

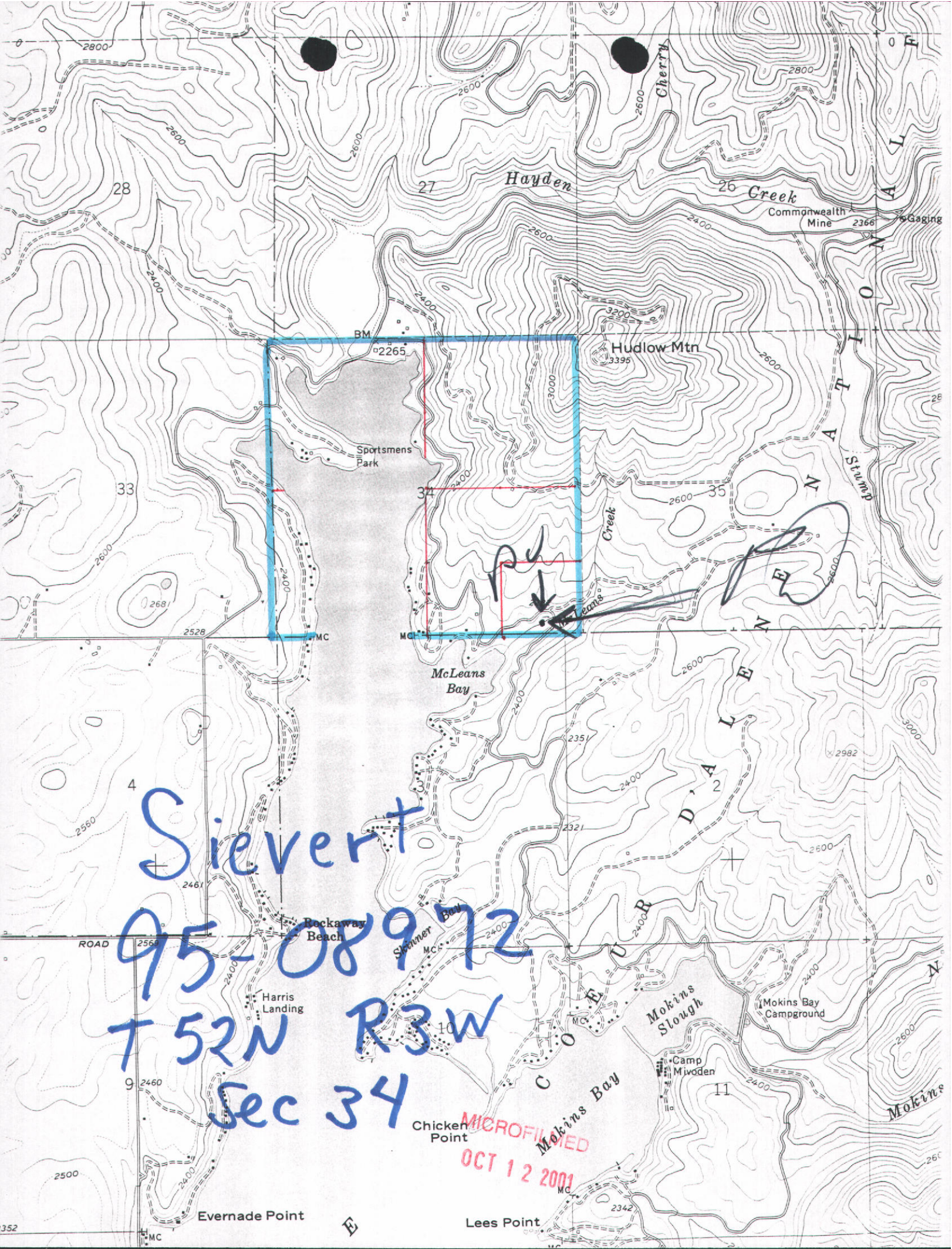


POINT OF
DIVERSION

PLACE OF
USE

MICROFILMED
FEB 13 1998

SIEVERT
T.52N., R.3W.



