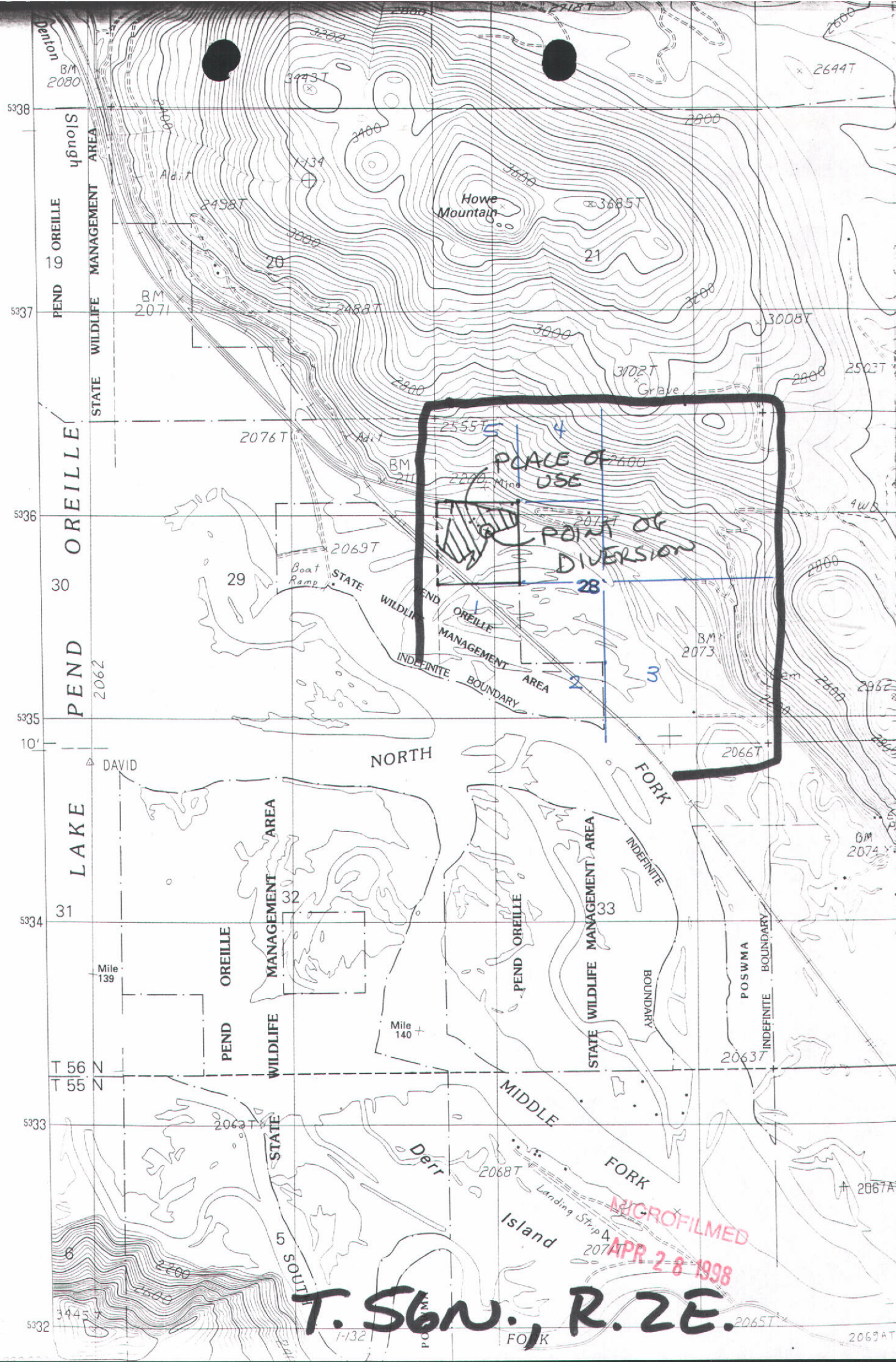
