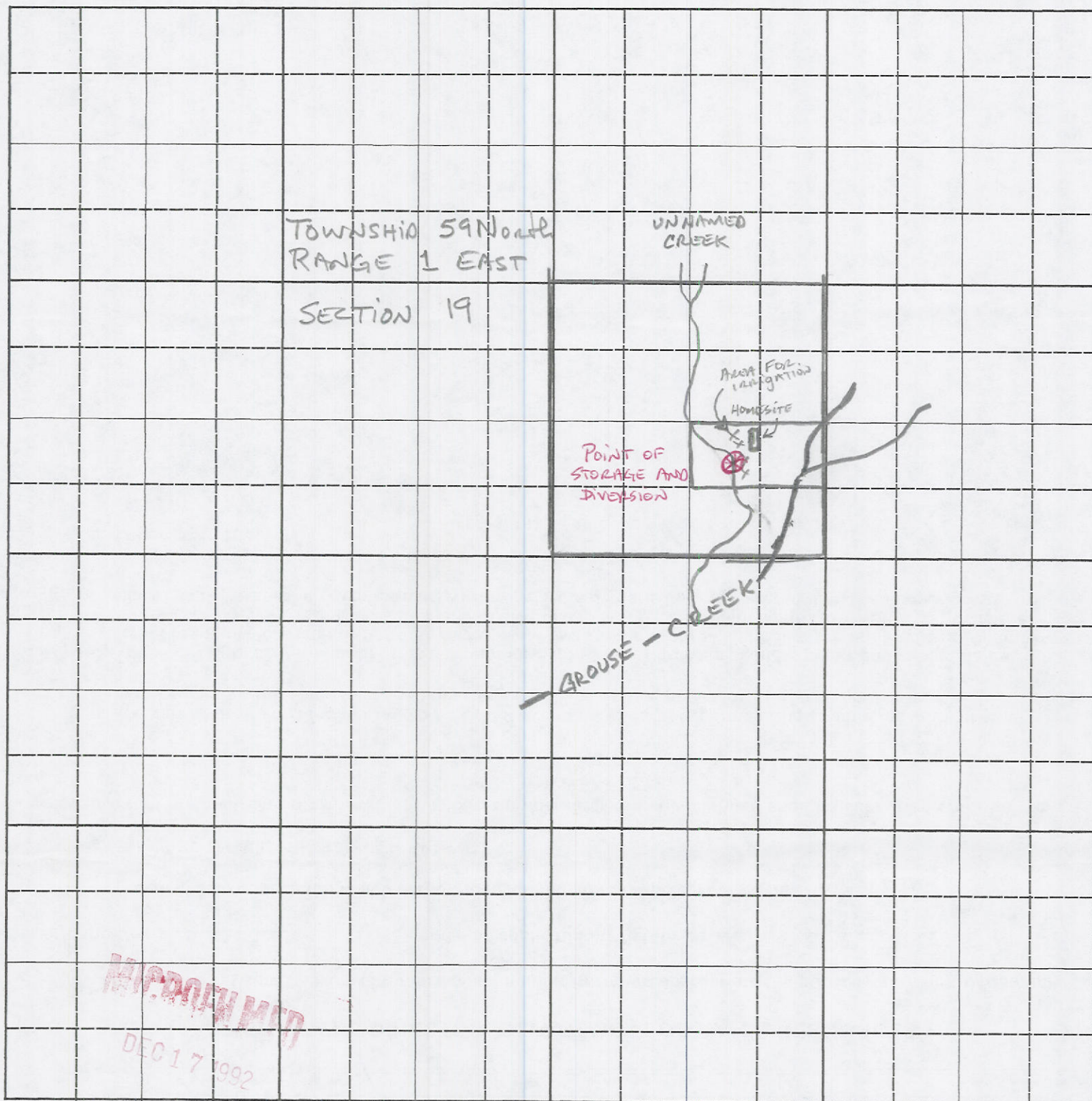


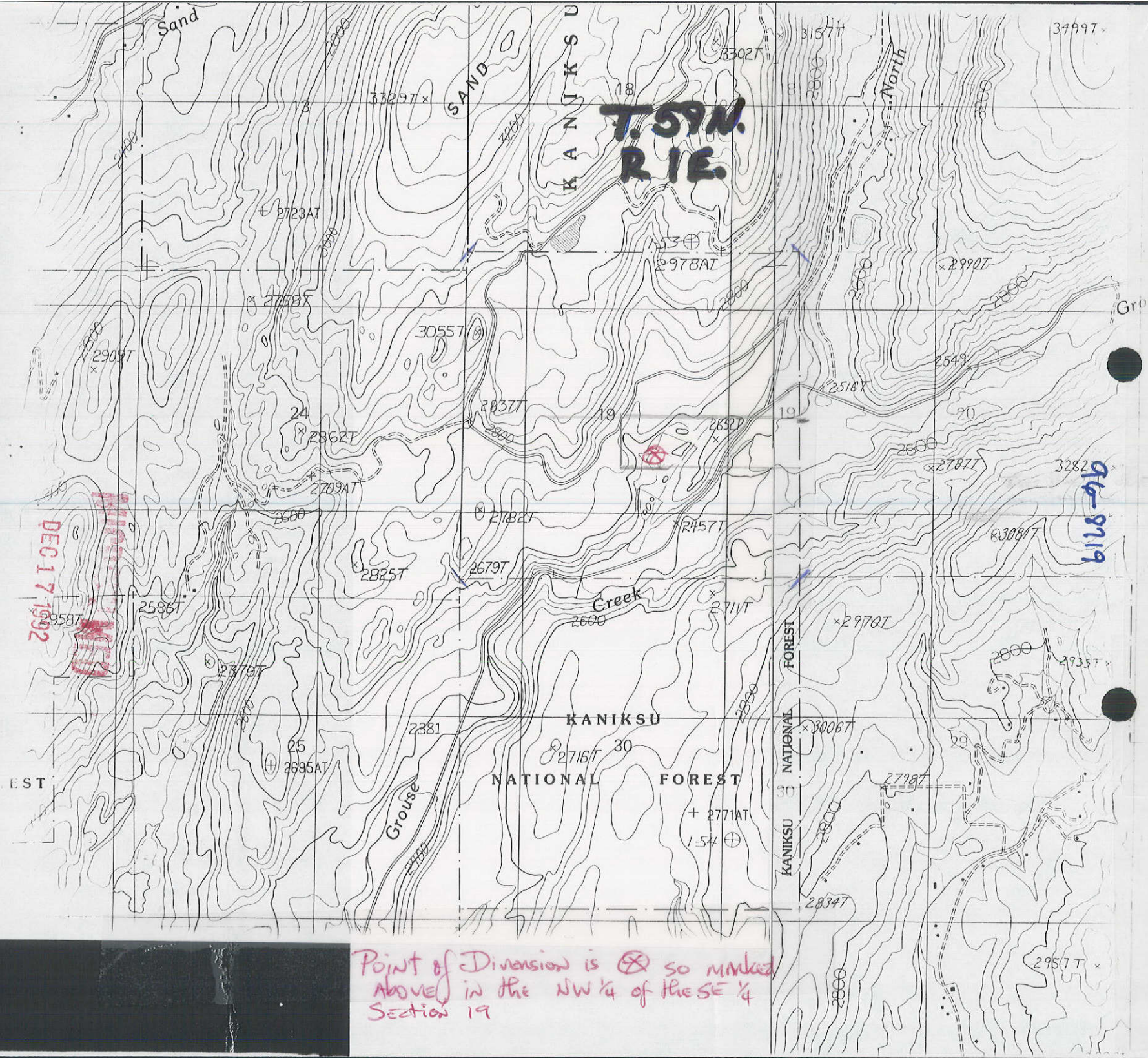
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Mark C. Heim *Caren E. Reimer*
(Applicant)



Point of Diversion is  so marked
ABOVE in the NW 1/4 of the SE 1/4
Section 19

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Karel Muelin 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:

Regal 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 Oct, 1992
and ending on the 22 day of Oct, 1992
and that said notice was published in said newspaper.

On this 22nd day of October in the year
of 92 before me, a Notary Public, personally
appeared Karel Muelin,

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.

Ben Johnson
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 10/22/93

NOTICE OF APPLICATION
FOR WATER RIGHT

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

96-08719

REINER, MARK
REINER, CAREN
240 W CENTRAL VALLEY RD
SANDPOINT, ID 83864
Source: UNNAMED STREAM
Tributary: GROUSE CREEK
Diversion Pt: NWSE Sec 19 T 59N
R 01E in BONNER County.
Use: IRRIGATION (.120 CFS)
IRRIGATION STORAGE (7.00
AF)

IRRIGATION FROM STORAGE
(7.00 AF)
WILDLIFE (.040 CFS)
WILDLIFE STORAGE (7.00 AF)
DOMESTIC (.040 CFS)
DOMESTIC STORAGE (7.00 AF)
DOMESTIC FROM STORAGE
(1.20 AF)

Date Filed: 9/8/1992

In: BONNER County

T59N R01E S19 NWSE

6.0 ACRES TOTAL

96-08720

BERKLEY, STEWARD L
720 TRESTLE CREEK RD
HOPE, ID 83836
Source: SPRING Tributary: TRES-
TLE CREEK

Diversion Pt: NENWNE Sec 12 T
57N R 01E in BONNER County.
Use: DOMESTIC (.200 CFS)
Total Diversion: (.200 CFS)

Date Filed: 9/28/1992

In: BONNER County

T57N R01E S12 NWNE

For additional information con-
cerning 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 Northwest Blvd., Suite 210,
Coeur d'Alene, Idaho 83814 on or
before NOVEMBER 2, 1992.

