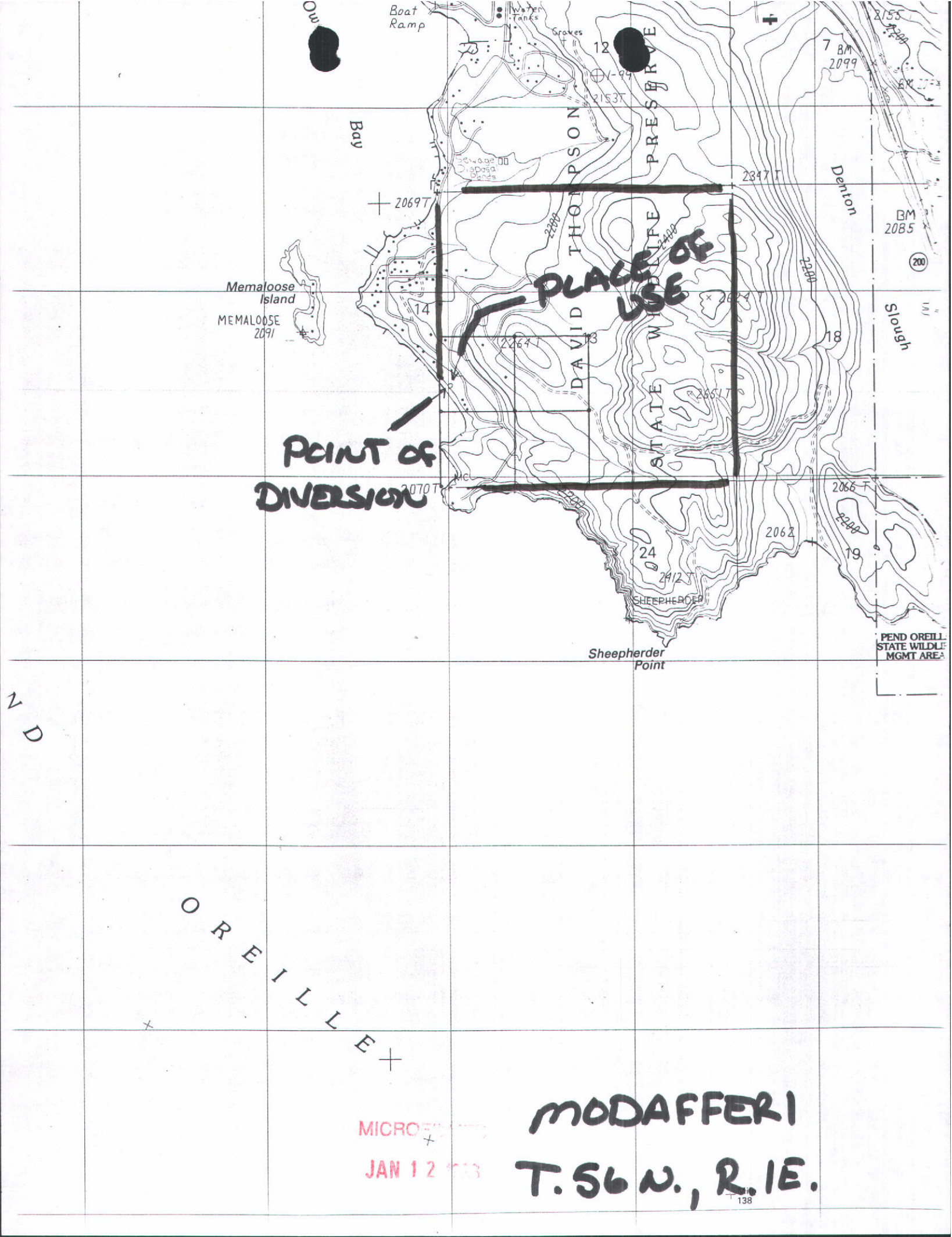


C CURVE DATA

Curve	Radius	Delta	Tangent	Length
10	314.50	51.00	150.0	2.7921
11	320.0	51.71	152.24	2.8211
12	322.25	52.07	153.0	2.8325
13	324.57	52.44	153.75	2.8442
14	326.87	52.81	154.5	2.8561
15	329.15	53.18	155.25	2.8681
16	331.42	53.55	156.0	2.8802
17	333.68	53.92	156.75	2.8924
18	335.93	54.29	157.5	2.9047
19	338.17	54.66	158.25	2.9171
20	340.40	55.03	159.0	2.9296
21	342.62	55.40	159.75	2.9422
22	344.83	55.77	160.5	2.9549
23	347.04	56.14	161.25	2.9677
24	349.24	56.51	162.0	2.9806
25	351.43	56.88	162.75	2.9936
26	353.61	57.25	163.5	3.0067
27	355.78	57.62	164.25	3.0199
28	357.94	57.99	165.0	3.0332
29	360.09	58.36	165.75	3.0466
30	362.23	58.73	166.5	3.0601
31	364.36	59.10	167.25	3.0737
32	366.48	59.47	168.0	3.0874
33	368.59	59.84	168.75	3.1012
34	370.69	60.21	169.5	3.1151
35	372.78	60.58	170.25	3.1291
36	374.86	60.95	171.0	3.1432
37	376.93	61.32	171.75	3.1574
38	378.99	61.69	172.5	3.1717
39	381.04	62.06	173.25	3.1861
40	383.08	62.43	174.0	3.2006
41	385.11	62.80	174.75	3.2152
42	387.13	63.17	175.5	3.2299
43	389.14	63.54	176.25	3.2447
44	391.15	63.91	177.0	3.2596
45	393.15	64.28	177.75	3.2746
46	395.14	64.65	178.5	3.2897
47	397.12	65.02	179.25	3.3049
48	399.09	65.39	180.0	3.3202
49	401.05	65.76	180.75	3.3356
50	403.00	66.13	181.5	3.3511
51	404.94	66.50	182.25	3.3667
52	406.87	66.87	183.0	3.3824
53	408.79	67.24	183.75	3.3982
54	410.70	67.61	184.5	3.4141
55	412.60	67.98	185.25	3.4301
56	414.49	68.35	186.0	3.4462
57	416.37	68.72	186.75	3.4624
58	418.24	69.09	187.5	3.4787
59	420.10	69.46	188.25	3.4951
60	421.95	69.83	189.0	3.5116
61	423.79	70.20	189.75	3.5282
62	425.62	70.57	190.5	3.5449
63	427.44	70.94	191.25	3.5617
64	429.25	71.31	192.0	3.5786
65	431.05	71.68	192.75	3.5956
66	432.84	72.05	193.5	3.6127
67	434.62	72.42	194.25	3.6299
68	436.39	72.79	195.0	3.6472
69	438.15	73.16	195.75	3.6646
70	439.90	73.53	196.5	3.6821
71	441.64	73.90	197.25	3.6997
72	443.37	74.27	198.0	3.7174
73	445.09	74.64	198.75	3.7352
74	446.80	75.01	199.5	3.7531
75	448.50	75.38	200.25	3.7711
76	450.19	75.75	201.0	3.7892
77	451.87	76.12	201.75	3.8074
78	453.54	76.49	202.5	3.8257
79	455.20	76.86	203.25	3.8441
80	456.85	77.23	204.0	3.8626
81	458.49	77.60	204.75	3.8812
82	460.12	77.97	205.5	3.8999
83	461.74	78.34	206.25	3.9187
84	463.35	78.71	207.0	3.9376
85	464.95	79.08	207.75	3.9566
86	466.54	79.45	208.5	3.9757
87	468.12	79.82	209.25	3.9949
88	469.69	80.19	210.0	4.0142
89	471.25	80.56	210.75	4.0336
90	472.80	80.93	211.5	4.0531
91	474.34	81.30	212.25	4.0727
92	475.87	81.67	213.0	4.0924
93	477.39	82.04	213.75	4.1122
94	478.90	82.41	214.5	4.1321
95	480.40	82.78	215.25	4.1521
96	481.89	83.15	216.0	4.1722
97	483.37	83.52	216.75	4.1924
98	484.84	83.89	217.5	4.2127
99	486.30	84.26	218.25	4.2331
100	487.75	84.63	219.0	4.2536
101	489.19	85.00	219.75	4.2742
102	490.62	85.37	220.5	4.2949
103	492.04	85.74	221.25	4.3157
104	493.45	86.11	222.0	4.3366
105	494.85	86.48	222.75	4.3576
106	496.24	86.85	223.5	4.3787
107	497.62	87.22	224.25	4.3999
108	498.99	87.59	225.0	4.4212
109	500.35	87.96	225.75	4.4426
110	501.70	88.33	226.5	4.4641
111	503.04	88.70	227.25	4.4857
112	504.37	89.07	228.0	4.5074
113	505.69	89.44	228.75	4.5292
114	507.00	89.81	229.5	4.5511
115	508.30	90.18	230.25	4.5731
116	509.59	90.55	231.0	4.5952
117	510.87	90.92	231.75	4.6174
118	512.14	91.29	232.5	4.6397
119	513.40	91.66	233.25	4.6621
120	514.65	92.03	234.0	4.6846
121	515.89	92.40	234.75	4.7072
