



545
RESTON, VIRGINIA—1991



QUADRANGLE LOCATION

10/13/95 c22

1 2 3 1 Texas Ridge

86-07344

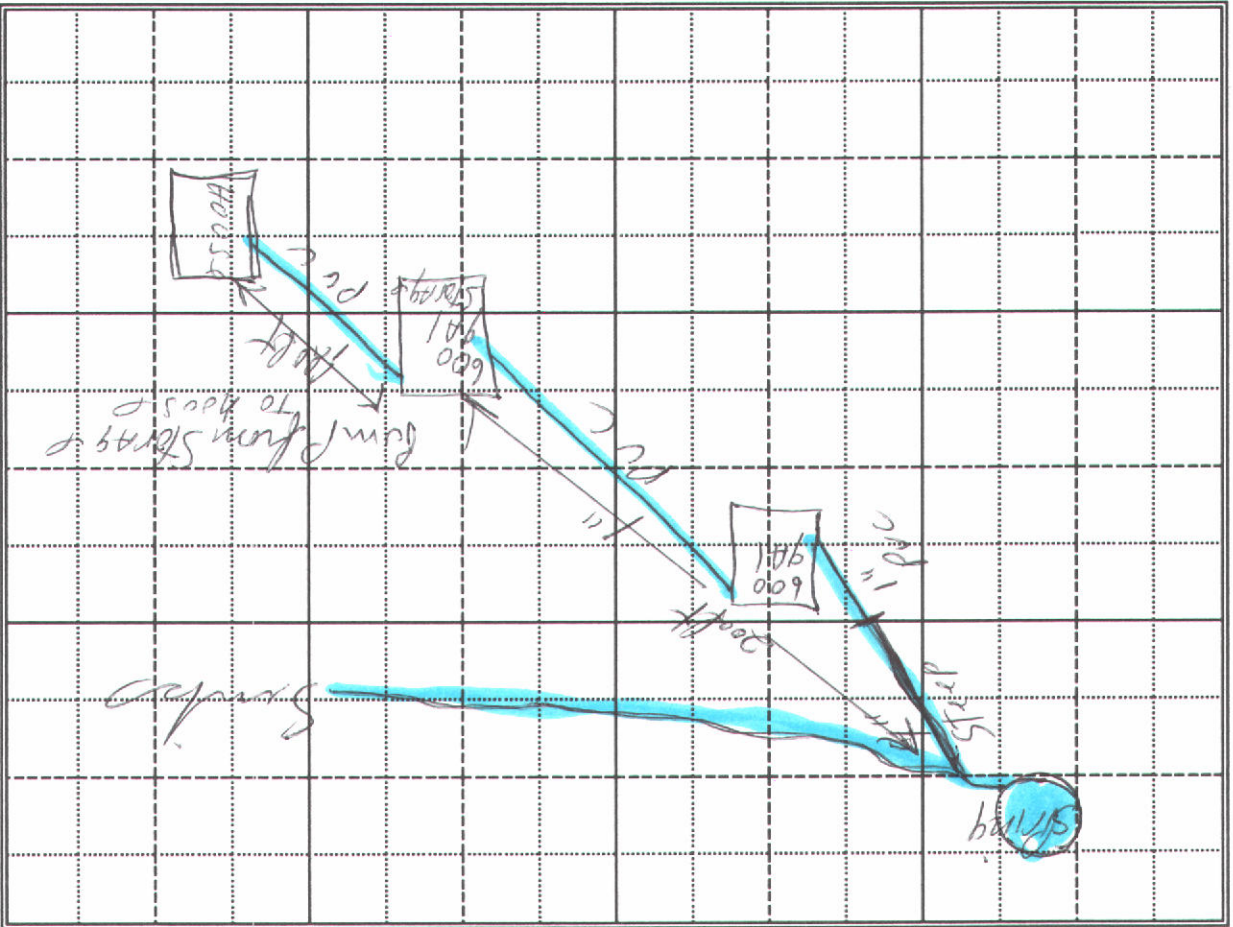
NOV 10 1995

Improved Road
Unimproved Road
Trail

Interstate Route U. S. Route

BY THE UNITED STATES GEOLOGICAL SURVEY
USGS AND NOS/NOAA
OM AERIAL PHOTOGRAPHS TAKEN.....1957
M AERIAL PHOTOGRAPHS TAKEN.....1987
ID.....1988. MAP EDITED.....1990
.....TRANSVERSE MERCATOR
ETER UNIVERSAL TRANSVERSE MERCATOR.....ZONE 11
FOOT STATE GRID TICKS.....IDAHO, WEST ZONE
CLINATION.....0°30' EAST
C NORTH DECLINATION.....18°00' EAST
JM.....NATIONAL GEODETIC VERTICAL DATUM OF 1929
ATUM.....1927 NORTH AMERICAN DATUM

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



Scale: 1" = 100'

____ 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

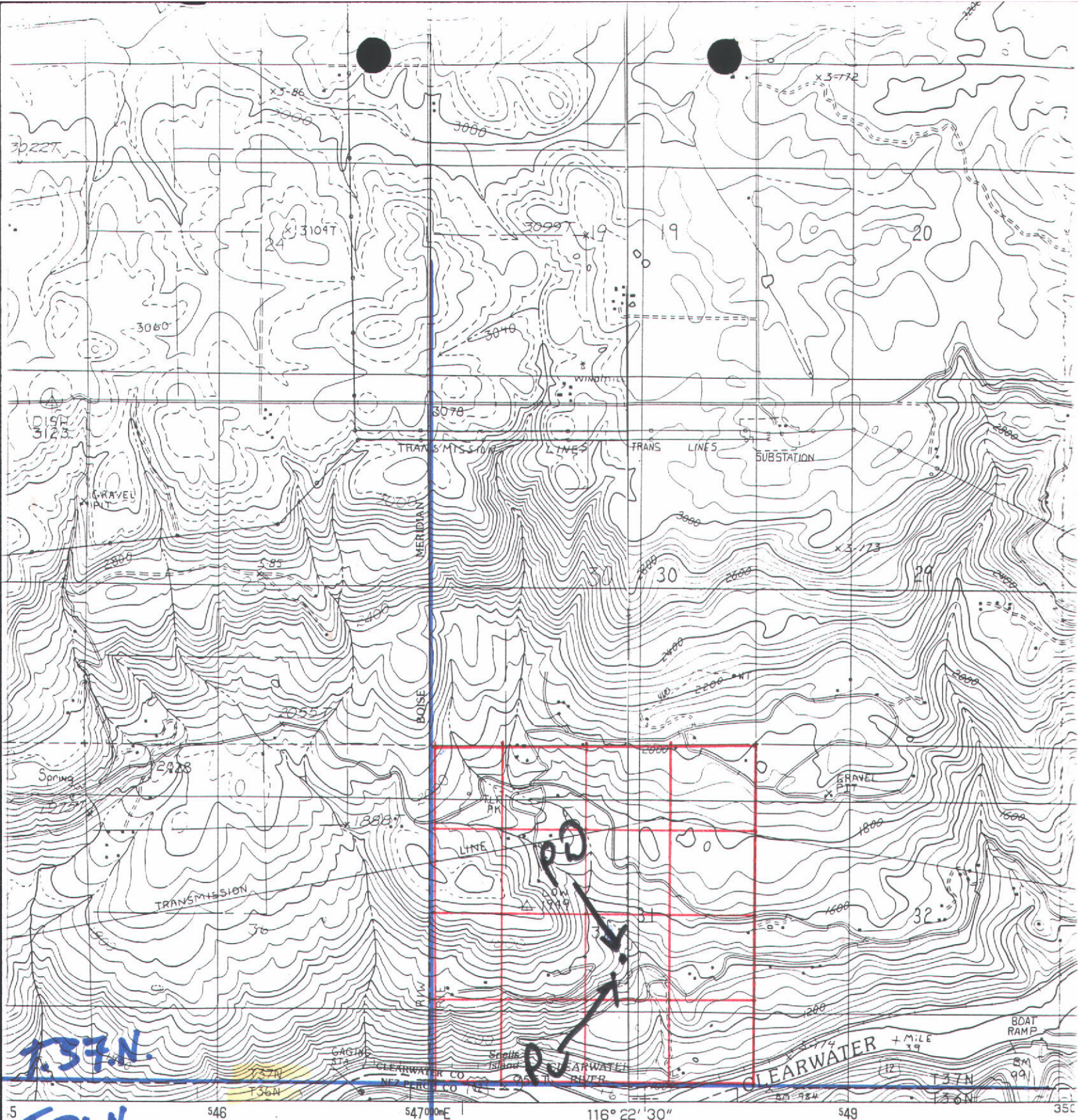
1.