R. KEITH HIGGINSON, Director
SNP#5006 Oct. 15, 22, 1992

RECEIVED

NOV 04 1992

NORTHERN REGION
IDWR

MICROFILMED
DEC 17 1992

5006

LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on 1/30/00

Permit No. 96-08719

BU Fee Pd \$ 50.00

Name/Address: OK ☒ CHANGE

Govt Lots n/a plat copy attached

AREA OF CONCERN: No/Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M (if on permit)

LOCATION:

Trust - R55(consumptive uses)
Non-Trust - 048-049 (consumptive uses
or non-cons. > 1.0 cfs)

PD Change - P39/P47 - feds(P40)
PD Add - P45/P42

PU Change - P41/P47 - feds(P43)
PU Add - P41/P42

PD & PU Change - P37 - feds(P48)

USES:

STORAGE - 18A-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 081
FISH/PROP - 029(70'S only)-042-081
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

Use Change/Add - P46

ADVANCE PRIORITY? Yes ☒ No

MISC CONDITIONS/REMARKS:

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - C/tire shop
Non-consumptive - 027
Water Quality - 081-R07
Mitigation - 121 (if on permit)
PPU acre limit - W27

CHECK NEW IRR SEASON MAP

SURFACE WATER: (✓Flow Chart)

In/Above MSF - WB9
WD - R04 (WD#)
≤ 0.20 cfs/others - R02- 01P or No MD
> 0.20 cfs - R43

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W22, N/A
(02,03) - WB9 if above Weiser
Payette R (65) - 047(Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

W15

USES:

POWER - R22-R23 (+uses)-025-081-W42-W43-027

MUNICIPAL

Restricted area - 022,075
Irr, GW supp to SW - 102

DOMESTIC

Surface water - W01 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Lawn/garden included - W01

OVERLAP ANALYSIS/RATES/VOLUMES:

PD overlap rights - W35-W36 Right #
PU overlap rights - WB7-W31(<1 ac)
GW replaced SW - 050

Permit Rate 0.20 cfs Fee Limit 0.20 cfs
Measured cfs Theoretical 0.03 cfs

Use	Rate	Volume
Dom	<u>0.3</u> cfs	<u>1.2</u> af
Star	<u> </u> cfs	<u>0.9</u> af
Dom	<u> </u> cfs	<u> </u> af
Wetland	<u> </u> cfs	<u> </u> af
TOTALS	<u> </u> cfs	<u>2.1</u> af

OTHER CONDITIONS/REMARKS/COMMENTS

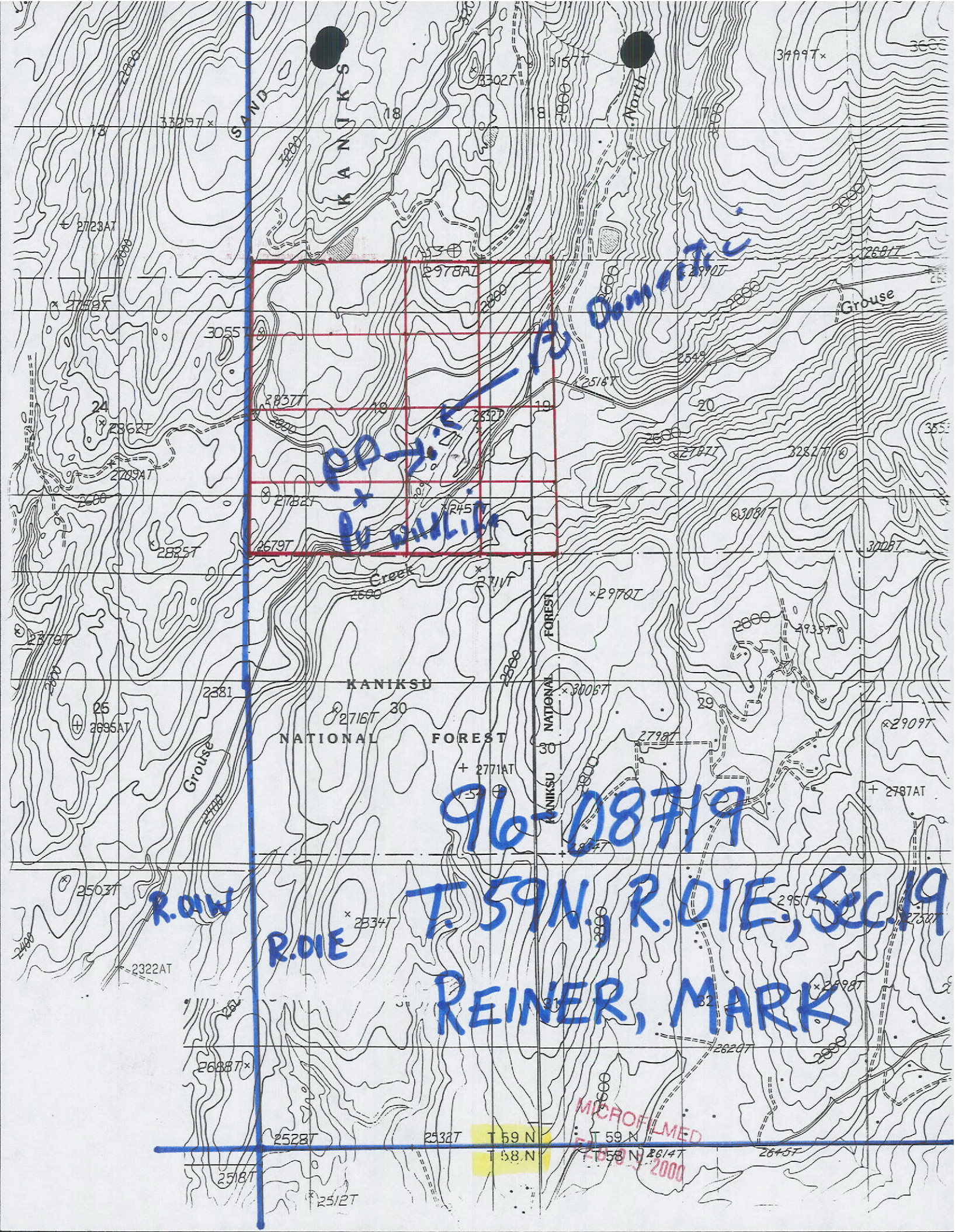
SRBA Claim Filed Yes ☒ No

If no, is a claim required: Yes ☒ No

AMENDMENTS REQUIRED Yes ☒ No
Adjustment Memo Needed Yes ☒ No

If yes, paragraph codes:

no arrange remarks



R.O.W

R.O.I.E

96-08719

T. 59 N., R. 01 E., Sec. 19

REINER, MARK

MICROFILMED
FBI
2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT #

96-08719



Domestic



PD
Wildlife
Species
Survey



MICROFILMED
FEB 03 2000

Sand

SAND

KANIKSU

T. 59 N.
R. 1 E.

North

34997

G1

EST

KANIKSU
NATIONAL FOREST

KANIKSU NATIONAL FOREST

29577

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-08719

Priority: September 8, 1992 Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 2.1 AF

This is to certify, that MARK REINER
CAREN REINER

3887 GROUSE CREEK RD
SANDPOINT ID 83864

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 8, 1992; and has submitted Proof of Beneficial Use on November 9, 1994. An examination indicates that the works have a diversion capacity of 0.030 cfs of water from:

UNNAMED STREAM tributary to GROUSE 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>
WILDLIFE STORAGE	01/01 to 12/31		0.9 AF
DOMESTIC	01/01 to 12/31	0.03 CFS	1.2 AF
DOMESTIC STORAGE	01/01 to 12/31		0.9 AF
DOMESTIC FROM STORAGE	01/01 to 12/31		0.9 AF
	Totals	0.03 CFS	2.1 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 19, Township 59N, Range 01E
BONNER County

PLACE OF USE: WILDLIFE STORAGE

TWN RGE SEC

59N 01E 19 NWSE

PLACE OF USE:

DOMESTIC, same as WILDLIFE STORAGE use

PLACE OF USE:

DOMESTIC FROM STORAGE, same as WILDLIFE STORAGE use

CONDITIONS OF APPROVAL AND REMARKS

1. The diversion structure shall be maintained to prevent any negative affect on existing fish passage.
2. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
3. Domestic use is for 1 home.
4. Wildlife storage is for wildlife enhancement.

MICROFILMED

FEB 03 2000

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 96-08719

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 3rd day of FEBRUARY, 2000.


Acting for KARL J. DREHER, Director



MICROFILMED

FEB 03 2000

Amt. of Fee \$: 50.00
Receipt No. CO-31632
Receipt By: RT
Date Received: 11-9-94

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOV 09 1994

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. 96-8719 Telephone No. 208-265-9772
2. Name(s) of Permit Holder(s): MARK REINER
3. Mailing Address: 240 W. CENTER VALLEY ROAD SANDPOINT ID. 83864
4. Source of Water: UN NAMED CREEK If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
 - a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____ - ____
 - b. **OPTIONAL:** N/A
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): 10 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 7 gal per minute ~~etc~~ 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 <u>X</u>
	Has the measuring device been installed?	Yes _____	or	No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____	or	No <u>X</u>
	Has the measurement port been installed?	Yes _____	or	No <u>X</u>
8. Fee Enclosed: \$ 50 (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: As #2 & 3 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:

Mark Reiner

Date:

Nov 10, 94

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

DEC 22 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-08719

Proposed Priority: September 8, 1992 Maximum Diversion Rate: 0.20 CFS

This is to certify, that **MARK REINER**
CAREN REINER
240 W CENTRAL VALLEY RD
SANDPOINT ID 83864

has applied for a permit to appropriate water from:

UNNAMED STREAM tributary of **GROUSE 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>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.12 CFS	
IRRIGATION STORAGE	01/01 to 12/31		7.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		7.0 AF
WILDLIFE	01/01 to 12/31	0.04 CFS	
WILDLIFE STORAGE	01/01 to 12/31		7.0 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	
DOMESTIC STORAGE	01/01 to 12/31		7.0 AF
DOMESTIC FROM STORAGE	01/01 to 12/31		1.2 AF
Totals		0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 19, Township 59N, Range 01E
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>
45N	01W	20	SWNE			
59N	01E	19	NWSE	6		6

Total number of acres irrigated: 6

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE: WILDLIFE, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

PLACE OF USE: DOMESTIC FROM STORAGE, 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 **January 2, 1995.**
2. Subject to all prior water rights.

APPROVED

DEC 17 1992

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

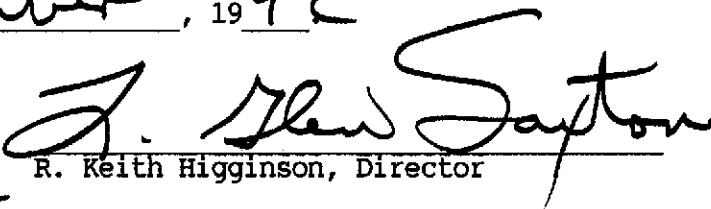
NO. 96-08719

CONDITIONS/REMARKS:

3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. 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.
5. Domestic use is for 1 home.
6. A screen of 1/4 inch or smaller mesh shall be installed at the point of diversion to prevent any negative impact on juvenile fish.
7. The diversion structure shall be designed to prevent any negative affect on existing fish passage.

