

# George and Barbara Strong

## Section 11, T56N, R1W

North Not to Scale

Center  
Section 11

Irrigated  
Area

Fluctuating  
Shoreline of  
Existing Surface  
Water

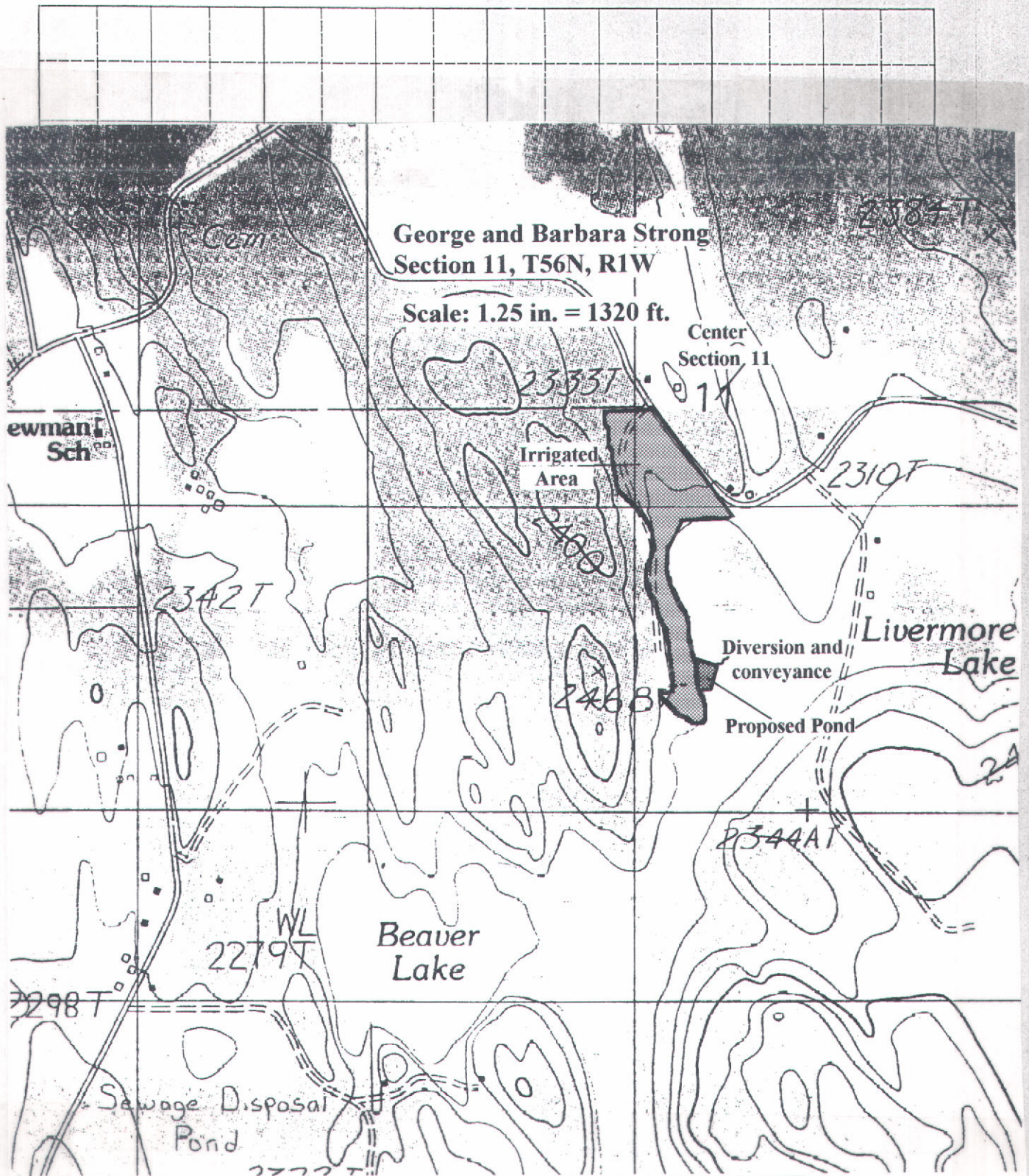
Diversion and  
Conveyance

Proposed Pond

MICROFILMED

JUN 10 1997

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



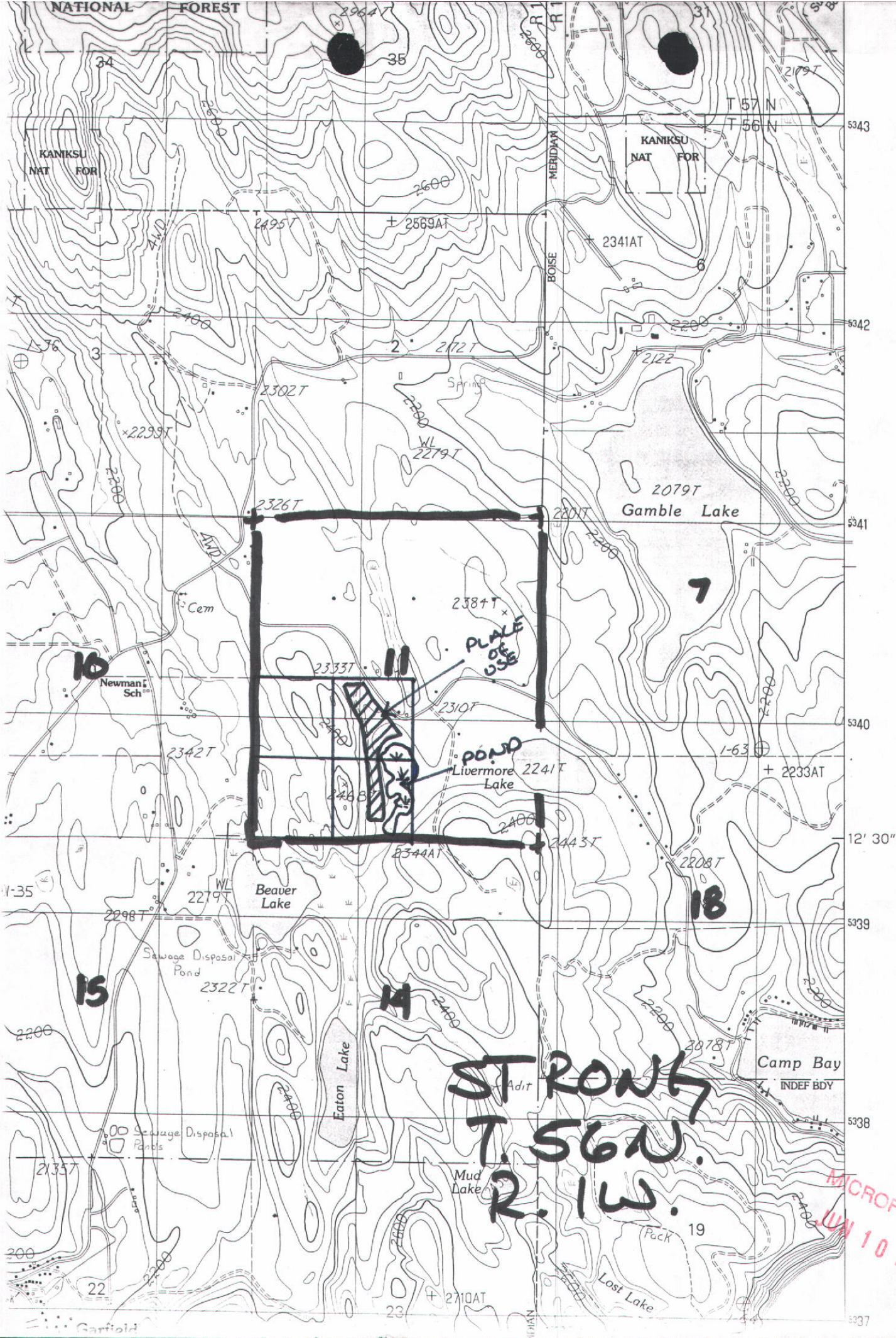
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

*George E. Strong*  
(Applicant)  
*Barbara A. Strong*  
1/24/96

RECORDED  
JUN 10 1997

T56N  
R1W  
A





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



Scale: 2 inches equal 1 mile.

JUN 10 1997

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.

*Edward E. Strong Jr.*  
*Dabara A. Strong*  
 (Applicant)

MICROFILMED  
JUN 10 1997

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. \_\_\_\_\_, and said application is hereby \_\_\_\_\_.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, 19\_\_\_\_.

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.

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.

e. Other: \_\_\_\_\_

# ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by \_\_\_\_\_ Date 6/30/95 Time 2:15

Fee \$ 5000

Received by \_\_\_\_\_ Date 6/30/95

Publication prepared by \_\_\_\_\_ Date 8/30

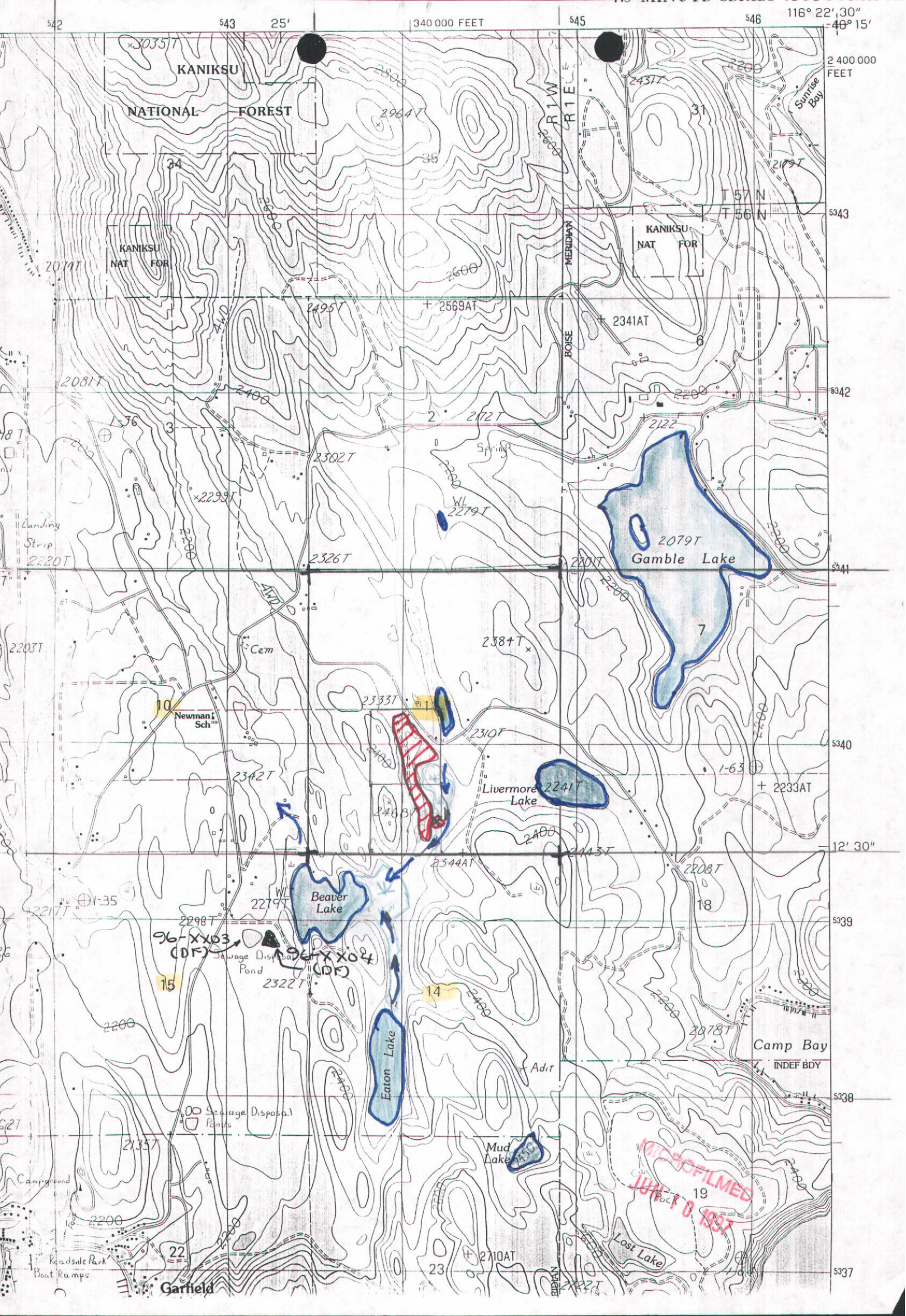
Published in \_\_\_\_\_ Date 10/5/95

Publication approved \_\_\_\_\_ Date 10/5/95

Preliminary check by \_\_\_\_\_ Date 6/30/95

# N009141

Benjamin & Paul Bu 9/7+14/95





AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pamela D. Roberts 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:

NOTICE OF AMENDMENT

as it was published in the regular and entire issue of the  
said paper for a period of 2 consecutive weeks,  
commencing on 4 day of April, 1996  
and ending on the 11 day of April, 1996  
and that said notice was published in said newspaper.

On this 11 day of April in the year  
of 1996, before me, a Notary Public, personally  
appeared Pamela D. Roberts,  
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.

Cawlyn L. Inge  
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 6/20/98

RECEIVED

APR 15 1996

NOTARY PUBLIC  
IDWR

NOTICE OF AMENDMENT  
NOTICE IS HEREBY GIVEN  
THAT APPLICATION FOR PERMIT  
NO. 96-08893 in the name of  
GEORGE AND BARBARA  
STRONG, 120 CAMP BAY ROAD,  
SAGLE, ID 83860, was amended.

The SOURCE was originally listed  
as UNNAMED CREEK, which is  
tributary of PEND OREILLE LAKE;  
whereas, amended the SOURCE  
reads UNNAMED STREAM,  
which is a tributary of BEAVER  
LAKE.

The USE was originally described  
as IRRIGATION (0.200 CFS), IRRI-  
GATION STORAGE (22.00 AF),  
IRRIGATION FROM STORAGE  
(22.00 AF), STOCKWATER STOR-  
AGE (0.20 AF) STOCKWATER  
FROM STORAGE (0.20 AF),  
WILDLIFE STORAGE (22.00 AF),  
FIRE PROTECTION STORAGE  
(22.00 AF), FIRE PROTECTION  
FROM STORAGE (22.00 AF) FOR A  
TOTAL DIVERSION OF 0.200 CFS;  
whereas, amended it reads IRRIGA-  
TION (0.1 CFS), IRRIGATION  
STORAGE (9.0 APA), IRRIGA-  
TION FROM STORAGE (9.0  
AFA), for a total diversion of 0.1  
CFS.

The POINT OF DIVERSION was  
originally described as the NESW  
and the SESW of SEC 11, T56N  
R01W, BONNER County; whereas,  
amended it reads SESW of SEC 11,  
T56 R01W, BONNER County.

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

Any protests against the approval  
of the above-referenced amendment  
must be filed with the applicant and  
with the Director, Dept. of Water  
Resources, 1910 Northwest Blvd.,  
Suite 210, Coeur d'Alene, Id. 83814,  
together with a protest fee of \$25.00  
on or before April 22, 1996.

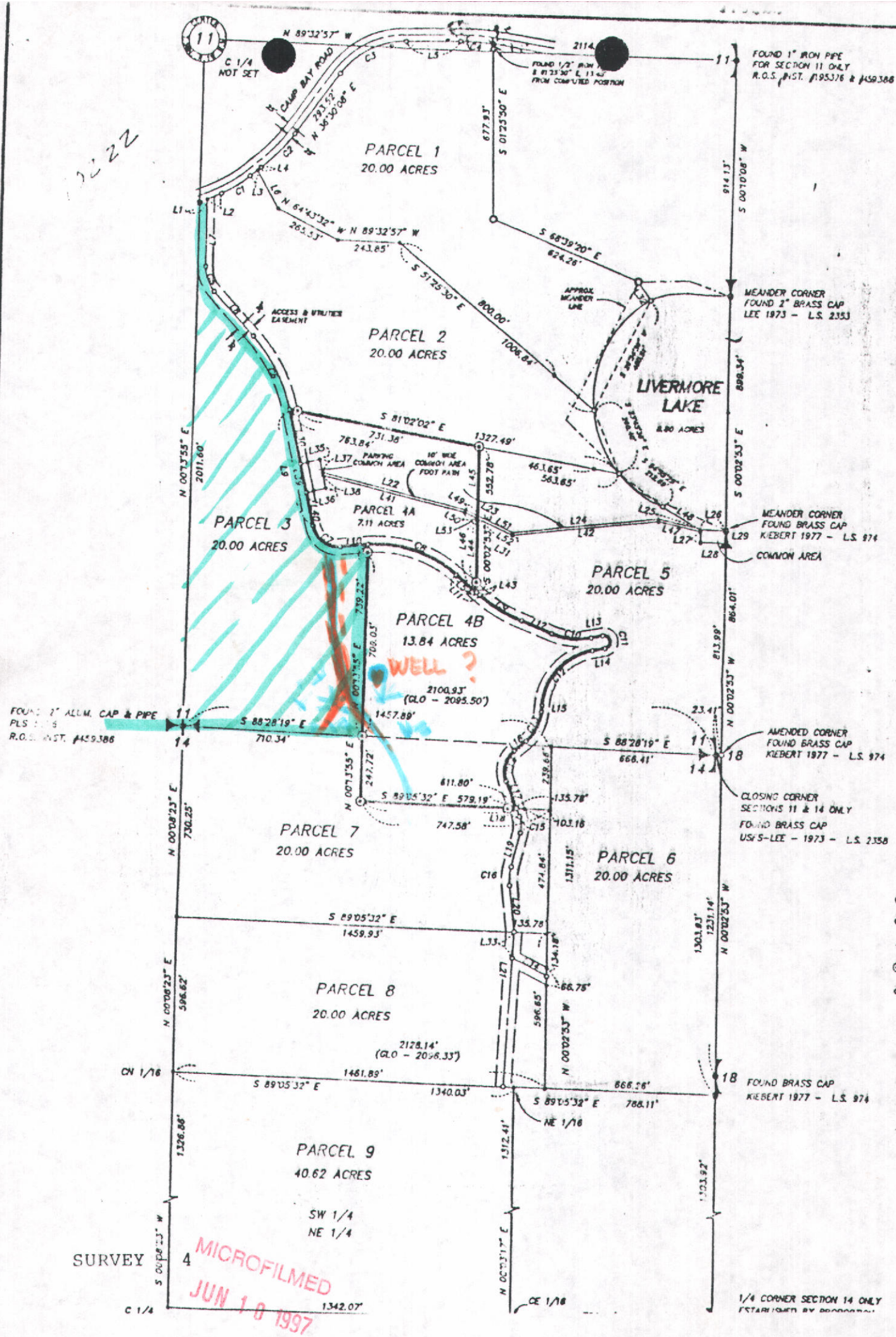
KARL J. DREHER, DIRECTOR  
SNP#7547 Apr 4, 11, 1996

\*ok  
per Bob  
Haynes

\*

MICROFILMED  
JUN 18 1997

7547



AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pamela D. Roberts 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:

NOTICE OF APPLICATION

FOR WATER RIGHT

as it was published in the regular and entire issue of the  
said paper for a period of 2 consecutive weeks,  
commencing on 7 day of September, 19 95  
and ending on the 14 day of September, 19 95  
and that said notice was published in said newspaper.

On this 14 day of September in the year  
of 1995, before me, a Notary Public, personally  
appeared Pamela D. Roberts,  
known or identified to me to be the person whose name  
subscribed to the within instrument, and being by me first  
duly sworn, declared that the statements therein are true,  
and acknowledged to me that he executed the same.

Carolyn L. Inge  
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 6/2000

NOTICE OF APPLICATION  
FOR WATER RIGHT

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

96-08893

STRONG, BARBARA ANNE  
STRONG, GEORGE  
120 CAMP BAY ROAD  
SAGLE, ID 83860  
Source: UNNAMED CREEK  
Tributary: PEND OREILLE LAKE  
Diversion Pt: NESW Sec 11 T 56N  
R 01W in BONNER County.  
SESW Sec 11 T 56N R 01W in  
BONNER County.  
Use: IRRIGATION (0.200 CFS) ✓  
IRRIGATION STORAGE (22.00 ✓  
AF)  
IRRIGATION FROM STORAGE  
(22.00 AF) ✓  
STOCKWATER STORAGE (0.20 ✓  
AF)  
STOCKWATER FROM STORAGE  
(0.20 AF) ✓  
WILDLIFE STORAGE (22.00 AF) ✓  
FIRE PROTECTION STORAGE  
(22.00 AF) ✓  
FIRE PROTECT. FROM STOR  
(22.00 AF) ✓  
Total Diversion: (0.200 CFS)  
Date Filed: 6/30/1995  
In: BONNER County  
T56N R01W S11 NESW SESW  
14.0 ACRES TOTAL

96-08896

TREITMAN, NEIL  
3701 FAIRBANKS AVE, #A1  
YAKIMA, WA 98902  
Source: PEND OREILLE RIVER  
Tributary: COLUMBIA RIVER  
Diversion Pt: LOT 3 (NESE) sec  
20 T 56N R 03W in BONNER  
County.  
Use: IRRIGATION (0.600 CFS)  
IRRIGATION STORAGE (56.20  
AF)  
IRRIGATION FROM STORAGE  
(56.20 AF)  
STOCKWATER (0.020 CFS)  
STOCKWATER STORAGE (56.20  
AF)  
STOCKWATER FROM STORAGE  
(56.20 AF)  
DIVERSION TO STORAGE (0.400  
CFS)  
Total Diversion: (0.600 CFS)  
Date Filed: 8/23/1995  
In: BONNER County  
T56N R03W S20 Lot 3 (NESE)  
NWSE  
30.0 ACRES TOTAL

96-08897

MC CORMICK, DONALD L  
4900 SHINGLE MILL ROAD  
SANDPOINT, ID 83864  
Source: BOYER SLOUGH  
Tributary: PEND OREILLE LAKE  
Diversion Pt: SWNE Sec 6 T 57N  
R 01W in BONNER County.  
Use: IRRIGATION (0.500 CFS)  
Total Diversion: (0.500 CFS)  
Date Filed: 7/31/1995  
In: BONNER County  
T57N R01W S06 SWNE  
23.0 ACRES TOTAL

96-08898

JAMIESON, KENNETH R  
P O BOX 812  
SANDPOINT, ID 83864  
Source: TURNIPSEED CREEK  
Tributary: SYRINGA CREEK  
Diversion Pt: NENW Sec 18 T 57N  
R 02W in BONNER County.  
Use: IRRIGATION (0.010 CFS)  
Total Diversion: (0.010 CFS)  
Date Filed: 7/14/1995  
In: BONNER County  
T57N R02W S18 NENW  
0.5 ACRES TOTAL

96-08899

SCHWARTZ, STANLEY M  
2704 S MANITO BLVD  
SPOKANE, WA 99203  
Source: PEND OREILLE RIVER

Tributary: COLUMBIA RIVER  
Diversion Pt: SESW Sec 9 T 56N R  
03W in BONNER County.  
Use: DOMESTIC (0.040 CFS)  
Total Diversion: (0.040 CFS)  
Date Filed: 8/23/1995  
In: BONNER County  
T56N R03W S09 SESW  
97-07366  
PARVIN, THEODORE R  
HC01 BOX 54  
NORDMAN, ID 83848  
Source: SPRING Tributary:  
SINKS  
Diversion Pt: NWSE Sec 17 T 61N  
R 04W in BONNER County.  
Use: WILDLIFE STORAGE (0.50  
AF)  
FIRE PROTECTION STORAGE  
(0.50 AF)  
AESTHETIC STORAGE (0.50 AF)  
DIVERSION TO STORAGE (0.200  
CFS)  
Total Diversion: (0.200 CFS) 0.50  
AF  
Date Filed: 5/10/1995  
In: BONNER County  
T61N R04W S17 NWSE  
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 SEPTEM-  
BER 25, 1995.  
KARL J. DREHER, Director  
SNP#7158 Sep 7, 14, 1995

RECEIVED

OCT 04 1995

NORTHERN REGION  
IDWR

MICROFILMED  
JUN 10 1997

State of Idaho  
Department of Water Resources  
**Water Right License**

**WATER RIGHT NO. 96-08893**

Priority: July 25, 1995

Maximum Diversion Rate:

0.10 CFS

Maximum Diversion Volume:

9.0 AF

This is to certify, that BARBARA ANNE STRONG  
GEORGE STRONG

834 CAMP BAY RD  
SAGLE ID 83860

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 30, 1995; and has submitted Proof of Beneficial Use on December 20, 1999. An examination indicates that the works have a diversion capacity of 0.100 cfs of water from:

**UNNAMED STREAM**

tributary to **BEAVER LAKE**

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

| <u>BENEFICIAL USE</u>   | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-------------------------|----------------------|--------------------------|----------------------|
| IRRIGATION              | 04/01 to 06/01       | 0.10 CFS                 | 9.0 AF               |
| IRRIGATION STORAGE      | 01/01 to 12/31       |                          | 2.8 AF               |
| IRRIGATION FROM STORAGE | 04/01 to 10/31       |                          | 2.8 AF               |
| DIVERSION TO STORAGE    | 01/01 to 06/01       | 0.10 CFS                 |                      |
|                         | Totals               | 0.10 CFS                 | 9.0 AF               |

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 11, Township 56N, Range 01W  
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        | 01W        | 11         | NESW 10      | SESW 4       |              | 14           |

Total number of acres irrigated: 14

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

**CONDITIONS OF APPROVAL AND REMARKS**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder is not authorized to divert water when the diversion will dewater the source thus preventing flow from passing the diversion and flowing toward Beaver Lake.
3. This right authorizes an annual volume of water to fill the storage facility with 2.8 AF and the amount required to replace losses through evaporation and reasonable seepage, as determined by department, between January 1 and June 1 each year.

**MICROFILMED**

JAN 31 2001

State of Idaho  
Department of Water Resources

# Water Right License

WATER RIGHT NO. 96-08893

CONDITIONS OF APPROVAL AND REMARKS

4. The right holder is authorized to divert water from the storage pond to the irrigation use, but is not authorized to divert water directly from the source to the irrigation use.
5. The right holder shall install a suitable measuring device or shall otherwise determine the amount of water diverted and shall report the information to the department each year.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 2<sup>ND</sup> day of

MARCH, 2000.

Acting for   
KARL J. DREHER, Director

MICROFILMED

JAN 31 2001

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. )  
96-08893 IN THE NAME OF )  
GEORGE STRONG & BARBARA )  
ANN STRONG )  
\_\_\_\_\_ )

**ORDER OF  
REINSTATEMENT**

WHEREAS, the Department approved a Request for Extension of Time on December 11, 1998, extending the Proof Due date for Permit 96-08893 to December 1, 1999; and,

WHEREAS, the Department notified the permit holder on September 30, 1999, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

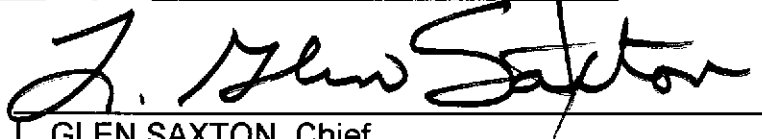
WHEREAS, on December 2, 1999, the permit lapsed, since the permit holder had not submitted an acceptable proof of beneficial use; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on December 20, 1999;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-08464 is **REINSTATED** with an advance in priority to July 25, 1995.

DATED this 12<sup>th</sup> day of January, 2000.



L. GLEN SAXTON, Chief  
Water Allocation Bureau

**MICROFILMED**

JAN 31 2000

RECEIVED

DEC 20 1999

Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY

Amt. of Fee \$:

Receipt No.:

Receipt By:

Date Received:

## 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. 96-08893 Telephone No. 208-263-7960
2. Name(s) of Permit Holder(s): George & Barbara Strong
3. Mailing Address: 834 Camp Bay Rd., Sagie Id. 83860
4. Source of Water: unrained Stream If GROUNDWATER (well), Date Drilled: mo. \_\_\_\_\_ / yr. \_\_\_\_\_

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

b. **OPTIONAL:**

Pump Horsepower: \_\_\_\_\_ Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft): \_\_\_\_\_

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

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

Irrigation (No. of acres): 14 Other: \_\_\_\_\_

6. Total rate of diversion and/or volume for which proof is submitted: .10 cfs OR \_\_\_\_\_ acre feet

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

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

**Measuring Device:** Is a measuring device required?

Yes \_\_\_\_\_ or No X

Has the measuring device been installed?

Yes \_\_\_\_\_ or No \_\_\_\_\_

**Flow Measurement Port:** Is a flow measurement port required?

Yes \_\_\_\_\_ or No X

Has the measurement port been installed?

Yes \_\_\_\_\_ or No \_\_\_\_\_

8. Fee Enclosed: \$ NA (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.

Mr. RANDALL BUCK

(208) 263-4614

Name: Mr. Louis VERMEER

Telephone Number: (208) 263-2359

9220 LOWER PACE RIVER RD SANDPOINT, ID 83864

Address: 102 S. 4TH ST. SANDPOINT, ID 83864

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder:

George E Strong  
Barbara A Strong

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

MICROFILMED

Date:

12-17-99

12-17-99

JAN 31 2001

RECEIVED

DEC 07 1998

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

REQUEST FOR EXTENSION OF TIME  
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF  
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 96-0883

Name(s) of Permit Holder: George and Barbara Anne Strong

Mailing Address: \* 834 Camp Bay Road, Sagle, Id. 83861

Date Proof is Due: 12/1/98 mailed on 12/1/98 Telephone No. 208-263-7960

Describe what work has been completed toward the development of this water right:  
(This must be filled out! If no work has been completed, show "none".)

See Attached

Costing \$ See Attached

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

See Attached

Permit holder(s) request an extension to 6-1-, 19 99.

FEE: \$50.00

\* Note:

Address Change

George Strong  
(Signature)\*

\*If other than permit holder, Power of Attorney must be supplied.

MICROFILMED  
Rusk  
FEB 11 1999

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to December 1, 1999.  
IT IS FURTHER ORDERED that the permit be REINSTATED and the date of priority is advanced to July 6, 1995

Signed this 11<sup>th</sup> day of December, 1998

J. Glen Saylor  
Chief, Water Allocation Bureau

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**  
NO. 96-08893

Proposed Priority: June 30, 1995

Maximum Diversion Rate:

0.10 CFS

This is to certify, that **BARBARA ANNE STRONG**  
**GEORGE STRONG**  
120 CAMP BAY RD  
SAGLE ID 83860

has applied for a permit to appropriate water from:  
**UNNAMED STREAM** tributary of **BEAVER LAKE**

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

| <u>BENEFICIAL USE</u>   | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-------------------------|----------------------|--------------------------|----------------------|
| IRRIGATION              | 03/15 to 11/15       | 0.10 CFS                 |                      |
| IRRIGATION STORAGE      | 01/01 to 06/01       |                          | 9.0 AF               |
| IRRIGATION FROM STORAGE | 03/15 to 11/15       |                          | 9.0 AF               |
| DIVERSION TO STORAGE    | 01/01 to 06/01       | 0.10 CFS                 |                      |
|                         | Totals               | 0.10 CFS                 |                      |

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 11, Township 56N, Range 01W  
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        | 01W        | 11         | NESW 10.0    | SESW 4.0     |              | 14.0         |

Total number of acres irrigated: 14.0

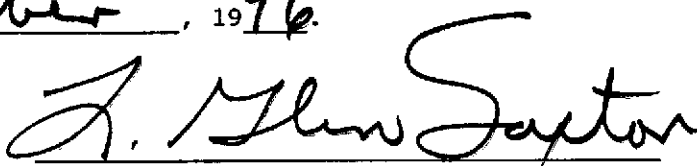
PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. See Final Order for conditions and limitations for use of water under this approval.

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

26<sup>th</sup> day of November, 1996.

  
for Karl J. Dreher, Director

RECORDED  
JUN 10 1997

**BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR )  
PERMIT NO. 96-08893 IN THE NAME OF )  
GEORGE STRONG AND BARBARA ANN )  
STRONG )  
\_\_\_\_\_ )

**FINAL ORDER**

On September 27, 1996, the hearing officer for the Idaho Department of Water Resources (department) issued a Recommended Order in connection with the above captioned matter. None of the parties filed a petition for reconsideration, a brief or exceptions in connection with the Recommended Order. Based upon his understanding of the law and the facts in this matter, the Director makes the following Findings of Fact, Conclusions of Law and Final Order:

**FINDINGS OF FACT**

1. On June 30, 1995, George Strong and Barbara Anne Strong (applicants) submitted Application for Permit No. 96-08893 (application) to the department seeking the appropriation of water from an Unnamed Creek tributary to Lake Pend Oreille and to store water for the irrigation of 14 acres, fire protection, wildlife and stockwater purposes within an inactive beaver pond. The proposed points of diversion are within SE1/4SW1/4 and NE1/4SW1/4 Section 11, T56N, R1W, B.M.

2. On February 6, 1996, the applicants submitted an amended application proposing the appropriation of 0.1 cubic feet per second (cfs) of water from an Unnamed Stream (source) tributary to Beaver Lake and to store 9 acre-feet (AF) of water for irrigation purposes in a newly excavated storage pond rather than in a beaver pond. The applicants propose to pump water to the storage pond between January 1 to June 1 of each year and to irrigate 14 acres of land by diverting from the pond between March 15 and November 15. The proposed point of diversion is located within the SE1/4SW1/4 Section 11, T56N, R1W, B.M.

3. The department published notice of the application and the amended application which were subsequently protested by Dale and Scott Engstrom (protestants).

4. On September 19, 1996, the department conducted a hearing in the matter in Coeur d'Alene, Idaho. The applicants were present and represented themselves. The protestants were present and represented themselves.

MICROFILMED  
JUN 10 1997

5. Issues identified by the protestant include the following:

- a. The application will reduce the quantity of water under existing water rights.
- b. The water supply itself is insufficient for the purposes intended.
- c. The application is not made in good faith but for delay or speculative purposes.
- d. The application conflicts with the local public interest.
- e. The application is contrary to the conservation of water resources within Idaho.

