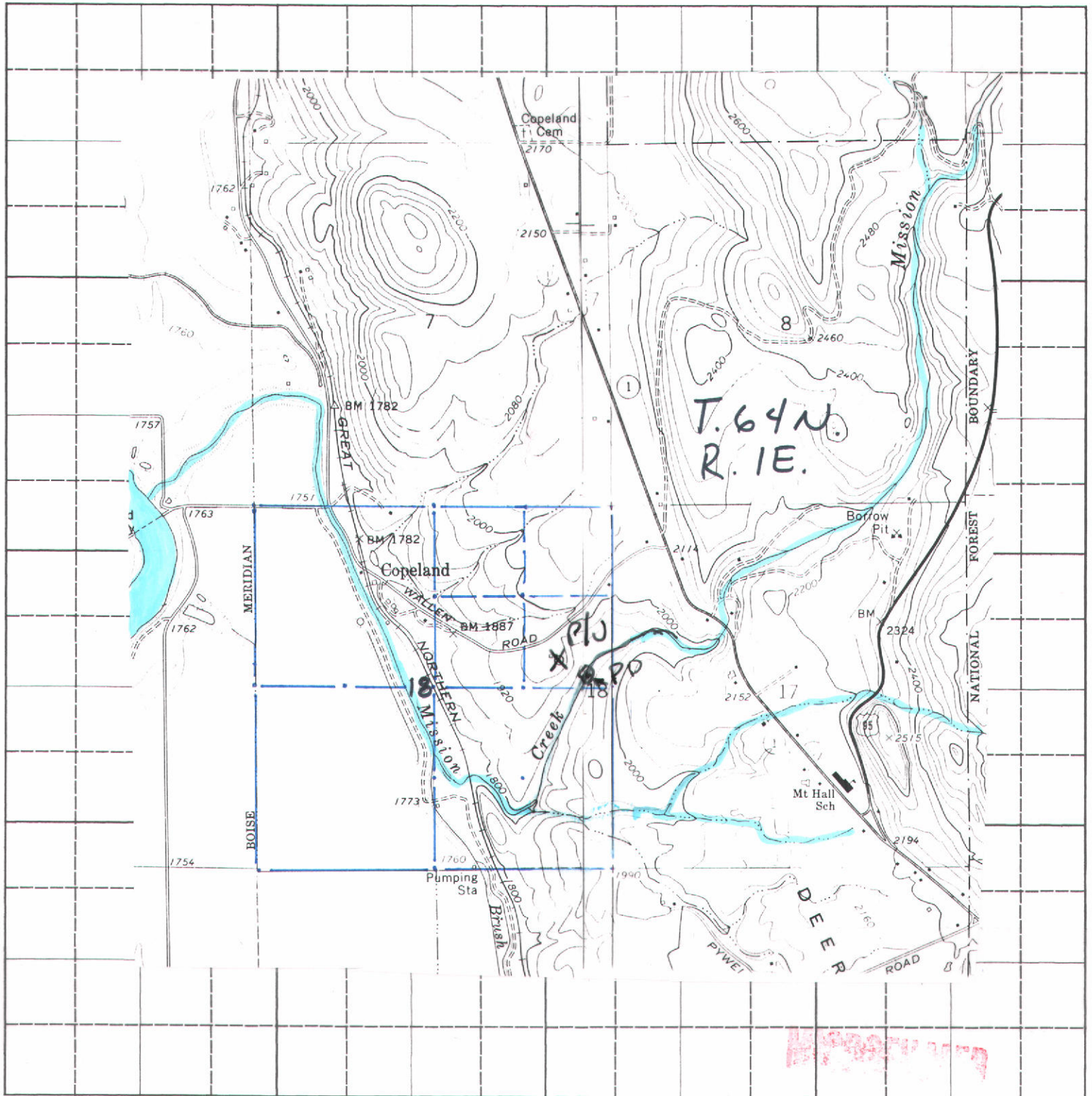


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



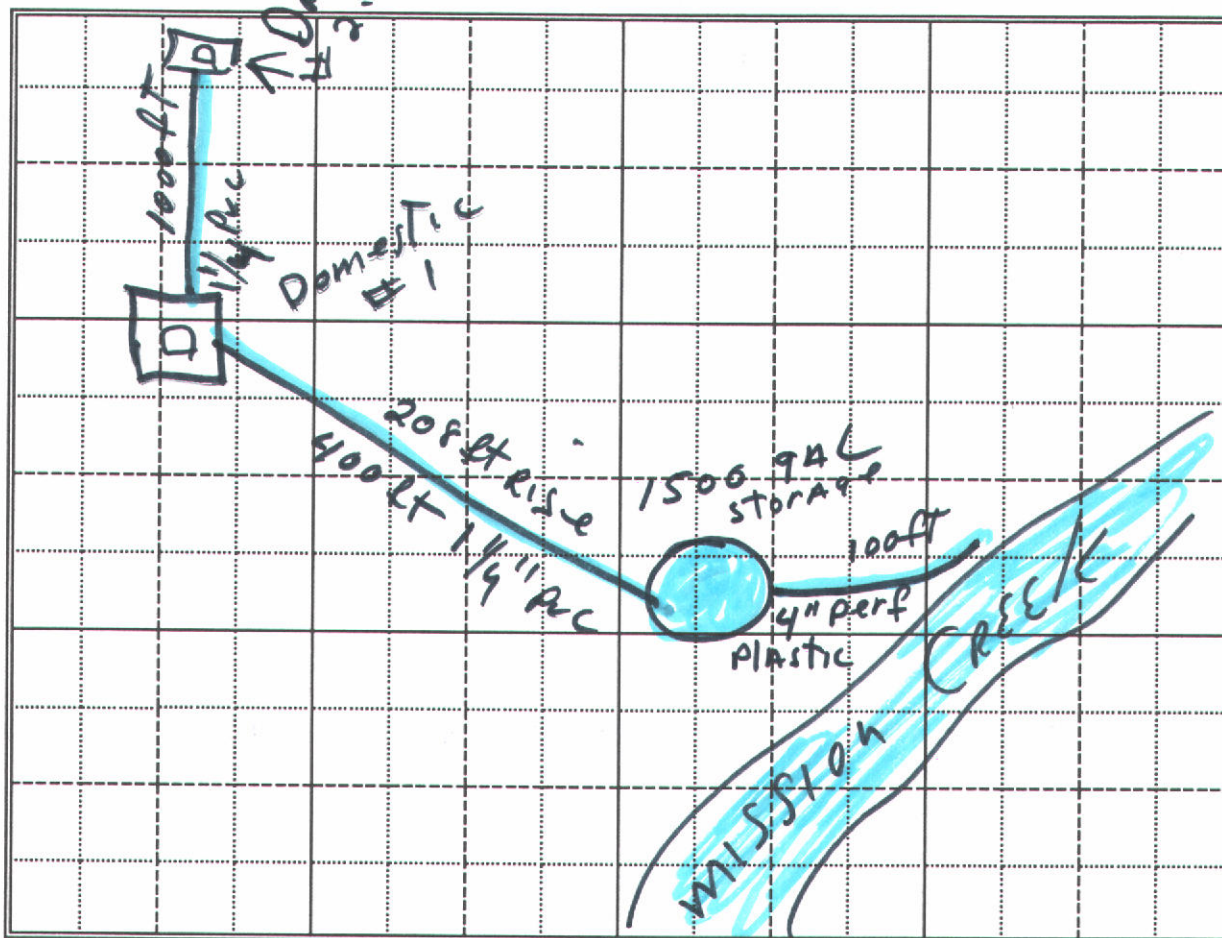
Scale: 2 inches equal 1 mile.

DEC 15 1994

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

Raymond A. Huthorn
(Applicant)

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



Scale: 1" = NTS

____ 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
	<u>Franklin</u>	<u>3</u>	<u>2823028310</u>	<u>submersible</u>	<u>1 1/4</u>

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

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R.OIW

R.OIE

Edwards Spur

Copeland
+1 Cam

Copeland
Ferry

Copeland

ROAD

ROAD

Pywell

See-lovers Spur

Storage
Bins

MICROFILMED

SEP 29 1998

98-07735
T. & N., R. DIE, Sec. 18
FLOWER & HINTHORN

9807735



PD



PD
Pump controls



Domestic



Domestic

MICROFILMED
SEP 29 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 98-07735

Priority: June 17, 1994

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

2.4 AF

This is to certify, that JASON L FLOWER
ALICE Y HINTHORN
RAYMOND HINTHORN
HEATHER FLOWER

HC 60 BOX 176

BONNERS FERRY ID 83805

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 12, 1994; and has submitted Proof of Beneficial Use on September 6, 1996. An examination indicates that the works have a diversion capacity of 0.060 cfs of water from:

MISSION CREEK

tributary to KOOTENAI RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.06 CFS	2.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 18, Township 64N, Range 01E
BOUNDARY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

64N 01E 18

SENE

CONDITIONS OF APPROVAL AND REMARKS

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

MICROFILMED

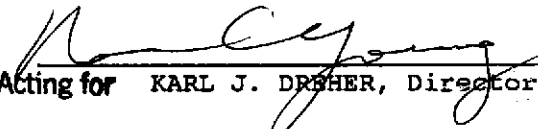
SEP 29 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 98-07735

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 25TH
day of FEBRUARY, 1998.


