

East

300

M. C.

JOSE WOLFF KREIDEN, 2550
Truster 505701

Craig A. Nielsen
4,0959

2570

16.0

3849/12

3451

3175

Jessie H. Decker
51,039

24.86

3176 M. C.
Tanner
466672

3150
THOMAS N. +
ROBERT A. Ault
396402

3200
Wm. G. Boyd
manly
472865

3550
Donald & Tina
Carter
443822

Gene W. Patience
Price
470464 3400 3.97

ARROWHEAD RANCHO

large scale

Meander Line

2
40

5
14.32

Sherri Shores

su large scale

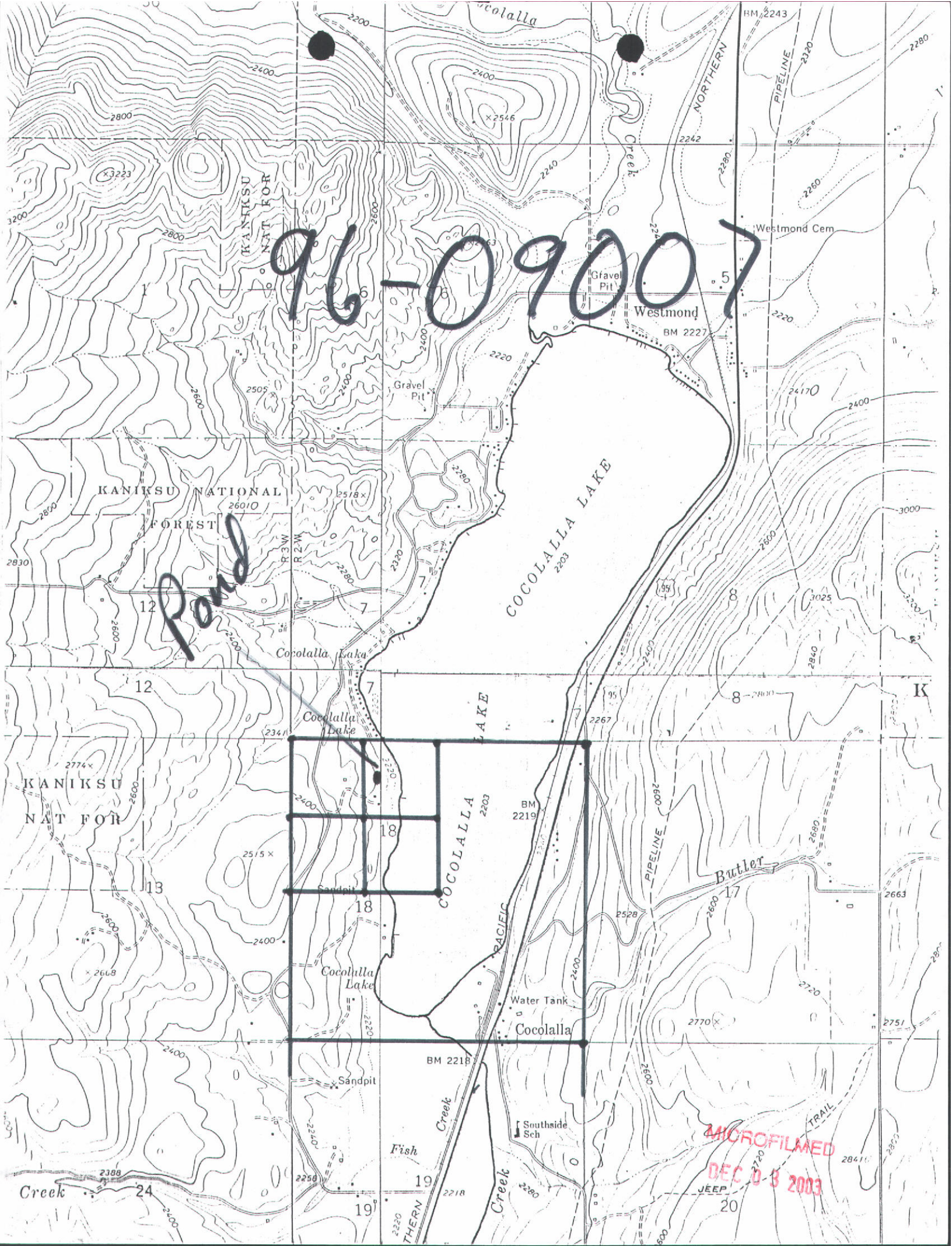
3
46.67

381.27

DAVENPORT
T. 52N, R. 2W.

MICROFILMED
APR 15 1999

North



96-09007



Davenport, Ron

MICROFILMED
DEC 03 2003

AFFIDAVIT OF PUBLICATION

RECEIVED

State of Idaho

NOV 04 1998

ss.

IDWR/North

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 15 day of Oct., 1998

and ending on the 22 day of Oct., 1998

and that said notice was published in said newspaper.

On this 22 day of Oct. 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 MICROFILMED

My commission expires: 6/00 APR 15 1999

NOTICE OF APPLICATION
FOR WATER RIGHT

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

96-09007

DAVENPORT, RON
2567 COCOLALLA LOOP ROAD
COCOLALLA, ID 83813
Source: UNNAMED STREAM
Tributary: COCOLALLA LAKE
diversion Pt: NENW 18 T 55N R 02W in BONNER County.
USE: IRRIGATION (0.090 CFS)
IRRIGATION STORAGE (1.00 AF)
IRRIGATION FROM STORAGE (1.00 AF)
RECREATION STORAGE (1.00 AF)
Total Diversion: (0.090 CFS)
Date Filed: 9/22/1998
In: BONNER County
T55N R02W S18 NENW
2.0 ACRES TOTAL

96-09008

GOLLEN, ARCHIE
4588 SAGLE ROAD
SAGLE, ID 83860
Source: UNNAMED STREAM
Tributary: FRY CREEK
Diversion Pt: SWSW Sec 17 T 56N R 01W in BONNER County.
Use: STOCKWATER STORAGE (1.00 AF)
RECREATION STORAGE (34.00 AF)
Total Diversion: (34.00 AF)
Date Filed: 9/29/1998
In: BONNER County
T56N R01W S17 SWSW

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 NOVEMBER 2, 1998.

KARL J. DREHER, Director
SNP#9532 Oct 15, 22, 1998

9532

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-09007

Priority: September 25, 1998

Maximum Diversion Volume: 1.0 AF

It is hereby certified that RON DAVENPORT
2567 COCOLALLA LOOP RD
COCOLALLA ID 83813 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated September 22, 1998; and has
submitted Proof of Beneficial Use on March 4, 2002. An examination indicates that the works have a
storage capacity of 1.0 af of water from:

SOURCE

UNNAMED STREAM

Tributary: COCOLALLA LAKE

and a water right has been established as follows:

BENEFICIAL USE

RECREATION STORAGE

PERIOD OF USE

01/01 to 12/31

**ANNUAL
DIVERSION VOLUME**

1.0 AF

LOCATION OF POINT OF DIVERSION:

UNNAMED STREAM L6 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 18, Twp 55N, Rge 02W, B.M., BONNER County

PLACE OF USE: RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
55N 02W 18					X												
					L6												

CONDITIONS OF APPROVAL

1. Recreation storage is for fishing pond.
2. The right holder shall comply with all fish passage requirements of the Idaho Department of Fish and Game.

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 14th day of April, 2003.