6. Exhibits offered and accepted as a part of the record include the following:

- a. Applicant's Exhibit No. 1 - Letter dated April 18, 1996 to George and Barbara Strong from John Monks.
- b. Applicant's Exhibit No. 2 - Letter dated August 14, 1996 from Merrill Lynch.
- c. Applicant's Exhibit No. 3 - Soil Audit Report for George E. Strong dated July 1994.
- d. Applicant's Exhibit No. 4 - Letter dated November 29, 1995 to Barbara Strong from Bradley King together with three (3) pages of seasonal water use values.
- e. Applicant's Exhibit No. 5 - Vita for Wade E. Hathhorn, Ph.D.
- f. Protestant's Exhibit A - Memorandum dated October 28, 1993 to Paul Hanna from Pat Cole.
- g. Protestant's Exhibit B - Letter dated August 24, 1993 to Scott & Dale Engstrom from John Stoll together with a Stewardship Management Plan.

7. The applicant intends to use a 2.5 horsepower pump to divert water from the source to an excavated pond located approximately 200 feet from the source. The pond elevation will be about 15 feet higher than the source of the water. The applicant's expressed intent is to fill the pond during spring runoff and then to only pump from the pond during the irrigation season with the total annual diversion not to exceed 9.0 AF per year.

8. The Unnamed Stream from which the appropriation is sought is sometimes called Beaver Slough and is one of three water sources within a larger area described as the Beaver-Eaton Lakes Wetland Complex (complex). Eaton Lake and Beaver Slough flow into Beaver Lake during periods of spring run-off. The level of Beaver Lake is

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maintained by a series of beaver dams located in the northwest corner of the area.

9. The total rate of water discharge from the 900 acre wetlands complex was measured in January 1996 to be about 1.0 cfs. Of the 900 acres, about 38 acres drain to the applicant's proposed point of diversion. The total annual basin yield is estimated to be about 825 AF.

10. The applicants have tested the soil on the applicant's property and have reviewed consumptive irrigation requirements for the area.

11. The protestant's main concern was that diversion of water by the applicant would be detrimental to abundant wildlife in and around the complex. In this regard, in 1991, the protestant and others sought to have the Idaho Water Resource Board establish a minimum lake level on Beaver Lake pursuant to provision of Chapter 15, Title 42, Idaho Code. The minimum stream flow application was not approved by the Department of Water Resources.

12. Water right License No. 96-08345 is appurtenant to the property of the protestants and is represented as follows:

|                |                                        |
|----------------|----------------------------------------|
| Ident. No.:    | 96-08345                               |
| Priority:      | June 30, 1983                          |
| Source:        | Beaver Lake                            |
| Rate of div:   | 0.02 cfs                               |
| Volume:        | 3.0 AFA                                |
| Use:           | Irrigation of 1 acre                   |
| Season of use: | March 15 to November 15                |
| Pt. of div:    | SW1/4NW1/4 Section 14, T56N, R1W, B.M. |
| Place of use:  | SW1/4NW1/4 Section 14, T56N, R1W, B.M. |

13. The amount of water sought for appropriation is approximately one (1) per cent of the total annual basin yield and will be used within the basin rather than being diverted for use outside the basin.

14. The applicant plans to proceed with the development of a nursery upon approval of the application.

15. The intended use of water is consistent with other existing uses of water within the area.

#### CONCLUSIONS OF LAW

1. Section 42-203A, Idaho Code, provides in pertinent part as follows:

In all applications whether protested or not protested where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the director that such

application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people in the area directly affected by the proposed use, or (f) that it is contrary to conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor... .

2. The applicant's proposed diversion of 9.0 AF of water during spring run-off from the basin's annual yield of 825 AF will not significantly affect the wildlife or other values of the complex area.

3. The application will not reduce the quantity of water under existing water rights.

4. The water supply itself is sufficient for the purposes intended.

5. The application is made in good faith and not for delay or speculative purposes.

6. The applicant has sufficient financial resources with which to complete the project.

7. The application does not conflict with the local public interest.

8. The application is not contrary to the conservation of water resources within Idaho.

9. The department should issue a permit with certain conditions and limitations.

#### **ORDER**

IT IS THEREFORE, hereby ORDERED that Permit No. 96-08893 in the name of George Strong and Barbara Anne Strong is **APPROVED** subject to the following conditions and limitations:

1. Proof of construction of works and application of water to beneficial use shall be submitted to the department on or before **December 1, 1998**.

2. Use of water under the right is subject to all prior water rights.

3. The maximum rate of diversion from the source to the storage pond shall not exceed 0.1 cfs and the authorized period to divert water to storage shall be between January 1 and June 1 of each year. The permit holder is not authorized, however, to divert water to storage when the diversion will dewater the source thus

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preventing flow from passing the diversion and flowing toward Beaver Lake.

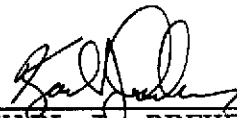
4. The maximum annual volume authorized for storage and irrigation use under this approval shall not exceed 9.0 AF.

5. This right authorizes an annual volume of water to fill the storage facility with 9.0 AF of water and the amount of water required to replace losses through evaporation and reasonable seepage, as determined by the department, between January 1 and June 1 each year.

6. The right holder is authorized to divert water from the storage pond for the irrigation use, but is not authorized to divert water directly from the source for the irrigation use.

7. The right holder shall install a suitable measuring device or shall otherwise determine the amount of water diverted and shall annually report the information to the department.

Signed this 26<sup>th</sup> day of November, 1996.

  
\_\_\_\_\_  
KARL J. DREHER  
Director

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 29<sup>th</sup> day of November, 1996,  
I mailed a true and correct copy, postage prepaid, of the foregoing  
**FINAL ORDER** to the following:

George & Barbara Strong  
834 Camp Bay Rd.  
Sagle, ID 83860

Dale & Scott Engstrom  
7148 Garfield Cutoff  
Sagle, ID 83860

  
JULIE L. YARBROUGH  
Senior Secretary

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JUN 13 1997

**BEFORE THE DEPARTMENT OF WATER RESOURCES**  
**OF THE**  
**STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR )  
PERMIT NO. 96-08893 IN THE NAME OF)  
GEORGE STRONG AND BARBARA ANN )  
STRONG )  
\_\_\_\_\_ )

**RECOMMENDED ORDER**

This matter having come before the Idaho Department of Water Resources (department) in the form of a protested application for permit, the department having held a conference and a hearing in the matter, the department recommends the following Findings of Fact, Conclusions of Law and Order:

**FINDINGS OF FACT**

1. On June 30, 1995, George Strong and Barbara Anne Strong (applicants) submitted Application for Permit No. 96-08893 (application) to the department seeking the appropriation of water from an Unnamed Creek tributary to Lake Pend Oreille and to store water for the irrigation of 14 acres, fire protection, wildlife and stockwater purposes within an inactive beaver pond. The proposed points of diversion are within SE1/4SW1/4 and NE1/4SW1/4 Section 11, T56N, R1W, B.M.

2. On February 6, 1996, the applicants submitted an amended application proposing the appropriation of 0.1 cubic feet per second (cfs) of water from an Unnamed Stream (source) tributary to Beaver Lake and to store 9 acre-feet (AF) of water for irrigation purposes in a newly excavated storage pond rather than in a beaver pond. The applicants propose to pump water to the storage pond between January 1 to June 1 of each year and to irrigate 14 acres of land by diverting from the pond between March 15 and November 15. The proposed point of diversion is located within the SE1/4SW1/4 Section 11, T56N, R1W, B.M.

3. The department published notice of the application and the amended application which were subsequently protested by Dale and Scott Engstrom (protestants).

4. On September 19, 1996, the department conducted a hearing in the matter in Coeur d'Alene, Idaho. The applicants were present and represented themselves. The protestants were present and represented themselves.

5. Issues identified by the protestant include the following:

a. The application will reduce the quantity of water under existing water rights.

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- b. The water supply itself is insufficient for the purposes intended.
  - c. The application is not made in good faith but for delay or speculative purposes.
  - d. The application conflicts with the local public interest.
  - e. The application is contrary to the conservation of water resources within Idaho.
6. Exhibits offered and accepted as a part of the record include the following:
- a. Applicant's Exhibit No. 1 - Letter dated April 18, 1996 to George and Barbara Strong from John Monks.
  - b. Applicant's Exhibit No. 2 - Letter dated August 14, 1996 from Merrill Lynch.
  - c. Applicant's Exhibit No. 3 - Soil Audit Report for George E. Strong dated July 1994.
  - d. Applicant's Exhibit No. 4 - Letter dated November 29, 1995 to Barbara Strong from Bradley King together with three (3) pages of seasonal water use values.
  - e. Applicant's Exhibit No. 5 - Vita for Wade E. Hathhorn, Ph.D.
  - f. Protestant's Exhibit A - Memorandum dated October 28, 1993 to Paul Hanna from Pat Cole.
  - g. Protestant's Exhibit B - Letter dated August 24, 1993 to Scott & Dale Engstrom from John Stoll together with a Stewardship Management Plan.
7. The applicant intends to use a 2.5 horsepower pump to divert water from the source to an excavated pond located approximately 200 feet from the source. The pond elevation will be about 15 feet higher than the source of the water. The applicant's expressed intent is to fill the pond during spring runoff and then to only pump from the pond during the irrigation season with the total annual diversion not to exceed 9.0 AF per year.
8. The Unnamed Stream from which the appropriation is sought is sometimes called Beaver Slough and is one of three water sources within a larger area described as the Beaver-Eaton Lakes Wetland Complex (complex). Eaton Lake and Beaver Slough flow into Beaver Lake during periods of spring run-off. The level of Beaver Lake is maintained by a series of beaver dams located in the northwest corner of the area.
9. The total rate of water discharge from the 900 acre wetlands complex was measured in January 1996 to be about 1.0 cfs. Of the 900 acres, about 38 acres drain to the applicant's proposed

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point of diversion. The total annual basin yield is estimated to be about 825 AF.

10. The applicants have tested the soil on the applicant's property and have reviewed consumptive irrigation requirements for the area.

11. The protestant's main concern was that diversion of water by the applicant would be detrimental to abundant wildlife in and around the complex. In this regard, in 1991, the protestant and others sought to have the Idaho Water Resource Board establish a minimum lake level on Beaver Lake pursuant to provision of Chapter 15, Title 42, Idaho Code. The minimum stream flow application was not approved by the Department of Water Resources.

12. Water right License No. 96-08345 is appurtenant to the property of the protestants and is represented as follows:

|                |                                        |
|----------------|----------------------------------------|
| Ident. No.:    | 96-08345                               |
| Priority:      | June 30, 1983                          |
| Source:        | Beaver Lake                            |
| Rate of div:   | 0.02 cfs                               |
| Volume:        | 3.0 AFA                                |
| Use:           | Irrigation of 1 acre                   |
| Season of use: | March 15 to November 15                |
| Pt. of div:    | SW1/4NW1/4 Section 14, T56N, R1W, B.M. |
| Place of use:  | SW1/4NW1/4 Section 14, T56N, R1W, B.M. |

13. The amount of water sought for appropriation is approximately one (1) per cent of the total annual basin yield and will be used within the basin rather than being diverted for use outside the basin.

14. The applicant plans to proceed with the development of a nursery upon approval of the application.

15. The intended use of water is consistent with other existing uses of water within the area.

#### **CONCLUSIONS OF LAW**

1. Section 42-203A, Idaho Code, provides in pertinent part as follows:

In all applications whether protested or not protested where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the director that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people in the

area directly affected by the proposed use, or (f) that it is contrary to conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor... .

2. The applicant's proposed diversion of 9.0 AF of water during spring run-off from the basin's annual yield of 825 AF will not significantly affect the wildlife or other values of the complex area.

3. The application will not reduce the quantity of water under existing water rights.

4. The water supply itself is sufficient for the purposes intended.

5. The application is made in good faith and not for delay or speculative purposes.

6. The applicant has sufficient financial resources with which to complete the project.

7. The application does not conflict with the local public interest.

8. The application is not contrary to the conservation of water resources within Idaho.

9. The department should issue a permit with certain conditions and limitations.

#### **ORDER**

IT IS THEREFORE, hereby ORDERED that Permit No. 96-08893 in the name of George Strong and Barbara Anne Strong is **APPROVED** subject to the following conditions and limitations:

1. Proof of construction of works and application of water to beneficial use shall be submitted to the department on or before the date shown in the final order of the department.

2. Use of water under the right is subject to all prior water rights.

3. The maximum rate of diversion from the source to the storage pond shall not exceed 0.1 cfs and the authorized period to divert water to storage shall be between January 1 and June 1 of each year. The permit holder is not authorized, however, to divert water to storage when the diversion will dewater the source thus preventing flow from passing the diversion and flowing toward Beaver Lake.

4. The maximum annual volume authorized for storage and irrigation use under this approval shall not exceed 9.0 AF.

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JUN 10 1997

5. This right authorizes an annual volume of water to fill the storage facility with 9.0 AF of water and the amount of water required to replace losses through evaporation and reasonable seepage, as determined by the department, between January 1 and June 1 each year.

6. The right holder is authorized to divert water from the storage pond for the irrigation use, but is not authorized to divert water directly from the source for the irrigation use.

7. The right holder shall install a suitable measuring device or shall otherwise determine the amount of water diverted and shall annually report the information to the department.

Signed this 27<sup>th</sup> day of September, 1996.



L. GLEN SAXTON  
Hearing Officer

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JUN 19 1997

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that on this 27<sup>th</sup> day of September, 1996,  
I mailed a true and correct copy, postage prepaid, of the foregoing  
**RECOMMENDED ORDER** to the following:

George & Barbara Strong  
834 Camp Bay Rd.  
Sagle, ID 83860

Dale & Scott Engstrom  
7148 Garfield Cutoff  
Sagle, ID 83860

  
JULIE L. YARBROUGH  
Senior Secretary

RECORDED  
JUN 18 2007

**AMENDED**  
**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR PERMIT**

Ident. No. 96 - 8893

To appropriate the public waters of the State of Idaho

1. Name of applicant George and Barbara Strong Phone 208 - 263 - 7960  
Post office address 120 Camp Bay Road, Sagle, Idaho 83860
2. Source of water supply unnamed ~~creek~~ <sup>STREAM</sup> ~~swamp~~ which is a tributary of Beaver Lake
3. Location of point of diversion is SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 11 Township 56 North  
Range 1 West B.M. Bonner County, additional points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 9.0 AFA for Storage/Irr purposes from 3/15 to 6/1 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 9.0 AFA for Irr. from Storage purposes from 3/15 to 11/15 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 0.1 CFS for Irrigation purposes from 3/15 to 11/15 (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:  
a. 0.1 cubic feet per second and/or b. 9.0 acre-feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. A manmade conveyance shall be used to fill a new pond. The pond shall be excavated outside the existing wetland area and shall be lined to hold water. The hydraulic height shall be less than 10 feet. Water shall be pumped to the irrigated land. A headgate shall return overflow to the natural creek/swamp.  
b. Height of storage dam < 10 feet, active reservoir capacity 9.0 acre-feet; total reservoir capacity 11.0 acre-feet, materials used in storage dam: compacted earthen fill, geotextile and cement  
Period of year when water will be diverted to storage 3/15 to 6/1 inclusive.  
(Month/Day) (Month/Day)  
c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years (minimum 1 year - maximum 5 years).
8. Description of proposed uses:  
a. If water is not for irrigation:  
(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M.  
(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_  
(5) If water is to be used for other purposes describe: Emergency Firefighting

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

| TWP   | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS   |
|-------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----------|
|       |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |          |
| 56 N. | R 1W  | 11   |     |     |     |     |     |     |     |     | 10  |     |     | 4   |     |     |     |     | 14 acres |
|       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |
|       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |
|       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |
|       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |
|       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |
|       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |
|       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |
|       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |
|       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |

Total number of acres to be irrigated 14 acres

c. Describe any other water rights used for the same purposes as described above. \_\_\_\_\_

9. a. Who owns the property at the point of diversion: George and Barbara Strong

b. Who owns the land to be irrigated or place of use: George and Barbara Strong

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

10. Remarks \_\_\_\_\_

RECORDED

JUN 10 1937

# George and Barbara Strong

## Section 11, T56N, R1W

▲ North Not to Scale

Center  
Section 11

Irrigated  
Area

Fluctuating  
Shoreline of  
Existing Surface  
Water

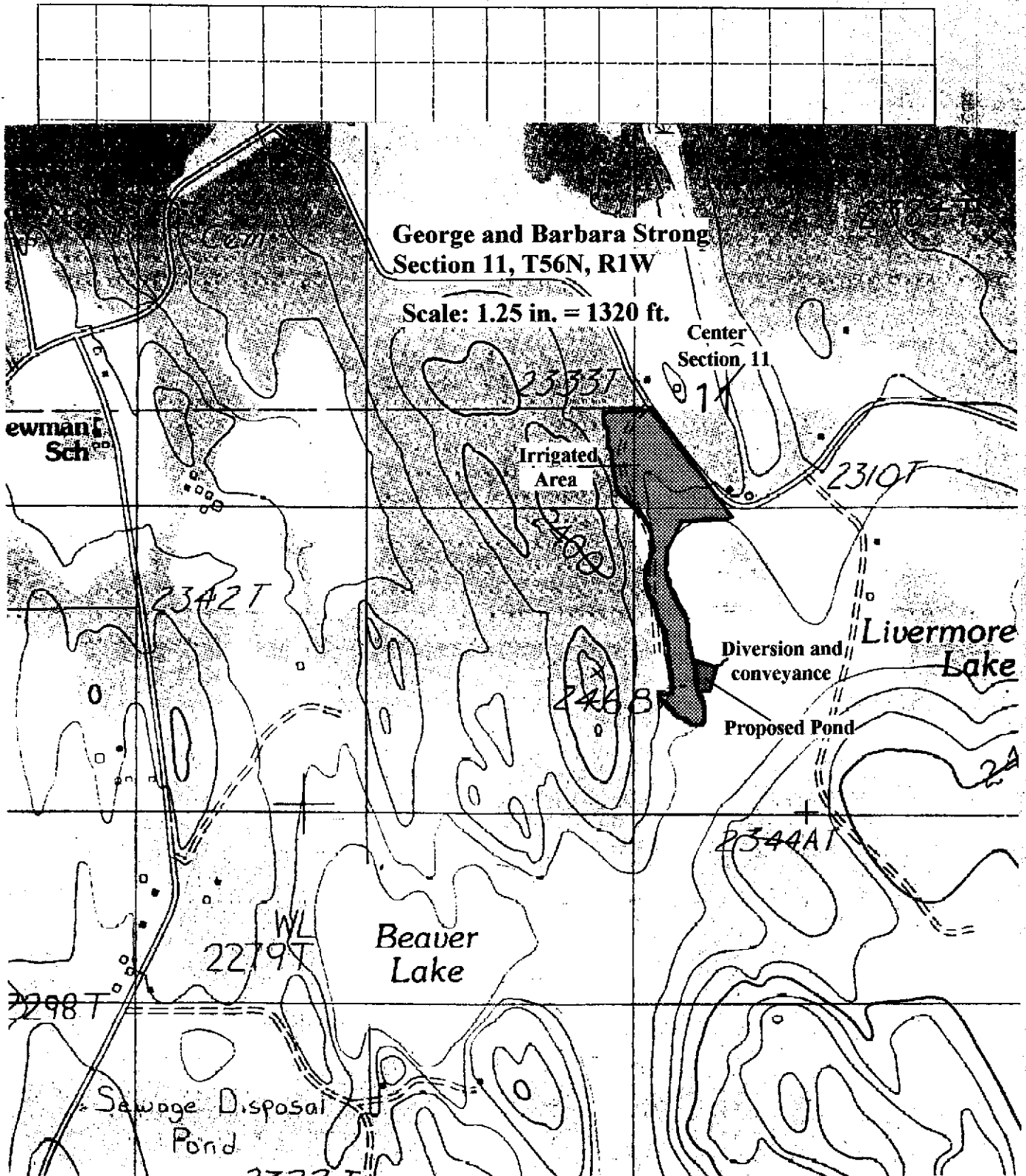
Diversion and  
Conveyance

Proposed Pond

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JUN 19 1997

11. Map of proposed project showing clearly the proposed point of diversion, of use, section number, township and range number.



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.

*George E Strong*  
Applicant  
*Barbara A Strong*  
1124/96

JUN 10 1997

Received

Date 2/6/96 Time 3:00

Preliminary check by

Fee \$50.00

Received by

Date

2/13/96

Rec # N9888

Publication prepared by

Date

3/26/96

Published in

Bonner County Daily Bee

Publication dates

4/4 + 11/96

Publication approved

Date

4/16/96

Protests filed by:

Engstrom's - continuation of previous protest

Copies of protests forwarded by

db/B 3/22/96

Hearing held by

Date

Recommended for

approval

denial

by

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. \_\_\_\_\_, and said application is hereby \_\_\_\_\_.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, 19 \_\_\_\_.
- 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.
- d. Other:

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant George Strong & Barbara Anne strong Phone 208-263-7960  
Post office address 120 Camp Bay Rd. sagele, ID 83860
2. Source of water supply unnamed creek which is a tributary of Lake Pend Oreille
3. Location of point of diversion is \_\_\_\_\_ 1/4 of SE 1/4 of SW 1/4, Govt. Lot \_\_\_\_\_  
Sec. 11 Township 56N Range 1W B.M. Bonner County; additional  
points of diversion if any: T.56N, R.1W, SEC. 11 NE SW
4. Water will be used for the following purposes:
- |                                                                                                                  |                                                            |             |              |
|------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|-------------|--------------|
| Amount <u>0.2</u> cfs for <u>irrigation</u> purposes from <u>3/15</u> to <u>11/15</u> (both dates inclusive)     | <u>22 afa</u> <u>03</u> <u>IRR FROM STORAGE</u>            | <u>3/15</u> | <u>11/15</u> |
| Amount <u>22 afa</u> for <u>fire protection</u> purposes from <u>3/15</u> to <u>12/31</u> (both dates inclusive) | <u>22 afa</u> <u>02</u> <u>STORAGE FOR IRR.</u>            | <u>3/15</u> | <u>11/15</u> |
| Amount <u>22 afa</u> for <u>wildlife</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive)         | <u>22 afa</u> <u>05</u> <u>STORAGE FOR FIRE PROTECTION</u> | <u>1/1</u>  | <u>12/31</u> |
| Amount <u>0.20 afa</u> for <u>stockwater</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive)     | <u>22 afa</u> <u>07</u> <u>STORAGE FOR STOCKWATER</u>      | <u>1/1</u>  | <u>12/31</u> |
5. Total quantity to be appropriated is (a) 0.2 cubic feet per second and/or (b) 22.0 acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. An earthen dam with culvert and headgate will be constructed at the outlet of the pond to replace an inactive beaver dam. A pump will be placed in the pond for fire protection, irrigation and stockwatering.
- b. Height of storage dam 2 feet; active reservoir capacity 22 acre-feet; total reservoir capacity 22 acre-feet; period of year when water will be diverted to storage: 1/1 to 12/31 inclusive.
- c. Proposed well diameter is 6 inches; proposed depth of well is 190 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? no
- e. If well is already drilled, when? May 1990, Drilling firm Bronson water Well;  
Well was drilled for (well owner) george Strong & Barbara Anne Strong
7. Time required for the completion of the works and application of the water to be proposed beneficial use is 5 years (minimum 1 year).

JUN 10 1997

**Abstract**

applicant to make this filing.

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

14

[illegible]

ponding place of use below. See instructions for standard symbols.

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

9. Description of place of use:

e. Other, describe fully. Maintain water levels for wildlife habitat, store water for fire protection.

d. Domestic; show number of households.

c. Municipal; show name of municipality.

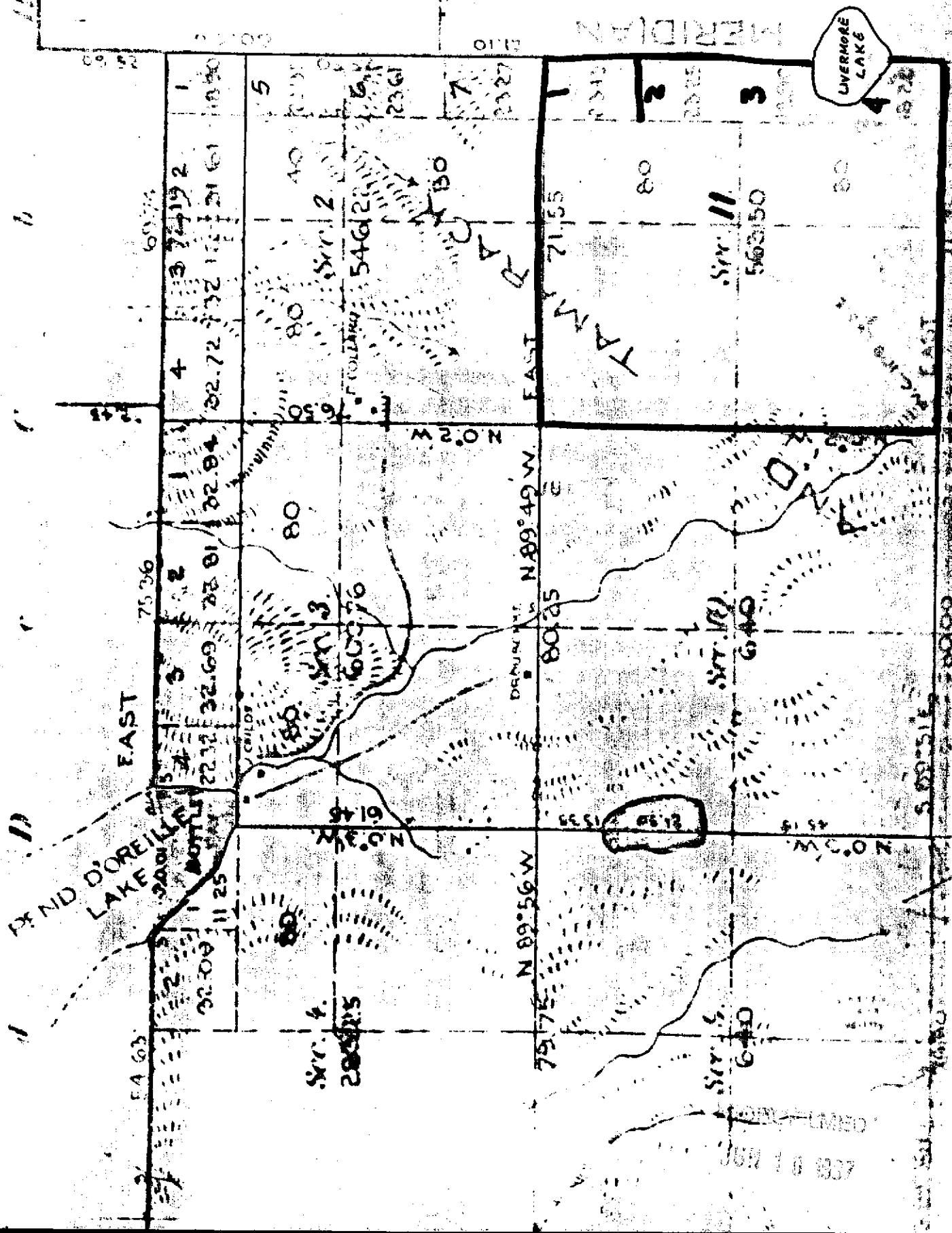
a. Hydropower; show total feet of head and proposed capacity in kW.

b. Stockwatering; list number and kind of livestock.

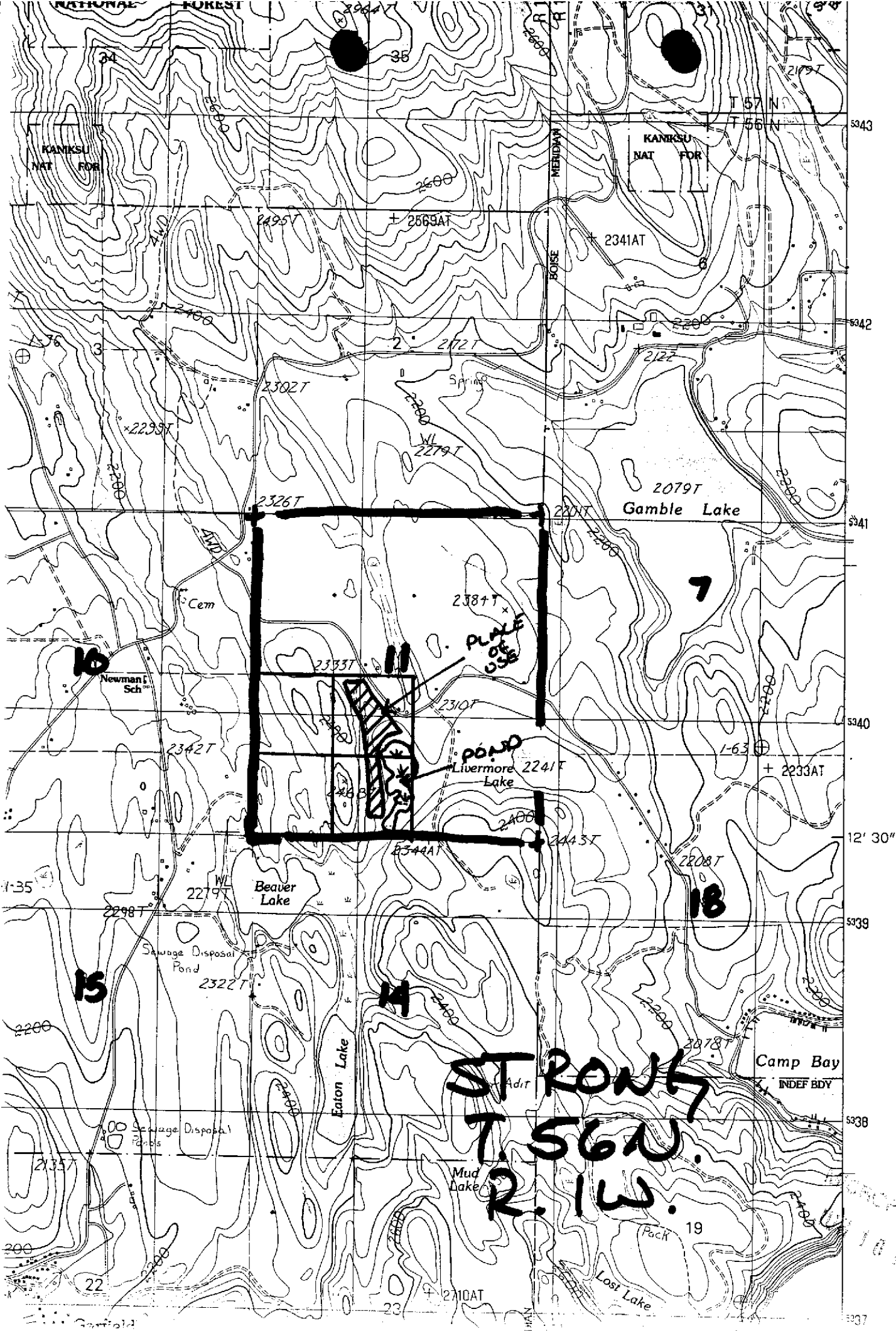
5 horses

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

# Page No 1 West of the Boise Meridian



DEWITT  
JUN 10 1937





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JUN 1 1995

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

Received by CP Date 6/30/95 Time 2:15  
Fee \$ 5000  
Received by CP # N009141 Date 6/30/95  
Publication prepared by CP Date 8/30 Published in Annals & Bull. Br. 9/7 + 14/95  
Publication approved CP Date 10/5/95

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. \_\_\_\_\_, and said application is hereby \_\_\_\_\_  
1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, 19\_\_\_\_.

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.  
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.  
e. Other:



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

March 2, 2000

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

BARBARA ANNE STRONG  
GEORGE STRONG  
834 CAMP BAY RD  
SAGLE ID 83860

RE: WATER RIGHT NO. 96-08893

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

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

Sincerely,

A handwritten signature in cursive script that reads 'Shelley Keen'.

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

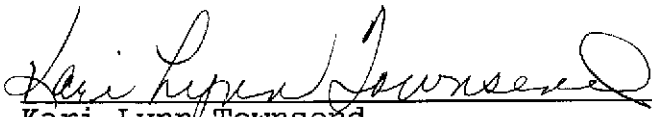
MICROFILMED  
JAN 3 1 2001

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of March, 2000, 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. 96-08893

BARBARA ANNE STRONG  
GEORGE STRONG  
834 CAMP BAY RD  
SAGLE ID 83860

  
Kari Lynn Townsend  
Secretary

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JAN 31 2001

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

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

### PETITION FOR RECONSIDERATION

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

### EXCEPTIONS AND BRIEFS

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

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

### ORAL ARGUMENT

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

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### CERTIFICATE OF SERVICE

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

### FINAL ORDER

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

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

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

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

### APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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JAN 31 2001

Lou Vermeer, P.E.  
4475 Baldy Mtn. Rd.  
Sandpoint, ID 83864  
208-263-2359

RECEIVED

FEB 24 2000

Department of Water Resources

February 20, 2000

Mr. Shelley Walter Keen  
Water Rights Supervisor  
Dept. of Water Resources  
1301 N. Orchard St.  
P.O. Box 83720  
Boise, ID 83720-0098

RE: Proof of Beneficial Use for Permit #96-08893

Dear Mr. Keen:

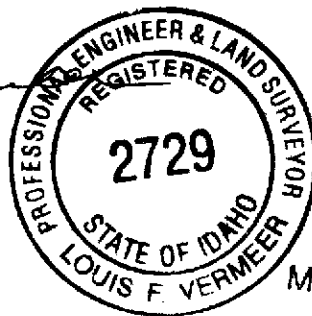
In answer to your letter of January 20, 2000, I offer the following:

1. The storage reservoir was re-measured and the correct figure for storage is 122,400 cubic feet of water. This amount of water will be diverted to storage, plus irrigation water used from storage during the period from January 1<sup>st</sup> to June 1<sup>st</sup>. The diversion rate to storage will be 0.1 cfs using the 5 horsepower pump valved down.
2. The irrigation from storage will occur between March 15<sup>th</sup> and November 15<sup>th</sup>. The 5 horsepower pump will produce approximately 0.1 cfs through the sprinkler heads.
3. Some of the water used for irrigation will remain in the storage reservoir throughout the year.

