

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 27 1990

Department of Water Resources

A. GENERAL INFORMATION

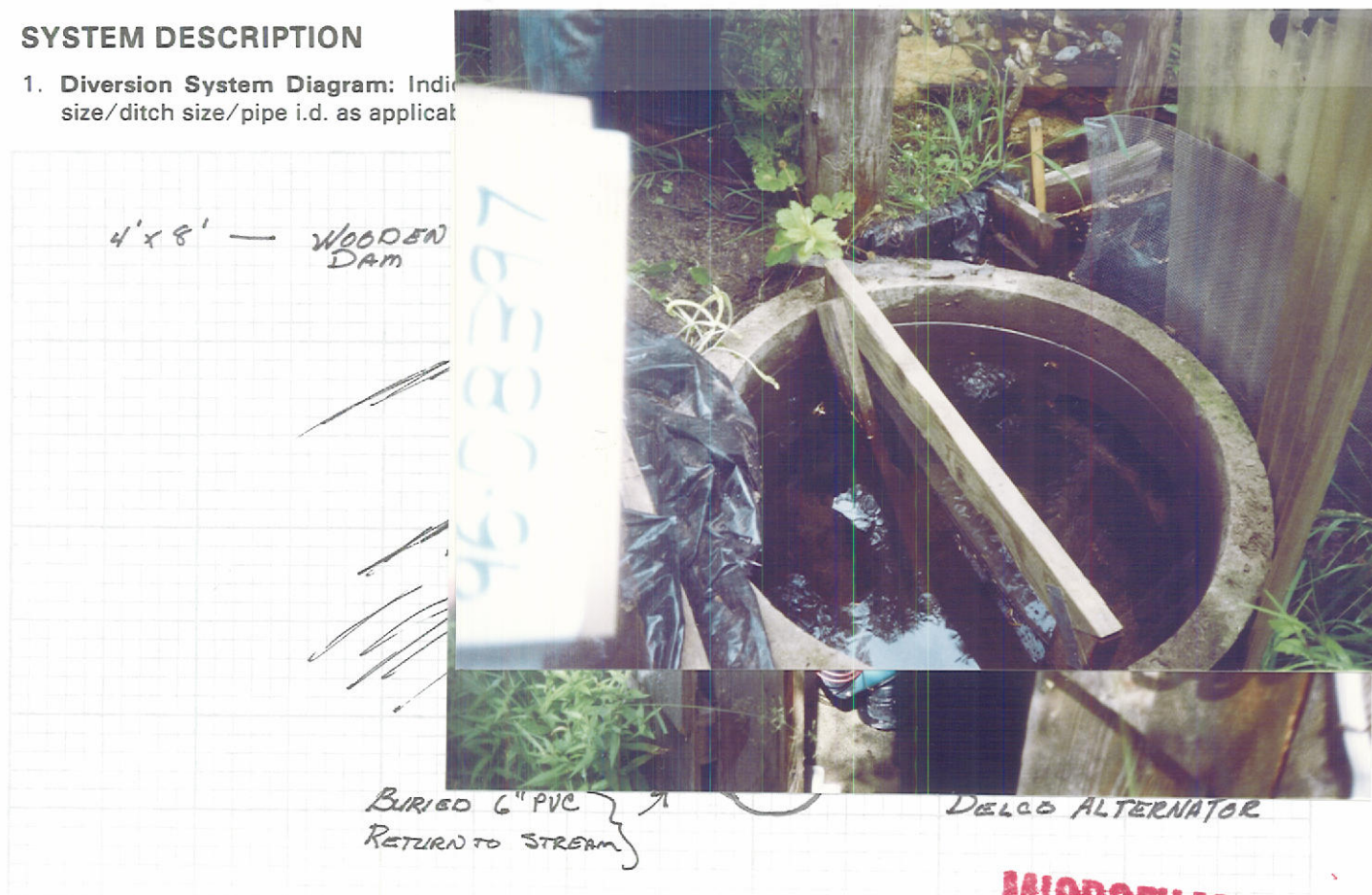
1. Owner: RICHARD WENBORNE / NOREEN PHILLIPS Permit No. 96-08397
Current Address: 9465 RAPID LIGHTNING CR. RD. SANDPOINT, ID. 83864 Phone No. 263-1497
2. Accompanied by: N. PHILLIPS EXAM. DATE: 4/17/90
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: UNNAMED STREAM tributary to FLUME CREEK

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate size/ditch size/pipe i.d. as applicable



Scale: 1" = NTS

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached PHOTOS BY CHARLOTTE AMON (required for all but single household domestic groundwater, and stockwater).

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JUL 07 1993

JUN 27 1990

BENE

- ## B. OVERLAP REVIEW

- ### C. SYSTEM DESCRIPTION

-

Scale: 1" = NTS

2. ☒ Copy of U.S.G.S. 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 or more). JUL 07 19
☒ Photo of Diversion and System Attached *PHOTOS BY CHARLOTTE AMON*
(required for all but single household domestic groundwater, and stockwater.)

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STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCESNORTHERN REGION
JUL 16 1998

JUL 20 1998 NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

DEPARTMENT OF WATER RESOURCES print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

1. Water Right No(s).:

See attached documents

Adjudication Claim No(s).:

96-08037 96-08397 96-08630

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

Richard K. Wenborne / Noreen Phillips329 Wilson StTipton, IN 46072 ph 765 675-7211

4. New Owner/Claimant(s)

Terry A. & Martha H. Graybeal

New Mailing Address

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or7921 Ingram St.

City, State and ZIP Code

Anchorage, AK 99502

New Telephone Number

(907) 243-3738

5. Date you acquired the property

1 May 98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate see attach Number and type of stock see attach

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

Terry A. & Martha H. Graybeal 11 Jul 98
Martha H. Graybeal 11 Jul 98

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

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APR 15 1999



418550
523226
INSTRUMENT NO.

AFTER RECORDING MAIL TO: WARRANTY DEED THE GRANTEE

For Value Received RICHARD K. WENBORNE and NOREEN E. WENBORNE, husband and wife

The grantor(s), do(es) hereby grant, bargain, sell and convey unto TERRY GRAYBEAL and MARTHA H. GRAYBEAL, husband and wife

the grantee(s), whose current address is 7921 Ingram St, 13100 111 13100

the following described premises, in Bonner

County Idaho, to

See Exhibit A Attached hereto and made a part hereof.

Assessor's Parcel No:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances except specific matters of record as shown above,

and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: 4-21-98

x Richard K. Wenborne by Noreen E. Wenborne x Noreen E. Wenborne
RICHARD K. WENBORNE Attorney in Fact NOREEN E. WENBORNE

STATE OF Idaho
COUNTY OF Bonner

On this 21st day of April 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Noreen E. Wenborne

known or identified to me to be the person(s) whose names is/are subscribed to the within instrument and acknowledged to me that he executed the same.

