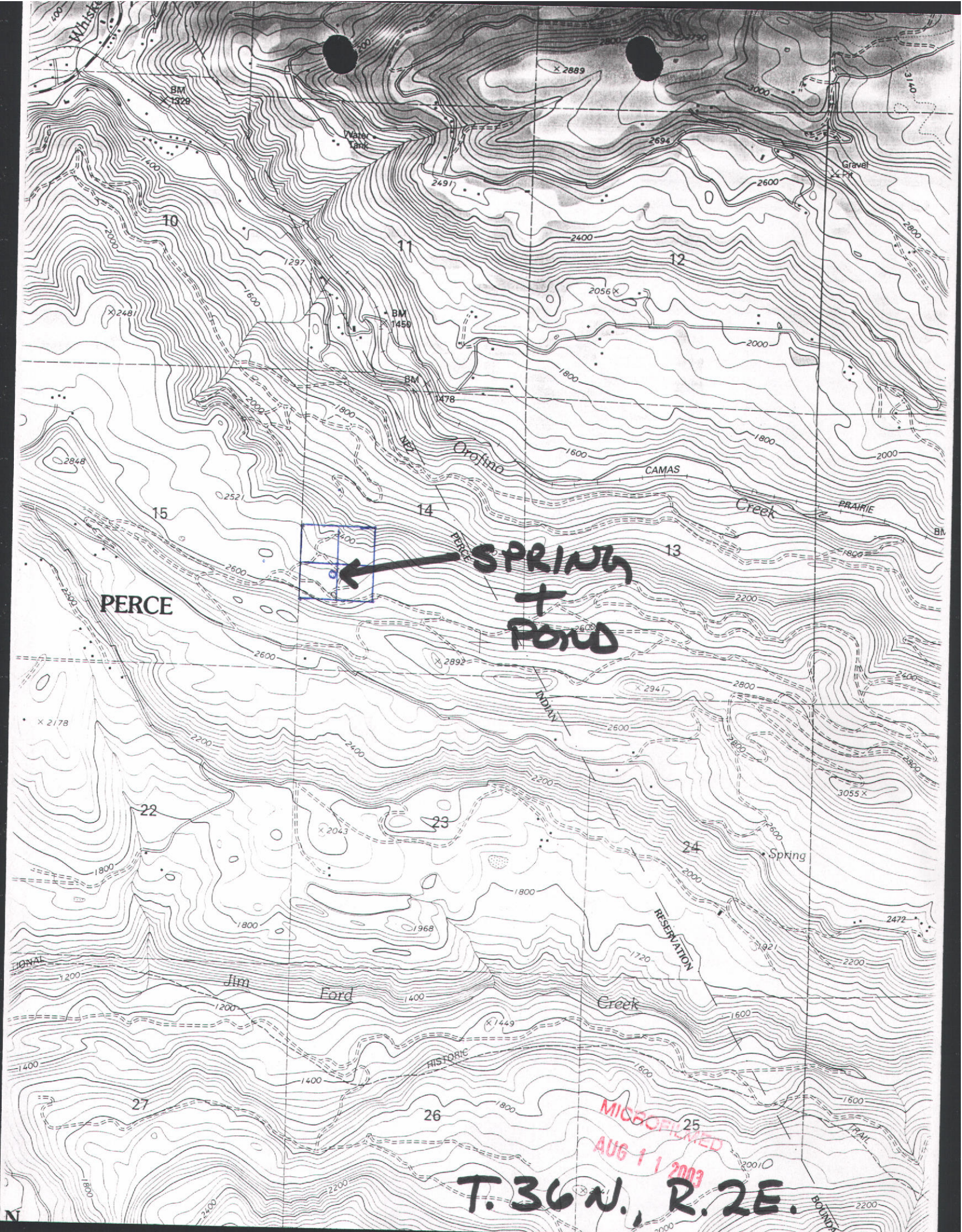




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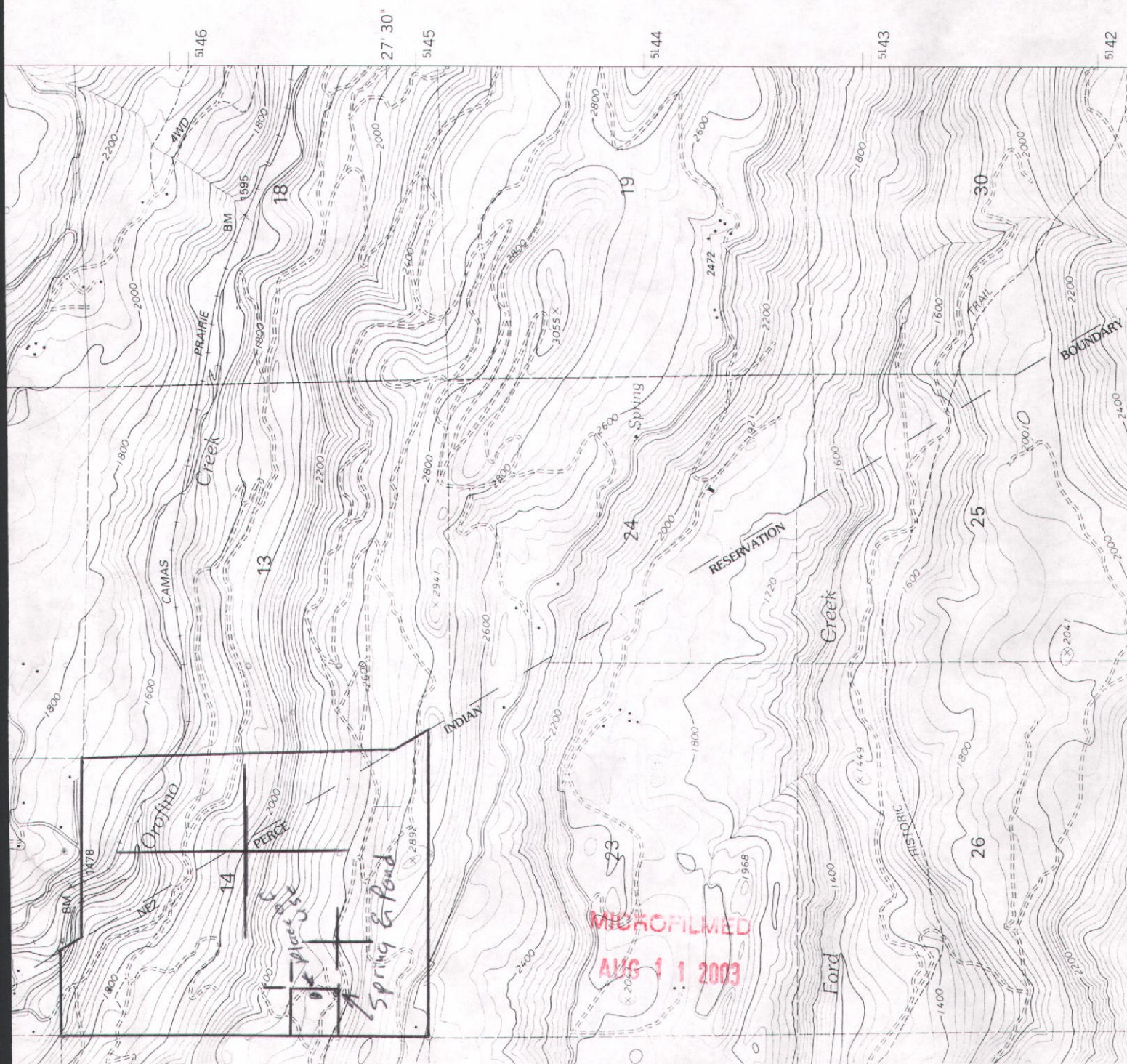
SPRING
+
POND

T. 36 N., R. 2 E.

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AUG 11 2003

84-07301

T 36N. R 02 E.





