

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



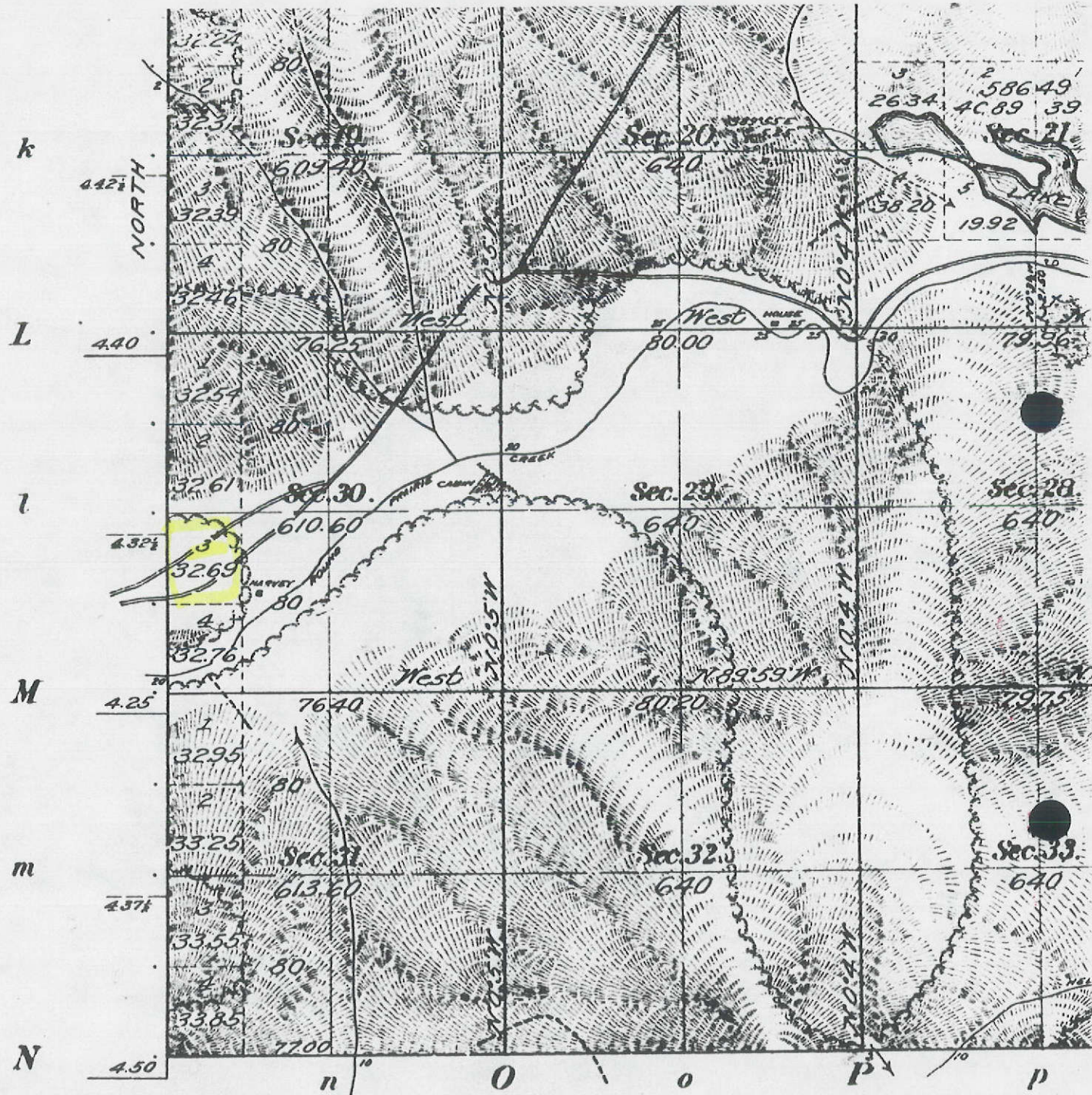
Scale: 2 inches equal 1 mile.

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

Robert E. Hyland
Robert E. Hyland (Applicant)

Linda L. Hyland
Linda L. Hyland

p/d not in Gov Lot 3

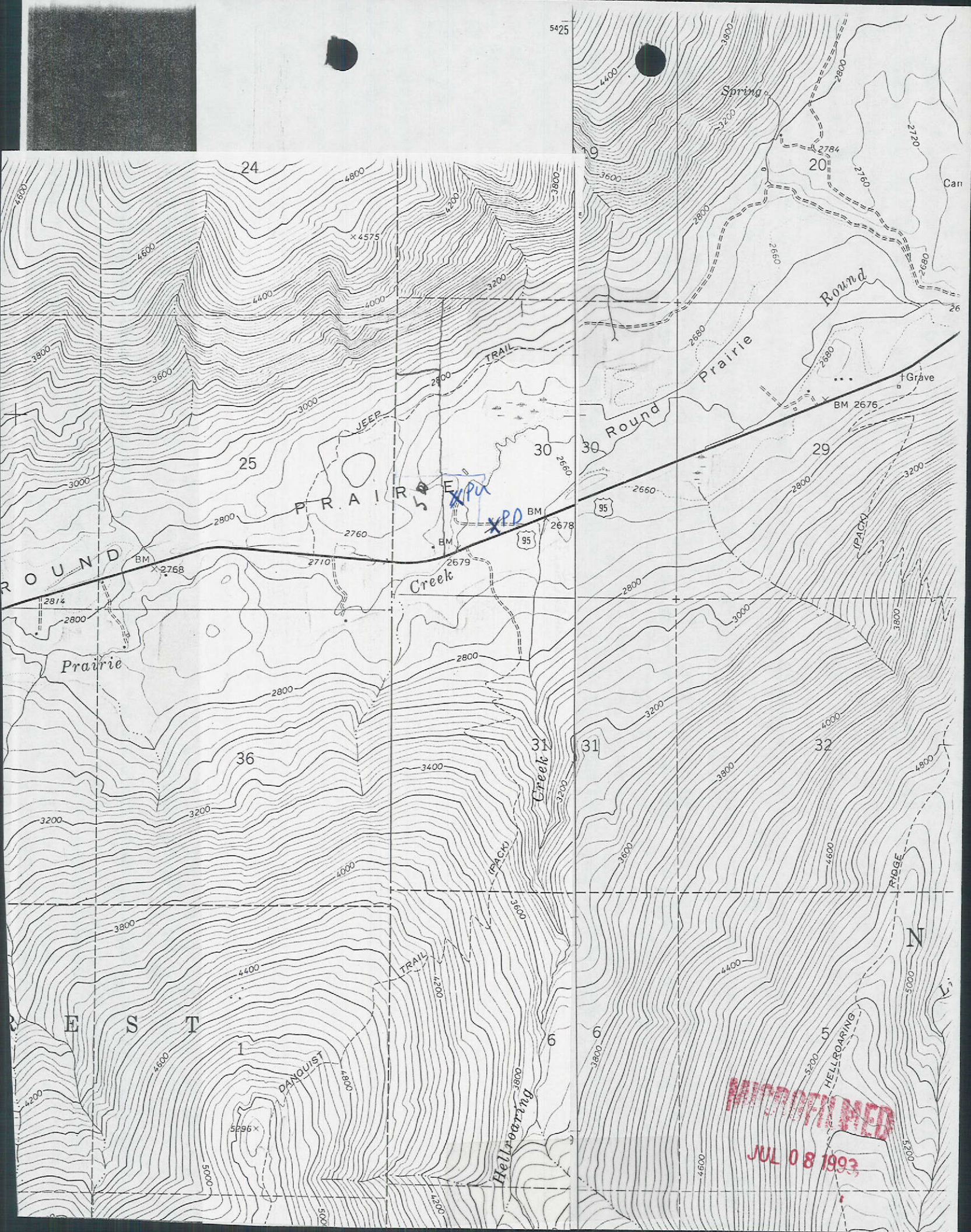


Area of Watersurface 53.51 A. of Public L and 17092.49 Total number of

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys	When S
		N ^o	M. Ch. Lk.	

JUL 08 1993

REPRODUCED



PERMIT # 98-07644

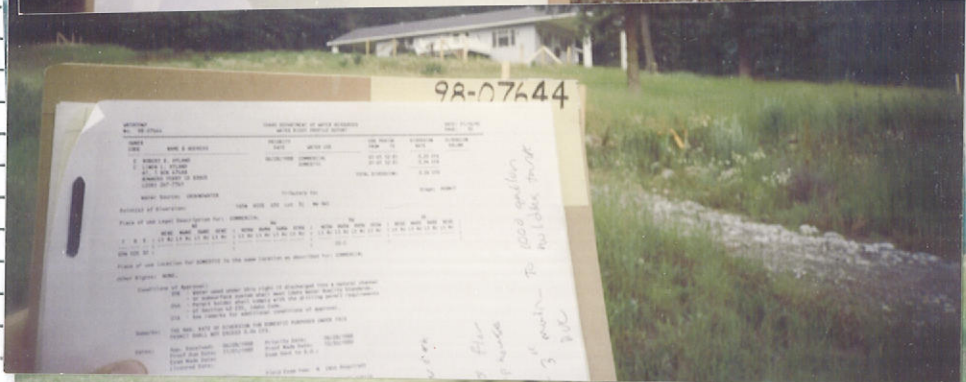
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PHOTOGRAPHS

PD



PU



pump
house
w/ holding
tank



APPROVED

JUL 08 1993



pp

Pu

pump
house
w/ holding
tank

[Handwritten signature]

JUL 08 1993



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JUL 08 1993



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JUL 08 1993



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pump
house
w/ holding
tank

~~REMOVED~~

JUL 08 1993



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 98-07644

Priority: June 28, 1988

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that ROBERT E HYLAND
LINDA L HYLAND

HCR 61 BOX 157

BONNERS FERRY ID 83805

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 28, 1988; and has submitted Proof of Beneficial Use on October 30, 1989. An examination indicates that the works have a diversion capacity of .040 cfs of water from a **GROUNDWATER** 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	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 30, Township 65N, Range 02E
BOUNDARY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

65N 02E 30 Lot 3(NWSW)

CONDITIONS/REMARKS:

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

MICROFILMED

JUL 08 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 98-07644

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 10th
day of JUNE, 1993.

