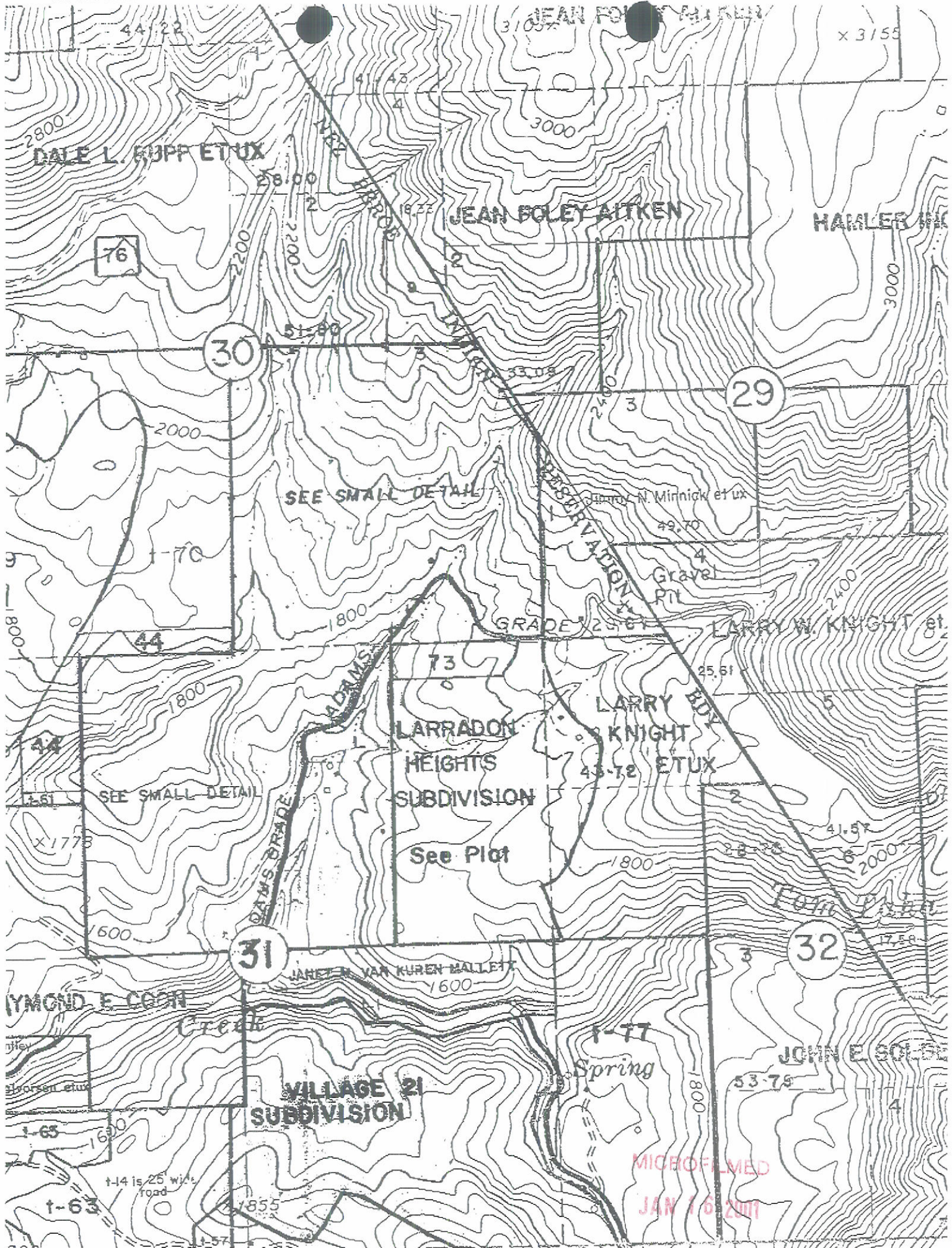
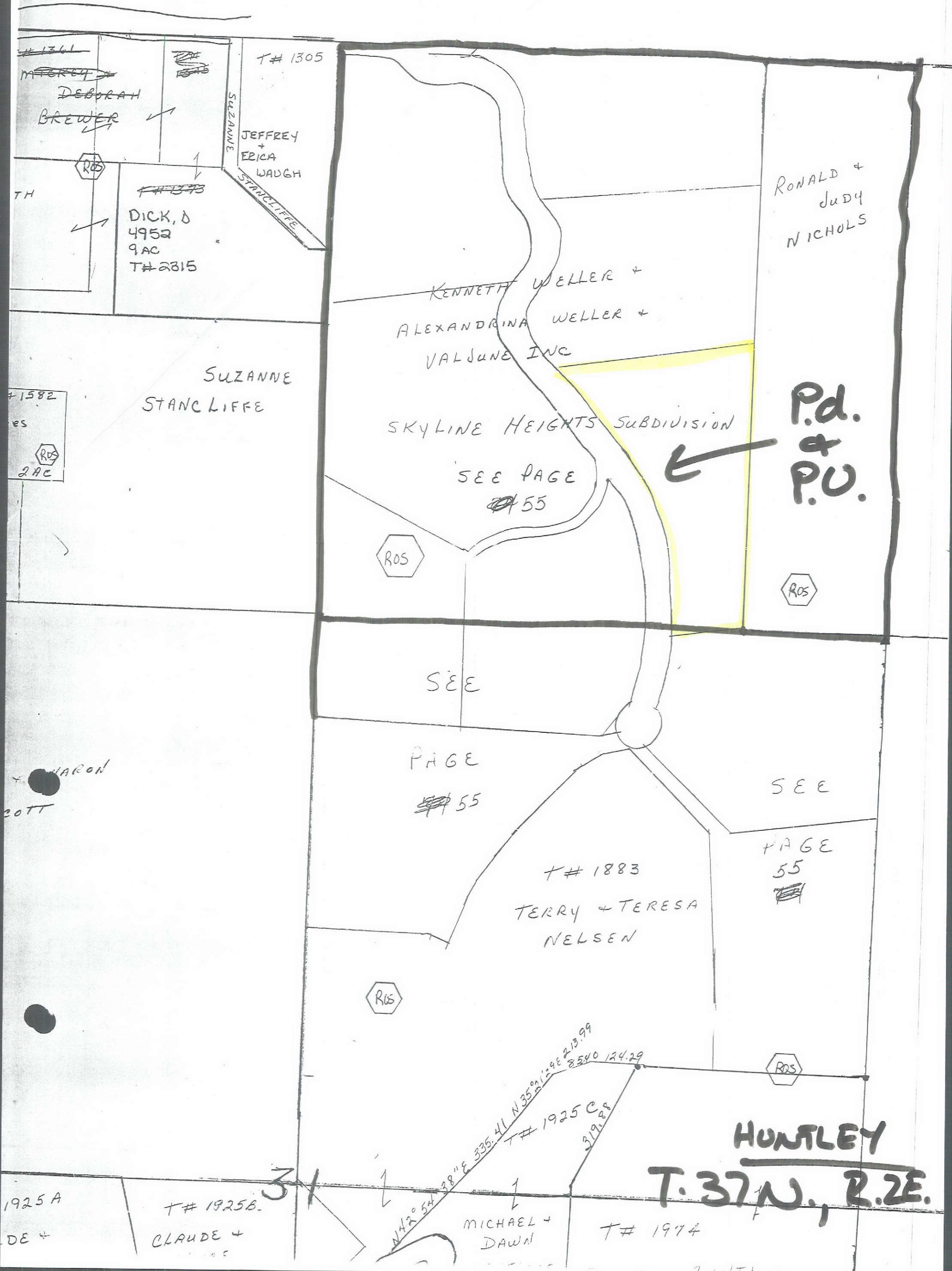




