

RECEIVED
JUN 28 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 9807471

1. Owner: Gerald L Bacon

Phone No. 267-7888

Current Address: HCR 60 Box 247 Porthill ID 83853

2. Accompanied by: Gerald Bacon

EXAM. DATE: 8/2/90

Address: Same Phone No. Same

Relationship to Permit Holder: _____

3. Source: Bronson Creek tributary to Parker Creek

B. OVERLAP REVIEW

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

☐ Copies Attached

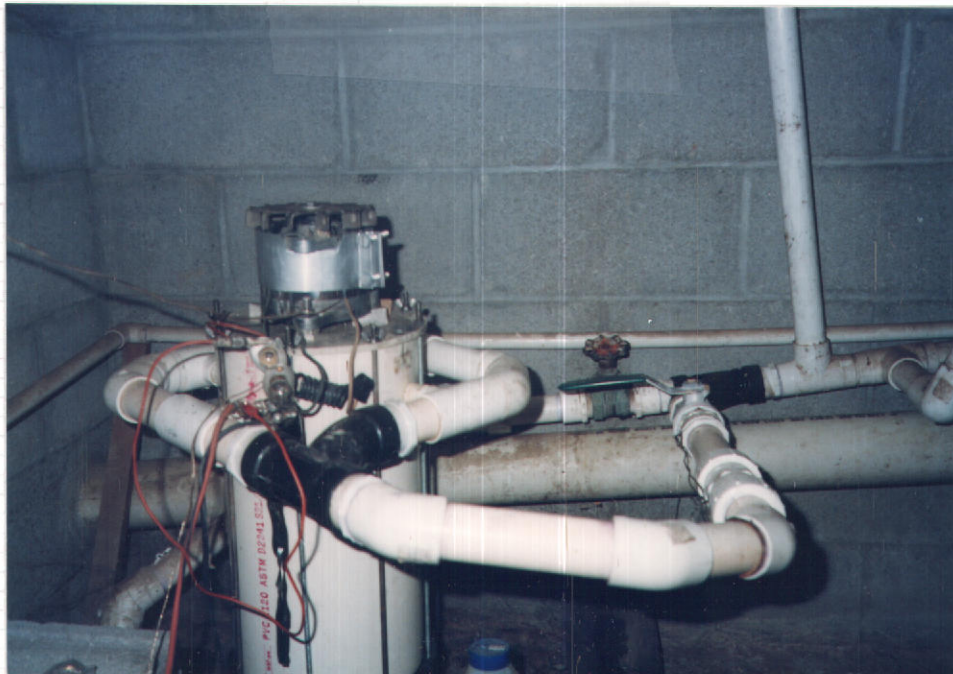
2. Other water rights with same point of diversion: None

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Home use

inside home
now detail

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).

☒ Photo of Diversion and System Attached

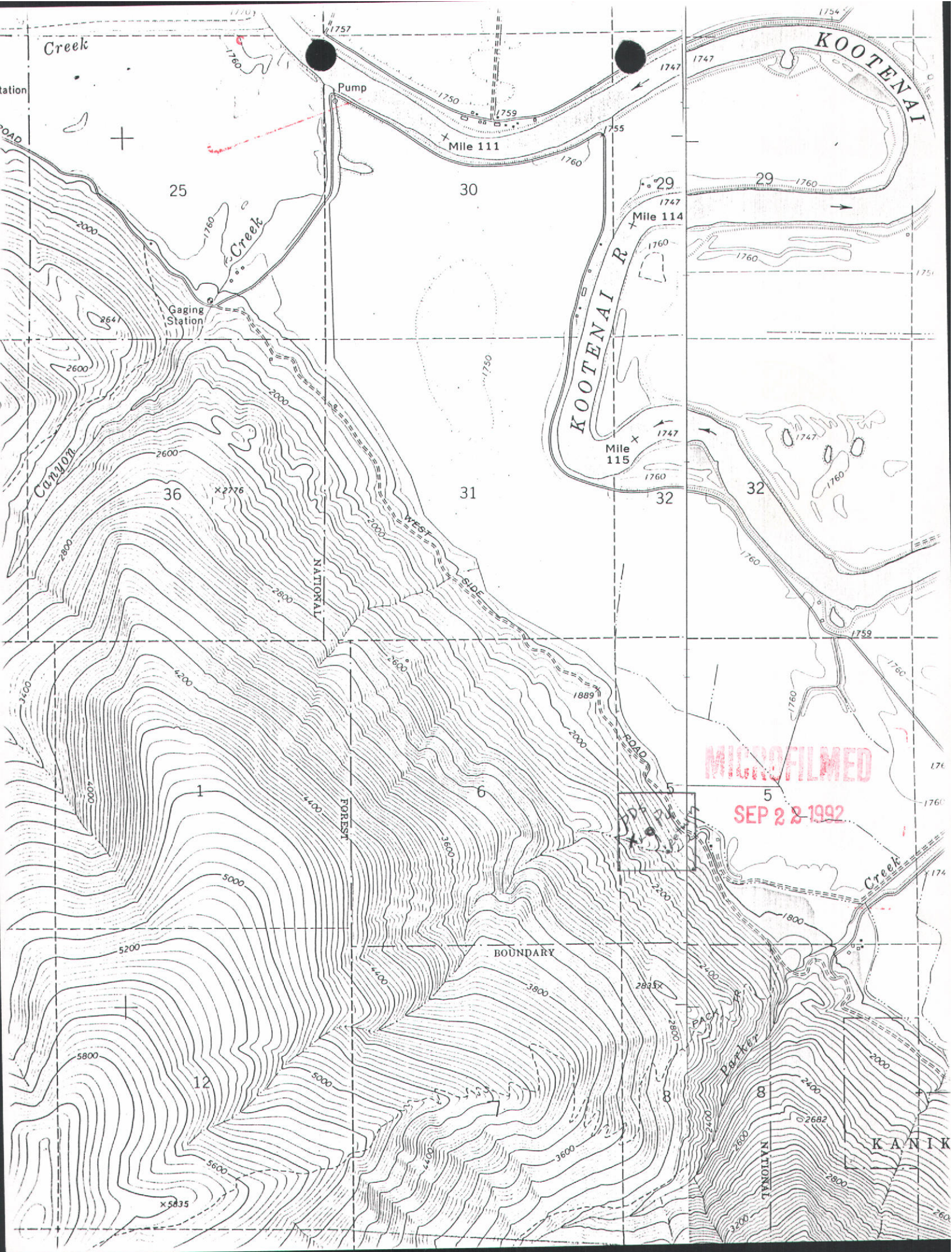
(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached

(required for irrigation of 10 acres or more)

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SEP 29 1992



24 AUG

1983

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested"
- adjacent to number.



**PENALTY FOR PRIVATE
USE, \$300**

**RETURN
TO**



IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
4055 GOVERNMENT WAY, SUITE #9
COEUR D'ALENE, ID 83814

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

RECEIVED
AUG 25 1983

Department of Water Resources
Northern District Office

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

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RECEIVED
AUG 25 1985

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(City, State, and ZIP Code)

nt of Water Resources
Northern District Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 98-07471

Priority: March 9, 1983

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

51.9 AF

This is to certify, that GERALD L BACON
HCR 60 BOX 247

PORTHILL ID 83853 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated March 9, 1983; and
has submitted Proof of Beneficial Use on April 3, 1989. An examination indicates
that the works have a diversion capacity of .070 cfs of water from:

BRONSON CREEK

tributary to PARKER 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	0.07 CFS	50.7 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF
	Totals	0.07 CFS	51.9 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 5, Township 64N, Range 01W
BOUNDARY County

PLACE OF USE: POWER
TWN RGE SEC

64N 01W 5 NWSW

PLACE OF USE: DOMESTIC, same as POWER use

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.

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SEP 22 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 98-07471

CONDITIONS/REMARKS:

5. 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.
6. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
7. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 14TH day of April, 1992.

