



O N A L F O R E S T

Sinclair

Sinclair Lake

Spring

MOYIE

SPRING 65

Fossil

POINT OF DIVISION

Bussard Lake

SPokane RIVER

RUBY Creek

TRACK

BM 2490

Snyder Guard Station

INTERNATIONAL PIPELINE

MORCILL

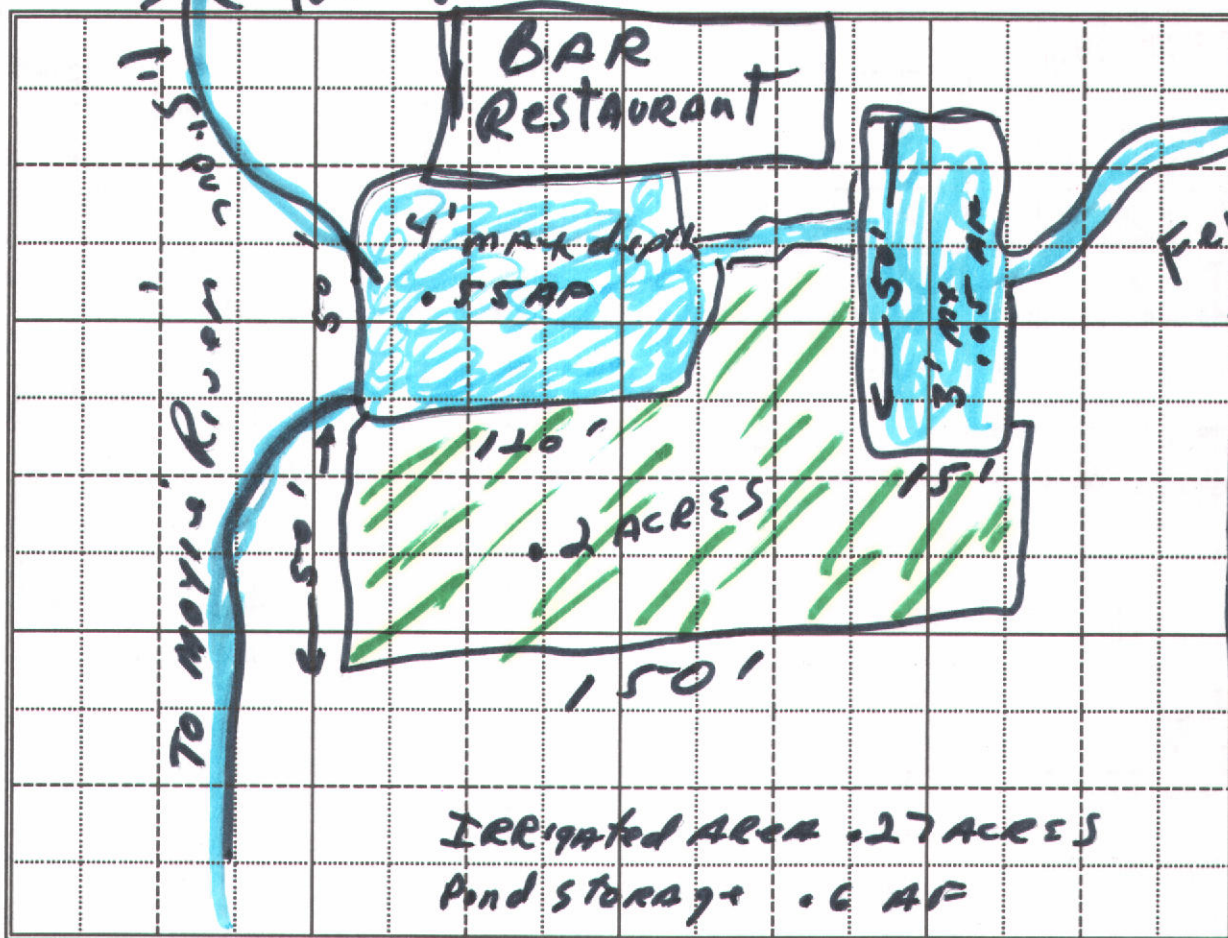
11 1907

T. 64 N., R. 2 E.

Queen Lake

Snyder

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

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Pond
in
Stream



IRR & Storage



PJ
IRR



Div To Storage
from
unnamed Stream

98-0774

98-0774

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Topographic map showing contour lines, elevation markers, and geographical features. The map includes labels for 'FOREST', 'SINCLAIR', 'SINCLAIR LAKE', 'POINT OF VIEW', 'RUBY CREEK', 'SNYDER GUARD STATION', and 'INTERNATIONAL PIPELINE'. A large handwritten number '98-07774' is overlaid across the center. A red stamp reads 'MICHO DEC 03 2003'. At the bottom, handwritten text reads 'T. 64N., R. 2E.'

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 98-07774

Priority: July 16, 1996

Maximum Diversion Rate: 0.06 CFS
Maximum Diversion Volume: 44.9 AF

It is hereby certified that CLIFFORD R KRAMER
PO BOX 188
EASTPORT ID 83826-0188 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated July 16, 1996; and has
submitted Proof of Beneficial Use on December 28, 2000. An examination indicates that the works have
a diversion capacity of 0.06 cfs of water from:

SOURCE

FEIST CREEK
UNNAMED STREAMS

Tributary: MOYIE RIVER
FEIST CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		0.6 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.06 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		0.6 AF
IRRIGATION FROM STORAGE	05/01 to 10/31		0.6 AF
RECREATION STORAGE	01/01 to 12/31		0.6 AF
RECREATION	01/01 to 12/31	0.06 CFS	43.4 AF
IRRIGATION	05/01 to 10/31	0.02 CFS	0.9 AF

LOCATION OF POINTS OF DIVERSION:

FEIST CREEK NW¼SW¼ Sec. 11, Twp 64N, Rge 02E, B.M., BOUNDARY County
UNNAMED STREAMS NW¼SW¼ Sec. 11, Twp 64N, Rge 02E, B.M., BOUNDARY County

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
64N 02E 11										X							

PLACE OF USE: FIRE PROTECTION STORAGE – Same as Irrigation Storage

PLACE OF USE: RECREATION STORAGE – Same as Irrigation Storage

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
64N 02E 11											.3						.3

Total Acres: 0.3

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State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 98-07774

PLACE OF USE: IRRIGATION FROM STORAGE – Same as Irrigation

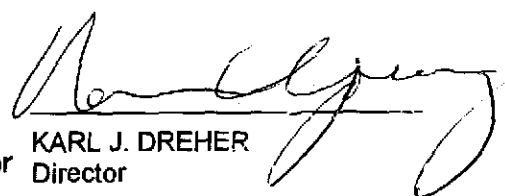
PLACE OF USE: RECREATION – Same as Irrigation

CONDITIONS OF APPROVAL

1. Water shall not be diverted from storage for fire protection use under this right except to fight or repel an existing fire.
2. Recreation use is for swimming.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

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

Signed and sealed this 21st day of FEBRUARY, 2003.