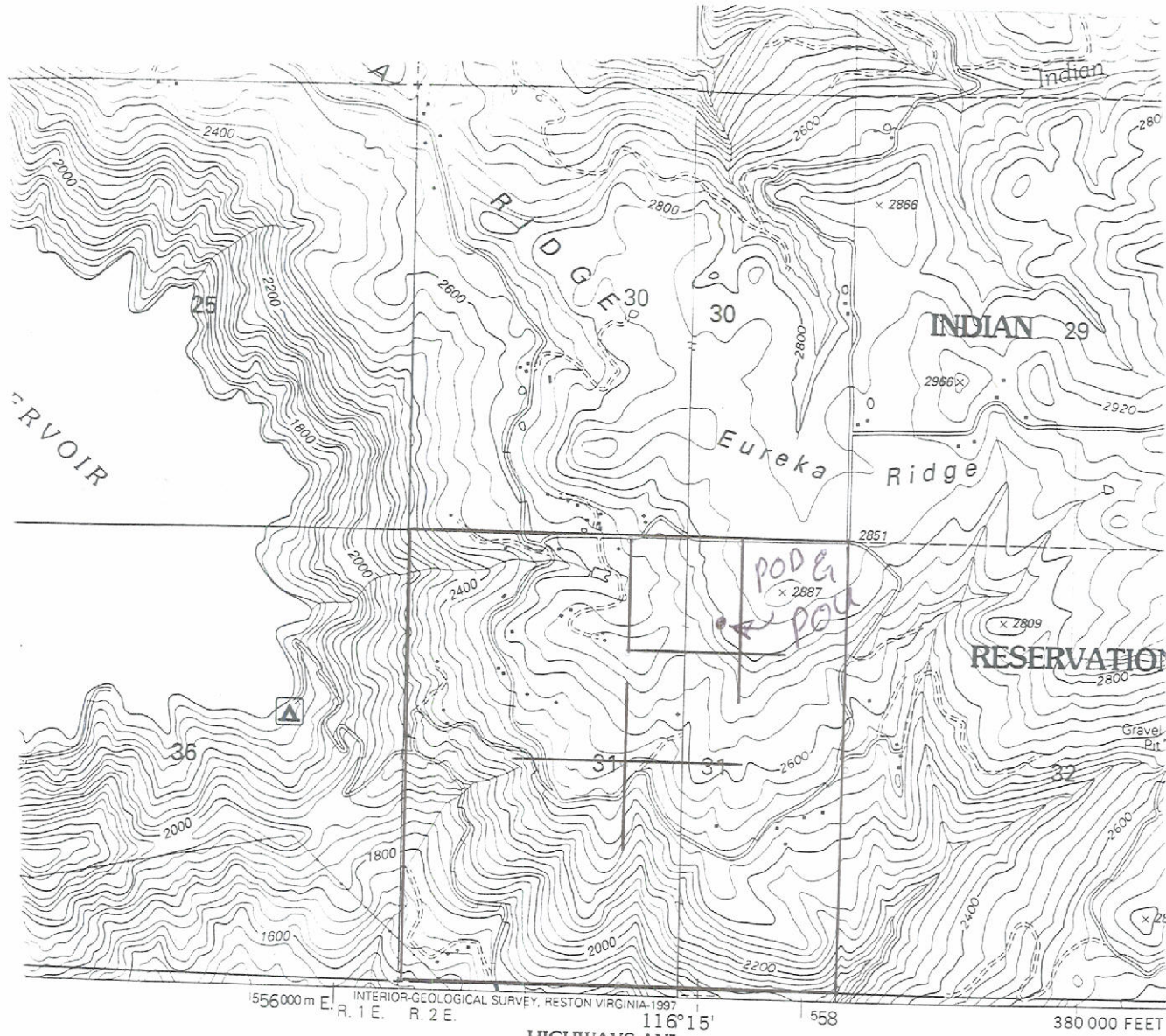
T 37N R 2E SECTION 31

NWNE



Twp 37N
Rge 2E
Sec 31

83-7135



56000 m E. INTERIOR GEOLOGICAL SURVEY, RESTON VIRGINIA 1997 116°15' 558 380 000 FEET

HIGHWAYS AND SURVEY

- LOCATION
- Interstate..... 5
 - U. S. 101
 - State 79
 - County 6
 - National Forest, suitable for passenger cars 105 61
 - National Forest, suitable for high clearance vehicles 10 5
 - National Forest Trail 384
- Park
Aldermand Ridge
Elk Creek Falls
Southwick
Dent
Peck
Orofino West
Orofino East
- RANGES

Prijs may not have been revised
Set
Lig8. Revised from aerial
by U.S. Forest Service 1994
Projection and 10 000-foot ticks:
conformal conic)
itor ticks, zone 11
Un shown by dashed corner ticks
NAD 83 for 7.5-minute
Tr odetic Survey NADCON software
Ga n the National Forest
or State reservations
p document. Public lands are
access restrictions; check
entering private lands

MICROFILMED
AUG 11 2003

UTM G
DECI

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 83-07135

Priority: September 1, 1999

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that FRANCIS L HUNTLEY And
ALBERT M HUNTLEY And
EILEEN HUNTLEY
1015 SKYLINE HEIGHTS DR
OROFINO ID 83544

have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated September 1, 1999; and have
submitted Proof of Beneficial Use on January 31, 2000. An examination indicates that the works have a
diversion capacity of 0.03 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.03 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NE¼ Sec. 31, Twp 37N, Rge 02E, B.M. CLEARWATER County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
37N 02E 31		X															

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. Point of diversion and place of use are located within Lot 8, Skyline Heights Subdivision.
3. Rights 83-7121 and 83-7135 when combined shall not exceed a total annual maximum diversion volume of 23.5 af.