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

10th day of December, 1992

for 
R. Keith Higginson, Director

RECORDED

DEC 17 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant MARK + CAREN REINER Phone 265-9772
265-5476
Post office address 240 WEST CENTRAL VALLEY RD. SANDPOINT, ID, 83864
2. Source of water supply UNNAMED STREAM which is a tributary of GROUSE CREEK
3. Location of point of diversion is NW 1/4 of SE 1/4 ~~of Section 19~~, Govt. Lot _____
Sec. 19 Township 59N Range 1E B.M. BONNER County; additional

points of diversion if any: NONE

4. Water will be used for the following purposes:

- | | | |
|----------------|-------------------------------|---|
| Amt <u>7</u> | AFA for Storage for Domestic | from 1/1 to 12/31 (both dates inclusive) |
| Amt <u>1.2</u> | AFA for Domestic from storage | from 1/1 to 12/31 (both dates inclusive) |
| Amt <u>.04</u> | CFS for Domestic | from 1/1 to 12/31 (both dates inclusive) |
| Amt <u>7</u> | AFA for Storage for wildlife | from 1/1 to 12/31 (both dates inclusive) |
| Amt <u>.04</u> | CFS for Wildlife | from 1/1 to 12/31 (both dates inclusive) |
| Amt <u>7</u> | AFA for Storage for Irr. | from 1/1 to 12/31 (both dates inclusive) |
| Amt <u>7</u> | AFA for Irr. from storage | from 3/15 to 11/30 (both dates inclusive) |
| Amt <u>.12</u> | CFS for Irrigation | from 3/15 to 11/30 (both dates inclusive) |

5. Total Quantity to be appropriated:

- a. .02 cubic feet per second and/or b. 7 acre-feet per annum

a. Description of ditches, flumes, pumps, headgates, etc. _____

- b. Height of storage dam 10 feet; active reservoir capacity 7 acre-feet; total reservoir capacity 7 acre-feet; period of year when water will be diverted to storage: 1/1 to 12/31 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 4 years (minimum 1 year).

DEC 17 1992

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 HOME
- e. Other; describe fully. WILDLIFE ENHANCEMENT AND IRRIGATION
NOTE THAT THE STORAGE, AND ALL USES ARE IN THE SAME 40 ACRE SUBSECTION

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.

WITH THE STORAGE

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
59N	1E	19														D, W 6			6

Total number of acres to be irrigated 6

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? APPLICANTS

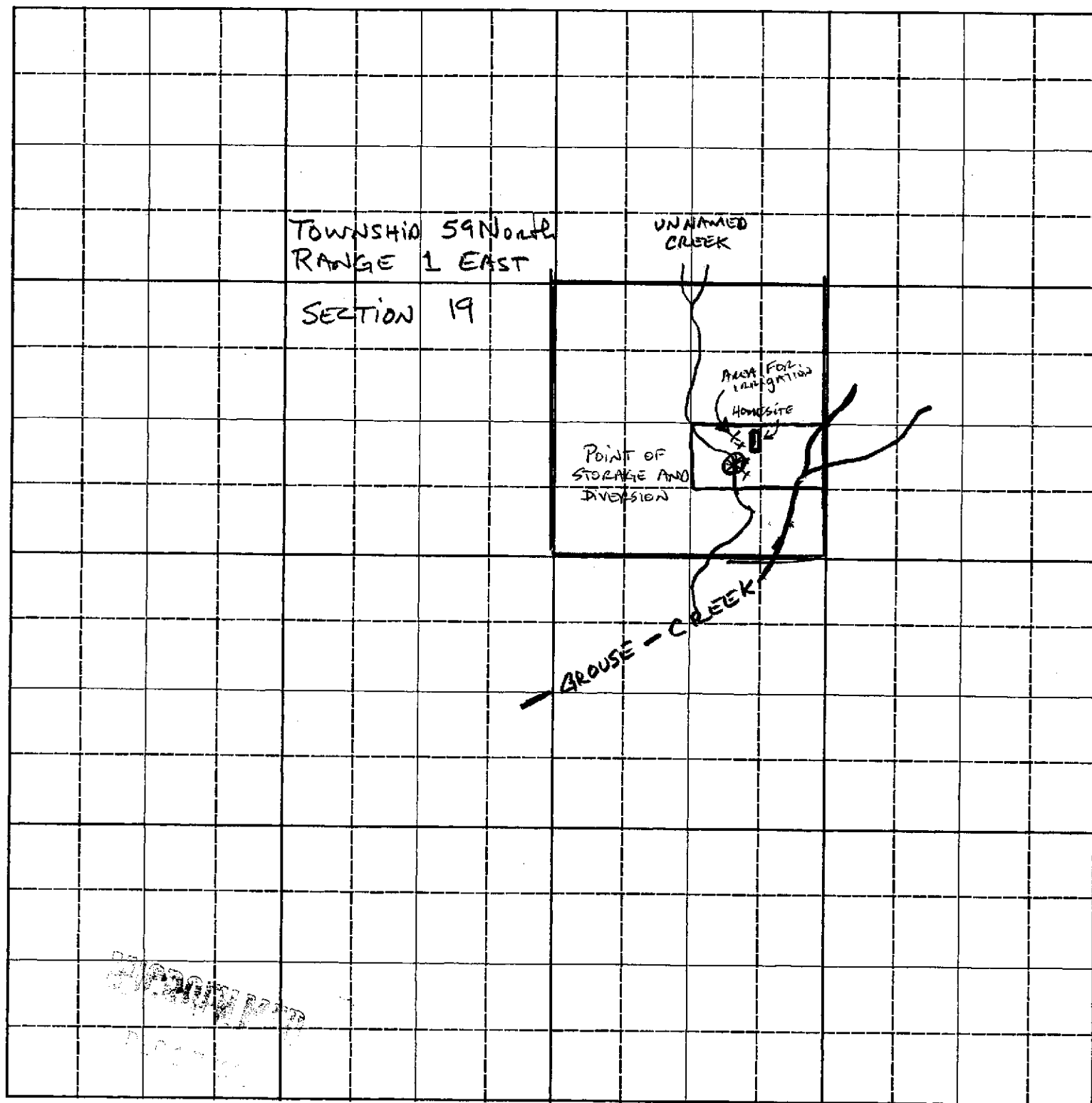
b. Who owns the land to be irrigated or place of use? APPLICANTS

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

12. Remarks: PLEASE SEE THE LETTER WITH PREVIOUS APPLICATION

DEC 17 1992

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.

Mark C. Reimer Caren E. Reimer
(Applicant)

Received by pm Date 9/8/92 Time 1:00 PM (fee rec'd) Preliminary check by non original
Fee \$ 30.00 Receipted by pm # N5924 Date 9/8/92
Publication prepared by pm Date 10/7/92 Published in 10/15-22/92
Publication approved pm Date 11/6/92

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

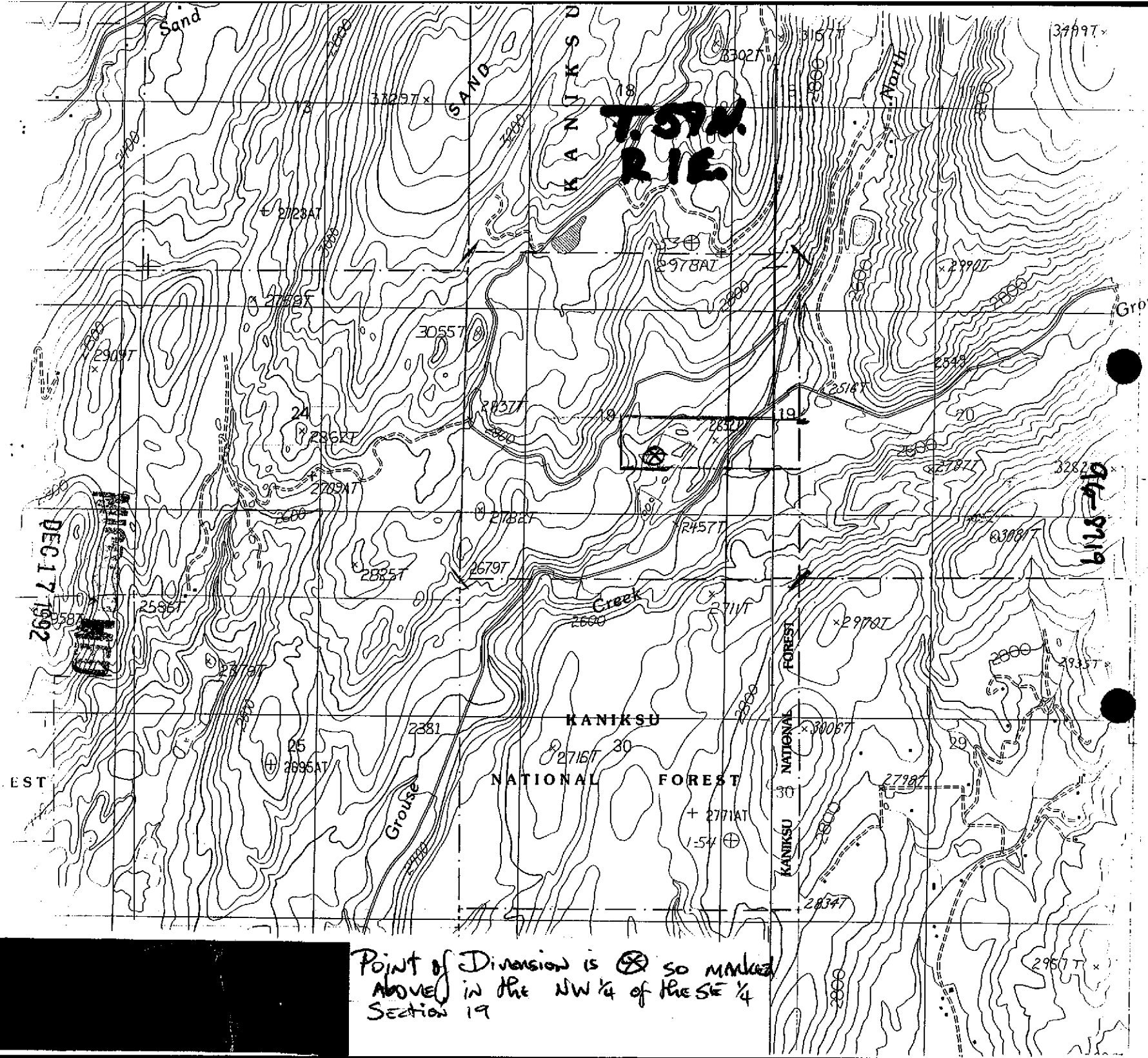
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

