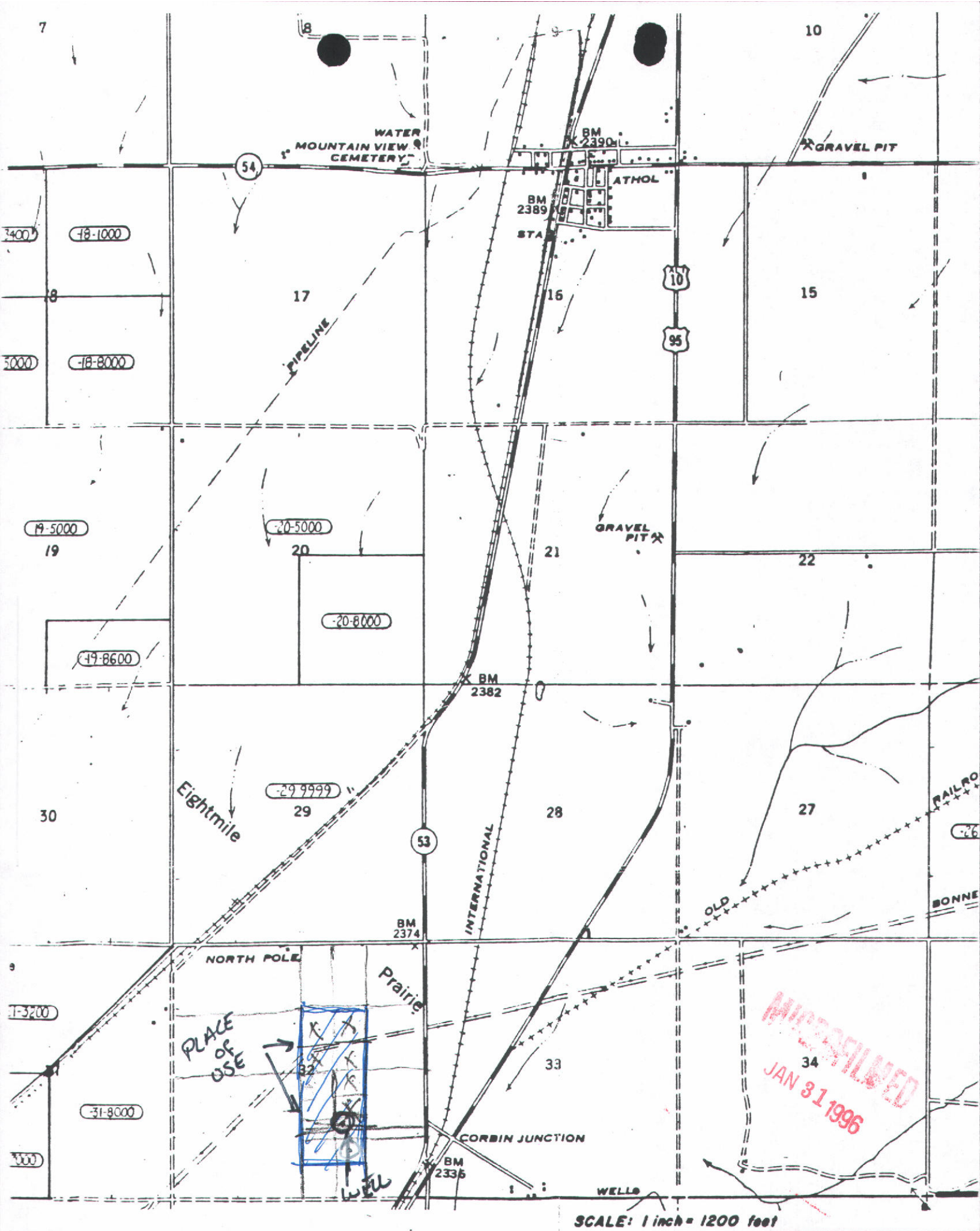




96-08907



PO



Pump
house



SCANNED
FEB U 2 2005

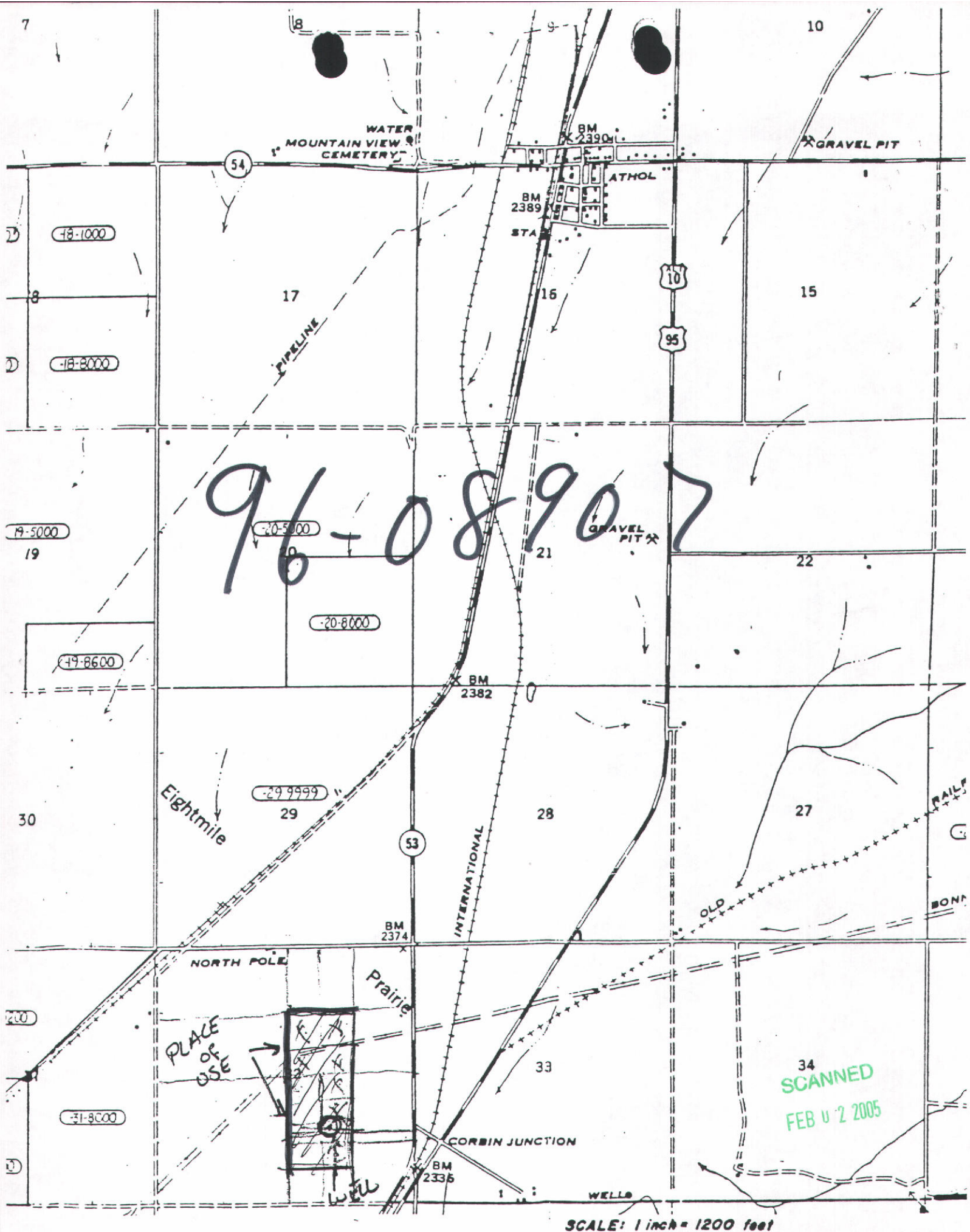


pu



pu

SCANNED
FEB 02 2005



ALAN WAYNE

