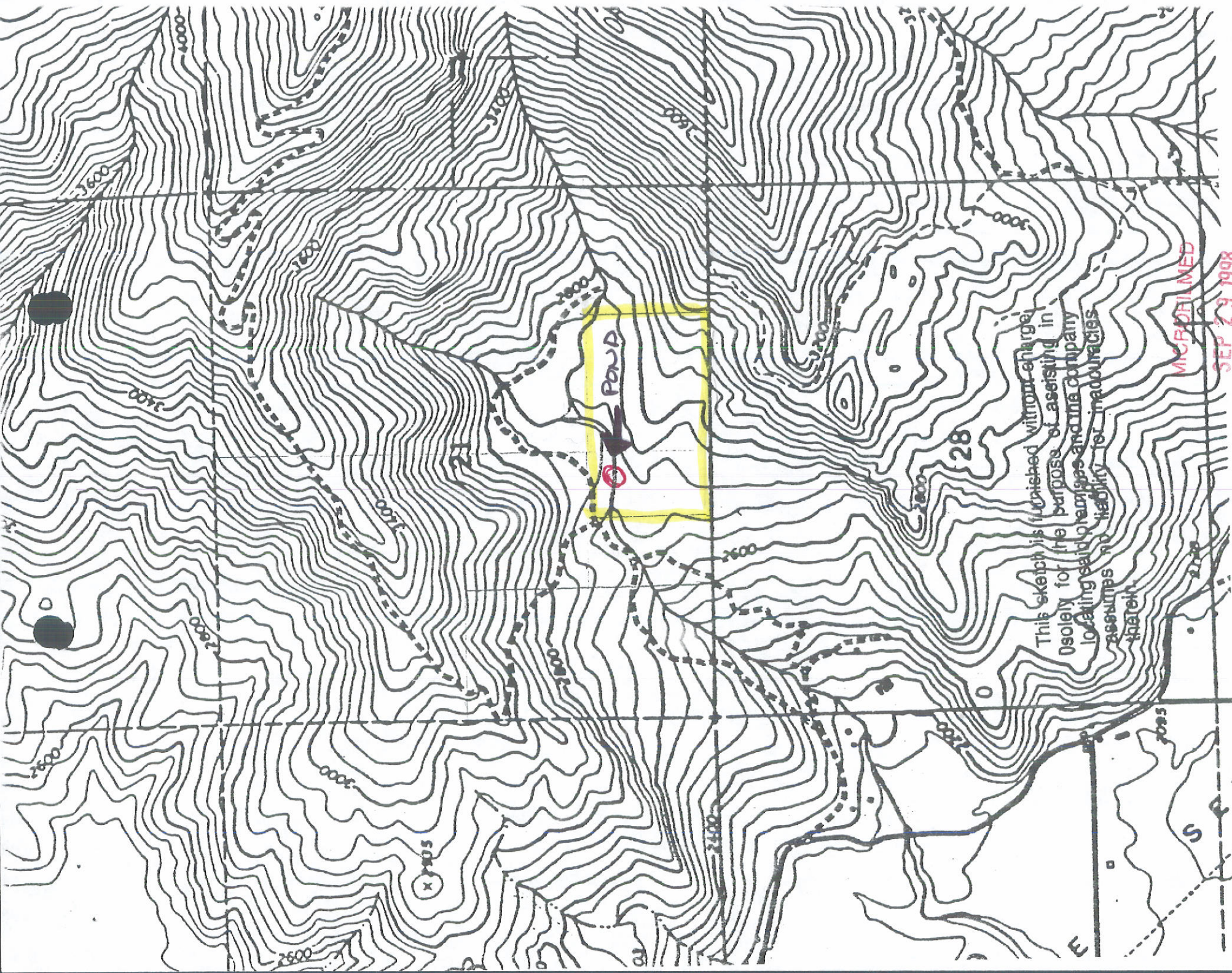




This sketch is furnished without charge
solely for the purpose of assisting in
locating said premises and the company
assumes no liability for inaccuracies
therein.

REPRODUCED

SEP 29 1998

56N 4W 21





pu



pu



pu

97-07387

MICROFILMED
JAN 31 2001

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Jeannie Sheridan

_____ 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 for Water Right

as it was published in the regular and entire issue of the
said paper for a period of 1 consecutive weeks,
commencing on 1 day of July, 1998
and ending on the 8 day of July, 1998
and that said notice was published in said newspaper.