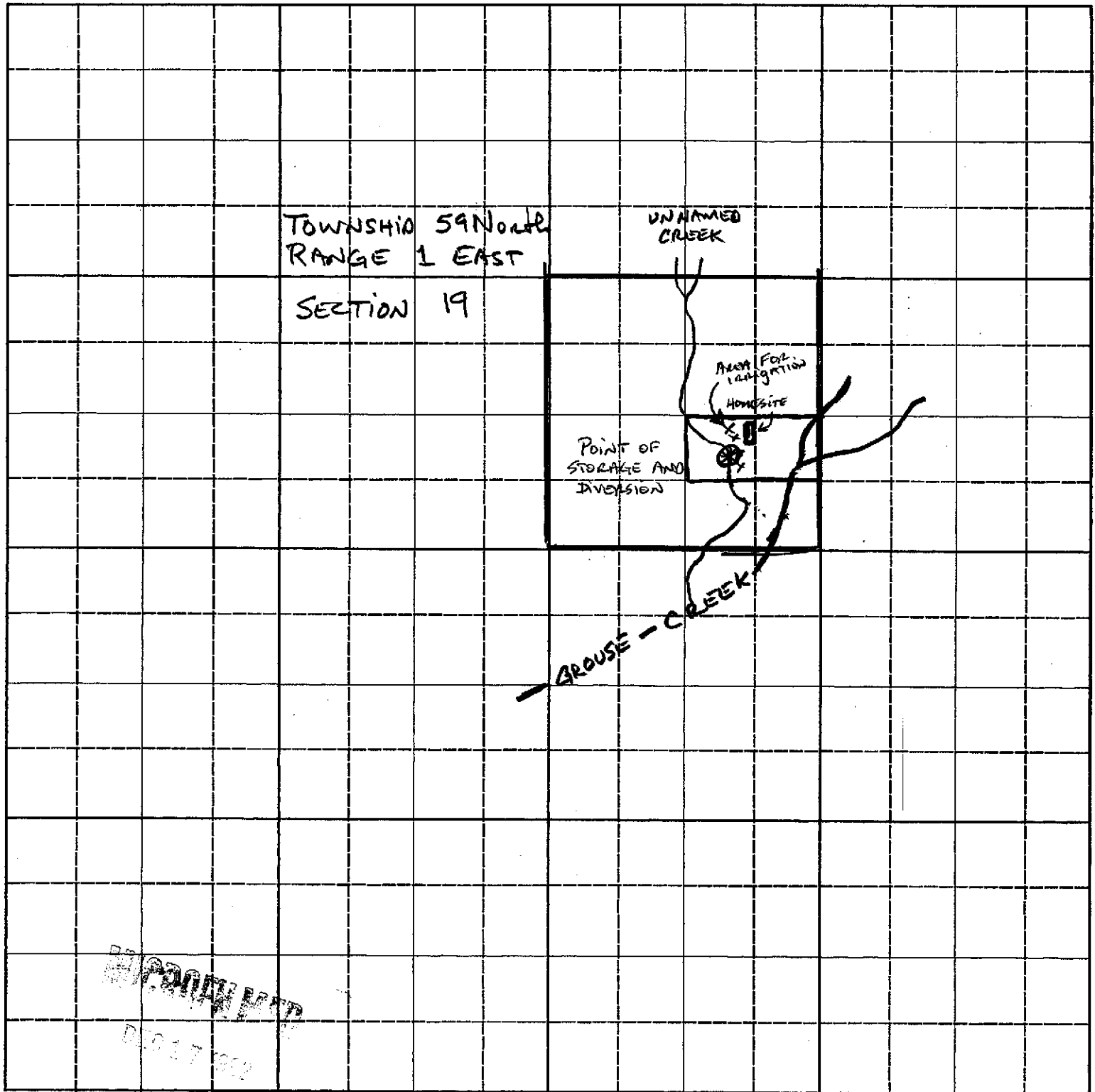
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the 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 17 1992



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.

Mark C. Reim *Caren E. Reimer*
(Applicant)

Received by pm Date 9/8/92 Time 1:00 PM (noon) Preliminary check by pm
Fee \$ 30.00 Receipted by pm # N5924 Date 9/8/92
Publication prepared by pm Date 10/7/92 Published in 10/15-22/92
Publication approved pm Date 11/6/92

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 17 1992

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Karel Miller 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:

Regal 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 Oct, 1992
and ending on the 22 day of Oct, 1992
and that said notice was published in said newspaper.

On this 22nd day of October in the year
of 92 before me, a Notary Public, personally
appeared Karel Miller,

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.

Ken Johnson
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 10/22/92

NOTICE OF APPLICATION
FOR WATER RIGHT

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

96-08719

REINER, MARK
REINER, CAREN
240 W CENTRAL VALLEY RD
SANDPOINT, ID 83864
Source: UNNAMED STREAM
Tributary: GROUSE CREEK
Diversion Pt: NWSE Sec 19 T 59N
R 01E in BONNER County.
Use: IRRIGATION (.120 CFS)
IRRIGATION STORAGE (7.00
AF)

IRRIGATION FROM STORAGE
(7.00 AF)
WILDLIFE (.040 CFS)
WILDLIFE STORAGE (7.00 AF)
DOMESTIC (.040 CFS)
DOMESTIC STORAGE (7.00 AF)
DOMESTIC FROM STORAGE
(1.20 AF)

Date Filed: 9/8/1992
In: BONNER County
T59N R01E S19 NWSE
6.0 ACRES TOTAL

96-08720

BERKLEY, STEWARD L
720 TRESTLE CREEK RD
HOPE, ID 83836
Source: SPRING Tributary: TRES-
TLE CREEK
Diversion Pt: NENWNE Sec 12 T
57N R 01E in BONNER County.
Use: DOMESTIC (.200 CFS)
Total Diversion: (.200 CFS)

Date Filed: 9/28/1992
In: BONNER County
T57N R01E S12 NWNE
For additional information con-
cerning 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 Northwest Blvd., Suite 210,
Coeur d'Alene, Idaho 83814 on or
before NOVEMBER 2, 1992.

R. KEITH HIGGINSON, Director
SNP#5006 Oct. 15, 22, 1992

RECEIVED

NOV 04 1992

NORTHERN REGION
IDWR



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 3, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK REINER
CAREN REINER
3887 GROUSE CREEK RD
SANDPOINT ID 83864

RE: WATER RIGHT NO. 96-08719

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

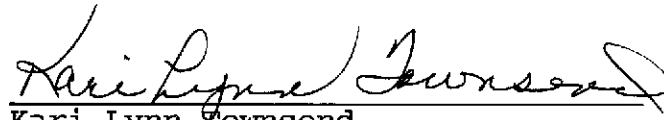
FEB 03 2000

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of February, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 96-08719

MARK REINER
CAREN REINER
3887 GROUSE CREEK RD
SANDPOINT ID 83864


Kari Lynn Townsend
Secretary

MICROFILMED

FEB 03 2000

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

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FEB 03 2000

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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FEB 03 2000

MEMORANDUM

TO: File 96-08719

FROM: Sharla

DATE: January 31, 2000

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 96-08719 are as follows:

H. RECOMMENDATIONS

Domestic	1/1 - 12/31	0.03 cfs	1.2 af
Domestic Storage	1/1 - 12/31		0.9 af
Domestic From Storage	1/1 - 12/31		0.9 af
Wildlife Storage	1/1 - 12/31		0.9 af
	TOTALS	0.03 cfs	2.1 af

Storage is on-stream, thus there is no direct flow component for wildlife, only wildlife storage is needed.

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FEB 03 2000

LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on 1/30/00

Permit No. 96-08719

BU Fee Pd \$ 50.00

Name/Address: OK ☒ CHANGE

Govt Lots n/a plat copy attached

AREA OF CONCERN: No/Yes Moratorium ~~CWMA~~ ~~TRUST/NON-TRUST~~

GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M (if on permit)

LOCATION:

Trust - R55(consumptive uses)
Non-Trust - 048,049 (consumptive uses
or non-cons. > 1.0 cfs)

PD Change - P39/P47 - feds(P40)
PD Add - P45/P42

PU Change - P41/P47 - feds(P43)
PU Add - P41/P42

PD & PU Change - P37 - feds(P48)

USES:

STORAGE - 18A-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 081
FISH/PROP - 029(70'S only)-042-081
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

Use Change/Add - P46

ADVANCE PRIORITY? Yes ☒ No

MISC CONDITIONS/REMARKS:

Multiple pd's per ¼/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
~~Use definitions~~ ~~W02~~ Example - C/tire shop
Non-consumptive - 027
Water Quality - 081-R07
Mitigation - 121 (if on permit)
PPU acre limit - W27

CHECK NEW IRR SEASON MAP

SURFACE WATER: (✓Flow Chart)

In/Above MSF - WB9
WD - R04 (WD#)
≤ 0.20 cfs/others - R02- 01P or No MD
> 0.20 cfs - R43

SPRINGS/SINK, INACTIVE WD & BEST OF STATE

≤ 0.24 cfs/5 acres - ~~No MD~~
> 0.24 cfs/5 acres - 01M or No MD

WATER BASINS: (SW special considerations)

Snake R (01) - W22, N/A
(02,03) - WB9 if above Weiser
Payette R (65) - 047(Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

W15

USES:

POWER - R22-R23 (+uses)-025-081-W42-W43-027

MUNICIPAL

Restricted area - 022,075
Irr, GW supp to SW - 102

DOMESTIC

Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
>1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Lawn/garden included - W01

OVERLAP ANALYSIS/RATES/VOLUMES:

PD overlap rights - W35-W36 Right #
PU overlap rights - WB7-W31(<1 ac)
GW replaced SW - 050

Permit Rate 0.20 cfs Fee Limit 0.20 cfs
Measured cfs Theoretical 0.03 cfs

Use	Rate	Volume
<u>Dom</u>	<u>0.3</u> cfs	<u>1.2</u> af
<u>Star</u>	<u> </u> cfs	<u>9</u> af
<u> </u>	<u> </u> cfs	<u> </u> af
TOTALS	<u> </u> cfs	<u>2.1</u> af

OTHER CONDITIONS/REMARKS/COMMENTS

SRBA Claim Filed Yes ☒ No

If no, is a claim required: Yes ☒ No

AMENDMENTS REQUIRED Yes ☒ No

Adjustment Memo Needed Yes ☒ No

If yes, paragraph codes:

not - ? no arrange remarks

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 12 1999

Department of Water Resources

96-08719

A. GENERAL INFORMATION

Permit No.

