

TOWNSHIP No. 56, NORTH, RANGE No. 1, WEST, BOISE

SECTION No. 18, SUBDIVISION

West 620 m. survey sec. 77.75 sec.

N 0° 35' E

3150

38.69

79.25
77.75

Peter S. Fess
239-158

Crabb
105-473

Herman
2401

2
39.06

Mildred P. Nadvornick
Jeffrey Shoopman, trustees
361645

D.A. Folle
0001

4200

Clyde E. Callen
363277

3
39.44

6475
18
637.00
631.00

John T. Callen
244-197

6351

Martin A. Callen
244-198

D.A. Folle
7200

4200

Mildred P. Nadvornick
Jeffrey Shoopman, trustees
361645

224-523
WILLIAM J.
LOUISE CALLEN
4
39.81
177
1200 521.5
Clyde E. Callen
363277

6951

9001

William H. Callen
244-196

9400

Martin & Elizabeth Berken

James P. & Patricia Popeloff
Martin & Elizabeth Berken
406252

T5 6351 1301

T8 176

Martin Callen Estate
& Shirley Callen
244-198

Martin Callen

John T. Callen
244-197

T6 house
69-1
buried pipe
well
0-1

Delbert Shaffer
129-485
368-262

The Caxton Printers, Ltd., Caldwell No. D-98745

East

KANIKSU

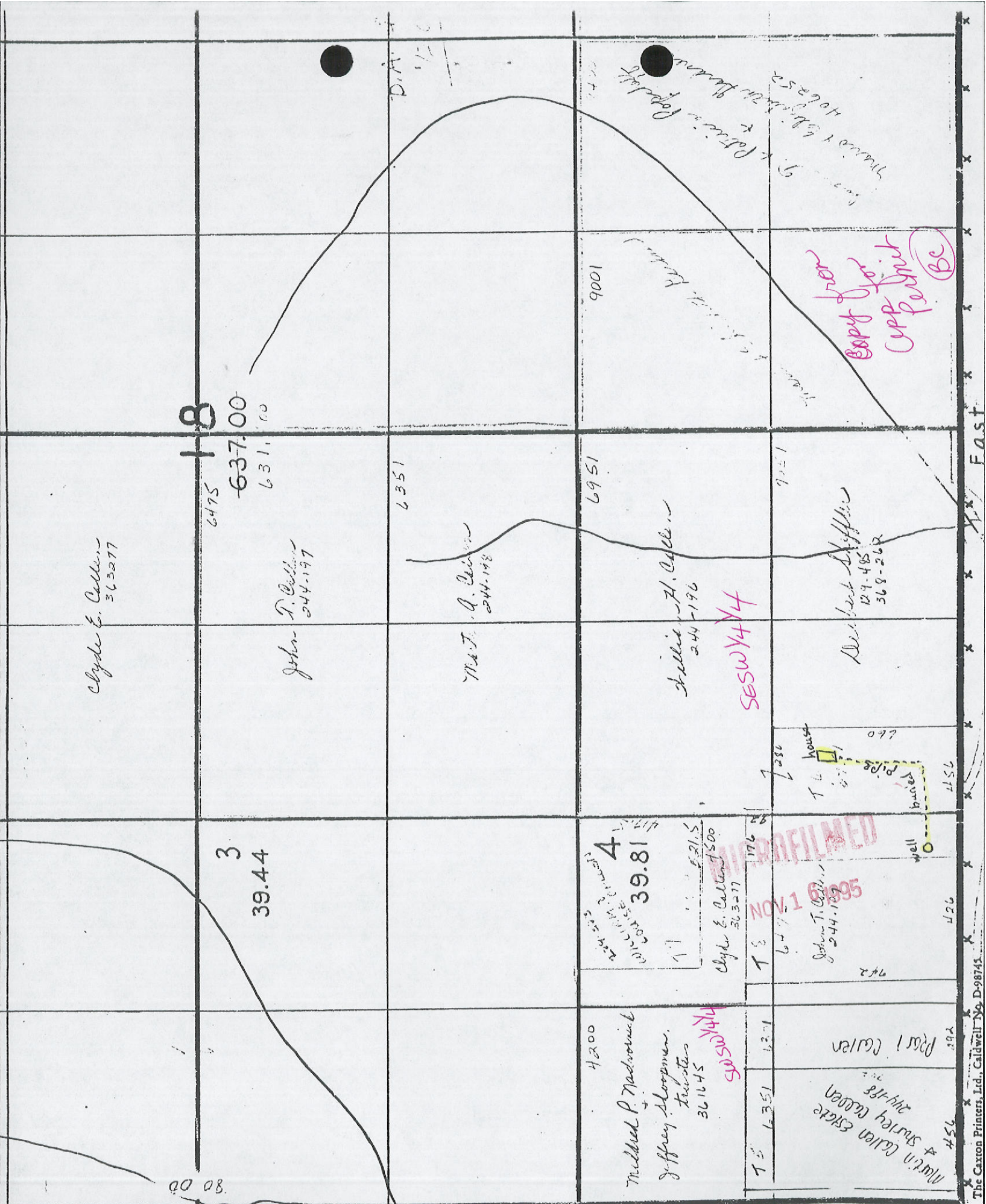
NATIONAL

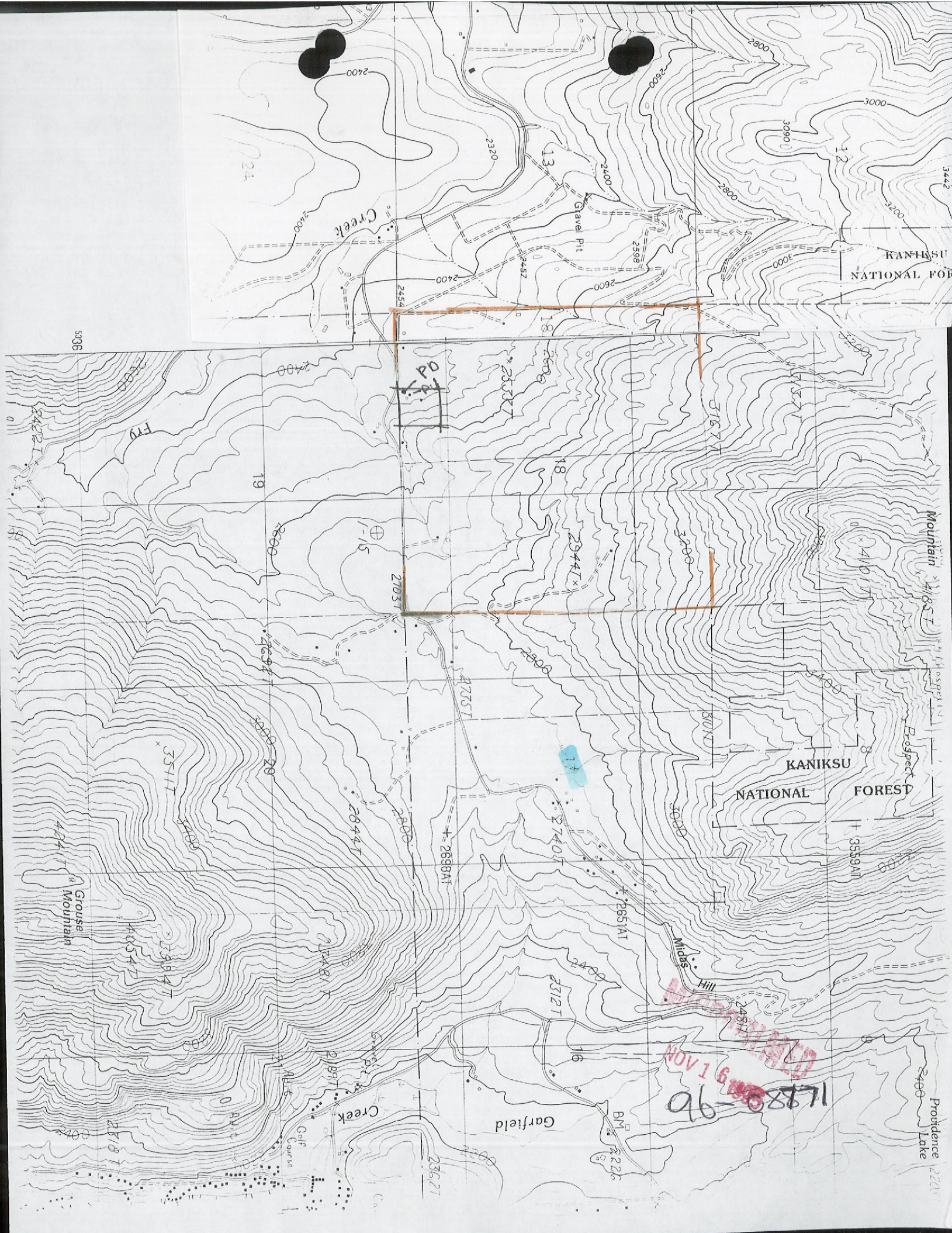
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BC

N 0° 35' E

96-08771





PERMIT # 96-08771

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

P H O T O G R A P H S



HAICROFILMED
NOV 16 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08771

Priority: August 26, 1993

Maximum Diversion Rate:
Maximum Diversion Volume:

0.02 CFS
3.6 AF

