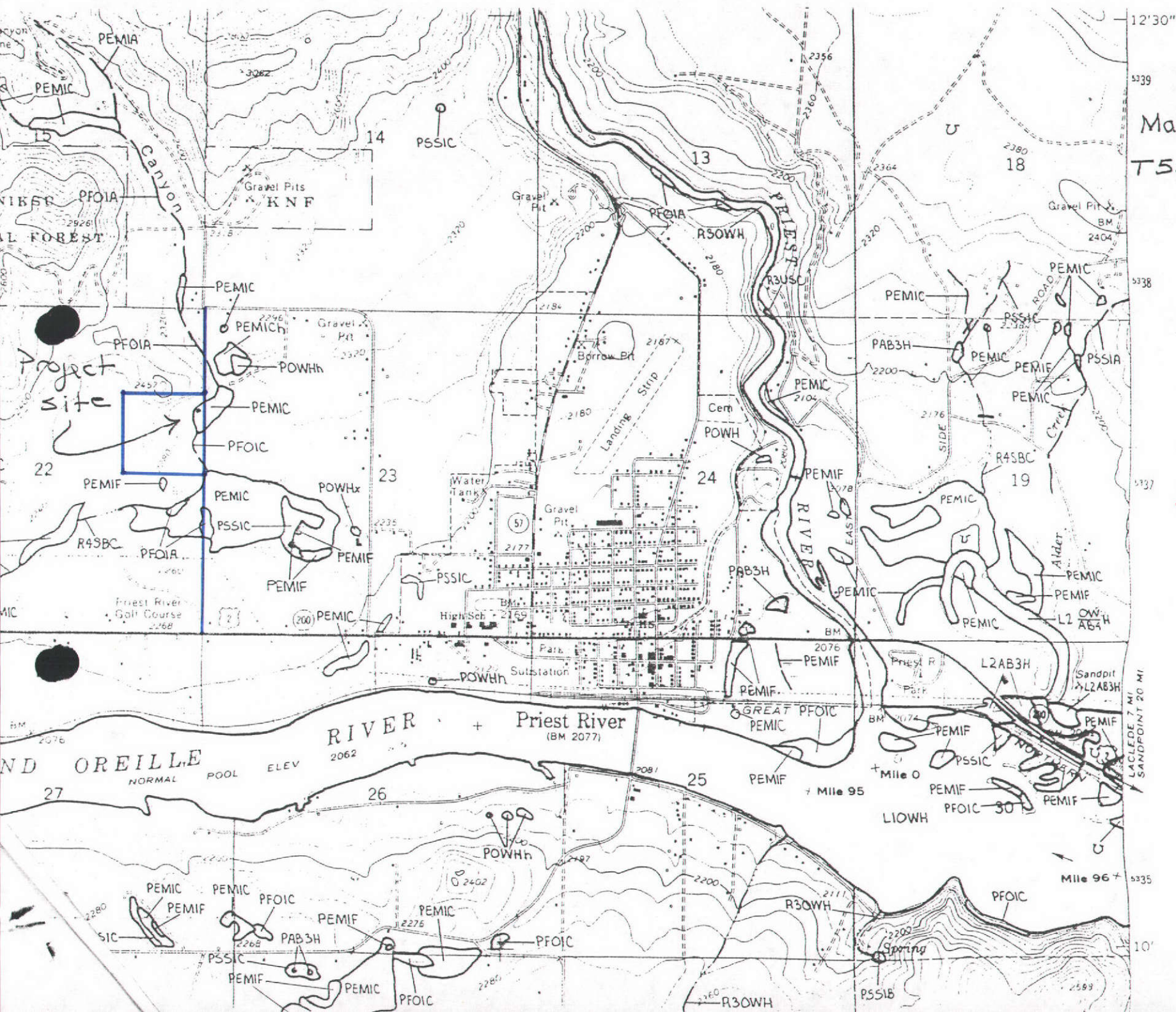


MICROFILMED
AUG 27 1999



SOIL SURVEY OF BONNER COUNTY AREA, IDAHO — SHEET NUMBER 56

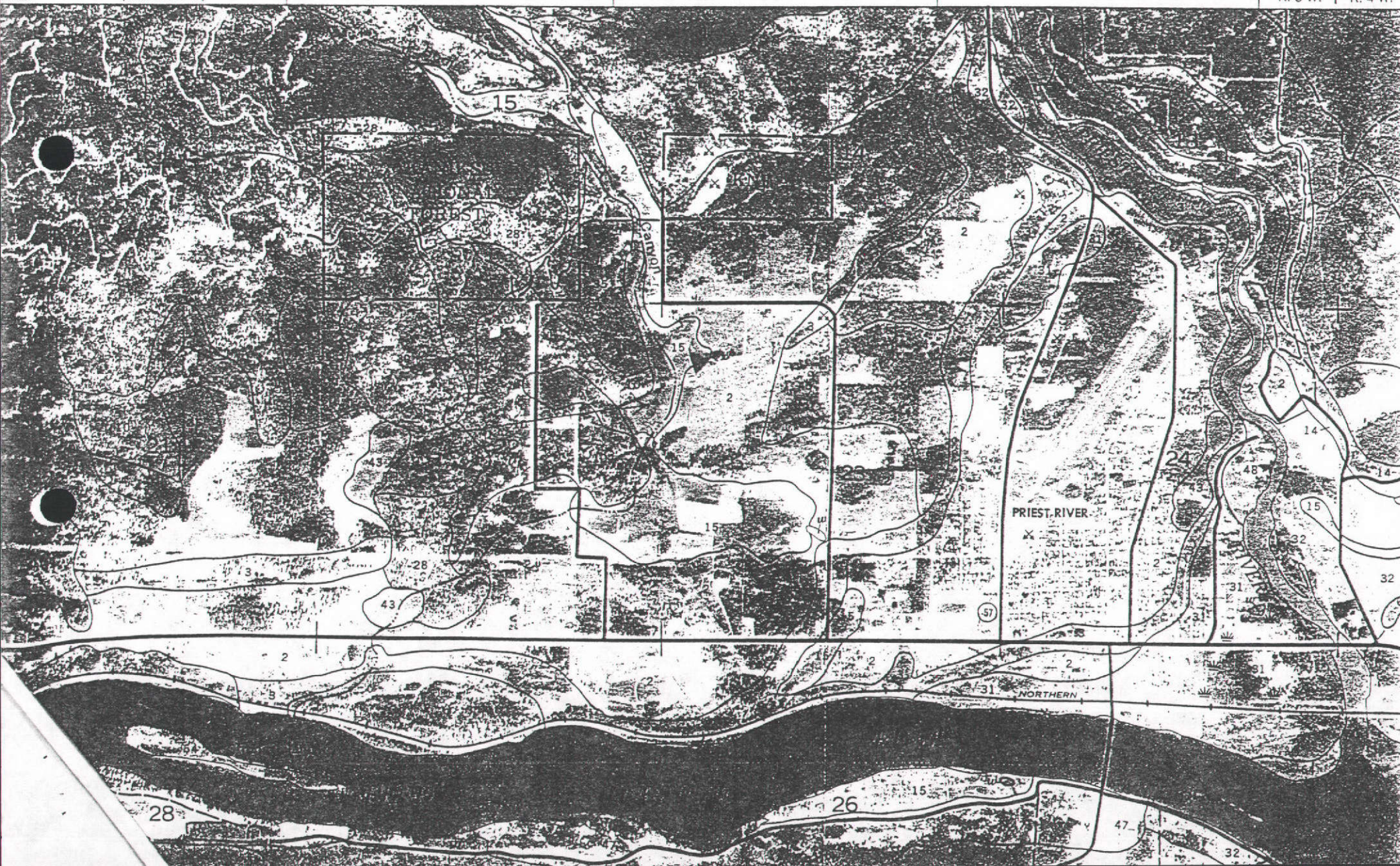
Matt Pumnea
T55N, R5W, Sec. 22

MICROFILMED
AUG 27 1999

00 FEET

(Joins sheet 49)

R. 5 W. | R. 4 W.



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

RECEIVED
APR 23 2004

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. 96-9016
Name(s) of Permit Holder: Matt Brian Punnee
Address: P.O. Box 639 City Priest River State ID Zip 83856
Telephone No. 208-448-2269 Date Proof is Due: June 1, 2004

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".)

50% of pond completed. 50% of re-vegetation.
Good development of habitat. (Fish, water-fowl, frogs
+ turtles)

Costing \$ 5000

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

Very limited time in late fall where excavation can take
place. Limited storage of wet materials excavated. Must
Dry out before can be transported away from site. Also
care must be taken not to disrupt ~~the~~ ~~eco~~ eco-system
that has established at completed pond.

Permit holder(s) request an extension to June 1, 2009

(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
June 1, 2009.

Signed this 25th day of August, 20 04

Gary Spackman
GARY SPACKMAN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
INSTRUCTIONS FOR EXTENSION OF TIME REQUEST
TO SUBMIT PROOF OF BENEFICIAL USE

If the water right development authorized by your permit is not complete and you need more time to submit proof of beneficial use of water under your permit, please read the following:

Under the provisions of Section 42-204, Idaho Code, the department can extend the proof due date of your permit only once, and then only if you can demonstrate that you have been pursuing development of the permit with due diligence.

The Request for Extension of Time form requires that you indicate the extent of development that has occurred, the cost, and the reason(s) the work has not been completed. This information must be provided in enough detail to show due diligence. Examples of work performed are: well drilled, pump installed, 10 acres now irrigated, fish propagation ponds constructed, sprinkler system purchased, etc.

If no work has been accomplished, the statutes provide that the Request for Extension of Time must be denied. **Lack of financial resources, the state of the economy or personal illness usually cannot be considered adequate reasons to approve a Request for Extension of Time.**

EXCEPTIONS TO ONLY ONE EXTENSION

The proof due date for a permit that has not been developed for one of the following reasons may be granted one or more extensions of time even though no work has been accomplished:

- When there is a lack of a required consent or final approval from a federal government agency (**evidence of delay must be submitted with the request**), i.e. right-of-way easement or land classification such as Desert Land Entry or Carey Act.
- When litigation related to title of the water has prevented development of the permit (**evidence must be submitted with the request**).
- When the water project is of a large scale -- storage of more than 10,000 acre-feet or diversion of more than 25,000 acre-feet in one irrigation season for an irrigation project of at least 5,000 acres.
- When the water right permit is held by the United States of America (**reason for request must be submitted**).