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AUG 11 2003



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APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

No.: 84-07301 Name: Berglund Date: _____ Ad OK? ☒ Gvmt Lts: _____ by S. Curtis

AREA OF CONCERN: - No/Yes: SL Mor / _____ GWMA / Trust / Non-trust

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

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 046-P23
- In Basin 34? - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067
- ≤ 0.24 cfs/5 acres - No MD

WMD

- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp. irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

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

- FISH & GAME CONTACTED: - YES / NO: WHEN: 9/15/99 RESPONSE: NO OBJECTIONS
- IN/ABOVE MSF (✓ MAP) - *WB9 Clearwater R (86-07583)?
- IN-STREAM DEVELOPMENT - P52 (stream channel alteration)
- WD (✓ MAP & LISTING) - R04 (WD # _____)
- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)
- WMD (✓ MAP) - 067 or No MD (in-stream stock or power)
- > 0.24 cfs/5 acres - No MD
- ≤ 0.24 cfs/5 acres - No MD
- SPRINGS/SINK, INACTIVE WD & REST OF STATE
- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

- Snake R (01) - *W22 -P04, NA
- (02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
- Payette R(65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA
- Salmon R (70's) - 029 (fish screens), NA
- Weiser R (67) - 086, 087

USE:

- STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req) -081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
- HEATING/COOLING - R07 (injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070
- FIRE PROTECTION - 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 120
- 42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
- SWAN FALLS FLAG (✓ Code) - _____
- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS: - RS/swimming DS/1 home AS/pond.

BENEFICIAL USE DUE: - 10/1/2000

COMMENTS: - _____

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 84-07301

Priority: May 04, 1999

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 0.6 AF

It is hereby certified that DELPHIN BERGLUND And COREEN BERGLUND
PO BOX 641
OROFINO ID 83544 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 04, 1999; and have
submitted Proof of Beneficial Use on October 15, 1999. An examination indicates that the works have a
storage capacity of 0.4 af of water from:

SOURCE

SPRING

Tributary: SINKS

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL DIVERSION VOLUME</u>
RECREATION STORAGE	01/01 to 12/31	0.4 AF
DOMESTIC STORAGE	01/01 to 12/31	0.4 AF
WILDLIFE STORAGE	01/01 to 12/31	0.4 AF
DOMESTIC FROM STORAGE	01/01 to 12/31	0.6 AF
AESTHETIC STORAGE	01/01 to 12/31	0.4 AF

LOCATION OF POINT OF DIVERSION:

SPRING SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14, Twp 36N, Rge 02E, B.M., CLEARWATER County

PLACE OF USE: RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
36N 02E 14											X						

PLACE OF USE: DOMESTIC STORAGE – Same as Recreation Storage

PLACE OF USE: WILDLIFE STORAGE – Same as Recreation Storage

PLACE OF USE: DOMESTIC FROM STORAGE – Same as Recreation Storage

PLACE OF USE: AESTHETIC STORAGE – Same as Recreation Storage

CONDITIONS OF APPROVAL

1. Recreation storage is for swimming.
2. Domestic storage is for external use for 1 home.
3. Use of water under this right allows for more than 1 fill of the pond.

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State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 84-07301

CONDITIONS OF APPROVAL CONTINUED

4. Aesthetic storage is for pond.

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

Signed and sealed this 26th day of FEBRUARY, 2003.


Acting for **KARL J. DREHER**
Director

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AUG 11 2003

OCT 15 1999

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00Receipt No. 0046890Receipt By: gmDate Received: 10-15-99

STATE OF IDAHO

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. 84-07301 Telephone No. 1-208-476-4895

2. Name(s) of Permit Holder(s): Coreen and Delphin Berglund

3. Mailing Address: PO Box 641 Orofino ID 83544

4. Source of Water: Pond If GROUNDWATER (well), Date Drilled: mo. / yr.

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

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

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

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

Irrigation (No. of acres): 1/2 Other: Aesthetic storage

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR 1/2 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: \$ 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: Coreen Telephone Number: 208-476-4895

Address: 3219 Upper Fords Crk 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 I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Coreen Berglund Date: 10/14/99
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 84-07301

Priority: May 4, 1999

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **DELPHIN BERGLUND**
COREEN BERGLUND
PO BOX 641
OROFINO ID 83544

has applied for a permit to appropriate water from:
SPRING tributary of SINKS

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>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31		0.6 AF
DOMESTIC STORAGE	01/01 to 12/31		0.6 AF
DOMESTIC FROM STORAGE	01/01 to 12/31		0.6 AF
RECREATION STORAGE	01/01 to 12/31		0.6 AF
AESTHETIC STORAGE	01/01 to 12/31		0.6 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.04 CFS	
	Totals	0.04 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWNWSW , Sec. 14, Township 36N, Range 02E
CLEARWATER County

PLACE OF USE: WILDLIFE STORAGE

TWN RGE SEC

36N 02E 14 NWSW

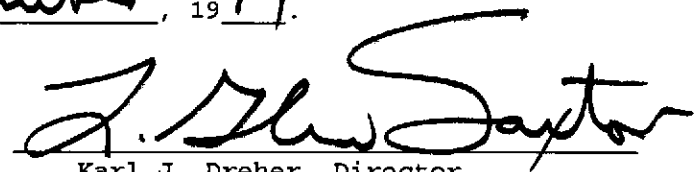
PLACE OF USE: DOMESTIC FROM STORAGE, same as WILDLIFE STORAGE use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before October 1, 2000.
2. Subject to all prior water rights.
3. Recreation storage is for swimming.
4. Domestic storage is for 1 home.
5. Aesthetic storage is for a pond.

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

29th day of September, 1999.


Karl J. Dreher, Director
for

MICROFILMED

APR 11 2000

Ident. No. 84-07301

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES RECEIVED
APPLICATION FOR PERMIT SEP 20 1999

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Delphin & Coreen Berglund Phone 476 4895
Mailing address PO Box 641 Orofino ID 83544
2. Source of water supply SPRING which is a tributary of SINKS
3. Location of point of diversion is Township 36N Range 2E Sec. 14 in the SW 1/4, NW 1/4, SW 1/4, Govt. Lot _____, B.M., CLEARWATER County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 0.55^{0.6} for STORAGE REC. purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.55^{0.6} for STORAGE FOR purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.55^{0.6} for AGRICULTURE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.55^{0.6} for STORAGE FOR purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.55^{0.6} for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.55^{0.6} for FROM STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.04 for DIVERSION purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.55^{0.6} for TO STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.55^{0.6} for WILDLIFE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.04 and/or (b) 0.55
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 60' x 50' x 8' Pond,
WATER FROM SPRING FLOWS INTO POND.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____

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

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. RECREATION USE IS FOR SWIMMING

MICHO...