This is to certify, that WILLIAM H CALLEN
LOUISE S CALLEN

865 GARFIELD BAY RD
SAGLE ID 83860

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated August 26, 1993; and
has submitted Proof of Beneficial Use on August 15, 1994. An examination indicates
that the works have a diversion capacity of 0.030 cfs of water from:

SPRING

tributary to FRY CREEK

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>
IRRIGATION	03/15 to 11/15	0.02 CFS	3.0 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.02 CFS	3.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4 (SESWSW), Sec. 18, Township 56N, Range 01W
BONNER County

<u>PLACE OF USE:</u>	<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
IRRIGATION							
	56N	01W	18	SESW	1		1

Total number of acres irrigated: 1

PLACE OF USE:
DOMESTIC, same as IRRIGATION use

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 that 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.

NOV 16 1995

State of Idaho
Department of Water Resources

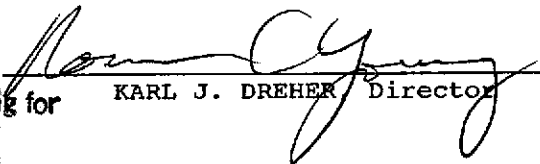
WATER RIGHT LICENSE

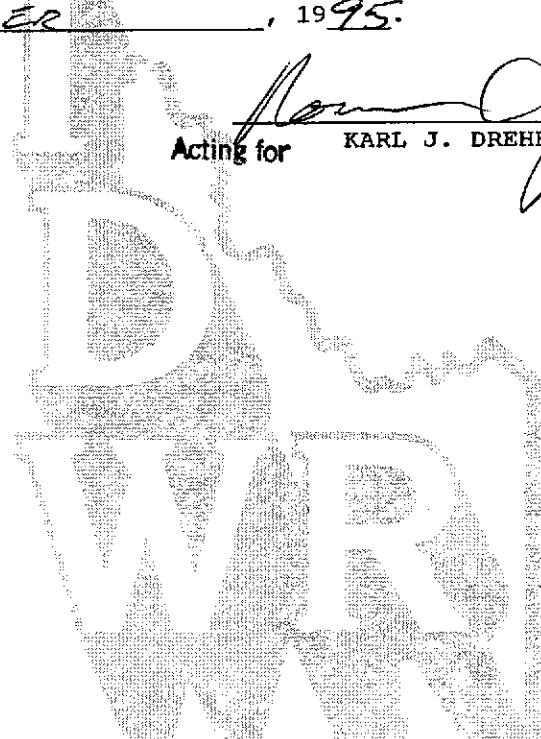
WATER RIGHT NO. 96-08771

CONDITIONS OF APPROVAL AND REMARKS

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
6. Domestic use is for 1 home.
7. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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 28TH
day of OCTOBER, 1995.


