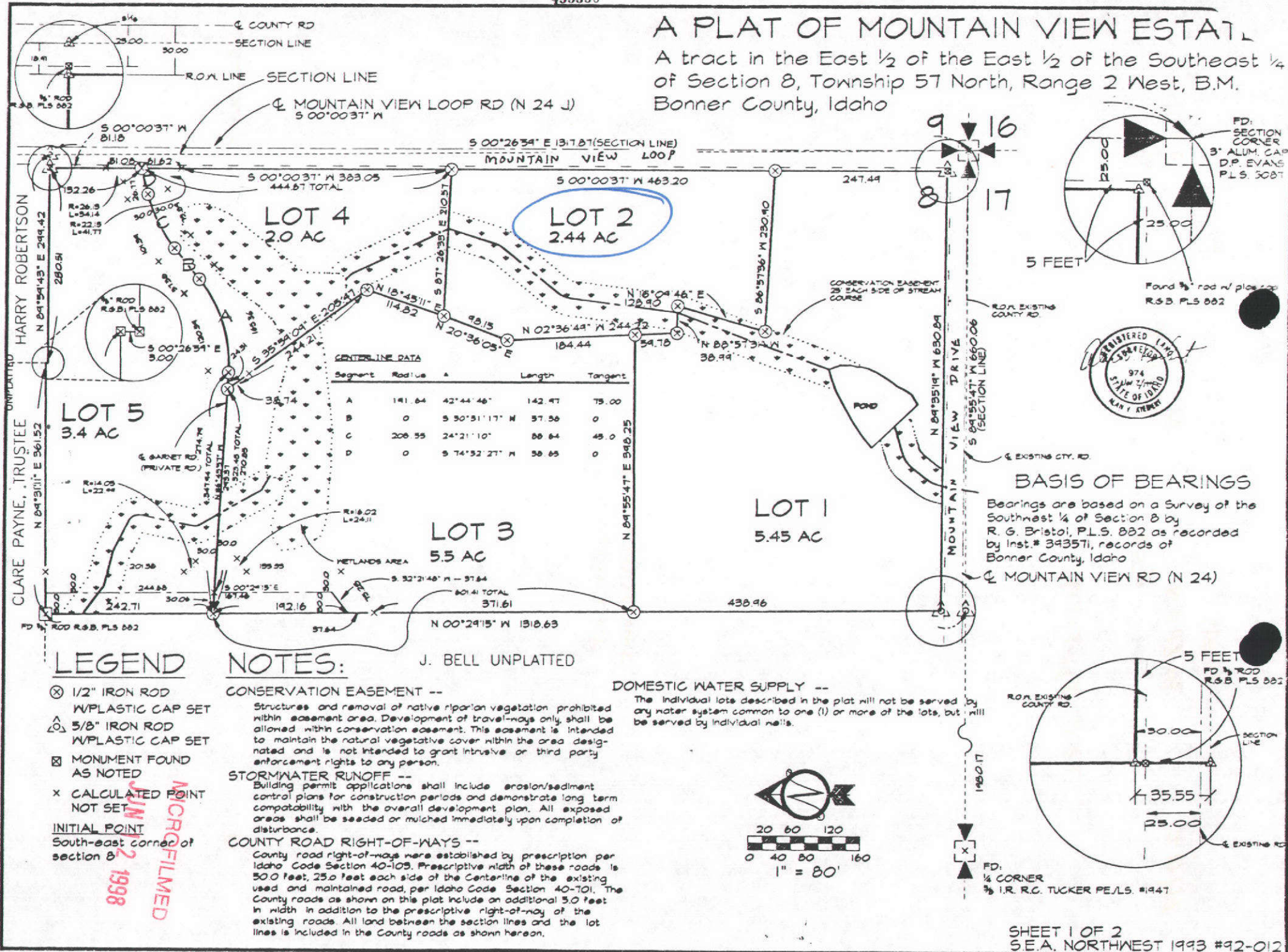
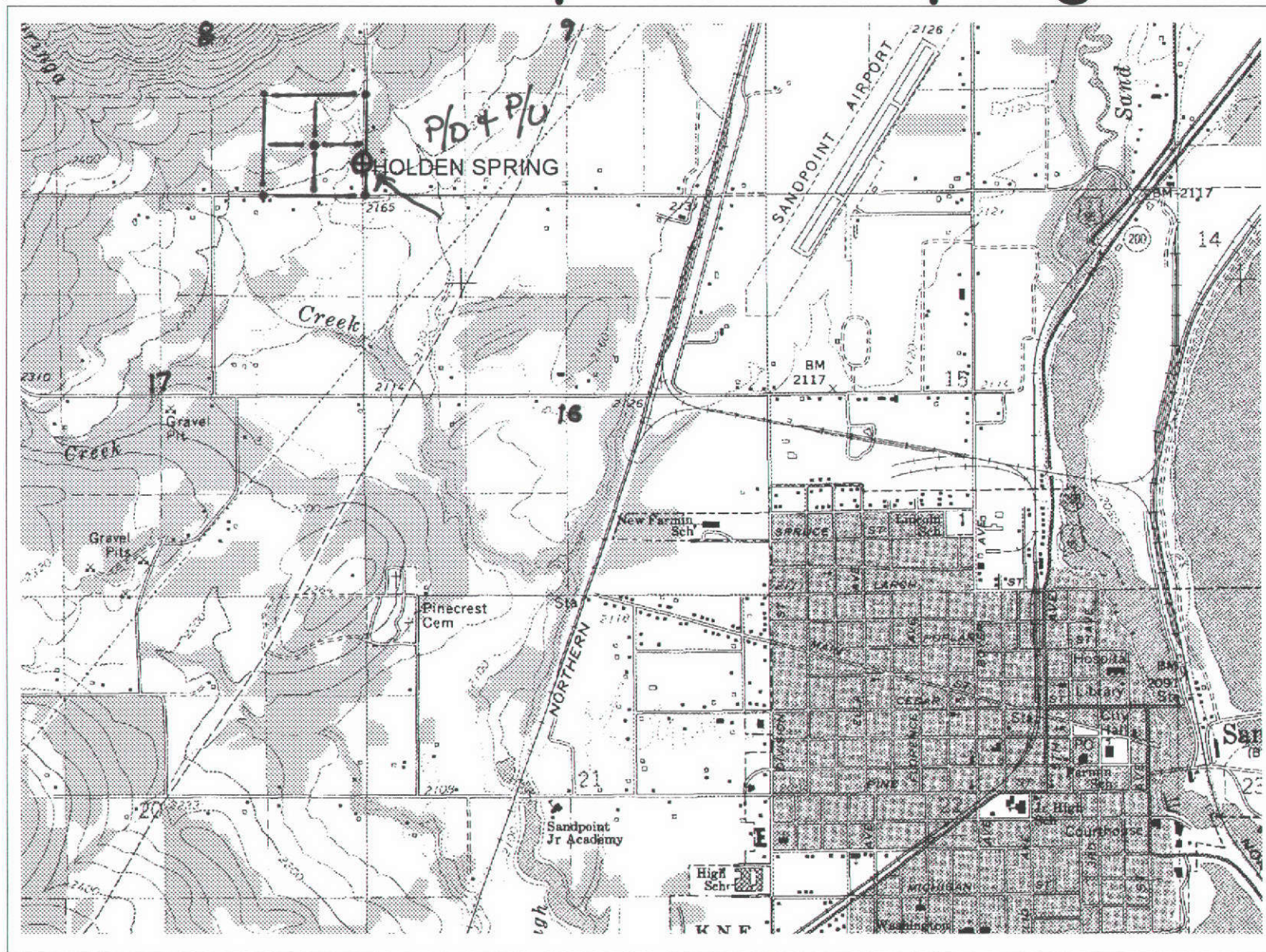
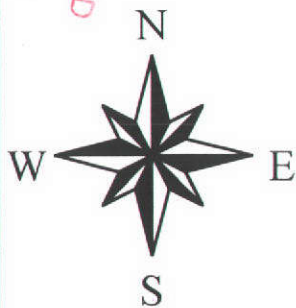




