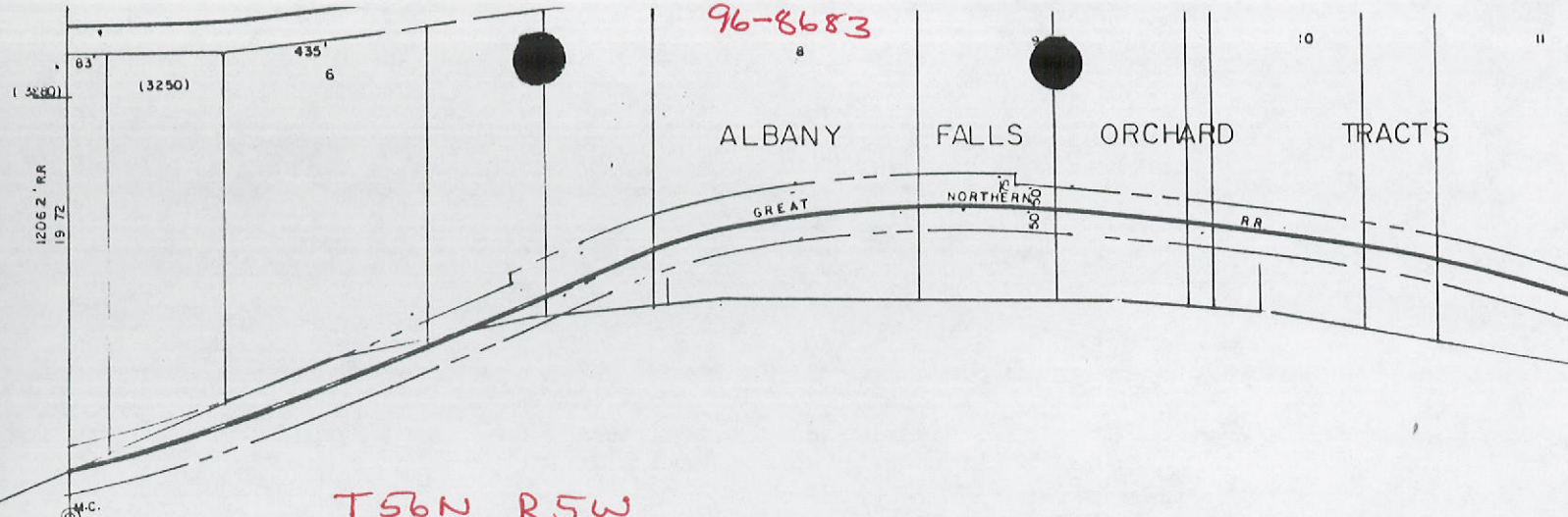
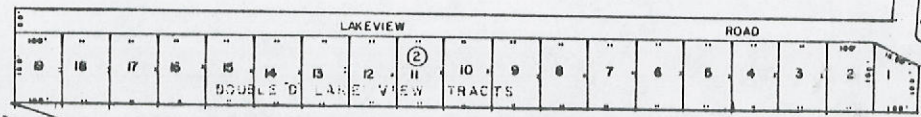
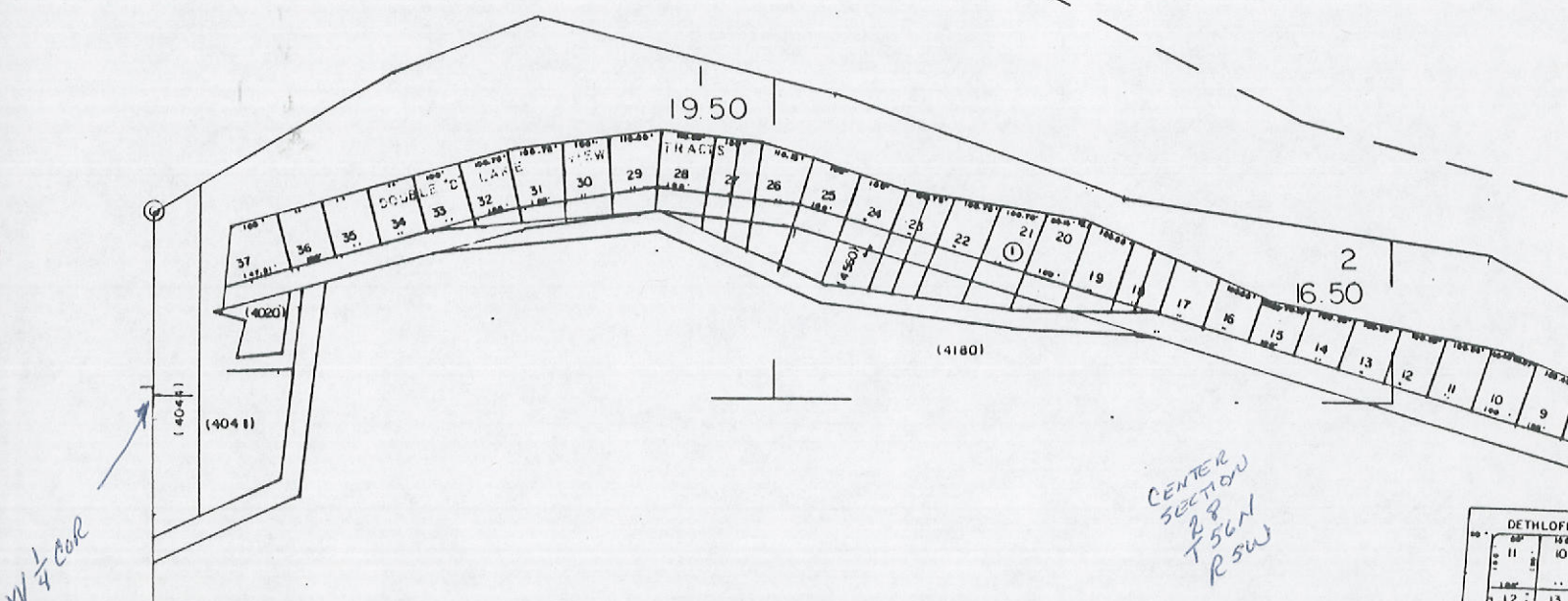


96-8683

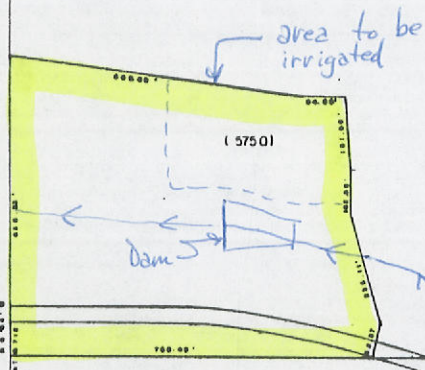


PEND OREILLE RIVER



MICROFILMED

JUL 07 1993



APPROX. LOCATION & WIDTH OF ROADS

STRONG CREEK

TAKEN FROM TOPO (RWS.)