Acting for KARL J. DREHER Director



RECORDED

NOV 16 1995

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 96-08171 Telephone No. (208) 263-6045

2. Name(s) of Permit Holder(s): William H. and Louise S. Callen

3. Post Office Address: 865 Garfield Bay Rd., Sagle, Id. 83860

4. Source of Water: Spring

a. If ground water, well driller's name: N/A Date drilled: N/A

b. Pump horsepower: 0.5 Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic 1 (No. of households) Irrigation 1 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 1.02 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ___ Yes X No Installed? ___ Yes ___ No

OR

Flow Measurement Port: Required? ___ Yes X No Installed? ___ Yes ___ No

8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

Louise Callen
Name

(208) 263-6045
Telephone No.

865 Garfield Bay Rd, Sagle, Id. 83860
Address

10. The above information 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.

8/8/94
Date

Louise S. Callen
Signature (and title if on behalf of a company or organization)

SEP 22 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-08771

Proposed Priority: August 26, 1993 Maximum Diversion Rate: 0.02 CFS

This is to certify, that WILLIAM H CALLEN
LOUISE S CALLEN
865 GARFIELD BAY RD
SAGLE ID 83860

has applied for a permit to appropriate water from:

SPRING tributary of FRY CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.02 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
	Totals	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 4 (SESWSW), Sec. 18, Township 56N, Range 01W
BONNER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
56N	01W	18	SESW	1		1

Total number of acres irrigated: 1

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1994.
2. Subject to all prior water rights.
3. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
4. Domestic use is for 1 home.
5. An intake screen of 1/4 inch or smaller mesh shall be installed at the point of diversion to prevent any negative impact on juvenile fish.
6. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.

APPROVED

OCT 29 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-08771

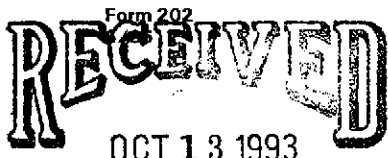
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

25th day of October, 1993

R. Keith Higginson
for R. Keith Higginson, Director

FILED

OCT 29 1993



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 96-8771

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

1. Name of applicant William H. + Louise S. Callen Phone 263-6045

Post office address 865 Garfield Bay Rd., Sagle, Id. 83860

2. Source of water supply spring which is a tributary of Fry Creek

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot 4

Sec. 18 Township 56 N Range 1 W B.M. Bonner County; additional points of diversion if any: none

4. Water will be used for the following purposes:

Amount ^{0.02} ~~0.04~~ cfs for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) ~~0.04~~ 0.02 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. .5 hp shallow well pump with 30 gal. pressure tank; aprox 650' of 1 1/2" black plastic roll pipe, reduced to 1/2" to serve house + garden.

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. ^{Existing} ~~Proposed~~ well diameter is 36 inches; ^{Existing} ~~proposed~~ depth of well is 9 feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is already in use years (minimum 1 year).

OCT 9 1993

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 ; yard + garden of app. 1 acre
- 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	
1W	56N	18											D						1
													1						

Total number of acres to be irrigated 1

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? William H + Louise S. Callen

b. Who owns the land to be irrigated or place of use? William H. + Louise S. Callen

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: This water system has been in use since 1975

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

A full-page sheet of white graph paper with a black grid. The grid consists of 15 columns and 15 rows, creating a total of 225 small squares. The lines are thin and evenly spaced. There is no margin or additional text on the page.

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.

OCT 29 1993

William H. Callen
(Applicant)
Louise S. Callen

Received by pm Date 8/26/93 Time 1:30pm Preliminary check by _____
Fee \$ 30.00 Receipted by pm # N6896 Date 8/26/93
Publication prepared by pm Date 9/8/93 Published in Bonneville Bee
Publication approved pm Date 9/16-23/93
Publication approved _____ Date 10/6/93