Acting for KARL J. DRESHER, Director

MICROFILMED

SEP 29 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 98-07735)

IN THE NAME OF JASON L. & HEATHER FLOWER AND)
ALICE Y. & RAYMOND HINTHORN)

ORDER OF
REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before August 1, 1996; and,

WHEREAS, the Department notified the permit holder on May 31, 1996, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

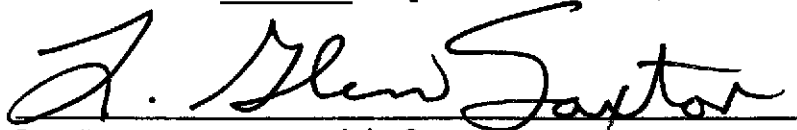
WHEREAS, the Department sent the permit holder a lapse notice on August 14, 1996, since an acceptable proof of beneficial use or extension of time had not been received; and,

WHEREAS, Section 42-218a, Idaho Code, provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on September 6, 1996;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 98-07735 is **REINSTATED** with an advance in priority to June 17, 1994.

DATED this 13th day of November, 1996.



L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
DEC 02 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 06 1996

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. 98-07735 Telephone No. 208-267-4400/267-3510

2. Name(s) of Permit Holder(s): Ray + Alice Hinthorn / Jason + Heather Flower

3. Mailing Address: HCR 100 box 176 Bonners Ferry, ID 83805

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

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

b. OPTIONAL:
Pump Horsepower: 3 H.P. Pressure (psi): 40-60 Dynamic pumping level (ft): ____

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

Domestic (No. of households): 2 Stockwater (No. and type of stock): ____

Irrigation (No. of acres): ____ Other: ____

6. Total rate of diversion and/or volume for which proof is submitted: 0.1106 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 N/A 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: \$ ____ (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: Ray Hinthorn Telephone Number: 208-267-3510

Address: HCR 100 box 176 Bonners Ferry, ID 83805

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: Raymond O. Hinthorn Date: 8-15-96
(include your title, if on behalf of company of organization)

DEC 02 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 98-07735

Proposed Priority: May 12, 1994

Maximum Diversion Rate:

0.06 CFS

This is to certify, that JASON L FLOWER
ALICE Y HINTHORN
RAYMOND HINTHORN
HEATHER FLOWER
HC 60 BOX 176
BONNERS FERRY ID 83805

has applied for a permit to appropriate water from:

MISSION CREEK

tributary of KOOTENAI RIVER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 18, Township 64N, Range 01E
BOUNDARY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

64N 01E 18

SENE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1996.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Domestic use is for 2 homes.

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 August, 1994.

R. Keith Higginson
for R. Keith Higginson, Director

DEC 15 1994

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AUG 03 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 98-07135