Acting for **KARL J. DREHER**
Director

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JAN 10 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 98-7774 Telephone No. 267-8649

2. Name of Permit Holder(s): Clifford R Kramer

3. Mailing Address: Box 188 Eastport ID 83826-0188

City _____ State _____ Zip _____

4. Source of Water: Unnamed Streams If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
Feist Creek

Well Driller: Noyle River Drilling Permit Number: _____

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

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 15 Other: Commercial Recreation, Power, Domestic
Fire Protection

6. Total rate of diversion and/or volume for which proof is submitted: 1 cfs 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 _____

8. Fee Enclosed: \$ 100.00 (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: Same Telephone Number: _____

Address: _____

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] Date: 12-28-00
(include your title, if on behalf of company or organization)

APR 11 2001

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 98-07774

Proposed Priority: July 16, 1996

Maximum Diversion Rate:

1.00 CFS

This is to certify, that **CLIFFORD R KRAMER**
HC 1 BOX 439
NAPLES ID 83847

has applied for a permit to appropriate water from:

UNNAMED STREAMS	tributary of	FEIST CREEK
MOYIE RIVER	tributary of	KOOTENAI RIVER
FEIST CREEK	tributary of	MOYIE RIVER

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>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.30 CFS	
IRRIGATION STORAGE	01/01 to 12/31		1.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		1.0 AF
COMMERCIAL	01/01 to 12/31	0.40 CFS	
COMMERCIAL STORAGE	01/01 to 12/31		1.0 AF
COMMERCIAL FROM STORAGE	01/01 to 12/31		1.0 AF
FISH PROPAGATION	01/01 to 12/31	0.50 CFS	
FISH PROP. STORAGE	01/01 to 12/31		1.0 AF
FISH PROP. FROM STORAGE	01/01 to 12/31		1.0 AF
POWER	01/01 to 12/31	0.50 CFS	
DOMESTIC	01/01 to 12/31	0.02 CFS	
DOMESTIC STORAGE	01/01 to 12/31		0.6 AF
DOMESTIC FROM STORAGE	01/01 to 12/31		0.6 AF
RECREATION	01/01 to 12/31	0.50 CFS	
RECREATION STORAGE	01/01 to 12/31		1.0 AF
RECREATION FROM STORAGE	01/01 to 12/31		1.0 AF
FIRE PROTECTION	01/01 to 12/31	1.00 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		1.0 AF
FIRE PROTECT. FROM STOR	01/01 to 12/31		1.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	1.00 CFS	
Totals		1.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 11, Township 64N, Range 02E
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>
64N	02E	11	NWSW 11.0	SWSW 4.0		15.0

Total number of acres irrigated: 15.0

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE: COMMERCIAL, same as IRRIGATION use

PLACE OF USE: COMMERCIAL FROM STORAGE, same as IRRIGATION use

PLACE OF USE: FISH PROPAGATION, same as IRRIGATION use

PLACE OF USE: FISH PROP. FROM STORAGE, same as IRRIGATION use

PLACE OF USE: POWER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

PLACE OF USE: DOMESTIC FROM STORAGE, same as IRRIGATION use

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 98-07774

PLACE OF USE: RECREATION, same as IRRIGATION usePLACE OF USE: RECREATION FROM STORAGE, same as IRRIGATION usePLACE OF USE: FIRE PROTECTION, same as IRRIGATION usePLACE OF USE: FIRE PROTECT. FROM STOR, same as IRRIGATION 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 January 1, 2001.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
5. Assignment or sale of this right is subject to a determination by the Department that the right holder has proceeded to develop the right with due diligence and without speculation.
6. The right holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
7. Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
8. This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.
9. The water right acquired under this permit 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 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.
10. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
11. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

1/10/2001
98-07774

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

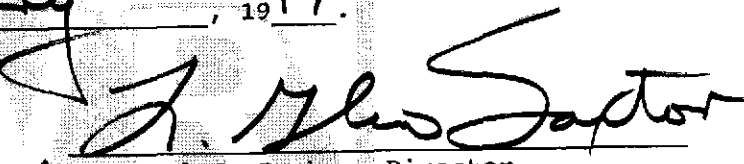
NO. 98-07774

CONDITIONS OF APPROVAL AND REMARKS

12. The right holder shall either install a measuring device or a flow measurement port or provide a certified measurement or computation of flow based upon system design to be prepared by a professional engineer.
13. The Director retains jurisdiction of this right in order to limit the use of water for hydropower generation purposes to a specific term of years as required by Section 42-203B(7), Idaho Code.
14. This right authorizes an annual volume of water to fill the storage facility and the amount required to replace losses through evaporation.
15. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
16. Commercial use is for 15 unit R.V. park and resort lodge.
17. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
18. Recreation use is for swimming.
19. Use of water under this right for power use shall be non-consumptive.

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

16th day of January, 1997.


for Karl J. Dreher, Director

RECEIVED

DEC 16 1996

Ident. No. 98-07774

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: CLIFFORD R KRAMER
Address: HC-01 BOX 439
NAPLES ID 83847

208-267-7262

2. Source: UNNAMED STREAMS
MOYIE RIVER
FEIST CREEK

Trib. to: FEIST CREEK
KOOTENAI RIVER
MOYIE RIVER

3. Location of Point of Diversion:

NWSW Sec. 11, Township 64N, Range 02E
NENWSW Sec. 11, Township 64N, Range 02E
BOUNDARY County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.300		
* IRRIGATION STORAGE 01/01	~~03/15~~	~~11/15~~ 12/31			1.00
IRRIGATION FROM STORAGE	03/15	11/15			1.00
COMMERCIAL	01/01	12/31	0.400		
COMMERCIAL STORAGE	01/01	12/31			1.00
COMMERCIAL FROM STORAGE	01/01	12/31			1.00
FISH PROPAGATION	01/01	12/31	0.500		
FISH PROP. STORAGE	01/01	12/31			1.00
FISH PROP. FROM STORAGE	01/01	12/31			1.00
POWER	01/01	12/31	0.500		
DOMESTIC	01/01	12/31	~~0.040~~ 0.02 *		
DOMESTIC STORAGE	01/01	12/31			~~1.00~~ 0.6 *
DOMESTIC FROM STORAGE	01/01	12/31			~~1.00~~ 0.6 *
RECREATION	01/01	12/31	0.500		
RECREATION STORAGE	01/01	12/31			1.00
RECREATION FROM STORAGE	01/01	12/31			1.00
FIRE PROTECTION	01/01	12/31	1.000		
FIRE PROTECTION STORAGE	01/01	12/31			1.00
FIRE PROTECT. FROM STOR	01/01	12/31			1.00
* DIV TO STORAGE 01/01	~~03/15~~	~~11/15~~ 12/31	1.00		

5. Total quantity to be appropriated is:

1.000 CFS (and/or) 0.50 AF *

* per data entry standards 1/15/97 cz.