KARL J. DREHER
Director

for

MICROFILMED

DEC 03 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
96-09007 IN THE NAME OF)
RON DAVENPORT)
_____)

REINSTATEMENT ORDER

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

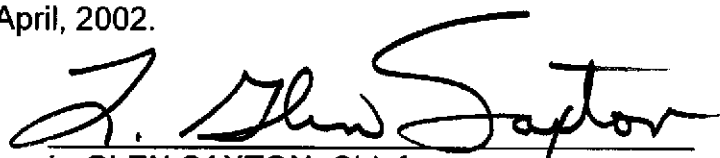
WHEREAS, the Department notified the permit holder on December 31, 2001 by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on March 4, 2002;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 96-09007 is **REINSTATED** with an advance in priority to **September 25, 1998**.

DATED this 4th day of April, 2002.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

OCT 17 2002

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 1060344
Receipt By: SM
Date Received: 3-4-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR - 4 2002

PROOF OF BENEFICIAL USE

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. 96-09007 Telephone No. (208) 265-8145

2. Name of Permit Holder(s): Ron Davenport

3. Mailing Address: 2567 Cocolalla Lp Rd

City Cocolalla State IN Zip 83813

4. Source of Water: unnamed stream 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): 1 Other: Recreation

6. Total rate of diversion and/or volume for which proof is submitted: 0.09 cfs OR 1.0 acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes _____ or No ✓

Has the measuring device been installed?

Yes _____ or No ✓

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Ron Davenport Telephone Number: (208) 265-8145

Address: 2567 Cocolalla Lp Rd Cocolalla ID 83813

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

Signature of permit holder: [Signature]
(include your title, if on behalf of company or organization)

Date: 02-27-02

MICROFILMED

OCT 17 2002

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-09007

Proposed Priority: September 22, 1998 Maximum Diversion Rate: 0.09 CFS

This is to certify, that RON DAVENPORT

2567 COCOLALLA LOOP RD

COCOLALLA ID 83813

has applied for a permit to appropriate water from:

UNNAMED STREAM

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>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.09 CFS	
IRRIGATION STORAGE	03/15 to 11/15		1.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		1.0 AF
RECREATION STORAGE	01/01 to 12/31		1.0 AF
Totals		0.09 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 18, 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	18	NENW	2.0		2.0

Total number of acres irrigated: 2.0

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

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 2002.
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 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall comply with all fish passage requirements of the Idaho Department of Fish and Game.
6. Recreation storage is for fishing.

MICROFILMED

APR 15 1999

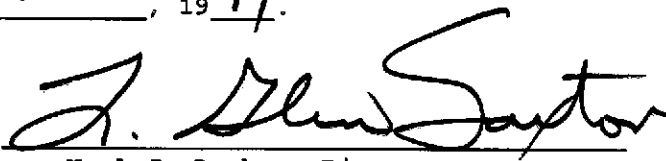
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-09007

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

10 th day of March, 19 99.


for Karl J. Dreher, Director



MICROFILMED
APR 15 1999

RECEIVED

JAN 06 1999

FORM 202

1/98
Department of Water Resources

96-9007

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Ken Davenport Phone 265-8145
Post Office address 2567 Cocolalla Lp Rd. Cocolalla ID 83813
2. Source of water supply UNNAMED STREAM which is a tributary of COCOLALLA LAKE
3. Location of point of diversion is 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____
Sec. 18 Township 35N Range 2W B.M. Banner County; additional points of diversion if any: _____
4. Water will be used for the following purposes:

41	Amount <u>1.0</u> for <u>STORAGE FOR RECREATION</u> purposes from <u>4/1</u> to <u>12/31</u> (both dates inclusive)
01	Amount <u>0.07</u> for <u>IRRIGATION</u> purposes from <u>3/15</u> to <u>4/15</u> (both dates inclusive)
02	Amount <u>1.0</u> for <u>STORAGE FOR IRRIGATION</u> purposes from <u>3/15</u> to <u>4/15</u> (both dates inclusive)
03	Amount <u>1.0</u> for <u>IRRIGATION CROM STORAGE</u> purposes from <u>3/15</u> to <u>11/15</u> (both dates inclusive)
5. Total quantity to be appropriated is (a) 0.09 and/or (b) 1.0
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. ON-STREAM POND
 - b. Height of storage dam 9.5' feet; active reservoir capacity 1.0 acre-feet; total reservoir capacity 1.0 acre-feet; period of year when water will be diverted to storage: 4/1 to 12/31 inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____
7. Time required for completion of works and application of water to proposed beneficial use is 3 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 if 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. Recreation Storage is for fishing

MICROFILMED
APR 15 1999

Filed by Check # 6180 9-22-98

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	
55N	2W	18					2												2
							X	(IRRIGATION FROM STORAGE)											
							X	IRRIGATION STORAGE											
							R	(RECREATION STORAGE)											

Total number of acres to be irrigated 2

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

11. a. Who owns the property at the point of diversion? APPLICANTb. Who owns the land to be irrigated or place of use? " "

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

12. Remarks: RECREATION STORAGE IS FOR FISHING.13. MAP OF PROPOSED PROJECT ATTACHED ☒ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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.



(Applicant)

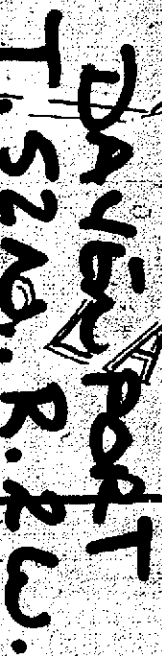
Received by db Date 9/23/98 Time 11 40 a Preliminary check by AB
 Fee \$ 50.00 Receipted by db # N012431 Date 9/23/98
 Publication prepared by db Date 10/7/98 Published in Bureau of Reclamation
 Publication approved db Date 11/4/98

MICROFILMED

APR 15 1999

SUBDIVISION

57





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

April 14, 2003

RON DAVENPORT
2567 COCOLALLA LOOP RD
COCOLALLA ID 83813

RE: License No. 96-9007 - 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
DEC 03 2003

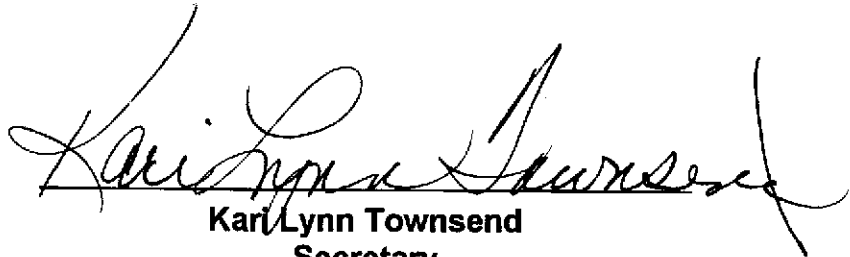
CERTIFICATE OF SERVICE

I hereby certify that on April 14, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

96-9007

**RON DAVENPORT
2567 COCOLALLA LOOP RD
COCOLALLA ID 83813**


**Karl Lynn Townsend
Secretary**

**MICROFILMED
DEC 03 2003**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED
DEC 03 2023

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
DEC 13 2003

Comment Report

96-9007

1. kwalker 4/10/2003 Field Exam

Comment: The field examination of this permit did not contain the location of the point of diversion and place of use in the area provided. However, we did receive a map with the exam that identifies the location found during the exam. I have used the map to prepare this license.

