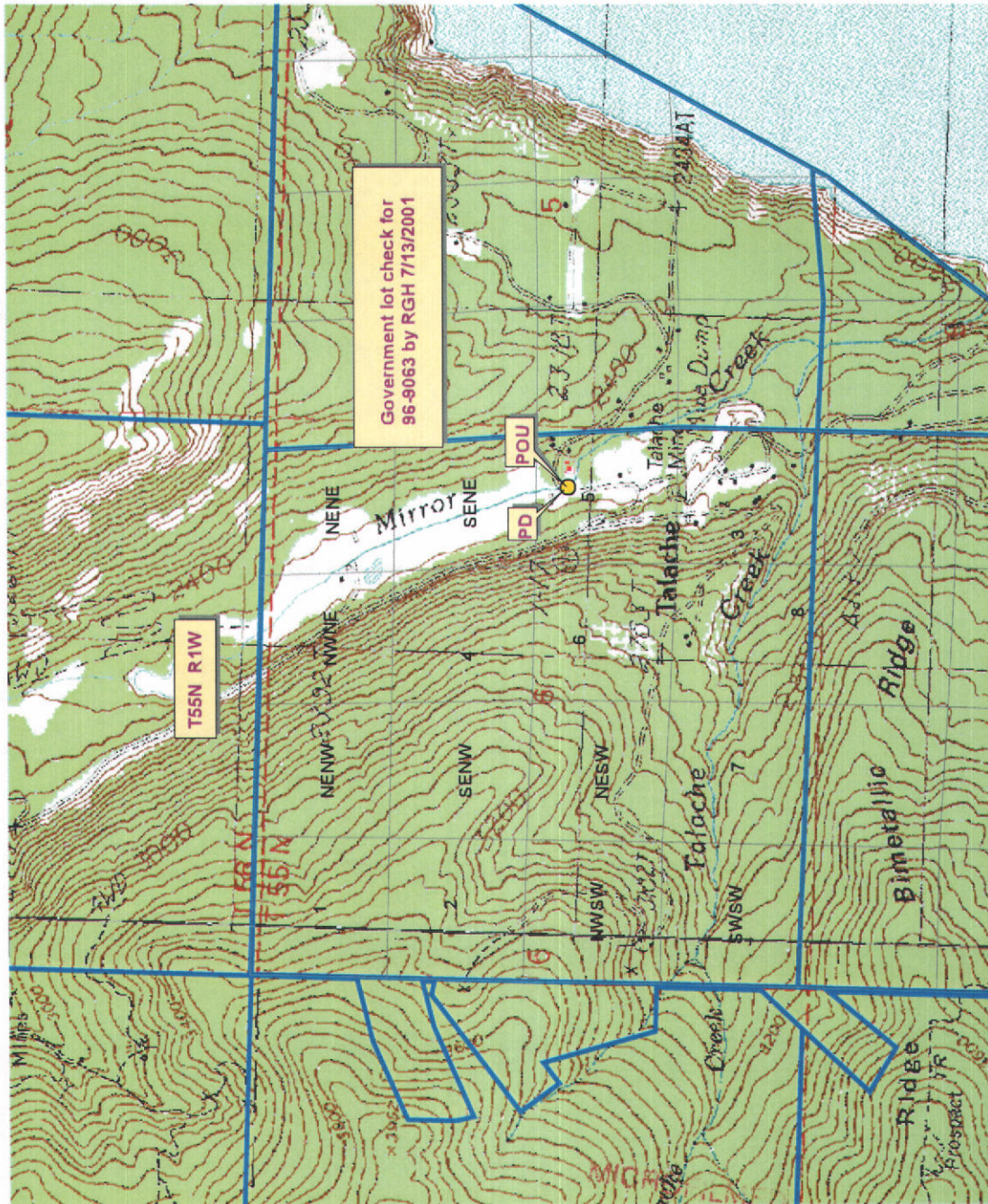
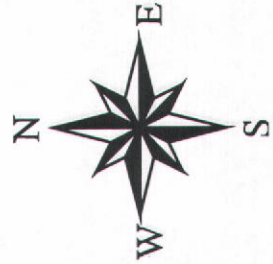


View1



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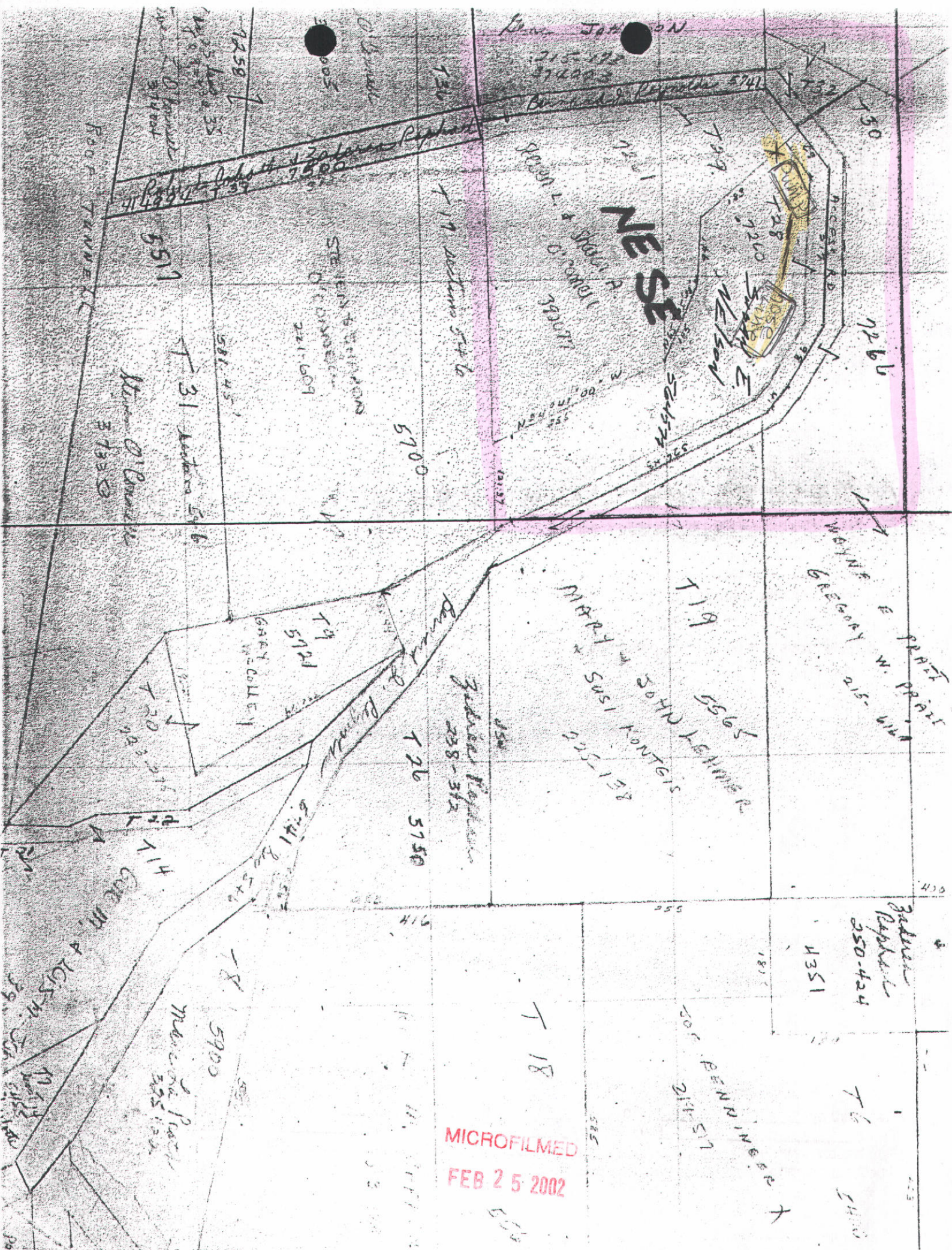
- Quad IndexQuadcov.shp
- GCDB T55N01W.shp
- POD- Application Application POD
- Application POU
- Sections



