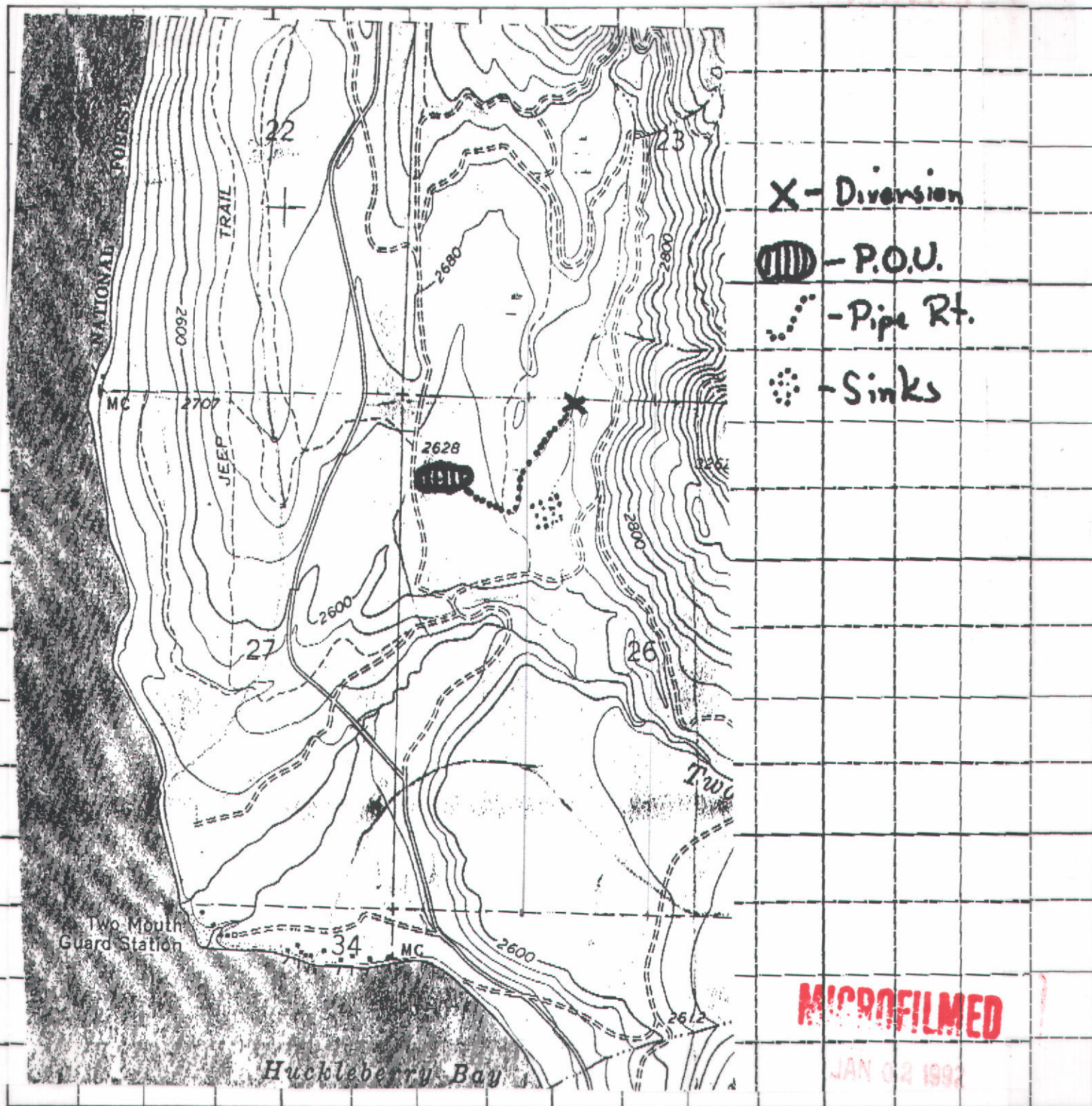


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

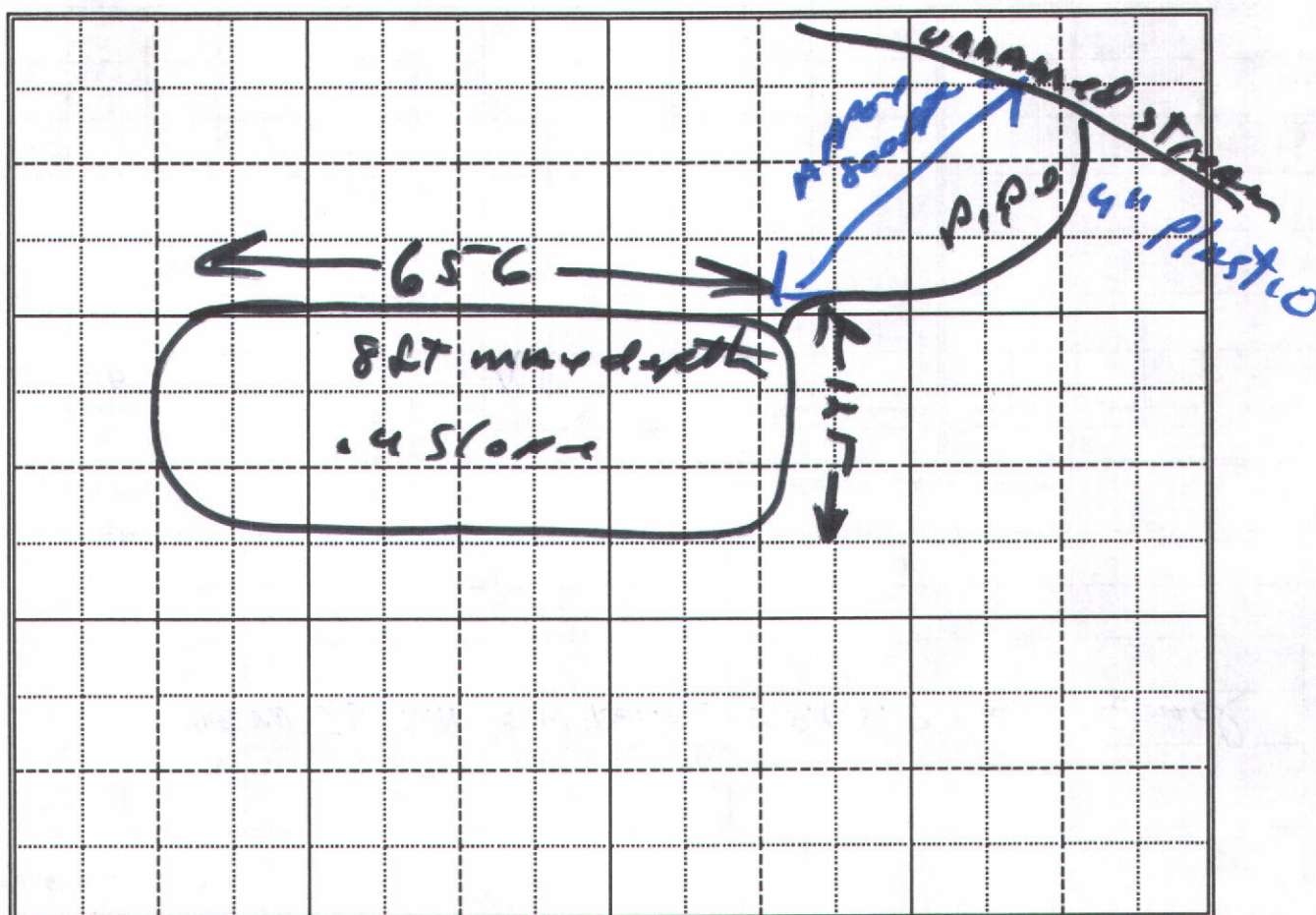


Scale: 2 inches equal 1 mile.

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.

Ned J. Horner Regional
(Applicant) Fishery Manager

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



Scale: 1" = NTS

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

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

*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:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT #

97-07311



PD



pu
outlet into
pond



pond

R I E S T

L A K E

NORMAL POOL ELEVATION 2438



BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 97-07311)
IN THE NAME OF DEPT OF FISH & GAME) ORDER OF
REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before December 1, 1992; and,

WHEREAS, on December 1, 1992, the permit holder submitted proof of beneficial use; and,

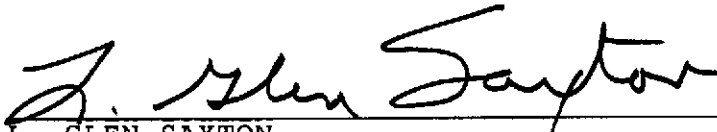
WHEREAS, the Department lapsed the permit in error; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause; and,

WHEREAS, the permit holder provided a reasonable showing why the permit should be reinstated by submitting a proof of beneficial use;

IT IS, THEREFORE, HEREBY ORDERED that permit no. 97-07311 be REINSTATED with no advance in priority.

Dated this 13th day of January, 1993.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MAY 24 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 97-07311

Proposed Priority: September 26, 1991 Maximum Diversion Rate: 0.50 CFS

This is to certify, that **STATE OF IDAHO**
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83807

has applied for a permit to appropriate water from:

UNNAMED STREAM tributary of **TWO MOUTH CREEK**

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>