Department of Water Resources

To appropriate the public waters of the State of Idaho

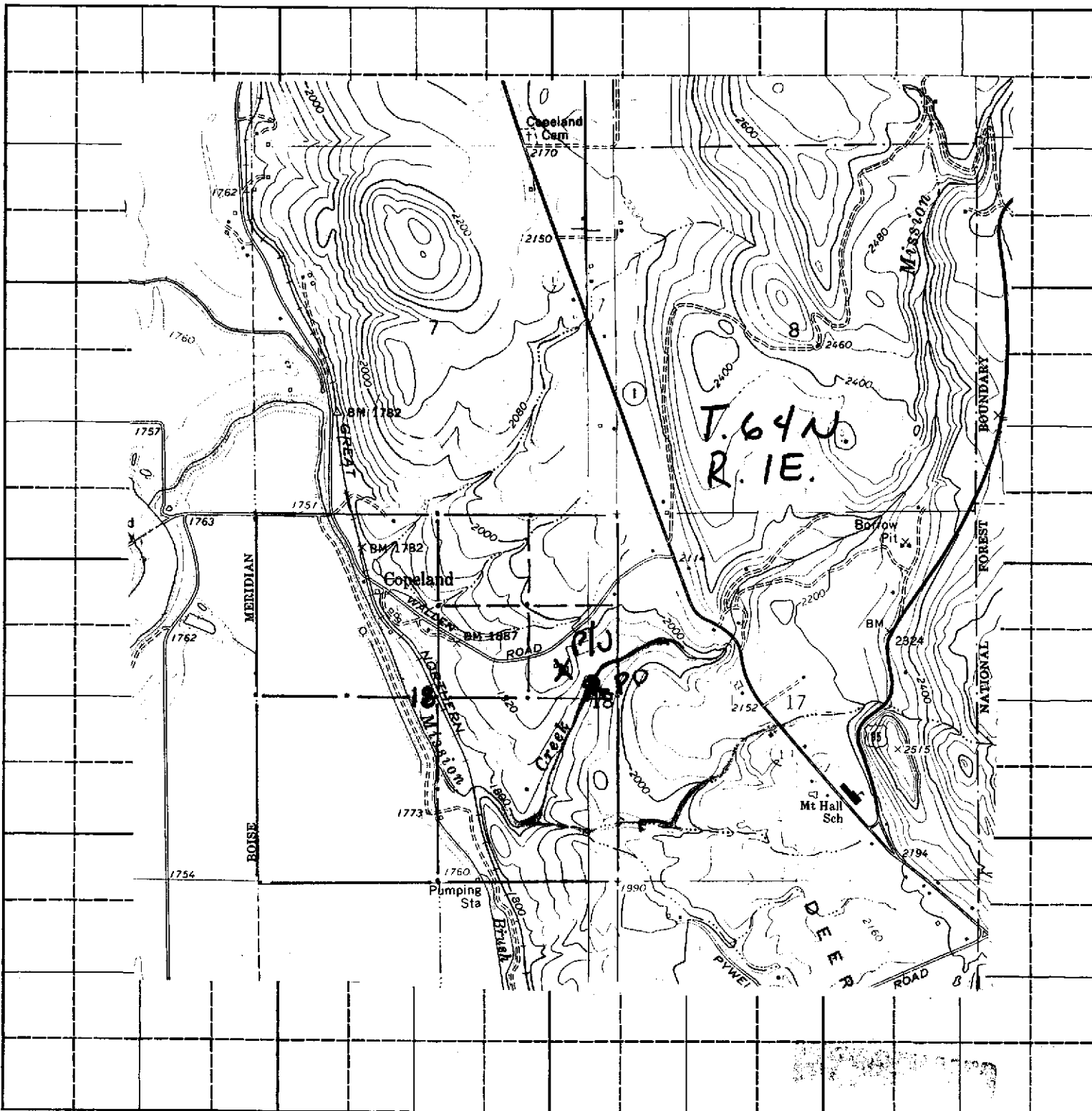
JASON L. & R. HEATHER T. FLOWER AND/OR

1. Name of applicant RAYMOND O. & R. ALICE Y. HINTHORN Phone 208-267-3510
Post office address HGR 60 Box 176, BONHERRS FERRY, IDAHO, 83805
2. Source of water supply MISSION CREEK which is a tributary of KOOTENAI RIVER
3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of _____ $\frac{1}{4}$ Govt. Lot SD. OF CO. RD.
18 Township 64N Range 1E B.M. BOUNDARY County; additional
LESS TAX 12
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.06 for DOMESTIC purposes from JAN 1 to DEC. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .06 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. CATCH BASIN, PIPE,
RESERVOIR, RETURN PIPE TO CREEK
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is 100 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) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
2 years (minimum 1 year).

DEC 15 1994

DEC 1 5 1994

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



Scale: 2 inches equal 1 mile.

DEC 15 1994

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

Raymond A. Anthorn
(Applicant)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by PAH Date 5/12/94 Time 2:15 PM
Received by myc # N7651 Date 5/19/94
Fee \$ 30.00
Publication prepared by RUC Date 5/25/94
Published in B.F. News 4/4/94
Publication approved RUC Date 7/13/94

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

Idaho No. _____, and said application is hereby _____

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

_____, 19____.

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

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

e. Other: _____

DEC 15 1994



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 25, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JASON L FLOWER
ALICE Y HINTHORN
RAYMOND HINTHORN
HEATHER FLOWER
HC 60 BOX 176
BONNERS FERRY ID 83805

RE: WATER RIGHT NO. 98-07735

Dear Water Right Holder(s):

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

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SEP 29 1998

APPEAL OF FINAL ORDER TO DISTRICT COURT

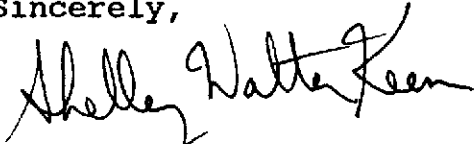
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district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

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
SEP 29 1988

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of February, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 98-07735

JASON L FLOWER
ALICE Y HINTHORN
RAYMOND HINTHORN
HEATHER FLOWER
HC 60 BOX 176
BONNERS FERRY ID 83805


Kari Lynn Townsend
Secretary

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SEP 29 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 98-07735