122	517.12	92.77	235.5	4.7299
123	518.34	93.14	236.25	4.7527
124	519.55	93.51	237.0	4.7756
125	520.75	93.88	237.75	4.7986
126	521.94	94.25	238.5	4.8217
127	523.12	94.62	239.25	4.8449
128	524.29	94.99	240.0	4.8682
129	525.45	95.36	240.75	4.8916
130	526.60	95.73	241.5	4.9151
131	527.74	96.10	242.25	4.9387
132	528.87	96.47	243.0	4.9624
133	530.00	96.84	243.75	4.9862
134	531.12	97.21	244.5	5.0101
135	532.23	97.58	245.25	5.0341
136	533.33	97.95	246.0	5.0582
137	534.42	98.32	246.75	5.0824
138	535.50	98.69	247.5	5.1067
139	536.57	99.06	248.25	5.1311
140	537.63	99.43	249.0	5.1556
141	538.68	99.80	249.75	5.1802
142	539.72	100.17	250.5	5.2049
143	540.75	100.54	251.25	5.2297
144	541.77	100.91	252.0	5.2546
145	542.78	101.28	252.75	5.2796
146	543.78	101.65	253.5	5.3047
147	544.77	102.02	254.25	5.3299
148	545.75	102.39	255.0	5.3552
149	546.72	102.76	255.75	5.3806
150	547.68	103.13	256.5	5.4061
151	548.63	103.50	257.25	5.4317
152	549.57	103.87	258.0	5.4574
153	550.50	104.24	258.75	5.4832
154	551.42	104.61	259.5	5.5091
155	552.33	104.98	260.25	5.5351
156	553.23	105.35	261.0	5.5612
157	554.12	105.72	261.75	5.5874
158	555.00	106.09	262.5	5.6137
159	555.87	106.46	263.25	5.6401
160	556.73	106.83	264.0	5.6666
161	557.58	107.20	264.75	5.6932
162	558.42	107.57	265.5	5.7199
163	559.25	107.94	266.25	5.7467
164	560.07	108.31	267.0	5.7736
165	560.88	108.68	267.75	5.8006
166	561.68	109.05	268.5	5.8277
167	562.47	109.42	269.25	5.8549
168	563.25	109.79	270.0	5.8822
169	564.02	110.16	270.75	5.9096
170	564.78	110.53	271.5	5.9371
171	565.53	110.90	272.25	5.9647
172	566.27	111.27	273.0	5.9924
173	567.00	111.64	273.75	6.0202
174	567.72	112.01	274.5	6.0481
175	568.43	112.38	275.25	6.0761
176	569.13	112.75	276.0	6.1042
177	569.82	113.12	276.75	6.1324
178	570.50	113.49	277.5	6.1607
179	571.17	113.86	278.25	6.1891
180	571.83	114.23	279.0	6.2176
181	572.48	114.60	279.75	6.2462
182	573.12	114.97	280.5	6.2749
183	573.75	115.34	281.25	6.3037
184	574.37	115.71	282.0	6.3326
185	574.98	116.08	282.75	6.3616
186	575.58	116.45	283.5	6.3907
187	576.17	116.82	284.25	6.4199
188	576.75	117.19	285.0	6.4492
189	577.32	117.56	285.75	6.4786
190	577.88	117.93	286.5	6.5081
191	578.43	118.30	287.25	6.5377
192	578.97	118.67	288.0	6.5674
193	579.50	119.04	288.75	6.5972
194	580.02	119.41	289.5	6.6271
195	580.53	119.78	290.25	6.6571
196	581.03	120.15	291.0	6.6872
197	581.52	120.52	291.75	6.7174
198	582.00	120.89	292.5	6.7477
199	582.47	121.26	293.25	6.7781
200	582.93	121.63	294.0	6.8086
201	583.38	122.00	294.75	6.8392
202	583.82	122.37	295.5	6.8699
203	584.25	122.74	296.25	6.9007
204	584.67	123.11	297.0	6.9316
205	585.08	123.48	297.75	6.9626
206	585.48	123.85	298.5	6.9937
207	585.87	124.22	299.25	7.0249
208	586.25	124.59	300.0	7.0562
209	586.62	124.96	300.75	7.0876
210	586.98	125.33	301.5	7.1191
211	587.33	125.70	302.25	7.1507
212	587.67	126.07	303.0	7.1824
213	588.00	126.44	303.75	7.2142
214	588.32	126.81	304.5	7.2461
215	588.63	127.18	305.25	7.2781
216	588.93	127.55	306.0	7.3102
217	589.22	127.92	306.75	7.3424
218	589.50	128.29	307.5	7.3747
219	589.77	128.66	308.25	7.4071
220	590.03	129.03	309.0	7.4396
221	590.28	129.40	309.75	7.4722
222	590.52	129.77	310.5	7.5049
223	590.75	130.14	311.25	7.5377
224	590.97	130.51	312.0	7.5706
225	591.18	130.88	312.75	7.6036
226	591.38	131.25	313.5	7.6367
227	591.57	131.62	314.25	7.6699
228	591.75	131.99	315.0	7.7032
229	591.92	132.36	315.75	7.7366
230	592.08	132.73	316.5	7.7701
231				