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 12TH day of FEBRUARY, 2003.

MICROFILMED
AUG 11 2003

Acting for 
KARL J. DREHER
Director

RECEIVED

JAN 31 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 83-07135 Telephone No. (208) 476-9739
2. Name of Permit Holder(s): EILEEN HUNTLEY, ALBERT M. HUNTLEY, FRANCIS L. HUNTLEY
3. Mailing Address: 1015 SKYLINE HEIGHTS DRIVE
City OROFINO State Idaho Zip 83544
4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. 8 / yr. 1999
a. Well Driller: STUIVENBA Vessey Drilling Drilling Permit Number: 0-0010-425
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): 0 None
Irrigation (No. of acres): 0 Other: None
6. Total rate of diversion and/or volume for which proof is submitted: 0.03 cfs OR acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
- | | | |
|-------------------|--|------------------------------------|
| Measuring Device: | Is a measuring device required? | Yes <u> </u> or No <u>X</u> |
| | Has the measuring device been installed? | Yes <u> </u> or No <u>X</u> |
8. Fee Enclosed: \$ 0 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: FRANCIS L. HUNTLEY Telephone Number: (208) 476-9239
Address: 1015 SKYLINE HEIGHTS DRIVE OROFINO, ID 83544
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: Francis L. Huntley
(include your title, if on behalf of company or organization)
Francis L. Huntley

Date: 1/26/00
MICROFILMED
JAN 18 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 83-07135

Priority: September 1, 1999

Maximum Diversion Rate:

0.03 CFS

This is to certify, that EILEEN HUNTLEY
ALBERT M HUNTLEY
FRANCIS L HUNTLEY
1015 SKYLINE HEIGHTS DR
OROFINO ID 83544

has applied for a permit to appropriate water from: GROUNDWATER

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	0.03 CFS
----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 31, Township 37N, Range 02E
CLEARWATER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

37N 02E 31

NWNE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before February 1, 2001.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Domestic use is for 1 home.
5. Point of diversion and place of use are located within Lot 8, Skyline Heights Subdivision.

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

24th day of January, 2000

Karl J. Dreher
for Karl J. Dreher, Director

MICROFILMED

JAN 16 2001

RECEIVED

JAN 18 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant ALBERT M. HUNTLEY & EILEEN HUNTLEY & FRANCIS L. HUNTLEY Phone (208) 476-9739
Mailing address 1015 SKYLINE HEIGHTS DRIVE OROFINO, ID 83544
2. Source of water supply GROUNDWATER which is a tributary of N/A
3. Location of point of diversion is Township 37N Range 2E Sec. 31 in the NW 1/4, NE 1/4, 1/4, Govt. Lot , B.M., CLERK COUNTY County; additional points of diversion if any: SKYLINE HEIGHTS SUBDIVISION LOT 8
4. Water will be used for the following purposes:
- | |
|---|
| Amount <u>0.03</u> cfs for <u>DOMESTIC</u> purposes from <u>JAN 1</u> to <u>DEC 31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u> </u> for <u> </u> purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u> </u> for <u> </u> purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u> </u> for <u> </u> purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u> </u> for <u> </u> purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u> </u> for <u> </u> purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
5. Total quantity to be appropriated is (a) 0.03 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 3/4" H.P. 109PM 4"
submersible pump, 1" plastic water pipe, 45 gal. pressure tank
- b. Height of storage dam feet; active reservoir capacity acre-feet; total reservoir capacity acre-feet
- c. Proposed well diameter is 8 inches; proposed depth of well is 198 feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? 8/27/99 Drilling firm STAVENGA Vessey Well Drilling
Well was drilled for (well owner) ALBERT M. EILEEN & FRANCIS L. HUNTLEY; Drilling Permit No. D0010425
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in KW.
- b. Stockwatering; list number and kind of livestock.
- c. Municipal; show name of municipality.
- d. Domestic; show number of households. 1
- e. Other; describe fully.

MICROFILMED

JAN 16 2001

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
37N	2E	31		D															

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? ALBERT M. HUNTLEY, EILEEN HUNTLEY & FRANCIS L. HUNTLEY

b. Who owns the land to be irrigated or place of use? ALBERT M. HUNTLEY, EILEEN HUNTLEY & FRANCIS L. HUNTLEY

