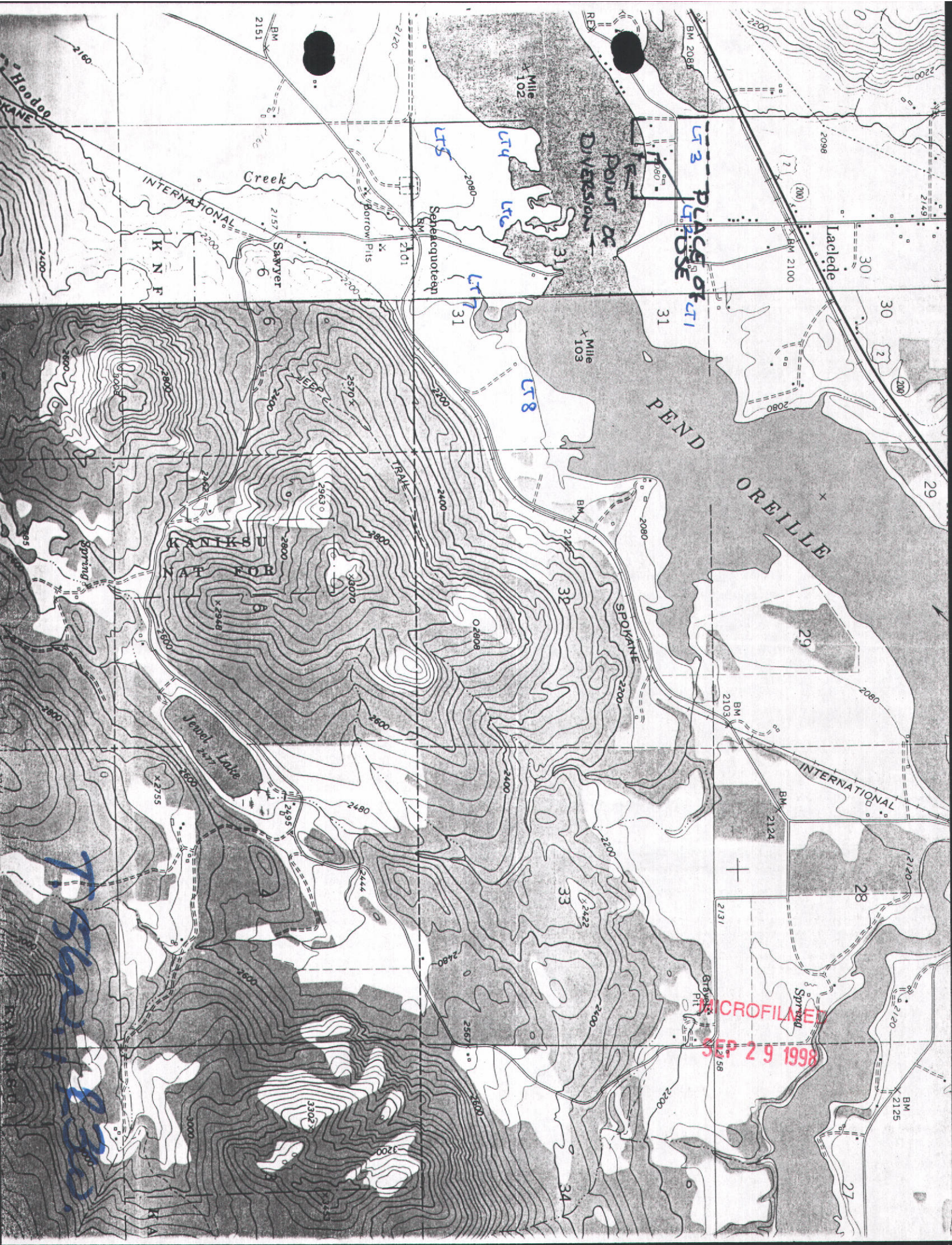
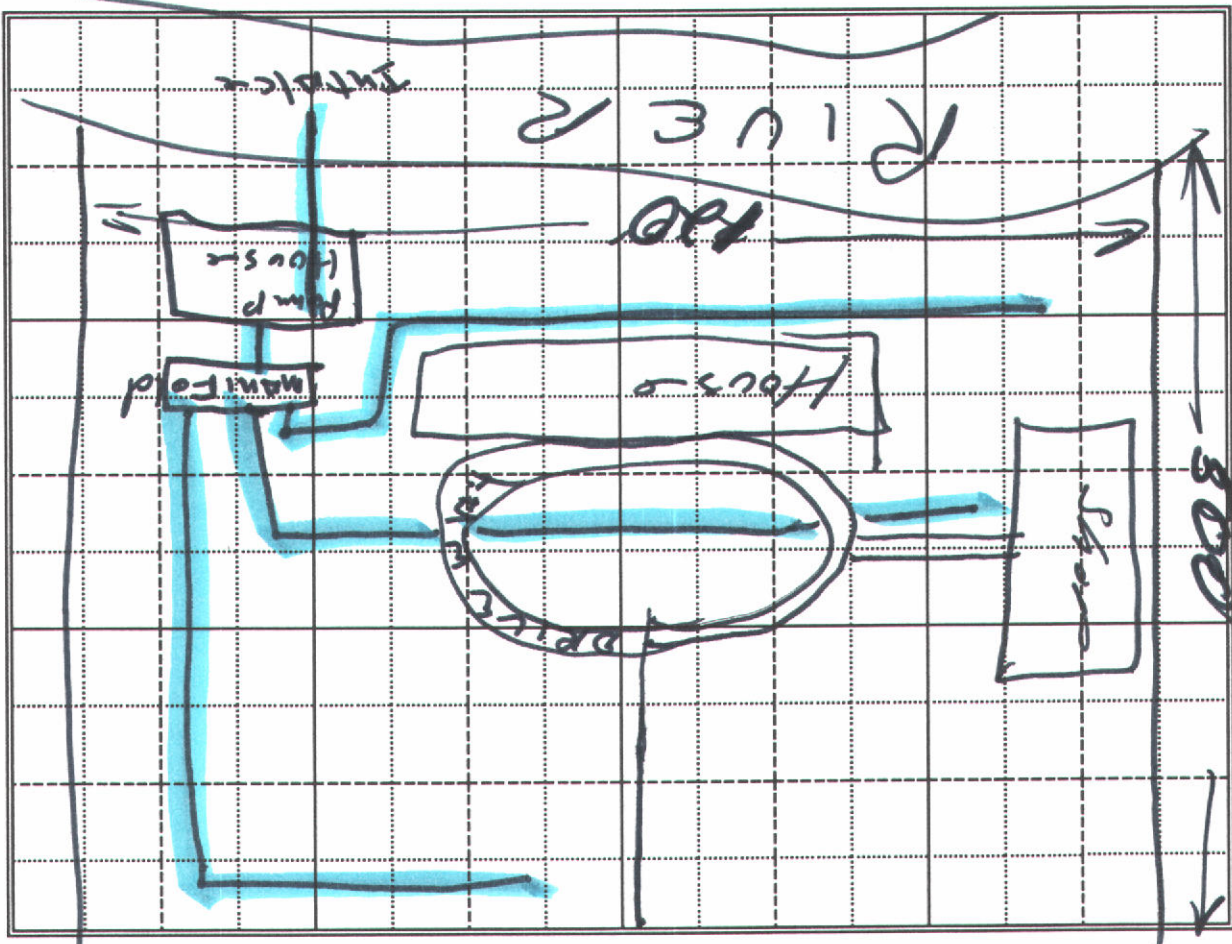




[illegible]

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



Scale: 1" = 400'

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
	Flowtek	2hp	cm48m2E15	Flowtek	2"