Location map: Holden Spring



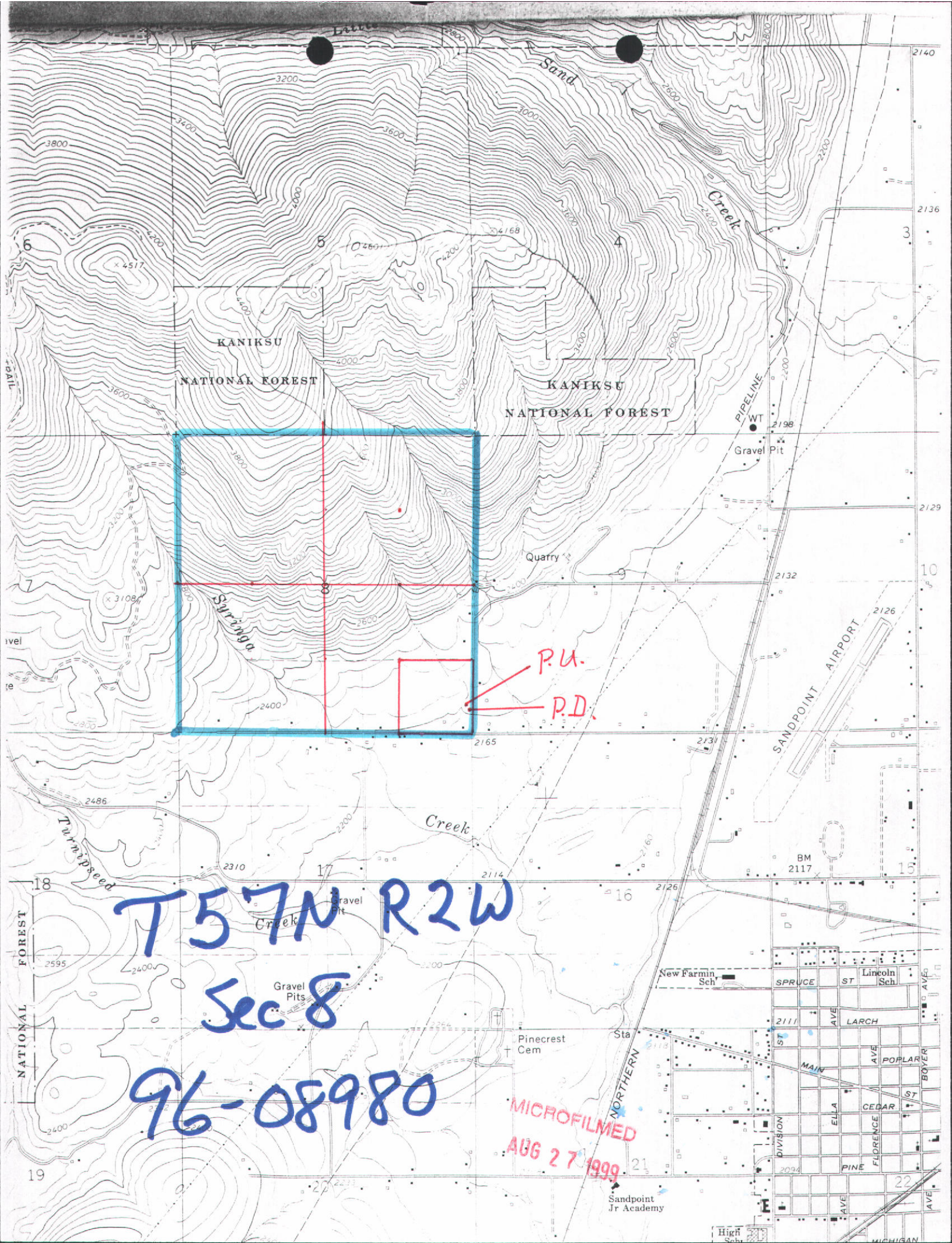
MICROFILMED
JUN 12 1998



scale = 1:24,000

0.5 0 0.5 Miles

T. 57N., R. 2W.



T57N R2W

Sec 8

96-08980

MICROFILMED

AUG 27 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT #

96-08980

PHOTOGRAPHS



Point
of
Diversion



Place
of
USE

MICROFILMED

AUG 27 1999

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-08980

Priority: February 9, 1998 Maximum Diversion Rate: 0.01 CFS
Maximum Diversion Volume: 1.2 AF