A non-refundable filing fee of \$50.00 must accompany the Request for Extension of Time form.

NOTE that in no case should a Proof of Beneficial Use form and a Request for Extension of Time form both be submitted. If your water development project is completed, then the proof of beneficial use form should be completed and returned. If the project is started but not completed, then the Request for Extension of Time form should be completed and returned in compliance with the guidelines above. If the project has not been initiated and does not fit into one of the exceptions listed above, then neither form should be returned and the permit will lapse and become of no further force nor effect.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-09016

Proposed Priority: March 15, 1999

Maximum Storage Volume:

6.3 AF

This is to certify, that MATT BRIAN PUMNEA

PO BOX 1021

PRIEST RIVER ID 83856-1021

has applied for a permit to appropriate water from: GROUNDWATER

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 STORAGE	01/01 to 12/31		6.3 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 22, Township 55N, Range 05W
BONNER County

PLACE OF USE: WILDLIFE STORAGE

TWN RGE SEC

55N 05W 22

SENE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 2004.
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.

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

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

28th day of May, 1999.

Karl J. Dreher
for Karl J. Dreher, Director

MICROFILMED

AUG 27 1999

RECEIVED

MAY 20 1999

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

MAY 23 1999

Department of Water Resources

1. Name of Applicant Matt Brian Punnea Phone 208-448-2269
Mailing address P.O. Box 1021 Priest River Idaho 83856
2. Source of water supply Ground water (NOT WELL) which is a tributary of N/A
3. Location of point of diversion is Township 55 N Range 5 W Sec. 22 in the 1/4,
SE 1/4, NE 1/4, Govt. Lot N/A, B.M., Bonner County;
additional points of diversion if any: N/A
4. Water will be used for the following purposes:
Amount 6 1/4 Acre-ft for STORAGE FOR purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum) Wife life
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)
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)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) and/or (b) 6 1/4 6.25 6.3
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source Excavate material out
of wet lands
b. Height of storage dam N/A feet; active reservoir capacity 6 1/4 acre-feet; total
reservoir capacity 6 1/4 acre-feet
c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet
d. Is ground water with a temperature of greater than 85°F being sought? No
e. If well is already drilled, when? N/A; Drilling firm N/A
Well was drilled for (well owner) N/A; Drilling Permit No. N/A
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in KW.
b. Stockwatering; list number and kind of livestock.
c. Municipal; show name of municipality.
d. Domestic; show number of households.
e. Other; describe fully. Water Fowl a wild life habitat

MICROFILMED

AUG 27 1999

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	5W	22				(STORAGE)													

Total number of acres to be irrigated None

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

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

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

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: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

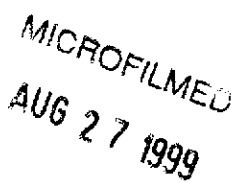
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

AUG 27 1999

Matt B. Punnee
Signature of Applicant (and title, if applicable)

Received by db Date 3/15/99 Time 1:15 P Preliminary check by _____
 Fee \$ 50.00 Receipted by db # N012623 Date 3/15/99
 Publication prepared by db Date 3/31/99 Published in Priest River Times 4/7+14/99
 Publication approved db Date 5/17/99



Matt Purnea
 T55N, R5W



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

August 26, 2004

MATT BRIAN PUMNEA
PO BOX 639
PRIEST RIVER ID 83856

RE: PERMIT NO. 96-9016

Dear Permit Holder:

I have enclosed a copy of the approved Request for Extension of Time ("request") you submitted to the department in connection with the above referenced permit, which extends the time to submit proof of beneficial use to **June 1, 2009**. Please note that the department granted this extension based on evidence of **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed, since the department may not be able to grant an additional extension request based on this category.

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. 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. Additionally, these forms can be found on our website at: www.idwr.state.id.us

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 96-9016

Reviewed By: dgibson

Date: August 25, 2004

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Request received timely?	X		Is delay by a government agency?		X
Appropriate fee	X		Is supporting documentation needed to support the file?		
Additional Amount Due:					
Receipt No.:	C073601		Has the permit been involved in litigation?		X
Name and signature same as permit?	X		Is supporting documentation needed to support the file?		
Is address same as permit?		X	Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?		X
Has adequate work been completed to demonstrate due diligence?	X				

Priority Calculation

Extension request received	04/23/2004	New proof due date	06/01/2009
Date proof due	- 06/01/2004		
Lapse notice sent	-		
No. of days late	= 0		
Holiday allowance	+		
Priority date	+ 03/15/1999		
New priority date	= 03/15/1999		

Action Taken

Acknowledge request for extension of time. Extend proof deadline to 6/1/2009.

March 31, 2004

MATT BRIAN PUMNEA
PO BOX 1021
PRIEST RIVER, ID 83856-1021

PROOF DUE NOTICE

RE: PERMIT NO. 96-9016

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 June 01, 2004. (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.

