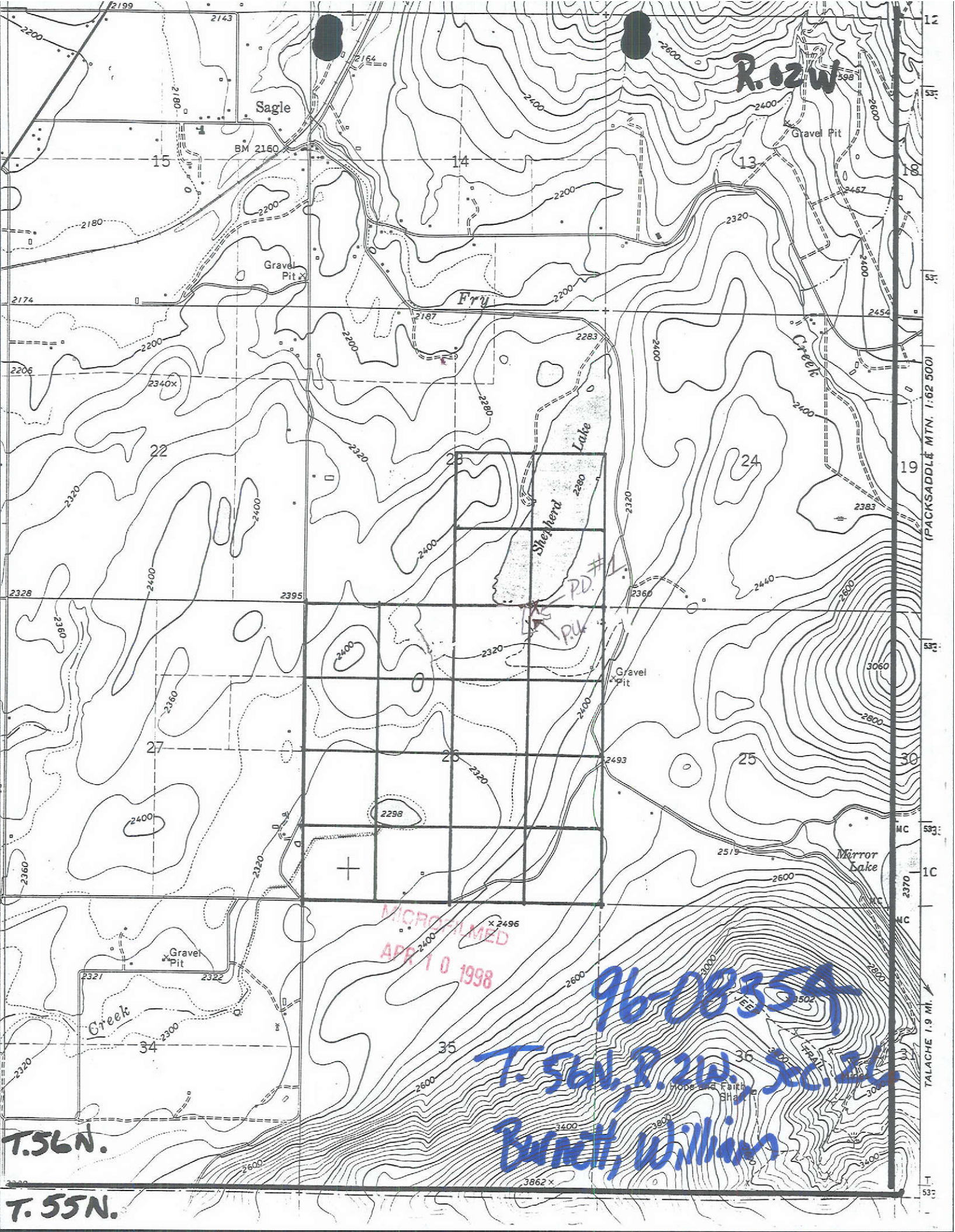




Sagle

BM 2160

Gravel Pit

Fry

Shepherd Lake

Gravel Pit

Creek

Mirror Lake

R. 2W

MICROFILMED
APR 10 1998

96-08354

T. 56N. R. 2W. Sec. 26

Burnett, Williams

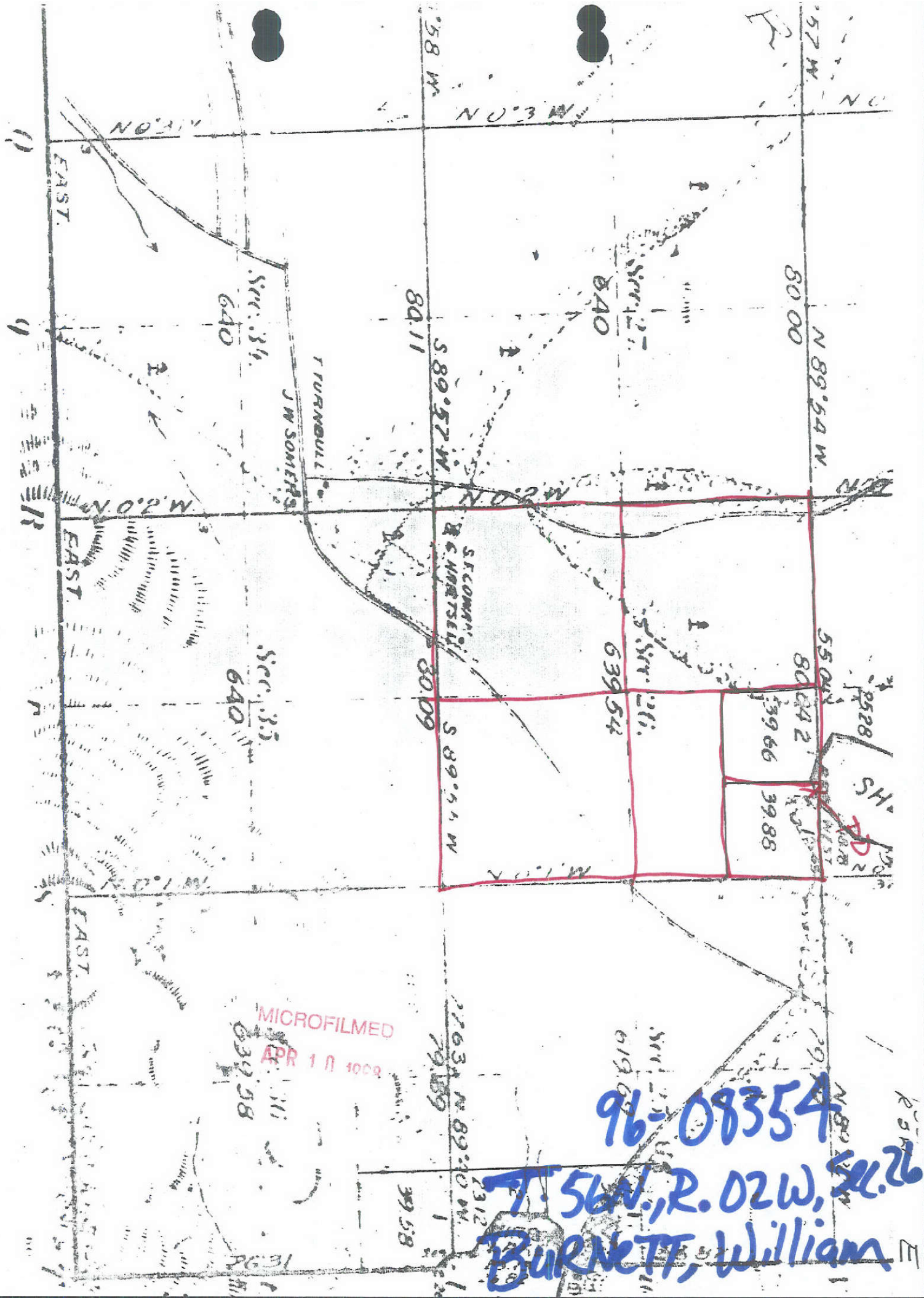
T. 56N.

T. 55N.

TALACHE 1.9 MI.

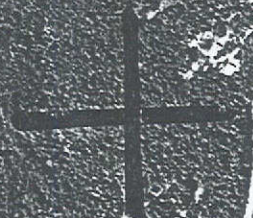
PACKSADDLE MTN. 1:62 500

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23

RECORDED
APR 11 1954



26



HOSE BIBS &
 PLACE OF USE



8 HP BRIGGS & STRATTON
 BERKLEY JET PUMP

STATE OF IOWA
 DEPT. OF WATER RESOURCES
 IN REPOSE SUPPLY
 BERKLEY JET PUMP



PERMIT #

96-08354

PERMIT # 96-08354

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PORT SUPPLEMENT
O G R A P H S



PLACE
OF
USE



PLACE OF USE

MICROFILMED
APR 10 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08354

Priority: June 14, 1983

Maximum Diversion Rate: 0.12 CFS
Maximum Diversion Volume: 18.0 AF

This is to certify, that WILLIAM BURNETT
PO BOX 1676

SANDPOINT ID 83864 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 14, 1983; and
has submitted Proof of Beneficial Use on October 30, 1989. An examination indicates
that the works have a diversion capacity of 0.150 cfs of water from:

SHEPHERD LAKE tributary to SAGLE CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.12 CFS	18.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 26, Township 56N, Range 02W
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	02W	26	Lot 1(NENE) 4	Lot 2(NWNE) 2		6

Total number of acres irrigated: 6

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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED
APR 10 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08354

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 7TH
day of April, 19 98.


