

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

1. Owner: Trow Creek Water Association Permit No. 98-07628
Current Address: P.O. Box 3, Porthill, ID 83853 Phone No. 267-3655
2. Accompanied by: T. F. Lindstrom EXAM. DATE: 8/2/90
Address: HCR 60, Box 220 Bonners Ferry ID Phone No. 267-3655
Relationship to Permit Holder: Secretary of Assn.
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 98-2061, 98-2106 - also several members have individual WR for back up. ☐ 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

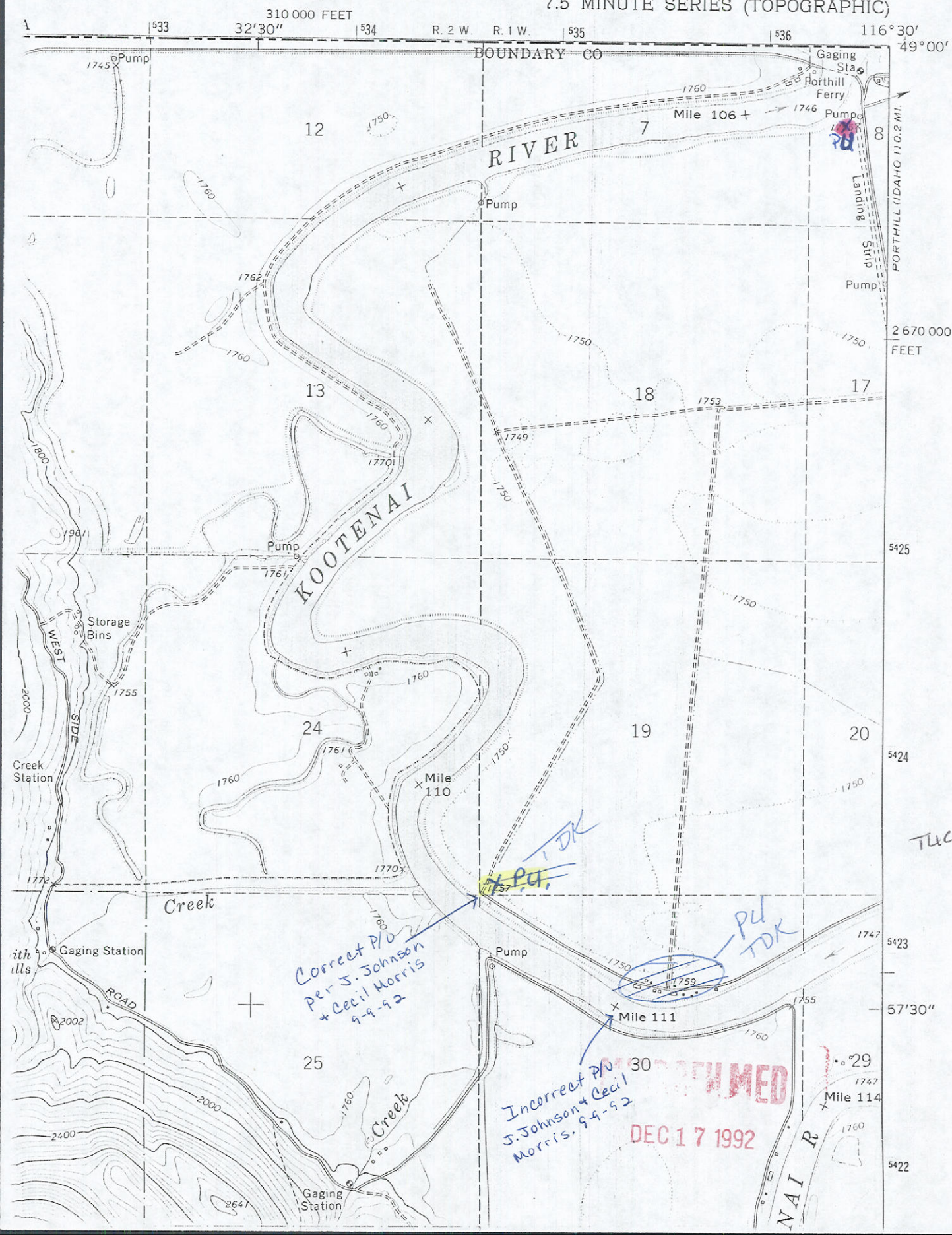


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DEC 17 1992

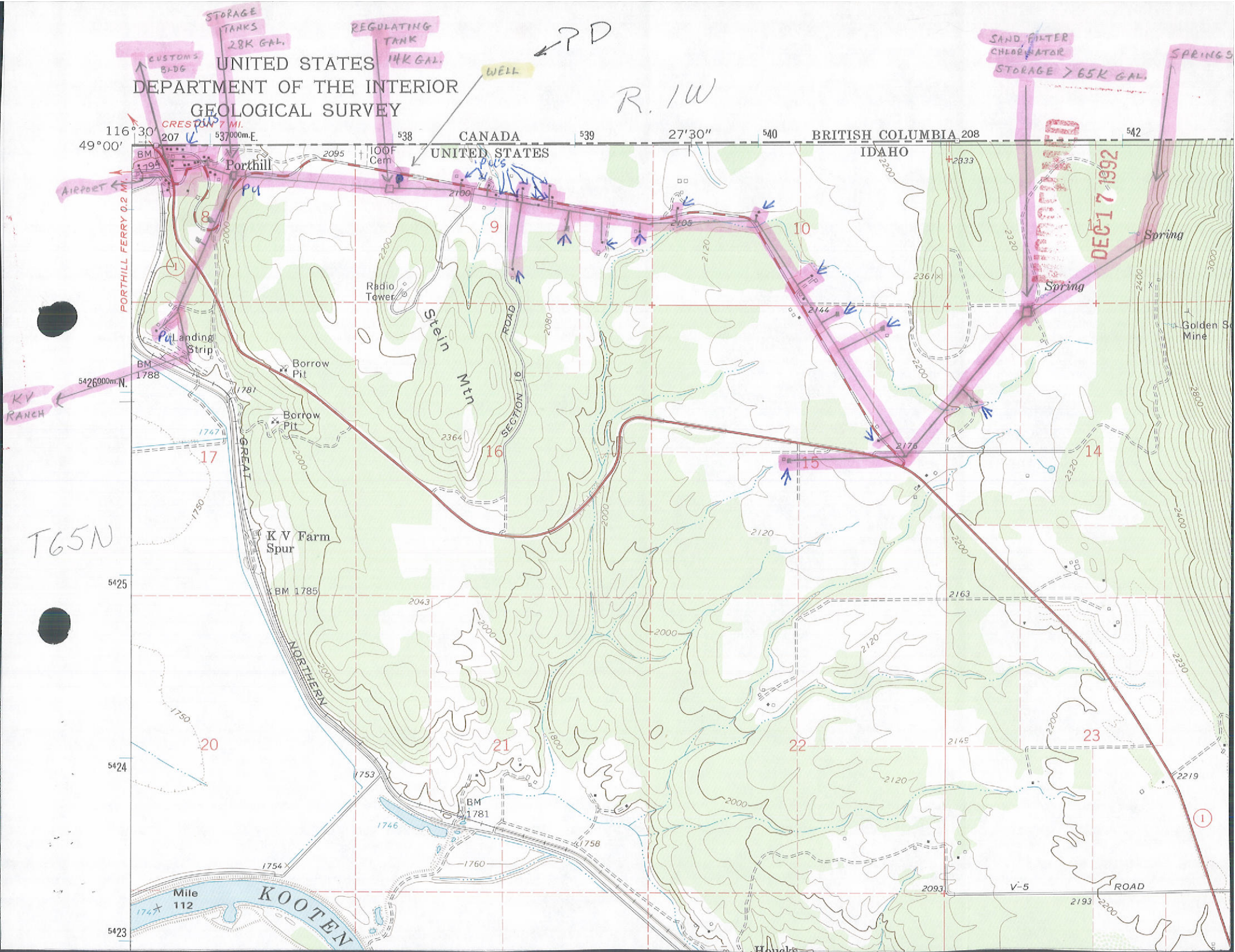
Scale: 1" = NTS

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached N/A (separate irrigation on public system)
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

SMITH FALLS QUADRANGLE
IDAHO-BOUNDARY CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



STORAGE
TANKS
28K GAL.

REGULATING
TANK
14K GAL.

SAND FILTER
CHLORINATOR
STORAGE > 65K GAL.

SPRINGS

PD

R. 1W

DEC 17 1992

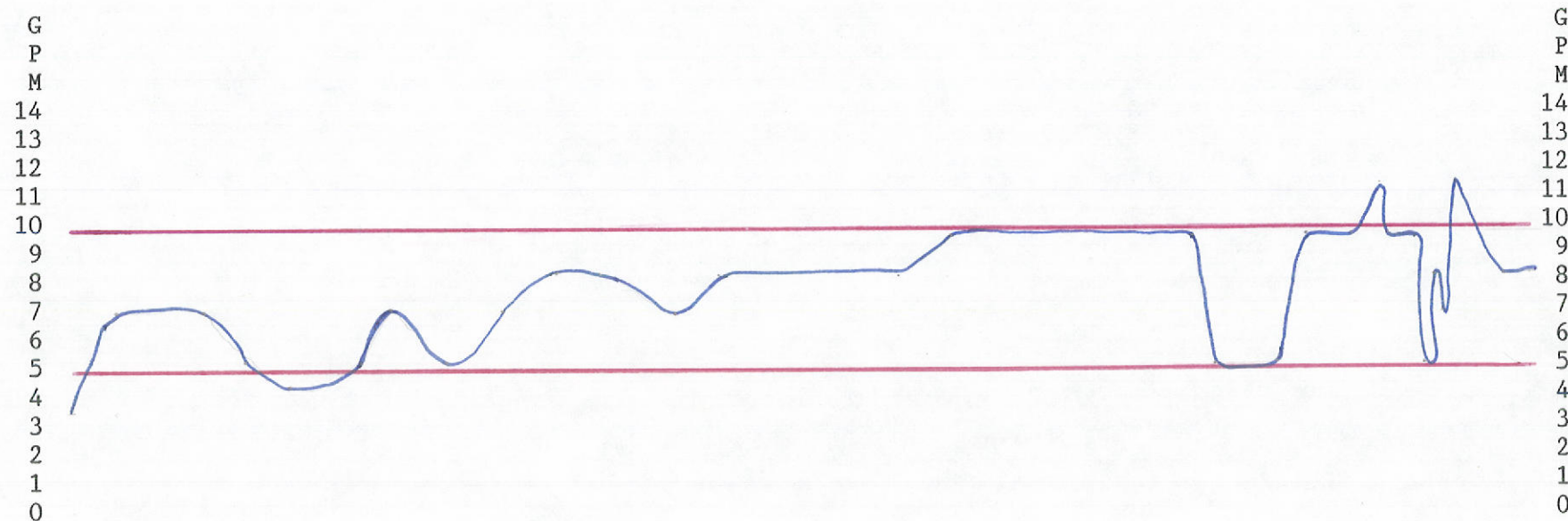
T65N

[illegible]

[illegible]

MICROFILMED
DEC 27 1988

D
A AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUN JULY
T 07 17 27 06 16 26 06 16 26 05 15 25 05 15 25 04 14 24 03 13 23 04 14 24 03 13 23 03 13 23 02 12 22 02 12 22
E.....



.....

SPRING LOCATED WITHIN GOVERNMENT LOT 1, SECTION 8, T.65N.,R1W.

September 24, 1986

Auditor's Office
Boundary County Courthouse
Kootenai Street
Bonners Ferry, Id. 83805

Re: 98-7628

Gentlemen:

This is to confirm reservations made for a conference &/or hearing to be conducted by the Idaho Department of Water Resources in the Jury Room of the Boundary County Courthouse on Tuesday, October 14, 1986, at 12 noon and lasting the afternoon.