* clarifications per Al Beardslee. 1/15/97 cz.

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6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc.
1 POND\$, 5 FISH RACE WAYS USING GRAVITY FLOW & PUMP SYSTEMS
- b. Height of storage dam 9 feet; active reservoir capacity 1.00 acre-feet; total reservoir capacity 1.50 acre-feet; period of year when water will be diverted to storage: 1/01 to 12/31 inclusive.
- c. Proposed well diameter is inches; proposed depth of well is feet.
- d. Is groundwater with a temperature greater than 85F being sought? NO
- e. If well is already drilled, when?
Drilling Firm
Well was drilled for

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
64N	02E	11	NWSW 11	SWSW 04		15

Total number of acres irrigated: 15

Place of Use: IRRIGATION STORAGE

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
64N	02E	11	NWSW	SWSW		

Place of Use: IRRIGATION FROM STORAGE

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
64N	02E	11	NWSW	SWSW		

Place of Use: COMMERCIAL

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
64N	02E	11	NWSW	SWSW		

Place of Use: COMMERCIAL STORAGE

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
64N	02E	11	NWSW	SWSW		

Place of Use: COMMERCIAL FROM STORAGE

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
64N	02E	11	NWSW	SWSW		

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Place of Use: FISH PROPAGATION

TWN RGE SEC
64N 02E 11 NWSW SWSW

Place of Use: FISH PROP. STORAGE

TWN RGE SEC
64N 02E 11 NWSW SWSW

Place of Use: FISH PROP. FROM STORAGE

TWN RGE SEC
64N 02E 11 NWSW SWSW

Place of Use: POWER

TWN RGE SEC
64N 02E 11 NWSW SWSW *

Place of Use: DOMESTIC

TWN RGE SEC
64N 02E 11 NWSW SWSW

Place of Use: DOMESTIC STORAGE

TWN RGE SEC
64N 02E 11 NWSW SWSW

Place of Use: DOMESTIC FROM STORAGE

TWN RGE SEC
64N 02E 11 NWSW SWSW

Place of Use: RECREATION

TWN RGE SEC
64N 02E 11 NWSW SWSW

Place of Use: RECREATION STORAGE

TWN RGE SEC
64N 02E 11 NWSW SWSW

100-AD-11012

381/11/812

* Clarifications per AL Beardslee 1/15/92 cz

Place of Use: RECREATION FROM STORAGE

TWN RGE SEC
64N 02E 11 NWSW SWSW

Place of Use: FIRE PROTECTION

TWN RGE SEC
64N 02E 11 NWSW SWSW

Place of Use: FIRE PROTECTION STORAGE

TWN RGE SEC
64N 02E 11 NWSW SWSW

Place of Use: FIRE PROTECT. FROM STOR

TWN RGE SEC
64N 02E 11 NWSW SWSW

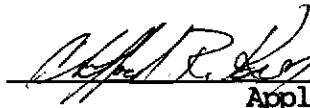
9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

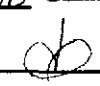
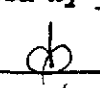
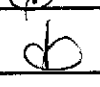
10. Remarks:

Commercial use is for 15 unit R.V. park & resort lodge.

11. Map of proposed point of diversion and place of use attached? ☒

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.


Applicant

Received by  Date 7/16/96 Time 1:50 P Preliminary check by 
Fee \$ 100⁰⁰ Received by  # N010446 Date 7/16/96
Publication prepared by  Date 11/13 Published in Bonner's Ferry Herald
Publication approved  Date 12/5/96

Ident. No. 98-07774

Comments: Date: 7/19/1996 User-ID: DBALL

Subject: Examiner's notes.

1 pond, 5 fish race ways using gravity flow & pump systems.
9 ft high storage dam, active reservoir capacity 1 AF, with total
reservoir capacity 1.5 AF.
Time required 5 years.

Comments: Date: 11/12/1996 User-ID: DBALL

Subject: POWER USAGE.

Usage applied for is 80 KW/day for the power generation.
Affidavit establishing residency signed and in file.

F O R E S T

**Stinson
Lake**

M

11

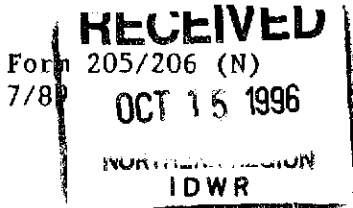


Guard E

INTERNATIONAL PIPELINE



TCHN, RZE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AFFIDAVIT

Permit No. 98-07774

for
Water Rights to be used for Power Purposes

A. Establishment of Residency: (Complete either 1, or 2).

1. Individual Applicant or individual Members of a Partnership:

I, Clifford R. Kramer of NAPLES
(name) (city)
County of Boundary State of Idaho, being duly sworn, do
hereby certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, _____ of _____
(name) (city)
County of _____, State of Idaho, being duly sworn, depose and say: That
I am the designated registered agent of the _____: That as such
(name of corporation)
I am in charge of the registered office of the said corporation as required by Section
30-1-12, Idaho Code, at _____, Idaho, wherein are kept the corporate
(city)
records required by Section 30-1-52, Idaho Code: and that _____
(name of corporation)
is a corporation qualified to do business in the State of Idaho under the laws of the
State of Idaho.

B. Ownership of Facilities:

The hydropower facility to be developed pursuant to the attached Appropriation Application:

- _____ Will utilize existing man-made irrigation facilities such as a dam or a canal, and
permission of the owner is documented in an affidavit attached hereto.
_____ Will utilize existing man-made irrigation facilities such as a dam or a canal, and
the owner of the facilities is the signee of this affidavit.
☒ Will not utilize existing man-made irrigation facilities such as a dam or a canal.

C. Purpose:

- ☒ The power to be produced pursuant to the attached Appropriation Application is for my own
personal use and will not to be offered for sale.
_____ The power to be produced pursuant to the attached Appropriation Application is to be
offered for sale.

State of Idaho)
County of Boundary)
ss.