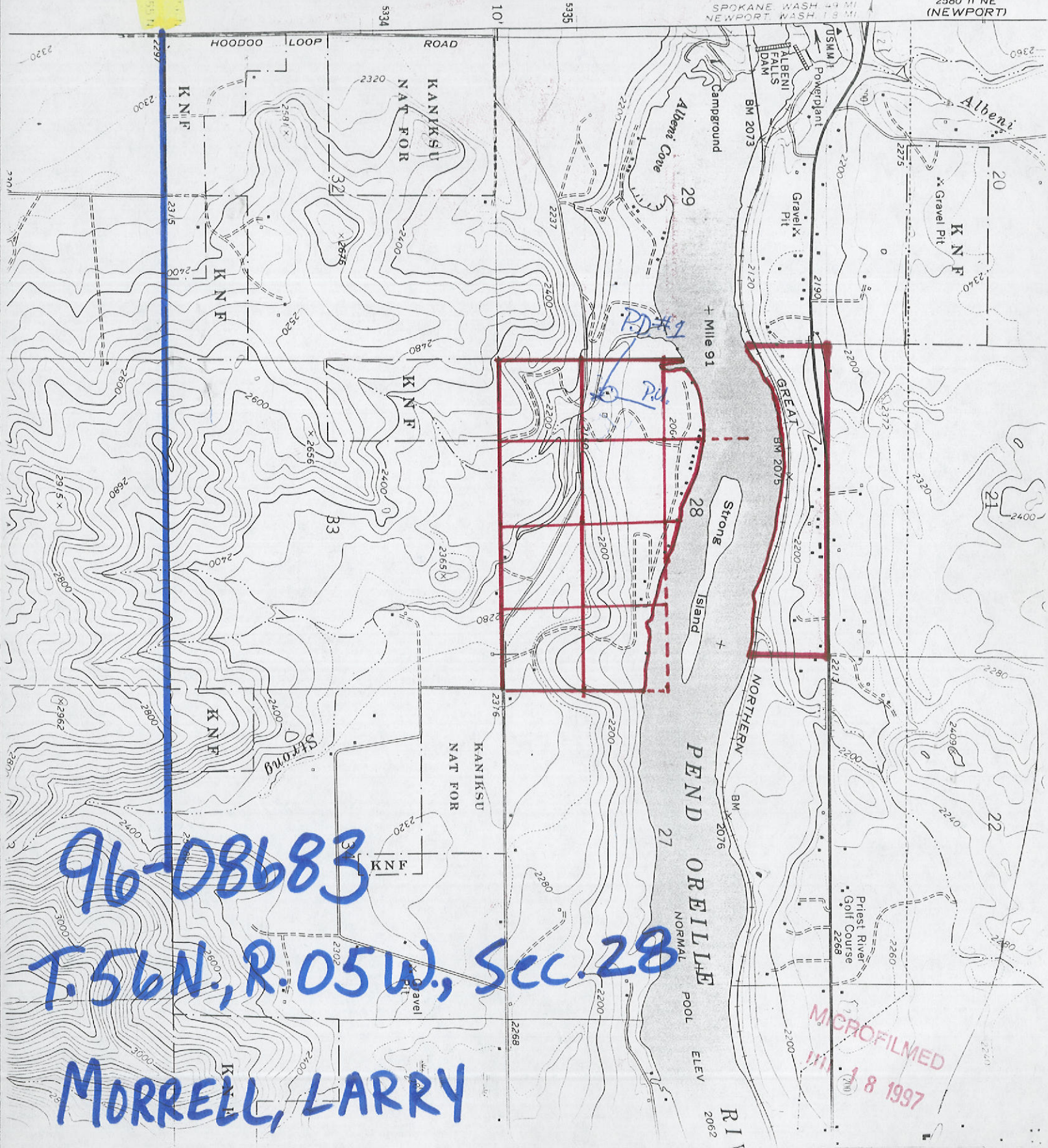
OLD PRIEST RIVER ROAD

NORTH

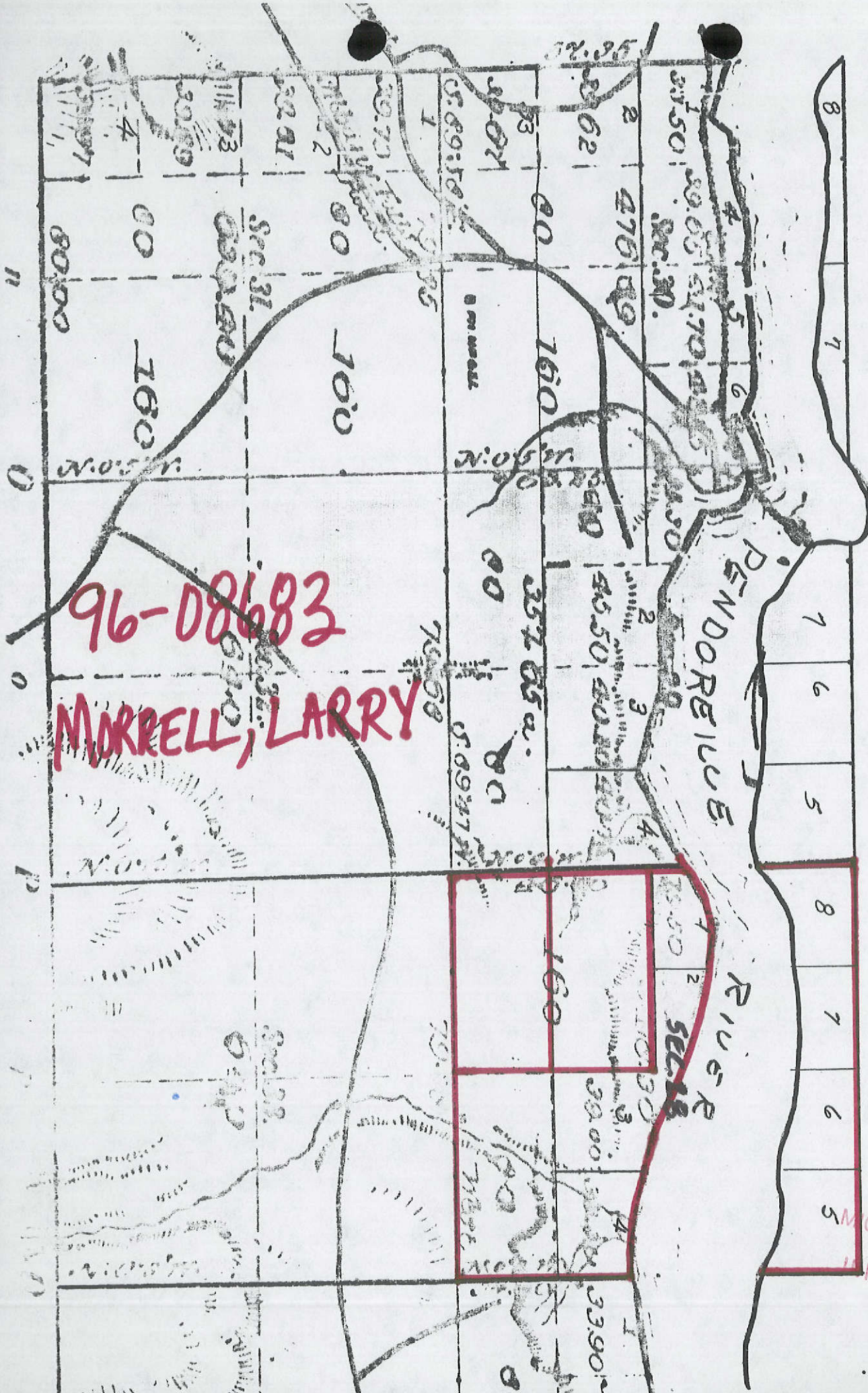
This sketch is furnished without charge solely for the purpose of assisting in locating said premises and the company assumes no liability for inaccuracies therein.

2580 II NE
(NEWPORT)

SPOKANE WASH 44 MI
NEWPORT WASH 18 MI



96-08683
T. 56N., R. 05W., Sec. 28
MORRELL, LARRY



96-08683

MORRELL, LARRY

8	7	6	5	8	7	6	5
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MICROFILMED
18 1997

756 N RSM - F

MORRELL, LARRY
96-08683

STATE OF IDAHO
DEPT OF WATER
REPORT
NO. 100



Don't know how old it is



P.D.