Sievert

95-08972

T 52N R 3W

Sec 34

MICROFILMED
OCT 12 2001

STATE OF IDAHO

PERMIT # _____



95-08972

MICROFILMED
OCT 12 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-08972

Priority: August 05, 1997

Maximum Diversion Rate: 0.01 CFS
Maximum Diversion Volume: 0.2 AF

It is hereby certified that RICHARD W SIEVERT
6300 OHIO MATCH RD
HAYDEN LAKE ID 83835 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 05, 1997; and has
submitted Proof of Beneficial Use on September 23, 1998. An examination indicates that the works
have a diversion capacity of 0.01 cfs of water from:

SOURCE

MC LEANS CREEK

Tributary: HAYDEN LAKE

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER STORAGE	01/01 to 12/31		0.1 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: STOCKWATER STORAGE

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

PLACE OF USE: STOCKWATER - Same as Stockwater Storage

CONDITIONS OF APPROVAL

1. 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 17TH day of MAY, 2001.

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OCT 12 2001

Acting for

KARL J. DREHER
Director



RECEIVED

SEP 25 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Source 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. 95-08972 Telephone No. 208-7621133
2. Name(s) of Permit Holder(s): RICHARD W. SIEVERT
3. Mailing Address: 14400 E. HAYDEN LAKE RD, HAYDEN LAKE 83835
4. Source of Water: UNNAMED STREAM GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
 - a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____
 - b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): 3 HORSES
2 CATTLE
Irrigation (No. of acres): _____ Other: SMALL POND
6. Total rate of diversion and/or volume for which proof is submitted: _____ cfs OR 2.0 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: \$ 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 AS ABOVE Telephone Number: 0
Address: 0
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: [Signature] Date: 9/23/98
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-08972

Proposed Priority: August 5, 1997

Maximum Diversion Rate:

0.02 CFS

This is to certify, that RICHARD W SIEVERT

14400 E HAYDEN LAKE RD

HAYDEN LAKE ID 83835

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of MC CLEANS CREEK

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>
STOCKWATER	01/01 to 12/31	0.02 CFS	
STOCKWATER STORAGE	01/01 to 12/31		2.0 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		2.0 AF
	Totals	0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: STOCKWATER

TWN RGE SEC

52N 03W 34

SESE

PLACE OF USE: STOCKWATER FROM STORAGE, same as STOCKWATER 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 October 1, 1998.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 95A.
4. Stockwater use is for 3 horses and 2 range cattle.

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

30th day of September, 1997.

Karl J. Dreher
for Karl J. Dreher, Director

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FEB 13 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 95-8972
RECEIVED
SEP 19 1997
Department of Water Resources

1. Name of Applicant RICHARD W. SIEBERT Phone 208-762-1133
Mailing address 14400 E HAYDEN LAKE RD, HAYDEN LAKE ID 83835
2. Source of water supply UNNAMED STREAM which is a tributary of MCLEANS CREEK
3. Location of point of diversion is Township 52N Range 3W Sec. 34 in the SE 1/4.
SE 1/4, SE 1/4, Govt. Lot _____, B.M., KOOTENAI County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:
05 Amount 0.1 acre-ft/annum for STORAGE FOR STOCKWATERING purposes from JAN 1 to DEC 31 (both dates inclusive)
06 Amount 2.4 acre-ft/annum for STOCKWATER FROM STORAGE purposes from JAN 1 to DEC 31 (both dates inclusive)
04 Amount 0.02 acre-ft/annum for STOCKWATER purposes from JAN 1 to DEC 31 (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated is (a) .02 cubic feet per second and/or (b) .25 2.0 acre feet per annum

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source ON-STREAM POND
b. Height of storage dam 6 feet; active reservoir capacity 2.25 acre-feet; total reservoir capacity 2 acre-feet
c. Proposed well diameter is 0 inches; proposed depth of well is 0 feet
d. Is ground water with a temperature of greater than 85° F being sought? NO
e. If well is already drilled, when? 0; Drilling firm 0
Well was drilled for (well owner) 0; Drilling Permit No. 0