Clifford R. Kramer
Applicant

On this 29 day of August, 1998, personally appeared before me the signer(s)
of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Andrea Kramer
Notary Public residing at

seal

My commission expires: 7/2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 21, 2003

CLIFFORD R KRAMER
PO BOX 188
EASTPORT ID 83826-0188

RE: License No. 98-7774 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klf

Enclosure(s)

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DEC 9 3 2003

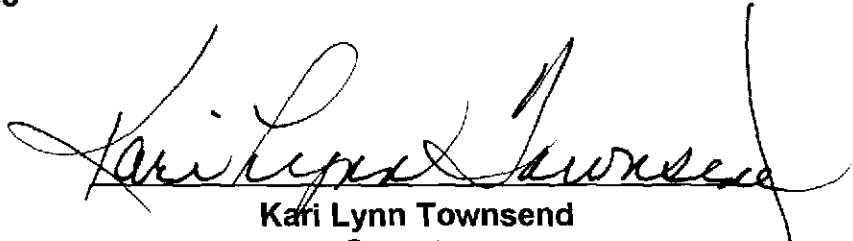
CERTIFICATE OF SERVICE

I hereby certify that on February 21, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

98-7774

**CLIFFORD R KRAMER
PO BOX 188
EASTPORT ID 83826-0188**



**Kari Lynn Townsend
Secretary**

MICROFILMED

DEC 03 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
DEC 03 2000

Comment Report

98-7774

1. kwalker 2/14/2003 Use of Water

Comment: The recommended fish propagation use has been removed from the proposed license. There was no commercial fish production developed under the permit. Have also added a recreation use which the examiner did not mention. The permit holder runs the water from the sources continuously through the ponds so a live flow for recreation could be included.

2. DBALL 7/19/1996 DIVERSION DESCRIPTION

Comment: 1 pond, 5 fish race ways using gravity flow & pump systems. 9 ft high storage dam, active reservoir capacity 1 AF, with total reservoir capacity 1.5 AF.

3. DBALL 11/12/1996 POWER USAGE

Comment: Usage applied for is 80 KW/day for the power generation. Affidavit establishing residency signed and in file.

MICROFILMED
DEC 03 2003

LICENSE REVIEW CHECKLIST

Permit No. 98-7774

Date: 2-11-2003
10-22-02

Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): none

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 1.0 cfs

Fee Limit 1.0 cfs

Measured 0.004 cfs

Theoretical _____ cfs

Recommended Total Diversion Rate 0.006 cfs

0.6 AF stor

Water Uses OK

Change (P46)

Season of Use per new Standards

5/1 10/31

Irrigation _____ cfs _____ af

Stockwater _____ cfs _____ af

Domestic _____ cfs _____ af

_____ cfs _____ af

_____ cfs _____ af

Total _____ cfs _____ af

see proposed license

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.02 cfs x 1.9835 x 184 days = 7.3 af (vs)

0.3 acres x 3.0 (FHR) = 0.9 af
2.0 (con)

Remarks: _____

Additional Conditions

_____ Watermaster Control

_____ GW Measurement/Measuring Device

_____ Other

Trust R55 - remove 051)

Non-trust (048)

GW Dist? _____

Water Msmt. Dist? _____

Crit. GWMA? _____

GWMA? _____

Government Lots? _____

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim? N/A

Adjust memo _____

Amend Letters _____

P87, S06

Second Amendment Notice _____

S06

DEC 03 2003

2. Measurements:

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

D. FLOW MEASUREMENTS

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

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

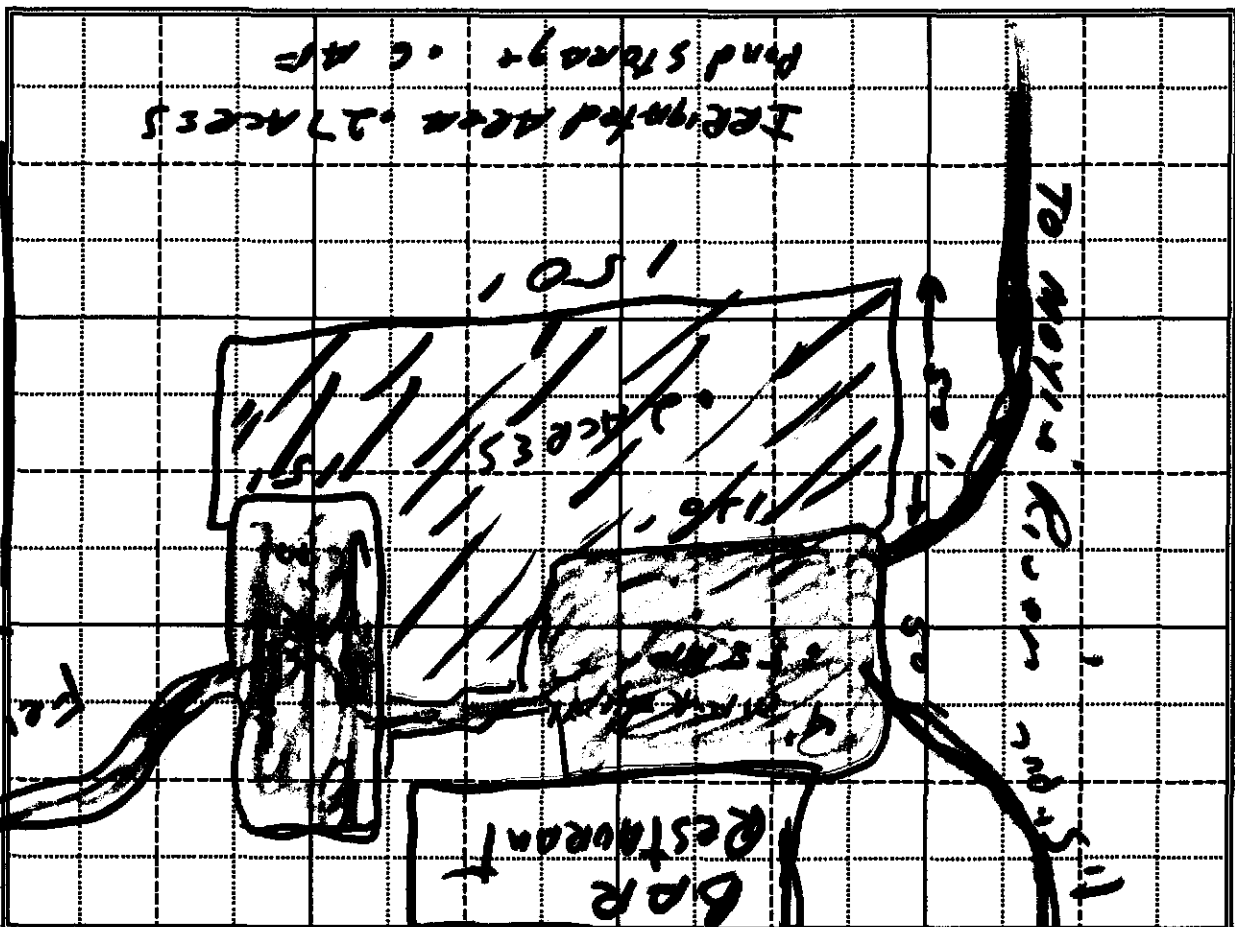
1

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

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

Photo of Diversion and System Attached

Source: 7



3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well size/ditch size/pipeline size, as applicable.

