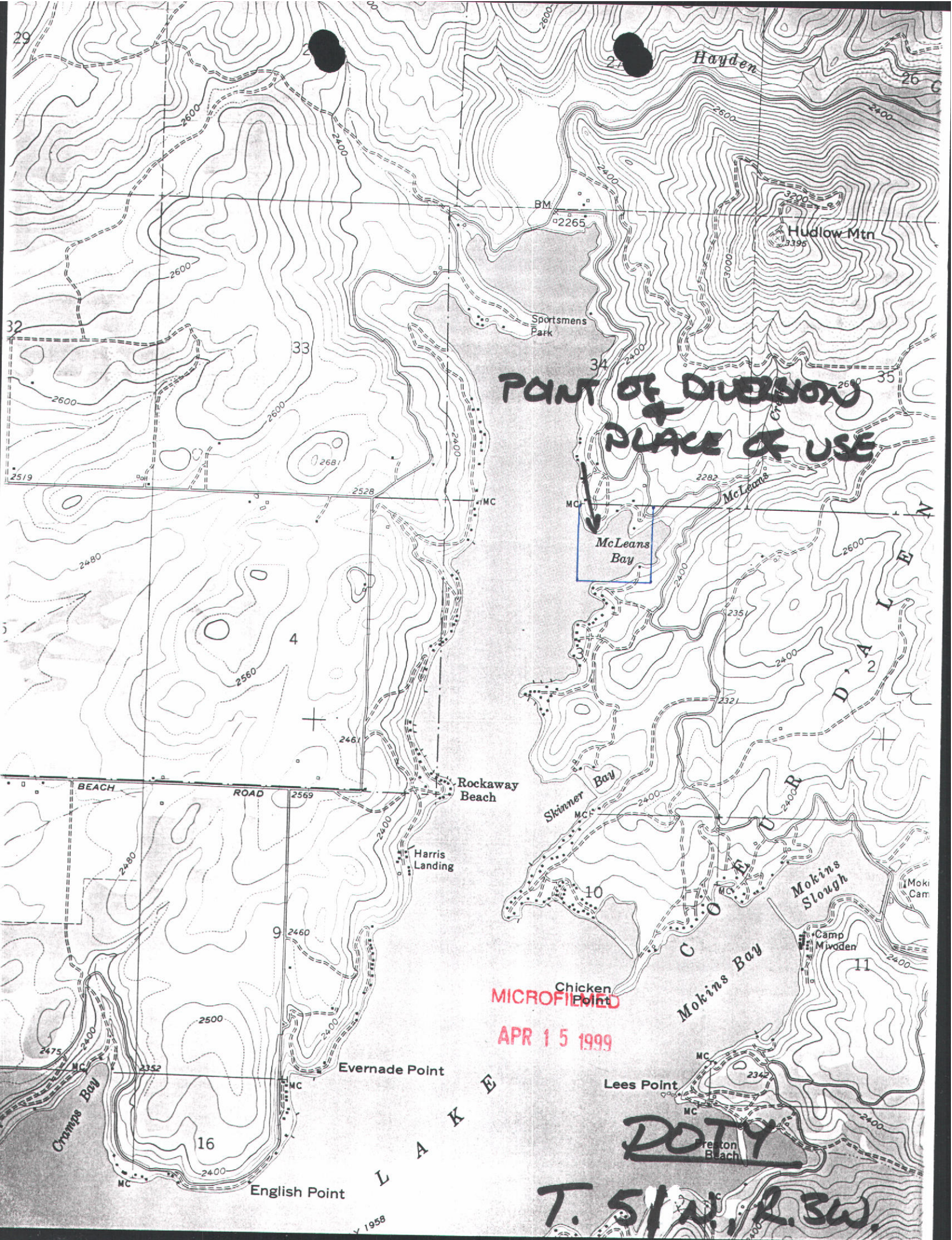




POINT OF DIVERSION
PLACE OF USE

McLeans Bay

MICROFILMED
APR 15 1999

DOTY

T. 51 N. R. 36 W.

OCT. -13' 9" (MON) 11:37

ALLIANCE ESCROW

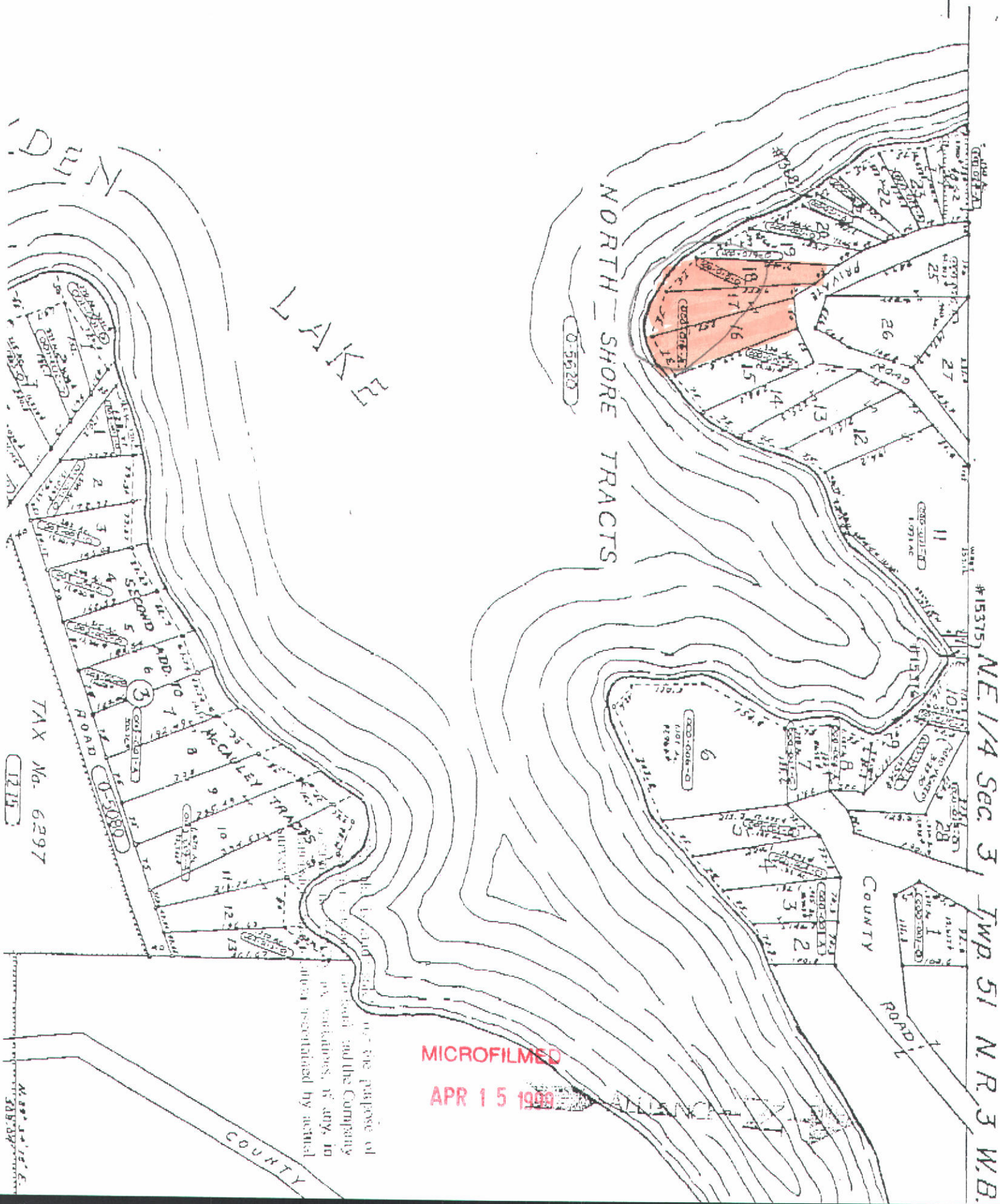
TE 08 666 0169

P.008

ENCE
ODE 85

R SYSTEM
TOWNSHIP

3/4 NE 1/4
E1/4 NE 1/4



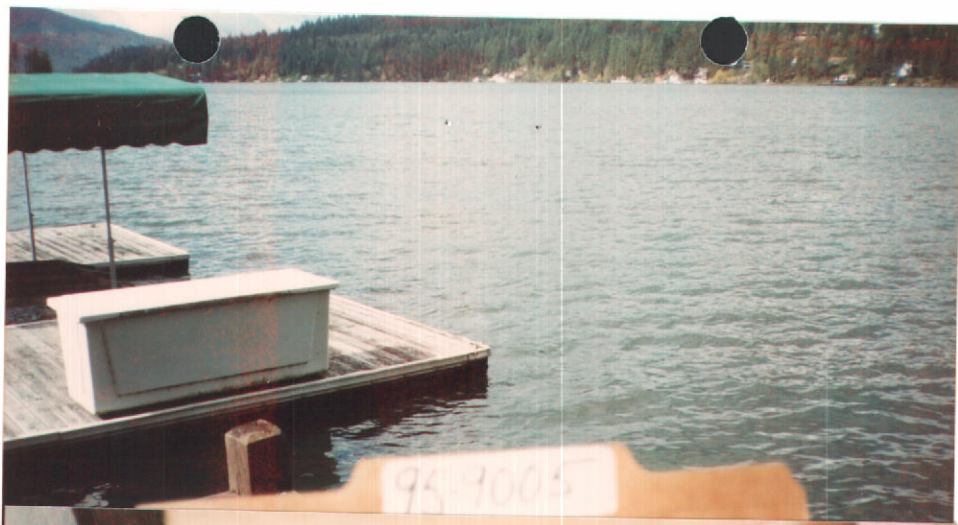
MICROFILMED
APR 15 1999

#15375 NE 1/4 Sec. 3 Twp 51 N.R. 3 W.B.

Vol. 103 West of the Boise

APR 15 1999

95-09005



pu



pump

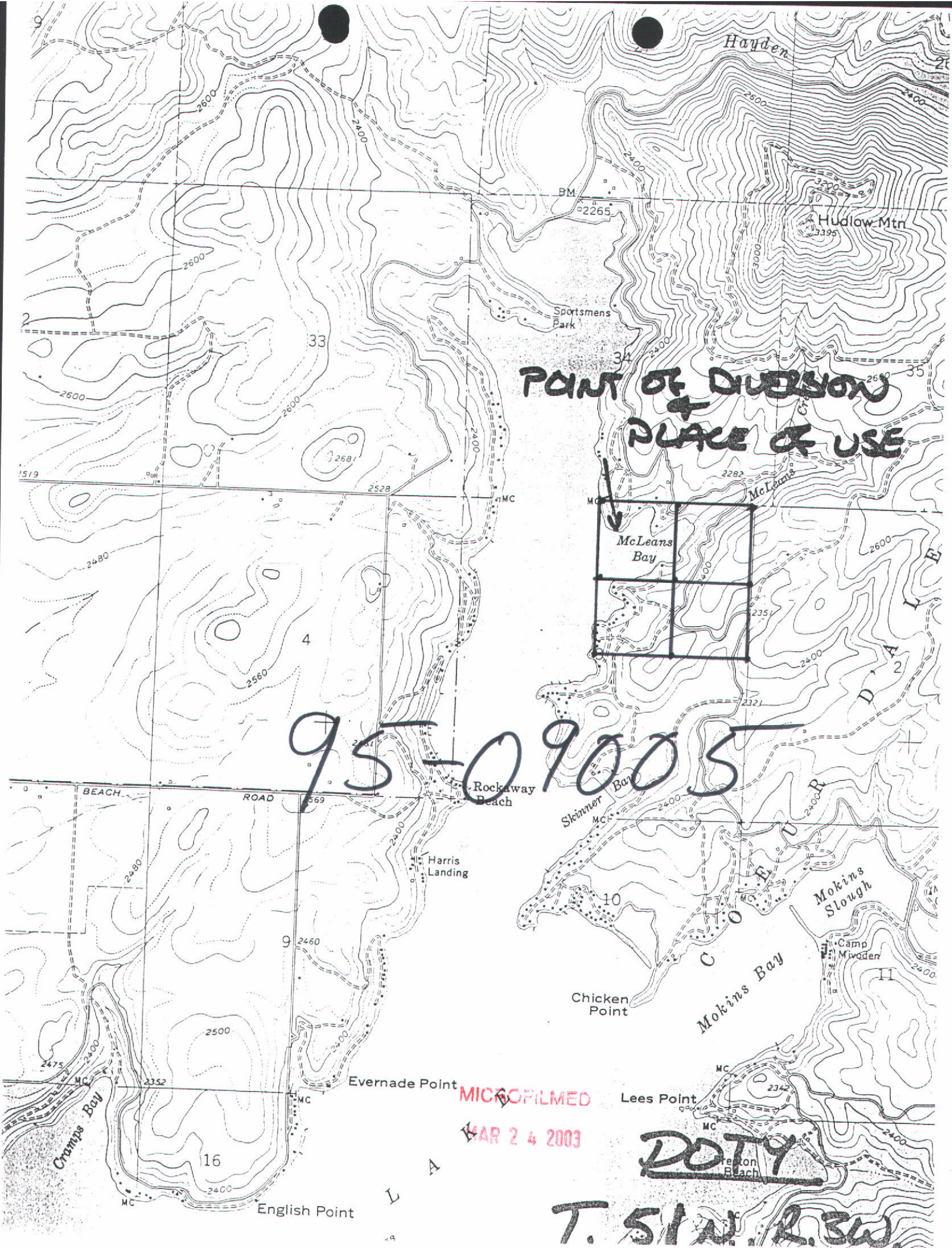


pu



pu

MICROFILMED
MAR 24 2003



APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by CindyNo.: 95-09005 Name: Doty Date: 4/13/99 Ad OK? ☒ Gvmt Lts: ☒

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 046-P23
- In Basin 34? - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD
- WMD
- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp. irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

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

- FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: OK
- IN/ABOVE MSF (✓ MAP) - *WB9
- IN-STREAM DEVELOPMENT - P52 (stream channel alteration)
- WD (✓ MAP & LISTING) - R04 (WD # 95A)
- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)
- WMD (✓ MAP)
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD
- SPRINGS/SINK, INACTIVE WD & REST OF STATE
- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

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

USE:

- STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req) -081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
- HEATING/COOLING - R07 (injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18
- MUNICIPAL
- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070
- FIRE PROTECTION - 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 120
- 42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
- SWAN FALLS FLAG (✓ Code) -
- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU) _____

OTHER CONDITIONS:

- _____

STANDARD REMARKS:

- ① W01/1/epT ② W60/LTS 16-19 N Shore Tr. ③ W59/LT 18

BENEFICIAL USE DUE:

- 4/1/2001

COMMENTS:

- _____

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-09005

Priority: December 17, 1998

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that MARY LOUISE DOTY
49605 AVILA DR
LA QUINTA CA 92253-2310 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated December 17, 1998; and has
submitted Proof of Beneficial Use on March 26, 2001. An examination indicates that the works have a
diversion capacity of 0.04 cfs of water from:

SOURCE

HAYDEN LAKE

Tributary: SINKS

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>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

HAYDEN LAKE L2 (NW¼NE¼) Sec. 3, Twp 51N, Rge 03W, B.M. KOOTENAI County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
51N 03W 3		X															
		L 2															

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. Point of diversion is located within Lot 18 of North Shore Tracts.
3. Place of use is located within Lots 16, 17, and 18 of North Shore Tracts.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 95A.