RECREATION STORAGE	01/01 to 12/31		6.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.50 CFS	
	Totals	0.50 CFS	

LOCATION OF POINT(S) OF DIVERSION: NENW Sec. 26, Township 62N, Range 04W
BONNER County

PLACE OF USE: RECREATION STORAGE
TWN RGE SEC

62N 04W 26 NWNW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1992**.
2. Subject to all prior water rights.
3. Use of water under this right shall be non-consumptive.
4. The issuance of this permit in no way grants any right-of-way or easement across the land of another.

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

3rd day of December, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

JAN 02 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Idaho Department of Fish and Game Phone 765-3111
Post office address 2320 Government Way Coeur d'Alene Id. 83814
2. Source of water supply Unnamed Stream which is a tributary of Two Mouth Creek
FROM MAP TOX
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 26 Township 62N Range 4W B.M. Bonner County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .5 for Recreation purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 6 for Storage for recreation 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)
5. Total quantity to be appropriated is (a) .5 and/or (b) 6
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. Two ft. wide by 4 ft. deep concrete
astern buried in floodplain near stream Four in. PVC intake pipe
enters 3 ft. below ground. Buried line approx. 2500 ft. to pond.
- b. Height of storage dam None feet; active reservoir capacity None acre-feet; total
reservoir capacity est. 6 acre-feet; period of year when water will be diverted to storage:
Jan. 1 to Dec. 31 inclusive.
- c. Proposed well diameter is NA inches; proposed depth of well is NA feet.
- d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

