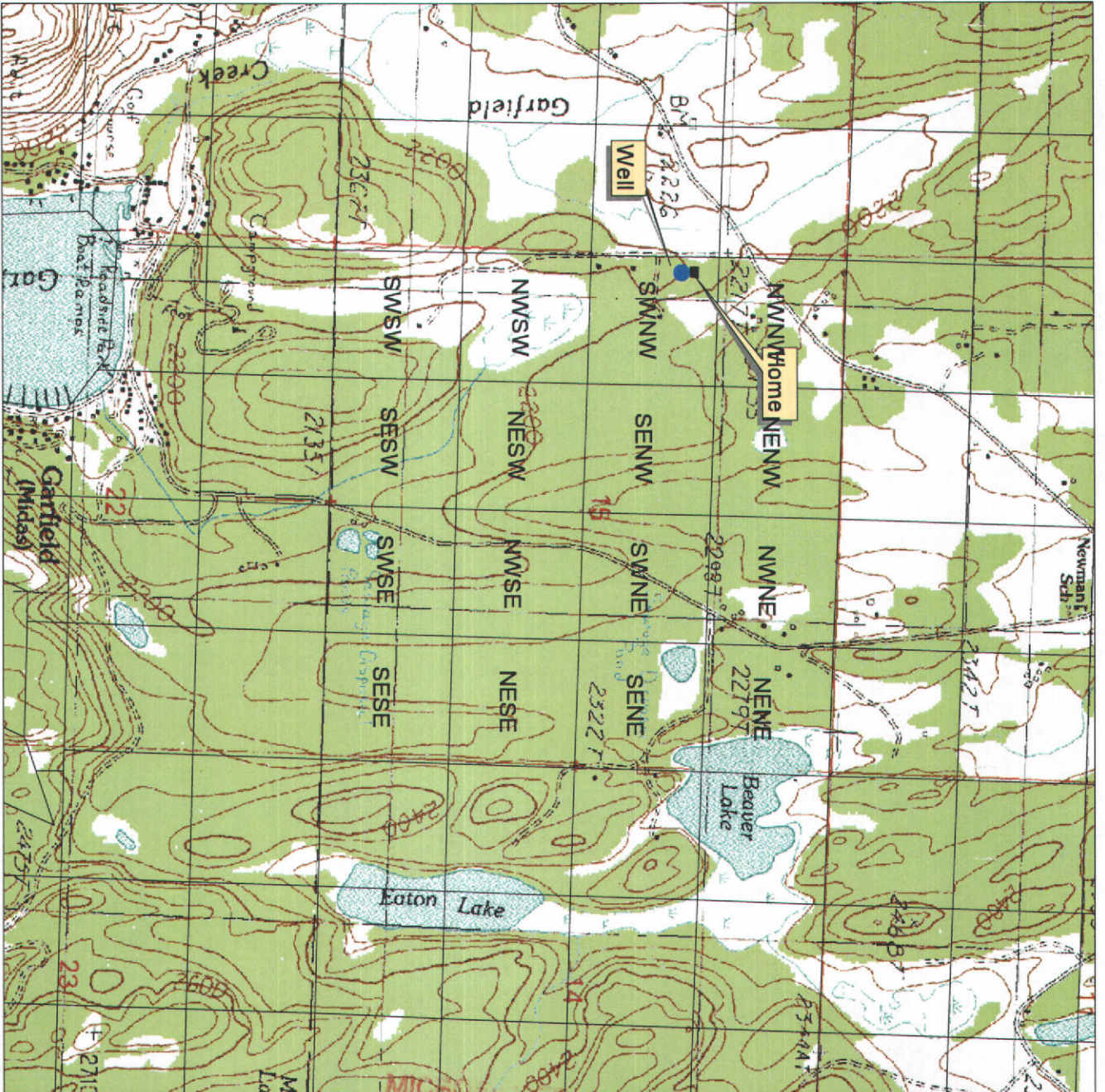
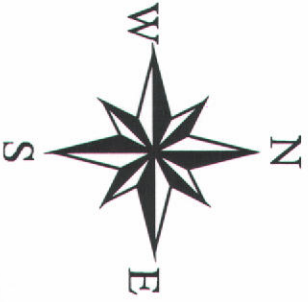


