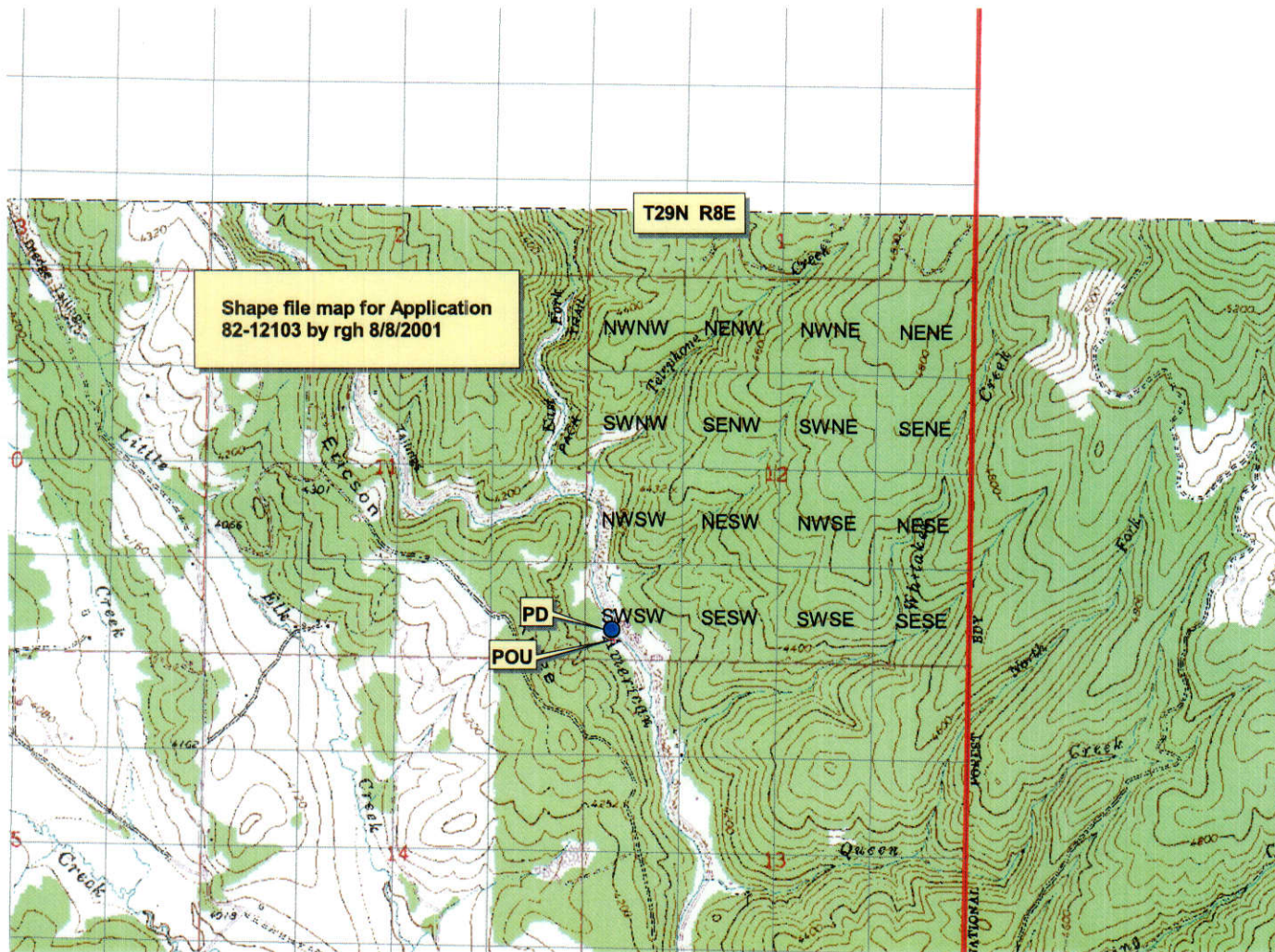
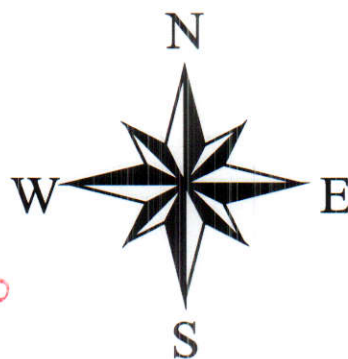