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 27TH day of NOVEMBER, 2002.

MICROFILMED

MAR 24 2003

Acting for 
KARL J. DREHER
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
95-09005 IN THE NAME OF) **REINSTATEMENT ORDER**
MARY LOUISE DOTY)
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before April 1, 2001; and,

WHEREAS, the Department notified the permit holder on January 31, 2001 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 or an extension of time request; and,

WHEREAS, the Department sent the permit holder a lapse notice on April 5, 2001, since the Department had not received an acceptable proof of beneficial use statement or extension of time; 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 timely submitted an acceptable proof of beneficial use on March 26, 2001 to the IDWR regional office.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-09005 is **REINSTATED** with no advance in priority.

DATED this 11th day of April, 2001.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

APR 11 2001

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. CW
Receipt By: N/4219
Date Received: 3/20/01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

APR 06 2001

Department of Water Resources

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

1. Permit No. 95-9005 Telephone No. Summer - 208-762-5363
Water 760-771-0013

2. Name of Permit Holder(s):
MARY LOUISE DOTY

3. Mailing Address: 14412
City Hayden Lake State Id. Zip 83835

4. Source of Water: Hayden Lake If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____

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): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 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 X
Has the measuring device been installed? Yes _____ or No X

8. Fee Enclosed: \$ 60.00 (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: THE TRACTOR MAN GORDON GILMORE Telephone Number: 667-2895
Address: BOX 2656 HAYDEN LAKE, 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 water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Mary Louise Doty Date: 3-19-01
(include your title, if on behalf of company or organization)

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APR 11 2001

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-09005

Proposed Priority: December 17, 1998 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **MARY LOUISE DOTY**
14200 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835
has applied for a permit to appropriate water from:
HAYDEN LAKE tributary of **SINKS**

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>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NWNE), Sec. 3, Township 51N, Range 03W
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

51N 03W 3 Lot 3(NWNE)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 2001.
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. Use of water under this water right will be regulated by the watermaster of State Water District No. 95A.
5. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
6. The issuance of this right does not grant any right-of-way or easement across the land of another.
7. Point of diversion is located within Lot 18, North Shore Tracts.
8. Place of use is located within Lots 16-18, North Shore Tracts.
9. Domestic use is for exterior use for 1 home.

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APR 15 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-09005

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

14th day of April, 1999.

Karl J. Dreher
for Karl J. Dreher, Director



MICROFILMED

APR 15 1999

Ident. No. 95-09005
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APR 01 1999

To appropriate the public waters of the State of Idaho

Department of Water Resources
(760) 771-0013

1. Name of Applicant Mary Louise Doty Phone (208) 762-5363
Mailing address 14200 E. Hayden Lake Rd., Hayden Lake, Id. 83835

2. Source of water supply Hayden Lake which is a tributary of SINKS

3. Location of point of diversion is Township 51N Range 3W Sec. 3 in the 1/4,
NW 1/4, NE 1/4, Govt. Lot 3, B.M., ROOTENAI County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:
Amount 20 Acre-ft for Domestic purposes from 01/01 to 12/31 (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.04 and/or (b) 20
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 ONE (1 1/2") POLY PIPE
WITH FOOT VALVE 3HP PUMP 16 GPM
b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity N/A 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

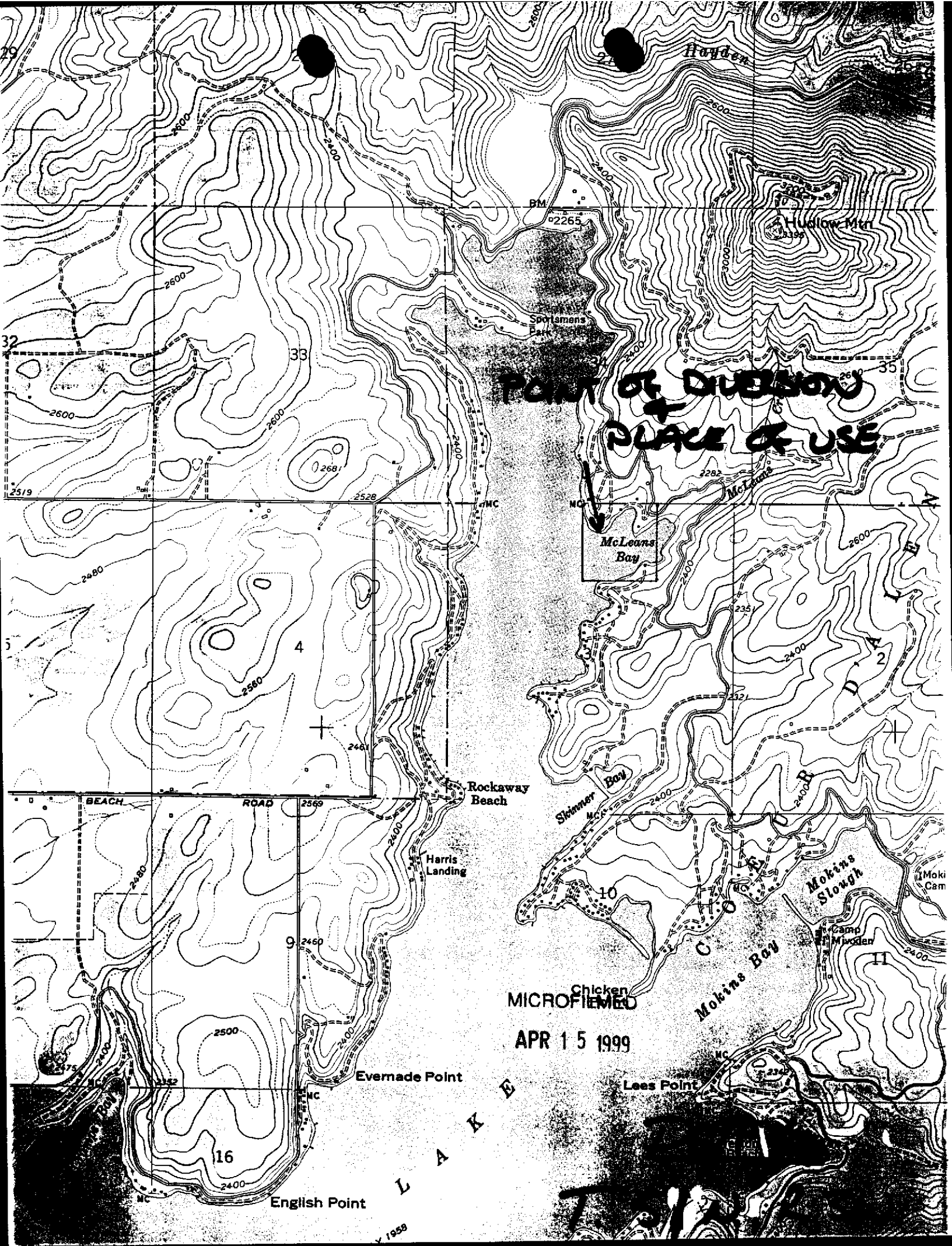
7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)

