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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.

Tom Holmes

(Applicant)





































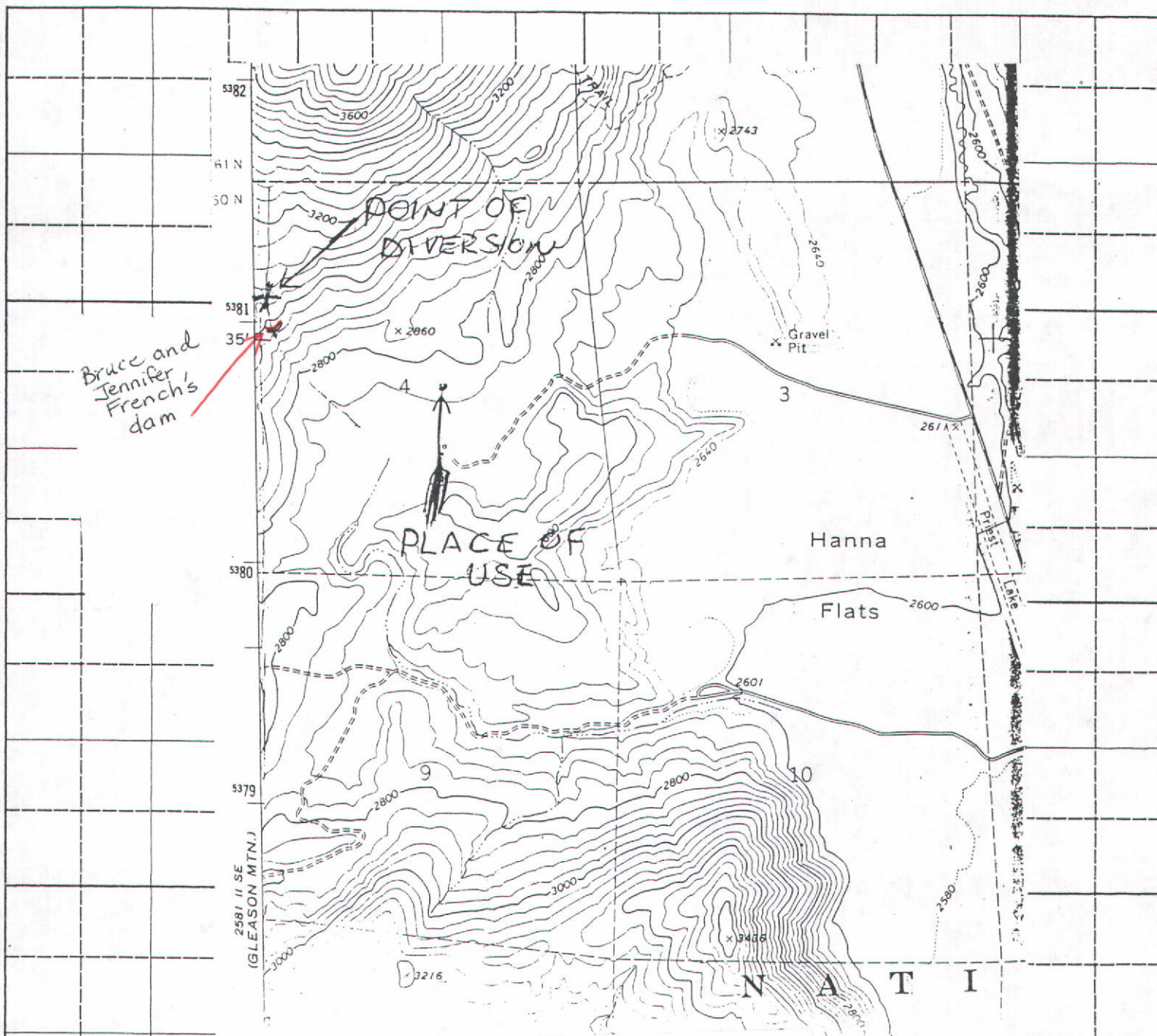
RECEIVED

JUN 01 1998

97-7318

NORTHERN REGION  
IDWR

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



|                        |  |                     |                     |
|------------------------|--|---------------------|---------------------|
| Post-it® Fax Note 7671 |  | Date <b>6/1</b>     | # of pages <b>1</b> |
| To <b>JOHN H.</b>      |  | From <b>AL B.</b>   |                     |
| Co./Dept.              |  | Co. <b>NORTHERN</b> |                     |
| Phone #                |  | Phone #             |                     |
| Fax #                  |  | Fax #               |                     |

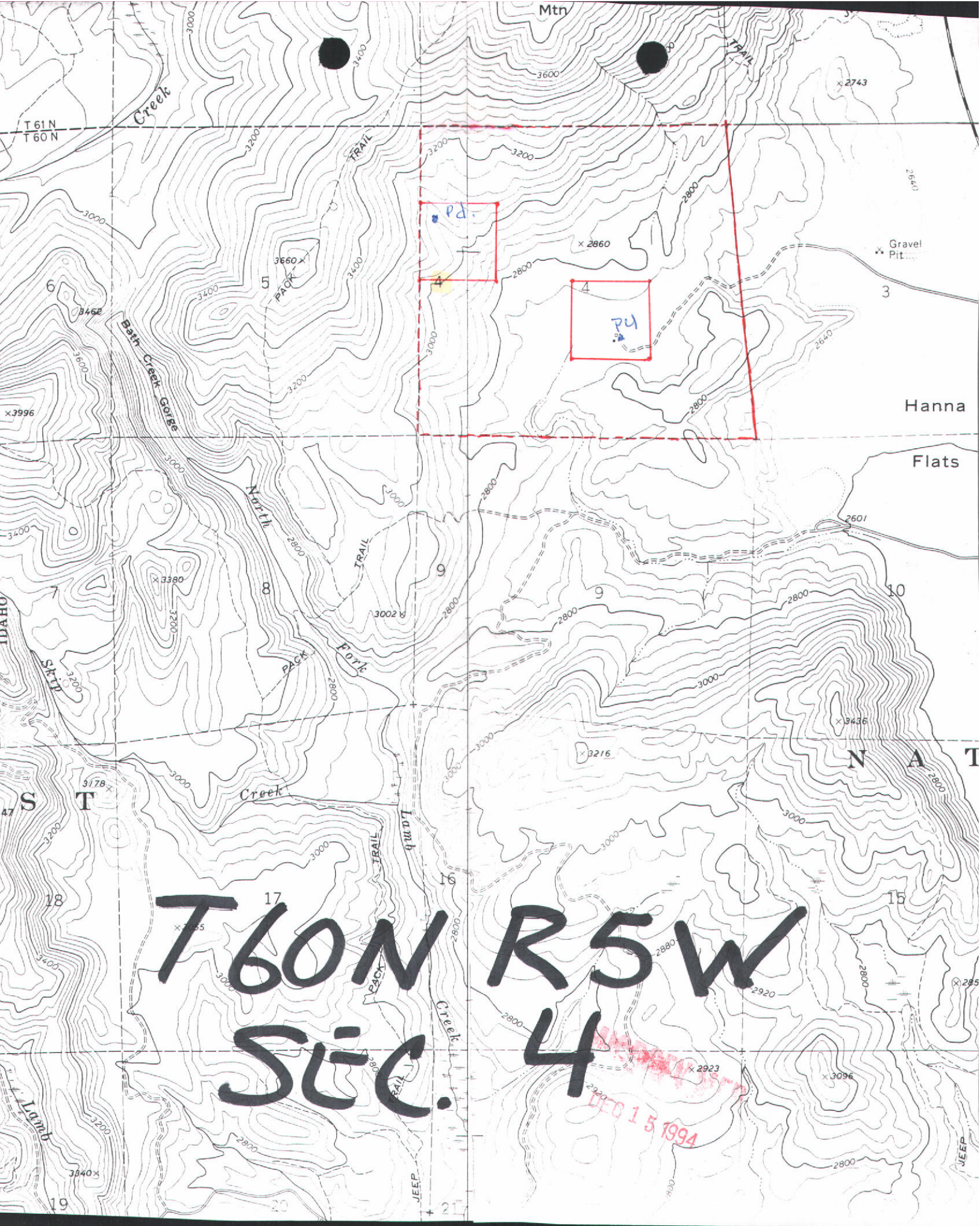
Scale: 2 inches equal 1 mile.

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. **MICROFILMED**

SEP 29 1998

*Tom Holman*

(Applicant)



97-07318



Point of  
Diversion



Place of Use

MURDERED  
DEC 15 1994

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 97-07318

Priority: April 14, 1992

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that TOM HOLMES  
2705 MARINE DR  
POST FALLS ID 83854

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 14, 1992; and has submitted Proof of Beneficial Use on July 30, 1993. An examination indicates that the works have a diversion capacity of .010 cfs of water from:

UNNAMED CREEK

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> |
|-----------------------|----------------------|--------------------------|----------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.01 CFS                 | 0.6 AF               |

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 4, Township 60N, Range 05W  
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

60N 05W 4

NWSE

CONDITIONS/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. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
6. Domestic use is for 1 home.