Washout

OLD RIVER GATE



DAM
Washout

96-08683

PERMIT #

STATE OF ID
DEPT OF WATER
REPORT SU
O T O G R



PLACE OF USE

SARIGATED AREAS



Jul 18 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08683

Priority: January 31, 1992

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

6.3 AF

This is to certify, that LARRY E MORRELL
PO BOX 281

PRIEST RIVER ID 83856 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 31, 1992; and
has submitted Proof of Beneficial Use on March 31, 1994. An examination indicates
that the works have a diversion capacity of 0.040 cfs of water from:

STRONG CREEK

tributary to PEND OREILLE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.04 CFS	6.0 AF
IRRIGATION STORAGE	01/01 to 12/31		0.3 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		0.3 AF
	Totals	0.04 CFS	6.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 28, Township 56N, Range 05W
BONNER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
56N	05W	28	NWSW	2		2

Total number of acres irrigated: 2

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

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

MICROFILMED
JUL 18 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08683

CONDITIONS OF APPROVAL AND REMARKS

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
6. This right authorizes an annual volume of water to fill the storage facility and the amount required to replace losses through evaporation.

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 30TH day of JUNE, 1997.

Acting for

KARL J. DREHER, Director

RECORDED
JUL 18 1997

RECEIVED
JAN 31 1994
Department of Water Resources
RECEIVED
MAR 31 1994
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 3/31/94
Receipt No. 029923
Receipt by AW

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 96-08683 Telephone No. 208-437-3873
2. Name(s) of Permit Holder(s): Larry E. Morrell
3. Mailing Address: P.O. Box 281 Priest River, Idaho 83856
4. Source of Water: STRONG CREEK

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

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

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 2 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.04 cfs OR _____ acre/feet

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

Measuring device: Required? Yes ☒ No ☐ Installed? _____ Yes _____ No _____

Flow Measurement Port: Required? Yes ☒ No ☐ Installed? _____ Yes _____ No _____

8. Fee Enclosed: \$ _____ (See License Fee Schedule on back of Instruction Sheet)

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

Larry E. Morrell 208-437-3873
Name Telephone No.

OLD PRIEST RIVER ROAD, DRIVEWAY NEXT TO CEDAR LANE
Address

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

MICROFILMED

JUL 18 1997

1/27/94
Date

Larry E. Morrell
Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-08683

Proposed Priority: January 31, 1992 Maximum Diversion Rate: 0.04 CFS
This is to certify, that LARRY E MORRELL

PO BOX 281
PRIEST RIVER ID 83856

has applied for a permit to appropriate water from:

STRONG CREEK tributary of PEND OREILLE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.04 CFS	
IRRIGATION STORAGE	01/01 to 12/31		0.3 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		0.3 AF
	Totals	0.04 CFS	

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 28, Township 56N, Range 05W
BONNER County

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>				
<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>	
56N 05W 28	NWSW 2			2	

Total number of acres irrigated: 2

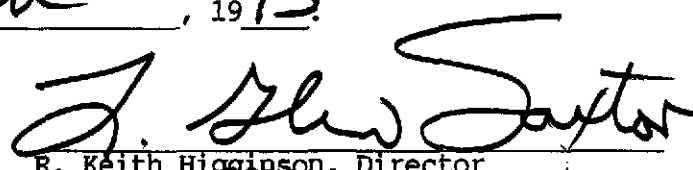
PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1994.
2. Subject to all prior water rights.
3. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

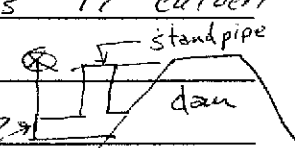
2nd day of March, 1993

for 
R. Keith Higginson, Director
MICROFILMED

JUL 07 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Larry E. Morrell Phone 437-3873
Post office address Box 281 Priest River Idaho 83856
2. Source of water supply Strong Creek which is a tributary of Pond Oreille River
3. Location of point of diversion is Northwest $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 28 Township 56 North Range 5 West B.M. Bonner County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
.04 cfs - PER TBYCAN W/APP. TDK 12-11-1992 11-15 BLMV
Amount .04 cfs for Irrigation purposes from Mar 15 to Sept 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .38 AF for Storage for Irrigation purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .38 AF for IRRIGATION FROM STORAGE purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .04 cfs .04 cfs and/or (b) .38 Acre Feet
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. existing pond has 17" culvert
thru dam with slide valve & stand pipe

- b. Height of storage dam 4 feet; active reservoir capacity _____ acre-feet; total
reservoir capacity .38 acre-feet; period of year when water will be diverted to storage:
Jan 1 to Dec 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
_____ years (minimum 1 year). TDK

MICROFILMED

JUL 07 1993

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

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

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
56N	5WEST	28									2								2

Total number of acres to be irrigated 2

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

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

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

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: _____

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JUL 07 1993

See attached

MICROFILMED
JUL 07 1993

Long E Howell
(Applicant)

Order No. 5995

EXHIBIT "A"

IN THE STATE OF IDAHO, COUNTY OF BONNER

A tract of land lying in the Northwest Quarter of the Southwest Quarter, Section 28, Township 56 North, Range 5 West, Boise Meridian, in the County of Bonner, State of Idaho, more specifically described as follows;

BEGINNING at the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 28;

THENCE North 1 degree 13'30" East, 638.33 feet;

THENCE South 80 degrees 54' East, 609.69 feet;

THENCE South 86 degrees 13' East, 94.05 feet;

THENCE South 3 degrees 30' East, 151.96 feet;

THENCE South 0 degrees 05' West, 102.88 feet;

THENCE South 14 degrees 48' East 235.11 feet;

THENCE South 15 degrees 58' West 62.37 feet;

THENCE North 89 degrees 36'53" West 758.49 feet to the True Point of Beginning;

LESS existing Bonner County Road right of way.

MICROFILMED

JUL 07 1993

Received by pm Date 1/31/92 Time 12 noon Preliminary check by TDR

Fee \$ 30.00 pm Received by pm # N 5176 Date 1/31/92

Publication prepared by pm Date 2/12/92 Published in Priest River Times
2/19/92 3/18/92 4/6+13/93

Publication approved pm Date 10/15/92

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:

MICROFILMED

JUL 07 1993

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

being duly sworn, says that he is the

Linda Ramsey
General Manager
the PRIEST RIVER TIMES, a weekly newspaper printed and published at Priest River, Bonner County, Idaho, and has been continuously and uninterruptedly published in said County during a period of 78 consecutive weeks prior to the first publication of the annexed notice for publication, is a newspaper of general circulation made up of at least eight pages of at least six columns each, printed from typewritten or stereotyped forms of at least nineteen and three-fourths inches high, has at least 1250 bona fide subscribers living within said Bonner County, and is published at regular weekly intervals. That the annexed is a true copy of the notice for publication in the case of

1398 Notice of Correction

as it was published in the regular and entire issue of the said paper for a period of two consecutive weeks, commencing on 6th day of January, 1993 and ending on the 13th day of January, 1993 and that said notice was published in said newspaper.

