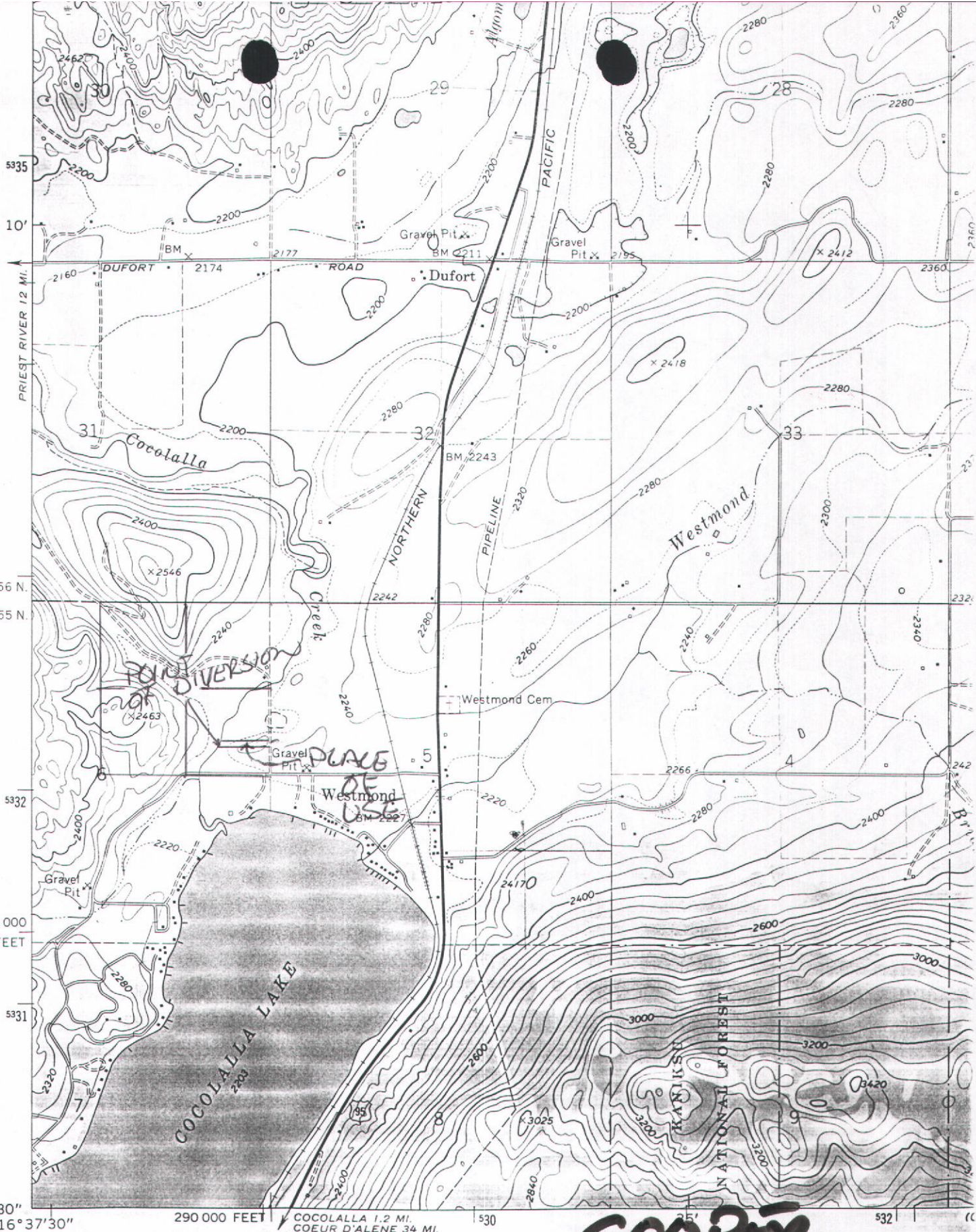




Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1966. Field checked 1968

Selected hydrographic data compiled from USC&GS Chart 6170 (1967)

This information is not intended for navigational purposes

Polyconic projection. 1927 North American datum 10,000-foot grid based on Idaho coordinate system.

MICROFILMED

JAN 3 1 2011

0° 20' 6 MILS 21° 373 MILS

COOPER

T. 55 N., R. 2 W.

CONTOUR DOTTED LINES RE DATUM SOUNDINGS IN FEET—D.

