

A topographic map showing contour lines, a road, and a well labeled 'Braun Well'. The map includes a 'RECEIVED' stamp dated 'AUG 25 2003' from 'IDWR/North'. A dashed line is labeled 'BDY'. A benchmark is marked 'BM 1203'. A well is circled and labeled 'Braun Well'. The map also shows a river and various buildings.

BDY

Braun Well

BM 1203

Scale 1 : 5,200

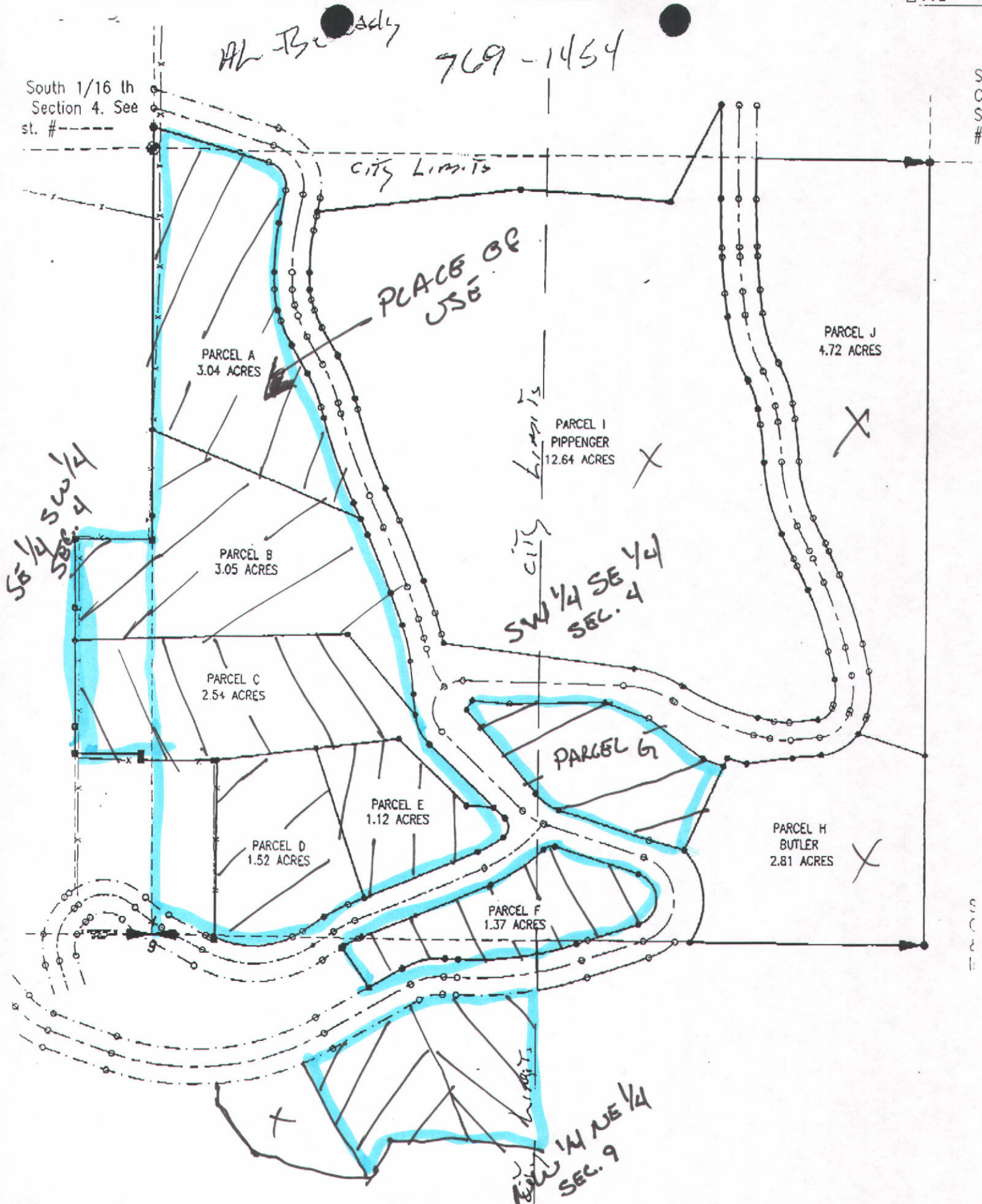
1" = 433 ft

DELORME

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Zoom Level: 15-0 Datum: NAD27