Acting for KARL J. DREHER, Director

MICROFILMED
APR 10 1998

RECEIVED

APR 06 1998

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 96-08354

Date of Priority: June 14, 1983

Maximum Diversion Rate:

0.12 CFS

Maximum Diversion Volume:

18.0 AF

Comes now

WILLIAM BURNETT

PO BOX 1676

SANDPOINT ID 83864

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 96-08354, and requests that the permit be changed as follows:

Source: SHEPHERD LAKE

tributary to SAGLE CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.12 CFS	18.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 26, Township 56N, Range 02W
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	02W	26	Lot 1(NENE) 4	Lot 2(NWNE) 2		6

Total number of acres irrigated: 6

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Shepherd Lake, Sagle, this 3rd day of April, 1998.

MICROFILMED
APR 10 1998

William Burnett
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 96-08354

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50.00 Receipted by LB # 004969 Date 4/6/98

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 96-08354 with the following;

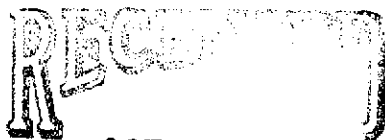
CONDITIONS OF APPROVAL AND REMARKS

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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

Witness my hand this 9TH day of April, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED
APR 10 1998



OCT 30 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only

Fee Received _____

Date _____

Receipt # _____

Receipt by _____

Reviewed by JS-1-5-90

Sent to region _____

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 96-08354

Name(s) of Permit Holder: William Burnett

Post Office Address: P.O. Box 1676, Sandpoint, Id 83864

Telephone No. 263-0276

Source of Water: Sheperd Lake

Extent of Use:

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

Irrigation approx. 7 (acres) Other/Remark approx. 1/2 of

intended system installed (2000' underground completed)

Total rate and/or volume for which proof is submitted _____ cfs less than 4 acre-feet

Show the date water was first diverted and beneficially used under this permit: June 1987

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

Fee enclosed \$ 0
(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:

William Burnett
(Name)

263-0276
(Telephone Number)

(same P.O. as above) South end Sheperd Lake, Bonner County
(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 26 1990

Oct 9, 1989
Date

William J. Burnett
Signature of Permit Holder (and title, if appropriate)

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by 19
Date 10-21-87
Receipt # 45386

OCT 21 1987

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
Department of Water Resources of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 96-8354

Name(s) of Permit Holder: William Burnett

Post Office Address: P.O. Box 1676

Sandpoint, Idaho 83864 Telephone No. (208) 263-0276

Date Proof is Due: Nov. 1, 1987

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

approx. 2000' of underground pipe laid
" 25+ sprinklers installed
60 gpm pump installed

Costing \$ 2500⁰⁰

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

I am presently away from property and
working in Seattle area (206) 646-0908

Permit holder(s) request an extension to Nov 1, 1989
(1 yr. minimum)

William Burnett
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to November 1, 1989.

RECORDED

APR 06 1988

Signed this 5th day of November, 19 87.

J. Glen Saxton
Chief, Operations Bureau

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JUL 1 1983

JUN 14 1983

To appropriate the public waters of the State of Idaho

Department of Water Resources
Northern District OfficeDepartment of Water Resources
Northern District Office

1. Name of applicant William Burnett Phone 208-263-9153
Post office address P.O. Box 1676, Sandpoint, ID 83864
2. Source of water supply Sheperd Lake which is a tributary of Sagle Creek
3. Location of point of diversion is ^{W 1/2 of} NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26 Township 56 N
Range 2 W B.M. Bonner County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 25 AF for irrigation purposes from May 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.36 for irrigation purposes from May 1 to Nov 1 (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. 0.36 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. propose an electric pump & pipe line from the lake frontage which we own to other points on the property
b. Height of storage dam N/A feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

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

- c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 4 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

- a. If water is not for irrigation:

(1) Give the place of use of water: ^{W 1/2 of} NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26 Township 56 N
Range 2 W B.M.

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

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

(4) Name of municipality to be served _____, 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:

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	24W	36	18																18

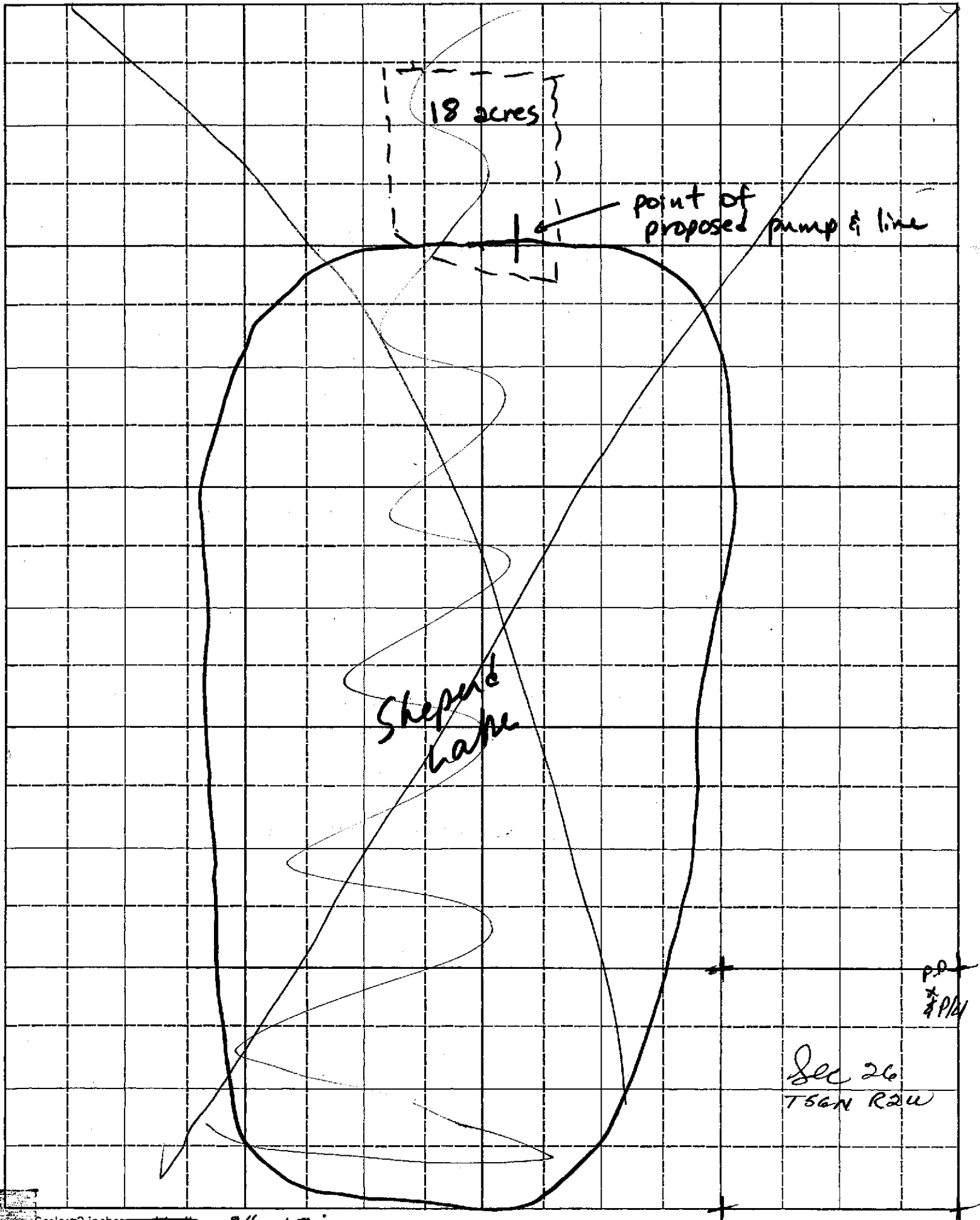
Total number of acres to be irrigated 18

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

9. a. Who owns the property at the point of diversion Sheperd Lake Investments
b. Who owns the land to be irrigated or place of use Sheperd Lake Investments
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing I, William Burnett, am the general partnership in this partnership and have the necessary legal authority.

10. Remarks We wish to draw water from Sheperd Lake during the summer months for irrigation purposes. We own the lake frontage at the point of proposed pump and pipe placement.

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



Scale: 2 inches equal 1 mile. 2" = 1 mi

~~1/2~~ 1/2 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

William Burnett
General partner (Applicant)

Proposed Priority 6/14/83

Received by RAA Date 7/1/83 Time 1:00 - JP - 7/20/83 - U.S.W.N

Preliminary check by JA Fee \$ 4500

Receipted by RAA Date 7/5/83 # 28670

Publication prepared by JA Date 8/3/83

Published in San Francisco

Publication dates 8/10 8/17

Publication approved JA Date 10/6/83

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RAA 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. 96-8354, and said application is hereby APPROVED.

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 November 1, 19 87.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 31st day of October, 1983.

J. Glen Sayton
Chief, Operations Bureau

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 10 day of 8, 1983 and ending on the 17 day of 8, 1983 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this 7 day of 9, 1983.

Oliver 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:

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 AUGUST 29, 1983.

KEN DUNN, Dir.

Published 8/10 & 8/17/83.