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

D. FLOW MEASUREMENTS

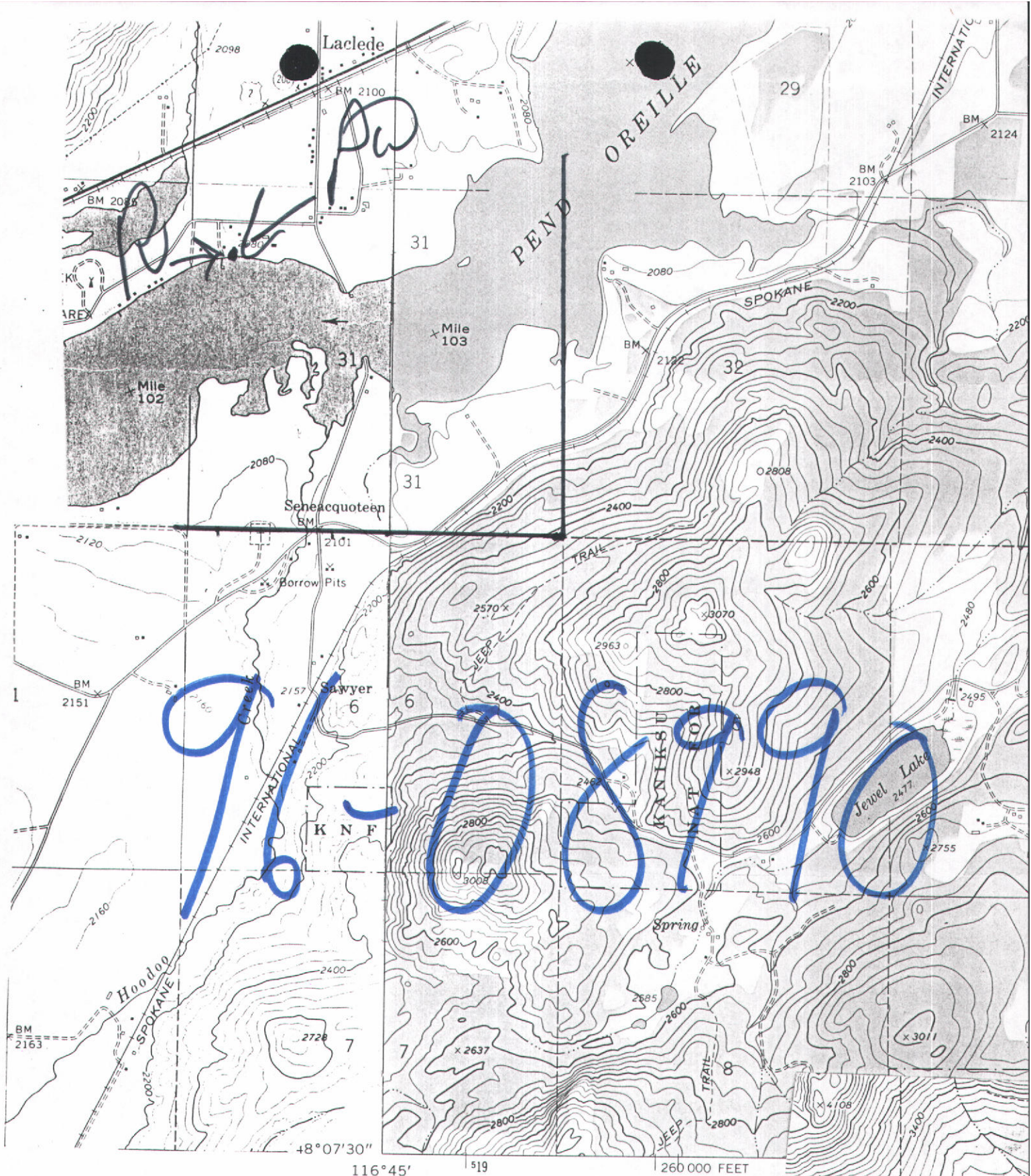
1.

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

2. Measurements:

OCT 19 2001

MICROFILMED



(EDGEMERE)
2680 III SE

Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

Topography by photogrammetric methods from aerial
photographs taken 1966. Field checked 1968

