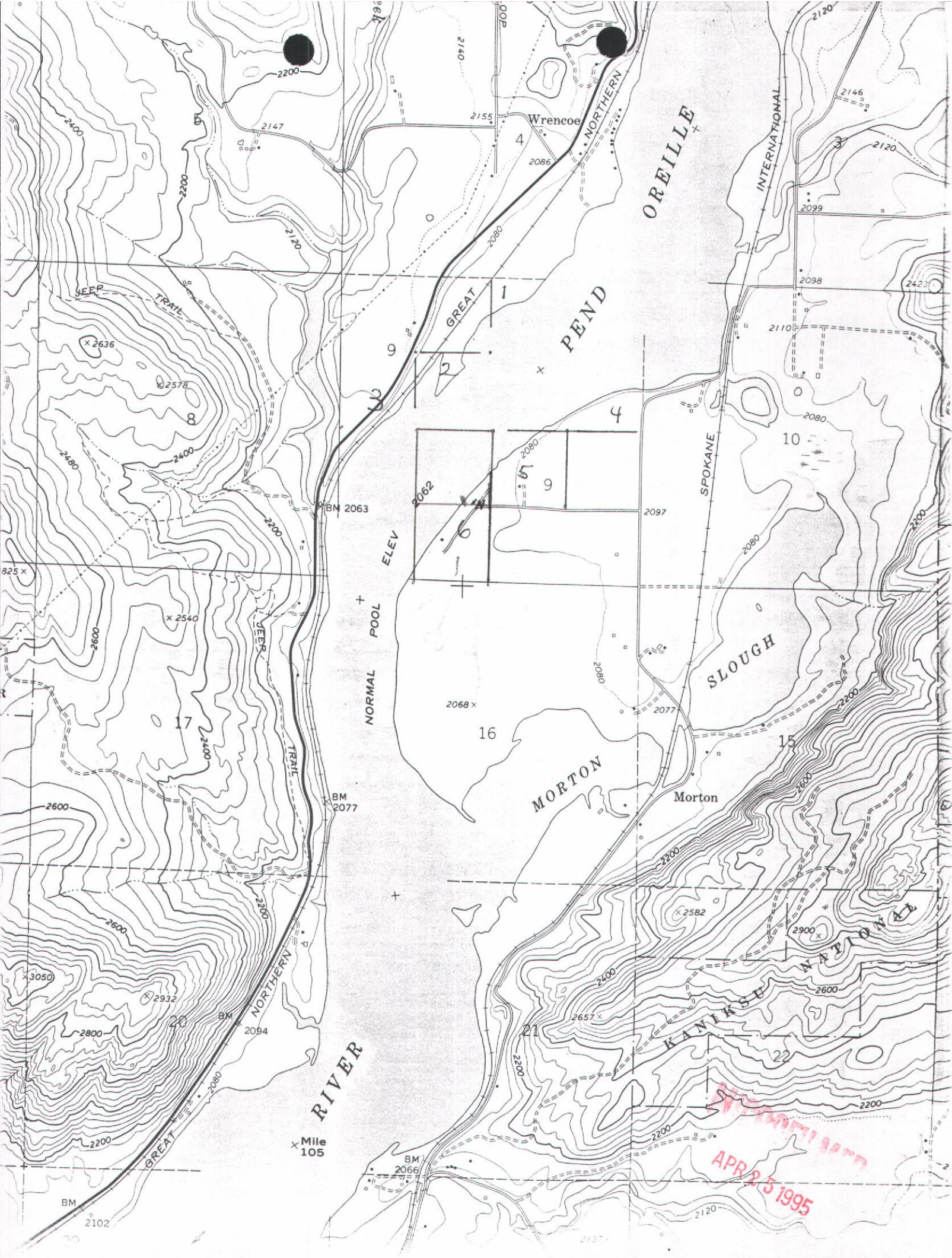
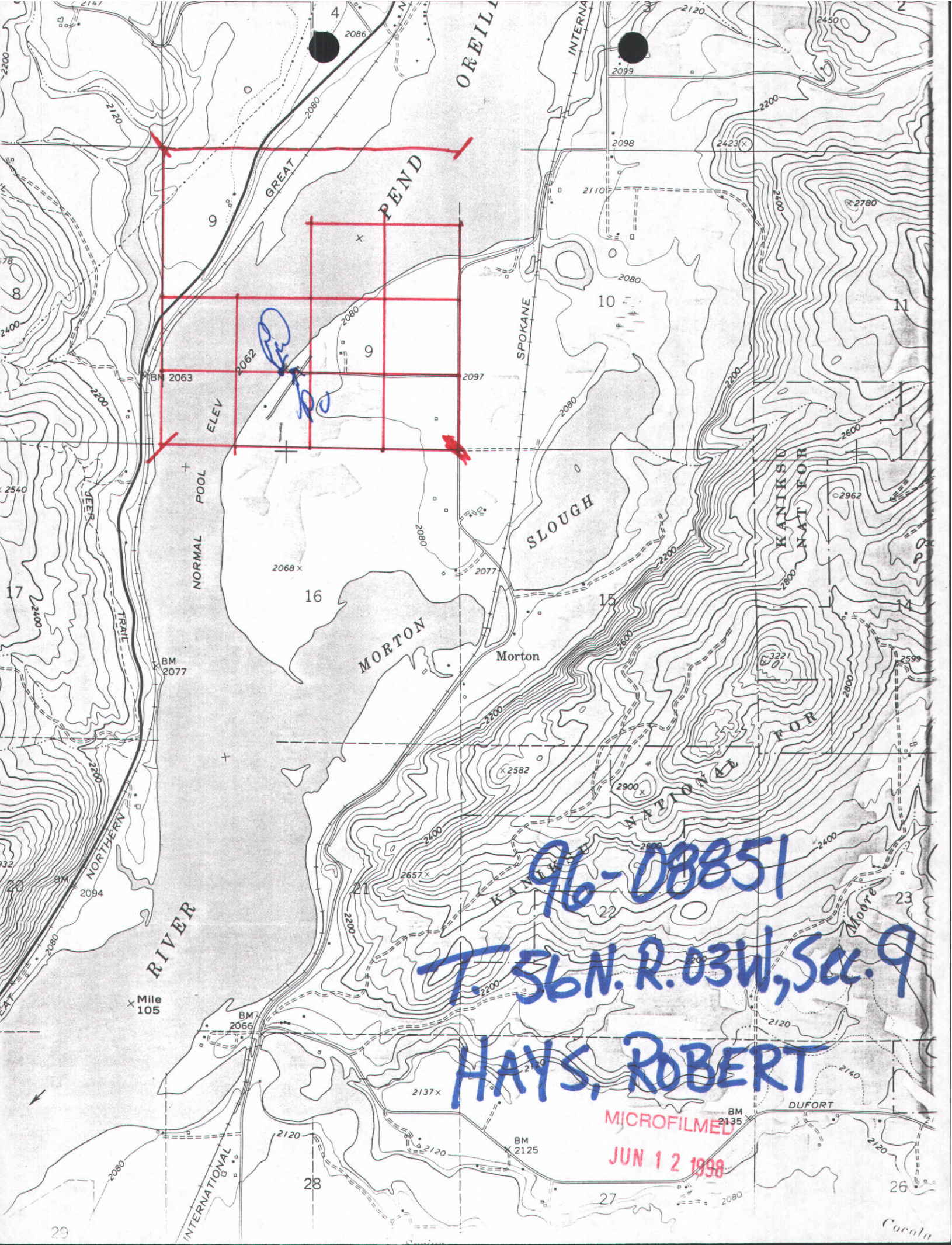