Dept. of Water Resources

96-8329
STEVENS, L. J.
P.O. Box 263, Sdpt., Id.
Source: UNNAMED
STREAM trib. to SYRINGA
CREEK
Date Filed: 07/01/1983
Diversion Pt: SWNW NWSW
Sec 09 T 57N R 02W
Use: RECREATION
STORAGE (2.0 AF)
DIVERSION TO STORAGE
(0.20 CFS)
In: SWNW NWSW Sec 09 T
57N R 02W

96-8330
SMITH, ROBERT E.
7205 SELLE RD., SAND-
POINT, ID 83864
Source: GROUNDWATER
Date Filed: 07/01/1983
Diversion Pt: NENW Sec 22
T 58N R 01W
Use: IRRIGATION (0.10
CFS)
DOMESTIC (0.02 CFS)
In: NENW Sec 22 T 58N R
01W FOR 7 ACRES

resources
Office

96-8331
GAI
HUI SHEA, JAMES &/or
1700 LESLIE
POI P.O. BOX 470, SAGLE, ID
Sou 83860
trib. Source: BEAVER LAKE
Date Filed: 06/30/1983
Diversion Pt: SWNW Sec 14
T 59N R 01W
Use: IRRIGATION (0.03
CFS)
In: SWNW Sec 14 T 56N R
01W FOR 1 ACRES

96-8346
GRIFFIN, GARY L.
KEATON, GRETA G.
RT. 3 BOX 405H, SAND-
POINT, ID 83864
Source: SAND CREEK trib.
to PEND OREILLE LAKE
Date Filed: 06/28/1983
Diversion Pt: NESE Sec 35 T
58N R 02W
Use: IRRIGATION (0.04
CFS)
In: NESE Sec 35 T 58N R
02W FOR 1 ACRES

96-8347
HANSON, LANA KAY
P.O. BOX 943, SANDPOINT,
ID 83864
Source: GROUNDWATER
Date Filed: 07/05/1983
Diversion Pt: NENE Sec 10
T 56N R 02W
Use: DOMESTIC (0.04 CFS)
In: NENE Sec 10 T 56N R
02W

96-8349
MARINE, DIONE
4400 SELLE RD., SAND-
POINT, ID 83864
Source: UNNAMED
STREAM trib. to PEND
OREILLE LAKE
Date Filed: 07/14/1983
Diversion Pt: SWNE Sec 29
T 58N R 01W
Use: IRRIGATION (0.20
CFS)
IRRIGATION STORAGE
(4.0 AF)
In: IRRIGATION FROM
STORAGE (4.0 AF)
STOCKWATER STORAGE
(4.0 AF)

In: NWNE SWNE Sec 29 T
58N R 01W NWNE Sec 29 T
58N R 01W FOR 55 ACRES
96-8350
FLUM, CLYDE A. &/or
ALICE M.
P.O. BOX 219, CLARK
FORK, ID 83811
Source: GROUNDWATER
Date Filed: 07/15/1983
Diversion Pt: SESE Sec 11 T
55N R 02E

96-8337
ROBIDEAUX, T.O.
517 S. 1ST, SANDPOINT, ID
83864
Source: GROUNDWATER
Date Filed: 07/01/1983
Diversion Pt: NWNE Sec 02
T 56N R 02W
Use: IRRIGATION (0.08
CFS)
DOMESTIC (0.08 CFS)
In: NWNE Sec 02 T 56N R
02W FOR 4 ACRES

96-8337
ROBIDEAUX, T.O.
517 S. 1ST, SANDPOINT, ID
83864
Source: GROUNDWATER
Date Filed: 07/01/1983
Diversion Pt: NWNE Sec 02
T 56N R 02W
Use: IRRIGATION (0.08
CFS)
DOMESTIC (0.08 CFS)
In: NWNE Sec 02 T 56N R
02W FOR 4 ACRES

96-8338
OMODT, FRED H.
100 SELKIRK, SAND-
POINT, ID 83864
Source: GROUNDWATER
Date Filed: 07/01/1983
Diversion Pt: NWNE Sec 22
T 58N R 01E

96-8351
TOWNER, HARWOOD D.
STAR RT. BOX 347, HOPE,
ID 83836
Source: PEND OREILLE
LAKE trib. to PEND
OREILLE RIVER
Date Filed: 06/30/1983
Diversion Pt: LOT 02 Sec 14
T 56N R 01E
Use: IRRIGATION (0.11
CFS)
DOMESTIC (0.11 CFS)
In: LOT 02 Sec 14 T 56N R
01E FOR 1 ACRES

96-8352
WILLIS, ALICE A.
106 E. KENILWORTH, P.O.
BOX 255, VILLA PARK, IL
60181
Source: GROUNDWATER
Date Filed: 06/27/1983
Diversion Pt: SESW Sec 16 T
58N R 01W
Use: IRRIGATION (0.10
CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.08 CFS)
In: SESW Sec 16 T 58N R
01W FOR 5 ACRES

96-8353
CONDO DEL SOL ASSN.
INC.
301 IBERIAN WAY, SAND-
POINT, ID 83864
Source: PEND OREILLE
LAKE trib. to PEND
OREILLE RIVER
Date Filed: 07/11/1983
Diversion Pt: SWSW Sec 23
T 57N R 02W
Use: IRRIGATION (0.16
CFS)
In: SWSW Sec 23 T 57N R
02W FOR 8 ACRES

96-8354
BURNETT, WILLIAM
P.O. BOX 1676, SAND-
POINT, ID 83864
Source: SHEPARD LAKE
trib. to SAGLE CREEK
Date Filed: 06/14/1983
Diversion Pt: NENE Sec 26
T 56N R 02W
Use: IRRIGATION (0.36
CFS)
In: NENE Sec 26 T 56N R
02W FOR 18 ACRES

96-8355
ARCONTI, ROBERT D.
P.O. BOX 1612, SAND-
POINT, ID 83864
Source: GROUNDWATER
Date Filed: 07/19/1983
Diversion Pt: SWNE Sec 29
T 59N R 01E
Use: DOMESTIC (0.0180
CFS)
In: SWNE Sec 29 T 59N R
01E

96-8344
GUSTAVESON, DORIAN K.
4005 MOUNTAIN VIEW
RD., SANDPOINT, ID 83864
Source: SYRINGA CREEK
trib. to PEND OREILLE
RIVER
Date Filed: 06/29/1983
Diversion Pt: SWSE Sec 08 T
57N R 02W
Use: IRRIGATION (0.0450
CFS)
DOMESTIC (0.0050 CFS)
In: NWSE SWSE Sec 08 T
57N R 02W FOR 12 ACRES

96-8344
GUSTAVESON, DORIAN K.
4005 MOUNTAIN VIEW
RD., SANDPOINT, ID 83864
Source: SYRINGA CREEK
trib. to PEND OREILLE
RIVER
Date Filed: 06/29/1983
Diversion Pt: SWSE Sec 08 T
57N R 02W
Use: IRRIGATION (0.0450
CFS)
DOMESTIC (0.0050 CFS)
In: NWSE SWSE Sec 08 T
57N R 02W FOR 12 ACRES



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 9, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM BURNETT
PO BOX 1676
SANDPOINT ID 83864

RE: WATER RIGHT NO. 96-08354

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

APR 10 1998

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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

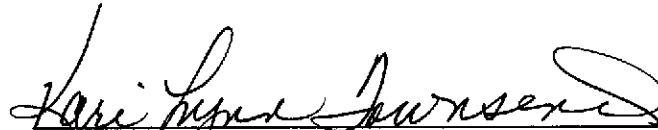
APR 10 1998

CERTIFICATE OF MAILING

I hereby certify that on the 9th day of April, 1998, 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. 96-08354

WILLIAM BURNETT
PO BOX 1676
SANDPOINT ID 83864


Kari Lynn Townsend
Secretary

MICROFILMED

APR 10 1998



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

March 24, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM BURNETT
PO BOX 1676
SANDPOINT ID 83864

RE: WATER RIGHT NO. 96-08354

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that your place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, the permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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APR 10 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 96-08354

DATE 3/18/98

REVIEWER: SHARLA

NAME Change OK

Address Change NO

SOURCE Change OK

Is change/clarification of originally intended source? NO

POINT OF DIV Change OK

If not, prepare Notice of Intent to Void NO
Amendment required NO

PLACE OF USE Change OK

Amendment required YES

Does map agree with written description? ✓ yes NO no

Lot 1 NENE

OVERLAPS NO P/D NO P/U

2 NENE

Overlap file pulled & reviewed NO

RATE OF DIV

Permitted Rate .36 cfs

Fee limit .04 cfs NO FEE PD OR REQ'D AT TIME OF B/U PROCESSING

Measured NO cfs

Theoretical .15 cfs .26 @ 60 psi and 50' lift

Recommended Total Div Rate .12 cfs

ANNUAL VOLUME/
NATURE OF USES NO

Use NO cfs Volume Calc 6x3.0 = af

NO cfs NO af

NO cfs NO af

NO cfs NO af

SUBTOTAL .12 cfs 18.0 af

total area = 6.9 acres
examiner has removed .9 ac
for bldgs, etc.

