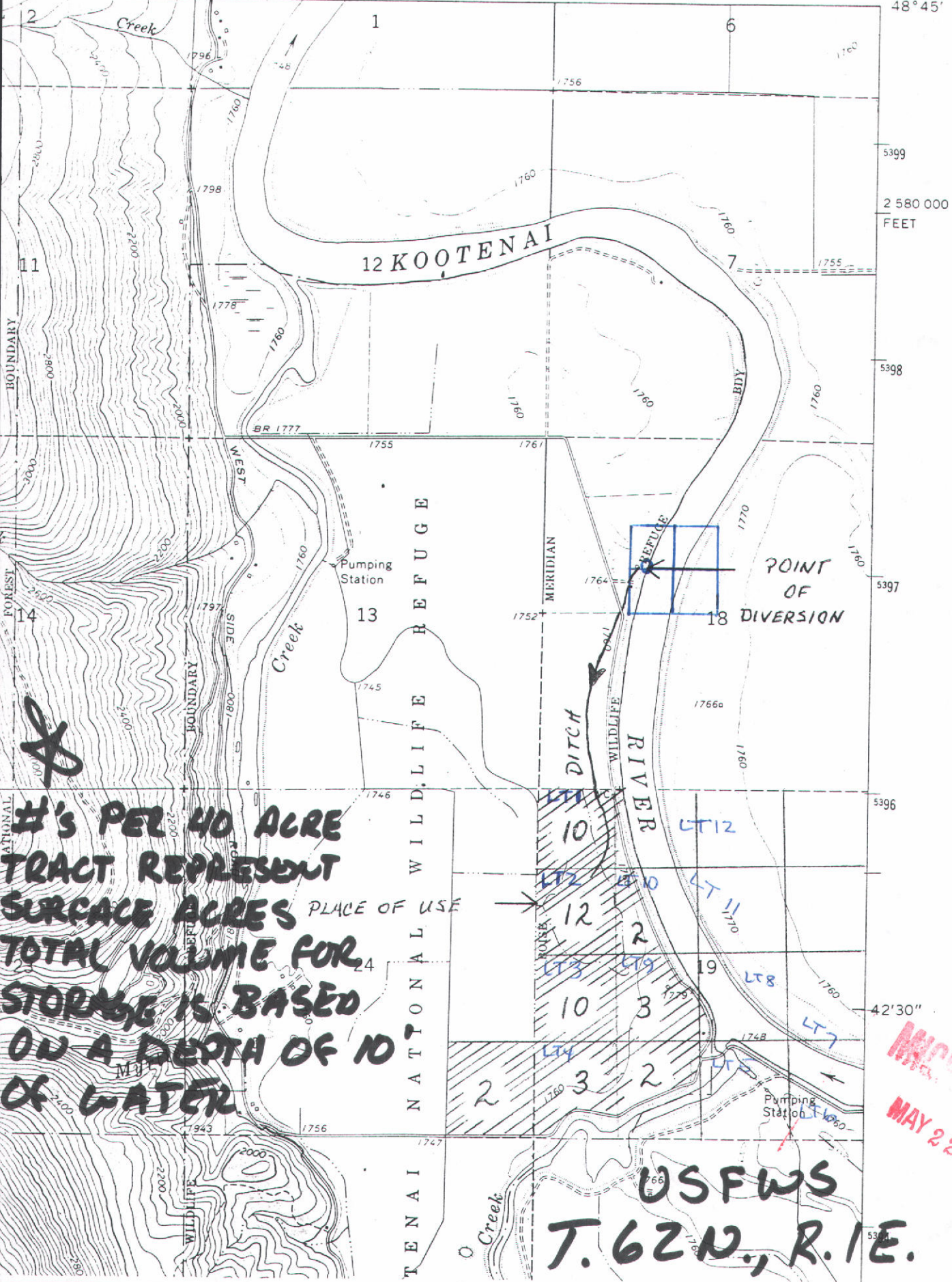


MORAVIA QUADRANGLE
IDAHO-BOUNDARY CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

2781 IV SE
(RITZ)

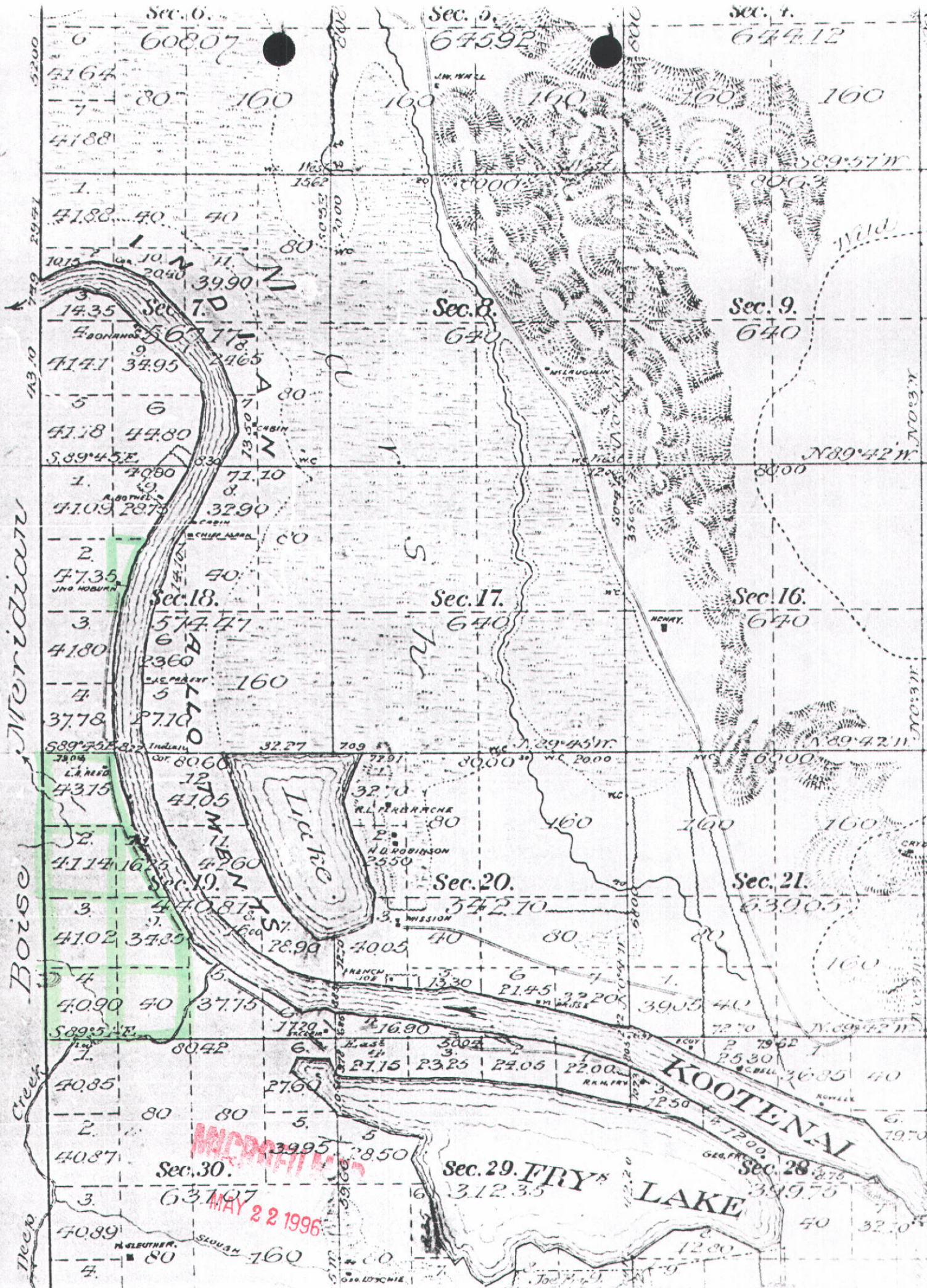
42 COPELAND 14 MI. 25' 543 340 000 FEET 544 R.1W. R.1E 545 116° 22' 30" 48° 45' 2 580 000 FEET



#'s PER 40 ACRE TRACT REPRESENT SURFACE ACRES TOTAL VOLUME FOR STORAGE IS BASED ON A DEPTH OF 10' OF WATER

USFWS
T. 62N., R. 1E.