If this is not the case, please advise this office immediately.

Sincerely,

Patricia M. Stypa
Secretary/Office Coordinator

RECEIVED
DEC 27 1988

September 23, 1986

Irow Creek Water Assn.
P.O. Box 3
Porthill, Id. 83853

Re: 98-7628

Gentlemen:

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 ten (10) 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 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?

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 Supervisor

RGH/pms

Enclosure

MICROFILMED

DEC 24 1988

September 23, 1986

Mr. Lonnie L. Watkins
P.O. Box 10
Porthill, Id. 83853

Re: 98-7628

Dear Mr. Watkins:

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 ten (10) 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.

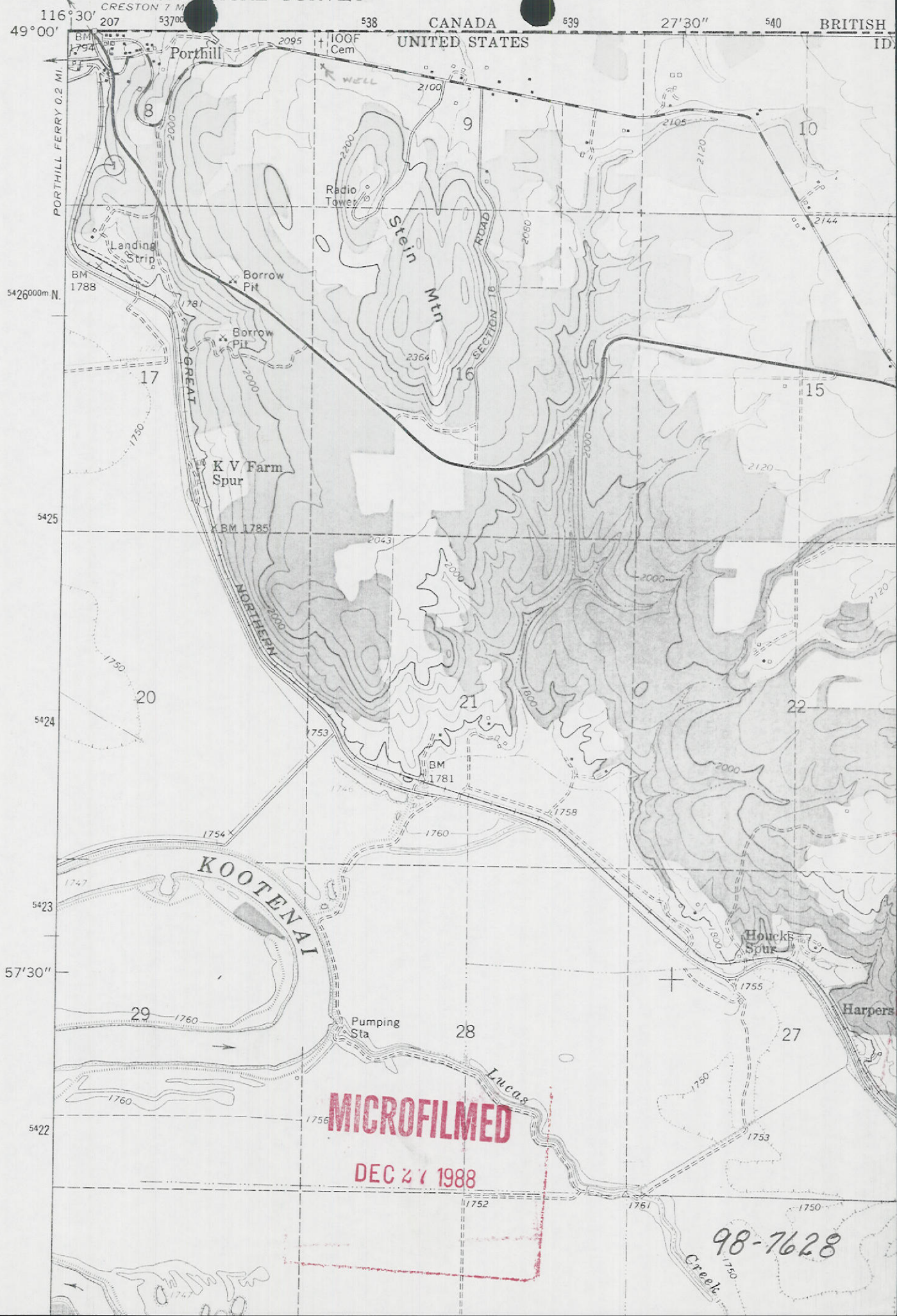
Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

MICROFILMED

DEC 27 1988

BRITISH
ID

98-7168

9/4/86



OUT LET STRUCTURE



DEC 26 1986

98-7168



← NORTHERN POND ↗
LOOKING NORTHERLY

9/4/86



← SOUTHERN POND ↗
LOOKING SOUTHERLY

MICROFILMED

DEC 27 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 98-07628

Priority: September 2, 1986

Maximum Diversion Rate:

0.20 CFS

Maximum Diversion Volume:

99.3 AF

This is to certify, that TROW CREEK WATER *ASSN

PO BOX 3

PORTHILL ID 838530003

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 2, 1986; and has submitted Proof of Beneficial Use on December 14, 1989. An examination indicates that the works have a diversion capacity of .200 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>
IRRIGATION	03/15 to 10/15	0.20 CFS	72.0 AF
STOCKWATER	01/01 to 12/31	0.07 CFS	4.0 AF
COMMERCIAL	01/01 to 12/31	0.20 CFS	2.9 AF
DOMESTIC	01/01 to 12/31	0.20 CFS	20.4 AF
	Totals	0.20 CFS	99.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 9, Township 65N, Range 01W
BOUNDARY County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
53N	03W	35	NWSW	SESW		
65N	01W	8	SWNW 0.2	SENW 1	NESW 4	
			NWSW 6	NESE 0.3	NWSE 1	12.5
		9	NESW 1	NWSE 2	SWSE 1	
			SESE 1			5
		10	NESW 0.5	NWSW 0.5	SWSE 1	2
		14	SWNW 0.5			0.5
		15	NENE 0.5	NWNE 0.5	SENE 1	2
		17	NENW 1			1
		19	SWSW 1			1

Total number of acres irrigated:

24

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
65N	01W	9	NESW
		10	SWSE
		15	SENE

RECORDED

DEC 17 1992

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 98-07628

PLACE OF USE: COMMERCIAL
TWN RGE SEC

65N 01W 8 SWNW SENW NWSW

PLACE OF USE: DOMESTIC
TWN RGE SEC

65N 01W 8	SENW	NESW	NESE
	NWSE		
9	NESW	NWSE	SWSE
	SESE		
10	NESW	NWSW	SWSE
14	SWNW		
15	NENE	NWNE	SENE
17	NENW		
19	SWSW		

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 limited to the amount that can actually be beneficially use 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. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
7. Domestic use is for 34 homes.
8. Stockwater use is for 300 range cattle.
9. Commercial use is for a grocery store, airport, 2 taverns and 2 custom houses. The custom houses are located in Idaho and Canada.

RECEIVED

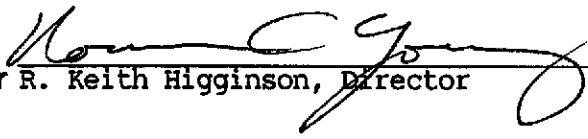
DEC 17 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 98-07628

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 16th
day of OCTOBER, 1992.


Acting for R. Keith Higginson, Director

DEC 17 1992

State of Idaho
Department of Water Resources

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SEP 28 1992

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 98-07628

Department of Water Resources

Date of Priority: September 2, 1986

Maximum Diversion Rate:

0.20 CFS

Maximum Diversion Volume:

99.3 AF

Comes now

TROW CREEK WATER ASSN

PO BOX 3

PORTHILL ID 838530003

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. 98-07628, 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>
IRRIGATION	03/15 to 10/15	0.20 CFS	72.0 AF
STOCKWATER	01/01 to 12/31	0.07 CFS	4.0 AF
COMMERCIAL	01/01 to 12/31	0.20 CFS	2.9 AF
DOMESTIC	01/01 to 12/31	0.20 CFS	20.4 AF
	Totals	0.20 CFS	99.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 9, Township 65N, Range 01W
BOUNDARY County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
65N	01W	8	SWNW 0.2	SENE 1	NESW 4	
			NWSW 6	NESE 0.3	NWSE 1	12.5
		9	NESW 1	NWSE 2	SWSE 1	
			SESE 1			5
		10	NESW 0.5	NWSW 0.5	SWSE 1	2
		14	SWNW 0.5			0.5
		15	NENE 0.5	NWNE 0.5	SENE 1	2
		17	NENW 1			1
		19	SWSW 1			1

Total number of acres irrigated: 24

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>
65N	01W	9	NESW
		10	SWSE
		15	SENE

RECEIVED

DEC 17 1992

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 98-07628

PLACE OF USE: COMMERCIAL
TWN RGE SEC

65N 01W	8	SWNW	SENW	NWSW
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PLACE OF USE: DOMESTIC
TWN RGE SEC

65N 01W	8	SENW	NESW	NESE
		NWSE		
	9	NESW	NWSE	SWSE
		SESE		
	10	NESW	NWSW	SWSE
	14	SWNW		
	15	NENE	NWNE	SENE
	17	NENW		
	19	SWSW		

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 Porchell, this 14 day of September, 1997.

Paul Morris
President (Signature)

DEC 17 1992

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 98-07628

FOR DEPARTMENT USE ONLY

Preliminary check by CS Fee = \$20.00 Received by [Signature] # 0025592 Date 9-28-92

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. 98-07628 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 limited to the amount that can actually be beneficially use 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. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
7. Domestic use is for 34 homes.
8. Stockwater use is for 300 range cattle.
9. Commercial use is for a grocery store, airport, 2 taverns and 2 custom houses. The custom houses are located in Idaho and Canada.

Witness my hand this 16TH day of OCTOBER, 1992.

[Signature]
Acting for R. Keith Higginson, Director

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DEC 17 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant TROW CREEK WATER ASSN. Phone 267-3655
Post office address P.O. Box 3, PORTHILL, ID 83853

2. Source of water supply GROUND WATER 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 $\frac{1}{4}$, Govt. Lot _____
Sec. 9 Township 65N Range 1W B.M. BOUNDARY County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .20 for IRRIGATION purposes from MAR. 15 to OCT. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .07 for STOCK WATERING purposes from JAN. 1 to DEC. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .20 for DOMESTIC/COMMERCIAL purposes from JAN. 1 to DEC. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.20 for COMMERCIAL purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .20 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. N/A WELL PUMP & PIPELINE
(FM ITEM 2. 12-9-86)

b. Height of storage dam N/A 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 8 inches; proposed depth of well is 500 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
5 years (minimum 1 year).

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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. 300 BEEF CATTLE, 4 HORSES
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 34
- e. Other; describe fully. 3 TAVERNS, 2 CUSTOMS HOUSES, 1 AIRPORT CLASSED AS COMMERCIAL.

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
65N	1W	8							¼ C	1 D/C	4 D	6 C			¼ D	1 D			12½
		9									1 D/5				2 D	1 D	1 D		5
		10									½ D	½ D					1 D/5		2
		14							½ D										½
		15	½ D	½ D		1 D/5													2
		17					1 D												1
65N	2W	13			1 D														1

Total number of acres to be irrigated 24

10. Describe any other water rights used for the same purposes as described above. #19270, #27893
(98-2061) (98-2106)

11. a. Who owns the property at the point of diversion? JOHN F. MORRIS
- b. Who owns the land to be irrigated or place of use? MEMBERS OF THE ASSOCIATION.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. EASEMENT FROM MR. MORRIS AS MEMBER OF THE ASSN.