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: _____

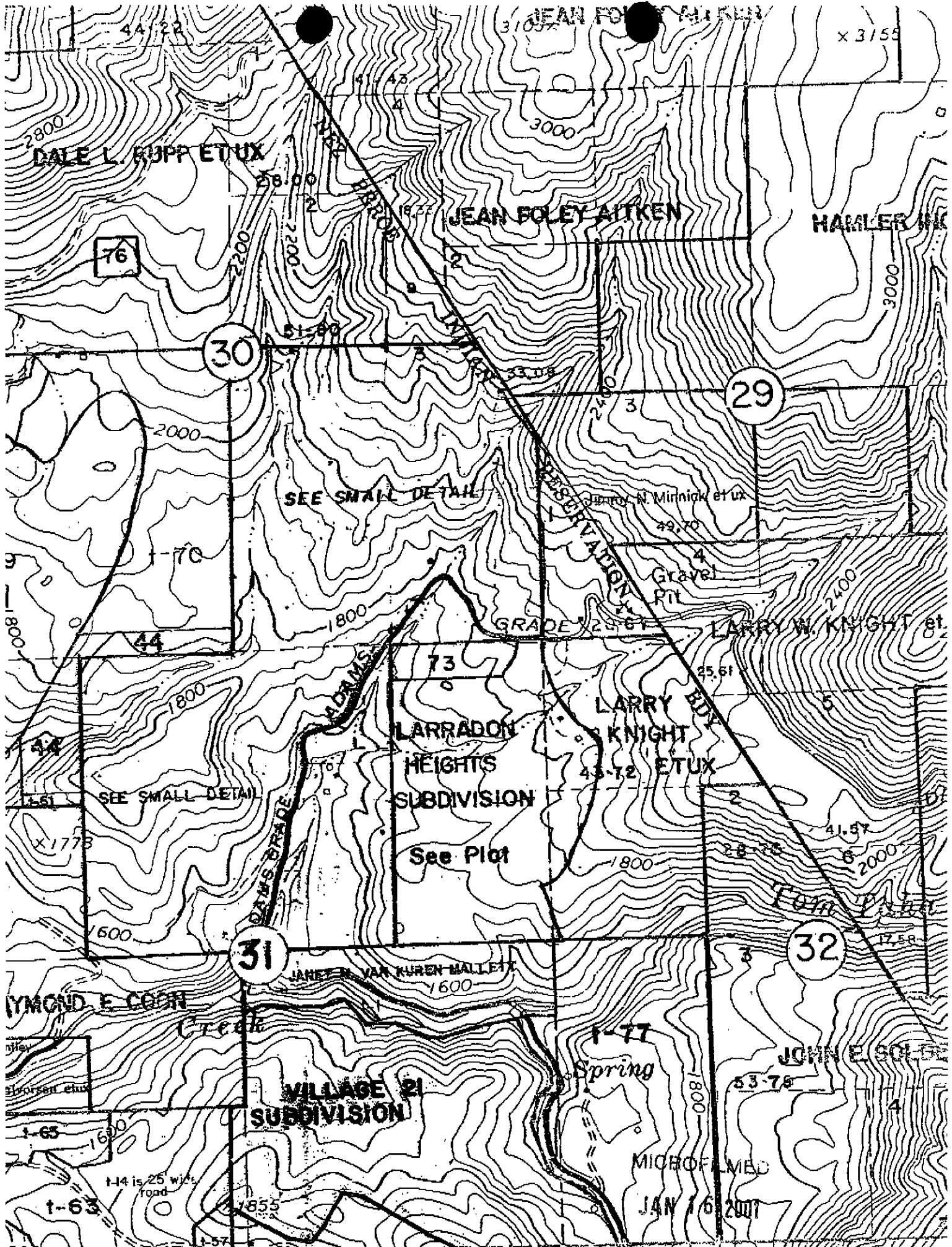
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

MICROFILMED
JAN 16 2001

Albert M. Huntley
Francis L. Huntley
Signature of Applicant (and title, if applicable)

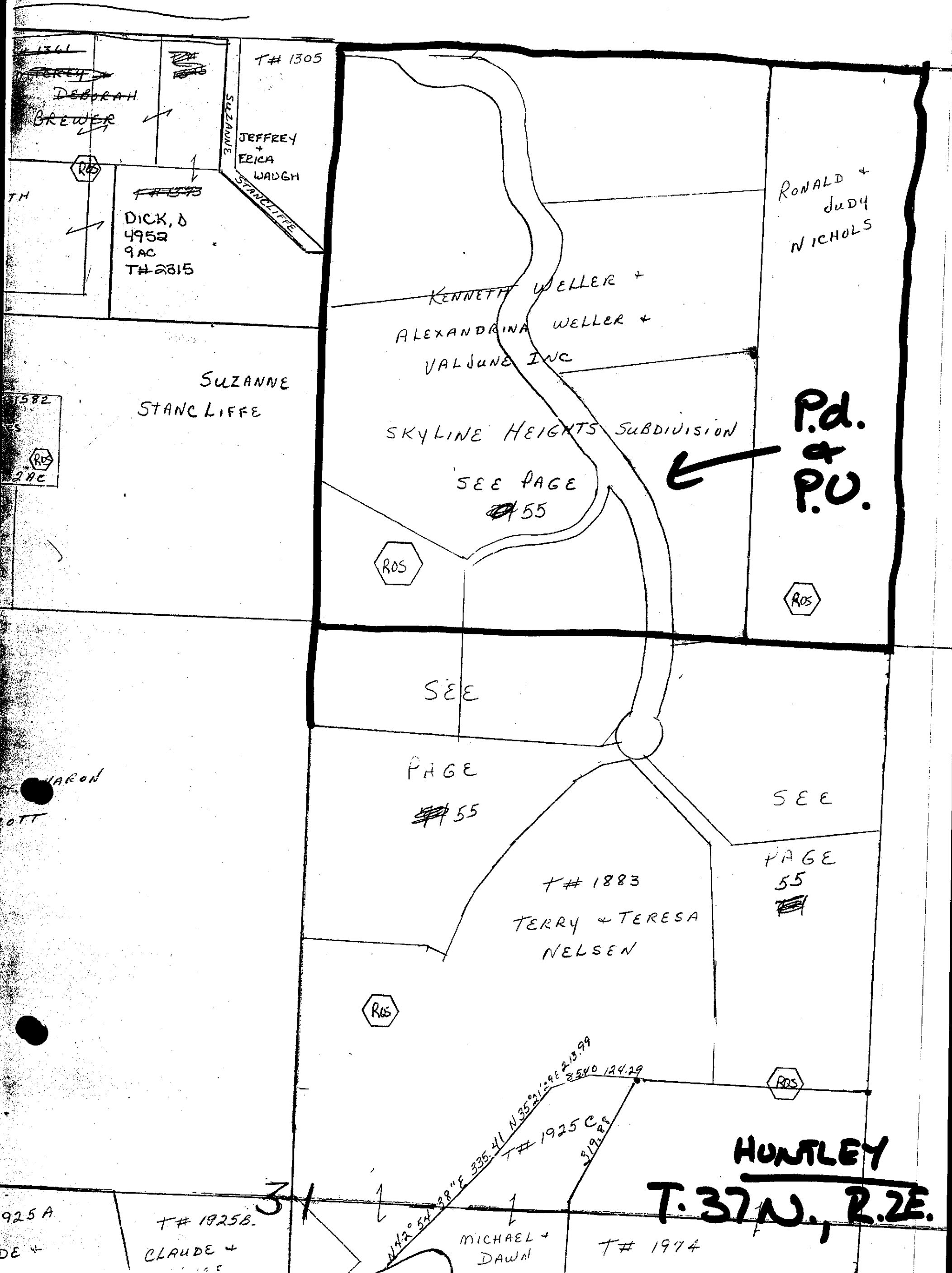
Received by db Date 11-9-99 Time 11 30 am Preliminary check by db
Fee \$ 50.00 Received by db # N013199 Date 9/1/99
Publication prepared by db Date 9/28/99 Published in Clearwater Ind 10/7-14/99
Publication approved db Date 11/2/99