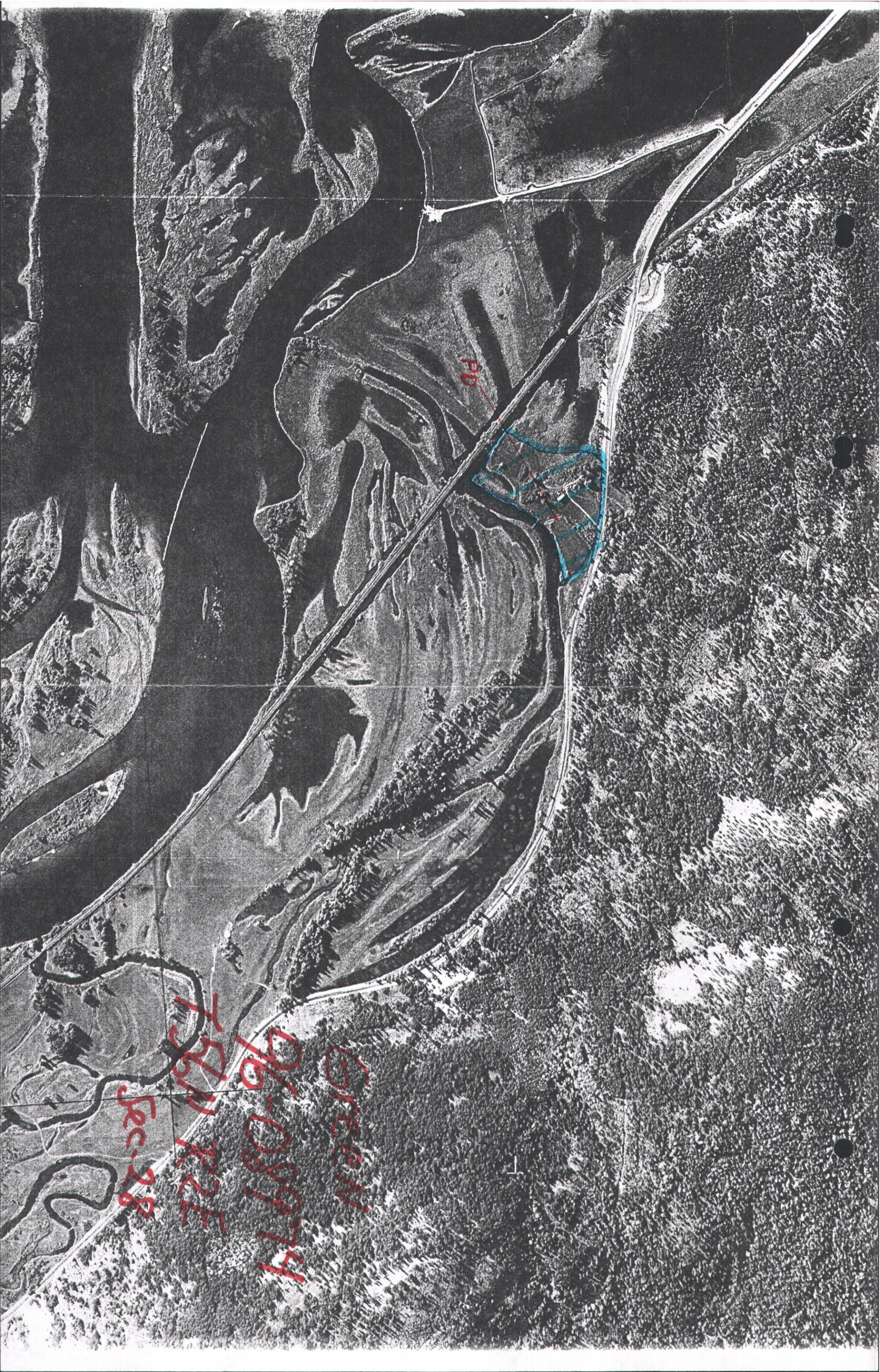




