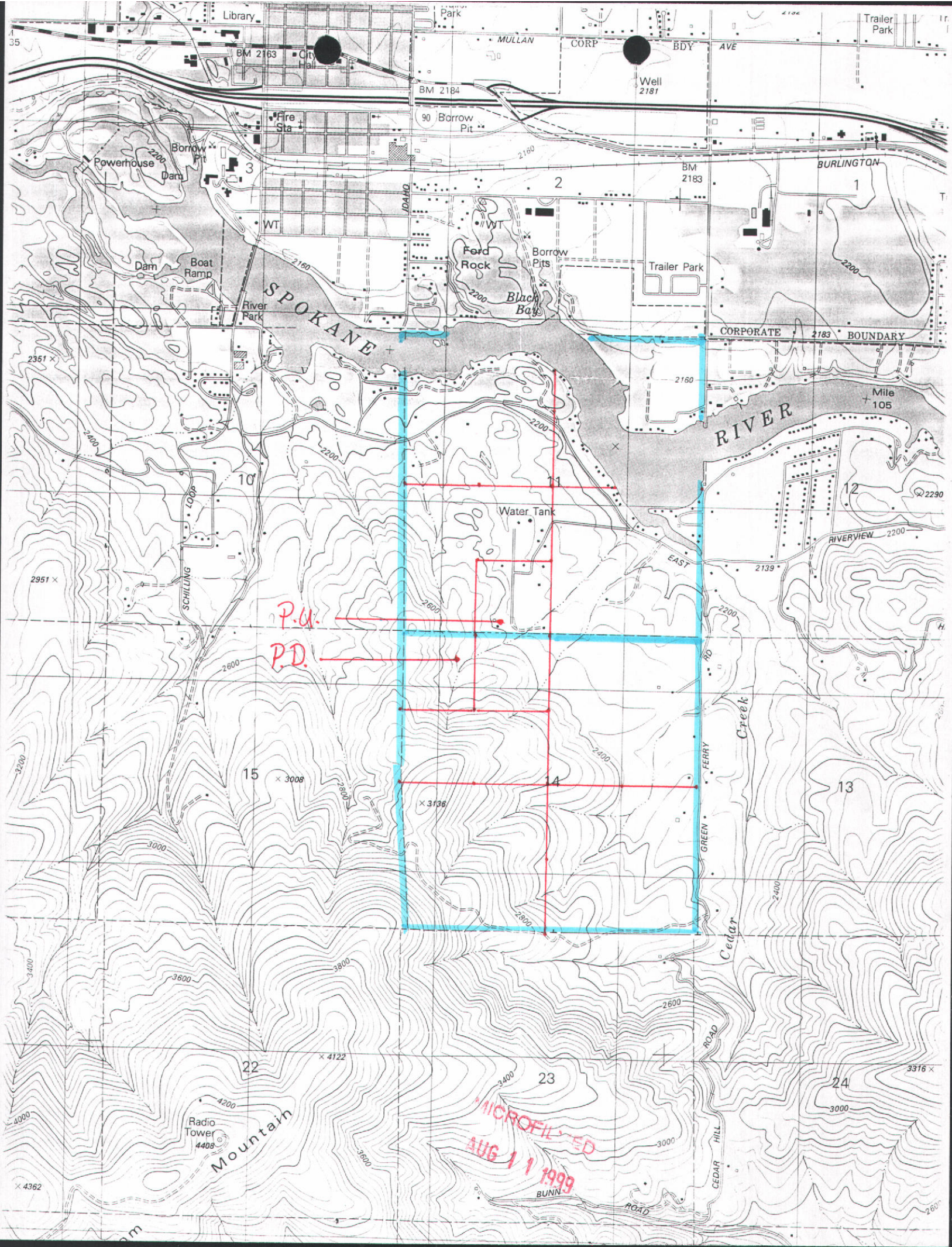




PERMIT # 95-08827

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ENT

S

Place
of
use,
Irrigation



Irrigation



Irrigation



MICROFILMED
1 3 1 1 1999

PERMIT # 95-08827

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



Point
of
Diversion

Place of Use
Stockwater/
wild life



95-08827

Stockwater/
wild life

MICROFILMED
AUG 11 1999

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-08827

Priority: September 7, 1993

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

0.2 AF

This is to certify, that DAVID L BUISING
MARTHA K BUISING

1571 TANGLEWOOD

POST FALLS ID 83854

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 7, 1993; and has submitted Proof of Beneficial Use on August 20, 1998. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

