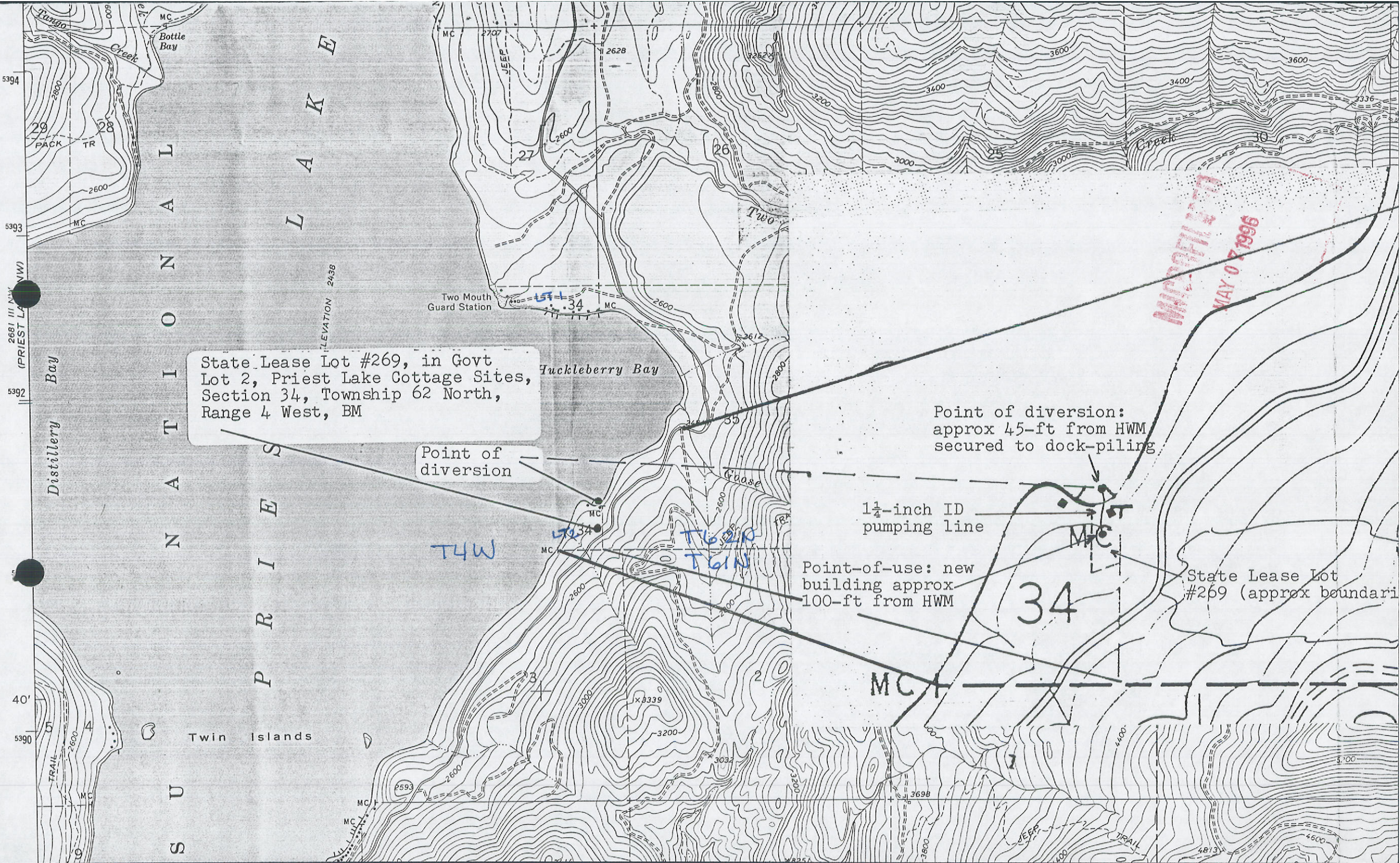




State Lease Lot #269, in Govt Lot 2, Priest Lake Cottage Sites, Section 34, Township 62 North, Range 4 West, BM

Point of diversion

Point of diversion: approx 45-ft from HWM secured to dock-piling

1 1/4-inch ID pumping line

Point-of-use: new building approx 100-ft from HWM

State Lease Lot #269 (approx boundary)

MAY 07 1996



P R I E S T L A K E

NORMAL POOL ELEVATION 2438

T.62N.

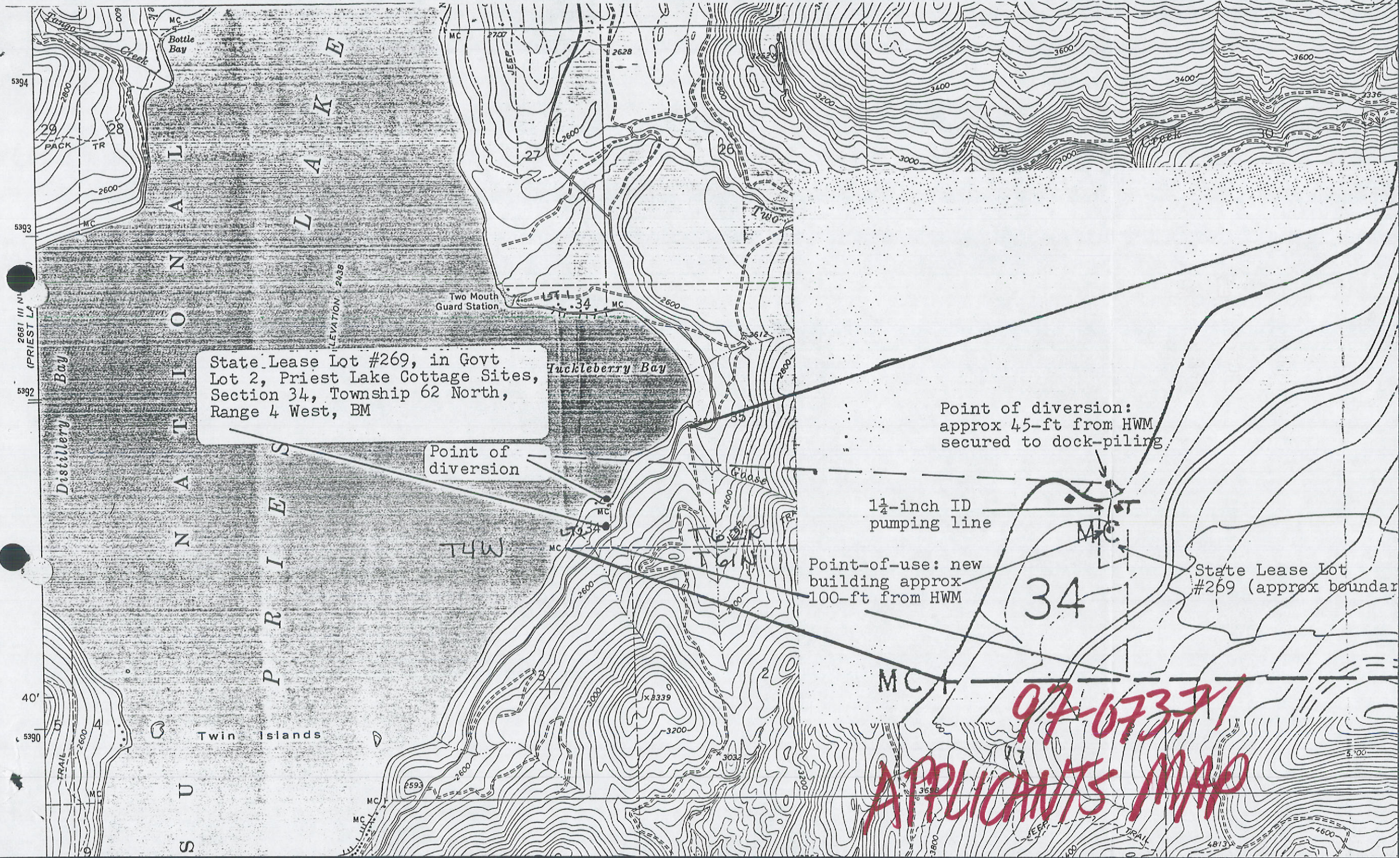
T.61N.

