

I O N A L L A K E T F O R E S T

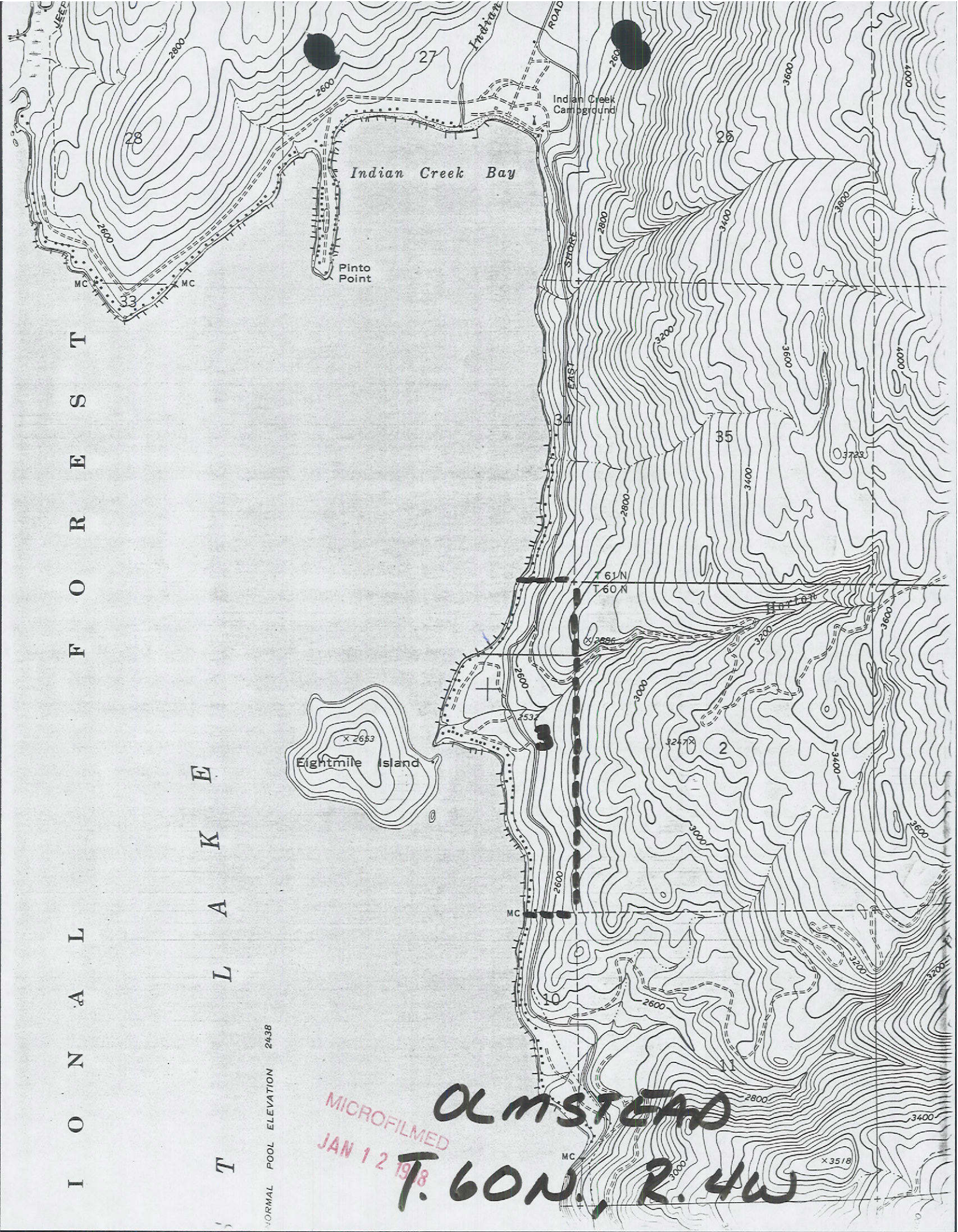
E I L A K E

NORMAL POOL ELEVATION 2438

MICROFILMED  
JAN 12 1988

OLMSTEAD

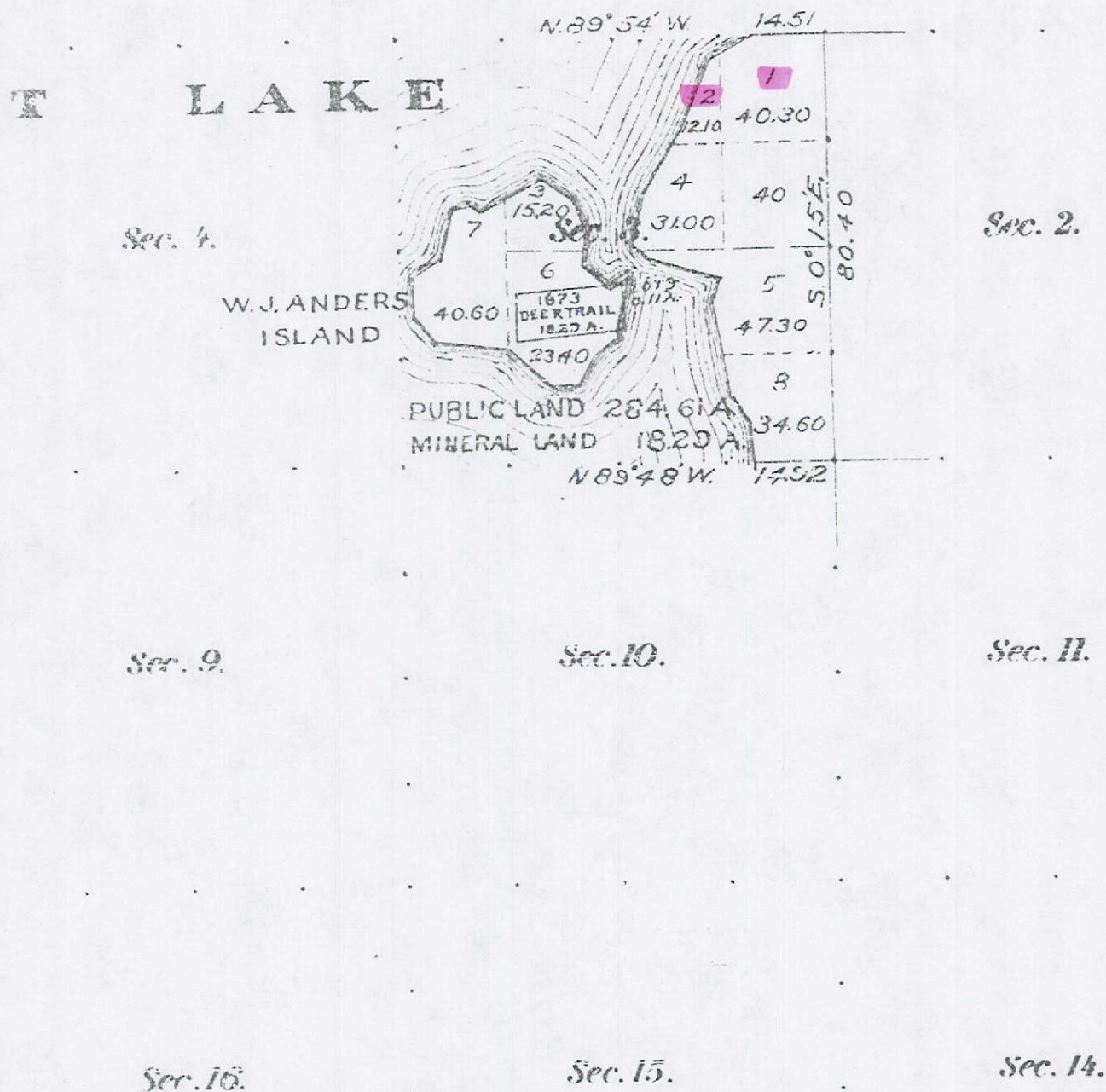