SPRING

tributary to SINKS

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>
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	0.1 AF
	Totals	0.01 CFS	0.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 14, Township 50N, Range 05W
KOOTENAI County

PLACE OF USE: STOCKWATER

TWN RGE SEC

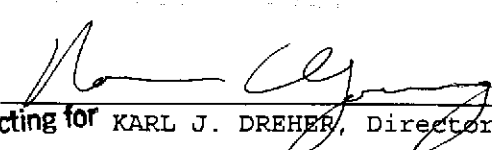
50N 05W 14

NWNW

PLACE OF USE:

WILDLIFE, same as STOCKWATER use

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 30th day of JUNE, 1999.


Acting for KARL J. DREHER, Director

MICROFILMED

AUG 11 1999

RECEIVED

AUG 20 1998

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00

Receipt No. 003185

Receipt By: LS

Date Received: 8/20/98

Department of Water Resources

STATE OF IDAHO
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. 95-08827 Telephone No. (208) 773-3085
2. Name(s) of Permit Holder(s): DAVID L. BUISING & MARTHA K. BUISING
3. Mailing Address: 1571 TANGLEWOOD, POST FALLS, ID 83854
4. Source of Water: SPRING If **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): 1 Stockwater (No. and type of stock): 10 RANGE CATTLE
Irrigation (No. of acres): — Other: WILDLIFE
6. Total rate of diversion and/or volume for which proof is submitted: 0.02 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 <u>—</u>	or	No <u>X</u>
	Has the measuring device been installed?	Yes <u>—</u>	or	No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes <u>—</u>	or	No <u>X</u>
	Has the measurement port been installed?	Yes <u>—</u>	or	No <u>X</u>
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: DAVID L. BUISING Telephone Number: (208) 773-3085
Address: 1571 TANGLEWOOD, POST FALLS, ID 83854
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: David L. Busing

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

Date: 08-17-98

001 28 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-08827

Proposed Priority: September 7, 1993 Maximum Diversion Rate: 0.02 CFS

This is to certify, that **DAVID L BUISING**
MARTHA K BUISING
1571 TANGLEWOOD
POST FALLS ID 83854
has applied for a permit to appropriate water from:

SPRING tributary of **SINKS**

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

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

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 14, Township 50N, Range 05W
KOOTENAI County

PLACE OF USE: STOCKWATER

TWN RGE SEC

50N 05W 11 SWSE
14 NWNW

PLACE OF USE: WILDLIFE, same as STOCKWATER use

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS/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. 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. Stockwater use is for 10 range cattle.
5. Domestic use is for lawn and garden.

OCT 28 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-08827

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

25 th day of October, 19 93.

R. Keith Higginson
for R. Keith Higginson, Director

RECEIVED
OCT 28 1993

OCT 28 1993

RECEIVED
OCT 06 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 95-8827

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant DAVID L. OR MARTHA K BUISSING Phone 773-3085
Post office address 1571 TANGLEWOOD, POST FALLS, ID 83854
2. Source of water supply SPRING which is a tributary of SINKS
3. Location of point of diversion is 1/4 of NW 1/4 of NW 1/4, Govt. Lot
Sec. 14 Township 50N Range 5W B.M. KOOTENAI County; additional
points of diversion if any:
4. Water will be used for the following purposes:
Amount 0.02 for STOCKWATER purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for WILDLIFE purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for DOMESTIC purposes from MAR 15 to NOV 15 (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) 0.02 and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 1000 GAL STORAGE TANK WITH PIPELINE TO PLACE OF USE

b. Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity acre-feet; period of year when water will be diverted to storage:
 to inclusive.
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)
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
5 years (minimum 1 year).

applicant to make this filing.

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

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

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

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

Total number of acres to be irrigated

[illegible]

ponding 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 column.