Flow rate .12 cfs X 246 days X 1.98 = 58.4 af

Total volume recommended NO af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS NO Watermaster Control WD# NO

NO GW Measurement/Measuring Device

NO Overlap

NO Use-specific conditions

Advancement of Priority Date Required NO yes NO no

SRBA Claim Filed NO

Adjustment Memo NO

1st Amend Letter P41, P38

2nd Amend Letter P42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 27 1998

Department of Water Resources

96-08354

A. GENERAL INFORMATION

Permit No. _____

1. Owner: William Burnett Phone No. 263-0276

Current Address: P.O. Box 1676, SANDPOINT, Id. 83864

2. Accompanied by: Bill Burnett EXAM DATE: 6-2-97

Address: SAME AS ABOVE Phone No. SAME AS ABOVE

Relationship to Permit Holder: Permit Holder

3. Source: Shepherd Lake tributary to SAGLE CREEK

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

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
RD #1	Gov't #1		NE	NE	26	56N	02W	Banner	U.S.G.S. 7.5' QUAD; Site Inspection

2. Place(s) of Use:

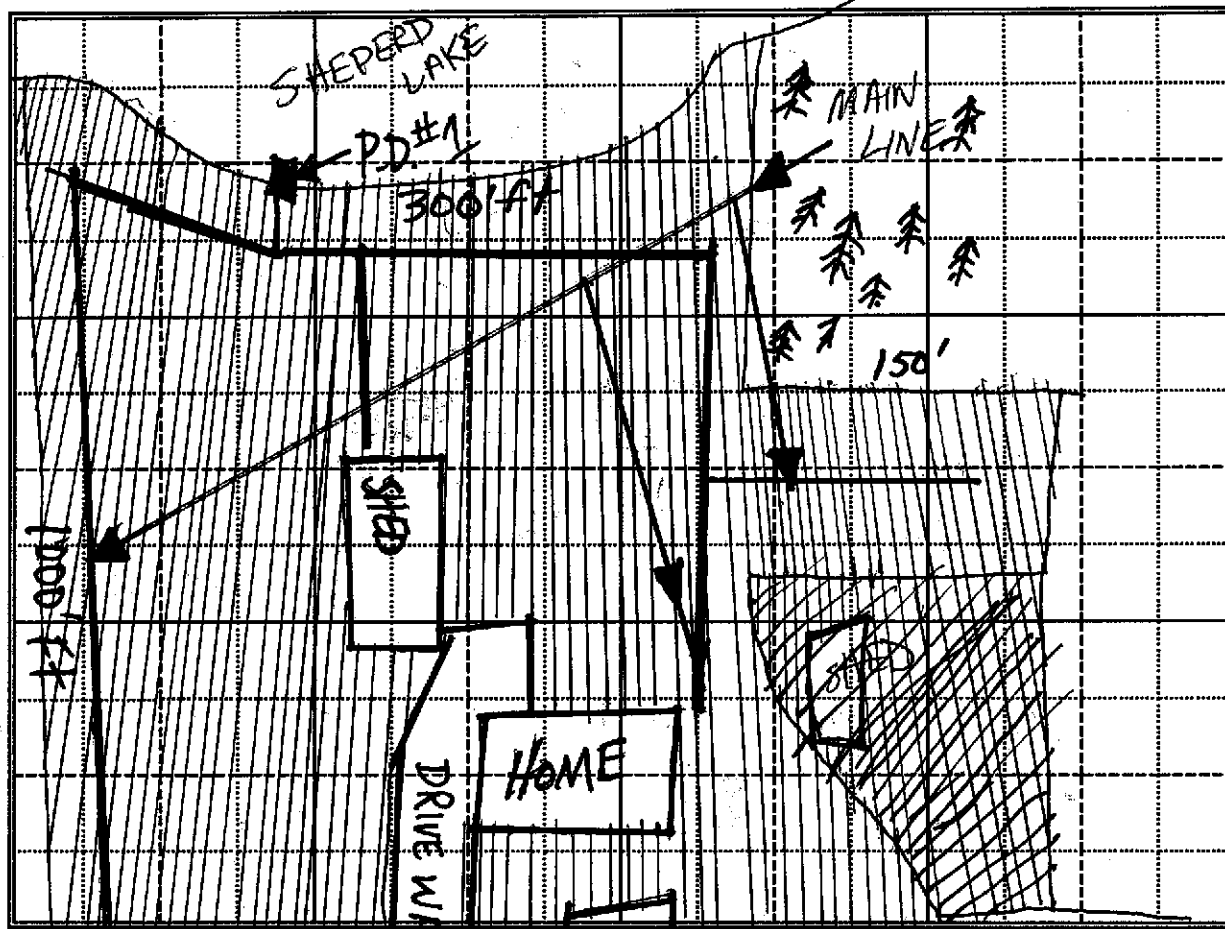
Indicate Method of Determination Assessment; Site Visit

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	02W	26	4	2														6.0	

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APR 10 1998

Total 6.0
ACRES

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



Scale: 1" = NTS

X 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.*	ENGINE Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
R.D. #1	Briggs & Stratton	8.0	—	Berkley	1387108 / 2" - 1 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:

Theoretical Calculation

JP-08224

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APR 10 1998

E. NARRATIVE/REMARKS/COMMENTS

System Consist of 8 HP Briggs & Stratton with a Berkley Pump. The Intake is a 2" PVC piped that is screened with a perforated 5 gallon plastic Bucket. A 2" inch main Line from the pump T's off for a Left and Right or East and West main Line That Runs to the Back of the Property. Also a short 300' Main Line runs Approx straight up from the Pump station. Only one Lateral runs off the East main line Approx. 150' East. There are three stand pipes with Hose Bibs attached for irrigating with Garden Hoses around the Home.

IRRIGATED AREA Runs Approx 1000' ft. deep and 300' ft. across. Less the Home, out Buildings, Driveway, shed. AREA consist of 6 acres of Grass and or Lawn.

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APR 10 1998

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

F. FLOW CALCULATIONS

Measured Method:

X Additional Computation Sheets Attached*See Theoretical Calculations***G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (6.0)(3.0) = 18.0$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.12)(245)(1.9835) = 58.3$$
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 18.0 \text{ ACRE FEET}$$

2. Volume Calculations for Other Uses:

NONE**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>IRRIGATION</u>	<u>3-15</u>	<u>11-15</u>	<u>.12</u>	<u>18.0</u>
Totals:			<u>.12</u>	<u>18.0</u>

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name

Norman Spangle

Date

6-4-97

Reviewer

Date

SEAL

MICROFILMED

APR 10 1998

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 96-08354
DATE: 4-JUN-97
COMPLETE BY: HERM

HORSEPOWER = 8.0

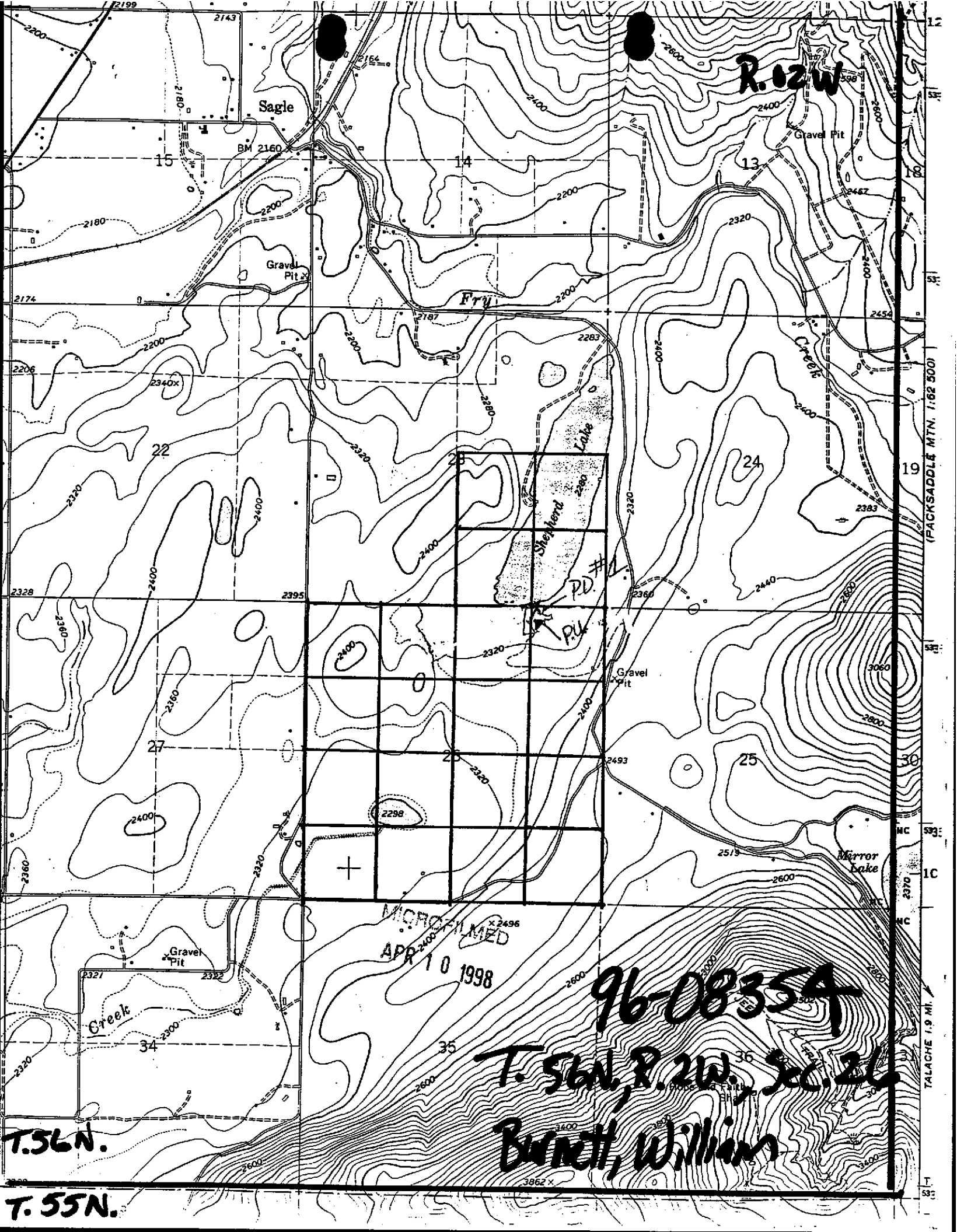
PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 150 FEET