AUG 21 2003

a. If water is for irrigation, indicate acreage in each sub-plot.

a. If water is for irrigation, indicate acreage in each sub-plot.

[illegible]

Total number of acres to be irrigated

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

11. a. Who owns the property at the point of diversion? APRIL 17
b. Who owns the land to be irrigated or place of use?

12. Remarks: _____

 this filing: _____

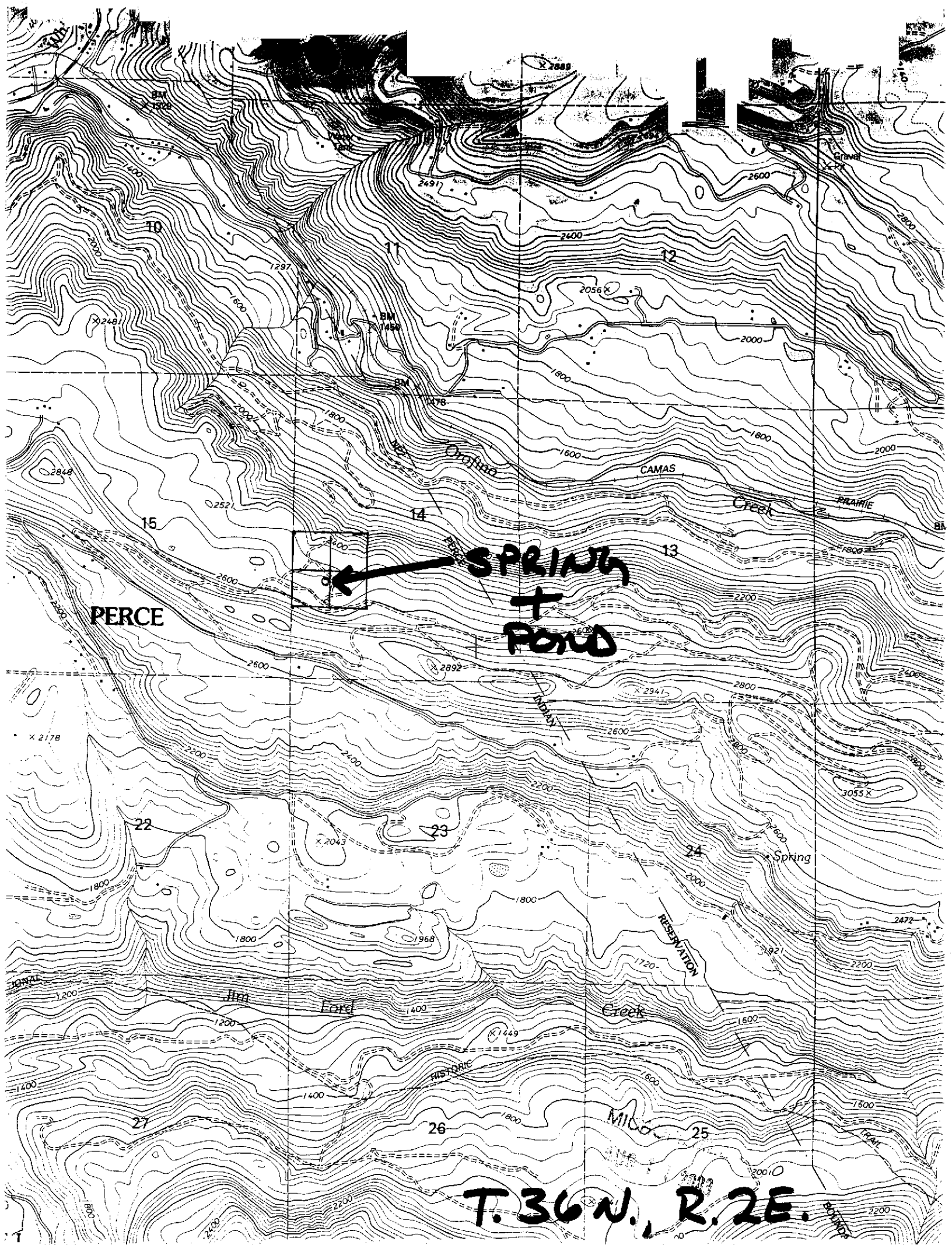
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

0002 1 1 998

Signature of Applicant (and title, if applicable)

Received by	507	Date	5-4-99	Time	11:15	Preliminary check by	AK
Fee \$		Received by	5/12/99	#	AC13841	Date	5-4-99
Publication prepared by	db	Date	5/12/99	Published in	Alumna	Date	5-4-99
Publication approved by	db	Date	8/30/99				





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 26, 2003

DELPHIN BERGLUND
COREEN BERGLUND
PO BOX 641
OROFINO ID 83544

RE: License No. 84-7301 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 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.

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.

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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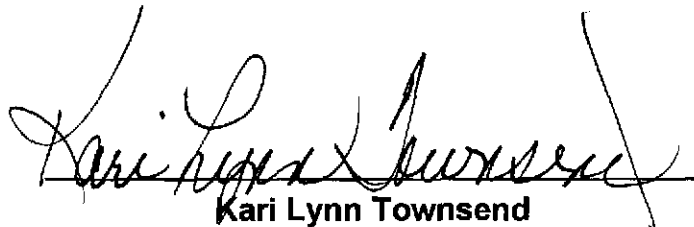
CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

84-7301

**DELPHIN BERGLUND
COREEN BERGLUND
PO BOX 641
OROFINO ID 83544**


**Kari Lynn Townsend
Secretary**

MICROFILMED

AUG 11 2003

**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).

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.

Comment Report

84-7301

1. kwalker 2/20/2003 Recommendations

Comment: Examiner recommended that we add a domestic use to this permit. The domestic use is for irrigation of lawn which comes from the storage pond. I believe domestic from storage will cover the use so did not request an amendment to add this use.

2. kwalker 2/24/2003 Storage in Pond

Comment: Since the spring is located in the bottom of the pond we cannot include a diversion to storage parameter under this right. Since the pond is being refilled by the spring we recommend allowing more than 1 fill of the pond which allows us to recommend more water for the domestic from storage parameter than can be stored.

3. DBALL 5/4/1999 Examiner's notes.

Comment: 60' x 50' x 8' pond. Water from spring flows into pond. Time required 1 year.

