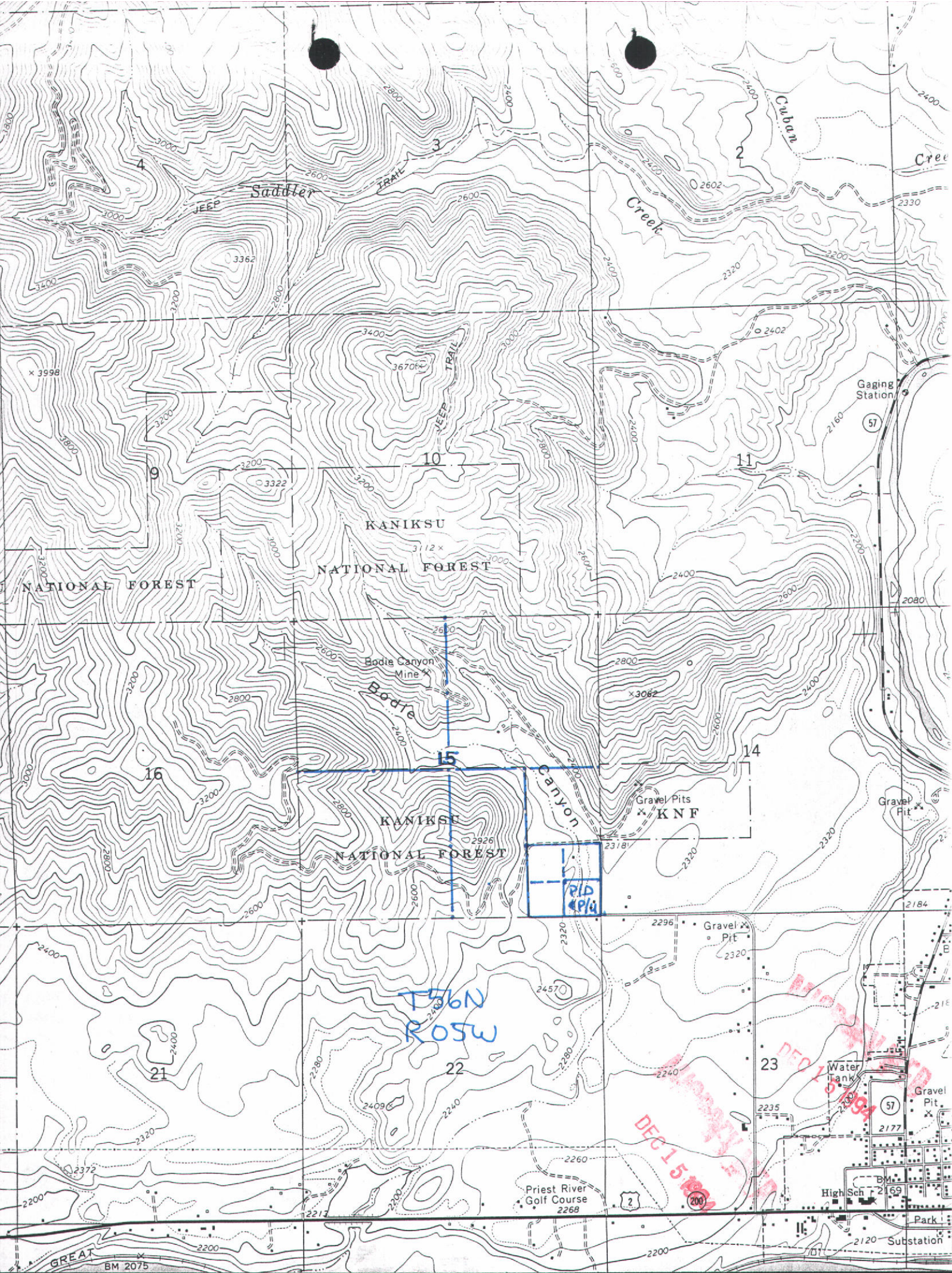
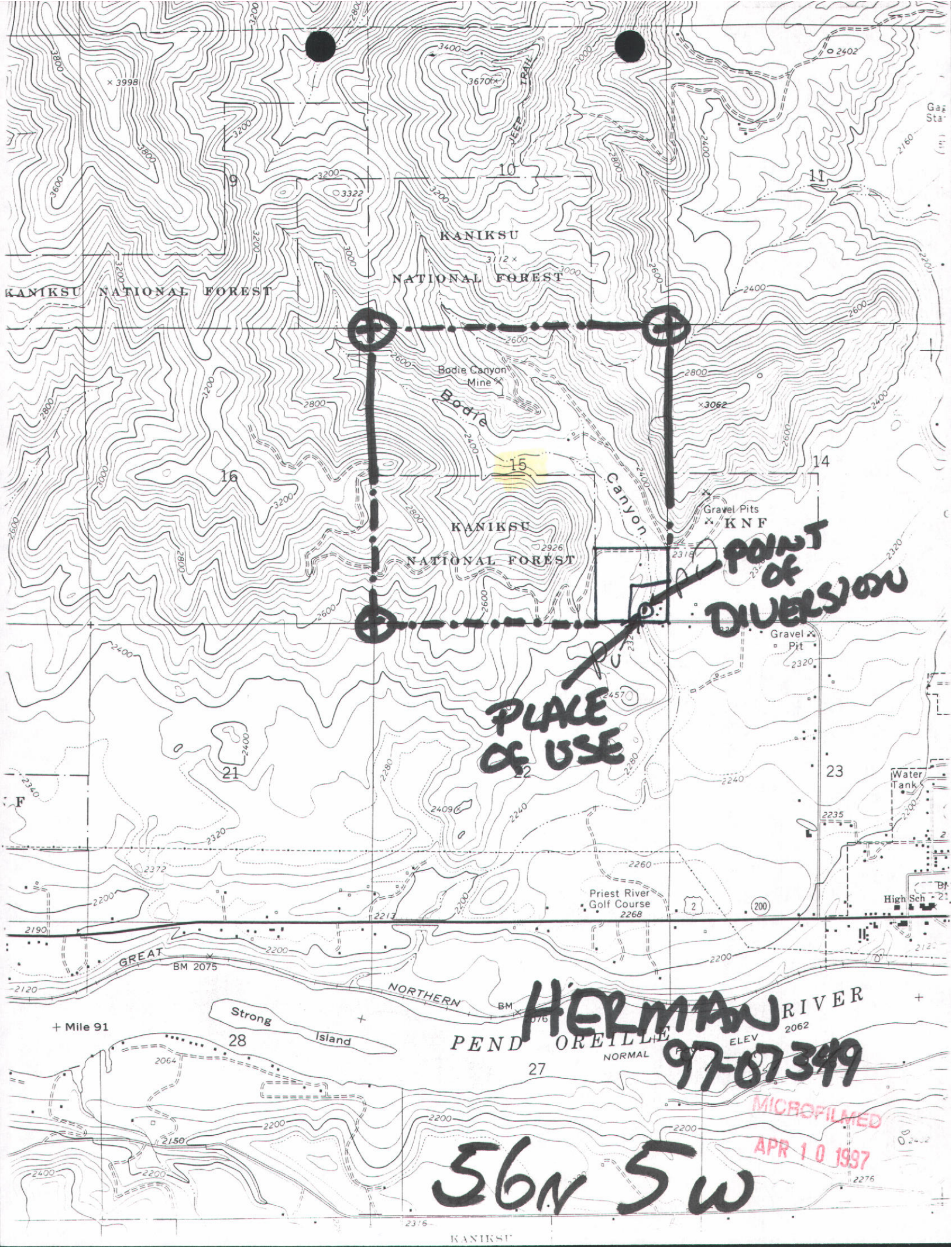