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

2. Measurements:

MICROFILMED
 JUN 10 1998

4-334-8



1	2	3	1 Texas Ridge
4	5	2 Park	3 Aldermand Ridge
6	7	4 Lenore	5 Ahsahka
		6 Gifford	7 Peck
		8 Orofino West	

ADJOINING 7.5' QUADRANGLE NAMES

ROAD LEGEND

Improved Road
Unimproved Road
Trail

Interstate Route U. S. Route

MICROFILMED
JUN 10 1998

PROVISIONAL E

BY THE UNITED STATES GEOLOGICAL SURVEY

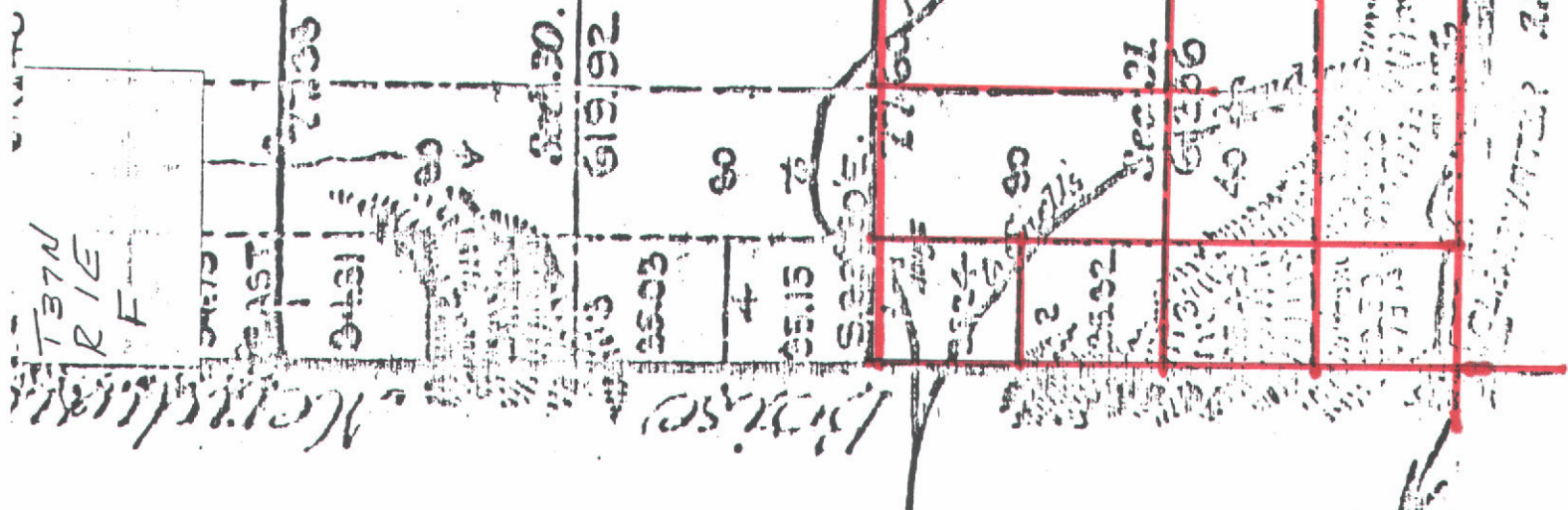
USGS AND NOS/NOAA
FROM AERIAL PHOTOGRAPHS TAKEN.....1957
FROM AERIAL PHOTOGRAPHS TAKEN.....1987
EDITED.....1988 MAP EDITED.....1990
TRANSVERSE MERCATOR
METER UNIVERSAL TRANSVERSE MERCATOR.....ZONE 11
10-FOOT STATE GRID TICKS.....IDAHO, WEST ZONE
DECLINATION.....0°30' EAST
METRIC NORTH DECLINATION.....18°00' EAST
DATUM.....NATIONAL GEODETIC VERTICAL DATUM OF 1929
DATUM.....1927 NORTH AMERICAN DATUM
on the predicted North American Datum of 1983,
projection lines as shown by dashed corner ticks
5 north and 76 meters east)
may be private inholdings within the boundaries of any
or State reservations shown on this map

PROV
Produce
manuscr
information

86-07344

T. 37N, R. 01E, SEC. 31

PHILLIPS, TONY C.





PD



600 gal
Settling
Tank



600 gal
Storage
Pump House

86-07344

5/21/97

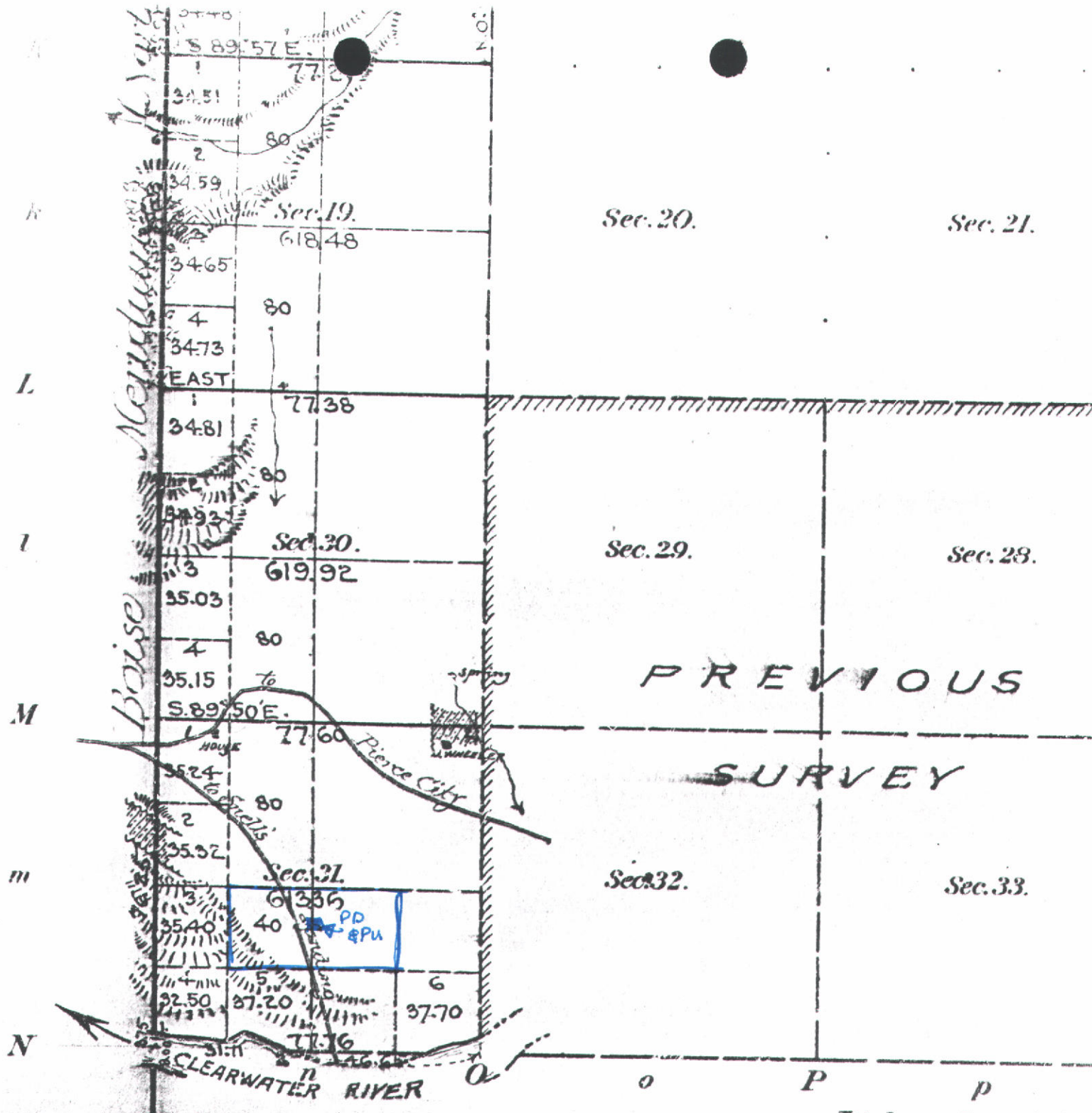


86-07344

5/21/97

PV

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JUN 10 1998



Total number of Acres

Surveys Designated	By Whom Surveyed	Date of Contract Special Instructions	Amount of Surveys M. Ch. Lk.			When Surveyed
Township lines						
Subdivisions	Edson D. Briggs	October 31-1894	4	38	80	Dec. 30, 1894
Connections			0	26	10	
Meanders			0	34	10	July 1, 1895

NOV 16 1895

86-7344

10/13/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

OCT 31 2002

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
86-07344		No			

RECEIVED
 OCT 29 2002
 IDWR/North

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Jonny Phillips
4429 Hall Road Lenore, Idaho 83541

4. New Owner/Claimant(s)

Ira Fackenthal or Bonnie Fackenthal
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or