12. Remarks: WATER RIGHTS PRESENTLY HELD ARE FOR SPRINGS WHICH WILL BECOME BACK-UP SUPPLY PER STATE REGS. WELL IS REQUIRED TO REPLACE STATE-DISAPPROVED SPRINGS PER CONSENT AGREEMENT WITH ATTY-GENERAL.

MicroFILMED

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T 65 N RIW

A 10x10 grid map with the following labels and features:

- Section Labels:**
 - SEC. 8 (top row, second column)
 - SEC. 9 (top row, third column)
 - SEC. 10 (top row, fourth column)
 - SEC. 11 (top row, fifth column)
 - SEC. 17 (second row, second column)
 - SEC. 16 (second row, third column)
 - SEC. 15 (second row, fourth column)
 - SEC. 14 (second row, fifth column)
 - SEC. 13 (seventh row, fifth column)
- Well:** A circled dot with the label "WELL" is located in the second row, third column.
- Coordinates:** The text "T65N R24" is written in the seventh row, fourth column.
- Other Features:**
 - A cluster of dots is in the top row, second column.
 - Several individual dots are scattered across the grid, including one in the second row, fifth column and another in the seventh row, fifth column.

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T. F. Sundstrom, Secy-Treas.
(Applicant)
TROW CREEK WATER ASSOCIATION

Proposed Priority 9/2/86

Received by pm Date 9/2/86 Time 3:30PM Preliminary check by TK

Fee \$ 30.00 Receipted by pm # 3812 Date 9/3/86

Publication prepared by pm Date 9/3/86 Published in Bozeman Daily Herald
9/17/86 # 10/23-34/86
11/21-28/87

Publication approved pm Date 1/26/87

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. 98-7628, 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, including License 98-7168, to the extent inter-connection of the sources may be determined.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 91.

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: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 19th day of September, 1988.

R. Keith Higgins
Director

MICROFILMED

DEC 27 1988

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that Application for Permit No. 98-7628 in the name of Trow Creek Water Assn. was advertised incorrectly on September 10 and 17, 1986.

The amount of water for Commercial use was incorrectly advertised as 0.02 CFS; whereas, correctly it should be 0.20 CFS.

Protests to the above-referenced correction must be filed with the Director, Department of Water Resources, 4055 Gov't Way, Ste. 14, Coeur d'Alene, Id. 83814 on or before February 9, 1987.

Ken Dunn, dir.
Pub. 1-21 and 28, 1987 No. 519

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that Application for Permit No. 98-7628 in the name of Trow Creek Water Assn. was advertised incorrectly on September 10 and 17, 1986.

The amount of water for Commercial use was incorrectly advertised as 0.02 CFS; whereas, correctly it should be 0.20 CFS.

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Ken Dunn, dir.
Pub. 1-21 and 28, 1987 No. 519

AFFIDAVIT OF PUBLICATION

RECEIVED
JAN 26 1987
Department of Water Resources
Northern District Office

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 CORRECTION

a #519

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, commencing with the issue dated Jan 21, 1987, and ending with the issue dated _____, 19____

MICROFILMED

DEC 27 1988

Subscribed and sworn to before me this 23 day of January, 1987.

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

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 CORRECTION

a #519

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, commencing with the issue dated Jan 21, 19 87, and ending with the issue dated _____, 19 ____.

Subscribed and sworn to before me this 23 day of January, 19 87.

W A Sadury
Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

96-8467

BROWN, RUTH L.

**P. O. Box 222, SANDPOINT, ID
83864 -**

**Source: UNNAMED STREAM trib.
to SINKS**

**Diversion Pt: SWSW Sec 34 T 60N R
02W**

Use: IRRIGATION (0.1 CFS)

DOMESTIC (0.040 CFS)

Date Filed: 09/03/1986

**In: SWSW Sec 34 T 60N R 02W FOR
5 ACRES**

98-7628

TROW CREEK WATER ASSN.

P. O. BOX 3, PORTHILL, ID 83853

Source: GROUNDWATER

Diversion Pt: NWNWSW Sec 09 T

65N R 01W

Use: IRRIGATION (0.2 CFS)

STOCKWATER (0.070 CFS)

COMMERCIAL (0.02 CFS)

DOMESTIC (0.2 CFS)

Date Filed: 09/02/1986

In: SWNW SENW NESW NWSW

NESE NWSE Sec 08 T 65N R 01W

NESW NWSE SWSE SESE Sec 09 T

65N R 01W NESW NWSW SWSE

Sec 10 T 65N R 01W SWNW Sec 14 T

65N R 01W NENE NWNE SENE Sec

15 T 65N R 01W NENW Sec 17 T 65N

R 01W SWNE Sec 13 T 65N R 02W

FOR 28 ACRES.

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of
Water Resources, 4055 Government
Way, Suite 9, Coeur d'Alene, Idaho
83814 on or before SEPTEMBER 29,
1986.

Published Sept.

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AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }

County of Boundary }

ss.

DAN DREWRY, MANAGERING 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 WATER RIGHT

a #121

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, commencing with the issue dated SEP 10, 17, 1986, and ending with the issue dated , 19 .

Subscribed and sworn to before me this 1 day of October, 1986.

DEC 27 1986

W.A. Ludwig
Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.



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

October 20, 1992

TROW CREEK WATER ASSN
PO BOX 3
PORTHILL ID 838530003

RE: WATER RIGHT NO. 98-07628

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,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

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DEC 17 1992



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

September 9, 1992

Cecil Morris
Trow Creek Water Assn.
P.O. Box 3
Porthill, ID 838530003

RE: License Amendment #98-07628

Dear Mr. Morris:

Following your conversations today with myself and Jim Johnson, I have made the agreed upon changes to the amendment.

The place of use has been corrected to include SWSW, S19, T65N, R01W, and have removed SWSW, S30, T65N, R01W. This appears to be the correct location according to information you provided and corresponds with the original findings of the field examiner. The amendment is still required since Section 19 was not included on the original application and permit.

I have also modified the remarks (See #9) to include a description of where the custom houses are located as agreed by Jim Johnson.

The signed amendment and \$20.00 fee should be returned to this office within 15 days. If the amendment is not submitted, the place of use described above in paragraph 2 will be removed from the proposed license. The proposed rates and volumes will be reduced accordingly.

I am pleased to have reached an agreeable conclusion to this matter and look forward to sending your approved license in the near future.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

Enclosure

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DEC 17 1992



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

September 2, 1992

Trow Creek Water Assn.
P.O. Box 3
Porthill, ID 838530003

RE: Licensing of Water Right #98-07628

Dear Permit Holders:

I have been in contact with the secretary of your association twice in the last few weeks. I know that you have some questions in general regarding water rights and specifically regarding the Licensing Amendment that was sent to you 08-19-92. I will attempt to clarify the water right process and explain how the rates, volumes and conclusions were reached to prepare the Amendment.

First let me explain that a water right goes through several stages before it becomes a perfected right or License. Initially you filed an Application For Permit on 09-02-1986 requesting the right to appropriate the public waters of the State of Idaho. This plan of development was reviewed by both the region and state office before being approved 09-19-88. The department's approval was your authorization to begin development of your project, in this case a community/housing development, and the right was in the Permit stage.

A development period was set (Condition b. on the Permit), and proof of beneficial use was due 09-01-1991. This form was submitted to the department with the required \$50.00 examination fee on 12-14-89. 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. A field examiner from our Northern Region office conducted the field examination 08-02-90 and was accompanied by T. F. Lindstrom.

The results of the field examiners findings are what the License for your right are based upon. The licensing recommendations are developed according to actual water use found, evaluation of the system, verification of legal descriptions, compliance with Permit conditions and parameters (the License may not exceed the limits set in the Permit), and current standards, rules and regulations as provided by the Department and Idaho law.

RECEIVED

DEC 17 1992

The field examination and recommendations were forwarded to the State office for final review and preparation of the License, the final stage of a water right. When the License requires corrections or changes from the Permit to correspond with the findings of the field examiner, a Licensing Amendment is prepared and sent to the permit holder.

The Licensing Amendment was required in your case due to a correction in the place of use. While no use was found in SWNE, S13, T65N, R02W (per Permit), there was a Domestic and Irrigation use found in SWSW, S30, T65N, R01W. In order to include this legal description as a place of use on your License, an Amendment is required. If you do not submit the Amendment, your License will be issued without this place of use. Use of water without a valid water right is illegal and your system as developed would be in violation of state law.

This office attempted to License your right in February of this year and received objections to the Department's findings. The exam was returned to Tom King at our Northern Region office and he contacted Cecil Morris, President of your association, to resolve questions. The exam was then returned to this office with the correction to the place of use I just described.

I have now prepared the Licensing Amendment to correspond with the recommendations of the proposed License. There was a computer generated error on the original Amendment regarding the county, I have prepared a corrected amendment with Boundary county for your consideration. That is the history of the development of your water right to this date. When the License is issued you will have completed the process.

There were also questions regarding the rates and volumes recommended and I will try to explain how these amounts were calculated.

The total capacity of the system was measured at 90 gpm or 0.20 cfs, which was also the total quantity applied for on the Application. Irrigation of 24 acres, Domestic use for 34 homes and the Commercial uses found, by the Department's standards, all exceed the total of 0.20 cfs, but are limited to the capacity of the system. The rate standardly applied for 300 Stock is 0.07 cfs and also the rate applied for on the Application.

The volumes for each use are calculated as follows:

Irrigation 24 acres x 3.0 Acre Feet/year = 72 acre feet/annum
(Total Acres found x Standard Rate/Acre for location = AF per year)

Stockwater 300 Cattle x 12 gpd x 365 days/325,850 gal = 4.0 AFA
(# Stock x gallons per day x days = gal/year divided by gal/AF=AFA)

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FEB 17 1992

Commercial 2 Taverns x 25 people x 12 gpd = 600 gpd
2 Stores x 400 gal/restrooms x 2 = 1,600 gpd
1 Airport x 40 people x 5 gpd = 200 gpd
1 Grocery Store x 50 people x 3 gpd = 150 gpd
2,550 gpd

2,550 gpd x 365 days/325,850 gal = 2.85 = 2.9 AFA

(Estimates of # people collected at time of exam and gallons per day from standard average amounts allowed)

Domestic 34 Homes x 0.6 Acre Feet/year = 20.4 AFA

(# Homes x Maximum allowable for inside use per home/year = AFA
0.6 Acre Feet/year x 325,850 gal = 195,510 gal/year = 536 gpd/home)

The volume of all the uses total 99.3 AFA. I hope that this explanation of how the volume was calculated answers your questions in this matter. I am enclosing copies of pertinent records from your water right file and information sheets for your reference.

If you have any further questions regarding this matter, please contact me directly at 327-7943. If you still do not concur with the Department's findings, you will need to provide me with specific information and verification supporting your statements. I will allow 15 days for your response and submittal of the corrected Licensing Amendment and fee before recommending issuance of a reduced License.