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. LANE + GARDEN IRRIGATION ONLY
e. Other; describe fully. _____

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APR 15 1999

9. Description of place of use:

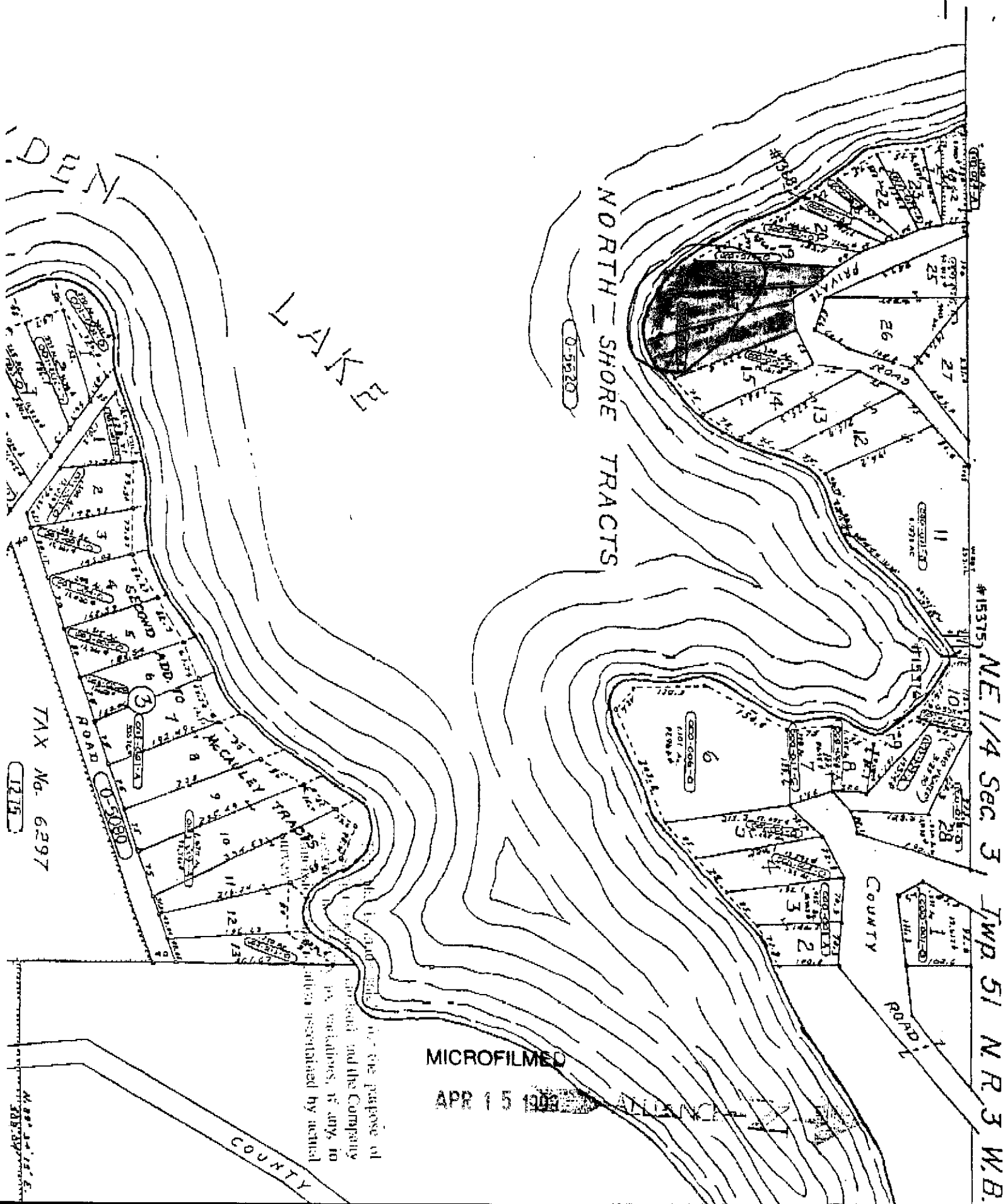


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APR 15 1999

IR SYSTEM	IR SYSTEM
TOWNSHIP	TOWNSHIP

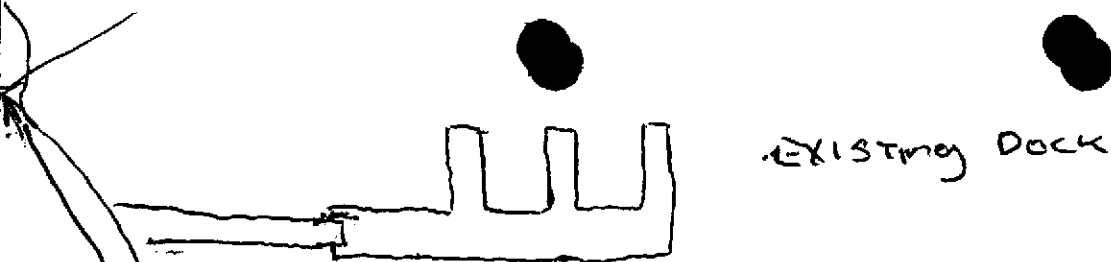
ENCLOSURE 85



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APR 15 1968

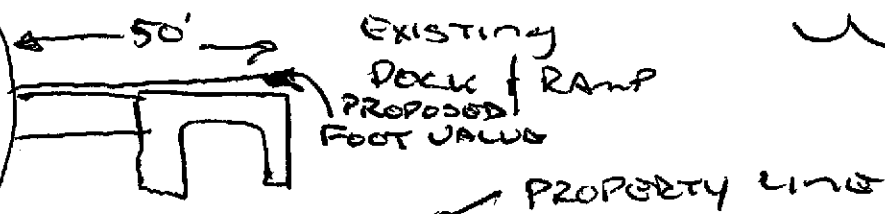
NE 1/4 Sec. 3, Twp. 51 N. R. 3 W. B.
#15375