PLACE
OF USE

POINT
OF
DIVERSION

HERMAN RIVER
PEND OREILLE
97-07349

56N 5W

MICROFILMED
APR 10 1997



PO
IRRIGATION



PO

97-07349

MICROFILMED

APR 10 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 97-07349

Priority: August 18, 1994

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.8 AF

This is to certify, that DONALD J HERMAN

PO BOX 761

PRIEST RIVER ID 83856-0761

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 18, 1994; and has submitted Proof of Beneficial Use on August 30, 1995. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

SPRING

tributary to SINKS

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>
IRRIGATION	03/15 to 11/15	0.02 CFS	0.6 AF
IRRIGATION STORAGE	01/01 to 12/31		0.2 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		0.2 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		0.2 AF
	Totals	0.02 CFS	0.8 AF

LOCATION OF POINT(S) OF DIVERSION:

SESESE, Sec. 15, Township 56N, Range 05W
BONNER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
56N	05W	15	SESE	0.2		0.2

Total number of acres irrigated: 0.2

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

MICROFILMED

APR 10 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

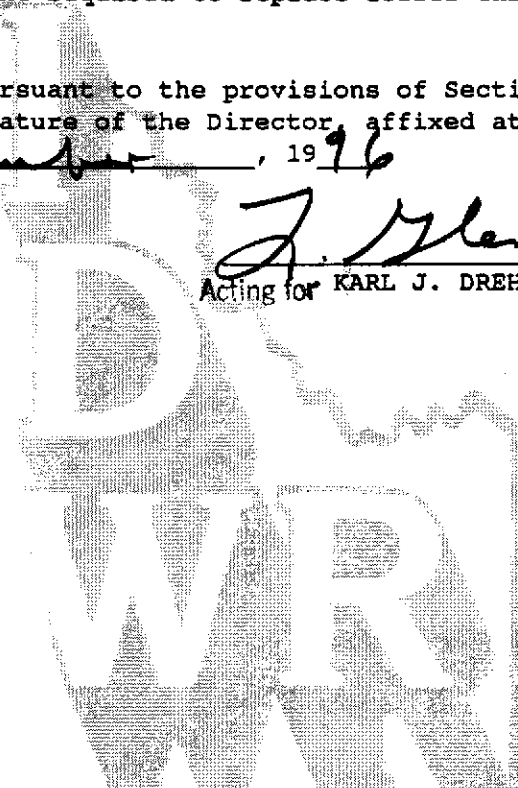
WATER RIGHT NO. 97-07349

CONDITIONS OF APPROVAL AND REMARKS

5. This right when combined with all other rights shall provide no more than .02 cfs nor more than 0.6 afa for the land described above.
6. Water shall not be diverted from storage for fire protection use under this right except to fight or repel an existing fire.
7. This right authorizes an annual volume of water to fill the pond and the amount required to replace losses through evaporation.

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 13th day of December, 1996


Acting for KARL J. DREHER, Director



MICROFILMED
APR 10 1957

RECEIVED

DEC 13 1996

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 97-07349

Date of Priority: August 18, 1994

Maximum Diversion Rate: 0.02 CFS

Maximum Diversion Volume: 0.8 AF

Comes now

DONALD J HERMAN

PO BOX 761

PRIEST RIVER ID 83856-0761

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 97-07349, and requests that the permit be changed as follows:

Source: SPRING

tributary to SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.02 CFS	0.6 AF
IRRIGATION STORAGE	01/01 to 12/31		0.2 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		0.2 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		0.2 AF
	Totals	0.02 CFS	0.8 AF

LOCATION OF POINT(S) OF DIVERSION:SESESE , Sec. 15, Township 56N, Range 05W
BONNER CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
56N	05W	15	SESE	0.2		0.2

Total number of acres irrigated: 0.2

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

MICROFILMED

APR 10 1997

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Don J Herman, this 11 day of December, 1996.

Don J Herman
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 97-07349

FOR DEPARTMENT USE ONLY

Preliminary check by Fee = Received by # Date

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 97-07349 with the following;

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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs nor more than 0.6 afa for the land described above.
6. Water shall not be diverted from storage for fire protection use under this right except to fight or repel an existing fire.
7. This right authorizes an annual volume of water to fill the pond and the amount required to replace losses through evaporation.

Witness my hand this 13th day of December, 1996.
Karl J. Dreher
Acting for KARL J. DREHER, Director

MICROFILMED

APR 18 1997

RECEIVED

SEP 05 1995

AUG 30 1995

IDWR

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00Receipt No. N9425Receipt By: [Signature]Date Received: 8/30/95

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 99-07349 Telephone No. (208) 448-2547
448-2678

2. Name(s) of Permit Holder(s): DONALD J. HERMAN

3. Mailing Address: P.O.B. 761 Priest River, Id. 83856

4. Source of Water: Spring 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): ____ Stockwater (No. and type of stock): ____

Irrigation (No. of acres): .02 0-20 AF Other: fire

6. Total rate of diversion and/or volume for which proof is submitted: 0.20 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 ☒

Flow Measurement Port: Is a flow measurement port required? Yes ____ or No ☒
 Has the measurement port been installed? Yes ____ or No ☒

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: Donald J. Herman Telephone Number: (208) 448-2678

Address: P.O.B. 761 Priest River, Id. 83856

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: [Signature] Date: 8-29-95
 (include your title, if on behalf of company or organization)