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 29<sup>TH</sup> day of NOVEMBER, 1994.

Acting for  R. Keith Higginson, Director

RECEIVED

AUG 2 1993

Department of Water Resources

## OFFICE USE ONLY

Amt. of Fee \$ 50.00Date 7/30/93Receipt No. 16803Receipt by [Signature]

RECEIVED

JUL 30 1993

NORTHWESTERN REGION  
IDWRSTATE 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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 97-7318 Telephone No. 773-2780
2. Name(s) of Permit Holder(s): Tom Holmes
3. Mailing Address: 2705 Marine Dr. Post Falls, Id. 83854
4. Source of Water: Unnamed Creek

If GROUNDWATER, Well Driller's Name: \_\_\_\_\_ Date Drilled: \_\_\_\_\_

## OPTIONAL:

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

5. Extent of Use (as authorized by the permit):

Domestic 1 (No. of households) Stockwater \_\_\_\_\_ (No. and type of stock)

Irrigation \_\_\_\_\_ (No. of acres) Other \_\_\_\_\_

6. Total rate and/or volume for which proof is submitted 0.02 cfs OR \_\_\_\_\_ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? \_\_\_\_\_ Yes X No Installed? \_\_\_\_\_ Yes \_\_\_\_\_ No

OR

Flow Measurement Port: Required? \_\_\_\_\_ Yes X No Installed? \_\_\_\_\_ Yes \_\_\_\_\_ No

8. Fee Enclosed: \$ N/A (See License Fee Schedule on back of Instruction Sheet)

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

Same as above. 773-2780  
Name Telephone No.

Must contact owner. Property very difficult to find.  
Address

10. The above information 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.

SEP 01 1993

7/30/93  
Date

Tom Holmes Owner  
Signature (and title, if on behalf of a company or organization)

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second    AF = acre feet)

| cfs           | af          | Fee    |
|---------------|-------------|--------|
| 0 - 0.20      | 0 - 20      | 50.00* |
| .21 - 1.00    | 21 - 100    | 100.00 |
| 1.01 - 2.00   | 101 - 200   | 125.00 |
| 2.01 - 3.00   | 201 - 300   | 150.00 |
| 3.01 - 4.00   | 301 - 400   | 175.00 |
| 4.01 - 5.00   | 401 - 500   | 200.00 |
| 5.01 - 6.00   | 501 - 600   | 225.00 |
| 6.01 - 7.00   | 601 - 700   | 250.00 |
| 7.01 - 8.00   | 701 - 800   | 275.00 |
| 8.01 - 9.00   | 801 - 900   | 300.00 |
| 9.01 - 10.00  | 901 - 1000  | 325.00 |
| 10.01 - 11.00 | 1001 - 1100 | 350.00 |
| 11.01 - 12.00 | 1101 - 1200 | 375.00 |
| 12.01 - 13.00 | 1201 - 1300 | 400.00 |
| 13.01 - 14.00 | 1301 - 1400 | 425.00 |
| 14.01 - 15.00 | 1401 - 1500 | 450.00 |
| 15.01 - 16.00 | 1501 - 1600 | 475.00 |
| 16.01 - 17.00 | 1601 - 1700 | 500.00 |
| 17.01 - 18.00 | 1701 - 1800 | 525.00 |
| 18.01 - 19.00 | 1801 - 1900 | 550.00 |
| 19.01 - 20.00 | 1901 - 2000 | 575.00 |
| 19.01 - 20.00 | 1901 - 2000 | 575.00 |
| 20.01 - over  | 2001 - over | 600.00 |

Checks should be made payable to the  
Department of Water Resources

\*A license examination fee is not required in connection with permits which use a ground water source AND have a total rate of diversion of 0.04 cfs or less. A fee also is not required in connection with permits to store water where the total volume stored is 4.0 AF per annum or less.

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 97-07318

Proposed Priority: April 14, 1992

Maximum Diversion Rate:

0.02 CFS

This is to certify, that **TOM HOLMES**  
2705 MARINE DR  
POST FALLS ID 83854

has applied for a permit to appropriate water from:

**UNNAMED CREEK**

tributary of **SINKS**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSWNW , Sec. 4, Township 60N, Range 05W  
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

60N 05W 4

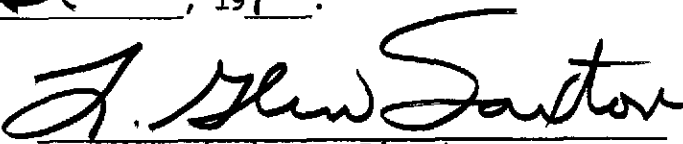
NWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1994**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The issuance of this right in no way grants any right-of-way or easement across the land of another.
5. Domestic use is for 1 home.

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

7<sup>th</sup> day of August, 1992.

  
for R. Keith Higginson, Director

**MICROFILMED**

SEP 22 1992



## TAX NOTICE AND RECEIPT

1991

KEEP TOP PORTION FOR YOUR RECORDS  
PLEASE READ REVERSE SIDE  
YOUR CANCELLED CHECK IS YOUR RECEIPT

| MARKET VALUE | TAX CODE AREA        | PARCEL NUMBER   | BILL NUMBER |
|--------------|----------------------|-----------------|-------------|
| L 6500       | 35-00                | RP60N05W047950A | 26100       |
| I 7844       |                      |                 |             |
| 14344        | 4-60N-5W<br>N2NWNWSE |                 |             |

5.000 HOLMES, TOM & COLLEEN  
TOT ACRES 2704 MARINE DRIVE  
DELINQUENT YEAR POST FALLS, ID 83854

TAXING DISTRICT

RATE

AMOUNT

RECEIPT

| STATE           |         |       | FULL PAYMENT    |
|-----------------|---------|-------|-----------------|
| COUNTY          | .003940 | 56.52 | TAX 262.20      |
| SCHOOL DIST #82 | .004237 | 60.78 | PEN.            |
| PLANT FACILITY  | .002685 | 38.52 | INT.            |
| CO. RD & BRIDGE | .000783 | 11.24 | COST            |
| W BONNER CEM    | .000118 | 1.70  | TOT.            |
| WEST P.L. FIRE  | .000397 | 5.70  | 1ST INSTALLMENT |
| N ID JR COLLEGE | .000191 | 2.74  | TAX 131.10      |
|                 |         |       | PEN.            |
|                 |         |       | INT.            |
|                 |         |       | COST            |
|                 |         |       | TOT.            |
| FOREST PROTECT  |         | 10.00 | 12-191          |
| TRANSLATOR      |         | 15.00 | 2ND INSTALLMENT |
| SOLID WASTE     |         | 60.00 | TAX 131.10      |
|                 |         |       | PEN.            |
|                 |         |       | INT.            |
|                 |         |       | COST            |
|                 |         |       | TOT.            |
| TOTAL .012351   |         |       | 262.20          |

PLEASE RETURN STUB WITH PAYMENT. IF NOT PAID BY  
DECEMBER 20, CALL 208-265-1433 FOR PAYMENT AMOUNT.FOR PROOF OF PAYMENT THIS STUB MUST BE RETURNED WITH THE 2ND PAYMENT.  
HOLMES, TOM & COLLEEN  
2704 MARINE DRIVE1991  
26100

2ND INSTALLMENT

131.10

RP60N05W047950A  
35-002nd  
PEN.  
INT.  
COST  
TOT.

Personal checks are subject to bank clearance.

MAKE PERSONAL CHECKS PAYABLE TO

KAREN WELDON, TAX COLLECTOR  
215 S FIRST AVE  
SANDPOINT, ID 83864  
TELEPHONE: (208) 265-1433

78

DELINQUENT IF NOT PAID ON OR BEFORE  
DATE PAIDJUNE 20, 1992  
CHECK #

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Tom HOLMES Phone 208-773 2780  
Post office address 2705 MARINE DR POST FALLS, ID. 83854
2. Source of water supply UNAMED Creek which is a tributary of THE SINKS
3. Location of point of diversion is NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_  
Sec. 4 Township 60 North Range 5 West B.M. BONNER County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount .02 for Domestic purposes from JAN 1 to DEC 31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .02 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc. 1" ABS pipe IN Creek
  - 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 90°F being sought? \_\_\_\_\_
7. Time required for the completion of the works and application of the water to the proposed beneficial use is  
2 years (minimum 1 year).