New Mailing Address

Box 83

City, State and ZIP Code

Phsalke, Idaho 83520
ANSAHKA

New Telephone Number

(208) 476-5308

5. Date you acquired the property

9-27-02 **MICROFILMED**
SEP 22 2003

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Ira J. Fackenthal

Bonnie Fackenthal

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <u>AK</u>	Date <u>10/29/02</u>	Fee <u>\$25.00</u>
Received by <u>AK</u>	Date <u>10/29/02</u>	Receipt No. <u>N015350</u>
Processed by _____	AJ Date _____	WR _____ Date _____

MICROFILMED
SEP 22 2003

WARRANTY DEED

TONY C. PHILLIPS, hereinafter called the Grantors, in and for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby GRANT, CONVEY, and WARRANT to IRA J. FACKENTHALL and BONNIE FACKENTHALL, husband and wife, whose address is PO Box 82 Ahsanika and 83520, hereinafter called the Grantee, the following described real property described as follows:

SITUATE IN THE COUNTY OF CLEARWATER, STATE OF IDAHO, to-wit:

A parcel of land situated in the Northeast quarter of the Southwest quarter and the Northwest quarter of the Southeast quarter of Section 31, Township 37 North, Range 1 East, Boise Meridian, Clearwater County, Idaho more particularly described as follows:

Commencing at a brass cap monument marking the South quarter corner of said Section 31; thence N 01°06'12" East 1543.81 feet to a brass cap monument marking the Southeast corner of that particular parcel called Tract 6 in a 1973 Survey by Archambault & Van Bargaen; thence N 89°15'38" West 440.28 feet along the South boundary of said Tract 6 to a brass cap monument marking the Southwest corner of said Tract 6; thence N 01°17'59" East 339.44 feet along said West boundary of Tract 6 to a 5/8" steel pin marking the Real Point of Beginning; thence N 71°28'33" East 524.05 feet along an existing fenceline to a 5/8" steel pin; thence S 66°44'49" East 132 feet to a 5/8" steel pin lying on the Westerly right of way of a 40.00 foot wide access easement; thence S 66°44'49" East 20.90 feet to the centerline of an existing access road easement; thence S 89°41'06" East 234.75 feet to an intersection with the East boundary of that parcel called Tract 7 in a 1973 Survey by Archambault & Van Bargaen; thence N 00°00'58" East 625.83 feet more or less, to a brass cap monument marking the Northeast corner of said Tract 7 and lying on the East-West center section line of Section 31; thence N 89°41'06" West 855.64 feet along the North boundary of said Tracts 6 and 7 and said center section line to a brass cap monument marking the Northwest corner of said Tract 6; thence S 01°17'56" West 735.56 feet along the West boundary of said Tract 6 to a 5/8" steel pin marking the Real Point of Beginning.

PARCEL 2:

Easement for the benefit of Parcel 1 as created by Warranty Deed dated January 9, 1995 and recorded January 9, 1995 as Instrument No. 168081 and re-recorded January 17, 1995 as Instrument No. 168134 for ingress and egress, subject to the terms, provisions and conditions as set forth in said instrument, over, under and across the land described as follows:

Commencing at the South quarter corner of said Section 31; thence North 01°06'12" East 1543.81 feet to a brass cap monument marking the Southeast corner of said Tract 6; thence North 89°15'42" West 98.79 feet along the South boundary of said Tract 6 to the real point of beginning; thence North 45°04'45" East 97.57 feet; thence North 40°55'25" East 270.29 feet; thence North 23°09'07" East 129.75 feet; thence North 06°24'36" East 57.83 feet to an intersection with the South boundary of the above described parcel and the point of terminus of said easement.

SUBJECT TO:

An easement reserved in the document recorded on the records of Clearwater County, State of Idaho, on January 9, 1995, as Instrument No. 168080 and re-recorded on January 17, 1995, as Instrument No. 168134.

An easement for ingress, egress and utilities granted to Clearwater Power Company, recorded on the records of Clearwater County, State of Idaho, on November 16, 1995, as Instrument No. 170599.

TO HAVE AND TO HOLD the said premises with their appurtenances, unto the said Grantee and to the

WARRANTY DEED...

CHENOWETH, TYLER & SNYDER
501 4th Street
PO Box 626
Kamiah, Idaho 83536
Telephone: (208) 935-2001
Facsimile: (208) 935-2007

1 over

MICROFILMED

SEP 22 2003

Grantee's heirs and assigns forever. And the Grantors do hereby covenant to and with the Grantee , that the described real property is free from all encumbrances, except as above described, and that Grantors will warranty and forever defend the title thereto against all lawful claims and demands whatsoever.

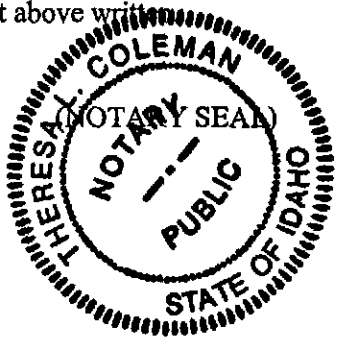
DATED this 27th day of September, 2002.

Tony C Phillips
TONY C. PHILLIPS

STATE OF IDAHO)
) ss.
County of Clearwater)

On this 27th day of September, 2002, before me, the undersigned notary public, personally appeared TONY C. PHILLIPS, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that she executed the same .

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Theresa Coleman
NOTARY PUBLIC FOR IDAHO
Commission expires: 6/6/08

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 86-07344

Priority: August 8, 1995

Maximum Diversion Rate:
Maximum Diversion Volume:

0.01 CFS
1.2 AF

This is to certify, that TONY C PHILLIPS
PO BOX 1791
OROFINO ID 83544

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated August 8, 1995; and
has submitted Proof of Beneficial Use on November 14, 1996. An examination indicates
that the works have a diversion capacity of 0.010 cfs of water from:

UNNAMED STREAM tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.01 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 31, Township 37N, Range 01E
CLEARWATER County

PLACE OF USE: DOMESTIC
TWN RGE SEC
37N 01E 31 NWSE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 30TH
day of JUNE, 1997.

Acting for KARL J. DREHER Director

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 0036979
Receipt By: KE
Date Received: 11-14-96

RECEIVED

AUG 09 1966

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. 86-0734,4 Telephone No. 208 916 1108

2. Name(s) of Permit Holder(s): Tony C Phillips

3. Mailing Address: P.O. Box 179 Orono, ME 04468

4. Source of Water: Groundwater ☒ **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: _____

6. Total rate of diversion and/or volume for which proof is submitted: 77 cfs OR 2.1 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

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

Has the measurement port been installed? Yes or No

8. Fee Enclosed: \$ 0 (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: Tony Phillips Telephone Number: 208 476 7102

Address: PO Box 179, Portland, ME 04101

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: [Signature] Date: 8/12/96
(include your title, if on behalf of company or organization)

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 86-07344

Proposed Priority: August 8, 1995

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **TONY C PHILLIPS**

PO BOX 234

KOOSKIA ID 83539-0234

has applied for a permit to appropriate water from:

SPRING

tributary of **SINKS**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 31, Township 37N, Range 01E

NWSE , Sec. 31, Township 37N, Range 01E

CLEARWATER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

37N 01E 31

NESW

NWSE

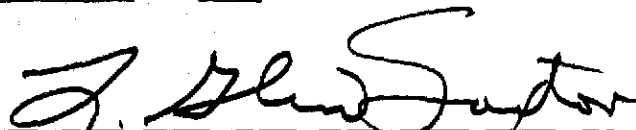
CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1996.**
2. Subject to all prior water rights.
3. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Witness the signature of the Director, affixed at Boise, this

18 day of October, 1995.


for
Karl J. Dreher, Director



NOV 16 1995

RECEIVED

OCT 12 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 86-7344

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant

Tony C Phillips

work 926 4242
msg 208 936 0953
Phone ~~208 936 7518~~

Post office address

P.O. Box 234 Koodsia, Id. 83539

2. Source of water supply

SPRING

which is a tributary of

SINKS

3. Location of point of diversion is

NE

1/4 of SW

1/4 of ~~SW~~

1/4, Govt. Lot

Sec. 31

Township

37 N

Range

1 E

B.M.

Clearwater

County; additional

points of diversion if any:

NW 1/4 SE 1/4, Sec. 31, T. 37N., R. 1E.

4. Water will be used for the following purposes:

Amount

0.04

for Domestic

purposes from

Jan. 1

to Dec. 31

(both dates inclusive)

Amount

for

purposes from

to

(both dates inclusive)

Amount

for

purposes from

to

(both dates inclusive)

Amount

for

purposes from

to

(both dates inclusive)

5. Total quantity to be appropriated is (a)

0.04

and/or (b)

cubic feet per second

acre feet per annum

6. Proposed diverting works:

Do not wish to dig up spring

of spring will

a. Description of ditches, flumes, pumps, headgates, etc.