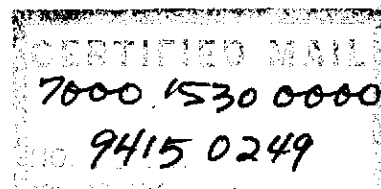
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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, Administrative Assistant
Water Allocation Bureau

Enclosures



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720

Boise, Idaho 83720-0098

Return Service Requested

DAN CURRIE
932 OAK ST
BRENTWOOD CA 94513

CURR932* 945133046 1899 17 08/21/99
RETURN TO SENDER
CURRIE
417 SAINT IVES DR
SEVERNA PARK MD 21146-1024
RETURN TO SENDER

AUTO 94513



RECEIVED
AUG 24 1999
Department of Water Resources
MICROFILMED
AUG 27 1999



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 1, 1999

MATT BRIAN PUMNEA
PO BOX 1021
PRIEST RIVER ID 83856-1021

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-09016

Dear Permit Holder:

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

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

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.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

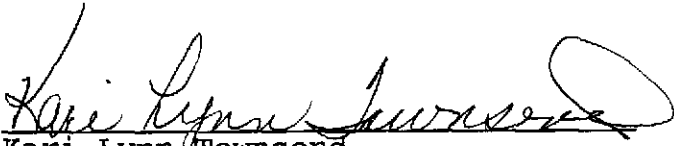
MICROFILMED
AUG 27 1999

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of June, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 96-09016

MATT BRIAN PUMNEA
PO BOX 1021
PRIEST RIVER ID 83856-1021


Kari Lynn Townsend
Secretary

MICROFILMED
AUG 27 1999

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

MICROFILMED

AUG 27 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by Cindy J. StenNo.: 96-901b Name: Pumnea Date: 5/27/99 Ad OK? ☒ ☒ Gvmt Lts: ☒

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

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

SYSTEM COMPLETED:

- > 1 year - 26A(P17)
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH) not well

DRILLING PERMIT

All wells (✓ WDQ3) 046(P23)

In Basin 34?

Irr. within WD

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

WMD

Supp irr use only

Supp. irr + uses

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

046(P23)

- 085

- P05 (new well location)

- North / East / West

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

- No MD

- 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)

- 100-101

- 01M (report when notified)

- No MD

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

FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____

IN/ABOVE MSF (✓ MAP)

IN-STREAM DEVELOPMENT

WD (✓ MAP & LISTING)

> 0.20 cfs

≤ 0.20 cfs

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- *WB9

- P52 (stream channel alteration)

- R04 (WD # _____)

- 01J-P08 (MD & LD)

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

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

- No MD

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

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R (70's)

Weiser R (67)

- *W22 -P04, NA

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

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

- 029 (fish screens), NA

- 086, 087

USE:

STORAGE (✓3 compo.)

IRR ≤ 5 acres

> 5 acres

STOCKWATER

MINING

FISH PROPAGATION

HEATING/COOLING

POWER

MUNICIPAL

In restricted area?

Irr., GW supp. to SW?

DOMESTIC

Surface water

>1 in rest. area

FIRE PROTECTION

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

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- R37 (BLM/USFS); NA

- 054(req)-081-P10

- 029(70's only)-007-042(req)-081 (WQ)-P10

- R07 (injection well)

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

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

- 022, 075, 004 (+memo?)

- 102

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

- 071-070

- 077

LOCATION:

BOISE FRONT LOGED

MITIGATION

42-248 AREA

SWAN FALLS FLAG (✓ Code)

Trust

Non-Trust (1)

- 058 (<85° GW temp only)

- 120

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

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

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- W 11/ 2004

RECEIVED

MAY 20 1999

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION ANALYSIS SHEETWRI
BCA
WRAAPPLICATION # 96-09016

INITIAL REVIEW

Department of Water Resources

APPLICANT: PUMPERBY: BDATE: 3/15/99

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
12. (x) Map
 - (x) Signature
 - (x) Fee (Amt, receipt, acknowledgement)

*** 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: 3/15/99☒ (Include Moratorium Remark)☒ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).ADVERTISE IN: BONNER County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: a/a

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: a/a

GROUNDWATER SECTION

WD Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

Notice of pending void order issued. Final order response date: _____/_____/_____

Further information required from applicant

Affidavit of publication received

Application published correctly. If not, record action taken: _____

Publication dates and paper recorded on application | Sr. Agent initial ABProtests received, Final protest date: 4/26/98

Measuring device required

Measuring port required

Special conditions:

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

Approval Recommended by: BDate: 5/18/99

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Jeannie Sheridan

RECEIVED

MAY 17 1999

IDWR/North

_____ being first duly sworn on oath
deposes and says that he/she is Bookkeeper

of the Priest River Times, a newspaper printed and
published at Priest River, Bonner County, Idaho; that the
said newspaper has been continuously and uninterruptedly
published in said Bonner County during a period of 12
months prior to the first publication of the hereto attached
notice of publication in the case of:

Water right

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 7 day of April, 1999
and ending on the 14 day of April, 1999

and that said notice was published in said newspaper.

On this 7th day of May in the year
of 1999 before me, a Notary Public, personally
appeared Jeannie Sheridan

known or identified to me to be the person whose name
subscribed to the within instrument, and being by me
first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.

Pamela S. Russell
Notary Public for Idaho

Residing at

Priest River

My Commission expires:

5-24-04

NOTICE OF APPLICATION FOR WATER RIGHT

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

PUMNEA, MATT BRIAN
P O BOX 1021

PRIEST RIVER, ID 83856

Source: GROUNDWATER

Diversion Pt: SENE

Use: WILDLIFE STORAGE

Total Diversion:

Date Filed: 3/15/1999

In: BONNER County

T55N R05W S22

SENE

96-09016

Sec 22 T 55N R 05W in BONNER County.