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DEC 03 2003



PD



PV
ERR
nowater
in cabin



PV Around
main house

96-09118

MICROFILMED
JUN 16 2004



Pu
Pasture
&
Domestic

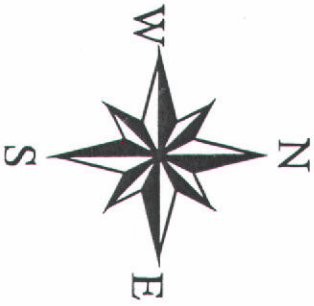


Pu

MICROFILMED

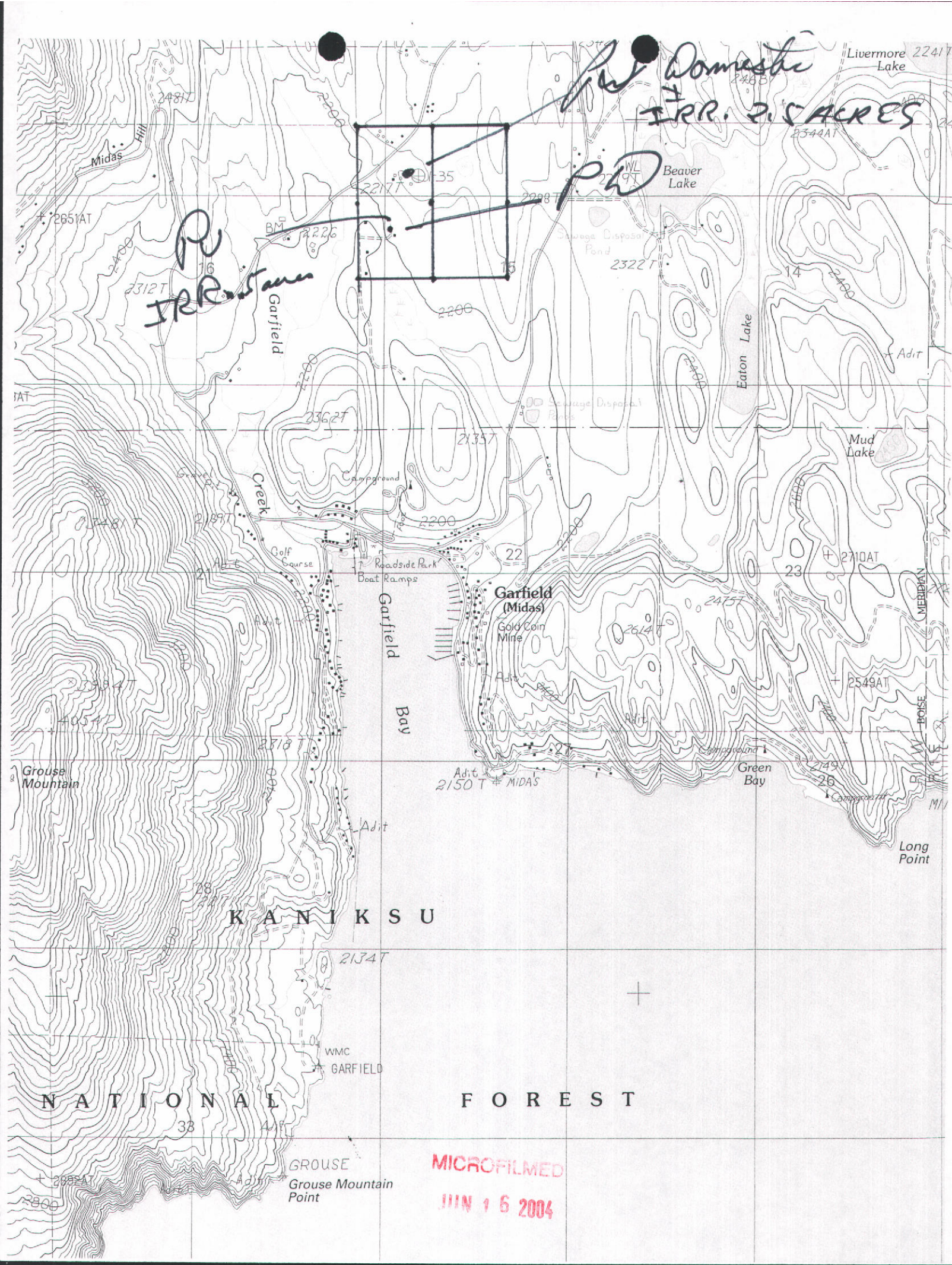
JUN 16 2004

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MICROFILMED

JUN 16 2004



RECEIVED

JUN 30 2003

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00
Receipt No. N015736
Receipt By: [Signature]
Date Received: 6/25/03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 25 2003

IDWR/North

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.

1. Permit No. 96-9118 Telephone No. 255-1335

2. Name of Permit Holder(s): RICHARD + RHONDA OUSLEY

3. Mailing Address: 71 PRIVATE DRIVE

City SAGLE State ID Zip 83860

4. Source of Water: GROUND WATER If GROUNDWATER (well), Date Drilled: mo. Oct / yr. 1979

Well Driller: _____ Drilling Permit Number: _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): ONE Stockwater (No. and type of stock): 0

Irrigation (No. of acres): 3 Other: _____

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

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

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

Measuring Device: Is a measuring device required?

Yes _____ or No X

Has the measuring device been installed?

Yes _____ or No X

8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: SAME AS ABOVE Telephone Number: _____

Address: _____

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] Date: 25 June 2003
(include your title, if on behalf of company or organization)

MICROFILMED

JUN 03 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09118

Priority: December 18, 2002

Maximum Diversion Rate: 0.10 CFS

This is to certify, that RICHARD OUSLEY And
RHONDA OUSLEY
71 PRIVATE DRIVE
SAGLE ID 83860

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.06 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW1/4NW1/4 Sec. 15, Twp 56N, Rge 01W, B.M. BONNER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
56N 01W 15						3.0											3.0

Total Acres: 3

PLACE OF USE: DOMESTIC, same as Irrigation

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 1, 2004**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
5. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 10th day of April, 2003.

MICROFILMED

DEC 6 3 2003


for KARL J DREHER, Director

70340

Ident. No. 96-9118

RECEIVED

APR 07 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

DEPARTMENT OF WATER RESOURCES

To appropriate the public waters of the State of Idaho

1. Name of Applicant RICHARD + RHOUDA OUSLEY Phone 208-255-1335
Mailing address 71 PRIVATE DRIVE, SAGLE IDAHO 83860
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is Township 56N Range 1W Sec. 15, in the _____ 1/4,
NW 1/4, NW 1/4, Govt. Lot _____, B.M., BONNER County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for DOMESTIC purposes from 7/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.06 for IRRIGATION purposes from 3/15 to 1/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.10 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works: _____
 - a. Describe type and size of devices used to divert water from the source WELL, PUMP & 1400 CISTERN & IRRIGATION SYSTEM
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is 6 inches; proposed depth of well is 152 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? _____; Drilling firm BRAND X
Well was drilled for (well owner) _____; Drilling Permit No. 96-79-N-127
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. 1 HOMES
 - e. Other; describe fully. _____

MICROFILMED

DEC 03 2003

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

[illegible]