(CAREYWOOD) 2680 II SW

RECORD OF SURVEY

LOCATED IN SECTION 6, TOWNSHIP 55 NORTH, RANGE 2 WEST,
BOISE MERIDIAN, BONNER COUNTY, IDAHO



LEGEND

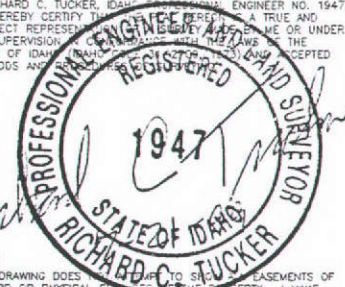
- SET A 5/8"x30" REBAR WITH A YELLOW PLASTIC CAP MARKED "PE 1947"
- FOUND A 5/8" REBAR BY PLS 5576
- + CALCULATED POINT, NOT FOUND OR SET
- R1 R.O.S. INSTRUMENT 428457
- FOUND FENCE LINES AS NOTED

BASIS OF BEARING

THE BEARINGS SHOWN HEREON ARE BASED ON THE EAST/WEST CENTER SECTION LINE AS RECORDED ON A RECORD OF SURVEY BY PLS 5576, INSTRUMENT 428457, RECORDS OF BONNER COUNTY, IDAHO

SURVEYOR'S CERTIFICATE

I, RICHARD C. TUCKER, IDAHO PROFESSIONAL ENGINEER NO. 1947, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY MADE BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO AND THE RULES AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS.



NOTE:

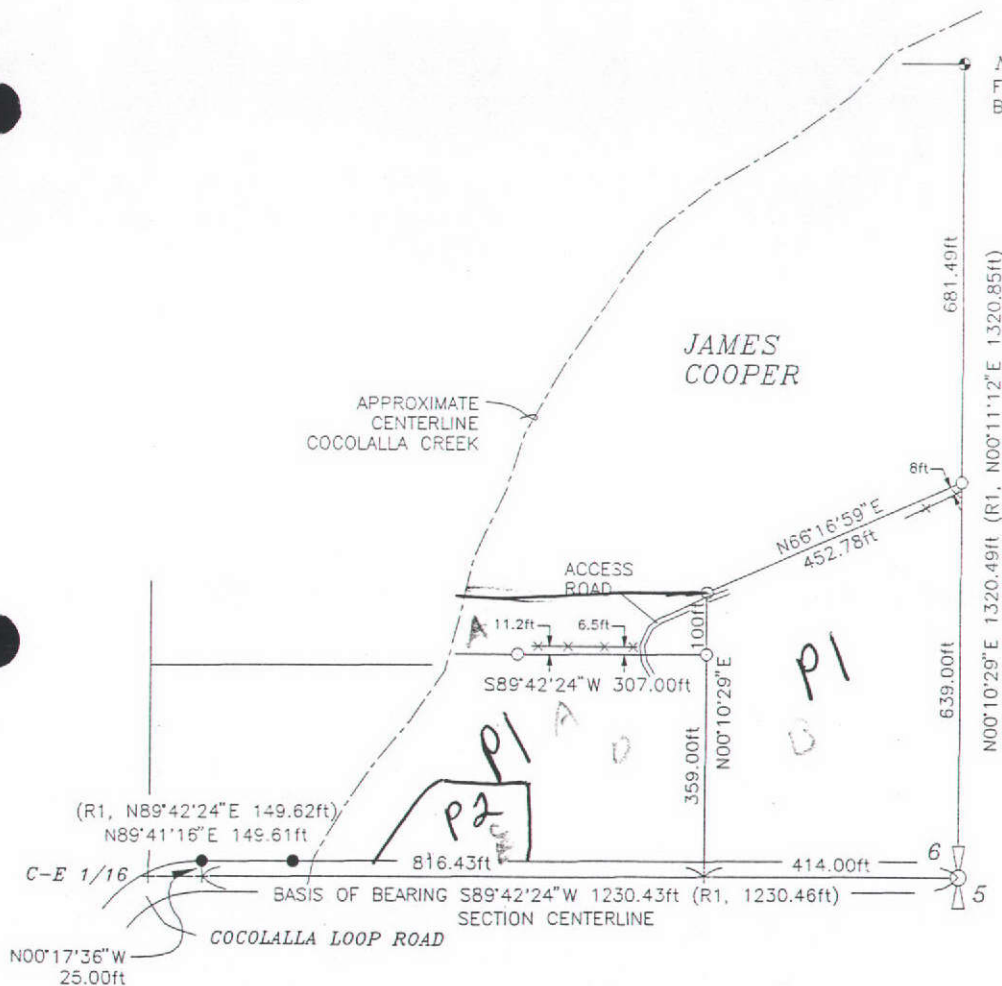
THIS DRAWING DOES NOT REPRESENT ANY EASEMENTS OF RECORD OR PHYSICAL FEATURES OF THE PROPERTY. I MAKE NO REPRESENTATION AS TO THE LEGAL OWNERSHIP OF THE PROPERTY.