SEP 18 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 97-07349

Proposed Priority: August 18, 1994 Maximum Diversion Rate: 0.20 CFS

This is to certify, that **DONALD J HERMAN**
PO BOX 761
PRIEST RIVER ID 83856-0761
has applied for a permit to appropriate water from:

SPRING tributary of **SINKS**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.20 CFS	
IRRIGATION STORAGE	01/01 to 12/31		0.2 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		0.2 AF
Totals		0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION: SESESE , Sec. 15, Township 56N, Range 05W
BONNER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
56N	05W	15	SESE	0.2		0.2

Total number of acres irrigated: 0.2

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1995**.
2. Subject to all prior water rights.
3. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

6th day of December, 1994

DEC 15 1994

[Signature]
for R. Keith Higginson, Director

RECEIVED

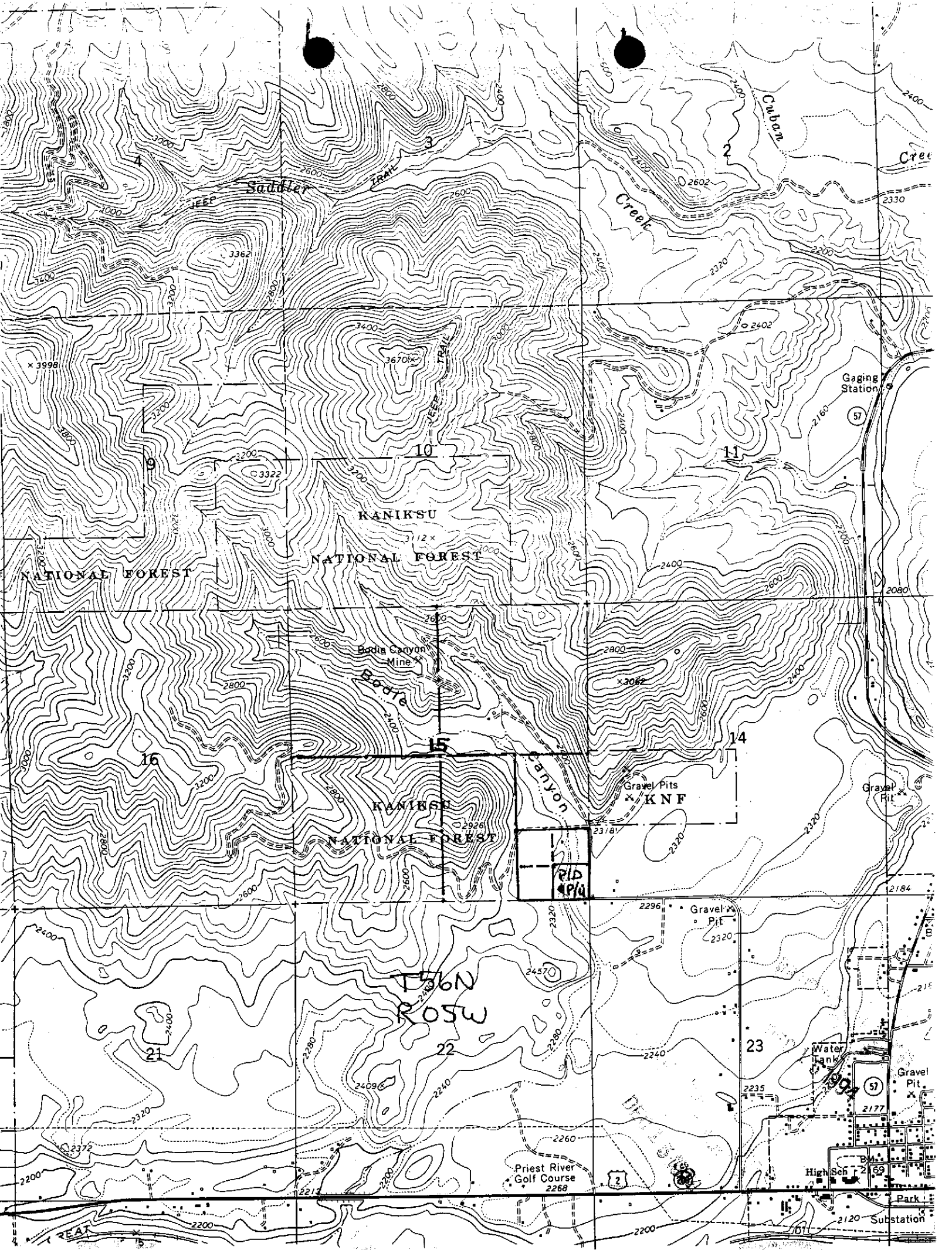
NOV 21 1994

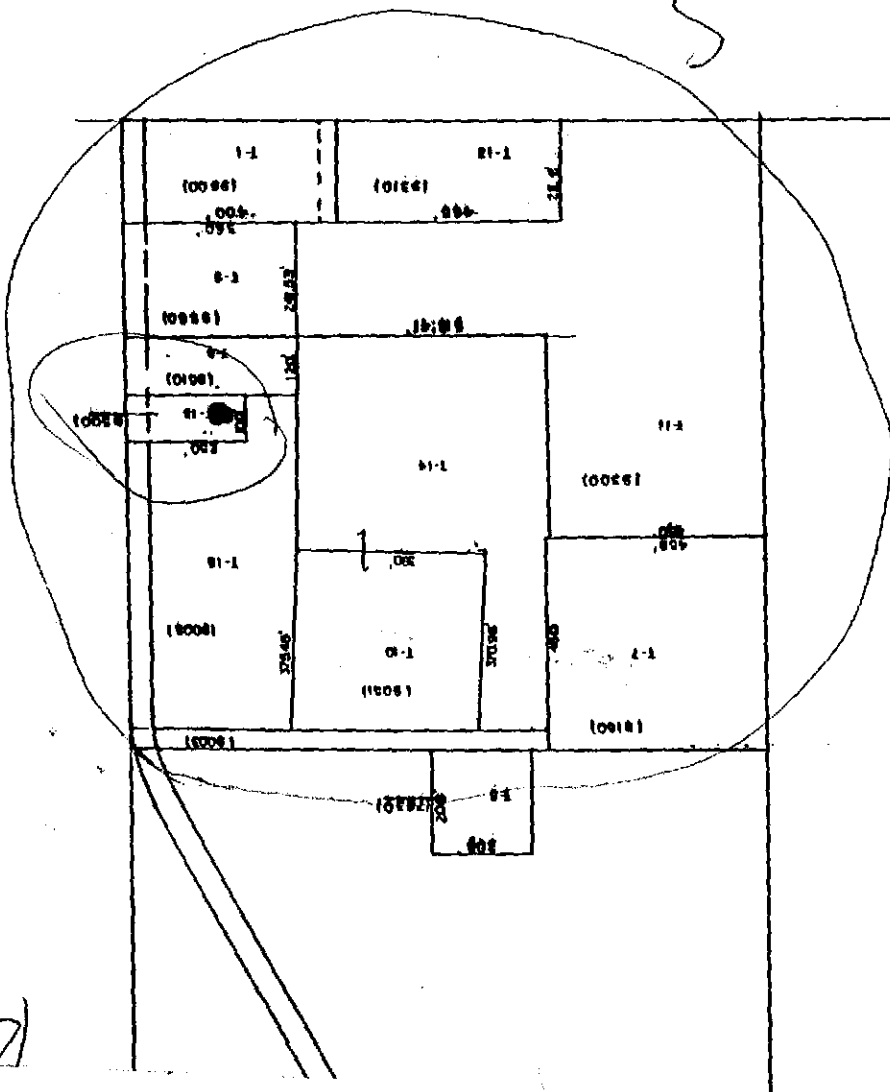
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 97-7349