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
west zone

1000-meter Universal Transverse Mercator grid ticks,
zone 11, shown in blue

Fine red dashed lines indicate selected fence lines

MICROFILMED
01-1-3 2001

06680-96



PW



Pump House



manfold



Head

MICROFILMED
OCT 19 2001

06680-96



PW



Pump House



Manfold



Head

MICROFILMED
OCT 19 2001

06680-96



PW



Pump House



Manifold



Head

MICROFILMED
OCT 19 2001

06680-96



PW



Pump House



Manifold



H & V

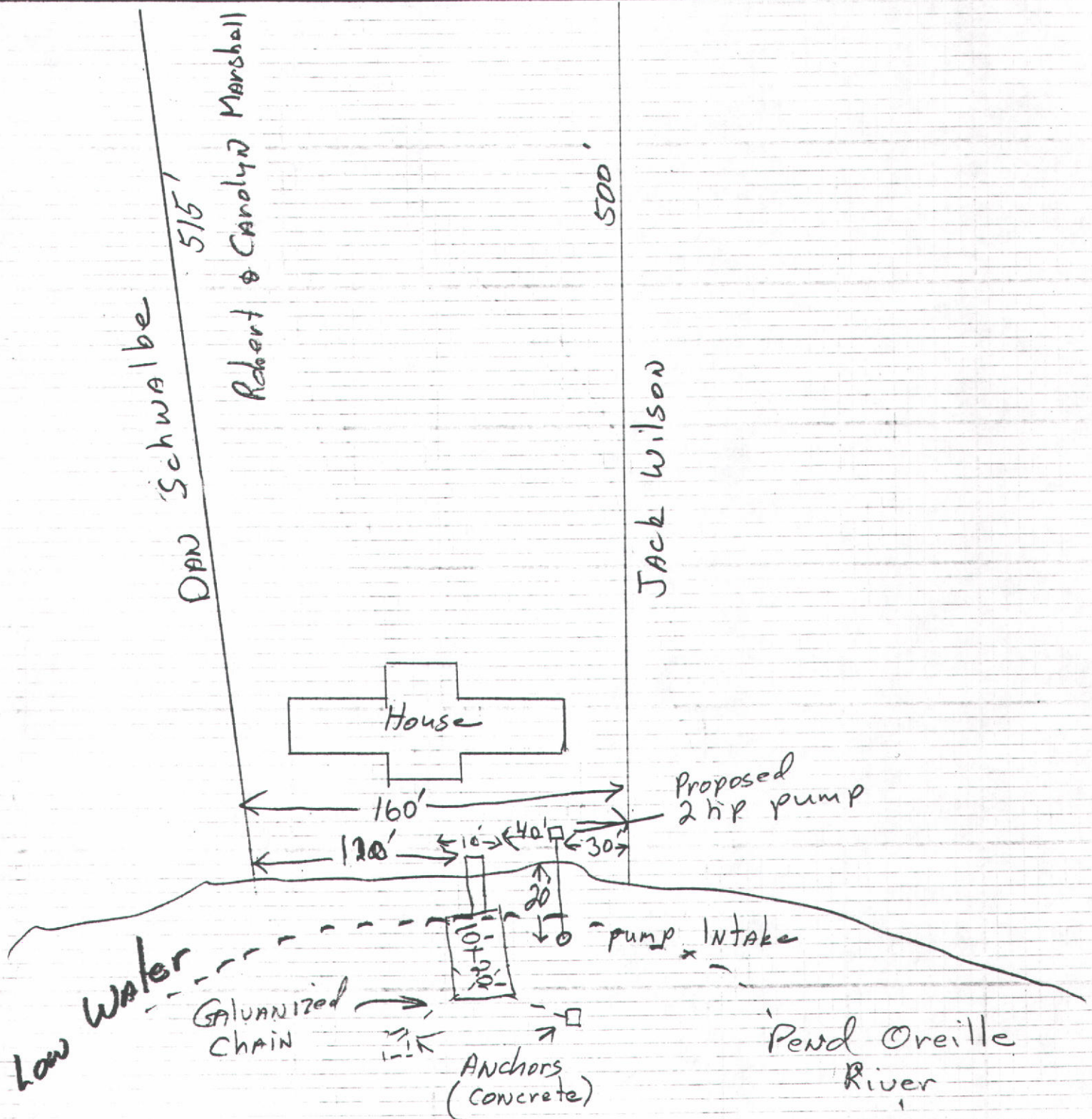
MICROFILMED
OCT 19 2001



PV
1
2
8
PV
0

MICROFILMED
OCT 19 2001

Riley Creek Park Rd

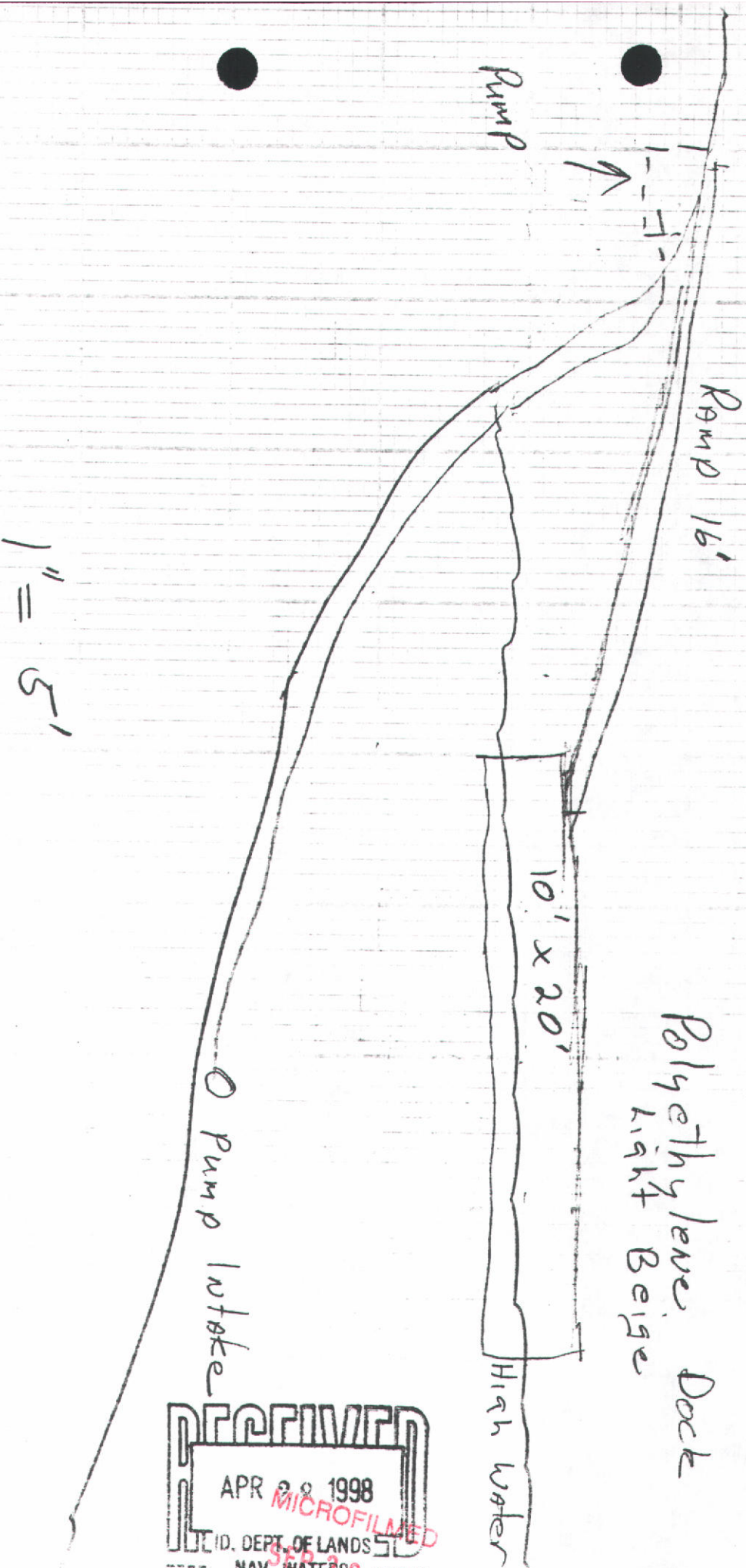


See back

MICROFILMED

SEP 29 1998

See Attached Brochure



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-08990

Priority: April 28, 1998

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 3.0 AF

It is hereby certified that ROBERT MARSHALL
PO BOX 205
LACLEDE ID 83841-0205 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 28, 1998; and has
submitted Proof of Beneficial Use on June 07, 1999. An examination indicates that the works have a
diversion capacity of 0.03 cfs of water from:

SOURCE

PEND OREILLE RIVER

Tributary: COLUMBIA RIVER

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	0.03 CFS	3.0 AF

LOCATION OF POINT(S) OF DIVERSION:

PEND OREILLE RIVER L3 NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, Twp 56N, Rge 03W, 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	
56N 03W 31						1.0											1.0
						L3											

Total Acres: 1

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.
2. Water shall not be diverted under this right when flows in the Pend Oreille River are below established minimum stream flows.

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 6TH day of June, 2001.

Acting for

KARL J. DREHER
Director

MICROFILMED

OCT 1 9 2001

Project should be completed by
6/15/99

FOR OFFICE USE ONLY

Amt. of Fee \$:

Receipt No.:

Receipt By:

Date Received:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 07 1999

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 who has been appointed by the department.

1. Permit No. 96-08990 Telephone No. 208-263-64922. Name(s) of Permit Holder(s): Robert + Carolyn Marshall3. Mailing Address: P.O. Box 205 Laclede, Idaho 838414. Source of Water: Pond Oreille River If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____

a. Well Driller: ____ Drilling Permit Number: ____

b. OPTIONAL:
Pump Horsepower: 2Hp Pressure (psi): 40-60 psi Dynamic pumping level (ft): 14'

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

Domestic (No. of households): ____ Stockwater (No. and type of stock): ____

Irrigation (No. of acres): 1.2 Other: ____6. Total rate of diversion and/or volume for which proof is submitted: .21 cfs OR ____ acre feet

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

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

Measuring Device: Is a measuring device required?

Yes ____ or No ☒

Has the measuring device been installed?

Yes ____ or No ____

Flow Measurement Port: Is a flow measurement port required?

Yes ____ or No ☒

Has the measurement port been installed?

Yes ____ or No ____

8. Fee Enclosed: \$ ____ (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: Robert + Carolyn Marshall Telephone Number: 208-263-6492Address: 575 Riley Creek Park Rd

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

Signature of permit holder:

Robert Marshall
(include your title, if on behalf of company or organization)Date: 6/2/99

MICROFILMED

AUG 27 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-08990

Proposed Priority: April 28, 1998

Maximum Diversion Rate:

0.03 CFS

This is to certify, that **ROBERT MARSHALL**

PO BOX 205

LACLEDE ID 83841-0205

has applied for a permit to appropriate water from:

PEND OREILLE RIVER

tributary of **COLUMBIA RIVER**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

03/15 to 11/15

0.03 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NWNW), Sec. 31, Township 56N, Range 03W
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>
56N	03W	31	Lot 3(NWNW)	1.0		1.0

Total number of acres irrigated: 1.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1999**.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
4. Water shall not be diverted under this right when flows in the Pend Orielle River are below established minimum stream flows.

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

23 day of July, 1998.

[Signature]
for Karl J. Dreher, Director

MICROFILMED

SEP 29 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 96-08990
RECEIVED
JUL 16 1998

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant Robert MARSHALL Phone 208-263-6492
Post office address P.O. Box 205, LACLEDE, ID 83841
2. Source of water supply Pend Oreille River which is a tributary of COLUMBIA RIVER
3. Location of point of diversion is _____ 1/4 of new 1/4 of new 1/4, Govt. Lot 34
Sec. 31 Township 56N Range 3W B.M. BONNER County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.03 for irrigation purposes from June 15 to Sept 15 (both dates inclusive)
(cfs or acre-feet per annum) 3/15 11/15
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) 0.03 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 2 Hp pump + pipeline

b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? N/A
e. If well is already drilled, when? N/A Drilling firm _____;
Well was drilled for (well owner) N/A
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
1 years (minimum 1 year).

* per govt plat 7/17/98 cs.

MICROFILMED
SEP 29 1998

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. _____

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.

[illegible]

Total number of acres to be irrigated

2/2

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

Robert Brown Marshall

5/11

[illegible]

x Ralph M. Lee
(Applicant)

SEP 25 1995

MICROFILMED
SEP 29 1998

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

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

e. Other: _____

Idaho No. _____, and said application is hereby _____.

