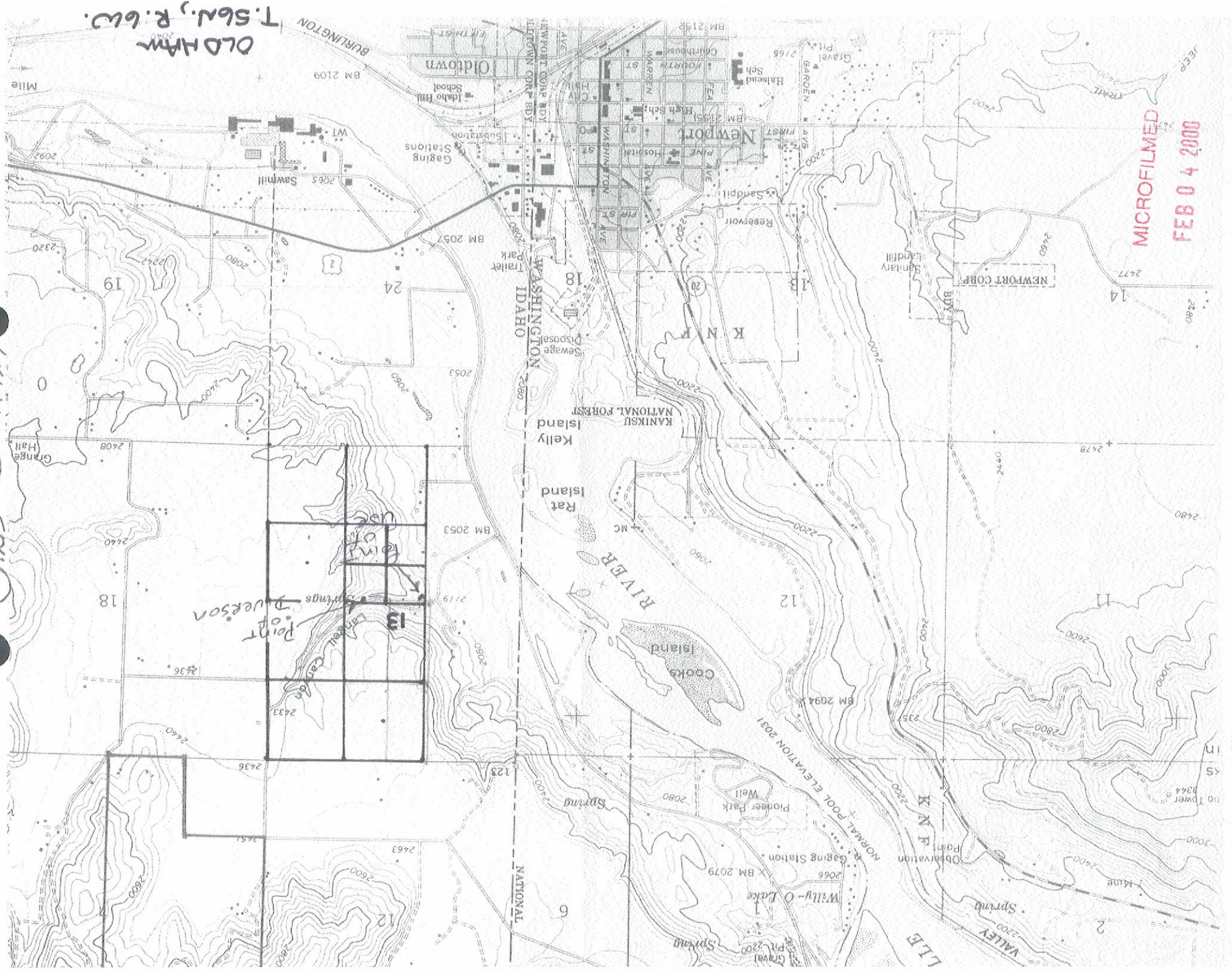


OLDHAM
T. 56N., R. 6W.

MICROFILMED
FEB 04 2000

Chris Oldham



2. Measurements:

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

D. FLOW MEASUREMENTS

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

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

4.