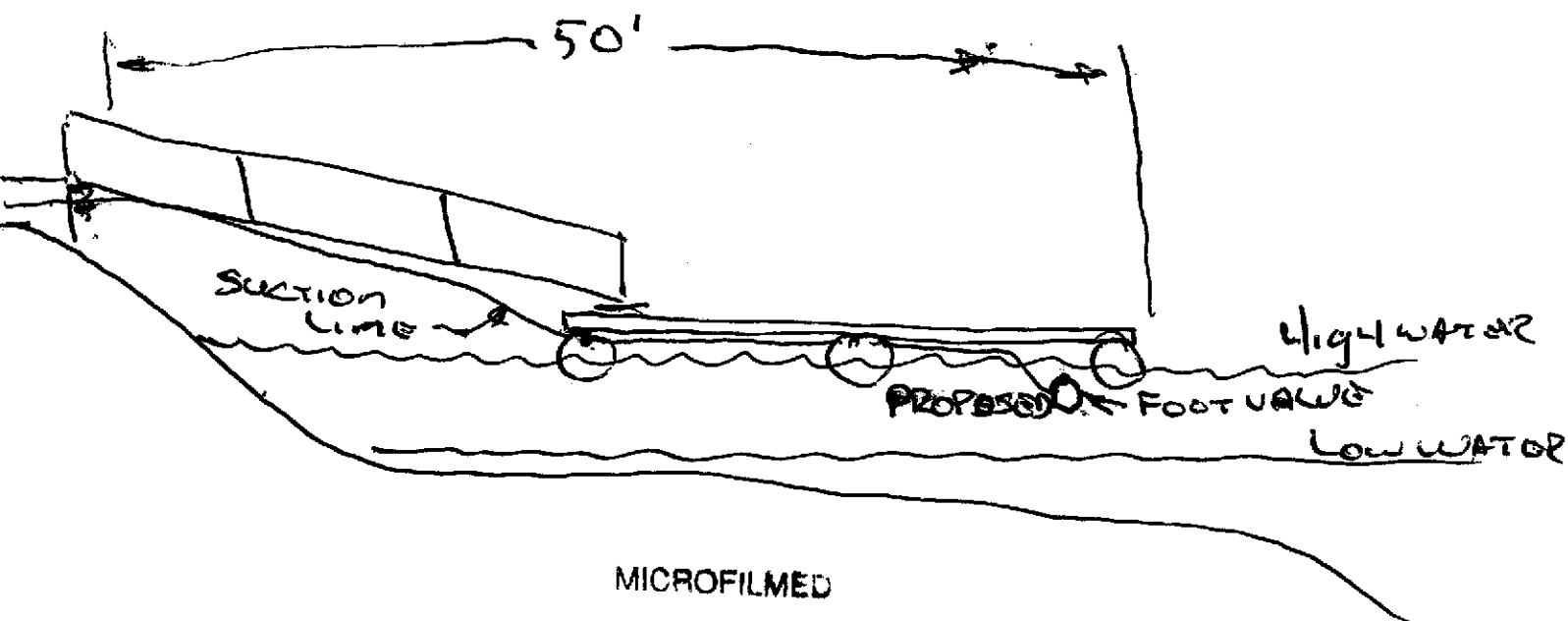
LOT 17 75'

LOT 18 75'

HAYDEN LAKE
HAYDEN ID.
KOOTENAI CO.



EXISTING DOCK & RAMP



MICROFILMED

APR 15 1999

1000

APR 15 1999



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

November 27, 2002

MARY LOUISE DOTY
49605 AVILA DR
LA QUINTA CA 92253-2310

RE: License No. 95-9005 - Issuance of License

Dear Water Right Holder(s):

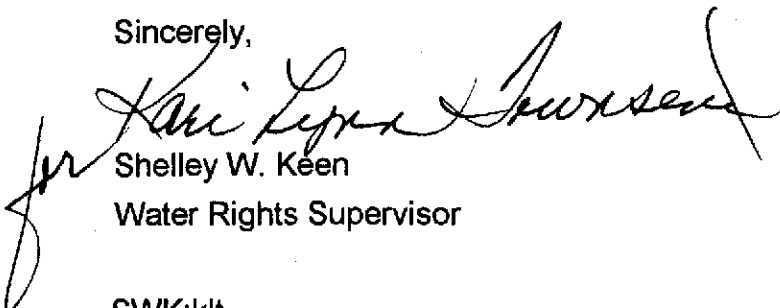
The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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:klr

Enclosure(s)

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MAR 24 2003

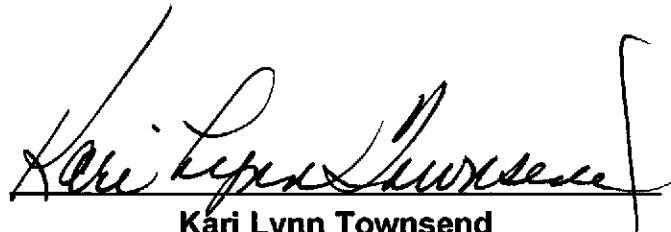
CERTIFICATE OF SERVICE

I hereby certify that on November 27, 2002 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.

95-9005

**MARY LOUISE DOTY
49605 AVILA DR
LA QUINTA CA 92253-2310**


**Kari Lynn Townsend
Secretary**

MICROFILMED

MAR 24 2003

**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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MAR 2 4 2003

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.

MICROFILMED

MAR 24 2003

MEMORANDUM

Date: November 26, 2002
To: Water Right File 95-9005
From: S. Keen *SK*
Re: License Review

License review and data entry by S. Keen on 11/26/2002.

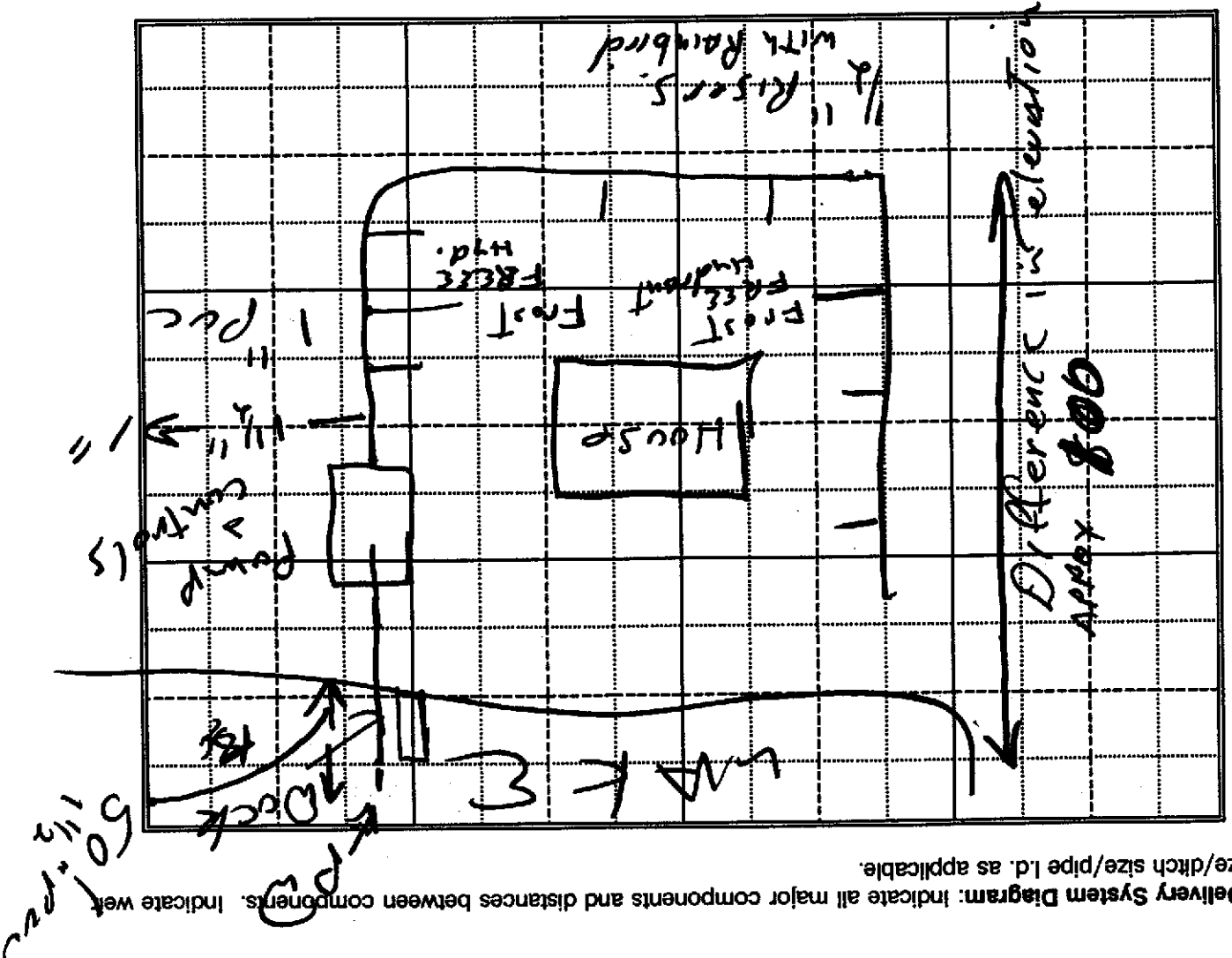
Place of use and point of diversion are in Govt. Lot 2, not in Govt. Lot 3. I confirmed this from the GCDB in ArcView and on the govt. plat. No amendment is necessary because the NWSE is still applicable.