2. DBALL 9/28/1998 Examiner's notes.

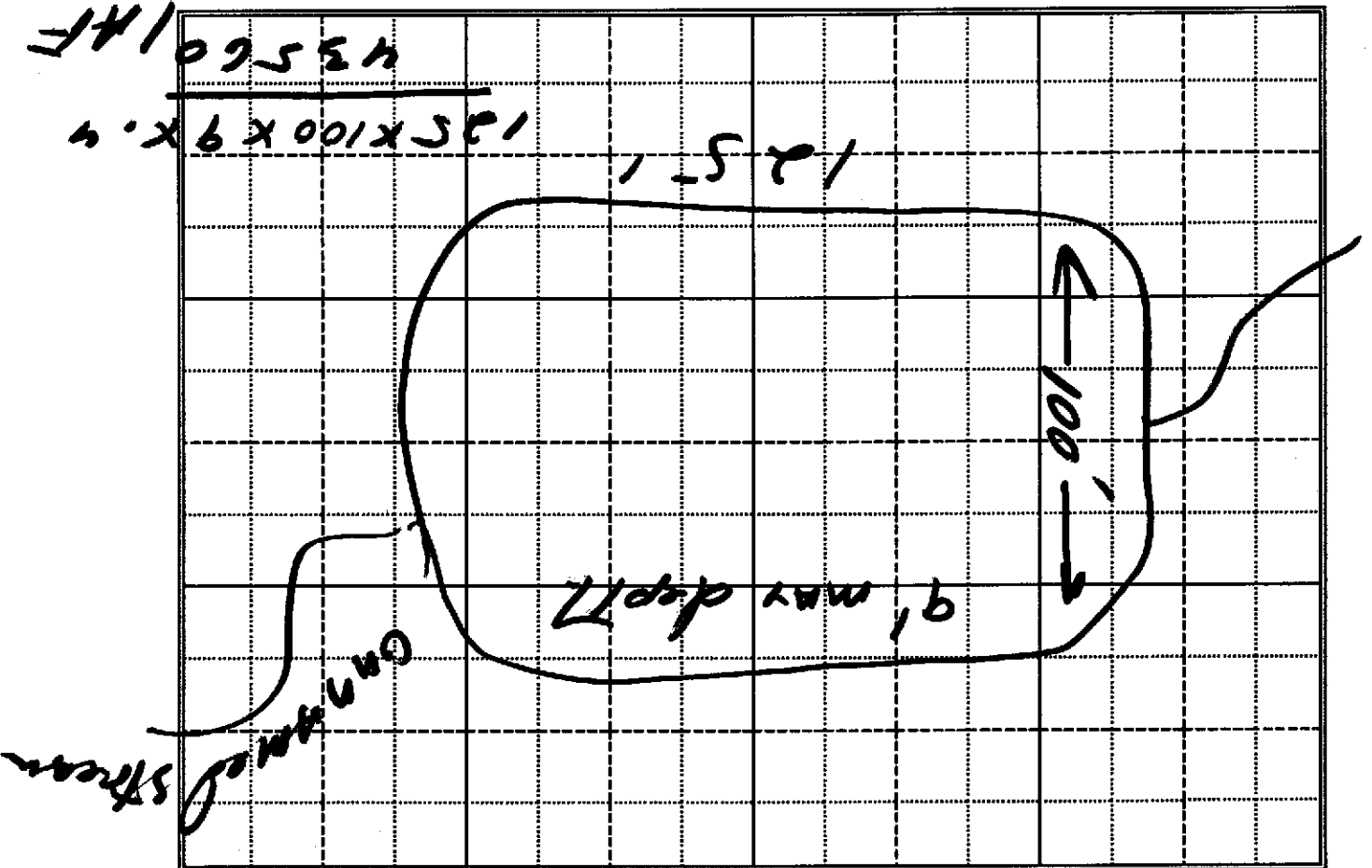
Comment: On stream pond 9.5 ft high, active and total reservoir capacity 1.0 AF, for storage 1/1 through 12/31.

MICROFILMED

DEC 9 3 2003

DEC 03 2003

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



Scale: 1" = _____
 _____ Copy of USGS Quadrangle Attached Showing location(s) of _____ point(s) of diversion and place(s) of use (required).
 _____ Aerial Photo Attached _____ (required for irrigation of 10+ acres)
 _____ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

E. NARRATIVE/REMARKS/COMMENTS

The unnamed stream that fills the pond is intermittent. It only flows during spring runoff.

The irrigation portion of this permit is to be dropped. At time of exam no irrigation was present. Speaking with Mr. Davenport he told me that irrigation was just too hard on the pond level.

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

MICROFILMED

DEC 03 2003

F. FLOW CALCULATIONS

Measured Method:

____ Additional Computation Sheets Attached

G. VOLUME CALCULATIONS**1. Volume Calculations for Irrigation:** $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____**2. Volume Calculations for Other Uses:** *Pond*

$$\frac{125 \times 100 \times 9 \times 0.4}{43560} = 1.0 \text{ AF}$$

H. RECOMMENDATIONS**1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Recreation Storage</i>	<i>01-01</i>	<i>12-31</i>		<i>1.0</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			_____	<i>1.0</i>

2. Recommended Amendments

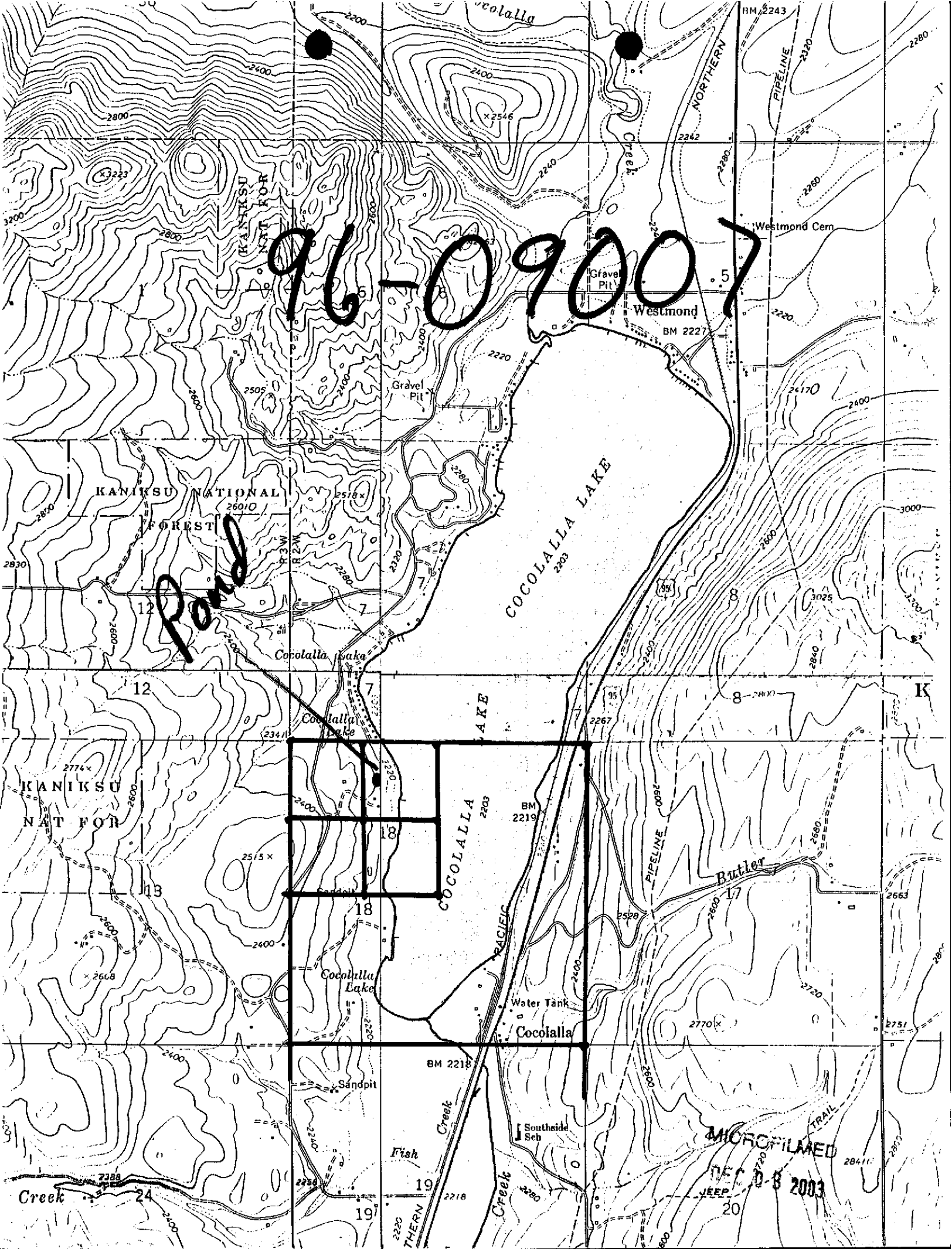
____ Change P.D. as reflected above ____ Add P.D. as reflected above ____ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATIONField Examiner's Name *Wayne Ballin* Date *9-25-02*