MICROFILMED
SEP 24 1998

97-07371

T.62N., R.04W., Sec. 34

STATE OF IDAHO
(AYER), LARRY



State Lease Lot #269, in Govt Lot 2, Priest Lake Cottage Sites, Section 34, Township 62 North, Range 4 West, BM

Point of diversion

Point of diversion: approx 45-ft from HWM secured to dock-piling

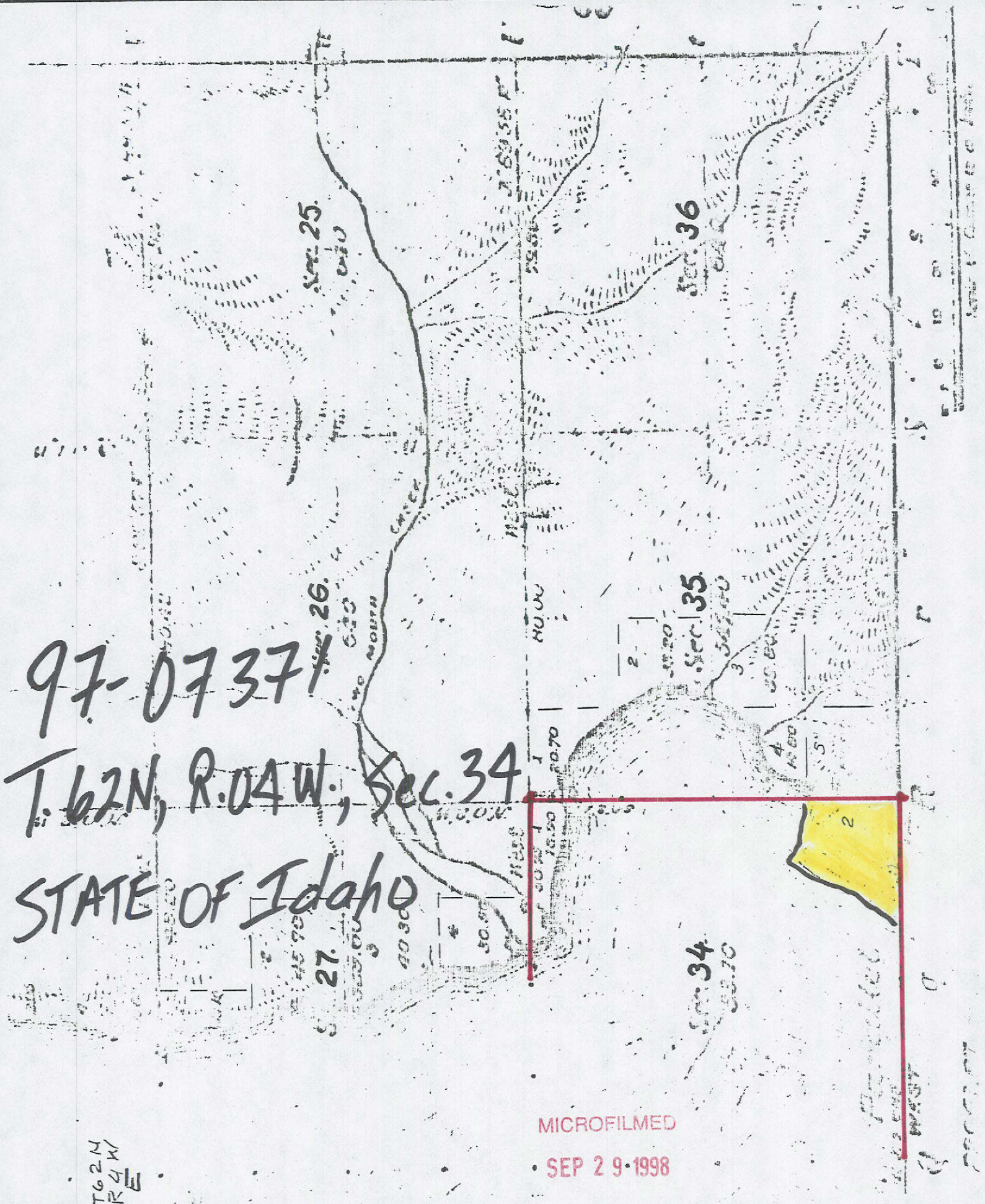
1 1/4-inch ID pumping line

Point-of-use: new building approx 100-ft from HWM

State Lease Lot #269 (approx boundary)

97-07371
APPLICANTS MAP

97-0737
T. 62N, R. 04W, Sec. 34
STATE OF Idaho



MICROFILMED
SEP 29 1998

T62N
R04W

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT

97-07371



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 97-07371

Priority: February 27, 1996

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that STATE OF IDAHO

DEPT OF LANDS

STATEHOUSE

BOISE ID 83720-0050

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 27, 1996; and has submitted Proof of Beneficial Use on July 16, 1996. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

PRIEST LAKE

tributary to **PRIEST RIVER**

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	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(SESE), Sec. 34, Township 62N, Range 04W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

62N 04W 34 Lot 2(SESE)

CONDITIONS OF APPROVAL AND REMARKS

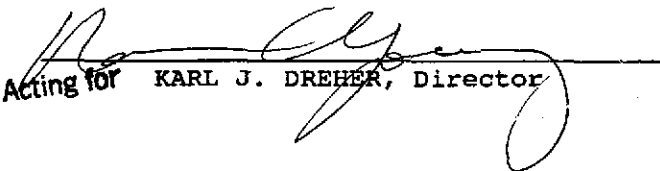
1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

MICROFILMED
SEP 29 1998

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 97-07371

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 25TH
day of FEBRUARY, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

SEP 20 1998

RECEIVED

JUL 16 1996

LOWR

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 22 1996

PROOF OF BENEFICIAL USE

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

Priest Lake Unit/Dept of Lands
Cavanaugh Bay

1. Permit No. 97-07371 Telephone No. (208) 443-2516

2. Name(s) of Permit Holder(s): STATE OF IDAHO/DEPT OF LANDS

3. Mailing Address: Statehouse, Boise, ID 83720-0050

4. Source of Water: Priest Lake If **GROUNDWATER** (well), Date Drilled: mo. / yr.

a. Well Driller: _____ Drilling Permit Number: - - -

b. OPTIONAL:

Pump Horsepower: 1/2 HP Pressure (psi): 30-50 psi Dynamic pumping level (ft): approx 13-ft
[See NOTE-1 below]

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

Domestic (No. of households): one (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: 0.020 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 ☒

Has the measuring device been installed?

Yes _____ or No X

Flow Measurement Port: Is a flow measurement port required?

Yes or No ☒

Has the measurement port been installed?

