

⊗ point of projection

4

4
39.55

3
39.45

T-1 0761
Kingsland

2
39.35

39.25

4 3

2412
FAKLE

0010
AL FARNSWORTH
XMAS HILLS T.M.

3910
WILSON
WORLEY

3600
WILSON

4810

RAWLINGS
5550

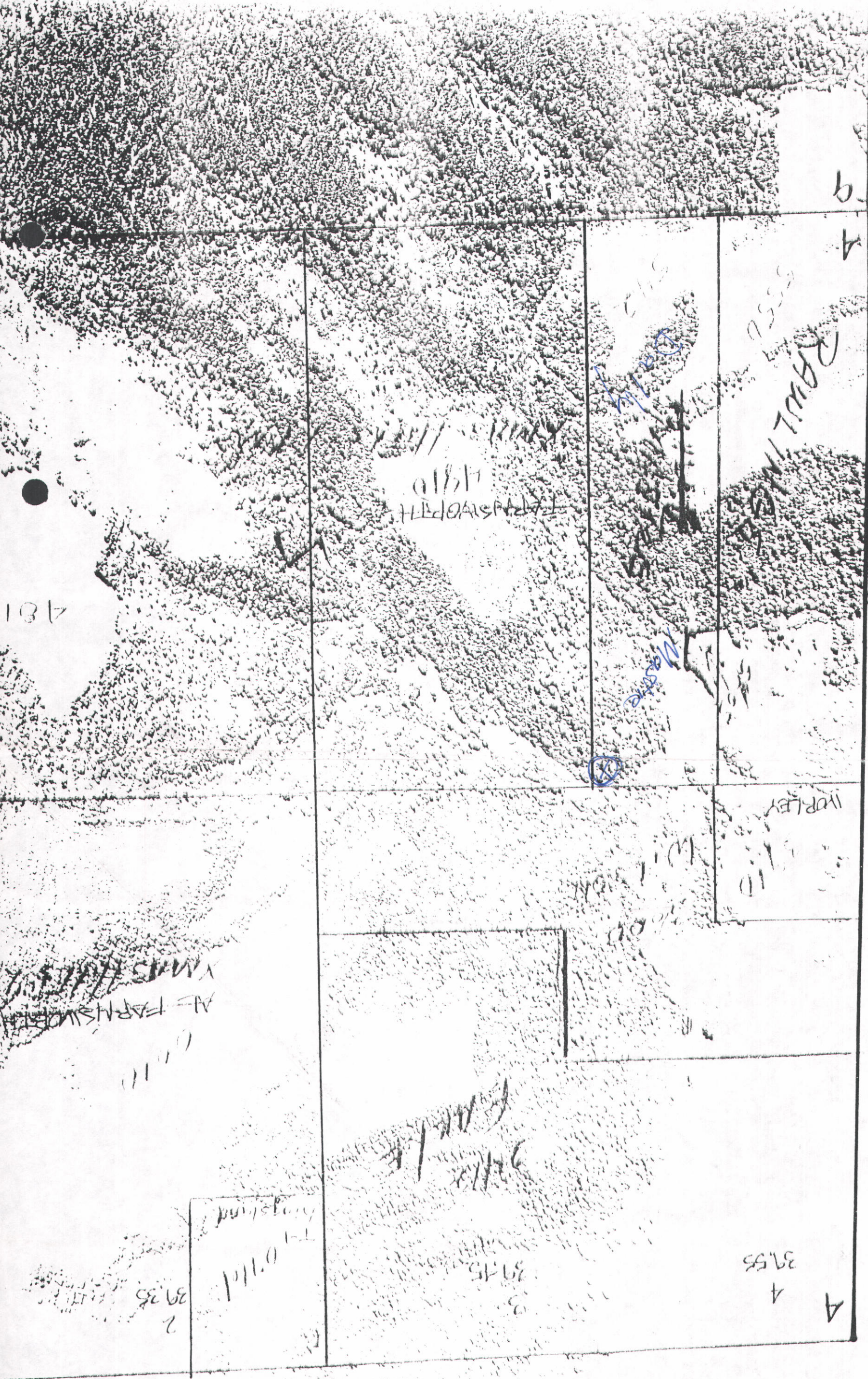
5412

FARNSWORTH
4810
XMAS HILLS T.M.