Lisa Huwight
Notary Public in and for said County and State

Residing at: Sage
Commission Exp: 2/30/99

RECORDING DATA:

908 MAY - 1 P 4: 21
CLERK OF COUNTY RECORDER
DEPUTY

MICROFILMED

APR 15 1999

EXHIBIT "A"

IN THE STATE OF IDAHO, COUNTY OF BONNER

PARCEL 1:

The Northeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 12, Township 58 North, Range 1 East, Boise Meridian, Bonner County, Idaho.

PARCEL 2:

The West Half of the Southwest Quarter of the Southeast Quarter of Section 12, Township 58 North, Range 1 East, Boise Meridian, Bonner County, Idaho.

SUBJECT TO AND TOGETHER WITH a 30 foot non-exclusive easement over all existing roads.

SUBJECT TO:

GENERAL TAXES FOR THE YEAR 1998, A LIEN IN THE PROCESS OF ASSESSMENT, NOT YET DUE OR PAYABLE.

EASEMENT AND CONDITIONS CONTAINED THEREIN:

RECORDED: APRIL 17, 1978
INSTRUMENT NO.: 198893
BOOK/PAGE: 71 OF MISCELLANEOUS
IN FAVOR OF: DANIEL M. JONES AND ELENE T. JONES,
HUSBAND AND WIFE
FOR: INGRESS AND EGRESS
AFFECTS: SUBJECT PROPERTY

EASEMENT AND CONDITIONS CONTAINED THEREIN:

RECORDED: APRIL 24, 1978/MAY 4, 1978
INSTRUMENT NO.: 199610
BOOK/PAGE: 72 OF MISCELLANEOUS
IN FAVOR OF: ROBERT J. STAPLETON, A SINGLE PERSON
FOR: INGRESS AND EGRESS
AFFECTS: SUBJECT PROPERTY

RESTRICTIONS AND/OR EXCEPTIONS CONTAINED IN INSTRUMENT:

RECORDED: APRIL 2, 1980
INSTRUMENT NO.: 226506

WARRANTY DEED
18550EXA/PAGE 2

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APR 15 1999

1523
EASEMENT DISCLOSED BY INSTRUMENT AND CONDITIONS CONTAINED
THEREIN:

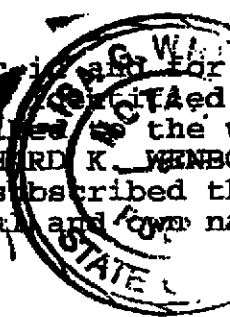
IN FAVOR OF: SUE KATHERINE GAITHER, A SINGLE WOMAN
FOR: INGRESS, EGRESS AND UTILITIES OVER,

UNDER AND ACROSS THE EXISTING ROAD OVER PROPERTY
DESCRIBED AS THE NORTHEAST QUARTER OF THE SOUTHEAST
QUARTER OF THE SOUTHWEST HALF OF SECTION 12

AFFECTS: PARCEL 1
DISCLOSED BY: QUITCLAIM DEED
RECORDED: AUGUST 31, 1982
INSTRUMENT NO.: 259444

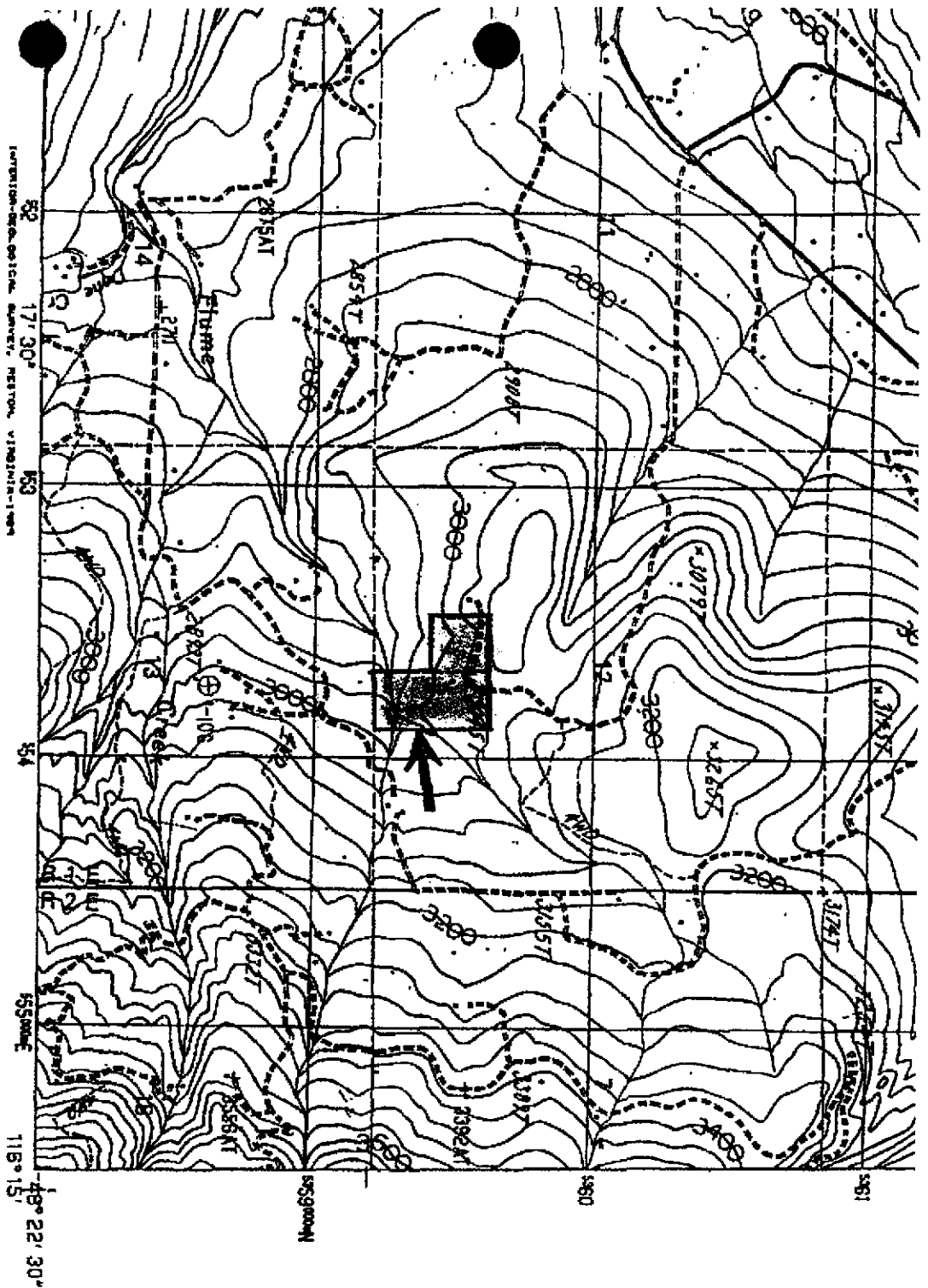
STATE OF IDAHO)
) SS
COUNTY OF BONNER)

On this day of 1998, before me, the
undersigned, a Notary Public in and for said State, appeared
NOREN E. WENBORNE, known or identified to me to be the
person whose name is subscribed to the within instrument as
the Attorney in Fact of RICHARD K. WENBORNE, and
acknowledged to me that he subscribed the name of RICHARD K.
WENBORNE thereto as principal and own name as Attorney in
Fact.