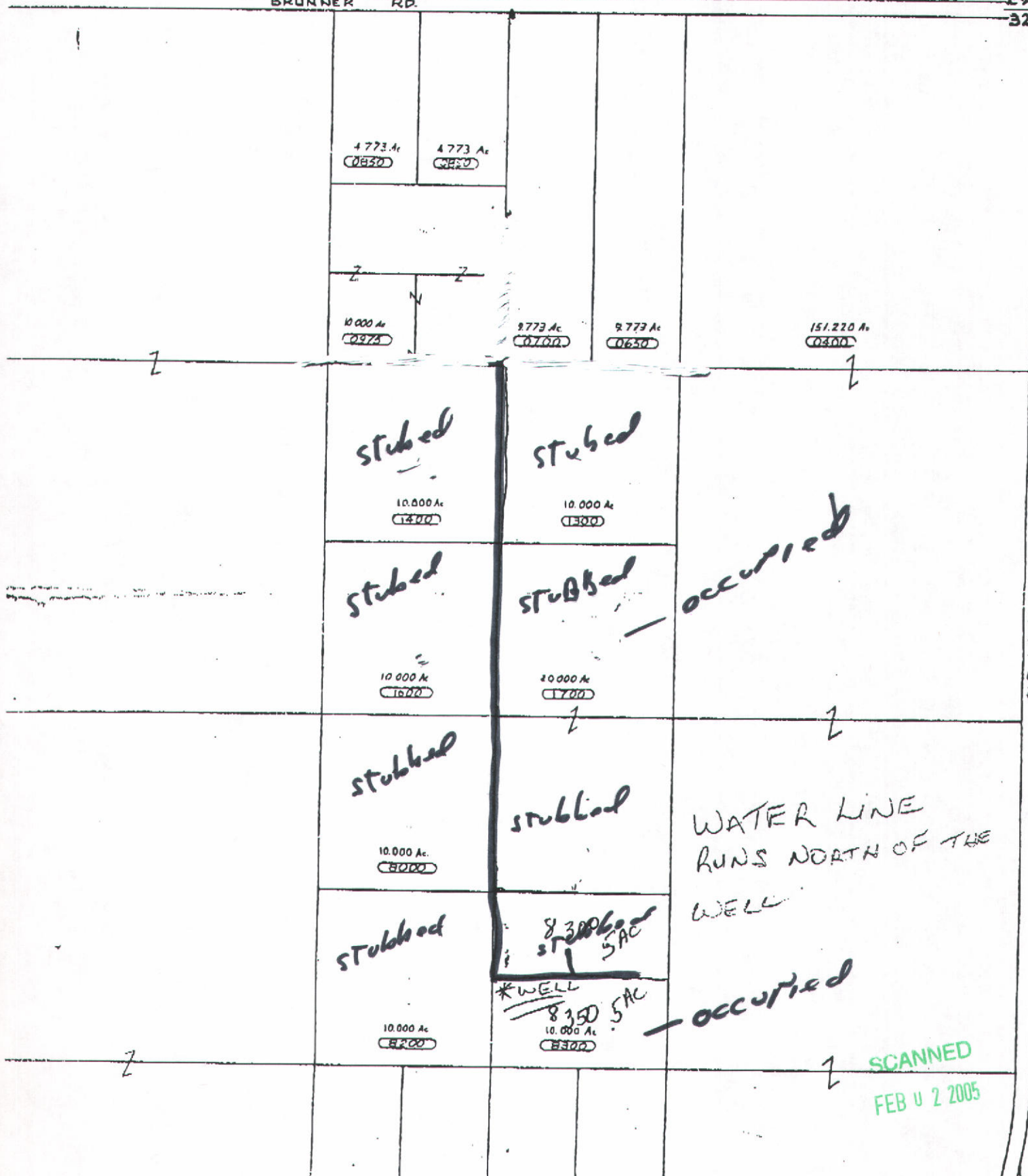
LANIK FETER - WATER RIGHTS # 96-07807

Sec. 32 Twp. 53N. R. 3W.B.M.

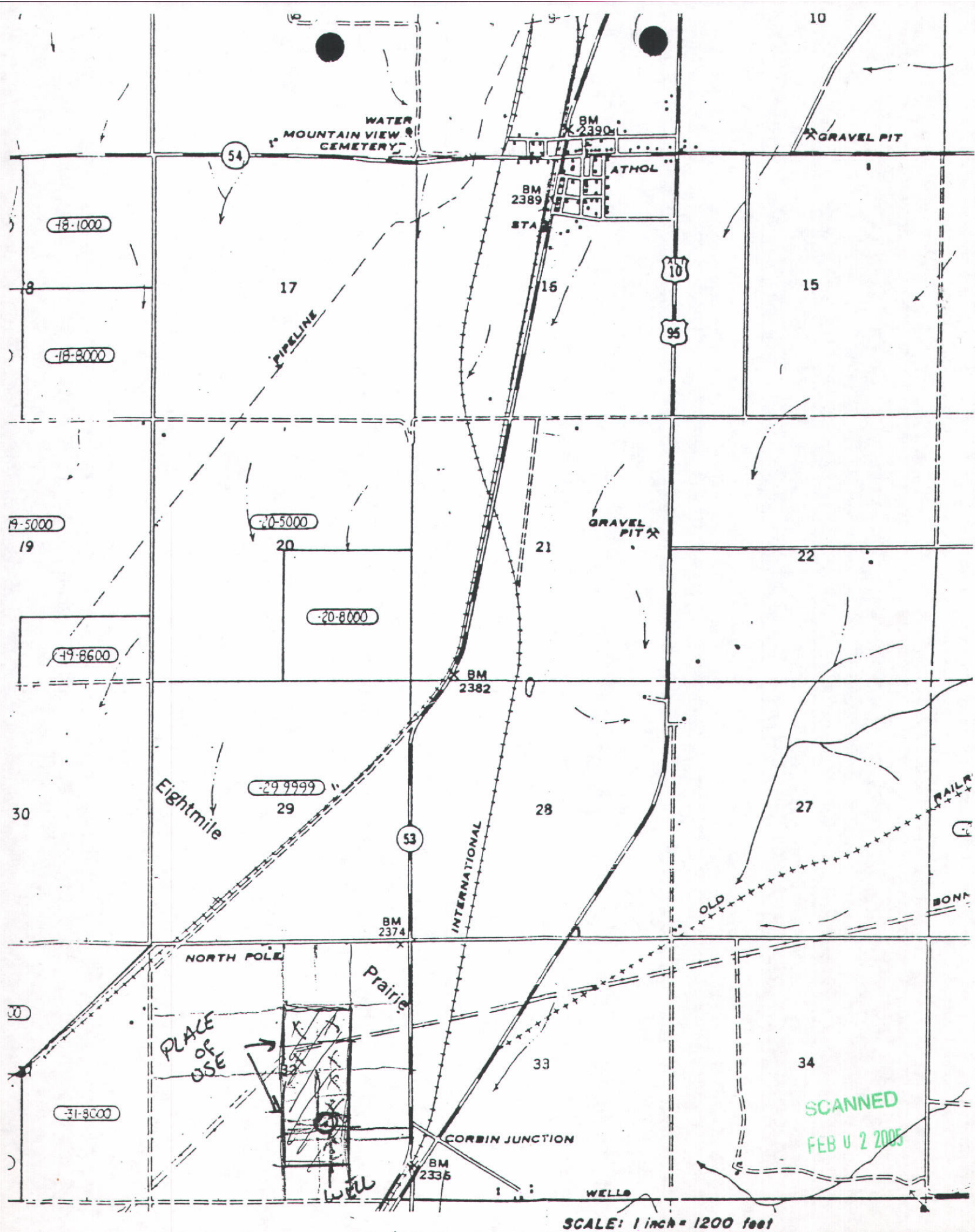
53N03W-32

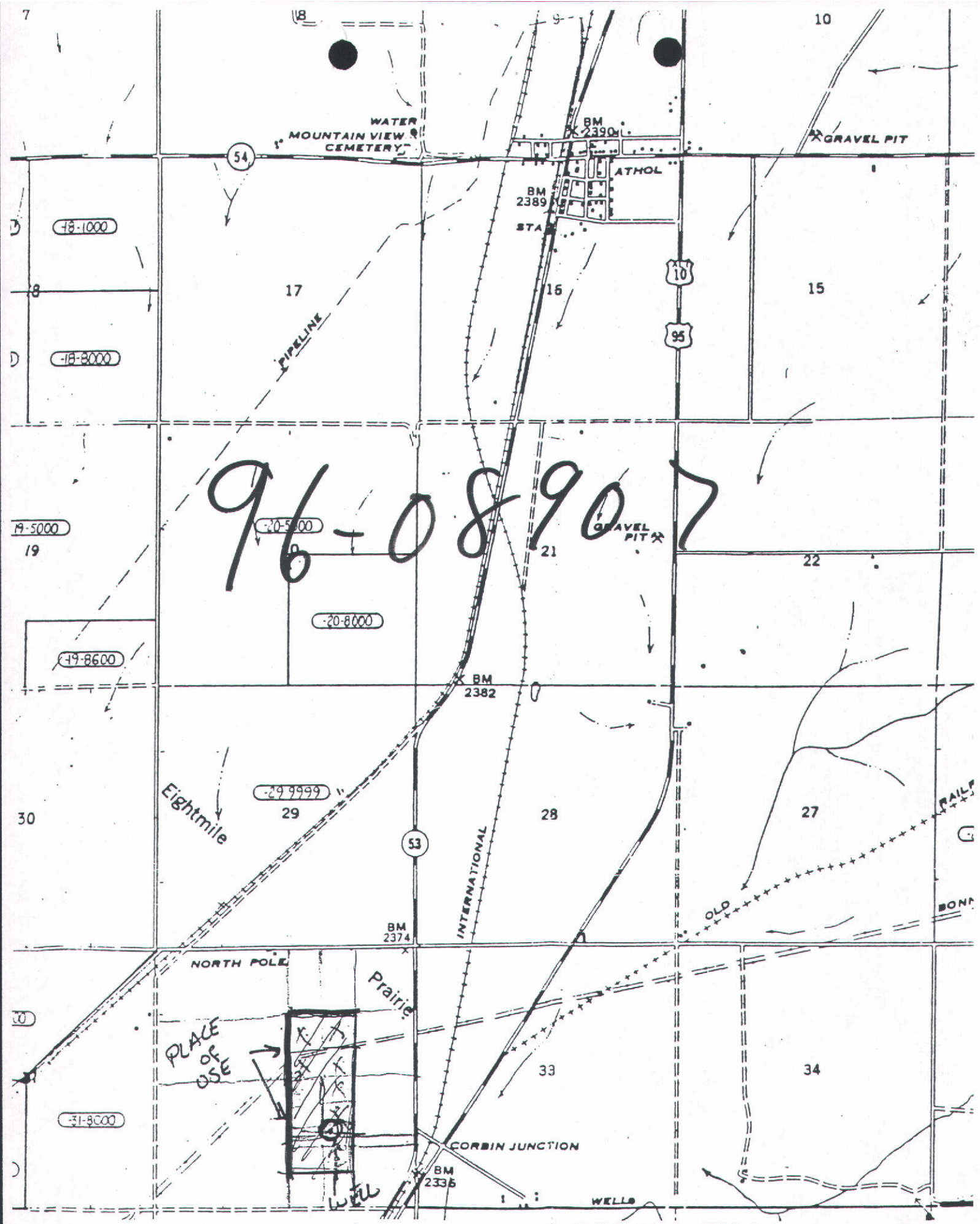
BRUNNER RD.