T. 60N., R. 4W



(4-6759)

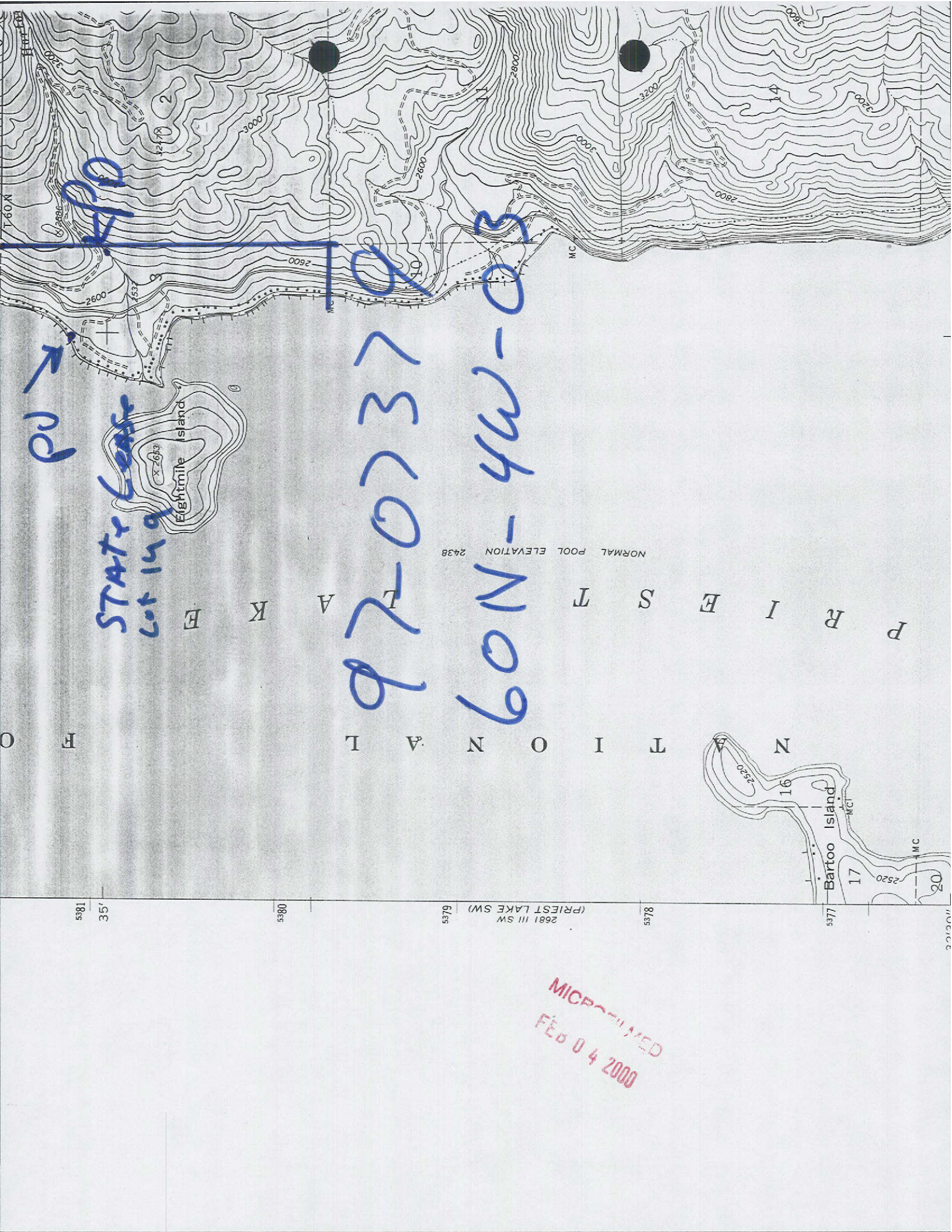
Regulation Plat of Mineral Land, Section 3,  
Range N<sup>o</sup> 4 West of the Boise Merid