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2004 1 5 2004



SECTION 4,
"FAST DRUG MEDICATION"

OTHER DOCUMENTS PREPARED THIS SURVEY

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 25 2004

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.

1. Permit No. 84-12144 Telephone No. 208-476-3666
2. Name of Permit Holder(s): David L. and/or Jeanette Sue Braum
3. Mailing Address: P.O. Box 484
City Orufino State Ida Zip 83544
4. Source of Water: Ground Water (Well) **GROUNDWATER** (well), Date Drilled: mo. 6/21 yr. 03
Well Driller: Scott Braum
Agua Drilling & Exploration Inc. Drilling Permit Number: 785222
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 9 Stockwater (No. and type of stock): 40 Head of mixed stock
Irrigation (No. of acres): 5 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.03 cfs OR 3.0 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
8. Fee Enclosed: \$ 50.00 (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: David L. Braum Telephone Number: 208-476-3165 office
208-476-3666 Hrs
Address: P.O. Box 484, Orufino, Idaho 83544 on 250 Braum Rd
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: David L. Braum
(include your title, if on behalf of company or organization)Date: 2-20-04

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JUN 15 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 84-12144

Priority: August 25, 2003

Maximum Diversion Rate: 0.16 CFS

This is to certify, that DAVID L BRAUN And/Or JEANETTE SUE BRAUN
PO BOX 484
OROFINO ID 83544

have applied for a permit to appropriate water from:

Source: GROUND WATER

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>
DOMESTIC	01/01 to 12/31	0.08 CFS
IRRIGATION	03/15 to 11/15	0.08 CFS
STOCKWATER	01/01 to 12/31	0.08 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER SW¼SE¼ Sec. 4, Twp 36N, Rge 02E, B.M., CLEARWATER County

PLACE OF USE: DOMESTIC & STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36N 02E 4												X				X	
36N 02E 9		X															

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36N 02E 4												.5				3.0	3.5
36N 02E 9		1.5															1.5
Total Acres: 5																	

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2005**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Domestic use is for 9 homes. Irrigation of lawn, garden and landscaping associated with the homes is authorized under the irrigation component of this right.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.

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JUL 15 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 84-12144

6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
7. Stockwater use is for 40 head mixed stock.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 12th day of February, 2004.


Acting for KARL J DREHER, Director

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JUL 15 2006

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FEB - 5 2004

70996

Ident. No. 84-12144

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
AUG 25 2003
IDWR/North

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant David L. and Jeanette Sue Braun Phone 208-476-3666
Mailing address PO BOX 484 Orofino Idaho 83544

2. Source of water supply ground water which is a tributary of _____

3. Location of point of diversion is Township 36N Range 2E Sec. 4, in the _____
SW $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot _____, B.M., Clearwater County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .08 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .08 for irrigation purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .08 for STOCK WATER purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .16 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source Well, Pump, pipe lines and
Storage Tank. (Pump 5hp) (Storage tank Approx 10,000 gal) (pipes 2" & 2 1/2")

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

c. Proposed well diameter is 10" inches; proposed depth of well is 563 feet

d. Is ground water with a temperature of greater than 85°F being sought? no

e. If well is already drilled, when? 6-21-03; Drilling firm Aqua Drilling & exploration Inc.;

Well was drilled for (well owner) Dave & Sue Braun; Drilling Permit No. Tag #00022544

7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. 40 HEAD OF MIXED RATTLEB STOCK

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. 9

e. Other; describe fully. Surveyed Parcels 1 acre to 3.5 acres per lot-A storage tank and water lines
and water lines stubbed to each lot.