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

1. Name of applicant DONALD J. HERMAN Phone (208) 448 2547 10:30
Post office address POB 761, Priest River ID. 83858 2678 9-5pm. (ofc)
2. Source of water supply Spring which is a tributary of doesn't run-off
SLIKES
3. Location of point of diversion is PART of SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot
Sec. 15 Township 56N Range 5W B.M. Bonner County; additional
points of diversion if any: _____
4. Water will be used for the following purposes: irrigation
Amount 0.20 AFT for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.20 for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.20 for irrigation purposes from 3/15 to 11/15 (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) 0.20 AFT and/or (b) 0.2
cubic feet per second acre feet per annum
6. Proposed diverting works: pond
- a. Description of ditches, flumes, pumps, headgates, etc. _____
- b. Height of storage dam 8 ft feet; active reservoir capacity 0.2 acre-feet; total
reservoir capacity 1/4 acre-feet; period of year when water will be diverted to storage:
year round 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? no
- e. If well is already drilled, when? N/A; 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
long-life years (minimum 1 year).



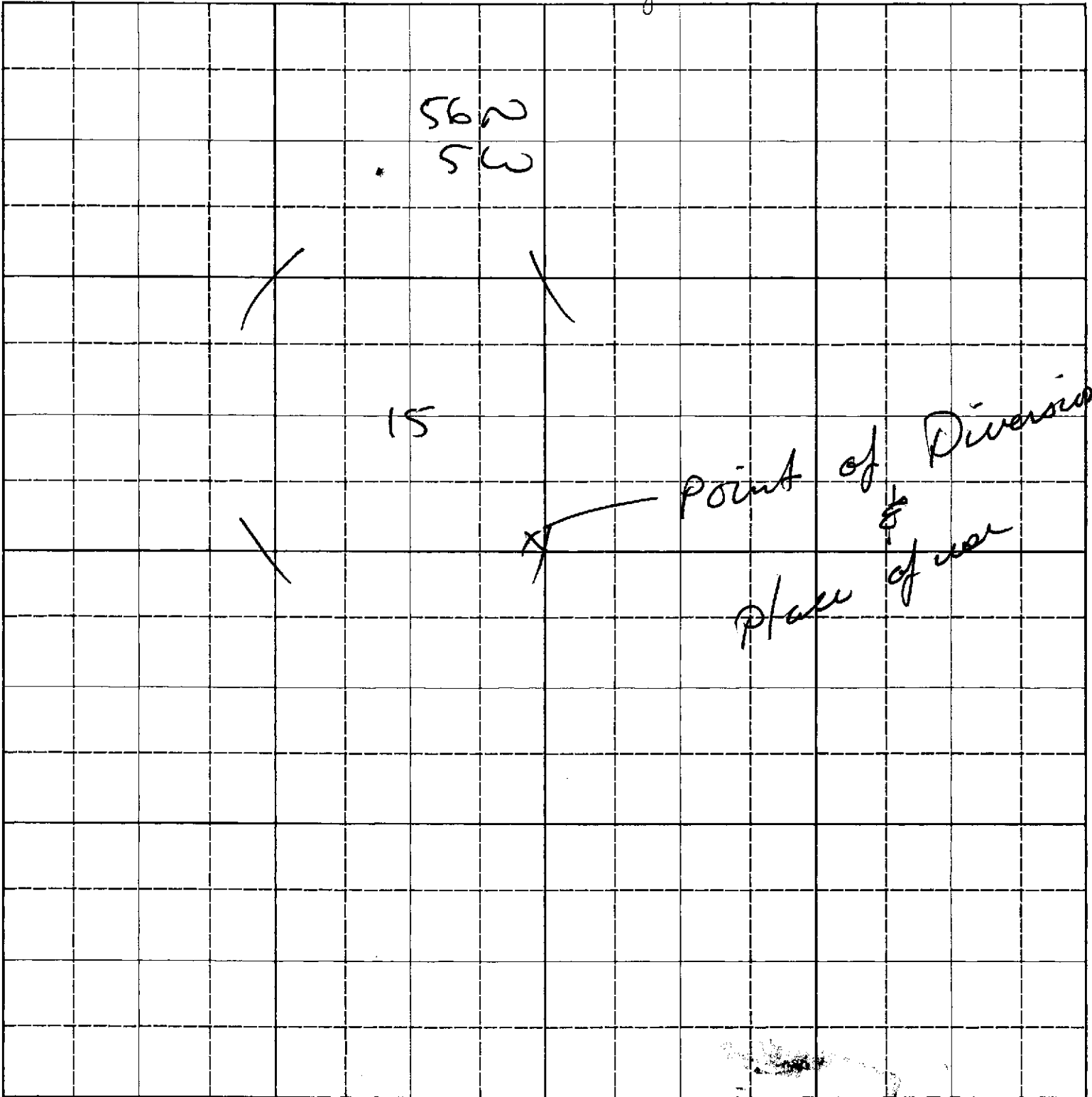


Parcel # 9500
 in sec 15 T15S R5W
 The NE, NE, SE, SE, SE, SE.
 And Parcel # 9510
 in sec 15 T15S R5W
 The E 250' of the SE 1/4
 SE, SE, NE, SE, SE,

DEC 15 1994

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

See attached map



Scale: 2 inches equal 1 mile.

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

Don J. Herma
(Applicant)

DEC 15 1994

1484

e. Other:

permit.

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.

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.