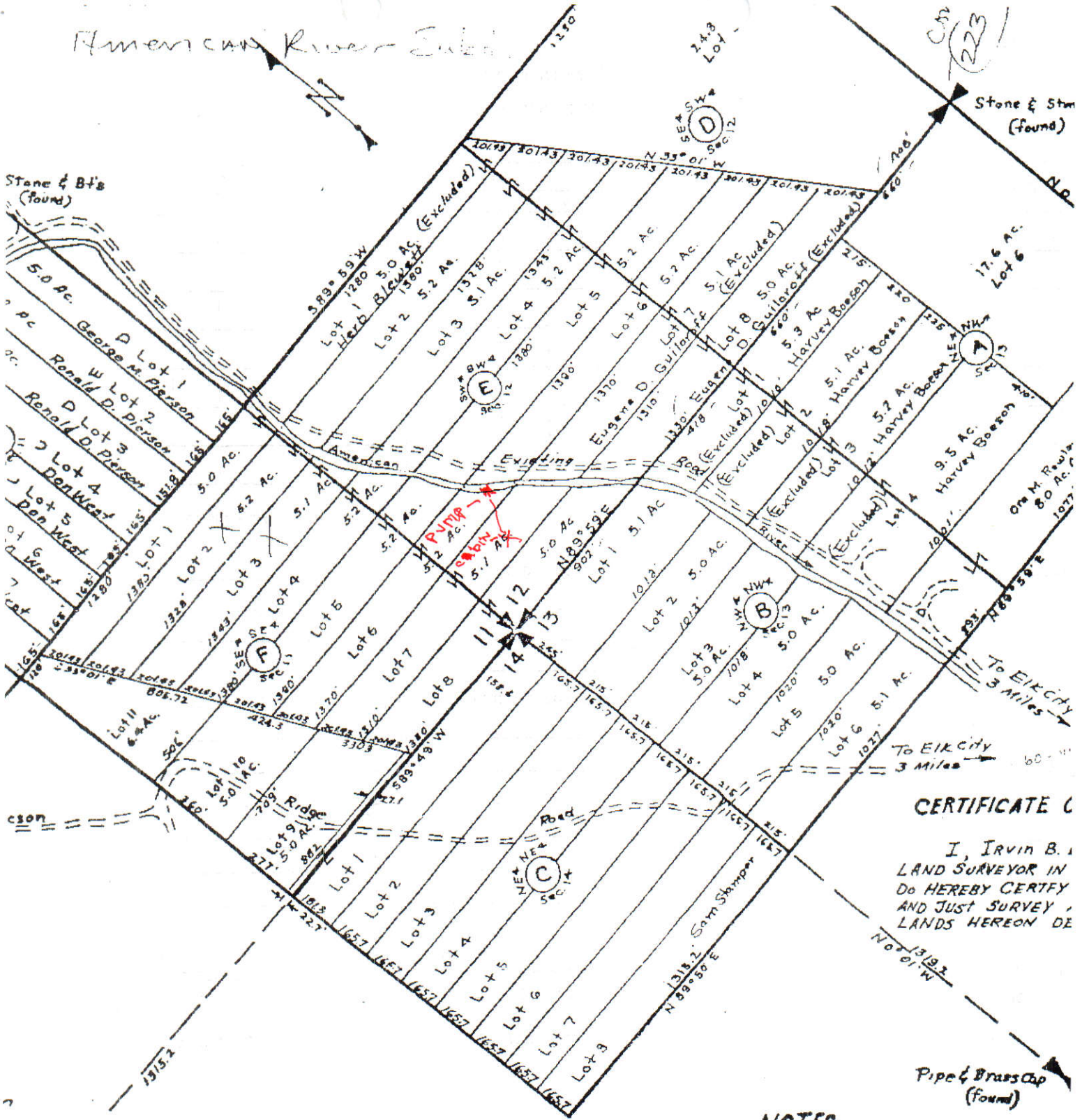


- GCDBT29N08E.shp
- POD- Application Application POD
- Application POU
- Townships

MICROFILMED
SEP 25 2001



American River Subd.



223

Stone & Stm (found)

Stone & B's (found)

George M. Pierson
D Lot 1
W Lot 2
Ronald D. Pierson
D Lot 3
Don West
Lot 4
Don West
Lot 5
Don West
Lot 6
Don West
Lot 7

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CERTIFICATE C

I, Irvin B. LAND SURVEYOR IN DO HEREBY CERTIFY AND JUST SURVEY, LANDS HEREON DE

Pipe & Brass Cap (found)