Yes or No X

8. Fee Enclosed: \$ 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: Larry Ayer (Lessee of property) **Telephone Number:** (208)882-2551/2650

Address: 5013 Harden Rd , Moscow, ID 83843

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: *Edward Greene - area supervisor* Date: *7-15-96*

(Include your title, if on behalf of company or organization)

[NOTE-1]- please correct item in 'Comments' section of water right profile report, line #2 to read: "..pumping from 1 $\frac{1}{4}$ in ID supply line..", instead of 11- $\frac{1}{4}$ inch. Application was submitted with correct dimension. database corrected cor. 8/12/96

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 97-07371

Proposed Priority: February 27, 1996 Maximum Diversion Rate: 0.02 CFS

This is to certify, that **STATE OF IDAHO**
DEPT OF LANDS
STATEHOUSE
BOISE ID 83720-0050

has applied for a permit to appropriate water from:
PRIEST LAKE tributary of **PRIEST 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>
DOMESTIC	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 2(SESE), Sec. 34, Township 62N, Range 04W
BONNER County

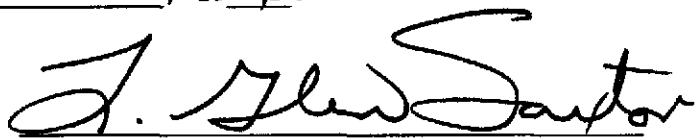
PLACE OF USE: DOMESTIC
TWN RGE SEC
62N 04W 34 Lot 2(SESE)

CONDITIONS OF APPROVAL AND REMARKS

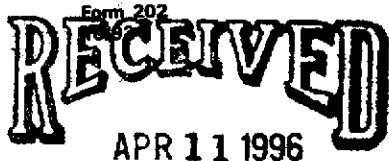
1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1997.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Domestic use is for 1 home.
5. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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

22 day of April, 1996.


Karl J. Dreher, Director

for
APPROVED
MAY 07 1996



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 97-7371

To appropriate the public waters of the State of Idaho
Department of Water Resources

1. Name of applicant Larry L. Ayer (State of Idaho Dept. of Land) Phone (208) 882-2650
Statehouse (208) 882-2551 [work]
Post office address 5013 Harden Rd Moscow, ID 83843

2. Source of water supply Priest Lake which is a tributary of the Priest River

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot 2
Sec. 34 Township 62 N Range 4-West B.M. Bonner County; additional
points of diversion if any: (None)

4. Water will be used for the following purposes:

* 0.02
Amount 0.04 for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) * 0.02 0.04 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

(a) Description of ditches, flumes, pumps, headgates, etc. $\frac{1}{2}$ HP electric pump, w/pressure tank, pumping from $\frac{1}{4}$ -inch I.D. supply line, from a point approx 45-ft from the high water mark, adjacent to existing dock piling, in front of State Lease Lot #269, South end of Huckleberry Bay, Priest Lake, ID. [see Exhibit B, submitted with application for lake encroachment permit] Pump to be located in applicants building to supply water for bathroom facilities.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

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) _____

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

MAY 07 1996

* per item 12 this application. 4/16/96 cz.

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. DOMESTIC ONLY/1-Household
- e. Other; describe fully. _____

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
62N	4W	34																<u>1/2</u> D	

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? IDAHO STATE DEPT. LANDS
- ☒ b. Who owns the land to be irrigated or place of use? Applicant owns place of use
- ☒ c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Applicant holds Lease #R-1028-2, for use of property, with the State of Idaho/Department of Lands; this filing is also to satisfy requirements of the Lessor.

12. Remarks: The appropriation of this water is for household domestic use only, and not for any landscape irrigation purposes.

RECEIVED

FEB 22 1996

DEPARTMENT OF LAND
COOLIN, IDAHO

RECORDED

MAR 07 1996

**STATE OF IDAHO
COTTAGE SITE LEASE**

ATTACHMENT A

1. ANNUAL RENT SUBJECT TO CHANGE.

LESSOR has the right to raise or lower the annual rent to be paid by LESSEE, as of the beginning of any calendar year hereunder, by providing LESSEE with one hundred eighty (180) days written notification prior to same.

2. USE AND OCCUPATION.

The leased premises shall be used for only recreational residential purposes. In no event shall the leased premises be devoted to any commercial use, nor shall any enterprise of a commercial nature be permitted to exist thereon.

3. SUB-LEASING AND ASSIGNMENT.

LESSEE shall neither sublease the leased premises nor assign this lease without first having obtained the written consent of LESSOR or its authorized agent.

4. LANDSCAPING AND REMOVAL OF VEGETATION.

LESSEE shall neither landscape the leased premises nor remove vegetation, including trees, therefrom without the prior written consent of LESSOR or its authorized agent.

5. DOMESTIC WATER.

LESSEE shall be entitled to water for domestic purposes only to the extent that natural springs, streams, lakes, existing wells or water systems serving the leased premises are capable of supplying the same. LESSEE shall neither drill and use a new water well nor develop and use any new source of water without the prior written consent of LESSOR or its authorized agent, plus the prior written consent of any department or agency of the State of Idaho having jurisdiction to regulate water rights in this state. All water rights with respect to the leased premises shall be taken in the name of the State of Idaho. If water is supplied to the leased premises by a water system operated by the State of Idaho, the use of such system and the supply of water provided thereby may be curtailed or terminated upon ten days written notice to LESSEE from LESSOR or its authorized agent. Neither the LESSOR nor its agents and employees nor any entity of the State of Idaho shall be liable in any manner for damage or inconvenience to the LESSEE by reason of failure of, damage to, or termination or curtailment of the operation of any water system or source supplying water to the leased premises.

6. MAINTENANCE OF PREMISES, SEWAGE, GARBAGE AND LITTER.

LESSEE shall keep the premises at all times in a clean and sanitary condition, free of trash, garbage and litter, to the end that the premises shall be maintained in as nearly a natural state as possible. LESSEE shall not dispose of sewage except in conformity with the rules and regulations of the State Board of Land Commissioners and the State Board of Health and Welfare, and shall comply with all pertinent state and local sanitation laws and regulations. LESSOR may require LESSEE to furnish a certificate or other satisfactory proof of compliance with such laws and regulations. LESSEE shall not dispose of garbage or trash except in conformity with all pertinent laws and regulations, and at a place designated by LESSOR or its authorized agent.

7. BURNING PROHIBITED.

LESSEE shall not burn material of any type or nature outside of a stove or fireplace within an improvement constructed on the leased premises without the prior written consent of LESSOR or its authorized agent.

8. CONSTRUCTION AND IMPROVEMENTS.

Without having secured the prior written consent of the LESSOR, plus the prior written consent of any other department or agency of the State of Idaho having jurisdiction under the circumstances, LESSEE or his agents, shall not erect any structure or improvement including roads on the lease premises; shall not place or build any dock, piling, quay, mooring device or boathouse in or on the water frontage, if any, adjacent to the leased premises; shall not place any houseboat in the water, if any, adjacent to the leased premises; and, shall not make any excavations in, fills upon or alterations of any lake or stream bed, if any, adjacent to the leased premises. Any such structures, improvements, docks, pilings, quays, mooring devices, boathouses, houseboats, fills, or alterations, constructed, placed, erected or caused to come into existence without such prior written consent shall be subject to immediate removal by LESSOR or its authorized agent, the cost of such removal or abatement to be charged to LESSEE and to remain a debt of LESSEE to LESSOR until the same is paid; provided, that the failure of LESSOR to remove or abate or to cause removal or abatement of the same shall in no way be deemed a waiver of the LESSOR'S right to remove or abate the same. As used herein, the term "approved improvements" shall mean those improvements as have been erected with the consent of the State Board of Land Commissioners and such other agencies or departments of the State of Idaho as are required to give consent hereunder. As used herein, the term "non-approved improvements" shall mean such improvements as have been erected without the consent of the State Board of Land Commissioners and the consent of such other agencies or departments of the State of Idaho.

9. CONSTRUCTION STANDARDS SETBACKS.

Construction standards and setbacks shall be in accordance with adopted local zoning ordinances; provided that if zoning ordinances have not been adopted, no building or structure shall be constructed closer than fifteen (15) feet to any boundary of the leased premises; provided that if the leased premises is a waterfront lot, no building shall be constructed within fifty (50) feet of the waterfront boundary, the setback requirements with respect to the remaining boundaries to be as is hereinabove provided.

10. INSPECTION BY LESSOR.

LESSEE shall permit inspection of the leased premises by an authorized agent of the LESSOR at any reasonable time.