SEP 22 1992

a. Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_

b. Stockwatering; list number and kind of livestock. \_\_\_\_\_

c. Municipal; show name of municipality. \_\_\_\_\_

d. Domestic; show number of households. 1

e. Other; describe fully. GAARDEN

c. Municipal; show name of municipality.

b. Stockwatering; list number and kind of livestock.

a. Hydropower; show total feet of head and proposed capacity in kW.

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 column.

ponding place of use below. See instructions for standard symbols.

| TWP | RANGE | SEC. | NE% |     |     |     |     |     | NW% |     |     |     |     |     | SW% |     |     |     |     |     | SE% |     |     |     |     |     |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
|     |       |      | NEW | NW% | SW% | SE% | NEW | NW% | SW% | SE% | NEW | NW% | SW% | SE% | NEW | NW% | SW% | SE% | NEW | NW% | SW% | SE% | NEW | NW% | SW% | SE% |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
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|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |

\_\_\_\_\_Total number of acres to be irrigated

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

11. a. Who owns the property at the point of diversion? U.S. Forest Service

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing. Application for special use permit applied for

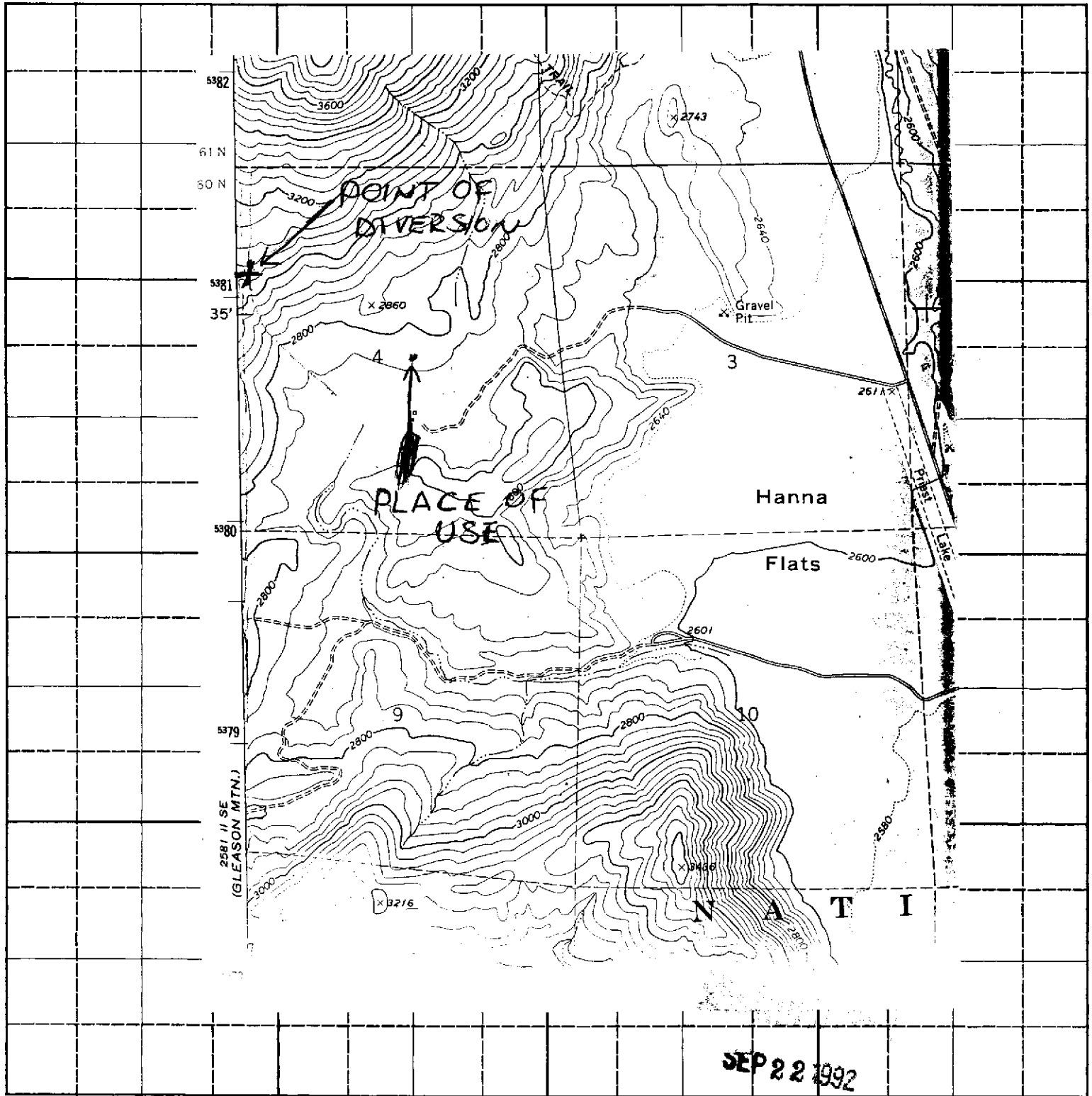
12. Remarks:

SEP 2 1992

1992

97-7318

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



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.

*Tom Holmes*

(Applicant)

SEP 2 2 1992  
MICROFILMED

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.

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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        | Date    | Time | Preliminary check by | Fee \$ | Received by        | Date    | #        | Published in | Date   | Publication prepared by | Date    | Publication approved |
| <i>[Signature]</i> | 4/14/92 | 2:20 | <i>[Signature]</i>   | 30.00  | <i>[Signature]</i> | 4/14/92 | 12005357 | 4/29/92      | 4/5/92 | <i>[Signature]</i>      | 4/29/92 | <i>[Signature]</i>   |

RECEIVED

AUG 31 1998

Department of Water Resources

August 28, 1998

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

**Re: payment for copies of records and request for additional information**

Dear Ms. Strand:

Please find enclosed an U.S. Postal Money Order in the amount of \$5, for payment of copies your office has sent to me as part of Public Records Request. I apologize for the delay.

*PAID  
\$1.15  
EXAC*

In regards to Tom Holmes' Water Right License #97-07318, could you provide me with any correspondence or other records that have accumulated in your office, in relationship to Mr. Holmes' June 19, 1998 filing of his petition for reconsideration in the reduction of cfs usage. And relating to Bruce French's dam that he put in without water right permit or Army Corps diversion and dam approval.

I thank you for your assistance in these matters. If you have any questions please do not hesitate to contact me.

Sincerely,

Charles Samuel  
P.O. Box 14  
Nordman, Idaho 83848-0014  
Telephone: (208) 443-2210  
E-mail: [samuelfm@televar.com](mailto:samuelfm@televar.com)

MICROFILMED  
SEP 23 1998

RECEIVED

AUG 04 1998

Department of Water Resources

ORIGINAL

July 29, 1998

Shelley Walter Keen  
Water Rights Supervisor  
Idaho Department of Water Resources  
1301 North Orchard Street  
P.O. Box 83720  
Boise, Idaho 83720-0098

**Re: Incomplete document sent as part of public records request**

**Dear Ms. Walter-Keen:**

I have received the Application for Permit form, and Administrative Rules of the Idaho Department of Water Resources, and would like to thank you for replying so promptly.

In comparing the documents furnished by your fellow employee Cindy Bird, 6-1-98, with the Application for Permit form included in the packet sent by you, it appears that Ms. Bird has made an inadvertent mistake. when she left out a portion of the "Application for Permit - Ident. No. 97-7318, "MICROFILMED Sep 22 1992," fraudulently filed by Tom Holmes on or about the same date. Specifically, Ms. Bird did not include in her production of public records "Paragraphs 8 - 13," that were included in Mr. Holmes' application at the time of filing:

**"8. Description of proposed uses (if irrigation only, go to item 9):**

- a. Hydropower; show total feet of head and proposed capacity if KW...**
- b. Stockwatering; list number and kind of livestock...**
- c. Municipal; show Name of municipality...**
- d. Domestic; show number of households...**
- e. Other; Describe fully."**

**"9. Description of place of use: a. If water is for irrigation, indicate 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 [to have been completed by Mr. Holmes]...Total number of acres to be irrigated\_\_\_\_\_."**

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

**"11. a. Who owns property at the point of diversion?...b. Who owns the land to be irrigated or place of use?...c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing:\_\_\_\_\_."**

**"12. Remarks:\_\_\_\_\_"**

MICROFILMED

SEP 29 1998

ORIGINAL

Cindy Bird -

Please provide to Mr. Samuel the requested information. Let me know if you have any questions. Notify me when the information has been sent.

Thanks,

S.W. Keen

8-1-98

(14)

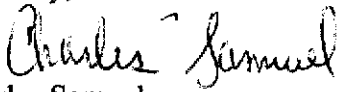
**"13. MAP OF PROPOSED PROJECT ATTACHED \_\_\_\_ Show clearly the proposed point of diversion, place of use, section number, township and range number."**

**"BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth. \_\_\_\_\_ (Applicant)."**

I thank you in advance for finding the time to mail me the requested public record(s), at your earliest convenience.