On this 8 day of July in the year
of 1998, before me, a Notary Public, personally
appeared Jeannie Sheridan,
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me
first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at _____

My Commission expires: _____

RECEIVED

JUL 29 1998

NORTHERN REGION
IDWR

NOTICE OF APPLICATION
FOR WATER RIGHT

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

97-07387

RENKERT, PETER
RENKERT, JOANNE
73 MILE HILL SOUTH
NEWTOWN, CT 06470

Source: UNNAMED STREAM
Diversion Pt: SESW

Tributary: PEND OREILLE RIVER
Sec 21 T 56N R 04W in BONNER County.

Use: WILDLIFE STORAGE
RECREATION STORAGE
FIRE PROTECTION STORAGE

(9.00 AF)
(9.00 AF)
(9.00 AF)
Total Diversion:
(9.00 AF)

Date Filed: 6/22/1998
In: BONNER County

T56N R04W S21 SESW

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 20, 1998.

PRT Legal 2418
July 1, 8, 1998

KARL J. DREHER, Director

MICROFILMED

SEP 29 1998

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 97-07387

Priority: June 22, 1998

Maximum Diversion Volume: 4.8 AF

It is hereby certified that PETER RENKERT And JOANNE RENKERT
713 WOODS RD
PRIEST RIVER ID 83856 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 22, 1998; and has
submitted Proof of Beneficial Use on July 11, 2000. An examination indicates that the works have a
storage capacity of 4.8 af of water from:

SOURCE

UNNAMED STREAM

Tributary: PEND OREILLE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL DIVERSION VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31	4.8 AF
RECREATION STORAGE	01/01 to 12/31	4.8 AF
FIRE PROTECTION STORAGE	01/01 to 12/31	4.8 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, Twp 56N, Rge 04W, B.M., BONNER County

PLACE OF USE: WILDLIFE STORAGE

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 04W 21												X					

PLACE OF USE: RECREATION STORAGE – Same as Wildlife Storage

PLACE OF USE: FIRE PROTECTION STORAGE – Same as Wildlife Storage

CONDITIONS OF APPROVAL

1. Recreation storage is for a fishing pond.
2. Water shall not be diverted from storage for fire protection use under this right except to fight or repel an existing fire.

MICROFILMED

JUL 10 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 97-07387

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 29TH day of JUNE, 2001.

Acting for


KARL J. DREHER
Director

MICROFILMED

OCT 19 2001

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 11 2000

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.

1. Permit No. 97-07387 Telephone No. (203) 426-2042

2. Name of Permit Holder(s): Peter & Joanne Rankert

3. Mailing Address: 73 Mile Hill S.

City Newtown State CT Zip 06470

4. Source of Water: UNAMED Stream If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

Well Driller: _____ Drilling Permit Number: _____

5. Use(s) (as authorized by the water right permit):

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

Irrigation (No. of acres): _____ Other: Wildlife, Recreation & Fire protection Storage

6. Total rate of diversion and/or volume for which proof is submitted: _____ cfs OR 9.0 acre-feet Annually

7. 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?
Has the measuring device been installed?

Yes _____ or No X
Yes _____ or No X

8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Peter Rankert Telephone Number: (203) 426-2042

Address: 73 Mile Hill South, Newtown, CT 06470

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Peter H. Rankert
(include your title, if on behalf of company or organization)

Date: 7/8/00

MICROFILMED

JAN 31 2001

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 97-07387

Proposed Priority: June 22, 1998

Maximum Storage Volume:

9.0 AF

This is to certify, that **JOANNE RENKERT**
PETER RENKERT
73 MILE HILL S
NEWTOWN CT 06470

has applied for a permit to appropriate water from:

UNNAMED STREAM tributary of **PEND OREILLE RIVER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31		9.0 AF
RECREATION STORAGE	01/01 to 12/31		9.0 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		9.0 AF
	Totals		9.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 21, Township 56N, Range 04W
BONNER County

PLACE OF USE: WILDLIFE STORAGE

TWN RGE SEC

56N 04W 21

SESW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 2000.**
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Water shall not be diverted from storage for fire protection use under this right except to fight or repel an existing fire.
5. Recreation storage is for a fishing pond.

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

9th day of September, 1998.