3

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

filling

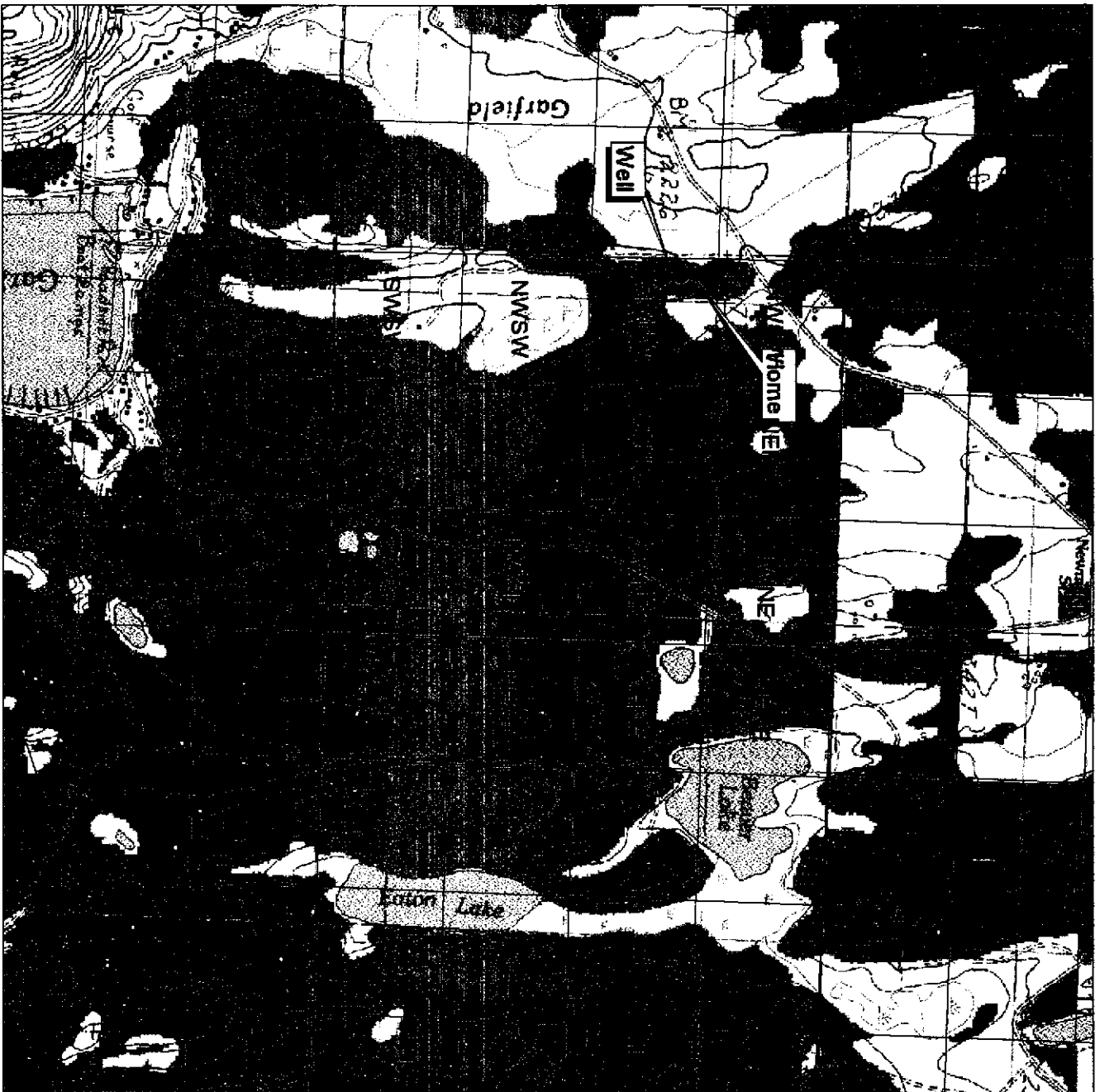
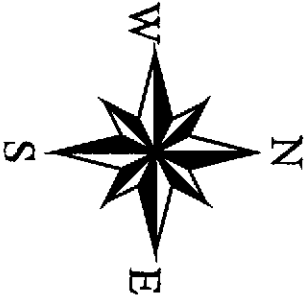
MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

Signature of Applicant (and title, if applicable)

date

Signature of Applicant (and title, if applicable)

Quad Index Quadcov.shp
T56n01w.shp



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAY 25 2004

DEPARTMENT OF
WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 96-09118

1. Owner: Richard & Rhonda Ousley Phone No. (208) 255-1335

Current Address: 71 Private Dr. Eagle Id. 83860

2. Accompanied by: Rhonda Ousley EXAM DATE: 7-2-03

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	NW	15	56N	01W	Bonner	USGS 7.5 min Quad

2. Place(s) of Use:

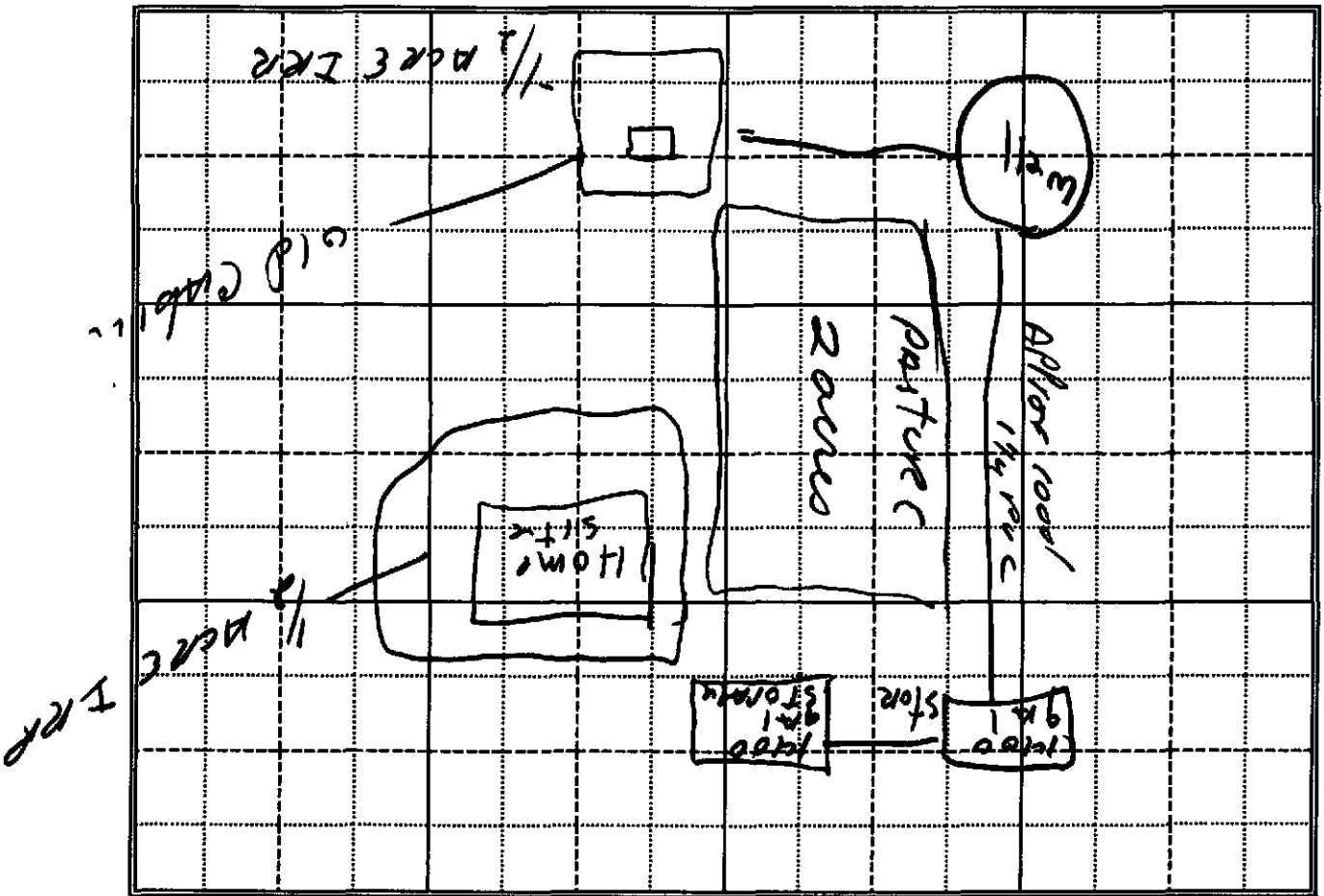
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	01W	15							205	05									

