (Section 42-203A, Idaho Code).

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

You will be notified at a later date of the time and place of the conference and/or hearing. Please contact this office if you have any questions regarding this procedure.

Sincerely,

Robert G. Haynes, P.E.  
Regional Manager MICROFILMED

Cc: Receipt No. N014217 5 2001

RECEIVED  
MAR 23 2001  
IDWR North

3-21-01

Director  
Dept. of Water resources  
Northern Region

NOV 26 2001

I am writing this letter  
to protest a water right application  
# 85-15335 by Raymond A. Petersen.

My reasons to protest are  
as follows.

1. the water in Butcher creek gets extremely low in the summer some times it would all go thru a 2" pipe. With the water rights that have been adjudicated and the ones that are in the process of being adjudicated I don't think there is enough water for more use. the information I received from the water resource people a few years ago was they had no idea what the low flow was or how many claims were on it.
2. there are fish in the creek especially lower down. If more water is taken out it will impact them. I've been told that the state is not concerned with the fish but there are Federal agencies that are.
3. the use of this claim is unclear as is the amount of diversion.
4. I'm also not clear as to whether the use meets the criteria for  
over

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SEP 25 2001

beneficial use.

5. I'm opposed to more permits  
because I don't feel from what  
I've heard that the state <sup>will</sup> ~~would~~  
support the people with prior  
claims if there is a problem.

I feel I have no recourse  
but to protest this application

Thank you

Larry R. Case  
Rt 2 Box 120  
Grangeville, ID  
83530

208-983-0971

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APR 25 2001

2/22/01

 NOTE TO FILE

NORTHERN REGION HELD MR. PETERSEN'S  
APPLICATION FOR CLARIFICATION OF THE  
LEGAL DESCRIPTIONS FOR P.O.D. & P.O.U.

INFORMATION WAS RECEIVED 2/22/01.

RECEIVED  
MAR 26 2001  
IDWR/North

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

85-15335  
RAYMOND A. PETERSEN  
RT. 2, BOX 410  
GRANGEVILLE, ID 83530  
Point(s) of Diversion SWSE S28 T30N  
R03E IDAHO County Source BUTCHER  
CREEK  
Use: DIVERSION TO STORAGE 01/01 To  
12/31 0.2 CFS  
Use: RECREATION 01/01 To 12/31 0.2 CFS  
Use: RECREATION STORAGE 01/01 to  
12/31 0.2 AFA

Use: WILDLIFE 01/01 To 12/31 0.2 CFS  
Use: WILDLIFE STORAGE 01/01 To 12/31  
0.2 AFA  
Total Diversion: 0.2 CFS  
Date Filed: 02/22/2001  
Place Of Use: DIVERSION TO STORAGE  
T30N R03E S28 SWSE  
Place Of Use: RECREATION, RECREA-  
TION STORAGE, WILDLIFE, and WILD-  
LIFE STORAGE are same as DIVERSION  
TO STORAGE.

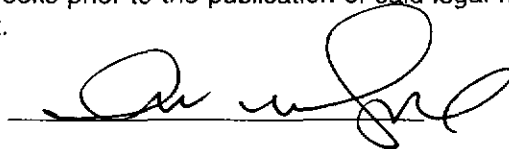
84-12124  
C BAR FIVE, INC.  
3252 UPPER FORDS CREEK  
OROFINO, ID 83544  
Point(s) of Diversion L13 [SESE] S13 T33N  
R03E IDAHO County  
Source GROUND WATER  
Use: DOMESTIC 01/01 to 12/31 0.22 CFS  
Total Diversion: 0.22 CFS  
Date Filed: 02/06/2001  
Place Of Use: DOMESTIC  
T33N R03E S13 L13 [SESE]  
T33N R03E S24 L1 [NENE]  
T33N R04E S19 L1 [NWNW] L2 [SWNW]  
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 ap-  
plication 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 be-  
fore 03/26/2001. The protestant must also  
send a copy of the protest to the applicant.  
KARL J. DREHER, Director  
Published on 03/07 and 3/14/2001

M7-14

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO  
County of Idaho - ss.