I hope this letter satisfied all of requirement for the proof of beneficial use. Thank you for attention in this matter.

Very truly yours,

*Louis F. Vermeer*  
Louis F. Vermeer, P.E.



LFV:sm

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JAN 31 2001

## **M E M O R A N D U M**

**DATE:** February 1, 2000

**TO:** Permit File 96-08893

**FROM:** Shelley W. Keen

**RE:** Additional time to clarify field report

---

Today Louis Vermeer called to ask for additional time to respond to my questions about his field report for Permit 96-08893. He told me he could have the information submitted to me by the middle of March, and I told him that would be okay.

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**JAN 31 2001**



**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

January 12, 2000

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

GEORGE AND BARBARA ANNE STRONG  
834 CAMP BAY RD  
SAGLE ID 83861

RE: Proof of Beneficial Use for Permit 96-08893

Dear Mr. and Mrs. Strong:

The Department of Water Resources received your Proof of Beneficial Use statement and the complete Beneficial Use Field Report for Permit 96-08893 on December 20, 1999. Because the Proof of Beneficial Use was 19 days late, an order was issued advancing your priority date 19 days. A copy of the order is enclosed.

Although the Beneficial Use Field Report is complete enough to be acceptable, there are some items in the report that should be clarified before a water right license is issued. For your reference, I have enclosed a photocopy of your permit, including the final approval order, and a copy of the Beneficial Use Field Report.

According to finding of fact no. 7 in the final order approving your permit, you intended to construct a 9.0 acre foot reservoir, fill the reservoir during spring runoff, and then pump water only from the reservoir during the irrigation season. You intended the total appropriation to be 9.0 af annually. The final order states that the appropriation for storage and irrigation is limited to 9.0 af annually and that you are "not authorized to divert water directly from the source for the irrigation use." According to the order, diversions from the source to the storage reservoir are limited to the period from January 1 to June 1 each year, and irrigation is to occur using only the water diverted to storage prior to June 2. Despite the clear language of the order, the permit document shows a direct flow irrigation component authorizing diversions from March 15 to November 15. Because it clearly contradicts the language of the final order, this line was apparently included on the permit document in error. Perhaps because of this discrepancy, the field examiner, Louis Vermeer, did not recommend licensing any storage or use of water from storage for this water right. Instead, he recommended only the direct flow component with an annual volume of 23.8 af, which is far in excess of the 9.0 af authorized in the final approval order. It appears the right really should be described as a diversion to storage rate, an irrigation storage volume, and a volume from storage for irrigation.

Mr. Vermeer's diagram shows that your reservoir stores 40,000 cubic feet of water, or about one acre foot. With such a small reservoir and no authorization to divert more water after June 1, you

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JAN 31 2000

George and Barbara Anne Strong

January 12, 2000

Page 2

will not have much water for irrigating fourteen acres during the peak of the irrigation season. Is 40,000 cubic feet an accurate description of the reservoir developed during your authorized development period?

The examiner reports having measured a diversion capacity of 0.05 cfs for your diversion works. A 5 horsepower pump lifting water about 15 feet and discharging it directly into a reservoir should be able to pump quite a bit more than 0.05 cfs. Your permit authorized 0.10 cfs for diversion to storage. Is it possible the examiner measured the diversion from the reservoir into your sprinkler system rather than the diversion from the source into the reservoir?

In accordance with Beneficial Use Rule 35.02.c., I am forwarding a copy of this letter to Mr. Vermeer as a request that additional information to clarify these matters be submitted within 30 days. If additional time is needed, please call me, or have Mr. Vermeer call me, as soon as possible. If I do not hear from you within 30 days, the priority date of your permit will be advanced one day for each day the information is late.

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

Sincerely,



Shelley Walter Keen  
Water Rights Supervisor

Enclosures

Cc: Louis F. Vermeer

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JAN 31 2001

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED  
DEC 8 1999  
Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 96-08893

1. Owner: George and Barbara Strong Phone No. 208-263-7960

Current Address: 834 Camp Bay Rd. Sagle, ID 83860

2. Accompanied by: Louis Vermeer EXAM DATE: May 28, 1999

Address: 4475 Baldy Mtn. Rd. Phone No. 208-263-2359

Relationship to Permit Holder: None

3. Source: unnamed tributary to Beaver Lake

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: No

2. Other water rights with the same point of diversion: No

**C. DIVERSION AND DELIVERY SYSTEM**

1. Point(s) of Diversion:

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
|           |           | SE  | SE  | SW  | 11   | 56N  | 1W   | Bonner | County Assessors Plat Book      |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |

2. Place(s) of Use:

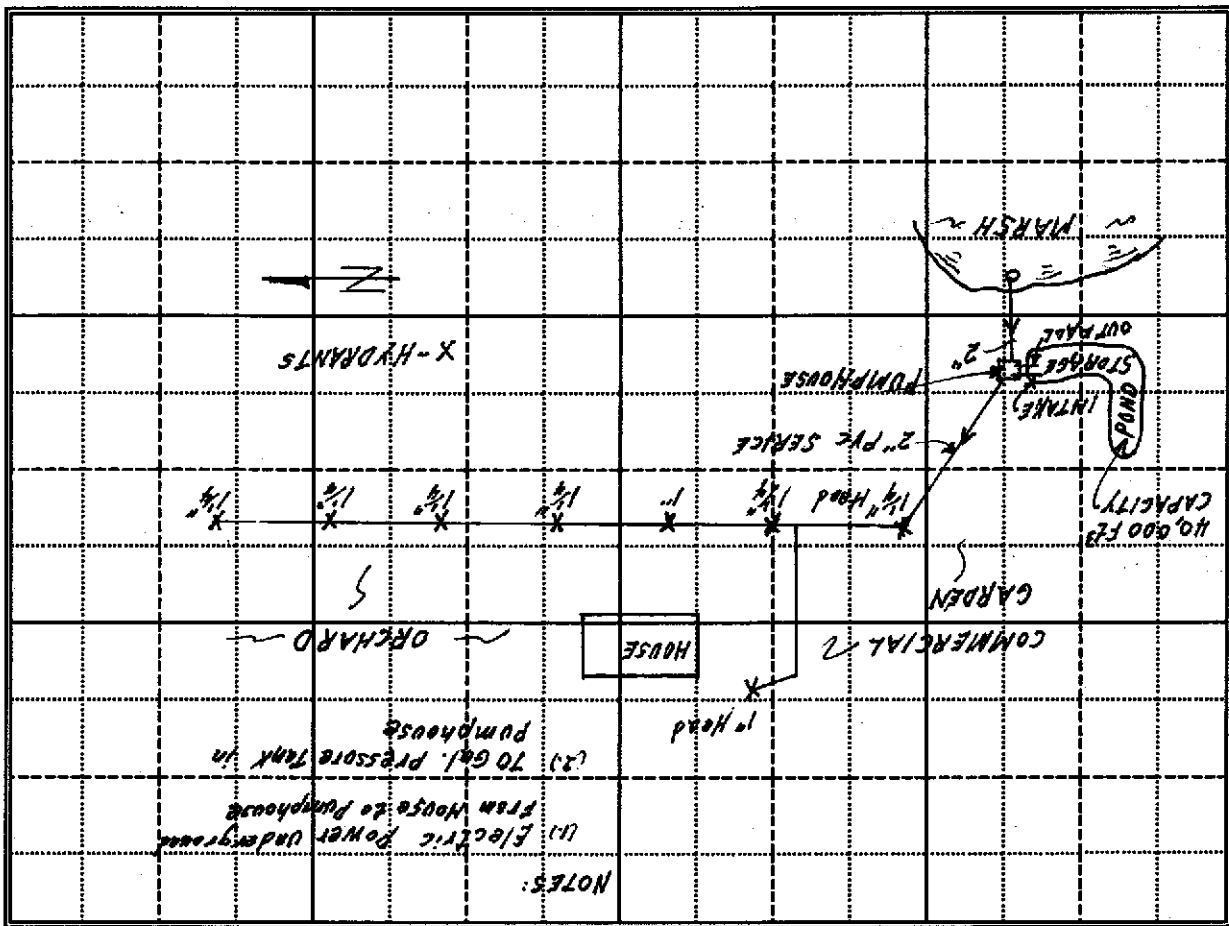
Indicate Method of Determination

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 56N | 1W  | 11  |    |    |    |    |    |    |    |    | 10 |    |    | 4  |    |    |    |    | 14     |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

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



Scale: 1" = 100'

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 | Code Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|-----------------------|-----------|-----------------------------------|
| 96-08893                              | Sta Rite   | 5  | 14974                 | Sta Rite  | DHT-170                           |

\*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 |
|-----------------------|------|--------|------------|------------|--------|-------------|
| Meter                 | Flow | Badger | 120 G.P.M. | 9874630    | 1 1/2" | May, 1999   |

2. Measurements: Pump was checked by volumetric/time method.

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E. NARRATIVE/REMARKS/COMMENTS

The irrigation water is drawn from the Marsh, a tributary to Beaver Lake. The irrigation water is stored in the man-made pond. The same 5HP pump is used to draw water from the pond to irrigate the garden & orchard.

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

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# F. FLOW CALCULATIONS

Measured Method:

By Badger Flow Meter

Additional Computation Sheets Attached

## G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 45.2$$

$$V_{OR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 47.6 \text{ cfs}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{OR} = 45.2$$

2. Volume Calculations for Other Uses:

None

## H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Garden

Orchard

From

3/15

Period of Use

11/15

11/15

Rate of Diversion

Q (cfs)

0.05

Annual Volume

V (ata)

23.8

23.8

## 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

Louis Vermeer

Date

Nov. 30, 1999

Reviewer

Date

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JAN 3 1 2001





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

December 10, 1999

George and Barbara Strong  
834 Camp Bay Rd  
Sagle ID 83860

**RE: Permit No. 96-08893**

Dear Permit Holder(s):

I am in receipt of the Beneficial Use field report submitted by Louis Vermeer in connection with the above referenced water right permit. However, Mr. Vermeer neglected to submit a completed Proof of Beneficial Use Statement with the field report.

I have enclosed a partially completed proof statement based on the information contained in the field report. Please fill out the information on line no. 9, sign and date the proof statement on line no. 10 and return it to this office within **fifteen (15) days**.

If you have any questions regarding this matter, please contact me at (208)327-7953 and I will be happy to assist you.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant  
Water Allocation Bureau

c: IDWR - Region  
Louis Vermeer

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JAN 31 2001

## MEMORANDUM

**DATE:** November 30, 1999

**TO:** File 96-08893

**FROM:** Kari Lynn Townsend

**RE: Telephone conversation**

---

I received a telephone call today from Barbara Strong. She was calling to confirm that we had received the Proof of Beneficial Use form that she had arranged to have sent to us.

I pulled the file from Julie's drawer 1 and found that the form has not been received (I also checked the top basket on Julie's desk-not there either).

Mrs. Strong said that she had asked Mr. Randy Buck (her agent) to send the form to us (a check was to have been included) and he told her that he had sent it at the beginning of November '99 by **certified mail**.

I checked the ARQ database and there was no record of a check from either Strong or Buck in any amount during the time period in question.

Mrs. Strong is very concerned that we receive this form before the due date on the Proof Due Notice (12-1-99). I told her I would discuss this with the Bureau Chief (I did talk to Glen about it) and that we would do whatever we could to help her. She will try to find out from Mr. Buck who signed for the receipt of the certified mail and also verify whether or not her check for the B/U fee has been processed by her bank.

I will move this file to my desk while I am waiting to have more conversation with Mrs. Strong.

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JAN 31 2001

September 30, 1999

BARBARA ANNE STRONG  
GEORGE STRONG  
834 CAMP BAY RD  
SAGLE ID 83860

PROOF DUE NOTICE

RE: PERMIT NO. 96-08893

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 December 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.

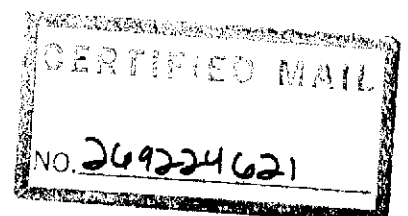
SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

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JAN 31 1999



# ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 96-08893 Reviewed by [Signature] Date 12-11-98

## BASIC INFORMATION

12-7-98 Date stamp received  
NO Extension received timely  
yes Fee received and receipted  
yes Name and signature same as permit  
yes Address Change

## BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?  
\_\_\_\_\_ Has the permit been involved in litigation?  
Is supporting documentation needed to complete the file? \_\_\_\_\_ Requested? \_\_\_\_\_  
\_\_\_\_\_ Is delay by a government agency?  
Is supporting documentation needed to complete the file? \_\_\_\_\_ Requested? \_\_\_\_\_  
\_\_\_\_\_ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

**ACTION TAKEN** *Recommend approve on basis of due diligence to Dec-1, 1999. Reinstate + advance priority to July-6, 1995.*

## PRIORITY CALCULATION

|                         |                |   |            |
|-------------------------|----------------|---|------------|
| Date extension received | <u>12-7-98</u> | = | _____      |
| Proof due date          | <u>12-1-98</u> | = | _____      |
| Number of days late     | <u>6</u>       | = | _____      |
| Priority date           | <u>6-30-95</u> | = | <u>181</u> |
| New Priority Date       | <u>7-6-95</u>  | = | <u>187</u> |

*7-6-95*

## DATA ENTRY

New Address 834 Camp bay Rd.  
Change Proof Due Date 12-1-99  
Change Priority Date 7-6-95



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 11, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

George and Barbara Anne Strong  
834 Camp Bay Rd  
Sagle ID 83861

RE: Permit No. 96-08893

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **December 1, 1999**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Be advised that since the extension request was received after the proof due date, it was necessary for the department to reinstate the permit and advance the date of priority to July 6, 1995.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please 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 - Regional Office

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JAN 04 1999

MICROFILMED

FEB 11 1999

Attachment to Request for Extension of Time Application  
George and Barbara Strong  
Phone: 208 - 263 - 7960  
Permit No. 96 - 08893  
Proof Due Dec. 1, 1998

RECEIVED

DEC 07 1998

Department of Water Resources

The work completed to date on Permit number 96 - 08893 includes excavation of the intake in the slough, the installation of the pipelines to the Pumphouse and the pond, the excavation of the pond and the placement of the pump. The irrigation lines to the orchard and the commercial gardens has also been completed. The cost of this development has been \$25,000.00.

The reclamation of the pond has not been completed.

The completion of the proof of use by a certified examiner was unable to be performed at the time of notice due to low water in the slough and the period of use condition of the permit.

The permit holder kindly requests consideration of an extension to June 1, 1999 to have the developed works examined and certified.

Signed:

George Strong

George E Strong Date 12-1-98

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FEB 11 1999

MICROFILMED  
JAN 04 1999

# WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

December 3, 1998

BARBARA ANNE STRONG  
GEORGE STRONG  
120 CAMP BAY RD  
SAGLE ID 83860

LAPSE NOTICE

RE: PERMIT NO. 96-08893

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated September 30, 1998. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosures

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JAN 04 1999

MICROFILMED

FEB 11 1999

**CERTIFICATION OF MAILING**

I hereby certify that on 12/4/98  
a copy/an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.

*[Signature]*

September 30, 1998

BARBARA ANNE STRONG  
GEORGE STRONG  
120 CAMP BAY RD  
SAGLE ID 83860

PROOF DUE NOTICE

RE: PERMIT NO. 96-08893

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 December 1, 1998. (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

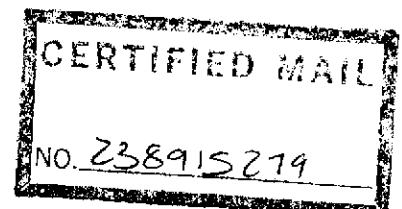
Enclosures

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JAN 8 4 1999

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FEB 11 1999



8/96

ROUTING SHEET - PROTESTED APP. FOR PERMIT

Date

Acti

c. No.

96-08893

9-23-96

**PREPARE RECOMMENDED ORDER** (Julie or hearing officer)

- Prepare order/clean-up water right file
- Route to Cindy Z. for initial review

9/23/96

**INITIAL APPLICATION REVIEW** (Cindy Z)

- Check order for conditions of approval to use
- Data enter information using "p" prefix.

9-23-96

**PREPARE RECOMMENDED ORDER** (Hearing officer)

- Make appropriate changes to recommended order
- Route to Norm for review

9-27-96

**MAIL SIGNED RECOMMENDED ORDER** (Julie)

- Prepare certificate of service, cover letter and mail
- Send copy of recom. order to region
- Hold file for 21 days for exceptions and request for reconsideration

10-25

**CALL UP FILE AND CONTINUE PROCESS** (Julie)

- Route file to hearing officer

10-25

**PREPARE FINAL ORDER** (Hearing officer)

- Review exceptions, if any, for changes to Final Order

10-25

**REVIEW AND ROUTE FOR SIGNATURE** (Hearing officer/Julie)

**AFTER FINAL ORDER HAS BEEN SIGNED**

9-11-27

**PREPARE PERMIT FOR SIGNATURE** (Cindy Z)

- Update data base with changes and print a permit
- Route to Julie for final processing

11-29-96

**MAIL FINAL ORDER** (Julie)

- Prepare certificate of service and cover letter
- Mail cover letter, permit, final order, certificate of mailing to all parties
- Send copies within the department

12/24/96

**UPDATE DATABASE** (Cindy Z)

✓

**CALL UP FILE AND ROUTE FOR SYNOPSIS PREPARATION** (Julie)

- Call up file after 21 day period in which to file exceptions and/or requests for reconsideration

✓

**PREPARE SHORT SYNOPSIS FOR AGENCY ORDER INDEX** (Hearing Officer)

- Route file to Julie for index update

12/24/96

**FINAL DATABASE UPDATE AND ACTION** (Cindy Z)

**ROUTE TO MICROFILM** (Darla)

- Film file
- Route to vault

**VAULT**

- Remove the hearing tapes, index, and file
- Remove cards from protest and/or hold drawer

MICROFILMED  
12/24/96  
JES

834 Longs Bay Rd.  
Sage, Id. 83860

April 21, 1997

Mr. J. Glen Austin  
U.S. Department of Water Resources

Re permits #'s

96-08893

96-08917

Dear Mr. Austin,

George and I would like to take this opportunity to thank you for your assistance with our water rights permits, especially with 96-08893. We really appreciate your getting the proposal of this one to us when you did. Even though the winter prohibited any work getting started, we were able to finalize plans for permit and execute some the spring. Again, thank you.

Sincerely,  
Barbara A. Strong

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RECEIVED

APR 24 1997

Department of Water Resources

JUN 18 1997

State of Idaho

Department of Water Resources



ROSTER OF ATTENDANCE

IN THE MATTER OF APPLICATION FOR PERMIT NO.  
96-08893 IN THE NAME OF GEORGE AND BARBARA STRONG

Date: September 19, 1996

Time: 1:00 p.m.

Location: Id. Fish and Game  
2750 Kathleen  
Coeur d'Alene, ID

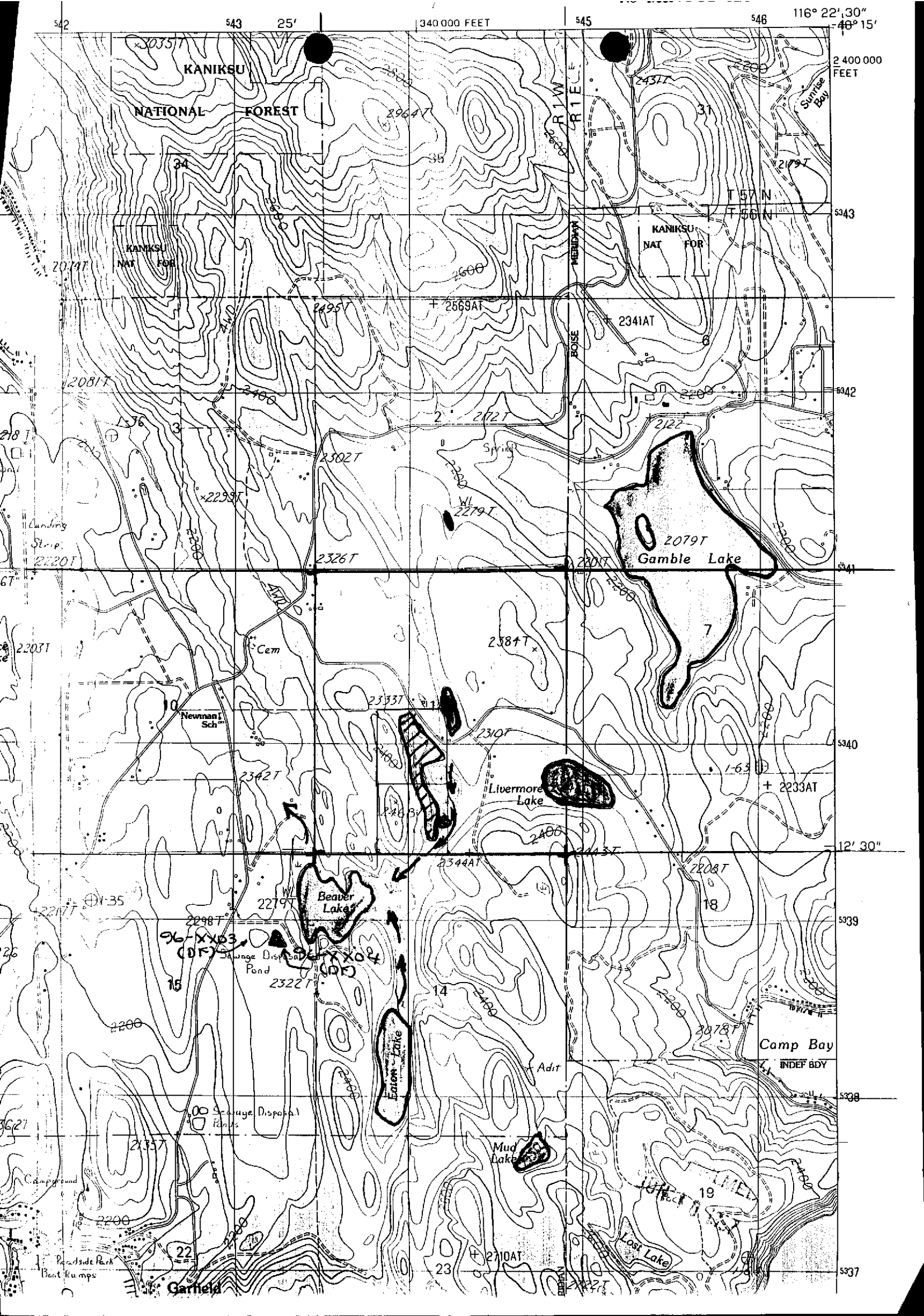
Hearing Officer: L. Glen Saxton

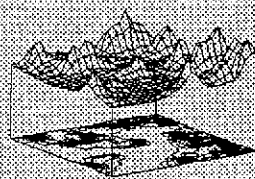
\* \* Please Print \* \*

| NAME             | ADDRESS                             | REPRESENTING |
|------------------|-------------------------------------|--------------|
| Randy Buck       | 9220 C. Pack Sndpt                  | Strong       |
|                  | 83864                               |              |
| Wade Hathorn     | 475 Moser Ct. Moscow                | 83843 Strong |
| John Monks       | 512 N. Monroe Ave Sandpoint ID      | 83864 Strong |
| Kelvin Strong    | 834 Camp Bay Rd Sagle, ID           | 83860        |
| Barbara Strong   | 834 Camp Bay Rd Sagle, ID           | 83860        |
| GEORGE E. STRONG | 834 CAMP BAY RD. SAGLE ID           | 83860        |
| DALE ENGSTROM    | 7148 GARFIELD BAY CUTOFF SAGLE ID   | 83860        |
| Scott Engstrom   | 7148 Garfield Bay Cutoff, Sagle, ID | 83860        |

MICROFILMED

JUL 18 1997





# NORTHERN ENVIRONMENTAL RESOURCES, INC.

- Borehole Video Logging
- Ground Water Resource Evaluations
- Water Quality Testing
- Water Well Consulting
- Ground Water Monitoring
- Environmental Site Assessments

George & Barbara Anne Strong  
120 Camp Bay Road  
Sagle, ID 83860

Regarding: Watershed Evaluation

Department of Water Resources  
APPLICANT'S

Exhibit

#1

Date Admitted

9/19/96

April 18, 1996

Dear George and Barbara Anne:

This letter reports on my findings regarding the Watershed Evaluation I conducted for the Eaton Lake - Beaver Lake system. The methods used in this evaluation were field mapping of drainage divides in the sub-basin contributing to your pond, identification and digitizing of the remaining drainage divides of the Eaton Lake - Beaver Lake system using the USGS Talache 7.5 minute quadrangle, and an analysis of evapotranspiration for the Sandpoint area.

According to my calculations, the Eaton Lake - Beaver Lake system has a total drainage area of approximately 909 acres. The sub-basin that contains your pond drains 39 acres, or about 16% of the total area (see attached map). The calculated area of each sub-basin appears in the table below.

| Sub-basin Areas |               |
|-----------------|---------------|
| Sub-basin:      | Area (acres): |
| A               | 141.2         |
| B               | 38.8          |
| C               | 6.1           |
| D               | 103.5         |
| E               | 173.8         |
| F               | 445.7         |

The topography of the sub-basin ranges from relatively flat at lower elevations to steep on the ridge to the west of your house. There are two geologic units present in the sub-basin. These units are Quaternary glacial deposits and Precambrian metasedimentary rocks. These two geologic units form separate hydrogeologic units. A shallow aquifer exists within the glacial deposits and a deeper aquifer is present in fractures in the Precambrian metasedimentary rocks.

P.O. Box 1273  
Sandpoint, ID 83864  
208-263-7632

e-mail: jmonks@unix.digital-cafe.com

I have estimated evapotranspiration using two methods. The Thornwaite method is based on average temperature and latitude. Using this method, evapotranspiration is estimated at 22.74 inches per year. I also estimated evapotranspiration using data from the University of Idaho Sandpoint Experimental Station. I compiled six years worth of evaporation measurements (1990-1995) and calculated the mean daily evaporation for the months May through October. The mean daily evaporation for each month was then multiplied by the number of days of evaporation for the month. I then multiplied the mean monthly evaporation by a pan coefficient based on the average temperature for that month. The total evapotranspiration calculated using this method ranges from 21.21 to 22.04 inches. The average precipitation measured at the University of Idaho Sandpoint Experimental Station is 33.13 inches. Subtracting evapotranspiration from average precipitation results in a net precipitation ranging from 10.39 inches to 11.92 inches.

This net precipitation applied to the 39 acre sub-basin your pond is located in produces an annual discharge ranging from approximately 11 million to 12.6 million gallons, or 33.77 to 38.74 acre feet. This water flows primarily as groundwater in the shallow glacial deposit aquifer. An unknown percentage of the annual discharge from your sub-basin may be lost as recharge to the bedrock aquifer. It also may be possible that the bedrock aquifer recharges the glacial deposits. The head differences, if any, between the glacial deposits and the bedrock aquifer are unknown.

According to Randy Buck, your water right application is for nine acre feet. According to my calculations, there appears to be adequate water supply to meet your needs. It has been a pleasure working with you and I wish you luck with development of your property.

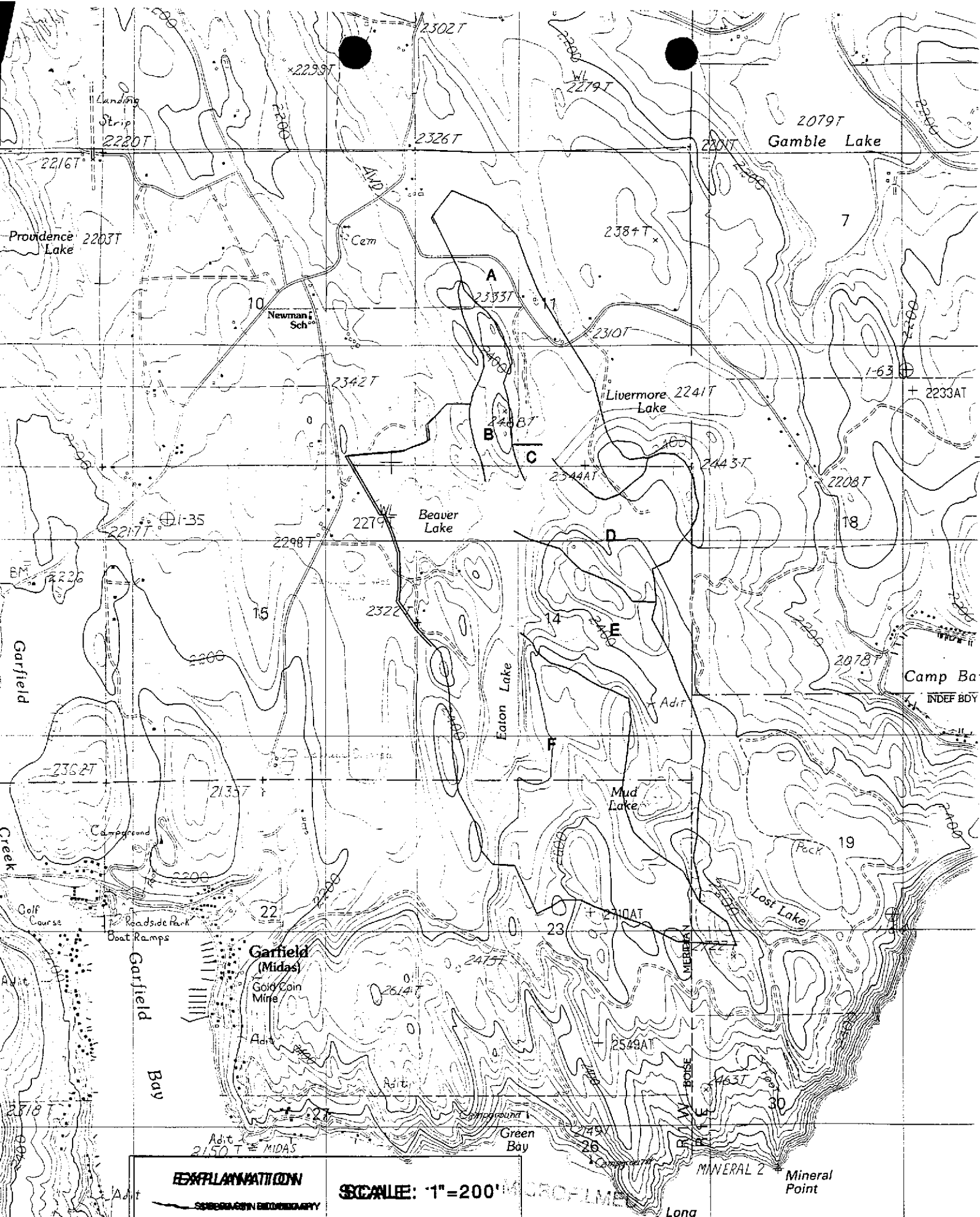
Sincerely,

  
John I. Monks  
Hydrogeologist

---

P.O. Box 1273  
Sandpoint, ID 83864  
208-263-7632  
e-mail: [jmonks@unix.digital-cafe.com](mailto:jmonks@unix.digital-cafe.com)

JUN 10 1997



|                    |                       |
|--------------------|-----------------------|
| <b>EXPLANATION</b> | <b>SCALE: 1"=200'</b> |
| SPRING IN BOUNDARY | MICROFILM             |

# Evapotranspiration Calculations

## George & Barbara Anne Strong Property

### Thornwaite Method

| Month     | k    | avg. temp (C) | I        | PET(0) | PET(50) (cm/month) | PET(50) (in/month) | average annual precip (in): |          |          |  |
|-----------|------|---------------|----------|--------|--------------------|--------------------|-----------------------------|----------|----------|--|
| January   | 0.71 | -3.10         | 0.00     | 0.00   | 0.00               | 0.00               | net precip (in)             | 33.13    | 11.92    |  |
| February  | 0.84 | -0.30         | 0.00     | 0.00   | 0.00               | 0.00               | net precip (ft)             | 10.39    | 0.99     |  |
| March     | 0.98 | 2.10          | 0.27     | 1.08   | 1.06               | 0.42               | area (acre)                 | 39       | 39       |  |
| April     | 1.14 | 7.00          | 1.66     | 3.59   | 4.09               | 1.61               | area (ft^2)                 | 1698840  | 1698840  |  |
| May       | 1.28 | 11.60         | 3.58     | 5.93   | 7.60               | 2.99               | vol (acre-feet)             | 33.77    | 38.74    |  |
| June      | 1.36 | 15.30         | 5.44     | 7.82   | 10.63              | 4.18               | vol (ft^3)                  | 1470912  | 1687514  |  |
| July      | 1.33 | 18.30         | 7.13     | 9.34   | 12.42              | 4.89               | vol (gal)                   | 11002424 | 12622608 |  |
| August    | 1.21 | 17.70         | 6.78     | 9.04   | 10.93              | 4.30               |                             |          |          |  |
| September | 1.06 | 13.10         | 4.30     | 6.70   | 7.10               | 2.79               |                             |          |          |  |
| October   | 0.90 | 7.30          | 1.77     | 3.74   | 3.37               | 1.33               |                             |          |          |  |
| November  | 0.76 | 1.40          | 0.15     | 0.72   | 0.55               | 0.22               |                             |          |          |  |
| December  | 0.68 | -1.80         | 0.00     | 0.00   | 0.00               | 0.00               |                             |          |          |  |
|           |      |               | J= 31.07 |        |                    | 22.74              |                             |          |          |  |
|           |      |               | C= 1.00  |        |                    |                    |                             |          |          |  |

JUN 10 1987

RECEIVED



Private Client Group

1910 NW Boulevard  
Suite 200  
Post Office Box 1238  
Couer d'Alene, Idaho 83814-1238  
208 664 4868

August 14, 1996

|                               |            |
|-------------------------------|------------|
| Department of Water Resources |            |
| APPLICANT'S                   |            |
| Exhibit                       | #2         |
| Date Admitted                 | 9/19/96 AS |

RE: George and Barbara Strong

To Whom it May Concern:

Please accept this letter as your assurance the George and Barbara Strong have an account held at Merrill Lynch and are in excellent status with our firm.