MICROFILMED

SEP 29 1998

Karl J. Dreher
for Karl J. Dreher, Director

RECEIVED

AUG 06 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 97-07387

APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

(203) 426-2042 (H)

1. Name of Applicant Peter AND Joanne Renkert Phone (203) 451-1213 (W)
Mailing address 73 Mile Hill South, Newtown, Ct 06470
2. Source of water supply UNNAMED Stream which is a tributary of Pond Oreille River
3. Location of point of diversion is Township 56 N Range 4 W Sec. 21 in the SE 1/4, SW 1/4, Govt. Lot 1/4, B.M., Bonner County;
ADD 525500
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- 47 Amount 9 acre ft for Recreation ^{STORAGE} purposes from JAN 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
- 50 Amount 9 acre ft for Fire-fighting ^{STORAGE} purposes from JAN 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
- 17 Amount 9 acre ft for WILDLIFE ^{STORAGE} purposes from JAN 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) 9 Acre Feet
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 _____
ONE Acre Pond on the Stream
- b. Height of storage dam 6 Feet feet; active reservoir capacity 9 Acre feet acre-feet; total reservoir capacity 9 Acre feet 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? _____
- 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 2 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. Fishing
- e. Other; describe fully. Recreation, Fire Fighting, Wildlife

MICROFILMED

SEP 29 1998

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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	4W	21																	

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? Peter AND Joanne Renkert

b. Who owns the land to be irrigated or place of use? N/A

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

12. Remarks: N/A

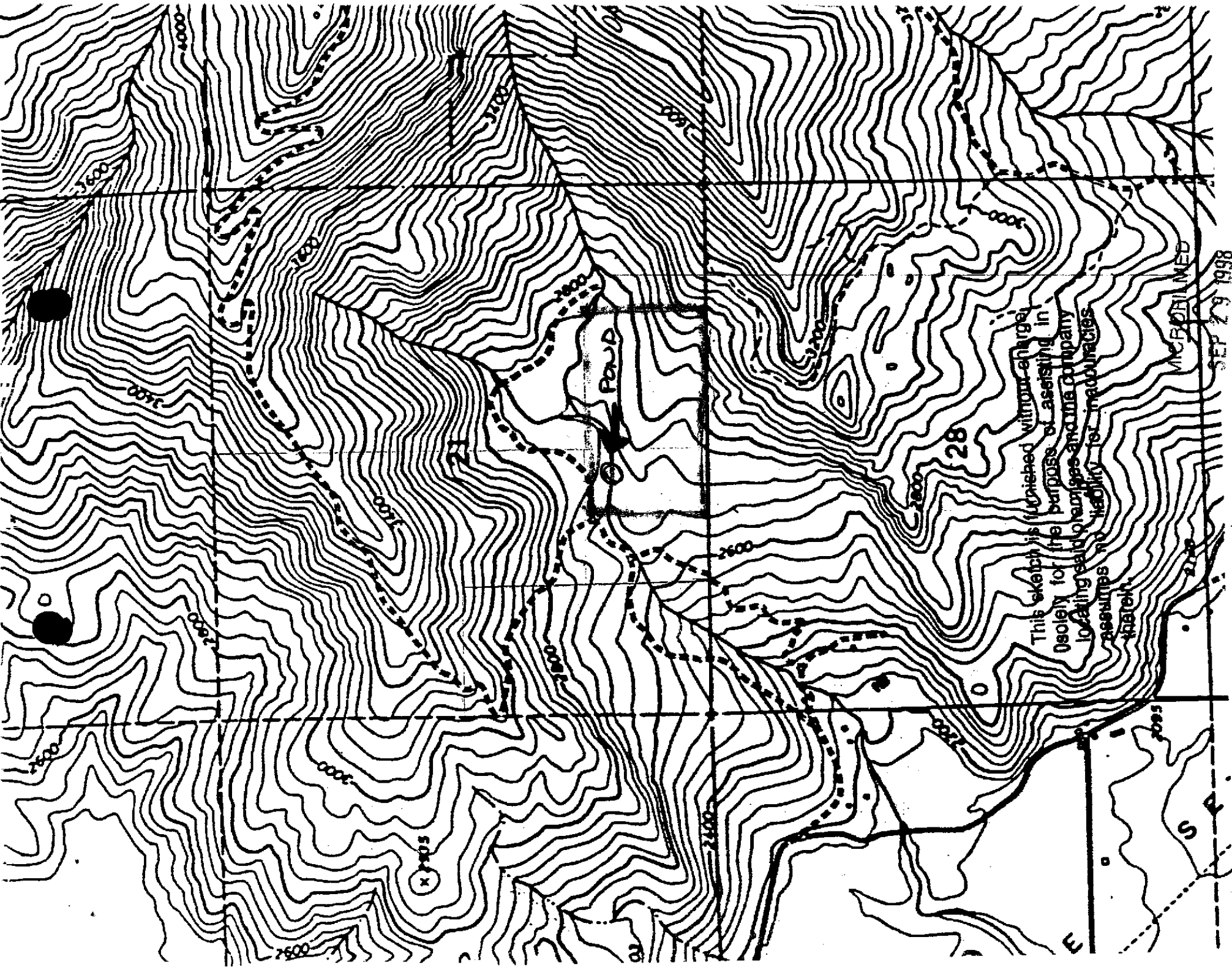
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