Acting for R. Keith Higginson, Director

SEP 22 1992

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL OF)
APPLICATION FOR PERMIT NO. 98-7471 IN THE)
NAME OF GERALD L. BACON)

ORDER ADOPTING
PROPOSED MEMORANDUM
DECISION AND ORDER

WHEREAS, A. Kenneth Dunn, Director of the Department of Water Resources having issued and served a copy on the parties on May 1, 1984, a Proposed Memorandum Decision and Order in the above-captioned matter, pursuant to Idaho Code, Section 67-5211; and,

WHEREAS, more than fifteen days have passed since the service of the Proposed Memorandum Decision and Order; and,

WHEREAS, no exceptions to that Proposed Memorandum Decision and Order have been received;

IT IS, THEREFORE, HEREBY ORDERED that said Proposed Memorandum Decision and Order be adopted and issued as the Final Decision and Order and proof of construction of works and application of water to beneficial use be submitted on or before May 1, 1989.

Dated this 22ND day of MAY, 1984.

for Norman C Young
A. KENNETH DUNN
Director

11/8

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF A PROTEST AGAINST APPROVAL OF	}	PROPOSED
APPLICATION FOR PERMIT NO. 98-7471 IN THE	}	MEMORANDUM DECISION
NAME OF GERALD L. BACON	}	AND ORDER

On March 9, 1983, Gerald L. Bacon filed with the Department of Water Resources Application for Permit No. 98-7471 for a permit to appropriate 0.20 cubic feet per second (cfs) of water from Bronson Creek tributary to Parker Creek to be diverted within the NW1/4SW1/4, Sec. 5, Twp. 64N, Rge. 1W, B.M., Boundary County, to be used for domestic and power purposes.

Notice of the application was published in the Bonnors Ferry Herald, Bonners Ferry, Idaho on March 17 and 24, 1983.

The Department received a protest against granting of the application from Beverly B. Morter on April 4, 1983.

A conference was held on September 16, 1983 in Bonners Ferry, Idaho. The applicant was present and represented himself. The protestant was present along with her husband and represented herself. The major issue at the conference was that the protestant felt the granting of this water right would interfere with her prior water right.

Based upon the information presented at the conference, the official files and records of the Department of Water Resources and his understanding of the law, the hearing officer for the Director of the Department of Water Resources proposes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

- 1) The protest letter stated the concern of the protestant was interference with existing and future uses of water.
- 2) The protestant indicates her property has been irrigated under License No. 17758/98-2046 three times in the past 12 years.
- 3) Bronson Creek is used by the protestant to water approximately 150 head of cattle during the winter months.
- 4) The applicant has estimated the flow to be 1.0 cfs from the dimensions of the streambed and velocity of the flow.

CONCLUSIONS OF LAW

- 1) In at least nine of the past 12 years, there would have been

sufficient quantities of water available for the applicant to make his appropriation without any interference with the protestant's prior water right.

2) If there is sufficient water available for future use by the protestant, there is water available for the applicant.

3) The applicant is entitled to a permit to appropriate the public waters of the State of Idaho.

4) Any water right developed under a permit issued as a result of this Memorandum Decision will be junior in time to water right No. 17758/98-2046.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Permit No. 98-7471 is APPROVED subject to the following conditions:

1) This permit is subject to all prior water rights.

2) The issuance of this permit does not grant any right-of-way or easement across the land of another.

3) Permit holder shall commence the excavation or construction of diverting works within one year of the date the permit is issued and shall proceed diligently until the project is complete.

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

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

6) 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.

7) Proof of construction of works and application of water to beneficial use shall be submitted to the Department on or before the date indicated on the final order.

Dated this 27 day of April, 1984.

MICROFILMED


BOBBY D. FLEENOR
Hearing Officer

3/7/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant GERALD L BACON Phone 267-7888

Post office address SR 1 PORT HILL ID 83852

2. Source of water supply BROWSON CREEK which is a tributary of PARKER CREEK

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 5 Township 64N

Range 1W B.M. BOUNDARY County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .02 for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .18 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)

5. Total quantity to be appropriated:

a. .20 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. WTAKE NOZZLE, POOL
4" PIPE

b. Height of storage dam _____ 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 _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 5 Township 64N

Range 1W B.M.

Allow 4 kilowatts*

(2) Amount of power to be generated: 500 WATTS $\div$ horsepower under 350 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 1.

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

MICROFILMED

100-443887-100

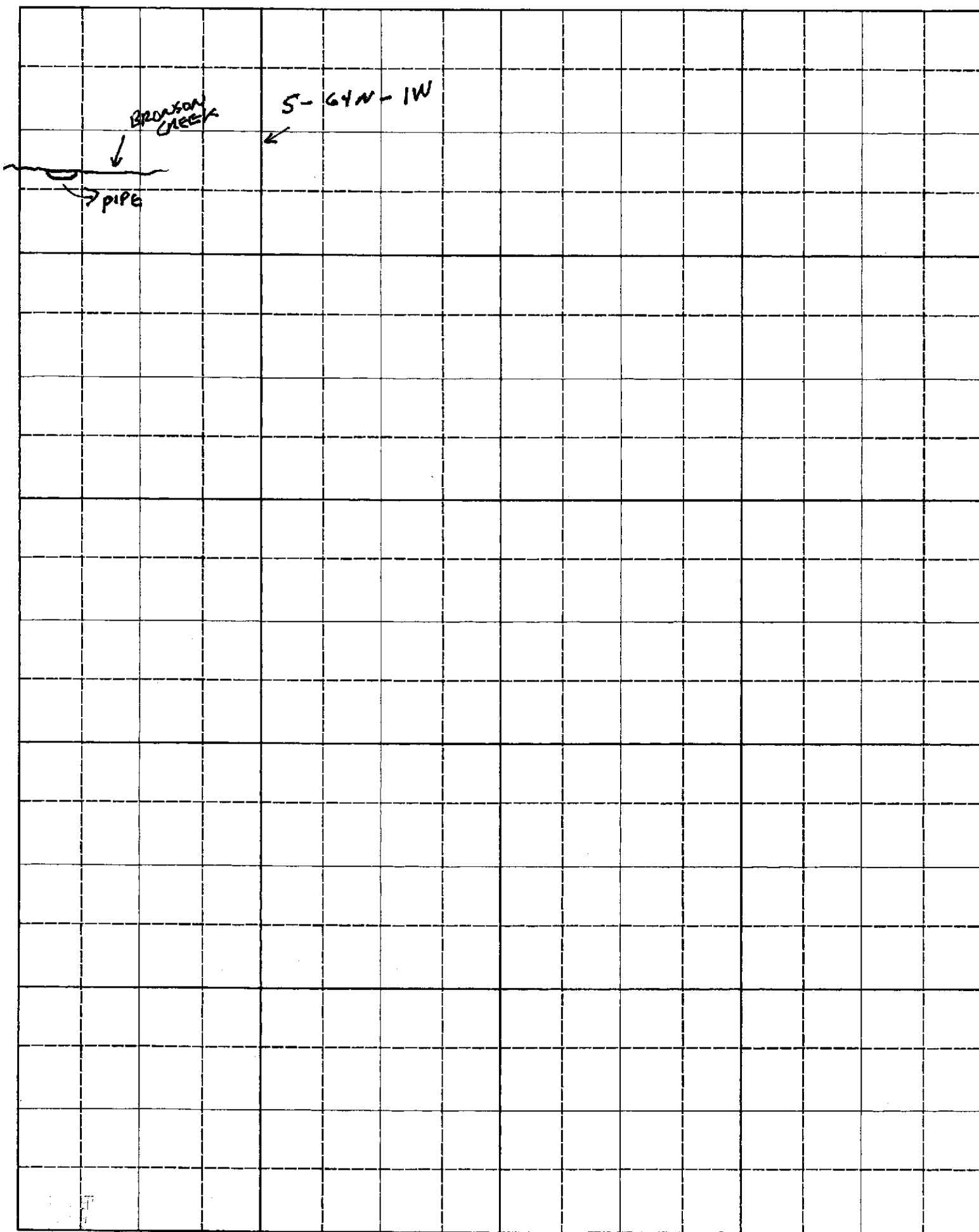
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11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Gerald L. Bacon
(Applicant)

UNRECORDED

Proposed Priority: 3/9/83

Received by Mr. [Signature] Date 3/9/83 Time 12:30pm
Preliminary check by Mr. [Signature] Fee \$ 3000
Received by Mr. [Signature] Date 3/9/83 (24968)
Publication prepared by Mr. [Signature] Date 3/10/83
Published in Boise State
Publication dates 3/17-20/83
Publication approved Mr. [Signature] Date 4/11/83
Protests filed by: Deane B. Hester - 4/4/83
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. 98-7471, 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

May 1, 19 89.