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JUN 15 2004

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 _____
 Aerial Photo Attached of _____
 Photo of Diversion and System Attached _____
 (required for irrigation of 10+ acres)

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

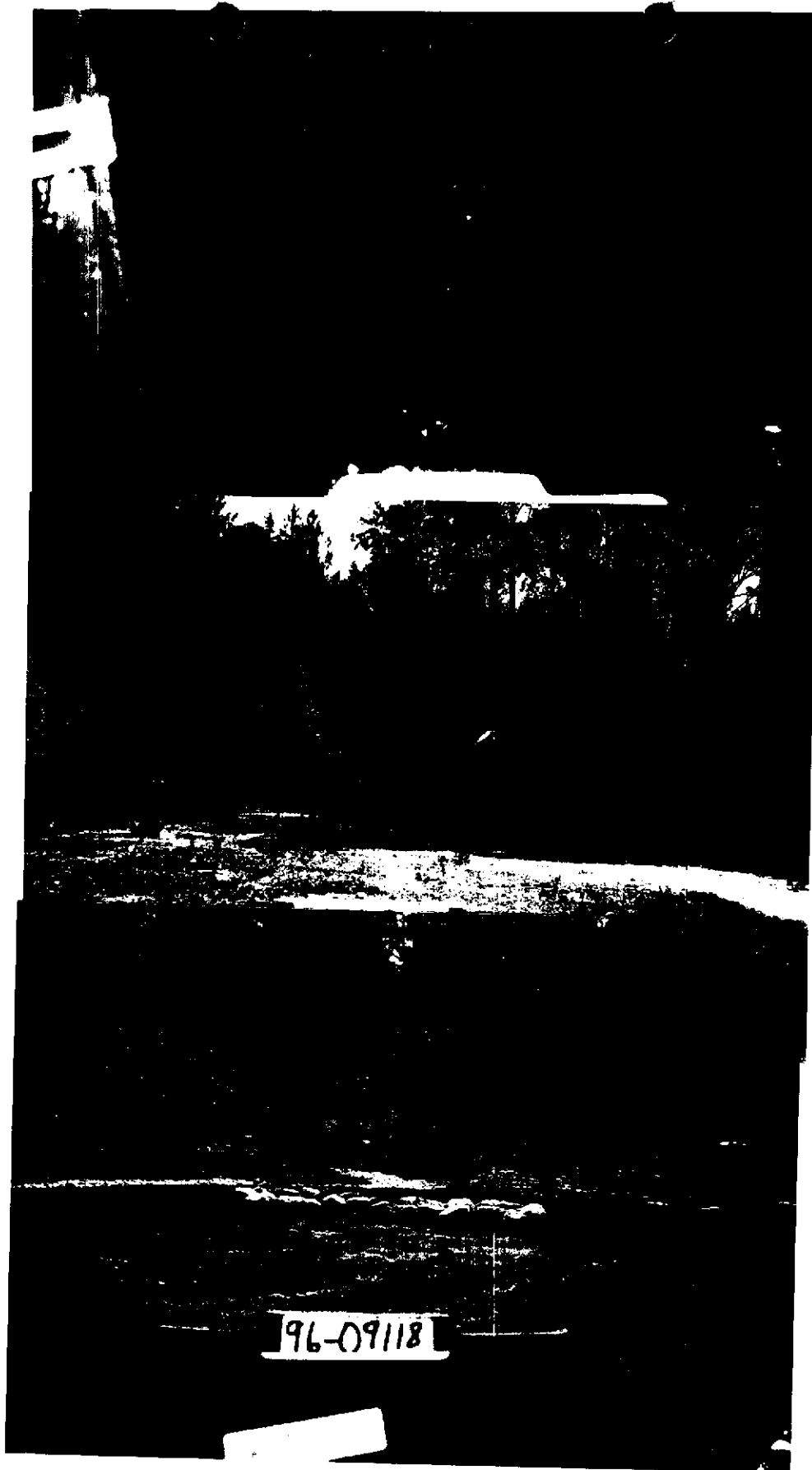
D. FLOW MEASUREMENTS

1.

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

2. Measurements:

MICHIGAN
 APR 6 9 30 AM



PD

PJ
ERR.
nowater
in cabin

PJ Around
main house

96-09118

96-09118

MICROFILMED

1996 10 2004



P
pasture
+
Domestic



P

MICROFILMED

JUN 5 6 2006

BOB PITTS & SONS, INC.