Risa H. Wright
Residing at: SAGLE
Commission expires: 2/20/99

WARRANTY DEED
18550EXA/PAGE 3

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APR 15 1999



QUADRANGLE LOCATION



ROAD LEGEND

Improved Road
 Unimproved Road
 Trail

○ Interstate Route □ U.S. Route ○ State Route

WYLIE KNOB, IDAHO
 PROVISIONAL EDITION 1989

CURVACY STANDARDS
 VER. COLORADO 8025
 92

EET

3048
 12808

1	2	3	4	5	6	7	8
1	2	3	4	5	6	7	8
1	2	3	4	5	6	7	8
1	2	3	4	5	6	7	8
1	2	3	4	5	6	7	8
1	2	3	4	5	6	7	8
1	2	3	4	5	6	7	8
1	2	3	4	5	6	7	8

ADJOINING 7.5' QUADRANGLE NAMES

MICROFILMED
 APR 15 1999

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08397

Priority: May 18, 1984

Maximum Diversion Rate: 0.10 CFS
Maximum Diversion Volume: 72.4 AF

This is to certify, that RICHARD K WENBORNE
NOREEN PHILLIPS

9465 RAPID LIGHTNING CREEK RD
SANDPOINT ID 83864

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 18, 1984; and has submitted Proof of Beneficial Use on July 18, 1988. An examination indicates that the works have a diversion capacity of .100 cfs of water from:

UNNAMED STREAM

tributary to FLUME 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>
POWER	01/01 to 12/31	0.10 CFS	72.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 12, Township 58N, Range 01E
BONNER County

PLACE OF USE: POWER
TWN RGE SEC

58N 01E 12 SWSE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.

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JUL 07 1993

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 96-08397

CONDITIONS/REMARKS:

6. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
7. Use of water under this right is subordinated to future diversion of water for irrigation or other consumptive beneficial uses.
8. The diversion and use of water under this right and any license subsequently issued is subject to review by the Director thirty-five (35) years from the date of issuance of this right. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
9. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
10. The water right confirmed in this license 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 license 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 license.

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 4TH day of JUNE, 1993.

Acting for Norman C. Young
R. Keith Higginson, Director

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JUL 07 1993

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JUL 22 1988

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

RECEIVED
1988

For Office Use Only
Fee Received 0.00
Date 7/18/88
Receipt # N572
Receipt by [Signature]
Reviewed by [Signature]
Sent to region 9

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

Permit No. 96-8397

Name(s) of Permit Holder: RICHARD K. WENBORNE and NOREED PHILLIPS

Post Office Address: 9465 RAPID LIGHTNING CREEK RD

SANDPOINT, ID 83864

Telephone No. 263-1497

Source of Water: Unnamed creek which is a tributary of Flume Creek

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark Hydro Power

from 1-1 thru 12-31 (constant flow)

Total rate and/or volume for which proof is submitted 0.1 CFS cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: unknown (possibly 7/84)

Measuring Device: Required? Yes X No
Installed? Yes X No

Fee enclosed \$ 50.00
(See License Examination Fee Schedule)

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

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

RICHARD WENBORNE OR NOREEN PHILLIPS
(Name)

263-1497
(Telephone Number)

9465 RAPID LIGHTNING CREEK RD SANDPOINT, ID 83864
(Address)

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.

OCT 17 1988

7/7/88
Date

[Signature] / Noreen Phillips
Signature of Permit Holder (and title, if appropriate)

ENCLOSED CHECK # 353 - \$50 7/8/88

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	96-8397	Tajan, Joseph M. Cynthia N.	0.1
Full Assignment	96-8397	Wenborne, Richard K. Phillips, Noreen	0.1

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MAR 07 1988

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Form 205/206
4/85

NOV 09 1987

State of Idaho
Department of Water Resources

Water Right No. _____

**AFFIDAVIT FOR WATER RIGHTS TO BE USED
FOR POWER PURPOSES**

Department of Water Resources

A. Establishment of Residency: (Complete either 1, or 2).

1. Individual Applicant or Individual Members of a Partnership:

I, RICHARD K. WENBORNE and/or NOREEN PHILLIPS of SANDPOINT,
(name) (city),

County of BONNER, State of Idaho, being duly sworn, do hereby
certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, _____ of _____,
(name) (city),

County of _____, State of Idaho, being duly sworn, depose
and say: That I am the designated registered agent of the _____

_____ : that as such I am in charge of the registered office
(name of corporation)

of the said corporation as required by Section 30-1-12, Idaho Code, at _____
(city)

Idaho, wherein are kept the corporate records required by Section 30-1-52, Idaho Code: and that _____

_____ is a corporation qualified to do business in the State of Idaho under the laws
(name of corporation)
of the State of Idaho.

B. Ownership of Facilities: (To be completed for hydropower projects only)

The hydropower facility to be developed pursuant to the attached Application for Permit:

- (check one)
- ☐ Will not utilize existing man-made irrigation facilities such as a dam or a canal.
 - ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.
 - ☒ Will utilize existing man-made irrigation facilities such as a dam or a canal, and the owner of the facilities is the signee of this affidavit.

Richard K. Wenborne Noreen Phillips
Applicant

State of Idaho }
County of BONNER } ss.

On this 3 day of NOVEMBER, 1987, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Lee Mahler
Notary Public residing at

seal

SANDPOINT

MICROFILMED

My commission expires:

1-28-91

MAR 07 1988

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AUG 03 1987

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED

Department of Water Resources

I, Cynthia N. Tajan hereby assign to RICHARD K. WENBORN of 9465 RAPID LIGHTNING CREEK RD, SANDPOINT, IDAHO 83864
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 96-8397
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 28 day of July, 19 87.

Cynthia N. Tajan
Permit Holder

Cynthia N. Tajan
Spouse of Permit Holder

State of Idaho)
County of Bonner) ss.

On this 28 day of July, 19 87, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that ~~they (sic)~~ (they) executed the same.

seal

Nancy D. Ward
Notary Public residing at

Sandpoint

My commission expires:
9-25-92

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MAR 07 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Joseph M. Tajan or Cynthia N. Phone 263-0821

Post office address Box 9465 Rapid Lightning Creek Rd. Sandpoint, Id 83864

2. Source of water supply Unnamed Creek which is a tributary of Flume Creek

3. Location of point of diversion is W²SW 1/4 of S E 1/4 of Section 12 Township 68N

Range 1E B.M. BONNER County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.12^{cfs} for Power purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 0.1 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. water comes into a 6" intake goes through a 6" plastic pipe for 200', with a drop of 18". Passes through a power head w/ 4 amps

b. Height of storage dam 3' feet, active reservoir capacity 300 gal acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: concrete well casings

Period of year when water will be diverted to storage constant to flow 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: SW 1/4 of SE 1/4 of Section 12 Township 58N

Range 1E B.M. * At 80% efficiency, assume 0.12 kw. 200' @ 18" drop 6" pipe

(2) Amount of power to be generated: 4 Amps horsepower under _____ feet of head.