MISSOULI

1 3 2004

3. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36N	2E	4											S				3		3.5
36N	2E	5											D				D		
													S				S		
36N	2E	9		1.5															1.5
				D															
				S															

Total number of acres to be irrigated 5

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? David L. and Jeanette Sue Braun

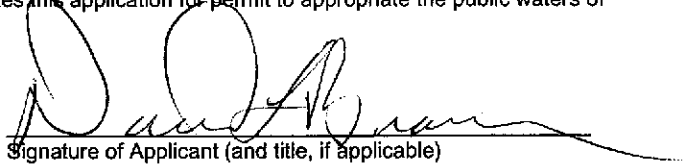
b. Who owns the land to be irrigated or place of use? _____

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: Applicant is applying for water for domestic use as well as water for animals and irrigation for yards and gardens.

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

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


Signature of Applicant (and title, if applicable)

Received by AB Date 8-25-03 Time 1:30 Preliminary check by AB
Fee \$ 100 Received by 2015868 # 00 Date 8-25-03
Publication prepared by AB Date 1/7/04 Published in Clearwater Trib 1/15+22/04
Publication approved AB Date 2/2/04

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IDWR/North

BBY

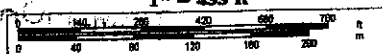
Braun Well

BM 1203

DeLORME

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Zoom Level: 15-0 Datum: NAD27