RECORDER'S CERTIFICATE

FILED THIS _____ DAY OF _____, 19____
AT _____ M. IN BOOK _____ OF _____
AT PAGE _____ AT THE REQUEST OF _____
INSTRUMENT NO. _____
COUNTY RECORDER _____ DEPUTY _____

T&E TUCKER ENGINEERING CONSULTANTS
617 CHURCH ST., SANDPOINT, IDAHO
CIVIL ENGINEERING - SURVEYING - CONSTRUCTION

DRAWN BY: GCB CHECKED BY: RCT DATE: JULY 1999
FOR: JAMES COOPER JOB: 99-47 SHEET 1 OF 1



MICROFILMED
JAN 31 2001



Pump



P2

Lost house Photo

Cooper

96-09026

MICROFILMED

OCT 19 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-09026

Priority: August 31, 1999

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 0.6 AF

It is hereby certified that JAMES L COOPER
PO BOX 272
COCOLALLA ID 83813 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 31, 1999; and has
submitted Proof of Beneficial Use on September 29, 2000. An examination indicates that the works
have a diversion capacity of 0.04 cfs of water from:

SOURCE

COCOLALLA CREEK

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	0.04 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

COCOLALLA CREEK SE 1/4 NE 1/4 Sec. 6, Twp 55N, Rge 02W, 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	02W	6				X													

CONDITIONS OF APPROVAL

1. Domestic use is for external use for 1 home.

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 31st day of AUGUST, 2001.

Acting for 
KARL J. DREHER
Director

MICROFILMED
OCT 19 2001

RECEIVED

SEP 29 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 96-09026 Telephone No. 208 265 2580

2. Name(s) of Permit Holder(s): James L. Cooper

3. Mailing Address: P.O. Box 272 Cocolalla, ID 87813

4. Source of Water: Cocolalla Cr. If GROUNDWATER (well), Date Drilled: mo. / yr.

a. Well Driller: Drilling Permit Number: - -

b. OPTIONAL: 1 hose pump (1 1/2 HP rated)
Pump Horsepower: Pressure (psi): 50 Dynamic pumping level (ft):

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

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

Irrigation (No. of acres): Other:

6. Total rate of diversion and/or volume for which proof is submitted: .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

Flow Measurement Port: Is a flow measurement port required? Yes or No X

Has the measurement port been installed? Yes or No X

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: James L. Cooper Telephone Number: 208 265 2580

Address: P.O. Box 272 Cocolalla, ID 87813

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

Signature of permit holder: James L. Cooper (include your title, if on behalf of company or organization) Date: 9/27/00

JAN 31 2001

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-09026

Priority: August 31, 1999

Maximum Diversion Rate:

0.04 CFS

This is to certify, that JAMES L COOPER

PO BOX 272

COCOLALLA ID 83813

has applied for a permit to appropriate water from:

COCOLALLA CREEK

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:

SENE , Sec. 6, Township 55N, Range 02W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

55N 02W 6

SENE

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. Domestic use is for 1 home.

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

27th day of December, 1999.

Karl J. Dreher
for Karl J. Dreher, Director

MICROFILMED

JAN 31 2001

RECEIVED
DEC 9 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

Message # 505 P33106P

1. Name of Applicant James L. Cooper Phone 208 265 7206
Mailing address P.O. Box 272 Cocolalla Id P3313
2. Source of water supply Cocolalla Creek which is a tributary of Pend Oreille River
3. Location of point of diversion is Township SSW Range 2W Sec. 6 in the SE 1/4, NE 1/4, Govt. Lot 3000, B.M., Boxer County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic (household) purposes from April 15 to Oct 30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
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. Describe type and size of devices used to divert water from the source PUMP IN STREAM
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. 1 household
 - e. 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.

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	2W	6				D													

Total number of acres to be irrigated _____

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? James L. Cooper

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

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

12. Remarks: _____

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.