*d*      *D*      *c*      *C*      *b*      *B*



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FEB 04 2000



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FEB 04 2000

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
FIELD REPORT SUPPLEMENT

PERMIT #



pu



pu

97-07379

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FEB 04 2000

State of Idaho  
Department of Water Resources

# Water Right License

WATER RIGHT NO. 97-07379

Priority: October 15, 1997

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that LYLE W OLMSTEAD

N 4728 ALTAMONT

SPOKANE WA 99207

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 15, 1997; and has submitted Proof of Beneficial Use on February 19, 1998. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

HORTON CREEK

tributary to PRIEST LAKE

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS                 | 1.2 AF               |

LOCATION OF POINT(S) OF DIVERSION: Lot 1( NENE), Sec. 3, Township 60N, Range 04W  
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

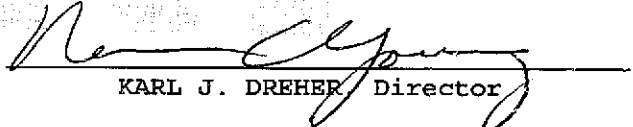
60N 04W 3 Lot 2 (NWNE)

## CONDITIONS OF APPROVAL AND REMARKS

1. Domestic use is for 1 home.

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 administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 6<sup>TH</sup> day of

DECEMBER, 1999.

  
KARL J. DREHER, Director

MICROFILMED

FEB 04 2000

State of IDAHO  
Dept Water Resources  
1301 N. Orchard St.

PO Box 83720 STATE OF IDAHO  
BOISE ID DEPARTMENT OF WATER RESOURCES  
83720-0098

FOR OFFICE USE ONLY  
Amt. of Fee \$: 50  
Receipt No. 041881  
Receipt By: KS  
Date Received: 3-30-98  
RECEIVED

FEB 19 1998

# PROOF OF BENEFICIAL USE

Department of Water Resources

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.

1. Permit No. 97-07379 Telephone No. 509-483-8374

2. Name(s) of Permit Holder(s): Lyle W. Olmstead

3. Mailing Address: N 4728 ALTAMONT SPOKANE, WA 99207

4. Source of Water: Horton Creek If GROUNDWATER (well), Date Drilled: mo. \_\_\_\_ / yr. \_\_\_\_

a. Well Driller: \_\_\_\_\_ Drilling Permit Number: \_\_\_\_ - \_\_\_\_ - \_\_\_\_

b. **OPTIONAL:**

Pump Horsepower: \_\_\_\_\_ Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft): \_\_\_\_\_

5. 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: \_\_\_\_\_

6. Total rate of diversion and/or volume for which proof is submitted: .04 cfs OR \_\_\_\_\_ acre feet

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?

Yes \_\_\_\_ or No X

Has the measuring device been installed?

Yes \_\_\_\_ or No X

Flow Measurement Port: Is a flow measurement port required?

Yes \_\_\_\_ or No X

Has the measurement port been installed?

Yes \_\_\_\_ or No X

8. Fee Enclosed: \$ 1997 50.00 (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: Lyle W. Olmstead Telephone Number: 509-483-8374

Address: N 4728 ALTAMONT SPOKANE, WA 99207 / Lot 149 Priest Lake State Lot

10. 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: Lyle W. Olmstead Date: 2-9-98  
(include your title, if on behalf of company or organization)

MICROFILMED

MAY 18 1998

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**

NO. 97-07379

Proposed Priority: October 15, 1997      Maximum Diversion Rate: 0.04 CFS

This is to certify, that LYLE W OLMSTEAD  
N 4728 ALTAMONT  
SPOKANE WA 99207

has applied for a permit to appropriate water from:  
HORTON CREEK      tributary of PRIEST LAKE

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> |
|-----------------------|----------------------|--------------------------|
|-----------------------|----------------------|--------------------------|

|          |                |          |
|----------|----------------|----------|
| DOMESTIC | 01/01 to 12/31 | 0.04 CFS |
|----------|----------------|----------|

LOCATION OF POINT(S) OF DIVERSION: Lot 2( NENE), Sec. 3, Township 60N, Range 04W  
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

60N 04W 3 Lot 2(NENE)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1998.
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. 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

16<sup>th</sup> day of December, 1997

*Karl J. Dreher*  
for Karl J. Dreher, Director

MICROFILMED  
JAN 12 1998

Ident. No. 97-07379

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**  
To appropriate the public waters of the State of Idaho

RECEIVED  
DEC 03 1997

Department of Water Resources

1. Name of Applicant LYLE W. OLINSTEAD Phone 509-483-8374  
Mailing address N 4728 ALAMONT SPOKANE WA 99207
2. Source of water supply HORTON Creek which is a tributary of PIEST LAKE
3. Location of point of diversion is Township 60N Range 34W Sec. 3 in the NE 1/4.  
NE 1/4, 1/4, Govt. Lot 2, B.M., BONNAR County;  
additional points of diversion if any: 0
4. Water will be used for the following purposes:  
Amount 0.04 for DOMESTIC purposes from APRIL 15<sup>th</sup> to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
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) 0.04 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 PLASTIC PIPE 2" AT  
HEAD TO 1 1/2" TO 1 1/4" AT CABIN
  - b. Height of storage dam 0 feet; active reservoir capacity 0 acre-feet; total  
reservoir capacity 0 acre-feet
  - c. Proposed well diameter is 0 inches; proposed depth of well is 0 feet
  - d. Is ground water with a temperature of greater than 85° F being sought? 0
  - 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 1 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. 0
  - b. Stockwatering; list number and kind of livestock. 0
  - c. Municipal; show name of municipality. 0
  - d. Domestic; show number of households. 1 ONLY
  - e. Other; describe fully. \_\_\_\_\_

MICROFILMED  
JAN 12 1998

9. Description of place of use: Cabin Site I.D. # Lot 149

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 |        |
| 60N | 40  | 3   | D   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     | 4.2 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Total number of acres to be irrigated 0