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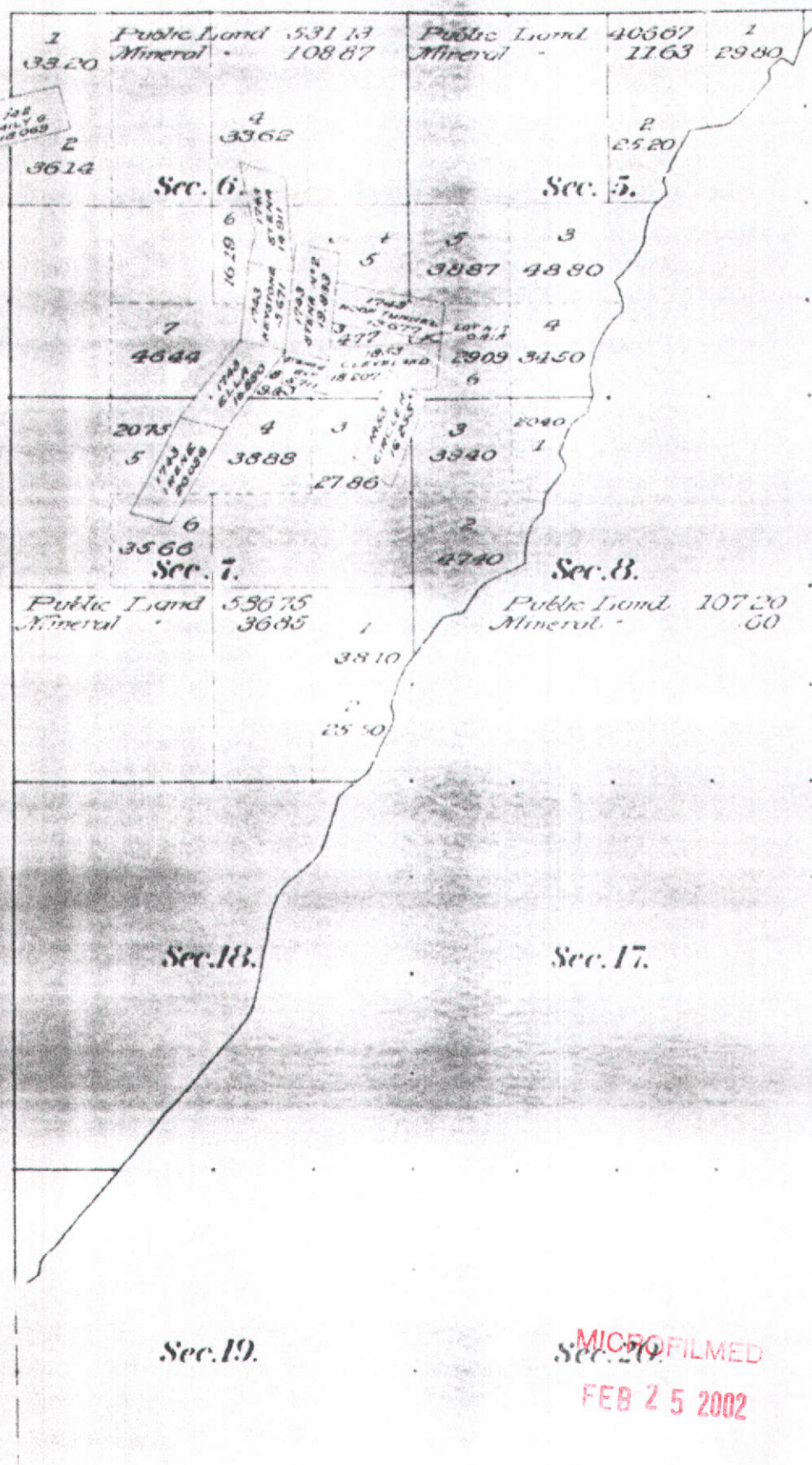


FEB 25 2002



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FEB 25 2002

G *f* *F* *g* *E* *d*



96-09063



pu



Pump



pu



pu

MICROFILMED
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over

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MAR 24 2003



PV



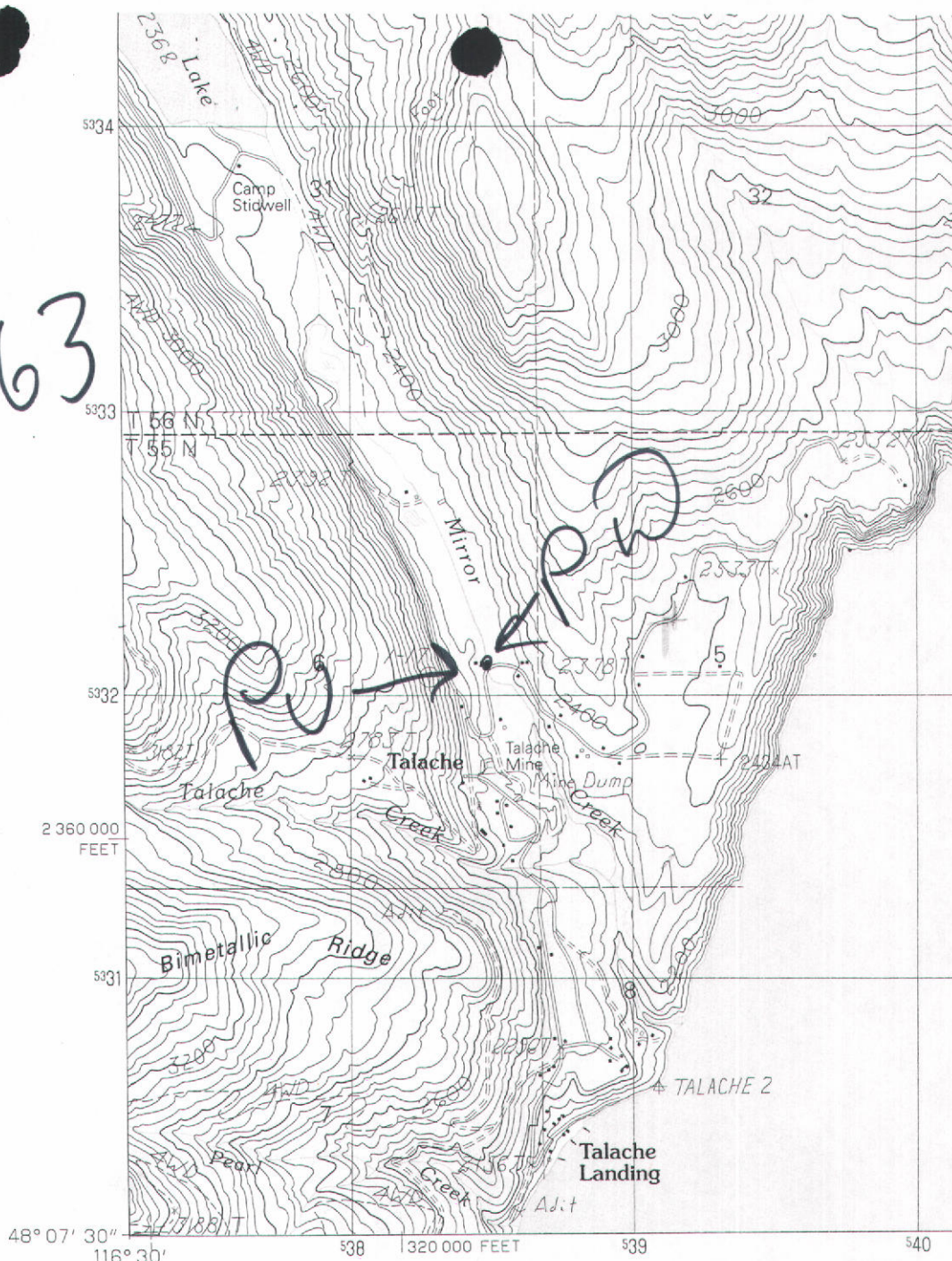
PV



PV

96-09063

NE NE SE
Sec 6



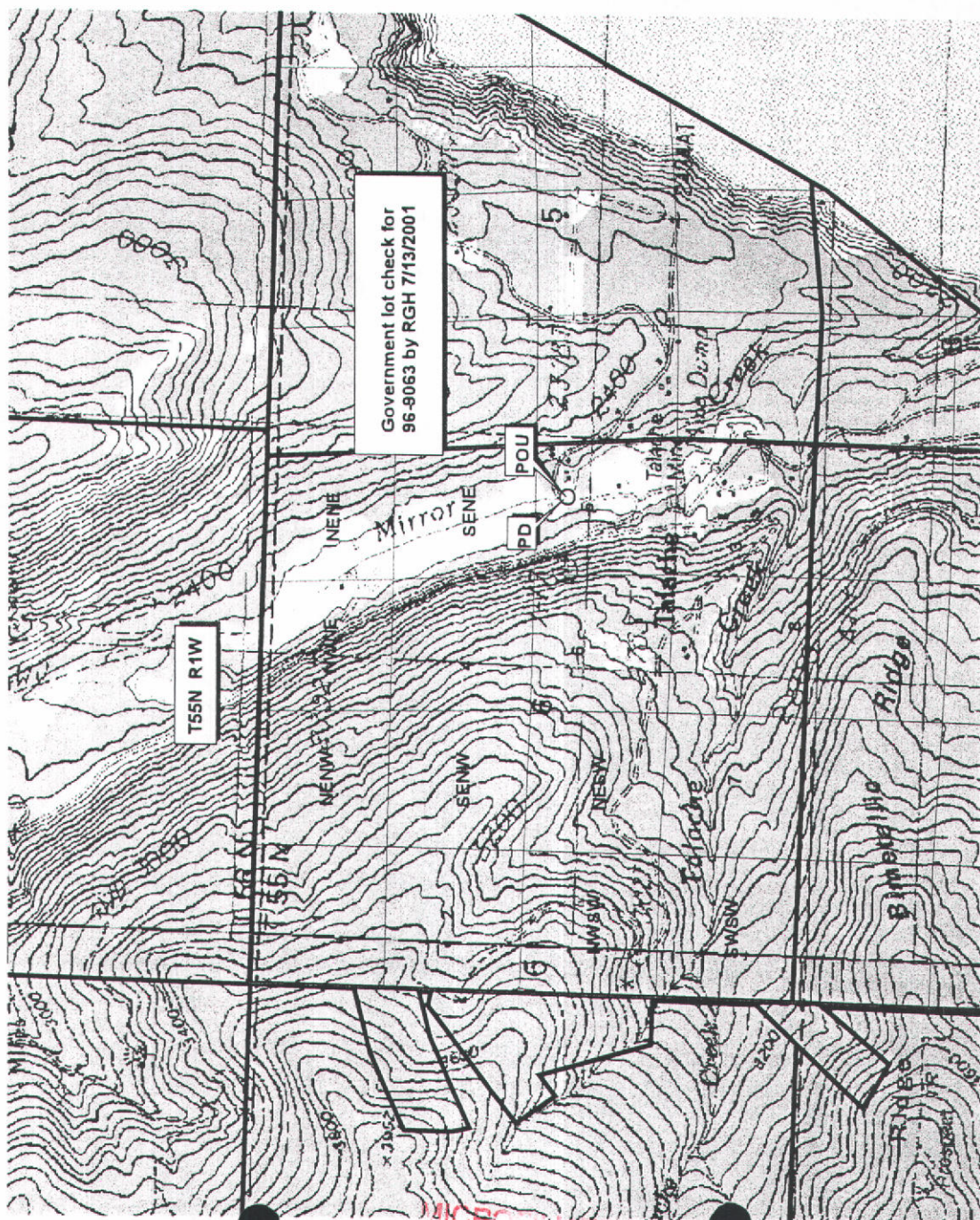
PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY USGS, NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1986
 FIELD CHECKED 1987 MAP EDITED 1989
 PROJECTION TRANSVERSE MERCATOR
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE II
 10,000-FOOT STATE GRID TICKS IDAHO, WEST ZONE
 UTM GRID DECLINATION 0°25' EAST
 1989 MAGNETIC NORTH DECLINATION 19° EAST
 VERTICAL DATUM NATIONAL GEODETIC VERTICAL DATUM OF 1929
 HORIZONTAL DATUM 1927 NORTH AMERICAN DATUM
 To place on the predicted North American Datum of 1983,
 move the projection lines as shown by dashed corner ticks
 (13 meters north and 77 meters east)
 There may be private inholdings within the boundaries of any
 Federal and State Reservations shown on this map