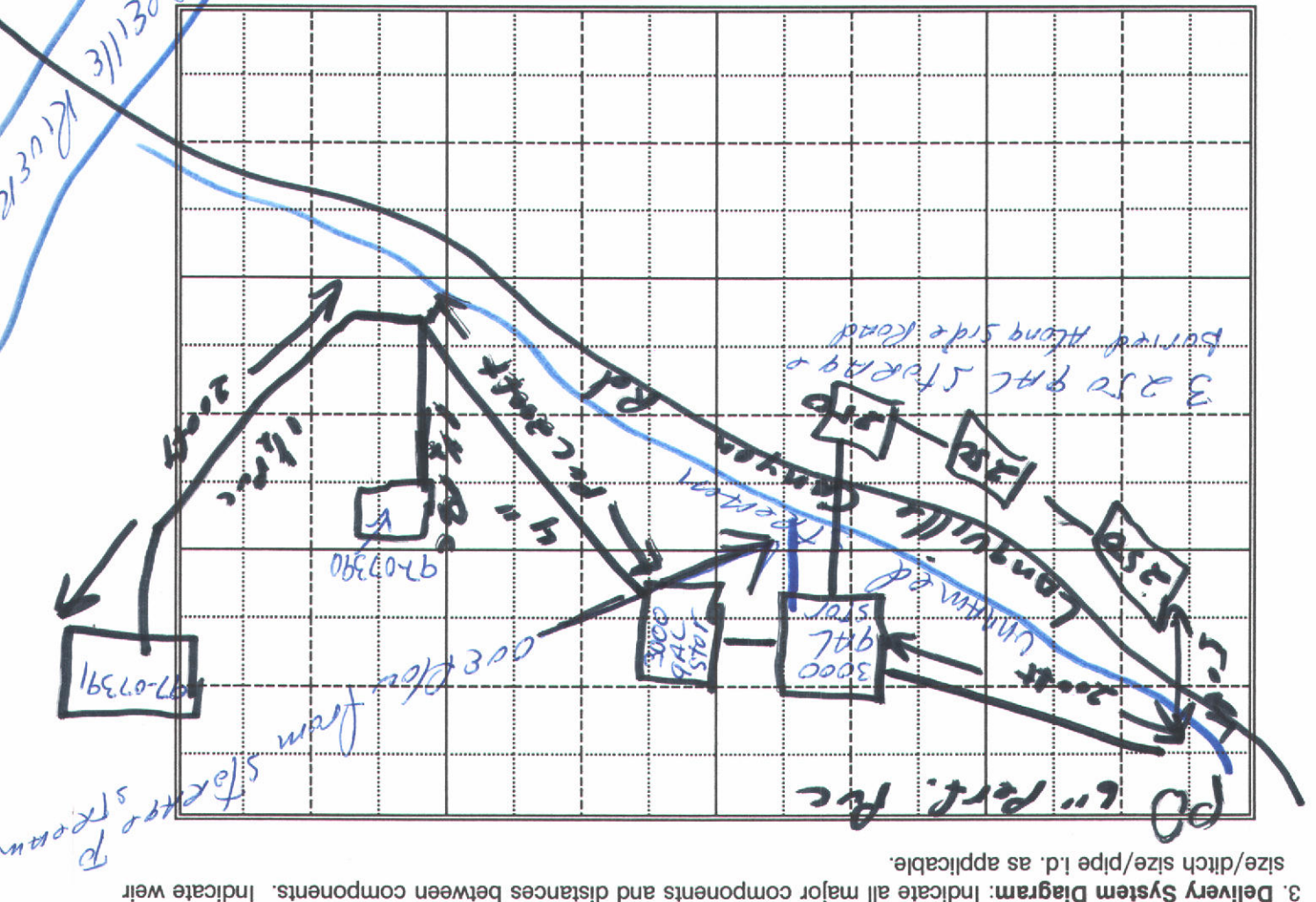
- Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached
(required for irrigation o

(required for irrigation of 10+ acres)

