

RECEIVED

AUG 17 1989

NORTHERN REGION
IDWR

* Red Mark indicates
where water is being drawn
from Lake Pend Oreille

MILLER

T. 55N., R. 1W

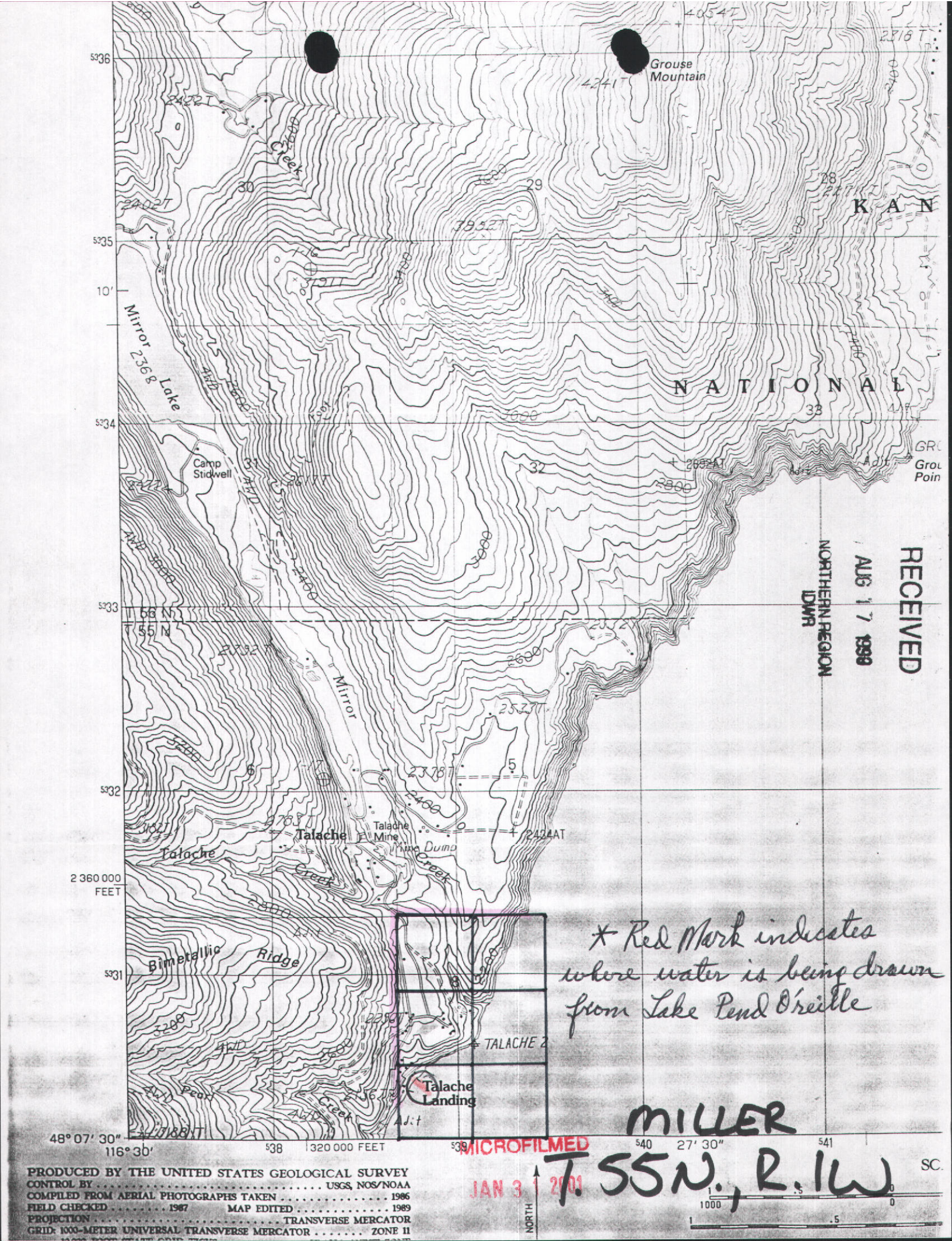
MICROFILMED

JAN 3 1991

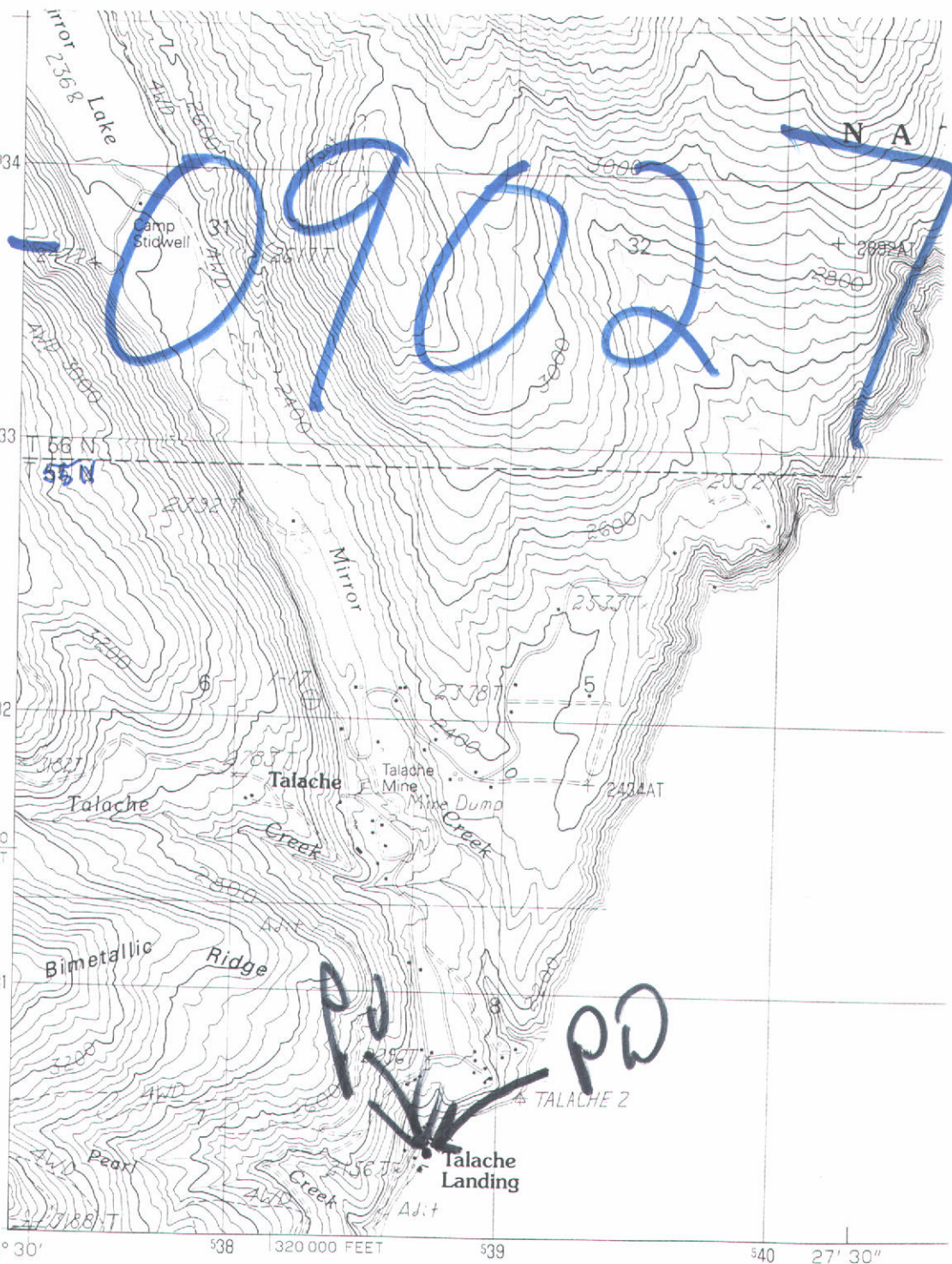
NORTH

SC.