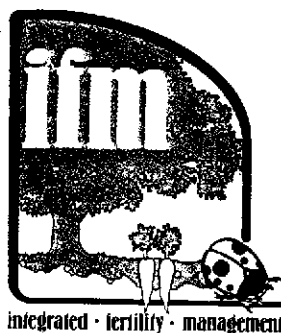
Among other assets, we currently hold CD's in their account with a value over \$20,000.

Cordially,

A handwritten signature in cursive script, reading 'Tamara S. Boviall'.

Tamara Boviall  
Sales Associate  
Merrill Lynch

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JUN 10 1997



## Integrated Fertility Management Products & Services for Natural Agriculture

333 Ohme Gardens Rd. • Wenatchee, WA 98801

(509) 662-3179 • (800) 332-3179

|                               |         |
|-------------------------------|---------|
| Department of Water Resources |         |
| APPLICANT'S                   |         |
| Exhibit                       | #3      |
| Date Admitted                 | 9/19/96 |

### SOIL AUDIT REPORT

FOR

**George E. Strong**

Prepared by:

Phillip Unterschuetz

SOIL SAMPLED: July 1994  
Number S0712-001 Lab. #655

**COMMENTS:** One soil sample was taken in the summer from the three acre field that was cleared in June '94 with the intent to plant a fruit orchard in the future. The soil has a loam texture. This soil is in good chemical condition requiring only boron and nitrogen for crop production. Available phosphate level is high and phosphorus fixation is not a problem. Sodium is low in absolute terms (parts per million), but is where it should be relative to the base saturation. Additional sodium is not indicated; however, as much as 50 lbs/acre of sodium could be added without negative impact. What follow are some general comments I have regarding the soil and recommendations for its management.

1.) **Cation Exchange Capacity:** Most soil nutrients become electrically charged or ionized before they can be absorbed by plant roots. These ions attach themselves loosely to exchange sites on clay or on organic matter and are prevented from leaching out of the root zone. They are available to plants and are taken up or "exchanged" by the roots from these sites. The capacity of soil to store and exchange nutrients with plant roots is called its Cation Exchange Capacity (CEC). When the CEC is low, the soil fertility will have to be recharged more frequently than if it were larger because the smaller store of available nutrients is depleted more quickly as the plants take them up.

The CEC of this soil (5.0 meq/100g) is low. A CEC of 12 to 15 would be about average and 25 would be high for this area. Repeated light fertilizer applications are much better for such soils because they can not store nutrients effectively. Using slowly available protein sources of nitrogen like blood meal will be more effective than soluble nitrate materials such as Chilean nitrate since soluble nitrate would quickly overwhelm the storage capacity and the remainder would be lost by leaching to the ground water.

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JUN 10 1997

2.) **Organic matter:** The organic matter content of this soil (3.2%) is approaching ideal. High OM levels enhance the soil's ability to assimilate blood meal and other natural fertilizers. As organic matter decomposes, it forms organic acids that continually etch rock nutrients such as phosphate, making them available for plant uptake. Organic matter substantially increases the CEC of a soil if the microbial complex in the soil is healthy. The CEC should improve slowly as this organic matter forms humus.

3.) **Nitrogen:** An organic matter content of 3.2% contributes actual nitrogen at a rate of about 99 pounds per acre per year. The organic nitrogen together with the nitrate level combine to provide 100 lbs/ac of N per ac. Since tree fruit require about 180 lbs/ac/yr. nitrogen to produce a commercial crop, Albion suggests 80 lbs/ac. actual nitrogen be added for tree production. This equates to 533 lbs of blood meal (15-0-0) or 2500 lbs./ac. Chicken Manure Compost (4-4-2).

4.) **pH:** The pH of a soil is an expression of the relative acidity of a soil. A pH of 7.0 is neutral, neither acid nor alkaline. A slightly acid soil (pH = 6.3 to 6.8) provides an ideal environment for nutrient availability and plant development and is particularly important when organic or natural rock sources of fertilizers are being relied upon. pH is directly related to the relative saturation of the cation exchange capacity (CEC). The pH of these soils at 6.8 is excellent.

5.) **Exchangeable bases:** When soil nutrients are ideally balanced for optimum plant growth, four nutrient cations occupy the exchange sites in a ratio that depends on the amount of clay in the soil (its texture). These four exchangeable bases are: calcium, magnesium, potassium, and sodium. The exchangeable bases are reasonably well balanced in this soil and require no adjustment.

6.) **Phosphorus:** The available phosphorus level is high.

7.) **Micro-nutrients:** Only Boron (B) is required in this soil. Boron is best applied to commercial fruit trees as annual foliar sprays. An early spring zinc application is good practice regardless of soil levels. Boron can be applied as 5 lb/ac Solubor early in the spring. Zinc can be applied as Metalosates at rate of 8 oz./ac. Alternatively, Agricultural borax (or Solubor) may be applied to the soil at a rate of 10 lbs/acre.. This application would need to be repeated every 3 years as boron leaches readily.

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JUN 10 1997

# SOIL AUDIT REPORT

## data sheet

**George E. Strong**

120 Camp Bay Road  
Sagle, ID 83860

(208) 263-6898

**Sample Date:** 7/7/94

**Report #:** S0712-001

655

**Crop:** FUTURE TREE FRUIT

**Texture:** LOAM

**Cation Exchange Capacity:**

5.0

LOW

**% Organic Matter:**

3.2

GOOD

**pH:**

6.8

EXCELLENT

### MACRO-NUTRIENTS:

|                    | ppm | lb/ac ft | value     | Recommended Application lbs./ac |                                         |
|--------------------|-----|----------|-----------|---------------------------------|-----------------------------------------|
| <b>Nitrogen:</b>   |     |          |           |                                 |                                         |
| Nitrate N:         | 1   | 1        | very low  | 2                               | % Organic Carbon                        |
| Organic N:         |     | 99       | moderate  | 80                              | HUMIC ACID recommendation.              |
| <b>TOTAL N:</b>    |     | 100      |           | 80                              | Leonardite (75% humate), lbs per acre   |
| <b>Phosphorus:</b> | 309 | 2608     | very high | 0                               | 533 lbs. Blood meal                     |
| <b>Sulfur:</b>     | 10  | 35       | moderate  | 0                               | 0 lbs. Prilled rock phosphate           |
|                    |     |          |           |                                 | lbs. disintegrating soil sulfur (90% S) |

### EXCHANGEABLE BASES:

|                  | meq /100 g | % CEC found | Desired % CEC | lbs/acre found | Desired lb/ac ft | Required lb/ac ft |
|------------------|------------|-------------|---------------|----------------|------------------|-------------------|
| <b>Calcium</b>   | 3.5        | 70.2        | 68            | 1404           | 1360             | -44 OK            |
| <b>Magnesium</b> | 0.6        | 12.3        | 16            | 148            | 192              | 44 OK             |
| <b>Potassium</b> | 0.8        | 15.8        | 5             | 616            | 195              | -421 EXCESS (OK)  |
| <b>Sodium</b>    | 0.1        | 1.7         | 1.7           | 39             | 39               | 0 OK              |
| Sub-total        | 5.0        | 100.0       | 80-90         |                |                  |                   |
| Hydrogen         | 0.0        | 0.0         |               |                |                  |                   |
| <b>TOTAL:</b>    | 5.0        | 100.0       |               |                |                  |                   |

**Excess lime rate:** low -- good

**Soluble salts:** 0.1 - very low - good

### MICRO-NUTRIENTS:

|                  | ppm | lb/ac ft | value      | Recommended Application ozs./ac | ORGANIC FERTILIZER EQUIVALENTS         |
|------------------|-----|----------|------------|---------------------------------|----------------------------------------|
| <b>Zinc</b>      | 1.0 | 3.5      | moderate   |                                 | *                                      |
| <b>Manganese</b> | 16  | 56       | high       |                                 |                                        |
| <b>Iron</b>      | 69  | 242      | very high  |                                 |                                        |
| <b>Copper</b>    | 0.9 | 3.2      | moderate   |                                 |                                        |
| <b>Boron</b>     | 0.1 | 0.4      | very low   | 8 lbs                           | Solubor (20% B) OR 10 lb Ag Borax/acre |
| <b>Arsenic</b>   |     |          | not tested |                                 |                                        |

\* See written discussion.

REPORT  
NUMBER:

S0712-001

GROWER:

STRONG

SEND  
TO:

14128001

I.F.M.

333-B OHME GARDEN ROAD  
WENATCHEE, WA 98801

# Albion®

ALBION LABORATORIES, INC.

P.O. BOX 750 101 NO. MAIN CLEARFIELD, UTAH 84015

PHONE (801) 773-4631 FAX (801) 773-4633

TOLL FREE 1-800-453-2406

DATE OF REPORT 07/18/94

## SOIL ANALYSIS REPORT

| SAMPLE<br>NUMBER | FIELD IDENTITY | LAB NUMBER | CROP NAME  | YIELD GOAL |
|------------------|----------------|------------|------------|------------|
| 1                |                | 655        | TREE FRUIT | 500        |

| SAMPLE<br>NUMBER | pH   |        | HYDROGEN<br>H<br>Meq/100g | ORGANIC<br>MATTER<br>%<br>★ ENR<br>lbs./Acre | NITRATE<br>NITROGEN<br>ppm-N | SULFUR<br>S<br>ppm-S | PHOSPHORUS<br>P<br>ppm-P | POTASSIUM<br>K<br>ppm-K | CALCIUM<br>Ca<br>ppm-Ca | MAGNESIUM<br>Mg<br>ppm-Mg | SODIUM<br>Na<br>ppm-Na |
|------------------|------|--------|---------------------------|----------------------------------------------|------------------------------|----------------------|--------------------------|-------------------------|-------------------------|---------------------------|------------------------|
|                  | SOIL | BUFFER |                           |                                              |                              |                      |                          |                         |                         |                           |                        |
|                  | pH   | pH     |                           |                                              |                              |                      |                          |                         |                         |                           |                        |
| 1                | 6.8  |        |                           | 3.2 99M                                      | 1 VL                         | 10M                  | 30H                      | 309VH                   | 706H                    | 74VH                      | 20L                    |

★ Estimated Nitrogen Release

| SAMPLE<br>NUMBER | EXCESS<br>LIME<br>RATING | SOLUBLE<br>SALTS<br>mmhos/cm | ZINC<br>Zn<br>ppm-Zn | MANGANESE<br>Mn<br>ppm-Mn | IRON<br>Fe<br>ppm-Fe | COPPER<br>Cu<br>ppm-Cu | BORON<br>B<br>ppm-B | Cation<br>Exchange<br>Capacity<br>C.E.C.<br>meq/100g | PERCENT BASE SATURATION (COMPUTED) |         |         |         |
|------------------|--------------------------|------------------------------|----------------------|---------------------------|----------------------|------------------------|---------------------|------------------------------------------------------|------------------------------------|---------|---------|---------|
|                  |                          |                              |                      |                           |                      |                        |                     |                                                      | %<br>K                             | %<br>Ca | %<br>Mg | %<br>Na |
| 1                | L                        | .1VL                         | 1.0M                 | 16H                       | 69VH                 | .9M                    | .1VL                | 5.0                                                  | 15.8                               | 70.2    | 12.3    | 1.7     |

### SOIL FERTILITY RECOMMENDATIONS

| SAMPLE<br>NUMBER | NITROGEN | PHOSPHATE                     | POTASH           | SULFUR |
|------------------|----------|-------------------------------|------------------|--------|
|                  | N        | P <sub>2</sub> O <sub>5</sub> | K <sub>2</sub> O | S      |
| 1                | 80       |                               |                  |        |

### METALOSATE FOLIAR APPLICATION

| CALCIUM | MAG-<br>NESIUM | ZINC | MANGA-<br>NESE | IRON | COPPER | BORON |
|---------|----------------|------|----------------|------|--------|-------|
| Ca      | Mg             | Zn   | Mn             | Fe   | Cu     | B     |
|         |                | 12   |                |      | 8      | 16    |

### SOIL AMENDMENTS

| LIME      | GYPSUM | ELEMENTAL<br>SULFUR |
|-----------|--------|---------------------|
| TONS/ACRE |        | LBS/A               |
|           |        |                     |

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JUN 10 1997

This report applies only to the sample(s) tested. Sample(s)  
are retained a maximum of thirty days after testing.  
ALBION LABORATORIES, INC.

BY:

GEORGE E. Strong  
120 CAMP BAY RD.  
SAGLE, ID. 83860  
(208) 263-6898

SAMPLE TAKEN 7-5-94- from  
a 3 A field cleared 6/94. Field  
had been forest land until about  
1981 when it was clear cut. It  
was then abandoned.

This is an area that has  
rec'd volcanic ash. There may be  
phosphorus fixation problem.

We plan to plant annual w/ye,  
returning straw, some other  
green manure, then fruit and  
vegetable crops, perhaps in time  
commercially.

We do need your recommendations

Thanks -

Loam

Barbara A. Strong

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JUN 10 1997

|                               |                   |
|-------------------------------|-------------------|
| Department of Water Resources |                   |
| APPLICANT'S                   |                   |
| Exhibit                       | #4                |
| Date Admitted                 | 9/19/96 <i>MS</i> |



University of Idaho

College of Agriculture  
Research & Extension Center  
P.O. Box AA  
Aberdeen, Idaho 83210-0530  
208-397-4181  
FAX: 208-397-4311

November 29, 1995

Barbara Strong  
120 Campbay  
Sagle, ID 83860

Dear Barbara:

Enclosed are average monthly and seasonal water use values for various crops at Newport, Washington, as per our conversation. The source of this information is the Washington State Irrigation Guide, published by the USDA Natural Resource Conservation Service (NRCS). If you have specific questions regarding the published values, you can contact the USDA-NRCS office in Spokane, Washington, for further information.

If you have any further questions, please contact me.

Sincerely,

Bradley King  
Assistant Professor

BK:kc-l29nstro

MICROFILMED  
JUN 10 1997

*College of Agriculture*

# NEWPORT

| NEWPORT 48.18 LATITUDE        |  | JAN      | FEB  | MAR       | APR  | MAY  | JUN  | JUL   | AUG  | SEP  | OCT  | NOV  | DEC  | TOTAL  |
|-------------------------------|--|----------|------|-----------|------|------|------|-------|------|------|------|------|------|--------|
| MEAN TEMPERATURE (F)          |  | 24.5     | 30.8 | 35.6      | 44.5 | 52.9 | 59.9 | 65.8  | 64.3 | 56.1 | 45.2 | 33.6 | 27.7 |        |
| TOTAL PRECIPITATION (IN)      |  | 3.97     | 2.65 | 2.17      | 1.87 | 2.16 | 1.76 | .93   | 1.29 | 1.32 | 2.07 | 3.55 | 4.20 | 27.94  |
| EFFECTIVE PRECIP (IN)         |  | .00      | .08  | 1.07      | 1.29 | 1.59 | 1.37 | .87   | 1.05 | .96  | 1.19 | .00  | .00  | 9.47   |
| ALFALFA                       |  | BEG 5/15 |      | END 10/10 |      |      |      |       |      |      |      |      |      |        |
|                               |  | JAN      | FEB  | MAR       | APR  | MAY  | JUN  | JUL   | AUG  | SEP  | OCT  | NOV  | DEC  | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00  | .00       | .00  | 1.27 | 4.83 | 7.44  | 5.80 | 3.30 | .00  | .00  | .00  | 22.64  |
| AV. PAN FACTOR                |  | .76      | .76  | .76       | .76  | .76  | .76  | .76   | .76  | .76  | .76  | .76  | .76  |        |
| CLOVER                        |  | BEG 5/15 |      | END 10/10 |      |      |      |       |      |      |      |      |      |        |
|                               |  | JAN      | FEB  | MAR       | APR  | MAY  | JUN  | JUL   | AUG  | SEP  | OCT  | NOV  | DEC  | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00  | .00       | .00  | 1.51 | 5.48 | 8.32  | 6.52 | 3.75 | .00  | .00  | .00  | 25.58  |
| AV. PAN FACTOR                |  | .84      | .84  | .84       | .84  | .84  | .84  | .84   | .84  | .84  | .84  | .84  | .84  |        |
| PASTURE/TURF                  |  | BEG 5/15 |      | END 10/10 |      |      |      |       |      |      |      |      |      |        |
|                               |  | JAN      | FEB  | MAR       | APR  | MAY  | JUN  | JUL   | AUG  | SEP  | OCT  | NOV  | DEC  | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00  | .00       | .00  | 1.39 | 5.15 | 7.88  | 6.16 | 3.52 | .00  | .00  | .00  | 24.11  |
| AV. PAN FACTOR                |  | .80      | .80  | .80       | .80  | .80  | .80  | .80   | .80  | .80  | .80  | .80  | .80  |        |
| APPLES W/COVER                |  | BEG 5/14 |      | END 10/10 |      |      |      |       |      |      |      |      |      |        |
|                               |  | JAN      | FEB  | MAR       | APR  | MAY  | JUN  | JUL   | AUG  | SEP  | OCT  | NOV  | DEC  | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00  | .00       | .00  | 1.09 | 6.13 | 10.07 | 7.96 | 4.42 | .00  | .00  | .00  | 29.68  |
| AV. PAN FACTOR                |  | .36      | .36  | .36       | .36  | .68  | .92  | 1.00  | 1.00 | .96  | .76  | .36  | .36  |        |
| APRICOTS W/COVER              |  | BEG 4/16 |      | END 10/10 |      |      |      |       |      |      |      |      |      |        |
|                               |  | JAN      | FEB  | MAR       | APR  | MAY  | JUN  | JUL   | AUG  | SEP  | OCT  | NOV  | DEC  | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00  | .00       | .00  | 2.43 | 5.48 | 9.19  | 7.24 | 3.97 | .00  | .00  | .00  | 28.32  |
| AV. PAN FACTOR                |  | .36      | .36  | .36       | .36  | .64  | .84  | .92   | .92  | .88  | .68  | .36  | .36  |        |
| CHERRY W/COVER                |  | BEG 5/ 4 |      | END 10/10 |      |      |      |       |      |      |      |      |      |        |
|                               |  | JAN      | FEB  | MAR       | APR  | MAY  | JUN  | JUL   | AUG  | SEP  | OCT  | NOV  | DEC  | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00  | .00       | .00  | 1.77 | 6.13 | 10.07 | 7.96 | 4.42 | .00  | .00  | .00  | 30.36  |
| AV. PAN FACTOR                |  | .36      | .36  | .36       | .36  | .68  | .92  | 1.00  | 1.00 | .96  | .76  | .36  | .36  |        |
| PEACH W/COVER                 |  | BEG 4/25 |      | END 10/10 |      |      |      |       |      |      |      |      |      |        |
|                               |  | JAN      | FEB  | MAR       | APR  | MAY  | JUN  | JUL   | AUG  | SEP  | OCT  | NOV  | DEC  | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00  | .00       | .00  | 2.43 | 5.48 | 9.19  | 7.24 | 3.97 | .00  | .00  | .00  | 28.32  |
| AV. PAN FACTOR                |  | .36      | .36  | .36       | .36  | .64  | .84  | .92   | .92  | .88  | .68  | .36  | .36  |        |
| PEAR & PLUM W/COVER           |  | BEG 5/ 7 |      | END 10/10 |      |      |      |       |      |      |      |      |      |        |
|                               |  | JAN      | FEB  | MAR       | APR  | MAY  | JUN  | JUL   | AUG  | SEP  | OCT  | NOV  | DEC  | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00  | .00       | .00  | 1.38 | 5.48 | 9.19  | 7.24 | 3.97 | .00  | .00  | .00  | 27.27  |
| AV. PAN FACTOR                |  | .36      | .36  | .36       | .36  | .64  | .84  | .92   | .92  | .88  | .68  | .36  | .36  |        |
| APPLES W/O COVER              |  | BEG 5/14 |      | END 10/10 |      |      |      |       |      |      |      |      |      |        |
|                               |  | JAN      | FEB  | MAR       | APR  | MAY  | JUN  | JUL   | AUG  | SEP  | OCT  | NOV  | DEC  | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00  | .00       | .00  | .44  | 4.18 | 7.88  | 6.16 | 3.30 | .00  | .00  | .00  | 21.96  |
| AV. PAN FACTOR                |  | .32      | .32  | .32       | .32  | .48  | .68  | .80   | .80  | .76  | .56  | .32  | .32  |        |

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Appendix B - 99a

UNRECORDED  
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# NEWPORT

|                               |  |          |     |           |     |      |      |      |      |      |     |     |     |
|-------------------------------|--|----------|-----|-----------|-----|------|------|------|------|------|-----|-----|-----|
| APRICOT W/O COVER             |  |          |     |           |     |      |      |      |      |      |     |     |     |
|                               |  | BEG 4/16 |     | END 10/10 |     |      |      |      |      |      |     |     |     |
|                               |  | JAN      | FEB | MAR       | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00 | .00       | .00 | 1.17 | 3.52 | 7.00 | 5.44 | 2.18 | .00 | .00 | .00 |
| AV. PAN FACTOR                |  | .32      | .32 | .32       | .32 | .44  | .60  | .72  | .72  | .56  | .52 | .32 | .32 |
| CHERRY W/O COVER              |  |          |     |           |     |      |      |      |      |      |     |     |     |
|                               |  | BEG 5/4  |     | END 10/10 |     |      |      |      |      |      |     |     |     |
|                               |  | JAN      | FEB | MAR       | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00 | .00       | .00 | .72  | 4.18 | 7.88 | 6.16 | 3.30 | .00 | .00 | .00 |
| AV. PAN FACTOR                |  | .32      | .32 | .32       | .32 | .48  | .68  | .80  | .80  | .76  | .56 | .32 | .32 |
| PEACH W/O COVER               |  |          |     |           |     |      |      |      |      |      |     |     |     |
|                               |  | BEG 4/25 |     | END 10/10 |     |      |      |      |      |      |     |     |     |
|                               |  | JAN      | FEB | MAR       | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00 | .00       | .00 | 1.17 | 3.52 | 7.00 | 5.44 | 2.18 | .00 | .00 | .00 |
| AV. PAN FACTOR                |  | .32      | .32 | .32       | .32 | .44  | .60  | .72  | .72  | .56  | .52 | .32 | .32 |
| PEAR & PLUM W/O COVER         |  |          |     |           |     |      |      |      |      |      |     |     |     |
|                               |  | BEG 5/7  |     | END 10/10 |     |      |      |      |      |      |     |     |     |
|                               |  | JAN      | FEB | MAR       | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00 | .00       | .00 | .45  | 3.52 | 7.00 | 5.44 | 2.18 | .00 | .00 | .00 |
| AV. PAN FACTOR                |  | .32      | .32 | .32       | .32 | .44  | .60  | .72  | .72  | .56  | .52 | .32 | .32 |
| GRAPES                        |  |          |     |           |     |      |      |      |      |      |     |     |     |
|                               |  | BEG 6/1  |     | END 10/10 |     |      |      |      |      |      |     |     |     |
|                               |  | JAN      | FEB | MAR       | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00 | .00       | .00 | .00  | 2.62 | 6.57 | 5.44 | 2.85 | .00 | .00 | .00 |
| AV. PAN FACTOR                |  | .36      | .36 | .36       | .36 | .36  | .56  | .68  | .72  | .68  | .56 | .36 | .36 |
| HOPS                          |  |          |     |           |     |      |      |      |      |      |     |     |     |
|                               |  | BEG 5/15 |     | END 10/10 |     |      |      |      |      |      |     |     |     |
|                               |  | JAN      | FEB | MAR       | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00 | .00       | .00 | .17  | 4.18 | 7.44 | 9.77 | .00  | .00 | .00 | .00 |
| AV. PAN FACTOR                |  | .40      | .40 | .40       | .40 | .40  | .68  | .76  | 1.20 | .00  | .00 | .00 | .00 |
| MINT                          |  |          |     |           |     |      |      |      |      |      |     |     |     |
|                               |  | BEG 5/15 |     | END 10/10 |     |      |      |      |      |      |     |     |     |
|                               |  | JAN      | FEB | MAR       | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00 | .00       | .00 | .17  | 2.54 | 8.76 | 7.60 | 4.42 | .00 | .00 | .00 |
| AV. PAN FACTOR                |  | .40      | .40 | .40       | .40 | .40  | .48  | .88  | .96  | .96  | .88 | .40 | .40 |
| RASPBERRY                     |  |          |     |           |     |      |      |      |      |      |     |     |     |
|                               |  | BEG 4/25 |     | END 10/10 |     |      |      |      |      |      |     |     |     |
|                               |  | JAN      | FEB | MAR       | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00 | .00       | .00 | 3.69 | 6.46 | 9.63 | 7.24 | 2.85 | .00 | .00 | .00 |
| AV. PAN FACTOR                |  | .32      | .32 | .32       | .32 | .84  | .96  | .96  | .92  | .68  | .40 | .32 | .32 |
| STRAWBERRY                    |  |          |     |           |     |      |      |      |      |      |     |     |     |
|                               |  | BEG 4/25 |     | END 10/10 |     |      |      |      |      |      |     |     |     |
|                               |  | JAN      | FEB | MAR       | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00 | .00       | .00 | .42  | 1.89 | 1.75 | 1.83 | .83  | .00 | .00 | .00 |
| AV. PAN FACTOR                |  | .32      | .32 | .32       | .32 | .32  | .40  | .24  | .32  | .32  | .32 | .32 | .32 |
| DRY BEANS                     |  |          |     |           |     |      |      |      |      |      |     |     |     |
|                               |  | BEG 6/21 |     | END 10/10 |     |      |      |      |      |      |     |     |     |
|                               |  | JAN      | FEB | MAR       | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC |
| MONTHLY NET IRRIG REQUIRE(IN) |  | .00      | .00 | .00       | .00 | .00  | .26  | 5.32 | 7.60 | 2.04 | .00 | .00 | .00 |
| AV. PAN FACTOR                |  | .00      | .00 | .00       | .00 | .00  | .33  | .57  | .96  | .67  | .00 | .00 | .00 |

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# NEWPORT

|                                |          |           |     |     |      |      |      |      |      |     |     |     |        |  |
|--------------------------------|----------|-----------|-----|-----|------|------|------|------|------|-----|-----|-----|--------|--|
| GREEN BEANS                    | BEG 6/21 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |  |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |  |
| MONTHLY NET IRRIG REQUIRE(IN)  | .00      | .00       | .00 | .00 | .00  | .26  | 3.77 | 5.89 | 2.07 | .00 | .00 | .00 | 11.98  |  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .00 | .00  | .33  | .42  | .77  | .79  | .00 | .00 | .00 |        |  |
| CARROTS                        | BEG 4/25 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |  |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |  |
| MONTHLY NET IRRIG REQUIRE(IN)  | .00      | .00       | .00 | .00 | 1.37 | 5.33 | 8.21 | .61  | .00  | .00 | .00 | .00 | 15.52  |  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .41 | .47  | .82  | .83  | .66  | .00  | .00 | .00 | .00 |        |  |
| FIELD CORN                     | BEG 6/1  | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |  |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |  |
| MONTHLY NET IRRIG REQUIRE(IN)* | .00      | .00       | .00 | .00 | .00  | .91  | 5.74 | 7.17 | 3.99 | .00 | .00 | .00 | 17.81  |  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .00 | .00  | .34  | .60  | .91  | .88  | .59 | .00 | .00 |        |  |
| SWEET CORN                     | BEG 6/1  | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |  |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |  |
| MONTHLY NET IRRIG REQUIRE(IN)  | .00      | .00       | .00 | .00 | .00  | 1.07 | 7.52 | 6.89 | .00  | .00 | .00 | .00 | 15.48  |  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .00 | .00  | .36  | .77  | .91  | .00  | .00 | .00 | .00 |        |  |
| CRUCIFER                       | BEG 4/25 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |  |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |  |
| MONTHLY NET IRRIG REQUIRE(IN)  | .00      | .00       | .00 | .00 | 1.34 | 5.05 | 3.79 | .00  | .00  | .00 | .00 | .00 | 10.17  |  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .41 | .47  | .79  | .80  | .00  | .00  | .00 | .00 | .00 |        |  |
| CUCUMBER                       | BEG 6/21 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |  |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |  |
| MONTHLY NET IRRIG REQUIRE(IN)* | .00      | .00       | .00 | .00 | .00  | .26  | 3.20 | 5.02 | 3.30 | .00 | .00 | .00 | 11.77  |  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .00 | .00  | .33  | .37  | .67  | .76  | .75 | .00 | .00 |        |  |
| DRY ONION                      | BEG 4/25 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |  |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |  |
| MONTHLY NET IRRIG REQUIRE(IN)  | .00      | .00       | .00 | .00 | 1.70 | 5.42 | 8.32 | 6.31 | 1.98 | .00 | .00 | .00 | 23.74  |  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .41 | .52  | .83  | .84  | .82  | .70  | .00 | .00 | .00 |        |  |
| GREEN ONION                    | BEG 4/25 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |  |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |  |
| MONTHLY NET IRRIG REQUIRE(IN)  | .00      | .00       | .00 | .00 | 1.14 | 4.45 | 3.79 | .00  | .00  | .00 | .00 | .00 | 9.38   |  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .41 | .44  | .71  | .80  | .00  | .00  | .00 | .00 | .00 |        |  |
| PEAS                           | BEG 4/25 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |  |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |  |
| MONTHLY NET IRRIG REQUIRE(IN)  | .00      | .00       | .00 | .00 | 1.90 | 6.38 | 7.51 | .00  | .00  | .00 | .00 | .00 | 15.79  |  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .41 | .56  | .95  | .94  | .00  | .00  | .00 | .00 | .00 |        |  |
| POTATO                         | BEG 6/1  | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |  |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |  |
| MONTHLY NET IRRIG REQUIRE(IN)  | .00      | .00       | .00 | .00 | .00  | .92  | 6.68 | 7.24 | 3.80 | .00 | .00 | .00 | 18.64  |  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .00 | .00  | .34  | .69  | .92  | .85  | .65 | .00 | .00 |        |  |

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Appendix B - 99c

NEWPORT  
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# NEWPORT

|                                |          |           |     |     |      |      |      |      |      |     |     |     |        |
|--------------------------------|----------|-----------|-----|-----|------|------|------|------|------|-----|-----|-----|--------|
| RADISH                         | BEG 4/25 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN)  | .00      | .00       | .00 | .00 | 2.32 | .00  | .00  | .00  | .00  | .00 | .00 | .00 | 2.32   |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .41 | .62  | .00  | .00  | .00  | .00  | .00 | .00 | .00 |        |
| SAFFLOWER                      | BEG 4/25 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN)  | .00      | .00       | .00 | .00 | 1.34 | 5.35 | 9.19 | 3.79 | .00  | .00 | .00 | .00 | 19.67  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .41 | .47  | .82  | .92  | .59  | .00  | .00 | .00 | .00 |        |
| SORGHUM                        | BEG 6/21 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN)* | .00      | .00       | .00 | .00 | .00  | .26  | 3.77 | 6.30 | 3.97 | .00 | .00 | .00 | 14.30  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .00 | .00  | .33  | .42  | .82  | .88  | .66 | .00 | .00 |        |
| SOYBEANS                       | BEG 6/ 1 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN)* | .00      | .00       | .00 | .00 | .00  | 1.03 | 6.75 | 6.88 | 3.89 | .00 | .00 | .00 | 18.55  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .00 | .00  | .35  | .70  | .88  | .87  | .53 | .00 | .00 |        |
| SPINACH                        | BEG 4/25 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN)  | .00      | .00       | .00 | .00 | 1.45 | 3.80 | .00  | .00  | .00  | .00 | .00 | .00 | 5.25   |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .41 | .48  | .77  | .00  | .00  | .00  | .00 | .00 | .00 |        |
| SPRING GRAIN                   | BEG 4/ 2 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN)  | .00      | .00       | .00 | .00 | 3.11 | 6.13 | 8.83 | 1.73 | .00  | .00 | .00 | .00 | 19.80  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .42 | .75  | .92  | .89  | .43  | .00  | .00 | .00 | .00 |        |
| SUGAR BEET                     | BEG 4/25 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN)* | .00      | .00       | .00 | .00 | 1.04 | 3.84 | 9.00 | 7.24 | 4.03 | .00 | .00 | .00 | 25.15  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .41 | .42  | .64  | .90  | .92  | .89  | .82 | .00 | .00 |        |
| SUNFLOWER                      | BEG 4/25 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN)  | .00      | .00       | .00 | .00 | 1.16 | 4.91 | 9.19 | 5.44 | .05  | .00 | .00 | .00 | 20.74  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .41 | .44  | .77  | .92  | .72  | .32  | .00 | .00 | .00 |        |
| TOMATO                         | BEG 6/ 1 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN)* | .00      | .00       | .00 | .00 | .00  | .90  | 4.80 | 6.64 | 3.88 | .00 | .00 | .00 | 16.23  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .00 | .00  | .33  | .52  | .85  | .86  | .51 | .00 | .00 |        |
| WINTER WHEAT                   | BEG 4/ 2 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN)  | .00      | .00       | .00 | .64 | 4.11 | 6.13 | 6.99 | .44  | .00  | .00 | .00 | .00 | 18.30  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .64 | .91  | .92  | .72  | .28  | .12  | .52 | .00 | .00 |        |
| SQUASH                         | BEG 6/21 | END 10/10 |     |     |      |      |      |      |      |     |     |     |        |
|                                | JAN      | FEB       | MAR | APR | MAY  | JUN  | JUL  | AUG  | SEP  | OCT | NOV | DEC | SEASON |
| MONTHLY NET IRRIG REQUIRE(IN)  | .00      | .00       | .00 | .00 | .00  | .26  | 3.20 | 5.02 | 2.71 | .00 | .00 | .00 | 11.19  |
| AV. PAN FACTOR                 | .00      | .00       | .00 | .00 | .00  | .33  | .37  | .67  | .72  | .00 | .00 | .00 |        |