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: PURSUANT TO PROPOSED MEMORANDUM DECISION AND ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER.

Dated this 22nd day of MAY, 1984.

A. KENNETH DUNN, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF A PROTEST AGAINST APPROVAL OF
APPLICATION FOR PERMIT NO. 98-7471 IN THE
NAME OF GERALD L. BACON

CERTIFICATE OF MAILING

I HEREBY CERTIFY That on this the 22nd day of May, 1984, a true and correct
copy of the foregoing ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER was
mailed, postage prepaid to:

Gerald L. Bacon
Star Route 1
Porthill, ID 83853

Beverly B. Morter
Star Route 1, Box 141
Porthill, ID 83853



RITA I. FLECK
Secretary/Records Manager
Idaho Department of Water Resources

RECEIVED

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF A PROTEST AGAINST)
APPROVAL OF APPLICATION FOR PERMIT)
NO. 98-7471 IN THE NAME OF)
GERALD L. BACON)
_____)

ORDER ISSUING
PROPOSED DECISION

A. Kenneth Dunn, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by his appointee, Bobby D. Fleenor, who conducted the hearing or who has read the record in this case, hereby approves the same as a proposal for decision pursuant to Idaho Code, § 67-5211 and orders that said proposed decision and a copy of this order be served upon each of the parties to these proceedings who appeared at the hearing on September 16, 1983, of this matter or upon their attorneys in accordance with Rule 7.3 of the Rules of Practice and Procedure of this Department.

Each party to these proceedings who appeared at the hearing is hereby afforded the opportunity, pursuant to Idaho Code §§ 42-1701A and 67-5211, to file exceptions to the attached proposed decision and to present briefs and oral arguments in accordance with the provisions of this order. Exceptions may not be filed and briefs and oral arguments may not be presented by parties who did not appear at the hearing of this case. If no timely and proper exceptions are received, an order by the Director will be entered adopting and issuing the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,
2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and
3. be sent to each of the parties who appeared or their attorneys.

B. Exceptions not in compliance with the above stated requirements will not be considered and will be deemed an acceptance of the proposed decision.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. Any party desiring to file a brief in response to any exceptions filed by any other party may do so by filing such brief with the Director on or before the 15th day following the last day any exceptions by any other party were served upon that party desiring to respond.

III.
ORAL ARGUMENTS

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exceptions.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral arguments in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposal for decision shall be heard at the discretion of the Director, pursuant to Idaho Code, § 42-1701A. After all exceptions, briefs and requests for oral arguments have been received, the Director will decide whether to hear oral arguments. If oral arguments are to be heard, the Director will, within a reasonable time, set the case for oral arguments and notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

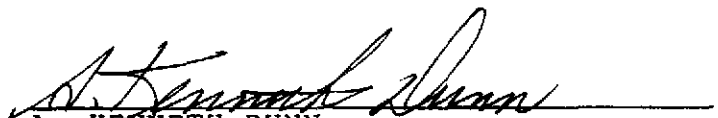
IV.
CERTIFICATION OF SERVICE

A. All exceptions, briefs, requests for oral arguments and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.
FINAL DECISION

A. Following the submission of all exceptions and briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

Dated this 1st day of May, 1984.


A. KENNETH DUNN
Director
Department of Water Resources

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

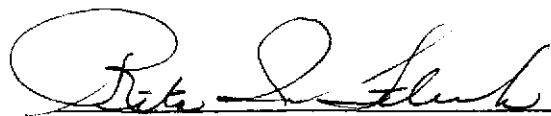
IN THE MATTER OF A PROTEST AGAINST APPROVAL OF
APPLICATION FOR PERMIT NO. 98-7471 IN THE
NAME OF GERALD L. BACON

CERTIFICATE OF MAILING

I HEREBY CERTIFY That on this the 1st day of May, 1984, true and correct
copies of the foregoing ORDER ISSUING PROPOSED DECISION and PROPOSED MEMORANDUM
DECISION AND ORDER were mailed, postage prepaid to:

Gerald L. Bacon
Star Route 1
Porthill, ID 83853

Beverly B. Morter
Star Route 1, Box 141
Porthill, ID 83853



RITA I. FLECK
Secretary/Records Manager
Idaho Department of Water Resources

RECEIVED
MAY 1 1984
IDAHO DEPARTMENT OF WATER RESOURCES

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

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

1. Individual Applicant or Individual Members of a Partnership:

I, GERALD L BACON of BONNERS FERRY,
(name) (city)

county of BOUNDARY, 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
(name of corporation)

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

_____ Idaho, wherein are kept the corporate records required
(city)

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 BOUNDARY) ss.

Gerald L. Bacon
Applicant

On this 7 day of MARCH, 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.

Wayne A Fox
Notary Public residing at

BONNERS FERRY

seal

My commission expires:

LIFE

RECEIVED

APR 4 1983

Department of Water Resources
Northern District Office

Star Rt. Box 141
Porthill, Idaho 83853
March 22, 1983

Director, Dept. of Water Resources
4055 Government Way
Coeur d'Alene, Idaho 83814

Dear Sir:

I wish to protest water right filed by Gerald L. Bacon, published in Bonners Ferry Herald on March 17, 1983.

He has asked to divert water from Bronson Creek, a tributary of Parker Creek. This stream has a very low water flow during the summer months. Also, during extremely cold weather without adequate snow cover, there is very little water. We presently have a family of four people living in the residence we own. We plan on building on this site in a few years and do now want to have restricted water use.

Water permit number 17758 was issued to this residence on August 4, 1936 in the name of Ione C. Nickerson.

Very truly yours,

Beverly B. Morte

RECORDED

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho:

ate

98-7468

DUARTE, MELVIN L. &/or HELGA
P.O. BOX 776, BONNERS FERRY, ID 83805
Source: TWENTYMILE CREEK trib. to DEEP CREEK
Date Filed: 03/02/1983
Diversion Pt: SWSW Sec 32 T 61N R 01E
Use: IRRIGATION (0.03 CFS)
DOMESTIC (0.02 CFS)
In: SWSW Sec 32 T 61N R 01E FOR 2 ACRES

98-7469

JONES, FRANCIS J. &/or LINDA J.
STAR RT. 1, MOYIE SPRINGS, ID 83845
Source: GROUNDWATER
Date Filed: 03/07/1983
Diversion Pt: NESE Sec 20 T 62N R 03E
Use: IRRIGATION (0.06 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.02 CFS)
In: NESE Sec 20 T 62N R 03E FOR 3 ACRES

98-7470

MOYIE INC.
C/O B. DUGAL, P.O. BOX 42, MOYIE SPRINGS, ID 83845
Source: SPRING trib. to SINKS
Date Filed: 03/04/1983
Diversion Pt: NENW Sec 10 T 62N R 02E
Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.02 CFS)
In: SESE Sec 03 T 63N R 02E FOR 40 ACRES

98-7471

BACON, GERALD L.
STAR RT. 1, PORTHILL, ID 83853
Source: BRONSON CREEK trib. to PARKER CREEK
Date Filed: 03/09/1983
Diversion Pt: NWSW Sec 05 T 64N R 01W
Use: POWER (0.18 CFS)
DOMESTIC (0.02 CFS)
In: NWSW Sec 05 T 64N R 01W

98-7472

PUYLEART, TOM &/or KATHI
STAR RT. 1, MOYIE SPRINGS, ID 83845
Source: GROUNDWATER
Date Filed: 03/09/1983
Diversion Pt: SESW Sec 01 T 62N R 02E
Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.04 CFS)
DOMESTIC (0.04 CFS)
In: SESW Sec 01 T 62N R 02E FOR 1 ACRES

98-7473

BECKER, CARL &/or ARLYSSE
STAR RT. 1, MOYIE SPRINGS, ID 83845
Source: SPRING trib. to SINKS
Date Filed: 03/09/1983
Diversion Pt: SWSW Sec 02 T 62N R 02E
Use: IRRIGATION (0.14 CFS)
STOCKWATER (0.04 CFS)
DOMESTIC (0.02 CFS)
In: SWSW Sec 02 T 62N R 02E FOR 10 ACRES

The permits will be subject to all prior water rights. Protests must be filed with Director, Dept. of Water Resources, 6055 Gov't. Way, Coeur d'Alene, Id. 83814 on or before April 4, 1983.