NOTES

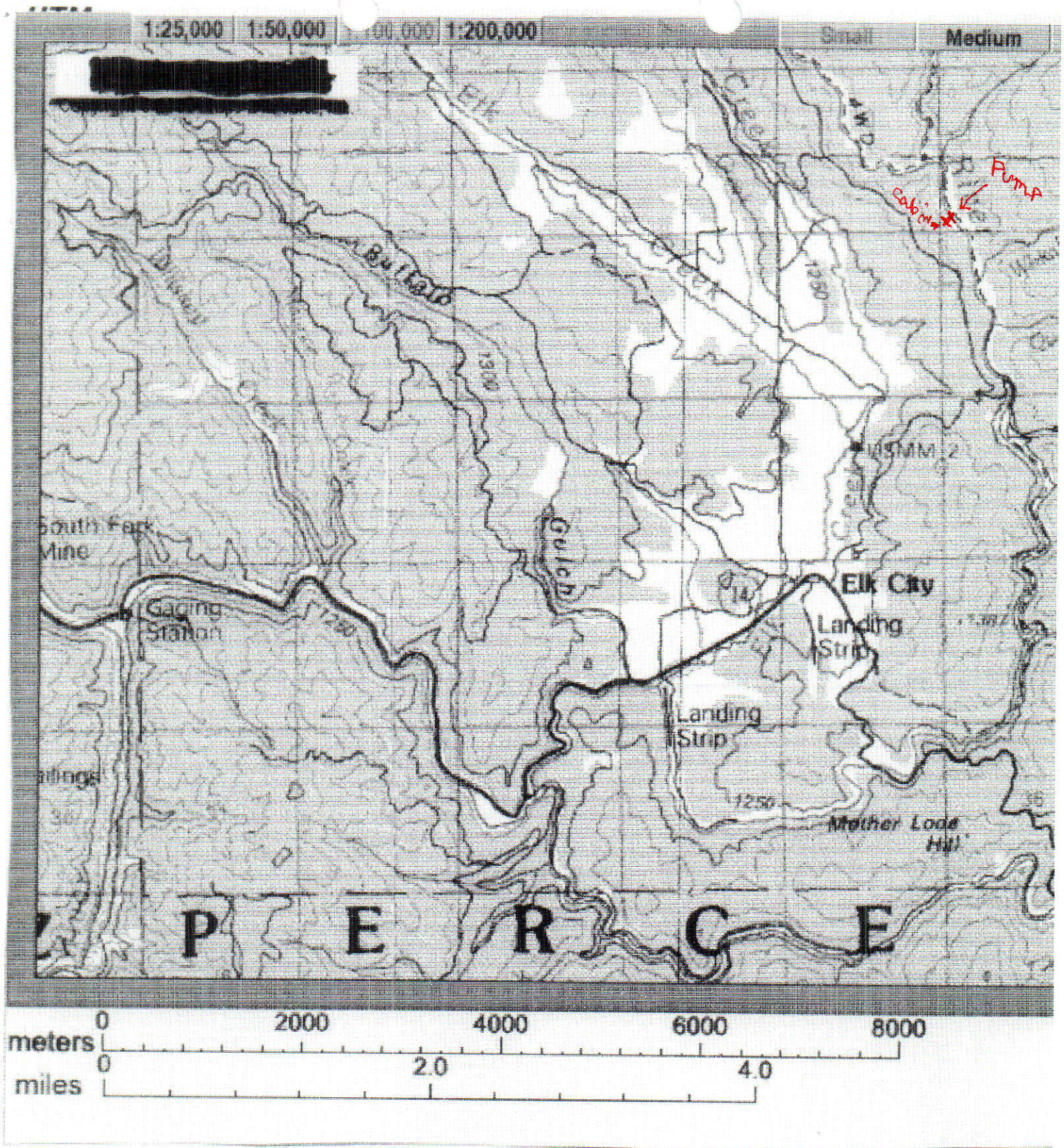
Iron Pins Set on Lot Corners. Lots Are Five Acres Unless Shown Otherwise.

MICROFILMED

SEP 25 2001

6-15-01 Application Attachment for Kenneth W. Dickinson

Township 29N, Range 8 E, Sec. 12T SW 1/4 SW 1/4



6-15-01 Application Attachment for Kenneth Dickinson

MICROFILMED
SEP 25 2001

RECEIVED
JUL 16 2001
IDWR/North

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

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

82-12103
KENNETH W. DICKINSON *ok*
P.O. BOX 285
ELK CITY, ID 83525
Point(s) of Diversion SWSW S12 T29N
R08E IDAHO County
Source AMERICAN RIVER Tributary To
SOUTH FORK CLEARWATER RIVER
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date filed: 06/18/2001
Place Of Use: DOMESTIC T29N R08E S12
SWSW

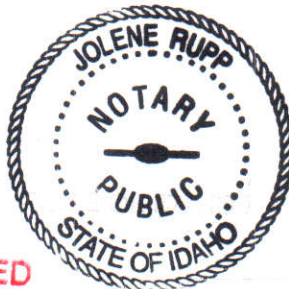
Remark: Domestic use is for 1 home.
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814 together with a protest fee of \$25.00 for each application on or before 07/23/2001. the protestant must also send a copy of the protest to the applicant.
KARL J. DREHER, Director
Published in the Idaho County Free Press 7/4 and 11/2001

Jy4-11

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 4th day of July, 2001; and the last publication on the 11th day of July, 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 11th day of July 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: 1-24-07

MICROFILMED

SEP 25 2001

IN THE MATTER OF PERMIT NO.)
82-12103 IN THE NAME OF) **REINSTATEMENT ORDER**
KENNETH W. DICKINSON)
_____)