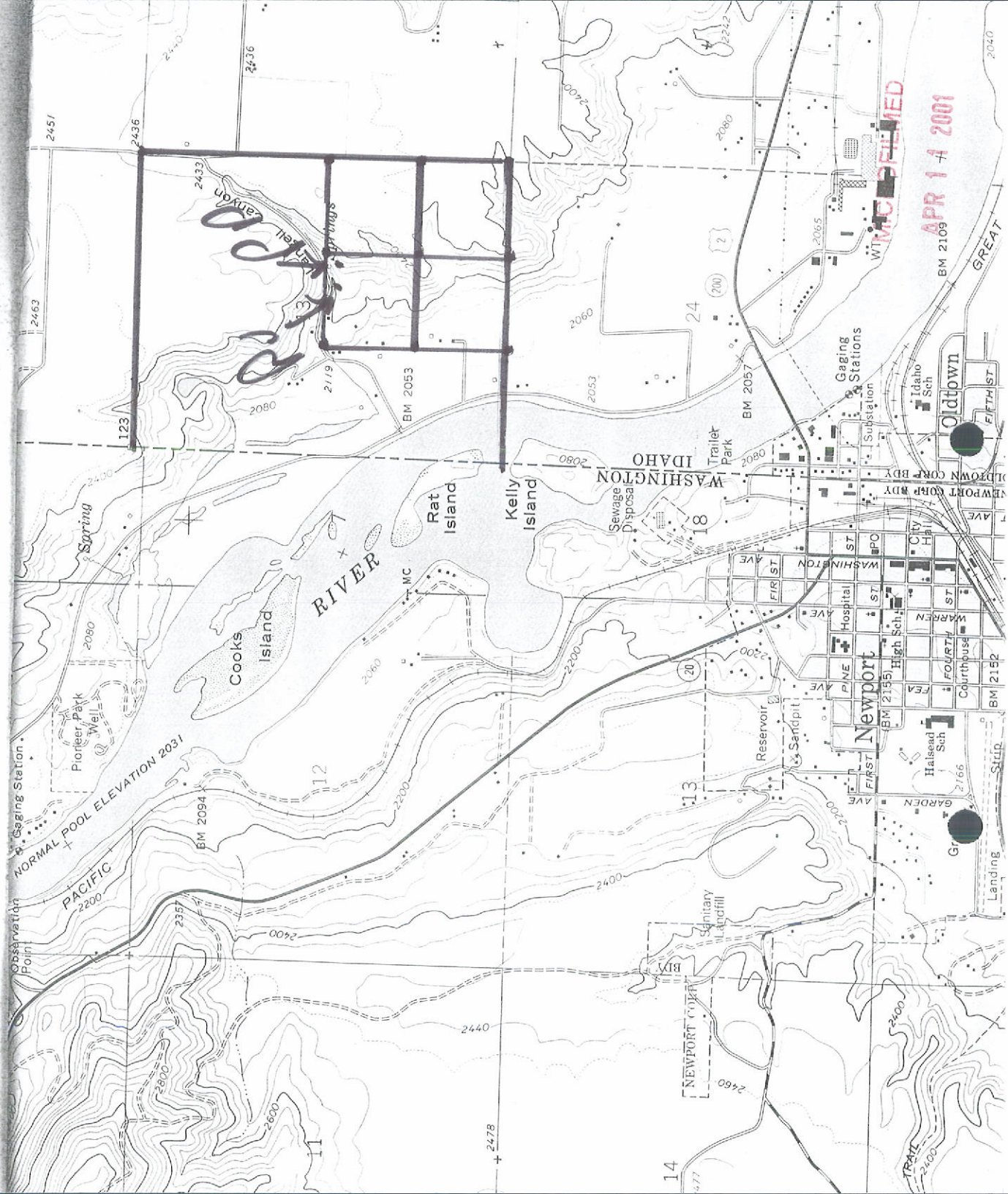
Photo of Diversion and System Attached

Scale: 1" = 1'



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

97-07391



AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Jeannie Sheriden

_____ being first duly sworn on oath

deposes and says that he/she is Bookkeeper

of the Priest River Times, a newspaper printed and

published at Priest River, Bonner County, Idaho; that the

said newspaper has been continuously and uninterruptedly

published in said Bonner County during a period of 12

months prior to the first publication of the hereto attached

notice of publication in the case of:

Notice of Application

as it was published in the regular and entire issue of the

said paper for a period of 2 consecutive weeks,

commencing on 3 day of Mar, 19 99

and ending on the 10 day of Mar, 19 99

and that said notice was published in said newspaper.

On this 6 day of April in the year

of 1999, before me, a Notary Public, personally

appeared Jeannie Sheriden,

known or identified to me to be the person whose name

subscribed to the within instrument, and being by me

first duly sworn, declared that the statements therein are

true, and acknowledged to me that he executed the same.

Cawlyn L. Inge
Notary Public for Idaho

Residing at Sandpoint

My Commission expires: 7/00

RECEIVED

APR 13 1999

IDWR/North

NOTICE OF APPLICATION FOR WATER RIGHT

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

97-07391

OLDHAM, CHRIS
421 LANGILLE CANYON ROAD
OLDTOWN, ID 83822

Source: SPRINGS

Tributary: PEND OREILLE RIVER

Diversion Pt: NENWSE

Sec 13 T 56N R 06W in BONNER County.

Use: DOMESTIC

(0.020 CFS)

Total Diversion:

(0.020 CFS)

Date Filed: 2/18/1999

In: BONNER County

T56N R06W S13

NWSE

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before JULY 6, 1998.

KARL J. DREHER, Director

PRT Legal 2538

March 3, 10, 1999

MICROFILMED

FEB 04 2000

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 97-07391

Priority: February 18, 1999

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that CHRIS OLDHAM
421 LANGILLE CANYON RD
OLDTOWN ID 83822 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 18, 1999; and has
submitted Proof of Beneficial Use on October 28, 1999. An examination indicates that the works have a
diversion capacity of 0.02 cfs of water from:

SOURCE

SPRING

Tributary: PEND OREILLE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, Twp 56N, Rge 06W, B.M., BONNER County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
56N	06W	13														X			

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. Right 97-07390 is also diverted through the point of diversion described above.
3. Rights 97-07391 and 97-07390 when combined shall not exceed a total diversion rate of 0.02 cfs.
4. Water shall not be diverted under this right when flows in the Pend Oreille River are below established minimum stream flows.

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

Signed and sealed this 26th day of MARCH, 2001.

MICROFILMED
APR 11 2001

Acting for

KARL J. DREHER
Director



RECEIVED

OCT 8 1999

FOR OFFICE USE ONLY

Amt. of Fee \$: 50 -

Receipt No. 0646995

Receipt By: JM

Date Received: 10/28/99

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

- Permit No. 97-07391 Telephone No. (208) 437-5800
- Name(s) of Permit Holder(s): Chris Oldham
- Mailing Address: 421 Langille Canyon Rd, Oldtown, Id 83822
- Source of Water: Spring If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
 - Well Driller: _____ Drilling Permit Number: ____ - ____ - ____
 - OPTIONAL:

Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
- Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____
- Total rate of diversion and/or volume for which proof is submitted: 1.02 cfs OR _____ acre feet
- Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes _____	or	No <u>✓</u>
	Has the measuring device been installed?	Yes _____	or	No <u>✓</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____	or	No <u>✓</u>
	Has the measurement port been installed?	Yes _____	or	No <u>✓</u>
- Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
- Person to contact to accompany the Department representative during field examination of the water system.