KEN DUNN, Dir.

First publication March 17, 1983
Final publication March 24, 1983-dwr

AFFIDAVIT OF PUBLICATION

OF IDAHO

of Boundary

ss.

MAR 31 1983

Luana Van Hook, bkpr for Pata Thompson being
sworn upon his oath, deposes and says that he is the Publisher (foreman)
Department of Water Resources
Northern District Office

Bonnors Ferry Herald, a newspaper of general circulation, published weekly at
Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has
continuously and uninterruptedly published in said Boundary County during a period
of 78 weeks prior to the first publication of the hereto attached notice; that

Notice of Application for Water Right
98-7468, 7469, 7470, 7471, 7472, 7473

Publication, a printed copy of which is attached hereto was published in said
er and not in a supplement thereof for 2 consecutive issues, com-
with the issue dated March 17, 1983, and ending with the
dated March 24, 1983.

bed and sworn to before me this 24th day of March, 1983.

Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

April 15, 1992

GERALD L BACON
HCR 60 BOX 247
PORTHILL ID 83853

RE: WATER RIGHT NO. 98-07471

Dear Water Right Holder(s):

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

Sincerely,

SHARLA CURTIS
Water Resource Agent

SC:clh

Enclosure

MICROFILMED
SEP 22 1992

4-6-92

Gerald L. Bacon
HCR-60, Box 247
Port Hill, ID 83853

State of Idaho
Dept. of Water Resources

Re: 98-07471

attn. Sharla Curtis

I sure have been trying to get a reply back to your office with my recommendations.

This is in response to your letter of 2/12/92

I did send the first response by certified mail, with a receipt requested. - The receipt never arrived, so I had a tracer placed on it on 3/11/92 and the letter has not been ~~accounted~~ accounted for in Boise at this time. (4-6-92)

I did send ^{an additional} copy, (similar to the one enclosed) when it became obvious that my mail was not getting through. Hopefully one of them reached you alright, but I have not heard ~~anything~~ from your office either.

Sincerely,

Gerald L. Bacon

SEP 22 1992

~~on the first letter~~

Hi Bill,

The Lost receipt number is p. 989-015-568
and dated 2/21/92.

I am indeed putting this into the
mail on Monday 4-6-92 as requested,
so if it comes later, you can draw your
own conclusions!

Gerald L. Bacon,
HCR-60, Box 247
Porthill, ID 83853

Tel/ 267-2338

P.S. the Tracer came back to me on 3/23/92
with a stamp saying no record of receiving
at this office. (Boise)

SEP 22 1992

B. J.

Feb. 20, 1992

STATE OF IDAHO
DEPT. OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED
FEB 24 1992

RE: 98-07471

Department of Water Resources

Sharla Curtis
Water resource Agent

Dear Sharla,

Thanks for the draft copy of the proposed license. I have reviewed it and found some inaccuracy.

I talked to Tom King at the Cda branch on 2-19-92, and it appears that the domestic quantity allowed does not reflect the need for my garden, and should read 1.2 AF annual volume.

The power use has the biggest error in annual use, as that runs all the time. 24 hours per day, 365 days per year, God willing. A short note to describe it is probably relevant here. The generator charges a large battery, so it charges continually and the battery stores this power for future use. It allows several days of storage, so huge amounts of power can be used as needed, as long as the total is kept within the limits of the generator's total output. So the generator runs all the time, in order to restore the battery to full charge. It is this principal that makes such a small system practical. I do not consume this water, as is the case for domestic water, but it just spins the generator and is returned to the creek at a lower elevation from the source. (All on my land) So the use of the power does not effect the amount of water at lower elevations than my property. Granting this permit would limit use at higher elevations, but there simply is no more private property up there. It is Federal and BLM land, and a pretty barren area at that. I figure that at .07 CFS, that it would run 50.7 AF per year, and the totals column would change to 51.9 AF per year. I will return the original copy of the proposed license that you sent me. (Dated Feb. 12, 1992), with the above values marked in.

I trust Mr. King has already contacted you as planned and these concerns have already been brought to your attention. He was going to get back to me later on that day, but has not made it yet. So with the 10 day time limit in mind, I am sending this information directly to you at this time.

Sincerely;

Gerald L. Bacon

Gerald L. Bacon
HCR-60, Box 247
Porthill, ID 83853
Phone (208) 267-2338

MICROFILMED

SEP 22 1992

Feb. 5, 1992

Gerald L. Bacon
HCR-60, Box 247
Porthill, ID 83853
(Tel 208 267-2338)

RECEIVED
FEB 10 1992

Department of Water Resources

Underwritten by Water Resources

STATE OF IDAHO
DEPT. OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RE: 98-7471

Dear Sir,

I wrote to you on Jan. 5, 1992, asking about the progress on my application for water use permit # 98-7471. I will enclose copies of letters sent at that time. No reply has been received at this time.

I have listed the property for sale now, and sure would like this matter cleared up before a potential buyer comes along. I have no way of knowing if my mail is actually getting through to your office, or not, so I will carry this one to a neighboring town, for mailing.

Sincerely,

Gerald L. Bacon
Gerald L. Bacon

MICROFILMED

SEP 22 1992

*Copy of Previous
Letter G.L.B.*

May 22, 1991

Gerald L. Bacon

HCR 60, BOX 247

Porthill, ID 83853

Re: Application for
permit No. 98-7471

State of Idaho

DEPARTMENT OF WATER RESOURCES

CDA Office

Dear Sir,

I have filed on .20 C.F.S. of water here, and it was inspected a year ago. Having heard nothing since, I figure you are in no rush on this matter, and wonder if it is too late to ask for a time extension to bring the usage up to the amount originally filed on.

Therefore I am inquiring if you might extend my time to prove up this system, and I will go about installing it. It looks like a 4 inch pipeline is needed to combat friction, but the nozzles will limit the actual flow to the .18 C.F.S. applied for. (In addition to the domestic water), for the total of .20 C.F.S. total.

It has taken a lot of experimenting to come up with a practical system for this location. I currently have enough electricity for necessities, but it would be nice to have some luxuries...such as a refrigerator. The proposed expansion would allow that.

If this request is granted, it would seem that no further advertising would be needed, as the quantity of use filed on does remain the same as before. The quantity of water is easily measured at the outlet pipe, back at the creek. When it takes 4.5 seconds to fill a 6 gallon bucket, I will know my work is done and your Dept. will be free to give it another check if that's needed. The system will be essentially the same as now, except for the larger pipe line, and larger nozzles in the generator.

Sincerely Yours;

Gerald L. Bacon

RECEIVED

SEP 22 1992

Oct. 4, 1991

Mr. Tom D. King
Dept. of Water Resources
Northern Region

*Copy of Previous
Letter G.L.B.*

Re: 98-07471

Dear Mr. King:

Thanks for the response to my letter of May, 22, 1991. In an effort to simplify our dealings as much as possible, I elected to wait for the results of the original diversion request before even considering applying for more water use. That has not been forthcoming, and this is a reminder that considerable time has passed, and seemingly nothing is being done.