Acting for


R. Keith Higginson, Director

RECEIVED

JUL 10 1993

RECEIVED

APPROVED

State of Idaho
Department of Water Resources

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JUN 07 1993

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 98-07644

Date of Priority: June 28, 1988

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

Comes now

ROBERT E HYLAND
LINDA L HYLAND

RT 1 BOX 474AB
BONNERS FERRY ID 83805

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 98-07644, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

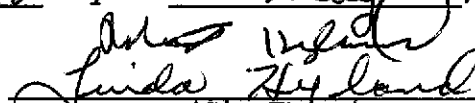
LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 30, Township 65N, Range 02E
BOUNDARY County

PLACE OF USE: DOMESTIC
TWN RGE SEC

65N 02E 30 Lot 3(NWSW)

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at 11:11 A.M., this 28 day of May, 1993.


(Signature)

JUL 08 1993

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 98-07644

6-7-93 FOR DEPARTMENT USE ONLY

Preliminary check by BC Fee = 20 Received by CA # C027752 Date 6-7-93

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 98-07644 with the following;

CONDITIONS/REMARKS:

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

Witness my hand this 10th day of JUNE, 1993.

Acting for R. Keith Higginson, Director

MICROFILMED

JUL 08 1993

Form 217
03/86

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OCT 30 1989

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received _____

Date _____

Receipt # _____

Receipt by _____

Reviewed by AS-1-22-90

Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 98-07644

Name(s) of Permit Holder: Robert & Linda Hyland

Post Office Address: HC R 61/Box 157 - Bonners Ferry, ID., 83805

Telephone No. 267-7761

Source of Water: Artesian well

Extent of Use:

Domestic 1 (number of households) Stockwater _____ (number and type of stock)

Irrigation 50 (acres) Other/Remark _____

* See ackn. letter

Total rate and/or volume for which proof is submitted 1.08 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 6-28-88

Measuring Device: Required? Yes ☒ No
Installed? Yes ☒ No

Fee enclosed \$ 50.00
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes ☒ No
Installed? Yes ☒ No

Person to contact to accompany the Department representative during the field examination:

Robert Hyland (Name) (208) 267-7761 (Telephone Number)

HC R 61/Box 157 - Bonners Ferry, ID. 83805 (Address) **MICROFILMED**

The above information 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.

10-25-89
Date

Linda Hyland (Signature of Permit Holder and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant ROBERT E. and LINDA L. HYLAND Phone 208/267-7761

Post office address ROUTE #1, BOX 474-AB, BONNERS FERRY, ID 83805

2. Source of water supply artesian well which is a tributary of n/a

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Govt. Lot 3

Sec. 30 Township 65 N. Range 2 E. B.M. Boundary County; additional

points of diversion if any: none

4. Water will be used for the following purposes:

Amount 20 cfs for commercial - kw purposes from Jan. 1 to Dec. 31 (both dates inclusive)

Amount 05 cfs for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)

Amount for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

5. Total quantity to be appropriated is (a) .25 cfs and/or (b)

6. Proposed diverting works:

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

b. Height of storage dam n/a feet; active reservoir capacity n/a acre-feet; total

reservoir capacity acre-feet; period of year when water will be diverted to storage:

 to inclusive.

c. Proposed well diameter is n/a inches; proposed depth of well is feet.

d. Is ground water with a temperature of greater than 90°F being sought? no

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

Allow 1 yr. - kw
in place years (minimum 1 year).

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DEC 27 1988

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. one
- e. Other; describe fully. brewery

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.

per tel con w/ R Hyland 6/29/88 JAH

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
65N	2E	30										GL3				I			I
		30														D.I			

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. none

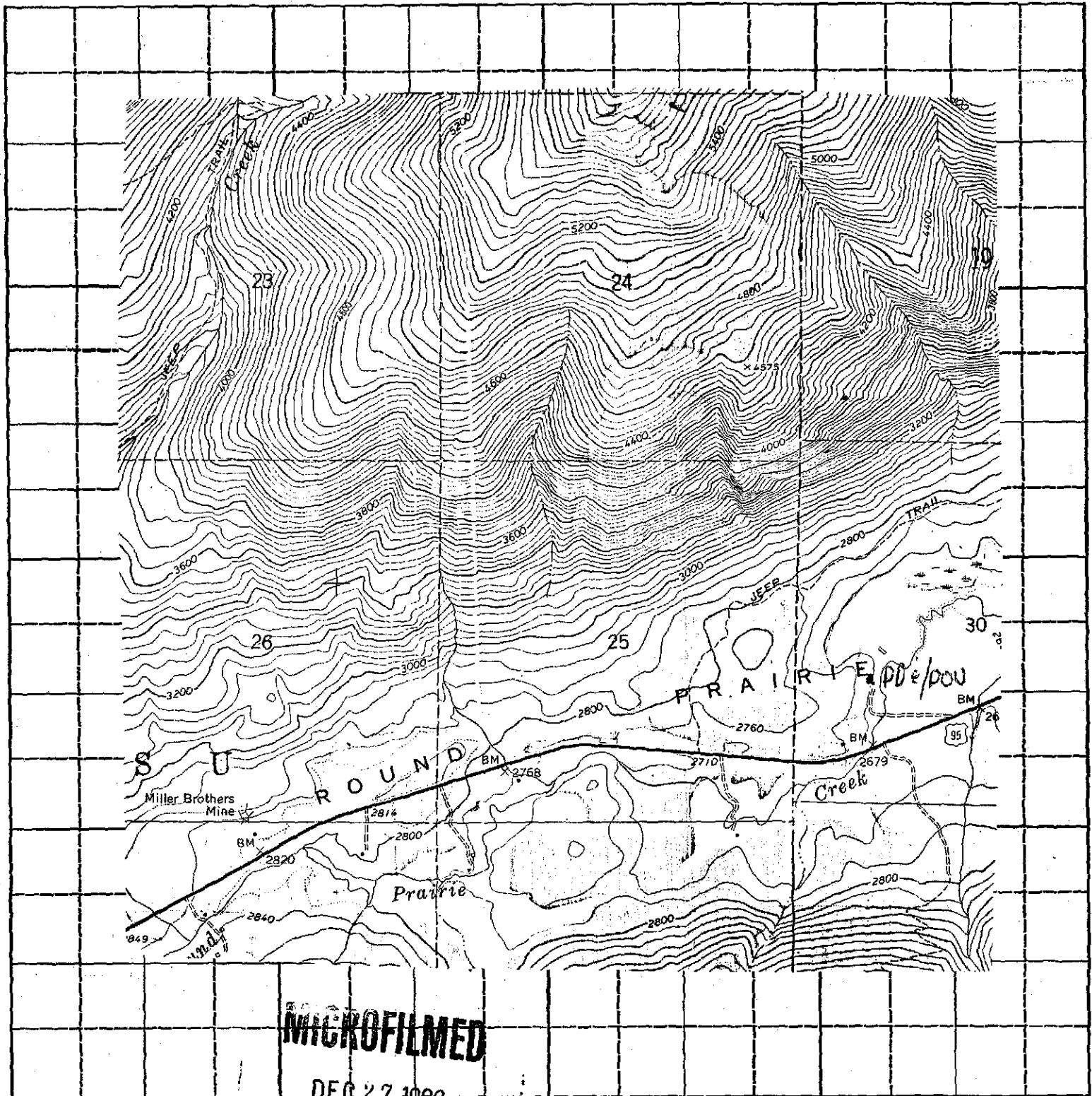
11. a. Who owns the property at the point of diversion? Robert E. & Linda L. Hyland
- b. Who owns the land to be irrigated or place of use? Robert E. & Linda L. Hyland
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. n/a

12. Remarks: _____

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DEC 27 1988

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



Scale: 2 inches equal 1 mile.

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

Robert E. Hyland (Applicant)

Linda L. Hyland

Proposed Priority 6/28/88

Received by pm Date 6/28/88 Time 12:20pm Preliminary check by RBA
Fee \$ \$500 Received by RYA # N 358 Date 6/28/88
Publication prepared by pm Date 6/29/88 Published in 7/6/88 7/13/88
Publication approved pm Date 8/16/88

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 98-7644, and said application is hereby APPROVED.

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 November 1, 19 89.

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:

The maximum rate of diversion for domestic purposes under this permit shall not exceed 0.04 cfs.

Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Witness my hand this 11th day of October, 1988.

