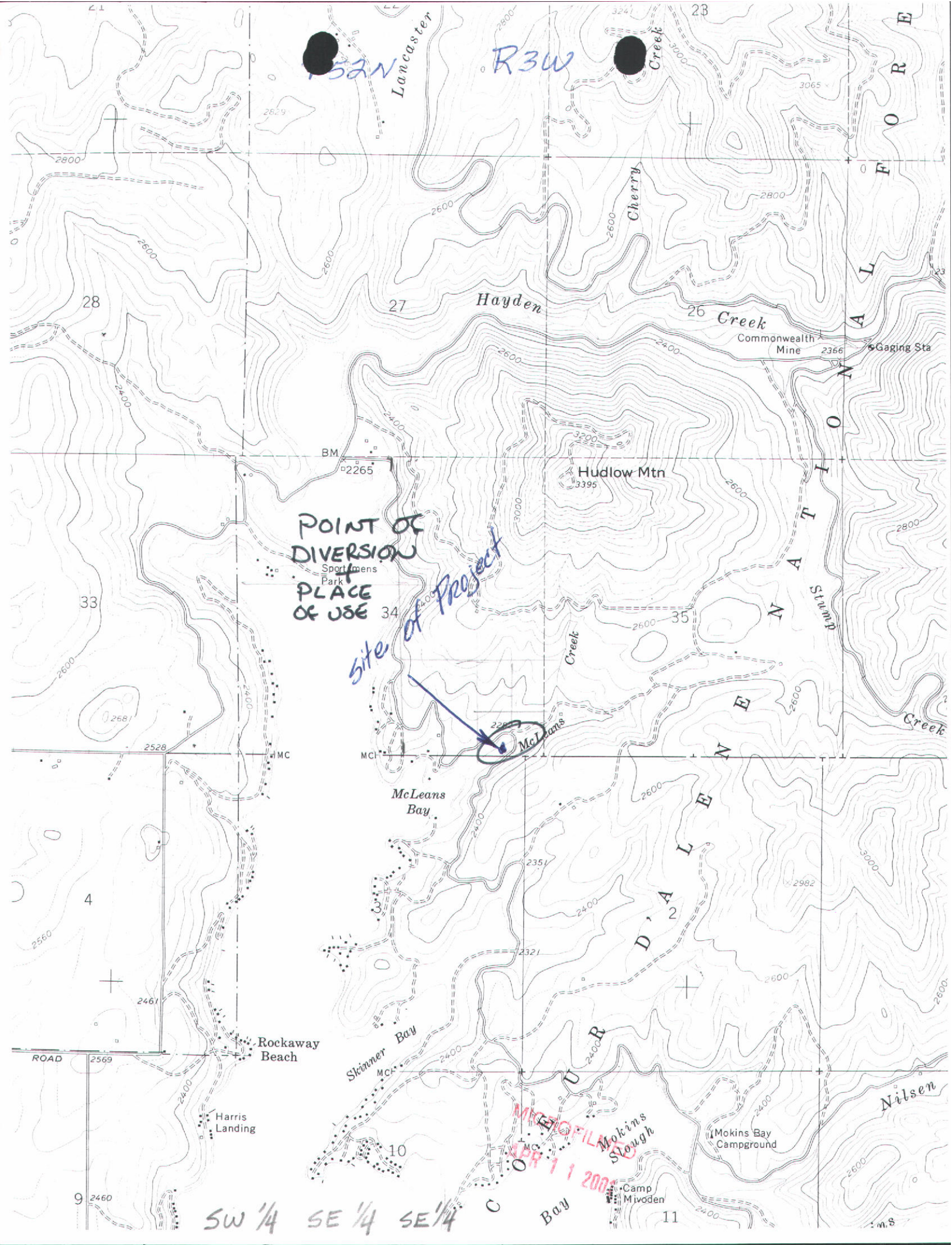




152N Lancaster

R3W

POINT OF
DIVERSION
PLACE
OF USE

Site of Project

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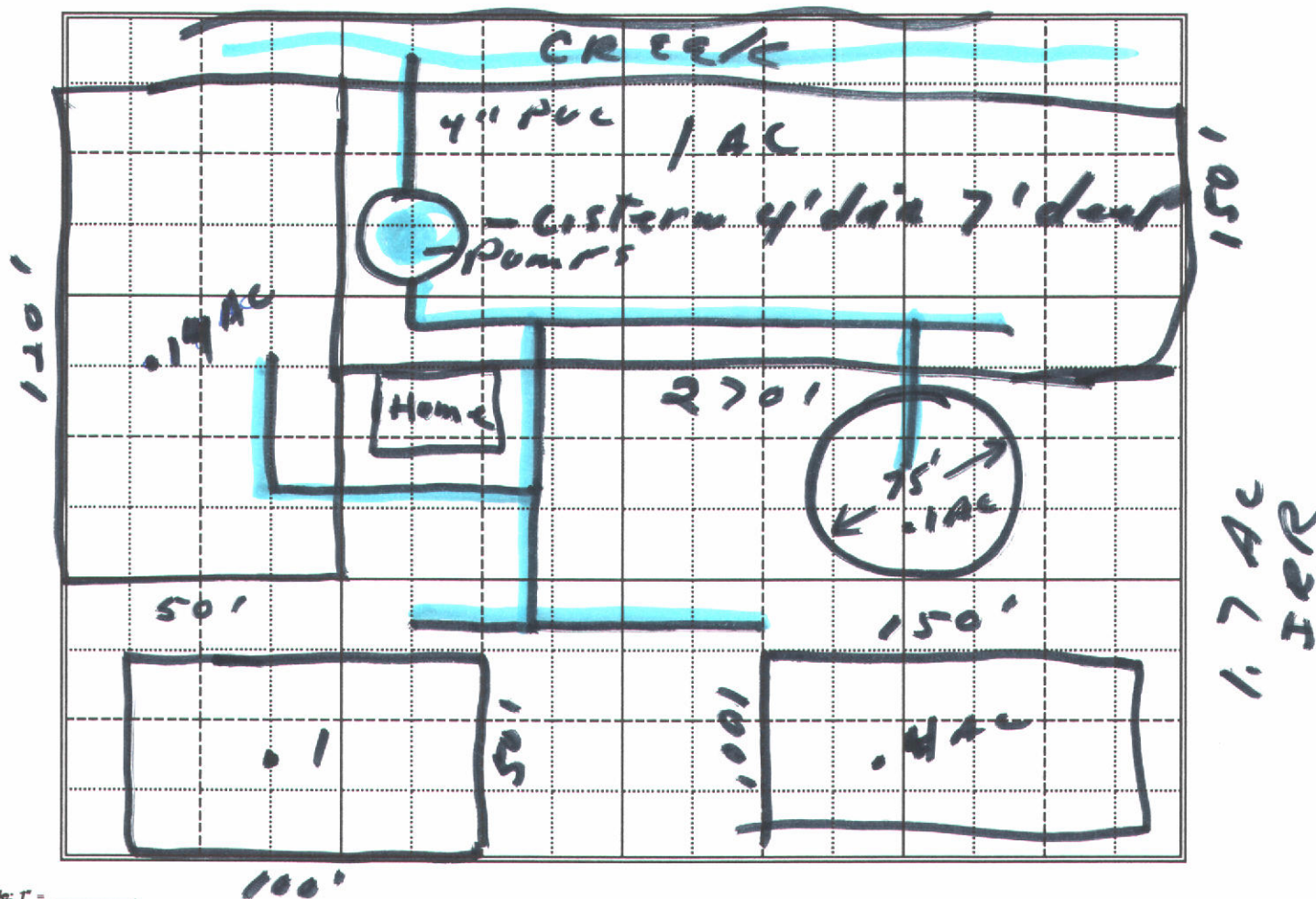
SW 1/4 SE 1/4 SE 1/4