MICROFILMED
APR 28 1998

T. 56N., R. 2E.

56N-02E-28



PD

Green
96-08974
7500 K24
Sec-28

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 96-08974

S

Point of
diversion

96-08974

'98 8 24

Pressure/control
System



96-08974

Station # 6

MICROFILMED

JAN 11 1999

96-08974

'98 8 24

96-08974

PERMIT #

STATE OF IDAHO
DEPT OF WATER RESOURCES
REPORT SUPPLEMENT

PHOTOGRAPH



PLACE of USE

MACROFILMED
JAN 11 1999



State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 96-08974

Priority: October 27, 1997

Maximum Diversion Rate:

0.20 CFS

Maximum Diversion Volume:

45.0 AF

This is to certify, that DOUGLAS ARTHUR GREEN

PO BOX 505

CLARK FORK ID 83811-0505 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 27, 1997; and has submitted Proof of Beneficial Use on January 5, 1998. An examination indicates that the works have a diversion capacity of 0.025 cfs of water from:

UNNAMED SLOUGH

tributary to PEND OREILLE LAKE

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>
IRRIGATION	03/15 to 11/15	0.20 CFS	45.0 AF
FIRE PROTECTION	01/01 to 12/31	0.20 CFS	
	Totals	0.20 CFS	45.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 28, Township 56N, Range 02E
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	02E	28	SWNW	15		15

Total number of acres irrigated: 15

PLACE OF USE:

FIRE PROTECTION, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 96-08974

CONDITIONS OF APPROVAL AND REMARKS

5. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
7. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 25th day of SEPTEMBER, 1998.

Acting for

KARL J. DREHER, Director

UNRECORDED

JAN 11 1998

FOR OFFICE USE ONLY
 Amt. of Fee \$: 50.00
 Receipt No.: 0011039
 Receipt By: VS
 Date Received: 1/5/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 05 1998

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. 96-08974 Telephone No. 208 266 1606
2. Name(s) of Permit Holder(s): DOUGLAS ARTHUR GREEN
3. Mailing Address: P.O. BOX 505 CLARK FORK ID 83811
4. Source of Water: UNNAMED SLOUGH 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): Stockwater (No. and type of stock):
Irrigation (No. of acres): 20 Other: FIRE PROTECTION
6. Total rate of diversion and/or volume for which proof is submitted: 0.20 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 <u> </u> | or | No <u>X</u> |
| | Has the measuring device been installed? | Yes <u> </u> | or | No <u>X</u> |
| Flow Measurement Port: | Is a flow measurement port required? | Yes <u> </u> | or | No <u>X</u> |
| | Has the measurement port been installed? | Yes <u> </u> | or | No <u>X</u> |
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: ART GREEN Telephone Number: 208 266 1606
Address: HIWAY 200 E MILE POST 52 CLARK FORK ID 83811
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:

D. Arthur Sher Da
(include your title, if on behalf of company or organization)

Date:

12/26/97

Am 2. 10.

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-08974

Proposed Priority: October 27, 1997 Maximum Diversion Rate: 0.20 CFS

This is to certify, that DOUGLAS ARTHUR GREEN
PO BOX 505
CLARK FORK ID 83811-0505
has applied for a permit to appropriate water from:
UNNAMED SLOUGH tributary of PEND OREILLE LAKE

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.20 CFS
FIRE PROTECTION	01/01 to 12/31	0.20 CFS
	Totals	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 28, Township 56N, Range 02E
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	02E	28	SWNW	20.0		20.0

Total number of acres irrigated: 20.0

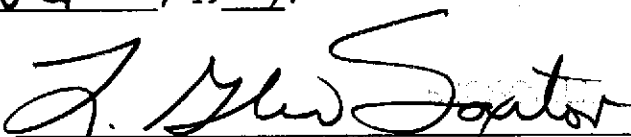
PLACE OF USE: FIRE PROTECTION, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1998.
2. Subject to all prior water rights.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
5. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

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

16 th day of December, 1997.


for Karl J. Dreher, Director

96-8974

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

DEC 04 1997

Department of Water Resources

1. Name of Applicant DOUGLAS ARTHUR GREEN Phone 208-266-1606
Mailing address PO BOX 505 CLARK FORK ID 83811
2. Source of water supply UNNAMED SLOUGH which is a tributary of LAKE PELO OREILLE
3. Location of point of diversion is Township 6N Range 2E Sec. 28 in the SW 1/4, NW 1/4, 1/4, Govt. Lot , B.M., BANNER County; additional points of diversion if any:
4. Water will be used for the following purposes:

Amount <u>0.20</u> for <u>IRRIGATION</u>	purposes from <u>3/5</u> to <u>11/5</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>0.20</u> for <u>FIRE PROTECTION</u>	purposes from <u>4</u> to <u>12/31</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u> </u> for <u> </u>	purposes from <u> </u> to <u> </u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u> </u> for <u> </u>	purposes from <u> </u> to <u> </u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u> </u> for <u> </u>	purposes from <u> </u> to <u> </u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u> </u> for <u> </u>	purposes from <u> </u> to <u> </u>	(both dates inclusive)
(cfs or acre-feet per annum)		
5. Total quantity to be appropriated is (a) 0.20 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 PUMP + PIPELINE
 - b. Height of storage dam feet; active reservoir capacity acre-feet; total reservoir capacity acre-feet
 - c. Proposed well diameter is inches; proposed depth of well is feet
 - d. Is ground water with a temperature of greater than 85°F being sought?
 - e. If well is already drilled, when? ; Drilling firm
Well was drilled for (well owner) ; 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.
 - e. Other; describe fully.

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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	
S6N	2E	28							20										20
								F											

Total number of acres to be irrigated 20

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? APPLICANT

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

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

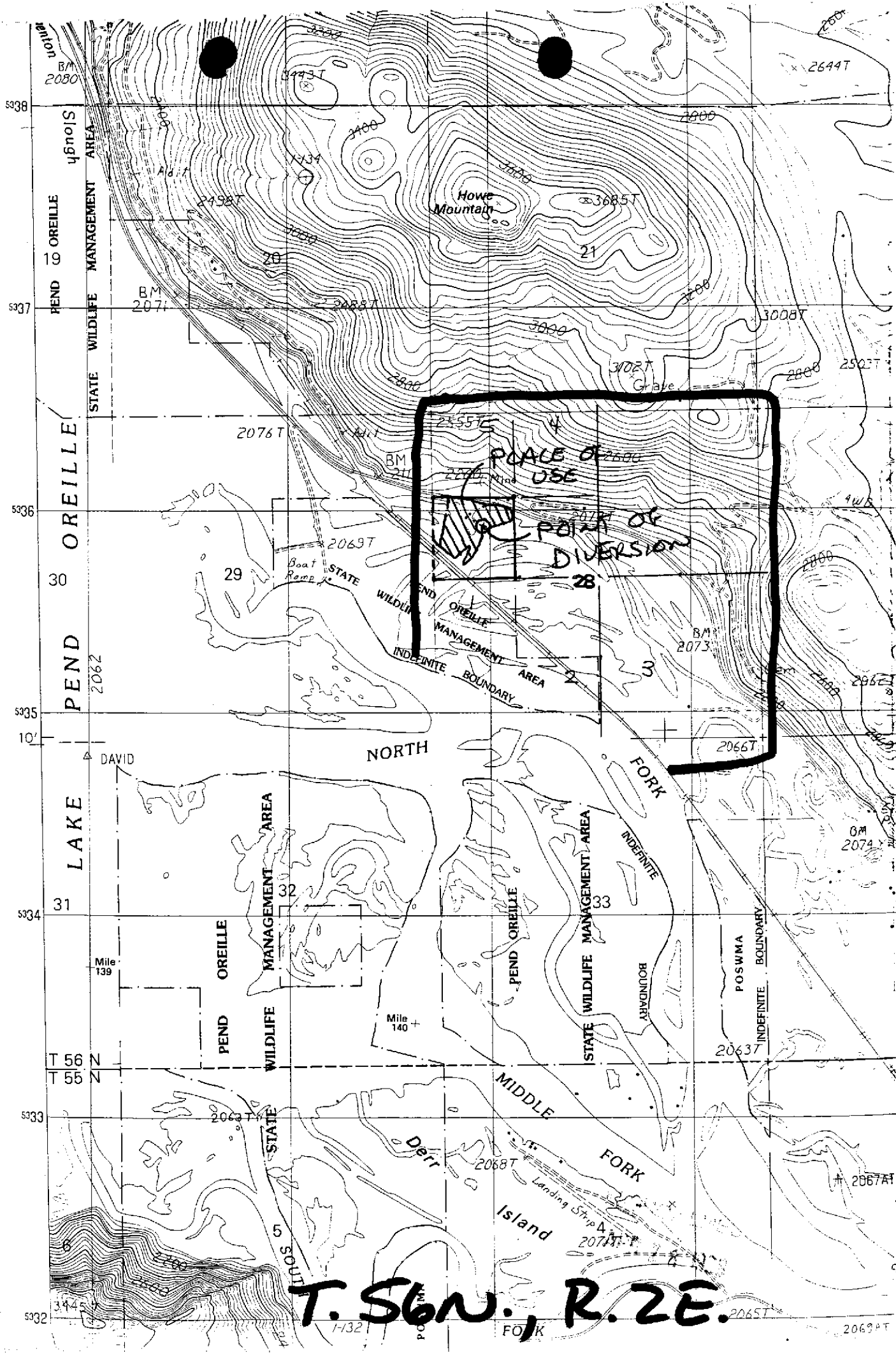
12. Remarks: _____

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.