This is to certify, that MICHELE HOLDEN
PO BOX 1396

SANDPOINT ID 83864-1396 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated February 9, 1998; and
has submitted Proof of Beneficial Use on April 15, 1998. An examination indicates
that the works have a diversion capacity of 0.010 cfs of water from:

SPRING tributary to PEND OREILLE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.01 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: SESESE, Sec. 8, Township 57N, Range 02W
BONNER County

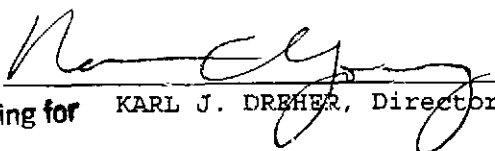
PLACE OF USE: DOMESTIC
TWN RGE SEC
57N 02W 8 SESE

CONDITIONS OF APPROVAL AND REMARKS

1. Water shall not be diverted under this right when flows in the Pend Orielle River are below established minimum stream flows.
2. Point of diversion and place of use are located within Lot 2, Mountain View Estates.
3. Domestic use is for 1 home.

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 administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 28th day of

April, 1999.


Acting for KARL J. DREHER, Director

MICROFILMED

AUG 27 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 15 1998

PROOF OF BENEFICIAL USE

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. 96-08980 Telephone No. 208-265-3138

2. Name(s) of Permit Holder(s): Michele Holden

3. Mailing Address: PO Box 1396, Sandpoint ID 83864

4. Source of Water: Spring If GROUNDWATER (well), Date Drilled: mo. / yr.

a. Well Driller: Drilling Permit Number: - - -

b. OPTIONAL:
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):

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

Domestic (No. of households): 1 Stockwater (No. and type of stock):

Irrigation (No. of acres): Other:

6. Total rate of diversion and/or volume for which proof is submitted: 0.01 cfs OR acre feet

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

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

Measuring Device: Is a measuring device required? Yes or No X

Has the measuring device been installed? Yes or No

Flow Measurement Port: Is a flow measurement port required? Yes or No X

Has the measurement port been installed? Yes or No

8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Michele Holden Telephone Number: 208-265-3138

Address: PO Box 1396, Sandpoint ID 83864

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: M Holden Date: 4/12/98
(include your title, if on behalf of company or organization)

FILED
JUN 12 1998

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-08980

Proposed Priority: February 9, 1998

Maximum Diversion Rate:

0.01 CFS

This is to certify, that MICHELE HOLDEN

PO BOX 1396

SANDPOINT ID 83864-1396

has applied for a permit to appropriate water from:

SPRING

tributary of PEND OREILLE RIVER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.01 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESESE , Sec. 8, Township 57N, Range 02W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

57N 02W 8

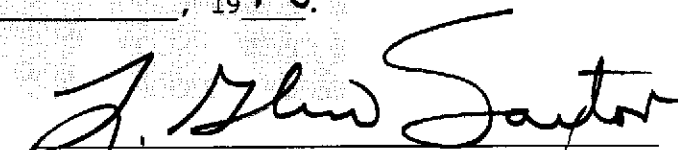
SESE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1999.
2. Subject to all prior water rights.
3. Water shall not be diverted under this right when flows in the Pend Orielle River are below established minimum stream flows.
4. Point of diversion and place of use are located within Lot 2, Mountain View Estates.
5. Domestic use is for 1 home.

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

²⁷
27 day of March, 1998.


for Karl J. Dreher, Director

MICROFILMED
JUN 12 1998

Ident. No. 96-08980

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

MAR 19 1998

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Michele Holden Phone 208-265-3138
Mailing address P.O. Box 1396 Sandpoint ID 83864
2. Source of water supply Spring which is a tributary of Pend Oreille River
3. Location of point of diversion is Township 57N Range 2W Sec. 8, in the SE 1/4, SE 1/4, SE 1/4, Govt. Lot _____, B.M., Bonner County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount 0.01 cfs for domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 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) 0.01 and/or (b) _____
 cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source water is diverted from a concrete lined spring box to a 1200 gallon tank then pumped to house
 - b. Height of storage dam n/a feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - 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? no
 - e. If well is already drilled, when? n/a; Drilling firm _____
 Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. 1 household
 - e. Other; describe fully. _____

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JUN 12 1998

9. Description of place of use:

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	2W	8																D	

Total number of acres to be irrigated _____

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? the applicant
- b. Who owns the land to be irrigated or place of use? the applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: _____