If you have any questions please don't hesitate to contact me by e-mail or phone.

Sincerely,



Charles Samuel

P.O. Box 14

Nordman, Idaho 83848-0014

Telephone: (208) 443-2210

E-mail: [samuelfm@televar.com](mailto:samuelfm@televar.com)

cc: Tom Holmes  
Bruce French

MED

8/25/98

Larsen, Dick

---

From: Val Samuel  
Sent: Thursday, July 30, 1998 8:01 AM  
To: Larsen, Dick  
Subject: Incomplete document(s) sent as part of

July 29, 1998

Shelley Walter Keen  
Water Rights Supervisor  
Idaho Department of Water Resources  
1301 North Orchard Street  
P.O. Box 83720  
Boise, Idaho 83720-0098

Re: Incomplete document sent as part of public records request

Dear Ms. Walter-Keen:

I have received the Application for Permit form, and Administrative Rules of the Idaho Department of Water Resources, and would like to thank you for replying so promptly.

In comparing the documents furnished by your fellow employee Cindy Bird, 6-1-98, with the Application for Permit form included in the packet sent by you, it appears that Ms. Bird has made an inadvertent mistake, when she left out a portion of the Application for Permit - Ident. No. 97-7318, MICROFILMED Sep 22 1992, fraudulently filed by Tom Holmes on or about the same date. Specifically, Ms. Bird did not include in her production of public records Paragraphs 8 & 13, that were included in Mr. Holmes' application at the time of filing:

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  
e. Other; Describe fully.

9. Description of place of use: a. If water is for irrigation, indicate 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 [to have been completed by Mr. Holmes]  
Total number of acres to be irrigated \_\_\_\_.

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

11. a. Who owns property at the point of diversion?  
b. Who owns the land to be irrigated or place of use?  
c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: \_\_\_\_.

12. Remarks: \_\_\_\_.

13. MAP OF PROPOSED PROJECT ATTACHED \_\_\_\_ Show clearly the proposed project

MICROFILMED  
SEP 29 1998

of diversion, place of use, section number, township and range number.ö

öBE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth. \_\_\_\_\_ (Applicant).ö

I thank you in advance for finding the time to mail me the requested public record(s), at your earliest convenience.

If you have any questions please don't hesitate to contact me by e-mail or phone.

Sincerely,

Charles Samuel  
P.O. Box 14  
Nordman, Idaho 83848-0014  
Telephone: (208) 443-2210  
E-mail: samuelfm@televar.com

cc: Tom Holmes  
Bruce French

----- Message Header Follows -----

Received: from adm-smtp.state.id.us by admsmgw.state.id.us

(PostalUnion/SMTP(tm) v2.1.9h for Windows NT(tm))

id AA-1998Jul30.075727.1128.457575; Thu, 30 Jul 1998 07:57:28 -0600

Received: from concord.televar.com ([208.8.131.83]) by adm-smtp.state.id.us

(Post.Office MTA v3.5 release 215 ID# 0-OU10L2S100V35) with ESMTP

id us for <dlarsen@idwr.state.id.us>;

Wed, 29 Jul 1998 20:32:24 -0600

Received: from gabby (sanduser051.televar.com [208.26.164.58])

by concord.televar.com (8.8.8/8.8.8) with ESMTP id TAA12921

for <dlarsen@idwr.state.id.us>; Wed, 29 Jul 1998 19:37:12 -0700 (PDT)

Message-ID: <35BFDB3A.6F00132A@televar.com>

Date: Wed, 29 Jul 1998 19:32:26 -0700

From: Val Samuel <samuelfm@televar.com>

Organization: Priest Lake Graphic Art Design

X-Mailer: Mozilla 4.01 [en] (Win95; I)

MIME-Version: 1.0

To: dlarsen@idwr.state.id.us

Subject: Incomplete document(s) sent as part of public records request

X-Priority: 3 (Normal)

X-Corel-MessageType: EMail

Content-Type: text/plain; charset=iso-8859-1

Content-Transfer-Encoding: quoted-printable

X-MIME-Autoconverted: from 8bit to quoted-printable by concord.televar.com id

TAA12921

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SEP 29 1998



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
1301 NORTH ORCHARD  
BOISE, ID 83706-2237  
(208) 327-7900

Date 8-3-98

Name Charles Samuel  
Address P.O. Box 14  
Nordman, ID 83848-0014

| No. of<br>Copies | Materials         | Cost    |
|------------------|-------------------|---------|
| 14               | Copies @ 97-07318 | \$ 0.70 |
|                  | .05 ea.           |         |
|                  | Shipping          | 0.78    |
|                  |                   |         |
|                  |                   |         |
| TOTAL            |                   | \$ 1.48 |

Please find enclosed the form(s) and/or information you requested. The charge, if any, is indicated above.

If we may be of further assistance, please contact us.

Sincerely,

Cindy Buel

MICROFILMED  
SEP 29 1998



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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

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

June 25, 1998

**PHILIP E. BATT**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

TOM HOLMES  
2705 MARINE DR  
POST FALLS ID 83854

RE: Water Right License 97-07318

Dear Tom:

I received your inquiry about water right license 97-07318 and the photographs that accompanied it. I cannot view your letter as a petition for reconsideration because your license is not a preliminary order of the department. I can, however, answer the questions raised in your letter.

Your permit to develop a water right was issued in 1992 for 0.02 cfs for domestic purposes. You submitted your proof of beneficial statement in 1993 indicating that your development was complete, and the examination was conducted later that year. The purpose of the examination was to verify and quantify your beneficial use of water because §42-219, *Idaho Code*, states that a license shall "in no case be an amount in excess of the amount that has been beneficially applied."

Your right was licensed for 0.01 cfs because the examiner reported that she found your actual diversion capacity to be 3.38 gallons per minute, which is slightly less than 0.01 cfs. To determine the diversion rate, she noted that the entire flow was directed through a sprinkler with a 1/8" nozzle discharging at 52 psi. A 1/8" nozzle discharging at 50 psi results in a flow of about 3.30 gallons per minute.

As you know, a domestic water use as authorized by your permit can include up to half an acre of irrigation developed in conjunction with the home. Your license excluded irrigation because the examiner did not indicate that any irrigation use had been developed at the time of the examination. In fact, she recommended that the license be issued with an annual volume limit of 0.6 acre feet, which is typical for in-house use only. Moreover, in the examiner's photo of your cabin I see only firewood, native vegetation, and bare ground. Without additional information, I can only conclude that the prominent green lawn in the photograph you sent me of your cabin was established after the examination.

I am willing to review any information you provide to demonstrate that your diversion rate exceeded 0.01 cfs or that you irrigated prior to the field examination. However, I see that you have filed application 97-07385 for 1.5 acres of irrigation at a rate of 0.04 cfs. Pursuing the new application to authorize your outdoor water use may be your best option at this time.

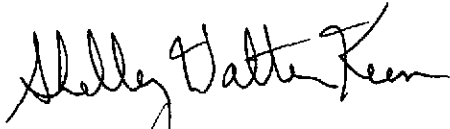
MICROFILMED

SEP 29 1998

Tom Holmes  
June 25, 1998  
Page 2

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

Respectfully,

A handwritten signature in cursive script that reads "Shelley Walter Keen". The signature is written in dark ink and is positioned above the printed name and title.