x Douglas William Greer
Signature of Applicant (and title, if applicable)

Received by AB Date 10/27/97 Time 10:15 Preliminary check by AB
 Fee \$ 50 Received by AB # 2011690 Date 10/27/97
 Publication prepared by AB Date 10/29/97 Published in Burner Co. Daily Bee 11/6/97
 Publication approved AB Date 11/17/97





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

September 30, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DOUGLAS ARTHUR GREEN
PO BOX 505
CLARK FORK ID 83811-0505

RE: WATER RIGHT NO. 96-08974

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 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 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 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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 the 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 the 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.

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JAN 11 1983

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.

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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JAN 11 1990

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of **September, 1998**, 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. 96-08974

DOUGLAS ARTHUR GREEN
PO BOX 505
CLARK FORK ID 83811-0505


Kari Lynn Townsend
Secretary

WCHD:KAL

JAN 11 1999

LICENSE REVIEW CHECKLIST

PERMIT NO. 96-08974 DATE 9/23/98 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)

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

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

W60 (subd. desc)
 W27 (ppu acre limit)

grid overlay = approx. 15 ac.
OK

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

PD & PU amend (P37) Feds - P48

RATE OF DIV
 Permitted Rate .20 cfs
 Fee limit .20 cfs \$50.00
 Measured --- cfs
 Theoretical .25 cfs

Recommended Total Div Rate .20 cfs

WATER USES	<u>OK</u>	Change (P46)	
<u>Dom</u>	<u>.20</u> cfs	<u>15x3-60</u> af	Irrig -
<u>Fire</u>	<u>.20</u> cfs	<u>---</u> af	overlap (R58-R61, R62-R65, R66-R69)
	<u>---</u> cfs	<u>---</u> af	supp. gw (WB7/065/079)
	<u>---</u> cfs	<u>---</u> af	overlap spec. combined rts (W35)
	<u>---</u> cfs	<u>---</u> af	<1acre (W31)
	<u>---</u> cfs	<u>---</u> af	Domestic (W01/WB5/070/071/075)
TOTALS	<u>.20</u> cfs	<u>45.0</u> af	Power (W42 or W43/025/027/R22 or R23)
			Fire (077) Wtr Quality (081/R07)

Flow rate .20 cfs X 246 days X 1.98 = 97.4 af

REMARKS _____

ADD'L CONDITIONS --- Watermaster Control WD# ---
01M GW Measurement/Measuring Device

--- Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority --- yes ✓ no

SRBA Claim N/A

Adjust Memo ---
 Amend letters ---

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 28 1998
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-08974

1. Owner: Douglas Arthur Green Phone No. (208) 266-1606

Current Address: P.O. Box 505 Clark Fork ID 83811-0505

2. Accompanied by: D. Green EXAM DATE: Aug. 25, 1998

Address: Same Phone No. _____

Relationship to Permit Holder: Self

3. Source: unnamed Slough tributary to Pend Oreille Lake

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
			SW	NW	28	56N	2E	Bonner	4565 7.5' Quad