JAN 16 2001

T 37N R 2E SECTION 31

NWNE





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 12, 2003

FRANCIS L HUNTLEY
ALBERT M HUNTLEY
EILEEN HUNTLEY
1015 SKYLINE HEIGHTS DR
OROFINO ID 83544

RE: License No. 83-7135 - 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)

MICROFILMED

AUG 11 2003

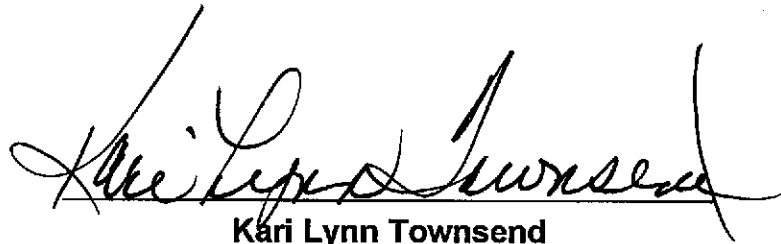
CERTIFICATE OF SERVICE

I hereby certify that on February 12, 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.

83-7135

**ALBERT M HUNTLEY
EILEEN HUNTLEY
FRANCIS L HUNTLEY
1015 SKYLINE HEIGHTS DR
OROFINO ID 83544**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**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.

MEMORANDUM

Date: February 10, 2003
To: Water Right File 83-7135
From: S. Keen *SK*
Re: License Review

Licensing review and data entry by S. Keen on 2/10/2003.

COMBINED VOLUME

The field examiner reported that this right is a backup to the subdivision system for Skyline Heights. Therefore, the license limits the total use to the volume authorized under the Skyline Heights subdivision system. (See 83-7121).

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AUG 11 2003

Field Inspection Report

Permit No. 743133

Metal Tag No. D0010425,

Well ID # 284744

Relationship: Owner/Operator

Name: ALBERT M HUNTLEY Phone:(208)476-9739

Address: 1015 SKYLINE HEIGHTS DR

OROFINO ID 83544

Well Location: Township 37N, Range 02E, Section 31, NE, NW
COUNTY CLEARWATER

Address of Well Site: 8" WAIVER - 1015 SKYLINE HEIGHTS DR
OROFINO ID

Use of Well:

Activity: New Well

Region: Northern

Construction Method:

Const Start Date: Aug 26 1999 Const End Date: Aug 27 1999

Well Drilling Company: STUIVENGA VESSEY DRILLING (No. 545)

Card Hold Name: RODNEY W VESSEY Phone:(208)983-1220 (No. 4354)

Certifying Official:

Date Received: Sep 03 1999

Date Approved: Aug 27 1999

Date Inspected: Jun 07, 2000,

Completed Depth: 198 FT Drilled Depth: Surface Diameter: 8 inches

Primary Flow Depth: Overall Temp: Static Water Level: 121

Head Pipe Length: Tail Pipe Length Production Rate: 10 GPM

Closed in Pressure: 0 Psi Bottom Hole Temp: 54 F. Low Temp Geothermal: NO

Control Device Desc:

Access Port Desc:

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AUG 11 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 3 - 2003
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 83-07135

1. Owner: Eileen Huntley
Albert M. Huntley
Francis L. Huntley

Phone No. (208) 476-9739

Current Address: 1015 Skyline Heights Dr.
Orofino, ID 83544

2. Accompanied by: NA

EXAM DATE : August 12, 2000

Address:

Phone No.

Relationship to Permit Holder:

3. Source: Groundwater

tributary to:

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 83-07121
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	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
NA			NW	NE	31	37N	02E	Clearwater	USGS 7½ min. topographical map & plat map

2. Place(s) of Use:

Indicate Method of Determination: USGS 7½ min. topographical map & plat map

map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
37N	02E	31		D															

MICROFILMED
AUG 11 2003

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

NA

Scale: 1" =

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

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

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
NA					

*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
NA						

2. Measurements:

NA

E. NARRATIVE/REMARKS/COMMENTS

In a telephone conversation with Albert Huntley (permit co-holder), I was informed that the well supplied a house and was also used to irrigated a small lawn of less than one half (1/2) acre. In another telephone conversation, Joan at the Clearwater county assessor's office confirmed that there is a modular home converted to real property on Lot 8 of the Skyline Heights Subdivision and that the property belongs to Eileen Huntley, Albert M. Huntley, and Francis L. Huntley.

A search of the database revealed Water Right # 83-07121 with a place of use (POU) overlap with the permit. They both include Lot 8 of the Skyline Heights Subdivision. In a latter conversation, Frank Huntley indicated that the well was supplemental to subdivision water because of Y2K and that valves were installed to switch between subdivision water and private water.

MICROFILMED

AUG 11 2003

Have conditions of permit approval been met?