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

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

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

[illegible]

Total number of acres to be irrigated

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

9. a. Who owns the property at the point of diversion App

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

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

10. Remarks



+
 P.D.
 P/4

x Joseph M. Tajan
(Applicant)

Proposed Priority 5/18/84

Received by Mr Date 5/18/84 Time 1:00 P.M.

Preliminary check by CGH Fee \$ 30.00

Received by JK (202) Date 5/21/84 (31516)

Publication prepared by Mr Date 5/24/84

Published in Sandpoint Bee

Publication dates 5/30 & 6/6/84

Publication approved Mr Date 6/15/84

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by BJA kw

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. 96-8397, and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 89.

- 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.
- Other:

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.

This permit is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.

Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

Use of water under this permit is subordinated to future diversion of water for irrigation or other consumptive beneficial uses.

The diversion and use of water under this permit and any license subsequently issued is subject to review by the Director thirty (30) years from the date of issuance of this permit. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

This permit does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

Witness my hand this 23rd day of July, 1984.

J. Glen Saxton
Chief, Operations Bureau
DRT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AFFIDAVIT FOR WATER RIGHTS TO BE USED
FOR POWER PURPOSES

RECEIVED
DEC 5 1983

Department of Water Resources
Northern District Office

A. Establishment of Residency: (Complete either 1, or 2).

1. Individual Applicant or Individual Members of a Partnership:

I, Joseph M. Tajan (name) of Sandpoint (city)

county of Bonner, State of Idaho, being duly sworn, do hereby certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, _____ (name) of _____ (city)

County of _____, State of Idaho, being duly sworn, depose and say: That I am the designated registered agent of the _____

_____ (name of corporation): that as such I am in charge of the registered

office of the said corporation as required by Section 30-1-12, Idaho Code, at

_____ Idaho, wherein are kept the corporate records required

by Section 30-1-52, Idaho Code: and that _____ (name of corporation)

is a corporation qualified to do business in the State of Idaho under the laws of the State of Idaho.

B. Ownership of Facilities: (To be completed for hydropower projects only)

The hydropower facility to be developed pursuant to the attached Application for Permit:

(check one)

☐ Will not utilize existing man-made irrigation facilities such as a dam or a canal.

☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.

☒ Will utilize existing man-made irrigation facilities such as a dam or a canal and the owner of the facilities is the signee of this affidavit.

State of Idaho
County of Bonner) ss.

Joseph M. Tajan
Applicant

On this 29th day of NOVEMBER, 19 83, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Samuel Carmichael
Notary Public residing at
Boise, ID

My commission expires:

Life

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1501 North Orchard Street
Boise, Idaho 83706-2237

RETURN SERVICE
REQUESTED

W.A.

WR 96-08037
96-08397
96-08630

*4.30.99 WR2 updated
PRESORTED
MAIL PERMIT FIRST CLASS*

APR 15 1999
RECEIVED
APR 28 1999
Department of Water Resources

GRAY921 995023003 1A98 08 04/20/99
RETURN TO SENDER
GRAYBEAL
3225 WILEY POST LOOP
ANCHORAGE AK 99517-2322
RETURN TO SENDER

995023003 02
AUTO 53502





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

April 15, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TERRY A GRAYBEAL
MARTHA H GRAYBEAL
7921 INGRAM ST
ANCHORAGE AK 99502

RE: Water Rights 96-08037/96-08397/96-08630

Dear Mr. & Mrs. Graybeal:

The Department is in receipt of the correspondence changing ownership of the above referenced water rights to you. We have modified our records to reflect these changes in ownership and computer generated reports are enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED

APR 15 1999



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

June 7, 1993

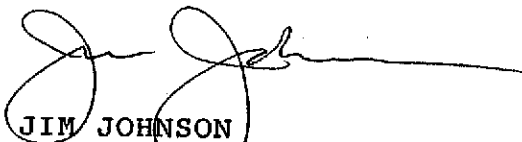
RICHARD K WENBORNE
NOREEN PHILLIPS
9465 RAPID LIGHTNING CREEK RD
SANDPOINT ID 83864

RE: WATER RIGHT NO. 96-08397

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

MICROFILMED

JUL 07 1993

DATE: 06/01/93
PAGE: 1

Stage: LICENSE

08A - This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.

09E - Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

17C - Use of water under this right is subordinated to future diversion of water for irrigation or other consumptive beneficial uses.

17F - The diversion and use of water under this right and any license subsequently issued is subject to review by the Director thirty-five (35) years from the date of issuance of this right. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

025 - This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

WR0749NP
No. L96-08397

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 06/01/93
PAGE: 2

=====

Dates:	App. Received:	05/18/1984	Priority Date:	05/18/1984
	Proof Due Date:	07/01/1989	Proof Made Date:	07/18/1988
	Exam Made Date:	06/14/1990	Exam Sent to S.O.:	06/25/1990
	Licensed Date:			

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 06/01/93 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 96-8397

Date 5-27-93

Brenda Chapman

NAME Yes No ✓ Address Change? _____

PRIORITY DATE _____ ✓ Advance? _____
_____ ✓ Memo to Advance _____
_____ ✓ Order to Reinstate Needed? _____

TOTAL CFS _____ ✓ Incorrect Fee for rate recommended? _____
_____ ✓ Measurement Done Power Calculation?
-NA- Pumping Theoretical $(8.8) \times () \times (.7)$
 $(+ [2.31 \times])$
_____ ✓ System Capacity .10
Allowable Amount: Permitted + Capacity .10 CFS

TOTAL VOLUME _____ Rate/ac _____ AFA _____ Irr. Season _____
_____ Standard Irr. Season _____
_____ Season Recommended _____
_____ ✓ Disagree with Examiner's Calculations? _____
_____ ✓ Flow limit: .10 x 365 x 1.9835
.10 x 365 x 1.9835 = 72.4 AF

SOURCE _____ ✓ Changes? _____ Clarification of Originally
_____ Intended source _____
_____ ✓ Notice of Intent to Void. _____

P/D _____ ✓ Amendment Needed? _____
_____ ✓ Overlap Analysis a Consideration? _____

P/U _____ ✓ Amendment Needed? _____
_____ ✓ Overlap Analysis for 5+ Acres Needed? _____

USES _____ ✓ Change(s) in Nature of Use? _____
_____ ✓ Amendment Needed? _____

REMARKS _____ ✓ Multiple P/Ds in 1/4 1/4? _____
_____ ✓ Non-Irr. Uses POWER _____
_____ ✓ Special Overlap Condition _____
_____ ✓ Other _____

CONDITIONS _____ ✓ Measuring Devices _____ Dates/Misc _____
_____ ✓ W/Master Control _____ NO Water Dist _____
_____ ✓ Standard/Irr/Overlap _____ ✓ App Rec'd _____
✓ one on Water Quality _____ ✓ Exam Made _____
permit

COMMENTS: Depending on calculations used, the system may or may not provide enough flow to produce 4 amps of power. However, we will issue the license for the maximum permitted amount.

