

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
94-07370 IN THE NAME OF) **REINSTATEMENT ORDER**
JAN SWENSON and KAREN)
SWENSON)
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before May 1, 2000, and,

WHEREAS, the Department notified the permit holder at their address of record on February 28, 2000 by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

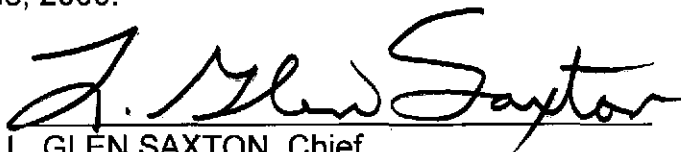
WHEREAS, the Department sent the permit holder a lapse notice on May 11, 2000, since the Department had not received an acceptable proof of beneficial use statement or extension of time; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on May 22, 2000;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 94-07370 is **REINSTATED** with an advance in priority to **April 15, 1997**.

DATED this 19th day of June, 2000.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
JAN 18 2001

FOR OFFICE USE ONLY
Amt. of Fee \$: 50-
Receipt No. 2013684
Receipt By: TS
Date Received: 5/22/00

RECEIVED

JUN 1 - 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
MAY 22 2000
IDWR/North

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. 94-07370 Telephone No. 765-3366

2. Name of Permit Holder(s): JAN SWENSON

3. Mailing Address: 7650 WINDY BAY RD. WORLEY ID 83876

City WORLEY State _____ Zip _____

4. Source of Water: CDA RIVER, A FURN GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 9 Other: FIRE

6. Total rate of diversion and/or volume for which proof is submitted: 0.20 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 _____
Has the measuring device been installed? Yes _____ or No _____

8. Fee Enclosed: \$ 50- (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: SAME AS ABOVE Telephone Number: _____

Address: _____

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: X Karen Swenson Date: 5/22/00

(include your title, if on behalf of company or organization)

MICROFILMED
JAN 18 2001

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 94-07370

Proposed Priority: March 25, 1997

Maximum Diversion Rate:

0.20 CFS

This is to certify, that JAN SWENSON

KAREN SWENSON

7354 W SANDERS DR

COEUR D ALENE ID 83814

has applied for a permit to appropriate water from:

COEUR D ALENE RIVER, N FORK

tributary of COEUR D ALENE 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	03/15 to 11/15	0.18 CFS
FIRE PROTECTION	01/01 to 12/31	0.20 CFS
	Totals	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 8 (SESE), Sec. 25, Township 50N, Range 03E
SHOSHONE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
50N	03E	25	Lot 8(SESE)	9.0		9.0

Total number of acres irrigated: 9.0

PLACE OF USE: FIRE PROTECTION, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 2000.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. 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 determine the amount of water diverted from power records and shall annually report the information to the department.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
6. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
7. Point of diversion is located within Parcel 4, Swenson Subdivision.
8. Place of use is located within Parcels 1-4, Swenson Subdivision.

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MAY 28 1997

State of Idaho
Department of Water Resources

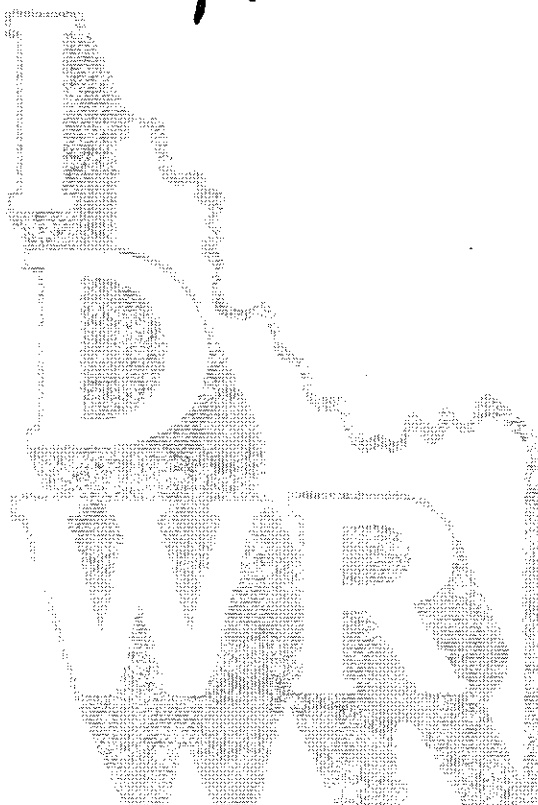
Permit To Appropriate Water

NO. 94-07370

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

15th day of May, 1997.

