

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 92-07234

Priority: November 06, 1998

Maximum Diversion Rate: 0.05 CFS
Maximum Diversion Volume: 0.6 AF

It is hereby certified that ROBERT J WHELAN Or PATRICIA WHELAN
HC 1 BOX 280 SR
SAINT MARIES ID 83861 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated November 06, 1998; and have
submitted Proof of Beneficial Use on January 14, 2000. An examination indicates that the works have a
diversion capacity of 0.05 cfs of water from:

SOURCE

SAINT JOE RIVER

Tributary: COEUR D'ALENE LAKE

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.05 CFS	0.6 AF

LOCATION OF POINT OF DIVERSION:

SAINT JOE RIVER L9 SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16, Twp 46N, Rge 02W, B.M., BENEWAH 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	
46N 02W 16																	

CONDITIONS OF APPROVAL

1. Place of use is located within Lot 56, Shadowy St. Joe Lagoon 1st Addition.
2. Domestic use is for external use for lawn.
3. Approval of this right does not grant a right-of-way or easement upon or across land not owned by the right holder, including the bed of any navigable waters.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 23rd day of NOVEMBER, 2001.

MICROFILMED

Acting for

KARL J. DREHER
Director

FEB 25 2002

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 22 1999

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. 92-07234 Telephone No. 208-245-3079

2. Name of Permit Holder(s): Robert J. & Patricia Whelan

3. Mailing Address: HC 1 Box 280SR

City St. Maries State Idaho Zip 83861-9711

4. Source of Water: St. Joe River If **GROUNDWATER** (well), Date Drilled: mo. NA / yr. NA

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

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

Domestic (No. of households): 1 Stockwater (No. and type of stock): NA

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

X 6. Total rate of diversion and/or volume for which proof is submitted: 0.06 cfs OR NA acre feet

X 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 NA or No ✓

Has the measuring device been installed?

Yes NA or No ✓

X 8. Fee Enclosed: \$ NA (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: Robert J. Whelan Telephone Number: 208-245-3079

Address: HC 1 Box 280SR St. Maries, Idaho 83861-9711

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: Patricia L. Whelan Date: Dec. 20, 1999
(include your title, if on behalf of company or organization)

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FEB 03 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 92-07234

Proposed Priority: November 6, 1998

Maximum Diversion Rate:

0.06 CFS

This is to certify, that ROBERT J WHELAN
PATRICIA WHELAN
HC 1 BOX 280 SR
ST MARIES ID 83861

has applied for a permit to appropriate water from:

ST. JOE RIVER

tributary of COEUR D ALENE LAKE

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>
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DOMESTIC	01/01 to 12/31	0.06 CFS
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LOCATION OF POINT(S) OF DIVERSION: Lot 9 (SWSW), Sec. 16, Township 46N, Range 02W
BENEWAH County

PLACE OF USE: DOMESTIC

TWN RGE SEC

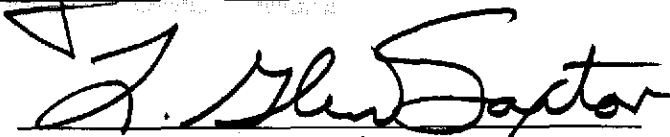
46N 02W 16 Lot 9 (SWSW)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 2000.
2. Subject to all prior water rights.
3. Place of use is located within Lot 56, Shadowy St. Joe Lagoon 1st Addition.
4. Domestic use is for 1 home.
5. Approval of this right does not grant a right-of-way or easement upon or across land not owned by the right holder, including the bed of any navigable waters.

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

25th day of January, 1999.


Karl J. Dreher, Director
for

MICROFILMED

APR 15 1999

Ident. No. 92-07234

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JAN 13 1999

DEPARTMENT OF WATER RESOURCES

PATRICIA

1. Name of Applicant ROBERT J OR PATRICIA WHELAN Phone 208/245/3079
Mailing address AC1, Box 280 SR, ST MARIES ID 83861
2. Source of water supply ST. JOE RIVER which is a tributary of LAKE COBODAINE
3. Location of point of diversion is Township 46N Range 2W B.M. Sec. 16 in the SW 1/4,
SW 1/4, 1/4, Govt. Lot 9, B.M., Benewah County;
additional points of diversion if any: Lot 56, Shadowy St. Joe Lagoon 1st Add Parcel #
4. Water will be used for the following purposes: Domestic RP004500200560A
Amount 0.06 for LAWN IRRIGATION purposes from MARCH to NOV (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) ? 0.06 and/or (b) ?
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source 1 HP PUMP WITH
2" SUCTION LINE
 - b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total
reservoir capacity NA acre-feet
 - c. Proposed well diameter is NA inches; proposed depth of well is NA 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 NA
Well was drilled for (well owner) NA; Drilling Permit No. NA
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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APR 15 1999