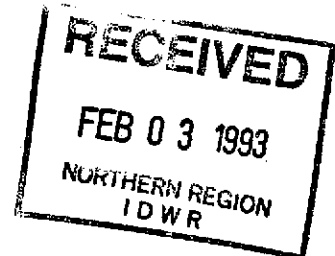
On this _____ day of _____ in the year _____ of _____, before me, a Notary Public, personally appeared Linda Ramsey, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at _____

My commission expires: _____

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN that the following water rights are being corrected:
APPLICATION FOR PERMIT NO. 96-8683 in the name of Larry E. Morrell was advertised incorrectly on 2/19 & 27/1992. The amount of water for irrigation purposes was incorrectly advertised as 0.01 CFS; whereas, correctly it should be 0.04 CFS.
APPLICATION FOR PERMIT NO. 97-7331 in the name of Gregory C. Decker was advertised incorrectly on 11/4 & 11/1992. The place of use was incorrectly advertised as T58N R05W S28 NWSW; whereas, correctly it should be T58N R05W S25 NWSW.
(For additional information concerning the property locations, call the Northern Regional Office at 765-4639.)
Protests to the above-referenced corrections must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814 on or before January 25, 1993.
R. KEITH HIGGINSON, Dir.
#1399 Jan. 6, 13, 1993



RECORDED
JUL 07 1993

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that the following water rights are being corrected:

APPLICATION FOR PERMIT NO. 96-8683 in the name of Larry E. Morrell was advertised incorrectly on 2/19 & 27/1992. The amount of water for irrigation purposes was incorrectly advertised as 0.01 CFS; whereas, correctly it should be 0.04 CFS.

APPLICATION FOR PERMIT NO. 97-7331 in the name of Gregory C. Decker was advertised incorrectly on 11/4 & 11/1992. The place of use was incorrectly advertised as T58N R05W S28 NWSW; whereas, correctly it should be T58N R05W S25 NWSW.

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

Protests to the above-referenced corrections must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814 on or before January 25, 1993.

R. KEITH HIGGINSON, Dir.

Published in the Priest River Times on 1/6 & 13/1993.

RECEIVED
JUL 07 1993

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Linda Ramsey
being duly sworn, says that he is the *General Manager*

of the PRIEST RIVER TIMES, a weekly newspaper printed and published at Priest River, Bonner County, Idaho, and has been continuously and uninterruptedly published in said County during a period of 78 consecutive weeks prior to the first publication of the annexed notice for publication, is a newspaper of general circulation made up of at least eight pages of at least six columns each, printed from typewriter or stereotyped forms of at least nineteen and three-fourths inches depth, has at least 1250 bona fide subscribers living within said Bonner County, and is published at regular weekly intervals. That the annexed is a true copy of the notice for publication in the case of

1244 Notice of Correction
Morrell

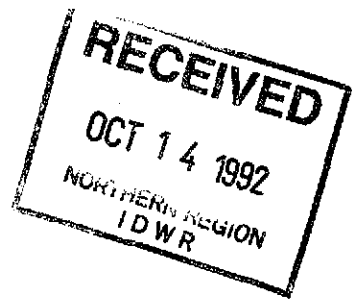
as it was published in the regular and entire issue of said paper for a period of *two* consecutive weeks, commencing on *18th* day of *March*, 19*92*, and ending on the *25* day of *March*, 19*92*, and that said notice was published in said newspaper proper, and not in supplement form.

STATE OF IDAHO
COUNTY OF

On this *20th* day of *April*, in the year of *92*, before me, a Notary Public, personally appeared *Linda Ramsey* 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.

John Muzial
Notary Public for Idaho
Residing at *Priest River*
6/92

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 96-8683 in the name of Larry E. Morrell was advertised incorrectly on February 19 & 26, 1992. The place of use was incorrectly described as T56N R05W NWSW; whereas, correctly it should be T56N R05W Sec. 28 NWSW. (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 April 6, 1992.
R. KEITH HIGGINSON, Dir.
#1244 PRT March 18, 25, 1992



MICROFILMED
JUL 07 1993

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 96-8683 in the name of Larry E. Morrell was advertised incorrectly on February 19 & 26, 1992.

The place of use was incorrectly described as T56N R05W NWSW; whereas, correctly it should be T56N R05W Sec. 28 NWSW.

(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 April 6, 1992.

R. KEITH HIGGINSON, Dir.

Published in the Priest River Times on 3/18 & 25/1992.

RECEIVED
JUL 07 1993

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Linda Ramsey
being duly sworn, says that he is the general manager
the PRIEST RIVER TIMES, a weekly newspaper printed and
published at Priest River, Bonner County, Idaho, and has been con-
tinuously and uninterruptedly published in said County during a period
of 78 consecutive weeks prior to the first publication of the annexed
notice for publication, is a newspaper of general circulation made up of
at least eight pages of at least six columns each, printed from typemat-
ter or stereotyped forms of at least nineteen and three-fourths inches
depth, has at least 1250 bona fide subscribers living within said Bonner
County, and is published at regular weekly intervals. That the annexed
is a true copy of the notice for publication in the case of

1231- Morrell Water Rights

it was published in the regular and entire issue of said paper for a
period of 2 consecutive weeks, commencing on
the 19th day of February, 1999,
and ending on the 27th day of February, 1999,
and that said notice was published in said newspaper proper, and not in
supplement form.

STATE OF IDAHO
COUNTY OF

On this 27th day of Feb in the year of 92 before me,
a Notary Public, personally appeared Linda Ramsey
known or identified to me to be the person whose name subscribed to the within instru-
ment, and being by me first duly sworn, declared that the statements therein are true,
and acknowledged to me that he executed the same.

Jim Johnson
Notary Public for Idaho

Residing at Sanpoan

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:

96-08683

MORRELL, LARRY E

PO BOX 281

PRIEST RIVER, ID 83856

Source: STRONG CREEK

Tributary: PEND OREILLE RIVER

Diversion Pt: NWSW Sec 28 T 56N R 05W

in BONNER County.

Use: IRRIGATION

IRRIGATION STORAGE

Total Diversion:

Date Filed: 1/31/1992

IN: BONNER County

T56N R05W NWSW

2.0 ACRES TOTAL

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 Northwest Blvd.,
Suite 210, Coeur d'Alene, Idaho 83814 on
or before MARCH 9, 1992.

R. KEITH HIGGINSON, Director
#1231 PRT Feb. 19, 1992

RECEIVED

MAR 03 1992

NORTHERN REGION
IDWR

MICROFILMED

JUL 07 1993



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

July 1, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LARRY E MORRELL
PO BOX 281
PRIEST RIVER ID 83856

RE: WATER RIGHT NO. 96-08683

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 further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within 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 this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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.

MICROFILMED

JUL 18 1997

ORAL ARGUMENT

If the Department grants a petition to review the 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.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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.

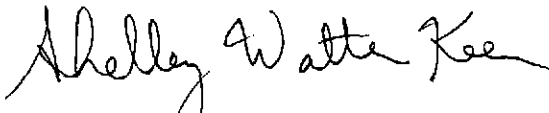
APPEAL OF FINAL ORDER TO DISTRICT COURT

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.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

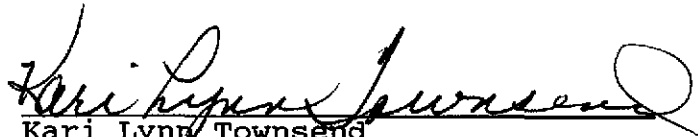
3 JUL 18 1987

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of July, 1997, 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. 96-08683

LARRY E MORRELL
PO BOX 281
PRIEST RIVER ID 83856


Kari Lynn Townsend
Secretary

MICROFILMED

JUL 18 1997

MEMORANDUM

TO: File 96-08683

FROM: Sharla Curtis

DATE: June 30, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 96-08683 are based on the following:

H. RECOMMENDATIONS

Irrigation	3/15 - 11/15	0.04 cfs	6.0 afa
Irrig. Storage	1/1 - 12/31		0.3 afa
Irrig. from Storage	3/15 - 11/15		0.3 afa
	TOTALS	0.04 cfs	6.3 afa

The examiner states that the right holder's storage facility washed out in the flooding earlier this spring. The storage component will be retained on the license allowing the right holder to reconstruct the storage facility, thus not being penalized for circumstances over which he had no control.

