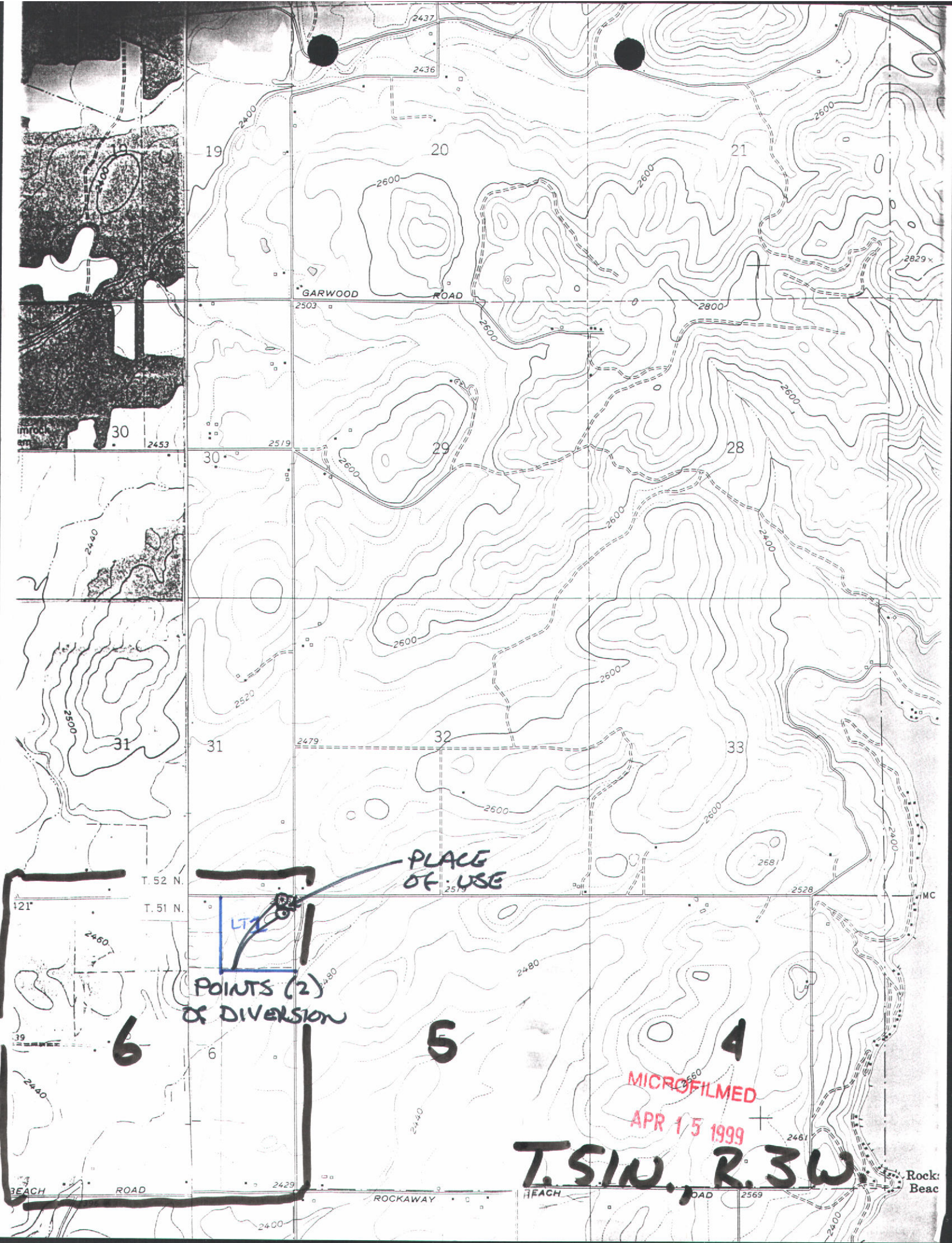




GARWOOD

ROAD

30

2453

30

2519

29

28

31

31

2479

32

33

T. 52 N.

T. 51 N.

121°

PLACE OF USE

LT 2

POINTS (2) OF DIVERSION

6

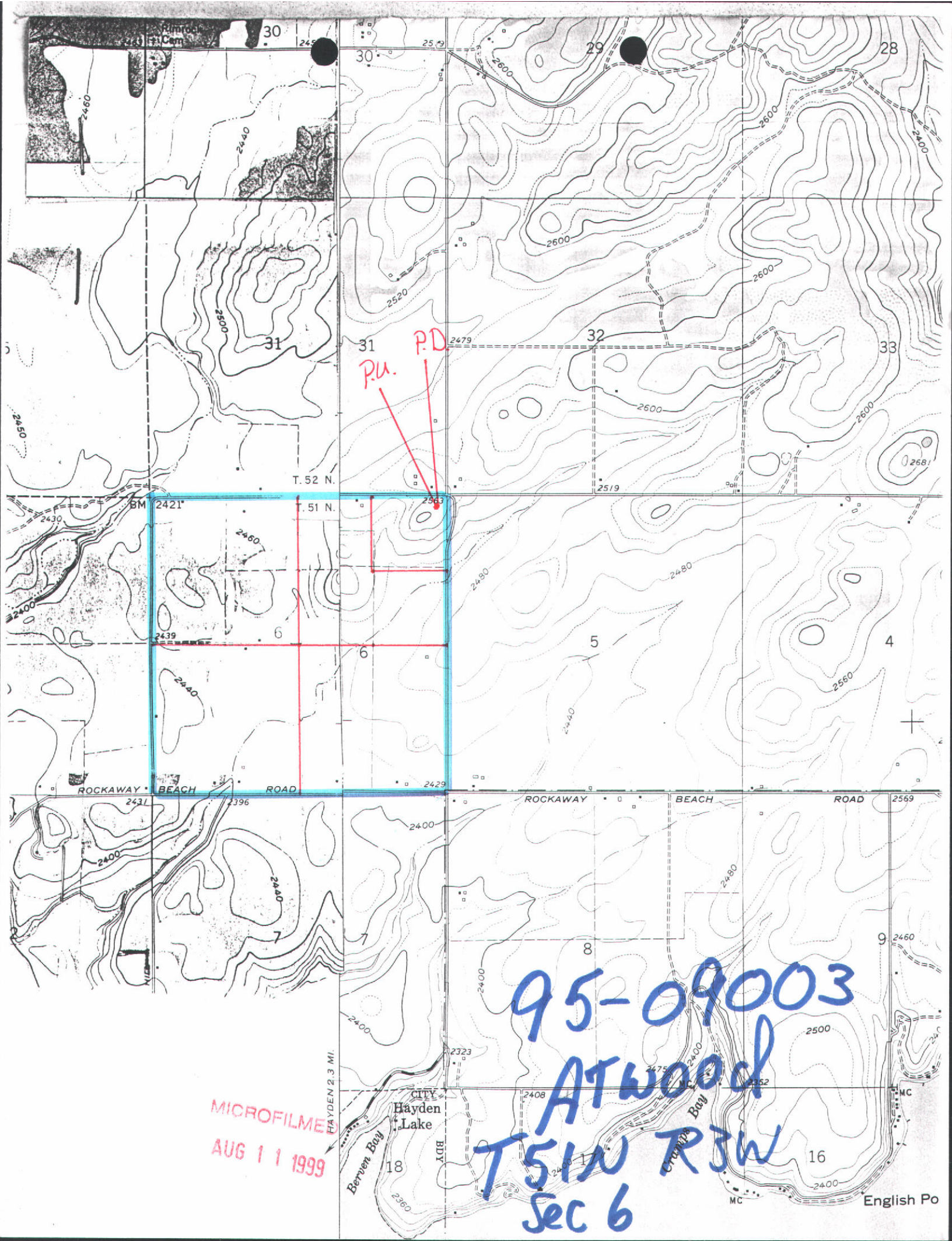
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4

MICROFILMED
APR 15 1999