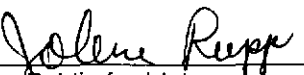
Andrew J. McNab, being first duly sworn, says he is the Publisher of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho County, State of Idaho, and is of general circulation in said county and state, that the said legal notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 7th day of March, 2001; and the last publication on the 14th day of March, 2001; and that the said legal notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said legal notice of advertisement.

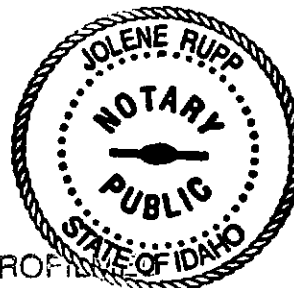


STATE OF IDAHO )  
COUNTY OF )

On this 14th day of March in the year of 2001, before me a Notary Public personally appeared Andrew J. McNab, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



  
Notary Public for Idaho  
Residing at Grangeville, ID  
My commission expires: 9-29-07



MICROFILMED  
SEP 25 2001

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

85-15335

RAYMOND A PETERSEN  
RT 2 BOX 410  
GRANGEVILLE ID 83530

| Point(s) of Diversion | SWSE | S28 | T30N | R03E | IDAHO County | Source |
|-----------------------|------|-----|------|------|--------------|--------|
|-----------------------|------|-----|------|------|--------------|--------|

BUTCHER CREEK

|                           |  |  |                |         |         |  |
|---------------------------|--|--|----------------|---------|---------|--|
| Use: DIVERSION TO STORAGE |  |  | 01/01 To 12/31 | 0.2 CFS |         |  |
| Use: RECREATION           |  |  | 01/01 To 12/31 | 0.2 CFS |         |  |
| Use: RECREATION STORAGE   |  |  | 01/01 To 12/31 |         | 0.2 AFA |  |
| Use: WILDLIFE             |  |  | 01/01 To 12/31 | 0.2 CFS |         |  |
| Use: WILDLIFE STORAGE     |  |  | 01/01 To 12/31 |         | 0.2 AFA |  |
| Total Diversion:          |  |  | 0.2 CFS        |         |         |  |

Date Filed: 02/22/2001

Place Of Use: DIVERSION TO STORAGE

T30N R03E S28 SWSE

Place Of Use: RECREATION, RECREATION STORAGE, WILDLIFE , and WILDLIFE STORAGE  
are same as DIVERSION TO STORAGE.

84-12124

C BAR FIVE INC  
3252 UPPER FORDS CREEK  
OROFINO ID 83544

| Point(s) of Diversion | L13 | [SESE] | S13 | T33N | R03E | IDAHO County |
|-----------------------|-----|--------|-----|------|------|--------------|
|-----------------------|-----|--------|-----|------|------|--------------|

Source GROUND WATER

|                  |  |  |                |          |  |  |
|------------------|--|--|----------------|----------|--|--|
| Use: DOMESTIC    |  |  | 01/01 To 12/31 | 0.22 CFS |  |  |
| Total Diversion: |  |  | 0.22 CFS       |          |  |  |

Date Filed: 02/06/2001

Place Of Use: DOMESTIC

T33N R03E S13 L13 [SESE]

T33N R03E S24 L1 [NENE]

T33N R04E S19 L1 [NWNW] L2 [SWNW]

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 03/26/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on 03/07 and 3/14/2001

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SEP 25 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

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

February 28, 2001

**Legal Notice Department**  
IDAHO COUNTY FREE PRESS  
PO BOX 267  
GRANGEVILLE ID 83530

RE: Application for Permit No. 85-15335 AND Application for Permit No.84-12124

**Dear LEGAL NOTICE DEPARTMENT:**

Enclosed you will find legal notice(s) 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 03/26/2001. Your cooperation is appreciated.

Sincerely

Dianne Ball  
Administrative Assistant

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SEP 25 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

February 28, 2001

RAYMOND A PETERSEN  
RT 2 BOX 410  
GRANGEVILLE ID 83530

RE: Application for Permit No 85-15335

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.

A legal notice of the application has been prepared and is scheduled for publication in the Idaho County Free Press on March 7 and 14, 2001. 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 ten to twelve weeks.

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

Sincerely,

Allen Beardslee  
Senior Water Resource Agent

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SEP 25 2001