29
32



SCANNED
FEB 02 2005



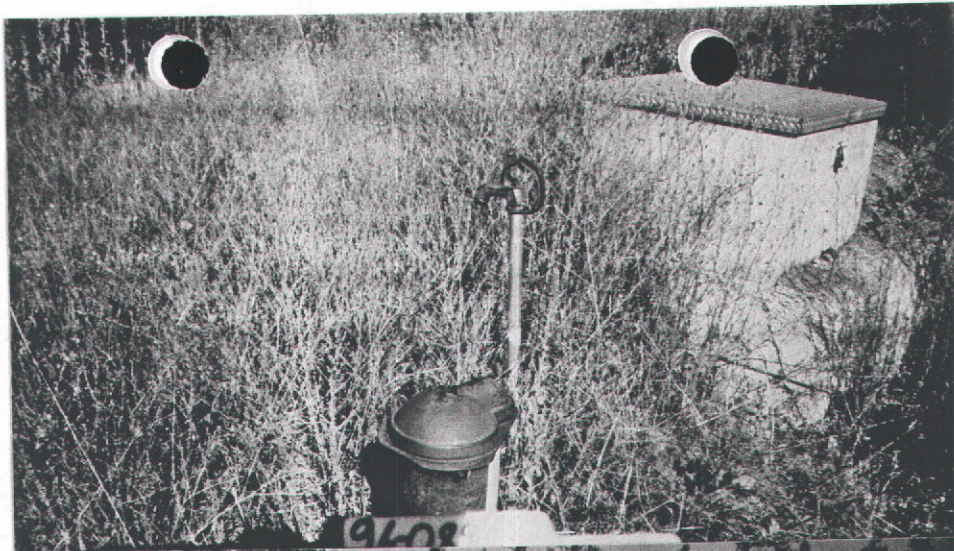


SCALE: 1 inch = 1200 feet

SCANNED

2005

96-08907



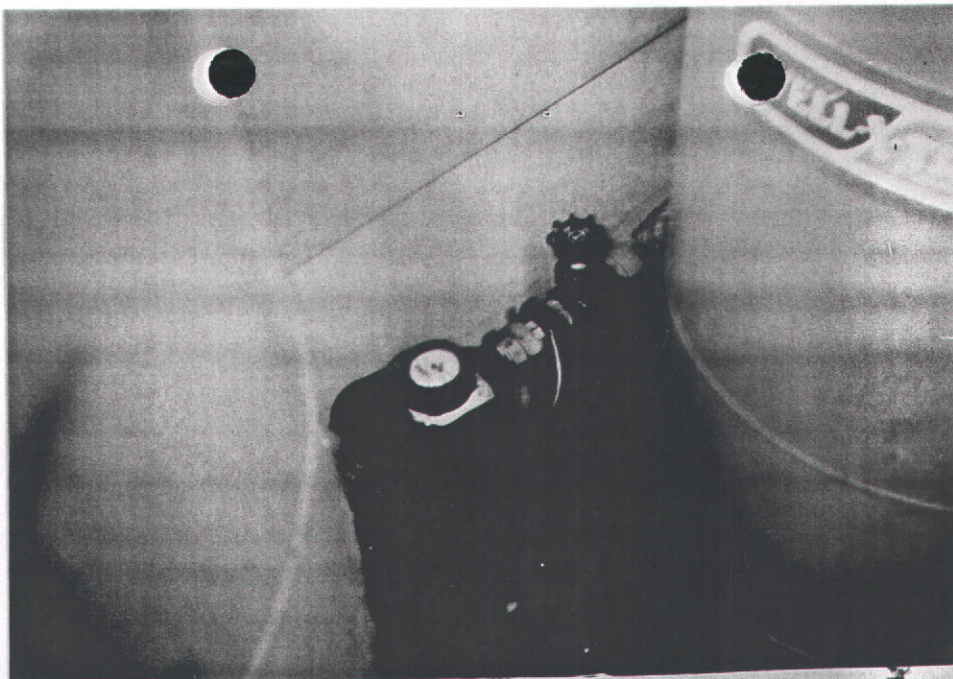
PO



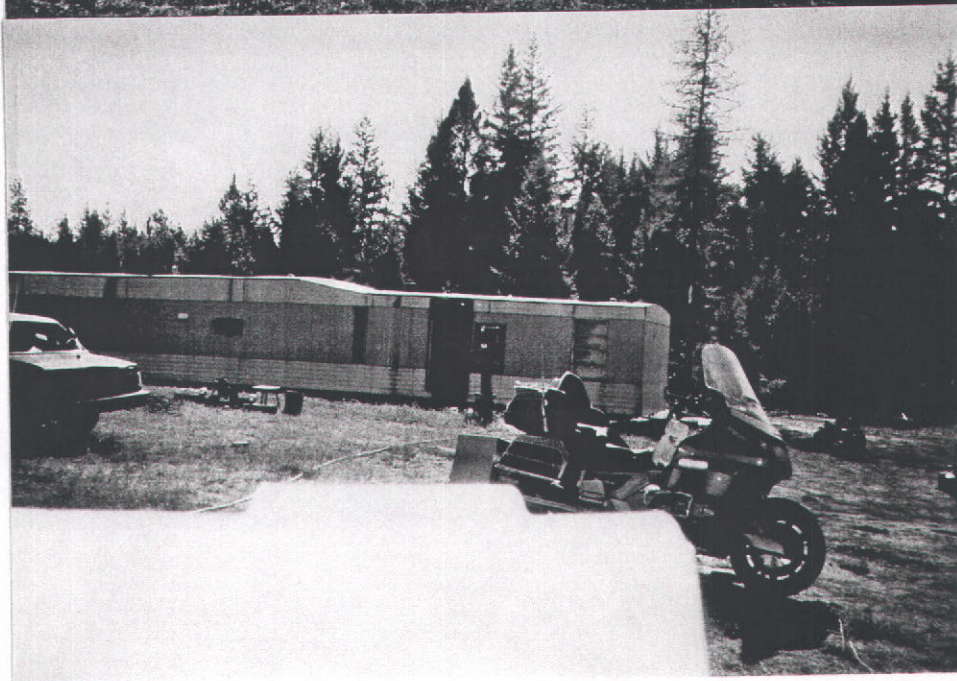
Rural
house



SCANNED
FEB 11 2 2005



pu



pu

SCANNED

SCANNED

FEB 02 2005

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Kootenai, } ss.

Keri Alexander being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

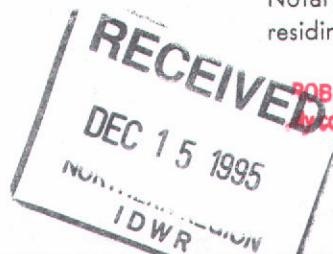
3. The Legal Notice

of which the annexed is a printed copy, was published in the regular Thurs. issue of said newspaper for 2 consecutive weeks commencing on the 7th day of December, 1995, and ending on the 14th day of December, 1995, and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Keri Alexander
Subscribed and sworn to before me this 14th day of December, 1995.

Roberta Manley
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.



ROBERTA MANLEY
commission expires 2-5-99

NOTICE OF APPLICATION
FOR WATER RIGHT
The Following application(s) have been
filed to appropriate the public waters of
the State of Idaho:

95-08932
POWDERHORN RIDGE RANCH INC
1322 N MONROE STREET
SPOKANE, WA 99201
Source: GROUNDWATER
Diversions Pt: LOT 3 (NWSW) Sec 15 T
48N R 04W in KOOTENAI County.
LOT 1 (NENW) Sec 22 T
48N R 04W in KOOTENAI County.
LOT 1 (NWNW) Sec 22 T
48N R 04W in KOOTENAI County.
LOT 2 (SWNW) Sec 22 T
48N R 04W in KOOTENAI County.
Use: COMMERCIAL (0.530 CFS)
DOMESTIC (0.530 CFS)
FIRE PROTECTION (0.530 CFS)
Total Diversion: (0.530 CFS)

Date Filed: 10/30/1995
In: KOOTENAI County
T48N R04W S15 Lot 3 (SESW)
S22 NWNE SWNE
Lot 1 (NENW) Lot 1 (NWNW)
Lot 2 (SWNW) SENW
SWSW SESW
NWSE SWSE

95-08934
DALE, ABRAHAM W
5300 N RAMSEY ROAD
RATHDRUM, ID 83858
Source: GROUNDWATER
Diversions Pt: NWSE Sec 11 T 52N R 04W
in KOOTENAI County.
Use: IRRIGATION (0.060 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.100 CFS)

Date Filed: 11/17/1995
In: KOOTENAI County
T52N R04W S11 NWSW
2.0 ACRES TOTAL
95-08907

HESTER, J HANK
RT 1 BOX 142 96-8907
PRIEST RIVER, ID 83856
Source: GROUNDWATER
Diversions Pt: SENWSE Sec 32 T 53N R
03W in KOOTENAI County.
Use: IRRIGATION (0.180 CFS)
DOMESTIC (0.140 CFS)
Total Diversion: (0.180 CFS)

Date Filed: 11/24/1995
In: KOOTENAI County
T53N R03W S32 SWNE NWSE SWSE
9.0 ACRES TOTAL

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

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the applicant and with the Director, Dept.
of Water Resources, Northern Region,
1910 Northwest Blvd., Suite 210, Coeur
d'Alene, Idaho 83814, together with a
protest fee of \$25.00 on or before
DECEMBER 26, 1995.

