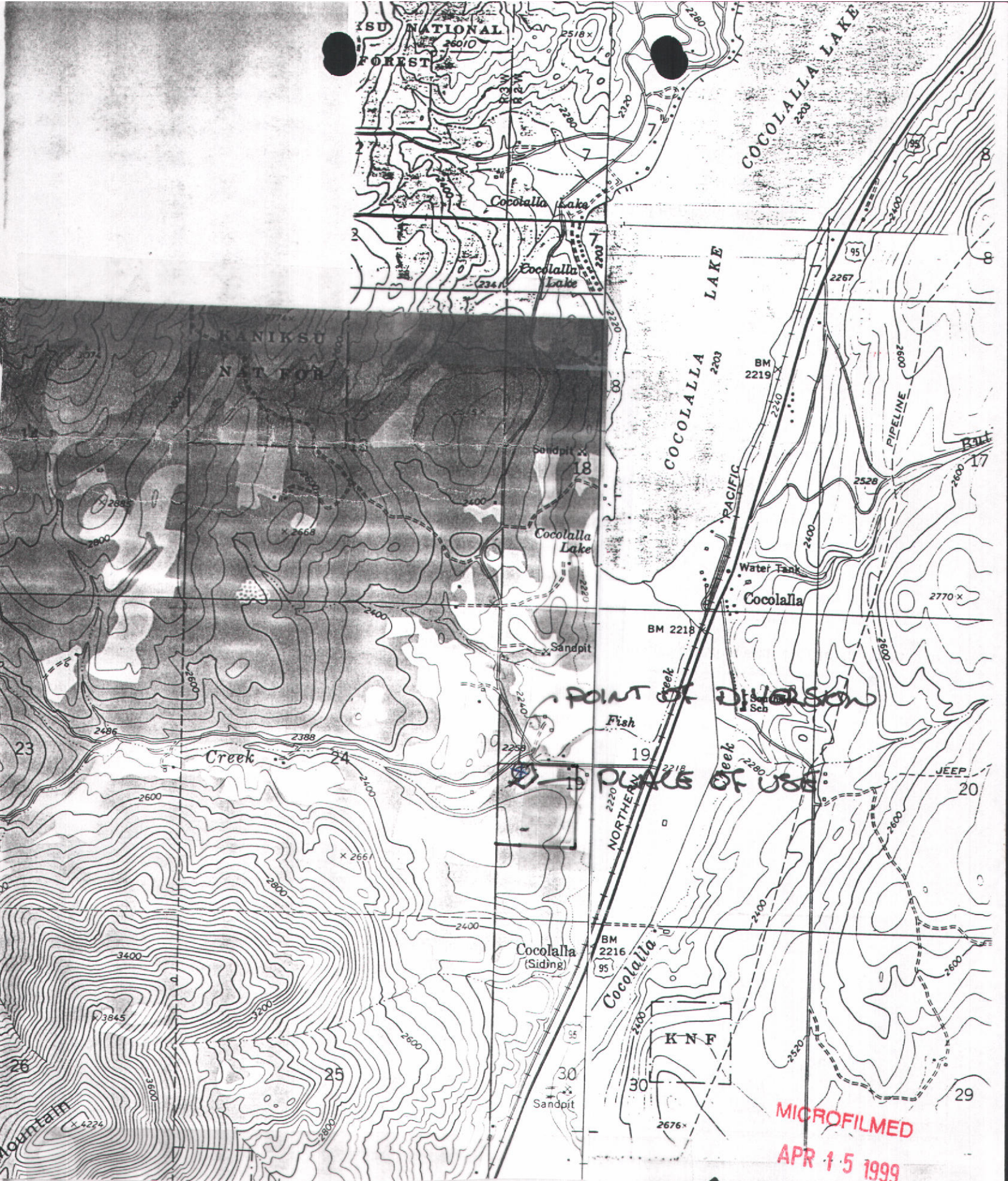
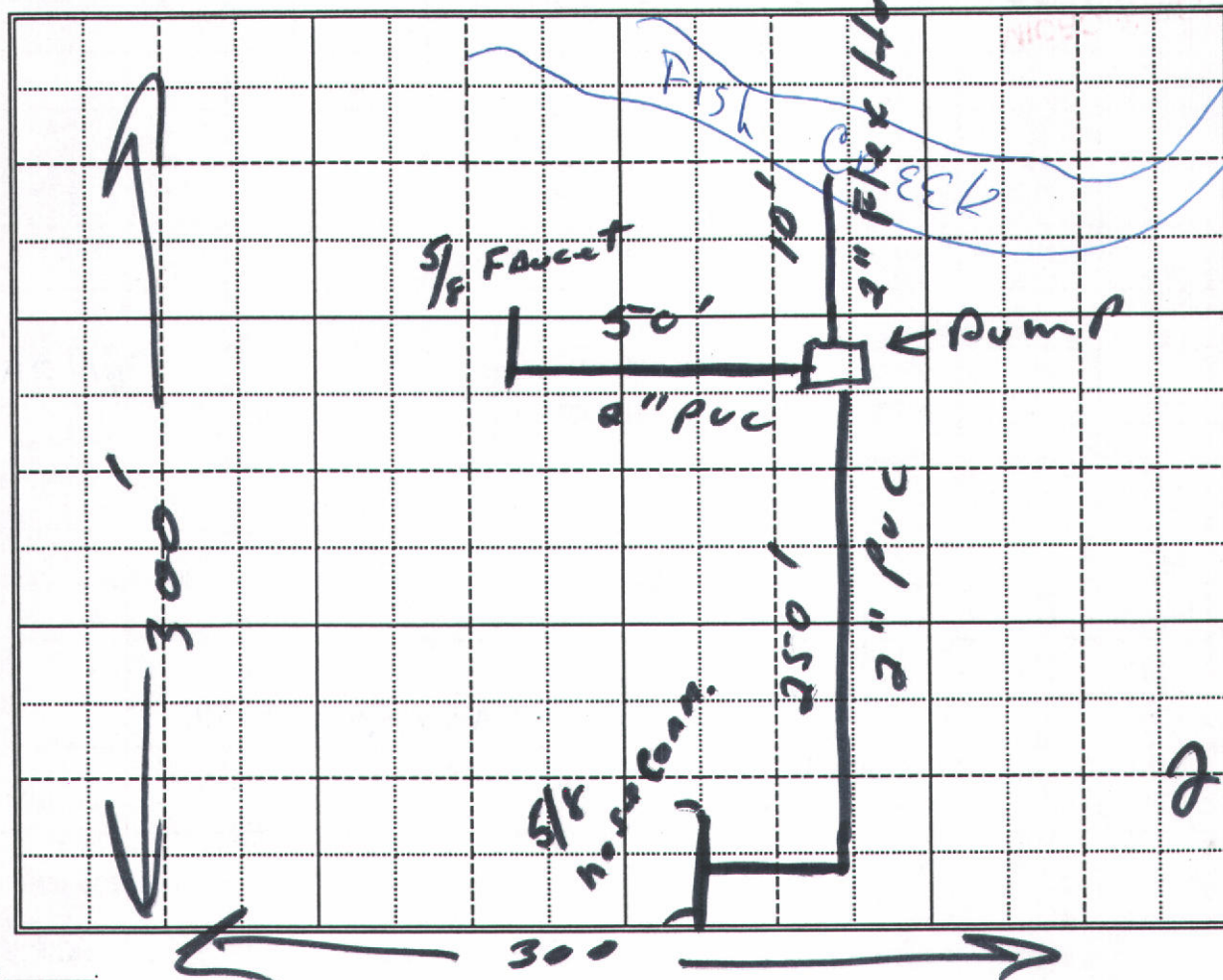




HOLTON
T. 55N., R. 2W.