Name: Chris Oldham Telephone Number: 208 437-5800

Address: 421 Langille Canyon, Oldtown, Id 83822
- The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Chris Oldham

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

Date: 10-25-99MICROFILMED
FEB 04 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 97-07391

Proposed Priority: February 18, 1999

Maximum Diversion Rate:

0.02 CFS

This is to certify, that CHRIS OLDHAM

421 LANGILLE CANYON RD

OLDTOWN ID 83822

has applied for a permit to appropriate water from:

SPRING

tributary of PEND OREILLE RIVER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENWSE , Sec. 13, Township 56N, Range 06W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

56N 06W 13

NWSE

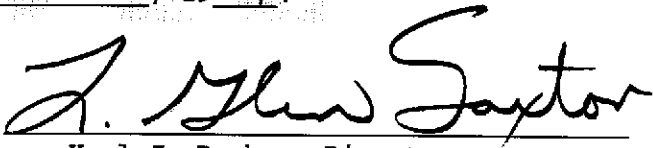
CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 2000.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Water shall not be diverted under this right when flows in the Pend Oreille River are below established minimum stream flows.
5. Right 97-07390 is also diverted through the point of diversion described above.
6. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Witness the signature of the Director, affixed at Boise, this

11th day of May, 1999.


for Karl J. Dreher, Director

MICROFILMED
FEB 04 2000

Ident. No. 91-07391

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

MAY 04 1999

1. Name of Applicant Chris Oldham Phone 208 437 5800
Mailing address 421 Langille Canyon Road Oldtown Id. 83822
2. Source of water supply Unnamed Springs which is a tributary of Pend. Orellie River
3. Location of point of diversion is Township 56 N. Range 6 W Sec. 13 in the NE 1/4, NE 1/4, SE 1/4, Govt. Lot _____, B.M., Bonner County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | | |
|---|--|
| Amount <u>.02 CFS</u> for <u>Domestic</u> | purposes from <u>JAN 1</u> to <u>DEC 31</u> (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) | |
| 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 is (a) .02 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source Dam & Pipe
- b. Height of storage dam 4 feet; active reservoir capacity .5 acre-feet; total reservoir capacity .5 acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is in use years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 (one)
- e. Other; describe fully. _____

MICROFILMED

FEB 04 2000

9. Description of place of use:

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

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	6W	13														D			.02

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. #6281 for Richard Hamacher

11. a. Who owns the property at the point of diversion? Richard Hamacher & OSCAR Williams

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

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

12. Remarks: This is an Existing System that we share the use and maintenance on I have been using this system since 1987 and have furnished time and monies on maintenance since that date.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