Gravity Flow to

600 gal Tank. Then 1/2 hp pump w/

Pressure tank to Home 325 ft away

b. Height of storage dam

6'

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?

NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

1 year

years (minimum 1 year).

Note: 6 will not attempt to dig up spring
will keep flow natural. Fill Tank & overflow
excess water back into Grand, Along natural
Flow line

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.

e. Other; describe fully.

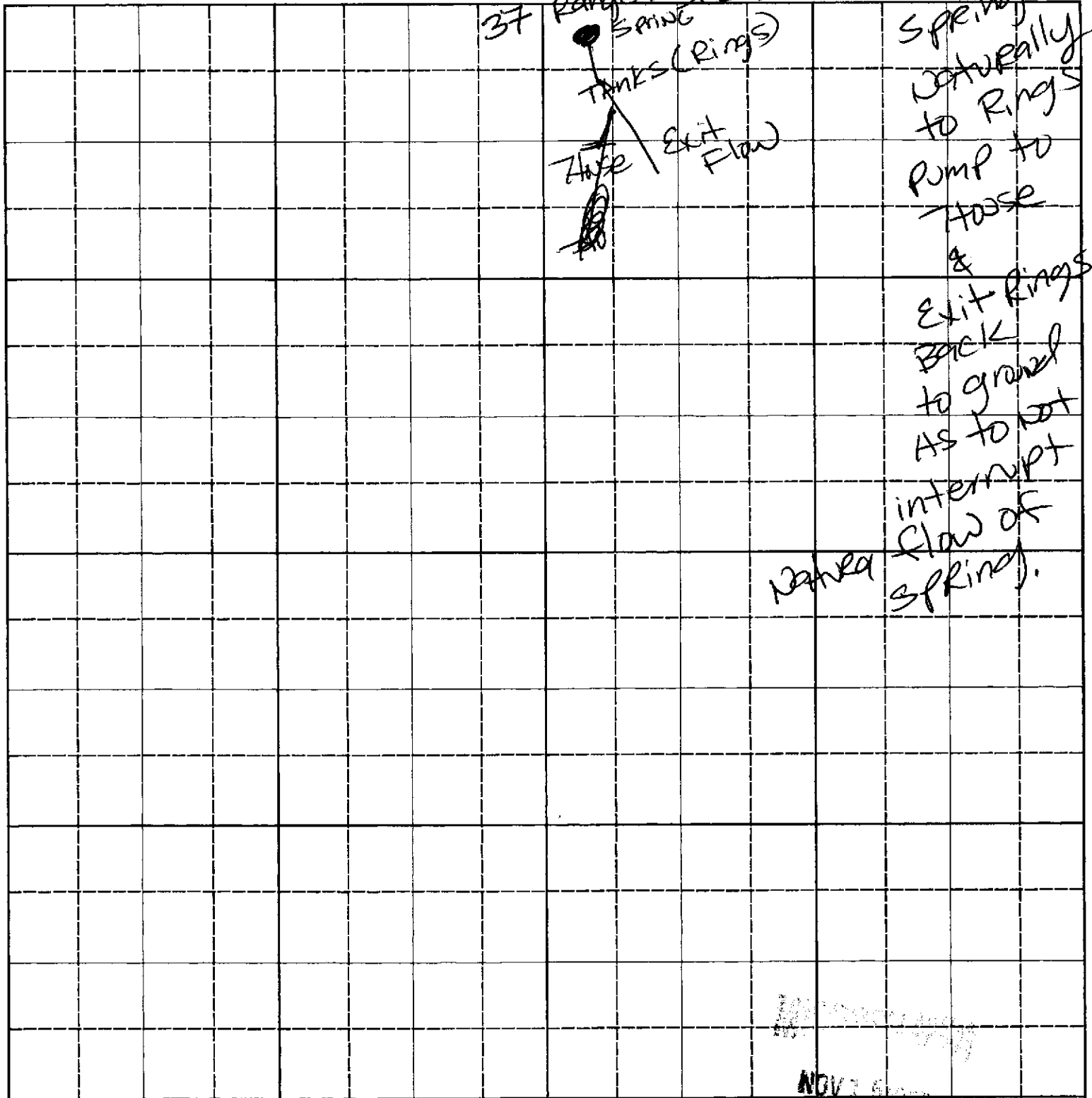
9. Description of place of use:

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	RANGE	SEC.	NE 1/4			NW 1/4			SE 1/4			SW 1/4			NE 1/4			NW 1/4			SE 1/4			SW 1/4			TOTALS
			NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	
37N	1E.31																										

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.

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.

Tom C. Phillips
(Applicant)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by Wes Date 8/8/95 Time 1:30 p
Fee \$ 50.00
Received by Wes # N-9322 Date 8/8/95
Publication prepared by Wes Date 8/7
Published in Wes Date 9/7 + 14/95
Publication approved Wes Date 10/4/95

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: _____

NOV 1 6 1995



RESTON, VIRGINIA—1991



QUADRANGLE LOCATION

1	9	2	1 Texas Ridge
---	---	---	---------------

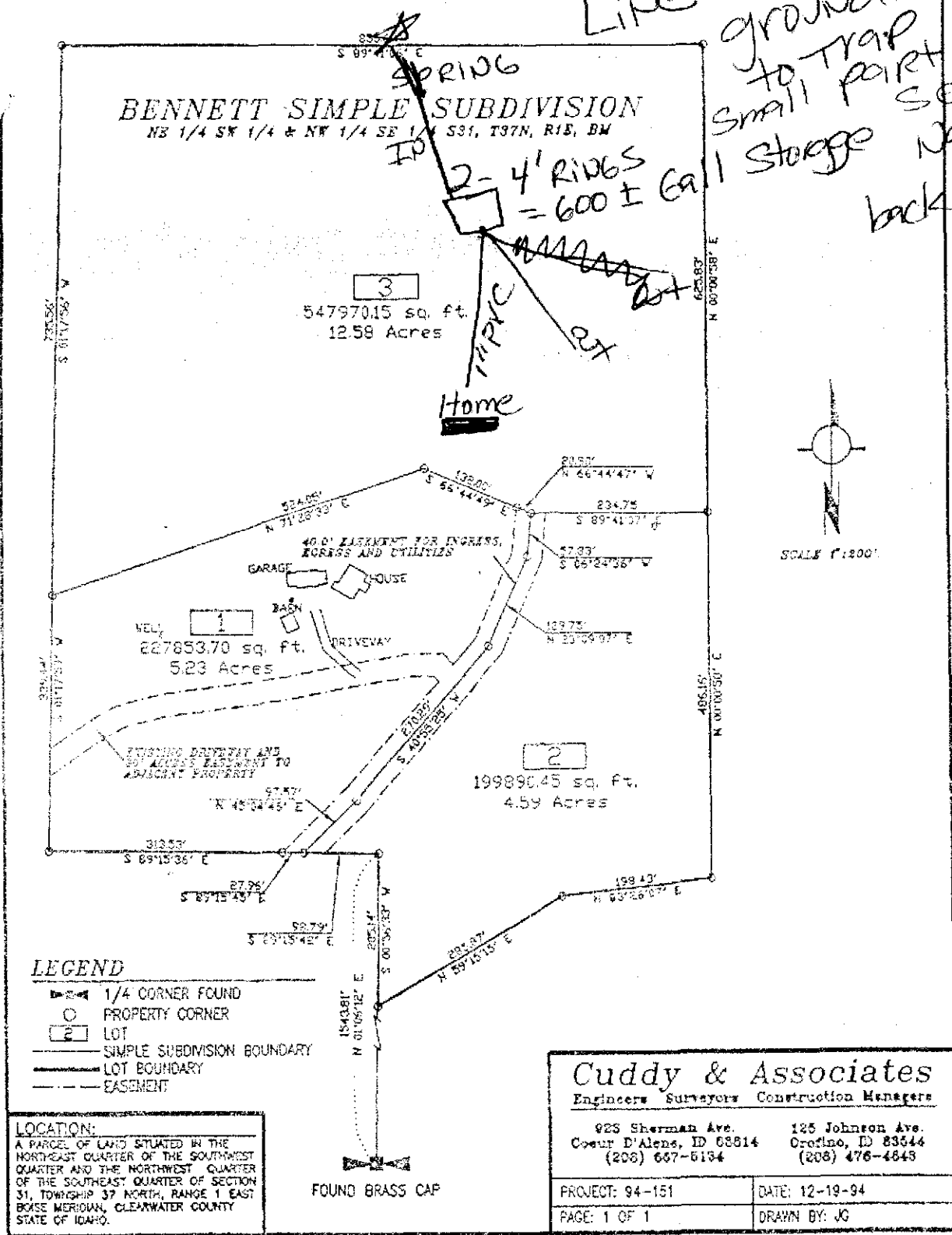
ROAD LEGEND

- Improved Road
- Unimproved Road
- Trail

- Interstate Route
- U. S. Route
- Trail

BY THE UNITED STATES GEOLOGICAL SURVEY
 USGS AND NOS/NOAA
 OM AERIAL PHOTOGRAPHS TAKEN.....1957
 4 AERIAL PHOTOGRAPHS TAKEN.....1987
 ED.....1988. MAP EDITED.....1990
 TRANSVERSE MERCATOR
 TER UNIVERSAL TRANSVERSE MERCATOR.....ZONE 11
 FOOT STATE GRID TICKS.....IDAHO, WEST ZONE
 CLINATION.....0°30' EAST
 C NORTH DECLINATION.....18°00' EAST
 NM.....NATIONAL GEODETIC VERTICAL DATUM OF 1929

Note: The Spring runs into my property already. I wish to trap only a small part & send rest back into ground. I wish to trap only a small part & send rest back into ground.