NORTH

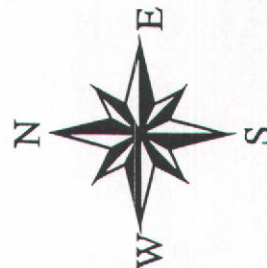
PROVISIONAL MAP
 Produced from original
 manuscript drawings. Infor-
 mation shown as of date of
 photography. 1

MICROFILMED
 MAR 24 2003

View1



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- GCDB T55N01W.shp
- POD- Application Application POD
- Application POU
- Sections



0.8 Miles

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0.4

MAR 24 2003

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Sherilyn 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 15 day of Mar, 20 01

and ending on the 22 day of Mar, 20 01

and that said notice was published in said newspaper.

On this 22 day of March in the year of 2001, before me, a Notary Public, personally

appeared Sherilyn 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. Ingham
Notary Public for Idaho

Residing at Sandpoint

My Commission expires: 8/06

RECEIVED
APR 04 2001
IDWR/North

LEGAL NOTICE
96-9063

SUSAN E NELSON
PO BOX 726
SAGLE ID 83860
Point(s) of Diversion: NENESE
S6 T55N R01W BONNER County
Source: MIRROR CREEK
Use: IRRIGATION

03/15 To 11/15 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 3/6/2001

Place Of Use: IRRIGATION

T55N R01W S6 NESE

Number of Acres: 1.5

Permits will be subject to all prior water rights. Protests may be submitted 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 04/02/2001. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
Legal SNP#2442 - March 15, 22, 2001

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FEB 25 2002

2442

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-09063

Priority: March 06, 2001

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 1.5 AF

It is hereby certified that SUSAN E NELSON
PO BOX 726
SAGLE ID 83860 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated March 06, 2001; and has
submitted Proof of Beneficial Use on October 22, 2001. An examination indicates that the works have a
diversion capacity of 0.09 cfs of water from:

SOURCE

MIRROR CREEK

Tributary: LAKE PEND OREILLE

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>
IRRIGATION	04/01 to 10/31	0.02 CFS	1.5 AF

LOCATION OF POINT OF DIVERSION:

MIRROR CREEK L5 (NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) Sec. 6, Twp 55N, 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
55N 01W 6													.5				.5
													L5				

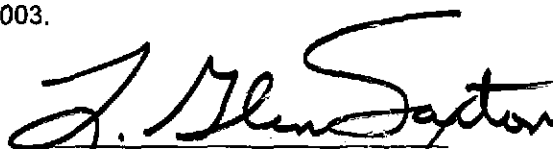
Total Acres: 0.5

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
2. Rights 96-07503 and 96-09063 when combined shall not exceed a total diversion rate of 0.09 cfs.
3. Right 96-07503 is also diverted through the point of diversion described above.

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 12th day of March, 2003.


for **KARL J. DREHER**
Director

MICROFILMED
MAR 24 2003

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF PERMIT)
NO. 96-09063 IN THE NAME OF)
SUSAN E NELSON)
_____)

**PRELIMINARY ORDER
CORRECTING PRIORITY**

This matter having come before the Department of Water Resources ("Department") as a result of review of Permit No. 96-09063 ("permit") for the issuance of a license, the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On February 7, 2001, the Department received Application for Permit No. 96-09063 ("application") to appropriate water, along with one half of the required filing fee.
2. On March 6, 2001, the Department received the remainder of the required filing fee.
3. On March 15 and 22, 2001, the Department advertised the application for permit in the Bonner County Daily Bee with notice of priority date of March 6, 2001.
4. On August 6, 2001, the Department approved the application as Permit 96-09063 ("permit") with a priority date of February 7, 2001.
5. On October 22, 2001, the permit holder submitted a completed Proof of Beneficial Use form and the required license examination fee to the Department.
6. On May 15, 2002, the Department conducted a field examination of the system developed under the permit.
7. Section 42-219, *Idaho Code*, provides as follows:

(4) The date of priority confirmed by the license shall be the date of the application for the permit for the construction of the works from which the water is taken, and to which the right relates, provided there has been no

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MAR 24 2003

loss of priority under the provisions of this chapter.

8. On March 12, 2003, the Department prepared to issue a water right license for the use developed under the permit and found the priority date of the permit is not the date of submittal of the application for permit and required filing fee.

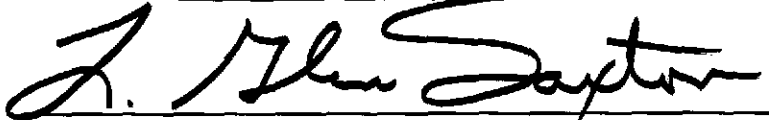
CONCLUSIONS OF LAW

1. The permit approved August 6, 2001, incorrectly stated the priority of the permit to be February 7, 2001 instead of March 6, 2001.
2. The Department should issue an order correcting the date of priority for the permit.

ORDER

IT IS THEREFORE HEREBY ORDERED that the date of priority of Permit No. 96-09063 is corrected to **March 6, 2001**.

Dated this 12th day of March, 2003.



L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

OCT 22 2001

Department of Water Resources

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. 96-9063 Telephone No. 208 263 0101

2. Name of Permit Holder(s): Susan E. Nelson

3. Mailing Address: PO Box 726

City Sagle State ID Zip 83860

4. Source of Water: mirror creek If GROUNDWATER (well), Date Drilled: mo. N/A / yr. N/A

Well Driller: N/A Drilling Permit Number: N/A

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

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

Irrigation (No. of acres): 1.5 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .04 CFS ~~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 ✓
Has the measuring device been installed? Yes _____ or No ✓

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: Susan Nelson Telephone Number: see above

Address: see above

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: Susan Nelson Date: 8-28-01
(include your title, if on behalf of company or organization)

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FEB 25 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09063

Priority: 02/07/2001

Maximum Diversion Rate: 0.04 CFS

This is to certify, that SUSAN E NELSON
PO BOX 726
SAGLE ID 83860

has applied for a permit to appropriate water from:

Source: Mirror Creek

Tributary: Lake Pend Oreille

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	04/01 to 10/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

Mirror Creek L5 NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6, Twp 55N, Rge 01W, B.M. BONNER County

PLACE OF USE: IRRIGATION

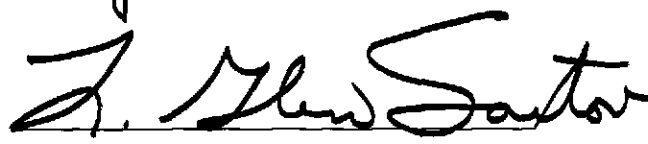
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N 01W 6													1.5				1.5
													L 5				

Total Acres: 1.5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 1, 2002**.
2. Subject to all prior water rights.
3. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 6th day of August, 2001.