MICROFILMED
OCT 6 4 2002

FOR OFFICE USE ONLY
Amt. of Fee \$: 100.00
Receipt No. 1063852
Receipt By: [Signature]
Date Received: AUG 7 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG - 7 2002

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. 82-12103 Telephone No. 208-842-2734

2. Name of Permit Holder(s): Kenneth W. Dickinson

3. Mailing Address: Box 285

City Elk City State ID Zip 83525

4. Source of Water: American River 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): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .04 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 _____

8. Fee Enclosed: \$ 100.00 (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: Kenneth Dickinson Telephone Number: 842-2734

Address: Box 285 Elk City ID 83525

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: Kenneth W. Dickinson Date: 8-4-02
(include your title, if on behalf of company or organization)

MICROFILMED

AUG 14 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 82-12103

Priority: 06/18/2001

Maximum Diversion Rate: 0.04 CFS

This is to certify, that KENNETH W DICKINSON
PO BOX 285
ELK CITY ID 83525

has applied for a permit to appropriate water from:

Source: AMERICAN RIVER

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>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

AMERICAN RIVER SW/4 Sec. 12, Twp 29N, Rge 08E, B.M. IDAHO County

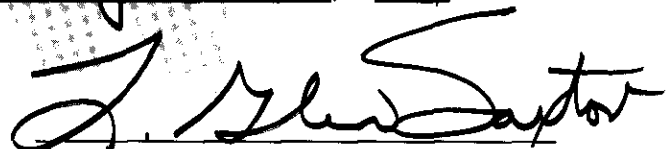
PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
29N	08E	12												X					

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before August 1, 2002.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 20th day of August, 2001.


KARL J DREHER, Director
for

MICROFILMED
SEP 25 2001

AUG 13 2001

Department of Water Resources

69234
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 82-12103

RECEIVED
JUN 18 2001
IDWR/North

1. Name of Applicant Kenneth W. Dickinson Phone 842-2739
Mailing address Box 285 Elk City, ID 83525 Extension 743-7110
2. Source of water supply American River which is a tributary of Clearwater River
3. Location of point of diversion is Township 29N, Range 8E, Sec. 12, in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot 1, B.M., Idaho County: Blaine
additional points of diversion if any: Lot 6 in Tract E of American River Subdivision, SW $\frac{1}{4}$ Sec. 12, 29N, R. 8E
4. Water will be used for the following purposes: Domestic purposes from Apr 1 to Nov 30 (both dates inclusive)
Amount 1 acre ft for Domestic purposes from Apr 1 to Nov 30 (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.01 cubic feet per second and/or (b) 1 acre ft per annum acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source 3/4" hp electric pump
approx. 200 ft of pipeline to cabin
b. Height of storage dam Na feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter is Na inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? NO; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. 1
e. Other; describe fully. _____

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SEP 25 2001

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	
29N	8E	12											D						

Total number of acres to be irrigated NA

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

11. a. Who owns the property at the point of diversion? Self - Kenneth Dickinson

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

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

12. Remarks: We have a private water spring that emerges on our property and seeps back into the ground on our property. It often dries up in the summer. The times we would actually pump from the river depends, on snow levels, rain fall etc.

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.)