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

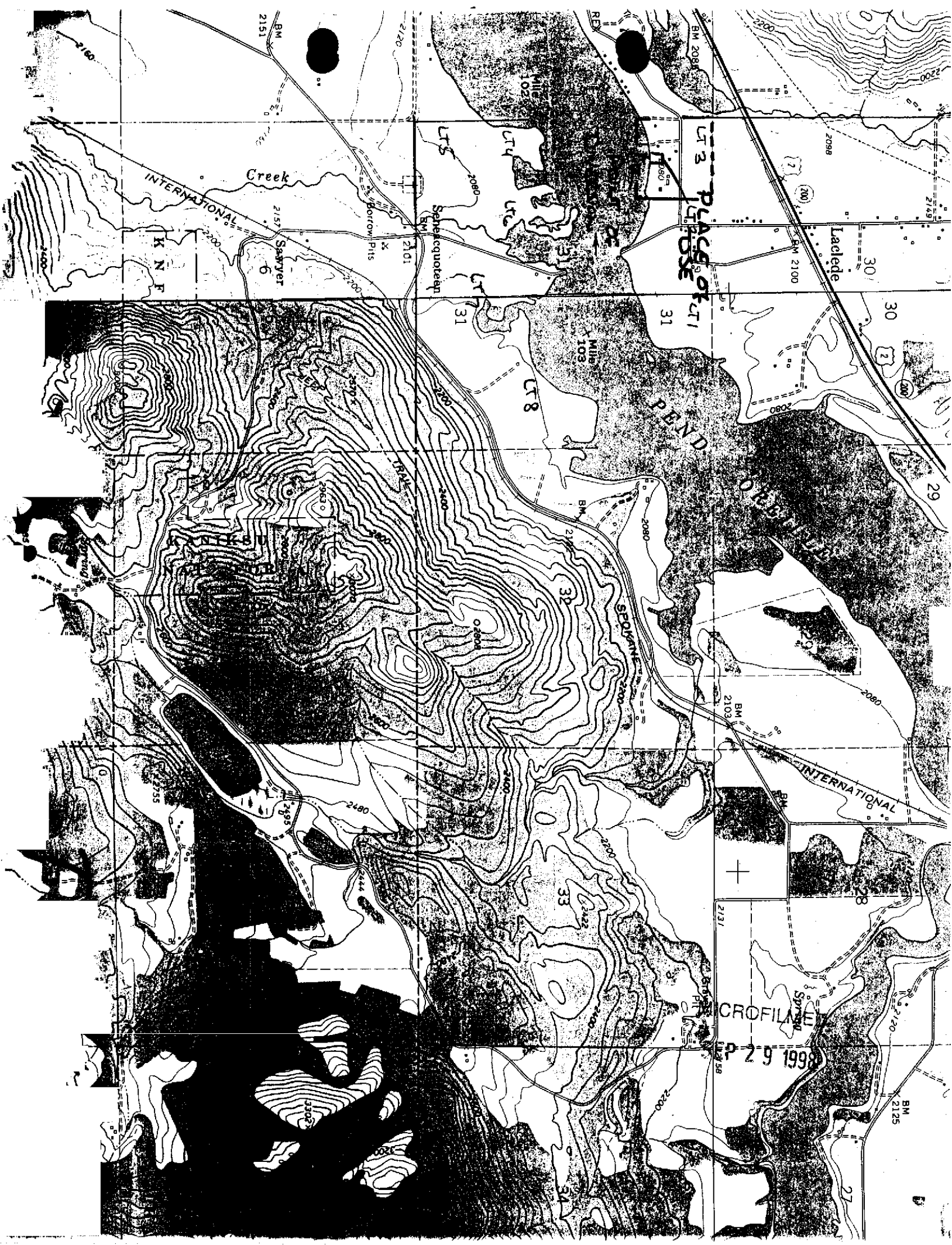
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by AS Date 4/28/98 Time 11:45 Preliminary check by AS

Fee \$ 50- Received by AS # 2012012 Date 4/28/98

Publication prepared by AS Date 5/13/98 Published in Idaho Water Resources Date 5/20 & 27/98

Publication approved by AS Date 6/3/98





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

June 7, 2001

ROBERT MARSHALL
PO BOX 205
LACLEDE ID 83841-0205

RE: License No. 96-8990 - 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

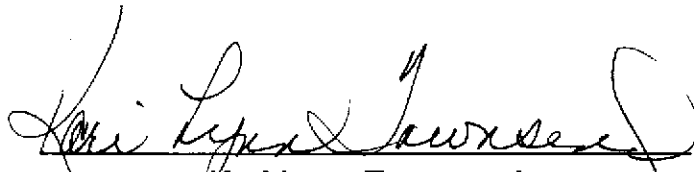
JUN 8 2001

CERTIFICATE OF MAILING

I hereby certify that on June 7, 2001 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. 96-8990

**ROBERT MARSHALL
PO BOX 205
LACLEDE ID 83841-0205**



**Kari Lynn Townsend
Secretary**

MICROFILMED

OCT 18 2001

**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.

LICENSE REVIEW CHECKLIST

Permit No. 96-8990

Date: 5-16-01

Reviewer: Kay Walker

Change/OK

Name/Address ok

Source ok

Point of Diversion: ok

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

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

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

W36 (overlap)

W59 (subdivision description)

Place of Use ok

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

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): none

File reviewed _____ Profile reports printed _____

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

Rate of Diversion no fee request

Permitted rate 0.03 cfs

Fee Limit 0.20 cfs

Measured _____ cfs

Theoretical 0.03 cfs

Recommended Total Diversion Rate 0.03

Water Uses ok

Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 0.03 cfs 3.0 af

Stockwater _____ cfs _____ af

Domestic _____ cfs _____ af

_____ cfs _____ af

_____ cfs _____ af

Total 0.03 cfs 3.0 af

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

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

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

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

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.03 cfs x 1.9835 x 214 days = 12.7 af (vs) 1 acres x 3.0 (FHR) = 3.0 af
2.0 (con)

Remarks: R66, WB9

Additional Conditions ☒ Watermaster Control

☒ GW Measurement/Measuring Device

☒ Other

☒ Trust R55 - remove 051)

☒ Non-trust (048/049)

☒ GW Dist?

☒ Water Msmt. Dist?

☒ Crit. GWMA?

☒ GWMA?

Government Lots? yes

Advance Priority? ☒ yes

☒ no

If yes, explain why below.

SRBA Claim? N/A

Adjust memo _____

Amend Letters _____ P87, S06

Second Amendment Notice _____ S06

topos
D4 & D5



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

May 17, 2001

ROBERT MARSHALL
PO BOX 205
LACLEDE ID 83841-0205

Re: Permit No. 96-08990

Dear Mr. Marshall:

We are reviewing the above referenced permit for licensing and find that we cannot issue a license for this right until we resolve the issue of your proof of beneficial use fee. On May 31, 1999, you were sent a certified letter that stated your proof of beneficial use for this permit was due. This notice also advised you that a license examination fee was required with the proof submittal. Our office received your proof of beneficial use notice on June 7, 1999. On this notice you wrote "Ck# 5539 \$50. Pd 4/28/98". I have researched our receipts and found that you did, indeed, pay a \$50.00 fee on April 28, 1998. However, that fee was paid for submittal of your application for permit. We have not received the license examination fee for this permit and cannot issue a license on this water right until the fee is paid pursuant to Section 42-217 and Section 42-221, Idaho Code. Enclosed, for your information and convenience are copies of the above referenced sections.

Please submit a \$50.00 examination fee to this office within thirty (30) days of the date of this letter if you wish to have this water right licensed. If we don't receive your examination fee within the thirty-day period we will take action to lapse this permit for failure to submit a complete proof of beneficial use statement.

