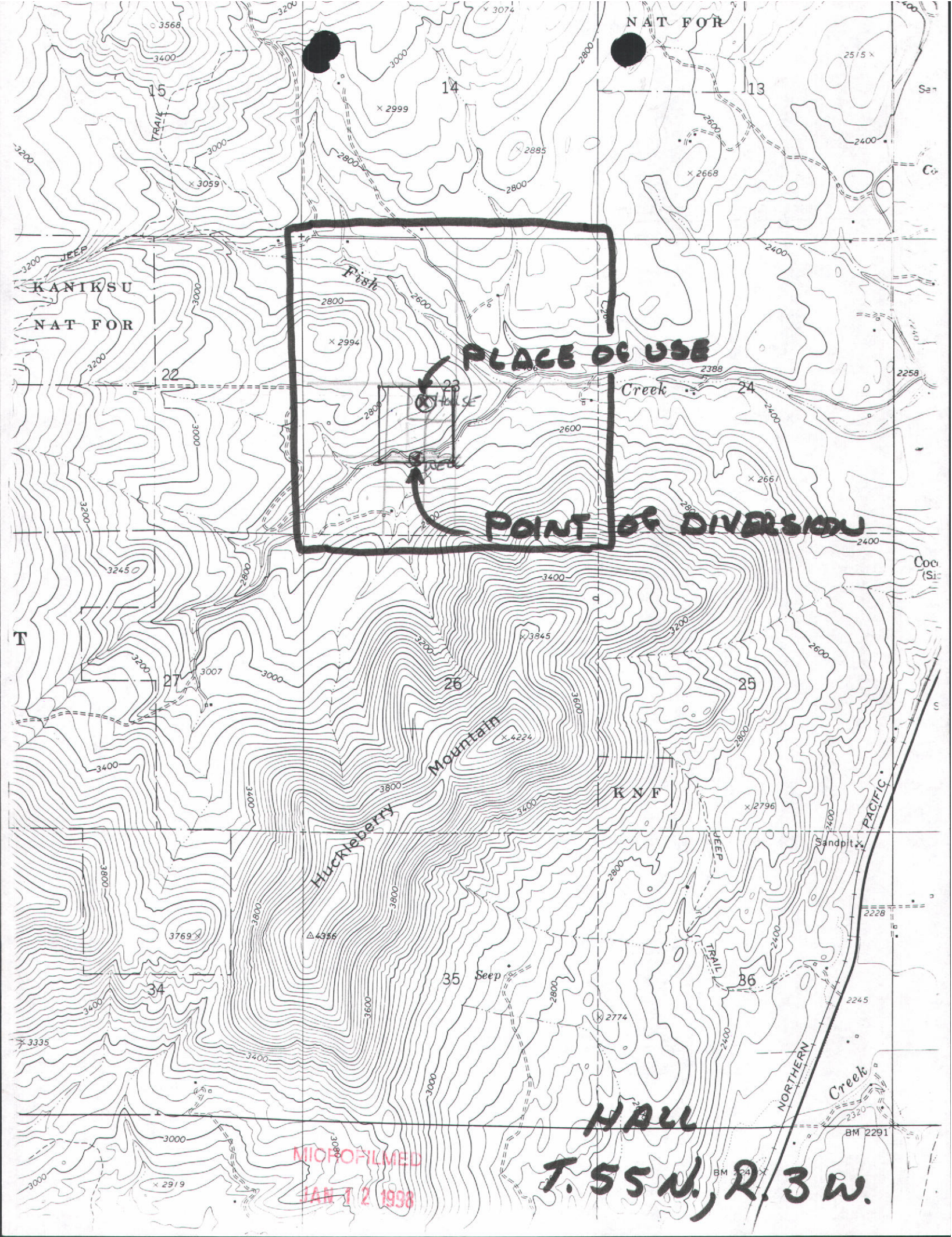




NAT FOR

KANTKSU
NAT FOR

PLACE OF USE

POINT OF DIVERSION

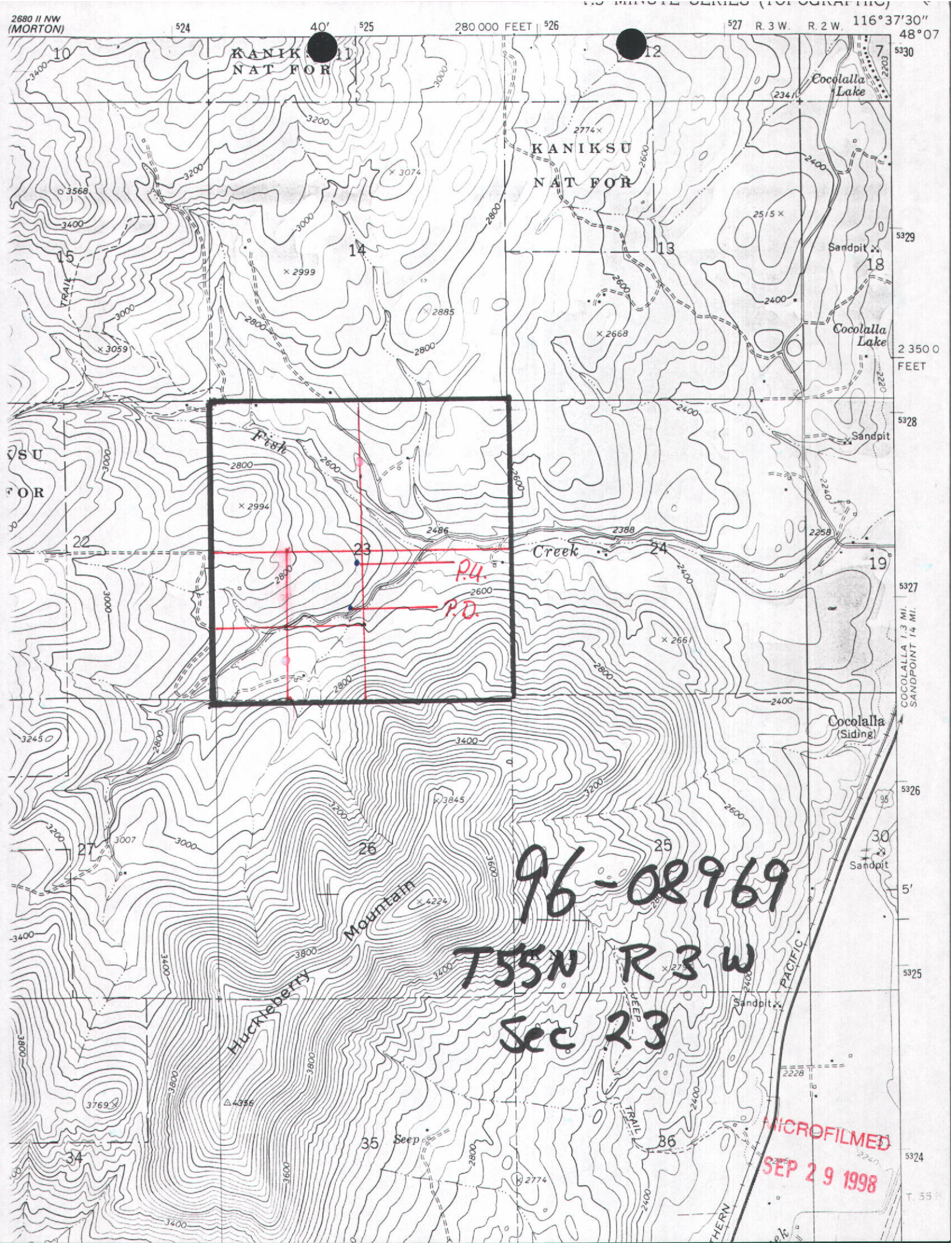
Huckleberry
Mountain

KNF

PACIFIC
NORTHERN
Creek

MICROFILMED
JAN 12 1998

HALL
T. 55 N., R. 3 W.



2680 II NW
(MORTON)

524

40'

525

280 000 FEET | 526

527 R. 3 W.

R. 2 W.

116°37'30"
48°07'

KANIKSU
NAT FOR

KANIKSU
NAT FOR

Cocolalla
Lake

Cocolalla
Lake

Cocolalla
(Siding)

Huckleberry
Mountain

PACIFIC

96-08969

T55N R3W

Sec 23

MICROFILMED
SEP 29 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT #96-8969

PHOTOGRAPHS



Point
of
Diversion
(Pump house)



Place
of
use

MICROFILMED
SEP 29 1998

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-08969

Priority: August 19, 1997

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that DENNY J HALL

188 VERTICAL DR

COCOLALLA ID 83813

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 19, 1997; and has submitted Proof of Beneficial Use on November 5, 1997. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

UNNAMED STREAM

tributary to **FISH CREEK**

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	0.02 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 23, Township 55N, Range 03W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

55N 03W 23

NESW

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 which 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.
5. Water shall not be diverted under this right when flows in the Pend Orielle River are below established minimum streamflows.
6. Domestic use is for 1 home.

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SEP 29 1998

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 96-08969

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 14TH
day of July, 1998.


Acting for KARL J. DREHER, Director