MIC
NOV 27 1955

4

9



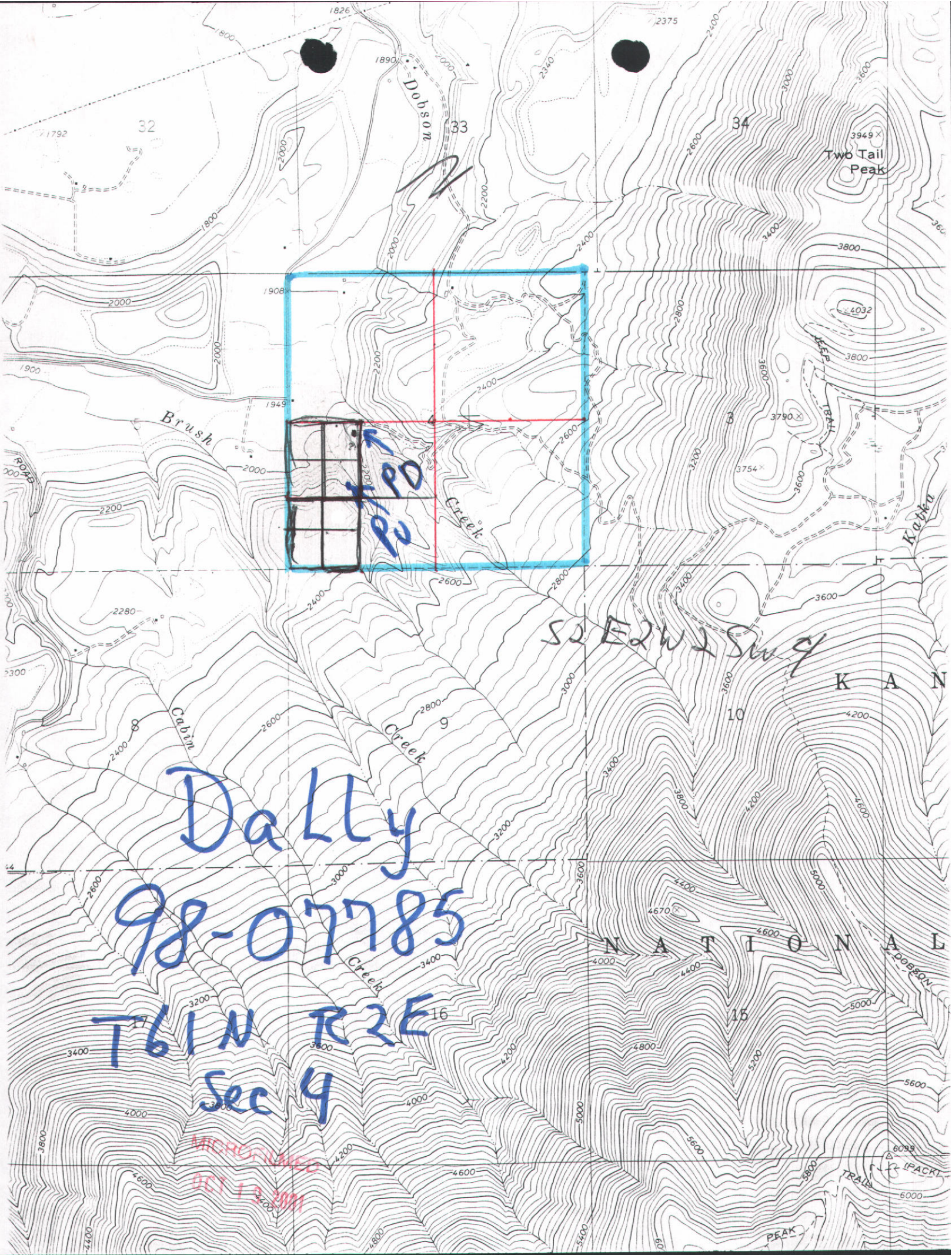
(X) Point of Projection

PERMIT # 98-07785

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT



MICROFILMED
OCT 19 2001



Brush

Cabin

Dobson

Two Tail Peak

Kobla

Dally

98-077785

T61N R2E 16

Sec 4

S2 E2 W 2 Sng

K A N

N A T I O N A L

D O B S O N

MICROFILMED

OCT 13 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 98-07785

Priority: September 22, 1997

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

1.4 AF

This is to certify, that BRUCE DALLY
FLORY DALLY

RT 1 BOX 520AA

BONNERS FERRY ID 83805

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 22, 1997; and has submitted Proof of Beneficial Use on October 15, 1998. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

SPRING

tributary to SINKS

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>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF
	Totals	0.02 CFS	1.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NENWSW , Sec. 4, Township 61N, Range 02E
BOUNDARY County

PLACE OF USE: STOCKWATER

TWN RGE SEC

61N 02E 4

NWSW

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 6th day of DECEMBER, 1999.


KARL J. DREHER, Director

MICROFILMED

DEC 1 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OCT 15 1998

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 98-07785 Fax + Telephone No. 1-208-267-3625
2. Name(s) of Permit Holder(s): Bruce Dally, & Flory Dally
3. Mailing Address: Rt. 1 Box 520 AA Bonners Ferry, Id. 83805
4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. ____ / yr. ____
- a. Well Driller: ____ Drilling Permit Number: ____ - ____ - ____ - ____
- b. **OPTIONAL:**
Pump Horsepower: 1 1/2 hp Pressure (psi): ____ Dynamic pumping level (ft): ____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): 4 Hgs + 4 range cattle
Irrigation (No. of acres): ____ Other: ____
6. Total rate of diversion and/or volume for which proof is submitted: 0.6 cfs OR ____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
- | | | |
|-------------------------------|--|--|
| Measuring Device: | Is a measuring device required? | Yes ____ or No ☒ |
| | Has the measuring device been installed? | Yes ____ or No ☒ |
| Flow Measurement Port: | Is a flow measurement port required? | Yes ____ or No ☒ |
| | Has the measurement port been installed? | Yes ____ or No ☒ |
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Bruce Dally Telephone Number: 1-208-267-3625
Address: Rt. 1 Box 520 AA Bonners Ferry, Id. 83805
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Bruce Dally (include your title, if on behalf of company or organization)
Date: 10/11/98
MICROFILMED
NOV 27 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 98-07785

Proposed Priority: September 22, 1997 Maximum Diversion Rate: 0.06 CFS

This is to certify, that **BRUCE DALLY**
FLORY DALLY
RT 1 BOX 520AA
BONNERS FERRY ID 83805
has applied for a permit to appropriate water from:
SPRING tributary of **SINKS**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION: NENWSW , Sec. 4, Township 61N, Range 02E
BOUNDARY County

PLACE OF USE: STOCKWATER

TWN RGE SEC

61N 02E 4 NWSW

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1998.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Stockwater use is for 4 pigs and 4 range cattle.
5. Domestic use is for 1 home.

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

17th day of November, 1997.