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	95 133	HAZEL A FOX,	HAYDEN LAKE	52N03W34																	0
Right	95 147	M G GOETZMAN,	HAYDEN LAKE	52N03W34																	0
Right	95 153	JAMES I GREEN,	HAYDEN LAKE	52N03W34																	0
Right	95 231	ROBERT R LUHN,	HAYDEN LAKE	52N03W34																	0
Right	95 245	GLEN E MADSEN,	HAYDEN LAKE	52N03W34																	0
Right	95 247	CARL H MALMQUIST,	HAYDEN LAKE	52N03W34																	0
Right	95 260	LOUIS H MILLER,	HAYDEN LAKE	52N03W34																	0
Right	95 269	BETH M MOORE, MARVIN K MOORE,	HAYDEN LAKE	52N03W34																	0
Right	95 29	MRS CHARLES F BERGH,	HAYDEN LAKE	52N03W34																	0
Right	95 306	CHARLES F POL,	HAYDEN LAKE	52N03W34													X				0
Right	95 335	WILFRED N SEBO,	HAYDEN LAKE	52N03W34																	0
Right	95 375	JACK TAPSCOTT,	HAYDEN LAKE	52N03W34																	0
Right	95 403	ALEXANDER T WISEMAN,	HAYDEN LAKE	52N03W34																	0
Right	95 404	NORMAN G WITTENBROCK,	HAYDEN LAKE	52N03W34																	0
Right	95 440	REX LIGHTNER,	HAYDEN LAKE	52N03W34																	0
Right	95 442	N W JACKSON,	HAYDEN LAKE	52N03W34																	0
Right	95 60	THOMAS R BURRUS,	HAYDEN LAKE	52N03W34																	0
Right	95 68	DAVID L CHANTRY,	HAYDEN LAKE	52N03W34																	0
Right	95 7	M B ANDERSON,	HAYDEN LAKE	52N03W34																	0
Right	95 7144	LOUISE HUMPHREYS, ROBERT M HUMPHREYS,	HAYDEN LAKE	52N03W34												X					0
Right	95 7206	JOHNNY CARLSON,	HAYDEN LAKE	52N03W34										X							0
Right	95 74	WILLIAM E COLE,	HAYDEN LAKE	52N03W34																	0
Right	95 7545	NORMAN R SNYDER,	HAYDEN LAKE	52N03W34										X							0
Right	95 7625	MERWYN A FORSTER,	HAYDEN LAKE	52N03W34										X							0
Right	95 8771	PHILLIP T BACKER,	HAYDEN LAKE	52N03W34									0.5								0.5
Right	95 8983	PAUL N TOOGOOD,	HAYDEN LAKE	52N03W34							1										1
Right	95 8997	ANTONE NICK BUZOLICH,	HAYDEN LAKE	52N03W34							X										0
Permit	95 9043	JAMES JOHN BOYES,	MC LEANS CREEK	52N03W34																4	4
Right	95 8972	RICHARD W SIEVERT,	MC LEANS CREEK	52N03W34															X		0
Right	95 8972	RICHARD W SIEVERT,	MC LEANS CREEK	52N03W34															X		0
Right	95 9043	JAMES JOHN BOYES,	MC LEANS CREEK	52N03W34																1.7	1.7
Right	95 447	ROBERT J REVELLI,	SPRING	52N03W34																	0
Right	95 7724	JOURNAL A PALMER, BERNIECE J PALMER,	SPRING	52N03W34															X		0
Right	95 7725	BERNIECE J PALMER, JOURNAL A PALMER,	SPRING	52N03W34															X		0
Right	95 4256	CHARLES F POL,	SPRINGS	52N03W34														X			0



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
	Century	2	NC	Berkley	1 1/2"

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

D. FLOW MEASUREMENTS

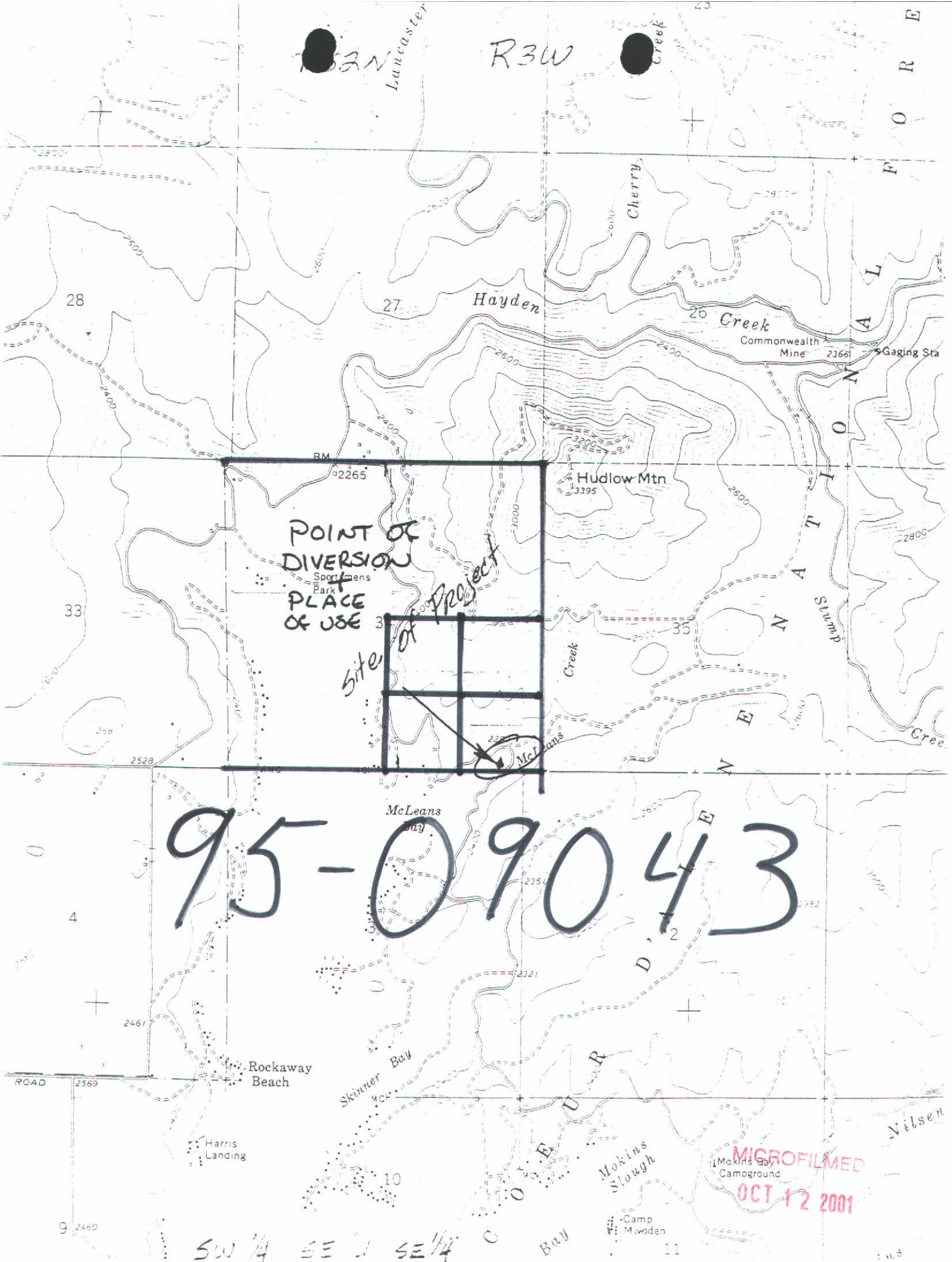
1.