If you have any questions in regard to this matter, please feel free to contact me at (208)327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

5/29/01 -
Rec'd \$50.00
for exam fee
Receipt # 0053958
KW

5-25-2001
will submit
exam fee -
per phone con
KW

MICROFILMED

OCT 19 2001

RECEIVED

SEP 25 2000

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-089901. Owner: Robert Marshall Phone No. (208) 263-6492Current Address: P.O. Box 205 Tule Lake, Id. 83841-02052. Accompanied by: Robert Marshall EXAM DATE: 8-9-00Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Pend Oreille River tributary to Columbia River

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
	03		NW	NW	31	56N	03W	Bonner	U.S.G.S. 7.5 min Quad

2. Place(s) of Use:

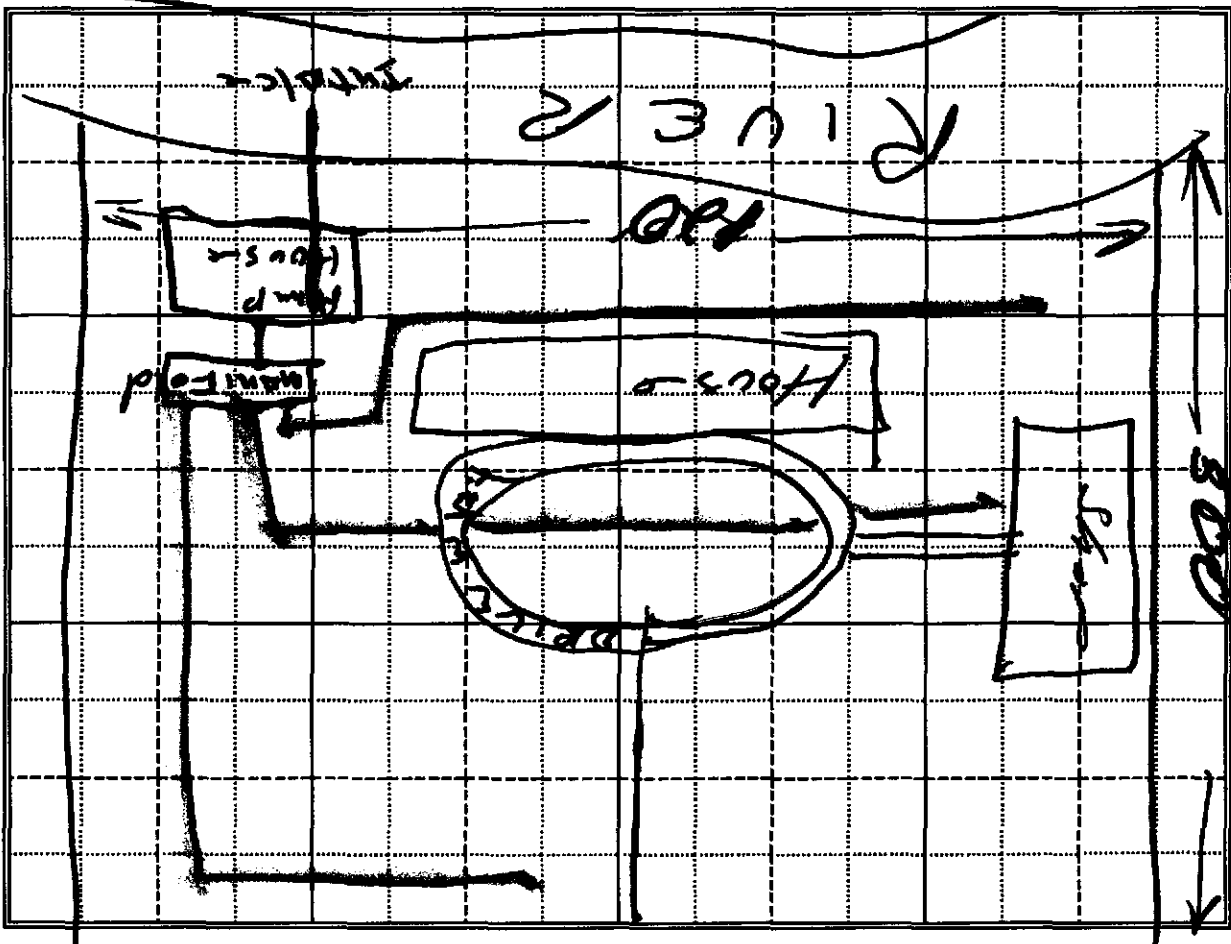
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	03W	31						03											

MICROFILMED

OCT 18 2001

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



Scale: 1" = 400'

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
Aerial Photo Attached of (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
	Huhtala	2HP	CM48m2EC15	FlowTech	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:

E. NARRATIVE/REMARKS/COMMENTS

System consist of pipe (2" PVC) in River to a pump house with pump controls & pressure tank. To a manifold with pipe to 3 zones. Each zone carries 15 nozzles & pop up sprinklers @ 60 PSI 1 gpm. A timer rotates the zones. Only one zone runs at a time.

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

MICROFILMED
OCT 13 1991

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached
 Information taken from manufacturer specs.
 $15 \text{ heads} \times 19 \text{ gpm} = 285 \text{ gpm} \times 1.48 \text{ cfs/gpm} = 422 \text{ cfs}$
 $422 \text{ cfs} \div 15 \text{ heads} = 28.1 \text{ cfs/head}$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \times 3 = 3$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 103 \times 245 \times 1.9835 = 49,555$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 3$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Longhorn