Do to all the elapsed time, I am writing to remind you that this file is still open and I am anxiously awaiting approval, and confirmation, of permit # 98-07471. (Also referred to as # 98-7471)

Sincerely,

Gerald L. Bacon
HCR-60, BOX 247
PORTHILL, ID 83853

[Faint stamp]
SEP 2 1991

JAN 5, 1992
GERALD L. BACON
HCR-60, BOX 247
PORTHILL, ID 83853

*Copy of previous letter
G.L.B.*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Dear Sir,

My application for water was inspected by Theresa J. Bright on or about August 2, 1990. I have written several letters to the CdA office since then, (copies included), and have received replies that they have referred the matter to your office.

My health is forcing me to move from this area now, and having that water permit is critical in the property sale. Is there anything I can do to speed up the processing of these documents? I would like the permit as soon as possible to allow getting my property onto the market.

Sincerely,

Gerald L. Bacon
HCR 60, Box 247
Porthill, ID 83853

SEP 22 1991

February 12, 1992

GERALD L BACON
HCR 60 BOX 247
PORTHILL ID 83853

RE: WATER RIGHT NO. 98-07471

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

SHARLA CURTIS
Water Resource Agent

SC:blm

Enclosure

UNRECORDED

SEP 22 1992

RECEIVED
JAN 08 1992

JAN 5, 1992

Department of Water Resources

STATE OF IDAHO
DEPT. OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RE: 98-7471

Dear Sir,

My application for water was inspected by Theresa J. Bright on or about August 2, 1990. I have written several letters to the CdA office since then, (copies included), and have received replies that they have referred the matter to your office.

My health is forcing me to move from this area now, and having that water permit is critical in the property sale. Is there anything I can do to speed up the processing of these documents? I would like the permit as soon as possible to allow getting my property onto the market.

Sincerely,

Gerald L. Bacon

Gerald L. Bacon
HCR 60, Box 247
Porthill, ID 83853

RECEIVED

SEP 22 1992

98-7471

October 9, 1991

Mr. Gerald L. Bacon
HCR 60 Box 247
Porthill, Id. 83853

Re: Appropriation Application

Dear Applicant:

Your file was forwarded to the main office in June, with 300 other files in the same stage of completion. Since we do not keep copies of these files, I have forwarded your letter of Oct. 4, 1991 to the main office for response.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

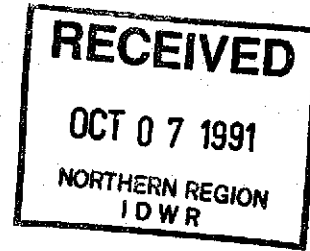
Tom D. King
Sr. Water Resource Agent

RECORDED

SEP 22 1992

Oct. 4, 1991

Mr. Tom D. King
Dept. of Water Resources
Northern Region



Re: 98-07471

Dear Mr. King:

Thanks for the response to my letter of May, 22, 1991. In an effort to simplify our dealings as much as possible, I elected to wait for the results of the original diversion request before even considering applying for more water use. That has not been forthcoming, and this is a reminder that considerable time has passed, and seemingly nothing is being done.

Do to all the elapsed time, I am writing to remind you that this file is still open and I am anxiously awaiting approval, and confirmation, of permit # 98-07471. (Also referred to as # 98-7471)

Sincerely,

A handwritten signature in cursive script that reads "Gerald L. Bacon".

Gerald L. Bacon
HCR-60, BOX 247
PORTHILL, ID 83853

A rectangular stamp with the word "MICROFILMED" in a bold, sans-serif font.

SEP 22 1992

JUN 28 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 9807471

1. Owner: Gerald L Bacon Phone No. 267-7888
Current Address: HCR 60 Box 247 Porthill ID 83853

2. Accompanied by: Gerald Bacon EXAM. DATE: 8/2/90

Address: Same Phone No. Same

Relationship to Permit Holder: _____

3. Source: Bronson Creek tributary to Parker 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 all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



☐ Home use

inside home
now detail

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).

- ☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

- ☐ Aerial Photo Attached

(required for irrigation of 10 acres or more)

SEP 20 1992

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

system consists of 3 pipes, two of which are buried one is not. The unburied pipe is slightly longer & is used during the summer when it won't freeze. During the winter the 2 "lower" pipes are used. All pipes are 1/2" PVC. The water travels to home where valve can't select either the "upper" line or the two lower lines. The water line is "T" with one part going to home & one part turning lower generator and then returning to cre

☐ See Remarks on page 4 for continuation

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:

[illegible]

6. Place(s) of Use:

[illegible]

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:

Bucket & stopwatch measured six gallons / 11 sec

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: $6 \text{ gal} / 11 \text{ sec} = \frac{6 \text{ gal}}{11 \text{ sec}} \times \frac{5.45}{5.45} = \frac{32.79}{60 \text{ sec} \times 1 \text{ min}} = 32.79 \text{ gpm}$

$\frac{32.79 \text{ gpm}}{448.8 \text{ gpm/cfs}} = 0.07 \text{ cfs}$

2. Alternate Method for Checking Purposes: length of 12" drop in pipe flow chart - length of "A" is 3.5"
 3" air space = 75% for A=2" 5 gpm is 26 x 75% = 19.5 gpm For A=4" 5 gpm = 52 x 75% = 39 gpm
 inside Pipe Diameter 4" $3.5 = (.879(4)) \text{ so } (39 \text{ gpm} \times .87\%) = 33.9 \text{ gpm or } 0.075 \text{ cfs}$ 1 Home

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 home, no lawn 0.6 afa

power is non-consumptive use.

RECEIVED

SEP 22 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Pressure gage reads 80 psi.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	From	To	Period of Use	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Domestic	1-1	12-31		0.02 cfs	0.6 AFA
Power	1-1	12-31		0.07 cfs	N/A

Totals:

0.09 cfs
0.6 AFA

2. Recommended Amendments

- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above

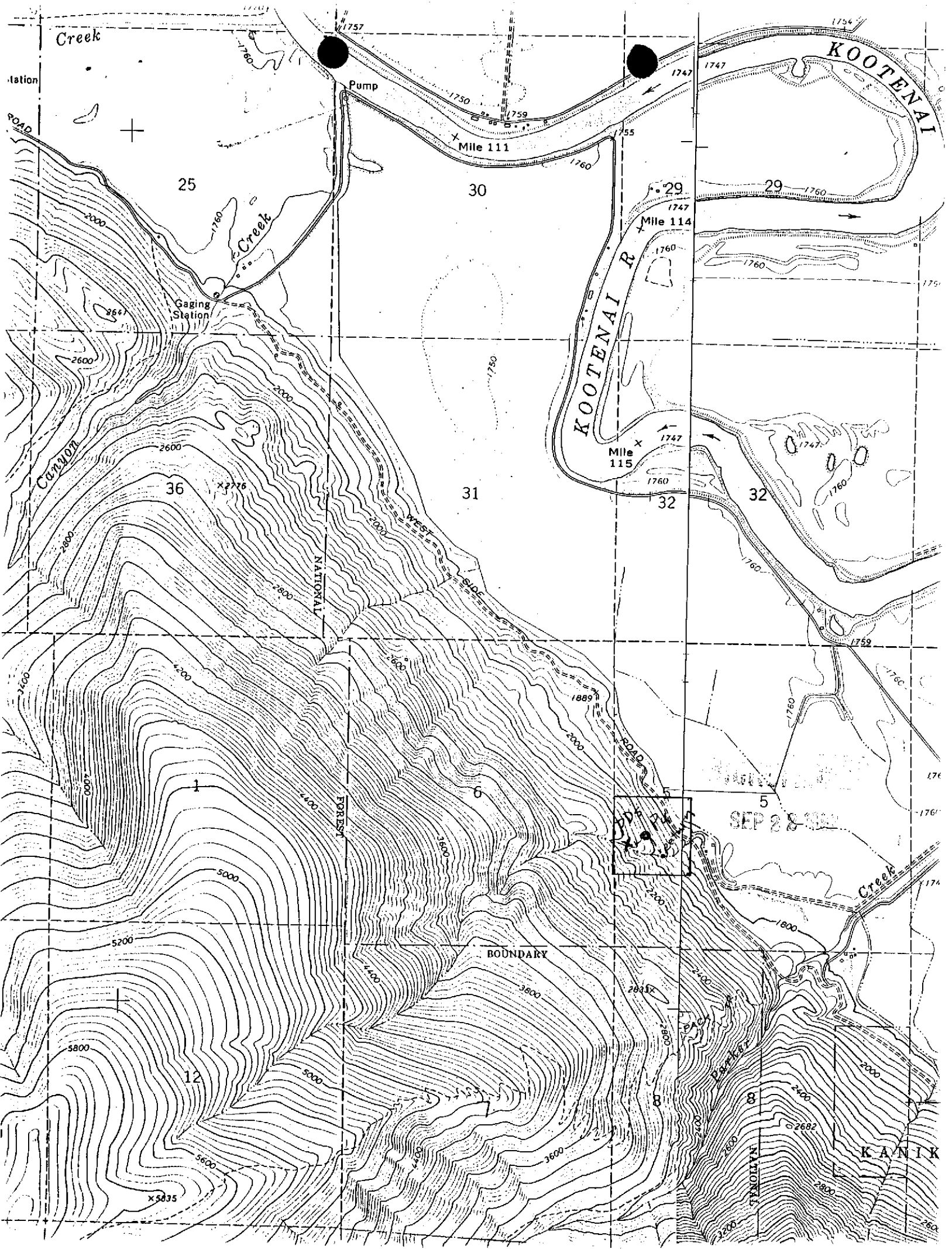
- ☒ None
- ☐ Other

J. AUTHENTICATION

Field Examiner's Name: Theresa J. Bright
 Signature: [Signature]
 Certification Date: 4/16/90
 Field Report Preparation Date: 8/7/90

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





June 3, 1991

Mr. Gerald L. Bacon
HCR 60 Box 247
Porthill, Id. 83853

Re: 98-07471

Dear Mr. Bacon:

This department has received your request for an extension of time to prove beneficial use of water on Bronson Creek. The final date that you could request an extension of time on this permit was May 1, 1989. If you are planning to increase the rate of diversion beyond that which was measured by the representative of this department, you must make a new application for the additional water, I have enclosed an application and instructions for your convenience.

This office has recommended that your permit be licensed for 0.02 cfs for domestic purposes and 0.07 cfs for power production, for a total of 0.09 cfs.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

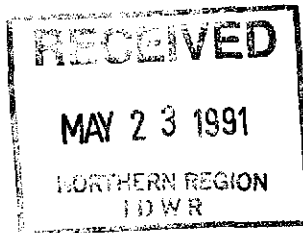
Sincerely,

Tom D. King
Sr. Water Resource Agent

Enc: Appl
Ins.

NOT RECORDED

SEP 22 1992



May 22, 1991
Gerald L. Bacon
HCR 60, BOX 247
Porthill, ID 83853
Re: Application for
permit No. 98-7471

State of Idaho
DEPARTMENT OF WATER RESOURCES

Dear Sir,

I have filed on .20 C.F.S. of water here, and it was inspected a year ago. Having heard nothing since, I figure you are in no rush on this matter, and wonder if it is too late to ask for a time extension to bring the usage up to the amount originally filed on.

Therefore I am inquiring if you might extend my time to prove up this system, and I will go about installing it. It looks like a 4 inch pipeline is needed to combat friction, but the nozzles will limit the actual flow to the .18 C.F.S. applied for. (In addition to the domestic water), for the total of .20 C.F.S. total.

It has taken a lot of experimenting to come up with a practical system for this location. I currently have enough electricity for necessities, but it would be nice to have some luxuries...such as a refrigerator. The proposed expansion would allow that.

If this request is granted, it would seem that no further advertising would be needed, as the quantity of use filed on does remain the same as before. The quantity of water is easily measured at the outlet pipe, back at the creek. When it takes 4.5 seconds to fill a 6 gallon bucket, I will know my work is done and your Dept. will be free to give it another check if that's needed. The system will be essentially the same as now, except for the larger pipe line, and larger nozzles in the generator.

Sincerely Yours;

Gerald L. Bacon
Gerald L. Bacon

RECEIVED

SEP 22 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 26, 1990

Gerald L. Bacon
HCR 60-247
Porthill, ID 83853

RE: 98-07471

Dear Mr. Bacon

We received a copy of your letter dated July 17, 1990 in our office today. I am scheduled to be in the Bonners Ferry area from July 31 through August 2. I am hoping to conduct the field examination of your water development at that time. I will be staying at the Kootenai River Inn and the phone number there is 267-8511. I will try to contact you by phone from there on Tuesday evening, July 31, 1990. I would like to schedule your exam for Thursday, August 2 in order to give you more time to make arrangements to be there. If, however, you are interested in scheduling the exam for Wednesday evening so that you do not have to take time off from work, I am willing to do that. If by chance this letter does not reach you in time for you to schedule the exam, I will be in that area again at the end of the month and you will have an opportunity to schedule an exam at that time as well.

I am sure that it is very frustrating to wait on our department to obtain your Water Right license. Our Department has a tremendous backlog of exams to conduct. In fact, we have over 400 exams to conduct this summer. We have only two Field Examiners, and our territory extends from Grangeville to Porthill. With your cooperation, we will get the examination of your water development done this field season.

Sincerely,

Theresa J. Bright
Field Examiner



up 95 to Rt 1
left * to West Side Rd

MPost 14 go Rt go NW

Mp 17 Parker Creek

3/4 mi Past 2nd Creek

on left 'utility Pole

4 corners

Narrow

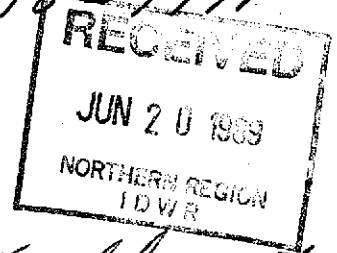
Pull out at shop.

200' road
from

June 19, 1988

State of Idaho
Dept. of Water Resources

Re: 98-7471



Dear Sir,

Thanks for your letter of acknowledgement of May 16.

It's been a month since it arrived and not having heard any more I feel I should write.

I am working long hours and it's very unlikely I could be reached by phone, but I get my mail regularly.

So please, have the field examiner write me stating when he will definitely be here and I'll take time off work and definitely be here to demonstrate the system.

Sincerely,

Gerald L. Bacon
HCR 60 J 247
Poncha, Id.
83853



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 23, 1990

RE: Permit No. 98-7471

Gerald L. Bacon
HCR 60 - 247
Porthill, ID 83853

Dear Mr. Bacon:

We have received your correspondence of July 17, 1990. In regard to your questions regarding the field examination of your system, I can only respond by saying that a copy of your letter will be forwarded to our Northern Regional Office in Coeur d'Alene. When your examination is conducted, it will be done by that office, and they will be contacting you when they get ready to make the exam.

At this time, the examiner's are quite busy due to the Snake River Adjudication filings. Therefore, it may be some time before the exam of your system is conducted. I hope that this letter answers your questions. If not, please feel free to contact either our office or our Regional Office in Coeur d'Alene.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:k
cc: IDWR, Northern Region

RECEIVED

SEP 22 1992

RECEIVED
JUL 19 1990

Gerald L. Bacon
HC 60-247
Porthill, ID
83853

7/17/90

Department of Water Resources

State of Idaho
Dept. of Water Resources

Re: Permit No. 98-07471

Dear Sir,

This is a letter of inquiry about my water permit.

I submitted the proof of beneficial use from on 3/31/89 with the required examination fee. (Duplicate form inclosed)

It was my belief that someone would be out to examine the installation, check the water flow etc., but nothing appears to have been done, to date.

Due to the small amount of water involved (2 c.f.s. total), my measuring device is very simple. - It consists of timing how long it takes to fill a bucket at the generator discharge pipe. - An average of which gives quite an accurate measurement in gallons which converts to c.f.s. easily. - No special eqpt. is needed.