Karl J. Dreher
Karl J. Dreher, Director
for

MICROFILMED

NOV 27 1998

\$50.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 98-7785

RECEIVED
NOV 01 1997

DEPARTMENT OF WATER RESOURCES

To appropriate the public waters of the State of Idaho

1. Name of applicant Bruce + Flory Dally Phone 208-267-3625
Post office address Rt 1 Box 520AA Bonners Ferry ID 83805

2. Source of water supply Spring which is a tributary of Sinks
(NE 1/4 NW 1/4 SW 1/4) SW 1/2 E 1/2 of the W 1/2 of the SW 1/4 of
3. Location of point of diversion is 1/4 of 1/4 of 1/4 Govt. Lot 8

Sec. 4 Township 61 N Range 2 E B.M. Boundary County: additional
points of diversion if any: Also RP 61 N 02 E 04 S 4 13 A

4. Water will be used for the following purposes: Boise Meridian, Boundary County
N 1/2 of the E 1/2 of the W 1/2 of the SW 1/4 of Sec. 4 Township 61 N R 2 East

Amount .04 for domestic purposes from Jan 1st to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum) * 0.02 (STOCKWATER)

Amount .04 for livestock purposes from Jan 1st to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) * 0.06

5. Total quantity to be appropriated is (a) .08 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 500 gal. tank with
1 1/2 h.p. submersible pump

b. Height of storage dam _____ feet; active reservoir capacity 500 gal acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? NO

e. If well is already drilled, when? _____; Drilling firm MICROFILMED

Well was drilled for (well owner) _____ NOV 27 1998

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

1 yr. years (minimum 1 year).
* maximum allowable; stockwater of up to 25 head range cattle @ 0.02 cfs. per appl. proc.
memo. #3. 11/12/97 c.s.

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. 04 4 pigs + 4 ho cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1
- e. Other; describe fully. _____

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. TR (D) on correct 40 ac. tract

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>6N</u>	<u>2E</u>	<u>4</u>										<u>D.S.</u>							<u>0.8</u>

Total number of acres to be irrigated 0

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

11. a. Who owns the property at the point of diversion? Bob + Joanne Mastre
- b. Who owns the land to be irrigated or place of use? Bruse + Flory Dally
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Bob + Joanne have provided an easement + water permission.

12. Remarks: _____

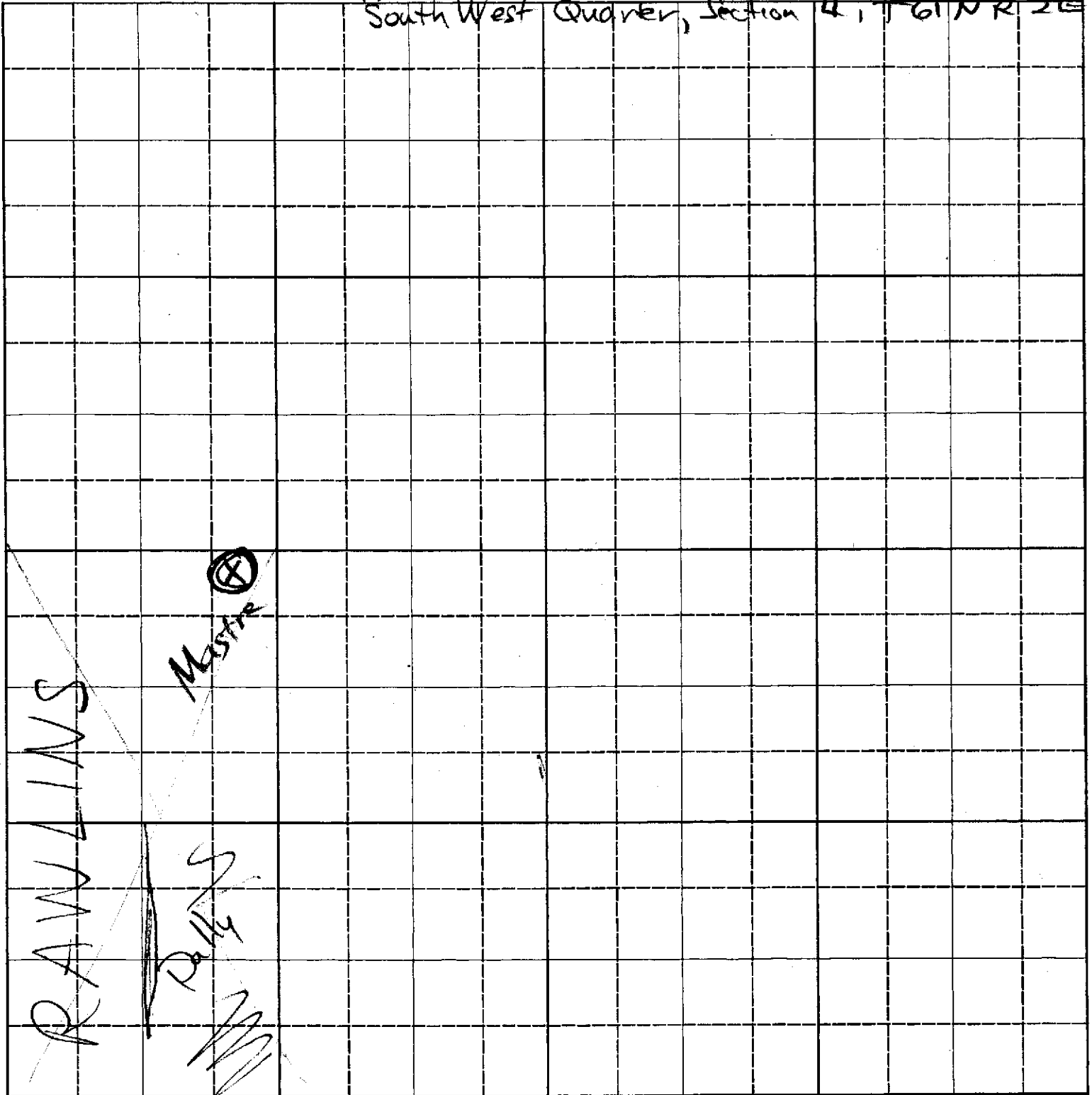
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NOV 27 1998

Section 4, T. 61 N, R. 2 E

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

North Half of the East Half of the West Half of the
South West Quarter, Section 4, T. 61 N R. 2 E



Scale: 2 inches equal 1 mile

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W 1/2 SW 1/4

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.