A. New Sayton
for Director

MICROFILMED

DEC 27 1988



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

June 11, 1993

ROBERT E HYLAND
LINDA L HYLAND
HCR 61 BOX 157
BONNERS FERRY ID 83805

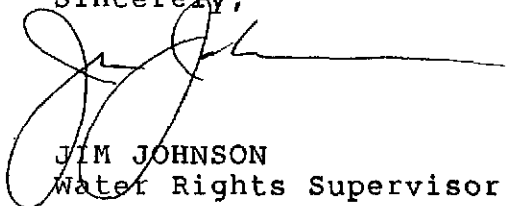
RE: WATER RIGHT NO. 98-07644

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

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JUL 08 1993



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

May 24, 1993

ROBERT E HYLAND
LINDA L HYLAND
RT 1 BOX 474AB
BONNERS FERRY ID 83805

*Address
Change!*

RE: WATER RIGHT NO. 98-07644

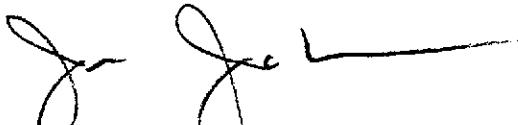
Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

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JUL 08 1993

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)



DATE: 05/18/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT E HYLAND	06/28/1988	DOMESTIC	01-01 12-31	0.04 CFS	1.2 AFA
C	LINDA L HYLAND					
	RT 1 BOX 474AB					
	BONNERS FERRY ID 83805			TOTAL DIVERSION:	0.04 CFS	1.2 AFA
	(208) 267-7761					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.04 CFS

Point(s) of Diversion: T65N R02E S30 SE SW

Place of use Legal Description for: DOMESTIC

			NE				NW				SW				SE									
			NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	---	---	:
65N	02E	30	:				:					:					:						:	

Pou County: BOUNDARY

~~Non-Irrigation Uses: C/BREWERY.~~

Other Rights: NONE.

Conditions of Approval:

- 09E - Water used under this right if discharged into a natural
- channel or subsurface system shall meet Idaho Water Quality
- Standards.

Remarks: Domestic use is for 1 home.

Dates:	App. Received:	06/28/1988	Priority Date:	06/28/1988
	Proof Due Date:	11/01/1989	Proof Made Date:	10/30/1989
	Exam Made Date:	07/06/1992	Exam Sent to S.O.:	05/10/1993
	Licensed Date:			

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 05/18/93 CHAPMAN

Changed P/O
Eliminated Commercial Use

(A)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 98-07644

1. Owner: Robert E. and Linda L. Hyland Phone No. 267-7761

Current Address: Route #1, Box 474-AB, Bonners Ferry, ID 83805

2. Accompanied by: Robert Hyland EXAM. DATE: 7/6/92

Address: Same Phone No. Same

Relationship to Permit Holder: —

3. Source: Artesian Well tributary to —

B. OVERLAP REVIEW

1. Other water rights with same place of use: None

☐ Copies Attached

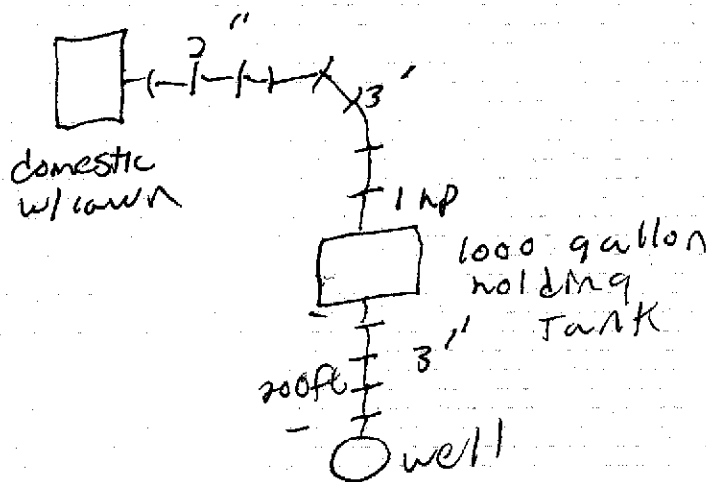
2. Other water rights with same point of diversion: None

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = MIS

MIRRORED

JUL 08 1993

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

water from well is gravity fed through 2" line to a holding tank^(pool) and pumped with a 1 hp pump through 3" line then 2" line to domestic use

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1	Franklin	1	28 01084910		

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	03		SE	SW	30	65N	02E	Boundary	Map

6. **Place(s) of Use:**

Indicate Method of Determination

Map

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
65N	02E	30									D								
											GL								
											3								

Do not use this space

MICROFILMED

JUL 08 1993

Do not use this space

D. FLOW MEASUREMENTS *None*

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

1 domestic w/lawn @ .04 cfs

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

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:

1 domestic w/lawn = 1.2 AF

MISSOURI

JUL 08 1993

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Change PD to what is shown

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	111	12131	.04	1.2 AF
Totals:			.04 cfs	1.2 AF

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

J. AUTHENTICATION

Field Examiner's Name

Robert Knoblock

Signature

Robert Knoblock

Certification Date

Field Report Preparation Date

7/9/92

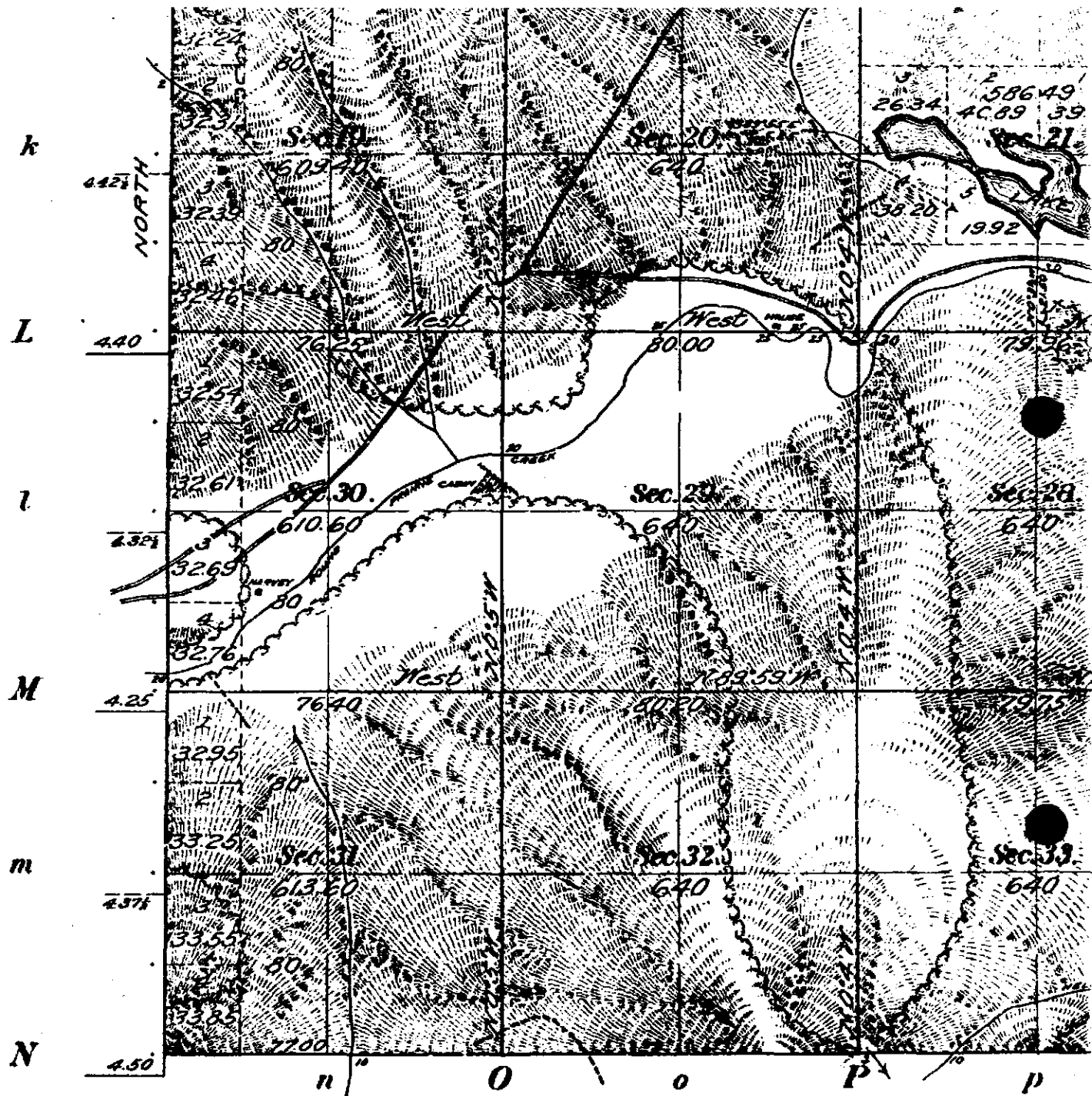
CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