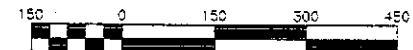
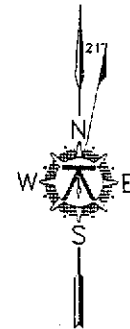
MICROFILMED
JAN 31 2001

James L. Cooper
Signature of Applicant (and title, if applicable)

Received by JB Date 8-31-99 Time 11:50 Preliminary check by AB
 Fee \$ 50 Received by JB # N 013192 Date 8-31-99
 Publication prepared by JB Date 9/1/99 Published in Bonner County, Dec. 9/1/99 + 23/99
 Publication approved _____ Date _____

RECORD OF SURVEY

LOCATED IN SECTION 6, TOWNSHIP 55 NORTH, RANGE 2 WEST,
BOISE MERIDIAN, BONNER COUNTY, IDAHO



Scale 1" = 150'

LEGEND

- SET A 5/8" x 30" REBAR WITH A YELLOW PLASTIC CAP MARKED "PE 1947"
- FOUND A 5/8" REBAR BY PLS 5576
- + CALCULATED POINT, NOT FOUND OR
- R1 R.D.S. INSTRUMENT 428483
- FOUND FENCE LINES AS NOTED

BASIS OF BEARING

THE BEARINGS SHOWN HEREON ARE BASED ON THE EAST/WEST CENTER SECTION LINE AS RECORDED ON A RECORD OF SURVEY BY PLS 5576, INSTRUMENT 428483, RECORDS OF BONNER COUNTY, IDAHO

SURVEYOR'S CERTIFICATE

I, RICHARD C. TUCKER, IDAHO PROFESSIONAL ENGINEER NO. 1947, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY MADE BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO AND THE RULES AND REGULATIONS ACCEPTED METHODS AND PRACTICES.

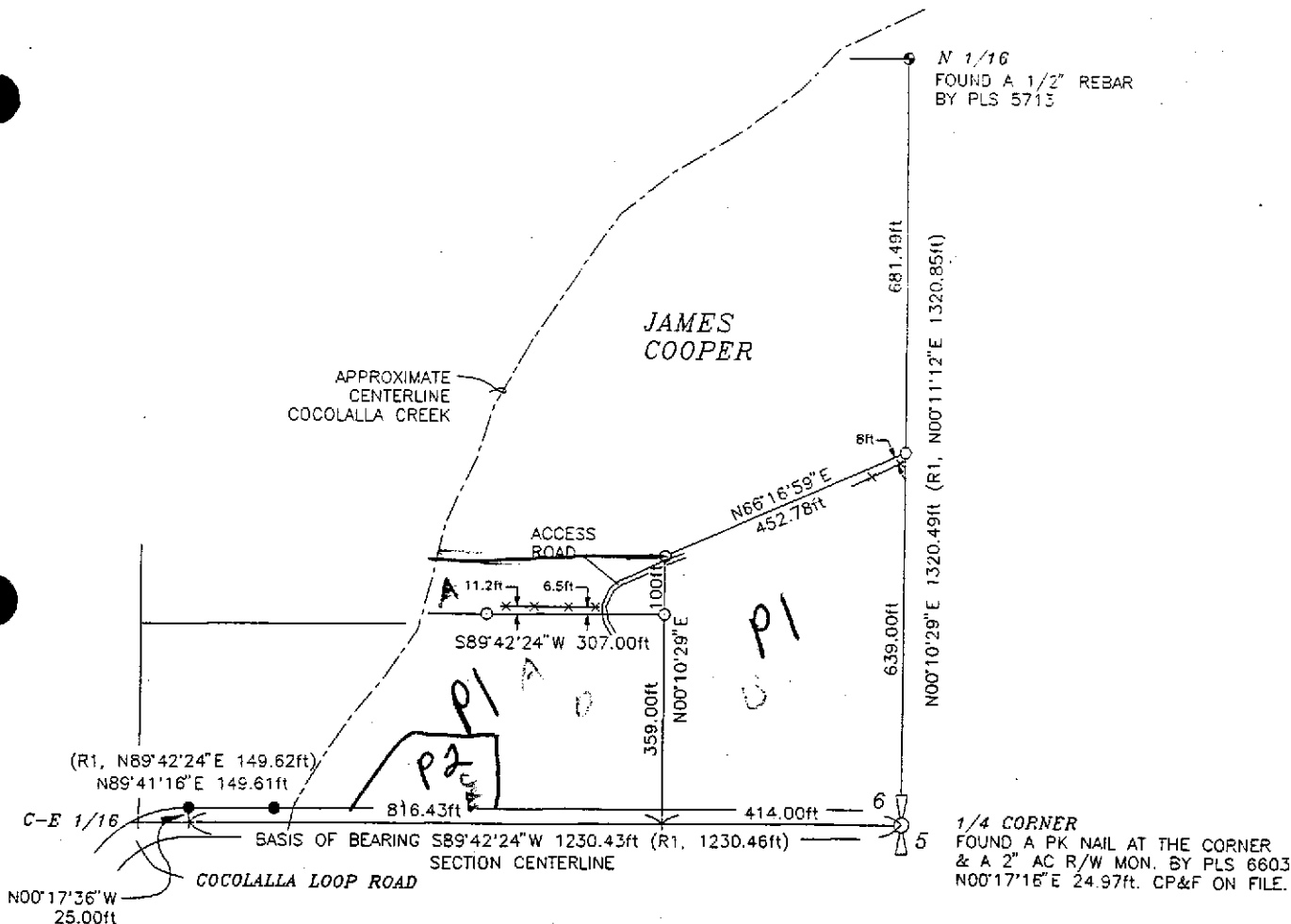
NOTE:
THIS DRAWING DOES NOT REPRESENT THE MEASUREMENTS OF RECORD OR PHYSICAL EVIDENCE OF THE PROPERTY. I MAKE NO REPRESENTATION AS TO THE LEGAL OWNERSHIP OF THE PROPERTY.