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



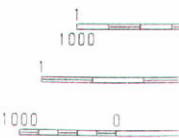
96



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

MICROFILMED

JAN 31 2001



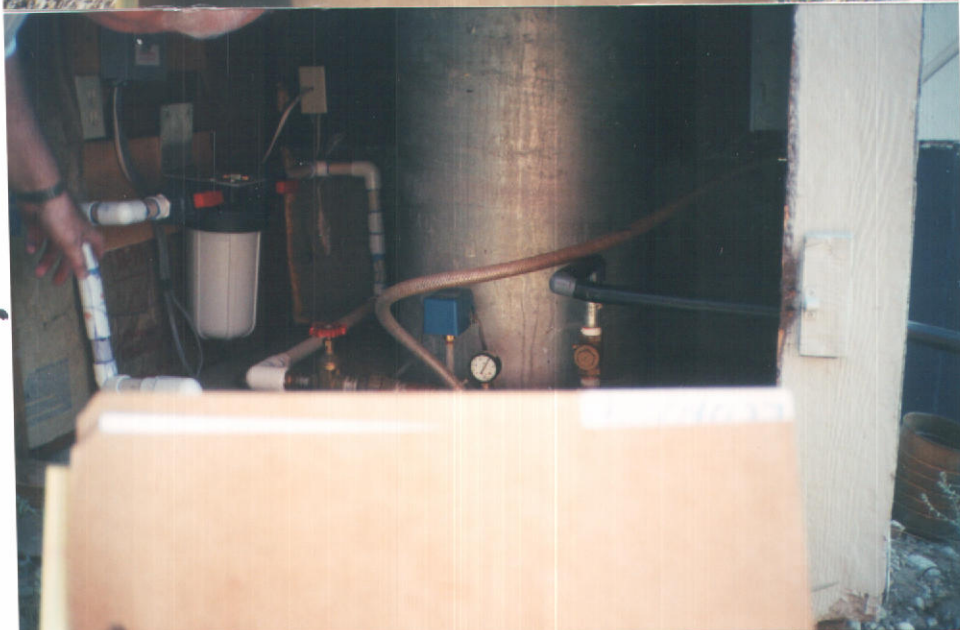
PROVISIONAL MAP
 Produced from original
 manuscript drawings. Infor-
 mation shown as of date of
 photography.

96-09027



PD

Pressure Tank
+
Pump Controls



Domestic

MICROFILMED

JAN 31 2001

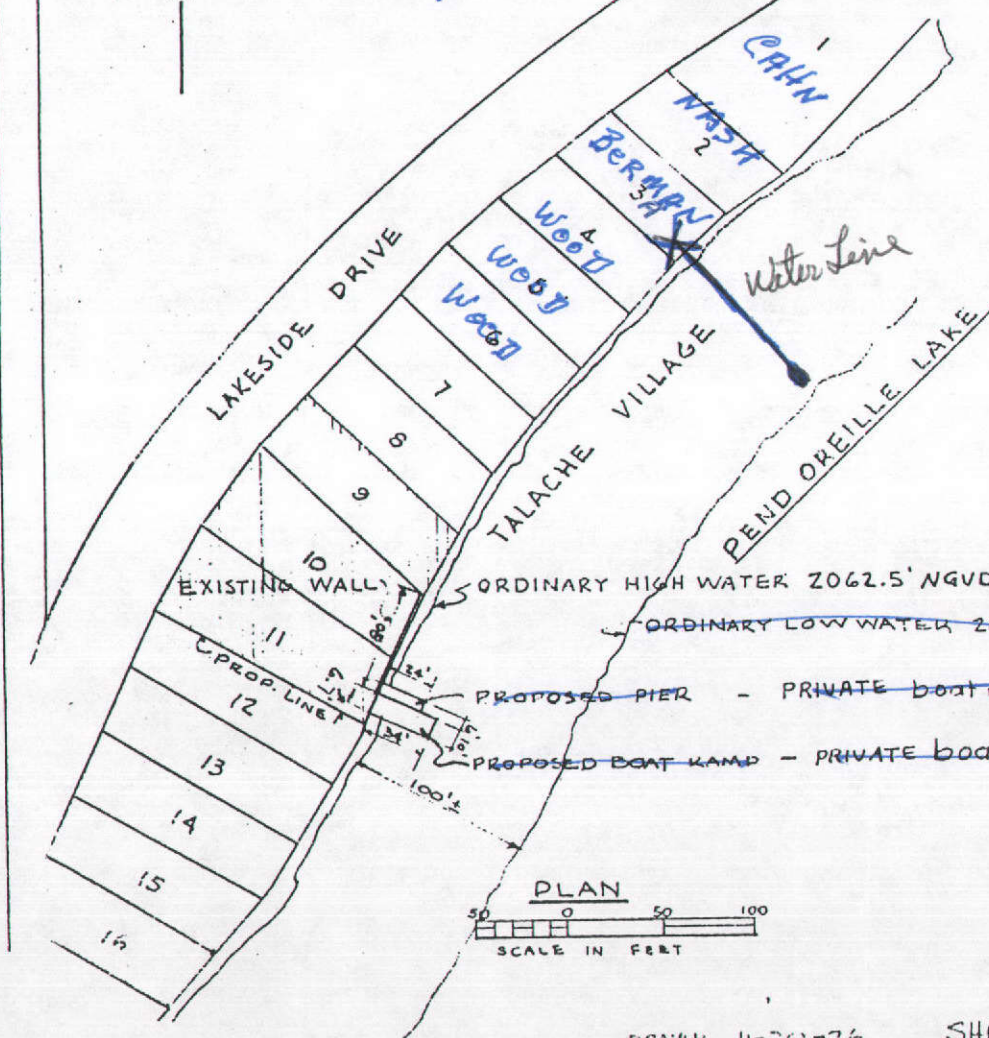
Note

1/4 COR.

7 8

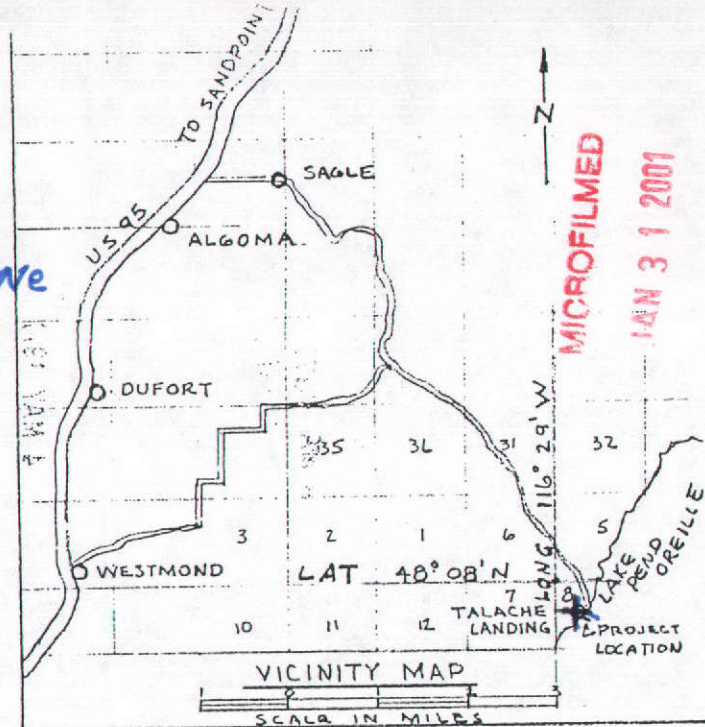
* NASH owns Lot 2 - Woods Lots 4-5-6
WATERLINE is on BERMAN Property
AND is 55' ft From NASH Property Line
AND 17' ft from Wood Property Line.

N



DESIGN 11-20-76

SHEET 1 OF 2



SOURCE: METSKER BONNER COUNTY MAP

DATUM: NGVD = 0.00

ADJACENT PROPERTY OWNERS:

LOT 12 OWNED BY EDWARD MAJESKI
LITTLE SPOKANE DR.
SPOKANE, WASH 99208
LOT 8 OWNED BY GLEN SAUDELIN
SAGLE, IDAHO 83860

071-078-2-003795

WATER LINE: 1 1/2"

PROPOSED CONCRETE BOAT RAMP,
PIER AND FILL

IN PEND OREILLE LAKE
NEAR SANDPOINT

BONNER COUNTY, IDAHO

OWNER: LEE STEVENS

42816-BH SPORTELL WA 99204

OWNER - Claudia G. Berman

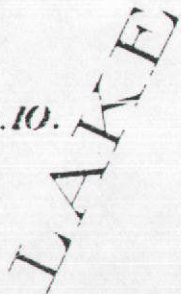
1346 Preservation Way

Oldimar, FL 34677

PH-727-781-5985

MICROFILMED
JAN 31 2001

JAN 31 2001



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-09027

Priority: July 02, 1999

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that WILLIAM MILLER And BARBARA MILLER And FRAN MC INTIRE
PO BOX 1186
SAGLE ID 83860 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated July 02, 1999; and have
submitted Proof of Beneficial Use on February 03, 2000. An examination indicates that the works have
a diversion capacity of 0.02 cfs of water from:

SOURCE

PEND OREILLE LAKE

Tributary: PEND OREILLE RIVER

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>
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

PEND OREILLE LAKE GL2 NW1/4SW1/4 Sec. 8, Twp 55N, Rge 01W, B.M., BONNER County

PLACE OF USE: DOMESTIC

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	8																	

CONDITIONS OF APPROVAL

- Domestic use is for 1 home.
- Point of diversion and place of use are located within Lot 3A, Blk. 5, Talache Subdivision.