for **KARL J DREHER, Director**

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FEB 25 2002

Ident. No. 96-9063

RECEIVED

JUL 18 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant SUSAN E. Nelson Phone 208 263 0101
Post Office address P.O. Box 726 Sagle ID 83860
2. Source of water supply Mirror Creek which is a tributary of Lake Pend Oreille
3. Location of point of diversion is NE 1/4 of NE 1/4 of SE 1/4, Govt. Lot ---
Sec. 16 Township 55 North Range 1 West B.M. Bonner County; additional points of diversion if any: none
4. Water will be used for the following purposes:
Amount 0.04 for Irrigation purposes from 3/5 to 11/5 (both dates inclusive)
(cfs or acre-feet per annum)
Amount --- for --- purposes from --- to --- (both dates inclusive)
(cfs or acre-feet per annum)
Amount --- for --- purposes from --- to --- (both dates inclusive)
(cfs or acre-feet per annum)
Amount --- for --- purposes from --- to --- (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 and/or (b) ---
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 3/4 horsepower pump with 1" pipe
b. Height of storage dam 0 feet; active reservoir capacity 0 acre-feet; total reservoir capacity 0 acre-feet; period of year when water will be diverted to storage: N/A to N/A inclusive.
c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.
d. Is ground water with a temperature of greater than 85°F being sought? no
e. If well is already drilled, when? N/A; Drilling firm ---:
Well was drilled for (well owner) ---
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 if KW. ---
b. Stockwatering; list number and kind of livestock. ---
c. Municipal; show name of municipality. ---
d. Domestic; show number of households. ---
e. Other; describe fully. ---

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FEB 23 2002

9. Description of place of use: lower acreage garden irrigation/pasture

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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	1W	6													1.5				1.5

Total number of acres to be irrigated 1.5

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

11. a. Who owns the property at the point of diversion? Susan Nelson, applicant

b. Who owns the land to be irrigated or place of use? applicant (Susan Nelson)

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: N/A

12. Remarks: N/A

13. MAP OF PROPOSED PROJECT ATTACHED Y Show clearly the proposed point of diversion, place of use, section number, township and range number.

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

Susan E. Nelson
(Applicant)
Partial Fee \$50.00 2/7/01
Balance of Fee \$50.00 3/6/01 Receipt NO14183
Received by [Signature] Date 2/7/01 Time 1:20p Preliminary check by [Signature]
Fee \$ 50.00 / 50.00 Received by [Signature] # NO14133 / NO14183 Date 2/7/01 / 3/6/01
Publication prepared by [Signature] Date 3/7/01 Published in Burnt River Daily Bee 3/15/2001
Publication approved [Signature] Date 4/4/01

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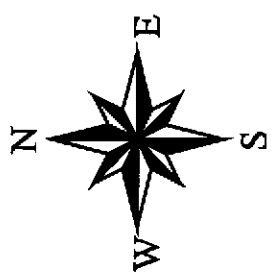
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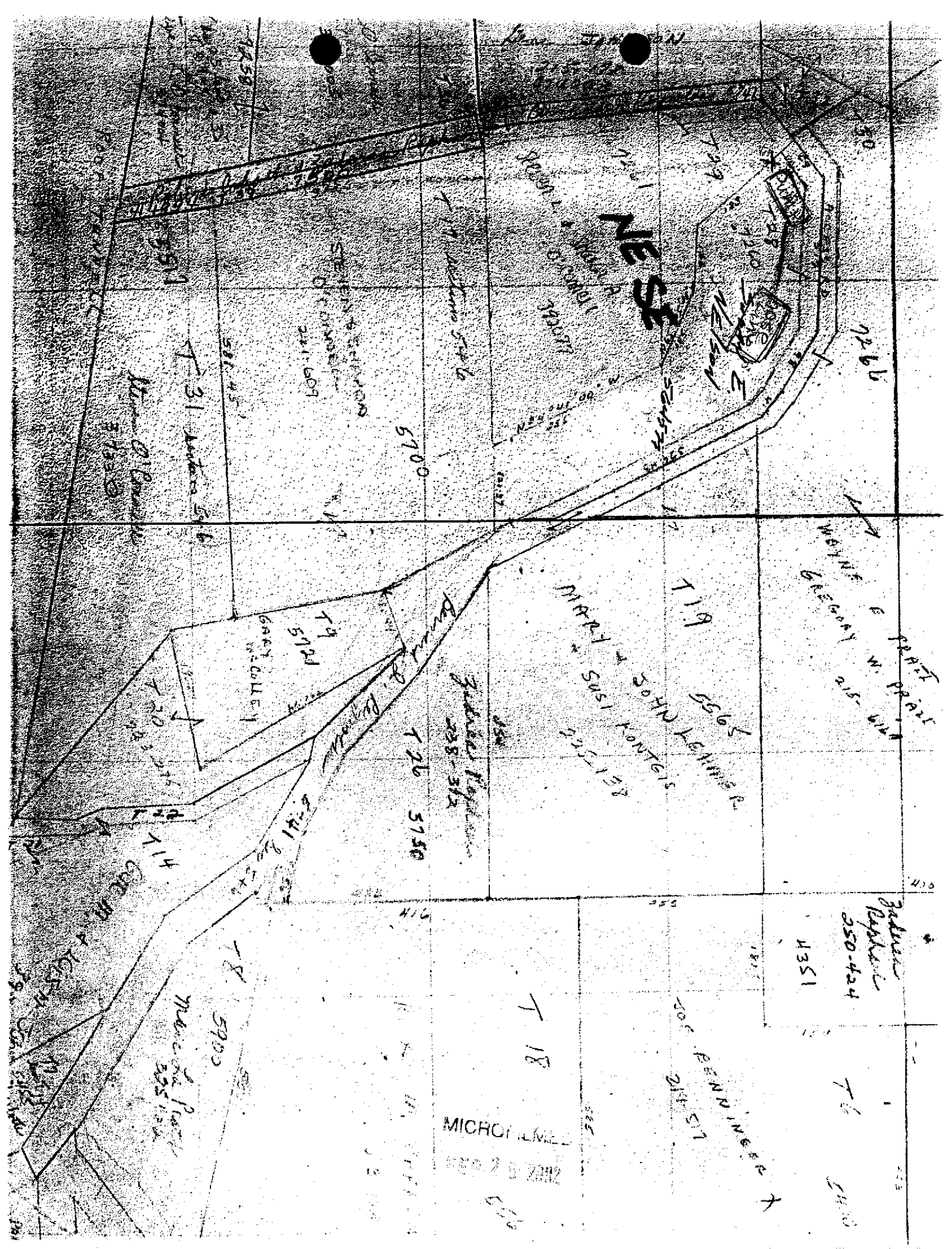


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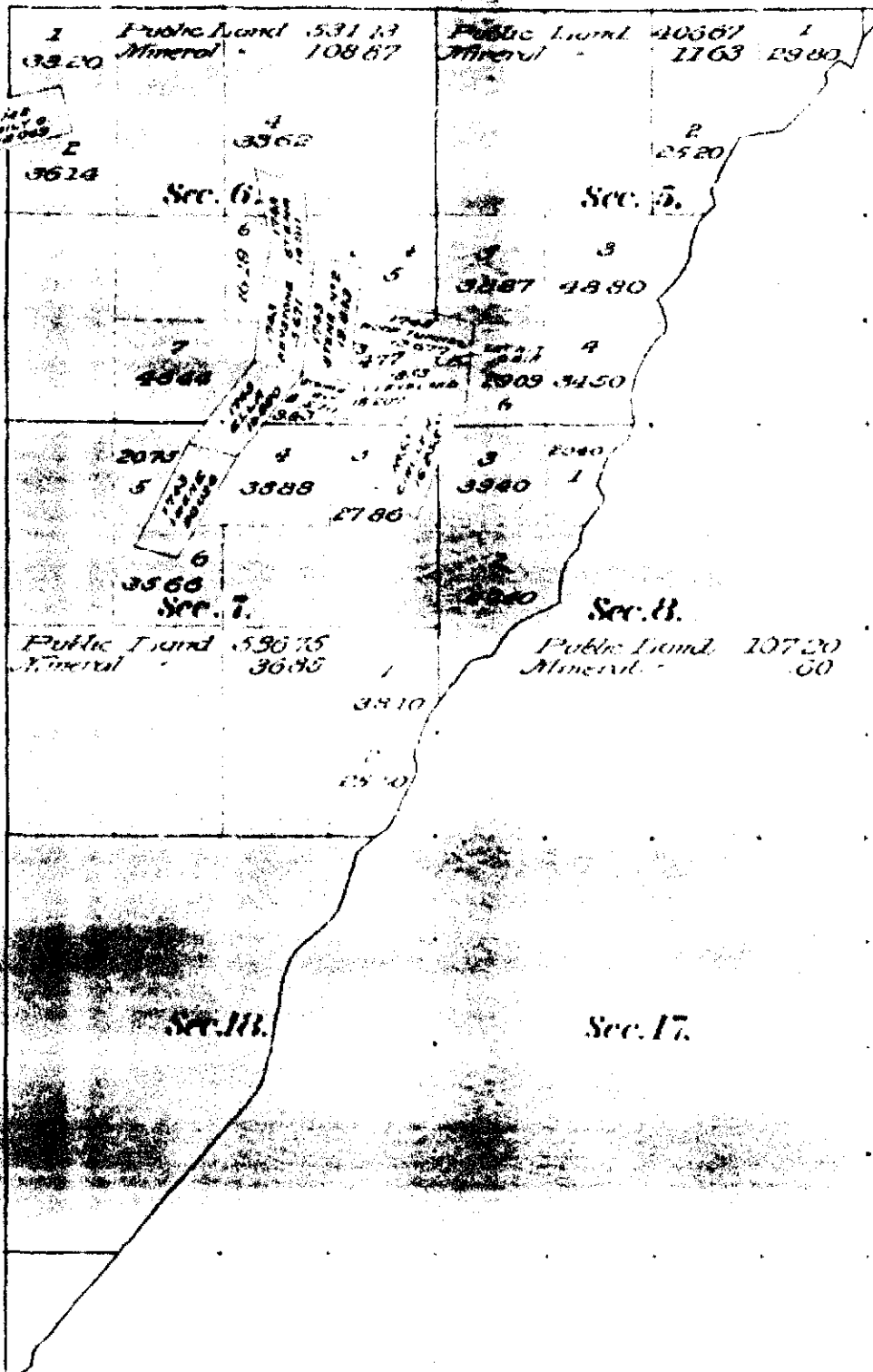