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

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

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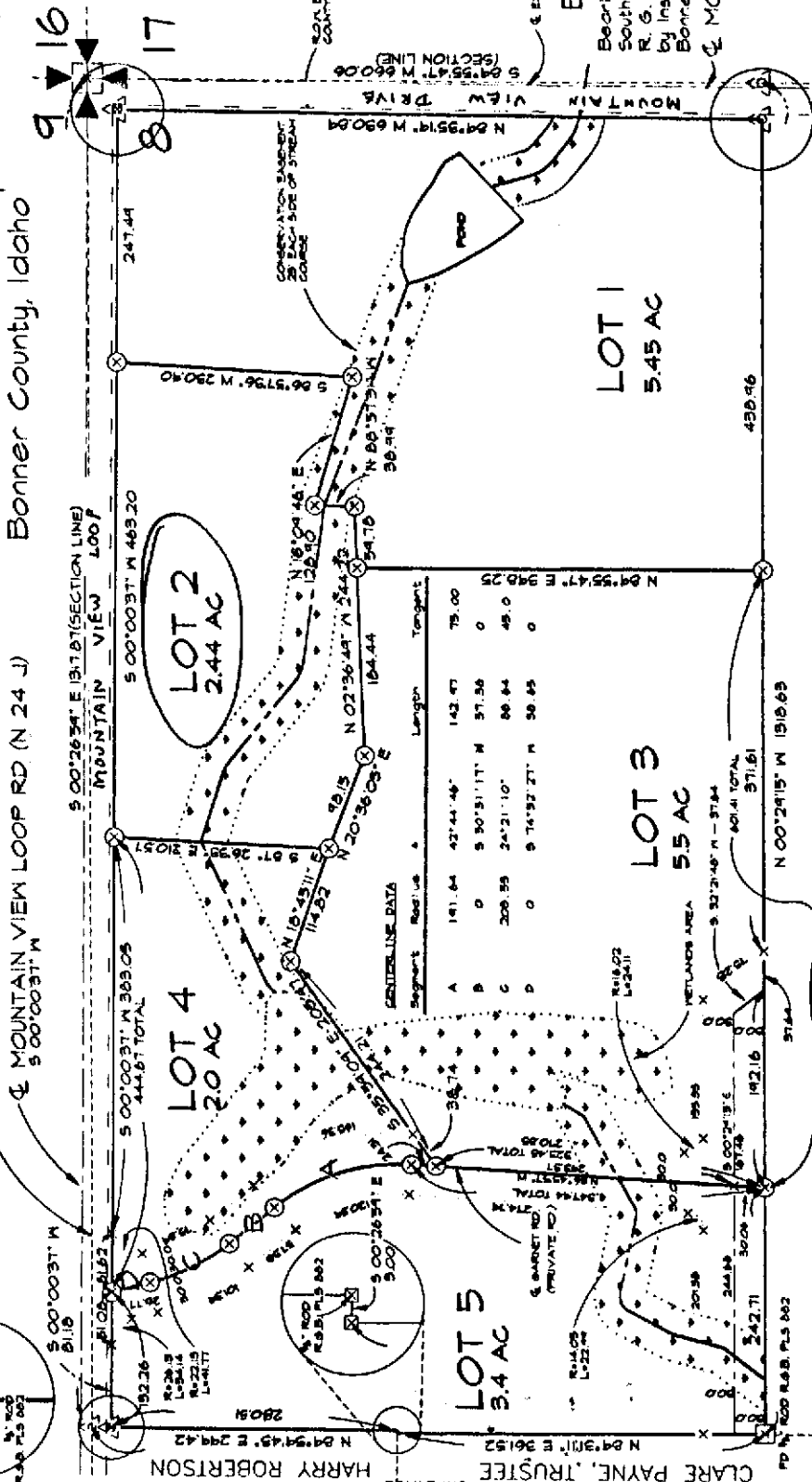
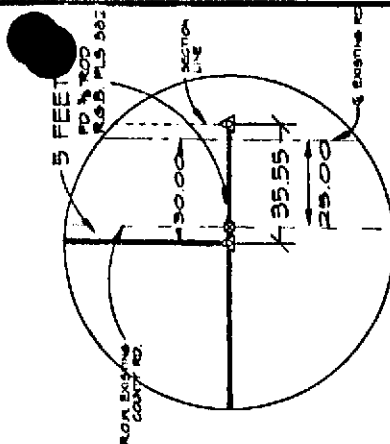
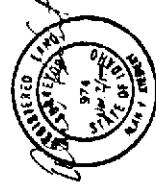
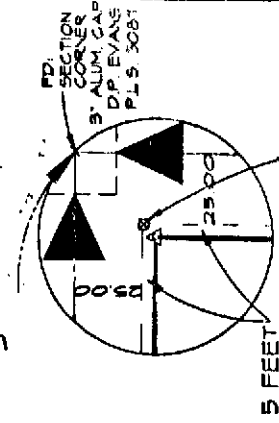
JUN 12 1998

Michelle Horden
Signature of Applicant (and title, if applicable)

Received by db Date 2/9/98 Time 12:05P Preliminary check by AB
 Fee \$ 50.00 Received by db # N011804 Date 2/9/98
 Publication prepared by db Date 2/11/98 Published in Banner Co Daily Bee 2/19-26/98
 Publication approved db Date 3/4/98

A PLAT OF MOUNTAIN VIEW ESTATE

A tract in the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 8, Township 57 North, Range 2 West, B.M. Bonner County, Idaho



BASIS OF BEARINGS
Bearings are based on a Survey of the Southeast 1/4 of Section 8 by R. G. Bristol, P.L.S. 882 as recorded by Inst. 349371, records of Bonner County, Idaho

NOTES:
J. BELL UNPLATED

- ⊗ 1/2" IRON ROD
- △ W/PLASTIC CAP SET
- △ 3/8" IRON ROD
- △ W/PLASTIC CAP SET
- ⊗ MONUMENT FOUND
- AS NOTED
- x CALCULATED POINT
- NOT SET
- INITIAL POINT
- South-east corner of Section 8