1. Owner: Mark & Caren Reimer Phone No. No Phone

Current Address: 3887 House Creek Rd, Sandpoint Id. 83864

2. Accompanied by: Caren Reimer EXAM DATE: 7-15-99

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Unnamed stream tributary to Tributary House 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
			NW	SE	19	59N	01E	Bonner	O.S.G.S 7.5 mi Quad

2. Place(s) of Use:

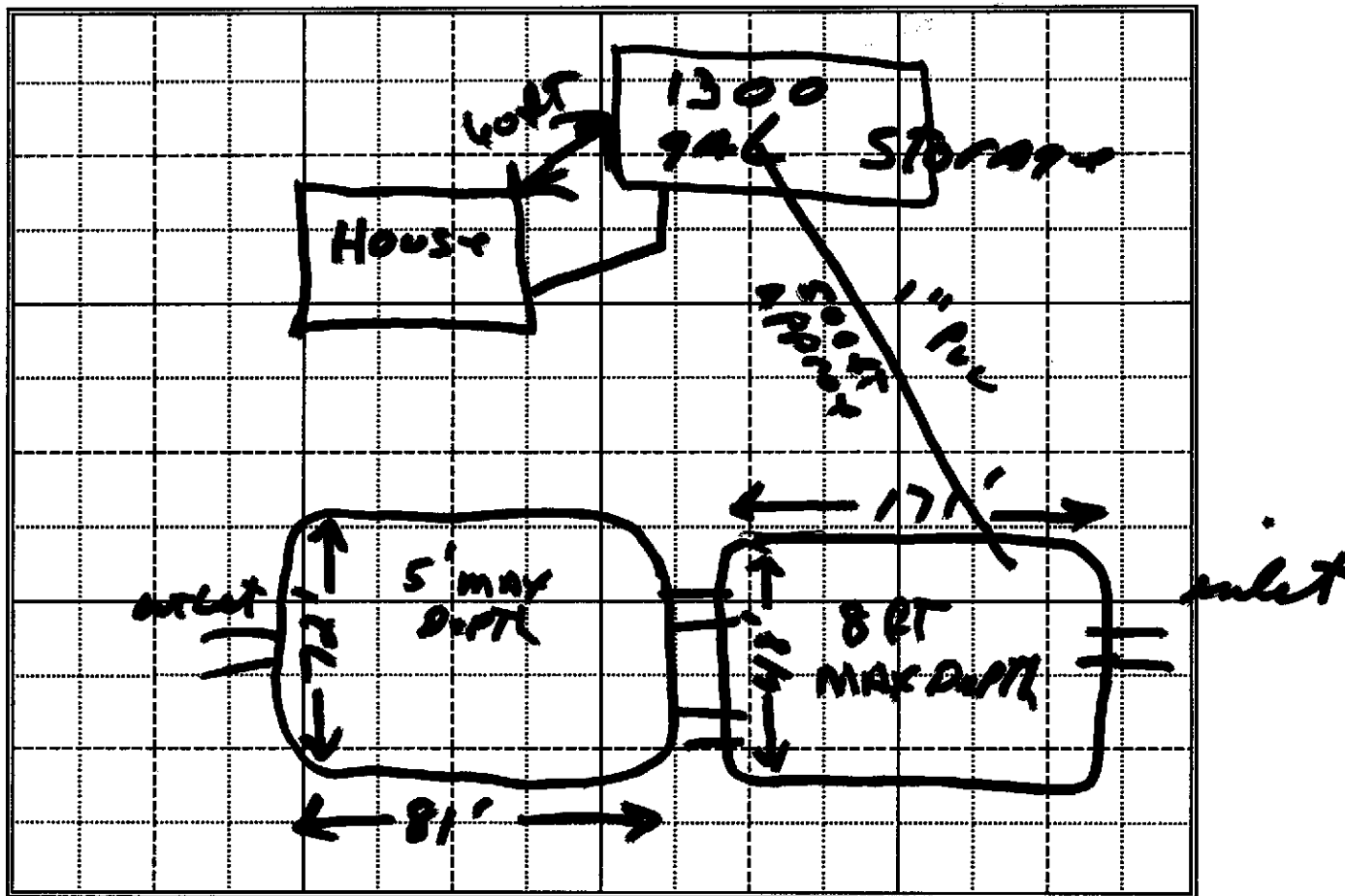
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
59N	01E	19														D			
																W			

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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
	FRANKLIN	.5	Not Legible	Franklin	1"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

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E. NARRATIVE/REMARKS/COMMENTS

System consist of two Ponds that are instream on an unnamed stream. A 1/2 hp submersible pump delivers from Pond to a 1300 gal storage facility from there gravity flow to house.

The only irrigation is domestic 1/2 acre around house. The irrigation portion of permit has not been developed. I explained this to Mrs Reimer and told her I would have to drop it from this permit.

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

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FEB 03 2000

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

Theoretical

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:

Ponds

$$\frac{171 \times 48 \times 8 \times .4}{43560} = .6 \text{ AF}$$

$$\frac{72 \times 81 \times 5 \times .4}{43560} = .3 \text{ AF}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Wild Life</i>	<i>01-01</i>	<i>12-31</i>		
<i>Wild Life Storage</i>	<i>01-01</i>	<i>12-31</i>		<i>.9 AF</i>
<i>Domestic</i>	<i>01-01</i>	<i>12-31</i>		
<i>Domestic Storage</i>	<i>01-01</i>	<i>12-31</i>		<i>.9 AF</i>
<i>Domestic from Stor.</i>	<i>01-01</i>	<i>12-31</i>	<i>1.03</i>	<i>1.2</i>
Totals:			<i>1.03</i>	<i>2.01</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. AUTHENTICATION

Field Examiner's Name

Wayne Baldwin

Date

8-10-99

Reviewer

Date

MICROFILMED
SEAL
FEB 03 2000

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 96-08719

DATE: 10-AUG-99

COMPLETE BY: WAYNE BALDWIN

HORSEPOWER = .5

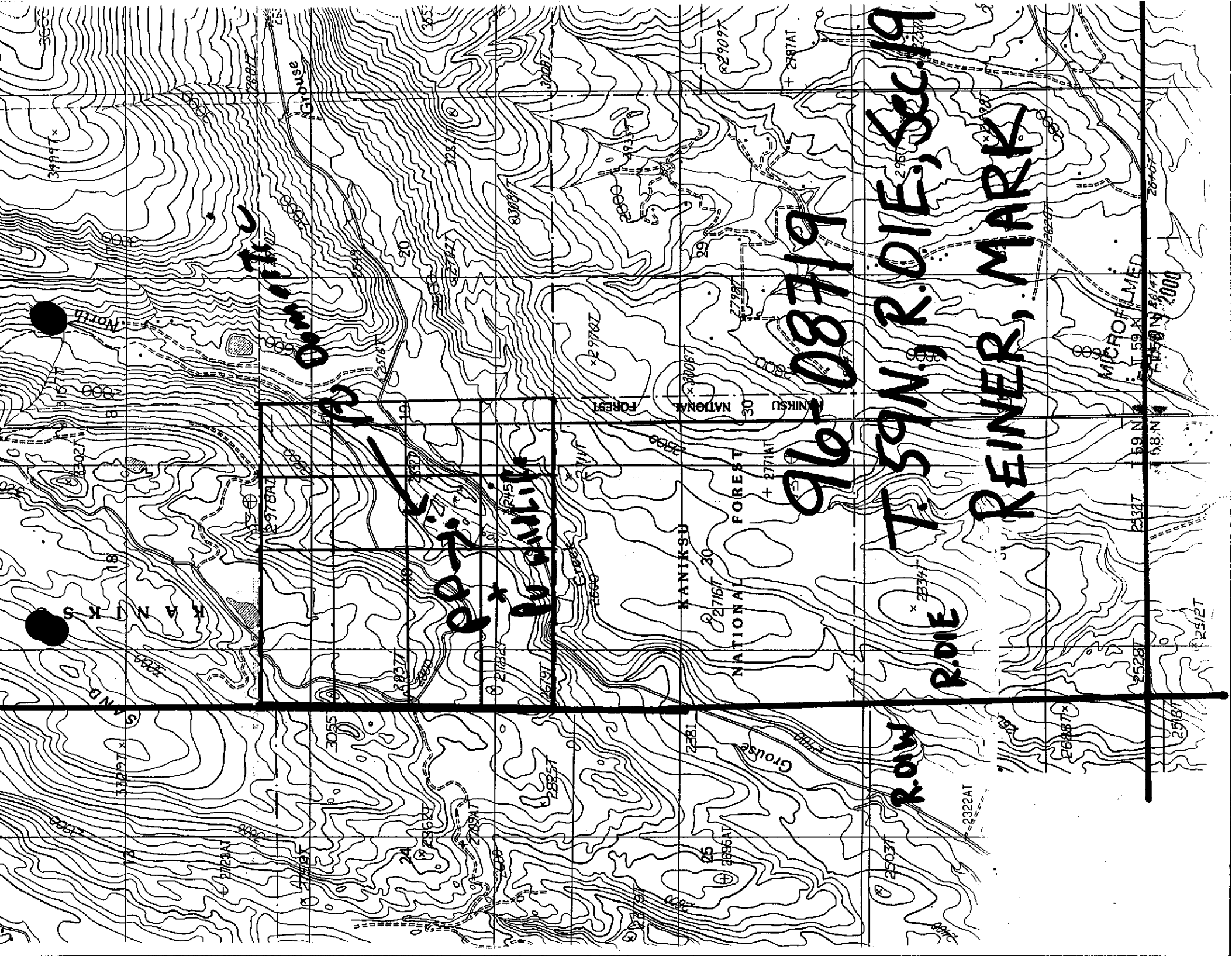
PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 80 FEET

SYSTEM PRESSURE = 10 PSI

QUANTITY = 0.03 CFS

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FEB 03 2000



96-08719

96-08719

T. 59N, R. 01E, Sec. 19

REINER, MARK

MICROFILMED
T. 59 N. R. 01 E. S. 19
250 N 2000



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

May 12, 1995

Mark Reiner
240 W. Center Valley Rd.
Sandpoint, ID 83864

RE: Permit No. 96-08719

Dear Mr. Reiner:

I have received your letter dated May 7 concerning the status of the above referenced permit. The beneficial use fee was receipted in November of 1994, completing your requirements under the permit. The next step is for the department to conduct a field inspection of your water delivery system.