WELL DRILLING

RT. 3 - BOX 106 SANDPOINT, IDAHO 83864

PH. (208) 263-3042

255-1335

DATE 10-1 19 02

NAME Rick Ousley

ADDRESS 71 PRIVET DRIVE

CITY Sagle STATE Id ZIP

TERMS: CASH

1.5% PER MONTH CARRYING CHARGE WILL BE ADDED TO ALL ACCOUNTS PAST DUE.

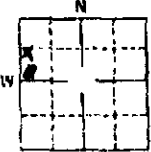
DATE	SIZE CASING	PRICE PER FOOT	DESCRIPTION	AMOUNT
			<u>Draw down test</u> Static Level - Ground Level Well dept - 150' 39 minits to draw down to pump At pump Rate Average 9 GPM Measured Recovery Rate at this time 4.8 GPM	

- 238-7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

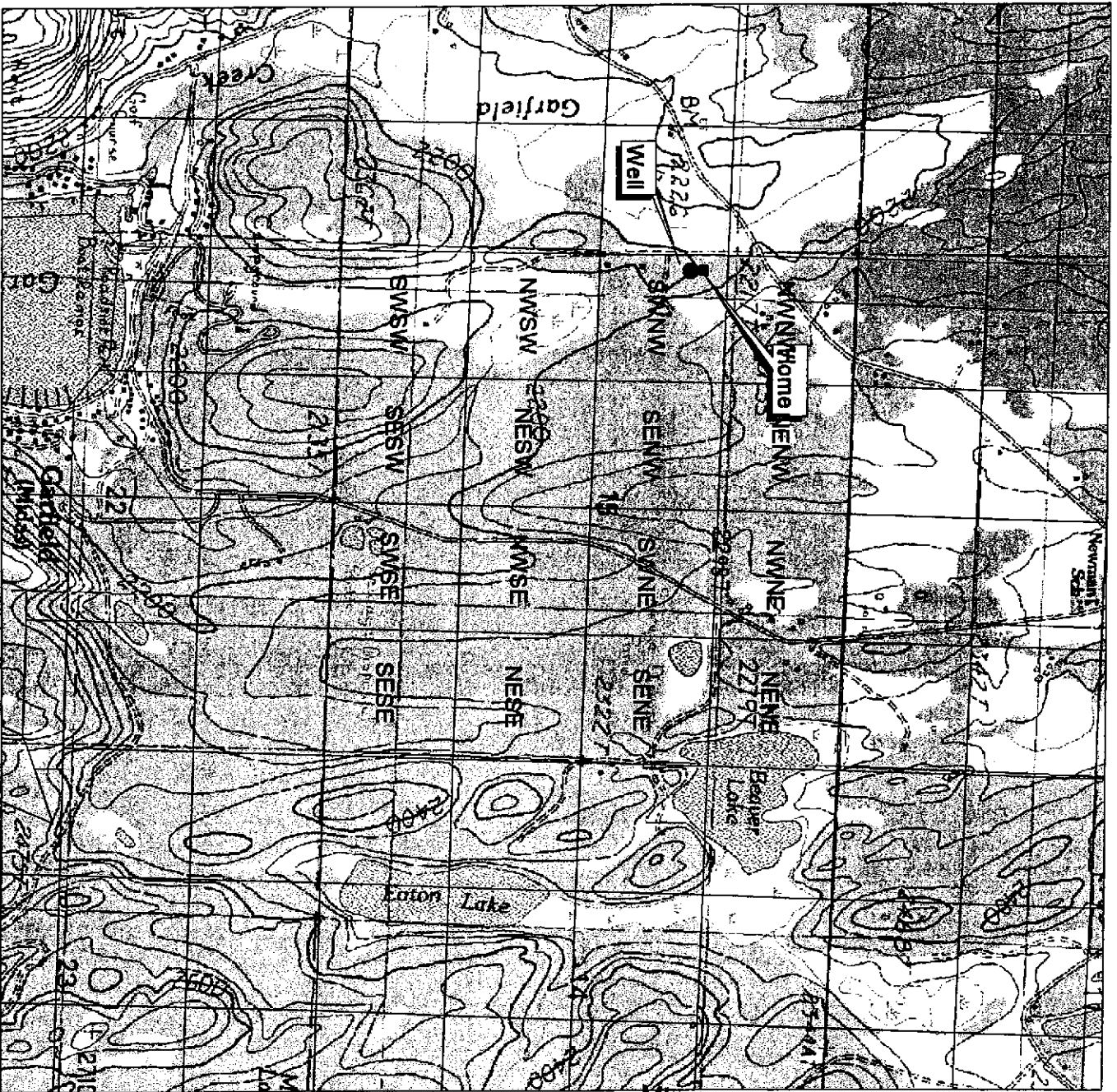
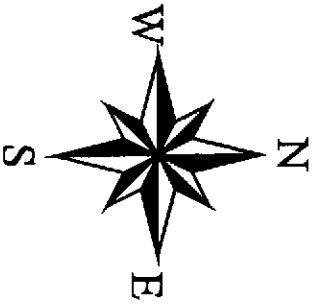
State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