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below. *See Remarks*
- 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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N	2W	16											D						
													G.L.						
													9						

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? WHELAN FAMILY

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

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

12. Remarks: _____

WATER IS USED TO SPINKLE LAWN & FLOWER
BEDS ONLY IN LOT 56 ST. JOE RIVER SHEPARD
TRACTS - 3 TIMES WEEKLY - ON EXTRA HOT
MONTHS POSS JULY & AUGUST

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.

MICROFILMED
APR 15 1999

D.J. Whelan
Signature of Applicant (and title, if applicable)

Received by db Date 11/6/98 Time 12:03p Preliminary check by _____
Fee \$ 50.00 Receipted by db # N012507 Date 10/30/98
Publication prepared by db Date 11/24/98 Published in Simmons Gazette 12/29/98
Publication approved db Date 12/17/98

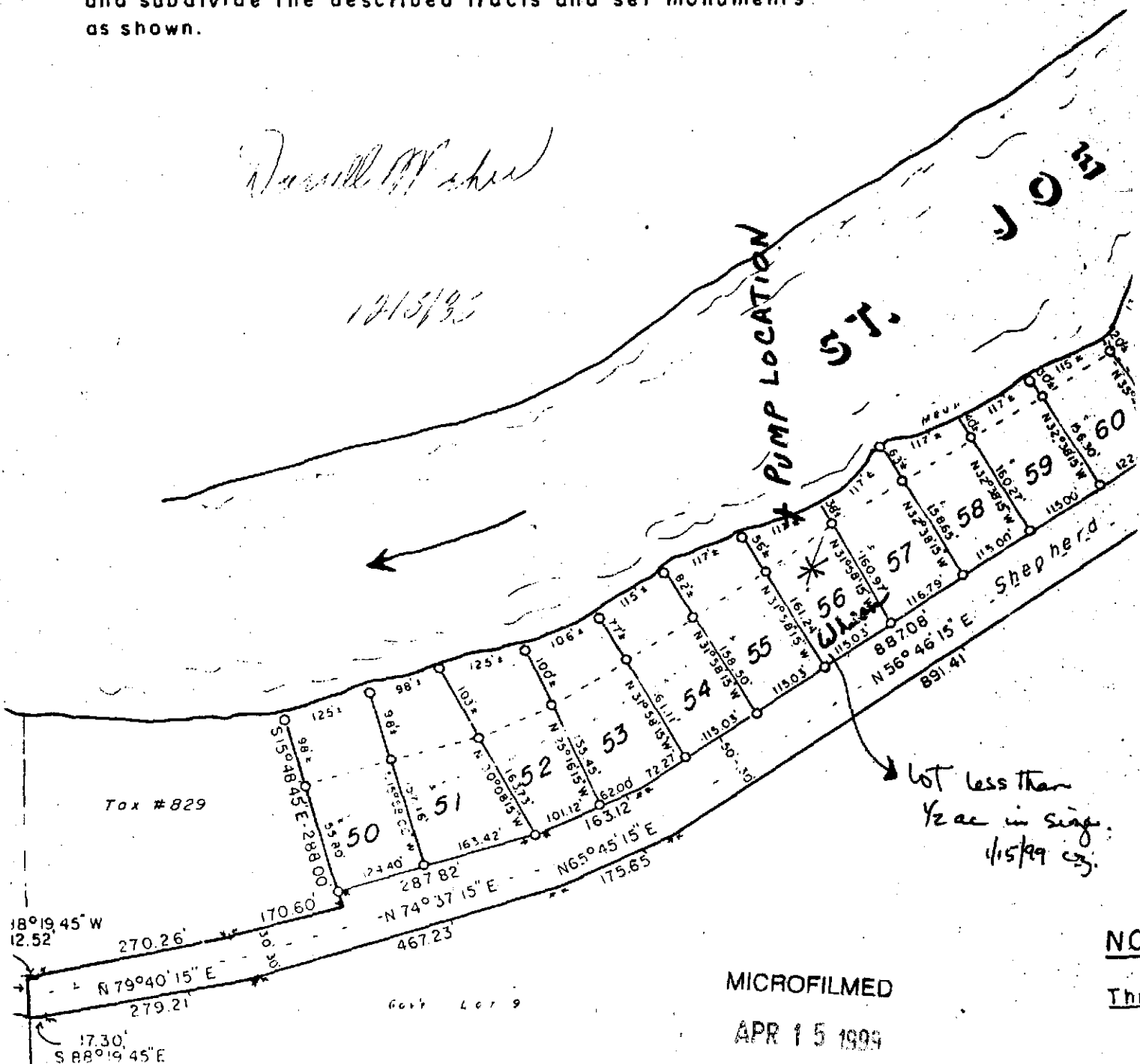
Township 46N
Range 2W
SW, SW, Sec. 16

SURVEYOR'S CERTIFICATE

I, Darrell G. Maher, a Registered Land Surveyor in and for the State of Idaho, do hereby certify that I did, during the months of July - October, 1983, survey and subdivide the described tracts and set monuments as shown.