JUL 08 1993

P/D not in Gov Lot 3

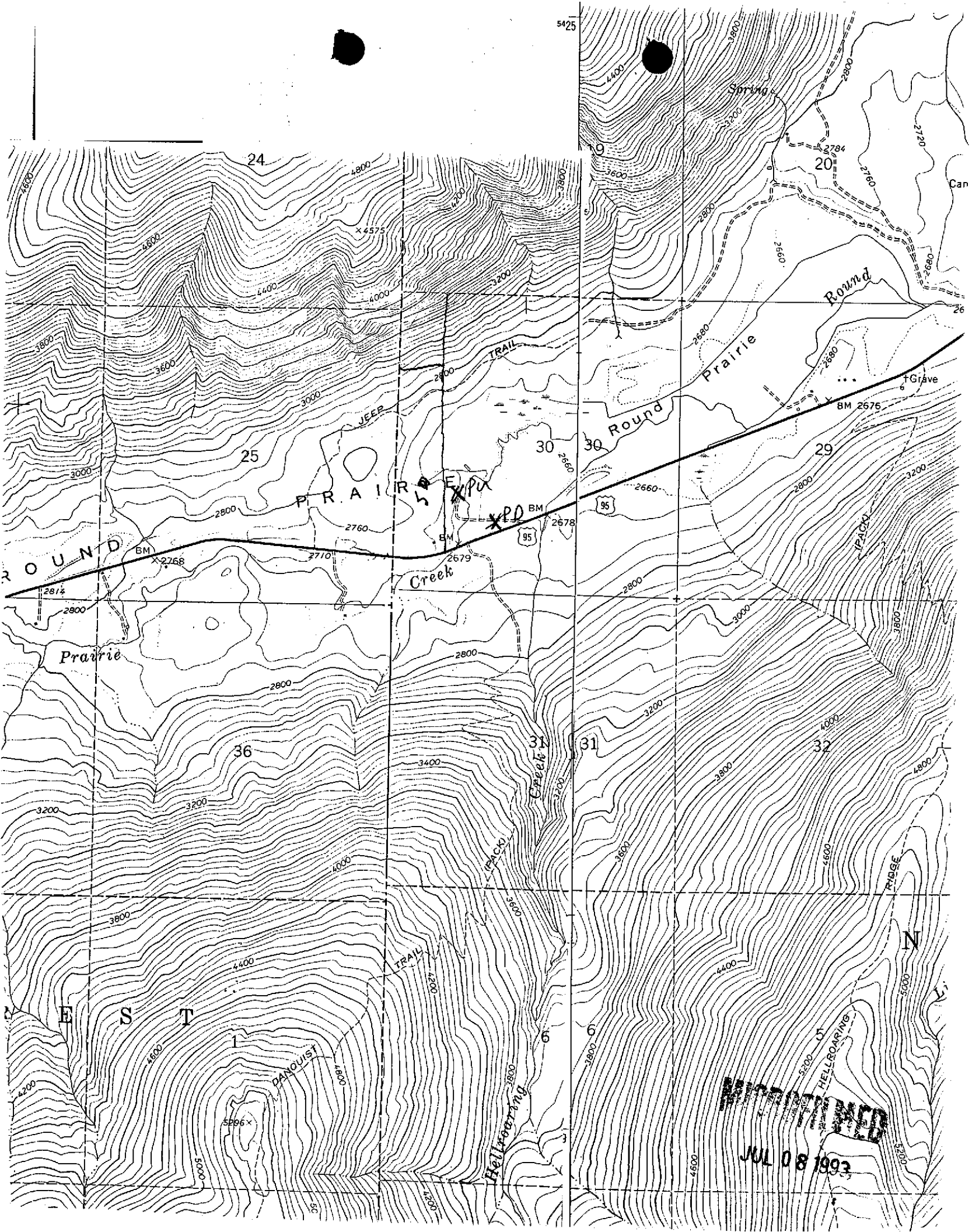


Area of Watersurface 53.51 A. of Public Land 17092.49 Total number of

Surveys Designated	By Whom Surveyed	Date of Contract		Amount of Surveys			When S
		N ^o		M.	Ch ^s	Lk ^s	

JUL 08 1993

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MAINTAINED
JUL 08 1993

PERMIT # 98-07644

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

P H O T O G R A P H S

PD

PA

pump
house
w/ holding
tank

~~PA~~ MED

JUL 08 1993



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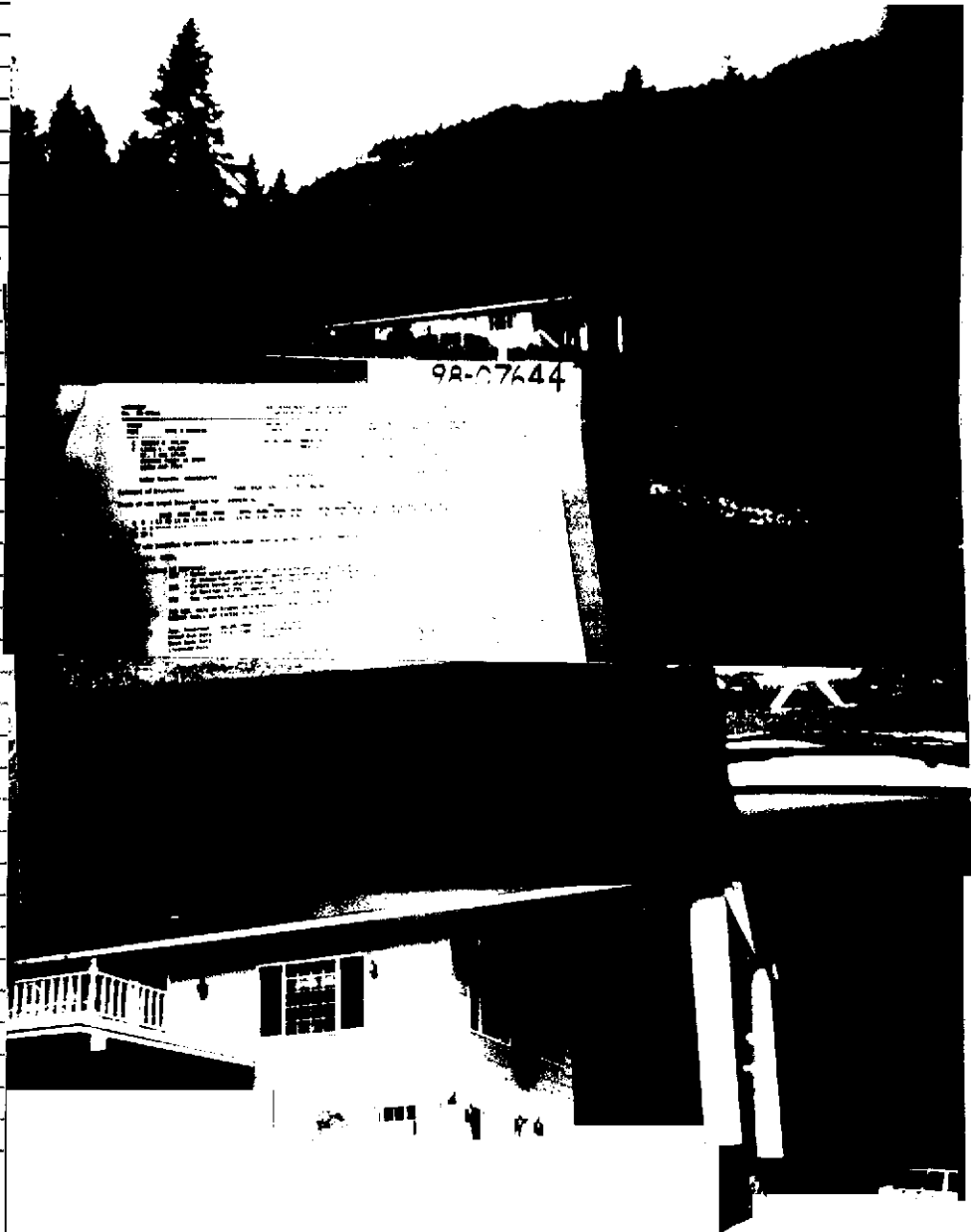
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house
w/ holding
tank

PA

JUL 08 1993



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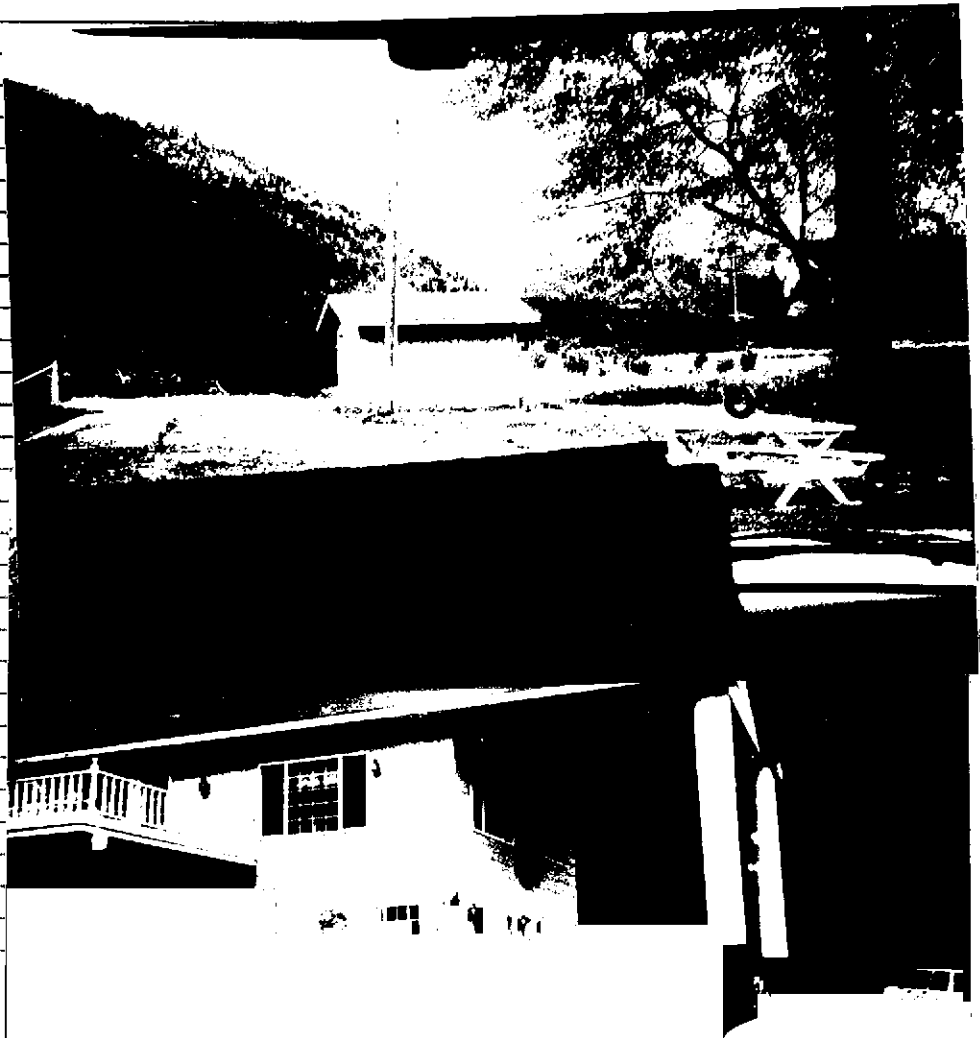
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DE