SYSTEM PRESSURE = 80 PSI

QUANTITY = 0.15 CFS

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APR 10 1998



R. 2W

Sagle

Fry

Shepherd Lake

Gravel Pit

Mirror Lake

Creek

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APR 10 1998

96-08354

T. 56N, R. 2W, Sec. 24

Burnett, William

T. 56N.

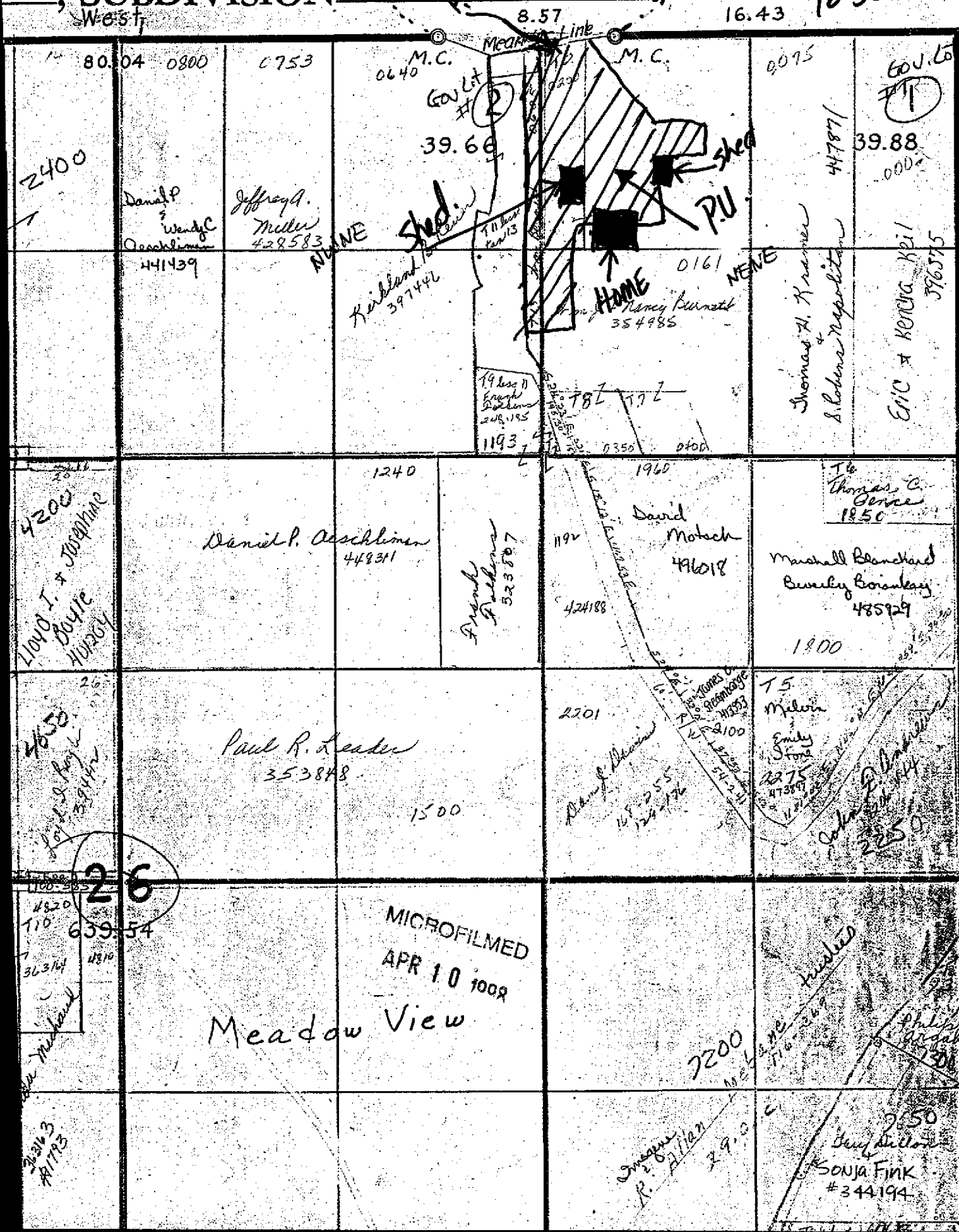
T. 55N.

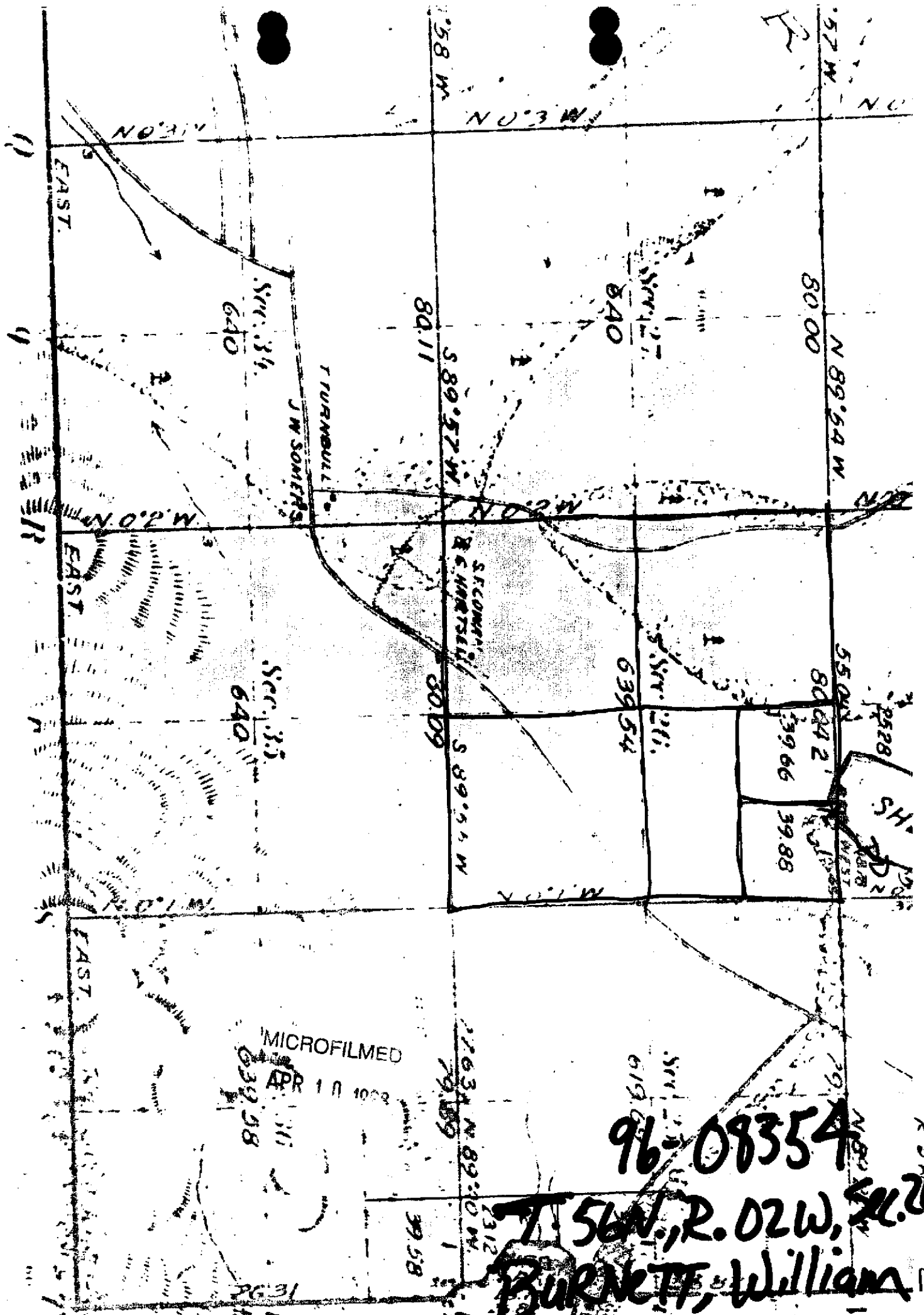
TALACHE 1.9 MI.