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Township N° 55 North, Range N° 1 We

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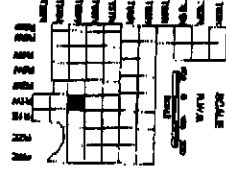
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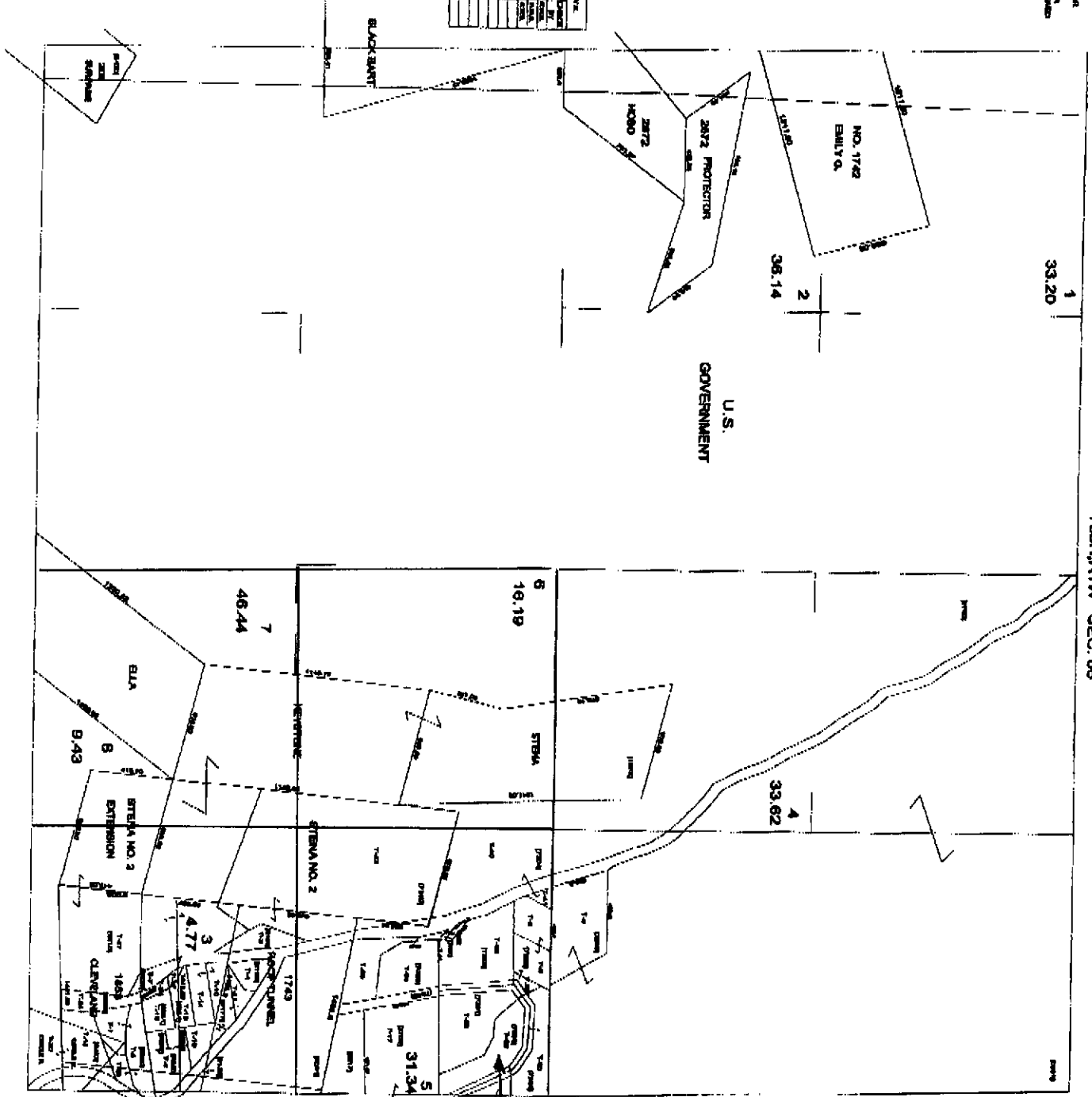
THIS DOCUMENT IS TO BE USED FOR
 THE PURPOSES OF THE
 BONNER COUNTY AND THE
 COUNTY OF THE STATE OF
 ANY INFORMATION FROM CONTAINED

BONNER COUNTY



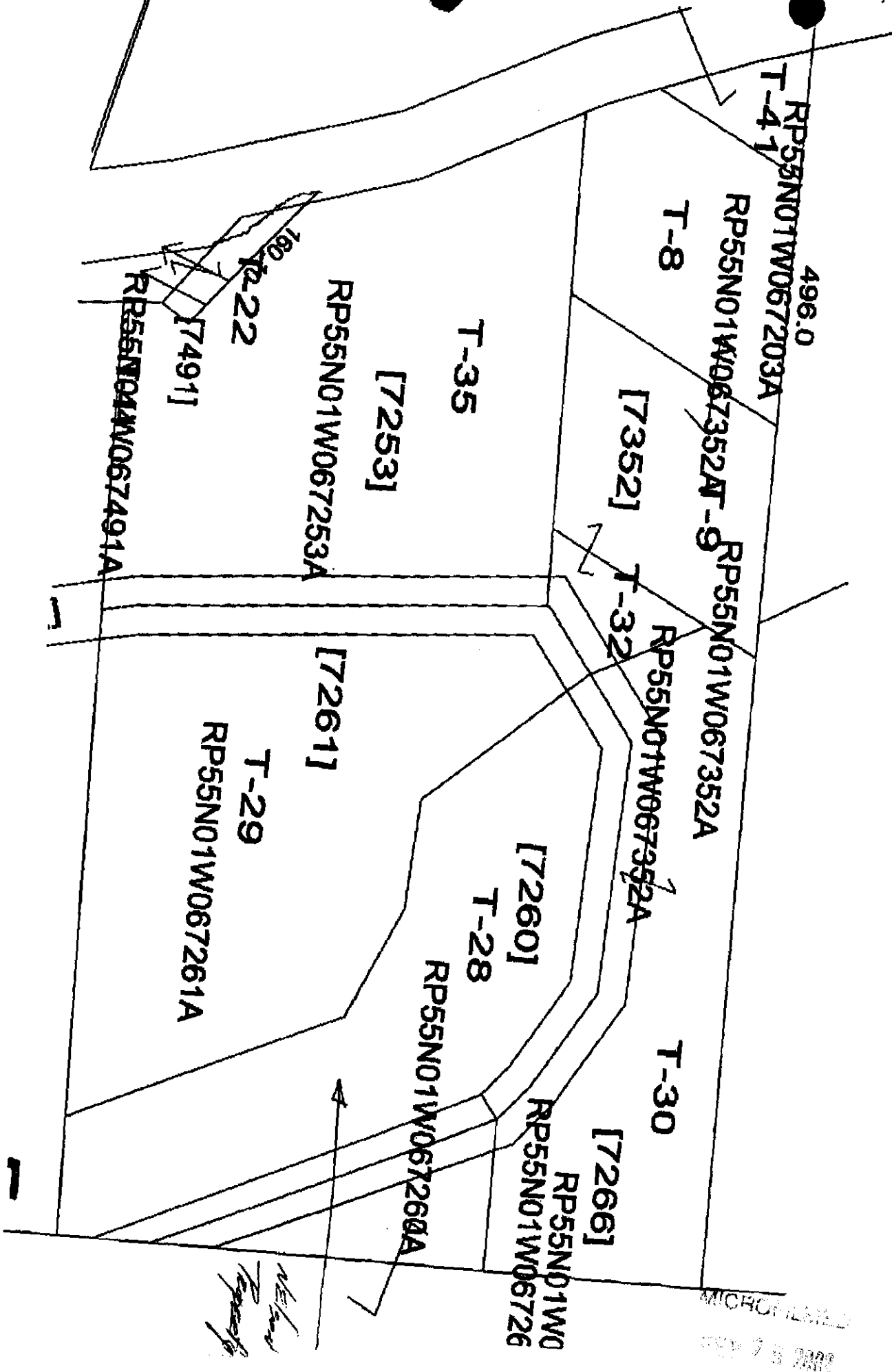
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Parcel	Owner	Area	Value	Notes
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TSSN:RTW SEC. 06