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

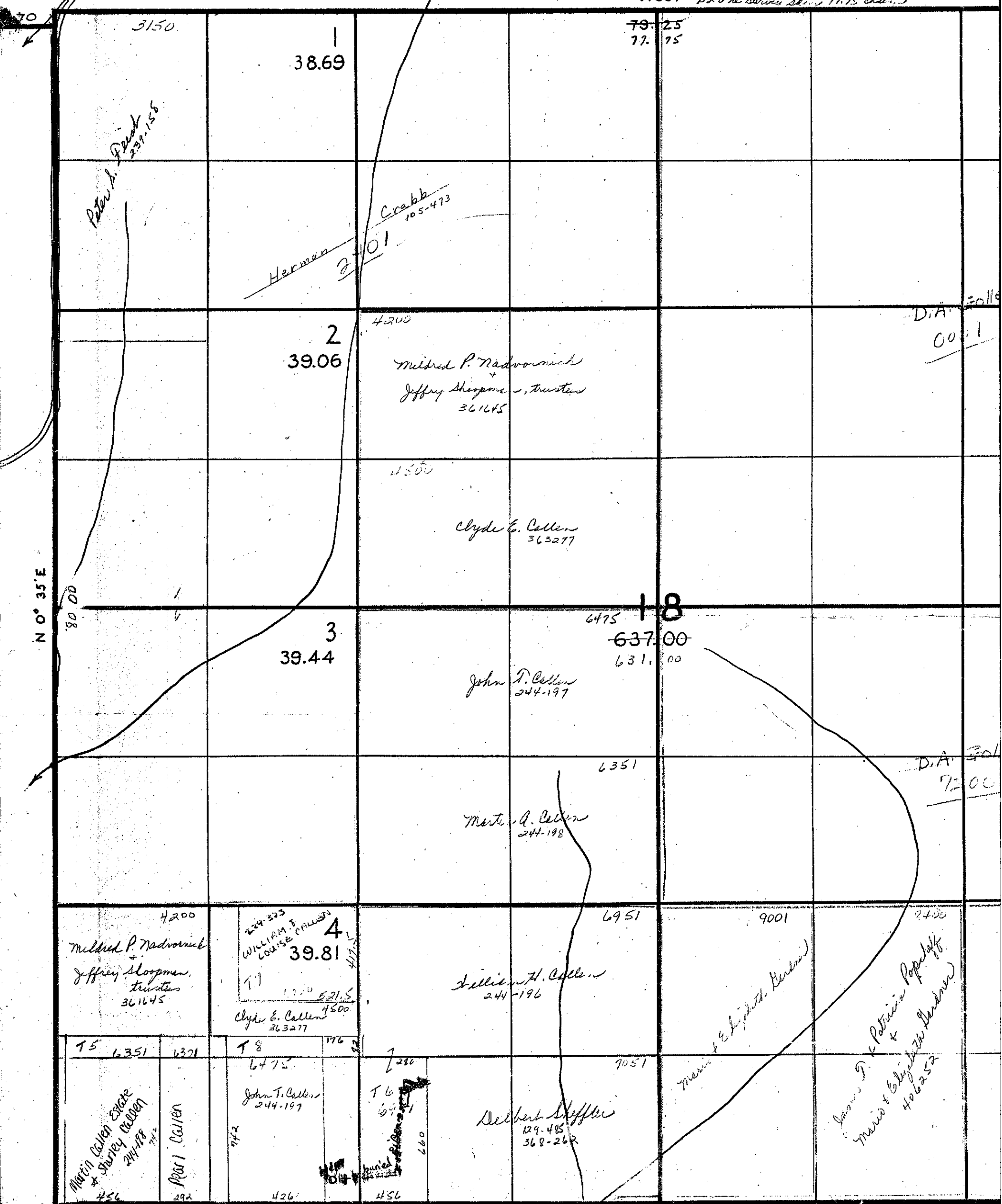
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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:

OCT 29 1993

West 620 m survey square 77.75 chm.



The Caxton Printers, Ltd., Caldwell No. D-98745

East

KANIKSU

NATIONAL

FO

Sec. 6.

Sec. 5.

Mountainous

and

Surveyed.

Sec. 7.
Rough

Not

Sec. 8.

OCT 29 1993



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

October 30, 1995

WILLIAM H CALLEN
LOUISE S CALLEN
865 GARFIELD BAY RD
SAGLE ID 83860

RE: WATER RIGHT NO. 96-08771

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:rl

Enclosure

UNRECORDED

NOV 16 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 96-08771 DATE 10-27-95



NAME	<u>Change OK</u> ☒	Or Address Change? ☐
PRIORITY DATE	☒	Advance? ☐ Advanced to: ☐ Order to reinstate needed? ☐ Incorrect fee for rate recommended? ☐
SOURCE	☒	Changes or just clarification of originally intended source? ☐ Notice of Intent to Void necessary? ☐
POINT OF DIV	☒	Amendment needed? ☐ Overlaps? ☐
PLACE OF USE	☒	Amendment needed? ☐ Overlaps? ☐
DIV RATE	☒	Permit/fee limits: <u>.02 CFS</u> Meas Q = <u> </u> Theo Q = <u>.03</u> Recommend: <u>.02</u>
<u>8.8 x .7 x .5 HP</u> <u>25 + (2.31 x 40 PSI) = .03 CFS</u>		Combined rates exceed capacity ☐
ANNUAL VOLUME	☒	Volume Limit: <u> </u> Season: <u>0/3.0 (3-15 to 11-15)</u> Calculations: <u>INT/DOM = .6</u> <u>1 Acre = 3.0</u> Flow limit: <u> </u> cfs x <u> </u> x 1.9835 = <u> </u> Combined volumes exceed capacity/allowable ☐
USES	☒	Change in Nature of Use or additional uses? ☐ Amendment necessary? ☐
ADDITIONAL INFO	Supplemental Groundwater ☐ PPU Scenario ☐ Irr/Dom Combination <u>YES</u> Shared G/W System ☐	
NEW REMARKS	<u>WBS</u> Multiple p/d(s) in 1/4 1/4? ☐ Other ☐	
NEW CONDITIONS	☐ Watermaster control - District ☐ ☐ Measuring/Locking Devices ☐ ☒ Irrigation Overlap ☐ ☐ Other ☐ ☐ Water Quality ☐ Heat/Cool/Fish verified ☐	

COMMENTS: ① Remove conditions 5 & 6. Are not applicable in this situation.
② Contact ASSESSOR'S OFFICE ON PLU legal. (Done)

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NA</u>
<u>Irrigation</u>	<u>.02</u>	<u>3.0</u>	Adjustment Memo Needed	<u>YES</u>
<u>Domestic</u>	<u>.02</u>	<u>.6</u>	LICENSE	☒
<u>TOTAL</u>	<u>.02</u>	<u>3.6</u>	1ST AMEND LETTER	
			2ND AMEND LETTER	

MEMORANDUM

TO: File 96-08771 / William Callen
FROM: Brenda Chapman
DATE: October 27, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 96-08771 are based on the information below:

C. DIVERSION AND DELIVERY SYSTEM

2. Place of Use: According to the Bonner County Assessor's office, the correct place of use is located in the SESW $\frac{1}{4}$ of Section 18, which coincides with the permit. An amendment is not necessary.