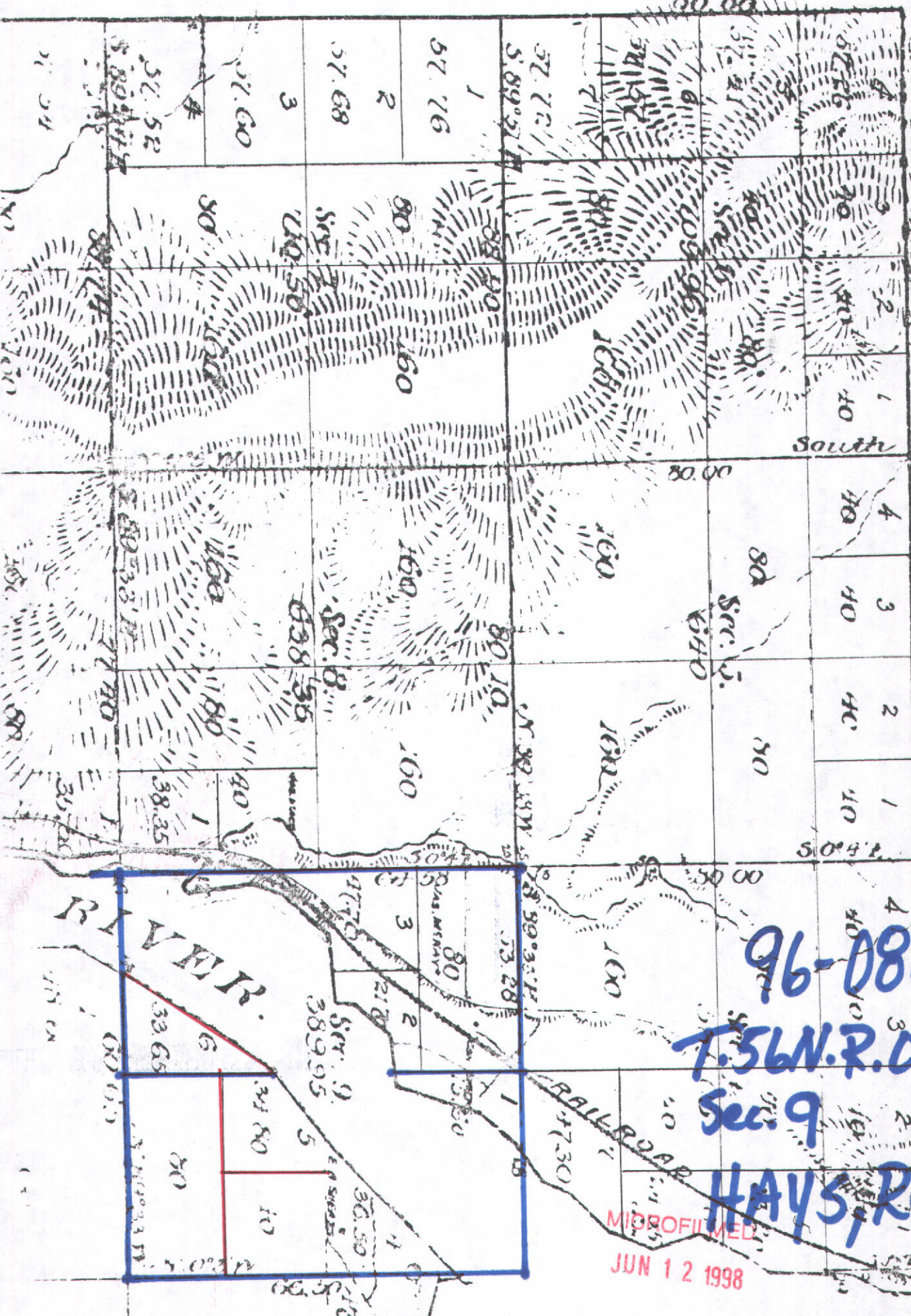