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SEP 29 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 05 1997

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. 96-08969 Telephone No. 208-263-4884
2. Name(s) of Permit Holder(s): Denny and/or Kathy Hall
3. Mailing Address: 188 Vertical Drive, Cocolalla, ID 83813
4. Source of Water: unnamed stream tributary of Fish Creek 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: 0.04 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 <u>✓</u> |
| | Has the measuring device been installed? | Yes _____ | or | No <u>✓</u> |
| Flow Measurement Port: | Is a flow measurement port required? | Yes _____ | or | No <u>✓</u> |
| | Has the measurement port been installed? | Yes _____ | or | No <u>✓</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, hm 263-4884 after 6:00
Name: Denny Hall Telephone Number: wk 208-6666-6702 87
Address: 188 Vertical Drive, Cocolalla, ID 83813
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder:

(include your title, if on behalf of company or organization)

Date: 11-03-97

NOTES

100-100000

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-08969

Proposed Priority: August 19, 1997

Maximum Diversion Rate:

0.04 CFS

This is to certify, that DENNY J HALL

188 VERTICAL DR

COCOLALLA ID 83813

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of FISH CREEK

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

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 23, Township 55N, Range 03W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

55N 03W 23

NESW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1998.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Water shall not be diverted under this right when flows in the Pend Orielle River are below established minimum streamflows.
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

23rd day of October, 1997.