DATE 2/20/98

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U
Overlap file pulled & reviewed —

NO GOVT LOT IN SENE

RATE OF DIV

Permitted Rate	<u>.06</u> cfs
Fee limit	<u>.20</u> cfs <u>\$50⁰⁰</u>
Measured	<u>—</u> cfs
Theoretical	<u>.06</u> cfs

Recommended Total Div Rate .06 cfs

ANNUAL VOLUME/
NATURE OF USES —

<u>✓</u>	Use <u>Dom</u>	cfs <u>.06</u>	Volume Calc <u>1.2 x 2 =</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	SUBTOTAL	<u>.06</u>	<u>2.4</u>	<u>—</u> af

Flow rate — cfs X — days X 1.98 = — af

Total volume recommended — af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

1/2 homes

CONDITIONS

— Watermaster Control WD# —

— GW Measurement/Measuring Device

— Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA

Adjustment Memo —

1st Amend Letter NA

2nd Amend Letter NA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 27 1998

Department of Water Resources

98-07735

A. GENERAL INFORMATION

Permit No. 98-07735

1. Owner: Ray & Alice Penhorn Farm & Heather Hobbs Phone No. 98-07735

Current Address: Hc 60 Box 176 Bonners Ferry ID 83805

2. Accompanied by: Ray Penhorn EXAM DATE: 7-10-97

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Mission Creek tributary to Kootenai River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	DE	18	64N	01E	Boundary	U.S.G.S 7.5 min Quad

2. Place(s) of Use:

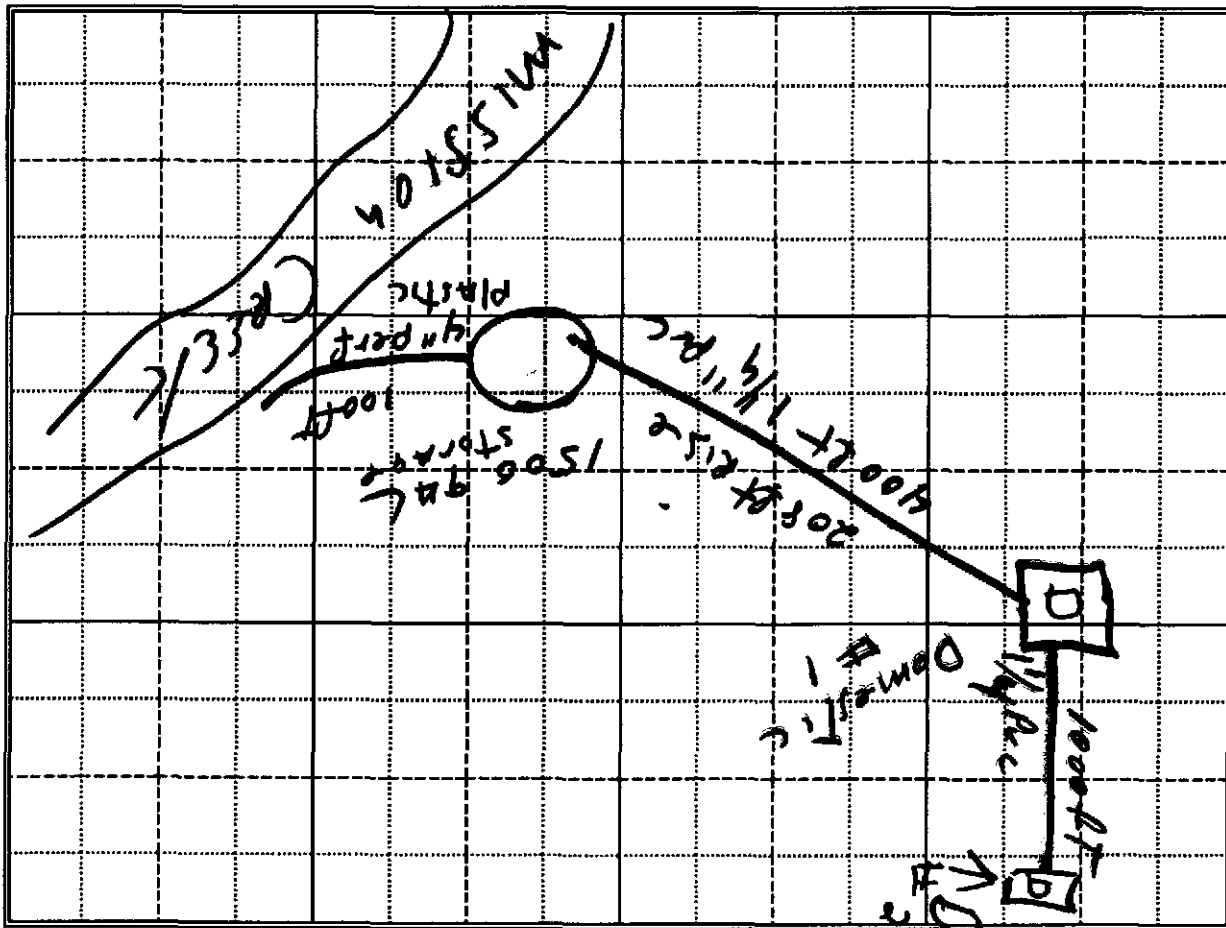
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
64N	01E	18				D													
						D													
			D																