KARL J. DREHER, Director

Legal 872
4, 1995

JAN 31 1996

JAN 27 1999

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 0046041
Receipt By: KL
Date Received: 7-20-99

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 96-08907 Telephone No. 208-263-5404
2. Name(s) of Permit Holder(s): J. HANK HESTER
3. Mailing Address: 1826 VAY RD PRIEST RIVER ID 83856
4. Source of Water: WELL If **GROUNDWATER** (well), Date Drilled: mo. 6/14 yr. 95
 - a. Well Driller: HESTER WELL DRILLING Drilling Permit Number: 96-95-N-157
 - b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
 Domestic (No. of households): 9 Stockwater (No. and type of stock): 0
 Irrigation (No. of acres): 9.0 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.18 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: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
 Name: J. HANK HESTER Telephone Number: 208-263-7879
 Address: 1826 VAY RD PRIEST RIVER ID 83856
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: 12/10/98

MICROFILMED

DEC 14 1999

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 96-08907

Proposed Priority: November 24, 1995 Maximum Diversion Rate: 0.18 CFS

This is to certify, that **J HANK HESTER**
RT 1 BOX 142

PRIEST RIVER ID 83856

has applied for a permit to appropriate water from: **GROUNDWATER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.18 CFS
DOMESTIC	01/01 to 12/31	0.14 CFS
	Totals	0.18 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 32, Township 53N, Range 03W
KOOTENAI 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>
53N	03W	32	SWNE 3.0	NWSE 3.0	SWSE 3.0	9.0

Total number of acres irrigated: 9.0

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1999**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
6. The issuance of this right does not grant any right-of-way or easement across the land of another.
7. Domestic use is for 9 homes.
8. Domestic use does not include lawn, garden, landscape, other types of irrigation.

JAN 31 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-08907

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

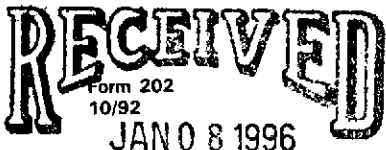
23rd day of January, 1996



Karl J. Dreher, Director

for

MAILED
JAN 31 1996

Ident. No. 96-08907STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant J. HANK NESTER Phone 203-5404Post office address RT. 1 BOX 142 PRIEST RIVER, ID 838562. Source of water supply GROUNDWATER which is a tributary of _____3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____Sec. 32 Township 53N Range 3W B.M. KOOTENAI County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .14 for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)Amount .18 for IRRIGATION purposes from MAR 15 to NOV 15 (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) .18 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. WELL & PUMP

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total

reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:

_____ to _____ inclusive.

c. Proposed well diameter is 8" inches; proposed depth of well is 395 feet.

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? 6-14-95; Drilling firm NESTER WELL DRILLING INCWell was drilled for (well owner) J. HANK NESTER 96-95-N-157

7. Time required for the completion of the works and application of the water to be proposed beneficial use is

3 years (minimum 1 year).

Year	Number of people (millions)
1960	18
1965	20
1970	22
1975	24
1980	26
1985	28
1990	35

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

✓ AFTER USERS

Application

None

6

[illegible]

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

Other, describe fully.

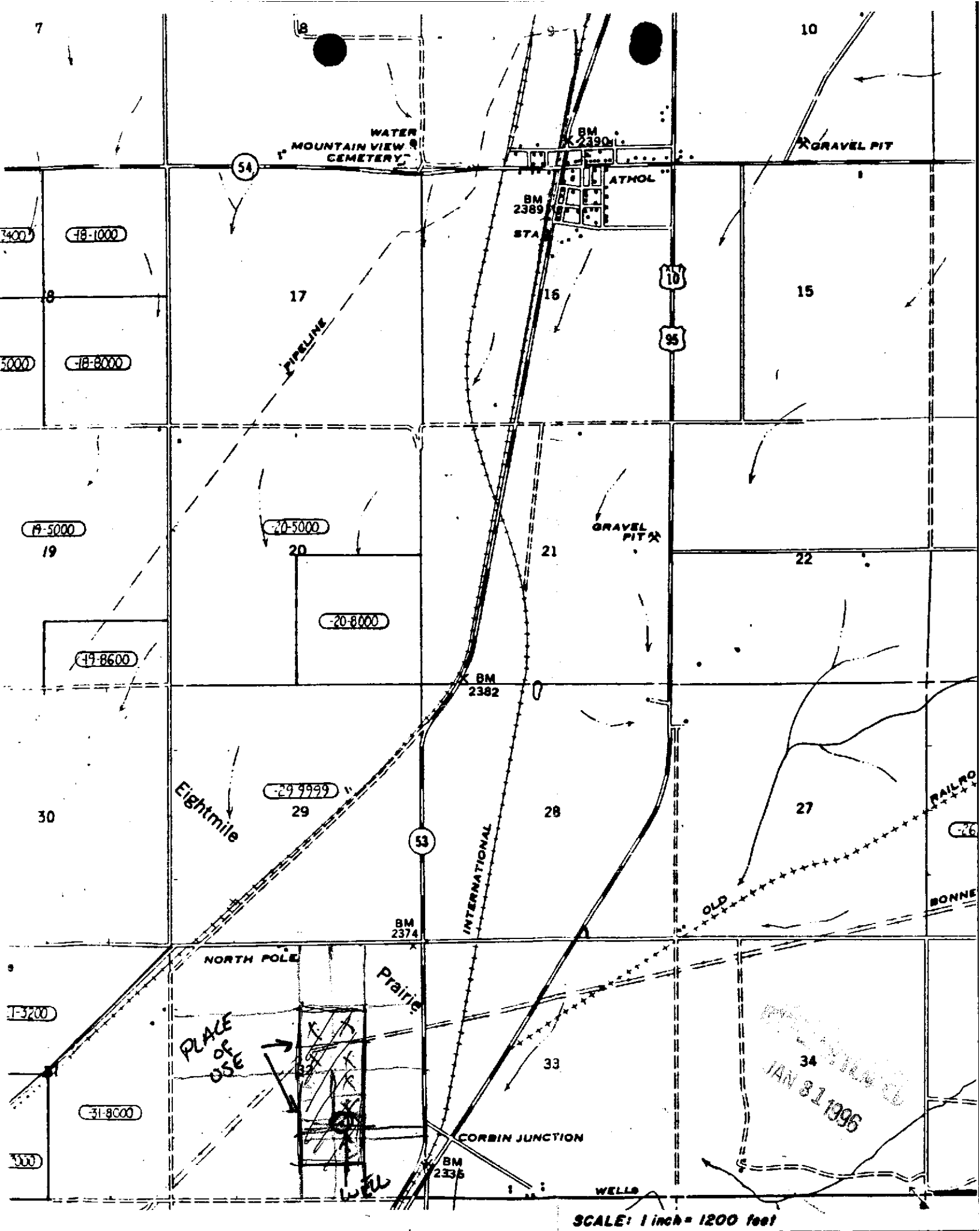
9 H8MS

Municipal: show name of municipality.

Stockwatering; list number and kind of livestock.

Hydropower; show total feet of head and proposed capacity in KW.

8. Description of proposed uses (if irrigation only, go to item 9):



13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Handwritten notes on graph paper:

- $R = 3\omega$
- $T = 530$
- Diagram of a rectangular box with labels:
 - Top-left: $3R$
 - Bottom-left: PD
 - Right side: $\rightarrow \odot$

Stamp:

JAN 31 1996

Scale: 2 inches equal 1 mile.

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

Application for permit to appropriate the public waters of


(Applicant)

JAN 8 1 1996

60880

e. Other:

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

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

19

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. _____, and said application is hereby _____

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by	<i>[Signature]</i>	Date	11/24/95	Time	4:35 P	Preliminary check by	
Fee \$	60880	Received by	<i>[Signature]</i>	Date	11/29/95	Published in	<i>Idaho News 12/17 & 14/95</i>
Publication prepared by	<i>[Signature]</i>	Date	11/29/95	Publication approved	<i>[Signature]</i>	Date	12/18/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 15 2004

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-08907

1. Owner: J. Hank Hester Phone No. (208) 263-5404

Current Address: 1826 Vay Rd, Priest River Id. 83856

2. Accompanied by: Hank Hester EXAM DATE: 9-19-01

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

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
			NW	SE	32	53N	03W	Kootenai	USGS 7.5 min Quad

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	03W	32			1.5										1.5		1.5		4.5