Continued

EXHIBIT A

SITUATE IN THE COUNTY OF CLEARWATER, STATE OF IDAHO, TO-WIT:

A parcel of land situated in the Northeast quarter of the Southwest quarter and the Northwest quarter of the Southeast quarter of Section 31, Township 37 North, Range 1 East, Boise Meridian, Clearwater County, Idaho, more particularly described as follows:

Commencing at a brass cap monument marking the South quarter corner of said Section 31; thence N 01°06'12" East 1543.81 feet to a brass cap monument marking the Southeast corner of that particular parcel called Tract 6 in a 1973 Survey by Archambault & Van Bargaen; thence N 89°15'38" West 440.28 feet along the South boundary of said Tract 6 to a brass cap monument marking the Southwest corner of said Tract 6; thence N 01°17'59" East 339.44 feet along said West boundary of Tract 6 to a 5/8" steel pin marking the Real Point of Beginning; thence N 71°28'33" East 524.05 feet along an existing fenceline to a 5/8" steel pin; thence S 66°44'49" East 132 feet to a 5/8" steel pin lying on the Westerly right-of-way of a 40.00 foot wide access easement; thence S 66°44'49" East 20.90 feet to the centerline of an existing access road easement; thence S 89°41'06" East 234.75 feet to an intersection with the East boundary of that parcel called Tract 7 in a 1973 Survey by Archambault & Von Bargaen; thence N 00°00'58" East 625.83 feet more or less, to a brass cap monument marking the Northeast corner of said Tract 7, and lying on the East-West center section line of Section 31; thence N 89°41'06" West 855.64 feet along the North boundary of said Tracts 6 and 7 and said center section line to a brass cap monument marking the Northwest corner of said Tract 6; thence S 01°17'56" West 735.56 feet along the West boundary of said Tract 6 to a 5/8" steel pin marking the Real Point of Beginning.

PARCEL 2:

Easement for the benefit of Parcel 1 as created by Warranty Deed dated January 9, 1995 and recorded January 9, 1995 as Instrument No. 168081 for ingress and egress, subject to the terms, provisions and conditions as set forth in said instrument, over, under and across the land described as follows:

Commencing at the South quarter corner of said Section 31; thence North 01°06'12" East 1543.81 feet to a brass cap monument marking the Southeast corner of said Tract 6; thence North 89°15'42" West 98.79 feet along the South boundary of said Tract 6 to the real point of beginning; thence North 45°04'45" East 97.57 feet; thence North 40°55'25" East 270.29 feet; thence North 23°09'07" East 129.75 feet; thence North 06°24'36" East 57.83 feet to an intersection with the South boundary of the above described parcel and the point of terminus of said easement.

NOV 15 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 1, 2002

IRA FACKENTHALL
BONNIE FACKENTHALL
PO BOX 82
AHSAHKA ID 83520

RE: Change of Ownership for Water Right 86-7344

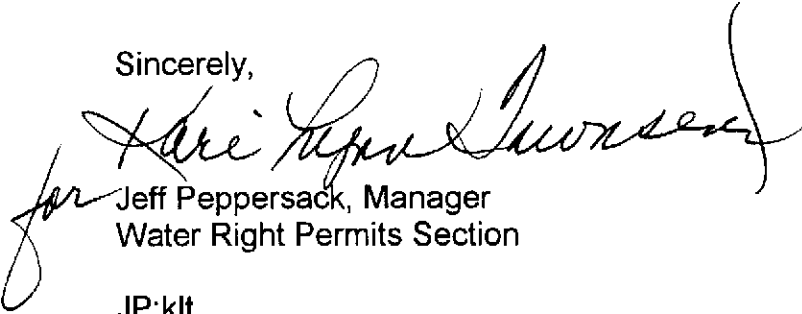
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

SEP 22 2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

RECEIVED
OCT 31 2002
Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 29, 2002

IRA OR BONNIE FACKENTHALL
PO BOX 82
AHSAHKA ID 83520

Re: Water Right 86-07344

Dear Mr. and Mrs. Fackenthall:

This acknowledges receipt of the Notice of Change in Water Right Ownership papers for the above referenced water right, changing the ownership to you. Enclosed is receipt No. N015350 for your records.

We are forwarding the paperwork to the State Office for processing.

If you have any questions, please contact KariLynn Townsend in our State Office, at 208-327-7941.

Sincerely,

Dianne Ball
Administrative Assistant

Enc.

db

cc: KariLynn Townsend, IDWR State Office, Boise

MICROFILMED
SEP 22 2003

RECEIVED

JAN 06 1999

Department of Water Resources

Phone# 208-476-3951

REF. 86-07344

Cari, Per TELECON 12/31/98

My New Mailing Address IS

4429 Hall ROAD

Lenore, ID. 83541

This is The Address were
The Licensed Spring is being
Used. Also I DO HAVE my
Place up for Sale and would
like you to SEND FORMS FOR
Change of ownership if
Possible, THANK X

Tommy Phillips

1-6-99 - WR2 data base updated - KST

MICROFILMED

SEP 22 2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

July 1, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TONY C PHILLIPS
PO BOX 1791
OROFINO ID 83544

RE: WATER RIGHT NO. 86-07344

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

NOT RECORDED

JUN 10 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

JUN 10 1936

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of July, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 86-07344

TONY C PHILLIPS
PO BOX 1791
OROFINO ID 83544


Kari Lynn Townsend
Secretary

JUN 10 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 86-07344

DATE 6/30/97

REVIEWER: SHARLA

NAME Change OK ✓

Address Change NO

SOURCE ✓

Is change clarification of originally intended source? yes no amend
If not, prepare Notice of Intent to Void reg'd
Amendment required NO

POINT OF DIV ✓

PLACE OF USE ✓

Amendment required NO

Does map agree with written description? ✓ yes no

OVERLAPS P/D P/U

RATE OF DIV

Permitted Rate .04 cfs
Fee limit .20 cfs \$50⁰⁰
Measured .01 cfs
Theoretical cfs

Recommended Total Div Rate .01 cfs

ANNUAL VOLUME/
NATURE OF USES

Use ✓

	Volume Calculation
<u>Dom</u>	<u>1.2</u> af
<u> </u>	<u> </u> af
<u> </u>	<u> </u> af
<u> </u>	<u> </u> af
SUBTOTAL	<u> </u> af

Flow rate .01 cfs X 365 days X 1.9826 = 7.2 af
Total volume recommended 1.2 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

D/I home.

CONDITIONS Watermaster Control WD#

 GW Measurement/Measuring Device

 Overlap

 Use-specific conditions

Advancement of Priority Date Required yes ✓ no

SRBA Claim Filed NA
Adjustment Memo

1st Amend Letter NA
2nd Amend Letter

RECEIVED
JUN 12 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

86-07344

Department of Water Resources
A. GENERAL INFORMATION

Permit No.