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
	Honda	4	WP20X	Honda	2"

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

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MAR 24 2003

96-09009



Pd



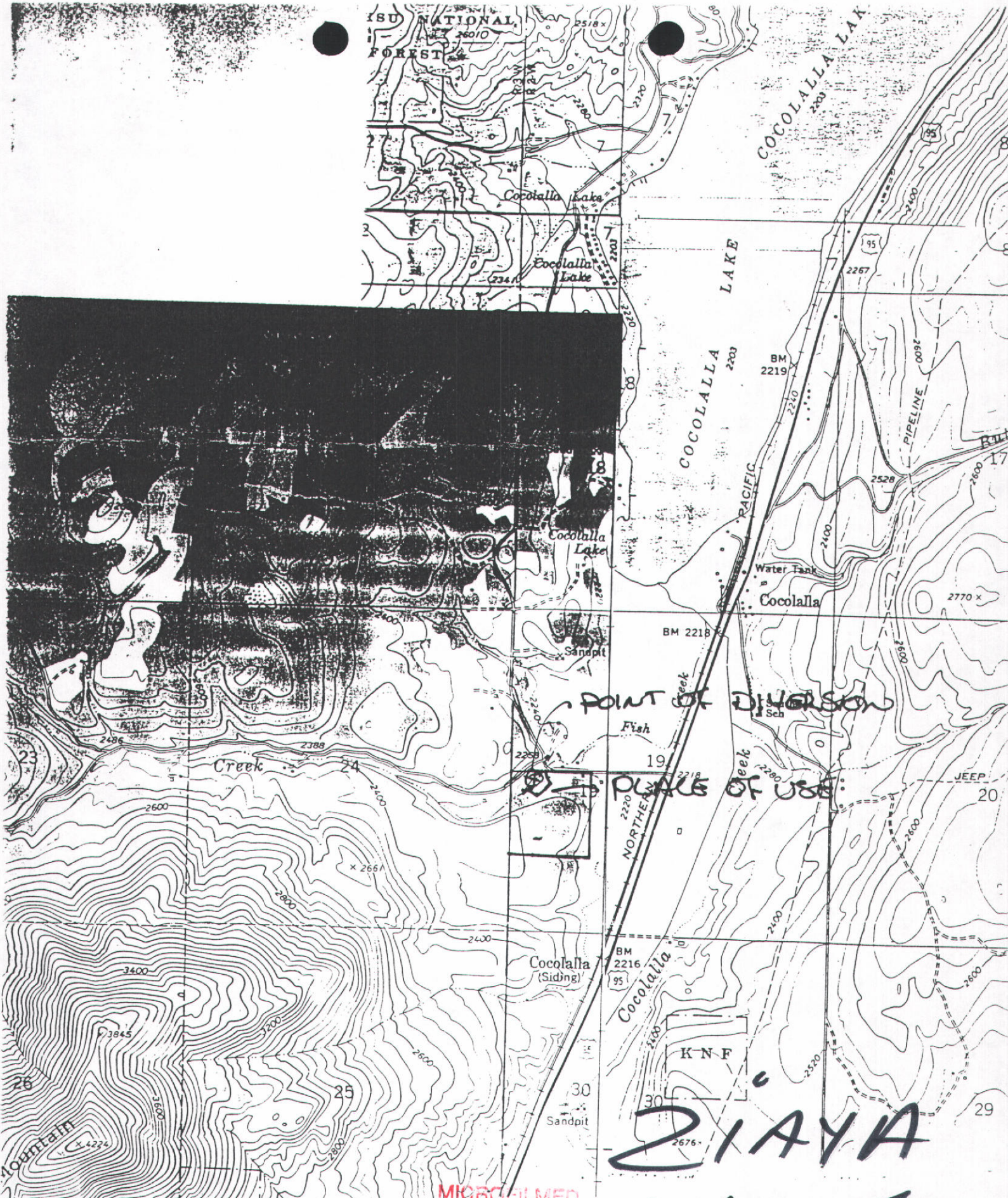
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Pv

MICROFILMED
MAR 24 2003

ISD NATIONAL
FOREST



MICROFILMED

MAR 24 2003

ZIAYA

~~HOLTON~~

TSSN.. R2W.

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Sherilyn Plunk being first duly sworn on oath
deposes and says that he/she is Bookkeeper
of the Bonner County Daily Bee, a newspaper printed and
published at Sandpoint, 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:

App for Water
Rights

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 5 day of Nov., 1998
and ending on the 12 day of Nov., 1998
and that said notice was published in said newspaper.

On this 12 day of Nov. in the year
of 1998, before me, a Notary Public, personally
appeared Sherilyn Plunk,
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.

Carolyn L. Inge
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 7/00

RECEIVED

DEC 04 1998

IDWR/North

NOTICE OF APPLICATION
FOR WATER RIGHT

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

96-09009
HOLTON ALLYN W
4200 COCOLALLA LOOP ok
COCOLALLA, ID 83813
Source: FISH CREEK
Tributary: COCOLALLA LAKE
Diversion Pt: Lot 3 (NWSW) Sec 19
T 55N R 02W in BONNER County.
Use: IRRIGATION (0.060 CFS)
Total Diversion: (0.060 CFS)
Date Filed: 10/14/1998
In: BONNER County
T 55N R 02W S19 Lot 3 (NWSW)
2.0 ACRES TOTAL

96-09010
FIELDS, BILLY J
1023 GARFIELD BAY ROAD
SAGLE, ID 83860
Source: SPRING
Tributary: SINKS
Diversion Pt: NENENE Sec 17 T
56N R 01W in BONNER County.
Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)
Date Filed: 10/16/1998
In: BONNER County
T 56N R 01W S17 SENE

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, Idaho 83814, together with
a protest fee of \$25.00 on or before
NOVEMBER 23, 1998.