Sincerely,

Pamela Skaggs

PAMELA SKAGGS
Water Resource Agent

Enclosures

DEC 17 1992

August 19, 1992

TROW CREEK WATER ASSN
PO BOX 3
PORTHILL ID 838530003

RE: WATER RIGHT NO. 98-07628

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,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

NOTED
DEC 17 1992

LICENSE REVIEW CHECKLIST

Permit # 98-7628

Date 8-11-92
CS

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance? _____
	☐	☒	Memo to Advance _____
	☐	☒	Order to Reinstate Needed? _____
TOTAL CFS	☐	☒	Incorrect Fee for rate recommended? _____
	☐	☒	Disagree with Actual Measurement? <u>.20 cfs (COMM)</u> <u>24 x .02 = .48 / .20 cfs (IRR) .07 cfs (STOCK) .20 cfs (DOM)</u>
	☐	☒	Disagree with Theoretical? <u>0.24</u>
	☐	☒	Limited by Capacity? <u>.20 cfs measured</u>
TOTAL VOLUME			Rate/ac <u>3.0</u> AFA Irr. Season <u>D</u> <u>3-15 to 11-15</u> Standard Irr. Season <u>3-15 to 10-15</u> Per Permit Season Recommended
	☒	☐	Disagree with Examiner's Calculations? <u>2.9 afa (COMM)</u> <u>24 x 3.0 = 72 afa (IRR) 4.0 afa (STOCK) 20.4 afa (DOM)</u> 99.3 TOTAL Volume
	☐	☒	Limited by Flow? <u>.20 x 365 x 14835 = 144.8 > 117.8</u>
SOURCE	☐	☒	Changes? Clarification of <u>Originally</u> <u>Intended</u> source _____
	☐	☒	Notice of Intent to Void. _____
P/D			Verify with Map _____
	☐	☒	Amendment Needed? _____
	☐	☒	Is Overlap Analysis a Consideration? _____
P/U			Verify with Map _____
	☒	☐	Amendment Needed? <u>Change Sec 13, 2W to Sec 30, 1W</u> See 19, SWSW
	☐	☒	Is Overlap Analysis a Consideration? _____
USES	☐	☒	Change(s) in Nature of Use? _____
	☐	☒	Amendment Needed? _____
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4? _____
	☒	☐	Non-Irr. Uses <u>DOM/34 Homes</u> <u>STOCK/300 cattle</u>
	☐	☒	Special Overlap Condition <u>COMM/Fauna, Custom Houses,</u>
	☐	☒	Other <u>Grocery Store + Airport.</u>
CONDITIONS	☐	☒	Measuring Device _____
	☐	☒	W/Master Control _____
	<u>B29</u>	☐	Overlap _____
	☐	☒	Water Quality _____
			DATES/MISC _____
		☒	Water Dist. _____
		☒	App Rec'd _____
		☒	Exam Made _____
COMMENTS/MEMOS NEEDED:	<u>Amend P/U</u> <u>Comm Volume - 2 Custom Stores w/ Restrooms 2 ea = 1160 gpd</u> <u>600 + 1600 + 200 + 150 = 2550 gpd x 365 / 325,850 = 2.85</u>		
License	☐	☐	☒ Special Correspondence _____

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TROW CREEK WATER ASSN PO BOX 3 PORTHILL ID 838530003	09/02/1986	IRRIGATION STOCKWATER COMMERCIAL DOMESTIC	03-15 10-15 01-01 12-31 01-01 12-31 01-01 12-31	0.20 CFS 0.07 CFS 0.20 CFS 0.20 CFS	72.0 AFA 4.0 AFA 2.9 AFA 20.4 AFA
TOTAL DIVERSION:					0.20 CFS	99.3 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.20 CFS

Point(s) of Diversion: T65N R01W S09 NW SW

Place of use Legal Description for: IRRIGATION

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Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE																			
				NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
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Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE						SUM			
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
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Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE						SUM			
				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	:
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Place of use Legal Description for: DOMESTIC

			NE								NW								SW								SE																																							
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Pou County: BOUNDARY

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

98-02011 98-02109 98-04217 98-04247 98-07321 98-07502 98-07540 98-07588 98-07628 98-07655

Conditions of Approval:

- 004 - The issuance of this right in no way grants any right-of-way or easement across the land of another.
- R29 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

Remarks: Domestic use is for 34 homes.
Stockwater use is for 300 range cattle.
Commercial use is for a grocery store, airport, 2 taverns and 2 custom houses. The custom houses are located in Idaho and Canada.

Dates: App. Received: 09/02/1986 Priority Date: 09/02/1986
Proof Due Date: 09/01/1991 Proof Made Date: 12/14/1989
Exam Made Date: 08/02/1990 Exam Sent to S.O.: 06/01/1992
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 01/08/1992 User-ID: CURTIS Subject: VOLUME FOR COMMERCIAL USE
Using the number of gallons/day estimated by the examiner, with corrections to the 2 stores w/restrooms, calculated as follows:
taverns.....600 gpd
stores.....1,600 gpd (2 stores X 2 restrooms each = 4 X 400)
airport.....200 gpd
grocery store.150 gpd
TOTAL = 2,550 gpd X 365 = 930,750 gal/325850 = 2.85 afa
This comment edited per second review of field exam 08-11-92 PS

Audit: 09/09/92 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 98-07628

1. Owner: Trow Creek Water Association Phone No. 267-3655
Current Address: P.O. Box 3, Porthill, ID 83853
2. Accompanied by: T. F. Lindstrom EXAM. DATE: 8/2/90
Address: HCR 60, Box 220 Bonners Ferry ID Phone No. 267-3655
Relationship to Permit Holder: Secretary of Assn.
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 98-2061, 98-2106 - also several members have individual WR for back up. ☐ 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



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Scale: 1" = NTS

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

N/A (separate irrigation system)
(required for irrigation of 10 acres or more) on Public

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

1. Owner: Iron Creek Water Association

Permit No. 98-07628

Phone No. 267-3655

Current Address:

2. Accompanying

Address: E

Relationship:

3. Source: G

B. OVERLAP

1. Other water

member

2. Other water

C. SYSTEM DESCRIPTION

1. Diversion point
size/ditch size

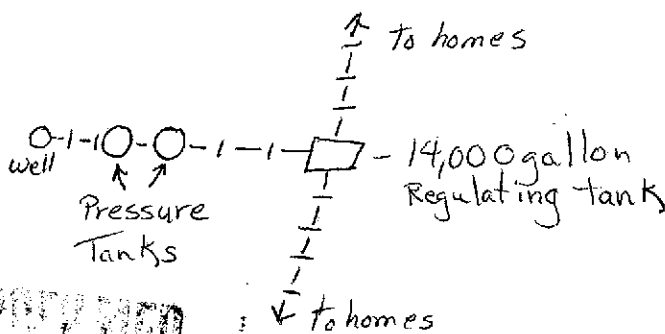
Iron Creek

everal

☐ Copies Attached

Field Exam's Attached

Comments. Indicate weir



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DEC 17 1992

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Scale: 1" = NTS

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

N/A (separate irrigation system on public)
(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.)

Well (8" x 500') with two pressure tanks and a 14,000 gallon regulating Tank. Pipes to places of use are buried. There are two additional storage Tanks that maybe filled; one at 28,000g and one at 65,000g. This well is for back-up if spring system (98-2061, 98-02106) should fail or need repair. This system has 40 users

☐ 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
Submersible		10hp			

*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
		NW	NW	SW	9	65N	1W	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	1W	8							1/4 C	1D C	4D	6C			1/4 D	1/4 D			12.5
		9									1D S					D ₂	D ₁	D	5.0
		10									1/2 D	1/2 D					1D S		2.0
		14							1/2 D										0.5
		15		D _{1/2}	D _{1/2}	D _{1/2}													2.0
		17							1D										1.0
Correct → 65N	1W	~~19~~																	~~1.0~~
Incorrect →		30																	1

Correct →
Incorrect →
289-9-92

24.0 Total

Do not use this space

DEC 17 1992

Do not use this space

D. FLOW MEASUREMENTS

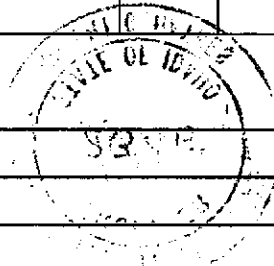
☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Badger gallowage meter						

2. Measurements:

90 gpm



E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: $90 \text{ gpm} \div 448.8 = \cancel{0.20} 0.20 \text{ cfs}$

2. Alternate Method for Checking Purposes: $\frac{(10)(8.8)(70\%)}{(2.3)(45)+150} = \frac{61.6}{253.95} = 0.24 \text{ cfs system Capacity}$

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 = _____

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

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G. VOLUME CALCULATIONS

DEC 17 1992

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 24.0 \times 3.0 = 72.0 \text{ afa}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.20 \text{ cfs} \times 245 \times 1.9835 = 97.2 \text{ afa}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 72.0 \text{ afa}$

2. Volume Calculations for Other Uses:

34 homes x 0.6 = 20.4 afa
 300 head stock = 4.1 afa
 2 customs bldgs =
 2 Taverns @ 25 persons = 600 gpd
 2 "Stores" @ 400g/rest room = 16,000 gpd (customs) 40 Restrooms 3
 1 Airport @ 40 persons = 200 gpd
 1 Grocery Store @ 50 persons = 150 gpd

$16,950 \text{ gpd} \times 365 \text{ d/y} = 142 \text{ afa}$
 43560
 142 afa Comercial

Max Volume All uses $0.20 \times 365 \times 1.9835 = 144.8 \text{ afa}$

$\div 325,850 = 19$

H. REMARKS AND OVERLAP REVIEW ANALYSIS

P.U. on permit in sec 19 (SWNE) T65N2W R1E is incorrect. This P.U. is actually Sec 19 (SWSW) T65N R1W. The applicant was using the wrong bend in the river as a reference Point.

Annual Volume is limited ~~to~~ by system Capacity.

New contact for information is Association President Cecil Morris, Phone: (208) 267-2003 address is permanent for Association.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic (34)	1-1	12-31	0.20	20.4
Stockwater	1-1	12-31	0.07	4.1
Irrigation	4-15	11-15	0.20	72.0
Commercial	1-1	12-31	0.20	142.0 afa
Totals:			0.20 cfs	144.8 afa