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

9. Description of place of use:

e. Other, describe fully. PROVIDE WATER TANK FOR DEEP ETC

d. Domestic; show number of households.

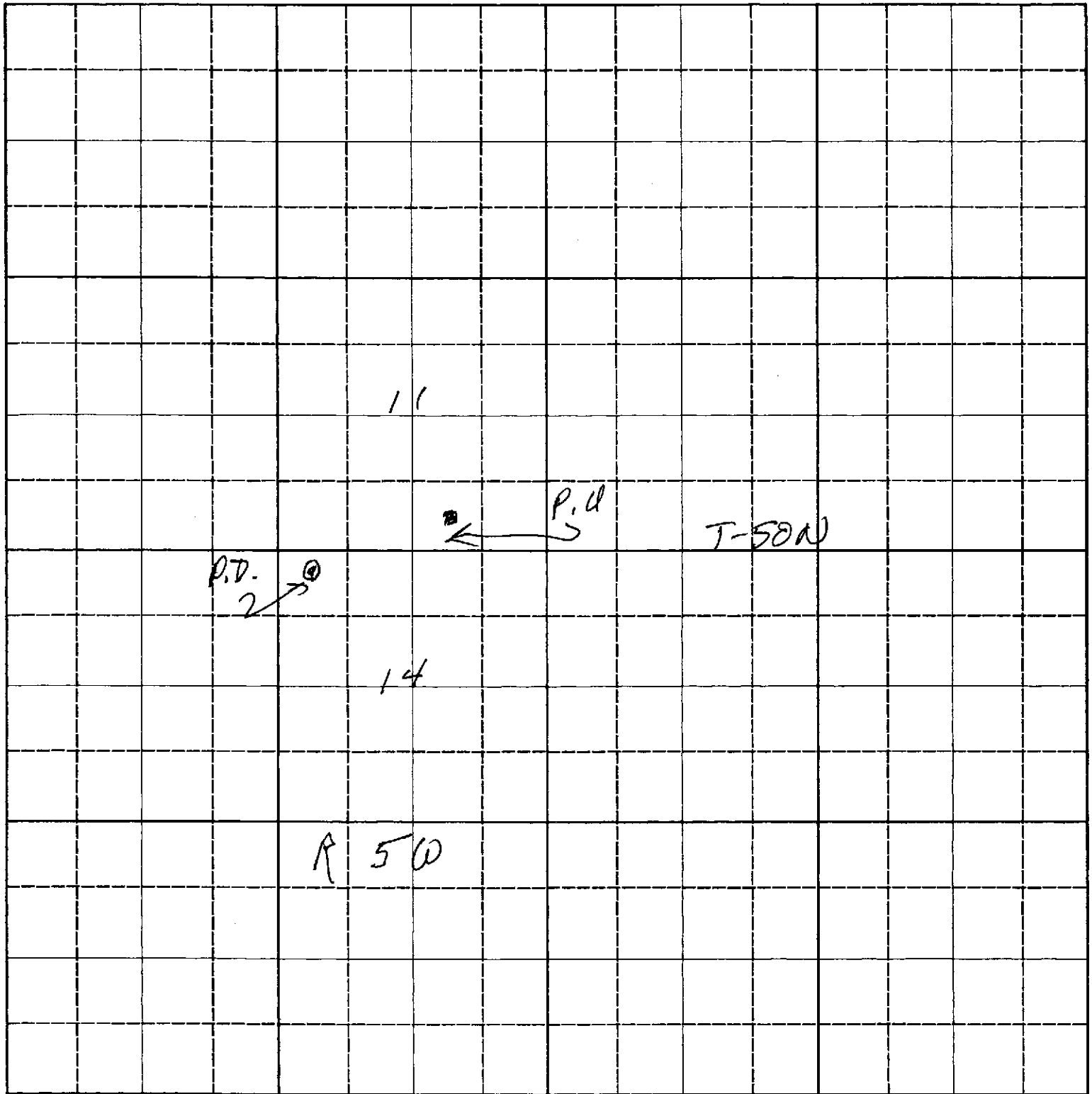
c. Municipal; show name of municipality.

b. Stockwatering, list number and kind of livestock. 10 Head

a. Hydropower; show total feet of head and proposed capacity in kW.