KARL J. DREHER, Director
SNP#9572 Nov 5, 12, 1998

MICROFILMED

APR 15 1999

9572

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-09009

Priority: October 14, 1998

Maximum Diversion Rate: 0.06 CFS
Maximum Diversion Volume: 6.0 AF

It is hereby certified that PAUL ZIAYA And/Or MERLYNE ZIAYA
4200 COCOLALLA LOOP RD
COCOLALLA ID 83813 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated October 14, 1998; and have
submitted Proof of Beneficial Use on December 7, 2000. An examination indicates that the works have
a diversion capacity of 0.06 cfs of water from:

SOURCE

FISH CREEK

Tributary: COCOLALLA LAKE

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	0.06 CFS	6.0 AF

LOCATION OF POINT(S) OF DIVERSION:

FISH CREEK L3 (NW¼SW¼) Sec. 19, Twp 55N, Rge 2W, B.M. BONNER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N 02W 19											2.0						2.0
											L3						

Total Acres: 2

CONDITIONS OF APPROVAL

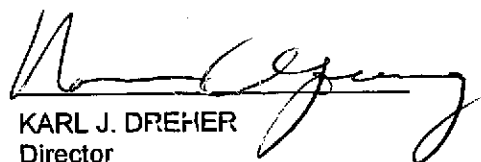
1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

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

Signed and sealed this 25TH day of NOVEMBER, 2002.

MICROFILMED

MAR 24 2003


KARL J. DREHER
Director

11/99

For Office Use Only
\$25 filing fee PAID
Receipt # 1015264
Date 9-6-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT - 4 2002

ASSIGNMENT OF PERMIT

To change the ownership of a permit

Department of Water Resources

I, ALYN W. HOLTAN, hereby assign to PAUL &/OR MERLYNE ZIAYA
of, 4200 COCOLALLA LOOP RD, COCOLALLA, ID 83813 208-265-9002
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 96-09009 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

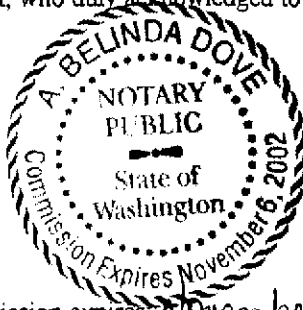
Made this 9 day of 30, 2002

Permit Holder(s) Alyn W. Holtan

State of ~~Idaho~~ WASHINGTON

County of CLALLAM

On this 30th day of September, 2002, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.



SEAL

A. Belinda Dove
Notary Public residing at

Sequim Washington

My commission expires: November 06, 2002

MICROFILMED

OCT 17 2002

RECEIVED

DEC 07 2000

IDWR/North

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

DEC 08 2000

Department of Water Resources

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. 96-09009 Telephone No. 208-263 5801
2. Name of Permit Holder(s):
ALLAN HOLTON
3. Mailing Address: 4200 COCOLALLA LP, COCOLALLA ID
City COCOLALLA State ID Zip 83813
4. Source of Water: FISH CREEK 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): 2 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.06 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No _____
8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: SAME AS ABOVE Telephone Number: _____
Address: _____
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: X Allan W. Holton
(include your title, if on behalf of company or organization)

Date: 12/7/00

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APR 11 2001

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-09009

Proposed Priority: October 14, 1998 Maximum Diversion Rate: 0.06 CFS

This is to certify, that ALLYN W HOLTON
4200 COCOLALLA LOOP
COCOLALLA ID 83813
has applied for a permit to appropriate water from:
FISH CREEK tributary of COCOLALLA LAKE

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>
-----------------------	----------------------	--------------------------

IRRIGATION	03/15 to 11/15	0.06 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (NWSW), Sec. 19, Township 55N, Range 02W
BONNER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
55N	02W	19	Lot 3 (NWSW)	2.0		2.0

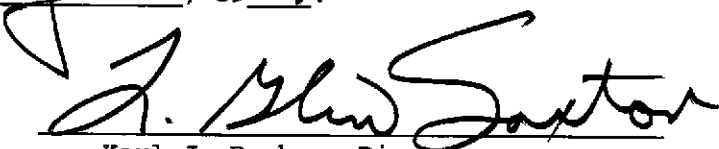
Total number of acres irrigated: 2.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 2001.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

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

29th day of January, 1999.


for Karl J. Dreher, Director

MICROFILMED

APR 15 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 96-09009

RECEIVED
JAN 13 1999
DEPARTMENT OF WATER RESOURCES

1. Name of Applicant ALLYN W. HOLTON Phone 208 2635801
Mailing address 4200 COCOLALLA LP COCOLALLA ID 83813 (20AC)
2. Source of water supply FISH CREEK which is a tributary of COCOLALLA LAKE
3. Location of point of diversion is Township 55 N Range 2W Sec. 19 in the 1/4,
NW 1/4, SW 1/4, Govt. Lot #3, B.M., BONNER County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 20 AF ^{0.05} for IRRIGATION purposes from APR 1 ^{3/15} to APR 1 ^{11/15} (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.05 and/or (b) 0 TO 20
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 HONDA PUMP/150
GPM MAX.
b. Height of storage dam 0 feet; active reservoir capacity 0 acre-feet; total
reservoir capacity _____ acre-feet
c. Proposed well diameter is 0 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 _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 2 ~~1~~ 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 LAWN & TREES WHEN
NEEDED

MICROFILMED
APR 15 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	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
35	2W	19										2							2
	GOVT											GOVT							
	LOT											LOT							
	#3																		
	?																		