96-08851
T.56N.R.D3W.
Sec. 9

HAYS, ROBERT

MICROFILMED
JUN 12 1998

96-08851

Pressure Tank
+
Controls



PV



PV

MICROFILMED
JUN 12 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08851

Priority: March 2, 1995

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that ROBERT J HAYS
10087 N BATEMAN
HAYDEN ID 83835

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated March 2, 1995; and
has submitted Proof of Beneficial Use on April 10, 1997. An examination indicates
that the works have a diversion capacity of 0.030 cfs of water from:

PEND OREILLE RIVER

tributary to COLUMBIA RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.03 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 6(NESW), Sec. 9, Township 56N, Range 03W
Lot 6(SESW), Sec. 9, Township 56N, Range 03W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

56N 03W 9 Lot 6(NESW) Lot 6(SESW)

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Single point of diversion and place of use located in Gov. Lot 6 on or between line between the NWSW and the SESW, S09, T56N, R3W.
6. Domestic use is for 1 home.

MICROFILMED

JUN 12 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08851

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 16TH
day of MARCH, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED
JUN 12 1998

RECEIVED

APR 10 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 96-08851 Telephone No. (208) 762-3139
2. Name(s) of Permit Holder(s): Robert J Hays
3. Mailing Address: 10087 N. BATEMAN HAYDEN ID 83835
4. Source of Water: PEND ORIENTE RIVER If GROUNDWATER (well), Date Drilled: mo. / yr.
 - a. Well Driller: Drilling Permit Number:
 - b. OPTIONAL:
Pump Horsepower: Pressure (psi): 40 Dynamic pumping level (ft): N/A
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock):
Irrigation (No. of acres): N/A Other:
6. Total rate of diversion and/or volume for which proof is submitted: 04 cfs OR acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes or No ✓

Has the measuring device been installed?

Yes or No ✓

Flow Measurement Port: Is a flow measurement port required?

Yes or No ✓

Has the measurement port been installed?

Yes or No ✓

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Robert Hays Telephone Number: (208) 762-3139
Address: 10087 N BATEMAN HAYDEN ID 83835
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:

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

Date:

3/31/97

MICROFILMED

MAY 28 1997

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-08851

Proposed Priority: March 2, 1995

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **ROBERT J HAYS**
10087 N BATEMAN
HAYDEN ID 83835

has applied for a permit to appropriate water from:

PEND OREILLE LAKE

tributary of **PEND OREILLE RIVER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 6(NESW), Sec. 9, Township 56N, Range 03W
Lot 6(SESW), Sec. 9, Township 56N, Range 03W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

56N 03W 9 Lot 6(NESW)

Lot 6(SESW)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **May 1, 1997**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Single point of diversion located on or near line between Lot 6 (NWSW) and Lot 6, (SESW), S09, T56N, R03W.
5. Single place of use located on or near line between Lot 6 (NWSW) and Lot 6, (SESW), S09, T56N, R03W.
6. Domestic use is for 1 home.

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

24 th day of April, 1995.

R. Keith Higginson
for R. Keith Higginson, Director

APR 25 1995

RECEIVED
APR 18 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 96 8851

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant ROBERT J HAYS Phone 762-3139
Post office address 10087 N BATEMAN HAYDEN ID. 83835
2. Source of water supply PEND OREILLE LAKE which is a tributary of PEND OREILLE RIV.
3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot 6
Sec. 9 Township 56N Range 3W B.M. BONNER County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 104 for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. SUBMERSIBLE PUMP
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
2 years (minimum 1 year).

APR 25 1995

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. ONE
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
SGN	3W	9									<u>1/4</u> D			<u>1/4</u> D					

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

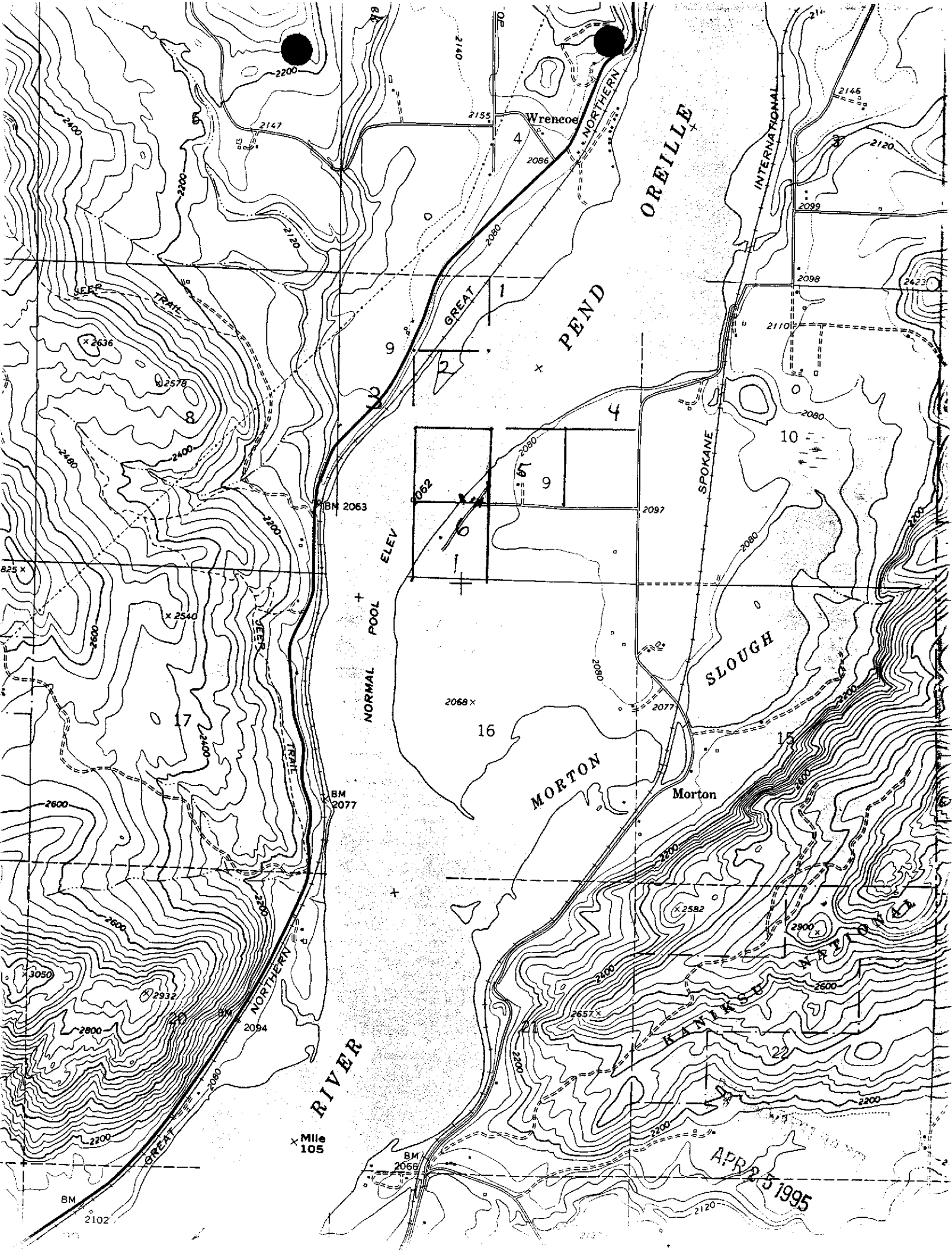
11. a. Who owns the property at the point of diversion? APPLICANT