Shelley Walter Keen  
Water Rights Supervisor

**ONE-OF-A-KIND GIFTS MADE FROM YOUR PHOTOS**



**PHOTO T-SHIRTS**



**PHOTO CALENDARS**



**PHOTO ENLARGEMENTS**



*Instructions for Ordering Photo Gifts inside Flap*

**PERSONAL PHOTO GIFTS ONLY YOU CAN GIVE**



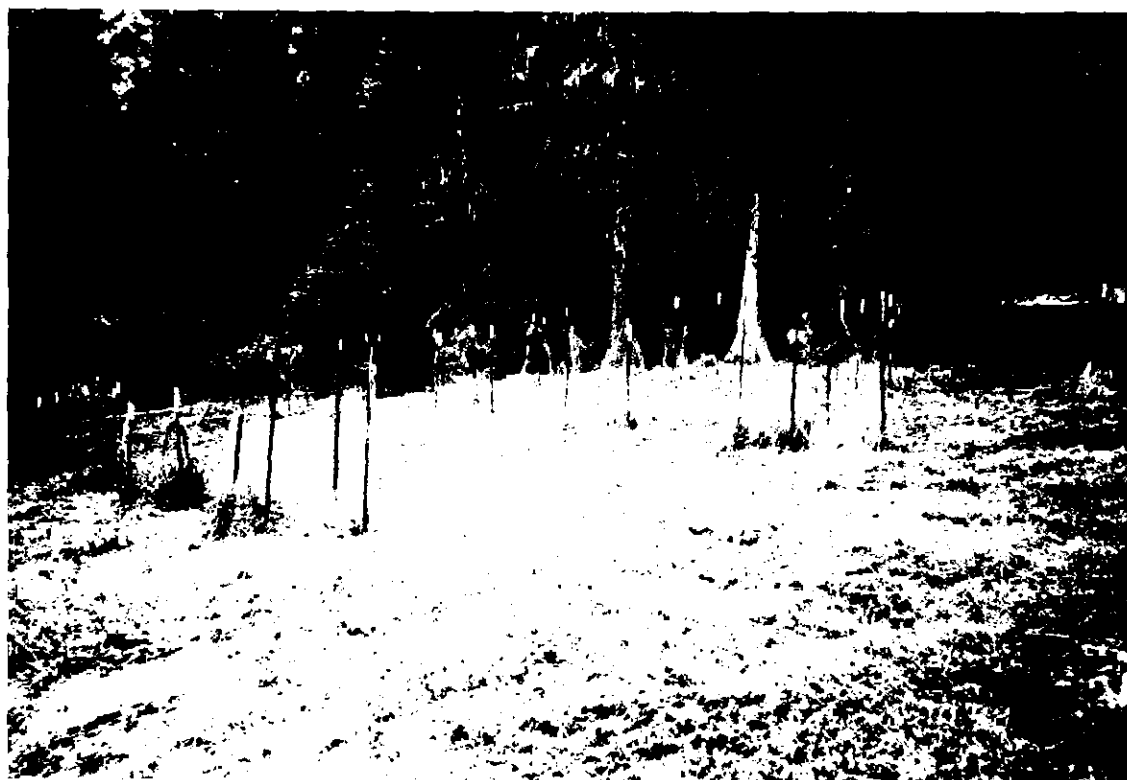














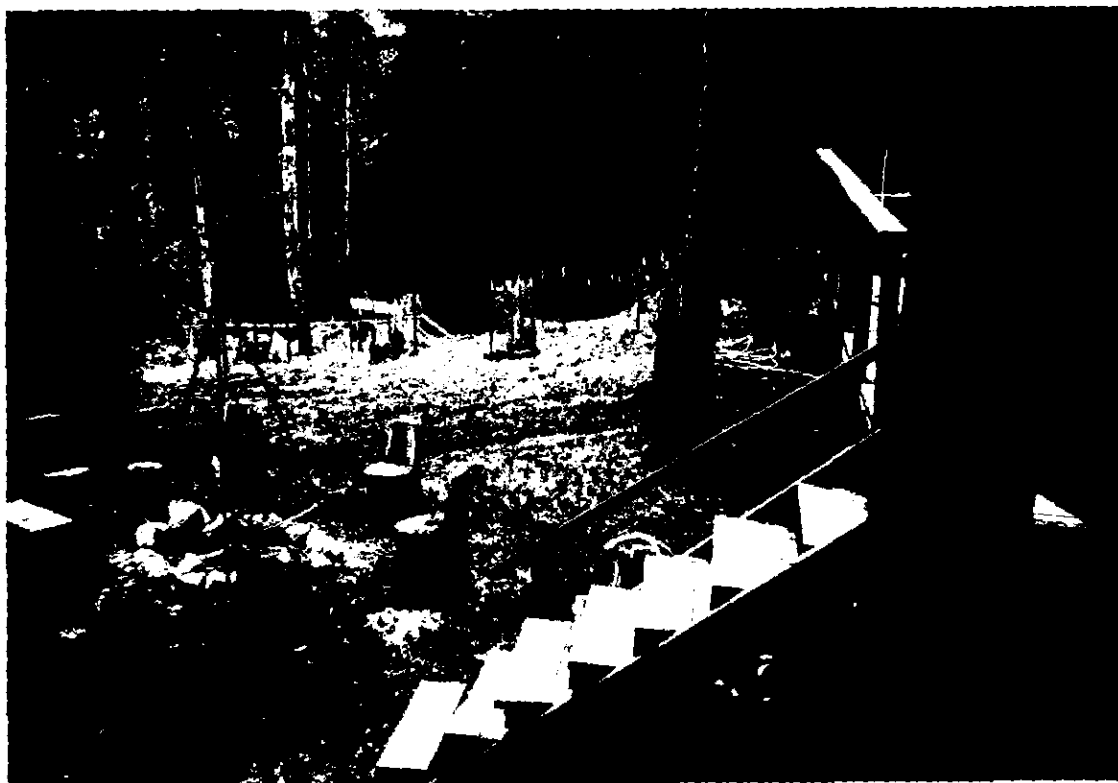


Figure 1. Logging operation in a forest.















future green Belt area



future green Belt.



File: 97-07318

18 photographs received  
from Tom Holmes on  
6/19/1998

10/19/98

10/19/98

ADDRESS SERVICE  
REQUESTED

I.D.W.R.  
1301 North Orchard St.  
Statehouse Mail,  
Boise, Idaho 83720

JUN 15, 1998

RECEIVED

JUN 19 1998

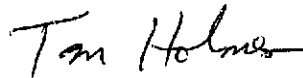
Department of Water Resources

RE: WATER RIGHT NO. 97-07318

Dear Mr. Keen,

This is my formal petition for reconsideration of my water right #97-07318. I have enclosed some pictures of proof of beneficial use for your files. The inspector said that animals and a garden were permitted under the domestic use plan, checked volume and pressure and left. I still don't why someone decided to cut my use from 0.02 to 0.01 when there is plenty of water and my out of state neighbor gets 0.45 CFS for having a camp trailer pulled in for the day of inspection. I just want to comply with the rules and save my 21 apple trees. Thank you for time.

Sincerely,



Tom Holmes  
2705 Marine Dr  
Post Falls, ID. 83854  
208-773-2780

MICROFILMED

SEP 29 1998



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
1301 NORTH ORCHARD  
BOISE, ID 83706-2237  
(208) 327-7900

Name Charles Samuel Date 6-1-98  
Address P.O. Box 14  
Nordman, Id 83848-0014

| No. of<br>Copies | Materials           | Cost    |
|------------------|---------------------|---------|
| 23               | W/R 97-67318 Copies | \$ 1.15 |
|                  | @ .05 ea.           |         |
|                  | Shipping & handling | 1.24    |
|                  |                     |         |
| TOTAL            |                     | \$ 2.39 |

Please find enclosed the form(s) and/or information you requested. The charge, if any, is indicated above.

If we may be of further assistance, please contact us.

Sincerely,

Cindy Bud

MICROFILMED

SEP 29 1998

RECEIVED

JUN 05 1998

ORIGINAL

Department of Water Resources

REQUEST FOR PUBLIC RECORDS

RECEIVED

JUN 01 1998

NORTHERN REGION  
IDWA

To: State of Idaho  
Department of Water Resources  
Northern Region  
1910 Northwest Blvd  
Coeur d'Alene, Idaho 83814

Under the provisions of Idaho Code § 9-338, I hereby request copies of the following records, to include: all documents, books, pamphlets, periodicals, letters, reports, memorandum, notes, notations, messages, telegrams, cables, studies, working papers, charts, graphs, indexes, diaries, statements, computer printouts, leases, right-of-way(s), point-of-diversion(s), easement(s), invoices, records of purchases or sales, bids, quotations, public comment, electronic or other transcriptions or tapes of telephone or other surveillance, imageries, photos, videos, investigative reports or observations, billings, cooperative agency efforts, court orders, warrants, consent forms, authority, statutes, laws, citations, arrests, fines, jailings, busts, probations, or any written, printed, typed, punched, taped, filmed, or graphic matter, however produced or reproduced, involving the following:

1. All records, as hereinbefore defined, regarding **WATER RIGHT LICENSE NO. 97-07318** (Exhibit A, attached hereto), issued to Tom Holmes, 2705 Marine Drive, Post Falls, Idaho 83854.

2. All records, as hereinbefore defined, regarding any Township No. 60, North, Range No. 5, West, Boise Meridian, Idaho, Section No. 4, Subdivision ?, water right issued to Bruce and/or Jennifer French for their dam recently completed approximately 600 feet southeast of the **"POINT OF DIVERSION"** identified on page 3 of Exhibit A, supra, on the same UNNAMED CREEK. The approximate location of the French's dam has been drawn in on page 3, for reference.