Karl J. Dreher
for Karl J. Dreher, Director

MICROFILMED

JAN 12 1998

Ident. No. 96-8969

RECEIVED

OCT 20 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 20 1997

APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

Department of Water Resources

- Name of Applicant Denny J. Hall Phone 208-263-4884
Mailing address 188 Vertical Drive, Cocolalla, ID 83813
- Source of water supply (unnamed south fork of Fish Creek) which is a tributary of Fish Creek
- Location of point of diversion is Township 55N Range 3W Sec. 23 in the SE 1/4, NE 1/4, SW 1/4, Govt. Lot _____, B.M., Bonner County;
additional points of diversion if any: _____
- Water will be used for the following purposes:
 Amount 20.04 for domestic purposes from 8/1/96 to 12/31/97 (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)
- Total quantity to be appropriated is (a) 20.04 and/or (b) _____
 cubic feet per second acre feet per annum
- Proposed diverting works:
 - Describe type and size of devices used to divert water from the source 1/2 hp submersible pump
Seeding 1 1/4" plastic line buried 3' underground
 - Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - Proposed well diameter is 40 inches; proposed depth of well is 8 feet
 - Is ground water with a temperature of greater than 85°F being sought? no
 - If well is already drilled, when? 1975; Drilling firm unknown
 Well was drilled for (well owner) Wm. Keaton; Drilling Permit No. unknown
- Time required for completion of works and application of water to proposed beneficial use is 0 years (minimum 1 year)
 (completed)
- Description of proposed uses (if irrigation only, go to item 9):
 - Hydropower; show total feet of head and proposed capacity in KW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; show name of municipality. _____
 - Domestic; show number of households. one
 - Other; describe fully. _____

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JAN 12 1997

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	3W	23									D								

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. none

11. a. Who owns the property at the point of diversion? Richard Bortello (sp?)

b. Who owns the land to be irrigated or place of use? Denny and Kathy Hall

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: 15 ft maintenance right-of-way contract for line and well

12. Remarks: _____

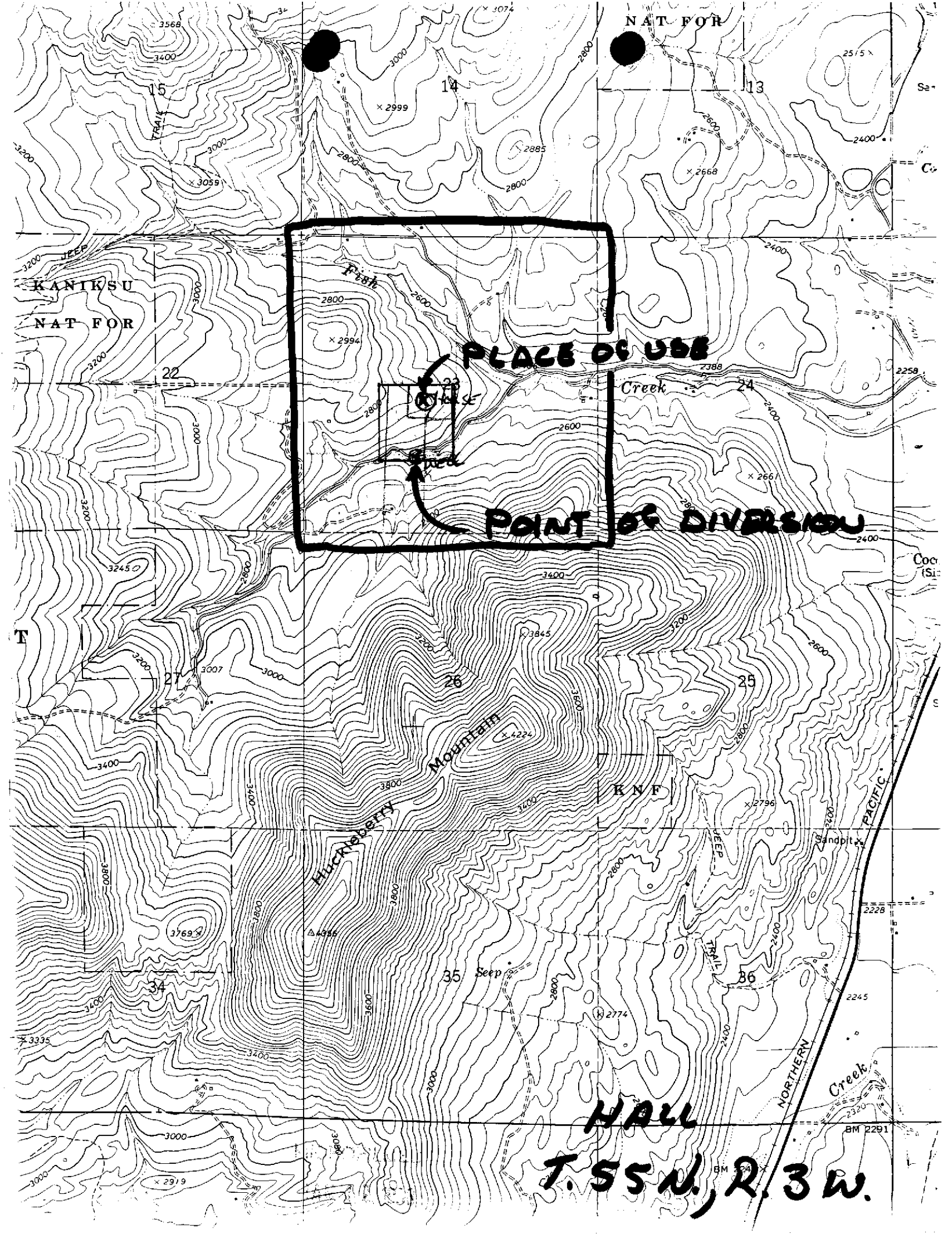
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