NOV 27 1998

Parcel ID No.
RP61N02E04S413A

Glory Daily
(Applicant)

NOV 27 1997
MICROFILM

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

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

e. Other: _____

Idaho No. _____, and said application is hereby _____

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by	<i>dp</i>	Date	9/22/97	Time	2:30p
Fee \$	50.00	Received by	<i>dp</i>	#	NO11636
		Date	9/22/97		
Publication prepared by	<i>dp</i>	Date	9/24/97	Published in	<i>Idaho Falls News & Herald 10/11+8/97</i>
Publication approved	<i>dp</i>	Date	10/14/97		

AB

COPY

EASEMENT AGREEMENT

The parties hereto and real property subject of this agreement are as follows:

BOB MASTRE and JO ANNE MASTRE, husband and wife (Mastre), are the owners of:

The North Half of the East Half of the West Half of the Southwest Quarter (N1/2 E1/2 W1/2 SW1/4) of Section Four (4), Township Sixty-one (61) North, Range Two (2) East, B.M., Boundary County, Idaho.

BRUCE R. DALLY and FLORENCE DALLY, husband and wife (Dally), are the owners of:

The South Half of the East Half of the West Half of the Southwest Quarter (S1/2 E1/2 W1/2 SW1/4) of Section Four (4), Township Sixty-one (61) North, Range Two (2) East, B.M., Boundary County, Idaho.

WHEREAS, pursuant to agreement between the parties, Dallys have established upon the premises owned by Mastre a water tank, pump, and water lines, together with power and a phone line and mechanism necessary to regulate the pumps. It is the intent and purpose by this agreement to establish of record a perpetual easement for said facilities over and across Mastres property as above described for the benefit of Dallys property above described.

Now, Therefore, this agreement WITNESSETH:

For and in consideration of the mutual benefits, covenants and conditions outlined herein, Mastre does hereby grant and convey to Dally an easement for the aforesaid water tank, pump, water lines, power and phone lines and all other equipment and fittings incidental thereto both as they presently exist and where they are presently situated on the Mastres premises. This easement shall include the land ten (10) feet on either side of such facilities and shall include the right of access thereto to maintain, improve and replace such equipment.

Featherston Law Firm

Daniel P. Featherston
Brent C. Featherston*
Attorneys at Law
Peter B. Wilson
of Counsel
6426 Kootenai Street
P.O. Box 1820
Bonners ferry, Idaho 83805
(208) 267-3127

*Licensed in
Idaho & Washington

EASEMENT AGREEMENT - 1

MICROFILMED

NOV 27 1988

This easement is granted for the purpose of developing a water source and water collection facilities on the Mastre property to serve the Dally property.

This easement shall continue so long as the facilities for which it is granted continue in use. If, however, the system shall be abandoned or its usages terminated, this grant of easement shall also terminate and be of no further force and effect. Normal short term usage interruptions due to breakage, maintenance, or other system shut downs in the ordinary course of usage shall not constitute abandonment or termination so long as the system is repaired and returned to service.

The Grantee may enter the premises to repair, replace, and maintain the equipment and facilities, however, such shall be done in an expeditious manner. The fences, gates, and soil surface (in the event of excavation) shall be restored to their former condition as nearly as reasonable so as to minimize interference with usage by the holder of the servient estate. The holders of the dominant estate may enclose the water source, storage, and collection area sufficiently to maintain it in a healthful and safe condition and in compliance with any laws or regulations governing such. The holder of the dominant estate shall be liable to the holder of the servient estate to indemnify and hold them harmless from any damages by reason of their usage of this easement.

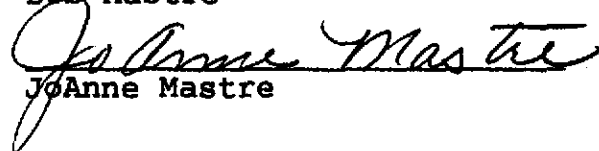
The right to repair or replace the facilities described herein shall not be interpreted or applied so as to permit the holder of the servient estate to increase or extend usage and service beyond the present level.

This easement shall be non-exclusive in nature and except as herein provided for abandonment shall be perpetual in duration.

This agreement shall constitute a covenant running with the land and shall be binding on the parties hereto, their heirs and assigns.

DATED this 9-17- day September, 1997.