POINT OF
DIVERSION

PLACE OF
USE

MICROFILMED
JAN 12 1973

MODAFFERI
T. 56 N., R. 1 E.

OREILLE

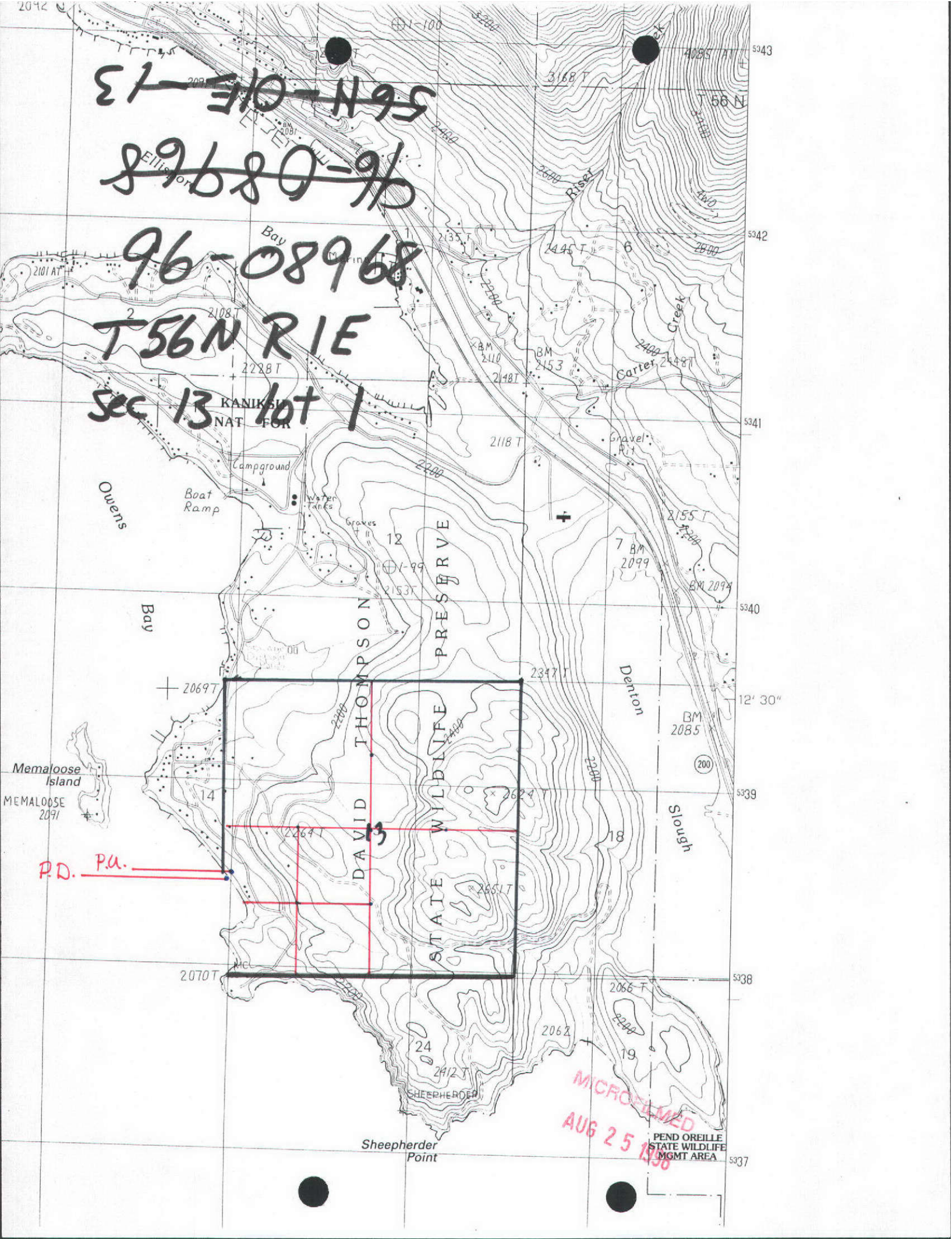
~~56N-01E-13~~

~~89680-96~~

96-08968

T56N R1E

Sec 13 Lot 1



177
D

IT56N
RIE D

AKK E

Sec. 15.

MAMLODGE
ISLAND

Sec. 14

Pu.

P.D.

Sec. 13.
62877

3707

2
3170

2
3900

1
3960

3

4

Sec. 23.

Sec. 22.