Peter Renkert
Signature of Applicant (and title, if applicable)

Received by db Date 6/25/98 Time 2:00 P Preliminary check by AB
Fee \$ 50.00 Received by db # N012173 Date 6/22/98
Publication prepared by db Date 6/22/98 Published in Prick River Times 7/1 + 8/98
Publication approved _____ MICROFILM _____

SEP 29 1998



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

MCBONLINE
SEP 29 1998

56N 4W 21



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 2, 2001

PETER RENKERT
JOANNE RENKERT
713 WOODS RD
PRIEST RIVER ID 83856

RE: License No. 97-7387 - 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)

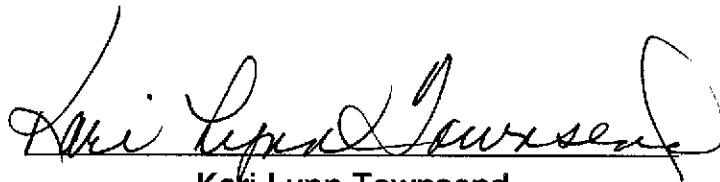
MICROFILMED
OCT 10 2001

CERTIFICATE OF MAILING

I hereby certify that on July 2, 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. 97-7387

**PETER RENKERT
JOANNE RENKERT
713 WOODS RD
PRIEST RIVER ID 83856**

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

**Kari Lynn Townsend
Secretary**

**MICROFILMED
OCT 19 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).

MICROFILMED
OCT 15 2001

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.

RECEIVED
19 2001

LICENSE REVIEW CHECKLIST

Permit No. 97-07387 Date: 6-29-2001 Reviewer: Kay Walker

topo D4

Change/OK

Name/Address correct mailing address per exam

Source OK Does change clarify original intended source? If no, void permit.
Point of Diversion: OK 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): _____
File reviewed _____ Profile reports printed _____

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

Rate of Diversion: Permitted rate 9.0 AF cfs
Fee Limit 20 AF cfs
Measured 4.8 AF cfs
Theoretical _____ cfs
Recommended Total Diversion Rate 4.8 AF

Water Uses OK Change (P46) Season of Use per new Standards _____

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
Wild Stor _____ cfs 4.8 af
Rec Stor _____ cfs 4.8 af
Total _____ cfs 4.8 af
FP Stor _____ cfs _____ af
4.8

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: 077

Additional Conditions _____ Watermaster Control _____ GW Dist? _____
_____ GW Measurement/Measuring Device _____ Water Msmt. Dist? _____
_____ Other _____ Crit. GWMA? _____
Trust R55 - remove 051) _____ GWMA? _____
Non-trust (048/049) _____ 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
OCT 18 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 97-07387

1. Owner: Joanne & Peter Renkert Phone No. (203) 926-2042

Current Address: 723 Woods Rd, Priest River Id. 83856

2. Accompanied by: Peter Renkert EXAM DATE: 8-17-00

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: _____ tributary to _____

B. OVERLAP REVIEW

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

2. Other water rights with the same point of diversion: _____

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
			SE	SW	21	56N	04W	Donner	U.S.G.S. 7.5 min Quad