Reviewer _____ Date _____

SEAL

MICROFILMED
DEC 03 2003

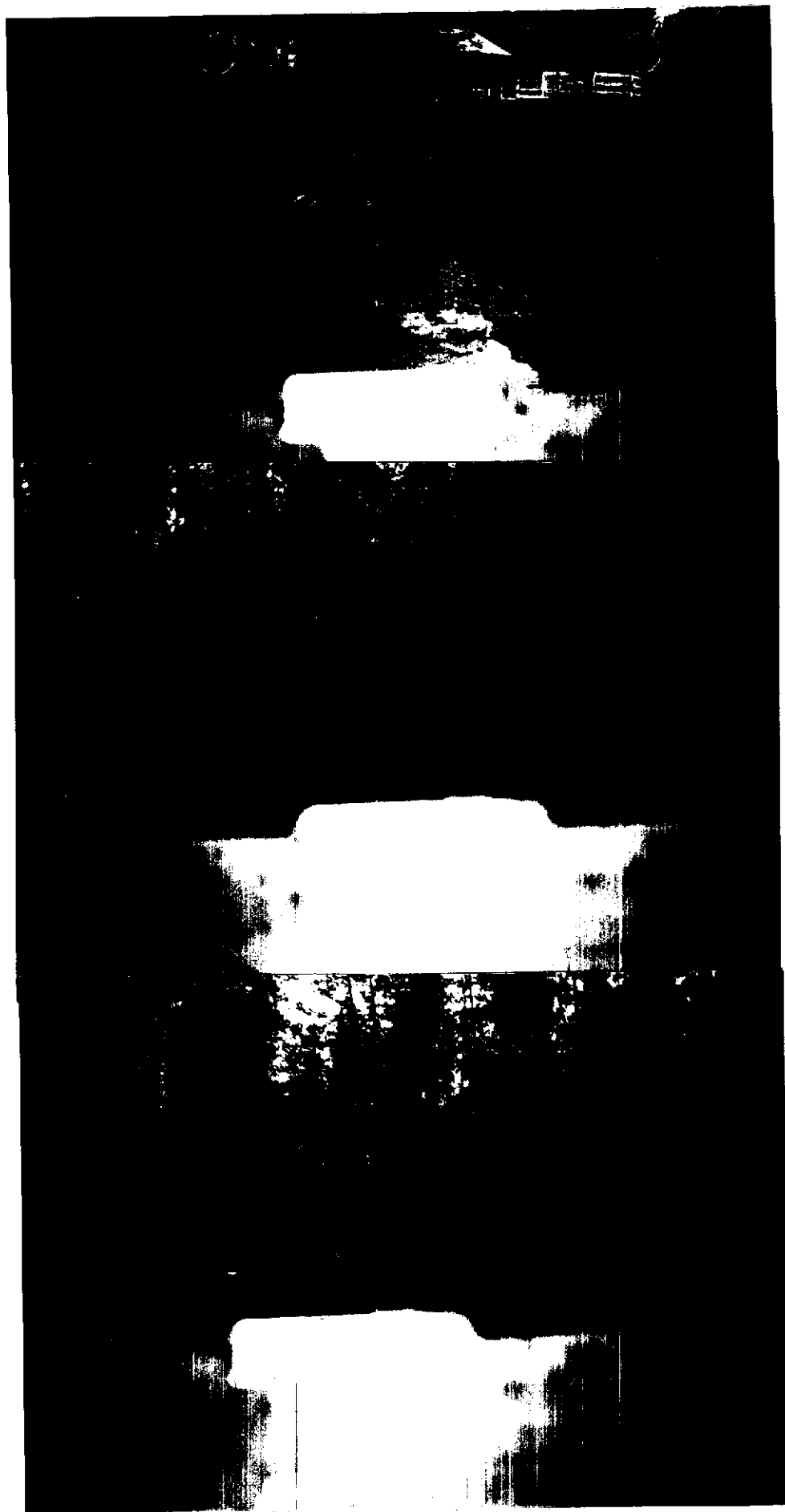


96-09007

Pond

MICROFILMED
DEC 8 2003

96-09007



MICROFILMED
DEC 03 2003

Davenport, Ron



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

April 5, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RON DAVENPORT
2567 COCOLALLA LOOP RD
COCOLALLA ID 83813

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 96-09007

Dear Permit Holder:

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

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

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. The regional office staff will contact you when that examination is to be conducted. If you have questions concerning the field examination, please contact the **Northern** Regional Office of the department in Coeur d'Alene at (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region (w/encl.)

MICROFILMED

OCT 17 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 96-9007

Reviewed By: dgibson

Date: April 4, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?		X	Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		C060344	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		03/04/2002
Date proof due	-	03/01/2002
Lapse notice sent	-	
No. of days late	=	3
Holiday allowance	+	
Priority date	+	09/22/1998
New priority date	=	09/25/1998

Deficiencies of Actions Items

Acknowledge proof and reinstatement permit, advance priority date to September 25, 1998.

December 31, 2001

RON DAVENPORT
2567 COCOLALLA LOOP RD
COCOLALLA, ID 83813

PROOF DUE NOTICE

RE: PERMIT NO. 96-9007

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 March 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

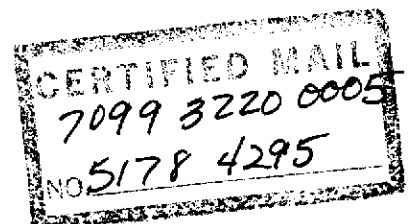
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED
OCT 17 2002





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

March 24, 1999

DIRK KEMPTHORNE
GOVERNOR

RON DAVENPORT
2567 COCOLALLA LOOP RD
COCOLALLA ID 83813

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-09007

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:klt
Enclosures

MICROFILMED

APR 15 1999

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of March, 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. 96-09007

RON DAVENPORT
2567 COCOLALLA LOOP RD
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.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy*No.: 96-9007 Name: Davenport Date: 3/5/99 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 (if GW use SW)-(keep SW)-(GW not primary irr. source)
- Supp. irr. + uses - 100-101
- > 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: 4/11/99 RESPONSE: See LetterIN/ABOVE MSF (☒ MAP) - *WB9

IN-STREAM DEVELOPMENT - P52 (stream channel alteration)

- WD (☒ MAP & LISTING) - R04 (WD # _____)
- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 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 - R62/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); 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070

FIRE PROTECTION

- 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 (☒ Code) -
- 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:

① Rec Sta. ② F&G remarks (use 029 modified)
3/11/2002

TITLE 36
FISH AND GAME
CHAPTER 9
PROTECTION OF FISH

36-906. FISHWAYS IN DAMS -- SCREENS IN DIVERSIONS -- REMOVAL OF UNUSED DAMS -- PENALTY.