IT56N RIE Sec 13
MIRCO
AUG 25 1998

96-08968

PERMIT # 96-08968

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT
P H O T O G R A P H S



Point of
diversion

96-08968

88 4 23



Place of
use

96-08968

MICROFILMED
AUG 25 1998

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-08968

Priority: August 6, 1997 Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 0.9 AF

This is to certify, that DOROTHY MODAFFERI
THOMAS R MODAFFERI

70 OSPREY TRAIL
HOPE ID 83836

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 6, 1997; and has submitted Proof of Beneficial Use on November 20, 1997. An examination indicates that the works have a diversion capacity of 0.030 cfs of water from:

PEND OREILLE LAKE 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>
IRRIGATION	03/15 to 11/15	0.02 CFS	0.9 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NWSW), Sec. 13, Township 56N, Range 01E
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	01E	13	Lot 1(NWSW)	0.3		0.3

Total number of acres irrigated: 0.3

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. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED

AUG 25 1998

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 96-08968

CONDITIONS OF APPROVAL AND REMARKS

6. Water shall not be diverted under this right when flows in the Pend Oreille River are below established minimum stream flows.
7. Point of diversion and place of use are located within Lot 8, Blk. 1, Kullyspell Estates.
8. This right when combined with all other rights shall provide no more than 0.01 cfs nor more than 0.9 afa at the field headgate for the land described above.

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 8TH day of MAY, 1998.

Acting for

KARL J. DREHER, Director

MICROFILMED

AUG 23 1998

Amt. of Fee \$: 50.00
Receipt No.: 200000
Receipt By: [Signature]
Date Received: 11/17/97

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 20 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. 96-08968 Telephone No. (208) 264-5703
2. Name(s) of Permit Holder(s): THOMAS R. & DOROTHY MODAFFERI
PREVIOUS WAS 140 OSPREY CIRCLE. BECAUSE OF 911 SERVICE, COUNTY
3. Mailing Address: CHANGED TO 70 OSPREY TRAIL, HOPE, ID 83836
4. Source of Water: LAKE AND OREILLE If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
- a. Well Driller: N/A 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): 1/3 Other: ____
6. Total rate of diversion and/or volume for which proof is submitted: 0.02 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>X</u> |
| | Has the measuring device been installed? | Yes ____ | or | No <u>X</u> |
| Flow Measurement Port: | Is a flow measurement port required? | Yes ____ | or | No <u>X</u> |
| | Has the measurement port been installed? | Yes ____ | or | No <u>X</u> |
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: TOM MODAFFERI Telephone Number: (208) 264-5703
Address: 70 OSPREY TRAIL, HOPE, ID 83836
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: [Signature] Date: 11/17/97
(include your title or on behalf of company of organization)

JAN 12 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-08968

Proposed Priority: August 6, 1997

Maximum Diversion Rate:

0.02 CFS

This is to certify, that DOROTHY MODAFFERI
THOMAS R MODAFFERI
140 OSPREY CIR
HOPE ID 83836

has applied for a permit to appropriate water from:
PEND OREILLE LAKE tributary of PEND OREILLE RIVER

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>
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IRRIGATION	03/15 to 11/15	0.02 CFS
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LOCATION OF POINT(S) OF DIVERSION: Lot 1(NWSW), Sec. 13, Township 56N, Range 01E
BONNER County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
56N 01E 13	Lot 1(NWSW)	0.3		0.3

Total number of acres irrigated: 0.3

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 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 Oreille River are below established minimum stream flows.
5. Point of diversion and place of use are located within Lot 8, Blk. 1, Kullyspell Estates.
6. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 0.9 afa at the field headgate for the land described above.

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

30th day of September, 1997.


for Karl J. Dreher, Director
MICROFILMED

JAN 12 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

SEP 22 1997

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant THOMAS R. & DOROTHY MODAFFERI Phone (208) 264-5703
Mailing address 140 OSPREY CIRCLE, HOPE, ID 83836
2. Source of water supply LAKE PEND OREILLE which is a tributary of POND OREILLE RIVER
3. Location of point of diversion is Township HOPE 56N Range 1E Sec. 13 in the SEE ATTACHED 114, 12, 13
114, SW 114, Govt. Lot 1, B.M., BONNER County;
PER DEPT. ARMY CORPS OF ENGINEERS SEC. 13, T. 56 N., R. 1 E, B.M.
4. Water will be used for the following purposes:
Amount 0.02 for IRRIGATION purposes from JUNE 3/5 to NOVEMBER 1/5 (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) 0.02 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 1 HP PUMP
 - b. Height of storage dam 0 feet; active reservoir capacity 0 acre-feet; total reservoir capacity 0 acre-feet
 - c. Proposed well diameter is 0 inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of greater than 85°F being sought? N/A
 - e. If well is already drilled, when? N/A; Drilling firm _____
Well was drilled for (well owner) _____; 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. 1 household water lawn & shrubs

* unable to calculate. Plan to water 1000 ft
yard twice a week, 4-5 months a year.

LEGAL DESCRIPTIONS FOR P.O.D & P.O.U. DETERMINED BY BONNER CO. ASSESSOR'S OFFICE 8/6/97
PB

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	
56N	1E	13										1/4							
												6.1							

Total number of acres to be irrigated ^{1/4} LESS THAN 1/4 ACRE

10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? HOMEOWNER - APPLICANT
 b. Who owns the land to be irrigated or place of use? HOMEOWNER
 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: WE PLAN ON WATERING A SMALL FRONT & BACK LAWN & SHRUBS DURING THE SUMMER MONTHS.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.

MICROFILMED

JAN 12 1998

Barthel M. Modafferi
 Signature of Applicant (and title, if applicable)

Received by db Date 8/16/97 Time 120P Preliminary check by _____
 Fee \$ 50.00 Receipted by db # N 011513 Date 8/16/97
 Publication prepared by db Date 8/14/97 Published in Bonner Co Daily Bee 8/21+28/97
 Publication approved db Date 9/16/97

CUAVE DATA

Cave	Area	Depth	Important Length
1	100.00	100.00	100.00
2	100.00	100.00	100.00
3	100.00	100.00	100.00
4	100.00	100.00	100.00
5	100.00	100.00	100.00
6	100.00	100.00	100.00
7	100.00	100.00	100.00
8	100.00	100.00	100.00
9	100.00	100.00	100.00
10	100.00	100.00	100.00
11	100.00	100.00	100.00
12	100.00	100.00	100.00
13	100.00	100.00	100.00
14	100.00	100.00	100.00
15	100.00	100.00	100.00
16	100.00	100.00	100.00
17	100.00	100.00	100.00
18	100.00	100.00	100.00
19	100.00	100.00	100.00
20	100.00	100.00	100.00
21	100.00	100.00	100.00
22	100.00	100.00	100.00
23	100.00	100.00	100.00
24	100.00	100.00	100.00
25	100.00	100.00	100.00
26	100.00	100.00	100.00
27	100.00	100.00	100.00
28	100.00	100.00	100.00
29	100.00	100.00	100.00
30	100.00	100.00	100.00

SANITARY RESTRICTIONS

No building or structure shall be erected within 100 feet of any well or spring or other source of water supply, and no building or structure shall be erected within 100 feet of any cemetery or other place of public use or interest.