RECORDED

MAY 07 1996

11. **INGRESS AND EGRESS.**
LESSOR reserves the right of ingress and egress for any of its authorized agents across the leased premises for purposes of administration, for providing access to neighboring lots and for any other purpose of the LESSOR.
12. **EASEMENTS.**
LESSOR reserves the right to grant easements and rights-of-way across or upon the lands leased. The LESSOR shall coordinate with the LESSEE before processing any easement on the leased land.
13. **LESSOR'S RIGHT OF SALE, DISPOSITION OF IMPROVEMENTS.**
LESSOR reserves the right to sell all or any portion of the leased premises and in the case of sale during the continuance hereof, LESSEE hereby covenants to deliver immediate possession of the lands so sold unto the LESSOR, or to the person or party as may be specified in writing by the LESSOR or its authorized agent. In the event of such sale, the LESSEE shall have the rights provided by Section 58-313, Idaho Code, with respect to approved improvements placed upon the leased premises by the LESSEE; provided, that LESSEE shall not be entitled to compensation with respect to any non-approved improvements made or erected upon the leased premises.
14. **TREATMENT OF IMPROVEMENTS UPON NON-RENEWAL BY LESSOR.**
Except as provided in paragraph 15 hereof, should LESSEE apply to renew this lease in the manner provided by law and such application be denied, then LESSOR shall purchase the approved improvements placed or caused to be placed on the leased premises by LESSEE, at the fair market value of such improvements as of the effective date of expiration, or, at LESSOR'S option, shall require LESSEE to remove such approved improvements, and shall pay the actual costs incurred by LESSEE in removing the same, not to exceed one-half (1/2) of the fair market value of such improvements as of the effective date of termination or expiration, whichever the case may be.
15. **TREATMENT OF APPROVED IMPROVEMENTS UPON NORMAL EXPIRATION WITH NO APPLICATION TO RENEW.**
In the event this lease expires without LESSEE having made application to renew, LESSOR shall have the right to require LESSEE to remove all approved improvements placed or caused to be placed upon the leased premises by the LESSEE, and to require LESSEE to restore the leased premises to as nearly as is reasonably practical to its natural condition, all at LESSEE'S sole cost and expense, or, at LESSOR'S option, to purchase such approved improvements from LESSEE at the fair market value of the same as of the date of expiration.
16. **CONFLICT APPLICATIONS.**
This lease is not subject to conflict application as provided in Section 58-310A Idaho Code.
17. **TREATMENT OF NON-APPROVED IMPROVEMENTS UPON EXPIRATION OF THIS LEASE.**
With respect to non-approved improvements which have not been previously removed, LESSOR shall have the right upon expiration hereof to remove such improvements and charge the cost of such removal to LESSEE, the same to remain a debt of LESSEE to LESSOR until paid; to require LESSEE to remove such non-approved improvements at LESSEE'S cost and expense; or, to require that such non-approved improvements remain on the premises and be forfeited to the LESSOR as liquidated damages for breach of the condition hereof requiring that only approved improvements be erected upon the leased premises.
18. **INDEMNITY.**
LESSEE hereby indemnifies and holds harmless the LESSORS, its departments, agencies and employees, for any and all claims, actions, damages, costs and expenses which may arise by reason of LESSEE'S occupation of the leased premises, or the occupation of the leased premises by any of LESSEE'S agents or by any person occupying the same with the LESSEE'S permission, and hereby agrees to defend LESSOR against any such claim or action.
19. **FORFEITURE FOR CAUSE.**
Any violation of the terms of this lease by the LESSEE, or any violation by LESSEE of any rule or regulation now in force or hereafter adopted by the State Board of Land Commissioners may subject this lease to cancellation. The LESSEE shall be provided written notification of the violation. The letter shall specify the violation, corrective action necessary and specify a reasonable time to make the correction. If the corrective action is not taken within the specified reasonable period of time, the department shall notify the LESSEE of cancellation of the lease; provided, however, that the notice shall be provided to the LESSEE no later than 30 days prior to the effective date of such cancellation.
20. **BINDING ON HEIRS.**
It is understood and agreed that all of the terms, covenants and conditions hereof shall be binding upon the heirs, executors and assigns of the LESSEE.
21. **RULES AND LAWS OF THE STATE.**
LESSEE shall comply with all applicable rules, regulations and laws of the State of Idaho or other governmental entities insofar as they affect the use of lands described on the lease.
22. **CIVIL RIGHTS.**
The LESSEE shall not discriminate against any person on the basis of such person's race, creed, color, sex, national origin or handicap.

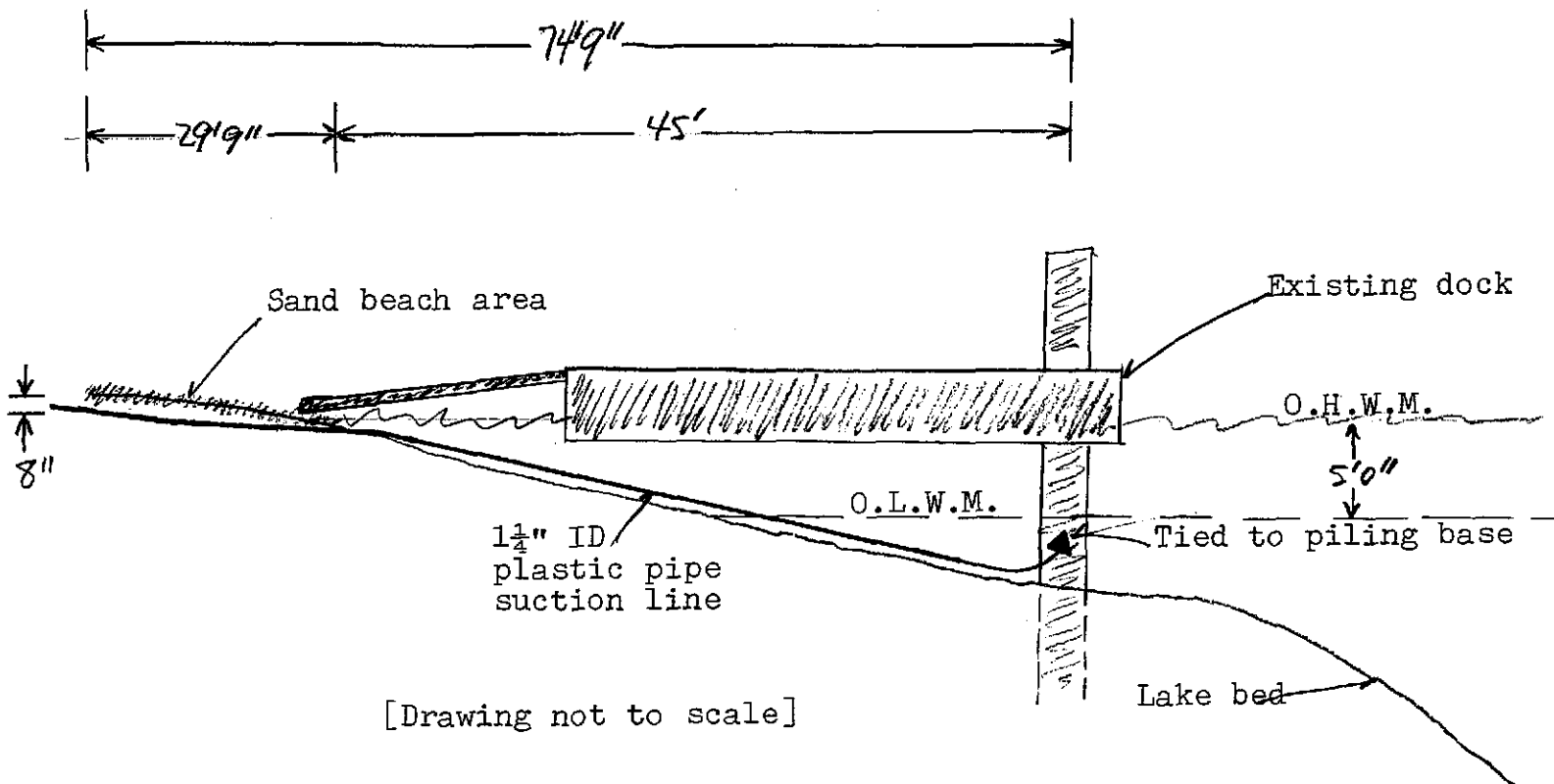
MAY 07 1996

COPY

EXHIBIT B

Application for Lake Encroachment Permit
[Vertical profile of proposed water-line routing]
STATE LEASE LOT #269, Priest Lake, ID
South end, Huckleberry Bay