(WA210-VI-WAIG, OCTOBER 1985)

Vita for

WADE E. HATHHORN, Ph.D., P.E.  
Assistant Professor  
Washington State University  
Department of Civil & Environmental Engineering  
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e-mail: weh@wsu.edu

|                               |         |
|-------------------------------|---------|
| Department of Water Resources |         |
| APPLICANT'S                   |         |
| Exhibit                       | #5      |
| Date Admitted                 | 9/19/96 |

### Education

Ph.D., Civil Engineering, University of Texas at Austin, 1990  
M.S., Civil Engineering, University of Wyoming, 1986  
B.S., Civil Engineering, University of Nevada, Reno, 1984 (w/ High Distinction)

### Honors and Awards

Who's Who in Science and Engineering, 1996-97  
University of Illinois at Chicago: Nominee, Silver Circle Award for Teaching Excellence, 1992  
University of Texas at Austin: Endowed Presidential Scholarship 1988, 1989, 1990  
University of Nevada, Reno: Civil Engineering Student of the Year 1984; Alan Ladd Johnston Scholarship; Major Max C. Fleischmann Scholarship; Royal D. Hartung Education Scholarship; Virginia M. Johnson Scholarship

### Professional Registration & Special Licenses

Registered Professional Engineer (PE): Idaho (#8117)  
Private Pilot, FAA Certification, Airplane/Single Engine-Land

### Employment History

Assistant Professor, Dept. of Civil & Environ. Engr., Wash. State Univ., Pullman, Aug. 1992 - Present  
Assistant Professor, Dept. of Civil Engr., Univ. of Illinois at Chicago: Sept. 1990 - Aug. 1992

### Professional Experience

Member, Technical Review Panel for US EPA's Eastern Columbia Sole Source Aquifer, 1995  
Member, Review Panel for USGS's Lower Columbia Basin Ambient Water Quality Study, 1995  
Member, Technical Review Panel for Hanford's 100-N Area Response Action Plan, 1994  
Faculty Fellow, Battelle Pacific Northwest Laboratories, Richland, Washington: June-Aug, 1994  
Research Consultant, Energy Systems Division, Argonne National Laboratory, Argonne, Illinois: 1991 - 1993  
Technical Aid, U.S.D.A.- ARS, Arid Research Center, Tucson, Az.: Summer 1985  
Instructor, Department of Civil Engineering, The University of Arizona: Spring, 1985  
Engineering Intern, Minden County Engineering Department, Minden, Nevada: 1982, 1983 (summers, winters)  
Engineering Intern, Sierra Pacific Power Co., Reno, Nevada: 1981 (summer)

### Consulting

Principal & Founder: Clearwater Consultants, Ltd., Pullman, WA

Fate and Transport Assessment, Tulalip Landfill Superfund Site, Marysville, WA: Hackett, Beecher, and Hart, 1996  
Review Clean-Up Time, Western Processing Superfund Site, Tacoma, WA: Hackett, Beecher, and Hart, 1996  
Remediation & Monitoring, Hydrocarbon Groundwater Spill, Quincy, WA: Private Individual, 1996  
Assess Municipal Wastewater Treatment Operations, Lake Havasu, AZ: Az. Dept. Env. Qual., 1996

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Assess PLP Liability, Hydrocarbon Groundwater Spill, Port of Pasco, WA: Hackett, Beecher, and Hart, 1995-96.  
 Review of Eastern Columbia Plateau Sole Source Aquifer Petition: US EPA, 1995.  
 Review of Study of Water Quality in Lower Columbia River Basin: USGS, 1995.  
 Groundwater Boundary Analysis of Pullman-Moscow Basin: PMWRC, 1994.  
 Review of 100-N Area Hanford ERA, Intervention of Sr-90 Flux to the Columbia River: US DOE and ASI, 1994.  
 Review of UST Liability, (swarn deposition), Chicago, IL: Private Individual, 1992

### Sponsored Research Projects:

Co-PI: Wet Detention Pond Design & Evaluation: NCHRP & FHWA, 3/96-12/99, \$400,000  
 Co-PI: Safety Slope & Ecology Ditch Water Quality Monitoring: WashDOT, 7/95-6/97, \$72,000  
 PI: Decision Support System in the Clean-Up of NAPL Contaminated Soils: USGS, 5/95-4/96, \$5,650  
 Co-PI: GW Residence Times in Columbia River Basalts: A Stable Isotope Study: USGS, 5/95-4/96: \$47,873  
 Co-PI: Hydrogeologic Investigation for the City of Quincy, WA: WashDOE, 10/94-12/95, \$60,450  
 PI: Pollution Potential in Association with Infiltration Basin BMP's: WashDOT, 7/93-6/95, \$124,727  
 PI: Risk of Groundwater Pollution from Commerical Activity: USGS & Spokane Co., 7/93-6/94, \$30,124

### Publications

#### Invited Publications/Book Contributions:

1. Hathhorn, W. E. (1995). "A Statistical Discussion of Model Error in the Use of the Advection Dispersion Equation," Chapter 2 in the *Assessment of Models for Groundwater Resources Analysis and Management*, CRC-Lewis Press, pp. 25-38.

#### Refereed Papers:

1. Hathhorn, W. E. (1996). A Simplified Approach to Particle Tracking Methods for Contaminant Transport, *J. Hydraulic Engineering*, ASCE, accepted (8/96).
2. Jordan, R. E., D. R. Yonge, and W. E. Hathhorn (1996). "Enhanced Mobility of Pb in the Presence of Dissolved Natural Organic Matter, *J. Contaminant Hydrology*, in press.
3. Hathhorn, W.E. and T. Wubbena (1996). "Site Vulnerability Assessment for Wellhead Protection Planning, *J. Hydrologic Engineering*," ASCE, in press.
4. Lough, D. and W. E. Hathhorn (1996). "Computerized Decision Support System for the Selection of Remedial Technologies in the Clean-Up of NAPL Contaminated Soils," *Proceedings of the '96 Conf. on NAPL Contamination*, ASCE, in press.
5. Hathhorn, W. E. (1996). "Model Error for the Advection Dispersion Equation," *Proceedings of '96 Conf. on Uncertainty in the Geologic Environment: From Theory to Practice*, ASCE, in press.
6. Igloria, R. V., W. E. Hathhorn, and D. R. Yonge (1996). "Transport of Heavy Metals During Infiltration of Simulated Highway Runoff Through Large Scale Soil Columns," *Transportation Research Record*, in press.
7. Igloria, R. V., W. E. Hathhorn, and D. R. Yonge (1996). "The Effect of Natural Organic Matter on Heavy Metal Transport During Infiltration," *Transportation Research Record*, in press.
8. Hathhorn, W. E. (1996). "A Second Look at the Method of Random Walks," *Stochastic Hydrology & Hydraulics*, in press.
9. Hathhorn, W. E. and R. J. Charbeneau (1994). "Stochastic Fluid Travel Times in Heterogeneous Porous Media," *J. Hydraulic Engineering*, ASCE, 120(2), pp. 134-146.
10. Tung, Y.K. and W. E. Hathhorn (1990). "Stochastic Waste Load Allocation," *Ecological Modeling*, 51, pp. 29-46.
11. Hathhorn, W. E. and Y. K. Tung (1989). "Bi-objective Analysis of Waste Load Allocation Using Fuzzy Linear Programming," *Water Resource Management*, 3, pp. 243-257.
12. Tung, Y. K. and W. E. Hathhorn (1989). "Determination of the Critical Locations in a Stochastic Stream Environment," *Ecological Modeling*, 45, pp. 43-61.
13. Tung, Y. K. and W. E. Hathhorn (1989). "Multiple-Objective Waste Load Allocation," *Water Resource Management*, 3, pp. 129-140.
14. Hathhorn, W. E. and Y. K. Tung (1988). "Assessing the Risk of Violating Stream Water Quality Standards," *J. of Environmental Management*, 26, pp. 321-338.

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15. Tung, Y. K. and W. E. Hathhorn (1988). "Probability Distribution for Critical DO Location in Streams," *Ecological Modeling*, 42, pp. 45-60.
16. Tung, Y. K. and W. E. Hathhorn (1988). "Assessment of Probability of Dissolved Oxygen Deficit," *J. of Environmental Engineering*, ASCE, 114(6), pp. 1421-1435.

#### Journal Papers Under Review:

1. Igloria, R., W. E. Hathhorn, and D. R. Yonge (1996). Effect of Natural Organic Matter on the Attenuation of Trace Metals During Stormwater Infiltration, submitted to *J. Hydrologic Engr.*, ASCE (7/96).
2. King, S., M. Barber, W. Hathhorn, and D. Yonge (1996). The Ecology Ditch as a BMP for Highway Stormwater Runoff, submitted to *TRB* (7/96).

#### Proceedings:

1. Igloria, R., W. Hathhorn, D. Yonge, and R. Jordan (1994). "Remediation of Urban Stormwater Runoff Through Infiltration Basins," *Proceedings of the Annual Conference for the Universities Council on Water Resources (UCOWR)*, Aug. 2-5, Big Sky, Montana.
2. Hathhorn, W. E. (1993). "The Tradeoff Between Hydraulic Efficiency and Risk of Groundwater Contamination During Artificial recharge Events," in *Proceedings of the Regional Seminar on Potential of Artificial Recharge of Groundwater*, December 13-15, University of Jordan, Amman.
3. Hathhorn, W. E. (1993). "A Review of Fluid Movement in Compacted Clays: The Case of Macropore Flow" in *Engineering Hydrology: Proceedings of the Symposium*, ASCE, July 25-30, San Francisco, pp. 473-478.
4. Hathhorn, W. E. and Y. K. Tung (1989). "Water Quality Assessment in a Stochastic Stream Environment" in *Environmental Engineering: Proceedings of the 1989 Specialty Conference*, ASCE, July 10-12, Austin, Texas, pp. 600-607.

#### Technical Reports and Theses:

1. Larson, K. R., C. K. Keller, R. M. Allen-King, W. E. Hathhorn, P. B. Larson (1996). "Groundwater Recharge and Residence Times in the Pullman-Moscow Basin: A Stable Isotope Study," Report A-196-WASH, Wash. Water Res. Cntr., Wash. State Univ., June, 24 p.
2. Lough, D. and W. E. Hathhorn (1996). "Decision Support System for the Cleanup of NAPL Contaminated Soils," Report A-193-WASH, Wash. Water Res. Cntr., Wash. State Univ., June, 35 p.
3. Hathhorn, W. E. and D. R. Yonge (1995). "The Assessment of Groundwater Pollution Potential Resulting From Stormwater Infiltration BMP's," Res. Rpt. T9902-Task 3, TRAC, Wash. Dept. Trans., August, 53 p.
4. Hathhorn, W. E. and M. E. Barber (1994). "Hydrogeologic Boundary Assessment for the Pullman-Moscow Basin," Project Report, Pullman-Moscow Wtr. Res. Cmte., December, 33 p.
5. Hathhorn, W. E. and T. Wubbena (1994). "A Groundwater Risk Assessment Score Sheet for Application in Wellhead Protection Planning," Report A-181-WASH, Wash. Water Res. Cntr., Wash. State Univ., December, 82 p.
6. Kunkel, J., M. Vorum, W. Hathhorn, A. Burgess, R. Millet (1994). "Independent Technical Review of N Springs Expedited Response Action Proposal Hanford Site," prepared for Westinghouse Hanford Co. and Advanced Sciences, Inc., Feb. 22, 1994.
7. Hathhorn, W. E. (1990). "Diffusion Theory and the Fluid Passage Time Problem in a Porous Media," Ph.D. Dissertation, Department of Civil Engineering, The University of Texas at Austin.
8. Hathhorn, W. E. (1988). "Enhanced Methodology for the Response to a Chemical Spill," prepared for the Union Carbide Co., Department of Civil Engineering, University of Texas at Austin, February.
9. Hathhorn, W. E. (1988). "Regulatory Investigative Treatment Zone Model (RITZ-UT): A User's Manual," prepared for the Department of Civil Engineering, University of Texas at Austin, August.
10. Hathhorn, W. E. (1986). "Optimal Waste Load Allocation in a Stream Environment Under Uncertainty", M. S. Thesis, University of Wyoming.

#### Presentations

1. "Water Quality Issues: Protecting Regional Groundwater Supplies," Invited Presentation, Pollution Prevention Expo '96, Spokane, WA, April 10, 1996.
2. "Transport of Heavy Metals During Infiltration of Simulated Highway Runoff Through Large Scale Soil Columns," presented at the 75th Mtg. of the Trans. Res. Brd., Wash., DC, Jan. 7-11.

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M E M O R A N D U M

Department of Water Resources  
PROTESTANT'S

Exhibit A

Date Admitted

9/19/96 *AS*

TO: PAUL HANNA

DATE: 10/28/93

FROM: PAT COLE

SUBJECT: BEAVER-EATON LAKES WETLAND COMPLEX WILDLIFE ASSESSMENT

This report summarizes information regarding waterfowl and other wildlife at the Beaver-Eaton Lakes Wetland Complex (B-EWC). The information was gathered to demonstrate that water level maintenance for wildlife at B-EWC is in the public interest, and that establishment of a minimum water level is an appropriate measure to protect that interest.

B-EWC is composed of three parts that encompass approximately 160 acres (Figure 1). Eaton Lake and Beaver Slough flow into Beaver Lake during periods of spring run-off. The level of Beaver Lake is maintained by a series of beaver dams located in the northwest corner.

#### CANADA GOOSE NESTING

Thirteen Canada goose nests were observed at B-EWC during one complete count conducted on 12 April 1993 (Table 1). Most nests (62%) were located at Beaver Lake. This is likely due to a greater number of natural nesting sites (i.e., beaver lodges, rocky islands, floating mats of vegetation), and an irregular shoreline that reduces sight distance and increases isolation of territorial nesting pairs. Approximately half (46%) of the Canada goose nests were located in artificial nesting structures provided by IDFG but maintained by George Strong (B-EWC landowner).

#### DUCK PRODUCTION

One duck breeding pair count and two brood counts were conducted at B-EWC in 1993 (Table 2). According to these counts, 42% (18) of 43 duck breeding pairs produced broods. Wood ducks were the most common nesting species (six broods), followed by ring-necked ducks (four broods) and mallards (four broods). Ninety-nine ducklings from six duck species were observed during brood counts (Table 2).

Irregular shoreline (breeding pair isolation), and attractive waiting and loafing sites (i.e., beaver dams, beaver lodges, rocky islands) likely contributed to a greater capacity for breeding duck pairs at Beaver Lake (Figure 2). Emergent and aquatic vegetation provide brood escape cover and substrate for wetland invertebrates (duckling food). Both Beaver Lake and Beaver Slough support large areas of emergent and aquatic vegetation, which may explain why these areas were selected by hens with broods (Figure 3).

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In addition to counting duck pairs and broods, 12 wood duck nesting boxes were inspected for duck use. Six of the seven duck nests found in boxes successfully hatched. Duck nests in wood duck boxes may account for six (86%) of seven cavity-nesting duck broods observed during brood counts.

#### DUCK MIGRATION

While total counts were not conducted, greater than 500 ducks utilized Eaton Lake throughout September and October 1992 and 1993. Most of these ducks were divers (Aythya spp.) that may be attracted to Eaton Lake due to its depth and low degree of human-caused disturbance. Beaver Slough was also very attractive to migrating ducks due to the abundance of floating seeds from aquatic plants (notably Nuttall's pondweed and wild rice).

#### OTHER WILDLIFE

Because B-EWC includes highly diverse wetland habitats with low human-caused disturbance, the area attracts and supports a wide array of wildlife. Since 1988, 12 bald eagles were produced from the B-EWC nest located at Beaver Lake (Table 3). Up to three moose were observed this year by Scott and Dale Engstrom (B-EWC landowners). Further, broods of pied-billed grebes and American coots were documented during duck brood counts. George Strong is an avid and competent wildlife observer. He compiled a list of species observed at B-EWC which is included with this report.

#### CONCLUSION

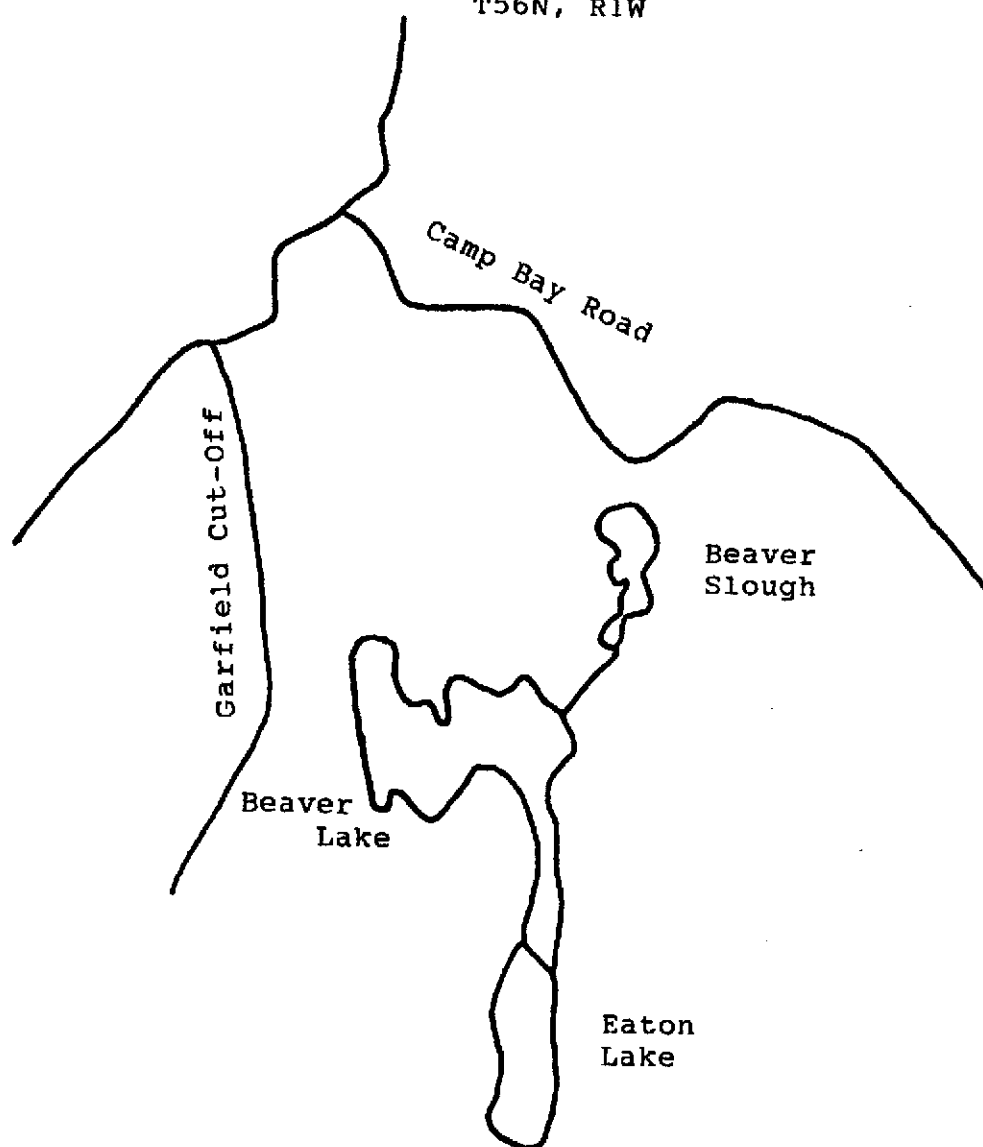
B-EWC is privately-owned with no public access. Consequently, human-caused wildlife disturbance is low, and wildlife production is high. Wildlife produced and supported at B-EWC disperse to surrounding areas where they significantly contribute to wildlife viewing and hunting opportunities.

Significant reduction in the water level at B-EWC would: 1) eliminate wetland vegetation; 2) reduce food and cover for waterfowl; 3) eliminate habitat for other wetland wildlife; and 4) render beaver lodges and rocky islands accessible to predators, making them insecure and unattractive to nesting ducks and geese. The result would be reduced wetland area, and severely curtailed wetland wildlife production. Establishment of a minimum lake level would ensure that wetland degradation through water level drawdown would not occur.

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Figure 1  
BEAVER-EATON LAKES WETLAND COMPLEX

T56N, R1W



9 + 10  
16 + 15

16 + 15  
21 + 22

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Table 1. Canada goose nests at B-EWC in 1993.

| Location      | Occupied           |               | Total |
|---------------|--------------------|---------------|-------|
|               | Nesting Structures | Natural Nests |       |
| Beaver Lake   | 3                  | 5             | 8     |
| Eaton Lake    | 1                  | 2             | 3     |
| Beaver Slough | 2                  | 0             | 2     |
| Total         | 6                  | 7             | 13    |

Table 2. Duck breeding pairs, broods, productivity (brood/pair), and ducklings at B-EWC in 1993.

| Species           | Pairs | Broods | Brood/Pair | Ducklings |
|-------------------|-------|--------|------------|-----------|
| Mallard           | 9     | 4      | 0.44       | 25        |
| Cinnamon Teal     | 6     | 2      | 0.33       | 12        |
| Green-Winged Teal | 4     | 1      | 0.25       | 4         |
| Wood Duck         | 11    | 6      | 0.55       | 41        |
| Ring-Necked Duck  | 10    | 4      | 0.40       | 16        |
| Common Goldeneye  | 1     | 1      | 1.00       | 1         |
| Hooded Merganser  | 2     | 0      | 0.00       | 0         |
| Total             | 43    | 18     | 0.42       | 99        |

Table 3. Bald eagle nesting history at Beaver Lake.

| Year  | Nest Success | Eaglets Produced |
|-------|--------------|------------------|
| 1988  | successful   | 2                |
| 1989  | successful   | 2                |
| 1990  | successful   | 2                |
| 1991  | successful   | 2                |
| 1992  | successful   | 2                |
| 1993  | successful   | 2                |
| Total |              | 12               |

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Figure 2. Numbers of duck pairs observed at Beaver Lake, Eaton Lake, and Beaver Slough in 1993.

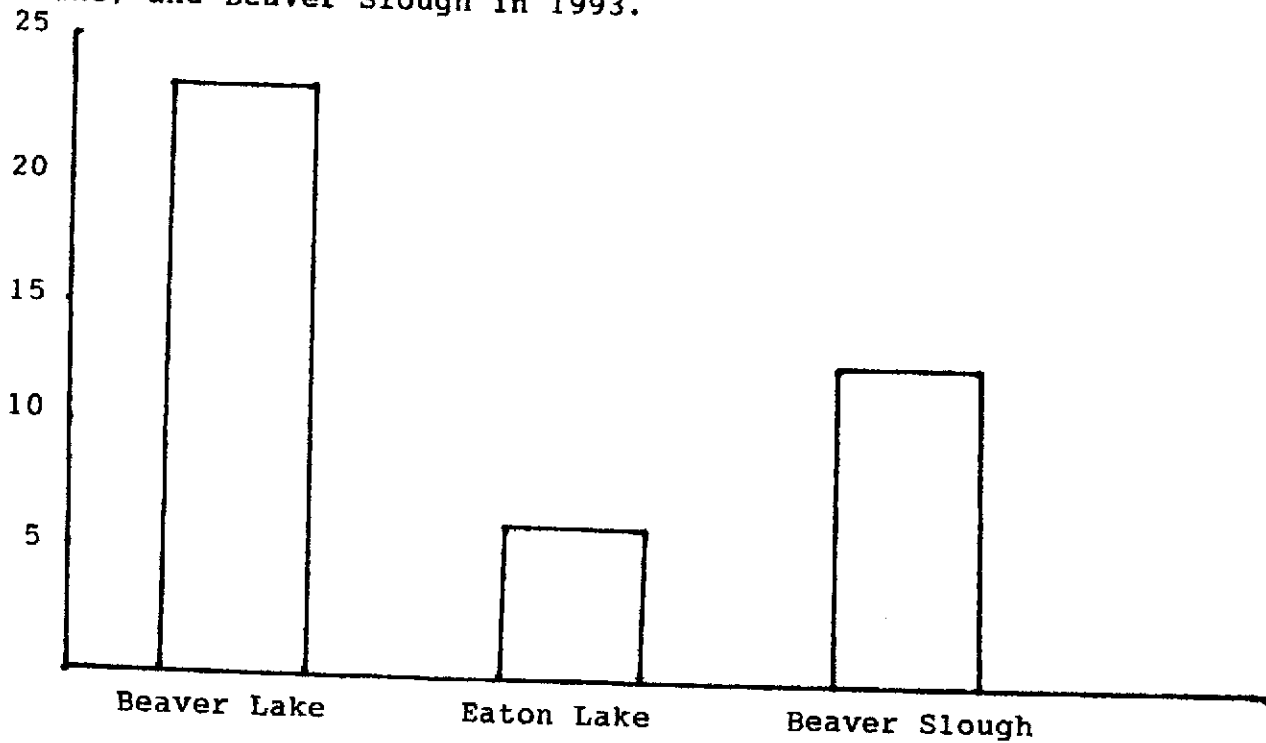
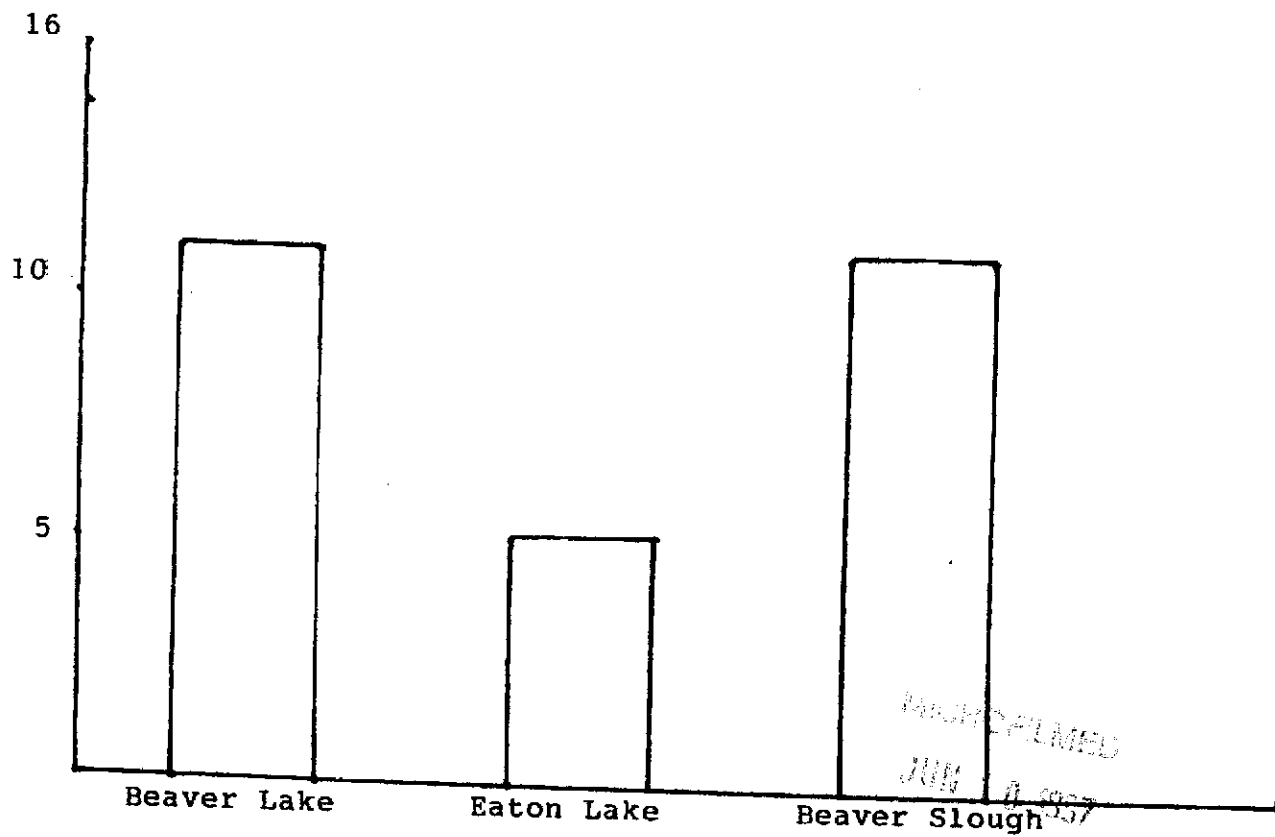


Figure 3. Numbers of broods observed during two complete brood counts at Beaver Lake, Eaton Lake, and Beaver Slough in 1993.



## LIST OF SIGHTINGS

- |                         |                               |
|-------------------------|-------------------------------|
| 1. Turkey Vulture       | 32. Northern Flicker          |
| 2. Osprey               | 33. Hairy Woodpecker          |
| 3. Bald Eagle           | 34. Downy Woodpecker          |
| 4. Red Tailed Hawk      | 35. Pigmy Owl                 |
| 5. Rough Legged Hawk    | 36. Saw-Whet Owl              |
| 6. Northern Harrier     | 37. Great Horned Owl          |
| 7. Coopers Hawk         | 38. Robin                     |
| 8. American Kestral     | 39. Hermit Thrush             |
| 9. Ruffed Grouse        | 40. Townsends Solitaire       |
| 10. American Bittern    | 41. Mountain Blue Bird        |
| 11. Great Blue Heron    | 42. Western BlueBird          |
| 12. Killdeer            | 43. Black Chinned Hummingbird |
| 13. Hooded Merganser    | 44. Calliope Hummingbird      |
| 14. Common Merganser    | 45. Rufous Hummingbird        |
| 15. American Coot       | 46. Stellers Jay              |
| 16. Pied Billed Grebe   | 47. Grey Jay                  |
| 17. Horned Grebe        | 48. Raven                     |
| 18. Northern Shoveler   | 49. Crow                      |
| 19. Ruddy Duck          | 50. Clarks Nutcracker         |
| 20. Bufflehead          | 51. Chestnut Backed Chickadee |
| 21. Barrow's Goldeneye  | 52. Black Capped Chickadee    |
| 22. Ring Necked Duck    | 53. Mountain Chickadee        |
| 23. Northern Pintail    | 54. Red Breasted Nuthatch     |
| 24. Gadwall             | 55. White Breasted Nutcatch   |
| 25. American Widgeon    | 56. Pigmy Nuthatch            |
| 26. Mallard             | 57. Brown Creeper             |
| 27. Blue Winged Teal    | 58. Ruby Crowned Kinglet      |
| 28. Green Winged Teal   | 59. Barn Swallow              |
| 29. Wood Duck           | 60. Violet Green Swallow      |
| 30. Canada Goose        | 61. Tree Swallow              |
| 31. Pileated Woodpecker | 62. Cliff Swallow             |

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63. Eastern Kingbird
64. Western Wood Peewee
65. Olive Sided Flycatcher
66. Dark-eyed Junco
67. Song Sparrow
- 68., Chipping Sparrow
69. Fox Sparrow
70. Lincolns Sparrow
71. Meadow Lark
72. White Crowned Sparrow
73. Vesper Sparrow
74. Cassins Finch
75. Gold Finch
76. Pine Siskin
77. Rufous Sided Towee
78. Bullocks Oriole
79. Western Tanager
80. Evening Grosbeak
81. Cedar Waxwing
82. Grey Catbird
83. Red Eyed Vireo
84. Yellow-Rumped Warbler
85. Yellow Warbler
86. Yellow Throat
87. Wilson's Warbler
88. MacGillivray's Warbler
89. Townsend's Warbler
90. Belted Kingfisher
91. Redwinged Blackbird
92. Brewers Blackbird
93. Brown Headed Cowbird

#### Amphibians and snakes

1. Northern Alligator Lizard
2. Western Skink
3. Garter Snake
4. Rubber Boa
5. Larval Tiger or Pacific Salamander
6. Pacific Tree Frog
7. Wood Frog? not supposed to be here
8. Spotted Frog
9. Painted Terrapin

#### Animals

1. Long Tailed Vole
2. Water Vole
3. Vagrant Shrew
4. White Footed Mouse
5. Chipmunk
6. Red Squirrel
7. Bat
8. Beaver
9. Raccoon
10. Stripped Skunk
11. Black Bear
12. Bob Cat
13. Coyote
14. White Tailed Deer
15. Gopher
16. Porcupine

MANCHESTER  
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## TREES

1. Grand Fir
2. White Fir
3. White Pine
4. Lodgepole Pine
5. Western Hemlock
6. Western Red Cedar
7. Western Larch
- 8.. Bebb Willos
9. Red Osier Dogwood
10. Pacific Willos
11. Mountain Alder
12. Red Alder
13. Water Birch
14. Birch
15. Bog Birch
16. Grey Birch
17. Black Cottonwood
18. Aspen
19. Red Maple

ENCLOSURE  
JUN 10 1957

IDAHO DEPARTMENT OF LANDS

Pend Oreille LakeArea Office

P.O. Box 909, Sandpoint, Idaho 83864-0852

(208) 263-5104

STANLEY F. HAMILTON  
DIRECTOR

Department of Water Resources  
PROTESTANT'S

Exhibit B

Date Admitted 9/12/96 *AF*

August 24, 1993

Scott & Dale Engstom  
7148 Garfield Bay Cutoff Rd.  
Sagle, ID 83860

Dear Scott and Dale,

Enclosed is your stewardship management plan. Please review it and, if everything is satisfactory, sign the enclosed pledge and return it to this office.