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

2. Measurements: _____

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LANCASTER R3W

POINT OF
DIVERSION
PLACE
OF USE

Site of Project

95-09043

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SW 1/4 SE 1/4 SE 1/4 C Bay

95-09043



pump + cistern

pu



pu



pu

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95-09043



pump + cistern



pu



pu



pu

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95-09043



Pump + cistern



pu



pu



pu

MICROFILMED
OCT 12 2001

95-09043



pump + cistern



pu



pu



pu

95-09043

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OCT 12 2001

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Cindy Zimmerman on 6/24/00

No. 95-9043 Name: Boyes Corp. Officers Ad ok ✓ Govt Lots 7

AREA OF CONCERN: No/Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (√Flow Chart)

DRILLING PERMIT

All wells - 046(P23)

Irr. w/in WD - P05

WMD - North/East/West

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 067

WMD

Supp irr (irr = only use) - 065-104

Supp irr (+ other uses) - 100-105

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)

Mitigation - 121

42-248 Area - P84 (20s-70s, 81-86)

Swan Falls Flag -

Trust - 051(P74) (consumptive uses)

Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA

IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)

> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)

STOCKWATER - R37 (BLM/USFS)

MINING - 054-081(P10)

FISH PROP - 029(70'S only)-007-042-081(P10)

HEAT/COOL - R07(injection well)

FIRE PROT. - 077

BENEFICIAL USE DUE: 07 / 01 / 01

MISC CONDITIONS/REMARKS:

Protested - 020-W19

Development Period

≤ 1 yr - P16

> 1 yr - 26A(P17)

Ownership - 004

Non-consumptive - 027

Water Quality - 081-R07

SURFACE WATER: (√Flow Chart)

F&G contacted - Yes/No Response None

In/Above MSF - WB9

PLANNING REVIEW/RESPONSE

In-stream development - P52

WD - R04 (WD# 95A - Hayden Lake)

≤ 0.20 cfs/others - 01H(P01), 01P or No MD

> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snow R (01) - W22(P04), N/A

(02,03) - 007 (w/ remark WB9 if above Weiser)

Payette R (65) - 047(P04) (Payette Lake)

Salmon R (70's) - 029 (fish screens)

Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)

MUNICIPAL

Restricted area - 022,075

Irr., GW supp to SW - 102

DOMESTIC

Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)

> 1 in restricted area - 070-071-075(no parks/common areas, etc)

Irr use listed separate - WB5

Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32

Subd lot desc (pd) - W59

Subd lot desc (pu) - W60

Use definitions - W02 example - S/50 range

Pre-1987 development - 068-074 (allow 120 days for proof due)

Single p/d intended - 076

IRRIGATION SEASON 3/15 - 11/15 (Per updated map)

OTHER CONDITIONS/REMARKS

COMMENTS

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-09043

Priority: February 28, 2000

Maximum Diversion Rate: 0.05 CFS
Maximum Diversion Volume: 5.1 AF

It is hereby certified that JAMES JOHN BOYES
30939 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 28, 2000; and has
submitted Proof of Beneficial Use on September 05, 2000. An examination indicates that the works
have a diversion capacity of 0.06 cfs of water from:

SOURCE

MC LEANS CREEK

Tributary: HAYDEN LAKE

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/15 to 11/15	0.05 CFS	5.1 AF

LOCATION OF POINT(S) OF DIVERSION:

MC LEANS CREEK SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, Twp 52N, Rge 03W, B.M., KOOTENAI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
52N	03W	34																	1.7	1.7

Total Acres: 1.7

CONDITIONS OF APPROVAL

1. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 95A.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

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 used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 25TH day of September, 2001.

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OCT 12 2001

Acting for


KARL J. DREHER
Director

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. N213926
Receipt By: ds
Date Received: 9/5/00

RECEIVED

SEP 12 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

SEP 05 2000

IDWR/North

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.

1. Permit No. 95-09043 Telephone No. (208) 772-4004 wk.

2. Name of Permit Holder(s): James John Boyes

3. Mailing Address: 14455 E. Hayden Lake Rd.

City Hayden Lake State Id. Zip 83835

4. Source of Water: McLeans Creek If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____

a. Well Driller: _____ Drilling Permit Number: _____

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

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

Irrigation (No. of acres): 4.0 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.08 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 ☒

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: James Boyes Telephone Number: 772-4004 work

Address: 14455 E. Hayden Lake Rd - Hayden Lake, Ids. 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 water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: James John Boyes Date: 9/5/00

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

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SEP 11 2001

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-09043

Priority: February 28, 2000

Maximum Diversion Rate:

0.08 CFS

This is to certify, that JAMES JOHN BOYES

14455 E HAYDEN LAKE RD

HAYDEN LAKE ID 83835

has applied for a permit to appropriate water from:

MC LEANS CREEK

tributary of HAYDEN LAKE

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

03/15 to 11/15

0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESE, Sec. 34, Township 52N, Range 03W
KOOTENAI County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

52N 03W 34

SESE 4.0

4.0

Total number of acres irrigated:

4.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before July 1, 2001.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 95A.
4. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

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

26 day of June, 2000.

Karl J. Dreher
for Karl J. Dreher, Director

MICROFILMED

APR 11 2001

RECEIVED

MAY 22 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant James John Boyer Phone 772-3005
Mailing address 14455 E. Hayden Lake Rd. Hayden Lake, Id 83835
2. Source of water supply McLeans Creek which is a tributary of Hayden Lake
3. Location of point of diversion is Township 52N Range 3W Sec. 34 in the SW 1/4, SE 1/4, SE 1/4, Govt. Lot —, B.M., Koofenzai County; additional points of diversion if any: None
4. Water will be used for the following purposes:

Amount <u>.08 CFS</u> for <u>Irrigation</u>	purposes from <u>03/15</u> to <u>06/15</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>—</u> for <u>—</u>	purposes from <u>—</u> to <u>—</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>—</u> for <u>—</u>	purposes from <u>—</u> to <u>—</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>—</u> for <u>—</u>	purposes from <u>—</u> to <u>—</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>—</u> for <u>—</u>	purposes from <u>—</u> to <u>—</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>—</u> for <u>—</u>	purposes from <u>—</u> to <u>—</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
5. Total quantity to be appropriated is (a) .08 CFS and/or (b) —
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source 3 small Dams supplying 4' Dia Pump Chamber - 3, 3hp Pumps into 3" + 1 1/4" Distribution
 - b. Height of storage dam 1 feet; active reservoir capacity .0001 acre-feet; total reservoir capacity .0001 acre-feet
 - c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? N/A; Drilling firm N/A
Well was drilled for (well owner) N/A; Drilling Permit No. N/A
7. Time required for completion of works and application of water to proposed beneficial use is 1/4 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. —
 - b. Stockwatering; list number and kind of livestock. —
 - c. Municipal; show name of municipality. —
 - d. Domestic; show number of households. —
 - e. Other; describe fully. —

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APR 11 2001

a. If water is for irrigation, indicate acreage in each subarea.
b. If water is used for other purposes, place a symbol to indicate use below. See instructions for standard symbols.

use below. See instructions for standard symbols.

[illegible]

