

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 97-07500

Priority: July 21, 2010

Maximum Diversion Rate: 0.50 CFS

This is to certify, that ROBERT F AND KARLA H HATFIELD TRUST
1047 PENINSULA RD
PRIEST RIVER ID 83856
(208) 448-4324

has applied for a permit to appropriate water from:

Source: PRIEST RIVER

Tributary: PEND OREILLE 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>
IRRIGATION	04/01 to 10/31	0.40 CFS
FIRE PROTECTION	01/01 to 12/31	0.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

PRIEST RIVER, L8 (NE1/4SE1/4SW1/4), Sec. 31, Twp 57N, Rge 04W, B.M., BONNER County

PRIEST RIVER, L8 (SE1/4SE1/4SW1/4), Sec. 31, Twp 57N, Rge 04W, B.M., BONNER County

PLACE OF USE: IRRIGATION. FIRE PROTECTION

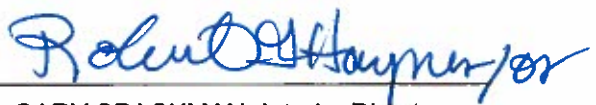
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N 04W 31												5.0	15.0				20.0
												L 4	L 8				

Total Acres: 20

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2015**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
6. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
7. A fish screen of 0.25 inch or smaller mesh shall be installed and maintained at the point of diversion.
8. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Coeur d'Alene, this 29th day of September, 2010.


GARY SPACKMAN, Interim Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

September 30, 2010

ROBERT F AND KARLA H HATFIELD TRUST
1047 PENINSULA RD
PRIEST RIVER ID 83856

RE: Permit No.97-7500

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.

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

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

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 at least sixty days prior to the commencement of work in the stream.

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

If you have any questions, please contact me at (208) 762-2800

Sincerely,



Keith E. Franklin
Sr. Water Resources Agent

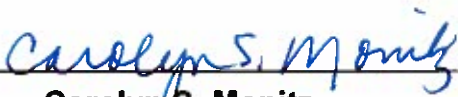
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2010 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. 97-7500

**ROBERT F AND KARLA H HATFIELD TRUST
1047 PENINSULA RD
PRIEST RIVER ID 83856**



Carolyn S. Monitz
Technical Records Clerk

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Terri Ivie

being first duly sworn on oath deposes and says that he/she is Managing Editor of the Priest River Times, a newspaper printed and published at Priest River, Bonner County, Idaho; that the said newspaper has been continuously and uninterruptedly published in said Bonner County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of:

97-7500 Hatfield Trust

as it was published in the regular and entire issue of the said newspaper for a period of 2 consecutive weeks, commencing on 18th day of August, 20 10 and ending on the 25th day of August, 20 10 and that said notice was published in said newspaper.

On this 25th day of August in the year of 2010, before me, a Notary Public, personally appeared Terri Ivie, 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.

Shannon M. Foster
Notary Public for Idaho
Residing at Priest River
Commission expires: 10-9-13

RECEIVED
SEP 08 2010
IDWR / NORTH

NOTICE OF APPLICATION OF WATER RIGHTS
The following application(s) have been filed to appropriate the public waters of the State of Idaho:
97-7500
ROBERT F AND KARLA H HATFIELD TRUST
1047 PENINSULA RD
PRIEST RIVER, ID 83856
Point of Diversion L8(NESESW) S31 T57N R04W
BONNER CO
Source PRIEST RIVER Tributary PEND OREILLE RIVER
Point of Diversion L8(SESESW) S31 T57N R04W
BONNER CO
Source PRIEST RIVER Tributary PEND OREILLE RIVER
Use: IRRIGATION 04/01 to 10/31 0.4 CFS
Use: FIRE PROTECTION 01/01 to 12/31 0.5 CFS
Total Diversion: 0.5 CFS
Date Filed: 7/21/2010
Place Of Use: IRRIGATION
T57N R04W S31 L4(SWSW) L8(SESW)
Place Of Use: FIRE PROTECTION same as IRRIGATION
Total Acres: 20
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 9/7/2010. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Interim Director
PRT Legal #2204
August 18, 25, 2010

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

97-7500

ROBERT F AND KARLA H HATFIELD TRUST

1047 PENINSULA RD

PRIEST RIVER, ID 83856

Point of Diversion L8(NESESW) S31 T57N R04W BONNER CO

Source PRIEST RIVER Tributary PEND OREILLE RIVER

Point of Diversion L8(SESESW) S31 T57N R04W BONNER CO

Source PRIEST RIVER Tributary PEND OREILLE RIVER

Use: IRRIGATION 04/01 to 10/31 0.4 CFS

Use: FIRE PROTECTION 01/01 to 12/31 0.5 CFS

Total Diversion: 0.5 CFS

Date Filed: 7/21/2010

Place Of Use: IRRIGATION

T57N R04W S31 L4(SWSW) L8(SESW)

Place Of Use: FIRE PROTECTION same as IRRIGATION

Total Acres: 20

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 9/7/2010.