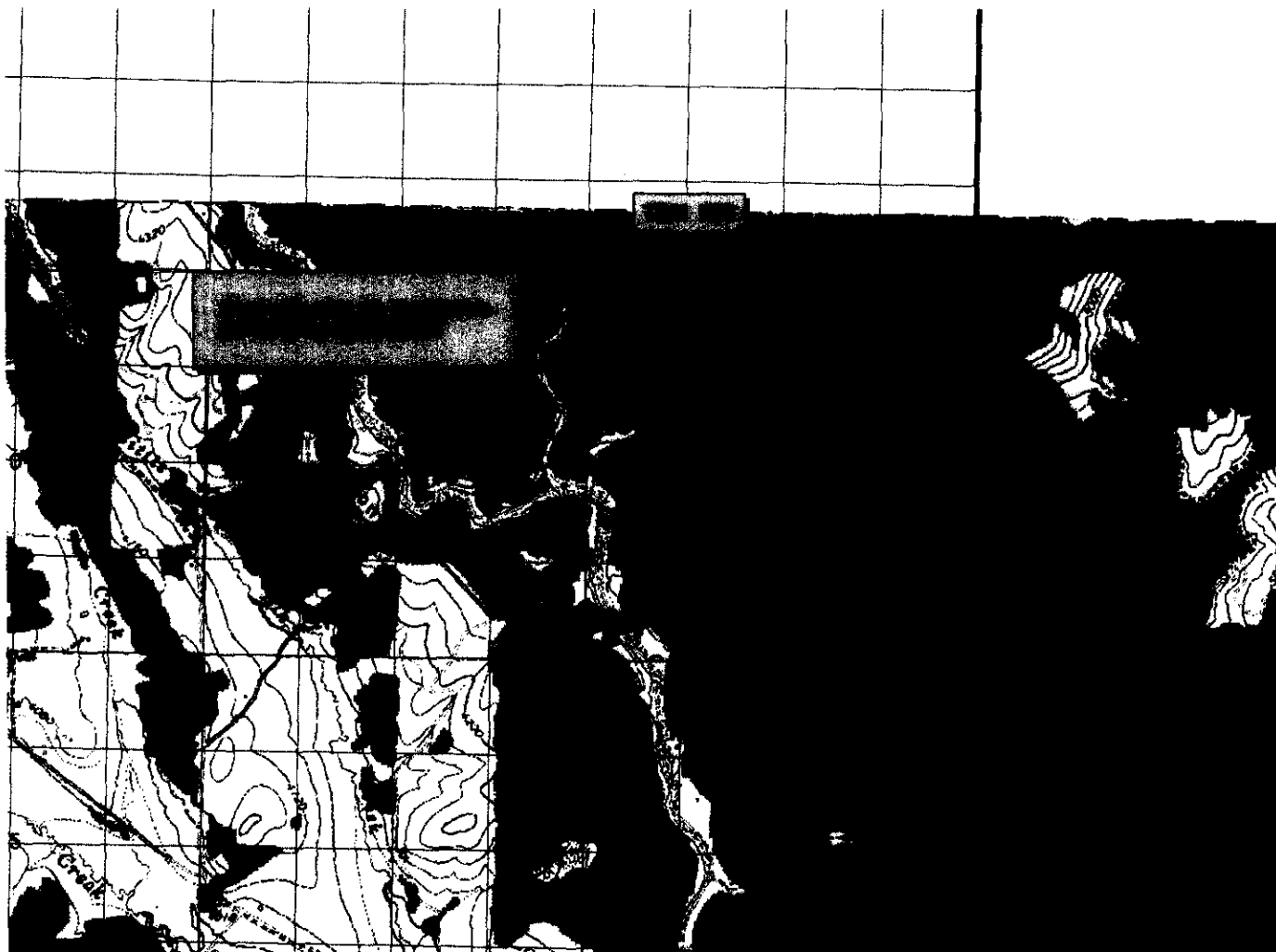
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Kenneth W Dickinson 6-15-01
Signature of Applicant (and title, if applicable)

Received by dp Date 6/18/01 Time 1:50 P Preliminary check by AS
Fee \$ 100.00 Receipted by dp # NO14461 Date 6/18/01
Publication prepared by dp Date 6/27/01 Published in Idaho Free Press 7/4+11/01
Publication approved dp Date 7/17/01

MICROFILMED

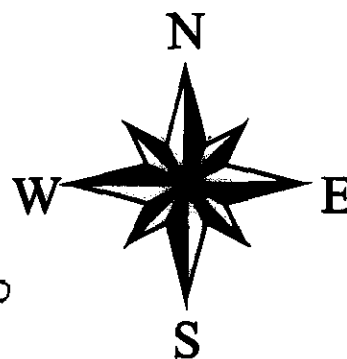
SEP 25 2001



0.4 0 0.4 0.8 Miles

-  GCDBT29N08E.shp
-  POD- Application Application POD
-  Application POU
-  Townships