X Yes no

F. FLOW CALCULATIONS

Measured Method:

Domestic (1 Home) = ~~0.04~~ cfs = 0.03 cfs (limited by permit)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$

2. Volume Calculations for Other Uses:

Domestic (1 Home) including lawn = 1.2 afa.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/1	12/31	0.03	1.2
	Totals:		0.03	1.2

2. Recommended Amendments

Change P.D. as reflected above

Add P.D. as reflected above

☒ None

Change P.U. as reflected above

Add P.U. as reflected above

Other

I. AUTHENTICATION

Field Examiner's Name: Jim Zimmerman

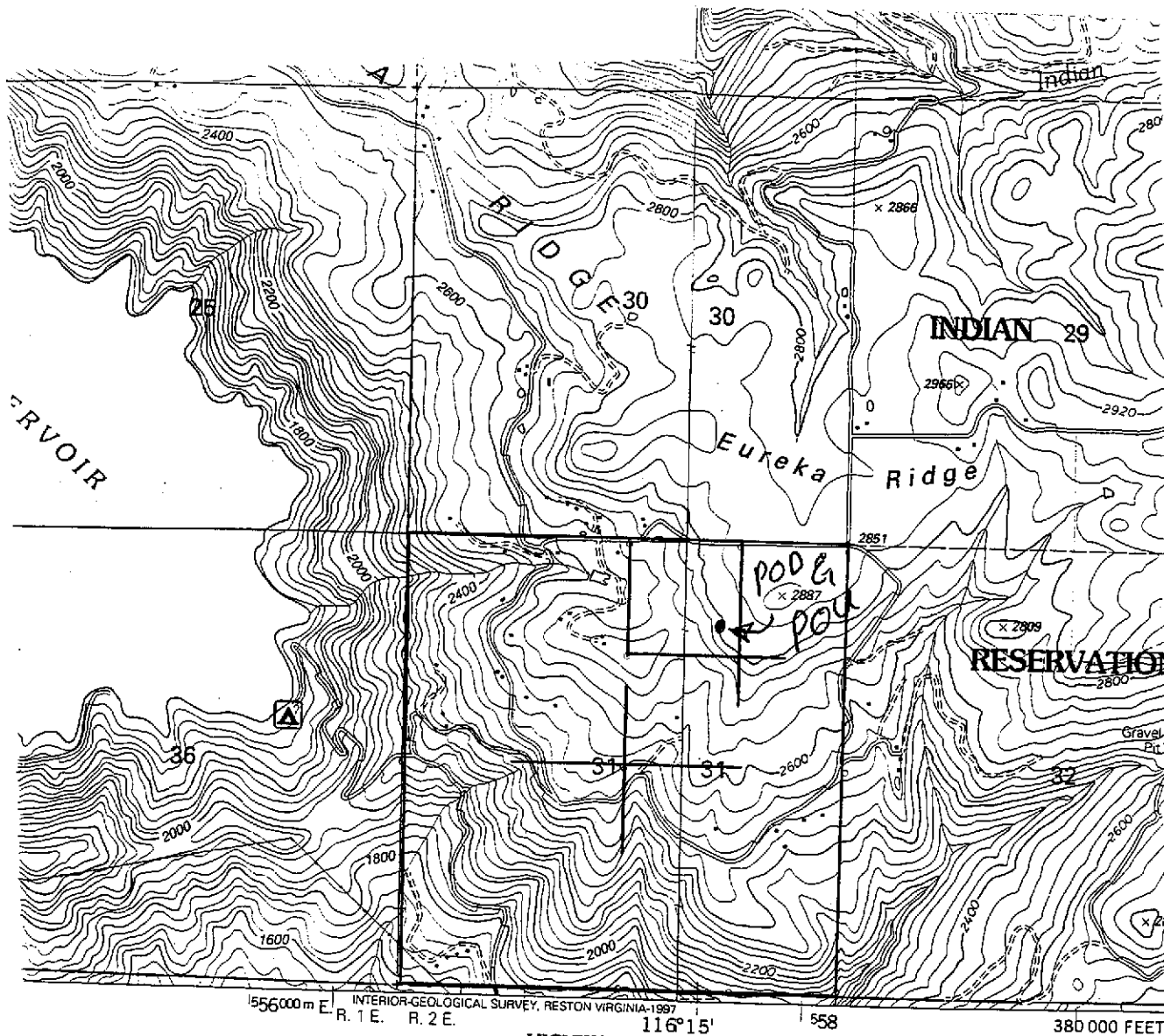
Date: August 12, 2000

Signature



Twp 37N
Rge 2E
Sec 31

83-7135



56 000 m E. 116° 15' 558 380 000 FEET

HIGHWAYS AND SURVEY

Interstate	5
U. S.	101
State	79
County	6
National Forest, suitable for passenger cars	105 61
National Forest, suitable for high clearance vehicles	105
National Forest Trail	384

Park
Alderman Ridge
Elk Creek Falls
Southwick
Dent
Peck
Orofino West
Orofino East

RANGES

Pris may not have been revised
Set
Lig8. Revised from aerial
by U.S. Forest Service 1994
Projection and 10 000-foot ticks:
conformal conic)
for ticks, zone 11
shown by dashed corner ticks
NAD 83 for 7.5-minute
Trodetic Survey NADCON software
Ga in the National Forest
or State reservations
p document. Public lands are
access restrictions; check
entering private lands