T. 51 N., R. 3 W.

Rock: Beac



P.D.
P.U.

95-09003
ATwood
T51W R3W
Sec 6

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AUG 11 1999

HAYDEN 2.3 MI.

CITY
Hayden
Lake

BDY

Beverly Bay

Bay

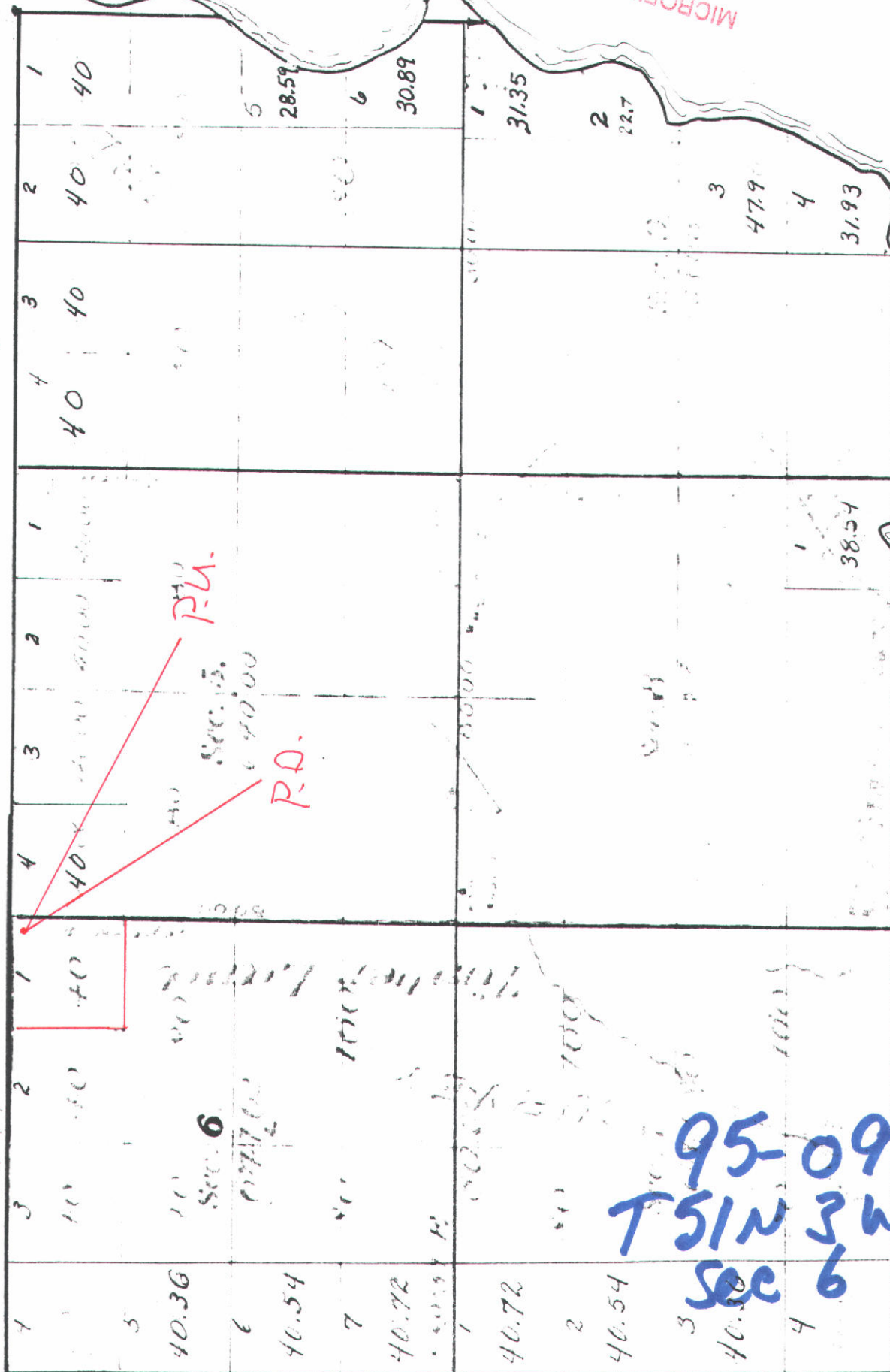
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MICROFILMED
AUG 11 1999