Bob Mastre


JoAnne Mastre

Bruce R. Dally
Bruce R. Dally
Florence Dally
Florence Dally

STATE OF IDAHO)
 : ss.
County of Boundary)

On this 17th day of September, 1997, before me, a Notary Public in and for said State, personally appeared **BOB MASTRE and JO ANNE MASTRE**, known or proven to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Roberta Bowen
NOTARY PUBLIC - State of Idaho
Residing at Bonners Ferry
Commission expires 9-5-03

STATE OF IDAHO)
 : ss.
County of Boundary)

On this 11th day of September, 1997, before me, a Notary Public in and for said State, personally appeared **BRUCE R. DALLY and FLORENCE DALLY**, known or proven to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Linda Ondracek
NOTARY PUBLIC - State of Idaho
Residing at Bonners Ferry
Commission expires 7-31-2003

EASEMENT AGREEMENT - 331011

NOV 27 1998

(X) point of projection

4

4
39.55

3

39.45

2

39.35

39.25

T-1

Kingsland

2419
EADKE

0010

AL FARNSWORTH
XMAS ISLAND

3910

WORLEY

3600

WILSON

4810

4410

FARNSWORTH
XMAS ISLAND

PAWLING

5550

5412

9

(X) Point of Projection

4 32.55 4 RAULIN 5550	4 31.45 3 W. 1/2 1/2	4 31.45 3 W. 1/2 1/2	4 31.45 3 W. 1/2 1/2	4 31.45 3 W. 1/2 1/2
4 31.45 3 W. 1/2 1/2	4 31.45 3 W. 1/2 1/2	4 31.45 3 W. 1/2 1/2	4 31.45 3 W. 1/2 1/2	4 31.45 3 W. 1/2 1/2
4 31.45 3 W. 1/2 1/2	4 31.45 3 W. 1/2 1/2	4 31.45 3 W. 1/2 1/2	4 31.45 3 W. 1/2 1/2	4 31.45 3 W. 1/2 1/2

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BOUNDARY COUNTY PERMIT FOR ELECTRIC SERVICE

Permission is hereby granted for the electric service provider to connect permanent electric service to the following applicant in accordance with IDAPA 07.01.04 regulations:

to BRUCE AND FLORY DALLY, on 8-21-96
Applicant's Name date

for A DOMESTIC WATER PUMP
Type of use or structure

at RP61N02E045413A (CR22F, PARADISE VALLEY)
Location, parcel identification number, address or legal description

Andrew G. Denhart
Resource Planner for Boundary County

8-21-96
Date

RECEIVED
AUG 21 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

December 6, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BRUCE DALLY
FLORY DALLY
RT 1 BOX 520AA
BONNERS FERRY ID 83805

RE: WATER RIGHT NO. 98-07785

Dear Water Right Holder(s):

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

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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OCT 13 2001

CERTIFICATE OF MAILING

I hereby certify that on the **6th** day of **December, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 98-07785

BRUCE DALLY
FLORY DALLY
RT 1 BOX 520AA
BONNERS FERRY ID 83805


Kari Lynn Townsend
Secretary

MICROFILMED
OCT 13 2001

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

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

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OCT 18 2001

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

TO: File 98-07785

FROM: Sharla

DATE: December 2, 1999

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 98-08895 are as follows:

H. RECOMMENDATIONS

Stockwater	1/1 – 12/31	0.02 cfs	0.2 af
Domestic	1/1 – 12/31	0.02 cfs	1.2 af
	TOTALS	0.02 cfs	1.4 af

The rate and volume for 8 pigs and cattle is 0.02 cfs and 0.1 af, respectively.

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OCT 15 2001

LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on 11/20/99

Permit No. 98-07785

BU Fee Pd \$50⁰⁰

Name/Address: ☒ OK ☐ CHANGE

Govt Lots ☒ n/a ☐ plat copy attached

AREA OF CONCERN: ☒ No/Yes ☐ Moratorium ☐ GWMA ☐ TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-079
 Supp irr (+ other uses) - 100-101
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M (if on permit)

LOCATION:

Trust - R55 (consumptive uses)
 Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

PD Change - P39/P47 - feds(P40)
 PD Add - P45/P42

PU Change - P41/P47 - feds(P43)
 PU Add - P41/P42

PD & PU Change - P37 - feds(P48)

SURFACE WATER: (✓Flow Chart)

In/Above MSF - WB9
 WD - R04 (WD#)
 ≤ 0.20 cfs/others - R02- 01P or No MD
 > 0.20 cfs - R43

SPRINGS/SINK, INACTIVE WD & REST OF STATE

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

RIVER BASINS: (SW special considerations)

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

USES:

STORAGE - 18A-R02-01P-18B-NA
 IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
 > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
 STOCKWATER - R37 (BLM/USFS) N/A
 MINING - 081
 FISH PROP - 029 (70's only) 042-081
 HEAT/COOL - R07 (injection well)
 FIRE/PROT. - 077

Use Change/Add - P46

USES:

POWER - R22-R23 (+uses)-025-081-W42-W43-027
 MUNICIPAL
 Restricted area - 022,075
 Irr., GW supp to SW - 102
 DOMESTIC
 Surface water - WB5 (Big Wood or Boise above Star Bridge)
 27A (Payette R)
 >1 in restricted area - 070-071-075 (no parks/common areas, etc)
 Irr use listed separate - WB5
 Lawn/garden included - W01 (1)

ADVANCE PRIORITY? ☐ Yes ☒ No

MISC CONDITIONS/REMARKS:

Multiple pd's per 1/4 - W32
 Subd lot desc (pd) - W59
 Subd lot desc (pu) - W60
 Use definitions - W02 example - C/tire shop
 Non-consumptive - 027
 Water Quality - 081-R07
 Mitigation - 121 (if on permit)
 PPU acre limit - W27

CHECK NEW IRR SEASON MAP N/A

OVERLAP ANALYSIS/RATES/VOLUMES:

PD overlap rights - W35-W36 Right #
 PU overlap rights - WB7-W31 (<1 ac)
 GW replaced SW - 050