Period of Use

From 03/15 To 11/15

Rate of Diversion

Q (cfs) 103

Annual Volume

V (afa) 3

2. Recommended Amendments

Change P.D. as reflected above
 Change P.U. as reflected above

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

I. AUTHENTICATION

Field Examiner's Name

Wayne Jackson

Date

9-19-00

Reviewer

Date

SEAL

MICROFILMED
 1993 12 28

06680-96



PD

Pump
House

manfold

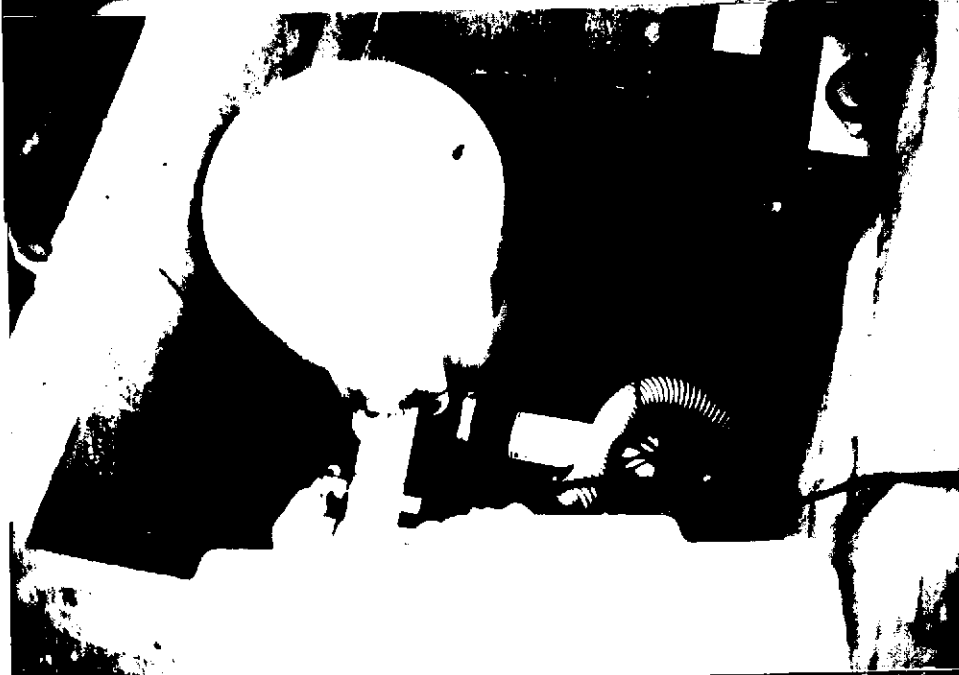
Head

UNCLASSIFIED
DATE 11-11-99

06680-96



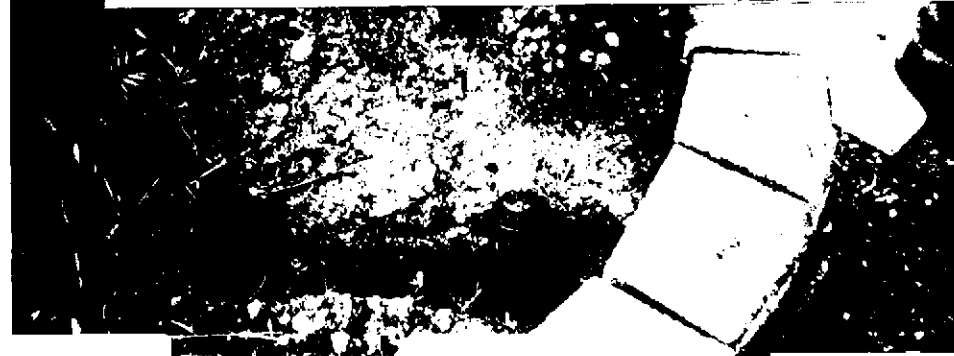
PD



Pump
House



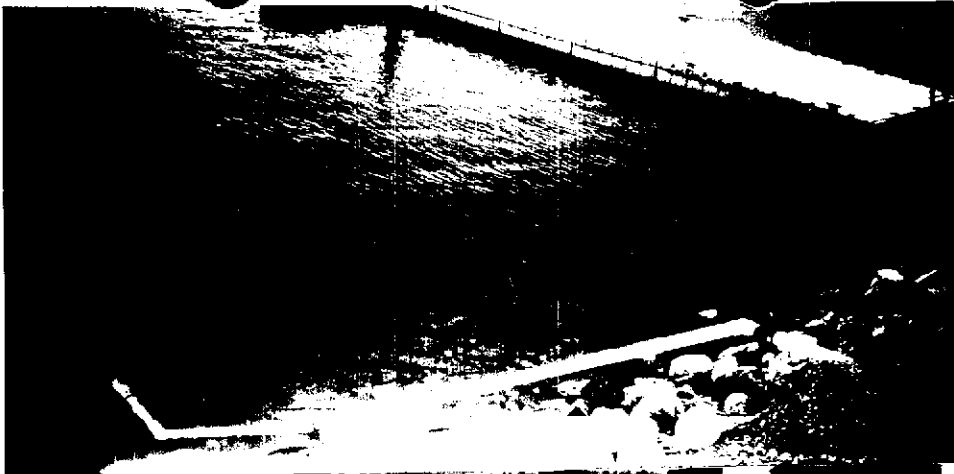
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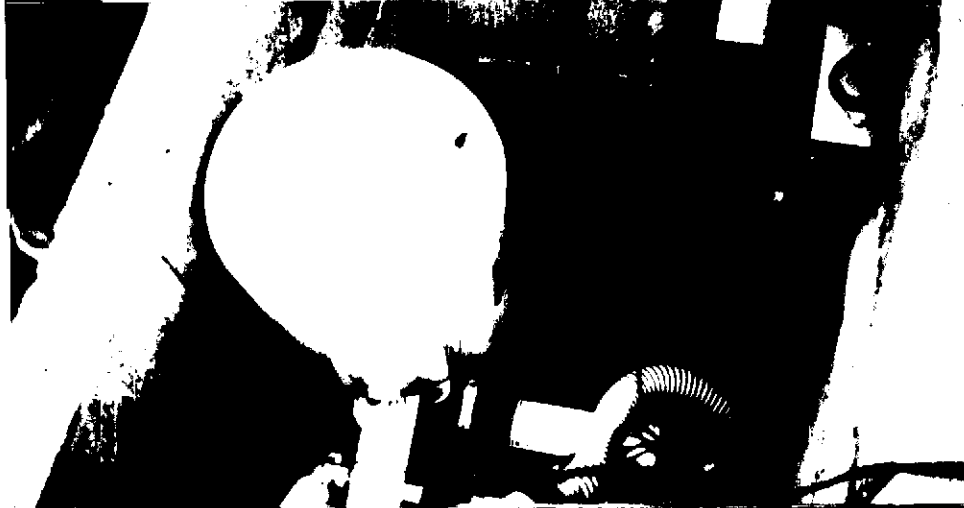
H & W

UNCLASSIFIED
DATE 12-18-2011

96-08990



PO



Pump House



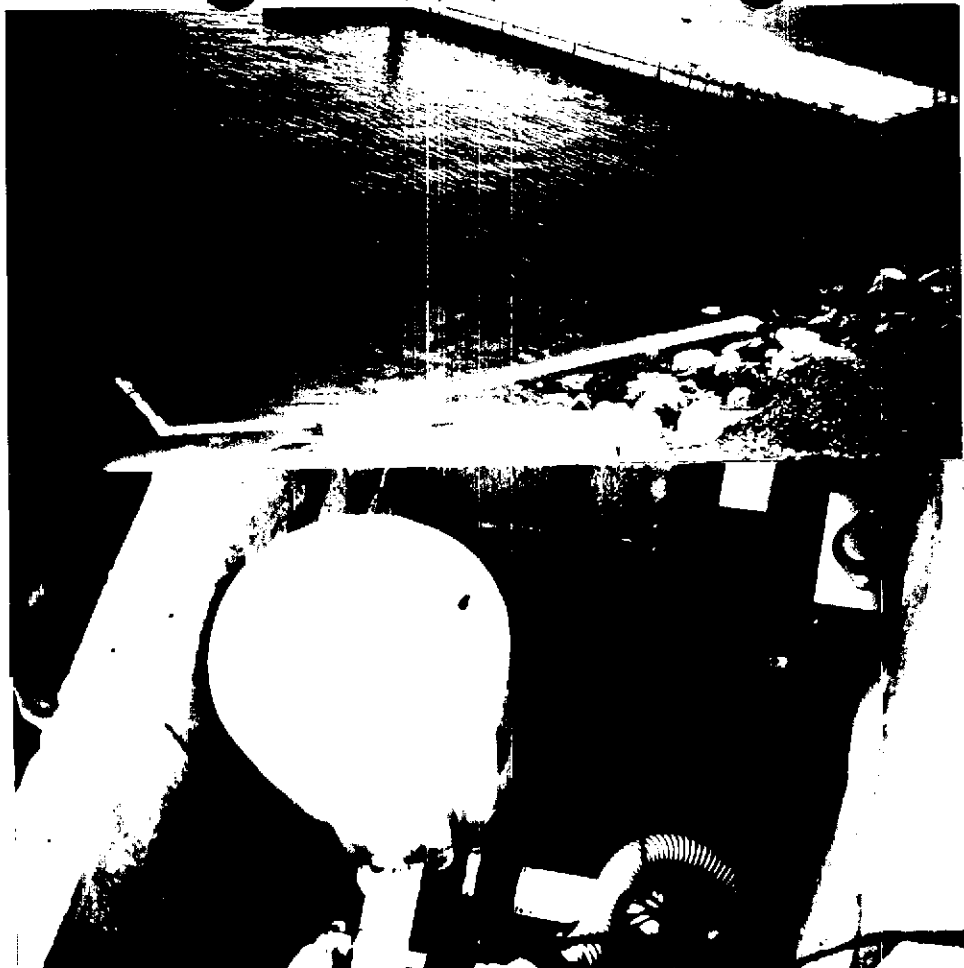
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Head

WALDOF WALK
100-100

06680-96



manfold

H & W

Pump House

PD



PJ



PJ

WFOFAMEG
11-1-00



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 27, 1999

Robert Marshall
PO Box 205
Laclede ID 83841

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08990

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 conduct a field examination to determine and confirm the use being made of the water.

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,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

AUG 27 1999

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-08990 Reviewed by [Signature] Date 8-23-99

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? Jrr.
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
Ground water source
Drilling permit required?
Copy in the file? Drilling Permit No. _____
Amount paid for permit _____ Correct?
Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
0 Amount Submitted
no Correct?
no Required?
1 Installed?
1 Waiver requested?

PRIORITY CALCULATION

Date proof received _____
Date proof due _____
No. of days late _____
Priority Date _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address _____ Proof Made 6-7-99

May 31, 1999

ROBERT MARSHALL
PO BOX 205
LACLEDE ID 838410205

PROOF DUE NOTICE

RE: PERMIT NO. 96-08990

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 August 1, 1999.

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

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

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

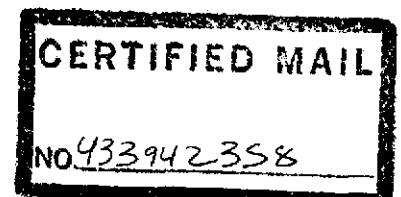
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

AUG 27 1999





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

July 23, 1998

PHILIP E. BATT
GOVERNOR

ROBERT MARSHALL
PO BOX 205
LACLEDE ID 83841-0205

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08990

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.