SCANNED

FEB 02 2005

SCANNED

2. Measurements:

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

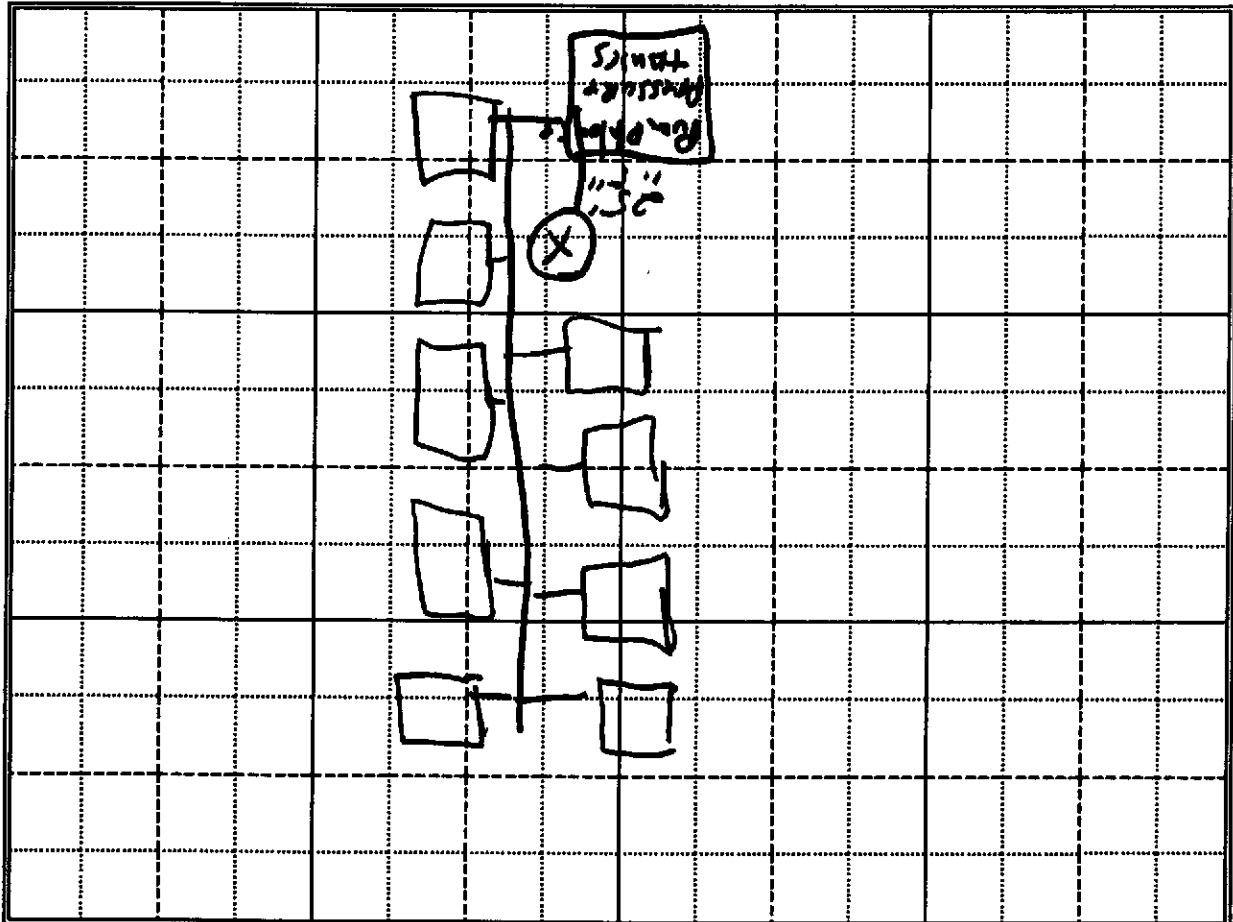
D. FLOW MEASUREMENTS

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

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	5	2522113810	Sub	1.5"

4.

Scale: 1" = _____
 Copy of USGS Quadrangle Attached Showing location(s) of _____
 point(s) of diversion and place(s) of use (required).
 Aerial Photo Attached of _____
 (required for irrigation of 10+ acres)
 Photo of Diversion and System Attached _____



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

20680-96

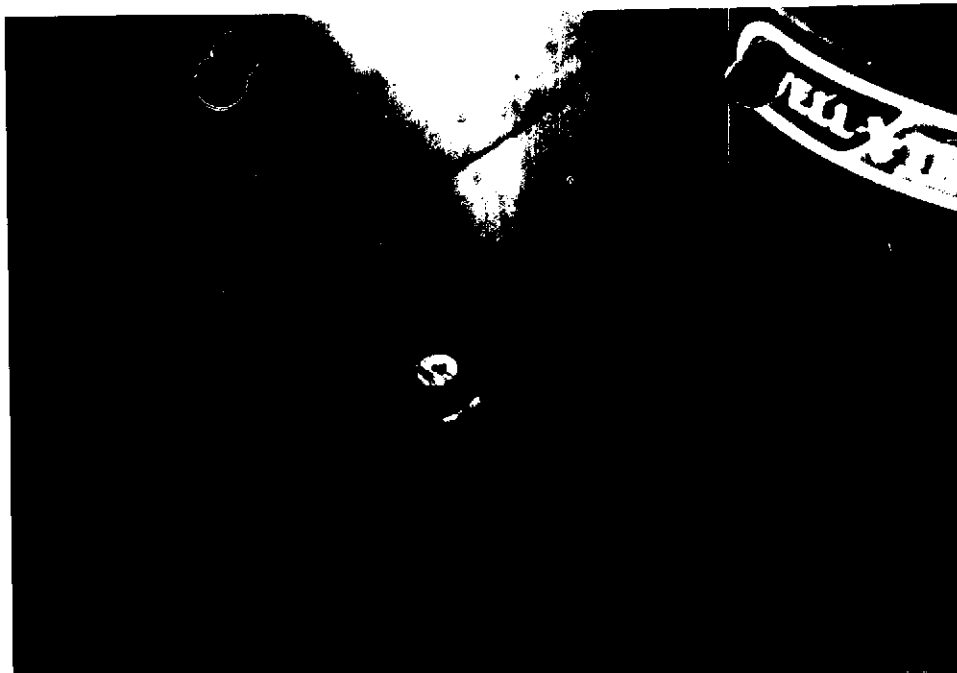


PD

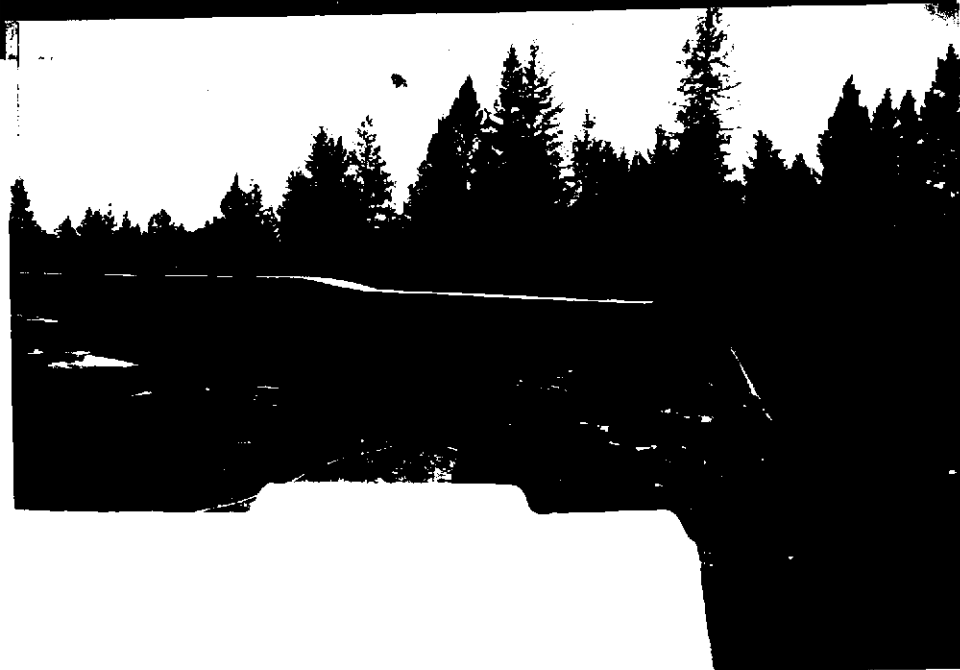
Ramp
house

96-08907

SCANNED
FEB 02 2005



pu



pu

SCANNED
FEB 02 2005

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 96-08907

Proposed Priority: November 24, 1995 Maximum Diversion Rate: 0.18 CFS

This is to certify, that **J HANK HESTER**
RT 1 BOX 142

PRIEST RIVER ID 83856

has applied for a permit to appropriate water from: **GROUNDWATER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.18 CFS
DOMESTIC	01/01 to 12/31	0.14 CFS
	Totals	0.18 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 32, Township 53N, Range 03W
KOOTENAI 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>
53N	03W	32	SWNE 3.0	NWSE 3.0	SWSE 3.0	9.0

Total number of acres irrigated: 9.0

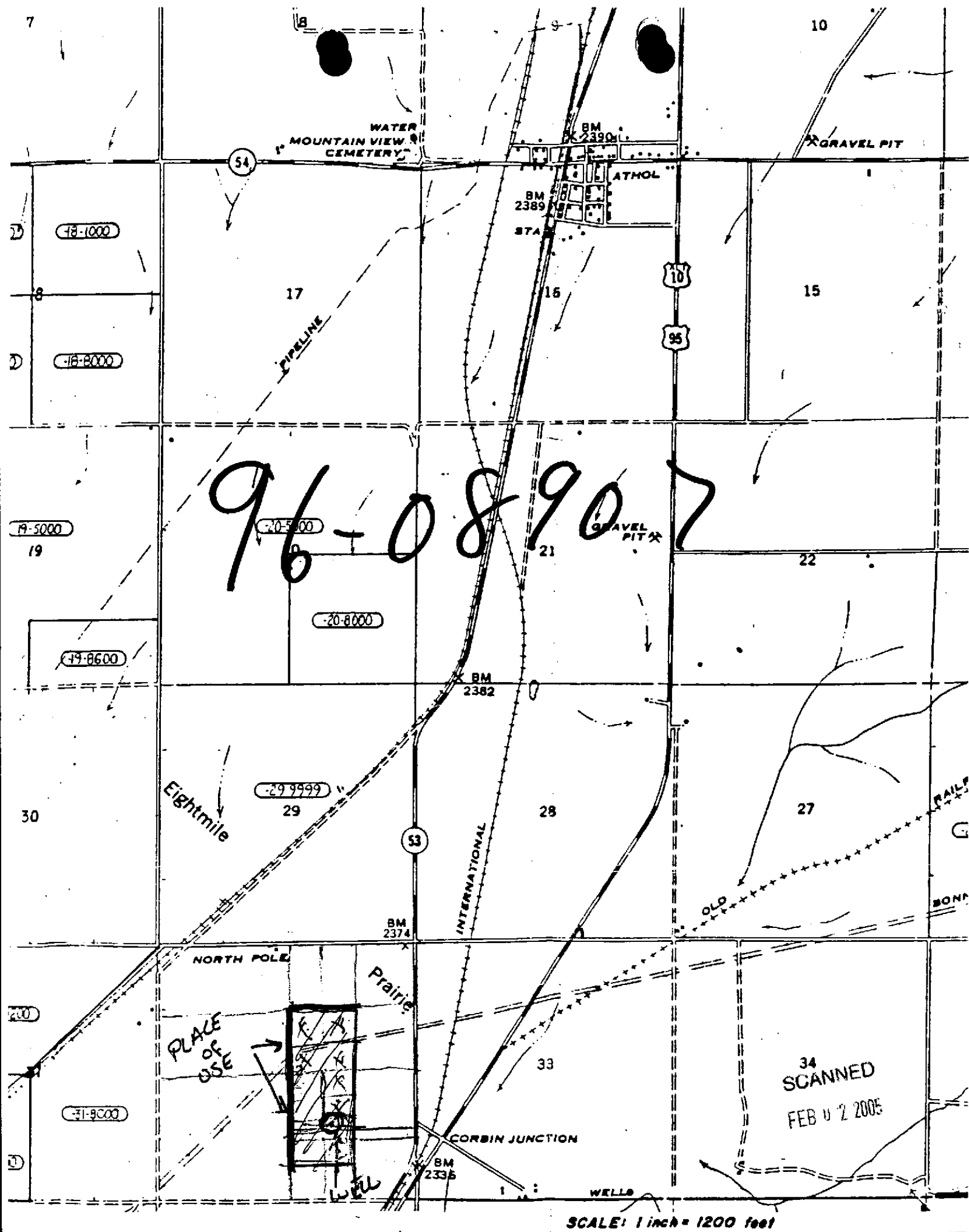
PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1999.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
6. The issuance of this right does not grant any right-of-way or easement across the land of another.
7. Domestic use is for 9 homes.
8. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