Denny J. Hall
Signature of Applicant (and title, if applicable)

Received by db Date 8/19/97 Time 120pm Preliminary check by db
 Fee \$ 50.00 Received by db # N011548 Date 8/19/97
 Publication prepared by db Date 9/6/97 Published in Bonner Co Daily Bee 9/18+25/97
 Publication approved db Date 10/3/97

SEP 12 1997



NAT FOR

KANKSUS
NAT FOR

PLACE OF USE

POINT OF DIVERSION

Huckleberry
Mountain

K N F

HALL
T. 55 N., R. 3 W.

NORTHERN
Creek



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 14, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DENNY J HALL
188 VERTICAL DR
COCOLALLA ID 83813

RE: WATER RIGHT NO. 96-08969

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.

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SEP 29 1998

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.

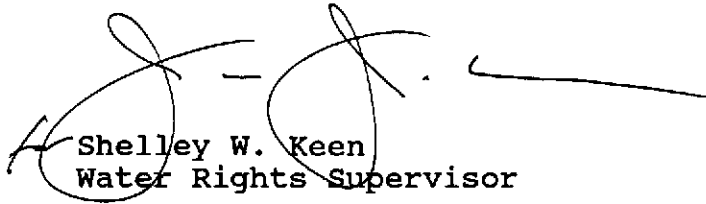
MICROFILMED

SEP 29 1998

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,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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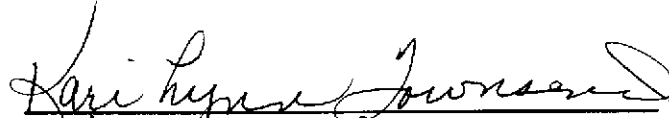
SEP 29 1990

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of July, 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. 96-08969

DENNY J HALL
188 VERTICAL DR
COCOLALLA ID 83813


Kari Lynn Townsend
Secretary

MICROFILMED

SEP 29 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

June 16, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

IDAHO DEPT OF FISH & GAME
2750 KATHLEEN AVENUE
COEUR D'ALENE ID 83814

RE: Surface Water Appropriations

To Whom It May Concern:

The Department of Water Resources (IDWR) is preparing to issue a number of water appropriation permits and licenses for diversions from small streams and/or springs in your region. Before proceeding, IDWR would appreciate receiving your comments, if any, on the draft permits and licenses. I have enclosed printouts of the drafts for the items listed below. Please respond by June 30, 1998. If I have not heard from you by then, I will assume you have no comment. If you prefer, you may reach me by electronic mail at skeen@idwr.state.id.us.

Proposed Licenses

95-08734
96-08969
96-08908
97-07384
98-07778

Proposed Permits

96-08987

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

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

Enclosures

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SEP 29 1998

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT NO. L96-08969

DENNY J HALL

Priority Date: 08/19/1997
Stage: LICENSE

Source: UNNAMED STREAM
Tributary: FISH CREEK

Beneficial Use	From:	To:	Diversion Rate	Volume
DOMESTIC	01-01	12-31	0.02 CFS	1.20 AFA
	Total:		0.02 CFS	1.20 AFA

Point(s) of Diversion: NESW, Sec. 23, Township 55N, Range 03W

Place(s) of Use: DOMESTIC

Twp:	Rng:	Sec:	Tract: Acres:	Tract: Acres:	Tract: Acres:
55N	03W	23	NESW		

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 which 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.
5. Water shall not be diverted under this right when flows in the Pend Orielle River are below established minimum streamflows.
6. Domestic use is for 1 home.

Dates:	App. Received:	08/19/1997	Proof Due Date:	11/01/1998
	Proof Made Date:	11/05/1997	Exam Made Date:	04/16/1998

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SEP 29 1998

WR0749NP
No. L96-08969

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/12/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DENNY J HALL 188 VERTICAL DR COCOLALLA ID 83813 (208) 263-4884	08/19/1997	DOMESTIC	01/01 12/31	0.020 CFS	1.20 AFA
TOTAL DIVERSION:					0.020 CFS	1.20 AFA

Water Source: UNNAMED STREAM

Tributary to: FISH CREEK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.020 CFS

Point(s) of Diversion: T55N R03W S23 NESW BONNER County

Place of Use Legal Description for: DOMESTIC

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 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	: 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 Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
55N 03W 23 : : : D : :															

Pou County: BONNER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
96-08969

Remarks: GEN Water shall not be diverted under this right when flows in the
Pend Orielle River are below established minimum streamflows.
Domestic use is for 1 home.