RECORDER'S CERTIFICATE

FILED THIS _____ DAY OF _____, 19____
AT _____ M. IN BOOK _____ OF _____
AT PAGE _____ AT THE REQUEST OF _____
INSTRUMENT NO. _____
COUNTY RECORDER _____ DEPUTY _____

TUCKER ENGINEERING CONSULTANTS
617 CHURCH ST., SANDPOINT, IDAHO
CIVIL ENGINEERING - SURVEYING - CONSTRUCTION

DRAWN BY: GCB CHECKED BY: RCT DATE: JULY 1999
FOR: JAMES COOPER JOB: 99-47 SHEET 1 OF 1





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

September 4, 2001

JAMES L COOPER
PO BOX 272
COCOLALLA ID 83813

RE: License No. 96-9026 - 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

Enclosure(s)

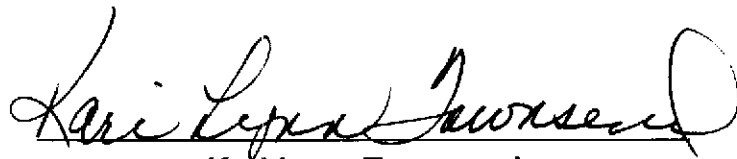
MICROFILMED
OCT 19 2001

CERTIFICATE OF MAILING

I hereby certify that on September 4, 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. 96-9026

**JAMES L COOPER
PO BOX 272
COCOLALLA ID 83813**

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

**Kari Lynn Townsend
Secretary**

MICROFILMED
SEP 13 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
OCT 18 2004

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

LICENSE REVIEW CHECKLIST

Permit No. 96-9026 Date: 8-31-01 Reviewer: Kay Walker

topo D4

Change/OK

Name/Address

ok - fix phone number

Source

ok

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

Point of Diversion:

ok

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 0.04 cfs

Theoretical _____ cfs

Recommended Total Diversion Rate 0.04

Water Uses

ok Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af

Stockwater _____ cfs _____ af

Domestic 0.04 cfs 0.4 af

_____ cfs _____ af

_____ cfs _____ af

Total 0.04 cfs 0.4 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)

external use only.

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? _____

Advance Priority? yes

no

If yes, explain why below.

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 24 2001

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-09026
Phone No. (208)-265-2580

1. Owner: James L. Cooper
Current Address: P.O. Box 272 Cocolalla Id. 83813

2. Accompanied by: James Cooper EXAM DATE: 6-28-01
Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Cocolalla Creek tributary to Pond Creek River

B. OVERLAP REVIEW

- Other water rights with the same place of use: _____
- Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NE	06	55N	02W	Banner	U.S.G.S. 7.5 min Quad

2. Place(s) of Use:

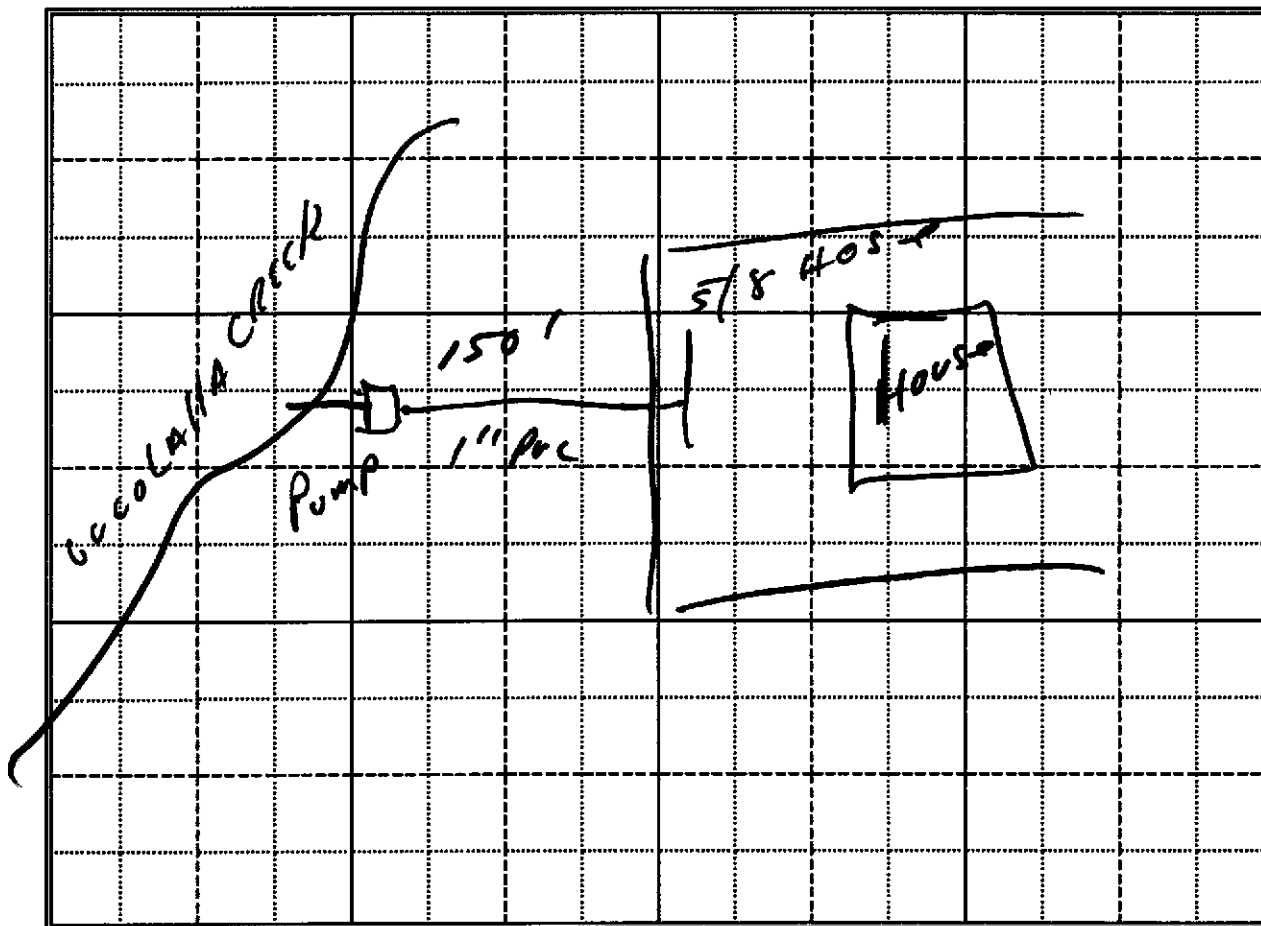
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	02W	06				D													

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OCT 19 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" = 125'

____ 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
	Grundfos	1.5	44254004P2000	Grundfos	1"

*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

OCT 13 2001

E. NARRATIVE/REMARKS/COMMENTS

Domestic uses are outside domestic
uses only

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

MICROFILMED
OCT 19 2001

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

5 gal bucket 5 gal in 16 sec = 199 PPM
 $19 \times .133681$
60 = .04 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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	1.04	0.6
Totals:			1.04	0.6

2. Recommended Amendments

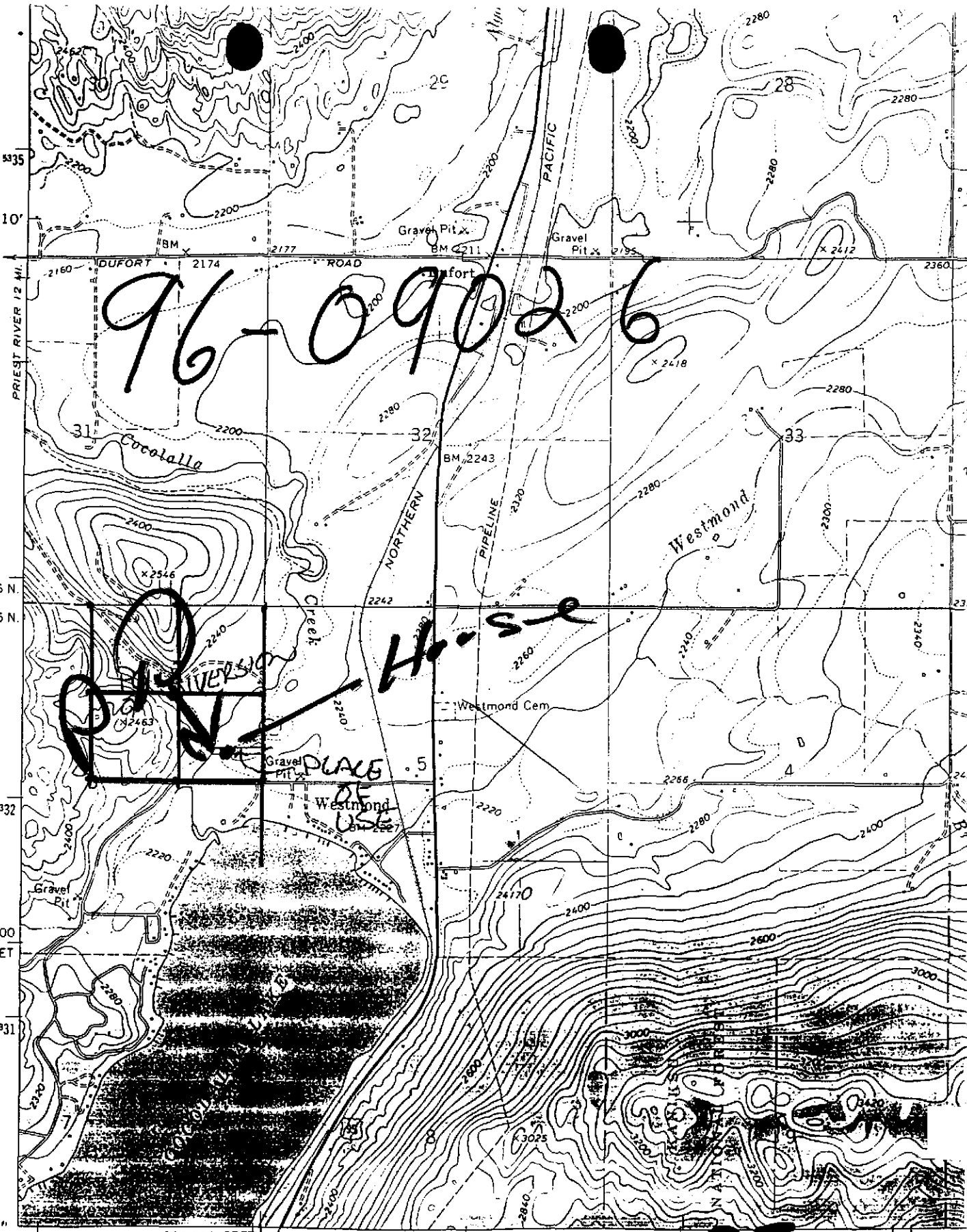
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name Wayne Baldwin Date 7-17-01

Reviewer _____ Date _____

MICROFILMED SEAL

OCT 19 2001



48°07'30"
116°37'30"

290 000 FEET
COCOLALLA 1.2 MI.
COEUR D'ALENE 34 MI.

Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial
photographs taken 1966. Field checked 1968

Selected hydrographic data compiled from USC&GS

Chart 6170 (1967)

This information is not intended for navigational purposes

Polyconic projection. 1927 North American datum

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OCT 19 2001

T. 55 N.

0°20'
6 MILS

COOPER

R. 26 W.

CONTOUR
DOTTED LINES R
DATUM
SOUNDINGS IN FEET

(CAREYWOOD)
2680 11 SW



Pump

PD

Lost house Photo

Cooper

96-09026

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OCT 19 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

October 2, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES L COOPER
PO BOX 272
COCOLALLA ID 83813

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-09026

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, and that it meets the permitted beneficial use.

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,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED
JAN 31 2001

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 96-09026 Reviewed by D. Gibson Date 10/2/00

GENERAL CONSIDERATIONS

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

TYPES OF USE

Domestic

Correct Uses? Yes

SOURCE OF WATER

Yes Surface water source

No Ground water source

/ Drilling permit required?

/ Copy in the file? Drilling Permit No. /

/ Amount paid for permit

/ Well log in the file?

/ Correct?

LICENSE EXAMINATION FEE

Yes Required?

\$50 Amount Submitted

Yes Correct?

MEASURING DEVICE

No Required?

No Installed?

X Waiver requested?

PRIORITY CALCULATION

Date proof received 9/29/00
Date proof due 1/1/01 - /
No. of days late / = /
Priority Date / + /
New Priority Date /

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address No Proof Made 9/29/00



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 27, 1999

DIRK KEMPTHORNE
GOVERNOR

JAMES L COOPER
PO BOX 272
COCOLALLA ID 83813

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-09026

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

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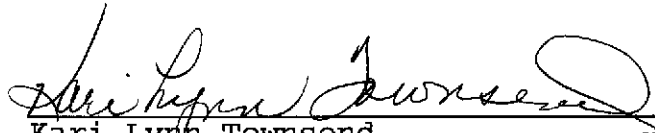
JAN 31 2001

CERTIFICATE OF MAILING

I hereby certify that on the 27th 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. 96-09026

JAMES L COOPER
PO BOX 272
COCOLALLA ID 83813


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.

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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.

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JAN 31 2001

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 12/18/99

No. 96-09026 Name: Cooper 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 LoGeo - 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:

~~Protected~~ - 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)

W001 (1)

Multiple pd'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 _____

IDA DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

DEC 9 1999

APPLICATION # 96-09026

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: COOPER

RECEIVED

BY: JB

DATE: 8/31/99

DEC 9 1999

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)

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

PROCESSING

- (Yes) (No) PRIORITY DATE: 8/31/99
- ☒ (Include Moratorium Remark)
- ☒ 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?
☒		Dom. Non-Dom.	Paid \$		Y () N ()
☒		Dom. Non-Dom.	Paid \$		Y () N ()
☒		Dom. Non-Dom.	Paid \$		Y () N ()

Groundwater management area

Critical ground water area

Well Drilling Permit required

Well Drilling Application and Fees received

Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- Notice of pending void order issued. Final order response date: ____/____/____
- Further information required from applicant
- Affidavit of publication received
- Application published correctly. If not, record action taken: _____
- Publication dates and paper recorded on application
- Protests received, Final protest date: 10/4/99
- Measuring device required
- Measuring port required
- Special conditions: _____
- Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: _____

Date: ____/____/____

RECEIVED

AFFIDAVIT OF PUBLICATION

OCT - 4 1999

State of Idaho

IDWR/North

ss.

County of Bonner,

Sherilyn Plunk 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:

App for water Rights

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 16 day of Sept., 1999
and ending on the 23 day of Sept., 1999
and that said notice was published in said newspaper.

On this 23 day of Sept. 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.

Claudia L. Inge
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 7/00

NOTICE OF APPLICATION
FOR WATER RIGHT

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

98-09026

COOPER, JAMES L
PO BOX 272
COCOLALLA, ID 83813
Source: COCOLALLA CREEK
Tributary: PEND OREILLE RIVER
Diversion Pt: SENE Sec 6 T 55N R
02W in BONNER County.
Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)
Date Filed: 8/31/1999
In: BONNER County
T55N R02W S06 SENE

For additional information con-
cerning 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 4, 1999.

KARL J. DREHER, Director
SNP#1290
September 16, 23, 1999

MICROFILMED

SEP 19 1999

1290

Memorandum

Date: December 7, 1999

To: File 96-09026

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 3 1 2001

96-09026

COOPER, JAMES L  
PO BOX 272  
COCOLALLA, ID 83813

Source: COCOLALLA CREEK

Tributary: PEND OREILLE RIVER

Diversion Pt: SENE Sec 6 T 55N R 02W in BONNER County.

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

Date Filed: 8/31/1999

In: BONNER County  
T55N R02W S06 SENE

MICROFILMED

JAN 31 2001

September 8, 1999

James L. Cooper  
PO Box 272  
Cocolalla ID 83813

Re: Water Appropriation Application No. 96-09026

Dear Mr. Cooper:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

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

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

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

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

Sincerely,

ALLEN BEARDSLEE  
Senior Water Resources Agent

AB:db

MICROFILMED

JAN 31 2001