SCANNED
FEB 02 2005

76-08701



96-08907

34
SCANNED
FEB 02 2005

SCALE: 1 inch = 1200 feet

HANK HESTER - WATER RIGHTS # 96-07807

Sec. 32 Twp. 53N. R. 3W.B.M.

53N03W-32

BRUNNER RD.

29
32

4773 Ac
(0830)

4773 Ac
(0830)

10,000 Ac
(0974)

8773 Ac
(0700)

9773 Ac
(0650)

151,220 Ac
(0800)

staked

10,000 Ac
(1400)

staked

10,000 Ac
(1300)

staked

10,000 Ac
(1000)

staked

20,000 Ac
(1700)

occupied

staked

10,000 Ac
(8000)

staked

WATER LINE
RUNS NORTH OF THE
WELL

staked

10,000 Ac
(8200)

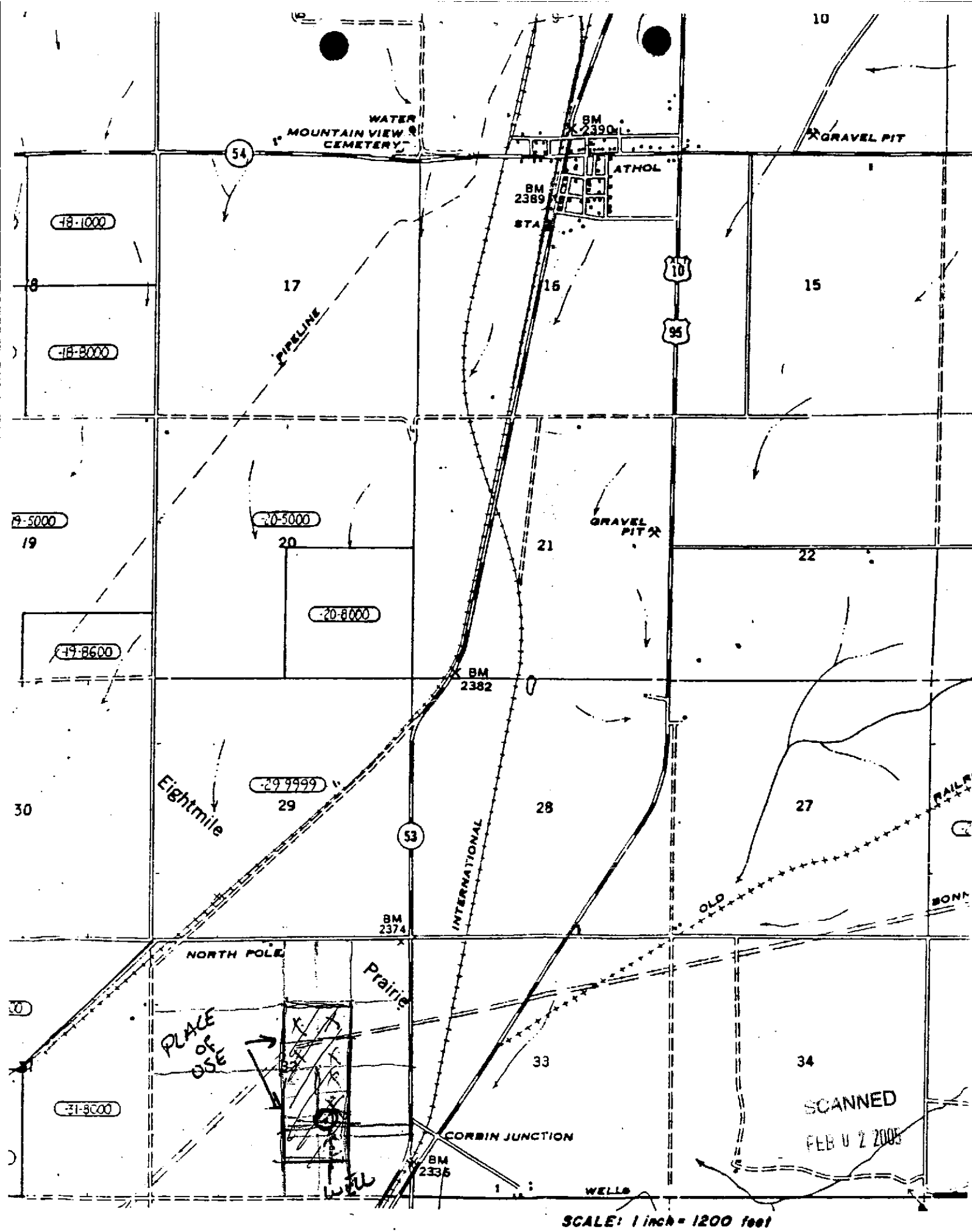
8300 SAC

*WELL

8350 SAC
10,000 Ac
(8300)

occupied

SCANNED
FEB 02 2005



SCANNED
FEB 02 2005

SCALE: 1 inch = 1200 feet

E. NARRATIVE/REMARKS/COMMENTS

Only 2 sites occupied. with ~.5 acres per site
can only recommend .5 acres per site.

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

SCANNED
FEB 02 2005

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$\text{Flow meter } 30 \text{ rpm} \\ 30 \times 1.33681 = 40.1046 \\ 40.1046 = 40$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 45 \times 3 = 13.5 \\ V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.07 \times 345 \times 1.9835 = 34 \\ V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 13.5$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic
Irrigation

From

01-01

03-15

Period of Use

To

12-31

11-15

Rate of Diversion

Q (cfs)

1.07

1.07

Annual Volume

V (ata)

5.4

13.5

2. Recommended Amendments

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

Add P.D. as reflected above
Add P.U. as reflected above

None
Other

I. AUTHENTICATION

Reviewer

Date

Field Examiner's Name

Date *Feb. 9-30-04*

Wayne Ballin

SEAL

SCANNED

FEB 12 2005

MEMORANDUM

Date: June 21, 2004
To: Water Right File 96-8907
From: ERetelle
Re: return of file to Northern region

Al,

This looks like it won't qualify for municipal use so it will need to be re-evaluated for domestic and irrigation purposes.

Thanks for taking a second look at this.

Erin

SCANNED

FEB 02 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 3 - 2001
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-08907

1. Owner: To Hank Hester Phone No. (208) 263-5404

Current Address: 826 Vay Rd, Priest River Id. 83856

2. Accompanied by: Hank Hester EXAM DATE: 9-19-01

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

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
			NW	SE	32	53N	03W	Kootenai	USGS 7.5 min Quad

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	03W	32	Within The Hester Rd System																