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. 0
b. Stockwatering; list number and kind of livestock. 3 HORSES, 2 BEEF CATTLE
c. Municipal; show name of municipality. 0
d. Domestic; show number of households. 0
e. Other; describe fully. 0

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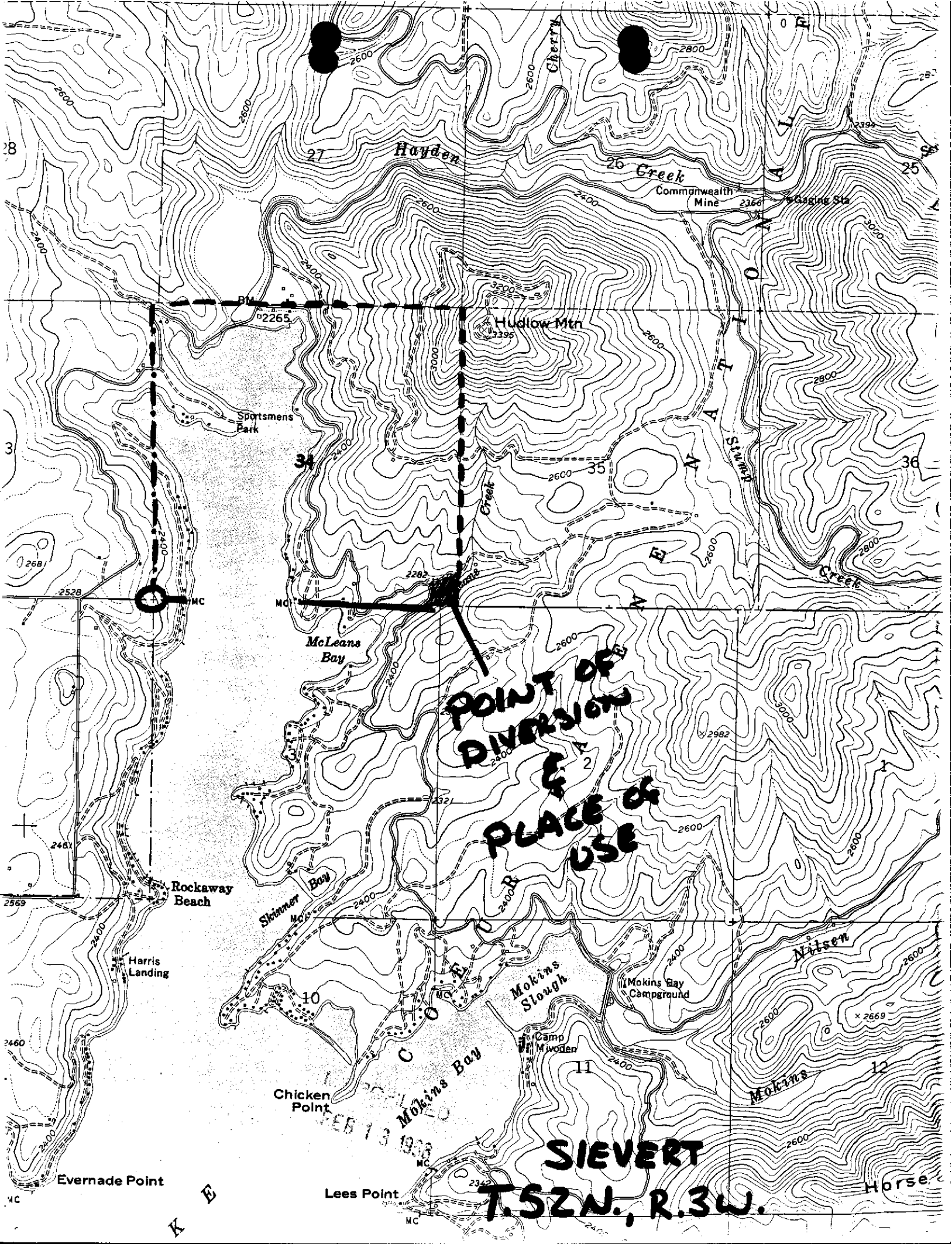
FEB 19 1998