MICROFILMED
SEP 25 2001





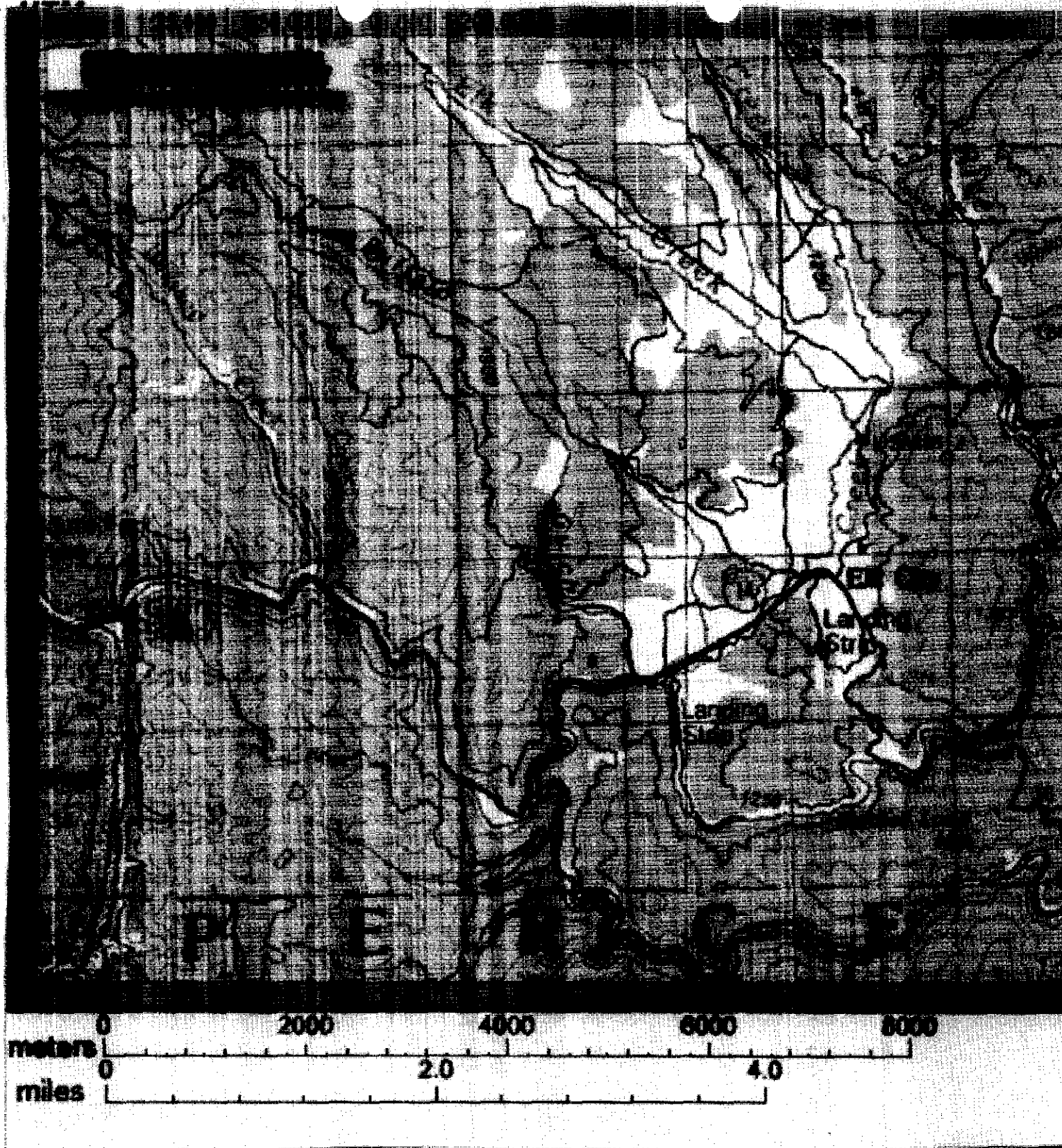
I, Irvin B. LAND SURVEYOR IN DO HEREBY CERTIFY AND JUST SURVEY, LANDS HEREON DE

Iron Pins Set on Lot Corners.
Lots Are Five Acres Unless Shown
Otherwise.

SEP 25 2001

6-15-01 Application Attachment from Kenneth W. Dickinson

Township 29N, Range 8E, Sec. 12T SW 1/4 SW 1/4



6-15-01 Application of ~~Water~~ for Kenneth Dickinson

MICROFILMED
SEP 25 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 21, 2002

KENNETH W DICKINSON
BOX 285
ELK CITY ID 83525

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 82-12103

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. 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. The regional office staff will contact you when that examination is to be conducted.

Upon review of your proof, I find that you paid a \$100 license examination fee. However, your total diversion rate is 0.04 cfs which is a \$50.00 fee. Therefore, I will request that \$50.00 be refunded to you. A check will be issued by the State of Idaho in approximately 7-10 business days and mailed to you under separate cover.

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.

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 (w/encl.)
Fiscal

MICROFILMED

OCT 04 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 82-12103

Reviewed By: dgibson

Date: August 20, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?		X	Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?		X	Drilling permit upgrade needed?		
Receipt No.:		N014461, C063852	Well driller's report filed?		X
Additional Amount Due:		\$50.00 should be returned to the permit holder	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	08/07/2002
Date proof due	- 08/01/2002
Lapse notice sent	-
No. of days late	= 6
Holiday allowance	+
Priority date	+ 06/18/2001
New priority date	= 06/24/2001

Deficiencies of Actions Items

Acknowledge proof. Customer overpaid fee, return \$50.00.

Reinstate permit and advance priority to 6/24/01. ✓ Update to active status. ✓

August 6, 2002

KENNETH W DICKINSON
PO BOX 285
ELK CITY, ID 83525

LAPSE NOTICE

RE: PERMIT NO. 82-12103

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 May 31, 2002. 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 8/6/02
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