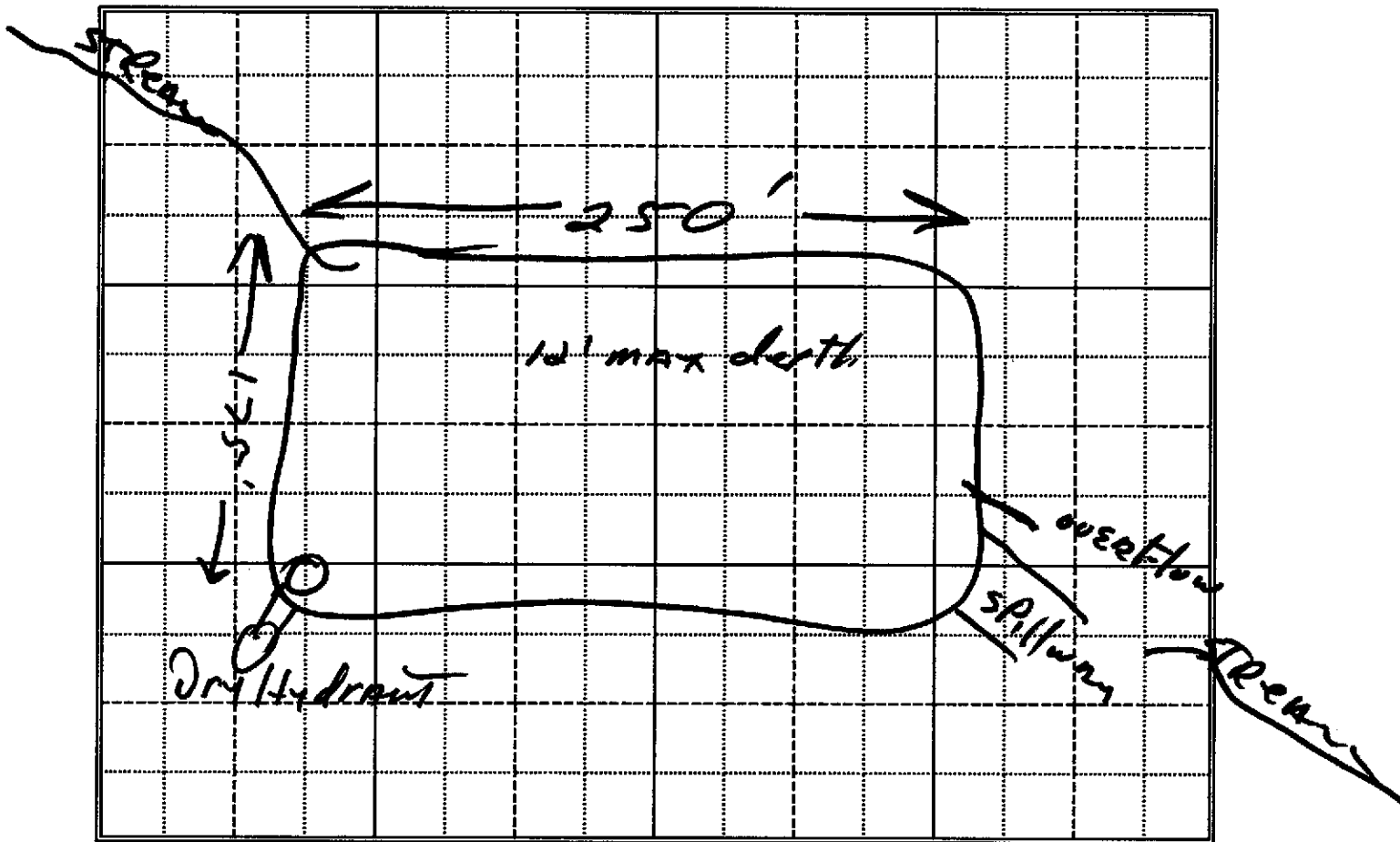
2. Place(s) of Use:

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	04W	21												W					

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18N 3 1 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" = 100'

____ 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

*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: _____

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JAN 21 2001

[illegible]

MICROFILMED
JAN 31 2001

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

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:

$$\frac{250' \times 175' \times 12' \times .4}{43560} = 4.8 \text{ AF}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Wildlife Storage	01-01	12-31		4.8
Rec Storage	01-01	12-31		4.8
FIRE Protection	01-01	12-31		
Totals:				4.8