REPROFILMED

SEP 29 1998

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



Scale: 1" = 100'

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
 ____ Aerial Photo Attached of (required for irrigation of 10+ acres)
 ____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	3	2823028310	submersible	1 1/4"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

SEP 29 1996

E. NARRATIVE/REMARKS/COMMENTS

4" Perforated plastic line 100 ft in length
feeds into a 1500 gal storage facility.
From there water is pumped 400 ft horizontally
with a pie of 20+ vertical feet to Donectri
#1 and ties of 400 ft to Donectri #2

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

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SEP 29 1998

$$5090 = \frac{1008}{1.48} = \frac{(0.3 \times 15.2) + 808}{(3) \times 1.48} = 0$$

R.01W

R.01E

BOISE MERIDIAN

R1W
R1E

MICROFILMED

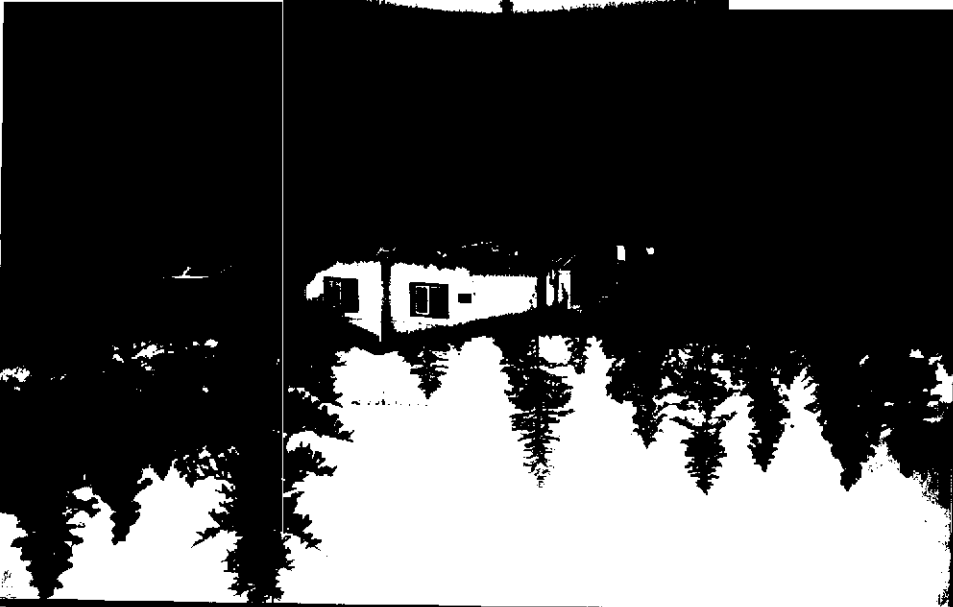
SEP 29 1988

98-07735
T. 64N, R. 01E, Sec 18

FLOWER & HINTHORN

RECEIVED
SEP 29 1958

Don't
#1



Don't
#1



Don't
#1



cd

98-07735

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 98-07735 Reviewed by [Signature] Date 10-9-96

GENERAL CONSIDERATIONS

TYPES OF USE

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

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

MEASURING DEVICE

yes Required? no Required?
0 Amount Submitted Installed?
no Correct? Waiver requested?

PRIORITY CALCULATION

Date proof received 9-6-96 249
Date proof due 8-1-96 - 213
No. of days late _____ = 36 6-17-94
Priority Date 5-12-94 + 132
New Priority Date 6-17-94 168

DEFICIENCIES OR ACTION ITEMS

Request 50.00 Lic. Exam Fee / Fee Received
Reinstatement & advance priority to June 17, 1994.
Proof acceptable

DATA ENTRY

New Address _____ Proof Made 9-6-96



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 13, 1996

JASON & HEATHER FLOWER
RAY & ALICE HINTHORN
HC 60 BOX 176
BONNERS FERRY ID 83805

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 98-07735

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating your permit since proof was submitted after the proof due date of August 1, 1996. Please note that the priority date has been advanced to June 17, 1994.