The exam will be made by department personnel from our Northern Regional Office in Coeur d'Alene. There is a backlog of examinations to be conducted, therefore, I cannot give you a specific time frame when your inspection will take place.

If it is necessary for the exam to be conducted in the very near future, you can contact the regional office and make arrangements for the inspection. Otherwise, please be assured that the permit is in good standing and there is nothing further to be done by you at this point as the permit holder.

Sincerely,


SHELLEY W. KEEN
Water Rights Supervisor

SWK:sc

MICROFILMED

FEB 03 2000

RECEIVED
MAY 10 1995
Department of Water Resources

Idaho Dept. of Water Resources
1301 North Orchard St
Statehouse mail
Boise, Id. 83720-9000

May 7th, 85

Re: Permit 96-08719

Dear People:

Last December we sent a check for the \$50 as per the beneficial use of our permit. As of this date we have yet to hear anything from anyone down there. An inspection of our bank statements indicated that the check was cashed not long after we sent it.

Please inform us as to what is going on.

Sincerely,



Mark Reiner
240 West Center Valley Road
Sandpoint, Id. 83864

MICROFILMED

FEB 03 2000

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-08719

Reviewed by [Signature] Date 11/21/94

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. Irr
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

☐ Well log in the file?

_____ Correct?

LICENSE EXAMINATION FEE

Yes Required?
50.00 Amount Submitted
Yes Correct?

MEASURING DEVICE

no Required?
1 Installed?
1 Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X

Proof Made 11/9/94

November 22, 1994

MARK REINER
CAREN REINER
240 W CENTRAL VALLEY RD
SANDPOINT ID 83864

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08719

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
DEC 22 1994

October 31, 1994

MARK REINER
CAREN REINER
240 W CENTRAL VALLEY RD
SANDPOINT ID 83864

PROOF DUE NOTICE

RE: PERMIT NO. 96-08719

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 January 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.

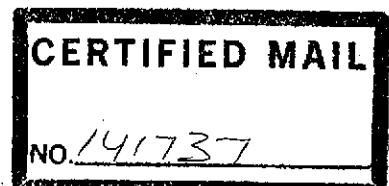
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

DEC 2 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

December 10, 1992

MARK REINER
CAREN REINER
240 W CENTRAL VALLEY RD
SANDPOINT ID 83864

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08719

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Sincerely,

A handwritten signature in cursive script that reads "Brenda L. Miller".

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosures

MICROFILMED

DEC 17 1992

APPLICATION FOR PERMIT REVIEW

Balm

Application #: 96-8719 Date: 12-8-92 Reviewer: Brenda Miller

SYSTEM COMPLETED:

- No - 26A-P17
- Complete in 1 year - P16
- Yes
- Proof not submitted - P16
- Proof submitted - N/A

AREA OF CONCERN? NO

GROUNDWATER:

- GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)
- No measurement required <flow chart>
- LT. 0.2 cfs - No measurement required <flow chart>

Drilling Permit:

- Approved w/permit - P99
- Not included - 046-46A-46B-P23 (after 7/1/87), N/A

SURFACE WATER: not in w/d - 01C-P03 (=GT.2 w/pump), NMR <flow chart>

LOCATION:

- Water Districts - WD No. _____
- Surface water - R04, R04-01H-P01(LT.2 w/pump)
- R04-01J-P08(GT.2), NMR <flow chart>
- Groundwater - P05
- Irrigation Districts - 023
- Canal Co. Areas - 023
- Drainage Districts - 024
- Boise Front (63) - 058 (Groundwater)
- Swan Falls Flag - _____ (1, Blank or Other)
- Trust - 051-052-053-P74(Consumptive Uses)
- Non Trust <1> - 048-049

RIVER BASINS:

- (Surface Water) Water District Control Condition &....
- Boise (63) - 05A & 11E
- Payette (65) - 047-P04, 059-P71
- Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

USE:

- Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
- 042(req.), 002-P06(MD), 07A(Spec.),
- 044(Policy 5G)
- Power - Use Power Review
- Mining - 06A, 010, or 09E-P10 & 054(req.)
- Storage - 18A-for multiple measuring devices(In WD),
- 18B-P09(Size)
- Rec/Wildlf/Aes - 027(Non-Consumptive)
- Domestic - 021 (Boise River - upstream from L Peak)
- (restricted areas) 27A (Payette River & main tributaries)

OWNERSHIP:

- Non land owner - 004

PROTESTED:

- Agreement - 020

Beneficial Use Due Date - 01-02-1995

Other Conditions/Remarks: - W15 - screened & passage

protected

ROUTE To DAM Safety ✓ Done OK

No. a
4/87-06/92n

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

APPLICATION # 96-8719

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

APPLICANT: REINER BY: AB DATE: 10/1/92

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
☒ Nature of Proposed Use
☒ Period of Use
5. ☒ Total Quantity
6. ☒ Description of diverting works
☐ Dam information requested
or not requested
7. ☒ Time required for b/u
8. ☒ Proposed use
9. ☒ Place of use or acres irrigated
10. ☒ Other Water Rights
11. ☒ Ownership
13. ☒ Map
☒ Signature
☒ Fee (Amt, recpt, acknowledgment)
Send info sheet Y() N()

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

PRIORITY DATE: 9/8/92

☒ (Include Moratorium Remark)

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

10/15/92 Advertised in: Idaho City Bee

County of: BONNER

SEND COPIES TO:

☐ USFS CdA	☐ USFS Oro	☐ USFS Grangeville
☐ BLM	☐ W/W Corps	☐ Albeni Corps
☐ F&G CdA	☐ F&G Lew	☐ IDL
☐ H&W CdA	☐ H&W Lew	☐ Adj Div
(Other) _____		

LETTERS SENT REQUESTING:

☐ Dam information ☐ Fish Information
☐ Power information ☐ Other

INFORMATION RECEIVED

☐ Power information ☐ Dam information
☐ Fish Information ☐ Other

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

(Yes) (No)

Checked by: _____ Date: ____/____/____

Remarks: _____

- ☒ Groundwater management area
- ☒ Critical ground water area
- ☒ Well Drilling Permit required
- ☒ Well Drilling Application and Fees received
- ☒ 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
- ☒ Affidavit of publication received
- ☒ Application published correctly, If not, record action taken: _____
- ☒ Publication dates and paper recorded on application
- ☒ Protests received. Final protest date: 11/2/92
- ☐ Measuring device required
- ☐ Measuring port required
- ☐ Special conditions: _____
- ☐ Special conditions of approval supplement and/or cover letter attached:

Sr. Agent initial

RECEIVED
NOV 23 1992

Department of Water Resources

Approval Recommended by: AB RMA Date: 11/6/92

96-08719

REINER, MARK
REINER, CAREN
240 W CENTRAL VALLEY RD
SANDPOINT, ID 83864

Source: UNNAMED STREAM

Tributary: GROUSE CREEK

Diversion Pt: NWSE Sec 19 T 59N R 01E in BONNER County.

Use: IRRIGATION	(.120 CFS)	
IRRIGATION STORAGE		(7.00 AF)
IRRIGATION FROM STORAGE		(7.00 AF)
WILDLIFE	(.040 CFS)	
WILDLIFE STORAGE		(7.00 AF)
DOMESTIC	(.040 CFS)	
DOMESTIC STORAGE		(7.00 AF)
DOMESTIC FROM STORAGE		(1.20 AF)
Total Diversion:	(.200 CFS)	

Date Filed: 9/ 8/1992

In: BONNER County
T59N R01E S19 NWSE

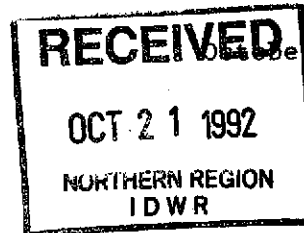
6.0 ACRES TOTAL

APPROVED

DEC 17 1992



Region 1
2320 Government Way
Coeur d'Alene, Idaho 83814-3683
Telephone: (208) 765-3111



October 20, 1992

Mr. Robert G. Haynes
Idaho Department of Water Resources
1910 Northwest Blvd. Suite 210
Coeur d'Alene, ID 83814

Dear Bob:

REFERENCE: 96-08719 REINER/GROUSE CREEK TRIBUTARY
96-08720 BERKLEY/TRESTLE CREEK TRIBUTARY

We have reviewed these applications for potential impacts to fish and wildlife resources.

At this time we have no objection to the proposed diversions provided they are adequately screened and diversion structures will not negatively affect existing fish passage. Both Trestle and Grouse Creeks, and many of their tributaries, are important spawning areas for migratory bull trout, rainbow trout, and cutthroat trout from Lake Pend Oreille. Due to the value of the Lake Pend Oreille fishery, we believe it is important to ensure fishery resources are safeguarded.

Thanks for the opportunity to comment.

Sincerely,

David W. Ortmann
Regional Supervisor

DWO:CEC:kh

C: Natural Resource Policy Bureau

EQUAL OPPORTUNITY EMPLOYER

DEC 17 1992



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

October 7, 1992

Mr. Mark Reiner
240 W. Central Valley Rd.
Sandpoint, Id. 83864

Subject: Water Application for Permit Number 96-8719.