Karl J. Dreher
Karl J. Dreher, Director
for



MICROFILMED
MAY 28 1997

Ident. No.

94-7370

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

MAY 08 1997

Department of Water Resources

- Name of Applicant JANE KAREN SWENSON Phone 208-765-3366
Mailing address 7354 W. SANDERS DR. COEUR D'ALENE, ID 83814
- Source of water supply NORTH FORK COEUR D'ALENE which is a tributary of COEUR D'ALENE RIVER
- Location of point of diversion is Township 50 N Range 3 E Sec. 25, in the SE 1/4, SE 1/4, Govt. Lot 8 X, B.M., SHO SHONE County;
additional points of diversion if any: _____
- Water will be used for the following purposes:
 Amount 0.20 for IRRIGATION/FIRE purposes from 3/15 to 11/15 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount 0.20 for FIRE PROTECTION purposes from 3/15 to 11/15 (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)
- Total quantity to be appropriated is (a) 0.20 and/or (b) _____
 cubic feet per second acre feet per annum
- Proposed diverting works:
 - Describe type and size of devices used to divert water from the source ONE HORSE SUBMERSABLE PUMP WITH 1 1/2 INCH PIPE LINE
 - Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - Proposed well diameter is _____ inches; proposed depth of well is _____ feet
 - Is ground water with a temperature of greater than 85°F being sought? _____
 - If well is already drilled, when? _____; Drilling firm _____
 Well was drilled for (well owner) _____; Drilling Permit No. _____
- Time required for completion of works and application of water to proposed beneficial use is 3 years (minimum 1 year)
- Description of proposed uses (if irrigation only, go to item 9):
 - Hydropower; show total feet of head and proposed capacity in KW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; show name of municipality. _____
 - Domestic; show number of households. _____
 - Other; describe fully. _____

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MAY 23 1997

* max allowable rate for 9 acres of irrigation 5/13/97 cfs.
 * per govt plat 5/13/97 cfs.

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	
50N	3E	25																18	9
		25																F	

Total number of acres to be irrigated 9

10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? JAN & KAREN SWENSON

b. Who owns the land to be irrigated or place of use? SAME AS ABOVE

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

12. Remarks: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

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MAY 28 1997

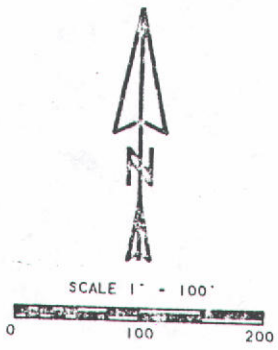
OWNERS

Jan E. Swenson Karen Swenson
Signature of Applicant (and title, if applicable)

Received by dp Date 3/25/97 Time 12 02P Preliminary check by _____
Fee \$ 50.00 Received by dp # N011047 Date 3/25/97
Publication prepared by dp Date 3/26/97 Published in Sho. Co News Press 4/3+10/97
Publication approved dp Date 4/21/97