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 26th day of MARCH, 2001.

Acting for

KARL J. DREHER
Director

MICROFILMED

APR 11 2001

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEB - 3 2000

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 96-09027 Telephone No. 208-263-9511

2. Name of Permit Holder(s): William Miller, Barbara Miller, Fran McIntire

3. Mailing Address: PO Box 1186

City Idaho State ID Zip 83860

4. Source of Water: Lake Pend Oreille If **GROUNDWATER** (well), Date Drilled: mo. N/A / yr.

a. Well Driller: N/A Drilling Permit Number: - N/A -

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

Domestic (No. of households): 1 Stockwater (No. and type of stock): N/A

Irrigation (No. of acres): N/A Other: Household

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 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: \$ Mailed in June 99 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: William H Miller Telephone Number: 208-263-9511

Address: PO Box 1186 - Idaho, ID - 83860

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: William Miller Date: 1-22-2000
(include your title, if on behalf of company or organization)

MICROFILMED

JAN 31 2001

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-09027

Priority: July 2, 1999

Maximum Diversion Rate:

0.04 CFS

This is to certify, that WILLIAM MILLER
BARBARA MILLER
FRAN MC INTIRE
PO BOX 186
SAGLE ID 83860

has applied for a permit to appropriate water from:

PEND OREILLE LAKE

tributary of PEND OREILLE RIVER

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>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: Govt. Lot 2 (NWSW), Sec. 8, Township 55N, Range 01W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

55N 01W 8 Govt. Lot 2 (NWSW)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before January 1, 2001.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Domestic use is for 1 home.
5. Point of diversion and place of use is located within Lot 3A, Talache Village.

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

19th day of January, 2000


Karl J. Dreher, Director
for

MICROFILMED

JAN 31 2000

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-09027

Priority: July 2, 1999

Maximum Diversion Rate:

0.04 CFS

This is to certify, that WILLIAM MILLER
BARBARA MILLER
FRAN MC INTIRE
PO BOX 186
SAGLE ID 83860

has applied for a permit to appropriate water from:

PEND OREILLE LAKE

tributary of PEND OREILLE RIVER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (NWSW), Sec. 8, Township 55N, Range 01W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

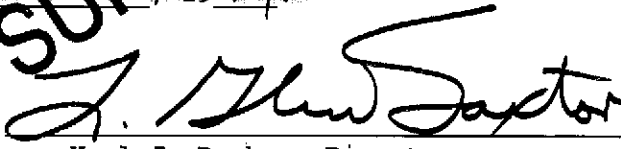
55N 01W 8 Lot 2 (NWSW)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before January 1, 2001.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Domestic use is for 1 home.
5. Point of diversion and place of use is located within Lot 3, Talache Village.

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

29th day of December, 1999.

SUPERSEDED

for Karl J. Dreher, Director

MICROFILMED

JAN 3 1 2001

RECEIVED

JUL 02 1999

IDWR/North

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 96-09027

RECEIVED

DEC 9 1999

Department of Water Resources

Fran McIntire &

- Name of Applicant William & Barbara Miller Phone (208) 263-9511
Mailing address P.O. Box 186 - Sagle, Id 83860
- Source of water supply Lake Pand Oreille which is a tributary of PAND OREILLE RIVER
- Location of point of diversion is Township 55 N Range 1 West Sec. 8 in the NW 1/4, SW 1/4, Govt. Lot 2, B.M., BONNER County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

- | |
|---|
| Amount <u>.04</u> for <u>Domestic</u> purposes from <u>April 4, 1992</u> to <u>12/31, 1999</u> (both dates inclusive) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |

- Total quantity to be appropriated is (a) .04 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

- Describe type and size of devices used to divert water from the source Submersible 1/2 Hp Pump - 1 1/2" Line
- Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet
- Proposed well diameter is N/A inches; proposed depth of well is N/A feet
- Is ground water with a temperature of greater than 85°F being sought? No
- If well is already drilled, when? N/A; Drilling firm N/A
Well was drilled for (well owner) N/A; Drilling Permit No. _____

- Time required for completion of works and application of water to proposed beneficial use is Life of Dwelling years (minimum 1 year)

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. No
- Municipal; show name of municipality. No
- Domestic; show number of households. 1 - Household - plus 10'x10' GARDEN
- Other; describe fully. _____

MICROFILMED

JAN 31 2001

9. Description of place of use:

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

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

-D-

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	
55	1W	8							~~2~~			D							
												4.6							
																</			

Total number of acres to be irrigated N/A

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? BARBARA Miller & Fran McINTIRE

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: OWNER -

12. Remarks: BARBARA Miller & Fran McINTIRE are owners of property in Question - Fran McINTIRE is BARBARA Millers Daughter.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"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.)

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.

X William H. Miller
X Mary X McINTIRE

X Barbara J. Miller

Signature of Applicant (and title, if applicable)

Received by C.M. Date 7-2-99 Time 1:11 P.M. Preliminary check by William H. Miller
 Fee \$ 50.00 Receipted by C.M. # ND13023 Date 7-2-99
 Publication prepared by cb Date 9/28/99 Published in Bonner Co Daily Bee 17+14/99
 Publication approved cb Date 10/19/99

MICROFILMED

JAN 31 2001

Lake Pend Oreille - Idaho

RECEIVED

JUL 02 1999

IDWR/North

TALACHE BEACH

WATER
LINE

< Since 1992 - April

LARGE
ROCKS

20' →

LOT 2

A.E. Keen Nash

Lot 3

McINTIRE/MILLER
Residence

LOT 4

(Deceased)