4. VAULT 10/18/1999 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 3 - 2003

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 84-07301

1. Owner: Delphin Berglund, Coreen Berglund

Phone No. (208) 476-4895

Current Address: PO Box 641 Orofino, ID 83544

2. Accompanied by: Permit Holder

EXAM DATE : July 31, 2000

Address: See Above

Phone No. See Above

Relationship to Permit Holder: Permit Holder

3. Source: Spring

tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

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
NA		SW	NW	SW	14	36N	02E	Clearwater	7 1/2 minute topo map

2. Place(s) of Use:

Indicate Method of Determination 7 1/2 minute topo map

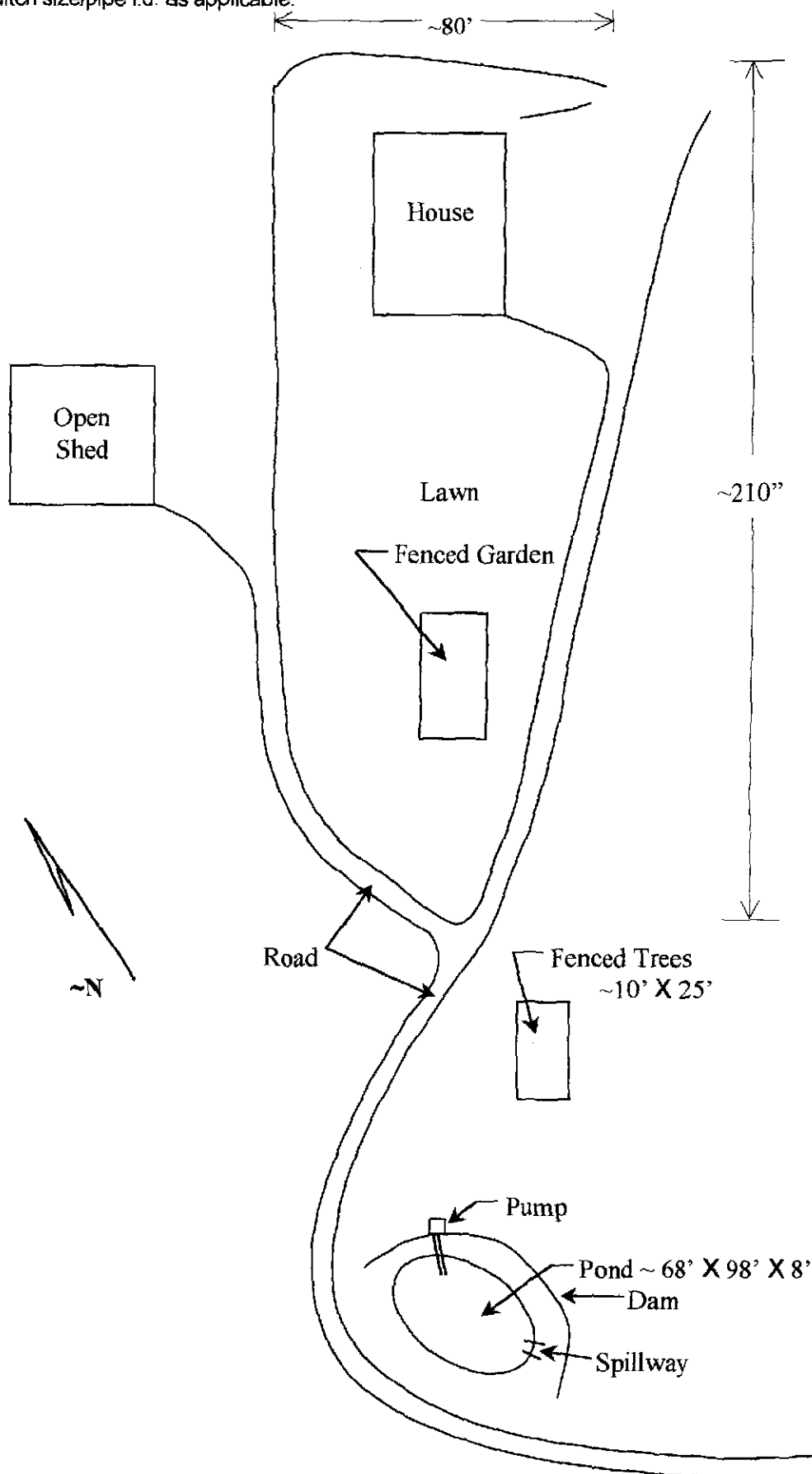
TWP	RGE	SEC	NE				NW				SW				Totals			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
36N	02E	14										X*						

X* = Wildlife Storage, Domestic Storage, Domestic from Storage, Recreation Storage, Aesthetic Storage, and Domestic uses

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



Scale: 1" = Not to Scale

X Copy of USGS Quadrangle Attached Showing location(s) of

9

x Photo of Diversion and System Attached

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4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
NA	Honda	4	W2BE-1014033	Honda	2" discharge

* 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
Stop Watch & Bucket					5 Gal	7-25-00

2. Measurements:

10 Gal in 59 Sec. measured at the discharge of a 1 inch black poly pipe that is the discharge to the pump.

E. NARRATIVE/REMARKS/COMMENTS

The property is located at 3219 Upper Fords Creek Road, Orofino, ID.

The spring is located in the bottom of the pond (Photo 1, taken from west of the pond) which is formed by excavation and a dam encircling the spring on the down-slope side. From toe to crest, the dam measures about seven feet at the highest point. The dam is located at N 46° 27' 39.3", W 116° 10' 41.4" (Garmin, Model # GPS-12, Ser.# 36061391). A slight depression in the dam crest forms the spillway.

The pump (Photo 2) is portable and sits on the dam. The pump inlet is a two inch PVC pipe extending into the pond.

The pump has a two inch discharge leading to a two inch plastic hose which is reduced to a one inch poly pipe.

Domestic use (Photo 3 and 4) is external and measures less than 0.5 acres. The lawn and garden are irrigated from the poly-pipe through various types of portable lawn sprinklers. A small fenced area of trees and scattered individual trees are irrigated directly from the poly-pipe and/or garden hose attached to the pipe.

The in-house domestic use is supplied by a separate spring under license No. 84-07286, which is under the name of the former property owner. Mr. Burglund, the current owner, was given a copy of the *Notice of Change in Water Right Ownership* form.

I have verified the following water uses:

- Wildlife storage in the pond
- Domestic external use for irrigation of lawn and garden
- Domestic storage in the pond
- Domestic from storage, from the pond to the lawn and garden
- Recreation use for swimming
- Aesthetic Storage which is the pond

Note that there is no diversion to storage as shown in the original permit. This is because the spring is in the bottom of the pond. However, domestic external use is developed off this permit and it is recommended that it be added.

Have conditions of permit approval been met?