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PU

Pump
house
w/ holding
tank

~~CONFIDENTIAL~~

JUL 08 1993



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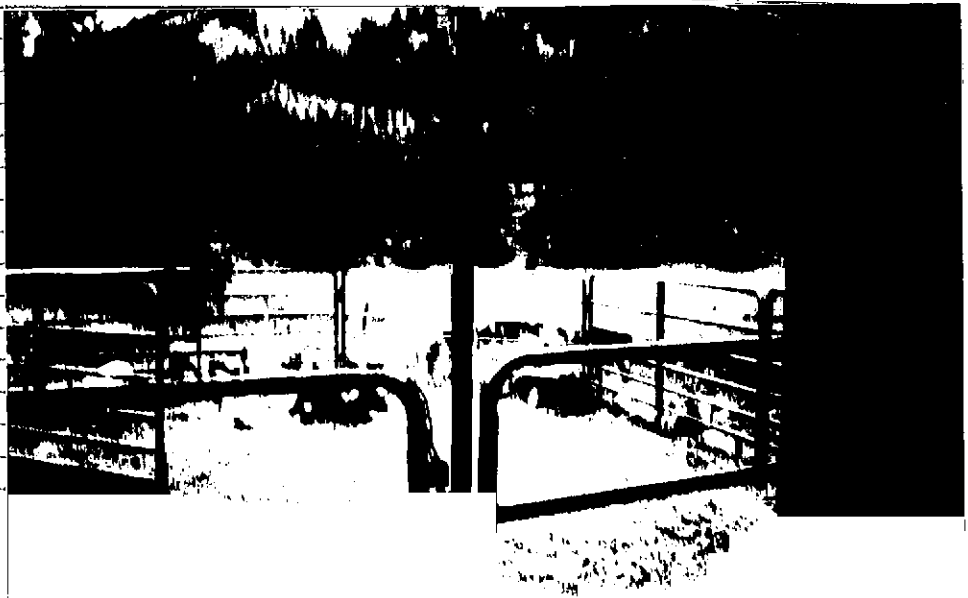
P.D

PA

pump
house
w/ holding
tank

~~PA~~ MED

JUL 08 1993



January 24, 1990

ROBERT E. HYLAND
LINDA L. HYLAND
RT. 1 BOX 474AB
BONNERS FERRY, ID 83805

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 98-07644

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.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208)765-4639.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

APR 25 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 98-7644

Date: 12/29/89

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change _____ If yes, prepare a data entry
☒ Proof received timely
_____ Reinstated

Source of Water:

- ☒ Surface water
☒ Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- _____ Rate of diversion appropriate for uses
_____ Is rate or volume and fee appropriate?
_____ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- NO Is a measuring device or access port required?
_____ Has one been installed?
_____ Waiver or modification of measuring device requested

Remarks:

Priority Calculation:

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

NA	

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

allan charge

January 22, 1990

Robert or Linda Hyland
HCR61 Box 157
Bonners Ferry, ID 83805

RE: Permit No. 90-7644

Dear Mr. and Mrs. Hyland:

The department acknowledges receipt of the proof of beneficial use form submitted to this office on October 30, 1989 for this permit. The proof indicates the total rate of water use is 0.08 cfs for one domestic and 50 acres of irrigation.

In reviewing your file I find the application for permit was approved for commercial and domestic use. The proof of beneficial use form was submitted indicating the water would be used for domestic and irrigation. The proof can only be issued for uses pertinent to the permit. The maximum use allowed for single family domestic is 0.04 cfs, therefore, proof is accepted for a maximum of 0.04 cfs and the domestic use. The department will continue processing the proof by notifying the region that a field exam is needed.

If in the future you wish to irrigate the 50 acres from this well, please submit a separate application for permit. Enclosed is the application form and instructions.

If you have any questions concerning this matter, feel free to contact Rita Fleck or myself.

Sincerely,

NINA K. SHIELDS
CLERICAL ASSISTANT

Enclosure

c: N. Region

MICROFILMED

APR 23 1990

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: N000356

Date: 06/28/88
Time: 15:12:50

Received
From: HYLAND, LINDA

Type of Payment	Program Acct	Amount
W/R APPLICATION FOR PERMIT	0650199 1238 6390	\$125.00

Total \$125.00

CHECK 549

Idaho Department of Water Resources

Region: Northern

Signature: *R. Haynes*

withdrawn?

MICROFILMED

APR 23 1990

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: N000358

Date: 06/28/88
Time: 15:17:47

Received
From: HYLAND, LINDA

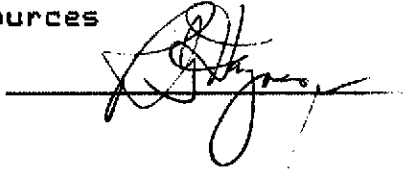
Type of Payment	Program Acct	Amount
W/R APPLICATION FOR PERMIT	0650199 1238 6390	\$45.00

Total \$45.00

CHECK 550

Idaho Department of Water Resources

Region: Northern

Signature: 

MICROFILMED

APR 23 1990

138636
August 31, 1989

ROBERT E. HYLAND
LINDA L. HYLAND
RT. 1 BOX 474AB
BONNERS FERRY, ID 83805

PROOF DUE NOTICE

RE: PERMIT NO. 98-07644

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 November 1, 1989. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

APR 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
October 17, 1988

ROBERT E. HYLAND
LINDA L. HYLAND
RT. 1 BOX 474AB
BONNERS FERRY, ID 83805

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 98-07644

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

Gary Spackman
Supervisor, Water Allocation Section

GS: SC
Enclosures

MICROFILMED

DEC 27 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY RYA DATE 6/29/88 APPLICATION NUMBER 98-7644

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

SEP 23 1988

PROCESSING

☒ Yes ☒ No In form for advertising
☒ Yes ☒ No Statewide advertising
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☒ Yes ☐ No Protests received
Final date for protest _____
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☒ No Special conditions of approval or cover letter below. _____

Date of priority recommended 6/28/88 ☒ See below for additional information
By KW Date 9/19/88

STATE OFFICE REVIEW

P23 P110 28(domestic, 0.04 cfs) 09E 46
By KW ☐ See below for additional information
Date 9/29/88

ADDITIONAL INFORMATION

*file copy
discarded-*



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

September 9, 1988

Mr. and Mrs. Robert Hyland
Rt. 1 Box 474-AB
Bonners Ferry, Id. 83805

Re: 98-7644

Dear Mr. and Mrs. Hyland:

All of the protestants have withdrawn their protests to your above-referenced water right application for permit.

We are, therefore, forwarding your application to our State Office in Boise for their further processing.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

MICROFILMED

DEC 27 1988



SPECIAL NOTE: _____

PROTEST INFORMATION SHEET

Protestant(s)

NAME	ADDRESS	
1 Mr. Russell N. Greene	HCR 61 Box 165, Bonners Ferry, Id. 83805	7/12/1988
2 Ms. Emogene Mead	HCR 61 Box 171, BF	7/19/88
3 Mr. and Mrs. Glenn Aby	HCR 61 Box 170, BF	7/18/88
4 Mr. Richard A. Villelli	HCR 61 Box 169, BF	7/18/88
5 Mr. and Mrs. Dirk A. Caperton	HCR 61 Box 167, BF	7/21/88
6		
7		
8		
9		
10		

ATTORNEY NAME

ADDRESS

Date Filed: 7/12/88

Protest Due Date: 7/25/88

Issues: Protestant feels water right application is not in the public interest -
 area not zoned for commercial.

9/9/88

Applicant

ATTORNEY NAME

ADDRESS

DATE

Protest Date Entered on Computer 7/18/88

Acknowledgement Letters Sent 7/18/88

Hearing Date _____

(Other Dates)

Other Information: _____

MICROFILMED

DEC 21 1988

Protest information submitted to computer (following hearing): _____

Sept 6, 1988

Department of Water Resources
4055 Government Way, Suite 9
Couer d'Alene, Idaho 83814

RE: Water Rights Applications No 98-07643 and No. 98-07644

Attention Mr. Robert G. Haynes

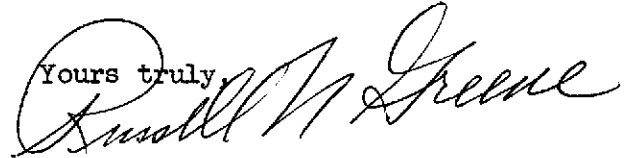
Dear Sir:

Confirming our telephone conversation of September 2, 1988, I
am withdrawing my protest on the above Water Rights Applications.

Water Rights Application No. 98-07643 has been withdrawn by the Applicant.

Water Rights Application No. 98-07644 is a Zoning problem and I have no
protest on their use of ground water.

Yours truly,



Russell N. Greene
HCR 61 Box 165
Bonners Ferry, Idaho 83805

RECEIVED
SEP 11 1988
Department of Water Resources
Northern District Office

Microfilm

DEC 27 1988

August 15, 1988

Robert G. Haynes, P. E.
Regional Manager
STATE OF IDAHO
Department of Water Resources
Northern Region
4055 Government Way, Suite 9
Coeur d'Alene, ID 83814

RECEIVED
AUG 16 1988
Department of Water Resources
Northern District Office

RE: APPLICATION FOR PERMIT NO. 98-07643

Dear Mr. Haynes:

Since Rick B., Randy L., and Judah S. Hyland have withdrawn their application regarding Permit No. 98-07643, we would like to withdraw our objection to Robert E. and Linda L. Hyland's application for Permit No. 98-07644.