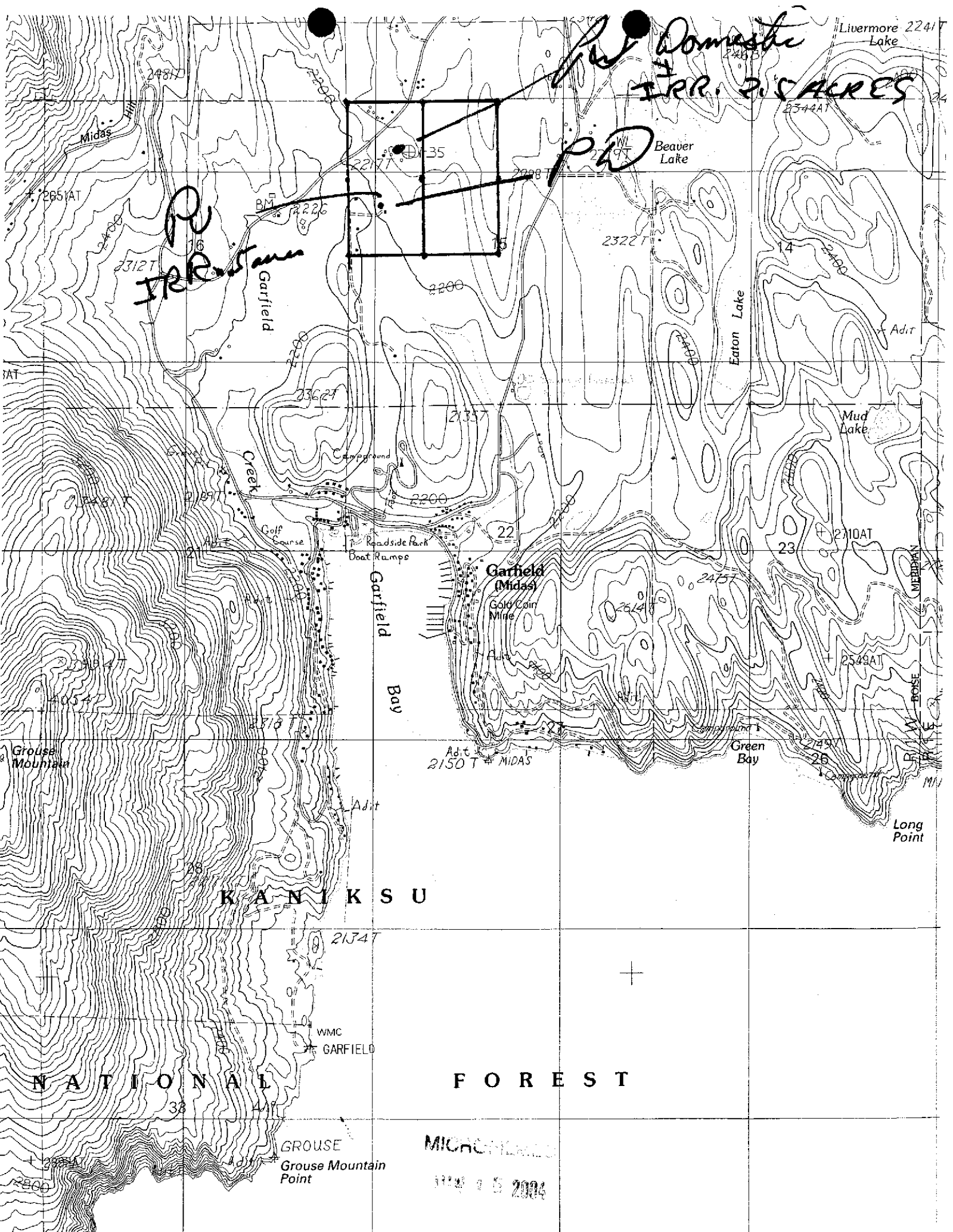
WELL OWNER Name <u>Alex + Kaye Frazer</u> Address <u>HCR 66 Box 934</u> Owner's Permit No. <u>5891E Ida 83860</u>		7. WATER LEVEL Static water level <u>110</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow <u> </u> Artesian closed-in pressure <u> </u> p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u> </u> °F Quality <u>Good</u>																																	
NATURE OF WORK <u>96-79-N-127</u> ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) <u> </u>		8. WELL TEST DATA ☐ Pump ☐ Bailor ☒ Air ☐ Other <u> </u> <table border="1"> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> <tr> <td><u>59 gpm</u></td> <td><u>150'</u></td> <td><u>1 hr.</u></td> </tr> </table>		Discharge G.P.M.	Pumping Level	Hours Pumped	<u>59 gpm</u>	<u>150'</u>	<u>1 hr.</u>																										
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PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other <u> </u> (specify type) <u> </u>		9. LITHOLOGIC LOG <table border="1"> <thead> <tr> <th>Rate Diam.</th> <th>Depth From To</th> <th>Material</th> <th>Water Yes No</th> </tr> </thead> <tbody> <tr> <td><u>6"</u></td> <td><u>0 14</u></td> <td><u>CLAY</u></td> <td><u>X</u></td> </tr> <tr> <td></td> <td><u>14 21</u></td> <td><u>FIRM GRANITE</u></td> <td><u>X</u></td> </tr> <tr> <td></td> <td><u>21 24</u></td> <td><u>LOOSE " WET</u></td> <td><u>X</u></td> </tr> <tr> <td></td> <td><u>24 410</u></td> <td><u>FIRM " - BACKEN STAYS</u></td> <td><u>X</u></td> </tr> <tr> <td></td> <td><u>410 452</u></td> <td><u>" " " "</u></td> <td><u>X</u></td> </tr> </tbody> </table>		Rate Diam.	Depth From To	Material	Water Yes No	<u>6"</u>	<u>0 14</u>	<u>CLAY</u>	<u>X</u>		<u>14 21</u>	<u>FIRM GRANITE</u>	<u>X</u>		<u>21 24</u>	<u>LOOSE " WET</u>	<u>X</u>		<u>24 410</u>	<u>FIRM " - BACKEN STAYS</u>	<u>X</u>		<u>410 452</u>	<u>" " " "</u>	<u>X</u>								
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	<u>410 452</u>	<u>" " " "</u>	<u>X</u>																																
METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other <u> </u>		WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other <u> </u> <table border="1"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>250</u> inches</td> <td><u>6</u> inches</td> <td><u>1</u> feet</td> <td><u>12</u> feet</td> </tr> <tr> <td>inches</td> <td>inches</td> <td>feet</td> <td>feet</td> </tr> <tr> <td>inches</td> <td>inches</td> <td>feet</td> <td>feet</td> </tr> <tr> <td>inches</td> <td>inches</td> <td>feet</td> <td>feet</td> </tr> </tbody> </table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation <u> </u> inches by <u> </u> inches <table border="1"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>perforations</td> <td>feet</td> <td>feet</td> </tr> <tr> <td>perforations</td> <td>feet</td> <td>feet</td> </tr> <tr> <td>perforations</td> <td>feet</td> <td>feet</td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name <u> </u> Type <u> </u> Model No. <u> </u> Diameter <u> </u> Slot size <u> </u> Set from <u> </u> feet to <u> </u> feet Diameter <u> </u> Slot size <u> </u> Set from <u> </u> feet to <u> </u> feet Gravel packed? ☐ Yes ☒ No Size of gravel <u> </u> Placed from <u> </u> feet to <u> </u> feet Surface seal depth <u>19</u> Material used in seal: ☐ Cement grout ☒ Puddling clay ☒ Well sutting Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Over bore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent <u>Weld</u> ☐ Cemented between strata		Thickness	Diameter	From	To	<u>250</u> inches	<u>6</u> inches	<u>1</u> feet	<u>12</u> feet	inches	inches	feet	feet	inches	inches	feet	feet	inches	inches	feet	feet	Number	From	To	perforations	feet	feet	perforations	feet	feet	perforations	feet	feet
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Number	From	To																																	
perforations	feet	feet																																	
perforations	feet	feet																																	
perforations	feet	feet																																	
Describe access port <u> </u>		10. Work started <u>10-30-79</u> finished <u>10-30-79</u>																																	
LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name <u> </u> Lot No. <u> </u> Block No. <u> </u> County <u>BONNER</u> Twp. <u>NW</u> Sec. <u>15</u> T. <u>36</u> N. <u>1</u> W. <u>4</u>		11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>BRAND X</u> Firm No. <u>289</u> Address <u>RATHDRUM, ID</u> Date <u>10-30-79</u> Signed by (Firm Official) <u>Landon Cordon</u> and (Operator) <u>Randy Cordon</u>																																	