NOTE:

These facts may not be true. Subsequent to the time of the survey, the land may have been subdivided or otherwise changed.

BASIS OF MEASUREMENTS

Measurements are based on a survey of the land made by the Surveyor General of the State of California, and the measurements are based on the Surveyor General's records.

LEGEND

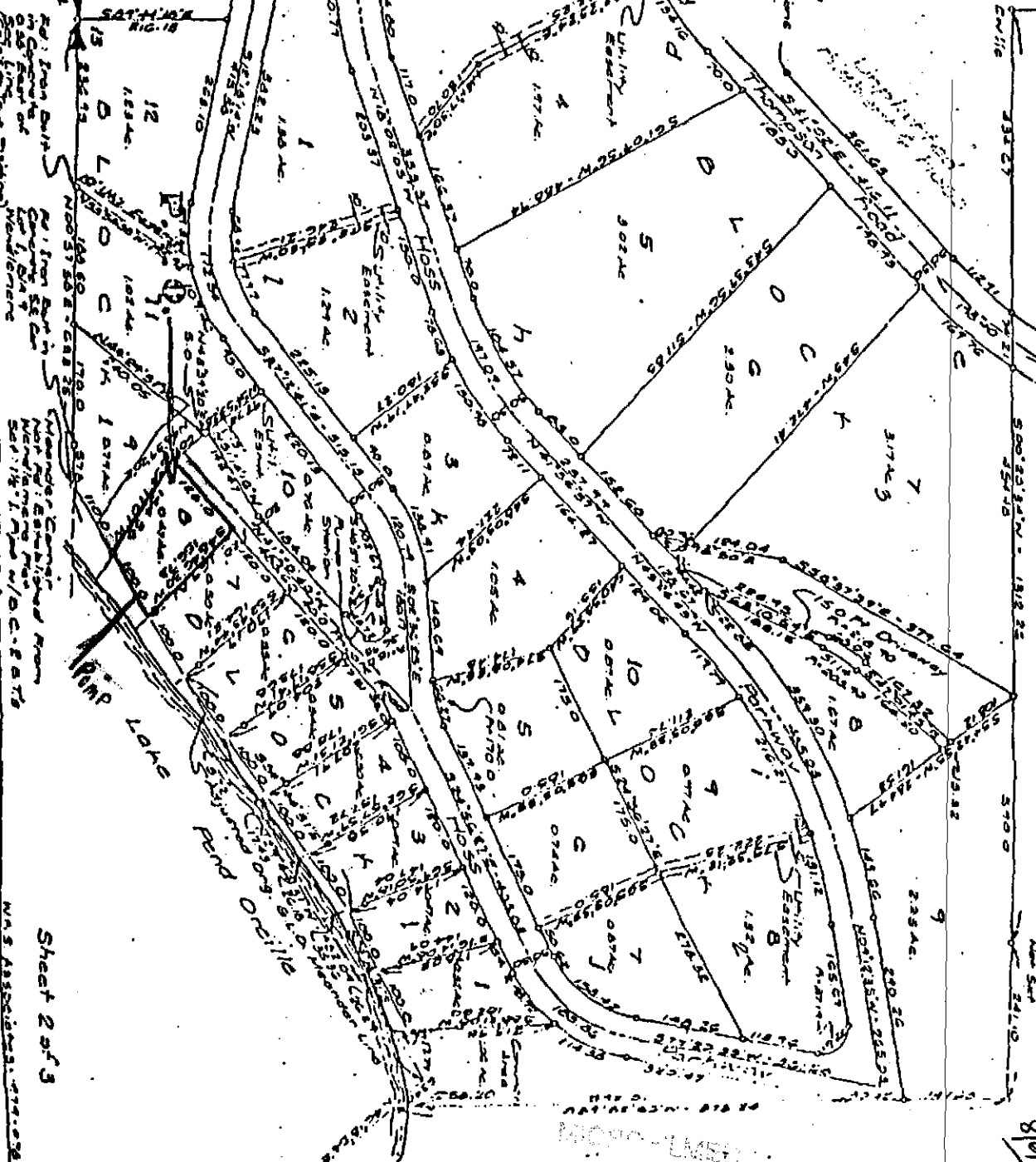
- 1 - 1/2 inch road or 1/2 inch section
- 2 - Found monument as noted

NOTE:

Each tract of the plat is 100 acres, and the measurements are based on the Surveyor General's records.

1/2 inch road or 1/2 inch section
1/2 inch road or 1/2 inch section
1/2 inch road or 1/2 inch section

PLAT OF
HULLY SPELL ESTATES
A PORTION OF THE SW 1/4 NW 1/4 & THE W 1/4
SE 1/4 NW 1/4 & GOVT LOT 1 & THE N 24 1/2 OF
GOVT LOT 2 IN SEC 13, T 36N, R 12E, D.M.
UNDEVELOPED
LEFT 100 FEET
THESE TRACTS
ARE TO BE
USED IN CONNECTION
8/6/97



**POINT OF
DIVERSION**

**PLACE OF
USE**

Memaloose
Island
MEMALOOSE
2091

Bay

Boat
Ramp

Water
Tanks

Graves

Swage
Disposal
Grades

DAVID THOMPSON PRESERVE

STATE WILDLIFE

Denton

Slough

Shepherd
Point

PEND ORELL
STATE WILDLIFE
MGMT AREA

O R E I L L E

MICRO

JAN 12

**MODAFFERI
T. 56 N., R. 1 E.**



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

May 11, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DOROTHY MODAFFERI
THOMAS R MODAFFERI
70 OSPREY TRAIL
HOPE ID 83836

RE: WATER RIGHT NO. 96-08968

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.