3. Complete application to appropriate water.

As you know, the Idaho Public Records Act permits you to reduce or waive fees when the release of information is considered as primarily benefiting the public. I hereby request that you waive any fees because the records will be used in my petition for cancellation of the afore-mentioned Holmes' and French's water right, on grounds that the same rights were fraudulently acquired: failure to comply with requirements of their permits; appropriation of my name without my permission; trespass; defrauding the U.S. Postal Service (18 USC § 1341); conspiracy to defraud the United States Government (18 USC §§ 371, 1001); conspiracy to defraud the State of Idaho; failure to provide public comment; among others.

If all or any part of this request is denied, please cite the specific exemption(s) which you think justifies your refusal

REQUEST FOR PUBLIC RECORDS -- 1

MICROFILMED

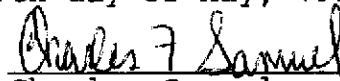
SEP 2 1998

to release the information, and inform me of the appeal procedures available to me under the law, and the specific Idaho statute (such as I.C. §§ 9-335 or 9-343) for doing so. If you claim such documents are protected -- exempt from disclosure -- under statute, please provide a written clarification for such, in helping expedite the efficient administration of court business, where our projected appeal would have to be filed.

I understand that if the material I have requested copies of is not available within the time provided by law, you will notify me that under an identified statute the time period has been extended to allow for search and collect the requested records, or seek consultation with the person(s) having care of the needed records, or that they will not be provided. Which-ever shall apply.

If you have any question please do not hesitate to contact me.

Respectfully submitted this 29th day of May, 1998.



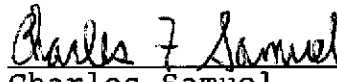
Charles Samuel  
P.O. Box 14  
Nordman, Idaho 83848-0014  
Telephone: (208) 443-2210

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing was mailed, postage prepaid, first class to the parties named below, this 29th day of May, 1998.

Tom Holmes  
2705 Marine Drive  
Post Falls, Idaho 83854

Bruce French  
Priest River Marine  
Hwy 2  
Priest River, Idaho  
83856



Charles Samuel

REQUEST FOR PUBLIC RECORDS -- 2

RECEIVED  
JUN 01 1998  
NORTHERN REGION  
IDWR

RECORDED

MAY 29 1998

RECEIVED

JUN 07 1998

NORTHERN REGION  
IDWRState of Idaho  
Department of Water Resources

RECEIVED

DEC 07 1994

IDWR

**WATER RIGHT LICENSE**

WATER RIGHT NO. 97-07318

Priority: April 14, 1992

Maximum Diversion Rate:  
Maximum Diversion Volume:0.01 CFS  
0.6 AFThis is to certify, that TOM HOLMES  
2705 MARINE DR  
POST FALLS ID 83854has complied with the terms and conditions  
of the permit, issued pursuant to Application for Permit dated April 14, 1992; and  
has submitted Proof of Beneficial Use on July 30, 1993. An examination indicates  
that the works have a diversion capacity of .010 cfs of water from:

UNNAMED CREEK

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> |
|-----------------------|----------------------|--------------------------|----------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.01 CFS                 | 0.6 AF               |

LOCATION OF POINT(S) OF DIVERSION:SWNW , Sec. 4, Township 60N, Range 05W  
BONNER CountyPLACE OF USE: DOMESTICTWN RGE SEC

60N 05W 4

NWSE

CONDITIONS/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. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
6. Domestic use is for 1 home.

EXHIBIT A

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 29<sup>TH</sup>  
day of NOVEMBER, 1994.

MICROFILMED

Acting for

R. Keith Higginson, Director

97-07318

RECEIVED

JUN 01 1998

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 97-07318

RECEIVED  
AUG 17 1998  
NORTH IDAHO  
15 2 15

NORTHERN REGION

Proposed Diversion: April 14, 1992 Maximum Diversion Rate: 0.02 CFS

This is to certify, that **TOM HOLMES**  
2705 MARINE DR  
POST FALLS ID 83854

has applied for a permit to appropriate water from:

**UNNAMED CREEK** 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> |
|-----------------------|----------------------|--------------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.02 CFS                 |

LOCATION OF POINT(S) OF DIVERSION: NWSWNW , Sec. 4, Township 60N, Range 05W  
BONNER County

PLACE OF USE: DOMESTIC  
TWN RGE SEC

60N 05W 4 NWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1994**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The issuance of this right in no way grants any right-of-way or easement across the land of another.
5. Domestic use is for 1 home.

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

7<sup>th</sup> day of August, 1992

*R. Keith Higginson*  
R. Keith Higginson, Director

for

MICROFILMED

AUG 29 1998

97-7318

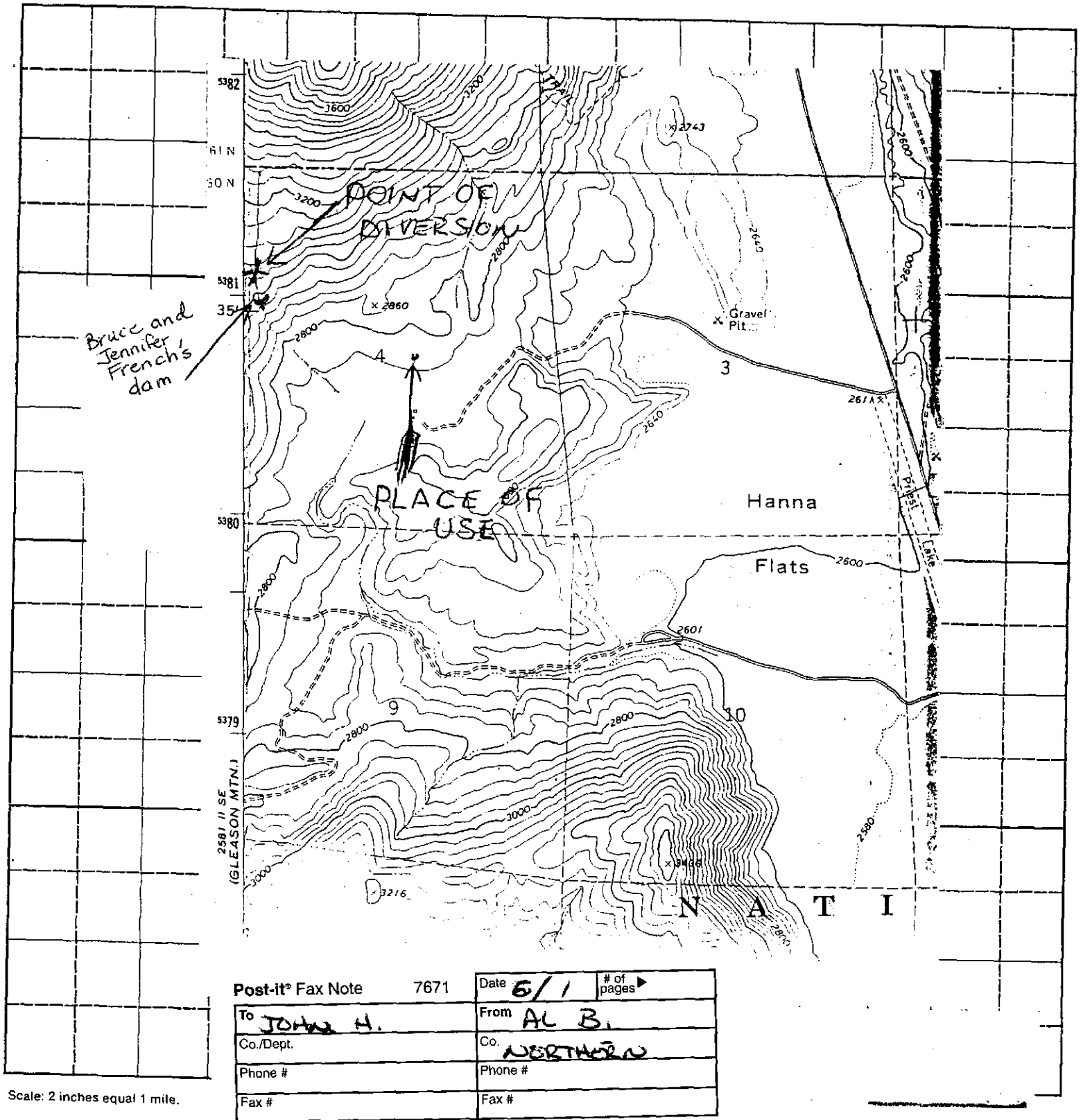
RECEIVED

JUN 01 1998

97-7318

NORTHERN REGION  
IDWA

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



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.

SEP 29 1998

Tom Helmer

(Applicant)



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 1, 1994

TOM HOLMES  
2705 MARINE DR  
POST FALLS ID 83854

RE: WATER RIGHT NO. 97-07318

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

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

Shelley W. Keen  
Water Rights Supervisor

SK:dc

Enclosure

DEC 15 1994

# LICENSE REVIEW CHECKLIST

PERMIT NO. 97-7318 DATE 10-24-94



NAME Yes      No ✓ Or Address Change?     