Scale 1 : 5,200
1" = 433 ft



AUG 25 2003

Al Braddy

769-1454

South 1/16 th
Section 4. See
st. #

S
C
S
#

CITY LIMITS

PLACE OF
JSE

PARCEL A
3.04 ACRES

PARCEL J
4.72 ACRES

PARCEL I
PIPPINGER
12.64 ACRES

PARCEL B
3.05 ACRES

PARCEL C
2.54 ACRES

PARCEL E
1.12 ACRES

PARCEL D
1.52 ACRES

PARCEL G

PARCEL H
BUTLER
2.81 ACRES

PARCEL F
1.37 ACRES

SW 1/4 SW 1/4
SEC. 4

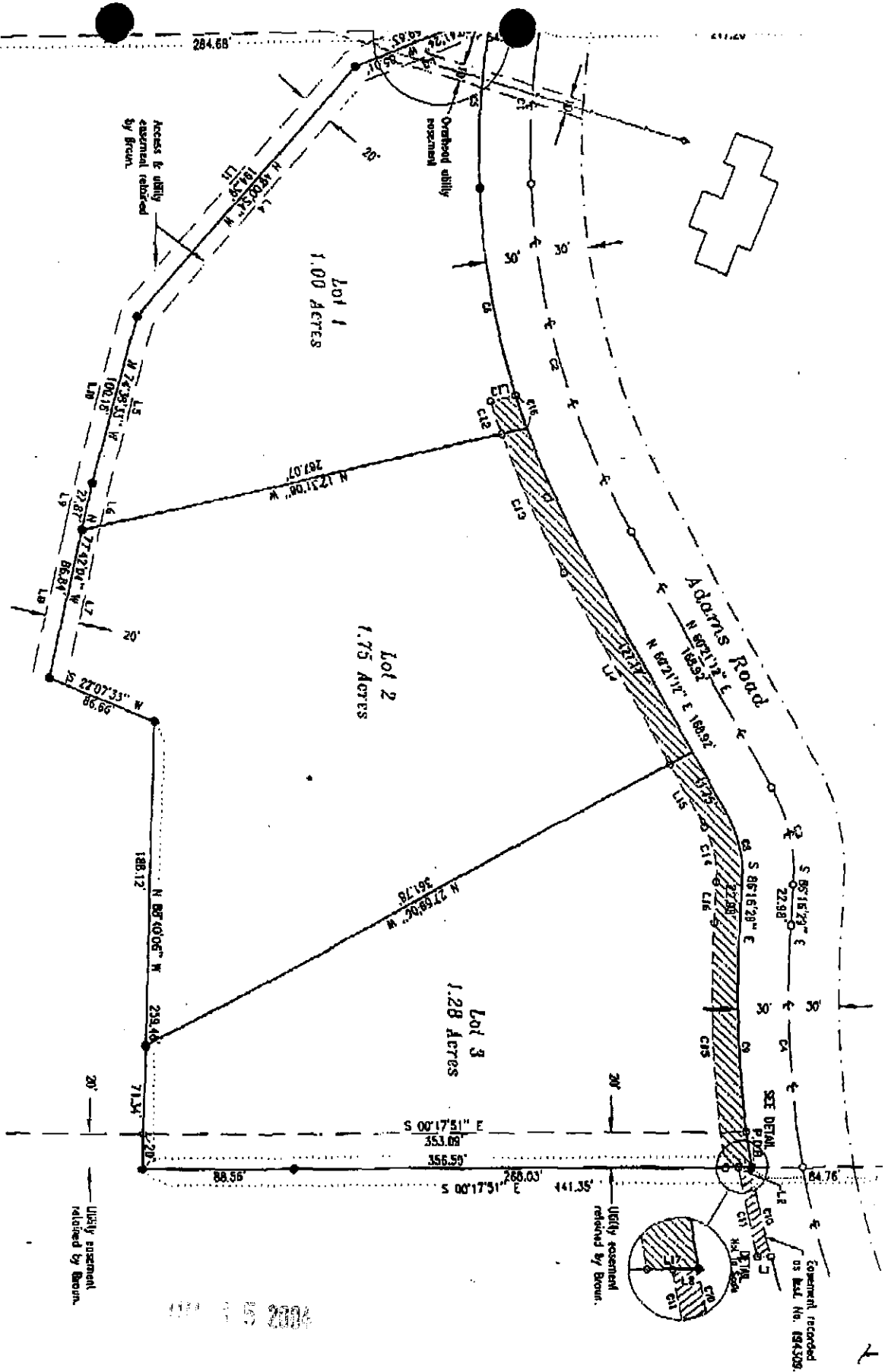
SW 1/4 SE 1/4
SEC. 4

NE 1/4 NE 1/4
SEC. 9





NOTE:
1. See survey certificate for value against Bloomington.
2. All lots are to be served by individual sewerage.





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

March 5, 2004

DAVID L BRAUN
JEANETTE SUE BRAUN
PO BOX 484
OROFINO ID 83544

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 84-12144

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.state.id.us.

If you have questions about the field examination, please contact the Northern Regional Office of the department in Coeur d'Alene at (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

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JUL 13 2004

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 84-12144

Reviewed By: dgibson

Date: March 4, 2004

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		785222
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		N015868, C072808	Well driller's report filed?	X	
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	02/25/2004
Date proof due	- 02/01/2005
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 08/25/2003
New priority date	= 08/25/2003

Deficiencies of Actions Items

Acknowledge proof. Proof states 0.03 cfs is rate of diversion which does not require a filing fee on a groundwater right. Permit was issued for 0.16 cfs, which is appropriate for the number of uses. Accept fee as being accurate and the field examiner can verify the correct diversion rate and if a refund is necessary, then it can be issued when the license is issued.

The pump test on the well log states 73 GPM, which equates to .16 cfs. Fee is appropriate. The proof must have been completed with the wrong info. dg

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only			
Inspected by _____			
Twp _____	Rge _____	Sec _____	
_____ 1/4	_____ 1/4	_____ 1/4	
Lat: _____	_____	Long: _____	_____

1. WELL TAG NO. D 0022544DRILLING PERMIT NO. 785222

Other IDWR No. _____

2. OWNER:

Name BRAUN, David L. & BRAUN, Scott N.Address 400 BRAUN RdCity Orofino State Id Zip 83544