☒ Yes

no

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AUG 11 2003

F. FLOW CALCULATIONS

Measured Method: 5 Gal. Bucket and a Stop Watch

$$\frac{\left(\frac{(10 \text{ gal})(60 \text{ sec})}{59 \text{ sec}} \right)}{448.83 \text{ gal/ft}^3/\text{sec}} \sim .02 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: **NA**

2. Volume Calculations for Other Uses: Oval Pond with a round bottom Measuring about 96' X 68' X 8'

a) Storage:

$$\begin{aligned} \text{Ave. pond diameter} &= \frac{98 \text{ ft} + 68 \text{ ft}}{2} = 83 \text{ ft} \\ &\frac{(3.14)(83 \text{ ft}/2)^2 (8 \text{ ft})(0.4)}{43560} = \sim \mathbf{0.4 \text{ afa}} = \text{pond Vol.} \end{aligned}$$

b) Domestic, One (1) home external use = **0.6 afa**

c) Maximum Volume = a + b = 0.4 afa + 0.6 afa = ~~1.0~~ **0.6 afa** (Limited by permit).

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Wildlife Storage	1/1	12/31		0.4
Domestic Storage	1/1	12/31		0.4
Domestic from Storage	1/1	12/31		0.4
Recreation Storage	1/1	12/31		0.4
Aesthetic Storage	1/1	12/31		0.4
Domestic Use	1/1	12/31	0.02	0.6
Totals:			0.02	0.6