T 51N
R 3W



95-09003
T51N 3W
Sec 6

PERMIT # 95-09003

STATE OF IDAHO

SOURCES
POINT
S

Point of Diversion
Hand
Dug
Well



Point of
diversion
Place of
use



95-09003

Place of use



95-09003

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AUG 11 1999

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 95-09003

Priority: November 20, 1998

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

6.6 AF

This is to certify, that DAVID A ATWOOD
3180 E DODD

HAYDEN LAKE ID 83835 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 20, 1998; and has submitted Proof of Beneficial Use on February 1, 1999. An examination indicates that the works have a diversion capacity of 0.070 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.04 CFS	6.0 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.04 CFS	6.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1 (NENE), Sec. 6, Township 51N, Range 03W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
51N	03W	6	Lot 1 (NENE)	2		2

Total number of acres irrigated: 2

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. 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.
2. Two points of diversion are located within Lot 1 (NENE), S06, T51N, R3W.
3. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 28TH day of

APRIL, 1999.

Acting for

KARL J. DREHER, Director

MICROFILMED
575 1 1 803

RECEIVED

FEB 03 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 95-09003 Telephone No. 772-6900
2. Name(s) of Permit Holder(s): DAVID A. ATWOOD
3. Mailing Address: 3180 E DODD HAYDEN LAKE ID 83835
4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. 5 / yr. 85
- a. Well Driller: _____ Drilling Permit Number: _____
- b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
1 - HAND DUG WELL - 1966
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): 2 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 <u>✓</u> |
| | Has the measuring device been installed? | Yes _____ or No <u>✓</u> |
| Flow Measurement Port: | Is a flow measurement port required? | Yes _____ or No <u>✓</u> |
| | Has the measurement port been installed? | Yes _____ or No <u>✓</u> |
8. Fee Enclosed: \$ _____ (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: SAME AS ABOVE Telephone Number: _____
Address: _____
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.
- Signature of permit holder: X David A. Atwood Date: 2/1/99
(include your title, if on behalf of company or organization)

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APR 15 1999

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-09003

Proposed Priority: November 20, 1998 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **DAVID A ATWOOD**
3180 E DODD

HAYDEN LAKE ID 83835

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

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.04 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
	Totals	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 1 (NENE), Sec. 6, Township 51N, Range 03W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
51N	03W	6	Lot 1(NENE)	2.0		2.0

Total number of acres irrigated: 2.0

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 2000.**
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 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.
5. Two points of diversion are located within Lot 1 (NENE), S06, T51N, R03W.
6. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

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

21st day of January, 1999.

MICROFILMED

APR 15 1999

[Signature]
for Karl J. Dreher, Director

Ident. No. 95-09003

RECEIVED

JAN 13 1999

To appropriate the public waters of the State of Idaho

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant DAVID A. ATWOOD Phone 722-6900
Mailing address 3180 E DODD, HAYDEN LAM, ID 83835
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is Township S1N Range 3W Sec. 6, in the _____ 1/4, NE 1/4, NE 1/4, Govt. Lot 1, B.M., KOOTENAI County;
additional points of diversion if any: (2)
4. Water will be used for the following purposes:
Amount 0.04^{0.02} for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
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) _____
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 2 WELLS - ONE HAND DUG, ONE DRILLED.
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 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. 1
e. Other; describe fully. _____
- MICROFILMED
APP 15 1980

* max. allowable for in-house use. OK per applicant per Telecom 11/19/99 cz.

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

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

[illegible]

Total number of acres to be irrigated

2

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

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

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

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

សិប្បកម្ម ឧស្សាហកម្ម

12. Remarks:

BE IT KNOWN that the undersigned hereof the State of Idaho as herein set forth.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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Sent by Air

Signature of Applicant (and title, if applicable)

Received by

Publication prepared by:

Publication approved.