10. Describe any other water rights used for the same purposes as described above. 0

11. a. Who owns the property at the point of diversion? STATE LAND (Dept. of Lands)

b. Who owns the land to be irrigated or place of use? STATE OF IDAHO

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: 0

12. Remarks: Applicant will submit easement from Dept. of Lands.  
LEGAL DESCRIPTION PROVIDED BY BONNER CO. ASSESSOR'S  
OFFICE.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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

JAN 12 1998

Lytle Christensen  
Signature of Applicant (and title, if applicable)

Received by AB Date 10/15/97 Time 1:30 Preliminary check by AB  
Fee \$ 50 Received by AB # 1011671 Date 10/15/97  
Publication prepared by 0 Date 10/29/97 Published in Front Range Times 11/5+12/97  
Publication approved \_\_\_\_\_ Date \_\_\_\_\_

I O N A L F O R E S T

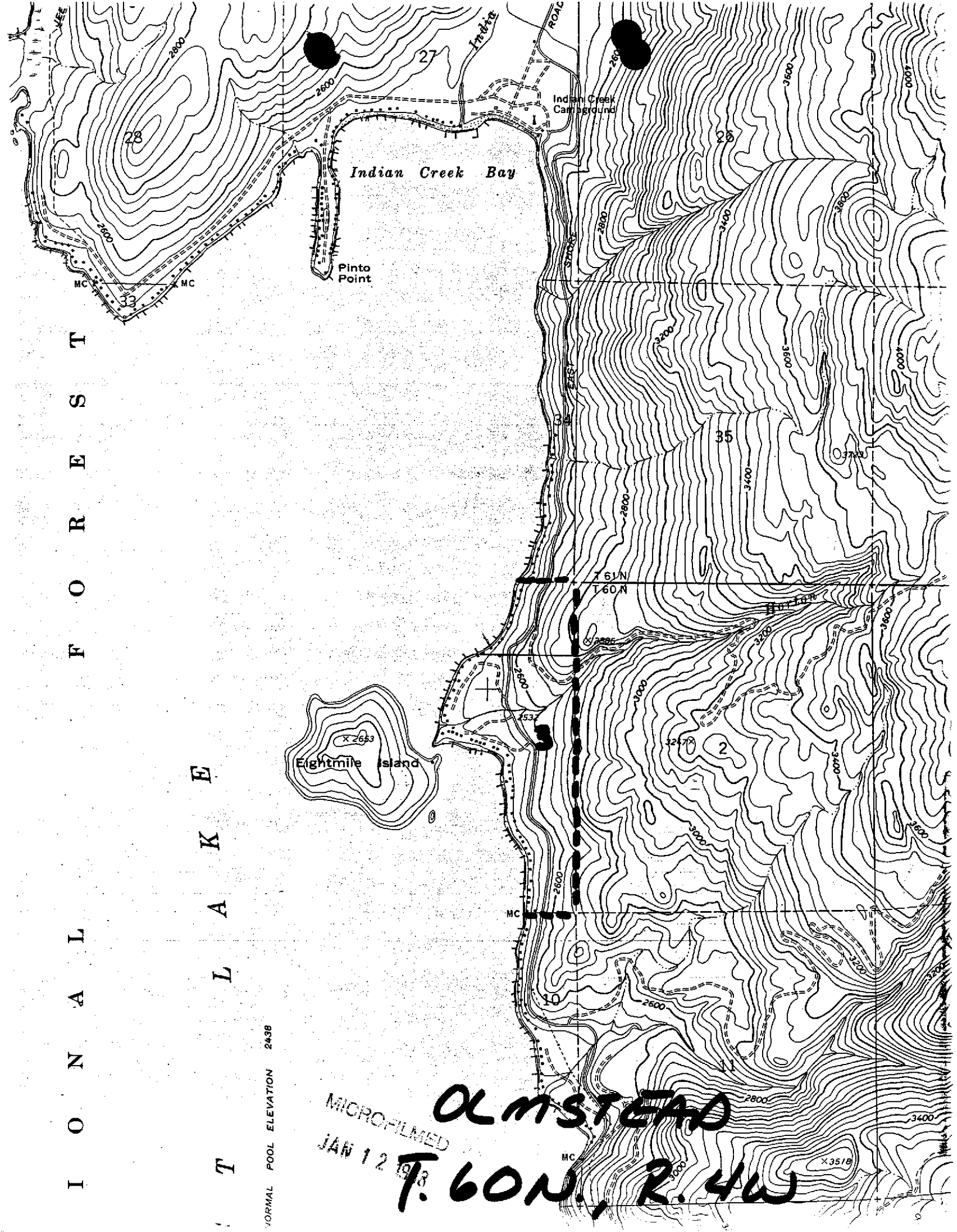
T L A K E

NORMAL POOL ELEVATION 2438

MICROFILMED  
JAN 12 1968

OLMSTEAD

T. 60N., R. 4W



Paist Lake  
East Side  
Lot 149  
State Lease

MICROFILMED  
JAN 12 1958

Township 60N  
Range 4W  
Section - 3  
NE of NE Section  
Bonneville City

Cabin Site

8 mile island

Indian Cr.

Horton Creek

Point of Diversion

Hunt Cr.

County Rd.

Cavanaugh Bog

Goodwin



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

December 6, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

LYLE W OLMSTEAD  
N 4728 ALTAMONT  
SPOKANE WA 99207

RE: WATER RIGHT NO. 97-07379

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 reporting form.

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

Sincerely,

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

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

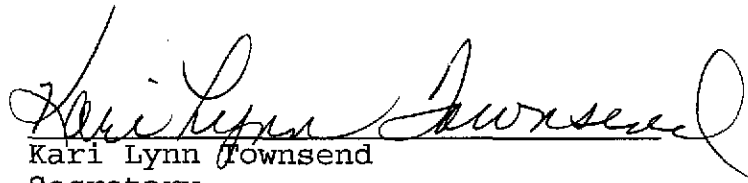
FEB 04 2000

CERTIFICATE OF MAILING

I hereby certify that on the 6th day of **December, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

**Water Right No. 97-07379**

LYLE W OLMSTEAD  
N 4728 ALTAMONT  
SPOKANE WA 99207

  
Kari Lynn Townsend  
Secretary

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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.