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N W E S		Twp. <u>36</u>	North ☒ or South ☐
		Rge. <u>2</u>	East ☒ or West ☐
		Sec. <u>4</u>	1/4 SW 1/4 SE 1/4
		Gov't Lot _____	County <u>Clearwater</u>
Lat: _____		Long: _____	
Address of Well Site <u>Adams Rd.</u>		City <u>Orofino</u>	

(Give at least name of road + distance to road or landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor
☐ Thermal ☐ Injection ☐ Otherwtr right applied
for upgrade fee paid.
Irrigation
NO 15868

5. TYPE OF WORK check all that apply

(Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT		METHOD
Material	From	To	Sacks or Pounds		
Casing Seal	0	40+	16		Overbore
Bentonite					5 Gallons WATER For Each Sack

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____Was drive shoe seal tested? ☒ Y ☐ N How? Air Pressure

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
10"	+1 1/2'	44'	.365	Steel	☒	☐	☒	☐
8"	-6'	205 1/2'	.250	Steel	☒	☐	☒	☐
8"	205 1/2'	210 1/2'	.322	Steel	☒	☐	☒	☐
6"	-5'	563	160 PSI	PVC	☒	☒	☒	☒

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations _____ Method Saw Cut
Screens _____ Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
544	563	3/16 x 5/8"	38	6"	PVC	☐	☒
504	523	"	38	6"	PVC	☐	☒
484	503	"	38	6"	PVC	☐	☒

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE

139 ft. below ground Artesian pressure _____ lb.Depth flow encountered _____ ft. Describe access port or control devices: Bolted Sealed well Cap

36 N 2 E 4

11. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
73 GPM			

Water Temp. Cold Bottom hole temp. ColdWater Quality test or comments: Clear & GoodDepth first Water Encounter 463

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
15"	0	5	very Hard Black Clay		
	5	12	Hard Brown Clay		
	12	18	Hard Brown Clay		
	18	30	Brown Clay w/ Basalt Chips		
	30	40	Brown Basalt w/ Clay		
18"	40	44	Broken Basalt Boulders w/ clay		
10"	44	75	Basalt, Fractured		
	75	80	Basalt, Hard		
	80	87	Basalt, Broken but Hard		
	87	100	Basalt, Hard		
	100	111	Basalt, Broken & soft		
	111	112	Basalt, Hard		
	112	125	Basalt Gravel w/ some clay		
	125	135	very soft caving Basalt Gravel w/ some clay		
	135	148	Basalt, Broken but Hard		
	148	152	Granite, Hard		
	152	221	Granite, Hard		
8"	221	463	Granite, Hard		
	463	488	Granite, Hard 22 GPM	☒	
	488	500	Granite, Hard	☒	
	500	512	Granite, Med 5 1/2 GPM	☒	
	512	538	Granite, Hard 34 GPM	☒	
	538	563	Granite, Hard 10 GPM	☒	

SCANNED

SEP 25 2003

RECEIVED

JUL 21 2003

IDWR North

IDWR North

Completed Depth 563 (Measurable)
Date: Started 9-10-02 Completed 6-21-03

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the well was removed.

Company Name AQUA DRILLING & EXPLORATION INC Firm No. 163Firm Official Scott M. Braun Date 6-21-03Driller or Operator Scott M. Braun Date _____

(Sign once if Firm Official & Operator)



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

February 13, 2004

DAVID L BRAUN
JEANETTE SUE BRAUN
PO BOX 484
OROFINO ID 83544

RE: Permit No. 84-12144

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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 into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

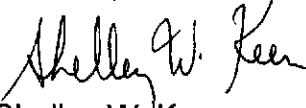
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

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2004 1 15 2004

If you have any questions, please contact me at 208-327-7946.