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

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

RECEIVED
NOV 14 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 9, 1996

Ray & Alice Hinthorn
Jason & Heather Flower
HC 60 Box 176
Bonners Ferry, ID 83805

RE: Permit No. 98-07735

Dear Permit Holder:

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

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

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

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

Please return the copy of the proof form along with the \$50.00 license examination fee to my attention within thirty (30) days of receipt of this letter.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

10/10/96
10/10/96

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

August 14, 1996

JASON L FLOWER
HEATHER FLOWER
ALICE Y HINTHORN
RAYMOND HINTHORN
HC 60 BOX 176
BONNERS FERRY ID 83805

LAPSE NOTICE

RE: PERMIT NO. 98-07735

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated May 31, 1996. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

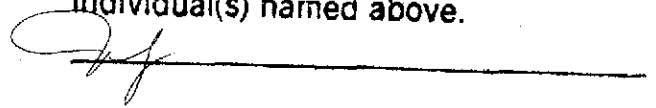
Enclosures

MICROFILMED

DEC 02 1996

CERTIFICATION OF MAILING

I hereby certify that on 8-14-96
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



May 31, 1996

JASON L FLOWER
HEATHER FLOWER
ALICE Y HINTHORN
RAYMOND HINTHORN
HC 60 BOX 176
BONNERS FERRY ID 83805

PROOF DUE NOTICE

RE: PERMIT NO. 98-07735

Dear Permit Holder:

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

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

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

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

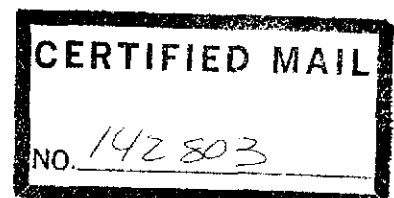
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

JUN 9 2 1996





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 29, 1994

JASON L FLOWER
HEATHER FLOWER
ALICE Y HINTHORN
RAYMOND HINTHORN
HC 60 BOX 176
BONNERS FERRY ID 83805

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 98-07735

Dear Permit Holder:

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson'.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

DEC 15 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 98-7735 Name: Flower &/or Hinthorn Date: 8/10/94 Correct Fee? ✓

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

SYSTEM COMPLETED:

No - 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - NA

*GROUNDWATER:

+ 0.2 cfs <FLO-CH> - T17 (new), 01K (existing), No MD

- 0.2 cfs - No MD <FLOW CHART>

Drilling Permit:

Included w/permit - Permit No. _____, P99

Existing well - NA (pre 7/1/87)

No WD permit? - 046-46A(Irr)-46B-P23 (post 7/1/87)

SURFACE WATER: not in WD - T17 (+.2 w/pump), No MD <FLOW CHART>

LOCATION:

Water District(~~dom~~) - WD No. _____

*Surface water - 005 (req) 01J-P08 <FLOW CHART>
(doesn't sink) or 01H-P01 <FLOW CHART>; No MD

Groundwater - P05 (new irrigation well)

In stream channel - 030 (stream channel alteration)

Irr Dist/Canal Co. - 023 (Twin Falls area)

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (-85° GW temp only)

Swan Falls Flag - B <SEE CONDITION CODE CHART>

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA

Payette R(65) - 064(consump. use), 047-P04(Payette Lake), NA

Snake R(01/02/03) - 11A-P04 (01), 061-P07 (02/03 No WD Cond.), NA

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10

044 (N 1000 Spr)

Irrigation - 03A/057, 803(if GW use SW 1st)(+5A PU comp), NA

Power - 08A-17K-025-027(req); 01F(MD)-P19; 09E(WQ)-P10;
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09

Mining - 054 (req) & 06A/010/09E-P10

Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

Domestic (surface) - 021(Boise R ↑ L Peak), 27A(Payette R), NA

OWNERSHIP:

Non land owner - 004 (PD/PU) _____

PROTESTED: - 020(Prehearing agreement)/W19(See Order)

OTHER CONDITIONS:

REMARKS:

020(2)

BENEFICIAL USE DUE:

8-1-1996

COMMENTS:

WR0749NP
No. P98-07735

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/10/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JASON L FLOWER	05/12/1994	DOMESTIC	01-01 12-31	0.06 CFS	
C	ALICE Y HINTHORN					
C	RAYMOND HINTHORN					
C	HEATHER FLOWER					
	HC 60 BOX 176					
	BONNERS FERRY ID 83805					
	(208) 267-3510					
				TOTAL DIVERSION:	0.06 CFS	

Water Source: MISSION CREEK

Tributary to: KOOTENAI RIVER

Stage: PERMIT

Point(s) of Diversion: T64N R01E S18

SENE

BOUNDARY County

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T R S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
64N 01E 18	:				:				:				:			
	:				:				:				:			

Pou County: BOUNDARY

Other Water Rights Listing Overlapping Place(s) of use:
98-02037

Conditions of Approval:

- 26A - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.