7

4/2

James John Boyes	James John Boyes
------------------	------------------

W/A

place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

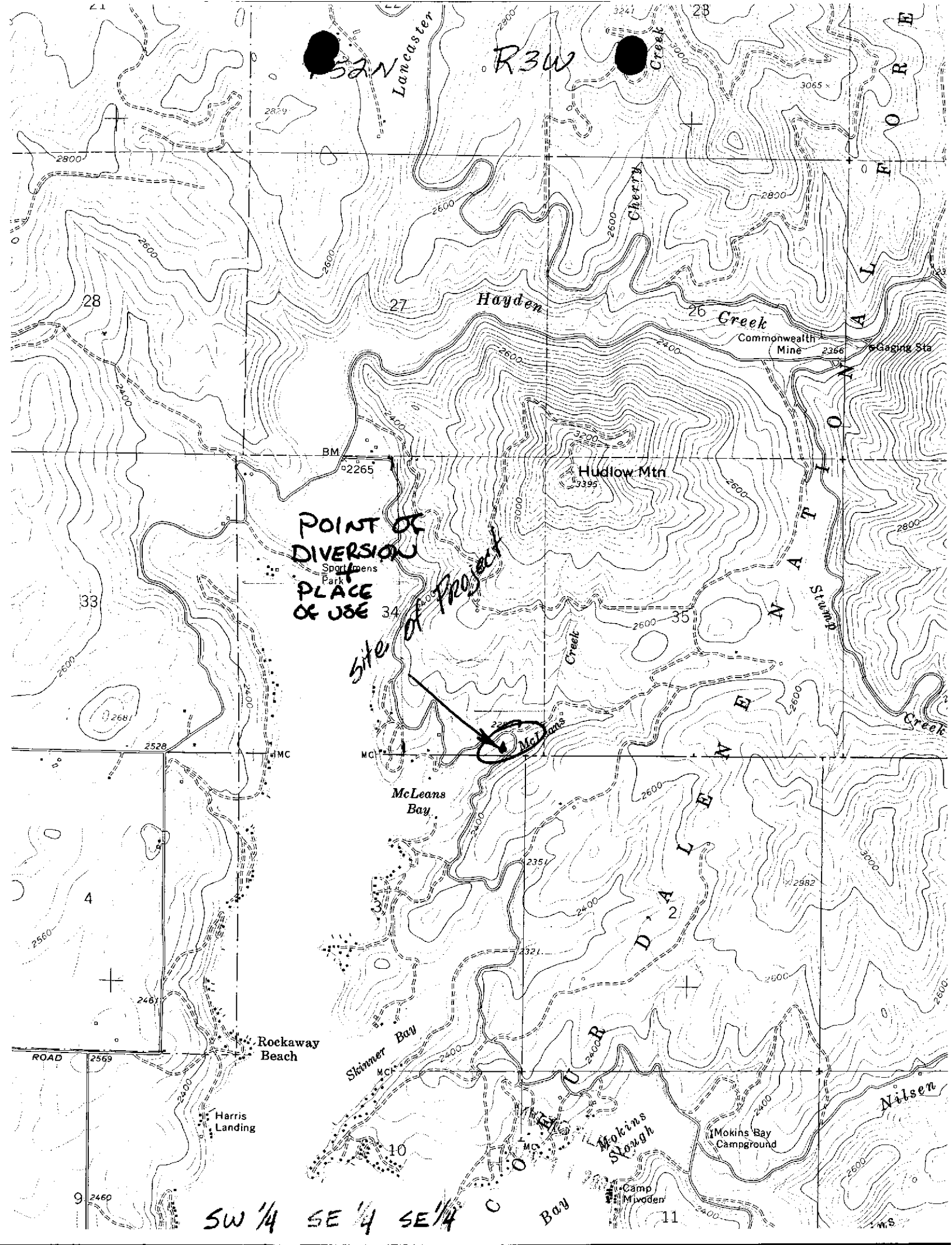
the public waters
MICROFILMS

James J. Boyce

Date 2/28/16 Received by DP Date DP

Preliminary check by #
 Published in CDA Press #
 Date 4/14/00

Date 2/28/20
 11/13/20





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 26, 2001

JAMES JOHN BOYES
30939 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

RE: License No. 95-9043 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or 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 forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:kit

Enclosure(s)

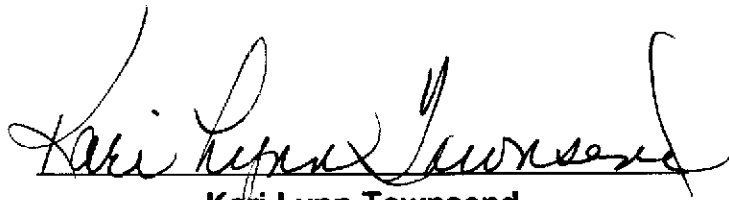
MICROFILMED
OCT 12 2001

CERTIFICATE OF MAILING

I hereby certify that on September 26, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 95-9043

**JAMES JOHN BOYES
30939 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835**


**Kari Lynn Townsend
Secretary**

MICROFILMED
OCT 12 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period 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 preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (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 Director 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.

LICENSE REVIEW CHECKLIST

Permit No. 95-9043 Date: 9-14-01 Reviewer: Kay Walker

topo E55

Change/OK

Name/Address OK

Source OK
Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): None
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.08 cfs
Fee Limit 0.20 cfs
Measured 0.06 cfs
Theoretical _____ cfs
Recommended Total Diversion Rate 0.05 @ 0.03 per ac.
 $25 \text{ gpm} \div 448.8 = 0.055 \approx 0.06 \text{ cfs}$

Water Uses OK

Change (P46)

Season of Use per new Standards
3-15 11-15

Irrigation 0.05 cfs 5.1 af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
_____ cfs _____ af
Total 0.05 cfs 5.1 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (081/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination
 $0.05 \text{ cfs} \times 1.9835 \times 246 \text{ days} = 24.4 \text{ af}$ (vs) $1.7 \text{ acres} \times \frac{3.0}{2.0} \text{ (FHR)} = 5.1 \text{ af}$

Remarks: R04, R02, R66

Additional Conditions VPS Watermaster Control
R02 GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048/049)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? N/A

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

9-21-01: Per phone conversation with Wayne Baldwin -
This system has PVC Caps that can be
padlocked/hashed set up so watermaster
can control. KW

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	WNW	SWW	SEW	NESW	WSW	NWSW	SESW	NWSE	SWSE	SESE	Total
Right	95 133	HAZEL A FOX	HAYDEN LAKE	52N03W34																0
Right	95 147	M G GOETZMAN	HAYDEN LAKE	52N03W34																0
Right	95 153	JAMES I GREEN	HAYDEN LAKE	52N03W34																0
Right	95 231	ROBERT R LUHN	HAYDEN LAKE	52N03W34																0
Right	95 245	GLEN E MADSEN	HAYDEN LAKE	52N03W34																0
Right	95 247	CARL H MALMQUIST	HAYDEN LAKE	52N03W34																0
Right	95 280	LOUIS H MILLER	HAYDEN LAKE	52N03W34																0
Right	95 289	BETH M MOORE, MARVIN K MOORE	HAYDEN LAKE	52N03W34																0
Right	95 29	MRS CHARLES F BERGH	HAYDEN LAKE	52N03W34																0
Right	95 308	CHARLES F POL	HAYDEN LAKE	52N03W34																0
Right	95 335	WILFRED N SERO	HAYDEN LAKE	52N03W34																0
Right	95 375	JACK TAPSCOTT	HAYDEN LAKE	52N03W34																0
Right	95 403	ALEXANDER T WISEMAN	HAYDEN LAKE	52N03W34																0
Right	95 404	NORMAN G WITTENBROOK	HAYDEN LAKE	52N03W34																0
Right	95 440	REX LIGHTNER	HAYDEN LAKE	52N03W34																0
Right	95 442	N W JACKSON	HAYDEN LAKE	52N03W34																0
Right	95 80	THOMAS R BURRUS	HAYDEN LAKE	52N03W34																0
Right	95 88	DAVID L CHANTRY	HAYDEN LAKE	52N03W34																0
Right	95 7	M B ANDERSON	HAYDEN LAKE	52N03W34																0
Right	95 7144	LOUISE HUMPHREYS, ROBERT M HUMPHREYS	HAYDEN LAKE	52N03W34																0
Right	95 7206	JOHNNY CARLSON	HAYDEN LAKE	52N03W34																0
Right	95 74	WILLIAM E COLE	HAYDEN LAKE	52N03W34																0
Right	95 7545	NORMAN R SNYDER	HAYDEN LAKE	52N03W34																0
Right	95 7825	MERWYN A FORSTER	HAYDEN LAKE	52N03W34																0
Right	95 8771	PHILIP T BACKER	HAYDEN LAKE	52N03W34																0.5
Right	95 8983	PAUL N TOOGOOD	HAYDEN LAKE	52N03W34																1
Right	95 8997	ANTONE NICK BUZOLICH	HAYDEN LAKE	52N03W34																0
Right	95 8972	RICHARD W SIEVERT	MC LEANS CREEK	52N03W34																0
Right	95 8972	RICHARD W SIEVERT	MC LEANS CREEK	52N03W34																0
Right	95 9043	JAMES JOHN BOYES	MC LEANS CREEK	52N03W34																1.7
Right	95 447	ROBERT J REVELLI	SPRING	52N03W34																0
Right	95 7724	JOURNAL A PALMER, BERNICE J PALMER	SPRING	52N03W34																0
Right	95 7725	BERNICE J PALMER, JOURNAL A PALMER	SPRING	52N03W34																0
Right	95 4256	CHARLES F POL	SPRINGS	52N03W34																0

↑

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 20 2001

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-09043

1. Owner: James John Boyes

Phone No. (208) 772-4004 (wk)

Current Address: 30939 E. Hayden Lake Rd. Hayden Id. 83835

2. Accompanied by: James Boyes

EXAM DATE: 8-10-01

Address: Same as above

Phone No. _____

Relationship to Permit Holder: _____

3. Source: Motans Creek tributary to Hayden Lake

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
			SE	SE	34	52N	03W	Kootenai	USGS 7.5 min Quad

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
52N	03W	34																107	