Permit Rate .06 cfs Fee Limit 0.20 cfs
 Measured .02 cfs Theoretical cfs

Use	Rate	Volume
Stock	<u>.02</u> cfs	<u>.2</u> af
Dom	<u>.02</u> cfs	<u>1.2</u> af
	<u> </u> cfs	<u> </u> af
TOTALS	<u>.02</u> cfs	<u>1.4</u> af

OTHER CONDITIONS/REMARKS/COMMENTS 5/8 pigs & cattle

SRBA Claim Filed ☐ Yes ☒ No

If no, is a claim required: ☐ Yes ☒ No

AMENDMENTS REQUIRED ☒ Yes ☐ No

If yes, paragraph codes:

Adjustment Memo Needed ☐ Yes ☒ No

Stock Rate/Volume

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL - 9 1999

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 98-07785

1. Owner: Bruce E. Dally Phone No. _____

Current Address: RT 1 Box 520 AA Bonanza Hwy Id 83805

2. Accompanied by: Bruce Dally EXAM DATE: 6-16-99

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spring tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 98-04006-98-04010-98-07752-57-58

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NW	SW	04	61N	02E	Boundary	USGS 7.5 min Quad

2. Place(s) of Use:

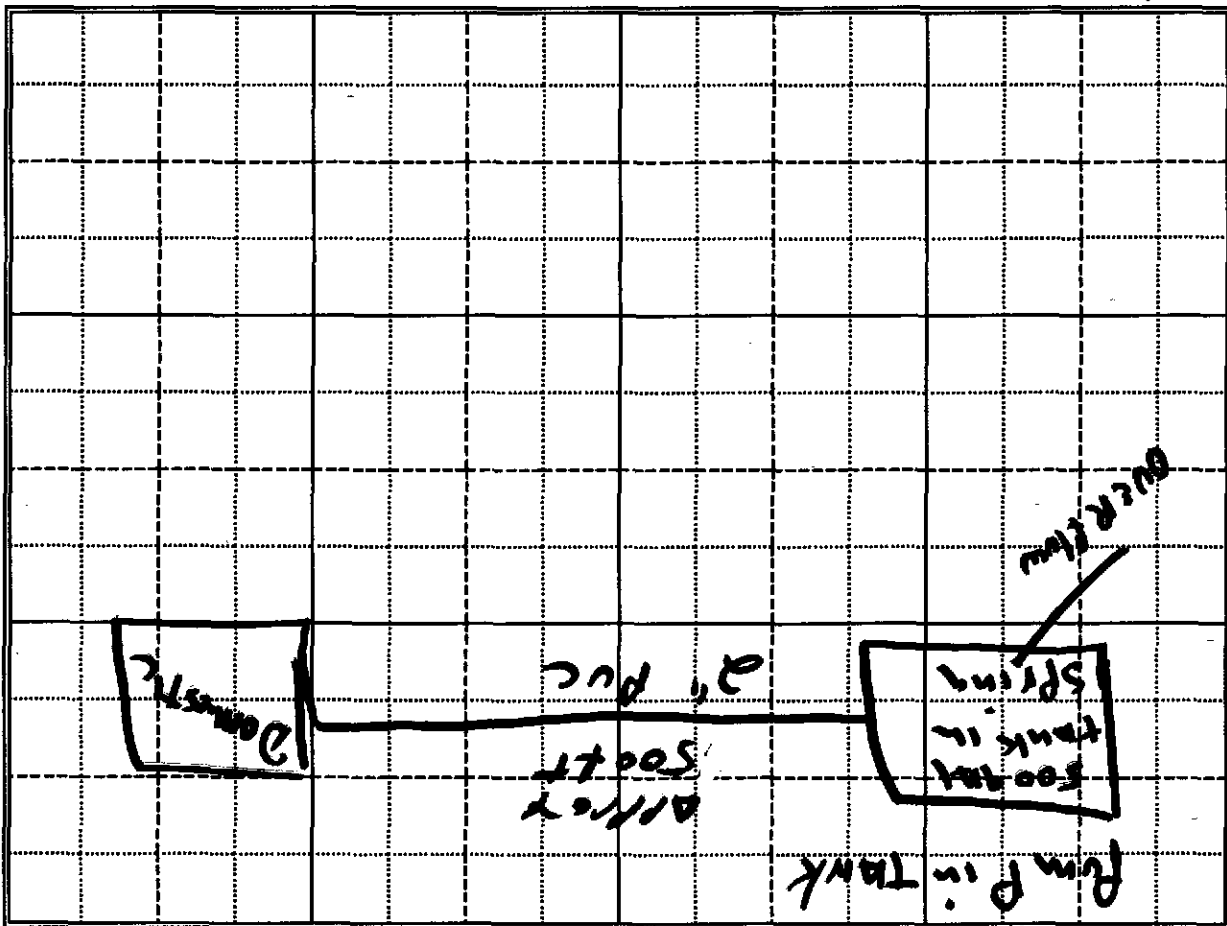
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
61N	02E	04									S								
											D								

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2001

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



Scale: 1" = 100'

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

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	F+W	1.5	Sc6	F+W	2"

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

D. FLOW MEASUREMENTS

1.