MICROFILMED

OCT 04 2002

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

1. North Orchard Street, P.O. Box 83720

Boise, Idaho 83720-0098

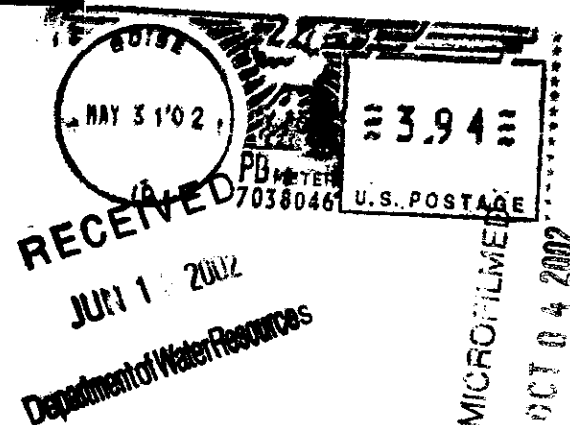
Return Service Requested

JUN - 7 2002

CERTIFIED MAIL



7099 3220 0005 5178 4080



DICK265 T635252006 1801 04 06/05/02
RETURN TO SENDER
DICKINSON
TEMPORARILY AWAY
RETURN TO SENDER





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

May 31, 2002

KENNETH W DICKINSON
PO BOX 285
ELK CITY, ID 83525

PROOF DUE NOTICE

RE: PERMIT NO. 82-12103

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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

Sincerely,

Deborah J. Gibson, Admin. Assistant

Water Allocation Bureau

Enclosures

May 31, 2002

KENNETH W DICKINSON
PO BOX 285
ELK CITY, ID 83525

PROOF DUE NOTICE

RE: PERMIT NO. 82-12103

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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

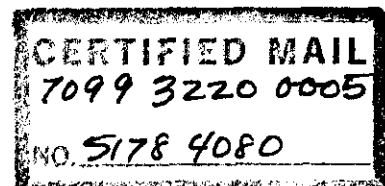
Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

OCT 04 2002





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 21, 2001

KENNETH W DICKINSON
PO BOX 285
ELK CITY ID 83525

RE: Permit No. 82-12103

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,


Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
SEP 25 2001

CERTIFICATE OF MAILING

I hereby certify that on August 21, 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. 82-12103

**KENNETH W DICKINSON
PO BOX 285
ELK CITY ID 83525**


**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).

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.

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SEP 25 2001

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Sharla Curtis on 8/15/01

No. 82-12103 Name: Dickinson Corp. Officers N/A Ad ok ☒ Govt Lots

AREA OF CONCERN: No/Yes S/C dom.ok Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

-WMD

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

Trust - 051(consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

SURFACE WATER: (✓Flow Chart)

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

PLANNING REVIEW/RESPONSE

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

SPRINGS/SINK, INACTIVE WD or WD

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

RIVER BASINS: (SW special considerations)

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

USES:

MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-042-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
>1 in restricted area - 070-071-075(no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

BENEFICIAL USE DUE: 8/01/2002

MISC CONDITIONS/REMARKS:

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

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION ANALYSIS SHEET

AUG 13 2001

69234
APPLICATION # 82-12103

INITIAL REVIEW

E. ok to pub BCA WRA.

Department of Water Resources

APPLICANT: DICKINSONBY: ASDATE: 6/20/01

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()

PROCESSING

(Yes) (No) PRIORITY DATE: 6/18/01X (Include Moratorium Remark)X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).ADVERTISE IN: IDAHO County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

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 # _____

GROUNDWATER SECTION

WD Permit No.'s:	TAG #	Type:	Fees	Receipt No.	Upgrade Needed?
<u>1</u>	<u>1</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
<u>1</u>	<u>1</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
<u>1</u>	<u>1</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()

Groundwater management area

Critical ground water area

Well Drilling Permit required

Well Drilling Application and Fees received

Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

X Notice of pending void order issued. Final order response date: _____/_____/_____X Further information required from applicant7/16 X Affidavit of publication received7/17 X Application published correctly. If not, record action taken: _____6/27 X Publication dates and paper recorded on application | Sr. Agent initial _____X Protests received, Final protest date: 7/23/01X Measuring device requiredX Measuring port requiredX Special conditions: _____X Special conditions of approval supplement and/or cover letter attached:Approval Recommended by: RAHDate: 8/8/2001

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, June 27, 2001 4:21 PM
To: 'Jerome Hansen - IDFG - LEWISTON'
Subject: FW: Water Right Applications on which we need your comments.