MICROFILMED

FEB 04 2000

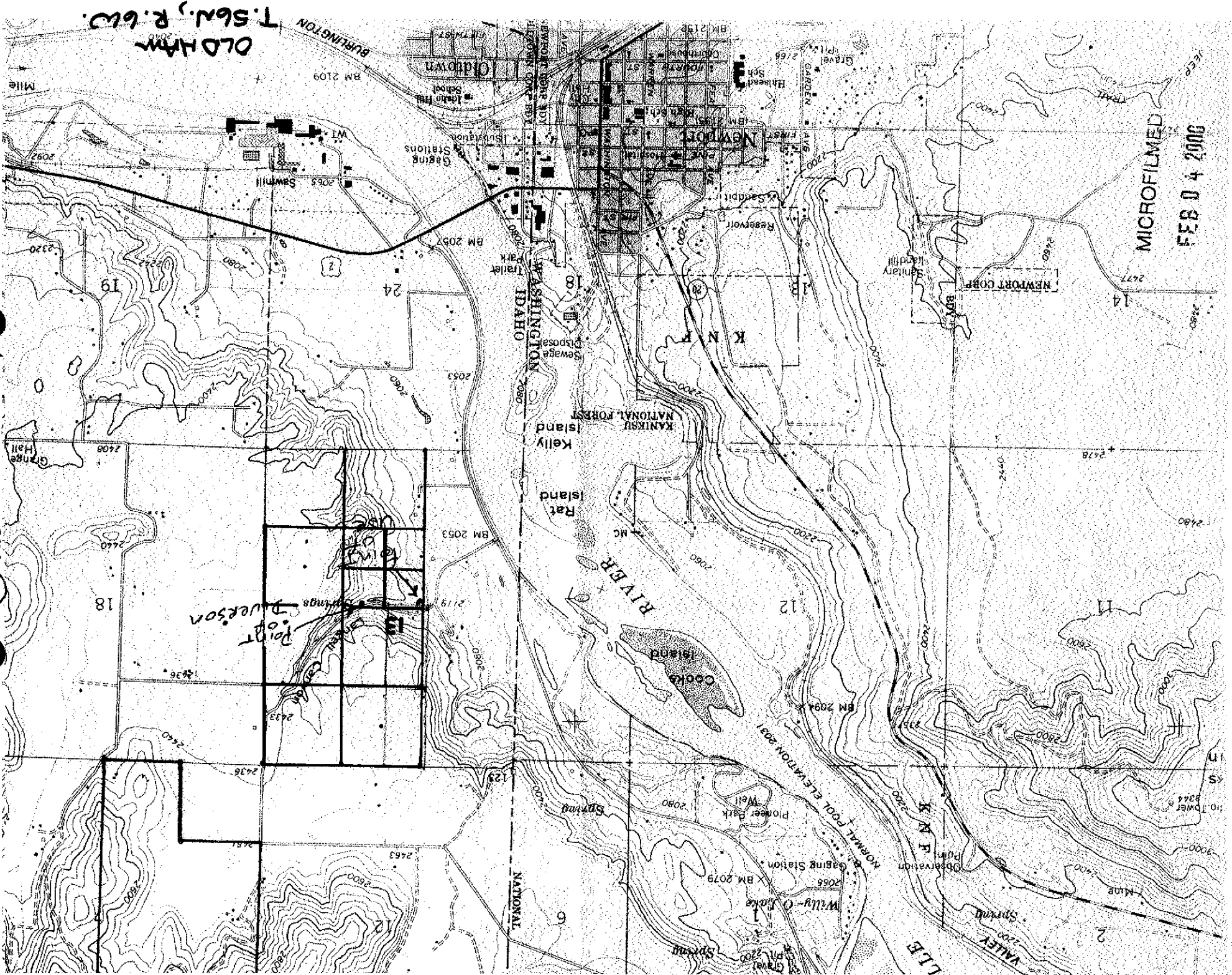


Signature of Applicant (and title, if applicable)

Received by db Date 2/18/99 Time 1:50 P Preliminary check by AS
 Fee \$ 50.00 Received by db # N012644 Date 2/18/99
 Publication prepared by db Date 2/26/99 Published in West River Times 3/3 + 3/10/99
 Publication approved _____ Date _____

Chris Oldham

OLDHAM
T. 56N., R. 6W.



MICROFILMED
FEB 04 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

March 27, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CHRIS OLDHAM
421 LANGILLE CANYON RD
OLDTOWN ID 83822

RE: License No. 97-7391 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

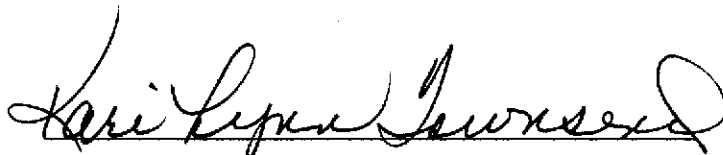
MICROFILMED
APR 11 2001

CERTIFICATE OF MAILING

I hereby certify that on March 27, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 97-7391

**CHRIS OLDHAM
421 LANGILLE CANYON RD
OLDTOWN ID 83822**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
APR 11 2001**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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.

LICENSE REVIEW CHECKLIST

Permit No. 97-07391 Date: 3-23-01 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): 97-07390 - same pld
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.02 cfs

Fee Limit 0.2 cfs