Handwritten notes:
 Nelson
 Property
 208 265 1451



Parcel ~~SE~~ 22N01W067260

PARCEL MASTER INQUIRY

** NAME ROLL **

Name	HS	SF	HO	Cat Year	Quantity	Unit	Value
<u>NELSON, SUSAN E</u>							
<u>356 PONDEROSA TERRACE RD</u>				<u>12</u>	<u>1996</u>	<u>2.270</u>	<u>AC</u>
<u>SAGLE</u>				<u>34</u>	<u>1996</u>		<u>39,713</u>
<u>ID 83860</u>							

Legal 5/6-55N-1W
TAX 28

Totals->

2.27061,157

EF 2/01/1989 Area 62-00 Location 4300
 EX _____ Owner Code _____ Type 31
 Physically Inspected 1996

Comment _____
 Property 356 PONDEROSA TERRAC 83864

WND-> 5-LD 6-EX 8-SF 9-DE 11-SF PARCEL> RP _____ A
 SUB-> 15-RC 1 18-HS 22-SL 23-LI
 F1-Toggle F2-Tax Due F3-End F4-Rural Land Char F24-More Keys

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FEB 25 1992



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

March 13, 2003

SUSAN E NELSON
PO BOX 726
SAGLE ID 83860

RE: License No. 96-9063 - 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.

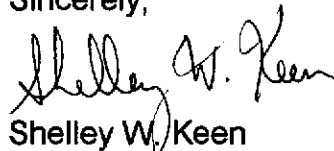
The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a Preliminary Order Correcting Priority for water right 96-9063 and a proof report showing change of ownership on water right 96-7503.

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:klt

Enclosure(s)

MICROFILMED
MAR 24 2003

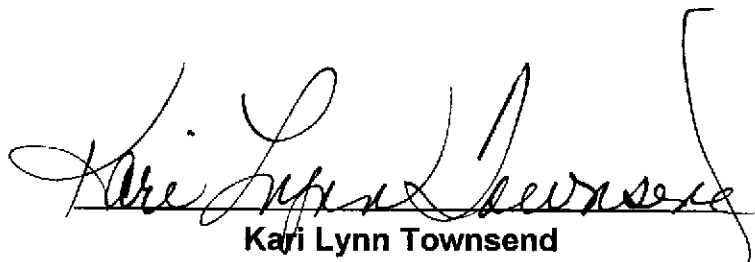
CERTIFICATE OF SERVICE

I hereby certify that on March 13, 2003 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.

96-9063

**SUSAN E NELSON
PO BOX 726
SAGLE ID 83860**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
MAR 24 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).

MICROFILMED
APR 24 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.

Comment Report

96-9063

1. kwalker 3/12/2003 Priority Date

Comment: During license review I noticed the priority date should be March 6, 2001. This is the date the entire filing fee for the application was received. Have prepared Order correcting priority along with proposed license.

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MAR 24 2003

LICENSE REVIEW CHECKLIST

Permit No. 96-9063

Date: 3-12-03

Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: 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): 96-7503

File reviewed _____ Profile reports printed ✓

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

Rate of Diversion:

Permitted rate 0.04 cfs

Fee Limit 0.20 cfs

Measured 0.02 cfs

Theoretical _____ cfs

Recommended Total Diversion Rate 0.02

Water Uses OK

Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 0.02 cfs _____ af

Stockwater _____ cfs _____ af

Domestic _____ cfs _____ af

_____ cfs _____ af

_____ cfs _____ af

Total _____ cfs _____ 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 (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.02 cfs x 1.9835 x 214 days = 8.5 af (vs) 0.5 acres x 3.0 (FHR) = 1.5 af

Remarks: _____

Additional Conditions

Watermaster Control

GW Measurement/Measuring Device

Other

Trust R55 - remove 051)

Non-trust (048)

GW Dist? _____

Water Msmt. Dist? _____

Crit. GWMA? _____

GWMA? _____

Government Lots? _____

Advance Priority? ✓ yes

no

If yes, explain why below.

see Order correcting Priority

SRBA Claim? N/A

Adjust memo _____

Amend Letters

P87, S06

Second Amendment Notice

S06

* Exam of Rt. 96-7503 (6/24/1980) allowed capacity of 0.09 cfs - using this as system capacity & limiter when rights are combined.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 96-7503

WATER RIGHT NUMBER: 96-7503

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SUSAN E NELSON PO BOX 726 SAGLE, ID 83860 (208) 263-0101
Original Owner	DANIEL CLINE PO BOX 158 SAGLE, ID 83860

Priority Date: 02/16/1977

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
MIRROR CREEK	LAKE PEND OREILLE

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.020 CFS	0.20 AF
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
IRRIGATION	3/15 to 11/15	0.030 CFS	3.50 AF
<u>Total Diversion:</u>		0.090 CFS	4.90 AF

Location of Point(s) of Diversion

MIRROR CREEK	NE1/4SE1/4	Sec. 6,	Twp 55N,	Rge 01W, B.M.
BONNER County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	01W	6													1.0				1.0

Total Acres: 1

STOCKWATER same as IRRIGATION
DOMESTIC same as IRRIGATION

Conditions of Approval:Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 96-7503

Dates and Other Information:

Licensed Date: 8/31/1982
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

INTER-DEPARTMENT MEMO--1

FROM S. Keen

TO Water Right File 96-9063

DATE 2/18/2003

SUBJECT Call from Sue Nelson

Sue Nelson called today to tell me that she will submit an ownership change notice for Right 96-7503.

MICROFILMED

MAR 24 2003

Shelley W. Keen
SIGNATURE

FROM S. Keen

to Water Right File 96-9063

SUBJECT Call from Sue Nelson

INTER-DEPARTMENT MEMO--1

DATE 2/18/2003

Sue Nelson called today to ask a couple of questions and to let IDWR know that she is pursuing the matter addressed in my 1/27/03 letter to her.

MICROFILMED

MAR 24 2003

Shelly Keen
SIGNATURE



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

January 27, 2003

SUSAN E NELSON
PO BOX 726
SAGLE ID 83860

RE: Water Appropriation Permit 96-9063

Dear Ms. Nelson:

In August of 2001 IDWR issued Permit 96-9063 authorizing you to establish a right to divert 0.04 cfs of water from Mirror Creek for the irrigation of 1.5 acres in Bonner County. In October of 2001 you submitted a Proof of Beneficial Use statement indicating that your project is complete, and on May 15, 2002, an IDWR field inspector confirmed that you are diverting and using water from Mirror Creek for the proposed irrigation use. Normally, the next step in the water appropriation process would be the issuance of a water right license confirming that you have established a water right in accordance with Permit 96-9063. However, a search through existing water right records revealed that a water right license issued in 1982 might already cover some or all of your water use.

Water Right License 96-7503 was issued to Daniel Cline for the diversion of 0.09 cfs from Mirror Creek for domestic and stockwater purposes and for the irrigation of one acre. I have enclosed a copy of License 96-7503 for you to review. Just as with your permit, the authorized point of diversion and the authorized place of use under Right 96-7503 are in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, Township 55 North, Range 1 West, B. M. In December of 2002 I spoke with Randy Stenson and others at the Bonner County assessor's office about the ownership history of your 2.2-acre parcel. They told me that your home was built around 1982. They also told me that it appears Daniel Cline owned your parcel until October of 1981. Therefore, it appears that Water Right 96-7503 may have been established on the parcel of land you now own.

Because a water right is appurtenant to the land on which it is used, ownership of a water right usually goes with the ownership of the land unless otherwise stated in the contract of sale or deed. Therefore, you may be entitled to assert ownership of Water Right 96-7503. Ownership of the older right may be important to you because when water diversions are regulated in a time of shortage, senior (older) water rights are filled before junior (newer) water rights. (Section 42-106, *Idaho Code*, says, "As between appropriators, the first in time is first in right.")

If, after looking into this matter, you believe you are the owner of Water Right 96-7503, please complete the enclosed Notice of Change in Water Right Ownership form and return it to IDWR with documentation showing that you do, in fact, own the parcel where Daniel Cline established

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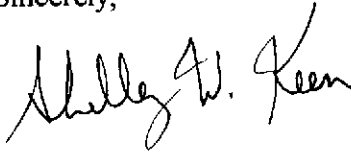
APR 24 2003

Susan E. Nelson
January 27, 2003
Page 2

the water right. Please also indicate whether the one acre of irrigation authorized under Water Right 96-7503 covers your use, or if a water right license should be issued for the additional half an acre reported by the field examiner for Permit 96-9063. If you do not own Water Right 96-7503, or if you think that Right 96-9063 may have been forfeited through five years of non-use prior to your acquisition of the property, then please notify me in writing so that IDWR can proceed with issuance of a license for the water use under Permit 96-9063.

If I have not received a response from you within 30 days, I will assume you have no interest in Right 96-7503. If you have any questions, please call me at 208-327-7946, or email me at skeen@idwr.state.id.us.