(6.30 AF)

(6.30 AF)

97-09017

REMBOWSKI, GORDON
P O BOX 0113

LACLEDE, ID 83841-0113

Source: RILEY CREEK

Diversion Pt: NESW

SESW

Use: IRRIGATION

STOCKWATER

Total Diversion:

Date Filed: 3/25/1999

In: BONNER County

T56N R03W S18

NESW

1.5 ACRES TOTAL

Tributary: PEND OREILLE RIVER
Sec 18 T 56N R 03W in BONNER County.
Sec 18 T 56N R 03W in BONNER County.

(0.030 CFS)

(0.020 CFS)

(0.050 CFS)

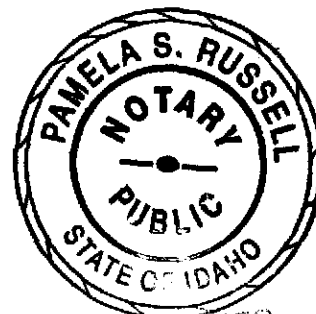
For additional information concerning the property location, call the Northern
Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with
the applicant and with the Director, Dept. of Water Resources, Northern Region,
1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a
protest fee of \$25.00 on or before APRIL 26, 1999.

KARL J. DREHER, Director

PRT Legal 2552

April 7, 14, 1999



MICROFILMED

MAY 27 1999

RECEIVED ADVERTISING
OFFICE/STATEMENT
MAY 04 1999

IDWR/North

TERMS

PAGE

043099

1

WATER RIG D L	0	0	0.0	1	0.0	0.00
OK to pay			0.0			
5/17/99			0.0			
Held - do not pay						
until affidavit is received						
5/4/99						
affidavit received						
5/17/99						

PAST DUE AMOUNTS			CURRENT AMOUNT
OVER 90 DAYS	OVER 60 DAYS	OVER 30 DAYS	
0.00	0.00	0.00	90.56

PRIEST RIVER TIMES
P.O. BOX 10
PRIEST RIVER, ID 83856
Phone: (208) 448-2431

ADD 27 1995

90.56

AMOUNT OF PAYMENT	

TO INSURE PROPER CREDIT BOTTOM PORTION MUST BE RETURNED WITH REMITTANCE.

96-09016

PUMNEA, MATT BRIAN
PO BOX 1021
PRIEST RIVER, ID 83856

Source: GROUNDWATER

Diversion Pt: SENE Sec 22 T 55N R 05W in BONNER County.

Use: WILDLIFE STORAGE	(	6.30 AF)
Total Diversion:	(	6.30 AF)

Date Filed: 3/15/1999

In: BONNER County
 T55N R05W S22 SENE

ENCLOSURE

AUG 27 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

March 31, 1999

Dirk Kempthorne
Governor

Matt Brian Pumnea
PO Box 1021
Priest River ID 83856

KARL J. DREHER
Director

Re: Water Appropriation Application No.96-09016:

Dear Mr. Pumnea:

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 NO12683.

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 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 \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

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

MICROFILMED

AUG 27 1999



IDAHO FISH & GAME

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

Philip E. Batt / Governor
Stephen P. Mealey / Director

January 15, 1999

Matt Pumnea
583 Shannan Lane
Priest River, ID 83856

Dear Matt:

Enclosed is a permit application for your pond project. Please look it over, and contact me if you'd like to make changes. If it looks OK to you, please sign it and send it to:

Gregg Rayner
c/o U.S. Forest Service
3815 Schreiber Way
Coeur d' Alene, ID 83814

Please note that the permit application includes the following pond features:

- 1) at least 50% of the pond area 3 feet deep or less.
- 2) most shoreline slopes 6:1 or flatter.
- 3) some stockpiled topsoil spread over the completed excavation to provide plant and invertebrate inoculum.
- 4) a portion of the surrounding area fenced to exclude livestock.
- 5) excavated material hauled and deposited in an upland location.

After you receive approval for your project from the Corps, I'll draft a HIP agreement for Idaho Department of Fish and Game cost-share. Please give me a call if you have questions (263-6004).

Thanks !

Patrick J. Cole
Regional Habitat Biologist

MICROFILMED
AUG 27 1999

JOINT APPLICATION FOR PERMIT
U.S. ARMY CORPS OF ENGINEERS
IDAHO DEPARTMENT OF WATER RESOURCES
IDAHO DEPARTMENT OF LANDS

SEPARATE PERMIT DECISIONS MUST BE
RECEIVED FROM BOTH THE STATE OF
IDAHO AND THE CORPS OF ENGINEERS
PRIOR TO START OF WORK

The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge of dredged or fill material into waters of the United States, including their adjacent wetlands. State permits are required under the State of Idaho, Stream Channel Protection Act (Title 42, Chapter 38, Idaho Code) and the Idaho Lake Protection Act, Section 58-142 et. seq, Idaho Code. This application will meet the requirements of the above agencies.