Darrell G. Maher

12/3/95

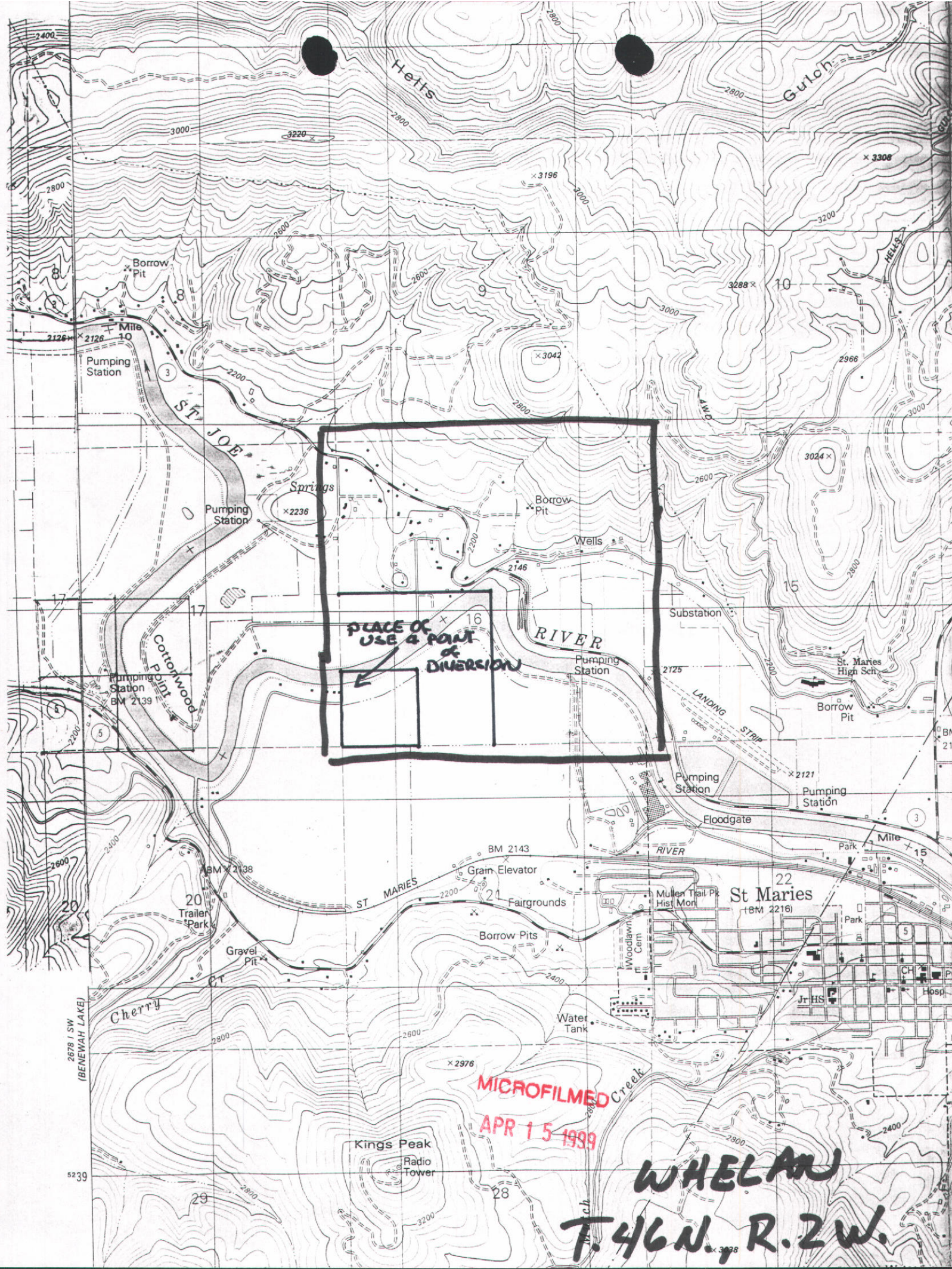


MICROFILMED

APR 15 1994

NO

Thr



PLACE OF
USE & POINT
OF
DIVERSION

MICROFILMED
APR 15 1999

WHELAN
T. 46N., R. 2W.

LICENSE REVIEW CHECKLIST

Permit No. 92-7234

Date: 11-20-01 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK
Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): _____
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.06 cfs
Fee Limit 0.20 cfs
Measured 0.05 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 0.05

Water Uses OK

Change (P46)

Season of Use per new Standards N/A

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic 0.05 cfs 0.10 af
_____ cfs _____ af
_____ cfs _____ af
Total 0.05 cfs 0.10 af

~~Irrigation - overlap (R58-R61, R62-R65, R66-R69)~~
~~supp. Gw (WB7/065/104)~~
~~overlap spec combined rts (W35)~~
~~>1 acre (W31)~~
~~Domestic (W01/wb5/070/071/075)~~
~~Power (W42 or W43/025/027/R22 or R23)~~
~~Fish (042)~~
~~Fire (077)~~
~~Water Quality (081/R07)~~
~~Payette - (W22/047/27A)~~
~~Stockwater for US (R37)~~

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: _____

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust (052/R55 - remove 051)
Non-trust (048/049)

GW Dist? _____
Water Msrmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? yes

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? N/A

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

RECEIVED

OCT 3 - 2001

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 18 2000

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 92-072341. Owner: Robert J. & Patricia Whelan Phone No. (208) 245-3079Current Address: Hwy 1 Box 280 SR St. Maries Id 838612. Accompanied by: Robert Whelan EXAM DATE: 9-26-00Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: St. Joe River tributary to Coeur d'Alene Lake

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	09		SW	SW	16	46N	02W	Beneviah	USGS 7.5 min Quad