19

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. _____, and said application is hereby _____

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by	8/18/94	Time	1:20 p	Preliminary check by	
Fee \$	50.00	Received by	RUE	#	118090
Publication prepared by	RUE	Date	8/31	Published in	Idaho Resources Journal
Publication approved	dp	Date	11/3/94		
					10/19/94 26/94



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

December 13, 1996

DONALD J HERMAN
PO BOX 761
PRIEST RIVER ID 838560761

RE: WATER RIGHT NO. 97-07349

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment. Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

MICROFILMED
JUN 14 1997



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

December 5, 1996

DONALD J HERMAN
PO BOX 761
PRIEST RIVER ID 838560761

RE: WATER RIGHT NO. 97-07349

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the actual use of water found by a representative of our department at the time of the field examination. The enclosed Application for Amendment contains this information. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

MICROFILMED
APR 10 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 97-07349

DATE 11/29/96

REVIEWER: S H A R L A

NAME Change — OK ✓

Address Change NO

SOURCE — ✓

Is change/clarification of originally intended source? —

If not, prepare Notice of Intent to Void —

POINT OF DIV — ✓

Amendment required NO

PLACE OF USE — ✓

Amendment required NO

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate .20 cfs

Fee limit .20 cfs \$50⁰⁰

Measured .02 cfs

Theoretical — cfs

Recommended Total Div Rate .02 cfs

ANNUAL VOLUME/ NATURE OF USES

$$\frac{45 \times 105}{43560} \times 3.5 \times .4 = .15 \text{ af}$$

.2

add fire nat. storage

Use

Dr
1st Stor
2nd Stor
Full Stor

Volume Calculation

<u>.6</u>	af
<u>.2</u>	af
<u>.2</u>	af
<u>.2</u>	af
<u>.8</u>	af

SUBTOTAL

Flow rate .02 cfs X 245 days X 1.9833 = 9.7 af

Total volume recommended .8 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

WB1 (.02, .6)
W07

CONDITIONS — Watermaster Control WD# —

— GW Measurement/Measuring Device

— Overlap

— Use-specific conditions 077

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo —

1st Amend Letter —

2nd Amend Letter —

P46 P38
P42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAR 04 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 97-07349

1. Owner: DONALD J HERMAN Phone No. (208) 448-2547

Current Address: P.O. Box 761 Priest River ID 83856-0761

2. Accompanied by: DONALD J HERMAN EXAM DATE: 10-5-95

Address: SAME AS ABOVE Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spring tributary to Sinks

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	SE	15	56N	05W	Bonner	U.S.G.S. 7.5 min Quad

2. Place(s) of Use:

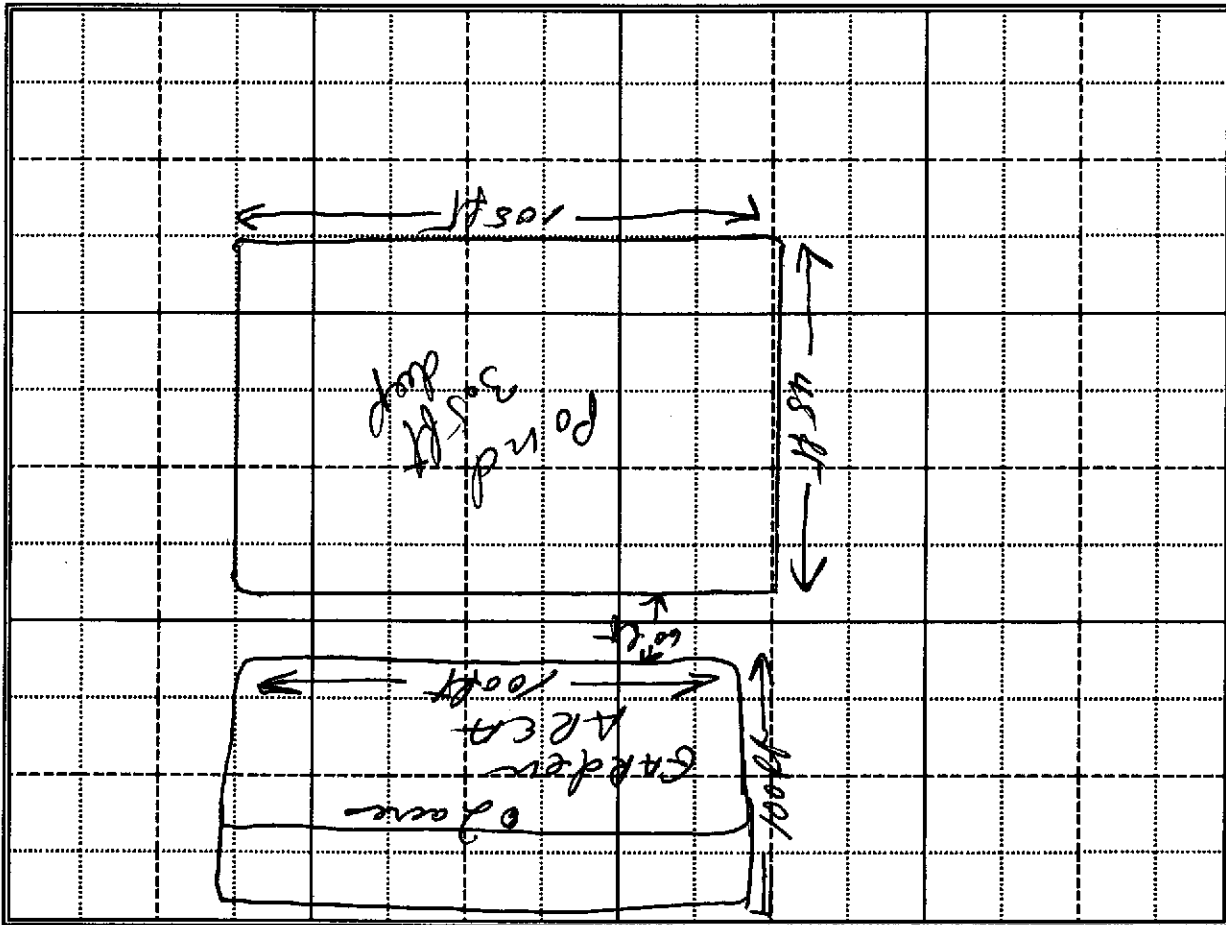
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	05W	15																.2	
	</																		

MICROFILMED

APR 10 1997

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



Scale: 1" = 100'
 Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
 Aerial Photo Attached (required for irrigation of 10+ acres)
 Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

E. NARRATIVE/REMARKS/COMMENTS

Irrigation is done by gravity feed
down to garden via drip line

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

MICROFILMED
APR 18 1987

Measured Method:

Additional Computation Sheets Attached

5 gar kuckst
5 gar in 60 sec 10 ppm
 $10 \times 1.33681 = 13.3681$
 $\frac{13.3681}{60} = 0.22$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.2 \times 3 = 0.6$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.2 \times 245 \times 1.9835 = 9.7$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{DR} = 0.6$$

2. Volume Calculations for Other Uses:

$$105 \times 45 \times 3.5 \times 6 = \frac{43560}{9922.5} = 4.39 \text{ ft}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Handwritten text (likely bleed-through from the reverse side):
 Handwritten text (likely bleed-through from the reverse side):
 Handwritten text (likely bleed-through from the reverse side):
 Handwritten text (likely bleed-through from the reverse side):
 Handwritten text (likely bleed-through from the reverse side):

Period of Use	From	To
03-15	01-01	11-15
03-15	01-01	12-31
03-15	03-15	11-15
03-15	01-01	11-15
03-15	01-01	12-31

Rate of Diversion
Q (cts)
20

2.
(b) (5)
Annual V

Totals:

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

1. AUTHENTICATION

Reviewer

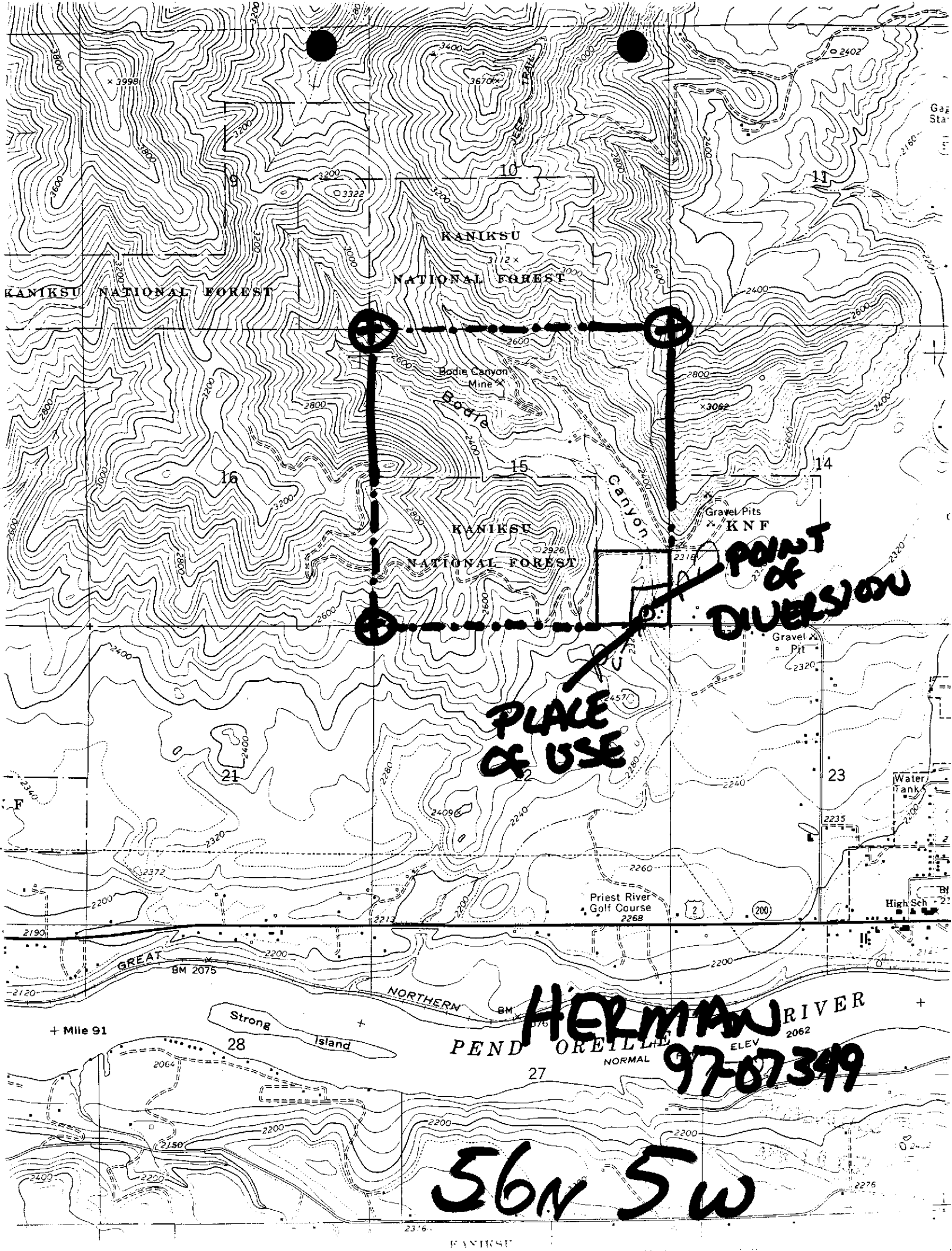
Date _____

Field Examiner's Name _____

Date _____

Walter Dabnick

SEAL



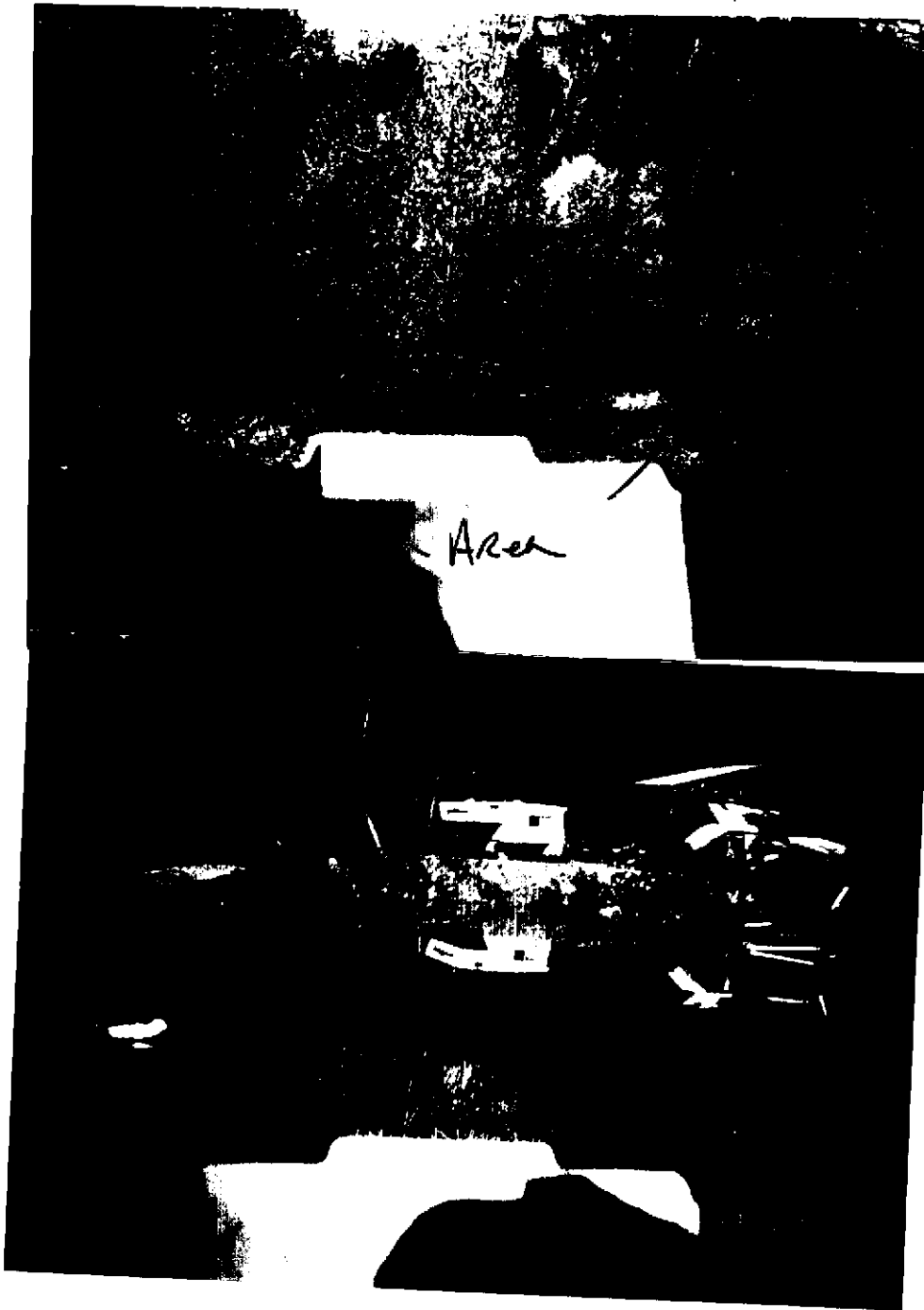
POINT OF DIVERSION

PLACE OF USE

HERMAN

97-07349

56N 5W



PO
IRRIGATION

PO

97-07349

EXHIBITED

APR 10 1997

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 97-07349 Reviewed by [Signature] Date 9-12-95

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?
50.00 Amount Submitted
yes Correct?
no Required?
1 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 [Signature] Proof Made 8-30-95

September 12, 1995

DONALD J HERMAN
PO BOX 761
PRIEST RIVER ID 838560761

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 97-07349

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 18 1995



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 6, 1994

DONALD J HERMAN
PO BOX 761
PRIEST RIVER ID 83856-0761

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 97-07349

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. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', followed by a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

DEC 10 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 97-7349 Name: Herman Date: 11/30/94 Correct Fee? ✓

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

SYSTEM COMPLETED:

No - 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <FLO-CH> - 01G (new), 01K (existing), No MD

- 0.2 cfs - No MD <FLOW CHART>

Drilling Permit:

Included w/permit - Permit No. _____, P99

Existing well - NA (pre 7/1/87)

No WD permit? - 046-46A(Irr)-46B-P23 (post 7/1/87)

SURFACE WATER: not in WD - T17 (+.2 w/pump), No MD <FLOW CHART>

LOCATION:

Water District(~~dem~~) - WD No. _____

*Surface water - 005 (req) 01J-P08 <FLOW CHART>
(doesn't sink) or 01H-P01 <FLOW CHART>; No MD

Groundwater - P05 (new irrigation well)

In stream channel - 030 (stream channel alteration)

Irr Dist/Canal Co. - 023 (Twin Falls area)

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (-85° GW temp only)

Swan Falls Flag - B <SEE CONDITION CODE CHART>

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

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