Total number of acres to be irrigated 2

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? APPLICANT

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

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

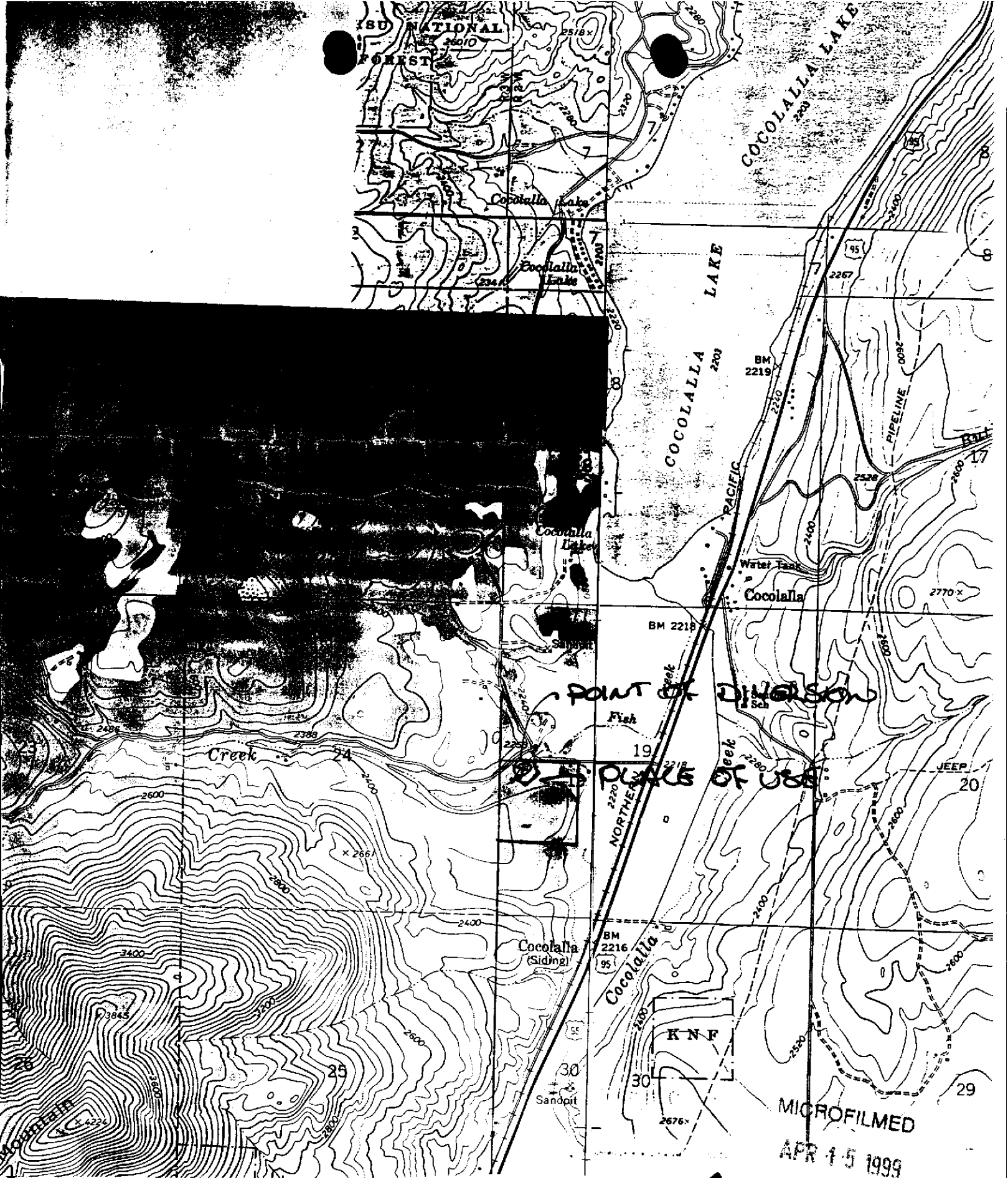
APR 15 1999

Allen W. Hartley
Signature of Applicant (and title, if applicable)

DDP = 10/14/98*

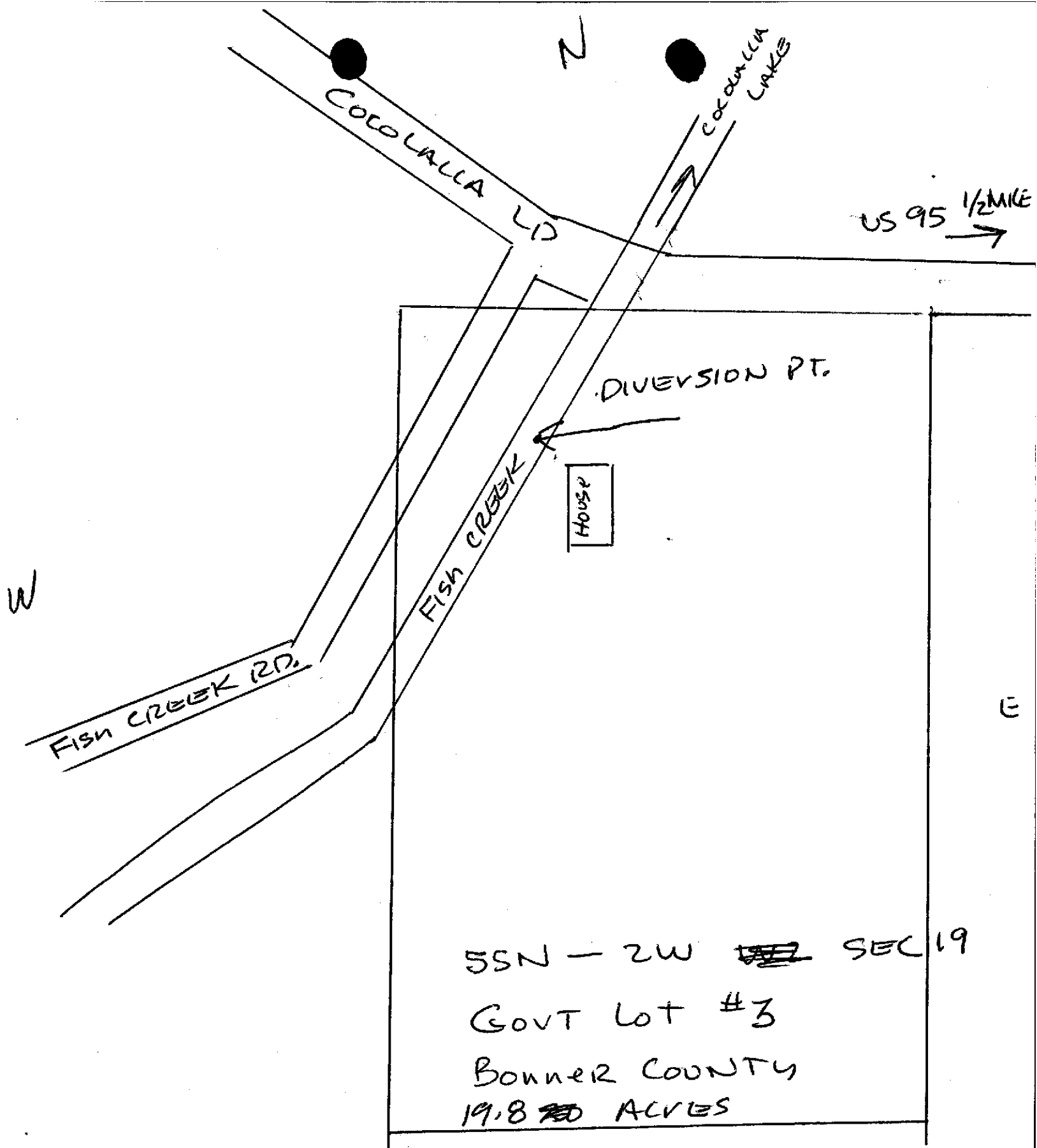
*Corrected application received 10/14/98
Per Al. Beardlee.

Received by ☐ Date 8/19/98 Time 11:55a Preliminary check by RB
Fee \$ 50.00 Received by ☐ # N012337 Date 8/19/98
Publication prepared by ☐ Date 10/28/98 Published in Idaho Daily Bee Date 11/5 & 12/98
Publication approved ☐ Date 12/4/98



MICROFILMED
APR 4 5 1999

HOLTON
R.W.



