

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 92-07200

Priority: June 15, 1992

Minimum Stream Flow: 141.00 CFS

It is hereby certified that STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
PO BOX 83720
BOISE ID 837200098 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 15, 1992; and has
submitted Proof of Beneficial Use on August 31, 1998. A minimum stream flow for:

SOURCE

ST. MARIES RIVER

Tributary: ST. JOE RIVER

has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>MINIMUM STREAM FLOW</u>
MINIMUM INSTREAM FLOW	12/01 to 07/31	141.00 CFS
MINIMUM INSTREAM FLOW	08/01 to 11/30	65.00 CFS

MINIMUM STREAM FLOW REACH:

Beginning of Reach SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 6, Twp 42N, Rge 02E, B.M. SHOSHONE County
Ending of Reach SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33, Twp 45N, Rge 02W, B.M. BENEWAH County

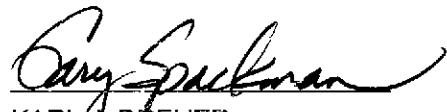
CONDITIONS OF APPROVAL

1. Use of water under this right shall be non-consumptive.
2. Upon further finding and order of the director that gauging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director.
3. The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest. The burden of proof at the hearing shall be upon the person or parties seeking the amendment to establish that the amendment of this water right would be in the public interest.
4. This minimum stream flow begins at the confluence of the West and Middle Forks of the St. Maries River in the SWSWNE, S6, T42N, R2E and ends 26 miles downstream at the confluence with John Creek in the SENENW, S33, T45N, R2W.
5. This minimum stream flow is for the protection of fish and wildlife habitat, aquatic life and recreational values.

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 16th day of July, 2001.

MICROFILMED

for: 
KARL DREYER
Director

OCT 12 2001

RECEIVED

AUG 31 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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 who has been appointed by the department.

1. Permit No. 92-07200 Telephone No. 208-327-7900

2. Name(s) of Permit Holder(s): IDAHO WATER RESOURCE BOARD

3. Mailing Address: P.O. Box 83720, Boise ID 83720-0098

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

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

b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

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

Irrigation (No. of acres): _____ Other: Minimum Instream Flow

6. Total rate of diversion and/or volume for which proof is submitted: 141 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 X

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No X

Has the measurement port been installed? Yes _____ or No X

8. Fee Enclosed: \$ N/A (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: _____ Telephone Number: _____

Address: _____

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OCT 28 1998

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Karen Pan Date: 8/28/98
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 92-07200

Proposed Priority: June 15, 1992

Maximum Diversion Rate:

141.00 CFS

This is to certify, that **STATE OF IDAHO**

IDAHO WATER RESOURCE BOARD

STATEHOUSE

BOISE ID 83720

has applied for a permit to appropriate water from:

ST MARIES RIVER

tributary of **ST JOE 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>
MINIMUM INSTREAM FLOW	12/01 to 07/31	141.00 CFS
MINIMUM INSTREAM FLOW	08/01 to 11/30	65.00 CFS
	Totals	141.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

Beginning of Stream Flow Reach

SWSWNE , Sec. 6, Township 42N, Range 02E
SHOSHONE County

End of Stream Flow Reach

SENENW , Sec. 33, Township 45N, Range 02W
BENEWAH County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. See Final Order for conditions and limitations for use of water under this approval.

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

11th day of December, 1997.

Karl J. Dreher
for Karl J. Dreher, Director

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JUN 12 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR)
PERMIT NOS. 91-07122 AND 92-07200)
IN THE NAME OF THE IDAHO WATER)
RESOURCE BOARD)
_____)

FINAL ORDER

On June 15, 1992, the Idaho Water Resource Board (Board) filed the above captioned applications for permit with the Department of Water Resources (department) seeking to establish minimum stream flows on the St. Joe River and St. Maries River. The applications were filed pursuant to Chapter 15, Title 42, Idaho Code.

The department provided notice of the applications describing the proposed appropriations and setting the time and place for hearing on the applications. Notice was published on June 19 and 26, 1997 in the Bonner County Daily Bee, Sandpoint, Idaho, the Shoshone County News Press, Kellogg, Idaho, and on June 18 and 25, 1997 in the Priest River Times, Priest River, Idaho and in the St. Maries Gazette Record, St. Maries, Idaho. Statewide notice of the applications was also published on June 19 and 26, 1997 in the Lewiston Morning Tribune, Lewiston, Idaho, The Times News, Twin Falls, Idaho, The Post Register, Idaho Falls, Idaho and in the Idaho Statesman, Boise, Idaho.

On July 16 and 17, 1997, the department conducted public hearings in Sandpoint, Idaho and St. Maries, Idaho for the purpose of eliciting testimony regarding the applications.

Parties appearing in a formal capacity at the hearings included John Beal for the Idaho Water Resource Board, Cindy Robertson for the Idaho Department of Fish and Game, Bob Schloss for the Corps of Engineers, Bob Dunnagan for Trout Unlimited, Marti Bridges for Idaho Rivers United and Steven A. Fry for Washington Water Power. Public witnesses who testified in the matter included John Bentley and Buell Hollister.

On August 28, 1997, the hearing officer for the department issued a Recommended Order in connection with the above captioned matter. None of the parties filed a petition for reconsideration, briefs or exceptions in connection with the Recommended Order. Based upon his understanding of the law and the facts in this matter, the Director makes the following Findings of Fact, Conclusions of Law and Final Order:

FINDINGS OF FACT:

1. Application for Permit No. 91-07122 seeks a minimum flow of 941 cubic feet per second (cfs) from November 1 to July 31, and 470 cfs from August 1 to October 31 of the water of the St. Joe River tributary to Coeur d'Alene Lake. The thirty-six (36) mile reach for the minimum flow begins at a point in NE1/4NE1/4NW1/4 Sec. 13, T45N, R3E, B.M. at the confluence of the St. Joe River with Marble Creek and ends at the confluence of St. Joe River with the St. Maries River in SE1/4NE1/4SW1/4 Sec. 23, T46N, R2W, B.M. The purpose of the application is to protect fish and wildlife habitat, aquatic life and recreational values. (Note: The "1/4" designations will be omitted from subsequent legal descriptions in this order).