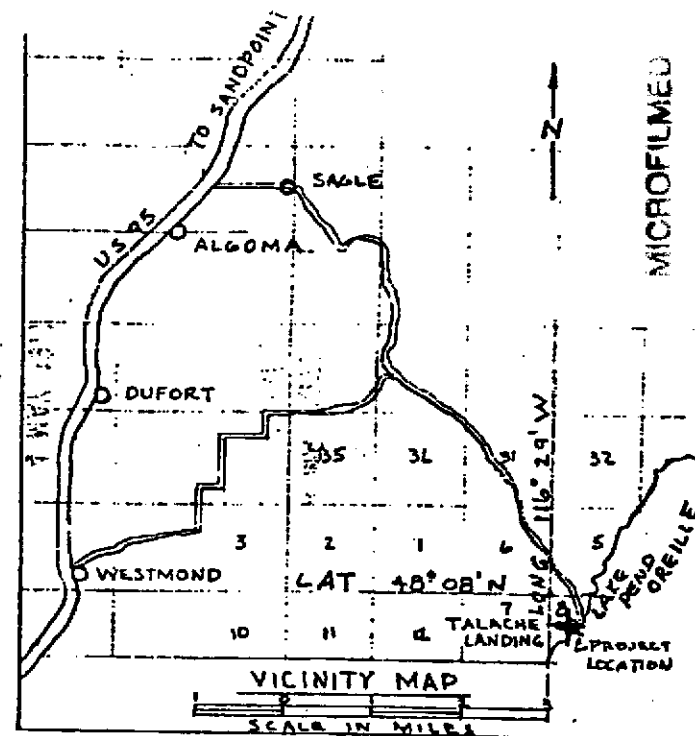
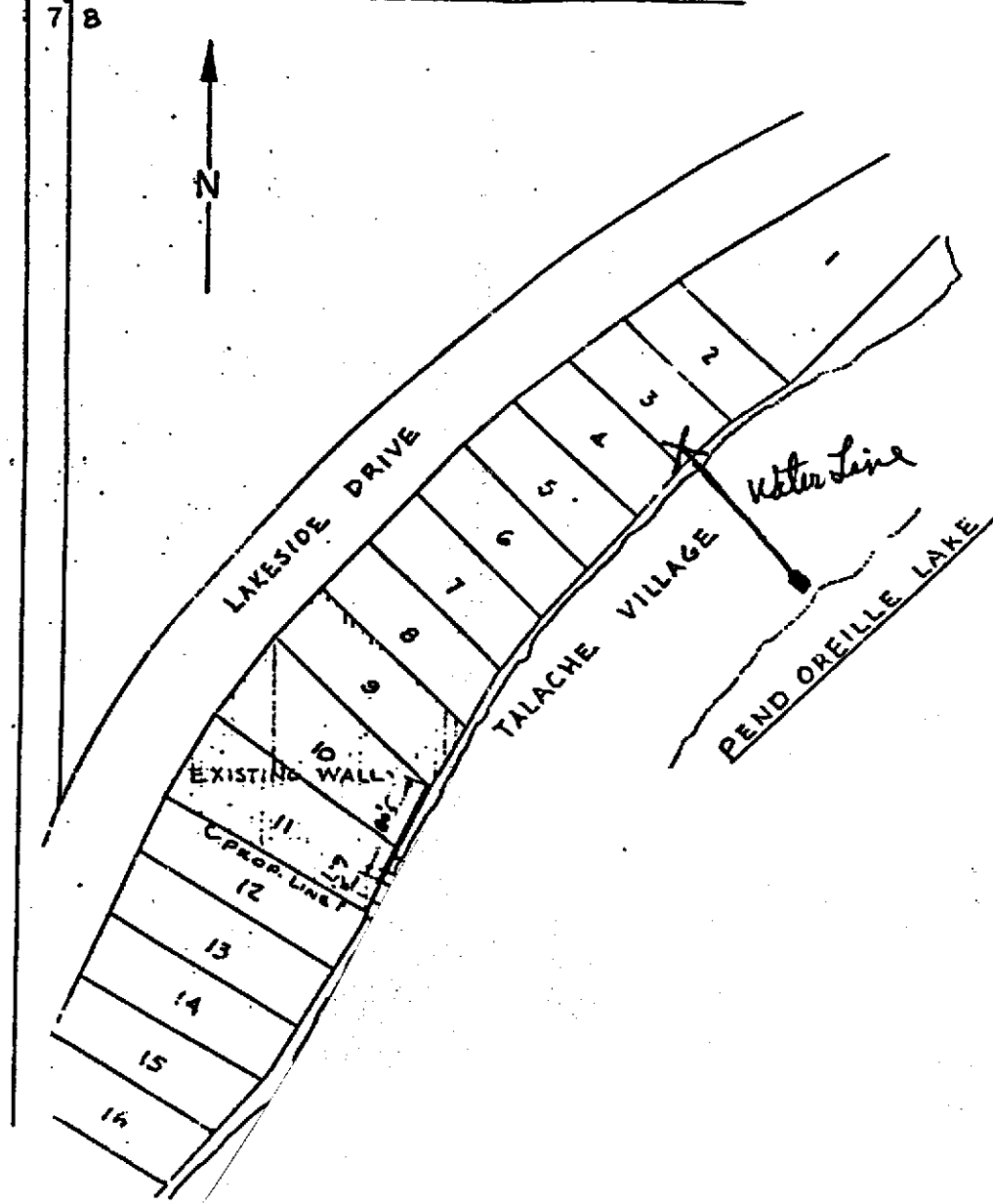
MICROFILMED

JUL 02 1999

RECEIVED

JUL 02 1999

100-100000-78



SOURCE: METSKER BONDER COUNTY MAP

MICROFILMED

JAN 31 2001

2376 T

Grouse Mountain

K A N

NATIONAL

GR
Grouse Point

RECEIVED

AUG 17 1959

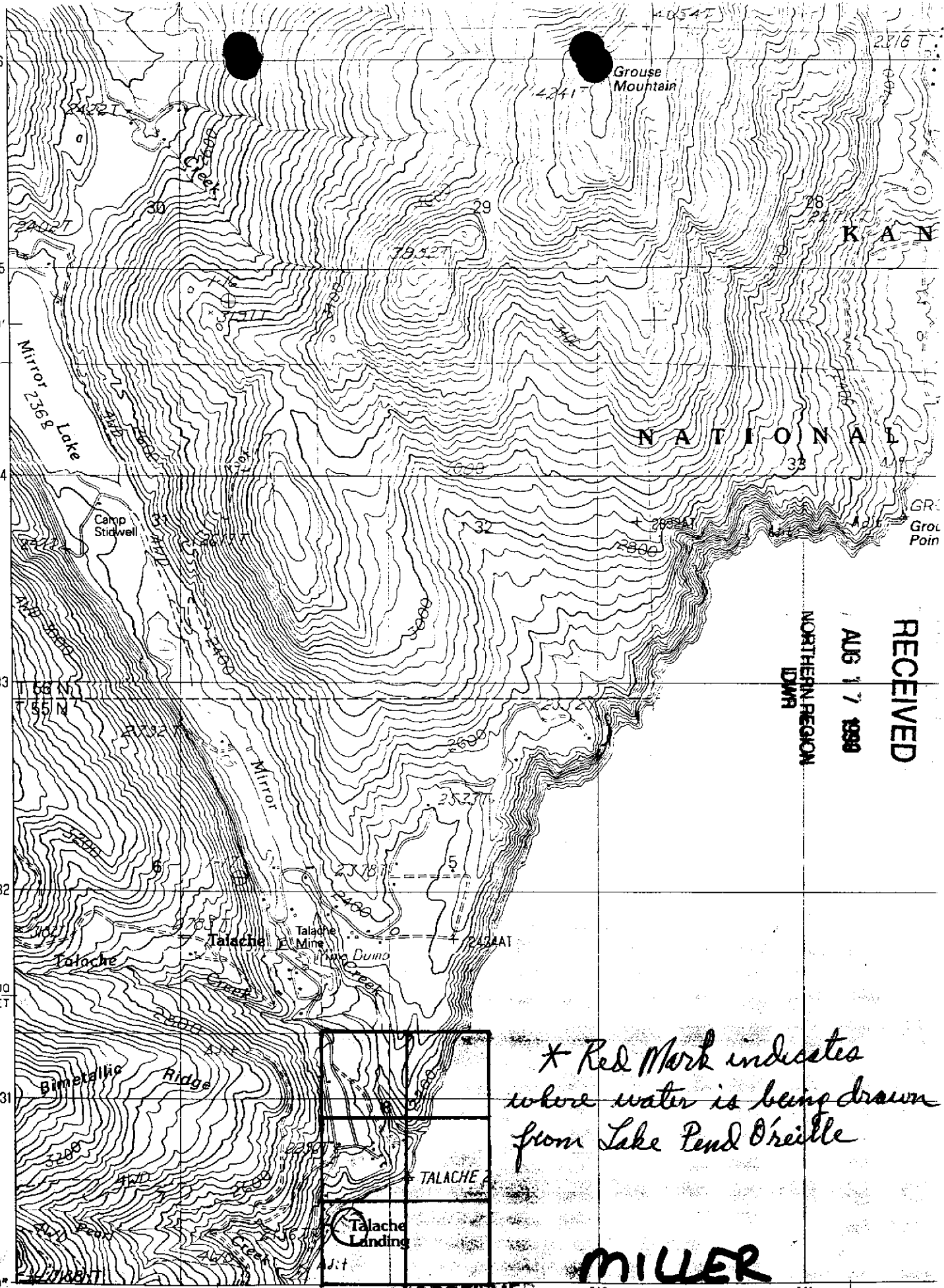
NORTHERN REGION
IDWR

* Red Mark indicates where water is being drawn from Lake Pend Oreille

MILLER

T 55N., R. 1W

SC



48° 07' 30" N
116° 30' W

320 000 FEET

MICROFILMED

540 27' 30"

541

PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
USGS NOS/NOAA
PHOTOGRAPHS TAKEN 1906
MAP EDITED 1969
TRANSVERSE MERCATOR
ZONE II

NORTH

1000 0



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

March 27, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BARBARA MILLER
FRAN MC INTIRE
WILLIAM MILLER
PO BOX 1186
SAGLE ID 83860

RE: License No. 96-9027 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

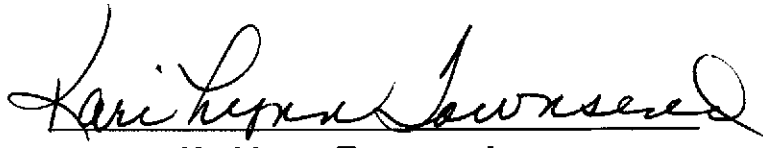
MICROFILMED
APR 11 2001

CERTIFICATE OF MAILING

I hereby certify that on March 27, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 96-9027

**BARBARA MILLER
FRAN MC INTIRE
WILLIAM MILLER
PO BOX 1186
SAGLE ID 83860**

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

**Kari Lynn Townsend
Secretary**

**MICROFILMED
APR 11 2001**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED
APR 11 2001

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.