SUBDIVISION

SHEPHERD LAKE

* Not To Scale





MICROFILMED
APR 10 1968

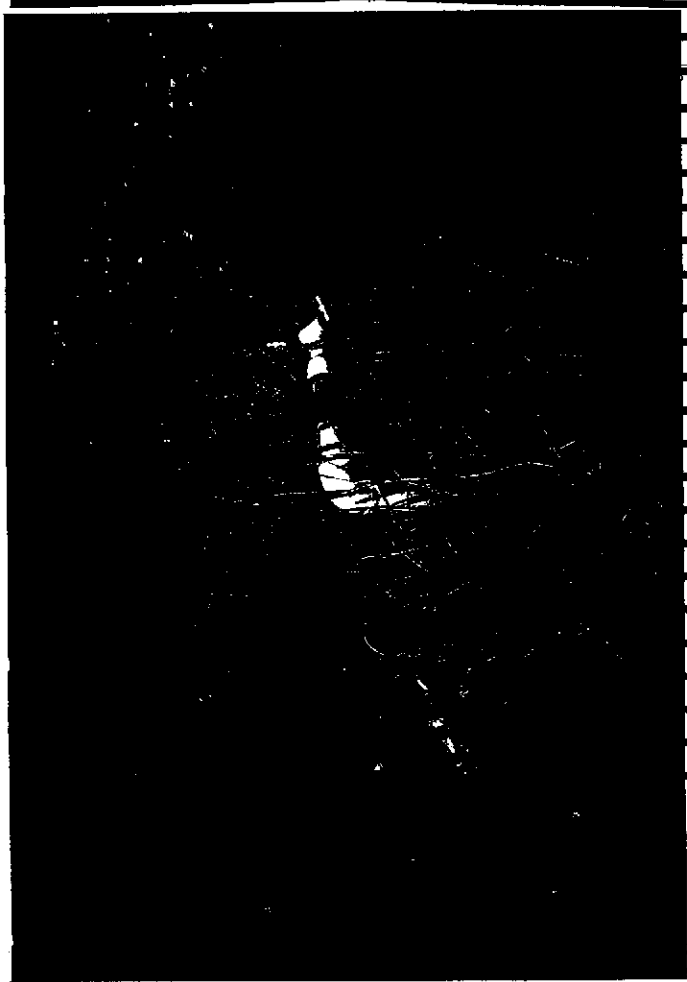
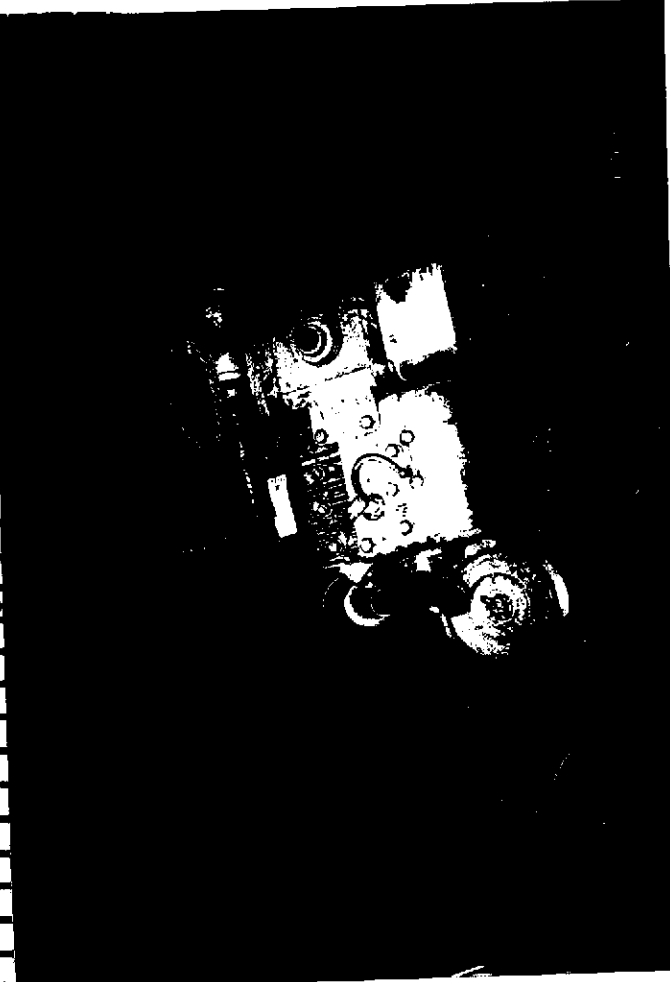
96-08354
T. 56N., R. 02W., S. 26
Burnett, William



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PERMIT REPORT SUPPLEMENT
PHOTOGRAPH



8 HP BRIGGS & STRATTON
BERKLEY TEX PUMP

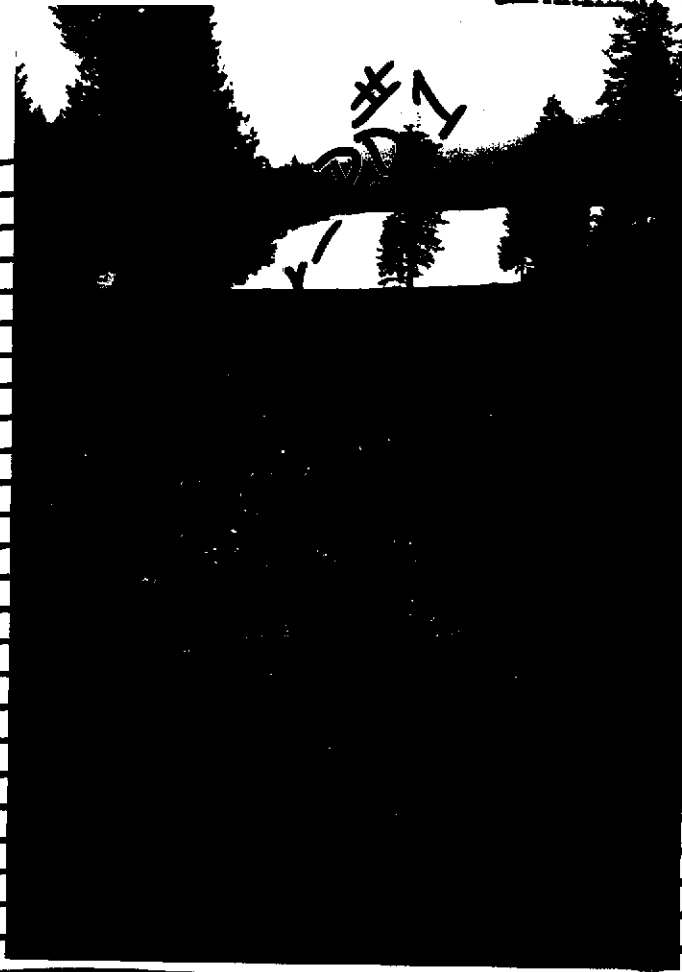


HOSE B185 &
APR 11 1998
PLACE OF USE

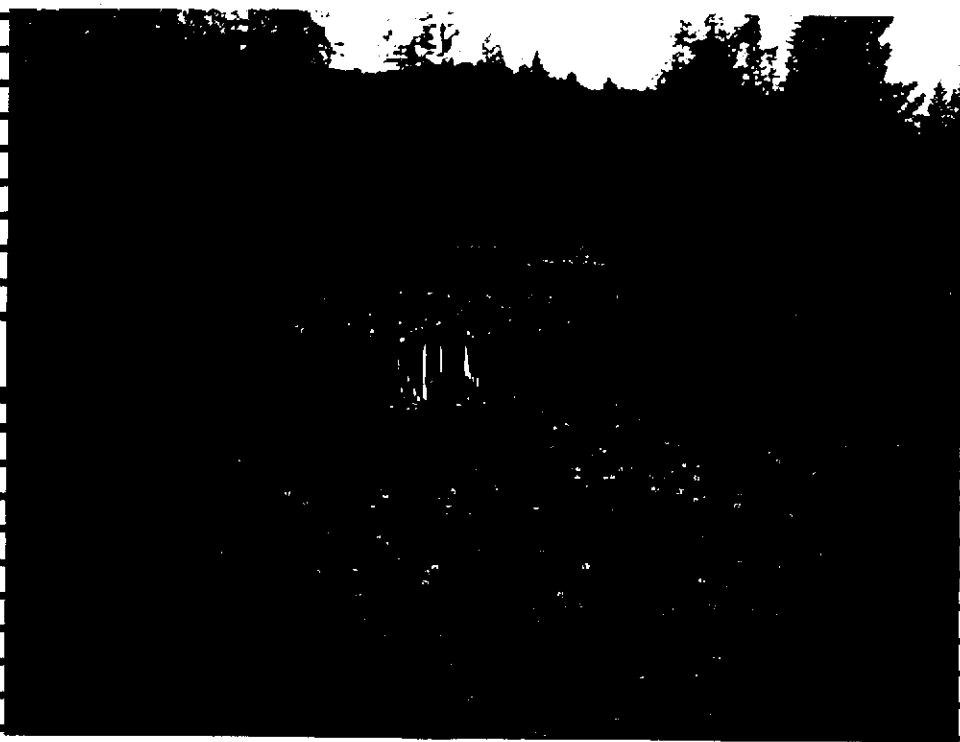


PERMIT # 96-08354

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REPORT SUPPLEMENT
PHOTOGRAPHS



PLACE
OF
USE



PLACE OF USE

MICROFILMED ...
APR 10 1998

January 24, 1990

WILLIAM BURNETT
P.O. BOX 1676
SANDPOINT, ID 83864

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08354

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)765-4639.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED

MAR 26 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 96-8354

Date: 12/29/89

General Considerations:

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

Source of Water:

☒ Surface water
_____ 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:

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

Measuring Device:

☒ Is a measuring device or access port required?
_____ Has one been installed?
_____ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

NA

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

P.O. Box 1676
Sandpoint, ID 83864

October 24, 1989

RECEIVED

OCT 30 1989

Department of Water Resources

State of Idaho
Dept. of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, ID 83720

Dear Sirs:

Enclosed is the required Proof of Beneficial Use for permit #
96-08354. No fee is enclosed because at maximum capacity
usage will be less than 4 acre feet per year.

Thank you.