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

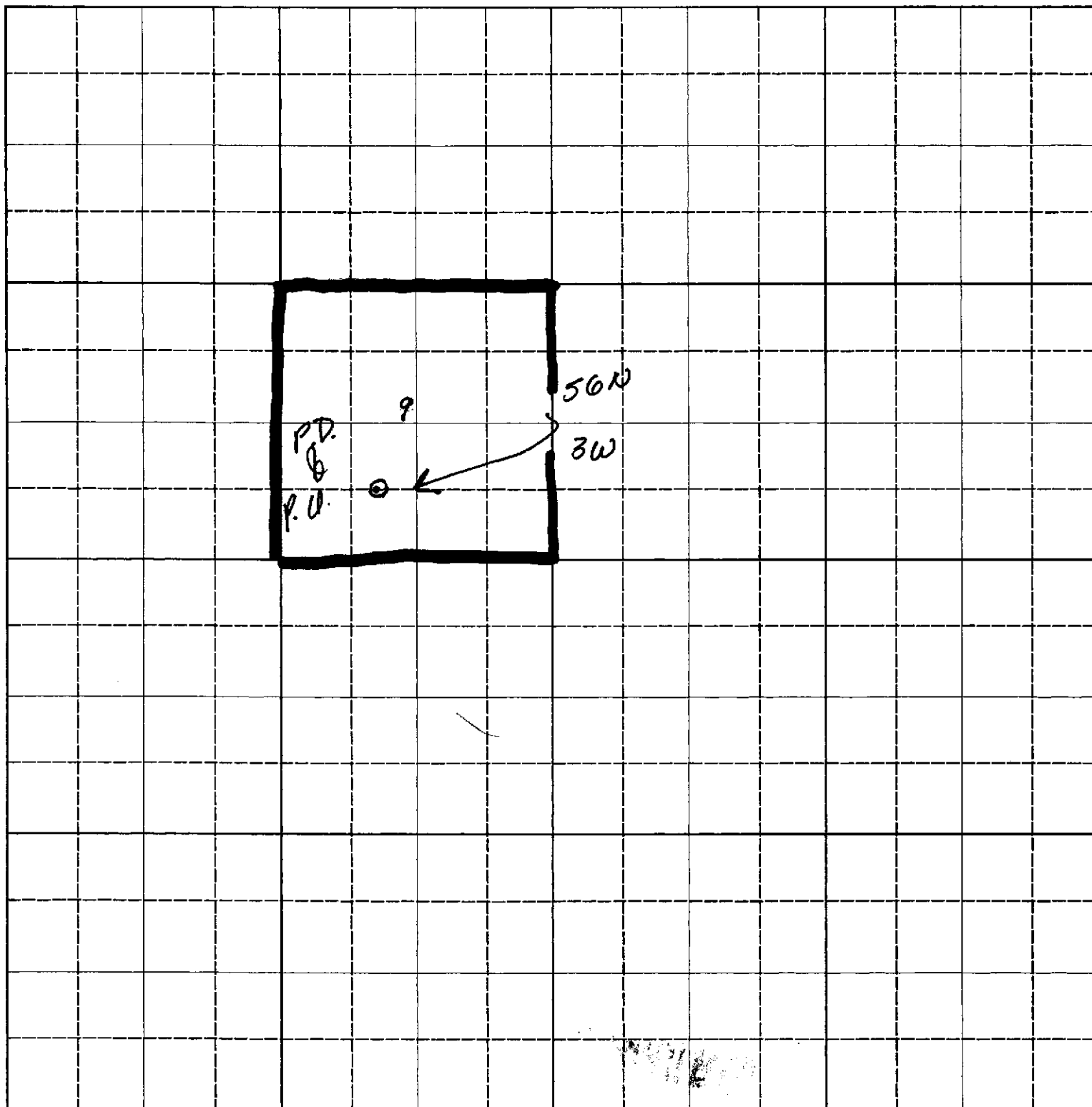
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: POINT OF DIVERSION IS ON THE LINE BETWEEN
SESW AND NESW

APR 25 1985



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.