RECEIVED
JAN 02 1992

JAN 02 1992

12. Remarks: *The stream from which water is diverted sinks before it reaches Two Heart Creek. On some maps it shows it as perennial.*
11. a. Who owns the property at the point of diversion? *Huckberry Boy Co.*
b. Who owns the land to be irrigated or place of use? *Huckberry Boy Co.*
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. *Huckberry Boy Co. and Idaho Dept. of Fish and Game have signed a Memorandum of Understanding (attached)*
10. Describe any other water rights used for the same purposes as described above. *None*

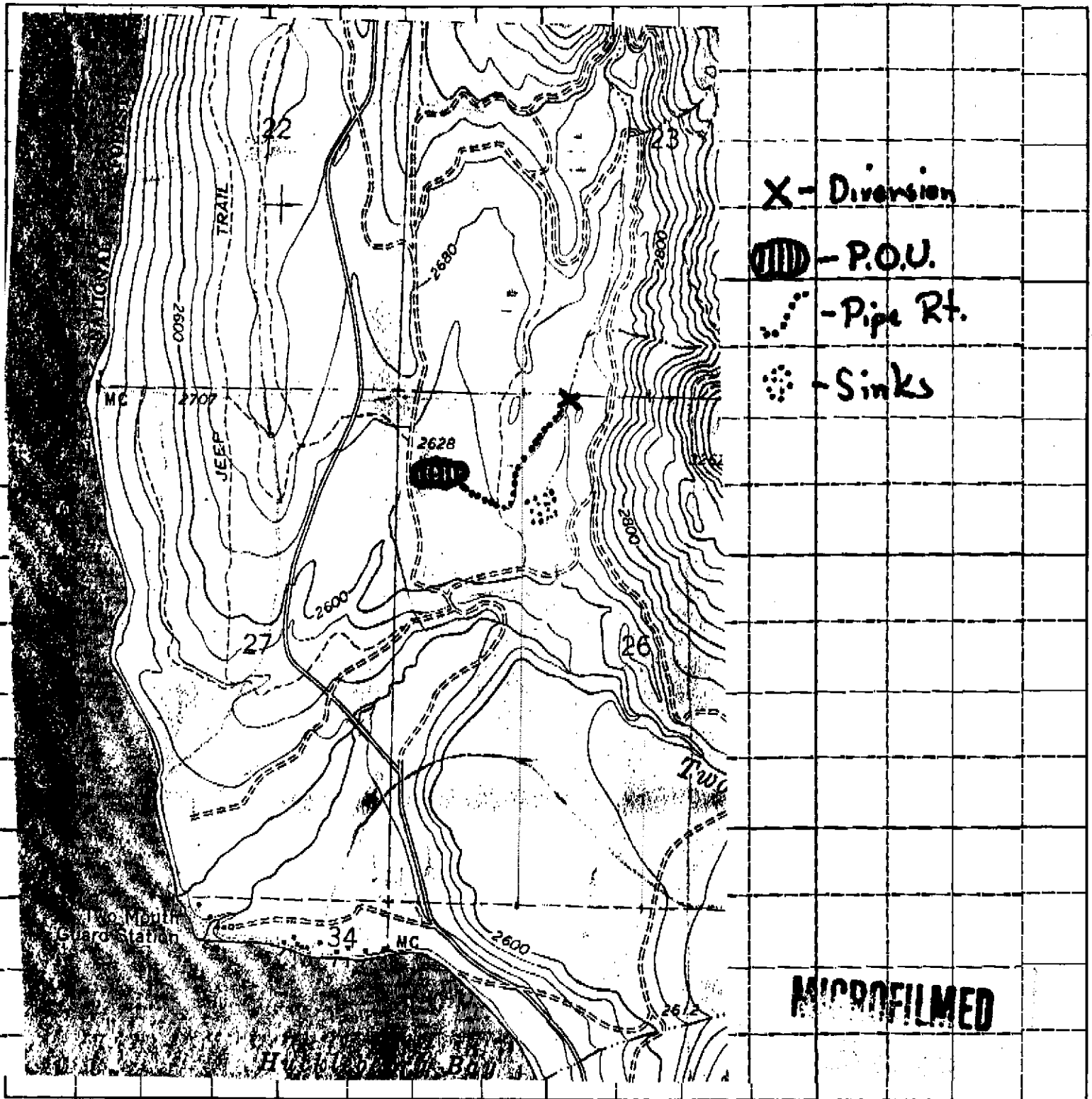
Total number of acres to be irrigated *NA*

TWP	RANGE	SEC.	NE 1/4			NW 1/4			SW 1/4			SE 1/4			NE 1/4			NW 1/4			SW 1/4			SE 1/4			TOTALS
			NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	
62N	4W	26																									5

From MAP - TDK

9. Description of place of use:
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.
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. *Water is used for irrigation water level and flow. Lake, an old borrow pit that has been converted to a fish and pond.*

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.