1. Owner: Tony C Phillips Phone No. (208) 476-7102

Current Address: P.O. Box 1791

2. Accompanied by: Tony Phillips EXAM DATE: 5-21-97

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Unnamed stream tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 86-07109

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
	M/A		NW	SE	31	37N	01E	Clearwater	U.S.G.S 7.5 min Quad

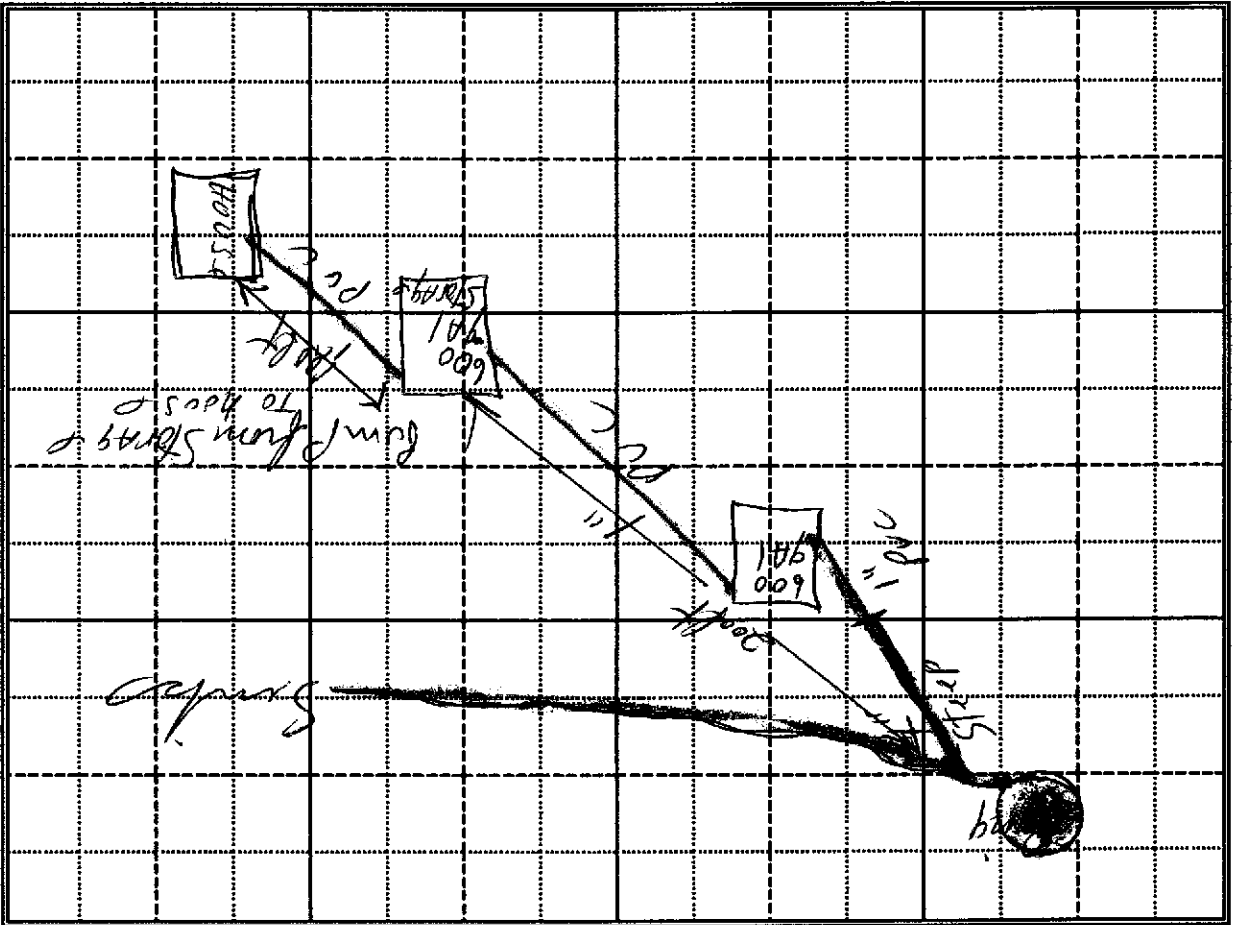
2. Place(s) of Use:

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	
37N	01E	31													D				

FILED
JUN 10 1998

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



Scale: 1" = 100'

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

JUN 10 1983

E. NARRATIVE/REMARKS/COMMENTS

Changed source from spring to unnamed stream. Spring surfaces and flows overland approx four hundred feet before it sinks. Mr. Phillips has a four in steel pipe diverting approx 200 ft from origin. The 4" steel pipe runs approx 10 ft and is reduced to 1" PVC where it enters a 600 gal. Tank used for settling. The inlet is in bottom and the outlet is at top. From there 1" PVC approx 100 ft to a 600 gal storage tank. At this point a pump delivers to house.

Notice: PD & PC are both in NWSE

Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED
JUN 10 1983

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$\begin{aligned} &5 \text{ gal bucket} \\ &5 \text{ gal} \times 7.5 \text{ sec} = 49 \text{ in} \\ &4 \times 1.133681 = .01 \text{ cfs} \\ &60 \end{aligned}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$\begin{aligned} V_{IR} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \\ V_{DR} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \\ V &= \text{Smaller of } V_{IR} \text{ and } V_{DR} = \end{aligned}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic

Period of Use

From 01-01 To 11-31

Rate of Diversion

Q (cfs) .01

Annual Volume

V (afa) 1.2

2. Recommended Amendments

☒ Change P.D. as reflected above
☒ Change P.U. as reflected above

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

I. AUTHENTICATION

Field Examiner's Name

Wayne Belcher

Date

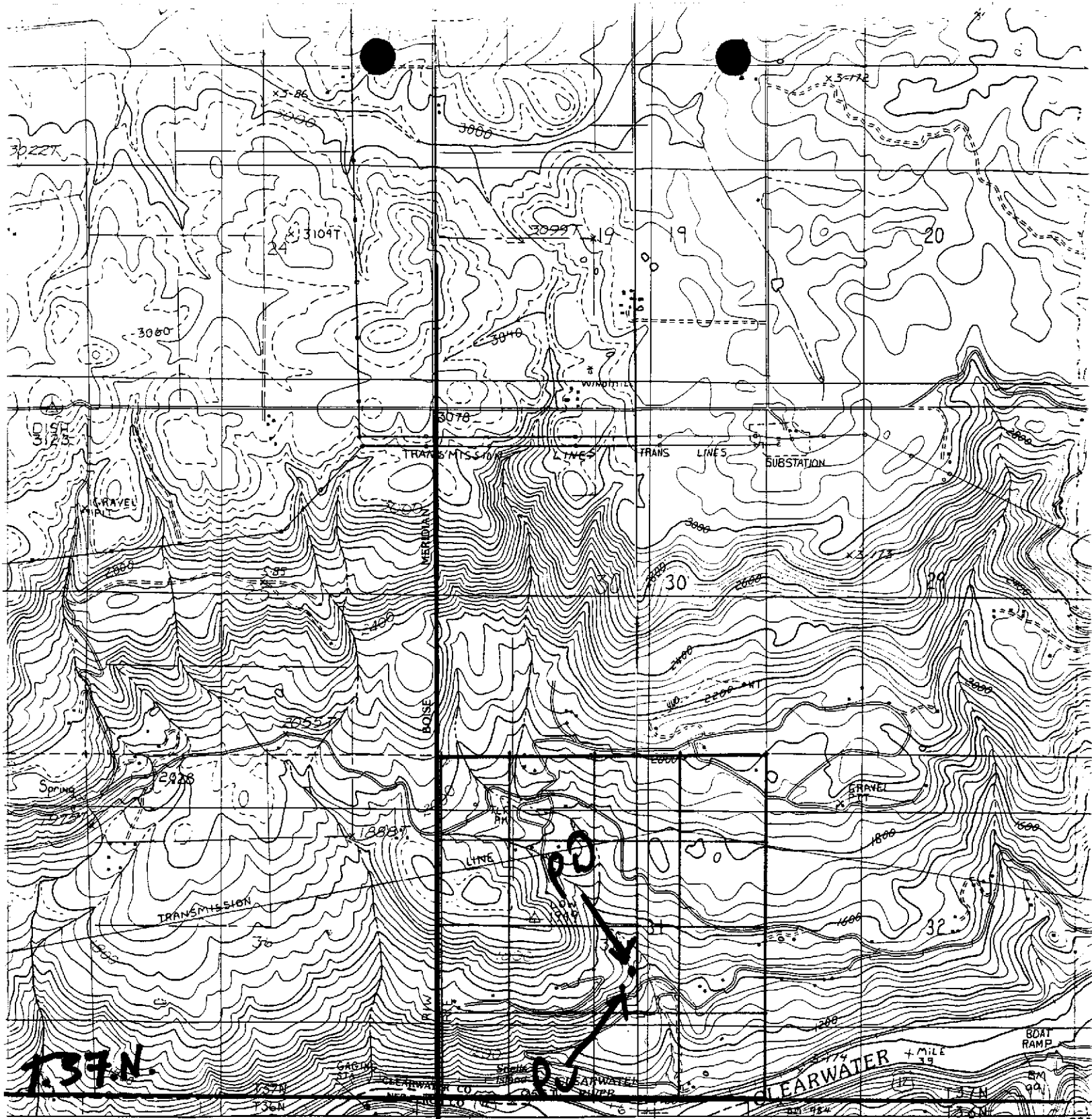
6-11-87

Reviewer

Date

SEAL

JUN 10 1988



T.37N.
T.36N.