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: Add Domestic Use

I. AUTHENTICATION

Field Examiner's Name: Jim Zimmerman

Date: October 14, 2000

Signature 

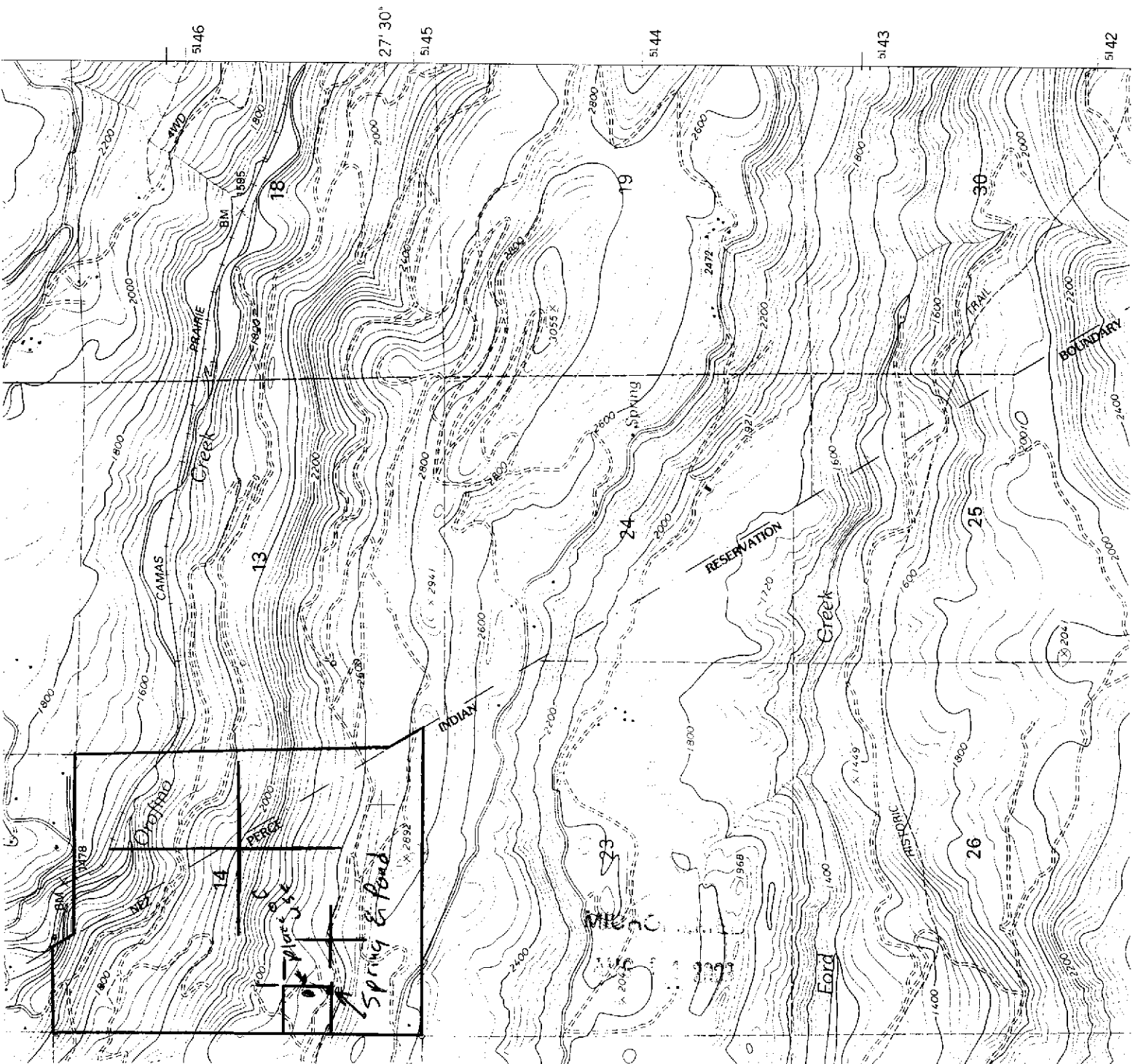
Permit No.: 84-07301

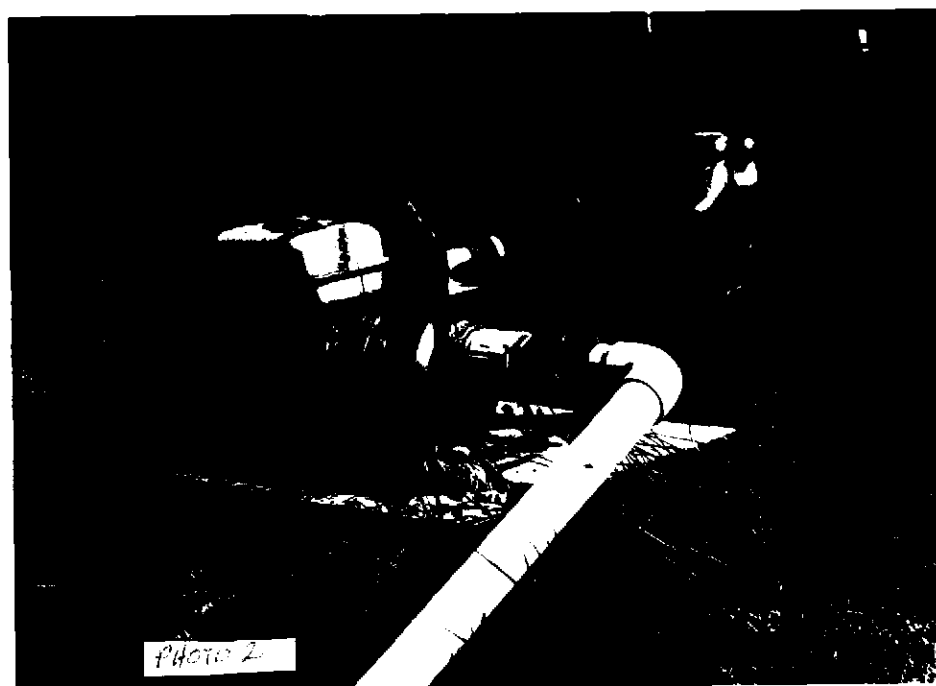
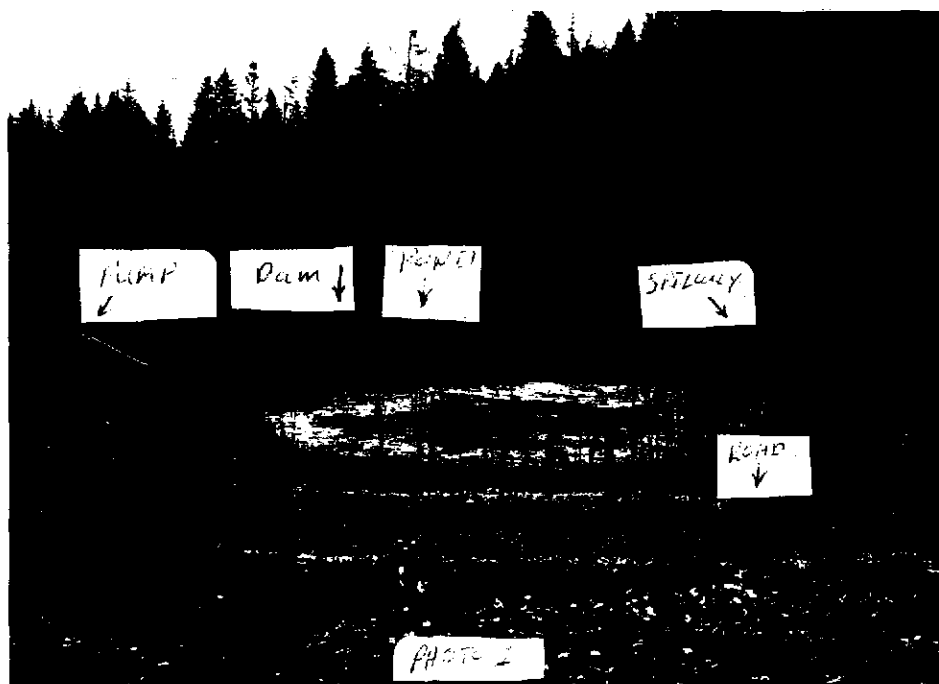
MICROFILMED

APR 11 2002

84-07301

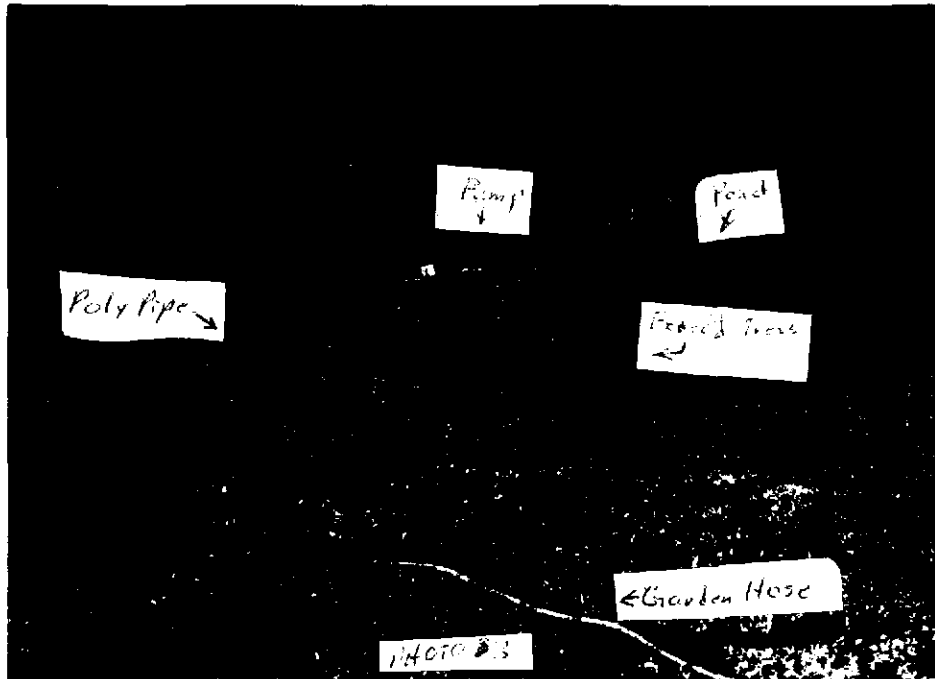
T 36N. R 02 E.





10-10-1967

10-10-1967



Aug 1 1983



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

DIRK KEMPTHORNE
GOVERNOR

November 26, 1999

KARL J. DREHER
DIRECTOR

Coreen and Delphin Berglund
PO Box 641
Orofino ID 83544

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 8407301

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.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right 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.

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

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

AUG 11 2003

Proof Made 10-15-90



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

September 30, 1999

DIRK KEMPTHORNE
GOVERNOR

DELPHIN BERGLUND
COREEN BERGLUND
PO BOX 641
OROFINO ID 83544

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 84-07301

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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.

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 reporting form.

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

Sincerely,

FOR Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED

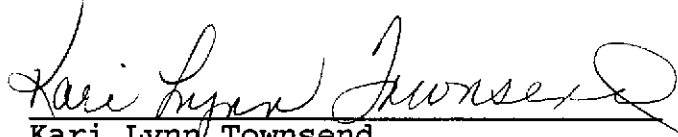
AUG 11 2000

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of September, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 84-07301

DELPHIN BERGLUND
COREEN BERGLUND
PO BOX 641
OROFINO ID 83544


Kari Lynn Townsend
Secretary

MICROFILMED

AUG 11 2003

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order 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 the 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 a 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, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a 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.

ORAL ARGUMENT

If the Department grants a petition to review a 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.

MICROFILMED
AUG 11 2003

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a 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.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

No.: 84-07301 Name: Berglund Date: _____ Ad OK? ☒ ☒ Gvmt Lts: _____ by S. Curtis

AREA OF CONCERN: - No/Yes: 3/0 Mor / _____ GWMA / Trust / Non-trust

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

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - 10/1/99

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 046-P23
- In Basin 34? - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067
- ≤ 0.24 cfs/5 acres - No MD

WMD

- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp. irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

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

FISH & GAME CONTACTED: - YES / NO: WHEN: 1/15/99 RESPONSE: NO OBJECTIONS

IN/ABOVE MSF (✓ MAP) - *WB9 Leadwith R (85-07583)

IN-STREAM DEVELOPMENT - P02 (stream channel alteration)

- WD (✓ MAP & LISTING) - R04 (WD # _____)
- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

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

SPRINGS/SINK, INACTIVE WD & REST OF STATE

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

RIVER BASINS: (*Surface water):

- Snake R (01) - *W22-P04, NA
- (02/03-Irr) - 007 (w/ remark *WB9 if above Weiser), NA
- Payette R(65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA
- Salmon R (70's) - 029 (fish screens), NA
- Weiser R (67) - 086, 087

USE:

- STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req)-081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
- HEATING/COOLING - R07 (injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070

FIRE PROTECTION

- 077

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)

MITIGATION

42-248 AREA - 120 in 20/30/40/50/60/70/80 (87) basin

SWAN FALLS FLAG (✓ Code)

- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS: - RS swimming DS/1 home As pond.