F. FLOW CALCULATIONS

The recommended capacity has been increased based on adjustments to the theoretical calculation.

$$\frac{8.8 \times .7 \times .5 \text{ hp}}{25' + (2.31 \times 40 \text{ psi})} = .03 \text{ cfs}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	3-15 to 11-15	.02	3.0
Domestic	1-01 to 12-31	.02	.6

The irrigation diversion volume has been increased to the estimated annual requirement for that area.
[3.0 afa/acre]

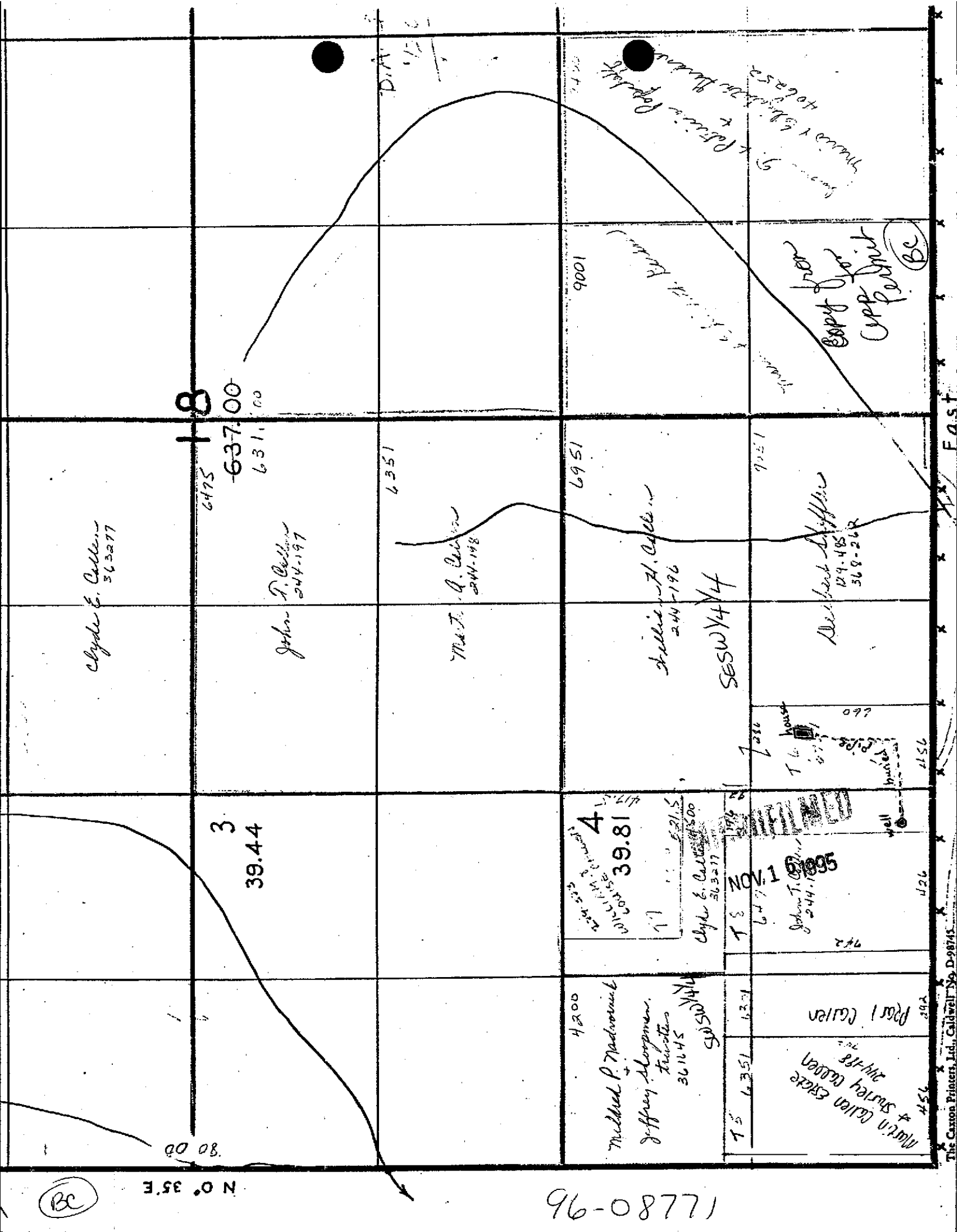
MICROFILMED

NOV 16 1995

N 0° 35' E

BC

96-08771



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 09 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-08771

1. Owner: William H. Callen Phone No. (208) 263-6045

Current Address: 865 Garfield Bay RD Eagle Id, 83860

2. Accompanied by: owner EXAM DATE: 6-15-95

Address: same as above Phone No. same

Relationship to Permit Holder: _____

3. Source: Developed Spring tributary to Jay Creek

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
		SE	SW	SW	18	56N	01W	BONNER	USGS 7.5 min quad