Measured _____ cfs

Theoretical 0.02 cfs

Recommended Total Diversion Rate 0.02

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af

Stockwater _____ cfs _____ af

Domestic 0.02 cfs 1.2 af

_____ cfs _____ af

_____ cfs _____ af

Total 0.02 cfs 1.2 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/Wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: WB9, W01, W36, W35

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048/049)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? N/A

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 13 2000

Department of Water Resources

A. GENERAL INFORMATIONPermit No. 97-073911. Owner: Chris Oldham Phone No. (208) 437-5800Current Address: 421 Janglell Canyon Rd. Oldtown Id. 838222. Accompanied by: Oscar Williams EXAM DATE: 5-25-00Address: P.O. Box 2110 Newport W. 99156 Phone No. (208) 448-2883Relationship to Permit Holder: Neighbors shares system3. Source: Spring tributary to: unnamed stream to P.O. Kuer**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: 97-07390**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
		NE	NW	SE	13	56N	06W	Donner	U.S.G.S. 7.5min Quad

2. Place(s) of Use:

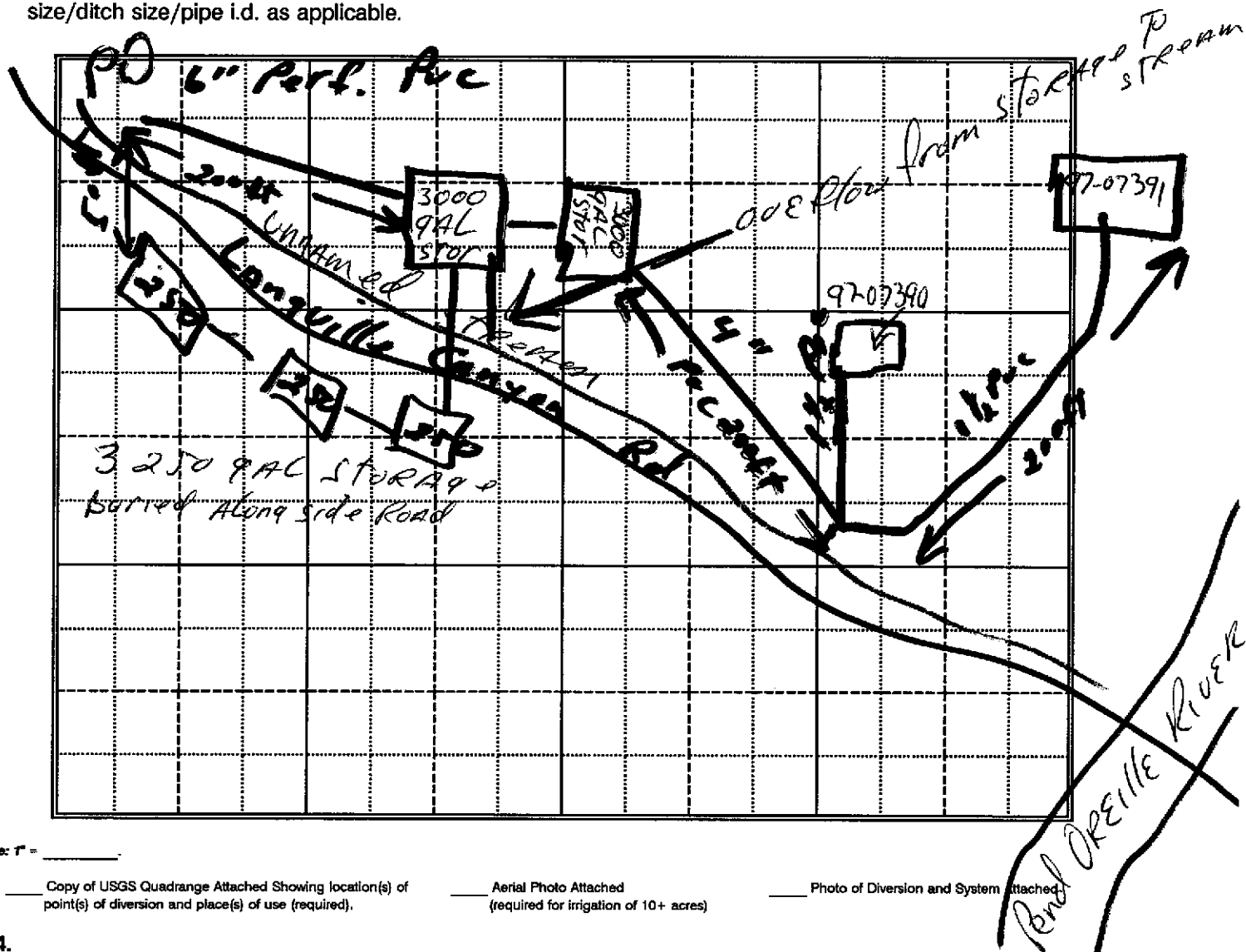
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	06W	13														D			