Once we receive the signed pledge your plan will be forwarded to our Coeur d'Alene office for approval. Once approved you will be eligible for a certificate, stewardship sign, and any cost share programs that may be available.

I enjoyed meeting with you and look forward to working on future stewardship projects with you.

If you have any questions or if I can be of further assistance, please call.

Sincerely,

*John Stoll*

John Stoll  
Service Forester

JS:ps  
Enclosures

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JUN 10 1997

IDAHO FOREST STEWARDSHIP

LANDOWNER MANAGEMENT PLAN

\*\*\*\*\*

Stewardship Plan No.:

Name: Scott and Dale Engstrom  
Phone: (208) 263-0155  
Address: 7148 Garfield Bay Cutoff Rd., Sagle, ID 83860  
Legal: SWNW, Less E2E2E2, W2W2W2, Section 14, Township 56  
North, Range 1 West  
County: Bonner  
Ownership: Residing, private, non-industrial  
Plan acreage: 30  
Forester: John Stoll, Karen Robinson, Idaho Department of  
Lands, Pend Oreille Lake Area, Sandpoint  
Phone: (208) 263-5104  
Date of Inspection/Plan: August, 1993  
Signature: John Stoll

\*\*\*\*\*

Property Data

Elevation: 2300-2400 feet  
Slopes: 0-60%  
Aspect: All  
Habitat Type: Douglas-fir, ponderosa pine  
Soils: Pywell-Hoodoo complex, Treble-rock outcrop,  
Pend Oreille-Hoodoo silt loams

Summary

This forest stewardship plan has been developed for Scott and Dale Engstrom to provide the landowners guidance in maintaining, protecting, and enhancing the valuable forest resources of the property. Once the forest stewardship management plan has been approved by the State Stewardship Committee, the landowners may become eligible to participate in the Stewardship Incentives Program (SIP).

This plan recommends general projects the landowners can take on to meet their objectives. Before a specific project is implemented, the landowners should have the Department design a detailed project description which will then become a part of this Stewardship Plan. All management activities should adhere to the Idaho Forest Practices Act.

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JUN 10 1997

IDAHO FOREST STEWARDSHIP  
LANDOWNER MANAGEMENT PLAN  
SCOTT AND DALE ENGSTROM

GENERAL DESCRIPTION

This 30 acre tract includes a portion of the southern tip of Beaver Lake on the north end of the property. There is a small intermittent stream that runs from Eaton Lake to Beaver Lake and for the most part, splits this tract in half. The rocky upland areas are well to fairly well stocked with Douglas-fir, western larch, ponderosa pine, and white pine. In the swales between rock outcrops are western red cedar, grand fir and birch. There is a bald eagle nest to the east of the property on the east side of some wetlands and we observed two mature eagles south of the nest near Eaton Lake during my first visit. We saw an immature eagle near the nest on my second visit. The homesite is located to the south east of Beaver Lake. Spotted knapweed, tansy, and St. John's wort is prevalent in patches throughout the property. Canada thistle and hawkweed are also present.

1. FISH AND WILDLIFE

- A. Beaver Lake provides excellent habitat for numerous waterfowl and riparian dependent species including Canada geese, beaver, great blue herons, osprey, moose and bald eagles. The lake supports some fish (pumpkin seed, spiny-rays, and possibly bullhead) but habitat quality is somewhat limited by the shallow depth. Several goose nesting platforms have been constructed around the lake.

The forested upland provides fair habitat for deer, moose, black bear, and cougar, as well as many smaller animals.

Some forage is available, especially for whitetail deer along the edges of the intermittent stream. Succulent forbs may be available in spring for use by deer and bears but the proximity to the house probably limits its use.

There are very few snags of any size on this property.

- B. Landowners' Objective: To maintain and/or enhance wildlife populations.

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JUN 10 1977

IDAHO FOREST STEWARDSHIP  
LANDOWNER MANAGEMENT PLAN  
SCOTT AND DALE ENGSTROM

C. Recommendations: (time frame is ongoing)

1. Maintain high water levels in Beaver Lake and the surrounding wetlands to promote good quality habitat for waterfowl, eagles, beaver, fish, etc.
2. A good, osprey or eagle nesting platform could be constructed along the shoreline of the lake within this property.
3. Maintain or improve current habitat conditions around the lake and wetlands. Maintain native vegetation. Cottonwood, aspen and/or willow could be planted to enhance the habitat for beaver and moose.
4. Minimize pesticide and fertilizer use. Seek biological control methods and long term solutions (e.g. reforestation or re-establish dense native grass cover) for noxious weeds whenever possible.
5. Save snags and stubs over 10 inches DBH and 20 feet tall. The best species to save are western larch, ponderosa pine, western red cedar, Douglas-fir, grand fir, hemlock, lodgepole pine and white pine in that order of preference. All hardwoods should be retained - they have high value for wildlife.  
  
Designate at least three trees per acre (more is better) to become future snags.
6. Control pets at all times. Don't let them run, especially if no one is at home.
7. Natural landscaping and plantings for songbirds and hummingbirds around the yard can increase habitat as well as increasing landowners' opportunity to observe wildlife.

2. THREATENED AND ENDANGERED SPECIES PROTECTION

- A. A pair of bald eagles nest to the east of this 30 acre tract. There may also be some threatened and endangered plant species near the wetlands on this and surrounding properties. Grizzly bear may occasionally use the wetlands for foraging in the spring.

IDAHO FOREST STEWARDSHIP  
LANDOWNER MANAGEMENT PLAN  
SCOTT AND DALE ENGSTROM

B. The landowners' objective is to maintain and/or enhance habitat for any threatened or endangered species present on the property.

C. Recommendations: (time frame is ongoing)

1. Some bald eagles are extremely sensitive to disturbance and will abandon their nest at the slightest provocation.

Exclude logging, construction, habitat improvement and other activities (including hiking out to look at the nest!) during critical periods of eagle use (November 15 - March 15 for winter use and January 1 - August 31 for breeding and nesting). Prohibit activities within 400 feet of roosts and nests or 800 feet where eagles have direct line of sight vision from their roosts and nests. There are very few available or potential roost/nest trees near the nest site and around Eaton Lake. Protect those trees by not logging or constructing roads or trails on the east side or top of the ridge overlooking the nest (i.e. the ridge on the northeast side of the property).

2. Maintain high water levels in Beaver Lake and the surrounding wetlands to promote good quality of fish and waterfowl habitat. Fish and waterfowl are important prey for bald eagles on Beaver Lake. Idaho Fish and Game Habitat Improvement Program (HIP) funds could be applied for if needed for waterfowl habitat improvement.
3. Leave all roosting or nesting trees and any potential roosting/nesting trees standing on the southwestern ridge, especially along the hillside and ridge overlooking the intermittent stream. (An osprey flew into the top of a large Douglas-fir just across the stream from the house and watched the activities in the yard shortly before we left on the second visit.)
4. Contact the U. S. Fish and Wildlife Service for recommendations before beginning any projects which will alter bald eagle habitat.

IDAHO FOREST STEWARDSHIP  
LANDOWNER MANAGEMENT PLAN  
SCOTT AND DALE ENGSTROM

5. Grizzly bear primarily need space and privacy to keep human/bear conflicts to a minimum.  
Specifically:
  - a. Avoid visiting wetlands with lots of sedges and succulent forbs in the spring where bear may be grazing.
  - b. Promptly and properly dispose of garbage which might attract bear.
  - c. Keep domestic animals under control at all times.

3. SOIL AND WATER RESOURCES MAINTENANCE AND IMPROVEMENT

- A. There are three soil types on this tract: Treble-rock outcrop complex, Pywell-Hoodoo complex, and a small amount of Pend Oreille-Hoodoo silt loams. The forested uplands are made up of the Treble-rock outcrop complex. This unit is about 45% Treble gravelly sandy loam and 30% rock outcrop. The remaining 25% is included soils. The Treble soil is very deep and well drained. Permeability is moderately rapid and available water capacity is very low to low. Runoff is rapid to very rapid and the hazard of water erosion is high to very high. The Pywell-Hoodoo complex is about 40% Pywell muck and 35% Hoodoo silt loam. The remaining 25% is included soils. The Pywell soil is slightly lower depressional areas, and the Hoodoo soil is on the slightly higher rims of basins. Pywell is very deep and very poorly drained. Permeability is moderate and available water capacity is very high. Runoff is very slow and the hazard of water erosion is none. This soil is subject to very long periods of flooding. The Pend Oreille-Hoodoo silt loams are 50% Pend Oreille silt loam, 20% Hoodoo silt loam with the remaining 30% included soils.

The Pend Oreille soil is very deep and well drained. The permeability and available water capacity is moderate. Runoff is medium to rapid and the hazard of water erosion is high to very high. The Hoodoo soil is very deep and poorly drained. Permeability is moderate and available water capacity is high. Runoff is very slow to slow and the hazard of water erosion is none to slight. This soil is subject to very long periods of flooding.

IDAHO FOREST STEWARDSHIP  
LANDOWNER MANAGEMENT PLAN  
SCOTT AND DALE ENGSTROM

- B. The landowners' objective is to maintain and enhance integrity of the soils. Also to maintain high water levels in the pond and wetlands to provide and protect food resources for the local bald eagle population.
- C. Recommendations: (time frame is ongoing unless otherwise specified)
  - 1. Cable yarding is recommended when harvesting timber.
  - 2. Restrict excessive soil compaction and erosion during harvest by logging only when soil is dry or frozen.
  - 3. In new trail construction, trails should be laid out in advance and skidding vehicles should be restricted to these trails.
  - 4. Seed all trails and roads as logging activities are completed, using a non-sod building native wildlife/erosion control mix.

4. WETLANDS

- A. The southern end of Beaver Lake and the intermittent stream that runs from Eaton Lake to Beaver Lake make up a small amount of wetlands on the property. The beaver activity on the lake has increased wetlands in the area and on this 30 acre tract.
- B. The landowners' objectives are to maintain or enhance the wildlife habitat quality and wetland integrity.
- C. Recommendations: (time frame is ongoing)
  - 1. Encourage beaver to continue their activities. Cottonwood, aspen and willow could be planted in suitable areas around wetlands for beaver forage.
  - 2. Try to avoid clearing timber or using pesticides or fertilizers adjacent to the wetlands.
  - 3. When conducting operations along wetlands, protect soil and vegetation from disturbance which would cause adverse affects in water quality, quantity and wildlife and aquatic habitat.

IDAHO FOREST STEWARDSHIP  
LANDOWNER MANAGEMENT PLAN  
SCOTT AND DALE ENGSTROM

5. RECREATION AND AESTHETIC OPPORTUNITIES

- A. Landowners' currently enjoy hiking and wildlife viewing on the property.
- B. The landowners' objectives are to increase the wildlife viewing and maintain the aesthetic opportunities.
- C. Recommendations: (time frame is ongoing unless otherwise specified)
  - 1. Much of the wildlife enhancement activities will enhance recreation opportunities.
  - 2. Property boundaries should be posted to reflect landowners' hunting preference. (Contact Idaho Fish and Game Department (208) 765-3111).
  - 3. Some foot trails could be constructed through the timbered portion of the property for recreational opportunities and create easier access to portions now less accessible.
  - 4. If regular viewing of the bald eagles and their nest is desired, a blind could be constructed so that disturbance to the eagles will be minimized while still allowing the landowners to enjoy this activity.

6. FOREST MANAGEMENT AND TIMBER HARVESTING FOR THE MAINTENANCE AND ENHANCEMENT OF FOREST PRODUCTIVITY.

- A. This 30 acre tract is better than half in timber. Douglas-fir is the predominant species, with a good mix scattered throughout. It has been selectively logged in the late 60's to early 70's. The stand is in good health and very little root rot was observed. Most of the ground is steep and rocky and logging will be difficult even though old trails still exist.
- B. The landowners' objective is to manage the property for long term timber and recreational resources.
- C. Recommendations: (time frame is ongoing)
  - 1. The old skid trails could be opened (not excavated) to produce fire breaks throughout the area.

IDAHO FOREST STEWARDSHIP  
LANDOWNER MANAGEMENT PLAN  
SCOTT AND DALE ENGSTROM

2. A thinning from below to remove smaller suppressed, poor intermediates should develop the best trees into sawlogs much sooner. It is best to thin not too heavily but to do it often. Not more than one-third of the trees should be cut at one time, unless overcrowding is serious. Time frame should be repeated at five to ten year intervals, when crowns become crowded again.
3. Leave older isolated dominant trees on rock outcrops for seed source and wildlife trees. Leave smaller trees adjacent to these trees to provide a buffer area (for eagles especially) and as replacements for the dominant if they are lost.
4. A selective harvest could take place in the next five to fifteen years. Care should be taken not to open the stand too much due to highly erodible soils.
5. Cable yarding is recommended when harvesting. Wheeled and tracked equipment would be acceptable in some of the less steep areas.
6. All harvesting should be done when soils are dry or frozen.

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## 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

November 29, 1996

**RE:** In the Matter of Application for Permit No. 96-08893 in the name of George Strong and Barbara Ann Strong

Dear Interested Party:

The accompanying order is a "final order" issued by the department pursuant to section 67-5246 or 67-5247, Idaho Code.

Section 67-5246 provides as follows:

(1) If the presiding officer is the agency head, the presiding officer shall issue a final order.

(2) If the presiding officer issued a recommended order, the agency head shall issue a final order following review of that recommended order.

(3) If the presiding officer issued a preliminary order, that order becomes a final order unless it is reviewed as required in section 67-5245, Idaho Code. If the preliminary order is reviewed, the agency head shall issue a final order.

(4) Unless otherwise provided by statute or rule, any party may file a petition for reconsideration of any order issued by the agency head within fourteen (14) days of the issuance of that order. The agency head shall issue a written order disposing of the petition. The petition is deemed denied if the agency head does not dispose of it within twenty-one (21) days after the filing of the petition.

(5) 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:

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JUN 10 1997

(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.

(6) A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.

(7) A non-party shall not be required to comply with a final order unless the agency has made the order available for public inspection or the nonparty has actual knowledge of the order.

(8) The provisions of this section do not preclude an agency from taking immediate action to protect the public interest in accordance with the provisions of section 67-5247, Idaho Code.

#### **PETITION FOR RECONSIDERATION**

Any party may file a petition for reconsideration of a final order 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 67-5246(4) Idaho Code.

#### **APPEAL OF FINAL ORDER TO DISTRICT COURT**

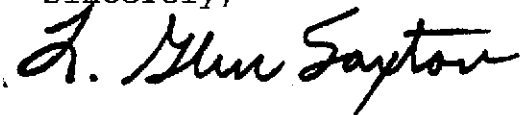
Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter to district court by filing a petition in the district court of the county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

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

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JUL 10 1967

The appeal must be filed within twenty-eight (28) days a) of the service date of the final order, b) of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Glen Saxton". The signature is written in a cursive, flowing style.

L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosure

C: IDWR - Region



## 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

September 27, 1996

**RE:** In the matter of Application for Permit No. 96-08893 in the name of George Strong and Barbara Ann Strong

Dear Interested Party:

The accompanying order is a "**recommended order**" issued by the department pursuant to Section 67-5243, Idaho Code. The provisions of this order will not become effective until the Director issues a final order in this matter.

Each party to these proceedings who appeared at the hearing may file a petition for reconsideration, briefs and exceptions to the recommended order and may request oral argument before the Director of the department as further described below:

#### PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a recommended order with the hearing officer issuing the order within fourteen (14) days of the service date of the order. The hearing officer 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 this recommended order, (b) the service date of a denial of a petition for reconsideration from this recommended order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this recommended order, any party may in writing support or take exceptions to any part of a recommended order and may file briefs in support of the party's position on any issue in the proceeding. Written briefs in support of or taking exceptions to the recommended order shall be filed with the Director. Opposing parties shall have twenty-one (21) days to respond.

#### ORAL ARGUMENT

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The Director may schedule oral argument in the matter before issuing a final order. Oral argument on exceptions to a recommended order shall be heard at the discretion of the Director. If oral arguments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the recommended order shall be served on all other parties to these proceedings in accordance with Rules of Procedure 302 and 303.

#### FINAL ORDER

The Director 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 agency 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.

#### APPEAL OF FINAL ORDER TO DISTRICT COURT

A party aggrieved by a final order of the Director is entitled to judicial review in compliance with sections 67-5271 through 67-5279, Idaho Code.

Sincerely,



L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosure

cc: IDWR - Region

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JUN 10 2007

**APPLICATION FOR PERMIT  
STATE OFFICE REVIEW  
by Cindy Zimmerman**

No.: 96-8893 Name: Stroner Date: 9/23/96 Ad OK? ✓  
Correct Fee? ✓ Receipt #: N9888 Priority: 2/6/96 ✓ 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 *in remarks (order)*  
**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. \_\_\_\_\_, P99  
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 - 01J(meas dev)-P08  
=/- 0.2 cfs - 01H(lock dev)-P01 or No MD  
~~in WD~~ + 0.2 cfs - 01M or No MD (in-stream)  
- 0.2 cfs - No MD  
=/+ 5 a. irr. - 01M *Modified in remarks.*  
**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) - \*WB5(Boise R † Star Bridge); 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 - ~~057~~ (0.02 cfs/A)  
Mining - 054 (req) & 06A/010/09E-P10  
Power - 08A-17K-025-027-028-01F(P19)-09E(P10);  
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09  
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), \*W07  
**LOCATION:**  
~~42-848 area~~ - In 20/30/40/50/60/70/80 (87) basin? P84  
Boise Front LoGeo - 058 (-85° GW temp only)  
~~In stream dev.~~ - 052 (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:** Non-land owner - 004 (PD/PU) \_\_\_\_\_  
**OTHER CONDITIONS:** \_\_\_\_\_  
**STANDARD REMARKS:** - ~~\*052~~ 2 w07 ✓  
**BENEFICIAL USE DUE:** - 12-1-1998  
**COMMENTS:** \_\_\_\_\_

Application No. 96-8893

SPECIAL NOTE: Amendment Received 2/6/96

**PROTEST INFORMATION SHEET**

**Protestant(s)**

|    | NAME                                                 | ADDRESS                              | PROTEST DATE |
|----|------------------------------------------------------|--------------------------------------|--------------|
| 1  | Dale & Scott Engstrom                                | 7148 Garfield Cutoff, Sagle ID 83860 | 3/18/96      |
| 2  | (Continuation of protest on 96-8893 even as amended) |                                      |              |
| 3  |                                                      |                                      |              |
| 4  |                                                      |                                      |              |
| 5  |                                                      |                                      |              |
| 6  |                                                      |                                      |              |
| 7  |                                                      |                                      |              |
| 8  |                                                      |                                      |              |
| 9  |                                                      |                                      |              |
| 10 |                                                      |                                      |              |

ATTORNEY

ADDRESS

Amendment

DATE FILED: \_\_\_\_\_

PROTEST DUE DATE: 4/22/96

ISSUES: Water to Beaver Creek to be depleted.

**Applicant**

ATTORNEY

ADDRESS

Protest Date Entered on Computer

Acknowledgment Letters Sent

Copy Hearing Date

Hearing Date

DATE

✓

✓

8/15/96

9/19/96

(Other Dates)

Other Information: \_\_\_\_\_

Protest information submitted to computer (following hearing): \_\_\_\_\_

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JUN 10 1997



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

PHILIP E. BATT  
Governor

KARL J. DREHER  
Director

September 18, 1996

MEMO TO: FILE - 96-08893 - GEORGE & BARBARA STRONG

FROM: DIANNE BALL

RE: SCHEDULED SEPTEMBER 19, 1996 HEARING

ON SEPTEMBER 17, 1996 I CALLED RANDY BUCK, REPRESENTATIVE FOR THE STRONGS, AND INQUIRED IF THE HEARING COULD BE MOVED UP TO 10:00 A.M. RATHER THAN THE SCHEDULED 1:00 P.M.

RANDY INFORMED ME THAT THAT WOULD BE IMPOSSIBLE BECAUSE OF THE WITNESSES WHO ARE FLYING IN AND THEIR SCHEDULES CAN'T BE CHANGED.

ON THIS DATE (9/18/96) I TRIED TO PHONE THE ENGSTROMS AT (208) 263-0155, TO REMIND THEM OF THE HEARING SCHEDULED FOR 1:00 TOMORROW, 9/19/96, BUT WAS UNABLE TO REACH THEM. THE PHONE APPARENTLY IS A COMBINATION PHONE/FAX SO I SENT A FAX, COPY IN FILE, REMINDING THEM OF THAT HEARING, WITH A REQUEST THAT THEY CALL UPON RECEIPT OF THE FAX.

DIANNE

RECEIVED

JUN 10 1997

MESSAGE CONFIRMATION  
TRANSMISSION

SEP-18-'96 TUE 08:24

TERM ID: IDWR NORTHERN  
TEL NO.: 208-769-1454

**MICROFILMED**

P-9939

**JUN 10 1997**

| NO. | DATE  | ST. TIME | TOTAL TIME | ABBR/SBD | ID           | DEPT CODE | #PGS        |
|-----|-------|----------|------------|----------|--------------|-----------|-------------|
| 694 | 09-18 | 08:23    | 00'00'47   |          | 208 263 0155 |           | OK- 1 NG- 0 |



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

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

**FAX TRANSMITTAL COVER SHEET**

PHILIP E. BATT  
Governor

KARL J. DREHER  
Director

OMNIFAX G66i

DATE: 9/18/1996

TO: Dale & Scott Engstrom

FROM: Dianne Ball - Sr. Secretary

FAX #: (208) 263-0155

DESCRIPTION: THIS IS JUST A REMINDER ABOUT THE HEARING REGARDING WATER  
RIGHT NO. 96-08893 - George & Barbara Strong - SCHEDULED FOR 1:00 P.M.  
TOMORROW SEPTEMBER 19, 1996.

I HAVE TRIED TO REACH YOU BY TELEPHONE AND THE PHONE SIMPLY  
RINGS AND THEN GOES TO WHAT SOUNDS LIKE A FAX. THEREFORE, I AM TRYING A FAX  
USING THE SAME 'PHONE NUMBER.

PLEASE CALL OUR OFFICE TO CONFIRM RECEIPT OF THIS FAX  
NOTIFICATION (REMINDER). WE DO NOT WANT TO BRING A HEARING OFFICER UP FROM  
BOISE IF YOU ARE NOT GOING TO BE IN ATTENDANCE.

THANK YOU Dianne Ball

TOTAL PAGES SENT: 1 INCLUDING COVER SHEET

CONTACT: Dianne Ball

(NAME OF SENDER)

RECORDED  
JUN 10 1997

Name and  
Address  
of SenderDEPARTMENT OF WATER RESOURCES  
1910 NORTHWEST BLVD. - SUITE 210  
COEUR D'ALENE, IDAHO 83814Indicate type of mail  
☐ Registered ☐ Return Receipt  
☐ Insured ☐ For Merchandise  
☐ COD ☐ Int'l Recorded Del.  
☒ Certified ☐ Express MailCheck appropriate block for  
☐ Registered Mail:  
☐ With Postal Insurance  
☐ Without Postal InsuranceAffix stamp here if issued as  
certificate of mailing or for  
additional copies of this bill.

## POSTMARK AND DATE OF RECEIPT

| Line | Article Number | Name of Addressee, Street, and Post Office Address                           | Postage | Fee  | Handling Charge | Act. Value (if Regis.) | Insured Value | Due Sender If COD | R. R. Fee | S. D. Fee | S. H. Fee | Rest. Del. Fee | Remarks |
|------|----------------|------------------------------------------------------------------------------|---------|------|-----------------|------------------------|---------------|-------------------|-----------|-----------|-----------|----------------|---------|
| 1    | 48412          | Canyon Mineral Inc c/o Jim Brown<br>4000 Pack River Road, Sandpoint ID 83864 | .32     | 1.10 |                 |                        |               |                   | 1.10      |           |           |                |         |
| 2    | 48413          | Idaho Dept. of Fish & Game<br>2750 Kathleen Av., Coeur d'Alene ID 83814      | .32     | 1.10 |                 |                        |               |                   | 1.10      |           |           |                |         |
|      | 48414          | George & Barbara Strong<br>120 Camp Bay Rd., Sagle ID 83860                  | .32     | 1.10 |                 |                        |               |                   | 1.10      |           |           |                |         |
|      | 48415          | Dale & Scott Engstrom<br>7148 Garfield Cutoff, Sagle, ID 83860               | .32     | 1.10 |                 |                        |               |                   | 1.10      |           |           |                |         |
| 5    |                |                                                                              |         |      |                 |                        |               |                   |           |           |           |                |         |
| 6    |                |                                                                              |         |      |                 |                        |               |                   |           |           |           |                |         |
| 7    |                |                                                                              |         |      |                 |                        |               |                   |           |           |           |                |         |
| 8    |                |                                                                              |         |      |                 |                        |               |                   |           |           |           |                |         |
| 9    |                |                                                                              |         |      |                 |                        |               |                   |           |           |           |                |         |
| 10   |                |                                                                              |         |      |                 |                        |               |                   |           |           |           |                |         |
| 13   |                |                                                                              |         |      |                 |                        |               |                   |           |           |           |                |         |
| 14   |                |                                                                              |         |      |                 |                        |               |                   |           |           |           |                |         |
| 15   |                |                                                                              |         |      |                 |                        |               |                   |           |           |           |                |         |

Total Number of Pieces  
Listed by SenderTotal Number of Pieces  
Received at Post Office

POSTMASTER PER (Name of receiving employee)

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual 913 and 914 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and fourth class parcels.

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

**3. Article Addressed to:**

George & Barbara  
120 CAMP BAY ROAD  
SAGLE ID 83860

**RECEIVED**

AUG 28 1996

NON-PROFIT  
IDWR**4a. Article Number**

48414

**4b. Service Type**

- |                                                         |                                               |
|---------------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> Registered                     | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail                   | <input type="checkbox"/> Insured              |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD                  |

**7. Date of Delivery**8/27/96 *Per***5. Received By: (Print Name)***Henry E. Strain***6. Signature: (Addressee or Agent)****X****8. Addressee's Address (Only if requested and fee is paid)**

UNITED STATES POSTAL SERVICE

SPOKANE WA 992 DCR2 11:17 DB/27

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

DEPARTMENT OF WATER RESOURCES  
1910 NORTHWEST BLVD. - SUITE 210  
COEUR D'ALENE, IDAHO 83814

RECEIVED  
JUN 19 1987



Is your RETURN ADDRESS completed on the reverse side?

# SENDER:

- Complete items 1 and/or 2 for additional service.
- Complete items 3, 4, and 5b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

RECEIVED  
AUG 29 1996

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

## 3. Article Addressed to:

DALE & SCOTT ENGSTROM  
7148 GARFIELD CUTOFF  
SAGLE ID 83860

IDWR

## 4a. Article Number

48415

## 4b. Service Type

- |                                                         |                                               |
|---------------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> Registered                     | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail                   | <input type="checkbox"/> Insured              |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD                  |

## 7. Date of Delivery

8-28-96

## 5. Received By: (Print Name)

Scott Engstrom

## 6. Signature: (Addressee or Agent)

X Scott Engstrom

## 8. Addressee's Address (Only if requested and fee is paid)

UNITED STATES POSTAL SERVICE

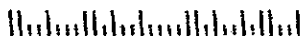


First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

DEPARTMENT OF WATER RESOURCES  
1910 NORTHWEST BLVD. - SUITE 210  
COEUR D'ALENE, IDAHO 83814

JUN 10 1987



BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION )  
FOR PERMIT NO. 96-08893 )  
IN THE NAME OF GEORGE & BARBARA STRONG )

NOTICE OF HEARING

On JUNE 30, 1995, GEORGE AND BARBARA STRONG, (applicant) filed with the Department of Water Resources (department), application for permit No. 96-08893. The application was protested by DALE & SCOTT ENGSTROM, (protestants). The conference held by the department on August 15, 1996, did not resolve the matter of protest.

The department has scheduled the matter for hearing on SEPTEMBER 19, 1996, at 1:00 PM at IDAHO DEPARTMENT OF FISH & GAME - PANHANDLE ROOM, located at 2750 Kathleen, Coeur d'Alene, ID. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, the adopted Rules of Procedure of the department and Water Appropriation Rules 40 and 45. A copy of the rules may be obtained from the department upon request. The presiding officer at the hearing will be L. GLEN SAXTON.

If you plan to offer exhibits for the record, note that IDAPA Rule of Procedure 37.01.01606 requires that you provide a copy of exhibits to each party and to the presiding officer.

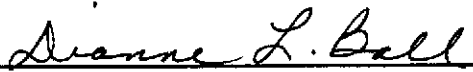
The hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within ten (10) days prior to the hearing.

All parties to the matter will have the opportunity to respond and present information and argument on all issues involved.

Dated this 26th day of AUGUST, 1996.

  
Robert G. Haynes, Regional Supervisor

I hereby certify that on the 26<sup>th</sup> day of AUGUST, 1996, I mailed a true and correct copy of this document, postage prepaid, to the applicant(s) and protestant(s) listed below:

  
Dianne L. Ball, Senior Secretary

Certified Mail  
George & Barbara Strong  
Dale & Scott Engstrom

MICROFILMED  
JUN 18 1997

## CONFERENCE AND HEARING PROCEDURE

### APPLICATION FOR PERMIT

#### ISSUES

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

1. Will the proposed appropriation injure other water rights?
2. Is the water supply sufficient for the purpose for which it is sought to be appropriated?
3. Was the application made in good faith or for delay or speculative purposes?
4. Does the applicant have sufficient financial resources with which to complete the proposed project?
5. Will the proposed use conflict with the local public interest, where local public interest is defined as the affairs of the people in the area directly affected by the proposed use?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?

#### BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, 3, 4, and 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

#### PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

RECEIVED  
JUN 10 1967

**CONFERENCE**

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement or make settlement offers, schedule hearings, establish procedure at hearing and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

**HEARING**

The department will tape record the hearing. Copies of a hearing are available upon request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than by the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the director.

Parties may by written stipulation waive the right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order and judicial review of the order.

**EXHIBITS**

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer.

**AMERICANS WITH DISABILITIES ACT**

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within ten (120) days prior to the hearing.

MAILED 12 1987

JUN 10 1987

*Erington*  
*263 0155*  
*9/19/96 1:00*

CONFERENCE/HEARING SCHEDULE

Northern Region

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES  
1910 NORTHWEST BOULEVARD, SUITE 210  
COEUR D'ALENE ID

THURSDAY, AUGUST 15, 1996 *9/19*

*1:00*

*4-6 am*  
9:00 A.M. - 96-08893 - GEORGE & BARBARA STRONG

1:00 P.M. - 98-07773 - WILLIAM M. SPALDING

RECEIVED  
JUN 10 1997

~~PUBLIC HEARING~~

**Place:** State of Idaho Department of Water Resources  
1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID

7148 Garfield Cutoff, Sagle, Idaho 83860

1990

State of Idaho  
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: AB

Right Number 96-8893 Applicant STRONG

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☐ Other \_\_\_\_\_

**CHANGE FROM INCREASING NATURAL POND TO NEW EXCAVATED POND.**

CHECK:

☒ Description of amended point(s) of diversion.

☒ Amount, nature and period of use. If increased, delay date of priority.

☒ Description of amended places of use. If expanded, delay date of priority.

☒ Ownership of point of diversion and place of use.

☒ Map.

☒ Signature (must be permit holder).

☒ Fee. **? 2/8/96**

☐ Existing water rights from the same source, amended place of use.

☐ Right number(s) \_\_\_\_\_

☐ Yes ☐ No Should amendment be advertised?

☐ Yes ☐ No Should date of priority be delayed? If yes, to what date? \_\_\_\_\_

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received.

☒ Amendment published correctly.

☒ Protests processed. (Continuation of previous protest even as amended)

☐ Approve.

☐ Deny.

Conditions \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

By \_\_\_\_\_ Date \_\_\_\_\_

STATE OFFICE PROCESSING:

☐ Amendment correct and complete. By \_\_\_\_\_ Date \_\_\_\_\_

☐ Approved copy sent to applicant and to Region. By \_\_\_\_\_ Date \_\_\_\_\_

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION )  
FOR PERMIT NO. 96-08893 ) NOTICE OF CONFERENCE  
IN THE NAME OF GEORGE & BARBARA STRONG ) AND/OR HEARING  
\_\_\_\_\_ )

On June 30, 1995, George and Barbara Strong (applicants) filed with the Department of Water Resources (department) Application for Permit No. 96-08893. The application was protested by Dale & Scott Engstrom (protestants).

On February 6, 1996, applicants filed with the Department of Water Resources an Amended Application for the above referenced Permit No. 96-08893. The protestants filed a letter of continuation of their protest on the amended application.

The department has scheduled the matter for conference &/or hearing on August 15, 1996 at 9:00 a.m. at the Department of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID. The conference &/or hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, the adopted Rules of Procedure of the department and Water Appropriation Rules 40 and 45. A copy of the rules may be obtained from the department upon request. The presiding officer at the conference &/or hearing will be Robert G. Haynes, Regional Manager.

If you plan to offer exhibits for the record, note that IDAPA Rule of Procedure 37.01.01606 requires that you provide a copy of exhibits to each party and to the presiding officer.

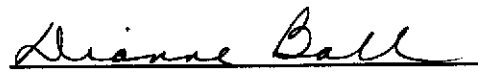
The conference &/or hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference &/or hearing, please advise the department within ten (10) days prior to the conference &/or hearing.

