

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



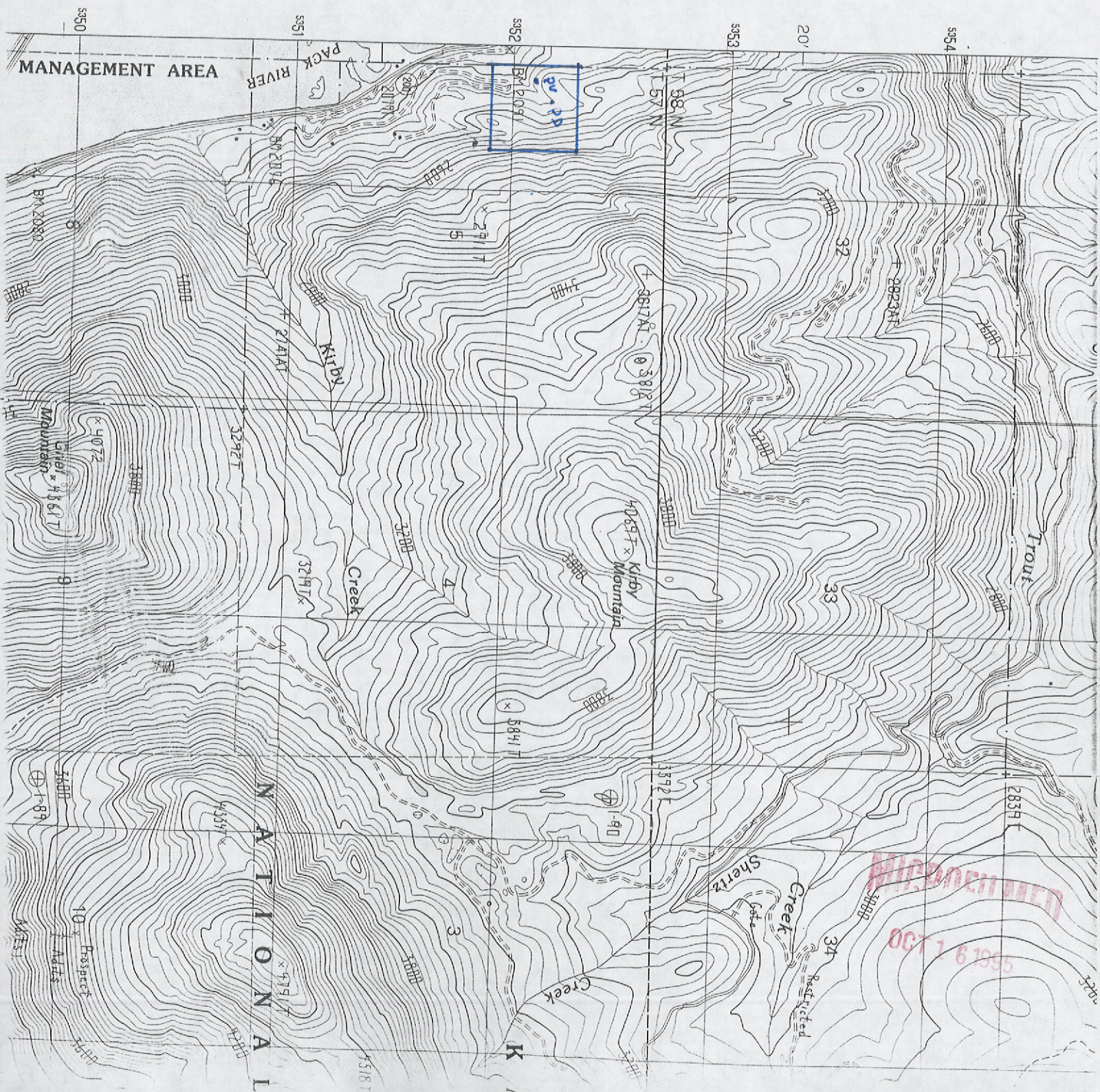
Scale: 2 inches equal 1 mile.

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.

X David Linton
(Applicant)

STANDARD







P.O.



P.O.

UNRECORDED
OCT 16 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08753

Priority: April 8, 1993

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that DARRELL LINTON
PO BOX 167

KOOTENAI ID 83840-0167

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 8, 1993; and has submitted Proof of Beneficial Use on September 26, 1994. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

SPRING

tributary to PACK 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	0.02 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 5(NWSWNW), Sec. 5, Township 57N, Range 01E
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

57N 01E 6 Lot 8(ENE)

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.

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 3RD day of OCTOBER, 1995.