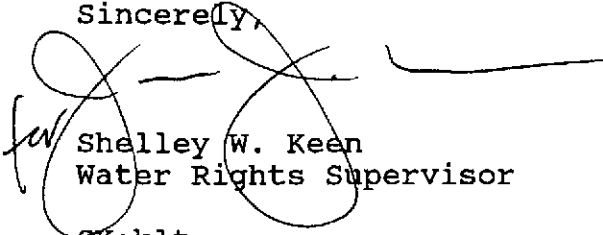
The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

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

SEP 29 1998

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of July, 1998, 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. 96-08990

ROBERT MARSHALL
PO BOX 205
LACLEDE ID 83841-0205


Kari Lynn Townsend
Secretary

MICROFILMED

SEP 29 1998

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

SEP 29 1998

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 29 1998

WR0749NP
No. P96-08990

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/17/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT MARSHALL PO BOX 205 LACLEDE ID 83841-0205 (208) 263-6492	04/28/1998	IRRIGATION	03/15 11/15	0.030 CFS	
TOTAL DIVERSION:					0.030 CFS	

Water Source: PEND OREILLE RIVER

Tributary to: COLUMBIA RIVER

Stage: PERMIT

Point(s) of Diversion: T56N R03W S31 Lot 03(NWNW)

BONNER County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																																																	
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE																															
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM																														
56N 03W 31 :																																	03-01																										1.0		
																																																												TOTAL ACRES	1.0

Pou County: BONNER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

96-02204 96-08763 96-08840 96-08921 96-08990

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

96-08763 96-08921

Conditions of Approval:

- R66 - 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.

Remarks: GEN Water shall not be diverted under this right when flows in the
Pend Orielle River are below established minimum stream flows.

Dates: App. Received: 04/28/1998 Priority Date: 04/28/1998
Proof Due Date: 08/01/1999 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 05/08/1998 User-ID: DBALL Subject: DIVERSION DESCRIPTION
2 HP pump in river and pipeline.

Audit: 07/17/98 CZIMMERM

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE								NW								SW								SE								SUM
		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE										
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac									
P9608990	T56N R03W S31	PEND OREILLE RIVER																																
	:									:	03-01				:									:					:	1				
NO MATCHES FOR THIS POU IN AJ-POU																																		
9602194	PEND OREIL :									:	39				:									:					:	39				
9602204	PEND OREIL :									:	12 20				:									:					:	32				
9604406	PEND OREIL :									:									:									:	07		13		:	20
9607338	PEND OREIL :									:									:									:	25				:	25
9608763	PEND OREIL :									:	03-01				:									:					:	1				
9608921	PEND OREIL :									:	03-01				:									:					:	1				
9608990	PEND OREIL :									:	01				:									:					:	1				
NO MAPPING INFO AVAILABLE																																		

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Lou*

No.: 96-8990 Name: Marshall Date: 7/17/98 Ad OK? ☒ ☒ Gvmt Lts: add LT 3

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)

WMD (✓ MAP)

- North / East / West

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5acres

- No MD

WMD Supplemental use

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5acres

- 01M (report when notified)

≤ 0.24 cfs/5acres

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

In Basin 34?

- 085

Irr. within WD

- P05 (new well location)

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

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9 Pand Orilla

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/5acres

- 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/5acres

- 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

USE:

Domestic surface

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

>1 in rest. area

- 071-070

Fire Protection

- 077

Fish Propagation

- 029-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

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)

Mining

- 054(req)-081-P10

Municipal

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

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

Stockwater

- R37 (BLM/USFS); NA

Storage (✓ 3 compo.)

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

LOCATION:

42-248 area

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

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Mitigation

- 120

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:

- 0 WB9

BENEFICIAL USE DUE:

- 8/1/1999

COMMENTS:

- _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
JUL 16 1998
WR1
WRA
BC

APPLICATION # 96-8990

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW

APPLICANT: MARSHALL BY: AB DATE: 4/28/98

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

PROCESSING

- (Yes) (No) PRIORITY DATE: 4/28/98
- X (Include Moratorium Remark)
- X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: BONNER County

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

GROUNDWATER SECTION

WD Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
<u>X</u>	Dom. Non-Dom.	Paid \$		Y () N ()
	Dom. Non-Dom.	Paid \$		Y () N ()
	Dom. Non-Dom.	Paid \$		Y () N ()
<u>J</u>	Groundwater management area		Remarks:	
<u>J</u>	Critical ground water area			
<u>J</u>	Well Drilling Permit required			
<u>J</u>	Well Drilling Application and Fees received			
<u>J</u>	Well Drilling Application approved?			

FINAL REGIONAL PROCESSING/REVIEW

- (Yes) (No)
- 6/3 Notice of pending void order issued. Final order response date: _____
- 6/3 Further information required from applicant
- 5/12/98 Affidavit of publication received (Billing incorrect - held for correction) 6/17/98
- 5/12/98 Application published correctly. If not, record action taken: _____
- 5/12/98 Publication dates and paper recorded on application _____ Sr. Agent initial AB
- 5/12/98 Protests received, Final protest date: 6/18/98
- 5/12/98 Measuring device required
- 5/12/98 Measuring port required
- 5/12/98 Special conditions:
- 5/12/98 Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB Date: 7/10/98

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Gayle Brass

_____ being first duly sworn on oath
deposes and says that he/she is office clerk
of the Priest River Times, a newspaper printed and
published at Priest River, Bonner County, Idaho; that the
said newspaper has been continuously and uninterrupted
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:

2390

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 20 day of May, 19 98
and ending on the 27 day of May, 19 98
and that said notice was published in said newspaper.

On this 27 day of May in the year
of 1998, before me, a Notary Public, personally
appeared Gayle Brass,
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.

Caryl L. Inge
Notary Public for Idaho

Residing at Sandpoint

My Commission expires: 6/00

PROPOSED EXPENDITURES

Notice is hereby given that the City Council of the City of Priest River will hold a public hearing for consideration of an amendment to the 1997-98 fiscal year budget by appropriating additional monies received by the City of Priest River, said hearing to be held at City Hall Council Chambers, 209 High Street, at 7:00 P.M. on the 8th day of June, 1998.

STREET FUND -	
Street Dept. -- Capital Outlay, Street Overlay,	\$84,823.75
Street Dept. -- Admin. & Engineer, LID Expenses,	\$22,437.05
TOTAL STREET --	\$107,260.80
WATER/SEWER FUND -	
Water Dept. -- Capital Outlay, Line Construction,	\$30,707.25
Water Dept. -- Admin. & Engineer, LID Expenses,	\$10,536.96
Sewer Dept. -- Capital Outlay, Line Construction,	\$10,086.75
Sewer Dept. -- Admin. & Engineer, LID Expenses,	\$2,634.24
TOTAL WATER/SEWER --	\$62,965.20

PROPOSED REVENUES

STREET FUND -	
Cash Carryover --	\$107,260.80
WATER/SEWER FUND -	
Cash Carryover --	\$62,965.20

Expenditure of the monies will be in accordance with the provisions authorized by State Code.

Dated this 27th day of May, 1998.

City Clerk

PRT Legal 2398
May 27, June 3, 1998

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

96-08990

MARSHALL, ROBERT
PO BOX 205
LACLEDE, ID 83841

Source: PEND OREILLE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: NWNW

Sec 31 T 56N R 03W in BONNER County.

Use: IRRIGATION

(0.030 CFS)
(0.030 CFS)

Total Diversion:

Date Filed: 4/28/1998

In: BONNER County

T56N R03W S31 NWNW
1.0 ACRES TOTAL

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 JUNE 8, 1998.