Dates: App. Received: 08/19/1997 Priority Date: 08/19/1997
Proof Due Date: 11/01/1998 Proof Made Date: 11/05/1997
Exam Made Date: 04/16/1998 Exam Sent to S.O.: 05/01/1998
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 09/05/1997 User-ID: DBALL Subject: DIVERSION DESCRIPTION
1/2 HP submersible pump feeding 1-1/4 inch plastic line buried 3
feet underground.
Maintenance right-of-way contract for line & well on file.

Date: 10/23/1997 User-ID: CZIMMERM Subject: PD OWNERSHIP
The point of diversion is located on land owned by Richard
Bortello.

Date: 11/06/1997 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

MEMORANDUM

TO: File 96-08969

FROM: Sharla

DATE: June 12, 1998

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit No. 96-08969 are as follows:

A. GENERAL INFORMATION

3. Source: unnamed stream tributary to Fish Creek

H. RECOMMENDATIONS

Domestic	1/1 - 12/31	0.02 cfs	1.2 afa
----------	-------------	----------	---------

The right holders have constructed a shallow sump adjacent to the creek (the examiner states that it's within 10 feet of the creek). The license will list the source as the unnamed stream tributary to Fish Creek as permitted.

The examiner measured 0.01 cfs and a theoretical calculation only yields 0.02 cfs, based on the hp of the pump and the lift to the home. The rate will be limited to 0.02 cfs.

Examiner: David Pagel
Exam Date: April 16, 1998

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SEP 29 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 96-08969 DATE 6/10/98 REVIEWER: SHARLA

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify YCS 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)

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

PD & PU amend (P37) Feds - P48

RATE OF DIV
 Permitted Rate .04 cfs
 Fee limit .20 cfs \$5000
 Measured .01 cfs
 Theoretical .02 cfs @ 80' lift and 50 psi
 Recommended Total Div Rate .02 cfs

WATER USES		Change (P46)			
<u>Dom.</u>	<u>.02</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)	
				<1 acre (W31)	
			Domestic	(W01/WB5/070/071/075)	
			Power	(W42 or W43/025/027/R22 or R23)	
			Fish (042)	Fire (077) Wtr Quality (081/R07)	
TOTALS	<u>.02</u> cfs	<u>1.2</u> af			