MICROFILMED

MAR 25 1988

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

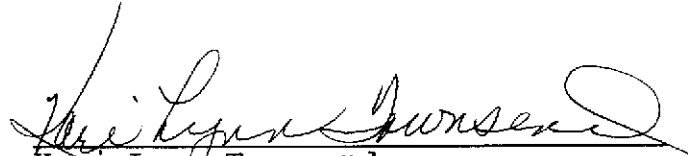
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of May, 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. 96-08968

DOROTHY MODAFFERI
THOMAS R MODAFFERI
70 OSPREY TRAIL
HOPE ID 83836


Kari Lynn Townsend
Secretary

RECEIVED
MAY 23 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 96-08968 DATE 5/8/98 REVIEWER: SHARLA

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

W32 (multiple in 1/4) Lot 8, Blk 1, Kullipall Estate
W36 (overlap)
W59 (subd. desc)

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

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

W60 (subd. desc) Lot = .47 ac; .3 allowable
W27 (ppu acre limit) sg ft fig may be off a bit

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

RATE OF DIV
 Permitted Rate .02 cfs
 Fee limit .20 cfs \$50⁰⁰
 Measured — cfs
 Theoretical .03 cfs

Recommended Total Div Rate .01 cfs .3 x .03 = .01 cfs
.02 OK
as permitted

WATER USES	<u>OK</u>	<u>.02</u> cfs	<u>3 x .02 = .06</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)
TOTALS		<u>.02</u> cfs	<u>.9</u> af	Power	(W42 or W43/025/027/R22 or R23)
				Fish (042)	Fire (077) Wtr Quality (081/R07)

Flow rate _____ cfs X _____ days X 1.98 = _____ af

REMARKS WB9

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 Date
 Amend letters _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

APR 23 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-08968

1. Owner: Thomas R., Dorothy Modafferi Phone No. (208) 264-5703

Current Address: 70 Osprey Trail Hope, Idaho 83836

2. Accompanied by: Thomas, Dorothy Modafferi EXAM DATE: 4-15-98

Address: Same Phone No. _____

Relationship to Permit Holder: Self

3. Source: Pond Oreille Lake tributary to Pond 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
	01		NW	SW	13	56N	1E	Banner	USGS 7.5' Quad., Metsker

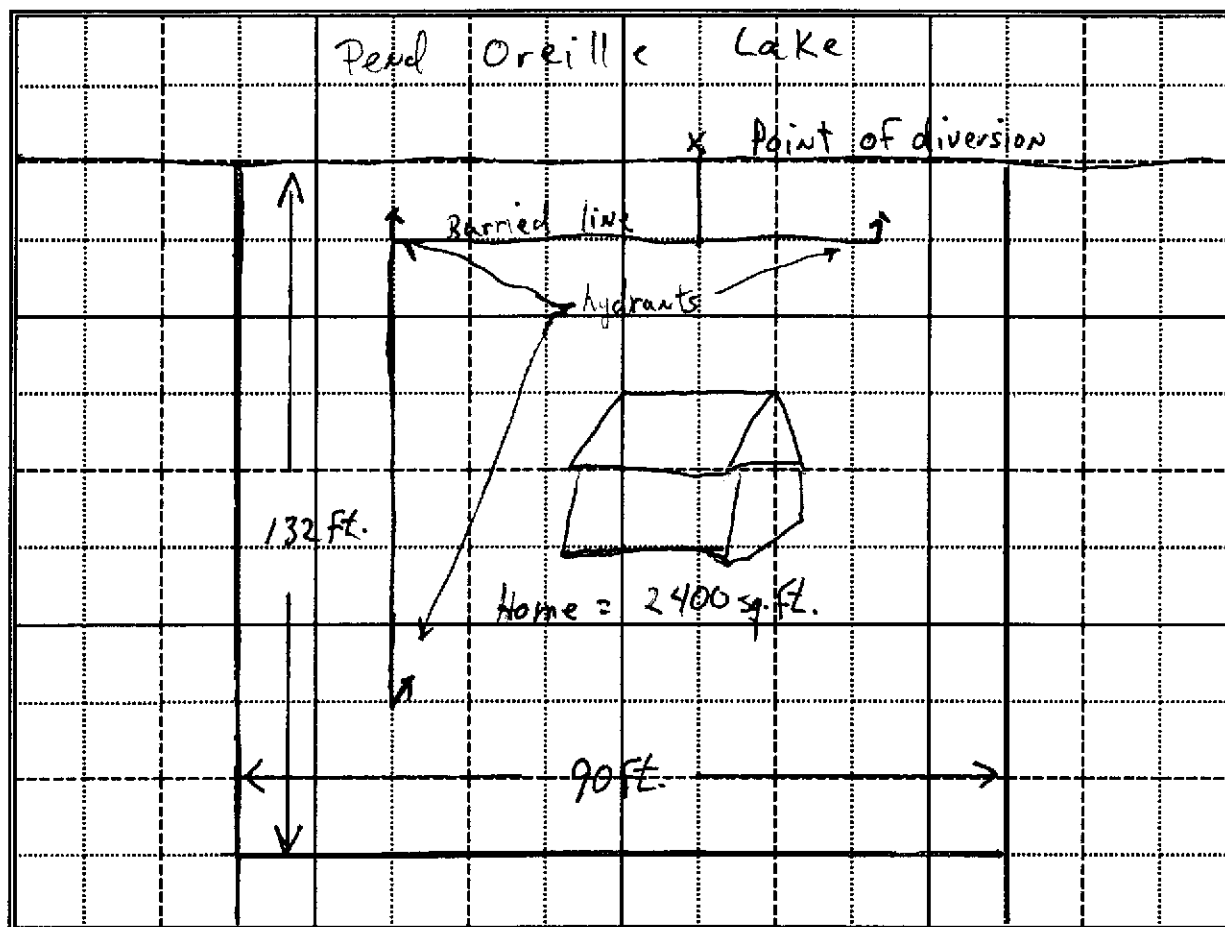
2. Place(s) of Use:

Indicate Method of Determination USGS 7.5' Quad Metsker

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	1E	13										I α-3							

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APR 25 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" = 1/4" .

☒ 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
		1		Submersible	

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

D. FLOW MEASUREMENTS

1. NA

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

2. Measurements: System was not operating, due to possible freezing weather conditions

MICHOILMEE

AUG 23 1988

E. NARRATIVE/REMARKS/COMMENTS

Water is being diverted from Pond Oreille Lake to irrigate slightly less than .25 acres of lawn and garden using a 1 horse power submersible pump. At the time of the exam I was unable to do a measurement, the system was not operating at this time due to weather conditions.