Larry L. Ayer
5013 Harden Rd
Moscow, ID 83843
Applicant



RECEIVED

MAY 07 1996

**STATE OF IDAHO
COTTAGE SITE LEASE**

Lease No. R--

This lease agreement is made and entered into by and between the State of Idaho, acting by and through the State Board of Land Commissioners (LESSOR) and - (LESSEE)

This lease shall commence **JANUARY 1, -**, and terminate **DECEMBER 31, -**

The LESSOR, in consideration of the rental paid and the covenants, conditions and restrictions hereinafter set forth in Attachment A and incorporated herein by reference, does hereby lease and demise unto the LESSEE the lands described as follows (or as described in Attachment B) at the rate and for the use specified herein: **legal description-** [COUNTY, FUND--]

In consideration of the foregoing, the covenants, restrictions and conditions in Attachment A, herein incorporated by reference, are hereby agreed to by LESSEE and LESSOR.

ANNUAL RENT. The rent hereunder shall be - per annum, subject to annual adjustment as set forth in Section 1 of Attachment A. LESSEE agrees to pay said amount to LESSOR, in advance, on or before the 1st day of January of each year hereunder. Late payments will be assessed a penalty as determined by the State Board of Land Commissioners.

IN WITNESS WHEREOF. the parties hereto have caused these presents to be duly executed the day and year first above written.

COUNTERSIGNED

**STATE BOARD OF LAND COMMISSIONERS
OF THE STATE OF IDAHO**

Secretary of the State of Idaho

By _____
Governor of the State of Idaho and
President of the State Board of Land Commissioners

Director, Department of Lands

STATE OF IDAHO)
COUNTY OF ADA)

On this _____ day of _____ in the year 19____, before me, a Notary Public in and for said State, personally appeared Cecil D. Andrus, known to me to be the President of the State Board of Land Commissioners of the State of Idaho and the Governor of the State of Idaho; and Pete T. Cenarrusa, known to me to be the Secretary of the State of Idaho and Stanley F. Hamilton, known to me to be the Director, Department of Lands, that executed the within instrument, and acknowledged to me that the State Board of Land Commissioners of the State of Idaho and the State of Idaho executed the same.

IN WITNESS WHEREOF. I have hereunto set my hand and seal on the day and year last above written.

Notary Public

Residence

Commission Expires

LESSEE

(LESSEE)

(LESSEE)

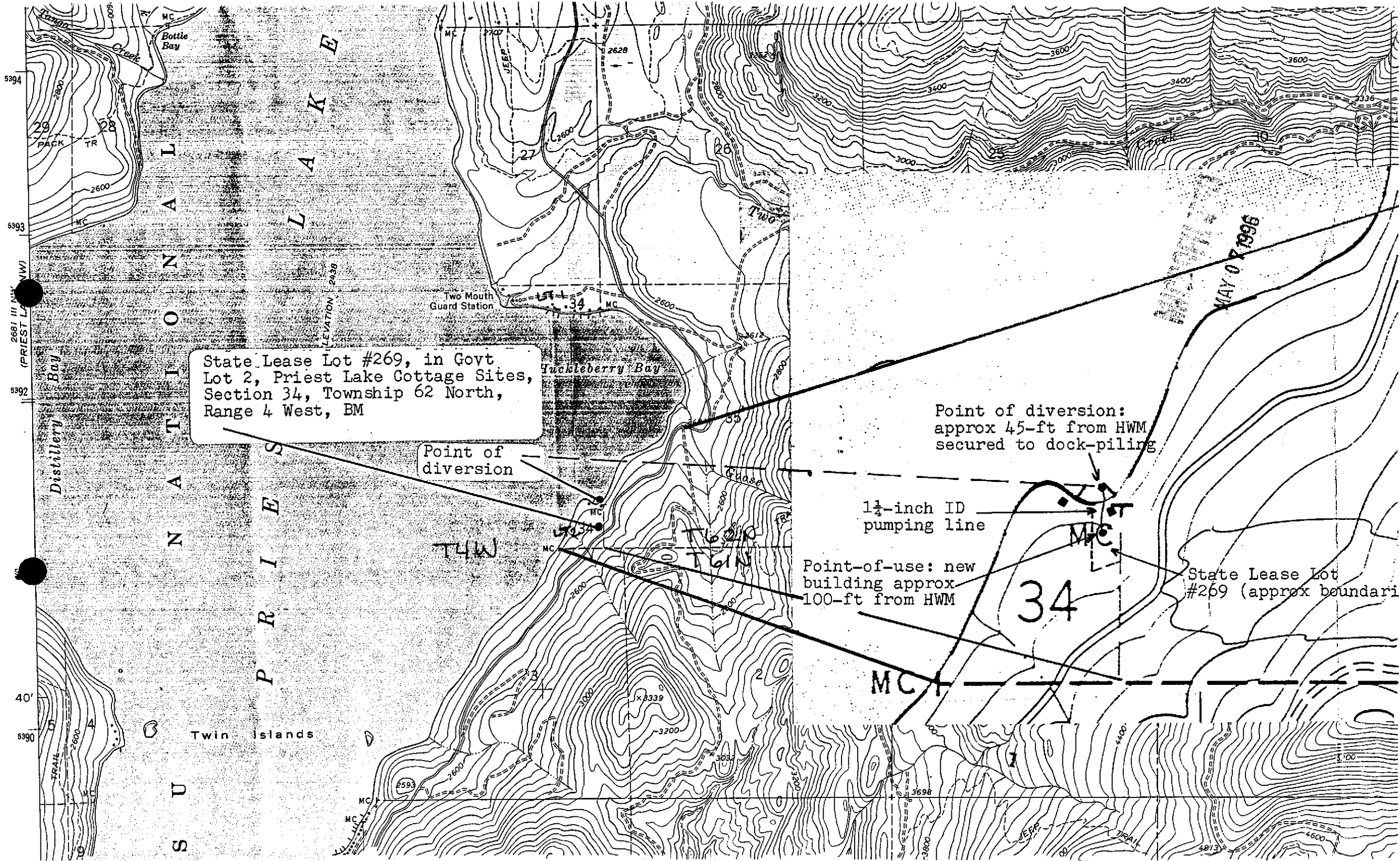
STATE OF _____ COUNTY OF _____

On this _____ day of _____ in the year _____, before me, a Notary Public in and for said State, personally appeared _____ known to me to be the LESSEE that executed the within instrument, and acknowledged to me that he executed same.

IN WITNESS WHEREOF. I have hereunto set my hand and seal on the day and year last above written. **MAY 07 1996**

Notary Public

Commission Expires



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

[illegible]

MAY 07 1996

LARRY ALGER
(Applicant)
Raymond L. Greene
Raymond L. Greene, Area Supervisor, PL Area

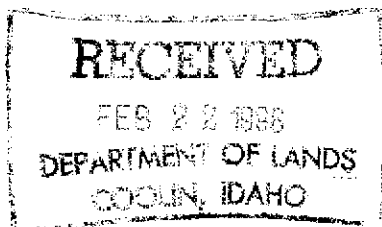
Received by db Date 2/27/96 Time 1:55p Preliminary check by _____
Fee \$ 50⁰⁰ Receipted by db # N009895 Date 2/16/96
Publication prepared by db Date 2/28/96 Published in Pratt River Times 3/6+13/96
Publication approved db Date 4/4/96

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:



RECEIVED

MAY 9 7 1996



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

February 25, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE ID 83720-0050

RE: WATER RIGHT NO. 97-07371

Dear Water Right Holder(s):

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

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SEP 29 1998

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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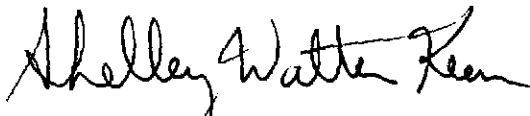
SEP 29 1998

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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.