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

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JUL 15 2004

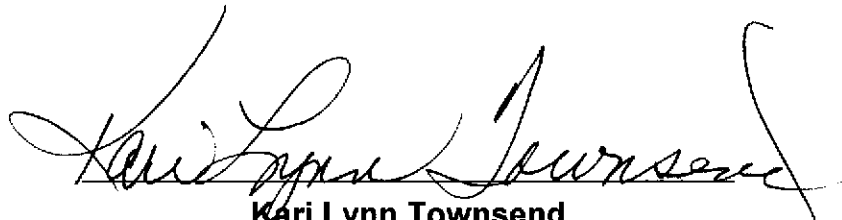
CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

84-12144

DAVID L BRAUN
JEANETTE SUE BRAUN
PO BOX 484
OROFINO ID 83544

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

Kari Lynn Townsend
Secretary

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1991 1 5 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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JUL 15 2004

FINAL ORDER

The Director 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 Director 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.

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

W.R. # 84-12144

APPLICATION ID # 70996
INITIAL REVIEW

ENT. 12/31/03 BCA 12/31/03 OK to Publish 12/31/03

APPLICANT: BRAUN BY: AB DATE: 12/31/03

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION
(Yes)(No)

Shape File Created Date By: _____
Field check: by _____
Field report attached _____
Analysis Supp. attached(>5cfs/500af) _____
Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No) PRIORITY DATE: 8/25/03

X (Include Moratorium Remark)

X Statewide Advertising: (Diversions rate greater than 10 cfs or 1000 af)

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

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
<u>785222</u>	<u>D22544</u>	Dom. ☒ Non-Dom. ☒	Paid \$ <u>75⁰⁰</u>	<u>N015132</u>	Y () N ☒
		Dom. ☒ Non-Dom. ☒	Paid \$ <u>125⁰⁰</u>	<u>N015868</u>	Y () N ()
		Dom. ☐ Non-Dom. ☐	Paid \$ _____		Y () N ()

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

Remarks: Upgrade fee pd 8/25/03

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)
☐ Notice of pending void order issued. Final order response date: ____/____/____
☐ Further information required from applicant
☒ Affidavit of publication received
☒ Application published correctly. If not, record action taken: _____

1/16/04 Publication dates and paper recorded on application
Protests received, Final protest date: 2/2/04 | Sr. Agent initial
Measuring device required
Measuring port required
Special conditions: _____
Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by:

AB

Date: 02/03/04

RECEIVED
FEB 11 2004
Idaho Department of Water Resources

RECEIVED

~~FEB 02 2004~~

IDWR/North

STATE OF IDAHO)
) ss.
County of Clearwater)

LA RAE CALL

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 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

APPLICATION FOR APPROPRIATION OF PUBLIC WATERS OF STATE OF IDAHO

DAVID L. BRAUN
JEANETTE SUE BRAUN

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 15th day of January 2004 and ending on the 22nd day of January 2004.

La Rae Call

STATE OF IDAHO)
COUNTY OF CLEARWATER)

On this 23rd day of January in the year of 2004,
before me, a Notary Public, personally appeared

La Rae Call

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 she executed the same.

Pamela A. Jones

Notary Public for Idaho
Resident at Orofino, Idaho

My commission expires: 11-20-07

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
84-12144

DAVID L BRAUN
JEANETTE SUE BRAUN
PO BOX 484
OROFINO ID 83544

Point(s) of Diversion SWSE S4 T36N R02E CLEARWATER County

Source GROUND WATER

Use: IRRIGATION	03/15 To 11/15	0.08 CFS
Use: STOCKWATER	01/01 To 12/31	0.08 CFS
Use: DOMESTIC	01/01 To 12/31	0.08 CFS
Total Diversion:		0.16 CFS

Date Filed: 08/25/2003

Place Of Use: IRRIGATION

T36N R02E S4 SESW SWSE

T36N R02E S9 NWNE

Number of Acres 5

Place Of Use: DOMESTIC and STOCKWATER same as IRRIGATION

Remark: Domestic use is for 9 homes.