MICROFILMED
APR 11 2001

LICENSE REVIEW CHECKLIST

Permit No. 96-9027 Date: 3-22-01 Reviewer: Kay Walker

Topo D7

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): _____
File reviewed _____ Profile reports printed _____

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

Rate of Diversion:

Permitted rate 0.04 cfs
Fee Limit _____ cfs
Measured _____ cfs
Theoretical 0.02 cfs

Recommended Total Diversion Rate 0.02

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic 0.02 cfs 1.2 af
_____ cfs _____ af
_____ cfs _____ af
Total 0.02 cfs 1.2 af

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

Volume Determination

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

Remarks: _____

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

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

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

SRBA Claim? N/A

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 28 2000

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-09027

1. Owner: William, Barbara, Fran, The Intire Phone No. (208) 263-9511

Current Address: P.O. Box 186 Sagle Id. 83860

2. Accompanied by: William The Intire EXAM DATE: 7-6-00

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Pond Oreille Lake tributary to Pond Oreille River

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
	02		NW	SW	08	55N	01W	Bonner	USGS 7.5 min Quad

2. Place(s) of Use:

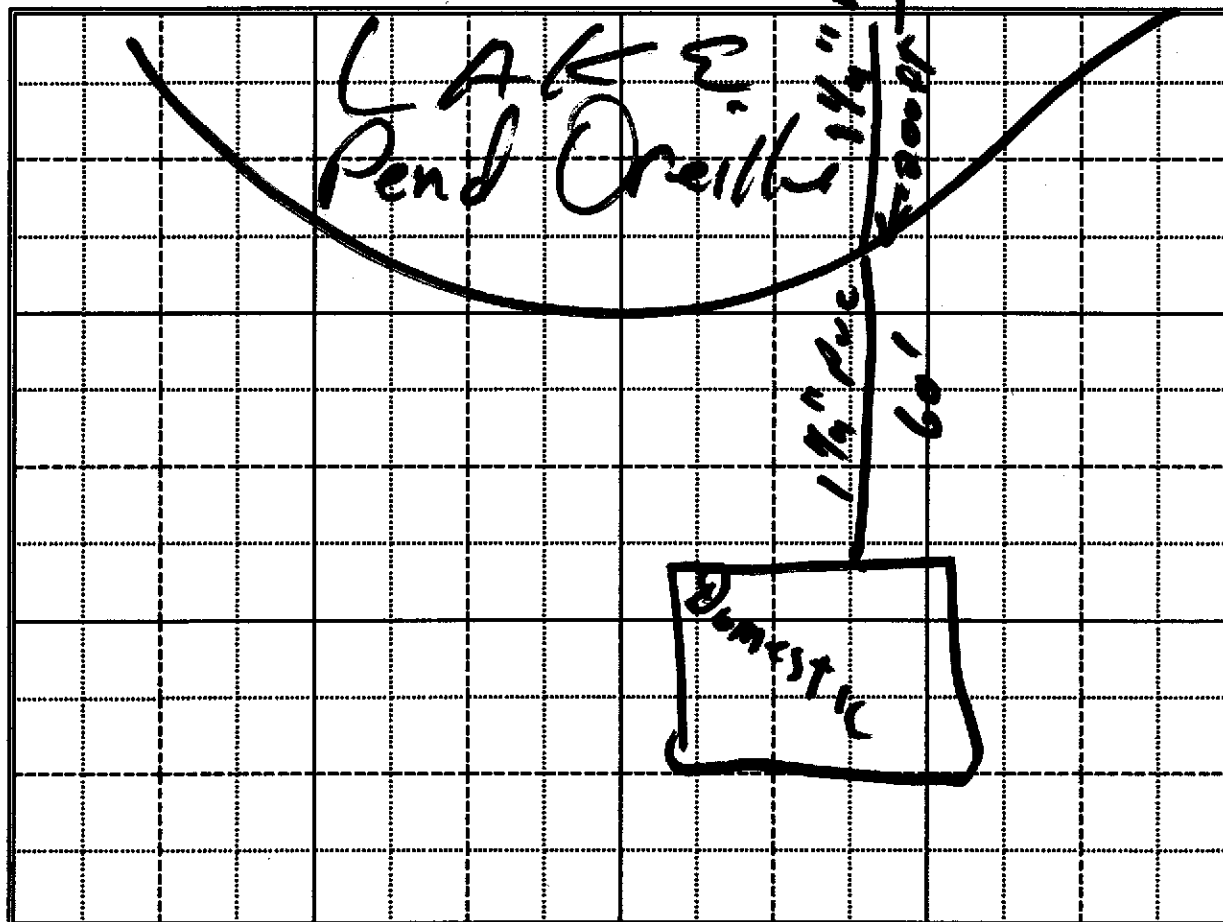
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	01W	08						02											

MICROFILMED

JAN 31 2001

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



Scale: 1" = **NTS**

____ 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
	Franklin	.5	28015490	Sub	1 1/4"

*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: _____

MICROFILMED

JAN 31 2001

[illegible]

MICROFILMED
JAN 31 2001

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$\frac{\text{Theoretical } 8.8(.5)(.1)}{50 + (2.31 \times 60)} = \frac{3.08}{188.6} = .016 = .02$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	01-01	12-31	1.02	1.2
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			1.02	1.2

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

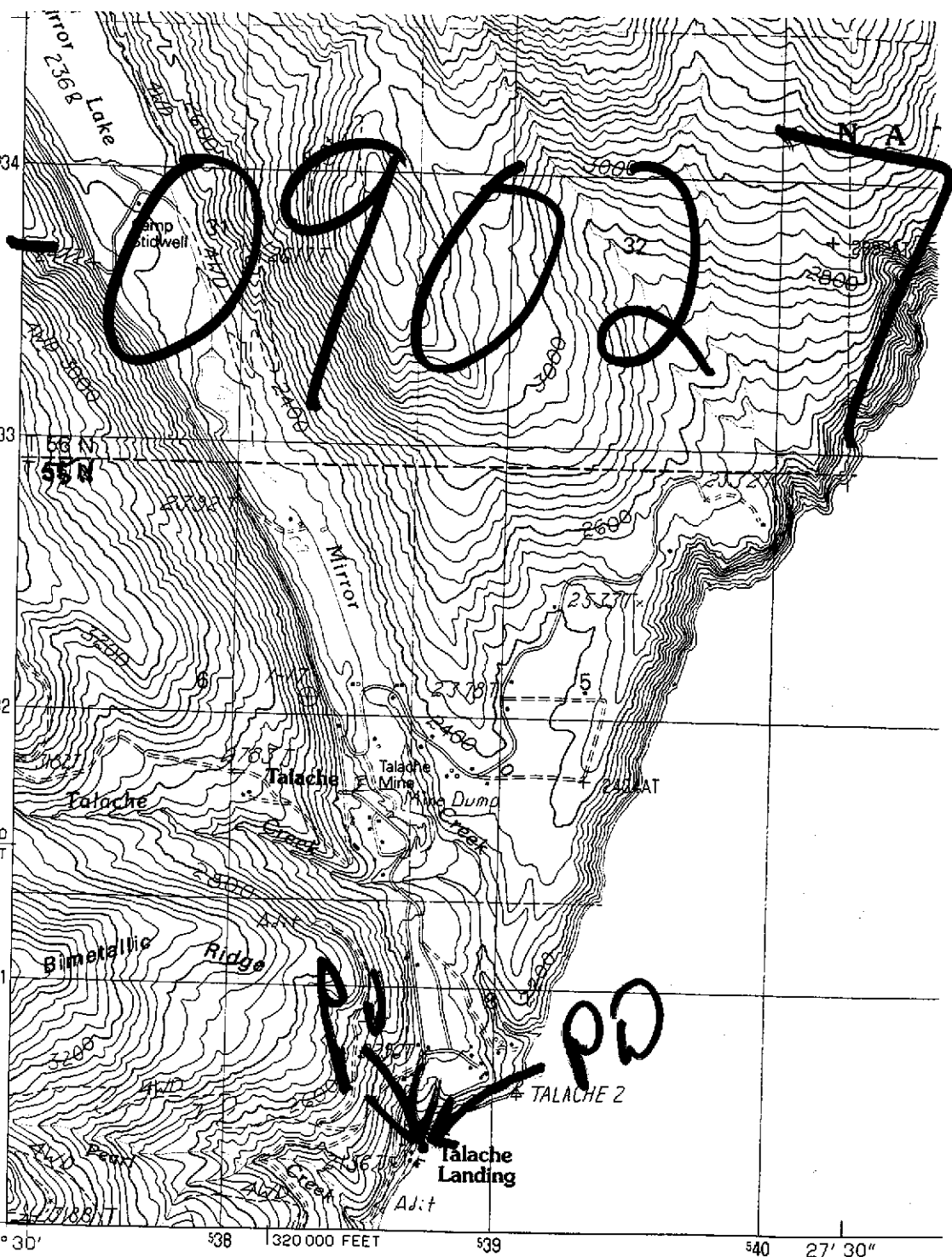
I. AUTHENTICATIONField Examiner's Name Wayne Saldiver Date 7-25-00