All parties to the matter will have the opportunity to respond and present information and argument on all issues involved.

Dated this 24th day of July, 1996.

  
Regional Manager

I hereby certify that on the 24<sup>th</sup> day of July, 1996, I mailed a true, and correct copy, postage prepaid, of this document to the applicants(s) and protestant(s) listed below:

  
Senior Secretary

Certified Mail

George & Barbara Strong  
Dale & Scott Engstrom

MICROFILMED  
JUN 10 1997

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3 and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

**3. Article Addressed to:**

GEORGE & BARBARA STRONG  
120 CAMP BAY ROAD  
SAGLE ID 83860

**RECEIVED**

JUL 26 1996

**4a. Article Number**

48410

**4b. Service Type**

- ☐ Registered ☒ Certified  
☐ Express Mail ☐ Insured  
☐ Return Receipt for Merchandise ☐ COD

**7. Date of Delivery**

7-25-96 *Re*

**5. Received By: (Print Name)**

IDWR

**8. Addressee's Address (Only if requested and fee is paid)**

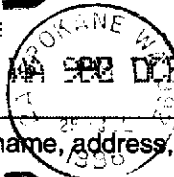
JUN 10 1997

**6. Signature: (Addressee or Agent)**

*[Signature]*

UNITED STATES POSTAL SERVICE

SPOKANE



DEC 2 1998

07/25

First-Class Mail

Postage & Fees Paid

8PS

Permit No. G-10

• Print your name, address, and ZIP Code in this box •

DEPARTMENT OF WATER RESOURCES  
1910 NORTHWEST BLVD. - SUITE 210  
COEUR D'ALENE, IDAHO 83814



**SENDER:**

- Complete items 1 and 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
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I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

**3. Article Addressed to:**

DALE & SCOTT ENGSTROM  
7148 GARFIELD  
SAGLE ID 83860

**4a. Article Number**

48411

**4b. Service Type**

- |                                                         |                                               |
|---------------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> Registered                     | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail                   | <input type="checkbox"/> Insured              |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD                  |

**7. Date of Delivery**

8 SEP 10 1996

**5. Received By: (Print Name)**

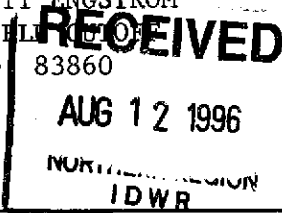
Scott Engstrom

**6. Signature (Addressee or Agent)**

X Scott Engstrom

**8. Addressee's Address (Only if requested and fee is paid)**

8 SEP 10 1996



UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

DEPARTMENT OF WATER RESOURCES  
1910 NORTHWEST BLVD. - SUITE 210  
COEUR D'ALENE, IDAHO 83814



CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

ISSUES

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

1. Will the proposed appropriation injure other water rights?
2. Is the water supply sufficient for the purpose for which it is sought to be appropriated?
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BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, 3, 4, and 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

RECEIVED  
JUN 18 1967

## CONFERENCE

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The hearing likely will be conducted by a hearing officer appointed by the Director rather than by the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the director.

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## EXHIBITS

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## AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within ten (10) days prior to the hearing.

RECEIVED  
JUL 19 1997

AFFIDAVIT OF PUBLICATION

State of Idaho

SS.

County of Bonner,

Pamela D. Roberts 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:

NOTICE OF AMENDMENT

as it was published in the regular and entire issue of the

said paper for a period of 2 consecutive weeks,

commencing on 4 day of April, 19 96

and ending on the 11 day of April, 19 96

and that said notice was published in said newspaper.

On this 11 day of April in the year

of 1996, before me, a Notary Public, personally

appeared Pamela D. Roberts,

known or identified to me to be the person whose name

subscribed to the within instrument, and being by me first

duly sworn, declared that the statements therein are true,

and acknowledged to me that he executed the same.

Carolyn L. Inge  
Notary Public for Idaho

Residing at Sandpoint, Idaho

My commission expires: 6/2009

RECEIVED

APR 15 1996

IDWR

NOTICE OF AMENDMENT

NOTICE IS HEREBY GIVEN

THAT APPLICATION FOR PERMIT

NO. 96-08893 in the name of

GEORGE AND BARBARA

SIMONG, 120 CAMP BAY ROAD,

SANDPOINT, ID 83860, was amended.

The SOURCE was originally listed

as UNNAMED CREEK, which is

tributary of PEND OREILLE LAKE;

whereas, amended the SOURCE

reads UNNAMED STREAM

which is a tributary of BEAVER

LAKE.

The USE was originally described

as IRRIGATION (0.200 CFS), IRRIGA-

TION STORAGE (22.00 AF),

IRRIGATION FROM STORAGE

(21.00 AF), STOCKWATER STOR-

AGE (0.20 AF) STOCKWATER

FROM STORAGE (0.20 AF),

WILDLIFE STORAGE (22.00 AF),

FIRE PROTECTION STORAGE

(22.00 AF), FIRE PROTECTION

FROM STORAGE (22.00 AF) FOR

TOTAL DIVERSION OF 0.200 CFS,

whereas, amended it reads IRRIGA-

TION (0.1 CFS), IRRIGATION

STORAGE (9.0 APA), IRRIGA-

TION FROM STORAGE (9.0

APA), for a total diversion of 0.1

CFS.

The POINT OF DIVERSION, was

originally described as the NE1/4

and the SESW of SEC 11, T4N

R01W, BONNER County; where

amended it reads SESW of SEC 11,

T4N R01W, BONNER County.

For additional information con-

cerning the property location, see

the Idaho National Office at 200

East 1st Street, Boise, Idaho 83725.

Any protests against the approval

of the above-referenced amendment

must be filed with the applicant and

with the Director, Dept. of Water

Resources, 1910 Northwest Blvd.,

Suite 210, Coeur d'Alene, Id. 83814,

together with a protest fee of \$25.00

on or before April 22, 1996.

KARL J. DUNN, DWR, FOR

SNP 17547 April 11, 1996

\*ok  
per Bob  
Haynes

\*

March <sup>16</sup>~~24~~, 1996

Bonner County Daily Bee  
Legal Notices  
P O Box 159  
Sandpoint, ID 83864

Re: 96-08893 - STRONG - NOTICE OF AMENDMENT

Gentlemen:

Enclosed you will find a legal Notice of Amendment of a Permit for a Water Right which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send the Affidavit of Publication, and the bill, to this office before April 22, 1996.

Thank you.

Sincerely,

Dianne Ball  
Senior Secretary

Enclosure

FILED IN 100-100000  
APR 10 1996

NOTICE OF AMENDMENT

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 96-08893 in the name of GEORGE AND BARBARA STRONG, 120 CAMP BAY ROAD, SAGLE, ID 83860, was amended.

The SOURCE was originally listed as UNNAMED CREEK, which is tributary of PEND OREILLE LAKE; whereas, amended the SOURCE reads UNNAMED STREAM, which is a tributary of BEAVER LAKE.

The USE was originally described as IRRIGATION (0.200 CFS), IRRIGATION STORAGE (22.00 AF), IRRIGATION FROM STORAGE (22.00 AF), STOCKWATER STORAGE (0.20 AF), STOCKWATER FROM STORAGE (0.20 AF), WILDLIFE STORAGE (22.00 AF), FIRE PROTECTION STORAGE (22.00 AF), FIRE PROTECTION FROM STORAGE (22.00 AF) FOR A TOTAL DIVERSION OF 0.200 CFS; whereas, amended it reads IRRIGATION (0.1 CFS), IRRIGATION STORAGE (9.0 AFA, IRRIGATION FROM STORAGE (9.0 AFA), for a total diversion of 0.1 CFS.

The POINT OF DIVERSION was originally described as the NESW and the SESW of SEC 11, T56N R01W, BONNER County; whereas, amended it reads SESW of SEC 11, T56N R01W, BONNER County.

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

Any protests against the approval of the above-referenced amendment must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before April 22, 1996.

KARL J. DREHER, DIRECTOR

MICROFILMED  
JUN 10 1997

Published in the Bonner County Daily Bee on April 4 & 11/1996.

Water Right Number - 96-08893

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*

STRONG

BARBARA ANNE

1 - 120 CAMP BAY ROAD

2 -

3 -

City- SAGLE

State- ID Zip- 83860

Phone - 208-263-7960

STRONG

GEORGE

1 - 120 CAMP BAY ROAD

2 -

3 -

City- SAGLE

State- ID Zip- 83860

Phone - 208-263-7960

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +  
06/30/1995 18 NORTHERN A - APPLICATION

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +  
UNNAMED STREAM BEAVER LAKE

| + - - - - Point of Diversion - - - - - + |     |     |       |     |      |        |                |                |               |
|------------------------------------------|-----|-----|-------|-----|------|--------|----------------|----------------|---------------|
| Twn                                      | Rng | Sec | Tract | Lot | RFlg | County | Diversion Name | Diversion Rate | Diversion No. |
| 56N                                      | 01W | 11  | SE SW |     | (17) | BONNER |                |                |               |

| + - - - - Water Use - - - - - + |                         |             |           |                |                  |  |
|---------------------------------|-------------------------|-------------|-----------|----------------|------------------|--|
| Code                            | Description             | Period From | Period To | Diversion Rate | Diversion Volume |  |
| 01 -                            | IRRIGATION              | 03/15       | 06/01     | 0.100          |                  |  |
| 02 -                            | IRRIGATION STORAGE      | 03/15       | 11/15     |                | 9.00             |  |
| 03 -                            | IRRIGATION FROM STORAGE | 03/15       | 11/15     |                | 9.00             |  |

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +  
0.100

| + - - - - Place of Use - - - - - + |     |     |       |     |       |      |             |             |  |
|------------------------------------|-----|-----|-------|-----|-------|------|-------------|-------------|--|
| Twn                                | Rng | Sec | Tract | Lot | Acres | Code | Description | County      |  |
| 56N                                | 01W | 11  | NE SW |     | 10.0  | 01   | IRRIGATION  | (17) BONNER |  |
| 56N                                | 01W | 11  | SE SW |     | 4.0   | 01   | IRRIGATION  | (17) BONNER |  |
| Total Acres:                       |     |     |       |     | 14.0  |      |             |             |  |

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +  
No Remarks found.

*As amended*

RECORDED  
JUN 19 1997

Water right number - 96-08893

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

Date: 08/14/1995 User Id: DBALL Subject: Examiner's notes.

Earthen dam with culvert and headgate at outlet of pond to  
Pump in pond for fire protection, irrigation & stockwatering.  
Time required 5 yrs.

replace inactive beaver dam. Hgt 2 ft; active & total cap. 22 AF.  
Existing well 6 inch diameter, 190 feet deep.

+ - - Audit Fields - 08/14/95 DBALL 08/22/95 SCURTIS 09/21/95 DBALL 09/25/95 DBALL 03/26/96 DBALL

+ - - - - Water Rights Dates and Flags Area - - - - - +

|                               |                              |                       |
|-------------------------------|------------------------------|-----------------------|
| Proof Due Date - 00/00/0000   | Field Exam Made - 00/00/0000 | Field Exam Fee -      |
| Approved/Denied - 00/00/0000  | Protested Date - 09/21/1995  | Swan Falls -          |
| Proof Made Date - 00/00/0000  | Hearing Date - 00/00/0000    | Temporary Right - P   |
| Exam to S.O. Date- 00/00/0000 | Verified Date - 00/00/0000   | DLE/Carey Act -       |
| Order Show Cause - 00/00/0000 | Receipt Number - N009141     | Water District -      |
| Licensed Date - 00/00/0000    | Appl Received - 06/30/1995   | Transfer/Amended -    |
| Decree Date - 00/00/0000      | Name Connector - AND         | POU Ownership Flag- Y |
| Presumption Flag -            |                              |                       |

*As amended*

PROCESSED

JUN 10 1997

96-08893

STRONG, BARBARA ANNE  
STRONG, GEORGE  
120 CAMP BAY ROAD  
SAGLE, ID 83860

Source: UNNAMED CREEK

Tributary: PEND OREILLE LAKE

Diversion Pt:                      NESW      Sec 11 T 56N R 01W in BONNER County.  
                                         SESW      Sec 11 T 56N R 01W in BONNER County.

|                                    |   |                                           |   |                                         |    |
|------------------------------------|---|-------------------------------------------|---|-----------------------------------------|----|
| Use: IRRIGATION                    | ( | <sup>0.100</sup><br><del>0.200</del> CFS) | ( | <sup>9.00</sup><br><del>22.00</del> AF) |    |
| IRRIGATION STORAGE                 |   |                                           | ( | <sup>9.00</sup><br><del>22.00</del> AF) |    |
| IRRIGATION FROM STORAGE            |   |                                           | ( | <del>0.20</del> AF)                     | ok |
| <del>STOCKWATER STORAGE</del>      |   |                                           | ( | <del>0.20</del> AF)                     | ok |
| <del>STOCKWATER FROM STORAGE</del> |   |                                           | ( | <del>22.00</del> AF)                    |    |
| <del>WILDLIFE STORAGE</del>        |   |                                           | ( | <del>22.00</del> AF)                    |    |
| <del>FIRE PROTECTION STORAGE</del> |   |                                           | ( | <del>22.00</del> AF)                    |    |
| <del>FIRE PROTECT. FROM STOR</del> |   |                                           | ( | <del>22.00</del> AF)                    |    |
| Total Diversion: (                 |   | <sup>0.100</sup><br><del>0.200</del> CFS) |   |                                         |    |

Date Filed: 6/30/1995

In: BONNER County                      NESW                      SESW  
T56N R01W S11

14.0 ACRES TOTAL

*As originally  
advertised  
& as changed*

14.0 ACRES

14.0 ACRES

**Randy Buck**  
*certified private forester*  
*certified environmental planner*

9220 Lower Pack River Road  
Sandpoint, Idaho 83864  
208 - 263 - 0243

March 23, 1996

Mr. Robert Haynes  
Mr. Allen Beardslee  
Idaho Dept. of Water Resources  
SUITE NO. 210  
1910 NW BLVD.  
Coeur d' Alene, ID 83814-2615



*land and timber appraisal*  
*resource investment management*  
*watershed analysis and restoration*  
*wildlife and ecosystem planning*  
*aerial video and photography*  
*geographic information (GIS)*

**RECEIVED**

**MAR 26 1996**

**NORTHWEST REGION  
IDWR**

RE: IDWR ref. 96 - 08893 George and Barbara Strong Amended Water Right Application

Gentlemen,

I am in receipt of Mr. Beardslee's letter to me dated March 22, 1996.  
I have transmitted to the Strongs a copy of the Amended Application with the second set of changes made by Mr. Beardslee. I have also transmitted to the Strongs a copy of Dale and Scott Engstrom's letter dated March 14, 1996, as requested.

I have enclosed a copy of the Original Amended Application as was submitted to the IDWR. I have also enclosed another letter addressed to you both which I have carbon copied to the Engstroms.

I am hopeful that the explanation in the other letter is useful in clarifying the intentions of the Strongs. They want to use their property as they choose and have elected to grow crops which require irrigation.

I request on behalf of George and Barbara Strong that the Original Amended Application, with only the minor change on page one, section 2, line 1 to read unnamed stream, be considered by the IDWR and processed without further delay.

In addition, please send me a copy or record of any correspondence (phone calls or letters) the IDWR has had with the Engstroms. In particular I would like a copy of the changed Amended Application sent to the Engstroms.

Thank you for your attention to this matter.

Sincerely,

Randy Buck

*Serving Private Landowners, Industry and Governments since 1979*

JUN 19 1996

**Randy Buck**  
*certified private forester*  
*certified environmental planner*

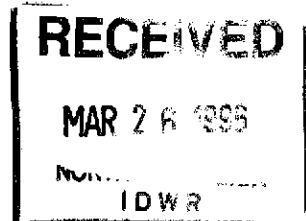
9220 Lower Pack River Road  
Sandpoint, Idaho 83864  
208 - 263 - 0243

March 23, 1996

Mr. Robert Haynes  
Mr. Allen Beardslee  
Idaho Dept. of Water Resources  
SUITE NO. 210 1910 NW BLVD.  
Coeur d' Alene, ID 83814-2615



*land and timber appraisal*  
*resource investment management*  
*watershed analysis and restoration*  
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*aerial video and photography*  
*geographic information (GIS)*



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Gentlemen,

I am in receipt of Mr. Beardslee's letter to me dated March 22, 1996.  
I have transmitted to the Strongs a copy of the Amended Application with the second set of changes made by Mr. Beardslee. I have also transmitted to the Strongs a copy of Dale and Scott Engstrom's letter dated March 14, 1996, as requested.

Please find below my attempt to recapitulate the record in order to possibly clear up any possible misunderstanding of any party with regard to this matter.

I have enclosed a copy of the Original Amended Application as was submitted to the IDWR. This amendment was prepared by me after consideration of the site environmental conditions, a review of the proposed water use by the Strongs and learning of the concerns of the IDWR, IDF&G and Dale and Scott Engstrom.

### **Background**

The Original Amended Application has been changed twice by Mr. Beardslee in his attempt to assist in the application process. I understand that the first change made to the Original Amended Application was on page one, section 2, line 1 to read unnamed stream; and to page one, section 4, line 2 to read 3/15 to 11/15 and to page 1, section 6, subsection b, line 3 to read 3/15 to 11/15.

The second change made by Mr. Beardslee was to change the first changes to as follows: On page one, section 2, line 1 to read unnamed stream, (unchanged); to page one, section 4, line 2 to read 3/15 to 6/1 and to page 1, section 6, subsection b, line 3 to read 3/15 to 6/1.

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JUL 10 1997

The major difference between the Original Amended Application and the above changes concern the time period that the proponents intend to divert water to storage. Somewhere, somehow a misunderstanding has occurred.

Although concerned, the Stronges are less interested in how the misunderstanding has arisen as compared to how interested they are in how we can all reach an understanding as to their intent.

In this regard I offer the following chronological discussion to hopefully eliminate any past or current misunderstanding by any party concerning the Amended Application (96 - 08893).

### **Chronological Discussion**

The original Water Right Application (96 -008893) was submitted by the Stronges on or about June 30th, 1995. It was published for public review on or about September 7th and 14th, 1995.

I became engaged on this project in November of 1995. I discussed the details of the original application with the Stronges. I learned their purpose for the application and the irrigation requirements based on plant quantities, plant types and normal water requirements of the plants. I learned of the soil types present and their water bearing capacity. I also learned estimates of the water bearing capacity of any amendments to soils they plan to use along with the number of average annual growing days. With reference to the above, an annual estimate of total water quantity for irrigation was determined.

I conferred with Mr. John Monks, M.S. Hydrogeology, who has been retained by the Stronges to compile data relative to the local hydrologic conditions.

I learned of the protest by the Engstroms and their issues of concern through discussions with the Stronges, John Monks, Robert Haynes and Al Beardslee. I received a copy of the original application and a copy of a Letter from Dale and Scott Engstrom to the IDWR dated September 20, 1995.

I have personally investigated the lands concerning the application on several occasions from approximately November 20, 1995 to the present.

In mid January 1996 I presented a potential solution to the Stronges relative to their need for irrigation water while at the same time considering potential environmental impact concerns raised by the Engstroms.

MICROFILMED  
JUN 10 1997

The potential solution I presented to the Strongs was acceptable to them and they agreed to amend their original application. An Amended Water Right Application (96 - 08893) was submitted to the IDWR on or about February 6, 1996.

Prior to formal publication of the Amended Water Right Application by the IDWR changes were made to the Original Amended Application by Mr. Beardslee (noted above), and sent to the Engstroms for their comment.

The Engstroms comments are contained in their March 14, 1996 letter to the IDWR and are relative to the changed Amended Application provided them by Mr. Beardslee.

### **Investigative Methods**

The Original Amended Application was based upon my analysis of the intentions of the Strongs and the local hydrologic condition. I structured the proposed periods of water diversion and use based on the expressed environmental concerns of the Engstroms.

The modifications I suggested to the Strongs which are reflected in the Original, unaltered Amended Application is to store surplus runoff from the Beaver Lake Aquatic System, (BLAS) during January Through May and then utilize the stored water to irrigate certain lands of the proponent from March until November as necessary.

The key elements of the Original Amended Application are to store the water in a pond in a manner so as to not significantly impact existing wetlands and to not divert water from the BLAS during the period of negative water balance (when water leaving the system due to surface and subsurface flows and evaporation exceed water added to the system from precipitation and runoff.)

### **Findings**

The rationale for this conceptual design is based on instantaneous flow measurements of the streamflow leaving the BLAS below the fourth and last beaver dam. Measurements were made by me using an electronic (pygmy) meter utilizing recommended (USGS) methods for water data acquisition. In addition, I have calculated annual runoff into the BLAS using Embry's Flow Prediction Equation, (USFS, 1981.)

Estimations of annual flows and their duration into and out of the BLAS have been made by me which suggest with reasonable certainty that ample spring runoff from January 1st through June 1st is available from the BLAS to store for use during the period March 15 through November 15. The runoff proposed for storage would normally flow northward through the BLAS via an unnamed stream to Lake Pend Oreille.

MICROFILMED  
JUN 10 1997

Letter to R. Haynes and A. Beardslee  
March 23, 1996  
page 4

### **Elements of the Conceptual Plan**

The conceptual pond design and irrigation plan was formulated using USDA - NRCS methods of hydrologic analysis and environmental planning principles listed in the Bylaws of the National Association of Environmental Professionals.

The exact location of the storage pond has not been determined. Conceptually, the pond shall be outside the existing wetland zone and within an area of existing upland forest vegetation with sufficient canopy to reduce evaporation.

In order to conserve construction material and electrical power the pond shall be located as close to the proposed irrigated lands as possible, while maintaining the environmental integrity of the existing wetlands.

Electric pumps will be used to fill the pond and to discharge water for irrigation. Pump sizes, the exact location of the diversion, pipe size, and other details of the proposed works have not yet been specified.

### **Conclusion**

I am hopeful that this explanation is useful in clarifying the intentions of the Strong's. They want to use their property for agriculture and have elected to grow crops which require irrigation.

I request on behalf of George and Barbara Strong that the Original Amended Application, with only the minor change on page one, section 2, line 1 to read unnamed stream, be considered by the IDWR and processed without further delay.

Thank you for your attention to this matter.

Sincerely,



Randy Buck

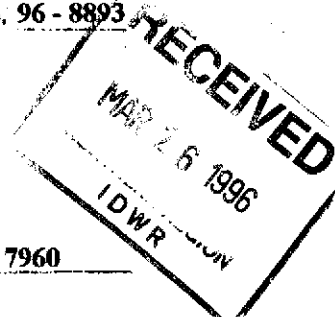
enclosures  
Copy of Original Amended Water Right Application (96 - 08893)  
Copy of 2nd changed Amended Water Right Application (to Engstrom only)

cc: Dale and Scott Engstrom, with enclosures

RECEIVED  
JUN 10 1997

**AMENDED**  
**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR PERMIT**

Ident. No. 96 - 8893



To appropriate the public waters of the State of Idaho

1. Name of applicant George and Barbara Strong Phone 208 - 263 - 7960  
Post office address 120 Camp Bay Road, Sagle, Idaho 83860  
2. Source of water supply unnamed stream which is a tributary of Beaver Lake  
unnamed creek swamp  
3. Location of point of diversion is SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 11 Township 56 North  
Range 1 West B.M. Bonner County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 9.0 AFA for Storage/Irr purposes from 1/1 to 6/1 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 9.0 AFA for Irr. from Storage purposes from 3/15 to 11/15 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 0.1 CFS for Irrigation purposes from 3/15 to 11/15 (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:

a. 0.1 cubic feet per second and/or b. 9.0 acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. A manmade conveyance shall be used to fill a new pond. The pond shall be excavated outside the existing wetland area and shall be lined to hold water. The hydraulic height shall be less than 10 feet. Water shall be pumped to the irrigated land. A headgate shall return overflow to the natural creek/swamp.
- b. Height of storage dam < 10 feet, active reservoir capacity 9.0 acre-feet; total reservoir capacity 11.0 acre-feet, materials used in storage dam: compacted earthen fill, geotextile and cement  
Period of year when water will be diverted to storage 1/1 to 6/1 inclusive.  
(Month/Day) (Month/Day)
- c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

- (1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M.
- (2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.
- (3) List number of each kind of livestock to be watered \_\_\_\_\_
- (4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_
- (5) If water is to be used for other purposes describe: Emergency Firefighting

JUN 10 1996

Water Right Number - 96-08893

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*

STRONG

BARBARA ANNE

1 - 120 CAMP BAY ROAD

2 -

3 -

City- SAGLE

State- ID Zip- 83860

Phone - 208-263-7960

STRONG

GEORGE

1 - 120 CAMP BAY ROAD

2 -

3 -

City- SAGLE

State- ID Zip- 83860

Phone - 208-263-7960

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +  
06/30/1995 18 NORTHERN A - APPLICATION

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +  
UNNAMED CREEK PEND OREILLE LAKE

+ - - - - Point of Diversion - - - - - +

| Twn | Rng | Sec | Tract | Lot  | RFlg   | County | Diversion Name | Diversion Rate | Diversion No. |
|-----|-----|-----|-------|------|--------|--------|----------------|----------------|---------------|
| 56N | 01W | 11  | NE SW | (17) | BONNER |        |                |                |               |
|     |     |     | SE SW | (17) | BONNER |        |                |                |               |

+ - - - - Water Use - - - - - +

| Code | Description             | Period From | Period To | Diversion Rate | Diversion Volume |
|------|-------------------------|-------------|-----------|----------------|------------------|
| 01 - | IRRIGATION              | 03/15       | 11/15     | 0.200          |                  |
| 02 - | IRRIGATION STORAGE      | 03/15       | 11/15     |                | 22.00            |
| 03 - | IRRIGATION FROM STORAGE | 03/15       | 11/15     |                | 22.00            |
| 05 - | STOCKWATER STORAGE      | 01/01       | 12/31     |                | 0.20             |
| 06 - | STOCKWATER FROM STORAGE | 01/01       | 12/31     |                | 0.20             |
| 17 - | WILDLIFE STORAGE        | 01/01       | 12/31     |                | 22.00            |
| 50 - | FIRE PROTECTION STORAGE | 01/01       | 12/31     |                | 22.00            |
| 51 - | FIRE PROTECT. FROM STOR | 01/01       | 12/31     |                | 22.00            |

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +  
0.200

+ - - - - Place of Use - - - - - +

| Twn | Rng | Sec | Tract | Lot  | Acres | Code       | Description | County |
|-----|-----|-----|-------|------|-------|------------|-------------|--------|
| 56N | 01W | 11  | NE SW | 10.0 | 01    | IRRIGATION | (17) BONNER |        |
| 56N | 01W | 11  | SE SW | 4.0  | 01    | IRRIGATION | (17) BONNER |        |

Total Acres: 14.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

*Original proof*

Water right number - 96-08893

Prefix Translation: WATER RIGHT

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +  
Stockwater use is for 5 horses.

+ - - - - - Old Water Right Numbers - - - - - +  
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +  
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +      + - - - - Decree Defendant - - - +      + - Decree Date - +  
00/00/0000

+ - - - - - Comments - - - - - +  
Date: 08/14/1995 User Id: DBALL      Subject: Examiner's notes.  
Earthen dam with culvert and headgate at outlet of pond to      replace inactive beaver dam. Hgt 2 ft; active & total cap. 22 AF.  
Pump in pond for fire protection, irrigation & stockwatering.      Existing well 6 inch diameter, 190 feet deep.  
Time required 5 yrs.

+ - - Audit Fields - 08/14/95 DBALL 08/22/95 SCURTIS 09/21/95 DBALL 09/25/95 DBALL

+ - - - - - Water Rights Dates and Flags Area - - - - - +

|                               |                              |                       |
|-------------------------------|------------------------------|-----------------------|
| Proof Due Date - 00/00/0000   | Field Exam Made - 00/00/0000 | Field Exam Fee -      |
| Approved/Denied - 00/00/0000  | Protested Date - 09/21/1995  | Swan Falls -          |
| Proof Made Date - 00/00/0000  | Hearing Date - 00/00/0000    | Temporary Right - P   |
| Exam to S.O. Date- 00/00/0000 | Verified Date - 00/00/0000   | DLE/Carey Act -       |
| Order Show Cause - 00/00/0000 | Receipt Number - N009141     | Water District -      |
| Licensed Date - 00/00/0000    | Appl Received - 06/30/1995   | Transfer/Amended -    |
| Decree Date - 00/00/0000      | Name Connector - AND         | POU Ownership Flag- Y |
| Presumption Flag -            |                              |                       |

March 22, 1996

Mr. Randy Buck  
Certified Private Forester  
9220 Lower Pack River Road  
Sandpoint ID 83864

Re: 96-08893 - Strong - Amended Water Right Application

Dear Mr. Buck:

We are enclosing two sets of amended application documents, as corrected, and two copies of the letter received from Dale and Scott Engstrom regarding their protest. One set is for your file and one for you to give to the Strong's.

It is our understanding that you will see that one of these sets of corrected documents, and a copy of the Engstrom's letter, are delivered to Barbara and George Strong.

Thank you for your assistance,

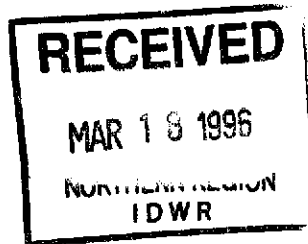
Sincerely,

Allen Beardslee  
Senior Water Resource Agent

db

Enclosures            2 Copies of Corrected Amended Application  
                         2 Copies of Engstrom's letter

MICROFILMED  
JUN 10 1997



7148 Garfield Cutoff  
Sagle, Idaho 83860  
March 14, 1996

Mr. Allen Beardslee  
Mr. Robert Haynes  
Department of Water Resources  
1910 Northwest Boulevard, Suite 210  
Coeur d'Alene, Idaho 83814-2615

re: Amendment of Strong's Application  
for Permit Number 96-08893

Gentlemen:

Please be advised that we wish to continue our protest on George + Barbara Strong's amended application. The proposed pond will definitely effect the level of Beaver Lake and they are unclear as to how they will draw water from the "pond" and transport same to the irrigated site. Will you please call me at (208) 263-0155 to discuss this matter and would you please arrange for a site inspection.

MICROFILMED

JUN 10 1997

Sincerely,

Dale + Scott Engstrom

N009888

2/13/1996

STRONG, BARBARA

|                                      |       |             |       |
|--------------------------------------|-------|-------------|-------|
| AMENDED WR APP FEE 96-08893 - STRONG | 65105 | 229 21 1155 | 50.00 |
|--------------------------------------|-------|-------------|-------|

|       |      |    |       |
|-------|------|----|-------|
| CHECK | 0384 | \$ | 50.00 |
|-------|------|----|-------|

Region: NORTHERN

Signature: \_\_\_\_\_

RECEIVED  
JUN 10 1997

March 4, 1996

Mr. Dale & Scott Engstrom  
7148 Garfield Cutoff  
Sagle ID 83860

RE: Amendment of Strong's Application for Permit Number 96-08893

Dear Dale & Scott Engstom:

We are writing to notify you that the above Application for Permit which you filed a protest to has been Amended.

The proposed Amendment will change the source of water from the existing wet land area to a new excavated pond of a size of 9.0 AF. Enclosed is a copy of their Amended Application for Permit, which we are in the process of preparing advertisement at this time.

We ask that you review the changes and respond in writing as to your position on the Amended Application for Permit. If the proposed Amendment will satisfy your concerns, please withdraw your protest.

If you have any questions please feel free to contact me at this office to discuss this matter further.

Sincerely,

Allen Beardslee  
Sr. Water Resource Agent

Enc. - Copy of Amendment

RECEIVED  
JUN 10 1997

**Randy Buck**  
*certified private forester*

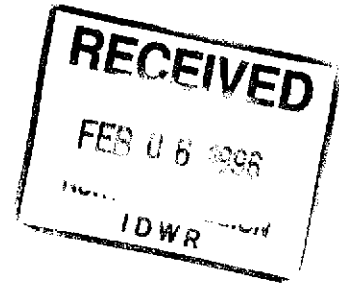
9220 Lower Pack River Road  
Sandpoint, Idaho 83864  
208 - 263 - 0243



*land and timber appraisal  
resource investment management  
watershed analysis and restoration  
wildlife and ecosystem planning  
aerial video and photography  
geographic information (GIS)*

January 29, 1996

Mr. Robert Haynes  
Idaho Dept. of Water Resources  
Suite No. 210  
1910 NW Blvd.  
Coeur d' Alene, ID 83814-2615



Mr. Haynes,

Pursuant to our telephone discussion last week I am enclosing an amended application for permit on behalf of Mr. and Mrs. George Strong.

Please be advised that although the pond location has been selected, final design of the manmade conveyance from the source water to the pond is incomplete. Due to field conditions it is unclear whether a gravity fed flume or ditch can be used or whether the situation will require pumping.

If you or the parties to the protest of record have any questions or comments or if the application for some reason is incomplete, please contact me.

Thank you for your attention to this matter.