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OCT 12 2001

2. Measurements:

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

D. FLOW MEASUREMENTS

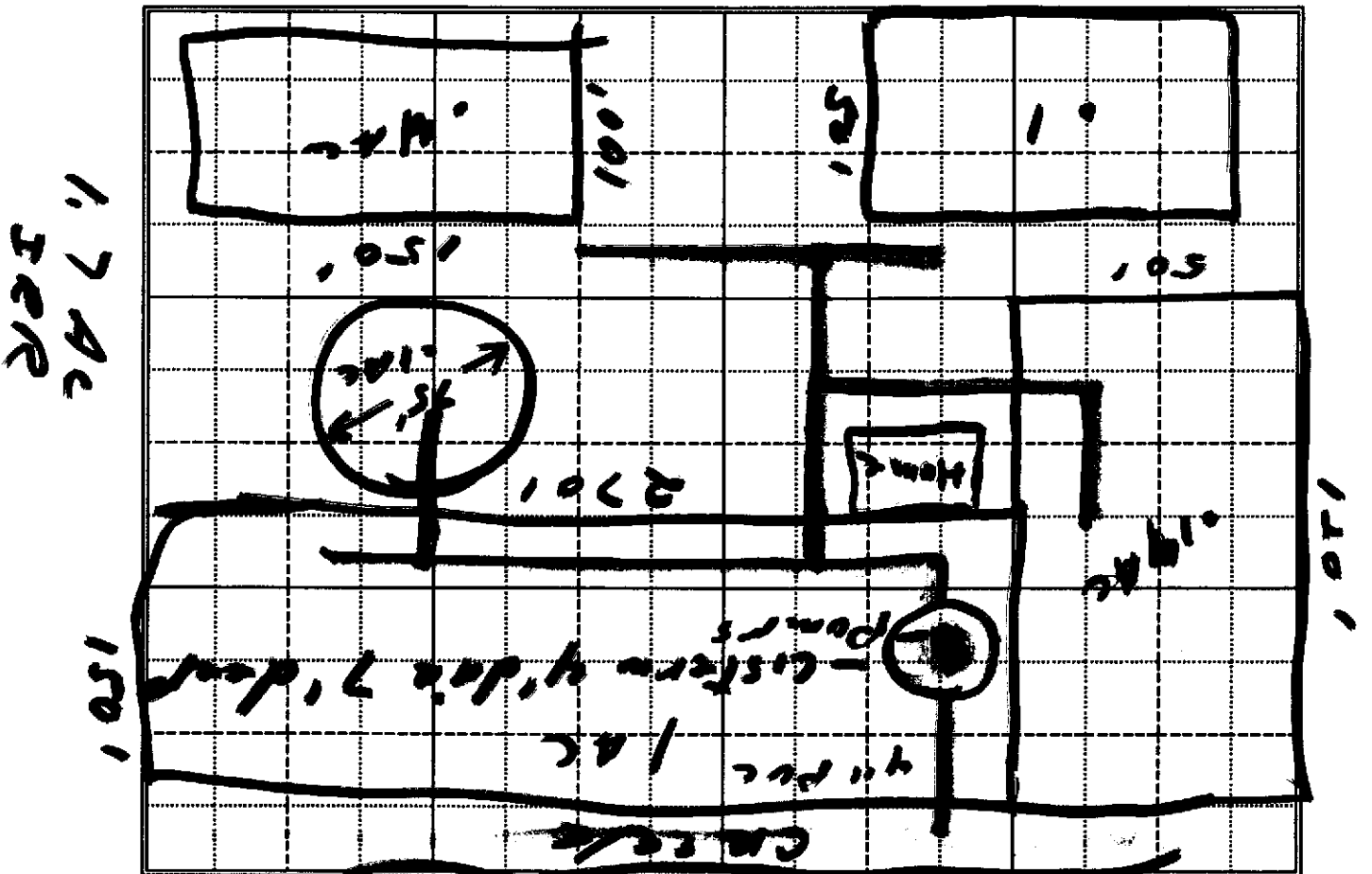
*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Century	2	NC	Berk/24	1 1/2"

4.

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

Scale: 1" =



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

E. NARRATIVE/REMARKS/COMMENTS

5/8 hose connections are located on 1/2" PVC main lines at various points around property. Irrigation done using garden hose and portable sprinklers, that are moved to desired area. Only 12 heads (Rain birds 2.5 gpm) can be run at a time or reservoir (cistern) is depleted.

Measurement was taken by drawing down cistern and using a 5 gal bucket, measuring where 4" PVC from creek feeds cistern (5 gal in 12 sec)

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

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F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

5 gal bucket 5 gal in 1 min = 25 gpm

$$25 \times 1133651 = 2834127.5$$

$$2834127.5 / 60 = 47235.45833$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.7 \times 3 = 5.1$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .05 \times 245 \times 1.9835 = 24.2$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 5.1$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic

Period of Use
From To

03-15 11-15

Rate of Diversion

Q (cfs)

1.05

Annual Volume

V (afa)