LICENSE ✓ AMEND _____ SPECIAL PARAGRAPH _____

COMMENTS: Depending on calculations used, the system may or may not provide enough power to produce 4 amps of power. However, we will issue the license for the maximum permitted amount.

LICENSE ✓ AMEND SPECIAL PARAGRAPH ✓

L

EVALUATION OF WATER FLOWS FOR HYDRO POWER GENERATION

Permit No. 96-08397

FORMULAS:

$$P = e \cdot Q \cdot H / 11.8$$

$$e = P \cdot 11.8 / Q \cdot H$$

GIVEN;

Size of generator (amps produced) 4 amps
watts = amps * 110 440 watts
kilowatts = watts/1000 0.44 kilowatts

Head in terms of drop of elevation 18 feet

Generator efficiency = 0.8 percent

FIND

Amount of water needed to produce "X" amps

SOLUTION:

$$Q = P \cdot 11.8 / H \cdot e$$

Amount of flow necessary to provide 4 amps:

0.36 cfs

162 gallons per minute

Amount of Power Generated with Permitted Flow:

INPUT:

Q = 0.1 cfs
Head = 18 feet
Efficiency 0.8 percent

SOLUTION:

$$P = e \cdot q \cdot h / 11.8$$

$$P = 0.12 \text{ kilowatts}$$

CONCLUSION:

There is not enough permitted flow to provide the .44 kilowatts of power.

JUL 07 1993

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 27 1990

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: RICHARD WENBORNE/NOREEN PHILLIPS Permit No. 96-08397
Current Address: 9465 RAPID LIGHTNING CR. RD. SANDPOINT, ID. 83864 Phone No. 263-1497
2. Accompanied by: N. PHILLIPS EXAM. DATE: 4/17/90
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: UNNAMED STREAM tributary to FLUME CREEK

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate size/ditch size/pipe i.d. as applicable

4'x8' — WOODEN DAM

BURIED 6" PVC
RETURN TO STREAM

DELCO ALTERNATOR

MICROFILMED

Scale: 1" = 25 FT

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached PHOTO'S BY CHARLOTTE AMON (required for all but single household domestic groundwater, and stockwater).

JUL 07 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN 27 1990

BENI

A. GENERAL INFORMATION

- Owner: RICHARD WENDT
Current Address: 9465 RA
- Accompanied by: N. FA
Address: _____
Relationship to Permit Holder: _____
- Source: UNNAMED STREAM

B. OVERLAP REVIEW

- Other water rights with same place

- Other water rights with same point

C. SYSTEM DESCRIPTION

- Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

4' x 8' — WOODEN DAM

BURIED 6" PVC
RETURN TO STREAM

DELCO ALTERNATOR

Scale: 1" = FTS

- ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☒ Photo of Diversion and System Attached PHOTO'S BY CHARLOTTE AMON
(required for all but single household domestic groundwater, and stockwater).
- ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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JUL 07 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN 27 1990

BENI

A. GENERAL INFORMATION

1. Owner: RICHARD WENDE
Current Address: 9465 RE
2. Accompanied by: N. F.
Address: _____
Relationship to Permit Holder: _____
3. Source: UNNAMED STREAM

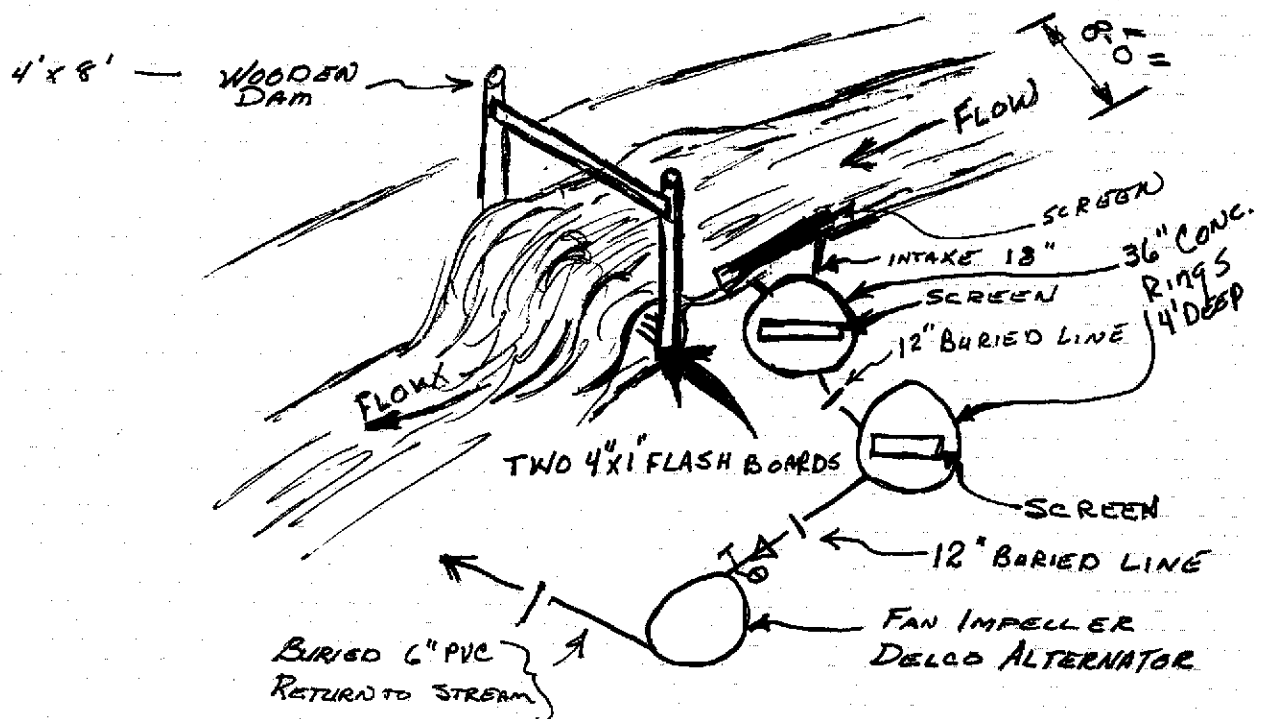
B. OVERLAP REVIEW

1. Other water rights with same place

2. Other water rights with same point

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indi
size/ditch size/pipe i.d. as applicable.