PRIORITY DATE      ✓ Advance?      Advanced to:       
 Order to reinstate needed?       
 Incorrect fee for rate recommended?     

SOURCE      ✓ Changes or just clarification of originally intended source?       
 Notice of Intent to Void necessary?     

POINT OF DIV      ✓ Amendment needed?       
     ✓ Overlaps?     

PLACE OF USE      ✓ Amendment needed?       
     ✓ Overlaps?     

DIV RATE      ✓ Permit/fee limits: .02CFS  
 Meas Q = .01 Theo Q =      Recommend: .01CFS  
(from overflow sprinkler)  
 Combined rates exceed capacity     

ANNUAL VOLUME      ✓ Season of use:       
 Calculations: Standard internal @ .6  
 Flow limit:      cfs x      x 1.9835 =       
 Combined volumes exceed capacity/allowable     

USES      ✓ Change in Nature of Use or additional uses?       
 Amendment necessary?     

REMARKS      ✓ Multiple p/d(s) in ¼ ¼?       
     ✓ Other     

CONDITIONS      ✓ Measuring/Locking Devices       
     ✓ Watermaster control - District       
     ✓ Irrigation Overlap       
     ✓ Water Quality       
     ✓ Other      Heat/Cool/ Fish verified     

COMMENTS:       
      
    

|                 |             |             |                        |             |
|-----------------|-------------|-------------|------------------------|-------------|
| RECOMMENDED     | CFS         | VOL         | SRBA Claim Filed       | <u>NA</u>   |
| <u>Domestic</u> | <u>.01</u>  | <u>.6</u>   | Adjustment Memo Needed | <u>YES</u>  |
| <u>    </u>     | <u>    </u> | <u>    </u> | LICENSE                | <u>✓</u>    |
| <u>    </u>     | <u>    </u> | <u>    </u> | 1ST AMENDMENT LETTER   | <u>    </u> |
| <u>    </u>     | <u>    </u> | <u>    </u> | FINAL AMENDMENT LETTER | <u>    </u> |



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

RECEIVED

JUN 30 1994

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 97-07318

1. Owner: Tom Holmes Phone No. (208) 773-2780

Current Address: 2705 Marine Drive, Post Falls ID 83854

2. Accompanied by: Same EXAM DATE: 10/4/93

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Relationship to Permit Holder: Same

3. Source: Unnamed Creek tributary to Sinks

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

**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 |
|-----------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
|           |           | NW  | SW  | NW  | 4    | 60N  | 5W   | Bonner | Map                             |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |

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

Indicate Method of Determination Map

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 60N | 5W  | 4   |    |    |    |    |    |    | D  |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

\* See memo attached. BC

DEC 15 1994

(BC)

DEC 15 1994

2. Measurements: 1 1/8 inch impact sprinkler at 52 psi

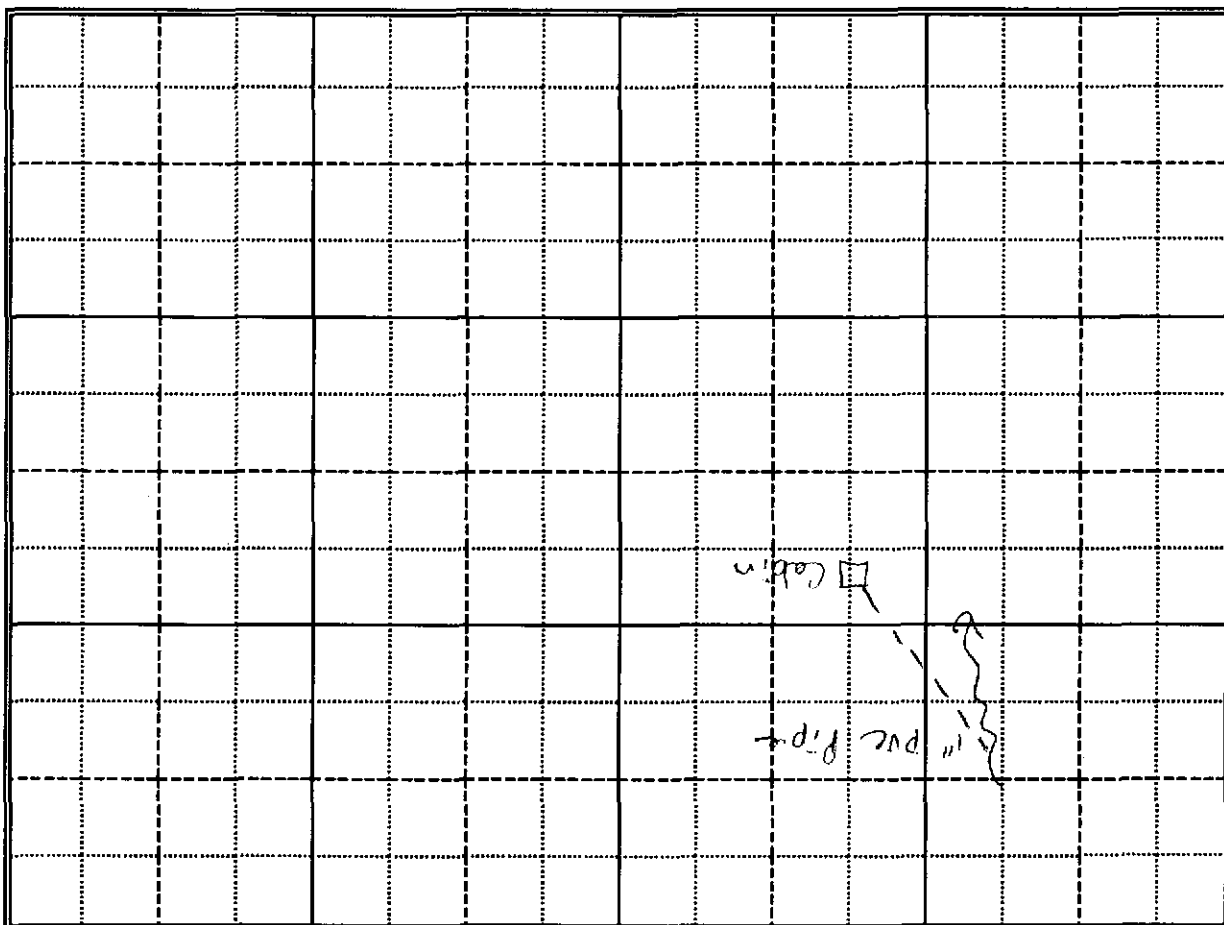
| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |   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

D. FLOW MEASUREMENTS

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

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

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



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

E. NARRATIVE/REMARKS/COMMENTS

1 1/2 inch PVC Pipe is laying in ~~a~~ creek pool  
approximately 2' x 2' x 2'. 1 1/2 pvc pipe gravity  
feeds water to (2) 55 gallon drums. Sprinkler  
on soft 1/2 inch vinyl hose relieves system  
pressure. Total Volume diverted can go through  
Sprinkler, providing reasonable measurement.

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

DEC 15 1994

Additional Computation Sheets Attached

## F. FLOW CALCULATIONS

Measured Method:

From tables 1/8" sprinkler at 52psi = 3.38 gpm

$$3.38 \text{ gpm} \times 448.8 \text{ gpm/ft} = 0.01 \text{ cfs}$$

## G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$
$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$
$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

2. Volume Calculations for Other Uses:

## H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic

From

Period of Use  
To

1-1  
12-31

Rate of Diversion

Q (cfs)

0.01 cfs

Annual Volume

V (afa)

0.6 afa

2. Recommended Amendments

Change P.D. as reflected above

Add P.D. as reflected above

X None

Change P.U. as reflected above

Add P.U. as reflected above

Other

## I. AUTHENTICATION

Field Examiner's Name

Thomas J. Bright

Date

10/21/93

Date

Reviewer

SEAL

MEMORANDUM

TO: File 97-07318 / Tom Holmes  
FROM: Brenda Chapman  
DATE: October 24, 1994  
RE: Recommendation Adjustment(s)