W. J. Bennett

MICROFILMED

MAR 26 1990

BURNETT
P.O. BOX 1676
SANDPOINT, ID 83864

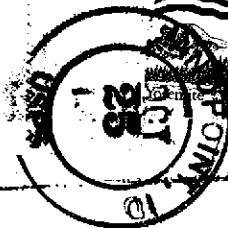
id



METER
PB 980412

U.S. POSTAGE

3175



Fold at line over top of envelope to the right
of the return address

CERTIFIED

P 538 234 680

MAIL

State of Idaho
Dept. of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, Idaho 83720

MAILED

MAR 20 1990

138628
August 31, 1989

WILLIAM BURNETT
P.O. BOX 1676
SANDPOINT, ID 83864

PROOF DUE NOTICE

RE: PERMIT NO. 96-08354

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 November 1, 1989. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

MAR 26 1990

November 10, 1987

William Burnett
P. O. Box 1676
Sandpoint, ID 83864

Dear Mr. Burnett:

Re: Permit No. 96-8354

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to November 1, 1989.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

APR 06 1988

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 96-8354

Reviewed by JY

Date 11-5-87

BASIC INFORMATION

- Y Date stamp received
Y Extension received timely
 (not prior to 6 month before proof due date or after reinstatement period)
Y Fee received and receipted
Y Name and signature same as permit
N Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

- Y Has adequate work been completed to demonstrate due diligence?
Y Has the cost incurred been adequate to demonstrate an intent to complete the project?
N/A Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

- N/A Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN - *Recommend approval based on due diligence for two years*

Special conditions or remarks:

N/A Reinstatement Date extension received _____ = _____
 Proof due date _____ = _____
 No. of days late _____ = _____
 Priority date _____ = + _____
 ADJUSTED PRIORITY DATE _____ = _____

- Y Prepare coding sheet
Y Change rolodex cardf



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN R. Keith Higginson
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

October 27, 1987

William Burnett
P. O. Box 1676
Sandpoint, ID 83864

PERMIT NO. 96-8354

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 45386.

Roberta Garrett
Records Supervisor

Enclosure

MAILED

APR 06 1988

BURNETT
P.O. BOX 1676
SANDPOINT, ID 83864

CERTIFIED

P-477 244 441

MAIL



**RETURN RECEIPT
REQUESTED**

**RECEIVED
APR 06 1988**

State of Idaho
Department of Water Resources
450 W. State Street (Statehouse)
Boise, Idaho 83720

BURNETT, WILLIAM
P.O. BOX 1676
SANDPOINT, ID 83864

138943
CERTIFIED MAIL
August 31, 1987

PROOF DUE NOTICE

RE: Permit No. 96-8354

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 November 1, 1987. (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 completed 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

APR 06 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

BURNETT, WILLIAM
P.O. BOX 1676
SANDPOINT, ID 83864

NOVEMBER 08, 1983

RE: PERMIT NO. 96-8354

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.

THE 1982 IDAHO LEGISLATURE ADDED A 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 INSTRUCTIONS ENTITLED "MAKING 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

ENCLOSURE

RECEIVED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JA

APPLICATION NUMBER: 96-8354

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.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

☐ 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. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department.
☒ Idaho Department of Lands. maa 8-4-83
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____

- ☒ Yes ☐ No* In form for advertising.
Final date for protests: 8/29/83
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9/12/83
☒ 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? _____
☒ 6/14/83 Date of priority recommended.
Special conditions of approval or cover letter. _____

RECORDED

By: QMA Date: 10/12/83

STATE OFFICE REVIEW:

217 26 04

- ☐ See attached sheet for more information.

By: CW Date: 10/27/83



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~C. Stephen Allen~~
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

August 4, 1983

Dept. of Lands
Statehouse
Boise, Idaho 83720

Re: 96-8354

Gentlemen:

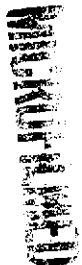
Enclosed is a recent filing with this Department that may be of
interest to you.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

Enc. - Appln.





STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY
DIRECTOR

RECEIVED

AUG 11 1983

Department of Water Resources
Northern District Office

August 9, 1983

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
JIM JONES
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
JERRY L. EVANS
SUPT OF PUBLIC INSTRUCTION

Department of Water Resources
Northern Region
4055 Government Way
Coeur d'Alene, ID 83814

Gentlemen:

The following applicants have been notified that they will be required to make application for an encroachment permit and a temporary permit from the Department of Lands for the pump and waterline:

Harwood Towner	96-8351
Condo Del Sol	96-8353
Bernard McGovern	96-8340
Evan Roos	96-8332
Olson/Bush	95-8404
Fred Gabourie	95-8372
Robert Felber	95-8410
Elaine Ruen	95-8405
Donald Bunyard	98-7589
Samuel Badgett	91-7087
Matheson Brothers	95-8401
William Burnett	96-8354
David Fisher	94-7260

Very truly yours,

Marvin G. Vandenberg

MARVIN G. VANDENBERG, Chief
Bureau of Navigable Waters

MGV:bv

96-2354

BURNETT, WILLIAM

P.O. BOX 1575, SANDPOINT, ID 83864

Source: SHEPERD LAKE trib. to SAGLE CREEK

Date Filed: 06/14/1983

Diversion Pt: NENE Sec 26 T 56N R 02W

Use: IRRIGATION (0.36 CFS)

In: NENE Sec 26 T 56N R 02W FOR 18 ACRES

RECEIVED
JUL 14 1983
SANDPOINT



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

Date: July 8, 1983

Re: _____

Dear William Burnett:

This office is in receipt of your Application for a Permit and Check No. _____ in the amount of \$ _____ and we are returning same to you because the application cannot be formally ~~received~~^{approved} until the following information is provided:

- ___ Item 1. Complete name and address.
- ___ Item 2. Source of water and named body of water to which it is tributary.
- ___ Item 3. Legal description of Point of Diversion(s).
- ☒ Item 4. Amount of water diverted in cubic feet per second or amount of water stored in acre feet, Nature of Use to which the water is to be put and the period of the year during which the water will be used. 0.02 cfs per acre is max.
- ☒ Item 5a. Total diversion rate in c.f.s. allowable by law
- ___ Item 5b. Total volume of stored water in A.F.
- ___ Item 6. Description of diversion works.
- ___ Item 7. Time required for completion of system and full use of the water.
- ___ Item 8a1. Legal description of place of use other than irrigation.
- ___ Item 8a4. Number of homes.
- ☒ Item 8b. Legal description of irrigated acreage.
- ___ Item 9a, 9b or 9c. Ownership of land.
- ___ Item 11. Map.
- ___ Signature
- ___ Fee \$ _____
- ___ Other _____

Please note that your Application has been initialed and dated as being received on 6/14/83. If the requested information is provided within 30 days of the date of this letter, your date of priority will be maintained.

Instructions for completing an Application for Permit are included for your information. If you desire assistance, please feel free to contact this office.

Sincerely,

Tam D. King

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Application

~~check~~

Instructions

RECEIVED

D

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

D

JUL 1 1983

APPLICATION FOR PERMIT

JUN 14 1983

To appropriate the public waters of the State of Idaho

Department of Water Resources
Northern District OfficeDepartment of Water Resources
Northern District Office1. Name of applicant William Burnett Phone 208-263-9153Post office address P.O. Box 1676, Sandpoint, ID 838642. Source of water supply Sheperd Lake which is a tributary of Sagle Creek3. Location of point of diversion is W 1/2 of NE 1/4 of NE 1/4 of Section 26 Township 56 NRange 2W B.M. Bonner County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 25 AF for irrigation purposes from May 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum) orAmount 1 cfs for irrigation purposes from May 1 to Nov 1 (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. 1.0 cubic feet per second and/or b. 25 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. propose an electric pump & pipe line from the lake frontage which we own to other points on the propertyb. Height of storage dam N/A feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____Period of year when water will be diverted to storage N/A to N/A inclusive.
(Month/Day) (Month/Day)c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.7. Time required for the completion of the works and application of the water to the proposed beneficial use is 4 years (minimum 1 year -- maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: W 1/2 of NE 1/4 of NE 1/4 of Section 26 Township 56 N
Range 2W B.M.

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

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

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

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

NOT FILLED

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

[illegible]