SWENSON SHORT PLAT
AND LOT LINE ADJUSTMENT
A PORTION OF SECTION 25.
T.50 N.. R.3 E.. B.M.
SHOSHONE COUNTY, IDAHO

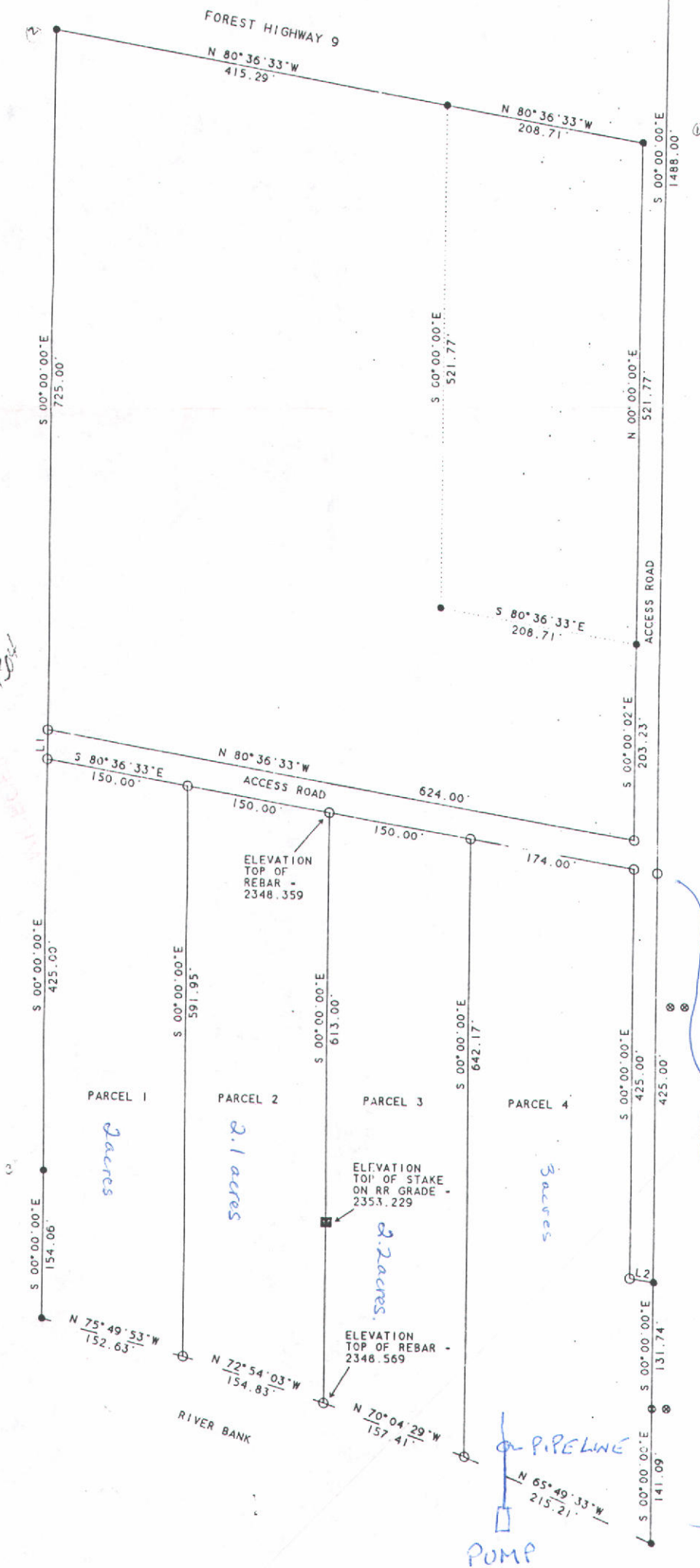
SHORT PLAT NO. SP55-95



LINE	BEARING	DISTANCE
L 1	S 00°00'00"E	30.00'
L 2	S 80°36'33"E	25.00'

LEGEND

- ⊗ FOUND DRILL STEEL
- FOUND REBAR AND CAP SET PREVIOUS SURVEY
- SET REBAR WITH YELLOW CAP "LS 4559"
- ORIGINAL LOT LINES



SHOSHONE COUNTY PLANNING AND ZONING ADMINISTRATOR

I, HAROLD VAN ASCHE, ADMINISTRATOR FOR THE SHOSHONE COUNTY PLANNING AND ZONING COMMISSION, HEREBY CERTIFY THAT THIS PLAT CONFORMS WITH THE COMMISSION'S POLICIES.

HAROLD VAN ASCHE

SANITATION RESTRICTION

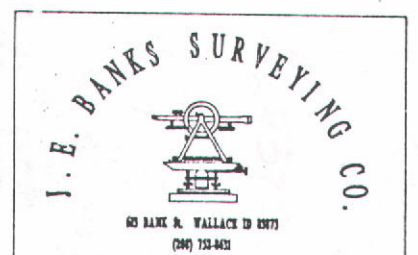
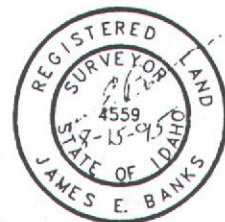
A SANITARY RESTRICTION ACCORDING TO IDAHO CODE 50-1326 TO 50-1329 IS IMPOSED ON THIS PLAT. NO BUILDING, DWELLING, OR SHELTER SHALL BE ERRECTED UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED AND LIFTED.

WATER STATEMENT

WATER WILL BE PROVIDED BY INDIVIDUAL PROPERTY OWNERS.

CERTIFICATE OF SURVEY

I, JAMES E. BANKS, PLS 4559, STATE OF IDAHO, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE BY ME, OR AT MY DIRECTION, UNDER THE AUTHORITY OF IDAHO CODE 31-2709, 1973, AND ACCEPTED METHODS AND PROCEDURES OF SURVEYING.



ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 94-07370 Reviewed by D. Ellis Date 6/15/00

GENERAL CONSIDERATIONS

Yes Name same as permit?
No Address same as permit?
No Proof timely received?
If not, complete calculation below.

TYPES OF USE

Irrigation / Fire
protection

Correct Uses? Yes

SOURCE OF WATER

Yes Surface water source

No Ground water source

/ Drilling permit required?