Flow rate .02 cfs X 365 days X 1.98 = 14.5 af

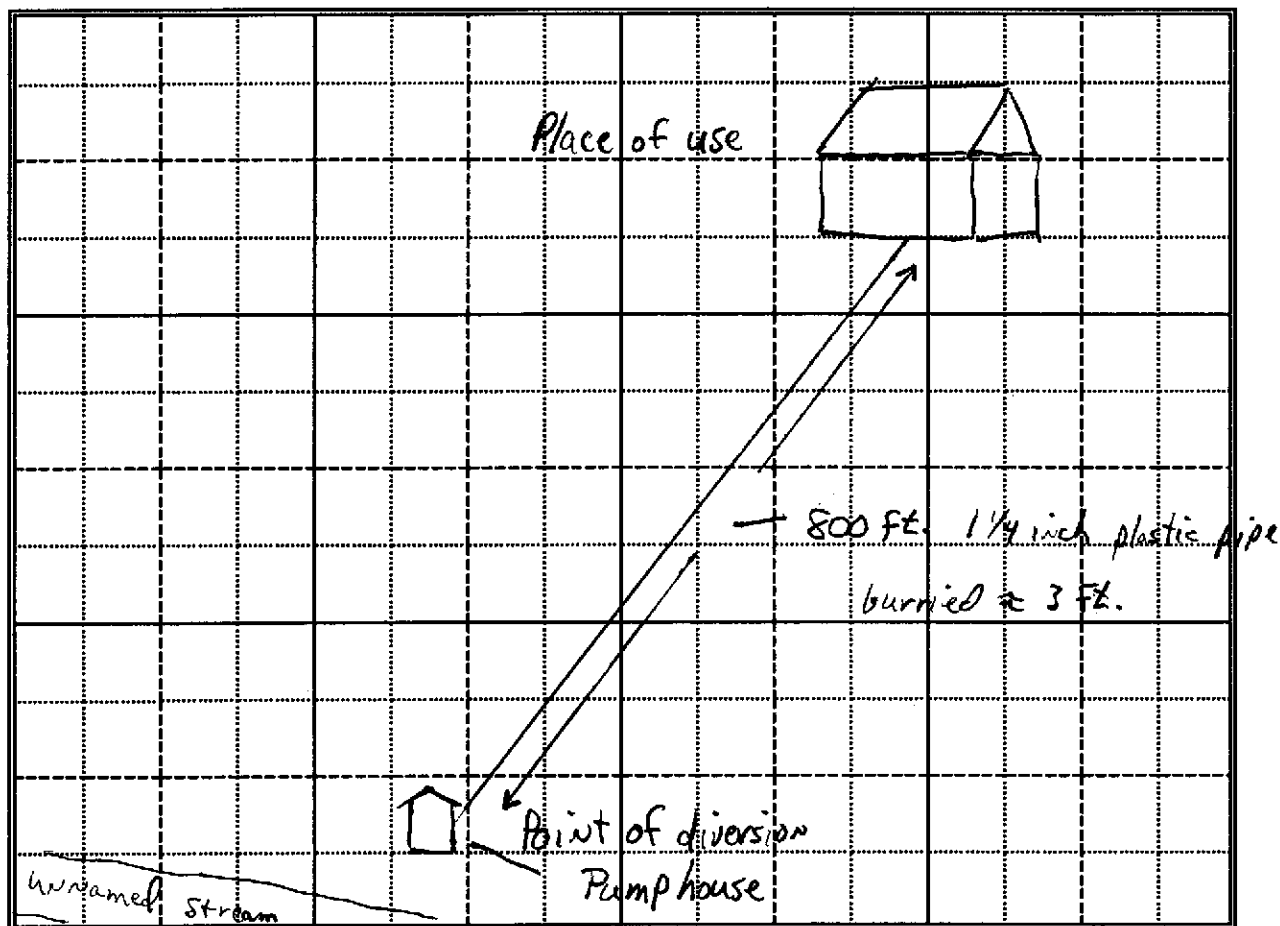
REMARKS _____

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

Advance Priority yes no SRBA Claim NA Adjust Memo source/rate
 Amend letters _____

SEP 29 1998

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
		.5		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
Bucket, Stopwatch	4 gal.					

2. Measurements: used 3/4 inch hose to fill 4 gal. bucket

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SEP 29 1998

E. NARRATIVE/REMARKS/COMMENTS

Water is being diverted from a well using a .5 horsepower submersible pump, through 800 ft. of 1.25 inch plastic pipe with a dynamic lift of 80 ft. At the time of measurement system pressure was 50 psi

Recommended that license be amended to show source as groundwater, not unnamed stream. Location of well is within 10 ft. of stream.

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

MICROFILMED
SEP 29 1998

F. FLOW CALCULATIONSMeasured Method: 5.77 gpm Additional Computation Sheets Attached

$$\frac{4 \text{ gals}}{x} = \frac{41.6 \text{ secs.}}{60 \text{ sec.}} \quad \frac{240 \text{ gal/ft}}{41.6 \text{ ft}} = 5.77 \text{ gpm}$$

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

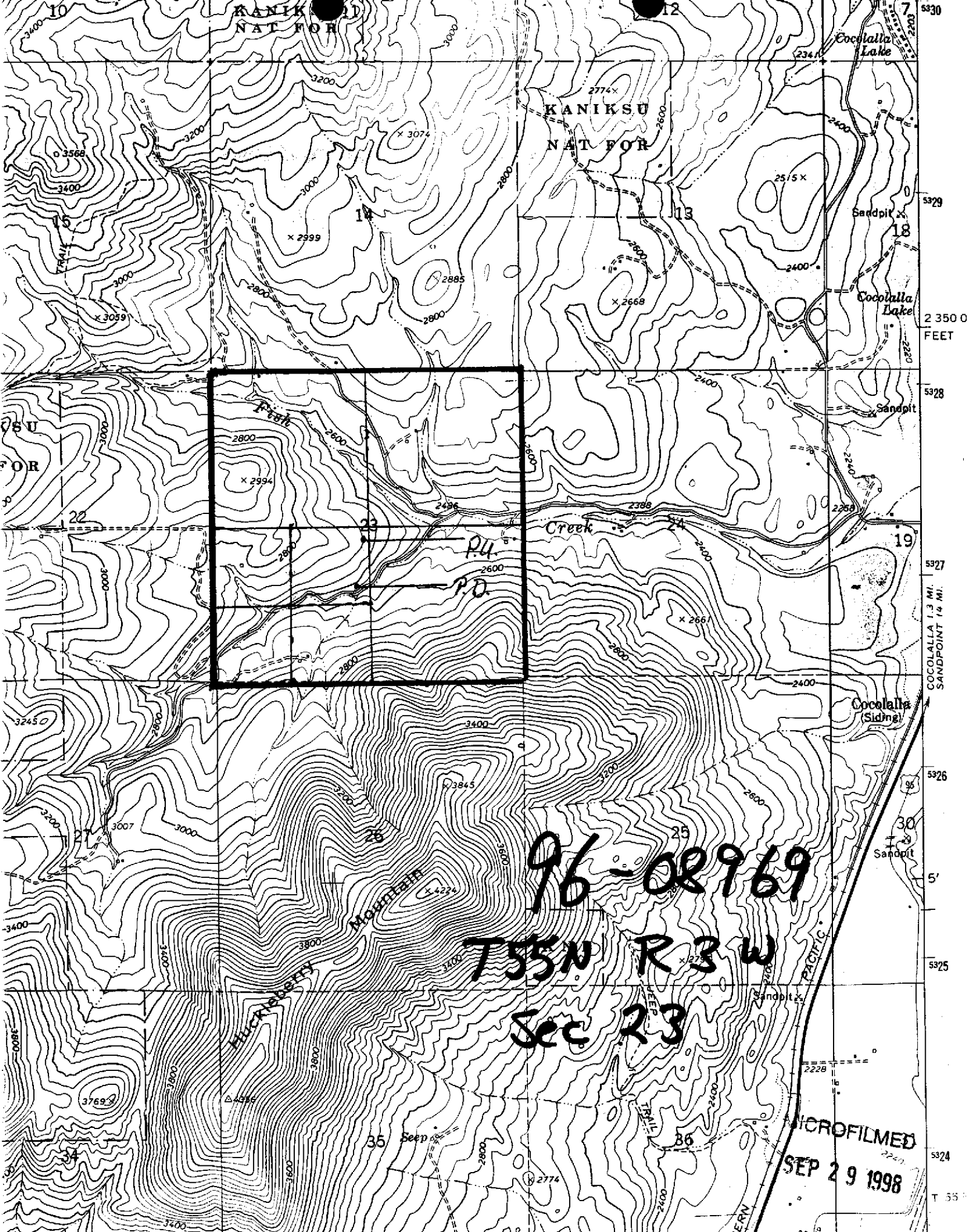
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic</u>	<u>01/01</u>	<u>12/31</u>	<u>.04</u>	<u>1.2</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Totals:			<u>.04</u>	<u>1.2</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. AUTHENTICATIONField Examiner's Name David A. Pagel Date Reviewer Date