8. Description of proposed uses (if irrigation only, go to item 9):

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

David S. Brising
(Applicant)

28 1993

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by SK Date 9/7/93 Time 12:30pm Preliminary check by _____
Fee \$ 30.00 Received by _____ # NG 48 Date 9/7/93
Publication prepared by _____ Date 9/8/93 Published in _____
Publication approved _____ Date 9/30/93

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

Idaho No. _____, and said application is hereby _____

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

_____, 19____

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: _____

OCT 28 1993
Idaho Department of Water Resources



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

July 1, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID L BUISING
MARTHA K BUISING
1571 TANGLEWOOD
POST FALLS ID 83854

RE: WATER RIGHT NO. 95-08827

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,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
AUG 11 1999

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of July, 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. 95-08827

DAVID L BUISING
MARTHA K BUISING
1571 TANGLEWOOD
POST FALLS ID 83854


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.

MICROFILMED
AUG 11 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.



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

May 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID L BUISING
MARTHA K BUISING
1571 TANGLEWOOD
POST FALLS ID 83854

RE: WATER RIGHT NO. 95-08827

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received this amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you has been misplaced, a new one is enclosed. Please note that the filing fee for this amendment is \$50.00.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
AUG 11 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

May 4, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID L BUISING
MARTHA K BUISING
1571 TANGLEWOOD
POST FALLS ID 83854

RE: Water Appropriation Permit 95-08827

Dear Mr. and Mrs. Buising:

The Department of Water Resources is reviewing Water Appropriation Permit 95-08827, issued to you in 1993, prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that some of your water use occurs in a location other than what was described on your permit. Therefore, before a license can be issued, the permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place of use and other water right elements as they will appear on the license when it is issued. Please note, however, that some of the proposed conditions of approval and remarks may be modified upon further administrative review. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Also, please note that the examiner who verified your water use reported that you are irrigating up to three acres. The domestic use authorized by your permit allows for irrigation of up to half an acre. Permit 95-08827 cannot be amended to authorize an increase in use above what was originally authorized. Therefore, if you intend to irrigate more than half an acre, you will need another water right. I have enclosed a new application form you.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

MAY 11 1999

MEMORANDUM

TO: File 95-08827

FROM: Sharla

DATE: April 22, 1999

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 95-08827 are as follows:

H. RECOMMENDATIONS

~~Domestic~~	~~1/1 - 12/31~~	~~0.02 cfs~~	~~0.6 afa~~
Stockwater	1/1 - 12/31	0.02 cfs	0.1 afa
Wildlife	1/1 - 12/31	0.02 cfs	0.1 afa
	TOTALS	0.02 cfs	~~0.8 afa~~
		0.01	0.2

This exam was conducted in the winter and no indication is made as to where the measurement took place. The difference between the measurement and permitted rate is small; the license should be issued for the permitted rate.

The original permit was for stockwater, wildlife and domestic purposes. On the second page of the application, domestic use was listed as being "lawn and garden". Based on that, the volume that would typically be given at time of licensing is 0.6 af for external use. The nature of use cannot be changed to irrigation for 3 acres at 9.0 af. The right holder is limited to 1/2 acre lawn and garden irrigation under this right. Another application should be filed for irrigation use to cover the remaining property.

*No amendment filed -
license reduced*

Exam Date: February 10, 1999
Examiner: Dave Pagel

MICROFILMED

AUG 11 1999

LICENSE REVIEW CHECKLIST

PERMIT NO. 9508827 DATE 4/22/99 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 Chg ☐ 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 .02 cfs
 Fee limit .20 cfs \$50⁰⁰
 Measured .01 cfs
 Theoretical cfs

Recommended Total Div Rate .02 cfs

WATER USES	Change (P46)		
~~Dom~~ <u>Dom</u>	<u>.02</u> cfs	<u>313</u> af	Irrig -
~~Stock~~ <u>Stock</u>	<u>.02</u> cfs	<u>.1</u> af	overlap (R58-R61, R62-R65, R66-R69)
~~Wild~~ <u>Wild</u>	<u>.02</u> cfs	<u>.1</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>.02</u> cfs	<u>9.2</u> af	Power (W42 or W43/025/027/R22 or R23)
			Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate .02 cfs X 246 days X 1.98 = 9.7 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 rate/users
 Amend letters P41 P38
P42

