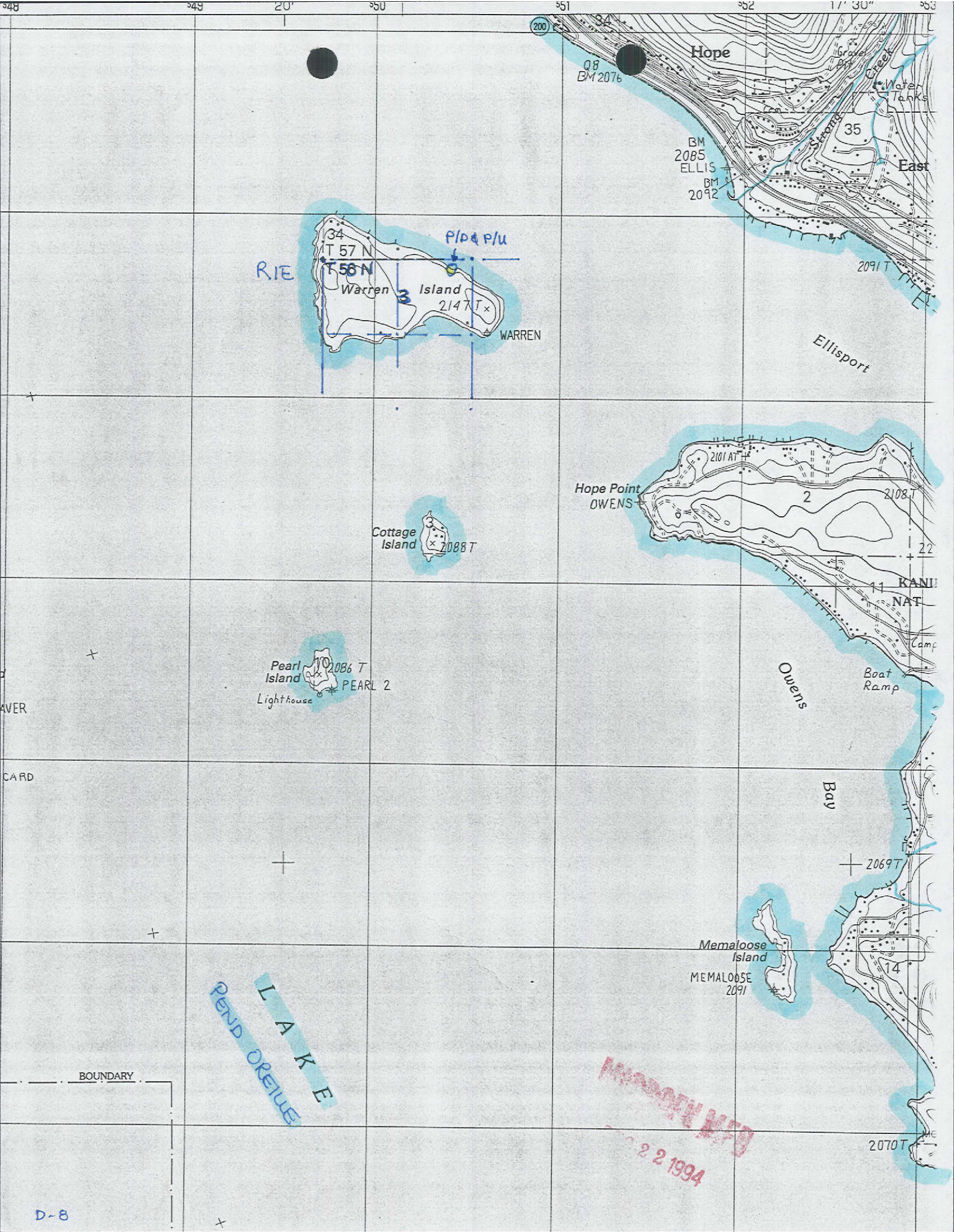
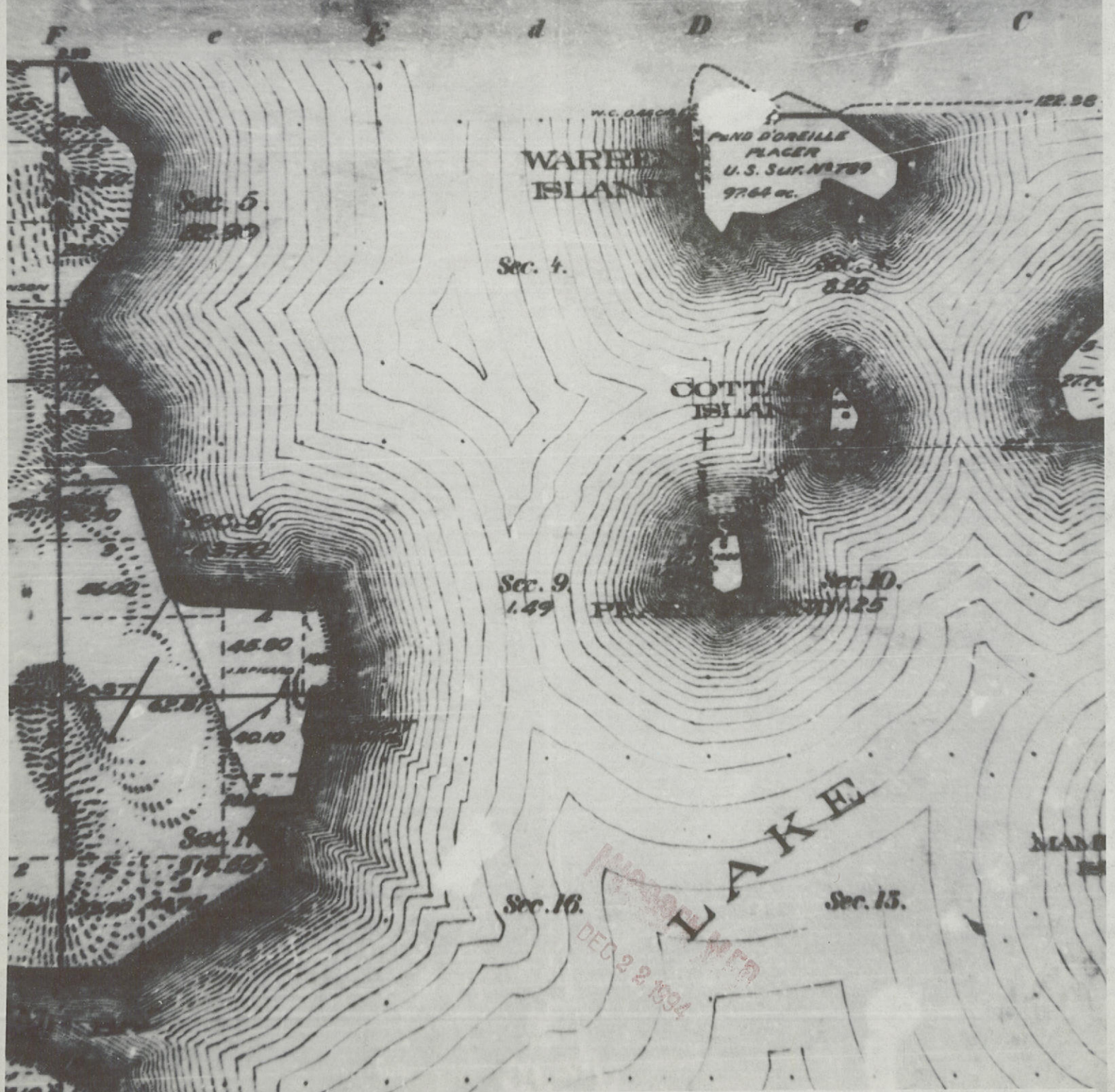
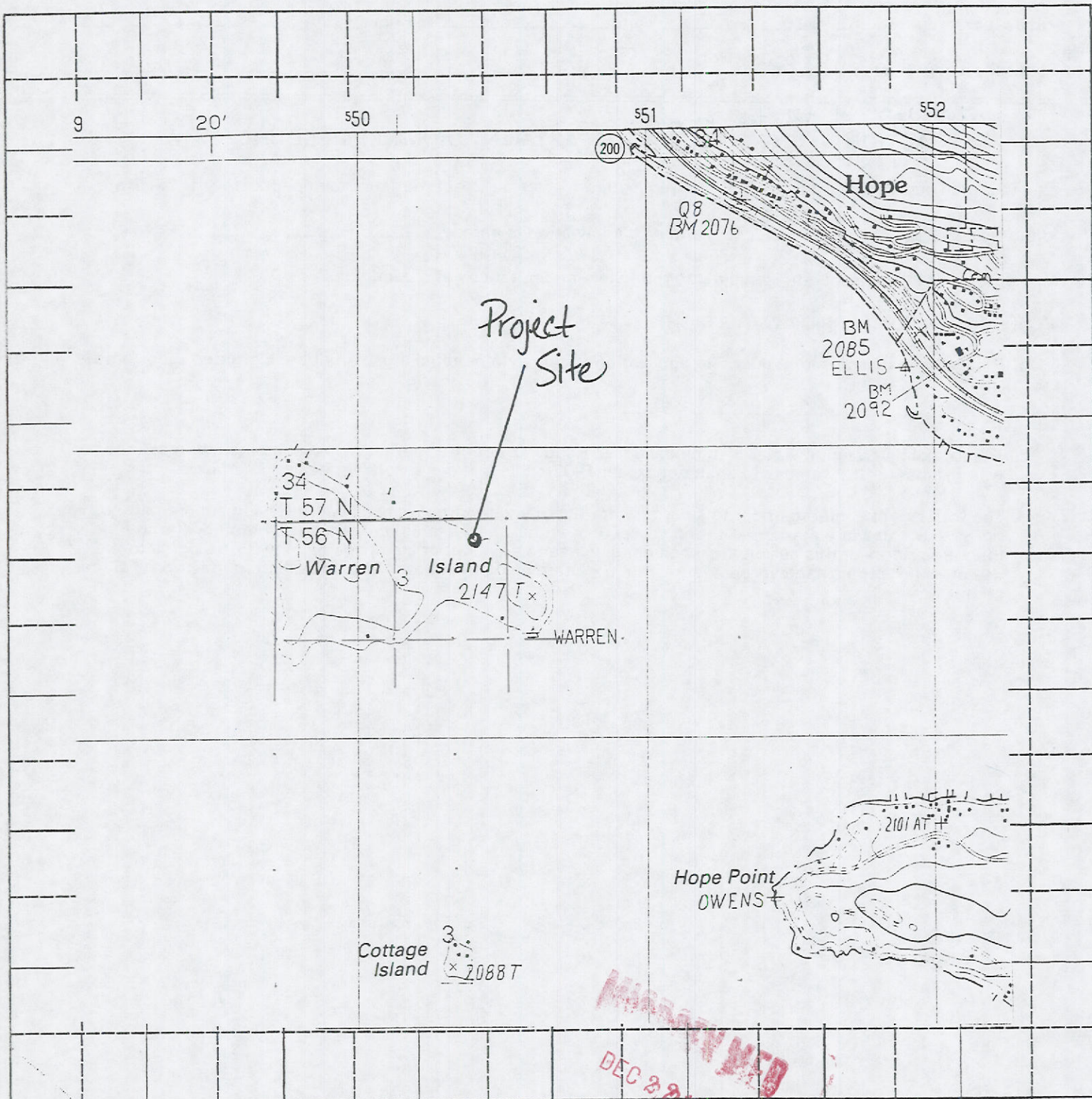