9. Description of place of use:

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

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

TWP	RGE	SEC																
24	34	NE	NE				NW				SW				SE			



**POINT OF
DIVERSION
&
PLACE OF
USE**

**SIEVERT
T.52N., R.3W.**

FEB 13 1968



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

May 18, 2001

RICHARD W SIEVERT
6300 OHIO MATCH RD
HAYDEN LAKE ID 83835

RE: License No. 95-8972 - 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:kl

Enclosure(s)

MICROFILMED

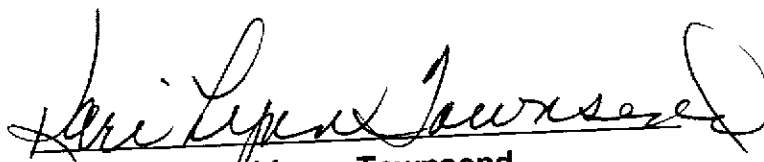
OCT 12 2001

CERTIFICATE OF MAILING

I hereby certify that on May 18, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 95-8972

**RICHARD W SIEVERT
6300 OHIO MATCH RD
HAYDEN LAKE ID 83835**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

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OCT 12 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

LICENSE REVIEW CHECKLIST

Permit No: 95-8972 Date: 5-16-01 Reviewer: Kay Walker

Change/OK

Name/Address

change address per exam

Source

Point of Diversion:

clarify
OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

OK

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

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

none

File reviewed Profile reports printed

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

Rate of Diversion:

Permitted rate 0.02/20 AF

Fee Limit 0.2 cfs

Measured 0.01 cfs

Theoretical 0.01/0.1 AF

Recommended Total Diversion Rate 0.01 cfs / 0.1 AF

Water Uses

OK Change (P46)

Season of Use per new Standards

Irrigation cfs af
Stockwater 0.01 cfs 0.1 af
Domestic cfs af
SS cfs 0.1 af
SFS cfs 0.1 af
Total 0.01 cfs 0.1 af

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

*No stock from storage because cattle drink directly from the pond.
S. Keen
5/17/01*

Volume Determination

 cfs x 1.9835 x days = af (vs) acres x (FHR) = af

Remarks:

Additional Conditions YPS Watermaster Control - 95A
 GW Measurement/Measuring Device
 Other
Trust R55 - remove 051)
Non-trust (048/049)

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

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

SRBA Claim?

N/A

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 18 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-08972

1. Owner: Richard W. Severit Phone No. (208) 762-1133

Current Address: 6300 Ohio Match Rd. Hayden Lake Id. 83835

2. Accompanied by: Richard Severit EXAM DATE: 8-1-00

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Mc Cleans Creek tributary to Hayden Lake

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SE	34	52N	03W	Kootenai	U.S.G.S. 7.5 min QUAD

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
52N	03W	34																5	