2. Application for Permit No. 92-07200 seeks a minimum flow of 141 cfs from December 1 to July 31 and 65 cfs from August 1 to November 30 of the water of the St. Maries River tributary to St. Joe River. The twenty-six (26) mile reach for the minimum flow begins at a point in the SWSWNE Section 6, T42N, R2E, B.M. at the confluence of the West and Middle Forks of the St. Maries River and ends at the confluence with John Creek in the SENENW Section 33, T45N, R2W, B.M.

3. Exhibits offered and accepted as a part of the record include the following:

a. Applicant's Exhibit 1 - Graph of average monthly flows, Flow Duration Curves, and Summary Hydrograph for St. Maries River.

b. Applicant's Exhibit 2 - Listing of St. Maries River Water Rights.

c. Applicant's Exhibit 3 - Graph of average monthly flows, Flow Duration Curves, and Summary Hydrograph for St. Joe River.

d. Applicant's Exhibit 4 - Listing of St. Joe River Water Rights.

e. IDFG Exhibit 1 - Table 1 - Instream Flow Regimens for Fish, Wildlife, Recreation and Related Environmental Resources.

f. IDFG Exhibit 2 - Graph titled Species Composition Electrofishing for St. Joe River and St. Maries River.

g. IDFG Exhibit 3 - Graph titled Species Composition Gillnetting for St. Joe River.

h. IDFG Exhibit 4 - St. Joe River Harvest data.

- i. IDFG Exhibit 5 - St. Maries River Harvest data.
 - j. IDFG Exhibit 6 - St. Joe River Management data.
 - k. IDFG Exhibit 7 - St. Maries River Management data.
 - l. IDFG Exhibit 8 - Fishery Research report, Project P-73-R-10, dated July 1988.
4. Flows in the sources for the applications have been measured as follows:
- a. 91-07122 - St. Joe River
 - Average Annual Flow = 2,353 cfs.
 - The requested flow of 941 cfs is equalled or exceeded about 67% of the time during the November 1 to July 31 period.
 - The requested flow of 470 cfs is equalled or exceeded about 52% of the time during the August 1 to October 31 period.
 - b. 92-07200 - St. Maries River
 - Average Annual Flow = 353 cfs.
 - The requested flow of 65 cfs is equalled or exceeded about 73% of the time during the December 1 to July 31 period.
 - The requested flow of 141 cfs is equalled or exceeded about 52% of the time during the August 1 to November 30 period.
5. All rights acquired under application Nos. 91-07122 and 92-07200 are for instream non-consumptive use and are subject to all vested water rights, permits or applications for permit having dates of priority earlier than June 15, 1992.
6. The parties supported the minimum stream flow applications. There was no opposition to the approval of the applications.

CONCLUSIONS OF LAW:

1. Chapter 15, Title 42, Idaho Code, provides that stream flow preservation for the protection of fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, navigation and water quality, when made pursuant to this statute, is in the public interest and is declared to be a beneficial use of such water.

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2. The proposed minimum stream flows will not interfere with any vested water right, permit, or application for permit having a priority date earlier than June 15, 1992.

3. The flows requested in the applications are the minimum flows required to preserve the existing unique characteristics of the streams for the public benefit, and are not the ideal or most desirable flows which could be utilized for those purposes.

4. The proposed minimum stream flows are in the public, as opposed to private, interest.

5. The minimum stream flows proposed by the applications are necessary to fish and wildlife habitat, aquatic life and recreational values.

6. The proposed minimum stream flows as approved in this final order are generally capable of being maintained.

7. The department should approve the applications with certain conditions and limitations.

ORDER:

IT IS, THEREFORE, HEREBY ORDERED That Application for Permit Nos. 91-07122 and 92-07200 in the name of the Idaho Water Resource Board are **APPROVED** subject to the following conditions and limitations as follows:

1. The use of water under the permits is subject to all prior water rights.

2. The use of water under the permits shall be non-consumptive.

3. Upon the future finding and order of the Director that gaging stations are required to maintain the approved minimum stream flows, the right holder shall permanently install and maintain gaging stations as specified by the department.

4. The Director retains jurisdiction, as described below, to review and amend any and all parameters of these rights. The Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to the right. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or known interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the right should be amended in the public interest. The burden of proof at the hearing shall be upon the persons or parties seeking the amendment to establish that the amendment of the right would be in the public

interest.

5. The applications hereby approved by the Director shall be submitted to the Idaho Legislature by the fifth day of the next regular legislative session and the Director's approval shall not become finally effective until approved by the legislature pursuant to provisions of Section 42-1503, Idaho Code.

6. Proof of instream beneficial use of the minimum flows appropriated shall be submitted in a manner approved by the Department on or before **October 1, 2002**.

7. This minimum stream flow is for the protection of fish and wildlife habitat, aquatic life and recreational values.

Dated this 11th day of December, 1997.