2. Place(s) of Use:

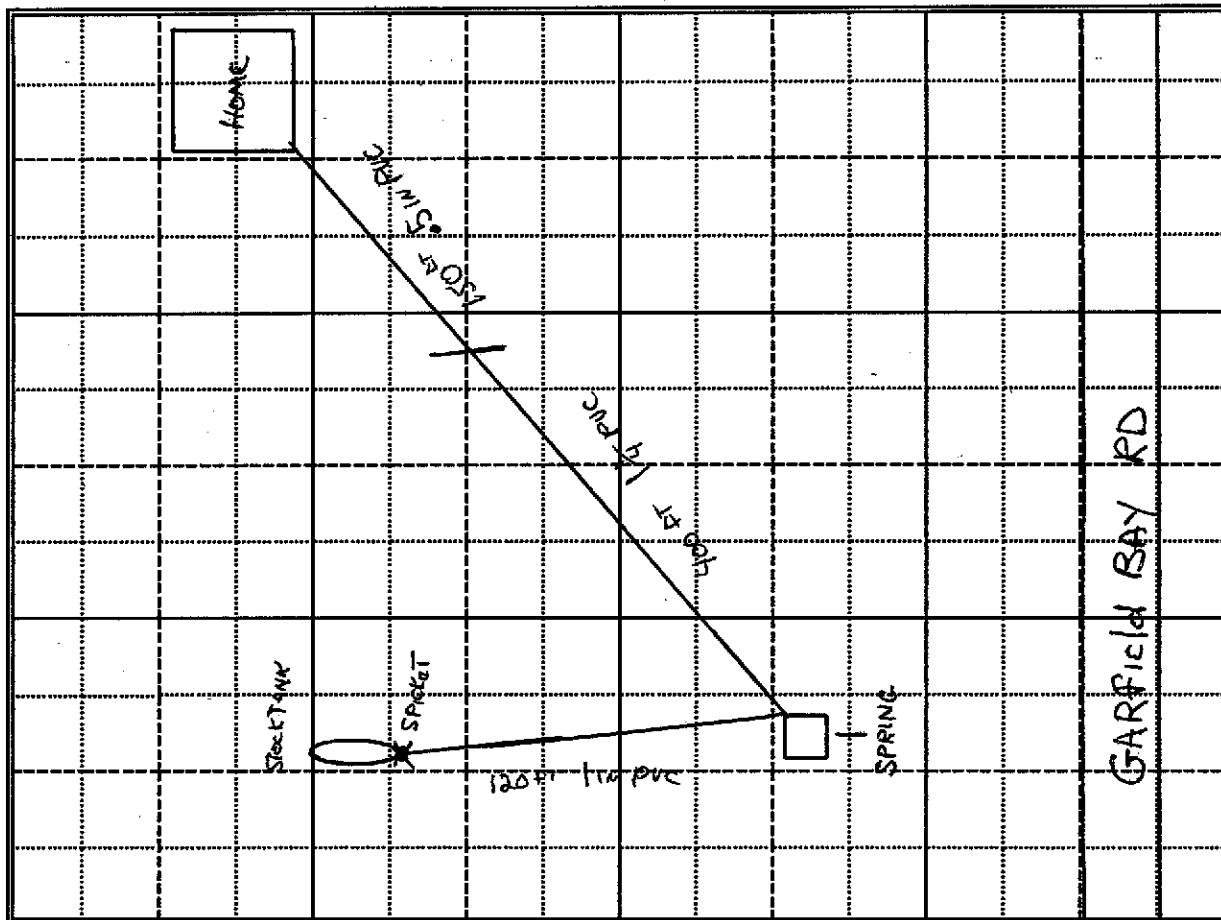
Indicate Method of Determination USGS 7.5 min quad

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	01W	18																	1

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NOV 16 1995

* See attached memo. RC

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



Scale: 1" = _____.

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	STARTE	.5	J597	STARTE	

*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

NOV 16 1995

E. NARRATIVE/REMARKS/COMMENTS

Water used for home and the
irrigation of 1 acre

Have conditions of permit approval been met? ☐ yes

MICROFILMED

NOV 16 1995

*

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \times 3 = 3$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .02 \times 245 \times 1.9835 =$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

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	0.02	0.6
Irrigation	03-15	11-15	0.02	2.4
Totals:			0.02	3.0