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WA

2. Measurements:

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

D. FLOW MEASUREMENTS

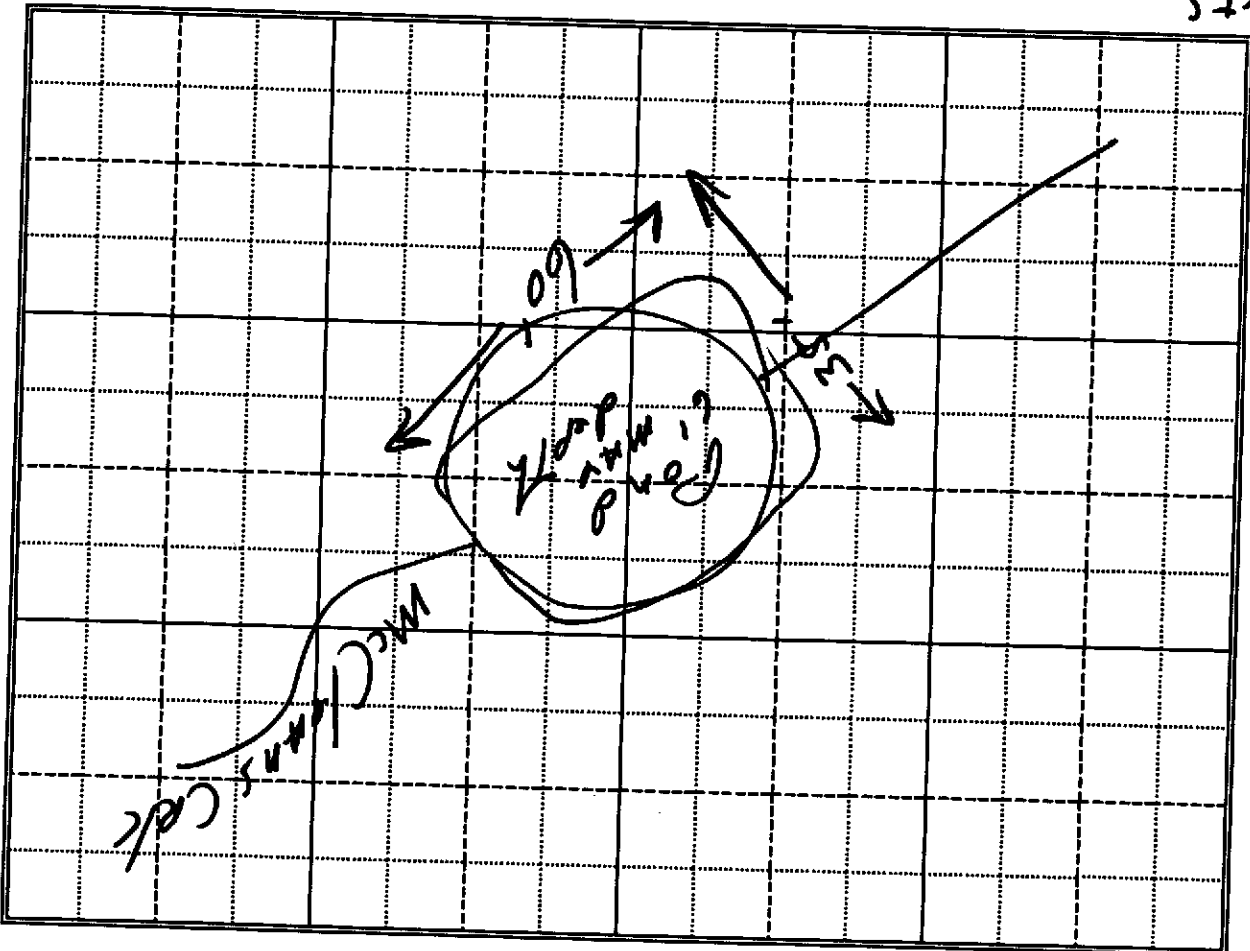
Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

4.

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

Scale: 1" = 400'



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

OCT 12 2001

E. NARRATIVE/REMARKS/COMMENTS

Lined area for narrative/remarks/comments.

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

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SEAL

I. AUTHENTICATION

Field Examiner's Name Wayne Babler Date 8-15-00
 Reviewer _____ Date _____

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 _____

2. Recommended Amendments

Beneficial Use		Period of Use		Rate of Diversion		Annual Volume	
<u>Stockpiled from 8th</u>		<u>From 01-01 To 12-31</u>		<u>.01</u>		<u>.1</u>	
<u>Stockpiled 10th</u>		<u>From 01-01 To 12-31</u>		<u>.01</u>		<u>.1</u>	
<u>Stockpiled from 8th</u>		<u>From 01-01 To 12-31</u>		<u>.01</u>		<u>.1</u>	
<u>Totals:</u>		<u>.01</u>		<u>.2</u>			