Date _____

Time

9:30

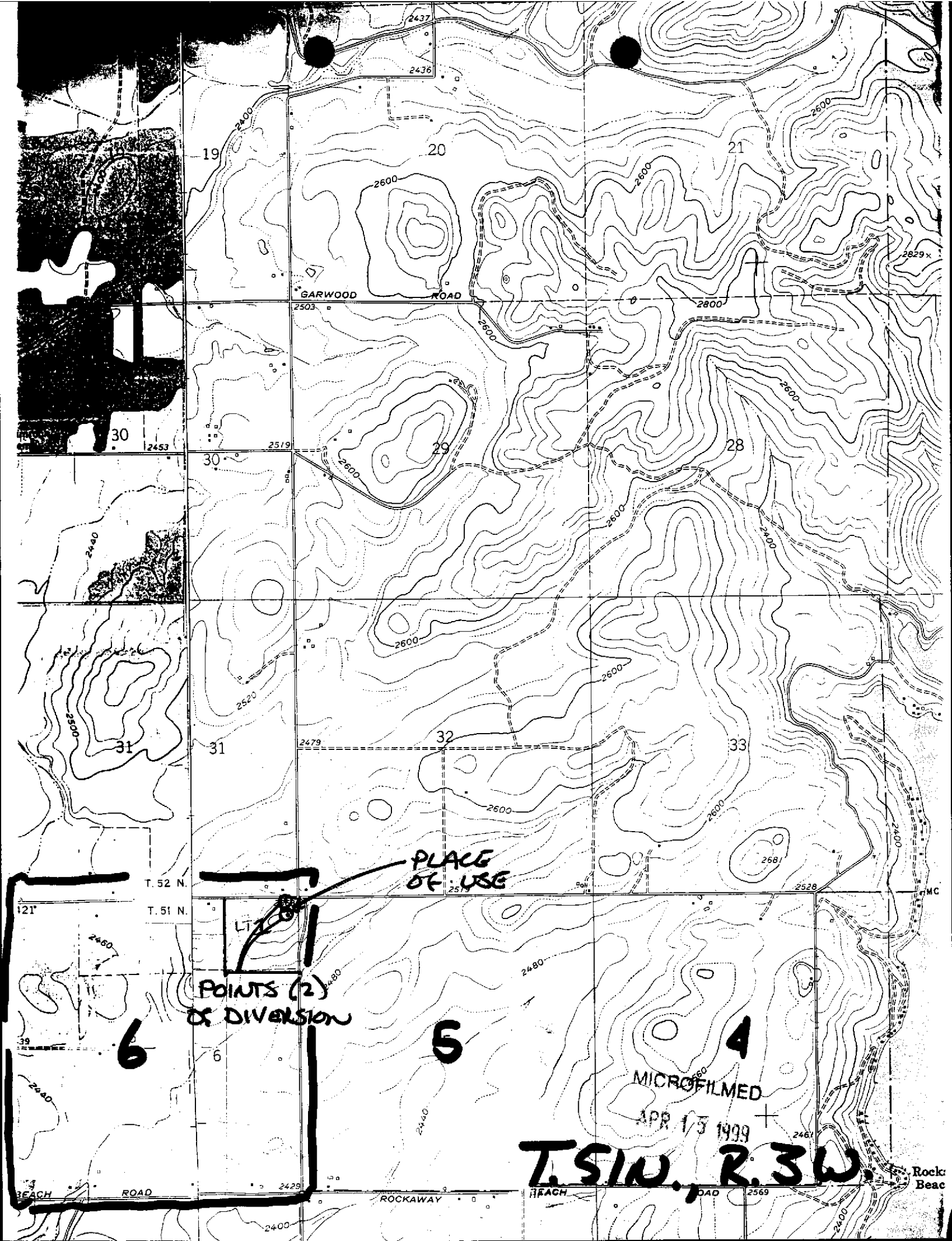
Preliminary check by

Date _____

पुनः प्रारम्भः

Date _____

86771-1



PLACE
OF USE

POINTS (2)
OF DIVERSION

6

5

4

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APR 15 1999

T.S.W. R.3W.

Rock
Beach



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 29, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID A ATWOOD
3180 E DODD
HAYDEN LAKE ID 83835

RE: WATER RIGHT NO. 95-09003

Dear Water Right Holder(s):

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

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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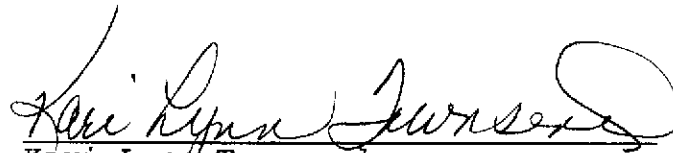
AUG 11 1999

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of April, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 95-09003

DAVID A ATWOOD
3180 E DODD
HAYDEN LAKE ID 83835


Kari Lynn Townsend
Secretary

MICROFILMED
AUG 11 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.

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.