Handwritten notes:

- Hot-e!
- ac.
- 06
- Acres

Sketches:

- A curved line representing a boundary or path.
- A small rectangular area labeled "Well".

E. NARRATIVE/REMARKS/COMMENTS

① During the 2001 season I scheduled this Exam with Mr. Kramer. When I arrived he informed me that his hydro power was down for repair, and also because it had been such a wet year that he hadn't put his pump in for the irrigation portion along Mojave River. He said he would call me in Aug 2001 to re-schedule. He never did. So I called him in Sept 2001 and he told me his equipment was still in for repair. I told him I'd contact him in 2002.

In June 2002 I called Mr. Kramer and we scheduled the exam for 10 AM 6-20-02. This is a 200 mi round trip. When I arrived I was told by his employee (bartender) that he had left for the day with his wife. I have no doubt this was to avoid the exam because most of the permit was not developed. I waited for 1 hr while his employee called his pager. No Response. So I did the exam unaccompanied the best I could. I found no hydro development. I found no 15 acres of Orr. from Mojave River to Park on Mojave. When I left, I gave his employee my card and asked her to tell him to call me. He never did. I called

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

again and left message for him to call. He never did. I feel Mr. Kramer should re apply for any thing other than recommended on this field report.

MICROFILMED
JUL 13 2003

Measured Method:

Additional Computation Sheets Attached

only 3 ft. thick 5' on mat setting
 would fit. Run this 10 ft. 3 gpm each mat
 9 gpm $\times 133681 = 102$
 CO
 Diversion to storage from unnamed stream
 5 gal bucket. Spent 12 sec = 25 gpm
 $25 \times 133681 = 1055 = .06$
 CO

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.27 \times 3 = 0.8$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 102(245) \times 1.9835 = 91.7$$

$$V_{LR} = \text{Smaller of } V_{LR} \text{ and } V_{DR} = 0.8$$

2. Volume Calculations for Other Uses:

$$120 \times 50 = 4350$$

$$120 \times 50 = 4350$$

$15 \times 50 \times 3 = 105 \text{ AF}$
 43560
 501

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Deer Mountain Store
Fish, Fire, Reg. Store
FFC Supply Store
TREASURY STORE.
Greek Reef

Period of Use	From	To
01/01	01/01	12/31
01/01	01/01	12/31
03/15	03/15	11/15
03/15	03/15	11/15
01/01	01/01	12/31
01/01	01/01	12/31
Totals:		

Rate of Diversion
Q (cts)

Annual Volume
V (a18)

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
_____	_____

1. AUTHENTICATION

Field Examiner's Name

Reviewer _____
Date _____

Wagner & Decker
Date 9-27-02

SEAL

DEC 3 2003
MICROFILM

E. NARRATIVE/REMARKS/COMMENTS

② There is no commercial for hotel and RV Parks. They are served from well and there is no well on this permit.

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

MICROFILMED
DEC 03 2003

F. FLOW CALCULATIONS

Measured Method: _____

Additional Computation Sheets Attached _____

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

2. Volume Calculations for Other Uses:

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

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Period of Use
From To

Rate of Diversion
Q (cfs)

Annual Volume
V (ata)

Totals:

2. Recommended Amendments

Change P.D. as reflected above

Add P.D. as reflected above

None

Change P.U. as reflected above

Add P.U. as reflected above

Other

I. AUTHENTICATION

Field Examiner's Name _____

Date _____

Reviewer _____

Date _____

MICROFILMED SEAL
DEC 9 3 2003

98-0774



Pond
in
Stream

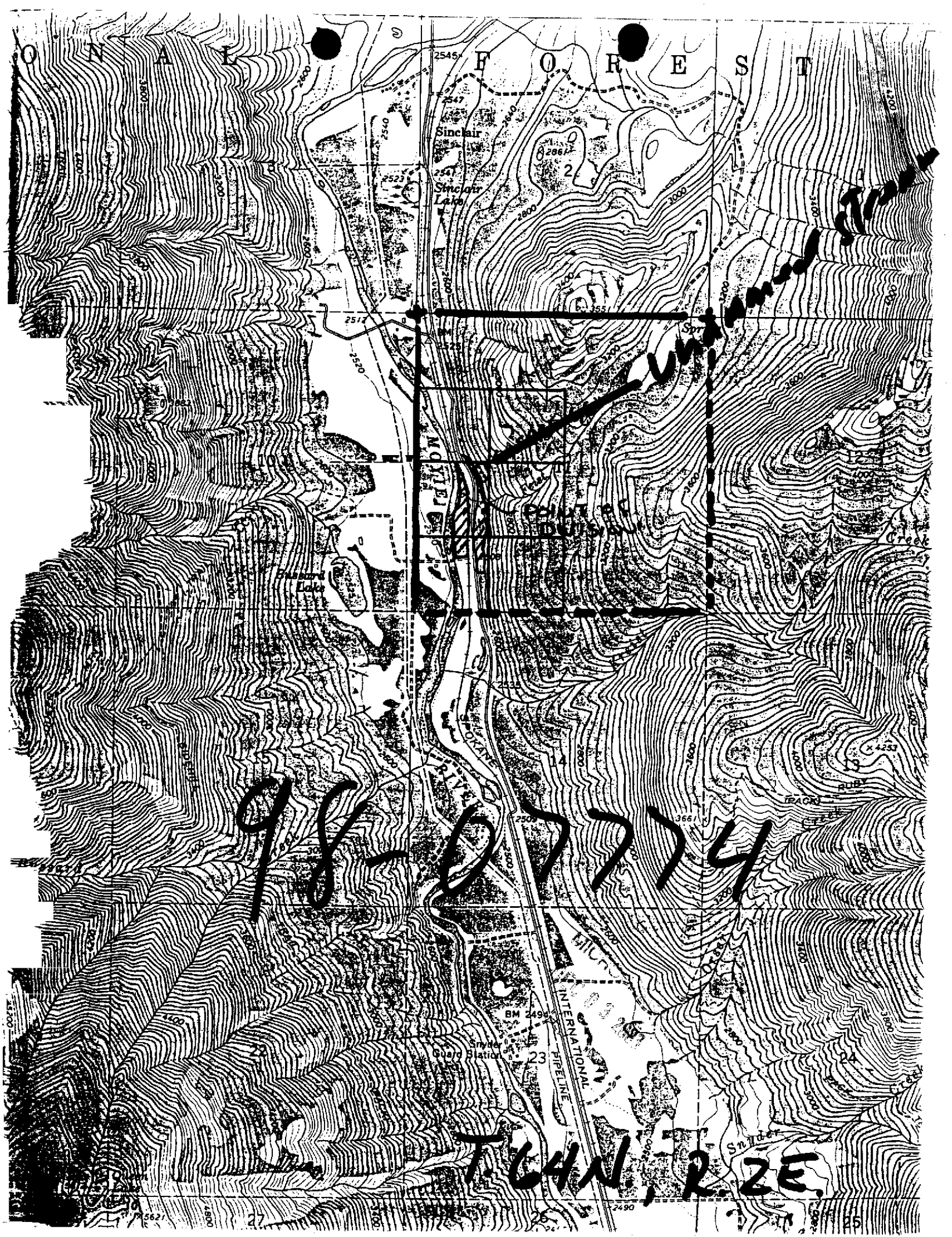
IRR + Storage

PJ
IRR

Div To Storage
from
unpaired stream

MICROFILM

DEC 03 2002



O N A L F O R E S T

Sinclair

Sinclair Lake

Point B
BUTLER

98-07774

Snyder
Guard Station

INTERNATIONAL
PIPELINE

T. 64N., R. 2E.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

January 24, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CLIFFORD R KRAMER
BOX 188
EASTPORT ID 83826-0188