MAY 22 1996



KOOTENAI NATIONAL WILDLIFE REFUGE

UNITED STATES
DEPARTMENT OF THE INTERIOR
116° 26'

BOUNDARY, COUNTY, IDAHO

U. S. FISH AND WILDLIFE SERVICE

RIW

116° 24'

RIE

116° 22' 116° 21' 41.7"



48° 44'

48° 44'

T
62
N

T
62
N

48° 42'

48° 42'

48° 41'

48° 41'

116° 26'

116° 25'

RIW

RIE

116° 23'

116° 22' 116° 21' 41.7"

COMPILED IN THE BRANCH OF ENGINEERING
FROM SURVEYS BY AERIAL PHOTOGRAPHY, U.S. CE.
F.B.W.S., B.L.W., AND THE IDAHO DEPT. OF HWYS

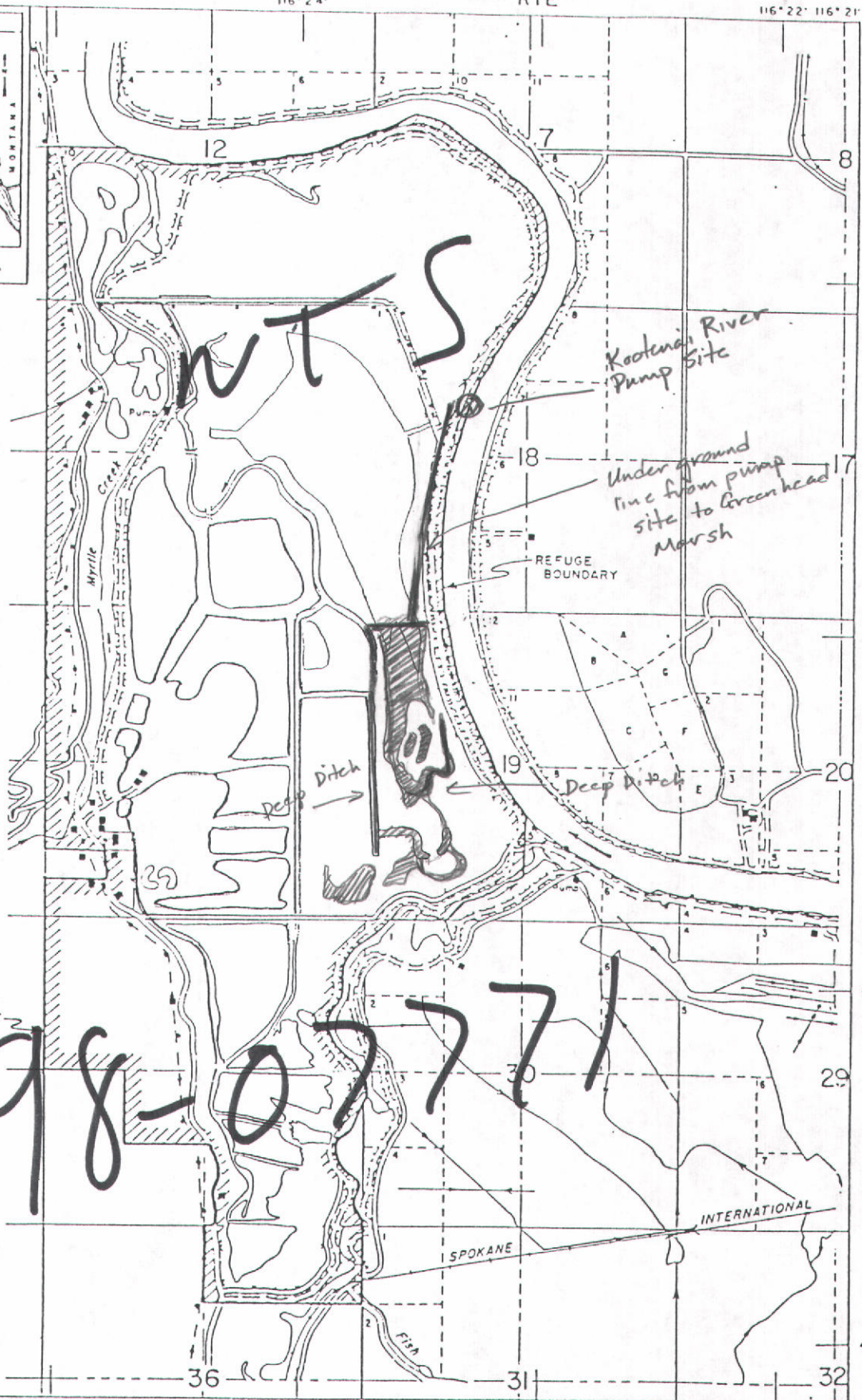
BOISE MERIDIAN

PORTLAND, OREGON

APRIL, 1969



IR IDA 679 414



2781 IV SF
(RITZ)

98-07771



98-07771

Flow
meter

FOR OFFICE USE ONLY
 Amt. of Fee \$: 250.00
 Receipt No. N014990
 Receipt By: do
 Date Received: 5/8/02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
MAY 08 2002
IDWR/North

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. 98-07771 Telephone No. (503) 231-2057
2. Name of Permit Holder(s): U.S. Department of Interior, Fish and Wildlife Service
3. Mailing Address: 911 N.E. 11th Avenue
City Portland State OR Zip 97232-4181
4. Source of Water: Kootenai River If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ 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): _____ Other: Wildlife, Wildlife Storage, and Diversion to Storage
6. Total rate of diversion and/or volume for which proof is submitted: 6.99 cfs OR 444 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 X or No _____
Has the measuring device been installed? Yes X or No _____
8. Fee Enclosed: \$ 250.00 (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: Aaron Drew (Refuge Manager) Telephone Number: (208) 267-3888
Address: HCR 60 Box 283, 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 water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.
- Signature of permit holder: [Signature], Agent for U.S. Fish & Wildlife Service Date: 5/6/02
(include your title, if on behalf of company or organization)

MICROFILMED
OCT 17 2002

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
98-07771 IN THE NAME OF) **REINSTATEMENT ORDER**
US DEPT. OF INTERIOR, FISH)
AND WILDLIFE SERVICES)
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before May 1, 2002; and,

WHEREAS, the Department notified the permit holder on February 28, 2002 by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

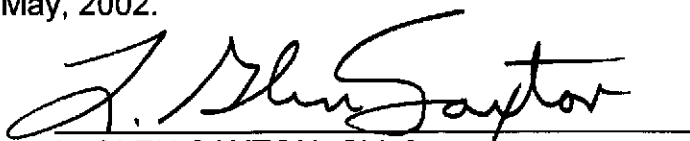
WHEREAS, the Department sent the permit holder a lapse notice on May 9, 2002, since it had not received an acceptable proof of beneficial use statement or extension of time; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on May 8, 2002;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 98-07771 is **REINSTATED** with an advance in priority to **March 28, 1996**.

DATED this 14th day of May, 2002.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

OCT 17 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 30 1999

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 98-07771

Name(s) of Permit Holder: U.S. Department of Interior, U.S. Fish and Wildlife Service

Mailing Address: 911 NE 11th Avenue Portland, OR 97232-4181

Date Proof is Due: May 1, 1999 Telephone No. (503) 231-6251

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

Ditch and pipeline have been constructed to convey water to new marsh. Dike and water
control structures have been constructed in new marsh to retain water.

Costing \$

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Pump has not been installed yet because river level has not dropped low enough.

We anticipate installing the pump this fall.

Permit holder(s) request an extension to May 1, 19 2004.

FEE: \$50.00

Tim Mager
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to May 1, 2002.
IT IS FURTHER ORDERED the permit be REINSTATED with no advance in priority.

MICROFILMED

NOV 12 1999

Signed this 2nd day of November, 19 99

A. Glen Saxton
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 98-07771

Proposed Priority: March 21, 1996

Maximum Diversion Rate:

6.99 CFS

This is to certify, that US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
911 NE 11TH ST
PORTLAND OR 97232-4181

has applied for a permit to appropriate water from:

KOOTENAI RIVER

tributary of COLUMBIA 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>
WILDLIFE	01/01 to 12/31	6.99 CFS	
WILDLIFE STORAGE	01/01 to 12/31		444.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	6.99 CFS	
	Totals	6.99 CFS	

LOCATION OF POINT(S) OF DIVERSION: Lot 2(SENW), Sec. 18, Township 62N, Range 01E
BOUNDARY County

PLACE OF USE: WILDLIFE

TWN RGE SEC

62N 01E 19	Lot 1(NWNW)	Lot 2(SWNW)	Lot 10(SENW)
	Lot 9(NESW)	Lot 3(NWSW)	Lot 4(SWSW)
	SESW		
01W 24	SESE		

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1999.
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. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.