2. Place(s) of Use:

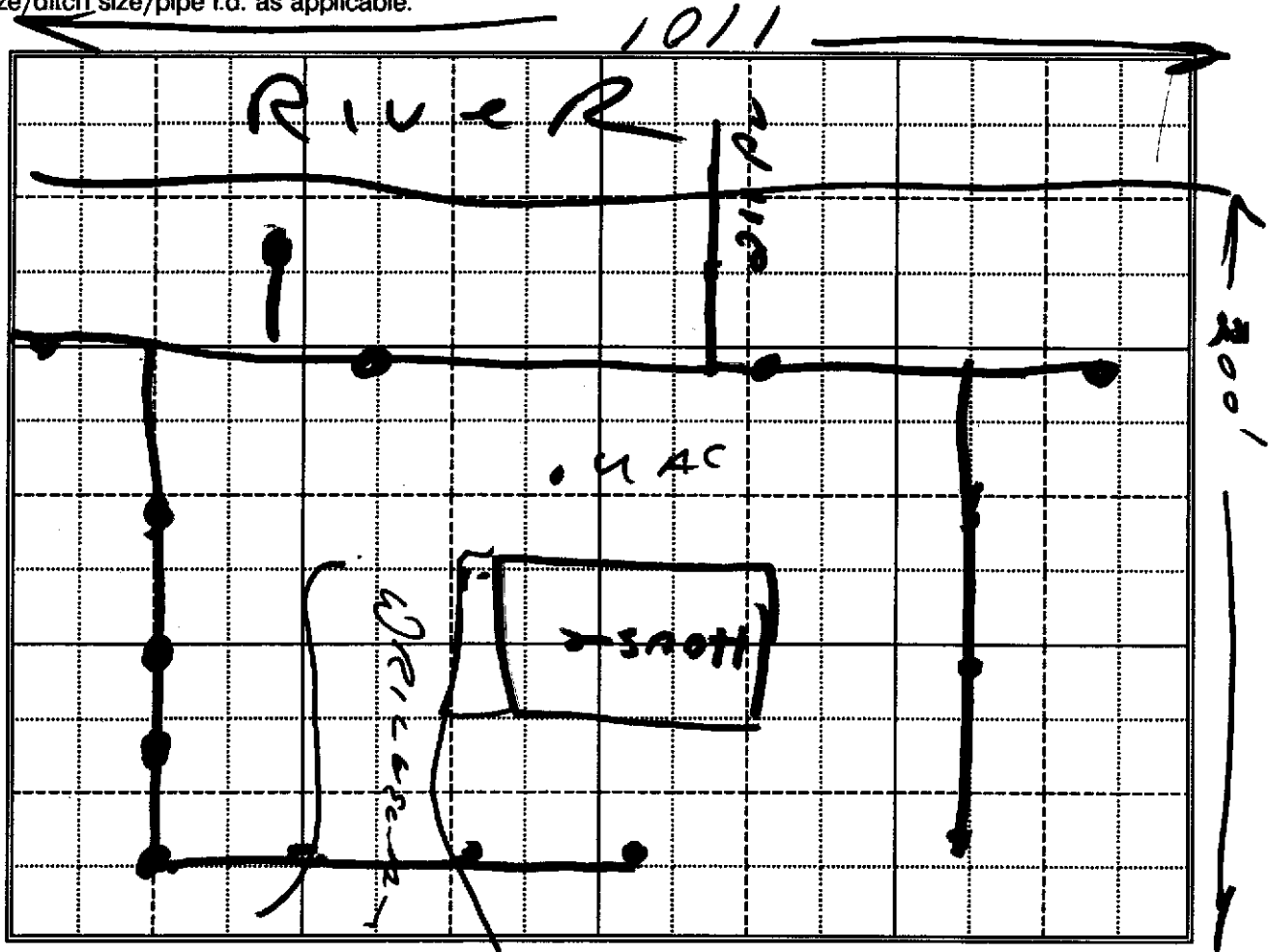
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													09						

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3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	STAR	1	98915	STAR	1 1/4

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: _____

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[illegible]

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F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$\begin{aligned} &10 \text{ heads at } 2.5 \text{ gpm} = 25 \text{ gpm} \\ &\frac{25 \times 1.3368}{60} = .05 \text{ cfs} \end{aligned}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Domestic (outside)</i>	<i>01-01</i>	<i>12-31</i>	<i>.05</i>	<i>.6</i>
Totals:			<i>.05</i>	<i>.6</i>