Ned J. Horner Regional
(Applicant) Fishery Manager

RECEIVED

JAN 02 1992

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	<i>DRH</i>	Date	9/26/91	Time	2:00 PM (for record)	Preliminary check by	<i>DRK</i>
Fee \$	45.00	Received by	<i>DRH</i>	#	N 4925	Date	9/26/91
Publication prepared by	<i>DRH</i>	Date	10/9/91	Published in	12/16/93/91		
Publication approved	<i>DRH</i>	Date	11/7/91				

MEMORANDUM OF UNDERSTANDING
BETWEEN
IDAHO DEPARTMENT OF FISH AND GAME
AND
HUCKLEBERRY BAY COMPANY

TO ESTABLISH AND MAINTAIN MOOSE LAKE FISHING POND

This Memorandum of Understanding (MOU) entered into between the Idaho Department of Fish and Game (hereinafter the Department) and Huckleberry Bay Company (hereinafter Huckleberry) is made in reference to the following facts:

RECITALS

A. The Department wishes to provided improved fishing opportunity for users of the north east side of Priest Lake, Bonner County, Idaho to replace opportunities lost to stream closures in the Priest Lake area.

B. Huckleberry owns property located in the Priest Lake area on which is located a former barrow pit known as the Moose Lake fishing pond (hereinafter pond) which seasonally floods at the level sufficient to maintain a catchable fish population.

C. Huckleberry is willing to cooperate with the Department to provide fishing opportunities in the pond.

D. The Department is willing to obtain the necessary permits and to help fund construction of a water diversion structure and pipeline the pond at year-round levels.

E. The Department is willing to continue to stock the pond with catchable fish on a regular basis to provide an ongoing fishing opportunity to the residents and users of Priest Lake.

RECEIVED
JAN 02 1992

F. Huckleberry is willing to allow the Department and the public day use of a limited portion of its property as mutually agreed upon between the Department and Huckleberry for the purpose of providing off-street parking and pedestrian access to the shoreline of the pond in order to enjoy the fishing opportunity so provided.

WHEREFORE, in consideration of the recitals stated above, the parties mutually agree as follows:

A. The Department will obtain all necessary permits for diversion of water for the purposes stated herein.

B. Huckleberry shall construct the improvements necessary for the diversion, limited public parking, pedestrian access, and such other amenities as Huckleberry deems desirable for the (Huckelberry-at-Priest-Lake) residents' and public's use.

C. The Department and Huckleberry will share in the cost of constructing these improvements as defined under separate challenge grant agreement.

D. The Department will stock the pond on an as-needed basis to provide an ongoing fishing opportunity for the public.

E. Huckleberry shall have the right to limit the public's access to only those designated areas leading directly to and around Moose Lake.

F. Huckleberry shall have the right to establish rules governing the use of Moose Lake to prevent damage to its private property.

G. The Department shall have the right of vehicular access to Moose Lake at any time for the purpose of stocking fish.

RECEIVED
JAN 02 1992

SECTION TWO

TERM

This agreement will be automatically renewed at the anniversary date of execution unless terminated by either party upon ninety (90) days written notice. Huckleberry shall terminate this agreement only in the event that public use does not remain limited to those areas as mutually agreed upon between Huckleberry and the Department or that serious physical damage is occurring due to the public's use of this property.

This MOU shall become effective upon the date of final signature and may be amended at any time by mutual agreement of the parties in writing.

IDAHO DEPARTMENT OF FISH AND GAME

HUCKLEBERRY BAY COMPANY

Robert W. Oetmann
(Name)
Regional Supervisor
Title
7/18/91
Date

David M. Bell
(Name)
President
Title
7/25/91
Date

RECORDED

JAN 02 1992

INTER-DEPARTMENT MEMO

TO: Rob SomasSUBJECT: Moose L.FROM: Ned HornerDATE: 8/4/91

Moose L. is a challenge grant project I started last year that used a different funding source than our Regional \$12,000. Paul knows the budget for this FY that the \$12,000 for HBC will come from.

The original copy of the Challenge Grant form and MOU for operating the pond needs to be sent in for payment to HBC. I don't know if you or Paul can handle this but someone needs to.

Now that I have signed MOU I will pursue obtaining water right for diversion structure. I'll be gone until 8/13 and need someone's help in moving this along.

() For your information

(X) Response required

HBC needs to get paid!

signature

MICROFILMED

JAN 02 1992

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Linda Remy
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 typemater
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

1164

as it was published in the regular and entire issue of said paper for a
period of two consecutive weeks, commencing on
the 16 day of October, 1991,
and
ending on the 23 day of October, 1991,
and that said notice was published in said newspaper proper, and not in
supplement form.

STATE OF IDAHO
COUNTY OF

On this 31st day of Oct in the year of 91, before me,
a Notary Public, personally appeared Linda Remy
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.

[Signature]
Notary Public for Idaho

Residing at [Signature]

My commission expires: 10/22/93

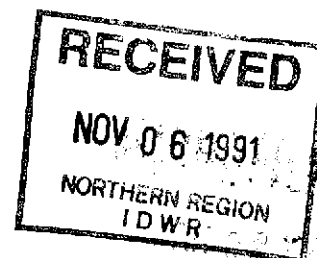
NOTICE OF APPLICATION FOR
WATER RIGHT
The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
97-07311

STATE OF IDAHO
DEPT. OF FISH & GAME
PO BOX 25
BOISE, ID 83807
Source: UNNAMED STREAM
Tributary: TWO MOUTH CREEK
Diversion Pt: NENW Sec 26T 62N R
04 W
Use: RECREATION STORAGE (6.00 AF); DIVERSION TO
STORAGE (.500 CFS)
Total Diversion: (.500 CFS)
Date Filed: 9/26/1991
In: T62N R04W S26 NWNW

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 NOVEMBER 4, 1991.