MAY 22 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 98-07771

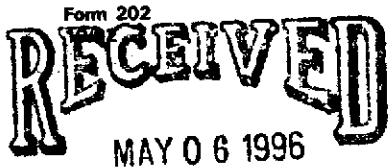
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Witness the signature of the Director, affixed at Boise, this

14th day of May, 1996

for J. Drew Saxton
Karl J. Dreher, Director

RECEIVED
MAY 22 1996



Ident. No. 98-07771

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho
Department of Water Resources

1. Name of applicant U.S. FISH AND WILDLIFE SERVICE, D.O.I. Phone 503-231-⁶²⁵¹~~6145~~
Post office address 911 NE 11TH AVENUE, PORTLAND, OR 97232-4181

2. Source of water supply KOOTENAI RIVER which is a tributary of COLUMBIA RIVER

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot 2 ^{*}
Sec. 18 Township 62N Range 1E B.M. BOUNDARY County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 6.99 for WILDLIFE purposes from JAN. 1 to DEC. 31 (both dates inclusive)
(cfs or acre-feet per annum) STORAGE FOR

Amount 444 for WILDLIFE purposes from JAN. 1 to DEC. 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated is (a) 6.99 and/or (b) 444
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 16" VERTI-LINE PUMP POWERED BY A 30 HP MOTOR.
A SYSTEM OF 3 DITCHES W/ 24" STOP-LOG STRUCTURES TO DISTRIBUTE WATER TO PONDS
AND WETLANDS.

b. Height of storage dam _____ feet; active reservoir capacity 444 acre-feet; total
reservoir capacity 444 acre-feet; period of year when water will be diverted to storage:
Y, to 12/31 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? _____

e. If well is already drilled, when? _____; Drilling firm MAY 22 1996 _____;
Well was drilled for (well owner) _____

7. Time required for the completion of the works and application of the water to be proposed beneficial use is
4 years (minimum 1 year).

* per government lots map 5/2/96.

a. Hydropower; show total feet of head and proposed capacity in kW.

b. Stockwatering; list number and kind of livestock.

c. Municipal; show name of municipality.

d. Domestic; show number of households.

e. Other; describe fully. REQUESTED VOLUME IS BASED ON PRELIMINARY ESTIMATE OF THE

WATER NEEDED TO MAINTAIN THE WETLANDS, SEEPAGE LOSSES ARE EXPECTED TO BE HIGH.

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 column.

ponding place of use below. See instructions for standard symbols.

[illegible]

W = WILDLIFE + STORAGE FOR WILDLIFE

10. Describe any other water rights used for the same purposes as described above. CLAIM # 98-4113; LICENSE # 98-7003, 98-7006, 98-7004, 98-7366.

LICENSE # 98-7003, 98-7006, 98-7004, 98-7366.

11. a. Who owns the property at the point of diversion?

b. Who owns the land to be irrigated or place of use?

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing.

12. Remarks:	PROPOSE TO DEVELOP ADDITIONAL WETLAND HABITAT FOR WILDLIFE.
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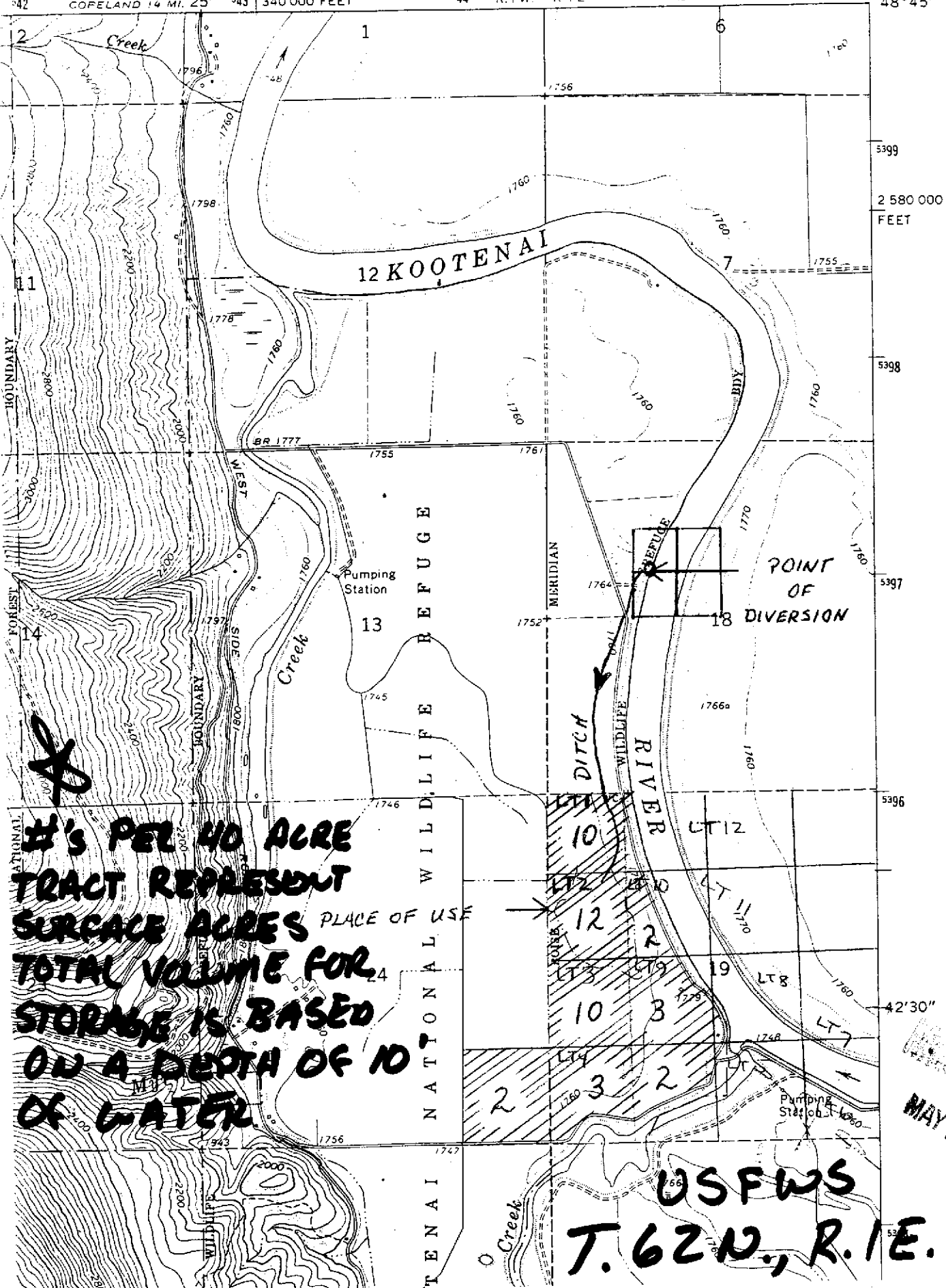
~~* per government lot plat c.s. 5/7/90~~

9661 3 8 11/11

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

2781 IV SE
(RITZ)

42 COPELAND 14 MI. 25' 543 340 000 FEET 544 R.1W R.1E 545 116°22'30" 48°45'



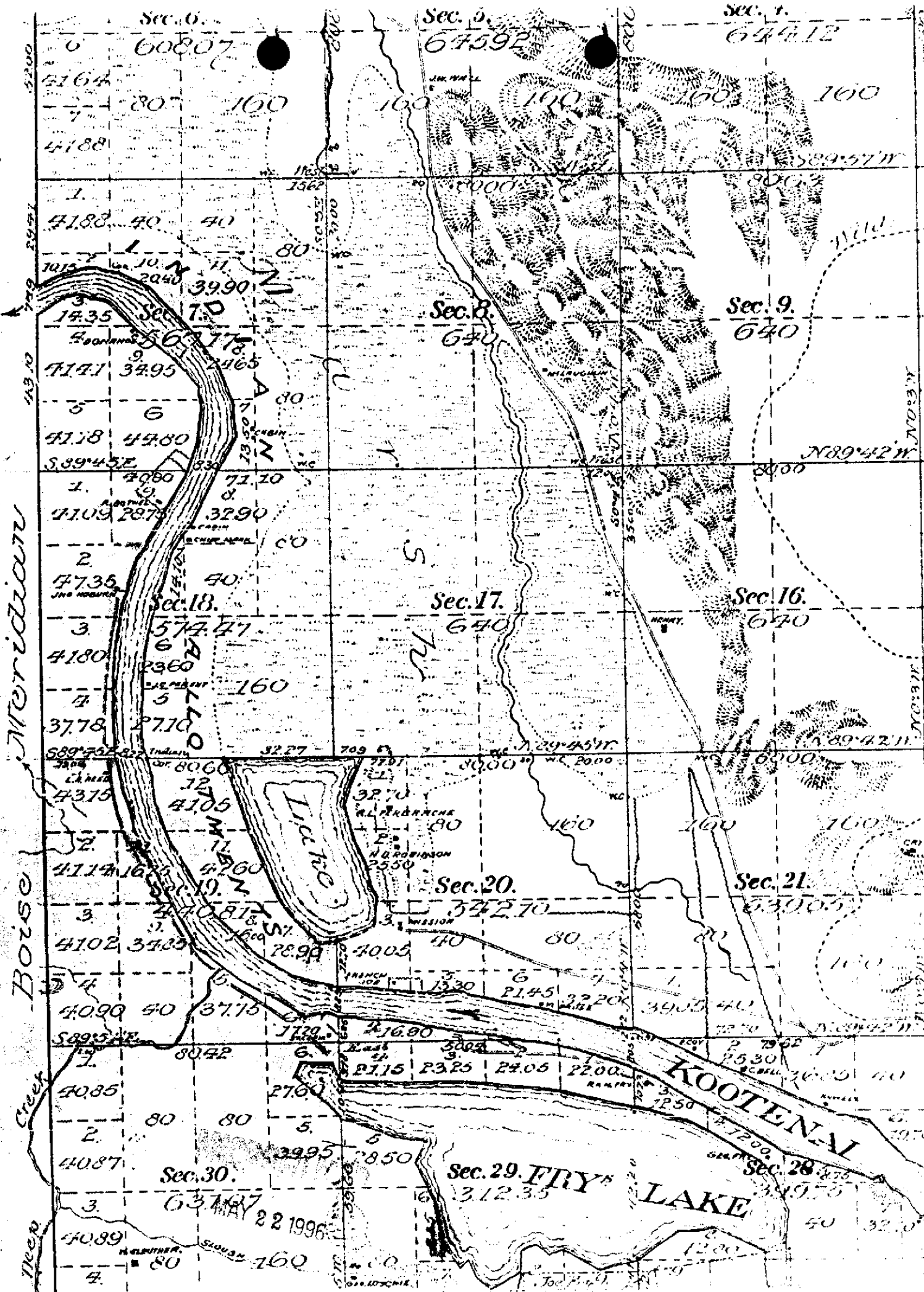
#'s PER ACRE
TRACT REPRESENT
SURFACE ACRES
TOTAL VOLUME FOR
STORAGE IS BASED
ON A DEPTH OF 10
OF WATER

PLACE OF USE →

10	12	2	10	3	2
12	12	2	10	3	2
10	12	2	10	3	2
10	12	2	10	3	2

USFWS
T.62N., R.1E.

MAY 22 1965



Sec. 6.

Sec. 8.

Sec. 9.

60807

67592

64412

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SEE ATTACHED MAP

[illegible]

hereby makes application

MAY 22 1996

Tim Manger
(Applicant)

MAY 22 1996

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

Idaho No. _____, and said application is hereby _____

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

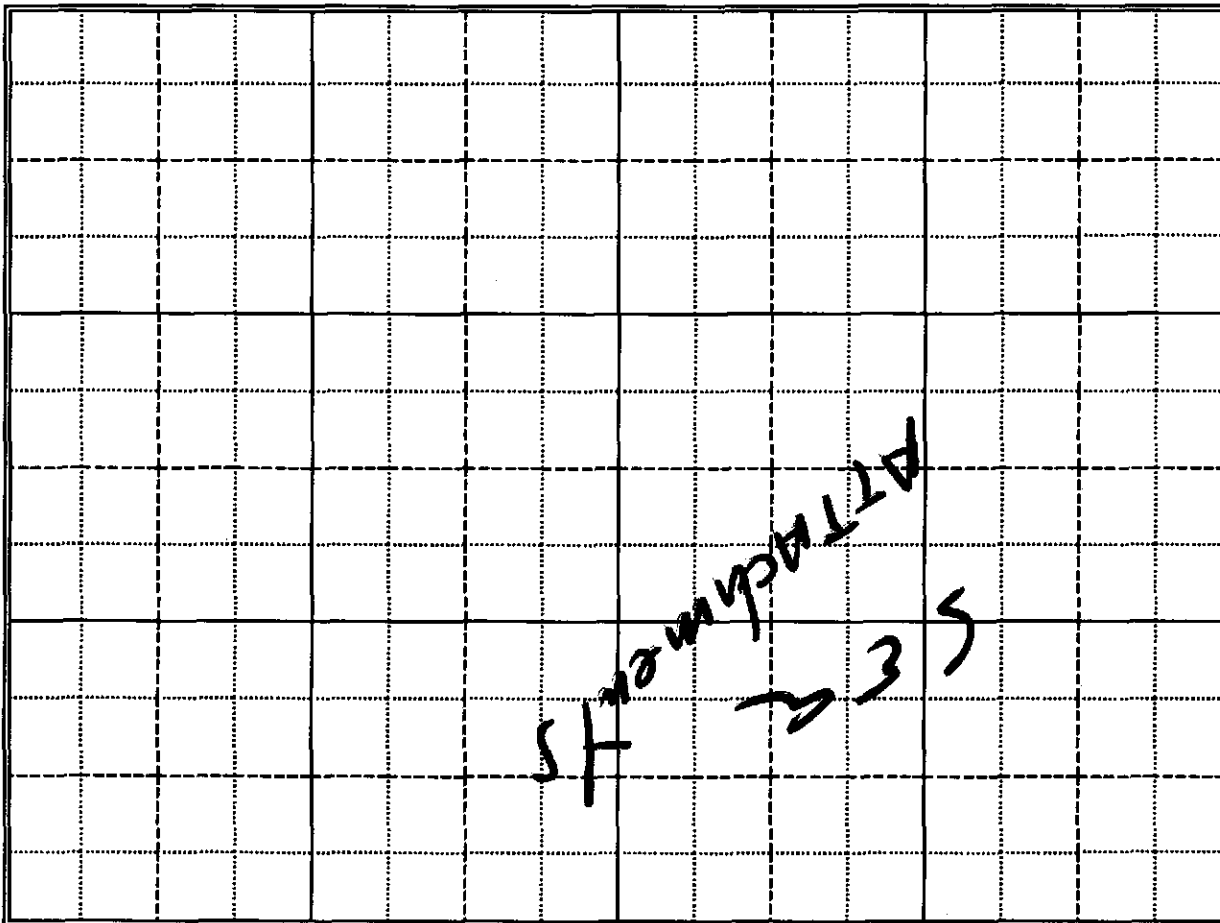
d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim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

e. Other: _____

Received by	_____	Date	3/21/96
Fees	420	Received by	_____
		Date	3/21/96
		Preliminary check by	_____
		Date	3/21/96
		Published in	BF Number 413 v10/96
		Date	3/26/96
		Publication prepared by	_____
		Date	3/20/96
		Publication approved by	_____
		Date	_____

[illegible]

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
	US Motor	60	W C		18"

*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

KOOTENAI NATIONAL WILDLIFE REFUGE

UNITED STATES
DEPARTMENT OF THE INTERIOR
116° 26'

BOUNDARY, COUNTY, IDAHO

U.S. FISH AND WILDLIFE SERVICE

RIW

116° 24'

RIE

116° 22' 116° 21' 41.7"

46° 44'

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48° 42'

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48° 40'

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RIE

116° 23'

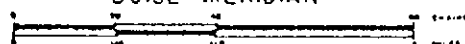
116° 22' 116° 21' 41.7"

COMPILED IN THE BRANCH OF ENGINEERING
FROM SURVEYS BY AERIAL PHOTOGRAPHY, U.S.G.S., C.E.
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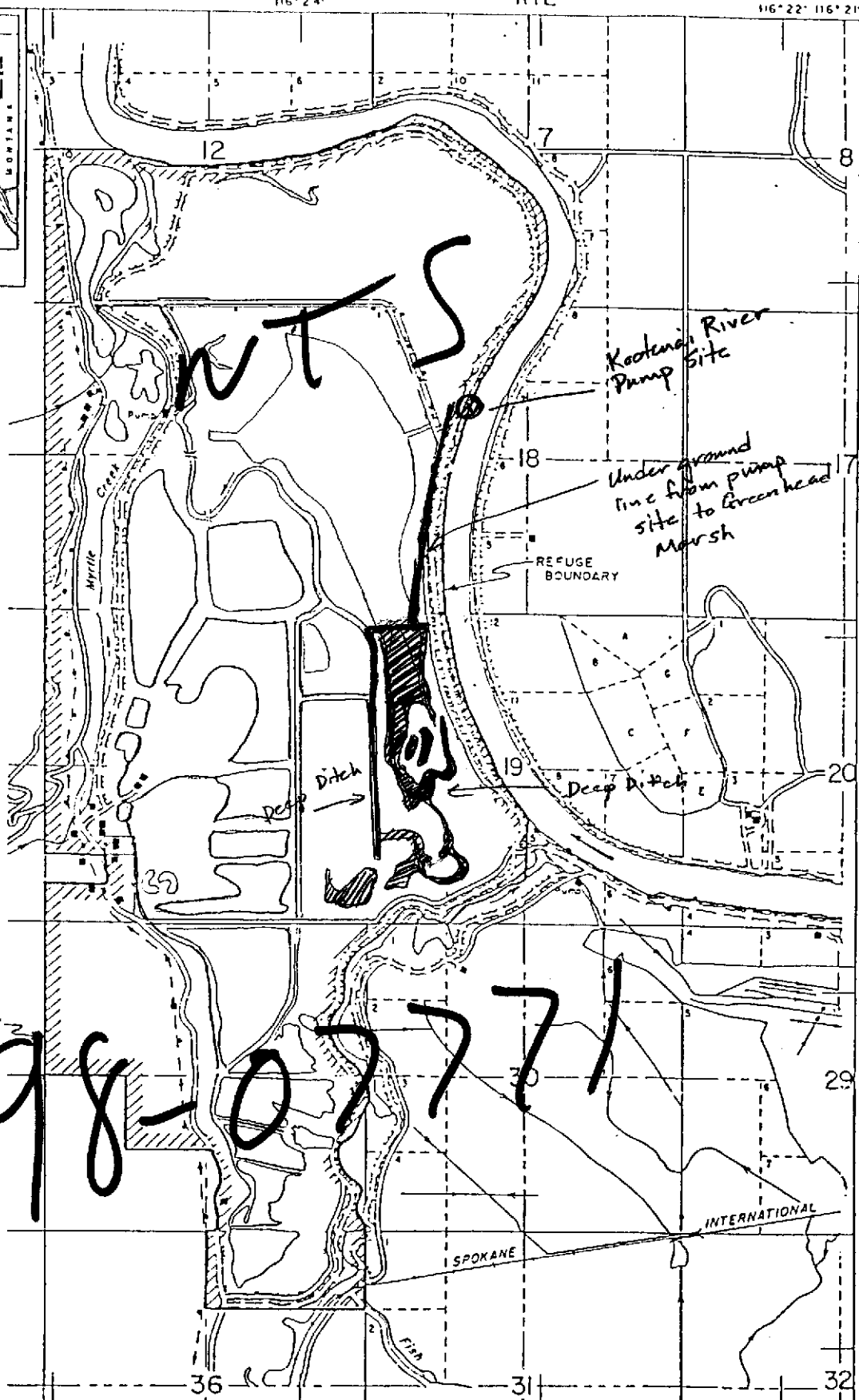
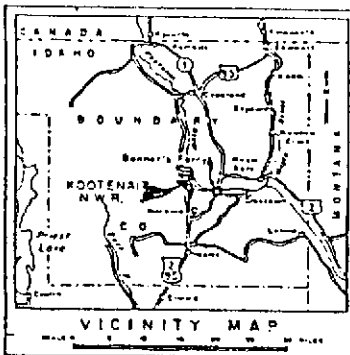
BOISE MERIDIAN

PORTLAND, OREGON

APRIL, 1969



IR 104 679 414



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

2781 IV 36
(R172)

42 COPELAND 14 MI. 25' 543 340 000 FEET

544 R.1 W. R.1 E 545

116° 22' 30" 48° 45'

98-07771

5399
2 580 000
FEET

~~These figures
↓
are per acre
and represent
actual acres
total volume for
storage is based
on a depth of 10
feet water~~

PLACE OF USE

WILDLIFE REFUGE
NATIONAL
ENAI

POINT OF DIVERSION

DITCH

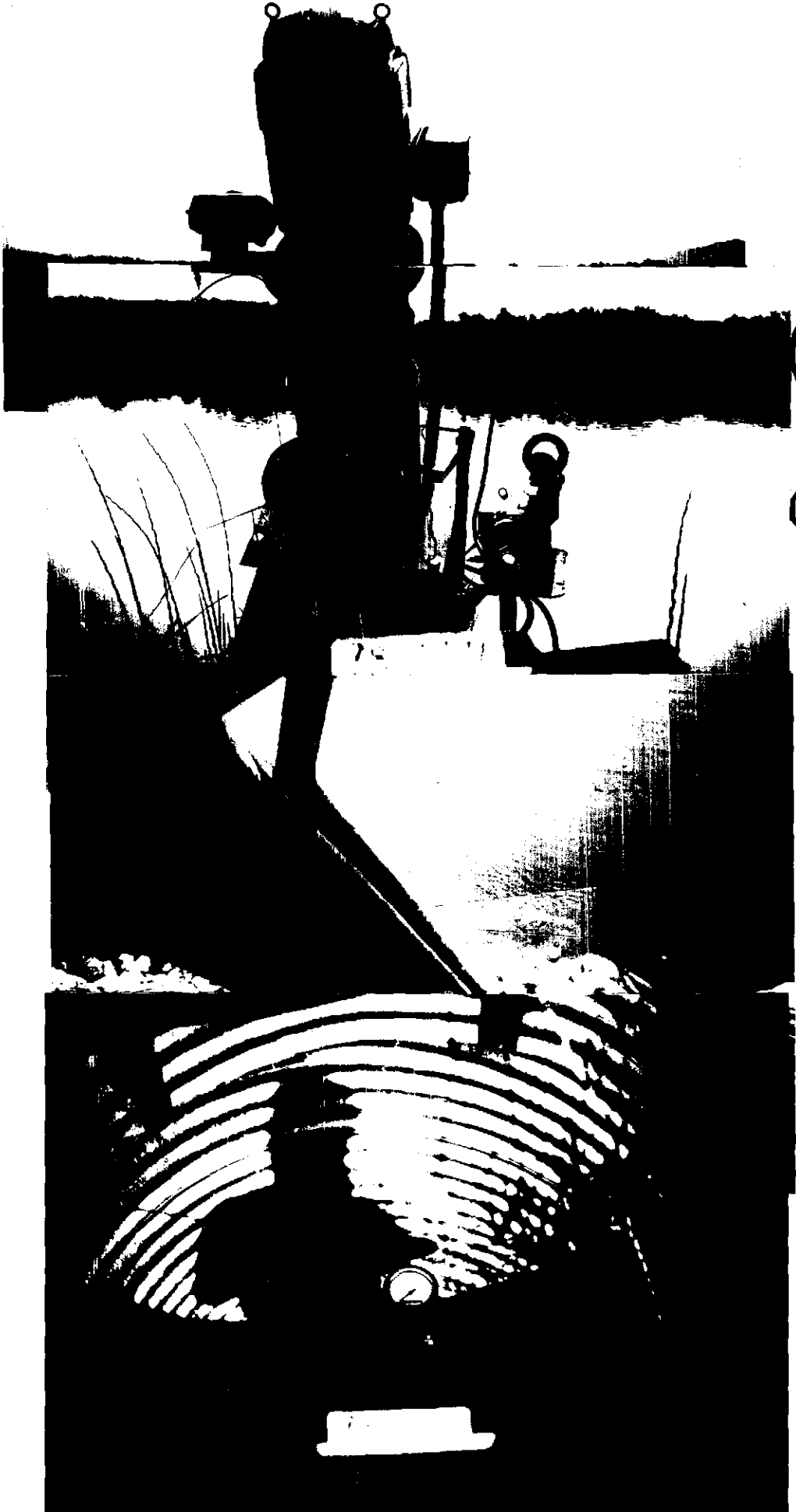
RIVER

10
12
10
2
3
2

USFWS

T 67 12 D 1 E

98-07771



Qd

Flow
meter

E. NARRATIVE/REMARKS/COMMENTS

Notice the difference in AF between Permit and my figures. I'm sure they figured a depth of 10' over entire acreage. This is not the case. I'm sure my figures are accurate, and, if there is any error it would be on the side of the permit holder.

I spoke with Al Beardsley, he has hunted up there and he says the average depth is between waist, chest high. This also concurs with my figures.

I also figured in the debris ditch as part of storage, because it also remains full after ponds are flooded & pump off.

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

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$3140 \times 1.3368' = 6.99 \text{ cfs}$$

$$3140 \text{ gpm} = 6.99 \text{ cfs}$$

$$60$$

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:

STORAGE 44 SURFACE ACRES $\times$ 10' max depth $\times$.4 Slope = 176 AF

Deep ditch delivery sys. 44 (40) (4") = 176 AF

Approx. 4400' $\times$ 10' deep $\times$ 10' width = 4400 AF

no slope factor

$$4400 \times 10 \times 10 = 44000 \text{ AF}$$

$$43560$$

$$186 \text{ AF}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Will be used for storage

Period of Use

From 01-01 To 12-31

Rate of Diversion

Q (cfs)

Annual Volume

V (af)

2. Recommended Amendments

Change P.D. as reflected above

Add P.D. as reflected above

None

I. AUTHENTICATION

Reviewer

Date

SEAL

Field Examiner's Name

Wayne J. Baker

Date

9-11-02



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

May 14, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

US DEPT OF INTERIOR
FISH AND WILDLIFE SERVICES
911 NE 11TH AVE
PORTLAND OR 97232-4181

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 98-07771

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and examination fee submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since proof was submitted after the proof due date.

Please 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.

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. The regional office staff will contact you when that examination is to be conducted. 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

Enclosure

c: IDWR - Region (w/encl.)

MICROFILMED
OCT 17 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 98-7771

Reviewed By: dgibson

Date: May 14, 2002

	<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.:		N014990	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?	X	
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		05/08/2002
Date proof due	-	05/01/2002
Lapse notice sent	-	
No. of days late	=	7
Holiday allowance	+	
Priority date	+	03/21/1996
New priority date	=	03/28/1996

Deficiencies of Actions Items

Acknowledge proof. Reinstate permit and advance priority to 3/28/1996.



IN REPLY REFER TO:

ABA-EN-WR

United States Department of the Interior

FISH AND WILDLIFE SERVICE

911 NE. 11th Avenue
Portland, Oregon 97232-4181

RECEIVED
MAY 08 2002
IDWR/North

RECEIVED

May 6, 2002

MAY 14 2002

Department of Water Resources

Mr. Allen Beardslee
Senior Water Resource Agent
Idaho Department of Water Resources
1910 Northwest Blvd.
Cour d'Alene, Idaho 83814

Dear Sir or Madam:

Re: Proof of Beneficial Use for Permit No. 98-07771

Enclosed please find a signed "Proof of Beneficial Use" form regarding the use of surface water from the Kootenai River on the Kootenia National Wildlife Refuge (Refuge). This use of water is allowed under Permit No. 98-07771. Also, enclosed is a check in the amount of \$250.00, to cover the associated examination fee. Please ensure that any resulting certificate is issued in the name of the U. S. Fish and Wildlife Service and not the name of the agent signing the form.

If you have questions or require additional information, please contact David Langman at (503) 231-2057.

Sincerely,

David J. Langman

Enclosure

MICROFILMED

OCT 17 2002

May 9, 2002

US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND, OR 972324181

LAPSE NOTICE

RE: PERMIT NO. 98-7771

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 May 1, 2002. 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,

L. Glen Saxton, Chief
Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING
I hereby certify that on 5/9/02
a copy of the original of this document was
deposited in the United States mail,
properly prepaid and addressed to the
individual(s) named above.
MICROFILMED
OCT 17 2002

dy

February 28, 2002

US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
911 NE 11TH ST
PORTLAND, OR 972324181

PROOF DUE NOTICE

RE: PERMIT NO. 98-7771

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 May 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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.

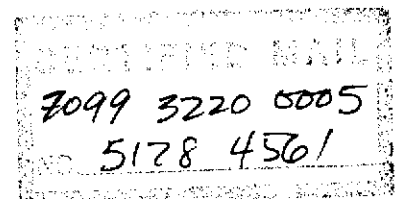
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau
Enclosures

MICROFILMED

OCT 17 2002



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 98-07771 Reviewed by Jef Date 11-1-99

BASIC INFORMATION

8-30-99 Date stamp received

yes Extension received timely

yes Fee received and receipted

yes Name and signature same as permit

no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN Recommend extend to May 1, 2002, on basis of due diligence. No advance in priority. Since permit holder may not have received proof due notice -

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address X _____

Change Proof Due Date 5-1-2002

Change Priority Date no advance



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

November 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

US Dept of Interior
US Fish and Wildlife Service
911 NE 11th Ave
Portland OR 97232-4181

RE: Permit No. 98-07771

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **May 1, 2002**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Be advised that since the extension request was received after the proof due date, it was necessary to reinstate the permit. However, the department has reason to believe you did not receive the proof due notice as required in Section 42-204, Idaho Code. Therefore, the permit was reinstated with no advance in the priority date.

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

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

NOV 12 1999

RECEIVED

AUG 30 1999

Department of Water Resources



United States Department of the Interior

FISH AND WILDLIFE SERVICE

911 NE. 11th Avenue
Portland, Oregon 97232-4181

IN REPLY REFER TO:

August 23, 1999

Mr. Allen Beardslee
Senior Water Resource Agent
Idaho Department of Water Resources
1910 Northwest Blvd.
Cour d'Alene, Idaho 83814

Dear Mr. Beardslee:

Please accept the enclosed *Request for Extension of Time* for Water Right Permit No. 98-07771. We have not been able to install the new pump because the river level has not been low enough. We cannot be sure that the pump will be installed this Fall so we are filing this extension as a contingency.

A money order in the amount of \$50.00 is enclosed to cover the fee for the extension of time request

If you have any questions concerning this application, please call me at (503) 231-2395.

Sincerely,

Tim Mayer
Acting Regional Engineer

Enclosures

MICROFILMED

NOV 12 1999

WRS5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

08/05/99 11:04:43
Page 1

Water Right Number - 98-07771

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
US DEPT OF INTERIOR

1 - FISH & WILDLIFE SERVICE
2 - 911 NE 11TH ST
3 -
City- PORTLAND
Phone - 503-231-6251

State- OR Zip- 972324181

Priority Date - 03/21/1996

Region - 18 NORTHERN

Stage - P - PERMIT

Status -

Source - KOOTENAI RIVER

Tributary - COLUMBIA RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
62N	01E	18	SE NW	2		(21)	BOUNDARY			

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
16 - WILDLIFE		01/01	12/31	6.990		
17 - WILDLIFE STORAGE		01/01	12/31			444.00
55 - DIVERSION TO STORAGE		01/01	12/31	6.990		
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Div. Capacity - +		+ - Total Consumptive Use - +
6.990						0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
62N	01E	19	NW NW	1		16 WILDLIFE		(21) BOUNDARY	
62N	01E	19	SW NW	2		16 WILDLIFE		(21) BOUNDARY	
62N	01E	19	SE NW	10		16 WILDLIFE		(21) BOUNDARY	
62N	01E	19	NE SW	9		16 WILDLIFE		(21) BOUNDARY	
62N	01E	19	NW SW	3		16 WILDLIFE		(21) BOUNDARY	
62N	01E	19	SW SW	4		16 WILDLIFE		(21) BOUNDARY	
62N	01E	19	SE SW			16 WILDLIFE		(21) BOUNDARY	
62N	01W	24	SE SE			16 WILDLIFE		(21) BOUNDARY	

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Remarks -

No Remarks found.

Water right number - 98-07771

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - -
+ - - - - Old Water Right Numbers - - - - -
+ - - - - No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -
26A - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.
01M - After specific notification by the department, the right holder
- shall install a suitable measuring device or shall enter into an
- agreement with the department to determine the amount of water
- diverted from power records and shall annually report the
- information to the department.
18B - The storage of water under this right is contingent upon the
- certification of the dam and authorization of storage per the dam
- safety provisions of the Idaho Code.

+ - - - - Decree Plaintiff - - - - - + - - - - Decree Defendant - - - - - + - - - - Decree Date - - - - -
00/00/0000

+ - - - - Date: 03/25/1996 User Id: DBALL Subject: DIVERSION DESCRIPTION - - - - -
16 inch verti-line pump powered by a 30 hp motor. - - - - -
distribute water to ponds and wetlands. - - - - -
Existing water rights: Claim 98-4113, Licenses 98-7003, 98-7006, 98-7004 and 98-7366. - - - - -
Date: 06/28/1999 User Id: VAULT Subject: Lapse Notice Sent - - - - -
Lapse Notice Sent - - - - -

+ - - - - Audit Fields - 03/25/96 DBALL 04/02/96 SCURTIS 05/07/96 CZIMMERM 05/13/96 SKEEN 06/28/99 COMMENTS

+ - - - - Water Rights Dates and Flags Area - - - - -
Proof Due Date - 05/01/1999 Field Exam Made - 00/00/0000 Field Exam Fee -
Approved/Denied - 05/14/1996 Protested Date - 00/00/0000 Swan Falls -
Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P
Exam to S.O. Date - 00/00/0000 Verified Date - 00/00/0000 DLE/Carey Act -
Order Show Cause - 00/00/0000 Receipt Number - N010005 Water District -
Licensed Date - 00/00/0000 Appt Received - 03/21/1996 Transfer/Amended -
Presumption Flag - Name Connector - POU Ownership Flag - Y
SRBA Decreed Flag -



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 28, 1999

US Dept of Interior
Fish and Wildlife Service
911 NE 11th St
Portland OR 97232

LAPSE NOTICE

RE: Permit No. 98-07771

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, the above referenced permit has **lapsed**. No further construction or additional development is authorized under this permit unless it is reinstated.

On February 28, 1999, the department sent you a Proof Due Notice, by certified mail, informing you of the need to submit a Proof of Beneficial Use Statement or an Extension of Time. However, the department has reason to believe that you may not have received the notice as required by Section 42-2040, Idaho Code.

The permit can be reinstated with **no advance in priority** if you submit an acceptable proof of beneficial use statement or extension of time to the department within **sixty (60) days** of the date of mailing of this lapse notice. If nothing is received by the department, the permit will be void and of no further force or effect.

If you have any questions concerning this matter, please contact me directly at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

CERTIFICATION OF MAILING

I hereby certify that on 6/28/99
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

MICROFILMED

JUN 12 1999

February 28, 1999

US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
911 NE 11TH ST
PORTLAND OR 972324181

PROOF DUE NOTICE

RE: PERMIT NO. 98-07771

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 May 1, 1999.

(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.

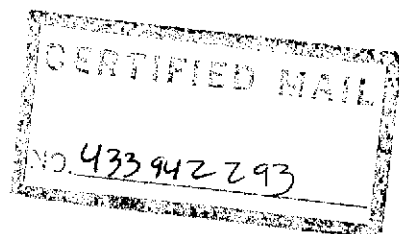
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

NOV 12 1999





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

May 14, 1996

US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
911 NE 11TH ST
PORTLAND OR 97232-4181

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 98-07771

Dear Permit Holder:

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

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

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

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:rl

RECEIVED
MAY 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 14, 1996

US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
911 NE 11TH ST
PORTLAND OR 97232-4181

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 98-07771

Dear Permit Holder:

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

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

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

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:rl

RECEIVED
MAY 22 1996

WR5809WP
No. 98-04113

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/07/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR FISH & WILDLIFE SERVICE 500 NE MULTNOMAH ST PORTLAND OR 972320000	07/25/1968	WILDLIFE	01/01 12/31	4.700 CFS	
TOTAL DIVERSION:					4.700 CFS	

Water Source: KOOTENAI RIVER

Tributary to: COLUMBIA RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T62N R01E S18

SENW

BOUNDARY County

Place of use Legal Description for: WILDLIFE

NE				NW				SW				SE																			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
62N	01E	7	:						:																						
62N	01E	18	:						:																						
62N	01W	12	:						:																						
62N	01W	13	:						:																						

Pou County: BOUNDARY

Other Rights: 98-7366.

Other Water Rights Listing Overlapping Place(s) of use:
98-07006

Dates:	App. Received:	Priority Date:	07/25/1968
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: Field Exam Fee:

Audit: 11/13/87 05/14/88 CONVERT 01/26/92 POST-STD 05/07/96 CZIMMERM

Same Pkg

WR5809NP
No. 98-07003

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/07/96
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR FISH & WILDLIFE SERVICE 500 NE MULTNOMAH ST PORTLAND OR 972320000	12/04/1967	IRRIGATION STOCKWATER WILDLIFE	04/01 11/30 01/01 12/31 01/01 12/31	1.000 CFS 1.000 CFS 1.000 CFS	162.00 AFA 1.00 AFA 1.00 AFA
TOTAL DIVERSION:					1.000 CFS	163.00 AFA

Water Source: CASCADE CREEK

Tributary to: MYRTLE CREEK

Stage: LICENSE

Point(s) of Diversion: T62N R01W S13 NWN BOUNDARY County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
62N	01W	12	:											10	10	30								50.0
62N	01W	13	:						04															4.0
TOTAL ACRES																						54.0		

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for WILDLIFE is the same location as described for: IRRIGATION

Pou County: BOUNDARY

Conditions of Approval:

- 001 - A measuring device of a type approved by the Department shall
- be permanently installed and maintained as part of the diverting
- works.

Dates: App. Received: Priority Date: 12/04/1967
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/10/1973

Misc: Water District Number: Field Exam Fee:

Audit: 11/13/87 05/14/88 CONVERT 01/26/92 POST-STD 05/07/96 CZIMMERM

*Identified on application
as overlapping*

WR5809NP
No. 98-07004

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/07/96
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR FISH & WILDLIFE SERVICE 500 NE MULTNOMAH ST PORTLAND OR 972320000	12/04/1967	IRRIGATION STOCKWATER WILDLIFE	04/01 11/30 01/01 12/31 01/01 12/31	2.200 CFS 2.200 CFS 2.200 CFS	828.00 AFA 2.00 AFA 2.00 AFA
TOTAL DIVERSION:					2.200 CFS	830.00 AFA

Water Source: DEEP CREEK

Tributary to: KOOTENAI RIVER

Stage: LICENSE

Point(s) of Diversion:

T62N R01W S36

NENE

BOUNDARY County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE				SUM
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: SUM	
62N	01W	25	: 20 38 39 14	: 11				02	: 01					: 25 39 30 22	: 241.0	
62N	01W	36	: 11 24	:				:						: 35.0		
														TOTAL ACRES	276.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for WILDLIFE is the same location as described for: IRRIGATION

Pou County: BOUNDARY

Other Water Rights Listing Overlapping Place(s) of use:
98-07006

Conditions of Approval:

- 001 - A measuring device of a type approved by the Department shall
 - be permanently installed and maintained as part of the diverting
 - works.

Dates: App. Received: Priority Date: 12/04/1967
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/10/1973

Misc: Water District Number: Field Exam Fee:

Audit: 11/13/87 05/14/88 CONVERT 01/26/92 POST-STD

*Identified on application
as overlapping*

WR5809WP
No. 98-07006

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/07/96
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR FISH & WILDLIFE SERVICE 500 NE MULTNOMAH ST PORTLAND OR 972320000	12/04/1967	IRRIGATION STOCKWATER WILDLIFE	04/01 11/30 01/01 12/31 01/01 12/31	10.000 CFS 10.000 CFS 10.000 CFS	2900.00 AFA
TOTAL DIVERSION:					10.000 CFS	2900.00 AFA

Water Source: MYRTLE CREEK

Tributary to: KOOTENAI RIVER

Stage: LICENSE

Point(s) of Diversion: T62N R01W S24 NWSW BOUNDARY County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NESE		NWSE		SWSE		SESE			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
62N	01E	18	:								02														19.0
62N	01E	19	:								01														30.0
62N	01W	13	:				01	11	:					20			40	:	38	10	40	19	:		179.0
62N	01W	24	:	28	40	40	36	:	40	01	08	39	:	29	03	01	37	:	40	40	38	38	:		458.0
62N	01W	25	:	20	38	39	14	:	11			02	:	01				:	25	39	30	22	:		241.0
62N	01W	36	:	11	24			:					:					:							35.0
TOTAL ACRES																							962.0		

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for WILDLIFE is the same location as described for: IRRIGATION

Pou County: BOUNDARY

Other Water Rights Listing Overlapping Place(s) of use:
98-07004

Conditions of Approval:

- 001 - A measuring device of a type approved by the Department shall
 - be permanently installed and maintained as part of the diverting
 - works.

Dates: App. Received: Priority Date: 12/04/1967
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/10/1973

Misc: Water District Number: Field Exam Fee:

Audit: 11/13/87 05/14/88 CONVERT 01/26/92 POST-STD

Overlapping
P/L

WR5809NP
No. 98-07366

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/07/96
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR FISH & WILDLIFE SERVICE LLOYD 500 BLDG, SUITE 1692 500 NE MULTNOMAH ST PORTLAND OR 97232	03/09/1981	WILDLIFE	01/01 12/31	2.290 CFS	1657.90 AFA
TOTAL DIVERSION:					2.290 CFS	1657.90 AFA

Water Source: KOOTENAI RIVER

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T62N R01E S18 SENW ✓ BOUNDARY County

Place of use Legal Description for: WILDLIFE

NE				NW				SW				SE			
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac									
62N	01E	7	:	:	:	:	:	:	:	:	:	:	:		
62N	01E	18	:	:	W	W	:	W	W	:	:	:	:		
62N	01W	12	:	:	:	:	:	:	:	W	:	:	:		
62N	01W	13	:	W	W	W	W	:	:	:	:	:	:		

Pou County: BOUNDARY

Other Rights: 98-4113.

Other Water Rights Listing Overlapping Place(s) of use:
98-07006

Dates:	App. Received:	Priority Date:	03/09/1981
	Proof Due Date: 05/01/1984	Proof Made Date:	01/01/1900
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date: 11/07/1983		

Misc: Water District Number: Field Exam Fee:

Audit: 12/05/83 05/14/88 CONVERT 01/26/92 POST-STD 05/07/96 CZIMMERM

Same P/d.

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 98-07771 Name: US F&W Date: 5/7/96 Ad OK? ✓
Correct Fee? ✓ Receipt #: N10005 Priority: 3/21/96 / Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

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)
- 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 R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - 021(Boise R ↑ Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-**P10**; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(**P19**)-09E(**P10**);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-~~P09~~ (+10' dam), NA

LOCATION:

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 - Blank <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner**OTHER CONDITIONS:****STANDARD REMARKS:****BENEFICIAL USE DUE:****COMMENTS:**

5-1-1999

add gov. lts.

APPLICATION # 98-07771

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

APPLICANT: USFWS BY: 15 DATE: 3/21/96

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

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

PROCESSING

Yes No

PRIORITY DATE: 3/21/96

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)

Checked by: _____ Date: / /

Remarks: _____

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

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

(Yes) (No)

- Notice of pending void order issued. Final order response date: / /
 Further information required from applicant
4/12 Affidavit of publication received
4/12 Application published correctly, If not, record action taken: _____
3/26 Publication dates and paper recorded on application | Sr. Agent initial _____
 Protests received. Final protest date: 4/22/96
 Measuring device required
 Measuring port required
 Special conditions: _____
 Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: [Signature]

RECEIVED
MAY 06 1996

Date: 5/1/96

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Boundary,

David Keyes 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:

Legal # 3281

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 3 day of April, 19 96
and ending on the 10 day of April, 19 96
and that said notice was published in said newspaper.

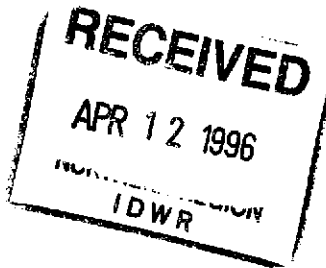
Dated: 4/11/96
[Signature]

Subscribed and sworn to before me this 11 day
of April, 19 96.

Bruce Johnson
Notary Public for Idaho

Residing at Bonners Ferry

My Commission expires: 7-22-2000



NOTICE OF APPLICATION
FOR WATER RIGHT

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

98-07769
Mc CAY, MONTY
PO BOX 16
COLBURN, ID 83865
Source: SPRING Tributary: RUBY
CREEK
Diversión Pt: NWSWNE Sec 23
T 61N R 01W
in BOUNDARY County.
Use: DOMESTIC (0.040 CFS)
Total Diversión: (0.040 CFS)
Date Filed: 3-15-1996
In: BOUNDARY County
T61N R01W S23 SWNE

98-07770
MISSION CREEK WATER
ASSOCIATION
HCR 60 BOX 249
PORTHILL, ID 83853
Source: GROUNDWATER
Diversión Pt: SWSWSW Sec 8
T 64N R 01E
in BOUNDARY County.
NESWNE Sec 17 T 64N R 01E
in BOUNDARY County.
Use: IRRIGATION (0.170 CFS)
COMMERCIAL (0.200 CFS)
DOMESTIC (0.200 CFS)
Total Diversión: (0.200 CFS)
Date Filed: 3-14-1996
In: BOUNDARY County
T64N R01E S06 SWSW
SESW

S07 SENE NESE SESE
S08 NWNW SWSW
S17 NENW SENW NESW
SWSE
S18 NENE SWNE NENW
SESW
R01W S01 SESE
S12 NENE
9.4 ACRES TOTAL
98-07771

US FISH AND WILDLIFE
SERVICE DOI
911 NE 11TH AVENUE
PORTLAND, OR 972324181
Source: KOOTENAI RIVER
Tributary: COLUMBIA RIVER
Diversión Pt: NWSWNE Sec 18
T 62N R 01E
in BOUNDARY County.
Use: WILDLIFE (6.990 CFS)
WILDLIFE
STORAGE (444.00 AF)
Total Diversión: (6.990 CFS)
(444.00 AF)
Date Filed: 3-21-1996
In: BOUNDARY County
T62N R01E S19 NWNW
SWNW SENW NESW
NWSW SWSW SESW
R01W S24 SESE

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 APRIL 22,
1996.

KARL J. DREHER, Director
BFH#3281 April 3, 10, 1996

MAY 22 1996

98-07771

US FISH AND WILDLIFE SERVICE DOI
911 NE 11TH AVENUE
PORTLAND, OR 972324181

Source: KOOTENAI RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: NWSNW Sec 18 T 62N R 01E in BOUNDARY County.

Use: WILDLIFE	(	6.990 CFS)		
WILDLIFE STORAGE			(	444.00 AF)
Total Diversion:	(	6.990 CFS)	(	444.00 AF)

Date Filed: 3/21/1996

In: BOUNDARY County

T62N R01E S19

NWNW

SWNW

SENW

NESW

NWSW

SWSW

SESW

R01W S24

SESE

MAY 22 1996

March 26, 1996

Tim Mayer, Acting Regional Engineer
US Fish & Wildlife Service DOI
911 NE 11th Avenue
Portland OR 97232-4181

Re: Water Appropriation Application No. 98-07771

Dear Mr. Mayer:

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. Enclosed is Receipt Number N010005. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the 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

RECEIVED
MAR 27 1996



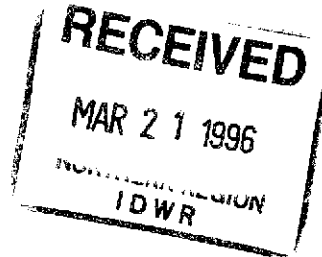
IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE
911 NE, 11th Avenue
Portland, Oregon 97232-4181

March 12, 1996

Mr. Allen Beardslee,
Senior Water Resource Agent
Idaho Department of Water Resources
1910 Northwest Blvd
Cour D'Alene, ID 83814



Dear Mr. Beardslee,

Please accept the enclosed water right application for a permit to appropriate public waters of the State of Idaho. The application is in connection with the additional wetland habitat that will be developed on the Kootenai National Wildlife Refuge. As you advised, we are filing for a new water right for this area rather than pursuing a change in the place of use through a water right transfer.

The application fee is \$220.00 based on the fee schedule. As I understand it, the \$100.00 water right transfer fee already paid can be applied to the water right permit fee. A copy of Receipt Number N009907 for \$100.00 and a check for the balance of \$120.00 are enclosed. The water right should be in the name of the U.S. Fish and Wildlife Service.

If you have any questions concerning this application, please call me at (503) 231-6145.

Thank you,

Tim Mayer
Acting Regional Engineer

Enclosures

MAR 21 1996