Dom would have been 0.6 af

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 22 1999

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-08827

1. Owner: David L., Martha K. Ruising Phone No. (208) 773-3085

Current Address: 1571 Tanglewood Post Falls, Idaho 83854

2. Accompanied by: David Ruising EXAM DATE: Feb 10, 1999

Address: Same Phone No. _____

Relationship to Permit Holder: Self

3. Source: Spring tributary to sinks

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
			NW	NW	14	50N	5W	Kootenai	USGS 7.5' Quad.

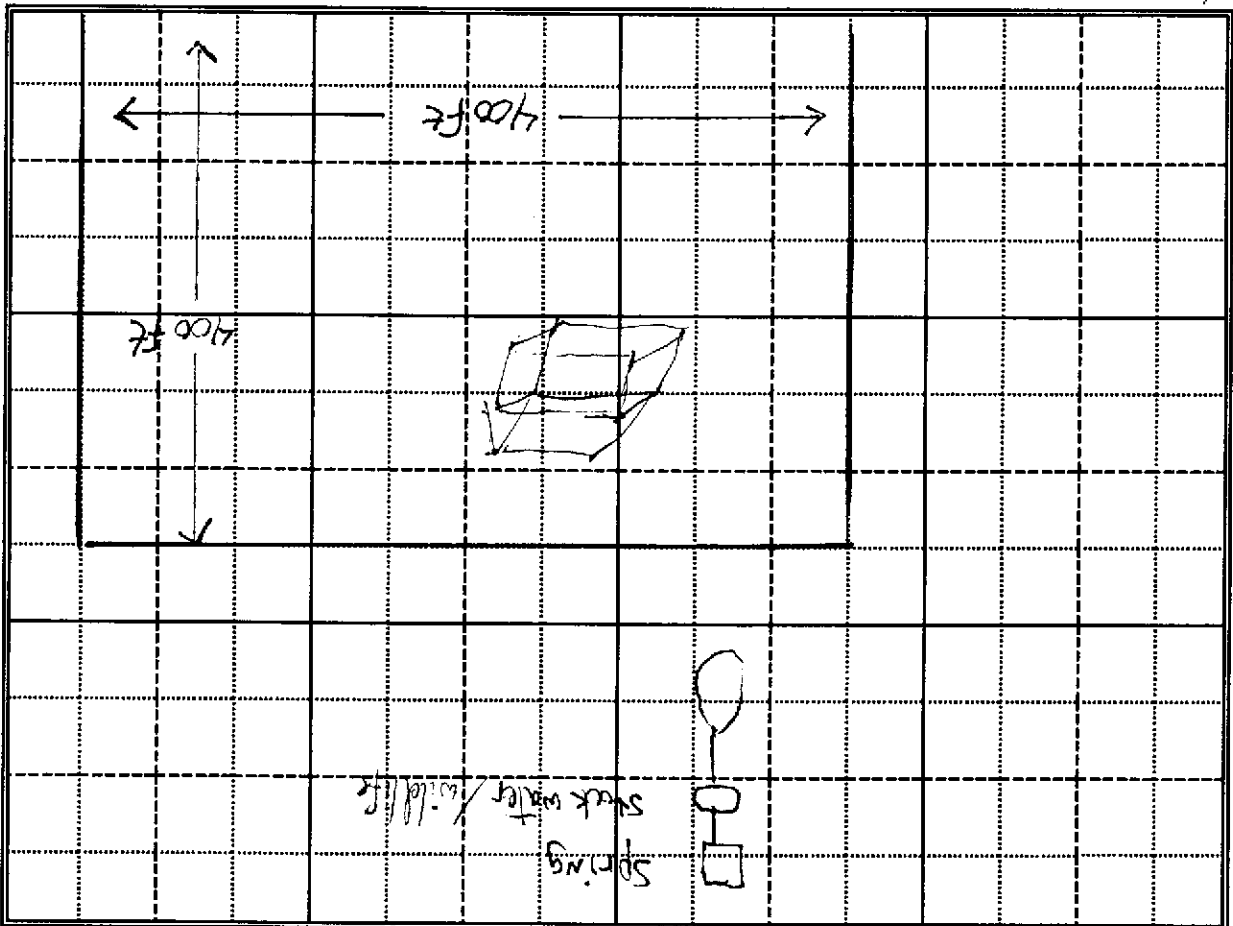
2. Place(s) of Use:

Indicate Method of Determination USGS 7.5' Quad.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	5W	11												I-3.0 S					3.0
50N	5W	14					S	S											

FILED
FEB 17 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 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. N/A

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
Bucket/Stopwatch					4 gal	

2. Measurements:

4 gal, 53 seconds
MICROFILMED
JUN 1 1988

E. NARRATIVE/REMARKS/COMMENTS

Water is being diverted from a spring using a gravity flow system to irrigate approximately 3 acres of lawn and garden. Water use is also for wildlife and 2 cattle.

There is no domestic use, the user filed for domestic thinking irrigation for lawn and garden would be covered under domestic category.

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

MICROFILMED
AUG 11 1979

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$\begin{aligned}
 400 \text{ ft} \times 400 \text{ ft} &= 160,000 \text{ ft}^2 \\
 100 \text{ ft} \times 300 \text{ ft} &= 30,000 \text{ ft}^2 \quad (\text{house, barn, garage}) \\
 160,000 \text{ ft}^2 - 30,000 \text{ ft}^2 &= 130,000 \text{ ft}^2 \\
 130,000 \text{ ft}^2 / 43560 &= 2.98 \text{ acre} \\
 V_{IR} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3.0 \text{ acres} \times 3.5 \text{ af/acre/season} = 10.5 \text{ afa} \\
 V_{DR} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .01 \text{ cfs} \times 245 \text{ days} \times 1.9835 = 4.86 \text{ afa} \\
 V &= \text{Smaller of } V_{IR} \text{ and } V_{DR} = 4.86 \text{ af}
 \end{aligned}$$

2. Volume Calculations for Other Uses:

$$\begin{aligned}
 4.5 \text{ gpm} &= X \text{ cfs} \\
 4478.8 \text{ gpm} &= 1 \text{ cfs} \\
 \frac{4.5 \text{ gpm}}{4478.8 \text{ gpm}} &= \frac{X \text{ cfs}}{1 \text{ cfs}} \\
 X &= .01 \text{ cfs}
 \end{aligned}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Irrigation

Stock water

wild life

Period of Use

From To

03/15 11/15

01/01 12/31

01/01 12/31

Rate of Diversion

Q (cfs)

.01

.01

.01

Totals:

.01

Annual Volume

V (afa)

4.86 af

.40 af

5.26 af

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

David A. Hays

Date

Feb 17, 1999

Reviewer

Date

SEAL

MICROFILMED

JUNE 1 1999



PERMIT # 95-08827

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ENT



Place
of
Use,
Irrigation

Irrigation



Irrigation



95-08827

REPRODUCED
JUL 7 1999

PERMIT # 95-08827

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PERMIT



Point
of
Diversion



Place of Use
Stockwater
wild life



Stockwater
wild life

COPIED
AUG 1 1996

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 95-08827 Reviewed by [Signature] Date 9-28-98

GENERAL CONSIDERATIONS

TYPES OF USE

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

dom, wildlife, stock
Correct Uses? yes

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 8-20-98



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

September 29, 1998

David and Martha Buising
1571 Tanglewood
Post Falls ID 83854

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-08827

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 department's **NORTHERN** Regional Office in Coeur d'Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

OCT 28 1998

July 31, 1998

DAVID L BUISING
MARTHA K BUISING
1571 TANGLEWOOD
POST FALLS ID 83854

PROOF DUE NOTICE

RE: PERMIT NO. 95-08827

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.