Sincerely,

Randy Buck

RECEIVED  
JUN 10 1996

*Serving Private Landowners, Industry and Governments since 1979*

Application No. 96-08893

SPECIAL NOTE: \_\_\_\_\_

**PROTEST INFORMATION SHEET**

**Protestant(s)**

|    | NAME                             | ADDRESS                                    | PROTEST DATE   |
|----|----------------------------------|--------------------------------------------|----------------|
| 1  | <u>Dale &amp; Scott Engstrom</u> | <u>7148 Garfield Cutoff, Sage ID 83860</u> | <u>9/21/95</u> |
| 2  | _____                            | _____                                      | _____          |
| 3  | _____                            | _____                                      | _____          |
| 4  | _____                            | _____                                      | _____          |
| 5  | _____                            | _____                                      | _____          |
| 6  | _____                            | _____                                      | _____          |
| 7  | _____                            | _____                                      | _____          |
| 8  | _____                            | _____                                      | _____          |
| 9  | _____                            | _____                                      | _____          |
| 10 | _____                            | _____                                      | _____          |

ATTORNEY

ADDRESS

(PROTEST) DATE FILED: 9/21/95 WP FILED 6/30/95 PROTEST DUE DATE: 9/25/95  
ISSUES: Believe amt of water requested gear round will deplete water in Beaver Lake necessary to maintain minimum lake level for wildlife & watershed. ALSO object to manmade dam which affects entire ecosystem  
Applicant \_\_\_\_\_  
ATTORNEY \_\_\_\_\_ ADDRESS \_\_\_\_\_

Protest Date Entered on Computer

Acknowledgment Letters Sent

Hearing Date

DATE

9/22/95

9/25/95

(Other Dates)

Other Information: \_\_\_\_\_

Protest information submitted to computer (following hearing): \_\_\_\_\_

No. a  
4/87-06/92n

U.S. DEPARTMENT OF WATER RESOURCES  
APPLICATION ANALYSIS

-WR1  
-BC  
-WRAppr

APPLICATION # 96-8893

\*\*\*\*\* INITIAL REVIEW \*\*\*\*\*

APPLICANT: STRONG BY: AS DATE: 6/30/95

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: 6/30/95

☒ (Include Moratorium Remark)

☒ 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: \_\_\_\_\_

- ☒ 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

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

(Yes) (No)

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

Further information required from applicant

10/4 Affidavit of publication received

10/5 Application published correctly, If not, record action taken: \_\_\_\_\_

9/1 Publication dates and paper recorded on application ☒ | Sr. Agent initial \_\_\_\_\_

Protests received. Final protest date: 9/25/95

Measuring device required

Measuring port required

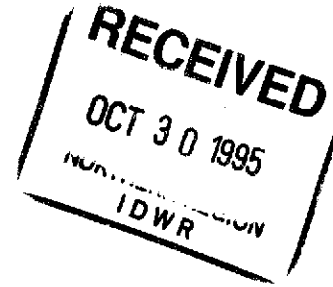
Special conditions: \_\_\_\_\_

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

Approval Recommended by: \_\_\_\_\_ Date:    /   /

Paul William Vogel, P.A.  
Attorney-at-Law

212 N. First Avenue, Suite G-100  
P.O. Box 1828  
Sandpoint, Idaho 83864-0903



Telephone  
(208) 263-6636  
Fax (208) 265-6775

October 27, 1995

Robert G. Haynes, P.E.  
Regional Manager  
State of Idaho  
Department of Water Resources  
Northern Region  
1910 Northwest Boulevard  
Suite 210  
Coeur d'Alene, Idaho 83814-2615

RE: Strong Water Rights Application No. 96-08893  
Our File No. 95-2950

Dear Mr. Haynes:

This letter will supplement my prior letter to you dated October 3, 1995. The meeting between my clients and Mr. John Monks, a local hydrologist, did not occur until October 26, 1995. The delay resulted from my trial schedule and not as a result of any failure of the Strongs to address the concerns raised by the Engstroms in their protest.

We have reviewed the criteria set forth in I.C. § 42-202<sup>3?</sup>(A) and feel confident that the proposed storage and irrigation of water from the system are consistent with those factors that you must review. However, the Strongs also desire to produce scientific evidence to resolve any lingering concerns that individuals might have.

Mr. Monks, of Northern Environmental Resources, Inc., will be conducting a drainage basis characterization to determine the amount of water that this pond drainage contributes to the overall Beaver Lake system. The Strongs will be reviewing their application in conjunction with their irrigation needs in an effort to provide the Department with information that will establish that the water supply will be sufficient for the purposes intended and to further establish that the water will be applied to an irrigation project.

MICROFILMED  
JUN 10 1997

Robert G. Haynes, P.E.  
Regional Manager  
State of Idaho  
Department of Water Resources  
Northern Region  
October 27, 1995  
Page 2

We will also be providing information that the soils are capable of absorbing water from irrigation and that the water will not simply run off the surface and into the system.

If you have any information concerning the Department's method of ascertaining whether or not a proposed use is consistent with conservation of water resources, I would be appreciative if you would share that with me. I assume that irrigating vegetable crops and fruit trees is consistent with conservation of water resources in Idaho. If I am mistaken in that regard, please contact me at the earliest possible time.

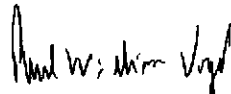
I do not anticipate that we will have an opportunity to resolve this matter without hearing. However, by virtue of supplying a copy of this letter to Mr. and Mrs. Engstrom, I invite them to contact me at their earliest convenience to discuss the matter.

As to the scheduling of a hearing, we would request that it not be scheduled prior to December 1, 1995 in an effort to give the Strongs an opportunity to gather the information that will be presented to the Department.

I would also be appreciative if you could confirm to me the extent of the water right claimed by the Engstroms and whether or not there are any other water rights that are affected by the Strongs' application.

I look forward to hearing from you concerning this application.

Sincerely,



PAUL WILLIAM VOGEL, P.A.

PWV/drr

cc: George and Barbara Strong  
Scott and Dale Engstrom  
John I. Monks, Northern Environmental Resources, Inc.

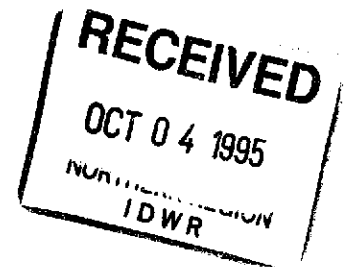
MICROFILMED  
JUN 10 1997

Paul William Vogel, P.A.  
Attorney-at-Law

212 N. First Avenue, Suite G-100  
P.O. Box 1828  
Sandpoint, Idaho 83864-0903

Telephone  
(208) 263-6636  
Fax (208) 265-6775

October 3, 1995



Robert Haynes  
Director  
Department of Water Resources  
Northern Region  
1910 Northwest Boulevard  
Suite 210  
Coeur d'Alene, Idaho 83814

RE: Our File No. 95-2950; Application No. 96-08893

Dear Mr. Haynes:

Please be advised that George and Barbara Strong presented me with a copy of the protest letter mailed to you by the Engstroms on September 20, 1995. My clients further advised me that they received communication from your office requesting that, if at all possible, the Stronges and Engstroms meet and try to resolve their differences. The Stronges advised me that you afforded a twenty-day time frame.

I have been in contact with John Monks of Northern Environmental Services, Inc. to seek his assistance in responding to concerns that the proposed diversion could significantly deteriorate the inflow into the Beaver Lake system. Unfortunately, Mr. Monks is on vacation until October 16, 1995. Accordingly, we will be meeting with him on that date.

The primary purpose of this letter is to request that your Department extend the time line to informally resolve these matters to allow us to meet with Mr. Monks and, thereafter, respond in writing to the Engstroms, to Pat Cole and Rick Donaldson.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Paul William Vogel".

PAUL WILLIAM VOGEL, P.A.

PWV/drr

cc: George and Barbara Strong

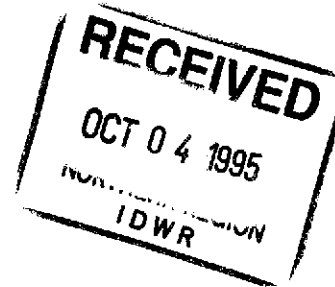
MICROFILMED

JUL 10 1997

Paul William Vogel, P.A.  
Attorney-at-Law

212 N. First Avenue, Suite G-100  
P.O. Box 1828  
Sandpoint, Idaho 83864-0903

Telephone  
(208) 263-6636  
Fax (208) 265-6775



October 3, 1995

Robert Haynes  
Director  
Department of Water Resources  
Northern Region  
1910 Northwest Boulevard  
Suite 210  
Coeur d'Alene, Idaho 83814

RE: Our File No. 95-2950; Application No. 96-08893

Dear Mr. Haynes:

My clients have purchased land that previously belonged to Roland Turny. I would be appreciative if you could send me copies of information in your files concerning any water rights that Mr. Turny may have had to the unnamed slough that is the subject of the Strong water rights application.

Your cooperation in this regard is greatly appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Paul William Vogel".

PAUL WILLIAM VOGEL, P.A.

PWV/drr

cc: George and Barbara Strong

MICROFILMED

JUN 10 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

PHILIP E. BATT  
Governor

KARL J. DREHER  
Director

September 29, 1995

MEMO TO: File and Al Beardslee  
FROM: Dianne - per George & Barbara Strong  
RE: Additional property purchased

Purchased additional 20 acres, so they now own all of the land at this time surrounding the wetlands, bought and paid for. It is unimproved land and will be used to pasture horses, and for some orchards

You requested notification of any change of status. They still want to go through with the water rights application due to the instability of the area.

*If any questions  
call: 263-7960*

RECEIVED  
JUN 10 1997

**PARCEL 3**

**A PARCEL of land in the Southeast Quarter of Section 11, Township 56 North, Range 1 West of the Boise Meridian, Bonner County, Idaho; more particularly described as follows:**

**BEGINNING at the South Quarter corner of said Section 11 being marked by an Aluminum cap; Thence along the West line of said Southeast Quarter of Section 11 North  $00^{\circ}13'55''$  East a distance of 2011.60 feet to the Southerly Right of Way line of the Camp Bay county road; Thence along said right of way line North  $67^{\circ}08'25''$  East a distance of 32.61 feet; Thence leaving said right of way line and along the centerline of an existing access road for the following seven (7) courses: South  $00^{\circ}13'55''$  West a distance of 260.38 feet; Thence on a curve to the left having a radius of 135.00 feet and a central angle of  $44^{\circ}22'32''$  for an arc distance of 104.56 feet; Thence South  $44^{\circ}08'37''$  East a distance of 234.87 feet; Thence on a curve to the right having a radius of 600.00 feet and a central angle of  $30^{\circ}39'45''$  for an arc distance of 321.10 feet; Thence South  $13^{\circ}28'52''$  East a distance of 450.78 feet; Thence on a curve to the left having a radius of 100.00 feet and a central angle of  $82^{\circ}45'48''$  for an arc distance of 144.45 feet; Thence North  $83^{\circ}45'20''$  East a distance of 108.72 feet; Thence leaving said centerline South  $00^{\circ}13'55''$  West a distance of 739.22 feet to the South line of said Southeast quarter; Thence along said South line North  $88^{\circ}28'19''$  West a distance of 710.34 feet to the TRUE POINT OF BEGINNING.**

**SUBJECT TO an easement for ingress, egress and utilities, over and across 60 feet in width, 30 feet on each side of the described centerline as follows:**

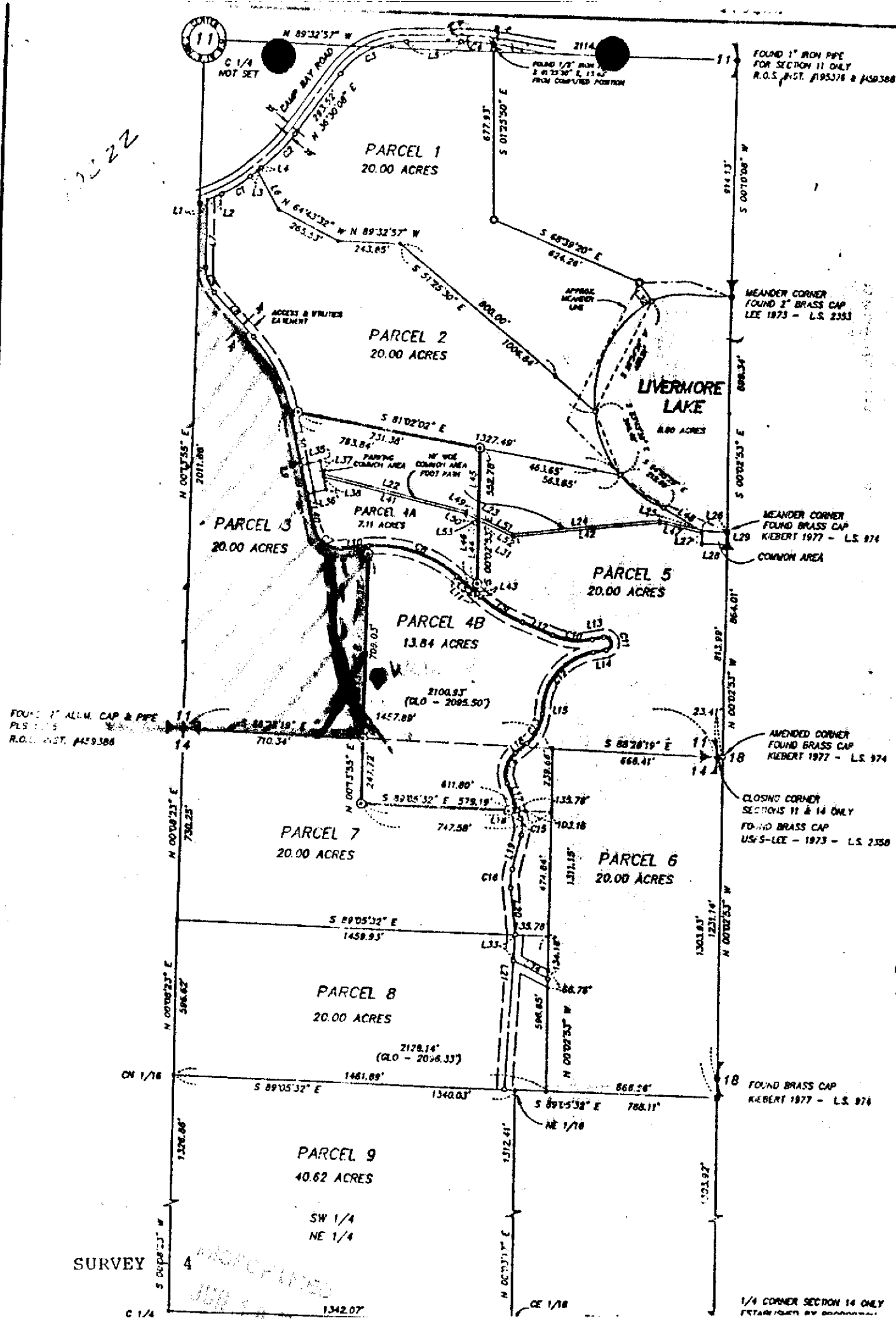
**Commencing at the South Quarter corner of said Section 11 being marked by a Aluminum cap; Thence along the West line of said Southeast Quarter of Section 11 North  $00^{\circ}13'55''$  East a distance of 2011.60 feet to the Southerly Right of Way line of the Camp Bay county road; Thence along said right of way line North  $67^{\circ}08'25''$  East a distance of 32.61 feet and the BEGINNING of this description; Thence South  $00^{\circ}13'55''$  West a distance of 260.38 feet; Thence on a curve to the left having a radius of 135.00 feet and a central angle of  $44^{\circ}22'32''$  for an arc distance of 104.56 feet; Thence South  $44^{\circ}08'37''$  East a distance of 234.87 feet; Thence on a curve to the right having a radius of 600.00 feet and a central angle of  $30^{\circ}39'45''$  for an arc distance of 321.10 feet; Thence South  $13^{\circ}28'52''$  East a distance of 450.78 feet; Thence on a curve to the left having a radius of 100.00 feet and a**

RECORDED  
JUL 14 1957

central angle of  $82^{\circ}45'48''$  for an arc distance of 144.45 feet; Thence North  $83^{\circ}45'20''$  East a distance of 108.72 feet and the terminus of this easement, with the sidelines of said easement being shortened or extended to intersect adjacent boundaries.

LEGAL DESCRIPTIONS - 5

RECORDED  
JUN 10 1957



September 25, 1995

George & Barbara Anne Strong  
120 Camp Bay Road  
Sagle, ID 83860

Re: Application to Appropriate Public Waters No. 96-08893

Dear Mr. and Mrs. Strong:

Enclosed is a copy of a protest filed against the approval of the above referenced application for permit to appropriate the public waters of the State of Idaho. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the Application for Permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Manager

RGH:db

Enclosure

MICROFILMED  
JUN 10 1997

September 25, 1995

Dale and Scott Engstrom  
7148 Garfield Cutoff  
Sagle, ID 83860

Re: Application to Appropriate Public Waters No. 96-08893

Dear Mr. and Mrs. Engstrom:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. Enclosed is your receipt No. N009527.

The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the Application for Permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Manager

RGH/db

Enc.

RECORDED  
JUN 10 1997

WRZ



7148 Garfield Cutoff  
Sagle, Idaho 83860  
September 20, 1995

Mr. Robert Haynes  
Director  
Department of Water Resources.  
Northern Region  
1910 Northwest Boulevard, Suite 210  
Coeur d'Alene, Idaho 83814

re: Application No. 96-08893, George and Barbara Strong

Dear Mr. Haynes:

Please be advised that we wish to protest the above application in that we feel the amount of water requested year around will surely depleat the water in Beaver Lake necessary to maintain a minimum lake level for the wildlife and waterfowl. Furthermore, we object to the placing of a manmade dam which also affects the entire ecosystem.

Please feel free to contact us to discuss this matter at (208)263-0155.

Thanking you in advance for your assistance in this regard, we are

Sincerely,

*Dale and Scott Engstrom*

Dale and Scott Engstrom

SE/c

cc: Mr. Pat Cole, Department of Fish and Game  
Mr. Rick Donaldson, U. S. Fish and Wildlife

Rec # N9527  
9/21/95  
25-50  
do

RECORDED

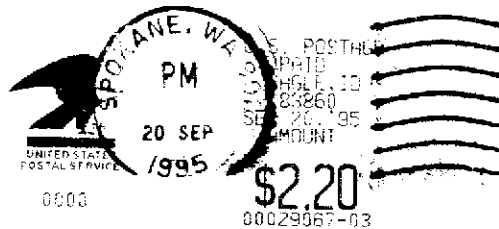
JUN 10 1997

7148 Garfield Cutoff  
Sagle, Idaho 83860

CERTIFIED

P 039 164 020

MAIL



Director  
Dept. of Water Resources - Northern Region  
1910 Northwest Blvd., Suite 210  
Coeur d'Alene, Idaho  
83814

SEP 19 1995

RECEIVED

RETURN REQUESTED

Fold at line over top of envelope to the  
right of the return address

# AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pamela D. Roberts 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:

## NOTICE OF APPLICATION

## FOR WATER RIGHT

as it was published in the regular and entire issue of the  
said paper for a period of 2 consecutive weeks,  
commencing on 7 day of September, 19 95  
and ending on the 14 day of September, 19 95  
and that said notice was published in said newspaper.

On this 14 day of September in the year  
of 1995, before me, a Notary Public, personally  
appeared Pamela D. Roberts  
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 K. Inge  
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 6/2000

## NOTICE OF APPLICATION FOR WATER RIGHT

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

96-08893

STRONG, BARBARA ANNE  
STRONG, GEORGE  
120 CAMP BAY ROAD  
SAGLE, ID 83860  
Source: UNNAMED CREEK  
Tributary: PEND OREILLE LAKE  
Diversion Pt: NESW Sec 11 T 56N  
R 01W in BONNER County.  
SESW Sec 11 T 56N R 01W in  
BONNER County.  
Use: IRRIGATION (0.200 CFS) ✓  
IRRIGATION STORAGE (22.00  
AF) ✓  
IRRIGATION FROM STORAGE  
(22.00 AF) ✓  
STOCKWATER STORAGE (0.20  
AF) ✓  
STOCKWATER FROM STORAGE  
(0.20 AF) ✓  
WILDLIFE STORAGE (22.00 AF) ✓  
FIRE PROTECTION STORAGE  
(22.00 AF) ✓  
FIRE PROTECT. FROM STOR  
(22.00 AF) ✓  
Total Diversion: (0.200 CFS)  
Date Filed: 6/30/1995  
In: BONNER County  
T56N R01W S11 NESW SESW  
14.0 ACRES TOTAL

96-08896

TREITMAN, NEIL  
3701 FAIRBANKS AVE, #A1  
YAKIMA, WA 98902  
Source: PEND OREILLE RIVER  
Tributary: COLUMBIA RIVER  
Diversion Pt: LOT 3 (NESE) sec  
20 T 56N R 03W in BONNER  
County.  
Use: IRRIGATION (0.600 CFS)  
IRRIGATION STORAGE (56.20  
AF) ✓  
IRRIGATION FROM STORAGE  
(56.20 AF) ✓  
STOCKWATER (0.020 CFS)  
STOCKWATER STORAGE (56.20  
AF) ✓  
STOCKWATER FROM STORAGE  
(56.20 AF) ✓  
DIVERSION TO STORAGE (0.400  
CFS)  
Total Diversion: (0.600 CFS)  
Date Filed: 8/23/1995  
In: BONNER County  
T56N R03W S20 Lot 3 (NESE)  
NWSE  
30.0 ACRES TOTAL

96-08897

MC CORMICK, DONALD L  
4900 SHINGLE MILL ROAD  
SANDPOINT, ID 83864  
Source: BOYER SLOUGH  
Tributary: PEND OREILLE LAKE  
Diversion Pt: SWNE Sec 6 T 57N  
R 01W in BONNER County.  
Use: IRRIGATION (0.500 CFS)  
Total Diversion: (0.500 CFS)  
Date Filed: 7/31/1995  
In: BONNER County  
T57N R01W S06 SWNE  
23.0 ACRES TOTAL

96-08898

JAMIESON, KENNETH R  
P O BOX 812  
SANDPOINT, ID 83864  
Source: TURNIPSEED CREEK  
Tributary: SYRINGA CREEK  
Diversion Pt: NENW Sec 18 T 57N  
R 02W in BONNER County.  
Use: IRRIGATION (0.010 CFS)  
Total Diversion: (0.010 CFS)  
Date Filed: 7/14/1995  
In: BONNER County  
T57N R02W S18 NENW  
0.5 ACRES TOTAL

96-08899

SCHWARTZ, STANLEY M  
2704 S MANITO BLVD  
SPOKANE, WA 99203  
Source: PEND OREILLE RIVER

Tributary: COLUMBIA RIVER  
Diversion Pt: SESW Sec 9 T 56N R  
03W in BONNER County.  
Use: DOMESTIC (0.040 CFS)  
Total Diversion: (0.040 CFS)  
Date Filed: 8/25/1995  
In: BONNER County  
T56N R03W S09 SESW  
97-07505  
PARVIN, THEODORE R  
HC01 BOX 54  
NORDMAN, ID 83848  
Source: SPRING Tributary:  
SINKS  
Diversion Pt: NWSE Sec 17 T 61N  
R 04W in BONNER County.  
Use: WILDLIFE STORAGE (0.50  
AF)  
FIRE PROTECTION STORAGE  
(0.50 AF)  
AESTHETIC STORAGE (0.50 AF)  
DIVERSION TO STORAGE (0.200  
CFS)  
Total Diversion: (0.200 CFS) 0.50  
AF  
Date Filed: 5/10/1995  
In: BONNER County  
T61N R04W S17 NWSE  
For additional information con-  
cerning the property location, call  
the Northern Regional Office at  
(208) 768-1450.  
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 SEPTEM-  
BER 25, 1995.  
KARL J. DREHER, Director  
SNP#7158 Sep 7, 14, 1995

RECEIVED

OCT 04 1995

NORTH IDAHO  
IDWR

RECEIVED  
JUN 10 1997

96-08893

STRONG, BARBARA ANNE  
STRONG, GEORGE  
120 CAMP BAY ROAD  
SAGLE, ID 83860

Source: UNNAMED CREEK

Tributary: PEND OREILLE LAKE

Diversion Pt:                NESW      Sec 11 T 56N R 01W in BONNER County.  
                              SESW      Sec 11 T 56N R 01W in BONNER County.

|                         |      |            |    |
|-------------------------|------|------------|----|
| Use: IRRIGATION         | (    | 0.200 CFS) |    |
| IRRIGATION STORAGE      | (    | 22.00 AF)  |    |
| IRRIGATION FROM STORAGE | (    | 22.00 AF)  |    |
| STOCKWATER STORAGE      | (    | 0.20 AF)   | ok |
| STOCKWATER FROM STORAGE | ok ( | 0.20 AF)   | ok |
| WILDLIFE STORAGE        | (    | 22.00 AF)  |    |
| FIRE PROTECTION STORAGE | (    | 22.00 AF)  |    |
| FIRE PROTECT. FROM STOR | (    | 22.00 AF)  |    |
| Total Diversion:        | (    | 0.200 CFS) |    |

Date Filed: 6/30/1995

In: BONNER County  
T56N R01W S11                NESW                SESW

14.0 ACRES TOTAL

MICROFILMED  
JUN 10 1997

August 30, 1995

George & Barbara Anne Strong  
120 Camp Bay Road  
Sagle, ID 83860

Subject: Water Appropriation Application for Permit Number 96-08893

Dear Mr. and Mrs. Strong:

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. Enclosed is Receipt Number N009141. To assist us in providing you with prompt, accurate service, please refer to the above Application for Permit Number in all future matters concerning this water right application.

Your Application for Permit is currently being prepared for advertising in the local county newspaper. The advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for submittal of protests.

If your application is not protested, it will be forwarded to Boise for processing. Normal processing time is approximately 3 to 4 months, if the application is not protested. If your Application for Permit is protested, 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 your Application for Permit can be approved. If the protest is not resolved, 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 Application for Permit is for a well (groundwater) that was constructed after July 1, 1987, you must apply for a well drilling permit upon approval of your Application for Permit if no permit was obtained by previous owners to construct the well. Well Drilling Permits can only be issued by this office to holders of approved Applications for Permit.

If I can be of further assistance, please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE  
Senior Water Resource Agent  
Enc. - Receipt

MICROFILMED  
JUN 10 1997

Water Right Number - 96-08893      Prefix Translation: WATER RIGHT      Old (D) Number -  
+ - - - - Last Name - - - - +      + - - - - First Name - - - +      + - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
STRONG

BARBARA ANNE

1 - 120 CAMP BAY ROAD  
2 -  
3 -

State- ID Zip- 83860

STRONG

GEORGE

City- SAGLE  
Phone - 208-263-7960  
1 - 120 CAMP BAY ROAD  
2 -  
3 -

State- ID Zip- 83860

City- SAGLE  
Phone - 208-263-7960

+ - - Priority Date - - +      + - - Region - - - +      + - - Stage - - - +      + - - Status - - - +  
06/30/1995      18 NORTHERN      A - APPLICATION

+ - - - - Source - - - - - +      + - - - - Tributary - - - - - +  
UNNAMED CREEK      LAKE PEND OREILLE

+ - - - - Point of Diversion - - - - - +  
Twn      Rng      Sec      Tract      Lot      RFlg      County      Diversion Name      Diversion Rate      Diversion No.

56N      01W      11      NE SW  
SE SW      (17) BONNER  
(17) BONNER

+ - - - - Water Use - - - - - +  
Code      Description      Period From      Period To      Diversion Rate      Diversion Volume  
01 - IRRIGATION STORAGE      03/15      11/15      0.200      22.00  
02 - IRRIGATION STORAGE      03/15      11/15      22.00  
03 - IRRIGATION FROM STORAGE      03/15      11/15      0.20  
05 - STOCKWATER STORAGE      01/01      12/31      0.20  
06 - STOCKWATER FROM STORAGE      01/01      12/31      22.00  
17 - WILDLIFE STORAGE      01/01      12/31      22.00  
50 - FIRE PROTECTION STORAGE      01/01      12/31      22.00  
51 - FIRE PROTECT. FROM STOR      01/01      12/31      22.00

+ - - Total Div. Rate - - +      + - - Total Div. Volume - - +      + - - Total Div. Capacity - +  
0.200      22.00

+ - - - - Place of Use - - - - - +  
Twn      Rng      Sec      Tract      Lot      Acres      Code      Description      County  
56N      01W      11      NE SW      10.0      01      IRRIGATION      (17) BONNER  
56N      01W      11      SE SW      4.0      01      IRRIGATION      (17) BONNER  
Total Acres:      14.0

+ - - Diversion Means -  
+ - - Non-Irrigation Use -

**WATER RIGHT**

stockwater use is for 5 horses.

- - - Old Water Right Numbers  
No Old Water Right Numbers for

- - - Conditions of Approval - -  
No Conditions of Approval found.

| + - - - Decree Defendant | - - + | + - Decree Date |
|--------------------------|-------|-----------------|
|                          |       | 00/00/0000      |

| Date       | User Id | Subject                                                       | Examiner's notes.                                                 |  | -Comments- |  |  |
|------------|---------|---------------------------------------------------------------|-------------------------------------------------------------------|--|------------|--|--|
| 08/14/1995 | DBALL   |                                                               | replace inactive beaver dam. Hgt 2 ft; active & total cap. 22 AF. |  |            |  |  |
|            |         | Earthen dam with culvert and headgate at outlet of pond to    |                                                                   |  |            |  |  |
|            |         | Pump in pond for fire protection, irrigation & stockwatering. |                                                                   |  |            |  |  |
|            |         | Time required 5 yrs.                                          |                                                                   |  |            |  |  |

[illegible]

|                   |              |                 |              |                    |     |
|-------------------|--------------|-----------------|--------------|--------------------|-----|
| Proof Due Date    | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee     | -   |
| Approved/Denied   | - 00/00/0000 | Protested Date  | - 00/00/0000 | Swan Falls         | -   |
| Proof Made Date   | - 00/00/0000 | Hearing Date    | - 00/00/0000 | Temporary Right    | - P |
| Exam to S.O. Date | - 00/00/0000 | Verified Date   | - 00/00/0000 | DLE/Carrey Act     | -   |
| Order Show Cause  | - 00/00/0000 | Receipt Number  | - M009141    | Water District     | -   |
| Licensed Date     | - 00/00/0000 | Appl Received   | - 06/30/1995 | Transfer/Amended   | -   |
| Decree Date       | - 00/00/0000 | Name Connector  | - AND        | POU Ownership Flag | - Y |
| Presumption flag  | -            |                 |              |                    |     |

**IDFG/IDPR PANHANDLE ROOM****Reservation Application**Date Needed: 9/19/96Agency/Organization: Dept of Water ResourcesContact Person: Dianne Bail

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

***Welcome to the Panhandle Room***

*We offer our meeting room to you at no cost. Please help us maintain that offer by reading, honoring, and sharing with your people the rules we have listed below.*

**KEY** - If your meeting is scheduled in the evening, pick up the key at the front desk *before 5:00 pm* and *return it before noon* the next day.

**FACILITIES**

- ✓ **Parking spaces in employee area**
- ✓ **40 chairs/six large tables**
- ✓ **Sink/coffee area. BYOCP (Bring your own coffee pot, coffee, etc.) Pop machine in lobby (50¢)**
- ✓ **Screen suitable for slides/movies.**
- ✓ **You can arrange the furniture in a way that will be convenient to you.**
- ✓ **Coat/hat racks**
- ✓ **Handicapped-accessible restrooms**

**PLEASE BRING YOUR OWN CELLULAR PHONES** Do not ask to use our business phone except for 'dire' emergencies.

**PLEASE BRING YOUR OWN TELEVISION/VCR, AND AUDIO/VISUAL AID EQUIPMENT** You are welcome to plug in!

**PLEASE BRING ALL THE COPIES YOU WILL NEED.** Our Secretarial services cannot be extended to you during your meeting.

**NO SMOKING IN STATE BUILDINGS**

***WE WANT TO CONTINUE OFFERING A MEETING ROOM AT NO COST. PLEASE HELP US BY FOLLOWING THE REQUESTS ABOVE.***

***We do expect basic clean-up before you leave.***

***Thank you, in advance! Any suggestions you might have would be appreciated!***

**MEMORANDUM**

To: L. Glen Saxton  
From: Karl J. Dreher   
RE: **APPOINTMENT AS HEARING OFFICER - PROCEDURE RULE 410**  
Date: September 16, 1996

You are hereby appointed as hearing officer and are authorized to represent the department as provided by IDAPA Rule 37.01.01410 (Procedure Rule 410) in the following contested matter:

**In the Matter of Application for Permit No. 96-08893 in the name of George and Barbara Strong**

The department has scheduled a hearing in the matter as follows:

Date: September 19, 1996  
Time: 1:00 p.m.  
Place: Id. Dept of Fish and Game  
2750 Panhandle Room  
Coeur d'Alene, ID

RECORDED  
JUN 10 1997

**CONFERENCE/HEARING SCHEDULE**

**Northern Region**

**IDAHO DEPARTMENT OF FISH & GAME, 2750 KATHLEEN AVENUE, COEUR D ALENE, ID**

**THURSDAY, SEPTEMBER 19, 1996**

**10:00 A.M. - 96-08741 - CANYON MINERAL INC.**

**1:00 P.M. - 96-08893 - STRONG, GEORGE & BARBARA**

**RECORDED**

**JUN 10 1997**

|                        |                 |      |              |
|------------------------|-----------------|------|--------------|
| Post-it® Fax Note 7671 |                 | Date | # of pages 1 |
| To Glen Saxton         | From Bob Haynes |      |              |
| Co./Dept.              | Co.             |      |              |
| Phone #                | Phone #         |      |              |
| Fax #                  | Fax #           |      |              |

# CONFERENCE/HEARING SCHEDULE

## Northern Region

IDAHO DEPARTMENT OF FISH & GAME, 2750 KATHLEEN AVENUE, COEUR D'ALENE, ID

THURSDAY, SEPTEMBER 19, 1996

10:00 A.M. - 96-08741 - CANYON MINERAL INC. → postponed at request of F&G

1:00 P.M. - 96-08893 - STRONG, GEORGE & BARBARA

9/17 Tried to reschedule for 10:00 am - Randy Bueh says can't make that due to witnesses flight schedule.

9/18 Tried to call Engstroms - no answer. There is combo phone/fax so I faxed reminder to Engstroms w/ request for call back upon receipt. ☺

MICROFILM

JUN 18 1997