5.1

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
☐ Other
☐ None

I. AUTHENTICATION

Field Examiner's Name

Wayne S. Smith

Date

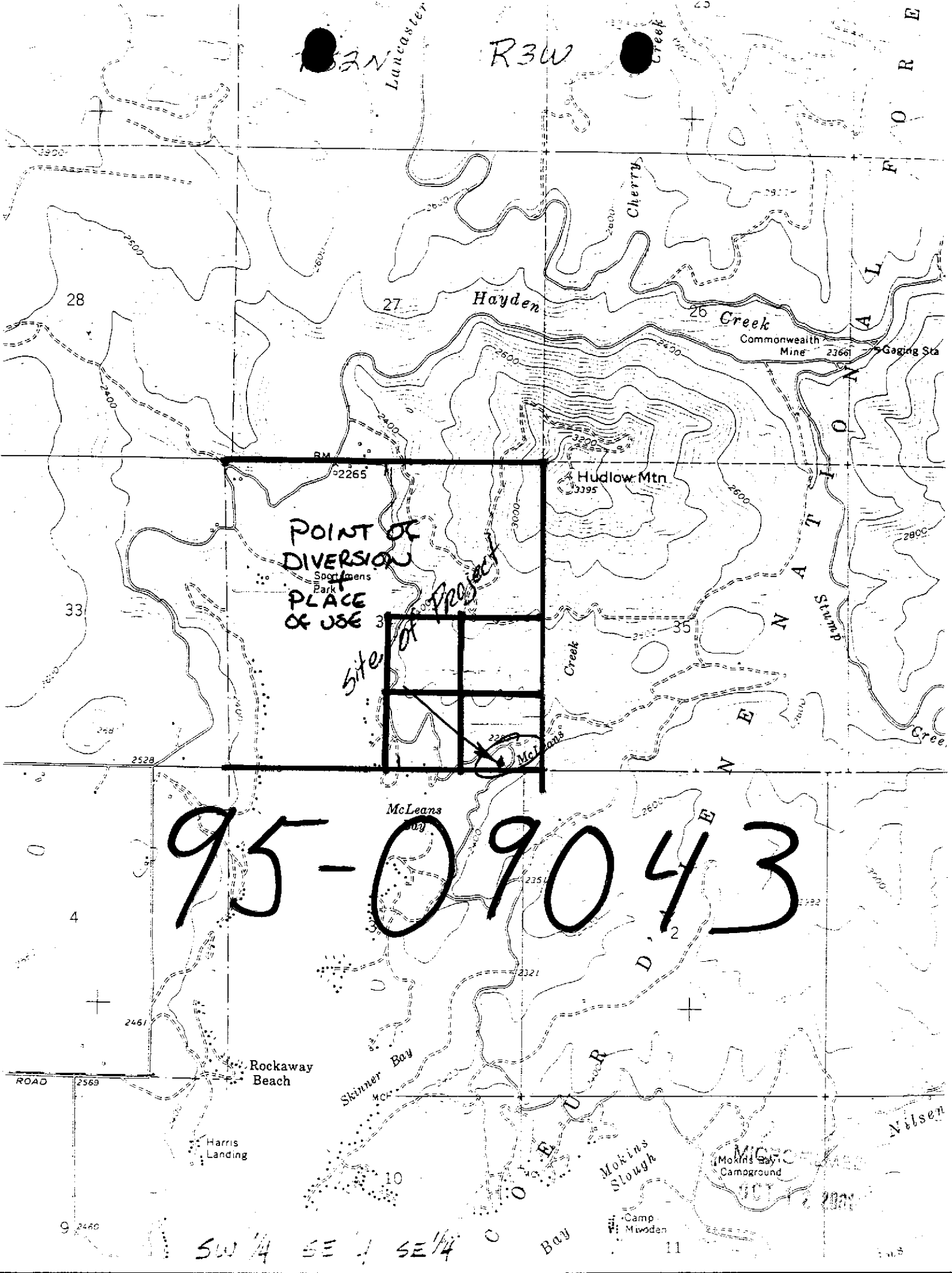
8-16-01

Reviewer

Date

SEAL

MICROFILMED
OCT 12 2001



32N

R3W

F O R E

28

27

Hayden

Cherry Creek

26

Creek

Commonwealth Mine

23661

Gaging Sta

BM

92265

POINT OF DIVERSION

Sooymens Park

PLACE OF USE

3

Site of Project

Hudlow Mtn

23795

33

Creek

35

Stump

2528

McLeans

207

95-09043

2350

2321

4

ROAD

2569

Rockaway Beach

Harris Landing

Skinner Bay

400

D. E. U. R

Mokins Slough

Mokins Bay Campground

1007

Camp Mowden

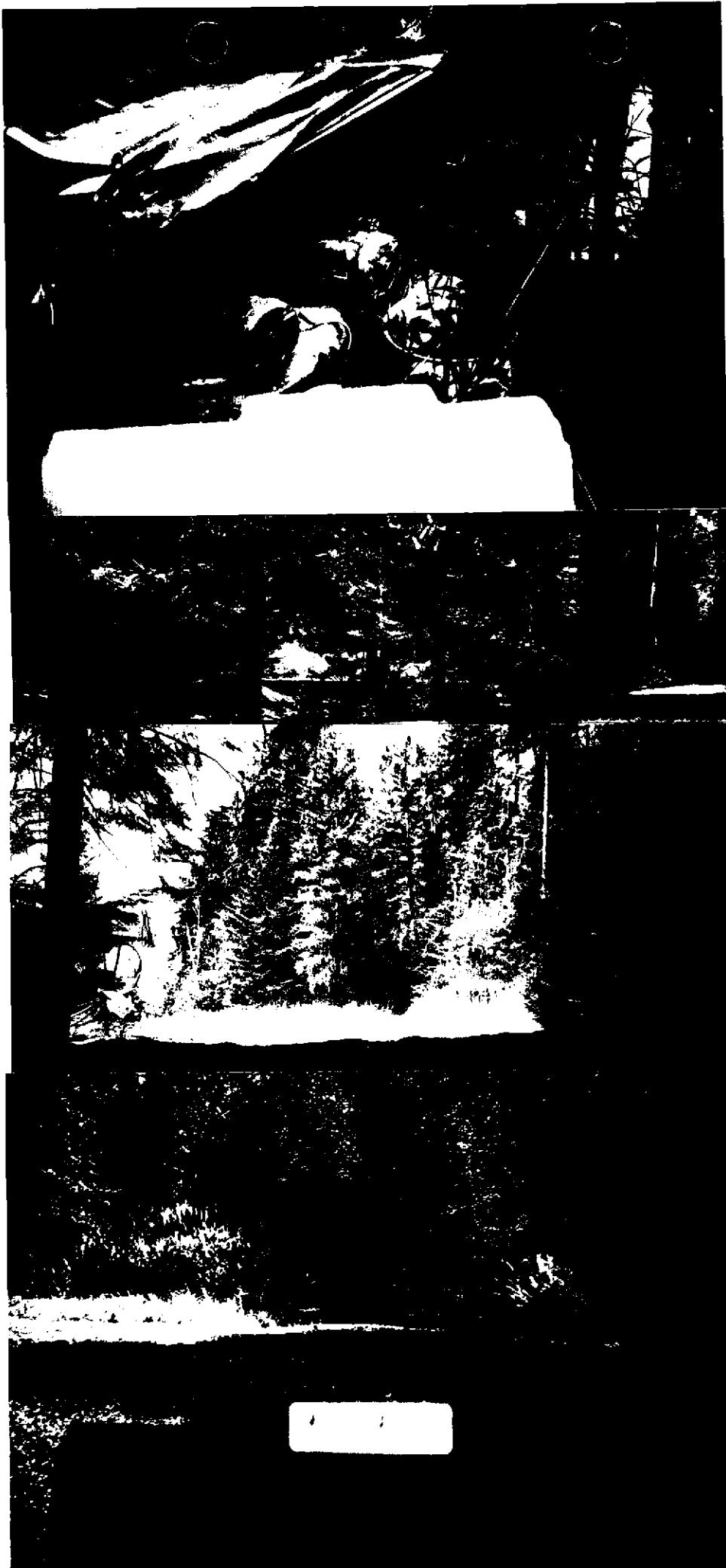
Nilsen

SW 1/4 SE 1/4 SE 1/4