2. Recommended Amendments

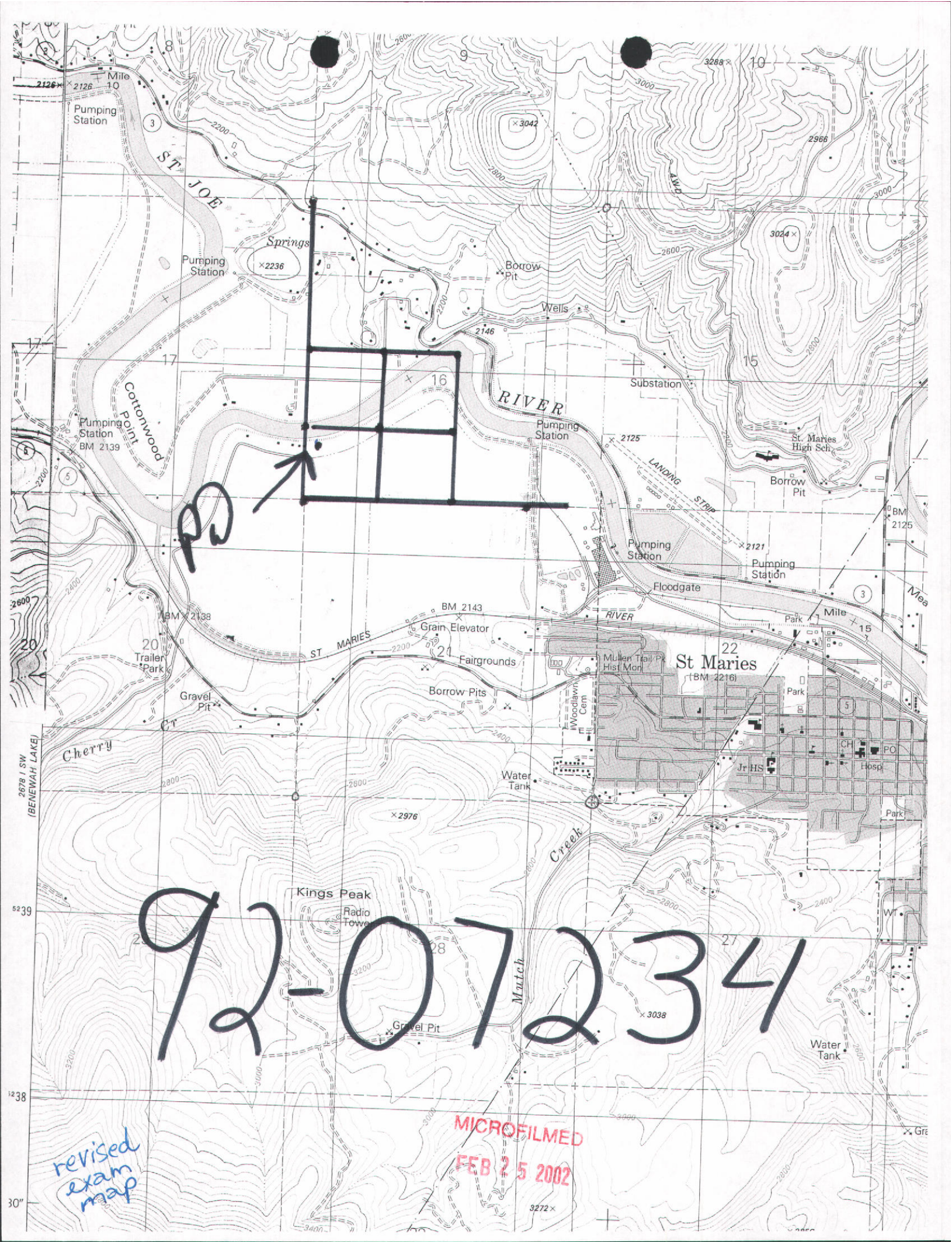
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Wayne Baldi Date 10-12-00