H. RECOMMENDATIONS

1. Recommended Amounts

Shed instream stockwater
 .01 - .01
 .01

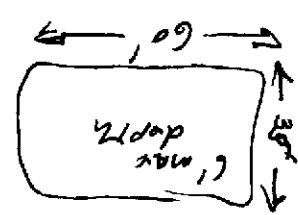
G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{dr} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{ir} \text{ and } V_{dr} =$$



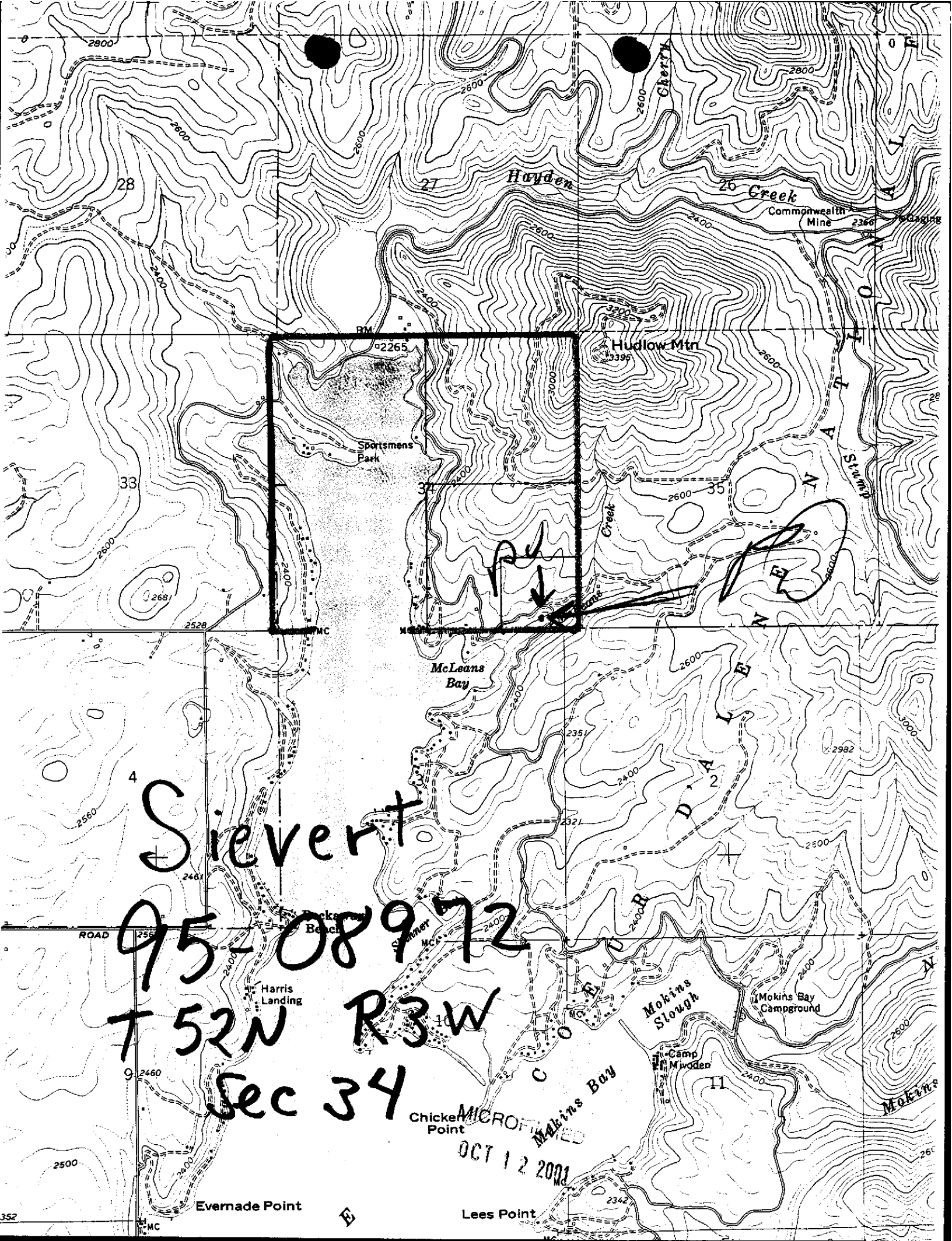
$$60 \times 35 \times 6 \times .4 = 43520$$

$$= .115 AF$$

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached



Siever

95-08972

T 52N R 3W

Sec 34

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STATE OF IDAHO

PERMIT # _____



95-08972

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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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 22, 1998

Richard W Sievert
14400 E Hayden Lake Rd
Hayden Lake ID 83835

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-08972

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.