UTM G
DECI

MICROFILMED
AUG 11 2003

Lot 8 of Skyline Heights Subdivision

Clearwater Co. Idaho

Twp 37N

Rge 02E

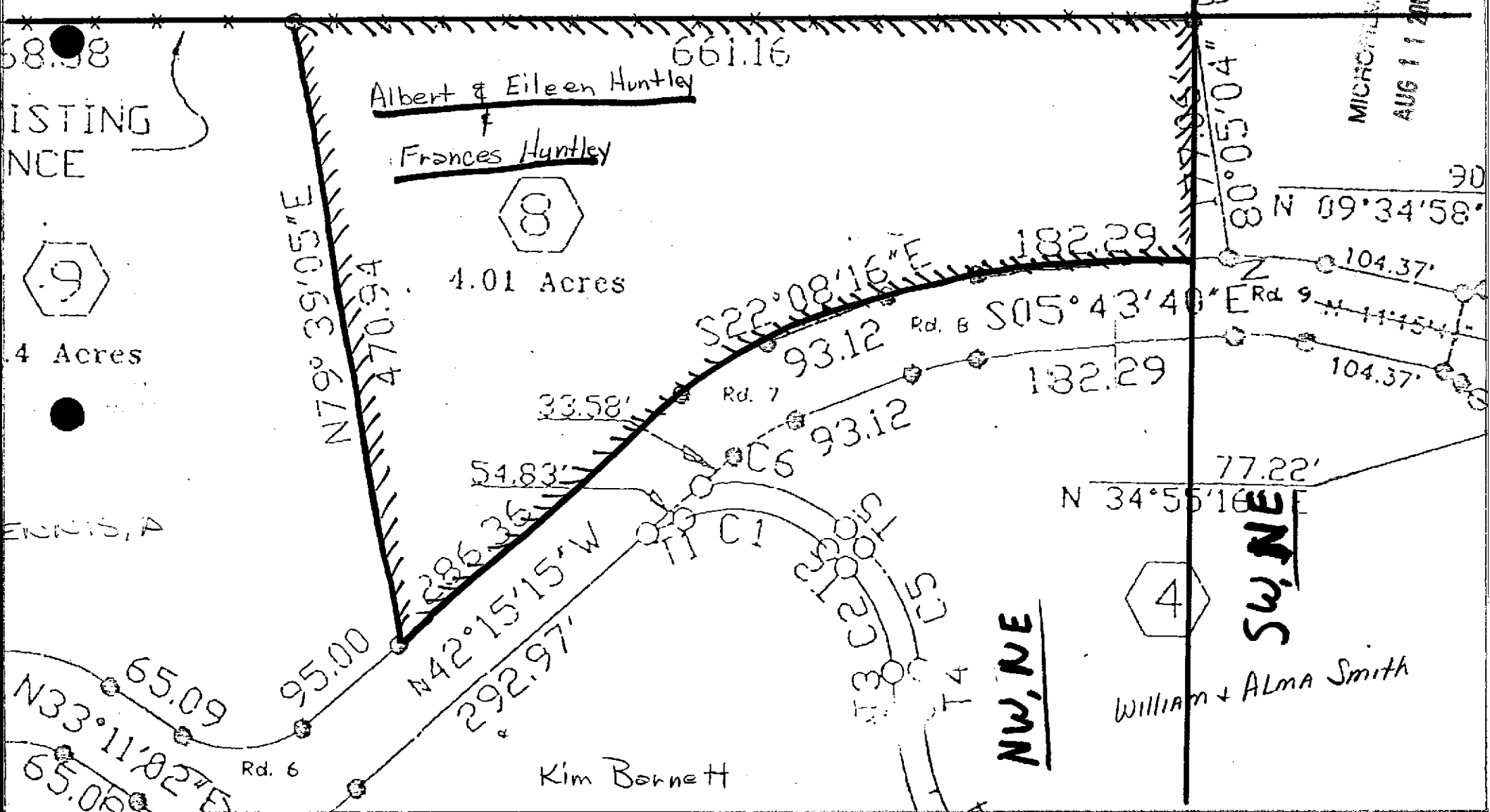
ER LINE 1332.33 Sec. 31
SEMENT N 1° 07' 09" W

83-7135

NE, NE

SE, NE

5.12 Ac





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

February 7, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EILEEN HUNTLEY
1015 SKYLINE HEIGHTS DR
OROFINO ID 83544

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 83-07135

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 **NORTHERN** Regional Office of the department in Coeur d' Alene at (208) 769-1450.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

JAN 16 2001

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 83-07135 Reviewed by VJA Date 1-07-00

GENERAL CONSIDERATIONS

TYPES OF USE

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

Correct Uses? yes

Dom - 1

SOURCE OF WATER

 Surface water source

✓ Ground water source

 Drilling permit required?

 Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

NO Required?
/ Amount Submitted
/ Correct?

MEASURING DEVICE

/ Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>/</u>	<u> </u>
Date proof due	<u>/</u>	<u> </u>
No. of days late	<u>/</u>	<u> </u>
Priority Date	<u>/</u>	<u> </u>
New Priority Date	<u>/</u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

none / ok proof

DATA ENTRY

New Address / Proof Made 1-31-00



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

KARL J. DREHER
DIRECTOR

January 24, 2000

EILEEN HUNTLEY
ALBERT M HUNTLEY
FRANCIS L HUNTLEY
1015 SKYLINE HEIGHTS DR
OROFINO ID 83544

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 83-07135

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.

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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

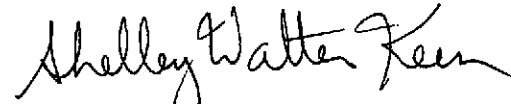
Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$1000 filing fee. Contact any office of the department or visit the department's

1000-1100-1100
JAN 16 2001

homepage on the Internet to obtain the proper reporting form.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

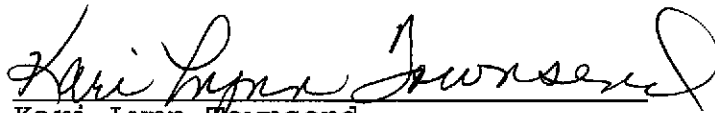
MICROFILMED
JAN 16 2001

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of January, 2000, 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. 83-07135

EILEEN HUNTLEY
ALBERT M HUNTLEY
FRANCIS L HUNTLEY
1015 SKYLINE HEIGHTS DR
OROFINO ID 83544


Kari Lynn Townsend
Secretary

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JAN 16 2001

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.

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JAN 16 2001

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.

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JAN 15 2001

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 1/19/00

No. 83-07135 Name: Huntley Corp. Officers N/A Ad ok ✓ Govt Lots —

AREA OF CONCERN: No/Yes sc Moratorium — GWMA — TRUST/NON-TRUST —
gw ok

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 085
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

~~Supp irr (irr = only use)~~ - 065-104
~~Supp irr (+ other uses)~~ - 100-105
~~≤ 0.24 cfs/5 acres~~ - No MD
~~> 0.24 cfs/5 acres~~ - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 210112001

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response —

In/Above MSF - WB9

PLANNING SECTION REVIEW/RESPONSE —

In-stream development - P52

WD - R04 (WD# —)

≤ 0.20 cfs/others - 01H(P01), 01P or No MD

> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

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

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC W01(1)
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use/listed separate - WB5
Moratorium approvable - W03 (2400 gpd - meets domestic definition
i.e. D/convenience store)

IRRIGATION SEASON — - — (Per updated map)

OTHER CONDITIONS/REMARKS —

COMMENTS —

~~Multiple pd's per 1/4~~ - W32
Subd lot desc (pd) - W59 Lot 8, Skyline Heights
Subd lot desc (pu) - W60 Subd.
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single pd intended - 076