MICROFILMED

Scale: 1" = NTS

2. ☒ Copy of U.S.G.S. 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 or more).
- ☒ Photo of Diversion and System Attached PHOTOS BY CHARLOTTE AMON
(required for all but single household domestic groundwater, and stockwater).

JUL 07 1993

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

A 4 foot X 8 foot wooden dam with two 4 inch flash boards in stream, diverts water into a screened 18 inch square opening in a 36 inch concrete ring which is installed vertically to a depth of 4 feet. A screened 12 inch buried pipe conveys the water from the first ring to a second concrete ring similarly installed. The water is again screened and then a 12 inch buried pipe conveys the water to a fan impelled Delco Alternator. The water is then returned to the stream by means of a 6 inch buried PVC.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
GRAVITY					

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SE	12	58N	1E	BONNER	MAP

6. Place(s) of Use:

Indicate Method of Determination *MAP*

Twp.	Rge.	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	
58N	1E	12															P		

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

$$\left(\frac{.463}{.009}\right) (1)^{2.667} \sqrt{\frac{18}{200}} = 15.43 \text{ cfs}$$

$$\left(\frac{.463}{.009}\right) (.83)^{2.667} \sqrt{\frac{18}{200}} = 9.38 \text{ (UNSURE OF SIZE 10" OR 12")}$$

$$2" \text{ NOZZLE INTO ALTERNATOR } \left(\frac{.463}{.009}\right) \left(\frac{2}{12}\right)^{2.667} \sqrt{\frac{18}{200}} = 0.13 \text{ cfs}$$

$$Q = \frac{P(11.8)}{H \cdot E} \therefore \frac{(0.05 \text{ KW})(11.8)}{(12)(.30\%)} = 0.1 \text{ cfs}$$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

$$.1 (365) 1.9835 72.4 \text{ AF}$$

JUL 07 1993

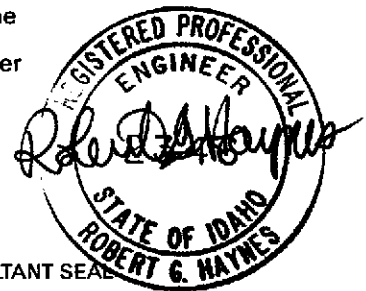
1000

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
POWER	1-1	12-31	0.10 cfs	72.4 AF
Totals:			0.10 cfs	72.4 AF

☒ 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 Tom D. King
Signature Tom D. King
Certification Date 2/17/89
Field Report Preparation Date 4/19/90

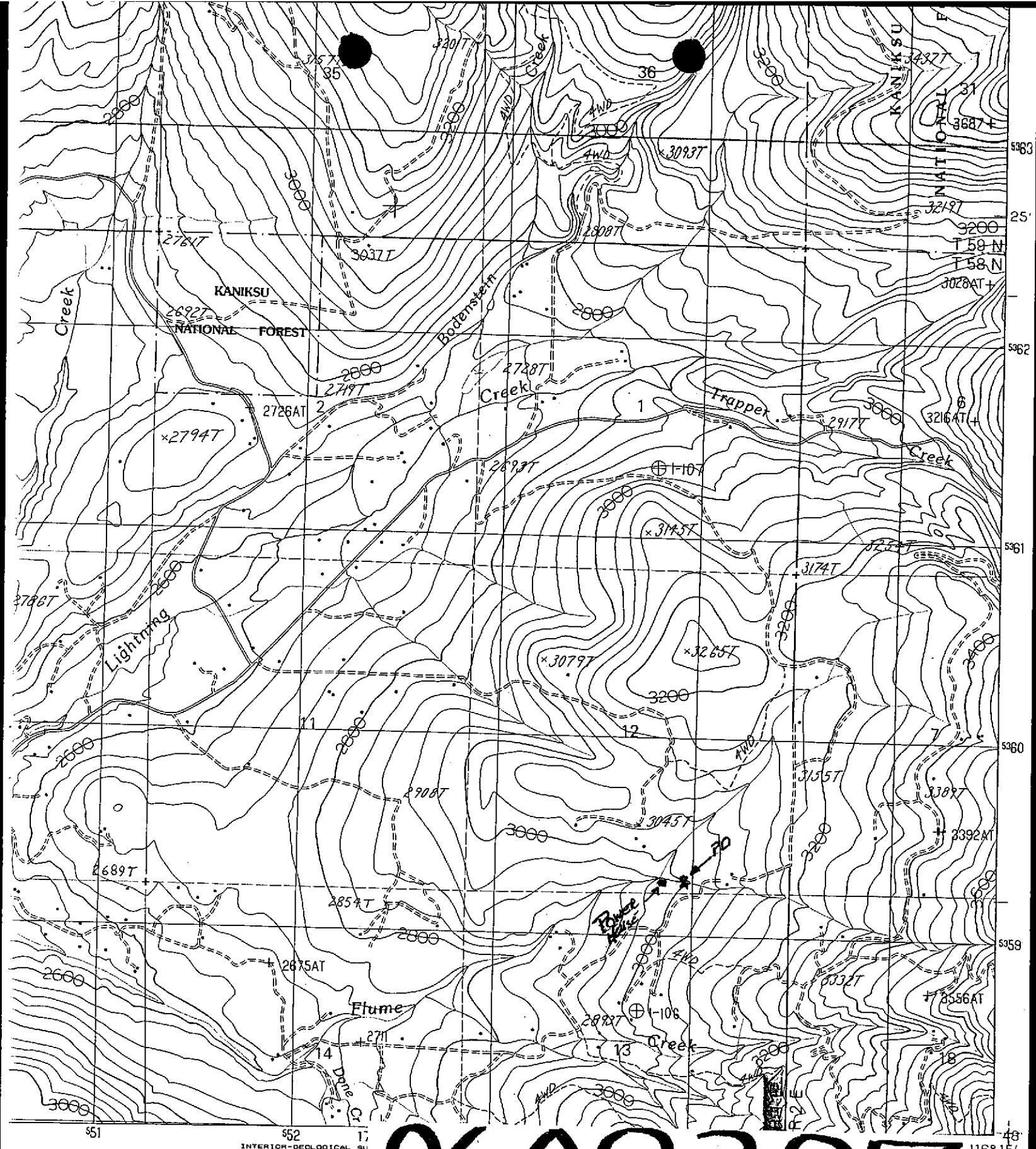


CONSULTANT SEAT

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

JUL 07 1993



SCALE 1:24 000

INTERIOR-DEOLOGICAL SU

KILOMETERS

3

METERS

1000

5

MILES

FFET

ITED

9608397
TSBN RIE SEC 12

T38N R1E SEC 12

JUL 07 1993

rate

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 96-8397

Name(s) of Permit Holder(s): Joseph M / Cynthia N. Tajan

Post Office Address: 9465 Rapid Lightning Rd.