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,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

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OCT 28 1998

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 95-08972 Reviewed by [Signature] Date 10-22-98

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
NO Required?
☐ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	<u>X</u>	_____	
Date proof due	_____		-	_____
No. of days late	_____		=	_____
Priority Date	_____		+	_____
New Priority Date	_____			_____

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address X Proof Made 9-23-98

July 31, 1998

RICHARD W SIEVERT
14400 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

PROOF DUE NOTICE

RE: PERMIT NO. 95-08972

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 October 1, 1998.

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

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

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

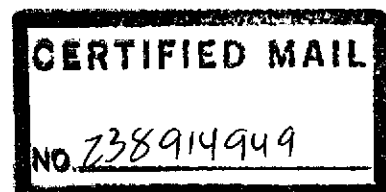
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

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OCT 28 1998





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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 1, 1997

RICHARD W SIEVERT
14400 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08972

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.

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.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

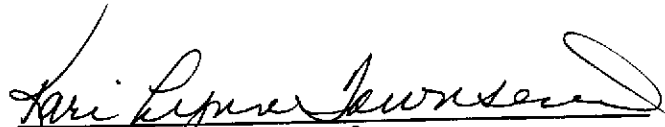
MICROFILMED
FEB 13 1998

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of October, 1997, 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. 95-08972

RICHARD W SIEVERT
14400 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835


Kari Lynn Townsend
Secretary

MICROFILMED

FEB 13 1998

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Cindy Lou*
 No.: 95-8972 Name: Sievert Date: 9/29/97 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/no proof

P16

>1 year

- 26A-P17

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

>0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD >0.24 cfs

- 01M (report when notified)

>5 a.

- 01M; 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

Existing well

- NA (pre 7/1/87; ✓ WDQ3)

Included w/permit

- Permit No. _____ P39

No drilling permit?

- 046-46B-P23 (post 7/1/87)

irr. in WD

- P05 (new well location)

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

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- 31A (modify remark *WB9)

WD (✓ MAP & LISTING)

- R04 (WD # 95A) ~~046-P08~~ (MD) 18A

Pumped >0.20 cfs

- 01H-P01 (LD & MD) 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-P07 (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)

USE:

Domestic surface

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

>1 in rest. area

- 071-070-P53

Fish Propagation

- 029-007-042(req)-081-R07 (WQ)-P10; 044 (N of 1000 Springs)

Irr ≤ 5 acres

- R49/R50/R51/R52 (0.03 cfs/acre +AF)

> 5 acres

- R29/R30/R31/R32 (0.02 cfs/acre +AF)

Mining

- 054(req)-081-R07-P10

Muni (in restricted areas)

- 022, 075, 004 (+memo?)

Power

- 17H/17K(+uses)-08A-025-01N(P19)-028-081-R07(P10); 027 (if no other cons. use);

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

Stock (BLM/USFS)

- R37, NA

Storage (✓3 compo.)

- 080; 18A (in- & out-flow MD within district), 18B-P09 (>10' dam),

LOCATION:

42-248 area

- P84 (in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

SWAN FALLS FLAG (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:

BENEFICIAL USE DUE:

- 10/1/ 1998

COMMENTS:

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCES
APPROXIMATION APPLICATION ANALYSIS SHEET

RECEIVED
SEP 19 1997

WEL
WPA
AC

APPLICATION # 95-8972

DEPARTMENT OF WATER RESOURCES

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

APPLICANT: SIGVERT BY: B DATE: 8/5/97

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
13. (X) Map
(X) Signature
(X) Fee (Amt, recpt, acknowlegment)

*** 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 # 9SA

PROCESSING

Yes No

PRIORITY DATE: 8/5/97

X (Include Moratorium Remark)

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

CA/Thurs/ok

ADVERTISE IN: KOOTENAI County.