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.

Robert J. Hays
(Applicant)

Received by Ken Date 3/2/95 Time 11:30a Preliminary check by _____
Fee \$ 50.00 Receipted by Ken # N-8659 Date 3/2/95
Publication prepared by [Signature] Date 3/8/95 Published in Boone Co Daily Bee 3/16 & 23/95
Publication approved [Signature] Date 4/5/95

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:

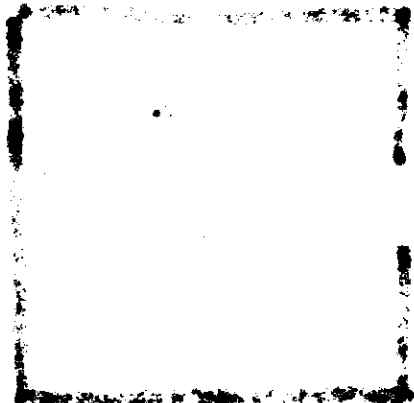
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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. 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:



APR 25 1995



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 16, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT J HAYS
10087 N BATEMAN
HAYDEN ID 83835

RE: WATER RIGHT NO. 96-08851

Dear Water Right Holder(s):

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

LOL MED

APR 12 1998

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

MICROFILMED

JUN 12 1998

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

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
JUN 13 1998

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of March, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 96-08851

ROBERT J HAYS
10087 N BATEMAN
HAYDEN ID 83835


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 12 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 96-08851

DATE 3/13/98

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>—</u>
SOURCE	<u>✓</u>	<u>—</u>	Is change clarification of originally intended source? <u>yes</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>no</u>

Does map agree with written description? — yes — no

OVERLAPS — P/D — P/U
Overlap file pulled & reviewed —

RATE OF DIV

Permitted Rate	<u>.04</u> cfs
Fee limit	<u>.20</u> cfs <u>450⁰⁰</u>
Measured	<u>.03</u> cfs
Theoretical	<u>.03</u> cfs <u>@ 50' left and 40 psi</u>

Recommended Total Div Rate .03 cfs

ANNUAL VOLUME/ NATURE OF USES <u>—</u>	<u>✓</u> Use <u>Dom</u> <u>.03</u> cfs	Volume Calc <u>1.2</u> af
	<u>—</u>	<u>—</u> af
	<u>—</u>	<u>—</u> af
	<u>—</u>	<u>—</u> af
	<u>—</u>	<u>—</u> af
	SUBTOTAL	<u>—</u> af

Flow rate .03 cfs X 365 days X 1.98 = 21.7 af
Total volume recommended 1.2 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS 1) home.
Single pld & plu on line

CONDITIONS — Watermaster Control WD# —
— GW Measurement/Measuring Device
— Overlap
— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA
Adjustment Memo —

1st Amend Letter NA
2nd Amend Letter —

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 27 1998

Department of Water Resources

96-08851

A. GENERAL INFORMATION

Permit No. _____

1. Owner: Robert J Hays Phone No. _____

Current Address: 10087 N Bateman, Hayden Id 83835

2. Accompanied by: Unaccompanied (owners request) EXAM DATE: 6-3-97

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Pend Oreille River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	06		NE	SW	09	56N	03W	Bonner	U.S. G. S.
	06		SE	SW	09	56N	03W		a single Point of Div on Line between NE SW & SE SW