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APR 11 2001

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



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

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

*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: _____

MICROFILMED

APR 11 2001

E. NARRATIVE/REMARKS/COMMENTS

Photos for this permit +
97-07390 were lost due to camera
malfunction. It failed to rewind and
I opened the door, it turned into a
proper mess. Sorry.

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

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APR 11 2001

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

5 gal Bucket 5 gal in 37 sec = 89 rpm

$$\frac{8 \times 1.33681}{60} = .017 = .02 \text{ cfs}$$

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:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	01-01	12-31	.02	1.2
Totals:			.02	1.2

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Wayne Balch Date 7-11-00

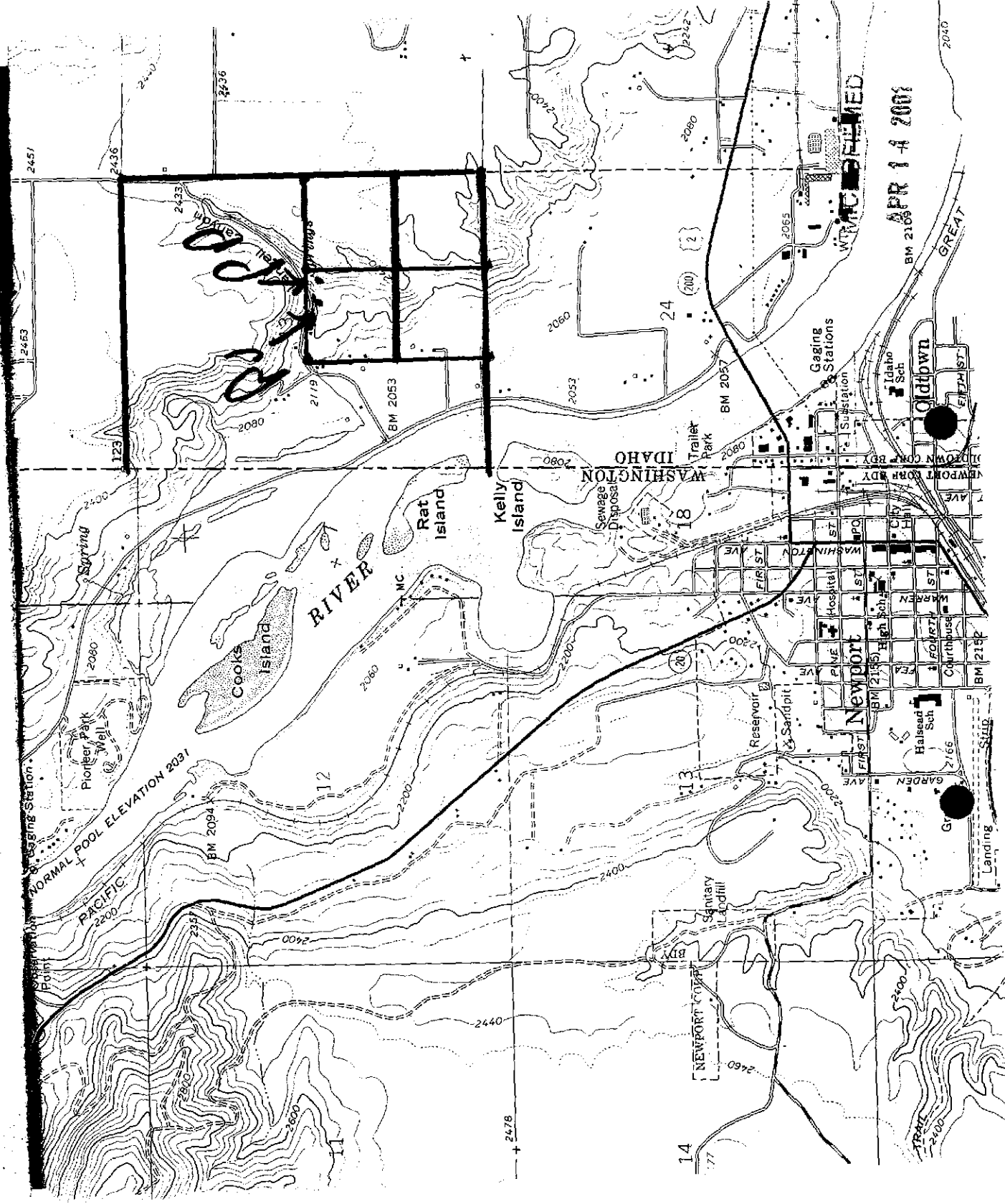
Reviewer _____ Date _____

MICROFILMED

SEAL

APR 11 2001

97-07371





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

DIRK KEMPTHORNE
GOVERNOR

December 22, 1999

KARL J. DREHER
DIRECTOR

Chris Oldham
421 Langille Canyon Rd
Oldtown ID 83822

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 97-07391

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.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **NORTHERN** Regional Office of the department in Coeur d'Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

FEB 04 2000

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 97-07391 Reviewed by [Signature] Date 12-17-99

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

☒ Surface water source
☐ Ground water source
☐ Drilling permit required?
☐ Copy in the file? Drilling Permit No. _____
☐ Amount paid for permit _____ Correct?
☐ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
no Required?
/ Installed?
Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Proof Acceptance

DATA ENTRY

New Address [X] Proof Made 10-28-99



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 11, 1999

CHRIS OLDHAM
421 LANGILLE CANYON RD
OLDTOWN ID 83822

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 97-07391

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

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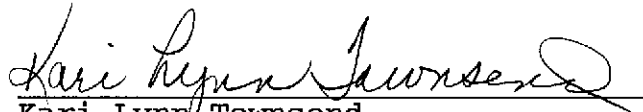
FEB 04 2000

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of May, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 97-07391

CHRIS OLDHAM
421 LANGILLE CANYON RD
OLDTOWN ID 83822


Kari Lynn Townsend
Secretary

MICROFILMED
FEB 04 2000

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

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FEB 04 2008

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
FEB 04 2006

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

 by *Cindy Sten*

 No.: 97-7391 Name: Oldham Date: 5/5/99 Ad OK? ☒ / ☒ Gvmt Lts: ☒

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year - 26A-P17

 ≤ 1 year/no proof - P18
GROUNDWATER: (✓ FLO-CH)
DRILLING PERMIT

All wells (✓ WDQ3) - 046-P23

In Basin 34? - 085

Irr. within WD - P05 (new well location)

WMD (✓ MAP) - North / East / West

> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres - No MD

WMD

Supp. irr. use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr. source)

Supp. irr. + uses - 100-101

> 0.24 cfs/5 acres - 01M (report when notified)

≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

 FISH & GAME CONTACTED: - YES / NO: WHEN: 4/29 RESPONSE: OK

 ABOVE MSF (✓ MAP) - *WB9 And Oreille

IN-STREAM DEVELOPMENT - P52 (stream channel alteration)

WD (✓ MAP & LISTING) - R04 (WD # _____)

> 0.20 cfs - 01J-P08 (MD & LD)

≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

Snake R (01) - *W22 -P04, NA

(02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA

Payette R(65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's) - 029 (fish screens), NA

Weiser R (67) - 086, 087

USE:

STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

STOCKWATER - R37 (BLM/USFS); NA

MINING - 054(req) -081-P10

FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10

HEATING/COOLING - R07 (injection well)

 POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);
17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

In restricted area? - 022, 075, 004 (+memo?)

Irr., GW supp. to SW? - 102

DOMESTIC

Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area - 071-070

FIRE PROTECTION - 077

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)

MITIGATION - 120

42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)

SWAN FALLS FLAG (✓ Code) -

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP: - 004 (PD/PU)

OTHER CONDITIONS:

 STANDARD REMARKS: - DWBA 2001/1 3 W36

 BENEFICIAL USE DUE: - 5/1/2000

COMMENTS:

IDAHO DEPARTMENT OF WATER RESOURCES
APPROXIMATION APPLICATION ANALYSIS SHEET

RECEIVED

WR1
WRA
BCA

APPLICATION # 91-07391

MAY 04 1999

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: ALHAM

BY: AB

DATE: 2/18/99

ITEM REQUIRED INFORMATION

1. (☒) Name and Address
2. (☒) Source
3. (☒) Point of Diversion & County
4. (☒) Quantity
- (☒) Nature of Proposed Use
- (☒) Period of Use
5. (☒) Total Quantity
6. (☒) Description of diverting works
7. (☒) Time required for b/u
8. (☒) Proposed use
9. (☒) Place of use or acres irrigated
10. (☒) Other water Rights
11. (☒) Ownership
12. (☒) Map
- (☒) Signature
- (☒) Fee (Amt, receipt, acknowledgement)