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. AUTHENTICATION

Field Examiner's Name Ad M. Crank Date 6-15-95

Reviewer _____ Date _____

SEAL

* SEE adjustment memo. BC

MICROFILMED

NOV 16 1995

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 96-08771

DATE: 1-AUG-95

COMPLETE BY: TED MCCRACKEN

HORSEPOWER = .5

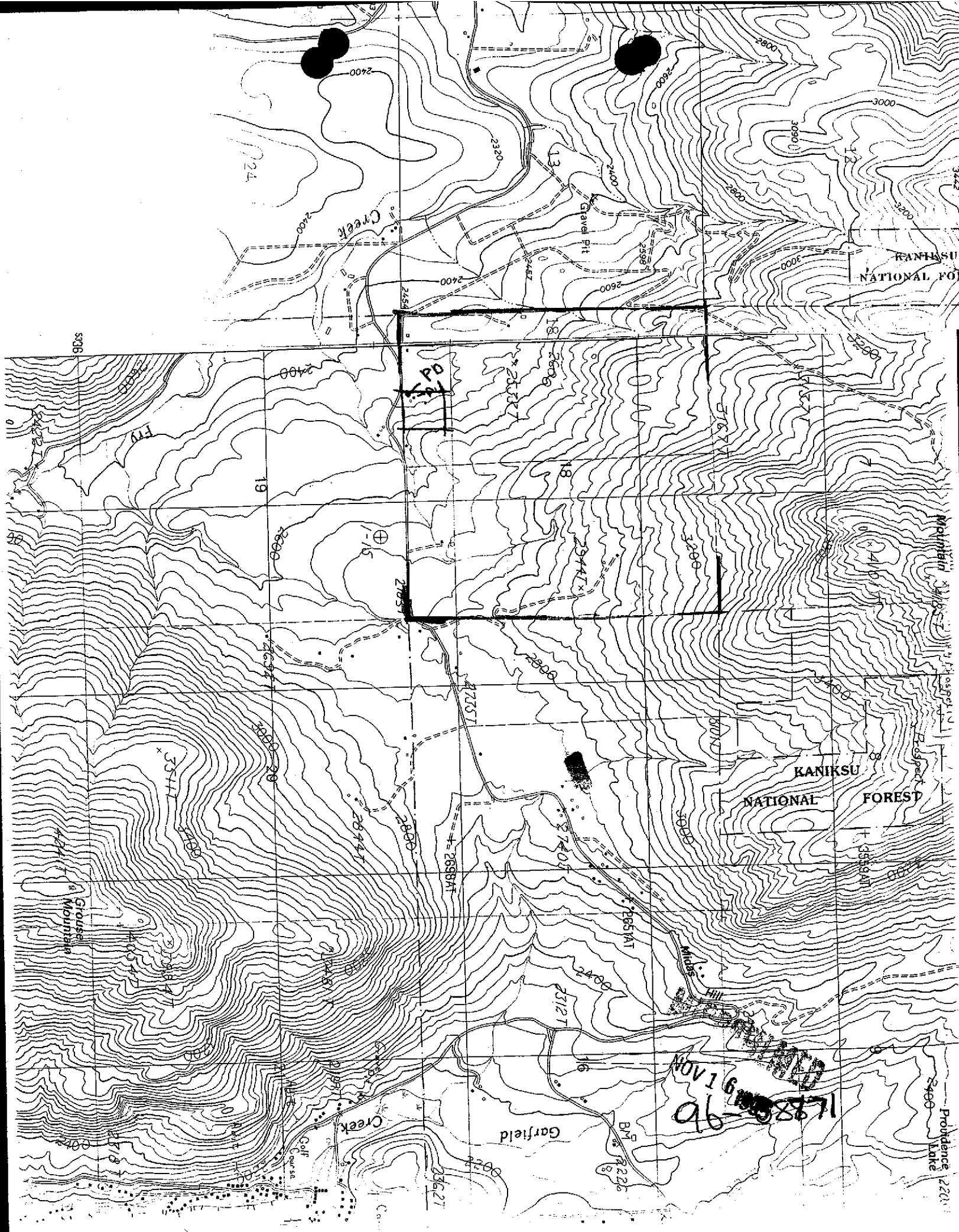
PUMP EFFICIENCY = 75%

DYNAMIC LIFT = 25 FEET

SYSTEM PRESSURE = 60 PSI

QUANTITY = 0.02 CFS

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NOV 16 1995



KANIKSU
NATIONAL FOREST

KANIKSU
NATIONAL FOREST

1688
96
NOV 16

Garfield

Creek

Miles Hill

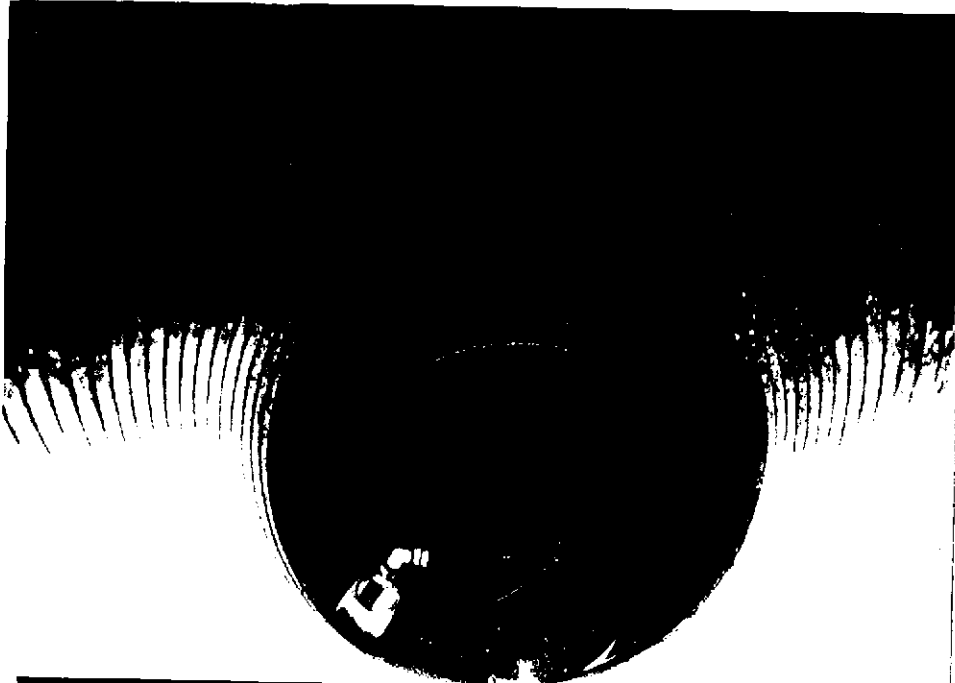
Providence Lake

Grouse Mountain

PERMIT # 96-08771

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

P H O T O G R A P H S



NOV 1 8 1985

August 24, 1994

WILLIAM H CALLEN
LOUISE S CALLEN
865 GARFIELD BAY RD
SAGLE ID 83860

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08771

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

SEP 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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 25, 1993

WILLIAM H CALLEN
LOUISE S CALLEN
865 GARFIELD BAY RD
SAGLE ID 83860

PERMIT APPROVAL NOTICE

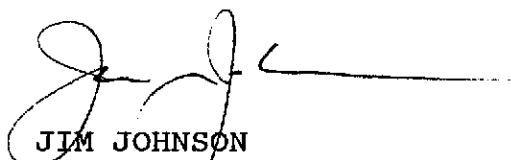
RE: PERMIT NO. 96-08771

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
Water Rights Supervisor

JJ:dc

Enclosures

RECORDED

OCT 29 1993

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Mike Burns being first duly sworn, on oath

deposes and says that he/she is Bookkeeper

of the Bonner County Daily Bee, a newspaper printed and

published at Sandpoint, Bonner County, Idaho; that the

said newspaper has been continuously and uninterruptedly

published in said Bonner County during a period of 12

months prior to the first publication of the hereto attached

notice of publication in the case of:

Legal Notice

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

said paper for a period of 2 consecutive weeks,

commencing on 16 day of Sep, 1993

and ending on the 23 day of Sep, 1993

and that said notice was published in said newspaper.

On this 23 day of Sep in the year

of 1993 before me, a Notary Public, personally

appeared Mike Burns,

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.

Karel Mueller
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 5-3-99

NOTICE OF APPLICATION
FOR WATER RIGHT
The following application(s) have
been filed to appropriate public
waters of the State of Idaho
96-08771
CALLEN, WILLIAM H
CALLEN, LOUISE E
865 GARFIELD BAY RD
SAGLE, ID 83860
Source: SPRING Tributary: FRY
CREEK

Diversion Pt: LOT 4 (SESWSW)
Sec 18 T 56N R 01W in BONNER
County.

Use: IRRIGATION (.020 CFS)
DOMESTIC (.020 CFS)
Total Diversion: (.020 CFS)
Date Filed: 8/26/1993
In: BONNER County
T56N R01W S18 SESW
1.0 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 on or before OCTOBER 4,
1993.