KARL J. DREHER
Director

CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY that on the 12th day of December, 1997, the above and foregoing document was served upon the following, via certified mail, by placing a copy of the same in the United States Mail, postage prepaid and properly addressed to the following:

HAND DELIVERED

JOHN BEAL
IDWR
PO BOX 83720
BOISE ID 83720-0098

BOB SCHLOSS
CORPS OF ENGINEERS
ALBANY FALLS DAM PROJECT
2376 E HWY 2
OLDTOWN ID 83822

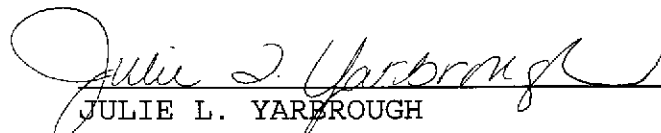
CERTIFIED MAIL

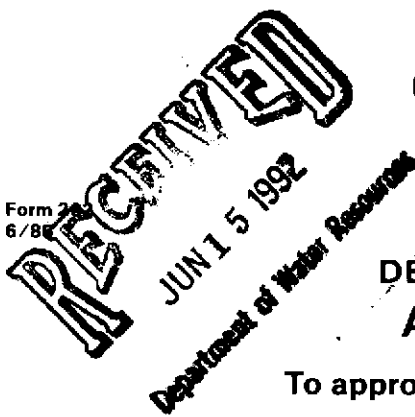
CINDY ROBERTSON
DEPT OF FISH AND GAME
PO BOX 25
BOISE ID 83707

BOB DUNNAGAN
TROUT UNLIMITED
361 EVERGREEN RD
SANDPOINT ID 83862

MARTI BRIDGES
IDAHO RIVERS UNITED
PO BOX 633
BOISE ID 83701

STEVEN A FRY
WASHINGTON WATER POWER
PO BOX 3727
SPOKANE WA 99220-3727


JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Ident. No. 92-7208STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Idaho Water Resource Board Phone 327-7910
Post office address Statehouse, Boise, ID 83720
2. Source of water supply St. Maries River which is a tributary of St. Joe River
Instream flow downstream from the confluence of the West and Middle Forks of the
St. Maries River in the
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 6 Township 42N Range 2E B.M. Shoshone County; additional
to the confluence of John Creek
points of diversion if any: in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 33, T45N, R2W, B.M., Benewah
County.
4. Water will be used for the following purposes:
- Amount 141 cfs for instream purposes from December 1 to July 31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 65 for instream purposes from August 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)
5. Total quantity to be appropriated is (a) 141 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. _____
None
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

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8. 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. A minimum streamflow for the protection of fish and wildlife habitat, aquatic life, and recreational values.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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

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

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

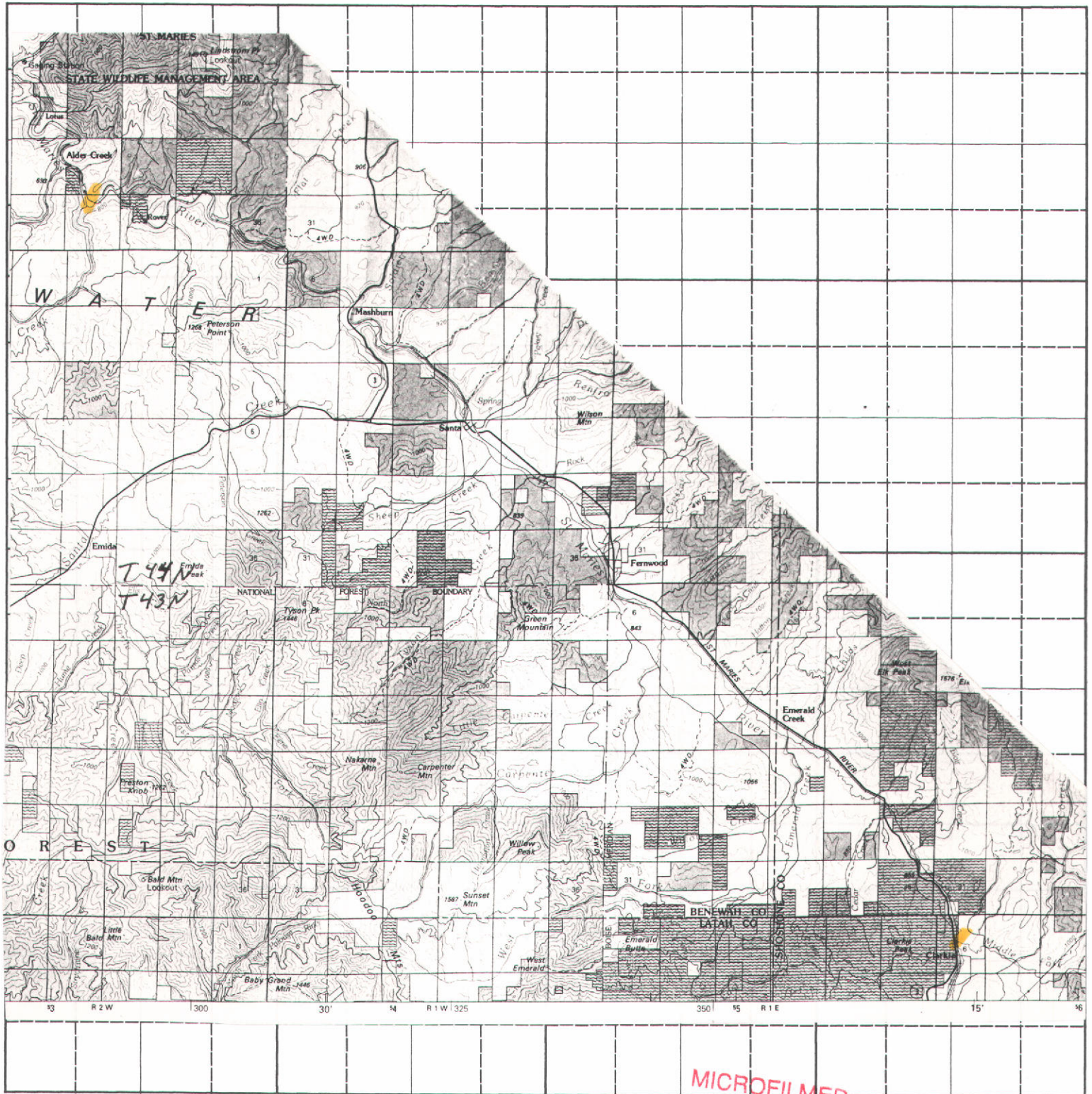
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: The affected reach is approximately 26 miles long.