Examiner: Wayne Baldwin
Exam Date: May 13, 1997

RECORDED

JUL 13 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 96-08683

DATE 6/24/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.04</u> cfs
Fee limit	<u>.20</u> cfs \$5000
Measured	<u>✓</u> cfs @ 20 psi and 0' lift = <u>.04</u>
Theoretical	<u>.02</u> cfs 1" pipe @ 5 fps V = <u>.03</u> cfs
Recommended Total Div Rate <u>.04</u> cfs	

ANNUAL VOLUME/
NATURE OF USES —

Use ✓

Volume Calculation	
<u>Mr.</u>	<u>2 x 3.0 =</u> af
<u>Star</u>	<u>.3</u> af
<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u> af
SUBTOTAL	<u>6.3</u> af

Flow rate .04 cfs X 245 days X 1.98 = 19.4 af
 Total volume recommended 6.3 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS — Watermaster Control WD# —
— GW Measurement/Measuring Device
299 Overlap
— Use-specific conditions 072
 Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A
 Adjustment Memo Star

1st Amend Letter N/A
 2nd Amend Letter N/A

Form 219
6/92
RECEIVED
JUN 12 1997
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Permit No. **96-08683**

A. GENERAL INFORMATION

1. Owner: Larry Morrell Phone No. (208)-437-3873
Current Address: PO Box 281 Priest River, ID. 83856
2. Accompanied by: Larry Morrell EXAM DATE: 5-15-97
Address: SAME AS ABOVE Phone No. SAME AS ABOVE
Relationship to Permit Holder: Permit Holder
3. Source: STRONG CREEK tributary to PEND DREILLE RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 96-02014
2. Other water rights with the same point of diversion: 96-02014

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
PD #1			NW	SW	28	56N	05W	Bonner	U.S.G.S. 7.5' QUAD; site visit

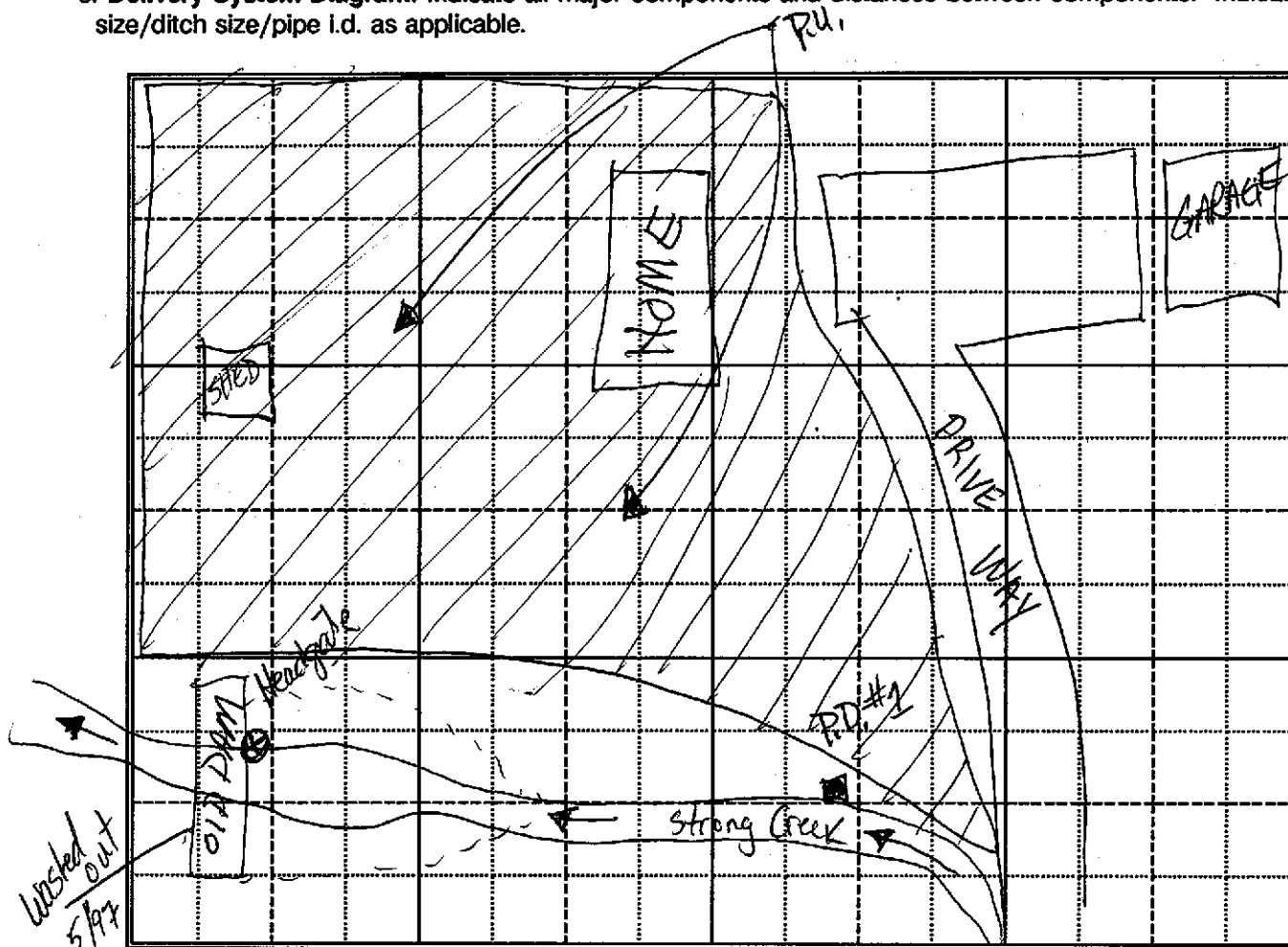
2. Place(s) of Use:

Indicate Method of Determination site visit

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	05W	28										2.0							2.0

MICROFILMED
JUL 18 1997

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well 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
P.D. #1	ME. Electric	1/3	1QDA8534DA7BW	Red Jacket (Trail Blazer)	FXE - 2 1/2"

*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:

** See Theoretical Calculations*

MICROFILMED

JUL 18 1997

DP-08P83

E. NARRATIVE/REMARKS/COMMENTS

System Consist of $\frac{1}{3}$ H.P. Red Jacket Pump with 1" intake line and $\frac{1}{2}$ " or $\frac{5}{8}$ " Garden Hoses for the Discharge Line IRRIGATED area is around the Home and shed. Area consist of Lawn & Garden.

* Headgate and DAM once controlled storage but spring of 1997 the DAM washed out. MR. Morrell does not know when he will be able to Reconstruct the DAM.

* Headgate structure is very old, Possibly is part of License # 96-02014. Under #96-2014 the creek was Locally Known as Smith Creek. The Morrell Home is built on an old Farmstead.

Recommend 2 acres of IRRIGATION only.