2. Recommended Amendments

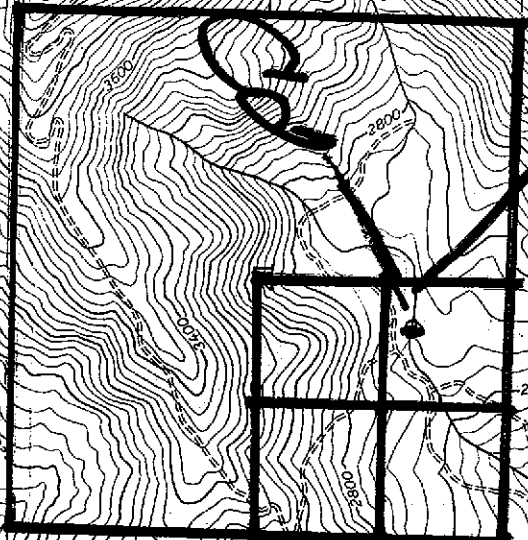
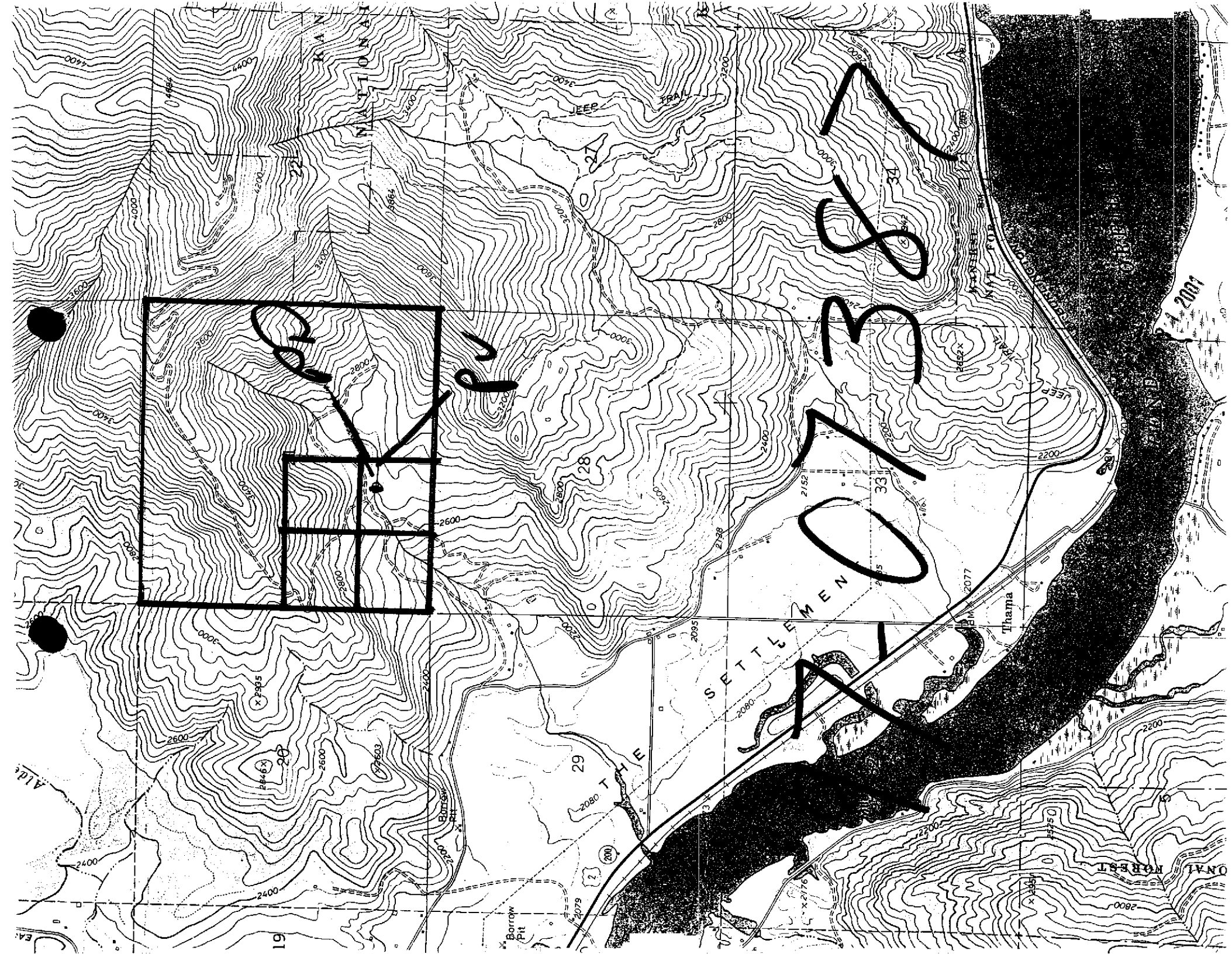
___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATIONField Examiner's Name Wayne Balducci Date 10-10-00