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

Theresa J. Bright

Signature

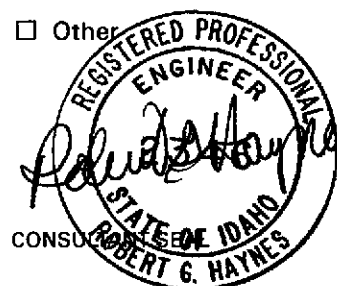
Theresa J. Bright

Certification Date

4/1/90

Field Report Preparation Date

8/9/90



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

RECEIVED

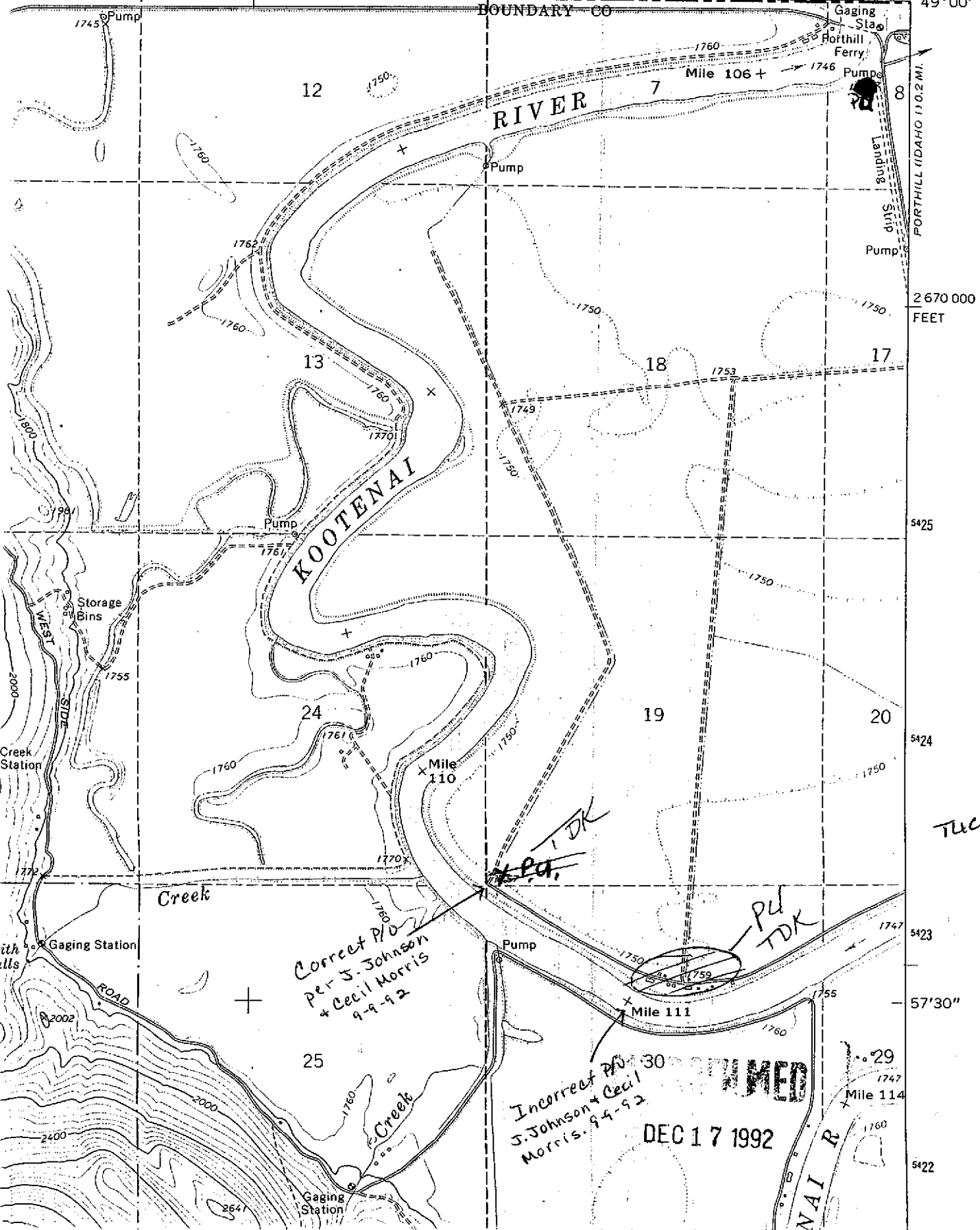
DEC 17 1992

SMITH FALLS QUADRANGLE

IDAHO-BOUNDARY CO.

7.5 MINUTE SERIES (TOPOGRAPHIC)

310 000 FEET
1533 32'30" 1534 R. 2 W. R. 1 W. 1535 1536 116°30' 49°00'



Correct P/O
per S. Johnson
+ Cecil Morris
9-9-92

Incorrect P/O
S. Johnson + Cecil
Morris 9-9-92

DEC 17 1992

UNMED

TUCKER

State of Idaho
Department Of Water Resources
WELL INSPECTION FORM

If well is associated with water right, provide WR Permit No. 98-7628

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description of Well Location:

Twp. 65N N, Rge. 1W Sec. 9, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Gov. Lot _____

2. Owner: Trow Creek Water Assn.

Address: P.O. Box 3

City Pothill ID, State 83853

3. Casing $\geq$ 12 inches above ground: Yes ☒ No ☐

4. Access Port: Y ☒ N ☐
Pressure Gauge: Y ☒ N ☐
Flowing: Y ☐ N ☒

Static Water Level: 150'
Casing Diameter: 8"
Temperature: 7

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Y ☐ N ☒

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: Well log Attached

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DEC 17 1992

February 25, 1992

TROW CREEK WATER ASSN
PO BOX 3
PORTHILL ID 838530003

RE: WATER RIGHT NO. 98-07628

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,

SHARLA CURTIS
Water Resource Agent

SC:clh

Enclosure

per telecon from Cecil Morris, (president of the assn) he didn't agree with anything the amendment contained & insisted the field exam was in error. The exam was returned to Tom King on this date to re-examine or resolve w/ Mr. Morris.

DEC 17 1992

*S. Curtis
3/9/92*

LICENSE REVIEW CHECKLIST

Permit No. 98-7628

Date 1/8/92

Name Address change? OK

Priority date Advance? NO
Memo to advance ---
Order to reinstate needed? ---

Total cfs Fee sufficient for rate recommended? ✓
Limited by capacity? ---

Total volume Limited by flow? ---
Rate/ac 3.0 afa (irrigation)
Calculations from examiner appropriate? ---

Capacity Actual measurement checked ✓
Theoretical checked ✓

Source Clarification of originally intended source is
the only change allowed - if any other change in
source has occurred, a notice of intent to void
is needed OK

P/D Verify with map ✓ Amendment req'd? ---
Remark needed for more than one per $\frac{1}{4}$ ---
Is overlap analysis a consideration in final
recommendations? NO

Uses Period of use for each use compatible with
appropriate maps, data entry standards, etc. ---
Change(s) in nature of use - amendment req'd ---

P/U Verify with map ✓ Amendment req'd? ✓
Is overlap analysis a consideration in final
recommendations? NO

Remarks More than one p/d in $\frac{1}{4}$ ---
Non-irrig uses ✓
Special overlap condition ---
Other ---

Conditions -

Measuring device ---
W.Master control ---
Overlap 229
Water quality ---
Other ---

Dates/Misc. -

Water Dist ---
App Rec'd ---
Proof Rec'd ---
Exam Made ---

Comments/Memos needed:

License ---

10-day ---
30-day ✓

Paragraphs ---

Paragraphs 39 40 41 42 43 48 P60 51

Special correspondence req'd? NO

[illegible]

[illegible]

June 11, 1990

TROW CREEK WATER ASSN.
P.O. BOX 3
PORTHILL, ID 838530000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 98-07628

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

JUL 31 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 98-7628

Date: 6-5-90

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 1986
☒ Groundwater
 1. well log in file
 NA 2. drilling permit
 NA 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:

Proof acceptable

Priority Calculation:

Date proof received	<u>NA</u>	_____
Date proof due	_____	- _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

addition to zip code

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

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. 98-07628

Name(s) of Permit Holder: TROW CREEK WATER ASSN.

Post Office Address: P.O. Box 3

PORTHILL, ID 83853-0003

Telephone No.

Source of Water: GROUND WATER - (WELL)

Extent of Use:

Domestic 34 (number of households)

Stockwater 4 HORSES (number and type of stock)

Irrigation 24 (acres)

Other/Remark 2 TAVERNS, 2 CUSTOMS HOUSES,

1 AIRPORT, 1 GROCERY STORE, 1 FIRE HOUSE

Total rate and/or volume for which proof is submitted 0.20 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: 6/13/89

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

Fee enclosed \$
(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:

T. F. LINDSTROM
(Name)

208-267-3655
(Telephone Number)

HCR 60 Box 220 BONNERS FERRY, ID 83845-9544
(Address)

The above information is my true statement of the extent to which the above numbers have been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

Date

11/17/89

Signature of Permit Holder (and title, if appropriate)

Trow Creek Water Assn.

T. F. Lindstrom, Secy-Treas.

MICROFILMED

JUL 31 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 98-07628

Name(s) of Permit Holder(s): TROW CREEK WATER ASSN

Post Office Address: P.O. Box 3

PORTHILL, IDAHO 83853

Rel. No. 267-3655

☒ I hereby certify that construction of diversion works for the above referenced permit began on JUNE 12, 1988. I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

12/8/88
Date

7.7. Fridstrom, Secy-Treas.
Signature of Permit Holder

TROW CREEK WATER ASSOCIATION
PORTHILL, IDAHO 83358

Bread Wagon 1880s
25 USA



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JUL 31 1990

DEC 12 1988

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
September 28, 1988

TROW CREEK WATER ASSN.
P.O. BOX 3
PORTHILL, ID 838530000

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 98-07628

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

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 into a license.

Sincerely,

Gary Spackman
Supervisor, Water Allocation Section

GS: SC
Enclosures

RECEIVED

DEC 27 1988

MEMORANDUM

FM: T. KING
TO: FILE

Subject: Pre-permit Exam #98-07628

Wier installed in out flow of ponds 08/07/1987.
Measurements taken:

Date 1987	gpm	Date 1988	gpm	Date 1988	gpm
08/07	3.6	01/07	8.5	05/17	5.4
08/17	7.2	01/20	8.5	05/23	9.9
09/09	7.2	01/29	8.5	06/01	9.9*
09/18	5.4	02/08	8.5	06/03	9.9
10/01	4.5	02/18	8.5	06/10	11.7
10/16	5.4	03/01	9.9	06/16	9.9
10/22	7.2	03/08	9.9	06/17	9.9*
11/04	5.4	03/15	9.9	06/20	5.4
11/17	7.2	03/22	9.9	06/21	5.4
11/30	8.5	04/13	9.9	06/22	8.5
12/11	8.5*	04/19	9.9	06/23	8.5
12/28	7.2	04/26	9.9*	06/24	7.2
		05/03	5.4	06/27	11.7
		05/10	5.4	07/07	8.53
				07/15	8.53

- *12/11: Well was test pumped for approximately :15 minutes on 12/08/87. No appearant effects on pond.
- *04/26: Considerable activity of muscrats in pond, moved Weir down stream
(measurement made prior to move same as measurement after weir moved).
- *06/01: Well pumped for three hours @ 79.5gpm, weir measured each ½ hour. No measurable immediate effect.
- *06/17 Well pumped for 10 hours commencing at 08:00 thru 18:00 weir measured at 24 hour intervals

Note: Ponds seem to rise quickly during rain and drop rapidly during dry weather.

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JUL 31 1990

*see spring-flow records
in 98-7168*

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AUG 15 1988

MEMORANDUM

From: Bob Haynes *BHK*
To: File 98-7628
Subject: Processing of Trow Creek Water Assn. Filing
Date: August 11, 1988

Department of Water Resources

This application for permit was protested by Lonnie Watkins. A conference was held on October 14, 1986. After discussion of the application, Mr. Watkins withdrew his objection. An error in the advertising was discovered after the conference. Because it was desirable to check for possible impacts on Mr. Watkins spring flow through the fall and winter, temporary approval was granted to the association to use the well. Pumping of the well did not materialize that winter because the association did not have the funds to hook up power. We began monitoring the flows of the spring in August of 1987 (see memo from Tom King). When the well has been pumped there have been no impacts that are clearly the result of pumping the well. Therefore, I recommend that we proceed to approve the application.

UNRECORDED

DEC 27 1988

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: 1 APPLICATION NUMBER: 98-728

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

- ☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 9/29/88 11/10/88 2/9/87
☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 1/24/88
☒ Application published correctly. If not, record action taken: Re-admitted
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
9/2/88 Date of priority recommended.
Special conditions of approval or cover letter. _____

Withdrawn

file copy
discarded-

well is existing - condition 46 N/A
allow 3 yrs. for B/U development -

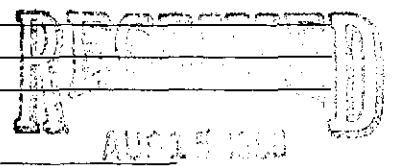
By: P&N Date: 8/11/88

STATE OFFICE REVIEW:

P17 26 04

- ☐ See attached sheet for more information.

By: kw Date: 8/26/88



POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

DIVISION OF ENVIRONMENT
2110 Ironwood Parkway
Coeur d'Alene, Idaho 83814
(208) 667-3524

June 27, 1988

RECEIVED

JUN 30 1988

Mr. Jan Blickenstaff
Idaho Department of Commerce
Hall of Mirrors, 2nd Floor
Boise, Idaho 83720

RECEIVED

JUN 29 1988

Department of Water Resources
Northern District Office

RE: Trow Creek Water System

Department of Water Resources
Northern District Office

Dear Mr. Blickenstaff:

The users of the Trow Creek water system at Port Hill have been under a boil water advisory since September 1985. This advisory is a result of the system violating coliform bacteria levels from their contaminated spring water supply.