RIVER BASINS (*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA

Payette R(65) - 064(consump. use), 047-P04(Payette Lake), NA

Snake R(01/02/03) - 11A-P04 (01), 061-P07 (02/03 No WD Cond.), NA

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10

044 (N 1000 Spr)

Irrigation - 03A/057, 803(if GW use SW 1st)(+5A PU comp), NA

Power - 08A-17K-025-027(req); 01F(MD)-P19; 09E(WQ)-P10;
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09

Mining - 054 (req) & 06A/010/09E-P10

Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

Domestic (surface) - 021(Boise R + L Peak), 064(Payette R), NA

OWNERSHIP:

Non land owner - 004 (PD/PU)

PROTESTED:

- 020(Prehearing agreement)/W19(See Order)

OTHER CONDITIONS:

REMARKS:

BENEFICIAL USE DUE:

- 12-1-1995

COMMENTS:

No. a
4/87-06/92n

WISCONSIN DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

APPLICATION # 99 - 7349

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

APPLICANT: HERMAN BY: AS DATE: 8/18/94

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

- Yes No
- (X) Field check: by _____
- (X) Field report attached
- (X) Analysis Supp. attached(>5cfs/500af)
- (X) Water delivered by water master?
- Water District # _____

PROCESSING

Yes No PRIORITY DATE: 8/18/94

(X) (Include Moratorium Remark)

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

ADVERTISE IN: BOONWICK County.

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

***** GROUNDWATER SECTION *****

(Yes) (No)

(X) Groundwater management area

(X) Critical ground water area

(X) Well Drilling Permit required

(X) Well Drilling Application and Fees received

(X) Well Drilling Application approved?

Well Drilling Application Number _____

Checked by: _____ Date: ____/____/____

Remarks: _____

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

(Yes) (No)

(X) Notice of pending void order issued. Final order response date: ____/____/____

(X) Further information required from applicant

(X) Affidavit of publication received

(X) Application published correctly, If not, record action taken: Ready 10/12 for 10/19/94

(X) Publication dates and paper recorded on application

(X) Protests received. Final protest date: 9/23/94

(X) Measuring device required

(X) Measuring port required

(X) Special conditions: _____

(X) Special conditions of approval supplement and cover letter attached: _____

Sr. Agent initial AS

RECEIVED

Approval Recommended by: AS RMA Date: 11/10/94

Department of Water Resources

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

being duly sworn, says that he is the

the PRIEST RIVER TIMES, a weekly newspaper printed and published at Priest River, Bonner County, Idaho, and has been continuously 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 typewritten or stereotyped forms of at least nineteen and three-fourths inches width, has at least 1250 bona fide subscribers living within said Bonner County, and is published at regular weekly intervals. That the annexed

a true copy of the notice for publication in the case of

#1738- 97-07349 Corrected

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

said paper for a period of 2 consecutive weeks,

commencing on 19th day of October, 1994

and ending on the 26th day of October, 1994

and that said notice was published in said newspaper.