- (a) **Fishways Required.** No person shall construct or maintain a dam or other obstruction which restricts the free and uninterrupted passage of fish in any stream in this state without a proper fishway therein. Such fishway shall be installed and maintained at the owner's expense and shall be of a sufficient kind and capacity as to accommodate seasonal movements of fish up and down the stream. Said fishway shall be constructed according to plans and specifications approved by the director and such plans shall be incorporated into the overall design of said dam prior to the start of construction. The director, upon request, shall furnish design criteria for such fishway construction.
- (b) **Screening of Diverted Waters.** No person shall operate any mill, factory, power plant or other manufacturing concern run by water power and having either a head or tail race, or for any person to maintain and operate any ditch, flume, canal or other water conduit receiving or taking water from any stream or lake in this state without first installing and maintaining a suitable screen or other device to prevent fish from entering therein; said screens shall be installed and maintained in a manner and to such specifications and at such locations as may be required by the director and at the expense of the owner or operator of such diversion.
- (c) **Notification of Need -- Screens or Fishways.** When a need is found for screens or fishways in planned or existing diversions, dams or obstructions, the director shall order in writing the construction and installation of such screens or fishways. Said order shall specify the type, design and location of said screen or fishway and the time within which said screen or fishway must be installed. Said time shall not be less than thirty (30) days nor more than six (6) months from the date of service of said order.
- (d) **Removal of Existing Structures -- Removal of Abandoned Structures.** When it is found that dams or other obstructions which have been placed in the rivers or streams of this state have been abandoned or are not serving any useful purpose and it appears the same are detrimental to the fishery resource, the director may cause the removal of same in such manner as he may see fit.

MICROFILMED

APR 15 1979

Zimmerman, Cindy

From: ccorsi@idfg.state.id.us
Sent: Monday, March 08, 1999 5:18 PM
To: CZIMMERM@idwr.state.id.us
Subject: re: Application for Permit No. 96-09007



BEYOND.RTF

Hi Cindy,

The section of the Code is 36-906 (part of the IDFG code), but I believe there is also a section in the IDWR portion of the code which covers fish passage (?). We have not received a request to assess fish presence/absence in the stream, and I'm unaware of any existing data.

If he claims there are no fish, he should provide his reasons for believing that is the case, along with basis for his belief.

Chip

----- Original Text -----

From: "Zimmerman, Cindy" <CZIMMERM@idwr.state.id.us>, on 3/5/99 1:54 PM:

Hi, Chip,

I am reviewing the above application in the name of Dan Davenport. He proposes a 9.5 ft. dam on an unnamed stream tributary to Cocolalla Lake. The uses identified are recreation storage, irrigation, irrigation storage, and irrigation from storage. Irrigation use is for 2 acres.

Last January I asked for input and Greg Tourtlotte sent back a letter recommending three conditions be added to the permit. One of the conditions reads: "If fish are currently present in the stream up and down stream of the pond site, the dam will need to allow for up and downstream fish passage, as per Idaho Code.". What statute is this condition referring to?

I forwarded a letter to the applicant for comment. I have not received any comment from Davenport. I am now ready to continue the process on the application.

Please let me know as soon as possible so I can get this file out of my office.

Thanks,

Cindy Zimmerman
Water Resource Agent
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise ID 83706
(208) 327-7944
e-mail: czimmerm@idwr.state.id.us

MICROFILMED

APR 15 1999

Zimmerman, Cindy

From: Zimmerman, Cindy
Sent: Friday, March 05, 1999 2:55 PM
To: 'ccorsi@idfg.state.id.us'
Subject: Application for Permit No. 96-09007

Hi, Chip,

I am reviewing the above application in the name of Dan Davenport. He proposes a 9.5 ft. dam on an unnamed stream tributary to Cocolalla Lake. The uses identified are recreation storage, irrigation, irrigation storage, and irrigation from storage. Irrigation use is for 2 acres.

Last January I asked for input and Greg Tourtlotte sent back a letter recommending three conditions be added to the permit. One of the conditions reads: "If fish are currently present in the stream up and down stream of the pond site, the dam will need to allow for up and downstream fish passage, as per Idaho Code". What statute is this condition referring to?

I forwarded a letter to the applicant for comment. I have not received any comment from Davenport. I am now ready to continue the process on the application.

Please let me know as soon as possible so I can get this file out of my office.

Thanks,

Cindy Zimmerman
Water Resource Agent
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise ID 83706
(208) 327-7944
e-mail: *czimmerm@idwr.state.id.us*

MICROFILMED

APR 15 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

February 4, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Ron Davenport
2567 Cocolalla Loop Rd.
Cocolalla ID 83813

Re: Application No. 96-09007

Dear Mr. Davenport,

I am reviewing your application for a permit to divert an unnamed stream tributary to Cocolalla Lake for irrigation, irrigation storage and recreation storage uses. As you are probably aware, under the provisions of Section 42-203A(5), Idaho Code, the Department of Water Resources must address issues of impact on existing water rights, water availability, and public interest when processing an application to appropriate water. While your application was not formally protested during the protest period, we have received a letter from Idaho Department of Fish & Game (IDFG) expressing concern about your proposal. I have enclosed a copy of IDFG's letter for you to review. I have also enclosed a printout of your application.

If you have any comments on the IDFG letter, please respond to me within 21 days from the date of this letter. If I do not hear from you within the 21-day period, I will assume you agree with IDFG's recommendations, and I will proceed with issuing a permit including those recommendations.

If you have any questions, you may contact me directly at (208) 327-7944 or by electronic mail at czimmerm@idwr.state.id.us.

Respectfully,

Cindy Zimmerman
Water Resource Agent

Enclosures

MICROFILMED

APR 15 1999



RECEIVED

FEB 04 1999

Department of Water Resources

IDAHO FISH & GAME

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

Dirk Kempthorne / Governor
Stephen P. Mealey / Director

January 29, 1999

Ms. Cindy Zimmerman
Idaho Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, ID 83720-0098

Dear Cindy:

REFERENCE: 96-09007 DAVENPORT / UNNAMED TRIBUTARY TO
COCOLALLA LAKE

We have reviewed the application by Mr. Davenport to construct an on-stream pond on an unnamed tributary to Cocolalla Creek. The proposal includes a 9.5 foot high dam, and the pond would be used for fishing and irrigation.

We have no objections to the proposed pond provided the applicant meets the following conditions:

- If fish are currently present in the stream up and down stream of the pond site, the dam will need to allow for up and downstream fish passage, as per Idaho Code.
- If the applicant intends to stock fish in the pond he will need to obtain a private pond permit from the Department of Fish and Game.
- The dam should be constructed with a spillway, and engineered to minimize the risk of failure during high flow (we recommend 100 year) events.

An alternative is to construct the pond off of the stream channel to avoid impacts to fish passage.

Thanks for the opportunity to comment. In the future, please forward these applications for comment to either Chip Corsi at this office, or to me, to facilitate more efficient turn-around.

Sincerely,

Greg Tourtlotte
Regional Supervisor

GIT:CEC:kh

C: Tracey Trent, IDFG, Boise

MICROFILMED

APR 15 1999
Leaving Idaho's Wildlife Legacy Better Than We Found It

Zimmerman, Cindy

To: ccorsi@idfg.state.id.us
Subject: RE: 96-09007

Chip -

Thanks for the e-mail reply. I haven't processed 96-09007 yet, so will wait for your comment.