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

MICROFILMED
1980

Quad IndexQuadcov.shp
T56n01w.shp





Domestic
IRR. 2.5 ACRES

R
IRR. 16

P.D.

KANIKSU

NATIONAL FOREST

MAY 15 2004

E. NARRATIVE/REMARKS/COMMENTS

Well only produces 5gpm it pumps to
2 1400 gal underground storage tanks.
The Oursleys could not furnish me
with any pump data, nor could I find
any on site. They did tell me they timed
how long it took to fill a 1400 gal storage
tank Approx 4 1/2 hrs. just slightly over 4 1/2 hrs
that's 5 gpm. This corresponds with driller's
info. and draw down test. I used this
for diversion Rate .01 cfs

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

RECEIVED
MAY 15 2004

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

Turned to fill 1400 gal tank
 $1400 \text{ gal} \times 2.80 \text{ min} = 5980 \text{ min} \times 1.33081 = 7950.1 \text{ (CF)}$
 60

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \times 3 = 9$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 101 \times 245 \times 1.9835 = 49$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 9$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic
Domestic

From

01-01

03-15

Period of Use

To

12-31

11-15

Rate of Diversion

Q (cfs)

1.01

1.01

Annual Volume

V (afa)

1.2

4.9

Totals:

1.01

6.1

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

Shayne DeBorja
 Date 10-1-03

Reviewer

Date

SEAL

MICHAEL L. LEE
 MAY 15 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 8, 2003

RICHARD OUSLEY
RHONDA OUSLEY
71 PRIVATE DR
SAGLE ID 83860

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-9118

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 contact you to schedule 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 these water rights 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, please contact the **Northern** Regional Office of the department in Coeur d'Alene (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED
DEC 9 3 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 96-9118

Reviewed By: dgibson

Date: August 7, 2003

	<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.:		N015392, N015736	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	06/25/2003
Date proof due	- 04/01/2004
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 12/18/2002
New priority date	= 12/18/2002

Deficiencies of Actions Items

Acknowledge proof.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 10, 2003

RICHARD OUSLEY
RHONDA OUSLEY
71 PRIVATE DRIVE
SAGLE ID 83860

RE: Permit No. 96-9118

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources 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 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.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

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

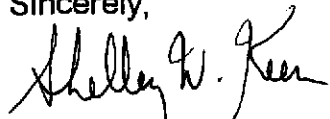
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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DEC 3 3 2003

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

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name being the most prominent.

Shelley W Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MILWAUKEE

DEC 03 2023

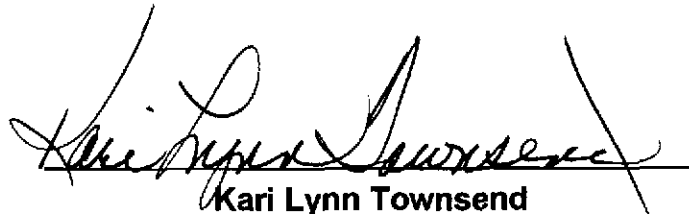
CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

96-9118

**RICHARD OUSLEY
RHONDA OUSLEY
71 PRIVATE DRIVE
SAGLE ID 83860**



**Kari Lynn Townsend
Secretary**

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DEC 23 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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DEC 03 2003

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MEMORANDUM

Date: April 08, 2003
To: Water Right File 96-9118
From: Sharla
Re: Standard Irrigation Season

The standard irrigation season for this area is 4/1 - 10/31. The permit will be issued accordingly.

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DEC 9 3 2003

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

W.R. # 96-9118

APPLICATION ID # 70340
INITIAL REVIEW

ENT 1/4/03 BCA 1/4/03 OK to Publish 1/2/03

APPLICANT: OUSLEY BY: JB DATE: 12/18/02

ITEM REQUIRED INFORMATION

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

RECEIVED

APR 07 2003

DEPARTMENT OF WATER RESOURCES

PROCESSING

(Yes)(No) PRIORITY DATE: 12/18/02

☒ (Include Moratorium Remark)

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

DC

ADVERTISE IN: BONNER Count

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

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

ADDITIONAL INFORMATION

(Yes)(No)

- Shape File Created Date 12/18 By: JB
Field check: by _____
Field report attached _____
Analysis Supp. attached(>5cfs/500af) _____
Water delivered by water master? Water District # _____

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
<u>96-79-N-127</u>		Dom. ☒ Non-Dom. _____	Paid \$ _____		Y() N(☒)
		Dom. _____ Non-Dom. _____	Paid \$ _____		Y() N()
		Dom. _____ Non-Dom. _____	Paid \$ _____		Y() N()

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

Remarks: WELL DRILLED PRE-1987

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- Notice of pending void order issued. Final order response date: ____/____/____
Further information required from applicant _____
1/24 Affidavit of publication received
1/28 Application published correctly. If not, record action taken: _____

1/8 Publication dates and paper recorded on application

Sr. Agent initial _____
Final protest date: 2/3/03

- Protests received, _____
Measuring device required _____
Measuring port required _____
Special conditions: _____
Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: _____ Date: ____/____/____

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Sharilyn Jones

_____ being first duly sworn on oath
deposes and says that he/she is BookKeeper
of the Bonner County Daily Bee, a newspaper printed and
published at Sandpoint, Bonner County, Idaho; that the
said newspaper has been continuously and uninterruptedly
published in said Bonner County during a period of 12
months prior to the first publication of the hereto attached
notice of publication in the case of:

Legal Notice

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 16 day of Jan, 2003
and ending on the 23 day of Jan, 2003
and that said notice was published in said newspaper.