Dear Mr. Reiner:

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 N5924. 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. 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,

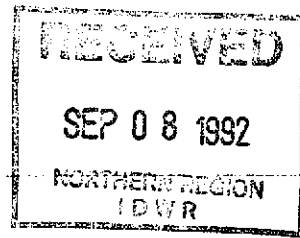
ALLEN BEARDSLEE
Senior Water Resource Agent

Enc. - Receipt

RECEIVED

DEC 17 1992

Idaho Dept of Water Resources
Attn: Allen BEARDSLEE



Sept. 3rd, 92

Hello:

Enclosed is our second attempt at filling out the application. I hope this one works. Also enclosed is our check for \$30.00.

You will note that I left the CFS portion blank under the wildlife portion of item #4. I did this as far as I know they don't actually use enough water to calculate to three decimal points. It is just the environment of the storage pond that they use.

I believe that I got close to the correct amounts in item #4. It was difficult for me to move from CFS to AFA (which I'm guessing means 'ANNUAL FOOT ACRES'). In any event I'm using 10,000 gal per day as a total of all uses which equals 7 gal a minute. This is derived from our previous experience.

Also note our change of phone number

Thank You.

Mark Rine

MICROFILMED
DEC 17 1992



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

August 26, 1992

Mr. Mark Reiner
240 West Center Valley Rd.
Sandpoint, ID 83864

RE: Application for Permit.

Dear Sir:

We are returning your Application for Permit. It is not acceptable in its present form. Please review or correct the following items:

ITEM NUMBER 3.

(POINT OF DIVERSION)

The legal description for the point of diversion must be listed to the nearest 40-acre tract (for example; NE1/4 SW1/4) Section, Township and Range as established by the Public Land Survey. I have enclosed a map with your Application for Permit. Please mark where you take water from the stream. The Point of Diversion description should reflect the same location as marked on the map.

ITEM NUMBER 4.

(PURPOSES, AMOUNTS AND PERIOD OF USE)

The following example includes elements that are typical for storage uses where water is diverted from an on-stream pond and used for domestic, wildlife and irrigation uses.

Water will be used for the following purposes:

Amt 5.00 AFA for Storage for Domestic	from 1/1 to 12/31 (both dates inclusive)
Amt 1.20 AFA for Domestic from storage	from 1/1 to 12/31 (both dates inclusive)
Amt 0.04 CFS for Domestic	from 1/1 to 12/31 (both dates inclusive)
Amt 5.00 AFA for Storage for wildlife	from 1/1 to 12/31 (both dates inclusive)
Amt 0.20 CFS for Wildlife	from 1/1 to 12/31 (both dates inclusive)
Amt 5.00 AFA for Storage for Irr.	from 1/1 to 12/31 (both dates inclusive)
Amt 5.00 AFA for Irr. from storage	from 3/15 to 11/30 (both dates inclusive)
Amt 0.20 CFS for Irrigation	from 3/15 to 11/30 (both dates inclusive)

The above example indicates that:

(Storage for Uses)

The volumes listed for this element are based on the capacity of the pond.

96-8719
AF
RUE 11-18-92
11/10/92

Mr. Mark Reiner
Page Two.
August 26, 1992

ITEM NUMBER 4.

(PURPOSES, AMOUNTS AND PERIOD OF USE)

(Use from Storages)

The volumes listed for this purpose are based on an average of 1.2 AF for Domestic use. For uses other than domestic, the volume listed is the capacity of the pond. After the pond is filled, the diversion for uses will be based on direct flow rates.

(Wildlife uses)

The wildlife uses listed above maintain a storage volume and a diversion to storage rate from Jan. 1 to Dec. 31.

(Irrigation)

The water will be diverted from the pond at a rate of 0.20 CFS for irrigation purposes from 3/15 to 11/30 of each year.

(DOMESTIC)

Water will be diverted from the pond at rate of 0.04 CFS from Jan. 1 to Dec. 31.

The volume amount is determined by taking the surface area of the pond times the depth. (Example; if your pond was one acre by five feet deep, the volume would be 5.0 Acre Feet). One cubic foot per second (CFS) is 448.8 gallons per minute. 0.20 CFS is 90 gallons per minute. I have prepared Item No. 4 for you and taped it to a new Application. Please insert the correct volumes and rates for each use.

ITEM NUMBER 5.

(TOTAL QUANTITY)

The total quantity for the example on the previous page would be 0.20 CFS and 5.00 AFA. Please list the total Quantities for the uses on this item.

ITEM NUMBER 9.

(PLACE OF USE)

This item must be completed by listing the location of all proposed water uses to the nearest 40 acre tract. This may be done by following these steps: First insert Township (Twp.) Ranges (Rge.), Sections (Sec); next, identify each use and location of that use within the section by placing the indicated symbol in the appropriate box as shown below.

STOCKWATER = S; DOMESTIC = D; COOLING = L; FISH PROPAGATION = H;
RECREATION = R; COMMERCIAL = C; FIRE PROTECTION = F; INDUSTRIAL = I;
MINING = X; AESTHETICS = J; GROUNDWATER RECHARGE = E; WILDLIFE = W;
HEATING = G; MUNICIPAL = M; POWER = P;
IRRIGATION = (NUMBER OF ACRES TO BE IRRIGATED IN EACH 40 ACRE TRACT);

[illegible]

Mr. Mark Reiner
Page 3.
August 26, 1992

ITEM NUMBER 9.

(PLACE OF USE CONTINUED)

The example on the previous page shows that within Township 50 North, Range 4 West, Section 3, there is Stockwater use in the NE1/4 NE1/4; Domestic use in the NW1/4 NE1/4; Cooling (L) in the SW1/4 NE1/4; Industrial in the SE1/4 NE1/4; and irrigation of 20 acres in the NE1/4 NW1/4, 10 acres in the NW1/4 NW1/4 and 6 acres in the SW1/4 NW1/4, for a total of 36 irrigated acres.

Please mark "STR" with the uses to identify the storage component in the appropriate 40 acre tract.

The place of use must be outlined on the map. Property listed in this item must be the same property as shown on the map. If you need assistance determining legal descriptions, I may be able to do so upon your request, if the required information is on the map.

We did not receive a filing fee with your Application for Permit. The fee is \$30.00. Please make the above corrections and return this document to this office with the correct fee.

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

Sincerely,



ALLEN BEARDSLEE
SENIOR WATER RESOURCE AGENT

Enc. - Application for Permit.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant MARK + CAREN REINER Phone 263-5476
Post office address 240 WEST CENTRAL VALLEY RD. SANPOINT, ID, 83864
2. Source of water supply UNNAMED STREAM which is a tributary of GROUSE CREEK
3. Location of point of diversion is _____ ¼ of _____ ¼ of _____ ¼, Govt. Lot _____
Sec. _____ Township _____ Range _____ B.M. _____ County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
- | | | |
|-----------|-------------------------------|---|
| Amt _____ | AFA for Storage for Domestic | from 1/1 to 12/31 (both dates inclusive) |
| Amt _____ | AFA for Domestic from storage | from 1/1 to 12/31 (both dates inclusive) |
| Amt _____ | CFS for Domestic | from 1/1 to 12/31 (both dates inclusive) |
| Amt _____ | AFA for Storage for wildlife | from 1/1 to 12/31 (both dates inclusive) |
| Amt _____ | CFS for Wildlife | from 1/1 to 12/31 (both dates inclusive) |
| Amt _____ | AFA for Storage for Irr. | from 1/1 to 12/31 (both dates inclusive) |
| Amt _____ | AFA for Irr. from storage | from 3/15 to 11/30 (both dates inclusive) |
| Amt _____ | CFS for Irrigation | from 3/15 to 11/30 (both dates inclusive) |
5. Total Quantity to be appropriated:
- a. _____ cubic feet per second and/or b. _____ acre-feet per annum
- a. Description of ditches, flumes, pumps, headgates, etc. _____

- 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).

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 Home
- 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	

Total number of acres to be irrigated _____

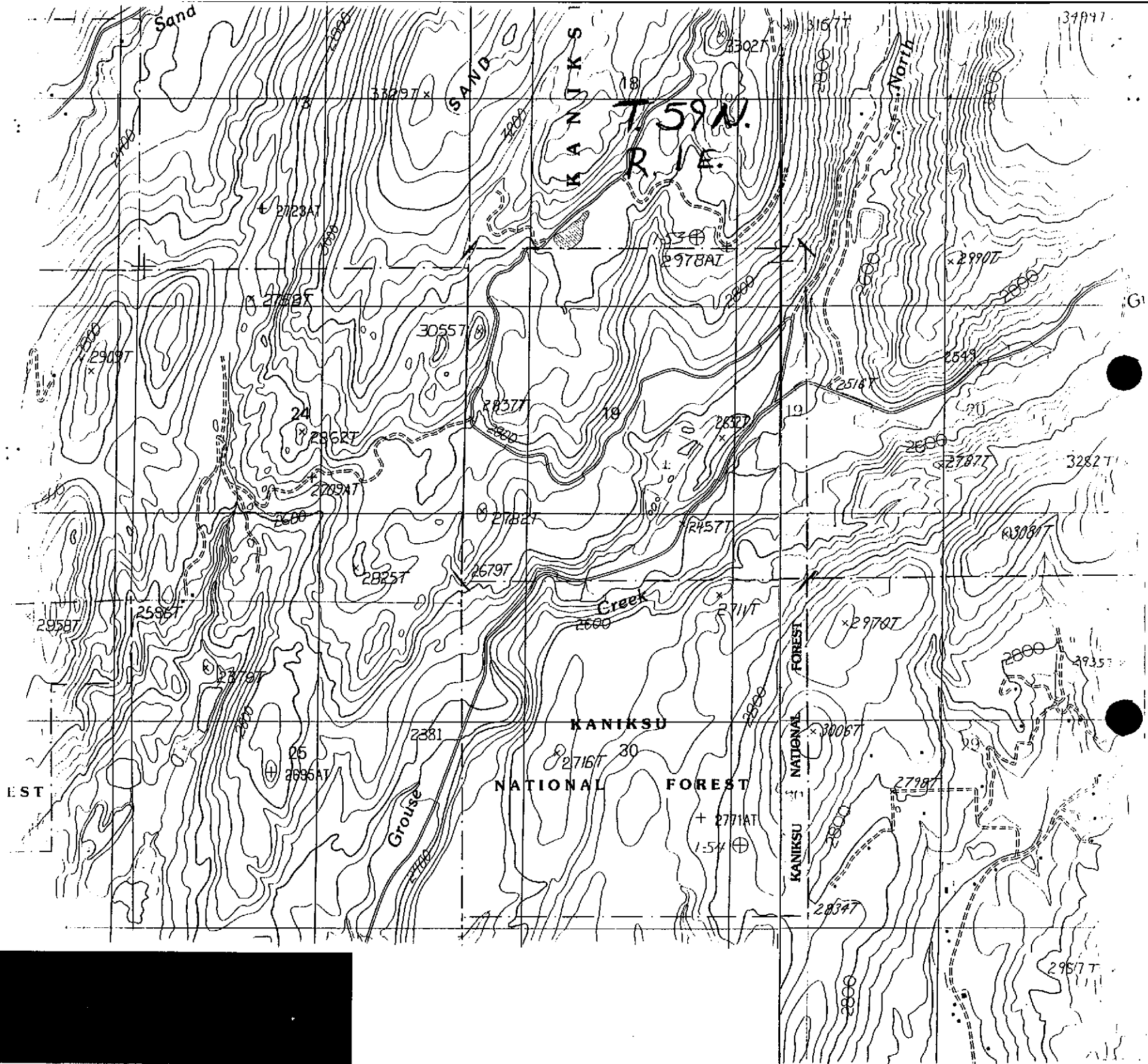
10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? APPLICANTS