R. KEITH HIGGINSON, Director
NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN
THAT APPLICATION FOR PERMIT
NO. 96-8769 in the name of Char-
lotte Burton, PO Box 372, Carey-
wood, Id. 83809, was advertised
incorrectly on August 19 & 26, 1993.

The source was incorrectly
described as springs, tributary to
Cocolalla Creek; whereas, correctly
it should be a spring, tributary to
Cocolalla Creek. Also the amount of
water for Fire Protection from Stor-
age use was incorrectly described as
1.00 AF; whereas, correctly it should
be 0.2 CFS.

(For additional information concern-
ing the property location, call
the Northern Regional Office at 765-
4639.)

Protests to the above-referenced
correction must be filed with the
applicant and with the Director,
Dept. of Water Resources, 1910
Northwest Blvd., Suite 210, Coeur
d'Alene, Id. 83814 on or before Octo-
ber 4, 1993.

R. KEITH HIGGINSON, Dir.
NOTICE OF HEARING
FOR THE PACK RIVER
MINIMUM STREAMFLOW

Notice is hereby given that the
Idaho Water Resource Board sub-
mitted an application for permit to
appropriate water to the Department
of Water Resources, proposing to
appropriate water for a minimum
streamflow in Pack River, a tributary
of Pend Oreille Lake. The applica-
tion is further described as follows:

Source: Pack River
Application No.: 96-08717
Proposed Priority: June 15, 1992
Amount and Period of Use: 129.0
cfs from November 1 through July
31. 54.0 cfs from August 1 through
October 31.

Purpose of Minimum Flow: Pro-
tection of fish and wildlife habitat,
aquatic life and recreational values.

Place of Use: Pack River, com-
mencing at the confluence with
Creek, located in the SE1/4NE1/4,
Section 30, T61N, R2W, Boundary
County, and extending downstream
to the confluence with Grouse
Creek, located in the SE1/4SW1/4,
Section 4, T58N, R1W, B.M., Bonner
County.

The Department of Water
Resources will hold a public hearing
in the Sandpoint Community Hall,
204 South First Avenue. Sandpoint,

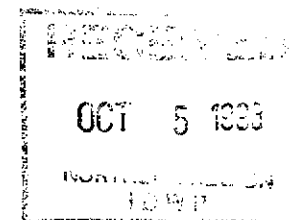
Idaho, beginning on
Wednesday, October 13, 1993, for
the purpose of hearing evidence per-
taining to the application. The hear-
ing will be held pursuant to the pro-
visions of Section 42-1503, Idaho
Code. In addition, the hearing offi-
cer will also receive informal testi-
mony into the record at 7:00 p.m. in
the evening at the same location.

Any party who wishes to formally
appear in the proceeding for the pur-
pose of presenting evidence or cross
examining witnesses should file a
notice of appearance with the Direc-
tor of the Department of Water
Resources, Statehouse Mail, 1301
North Orchard Street, Boise, Idaho,
83706, five (5) days prior to the hear-
ing. Other parties may informally
present their views and comments
without filing a notice of appearance.
Written informal views and com-
ments may also be submitted to the
Department of Water Resources pri-
or to the hearing.

Any hearing scheduled will be
conducted in a facility which meets
the accessibility requirements of the
Americans with Disabilities Act. If
you require special accommodations
in order to attend, participate in or
understand the hearing, please
advise the department within ten
(10) days prior to the hearing. The
hearing will be conducted by Mr.
Gary Spackman, Idaho Dept. of
Water Resources, Statehouse Mail,
Boise, Id. 83720, telephone (208)
327-7900.

If issued, this permit will be sub-
ject to all prior water rights.

R. Keith Higginson, Director
Idaho Department of Water
Resources
SNP#5651 Sep 16, 23, 1993



MICROFILMED

OCT 29 1993

96-08771

CALLEN, WILLIAM H
CALLEN, LOUISE S
865 GARFIELD BAY RD
SAGLE, ID 83860

Source: SPRING

Tributary: FRY CREEK

Diversion Pt: LOT 4 (SESWSW) Sec 18 T 56N R 01W in BONNER County.

Use: IRRIGATION (.020 CFS)
DOMESTIC (.020 CFS)
Total Diversion: (.020 CFS)

Date Filed: 8/26/1993

In: BONNER County
T56N R01W S18 SESW

1.0 ACRES TOTAL

RECORDED

OCT 28 1993



IDAHO FISH & GAME

REGION 1
2320 Government Way
Coeur d'Alene, ID 83814-3683
(208) 765-3111



September 22, 1993

Mr. Robert G. Haynes
Idaho Department of Water Resources
1910 Northwest Blvd. Suite 201
Coeur d'Alene, ID 83814

Dear Bob:

REFERENCE: 96-08771 CALLEN/FRY CREEK
95-08828 YOUNG/COON CREEK
98-07720 MACDONALD/SMITH CREEK

We have reviewed the water rights filings for these proposals.

Each of these projects could potentially affect migratory salmonids. Therefore we request the issue of fish passage be addressed in each permit.

Diversion structures should provide for upstream passage of fish unless the applicants can prove a natural barrier (eg. waterfall) is already impeding passage at an adjacent location on the source, or the stream is a non-fishery stream. Diversions should be screened with one-quarter inch or smaller mesh, and approach velocities should not exceed 0.5 ft per second.

Thanks for the opportunity to comment.

Sincerely,

David W. Ortmann
Regional Supervisor

DWO:CEC:kh

C: Natural Resource Policy Bureau

Cecil D. Andrus / Governor
Jerry M. Conley / Director
Equal Opportunity Employer



OCT 29 1993



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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

September 9, 1993

Mr. and Mrs. William H. Callen
865 Garfield Bay Rd.
Sagle, Id. 83860

Dear Mr. and Mrs. Callen:

Subject: Water Application for Permit Number 96-8771.

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 is Receipt Number N6896. 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

OCT 29 1993