GOVT LOT

*** Send info sheet Y () N ()

ADDITIONAL INFORMATION

(Yes) (No)

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

PROCESSING

(Yes) (No)

PRIORITY RECEIVED 18/99

☒ (Include MAY 04 1999 mark)

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

ADVERTISE IN: BONNER County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

GROUNDWATER SECTION

WD Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
_____	Dom. Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	Dom. Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	Dom. Non-Dom. _____	Paid \$ _____	_____	Y () N ()

- ☒ Groundwater management area
- ☒ Critical ground water area
- ☒ Well Drilling Permit required
- ☒ Well Drilling Application and Fees received
- ☒ Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- Notice of pending void order issued. Final order response date: _____/_____/_____
- Further information required from applicant
- 4/13 Affidavit of publication received (Bill Received 4/5 - no affidavit)
- 4/20 Application published correctly. If not, record action taken: _____

- 2/26 Publication dates and paper recorded on application | Sr. Agent initial AB
- Protests received, Final protest date: 3/22/99
- Measuring device required
- Measuring port required
- Special conditions:

Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB

Date: 4/21/99

Memorandum

Date: April 29, 1999

To: Application for Permit Number 97-07391

From: Beardslee

~~~~~  
The Northern Regional Office has contacted the Panhandle Region of Fish and Game regarding the approval of this Water Right Application for Permit.

After providing the location, source and uses of water, Chip Corsi did not respond negatively to the approval of this filing.

MICROFILMED

FEB 04 2000

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Jeannie Sheriden

\_\_\_\_\_ being first duly sworn on oath

deposes and says that he/she is Bookkeeper

of the Priest River Times, a newspaper printed and

published at Priest River, Bonner County, Idaho; that the

said newspaper has been continuously and uninterruptedly

published in said Bonner County during a period of 12

months prior to the first publication of the hereto attached

notice of publication in the case of:

Notice of Application

as it was published in the regular and entire issue of the

said paper for a period of 2 consecutive weeks,

commencing on 3 day of Mar, 1999

and ending on the 10 day of Mar, 1999

and that said notice was published in said newspaper.

On this 6 day of April in the year

of 1999, before me, a Notary Public, personally

appeared Jeannie Sheriden,

known or identified to me to be the person whose name

subscribed to the within instrument, and being by me

first duly sworn, declared that the statements therein are

true, and acknowledged to me that he executed the same.

Cawlyn L. Inge  
Notary Public for Idaho

Residing at Sandpoint

My Commission expires: 7/00

RECEIVED

APR 13 1999

IDWR/North

NOTICE OF APPLICATION FOR WATER RIGHT

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

97-07391

OLDHAM, CHRIS  
421 LANGLEY CANYON ROAD  
OLDTOWN, ID 83822

Source: SPRINGS

Tributary: PEND OREILLE RIVER

Diversion Pt: NENWSE

Sec 13 T 56N R 06W in BONNER County.

Use: DOMESTIC

Total Diversion:

(0.020 CFS)  
(0.020 CFS)

Date Filed: 2/18/1999

In: BONNER County

T56N R06W S13

NWSE

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before JULY 6, 1998.

KARL J. DREHER, Director

PRT Legal 2538

March 3, 10, 1999

MICROFILMED

FEB 04 2000

97-07391

OLDHAM, CHRIS  
421 LANGILLE CANYON ROAD  
OLDTOWN, ID 83822

Source: SPRINGS

Tributary: PEND OREILLE RIVER

Diversion Pt: NENWSE Sec 13 T 56N R 06W in BONNER County.

Use: DOMESTIC ( 0.020 CFS)  
Total Diversion: ( 0.020 CFS)

Date Filed: 2/18/1999

In: BONNER County  
T56N R06W S13 NWSE

MICROFILMED

FEB 04 2000

**To:** Priest River Times - Legal Notices

**Fax No.:** 208-448-2938

**Re:** Two (2) Legal Notices for Publication on 3/3 and 3/10

**Date:** February 26, 1999

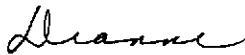
**Pages:** 6 including this cover sheet

Please process the following legal notices for publication on 3/3 and 3/10/99.

Please call me upon receipt of this fax to advise if received in a timely manner.

769-1450

Thank you very much.



Dianne Ball  
Administrative Assistant

From the desk of...

Dianne L. Ball  
Administrative Assistant  
Idaho Dept. of Water Resources  
1910 Northwest Blvd., Suite 210  
Coeur d'Alene ID 83814  
(208)769-1450  
Fax: (208)769-1454  
E-mail: dball@idwr.state.id.us

MICROFILMED

FEB 04 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450

Fax (208) 769-1454

Dirk Kempthorne  
Governor

KARL J. DREHER  
Director

FEBRUARY 26, 1999

Legal Notices Department  
PRIEST RIVER TIMES  
P. O. BOX 10  
PRIEST RIVER, ID 83856

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 22, 1999.

Yours truly,

*Dianne Ball*

DIANNE BALL  
Senior Secretary

Enclosure

MICROFILMED

FEB 04 2000

February 24, 1999

Chris Oldham  
421 Langille Canyon Road  
Oldtown ID 83822

Re: Water Appropriation Application No. 97-07391

Dear Mr. Oldham

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

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

Sincerely,

ALLEN BEARDSLEE  
Senior Water Resources Agent

AB:db

MICROFILMED  
FEB 04 2000