Reviewer _____ Date _____

 MICROFILMED
 JAN 31 2001

SEAL

96



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

MICROFILMED

JAN 31 2001



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

96-09027

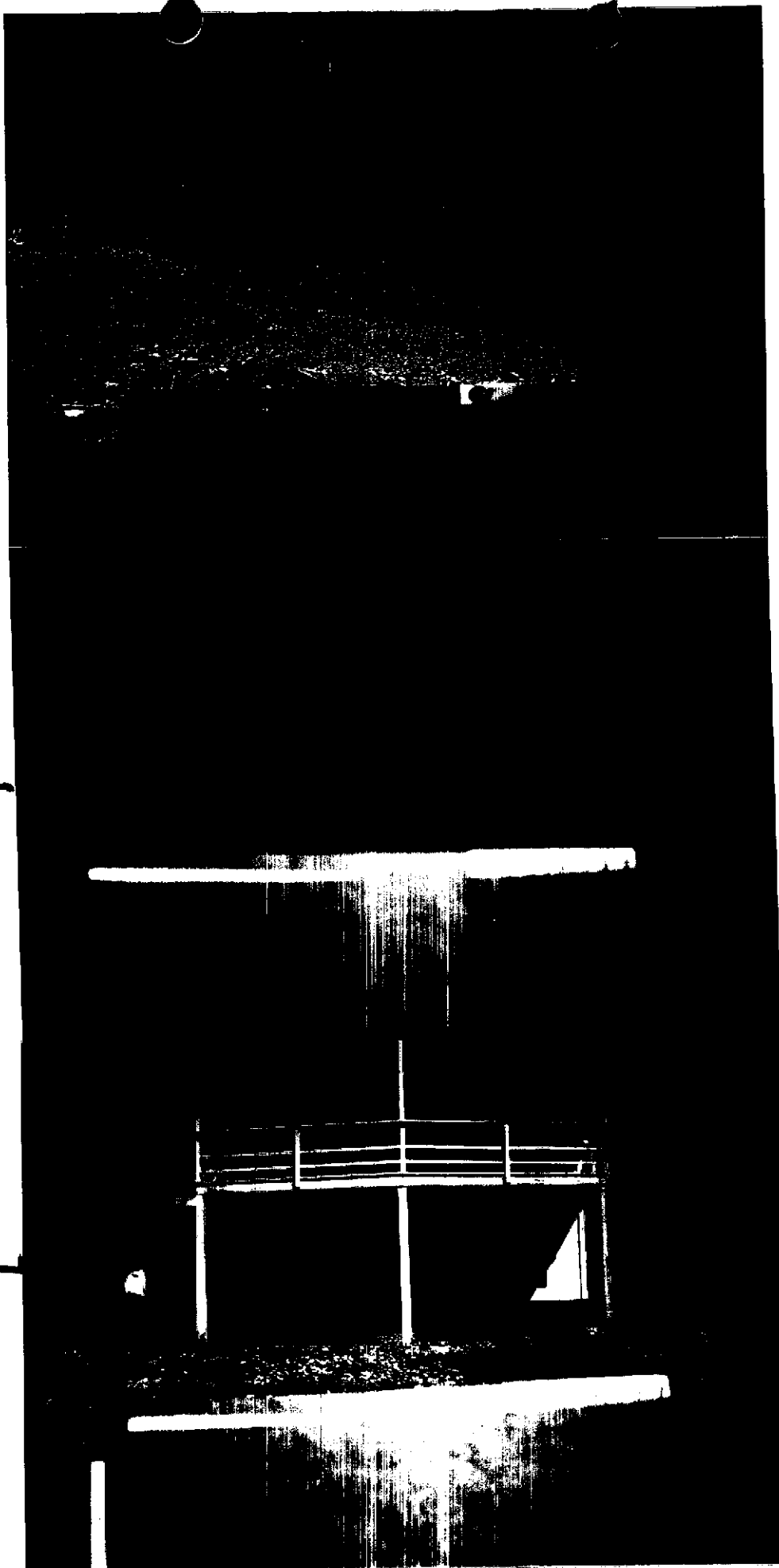
PD

Pressure Tank
+
Pump Controls

Domestic

MICROFILMED

JAN 31 2001



RECEIVED

FEB - 3 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

Department of Water Resources

NO. 96-09027

Priority: July 2, 1999

Maximum Diversion Rate:

0.04 CFS

This is to certify, that WILLIAM MILLER
BARBARA MILLER
FRAN MC INTIRE
PO BOX 186
SAGLE ID 83860

has applied for a permit to appropriate water from:

PEND OREILLE LAKE

tributary of PEND OREILLE RIVER

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>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: Govt. Lot 2(NWSW), Sec. 8, Township 55N, Range 01W
Block 5 - Lot 3A BONNER County, *Idaho*

PLACE OF USE: DOMESTIC

TWN RGE SEC

55N 01W 8 Govt. Lot 2(NWSW) *Block 5 - Lot 3A*

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before January 1, 2001.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Domestic use is for 1 home.
5. Point of diversion and place of use is located within Lot 3A, *Block 5* Talache Village.

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

19th day of *January*, 20*00*

[Signature]
Karl J. Dreher, Director
for

MICROFILMED

JAN 31 2001

Shelley Keen

Please add everything that
is highlighted in yellow
to the permit.

MICROFILMED
JAN 31 2001

Thanks

Bill Miller



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

February 7, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM MILLER
PO BOX 1186
SAGLE ID 83860

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-09027

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

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

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

JAN 31 2001

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 96-09027 Reviewed by yes Date 2-07-00

GENERAL CONSIDERATIONS

yes Name same as permit?
NO Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Down
Correct Uses? yes

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

yes Required?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

NO Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

none / action proof

DATA ENTRY

New Address P.O. Box 1186 Proof Made 2-3-00
Sage, Id
83860

MEMORANDUM

DATE: January 24, 2000

TO: Water Right File 96-09027

FROM: Shelley W. Keen *SVK*

RE: Call from Bill Miller

This afternoon Bill Miller called to talk about Permit 96-09027. He appreciates our change to approval condition no. 5 to indicate Lot 3A, but he wishes he would have indicated Lot 3A of Block 5. Because his system is in place already, I suggested submitting proof of beneficial use right away and making the Block 5 reference on the Water Right License when it's issued. Mr. Miller agreed.

Mr. Miller also want us to know that his mailing address is now PO Box 1186.

MICROFILMED

JAN 31 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 19, 2000

WILLIAM &/OR BARBARA MILLER
FRAN MC INTIRE
PO BOX 186
SAGLE, ID 83860

RE: WATER RIGHT NO. 96-09027

Dear Water Right Holders:

I have enclosed a copy of Permit 96-09027, which was amended on January 19, 2000. The department has granted your petition for reconsideration dated January 3, 2000 and the amended permit reflects the changes identified in your petition. Specifically, the point of diversion and place of use descriptions were modified to clearly identify the lot as a government lot, as opposed to a subdivision lot. Condition of approval #5 was also changed to identify the subdivision lot as Lot 3A. The amended permit, which supersedes the permit issued December 29, 1999, is an amended preliminary order issued by the Department of Water Resources pursuant to Section 67-5243, *Idaho Code*. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described in the enclosed information sheet.**

A permit is considered personal property and in order for the department to update it's records to reflect a change in ownership, an assignment of permit is required. I have enclosed an assignment form for your use in this matter. Note that there is a \$25 filing fee and the form must be notarized.