Acting for KARL J. DREHER, Director

RECEIVED

SEP 28 1994

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. N-8268
Receipt By: 15
Date Received: 9/26/94

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. 96-08753 Telephone No. 263-8286

2. Name(s) of Permit Holder(s): DARRELL LINTON

3. Mailing Address: P.O. Box 167 KOOTENAI ID 838400167

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

a. Well Driller: ____ Drilling Permit Number: ____

b. **OPTIONAL:** GRAVITY TO HOLDING TANK & PUMP
Pump Horsepower: 3/4 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: 0.041 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 ____

Flow Measurement Port: Is a flow measurement port required? Yes ____ or No ✓
Has the measurement port been installed? Yes ____ or No ____

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: SAME Telephone Number: ____

Address: ____

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: Darrell Linton
(include your title, if on behalf of company or organization)

NOV 08 1994
Date: 9-26-94

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-08753

Proposed Priority: April 8, 1993

Maximum Diversion Rate:

0.04 CFS

This is to certify, that DARRELL LINTON

PO BOX 167

KOOTENAI ID 838400167

has applied for a permit to appropriate water from:

SPRING

tributary of PACK RIVER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 5(NWSWNW), Sec. 5, Township 57N, Range 01E
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

57N 01E 6 Lot 8(SENE)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1994.
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

29th day of September, 1993.

R. Keith Higginson
for R. Keith Higginson, Director

RECORDED

OCT 28 1993

RECEIVED
Form 202
6/82 SEP 13 1993

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 96-8753

To appropriate the public waters of the State of Idaho

1. Name of applicant Darrell Linton Phone 208 263 8286

Post office address PO 167 Kootenai Id. 83840

2. Source of water supply SPRING which is a tributary of PACK RIVER

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot 5

Sec. 5 Township 57N. Range 1E. B.M. BONNER County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for DOMESTIC purposes from Y1 to 12/31 (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 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. SPRING & SPRING BOX & HOLDING TANK, PUMP & PIPELINE

b. Height of storage dam _____ 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 _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

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

RECEIVED
OCT 28 1993

* per government plat. cz

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. 1 HOME
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
57N.	1E.	6				LT8 D									~~D~~				

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? U. S. F. S.

b. Who owns the land to be irrigated or place of use? APPLICANT

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

12. Remarks: _____

OCT 28 1993

[illegible]

X David Linton
(Applicant)

Received by AB Date 4/27/93 Time 8:00 Preliminary check by AB
Fee \$ 30.00 Received by AB # N-6426 Date 4/8/93
Publication prepared by AB Date 5/12/93 Published in Donner Canyon
Publication approved AB Date 6/12/93

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:

NOTED

OCT 28 1993

12TH

STANDARD

RETAINED

EAST 7945

39.87 West 79.62 39.75 N 89.43 W 40.00 N 89.28 W 40.86 West 40.00

3 79.63 2 7 4 3 79.60 2 3

3218 3199 3179 3160 3136 3107 3097 3106

3218 3199 3179 3160 3136 3107 3097 3106

4000 4000 4000 4000 4000 4000 4000 4000

12 11 10 9 18 11 10 9

40 40 40 40 40 40 40 40

767.56 764.46

TIMBER PINE

West N 89.35 W 79.70

3315 3530 45.23

640

N 89.45 W 80.26

Sec. 6. Sec. 7. Sec. 8. Sec. 9. Sec. 10. Sec. 11. Sec. 12. Sec. 13. Sec. 14. Sec. 15. Sec. 16. Sec. 17. Sec. 18.

Previous Public Land Mineral Public Land Mineral Public Land Mineral Public Land Mineral Public Land Mineral Public Land Mineral

Survey



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 3, 1995

DARRELL LINTON
PO BOX 167
KOOTENAI ID 838400167

RE: WATER RIGHT NO. 96-08753

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

RECEIVED

OCT 16 1995

8-20-95

RECEIVED

SEP 22 1995

NORTHERN REGION
IDWR

Mr. Keen,

Enclosed is the property
description for the location
of "Place of use".

(Water Right # 96-08753)

As per our phone
conversation, we believe
the original application
to be correct.

Sincerely

RECEIVED

SEP 25 1995

Department of Water Resources

Darrell Linton

Darrell Linton

PO 167

Kootenai Idaho

83840

RECEIVED

OCT 16 1995

RECEIVED

SEP 25 1995

Department of Water Resources

EXHIBIT A

IN THE STATE OF IDAHO, COUNTY OF BONNER, THE FOLLOWING
DESCRIBED TRACT:

THAT portion of Government Lot 8 in Section 6, Township 57
North, Range 1 East, Boise Meridian, Bonner County, Idaho,
lying North of U.S. Highway 10-A and Southeast of that
certain county road commonly known as the Trout Creek Road,
which road is located in the Northwest corner of Lot 8.

368082

RECEIVED

SEP 22 1995

NORTHWEST REGION
IDWR

RECEIVED

OCT 18 1995

M E M O R A N D U M

DATE: September 20, 1995

TO: File 96-08753

FROM: Shelley W. Keen (SUK)

RE: Phone call from Mr. Linton

=====

Mr. Darrell Linton, the holder of permit 96-08753, called me yesterday to say that he has researched his property boundaries and that he believes the place of use recommended by the department's field examiner is incorrect. He is going to send me information he has to demonstrate his findings.