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

NOT FILMED
AUG 25 1938

F. FLOW CALCULATIONS☒ Additional Computation Sheets Attached

Measured Method:

*See Theoretical Calculations***G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 22 \times 3.0 = .66 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .02 \times 245 \times 1.9835 = 9.72 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = .22 \text{ acre} \times 3.0 \text{ af/acre/season}$$

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		
<i>Irrigation</i>	<i>3/15</i>	<i>11/15</i>	<i>.02</i>	<i>.66</i>
Totals:			<i>.02</i>	<i>.66</i>

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name *David A. Pagel* Date *4-20-98*

Reviewer _____ Date _____

SEAL

MICROFILMED

AUG 2 1998

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 96-08968, MODAFFERI
DATE: 20-APR-98
COMPLETE BY: PAGEL

HORSEPOWER = 1

PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 75 FEET

SYSTEM PRESSURE = 50 PSI

QUANTITY = 0.03 CFS

MICROFILMED
AUG 23 1998

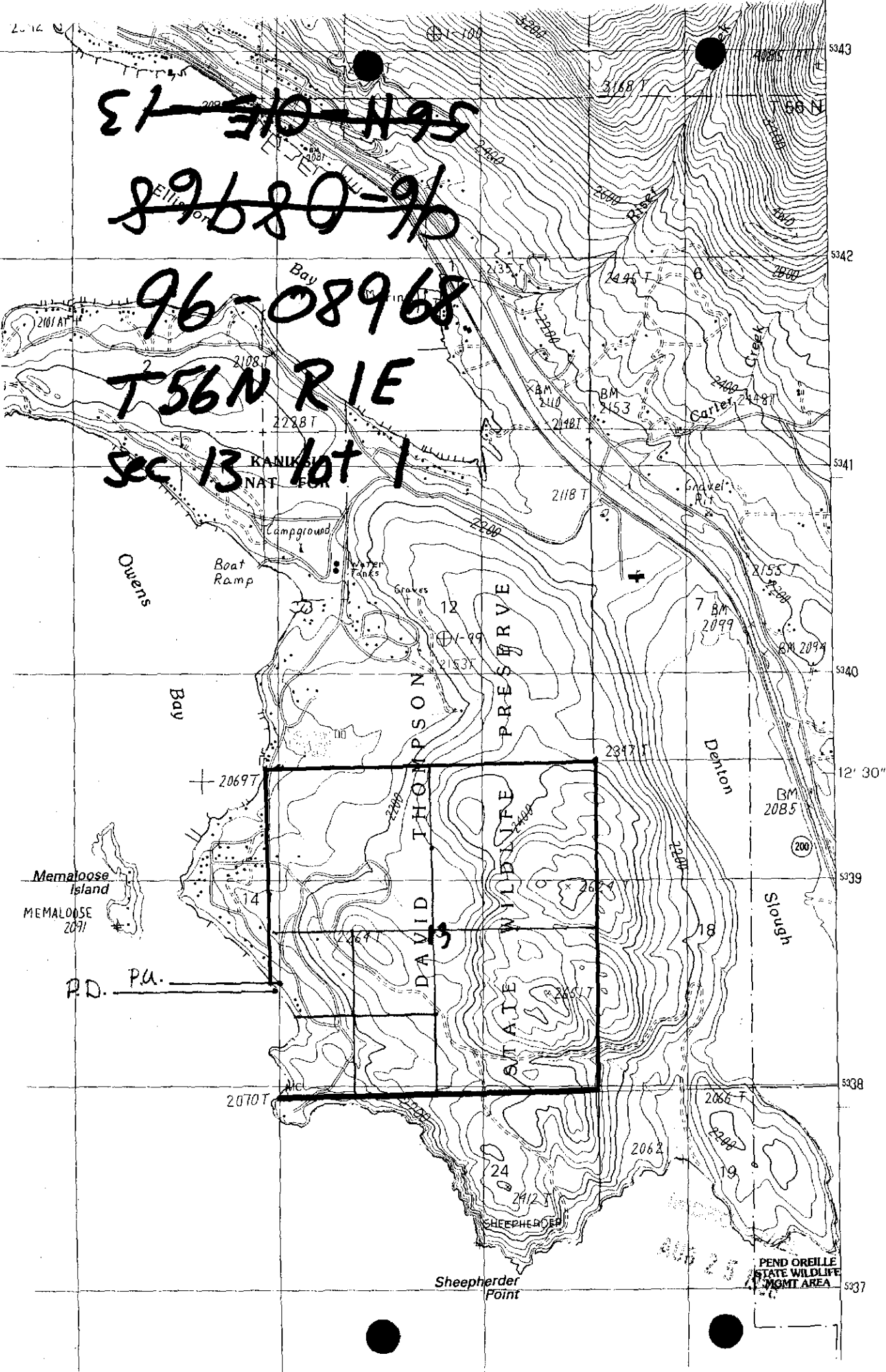
~~56N-01E-13~~

~~96-08968~~

96-08968

T56N R1E

Sec 13 lot 1



416 25 1998.

PERMIT # 96-08968

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PHOTOGRAPHS



Point of
diversion



Place of
use

AUG 28 1968

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-8968 Reviewed by [Signature] Date 1-2-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
no 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 Osprey Trail Proof Made 11-20-97



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

January 2, 1998

Dorothy and Thomas Modafferi
Osprey Trail
Hope ID 83836

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08968

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,

A handwritten signature in cursive script, reading 'Julie L. Yarbrough', written in dark ink.

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

September 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DOROTHY MODAFFERI
THOMAS R MODAFFERI
140 OSPREY CIR
HOPE ID 83836

RE: Water Right No. 96-08968

PERMIT APPROVAL NOTICE

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.

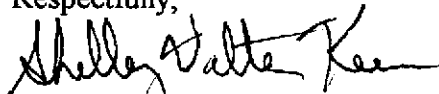
The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop these permits. Also enclosed is a form entitled "Proof of Beneficial Use". If either of your projects is already completed you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right. 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 contact me at 208-327-7946.

Respectfully,


Shelley Walter Keen
Water Rights Supervisor

Enclosures

MICROFILMED

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of September, 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. 96-08968

DOROTHY MODAFFERI
THOMAS R MODAFFERI
140 OSPREY CIR
HOPE ID 83836


Kari Lynn Townsend
Secretary

MICROFILMED

JAN 12 1998

WR0749NP
No. P96-08968

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/29/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DOROTHY MODAFFERI	08/06/1997	IRRIGATION	03/15 11/15	0.020 CFS	
C	THOMAS R MODAFFERI					
	140 OSPREY CIR					
	HOPE ID 83836					
	(208) 264-5703					
				TOTAL DIVERSION:	0.020 CFS	

Water Source: PEND OREILLE LAKE

Tributary to: PEND OREILLE RIVER

Stage: PERMIT

Point(s) of Diversion: T56N R01E S13 Lot 01(NWSW)

BONNER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
56N	01E	13	:											01-	.3					0.3
																			TOTAL ACRES	0.3

Pou County: BONNER

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

96-04523 96-08968

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

96-04523 96-08968

Conditions of Approval:

- 31A - Water shall not be diverted under this right unless flows exceed established minimum stream flows.
- 004 - The issuance of this right does not grant any right-of-way or easement across the land of another.