I can send you a heads-up via e-mail now that I know the correct person to send it to. Until after our database migration is complete, I cannot send you a copy of the application electronically - our antiquated database is not compatible. So, for application copy, map, etc. will have to use the postal service.

In the ideal world, F&G comments are usually solicited by one of our regions. I send the comment letter if the file contains no documentation of contact with F&G.

I'll hold 96-09007 until Feb. 5th pending your comments. If you need more time, please let me know.

Cindy

-----Original Message-----

From: ccorsi@idfg.state.id.us [mailto:ccorsi@idfg.state.id.us]
Sent: Friday, January 29, 1999 2:26 PM
To: czimmerm@idwr.state.id.us
Subject: 96-09007

Cindy -

Just got a chance to respond to App 96-09007, although due date was a few days ago. Comments will arrive shortly. With short turn around on water rights, I suggest the following to help meet due dates:

- send the hard copy directly to me (last one was addressed to Jim Davis, who doesn't work on water rights)
- e-mail me a notification (I suppose you could attach the app to that) with the due date.

Thanks, I appreciate you notifying us of these applications.

Chip

MICROFILMED

APR 15 1999¹



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 www.idwr.state.id.us/idwr/idwrhome.htm

January 11, 1999

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Jim Davis
Idaho Dept. of Fish & Game
Panhandle Region
2750 Kathleen Ave
Coeur d'Alene ID 83814

RE: Application for Permit No. 96-09007

Dear Mr. Davis,

The Department of Water Resources (IDWR) is preparing to issue a water appropriation permit for the above application. Before proceeding, IDWR would appreciate receiving your comments, if any, on the proposed diversion and use of surface water. I have enclosed copies of the application for your review. Please respond with your comments by January 25, 1999. If I have not heard from you by then, I will assume you have no comment and will proceed with issuing the permit.

If you have any questions, you may contact me directly at (208) 327-7944 or by electronic mail at czimmerm@idwr.state.id.us.

Respectfully,

Cindy Zimmerman
Water Resource Agent

Enclosure

MICROFILMED

APR 15 1999

RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

WR/
WRA
PCA

JAN. 0.6.1999

APPLICATION # 96 9007

9007

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: DAVENPORT

BY: 13

DATE: 9 / 22 / 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)

FISH & GAME APPROVAL

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

ADDITIONAL INFORMATION

Yes) (No)

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

PROCESSING

(Yes) (No)

PRIORITY DATE: 9 / 22 / 98

X (Include Moratorium Remark)

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

ADVERTISE IN: Banner 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?

Dom. Non-Dom. Paid \$
Dom. Non-Dom. Paid \$
Dom. Non-Dom. Paid \$

Y () N ()
Y () N ()
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

Protests received, Final protest date: 11 / 2 / 98 Sr. Agent initial _____

Measuring device required

Measuring port required

Special conditions:

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

Approval Recommended by: 13

Date: _____

RECEIVED

JAN 06 1999

Department of Water Resources

Application No. 96-09007

SPECIAL NOTE: Protest by Cocolalla Lake Association, John Grosshans, President to be contact person.

PROTEST INFORMATION SHEET

Protestant(s)

	NAME	ADDRESS	PROTEST DATE
1	Cocolalla Lake Association c/o John Grosshans, Pres.		11/2/98
		PO Box 133, Cocolalla ID 83813	
2			
3			
4			
5			
6			
7			
8			
9			
10			

ATTORNEY

ADDRESS

DATE FILED: 9/22/98

PROTEST DUE DATE: 11/2/98

ISSUES: Built dam prior to obtaining a permit; impoundment of water threatens Cocolalla Lake's water quality.

Applicant

ATTORNEY

ADDRESS

	DATE
Protest Date Entered on Computer	11/2/98
Acknowledgment Letters Sent	11/2/98
Hearing Date	

(Other Dates)

Other Information:

Protest information submitted to computer (following hearing):

MICROFILMED

APR 15 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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

November 23, 1998

Ron Davenport
2567 Cocolalla Loop Road
Cocolalla ID 83813

Re: Water Right Application No. 96-09007

Dear Mr. Davenport:

We have received a withdrawal of protest from John Grosshans of Cocolalla Lake Association, a copy of which is enclosed for your file.

We will now proceed with processing this application.

Should you have any questions, please feel free to contact me.

Sincerely,

Robert G. Haynes, P.E.
Regional Manager

RGH:db

MICROFILMED

APR 15 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

PHILIP E. BATT
Governor

KARL J. DREIER
Director

November 23, 1998

John H. Grosshans, President
Cocolalla Lake Association
PO Box 133
Cocolalla ID 83813

Re: Water Right Application No. 96-09007 - Davenport

Dear Mr. Grosshans:

We have received and thank you for your letter of November 17, 1998, withdrawing your protest regarding the above referenced water right.

Mr. LePard, from this office, will send you a letter attesting to his opinion concerning the safety of the pond.

Should you have any further questions or concerns, please do not hesitate to contact me.

Sincerely,

Robert G. Haynes, P.E.
Regional Manager

RGH:db

cc: Ron Davenport

MICROFILMED

APR 15 1999

November 17, 1998

RECEIVED

NOV 23 1998

IDWR/North

Dear Mr. Haynes:

I am writing in reponse to your letter dated 2 Nov 98 and ref. Ron Davenport's application for water rights no. 96-09007. I would like to inform you that we have met with him and have visited his pond. The construction of the dam to hold the water appears to be satisfactory and we hereby withdraw our protest.

However, as discussed with Mr. Laport, we would still very much appreciate if he would send us a statement attesting to the fact that he had inspected it and felt it would be safe.

Thank your very much.

Sincerely,



John H. Grosshans
President, Cocolalla Lake Ass.
PO.Box 133
Cocolalla, Id. 83813

MICROFILMED

APR 15 1999

AFFIDAVIT OF PUBLICATION

RECEIVED

State of Idaho

NOV 04 1998

ss.

County of Bonner,

IDWR/North

Sherilyn Plank 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 15 day of Oct., 1998
and ending on the 22 day of Oct., 1998
and that said notice was published in said newspaper.

On this 22 day of Oct. in the year
of 1998, before me, a Notary Public, personally
appeared Sherilyn Plank,
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 MICROFILMED

My commission expires: 6/00 SEP 15 1998

NOTICE OF APPLICATION
FOR WATER RIGHT

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

96-09007

DAVENPORT, RON
2567 COCOLALLA LOOP ROAD
COCOLALLA, ID 83813
Source: UNNAMED STREAM
Tributary: COCOLALLA LAKE
diversion Pt: NENW 18 T 55N R 02W in BONNER County. ok
USE: IRRIGATION (0.090 CFS)
IRRIGATION STORAGE (1.00 AF)
IRRIGATION FROM STORAGE (1.00 AF)
RECREATION STORAGE (1.00 AF)
Total Diversion: (0.090 CFS)
Date Filed: 9/22/1998
In: BONNER County
T55N R02W S18 NENW
2.0 ACRES TOTAL

96-09008

GOLLEN, ARCHIE
4588 SAGLE ROAD
SAGLE, ID 83860
Source: UNNAMED STREAM
Tributary: FRY CREEK
Diversion Pt: SWSW Sec 17 T 56N R 01W in BONNER County.
Use: STOCKWATER STORAGE (1.00 AF)
RECREATION STORAGE (34.00 AF)
Total Diversion: (34.00 AF)
Date Filed: 9/29/1998
In: BONNER County
T56N R01W S17 SWSW

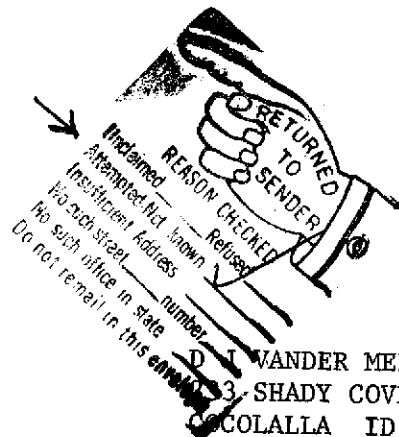
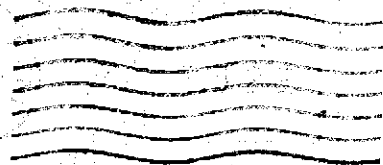
For additional information concerning the property location, call the
Northern Regional Office at (208) 769-1450.