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13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

William S. Platt

(Applicant)

Received by W.B. Date 6-15-92 Time 11:45 am Preliminary check by _____

Fee \$ _____ Received by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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ATTACHMENT TO APPLICATION FOR PERMIT
TO APPROPRIATE A MINIMUM STREAM FLOW

14. Provide evidence that the appropriation will not interfere with any vested water right, permit, or water right application of earlier date of priority.

The appropriation is junior to rights, permits, or applications with earlier dates of priority.

As a nonconsumptive, instream use this appropriation can have no impact on any water user
downstream except to help insure water availability.

15. Provide evidence to show that the appropriation would be in the public interest as opposed to private interest.

The appropriation will be held by the Water Resource Board rather than a private entity.

The appropriated water will preserve river values for the benefit and enjoyment of
all citizens of the state.

16. Provide evidence or justification that the appropriation is necessary for the purposes shown in Item 4.

The appropriation is for 40% of the mean annual flow for the period of December through July.

The request for the rest of the year is for the average monthly flow for August, the lowest
month for the period of record. This flow is close to 18% of the mean annual flow. These flows
will provide a "good" minimum flow for fish and wildlife habitat, aquatic life, and recreational
values from April through July.

17. Provide evidence that the minimum flow or lake level is minimum and not the ideal or most desirable flow or lake level.

The requested flows are based on the Montana Method which utilizes field studies to identify
riverine conditions at varying flow rates. The optimum flow for fish, wildlife, recreation and
related environmental resources ranges from 60% to 100% of the mean flow value.

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18. Provide evidence that the flow or lake level requested is capable of being maintained as evidenced by records of stream flows and water levels.

A flow of 141 cfs is less than the average monthly flow for the requested period of use. The flow of 65 cfs is the lowest average monthly flow of the year for the period of record.

19. Describe the location of existing gaging stations that can be used in the administration of this appropriation.

The requested flow is based upon records from the Santa station in Sec. 8, T44N, R1W, 450 feet upstream from the State Highway 3 Bridge.