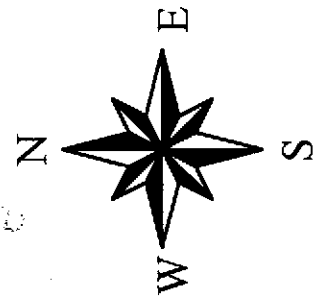
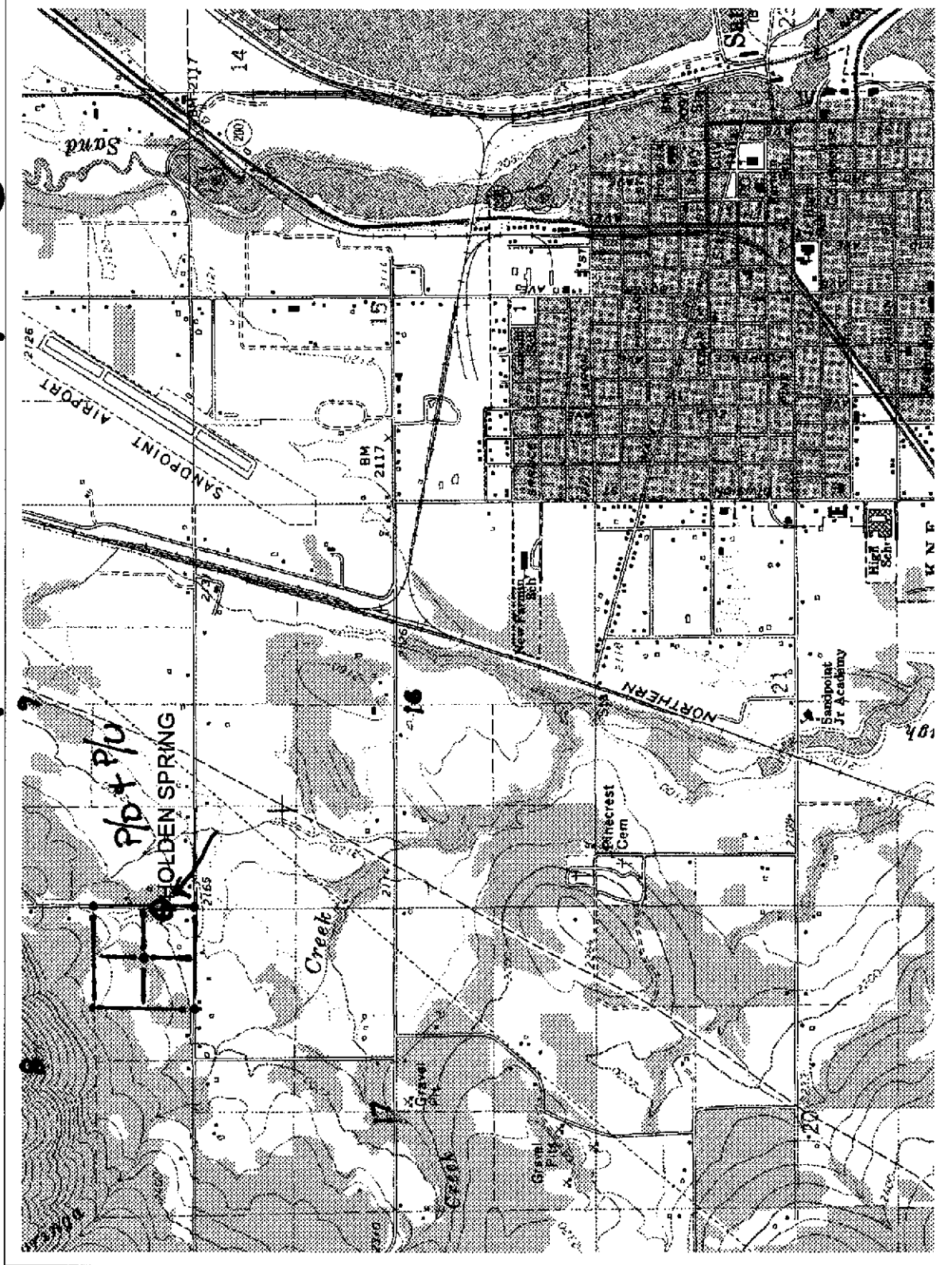
CONSERVATION EASEMENT --
Structures and removal of native riparian vegetation prohibited within easement area. Development of travel-way only shall be allowed within conservation easement. This easement is intended to maintain the natural vegetative cover within the area designated and is not intended to grant intensive or third party enforcement rights to any person.

STORMWATER RUNOFF --
Building permit applications shall include erosion/sediment control plans for construction periods and demonstrate long term compatibility with the overall development plan. All exposed areas shall be seeded or mulched immediately upon completion of disturbance.

COUNTY ROAD RIGHT-OF-WAYS --
County road right-of-ways were established by prescription per Idaho Code Section 40-105. Prescriptive width of these roads is 50.0 feet; 25.0 feet each side of the centerline of the existing road and maintained road, per Idaho Code Section 40-101. The County roads as shown on this plat include an additional 5.0 feet in width in addition to the prescriptive right-of-way of the existing roads. All land between the section lines and the lot lines is included in the County roads as shown hereon.



Location map: Holden Spring



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JUN 12 1988

scale = 1:24,000

0.5 Miles 0 0.5 Miles T.57N., R.2W.



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

April 29, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MICHELE HOLDEN
PO BOX 1396
SANDPOINT ID 83864-1396

RE: WATER RIGHT NO. 96-08980

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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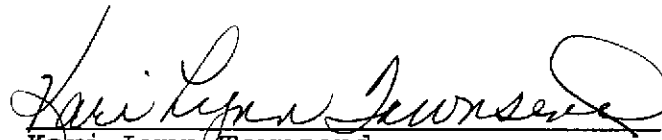
AUG 27 1999

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of April, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 96-08980

MICHELE HOLDEN
PO BOX 1396
SANDPOINT ID 83864-1396


Kari Lynn Townsend
Secretary

MICROFILMED

AUG 27 1999

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

MICROFILMED
AUG 27 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
AUG 27 1999

MEMORANDUM

TO: File 96-08980

FROM: Sharla

DATE: April 21, 1999

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 96-08980 are as follows:

C. DIVERSION AND DELIVERY SYSTEM

2. Point(s) of Diversion: SESESE, S8, T57N, R2W

H. RECOMMENDATIONS

Domestic	1/1 – 12/31	0.01 cfs	1.2 afa
----------	-------------	----------	---------

Springs require a 10-acre description for point of diversion.

There is nothing noted in the file about the domestic use being entirely indoor or entirely outdoor use; thus the volume is 1.2 af to cover inside and outdoor use.