R. KEITH HIGGINSON, Director
#1164 Oct. 16, 23, 1991



JUL 12 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. _____

97-07311

1. Owner: Idaho Dept of Tech - same

Phone No. 208 (769-1914)

Current Address: 2320 Abnerman Way, Cien F. Alameda

2. Accompanied by: Un accompanied

EXAM DATE: 7-7-99

Address:

Phone No. _____

Relationship to Permit Holder:

3. Source: Unnamed Thuan

tributary to Two Mouth Creek

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:

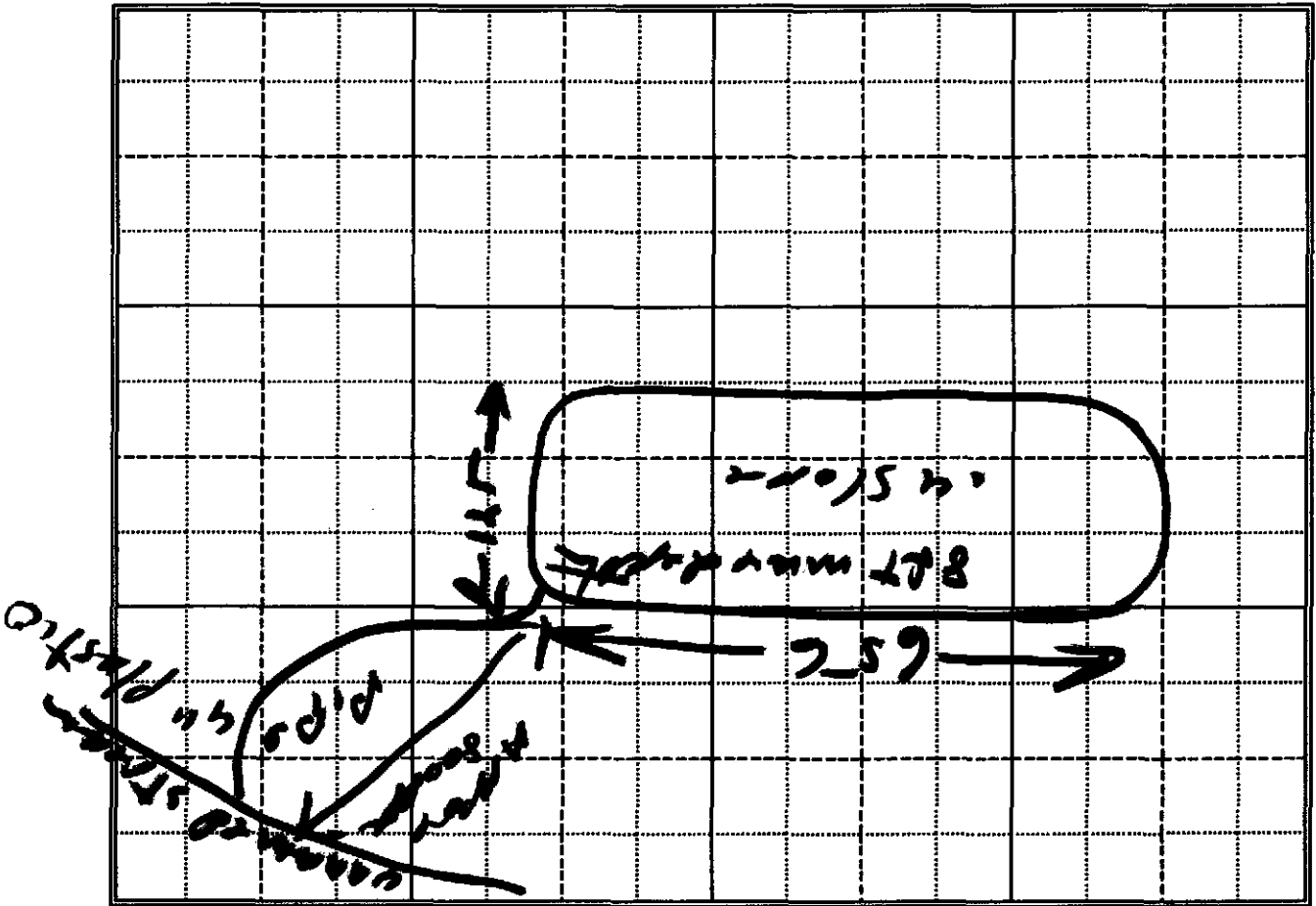
[illegible]

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well 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 of use (required).
 Photo of Diversion and System Attached