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

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III 18 1997

Additional Computation Sheets Attached

See Theoretical
Calculation

1. Volume Calculations for Irrigation:

Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{(2.0)(3.0) = 6.0 \text{ ACFT}}{1}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{(0.04)(214)(1.9835) = 16.98}{1}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \frac{6.0 \text{ ACFT}}{1}$$

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4-1	11-1	.04	6.0
Totals:			.04	6.0

☐ 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

Field Examiner's Name

Reviewer

Date _____

SEAL

MICROFILMED

JUL 18 1997

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 96-08683

DATE: 19-MAY-97

COMPLETE BY: HERM

HORSEPOWER = .34

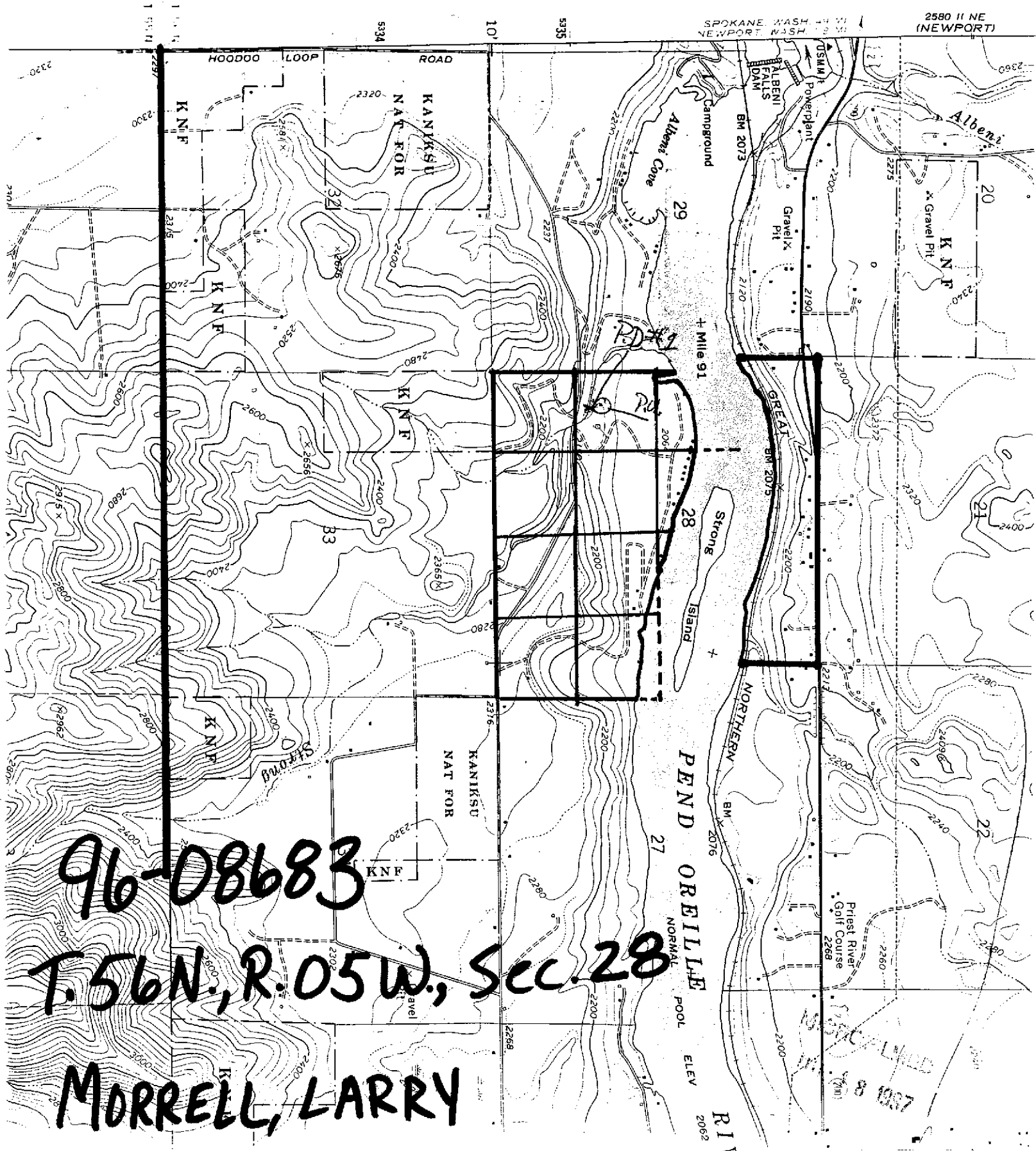
PUMP EFFICIENCY = 75%

DYNAMIC LIFT = 10 FEET

SYSTEM PRESSURE = 50 PSI

QUANTITY = 0.02 CFS

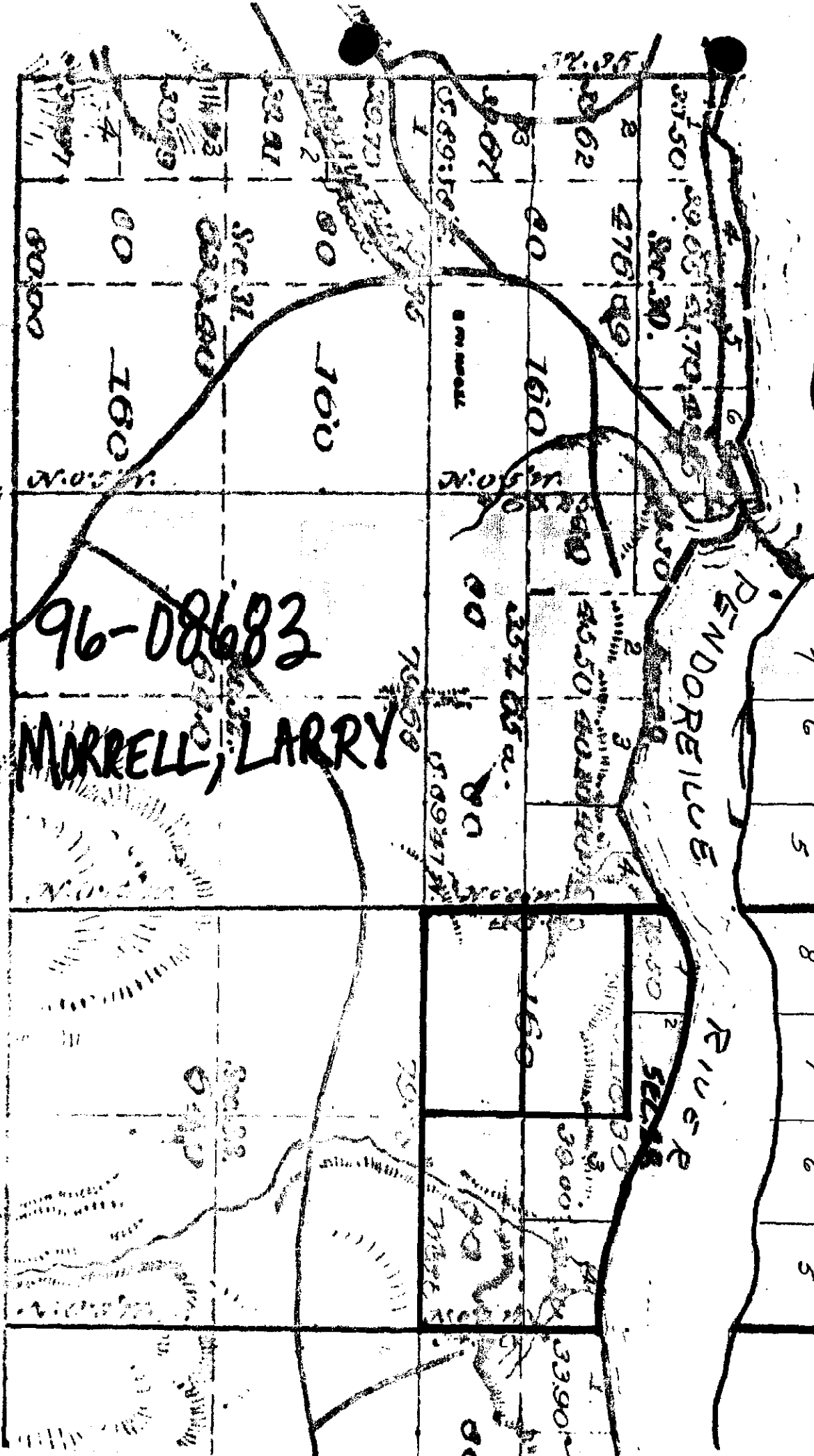
MICROFILMED
JUL 18 1997



96-08683
T. 56N., R. 05W., Sec. 28
MORRELL, LARRY

756N R5W - F

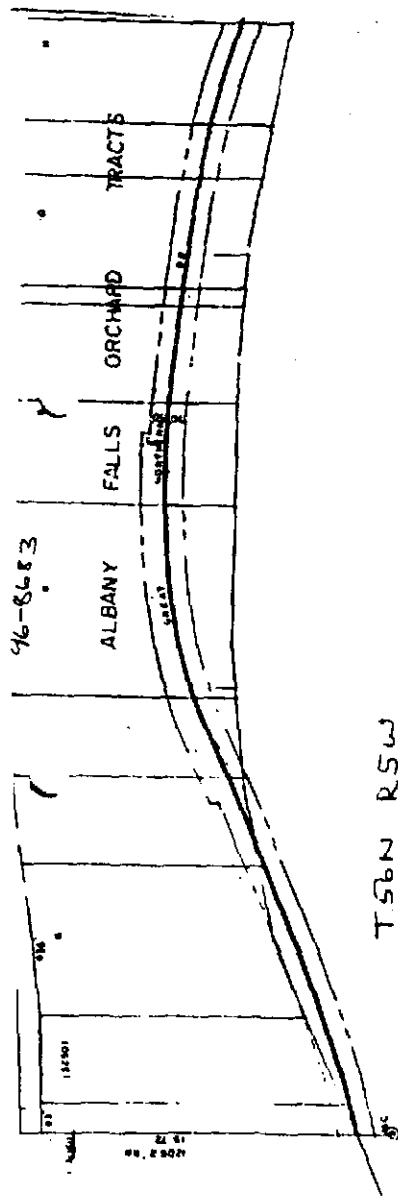
8	7	6	5	8	7	6	5
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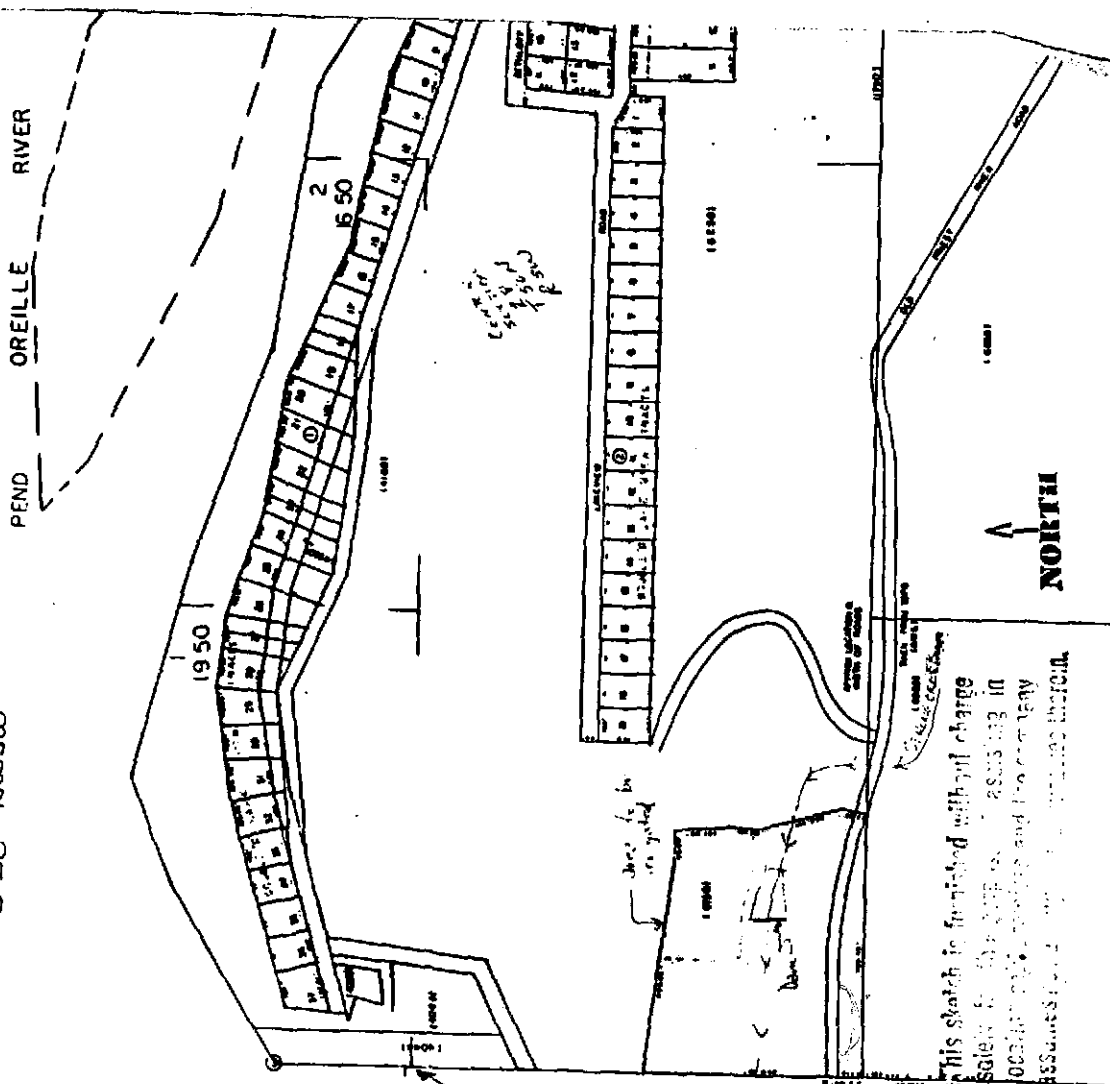
96-08683

MORRELL, LARRY

RECORDED
18 1957



T56N R5W
S28 N6SW



This sketch is furnished without charge
solely for the purpose of assisting in
locating the location and the primary
assessments and the same are to be used for the
purpose of the same.