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 98-07774

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

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,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.
c: IDWR - Regional Office

MICROFILMED

APR 9 1 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 98-7774

Reviewed By: dgibson

Date: January 24, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		N014085	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		12/28/2000
Date proof due	-	01/01/2001
No. of days late	=	0
Holiday allowance	+	
Priority date	+	07/16/1996
New priority date	=	07/16/1996

Deficiencies of Actions Items

Acknowledge proof.

January 5, 2001

CLIFFORD R KRAMER
P.O. BOX 188
EASTPORT, ID 83826-0188

LAPSE NOTICE

RE: PERMIT NO. 98-7774

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated October 31, 2000. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

APR 11 1991

CERTIFICATION OF MAILING

I hereby certify that on 1/5/01
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

D. J. Gibson

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

CLIFFORD KRAMER
PO BOX 188
EASTPORT ID 83826-0188

98-07774 (PofBU)

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

4a. Article Number

70993220000551788279

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

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

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

DEBORAH GIBSON
DEPARTMENT OF WATER RESOURCES
1801 N. ORCHARD ST.
BOISE, ID 83706-2237

MICROFILMED
APR 11 2001

RECEIVED

NOV 20 2000

Department of Water Resources



CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance)

Article Sent To:

Clifford Kramer

Postage

\$

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$

11/13/00

Postmark
Here

dg

MICROFILMED

Name (Please Print Clearly) (To be completed by mailer)

Street, Apt. No.; or PO Box No.

P.O. Box 188

City, State, ZIP+4

Eastport, Id. 83826-0188

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.

- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".

- If a postmark on the Certified Mail receipt is desired, please present the article at a post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720

Boise, Idaho 83720-0098

Return Service Requested
RECEIVED

NOV 09 2000

Department of Water Resources

CLIPPER MAIL



7099 3220 0005 5178 8200

cel

98-07774
11/19/92 sent to new address.
ag

MICROFILMED

KRAMOOLW 6364720.18 1.800 06 11/03/00
RETURN TO SENDER
KRAMER, CLIFFORD
PO BOX 166
EASTPORT ID 83826-0166

[Handwritten signature]

83720-0098

01



October 31, 2000

CLIFFORD R KRAMER
HC 1 BOX 439
NAPLES ID 83847

PROOF DUE NOTICE

RE: PERMIT NO. 98-07774

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 January 1, 2001.

(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.

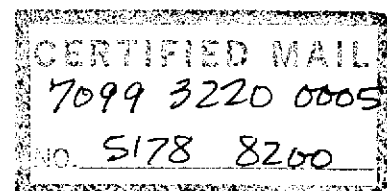
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

DEBORAH GIBSON
Administrative Assistant

Enclosures

MICROFILMED
APR 11 2001





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 17, 1997

CLIFFORD R KRAMER
HC 1 BOX 439
NAPLES ID 83847

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 98-07774

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permit.

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

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

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port, or to provide a certified measurement or computation of flow based upon the design of the system to be prepared by a professional engineer.

Please be advised that water quality is subject to regulations of the Idaho Department of Health and Welfare. We suggest that you check with them before starting construction.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosures

RECEIVED

JAN 21 1997

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

11/96

No.: 98-7774 Name: Kramer Date: 1/15/97 Ad OK? ☒ ☒ Gvmt Lts: _____

AREA OF CONCERN?

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

PROTESTED:

- 020 (Protest Agreement)

SYSTEM COMPLETED:

Yes/proof filed

- NA

1 year/no proof

- P16

+1 year

- 26A-P17

GROUNDWATER: ☒ FLO-CH

+ 0.2 cfs

- 01M

=/- 0.2 cfs

- No MD

=/+ 5 a.

- 01M, 065 (if GW use SW 1st)

DRILLING PERMIT:

Existing well

- NA (pre 7/1/87)

Included w/permit

- Permit No. _____, P99

No WD permit?

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

irr. in WD

- P05 (new well)

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

Water District (~~dom~~)

- 005 (req) WD # _____ <SEE MAP & LISTING>

+ 0.2 cfs

- 01J (meas dev)-P08

=/- 0.2 cfs

- 01H (lock dev)-P01 or No MD

In-WD + 0.2 cfs

- ~~01M~~ or No MD (in-stream stock or domestic)

- 0.2 cfs

- No MD

=/+ 5 a. irr.

- 01M

RIVER BASINS (*Surface water):

Snake R (01)

- 11A-P04, NA

(02/03-irr)

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

Boise River (63)

- 05A (if WD), 11E (not 42-111 use), NA

Payette River (65)

- 064 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic (surface)

- *WB5 (Boise River above Star Bridge); 27A (Payette River); NA

Fish Propagation

- ~~07A-042~~ (req)-010/06A/005/006/007/008/009/010/011/012/013/014/015/016/017/018/019/020/021/022/023/024/025/026/027/028/029/030/031/032/033/034/035/036/037/038/039/040/041/042/043/044 (North of 1000 Springs)

Irr <POU> =/- 5 a

- 057 (0.03 cfs/acre)

+ 5 a

- ~~03A~~ (0.02 cfs/acre)

Mining

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

Power

- ~~08A-17K-025-027-028-01F~~ P19-09E(P10)

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

Storage (☒ 3 compo.)

- ~~072~~ (req); 18A (multiple MD within district), 18B-P09 (+10' dam),

LOCATION:

42-248 area

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

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: Non-owner

- 004 (PD/PU)

OTHER CONDITIONS:

- 077

STANDARD REMARKS:

- ① WB5/1 ② Comm/15 unit RV + lodge ③ Rec/swimming ④ Power/private

BENEFICIAL USE DUE:

- 1-1-2001

COMMENTS:

* These conditions conflict with other uses or conditions and therefore were omitted. CSZ

MEMORANDUM

DATE: January 15, 1997
TO: File No. 98-07774
FROM: Cindy Zimmerman S.
RE: Clarifications to application

During the review of this application, I had many questions regarding the proposed diversion of water from multiple sources to multiple uses. For clarification of the proposed development, I called Alan Beardslee in Northern Region who assisted the applicant.