1. Corps of Engineers # _____ Date Received _____	2. State of Idaho # _____ Date Received _____ S20 Rec'd By: _____ Receipt # _____
--	---

PLEASE TYPE OR PRINT

3. Applicant <u>Matt B. Pumnea</u> Mailing Address <u>PO. Box 1021</u> <u>Priest River, ID 83856</u> Work Phone (Area) <u>208</u> <u>448-2269</u> Home (Area) <u>same</u> Fax Number <u>208-448-1966</u>	4. Authorized Agent _____ Mailing Address _____ Work Phone (Area) _____ Home (Area) _____ Tributary of: <u>Pend Oreille</u> Assessor's Desc. (Tax No. or Subdivision, Lot & Block No.) _____ *(See instructions) <u>SE NE 22 55N 5W</u> or 1/4 1/4 Section Township Range UTM Coordinate Grid _____ Zone _____ Northing _____ Easting _____
--	--

5. Location where proposed activity exists or will occur.

Waterway floodplain adjacent to Bodie Canyon Cr.
Priest River Bonner Idaho
In/near city or town County State
83856 Bonner County
Zip Code Local jurisdiction (city or county)

6. Describe the proposed activity. Provide a general description of the proposed work including all discharges of fill material and any structures such as piers, floats, boat lifts, bulkheads, and cofferdams.

please see attached sheet
581 Shannon Lane

Describe construction methods and equipment:

please see attached sheet

List all soil series located at project site, and indicate if any are on the county's hydric soils list:

Hoodoo silt loam, 0 to 1 percent slopes (is hydric)

Length of project along the stream or extension into lake or reservoir: approx. 400' along stream

Will material be placed waterward of ordinary high water mark? No If yes, volume: N/A (cubic yards)
(BOTH TEMPORARY AND PERMANENT)

Will material be placed in wetlands? No If yes, total area: N/A (acres)

Type and composition of fill material: None (i.e. sand, etc.) Material Source: N/A

Will excavation or dredging be required? Yes If yes, volume: estimated 7260 (cubic yards) Composition loam and sandy loam

Disposal site for excavated material: upland area well away from excavation Method of excavation: excavator/dozer

Stream gradient: nearly flat at project site

Method of controlling turbidity and/or sedimentation: excavation in late summer when there is no surface water connection to drainage

7. Size and flow capacity of proposed bridge or culvert and area of drainage served (sq. miles): (Idaho Department of Water Resources requirement)

None

Purpose and intended use: Commercial _____ Public _____ Private X Other _____ Describe _____

Necessity and justification for project wetland wildlife and fish

10. Proposed Starting Date 7/99 Estimated Duration late summer of 1999 and 2000

11. If any portion of the activity is complete, indicate month and year of completion test hole on site, 6/98
Indicate the existing work on the drawings.

12. Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose property also adjoins the waterway.

☐ Check here if the alteration is located on endowment lands administered by the Idaho Department of Lands

13. LEGAL OWNER IF
OTHER THAN APPLICANT _____

Mailing Address _____ City, State, Zip Code _____
Area _____ Area _____
Phone _____ Work(_____) _____ Home(_____) _____

14. List other applications, approvals, or certifications from other Federal, interstate, state, or local agencies for any structures, constructions, discharges, deposits, or other activities described in the application.

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval
<u>Idaho Dep. Fish & Game</u>	<u>HIP agreement</u>			<u>contingent on Corps approval</u>

15. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? Yes _____ No X
(If "Yes" explain)

16. Remarks or additional information: Gregg Rayner visited this site in spring 1998. Please contact Pat Cole (Idaho Dep. Fish & Game) at 263-6004 for more information regarding this project.

17. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to take the proposed activities. I hereby grant to the agencies to which this application is made, the right to come upon the above-described location to inspect proposed or completed work.

2/20/99
Date

Math Pinner
Signature of Applicant (ORIGINAL SIGNATURE REQUIRED)

19. If an authorized agent is to be designated, Item 4 and the following information should be completed.

I hereby designate _____ to act as my agent in matters related to this permit application. I understand that if a Federal permit is issued, I must sign the permit.

Date _____ Original Signature of Authorized Agent _____ Original Signature of Applicant _____

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or utters any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both. Do not send a Federal permit processing fee with this application. The appropriate fee will be assessed when a permit is issued.

DO NOT SEND FEDERAL PROCESSING FEE WITH APPLICATION

Matt B. Pumnea
584 Shanon Lane
Priest River, ID 83856

January 1999

JOINT APPLICATION FOR PERMIT
U.S. ARMY CORPS OF ENGINEERS
IDAHO DEPARTMENT OF WATER RESOURCES
IDAHO DEPARTMENT OF LANDS

Item # 6

The proposed activity would involve excavating a pond in the floodplain adjacent to Bodie Canyon Creek. The project would involve Idaho Department of Fish and Game cost-share assistance through the Habitat Improvement Program (HIP).

The pond would be excavated using an excavator and crawler dozer. Excavated material would be hauled to a nearby upland location (out of the floodplain). The excavation would be located well away from Bodie Canyon Creek, and completed in late summer when no surface water occurs at the project site. A portion of the excavated topsoil will be stockpiled and spread over the completed excavation to provide native plant and invertebrate inoculum to the pond. At least 50% of the pond will be three feet deep or less with most shoreline slopes 6 feet vertical to one foot horizontal or flatter. A portion of the adjacent field will be fenced to exclude livestock and protect ground nesting birds. The project may take two years (or more) to complete. The completed pond is anticipated to be 1.5 surface acres in size.