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 NOVEMBER 2,
1998.

KARL J. DREHER, Director
SNP#9532 Oct 15, 22, 1998

9532

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region Office
1910 Northwest Blvd - Suite 210
Coeur d'Alene, ID 83814-2676



D. J. WANDER MEER
3 SHADY COVE LANE
COOLALLA ID



MICROFILMED
APR 15 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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

November 4, 1998

D. J. Vander Meer
3004 E 18th Avenue
Spokane WA 99223

Re: Water Right Application 96-09007 - Davenport

Dear Mr. Vander Meer:

Your letter protesting the above-referenced water right application filed in the name of Ron Davenport was received after the statutory time period for receiving protests. Your letter cannot, therefore, be considered an official protest.

You may, however, request leave to intervene in the matter, pursuant to IDAPA 37.01.01, Rule 156 of the Administrative Rules of the Idaho Department of Water Resources Rules of Procedure, which states as follows:

156. INTERVENORS (Rule 156) Persons, not applicants or claimants or appellants, complainants, respondents, or protestants to a proceeding, who are permitted to participate as parties pursuant to Rules 350 through 354 are called "intervenor".

An excerpted copy of Rules 350 through 354 is enclosed for reference, (together with a complete book of the Rules of Procedure.) *Sent w/ other copy*

If you wish to be considered as an intervenor, please file a Petition to Intervene as required by the Rules referenced above, together with a fee of \$25.00.

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

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH:db

Enc. Rules of Procedure

cc: D J Vander Meer, 233 Shady Cove Lane, Cocolalla, ID 83813

MICROFILMED
APR 15 1999

*Returned -
not at Cocolalla
Address*

Rules 350 through 399--INTERVENTION--PUBLIC WITNESSES

350. ORDER GRANTING INTERVENTION NECESSARY (Rule 350). Persons not applicants or claimants or appellants, petitioners, complainants, protestants, or respondents to a proceeding who claim a direct and substantial interest in the proceeding may petition for an order from the presiding officer granting intervention to become a party, if a formal hearing is required by statute to be held in the proceeding. (7-1-93)

351. FORM AND CONTENTS OF PETITIONS TO INTERVENE (Rule 351). Petitions to intervene must comply with Rules 200, 300, and 301. The petition must set forth the name and address of the potential intervenor and must state the direct and substantial interest of the potential intervenor in the proceeding. If affirmative relief is sought, the petition must state the relief sought and the basis for granting it. (7-1-93)

352. TIMELY FILING OF PETITIONS TO INTERVENE (Rule 352). Petitions to intervene must be filed at least fourteen (14) days before the date set for formal hearing or prehearing conference, whichever is earlier, unless a different time is provided by order or notice. Petitions not timely filed must state a substantial reason for delay. The presiding officer may deny or conditionally grant petitions to intervene that are not timely filed for failure to state good cause for untimely filing, to prevent disruption, prejudice to existing parties or undue broadening of the issues, or for other reasons. Intervenors who do not file timely petitions are bound by orders and notices earlier entered as a condition of granting the untimely petition. (7-1-93)

353. GRANTING PETITIONS TO INTERVENE (Rule 353). If a petition to intervene shows direct and substantial interest in any part of the subject matter of a proceeding and does not unduly broaden the issues, the presiding officer will grant intervention, subject to reasonable conditions. If it appears that an intervenor has no direct or substantial interest in the proceeding, the presiding officer may dismiss the intervenor from the proceeding. (7-1-93)

354. ORDERS GRANTING INTERVENTION--OPPOSITION (Rule 354). No order granting a petition to intervene will be acted upon fewer than seven (7) days after its filing, except in a hearing in which any party may be heard. Any party opposing a petition to intervene by motion must file the motion within seven (7) days after receipt of the petition to intervene and serve the motion upon all parties of record and upon the person petitioning to intervene. (7-1-93)

MICROFILMED

APR 15 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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

November 4, 1998

D. J. Vander Meer
3004 E 18th Avenue
Spokane WA 99223

Re: Water Right Application 96-09007 - Davenport

Dear Mr. Vander Meer:

Your letter protesting the above-referenced water right application filed in the name of Ron Davenport was received after the statutory time period for receiving protests. Your letter cannot, therefore, be considered an official protest.

You may, however, request leave to intervene in the matter, pursuant to IDAPA 37.01.01, Rule 156 of the Administrative Rules of the Idaho Department of Water Resources Rules of Procedure, which states as follows:

156. INTERVENORS (Rule 156) Persons, not applicants or claimants or appellants, complainants, respondents, or protestants to a proceeding, who are permitted to participate as parties pursuant to Rules 350 through 354 are called "intervenor".

An excerpted copy of Rules 350 through 354 is enclosed for reference, together with a complete book of the Rules of Procedure.

If you wish to be considered as an intervenor, please file a Petition to Intervene as required by the Rules referenced above, together with a fee of \$25.00.

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

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH:db

Enc. Rules of Procedure

cc: D J Vander Meer, 233 Shady Cove Lane, Cocolalla, ID 83813

MICROFILMED

APR 15 1999

Rules 350 through 399--INTERVENTION--PUBLIC WITNESSES

350. ORDER GRANTING INTERVENTION NECESSARY (Rule 350). Persons not applicants or claimants or appellants, petitioners, complainants, protestants, or respondents to a proceeding who claim a direct and substantial interest in the proceeding may petition for an order from the presiding officer granting intervention to become a party, if a formal hearing is required by statute to be held in the proceeding. (7-1-93)

351. FORM AND CONTENTS OF PETITIONS TO INTERVENE (Rule 351). Petitions to intervene must comply with Rules 200, 300, and 301. The petition must set forth the name and address of the potential intervenor and must state the direct and substantial interest of the potential intervenor in the proceeding. If affirmative relief is sought, the petition must state the relief sought and the basis for granting it. (7-1-93)

352. TIMELY FILING OF PETITIONS TO INTERVENE (Rule 352). Petitions to intervene must be filed at least fourteen (14) days before the date set for formal hearing or prehearing conference, whichever is earlier, unless a different time is provided by order or notice. Petitions not timely filed must state a substantial reason for delay. The presiding officer may deny or conditionally grant petitions to intervene that are not timely filed for failure to state good cause for untimely filing, to prevent disruption, prejudice to existing parties or undue broadening of the issues, or for other reasons. Intervenors who do not file timely petitions are bound by orders and notices earlier entered as a condition of granting the untimely petition. (7-1-93)

353. GRANTING PETITIONS TO INTERVENE (Rule 353). If a petition to intervene shows direct and substantial interest in any part of the subject matter of a proceeding and does not unduly broaden the issues, the presiding officer will grant intervention, subject to reasonable conditions. If it appears that an intervenor has no direct or substantial interest in the proceeding, the presiding officer may dismiss the intervenor from the proceeding. (7-1-93)