The clarifications were made to the application to assist permit processing based on the following information from Al:

- The all storage is in the same facility and occurs year round.
- Unnamed streams (tributary to Feist Creek downstream of dam) will be diverted to an on-stream reservoir (9') on Feist Creek. Diversion to storage (from unnamed streams) at 1.0 cfs should be included. Pond (storage) capacity is 1.0 AF.
- Storage water will be diverted to all uses except power.
- Power use is generated from Feist Creek and will be used in both ¼¼'s.
- Power use is for private use on site. Source is non-navigable stream.
- Moyie River will only be diverted to the raceways not to the pond or to other uses.
- Applicant intends to develop 5 raceways approximately 16'x 60' x 6' in size.
- Domestic use does not include any irrigation. Domestic use should be limited to 0.02 cfs. Domestic storage and domestic from storage should be limited to 0.6 AF.

2/10/97

10701 617



RECEIVED

DEC 23 1996

Department of Water Resources

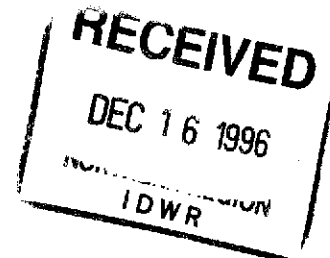
IDAHO FISH & GAME

PANHANDLE REGION
2750 Kathleen Avenue
Coeur d'Alene, Idaho
83814

Phone (208) 769-1414 • Fax (208) 769-1418

Philip E. Batt / Governor
Jerry Mallet / Acting Director
December 9, 1996

Mr. Robert G. Haynes
Idaho Department of Water Resources
1910 Northwest Boulevard, Suite 210
Coeur d'Alene, ID 83814



Dear Bob:

REFERENCE: 98-07774 KRAMER / FEIST CREEK

We reviewed the water right application by Mr. Kramer to divert and store water (1.00 cfs) from Feist Creek, unnamed springs, and the Moyie River for fish propagation, irrigation, and other purposes. Our primary concern with the proposal is the height and location of the storage dam and the potential for failure, which could negatively impact downstream aquatic habitats. We also have some concern that nutrients from the fish propagation facilities may be detrimental to water quality in the Moyie River during low flow periods.

We recommend Mr. Kramer have his dam professionally designed to minimize the potential for failure. Assistance may be available from the Natural Resources Conservation Service, or by hiring a qualified engineer. The dam should not be located on the main channel of Feist Creek unless the applicant can demonstrate anticipated peak flows will not place the structure at risk for failure.

Mr. Kramer should contact this office prior to stocking any fish to make sure he is in compliance with permitting requirements for transporting and stocking fish. The Corps of Engineers should be contacted to make sure wetlands are not degraded or are adequately compensated for.

Thanks for the opportunity to comment.

Sincerely,

Greg Tourtlotte
Regional Supervisor

GIT:CEC:kh

C: Cal Groen, IDFG, Boise
DEQ Coeur d'Alene
Corps of Engineers, Coeur d'Alene
NRCS, Bonners Ferry



No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

APPLICATION # 98-07774

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

APPLICANT: KRAMER BY: AB DATE: 7/16/96

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

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

PROCESSING

Yes No

PRIORITY DATE: 7/16/96

☒ (Include Moratorium Remark)

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

BF/Wed/ok

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)

- ☒ 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
12/5 ☒ Affidavit of publication received
12/5 ☒ Application published correctly, If not, record action taken: _____

11/13 ☒ Publication dates and paper recorded on application | Sr. Agent initial AB

☒ Protests received. Final protest date: 12/29/96

☒ Measuring device required

☒ Measuring port required

☒ Special conditions: _____

☒ Special conditions of approval and/or cover letter attached:

Approval Recommended by: AB ASW Date: 12/11/96

DEC 18 1996

Department of Water Resources

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Boundary,

David Keys 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:

3441 Water Right - Kramer

as it was published in the regular and entire issue of the

said paper for a period of 2 consecutive weeks,

commencing on 11 day of Nov, 1996

and ending on the 27 day of Nov, 1996

and that said notice was published in said newspaper.

Dated: Nov 27, 1996

David Keys

Subscribed and sworn to before me this 27 day

of November, 1996.

Joan L. Driel
Notary Public for Idaho

Residing at Bonners Ferry

My Commission expires: 7/22/2002

NOTICE OF APPLICATION FOR
WATER RIGHT

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

98-07774

KRAMER, CLIFFORD R

HC-01 BOX 439

NAPLES, ID 83847

Source: UNNAMED STREAMS

Tributary: FEIST CREEK

Source: MOYIE RIVER

Tributary: KOOTENAI RIVER

Source: FEIST CREEK

Tributary: MOYIE RIVER

Diversion Pt: NWSW Sec 11 T

64N R 02E in BOUNDARY County.

NENWSW Sec 11 T

64N R 02E in BOUNDARY County.

Use: IRRIGATION (0.300 CFS)

IRRIGATION STORAGE (1.00 AF)

IRRIGATION FROM STORAGE

(1.00 AF)

COMMERCIAL (0.400 CFS)

COMMERCIAL STORAGE (1.00 AF)

COMMERCIAL FROM STORAGE

(1.00 AF)

FISH PROPAGATION (0.500 CFS)

FISH PROP STORAGE (1.00 AF)

FISH PROP FROM STORAGE

(1.00 AF)

POWER (0.500 CFS)

DOMESTIC (0.040 CFS)

DOMESTIC STORAGE (1.00 AF)

DOMESTIC FROM STORAGE

(1.00 AF)

RECREATION (0.500 CFS)

RECREATION STORAGE (1.00 AF)

RECREATION FROM STORAGE

(1.00 AF)

FIRE PROTECTION (1.000 CFS)

FIRE PROTECTION STORAGE

(1.00 AF)

FIRE PROTECT. FROM STOR.

(1.00 AF)

Total Diversion: (1.000 CFS)

(0.50 AF)

Date Filed: 7/16/1996

In: BOUNDARY County

T64N R02E S11 NWSW SWSW

15.0 ACRES TOTAL

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

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the applicant and with the
Director, Dept. of Water Resources,
Northern Region, 1910 Northwest
Blvd., Suite 210, Coeur d'Alene, Ida-
ho 83814, together with a protest fee
of \$25.00 on or before DECEMBER
9, 1996.