Sect 1A 83864 Tel. No. 263-8707

☐ I hereby certify that construction of diversion works for the above referenced permit began on May 10, 1985 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

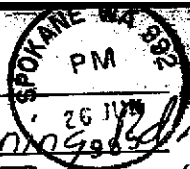
☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason: beyond my control*

*Note: A financing difficulty is not an acceptable reason.

6-24-85
Date

Cynthia N. Tajan
Signature of Permit Holder

TAS-1
9465 Rapid Lightning Rd.
Sandpoint, Id. 83864



RECEIVED

JUN 28 1985



IDAHO DEPARTMENT OF WATER RESOURCES
Department of Water Resources
SPRINT HOUSE
BOISE, IDAHO 83720



NOT POSTED

JUL 07 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

November 4, 1988

Mr. Richard Wenborne
9465 Rapid Lightning Ck. Rd.
Sandpoint, Id. 83864

Re: 96-8397

Dear Permitholder:

We acknowledge receipt of your statement of completion of water development use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination; however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in all future correspondence concerning this examination.

Sincerely,

/s/
TOM D. KING
Senior Water Resource Agent

TDK/pms

MICROFILMED

JUL 07 1993

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 96-8397

Date: 8-18-88

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
Y Proof received timely
_____ Reinstated

Source of Water:

Y Surface water
Y Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

N/A Is a measuring device or access port required?
N/A Has one been installed?
Y Waiver or modification of measuring device requested

Remarks:

Y *Proof acceptable*

N/A Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	+ _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

A. KEITH HIGGINSON

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

September 18, 1987

RE: Permit No. 96-8397

Richard K. Wenborne &/or Noreen Phillips
9465 Rapid Lightning Creek Rd.
Sandpoint, ID 83864

Dear Mr. Wenborne & Ms. Phillips:

The Department is in receipt of an assignment of the above referenced permit changing ownership of the water permit to you.

Before we can formally change our records reflecting the ownership change we must be in receipt of an affidavit stating that the new owner is established to do business in Idaho in accordance with the provisions of Section 42-205, Idaho Code.

Please complete and return the enclosed affidavit.

If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

MAR 07 1988

Permit No. 96-8397

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? Yes
 2. Notary? Yes
 3. a. Full Assignment? Yes
b. Partial Assignment?
 4. "No assignment" condition on permit? NO
 5. Commencement of Works received?
 - a. Commencement of works requested?
 - b. Show Cause Order drafted & sent?
 - c. Cancellation necessary?
 6. Affidavit of residency required? Yes - NOT YET REC'd
 7. Extension granted due to litigation? REC'd 11-9-87
(If yes, commencement of works is not required.)
-
1. Type permit summary sheet. Shavla
 2. Coding sheet. #1
 3. Acknowledgement letter type. Ass Request / ~~spec~~ combo
 4. Copy to region.

Date 11-16-87

Employee Jim

April 27, 1987

Joseph M. or Cynthia N. Tajan
9465 Rapid Lightning Rd.
Sandpoint, ID 83864

Dear Mr. and Mrs. Tajan:

Re: Permit No. 96-8397

Returned is the proof of beneficial use form submitted to this office on March 31, 1987.

In 1986, legislation provided that a fee shall be charged to complete field inspections for water right permits using more than 0.04 cfs. This legislation also provided for the permit holders to hire a certified water right examiner instead of paying the fee and having the department conduct the examination.

For your information, enclosed is a instruction sheet/fee schedule along with a list of certified water right examiners. Note that I am also returning the proof of beneficial use form.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

RECEIVED

MAR 07 1988

RECEIVED

MAR 31 1987

no / encl 92
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Copy do not
microfilm -
original returned
for fee

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by _____
Sent to region _____

PROOF OF BENEFICIAL USE

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

96-8397

Permit No. _____

Name(s) of Permit Holder: Joseph M. or Cynthia N. TAJAN

Post Office Address: 9465 Rapid Lightning Rd.

Sandpoint, ID. 83864

Telephone No. (208)263-8707

Source of Water: Unnamed Creek (Tributary of Flume Creek)

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark 4 amps power

Total rate and/or volume for which proof is submitted 0.1 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: July - 1984

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Fee enclosed \$ _____
(See License Examination Fee Schedule)

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

Person to contact to accompany the Department representative during the field examination: ON FILE

Joseph M Tajan

(208)263-8707

(Name)

(Telephone Number)

(same) above

(Address)

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

MAR 07 1988

March 24, 1987

Cynthia N. Tajan

Date

Signature of Permit Holder (and title, if appropriate)

July 31, 1984

RE: Permit No. 96-8397

Joseph M. or Cynthia M. Tajan
Box 9465
Lightning Creek Rd.
Sandpoint, ID 83864

Dear Permit Holder:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Please be advised that your application for permit has been approved because we no longer wait for approval from the Federal Energy Regulatory Commission (FERC) or the Idaho Public Utilities Commission (PUC) when the flow is less than 25 cfs and the power to be generated is less than 500 HP. However, you may still need to obtain approval from FERC and/or PUC.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc
Enclosures

POWER CALCULATIONS FOR APPLICATION NO. 96-8397

P = Kilowatts .74 X hp

Q = cfs 0.10

H = feet 18'

e = efficiency

proposed

- ☒ 1.) Affidavit of Residency
- ☒ 2.) Ownership of Facilities
- N/A 3.) *Financial Ability
- NONE 4.) Feasibility of Project
 - a. Plans, drawings
 - b. Economic analysis
- N/A 5.) *Compliance w/FERC
 - *only for projects of more than 25 cfs or more than 500 horsepower.

$$P = \frac{eQH}{11.8} = \frac{80\% \times .10 \times 18'}{11.8} = 0.12:$$

$$e = \frac{P(11.8)}{QH} = \frac{.12 \times 11.8}{.10 \times 18'} = \frac{1.416}{1.8} = 0.786 \text{ ok}$$

$$\left(P = \text{volt amps} = 110(4) = 440 = .44 \text{ kW} = .59 \text{ Hp} \right)$$

$$e = \frac{.44(11.8)}{.10 \times 18} = \frac{5.192}{1.8} = 2.8 \%$$

Based on the above calculations the proposed project must have an 49% efficiency.

OVERLAP REVIEW per terminal 6/25

P/D sec - 96-7711 ir., stock, domestic
96-8037 ir., stock, domestic

P/U 96-7711 SESE (5 acres)
96-8037 SWSE (5 acres)

BYPASSED AREA

L14? NO

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: RWA

APPLICATION NUMBER: 96-8397

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

☒ Fee.

☐ Yes ☒ No

Field check required.

☐ Yes ☒ No

Critical groundwater area.

☐ Yes ☒ No

Request dam safety information. Sent by: _____

Date: _____

☒ Yes ☐ No*

In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

☐ Yes ☐ No

Platted by: _____ Map No. _____

☐ Yes ☐ No

Other rights on same place of use. _____

☒ Yes ☐ No*

In form for advertising.