SCANNED
SEP 20 2001

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

Scale: 1" = _____

____ 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
	Franklin	5	2822113810	Sub	1.5"

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

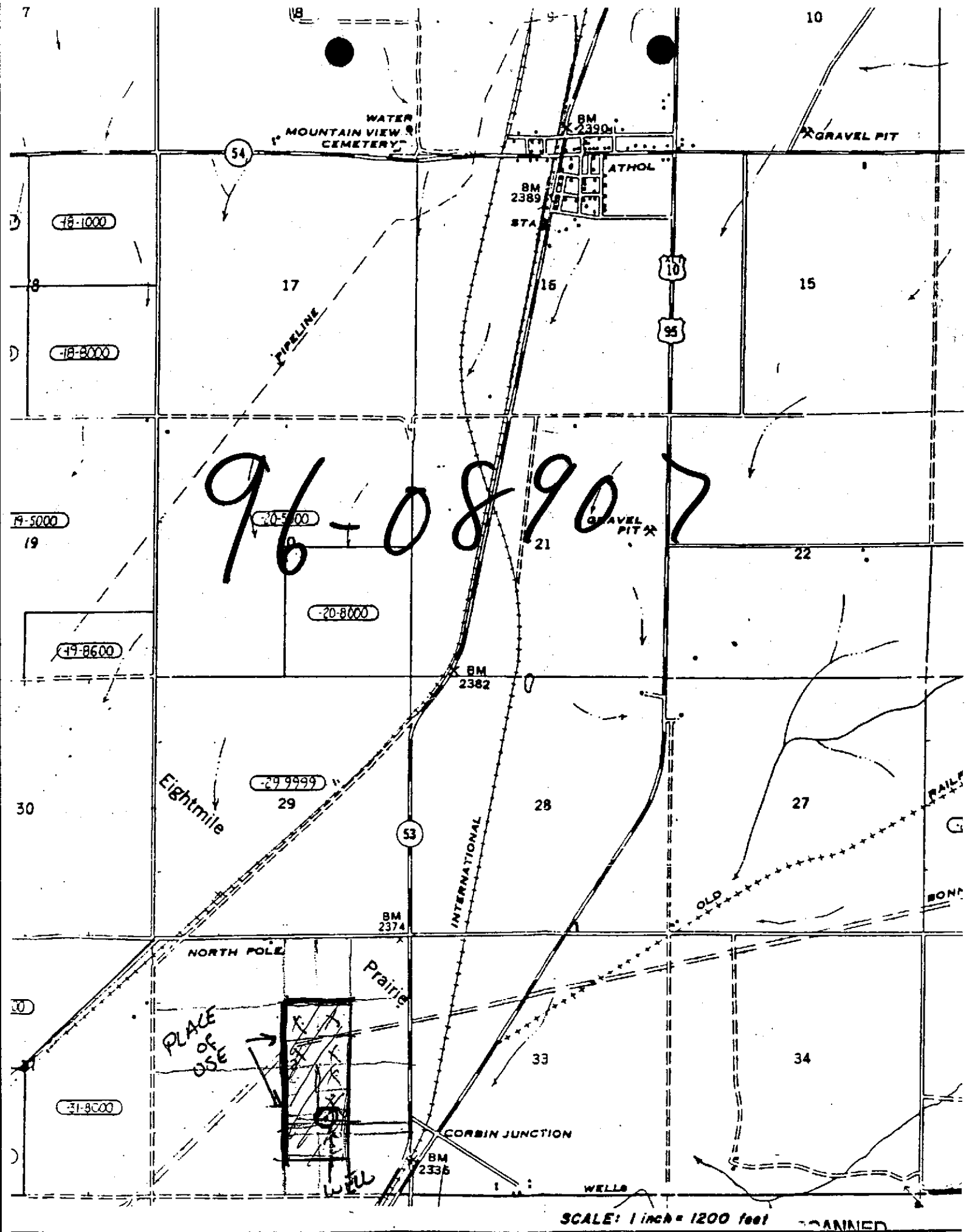
D. FLOW MEASUREMENTS

1.

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

2. Measurements:

SCANNED
FEB 12 2005



H. W. WAYNE

XANK FOSTER WATER RIGHTS #96-07807

Sec. 32 Twp. 53N. R. 3W. B.M.

53N03W-32

BRUNNER RD.

29
32

4773 A.
0650

4773 A.
0650

10000 A.
0275

8773 A.
0700

8773 A.
0650

151,220 A.
0400

staked

10,000 A.
1400

staked

10,000 A.
1300

staked

10,000 A.
1600

staked

10,000 A.
1700

occupied

staked

10,000 A.
1800

staked

WATER LINE
RUNS NORTH OF THE
WELL

staked

10,000 A.
1900

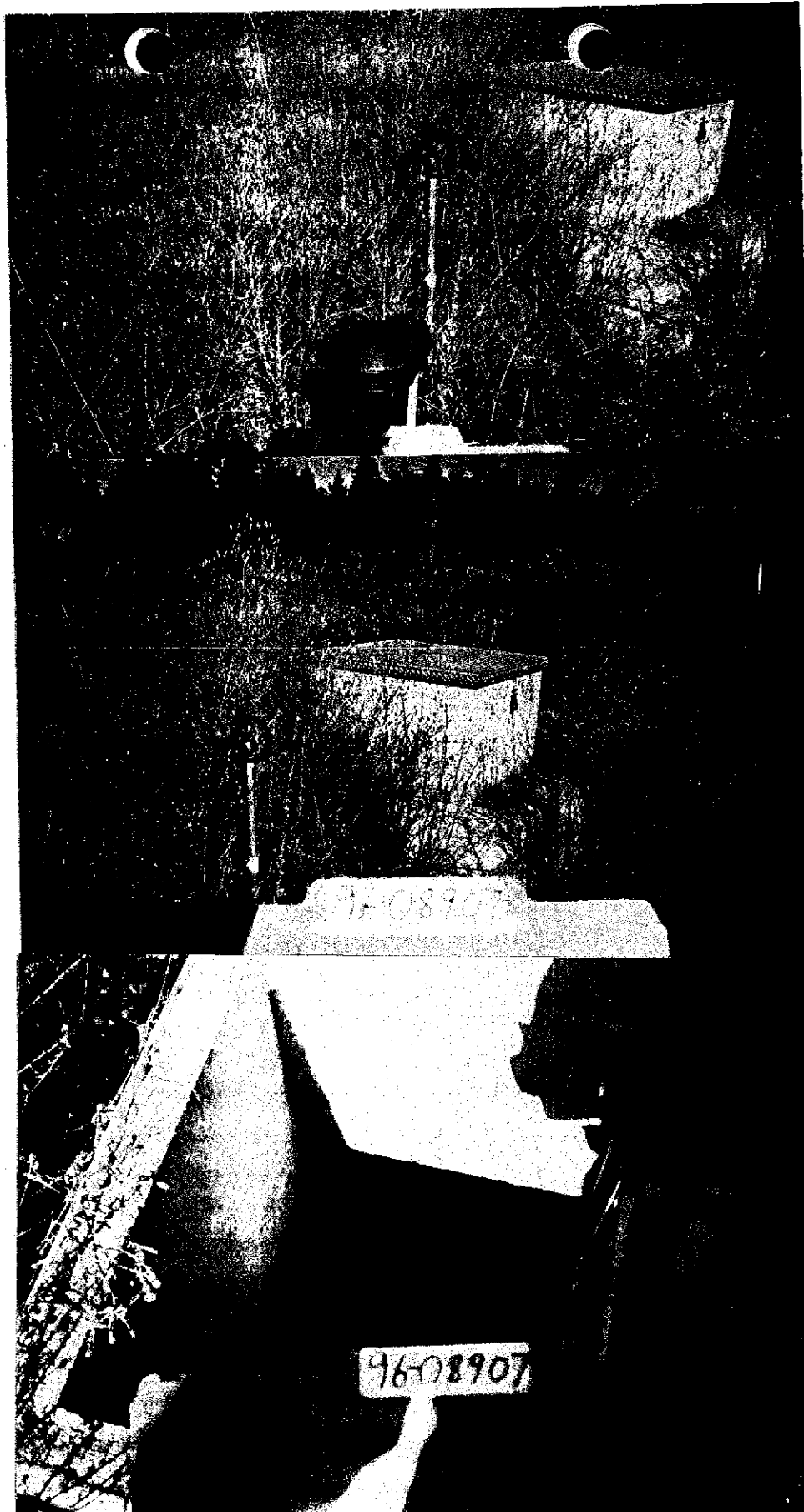
8300 A.
staked
5 AC

*WELL
8350 A.
5 AC
10,000 A.
1900

occupied

SCANNED
FEB 2 2002

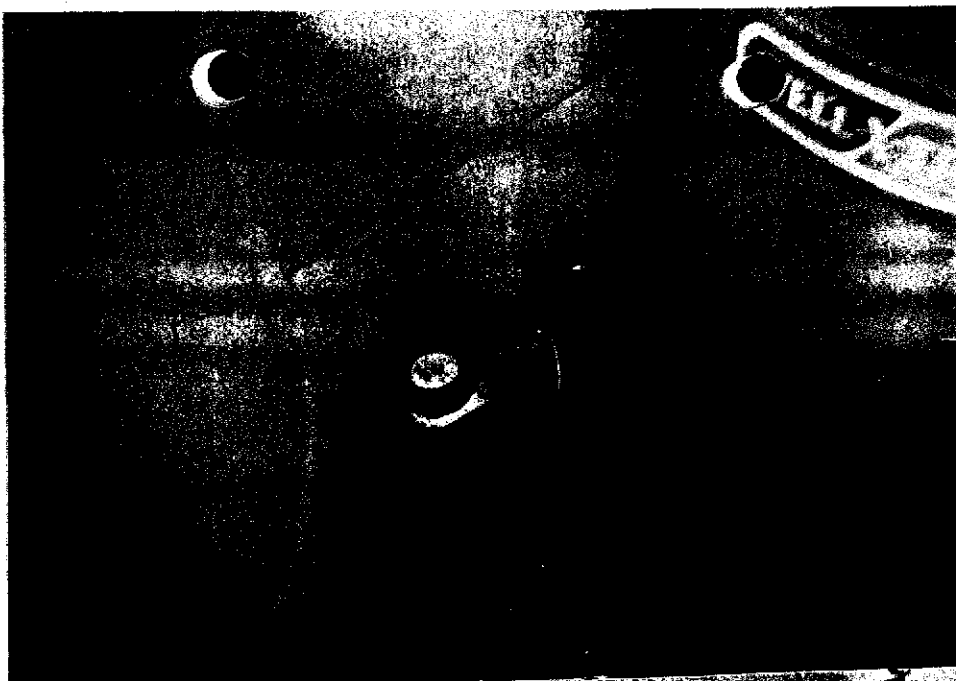
20680-96



PD

Rural
house

SCANNED
FEB " 2 2005



pu



pu

SCANNED

SEP 02 2003

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F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$\text{flow meter } 30 \text{ gpm} \\ 30 \times 1.35681 = 40.7 \\ 60$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \\ V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \\ V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Chunsheng

Period of Use

From 01-01 To 11-31

Rate of Diversion

Q (cfs) 1.67

Annual Volume V (ata)

2. Recommended Amendments

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

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

I. AUTHENTICATION

Field Examiner's Name

Wayne Adkins

Date

9-15-01

Reviewer

Date

SCANNED

FEB 11 2 2005

SEAL

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-08907 Reviewed by JY Date 3-12-99

GENERAL CONSIDERATIONS

TYPES OF USE

YES Name same as permit? dom, irr
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
YES Drilling permit required?
NO Copy in the file? Drilling Permit No. 96-95-N-0157-000
200- Amount paid for permit YES Correct?
NO Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

YES Required?
0 Amount Submitted
NO Correct?
NO Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>
Date proof due	<u> </u>
No. of days late	<u> </u>
Priority Date	<u> </u>
New Priority Date	<u> </u>

DEFICIENCIES OR ACTION ITEMS

*Request \$50.00 Lic. exam fee
Fee Received / Proof Acceptable*

DATA ENTRY

New Address 1826 VAY Rd Proof Made 1-27-99
7-20-99



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

November 18, 1999

KARL J. DREHER
DIRECTOR

J Hank Hester
1826 Vay Rd
Priest River ID 83856

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08907

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

If you have questions concerning the field examination, please contact the **NORTHERN** Regional Office of the department in Coeur d'Alene at (208)729-1450.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

DEC 14 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 19, 1999

J Hank Hester
1826 Vay Rd
Priest River ID 83856

RE: Permit No. 96-08907

Dear Permit Holder:

I have returned a copy of the Proof of Beneficial Use statement you submitted in connection with the above referenced water right permit. The proof as filed is not acceptable since was not accompanied by the required \$50.00 license examination fee.