20. Do you intend to install additional gaging stations? Describe the location.

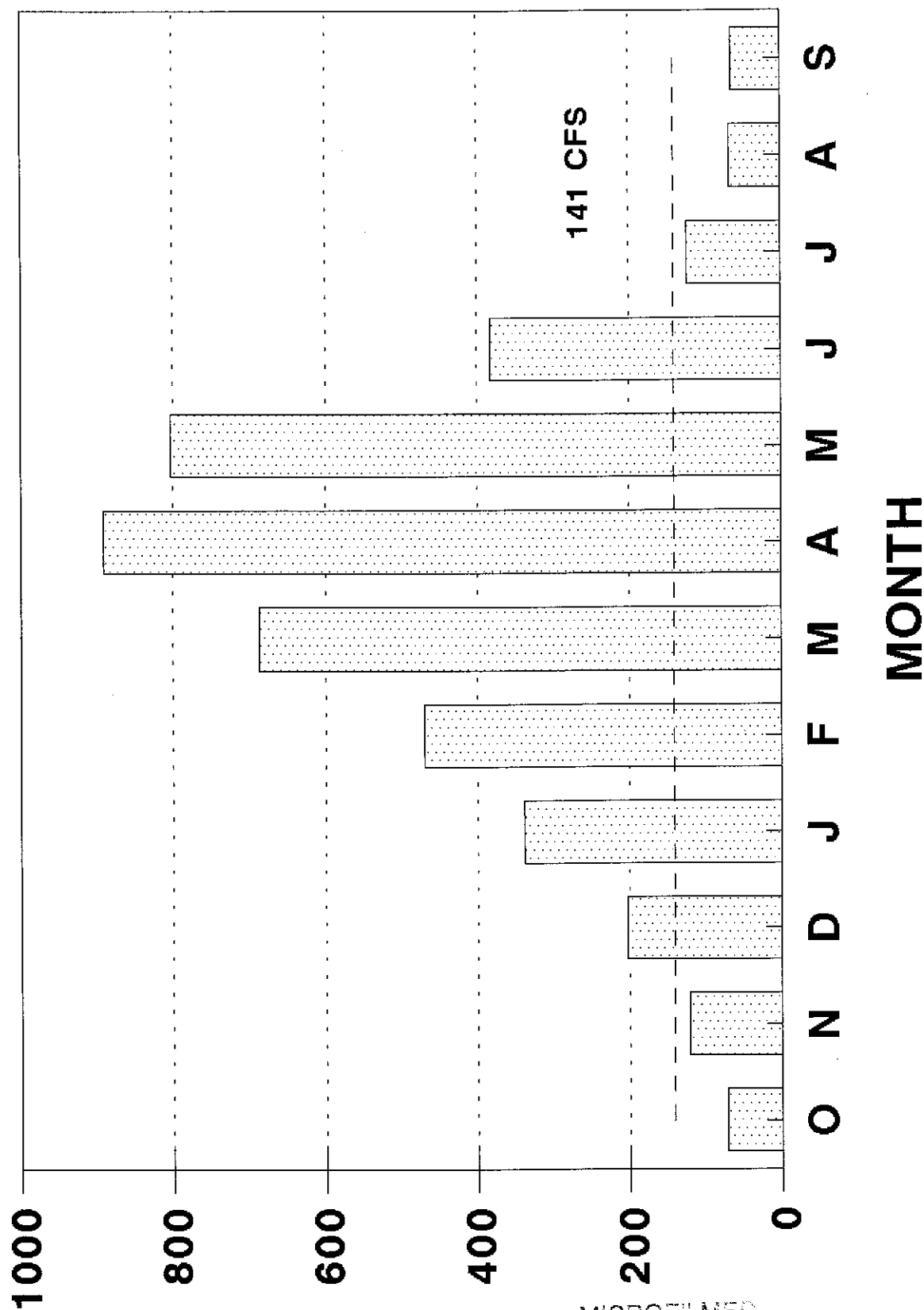
No

21. List any additional remarks related to this minimum stream flow application.

The flow request provides a "good" minimum flow for April to July, a "fair to poor" flow for August to September, a "good to fair" flow for October and November, and an "outstanding" flow for December to March. A discontinued gage at Lotus, approximately 2 miles downstream of the confluence with John Creek indicates that the average annual flow increases by approximately 160 cfs from Santa to Lotus. This should be considered in the approval of any new consumptive uses downstream of the Santa gage. Following consultation with the Division of Environmental Quality and Departments of Fish & Game and Parks & Recreation, the Water Resource Board may amend this application to more accurately reflect the necessary minimum flow based on new data provided by the above or other agencies.

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ST. MARIES RIVER NR SANTA (1966-90)



Average Annual Flow = 353 CFS

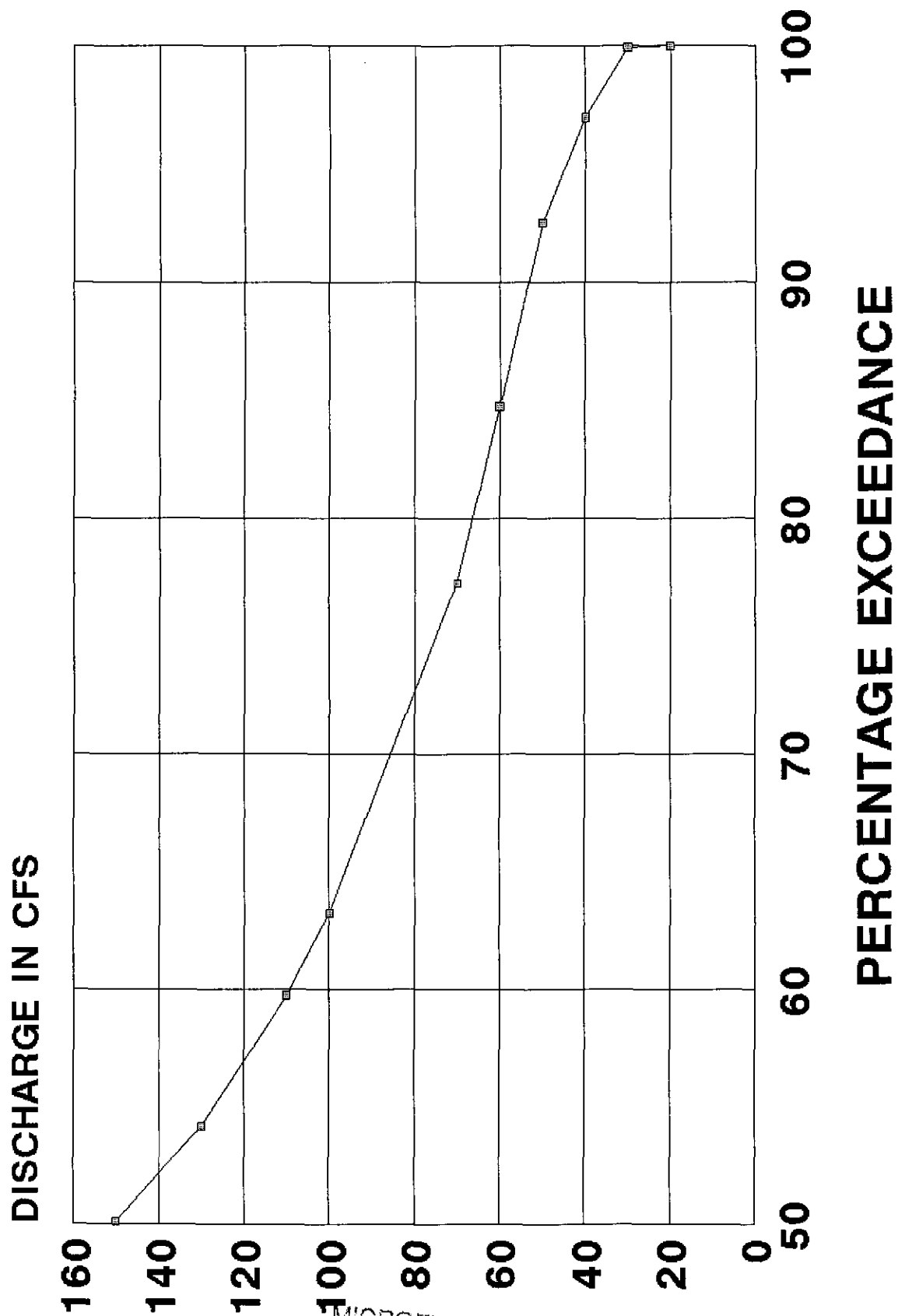
 Average Monthly Flow
  Instream Flow

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FLOW DURATION CURVE

ST. MARIES RIVER NR SANTA



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JUN 12 1998

12414900

FLOW DURATION TABLE FOR STATION 12414900

[illegible]