2. Place(s) of Use:

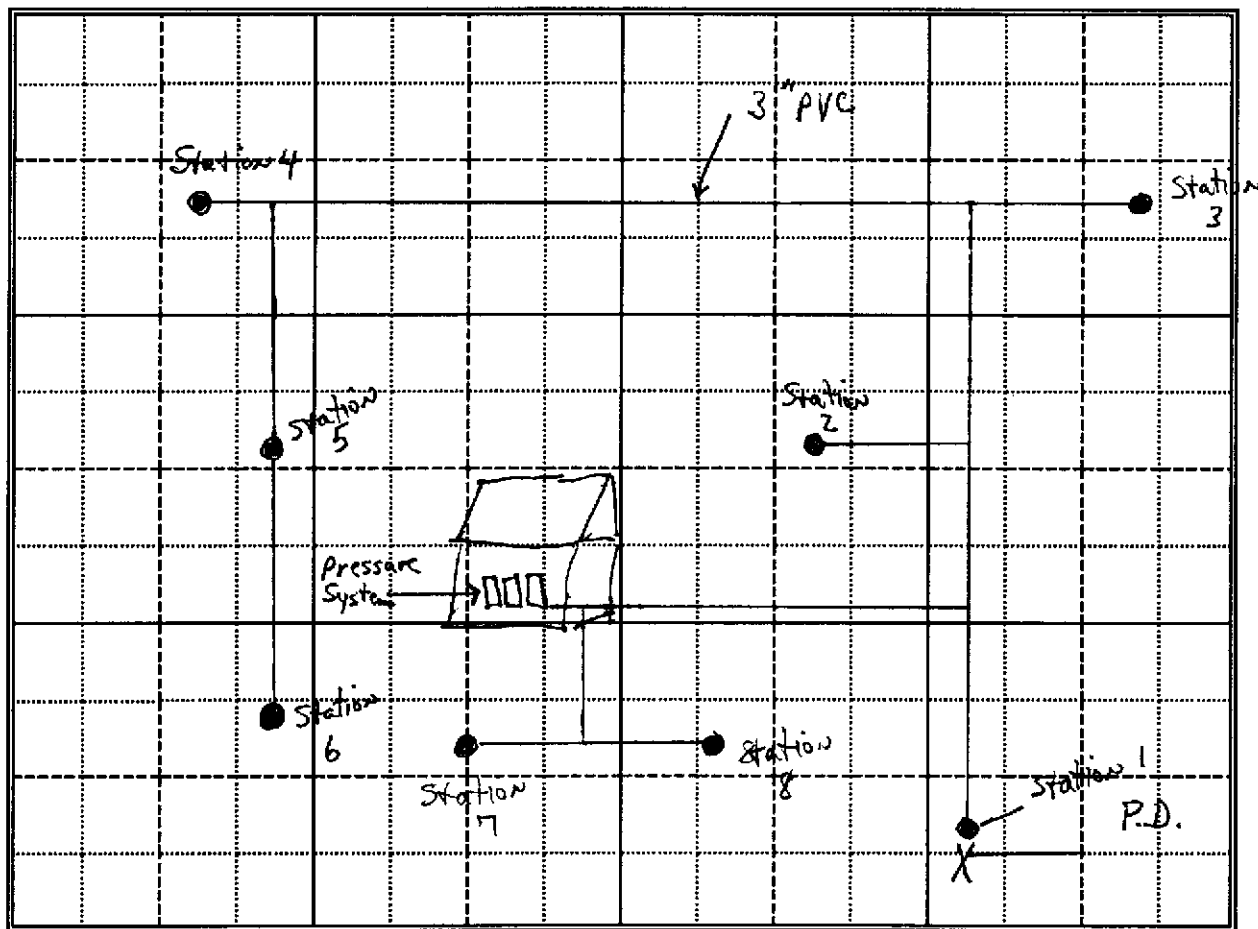
Indicate Method of Determination Aerial Photo, Planimeter

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	2E	28							F 15										15

RECORDED

JAN 11 1999

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



Scale: 1" = NA

☒ 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
	Grundfos	7.5	160042	submersible	9615

*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:

APPROVED

JAN 11 2003

E. NARRATIVE/REMARKS/COMMENTS

Water is being diverted from slough using a 7.5 horsepower pump, through approximately 2500ft of 3" pvc to 8 stations. Each station is supplied with a quick attach valve to enable a 2" fire hose to be connected for fire protection.

Water is also being diverted for irrigation. An underground sprinkling system is ~~also~~ incorporated into the fire protection system. An area of 15 acres is being irrigated. (see aerial photo)

My recommendation of 0.26fs is based on the theoretical calculation. At the time of the exam it was not possible to get a measurement (accurate). The automatic sprinkling system could not be disabled to operate at maximum capacity.

Also to connect the fire hose would produce a measurement that would surpass the bucket method capabilities. There was no measuring device installed.