SEAL



96-08969
T55N R3W
Sec 23

MICROFILMED
SEP 29 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT '96 - 8969

PHOTOGRAPHS



Point
of
Diversion
(Pump house)



Place
of
use

MICROFILMED
SEP 29 1998

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-08969 Reviewed by [Signature] Date 11-25-97

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

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
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 [Signature] Proof Made 11-5-97



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 2, 1997

DENNY J HALL
188 VERTICAL DR
COCOLALLA ID 83813

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08969

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.

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

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

JAN 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

October 24, 1997

DENNY J HALL
188 VERTICAL DR
COCOLALLA ID 83813

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08969

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.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

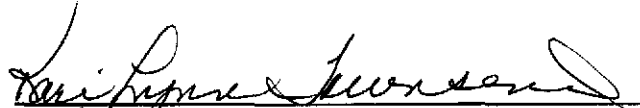
JAN 12 1998

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of October, 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. 96-08969

DENNY J HALL
188 VERTICAL DR
COCOLALLA ID 83813


Kari Lynn Townsend
Secretary

MICROFILMED

JAN 12 1998

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy Lou
 No.: 96-8969 Name: Hall Date: 10/21/97 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

- 01M (report when notified)

>5 a.

- 01M; 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 Pend Orietta River, 96-9730

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-P07 (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-P53

Fish Propagation

- 029-007-042(req)-081-R07 (WQ)-P10; 044 (N of 1000 Springs)

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- R49/R50/R51/R52 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R29/R30/R31/R32 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Mining

- 054(req)-081-R07-P10

Muni (in restricted areas)

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

Power

- 17H/17K(+uses)-08A-025-01N(P19)-028-081-R07(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

- Q58 (<85° GW temp only)

~~In stream dev~~ existing- 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) Richard Bortello / Row

OTHER CONDITIONS:

STANDARD REMARKS:

- 1) WB9 2) WOI/1

BENEFICIAL USE DUE:

- 12/1/1998

COMMENTS:

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCE
APPLICATION ANALYSIS SHEET

WR1
WRA
AC

APPLICATION # 96-8969

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

APPLICANT: AAU BY: AB DATE: 8/19/97

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

PROCESSING

Yes No

PRIORITY DATE: 8/19/97

X (Include Moratorium Remark)

X Statewide Avertising: (Diversion rate greater than 10 cfs ^{or 1,000 af}).
BC/Johnson **RECEIVED** SEP 20 1997

Department of Water Resources

ADVERTISE IN: BOWEN 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
f Critical ground water area
f Well Drilling Permit required
f Well Drilling Application and Fees received
f Well Drilling Application approved?
Well Drilling Application Number _____

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

(Yes) (No)

Notice of pending void order issued. Final order response date: ____/____/____

Further information required from applicant

10/2 Affidavit of publication received

10/2 Application published correctly, If not, record action taken: _____

9/6 Publication dates and paper recorded on application

Sr. Agent initial AB

✓ Protests received. Final protest date: 10/6/97

✓ Measuring device required

✓ Measuring port required

✓ Special conditions: _____

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

Approval Recommended by: AB RYA

Date: 10/10/97

AFFIDAVIT OF PUBLICATION

RECEIVED

State of Idaho

OCT 03 1997

ss.

NORTHERN REGION
IDWR

County of Bonner,

Sherilyn Plunk being first duly sworn on oath
deposes and says that he/she is Bookkeeper

of the Bonner County Daily Bee, a newspaper printed and
published at Sandpoint, Bonner County, Idaho; that the
said newspaper has been continuously and uninterruptedly
published in said Bonner County during a period of 12
months prior to the first publication of the hereto attached
notice of publication in the case of:

App. for water rights

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 18 day of Sept., 1997
and ending on the 25 day of Sept., 1997

and that said notice was published in said newspaper.

On this 25 day of Sept. 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 Inge
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:

96-08969

HALL, DENNY J
188 VERTICAL DRIVE
COCOLALLA, ID 83813
Source: UNNAMED STREAM
Tributary: FISH CREEK
Diversion Pt: NESW Sec 23 T 55N
R 03W in BONNER County.
Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)
Date Filed: 8/19/1997
In: BONNER County
T55N R03W S23 NESW

96-08970

GLADISH, CHARLES F
PO BOX 427
COCOLALLA, ID 83813
Source: COCOLALLA LAKE
Tributary: COCOLALLA CREEK
Diversion Pt: LOT 5 (NENENW)
Sec 18 T 55N R 02W in BONNER
County.
Use: IRRIGATION (0.030 CFS)
FIRE PROTECTION (0.200 CFS)
Total Diversion: (0.200 CFS)
Date Filed: 8/19/1997
In: BONNER County
T55N R02W S18 NENE NWNE
0.6 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 OCTOBER
6, 1997.