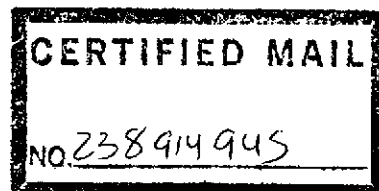
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

OCT 28 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 25, 1993

DAVID L BUISING
MARTHA K BUISING
1571 TANGLEWOOD
POST FALLS ID 83854

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08827

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

OCT 28 1993

APPLICATION FOR PERMIT
STATE OFFICE REVIEW

Application #: 95-8827 Date: 10/8/93 Reviewer: Cindy Zimmerman

AREA OF CONCERN? - No/Yes _____
SYSTEM COMPLETED:
No - 26A-~~P17~~
Complete in 1 year - P16
Yes
Proof not submitted - P16
Proof submitted - N/A
GROUNDWATER:
+ 0.2 cfs <flo-ch> - 01G-P03 (new), 01C-P03 (existing), NMR
- 0.2 cfs - NMR <flow chart>
Drilling Permit:
Included w/permit - P99 Permit No. _____
Existing well - N/A (if drilled before 7/1/87)
No WD permit? - 046-46A<Irr>-46B-P23 (if drilled after 7/1/87)
SURFACE WATER: not in WD - 01C-P03 (+.2 w/pump), NMR <flow chart>
LOCATION:
Water District - WD No. _____
Surface water - 005 or 005-01J-P08 (+.2, or -.2 no pump)
or 005-01H-P01 (-.2 w/pump); NMR
Groundwater - P05 (if well has not been drilled)
In stream channel - 030 (stream channel alteration)
Irrigation Dist. - 023
Canal Co. Areas - 023
Drainage Districts - 024
Flood Control Dist. - 063
Boise Front (63) - 058 (Groundwater temperature)
Swan Falls Flag - B <See condition code chart>
Trust - 051-052-053-P74 (Consumptive Uses)
Non Trust <1> - 048-049
RIVER BASINS (Surface): Water District Control Condition (005) &....
Boise (63) - 05A (req), 11E (non-domestic use), NA
Payette (65) - 064(consump. use), 047-P04(Payette Lake), NA
Snake (01, 02 & 03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.), NA
USE:
Fish Propagation - 010/06A/09E-P10(WQ) & 07A-042-002-P06(MD)(req)
044 (N 1000 Spr)
Irrigation - 803(if GW use SW 1st)(+5A do POU comparison)
Power - 08A-17K-025-027 (req); 01F-P19; 09E-P10;
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Mining - 06A/010/09E-P10 & 054 (req)
Storage(✓ 3 compo.) - 18A-for multi MD in WD, 18B-P09 (+10' high dam)
Domestic (surface) - 021(Boise R ↑ L Peak), 27A(Payette R) N/A
OWNERSHIP:
Non land owner - 004 (P/D or P/U)
PROTESTED:
Prehearing agreement - 020
OTHER CONDITIONS: -
REMARKS: - ① w01 (L4) ② w02 (10RC) ③ w03 (modality)
BENEFICIAL USE DUE: - 10-1-1998
COMMENTS: - ① DW Desc.

WR0749NP
No. P95-08827

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 10/19/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID L BUISING	09/07/1993	STOCKWATER	01-01 12-31	0.02 CFS	
C	MARTHA K BUISING		WILDLIFE	01-01 12-31	0.02 CFS	
	1571 TANGLEWOOD		DOMESTIC	03-15 11-15	0.02 CFS	
	POST FALLS ID 83854					
	(208) 773-3085					
				TOTAL DIVERSION:	0.02 CFS	

Water Source: SPRING

Tributary to: SINKS

Stage: PERMIT

Point(s) of Diversion: T50N R05W S14 NW NW

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE															
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
50N	05W	11	:																												
50N	05W	14	:																												

Place of use location for WILDLIFE is the same location as described for: STOCKWATER

Place of use location for DOMESTIC is the same location as described for: STOCKWATER

Pou County: KOOTENAI

Other Water Rights Listing Overlapping Place(s) of use:
95-08613

Conditions of Approval:

- 26A - 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.

Remarks: Stockwater use is for 10 range cattle.
Domestic use is for lawn and garden.

Dates: App. Received: 09/07/1993 Priority Date: 09/07/1993
Proof Due Date: 10/01/1998 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 09/08/1993 User-ID: STYPA Subject: DIVERIONS DESCRIPTION

WR0749NP
No. P95-08827

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 10/19/93
PAGE: 2

=====
Comments: Date: 09/08/1993 User-ID: STYPA Subject: DIVERIONS DESCRIPTION
1,000 gallon storage tank with pipeline to place of use.
Provide water tank for wildlife.