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

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

2. Measurements:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PERMIT REPORT SUPPLEMENT

PERMIT #

97-07311



PD

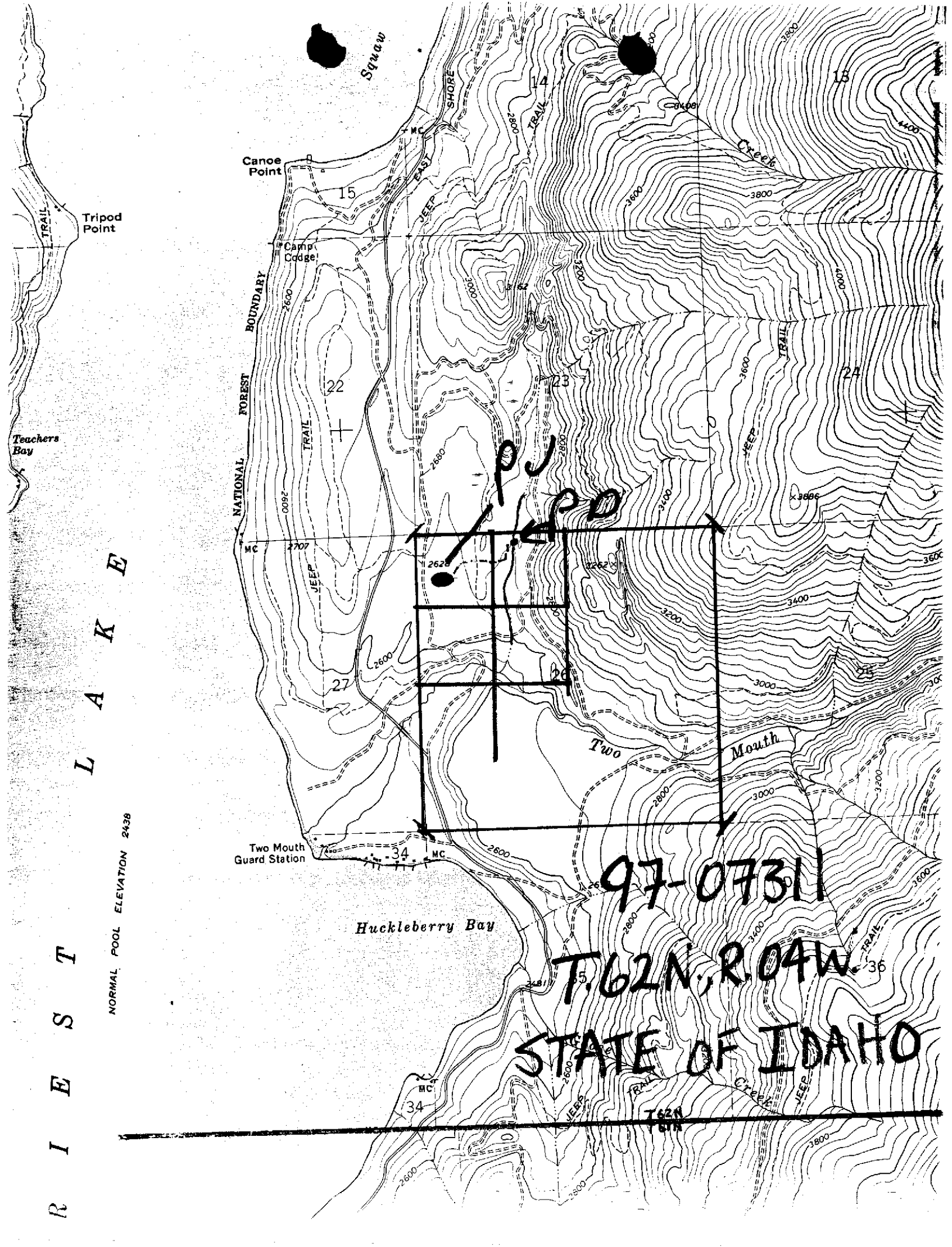
pu
outlet into
pond

pond

R I E S T

L A K E

NORMAL POOL ELEVATION 2438



97-07311
T.62N, R.04W
STATE OF IDAHO

E. NARRATIVE/REMARKS/COMMENTS

4" plastic pipe runs from point of diversion approx 80ft to moose lake.

The photos were taken on the first visit to lake Sept of 97. As you can see there was no flow at that time. I revisited this site spring of 98 lake level was too high to gain access to area where diverted water enters. On 7-7-99 I revisited, was able to access this area and make measurement. If it flows harder in early spring I don't know. It was flowing at full pipe at time of measurement.

Have conditions of permit approval been met? L yes no

F. FLOW CALCULATIONS

Measured Method:

5 gal bucket
 120 x .133681 = 0.067 cfs = .3 cfs
 60
 Additional Computation Sheets Attached
 5 gal bucket
 120 gpm

G. VOLUME CALCULATIONS

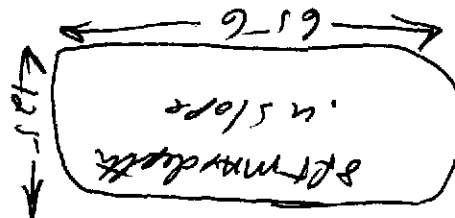
1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

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

2. Volume Calculations for Other Uses:



$$61.6(42.5)(8)(.4) = 6 \text{ ac}$$

$$43560$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	From	To	Period of Use	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Recreation Storage	0-1	12-31	12-31	.3	600
Run To Storage	01-01	12-31	12-31	.3	600
Totals:					

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Wayne Becker Date 7-9-99
 Reviewer _____ Date _____

SEAL



RECEIVED
OCT 24 1994
Department of Water Resources

IDAHO FISH & GAME

PANHANDLE REGION
2750 Kathleen Avenue
Coeur d'Alene, Idaho 83814

Phone (208) 769-1414 • Fax (208) 769-1418

Cecil D. Andrus / Governor
Jerry M. Conley / Director

October 21, 1994

Water Allocation Bureau
Department of Water Resources
1301 N. Orchard Street
Boise, ID 83706

97-7311

Dear Sir or Madam:

For your records, please note that we have moved to a new location and our address has changed from 2320 Government Way to:

IDAHO DEPARTMENT OF FISH AND GAME
2750 KATHLEEN AVENUE
COEUR d'ALENE ID 83814
Ph (208)769-1414 FAX (208)769-1418

Thank you for your attention.