56 North, Range No 1 East of the Bo

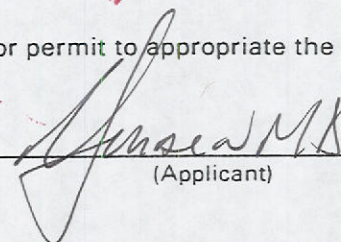


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

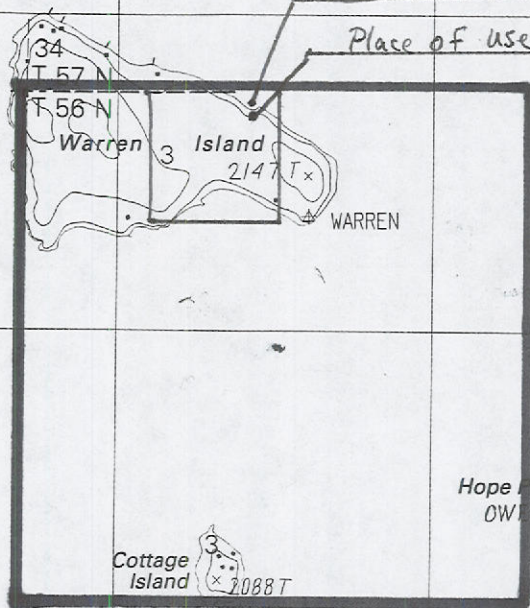
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.