Reviewer _____ Date _____

SEAL
MICROFILMED
FEB 28 2002



PD



92072341

MICROFILMED
FEB 25 2002

revised
exam
map



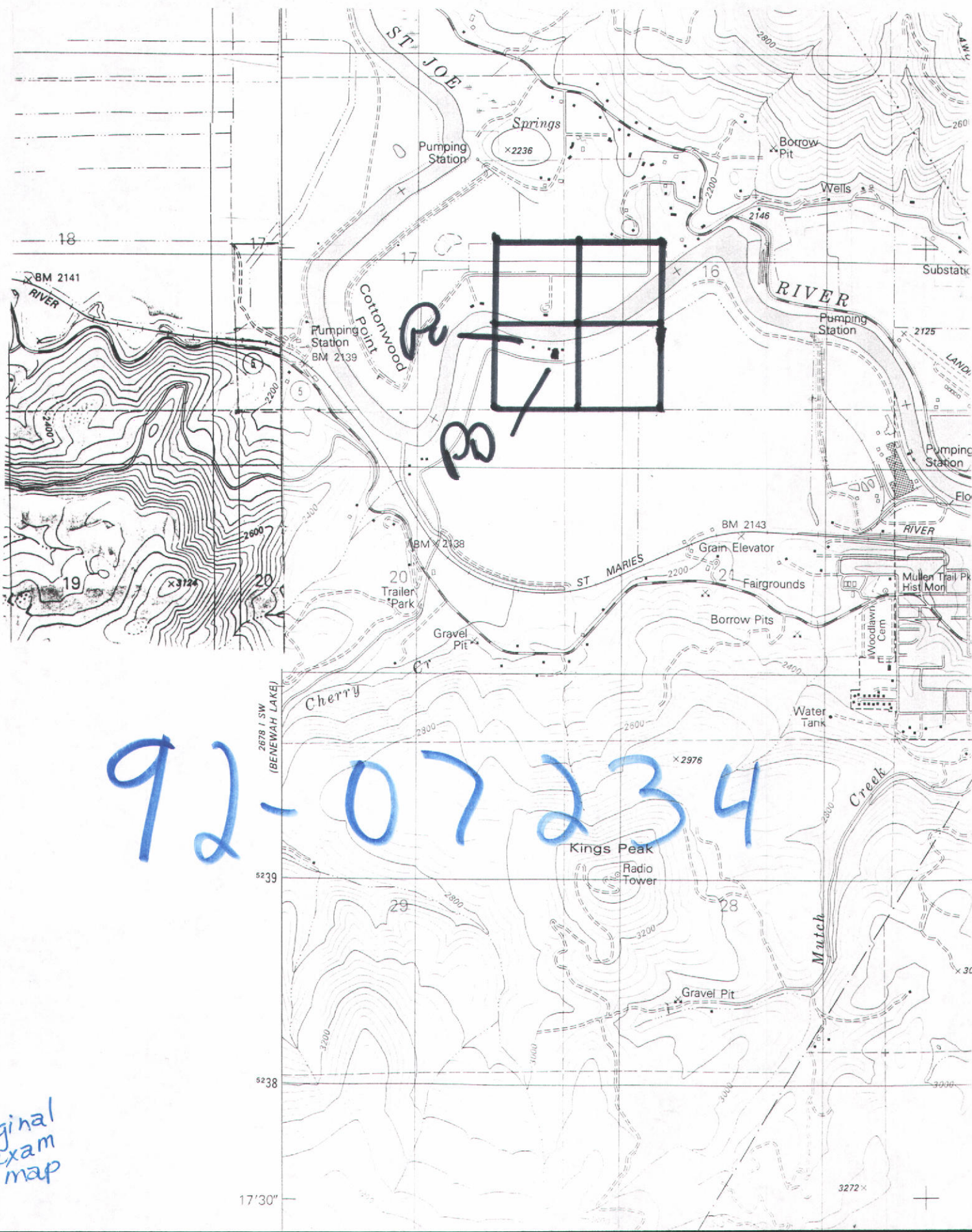
92



92

92-07234

MICROFILMED
FEB 25 2002



92-07234

original
exam
map

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 92-07234 Reviewed by LYA Date 1-06-00

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
Proof timely received?
If not, complete calculation below.

TYPES OF USE

Dom - 1
Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ 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?
Amount Submitted
Correct?

MEASURING DEVICE

No Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received _____
Date proof due _____ - _____
No. of days late _____ = _____
Priority Date _____ + _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

Request 50' per sec's
none - ack. proof

DATA ENTRY

New Address _____

Proof Made 1-14-2000

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Lou*

No.: 92-7234 Name: Whelan Date: 1/15/99 Ad OK? / / Gvmt Lts: /

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust cdA Ind. Res.

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

SYSTEM COMPLETED:

> 1 year - 26A-P17

≤ 1 year/no proof P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT:

All wells (✓ WDQ3) - 046-P23

In Basin 34? - 085

Irr. within WD - P05 (new well location)

WMD (✓ MAP) - North / East / West

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

≤ 0.24 cfs/5acres - No MD

WMD Supplemental use - 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5acres - 01M (report when notified)

≤ 0.24 cfs/5acres - No MD

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

FISH & GAME CONTACTED: - YES / NO; WHEN: _____? RESPONSE: None per A.B.