The purpose of the project is to create habitat for fish, waterfowl and other wetland wildlife. The existing condition supports wetland wildlife in the spring. However, surface water is only intermittently present. The created impoundment would include shallow slopes that would support a diverse array of plants and invertebrates with benefits to many wildlife species.

Item # 12 Adjacent landowners

Steven C. Holey
Rt. 3, Box 456
Priest River, ID 83856

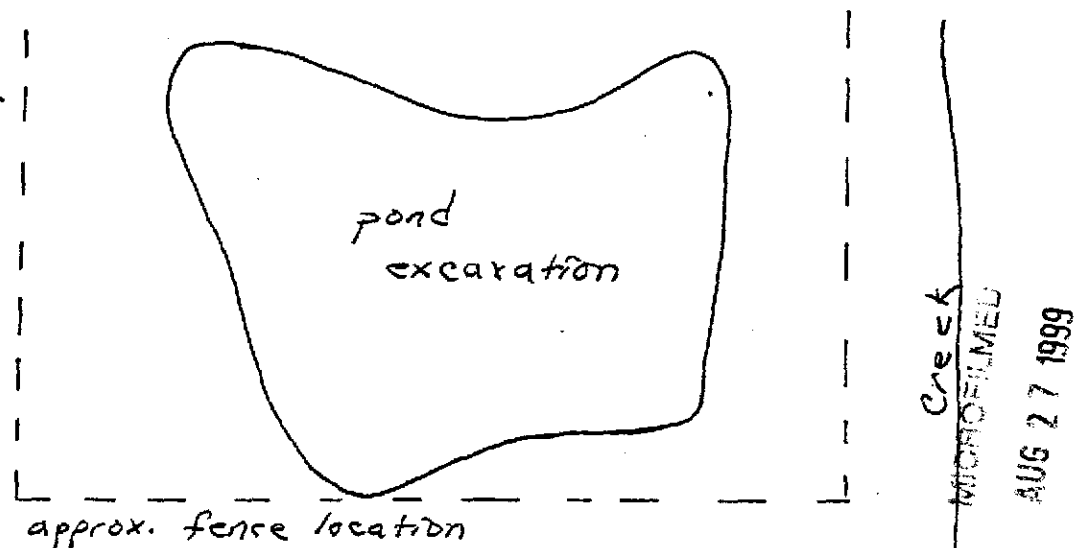
William and Margaret Malloy
P.O. Box 2044
Priest River, ID 83856

Donald F. Carr
1222 Bodie Canyon Rd.
Priest River, ID 83856

MICROFILMED

AUG 27 1999

Purnea
residence



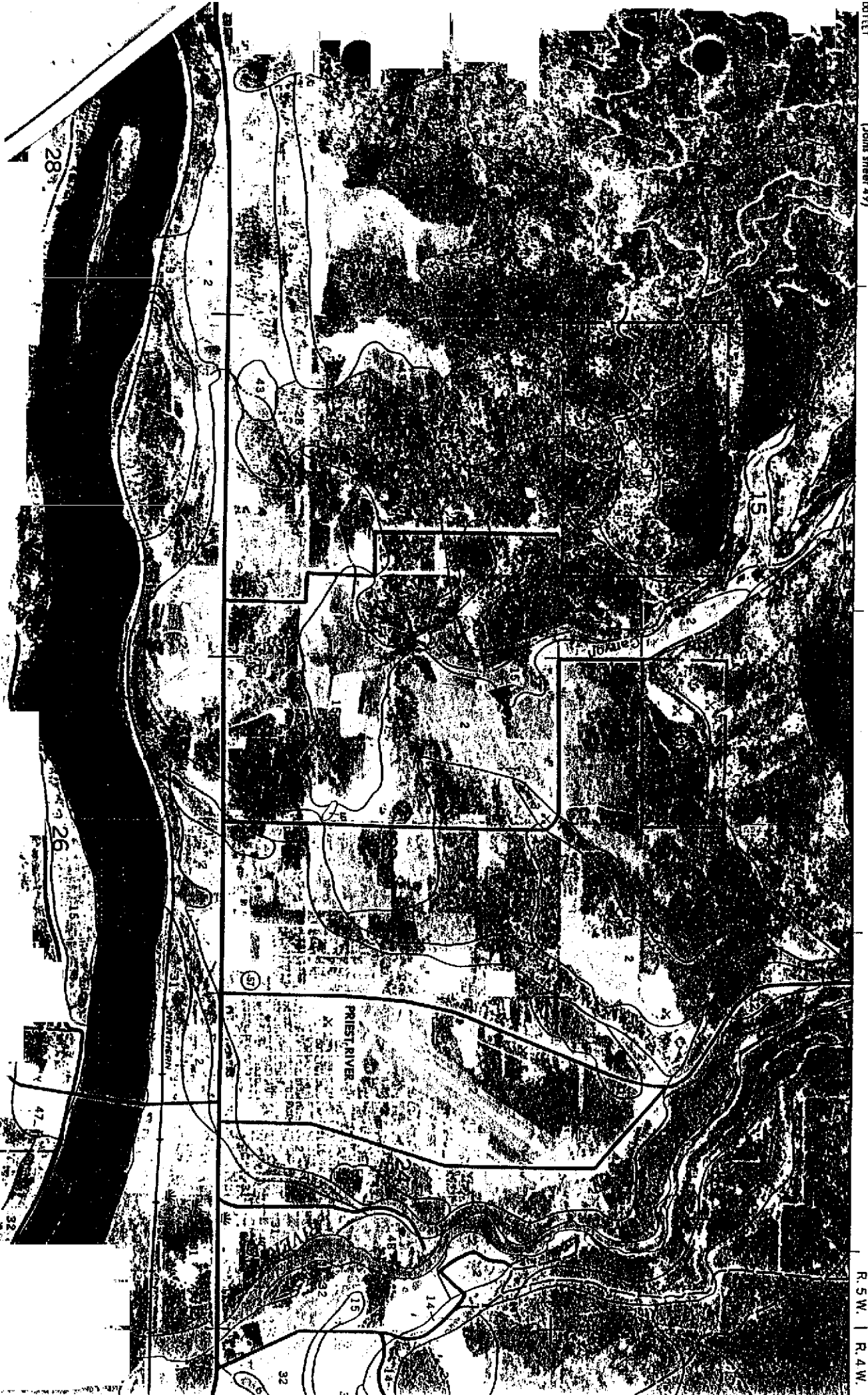
- excavated pond approx. 1.5 surface acres
- at least 50% of pond area 3' deep or less
- shoreline slopes mainly 6:1 or flatter
- some stockpiled topsoil spread over completed excavation to provide native plant and invertebrate inoculum.
- a portion of the area fenced from livestock to provide undisturbed upland nesting cover for ground nesting birds.