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

APPROVED

10/1/1989

F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached
See Theoretical Calculation

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 15 \text{ acres} \times 3.0 \text{ af/acre/season} = 45 \text{ afa} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .2 \text{ cfs} \times 245 \text{ days} \times 1.9835 = 97 \text{ afa} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 45 \text{ afa} \end{aligned}$$

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>Irrigation</u>	<u>03/15</u>	<u>11/15</u>	<u>.2</u>	<u>45</u>
<u>Fire Protection</u>	<u>01/01</u>	<u>12/31</u>	<u>.2</u>	
Totals:			<u>.2 cfs</u>	<u>45 afa</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 David A. Regel Date Aug. 25, 1998

Reviewer _____ Date _____

SEAL



THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 96-08974, GREEN

DATE: 25-AUG-98

COMPLETE BY: PAGEL

HORSEPOWER = 7.5

PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 60 FEET

SYSTEM PRESSURE = 55 PSI

QUANTITY = 0.25 CFS

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JAN 11 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 96-08974



3

Point of
diversion

Pressure/control
System



96-08974

Station # 6

JUN 11 1996

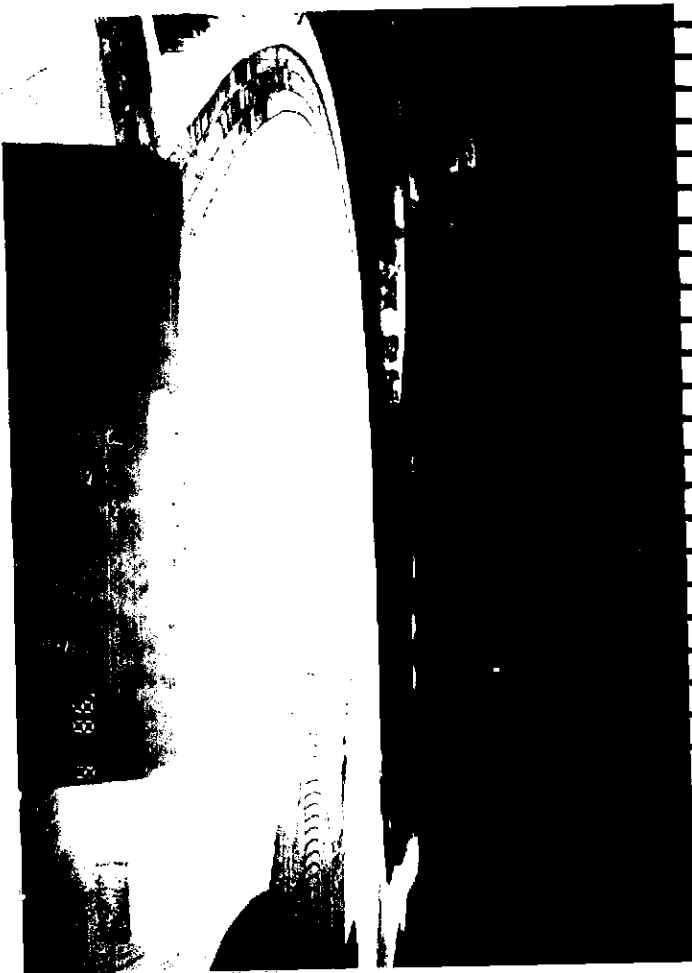
PERMIT # 96-08974

STATE OF IDAHO
DEPT OF WATER RESOURCES
REPORT SUPPLEMENT

PHOTOGRAPH

PLACE of

USE



**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-08974 Reviewed by Jy Date 2-20-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
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

yes Required?
50- Amount Submitted
yes Correct?

MEASURING DEVICE

NO Required?
1 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	<u>/</u>	_____
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 1-5-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

February 23, 1998

Douglas Arthur Green
PO Box 505
Clark Fork ID 83811-0505

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08974

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

RECEIVED
APR 28 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

December 17, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DOUGLAS ARTHUR GREEN
PO BOX 505
CLARK FORK ID 83811-0505

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08974

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

RECORDED
APR 28 1998

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of **December, 1997**, 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. 96-08974

**DOUGLAS ARTHUR GREEN
PO BOX 505
CLARK FORK ID 83811-0505**


Kari Lynn Townsend
Secretary

RECORDED

APR 28 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.

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APR 23 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.