QUADRANGLE LOCATION

1	2	3	1 Texas Ridge
			2 Park
			3 Aldermend Ridge
4		5	4 Lenore
			5 Ahsahka
			6 Gifford
6	7	8	7 Peck
			8 Orofino West

ROAD LEGEND

- Improved Road
- Unimproved Road
- Trail

- Interstate Route
- U. S. Route

BY THE UNITED STATES GEOLOGICAL SURVEY
USGS AND NOS/NOAA
FROM AERIAL PHOTOGRAPHS TAKEN.....1957
FROM AERIAL PHOTOGRAPHS TAKEN.....1987
(EDITION 1988) MAP DATED.....1990
METER UNIVERSAL TRANSVERSE MERCATOR
0-FOOT STATE GRID TICKS.....IDAHO, WEST ZONE
DECLINATION.....0°30' EAST
MAGNETIC NORTH DECLINATION.....18°00' EAST
DATUM.....NATIONAL GEODETIC VERTICAL DATUM OF 1929
on the predicted North American Datum of 1983
projection lines as shown by dashed corner ticks
5 north and 76 meters east)
may be private inholdings within the boundaries of any
or State reservations shown on this map

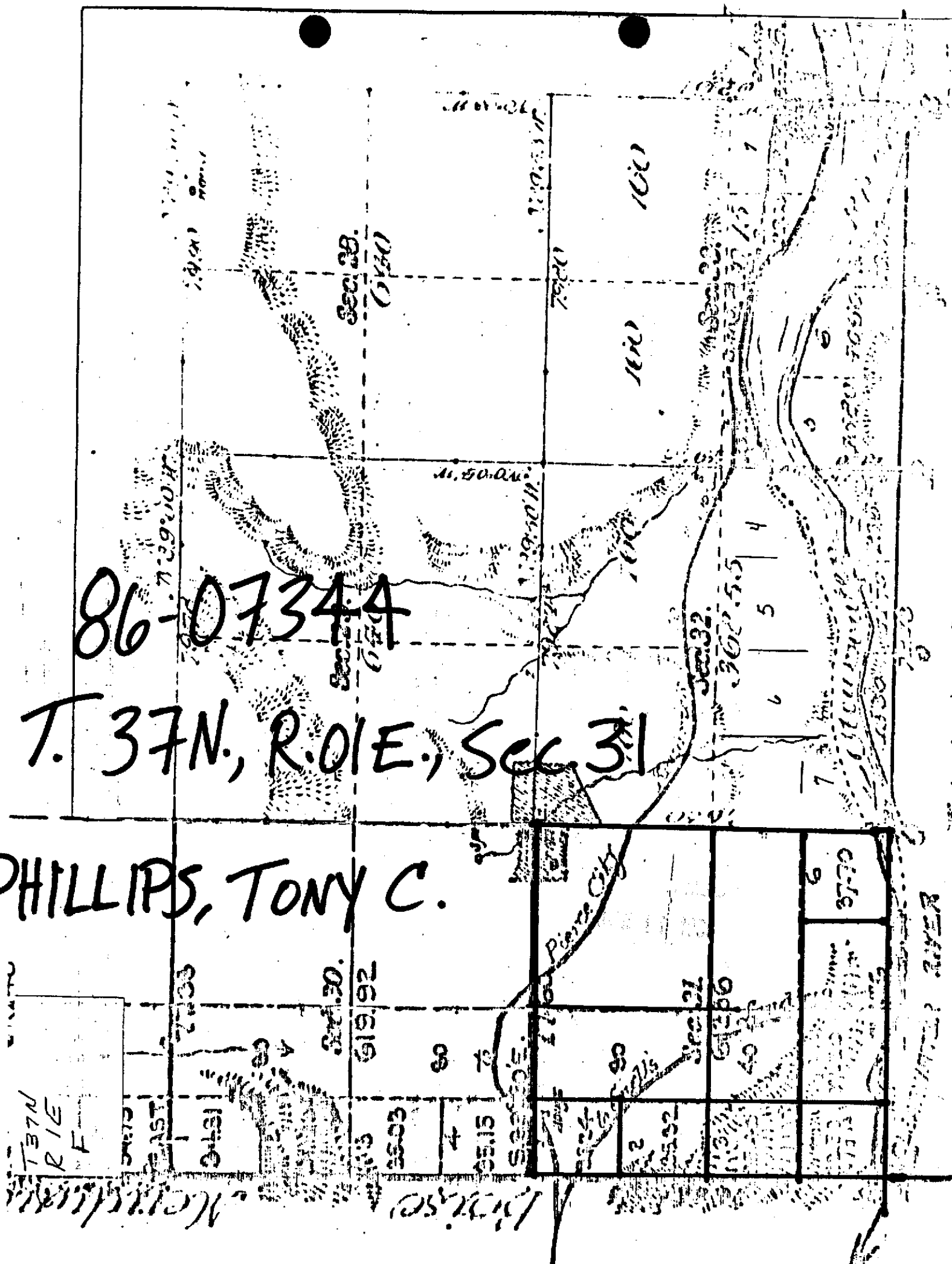
86-07344
T.37N., R.01E, sec.31
SOUTHWICK
PROVISIONAL EL

PROV
Produce
manuscr
information

86-07344

T. 37N, R. 01E, Sec 31

PHILLIPS, TONY C.





PD

600 gal
settling
tank

600 gal
storage
pump house

PV

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 86-07344 Reviewed by [Signature] Date 11.14.96

GENERAL CONSIDERATIONS

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

TYPES OF USE

dom.

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?
50- Amount Submitted
yes 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 P.O. Box 1794 Proof Made 8.9.96
Orfino, Id. 83544



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 20, 1996

TONY C PHILLIPS
PO BOX 1791
OROFINO ID 83544

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 86-07344

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Please be advised that Section 42-248, Idaho Code, which became affective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

If you have questions concerning the field examination, contact the **NORTHERN** Regional Office in Coeur d'Alene, at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MICROFILMED

MAY 11 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

October 11, 1996

Tony C. Phillips
P.O. Box 1791
Orofino, ID 83544

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Permit No. 86-07344

Dear Permit Holder:

I have returned a copy of the Proof of Beneficial Use Statement you submitted in connection with the above referenced water right. The proof form is not acceptable until it is accompanied by the appropriate license examination fee.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license examination fee. They are:

1. The water right must use a **groundwater** (well) source, **and**;
2. The rate of diversion must be .04 cfs or 4.0 AF or less.

You do not meet requirement #1 since you divert water from a surface water source (spring.) Therefore, a license examination fee of \$50.00 applies to the permit.

Please return the copy of the proof form along with the \$50.00 license examination fee to my attention within thirty (30) days of receipt of this letter. Additionally, I have returned the proof you submitted October 3, 1996, since the department did receive, and has on file the proof you submitted in August.

If you have any questions regarding this matter, please contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

MICROFILMED
MAR 11 1997

9/26/96

~~I~~ Filed Proof of Use

I believe in August 1996, At which
Time my system was in use. I
am ~~now~~ adding another 600 gallon
Tank as a Filter to my existing
560 gallon cement Rings. This will
give my 1100-1200 gallons MAX
in storage. Is this acceptable?
Also I am submitting another
Proof Form in case the first
one was lost in the mail.

~~Be~~ Sincerely

Paul H. [Signature]

MICROFILMED

MAR 11 1997

To my knowledge I
was a friend 2 yrs Not Tyr
to provide use of ground water
however I have Semi-Develped
system for grey water use and
and would like to filter system
for drinking within 1 more year.

Also Note Address Change

PO Box 1791

Ordering Id. 8354 &

Thank

Jimmy Ph

MICROFILMED

MAR 11 1957

July 31, 1996

TONY C PHILLIPS
PO BOX 234
KOOSKIA ID 835390234

PROOF DUE NOTICE

RE: PERMIT NO. 86-07344

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1996.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

MAR 11 1997

CERTIFIED MAIL

NO. 142887



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 18, 1995

TONY C PHILLIPS
PO BOX 234
KOOSKIA ID 83539-0234

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 86-07344

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED

NOV 16 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 86-7344 Name: Phillips Date: 10/13/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: N 9322 Priority: 8/8/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? 42-111 exempt No/Yes SLC Mor GWMA Trust/Non-trust
PROTESTED: - 020 (Protest Agr) or W19 (See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065 (if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. , P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

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

Water District (~~dem~~) - 005 (req) WD # <SEE MAP & LISTING>
+ 0.2 cfs - 028 (may report) - 01J (meas dev) - P08
=/- 0.2 cfs - 028 (may report) - 01H (lock dev) - P01 or No MD
=/+ 5 a. irr. - 028 (may report)
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic (surface) - 021 (Boise R ↑ L Peak); 27A (Payette R); NA
Fish Propagation - 07A-042 (rq) - 010/06A/09E (WQ) - P10; 044 (N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F (P19) - 09E (P10);
+25 cfs-P18; 17G (FERC) or 17M (FERC); 18B-P09
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - 3 <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