Thank you for keeping us informed regarding these two applications.

Sincerely,

Dirk A. Caperton *Sigrid W. Caperton*
Dirk A. and Sigrid W. Caperton

DAC/ja

MICROFILMED
DEC 27 1988

August 13 1988

Dept. of Water Resources:

This letter is to inform you that we, Dirk A. + Sigrid W. Caperton are not protesting Robert + Lynda Hyland application for permit # 98-7644. And there fore will not be in attendance of hearing to discuss this permit, on August 18, 1988 in Bonners Ferry.

Signed,

Sigrid W + Dirk A.
Caperton

MICROFILMED

DEC 27 1988

RECEIVED

1988

Department of Water Resources
Northern District Office

August 10, 1988

Rogert G. Haynes, P. E.
Regional Manager
STATE OF IDAHO
Department of Water Resources
Northern Region
4055 Government way, Suite 9
Coeur d'Alene, ID 83814

RECEIVED

AUG 11 1988

Department of Water Resources
Northern District Office

REGARDING: APPLICATION FOR PERMIT NO. 98-07643

Dear Mr. Haynes:

Since Rick B., Randy L., and Judah S. Hyland have withdrawn their application regarding Permit No. 98-07643, I would like to withdraw my objection to Robert E. and Linda L. Hyland's application for Permit No. 98-07644.

Thank you for keeping me informed regarding these two applications.

Sincerely,

E. Mead

Emogene Mead

MICROFILMED

DEC 27 1988

RECEIVED

AUG 11 1988

Department of Water Resources
Northern District Office

August 10, 1988

RECEIVED
AUG 1988

Department of Water Resources
Northern District Office

Rogert G. Haynes, P. E.
Regional Manager
STATE OF IDAHO
Department of Water Resources
Northern Region
4055 Government way, Suite 9
Coeur d'Alene, ID 83814

REGARDING: APPLICATION FOR PERMIT NO. 98-07643

Dear Mr. Haynes:

Since Rick B., Randy L., and Judah S. Hyland have withdrawn their application regarding Permit No. 98-07643, I would like to withdraw my objection to Robert E. and Linda L. Hyland's application for Permit No. 98-07644.

Thank you for keeping me informed regarding these two applications.

Sincerely,

Richard A. Villelli

Richard A. Villelli

RAV/ja

MICROFILMED

DEC 27 1988

August 8, 1988

Mr. Robert G. Haynes, P.E.
Regional Manager, Department of Water Resources
Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814

Subject: Application for Permit No. 98-7644

Dear Sir:

I would like to withdraw my protest to the above application
by Robert and Linda Hyland.

Very truly yours,

Howard Monks, Jr

Howard Monks, Jr
HCR 61 Box 162
Bonners Ferry, Idaho# 83805

208 267 3978

RECEIVED

AUG 10 1988

Department of Water Resources
Northern District Office

MICROFILMED

DEC 27 1988

Aug. 8, 1988

State of Idaho
Department of Water Resources
Robert G. Haynes, P.E.
Regional Manager

Subject: Permit #98 7644 for water right

I would like to withdraw my protest to the above
application by Robert & Linda Hyland.

Sincerely

Glenn & Grace Aby

Glenn & Grace Aby
HCR 61 Box 170
Bonners Ferry, Id 83805
phone 267 3629

MICROFILMED

DEC 27 1988

RECEIVED

AUG 10 1988

Department of Water Resources
Northern District Office

August 8, 1988

Department of Water Resources
4055 Government Way Suite 9
Coeur d'Alene, Idaho 83814

RE: Water Rights Applications - No 9807643 and No. 9807644

Gentlemen:

I will not be able to attend hearing on Application No. 98-07644 on August 18, 1988, so I am advising the reason for my protest.

My protest on Application No. 98-07643 was made because the Volume requested being greater than the flow of Round Prairie Creek in the low season.

Application No. 9807643 has since been withdrawn.

On Application No. 98-07644, I questioned only the request on a Commercial basis as this is zoned Agricultural.

Yours truly

RECEIVED

AUG 9 1988

Department of Water Resources
Northern District Office

Russell N. Greene

HCR 61 Box 165
Bonners Ferry, Idaho
83805

267-2581

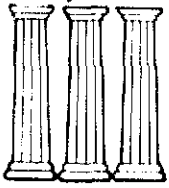
RECEIVED

AUG 9 1988

Department of Water Resources
Northern District Office

MICROFILMED

DEC 27 1988



Villeggi
enterprises
inc.

August 3, 1988

RECEIVED
AUG 3 1988

Department of Water Resources
Northern District Office

Robert Hyland
Route 1 - Box 474AB
Bonners Ferry, ID 83805

Dear Bob:

I wanted to let you know that with regard to your water rights applications, I sent a letter to the Department of Water Resources letting them know my feelings with regard to those applications, and they are basically that Round Prairie does not have the quantities of water requested.

I have talked to a number of the neighbors and frankly, I told them that my only objection was if more water was used than is possible for the stream to supply. I don't have any qualms about your using water for the brewery. In fact, I think that is fine and obviously, that is not a great deal of water you are requesting, and I believe there is sufficient water to provide that need.

I think perhaps you might want to check into the quantities of water that you requested for irrigation. I think you would find that those quantities are in excess of what is possible to be taken out of Round Prairie. As far as I am concerned, I am certain that if those quantities were adjusted to reflect the capabilities of Round Prairie, then I would have no problem with them.

I don't know about the others that have protested your applications. Some of them that talked to me felt that you should not have water for a brewery at all. However, so you will know, I disagreed with them and told them that I thought that the amount you were asking for was nominal and that quite honestly there was a technicality whereby that brewery would be allowed as an agricultural use.

At any rate, I thought I would let you know. There are a number of people that asked if I would send in a letter to the Department of Water Resources on their behalf, and the letters that I sent, as perhaps you know, merely mention that the amount was too much.

I can speak I think for those people that they were not concerned with regard to the use for the brewery water but merely that the stream would not be sufficient to supply the water requested.

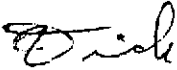
If you find that I am correct in the water volume and would like to make an adjustment on that, I am certain that would please me and perhaps I could talk to the others that I know that have protested and hopefully they will also agree.

August 3, 1988

Robert Hyland
Page 2

If I can be of some assistance, please let me know.

Sincerely,



Richard A. Villielli

RAV/ja

c/ Rogert G. Haynes, P. E.
Regional Manager
STATE OF IDAHO
Department of Water Resources
Northern Region
4055 Government Way, Suite 9
Coeur d'Alene, ID 83814

MICROFILMED

DEC 27 1988

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:

Robert & Linda Hyland
Rt. 1 Box 474-AB
Bonners Ferry, ID 83805

MICROFILMED

Article Number

14742

Type of Service:

☐ Registered
☒ Certified
☐ Express Mail

☐ Insured
COP

Always obtain signature of addressee or agent and **DATE DELIVERED**.

8. Addressee's Address (ONLY if requested and fee paid)

AUG 10 1988

5. Signature - Addressee

X *Linda Hyland*

6. Signature - Agent

X

7. Date of Delivery

AUG - 8 1988

Department of Water Resources
State and District Office

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

**RETURN
TO**



Print Sender's name, address, and ZIP Code in the space below.

IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
4055 GOVERNMENT WAY, SUITE #9
COEUR D' ALENE, ID 83814

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address.

2. ☐ Restricted Delivery.

3. Article Addressed to:

Emogene Mead
HCR 61 Box 171
Bonners Ferry, Id 83805

MICROFILM

DEC 27 1988

4. Article Number

14763

Type of Service:

☐ Registered
☒ Certified
☐ Express Mail

☐ Insured
☐ COD

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee

X

6. Signature - Agent

X

7. Date of Delivery

6-6-88

CHD

8. Addressee's Address (*ONLY if requested and fee paid*)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



DEC 27 1988



PENALTY FOR PRIVATE
USE, \$300

RETURN

RECEIVED

AUG 8 1988

From Sender's name, address, and ZIP Code in the space below.

IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT OFFICE

4055 GOVERNMENT WAY, SUITE #9

COEUR D' ALENE, ID 83814

Department of Water Resources
Northern District Office



SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:

Mr. & Mrs. Glenn Apy
HCR 61 Box 170
Bonners Ferry, ID 83805

DEC 27 1988

Grace M Apy
5. Signature — Addressee
X

6. Signature — Agent
X

7. Date of Delivery

5-6-88 CHP

4. Article Number

14764

Type of Service:

☐ Registered
☒ Certified
☐ Express Mail

☐ Insured
☐ COD

Always obtain signature of addressee or agent and DATE DELIVERED.

8. Addressee's Address (*ONLY if requested and fee paid*)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

COEUR D'ALENE, WA
MICROFILMED

DEC 27 1988



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT OFFICE

4055 GOVERNMENT WAY, SUITE #9

COEUR D'ALENE, ID 83814

RECEIVED

AUG 8 1988

Department of Water Resources
Northern District Office

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" space on the reverse side: Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and address as address. . . 2. ☐ Restricted Delivery.