/ Copy in the file? Drilling Permit No. /

/ Amount paid for permit

/ Well log in the file?

/ Correct?

LICENSE EXAMINATION FEE

Yes Required?

\$50 Amount Submitted

Yes Correct?

MEASURING DEVICE

No Required?

/ Installed?

/ Waiver requested?

PRIORITY CALCULATION

Date proof received 5/22/00

Date proof due 5/1/00 -

No. of days late = 21

Priority Date 3/25/97 + 84

New Priority Date 4/15/97 105

DEFICIENCIES OR ACTION ITEMS

Reinstates permit, adjust priority date to
4/15/97 & acknowledge proof...

DATA ENTRY

New Address 7650 Windy Bay Rd., Proof Made 5/22/00
Worley, SD 57876

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

01/97

No.: 94-7370 Name: Swenson Date: 5/13/97 Ad OK? ✓ / Gvmt Lts: add L 8

AREA OF CONCERN?

PROTESTED:

SYSTEM COMPLETED:

Yes/proof filed
1 year/no proof
+1 year

- No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust
- 020 (Protest Agreement) or *W19 (Order)

- NA
- P16
- 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.24 cfs
=/- 0.24 cfs
+ 5 a.

- 01M (may report) or 028 (shall report) or Remark (within reporting district)
- No MD
- 01M or 028; 065-079 (if GW use SW 1st-statewide)

DRILLING PERMIT:

Existing well
Included w/permit

No WD permit?
irr. in WD

- NA (pre 7/1/87; ✓ WDQ3)
- Permit No. _____, P99
- 046-46B-P23 (post 7/1/87)
- P05 (new well)

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

Water District (~~dom~~)

+ 0.24 cfs
=/- 0.24 cfs

In-WD + 0.24 cfs
=/- 0.24 cfs
+ 5 a. irr.

- R04 (req) WD # _____ <SEE MAP & LISTING>
- 01J (meas dev)-P08
- 01H (lock dev)-P01 or No MD
- 01M or No MD (in-stream stock or power)
- No MD
- 01M

RIVER BASINS (*Surface water):

Snake R (01)
(02/03-irr)
Boise River (63)
Payette River (65)

- 11A-P04, NA
- 007-P07 (w/ remark *WB9 if above Weiser), NA
- 05A (if WAD), 11E (not 42-111 use), NA
- 064 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic (surface)
Domestic (+1 in concern area)
Fish Propagation
Irr <POU> =/- 5 a
+ 5 a

Mining
Power

Storage (✓3 compo.)

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- 070-071
- 07A-042 (req)-09E (WQ)-P10; 044 (North of 1000 Springs)
- 057 (0.03 cfs/acre)
- 03A (0.02 cfs/acre)
- 054 (req) & 09E-P10
- 17K-08A-025-01F(P19)-028-09E(P10); 027 (if no other cons. use);
- 17G (FERC) or 17M (FERC); 18B-P09; +25 cfs-P18
- 072 (req); 18A (multiple MD within district), 18B-P09 (+10' dam),

LOCATION:

42-248 area
Boise Front LoGeo
In-stream dev.
Irr Dist/Canal Co.
Swan Falls Flag
Trust
Non-Trust <1>

- P84 (if in 20/30/40/50/60/70/80 (87) basin)
- 058 (-85° GW temp only)
- P52 (stream channel alteration)
- 023 (Twin Falls area)
- _____ <SEE CODE CHART>
- 051-052-053-P74 (Consumptive Uses), NA
- 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-owner

OTHER CONDITIONS:

STANDARD REMARKS:

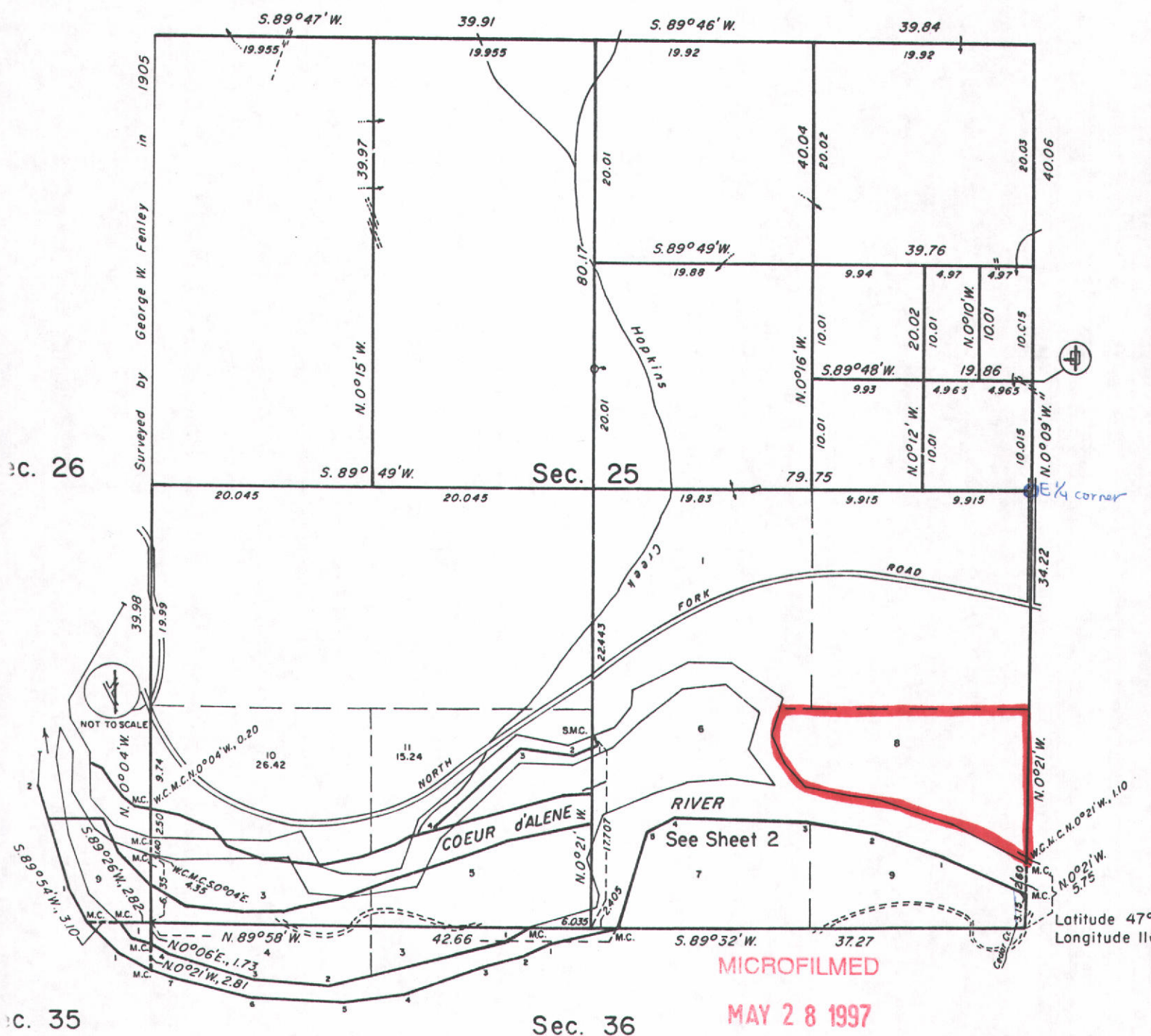
- 004 (PD/PU)
- 077
- Pa/ Parcel 4 Swenson

BENEFICIAL USE DUE:

COMMENTS:

- 5/1/2000
-
-

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MICROFILMED

MAY 28 1997

Latitude 47°
Longitude 11°

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCE
APPROPRIATION APPLICATION ANALYSIS SHEET

WR/ WRA
BC

APPLICATION # 94- 7370

***** INITIAL REVIEW *****

APPLICANT: SWANSON BY: JB DATE: 3/25/97

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
13. (X) Map
(X) Signature
(X) Fee (Amt, recpt, acknowledgment)

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

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

PRIORITY DATE: 3/25/97

X (Include Moratorium Remark)

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

NP/plumb/ok

ADVERTISE IN: SHOSHONE 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 *****

(Yes) (No)

Checked by: _____ Date: ____/____/____

Remarks: _____

- X Groundwater management area
1 Critical ground water area
1 Well Drilling Permit required
1 Well Drilling Application and Fees received
1 Well Drilling Application approved?
Well Drilling Application Number _____

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

Notice of pending void order issued. Final order response date: ____/____/____

Further information required from applicant

4/21 Affidavit of publication received

4/21 Application published correctly, If not, record action taken: _____

3/26 Publication dates and paper recorded on application | Sr. Agent initial AB

1 Protests received. Final protest date: 4/21/97

1 Measuring device required

1 Measuring port required

1 Special conditions: _____

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

Approval Recommended by: JB

RECEIVED

Date: 4/30/97

MAY 0 8 1997

Department of Water Resources