JUN 12 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 20 1999

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 92-07200

1. Owner: Idaho Water Resource Board Phone No. (208) 337-7910

Current Address: P.O. Box 83720 Boise ID 83720-0098

2. Accompanied by: _____ EXAM DATE: 1-14-99

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: St. Maries River tributary to St. Joe River

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
			SW	NE	6	42N	2E	Shoshone	BLM 30x60' Quad./Beginning Stream Reach
			NE	NW	33	45N	2W	Beneviah	BLM 30'x60' Quad./Ending Stream Reach

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	

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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

*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: See USGS Discharge Report

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This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

NO
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F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached**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:

$$\frac{1 \text{ cfs}}{141 \text{ cfs}} = \frac{1.9835 \text{ af/day}}{x} \text{ then } x = 279.67 \text{ af/day, } 279.67 \text{ af/day} \times 243 \text{ days} = 67959.8 \text{ af}$$

(12/1 to 7/31)

$$\frac{1 \text{ cfs}}{65 \text{ cfs}} = \frac{1.9835 \text{ af/day}}{x} \text{ then } x = 128.9 \text{ af/day, } 128.9 \text{ af/day} \times 122 \text{ days} = 15725.8 \text{ af}$$

(8/1 to 11/30)

H. RECOMMENDATIONS**1. Recommended Amounts**

$$\text{total} = 83685.6 \text{ af}$$

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Minimum Instream Flow	12/01	07/31	141 cfs	67959.8
Minimum Instream Flow	08/01	11/30	65 cfs	15725.8
Totals:			141 cfs	83685.6

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

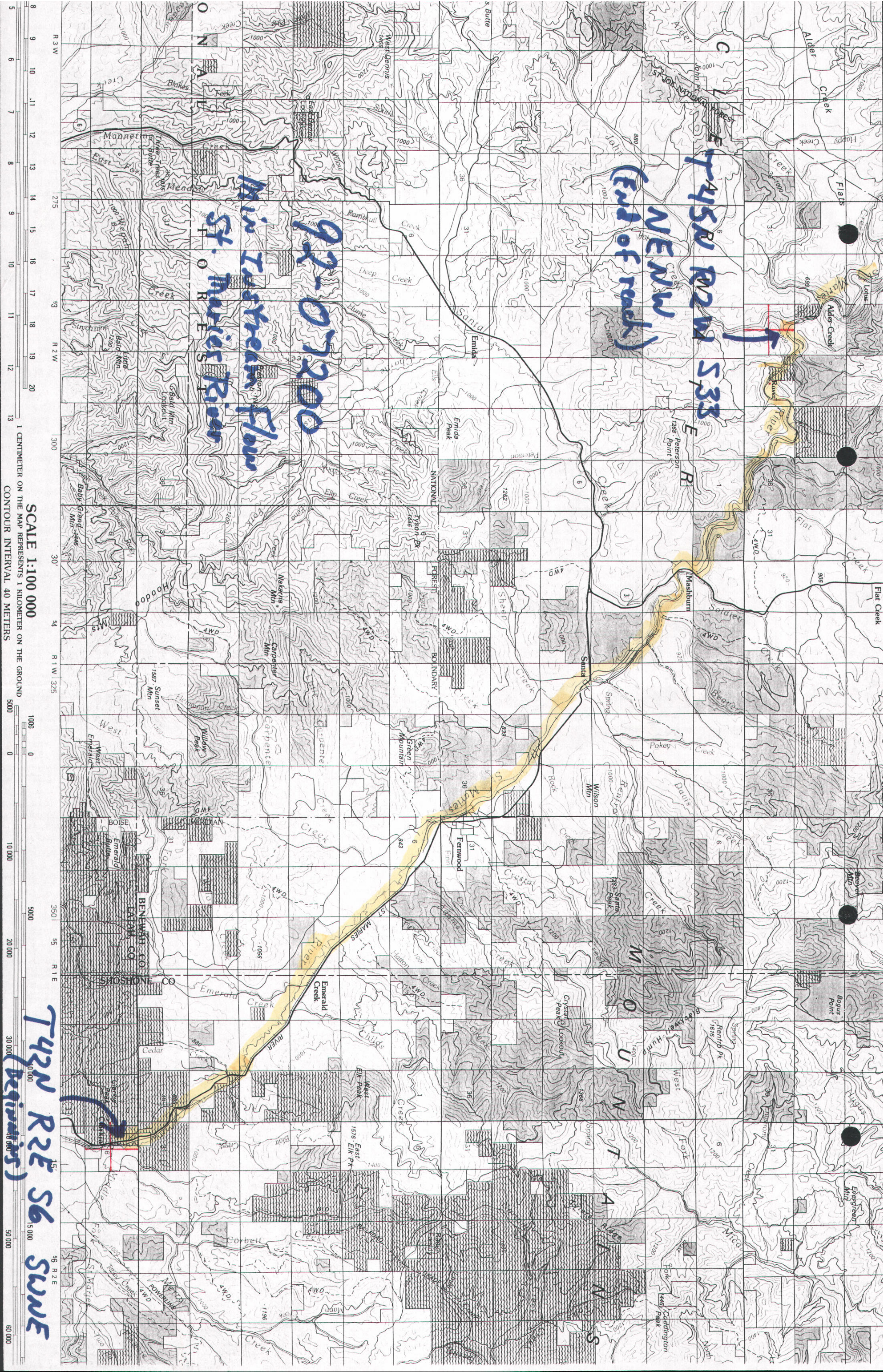
I. AUTHENTICATIONField Examiner's Name David A. Royal Date 1-14-99