Shannan Lane

1" = approx 100'

SOIL SURVEY OF BONNER COUNTY AREA, IDAHO - SHEET NUMBER 56

Matth Burned
T55N, R5W, Sec. 22



MICROFILMED
AUG 27 1999



DEPARTMENT OF THE ARMY
WALLA WALLA DISTRICT, CORPS OF ENGINEERS
COEUR d'ALENE REGULATORY OFFICE
U.S. FOREST SERVICE BLDG.
3815 SCHREIBER WAY
COEUR d'ALENE, IDAHO 83815-8363

Reply To
Attention Of:

March 3, 1999

Operations Division

SUBJECT: NWW No. 991100440

Mr. Matt B. Pumnea
P.O. Box 1021
Priest River, Idaho 83856

Dear Mr. Pumnea:

This concerns your proposal to excavate a pond to be used as habitat for fish, waterfowl, and other wetland wildlife in Bodie Canyon Creek. This project was the subject of your February 20, 1999 Joint Application for Permit. Your project is authorized under the terms and conditions of Nationwide Permit 27 (33 CFR 330, Appendix A) subject to the enclosed list of conditions and the following special conditions:

- a. All excavated material must be disposed of in an upland location where it cannot enter any waterbody or wetland.
- b. All appropriate erosion and sedimentation controls must be used to reduce erosion and sedimentation of adjacent wetlands and waterways during construction. This includes but by no means is limited to the appropriate use of silt fences, straw bales, hydromulching, and tackifiers.
- c. All exposed soils at the excavation and disposal sites must be replanted with appropriate native vegetation immediately upon completion of the earth work.
- d. At least 50 percent of the pond must be 3 feet deep or less.
- e. The shoreline must be sloped to 6:1 grade or flatter.
- f. At least 6 inches of topsoil retained from the excavation must be spread over the excavated pond area.
- g. Livestock fencing must be installed to enhance ground nesting bird habitat.

MICROFILMED

AUG 27 1999

Please carefully review these conditions. If you cannot meet these conditions or if you change the project described in your permit application, this nationwide permit verification is not valid. You should contact us for our approval before modifying your project. We have enclosed a Compliance Certification for you to sign and return when you have completed your project.

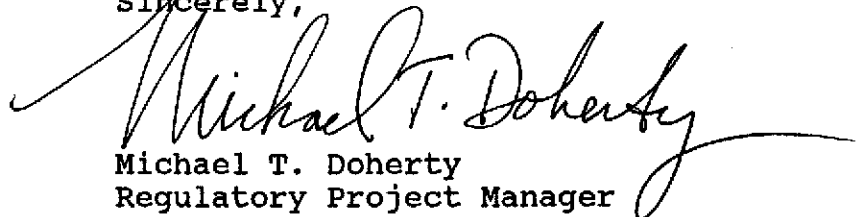
This notification is valid for 2 years from the date of this letter unless the nationwide permit is modified, reissued, or revoked. However, it will remain valid until that date if the nationwide permit is reissued without modification or your proposed project complies with the modified nationwide permit. If you commence or are under contract to commence this activity before the date the nationwide permit is modified or revoked, you will have 1 year from the date of the modification or revocation to complete the activity under the present terms and conditions of this nationwide permit.

This determination applies only to Department of the Army permits administered by the Corps of Engineers. Your project may also require permits from other Federal, state, and local agencies.

A local floodplain management ordinance may have been adopted by your local city or county zoning office under the National Flood Insurance Program. You should contact them regarding any approvals or permits they may require for your project.

Please contact me at 208-765-7237 if you have any questions.

Sincerely,


Michael T. Doherty
Regulatory Project Manager

Enclosures

Copies Furnished:

Gwen Fransen, Regional Administrator
Idaho Department of Health and Welfare
Division of Environmental Quality
2110 Ironwood Parkway
Coeur d'Alene, Idaho 83814

MICROFILMED
AUG 27 1999