MEMORANDUM

TO: File 95-09003

FROM: Sharla

DATE: April 22, 1999

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 95-09003 are as follows:

H. RECOMMENDATIONS

Irrigation	3/15 – 11/15	0.04 cfs	6.0 afa
Domestic	1/1 – 12/31	0.02 cfs	0.6 afa
	TOTALS	0.04 cfs	6.6 afa

The standard volume/acre for this area is 3.0 af.

Exam Date: February 4, 1999
Examiner: Dave Pagel

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AUG 11 1999

LICENSE REVIEW CHECKLIST

PERMIT NO. 95-09003 DATE 4/29/99 REVIEWER: SHARLA

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK Change (P39 /P47) Add (P45/P42) Feds - P40
W32 (multiple in 1/4)
W36 (overlap)
W59 (subd. desc)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PLACE OF USE OK Change (P41/P47) Add (P41/P42) Feds - P43
W60 (subd. desc)
W27 (ppu acre limit)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PD & PU amend (P37) Feds - P48

RATE OF DIV
 Permitted Rate .04 cfs
 Fee limit .20 cfs \$50⁰⁰
 Measured ✓ cfs
 Theoretical .07 cfs
 Recommended Total Div Rate .04 cfs

WATER USES	<u>OK</u>	Change (P46)		
<u>Dom</u>	<u>.04</u> cfs	<u>2X3.0</u> af	Irrig -	overlap (R58-R61, R62-R65, R66-R69)
<u>Dom</u>	<u>.02</u> cfs	<u>.6</u> af		supp. gw (WB7/065/079)
	cfs	af		overlap spec. combined rts (W35)
	cfs	af		<1acre (W31)
	cfs	af	Domestic	(W01/WB5/070/071/075)
TOTALS	<u>.04</u> cfs	<u>6.6</u> af	Power	(W42 or W43/025/027/R22 or R23)
			Fish (042)	Fire (077) Wtr Quality (081/R07)

Flow rate .04 cfs X 246 days X 1.98 = 19.5 af

REMARKS _____

ADD'L CONDITIONS _____ Watermaster Control WD# _____
 _____ GW Measurement/Measuring Device
 _____ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority yes ✓ no SRBA Claim N/A Adjust Memo val/ac = 3.0
 Amend letters _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 22 1999

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-09003

1. Owner: David A. Atwood Phone No. (208) 772-6900

Current Address: 3180 E. Dodd Rd. Hayden Lake Idaho 83835

2. Accompanied by: David Atwood EXAM DATE: Feb 4, 1999

Address: Same Phone No. _____

Relationship to Permit Holder: self

3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
1	1		NE	NE	6	51N	3W	Kootenai	USGS 7.5' Quad, Metster G.L. maps
2	1		NE	NE	6	51N	3W	Kootenai	USGS 7.5' Quad, Metster G.L. maps

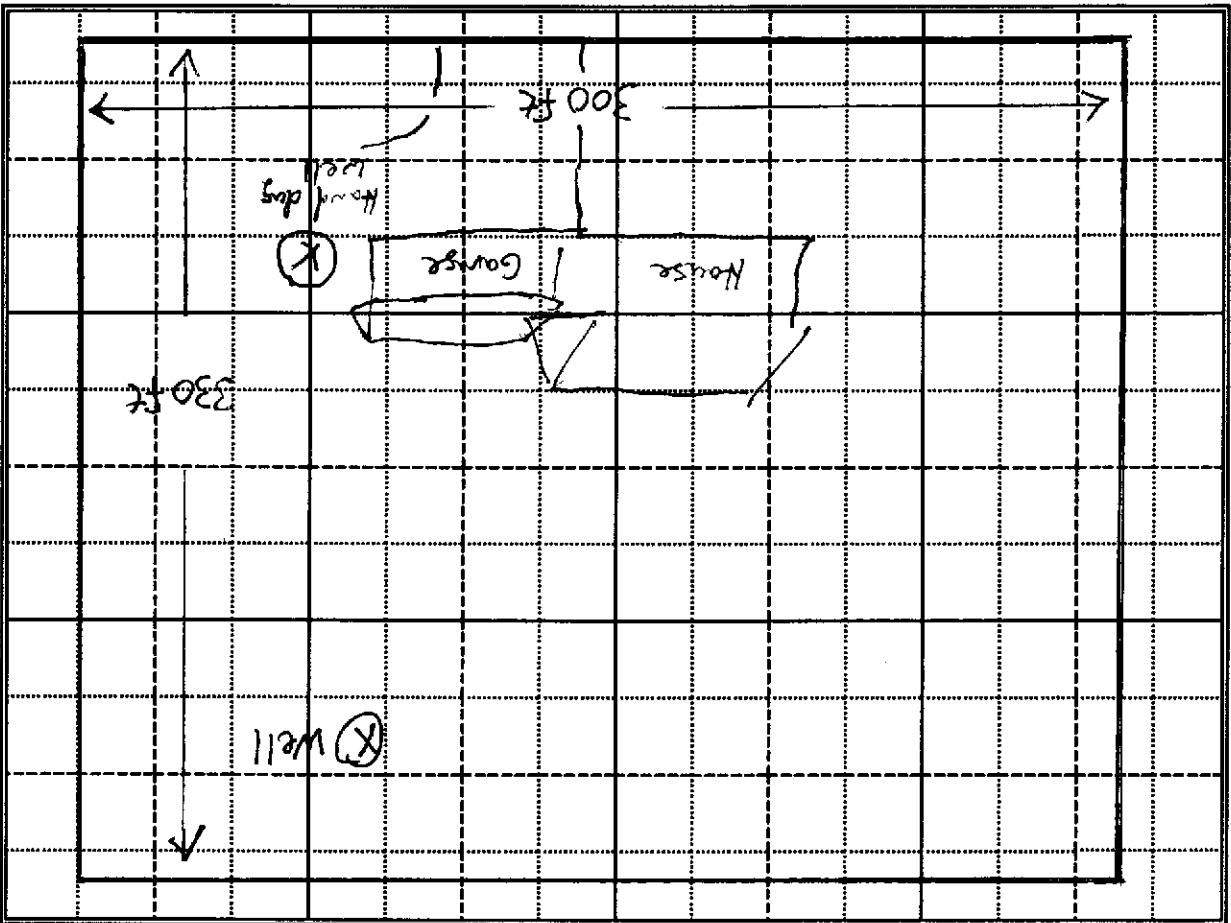
2. Place(s) of Use:

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	
51N	3W	6	01-2 D															2.0	

NOT FILMED
JUN 11 1999

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



Scale: 1" = 100'
 Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
 Aerial Photo Attached (required for irrigation of 10+ acres)
 Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Hand dug well		1 HP	A-67		SKCT 38 CY
drilled well		1 HP	30-2135	Gold Submersible	TO 34829

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

D. FLOW MEASUREMENTS

1. N/A

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

2. Measurements:

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AUG 11 1989

E. NARRATIVE/REMARKS/COMMENTS

Water is being diverted from 2 points of diversion located on this property. Water for irrigation and domestic use is diverted using a 1 horsepower pump at the hand dig well and also a 1 horsepower pump (submersible) from the drilled well.

Approximately 2 acres of lawn and garden is being irrigated. Domestic use is for 1 home.

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

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AUG 11 1993

F. FLOW CALCULATIONS

Measured Method:

see theoretical calculations

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$\begin{aligned}
 330 \text{ ft} \times 300 \text{ ft} &= 99000 \text{ ft}^2 \text{ (area irrigated)} \\
 100 \text{ ft} \times 130 \text{ ft} &= 13000 \text{ ft}^2 \text{ (less driveway/house)} \\
 99000 \text{ ft}^2 - 13000 \text{ ft}^2 &= 86000 \text{ ft}^2 \\
 86000 \text{ ft}^2 / 43560 \text{ ft}^2 &= 1.97 \text{ acre} \\
 V_{IR} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.0 \text{ acre} \times 3.5 \text{ af/acre/season} = 7.0 \text{ afa} \\
 V_{DR} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .04 \text{ cfs} \times 245 \times 1.9835 = 19.44 \text{ afa} \\
 V &= \text{Smaller of } V_{IR} \text{ and } V_{DR} = 7.0 \text{ afa}
 \end{aligned}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	From	To	Period of Use	Rate of Diversion	Annual Volume
Irrigation	03/15	11/15	11/15	.04 cfs	7.0 afa
Domestic	01/01	12/31	12/31	.02 cfs	.6 afa
Totals:				.04 cfs	7.6 afa