Bay

11

95-09043



pump + cisterna

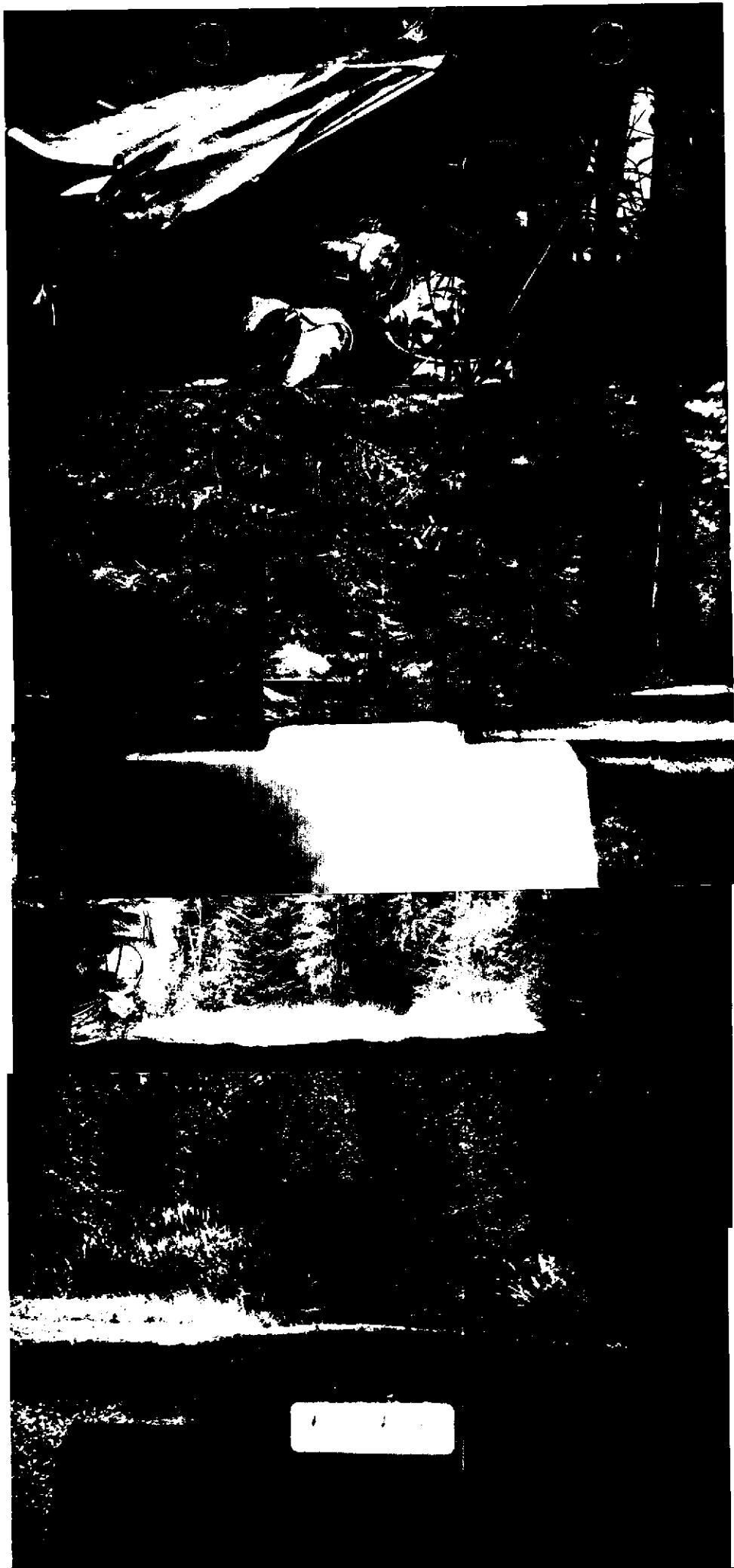
pu

pu

pu

MICROFILMED
OCT 17 2001

95-09043



pump + cistern

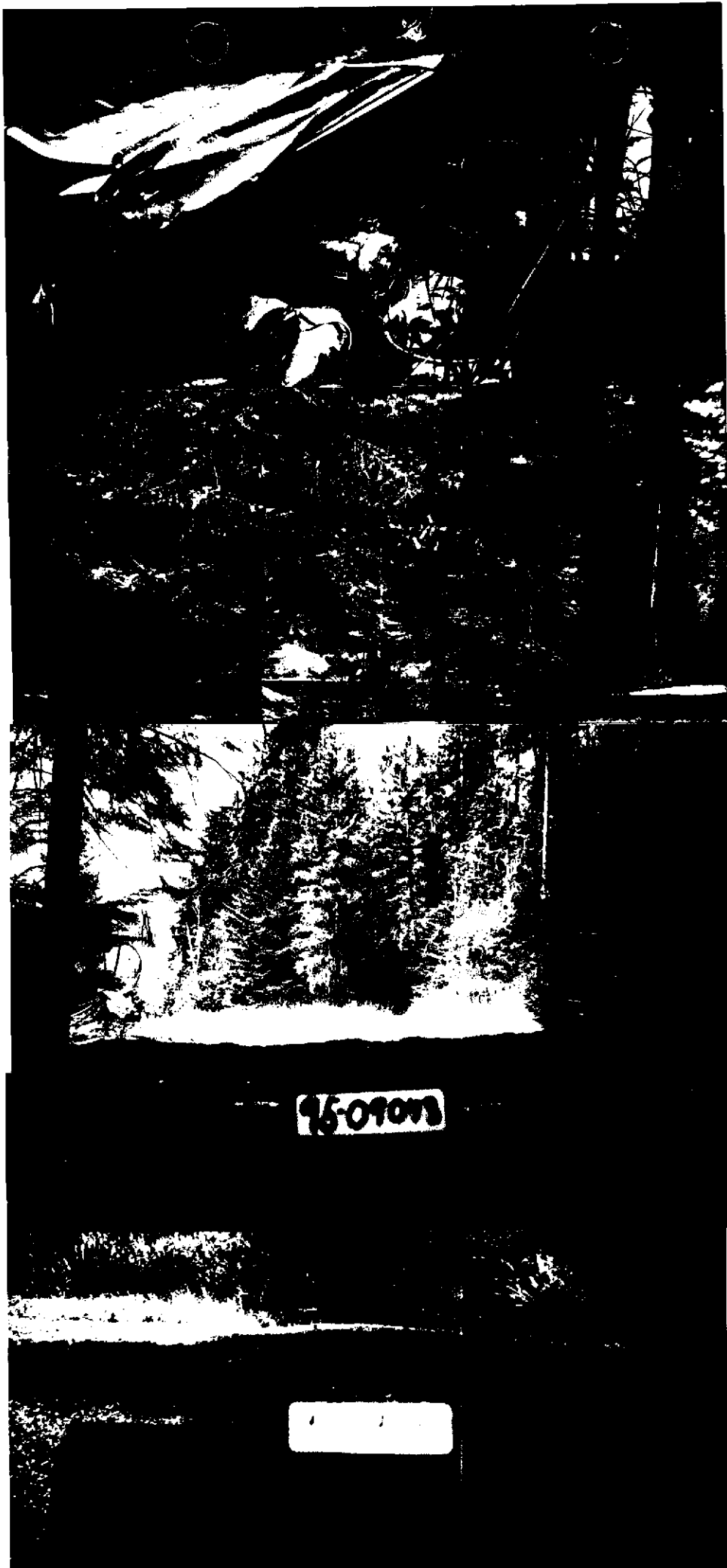
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MICROFILMED
OCT 12 2011

95-09043



pump = cistern

pu

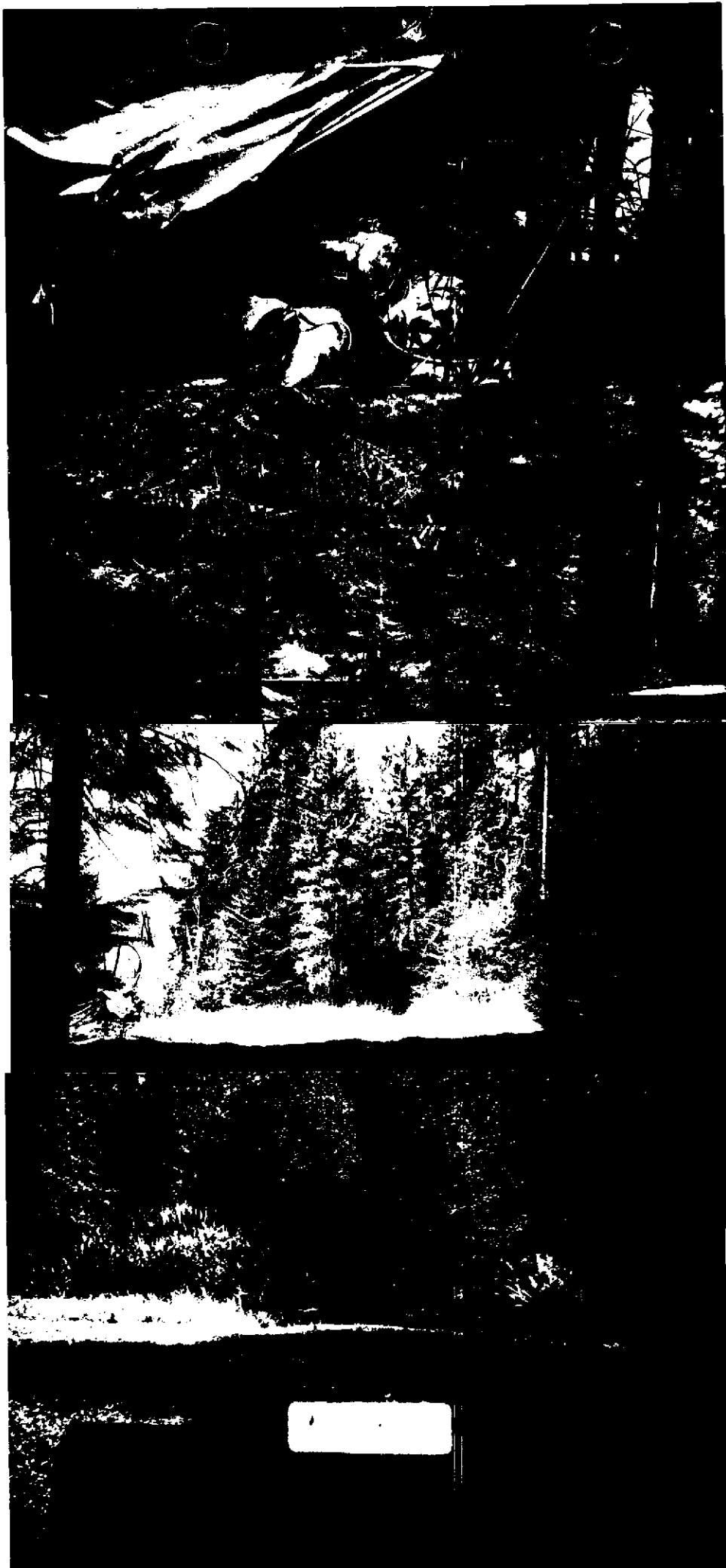
pu

pu

95-09043

MICROFILMED
OCT 12 2001

95-09043



pump + cistern

pu

pu

pu

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OCT 12 2001

RECEIVED

OCT 26 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 25 2000
IDWR/North

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
Address of the owners of record for the listed water rights.