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

***** GROUNDWATER SECTION *****

(Yes) (No)

- Y Groundwater management area
+ Critical ground water area
+ Well Drilling Permit required
+ Well Drilling Application and Fees received
+ Well Drilling Application approved?
Well Drilling Application Number _____

Checked by: _____ Date: ____/____/____

Remarks: _____

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

- 9/3 Notice of pending void order issued. Final order response date: ____/____/____
9/3 Further information required from applicant
9/4 Affidavit of publication received
9/4 Application published correctly, If not, record action taken: _____
9/4 Publication dates and paper recorded on application | Sr. Agent initial B
9/4 Protests received. Final protest date: 9/8/97
9/4 Measuring device required
9/4 Measuring port required
9/4 Special conditions: _____
9/4 Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: B. R. M. Date: 9/9/97

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Kootenai, } ss.

Michelle Price 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 21st day of August 1997, and ending on the 28th day of August 1997, 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.

Michelle Price

Subscribed and sworn to before me this 28th day of August 1997.

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:

95-08971

IRVINE, MIKE
W 7950 COUGAR GULCH
COEUR D ALENE, ID 83814
Source: COUGAR CREEK
Tributary: COEUR D ALENE LAKE
Diversion Pt: LOT 4 (SWSW) Sec 30 T
50N R 04W in KOOTENAI County.
Use: IRRIGATION (0.030 CFS)
IRRIGATION STORAGE (0.60 AF)
IRRIGATION FROM STORAGE (0.60 AF)
WILDLIFE (0.030 CFS)
WILDLIFE STORAGE (0.60 AF)
RECREATION (0.030 CFS)
RECREATION STORAGE (0.60 AF)
DIVERSION TO STORAGE (0.030 CFS)
Total Diversion: (0.030 CFS)

Date Filed: 5/23/1997
In: KOOTENAI County
T50N R04W S30 Lot 4 (SWSW)
1.0 ACRES TOTAL

95-08972

SIEVERT, RICHARD W
14400 E HAYDEN LAKE ROAD
HAYDEN LAKE, ID 83835
Source: UNNAMED STREAM
Tributary: MC CLEANS CREEK
Diversion Pt: SESESE Sec 34 T 52N R
03W in KOOTENAI County.
Use: STOCKWATER (0.020 CFS)
STOCKWATER STORAGE (2.00 AF)
STOCKWATER FROM STORAGE (2.00 AF)
Total Diversion: (0.020 CFS)

Date Filed: 8/5/1997
In: KOOTENAI County
T52N R03W S34 SESE

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
SEPTEMBER 8, 1997.

KARL J. DREHER, Director

Legal 828
August 21, 28, 1997

RECEIVED

SEP 03 1997

NORTHERN REGION
IDWR

MICROFILMED

FEB 13 1998

August 13, 1997

Richard W. Sievert
14400 E Hayden Lake Road
Hayden Lake ID 83835

Re: Water Appropriation Application No. 95-08972

Dear Mr. Sievert:

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

MICROFILMED

FEB 13 1998

95-08972

SIEVERT, RICHARD W
14400 E HAYDEN LAKE ROAD
HAYDEN LAKE, ID 83835

Source: UNNAMED STREAM

Tributary: MC CLEANS CREEK

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

Use: STOCKWATER	(	0.020 CFS)	
STOCKWATER STORAGE			(2.00 AF)
STOCKWATER FROM STORAGE			(2.00 AF)
Total Diversion:	(	0.020 CFS)	

Date Filed: 8/ 5/1997

In: KOOTENAI County
T52N R03W S34 SESE

MICROFILMED

FEB 13 1998