2. Place(s) of Use:

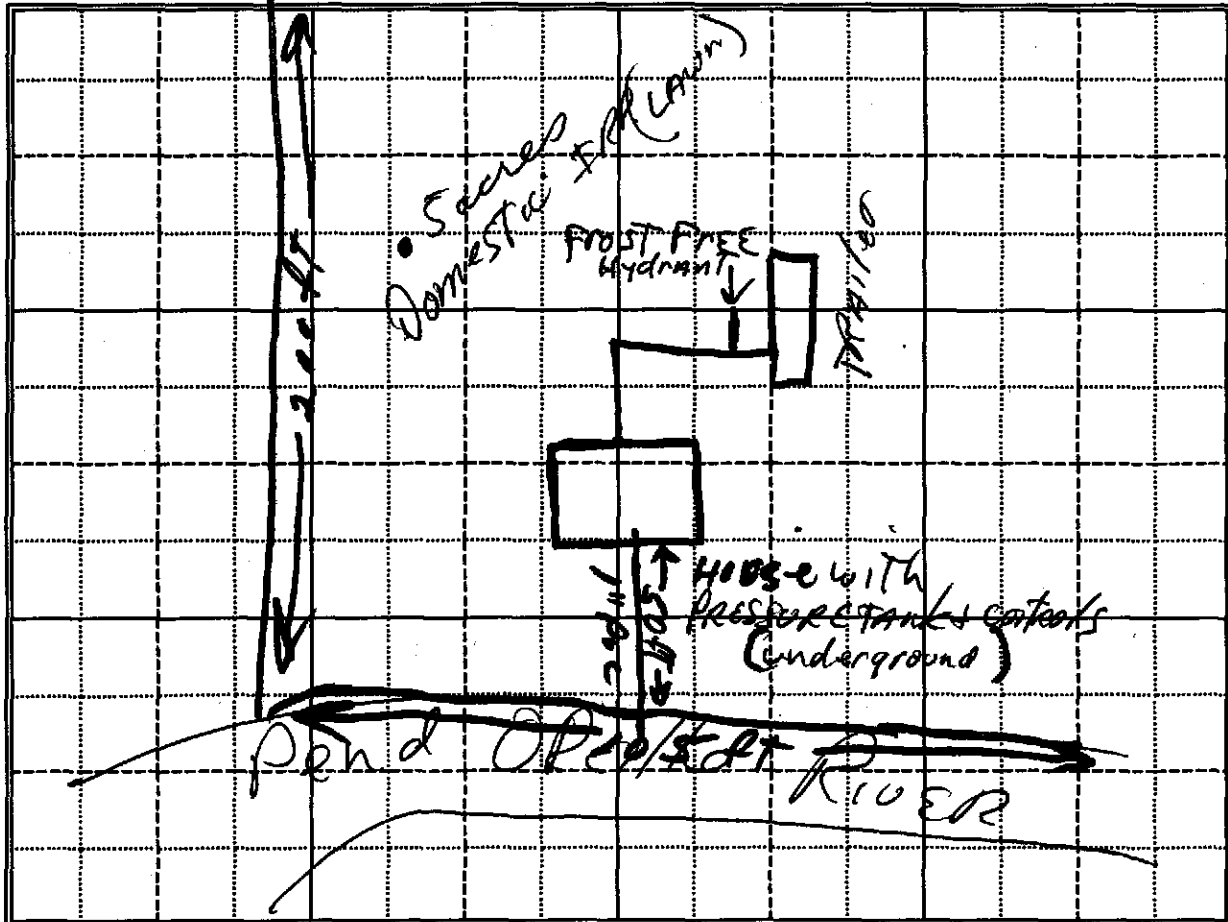
Indicate Method of Determination

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	03W	9									06 D			06 D					

MICROFILMED

JUN 12 1998

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



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	75	2801074915	Submersible	1"

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

MICROFILMED

JUL 12 1998

09-08821

E. NARRATIVE/REMARKS/COMMENTS

Water is pumped from River to approx 100 gal pressure tank located in a underground housing. Lawn irrigation with a garden hose & and portable sprinkler.

Permit Reads Source as Lake Bend Oreille Trib to Bend Oreille River. It should read Bend Oreille River Trib to Columbia River

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

MICROFILMED
JUN 12 1998

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$5 \text{ gal bucket } 5 \text{ gal in } 20 \text{ sec} = 159 \text{ gpm}$$

$$\frac{15 \times .133681}{60} = .03 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic</u>	<u>01-01</u>	<u>12-31</u>	<u>.03</u>	<u>1.2</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>.03</u>	<u>1.2</u>

2. Recommended Amendments

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

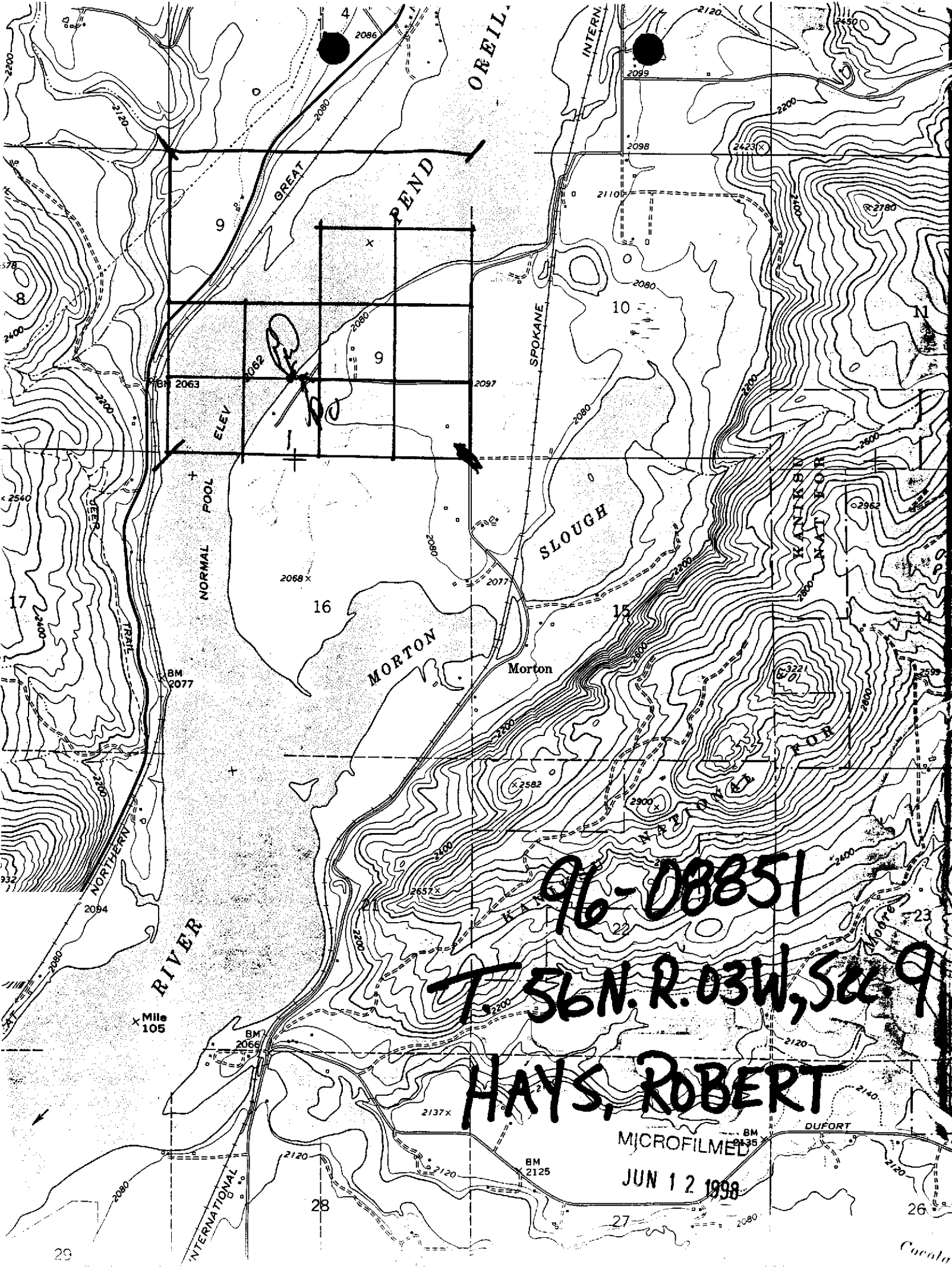
I. AUTHENTICATIONField Examiner's Name Wayne Baldwin Date 7-15-97