354. ORDERS GRANTING INTERVENTION--OPPOSITION (Rule 354). No order granting a petition to intervene will be acted upon fewer than seven (7) days after its filing, except in a hearing in which any party may be heard. Any party opposing a petition to intervene by motion must file the motion within seven (7) days after receipt of the petition to intervene and serve the motion upon all parties of record and upon the person petitioning to intervene. (7-1-93)

MICROFILMED

APR 15 1999

RECEIVED

NOV 03 1998

IDWR/North

Nov. 28, 1998

Karl J. Dreher, Director
Dept. of Water Resources, Northern Region
1910 Northwest Blvd, Suite 210
Coeur d'Alene, Idaho 83814

RECEIVED

NOV 03 1998

IDWR/North

re: application 96-09007

There has been a pond created by Mr. Ron Davenport, on land above my lake cabin (on Cocolalla Lake). It is my understanding, the pond was built without prior approval by any government agency. Should this pond break apart for any reason, it is likely that I would suffer considerable damage to my property, resulting in a sizeable financial loss. There is a community road that could be washed out, thereby requiring repair, and the lake ecology would be adversely effected by any large deposit of silt.

Should a permit be issued for this pond, I request that a bond in the amount of \$100,000 be required and maintained to insure payment for the cost of repairs to the road and my property, in event the pond breaks apart.

Respectfully,

D.J. Vander Meer
3004 E. 18th Ave.
Spokane, Wash. 99223

Cocolalla address
233 Shady Cove Lane
Cocolalla, Idaho 83813

cc: Cocolalla Lake Assoc.

MICROFILMED

APR 15 1999

D. J. VanderMeer
E. 3004 18th Ave.
Spokane, WA 99203

SHULTON
Group

Shulton, Inc., U.S.A.
697 Route 46, Clifton, NJ 07015

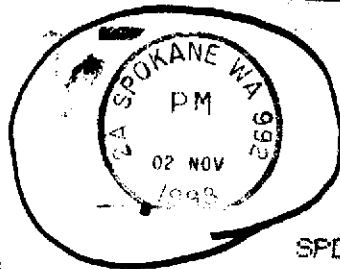
RECEIVED
NOV 03 1998

IDWR/North

Not timely received.
No fee
received.

(Handwritten signature/initials)

Mr. Karl J. Dreher, Director
Dept. of Water Resources (Northern Region)
1910 Northwest Blvd. Suite 210
Coeur d'Alene, Idaho 83814

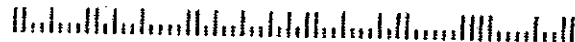


SPD WA 992 DCR3 19-45 11/02/98

Postmarked on 11/2 Final protest date
was 11/2

MICROFILMED
APR 1998

8381472676



November 2, 1998

Ron Davenport
2567 Cocolalla Loop Road
Cocolalla ID 83813

Re: Application to Appropriate Public Waters No. 96-09007

Dear Mr. Davenport:

Enclosed is a copy of a protest filed against the approval of the above referenced application for permit to appropriate the public waters of the State of Idaho. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the Application for Permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager
RGH:db

Enclosure

MICROFILMED

APR 15 1999

November 2, 1998

John Grosshans, President
Cocolalla Lake Association
PO Box 133
Cocolalla ID 83813

Re: Application to Appropriate Public Waters No. 96-09007 - Davenport

Dear Mr. Grosshans:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the Application for Permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/db

MICROFILMED

APR 15 1999

H2O Resources

10/27/98

COCOLALLA LAKE ASSOCIATION
PO BOX 133
COCOLALLA, IDAHO 83813

Karl J. Dreher, Director
Dept. of Water Resources, Northern Region,
1910 N. W. Blvd. Suite 210
Coeur d' Alene, Idaho 83814

RECEIVED
NOV 02 1998
IDWR/North

Re: Protest Water Right Application 96-09007

Dear Sir,

In late spring/early summer of this year, an earth dam was constructed in the back yard of Mr. Davenport's house. Several of our members spoke of seeing the dam at various times in June and July. Telephone calls to your agency in Coeur d' Alene discovered that a water right permit should have been granted before the dam was built.

In early fall, your agency, responding to our call, said that a permit application for the water right had been received by you.

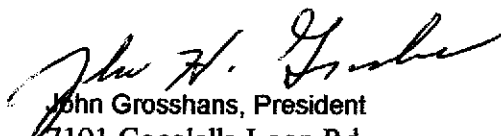
Our Association's concern is that this impoundment threatens Cocolalla Lake's water quality. High water quality- with all its benefits- is our goal.

We believe that the dam was built over an ephemeral spring. The dam is at the head of a defined water course. It runs easterly down a moderate forested hill to a "frontage" road. It then passes under this unpaved road through a culvert and down a steeper slope for about 50 yards to the Lake. The intermittent spring usually starts running in February and stopping in early June. It runs full for about a month in early spring.

The road - at the culvert- has been breached once before. The damage was discovered in early spring of the early 1960's, although it could have occurred sometime between late fall and early spring. All of the sediment, dirt, and gravel washed into the Lake. No one observed the event. One member remembers a summer storm that was estimated to drop about two inches of rain in twenty minutes. The stream ran mud into the Lake for about 30 minutes. The rain cloud completely came and passed over within a total of 40 minutes.

Observation of the slope draining to Mr Davenport's impoundment appears to be capable of delivering a substantial amount of water. The Association believes it unwise to risk the possibility of dumping both road and dam fill - plus the other accompanying debris, silt into the Lake. The Association protests the granting of subject permit.

Sincerely,


John Grosshans, President
7191 Cocolalla Loop Rd.
Cocolalla, Id. 83813
Tel: 208-265-2624

cc: Ron Davenport
2567 Cocolalla Loop Rd. MICROFILMED
Cocolalla, Id. 83813

APR 15 1999

Receipt NO 12511
11/21/98
\$25.00

96-09007

DAVENPORT, RON
2567 COCOLALLA LOOP ROAD
COCOLALLA, ID 83813

Source: UNNAMED STREAM

Tributary: COCOLALLA LAKE

Diversion Pt: NENW Sec 18 T 55N R 02W in BONNER County.

Use: IRRIGATION	(	0.090 CFS)	
IRRIGATION STORAGE			(1.00 AF)
IRRIGATION FROM STORAGE			(1.00 AF)
RECREATION STORAGE			(1.00 AF)
Total Diversion:	(	0.090 CFS)	

Date Filed: 9/22/1998

In: BONNER County
T55N R02W S18 NENW

2.0 ACRES TOTAL

MICROFILMED

APR 15 1999

October 7, 1998

Ron Davenport
2567 Cocolalla Loop road
Cocolalla ID 83813

Re: Water Appropriation Application No. 96-09007

Dear Mr. Davenport:

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 N012431.

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

Ronald R. Davenport,
2587 Cocolalla Loop Rd.
Cocolalla, ID 83813-9787

CERTIFIED

P 413 149 849

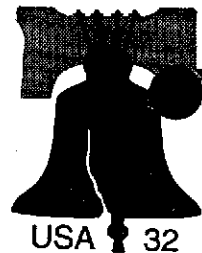
MAIL



0000

U.S. POSTAGE
PAID
SANDPOINT, ID
83864
SEP 22, '98
AMOUNT

\$2.77
00027576-06



RETURN RECEIPT
REQUESTED

IDAHO Dept. of WATER Resources
1910 Northwest Blvd Suite 210
Coeur d'Alene, ID. 83814-2615

ATTN: beardslee
MICROFILMED
APR 15 1999