MICROFILMED

OCT 16 1995



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

September 15, 1995

DARRELL LINTON
PO BOX 167
KOOTENAI ID 838400167

RE: WATER RIGHT NO. 96-08753

Dear Water Right Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed.

As of this date, I have not received the amendment. If I do not receive it within fourteen (14) days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced. Please note that the filing fee for this amendment is \$50.00.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
OCT 16 1995



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

August 14, 1995

DARRELL LINTON
PO BOX 167
KOOTENAI ID 838400167

RE: WATER RIGHT NO. 96-08753

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

OCT 16 1995

LICENSE REVIEW
Cindy Zimmerman

Permit #: 968753 Name: Linton Date: 8/11/95 10/1/95
App Rcd 4/8/93 Priority 4/8/93 Examined 5/25/95 ✓ Lots ✓

NAME Chng OK ✓ Or Address Change?

SOURCE ✓ Clarify source ✓
Prelim. Order to Void - Source change.

P/D ✓ Amendment Needed? ✓ -P39, P38
Overlap(s) ✓

~~P/U~~ ✓ ✓ Amendment Needed? 55 Santa -P41, P38
Overlap(s) ✓
*P/D & P/U Amend? P37, P38
(See paragraph list for governmental agencies.)

RATE ✓ Permit/fee limits 0.04 / 0.2
Measured Q= cfs Theoretical Q= cfs
measured 4 gal / 27 sec = 0.02 cfs

limited by measured capacity
Recommended capacity 0.02 cfs
Recommended rate 0.02 cfs

VOLUME ✓ Season of Use: () 1/1-12/31 = 365 days
Calculations: dom / 1 x 1.2AF = 1.2AF

Flow limit: 0.02 x 365 x 1.9835 = 14.5 AF
Recommended volume 1.2 AF

USES ✓ Same Nature of Use? ✓ -P46
Amendment Needed? ✓

REMARKS ✓ Multiple p/d's in 1 1/4? ✓
① woi / 1

CONDITIONS ✓ Measuring (R01)/Locking (R02) Devices
✓ Watermaster Control (R04) - WD #
✓ Irrigation rate/volume overlap
✓ Irrigation water overlap (065) (If gw use sw)
✓ Water Quality
✓ Other

PRIORITY Due 10/1/94 Rc'd 9/26/94 Receipt# N8268 Fee OK? Yes/No
Order to Reinstate Needed? Yes/No Done?
If Yes, Advanced? Yes/No to:

COMMENTS: rate limited by capacity

USE	CFS	DIV VOL
<u>Dom / 1</u>	<u>0.02</u>	<u>1.2</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u>TOTAL</u>	<u>0.02</u>	<u>1.2</u>

Adjustment Memo ✓
~~LICENCE #P49~~ UCP581 (P45)
#1 AMEND LTR: P46 or
P39/P41/P37 & P38
#2 AMEND LTR: P42/P47

MEMORANDUM

DATE: October 2, 1995
TO: File No. 96-08753
FROM: Cindy Zimmerman ^{CJ}_{8.}
SUBJECT: Review of Beneficial Use Field Report

=====

The following adjustments were made on the field report to reflect information provided by the right holder:

1. Place of use is located within Lot 8 (SENE), S06, T57N, R01E.

OCT 16 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 13 1995

A. GENERAL INFORMATION

Permit No. 96-08753 Department of Water Resources

1. Owner: Daniel Linton Phone No. _____

Current Address: P.O. Box 167 Kootenia Id, 83840-0167

2. Accompanied by: owner EXAM DATE: 5-25-95

Address: same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spring tributary to Pack river

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	05		SW	NW	05	57N	01E	Bonner	Ute 2.5 min quad

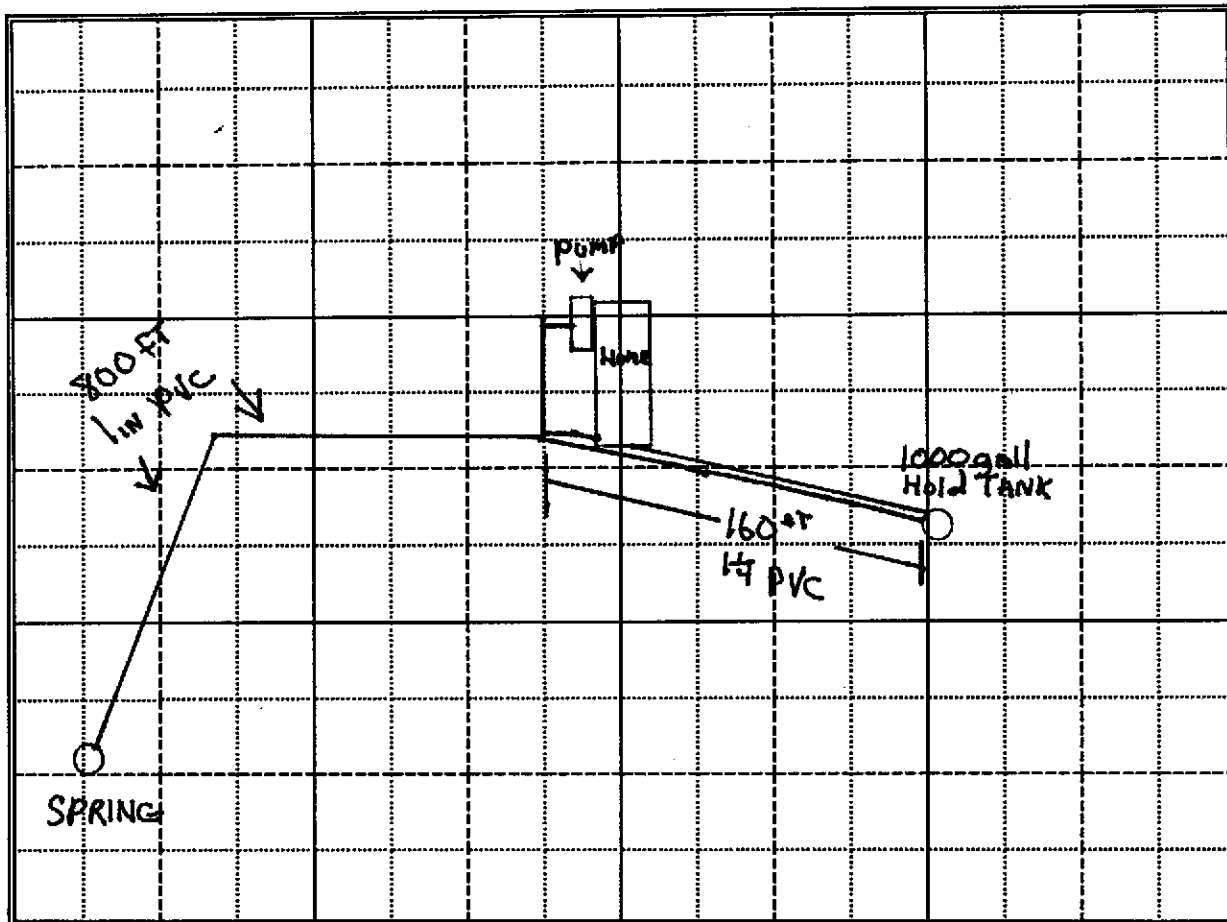
*** 2. Place(s) of Use:**

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	
57N	01E	05							0										
																			</

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OCT 16 1995

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
	Ho Tech	3/4	C4832EC11	Ho Tech	1089

*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
4 gallon bucket						

2. Measurements: 4 gallons in 27 Sec

RECEIVED

OCT 16 1995

E. NARRATIVE/REMARKS/COMMENTS

gravity feed to hold tank then
pumped back to home.

Have conditions of permit approval been met? ☒ yes

~~no~~
MICROFILMED
OCT 16 1995

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

$$\frac{4}{27} = \frac{9}{60} = 9 \text{ gallons per minute}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

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		
<u>Domestic</u>	<u>01-01</u>	<u>12-31</u>	<u>.02</u>	<u>1.2</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>.02</u>	<u>1.2</u>

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

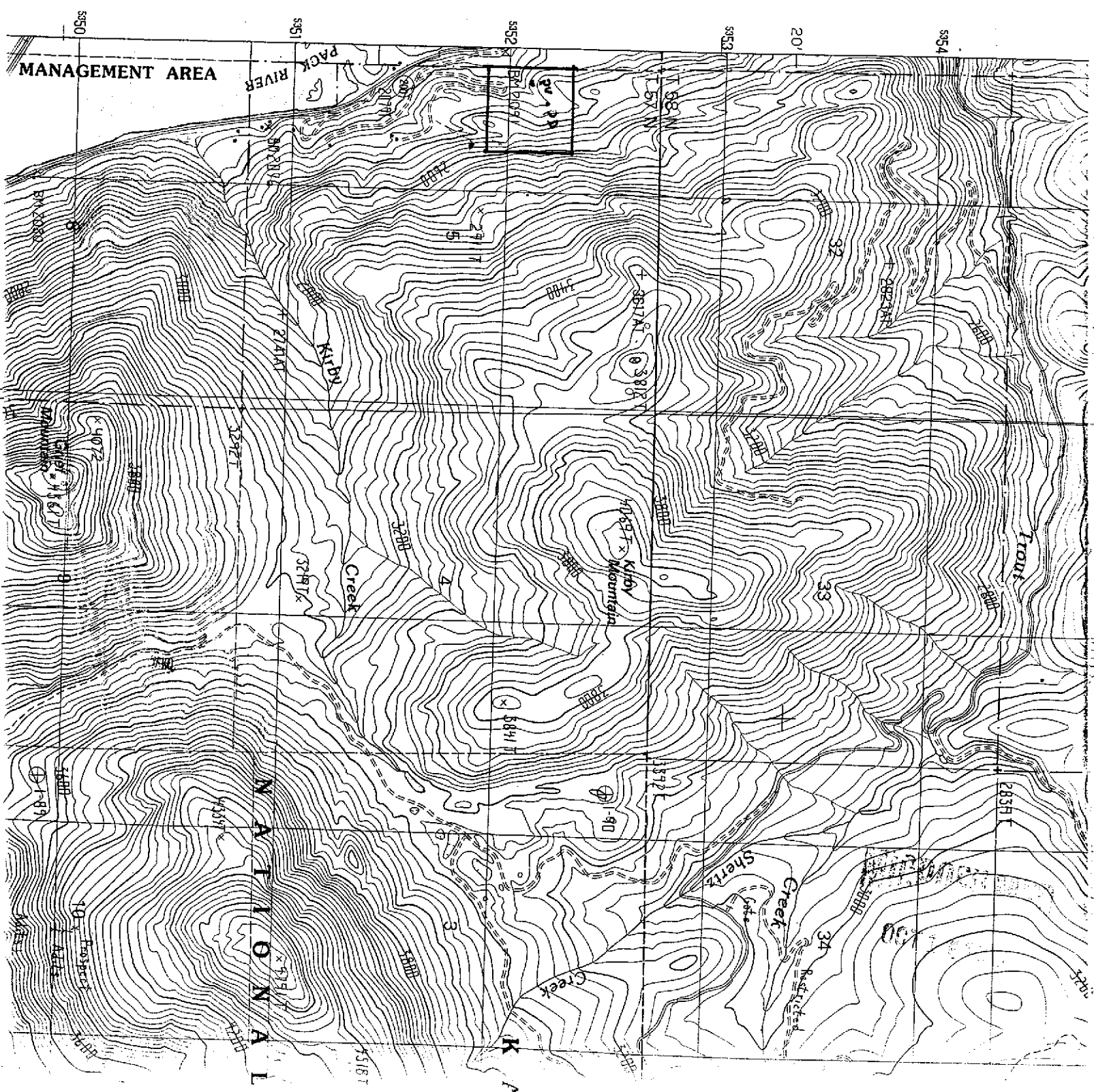
I. AUTHENTICATIONField Examiner's Name Ed McCracken Date 6/6/95

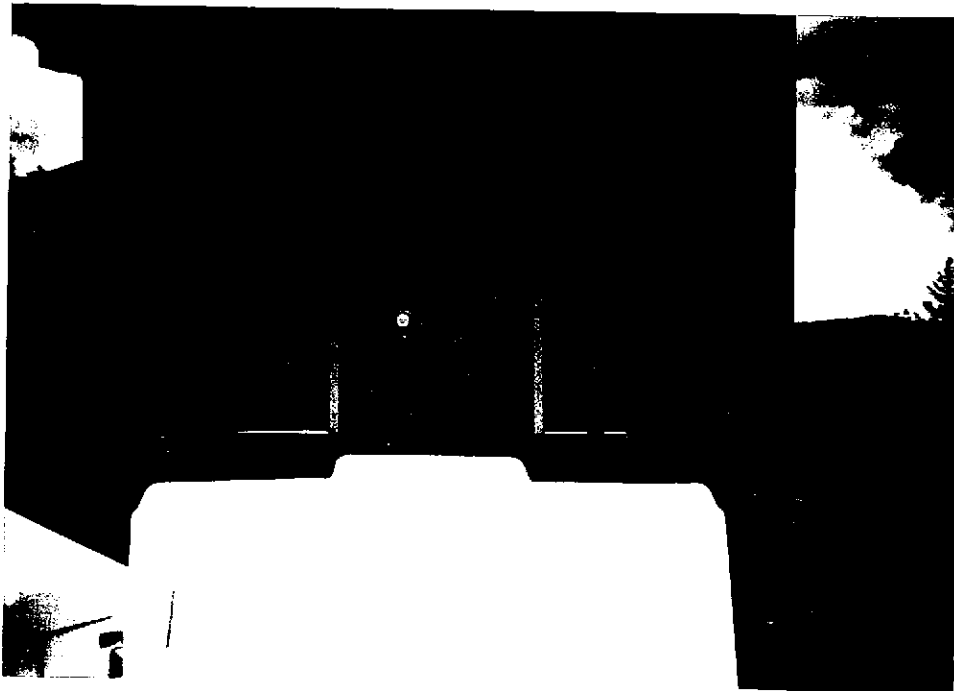
Reviewer _____ Date _____

SEAL

* Adjustments made during review of this right for license approval.
 See memo for additional information. 10/1/95. *CS*

MICROFILMED**OCT 16 1995**





P.O.



P.O.

RECEIVED
OCT 1 8 1995

October 13, 1994

DARRELL LINTON
PO BOX 167
KOOTENAI ID 838400167

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08753

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

NOV 08 1994

July 31, 1994

DARRELL LINTON
PO BOX 167
KOOTENAI ID 838400167

PROOF DUE NOTICE

RE: PERMIT NO. 96-08753

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 October 1, 1994. (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.

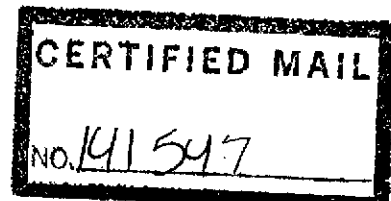
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

NOV 08 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

September 29, 1993

DARRELL LINTON
PO BOX 167
KOOTENAI ID 838400167

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08753

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,

A handwritten signature of Jim Johnson, consisting of a large, stylized 'J' and 'J' followed by a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED
OCT 28 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 19 day of Aug, 1993

and ending on the 26 day of Aug, 1993

and that said notice was published in said newspaper.

On this 27 day of Aug 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 Meeler
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 the public waters of the State of Idaho:

96-08750

LENIGER, EDWIN V
LENIGER, MARGARET
22064 S. EVERGREEN ST
BEAVER CREEK, OR 97004

Source: GROUNDWATER
Diversion Pt: SWSW Sec 36 T 57N
R 02W in BONNER County.

Use: DOMESTIC (.100 CFS)

Total Diversion: (.100 CFS)

Date Filed: 5/4/1993

In: BONNER County

T57N R02W S36 SWSW

96-08753

LINTON, DARRELL
PO BOX 167

KOOTENAI, ID 83840

Source: SPRING Tributary: PACK RIVER

Diversion Pt: NWSWNW Sec 5 T
57N R 01E in BONNER County.

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 4/8/1993

In: BONNER County

T57N R02E S06 SENE

96-08757

BURTON, CHARLOTTE
PO BOX 372

CAREYWOOD, ID 83808

Source: SPRINGS Tributary:
COCOLALLA CREEK

Source: UNNAMED CREEK

Tributary: COCOLALLA CREEK

Diversion Pt: NWSE Sec 34 T 55N
R 02W in BONNER County.

Use: STOCKWATER STORAGE
(1.00 AF)

STOCKWATER FROM
STORAGE (.020 CFS)

DOMESTIC (.040 CFS)

DOMESTIC STORAGE (1.00 AF)

DOMESTIC FROM STORAGE
(1.00 AF)

RECREATION (.200 CFS)
RECREATION STORAGE

(1.00 AF)
FIRE PROTECTION STORAGE

(1.00 AF)
FIRE PROTECT. FROM STOR

(1.00 AF)
Total Diversion: (.200 CFS)

Date Filed: 7/27/1993
In: BONNER County

T55N R02W S34 NWSE

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

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of
Water Resources, Northern Region,
1910 Northwest Blvd., Suite 210,
Coeur d'Alene, Idaho 83814 on or
before SEPTEMBER 7, 1993.

R. KEITH HIGGINSON, Director
NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that
the following Applications for Permit
were advertised incorrectly on 5/15
& 22/1993 and 7/1 & 8/1993:

APPLICATION FOR PERMIT
NO. 96-8750 in the name of Edwin V.
&/or Margaret Leniger. The place
of use was incorrectly advertised as
T57N R02W S03 SWSW; whereas,
correctly it should be T57N R02W
S36 SWSW.

APPLICATION FOR PERMIT
NO. 96-8753 in the name of Darrell
Linton. The Point of Diversion was
incorrectly described as SWNW Sec
5 T57N R01E; whereas, correctly it
should be NWSWNW Sec 5 T57N
R01E. The Place of Use was
incorrectly described as T57N R01E
S06 NESE; whereas, correctly it
should be T57N R01E S06 SENE.

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

Protests to the above-referenced
correction must be filed with the
Director, Dept. of Water Resources,
1910 Northwest Blvd., Suite 210,
Coeur d'Alene, Id. 83814 on or
before September 7, 1993.

R. KEITH HIGGINSON, Dir.
SNP#5591 Aug 19, 26, 1993

RECEIVED

SEP 03 1993

NORTHERN REGION
IDWR

OCT 28 1993

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that the following Applications for Permit were advertised incorrectly on 5/15 & 22/1993 and 7/1 & 8/1993:

APPLICATION FOR PERMIT NO. 96-8750 in the name of Edwin V. &/or Margaret Leniger. The place of use was incorrectly advertised as T57N R02W S03 SWSW; whereas, correctly it should be T57N R02W S36 SWSW.

APPLICATION FOR PERMIT NO. 96-8753 in the name of Darrell Linton. The Point of Diversion was incorrectly described as SWNW Sec 5 T57N R01E; whereas, correctly it should be NWSNW Sec 5 T57N R01E. The Place of Use was incorrectly described as T57N R01E S06 NESE; whereas, correctly it should be T57N R01E S06 SENE.

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

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814 on or before September 7, 1993.

R. KEITH HIGGINSON, Dir.

Published in the Bonner County Daily Bee on 8/19 & 26/1993.

OCT 28 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 1 day of July, 1993

and ending on the 8 day of July, 1993

and that said notice was published in said newspaper.

On this 9 day of July 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 the public waters of the State of Idaho:

96-08747
GLINES, RONALD L
165 CAMP BAY RD
SAGLE, ID 83860

Source: SPRING Tributary: HORNBY CREEK

Diversion Pt: SESW Sec 19 T 57N R 02W in BONNER County.

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 4/12/1993

In: BONNER County

T57N R02W S19 SESW

96-08748

REUTER, JASON

REUTER, SHERRY

PO BOX 429

CLARK FORK, ID 83811

Source: SPRING Tributary: MOSQUITO CREEK

Diversion Pt: SENENE Sec 35 T 56N R 02E in BONNER County.

Use: IRRIGATION (.080 CFS)

STOCKWATER (.020 CFS)

DOMESTIC (.040 CFS)

Total Diversion: (.140 CFS)

Date Filed: 4/13/1993

In: BONNER County

T56N R02E S35 NENE

4.0 ACRES TOTAL

96-08749

GLINES, RONALD L

165 CAMP BAY RD

SAGLE, ID 83860

Source: UNNAMED STREAM Tributary: HORNBY CREEK

Diversion Pt: SESW Sec 19 T 57N R 02W in BONNER County.

Use: STOCKWATER (.020 CFS)

Total Diversion: (.020 CFS)

Date Filed: 4/12/1993

In: BONNER County

T57N R02W S19 SESW

96-08750

LENIGER, EDWIN V

LENIGER, MARGARET

22064 S EVERGREEN ST

BEAVER CREEK, OR 97004

Source: GROUNDWATER

Diversion Pt: SWSW Sec 36 T 57N R 02W in BONNER County.

Use: DOMESTIC (.100 CFS)

Total Diversion: (.100 CFS)

Date Filed: 5/4/1993

In: BONNER County

T57N R02W S03 SWSW

96-08751

WOOD, VIRGIL

PO BOX 1042

SAGLE, ID 838609998

Source: SPRING Tributary: SINKS

Diversion Pt: SESWNE Sec 10 T 54N R 02W in BONNER County.

Use: IRRIGATION (.020 CFS)

Total Diversion: (.020 CFS)

Date Filed: 5/10/1993

In: BONNER County

T54N R02W S10 SWNE

2.0 ACRES TOTAL

96-08753

LINTON, DARRELL

PO BOX 167

KOOTENAI, ID 83840

Source: SPRING Tributary: PACK RIVER

Diversion Pt: SWNW Sec 5 T 57N R 01E in BONNER County.

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 4/8/1993

In: BONNER County

RECEIVED

AUG 05 1993

NORTHERN REGION
IDWR

T57N R01E S06 NESE SENE

96-08754

SEWARD, MICHAEL

SEWARD, ROBYNN

PO BOX 140

HOPE, ID 83836

Source: DRY CREEK Tributary:

CLARK FORK RIVER

Diversion Pt: SENE Sec 5 T 54N R 03E in BONNER County.

Use: IRRIGATION (.100 CFS)

STOCKWATER (.020 CFS)

DOMESTIC (.120 CFS)

Total Diversion: (.240 CFS)

Date Filed: 5/5/1993

In: BONNER County

T54N R03E S05 SENE

5.0 ACRES TOTAL

96-08755

MATTHEWS, LAYNE A

PO BOX 466

CLARK FORK, ID 83811

Source: UNNAMED STREAM

Tributary: CLARK FORK RIVER

Diversion Pt: NENW Sec 34 T 55N R 03E in BONNER County.

Use: STOCKWATER STORAGE

(100.00 AF)

DOMESTIC STORAGE (100.00

AF)

DOMESTIC FROM STORAGE

(.040 CFS)

AESTHETIC (.920 CFS)

AESTHETIC STORAGE (100.00

AF)

Total Diversion: (.960 CFS)

Date Filed: 4/7/1993

In: BONNER County

T55N R03E S34 NENW NWNW

SWNW

96-08756

WINTER, ROBERT K

WINTER, JOAN M

PO BOX 40

SAGLE, ID 83860

Source: GROUNDWATER

Diversion Pt: SWNE Sec 16 T 56N R 02W in BONNER County

Use: DOMESTIC (.060 CFS)

Total Diversion: (.060 CFS)

Date Filed: 5/3/1993

In: BONNER County

T56N R02W S16 SWNE

96-08757

SAVAGE, WANDA

9682 RAPID LIGHTNING RD

SANDPOINT, ID 83864

Source: TRAPPER CREEK Tributary: RAPID LIGHTNING CREEK

Diversion Pt: NENESE Sec 1 T 58N R 01E in BONNER County.

Use: POWER (.360 CFS)

Total Diversion: (.360 CFS)

Date Filed: 5/3/1993

In: BONNER COUNTY

T58N R01E S01 NESE

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before JULY 19, 1993.

R. KEITH HIGGINSON, Director
SNP#5499 Jul 1, 8, 1993

OCT 28 1993

549

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 15 day of May, 1993
and ending on the 22 day of May, 1993
and that said notice was published in said newspaper.

On this 26 day of May 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

OUT 28 1993

NOTICE OF APPLICATION FOR WATER RIGHT

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

96-08750
LENIGER, EDWIN V
LENIGER, MARGARET
22064 S EVERGREEN ST
BEAVER CREEK, OR 97004
Source: GROUNDWATER
Diversion Pt: SWSW Sec 36 T 57N
R 02W in BONNER County.
Use: DOMESTIC (.100 CFS)
Total Diversion: (.100 CFS)
Date Filed: 5/4/1993
In: BONNER County
T57N R02W S03 SWSW

96-08751
WOOD, VIRGIL
PO BOX 1042
SAGLE, ID 838609998
Source: SPRING Tributary:
SINKS
Diversion Pt: SESWNE Sec 10 T
54N R 02W in BONNER County.
Use: IRRIGATION (.020 CFS)
DOMESTIC (.020 CFS)
Total Diversion (.020 CFS)

In: BONNER County
T54N R02W S10 SWNE
2.0 ACRES TOTAL

96-08753
LINTON, DARRELL
PO BOX 167
KOOTENAI, ID 83840
Source: SPRING Tributary: PACK
RIVER

Diversion Pt: SWNW Sec 5 T 57N
R 01E in BONNER County.
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 4/8/1993
In: BONNER County
T57N R01E S06 NESE

96-08754
SEWARD, MICHAEL
SEWARD, ROBYNN
PO BOX 140
HOPE, ID 83836

Source: DRY CREEK Tributary:
CLARK FORK RIVER
Diversion Pt: SENE Sec 5 T 54N R
03E in BONNER County.
Use: IRRIGATION (.100 CFS)
STOCKWATER (.020 CFS)
DOMESTIC (.120 CFS)
Total Diversion: (.240 CFS)
Date Filed: 5/5/1993
In: BONNER County
T54N R03E S05 SENE
5.0 ACRES TOTAL

96-08755
MATTHEWS, LAYNE A
PO BOX 466
CLARK FORK, ID 83811
Source: UNNAMED STREAM
Tributary: CLARK FORK RIVER
Diversion Pt: NENW Sec 34 T 55N
R 03E in BONNER County.
Use: STOCKWATER STORAGE:
(.100.00 AF)
DOMESTIC STORAGE (100.00
AF)
DOMESTIC FROM STORAGE
(.040 CFS)
AESTHETIC (.920 CFS)
AESTHETIC STORAGE (100.00
AF)

Total Diversion: (.960 CFS)
Date Filed: 4/7/1993
In: BONNER County
T55N R03E S34 NENW NWNW
SWNW

96-08756
WINTER, ROBERT K
WINTER, JOAN M
PO BOX 40
SAGLE, ID 83860
Source: GROUNDWATER
Diversion Pt: SWNE Sec 16 T 56N
R 02W in BONNER County.
Use: DOMESTIC (.060 CFS)
Total Diversion: (.060 CFS)
Date Filed: 5/3/1993
In: BONNER County
T56N R02W S16 SWNE

96-08757
SAVAGE, WANDA
9680 RAPID LIGHTNING RD
SANDPOINT, ID 83864
Source: TRAPPER CREEK
Tributary: RAPID LIGHTNING
CREEK

Diversion Pt: NENESE Sec 1 T
58N R 01E in BONNER County.
Use: POWER (.360 CFS)
Total Diversion: (.360 CFS)
Date Filed: 5/3/1993
In: BONNER County
T58N R01E S01 NESE

For additional information
concerning the property location,
call the Northern Regional Office at
765-4639.

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of
Water Resources, Northern Region,
1910 Northweat Blvd., Suite 210,
Coeur d'Alene, Idaho 83814 on or
before JUNE 7, 1993.

R. KEITH HIGGINSON, Director
SNP#5426 May 15, 22, 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

May 14, 1993

Mr. Darrell Linton
P.O. Box 167
Kootenai, Id. 83840

Re: 96-8753

Dear Mr. Linton:

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 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.

If the application is not protested it will be forwarded to Boise to be considered for approval by the Director. 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. However 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.

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

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/pms

RECEIVED

OCT 28 1993

96-08753

LINTON, DARRELL
PO BOX 167
KOOTENAI, ID 83840

Source: SPRING

Tributary: PACK RIVER

Diversion Pt:

NNSWNNW
SWNW

Sec 5 T 57N R 01E in BONNER County.

Use: DOMESTIC

(.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 4/ 8/1993

In: BONNER County
T57N R01E S06

~~NESE~~
SENE

Chandler
comment
8/11/93

RECEIVED

OCT 28 1993

April 8, 1993

Mr. Darrell Linton
P.O. Box 167
Kootenai, ID 83840

RE: Application for Permit.

Dear Mr. Linton:

Please find enclosed the Application for Permit that I helped you fill out. I forgot to have you sign the form on the second to the last page.

Please sign and return your Application for Permit in the provided envelope.

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

Sincerely,

ALLEN BEARDSLEE
SENIOR WATER RESOURCE AGENT

Enc. - Application for Permit and Receipt.

OCT 28 1993