The presence of coliform bacteria indicates that the system may contain fecal contamination and, consequently, disease causing organisms such as giardia parasites. The presence of these organisms can cause severe intestinal illness, especially with elderly persons.

The water sysem serves 40 residences, as well as the United States and Canadian customs, two taverns, a U.S. Post Office and a small airfield operated by the Idaho Department of Transportation. Officials at the customs stations have been notified to post their drinking fountains at the border, advising visitors of the contaminated water.

The association has made efforts to try and correct the problem by drilling a well. However, the water rights application to the well became clouded when it was determined that drawing water from the well may effect an existing water right which has precedence.

In addition, the water quality in the well is aesthetically questionable due to excessive hardness, which would make the water, realistically, unusable without installing expensive water softening equipment.

Consequently, this well cannot be relied on as a primary source of drinking water. This leaves the springs as the only reliable source, which must be filtered and chlorinated before they can be considered safe.

MICROFILMED

DEC 27 1988

Mr. Jan Blickenstaff
RE: Trow Creek Water System

June 27, 1988
Page 2

The water association has tried to correct their problem without the use of public funds. Unfortunately, the large expenditure of money (\$40,000) has only resulted in increasing their water rate from \$5.00 to \$25.00/month and still hasn't provided them with a safe and reliable source of water.

Finally, because of the violation of state drinking water regulations, the association is under consent order and may be subject to monetary penalties for failure to comply with the order.

Our department feels that this water system should qualify for block grant assistance because it poses a threat to the health of the users of the system. In addition, we feel that the system sets a poor example to visitors to the State of Idaho when they are told that the water at the United States Customs is not safe to drink.

I hope you will seriously consider helping this community correct their problem.

If you have any additional questions about the water system, please feel free to contact me at 667-3524.

Sincerely yours,

DIVISION OF ENVIRONMENTAL QUALITY

Ed Tulloch

Stephen A. Tanner
Senior Water Quality Specialist

SAT/pvc

cc: Dick Rogers, IDHW-DEQ, Boise
Tom Yeager, Ruen-Yeager & Assoc., CDA
Ed Braun, PHD, Bonners Ferry
Tom King, IDWR, CDA
Ted Lindstrom, Port Hill
Ed Tulloch, IDHWS-DEQ, CDA

MICROFILMED

DEC 27 1988

M E M O R A N D U M

FM: T. KING

TO: FILE

Subject: Pre-permit Exam #98-07628

Weir installed in out flow of ponds 08/07/1987.

Measurements taken:

Date 1987	gpm	Date 1988	gpm	Date 1988	gpm
08/07	3.6	01/07	8.5	05/17	5.4
08/17	7.2	01/20	8.5	05/23	9.9
09/09	7.2	01/29	8.5	06/01	9.9*
09/18	5.4	02/08	8.5	06/03	9.9
10/01	4.5	02/18	8.5	06/10	11.7
10/16	5.4	03/01	9.9	06/16	9.9
10/22	7.2	03/08	9.9	06/17	9.9*
11/04	5.4	03/15	9.9	06/20	5.4
11/17	7.2	03/22	9.9	06/21	5.4
11/30	8.5	04/13	9.9	06/22	8.5
12/11	8.5*	04/19	9.9	06/23	8.5
12/28	7.2	04/26	9.9*	06/24	7.2
		05/03	5.4	06/27	11.7
		05/10	5.4	07/07	8.53
				07/15	8.53

*12/11: Well was test pumped for approximately :15 minutes on 12/08/87.
No appearant effects on pond.

*04/26: Considerable activity of muscrats in pond, moved Weir down
stream
(measurement made prior to move same as measurement after weir
moved).

*06/01: Well pumped for three hours @ 79.5gpm, weir measured each ½
hour. No measurable immediate effect.

*06/17 Well pumped for 10 hours commencing at 08:00 thru 18:00 weir
measured at 24 hour intervals

Note: Ponds seem to rise quickly during rain and drop rapidly during
dry weather.

MICROFILMED

DEC 27 1988



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

DIVISION OF ENVIRONMENT
2110 Ironwood Parkway
Coeur d'Alene, Idaho 83814
(208) 667-3524

January 21, 1987

REC
JAN 23 1987
Department of Water Resources
Northern District Office

Robert Haynes
Department of Water Resources
4055 Government Way
Coeur d' Alene, Idaho 83814

RE: Trow Creek Water Association's No. 2 Well

Dear Bob:

Enclosed is a memo from Dr. Albert Ogden, hydrologist with the Idaho Division of Environment, regarding the hydrological evaluation he performed December 12, 1986, on the No. 2 well drilled by the Trow Creek Water Association.

Basically, Dr. Ogden feels that the Watkins' springs are probably hydrologically connected to the well, however, he doubts that the test pumping performed on the well could have affected the springs in the manner described by Mr. Watkins.

Our recommendation would be to permit the water association to start utilizing the well as soon as they are able to connect it into the system. The springs should then be monitored periodically to show if the well appears to be affecting the spring flow.

Please let me know if you have any questions about this report.

Sincerely yours,

Stephen A. Tanner
Senior Water Quality Specialist

SAT/pvc
Enclosure

cc: Cecil Morris, Trow Creek
Ted Lindstrom, Trow Creek
Larry Koenig, IDHW-DOE, Boise
Ed Braun, PHD, Bonners Ferry

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DEC 27 1988



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

RECEIVED

JAN 23 1987

Department of Natural Resources
DIVISION OF ENVIRONMENT
Northwest Statehouse
Boise, Idaho 83720

January 13, 1987

MEMORANDUM

RECEIVED

JAN 16 1987

DIVISION OF ENVIRONMENT
COEUR D'ALENE OFFICE

TO: Larry Koenig
FROM: Albert Ogden *AEO*
RE: Porthill Water Supply Well

I visited the Porthill area and reviewed the local geology and well drillers' logs. The well and spring in question are in highly fractured, faulted and folded bedded Precambrian metamorphic rocks. Water levels measured by Steve Tanner suggest that a ground water divide runs along the crest of Stein Mountain near the location of the Trow Creek Water Assoc. #2 well. Recharge water sinks into the fractured rock and emerges along seeps and springs along the mountain base at the flood plain of the Kootenai River. It is my opinion that these springs and seeps are hydrologically connected to the well, but I seriously doubt that pumping of the well could cause the spring in Porthill to become cloudy or muddy. It is nearly impossible to imagine such a phenomena in metamorphic rocks. Pumping the well at 80 to 90 gpm could possibly affect the flow of the springs. This can only be ascertained through pumping the well and simultaneously observing the spring. It should be noted that the water emerging from the springs is most probably locally recharged water thereby changing in quantity from season to season. Long term fluctuations in spring flow are therefore natural and unlikely a direct function of pumping of a well $\frac{1}{2}$ mile away. Also, I find the amount of water supposedly used and available to the spring owner to be very questionable.

It is my experience that sustained yields of 80 to 100 gpm in such tight, crystalline metamorphic rocks is unusual. Since the pumping (aquifer) test was relatively short in duration, I feel that the true yield of the well may turn out to be less. Time will tell.

lab

cc: ✓ Steve Tanner

MICROFILMED

DEC 27 1988

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that Application for Permit No. 98-7628 in the name of Trow Creek Water Assn. was advertised incorrectly on September 10 & 17, 1986.

The amount of water for Commercial use was incorrectly advertised as 0.02 CFS; whereas, correctly it should be 0.20 CFS.

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 4055 Gov't Way, Ste. 14, Coeur d'Alene, Id. 83814 on or before February 9, 1987.

KEN DUNN, Dir.

Published in the Bonners Ferry Herald on 1/21 & 28/1987.

*Called BFH previously
to check on notice of
correction. Paper was to
check out. Called again
1/14/87 & they couldn't
find it & never got
back to me. We were
re-adv. the notice of
correction on 1/21 & 28/87.*

MICROFILMED

DEC 27 1988

*OK
1/14/87*



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

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

November 7, 1986

Trow Creek Water Association
P.O. Box 3
Porthill, Id. 83853

Re: 98-7628

Gentlemen:

The purpose of this letter is to authorize, on a temporary basis, the Trow Creek Water Association to use the well which is the subject of Department of Water Resources Application for Permit No. 98-7628.

As you know, the application has been advertised and was protested by Mr. Lonnie Watkins and a conference was held in Bonners Ferry on October 14. Mr. Watkins withdrew his objection to the issuance of the permit with the understanding that his water right is prior in time and that your permit is subject to his water right.

After the meeting, we discovered that the Bonners Ferry Herald made an error in the Notice of Publication and that the application had to be re-advertised. Completion of that advertising will not take place until November 10, 1986. It will take approximately a week to a week and a half for the Department to complete its review.

However, it is desirable for the association to start pumping, both because of the order from the Divn. of Environment of the Department of Health and Welfare and the need to monitor Mr. Watkins's spring flows to check for variations after the Trow Creek well is pumped. The Department is therefore issuing a temporary permit to the Trow Creek Water Association to begin pumping as soon as the necessary work on the system is completed.

The Department will retain jurisdiction on this authorization and it may be cancelled or modified should an impact on Mr. Watkins's water supply be demonstrated.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

RECORDED & INDEXED

DEC 27 1988

SPECIAL NOTE: _____

PROTEST INFORMATION SHEET

Protestant(s)

	NAME	ADDRESS
1	Mr. Lonnie L. Watkins	P.O. Box 10, Porthill, Id. 83853
2		
3		
4		
5		
6		
7		
8		
9		
10		

Protest
William
10/14/86

ATTORNEY NAME

ADDRESS

Date Filed: 9/22/86 Protest Due Date: 9/29/86

Issues: The drilling of applicant's well affected protestant's springs - water
is cloudy and the flow is reduced to about 1/2 the normal amount during the
months of June, July and August.

Applicant

ATTORNEY NAME

ADDRESS

DATE

Protest Date Entered on Computer 10/22/86

Acknowledgement Letters Sent 9/24/86

Hearing Date 10/14/86

(Other Dates)

Other Information: _____

MICROFILMED
DEC 27 1988

Protest information submitted to computer (following hearing): _____

In the matter of application for)
permit no 98-7628 in the name) Protest Withdrawal
of the Trow Creek Water Assn.)

I hereby withdraw my protest against the above
applicant following our discussion at the conference
held on October 14, 1986. I do not desire this application
to be denied but am concerned that the pumping
of the well will interfere with my prior water right
no. 98-7168. I now understand that this water right
when issued will be subject to my water right.

Signed at Banner's Ferry, Idaho on

Lenzie L. Watkins
Lenzie L. Watkins

MICROFILMED

DEC 27 1988

10-14-86

Applicant

98-7678

- Trow Creek Water Assoc.

Attorney - Steve Herndon - T. F. Lindstrom - Sec. Treasure -

Protestant

- Lonnie Watkins

Applicant

Association formed 1941

Members - 40 families

H&W has condemned the springs as a source

install a chlorinator or a new well

Well is adjacent to the pipeline -

Protestant -

Issue - Interference -

Irrigates about 3 acres

10000/11-

5/1
6/30/0
5/1
FILMED

DEC 27 1988

12000
72000

12000
200 97m

Name: Trow Creek Water Assn.
 File: 98-7628
 Place: Jury Room, Boundary Cty. Cthse., Bonners Ferry, Id.
 Date: Tuesday, October 14, 1986 at 12 noon.