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

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

Enclosures

MICROFILMED

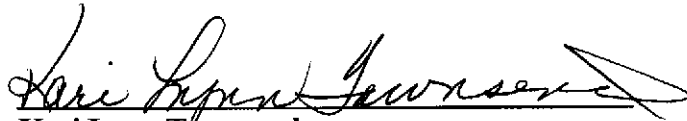
JAN 31 2001

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of January, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing **AMENDED PRELIMINARY ORDER (Water Right Permit)** to the person(s) listed below:

Water Right No. 96-09027

**WILLIAM &/OR BARBARA MILLER
FRAN MC INTIRE
PO BOX 186
SAGLE, ID 83860**


**Kari Lynn Townsend
Secretary**

MICROFILMED

JAN 31 2001

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

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

MICROFILMED

JAN 3 1 2001

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Shelley Keen

RECEIVED

JAN 05 2000

Department of Water Resources

Dept of Water Resources
Shelley W. Keen - Supvr.

Jan 3, 2000

Dear Shelley,

In Reply to your request via Telephone
this date Jan 3rd - 2000 - 10:48 AM, I am
requesting the following changes to the Permit
to appropriate Water. 96-09027

1. Location of Point of Diversion - Please
change to Gov Lot #2 - instead of Lot 2
2. Place of use - Please change to Gov Lot
#2 - from Lot 2.
3. Conditions of approval - Please change to
Lot 3A - instead of Lot #3

MICROFILMED

JAN 31 2001

Also When we applied on July 2 - 1999 -
Those on the permit were owners. On the
Map copy is the address & name of the new
Owner - August 31, 1999. Since this is the last
permit needed and the new owner lives in
Florida & has asked me to follow through on this
(Over)

Cont'd

RECEIVED

I have hopes of getting this taken care of, and transfer all permits at one time.

Respectfully,

William H Miller

208-263-9511

* Please Expedite

MICROFILMED

MICROFILMED

JAN 31 2001

State of Idaho
Department of Water Resources
Permit To Appropriate Water

RECEIVED

JAN 05 2000

Department of Water Resources

NO. 96-09027

Priority: July 2, 1999

Maximum Diversion Rate:

0.04 CFS

This is to certify, that WILLIAM MILLER
BARBARA MILLER
FRAN MC INTIRE
~~PO BOX 186~~ — PO Box 1186
SAGLE ID 83860

has applied for a permit to appropriate water from:

PEND OREILLE LAKE

tributary of PEND OREILLE RIVER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (NWSW), Sec. 8, Township 55N, Range 01W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

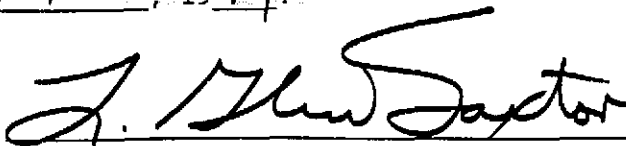
55N 01W 8 Lot 2 (NWSW)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before January 1, 2001.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Domestic use is for 1 home.
5. Point of diversion and place of use is located within Lot 3, Talache Village.

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

29th day of December, 1999.


for Karl J. Dreher, Director

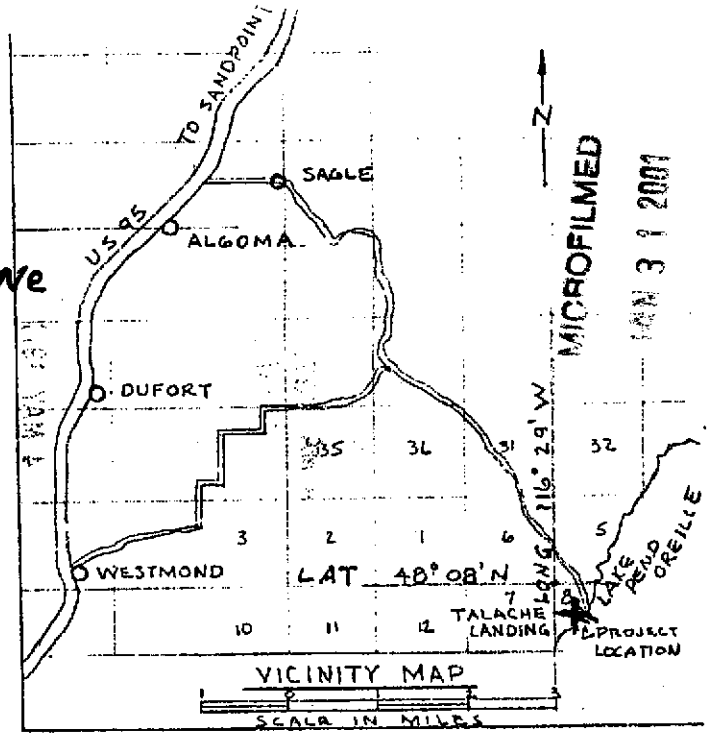
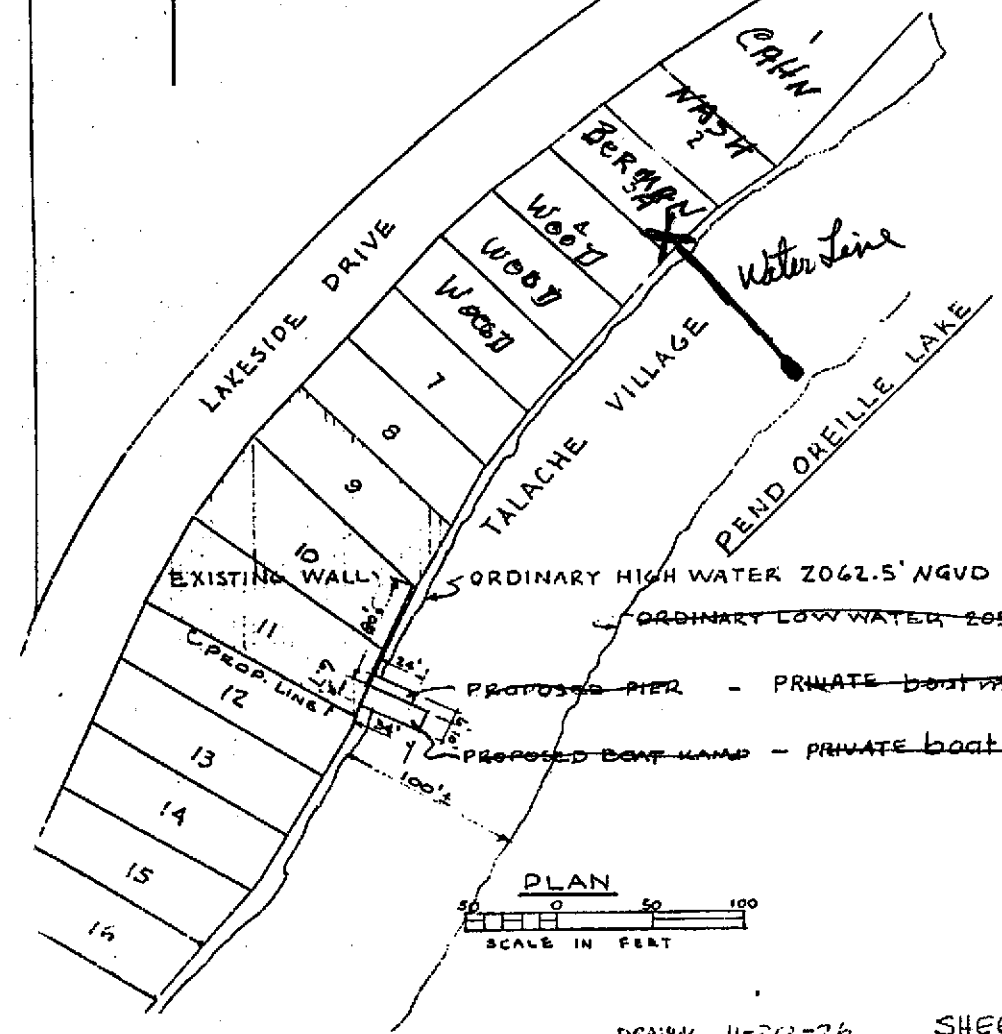
MICROFILMED

JAN 31 2001

Note

1/4 COR.
7 8

* NASH OWNS Lot 2 - Woods Lots 4-5-6
WATERLINE is ON BERMAN Property
AND is 55' ft From NASH Property Line
AND 17' ft from Wood Property Line.



SOURCE: METSKER BONNER COUNTY MAP

DATUM: NGVD=0.00

ADJACENT PROPERTY OWNERS!