Sincerely,



Shelley Walter Keen
Water Rights Supervisor

Enclosure

cc: Al Beardslee, IDWR Northern Region

MICROFILMED

MAY 2 2003

MEMORANDUM

DATE: December 27, 2002

TO: Water Right File 96-9063

FROM: Shelley W. Keen *(SWK)*

RE: Overlap with 96-7503

A couple of weeks ago I spoke with Randy Stenson and others at the Bonner County assessor's office about the ownership of property now owned by Susan E. Nelson. I called Mr. Stenson because I was concerned that Permit 96-9063 filed by Nelson covers the same use already licensed under water right 96-7503, which is in the name of Cline. According to Bonner County, the Nelson property is a 2.2-acre parcel with one home built about 1982. It has passed through several ownerships during the 1980s and 1990s, but it was owned by Daniel Cline until October of 1981. I recommend writing Susan Nelson and giving her the opportunity to submit an ownership change notice on 96-7503 instead of receiving a license for 96-9063.

*Bonner Co.
Assessor
265-1446*

MICROFILMED

MAR 24 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 19 2002

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-09063

1. Owner: Susan Nelson Phone No. (208) 263-0101

Current Address: PO Box 726 Eagle Id. 83860

2. Accompanied by: Boy friend EXAM DATE: 5-15-02

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Mirror Creek tributary to Lake Bend Oreille

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
	05	NE	NE	SE	6	55N	01W	Bonner	USGS QUAD

2. Place(s) of Use:

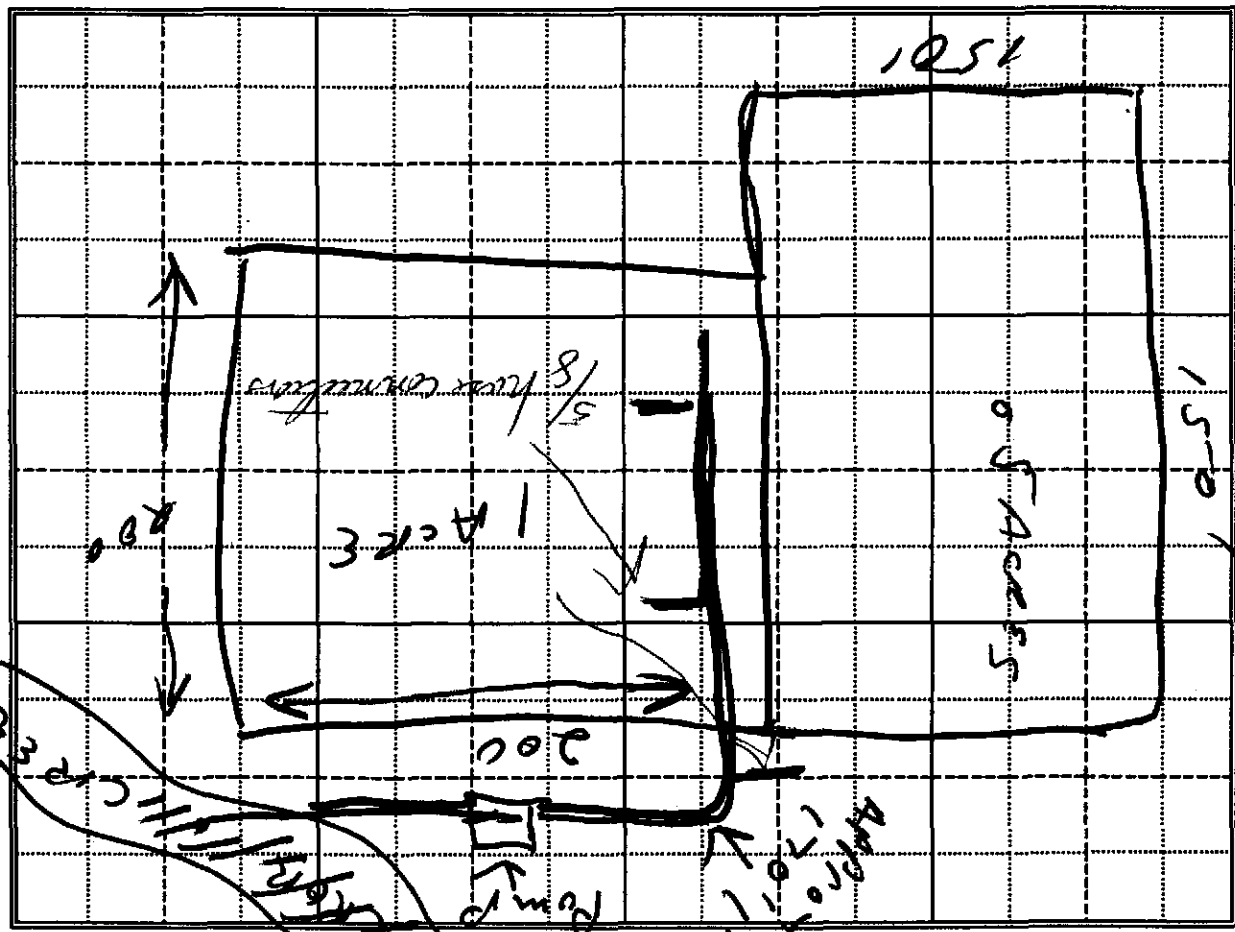
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	01W	6													105				
															65				

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MAR 24 2003

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



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

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	General	5	5650	Acme	1" base

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

D. FLOW MEASUREMENTS

1.

2. Measurements:

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

MICRO-LOG
 MAR 7 1967

96-09063



PD

Pump

PV

PV

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MAR 24 2003

over

A black and white photograph of a small, dark, rectangular structure, possibly a shed or a small building, situated in a wooded area. The structure has a sign on its front that reads "96-09063". The structure is surrounded by trees and foliage, and the ground appears to be covered in grass or low vegetation.

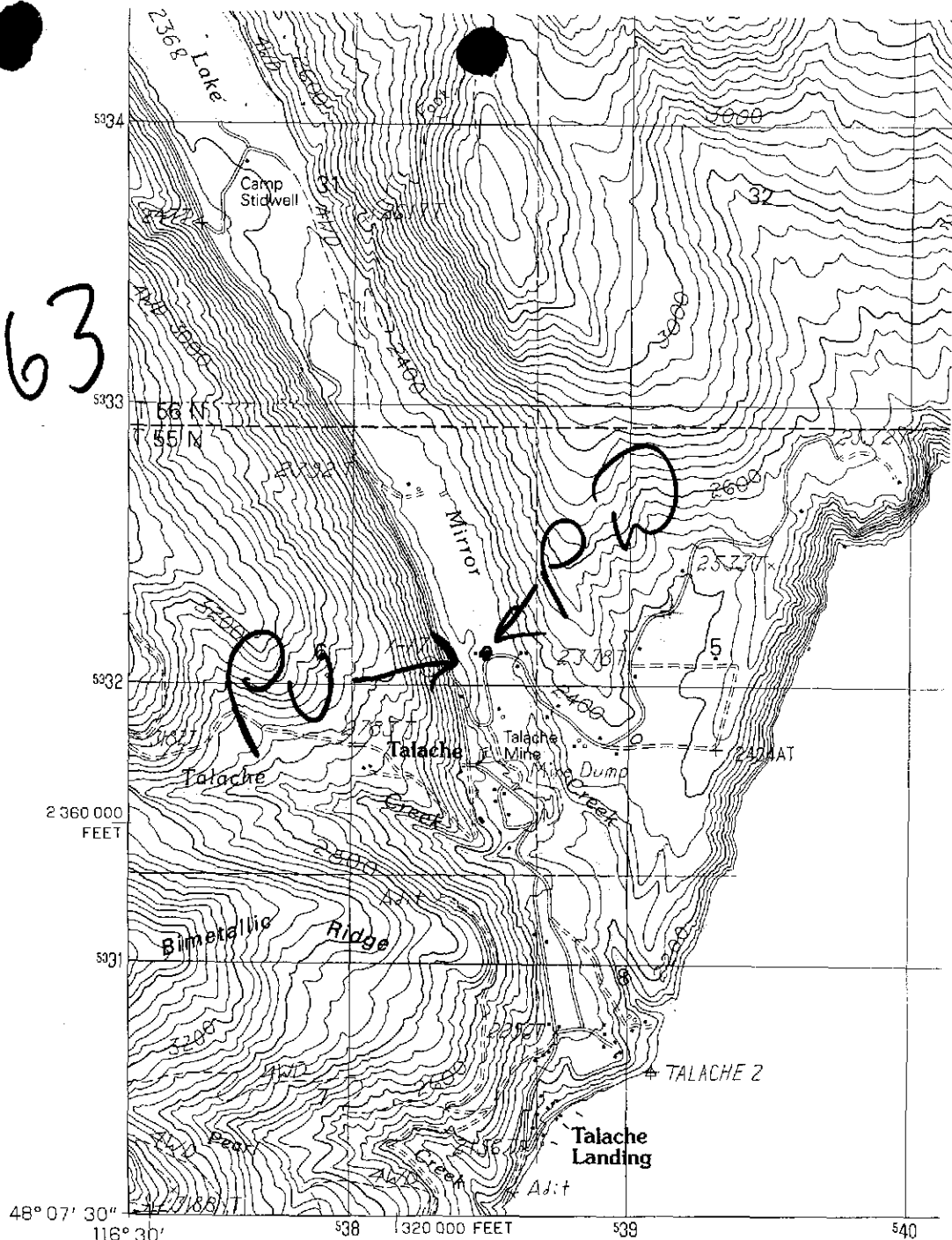
၂၁

p. v

PV

96-09063

NE NE SE
Sec 6



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY USGS, NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1986
 FIELD CHECKED 1987 MAP EDITED 1989
 PROJECTION TRANSVERSE MERCATOR
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 11
 10,000-FOOT STATE GRID TICKS IDAHO, WEST ZONE
 UTM GRID DECLINATION 0°25' EAST
 1989 MAGNETIC NORTH DECLINATION 19° EAST
 VERTICAL DATUM NATIONAL GEODETIC VERTICAL DATUM OF 1929
 HORIZONTAL DATUM 1927 NORTH AMERICAN DATUM
 To place on the predicted North American Datum of 1983,
 move the projection lines as shown by dashed corner ticks
 (13 meters north and 77 meters east)
 There may be private inholdings within the boundaries of any
 Federal and State Reservations shown on this map