(Applicant)

BM
2085
ELLIS
BM
2092

Point of Diversion

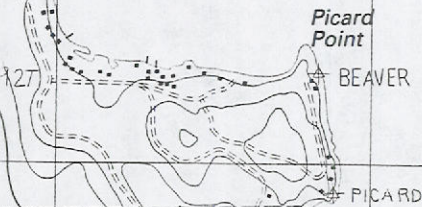
Place of Use



Bay
6

3AT

gary



INDEFINITE BOUNDARY

L
A
K
E

MICROFILMED
NOV 08 1996

P
E

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 96-08807

P H O T O G R A P H S



Place of use



Point of
Diversion

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NOV 08 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08807

Priority: July 26, 1994

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that RICHARD SUGDEN
PO BOX 2468

JACKSON WY 83001-2468 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 26, 1994; and has submitted Proof of Beneficial Use on December 15, 1995. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

PEND OREILLE LAKE

tributary to PEND OREILLE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 3, Township 56N, Range 01E
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

56N 01E 3

NENW

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

MICROFILMED
NOV 08 1995

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.

Witness the seal and signature of the Director, affixed at Boise, this 6th
day of November, 1996.


Acting for KARL J. DREHER, Director

FOR OFFICE USE ONLY
 Amt. of Fee \$: 50.00
 Receipt No. C039110
 Receipt By: Jew
 Date Received: 12-12-95

RECEIVED

NOV 16 1995

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 96-08807 Telephone No. 208 263-6168

2. Name(s) of Permit Holder(s): Richard Sugden

3. Mailing Address: P.O. Box 2468 Jackson WY 830012468

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

a. Well Driller: _____ Drilling Permit Number: - - -

b. **OPTIONAL:**
 Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

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

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

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 ☒

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: \$ **N/A** **(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: Joe Dean JMJ Excavating & Grading **Telephone Number:** 208 263-6168

Address: 1000 Kootenai Cutoff Rd Sandpoint ID 83864

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

Signature of permit holder: Joe Deam (CONTRACTOR) Date: JAN 31 1996
(include your title, if on behalf of company or organization)

JAN 31 1996

Date: 11-14-95

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-08807

Proposed Priority: July 26, 1994

Maximum Diversion Rate:

0.04 CFS

This is to certify, that RICHARD SUGDEN

PO BOX 2468

JACKSON WY 83001-2468

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:

NENW , Sec. 3, Township 56N, Range 01E
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

56N 01E 3

NENW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1995.
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

2nd day of December, 1994.

R. Keith Higginson
for R. Keith Higginson, Director

RECEIVED

DEC 22 1994

RECEIVED
SEP 12 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 96-8807

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

1. Name of applicant Richard Sugden Phone (307)733-5050
Post office address P.O. Box 2468 Jackson, Wy. 83001
2. Source of water supply Lake Pend'Oreille which is a tributary of Pend'Oreille River
3. Location of point of diversion is ~~NW~~ NE $\frac{1}{4}$ of ~~NE~~ NW $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 3 Township 56N Range 1E B.M. Bonner County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 ^{cfs} for Domestic purposes from Jan. 1 to Dec. 31 (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 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Installation of water intake
system, which includes 200' of 4" pipe into lake and 1 Goulds 18E15412
submersible pump sleeved inside of pipe.
b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? No
e. If well is already drilled, when? N/A; Drilling firm _____
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
1 year years (minimum 1 year).

* per usgs map 11/28/94 cxy.

RECEIVED
DEC 28 1994

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
- e. Other; describe fully. _____

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
56N	1E	3		<i>D</i>			<i>*D</i>												

Total number of acres to be irrigated N/A

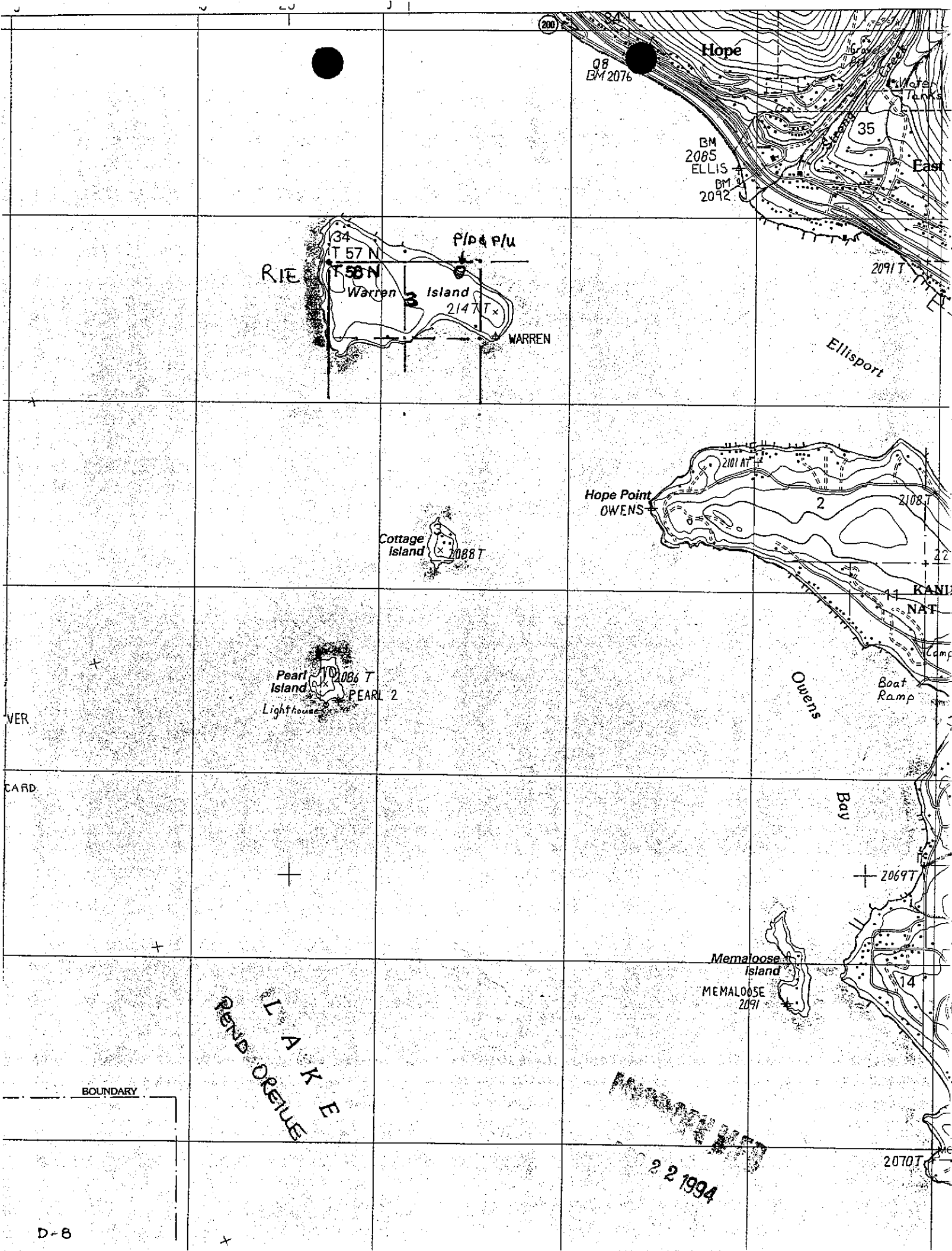
10. Describe any other water rights used for the same purposes as described above. _____
Domestic Use Only