KARL J. DREHER, Director

PRT Legal 2390
May 20, 27, 1998

MICROFILMED

SEP 29 1998

MARSHALL, ROBERT
PO BOX 205
LACLEDE, ID 83841

Source: PEND OREILLE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: NWNW Sec 31 T 56N R 03W in BONNER County.

```

Use: IRRIGATION      (      0.030 CFS)
      Total Diversion: (      0.030 CFS)

```

Date Filed: 4/28/1998

In: BONNER County
T56N R03W S31 NWNW

1.0 ACRES TOTAL

MICROFILMED

SEP 29 1998

May 13, 1998

Robert Marshall
PO Box 205
Laclede ID 83841

Re: Water Appropriation Application No. 96-08990

Dear Mr. Marshall:

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

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SEP 29 1998

ID. Dept. of Lands
1910 NW Blvd. Ste. #201
Coeur D'Alene ID. 83814

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

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

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

1. Corps of Engineers # _____ Date Received _____	2. State of Idaho # <u>L-96-S-1192</u> Date Received <u>5/26/98</u> \$20 Rec'd By: _____ Receipt # _____
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PLEASE TYPE OR PRINT

3. Applicant <u>Robert Marshall</u> Mailing Address <u>P O Box 205</u> <u>LACLEDE, ID 83841</u> Work Phone (Area) _____ Home (Area) <u>208</u> <u>263-6492</u> Fax Number _____	4. Authorized Agent _____ Mailing Address _____ Work Phone (Area) _____ Home (Area) _____ Tributary of: _____ Assessor's Desc. (Tax No. or Subdivision, Lot & Block No.) <u>* SHELL SHORES SUB - LOT 1 *</u> (See instructions) <u>31</u> <u>56N</u> <u>3W</u> or 1/4 1/4 Section Township Range UTM Coordinate Grid _____ Zone _____ Northing _____ Easting _____
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5. Location where proposed activity exists or will occur.
Waterway Pend Oreille River
Laclede Bonner ID
In/near city or town County State
83841
Zip Code Local jurisdiction (city or county) _____

6. Describe the proposed activity. Provide a general description of the proposed work including all discharges of fill material and any structures such as piers, floats, boat lifts, bulkheads, and cofferdams.
- INSTALL A NON-SUBMERSABLE pump for irrigation.
- To purchase & install 10'x20 dock with 16' ramp.
Dock to be secured by 2 anchors. See attached
literature.

Describe construction methods and equipment:

2 horse pump with a 2 inch line and with a screen.

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

Length of project along the stream or extension into lake or reservoir: 15'

Will material be placed waterward of ordinary high water mark? 2" Line If yes, volume: TEMPORARY / SEASONAL (cubic yards)
(BOTH TEMPORARY AND PERMANENT)

Will material be placed in wetlands? NO If yes, total area: _____ (acres)

Type and composition of fill material: _____ (i.e. sand, etc.) Material Source: _____

Will excavation or dredging be required? NO If yes, volume: _____ (cubic yards) Composition _____

Disposal site for excavated material: _____ Method of excavation: _____

Stream gradient: _____

Method of controlling turbidity and/or sedimentation: _____

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

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8. Preparation of drawings. One set of original or good quality reproducible drawings must be attached to this application. NOTE: DRAWINGS NO LARGER THAN 8-1/2 X 11 INCHES IN SIZE. See the instruction pamphlet for instructions and a checklist for completing the drawings. Include photographs of the project site mounted on 8-1/2 x 11 sheets.

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

Necessity and justification for project Need water for irrigation

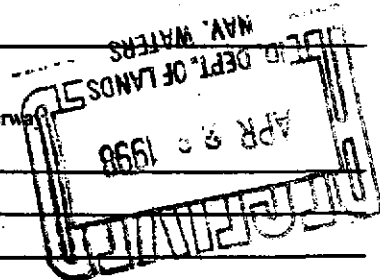
10. Proposed Starting Date 199 Estimated Duration day

11. If any portion of the activity is complete, indicate month and year of completion _____
Indicate the existing work on the drawings.

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

JACK WILSON 509-448-7820 DAN SCHWALBE
2710 N. Medelia 4328 So. Farr Rd
SPOKANE, WA 99207 Spokane, WA 99206

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



13. LEGAL OWNER IF

OTHER THAN APPLICANT _____

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

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

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval
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15. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? Yes _____ No X
(If "Yes" explain) _____

16. Remarks or additional information: _____

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

4-28-98
Date

Carol S. Marshall
Signature of Applicant (ORIGINAL SIGNATURE REQUIRED)

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

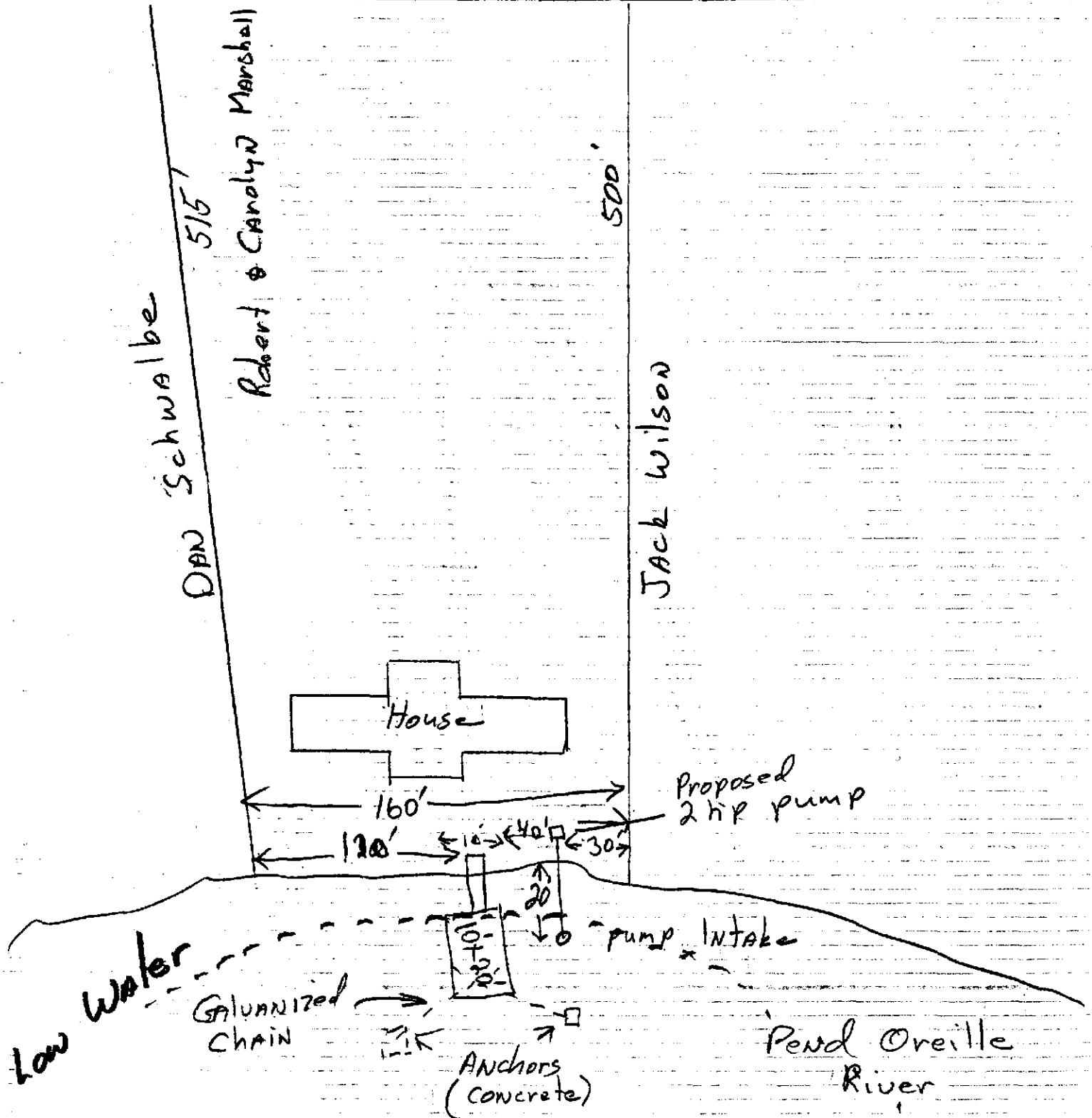
I hereby designate _____ to act as my agent in matters related to this permit application. I understand that if a Federal permit is issued, I must sign the permit.

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

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

DO NOT SEND FEDERAL PROCESSING FEE WITH APPLICATION

Riley Creek Park Rd



See back

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See Attached Brochure

Polyethylene Dock
light Beige

10' x 20'

High water

Ramp 16'

Pump

Pump Intake

1" = 5'