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MAR 24 2003

MAR 24 2003

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.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 of (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
	Baldor	2	364409-201	Baldor	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:

MICROFILMED

95-09005



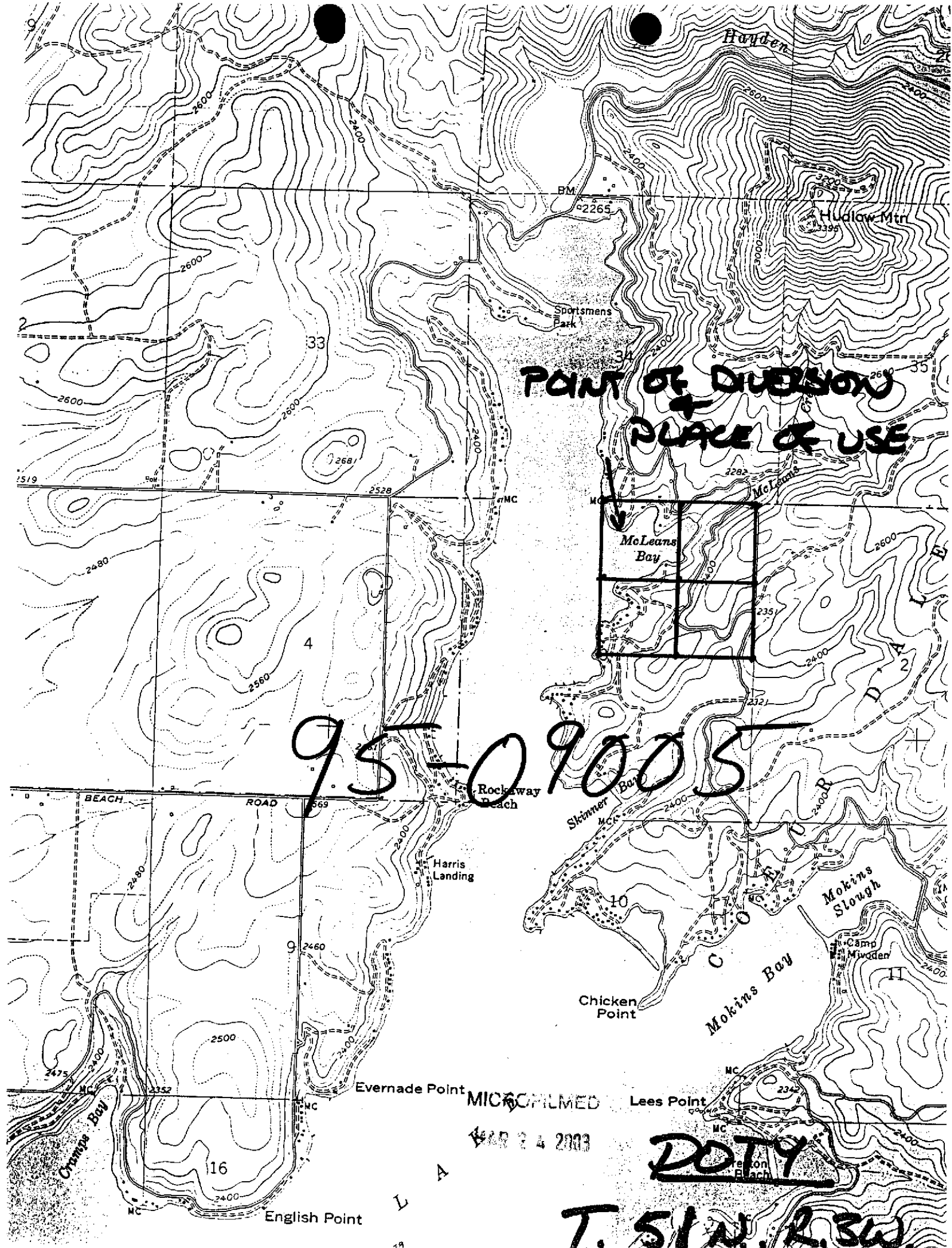
pd

pump

pu

pu

MICROFILMED
MAR 24 2003



POINT OF DIVERSION
PLACE OF USE

95-09005



MICROFILMED

APR 24 2003

Lees Point

RD 19

T. 51 N. R. 36 W.

E. NARRATIVE/REMARKS/COMMENTS

The pump & controls are located in an enclosure that is kept locked. A key to this hangs in a place known to the water master (condition #5)

Prior to doing exam I spoke with Gordon Guilmore (installed system). He gave me system operating pressure and other info

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

MICROFILMED

MAR 24 2003

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$V_{IR} = \frac{8.08(0.7)(0)}{100(2.31 \times 65)} = 12.32 = 0.049$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic

From 01-01 To 12-31

Period of Use

Rate of Diversion Q (cfs)

0.04

Annual Volume V (ata)

0.6

2. Recommended Amendments

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

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

I. AUTHENTICATION

Reviewer

Date

Field Examiner's Name *Wagner* Date 07-26-02

SEAL

MICROFILM

MAR 24 2003

Memorandum

To: FILE NO. 95-9005
From: DEBORAH J. GIBSON *dlg*
Date: May 1, 2001
Re: Processing Proof of Beneficial Use in this file

There has been some confusion while processing this file for Proof of Beneficial Use. The following paragraphs explain what transpired:

1. I mailed the Proof Due Notice to the current address on record, the post office returned it with an address correction to California. I promptly mailed it to the California address.
2. On April 5, 2001, I issued a Lapse Notice, since I had not received proof. I received that letter on April 13, 2001, from the post office because it had been mistakenly addressed to the old address in Idaho.
3. Unknown to me, on March 26, 2001, Northern regional office had received a Proof of Beneficial Use filed on behalf of the permit holder, but I did not receive it until April 6, 2001. The proof was filed with an incomplete address containing just a house number, which I assumed was an address change of just the house number.
4. On April 11, 2001, I prepared an acknowledgement to the proof and mailed it to what I believed was a current address in Idaho. The proof had two phone numbers listed on it; one was an Idaho number, with summer noted next to it, and a California number with a winter notation. I assumed these meant the permit holder resided in California during the winter months and Idaho during the summer. I assumed April would be considered the summer season. However, that letter was returned by the post office on April 17, 2001, with "Unable to Forward" stamped on it, and with no forwarding address.
5. An error in the context of the letter was detected which stated that a Reinstatement Order was enclosed which advanced the priority because it was received late. Which was not accurate. The Order reinstated the permit without an advance of the priority date. Therefore, I issued an Amended Proof Acknowledgement letter on April 16, 2001, to correct the first acknowledgment letter containing the inaccurate statement about the Reinstatement Order. I also requested verification of their current address. However, this letter was returned on April 26, 2001, with the California address on it.
6. On April 27, 2001, I called the permit holder in California and left a message asking verification of their address and where they wanted me to mail documents. The next day they returned my call and left me a message confirming their California address, but didn't clarify their location.