2. Measurements:

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

E. NARRATIVE/REMARKS/COMMENTS

System consist of a 500 gal tank
in Spring. A 1.5 hp Fw Pump delivers
to house

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

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OCT 19 2001

F. FLOW CALCULATIONS

Measured Method:

5 gal bucket 5 gal in 35 sec = 8.6 gpm
 $8.6 \times 133681 = 1149856.6$
 $1149856.6 \div 60 = 19164.27$

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic
Stock

Period of Use

From 01-01 To 12-31
 01-01 12-31

Rate of Diversion

Q (cfs) 1.02
 1.01

Annual Volume

V (afa) 1.2
~~1.3~~ 1.1

2. Recommended Amendments

Change P.D. as reflected above
 Change P.U. as reflected above

Add P.D. as reflected above
 Add P.U. as reflected above
 None
 Other

I. AUTHENTICATION

Field Examiner's Name

Wayne B. Burt
 Date 7-6-99

Reviewer

Date

SEAL

RECEIVED

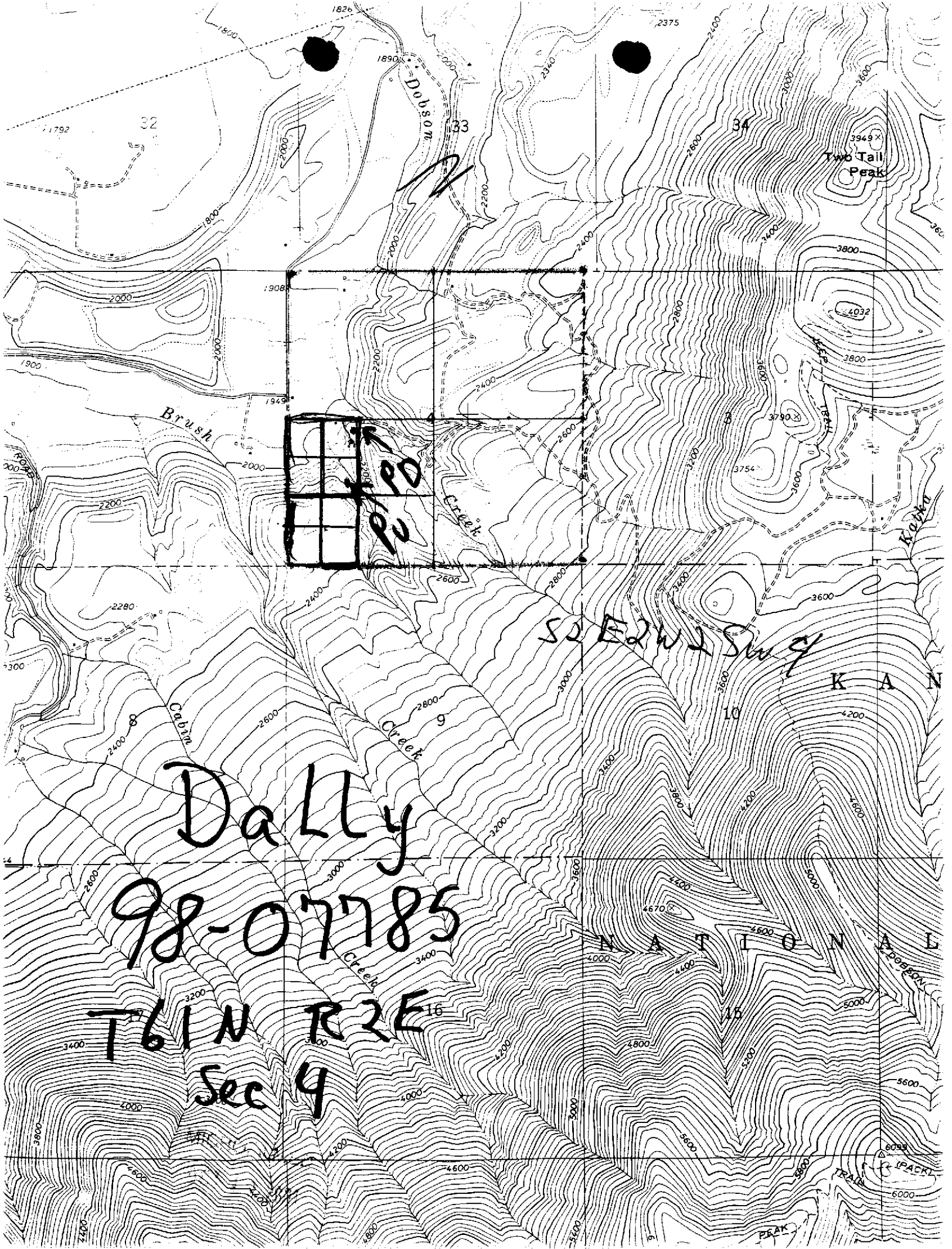
JUL 13 1999

PERMIT # 98-07785

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATE REPORT SUPPLEMENT



MICROFILMED
OCT 10 2001



Dally
98-07785

T61N R2E
Sec 4

SS E2W2 S29g



**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 98-07785 Reviewed by [Signature] Date 11-10-98

GENERAL CONSIDERATIONS

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

TYPES OF USE

dom. stock

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit _____ Correct?

☐ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50- Amount Submitted
yes Correct?

MEASURING DEVICE

NO Required?
☐ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority Date	_____	_____
New Priority Date	_____	_____

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address [X] Proof Made 10-15-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 10, 1998

Bruce and Flory Dally
Rt 1 Box 520AA
Bonners Ferry ID 83805

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 98-07785

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED
NOV 27 1998

August 31, 1998

BRUCE DALLY
FLORY DALLY
RT 1 BOX 520AA
BONNERS FERRY ID 83805

PROOF DUE NOTICE

RE: PERMIT NO. 98-07785

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, 1998.

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

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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECORDED

NOV 27 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 17, 1997

BRUCE DALLY
FLORY DALLY
RT 1 BOX 520AA
BONNERS FERRY ID 83805

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 98-07785

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED
NOV 27 1998

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of November, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 98-07785

BRUCE DALLY
FLORY DALLY
RT 1 BOX 520AA
BONNERS FERRY ID 83805


Kari Lynn Townsend
Secretary

MICROFILMED
NOV 27 1998

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Cindy Lou*

No.: 98-7785 Name: Dalley Date: 11/12/97 Ad OK? ☒ Gvmt Lts: ☒

AREA OF CONCERN:

- No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED:

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

SYSTEM COMPLETED:

1 year/no proof

P16

>1 year

- 26A-P17

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

>0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD >0.24 cfs

- 01M (report when notified)

>5 a.