MICROFILMED
APR 15 1999

S



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

November 25, 2002

PAUL ZIAYA
MERLYNE ZIAYA
4200 COCOLALLA LOOP RD
COCOLALLA ID 83813

RE: License No. 96-9009 - Issuance of License

Dear Water Right Holder(s):

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

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

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
MAR 24 2003

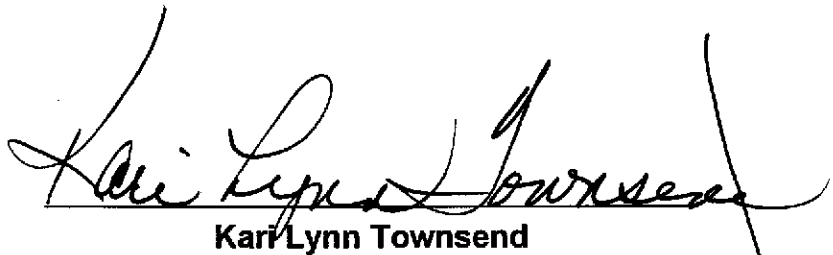
CERTIFICATE OF SERVICE

I hereby certify that on November 25, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

96-9009

MERLYNE ZIAYA
PAUL ZIAYA
4200 COCOLALLA LOOP RD
COCOLALLA ID 83813



Karl Lynn Townsend
Secretary

MICROFILMED

MAR 24 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MEMORANDUM

Date: November 22, 2002
To: Water Right File 96-9009
From: S. Keen *SK*
Re: License Review

Licensing review and data entry by S. Keen on 11/22/2002. I did not have new aerial photography or tax lot information for the place of use, so the digitized place of use is a guess at best.

MICROFILMED
MAR 24 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 17 2002

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-09009

1. Owner: Paul & Merlyne Ziaya Phone No. (208) 265-9002

Current Address: 4200 Coccolalla Loop Rd. Coccolalla Id. 83813

2. Accompanied by: Mrs. Ziaya EXAM DATE: 8-7-02

Address: same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Lish Creek tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SW	19	55N	2W	Donner	7.5 min Quad

2. Place(s) of Use:

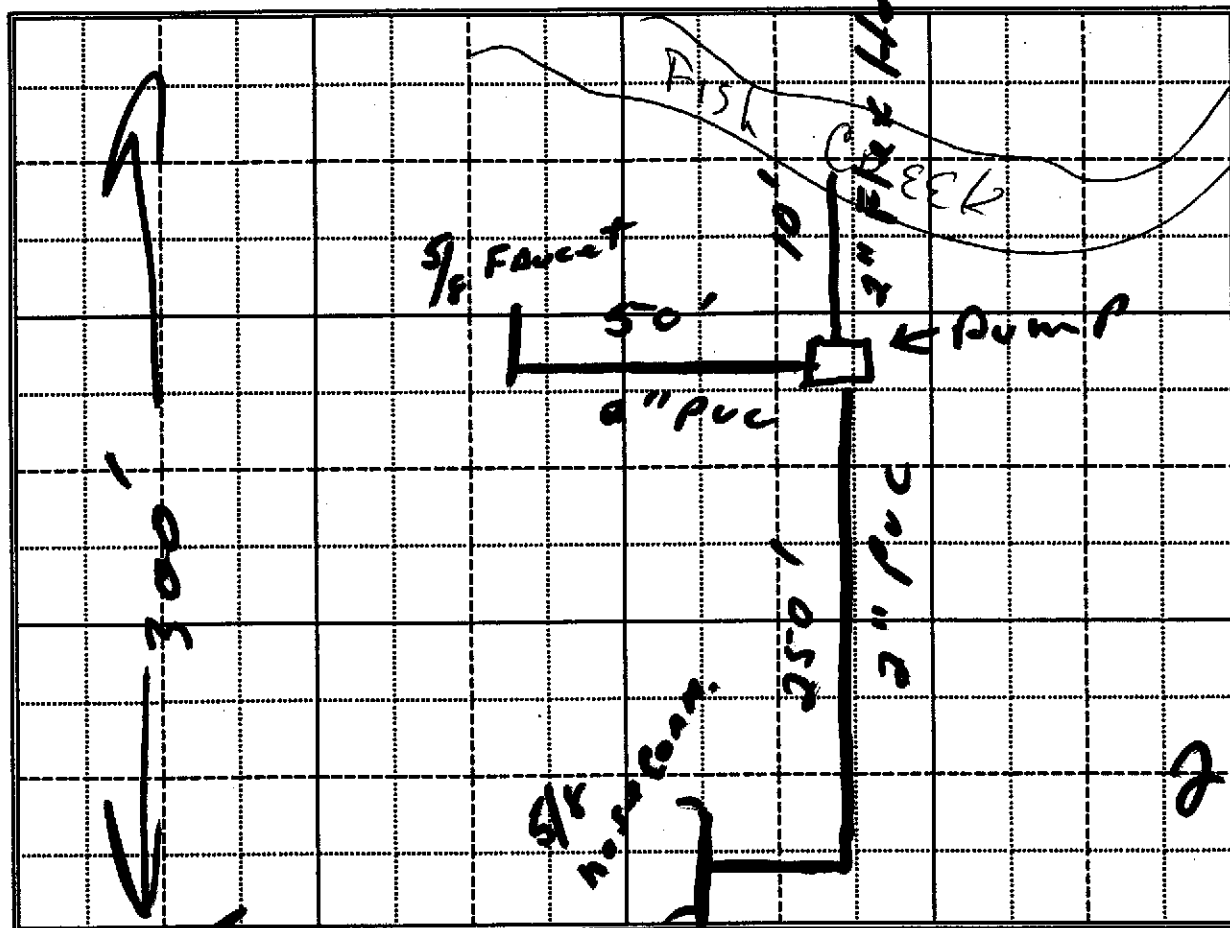
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	02W	19											2						2

MICROFILMED

MAR 24 2003

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
	Honda	4	WP20X	Honda	2"

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

D. FLOW MEASUREMENTS

1.