MICROFILMED

MAR 24 2003

7. May 1, 2001, I am writing them a letter acknowledging the proof of beneficial use and updating their mailing address to California. There is no mention in this letter of the confusion of letters, etc., because I think to explain any of this or to send them the documents they did not receive, would create extreme confusion.

Rather than destroying the letters in this file that do not pertain, I will leave them in place with this Memo to explain the confusion.



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

May 1, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MARY LOUISE DOTY
49605 AVILA DR
LA QUINTA CA 92253-2310

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 95-09005

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. A Lapse Notice was issued by the department on April 5, 2001, because the proof you filed with the Northern Regional Office had not reached me by then. Since a Lapse Notice was sent, the department must issue a Reinstatement Order as a housekeeping measure. Since the proof was received on time, there will be no advance of your priority date.

I have updated your file information with your California address and phone number. I have kept the Idaho phone number on record as a second number to reach you at. Therefore, the department will mail correspondence to you at your California address, unless otherwise notified. Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

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. 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. If you have any questions about the proof, you may reach me at (208)327-7953.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure
c: IDWR - Region

MICROFILMED

MAY 24 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street
Boise, Idaho 83706-2237

Doty - 200

RECEIVED

APR 28 1991

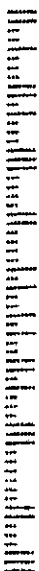
DEPARTMENT OF WATER RESOURCES

DOTY 200 030352021 1900 04 04/21/01
RETURN TO SENDER
DOTY
49605 AVILA DR
LA QUINTA CA 92253-2310

MICROFILMED

MAR 24 2003

83706-2237





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

April 16, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MARY LOUISE DOTY
14412 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

AMENDED PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 95-09005

Dear Permit Holder:

I apologize for any confusion my previous letter, dated April 11, 2001, may have caused. I received your Proof of Beneficial Use on April 6, 2001 from the Northern Regional office, which was after I had issued a Lapse Notice. Therefore, this letter is sent to you to correct any misunderstanding my previous letter may have caused.

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit as timely. The order issued on April 11, 2001 reinstates the permit with no advancement of the priority date.

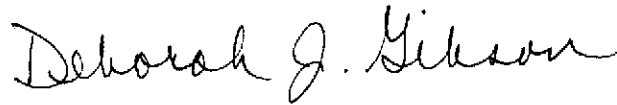
Additionally, the Lapse Notice I mailed to you on April 5, 2001, was returned to me by the post office showing an address for you at 49605 Avila Dr., La Quinta, California 92253-2310. However, the proof you filed with the department shows an address of 14412 E. Hayden Lake Rd., Hayden Lake, ID 83835, which is the current address of record the department has for you. Please verify which address is correct by contacting either the Northern Regional Office or me (see phone numbers below), and confirm which address is correct. If after 15 days of the date of this letter, IDWR has had no response from you correcting your address, we will assume you can be reached at the 14412 Hayden Lake Rd. address.

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. If you have questions concerning the field examination, please contact the **Northern**

Page 2

Regional Office of the department in Coeur d'Alene at (208) 769-1450. If you have any questions regarding this proof filing, please feel free to contact me at (208)327-7953.

Sincerely,

A handwritten signature in cursive script that reads "Deborah J. Gibson".

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

RECEIVED
FBI/DOJ

*add address of
no longer received.*

MARY LOUISE DOTY
14200 E HAYDEN LAKE RD
HAYDEN LAKE, ID 83835

RECEIVED

APR 13 2001

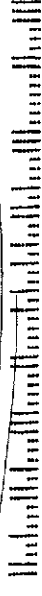
Department of Water Resources

*Please
Verify*

DOTY200 338352005 1900 04 04/10/01
RETURN TO SENDER
DOTY
49605 AVILA DR
LA GUINTA CA 92253-2310

LA

8-23-2001 2:23:35



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise Idaho 83706-2237

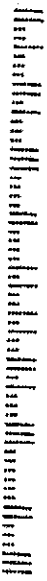
RECEIVED

APR 17 2001

Department of Water Resources

TEASDAW CHECKED
Unable to forward to C.D. 12-12-04
Assigned not found
No such routing
No mail routing
[Signature]

MICROFILMED
MAR 24 2003





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

April 11, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MARY LOUISE DOTY
14412 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 95-09005

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since proof was submitted after the proof due date.

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

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. 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

Enclosure

c: IDWR - Region



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

April 16, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MARY LOUISE DOTY
14412 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

AMENDED PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 95-09005

Dear Permit Holder:

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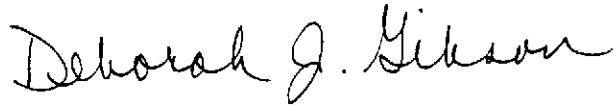
MICROFILMED

APR 11 2001

Page 2

Regional Office of the department in Coeur d'Alene at (208) 769-1450. If you have any questions regarding this proof filing, please feel free to contact me at (208)327-7953.

Sincerely,

A handwritten signature in cursive script that reads "Deborah J. Gibson".

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED

APR 11 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street
Boise, Idaho 83706-2237

RECEIVED

APR 13 2001

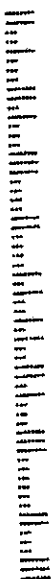
Department of Water Resources

MICROFILMED

APR 13 2001

DOTY200 030352005 1900 04 04/10/01
RETURN TO SENDER
DOTY
49605 AVILA DR
LA QUINTA CA 92253-2310

REC'D 2003 03 05





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

April 5, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MARY LOUISE DOTY
14200 E HAYDEN LAKE RD
HAYDEN LAKE, ID 83835

LAPSE NOTICE

RE: PERMIT NO. 95-9005

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 the proof due notice dated January 31, 2001. 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. *removed dg*

Sincerely,

L. Glen Saxton, Chief
Water Allocation Bureau

Enclosures



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

April 11, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MARY LOUISE DOTY
14412 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

PROOF ACKNOWLEDGEMENT LETTER

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Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED

APR 11 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9005

Reviewed By: dgibson

Date: April 10, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		N014219	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		03/26/2001
Date proof due	-	04/01/2001
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	12/17/1998
New priority date	=	12/17/1998

Deficiencies of Actions Items

Acknowledge proof. Lapse notice sent, but fee and proof was received in regional office before due date. Reinstatement not necessary, because no change in priority date.



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

April 5, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MARY LOUISE DOTY
14200 E HAYDEN LAKE RD
HAYDEN LAKE, ID 83835

LAPSE NOTICE

RE: PERMIT NO. 95-9005

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Sincerely,

L. Glen Saxton, Chief
Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 4/5/01
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

MICROFILMED

APR 11 2001

U.S. Postal Service
CERTIFIED MAIL RECEIPT

Domestic Mail Only; No Insurance Coverage Provided

Article Sent To:

MARY LOUISE DOTY

Postage

\$

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

MICROFILMED
APR 11 2001
\$

Postmark
Here

2/9/01
dg

Name (Please Print Clearly) (To be completed by mailer)

Street, Apt. No.; or PO Box No.

49-605 AVILA DR

City, State, ZIP+ 4

LA OLINTA CA

PS Form 3800, July 1999

See Reverse for Instructions

7099 3220 0005 5178 8590

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.

- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.

- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".

- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORANT: Save this receipt and present it when making an inquiry.