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

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

12. Remarks: _____



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

[illegible]

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)

Received by pm Date 8/12/92 Time 1:00 PM (refee) Preliminary check by _____
Fee \$ _____ Received by _____ # _____ Date _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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

AUG 07 1992

Department of Water Resources

State of Idaho
Dept of Water Resources
Permit Application Dept.

*This came from
St. Office it was
not signed in.
Don't know if they
received a check or
not - no fee here.*

August 2nd, 92

Dear People;

Enclosed you will find an application for permit. There are a couple of areas notably item 6. a. and item 10 that I felt would be better answered by a description of the project. Therefore the rest of this cover letter will describe what we intend to do. First of all, we intend to live at the property year-round, but have yet not started to build as this as well as other factors will be necessary to accomplish before we begin work. Second of all, this property will be developed as a home for the rest of our working lives, so it will move ahead to licenses or what ever other permanent permits are necessary.

The unnamed creek flows into our property near the NW corner, actually starting as a spring ON our property in the drier weather, but coming as a creek in the wetter weather. It turns and goes into a series of small old beaver 'ponds' which are actually more like marshes. There are no new beaver there as it is now all sort of a shallow swamp which they don't like.

Our plan is as follows: We plan on building a dam of 10 ft or less on the lower part, clean out the muck and brush, and let it fill up. The exact size of this is not yet determined, but the total surface area will be about 1 acre in a long and narrow area. In this regard I've already contacted the Idaho Dept of Fish and Game and have had a Mr. Pat Cole, Sr. Wildlife Mgr. (who lives in Sagle) come out and look over the project site. In this regard he has stated that it fits well within their definition of habitat improvement and has even offered to pay a portion of the costs. Before the initiation of the paperwork, however, this matter with you must be complete.

From a midpoint in the pond we plan on putting in a 3 inch diameter pipe which will go to a pump which will draw out the water for the rest of the project, home, garden and orchard. This pump will fill a large cistern up on the hill near the homesite with an approx 3000 gal capacity which will feed the uses. That way we will not have to run the pump continually. The home will have the appropriate filters to compensate for the waterborne bacteria such as giardia.

As the creek has a capacity of well more than 10 times our usage, we will, of course, have an overflow where the creek will continue downstream. Further, due to the erratic nature of the snowmelt in the area, that overflow system will be built to standards which will allow many times a standard heavy flow to be safely be carried out of the pond area.

Now, please note that I have put in a 5 acre area for irrigation of fruit trees. We will start with less of an area, and move to more. If we have no big problems then that area will be expanded a number of years down the road, so I've put down 5 acres for the time being

though it will start with 2.5 acres for the first few years.

Also, please note that there is a large meadow, and the oldtimers in the area say that the man who used to own the property ran cattle on it, but since he left small 'jack pine' have grown up and reduced the meadow and open area. I plan on taking out 90% of that timber and making the area suitable for alfalfa, but at this time have no plans on developing that crop. The area would then be suitable for pasture or a crop, but that will extend well beyond the 5 years that your permit time specifies in the application. If need be I'll ask for more water when that part of the development will occur.

Also, note that I've separated uses. Actually, ALL of the written uses may be considered domestic uses. The home will have an attached greenhouse as well, but that was figured in. There may be a desire on your part to lump all of the uses together. Please feel free to adjust the usages to fit your needs within the outlines given above.

Thank You.

Mark & Caren Reiner

Mark and Caren Reiner
240 W. Center Valley Road
Sandpoint, Id. 83864

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

1. Name of applicant MARK + CAREN REINER Phone 263-5476 after Sept 1
Post office address 240 West Center Valley Road, Sandpoint Id. 83864
2. Source of water supply unnamed creek which is a tributary of GROUSE CREEK
3. Location of point of diversion is NE 1/4 of SE 1/4 of Section 19 Township 59 N.
Range 1 E. B.M. BONNER County County, additional points of diversion if any: NONE

4. Water will be used for the following purposes:

Amount 5000 gal per day for domestic purposes from JAN 1ST to DEC 31ST (both dates inclusive)
(cfs or acre-feet per annum)
Amount 3500 for orchard purposes from MAR 1ST to NOV 1ST (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1500 for garden purposes from MAR 1ST to NOV 1ST (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:

a. .015 cubic feet per second and/or b. 150 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. SEE ACCOMPANYING LETTER, PLEASE.

b. Height of storage dam 10 MAXIMUM feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: NATIVE SOIL

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: N 1/2 of SE 1/4 of Section 19 Township 59 N
Range 1 E. B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served NONE, or number of families to be supplied with domestic water 1.

(5) If water is to be used for other purposes describe: 5 person family - domestic - large garden - 5 acres of fruit trees + water for lawns meadow etc.

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated 5 to 10?

c. Describe any other water rights used for the same purposes as described above. N/A

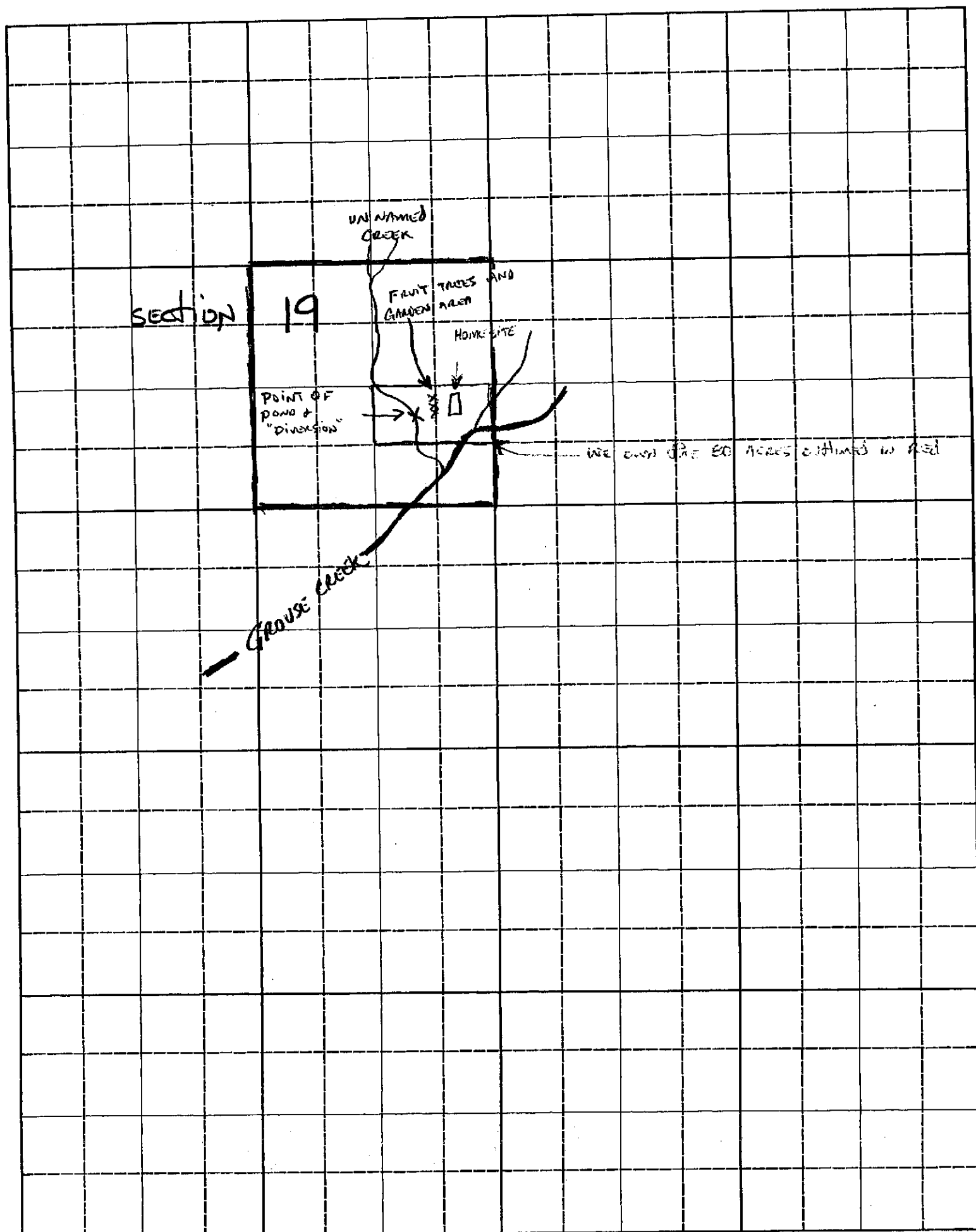
9. a. Who owns the property at the point of diversion Applicants, Mark + Cassa REINER

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

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

10. Remarks READ Accompanying letter, please

11. 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.

Mark Reimer
Caren Reimer (Applicant)

Received by Date 8/12/52 Time 1:00 PM (after)

Preliminary check by Fee \$

Received by Date

Publication prepared by Date

Published in

Publication dates

Publication approved Date

Protests filed by:

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by

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. Other: