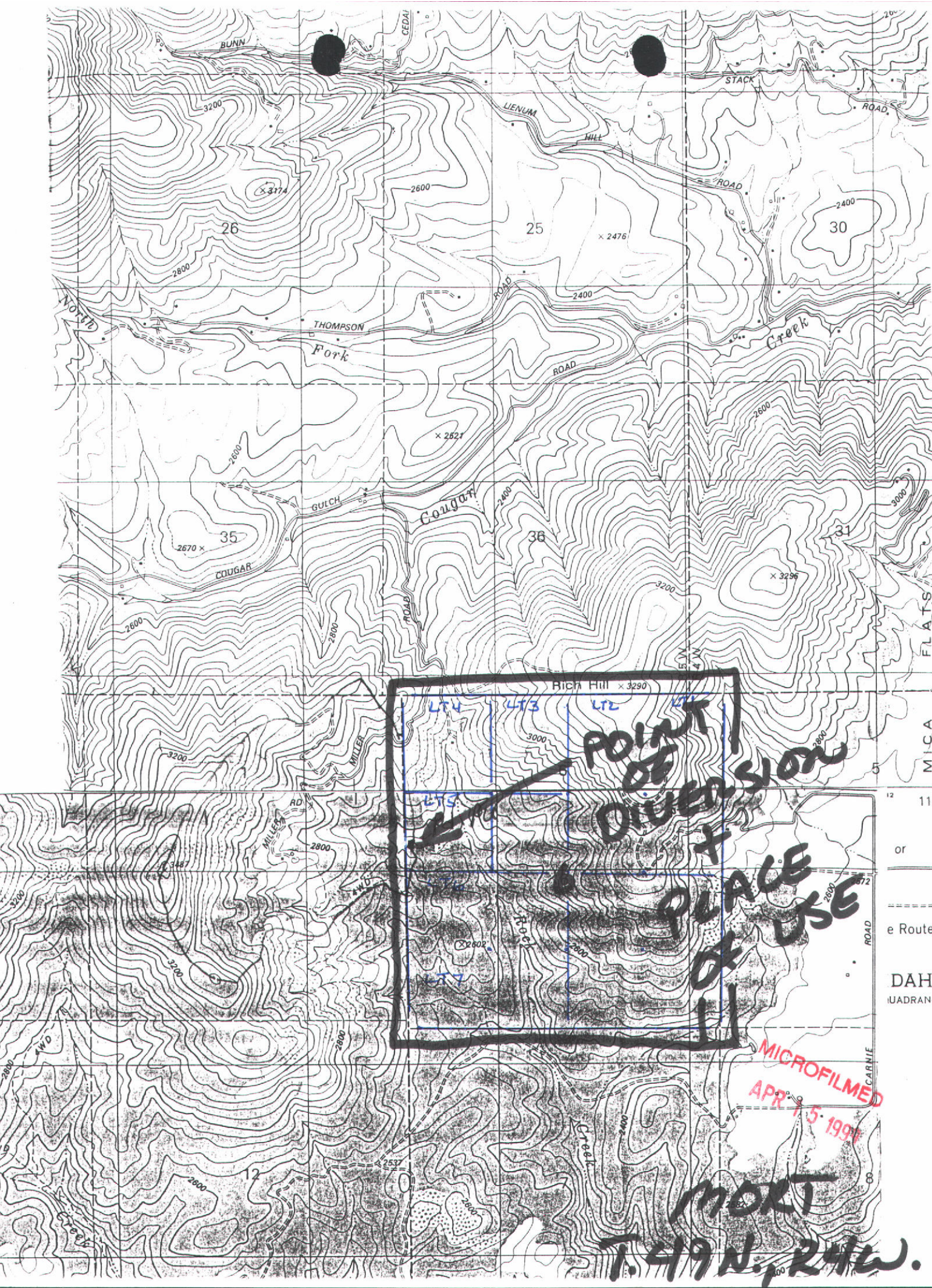




POINT OF DIVERSION
&
PLACE OF USE

MICROFILMED
APR 15 1994

MORT
T. 49 N., R. 4 W.

MORT
T 49 N 24 W



NORT

95-08994

RECEIVED

DEC 08 2000

FOR OFFICE USE ONLY
Amt. of Fee \$: 5000
Receipt No. 174056
Receipt By: DB
Date Received: 12/5/00

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

DEC 05 2000

IDWR/North

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

1. Permit No. 95-08994 Telephone No. 208 773-1326

2. Name of Permit Holder(s): Terry E Mort

3. Mailing Address: 2960 Kildeer Ln. Post Falls ID 83854

City _____ State _____ Zip _____

4. Source of Water: Unnamed Stream 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): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: Recreation Storage

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

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

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

Measuring Device: Is a measuring device required?

Yes _____ or No ✓

Has the measuring device been installed?

Yes _____ or No ✓

8. Fee Enclosed: \$ 5000 (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 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 water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: _____ Date: _____

(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. 95-08994

Proposed Priority: September 24, 1998

Maximum Storage Volume:

10.0 AF

This is to certify, that TERRY E MORT

2960 KILLDEER LN

POST FALLS ID 83854

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of MICA CREEK, NORTH FORK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31		10.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 5 (SWNW), Sec. 6, Township 49N, Range 04W
KOOTENAI County

PLACE OF USE: RECREATION STORAGE

TWN RGE SEC

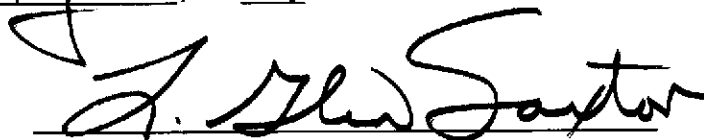
49N 04W 6 Lot 5 (SWNW)

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, 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. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
5. Recreation storage is for fishing.

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

25th day of January, 1999.


for Karl J. Dreher, Director

MICROFILMED

APR 15 1999

Ident. No. 95-08994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JAN 13 1999

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant TERRY F. MORT Phone 208-773-2363
Mailing address 2960 Killdeer Lane Post Falls Id. 83854
2. Source of water supply UPPER MERIDIAN STREAM which is a tributary of North Fork MICA CR.
3. Location of point of diversion is Township 49N Range 04W Sec. 06 in the SE 1/4, SW 1/4, NW 1/4, Govt. Lot 5, B.M., Kootenai County;
additional points of diversion if any: None
4. Water will be used for the following purposes:
 Amount 10.0 for Recreational Storage purposes from 1-1 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) _____ and/or (b) 10
 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 6" Pipe ~~24" Culvert~~
 - b. Height of storage dam 18' feet; active reservoir capacity 10 acre-feet; total reservoir capacity 10 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 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. _____
 - e. Other; describe fully. Recreation use is for fishing

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APR 15 1999

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.

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.

Use below. See instructions for standard symbols.

Total number of acres to be irrigated

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

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

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

:ស្រុក ស្រុក

12. Remarks:

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

• 1953-1954: 1953-1954

Dwight West
Signature of Applicant (and title, if applicable)

50-

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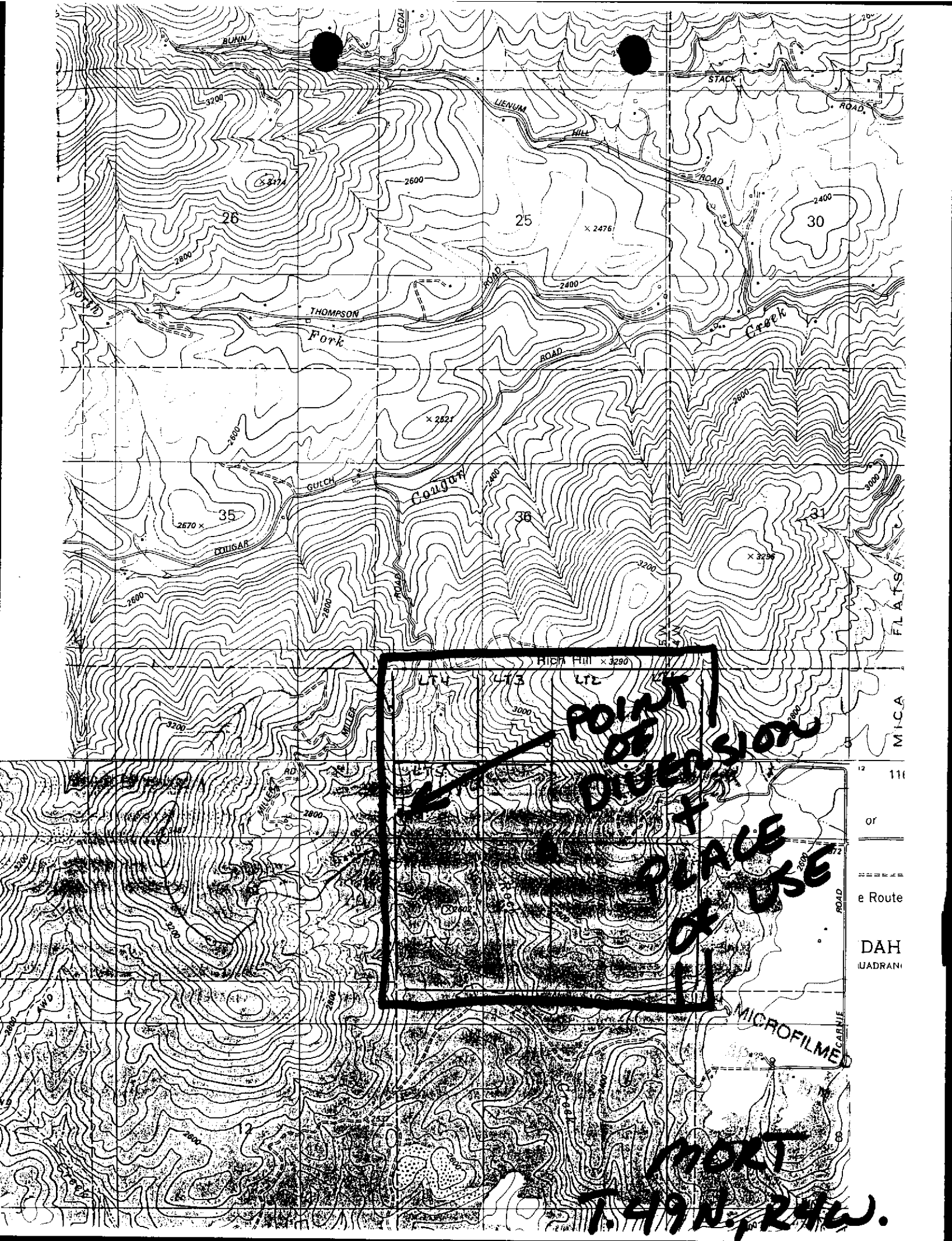
86/7/01

86/95/01

N12435

~~9/24/58~~

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

'AUG 20 2001

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-08994

1. Owner: Larry C. Mort Phone No. (808) 773-1326

Current Address: 2960 Killdeer Ln. Post Falls Id 83854

2. Accompanied by: Ferry Boat EXAM DATE: 8-10-01

Address: Same as above Phone No. _____

Relationship to Permit Holder:

3. Source: unnamed stream tributary to Gracia Creek, North Fork

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:

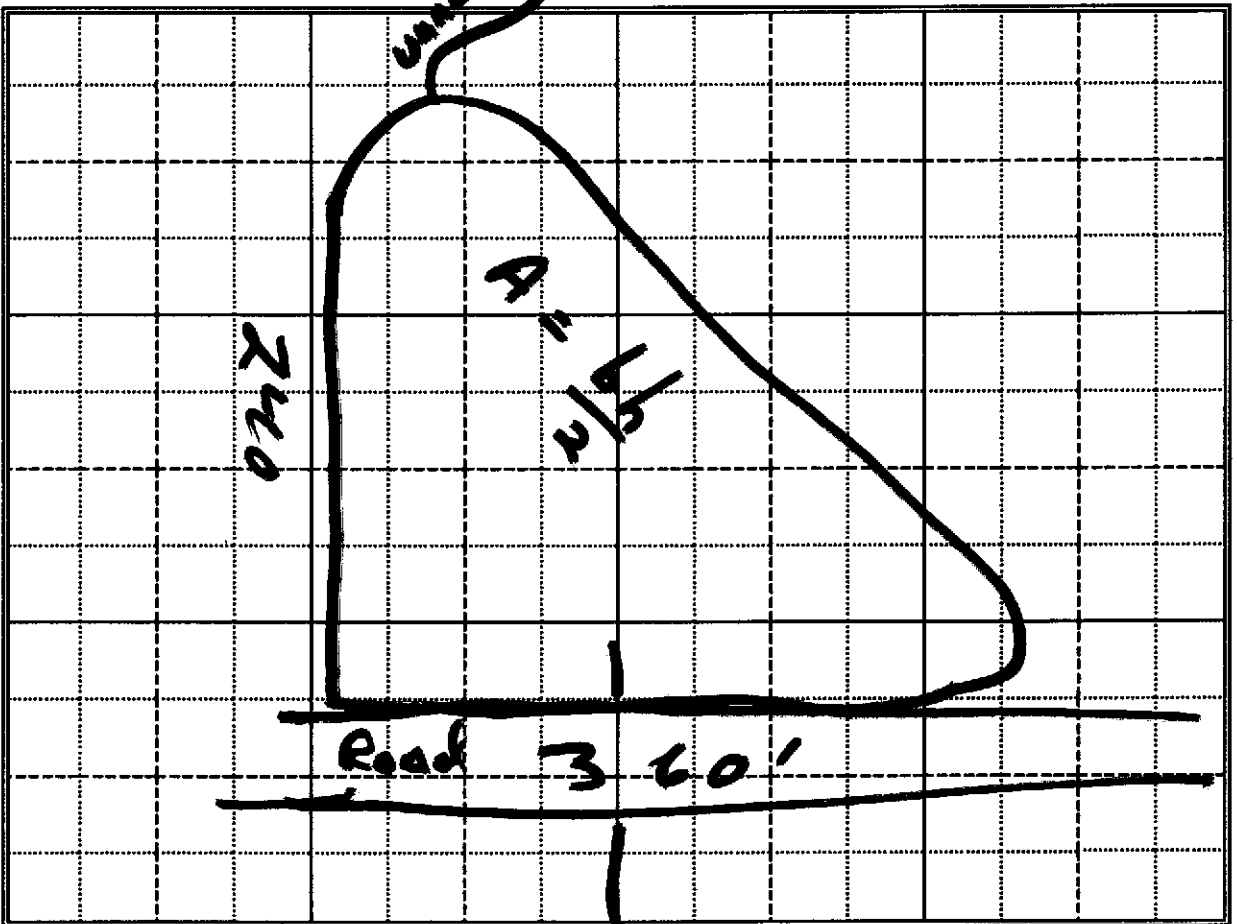
[illegible]

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

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 _____ (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

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

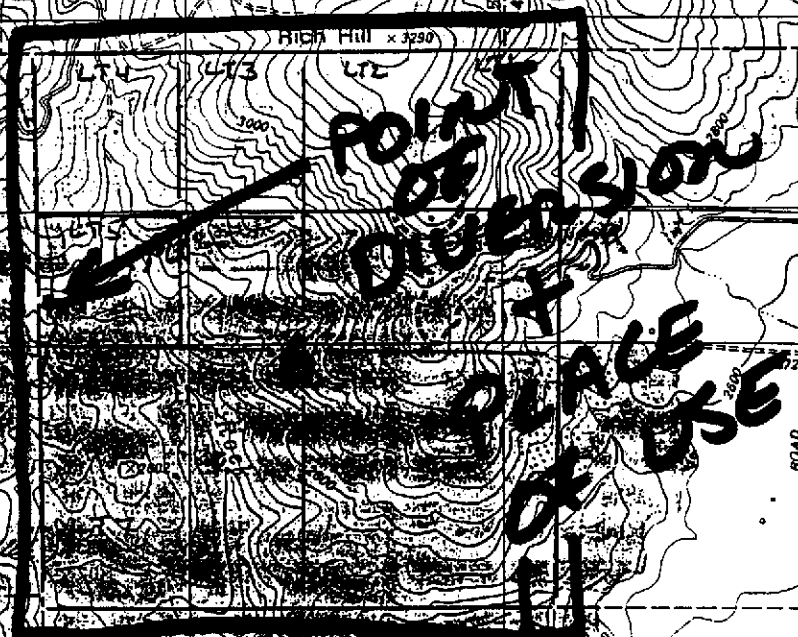
D. FLOW MEASUREMENTS

1.

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

2. Measurements:

95-08994



POINT OF DIVERSION

PLACE OF USE

MORT
T 49 N 24 W.



MORT

95-08994

E. NARRATIVE/REMARKS/COMMENTS

Storage is ⁰ instream

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

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

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:

$$360 A = 64 (13.44 \text{ m}^3/\text{h}) \times (45 \text{ hrs}) = 502 \text{ AF}$$

$$43560$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Reservoir Storage

Period of Use

From 01-01 To 12-31

Rate of Diversion

Q (cfs)

Annual Volume

V (af)

Totals:

2. Recommended Amendments

Change P.D. as reflected above

Change P.U. as reflected above

Add P.D. as reflected above

Add P.U. as reflected above

None

Other

I. AUTHENTICATION

Field Examiner's Name

Date

Reviewer

Wayne J. Baker
Date 8-16-01

SEAL



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

January 22, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

TERRY E MORT
2960 KILLDEER LN
POST FALLS ID 83854

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-08994

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

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

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

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APR 11 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-8994

Reviewed By: dgibson

Date: January 22, 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.:		N14056	Well driller's report filed?		
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		12/05/2000
Date proof due	-	02/01/2001
No. of days late	=	0
Holiday allowance	+	
Priority date	+	09/24/1998
New priority date	=	09/24/1998

Deficiencies of Actions Items

Acknowledge proof.

November 30, 2000

TERRY E MORT
2960 KILLDEER LN
POST FALLS ID 83854

PROOF DUE NOTICE

RE: PERMIT NO. 95-08994

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 February 1, 2001.

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

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

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

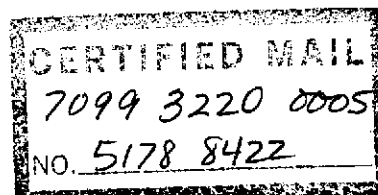
SINCERELY,

DEBORAH GIBSON
Administrative Assistant

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 26, 1999

TERRY E MORT
2960 KILLDEER LN
POST FALLS ID 83854

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08994

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 the diversion dam is 10 feet or more in height, or has an impounding capacity of 50 acre-feet or more, certain dam safety requirements must be met. Please contact the regional office nearest you for details.

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APR 15 1999

299

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

Sincerely,

Shelley Walter Keen

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

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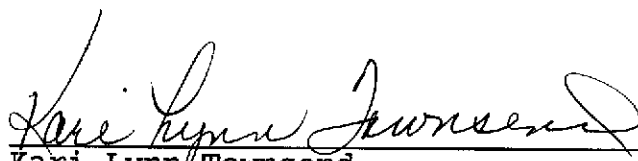
APR 15 1999

CERTIFICATE OF MAILING

I hereby certify that on the 26th 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. 95-08994

TERRY E MORT
2960 KILLDEER LN
POST FALLS ID 83854


Kari Lynn Townsend
Secretary

UNFILMED
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.