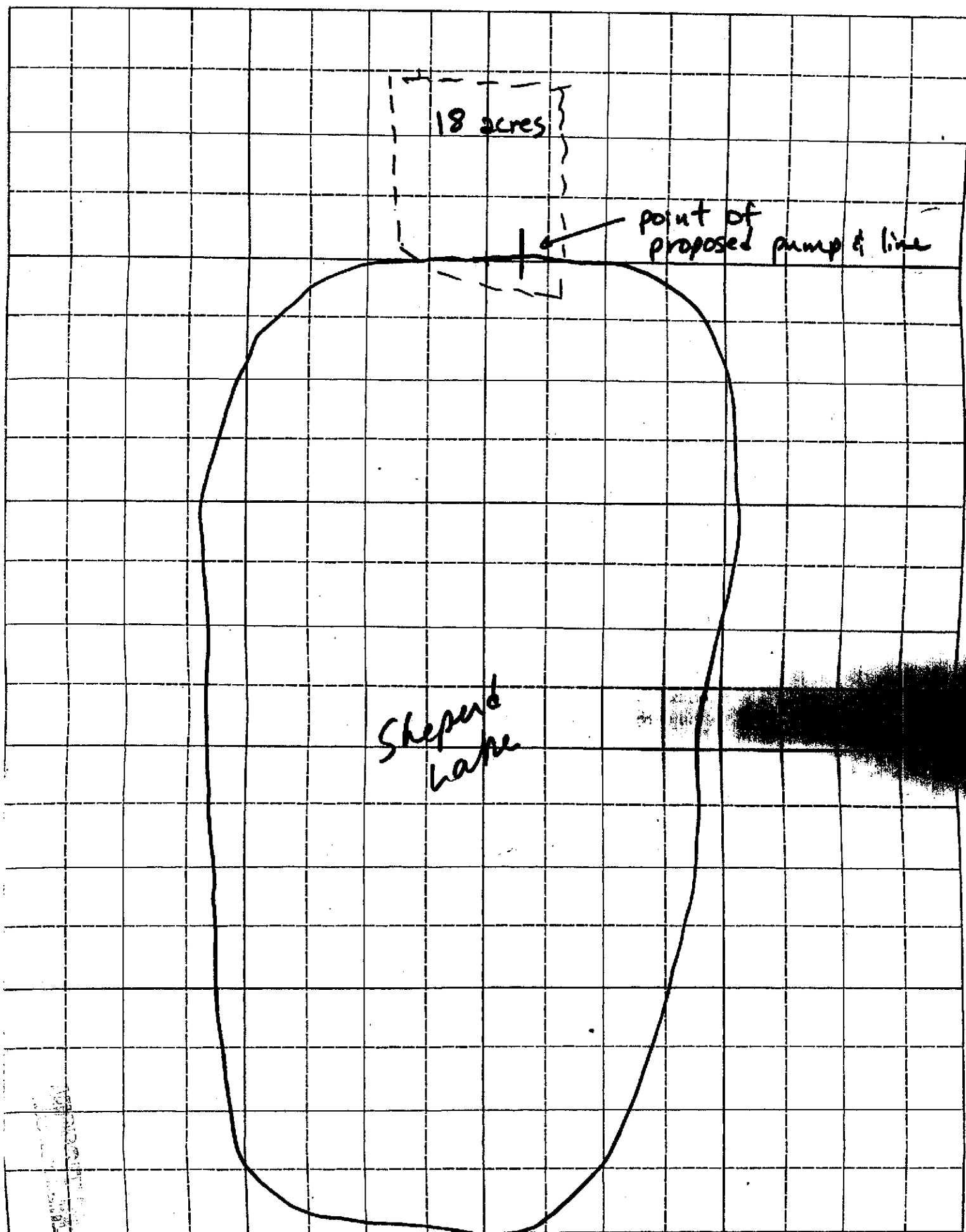
Total number of acres to be irrigated 8

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

9. a. Who owns the property at the point of diversion Sheperd Lake Investments
b. Who owns the land to be irrigated or place of use Sheperd Lake Investments
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing I, William Burnett, am the general partnership in this partnership and have the necessary legal authority.
0. Remarks We wish to draw water from Sheperd Lake during the summer months for irrigation purposes. We own the lake frontage at the point of proposed pump and pipe placement.

RECEIVED

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



Scale 1 inch = 1/10 mile

1" = 1/10 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

William Burnett
General partner (Applicant)

Received by RAH Date 7/1/83 Time 1:00
Preliminary check by _____ Fee \$ 4500
Receipted by RAH Date 7/5/83 # 28670
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

RECEIVED



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

Date: 6-14, 1983

Dear William Burnett:

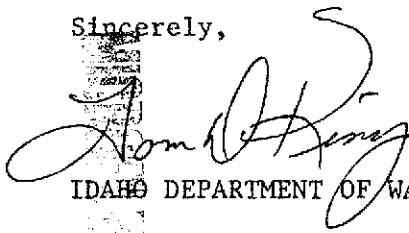
This office is in receipt of your Application for a Permit and Check No. 92-360 in the amount of \$ 45.00 and we are returning same to you because the Application cannot be formally receipted until the following information is provided:

☐ Complete Name - Item 1.	☐ Time Required to Complete Work - Item 7.
☐ Complete Mailing Address - Item 1.	☒ Location of Place of Use (Acres irrigated if water - Items 8a is for irrigation.) & 8b.
☐ Source of Water - Item 2.	☐ Ownerships - Items 9a & 9b & 9c.
☐ Location of Point(s) - Item 3. of Diversion.	☐ Filing Fee - \$_____.
☒ Amount, Nature & Period of Use - Item 4. <u>CFS.</u>	☐ Map - Item 11.
☐ Total Quantity Appropriated - Item 5.	☐ Signature.
☐ Description of Diverting Works - Item 6.	
☐ Other _____	

Please note that your Application has been initialed and dated as being received. If the information is provided within 30 days of the date of this letter, your date of priority will be maintained.

Instructions for completing an Application for a Permit are included for your information. However, if you desire assistance, please feel free to contact this office.

Sincerely,



IDAHO DEPARTMENT OF WATER RESOURCES
pms

Enc. - Application
Check
Instructions

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JUN 14 1983

To appropriate the public waters of the State of Idaho.

Department of Water Resources
Northern District Office

1. Name of applicant William Burnett Phone 208-263-9153
Post office address P.O. Box 1676, Sandpoint, Id 83864
2. Source of water supply Sheperd Lake which is a tributary of Sagle Creek
3. Location of point of diversion is ^{W 1/2 of} NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26 Township 56 N
Range 2W B.M. Bonner County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 25 AF for irrigation purposes from May 1 to Nov. 1 (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. 1.0 cubic feet per second and/or b. 25 acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. propose an electric pump & pipe line from the lake frontage which we own to other points on the property
b. Height of storage dam N/A feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage N/A to N/A inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 4 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

- (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____

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

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

- (4) Name of municipality to be served _____, 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 18

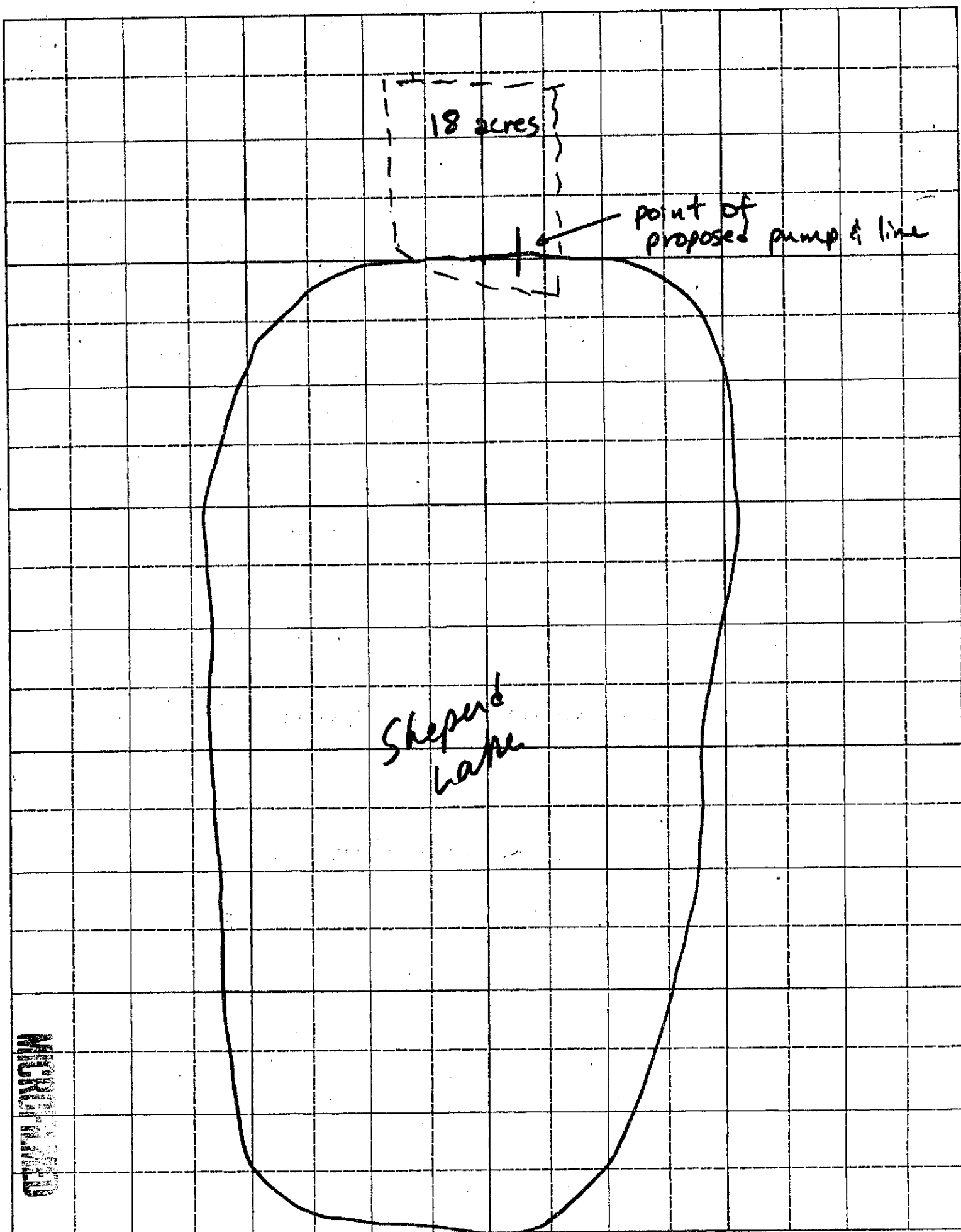
c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion Sheperd Lake Investments
b. Who owns the land to be irrigated or place of use Sheperd Lake Investments
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing I, William Burnett, am the general partnership in this partnership and have the necessary legal authority.

10. Remarks We wish to draw water from Sheperd Lake during the summer months for irrigation purposes. We own the lake frontage at the point of proposed pump and pipe placement.

Microfilm

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



Scale: 1" = 1/10 mile

1" = 1/10 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

William Burnett
General partner (Applicant)

Received by Date 6/4/83 Time noon
Preliminary check by Fee \$
Receipted by Date
Publication prepared by Date
Published in
Publication dates
Publication approved Date
Protests filed by:

Copies of protests forwarded by
Hearing held by Date
Recommended for approval denial by

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before , 19 .
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