Exam Date: January 27, 1999

Examiner: Dave Pagel

MICROFILMED
AUG 27 1999

LICENSE REVIEW CHECKLIST

PERMIT NO. 96-08980 DATE 4/22/99 REVIEWER: SHARLA

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK ☐ Change (P39 /P47) ☐ Add (P45/P42) Feds - P40

W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Lot 2, Mtn View Estates

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PLACE OF USE OK ☐ Change (P41/P47) ☐ Add (P41/P42) Feds - P43

W66 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate .01 cfs

Fee limit .20 cfs \$5000

Measured 1 cfs

Theoretical .03 cfs from stor. tank doesn't count
 Recommended Total Div Rate .01 cfs

WATER USES

<u>Dom</u>	<u>.01</u> cfs	<u>1.2</u> af	Irrig -	overlap (R58-R61, R62-R65, R66-R69)
				supp. gw (WB7/065/079)
				overlap spec. combined rts (W35)
				<1acre (W31)
				(W61/WB5/070/071/075)
TOTALS			Domestic	(W42 or W43/025/027/R22 or R23)
			Power	Fire (077) Wtr Quality (081/R07)
			Fish (042)	

Flow rate .01 cfs X 365 days X 1.98 = 7.3 af

REMARKS

ADD'L CONDITIONS ☐ Watermaster Control WD# _____
☐ GW Measurement/Measuring Device
☐ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority ☐ yes ☒ no

SRBA Claim N/A

Adjust Memo 10-ac pld
 Amend letters /

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 11 1999

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-08980

1. Owner: Michele Holden Phone No. (208) 265-3138

Current Address: P.O. Box 1396 Sandpoint, Idaho 83864-1396

2. Accompanied by: Michele Holden EXAM DATE: 1-27-99

Address: Same Phone No. _____

Relationship to Permit Holder: Self

3. Source: Spring tributary to Pend Oreille 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
			SE	SE	8	57N	2W	Bonner	USGS 7.5' Quad.

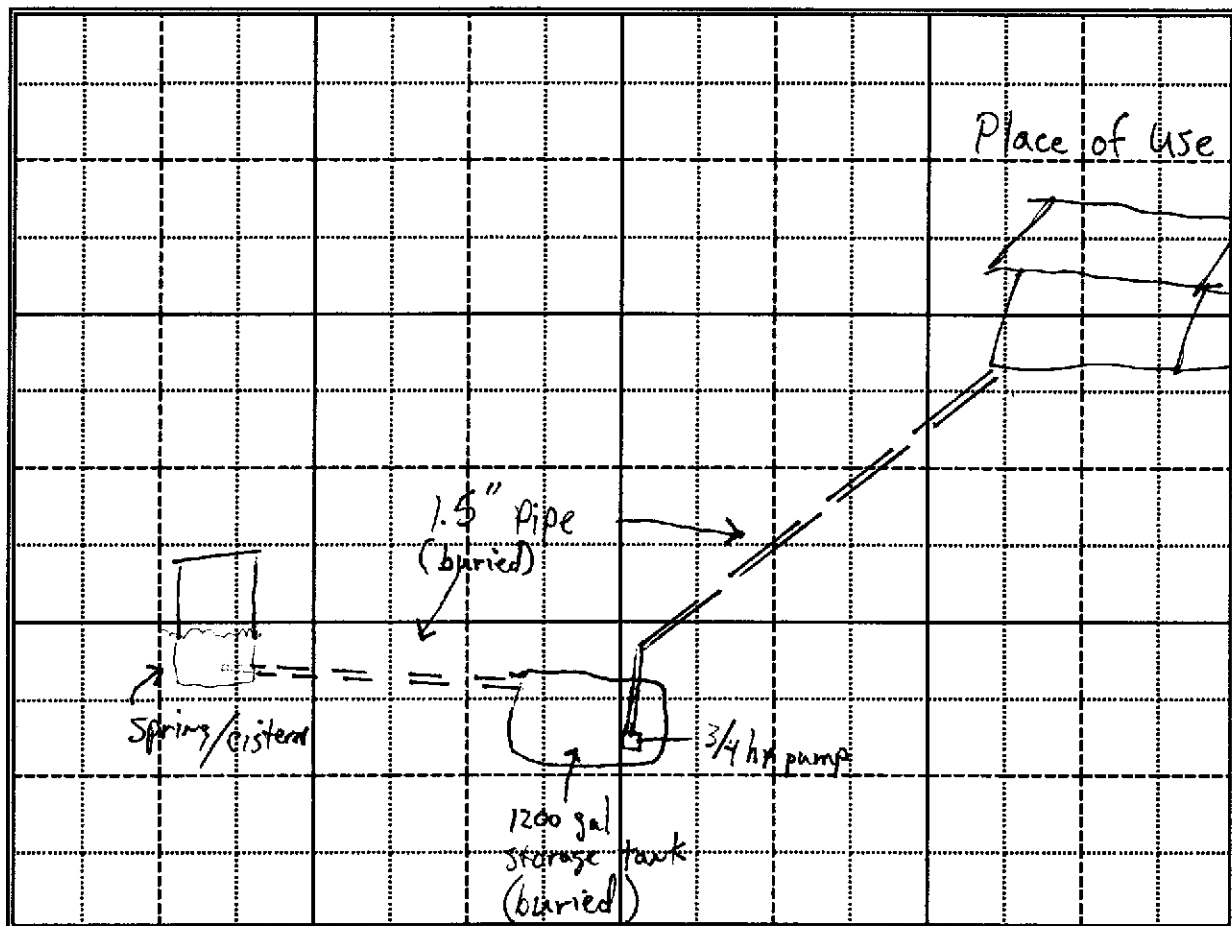
2. Place(s) of Use:

Indicate Method of Determination USGS 7.5' Quad.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	2W	8																1	

RECEIVED
FEB 27 1999

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



Scale: $r = \frac{N/A}{}$

☒ 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
		3/4		Submersible	

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

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AUG 27 1999

E. NARRATIVE/REMARKS/COMMENTS

Water is being diverted for domestic use from a spring. Water is collected into a cistern that is gravity fed into a 1200 gallon storage tank. From the storage tank water is pumped to the place of use using a 3/4 horsepower pump.