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

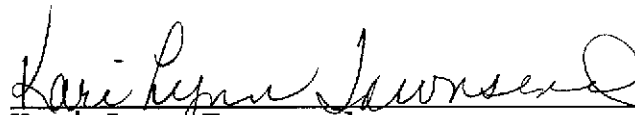
3
SEP 29 1998
- LIVED

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of **February, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 97-07371

STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE ID 83720-0050


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 29 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 97-07371

DATE 2/17/98

REVIEWER: SHARLA

	Change	OK	
NAME	<u>—</u>	<u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U
Overlap file pulled & reviewed —

RATE OF DIV

Permitted Rate .02 cfs
 Fee limit .20 ~~cfs~~ #50⁰⁰
 Measured — cfs
 Theoretical .02 cfs still .02 cfs @ 50 psi and 25' lift
 Recommended Total Div Rate .02 cfs

ANNUAL VOLUME/ NATURE OF USES

<u>✓</u>	Use <u>Dom</u>	cfs <u>.02</u>	Volume Calc <u>.6</u>	af
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	af
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	af
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	af
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	af
<u>—</u>	SUBTOTAL	<u>.02</u>	<u>.6</u>	af

Flow rate — cfs X — days X 1.98 = — af

Total volume recommended — af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

WB5

CONDITIONS

— Watermaster Control WD# —
— GW Measurement/Measuring Device
— Overlap
— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA
 Adjustment Memo —

1st Amend Letter NA
 2nd Amend Letter —

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 27 1998

Department of Water Resources

97-07371

A. GENERAL INFORMATION

Permit No.

1. Owner: State of Idaho Dept of Lands Phone No. (208) 334-0200

Current Address: Statehouse Boise ID 83720-0050

2. Accompanied by: Larry Ayer EXAM DATE: 5-28-97

Address: 5013 Garden Rd Moscow ID 83843 Phone No. (208) 882-2650

Relationship to Permit Holder: S. Lessee

3. Source: Priest Lake tributary to Priest River

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
	02		SE	SE	34	62N	04W	Benner	U.S.G.S. 7.5 min Contour

2. Place(s) of Use:

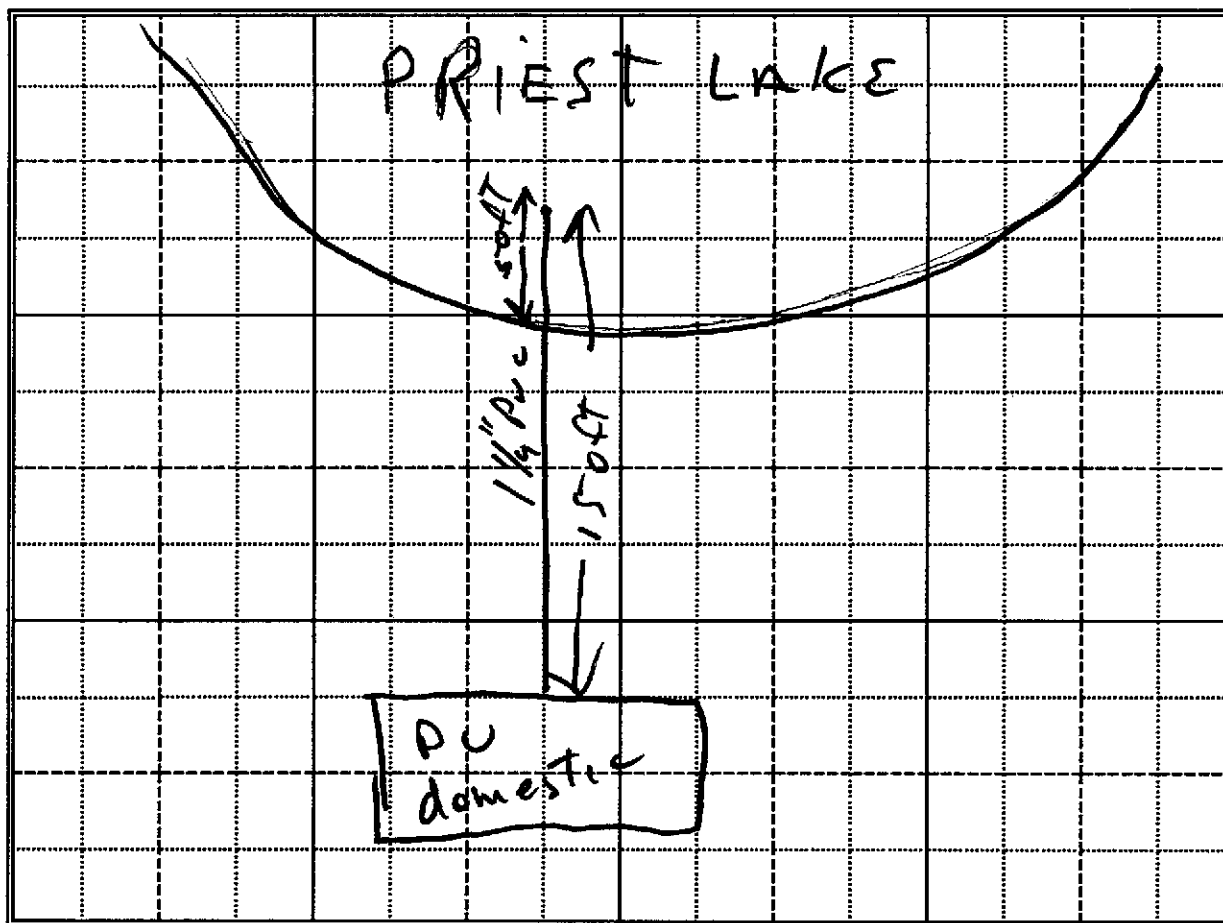
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
62N	04W	34																02 D	

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SEP 29 1998

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



Scale: 1" = 10 + S.

____ 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
	TECL	.5	C48H2EC15	TECL	1 1/4

*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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SEP 2 1998

E. NARRATIVE/REMARKS/COMMENTS

Mr. Ayer has requested that
he be sent a copy of license his
address is on front of Supplemental form

Contractor does not include
any lawn or garden or any landscape
arrangement

Have conditions of permit approval been met? L -yes no

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SEP 29 1998

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

*Theoretical .02***G. VOLUME CALCULATIONS****1. Volume Calculations for Irrigation:** $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____**2. Volume Calculations for Other Uses:****H. RECOMMENDATIONS****1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Domestic</i>	<i>01-01</i>	<i>12-31</i>	<i>.02</i>	<i>.6</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<i>.02</i>	<i>.6</i>

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 Balaban* Date *9-30-98*

Reviewer _____ Date _____

SEAL

MICROFILMED

SEP 29 1998

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 97-07371

DATE: 30-SEP-97

COMPLETE BY: WAYNE BALDWIN

HORSEPOWER = .5

PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 13 FEET

SYSTEM PRESSURE = 48 PSI

QUANTITY = 0.02 CFS

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SEP 29 1998



LAKESIDE

NORMAL POOL ELEVATION 2438

T.62N.

T.61N.