11. a. Who owns the property at the point of diversion? Richard Sugden
- b. Who owns the land to be irrigated or place of use? Richard Sugden
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A

12. Remarks: _____

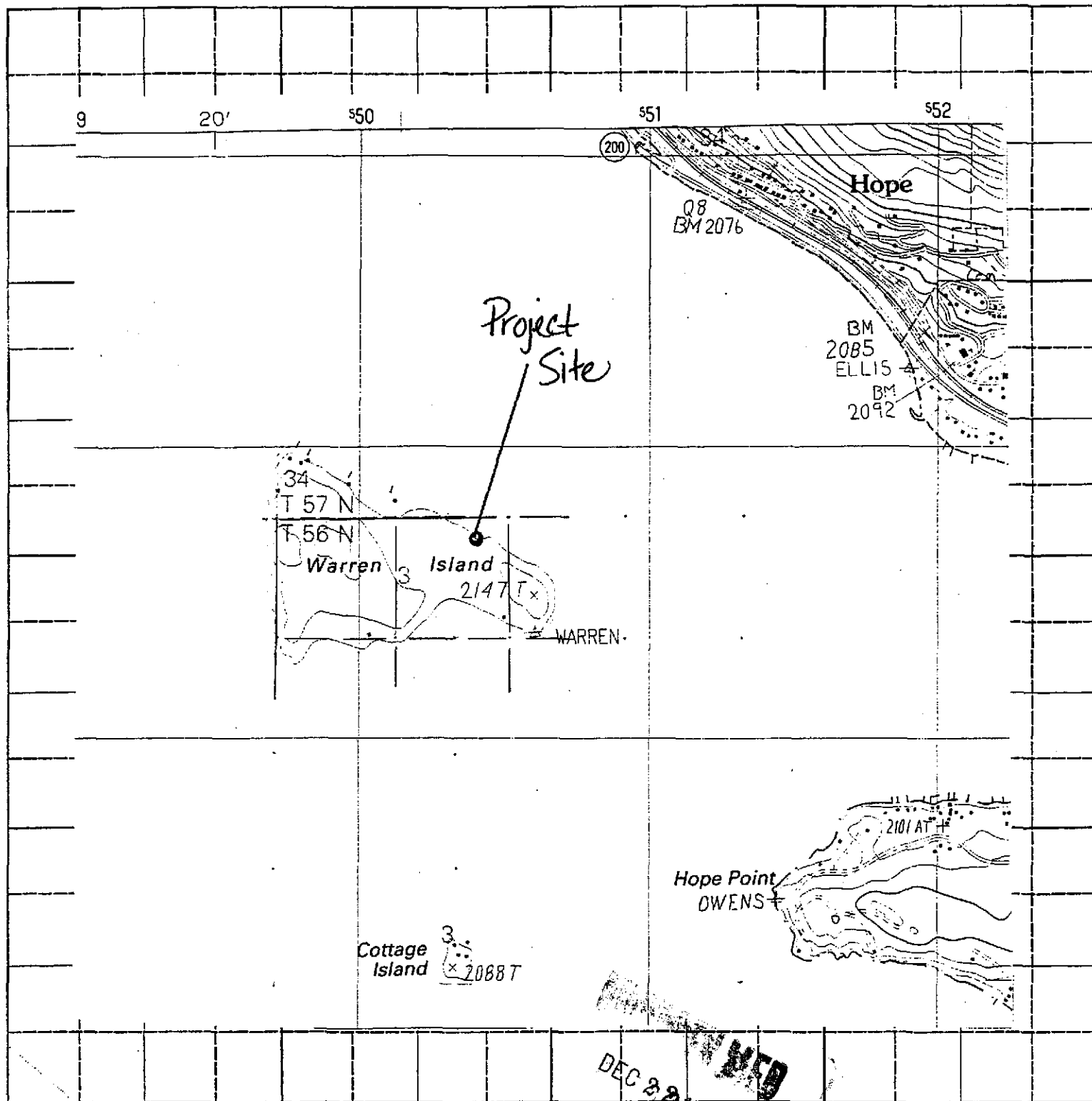
DEC 22 1994

* per US GS map 11/23/94 c. 7.





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



Scale: 2 inches equal 1 mile.

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

[Signature]
(Applicant)

Received by RUC Date 7/22/94 Time 1:05 p Preliminary check by AB
Fee \$ 30⁰⁰ / Receipted by RUC # N-7936/N-7951 Date 7/22/94 / 7/26/94
Publication prepared by RUC Date 8/10/94 Published in Bonner Co Daily Bee 8/18 & 25/94
Publication approved RUC Date 9/8/94

* receipt date of full fee payment.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

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

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

e. Other:

RECEIVED

DEC 22 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 7, 1996

RICHARD SUGDEN
PO BOX 2468
JACKSON WY 830012468

RE: WATER RIGHT NO. 96-08807

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

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NOV 08 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 96-08807

DATE 10/29/96

REVIEWER: SHARLA

NAME Change OK Address Change No

SOURCE Change ✓ Is change clarification of originally intended source? ✓
If not, prepare Notice of Intent to Void

POINT OF DIV Change ✓ Amendment required yes

PLACE OF USE Change ✓ Amendment required yes

Does map agree with written description? ✓ yes no

OVERLAPS P/D P/U

RATE OF DIV

Permitted Rate .04 cfs

Fee limit .20 cfs \$50⁰⁰

Measured cfs

Theoretical .04 cfs

Recommended Total Div Rate .04 cfs

ANNUAL VOLUME/
NATURE OF USES

Use Dom

Volume Calculation 1.2 standard af

 af

 af

 af

SUBTOTAL 1.2 af

Flow rate .04 cfs X 365 days X 1.9833 = 29.0 af

Total volume recommended 1.2 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS DI home.