Reviewer _____ Date _____

SEAL

MICROFILMED

JUN 12 1998



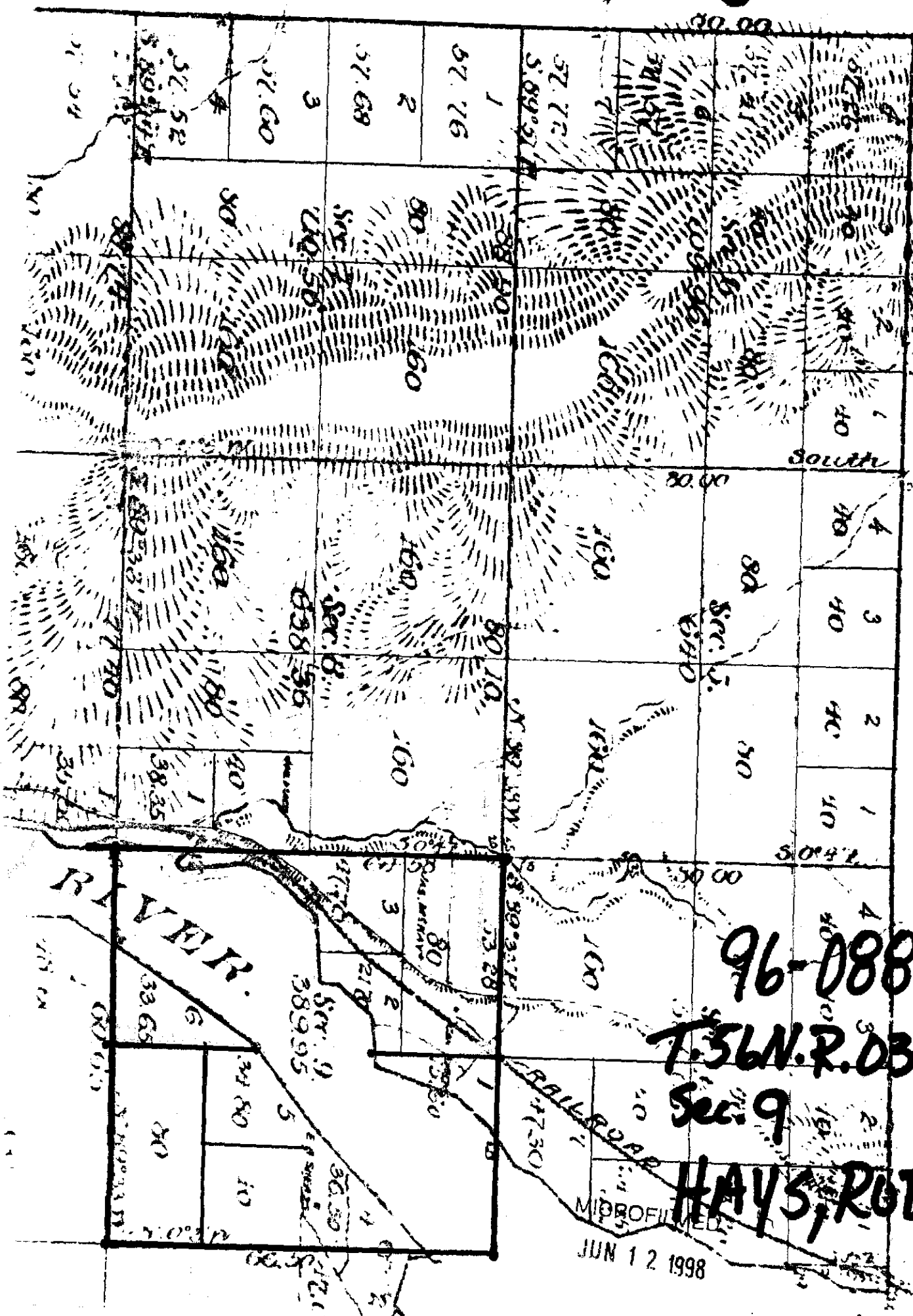
96-08851

T. 56 N. R. 03 W, Sec. 9

HAYS, ROBERT

MICROFILMED

JUN 12 1998



96-08851
T.56N.R.03W.