PROVISIONAL MAP
 Produced from original
 manuscript drawings. Infor-
 mation shown as of date of
 photography. 1

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 MAR 24 2003

E. NARRATIVE/REMARKS/COMMENTS

A 1 inch main line runs from pump through irrigated area. Irrigation is accomplished hooking 5/8 hose to portable sprinklers (2) moved about to desired area.

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

MICROCOMEC

MAR 24 2003

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$5 \text{ gals} \times 30 \text{ sec} = 109 \text{ ft}$$

$$10 \times 133681 = 02065$$

$$60$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 15 \times 3 = 45$$

$$V_{dr} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 102 \times 713 \times 1.9835 = 8.4$$

$$V = \text{Smaller of } V_{ir} \text{ and } V_{dr} = 4.5$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Longaker

Period of Use

From 04-01 To 10-31

Rate of Diversion Q (cfs) 102

Annual Volume V (ata) 4.5

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

Wayne Babalik Date 07-26-02

Reviewer

Date

SEAL

RECEIVED
JUL 27 2002



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

October 26, 2001

SUSAN E NELSON
PO BOX 726
SAGLE ID 83860

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-09063

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 at (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

FEB 15 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 96-9063

Reviewed By: dgibson

Date: October 25, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	N014133, N014183, C057205		Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		10/22/2001
Date proof due	-	08/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	02/07/2001
New priority date	=	02/07/2001

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

August 8, 2001

SUSAN E NELSON
PO BOX 726
SAGLE ID 83860

RE: Permit No. 96-9063

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.

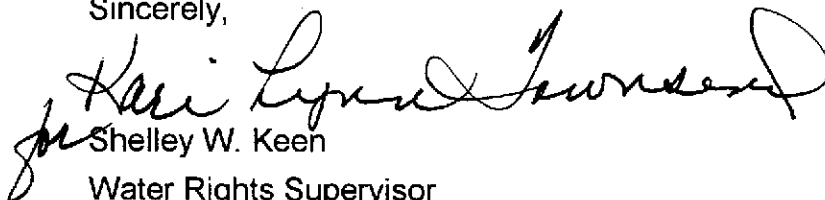
Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

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.

MICROFILMED
FEB 23 2002

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

Sincerely,

Handwritten signature of Shelley W. Keen in cursive script.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
FEB 25 2002

CERTIFICATE OF MAILING

I hereby certify that on August 8, 2001 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. 96-9063

**SUSAN E NELSON
PO BOX 726
SAGLE ID 83860**

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

**Kari Lynn Townsend
Secretary**

MICROFILMED
FEB 23 2002

**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).

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.

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Sharla Curtis on _____

No. 96-9063 Name: Nelson Corp. Officers N/A Ad ok ☒ Govt Lots

AREA OF CONCERN: No/Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCK WATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response None
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-042-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
>1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

BENEFICIAL USE DUE: 8 / 01 / 2002

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 4/1 - 10/31 (Per updated map)

IRR VOLUME/ACRE 3.0

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

RECEIVED

JUL 18 2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEETE WRA
BCAAPPLICATION # 96-9063

68926

Department of Water Resources INITIAL REVIEW

APPLICANT: NELSON BY: AB DATE: 2/7/01

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes) (No)

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

PROCESSING

(Yes) (No) PRIORITY DATE: 3/6/01X (Include Moratorium Remark)X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).ADVERTISE IN: BONNER County

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

GROUNDWATER SECTION

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

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- I Notice of pending void order issued. Final order response date: 1/1/01
- I Further information required from applicant
- I Affidavit of publication received
- I Application published correctly. If not, record action taken: _____

Publication dates and paper recorded on application | Sr. Agent initial

Protests received, Final protest date: 4/2/01

Measuring device required

Measuring port required

Special conditions:

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

Approval Recommended by: BRDate: 4/24/01

Ball, Dianne

From: Ball, Dianne
Sent: Monday, April 02, 2001 12:11 PM
To: 'Mark Liter, IDFG Cd'A'
Subject: perweek3.txt



perweek3.txt.url

ark, I understand that you have taken over the matter of surface water right review and comment, from Chip Corsi. Hence this e-mail to you.

Embodied in the link below are four (4) water rights on which we need comments from you as soon as possible - actually by today if at all possible.

On our new system, these do not hit the internet as soon as they used to, and that coupled with the fact that I was stranded out of town because of a car break down, I am delayed in getting these to you. The four (4) in question are surface water rights, as follows:

95-9059	McCormack tall Pines
95-9060	Zirkle
95-9061	Zirkle
96-9063	Nelson

MANY, MANY thanks for your prompt response. It is greatly appreciated,

Dianne Ball, IDWR, Cd'A

<http://www.idwr.state.id.us/info/water/rights/perweek3.txt>

*No response as of
4/24/01
D*

MICROFILMED
FEB 25 2002

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Sherilyn 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 15 day of Mar, 20 01

and ending on the 22 day of Mar, 20 01

and that said notice was published in said newspaper.

On this 22 day of March in the year

of 2001, before me, a Notary Public, personally

appeared Sherilyn Jones,

known or identified to me to be the person whose name

subscribed to me, 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.

Notary Public for Idaho

Residing at Sandpoint

My Commission expires: 8/06

RECEIVED
APR 04 2001
IDWR/North

LEGAL NOTICE
96-9063

SUSAN E NELSON
PO BOX 726
SAGLE ID 83860
Point(s) of Diversion: NENESE
S6 T55N R01W BONNER County
Source: MIRROR CREEK
Use: IRRIGATION
03/15 To 11/15 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 3/6/2001
Place Of Use: IRRIGATION
T55N R01W S6 NESE
Number of Acres: 1.5

Permits will be subject to all prior water rights. Protests may be submitted 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 04/02/2001. The protestant must also send a copy of the protest to the applicant.
KARL J. DREHER, Director
Legal SNP#2442 - March 15, 22, 2001

MICROFILMED

APR 25 2002

2442

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

96-9063

SUSAN E NELSON
PO BOX 726
SAGLE ID 83860

Point(s) of Diversion NENESE S6 T55N R01W BONNER County

Source MIRROR CREEK

Use: IRRIGATION 03/15 To 11/15 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 3/6/2001

Place Of Use: IRRIGATION

T55N R01W S6 NESE

Number of Acres 1.5

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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KARL J DREHER, Director

Published on 3/15 and 22/2001

MICROFILMED

FEB 23 2002



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 07, 2001

Legal Notice Department
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT ID 83864

RE: Application for Permit No. 96-9063

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 04/02/2001. Your cooperation is appreciated.

Sincerely

Thanks to ☺

Dianne Ball

Dianne Ball
Administrative Assistant

MICROFILMED

SEP 23 2001

March 7, 2001

Susan E. Nelson
PO Box 726
Sagle ID 83860

Re: Water Appropriation Application No. 96-9063

Dear Ms. Nelson::

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. Enclosed for your file is Receipts Number N014133 and N014183.

Your appropriation application is currently being prepared for advertising in the Bonner County Daily Bee newspaper on March 15 and 22, 2001. 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 2 to 3 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

APR 23 2002

HOLD FOR ADDITIONAL
\$50⁰⁰ FEE -

SUE SAID SHE WOULD
SEND IT TO US 2/23/01

Al

Rec'd 3/6/01

RECEIVED

MAR 06 2001

3.3.01

IDWR/North

Hello Al,

Attached please
find the additional \$
needed for the HaO
rights request to
Muir Creek at Sage
JD requested by me.
Please call with
questions (208-263-0101)

Thanks again,

Juan Wilson

MICROFILMED

FEB 15 2002

For _____

Urgent ☐

Date _____

Time _____

While You Were Out

M _____

Of _____

Phone _____

AREA CODE

NUMBER

EXTENSION

Telephoned ☐

Please Call ☐

Came To See You ☐

Will Call Again ☐

Returned Your Call ☐

Wants To See You ☐

Message _____

Signed _____

9711

 ADAMS BUSINESS FORMS