The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 8/18/2010 and 8/25/2010

2010-08-10 9:36:30.426

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, August 10, 2010 9:58 AM
To: Legal Notices-PRT Shannon Foote (sfoote@priestrivertimes.com); Legal Notices-Priest River Times (prtimes@priestrivertimes.com)
Subject: Application for Permit No. 97-7500

Good morning, Shannon,

Please publish the enclosed legal notice on the dates indicated, August 18 and 25, 2010, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send a proof/preview copy for my review before this goes to press. Sometimes there is a blind or hidden tab before Gary Spackman's name moving it to the right margin. If that happens, please move it back to the left margin.

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 9/7/2010. Your cooperation is, as always, GREATLY appreciated.



LegalNotice
8-10-10 PRT e-mai..

Have a great day!

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

August 10, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

ROBERT F AND KARLA H HATFIELD TRUST
1047 PENINSULA RD
PRIEST RIVER, ID 83856

Application For Permit No. 97-7500

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the PRIEST RIVER TIMES on 8/18/2010 and 8/25/2010. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. 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, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Keith Franklin
Sr. Water Resource Agent

Ball, Dianne

From: Jim Brady [jbrady@idl.idaho.gov]
Sent: Monday, August 16, 2010 7:40 AM
To: Ball, Dianne
Subject: RE: Application for Permit No. 97-7500

Dianne, it does not appear this will need any action from our Department. Thanks

Jim Brady

From: Ball, Dianne [mailto:Dianne.Ball@idwr.idaho.gov]
Sent: Monday, August 09, 2010 4:36 PM
To: Carl Ritchie; Jim Brady
Subject: RE: Application for Permit No. 97-7500

Dear Carl and Jim:

Sorry, guys, but I don't know which one of you handles Priest River.

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

This is being prepared for publication in the Priest River Times on August 18 and 25, 2010, with final date for protest to be September 7, 2010.

<<97-7500 Hatfield Trust.pdf>>

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Dianne Ball

Administrative Assistant

Idaho Department of Water Resources

7600 N Mineral Dr., Ste. 100

Coeur d'Alene, ID 83815

208-762-2800 Fax 208-762-2819

Ball, Dianne

From: Ball, Dianne
Sent: Monday, August 09, 2010 4:36 PM
To: critchie@idl.idaho.gov; jbrady@idl.idaho.gov
Subject: RE: Application for Permit No. 97-7500

Dear Carl and Jim:

Sorry, guys, but I don't know which one of you handles Priest River.

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

This is being prepared for publication in the Priest River Times on August 18 and 25, 2010, with final date for protest to be September 7, 2010.



97-7500 Hatfield
Trust.pdf

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Please contact this office if you have any questions regarding the application.

Sincerely,

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819

Ball, Dianne

From: Ball, Dianne
Sent: Monday, August 09, 2010 4:38 PM
To: mary.terra-berns@idfg.idaho.gov
Subject: 97-7500 Hatfield Trust application

Hi, Mary,

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

This is being prepared for publication in the Priest River Times on August 18 and 25, 2010, with final date for protest to be September 7, 2010.



97-7500 Hatfield
Trust.pdf

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Please contact this office if you have any questions regarding the application.

Sincerely,

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819

ROBERT & KARLA HATFIELD
1047 Peninsula Rd.
Priest River, ID 83856
208-448-4324
E-mail: rhatfield@wildblue.net

July 30, 2010

RECEIVED
AUG - 2 2010
IDWR/NORTHERN

Mr. Keith E. Franklin
Idaho Department of Water Resources
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, ID 83815

Re: Water Rights Application Corrected

Dear Mr. Franklin,

Thank you for your kind letter of July 27 and the courteous review of our water right application. The changes that you recommended are acceptable to us. We have signed the new application form as requested.

I have also taken the opportunity to correct the email address given in the original application. Since that date we have changed internet service providers and have given the new email address.

Thanks again for your assistance.

Sincerely,


Robert Hatfield



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

July 27, 2010

Robert F. Hatfield
Karla H. Hatfield
1047 Peninsula Rd
Priest River, ID 83856

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho

Dear Mr. and Mrs. Hatfield:

The Idaho Department of Water Resources, in reviewing your application found a few inconsistencies that need to be corrected before processing continues. It appears you are applying for the irrigation of 20 acres and fire protection with the source being the Priest River.

Item #3 Location of Point of Diversion

Both points of diversion are also in Government Lot 8 that needs to be entered on application.

Item #4 Purpose of Use

For application purposes only the diversion rate needs to be entered here. The states guidance for the irrigation of 20 acres is based upon a diversion rate of 0.02 cfs per acre or a total of 0.4 cfs within an irrigation season between April 1 and October 31 of each year. Your fire protection entry is OK; however, I would suggest it be year round instead of between April and November as stated on the application.

For your convenience I have attached a new application that contains the corrections as stated above. If the new application is satisfactory, sign and return the document to me within the next 30 days so as not to delay processing.

If you have any questions, feel free to contact me at this office.

Thank you.

COPY

Keith E. Franklin
Senior Water Resources Agent
Enclosure(s)