CONDITIONS Watermaster Control WD#

 GW Measurement/Measuring Device

 Overlap

 Use-specific conditions

Advancement of Priority Date Required yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo

1st Amend Letter N/A

2nd Amend Letter

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 19 1996

Department of Water Resources

Permit No. 96-08807

A. GENERAL INFORMATION

1. Owner: Richard Sugden Phone No. (208) 263-6168

Current Address: P.O. Box 2468 Jackson WY. 83001-2468

2. Accompanied by: friend of Mr. Sugden EXAM DATE: 8-9-96

Address: _____ 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: NONE

2. Other water rights with the same point of diversion: NONE

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
	<u>NA</u>		<u>NE</u>	<u>NW</u>	<u>03</u>	<u>56N</u>	<u>1E</u>	<u>Bonner</u>	<u>U.S.G.S. Topographical map</u>

2. Place(s) of Use:

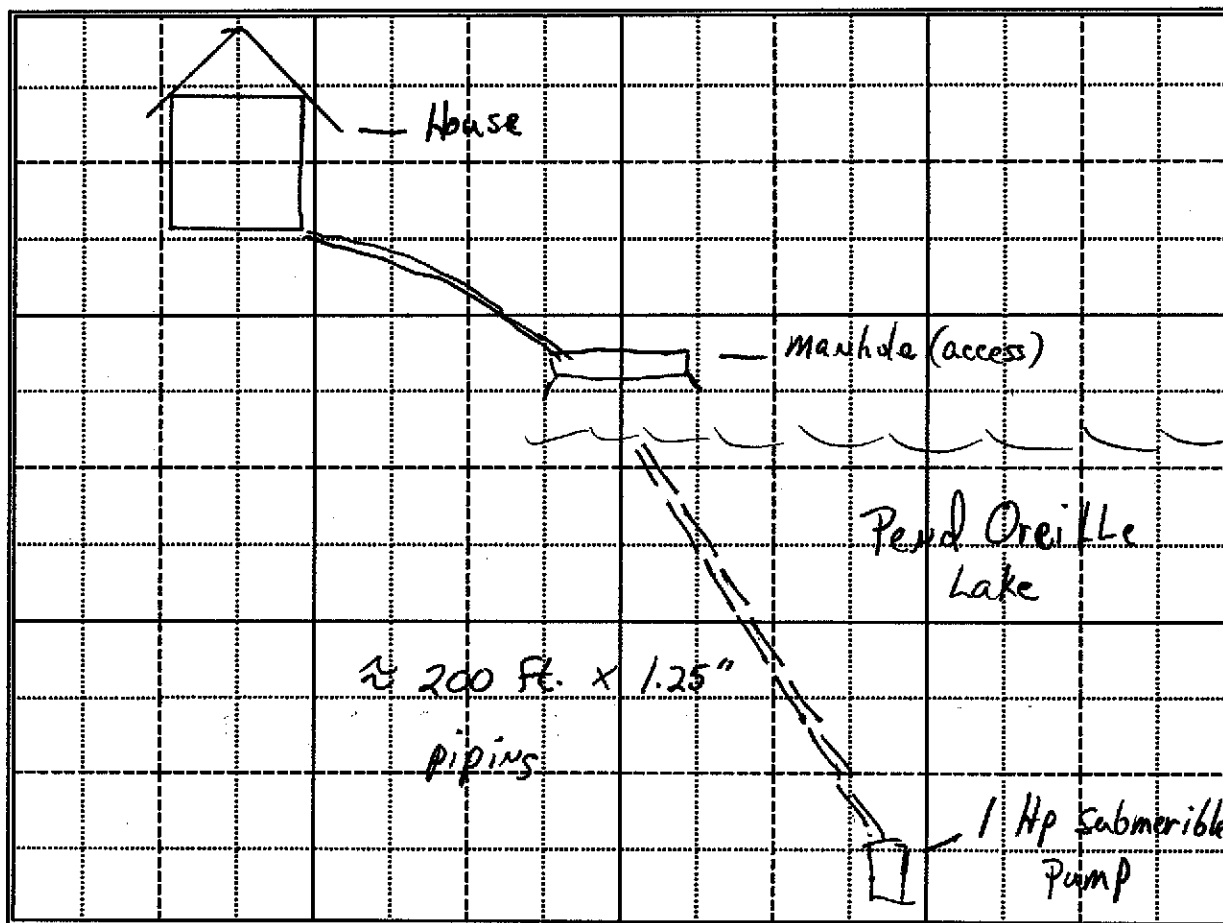
Indicate Method of Determination U.S.G.S. Top.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>56N</u>	<u>1E</u>	<u>3</u>					<u>D</u>												

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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

*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: _____

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E. NARRATIVE/REMARKS/COMMENTS

Water is diverted from Pend Oreille Lake by means of a
1 h.p. Submersible pump. Water is pumped through a 1.25 inch
pipe, approximately 200 feet to the place of use.