3. Article Addressed to:

Richard Vill
HCR 61 Box 169
Bonners Ferry, ID 83807

MICROFILMED
DEC 23 1988

4. Article Number

14765

Type of Service:

☐ Registered
☒ Certified
☐ Express Mail

☐ Insured
☐ COD

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee

X

6. Signature - Agent

X

7. Date of Delivery

AUG - 8 1988

8. Addressee's Address (ONLY if requested and fee paid)

AUG 10 1988

Department of Water Resources

**UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS**

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



DEC



PENALTY FOR PRIVATE
USE, \$300

**RETURN
TO**



Print Sender's name, address, and ZIP Code in the space below.

IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
4055 GOVERNMENT WAY, SUITE #9
COEUR D' ALENE, ID 83814



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:

Dirk & Sigrid Caperton
HCR 61 Box 167
Bonners Ferry, ID

4. Article Number

14766

Type of Service:

- ☐ Registered
☒ Certified
☐ Express Mail

- ☐ Insured
☐ COD

5. Signature - Addressee

X

6. Signature - Agent

X

7. Date of Delivery

AUG - 8 1988

Always obtain signature of addressee or agent and **DATE DELIVERED**

8. Addressee's Address (ONLY if requested and fee paid)

AUG 10 1988

Department of Water Resources
Northern District Office

**UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS**

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**RETURN
TO**



Print Sender's name, address, and ZIP Code in the space below.

IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
4055 GOVERNMENT WAY, SUITE #9
COEUR D' ALENE, ID 83814



DEC 27 1988



PENALTY FOR PRIVATE
USE \$300

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:

Howard Monks, Jr.
HGR 61 Box 162
Bonners Ferry, ID 83805

4. Article Number

14767

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature — Addressee

X

6. Signature — Agent

X

7. Date of Delivery

5-6-88 CHD

8. Addressee's Address (ONLY if requested and fee paid)

DEC 27 1988

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



DEC 27 1988

PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

R E C E I V E D

AUG 3 1988

IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE

4055 GOVERNMENT WAY, SUITE #9
COEUR D' ALENE, ID 83814

Department of Water Resources
Northern District Office

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:
Russell N. Greene
HCR 61 Box 165
Bonners Ferry, ID 83805

4. Article Number

14768

Type of Service:

☐ Registered
☒ Certified
☐ Express Mail

☐ Insured
☐ COD

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee

X

6. Signature - Agent

X

7. Date of Delivery

2-6-88 CHD

8. Addressee's Address (ONLY if requested and fee paid)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

RECEIVE
SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Northern District Office Requested" adjacent to number.



MICROFILMED

PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEC 27 1988

RECEIVE

AUG 8 1988

IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
4055 GOVERNMENT WAY, SUITE #9
COEUR D'ALENE, ID 83814

Department of Water Resources
Northern District Office

PS Form 3877, July 1978
ACCEPTANCE OF REGISTERED, INSURED, C.O.D. AND CERTIFIED MAIL

NAME AND ADDRESS OF SENDER		Indicate type of mail ☐ Registered ☐ Insured ☐ COD ☐ Certified		I certify that we have ☐ Commercial Insurance ☐ A deductible clause of \$		Affix stamp here if issued as certificate of mailing or for additional copies of this bill. POSTMARK AND DATE OF RECEIPT						
1	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S. H. FEE	REST. DEL. FEE	REMARKS
1	✓ 14762	Robert & Linda Hyland Rt. 1 Box 474-AB, Bonners Ferry, ID 83805	.25	.85		✓		.90				98-7644
2	✓ 14763	Emogene Mead HCR 61 Box 171, Bonners Ferry, ID 83805 3A81	.25	.85		✓		.90				"
3	14764	Mr. & Mrs. Glenn Aby HCR 61 Box 170, Bonners Ferry, ID 83805	.25	.85		✓		.90				"
4	✓ 14765	Richard A. Villelli HCR 61 Box 169, Bonners Ferry, ID 83805	.25	.85		✓		.90				"
5	14766	Dirk & Sigrid Caperton HCR 61 Box 167, Bonners Ferry, Id 83805	.25	.85		✓		.90				"
6	✓ 14767	Howard Monks, Jr. HCR 61 Box 162, Bonners Ferry, ID 83805	.25	.85		✓		.90				"
7	✓ 14768	Russell N. Greene HCR 61 Box 165, Bonners Ferry, ID 83805	.25	.85		✓		.90				"
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RECEIVED
 DEC 27 1988

COEUR D'ALENE
 ID STA
 AUG
 1988

TOTAL NUMBER OF PIECES LISTED BY SENDER	TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE 7	POSTMASTER, PER (Name of receiving employee) 	The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.
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FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

* U.S. GOVERNMENT PRINTING OFFICE: 1978 270-037

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
)
FOR PERMIT NO. 98-7644 IN THE)
)
NAME OF ROBERT AND LINDA HYLAND)

NOTICE OF HEARING AND/OR
CONFERENCE

On June 28, 1988, Robert and Linda Hyland filed with the Department of Water Resources an application for permit to appropriate the public waters of the State of Idaho. The application was protested by Emagene Mead, Mr. and Mrs. Glenn Aby, Richard Villellli, Dirk and Sigrid Caperton, Howard Monks, Jr. and Russell N. Greene.

The Department has set the matter of protest for a hearing and/or conference on Thursday, August 18, 1988, 9:00 a.m., in the conference room of Job Service office located at 1069 S. Main, Bonners Ferry, Idaho. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Copies of the above referenced rules are available upon request. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

Dated this 5 day of August, 1988.

MICROFILMED *Robert G. Haynes*
Robert G. Haynes P. E.
DEC 27 1988 Manager, Northern Regional Office

CONFERENCE AND HEARING INFORMATION
IN THE MATTER OF APPROVAL OF AN APPLICATION FOR PERMIT

In accordance with Idaho Code, Section 42-203, the following issues are involved in the consideration of the application and protest(s):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A tape record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties may be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by Idaho Code, Section 42-1701A.

The parties by written stipulation may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the Director's review of a party's evidence and arguments. However, such a waiver will shorten the decision-making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to Rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the district court.

Under the provisions of the Idaho Code, Sections 42-1701A and 67-5215, any court review of the Department's decision on appeal shall be confined to the record created before the Department.

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

DEC 27 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 27, 1988

Mr. and Mrs. Robert Hyland
Rt. 1 Box 474-AB
Bonners Ferry, Id. 83805

Re: 98-7644

Dear Mr. and Mrs. Hyland:

Enclosed are copies of additional protests filed against the approval of a permit pursuant to the above-referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

MICROFILMED

DEC 27 1988





State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 27, 1988

Mr. and Mrs. Dirk Caperton
HCR 61 Box 167
Bonners Ferry, Id. 83805

Re: 98-7643 and 98-7644

Dear Mr. and Mrs. Caperton:

Your protest against the approval of the above-referenced applications have been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

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You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms



MICROFILMED
DEC 27 1988

July 14, 1988

R. G. Higginson, Director
STATE OF IDAHO
Department of Water Resources
Northern Region Office
4055 Government Way, Suite 9
Coeur d'Alene, ID 83814

RECEIVED
JUL 15 1988

Department of Water Resources
Northern District Office

RE: WATER APPLICATIONS #9807643 & #9807644

Dear Mr. Higginson:

With regard to the above-referenced applications, we would like to let you know that as holders of prior water rights on the above-referenced stream, Round Prairie Creek, and inasmuch as the ground water and Application 644 is a tributary to Round Prairie Creek, we definitely have concerns with regard to the amount of water requested.

What would be important is the term that the water rights are requested, along with the amount. Round Prairie Creek does not have a water flow sufficient enough to allow for the removal of 4.56 cubic feet per second plus the loss of ground water in the amount of .2 cubic feet per second and .04 cubic feet per second as requested. If that amount of water was removed, there would be no water left for fish habitat or for any of those with prior water rights.

We certainly do not have any objections to the removal of appropriate water rights provided, however, that they do not jeopardize the fish or wildlife habitat, or other water rights.

If, in the heavy run-off in the spring Round Prairie had the amount of water requested in this application, the use of the amount of cubic feet of water requested, it would certainly preclude those of us with prior water rights of ever exercising the use of our right.

We would appreciate your concern and comments with regard to our protest of those applications.

Sincerely,

Dirk A. Caperton
Sigrid W. Caperton
Dirk A. and Sigrid W. Caperton

MICROFILMED

DEC 27 1988

RAV/ja

267-3300

HCR 61 Box 167

Bonneville, Id.



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 27, 1988

Ms. Emagene Mead
HCR 61 Box 171
Bonners Ferry, Id. 83805

Re: 98-7643 and 98-7644

Dear Ms. Mead:

Your protest against the approval of the above-referenced applications has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

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2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms



MICROFILMED
DEC 27 1988

July 14, 1988

R. G. Higginson, Director
STATE OF IDAHO
Department of Water Resources
Northern Region Office
4055 Government Way, Suite 9
Coeur d'Alene, ID 83814

RE: WATER APPLICATIONS #9807643 & #9807644

Dear Mr. Higginson:

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We certainly do not have any objections to the removal of appropriate water rights provided, however, that they do not jeopardize the fish or wildlife habitat, or other water rights.

If, in the heavy run-off in the spring Round Prairie had the amount of water requested in this application, the use of the amount of cubic feet of water requested, it would certainly preclude those of us with prior water rights of ever exercising the use of our right.

We would appreciate your concern and comments with regard to our protest of those applications.