### 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 2000

## MEMORANDUM

**TO: File 97-07379**

**FROM: Sharla**

**DATE: December 2, 1999**

**RE: Recommendation Adjustment(s)**

The adjustments to licensing recommendations for Permit 97-07379 are as follows:

### C. DIVERSION AND DELIVERY SYSTEM

1. Point of Diversion: (Lot 1) NENE, S3, T60N, R4W
2. Place of use: (Lot 2) NWNE, S3, T60N, R4W

The point of diversion is located in the NENE, which is Gov. Lot 1 as shown on the attached government plat copy. The place of use within Lot 2 in the NWNE. These adjustments do not require an amendment since either the  $\frac{1}{4}$  description OR the gov. lot was correct on the permit.

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FEB 04 2000



# LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on 11/21/99

Permit No. 97-07379

BU Fee Pd \$ 50.00

Name/Address: OK CHANGE

Govt Lots n/a plat copy attached

AREA OF CONCERN: No/Yes Moratorium GWMA TRUST/NON-TRUST

## GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-079  
 Supp irr (+ other uses) - 100-101  
     ≤ 0.24 cfs/5 acres - No MD  
     > 0.24 cfs/5 acres - 01M (if on permit)

## LOCATION:

Trust - R55(consumptive uses)  
 Non-Trust - 048-049 (consumptive uses  
                     or non-cons. > 1.0 cfs)

PD Change - P39/P47 - feds(P40)  
 PD Add - P45/P42

PU Change - P41/P47 - feds(P43)  
 PU Add - P41/P42

PD & PU Change - P37 - feds(P48)

## USES:

STORAGE - 18A-R02-01P-18B-NA  
 IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)  
             > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)  
 STOCKWATER - R37 (BLM/USFS)  
 MINING - 081  
 FISH PROP - 029(70'S only)-042-081  
 HEAT/COOL - R07(injection well)  
 FIRE PROT. - 077

Use Change/Add - P46

ADVANCE PRIORITY? Yes ✓ No

## MISC CONDITIONS/REMARKS:

Multiple pd's per ¼¼ - W32  
 Subd lot desc (pd) - W59  
 Subd lot desc (pu) - W60  
 Use definitions - W02 example - C/tire shop  
 Non-consumptive - 027  
 Water Quality - 081-R07  
 Mitigation - 121 (if on permit)  
 PPU acre limit - W27

CHECK NEW IRR SEASON MAP NA

## SURFACE WATER: (✓Flow Chart)

In/Above MSF - WB9  
 WD - R04 (WD#       ) pre-dates MSF  
     ≤ 0.20 cfs/others - R02-01P or No MD  
     > 0.20 cfs - R43  
                     WB9 = N/A

## SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD  
 > 0.24 cfs/5 acres - 01M or No MD

## RIVER BASINS: (SW special considerations)

Snake R (01) - W22, N/A  
                     (02,03) - WB9 if above Weiser  
 Payette R (65) - 047(Payette Lake)  
 Salmon R (70's) - 029 (fish screens)  
 Weiser R (67) - 086-087

## USES:

POWER - R22-R23 (+uses)-025-081-W42-W43-027  
 MUNICIPAL  
     Restricted area - 022,075  
     Irr., GW supp to SW - 102  
 DOMESTIC  
     Surface water - WB5 (Big Wood or Boise above Star Bridge)  
                             27A (Payette R)  
     >1 in restricted area - 070-071-075(no parks/common areas, etc)  
     Irr use listed separate - WB5  
     Lawn/garden included - W01

## OVERLAP ANALYSIS/RATES/VOLUMES:

PD overlap rights - W35-W36 Right #         
 PU overlap rights - WB7-W31(<1 ac)  
 GW replaced SW - 050

Permit Rate .04 cfs Fee Limit .20 cfs  
 Measured .04 cfs Theoretical        cfs

| Use        | Rate           | Volume        |
|------------|----------------|---------------|
| <u>Dom</u> | <u>.04</u> cfs | <u>1.2</u> af |
|            |                |               |
|            |                |               |
| TOTALS     |                |               |

## OTHER CONDITIONS/REMARKS/COMMENTS

SRBA Claim Filed Yes ✓ No

If no, is a claim required: Yes ✓ No

AMENDMENTS REQUIRED Yes ✓ No

If yes, paragraph codes:       

Adjustment Memo Needed Yes ✓ No

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED

SEP 22 1999

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 97-07379

1. Owner: Lyle W. Olmstead Phone No. (509) 483-8374

Current Address: N 4728 Attamont Spokane wa 99207

2. Accompanied by: Lyle Olmstead EXAM DATE: 8-4-99

Address: Same as above Phone No. \_\_\_\_\_

Relationship to Permit Holder: \_\_\_\_\_

3. Source: Horton Creek tributary to Briest Lake

**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 |
|-----------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
|           |           |     | NE  | NE  | 03   | 60N  | 09W  | Bonner | USGS 7.5 min Quad               |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |

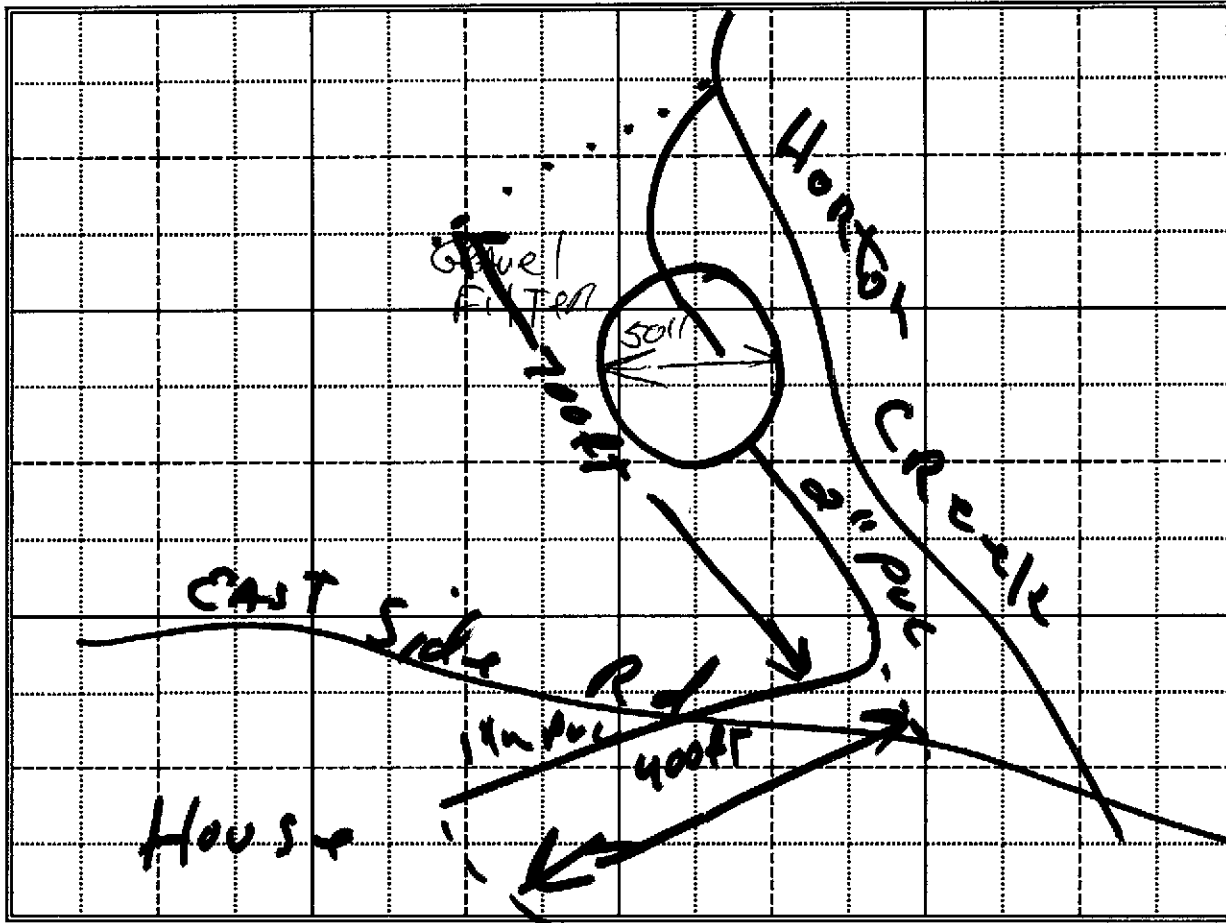
**2. Place(s) of Use:**

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 |        |
| 60N | 04W | 3   | 02 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

MICROFILMED  
SEP 14 2000

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



Scale: 1" = 125'

\_\_\_\_ 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: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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FEB 04 2000

[illegible]

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 FEB 04 2000

**F. FLOW CALCULATIONS**

Measured Method:

Additional Computation Sheets Attached

$$\begin{array}{l} 5 \text{ gal bucket } 5 \text{ gal in } 15 \text{ sec } = 20 \text{ gpm} \\ 20 \times .133681 = .04 \text{ cfs} \\ \hline 60 \end{array}$$

**G. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

## 2. Volume Calculations for Other Uses:

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use  | Period of Use |              | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-----------------|---------------|--------------|------------------------------|--------------------------|
|                 | From          | To           |                              |                          |
| <u>Domestic</u> | <u>01-01</u>  | <u>12-31</u> | <u>.04</u>                   | <u>1.2</u>               |
| _____           | _____         | _____        | _____                        | _____                    |
| _____           | _____         | _____        | _____                        | _____                    |
| _____           | _____         | _____        | _____                        | _____                    |
| _____           | _____         | _____        | _____                        | _____                    |
| Totals:         |               |              | <u>.04</u>                   | <u>1.2</u>               |

## 2. Recommended Amendments

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

**I. AUTHENTICATION**

Field Examiner's Name

Wayne Baldwin

Date

9-17-99

Reviewer

Date

SEAL

MICROFILMED

FEB 04 2000

MICROFILMED  
FEB 04 2008

2681 III SW  
(PRIEST LAKE SW)

5379

5380

35'

5381

5377

5378

17

2520

MC

Bartoo Island

N A T I O N A L

F C

P R I E S T L A K E

NORMAL POOL ELEVATION 2438

60N-46-03  
97-07379

State Lease  
Lot 149

PU

470

BEHIND ISLAND

2463

2600

2600

2600

2600

2600

2600

2600

2600

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

FIELD REPORT SUPPLEMENT

TERMINAL #



pu

pu

97-07379

REPROFILMED  
FEB 04 2000

ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE

Permit No. 97-07379

Reviewed by [Signature]

Date 3-6-98

**GENERAL CONSIDERATIONS**

**TYPES OF USE**

yes Name same as permit?

dom.

yes Address same as permit?

yes Proof timely received?  
If not, complete calculation below.

Correct Uses? yes

**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?

NO Required?

NO Amount Submitted

☐ Installed?

NO Correct?

☐ Waiver requested?