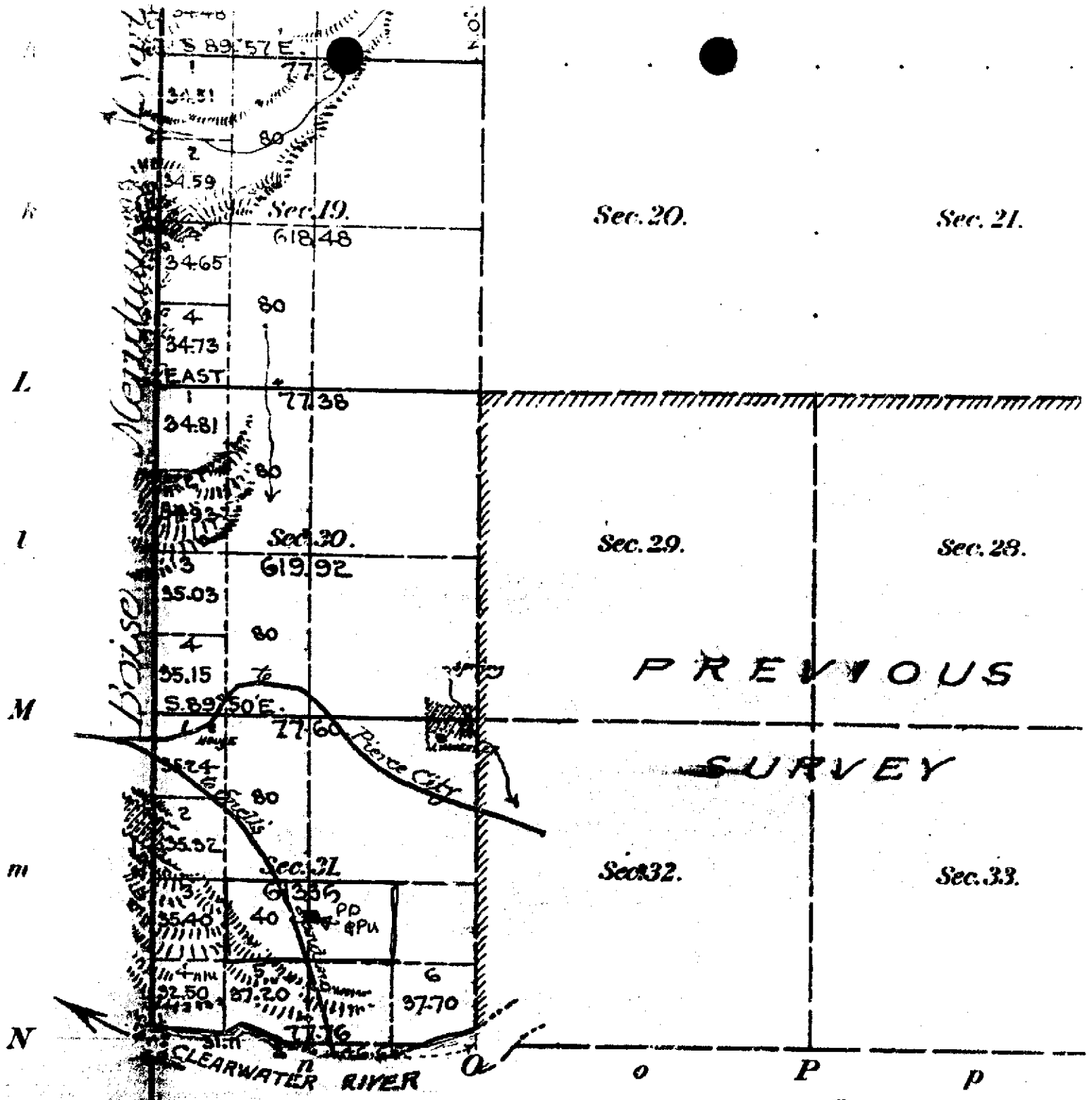
STANDARD REMARKS:

① wot/

BENEFICIAL USE DUE:

10-1-1996

COMMENTS:



Total number of Acres

Surveys Designated	By Whom Surveyed	Date of Contract Special Instructions	Amount of Surveys M. Ch. Lk.			When Surveyed
Township lines						
Subdivisions	Edson D. Briggs	October 31-1894	4	38	80	Dec. 31-1894
Connections			0	26	10	
Meanders			0	34	10	

NOV 16 1895

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

WR1
BC
Wagner

APPLICATION # 86-7344

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

APPLICANT: PHILLIPS BY: AS DATE: 8/8/95

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
☒ Nature of Proposed Use
☒ Period of Use
5. ☒ Total Quantity
6. ☒ Description of diverting works
7. ☒ Time required for b/u
8. ☒ Proposed use
9. ☒ Place of use or acres irrigated
10. ☒ Other Water Rights
11. ☒ Ownership
13. ☒ Map
☒ Signature
☒ Fee (Amt, recpt, acknowledgment)

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

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

PRIORITY DATE: 8/8/95

☒ (Include Moratorium Remark)

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

CT/John/ok

ADVERTISE IN: CLEARWATER 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)

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

Checked by: _____ Date: ____/____/____

Remarks: _____

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

(Yes) (No)

- ____ Notice of pending void order issued. Final order response date: ____/____/____
____ Further information required from applicant
10/4 ☒ Affidavit of publication received
10/4 ☒ Application published correctly, If not, record action taken: _____
8/30 ☒ Publication dates and paper recorded on application | Sr. Agent initial AS
☒ Protests received. Final protest date: 9/25/95
☒ Measuring device required
☒ Measuring port required
☒ Special conditions: _____
____ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AS

RECEIVED
OCT 12 1995

Date: 10/5/95

Department of Water Resources

AFFIDAVIT OF PUBLICATION

RECEIVED

OCT 04 1995

NOTARY PUBLIC
IDWR

STATE OF IDAHO)
) ss.
County of Clearwater)

Bonnie M. Bessent

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of:

Notice of Application For Water Stream

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full period of two consecutive issues commencing on the 7th day of September 1995 and ending on the 14th day of September 1995

STATE OF IDAHO)

COUNTY OF CLEARWATER)

On this 18th day of September in the year of 1995, before me, a Notary Public, personally appeared Bonnie M. Bessent known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Pamela A. Jones
Notary Public for Idaho
Resident at Orofino, Idaho
My commission expires: 11-20-95

NOTICE OF APPLICATION FOR WATER RIGHT

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

84-07288

OROFINO CEMETERY DISTRICT
P.O. BOX 49

OROFINO, ID 83544

Source: GROUNDWATER

Diversion Pt: NENE Sec 7 T 36N

R 02E in CLEARWATER County.

Use: IRRIGATION (0.240 CFS)

Total Diversion: (0.240 CFS)

Date Filed: 8/28/1995

In: CLEARWATER County

T36N R01E S12 NENE SENE

R02E S07 NWNW SWNW

12.0 ACRES TOTAL

86-07344

PHILLIPS, TONY C

P O. BOX 234

KOOSKIA, ID 83539

Source: SPRING

Tributary: SINK

Diversion Pt: NESW Sec 31 T

37N R 01E in CLEARWATER

County.

NWSE SEC 31 T 37N R 01E in
CLEARWATER County.

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 8/ 8/1995

In: CLEARWATER County

T37N R01E S31 NESW NWSE

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before SEPTEMBER 25, 1995.

KARL J. DREHER,
Director
9-7,14C

NOV 16 1995

86-07344

PHILLIPS, TONY C
P O BOX 234
KOOSKIA, ID 83539

Source: SPRING

Tributary: SINKS

Diversion Pt:	NESW	Sec 31 T 37N R 01E in CLEARWATER County.
	NWSE	Sec 31 T 37N R 01E in CLEARWATER County.

Use: DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.040 CFS)

Date Filed: 8/ 8/1995

In: CLEARWATER County		
T37N R01E S31	NESW	NWSE

UNRECORDED

NOV 16 1995

September 1, 1995

Tony C. Phillips
P O Box 234
Kooskia, ID 83539

Subject: Water Appropriation Application for Permit Number 86-07344

Dear Mr. Phillips:

The Idaho Department of Water Resources hereby acknowledges receipt of the above-referenced Application for Permit to appropriate the Public Waters of the State of Idaho. Enclosed is Receipt Number N009322. To assist us in providing you with prompt, accurate service, please refer to the above Application for Permit Number in all future matters concerning this water right application.

Your Application for Permit is currently being prepared for advertising in the local county newspaper. The advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for submittal of protests.

If your application is not protested, it will be forwarded to Boise for processing. Normal processing time is approximately 3 to 4 months, if the application is not protested. If your Application for Permit is protested, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before your Application for Permit can be approved. If the protest is not resolved, this Department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State Office in Boise.

If your Application for Permit is for a well (groundwater) that was constructed after July 1, 1987, you must apply for a well drilling permit upon approval of your Application for Permit if no permit was obtained by previous owners to construct the well. Well Drilling Permits can only be issued by this office to holders of approved Applications for Permit.

If I can be of further assistance, please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resource Agent
Enc. - Receipt

AB:db

NOV 16 1995