Have conditions of permit approval been met? ☒ yes

no
MICROFILMED
AUG 27 1999

F. FLOW CALCULATIONS

Measured Method: see theoretical calculation

☒ 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:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic</u>	<u>01/01</u>	<u>12/31</u>	<u>.01</u>	<u>.6</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>.01</u>	<u>.6</u>

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. AUTHENTICATION

Field Examiner's Name Arnie H. Fogel Date Feb 9, 1999

Reviewer _____ Date _____

SEAL

MICROFILMED
AUG 27 1999

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 96-08980, HOLDEN

DATE: 3-FEB-99

COMPLETE BY: PAGEL

HORSEPOWER = .75

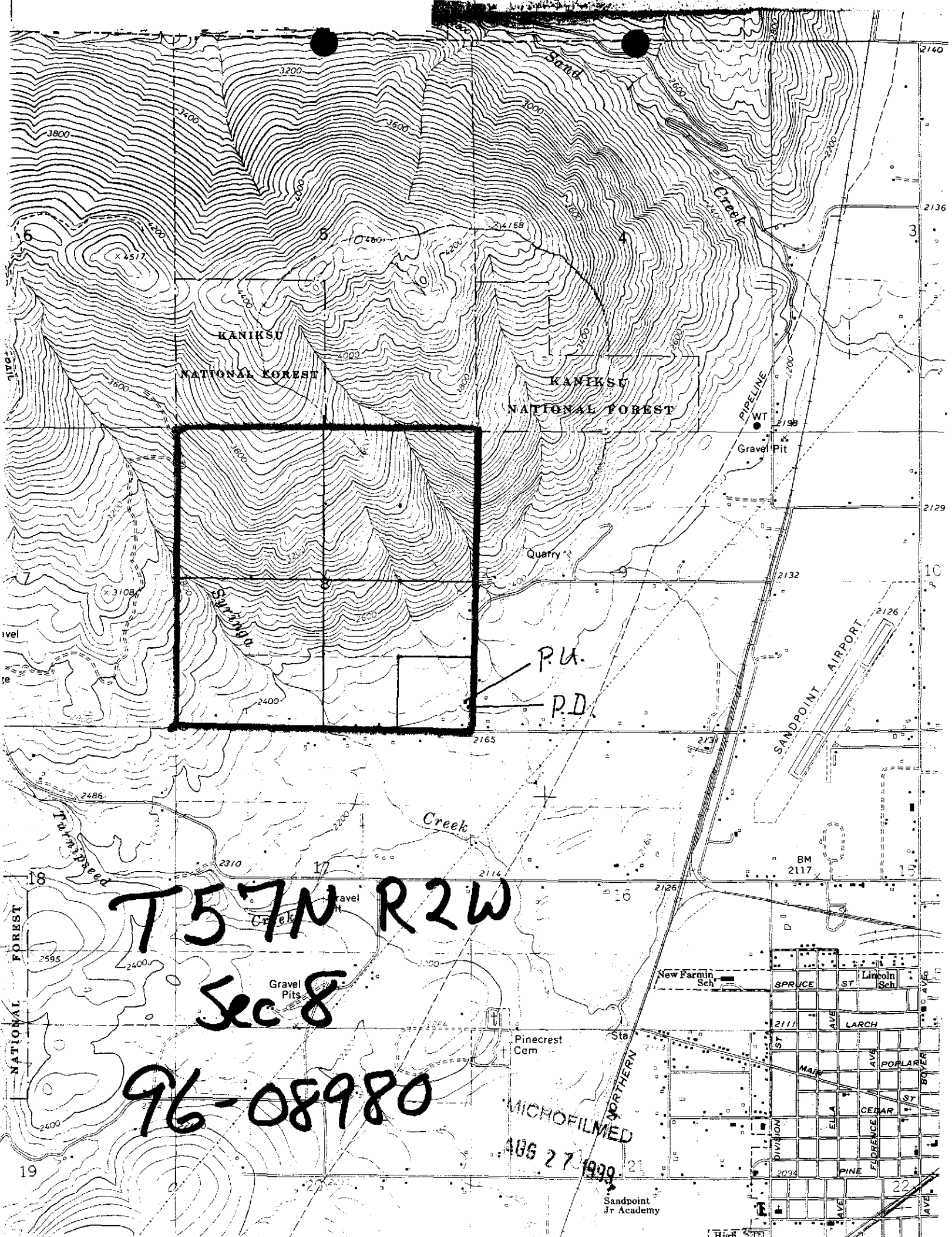
PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 40 FEET

SYSTEM PRESSURE = 45 PSI

QUANTITY = 0.03 CFS

MICROFILMED
AUG 27 1999



T57N R2W

Sec 8

96-08980

MICROFILMED

486 27 1999

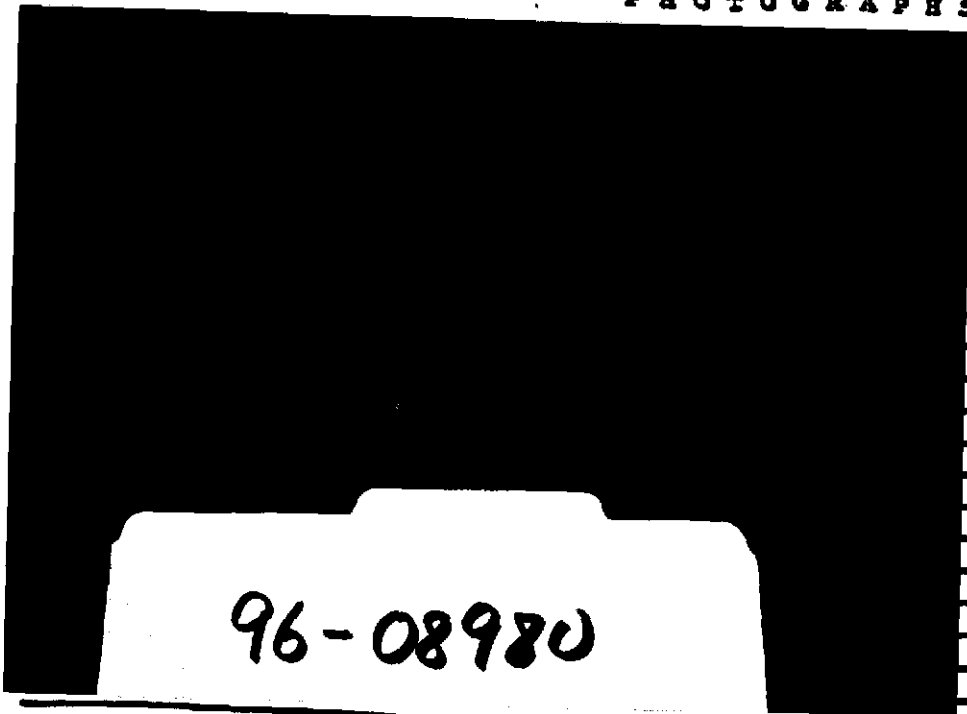
Sandpoint Jr Academy

High

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT : 96-08980

PHOTOGRAPHS



Point
of
Diversion



Place
of
Use

MICROFILMED
AUG 27-1999

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-08980 Reviewed by Qu Date 6-8-98

GENERAL CONSIDERATIONS

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

TYPES OF USE

dam.