(Please print or type)

[] Water Right Number(s):

Permit # 95-09043

[] Names(s):

James John Boyes

[] Old Mailing Address:

14455 E. Hayden Lake Rd
Hayden Lake, Idz 83835

[] New Mailing Address:

30939 E. Hayden Lake Rd
Hayden, Idz 83835

Telephone Number:

(208) 772 - 4004 WK

[] Signature(s) of Owner(s)

James J. Boyes

(Include your title if on behalf of company or organization)

Date

10/24/00
2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

September 26, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES JOHN BOYES
14455 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-09043

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, and that it meets the permitted beneficial use.

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

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED
APR 11 2001

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 95-09043 Reviewed by D. Gibson Date 9/25/00

GENERAL CONSIDERATIONS

Yes Name same as permit?

Yes Address same as permit?

Yes Proof timely received?

If not, complete calculation below.

TYPES OF USE

Irrigation

Correct Uses? Yes

SOURCE OF WATER

Yes Surface water source

No Ground water source

/ Drilling permit required?

/ Copy in the file? Drilling Permit No. /

/ Amount paid for permit

/ Well log in the file?

/ Correct?

LICENSE EXAMINATION FEE

Yes Required?

\$50 Amount Submitted

Yes Correct?

MEASURING DEVICE

No Required?

No Installed?

/ Waiver requested?

PRIORITY CALCULATION

Date proof received 9/5/00

Date proof due 7/1/01 - /

No. of days late / = /

Priority Date / + /

New Priority Date /

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address No Proof Made 9/5/00



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

June 27, 2000

JAMES JOHN BOYES
14455 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-09043

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

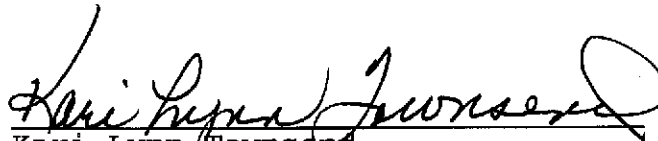
MICROFILMED
APR 11 2001

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of June, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 95-09043

JAMES JOHN BOYES
14455 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835


Kari Lynn Townsend
Secretary

MICROFILMED
APR 11 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period 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 preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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APR 9 1 2005

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 Director 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.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Cindy Zimmerman on 6/24/00

No. 95-9043 Name: Boyes Corp. Officers _____ Ad ok ☒ Govt Lots ?

AREA OF CONCERN: No/Yes _____ Moratorium _____ GWMA _____ TRUST/NON-TRUST _____

GROUNDWATER: (√Flow Chart)

DRILLING PERMIT

All wells - 046(P23)

Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
-WMD
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

SURFACE WATER: (√Flow Chart)

F&G contacted - Yes/No Response None
In/Above MSF - WB9

PLANNING REVIEW/RESPONSE _____

In-stream development (P52)
WD - R04 (WD# 95A) Hayden Lake
≤ 0.20 cfs/others - 01M(P01) 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

RIVER BASINS: (SW special considerations)

Snake R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

BENEFICIAL USE DUE: 0+1 01 / 01

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

Multiple pd's per ¼/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 3/15 - 11/15 (Per updated map)

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

MAY 22-2000

DEPARTMENT OF WATER RESOURCES

ID 0 DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEETWRI
WRA
BCAAPPLICATION # 95-09043

INITIAL REVIEW

APPLICANT: BOYESBY: ABDATE: 2 / 28 / 00

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes) (No)

- X Field check: by _____
- X Field report attached _____
- X Analysis Supp. attached (>5cfs/500af) _____
- X Water delivered by water master? _____
- Water District # 95-A

PROCESSING

(Yes) (No) PRIORITY DATE: 2 / 28 / 00X (Include Moratorium Remark)X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

CA/Phu/ok

ADVERTISE IN: KOOTENAI County

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

GROUNDWATER SECTION

WD Permit No.'s:

Type:

Fees

Receipt No.

Upgrade Needed?

- | | | | | | |
|----------|------|----------|---------|--|--|
| <u>X</u> | Dom. | Non-Dom. | Paid \$ | | |
| <u>X</u> | Dom. | Non-Dom. | Paid \$ | | |
| <u>X</u> | Dom. | Non-Dom. | Paid \$ | | |

- Y () N ()
- Y () N ()
- Y () N ()

Remarks:

- X Groundwater management area
- X Critical ground water area
- X Well Drilling Permit required
- X Well Drilling Application and Fees received
- X Well Drilling Application approved?

(Yes) (No)

FINAL REGIONAL PROCESSING/REVIEW

- 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

Protests received, Final protest date: 4/24/00 Sr. Agent initial AB

Measuring device required

Measuring port required

Special conditions:

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

Approval Recommended by: ABDate: 5 / 16 / 20

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.
Stacie Walker

being first duly sworn
upon oath deposes and says:

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

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

3. The

Legal Notice

of which the annexed is a printed copy, was published in the regular *Thursday* issue of said newspaper for *2* consecutive *weeks* commencing on the *6* day of *April*, *2000*, and ending on the *13* day of *April*, *2000*, and such publication was made as often during said period as said *daily* newspaper was regularly issued.

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

Subscribed and sworn to before me this *13* day of *April*

Stacie Walker

Regina Mason

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

NOTARY COMMISSION EXPIRES 6/30/02

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-09043

BOYES, JAMES JOHN
14455 E. HAYDEN LAKE RD
HAYDEN LAKE, ID 83835
Source: MC LEANS CREEK
Diversion Pt: SWSESE
Use: IRRIGATION

Tributary: HAYDEN LAKE
Sec 34 T 52N R 03W in KOOTENAI County.
(0.080 CFS)
(0.080 CFS)

Date Filed: 2/28/2000
In: KOOTENAI County
T52N R03W S34 SESE
4.0 ACRES TOTAL

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before APRIL 24, 2000.

KARL J. DREHER, Director

Legal 845
Apr 6, 13, 2000

RECEIVED
APR 14 2000
IDWR/NORTH

RECORDED

APR 14 2000

95-09043

BOYES, JAMES JOHN
14455 E HAYDEN LAKE RD
HAYDEN LAKE, ID 83835

Source: MC LEANS CREEK

Tributary: HAYDEN LAKE

Diversion Pt: SWSESE Sec 34 T 52N R 03W in KOOTENAI County.

Use: IRRIGATION	(	0.080 CFS)
Total Diversion:	(	0.080 CFS)

Date Filed: 2/28/2000

In: KOOTENAI County
T52N R03W S34 SESE

4.0 ACRES TOTAL

MICROFILMED

APR 11 1994

Ball, Dianne

From: CHARLES CORSI [ccorsi@IDFG.STATE.ID.US]
Sent: Thursday, March 30, 2000 12:04 PM
To: dball@idwr.state.id.us
Subject: re: perweek1.txt

Dianne -

No significant concerns with the Boyes water right application. The Avista claim is presumably for their 1952 water right, which would seem to imply business as usual. If that's the case, no significant concerns with that one either. Thanks, Chip

----- Original Text -----

From: "Ball, Dianne" <dball@idwr.state.id.us>, on 3/29/00 1:50 PM:

Greetings, gentlemen.

Gregg, please note the Water Right applications Nos. 81-07183 for Callaway, and 81-07184 for Selway Inn Inc., and may we please have your comments by no later than April 24th on these. Thanks very much.

Chip, will you please note Water Right application No. 95-09043 for Boyes. May we please have your comments on this one by no later than April 24th. Thank you very much.

You might also want to note the CLAIM TO A WATER RIGHT No. 96-04567 from Avista. Exceptions to a claim may be filed with us, although as I understand it, they are handled a little differently from Water Right applications. Any questions, you can contact Al Beardslee at this office (208) 769-1450, or by e-mail at <mailto:abeardsl@idwr.state.id.us>

<http://www.idwr.state.id.us/info/water/rights/perweek1.txt>
<<perweek1.txt.url>>

MICROFILMED
SEP 1 1999

March 29, 2000

James John Boyes
14455 E Hayden Lake Rd
Hayden Lake ID 83835

Re: Water Appropriation Application No. 95-09043

Dear Mr. Boyes:

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

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

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

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

If 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

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APR 1 1997