**PRIORITY CALCULATION**

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

**DEFICIENCIES OR ACTION ITEMS**

Request \$50.00 lic. exam fee  
3/30 - fee received - proof acceptable

**DATA ENTRY**

New Address [X]

Proof Made 2-19-98



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

PHILIP E. BATT  
GOVERNOR

May 1, 1998

KARL J. DREHER  
DIRECTOR

Lyle W Olmstead  
N 4728 Altamont  
Spokane WA 99207

**PROOF ACKNOWLEDGMENT LETTER**

**RE:** PERMIT NO. 97-07379

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 department's **NORTHERN** Regional Office in Coeur d'Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

MAY 18 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

March 18, 1998

RECEIVED

MAR 27 1998

Department of Water Resources

Lyle W Olmstead  
N 4728 Altamont  
Spokane WA 99207

RE: Permit No. 97-07379

Dear Permit Holder:

I have returned a copy of the Proof of Beneficial Use statement you submitted in connection with the above referenced water right permit. Before the department can accept the proof, it must be accompanied by the appropriate license examination fee. You indicate on the proof statement that you paid \$50.00 in 1997. The fee paid in 1997 was used to advertise the water right application. The license examination fee associated with the proof of beneficial use, is a separate fee which must be paid before we can accept the proof statement. The license exam fee for a rate of diversion of 0.04 cfs is \$50.00.

Please return the copy of the proof statement along with the \$50.00 license examination fee within **60 days** of receipt of this letter. **Please address your correspondence to my attention.**

If you have any questions regarding this matter, please contact me at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR- Northern Region

SORRY FOR YOUR INCONVENIENCE, AS  
I AM A LITTLE GUN SHY. I HAD A VERY  
STARTLING REQUEST BY THE DEPT OF LANDS  
WHEN I HAD TO GET THEM TO SIGN OFF  
ON THE PERMIT - THEIR FEE WAS \$250.00  
THANK YOU LYLE W. OLMEAD

MICROFILMED  
MAY 18 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

March 18, 1998

Lyle W Olmstead  
N 4728 Altamont  
Spokane WA 99207

**RE: Permit No. 97-07379**

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Please return the copy of the proof statement along with the \$50.00 license examination fee within **60 days** of receipt of this letter. **Please address your correspondence to my attention.**

If you have any questions regarding this matter, please contact me at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR- Northern Region

MICROFILMED

MAY 18 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 17, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

LYLE W OLMSTEAD  
N 4728 ALTAMONT  
SPOKANE WA 99207

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 97-07379

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.

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

SK:klt

Enclosures

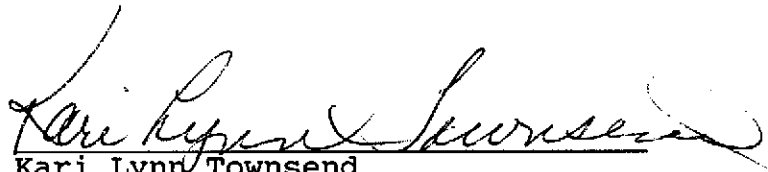
MICROFILMED  
JAN 12 1998

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of December, 1997, 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. 97-07379

LYLE W OLMSTEAD  
N 4728 ALTAMONT  
SPOKANE WA 99207

  
Kari Lynn Townsend  
Secretary

MICROFILMED  
JAN 12 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.

MICROFILMED

JAN 12 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.

MICROFILMED  
JAN 12 1998

# APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy Lou

No.: 97-7379 Name: Olmstead Date: 12/10/97 Ad OK? — / Gvmt Lts: ✓

**AREA OF CONCERN:****PROTESTED:****SYSTEM COMPLETED:**

1 year/no proof  
>1 year

- No/Yes: \_\_\_\_\_ Mor / \_\_\_\_\_ GWMA / Trust / Non-trust  
- 020 (Protest Agreement) or \*W19 (Order)

**P16**  
- 26A-P17

**GROUNDWATER: (✓ FLO-CH)****WMD (✓ MAP)**

>0.24 cfs/5 acres  
≤ 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)  
- No MD

**WMD** >0.24 cfs/5 acres  
Supplemental use  
≤ 0.24 cfs/5 acres

- 01M (report when notified)  
- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)  
- No MD

**DRILLING PERMIT:**

Existing well  
Included w/permit

- NA (pre 7/1/87; ✓ WDQ3)  
- Permit No. \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_, P99  
- 046-46B-P23 (post 7/1/87)  
- P05 (new well location)

No drilling permit?  
irr. in WD

**SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):****IN/ABOVE MIN. STR. FLOW (✓ MAP)**

WD (✓ MAP & LISTING)  
Pumped >0.20 cfs

- \*WB9  
- R04 (WD # \_\_\_\_\_)-01J-P08 (MD)  
- 01H-P01 (LD & MD) or No MD (in-stream stock)

**WMD (✓ MAP)**  
> 0.24 cfs/5 acres  
≤ 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)  
- No MD

**SPRINGS/SINK, INACTIVE WD & REST OF STATE**

> 0.24 cfs/5 acres  
≤ 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)  
- No MD

**RIVER BASINS: (\*Surface water):**

Snake R (01)  
(02/03-irr)  
Payette R(65)  
Salmon R (70's)

- \*W22 -P04, NA  
- 007 (w/ remark \*WB9 if above Weiser), NA  
- \*W22 (regulated uses), 047-P04 (Payette Lake), NA  
- 029 (fish screens), NA

**USE:**

Domestic/surface  
>1 in rest. area

- \*WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA  
- 071-070

Fish Propagation

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

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres  
> 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)  
- 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-025-01N-028-081(P10)-027 (if no other cons. use);  
17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

Stock

- R37 (BLM/USFS); NA

Storage (✓3 compo.)

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

**LOCATION:**

42-248 area  
Boise Front LoGeo  
In-stream dev.  
Irr Dist/Canal Co.