LOT 12 OWNED BY EDWARD MAJESKI
LITTLE SPOKANE DR.
SPOKANE, WASH 99208
LOT 8 OWNED BY GLEN SANDELL
SAGLE, IDAHO 83860

~~071-078-2-003795~~
WATER LINE - 1 1/2"
PROPOSED ~~CONCRETE BOAT RAMP~~
PIER AND FILL
IN PEND OREILLE LAKE
NEAR SANDPOINT
BONNER COUNTY, IDAHO
~~OWNER: LEE STEVEN~~
~~428 E 6th ST SPOKANE WA 99201~~
OWNER - Claudia G. Berman
1346 Preservation Way
Oldman, FL-34677
PH-727-781-5985

DEAWN 11-20-76

SHEET 1 OF 2

MEMORANDUM

DATE: January 3, 2000

TO: Water Right File 96-09027

FROM: Shelley W. Keen^{SWK}

RE: Lot descriptions

This morning William Miller called to discuss the lot designations in the place of use and point of diversion descriptions and in remark no. 5 on Permit 96-09027. He would like to avoid any confusion by modifying the POD and POU descriptions to say "Government Lot 2" instead of "Lot 2". He would also like remark no. 5 modified to refer to Lot 3A instead of Lot 3. I told Mr. Miller we could probably make the changes if he would submit his request in writing as a petition for reconsideration. I asked him to submit a plat showing Lot 3A also.

MICROFILMED

JAN 3 1 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

December 29, 1999

DIRK KEMPTHORNE
GOVERNOR

FRAN MC INTIRE
WILLIAM MILLER
BARBARA MILLER
PO BOX 186
SAGLE ID 83860

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-09027

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED

JAN 31 2001

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of December, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 96-09027

WILLIAM MILLER
BARBARA MILLER
FRAN MC INTIRE
PO BOX 186
SAGLE ID 83860


Kari Lynn Townsend
Secretary

MICROFILMED
JAN 31 2001

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

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

MICROFILMED

JAN 31 2001

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

JAN 31 2001

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Sharla Curtis on 12/18/99

No. 96-09027 Name: McIntire/Miller 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(P23)
Basin 34 - 085
Irr. w/in WD - P05
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 LoGe - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:
STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 1 1 01 12001

MISC CONDITIONS/REMARKS:
~~Protested~~ - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)
F&G contacted - Yes/No Response No objection
In/Above MSF - WB9
PLANNING SECTION REVIEW/RESPONSE
In-stream development - P52
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE
≤ 0.24 cfs/5 acres - No MD
~~> 0.24 cfs/5 acres~~ - 01M or No MD

RIVER BASINS: (SW special considerations)
Snake R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:
POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R) N/A
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2400 gpd - meets domestic definition
i.e. D/convenience store)

~~Multiple p/d's per 1/4~~ - 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 - (Per updated map)

OTHER CONDITIONS/REMARKS

COMMENTS

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

WRI
PCA
WRA

DEC 9 1999

APPLICATION # 96-09027
RECEIVED INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: MILLER DEC 9 1999 BY: AB DATE: 7/2/99

ITEM REQUIRED INFORMATION

Department of Water Resources

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

PROCESSING

(Yes) (No) PRIORITY DATE: 7/2/99

X (Include Moratorium Remark)

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

BC/Thurs/ok

ADVERTISE IN: BOWEN 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>+</u>		Dom. Non-Dom.	Paid \$		Y () N ()
<u>+</u>		Dom. Non-Dom.	Paid \$		Y () N ()
<u>+</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)

- 10/18 Notice of pending void order issued. Final order response date: 10/18/99
- 10/18 Further information required from applicant
- 9/24 Affidavit of publication received
- 9/24 Application published correctly. If not, record action taken: _____
- 9/24 Publication dates and paper recorded on application | Sr. Agent initial _____
- 9/24 Protests received, Final protest date: 10/25/99
- 9/24 Measuring device required
- 9/24 Measuring port required
- 9/24 Special conditions: _____
- 9/24 Special conditions of approval supplement and/or cover letter attached: _____

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

Memorandum

Date: December 7, 1999

To: File 76-09027

From: Al Beardslee

RE: Surface water approval from Idaho Fish and Game Dept.

~~~~~  
**Mr. Chip Corsi, of Idaho Department of Fish and Game, Coeur d'Alene office, was contacted prior to regional approval of this filing. After reviewing the Application for Permit with Mr. Corsi, he had no problem with it's approval.**

**MICROFILMED**

**JAN 31 2001**

AFFIDAVIT OF PUBLICATION

RECEIVED

OCT 18 1999

State of Idaho

ss.

County of Bonner,

Sherilyn Plunk being first duly sworn on oath

deposes and says that he/she is Book Keeper

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:

App for water

as it was published in the regular and entire issue of the

said paper for a period of 2 consecutive weeks,

commencing on 7 day of Oct., 1999

and ending on the 14 day of Oct., 1999

and that said notice was published in said newspaper.

On this 14 day of Oct. in the year

of 1999, before me, a Notary Public, personally

appeared Sherilyn Plunk,

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.

Cecelyn L. Ingers  
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 2/00

NOTICE OF APPLICATION  
FOR WATER RIGHT

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

96-09027

MC INTIRE, FRAN  
MILLER, WILLIAM  
MILLER, BARBARA  
PO BOX 186  
SAGLE, ID 83860  
Source: PEND OREILLE LAKE  
Tributary: PEND OREILLE RIVER

Diversion Pt: LOT 2 (NWSW) Sec 8 T 55N R 01W in BONNER County.

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 7/2/1999

In: BONNER County

T55N R01W S08 Lot 2 (NWSW)

96-09028

JONES, AILEEN LOIS  
S 1009 CALVIN  
VERADALE, WA 99037  
Source: PACK RIVER

Tributary: PEND OREILLE LAKE

Diversion Pt: NWSW Sec 2 T 59N R 02W in BONNER County.

Use: IRRIGATION (0.100 CFS)

DOMESTIC (0.150 CFS)

Total Diversion: (0.200 CFS)

Date Filed: 7/6/1999

In: BONNER County

T59N R02W S02 NWSW SWSW

5.0 ACRES TOTAL

96-09029

FOX, URIEL  
178 INDIAN MEADOWS RD  
SANDPOINT, ID 83864

Source: GROUNDWATER

Diversion Pt: NESE Sec 20 T 57N R 02W in BONNER County.

Use: IRRIGATION (0.030 CFS)

DOMESTIC (0.030 CFS)

Total Diversion: (0.030 CFS)

Date Filed: 9/17/1999

In: BONNER County

T57N R02W S20 NESE

1.0 ACRES TOTAL

96-09032

TORPIE, ANN M  
9018 N BRADBURY

DWR/North

SPOKANE, WA 992088482

Source: PEND OREILLE RIVER

Tributary: PEND OREILLE LAKE

Diversion Pt: NWSE Sec 34 T 57N R 03W in BONNER County.

Use: IRRIGATION (0.030 CFS)

Total Diversion: (0.030 CFS)

Date Filed: 9/28/1999

In: BONNER County

T57N R03W S34 NWSE

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before OCTOBER 25, 1999.

KARL J. DREHER, Director  
NOTICE OF CLAIMS  
TO WATER RIGHT

The following claim(s) have been filed on water rights created by diversion and beneficial use:

96-04563

NICHOLS, MICHAEL H

PO BOX 239

BAYVIEW, ID 83803

Source: GROUNDWATER

Diversion Pt: NESW Sec 10 T 54N R 01W in BONNER County.

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Claimed Priority: 6/1/1974

In: BONNER County

T54N R01W S10. NESW

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814.

KARL J. DREHER, Director

SNP#1345

October 7, 14, 1999

MICROFILMED

JAN 3 1 2000

1345

96-09027

MC INTIRE, FRAN  
MILLER, WILLIAM  
MILLER, BARBARA  
PO BOX 186  
SAGLE, ID 83860

Source: PEND OREILLE LAKE

Tributary: PEND OREILLE RIVER

Diversion Pt: LOT 2 (NWSW) Sec 8 T 55N R 01W in BONNER County.

|                  |   |            |
|------------------|---|------------|
| Use: DOMESTIC    | ( | 0.040 CFS) |
| Total Diversion: | ( | 0.040 CFS) |

Date Filed: 7/ 2/1999

In: BONNER County  
T55N R01W S08 Lot 2 (NWSW)

MICROFILMED

JAN 3 1 2001

September 29, 1999

Fran Mc Intire & William and Barbara Miller  
PO Box 186  
Sagle ID 83860

Re: Water Appropriation Application No. 96-09027

Dear Ms. McIntire and Mr. and Mrs. Miller:

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 Receipt Number N013023.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE  
Senior Water Resources Agent

AB:db

MICROFILMED

JAN 31 2001