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name

David A. Ryd

Date

Feb 17, 1999

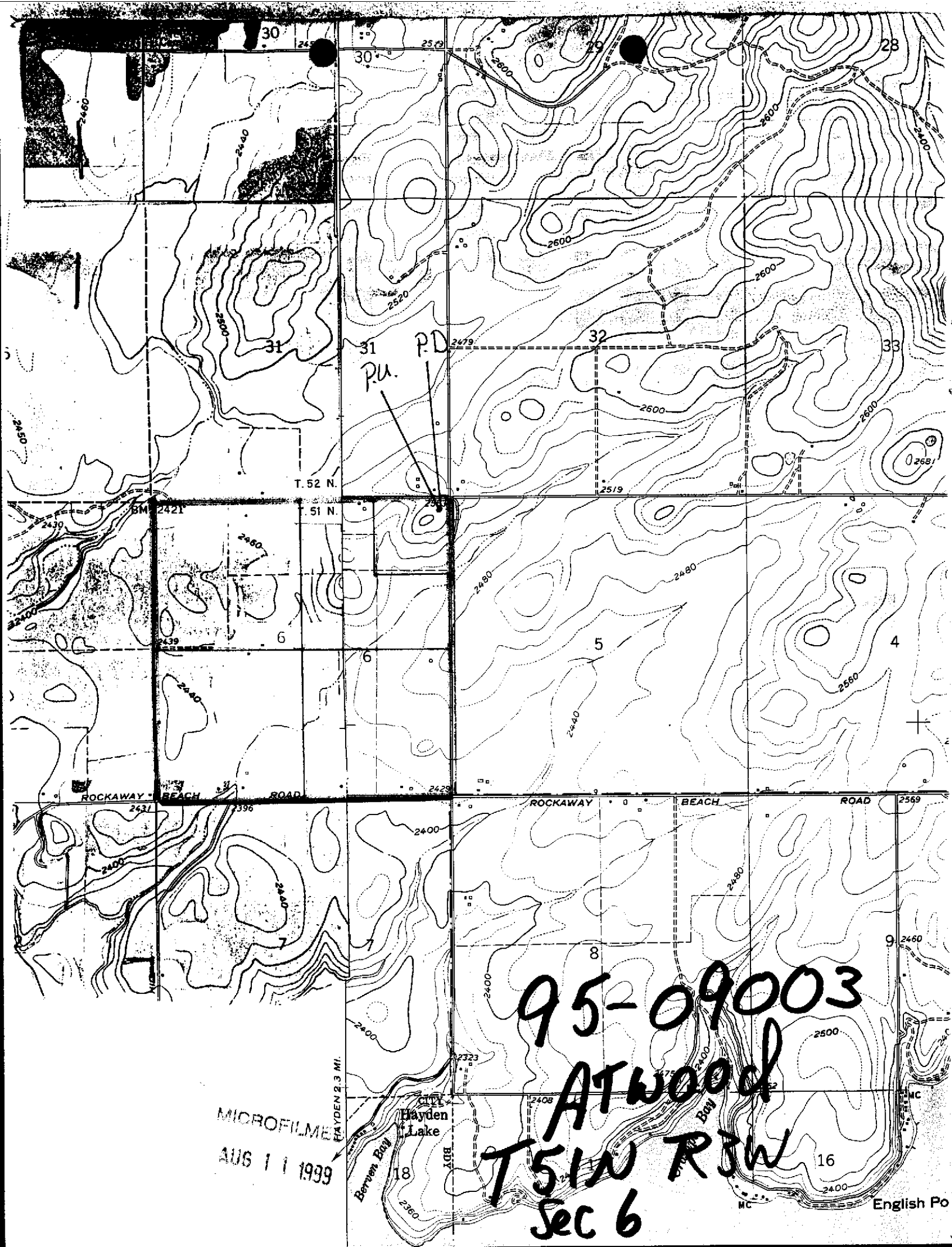
Reviewer

Date

SEAL

MICROFILMED

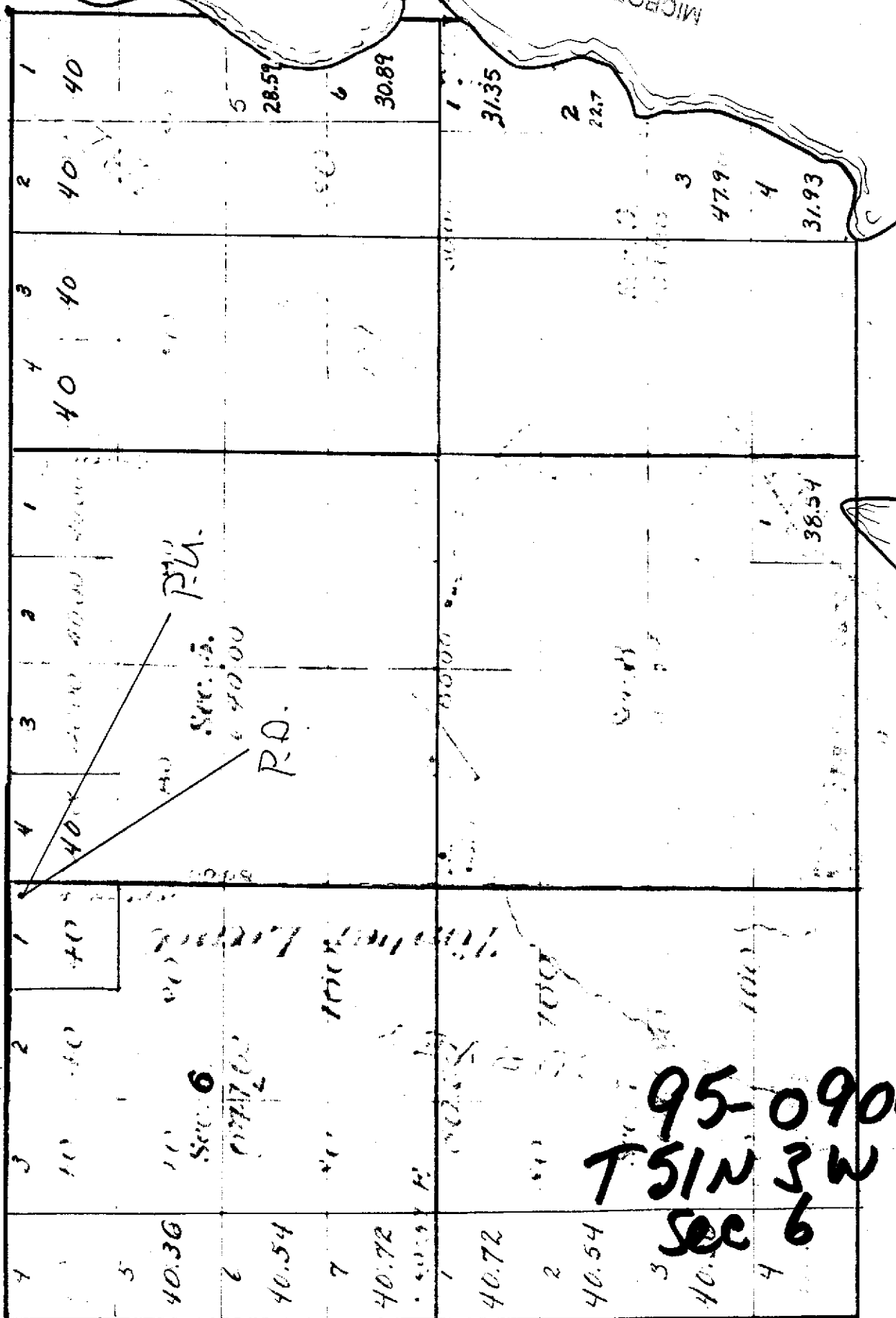
AUG 1 1999



MICROFILMED
AUG 11 1999

MICROFILMED
AUG 11 1999

T 51N
R 3W



95-09003
T 51N 3W
Sec 6

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 95-09003, ATWOOD (HAND DUG WELL)