ROSTER OF ATTENDANCE

Name	Address	Representing
Tony Macheed.	7300 Garfield Bay cutoff	S. Heinden.
Byron Baker	Sagle	
Alvin Okken	Bonniers Ferry	
V. F. Lindstrom	Port Hill ID	Trow Creek
Pierre Bordenave	HCR 60 Box 220, B. F.	Trow Creek
Derry Felson	PO Box 1724 Sandpoint	~~InterMountain Resources~~
Ed Tulloch	1111	Trow Creek
Steve Darnley	2110 Ironwood Parkway	Idaho Division
Karen & K. Bar.	Coand Allen	of Environment
Barton J. Lindstrom	P.O. Box 216	Atty for Trow Creek WA
Alice Felson	Sandpoint ID	Trow Creek.
Carl Morris	HCR 60 Box 220 B.F.	Trow Creek
Myrtle Morris	HCR 60 Box 220 B.F.	Trow Creek
Lanni Walbrong	HCR-60-Box 213	Trow Creek
	HCR-60 Box 211	Trow Creek
	HCR 60 Box 211	Trow Creek
	Box 10	MJ Galt
	Port Hill, ID.	

MICROFILMED

DEC 27 1988

September 24, 1986

Auditor's Office
Boundary County Courthouse
Kootenai Street
Bonners Ferry, Id. 83805

Re: 98-7628

Gentlemen:

This is to confirm reservations made for a conference &/or hearing to be conducted by the Idaho Department of Water Resources in the Jury Room of the Boundary County Courthouse on Tuesday, October 14, 1986, at 12 noon and lasting the afternoon.

If this is not the case, please advise this office immediately.

Sincerely,

Patricia H. Slypa
Secretary/Office Coordinator

DEC 27 1986

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN" 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. Lonnie L. Watkins
P.O. Box 10
Porthill, Id. 83853

4. Article Number

4673

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

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

SEP 25 1986

98-7628

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 W. Y., SUITE #9
COEUR D' ALENE, ID 83814

MICROFILMED

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. ☒ Restricted Delivery.

3. Article Addressed to:

Trow Creek Water Assn.

P.O. Box 3

Porthill, Id. 83253

4. Article Number

14672

Type of Service:

☒ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

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

5. Signature — Addressee

X

Department of Water Resources

Northern District Office

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

6. Signature — Agent

X

7. Date of Delivery

SEP 26 1988

98-7628

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

MICROFILMED

1986

DEC 27 1986

88PS

PENALTY FOR PRIVATE
USE, \$300



NAME AND ADDRESS OF SENDER		IDAHO DEPARTMENT OF WATER RESOURCES NORTHERN DISTRICT OFFICE 4055 GOVERNMENT WAY, SUITE #9 COLEUR D' ALENE, ID. 83814		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	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1	14672	Trow Creek Water Assn. P.O. Box 3, Porthill, Id. 83853				22c	75c					70c		
2	14673	Mr. Lonnie L. Watkins P.O. Box 10, Porthill, Id. 83853				"	"					"		
3														
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TOTAL NUMBER OF PIECES LISTED BY SENDER	TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE <i>Two</i>	POSTMASTER, PER (Name of receiving employee) <i>R. G. Glass</i>	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 PROTESTS AGAINST APPROVAL OF)
APPLICATION FOR PERMIT NO. 98-7628 IN THE) NOTICE OF HEARING
NAME OF TROW CREEK WATER ASSN.) AND/OR CONFERENCE

On September 2, 1986, Trow Creek Water Assn. of Porthill, Idaho, filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On September 22, 1986, the Department received a protest against approval of said application from Lonnie L. Watkins.

The Department has set the matter of protest for conference &/or hearing for Tuesday, October 14, 1986, at 12:00 noon, in the Jury Room of the Boundary County Courthouse, Kootenai St., Bonners Ferry, Id. 83805. The conference &/or hearing will be held in accordance with Chapter 2, Title 42 of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 24th day of September, 1986.



ROBERT G. HAYNES, P.E.

Regional Supervisor

MICROFILMED

DEC 27 1988

September 23, 1986

Trow Creek Water Assn.
P.O. Box 3
Porthill, Id. 83853

Re: 98-7628

Gentlemen:

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 ten (10) 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 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?

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 Supervisor

RGH/pms

Enclosure

RECEIVED
FILMED

DEC 4 1986

September 23, 1986

Mr. Lonnie L. Watkins
P.O. Box 10
Porthill, Id. 83853

Re: 98-7628

Dear Mr. Watkins:

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 ten (10) 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 Supervisor

RGH/pms

RECEIVED

DEC 27 1988

Sept. 17, 1986

Dept. of Water Resources
4055 Government Way
Suite 9
Coeur d Alene, Id. 83814

RECEIVED
SEP 22 1986
Department of Water Resources
Northern District Office

Dear Sir.

To bring your attention to permit No. 98-7168 of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 8
Township 65 N Range 1W BMM Boundary County, Lot 1.

There is being a well drilled by Trow Creek Water Assn., engineering
directly above our springs located about 50 yds. South of Porthill Cemetery
which exceeds the depth of 325 ft. below our source of water and in the
drilling process of this well was completed around the 20th of May, 1986.
the water in our springs become very cloudy, almost a white cloud, and on
the 21st was very low. It appears to have done damage to our source down to
about $\frac{1}{2}$ thru the month's of June, July, and Aug.

This is a Protest on file No. 98-7628 of Trow Creek Water Assn. of
P.O. Box 3 Porthill, Id. 83853.

I would not like any more damage to my source of water, or their
would be action taken. Thank You.

Sincerely,

Lonnice L. Watkins

CC Tom D. King Dept. of Water Resources
State of Idaho, Boise, Id.

MICROFILMED

DEC 27 1988

Lonnice L. Watkins

PROTEST

98-7628

T. KING

8/12/86

MR. LONNIE WATKINS 267-2703 L. # 98-7168 CONTACTED THIS OFFICE CONCERNING A WELL WHICH HE FEELS IS INTERFERING WITH HIS SPRING WATER DESCRIBED IN LIC. # 98-7168. NO ONE IN THIS OFFICE HAD BEEN CONTACTED ON THIS MATTER PREVIOUSLEY SO I TOLD MR W. I WOULD BE IN THE AREA ON 8/14/86. AND I WOULD STOP FOR A VISIT

8/14/86

I CONTACTED MR L. WATKINS AT HIS HOME THE WELL HE IS CONCERNED WAS DRILLED BY AL. VOLKING 8" @ 500' TESTED at 90gpm FOR TROW CR WATER ASN. ACCORDING TO MR W. THE TROW CR WATER ASSN PRES, MR CECIL MORRIS HAD BEEN DYNAMITING THE AREA OF THE WELL BEFORE THE WELL WAS DRILLED. HE ALSO CONTENDS THAT DURING THE DRILLING OF THE WELL THE WATER IN HIS PONDS TURNED "MILKEY" MR W. BELIEVES THAT HIS WATER IS BROUGHT TO THE SURFACE FROM AN AQUIFER WHICH IS JUST BELOW THE VALLEY FLOOR (APPROX 400' DEEP AT HIS P.D.). HE STATED THAT IN THE PAST A CANADIAN DRILLED A WELL JUST NORTH

(CONT.)

DEC 21 1988

PROTEST

98-7628 P1

PROTEST LOG

98-7628

T. KING

8/14/86 (CONT.)

THE CEMETARY AND DRIED UP ALL WELLS IN LISTER AREA.

A CEDAR LOG FORMS THE SPILLWAY AT THE OUTLET OF THE LOWER POND, THERE ARE TWO RAILROAD SPIKES DRIVEN INTO THE LOG, THEIR HEADS ARE CURRENTLY SUBMERGED.

TED LINDSTROM SEC./TREAS. OF TROW CR. WATER ASSN. 867-3655 SAID THAT MR. W. DID NOT COMPLAIN ABOUT WATER DURING TEST PUMPING. THE WELL HAS NOT BEEN PUMPED SINCE THEN