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

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NOV 08 1996

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

See Theoretical Calculations

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		
<i>Domestic</i>	<i>1-1</i>	<i>12-31</i>	<i>.04</i>	<i>1.2</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<i>.04</i>	<i>1.2</i>

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 *D. Pagel* Date *8-14-96*

Reviewer _____ Date _____

SEAL

MICROFILMED
NOV 08 1996

THEORETICAL PUMP EFFICIENCY CALCULATIONS**FILE: RICHARD SUGDEN 96-08807****DATE: 14-AUG-96****COMPLETE BY: PAGEL****HORSEPOWER = 1****PUMP EFFICIENCY = 70%****DYNAMIC LIFT = 40 FEET****SYSTEM PRESSURE = 45 PSI****QUANTITY = 0.04 CFS****MICROFILMED
NOV 08 1996**

Exhibit 4

TELEPHONE CONVERSATION MEMORANDUM

Permit No. 96-08807 Name of Contact Joe Dean (208) 263-6188

Employee _____

Date set for examination: _____

Time _____

Directions From Hope - N.E. Side of Warren Is., New house (3 buildings)
gr. roof, big dock, 4 buoys for moorage of airplane (calibration)Are all the uses on the permit developed? yesAre there existing water rights used for the same purpose? noHow many points of diversion are used? 1

What is the estimated flow at each point of diversion? _____

Number of Acres irrigated by each P/D _____

Size of Motor used for each P/D 1 Hp SubmersibleEstimate of depth to water 200' out, 30' down

How many laterals are used? _____

Length and size of mainline 1.25"

Pressure at well _____

Pressure at sprinkler head _____

Have conditions of approval been complied with? _____

Is land under CRP? yes _____ no _____ (Review Permit Processing Administrative Memorandum #11 for conducting exams for CRP land)

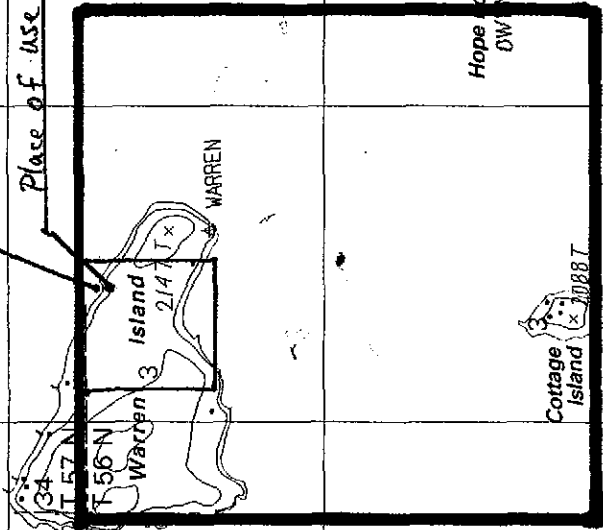
MICROFILMED
NOV 08 1996

BM
2085
ELLIS

Point of Diversion

BM
2092

Place of use



Hope Point
OWNS

Cottage
Island
x 1088 T

Pearl
Island
x 1086 T
PEARL 2
Light house

+

L A K E

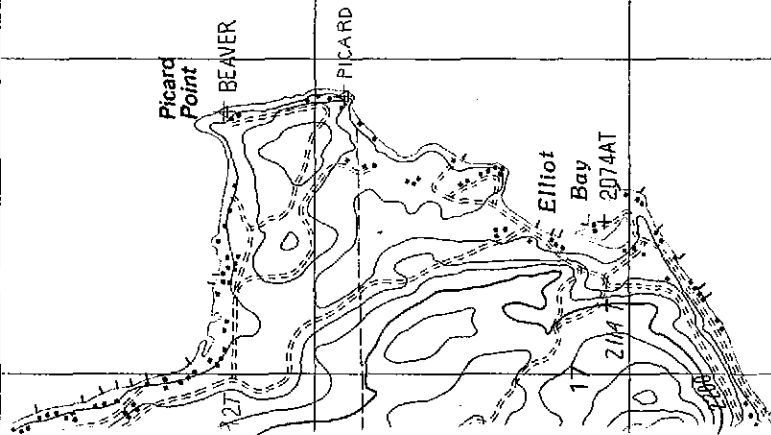
MICROFILMED
NOV 08 1955

P E

Bay
6

3AT

gary



BOUNDARY

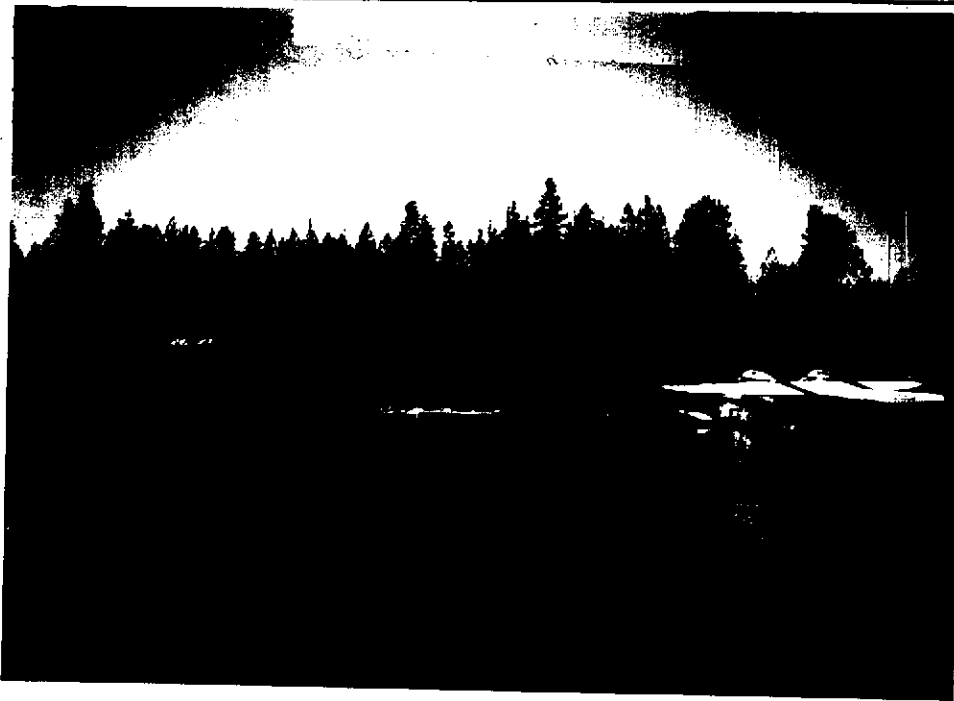
INDEFINITE

2

PERMIT # 96-08807

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PHOTOGRAPHS



Place of use



Point of
Diversion

MICROFILMED
NOV 08 1996

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-08807 Reviewed by [Signature] Date 11-29-95

GENERAL CONSIDERATIONS

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

TYPES OF USE

Dom.

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?
0 Amount Submitted
no Correct?