On this 23 day of Jan in the year
of 2003, before me, a Notary Public, personally
appeared Sharilyn Jones,
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me
first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.

Carolyn L. Inge
Notary Public for Idaho
Residing at Sandpoint
My Commission expires: 8/06

RECEIVED
JAN 24 2003
IDWR/North

LEGAL NOTICE

The following application(s) have been filed to appropriate the public
waters of the State of Idaho: 96-9118

RICHARD OUSLEY
RHONDA OUSLEY
71 PRIVATE DRIVE
SAGLE ID 83860
Point(s) of Diversion NWNW S15 T56N R01W BONNER County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.06 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.1 CFS
Date Filed: 12/18/2002
Place Of Use: IRRIGATION
T56N R01W S15 NWNW
Number of Acres 3
Place Of Use: DOMESTIC
T56N R01W S15 NWNW
Remark: Domestic use is for 1 home.

Permits will be subject to all prior water rights. Protests may be sub-
mitted based on the criteria of Sec 42-203A, Idaho Code.
Any protest against the approval of this application must be filed
with the Director, Dept. of Water Resource, Northern Region, 1910
Northwest Blvd, Suite 210, Coeur D'Alene ID 83814 together with a
protest fee of \$25.00 for each application on or before 02/03/2003.
The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director
Legal SNP#4027 - January 16, 23, 2003

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DEC 03 2003

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

96-9118

RICHARD OUSLEY
RHONDA OUSLEY
71 PRIVATE DRIVE
SAGLE ID 83860

Point(s) of Diversion NWNW S15 T56N R01W BONNER County

Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.06 CFS

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.1 CFS

Date Filed: 12/18/2002

Place Of Use: IRRIGATION

T56N R01W S15 NWNW

Number of Acres 3

Place Of Use: DOMESTIC

T56N R01W S15 NWNW

Remark: Domestic use is for 1 home.

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KARL J DREHER, Director

Published on January 16 and 23, 2003

MICROFILMED

DEC 03 2003

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RHONDA OUSLEY
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Source GROUND WATER

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KARL J DREHER, Director

Legal SNP#4027 - January 16, 23, 2003

2x3 1/2

2

Siianne -

Good Afternoon! Here is your proof. Please email + let me know if it's ok or if you need changes made

Thank You,
Sheri-Jones ☺

Emailed Sheri

to say ok 1/9/03
☺

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DEC 03 2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 08, 2003

SHERI JONES
LEGAL NOTICE DEPARTMENT
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT ID 83864

e-mailed to Sheri on 1/8/03

PLEASE FAX A PROOF PRIOR TO PUBLICATION
THANKS VERY MUCH!! Dianne

RE: Application for Permit No. 96-9118

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 02/03/2003. Your cooperation is appreciated.

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

MICHAEL J. NELSON
JAN 03 2003

Ball, Dianne

From: SJones@cdapress.COM
Sent: Wednesday, January 08, 2003 1:26 PM
To: dball@idwr.state.id.us
Subject: Re: Cover letter, and Legal notice for publication on January 16 and 23, 2003

Good Afternoon Dianne,

I received your email & will email you a proof as soon as I have it.

I sure wish I could send you a smiley face on my emails, but I can't, so just know that I'm smiling back at you as I reply.

Have a great day!

Sheri Jones

From: "Ball, Dianne" <dball@idwr.state.id.us>
To: "Legal Notices-Bonner Co Daily Bee (E-mail)" <sjones@cdapress.com>
Subject: Cover letter, and Legal notice for publication on January 16 and 23, 2003
Date: Wed, Jan 8, 2003, 1:26 PM

Hi Sheri,

Here's wishing you a wonderful day, filled with smiles!

Attached you will find a copy of a cover/transmittal letter, together with a copy of the legal notice that we will appreciate your publishing on January 16 and 23, 2003.

I would appreciate receiving a proof prior to publication so I can check it out and make sure I haven't missed something. [I find it easy to do that when I am pushed for time.]

If you have ANY questions, please give me a call. Thanks ever so much.

Blessings to you, and as always, it is a pleasure working with you.

Dianne

MICROFILMED

DEC 03 2003

1/8/2003

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, January 08, 2003 1:26 PM
To: Legal Notices-Bonner Co Daily Bee (E-mail)
Subject: Cover letter, and Legal notice for publication on January 16 and 23, 2003

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I would appreciate receiving a proof prior to publication so I can check it out and make sure I haven't missed something. [I find it easy to do that when I am pushed for time.]

If you have ANY questions, please give me a call. Thanks ever so much.

Blessings to you, and as always, it is a pleasure working with you.

Dianne

MICHELLE BARNES

DEC 05 2003

1/8/2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 08, 2003

RICHARD OUSLEY
RHONDA OUSLEY
71 PRIVATE DRIVE
SAGLE ID 83860

RE: Application for Permit No 96-9118

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Bonner County Daily Bee on January 16 and 23, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Allen Beardslee
Senior Water Resource Agent\

AB:db

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955 0 3 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450

Fax (208) 769-1454

January 08, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RICHARD OUSLEY
RHONDA OUSLEY
71 PRIVATE DRIVE
SAGLE ID 83860

RE: Application for Permit No 96-9118

Dear Applicant(s):

Enclosed is Receipt No. N015392, for your files. This acknowledges receipt of your check No. 1998 in the amount of \$100.00 for the above referenced Application for Permit.

Sincerely,

A handwritten signature in cursive script that reads "Dianne Ball".

Dianne Ball
Administrative Assistant

DEC 03 2003