Jerome - I have an error on the first one of these than came through. There is, embodied within the DICKINSON water right No. 82-12103, there is a water right application listed as STATE OF IDAHO No. 83-11930 (it is a FISH & GAME right), It is entered in error. - I have separated it out from the DICKINSON right on this copy. Please ignore the previous e-mail, and work from this one as modified below. Thank you very much. Dianne

~~~~~  
Greetings, Jerome,

Folowing are three applications on which we need your comments. Protests require a letter with original signature and a check in the amount of \$25 for each right protested. Other comments/concerns/recommendations can be handled by FAX or e-mail.

**All three of these, DICKINSON and both LINES applications, have a final date for receipt of comments/concerns/recommendations and/or protests of JULY 23, 2001.**

{ Application for Permit No. 82-12103 Name: KENNETH W DICKINSON Diversion Pt SWSW Sec 12 T 29N R 08E IDAHO County Source AMERICAN RIVER Use: DOMESTIC 01/01 To 12/31 0.04 CFS Total Diversion: 0.04 CFS Date Filed: 06/18/2001 Place Of Use: DOMESTIC T29N R08E S12 SWSW Remarks: Domestic use is for 1 home.

Application for Permit No. 87-10014 Name: MELISSA LINES Diversion Pt SESW Sec 35 T 42N R 03W LATAH County Source UNNAMED STREAM Use: IRRIGATION 03/15 To 11/15 0.03 CFS Use: IRRIGATION FROM 03/15 To 11/15 4 AFA STORAGE Use: IRRIGATION STORAGE 03/15 To 11/15 4 AFA Use: FIRE PROTECTION 01/01 To 12/31 4 AFA STORAGE Use: STOCKWATER 01/01 To 12/31 0.03 CFS Use: STOCKWATER FROM 01/01 To 12/31 4 AFA STORAGE Use: STOCKWATER STORAGE 01/01 To 12/31 4 AFA Total Diversion: 0.03 CFS Date Filed: 04/30/2001 Place Of Use: IRRIGATION T42N R03W S35 SESW Number of Acres 20 All other uses are within the place of use described above for irrigation use. Remarks: Irrigation use is for 20 acres. Stockwater use is for 350 sheep and 20 head of range cattle. IDAHO DEPARTMENT OF WATER RESOURCES NEW WATER RIGHT FILINGS DATE: 06/25/01

Application for Permit No. 87-10015 Name: MELISSA LINES Diversion Pt NESW Sec 35 T 42N R 03W LATAH County Source UNNAMED STREAM Use: STOCKWATER FROM 01/01 To 12/31 8 AFA STORAGE Use: IRRIGATION 03/15 To 11/15 0.03 CFS Use: IRRIGATION FROM 03/15 To 11/15 8 AFA STORAGE Use: IRRIGATION STORAGE 03/15 To 11/15 8 AFA Use: FIRE PROTECTION 01/01 To 12/31 8 AFA STORAGE Use: STOCKWATER 01/01 To 12/31 0.03 CFS Use: STOCKWATER STORAGE 01/01 To 12/31 8 AFA Total Diversion: 0.03 CFS Date Filed: 04/30/2001 Place Of Use: IRRIGATION T42N R03W S35 NESW Number of Acres 23 All other uses are within the place of use described above for irrigation use. Remarks: Irrigation is ro 23 acres. Stockwater use is for 350 sheep and 20 range cattle.

*Thank you very much, and may your life be littered with love and blessings.  
Dianne Ball - IDWR Northern Region 769-1450 (FAX 769-1454)*

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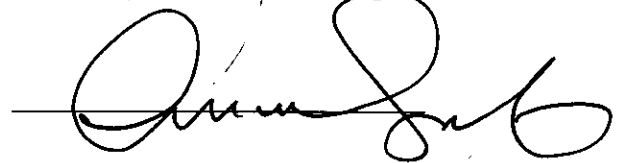
SEP 25 2001

RECEIVED  
JUL 16 2001  
IDWR/North

## AFFIDAVIT OF PUBLICATION

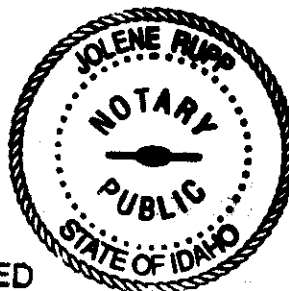
STATE OF IDAHO  
County of Idaho - ss.

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 4th day of July, 2001; and the last publication on the 11th day of July, 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 11th day of July 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: 1-29-07

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SEP 25 2001

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

82-12103

KENNETH W DICKINSON  
PO BOX 285  
ELK CITY ID 83525

Point(s) of Diversion SWSW S12 T29N R08E IDAHO County  
Source AMERICAN RIVER Tributary To SOUTH FORK CLEARWATER RIVER  
Use: DOMESTIC 01/01 To 12/31 0.04 CFS  
Total Diversion: 0.04 CFS  
Date Filed: 06/18/2001  
Place Of Use: DOMESTIC T29N R08E S12 SWSW  
Remark: Domestic use is for 1 home.

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 07/23/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on Idaho County Free Press 7/4 and 11/2001

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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

Fax (208) 769-1454

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

June 27, 2001

Legal Notice Department  
IDAHO COUNTY FREE PRESS  
PO BOX 267-690  
GRANGEVILLE ID 83530

*J. Allen*

RE: Application for Permit No. 82-12103

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 07/23/2001. Your cooperation is appreciated.

*Thanks & ☺*

Sincerely

*Dianne Ball*

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

June 27, 2001

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

**KENNETH W DICKINSON**  
PO BOX 285  
ELK CITY ID 83525

RE: Application for Permit No 82-12103

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 July 4 and 11, 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 90 to 120 days.

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

Sincerely,

**Al Beardslee**  
Senior Water Resource Agent

Enclosure    Receipt No. N014461

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SEP 25 2001