I am located on Westside road in Porthill - just a few miles shy of the new Smith Creek Power project. Perhaps someone checking that project could check this one at the same time? (My location is between mile post 12 and 18 East of 7.8 and my place is up on the mt. side West of the road)

It would be very nice to get this done soon.

Sincerely Yours,

Gerald L. Bacon

phone 208-267-2338

SEP 22 1992

P.S.

Because I live alone and it's hard to catch me by phone I suggest a letter is a much more sure way of communication to verify a testing date. I can be here at any time if previously notified.



State Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

May 16, 1989

RECEIVED

MAY 22 1989

Mr. Gerald Bacon
HCR 60 - 247
Porthill, Id. 83853

Department of Water Resources

Re: 98-7471

Dear Mr. Bacon:

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 prior to the time the examination is made so that you may demonstrate 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

SEP 22 1989



1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 99-7471

Date: 4.6.89

General Considerations:

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

Source of Water:

Y 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:

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

Remarks:

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

RECEIVED

APR 03 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only

Fee Received 50.00

Date 4/3/89

Receipt # C000056

Receipt by K. Young

Reviewed by JS

Sent to region JS

PROOF OF BENEFICIAL USE

Department of Water Resources

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. 98-07471

Name(s) of Permit Holder: GERALD L. BACON

Post Office Address: HCR 60 - 247

Port Hill, ID. 83853

Telephone No. 208-267-2338

Source of Water: BROWSON CREEK - (ALSO called Cedar CK)

Extent of Use:

Domestic .02 (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remark .18 cfs for Hydro Power

Total rate and/or volume for which proof is submitted .2 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 6/1/84

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

Fee enclosed \$ 50.00
(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:

GERALD L. BACON

208-267-2338

(Name)

(Telephone Number)

HCR 60, Box 247

Port Hill, ID. 83853

(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.

RECORDED

3/31/89

Gerald L. Bacon

MAY 15 1989

Date _____ Signature of Permit Holder (and title, if appropriate)

GERALD L. BACON
HCR 60-247
P. TH 11 ID.

RETURN RECEIPT
REQUESTED

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

CERTIFIED

P 158 155 531

MAIL



State of Idaho
Dept. of Water Resources
1301 North Orchard St.
Boise, Idaho 83706

☐ Hold

Date

1ST Notice

2ND Notice

Return

Detached from
PS Form 3848-A,
Oct. 1985

Claim Check
No.
658934

Thank you for using
Return Receipt Service.

Is your RETURN ADDRESS
completed on the reverse side?

GERALD L. BACON
HCR 60, BOX 247
PORTHILL ID 83853

February 28, 1989

138054

PROOF DUE NOTICE

RE: PERMIT NO. 98-07471

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 May 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

MAY 15 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 98-7471
Name(s) of Permit Holder(s): GERALD L. BACON
Post Office Address: HCR 60 Box 247
Perthill, Id. 83853 Tel. No. 5267-7888

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on APRIL 15 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.

Date

Signature of Permit Holder

4/20/85 Gerald L. Bacon

GERALD L.
HCR 60 Box
Port Hill, ID 83853



MICROFILMED

MAY 15 1989

RECEIVED

MAY 1 1985

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 24, 1988

RE: Permit No. 98-7471

Gerald L. Bacon
HCR 60, Box 247
Porthill, ID 83853

Dear Mr. Bacon:

We are in receipt of your letter requesting an amendment form. Please be advised, however, that an amendment is not required for the system changes that you described in your letter.

An amendment of permit is required for changing the point of diversion or place of use to a different 40-acre tract than was proposed on your permit. An amendment can also be used to change the nature of use on a permit. The size of pipe described on your permit, and the size actually installed will not affect the status of your permit if they differ.

If you have any further questions regarding this matter, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

RECORDED

MAY 15 1989

March 10, 1988

Idaho Dept. of Water Resources
Statehouse
Boise, Idaho
83720

RECEIVED
MAR 14 1988

Department of Water Resources

Dear Sir,

Due to some actual changes in my project I am now applying for an amendment form or forms as noted in your instructions. I have used smaller, just size than specified and your additional paper, as an alternate for winter use, to avoid freeze up problems. Please send the amendment forms to me at the address below.

98-7471

Respectfully Yours,

Gerald L. Bacon

GERALD L. BACON
HCR 60-247
Port Hill, ID
83853

MICROFILMED

MAY 15 1989

May 22, 1984

Gerald L. Bacon
Star Route 1
Porthill, ID 83853

Dear Mr. Bacon:

Re: Application for Permit No. 98-7471

Enclosed is a copy of your approved Application for Permit No. 98-7471 along with a copy of the Proposed Memorandum Decision and Order and a copy of the Order Adopting the Proposed Memorandum Decision and Order. Please note the conditions of approval as set forth by the order.

Be sure to note the special condition requiring you to install a measuring device, or access port, or to provide a certified measurement or computation of flow based upon the design of the system to be prepared by a professional engineer.

Please be advised that prior applications for permit have been filed to appropriate water from your source which may impact the availability of water to be used under this permit. Therefore, you should be sure to analyze the impact of these rights before making a major investment into your water use project.

Also, your application for permit has been approved because we no longer wait for approval from 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.

Enclosed is a sheet of instructions entitled "Making Proof of Beneficial Use".

Gerald L. Bacon
May 22, 1984
Page 2

Please read the instructions carefully, since you must take further action to develop this permit into a license.

Any person who does not agree with the decision of the Department may request a rehearing before the Director within 20 days, or may appeal directly to the district court within 30 days of the date the decision is mailed.

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

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosures

cc: Beverly B. Morter

POWER CALCULATIONS FOR APPLICATION NO. 98-7471

$500W \times .001 = 0.5 \text{ kw}$

P = Kilowatts .74 X hp

Q = cfs .18 cfs

H = feet 350'

e = efficiency

proposed

- ☒ 1.) Affidavit of Residency
- ☒ 2.) Ownership of Facilities
- ~~NONE~~ 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.

$e = \frac{4(11.8)}{63} = \frac{47.2}{63} = 0.74 \checkmark$

$e = \frac{P(11.8)}{QH} = \frac{.5(11.8)}{.18 \times 350} = \frac{5.9}{63} = \frac{5.9}{63} \text{ NO}$

$P = \frac{QHe}{11.8} = \frac{.18 \times 350 \times .80}{11.8} = \frac{50.4}{11.8} = 4.27 \text{ kw}$

Based on the above calculations the proposed project must have an 74 % efficiency.

at 4 kW.

OVERLAP REVIEW

per terminal 4-10-84

P/D/sec:

98-2046 license - irr & domestic

P/U/sec:

98-2045 irr. - 20 acres - SESE

98-2046 irr - 20 acres - E 1/2 SW

BYPASSED AREA

Kay
4/10/84

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: RMA

APPLICATION NUMBER: 98-7471

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.
☐ 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.

Field check by: _____

Date: _____

Comments: _____

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

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 4/8/83
☒ 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? _____
☒ 3/9/83 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: RMA

Date: 4/11/83

L19, STATE OFFICE REVIEW:

L14, L18, L17a

26 01F 08A 17D 25

- ☐ See attached sheet for more information.

By: kw

Date: 4/10/84

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

IDENT. NO. 98-7471

WATER RIGHT
DATA ENTRY LOG

[illegible]

- Agreement -

We hereby agree to allow the Department of Water Resources to reach a decision in the matter of application for permit no. 98-7471 in the name of Gerald L. Bacon based upon the information obtained at the conference held in Bonner's Ferry, Idaho on September 16, 1983, the information contained in the records of the department and the director's understanding of the law.

We agree that a decision in this matter will be delayed for a period of sixty (60) days to allow for us to reach an agreement.

The agreement to allow this decision based upon a conference does not affect our right to appeal that decision.