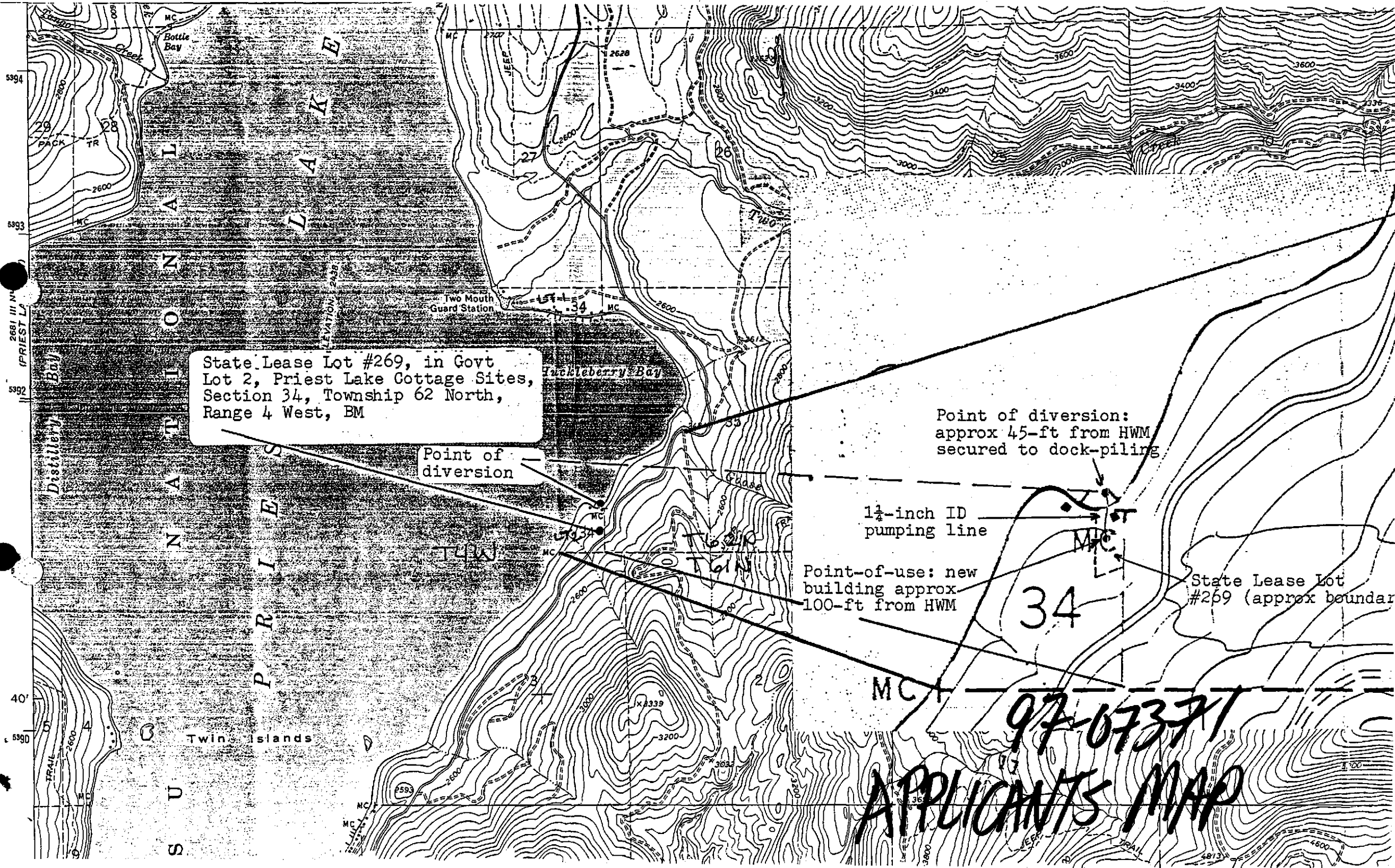
MICROFILMED

SEP 29 1998

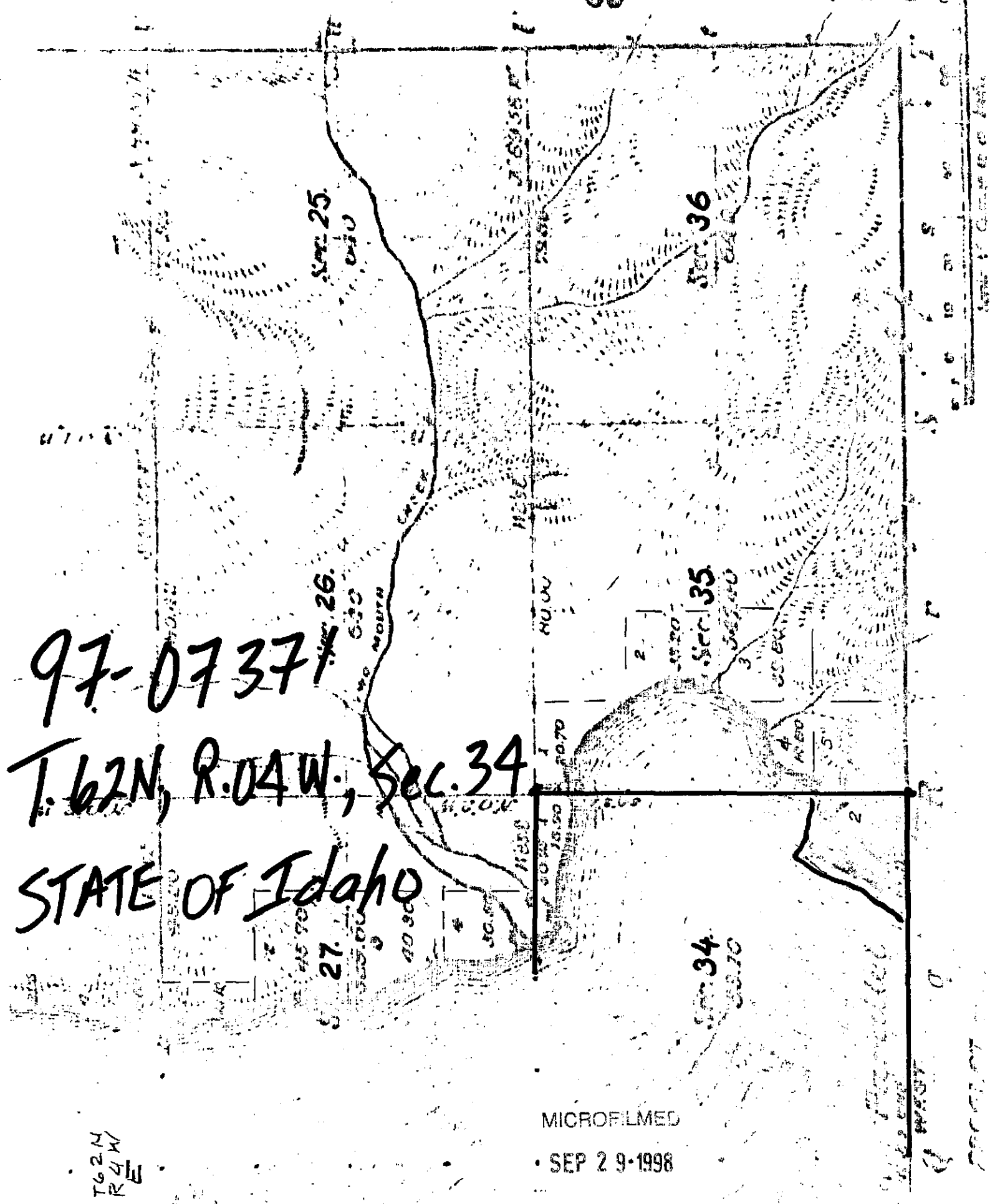
97-07371

T.62N., R.DAW., SEC. 34

STATE OF IDAHO
(AYER), LARRY



97-0737
T.62N, R.04W, Sec. 34
STATE OF Idaho



T62N
R4W

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SEP 29 1998

1431016 97.07371

PERMIT

9

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT



22

22

22

MICROFILMED
SEP 29 1988

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 97-07371 Reviewed by [Signature] Date 8-6-96