APR 28 1997

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Cindy Lou*
 No.: 96-8974 Name: Green Date: 12/15/97 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/no proof

P16

>1 year

- 26A-P17

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

>0.24 cfs/5 acres

- 01M (report when notified)

Supplemental use

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

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

Existing well

- NA (pre 7/1/87; ✓ WDQ3)

Included w/permit

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

No drilling permit?

- 046-46B-P23 (post 7/1/87)

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

WD (✓ MAP & LISTING)

- R04 (WD # _____)-01J-P08 (MD)

Pumped >0.20 cfs

- 01H-P01 (LD & MD) 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

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-025-01N-028-081(P10)-027 (if no other cons. use);

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

Stock

- 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:- 077 _____**STANDARD REMARKS:**- 10 _____**BENEFICIAL USE DUE:**

- 12/1/1998 _____

COMMENTS:

-

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCE
APPLICATION ANALYSIS SH

RECEIVED

DEC 04 1997

WRI
WRA
BC

APPLICATION # 96-8974

DEPARTMENT OF WATER RESOURCES

***** INITIAL REVIEW *****

APPLICANT: GREEN BY: AS DATE: 10/27/97

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
13. (X) Map
(X) Signature
(X) Fee (Amt, recpt, acknowledgment)

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

ADDITIONAL INFORMATION

Yes No
X Field check: by _____
1 Field report attached
1 Analysis Supp. attached(>5cfs/500af)
1 Water delivered by water master?
Water District # _____

PROCESSING

Yes No PRIORITY DATE: 10/27/97
____ (Include Moratorium Remark)
____ Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).

BC/Thur/or
ADVERTISE IN: Banner County.

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

***** GROUNDWATER SECTION *****

(Yes) (No) Checked by: _____ Date: ____/____/____
Remarks: _____
X Groundwater management area
1 Critical ground water area
1 Well Drilling Permit required
1 Well Drilling Application and Fees received
1 Well Drilling Application approved?
Well Drilling Application Number _____

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)
11/17 Notice of pending void order issued. Final order response date: ____/____/____
11/17 Further information required from applicant
11/17 Affidavit of publication received
11/17 Application published correctly, If not, record action taken: _____
10/29 Publication dates and paper recorded on application | Sr. Agent initial AS
11/17 Protests received. Final protest date: 11/24/97
11/17 Measuring device required
11/17 Measuring port required
11/17 Special conditions: _____
11/17 Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AS PMA Date: 12/2/97

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:

Application for Water
Rights

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 6 day of Nov, 1997
and ending on the 13 day of Nov, 1997
and that said notice was published in said newspaper.

On this 13 day of Nov in the year
of 1997, 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. Inga
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 6/00

NOTICE OF APPLICATION
FOR WATER RIGHT

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

96-08974

GREEN, DOUGLAS ARTHUR

PO BOX 505

CLARK FORK, ID 83811 *ok*

Source: UNNAMED SLOUGH

Tributary: PEND OREILLE LAKE

Diversion Pt: SWNW Sec 28 T 56N

R 02E in BONNER County.

Use: IRRIGATION (0.200 CFS)

FIRE PROTECTION (0.200 CFS)

Total Diversion: (0.200 CFS)

Date Filed: 10/27/1997

In: BONNER County

T56N R02E S28 SWNW

20.0 ACRES TOTAL

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 NOVEM-
BER 24, 1997.

KARL J. DREHER, Director
SNP#8801 Nov 6, 13, 1997

RECEIVED

NOV 17 1997

NORTHERN REGION
IDWR

MICROFILMED

APR 28 1998

8801

96-08974

GREEN, DOUGLAS ARTHUR
PO BOX 505
CLARK FORK, ID 83811

Source: UNNAMED SLOUGH

Tributary: PEND OREILLE LAKE

Diversion Pt: SWNW Sec 28 T 56N R 02E in BONNER County.

Use: IRRIGATION	(	0.200 CFS)
FIRE PROTECTION	(	0.200 CFS)
Total Diversion:	(	0.200 CFS)

Date Filed: 10/27/1997

In: BONNER County
T56N R02E S28 SWNW

20.0 ACRES TOTAL

MICROFILMED
APR 28 1998

October 29, 1997

Douglas Arthur Green
PO Box 505
Clark Fork ID 83811

Re: Water Appropriation Application No. 96-08974

Dear Mr. Green:

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

RECORDED

APR 28 1998