Signed at Bonner's Ferry, Idaho on September 16, 1983

G. H. Morter
Beverly B. Morter

Gerald L. Bacon

MICROFILMED

Name: Gerald L. Bacon
File: 98-7471
Place: Jury Room, Boundary County Cthse., Bonners Ferry, Id.
Date: Friday, September 16, 1983 at 9:00 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
------	---------	--------------

<i>Samuel S. Morter</i>		
<i>Gerald L. Bacon</i>		
<i>Harold Morter</i>		

RECORDED
INDEXED
SEP 17 1983
FBI - BONNERS FERRY

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and date delivered \$
☐ Show to whom, date, and address of delivery .. \$
 2. ☐ **RESTRICTED DELIVERY** \$
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

3. **ARTICLE ADDRESSED TO:**
 Mr. Gerald Bacon
 St. Rt. 1
 Porthill, Id. 83853

4. **TYPE OF SERVICE:**
☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL
- ARTICLE NUMBER**
 13730

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

5. **DATE OF DELIVERY**

POSTMARK
 (may be on reverse side)

6. **ADDRESSEE'S ADDRESS (Only if requested)**

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**

24 AUG

1983

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

your name, address, and ZIP Code in the space below.
 Complete Items 1, 2, 3, and 4 on the reverse.
 Attach to front of article if space permits,
 otherwise affix to back of article.
 Endorse article "Return Receipt Requested"
 adjacent to number.



**PENALTY FOR PRIVATE
 USE, \$300**

**RETURN
 TO**



**IDAHO DEPARTMENT OF WATER RESOURCES
 NORTHERN DISTRICT OFFICE
 4055 GOVERNMENT W. SITE #9
 COEUR D'ALENE, ID 83814**

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

MICROFILMED

FOR FILE

AUG 24 1983

Department of Water Resources
 Northern District Office

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered f

☐ Show to whom, date, and address of delivery .. f

2. ☐ **RESTRICTED DELIVERY** f
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

3. ARTICLE ADDRESSED TO:

Ms. Beverly B. Morter
Star Rt. Box 141
Porthill, Id. 83853

4. TYPE OF SERVICE:

☐ REGISTERED

☐ INSURED

☒ CERTIFIED

☐ COD

☐ EXPRESS MAIL

ARTICLE NUMBER

13731

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

☐ Addressee

☐ Authorized agent

Leon Morter

5. DATE OF DELIVERY

8 24 83

POSTMARK

(may be on reverse side)

8. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS 24 AUG

Print your name, address, and ZIP Code in the space below.
Complete items 1, 2, 3, and 4 on the reverse.
Attach to front of article if space permits.
Otherwise affix to back of article.
Indorse article "Return Receipt Requested"
adjacent to number.

IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
4055 GOVERNMENT WAY, SUITE #9
COEUR D'ALENE, ID 83814

PENALTY FOR PRIVATE MAIL

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

RETURN
TO
RECEIVED
AUG 25 1983

Idaho Department of Water Resources
Northern District Office

13,000

98-7471 -

Gerald Bacon

~~365,000~~

~~400,000~~

Protestant -

Beverly Morker -

6

1.2

Auto generator -

Domestic would include some garden -
→ has measured the water thru a culvert -

3 1/2" deep 30" wide took 34 sec for 52 ft.

Q = about 1 cfs -

Purchased house in 1974

- Domestic use for one house -

P.D. is about 1/4 mile apart

Water has ~~not~~ been used for irrigation since property was purchased
~~Water~~ irrigated 3 times in last 12 years -

- Applicant will ~~not~~ carry water during time of shortage -

- Water is used for 150 head cattle in the winter and some years the stream freezes -

→
- Send - Copy of Application to Protestant

Copies of notes to both

NAME AND
ADDRESS
OF SENDERIDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
4005 GOVERNMENT CENTER BUILDING
BOISE, IDAHO 83726Indicate type of mail
☐ Registered
☐ Insured
☒ COD
☐ CertifiedI certify that we have
☐ Commercial Insurance
☐ A deductible clause of
\$Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

1 No	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (if Registered)	DUPLICATE IF C.O.D.	R. R. FEE	S. D. FEE	S. H. FEE	REST DEL. FEE REMARKS	
1	13722	Mr. and Mrs. James M. Stone Rt. 5 Box 54R, Priest River, Id. 83856	20	75				60			97-7231	
2	13723	Mr. Howard Peterson Rt. 5 Box 57, Priest River, Id. 83856	"	"				"			"	
3	13724	Mr. Albert Holm Rt. 5 Peterson Rd., Priest River, Id. 83856	"	"				"			"	
4	13725	Mr. Gordon West Rt. 6 Box 76A, Priest River, Id. 83856	"	"				"			"	
5	13726	Mr. Hubert M. Sewell Rt. 2 Box 470, Blanchard, Id. 83804	"	"				"			96-8256	
6	13727	Mr. C. Wain Geaudreau, Rt. 2 Box 415, Oldtown, Id. 83822	"	"				"			"	
7	13728	Mr. and Mrs. Clarence Pogue P.O. Box 1470, Newport, Wa. 99156	"	"				"			96-8135	
8	13729	Mr. Thomas Cooke, Atty. for West Bonner Water Dist. P.O. Box 789, Priest River, Id. 83856	"	"				"			"	
9	13730	Mr. Gerald L. Bacon Star Rt. 1, Porthill, Id. 83853	"	"				"			98-7471	
10	13731	Ms. Beverly B. Morter Star Rt. Box 141, Porthill, Id. 83853	"	"				"			"	
11	13732	Mr. Harold Wedel Star Rt. 3 Box 60, Bonners Ferry, Id. 83805	"	"				"			98-7511	
12	13733	Mr. Leland Plato Star Rt. 1 Box 8, Bonners Ferry, Id. 83805	"	"				"			"	
13												
14												
15												
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE	POSTMASTER PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.							

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

• U.S. GOVERNMENT PRINTING OFFICE: 1978 270-037

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

Suite No. 17
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6464

August 24, 1983

Clerk of the Court
Boundary County Courthouse
Bonners Ferry, Id. 83805

Dear Madam:

This is to confirm reservations for conferences &/or hearings to be held by this Department on September 16, 1983 in the Jury Room of the Boundary County Courthouse. The conferences will last until approximately 1:00 p.m.

Sincerely,

Patricia M. Stypa
Secretary - O/C

RECEIVED
AUG 25 1983
CLERK OF COURT
BONNERS FERRY, ID.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL)
OF APPLICATION FOR PERMIT NO. 98-7471)
IN THE NAME OF GERALD L. BACON.)

NOTICE OF HEARING
AND/OR CONFERENCE

On March 9, 1983, Gerald L. Bacon
of Porthill, Idaho, filed with the Department of Water
Resources an application to appropriate the public waters of the State of Idaho.
On April 4, 1983, the Department received a protest against approval
of said application from Beverly B. Morter.

The Department has set the matter of protest for hearing for Friday,
September 16, 1983, at 9:00 a.m. in the Jury Room of the
Boundary County Courthouse,
Bonniers Ferry, Idaho. The hearing will be held in accordance with
Chapter 2, Title 42 of the Idaho Code and adopted Rules of Practice and Procedure
of the Department of Water Resources. Opportunity shall be afforded all parties to
respond and present evidence and argument on all issues involved.

Dated this 23rd day of August, 1983.


ROBERT G. HAYNES, P.E.
Regional Supervisor

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

April 12, 1983

Mr. Gerald L. Bacon
Star Rt. 1
Porthill, Id. 83853

RE: 98-7471

Dear Mr. Bacon:

Enclosed is a copy of a protest filed against the approval of a permit pursuant to the above-referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, IDAHO CODE):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH: fms

Enclosure

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

April 12, 1983

Ms. Beverly B. Morter
Star Rt. Box 141
Porthill, Id. 83853

RE: 98-7471

Dear Ms. Morter:

Your protest against the approval of the above-referenced application has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, IDAHO CODE):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH: fms

UNRECORDED

BACON, GERALD L.

STAR RT. 1, PORTHILL, ID 83853

Source: BRONSON CREEK trib. to PARKER CREEK

Date Filed: 03/09/1983

Diversion Pt: NWSM Sec 05 T 64N R 01W

Use: POWER	(0.18 CFS)
DOMESTIC	(0.02 CFS)

In: NWSM Sec 05 T 64N R 01W