IN/ABOVE MIN. STR. FLOW (✓ MAP) - *WB9

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

> 0.10 cfs - 01J-P08 (MD & LD)

≤ 0.10 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

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

≤ 0.24 cfs/5acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

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

≤ 0.24 cfs/5acres - No MD

In-stream dev. - P52 (stream channel alteration)

RIVER BASINS: (*Surface water):

Snake R (01) - *W22 -P04, NA

(02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA

Payette R(65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's) - 029 (fish screens), NA

Weiser R (67) - 086, 087

USE:

Storage (✓ 3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

Irr ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Stockwater - R37 (BLM/USFS); NA

Mining - 054(req) -081-P10

Fish Propagation - 029(70's only)-007-042(req)-081 (WQ)-P10

Heating/Cooling - R07 (injection well)

Power - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

Municipal - 022, 075, 004 (+memo?), NA (not in restricted area)

Domestic surface - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area - 071-070

Fire Protection - 077

LOCATION:

Boise Front LoGeo - 058 (<85° GW temp only)

Mitigation - 120

42-248 area - P84 (in 20/30/40/50/60/70/80 (8Z) basin)

SWAN FALLS FLAG (See Code Chart) -

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP: - 004 (PD/PU)

OTHER CONDITIONS: -

STANDARD REMARKS: - ① W601/1/Ext. ② W600 ③ Phil's remark.

BENEFICIAL USE DUE: - 2-11-2000

COMMENTS: -

**IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

RECEIVED WRI
WRA
JAN 13 1999
BCAI

APPLICATION # 92-01234

DEPARTMENT OF WATER RESOURCES

..... INITIAL REVIEW

APPLICANT: WHELAN BY: AS DATE: 11 / 6 / 98

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

PROCESSING

(Yes) (No) PRIORITY DATE: 11 / 6 / 98

 x (Include Moratorium Remark)

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

ADVERTISE IN: BENELWAH 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:	Type:	Fees	Receipt No.	Upgrade Needed?
<u> </u>	Dom. <u> </u> Non-Dom. <u> </u>	Paid \$ <u> </u>	<u> </u>	Y () N ()
<u> </u>	Dom. <u> </u> Non-Dom. <u> </u>	Paid \$ <u> </u>	<u> </u>	Y () N ()
<u> </u>	Dom. <u> </u> Non-Dom. <u> </u>	Paid \$ <u> </u>	<u> </u>	Y () N ()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- Notice of pending void order issued. Final order response date: / /
- Further information required from applicant
- Affidavit of publication received
- Application published correctly. If not, record action taken:

 Publication dates and paper recorded on application | Sr. Agent initial

 Protests received, Final protest date: 12 / 21 / 98

 Measuring device required

 Measuring port required

 Special conditions:

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

Approval Recommended by:

Date: / /



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

STANLEY F. HAMILTON
DIRECTOR

ENCROACHMENT PERMIT NO. L-95-S-3059

Permission is hereby granted to ROBERT J. & PATRICIA L. WHELAN
of 1725 W. Main, St. Maries, ID 83861 to construct and maintain
Three 8' x 11' dock sections and an 8' x 5' ramp and three piling
to be located as follows: Lot 56, Sec. 16, T46N, R2W, B.M., Benewah County - St. Joe River

1. All applicable provisions of the Rules for Regulation of Beds, Waters and Airspace over Navigable Lakes and Streams in the State of Idaho, are incorporated herein by reference and made a part hereof.
2. Construction will follow details and specifications shown on the approved drawings and data provided by the applicant. Should such information and data prove to be materially false, incomplete and/or inaccurate, this authorization may be modified, suspended or revoked upon notice and hearing as provided for in the adopted rules.
3. This permit does not convey the State's title to or jurisdiction or management of lands lying below the natural or ordinary high water mark.
4. Acceptance of this permit constitutes permission by the Permittee for representatives of the Department of Lands to come upon Permittee's lands at all reasonable times to inspect the encroachment authorized by this permit.
5. The Permittee assumes all liability for damages which may result from the exercise of this permit.
6. This permit does not relieve the Permittee from obtaining additional local or Federal permits as required.
7. This permit is not valid until the number assigned is displayed in letters not less than three inches in size upon the dock or piling.
8. The construction of the above-listed encroachment is authorized for a period of three years. From the 30th day of May, 1986, to the 30th day of May, 1989. Applicant may apply for an extension if the project is not completed in the specified time period.

- PLEASE SEE ATTACHED FOR SPECIAL TERMS CONCERNING ST. JOE RIVER -

FOR THE DIRECTOR

By:

L. ROBERT SCHNEIDER

MICROFILMED

May 30, 1986

Title: Navigable Waters Specialist

APR 15 1989