BENEFICIAL USE DUE: - 10/1/2000

COMMENTS:

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION APPLICATION ANALYSIS SHEET

RECEIVED WRI
BCA
WRA
SEP 20 1999

APPLICATION # 84-07301

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW

APPLICANT: BERGLUND

BY: AB

DATE: 5/4/99

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes)(No)

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

PROCESSING

(Yes)(No) PRIORITY DATE: 5/4/99

x (Include Moratorium Remark)

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

CT/Thurs/ok

ADVERTISE IN: CLEAR WATER 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>1</u>	<u>1</u>	Dom. Non-Dom.	Paid \$		Y () N ()
<u>1</u>	<u>1</u>	Dom. Non-Dom.	Paid \$		Y () N ()
<u>1</u>	<u>1</u>	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: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- + Notice of pending void order issued. Final order response date: 1/2/00
- + Further information required from applicant paper error
- + Affidavit of publication received #2 Lead to correct Div to Storage amt
- 6/7 Application published correctly. If not, record action taken: Reduction
- 4/9/02 to include last 2 TP trailer which paper type off.
- + Publication dates and paper recorded on application
- + Protests received, Final protest date: 6/1/99
- + Measuring device required
- + Measuring port required
- + Special conditions: 7/6/99
- + Special conditions of approval supplement and/or cover letter attached: 8/23/99