MICROFILMED

APR 15 1999

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.: 95-8994 Name: Mort Date: 1/21/99 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 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: None

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, ~~18A~~

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);

Municipal

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

Domestic surface

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

>1 in rest. area

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

Fire Protection

- 071-070

- 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:

- 0 Rec Star/fishing

BENEFICIAL USE DUE:

- 2 /1/ 2001

COMMENTS:

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

WR/
WPA
BCA

APPLICATION # 95-08994

INITIAL REVIEW

JAN 13 1999

DEPARTMENT OF WATER RESOURCES

APPLICANT: MORT

BY: B

DATE: 9/24/98

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 # _____

PROCESSING

(Yes)(No) PRIORITY DATE: 9/24/98
X (Include Moratorium Remark)
X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: LEWIS & CLARK 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

D Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
<u>1</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
<u>1</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
<u>1</u>	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()
- 10/26 Notice of pending void order issued. Final order response date: _____/_____/_____
 - 10/26 Further information required from applicant
 - 10/26 Affidavit of publication received
 - 10/26 Application published correctly. If not, record action taken: _____
 - 10/26 Publication dates and paper recorded on application | Sr. Agent initial B
 - X Protests received, Final protest date: 11/2/98
 - X Measuring device required
 - X Measuring port required
 - X Special conditions:
 - X Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: B

Date: 12/28/98

Memorandum to File

Date: December 28, 1998

From: Beardslee

File: 95-08994

RE: Fish and Game review of surface water Application for Permit

The Idaho State Fish and Game Department was given the opportunity to review this filing, in addition to our notification of new water right filings list.

Northern Region was given no negative response to the approval of 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 15 day of OCTOBER, 1998, and ending on the 22 day of OCTOBER, 1998, 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 22 day of OCTOBER, 1998.

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:

MORT, TERRY E
2960 KILLDEER LANE
POST FALLS, ID 83854

ok 95-08994

Source: UNNAMED STREAM Tributary: MICA CREEK, NORTH FORK
Diversion Pt: LOT 5 (SWNW) Sec 6 T 49N R 04W in KOOTENAI County.

Use: RECREATION STORAGE

Total Diversion:

(10.00 AF)
(10.00 AF)

Date Filed: 9/24/1998

In: KOOTENAI County

T49N R04W S06 Lot 5 (SWNW)

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 NOVEMBER 2, 1998.

KARL J. DREHER, Director

Legal 65

October 15, 22, 1998

RECEIVED

OCT 26 1998

IDWR/North

MICROFILMED

APR 13 1999

95-08994

MORT, TERRY E
2960 KILLDEER LANE
POST FALLS, ID 83854

Source: UNNAMED STREAM

Tributary: MICA CREEK, NORTH FORK

Diversion Pt: LOT 5 (SWNW) Sec 6 T 49N R 04W in KOOTENAI County.

Use: RECREATION STORAGE	(	10.00 AF)
Total Diversion:	(	10.00 AF)

Date Filed: 9/24/1998

In: KOOTENAI County
T49N R04W S06 Lot 5(SWNW)

MICROFILMED

APR 15 1999

October 7, 1998

Terry E Mort
2960 Killdeer Lane
Post Falls ID 83854

Re: Water Appropriation Application No. 95-08994

Dear Mr. Mort:

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

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

N012435

Date:
Time:

9/24/1998
14:14:42

Received
From:

TERRY MORT
Type of Payment

WATER RIGHT APP
SMALL DAM APPLICATION

Program A cct

Amount

55103
55121

229 21 1155
229 21 1155

50.00
10.00

CHECK

1014

Total

\$

60.00

Region: NORTHERN

Signature: _____

MICROFILMED

APR 15 1993