MEASURING DEVICE

no Required?
☒ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	/	_____
Date proof due	_____		_____
No. of days late	_____		_____
Priority Date	_____		_____
New Priority Date	_____		_____

DEFICIENCIES OR ACTION ITEMS

*Return for 50.00 lic. exam fee.
12/15 - fee received / Proof acceptable*

DATA ENTRY

New Address [X] Proof Made 11-14-95

December 19, 1995

RICHARD SUGDEN
PO BOX 2468
JACKSON WY 830012468

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08807

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.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
JAN 31 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

November 29, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Richard Sugden
P.O. Box 2468
Jackson WY 83001-2468

RE: Permit No. 96-08807

Dear Permit Holder:

Returned is a copy of the proof of beneficial use you submitted in connection with the above referenced permit. Unfortunately, the proof can not be accepted as filed.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license examination fee. They are:

1. The water right must use a **groundwater** (well) source, **and**;
2. The rate of diversion must be .04 cfs or 4.0 AF or less.

You do not meet requirement #1 since you divert water from a surface water source (Pend Oreille Lake.) Therefore, a license examination fee of \$50.00 applies to the permit.

Please return the copy of the proof form along with the \$50.00 license examination fee to my attention within thirty (30) days of receipt of this letter.

If you have any questions or if I can be of any assistance, please feel to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary



JAN 31 1996

Enclosure

September 30, 1995

RICHARD SUGDEN
PO BOX 2468
JACKSON WY 830012468

PROOF DUE NOTICE

RE: PERMIT NO. 96-08807

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 1995.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

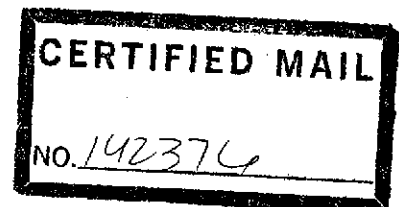
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECORDED

JAN 31 1996





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 5, 1994

RICHARD SUGDEN
PO BOX 2468
JACKSON WY 83001-2468

PERMIT APPROVAL NOTICE

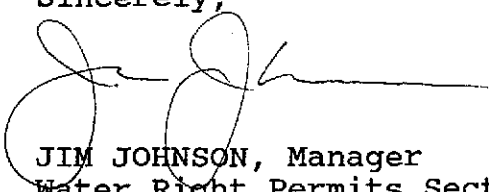
RE: PERMIT NO. 96-08807

Dear Permit Holder:

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

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. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

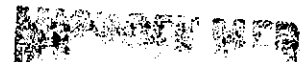
Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures



DEC 22 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 96-8807 Name: Sugden Date: 11/23/94 Correct Fee? ✓

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust

SYSTEM COMPLETED:

No - 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <FLO-CH> - T17 (new), 01K (existing), No MD

- 0.2 cfs - No MD <FLOW CHART>

Drilling Permit:

Included w/permit - Permit No. _____, P99

Existing well - NA (pre 7/1/87)

No WD permit? - 046-46A(Irr)-46B-P23 (post 7/1/87)

SURFACE WATER: not in WD - T17 (+.2 w/pump), No MD <FLOW CHART>

LOCATION:

Water District(~~dem~~) - WD No. _____

*Surface water - 005 (req) 01J-P08 <FLOW CHART>

(doesn't sink) or 01H-P01 <FLOW CHART>; No MD

Groundwater - P05 (new irrigation well)

In stream channel - 030 (stream channel alteration)

Irr Dist/Canal Co. - 023 (Twin Falls area)

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (-85° GW temp only)

Swan Falls Flag - 3 <SEE CONDITION CODE CHART>

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA

Payette R(65) - 064(consump. use), 047-P04(Payette Lake), NA

Snake R(01/02/03) - 11A-P04 (01), 061-P07 (02/03 No WD Cond.), NA

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10

044 (N 1000 Spr)

Irrigation - 03A/057, 803(if GW use SW 1st)(+5A PU comp), NA

Power - 08A-17K-025-027(req); 01F(MD)-P19; 09E(WQ)-P10;

+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09

Mining - 054 (req) & 06A/010/09E-P10

Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

Domestic (surface) - 021(Boise R ↑ L Peak), 064(Payette R), NA

OWNERSHIP:

Non land owner - 004 (PD/PU)

PROTESTED:

- 020(Prehearing agreement)/W19(See Order)

OTHER CONDITIONS:

REMARKS:

- ① woi/l

BENEFICIAL USE DUE:

- 12-1-1995

COMMENTS:

- ① priority 7/26/94 (date full fee paid)
② correct legal pou (1/4 1/4 reversed)

WR0749NP
No. P96-08807

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/23/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD SUGDEN PO BOX 2468 JACKSON WY 83001-2468 (307) 733-5050	07/26/1994	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: PEND OREILLE LAKE

Tributary to: PEND OREILLE RIVER

Stage: PERMIT

Point(s) of Diversion:

T56N R01E S03

NENW

BONNER County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
				56N				01E				3							
				:				:				:				:			

Pou County: BONNER

Remarks: Domestic use is for 1 home.

Dates:	App. Received:	07/26/1994	Priority Date:	07/26/1994
	Proof Due Date:	12/01/1995	Proof Made Date:	
	Exam Made Date:		Exam Sent to S.O.:	
	Licensed Date:			

Misc: Water District Number: Field Exam Fee:

Comments: Date: 08/09/1994 User-ID: RCHILDER Subject: DIVERSION DESCRIPTION
Water intake system includes 200' of 4" pipe into lake and 1
Goulds 18E15412 submersible pump sleeved inside of pipe.

Audit: 11/23/94 CZIMMERM

No. a
4/87-06/92n

ISLEHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

APPLICATION # 96 - 08807

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

APPLICANT: SUGDEN BY: [Signature] DATE: 8/4/94

ITEM REQUIRED INFORMATION

1. (K) 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, recpt, acknowledgment)

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

PROCESSING

Yes No PRIORITY DATE: 7/26/94
X (Include Moratorium Remark)
X Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: SB Jhuw Bonnor County.

LETTERS SENT REQUESTING:

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

ADDITIONAL INFORMATION

Yes No
X Field check: by _____
f Field report attached
f Analysis Supp. attached(>5cfs/500af)
d Water delivered by water master?
Water District # _____

INFORMATION RECEIVED:

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

***** GROUNDWATER SECTION *****

(Yes) (No) Checked by: _____ Date: ____/____/____
X Groundwater management area Remarks: _____
f Critical ground water area
f Well Drilling Permit required
f Well Drilling Application and Fees received
d Well Drilling Application approved?
Well Drilling Application Number _____

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)
____ Notice of pending void order issued. Final order response date: ____/____/____
____ Further information required from applicant
X Affidavit of publication received
X Application published correctly, If not, record action taken: _____
X Publication dates and paper recorded on application | Sr. Agent initial [Signature]
X Protests received. Final protest date: 9/6/94
____ Measuring device required
____ Measuring port required
____ Special conditions: _____
____ Special conditions of approval submitted and/or cover letter attached: _____

RECEIVED

Approval Recommended by: [Signature]

SEP 12 1994

Date: 9/9/94

Department of Water Resources

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Jean Conacher 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:

Applications for
Water Right

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

said paper for a period of 2 consecutive weeks,

commencing on 18 day of Aug, 19 94

and ending on the 25 day of Aug, 19 94

and that said notice was published in said newspaper.