SENDER:

- Complete items 1 and/or 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.
- 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:

MARY LOUISE DOTY
49-605 AVILA DR
LA QUINTA CA

95-9005

5. Received By: (Print Name)**6. Signature: (Addressee or Agent)**

X *M. Doty*

4a. Article Number

70993220000551788590

4b. Service Type

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

7. Date of Delivery**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 •

DEBORAH GIBSON
DEPARTMENT OF WATER RESOURCES
1301 N. ORCHARD ST.
BOISE, ID 83706-2237

RECEIVED

MICROFILMED

MAR - 2 2001

APR 1 1 2001

Department of Water Resources



CERTIFIED MAIL

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720

Boise, Idaho 83720-0098

Return Service Requested



7099 3220 0005 5178 9252

RECEIVED

FEB 08 2001

Department of Water Resources

MICROFILMED

APR 11 2001

*Resent 2/9/01
alg*

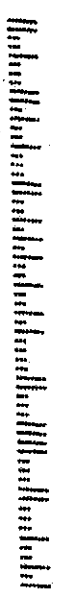
DOTY200 838352013 1900 09 02/03/01
RETURN TO SENDER

DOTY
49-605 AVILA DR
LA QUINTA CA 92253-2310

RETURN TO SENDER



03835-0511 02



January 31, 2001

MARY LOUISE DOTY
14200 E HAYDEN LAKE RD
HAYDEN LAKE, ID 83835

PROOF DUE NOTICE

RE: PERMIT NO. 95-9005

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 April 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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.

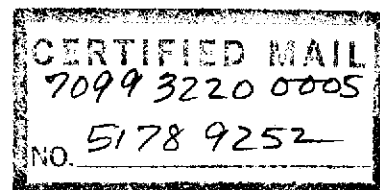
Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

APR 11 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

April 14, 1999

DIRK KEMPTHORNE
GOVERNOR

MARY LOUISE DOTY
14200 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-09005

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.

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.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED

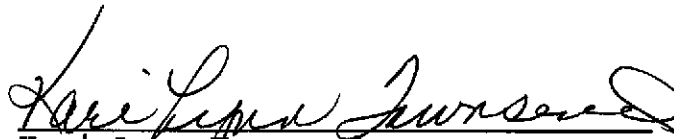
APR 15 1999

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of April, 1999, 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. 95-09005

MARY LOUISE DOTY
14200 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835


Kari Lynn Townsend
Secretary

MICROFILMED

APR 15 1999

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.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy*No.: 95-09005 Name: Doty Date: 4/13/99 Ad OK? ☒ Gvmt Lts: ☒

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 264-P17
- ≤ 1 year/no proof - P18

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 046-P23
- In Basin 34? - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD
- WMD
- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp. irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

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

- FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: OK
- IN/ABOVE MSF (✓ MAP) - *WB9
- IN-STREAM DEVELOPMENT - P62 (stream channel alteration)
- WD (✓ MAP & LISTING) - R02 (WD # 95A)
- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)
- WMD (✓ MAP)
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD
- SPRINGS/SINK, INACTIVE WD & REST OF STATE
- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

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

USE:

- STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req) -081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
- HEATING/COOLING - R07 (injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18
- MUNICIPAL
- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102
- DOMESTIC
- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070
- FIRE PROTECTION - 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 120
- 42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
- SWAN FALLS FLAG (✓ Code) -
- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS: - ① W01/1/4/T ② W60/LTS 16-19 N Shore Tr. ③ W59/LT 18BENEFICIAL USE DUE: - 2/1/2001

COMMENTS:

IDAHO DEPARTMENT OF WATER RESOURCES
APPROXIMATION APPLICATION ANALYSIS SHEET

RECEIVED
WR1
BCA
WRA

APR 01 1999

APPLICATION # 95-09005

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: DOTY BY: AS DATE: 12/17/98

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 # 95A

PROCESSING

(Yes) (No) PRIORITY DATE: 12/17/98

X (Include Moratorium Remark)

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

ADVERTISE IN: KOOTENAI County

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

GROUNDWATER SECTION

WD Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()

- 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?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- X Notice of pending void order issued. Final order response date: 1/1/99
- X Further information required from applicant
- X Affidavit of publication received
- X Application published correctly. If not, record action taken: _____

- X Publication dates and paper recorded on application | Sr. Agent initial AS
- X Protests received, Final protest date: 2/22/99
- X Measuring device required
- X Measuring port required
- X Special conditions:

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

Approval Recommended by: AS

Date: 3/29/99

Memorandum

RECEIVED

APR 01 1999

Date: March 29, 1999

Department of Water Resources

To: Application for Permit Number 95--0905

From: Beardslee

~~~~~  
The Norther Regional Office has contacted the Panhandle Region of Fish and Game regarding the approval of this Water Right Application for Permit.

After discussing the location, source and uses of water, Chip Corsi stated that he did not see a problem with approving this filing.

MICROFILMED  
APR 15 1999

# 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 4 day of February, 1999, and  
ending on the 11 day of February, 1999, 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.

Stacie Walker  
Subscribed and sworn to before me this 11 day of February

1999

Regina Mason

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

MY COMMISSION EXPIRES 6/18/03

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

95-09005

ok

DOTY, MARY LOUISE  
14200 E HAYDEN LAKE ROAD  
HAYDEN LAKE, ID 83835  
Source: HAYDEN LAKE  
Diversion Pt: LOT 3 (NWNE)  
Use: DOMESTIC

Tributary: SINKS  
Sec 3 T 51N R 03W in KOOTENAI County.  
(0.040 CFS)  
(0.040 CFS)

Total Diversion:  
Date Filed: 12/17/1998  
In: KOOTENAI County  
T51N R03W S03

Lot 3 (NWNE)

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 FEBRUARY 22, 1999.

KARL J. DREHER, Director

Legal 568  
February 4, 11, 1999

RECEIVED  
FEB 12 1999  
IDWR/North

MICROFILMED

95-09005

DOTY, MARY LOUISE  
14200 E HAYDEN LAKE ROAD  
HAYDEN LAKE, ID 83835

Source: HAYDEN LAKE

Tributary: SINKS

Diversion Pt: LOT 3 (NWNE) Sec 3 T 51N R 03W in KOOTENAI County.

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

Date Filed: 12/17/1998

In: KOOTENAI County  
T51N R03W S03 Lot 3(NWNE)

MICROFILMED  
APR 15 1999



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

Dirk Kempthorne  
Governor

KARL J. DREHER  
Director

JANUARY 28, 1999

Legal Notices Department  
COEUR D ALENE PRESS  
SECOND & LAKESIDE  
COEUR D ALENE, ID 83814

Gentlemen:

Enclosed you will find a legal notice 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.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

→ Please send the affidavit of publication and publication billing to this office before FEBRUARY 22, 1999.

*Thanks*

Yours truly,

*Dianne Ball*

DIANNE BALL  
Senior Secretary

Enclosure

*Please call upon receipt so I  
will know it was received  
timely. Thanks*

MICROFILMED

APR 13 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

APR 15 1969

95-09005

DOTY, MARY LOUISE  
14200 E HAYDEN LAKE ROAD  
HAYDEN LAKE, ID 83835

Source: HAYDEN LAKE

Tributary: SINKS

Diversion Pt: LOT 3 (NWNE) Sec 3 T 51N R 03W in KOOTENAI County.

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

Date Filed: 12/17/1998

In: KOOTENAI County  
T51N R03W S03 Lot 3 (NWNE)

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APR 15 1999

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 FEBRUARY 22, 1999.

KARL J. DREHER, Director

Published: 2/ 4/1999 & 2/11/1999

MICROFILMED  
APR 15 1999

January 27, 1999

Mary Louise Doty  
14200 E Hayden Lake Road  
Hayden Lake ID 83835

Re: Water Appropriation Application No. 95-09005

Dear Ms. Doty:

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 15 1999