Sincerely,

E. Mead

RAV/ja

CCR 61 Ex 174
Signature

Emogene **MICROFILMED**
DEC 27 1988

RECEIVED

JUL 20 1988

Department of Water Resources
Northern District Office



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 27, 1988

Mr. and Mrs. Glenn Aby
HCR 61 Box 170
Bonners Ferry, Id. 83805

Re: 98-7643 and 98-8744

Dear Mr. and Mrs. Aby:

Your protest against the approval of the above-referenced applications has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

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4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

MICROFILMED

DEC 27 1988



July 14, 1988

RECEIVED

JUL 18 1988

R. G. Higginson, Director
STATE OF IDAHO
Department of Water Resources
Northern Region Office
4055 Government Way, Suite 9
Coeur d'Alene, ID 83814

Department of Water Resources
Northern District Office

RE: WATER APPLICATIONS #9807643 & #9807644

Dear Mr. Higginson:

With regard to the above-referenced applications, we would like to let you know that as holders of prior water rights on the above-referenced stream, Round Prairie Creek, and inasmuch as the ground water and Application 644 is a tributary to Round Prairie Creek, we definitely have concerns with regard to the amount of water requested.

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We certainly do not have any objections to the removal of appropriate water rights provided, however, that they do not jeopardize the fish or wildlife habitat, or other water rights.

If, in the heavy run-off in the spring Round Prairie had the amount of water requested in this application, the use of the amount of cubic feet of water requested, it would certainly preclude those of us with prior water rights of ever exercising the use of our right.

We would appreciate your concern and comments with regard to our protest of those applications.

Sincerely,

Grace Aby

Glenn and Grace Aby

RAV/ja

267-3629

HC# 61 By 170

Donner, Jerry, ID.

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DEC 27 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 27, 1988

Mr. Richard A. Villelli
HCR 61 Box 169
Bonners Ferry, Id. 83805

Re: 98-7643 and 98-7644

Dear Mr. Villelli:

Your protest against the approval of the above-referenced applications have been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

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Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

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DEC 27 1988



July 14, 1988

R. G. Higginson, Director
STATE OF IDAHO
Department of Water Resources
Northern Region Office
4055 Government Way, Suite 9
Coeur d'Alene, ID 83814

RECEIVED
JUL 18 1988
Department of Water Resources
Northern District Office

RE: WATER APPLICATIONS #9807643 & #9807644

Dear Mr. Higginson:

With regard to the above-referenced applications, we would like to let you know that as holders of prior water rights on the above-referenced stream, Round Prairie Creek, and inasmuch as the ground water and Application 644 is a tributary to Round Prairie Creek, we definitely have concerns with regard to the amount of water requested.

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We would appreciate your concern and comments with regard to our protest of those applications.

Sincerely,

Richard A. Vilelli
Richard A. Vilelli

RAV/ja

HCR 61 Box 169
Donna L. King, Id. 83805

Note: This letter was provided to various holders of water rights on Round Prairie Creek in order to facilitate their protest to your department.

MICROFILMED
DEC 27 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 18, 1988

Mr. Howard Monk, Jr.
HCR 61 Box 162
Bonners Ferry, Id. 83805

Re: 98-07644 Robert & Linda Hyland

Dear Mr. Monk:

In reference to your question regarding the feasibility of obtaining a water right for a purpose for which the property is not zoned, it is possible to apply for a water right for commercial use on property zoned for irrigation.

However it could be used as the basis for a protest, if you so choose to represent that the water right would not be in the public interest.

We are enclosing a copy of the Hyland's water right application for your information. If you decide to officially protest this application, please be advised that protests can be accepted on or before July 25, 1988.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

Enc. - Appln.

MICROFILMED

DEC 21 1988

July 7, 1988

R. Keith Higginson, Director
Dept. of Water Resources
Northern Region
Government Way, Suite 9
Coeur d'Alene, Idaho 83814

RECEIVED
JUL 11 1988

Department of Water Resources
Northern District Office

Subject: Applications 98-07643 & 98-07644

Dear Sir:

This is to protest the application, #98-07643, that proposes the use of 4.560 CFS for irrigation purposes from Round Prairie Creek. I am a landowner downstream on that creek from the proposed diversion point. During low water periods the flow in Round Prairie can be as little as .25 to .50 CFS and probably reaches volumes of the order stated in the application for only two or three months of the year - and that certainly not when one is apt to need irrigation water.

Round Prairie Creek is one of the best brook trout fisheries in Boundary County and has little if any water to spare for irrigation purposes.

In addition, I would like to question the application, #98-07644, that requests .200 CFS for commercial purposes. The land in question is currently zoned as agricultural land and no notices of request for any use permits to change this zoning have appeared in the newspaper. Can you apply for water for a purpose you have no permit to do on your property? That's a poorly worded question but hopefully you understand what I am trying to ask.

I am not as yet, protesting the second application but am merely questioning if it is proper to ask for what the permit requests.

Very truly yours,

Howard Monks Jr

Howard Monks, Jr
HCR 61 Box 162
Bonners Ferry, Idaho 83805

208 267 3978

MICROFILMED

DEC 27 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 18, 1988

Mr. and Mrs. Robert Hyland
Rt. 1 Box 474-AB
Bonners Ferry, Id. 83805

Re: 98-7644

Dear Mr. and Mrs. Hyland:

Enclosed is a copy of a protest filed against the approval of a permit pursuant to the above-referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms
Enclosure

MICROFILMED
DEC 27 1988





State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 18, 1988

Mr. Russell N. Greene
HCR 61 Box 165
Bonners Ferry, Id. 83805

Re: 98-7644

Dear Mr. Greene:

Your protest against the approval of the above-referenced application has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

MICROFILMED
DEC 27 1988

July 11, 1988

Dept of Water Resources, North Div.
Government Way Suite 9
Couer d'Alene, Idaho 83814

RECEIVED

JUL 12 1988

Re: Water Rights Applications No. 98-07643 Hyland and
No. 98-07644 Hyland

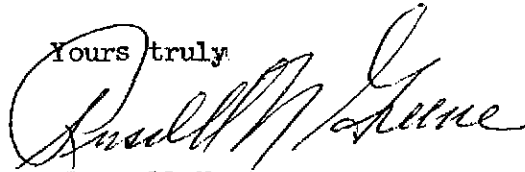
Department of Water Resources
Regional District Office

Gentlemen:

I wish to make a protest against granting the above applications.

The volumes requested are greater than the stream flow in low season
and the area is not zoned COMMERCIAL.

Yours truly



Russell N. Greene
HCR-61 box 165
Bonners Ferry, Idaho
83805

MICROFILMED

DEC 27 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Dear Claimant:

The Department of Water Resources acknowledges receipt of your water right application for permit.

This office is currently in the process of advertising the application in the local county newspaper. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to the final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Enclosed please find your receipt for the fee involved in filing this application.

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

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms
Enc. - Receipt

MICROFILMED

DEC 27 1988



June 23, 1988

Idaho Department of Water Resources
4055 Government Way, Suite 9
Coeur d'Alene, Idaho 83814

Gentlemen:

Accompanying this letter please find an Application for Permit along with our check made payable to you in the sum of \$45.00. If any further information is needed, please contact us.

Sincerely,

ROBERT E. HYLAND

LINDA L. HYLAND

MICROFILMED

DEC 27 1988

RECEIVED

JUN 23 1988

Department of Water Resources
Northern District Office

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

98-07642

EMACIO, WILLIAM J.
DBA MOUNTAIN VIEW FARMS
HCR 69 BOX 207A
BONNERS FERRY, ID 83805
Source: GROUNDWATER
Diversion Pt: SWNW Sec 23 T 65N R 01W
Use: DOMESTIC (.040 CFS)
Date Filed: 6/28/1988
In: T65N R01W S23 SWNW

98-07643

HYLAND, RICK B.
HYLAND, RANDY L.
HYLAND, JUDAH S.
RT. 1 BOX 474AB
BONNERS FERRY, ID 83805
Source: ROUND PRAIRIE CREEK
Tributary: MOYIE RIVER
Diversion Pt: LOT 4 (SWSW) Sec 30
T 65N R 02E
Use: IRRIGATION (4.560 CFS)
Date Filed: 6/29/1988
In: T65N R02E S25 SWNE SENE
NESE NWSE SWSE SESE
S30 SWNW NWSW
228.0 ACRES TOTAL

98-07644

HYLAND, ROBERT E.
HYLAND, LINDA L.
RT. 1 BOX 474AB
BONNERS FERRY, ID 83805
Source: GROUNDWATER
Diversion Pt: LOT 3 (NWSW) Sec 30
T 65N R 02E
Use: COMMERCIAL (.200 CFS)
DOMESTIC (.040 CFS)
Date Filed: 6/28/1988
In: T65N R02E S30 Lot 3 (NWSW)

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Northern Region, Government Way Suite 9, Coeur d'Alene, Idaho 83814 on or before JULY 25, 1988.

R. Keith Higginson,
Director

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Boundary

ss.

DAN DREWRY, MANAGING EDITOR FOR JIM THOMPSON being
first duly sworn upon his oath, deposes and says that he is the publisher (or foreman)

PUBLISHER

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at
Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has
been continuously and uninterruptedly published in said Boundary County during a period
of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of HYLAND

a

#966

Notice for publication, a printed copy of which is attached hereto was published in said
newspaper and not in a supplement thereof for 2 consecutive issues, com-
mencing with the issue dated 7/6/88, 1988, and ending with the
issue dated 7/13/88, 1988.

Subscribed and sworn to before me this 19 day of July, 1988.

Wa Ladwig
Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

98-07644

HYLAND, ROBERT E.
HYLAND, LINDA L.
RT. 1 BOX 474AB
BONNERS FERRY, ID 83805

Source: GROUNDWATER

Diversion Pt: LOT 3 (NWSW) Sec 30 T 65N R 02E

Use: COMMERCIAL (.200 CFS)
DOMESTIC (.040 CFS)

Date Filed: 6/28/1988

In: T65N R02E S30 Lot 3 (NWSW)

MICROFILMED

DEC 27 1988