Reviewer _____ Date _____

SEAL

MICROFILMED

007 12 2005



NEW NW
(End of reach)

4450 R2W 533 E

Main Tributaries Flow
St. Marias River

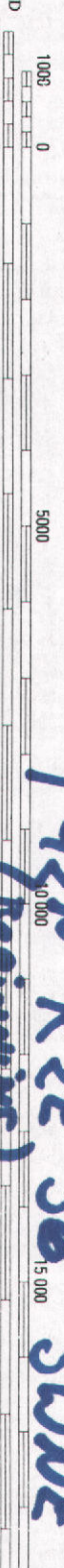
92-07200

TY2N R2E S6 SWNE

SCALE 1:100 000

1 CENTIMETER ON THE MAP REPRESENTS 1 KILOMETER ON THE GROUND

CONTOUR INTERVAL 40 METERS



SPOKANE RIVER BASIN

12414900 ST. MARIES RIVER NEAR SANTA, ID

LOCATION.--Lat 47°10'35", long 116°29'30", in NW¼SE¼NW¼ sec.8, T.44 N., R.1 W., Benewah County, Hydrologic Unit 17010304, on right bank, 450 ft upstream from bridge on State Highway 3, 0.3 mi upstream from Santa Creek, 2.7 mi northwest of Santa, and at mile 24.6

DRAINAGE AREA.--275 mi².

PERIOD OF RECORD.--October 1965 to current year.

REVISED RECORDS.--WDR 1974: 1968-70 (M). WDR 1982: 1981.

GAGE.--Water-stage recorder. Datum of gage is 2,574.56 ft above sea level.

REMARKS.--Records good except for estimated daily discharges, which are fair. Station equipment includes telemetry.

EXTREMES FOR PERIOD OF RECORD.--Maximum discharge, 12,300 ft³/s Feb. 9, 1996, on basis of indirect discharge measurement, gage height, 13.75 ft; minimum, 15 ft³/s Nov. 11, 1978, gage height, 3.32 ft.

EXTREMES FOR CURRENT YEAR.--Peak discharges greater than base discharge of 1,500 ft³/s and maximum (*):

Date	Time	Discharge (ft ³ /s)	Gage height (ft)	Date	Time	Discharge (ft ³ /s)	Gage height (ft)
Dec. 10	2300	1,540	7.00	Feb. 19	1845	1,860	7.19
Jan. 1	0900	*5,540	*9.65	Mar. 20	2130	3,770	8.64
				Apr. 27	2345	5,340	9.54

Minimum daily, 53 ft³/s Oct. 10-12.

DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1996 TO SEPTEMBER 1997
DAILY MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	55	88	272	4660	1100	471	1150	2680	1270	520	122	81
2	54	82	246	3310	1110	498	1040	2110	1090	453	121	79
3	54	80	190	2430	885	478	1070	1780	977	359	116	83
4	54	83	129	1470	e700	427	996	1950	937	303	111	103
5	54	93	168	1040	e550	392	893	1950	907	274	108	89
6	56	87	171	813	e440	400	886	1930	834	262	107	85
7	56	94	147	682	e400	843	939	1950	762	244	104	82
8	55	92	309	630	e380	1020	977	1750	701	229	102	78
9	54	95	752	601	e380	846	968	1680	654	312	99	75
10	53	95	1030	569	e360	1080	983	1830	627	384	98	74
11	53	94	1130	562	360	934	882	2030	661	312	97	79
12	53	94	606	e400	355	895	896	2140	716	270	95	84
13	55	94	432	e380	320	759	960	2250	673	241	94	78
14	63	111	350	e360	388	658	1280	2340	608	224	93	76
15	98	125	275	e380	1030	610	1490	2280	557	210	91	97
16	98	128	230	e400	1030	923	1810	2250	527	197	90	196
17	71	129	155	e440	1060	1300	2160	2130	503	192	89	151
18	69	174	e160	e550	1090	1420	2150	1810	480	204	88	158
19	135	204	e170	698	e1500	1720	2050	1490	438	184	86	113
20	102	519	e200	613	1440	2950	3500	1340	406	186	85	96
21	82	217	e200	590	1060	3430	4020	1200	378	172	85	89
22	84	198	189	515	898	2440	2630	1110	358	163	83	84
23	104	171	175	467	779	1920	2530	e1100	336	152	81	80
24	153	140	167	426	687	1650	3450	e1100	334	146	99	78
25	210	159	165	398	645	1540	2880	1120	307	141	138	76
26	140	152	152	380	620	1780	2420	1160	286	137	97	75
27	104	144	158	276	594	2310	3640	1110	271	133	89	79
28	93	514	e200	e340	515	1970	4460	1040	260	130	86	75
29	101	390	e240	360	---	1550	3300	1050	272	127	85	72
30	116	236	e500	439	---	1370	2880	1030	265	129	84	71
31	100	---	1690	912	---	1310	---	1110	---	127	82	---
TOTAL	2629	4882	10958	26091	20676	39894	59290	51800	17395	7117	3005	2736
MEAN	84.8	163	353	842	738	1287	1976	1671	580	230	96.9	91.2
MAX	210	519	1690	4660	1500	3430	4460	2680	1270	520	138	196
MIN	53	80	129	276	320	392	882	1030	260	127	81	71
AC-FT	5240	9680	21740	51750	41010	79130	117600	102700	34500	14120	5960	5430
CFSM	.31	.59	1.29	3.06	2.69	4.68	7.19	6.08	2.11	.83	.35	.33
IN.	.36	.66	1.48	3.53	2.80	5.40	8.02	7.01	2.35	.96	.41	.37