Reviewer _____ Date _____

SEAL

MICROFILMED
JAN 21 2001



07387

K9



PV

PV

PV

MICROFILMED
JAN 31 2001

97-07387



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 19, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOANNE RENKERT
PETER RENKERT
73 MILE HILL S
NEWTOWN CA 06470

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 97-07387

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 meets the permitted beneficial use.

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,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED
JAN 31 2001

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 97-07387 Reviewed by D. Ellis Date 7/19/00

GENERAL CONSIDERATIONS

Yes Name same as permit?

Yes Address same as permit?

Yes Proof timely received?

If not, complete calculation below.

TYPES OF USE

Storage for wildlife,
recreation & fire protection

Correct Uses? Yes

SOURCE OF WATER

Yes Surface water source

No Ground water source

/ Drilling permit required?

/ Copy in the file? Drilling Permit No. /

/ Amount paid for permit

/ Well log in the file?

/ Correct?

LICENSE EXAMINATION FEE

Yes Required?

\$50 Amount Submitted

Yes Correct?

MEASURING DEVICE

No Required?

No Installed?

/ Waiver requested?

PRIORITY CALCULATION

Date proof received 7/11/00

Date proof due 9/1/00 -

No. of days late / =

Priority Date / +

New Priority Date /

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address No Proof Made 7/11/00

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

2097754

Date:

Time: 7/21/2000
09:52:42

Received

From: RENKERT PETER H

Type of Payment

Program A cct

Amount

PROOF OF BENEFICIAL USE	# 97-07367	56104	229 21 1153	50.00
-------------------------	------------	-------	-------------	-------

CHECK

1249

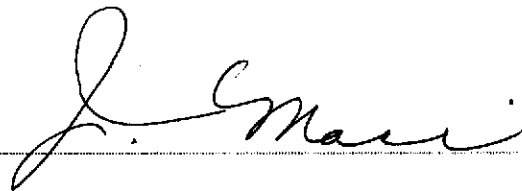
Total

\$

50.00

Region: STATE

Signature: _____



June 30, 2000

JOANNE RENKERT
PETER RENKERT
73 MILE HILL S
NEWTOWN CT 06470

PROOF DUE NOTICE

RE: PERMIT NO. 97-07387

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 September 1, 2000. (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.

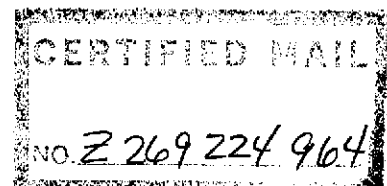
SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED

JAN 31 2001





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

September 11, 1998

PHILIP E. BATT
GOVERNOR

JOANNE RENKERT
PETER RENKERT
73 MILE HILL S
NEWTOWN CT 06470

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 97-07387

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

MICROFILMED

SEP 29 1998

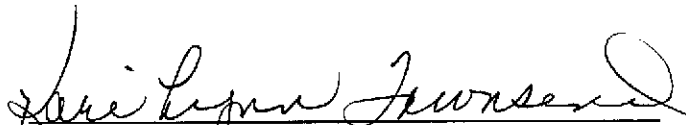
SK:klt
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of **September, 1998**, 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. 97-07387

**JOANNE RENKERT
PETER RENKERT
73 MILE HILL S
NEWTOWN CT 06470**


Kari Lynn Townsend
Secretary

MICHAEL
SEP 29 1998

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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SEP 29 1998

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.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Lou*
 No.: 97-7387 Name: Renkert Date: 8/19/98 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

- P16

GROUNDWATER: (✓ FLO-CH)

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 Supplemental use

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5 acres

- 01M (report when notified)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

In Basin 34?

- 085

Irr. within WD

- P05 (new well location)

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

FISH & GAME CONTACTED: 8/19- YES / NO; RESPONSE: None

W/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9 Pend Oreille R.