Sincerely,

Karen Huber
Sr. Secretary/Office Coordinator

:kh
Second Notice

Computer updated
10/25/94
SC



January 15, 1993

STATE OF IDAHO
DEPT OF FISH & GAME
2320 GOVERNMENT WAY
COEUR D ALENE ID 83814

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 97-07311

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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)765-4639.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

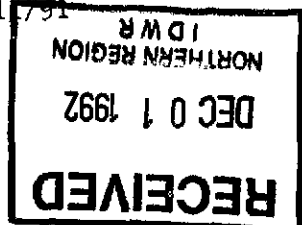
c: IDWR - Region

Enclosure

MAILED
MAY 24 1993

1/7/91

OFFICE USE ONLY

Amt. of Fee \$ 50.00Date 12/1/92Receipt No. N-6177Receipt by ABN-622550.0011/7/93

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

1. Permit No. 97-07311 Telephone No. 765-3111
2. Name(s) of Permit Holder(s): Idaho Dept. of Fish and Game
3. Mailing Address: 2320 Government Way, Coeur d'Alene, ID
4. Source of Water: Unnamed tributary to Two Mouth 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 _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (No. of acres) Other Recreational Storage - Fishing Pond

6. Total rate and/or volume for which proof is submitted .5 cfs OR 6 acre/feet

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

Measuring device: Required? ____ Yes ✓ No Installed? ____ Yes ____ No

OR

Flow Measurement Port: Required? ____ Yes ✓ No Installed? ____ Yes ____ No

8. Fee Enclosed: \$ 100.00 (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.

Ned Horner 765-3111
Name Telephone No.

Idaho Dept. of Fish & Game 2320 Government Way Coeur d'Alene, ID 83814
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.

12/1/92
Date

U. S. L. Environmental Staff Biologist
Signature (and title, if on behalf of a company or organization)

MAY 24 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 97-07311

Reviewed by Klg

Date 12/8/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
no Address same as permit?
yes Proof timely received?
If not, complete calculation below.

Recreational Stg
Correct Uses? _____

SOURCE OF WATER

✓ Surface water source
Ground water source

NA Drilling permit required?

✓ Copy in the file? Drilling Permit No. _____

✓ Amount paid for permit _____ Correct?

✓ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100-50 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due _____ - _____
No. of days late _____ = _____
Priority Date _____ + _____
New Priority Date ✓

DEFICIENCIES OR ACTION ITEMS

*Lapsed in error
need an additional \$50*

proof acceptable

DATA ENTRY

New Address 2320 Goot way 1043 Klg CPA-83814 Proof Made 12/1/92
1/15/93 Klg *needs an order*



IDAHO FISH & GAME

REGION 1

2320 Government Way
Coeur d'Alene, ID 83814-3683
(208) 765-3111

RECEIVED

JAN 11 1993

Department of Water Resources

January 7, 1993

Ms. Karen Gustafson
Idaho Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, ID 83720-9000

Dear Karen:

REFERENCE: 97-07311 MOOSE LAKE

Thanks for your notification of the circumstances surrounding the Proof of Beneficial Use for this water right.

At this time we have decided to file for the 0.5 cfs flow, which will require the additional \$50.00 fee. Prior to the Christmas holiday, we sent a request for this sum from the Rotary Fund. This money has been received, and forwarded to the field office in Coeur d'Alene.

Please advise me if additional action is necessary.

Thanks!

Sincerely,

Charles E. Corsi
Environmental Staff Biologist

CEC:kh

C: Natural Resource Policy Bureau

Cecil D. Andrus / Governor
Jerry M. Conley / Director

Equal Opportunity Employer



Working for wildlife - since 1938

MAY 24 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

December 21, 1992

Mr Chip Corsee
Dept of Fish and Game
2320 Government Way
Coeur d'Alene, ID 83814

Re: Permit No. 97-07311

Dear Permit Holder:

The Department is in receipt of the Proof of Beneficial Use form submitted to this office in connection with the above referenced permit (copy enclosed). Unfortunately, it is unacceptable as filed. It indicates the total rate of diversion of water to be 0.50 cfs.

When the total maximum rate of diversion is greater than 0.04 cfs, a license examination fee is required to be submitted with the proof. A license examination fee based on a rate of flow of 0.50 cfs is \$100. Note the back of the enclosed instruction sheet/fee schedule.

However, it looks as though the proof was originally submitted for 0.20 cfs which would require the \$50 fee that you have already submitted.

Please notify the Department as to your intent. If you wish to file for 0.20 cfs, I will make the necessary changes to the proof form and continue with the analysis. If you wish to file for 0.50 cfs, as your permit allows, please submit an additional \$50 license exam fee. The Department will hold the proof and original \$50 fee for 20 days to allow you time to clarify the situation.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosures

MAY 24 1993

December 7, 1992

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

LAPSE NOTICE

RE: PERMIT NO. 97-07311

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated September 30, 1992. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 12/7/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

klg
ENCLOSURE

NOV 14 1992

September 30, 1992

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83807

PROOF DUE NOTICE

RE: PERMIT NO. 97-07311

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

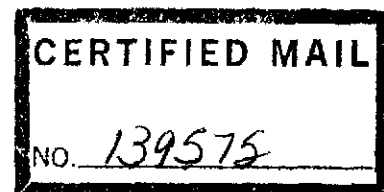
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



SEP 30 1992



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 5, 1991

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83807

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 97-07311

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.