KARL J. DREHER, Director
SNP#8666 Sept 18, 25, 1997

MICROFILMED

JAN 12 1998

8666



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

PHILIP E. BATT
Governor

KARL J. DREHER
Director

September 3, 1997

Mr. Denny J Hall
188 Vertical Dr
Cocolalla ID 83813

RE: Application for Permit

Dear Mr. Hall:

We are writing in regard to the Application for Permit, which you recently submitted for a diversion of water from an unnamed stream, tributary to Fish Creek.

We have modified the following items on your filing for purposes of standardizing the information. Please review the following items:

Item 3. We have listed the point of diversion to the nearest 40 acre tract, instead of down to the nearest 10 acre tract. Since it appears to be very close to the line between the SW1/4 NE1/4 SW1/4 and the SE1/4 NE1/4 SW1/4, it is acceptable to list NE1/4 SW1/4. Determining the 10 acre tract during the field examination may save you an amendment fee, if it was incorrectly determined at this time.

Item 4. The diversion rate was changed from 0.20 CFS (90 GPM) to 0.04 CFS (18 GPM). Also, the period of use was changed to 1/1 - 12/31, which represents use all year. 18 GPM is normally the highest standard diversion rate for domestic use.

Please submit the right of way contract to this office to be included with your filing.

Since we are in the process of preparing your Application for Permit for advertising, if you disagree with any of the above changes, please contact me at this office immediately.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

RECEIVED

SEP 12 1997

NORTHERN REGION
IDWR

See
enclosed
9-10-97

RECORDED

JAN 12 1998

SEP 12 1976

NORTHERN REGION .
IDWR

WARRANTY DEED

For Value Received

WILLIAM C. KEATON and MARIE P. KEATON, husband and wife,
HCR 68, Box 316, Cocolalla, Idaho,

the grantors, do hereby grant, bargain, sell and convey unto

DENNY J. HALL and KATHY M. HALL, husband and wife,
3118 N. 18th St., Coeur d' Alene, Idaho 83814,

the grantees, the following described premises, in.....Bonner.....County Idaho, to wit:

The East Half of the North Half of the East Half of the Northeast Quarter of the Southwest Quarter, Section 23, Township 55 North, Range 3 West, Boise Meridian, Bonner County, Idaho, ALSO that portion of the Northwest Quarter of the Southeast Quarter, of Section 23, Township 55 North, Range 3 West, Boise Meridian, Bonner County, Idaho, described as follows:

Beginning at a point on the North-South centerline of said Section 23, which point lies 197.84 feet South of the center of said Section and said point being on the South edge of an existing road; thence along the South edge of said Road, North 62°00'00" East, 122.09 feet; thence North 86°00'00" East, 66.07 feet; thence leaving said road, South 11°42'10" West, 823.85 feet to the intersection of the North right of way of the Long Mountain Road and the North-South centerline of said Section; thence North along the North-South centerline of said Section 744.83 feet to the point of beginning.

Together with an easement to maintain a water pipeline five (5) feet of either side of the existing line to the well presently serving the above described property. Grantors do also transfer to Grantees, all of Grantors' interest in and to the pipeline and pumps located within said easement area and to said well but Grantors do reserve an undivided one-half interest in and to all water produced by said well.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
their heirs and assigns forever. And the said Grantor s do hereby covenant to and
with the said Grantee s, that they are the owners in fee simple of said premises; that they are free
from all incumbrances excepting easements and restrictions existing or of record,

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 10, 1976

William C. Keaton

MICROFILMED

Marie P. Keaton

JAN 12 1958

STATE OF IDAHO, COUNTY OF Bonner

On this 10th day of Sept., 1976,
before me, a notary public in and for said State, personally
appeared William C. Keaton

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of **Gem State Title Co.**

07

minutes past

2 o'clock

INSTRUM

96-08969

HALL, DENNY J
188 VERTICAL DRIVE
COCOLALLA, ID 83813

Source: UNNAMED STREAM

Tributary: FISH CREEK

Diversion Pt: NESW Sec 23 T 55N R 03W in BONNER County.

Use: DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.040 CFS)

Date Filed: 8/19/1997

In: BONNER County	
T55N R03W S23	NESW

MICROFILMED

JAN 12 1953

September 10, 1997

Denny J Hall
188 Vertical Drive
Cocolalla DI 83813

Re: Water Appropriation Application No. 96-08969

Dear Mr. Hall:

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 N011548.

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

NOT RECORDED

JAN 12 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

PHILIP E. BATT
Governor

KARL J. DREHER
Director

September 3, 1997

Mr. Denny J Hall
188 Vertical Dr
Cocolalla ID 83813

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Since we are in the process of preparing your Application for Permit for advertising, if you disagree with any of the above changes, please contact me at this office immediately.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

NOTED

JAN 12 1998