Please return the copy of the proof form along with the \$50.00 license examination fee within **30 days** of receipt of this letter. **Please address your correspondence to my attention.**

You can contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED

DEC 14 1999

November 30, 1998

J HANK HESTER
RT 1 BOX 142
PRIEST RIVER ID 83856

PROOF DUE NOTICE

RE: PERMIT NO. 96-08907

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 1, 1999.

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

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

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

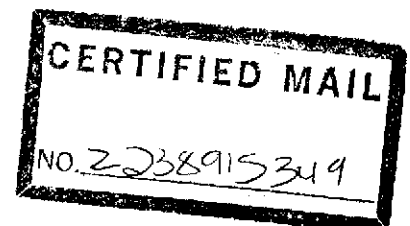
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

DEC 14 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 23, 1996

J HANK HESTER
RT 1 BOX 142
PRIEST RIVER ID 83856

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08907

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED
JAN 31 1996

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 96-8907 Name: Nester Date: 1/16/96 Ad OK? ✓
Correct Fee? ✓ Receipt #: N9708 Priority: 11/24/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - **P16**
+1 year - **26A-P17**

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. 96-95-N-0157-000, P99 drilled 6/95
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - **P05** (new well)

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

Water District(~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 028(may report)-01J(meas dev)-**P08**
=/- 0.2 cfs - 028(may report)-01H(lock dev)-**P01** or No MD
=/+ 5 a. irr. - 028(may report)
~~In WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - 021(Boise R † L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-**P10**; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(**P19**)-09E(**P10**);
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

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 - **B** <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

① WB5/9

BENEFICIAL USE DUE:

COMMENTS:

2-1-1999

RECEIVED
4/8/96

DEPARTMENT OF WATER RESOURCES
APPLICATION ANALYSIS

JAN 08 1996

APPLICATION # 96-08907

INITIAL REVIEW

Department of Water Resources
APPLICANT: HESTER

BY: AB

DATE: 11/24/95

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
☒ Nature of Proposed Use
☒ Period of Use
5. ☒ Total Quantity
6. ☒ Description of diverting works
7. ☒ Time required for b/u
8. ☒ Proposed use
9. ☒ Place of use or acres irrigated
10. ☒ Other Water Rights
11. ☒ Ownership
13. ☒ Map
☒ Signature
☒ Fee (Amt, recpt, acknowledgment)

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

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

PRIORITY DATE: 11/24/95

☒ (Include Moratorium Remark)

☒ Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: KOOTENAI 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)

- ☒ Groundwater management area
☐ Critical ground water area
☐ Well Drilling Permit required
☐ Well Drilling Application and Fees received
☐ Well Drilling Application approved?
Well Drilling Application Number 96-95-N-157

Checked by: _____ Date: ____/____/____

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- ☐ Notice of pending void order issued. Final order response date: ____/____/____
☐ Further information required from applicant
☐ Affidavit of publication received
☐ Application published correctly, If not, record action taken: _____
11/29 ☐ Publication dates and paper recorded on application | Sr. Agent initial AB
☐ Protests received. Final protest date: 12/26/95
☐ Measuring device required
☐ Measuring port required
☐ Special conditions: _____
☐ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB PSH

Date: 12/28/95

January 2, 1996

J. Hank Hester
Route 1 Box 142
Priest River, ID 83856

Re: Application for Permit No. 96-08907 & Well Drilling Permit No. 96-95-N-157

Dear Mr. Hester:

The Department of Water Resources has completed the legal advertising of your application for permit to appropriate water. The filing is now ready to be sent our state office for approval. However, before we can do that, the status of the well drilling permit which was obtained by you through Hester Well Drilling, Inc., prior to the drilling of your well, must be upgraded from that of a domestic well to a non-domestic. The fee for this change is \$165, payable to the Idaho Department of Water Resources. Please refer to the above referenced numbers so that we may ensure proper credit is given.

If you have any questions, please contact me.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

Receipt # N 9708

RECEIVED

JAN 31 1996

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Kootenai, } ss.

Ken Alexander being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Legal Notice

of which the annexed is a printed copy, was published in the regular Thurs. issue of said newspaper for 2 consecutive weeks commencing on the 7th day of December, 1995, and ending on the 14th day of December, 1995, and such publication was made as often during said period as said daily newspaper was regularly issued.

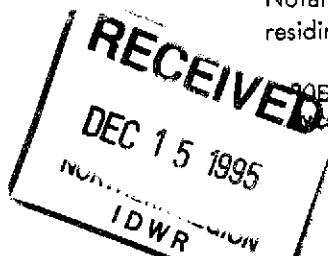
4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Ken Alexander

Subscribed and sworn to before me this 14th day of December, 1995.

Roberta Manley

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.



ROBERTA MANLEY
Commission expires 2-5-99

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08932
POWDERHORN RIDGE RANCH INC
1322 N MONROE STREET
SPOKANE, WA 99201
Source: GROUNDWATER
Diversión Pt: LOT 3 (NWSW) Sec 15 T
48N R 04W in KOOTENAI County.
LOT 1 (NENW) Sec 22 T
48N R 04W in KOOTENAI County.
LOT 1 (NWNW) Sec 22 T
48N R 04W in KOOTENAI County.
LOT 2 (SWNW) Sec 22 T
48N R 04W in KOOTENAI County.
Use: COMMERCIAL (0.530 CFS)
DOMESTIC (0.530 CFS)
FIRE PROTECTION (0.530 CFS)
Total Diversión: (0.530 CFS)

Date Filed: 10/30/1995
In: KOOTENAI County
T48N R04W S15 Lot 3 (SESW)
S22 NWNE SWNE
Lot 1 (NENW) Lot 1 (NWNW)
Lot 2 (SWNW) SENW
SWSW SESW
NWSE SWSE

95-08934
DALE, ABRAHAM W
5300 N RAMSEY ROAD
RATHDRUM, ID 83858
Source: GROUNDWATER
Diversión Pt: NWSE Sec 11 T 52N R 04W
in KOOTENAI County.
Use: IRRIGATION (0.060 CFS)
DOMESTIC (0.040 CFS)
Total Diversión: (0.100 CFS)

Date Filed: 11/17/1995
In: KOOTENAI County
T52N R04W S11 NWSE
2.0 ACRES TOTAL
95-08907
HESTER, J HANK
RT 1 BOX 142
PRIEST RIVER, ID 83856
Source: GROUNDWATER
Diversión Pt: SENWSE Sec 32 T 53N R
03W in KOOTENAI County.
Use: IRRIGATION (0.180 CFS)
DOMESTIC (0.140 CFS)
Total Diversión: (0.180 CFS)

Date Filed: 11/24/1995
In: KOOTENAI County
T53N R03W S32 SWNE NWSE SWSE
9.0 ACRES TOTAL

For additional information concerning
the property location, call the Northern
Regional Office at (208) 769-1450.
The permit(s) will be subject to all prior
water rights. Protests must be filed with
the applicant and with the Director, Dept.
of Water Resources, Northern Region,
1910 Northwest Blvd., Suite 210, Coeur
d'Alene, Idaho 83814, together with a
protest fee of \$25.00 on or before
DECEMBER 26, 1995.
KARL J. DREHER, Director

96-08907

HESTER, J HANK
RT 1 BOX 142
PRIEST RIVER, ID 83856

Source: GROUNDWATER

Diversion Pt: SENWSE Sec 32 T 53N R 03W in KOOTENAI County.

Use: IRRIGATION	(	0.180 CFS)
DOMESTIC	(	0.140 CFS)
Total Diversion:	(	0.180 CFS)

Date Filed: 11/24/1995

In: KOOTENAI County			
T53N R03W S32	SWNE	NWSE	SWSE

9.0 ACRES TOTAL

JAN 31 1996

November 29, 1995

J Hank Hester
Route 1 Box 142
Priest River, ID 83856

Re: Water Appropriation Application No. 96-08907

Dear Mr. Hester:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If your source is groundwater, a separate well drilling permit is required for all wells constructed after July 1, 1987.

IF, FROM THAT WELL, YOU WILL BE DIVERTING WATER FOR MORE THAN ONE HOME AND AT A RATE OF MORE THAN 0.04 CFS AND MORE THAN 2500 GALLONS PER DAY, YOU WILL NEED TO OBTAIN A PERMIT FOR OTHER THAN DOMESTIC USAGE. THE TOTAL FEE FOR SUCH A PERMIT IS \$200.00. IF YOU HAVE ALREADY OBTAINED A DOMESTIC PERMIT, YOU WILL NEED TO UPGRADE YOUR PERMIT AND THE FEE FOR UPGRADING IS \$165.00.

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

11/30/95