Remarks: Point of diversion and place of use are located within Lot 8, Blk. 1, Kullyspell Estates.
This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 0.9 afa for the land described above.

Dates: App. Received: 08/06/1997 Priority Date: 08/06/1997
Proof Due Date: 10/01/1998 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 08/07/1997 User-ID: DBALL Subject: DIVERSION DESCRIPTION
1 HP pump. Will water .25 acres of lawn and shrubs.

WR0749NP
No. P96-08968

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/29/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DOROTHY MODAFFERI	08/06/1997	IRRIGATION	03/15 11/15	0.020 CFS	
C	THOMAS R MODAFFERI					
	140 OSPREY CIR			TOTAL DIVERSION:	0.020 CFS	
	HOPE ID 83836					
	(208) 264-5703					

Water Source: PEND OREILLE LAKE

Tributary to: PEND OREILLE RIVER

Stage: PERMIT

Point(s) of Diversion: T56N R01E S13 Lot 01(NWSW)

BONNER County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE									
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
56N	01E	13	:									01-.3								:	0.3
																			TOTAL ACRES	0.3	

Pou County: BONNER

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

96-04523 96-08968

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

96-04523 96-08968

Conditions of Approval:

- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.

Remarks: Point of diversion and place of use are located within Lot 8,
Blk. 1, Kullyspell Estates.
This right when combined with all other rights shall provide
no more than 0.02 cfs nor more than 0.9 afa at the field headgate
for the land described above.
Water shall not be diverted under this right when flows in the
Pend Oreille River are below established minimum stream flows.

Dates: App. Received: 08/06/1997 Priority Date: 08/06/1997
Proof Due Date: 10/01/1998 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 08/07/1997 User-ID: DBALL Subject: DIVERSION DESCRIPTION
1 HP pump. Will water .25 acres of lawn and shrubs.

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

[illegible]

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Cindy Lou*

No.: 96-8968 Name: McDafferi Date: 9/26/07 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

- 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 MIN. STR. FLOW (✓ MAP)**

- 31A (modify remark *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-P07 (w/ remark *WB9 if above Weiser), NA

Payette R(65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic surface

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

>1 in rest. area

- 070-071- P53

Fish Propagation

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

Irr ≤ 5 acres

- R49/R50/R51/R52 (0.03 cfs/acre +AF)

> 5 acres

- R29/R30/R31/R32 (0.02 cfs/acre +AF)

Mining

- 054(req)-081-R07-P10

Muni (in restricted areas)

- 022, 075, 004 (+memo?)

Power

- 17H/17K(+uses)-08A-025-01N(P19)-028-081-R07(P10); 027 (if no other cons. use);

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

Stock (BLM/USFS)

- R37

Storage (✓3 compo.)

- 080; 18A (in- & out-flow MD within district), 18B-P09 (>10' dam),

LOCATION:

42-248 area

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

Basins 71-79

- 029 (fish screens)

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) Def Lands**OTHER CONDITIONS:****STANDARD REMARKS:**- OPDRPU/LTB, Bi, Kingsport Estates**BENEFICIAL USE DUE:**- 10/1/ 998**COMMENTS:**

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCES
APPLICATION ANALYSIS SHEET

WRI
WRA
SC

APPLICATION # 96-08968

RECEIVED

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

APPLICANT: MODAFFERI BY: JB DATE: SEP 22 1997

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

PROCESSING

Yes No

PRIORITY DATE: 8/6/97

X (Include Moratorium Remark)

X Statewide Avertising: (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 *****

(Yes) (No)

Checked by: _____ Date: ____/____/____

Remarks: _____

- X 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?
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

9/5 Affidavit of publication received

9/6 Application published correctly, If not, record action taken: _____

8/14 Publication dates and paper recorded on application | Sr. Agent initial AB

I Protests received. Final protest date: 9/8/97

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: BRSA Date: 9/9/97

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 21 day of August, 19 97
and ending on the 28 day of August, 19 97
and that said notice was published in said newspaper.

On this 28 day of August 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. Inger
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:

96-08967

VAN SICKLE, FRED

VAN SICKLE, JANE

PO BOX 2209

SPOKANE, WA 99210

Source: PEND OREILLE LAKE

Tributary: PEND OREILLE RIVER

Diversion Pt: LOT 1 (NWNW) Sec

5 T 56N R 01E in BONNER County.

Use: DOMESTIC (0.040 CFS)

Total Diversion (0.040 CFS)

Date Filed: 6/2/1997

In: BONNER County

T56N R01E S05 Lot 1 (NWNW)

96-08968

MODAFFERI, THOMAS R

MODAFFERI, DOROTHY

140 OSPREY CIRCLE

HOPE, ID 83836

Source: PEND OREILLE LAKE

Tributary: PEND OREILLE RIVER

Diversion Pt: LOT 1 (NWSW) Sec

13 T 56N R 01E in BONNER County.

Use: IRRIGATION (0.020 CFS)

Total Diversion (0.020 CFS)

Date Filed: 8/6/1997

In: BONNER County

T56N R01E S13 Lot 1 (NWSW)

0.3 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 SEPTEMBER 8, 1997.

KARL J. DREHER, Director
SNP#8598 Aug 21, 28, 1997

RECEIVED

SEP 05 1997

NORTHERN REGION
DWR

NOT RECORDED

SEP 12 1997

96-08968

MODAFFERI, THOMAS R
MODAFFERI, DOROTHY
140 OSPREY CIRCLE
HOPE, ID 83836

Source: PEND OREILLE LAKE

Tributary: PEND OREILLE RIVER

Diversion Pt: LOT 1 (NWSW) Sec 13 T 56N R 01E in BONNER County.

Use: IRRIGATION	(	0.020 CFS)
Total Diversion:	(	0.020 CFS)

Date Filed: 8/ 6/1997

In: BONNER County
T56N R01E S13 Lot 1(NWSW)

0.3 ACRES TOTAL

RECORDED
JAN 17 1998

August 13, 1997

Thomas R. & Dorothy Modafferi
140 Osprey Circle
Hope ID 83836

Re: Water Appropriation Application No. 96-08968

Dear Mr. and Mrs. Modafferi:

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 NO11513.

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
JAN 12 1998