- P84 (in 20/30/40/50/60/70/80 (87) basin)  
- 058 (<85° GW temp only)  
- **P52** (stream channel alteration)  
- 023 (Twin Falls area)

**SWAN FALLS FLAG (See Code Chart)**

Trust  
Non-Trust (1)

- 051-052-053-P74 (Consumptive Uses), NA  
- 048-049 (Consumptive Uses), NA  
- 004(PD/PU) \_\_\_\_\_

**OWNERSHIP:****OTHER CONDITIONS:****STANDARD REMARKS:**

- 1) Wot / 1 \_\_\_\_\_

**BENEFICIAL USE DUE:**

- 12/1/ 1998 \_\_\_\_\_

**COMMENTS:**

No. a  
4/87-06/92n

DEPARTMENT OF WATER RESOURCE  
APPLICATION ANALYSIS SHEET

RECEIVED  
DEC 03 1997

WRI  
WRA  
EC

APPLICATION # 97-7379

DEPARTMENT OF WATER RESOURCES

\*\*\*\*\* INITIAL REVIEW \*\*\*\*\*

APPLICANT: OLMSTEAD

BY: AB

DATE: 10/15/97

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
13. ☒ Map  
☒ Signature  
☒ Fee (Amt, recpt, acknowlegment)

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

PROCESSING

Yes No

PRIORITY DATE: 10/15/97

☒ (Include Moratorium Remark)

☒ Statewide Avertising: (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

ADDITIONAL INFORMATION

Yes No

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

\*\*\*\*\* GROUNDWATER SECTION \*\*\*\*\*

(Yes) ( No)

Checked by: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Remarks: \_\_\_\_\_

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

\*\*\*\*\* 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 AB

Protests received. Final protest date: 11/24/97

Measuring device required

Measuring port required

Special conditions: \_\_\_\_\_

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

Approval Recommended by: AB

Date: 12/1/97

AFFIDAVIT OF PUBLICATION

RECEIVED

DEC 08 1997

State of Idaho

ss.

County of Bonner,

Jayce Brass  
being duly sworn, says that he is the office clerk  
of the **PRIEST RIVER TIMES**, a weekly newspaper printed and  
published at Priest River, Bonner County, Idaho, and has been con-  
tinuously and uninterruptedly published in said County during a period  
of 78 consecutive weeks prior to the first publication of the annexed  
notice for publication, is a newspaper of general circulation made up of  
at least eight pages of at least six columns each, printed from typewrit-  
er or stereotyped forms of at least nineteen and three-fourths inches  
high, has at least 1250 bona fide subscribers living within said Bonner  
County, and is published at regular weekly intervals. That the annexed  
is a true copy of the notice for publication in the case of

# 2325

as it was published in the regular and entire issue of the  
said paper for a period of 2 consecutive weeks,  
commencing on 5 day of Nov, 19 97  
and ending on the 12 day of Nov, 19 97  
and that said notice was published in said newspaper.

On this 5 day of November in the year  
of 1997, before me, a Notary Public, personally  
appeared Jayce Brass,  
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.

Linda L. Jordan  
Notary Public for Idaho

Residing at

Priest River, Id

My commission expires:

1999

NOTICE OF APPLICATION  
FOR WATER RIGHT

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

97-07379

OLMSTEAD, LYLE W

N 4728 ALTAMONT

SPOKANE, WA 99207

Source: HORTON CREEK

Tributary: PRIEST LAKE

Diversion Pt: LOT 2 (NENE)

Sec 3 T 60N R 04W in BONNER County.

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 10/15/1997

In: BONNER County

T60N R04W S03 LOT 2 (NENE)

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  
NOVEMBER 24, 1997.

KARL J. DREHER, Director

PRT Legal 2325

November 5, 12, 1997

RECEIVED

DEC 03 1997

NORTHERN REGION  
IDWR

MICROFILMED

JAN 12 1998

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Gayle Brass  
 being duly sworn, says that he is the office clerk  
 of the PRIEST RIVER TIMES, a weekly newspaper printed and  
 published at Priest River, Bonner County, Idaho, and has been con-  
 tinuously and uninterruptedly published in said County during a period  
 of 78 consecutive weeks prior to the first publication of the annexed  
 notice for publication, is a newspaper of general circulation made up of  
 at least eight pages of at least six columns each, printed from typewrit-  
 er or stereotyped forms of at least nineteen and three-fourths inches  
 depth, has at least 1250 bona fide subscribers living within said Bonner  
 County, and is published at regular weekly intervals. That the annexed  
 is a true copy of the notice for publication in the case of

# 2325

as it was published in the regular and entire issue of the  
 said paper for a period of 2 consecutive weeks,  
 commencing on 5 day of November 19 97  
 and ending on the 12 day of November, 19 97  
 and that said notice was published in said newspaper.

On this 12 day of November in the year  
 of 1997, before me, a Notary Public, personally  
 appeared Gayle Brass,  
 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.

Lynda Jordan  
 Notary Public for Idaho

Residing at Priest River, Id.

My commission expires: 1999

NOTICE OF APPLICATION  
 FOR WATER RIGHT

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

97-07379  
 OLMSTEAD, LYLE W  
 N 4728 ALTAMONT  
 SPOKANE, WA 99207  
 Source: HORTON CREEK  
 Tributary: PRIEST LAKE  
 Diversion Pt: LOT 2 (NENE)  
 Sec 3 T 60N R 04W in BONNER County.

Use: DOMESTIC (0.040 CFS)  
 Total Diversion: (0.040 CFS)

Date Filed: 10/15/1997

In: BONNER County

T60N R04W S03 LOT 2 (NENE)

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  
 NOVEMBER 24, 1997.

KARL J. DREHER, Director

PRT Legal 2325

November 5, 12, 1997

RECEIVED

NOV 28 1997

NORTHERN REGION  
 IDWR

RECORDED

148 12 1998

October 29, 1997

Lyle W Olmstead  
N 4728 Altamont  
Spokane WA 99207

Re: Water Appropriation Application No. 97-07379

Dear Mr. Olmstead:

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  
JAN 12 1998

97-07379

OLMSTEAD, LYLE W  
N 4728 ALTAMONT  
SPOKANE, WA 99207

Source: HORTON CREEK

Tributary: PRIEST LAKE

Diversion Pt: LOT 2 (NENE) Sec 3 T 60N R 04W in BONNER County.

|                  |   |            |
|------------------|---|------------|
| Use: DOMESTIC    | ( | 0.040 CFS) |
| Total Diversion: | ( | 0.040 CFS) |

Date Filed: 10/15/1997

In: BONNER County  
T60N R04W S03 Lot 2 (NENE)

MICROFILMED

JAN 12 1998