Remarks: Domestic use is for 2 homes.

Dates: App. Received: 05/16/1994 Priority Date: 05/12/1994
Proof Due Date: 08/01/1996 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 05/16/1994 User-ID: RCHILDER Subject: Examiner's Note.
Catch basin, pipe, reservoir, return pipe to creek.

Audit: 08/10/94 CZIMMER

No. a
4/87-06/92n

IDA DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
AUG 03 1994

APPLICATION # 98-7735

***** INITIAL REVIEW ***** Department of Water Resources**

APPLICANT: FLOWER / HINTHORN BY: B DATE: 5 / 16 / 94

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

PRIORITY DATE: 5 / 18 / 94

☒ (Include Moratorium Remark)

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

ADVERTISE IN: BOUNDARY County.

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

***** GROUNDWATER SECTION *****

(Yes) (No)

Checked by: _____ Date: ____/____/____

Remarks: _____

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

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

(Yes) (No)

- ☒ Notice of pending void order issued. Final order response date: ____/____/____
- ☒ Further information required from applicant
- ☒ Affidavit of publication received
- ☒ Application published correctly, If not, record action taken: _____
- ☒ Publication dates and paper recorded on application | Sr. Agent initial B
- ☒ Protests received. Final protest date: 6/12/94
- ☒ Measuring device required
- ☒ Measuring port required
- ☒ Special conditions: _____
- ☒ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: B Rust

Date: 7 / 15 / 94

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Boundary,

Kristy Johnson being first duly sworn on oath
deposes and says that he/she is Bookkeeper

of the Bonners Ferry Herald, a newspaper printed and
published at Bonners Ferry, Boundary County, Idaho; that
the said newspaper has been continuously and
uninterruptedly published in said Boundary County during
a period of 12 months prior to the first publication of the
hereto attached notice of publication in the case of:

Legal # 2772

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 1 day of June, 1994
and ending on the 8 day of June, 1994
and that said notice was published in said newspaper.

Dated: June 9, 1994

Kristy Johnson

Subscribed and sworn to before me this 6 day
of July, 1994.

Karel Meela
Notary Public for Idaho

Residing at Standsant

My Commission expires: 5-3-99

NOTICE OF APPLICATION FOR
WATER RIGHT

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

98-07735

FLOWER, JASON L.
FLOWER, HEATHER
HINTHORN, ALICE Y.
HINTHORN, RAYMOND
HCR 60 BOX 176
BONNERS FERRY, ID 83805

Source: MISSION CREEK
Tributary: KOOTENAI RIV.
ER

Diversion Pt: SENE Sec 18 T
64N R 01E in BOUNDARY County.

Use: DOMESTIC
(.060 CFS)

Total Diversion: (.060

CFS)

Date Filed: 5/12/1994
In: B O U N D A R Y
County

T64N R01E S18

SENE

For additional information con-
cerning 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, Ida-
ho 83814 on or before JUNE 20,
1994.

R. KEITH HIGGINSON, Director
BFH#2772 June 1, 8, 1994

DEC 15 1994

2772



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450 Fax (208) 769-1454

CECIL D. ANDRUS

Governor

May 25, 1994

R. KEITH HIGGINSON

Director

Mr. and Mrs. Jason Flower
Mr. and Mrs. Raymond Hinthorn
HCR 60 Box 176
Bonners Ferry, ID 83805

Re: Water Appropriation Application No. 98-07735

Dear Mr. and Mrs. Flower & Mr. and Mrs. Hinthorn:

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 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. 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. However 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.

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

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/rjc

RECEIVED
MAY 25 1994

98-07735

FLOWER, JASON L
FLOWER, HEATHER
HINTHORN, ALICE Y
HINTHORN, RAYMOND
HCR 60 BOX 176
BONNERS FERRY, ID 83805

Source: MISSION CREEK

Tributary: KOOTENAI RIVER

Diversion Pt: SENE Sec 18 T 64N R 01E in BOUNDARY County.

Use: DOMESTIC (.060 CFS)
Total Diversion: (.060 CFS)

Date Filed: 5/12/1994

In: BOUNDARY County
T64N R01E S18 SENE

1994
5/12/94