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,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

MICROFILMED
JAN 02 1992

APPLICATION FOR PERMIT REVIEW

Application #: 97-7311
 Date: 12-02-91

Reviewer: Pam Skaggs

✓Existing:

✓No - 26A-P17

✓Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - N/A

Groundwater:

GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)

LT. 0.2 cfs - N/A

Drilling Permit:

Approved w/permit - P99

Not included - 046-P23(All GW, even existing wells)

✓Location:

✓Water Districts - WD No. _____

Surface water - 005, 005-01H-P01(LT.2 w/pump)

005-01J-P08(GT.2)

Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

✓Swan Falls Flag - _____(1, Blank or Other)

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

Non Trust - 048-049

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 05A & 11E

Payette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

✓Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),

042(req.), 002-P06(MD), 07A(Spec.),

044(Policy 5G)

Power - Use Power Review

Mining - 06A, 010, or 09E-P10 & 054(req.)

✓Storage - 18A-for multiple measuring devices(In WD),

18B-P09(Size)

✓Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

✓Ownership:

✓Non land owner - 004

Protested:

Agreement - 020

✓Beneficial Use Due Date: - 12-01-1992

Other Conditions Recommended _____

MICROFILMED

JAN 02 1992

No. a
4/87-4/91n

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: TRH DATE 8/20/91 APPLICATION NUMBER: 97-7311

APPLICANT: FEI

REQUIRED INFORMATION

- (1). ☒ Name and Address:
(2). ☒ Source:
(3). ☐ Point of diversion including county:
(4). ☒ Quantity:
 ☒ Nature of proposed use:
 ☒ Period of use:
(5). ☒ Total Quantity:
(6). ☒ Description of diverting works:
 ☒ Dam application: Required? yes(), No(): Received? yes(), No():
(7). ☒ Time required for beneficial use of water:
(8). ☒ Proposed uses:
(9) TRH ☒ Place of use or acres irrigated:
(10). ☒ Other Water Rights:
(11). ☒ Ownership:
(13). ☒ Map:
 ☒ Signature:
 ☐ Fee: (Amount, receipt number and date recorded on application)
 ☒ Overlap Review: Attachments? (Y)___ (N)___ Remarks: (Y)___ (N)___
 ☒ Acknowledgment Letter:

RECEIVED
NOV 18 1991

Department of Water Resources

ADDITIONAL INFORMATION

- Yes No
___ ☒ Field check: Checked by: _____ Field report attached ___
___ ☒ Diversion greater than 5 cfs of 500 af, Supplemental Analysis Sheet Attached:
___ ☒ Critical ground water area:
___ ☒ Groundwater management area:
___ ☒ Well Drilling permit required: Permit number _____ -N- _____
___ ☒ Send letter for; ()WD permit and fees: ()Dam information: ()Fish information:
 ()Power information:

Processing

- Yes No
☒ In form for advertising: Proposed priority date 9/26/91
☒ Statewide advertising: (10.00 cfs or more, 1,000 afa or more.)

Send Copies to

	Yes	No		Yes	No		Yes	No
Adj. Bureau	___	☒	Idaho H & W	___	___	USFS	___	___
GW Prot. Div	___	☒	Coeur d'alene	___	☒	Panhandle N. F.	___	☒
			Lewiston	___	☒	Coeur d'alene	___	☒
Idaho F & G			BLM	___	☒	Clearwater N. F.	___	☒
Coeur d'alene	___	☒				Orofino	___	___
Lewiston	___	☒	US Corps. of Eng.	___	☒	Nez Perce N. F.	___	___
Dept. Lands	___	☒	Other _____			Grangeville	___	☒

Application Number 97-7311

FINAL REGIONAL PROCESSING REVIEW

YES NO

 Additional information received:

____/____ Notice of pending void order issued: Final date of order response. _____

 Comments added

 Maps Copied

✓ Affidavit of publication received:

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

1 Publication dates and paper recorded on application:

Protests received, Final date for protest 11/4/91

_____ Recommendations attached:

_____ Measuring device required:

_____ Measuring port required:

___ ___ Water delivered by water master? District # _____

____ Special conditions of approval or cover letter: (see additional info. below)

Approval Recommended by: PJA Date 11/14/91

STATE OFFICE REVIEW

See remarks for additional information. By _____ Date _____

REMARKS

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83807

Source: UNNAMED STREAM

Tributary: TWO MOUTH CREEK

Diversion Pt: NENW Sec 26 T 62N R 04W

```

Use: RECREATION STORAGE ( 6.00 AF)
    DIVERSION TO STORAGE ( .500 CFS)
        Total Diversion: ( .500 CFS)

```

Date Filed: 9/26/ 1991

In: T62N R04W S26 NWNW

RECEIVED
JAN 02 1992

October 17, 1991

Idaho Department of Fish & Game
2320 Government Way
Coleur d'Alene, Id. 83814

Re: Appropriation Application # 95-08669

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, as well as the required appropriation filing fee, for which your Receipt is enclosed. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

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

If the application is not protested it will be forwarded to Boise to be considered for approval by the Director. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

Tom D. King
Sr. Water Resource Agent

Enc: Receipt

MAILED

JAN 02 1992