On this 26th day of October in the year

of 1994, 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.

Notary Public for Idaho

Residing at

My commission expires:

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT
APPLICATION FOR PERMIT NO.
97-07349 in the name of Donald J.
Herman, P.O. Box 761, Priest River,
ID 83856 was advertised incorrectly
on 9/7 & 14/94.
The total diversion was incorrectly
advertised as .20 CFS; whereas, cor-
rectly it should read .20 CFS and .20
AF.
(For additional information concern-
ing the property location, call the
Northern Regional Office at 769-
1450.)
Any protest against the approval of
the above-referenced correction
must be filed with the applicant and
with the Director, Dept. of Water
Resources, 1910 Northwest Blvd.
Suite 210, Coeur d'Alene, Id. 83814,
together with a protest fee of \$25.00
on or before November 7, 1994.
R. KEITH HIGGINSON, Dir.
#1738 PRT Legal Oct. 19, 26, 1994

ok 11/3/94

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 97-07349 in the name of Donald J. Herman, P.O. Box 761, Priest River, ID 83856 was advertised incorrectly on 9/7 & 14/94.

The total diversion was incorrectly advertised as .20 CFS; whereas, correctly it should read .20 CFS and .20 AF.

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

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before November 7, 1994.

R. KEITH HIGGINSON, Dir.

Published in the Priest River Times 10/19 & 26/94.

DEC 18 1994

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

being duly sworn, says that he is the Off. in charge
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

a true copy of the notice for publication in the case of

#1725-Miller-Laurence-
Alefteras

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 7 day of September 19 94
and ending on the 14 day of September 19 94
and that said notice was published in said newspaper.

On this 14 day of September in the year
of 1994, before me, a Notary Public, personally
appeared Laurence 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.

Notary Public for Idaho

Residing at _____

My commission expires: _____

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

MILLER, MYRNA M
MILLER, EUGENE A
SPIRIT LAKE, ID 83869
Source: SPRING
Tributary: SINKS
Diversion Pt: SWNESW Sec 29 T
55N R 04W in BONNER County.
SENWSW Sec 29 T
55N R 04W in BONNER County.
Use: WILDLIFE (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 8/10/1994
In: BONNER County
T55N R04W S29 NESW NWSW
SESW

96-08817
MILLER, EUGENE A
MILLER, MYRNA M
P O BOX 750
SPIRIT LAKE, ID 83869
Source: GROUNDWATER
Diversion Pt: NESW Sec 29 T 55N R
04W in BONNER County.
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 8/10/1994
In: BONNER County
T55N R04W S29 NESW NWSW

96-08818
LAWRENCE, BEN M
P O BOX 1952
OLDTOWN, ID 83822
Source: SPRING
Tributary: SINKS
Diversion Pt: LOT 3 (NWSE) Sec 26
T 56N R 05W in BONNER County.
Use: DOMESTIC (.200 CFS)
Total Diversion: (.200 CFS)
Date Filed: 8/19/1994
In: BONNER County
T56N R05W S28 NWSE

97-07349
HERMAN, DONALD J
P O BOX 761
PRIEST RIVER, ID 83856
Source: SPRING
Tributary: SINKS
Diversion Pt: SESESE Sec 15 T 56N
R 05W in BONNER County.
Use: IRRIGATION (.200 CFS)
IRRIGATION STORAGE (.20 AF)
IRRIGATION FROM
STORAGE (.20 AF)
Total Diversion: (.200 CFS)

Date Filed: 8/18/1994
In: BONNER County
T56N R05W S15 SESE
0.2 ACRES TOTAL

97-07350
ALEFTERAS, JOHN T
P O BOX 1822
PRIEST RIVER, ID 83856
Source: UNNAMED STREAM
Tributary: MOORE CREEK
Diversion Pt: SWSW Sec 34 T 58N R
05W in BONNER County.
SESW Sec 34 T 58N R
05W in BONNER County.
Use: IRRIGATION (.400 CFS)
IRRIGATION STORAGE (.340 CFS)
IRRIGATION FROM
STORAGE (.340 CFS)
RECREATION (.400 CFS)
RECREATION STORAGE (.34 AF)
FIRE PROTECTION (.400 CFS)
FIRE PROTECTION
STORAGE (.340 CFS)
Total Diversion: (.400 CFS)

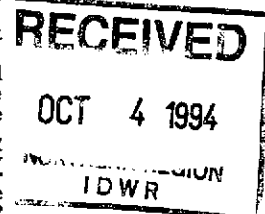
Date Filed: 8/22/1994
In: BONNER County
T58N R05W S34 SWSW SESW
40.0 ACRES TOTAL

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 SEPTEMBER
23, 1994.

R. KEITH HIGGINSON, Director
#1725 PRT Sept. 7, 14, 1994





State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

August 31, 1994

Donald J. Herman
P.O. Box 761
Priest River, ID 83856

Subject: Water Appropriation Application for Permit Number 97-07349.

Dear Mr. Herman:

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. Enclosed is Receipt Number N008090. Please refer to your Application for Permit Number in future matters concerning this water right application.

Your Application for Permit is currently being prepared for advertising in the local county newspaper. The advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for submittal of protests.

If your application is not protested, it will be forwarded to Boise for processing. Normal processing time is approximately 3 to 4 months, if the application is not protested. If your Application for Permit is protested, 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 your Application for Permit can be approved. If the protest is not resolved, 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 Application for Permit is for a well (groundwater) that was constructed after July 1, 1987, you must apply for a well drilling permit upon approval of your Application for Permit if no permit was obtained by previous owners to construct the well. Well Drilling Permits can only be issued by this office to holders of approved Applications for Permit.

If I can be of further assistance, please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resource Agent

10/21/94
10/21/94

97-07349

HERMAN, DONALD J
P O BOX 761
PRIEST RIVER, ID 83856

Source: SPRING

Tributary: SINKS

Diversion Pt: SESESE Sec 15 T 56N R 05W in BONNER County.

Use: IRRIGATION	(.200 CFS)	
IRRIGATION STORAGE		(.20 AF)
IRRIGATION FROM STORAGE		(.20 AF)
Total Diversion:	(.200 CFS)	

Date Filed: 8/18/1994

In: BONNER County
T56N R05W S15 SESE

0.2 ACRES TOTAL

6/11/94

6/11/94