Correct Uses? yes

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

yes Required?
50- Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
/ Installed?
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 X Proof Made 4-15-98



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 8, 1998

Michele Holden
Po Box 1396
Sandpoint ID 83864

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08980

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 department's **NORTHERN** Regional Office in Coeur d'Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED
JUN 12 1998

PO Box 1396
Sandpoint
ID 83864

4/12/98 RECEIVED

APR 15 1998

Department of Water Resources

Dear Ms Keen,

Ref Permit 96-08980

Please find enclosed the completed
"Proof of Beneficial Use" form
for permit 96-08980.

I was not certain if the \$50
fee was applicable to my
application, so I have enclosed
a check; please return it to
me if there is no fee.

Sincerely,

Michelle Hold

MICROFILMED
JUN 12 1998



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 30, 1998

MICHELE HOLDEN
PO BOX 1396
SANDPOINT ID 83864-1396

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08980

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.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED
JUN 12 1998

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of March, 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. 96-08980

MICHELE HOLDEN
PO BOX 1396
SANDPOINT ID 83864-1396


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 12 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.

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 REVIEW

by *Cindy Lee*

No.: 96-8980 Name: Holden Date: 3/23/98 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)**

WMD (✓ MAP)

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- No MD

WMD Supplemental use

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

> 0.24 cfs/5 acres

- 01M (report when notified)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

Included w/permit

- Permit No. _____ - _____ - _____ - _____, P99

irr. in WD

- P05 (new well location)

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

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9 Rend Ouelle R.

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs

- 01H-P01 (LD) 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

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)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

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:

- ① woi/1 ② P59/LT 2 ③ wbo/LT 2

BENEFICIAL USE DUE:

- 4/1/1999

COMMENTS:

-

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED (WR) (WRA) (SC)
MAR 19 1998

APPLICATION # 96-8980

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: HOLDEN

BY: AS

DATE: 2/9/98

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)

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

PROCESSING

(Yes) (No) PRIORITY DATE: 2/9/98

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?
_____	Dom. Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	Dom. Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	Dom. Non-Dom. _____	Paid \$ _____	_____	Y () N ()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- I Notice of pending void order issued. Final order response date: _____/_____/_____
- I Further information required from applicant
- 3/4 Affidavit of publication received
- 3/4 Application published correctly. If not, record action taken: _____
- 2/11/98 Publication dates and paper recorded on application
- I Protests received, Final protest date: 3/9/98
- I Measuring device required
- I Measuring port required
- I Special conditions:
- I Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AS

Date: 3/11/98

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Sherilyn Plunk being first duly sworn on oath
deposes and says that he/she is BOOKKEEPER
of the Bonner County Daily Bee, a newspaper printed and
published at Sandpoint, Bonner County, Idaho; that the
said newspaper has been continuously and uninterruptedly
published in said Bonner County during a period of 12
months prior to the first publication of the hereto attached
notice of publication in the case of:

App for Water

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 17 day of Feb, 1998
and ending on the 26 day of Feb, 1998
and that said notice was published in said newspaper.

On this 26 day of Feb 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. Duge
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 6/00

RECEIVED

MAR 04 1998

NORTHERN REGION
IDWR

NOTICE OF APPLICATION
FOR WATER RIGHT

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

96-08979

CEDA PINE VENEER COMPANY

PO BOX 536

POST FALLS, ID 83877

Source: PACK RIVER Tributary:

LAKE PEND OREILLE

Diversion Pt: NENESW Sec 32 T

59N R 01W in BONNER County.

Use: INDUSTRIAL (0.500 CFS)

Total Diversion: (0.500 CFS)

Date Filed: 1/28/1998

In: BONNER County

T59N R01W S32 NENE NWNE

SWNE SENE

96-08980

HOLDEN, MICHELE

PO BOX

SANDPOINT, ID 83864

Source: SPRING Tributary: PEND

OREILLE RIVER

Diversion Pt: SESESE Sec 8 T 57N

R 02W in BONNER County.

Use: DOMESTIC (0.010 CFS)

Total Diversion: (0.010 CFS)

Date Filed: 2/9/1998

In: BONNER County

T57N, R02W S08 SESE

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

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the applicant and with the
Director, Dept. of Water Resources,
Northern Region, 1910 Northwest
Blvd., Suite 210, Coeur d'Alene,
Idaho 83814, together with a protest
fee of \$25.00 on or before MARCH 9,
1998.

KARL J. DREHER, Director
SNP#9009 Feb 19, 26, 1998

MICROFILMED

JUN 12 1998

96-08980

HOLDEN, MICHELE
PO BOX 1396
SANDPOINT, ID 83864

Source: SPRING

Tributary: PEND OREILLE RIVER

Diversion Pt: SESESE Sec 8 T 57N R 02W in BONNER County.

Use: DOMESTIC (0.010 CFS)
Total Diversion: (0.010 CFS)

Date Filed: 2/ 9/1998

In: BONNER County
T57N R02W S08 SESE

MICROFILMED
JUN 12 1998

February 11, 1998

Michele Holden
PO Box 1396
Sandpoint ID 83864

Re: Water Appropriation Application No. 96-08980

Dear Ms. Holden:

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 N011804.

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

JUN 12 1998