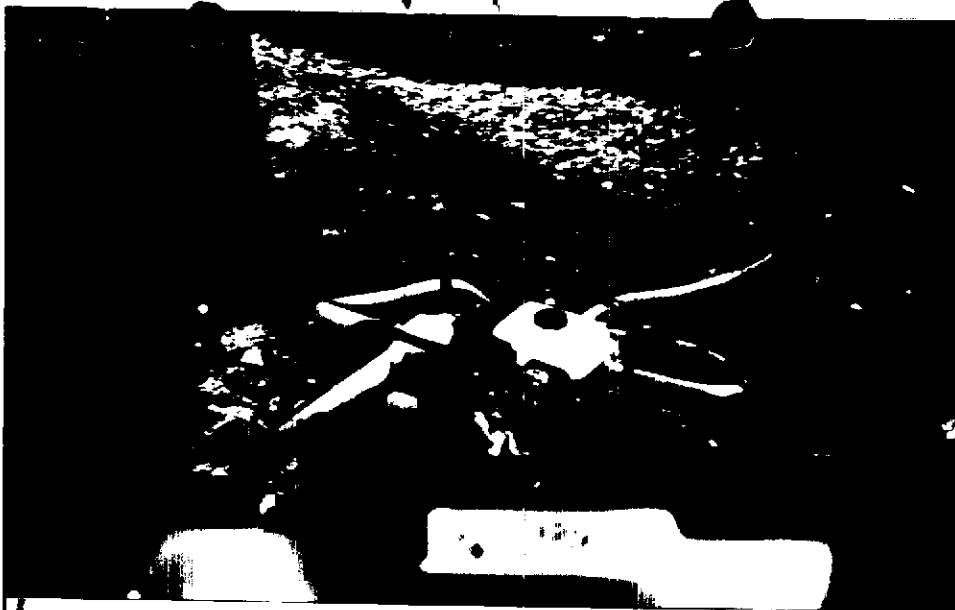
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: _____