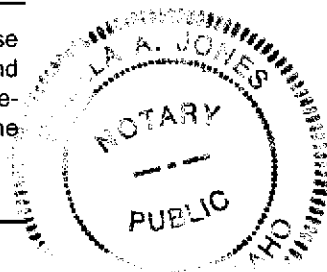
Stockwater use is for 40 head of mixed range stock.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 02/02/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

1-15.22c



MICROFILMS

JUL 13 2004

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, January 07, 2004 2:27 PM
To: Legal Notices-Clearwater Tribune (E-mail)
Subject: Legal notice for publication on January 15 and 22, 2004

Good afternoon, Marcie. [Will you please reply to this e-mail to let me know you received it ok.]

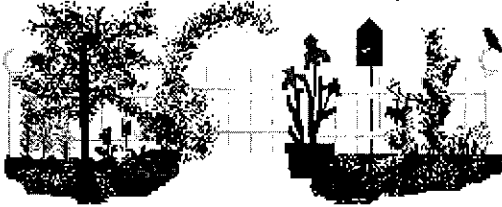
I assume that you are having a snowy day down your way, even as we are up here in Coeur d'Alene. It doesn't appear to be stopping any time soon, and they are predicting between 8 and 10 more inches here by early tomorrow morning.

Attached you will find our cover letter to you requesting publication of a legal notice, also attached.

PLEASE FAX A PROOF OF THE LEGAL PRIOR TO PUBLICATION FOR OUR APPROVAL. This is for clarification purposes for my benefit in case we need any last minute changes. We know you might have to re-align margins somewhat, and that is another reason for the **FAX PRIOR TO PUBLICATION** - allowing us to see how that looks.

I hope that this will be a better way of handling the legal notices we send to you - making it easier for you and saving you some set-up time. Hopefully you should be able to simply cut and paste, but this also allows you to print a hard copy for your file.

Thanks ever so much, and I trust you are having a very pleasant day.



May your day be filled with great wonder and beauty.

Dianne

Dianne Ball, Administrative Assistant
Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone 208-769-1450 FAX 208-769-1454

MICROFILM

JAN 15 2004

1/7/2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 07, 2004

---PLEASE FAX PROOF PRIOR TO PUBLICATION---

MARCIE STANTON
LEGAL NOTICE DEPARTMENT
CLEARWATER TRIBUNE
PO BOX 71
OROFINO ID 83544

e-mailed to Marcie at cleartrib@clearwater.net

RE: Application for Permit No. 84-12144

Dear Marcie:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, January 15 and 22, 2004, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 02/02/2004. Your cooperation is GREATLY appreciated, as always.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

MICROFILMED

JUL 15 2004

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

84-12144

DAVID L BRAUN
JEANETTE SUE BRAUN
PO BOX 484
OROFINO ID 83544

Point(s) of Diversion SWSE S4 T36N R02E CLEARWATER County
Source GROUND WATER

Use: IRRIGATION	03/15 To 11/15	0.08 CFS
Use: STOCKWATER	01/01 To 12/31	0.08 CFS
Use: DOMESTIC	01/01 To 12/31	0.08 CFS
Total Diversion:		0.16 CFS

Date Filed: 08/25/2003

Place Of Use: IRRIGATION
T36N R02E S4 SESW SWSE
T36N R02E S9 NWNE
Number of Acres 5

Place Of Use: DOMESTIC and STOCKWATER same as IRRIGATION

Remark: Domestic use is for 9 homes.
Stockwater use is for 40 head of mixed range stock.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 02/02/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on January 15 and 22, 2004

MAILED

JUL 15 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 07, 2004

DAVID L BRAUN
JEANETTE SUE BRAUN
PO BOX 484
OROFINO ID 83544

RE: Application for Permit No 84-12144

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the Clearwater Tribune on January 15 and 22, 2004. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

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

Sincerely,

Allen Beardslee
Senior Water Resource Agent

MICROFILMED

Enclosure(s) - Receipt No. N015868

JUL 15 2004

RECEIVED

AUG 25 2003

IDWR/North

8-22-03

Depart. Of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, Idaho 83814

Dear Sir;

Here is my application for a water permit. Would you please process this for me? I talked with Dave Lepard of your agency on the 8-22-03 and I think all the information needed is here. I also am inclosing a check that covers the \$100.00 for this application but also \$125.00 for the upgrade on the Well permit. I would like to upgrade from the domestic to the proper permit for this water right application. A Drill log of the Well is also included for your information. It shows several upgrades done to the well such as Well Seal, casing and liners. If you need any more information would you please give me a call at 208-476-3168 office or 208-476-3666. Thank you!