9/4/86

MEASURED OUTFLOW @ $0.03'$ RR SPIKE HEADS NO LONGER SUBMERGED. PICS OF PONDS & SPILLWAY

10/9/86

MEASURED OUTFLOW @ $0.04'$ RR SPIKE HEADS SUB.
PICS OF PONDS

RECORDED

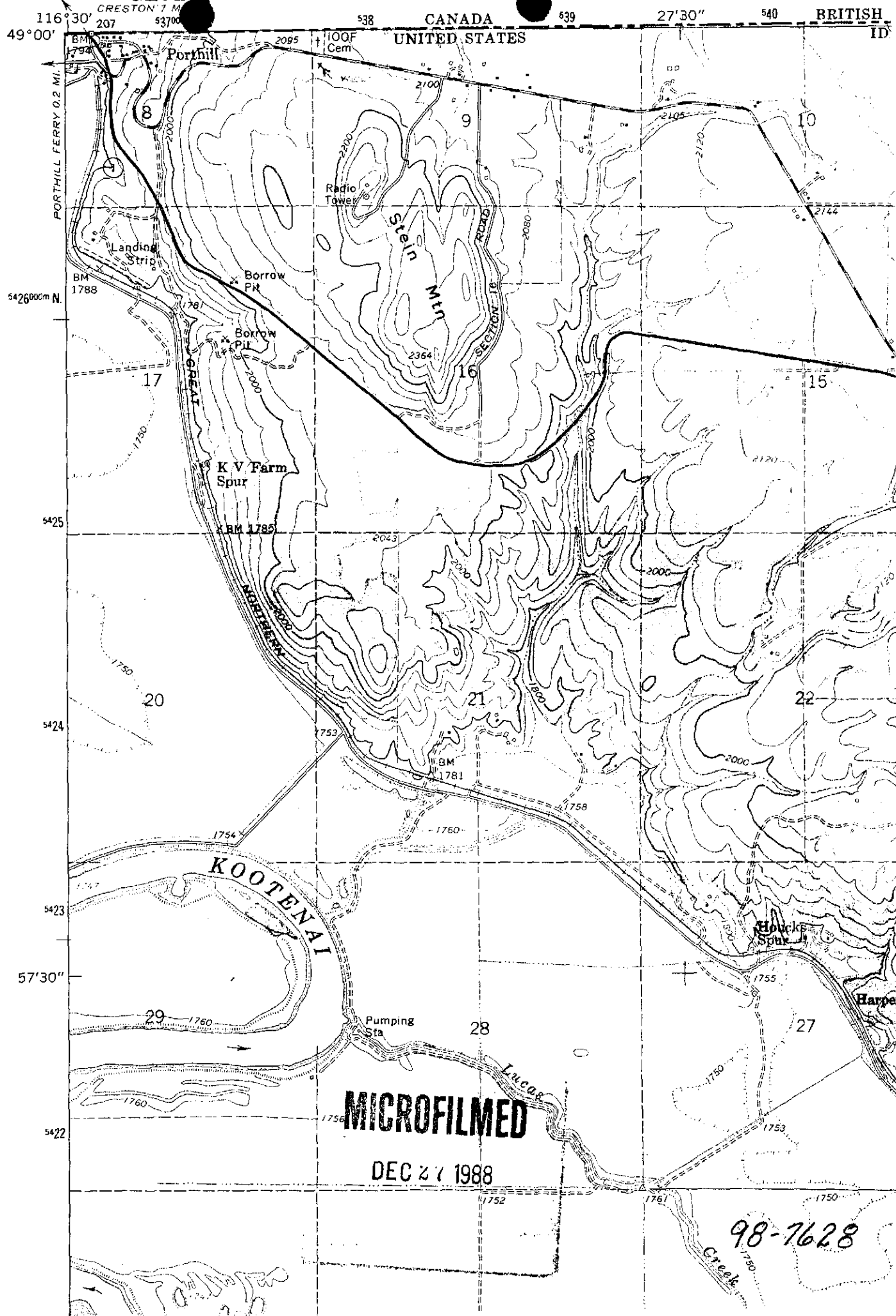
DEC 27 1988

PROTEST
98-7628P2

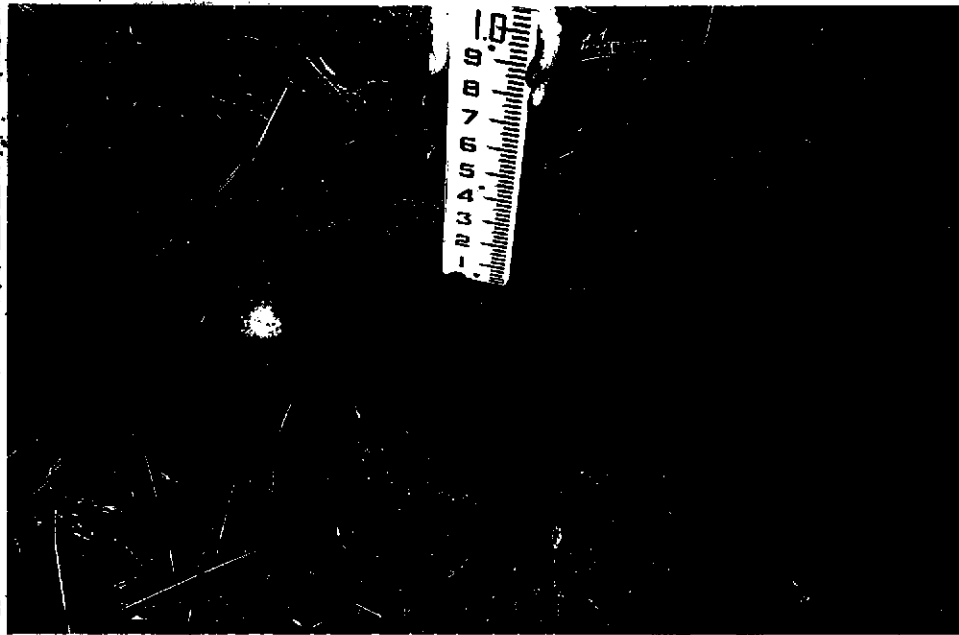
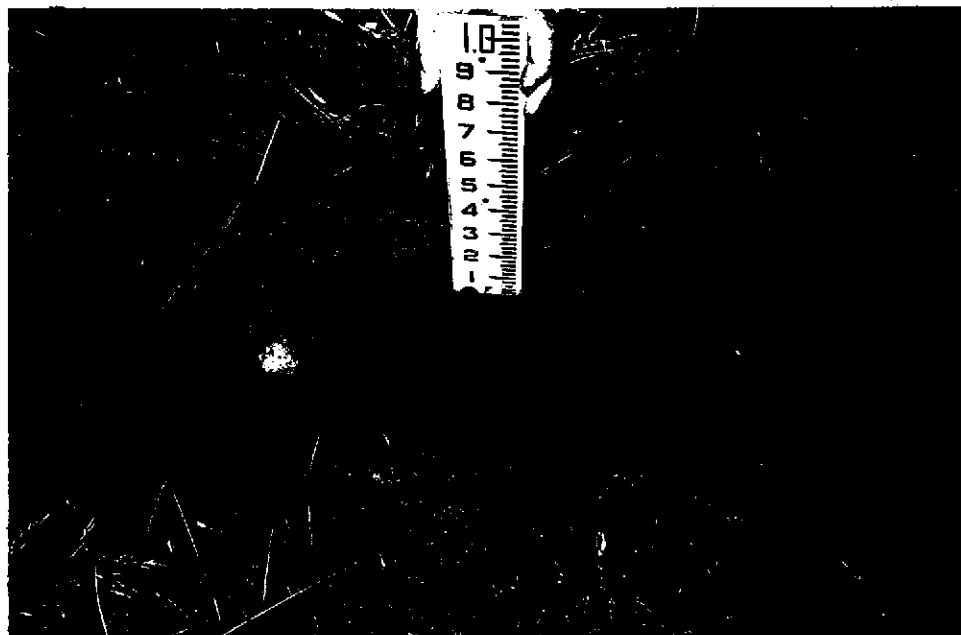


DEC 27 1988

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

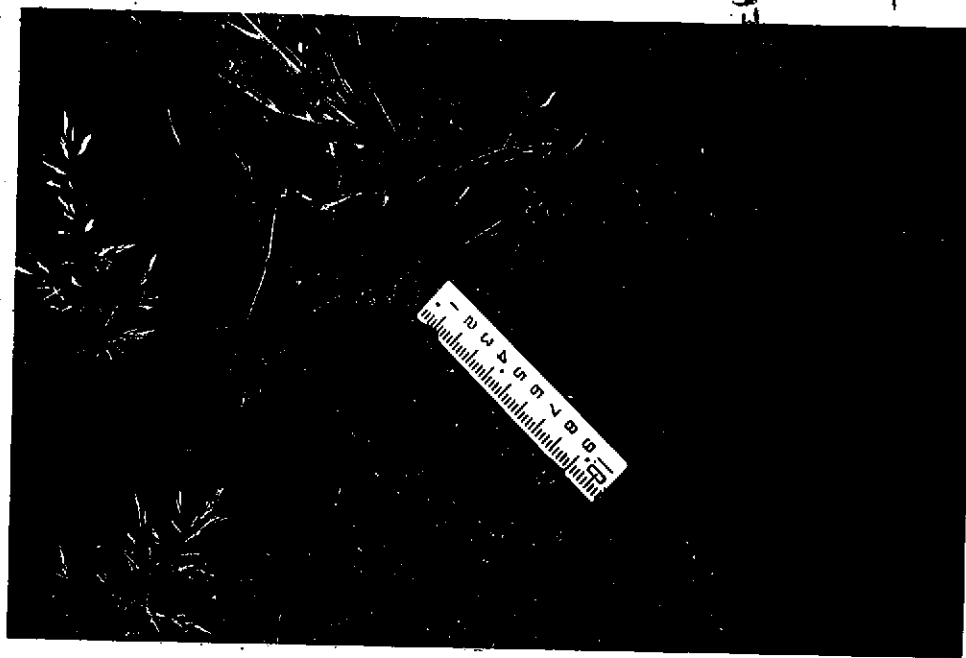
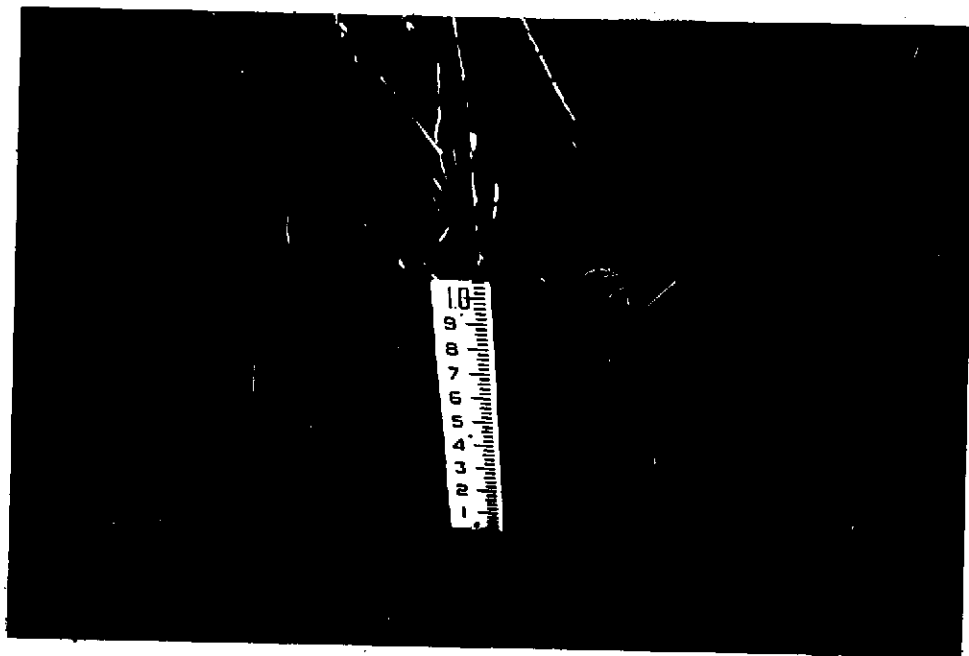


98-7168

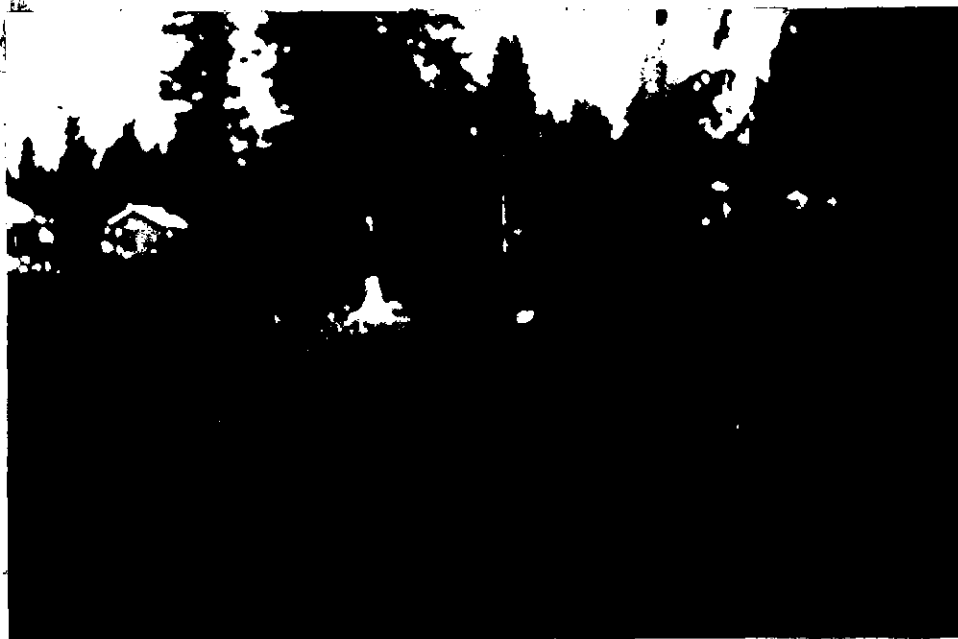


OUT LET STRUCTURE

9/4/86



98-7168



← NORTHERN POND →
LOOKING NORTHERLY

9/4/86



← SOUTHERN POND →
LOOKING SOUTHERLY

MICROFILMED

DEC 27 1988

September 4, 1986

Trow Creek Water Assn.
P.O. Box 3
Porthill, Id. 83854

Re: 98-7628

Gentlemen:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned Identification No. 98-7628. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Bonners Ferry Herald. 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 No. 38102 for the amount of \$30.00.

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

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms
Enc. - Receipt

MICROFILMED

DEC 5 1986

98-7628

TROW CREEK WATER ASSN.

P.O. BOX 3, FORTHILL, ID 83853

Source: GROUNDWATER

Diversion Pt: NWNWSW Sec 09 T 65N R 01W

Use: IRRIGATION	(0.2 CFS)
STOCKWATER	(0.070 CFS)
COMMERCIAL	(0.2 CFS)
DOMESTIC	(0.2 CFS)

Date Filed: 09/02/1986

In: SWNW SENW NESW NWSW NESE NWSE Sec 08 T 65N R 01W NESW NWSE SWSE SESE
Sec 09 T 65N R 01W NESW NWSW SWSE Sec 10 T 65N R 01W SWNW
Sec 14 T 65N R 01W NENE NWNE SENE Sec 15 T 65N R 01W NENW
Sec 17 T 65N R 01W SWNE Sec 13 T 65N R 02W FOR 28 ACRES.

MICROFILMED

DEC 27 1988