STATISTICS OF MONTHLY MEAN DATA FOR WATER YEARS 1966 - 1997, BY WATER YEAR (WY)

	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997
MEAN	72.1	139	222	352	541	694	890	763	361	127	68.8	63.5																				
MAX	132	423	732	1637	1936	2166	1976	1671	1012	230	103	91.2																				
(WY)	1969	1996	1996	1996	1996	1972	1997	1997	1974	1997	1975	1997																				
MIN	36.3	45.7	54.8	47.6	84.7	153	282	186	84.3	54.4	30.6	32.4																				
(WY)	1988	1988	1979	1979	1994	1977	1992	1992	1992	1994	1994	1994																				

SUMMARY STATISTICS

	FOR 1996 CALENDAR YEAR	FOR 1997 WATER YEAR	WATER YEARS 1966 - 1997
ANNUAL TOTAL	191391	246473	
ANNUAL MEAN	523	675	356
HIGHEST ANNUAL MEAN			711
LOWEST ANNUAL MEAN			134
HIGHEST DAILY MEAN	10800	Feb 9	10800
LOWEST DAILY MEAN	44	Sep 13	25
ANNUAL SEVEN-DAY MINIMUM	47	Sep 8	26
ANNUAL RUNOFF (AC-FT)	379600	488900	258200
ANNUAL RUNOFF (CFSM)	1.90	2.46	1.30
ANNUAL RUNOFF (INCHES)	25.89	33.34	17.61
10 PERCENT EXCEEDS	1050	1870	937
50 PERCENT EXCEEDS	209	358	151
90 PERCENT EXCEEDS	55	82	54

e Estimated

MICROFILMED
OCT 12 2000

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 92-07200 Reviewed by [Signature] Date 10-20-98

GENERAL CONSIDERATIONS

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

TYPES OF USE

min. Flow

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

_____ Correct?

☐ Well log in the file?

LICENSE EXAMINATION FEE

_____ Required?

Exempt 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

Proof Acceptable

DATA ENTRY

New Address [Signature] Proof Made 8-31-98

**A CONCURRENT RESOLUTION
APPROVING APPLICATION TO APPROPRIATE WATER
FOR MINIMUM STREAMFLOW**

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Idaho Water Resource Board may apply for a permit to appropriate unappropriated waters of any stream to establish a minimum streamflow; and

WHEREAS, under the provisions of Section 42-1503, Idaho Code, an approved application shall not become finally effective until affirmatively acted upon by the Legislature, except that if the Legislature fails to act prior to the end of the regular session to which the application was submitted, the application shall be considered approved; and

WHEREAS, on December 11, 1997, the Director of the Department of Water Resources approved the following application by issuing a Final Order authorizing the appropriation of water for minimum streamflow:

Ident. No: 92-07200

Source: St. Maries River tributary to St. Joe River.

Reach descr: A 26 mile reach beginning at a point in the SW1/4SW1/4NE1/4 Section 6, T42N, R2E, B.M. at the confluence of the West and Middle Forks of the St. Maries River and ending at the confluence with John Creek in the SE1/4NE1/4NW1/4 Section 33, T45N, R2W, B.M.

Amount: 141 cubic feet per second (cfs) from December 1 to July 31, and
65 cfs from August 1 to November 30.

Use: To protect fish and wildlife habitat, aquatic life and recreational values.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the same is hereby approved subject to the conditions and limitations contained in the Final Order issued by the Director of the Department of Water Resources on December 11, 1997.

MICROFILMED

JUN 12 1998

NOTICE

The minimum stream flow hearing information is located in File No. 91-07122.

MICROFILMED

JUN 12 1998

Water Right Number - 92-07200

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
IDAHO WATER RESOURCE BOARD

1 - STATEHOUSE
2 -
3 -

City- BOISE
Phone - 208-327-7910

State- ID Zip- 83720

Priority Date - +
06/15/1992

Region - +
18 NORTHERN

Stage - +
A - APPLICATION

Status - +

Source - +
ST MARIES RIVER

Tributary - +
ST JOE RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
42N	02E	6	SM SM NE		B	(79) SHOSHONE		
45N	02W	33	SE NE NW		E	(9) BENEWAH		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
34 -	MINIMUM INSTREAM FLOW	12/01	07/31		141.000	
34 -	MINIMUM INSTREAM FLOW	08/01	11/30		65.000	
Total Div. Rate - +		Total Div. Volume - +		Total Div. Capacity - +		
				141.000		

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
+ - - Diversion Means -								
+ - - Non-Irrigation Use -								
+ - - Other Rights for Same Use -								

Remarks -
The affected reach is approximately 26 miles long.
Minimum instream flow use is for the protection of fish and wildlife habitat, aquatic life, and recreational values.
Instream flow downstream from the confluence of the West and Middle Forks of the St. Maries River to the confluence of John Creek.

Old Water Right Numbers -
No Old Water Right Numbers found.

MICROFILMED
JUN 12 1998

WATERED RIGHT

- - Conditions of Approval - -
No Conditions of Approval found.

Decree Date - +
00/00/0000

-- --Comments-- --
No Comments Found

ТРА

Water Rights Dates and Flags Area

Proof Due Date	00/00/0000	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	00/00/0000	Tested Date	00/00/0000	Swan Falls	-
Proof Made Date	00/00/0000	Hearing Date	00/00/0000	Temporary Right	-
Exam to S.O. Date	00/00/0000	Verified Date	00/00/0000	DLE/Carey Act	-
Order Show Cause	00/00/0000	Receipt Number	-	Water District	-
Licensed Date	00/00/0000	Appl Received	06/15/1992	Transfer/Amended	-
Decree Date	00/00/0000	Presumption Flag	-		

MICROFILMED
JUN 12 1998