Sec. 9

HAYS, ROBERT

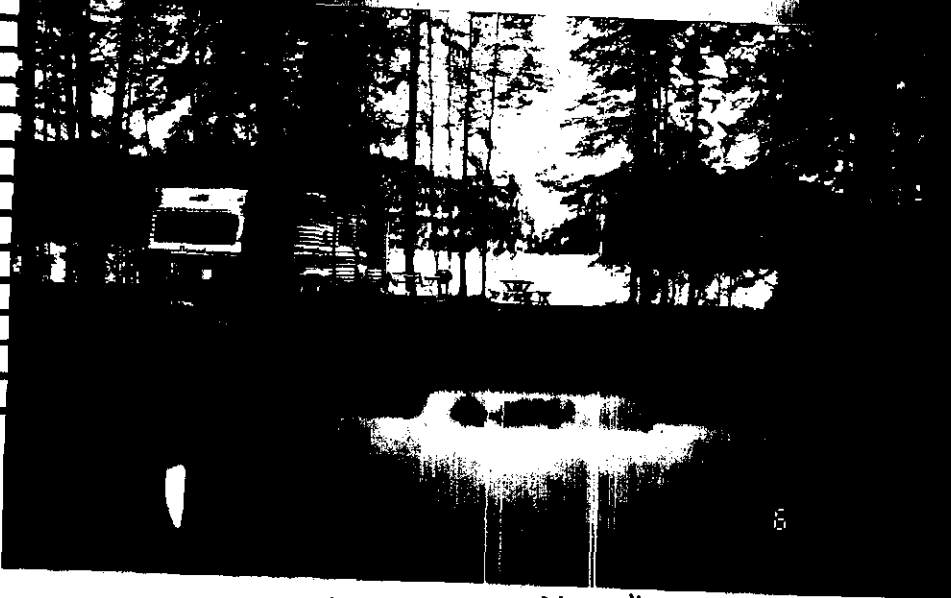
MICROFILMED
JUN 12 1998

96-08851

Pressure Tank
+
Control



PV



PV

MICROFILMED
JUN 12 1998

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-08851 Reviewed by Jy Date 4-21-97

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
 Ground water source
 Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
no Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received
Date proof due -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address Proof Made 4-10-97



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
April 22, 1997

ROBERT J HAYS
10087 N BATEMAN
HAYDEN ID 83835

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08851

Dear Permit Holder:

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

Please be advised that Section 42-248, Idaho Code, which became affective 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. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

If you have questions concerning the field examination, contact the **NORTHERN** Regional Office in Coeur d'Alene, at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

C: IDWR - Region

MICROFILMED
MAY 28 1997

February 28, 1997

ROBERT J HAYS
10087 N BATEMAN
HAYDEN ID 83835

PROOF DUE NOTICE

RE: PERMIT NO. 96-08851

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 May 1, 1997.

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

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

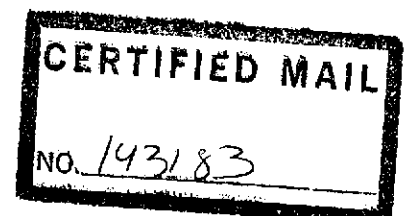
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
MAY 28 1997





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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 24, 1995

ROBERT J HAYS
10087 N BATEMAN
HAYDEN ID 83835

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08851

Dear Permit Holder:

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

APR 25 1995

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

No.: 96-8857 Name: Hays. Date: 4/21/95 Ad OK? ☒
Correct Fee? ☒ Receipt #: N 08659 Priority: 3/2/95 ☒ Gvmt Lts: ☒ (6)

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020 (Prehearing agreement) or W19 (See Order)

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

GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
- 0.2 cfs - No MD
+ 5 a. (POU cmp) - 01M, 803 (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):
Water District (~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J-P08 or 01M
- 0.2 cfs - 01H-P01 or No MD
+ 5 a. irr. - 01M (POU cmp)
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (POU cmp)

RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064 (consump. use), 047-P04 (Payette Lake), NA

USE:
Domestic (surface) - 021 (Boise R ↑ L Peak); 064 (Payette R); NA
Fish Propagation - 07A-042 (rq) - 010/06A/09E (WQ) - **P10**; 044 (N 1000 Spr)
Irr - 5 acres - 057 (0.03 cfs/A)
+ 5 acres - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E - **P10**
Power - 08A-17K-025-027-01M-01F (**P19**) - 09E (**P10**);
+25 cfs - **P18**; 17G (FERC) or 17M (FERE); 18B - **P09**
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B - **P09** (+10' dam), NA

LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - **P52** (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - 3 <SEE CONDITION 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: - ① W23 ② W01/1

BENEFICIAL USE DUE: - 5-1-1997

COMMENTS: _____

No. a
4/87-06/92n

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
APR 18 1995

Department of Water Resources

APPLICATION # 96-8851

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

APPLICANT: HAYS BY: AB DATE: 3/2/95

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, acknowlegment)

*** 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: 3/2/95

☒ (Include Moratorium Remark)

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

ADVERTISE IN: SB at Shure BOONER 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

Affidavit of publication received

Application published correctly, If not, record action taken: _____

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

Protests received. Final protest date: 4/3/95

Measuring device required

Measuring port required

Special conditions: _____

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

Approval Recommended by: AB RUA Date: 4/6/95

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pamela D. Johnson 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 APPLICATIONS

FOR WATER RIGHTS

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 16 day of March, 19 95
and ending on the 23 day of March, 19 95
and that said notice was published in said newspaper.

On this 23 day of March in the year
of 1995, before me, a Notary Public, personally
appeared Pamela D. Johnson,
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, Id

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:

96-08851 ok
HAYS, ROBERT J
10087 N BATEMAN
HAYDEN, ID 83835
Source: LAKE PEND OREILLE
Tributary: PEND OREILLE RIVER
Diversion Pt: NESW Sec 9 T 56N
R 03W in BONNER County.
SESW Sec 9 T 56N R 03W in
BONNER County.

Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)
Date Filed: 3/2/1995
In: BONNER County
T56N R03W S09 NESW SESW
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, Ida-
ho 83814, together with a protest fee
of \$25.00 on or before APRIL 3,
1995.

R. KEITH HIGGINSON,
Director
SNP#6741 Mar 16, 23, 1995

APR 25 1995

6741

March 8, 1995

Robert J. Hays
10087 N. Bateman
Hayden ID 83835

Re: Water Appropriation Application No. 96-08851

Dear Mr. Hays:

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

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

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

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

46833

96-08851

HAYS, ROBERT J
10087 N BATEMAN
HAYDEN, ID 83835

Source: LAKE PEND OREILLE

Tributary: PEND OREILLE RIVER

Diversion Pt:	NESW	Sec 9 T 56N R 03W in BONNER County.
	SESW	Sec 9 T 56N R 03W in BONNER County.

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

Date Filed: 3/ 2/1995

In: BONNER County		
T56N R03W S09	NESW	SESW

Bonner Co. Daily Bee 3/16 & 23