Approval Recommended by: _____ Date: ____/____/____

Memorandum

Date: September 15, 1999

To: File 84-07301

From: Al Beardslee

RE: Surface water approval from Idaho Fish and Game Dept.

~~~~~

Mr. Greg Survheen, of Idaho Department of Fish and Game, Lewiston office, was contacted prior to regional approval of this filing. After reviewing the Application for Permit with Mr. Survheen, he had no problem with it's approval.

MICROFILMED  
AUG 1 1 2004

Clearwater Tribune  
161 Main Street  
PO Box 71  
Groffing, Idaho 83544  
Telephone: 208-476-4571

# STATEMENT

PLEASE RETURN THIS PORTION  
WITH YOUR PAYMENT.

Page 1

| STATEMENT DATE | CUSTOMER NO. |
|----------------|--------------|
| 08/26/99       | STAWAT       |

| STATEMENT DATE | CUSTOMER NO. |
|----------------|--------------|
| 08/26/99       | STAWAT       |

State Department of Water Resources  
1910 Northwest Blvd. Suite 210  
Coeur d'Alene, ID 83814

**RECEIVED**

**AUG 30 1999**

**IDWR/North**

Page 1

DATE PAID \_\_\_\_\_ CHECK NO. \_\_\_\_\_ AMOUNT \_\_\_\_\_

| TRANSACTION DATE                                                                                                                  | INVOICE NO. | DESCRIPTION          | AMOUNT  | BALANCE |
|-----------------------------------------------------------------------------------------------------------------------------------|-------------|----------------------|---------|---------|
| 04/15/98                                                                                                                          | 120604      | COLEMAN WATER RIGHTS | 37.44   | 37.44   |
| 08/05/99                                                                                                                          | 134412      | BERGLUND CORRECTION  | 30.42   | 30.42   |
| 10/25/95                                                                                                                          | C10078      |                      | -8.96   | -8.96   |
| ***** PAYMENTS ***** THANK YOU *****                                                                                              |             |                      |         |         |
| 08/05/99                                                                                                                          | 133960      | 1                    | 37.44   |         |
| <p><i>Spoke to La Rae<br/>8/30/99<br/>Should be NO CHARGE<br/>La Rae said to<br/>ignore bill/statement</i></p> <p>MICROFILMED</p> |             |                      |         |         |
| AUG 11 2003                                                                                                                       |             |                      |         |         |
| 1-30                                                                                                                              | 31-60       | 61-90                | Over 90 | TOTAL   |
| 30.42                                                                                                                             | 0.00        | 0.00                 | 0.00    | 30.42   |

AMOUNT REMITTED  
IF PAYING BY INVOICE - CHECK  
INDIVIDUAL INVOICES PAID

| INVOICE NO.             | AMOUNT DUE | ✓     |
|-------------------------|------------|-------|
| 120604                  | 37.44      |       |
| 134412                  | 30.42      |       |
| C10078                  | -8.96      |       |
| <p><i>No charge</i></p> |            |       |
| BALANCE DUE             |            | TOTAL |
| 30.42                   |            | 30.42 |

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO )  
 ) ss.  
County of Clearwater )

RECEIVED

AUG 30 1999

## 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 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 CORRECTION

### APPLICATION FOR PERMIT NO.

### 84-07301/DELPHIN & COREEN BERGLUND

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 5th day of August 1999 and ending on the 12th day of August 1999.

*La Rae Call*

STATE OF IDAHO )  
 )  
COUNTY OF CLEARWATER )

On this 13th day of August in the year of 1999,  
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 he executed the same.

*Pamela A. Jones*

Notary Public for Idaho  
Resident at Orofino, Idaho

My commission expires: 11-20-2001

NOTICE OF CORRECTION  
NOTICE IS HEREBY GIVEN THAT  
APPLICATION FOR PERMIT NO. 84-  
07301 in the name of DELPHIN AND  
COREEN BERGLUND, PO BOX 641,  
OROFINO, ID 83544, was incorrectly  
advertised on June 17 and 24, 1999.

That portion of the proposed USE  
described as the DIVERSION TO  
STORAGE was incorrectly  
advertised as 0.40 CFS whereas  
correctly it should read DIVERSION  
TO STORAGE (0.04 CFS).

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

Any protests against the approval  
of the above-referenced correction  
must be filed with the applicant and  
with the Director, Dept. of Water  
Resources, 1910 Northwest Blvd.,  
Suite 210, Coeur d'Alene, Id. 83814,  
together with a protest fee of \$25.00  
on or before August 23, 1999.  
KARL J. DREHER, Clr.

8-5, 12/99c

RECEIVED

AUG 30 1999

IDWR/North

MICROFILMED

AUG 11 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

Dirk Kempthorne  
Governor

KARL J. DREHER  
Director

July 28, 1999

LEGAL NOTICES  
The Clearwater Tribune  
PO Box 71  
Orofino ID 83544-0071

Re: 84-07301 - Berglund

Gentlemen:

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

Please send the Affidavit of Publication, to this office before August 23, 1999.

THERE SHOULD BE NO CHARGE FOR THIS PUBLICATION BECAUSE IT WAS CORRECT AS  
ORIGINALLY SUBMITTED.

Thank you. *Shanks*

Sincerely,

*Dianne Ball*

Dianne Ball  
Administrative Assistant

Enclosure

MICROFILMED

AUG 11 1999

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 84-07301 in the name of DELPNIN AND COREEN BERGLUND, PO BOX 641, OROFINO, ID 83544, was incorrectly advertised on June 17 and 24, 1999.

That portion of the proposed USE described as the DIVERSION TO STORAGE was incorrectly advertised as 0.40 CFS whereas correctly it should read DIVERSION TO STORAGE (0.04 CFS)

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

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before August 23, 1999.

KARL J. DREHER, Dir.

Published in the Clearwater Tribune on 8/5 and 12/1999.

MICROFILMED  
AUG 11 2002

# AFFIDAVIT OF PUBLICATION

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 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 RIGHT

### DELPHIN/COREEN BERGLUND

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 17th day of June 1999 and ending on the 24th day of June 1999.

La Rae Call

STATE OF IDAHO )  
 )  
COUNTY OF CLEARWATER )

On this 22nd day of July in the year of 1999,  
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 he executed the same.

Myron M Brandt

Notary Public for Idaho  
Resident at Orofino, Idaho

My commission expires: 2-11-2004

## NOTICE OF APPLICATION FOR WATER RIGHT

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

84-07301

BERGLUND, DELPHIN  
BERGLUND, COREEN  
P.O. Box 641  
OROFINO, ID 83544

Source: SPRING

Tributary: SINKS

Diversion Pt: SWNWSW Sec 14 T  
36N R 02E in CLEARWATER county.

Use:

WILDLIFE STORAGE (0.60 AF) ✓  
DOMESTIC STORAGE (0.60 AF) ✓  
DOMESTIC FROM STORAGE (0.60 AF) ✓  
RECREATION STORAGE (0.60 AF) ✓  
AESTHETIC STORAGE (0.60 AF) ✓  
DIVERSION TO STORAGE (0.40 CFS)

Total Diversion: (0.40 CFS)

Date filed: 5/4/1999

In: CLEARWATER

County

T36N R02E S14 NWSW

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 JULY 6, 1999.

KARL J. DREHER, Director

Published: 6/17/1999 &  
6/24/1999

RECEIVED  
JUL 23 1999  
IDWR/North

*Readvertise  
Again to  
correct div. to  
Storage*

*Should be  
0.04*

UNRECORDED

JUL 1 1999



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  
June 9, 1999

Legal Notices Department  
CLEARWATER TRIBUNE  
PO Box 71  
OROFINO ID 83544

Gentlemen:

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

An affidavit of publication must be submitted to the Department. Your cooperation is appreciated.

Please send the affidavit of publication to this office before JULY 6, 1999.

THERE SHOULD BE NO CHARGE FOR THIS PUBLICATION BECAUSE THIS INFORMATION WAS CORRECT AS ORIGINALLY SUBMITTED FOR PUBLICATION ON MAY 20 AND 27, 1999. THE PUBLICATION SHOULD INCLUDE ALL THREE PAGES ATTACHED TO THIS LETTER, BUT IN THE PREVIOUS PUBLICATION THE LAST PAGE WAS OMITTED, ALTHOUGH IT WAS SUBMITTED BY OUR OFFICE.

Yours truly,

DIANNE BALL  
Administrative Assistant

Enclosure

*7/21/99  
Per Bonnie @ Clearwater Trib  
Affidavit will be sent  
today  
Sincerely  
84-7301*

MICROFILMED

AUG 11 2000

84-07301

BERGLUND, DELPHIN  
BERGLUND, COREEN  
PO BOX 641  
OROFINO, ID 83544

Source: SPRING

Tributary: SINKS

Diversion Pt: SWNWSW Sec 14 T 36N R 02E in CLEARWATER County.

|                         |   |            |
|-------------------------|---|------------|
| Use: WILDLIFE STORAGE ✓ | ( | 0.60 AF)   |
| DOMESTIC STORAGE ✓      | ( | 0.60 AF)   |
| DOMESTIC FROM STORAGE ✓ | ( | 0.60 AF)   |
| RECREATION STORAGE ✓    | ( | 0.60 AF)   |
| AESTHETIC STORAGE ✓     | ( | 0.60 AF)   |
| DIVERSION TO STORAGE ✓  | ( | 0.040 CFS) |
| Total Diversion:        | ( | 0.040 CFS) |

Date Filed: 5/ 4/1999

In: CLEARWATER County  
T36N R02E S14 NWSW

MICROFILMED

APR 1 1 2006

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO )  
 ) ss.  
County of Clearwater )

LA RAE CALL

RECEIVED

JUN 07 1999

IDWR/North

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 RIGHT DELPHIN/COREEN BERGLUND

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 20th day of May 1999 and ending on the 27th day of May 1999.

La Rae Call  
STATE OF IDAHO )  
 )  
COUNTY OF CLEARWATER )

On this 28th day of May in the year of 1999,  
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 he executed the same.

Parula A. Jones  
Notary Public for Idaho  
Resident at Orofino, Idaho  
My commission expires: 11-20-2001

## NOTICE OF APPLICATION FOR WATER RIGHT

The following application (s) have been filed to appropriate the public waters of the State of Idaho:  
84-07301

Berglund, Delphin  
Berglund, Coreen  
PO Box 641  
Orofino, ID 83544

Source: SPRING  
Tributary: SINKS  
Diversion PT: SWNWSW Sec. 14 T 36N  
R 02E in Clearwater County  
Use: Wildlife Storage (0.60 AF)  
Domestic Storage (0.60 AF)  
Domestic From Storage (0.60 AF)  
Recreation Storage (0.60 AF)  
Aesthetic Storage (0.60 AF)  
Diversion to Storage (0.040 CFS)  
Total Diversion: (0.040 CFS)  
Date Filed 5/4/1999  
T36N R02E S14 NWSW

5-20,27c

*left off trailing paragraphs } Re-diverted*

*Cheeta*  
*208 476-4571*

MICHO, TAMES

6/18/99

84-07301

BERGLUND, DELPHIN  
BERGLUND, COREEN  
PO BOX 641  
OROFINO, ID 83544

Source: SPRING

Tributary: SINKS

Diversion Pt: SWNWSW Sec 14 T 36N R 02E in CLEARWATER County.

|                       |   |            |
|-----------------------|---|------------|
| Use: WILDLIFE STORAGE | ( | 0.60 AF)   |
| DOMESTIC STORAGE      | ( | 0.60 AF)   |
| DOMESTIC FROM STORAGE | ( | 0.60 AF)   |
| RECREATION STORAGE    | ( | 0.60 AF)   |
| AESTHETIC STORAGE     | ( | 0.60 AF)   |
| DIVERSION TO STORAGE  | ( | 0.040 CFS) |
| Total Diversion:      | ( | 0.040 CFS) |

Date Filed: 5/ 4/1999

In: CLEARWATER County  
T36N R02E S14 NWSW

MICHAEL

100 1 1 2001

May 12, 1999

Delphin & Coreen Berglund  
PO Box 641  
Orofino ID 83544

Re: Water Appropriation Application No. 84-07301

Dear Mr. and Mrs. Berglund:

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. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, 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 approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, 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 you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE  
Senior Water Resources Agent

AB:db

MICHAEL  
JUN 11 1999