KARL J. DREHER, Director

BFH#3441 November 11 & 27, 1996

RECEIVED

DEC 05 1996

IDWR

98-07774

KRAMER, CLIFFORD R
HC-01 BOX 439
NAPLES, ID 83847

Source: UNNAMED STREAMS
Source: MOYIE RIVER
Source: FEIST CREEK

Tributary: FEIST CREEK
Tributary: KOOTENAI RIVER
Tributary: MOYIE RIVER

Diversion Pt: NWSW Sec 11 T 64N R 02E in BOUNDARY County.
NENWSW Sec 11 T 64N R 02E in BOUNDARY County.

Use: IRRIGATION	(	0.300 CFS)		
IRRIGATION STORAGE			(	1.00 AF)
IRRIGATION FROM STORAGE			(	1.00 AF)
COMMERCIAL	(	0.400 CFS)		
COMMERCIAL STORAGE			(	1.00 AF)
COMMERCIAL FROM STORAGE			(	1.00 AF)
FISH PROPAGATION	(	0.500 CFS)		
FISH PROP. STORAGE			(	1.00 AF)
FISH PROP. FROM STORAGE			(	1.00 AF)
POWER	(	0.500 CFS)		
DOMESTIC	(	0.040 CFS)		
DOMESTIC STORAGE			(	1.00 AF)
DOMESTIC FROM STORAGE			(	1.00 AF)
RECREATION	(	0.500 CFS)		
RECREATION STORAGE			(	1.00 AF)
RECREATION FROM STORAGE			(	1.00 AF)
FIRE PROTECTION	(	1.000 CFS)		
FIRE PROTECTION STORAGE			(	1.00 AF)
FIRE PROTECT. FROM STOR			(	1.00 AF)
Total Diversion:	(	1.000 CFS)	(	0.50 AF)

Date Filed: 7/16/1996

In: BOUNDARY County
T64N R02E S11 NWSW SWSW

15.0 ACRES TOTAL

FILED
MAR 11 1997

November 13, 1996

Clifford R. Kramer
HC 01 BOX 439
Naples ID 83847

Re: Water Appropriation Application No. 98-07774

Dear Mr. Kramer::

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 N010446.

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

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

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

If your source is groundwater, a separate well drilling permit is required for all wells constructed after July 1, 1987.

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$35.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. It is possible to upgrade a Domestic Drilling Permit by submitting an additional \$165.00. These Permits can be obtained by your driller, also.

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

November 12, 1996

Idaho Department of Fish and Game
2750 Kathleen Ave.
Coeur d'Alene, ID 83814

Re: Water Right Application No. 98-07774 - Clifford Kramer

Dear Department of Fish and Game:

Enclosed for your information is a copy of the above references application for a water right.

If you have any comments, please contact our office prior to December 9, 1996, which would be the last date for comments and protests concerning this application.

Thank you.

Sincerely,

Allen Beardslee
Senior Water Resource Agent

AB:db

Enc.

NOV 15 1996
FISH & GAME
COEUR D'ALENE

MEMORANDUM

DATE: October 11, 1996

FROM: Allen Beardslee

TO: 98-07774

RE: Phone conversation

~~~~~

Mr. Kramer called me regarding a letter I sent him, which is dated July 23, 1996.

He asked me to change the "springs" sources to "unnamed streams", which I did. He further stated that he wished to apply for 80 KW/day for the power generation. And, he said that he would sent the Affidavit of Residency to me ASAP.

July 23, 1996

Mr. Clifford R. Kramer  
HC-01 Box 439  
Naples ID 83847

RE: Application for Permit

Dear Mr. Kramer:

We are writing in regard to your Application for Permit Number 98-07774 concerning the power and fish propagation uses. Your filing has been accepted, however, we do need some additional information.

Enclosed you will find a work sheet for determining hydropower production requirements for an individual system. Hopefully, this will help aid you in determining the kilowatts necessary for your system. Also, please find the enclosed Affidavit of Residence form. Please sign before a Public Notary and return it to this office with a letter describing the number of kilowatts you wish to file for.

A copy of your Application for Permit will be provided to Idaho State Fish and Game and Idaho Health and Welfare, Department of Environment Quality, for consideration of their agencies comments regarding water quality and fisheries.

If you have any questions, please feel free to contact me at this office.

Sincerely,

Allen Beardslee  
Sr. Water Resource Agent

100-11110

100-11110

July 9, 1996

Clifford Kramer  
HC-01 Box 439  
Naples ID 83847

RE: Application for Permit 98-07774

Dear Mr. Kramer:

Please find the enclosed Application for Permit that I generated on our computer for you. You may review all the information, make any necessary changes and send it back to this office with the \$100.00 filing fee.

I enjoyed seeing you and thanks again for the helicopter ride into your property on the Moyie River.

Please call me if you have any questions.

Sincerely,

Allen Beardlsee  
Sr. Water Resource Agent

[illegible]

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
OPEN CHANNEL DISCHARGE MEASUREMENT NOTES

CLAIM / WATER RIGHT NUMBER:

|                             |  |              |       |    |             |         |     |       |     |
|-----------------------------|--|--------------|-------|----|-------------|---------|-----|-------|-----|
| SOURCE:                     |  |              |       |    |             |         |     |       |     |
| TRIBUTARY TO:               |  |              |       |    |             | COUNTY: |     |       |     |
| DATE:                       |  | LOCATION: T. |       | R. | SEC.        | ,       | 1/4 | 1/4   | 1/4 |
| LOCATION NOTES:             |  |              |       |    |             |         |     |       |     |
| PERSON(S) CONDUCTING MEAS.: |  |              |       |    |             |         |     |       |     |
| ACCOMPANIED BY:             |  |              |       |    |             |         |     |       |     |
| MEAS. DEVICE                |  |              |       |    | I.D. NO.    |         |     |       |     |
| SPIN TEST: BEFORE MEAS.     |  |              |       |    | AFTER MEAS. |         |     |       |     |
| COMPUTED BY:                |  |              | DATE: |    | CHECKED BY: |         |     | DATE: |     |

| WIDTH: | AREA:  | VEL.: | DISCHARGE: |
|--------|--------|-------|------------|
| 1.00   | 1.00   | 1.00  | 1.00       |
| 2.00   | 4.00   | 2.00  | 4.00       |
| 3.00   | 9.00   | 3.00  | 9.00       |
| 4.00   | 16.00  | 4.00  | 16.00      |
| 5.00   | 25.00  | 5.00  | 25.00      |
| 6.00   | 36.00  | 6.00  | 36.00      |
| 7.00   | 49.00  | 7.00  | 49.00      |
| 8.00   | 64.00  | 8.00  | 64.00      |
| 9.00   | 81.00  | 9.00  | 81.00      |
| 10.00  | 100.00 | 10.00 | 100.00     |

CROSS SECTION: \_\_\_\_\_  
FLOW CONDITIONS: \_\_\_\_\_  
DIVERSIONS UPSTREAM: \_\_\_\_\_  
REMARKS: \_\_\_\_\_

## SYSTEM DIAGRAM

10. 11. 2019