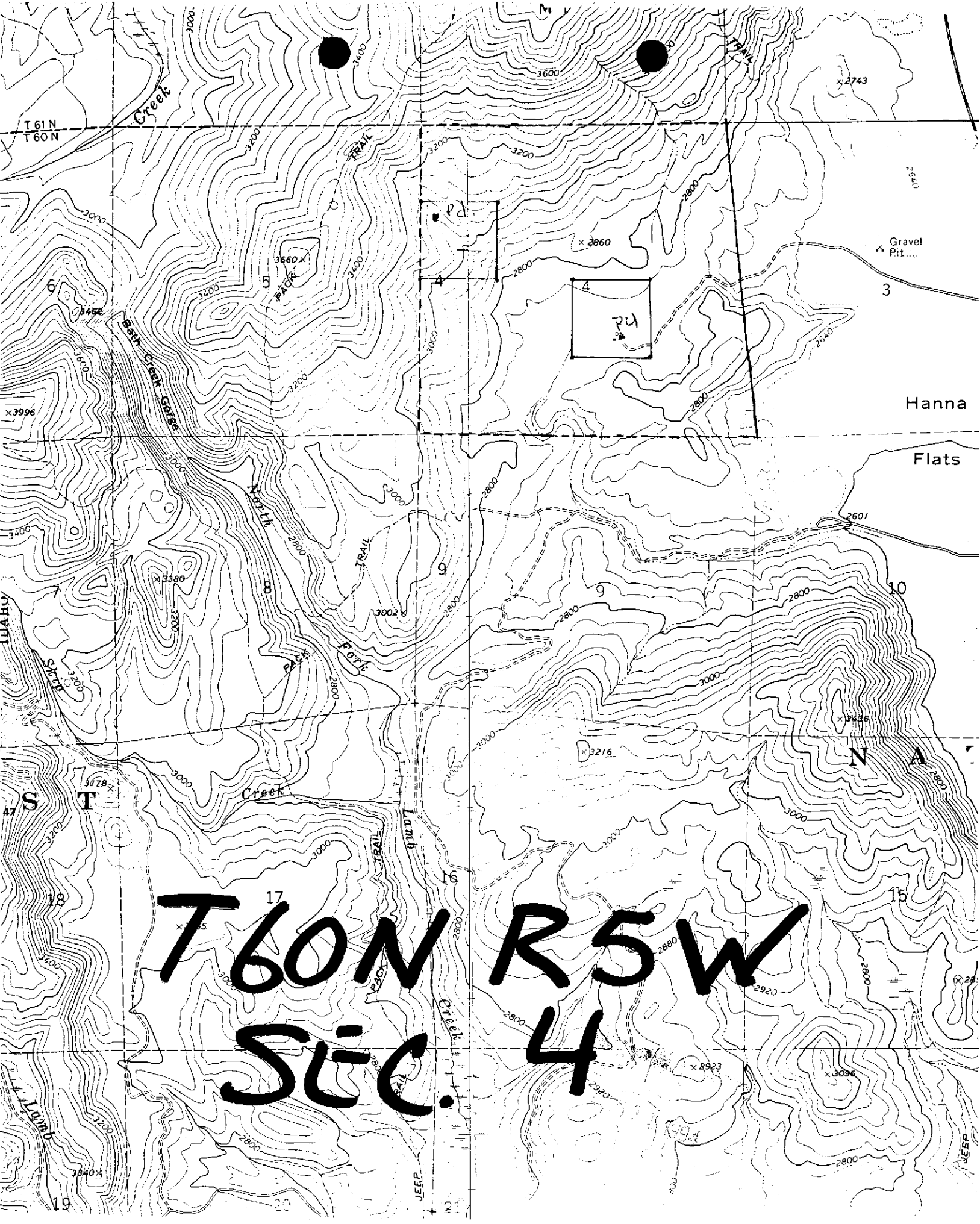
=====

The final licensing recommendations for the above referenced water right are based on the information below:

C. DIVERSION AND DELIVERY SYSTEM

2. Place of Use: Place of use should be listed in the NWSE<sup>11</sup><sub>4</sub> of Section 4 which coincides with the exam map, permit and the tax assessment notice.

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DEF 10/27/94



T60N R5W  
SEC. 4

97-07318



Point of  
Diversion



Place of Use

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FEB 16 1994

August 6, 1993

TOM HOLMES  
2705 MARINE DR  
POST FALLS ID 83854

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 97-07318

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,

Karen L. Gustafson  
Secretary/Records Manager

c: IDWR - Region

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SEP 01 1993



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

August 10, 1992

TOM HOLMES  
2705 MARINE DR  
POST FALLS ID 83854

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 97-07318

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Sincerely,

BRENDA L. MILLER  
Water Resource Agent

BLM:cz

Enclosures

MICROFILMED

SEP 22 1992

# Affidavit of Publication

STATE OF IDAHO  
County of Bonner,

ss.

*Linda Ramsey*  
being duly sworn, says that he is the *General Manager*  
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-  
er or stereotyped forms of at least nineteen and three-fourths inches  
depth, has at least 1250 bona fide subscribers living within said Bonner  
County, and is published at regular weekly intervals. That the annexed  
is a true copy of the notice for publication in the case of

# 1268

*Water Rights*  
*Whitten, Anderson, Mansur, Bailey*  
*Holmes*

as it was published in the regular and entire issue of said paper for a  
period of *two* consecutive weeks, commencing on  
the *6* day of *May*, 19 *92*,  
and

ending on the *13* day of *May*, 19 *92*,  
and that said notice was published in said newspaper proper, and not in  
supplement form.

STATE OF IDAHO

COUNTY OF *BONNER*

On this *2nd* day of *June* in the year of *1992* before me,

a Notary Public, personally appeared *Linda Ramsey*  
known or identified to me to be the person whose name subscribed to the within instru-  
ment, and being by me first duly sworn, declared that the statements therein are true,  
and acknowledged to me that he executed the same.

*John T. Higgins*  
Notary Public for Idaho

Residing at *Priest River*

## NOTICE OF APPLICATION FOR WATER RIGHT

The Following applications have  
been filed to appropriate the public  
waters of the State of Idaho:

96-08695

WAYT WHITTEN, BURLEY A

WHITTEN, THOMAS D

PO BOX 1447

PRIEST RIVER, ID 838561447

Source: GROUNDWATER

Diversion Pt: SESESW Sec 27 T 56N

R 05W in BONNER County.

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 4/24/1992

In: BONNER County T56N R05W

S27 SESW

97-07316

ANDERSON, KATHY

MANSUR, ROGER

PO BOX 394

PRIEST RIVER, ID 83856

Source: UNNAMED STREAM

Tributary: QUARTZ CREEK

Diversion Pt: SWSE Sec 25 T 58N R

05W in BONNER County.

Use: IRRIGATION (.060 CFS);

DOMESTIC (.040 CFS)

Total Diversion: (.100 CFS)

Date Filed: 4/13/1992

In: BONNER County T58N R05W

S25 SWSE

2.0 ACRES TOTAL

97-07317

BAILEY, ORVILLE

PO BOX 442

Nordman, ID 83848

Source: GROUNDWATER

Diversion Pt: LOT 4 (SWNW) Sec 10

T 62N R 04W in BONNER County.

Use: IRRIGATION (.120 CFS);

DOMESTIC (.200 CFS)

Total Diversion: (.200 CFS)

Date Filed: 4/16/1992

In: BONNER County T62N R04W

S10 SWNW SENW

6.0 ACRES TOTAL

97-07318

HOLMES, TOM

2705 MARINE DR

POST FALLS, ID 83854

Source: UNNAMED CREEK

Tributary: SINKS

Diversion Pt: NWSWN Sec 4 T

60N R 05W in BONNER County.

Use: DOMESTIC (.020 CFS)

Total Diversion: (.020 CFS)

Date Filed: 4/14/1992

In: BONNER County T60N R05W

S04 NWSE

For additional information  
concerning the property location, call  
the Northern Regional Office at 765-  
4639.

The permit(s) will be subject to all  
prior water rights. Protests must be  
filed with the Director, Dept. of  
Water Resources, Northern Region,  
1910 Northwest Blvd., Suite 210,  
Coeur d'Alene, Idaho 83814 on or  
before May 26, 1992.

R. KEITH HIGGINSON, Director  
#1268 May 6, 13, 1992

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JUN 04 1992

NORTHERN REGION  
IDWR

97-07318

HOLMES, TOM  
2705 MARINE DR  
POST FALLS, ID 83854

Source: UNNAMED CREEK

Tributary: SINKS

Diversion Pt: NWSWNW Sec 4 T 60N R 05W in BONNER County.

Use: DOMESTIC ( .020 CFS)  
Total Diversion: ( .020 CFS)

Date Filed: 4/14/1992

In: BONNER County  
T60N R05W S04 NWSE

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SEP 22 1992



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615  
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

April 30, 1992

U.S. Forest Service  
Panhandle National Forest  
1201 Ironwood Dr.  
Coeur d'Alene, Id. 83814

Gentlemen:

Enclosed is a recent filing with this Department that may be of interest to  
your agency.

Sincerely,

TOM D. KING  
Senior Water Resource Agent

TDK/pms

Enclosure

SEP 22 1992