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 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

Storage only > 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:

Domestic surface

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

>1 in rest. area

- 071-070

Fire Protection

- ~~077~~ *none*

Fish Propagation

- 029-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

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)

Mining

- 054(req) -081-P10

Municipal

- 022, 075, 004 (+memo?), NA (not in restricted area)

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

Stockwater

- R37 (BLM/USFS); NA

Storage (✓ 3 compo.)

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

LOCATION:

42-248 area

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

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Mitigation

- 120

SWAN FALLS FLAG (See Code Chart)

Trust

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

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

 - 0077/Storage ② Rec Sta / fish pond
 - 9/1/ 2000



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

August 19, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Idaho Dept. of Fish & Game
Panhandle Region
2750 Kathleen Ave
Coeur d'Alene ID 83814

RE: Applications for Permit Nos. 97-07387, 98-07787, & 98-07788

To Whom It May Concern:

The Department of Water Resources (IDWR) is preparing to issue a water appropriation permit for the above applications. Before proceeding, IDWR would appreciate receiving your comments, if any, on the proposed diversion and use of surface water. I have enclosed copies of the applications for your review. Please respond with your comments by September 2. If I have not heard from you by then, I will assume you have no comment and will proceed with issuing the permits.

If you have any questions, you may contact me directly at (208) 327-7944 or by electronic mail at czimmerm@idwr.state.id.us.

Respectfully,

Cindy Zimmerman
Water Resource Agent

Enclosure

MICROFILMED

SEP 29 1998

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

AUG 06 1998

WR1
WLP
BCA

APPLICATION # 97-07387

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT:

RENKERT

BY:

TS

DATE:

6/22/98

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes) (No)

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

PROCESSING

(Yes) (No)

PRIORITY DATE: 6/22/98

(Include Moratorium Remark)

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

PT/Wel/ck

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

Affidavit of publication received

Application published correctly. If not, record action taken: _____

Publication dates and paper recorded on application | Sr. Agent initial TS

Protests received, Final protest date: 7/20/98

Measuring device required

Measuring port required

Special conditions:

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

Approval Recommended by:

TS

Date:

7/31/98

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Jeannie Shendan

_____ 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 for Water Right

as it was published in the regular and entire issue of the
said paper for a period of 1 consecutive weeks,
commencing on 1 day of July, 1998
and ending on the 8 day of July, 1998
and that said notice was published in said newspaper.

On this 8 day of July in the year
of 1998, before me, a Notary Public, personally
appeared Jeannie Shendan,
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me
first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at _____

My Commission expires: _____

RECEIVED

JUL 29 1998

NORTHERN REGION
IDWR

NOTICE OF APPLICATION
FOR WATER RIGHT

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

97-07387

RENKERT, PETER
RENKERT, JOANNE
73 MILE HILL SOUTH
NEWTOWN, CT 06470

Source: UNNAMED STREAM
Diversion Pt: SESW

Tributary: PEND OREILLE RIVER

Use: WILDLIFE STORAGE
RECREATION STORAGE
FIRE PROTECTION STORAGE

Total Diversion:

(9.00 AF)
(9.00 AF)
(9.00 AF)
(9.00 AF)

Date Filed: 6/22/1998

In: BONNER County

T56N R04W S21 SESW

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 20, 1998.

KARL J. DREHER, Director

PRT Legal 2418

July 1, 8, 1998

MICROFILMED

SEP 29 1998

97-07387

RENKERT, PETER
RENKERT, JOANNE
73 MILE HILL SOUTH
NEWTOWN, CT 06470

Source: UNNAMED STREAM

Tributary: PEND OREILLE RIVER

Diversion Pt: SESW Sec 21 T 56N R 04W in BONNER County.

Use: WILDLIFE STORAGE	(	9.00 AF)
RECREATION STORAGE	(	9.00 AF)
FIRE PROTECTION STORAGE	(	9.00 AF)
Total Diversion:	(	9.00 AF)

Date Filed: 6/22/1998

In: BONNER County
T56N R04W S21 SESW

*Talked to Joanne at
Pend Oreille River Times
Still send affidavits
& bill today
7/28 B*

MICROFILMED
SEP 29 1998

June 23, 1998

Mr. and Mrs. Peter Renkert
73 Mile Hill South
Newtown CT 06470

Re: Water Appropriation Application No. 97-07387

Dear Mr. and Mrs. Renkert:

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. Enclosed for your file is Receipt Number N012173.

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
SEP 29 1998