Audit: 10/19/93 ZIMMERMA

No. a
4/87-06/92n

ILLINOIS DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
OCT 06 1993

APPLICATION # _____

Department of Water Resources**

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

APPLICANT: BUSING BY: AB DATE: 9 / 7 / 93

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

PRIORITY DATE: 9 / 7 / 93

- ☒ (Include Moratorium Remark)
- ☒ Statewide Avertising: (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 *****

(Yes) (No)

Checked by: _____ Date: ____/____/____

Remarks: _____

- ☒ 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 _____

***** 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: 10/4/93

Measuring device required

Measuring port required

Special conditions: _____

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

Approval Recommended by: AB

Date: 10 / 1 / 93

95-08827

BUISING, DAVID L
BUISING, MARTHA K
1571 TANGLEWOOD
POST FALLS, ID 83854

Source: SPRING

Tributary: SINKS

Diversion Pt: NWNW Sec 14 T 50N R 05W in KOOTENAI County.

Use: STOCKWATER	(.020 CFS)
WILDLIFE	(.020 CFS)
DOMESTIC	(.020 CFS)
Total Diversion:	(.020 CFS)

Date Filed: 9/ 7/1993

In: KOOTENAI County	
T50N R05W S11	SWSE
S14	NWNW

RECORDED

OCT 28 1993

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

ss.

Ken Alexander

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 issue of said newspaper for *2* consecutive *times* commencing on the *16th* day of *September*, 19*93*, and ending on the *23rd* day of *September*, 19*93*, and such publication was made as often during said period as said newspaper was regularly issued.

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

Subscribed and sworn to before me this

19 *93*

day of *September*

Roberta Stanley

RECEIVED

SEP 24 1993

NOTARY PUBLIC
IDAHO

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

2-5-99

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08826

WOOD, DAN
PO BOX 2197
COEUR D'ALENE, ID 83816
Source: GROUNDWATER
Diversion Pt: SESE Sec 30 T 50N R04W in KOOTENAI County.
Use: STOCKWATER (.040 CFS)
DOMESTIC (.040 CFS)
FIRE PROTECTION (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 8/30/1993
In: KOOTENAI County
T50N R04W S30 SESE
95-08827

BUISSING, DAVID L
BUISSING, MARTHA K
1571 TANGLEWOOD
POST FALLS, ID 83854
Source: SPRING Tributary: SINKS
Diversion Pt: NWNW Sec 14 T 50N R 05W in KOOTENAI County.
Use: STOCKWATER (.020 CFS)
WILDLIFE (.020 CFS)
DOMESTIC (.020 CFS)
Total Diversion: (.020 CFS)

Date Filed: 9/7/1993
In: KOOTENAI County
T50N R05W S11 SWSE
S14 NWNW

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 on or before OCTOBER 4, 1993.

R. KEITH HIGGINSON, Director
Legal 946
Sept. 16, 23, 1993

Roberta Stanley

SEP 24 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 ~~(208) 769-1450~~ Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

September 9, 1993

Mr. and Mrs. David L. Buising
1571 Tanglewood Dr.
Post Falls, Id. 83854

Dear Mr. and Mrs. Buising:

Subject: Water Application for Permit Number 95-8827.

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. Enclosed is Receipt Number N6948. Please refer to your Application for Permit Number in future matters concerning this water right application.

Your Application for Permit is currently being prepared for advertising in the local county newspaper. The advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for submittal of protests.

If your application is not protested, it will be forwarded to Boise for processing. Normal processing time is approximately 3 to 4 months, if the application is not protested. If your Application for Permit is protested, 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 your Application for Permit can be approved. If the protest is not resolved, 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 Application for Permit is for a well (groundwater) that was constructed after July 1, 1987, you must apply for a well drilling permit upon approval of your Application for Permit if no permit was obtained by previous owners to construct the well. Well Drilling Permits can only be issued by this office to holders of approved Applications for Permit.

If I can be of further assistance, please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resource Agent
Enc. - Receipt

OCT 28