Sincerely



Dave Braun
PO BOX 484
Orofino, Id 83544

Dave Braun (?)
208 476-3168
(office Clearwater Realty)

MAILED

AUG 25 2003

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only			
Inspected by _____			
Twp _____	Rge _____	Sec _____	
_____ 1/4	_____ 1/4	_____ 1/4	
Lat: _____	Long: _____	_____	

1. WELL TAG NO. D 0022544 AUG 25 2003
DRILLING PERMIT NO. _____
Other IDWR No. _____ IDWR/North

2. OWNER:
Name BRAUN, David L. & BRAUN, Scott N.
Address 400 BRAUN Rd
City Orofino State Id Zip 83544

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N W E S		Twp. <u>36</u>	North ☒ or South ☐
		Rge. <u>2</u>	East ☒ or West ☐
		Sec. <u>4</u>	1/4 <u>SW</u> 1/4 <u>SE</u> 1/4
		Gov't Lot _____	County <u>Clearwater</u>
Lat: _____ Long: _____		Address of Well Site <u>Adams Rd.</u>	
		City <u>Orofino</u>	

(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	(Sacks or Pounds)	
Casing Seal	0	40+	16	overbore
Bentonite				5 Gallons WATER For Each Sack

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____
Was drive shoe seal tested? ☒ Y ☐ N How? Air Pressure

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
10"	+1 1/2'	44'	365	Steel	☒	☐	☒	☐
8"	-6'	205 1/2'	250	Steel	☒	☐	☒	☐
8"	205 1/2'	210 1/2'	322	Steel	☒	☒	☒	☐
6"	-5'	563'	100 PSI	PVC	☒	☒	☒	☒

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations _____ Method _____
Screens _____ Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
544	563	3/32 x 5/16"	38	6"	PVC	☐	☒
504	523	"	38	6"	PVC	☐	☒
484	503	"	38	6"	PVC	☐	☒

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

139 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: Bolted Sealed well cap

11. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
73 GPM			

Water Temp. Cold Bottom hole temp. Cold
Water Quality test or comments: Clear & Good

Depth first Water Encounter 463

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
15"	0	5	very Hard Black Clay		
	5	12	Hard Brown Clay		
	12	18	Hard Brown Clay		
	18	30	Brown Clay w/ Basalt Chips		
	30	40	Brown Basalt w/ Clay		
18"	40	44	Broken Basalt Boulders w/ clay		
10"	44	75	Basalt, Fractured		
	75	80	Basalt, Hard		
	80	87	Basalt, Broken but Hard		
	87	100	Basalt, Hard		
	100	111	Basalt, Broken & soft		
	111	112	Basalt, Hard		
	112	125	Basalt Gravel w/ some Clay		
	125	135	very soft caving Basalt Gravel w/ clay		
	135	148	Basalt, Broken but Hard		
	148	152	Granite, Hard		
	152	221	Granite, Hard		
8"	221	463	Granite, Hard		
	463	488	Granite, Hard 22 GPM	☒	
	488	500	Granite, Hard		
	500	512	Granite, Med 5 1/2 GPM	☒	
	512	538	Granite, Hard 34 GPM	☒	
	538	563	Granite, Hard 10 GPM	☒	

Completed _____ Depth 563' (Measurable)
Date: Started 9-10-02 Completed 6-21-03

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the well was removed.

AQUA DRILLING
Company Name AQUA DRILLING & EXPLORATION INC Firm No. 163

Firm Official Scott M. Braum Date 6-21-03

and
Driller or Operator Scott M. Braum Date _____