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

MEASURING DEVICE

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

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address _____ Proof Made 7-16-96

August 6, 1996

STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE ID 837200050

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 97-07371

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

SEP 12 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 22, 1996

STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE ID 83720-0050

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 97-07371

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED
MAY 07 1996

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 97-1371 Name: Ayer Date: 4/16/96 Ad OK? ☒
Correct Fee? ☒ Receipt #: N9895 Priority: 2/16/96 ☒ Gvmt Lts: ☒

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)
SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17
GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)
Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)
SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):
Water District (dem) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J(meas dev)-P08
=/- 0.2 cfs - 01H(lock dev)-P01 or No MD
In-WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M
RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04 (Payette Lake), NA
USE:
Domestic (surface) - 021(Boise R † Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B1K <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP: Non-land owner - 004 (PD/PU) _____
OTHER CONDITIONS: _____
STANDARD REMARKS: - ① wB5/1
BENEFICIAL USE DUE: - 5-1-1997
COMMENTS: - reduce rate to 0.02 (in-house)

APPLICATION # 97-7371

***** INITIAL REVIEW *****

APPLICANT: LANDS/AYER BY: AS DATE: 2/27/96

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()

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

PRIORITY DATE: 2/27/96

☒ (Include Moratorium Remark)

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

ADVERTISE IN: Banner County.

PRIEST RIVER TIMES

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 *****

(Yes) (No)

- ☒ 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 _____

Checked by: _____ Date: ____/____/____

Remarks: _____

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

- ____ Notice of pending void order issued. Final order response date: ____/____/____
____ Further information required from applicant
4/4 ☒ Affidavit of publication received
4/4 ☒ Application published correctly, If not, record action taken: _____
2/28 ☒ Publication dates and paper recorded on application | Sr. Agent initial AS
☒ Protests received. Final protest date: 3/25/96
☒ Measuring device required
☒ Measuring port required
☒ Special conditions: _____
☒ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AS

Date: 4/5/96

RECEIVED
APR 11 1996

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Darlene Bennett
being duly sworn, says that he is the Office mgr
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 typemat-
ter 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

2003 - Notice of Application

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 6 day of March, 1996
and ending on the 13 day of March, 1996
and that said notice was published in said newspaper.

On this 13th day of March in the year
of 1996, before me, a Notary Public, personally
appeared Darlene Bennett,
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 Starnes
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:

97-07371

STATE OF IDAHO

DEPT OF LANDS

STATEHOUSE

BOISE ID 83720-0050

AYER, LARRY L LESSEE

5013 HARDEN ROAD

MOSCOW ID 83843

Source: PRIEST LAKE

Tributary: PRIEST RIVER

Diversion Pt: LOT 2 (SESESE) Sec

34 T 62N R 04W in BONNER Coun-

ty.

Use: DOMESTIC (0.040 CFS)

Total Diversion:(0.040 CFS)

Date Filed: 2/27/1996

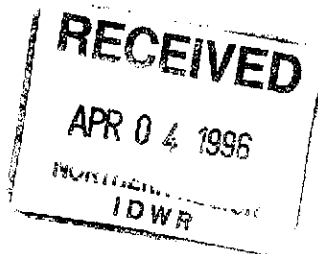
In: BONNER County

T62N R04W S34 SESE

For additional information con-
cerning 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, Ida-
ho 83814, together with a protest fee
of \$25.00 on or before MARCH 25,
1996.

KARL J. DREHER, Director
#2003 PRT March 6, 13, 1996



RECEIVED

MAY 07 1996

February 28, 1996

Mr. Craig Glazier
State of Idaho Department of Lands
Cavanaugh Bay Road 132
Coolin ID 83821

Mr. Larry L. Ayer
5013 Harden Road
Moscow ID 83843

Re: Water Appropriation Application No. 97-07371

Dear Mr. Glazier and Mr. Ayer:

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 your source is groundwater, a separate well drilling permit is required for all wells constructed after July 1, 1987.

IF, FROM THAT WELL, YOU WILL BE DIVERTING WATER FOR MORE THAN ONE HOME AND AT A RATE OF MORE THAN 0.04 CFS AND MORE THAN 2500 GALLONS PER DAY, YOU WILL NEED TO OBTAIN A PERMIT FOR OTHER THAN DOMESTIC USAGE. THE TOTAL FEE FOR SUCH A PERMIT IS \$200.00. IF YOU HAVE ALREADY OBTAINED A DOMESTIC PERMIT, YOU WILL NEED TO UPGRADE YOUR PERMIT AND THE FEE FOR UPGRADING IS \$165.00.

MAY 07 1996

Mr. Glazier, Idaho Department of Lands
Mr. Larry L. Ayer

February 28, 1996
Page Two

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

RECEIVED
MAY 07 1996

97-07371

STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE ID 83720-0050

AYER, LARRY L LESSEE
5013 HARDEN ROAD
MOSCOW ID 83843

Source: PRIEST LAKE

Tributary: PRIEST RIVER

Diversion Pt: LOT 2 (SESESE) Sec 34 T 62N R 04W in BONNER County.

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

Date Filed: 2/27/1996

In: BONNER COUNTY
T62N R04W S34 SESE

RECORDED

MAY 07 1996

February 21, 1996

Mr. Craig Glazier
Idaho Dept. of Lands
Cavanaugh Bay Rd 132
Coolin ID 83821

RE: Ayer Application for Permit

Dear Mr. Ayer:

Enclosed you will find Mr. Ayer's Application for Permit. Please make the name change and have a representative from your Department sign the filing. A copy of the lease agreement should also be returned with the Application.

If you have any questions, please feel free to contact me at this office.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

MAY 07 1996

February 21, 1996

Mr. Larry L. Ayer
5013 Harden Rd
Moscow ID 83843

RE: Application for Permit

Dear Mr. Ayer:

We acknowledge receiving your Application for Permit. Please find enclosed Receipt Number N009895, for the amount of \$50.00.

We have been contacted by Mr. Craig Glazier from Idaho State Dept. of Lands with regard to your water right filing.

Mr. Glazier has informed us that the easement allowing access to Priest Lake is conditioned for the Idaho Dept. of Lands to hold jurisdiction over this water right Application for Permit. Mr. Glazier also stated that he has been in contact with you regarding this issue and that you are aware that they requested that the name on the Application for Permit be changed to their name.

Therefore, we have forwarded your filing to their office for a representative to sign and send back with a copy of the lease agreement.

Upon receiving the Application for Permit back at this office, we will resume processing it.

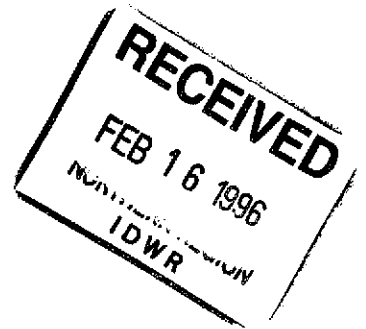
Please feel free to contact me at this office, if you have any questions.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

MAY 07 1996

2/15/96



Al Beardslee
IDAHO DEPT OF WATER RESOURCES
1910 Northwest Blvd, Suite #210
Coeur d'Alene, ID 83814-2615

Good Morning Al:

Enclosed is my application for water permit rights at Priest Lake, along with a \$50.00 filing fee check. There is one exhibit attached, plus a USGS map [PRIEST LAKE NE], in lieu of a drawn-map, as required in Para. 13 of the application.

Thank you for your assistance on this matter, and please advise if there are any problems with this paperwork.

Respectfully submitted,

Larry L. Ayer

Larry L. Ayer
5013 Harden Rd
Moscow, ID 83843
(208) 882-2650
(208) 882-2551 [work]

encl

cc: Craig Glazier
Idaho Dept of Lands
Coolin, ID

K
877-1121

MAY 07 1996