- 01M; 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

Existing well

- NA (pre 7/1/87; ✓ WDQ3)

Included w/permit

- Permit No. _____ - _____ - _____ - _____ P99

No drilling permit?

- 046-46B-P23 (post 7/1/87)

irr. in WD

- P05 (new well location)

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

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

- R04 (WD # _____) 01J-P08 (MD)

Pumped >0.20 cfs

- 01H-P01 (LD & MD) or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22 -P04, NA

(02/03-irr)

- 007-P07 (w/ remark *WB9 if above Weiser), NA

Payette R(65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

USE:

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area

- 071-070-P53

Fish Propagation

- 029-007-042(req)-081-R07 (WQ)-P10; 044 (N of 1000 Springs)

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- R49/R50/R51/R52 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R29/R30/R31/R32 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Mining

- 054(req)-081-R07-P10

Muni (in restricted areas)

- 022, 075, 004 (+memo?), NA (not in restricted area)

Power

- 17H/17K(+uses)-08A-025-01N(P19)-028-081-R07(P10); 027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

Stock

- R37 (BLM/USFS); NA

Storage (✓3 compo.)

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

- P84 (in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

SWAN FALLS FLAG (See Code Chart)

Trust

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

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:- 004 (PD/PU) Master Agreement**OTHER CONDITIONS:****STANDARD REMARKS:**- ① W02/4 P04 RC ② W01/1**BENEFICIAL USE DUE:**- 11/1 1998**COMMENTS:**

No. a
4/87-06/92n

I O DEPARTMENT OF WATER RESOURCE
APPLICATION APPLICATION ANALYSIS SHEET

RECEIVED

WRI
WRA
BC

NOV 01 1997

APPLICATION # 98-7785

DEPARTMENT OF WATER RESOURCES

***** INITIAL REVIEW *****

APPLICANT: DALLY BY: AB DATE: 9/22/97

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

PRIORITY DATE: 9/22/97

- X (Include Moratorium Remark)
X Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: BOUNDARY County.

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
() Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
() Power Information () Other: N/A

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

(Yes) (No)

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

Checked by: _____ Date: ____/____/____

Remarks: _____

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

(Yes) (No)

- + Notice of pending void order issued. Final order response date: ____/____/____
+ Further information required from applicant
+ Affidavit of publication received
+ Application published correctly, If not, record action taken: _____
+ Publication dates and paper recorded on application
+ Protests received. Final protest date: 10/20/97
+ Measuring device required
+ Measuring port required
+ Special conditions: _____
+ Special conditions of approval supplement and/or cover letter attached:

Sr. Agent initial AB

Approval Recommended by: AB Date: 10/22/97

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Boundary,

David Kaye being first duly sworn on oath
deposes and says that he/she is publisher
of the Bonners Ferry Herald, a newspaper printed and
published at Bonners Ferry, Boundary County, Idaho; that
the said newspaper has been continuously and
uninterruptedly published in said Boundary County during
a period of 12 months prior to the first publication of the
hereto attached notice of publication in the case of:

#3656 Water Right / Dally

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 1 day of Oct, 1997
and ending on the 8 day of Oct, 1997
and that said notice was published in said newspaper.

Dated: Oct 8, 1997
David Kaye

Subscribed and sworn to before me this 10 day
of October, 1997.

Jean E. Deel
Notary Public for Idaho

Residing at Bonners Ferry

My Commission expires: 7/22/2002

RECEIVED

OCT 14 1997

NORTHERN REGION
IDWR

NOTICE OF APPLICATION FOR
WATER RIGHT

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

98-07785

DALLY, BRUCE

DALLY, FLORY

RT 1 BOX 520AA

BONNERS FERRY, ID 83805

Source: SPRING Tributary: SINKS

Diversion Pt: NENWSW Sec 4 T 61N R

02E in BOUNDARY County.

Use: STOCKWATER (0.040 CFS)

DOMESTIC (0.040 CFS)

Total Diversion: (0.080 CFS)

Date Filed: 9/22/1997

In: BOUNDARY County

T61N R02E S04 NWSW

For additional information concerning
the property location, call the Northern
Regional Office at (208)769-1450.

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the applicant and with the Director, Dept.
of Water Resources, Northern Region,
1910 Northwest Blvd., Suite 210, Coeur
d'Alene, Idaho 83814, together with a
protest fee of \$25.00 on or before OCTO-
BER 20, 1997.

KARL J. DREHER, Director

BFH #3656

October 1, 8, 1997

MICROFILMED

NOV 27 1997

98-07785

DALLY, BRUCE
DALLY, FLORY
RT 1 BOX 520AA
BONNERS FERRY, ID 83805

Source: SPRING

Tributary: SINKS

Diversion Pt: NENWSW Sec 4 T 61N R 02E in BOUNDARY County.

Use: STOCKWATER	(	0.040 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.080 CFS)

Date Filed: 9/22/1997

In: BOUNDARY County
T61N R02E S04 NWSW

MICROFILMED

NOV 27 1992

September 24, 1997

Bruce & Flory Dally
Rt 1 Box 520AA
Bonners Ferry ID 83805

Re: Water Appropriation Application No. 98-07785

Dear Mr. and Mrs. Dally:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application. Enclosed for your file is Receipt Number N011626.

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

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

MICROFILMED

NOV 27 1998