DATE: 17-FEB-99

COMPLETE BY: PAGEL

HORSEPOWER = 1

PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 50 FEET

SYSTEM PRESSURE = 45 PSI

QUANTITY = 0.04 CFS

MICROFILMED
JUN 11 1999

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 95-09003, ATWOOD

DATE: 17-FEB-99

COMPLETE BY: PAGEL

HORSEPOWER = 1

PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 100 FEET

SYSTEM PRESSURE = 45 PSI

QUANTITY = 0.03 CFS

MICROFILMED
AUG 11 1999

PERMIT # 95-09003

STATE OF IDAHO

SOURCES

NT

S

Point of Diversion
Hand
Dug
Well

95-09003

Point of
diversion

Place of
use

95-09003

Place of use

MICROFILMED
AUG 11 1999

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 95-09003 Reviewed by [Signature] Date 3-10-99

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

 Surface water source
✓ Ground water source
NO Drilling permit required? per 87
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

NO Required?
50- Amount Submitted
NO Correct?

NO Required?
 / Installed?
 Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Refund \$ 50.00 exam fee since .04 - ground water
Proof Acceptable

DATA ENTRY

New Address X Proof Made 2-1-99



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 19, 1999

David A Atwood
3180 E Dodd
Hayden Lake ID 83835

PROOF ACKNOWLEDGMENT LETTER

RE: Water Right No. 95-09003

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and \$50.00 license examination fee 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.

A license exam fee is not required for a rate of diversion of 0.04 cfs or less from a ground water source. Therefore, you are entitled to a refund of the \$50.00 license examination fee you submitted with the proof statement. I have initiated the process to refund the \$50.00 examination fee. You should receive the refund within seven (7) to ten (10) business days under separate cover.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Region
Fiscal

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APR 15 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 25, 1999

DIRK KEMPTHORNE
GOVERNOR

DAVID A ATWOOD
3180 E DODD
HAYDEN LAKE ID 83835

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-09003

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.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

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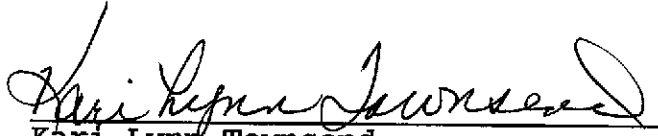
APR 15 1999

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of January, 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. 95-09003

DAVID A ATWOOD
3180 E DODD
HAYDEN LAKE ID 83835


Kari Lynn Townsend
Secretary

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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.

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APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by Cindy LouNo.: 95-09003 Name: Alwood Date: 1/19/99 Ad OK? ✓ / Gvmt Lts: RT1

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 Supplemental use

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 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: _____

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 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

In-stream dev.

- P52 (stream channel alteration)

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

- 022, 075, 004 (+memo?), NA (not in restricted area)

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area

- ~~074-079~~

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 (See Code Chart)

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

- 046/P23 2 W32

BENEFICIAL USE DUE:

- 2 1/1 2000

COMMENTS:

- Reduce in-house down to 0.02 cfs no change in max div rateOK per telecon w/appr. today

**IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

RECEIVED

WR/
WRA
BCA1

JAN 13 1999

APPLICATION # 95-09003

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: ATWAD BY: AB DATE: 11 / 20 / 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 _____
- Field report attached
- Analysis Supp. attached(>5cfs/500af)
- Water delivered by water master?
Water District # _____

PROCESSING

- (Yes)(No) PRIORITY DATE: 11 / 20 / 98
- (Include Moratorium Remark)
- 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?
<u>95 85 N 0020</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

- (Yes)(No)
- Notice of pending void order issued. Final order response date: _____/_____/_____
- Further information required from applicant
- Affidavit of publication received
- Application published correctly. If not, record action taken: _____
- Publication dates and paper recorded on application | Sr. Agent initial AB
- Protests received, Final protest date: 12 / 21 / 98
- Measuring device required
- Measuring port required
- Special conditions:
- Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB

Date: 12 / 28 / 98

95-09003

ATWOOD, DAVID A
3180 E DODD
HAYDEN LAKE, ID 83835

Source: GROUNDWATER

Diversion Pt: NENE Sec 6 T 51N R 03W in KOOTENAI County.

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

Date Filed: 11/20/1998

In: KOOTENAI County
T51N R03W S06 NENE

2.0 ACRES TOTAL

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APR 15 1999

November 25, 1998

David A. Atwood
3180 E. Dodd
Hayden Lake ID 83835

Re: Water Appropriation Application No. 95-09003

Dear Mr. Atwood:

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

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

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

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

If your source is groundwater, a Well Drilling Permit is required for all wells constructed after July 1, 1987.

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

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

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AB:db

NOV 19 1998