**ID# DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

RECEIVED

WRI
WRA
BCA

JAN 18 2000

APPLICATION # 83-07135

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW

APPLICANT: HUNTLEY RECEIVED BY: AB DATE: 9/1/99

ITEM REQUIRED INFORMATION

1. (✓) Name and Address JAN 18 2000
2. (✓) Source
3. (x) Point of Diversion Department of Water Resources
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)
- Y Field check: by _____
- Y Field report attached
- Y Analysis Supp. attached(>5cfs/500af)
- Y Water delivered by water master?
- Water District # _____

PROCESSING

- (Yes) (No) PRIORITY DATE: 9/1/99
- X (Include Moratorium Remark)
- X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

CT/Thum/eh

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>00010425</u>	<u>7</u>	Dom. <u>X</u> Non-Dom. _____	Paid \$ _____	_____	Y () N (<u>X</u>)
<u>93 99 N 0007</u>	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	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: _____

FINAL REGIONAL PROCESSING/REVIEW

- (Yes) (No)
- _____ Notice of pending void order issued. Final order response date: ____/____/____
- _____ Further information required from applicant
- 11/1/99 _____ Affidavit of publication received
- 11/2 _____ Application published correctly. If not, record action taken: _____
- 9/28 _____ Publication dates and paper recorded on application | Sr. Agent initial AB
- _____ ✓ Protests received, Final protest date: 10/25/99
- _____ ✓ Measuring device required
- _____ ✓ Measuring port required
- _____ ✓ Special conditions:
- _____ ✓ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB

Date: 01/14/00

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

ALBERT, FRANCIS & EILEEN HUNTLEY

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full period of two consecutive issues, commencing on the 7th day of October 1999 and ending on the 14th day of October 1999.

La Rae Call

STATE OF IDAHO)
)
COUNTY OF CLEARWATER)

On this 15th day of October 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 APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
83-07135

HUNTLEY, ALBERT M
HUNTLEY, FRANCIS L
HUNTLEY, EILEEN
1015 SKYLINE HEIGHTS DRIVE
OROFINO, ID 83544

Source: GROUNDWATER
Diversion Pt: NWNE Sec 31 T 37N
R 02E in CLEARWATER County.

Use: DOMESTIC (0.030 CFS)
Total Diversion: (0.030 CFS)

Date Filed: 9/1/1999

In: CLEARWATER County
T37N R02E S31 NWNE

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 OCTOBER 25, 1999.

JARK H. DREHER, Director

10-7,14c

RECEIVED

NOV 01 1999

IDWR/North

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JAN 16 2001

83-07135

HUNTLEY, ALBERT M
HUNTLEY, FRANCIS L
HUNTLEY, EILEEN
1015 SKYLINE HEIGHTS DRIVE
OROFINO, ID 83544

Source: GROUNDWATER

Diversion Pt: NWNE Sec 31 T 37N R 02E in CLEARWATER County.

Use: DOMESTIC	(	0.030 CFS)
Total Diversion:	(	0.030 CFS)

Date Filed: 9/ 1/1999

In: CLEARWATER County
T37N R02E S31 NWNE

MICROFILMED
JAN 15 2001

September 29, 1999

Albert M., Eileen and Francis L. Huntley,
1015 Skyline Heights Drive
Orofino ID 83544

Re: Water Appropriation Application No. 83-07135

Dear Huntleys:

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. Enclosed for your file is Receipt Number N013199.

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 your source is groundwater, a Well Drilling Permit is required for all wells constructed after July 1, 1987.

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

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

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JAN 16 2001

WD0731NP
(00-0731)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

DATE: 09/17/99
PAGE: 1

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY	ACC FLG
83-99-N-0007-000 D0010425	0	ALBERT M HUNTLEY 1015 SKYLINE HEIGHTS DR OROFINO, ID 83544 (208) 476-9739	37N	02E	31	NE NW		CLEARWATER	L

Subdivision Well Site Location and Description:

Subdivision Name:
Well Site Address: 8" WAIVER - 1015 SKYLINE HEIGHTS DR
City, State: OROFINO, ID

Lot(s):
Block(s):

Geographic Location:

GPS Site ID:
Lat: : : N
Long: : : W
Accuracy Code:

Proposed Use of Well: Domestic Proposed Casing Diameter: In. Proposed Depth: Ft.
Anticipated Bottom Hole Temperature: 85F or Less

Well Use Comments:

Driller License No: 0545

Firm Name: STUIVENGA VESSEY DRILLING
Official: RODNEY W VESSEY

Permit Status: Start Card

Verbal Issue Date:	Receipt No.	Receipt Date	Fee
Date Received: 08/26/1999	N013103	07/28/1999	\$ 750.00
Date Approved: 08/27/1999		NOT ON FILE	
Proposed Start Date: 08/26/1999		NOT ON FILE	
Extension Date:		NOT ON FILE	
Extension Expiration:		NOT ON FILE	

Permit Remarks:

Conditions of Approval: This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.

The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.

Approval of this drilling permit does not authorize trespass on the land of another party.

This permit does not constitute other local, county, state or federal

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2001 10 2001

WELL DRILLING PERMIT NUMBER INDEX: Permit No. 83-99-N-0007-000 (cont'd)

Conditions of approval: approvals which may be required for construction of a well.

This drilling permit does not represent a right to divert and use the water of the State of Idaho.

If a bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (Digline is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is 1- - - .

The well tag for the drilling permit/start card shall be securely and permanently attached to the well casing through welding or by the use of four closed end domed stainless steel pop rivets. The tag attachment will be done at the time of completion of the well, and prior to removing the drill rig from the drill site.

----- WELL DRILLER'S LOG REPORT -----

Drilling Permit No: 83-99-N-0007-000
Log Status: Sent To/Microfilmed

Water Right No:
Injection Permit No:

Nature of Work: NEW WELL

Construction Method: AIR ROTARY

Number of Monitor Wells:

Casing Diameter: 8 In.
Depth of Casing: 197 Ft.
Total Depth: 198 Ft.
Screen Installed? No

Static Water Level: 121 Ft.
Temperature: 54 F.
Production Rate: 10.00 GPM

Actual Start Date: 08/26/1999
Well Finish Date: 08/27/1999
Log Received Date: 09/03/1999
Certification Date: 08/31/1999
Field Inspection Date:

Inspector:

Violation Flag:

Well Log Remarks:

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JAN 16 2001