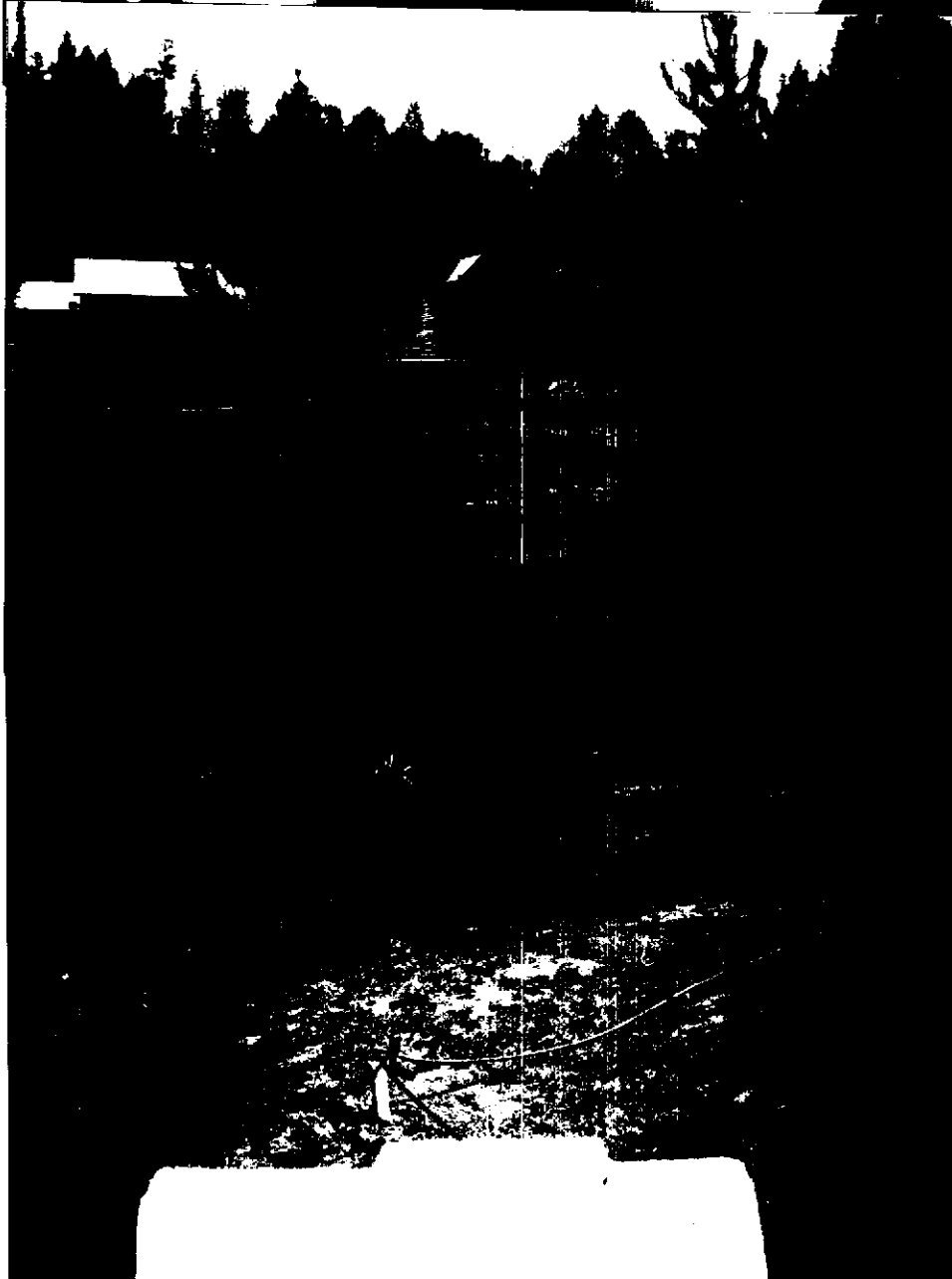
MICROFILMED

MAR 2 2003

96-09009



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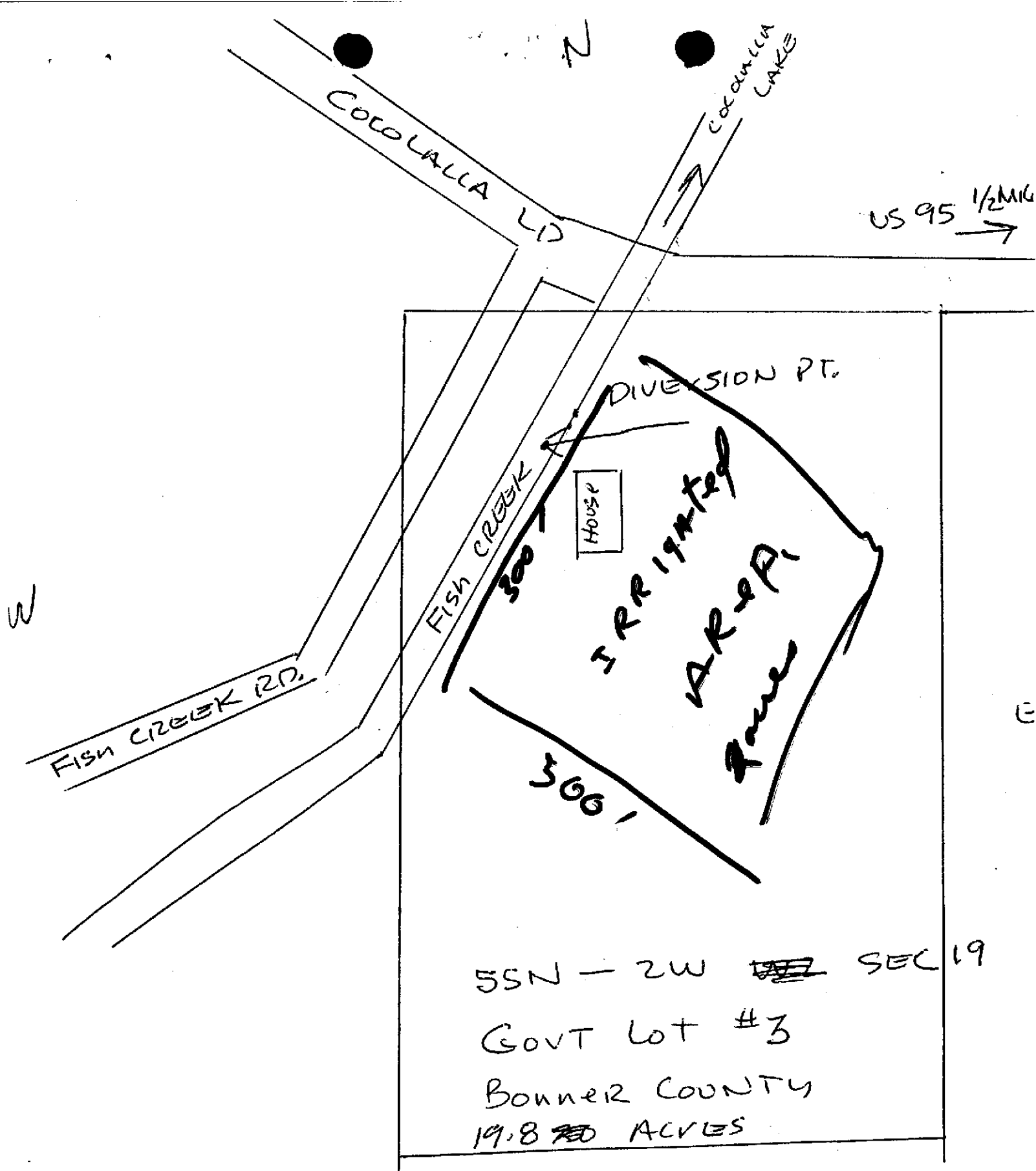


Pv

Pv

MICROFILMED

MAR 24 2003



96-09009

MICROFILMED

APR 24 2003

S

E. NARRATIVE/REMARKS/COMMENTS

A 4 hp gas pump delivers into a
2 in. PVC trunk line underground.
It surfaces in two places and there
5/8 garden hose is attached to portable
sprinklers and moved to desired areas.

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

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MAR 9 2003

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$\frac{5 \text{ gal bucket} \times 5 \text{ gal in 12 sec} = 25 \text{ gpm}}{25 \times 1.133681} = .0556 = .06$$

60

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2 \times 3 = 6$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .06 \times 245 \times 1.9835 = 29$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 6$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	03-15	11-15	.06	6
Totals:			.06	6

2. Recommended Amendments

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

This is an ownership change.

I. AUTHENTICATIONField Examiner's Name Wayne Baldwin Date 9/11/02

Reviewer _____ Date _____

SEAL

MICROFILMED
MAR 24 2003



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

October 8, 2002

PAUL ZIAYA
MERLYNE ZIAYA
4200 COCOLALLA LOOP RD
COCOLALLA ID 83813

RE: Change of Ownership for Water Right 96-9009

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

OCT 17 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 11, 2002

PAUL ZIAYA
MERLYNE ZIAYA
4200 COCOLALLA LOOP RD
COCOLALLA ID 83813

RE: Change in Ownership of Water Right Permit 96-09009

Dear Mr. & Mrs. Ziaya:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

Because this water right is still in the permit stage, an Assignment of Permit will be required to complete the ownership change. Enclosed is an assignment form for your use. Please note that the \$25 filing fee you sent for the ownership change will be applied to the fee requirement for the Assignment of Permit. We are returning the paperwork that you sent as we only require the completed assignment form and filing fee to process the change.

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

Please feel free to contact the Department if you have any questions.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

cc: IDWR Northern Region Office
Enclosures

MICROFILMED
OCT 17 2002



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

RECEIVED

SEP - 9 2002

Department of Water Resources
Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 6, 2002

PAUL AND MERLYNE ZIAYA
4200 COCOLALLA LOOP RD
COCOLALLA ID 83813

Re: Water Right 96-9009

Dear Mr. and Mrs. Ziaya:

This acknowledges receipt of the Notice of Change in Water Right Ownership papers for the above referenced water right, changing the ownership to you. Enclosed is receipt No. N015264, for your records.

We are forwarding the paperwork to the State Office for processing.

If you have any questions, please contact KariLynn Townsend in our State Office, at 208-327-7941.

Sincerely,

Dianne Bail
Administrative Assistant

Enc.

db

cc: IDWR State Office

MICROFILMED

OCT 17 2002

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
96-09009					

COPY

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) ALLEN W. HOLTEN
4. New Owner/Claimant(s) PAUL / MERLYNE ZIAYA
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 4200 COCOLALLA LOOP RD
- City, State and ZIP Code COCOLALLA ID 83813
- New Telephone Number 208 265-9002
5. Date you acquired the property 12-7-2001

MICROFILMED

OCT 17 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) M. J. Zaya
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

MICROFILMED
OCT 17 2002

For Office Use Only

Received by <u>[Signature]</u>	Date <u>9/6/02</u>	Fee <u>25.00</u>
Received by <u>[Signature]</u>	Date <u>9/6/02</u>	Receipt No. <u>N015264</u>
Processed by _____	AJ Date _____	WR _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 23, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ALLYN HOLTON
4200 COCOLALLA LOOP
COCOLALLA ID 83813

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-09009

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

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

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

APR 11 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 96-9009

Reviewed By: dgibson

Date: January 23, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		N014059	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		12/07/2000
Date proof due	-	02/01/2001
No. of days late	=	0
Holiday allowance	+	
Priority date	+	10/14/1998
New priority date	=	10/14/1998

Deficiencies of Actions Items

Acknowledge proof.

November 30, 2000

ALLYN W HOLTON
4200 COCOLALLA LOOP
COCOLALLA ID 83813

PROOF DUE NOTICE

RE: PERMIT NO. 96-09009

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 February 1, 2001. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

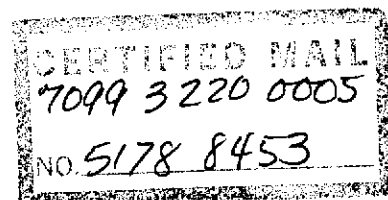
SINCERELY,

DEBORAH GIBSON
Administrative Assistant

Enclosures

MICROFILMED

APR 11 2001





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 2, 1999

DIRK KEMPTHORNE
GOVERNOR

ALLYN W HOLTON
4200 COCOLALLA LOOP
COCOLALLA ID 83813

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-09009

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.