☐ Yes ☒ No

Final date for protests: 6/18/84

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 6/15/84
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No

Measuring device required.

☐ Yes ☒ No

Access port required.

☐ Yes ☒ No

Will water be delivered by watermaster? If yes, what district? _____

☒ 3/18/84

Date of priority recommended.

Special conditions of approval or cover letter. _____

By: RWA

Date: 6/19/84

STATE OFFICE REVIEW:

L1B, L17a

26a 08A 09E

☐ See attached sheet for more information.

By: KW

Date: 17C 17F 25

6-25-84

Department of Water Resources

RECEIVED

JUN 21 1984

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pete Thompson being first duly sworn on oath deposes and says that he is publisher of the Sandpoint Daily Bee, and News Bulletin, newspapers printed and published at Sandpoint, in Bonner County, Idaho; that the said newspapers have been continuously and uninterruptedly published in said Bonner County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of _____

Legal notice

as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 30 day of 5, 1984 and ending on the 6 day of 6, 1984 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this 12 day of 6, 1984.

Adrian M. Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

NOTICE OF APPLICATION
FOR WATER RIGHT

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

96-8397

TAJAN, JOSEPH M. &/or CYNTHIA N.
RAPID LIGHTNING CREEK RD.,
P.O. BOX 9465, SANDPOINT, ID
83864

Source: UNNAMED STREAM trib. to
FLUME CREEK

Date Filed: 05/18/1984

Diversion Pt: SWSE Sec 12 T 58N R
01E

Use: POWER (0.10 CFS)

In: SWSE Sec 12 T 58N R 01E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814 on or before JUNE 18, 1984.

KEN DUNN, Dir.

Published 5/30 & 6/6/84.

Dept. of Water Resources

RECEIVED

JUN 15 1984

Department of Water Resources
Northern District Office

RECEIVED

96-839Z

TAJAN, JOSEPH M. &/or CYNTHIA N.

RAPID LIGHTNING CREEK RD., P.O. BOX 9465, SANDPOINT, ID 83864

Source: UNNAMED STREAM trib. to FLUME CREEK

Date Filed: 05/18/1984

Diversion Pt: SWSE Sec 12 T 58N R 01E

Use: POWER (0.10 CFS)

In: SWSE Sec 12 T 58N R 01E

May 14, 1984

Mr. Joseph M. Tajan
Box 9465 Rapid Lightning Rd.
Sandpoint, Id. 83864

Re: 96-8037

Dear Mr. Tajan:

On March 28, 1984, I mailed an Application for Permit and Withdrawal of Amendment for you to complete and return to this office.

If I have not received these documents back from you by June 4, 1984, I will assume you do not wish to make any further changes and process the amendment. However, the amendment will probably not be approved since the total volume of water used for power would exceed the total volume for irrigation.

If you have any questions, please contact me at this office.

Sincerely,

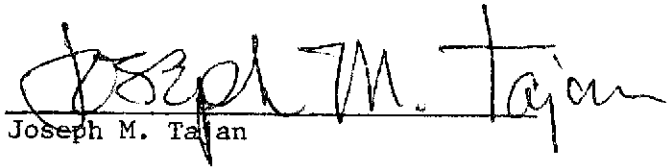
TOM D. KING
Senior Water Resource Agent

TDK/pms

W I T H D R A W A L

I, JOSEPH M. TAJAN, do hereby withdraw my Amendment of Permit No. 96-8037, with the understanding that the filing fee of \$20.00 will be applied to a new Application for Permit to appropriate water for power generation.

Dated: This 3 day of May, 1984.


Joseph M. Tajan

RECEIVED

MAY 18 1984

Department of Water Resources
Northern District Office



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

March 28, 1984

Mr. Joseph Tajan
Box 9465 Rapid Lightning Rd.
Sandpoint, Id. 83864

Re: 96-8037

Dear Mr. Tajan:

I regret to inform you that your Application for Amendment to generate power under your existing permit has been rejected by our State Office. There were problems of which this office was unaware, when a similar situation occurred in southern Idaho.

Since this office recommended that you file an amendment instead of a new application for power, the amendment fee of \$20.00 can be applied to the fee of the new application if you will sign the enclosed amendment withdrawal form.

I have taken the liberty of preparing the application, but I have not completed Item Nos. 4, 5a, 6a nor 8a2 since you may wish to increase the amounts. Please sign the application and insure that you use the appropriate fee schedule based on your new amount in Item No. 5a, less the \$20.00 fee to be applied.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Withdrawal
Application
Instructions



MEMO

RECEIVED

MAR 14 1984

Department of Water Resources
Northern District Office

Date: 3-8-84

TO: Bob Haynes

FROM: L. Glen Saxton

Re: App for permit 96-8037 (Tajon)

As a follow-up to our phone conversation today, I do not think the Dept can approve the amendment submitted on the above ref. app, which reduces some rates for the original uses proposed & adds power as a use. The main reason is found in Sec 42-211 which states in part ... if approval thereof would not result in the div & use of more water than originally permitted... the Director... shall approve... etc. Even tho the rates were reduced so that the total rate on amendment doesn't exceed original amt, the problem of diversion of a larger amt would be in the volume diverted for power purposes.

POOR COPY

memo

7

There was a lot of interest in the southern part of the state about 2 yrs ago in "adding" a power use to an existing permit. These proposals were sought by the permit holders for several reasons such as

- a) Opportunity to add power as a use to a permit which might be 15 yrs old hence an advantage of priority.
- b) payment of only an amendment fee (20⁰⁰) which might then add power use in a much larger amt with fewer \$ laid out for the new use than submitting a new app for permit.

In short, the Dept concluded & held that power use could not simply be "add'd" to a permit by amendment.

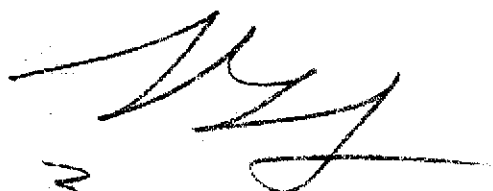
ORIGINAL

Something had to be "changed" or ^{given up}. It is possible in some cases depending on the original uses to "change" the existing uses, add power & still not enlarge the amt of water to be diverted. Parameters that can't be enlarged include div rate, consumptive volume & total volume. An example where an amendment could perhaps be approved would be a permit say for 10 cfs for fish propagation purposes changed to show only 10 cfs for power purposes. In this example rate is not enlarged, c.u. is probably not enlarged & total vol would be same if 10 cfs were diverted under either use year around.

Since State Office probably has not adequately described this thinking in the past to the regional offices I suggest you write the applicant, advise that

the amendment can't be approved for this & so reasons which weren't clear to your office. ~~The~~ Advise that a new app is appropriate & under the circumstances the Dept will apply the amendment fee (Assuming applicant will withdraw the amendment from the Dept's consideration) to the applic for permit fee req'd for power purposes.

If you wish to discuss the logic further please advise me.


3-8-84