APPLICATS MAP

RECORDED
JUN 18 1997

MORRELL, LARRY
96-08683

PERMIT #

96-08683

STATE OF IDAHO

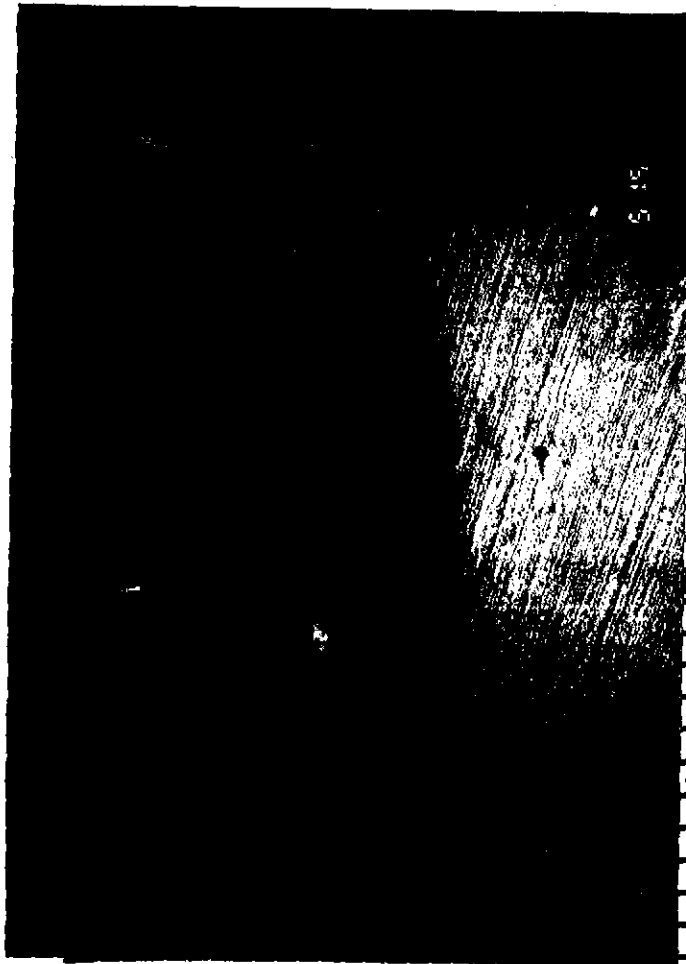
DEPT OF W

REPORT

0 0

Shunt Jacket 100' W

Old Head 3A 75



96-08683

PERMIT

STATE OF IN
T OF WAT
REPORT S
O T O G R

PLACE OF USE

IRIGATED AREAS



JUL 18 1996

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 96-8683 Reviewed by Py Date 2-3-94

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

☒ Surface water source
☐ Ground water source

☐ Drilling permit required?
☐ Copy in the file? Drilling Permit No. _____
☐ Amount paid for permit _____ Correct?
☐ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50.00 Amount Submitted
yes Correct?

MEASURING DEVICE

☐ Required?
☐ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

Date proof received			
Date proof due		-	
No. of days late		=	
Priority Date		+	
New Priority Date			

DEFICIENCIES OR ACTION ITEMS

*send back + request 50.00 exam fee.
3/31 - fee received, proof acceptable*

DATA ENTRY

New Address _____

Proof Made 3-31-94

March 31, 1994

LARRY MORRELL
P O BOX 281
PRIEST RIVER ID 83856

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 96-08683

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

MICROFILMED

JUL 18 1997

February 7, 1994

Larry E. Morrell
P.O. Box 281
Priest River, ID 83856

RE: Permit No. 96-08683

Dear Permit Holder:

Returned is the proof of beneficial use you submitted in connection with the above referenced permit. Unfortunately, it is unacceptable as filed.

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

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

As you can see, you do not meet requirement #1 since you use an unnamed stream (surface) for your source. Therefore, a license examination fee of \$50.00 applies to the permit. I have enclosed a copy of the Instructions for the Proof of Beneficial Use for your convenience.

Please return the original proof form along with the license exam fee by the proof due date of April 1, 1994.

If you have any questions or if I can be of any further assistance, please feel to contact me.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

MICROFILMED

JUL 18 1997

January 31, 1994

LARRY E MORRELL
PO BOX 281
PRIEST RIVER ID 83856

PROOF DUE NOTICE

RE: PERMIT NO. 96-08683

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 April 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.

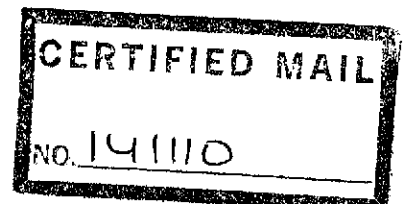
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JUL 18 1997





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

March 2, 1993

LARRY E MORRELL
PO BOX 281
PRIEST RIVER ID 83856

PERMIT APPROVAL NOTICE

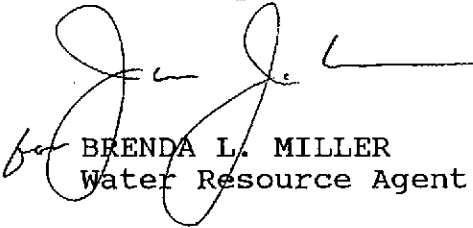
RE: PERMIT NO. 96-08683

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.

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,


for BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosures

UNRECORDED

JUL 07 1993

TO:

Gary S

FROM:

Blm

REC-VED
INTER-DEPARTMENT MEMO

DEC 10 1992

NORTHERN REGION
IDWR

SUBJECT:

DATE:

12-2-92

- Plz have some of your staff call the region & find out why we accepted this app for 1/2 miner's work to irrigate 2 acres.

- We either need to approve a greater rate for these or at least document the file why the rate was used & not a larger allowable one.

() For your information

() Response required

signature

PZJ

APPLICATION FOR PERMIT REVIEW

Application #: 96-8683 Date: 12-01-92 Reviewer: Brenda Miller BLM

SYSTEM COMPLETED:

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

GROUNDWATER:

GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)
 - NMR <fl ch>, A of C NONE
 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: - 01-03-1994 3-1-93

Other Conditions/Remarks: - 04-01-1994

Reason For Low Diversion Rate? None
 Sent to region Given

No. a
4/87-11/91n

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

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

APPLICANT: MORRELL By TDK DATE 2-3-92 APPLICATION # 96-8683

REQUIRED INFORMATION

- (1). ☒ Name and Address:
(2). ☒ Source:
(3). ☒ P. D. including county:
(4). ☒ Quantity:
 ☒ Nature of proposed use:
 ☒ Period of use:
(5). ☒ Total Quantity:
(6). ☒ Description of diverting works:
 ☒ Dam information requested
 or not required
(7). ☒ Time required for b/u
(8). ☒ Proposed uses:
(9). ☒ Place of use or acres irrigated:
(10). ☒ Other Water Rights:
(11). ☒ Ownership:
(13). ☒ Map:
 ☒ Signature:
 ☒ Fee: (Amt, recpt, acknowlegment)

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

☒ Proposed Priority 1 131 92
☒ In form for Advertising in the
 Quick Printers 2/19/92
County of BONNER 3/18/92

☒ Statewide advertising: (diversion
greater than (10cfs/1,000af)

SEND COPIES TO:

☐ USFS CdA	☐ USFS Oro	☐ USFS Grangville
☐ 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

INFORMATION RECEIVED

☐ Power information ☐ Dam information
☐ Fish Information

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

(Yes) (No)

Checked By _____

- ☐ 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 date of order response. _____
☒ Further information required from applicant:
☒ Affidavit of publication received:
☒ Application published correctly: If not, record action taken: _____
 Original not P/W section - had to re-sub. - released Mr. Dir. rate - u. sh.
☒ Publication dates and paper recorded on application:
☒ Protests received, Final date for protest 3/9/92 4/1/92 10/3/92
☐ Measuring device required:
☐ Measuring port required:
☐ Special conditions _____
☐ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: ASD
AB

RECEIVED
FEB 24 1993

Department of Water Resources
Date 10/23/92
2/12/93

Department of Water Resources

96-08683

MORRELL, LARRY E
PO BOX 281
PRIEST RIVER, ID 83856

Source: STRONG CREEK

Tributary: PEND OREILLE RIVER

Diversion Pt: NWSW Sec 28 T 56N R 05W in BONNER County.

Use: IRRIGATION (.010 CFS)

IRRIGATION STORAGE

(.38 AF)

Total Diversion: (.010 CFS)

Mr. from Arizona
Date Filed: 1/31/1992

(.38 AF)

In: BONNER County
T56N R05W S28

NWSW

2.0 ACRES TOTAL

*Added on
computer
1/29/92*

INDEXED

JUL 07 1993

February 2, 1992

MR LARRY E MORRELL
PO BOX 281
PRIEST RIVER ID 83856

Re: Water Appropriation Application # 96-8683

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, as well as the required appropriation filing fee, for which your Receipt is enclosed. 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 you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

Tom D. King
Sr. Water Resource Agent

Enc: Receipt

RECORDED

JUL 07 1993