On this 29 day of Aug in the year

of 1994, before me, a Notary Public, personally

appeared Jean Conacher,

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.

Carol K. Inge
Notary Public for Idaho

Residing at Sandpoint, Id

My commission expires: 7/2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

96-08805

SHARPS, THOMAS I

P O BOX 144

CLARK FORK, ID 83811

Source: GROUNDWATER

Diversion Pt: SWNE Sec 29 T 55N

R 03E in BONNER County

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 7/29/1994

In: BONNER County

T55N R03E S29 SWNE

96-08806

JENKINS, CARL

600 ELMIRA ROAD

SANDPOINT, ID 83864

Source: UNNAMED STREAM

Tributary: DEEP CREEK

Diversion Pt: SENE Sec 16 T 59N

R 01W in BONNER County

Use: IRRIGATION (.060 CFS)

STOCKWATER (.020 CFS)

Total Diversion: (.080 CFS)

Date Filed: 8/1/1994

In: BONNER County

T59N R01W S15 NWNW

96-08807

SUGDEN, RICHARD

P O BOX 2468

JACKSON, WY 83001

Source: LAKE PEND OREILLE

Tributary: PEND OREILLE RIVER

Diversion Pt: NWNE Sec 3 T 56N

R 01E in BONNER County

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 7/26/1994

In: BONNER County

T56N R01E S03 NWNE

96-08808

TOWLE, DENNIS

75 EAST FIELD DRIVE

ROLLING HILLS, CA 90274

Source: PEND OREILLE LAKE

Tributary: PEND OREILLE RIVER

Diversion Pt: SWSW Sec 34 T 57N

R 01E in BONNER County

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 7/26/1994

In: BONNER County

T57N R01E S34 SWSW

96-08810

WITTROCK, LOREN R

HCR 953

CLARK FORK, ID 83811

Source: SPRING CREEK Tribu-

tary: LIGHTNING CREEK

Diversion Pt: SESE Sec 22 T 56N

R 02E in BONNER County

Use: IRRIGATION (.200 CFS)

STOCKWATER (.040 CFS)

DOMESTIC (.040 CFS)

Total Diversion: (.200 CFS)

Date Filed: 8/9/1994

In: BONNER County

T56N R02E S22 SESE

10.0 ACRES TOTAL

96-0811

WHITE, JAMES

P O BOX 158

CLARK FORK, ID 83811

Source: GROUNDWATER

Diversion Pt: SENWSW Sec 11 T

55N R 03W in BONNER County

NESESW Sec 11 T 55N

R03W in BONNER County

Use: IRRIGATION (.240 CFS)

DOMESTIC (.310 CFS)

Total Diversion: (.930 CFS)

Date Filed: 8/9/1994

In: BONNER County

T55N R03E S20 NESW NWSW

SWSW SESW

12.0 ACRES TOTAL

96-08812

SOUTHSIDE WATER AND SEW-

ER DISTRICT

P O BOX D

SANDPOINT, ID 83864

Source: GROUNDWATER

Diversion Pt: SWSWSW Sec 3 T

56N R 02W in BONNER County

Use: IRRIGATION (1.090 CFS)

DOMESTIC (.670 CFS)

Total Diversion: (1.760 CFS)

Date Filed: 8/9/1994

In: BONNER County

T56N R02W S03 NWNE SWNE

NENW SWNW

SENEW NESW NWSW

S04 NENE NWNE SENE NESE

T57N R02W S33 NESW SESW

SWSE

S34 SESW NESE SWSE SESE

S35 NESW NWSW SWSW SESW

51.0 ACRES TOTAL

For additional information concern-

ing 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 SEPTEMBER 6, 1994.

R. KEITH HIGGINSON,

Director

SNP#6294 Aug 18, 25, 1994

RECEIVED

SEP 6 1994

NORTHERN REGION
IDWR

DEC 22 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

CECIL D. ANDRUS

Governor
August 11, 1994

R. KEITH HIGGINSON
Director

Richard Sugden
P.O. Box 2468
Jackson, WY 83001

Subject: Water Appropriation Application for Permit Number 96-08807.

Dear Mr. Sugden:

The Idaho Department of Water Resources hereby acknowledges receipt of the above-referenced Application for Permit to appropriate the Public Waters of the State of Idaho. Enclosed are Receipts Number N007951 & N007936. Please refer to your Application for Permit Number in future matters concerning this water right application.

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

If your application is not protested, it will be forwarded to Boise for processing. Normal processing time is approximately 3 to 4 months, if the application is not protested. If your Application for Permit is protested, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before your Application for Permit can be approved. If the protest is not resolved, this Department will conduct a conference and/or hearing on the matter.

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

If your Application for Permit is for a well (groundwater) that was constructed after July 1, 1987, you must apply for a well drilling permit upon approval of your Application for Permit if no permit was obtained by previous owners to construct the well. Well Drilling Permits can only be issued by this office to holders of approved Applications for Permit.

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

Sincerely,

ALLEN BEARDSLEE
Senior Water Resource Agent
Enc. - Receipt

RECEIVED
DEC 23 1994

96-08807

SUGDEN, RICHARD
P O BOX 2468
JACKSON, WY 83001

Source: LAKE PEND OREILLE

Tributary: PEND OREILLE RIVER

Diversion Pt: NWNE Sec 3 T 56N R 01E in BONNER County.

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 7/26/1994

In: BONNER County
T56N R01E S03

NWNE

DEC 22 1994

INTER-DEPARTMENT MEMO — 1

FROM

Al Beardslee

TO

Debbie Allen

SUBJECT

Refund - Sugden

DATE

Please issue refund to
Richard G. Sugden
P.O. Box 2468
Jackson WY 83001

Contractor already paid w/r fee.
AL

SIGNATURE