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.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klr
Enclosures

MICROFILMED

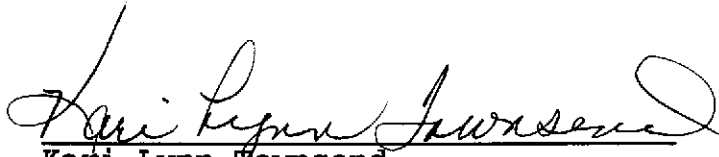
FEB 15 1999

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of February, 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. 96-09009

ALLYN W HOLTON
4200 COCOLALLA LOOP
COCOLALLA ID 83813


Kari Lynn Townsend
Secretary

MICROFILMED
APR 15 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

APR 15 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.

MICROFILMED

SEP 15 1999

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by CindyNo.: 96-9009 Name: Holton Date: 1/27/99 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)

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

In Basin 34?

- 085

Irr. within WD

- P05 (new well location)

WMD (✓ MAP)

- North / East / West

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- No MD

WMD Supp irr use only

- 065-079-102 (if GW use SW)-(keep SW)-(GW not primary irr source)

Supp. irr + uses

- 100-101-102

> 0.24 cfs/5 acres

- 01M (report when notified)

≤ 0.24 cfs/5 acres

- No MD

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

FISH & GAME CONTACTED:

- Yes / No; WHEN: _____ RESPONSE: None

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

IN-STREAM DEVELOPMENT

- P52 (stream channel alteration)

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs

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

WMD (✓ MAP)

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22 -P04, NA

(02/03-irr)

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

Payette R(65)

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

Salmon R (70's)

- 029 (fish screens), NA

Weiser R (67)

- 086, 087

USE:

Storage (✓ 3 compo.)

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

Irr ≤ 5 acres

- ~~R66~~/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)~~5 acres~~- ~~R66~~/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Stockwater

- R37 (BLM/USFS); NA

Mining

- 054(req) -081-P10

Fish Propagation

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

Heating/Cooling

- R07 (injection well)

Power

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

Municipal

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

Domestic surface

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

>1 in rest. area

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

Fire Protection

- 071-070

- 077

LOCATION:

Boise Front LoGeo

- 058 (<85° GW temp only)

Mitigation

- 120

42-248 area

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

SWAN FALLS FLAG (See Code Chart)

Trust

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

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- 2 / 1 / 2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

WR1
WR2
DCA

APPLICATION # 96-09009

JAN 13 1999

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: HOLTON

BY: AS

DATE: 10/14/98

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

PROCESSING

- (Yes) (No) PRIORITY DATE: 10/14/98
- X (Include Moratorium Remark)
 - X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: Boone 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

D Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
<u>1</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
<u>1</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
<u>1</u>	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)
- 12/4 Notice of pending void order issued. Final order response date: _____/_____/_____
 - 12/4 Further information required from applicant
 - 12/4 Affidavit of publication received
 - 12/4 Application published correctly. If not, record action taken: _____
 - 12/28 Publication dates and paper recorded on application | Sr. Agent initial AS
 - 1 Protests received, Final protest date: 11/23/98
 - 1 Measuring device required
 - 1 Measuring port required
 - 1 Special conditions:
 - 1 Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: BP

Date: 12/28/98

Memorandum to File

Date: December 28, 1998

From: Beardslee

File: 96-09009

RE: Fish and Game review of surface water Application for Permit

The Idaho State Fish and Game Department was given the opportunity to review this filing, in addition to our notification of new water right filings list.

Northern Region was given no negative response to the approval of this filing.

MICROFILMED
APR 15 1999

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Sherilyn Plunk being first duly sworn on oath
deposes and says that he/she is Book Keeper
of the Bonner County Daily Bee, a newspaper printed and
published at Sandpoint, 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:

App for Water
Rights

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 5 day of Nov., 1998
and ending on the 12 day of Nov., 1998
and that said notice was published in said newspaper.

On this 12 day of Nov. in the year
of 1998, before me, a Notary Public, personally
appeared Sherilyn Plunk
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.

Carolyn L. Inge
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 7/00

RECEIVED

DEC 04 1998

IDWR/North

NOTICE OF APPLICATION
FOR WATER RIGHT
The following application(s)
have been filed to appropriate the
public waters of the State of Idaho:
96-09009
HOLTON ALLYN W
4200 COCOLALLA LOOP ok
COCOLALLA, ID 83813
Source: FISH CREEK
Tributary: COCOLALLA LAKE
Diversion Pt: Lot 3 (NWSW) Sec 19
T 55N R 02W in BONNER County.
Use: IRRIGATION (0.060 CFS)
Total Diversion: (0.060 CFS)
Date Filed: 10/14/1998
In: BONNER County
T 55N R 02W S 19 Lot 3 (NWSW)
2.0 ACRES TOTAL
96-09010
FIELDS, BILLY J
1023 GARFIELD BAY ROAD
SAGLE, ID 83860
Source: SPRING
Tributary: SINKS
Diversion Pt: NENENE Sec 17 T
56N R 01W in BONNER County.
Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)
Date Filed: 10/16/1998
In: BONNER County
T 56N R 01W S 17 SENE
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, Idaho 83814, together with
a protest fee of \$25.00 on or before
NOVEMBER 23, 1998.
KARL J. DREHER, Director
SNP#9572 Nov 5, 12, 1998

MICROFILMED

APR 15 1999

9572

96-09009

HOLTON, ALLYN W
4200 COCOLALLA LOOP
COCOLALLA, ID 83813

Source: FISH CREEK

Tributary: COCOLALLA LAKE

Diversion Pt: LOT 3 (NWSW) Sec 19 T 55N R 02W in BONNER County.

Use: IRRIGATION	(	0.060 CFS)
Total Diversion:	(	0.060 CFS)

Date Filed: 10/14/1998

In: BONNER County
T55N R02W S19 Lot 3 (NWSW)

2.0 ACRES TOTAL

MICROFILMED

APR 15 1999

October 28, 1998

Allyn W Holton
4200 Cocolalla Loope
Cocolalla ID 83813

Re: Water Appropriation Application No. 96-09009

Dear Mr. Holton:

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.

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

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

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

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

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

MICROFILMED

APR 15 1999

September 25, 1998

Mr. Allyn W. Holton
4200 Cocolalla Lp. Rd.
Cocolalla ID 83813

RE: Application for Permit

Dear Mr. Holton:

We are returning your Application for Permit to you along with Receipt Number N012337, for the amount of \$50.00. Your filing is not acceptable at this time.

Please review the following items:

I have converted 150 GPM to 0.33 CFS for you on Item 4. This rate requires a \$100.00 filing fee.

I have enclosed a topographical map. Please mark the map where your diversion point will be located and outline where the irrigation will be. The legal descriptions for Items 3. & 9. must match the map.

Please return your filing and the map back to this office for processing. Or, if you have any questions, feel free to contact me.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

MICROFILMED

APR 15 1999