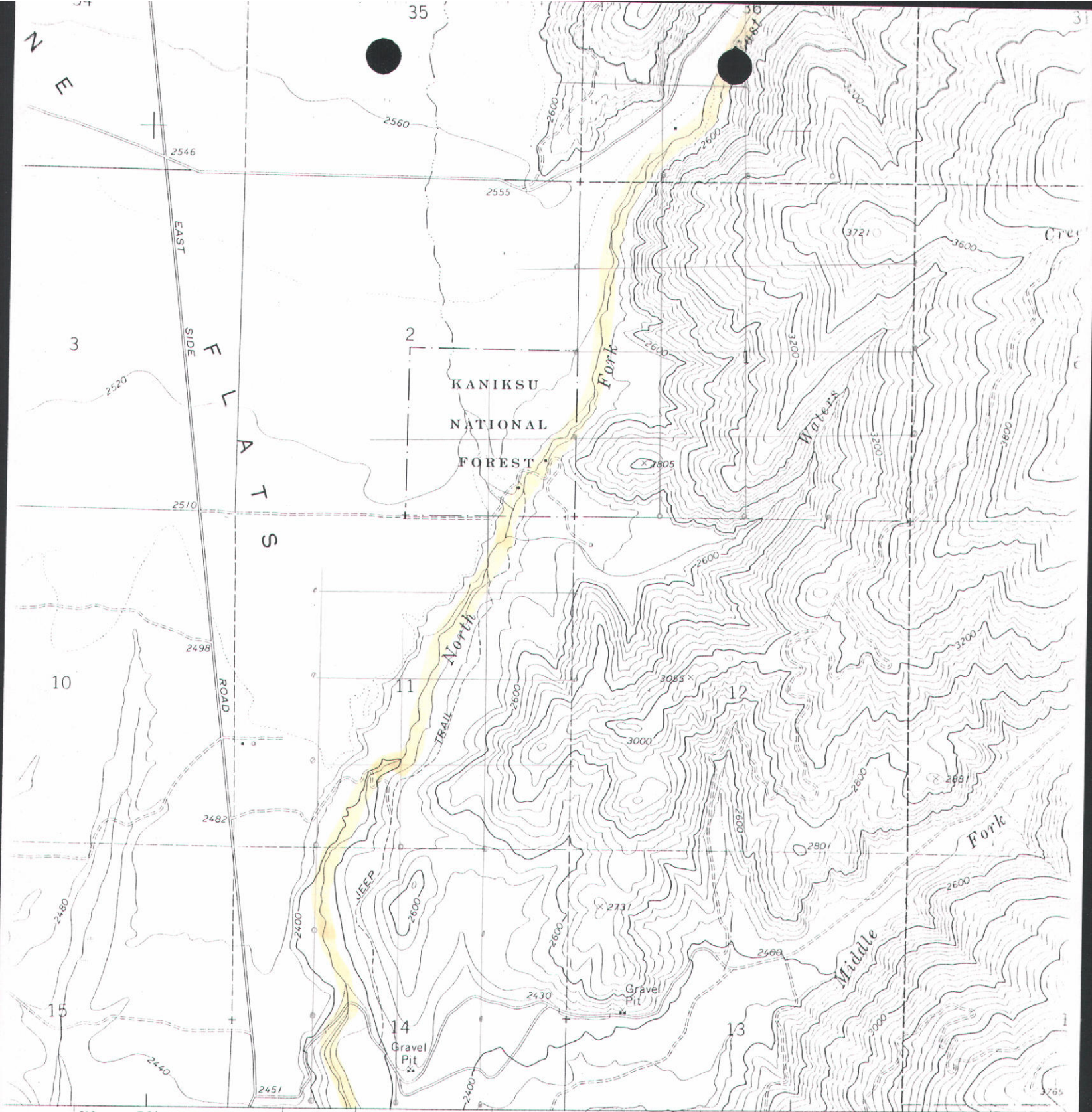
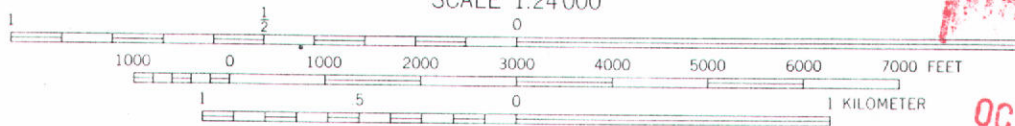


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(PRATER MTN.)
2680 IV SE
SCALE 1:24 000



CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT 20-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

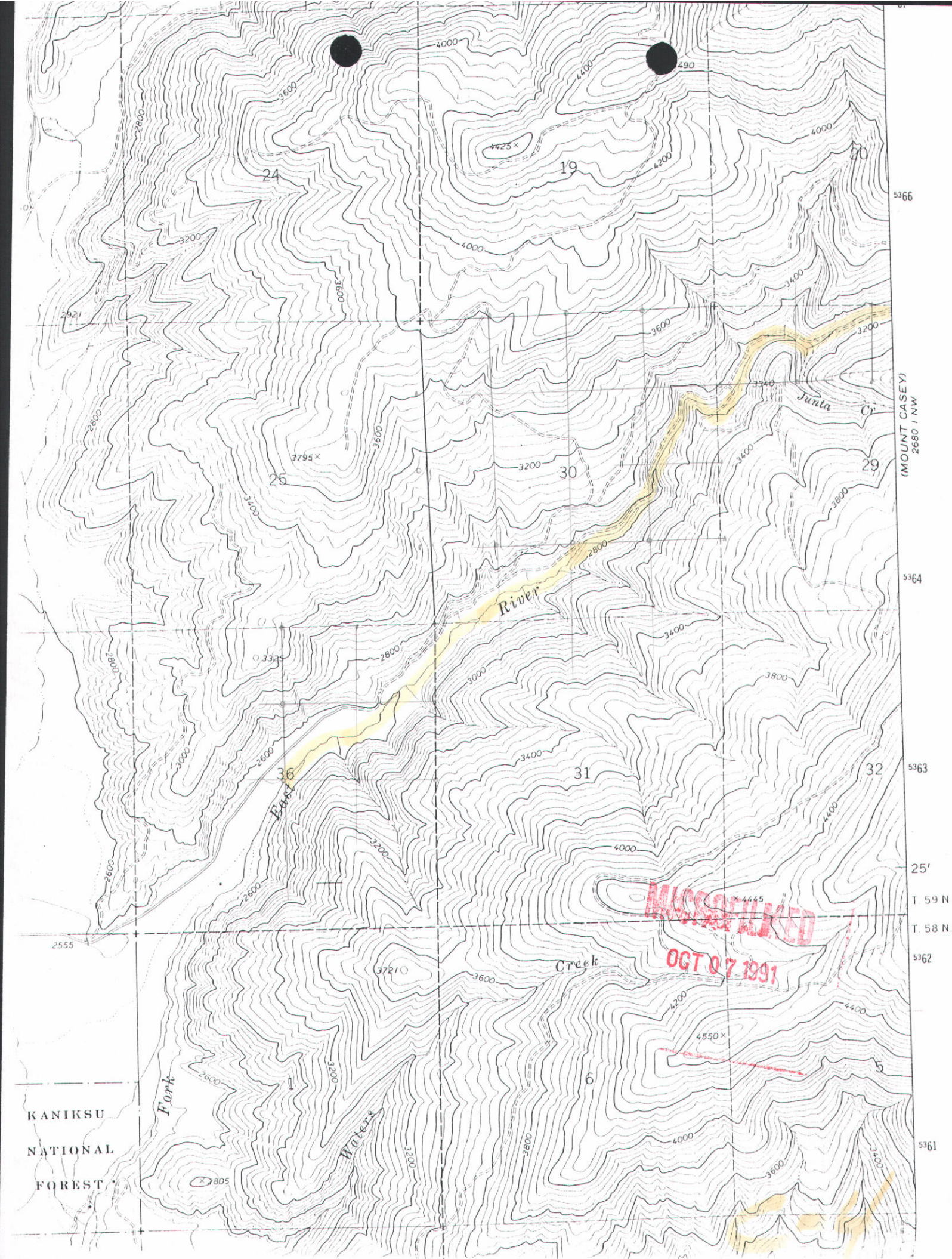
MN
21°
373 MILS
MAGNETIC NORTH
OF SHEET

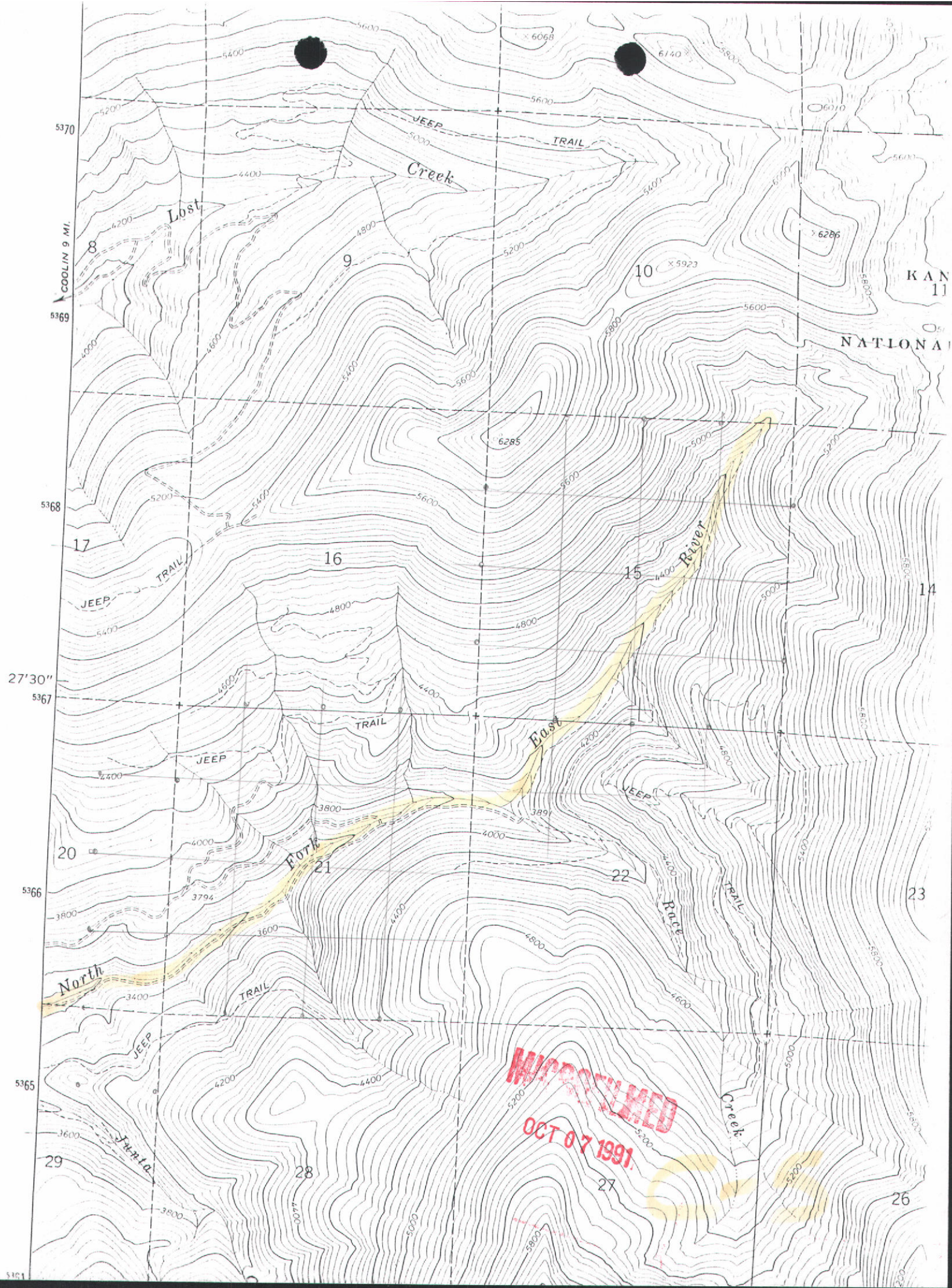
OCT 07 1991

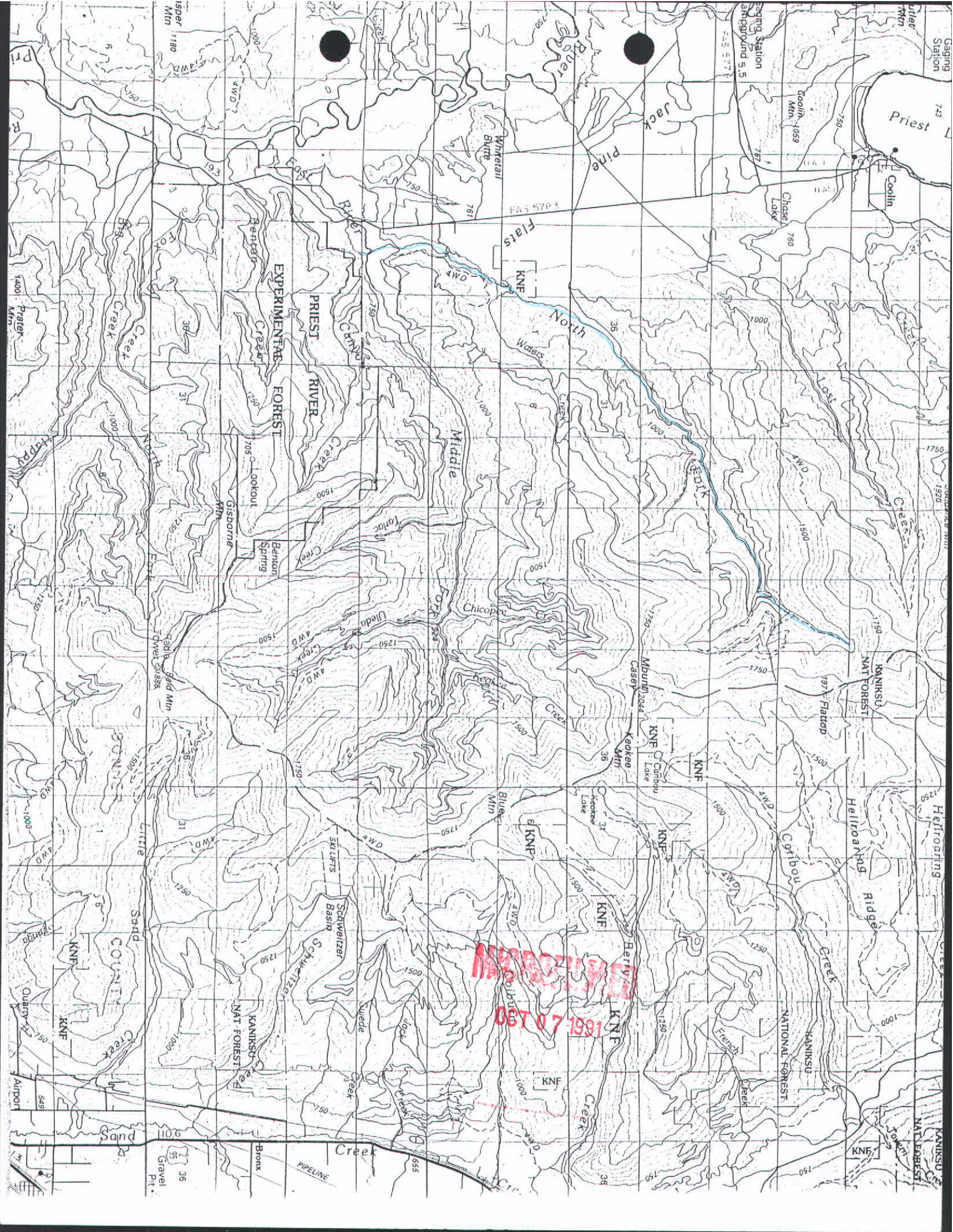


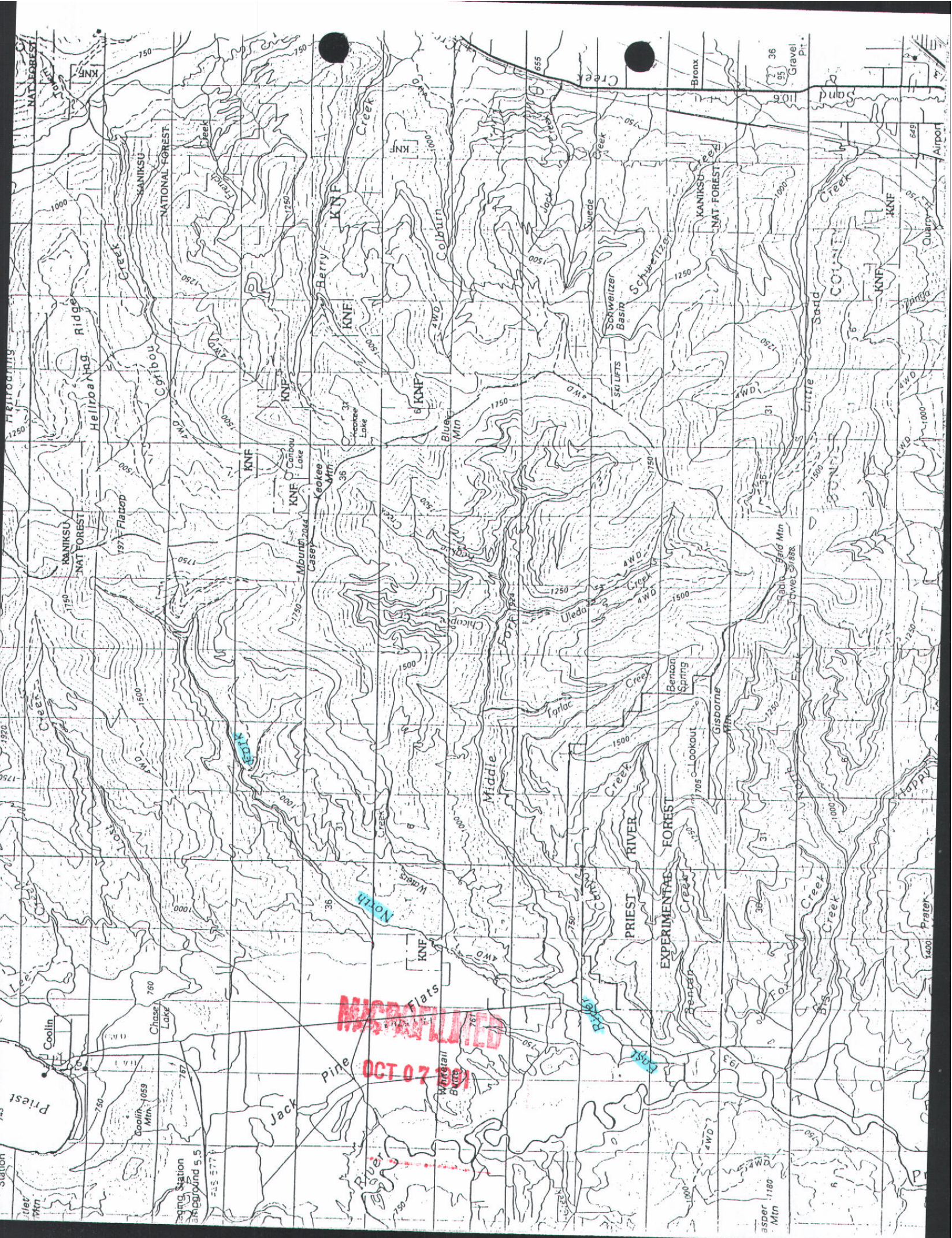
QUADRANGLE LOCATION

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

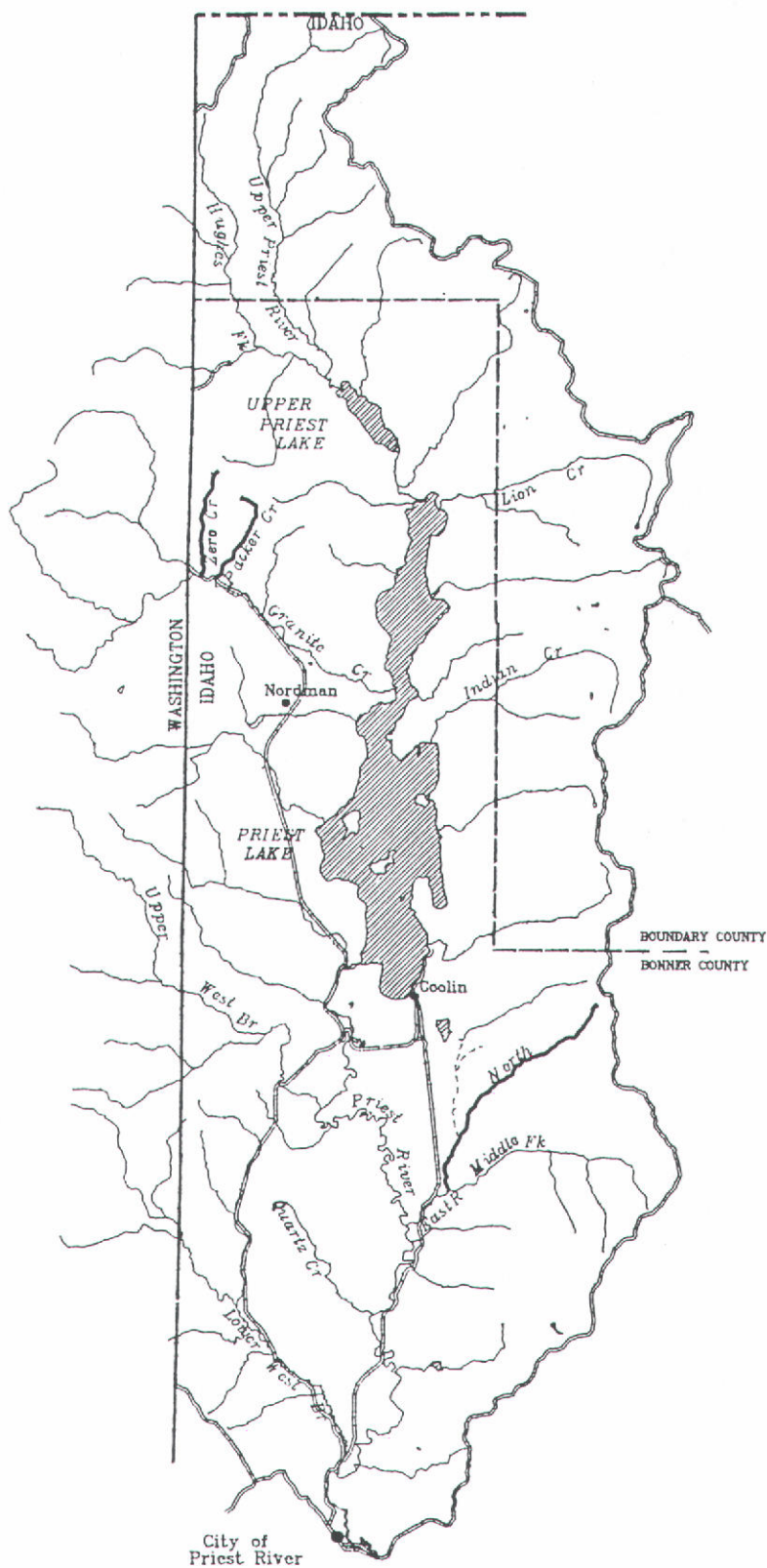








CANADA



UNRECORDED

APR 22 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 97-07308

Priority: November 9, 1990

This is to certify, that STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

STATEHOUSE MAIL

BOISE ID 83720

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 9, 1990; and has submitted Proof of Beneficial Use on March 2, 1994. A minimum stream flow in

EAST RIVER, NORTH FORK tributary to EAST RIVER

has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE</u>
MINIMUM INSTREAM FLOW	07/01 to 03/31	18.00 CFS
MINIMUM INSTREAM FLOW	04/01 to 06/30	70.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

Beginning of Stream Flow Reach

End of Stream Flow Reach

SESE , Sec. 10, Township 59N, Range 03W

NENW , Sec. 23, Township 58N, Range 04W

BONNER County

CONDITIONS/REMARKS:

1. This right is subject to all prior water rights.
2. Use of water under this right shall be non-consumptive.
3. Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file issued by the Director under provisions of Chapter 2, Title 42, Idaho Code, with a priority of the water right dated earlier than 11/09/90, the priority date of this right.
4. Upon the future finding and order of the Director that gauging stations are required to maintain the approved minimum flows on East River, North Fork and its tributaries, such measuring devices shall be permanently installed as specified by the Department.

DEC 15 1994

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

WATER RIGHT NO. 97-07308

CONDITIONS/REMARKS:

5. The Director retains jurisdiction to review and amend any and all parameters of this right. The Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to the right. The petition must set forth any significant change in circumstances and evidence of public interest supporting the proposed amendment. The Director will notify the general public and specific persons or known interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the right should be amended in the public interest. The burden of proof at the hearing shall be upon the person or parties seeking the amendment to establish that the amendment of the right would be in the public interest.
6. This minimum stream flow is for the entire length of the North Fork of East River from its headwaters in the SESE, S10, T59N, R3W, downstream approximately 9.25 miles to its confluence with the Middle Fork of East River in the NENW, S23, T58N, R4W.
7. The purpose of this instream flow is for the protection of fish and wildlife habitat.

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 11TH day of OCTOBER, 1994.

Acting for R. Keith Higginson, Director

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MAR 02 1994

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 97-07308 Telephone No. 208-327-7910
2. Name(s) of Permit Holder(s): IDAHO WATER RESOURCE BOARD
3. Mailing Address: Statehouse, Boise, ID 83720
4. Source of Water: East River, North Fork

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 Minimum Instream Flow

6. Total rate and/or volume for which proof is submitted 70 cfs OR _____ acre/feet

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

Measuring device: Required? _____ Yes x No Installed? _____ Yes x No

OR

Flow Measurement Port: Required? _____ Yes _____ No Installed? _____ Yes _____ No

8. Fee Enclosed: \$ NA (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.

Name _____ Telephone No. _____

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.

APR 22 1994

2/28/94
Date

E. Don Gyalach Chair I.W.R.B.
Signature (and title, if on behalf of a company or organization)

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT)
) ORDER ADOPTING
NO. 97-7308 IN THE NAME OF THE IDAHO) PROPOSED MEMORANDUM
) DECISION AND ORDER
WATER RESOURCE BOARD)
_____)

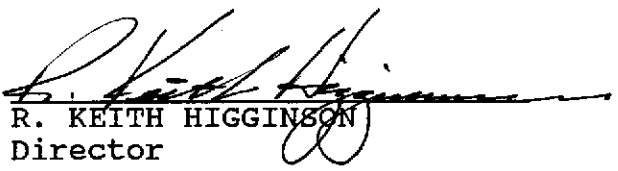
A Proposed Memorandum Decision and Order in the above-captioned matter has been issued and a copy served on the parties;

WHEREAS, more than fifteen days have passed since the service of the Proposed Memorandum Decision and Order; and,

WHEREAS, no exception to that Proposed Memorandum Decision and Order has been received;

IT IS, THEREFORE, HEREBY ORDERED that said Proposed Memorandum Decision and Order be adopted and issued as the Final Decision and Order.

Dated this 29TH day of August, 1991.


R. KEITH HIGGINSON
Director


OCT 07 1991

CERTIFICATE OF MAILING

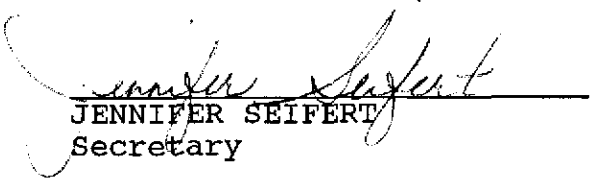
I hereby certify that on this 3rd day of September, 1991,
I mailed a true and correct copy of the Order Adopting Proposed
Memorandum Decision and Order, postage prepaid, to the following
individuals:

Cindy Robertson
Idaho Department of Fish & Game
Statehouse Mail
Boise, ID 83720

Dave Rydalch
Idaho Water Resource Board
Rt. 2, Box 108
St. Anthony, ID 83445

Bill Graham - IDWR

Bill Platts
Idaho Water Resource Board
1603 Sunrise Rim Rd.
Boise, ID 83705


JENNIFER SEIFERT
Secretary

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BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT
FOR MINIMUM STREAMFLOW NO. 97-07308 IN THE
NAME OF THE IDAHO WATER RESOURCES BOARD

ORDER ISSUING
PROPOSED MEMORANDUM
DECISION

R. Keith Higginson, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by this appointee, Gary Spackman, who conducted the hearing or who has read the record in this case, hereby approves the same as a proposed decision pursuant to Idaho Code, Sec. 67-5211.

Each party to these proceedings who appeared at the hearing is given the opportunity, pursuant to Idaho Code, Sec. 42-1701A and 67-5211, to file exceptions to the proposed decision and to present briefs and oral arguments. If no timely and proper exceptions are received, an order by the Director will be entered adopting the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,

2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and

3. be sent to each of the parties who appeared or their attorneys.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. All response briefs to the exceptions must be filed with the Director within 15 days after the exceptions were served upon the responding party.

OCT 07 1991

III.

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exception.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral argument in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposed decision shall be heard at the discretion of the Director, pursuant to Idaho Code, Sec. 42-1701A. If oral arguments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

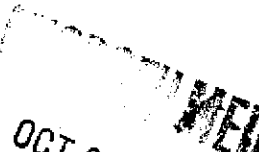
V.

FINAL DECISION

Following the submission of all exceptions, briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

Dated this 15th day of July, 19 91.


R. KEITH HIGGINSON
Director


OCT 07 1991

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT FOR)
MINIMUM STREAMFLOW NO. 97-07308 IN THE) PROPOSED MEMORANDUM
NAME OF THE IDAHO WATER RESOURCE BOARD) DECISION AND ORDER

A hearing was held as required by Idaho Code § 42-1503 on April 22, 1991, in Priest River, Idaho. Evidence having been taken, the hearing officer, appointed to represent the Director of the Department of Water Resources, proposes the following findings, conclusions and order:

FINDINGS OF FACT

1. In October, 1991, the Idaho Water Resource Board adopted the Priest River Basin Comprehensive Plan. The legislation adopting the plan was approved by the Idaho Legislature and signed by the Governor in the spring of 1991.

2. The Priest Lake Plan called for establishment of minimum streamflows on the North Fork East River because of its natural undeveloped state, and also because of its salmonid spawning and rearing habitat.

3. The Idaho Water Resource Board filed application no. 97-7308 requesting minimum streamflows to protect fish and wildlife habitat, and specifically, spawning and rearing habitat for salmonid species.

OCT 07 1991

4. Testimony at the hearing established that North Fork East River is a spawning river for fish migrating out of Priest River, and also maintains a substantial resident fish population.

5. The minimum streamflow sought of 18.0 cubic feet per second (cfs) from July 1 through March 31, and 70.0 cfs from April 1 through June 30, is capable of being maintained approximately 50 percent of the time.

6. North Fork East River is an important fishery resource because it is one of the few streams in the Priest Lake Basin that is open for fishing. Many of the other streams have been closed to protect important spawning runs migrating out of Priest Lake. It is important that the stream levels are maintained sufficiently high to accommodate a viable fishery capable of producing catchable, harvestable fish.

7. The minimum streamflow sought must be maintained to preserve a fishable salmonid resource. Adoption of the Priest Lake Plan, which calls for minimum streamflows on the North Fork East River, confirms that the proposed minimum streamflows are in the public interest.

CONCLUSIONS OF LAW

1. Idaho Code § 42-1503 sets forth the criteria to be considered by the Department in reviewing an application for minimum streamflow:

Upon the conclusion of the hearings and completion of any investigation conducted by the director, he shall enter his findings in writing approving the application in whole, or in part, or upon conditions or rejecting said application.

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Approval if any such application must be based upon a finding that such appropriation of minimum streamflow:

- (a) will not interfere with any vested water right, permit, or water right application with priority of right date earlier than the date of receipt in the office of the director of a complete application for appropriation of minimum streamflow filed under the provisions of this act;
- (b) is in the public, as opposed to the private, interest;
- (c) is necessary for the preservation of fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, navigation, transportation, or water quality of the stream;
- (d) is the minimum flow or lake level and not the ideal or most desirable flow or lake level; and,
- (e) is capable of being maintained as evidenced by records of streamflows and water levels and the existing and future establishment of necessary gauging stations and bench marks.

2. The minimum streamflow is necessary for the maintenance of fish and wildlife habitat, including spawning, rearing and habitat sufficient to maintain an angling sport fishery.

3. The minimum streamflow is in the public interest.

4. The minimum streamflow is capable of being maintained.

5. The minimum streamflow sought is a minimum streamflow to preserve the valuable angling fishery.

6. The minimum streamflow will not injure other water users.

ORDER

IT IS HEREBY ORDERED that application for permit no. 97-7308 is APPROVED subject to the following conditions:

1. Use of water under this permit shall recognize and allow the continued beneficial diversion of water under any prior

OCT 07 1991

existing water right established by diversion and application to beneficial use or by an application, permit, or license on file issued by the Director under provisions of Chapter 2, Title 42, Idaho Code, with a priority of the water right dated earlier than November 9, 1990, the priority date of this permit.

2. The use of water under this permit shall be non-consumptive.

3. Upon the future finding and order of the Director that gauging stations are required to maintain the approved minimum flows on North Fork East River and its tributaries, such measuring devices shall be permanently installed as specified by the Department.

4. Proof of instream beneficial use of the minimum streamflow appropriation may be submitted to the Department immediately following final approval of this permit by the legislature, but in no case shall be submitted after five (5) years following final approval by the Idaho Legislature.

5. The Director retains jurisdiction to review and amend any and all parameters of this permit and subsequent license. Any person seeking review and amendment of the permit or license shall file a request with the Board which request shall include the amendment sought, the reasons for the amendment and a statement of the change in circumstances since the permit or license was issued or last reviewed that merit a review of the permit or license. A copy of the petition shall be served upon

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OCT 07 1991

the Director of the Department of Water Resources. The Board may petition the Director for an amendment to the permit or license. The petition must set forth any significant change in circumstances and evidence of public interest supporting the proposed amendment. The Director will notify the general public and specific persons or parties known to be interested in the proposed change, and conduct a hearing for the purpose of determining whether the permit or subsequent license should be amended in the public interest. The burden of proof at the hearing shall be upon the person or parties seeking the amendment to establish that amendment of the permit or license would be in the public interest.

Dated this 15th day of July, 1991.


GARY SPACKMAN, Hearing Officer
Department of Water Resources

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OCT 07 1991

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of July, 1991, I mailed a true and correct copy of the Proposed Memorandum Decision and Order, and the Order Issuing Proposed Memorandum Decision, postage prepaid, to the following individuals:

Cindy Robertson
Idaho Department of Fish & Game
Statehouse Mail
Boise, ID 83720

Dave Rydalch
Idaho Water Resource Board
Rt. 2, Box 108
St. Anthony, ID 83445

Bill Graham - IDWR

Bill Platts
Idaho Water Resource Board
1603 Sunrise Rim Rd.
Boise, ID 83705


JENNIFER SEIFERT
Secretary

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

97-07308
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NOV 09 1990

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

1. Name of applicant Idaho Water Resource Board Phone (208) 327-7900
Post office address Statehouse Mail, Boise, ID 83720
2. Source of water supply North Fork East River which is a tributary of East River
3. Location of point of diversion is _____ $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 10 Township 59N Range 3W B.M. Bonner County; additional-
downstream to its confluence with the Middle Fork East River in the NE1/4
points of diversion if any: NW1/4, Section 23, T58N, R4W, B.M., Bonner County.
4. Water will be used for the following purposes:
Amount 18 cfs for min. streamflow purposes from July 1 to March 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 70 cfs for min. streamflow purposes from April 1 to June 30 (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) _____ and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. N/A
 - b. Height of storage dam N/A 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 N/A inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? N/A
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

OCT 07 1991

1990

River from its headwaters in the SE1/4SE1/4, Section 10, T59N, R3W, B.M., downstream approximately 9.25 miles to its confluence with the Middle Fork East River in the

applicant to make this filing.

b. Who owns the land to be irrigated or place of use? Mostly within lands administered by the

10. Describe any other water rights used for the same purposes as described above. None

[illegible]

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

e. Other; describe fully. To maintain aquatic habitat for fish spawning and rearing.

d. Domestic; show number of households.

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.

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

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. To maintain aquatic habitat for fish spawning and rearing

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
59N	3W	10																X	
		15	X		X						X			X		X			
		22					X	X	X										
		21			X	X				X	X	X	X						
		20															X	X	
		29		X			X	X	X										
		30				X							X	X	X	X	X		
		31						X											

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? N/A

b. Who owns the land to be irrigated or place of use? Mostly within lands administered by the Idaho Department of Lands.

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

12. Remarks: The minimum streamflow is for the entire length of the North Fork East River from its headwaters in the SE1/4NE1/4, Section 10, T59N, R3W, B.M., downstream approximately 9.25 miles to its confluence with the Middle Fork East River in the NE1/4NW1/4, Section 23, T58N, R4W, B.M.

OCT 07 1991

13. Map

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. To maintain aquatic habitat for fish spawning and rearing

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
59N	4W	36	X		X	X					X	X	X	X					
58N	4W	1						X	X			X							
		2													X			X	
		11	X	X	X						X			X		X			
		14					X			X	X			X					
		23					X												

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? N/A

b. Who owns the land to be irrigated or place of use? Mostly within lands administered by the Idaho Department of Lands.

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

The minimum streamflow is for the entire length of the North Fork East
waters in the SE1/4NE1/4, Section 10, T59N, R3W, B.M., downstream
confluence with the Middle Fork East River in the

proposed point of diversion, place

ATTACHMENT TO APPLICATION FOR PERMIT
TO APPROPRIATE A MINIMUM STREAM FLOW

11. Provide evidence that the appropriation will not interfere with any vested water right, permit, or water right application of earlier date of priority.

This application is junior and subject to all prior rights within the
minimum streamflow reach.

12. Provide evidence to show that the appropriation would be in the public interest as opposed to private interest.

The North Fork East River is an important spawning and rearing stream
for westslope cutthroat trout and bull trout. Both are IDFG species
of special concern.

13. Provide evidence or justification that the appropriation is necessary for the purposes shown in Item 4.

The 18 cfs, measured near the mouth, is essential for fish rearing. The
70 cfs is essential for fish passage and spawning in or near the headwaters.

14. Provide evidence that the minimum flow or lake level is minimum and not the ideal or most desirable flow or lake level.

The 18 cfs is the minimum flow necessary to provide adequate rearing habitat.
The 70 cfs is the minimum flow necessary to provide fish passage for adults
and spawning in or near the headwaters.

OCT 07 1991

15. Provide evidence that the flow or lake level requested is capable of being maintained as evidenced by records of stream flows and water levels.

See attached hydrograph and flow duration curve.

16. Describe the location of existing gaging stations that can be used in the administration of this appropriation.

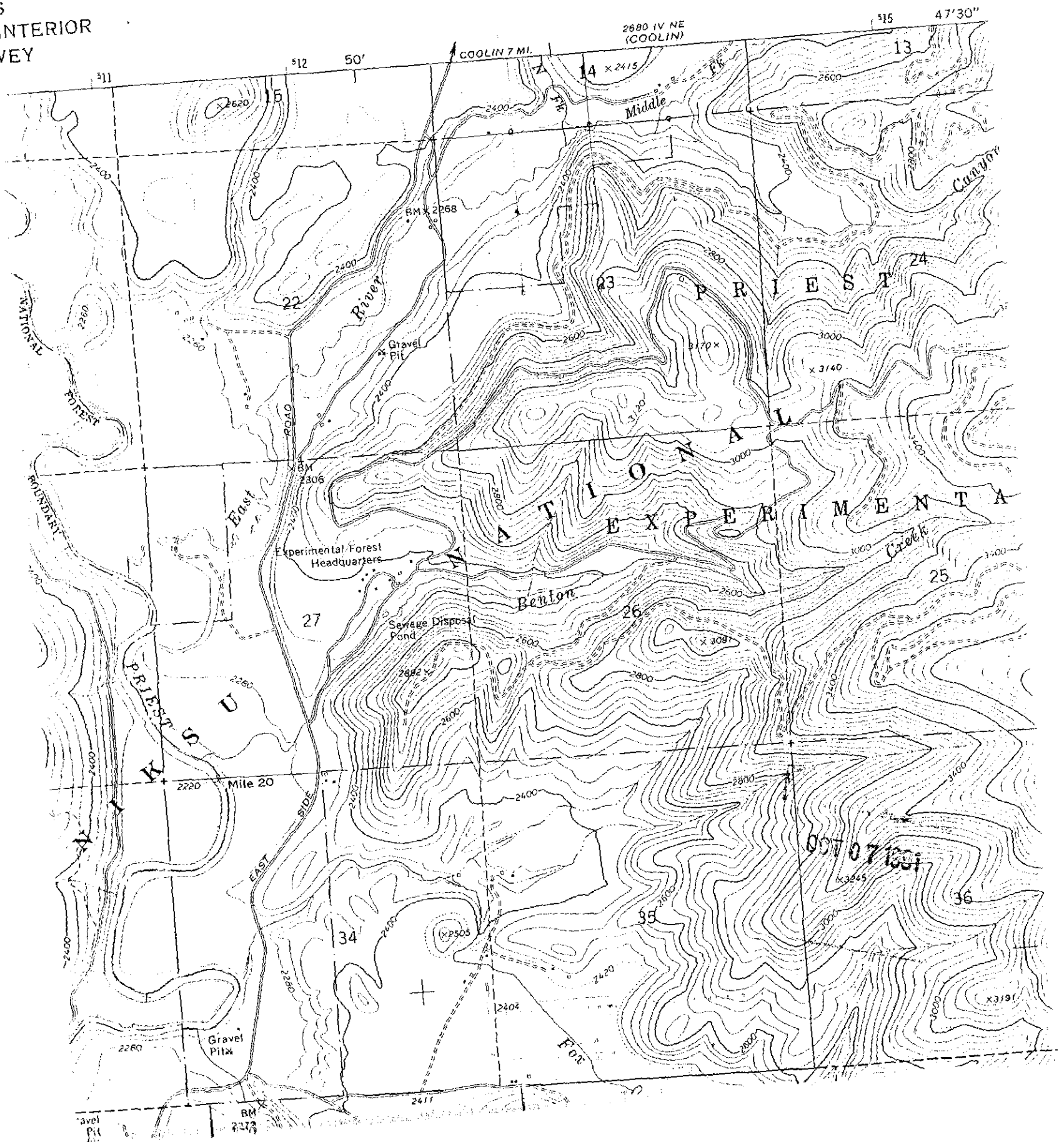
None

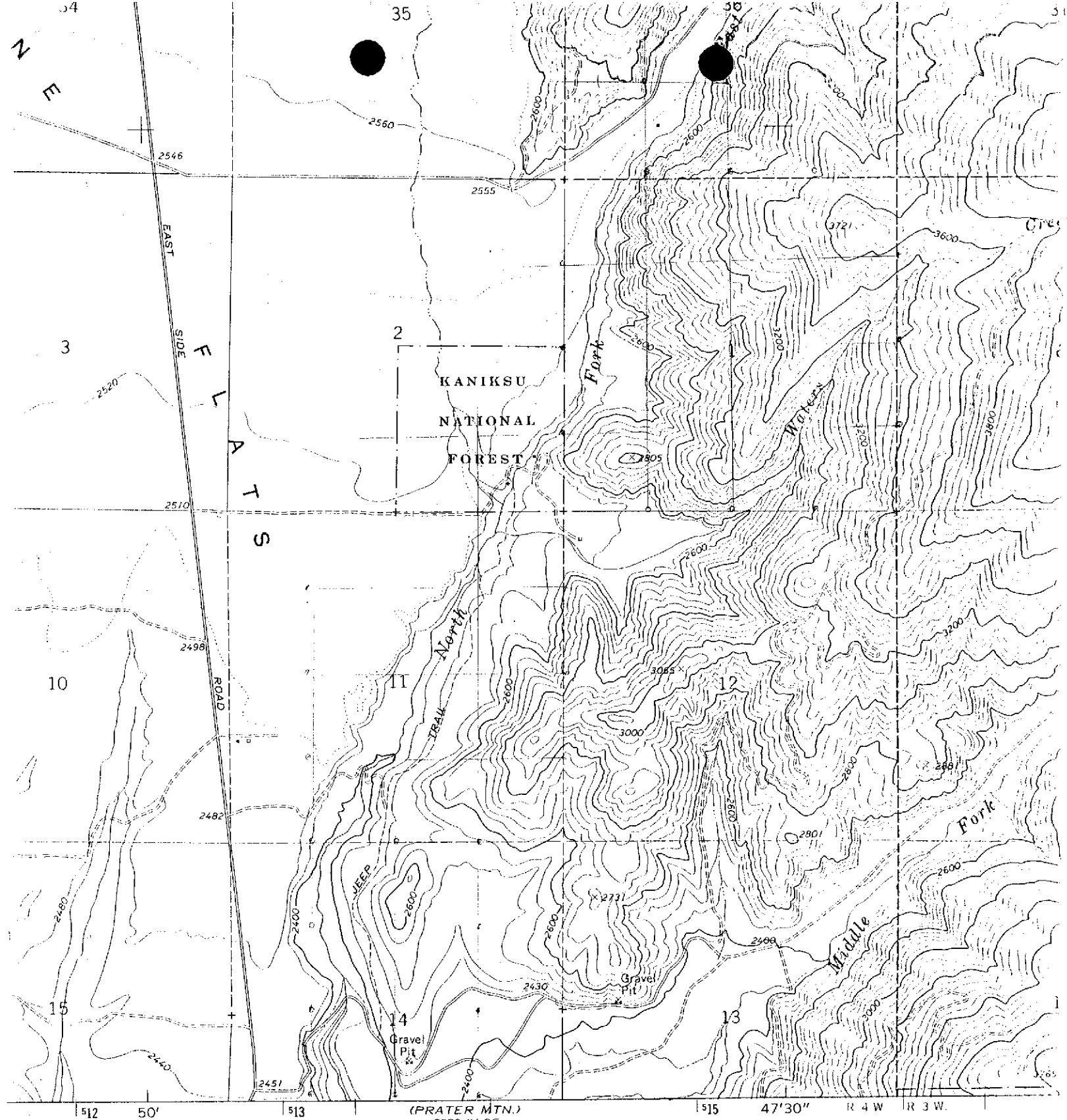
17. Do you intend to install additional gaging stations? Describe the location. No - On-site discharge measurements will be conducted as required by the conditions of approval.

18. List any additional remarks related to this minimum stream flow application. This application complies with Actions and Recommendations Item 2 (B) of the Comprehensive State Water Plan: Priest River Basin (IWRB, 1990).

OCT 07 1991

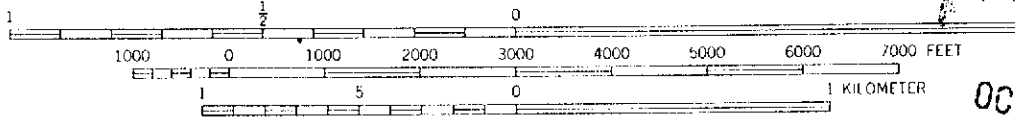
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(PRATER MTN.)
2680 IV SE

SCALE 1:24 000



CONTOUR INTERVAL 40 FEET

DOTTED LINES REPRESENT 20-FOOT CONTOURS

DATUM IS MEAN SEA LEVEL

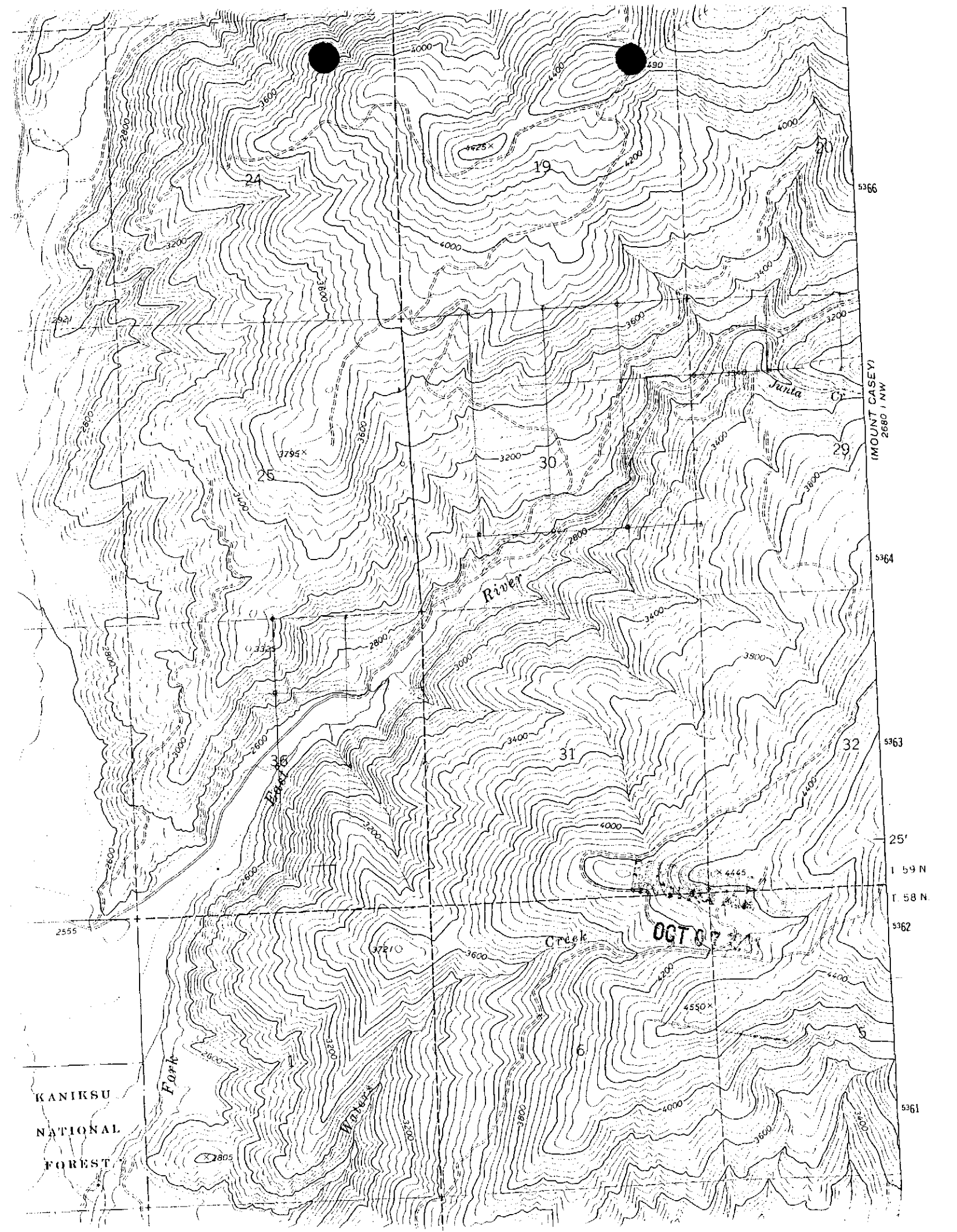
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21°
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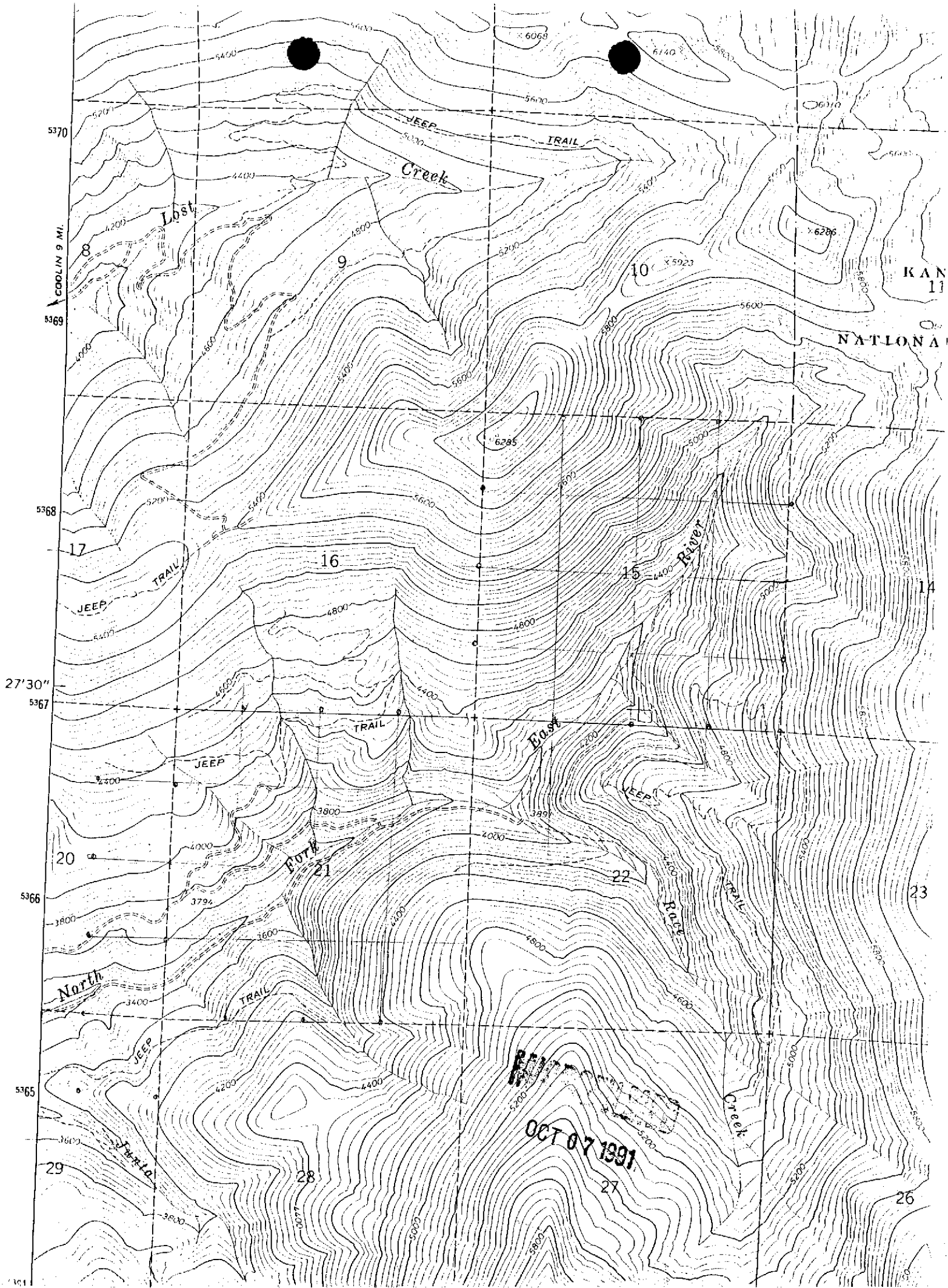
MAGNETIC NORTH
DIER OF SHEET

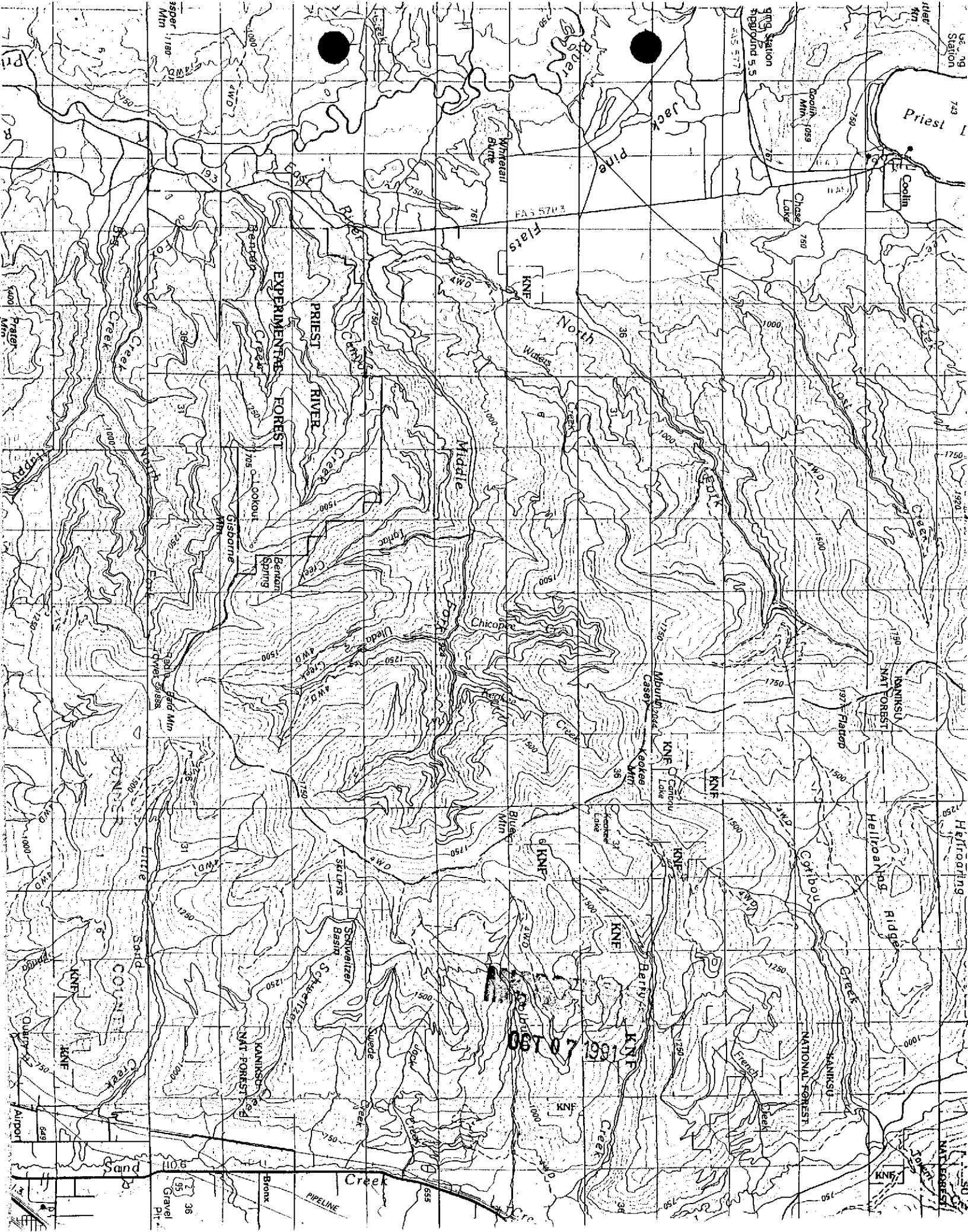
OCT 07 1951

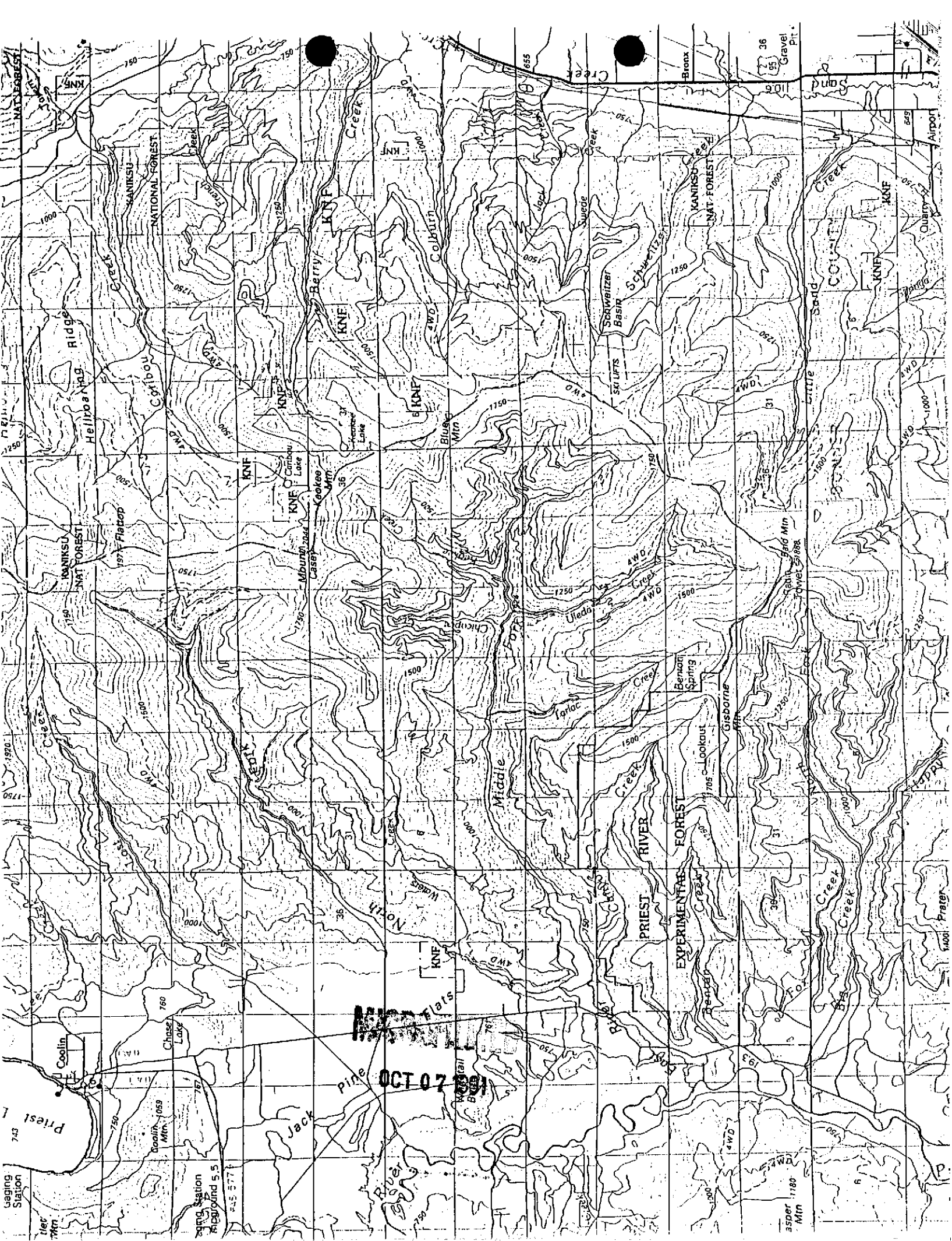


THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

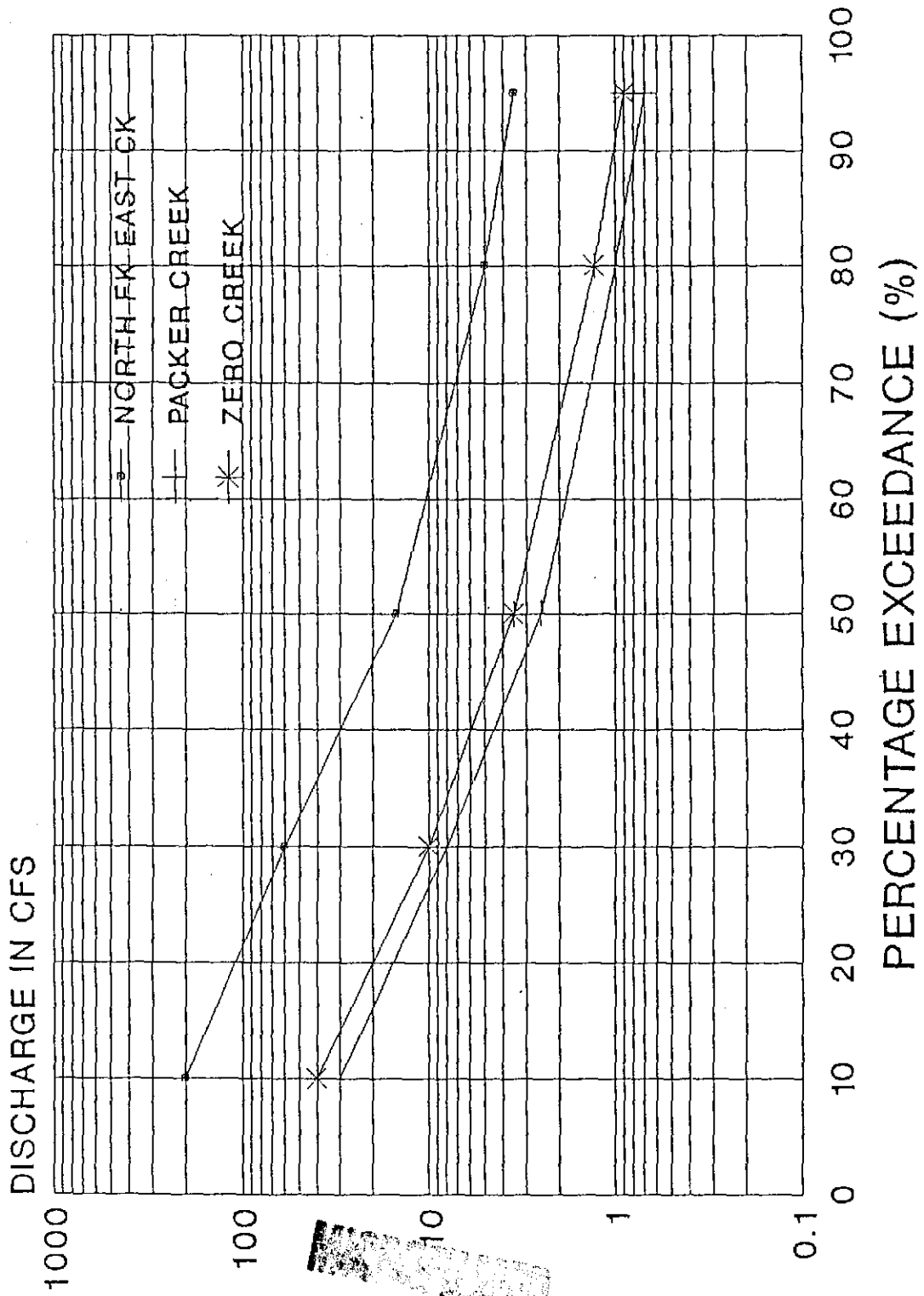








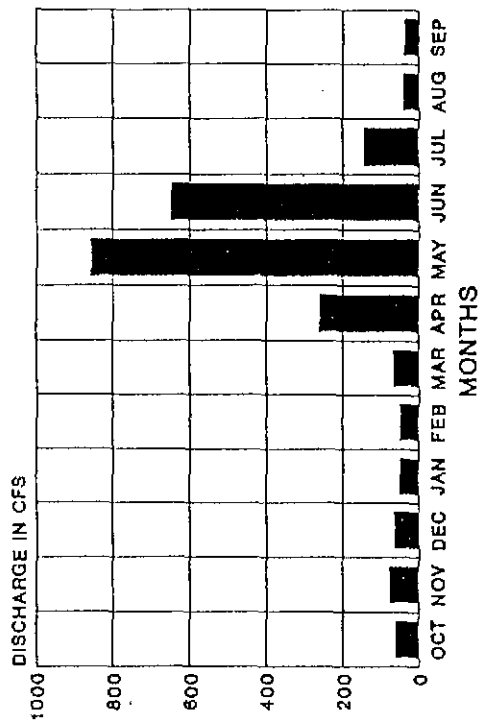
FLOW DURATION CURVES



PANHANDLE BASIN

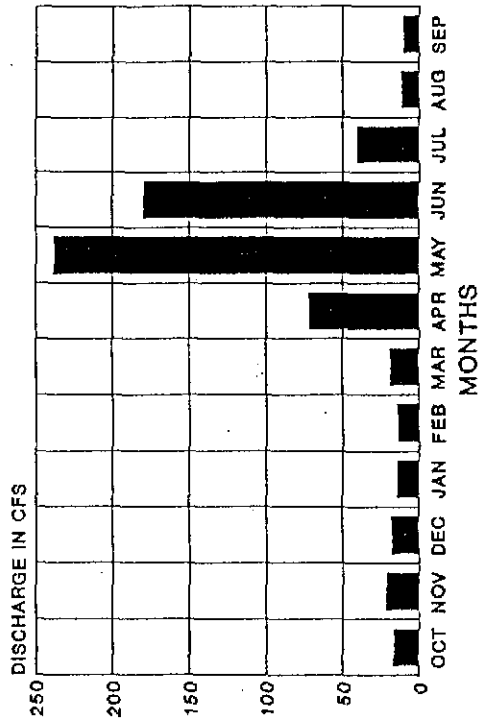
OCT 07 1991

BOUNDARY CREEK
(SEC 11, T 85 N, R 02 W; DA-97 SQ. MI.)



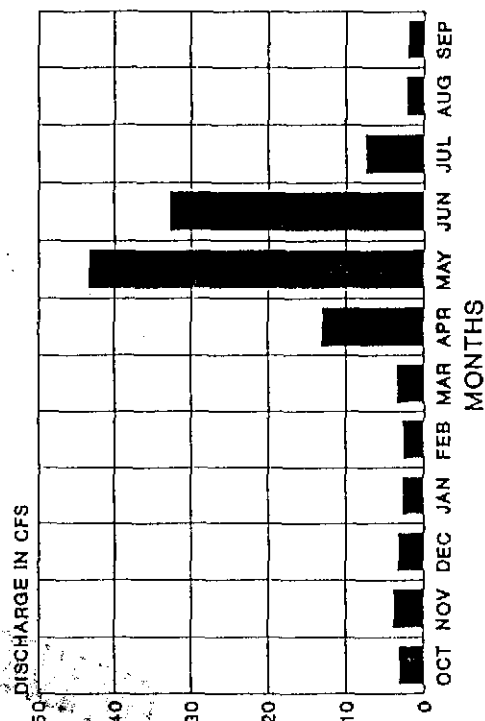
Based on Boundary Cr. Nr. Porthill, Id.
(Sta 12321500)

NORTH FORK EAST CREEK
(SEC 23, T 58 N, R 04 W; DA-30.21 SQ. MI.)



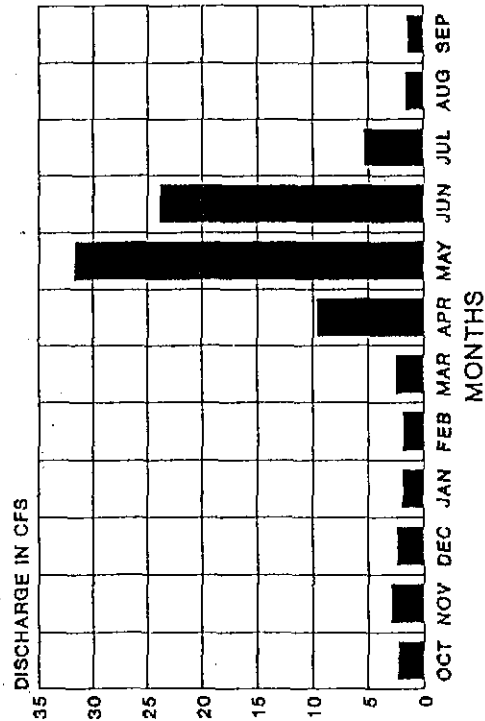
Based on Boundary Cr. Nr. Porthill, Id.
(Sta 12321500)

ZERO CREEK
(SEC 29, T 82 N, R 05 W; DA-5.278 SQ. MI.)



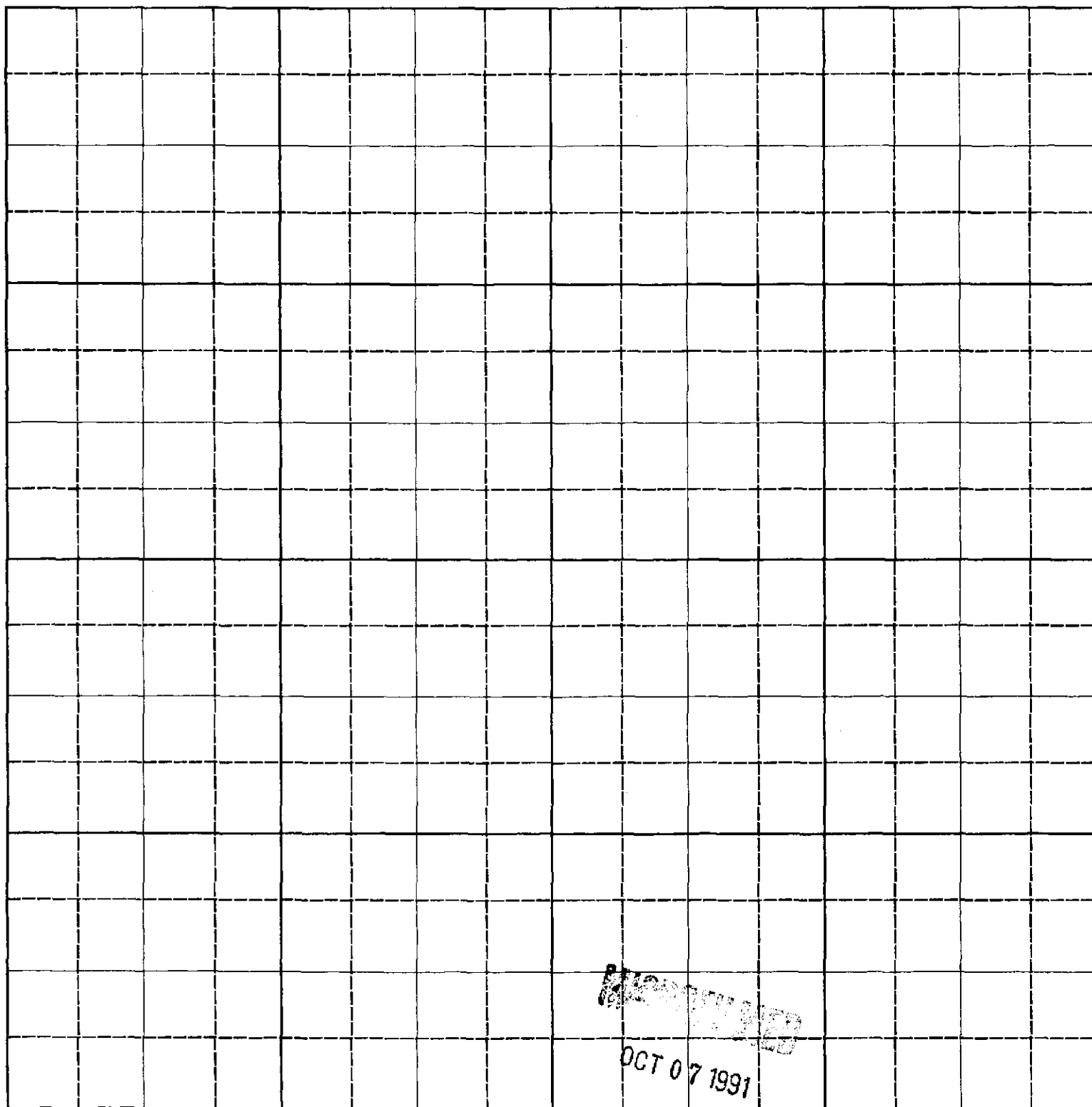
Based on Boundary Cr. Nr. Porthill, Id.
(Sta 12321500)

PACKER CREEK
(SEC 29, T 82 N, R 05 W; DA-3.92 SQ. MI.)



Based on Boundary Cr. Nr. Porthill, Id.
(Sta 12321500)

OCT 07 1991



A large grid of graph paper, likely for plotting or drawing. The grid consists of 20 columns and 20 rows of squares. In the bottom right corner, there is a stamp that reads "RECEIVED" and "OCT 07 1991".

_____ (Applicant)

OCT 07 1991



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>[Signature]</i>	Date	10/13/90	Time	4:00 pm	Preliminary check by	TDK
Fee \$	92500 N/A	Received by	#	Date	4/3/91	Published in	4/11/91
Publication prepared by	<i>[Signature]</i>	Date	3/27/91	Published in	4/11/91	Publication approved	4/15/91
Date _____							

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss

I, Ted Delezene, first being duly sworn, depose and say: That I am the Foreman of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for Two Issues consecutive weeks, first publication having been made on the 4th day of April 19 91, last publication having been made on the 11th day of April 19 91, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 12th day of April, 1991
..... Ted Delezene
..... Cathy von Borstel
Notary Public
My commission expires March 5, 1996

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resource Board submitted applications for permit to appropriate water to the Department of Water Resources on November 9, 1990, proposing to appropriate water for minimum streamflows in three creeks within the Priest Lake Basin. The applications are further described as follows:

Source: Zero Creek
Application No.: 97-7306

Proposed Priority: November 9, 1990
Amount and Period of Use: 3.0 cfs from July 1 through March 31

15.0 cfs from April 1 through June 30
Purpose of Minimum Flow: To maintain aquatic habitat for fish spawning and rearing.

Place of Use: The entire length of Zero Creek from its headwaters in the SW¼NE¼, Section 5, T62N, R5W, B.M., downstream approximately 4.25 miles to its confluence with Granite Creek in the SW¼NW¼, Section 29, T62N, R5W, B.M.

Source: Packer Creek
Application No.: 97-7307

Proposed Priority: November 9, 1990
Amount and Period of Use: 2.0 cfs from July 1 through March 31

10.0 cfs from April 1 through June 30
Purpose of Minimum Flow: To maintain aquatic habitat for fish spawning and rearing.

Place of Use: The entire length of Packer Creek from its headwaters in the SE¼NW¼, Section 9, T62N, R5W, B.M., downstream approximately 4 miles to its confluence with Granite Creek in the SW¼NE¼, Section 29, T62N, R5W, B.M.

Source: North Fork East River

Application No.: 97-7308

Proposed Priority: November 9, 1990

Amount and Period of Use: 18.0 cfs from July 1 through March 31

70.0 cfs from April 1 through June 30

Purpose of Minimum Flow: To maintain aquatic habitat for fish spawning and rearing.

Place of Use: The entire length of the North Fork East River from its headwaters in the SE¼SE¼, Section 10, T59N, R3W, B.M., downstream approximately 9.25 miles to its confluence with the Middle Fork East River in the NE¼NW¼, Section 23, T58N, R4W, B.M.

The Director of the Department of Water Resources will hold a public hearing regarding these applications at the Priest River Junior High School Library, 1020 W. Albeni Hwy., Priest River, Idaho, on Monday April 22, 1991. Formal and informal testimony will be taken at 7:00 p.m. The hearing will be conducted pursuant to the provisions of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in this proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, 1910 Northwest Blvd.,

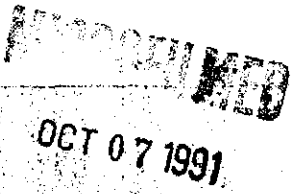
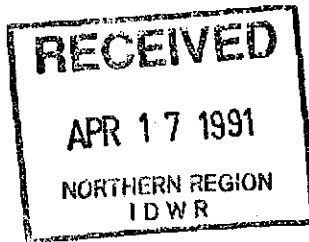
Suite 210, Coeur d'Alene, Idaho 83814, on or before April 19, 1991. Other parties will be given an opportunity to informally present their views and comments without filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing.

If issued, these permits will be subject to all prior water rights.

R. KEITH HIGGINSON, Director

Idaho Department of Water Resources

Published: April 4, 11, 1991



NOTICE OF HEARING
FOR APPLICATION FOR
MINIMUM STREAMFLOW
Notice is hereby given
that the Idaho Water Re-
source Board submitted
applications for permit to
appropriate water to the
Department of Water Re-
sources on November 9,
1990, proposing to appro-
priate water for minimum
streamflows in three
creeks within the Priest
Lake Basin. The applica-
tions are further described
as follows:

Source: Zero Creek
Application No.: 97-7306
Proposed Priority: Novem-
ber 9, 1990

Amount and Period of
Use: 3.0 cfs from July 1
through March 31
15.0 cfs from April 1
through June 30

Purpose of Minimum Flow:
To maintain aquatic habi-
tat for fish spawning and
rearing.

Place of Use: The entire
length of Zero Creek from
its headwaters in the
SW1/4NE1/4, Section 5,
T62N, R5W, B.M., down-
stream approximately 4.25
miles to its confluence
with Granite Creek in the
SW1/4NW1/4, Section 29,
T62N, R5W, B.M.

Source: Packer Creek
Application No.: 97-7307
Proposed Priority: Novem-
ber 9, 1990

Amount and Period of
Use: 2.0 cfs from July 1
through March 31
10.0 cfs from April 1
through June 30

Purpose of Minimum Flow:
To maintain aquatic habi-
tat for fish spawning and
rearing.

Place of Use: The entire
length of Packer Creek
from its headwaters in the
SE1/4NW1/4, Section 9,
T62N, R5W, B.M., down-
stream approximately 4
miles to its confluence
with Granite Creek in the
SW1/4NE1/4, Section 29,
T62N, R5W, B.M.

Source: North Fork East
River
Application No.: 97-7308

Proposed Priority: Novem-
ber 9, 1990
Amount and Period of
Use: 18.0 cfs from July 1
through March 31
70.0 cfs from April 1
through June 30

Purpose of Minimum Flow:
To maintain aquatic habi-
tat for fish spawning and
rearing.

Place of Use: The entire
length of the North Fork
East River from its head-
waters in the SE1/4SE1/4,
Section 10, T59N, R3W,
B.M., downstream approx-
imately 9.25 miles to its
confluence with the Middle
Fork East River in the
NE1/4NW1/4, Section 23,
T58N, R4W, B.M.

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

RECEIVED

APR 15 1991

No 22213

I, Linda Capps McReine NORTH being first duly sworn upon oath, depose
and say that I am Bureau Clerk of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in
any supplement thereof, for Two consecutive Weeks,
commencing with the issue dated April 4, 1991,
and ending with the issue dated April 11, 1991.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily ex-
cept Monday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and
uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho,
to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers,
and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 11 day of April in the year of 1991, before me,
a Notary Public, personally appeared Linda Capps McReine,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Steve R. Zeltman
Notary Public for Idaho

Residing at Twin Falls County

My commission expires: 5/19/94

The Director of the De-
partment of Water Re-
sources will hold a public
hearing regarding these
applications at the Priest
River Junior High School
Library, 1020 W. Albani
Hwy, Priest River, Idaho,
on Monday April 22, 1991.
Formal and Informal testi-
mony will be taken at 7:00
p.m. The hearing will be
conducted pursuant to the
provisions of Section 42-
1503, Idaho Code.

Any party who wishes to
formally appear in this pro-
ceeding for the purpose of
presenting evidence or
cross examining witnesses
should file a notice of ap-
pearance with the Director
of the Department of Wa-
ter Resources, 1910
Northwest Blvd., Suite
210, Coeur d'Alene, Idaho
83814, on or before April
19, 1991. Other parties
will be given an opportu-
nity to informally present
their views and comments
without filing a notice of
appearance. Written infor-
mal views and comments
may also be submitted to
the Department of Water
Resources prior to the
hearing.

If issued, these permits
will be subject to all prior
water rights.

R. KEITH HIGGINSON,
Director
Idaho Department of Wa-
ter Resources

RECEIVED

OCT 07 1991

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 041191 INVO No. L00225694
Account No. 964750 ZERO CREEK
Description 25694NOTIC

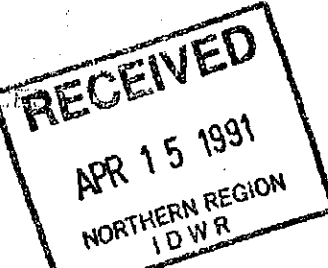
**LEGAL ADVERTISING
INVOICE**

Times 2 Lines 58

Tab Lines 116

SOLD TO:

DEPT. OF WATER RESOURCES
1910 NW BLVD 210*
COEURDALEN
ID 83814



\$ 145.00

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW
Notice is hereby given that the Idaho Water Resource Board submitted applications for permit to appropriate water to the Department of Water Resources on November 9, 1990, proposing to appropriate water for minimum streamflows in three creeks within the Priest Lake Basin. The applications are further described as follows:

Source: Zero Creek
Application No.: 97-7306
Proposed Priority: November 9, 1990
Amount and Period of Use: 3.0 cfs from July 1 through March 31
15.0 cfs from April 1 through June 30
Purpose of Minimum Flow: To maintain aquatic habitat for fish spawning and rearing.
Place of use: The entire length of Zero Creek from its headwaters in the SW1/4NE1/4, Section 5, T62N, R5W, B.M., downstream approximately 4.25 miles to its confluence with Granite Creek in the SW1/4NW1/4, Section 29, T62N, R5W, B.M.

Source: Packer Creek
Application No.: 97-7307
Proposed Priority: November 9, 1990
Amount and Period of Use: 2.0 cfs from July 1 through March 31
10.0 cfs from April 1 through June 30
Purpose of Minimum Flow: To maintain aquatic habitat for fish spawning and rearing.
Place of Use: The entire length of Packer Creek from its headwaters in the SE1/4NW1/4, Section 9, T62N, R5W, B.M., downstream approximately 4 miles to its confluence with Granite Creek in the SW1/4NE1/4, Section 29, T62N, R5W, B.M.

Source: North Fork East River
Application No.: 97-7308
Proposed Priority: November 9, 1990
Amount and Period of Use: 18.0 cfs from July 1 through March 31
70.0 cfs from April 1 through June 30
Purpose of Minimum Flow: To maintain aquatic habitat for fish spawning and rearing.
Place of Use: The entire length of the North Fork East River from its headwaters in the SE1/4SE1/4, Section 10, T59N, R3W, B.M., downstream approximately 9.25 miles to its confluence with the Middle Fork East River in the NE1/4NW1/4, Section 23, T58N, R4W, B.M.

The Director of the Department of Water Resources will hold a public hearing regarding these applications at the Priest River Junior High School Library, 1020 W. Albeni Hwy, Priest River, Idaho, on Monday April 22, 1991. Formal and informal testimony will be taken at 7:00 p.m. The hearing will be conducted pursuant to the provisions of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in this proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, on or before April 19, 1991. Other parties will be given an opportunity to informally present their views and comments without filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing. If issued, these permits will be subject to all prior water rights.

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

OF IDAHO, ss.
Nez Perce

Baumeister, being duly sworn,
says, I am the Legal Clerk
of Lewiston Morning Tribune, a corporation organized and existing
by virtue of the laws of the State of Idaho, publishers of the
MORNING TRIBUNE, a newspaper of general circulation
in Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly and regularly at least once a day for more than 21 consecutive
days immediately preceding the first publication of this notice, and
published uninterrupted for said period; that the

NOTICE OF HEARING
affidavit and which is made a part of this affidavit was published in
Lewiston Morning Tribune, 2 time(s). Publication be-
gan on 040491, or once a
week for 2 consecutive WEEKS, the first
thereof being on the 040491, and the last pub-
lication being on the 041191, and said
NOTICE OF HEARING

published in the regular and entire issue of said newspaper and
supplement thereof and was so published in every issue and
the said paper, during the period and times of publication as
above.

Sue Baumeister

ED AND SWORN BEFORE ME THIS DAY

1991 OCT 07 1991

Sheryl M. Lantz
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.



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

October 12, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE MAIL
BOISE ID 83720

RE: WATER RIGHT NOS. 36-08337/37-08258/37-08307/43-07295/
95-08560 and 97-07308

Dear Water Right Holder(s):

Enclosed herewith are copies of the Water Right Licenses issued on the above referenced permits. If you have any questions, please contact me within 10 days of receipt of these licenses.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Jim Johnson', with a horizontal line extending to the right.

JIM JOHNSON, Manager
Water Right Permits Section

SK:dc

Enclosure

DEC 15 1994

LICENSING REVIEW
MINIMUM STREAM FLOW

RIGHT NO. 97-7308

Proof of beneficial use rec'd 3/2/94

Was flow data submittal a requirement
with proof submittal? Yes _____ No ✓

If yes, has data been reviewed and a determination
made that minimum flow is capable of being
maintained? Yes _____ No na

Data submitted fully complies with permit condition
(i.e. # of years of flow data sufficient) na

Data Entry for License:

Name Standardized
Total cfs & div. capacity listed as highest flow
P/D(s) beginning and ending descriptions listed
Use flows defined for entire year
P/U left blank (description in remarks)
Remarks/non-standard conditions
 Non-consumptive
 Watermaster control
 Jurisdiction retains to amend
 Description of reach(es)
 All other applicable permit conditions
 carried forward

✓
✓
✓
✓
✓
✓
na
✓
✓
✓

Comments/adjustments _____

Printed license hand-edited _____

WR0749NP
No. L97-07308

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/03/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO IDAHO WATER RESOURCE BOARD STATEHOUSE MAIL BOISE ID 83720 (208) 327-7900	11/09/1990	MINIMUM INSTREAM FLOW MINIMUM INSTREAM FLOW	07-01 03-31 04-01 06-30	18.00 CFS 70.00 CFS	
TOTAL DIVERSION:					70.00 CFS	

Water Source: EAST RIVER, NORTH FORK

Tributary to: EAST RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 70.00 CFS

Point(s) of Beginning Stream Reach: T59N R03W S10

SESE

BONNER County

Point(s) of Ending Stream Reach: T58N R04W S23

NENW

BONNER County

Pou County:

Conditions of Approval:

027 - Use of water under this right shall be non-consumptive.

Remarks:

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file issued by the Director under provisions of Chapter 2, Title 42, Idaho Code, with a priority of the water right dated earlier than 11/09/90, the priority date of this right.

Upon the future finding and order of the Director that gauging stations are required to maintain the approved minimum flows on East River, North Fork and its tributaries, such measuring devices shall be permanently installed as specified by the Department.

The Director retains jurisdiction to review and amend any and all parameters of this right. The Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to the right. The petition must set forth any significant change in circumstances and evidence of public interest supporting the proposed amendment. The Director will notify the general public and specific persons or known interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the right should be amended in the public interest. The burden of proof at the hearing shall be upon the persons or parties seeking the amendment to establish that the amendment of the right would be in the public interest.

This minimum stream flow is for the entire length of the North Fork of East River from its headwaters in the SESE, S10, T59N, R3W, downstream approximately 9.25 miles to its confluence with the Middle Fork of East River in the NENW, S23, T58N, R4W.

WR0749NP
No. L97-07308

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/03/94
PAGE: 2

=====

Dates:	App. Received:	11/09/1990	Priority Date:	11/09/1990
	Proof Due Date:	07/01/1996	Proof Made Date:	03/02/1994
	Exam Made Date:		Exam Sent to S.O.:	
	Licensed Date:			
Misc:	Water District Number:		Field Exam Fee:	N (Not Required)
Audit:	08/03/94 SCURTIS	08/03/94 SCURTIS		

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 97-7308

Reviewed by afj

Date 3-25-94

GENERAL CONSIDERATIONS

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

TYPES OF USE

min. Stream flow

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source
☐ Ground water source

☐ Drilling permit required?
☐ Copy in the file? Drilling Permit No. _____
☐ Amount paid for permit _____ Correct?
☐ Well log in the file?

LICENSE EXAMINATION FEE

☐ Required?
☐ Amount Submitted
☐ Correct?

MEASURING DEVICE

☐ Required?
☐ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	-	<u> </u>
Date proof due	<u> </u>	=	<u> </u>
No. of days late	<u> </u>	+	<u> </u>
Priority Date	<u> </u>		<u> </u>
New Priority Date	<u> </u>		<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address _____

Proof Made 3-2-94

March 25, 1994

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE MAIL
BOISE ID 83720

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 97-07308

Dear Permit Holder:

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

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

APR 22 1994

MEMORANDUM

TO: FILE 97-07308 IN THE NAME OF THE IDAHO WATER RESOURCE BOARD;
MINIMUM STREAMFLOW FOR THE NORTH FORK EAST RIVER

FROM: *Gary*
GARY SPACKMAN

DATE: JULY 12, 1993

The Department timely submitted permit to appropriate water no. 97-07308 to the legislature as required by Idaho Code. The Senate approved a joint concurrent resolution approving the permit. The joint resolution was forwarded to the House Resources and Conservation Committee, where it was held and not sent to the full floor of the House of Representatives. Attached is a copy of the Senate concurrent resolution which was passed.

Idaho Code States the permit becomes finally effective unless the legislature affirmatively rejects the permit. As a result, permit no. 97-07308 was implicitly approved by the legislature because of default.

RECEIVED

APR 22 1994

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 126

BY RESOURCES AND ENVIRONMENT COMMITTEE

1 A CONCURRENT RESOLUTION
2 APPROVING AN APPLICATION TO APPROPRIATE WATER FOR MINIMUM STREAMFLOW.

3 Be It Resolved by the Legislature of the State of Idaho:

4 WHEREAS, the Idaho Water Resource Board may apply for a permit to appro-
5 priate unappropriated waters of any stream to establish a minimum streamflow;
6 and
7 WHEREAS, under the provisions of Section 42-1503, Idaho Code, an approved
8 application shall not become finally effective until acted upon by the Legis-
9 lature, except that if the Legislature fails to act prior to the end of the
10 regular session to which the application was submitted, the application shall
11 be considered approved; and

12 WHEREAS, the Director of the Department of Water Resources approved Appli-
13 cation for Permit No. 97-7308 on August 29, 1991, by adopting a Proposed Memo-
14 randum Decision and Order authorizing the appropriation of a minimum stream-
15 flow in the North Fork East River of 18.0 cfs from July 1 through March 31 and
16 70.0 cfs from April 1 through June 30. The minimum streamflow is the entire
17 length of the North Fork East River from its headwaters in the SE1/4SE1/4,
18 Section 10, T59N, R3W, B.M., downstream approximately 9.25 miles to its con-
19 fluence with the Middle Fork East River in the NE1/4NW1/4, Section 23, T58N,
20 R4W, B.M., Bonner County.

21 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Ses-
22 sion of the Fifty-first Idaho Legislature, the Senate and the House of Repre-
23 sentatives concurring therein, that the same is hereby approved subject to the
24 conditions and limitations contained in the Final Memorandum Decision and
25 Order, dated July 15, 1991, and adopted by the Director of the Department of
26 Water Resources on August 29, 1991.

PAID 10/11/91

APR 2 1994



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

January 9, 1992

Senator Michael Crapo, President
Senate Pro Tem
Statehouse Mail
Boise, ID 83720

RE: Water Right Applications for Permit for Minimum Streamflow
Nos.: 37-08258 and 37-08307, Big Wood River; 36-8556,
South Thousand Springs Estuary; 36-8557, Sculpin Springs
Creek; 36-8558, Springs and Sand Springs Creek; 65-12839 and
65-13059, North Fork Payette River; 65-13060, South Fork
Payette River; 97-7308, North Fork East River

Dear Senator Crapo:

Enclosed please find copies of the above referenced
Applications for Permit. Enclosed with the applications are the
decisions and orders which conclude the administrative processing
of the applications.

As you are aware, Section 42-1503, Idaho Code, requires that
the applications be reviewed by the legislature. As defined by
statute, each application "(i) shall not become finally effective
until affirmatively acted upon by concurrent resolution of the
Idaho Legislature; or (ii) except that if the legislature fails
to act prior to the end of the regular session to which the
application was submitted, the application shall be considered
approved."

This letter constitutes submittal of the applications to the
legislature for approval. Please advise me if you desire further
information or presentation on the nature of the applications.

Sincerely,

R. KEITH HIGGINSON
Director

GS:RKH:js

Enclosures

cc. Legislative Council



APR 22 1994

*Received 1/9/92
Joanne Diet*



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

January 9, 1992

Representative, Tom Boyd
Speaker of the House
Statehouse Mail
Boise, ID 83720

RE: Water Right Applications for Permit for Minimum Streamflow
Nos.: 37-08258 and 37-08307, Big Wood River; 36-8556,
South Thousand Springs Estuary; 36-8557, Sculpin Springs
Creek; 36-8558, Springs and Sand Springs Creek; 65-12839 and
65-13059, North Fork Payette River; 65-13060, South Fork
Payette River; 97-7308, North Fork East River

Dear Representative Boyd:

Enclosed please find copies of the above referenced
Applications for Permit. Enclosed with the applications are the
decisions and orders which conclude the administrative processing
of the applications.

As you are aware, Section 42-1503, Idaho Code, requires that
the applications be reviewed by the legislature. As defined by
statute, each application "(i) shall not become finally effective
until affirmatively acted upon by concurrent resolution of the
Idaho Legislature; or (ii) except that if the legislature fails
to act prior to the end of the regular session to which the
application was submitted, the application shall be considered
approved."

This letter constitutes submittal of the applications to the
legislature for approval. Please advise me if you desire further
information or presentation on the nature of the applications.

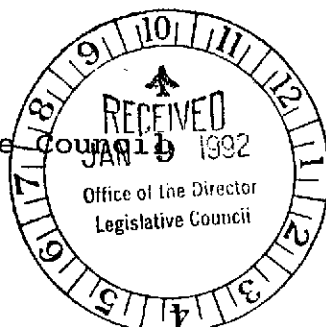
Sincerely,

R. KEITH HIGGINSON
Director

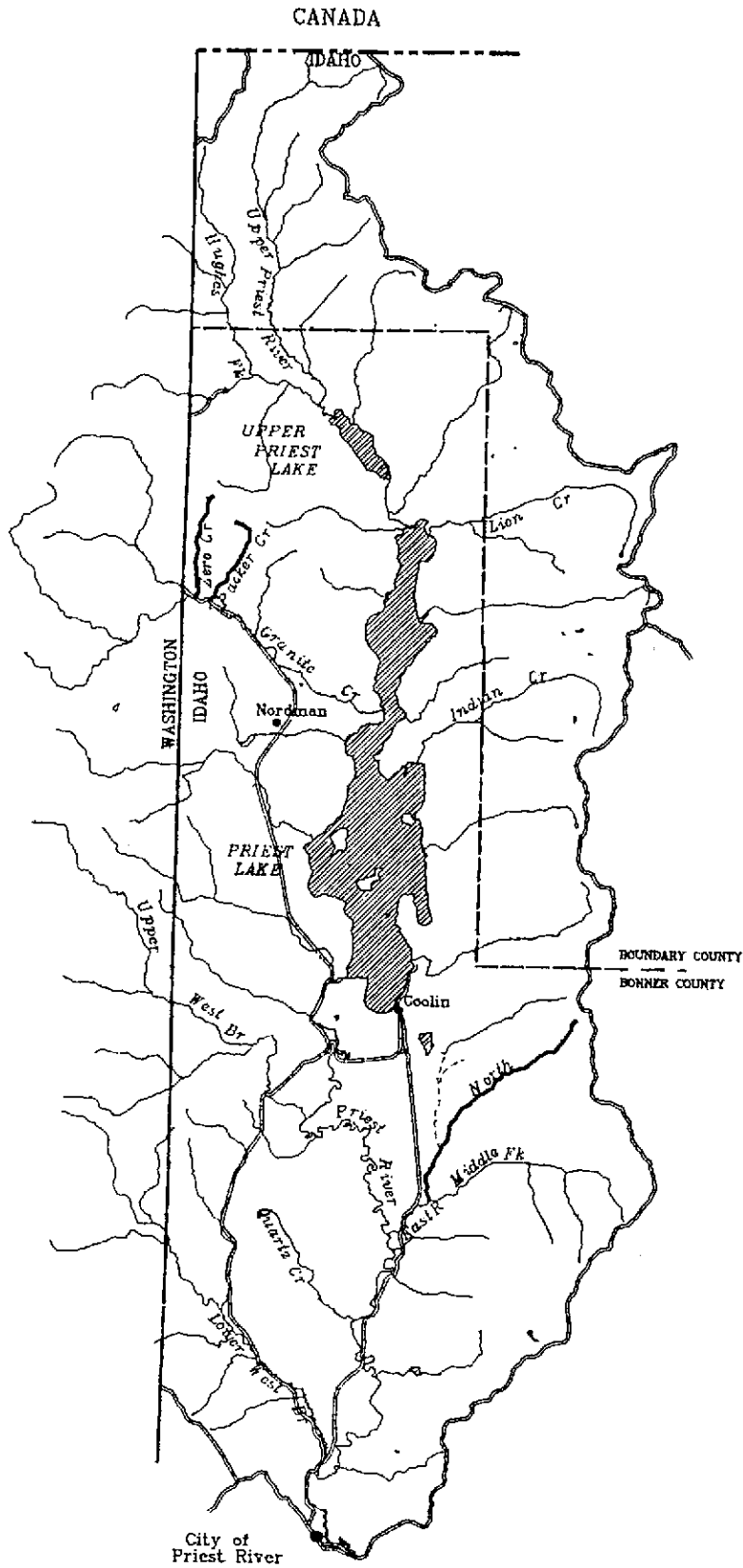
GS:RKH:js

Enclosures

cc. Legislative Council



Reid - Speaker's Office
1/9/92
Frank
APR 22 1994



RECEIVED

APR 22 1994

**NORTH FORK EAST RIVER
MINIMUM STREAMFLOW APPLICATION DATA**

WATER RIGHT NUMBER: 97-7308

SOURCE: NORTH FORK EAST RIVER

APPLICANT: IDAHO WATER RESOURCE BOARD

DATE FILED: NOVEMBER 9, 1990

MINIMUM STREAMFLOW REACH:

COMMENCES AT THE HEADWATERS OF THE NORTH FORK EAST RIVER IN THE SE 1/4 OF THE NE 1/4, SECTION 10, T59N, R3W, AND EXTENDS DOWNSTREAM FOR APPROXIMATELY 9.25 MILES TO THE CONFLUENCE OF THE NORTH FORK EAST RIVER WITH THE MIDDLE FORK EAST RIVER IN THE NE 1/4 OF THE NW 1/4, SECTION 23, T58N, R4W, BONNER COUNTY.

PERIOD OF USE: JANUARY 1 - DECEMBER 31

RATES OF FLOW:

JULY 1 TO MARCH 31 - 18 CFS

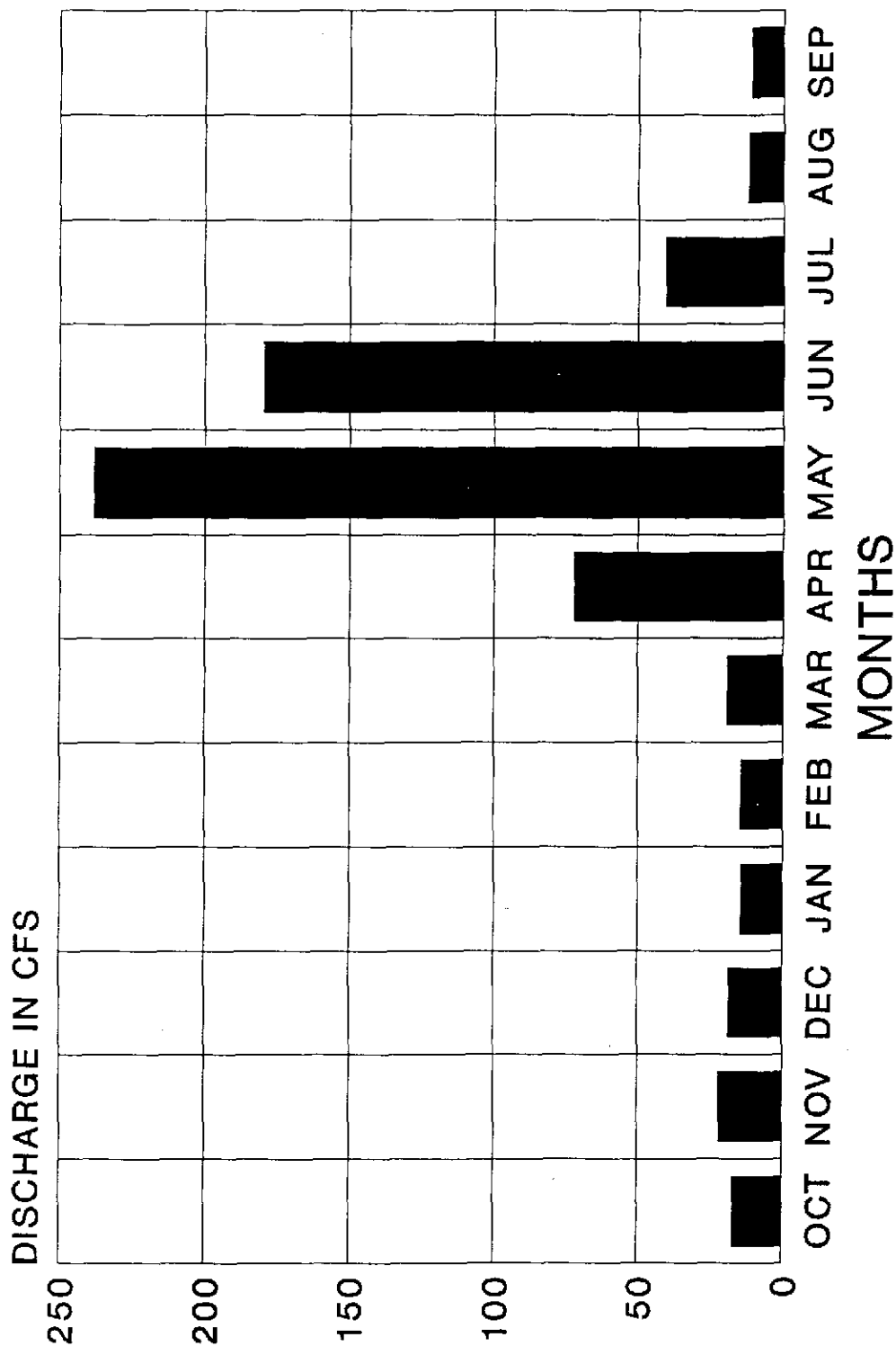
APRIL 1 TO JUNE 30 - 70 CFS

PURPOSE:

**MAINTAIN AQUATIC HABITAT
FOR FISH SPAWNING AND REARING**

APR 22 1994

NORTH FORK EAST RIVER
(SEC 23, T 58 N, R 04 W; DA=30.21 SQ. M)

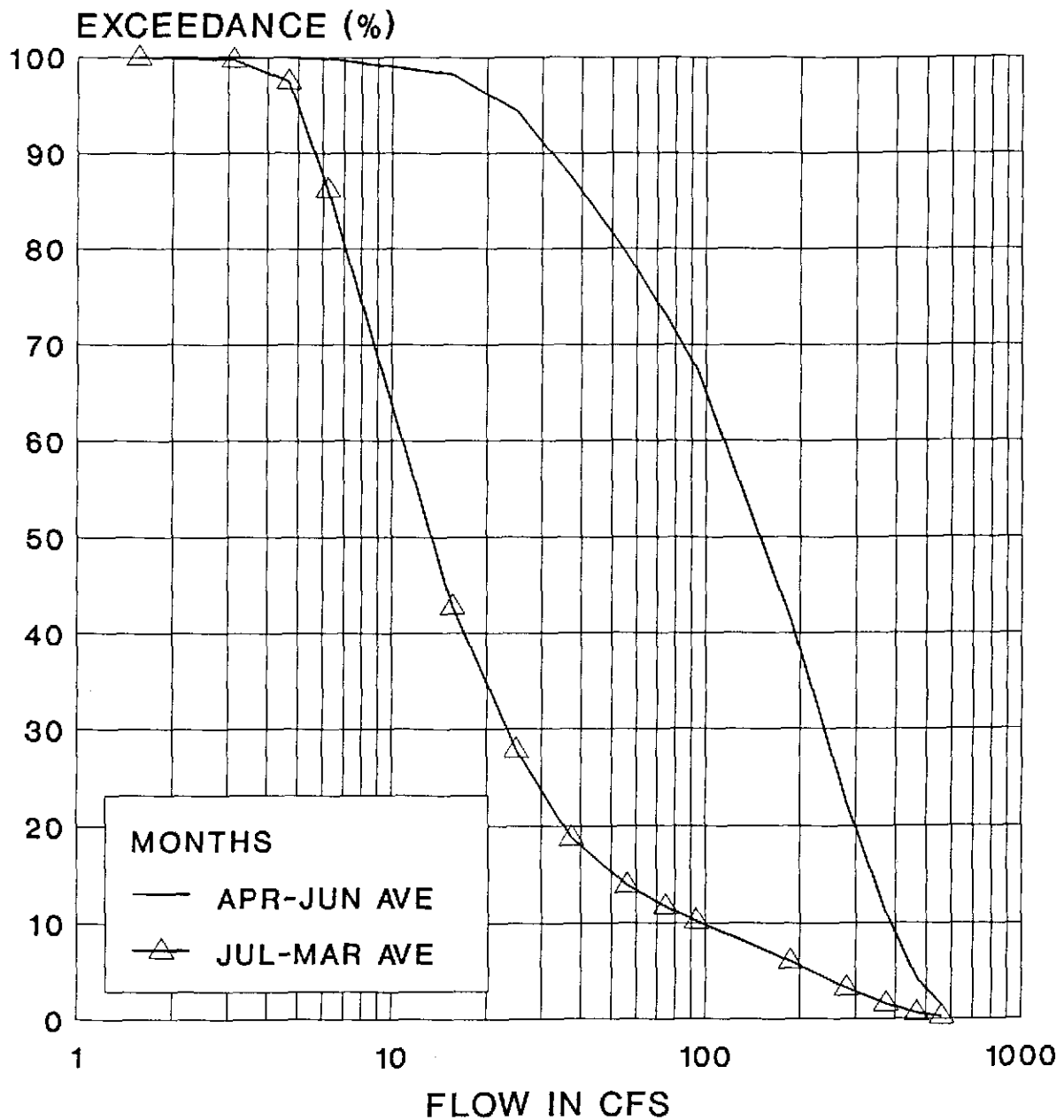


Based on Boundary Cr Nr Porthill, Id;
(Sta 12321500)

APR 22 1994

FLOW DURATION CURVE NORTH FORK EAST RIVER

DA=30.21 SQ. MILES



BASED ON BOUNDARY CREEK NR PORTHILL
DRAINAGE AREA=97 SQ. MILES

APR 22 1994



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 30, 1991

Cindy Robertson
Idaho Department of Fish and Game
Statehouse Mail
Boise, ID 83720

RE: Application for Permit No. 97-7308 in the Name of the Idaho
Water Resource Board

Dear Cindy:

Please find enclosed a copy of the Order Adopting Proposed
Memorandum Decision and Order on the above referenced permit.

Any party who disagrees with the decision of the Director
may request a rehearing before the Director within twenty (20)
days or may appeal to the district court within thirty (30) days
from the date this decision is mailed.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

RECORDED

OCT 07 1991



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 30, 1991

Dave Rydalch
Idaho Water Resource Board
Rt. 2, Box 108
St. Anthony, ID 83445

RE: Application for Permit No. 97-7308 in the Name of the Idaho
Water Resource Board

Dear Dave:

Please find enclosed a copy of the Order Adopting Proposed
Memorandum Decision and Order on the above referenced permit.

Any party who disagrees with the decision of the Director
may request a rehearing before the Director within twenty (20)
days or may appeal to the district court within thirty (30) days
from the date this decision is mailed.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

RECEIVED
OCT 07 1991



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 30, 1991

Bill Platts
Idaho Water Resource Board
1603 Sunrise Rim Rd.
Boise, ID 83705

RE: Application for Permit No. 97-7308 in the Name of the Idaho
Water Resource Board

Dear Bill:

Please find enclosed a copy of the Order Adopting Proposed
Memorandum Decision and Order on the above referenced permit.

Any party who disagrees with the decision of the Director
may request a rehearing before the Director within twenty (20)
days or may appeal to the district court within thirty (30) days
from the date this decision is mailed.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

OCT 07 1991



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

July 16, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Bill Platts
Idaho Water Resource Board
1603 Sunrise Rim Rd.
Boise, ID 83705

Dear Mr. Platts:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision for application for permit for minimum streamflow no. 97-7308 in the name of the Idaho Water Resource Board.

Any party who disagrees with the Proposed Decision may file exceptions to the decision within fifteen (15) days of service of the Proposed Decision.

Respectfully,

A handwritten signature in cursive script that reads 'Gary Spackman'.

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

OCT 07 1991



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

July 16, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Dave Rydalch
Idaho Water Resource Board
Rt. 2, Box 108
St. Anthony, ID 83445

Dear Mr. Rydalch:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision for application for permit for minimum streamflow no. 97-7308 in the name of the Idaho Water Resource Board.

Any party who disagrees with the Proposed Decision may file exceptions to the decision within fifteen (15) days of service of the Proposed Decision.

Respectfully,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

OCT 07 1991



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

July 16, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Cindy Robertson
Idaho Department of Fish & Game
Statehouse Mail
Boise, ID 83720

Dear Ms. Robertson:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision for application for permit for minimum streamflow no. 97-7308 in the name of the Idaho Water Resource Board.

Any party who disagrees with the Proposed Decision may file exceptions to the decision within fifteen (15) days of service of the Proposed Decision.

Respectfully,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

RECEIVED
OCT 07 1991

INTER-DEPARTMENT MEMO

TO: File # 97-2308

SUBJECT: _____

FROM: J.J. Siefert

DATE: 5/20/91

Please refer to file # 97-2306 for all
Exhibits regarding this file.

RECEIVED
OCT 07 1991

() For your information

() Response required

J. J. Siefert
signature

The Idaho Statesman

For CLASSIFIED ADVE

LEGAL NOTICES

NOTICE OF APPLICATION
FOR WATER RIGHT

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

02-07343
COGENERATION INC.
2405 SPRING MOUNTAIN RD.
BOISE, ID 83702
Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 12 (NENW) Sec 30 T 09S R 17E
Use: POWER (800,000 CFS)
RECREATION (10,000 CFS)
FIRE PROTECTION (1,000 CFS)
Total Diversion: (811,000 CFS)
Date Filed: 4/24/1981
In: T09S R16E S23 Lot 13 (NWNE) Lot 12 (SENE)

02-07375
IDAHO POWER CO.
P.O. BOX 70
BOISE, ID 83707
Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 3 () Sec 4 T10S R18E
Use: POWER (5000,000 CFS)
Total Diversion: (5000,000 CFS)
Date Filed: 4/5/1982
In: T10S R18E S04 Lot 3 ()

02-07386
COGENERATION INC.
2405 SPRING MOUNTAIN DRIVE
BOISE, ID 83702
Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: NENW Sec 30 T09S R17E
Use: POWER (4200.00 CFS)
Total Diversion: (4200.00 CFS)
Date Filed: 6/7/1983
In: T09S R16E S23 NWNE SENE

The permit(s) will be subject of all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 222 Shoshone St. East, Twin Falls, Idaho 83301 on or before APRIL 22, 1991.

R. Keith Higginson, Director
Pub. Apr. 4, 11, 1991 7968

NOTICE OF HEARING FOR
APPLICATION FOR
MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resource Board submitted applications for permit to appropriate water to the Department of Water Resources on November 9, 1990, proposing to appropriate water for minimum streamflows in three creeks within the Priest Lake Basin. The applica-

LEGAL NOTICES

tions are further described as follows:

Source: Zero Creek
Application No. 97-7306
Proposed Priority:
November 9, 1990
Amount and Period of Use:
3.0 cfs from July 1
through March 31
15.0 cfs from April 1
through June 30
Purpose of Minimum Flow:
To maintain aquatic habitat for fish spawning and rearing.
Place of Use:

The entire length of Zero Creek from its headwaters in the SW1/4NE1/4, Section 5, T62N, R5W, B.M., downstream approximately 4.25 miles to its confluence with Granite Creek in the SW1/4NW1/4, Section 29, T62N, R5W, B.M.

Source: Packer Creek
Application No.: 97-7307
Proposed Priority:
November 9, 1990
Amount and Period of Use:
2.0 cfs from July 1
through March 31
10.0 cfs from April 1
through June 30
Purpose of Minimum Flow:

To maintain aquatic habitat for fish spawning and rearing.
Place of Use:

The entire length of the North Fork East River from its headwaters in the SE1/4SE1/4, Section 10, T59N, R3W, B.M., downstream approximately 9.25 miles to its confluence with the Middle Fork East River in the NE1/4NW1/4, Section 23, T58N, R4W, B.M.

The Director of the Department of Water Resources will hold a public hearing regarding these applications at the Priest River Junior High School Library, 1020 W. Albeni Hwy, Priest River, Idaho, on Monday, April 22, 1991, Formal and Informal testimony will be taken at 7:00 p.m. The hearing will be conducted pursuant to the provisions of Section 42-1503, Idaho Code.

Any party who wishes to appear in this proceeding for the purpose of presenting evidence or cross-examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, on or before April 19, 1991. Other parties will be given an opportunity to informally present their views and comments without filing

LEGAL NOTICES

a notice of appearance. Written formal views and comments must also be submitted to the Department of Water Resources prior to the hearing.

If issued, these permits will be subject to all prior water rights. R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

Pub. Apr. 4, 11, 1991 80

NOTICE OF INTENDED RULE
MAKING

In compliance with Idaho Code 67-5203(a)(1), notice is hereby given that the Idaho Department of Lands has initiated rule making. The proposed action involves the amendment of rules and regulations for Timber, The Supply Stabilization Act of 1989 on State Forest. The action is proposed under the authority granted by Idaho Code Title 58, chapter 10, Timber Supply Stabilization Act.

The following is a descriptive summary of the substance of the intended action:

The State of Idaho 1990 Centennial Legislature introduced and passed House Bill 453 changing the net appraised value of state timber sales from \$25,000 to \$50,000. Rule 2.K, of the Rules and Regulations for Timber, the Supply Stabilization Act of 1989 on State Forests, IDAPA 20.24, must be revised to reflect this change.

The Congress of the United States enacted the Forest Resources Conservation and Shortage Relief Act of 1990 restricting the foreign export of unprocessed logs from state land. The Rules and Regulations for Timber, the Supply Stabilization Act of 1989 on State Forests, IDAPA 20.2 must be revised to adopt the new federal export law.

Within the time limits specified below, any person can review the proposed rules in the central office or field offices of the Department of Lands. Copies of the proposed rule will be made available upon written request specifying the subject addressed by the proposed rule.

Anyone can submit written comment regarding the proposed rule and any individual or industry may be affected by the proposed rules is encouraged to submit information concerning the anticipated economic impact of the proposed action. For assistance on technical questions concerning the proposed rules, contact Walter R. Clark, Idaho Department of Lands, (701) Riv

The Idaho
Statesman

CLASSIFIED OFFICE HOURS:
Monday through Friday 8:00 a.m.-5:30 p.m.

CLASSIFIED INDEX

Announcements
125-Card of Thanks
126-Happy Ads
130-Parsonals

403-Real Estate Agents
405-Real Estate Exchange
410-Income & Commercial
412-Industrial Property
415-Vacation Property

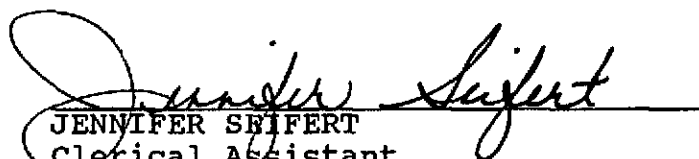
548-Computers
549-TV/Video
550-Stereo/Radio
551-Building Materials
552-Fuel/Wood

*I called Jim at Statesman.
He will correct ad & re-run it
on 4/11 & 18/91.
There should be no charge for
4/4 ad.*

OCT 07 1991

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of March, 1991, I mailed a true and correct copy of the following letter, postage prepaid, to the following individuals:


JENNIFER SIFERT
Clerical Assistant

FILED
OCT 07 1991



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

March 28, 1991

<name>

RE: Minimum Streamflow Applications in the Priest Lake Basin,
Nos. 97-7306, 97-7307 and 97-7308

Dear <sal>:

The Idaho Department of Water Resources will conduct a hearing on Monday April 22, 1991, to determine whether several minimum streamflows in the Priest Lake Basin should be approved. The hearing will commence at the Priest River Junior High School Library, 1020 W. Albeni Hwy, Priest River, Idaho, beginning at 7:00 p.m.

Information describing the applications and the time and place of the hearing is shown on the enclosed legal notice. Also, enclosed is a brochure which describes the minimum flow procedure.

A notice of appearance must be filed with the Department on or before April 19, 1991, if you want to become full party to the action. A full party may call and cross examine witnesses.

If you do not wish to become a full party, you may also testify informally without filing a notice of appearance. Written comments may also be filed with the Department prior to the hearing.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosures

RECEIVED
OCT 07 1991

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resource Board submitted applications for permit to appropriate water to the Department of Water Resources on November 9, 1990, proposing to appropriate water for minimum streamflows in three creeks within the Priest Lake Basin. The applications are further described as follows:

Source: Zero Creek

Application No.: 97-7306

Proposed Priority: November 9, 1990

Amount and Period of Use: 3.0 cfs from July 1 through March 31
15.0 cfs from April 1 through June 30

Purpose of Minimum Flow: To maintain aquatic habitat for fish spawning and rearing.

Place of Use: The entire length of Zero Creek from its headwaters in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 5, T62N, R5W, B.M., downstream approximately 4.25 miles to its confluence with Granite Creek in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 29, T62N, R5W, B.M.

Source: Packer Creek

Application No.: 97-7307

Proposed Priority: November 9, 1990

Amount and Period of Use: 2.0 cfs from July 1 through March 31
10.0 cfs from April 1 through June 30

Purpose of Minimum Flow: To maintain aquatic habitat for fish spawning and rearing.

Place of Use: The entire length of Packer Creek from its headwaters in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, T62N, R5W, B.M., downstream approximately 4 miles to

OCT 07 1991

its confluence with Granite Creek
in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, T62N,
R5W, B.M.

Source: North Fork East River

Application No.: 97-7308

Proposed Priority: November 9, 1990

Amount and Period of Use: 18.0 cfs from July 1 through
March 31
70.0 cfs from April 1 through
June 30

Purpose of Minimum Flow: To maintain aquatic habitat for
fish spawning and rearing.

Place of Use: The entire length of the North Fork
East River from its headwaters in
the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 10, T59N, R3W,
B.M., downstream approximately 9.25
miles to its confluence with the
Middle Fork East River in the
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, T58N, R4W, B.M.

The Director of the Department of Water Resources will hold a public hearing regarding these applications at the Priest River Junior High School Library, 1020 W. Albeni Hwy, Priest River, Idaho, on Monday April 22, 1991. Formal and informal testimony will be taken at 7:00 p.m. The hearing will be conducted pursuant to the provisions of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in this proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, on or before April 19, 1991. Other parties will be given an opportunity to informally present their views and comments without filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing.

If issued, these permits will be subject to all prior water rights.

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

OCT 07 1991

<name>Mr. Norm Suenkel
P.O. Box 1567
Priest River, ID 83856
<sal>Mr. Suenkel
<>

<name>Mary Lucachick
Dept. of Parks and Recreation
Statehouse Mail
Boise, ID 83720
<sal>Ms. Lucachick
<>

<name>Cindy Robertson
Dept. of Fish and Game
Statehouse Mail
Boise, ID 83720
<sal>Ms. Robertson
<>

<name>Mr. H. Bruce Brockway
HCR 5, Box 78
Priest River, ID 83856
<sal>Mr. Brockway
<>

<name>Lorin Morgan
Bonner Co. Planning and Development
121 S. First Avenue
Sandpoint, ID 83864
<sal>Mr. Morgan
<>

<name>Doug Hooper
Priest River City Hall
15 High
Priest River, ID 83856
<sal>Mr. Hooper
<>

<name>R.G. Wright
P.O. Box 67
Coolin, ID 83821
<sal>Mr. Wright
<>

<name>Dean Stevens
Bonner County Commissioner
215 S. 1st Avenue
Sandpoint, ID 83864
<sal>Mr. Stevens
<>

<name>Jules Gindraux

INDEXED
OCT 07 1991

P.O. Box 186
Coolin, ID 83821
<sal>Jules Gindraux
<>

<name>Gerry Jones
P.O. Box 819
Priest River, ID 83856
<sal>Mr. Jones
<>

<name>Mark J. Kabush
P.O. Box 27
Nordman, ID 83843
<sal>Mr. Kabush
<>

<name>Tom Pfeiffer
P.O. Box 420
Nordman, ID 83843
<sal>Mr. Pfeiffer
<>

<name>Ron Grose
P.O. Box 1041
Priest River, ID 83856
<sal>Mr. Grose
<>

<name>Gerry House
U.S. Forest Service
1201 Ironwood Dr.
Coeur d'Alene, ID 83814
<sal>Mr. House
<>

<name>Ray Greene
Route 1, Box 284
Coolin, ID 83821
<sal>Mr. Greene
<>

<name>Ed Tulloch
Health and Welfare
2110 Ironwood Parkway
Coeur d'Alene, ID 83814
<sal>Mr. Tulloch
<>

<name>Barry Rosenberg
HCR 5, Box 110
Priest River, ID 83843
<sal>Mr. Rosenberg
<>

UNRECORDED
OCT 07 1991

<name>Dora Ridenour
Rt. 1, Box 147K
Priest River, Id 83843
<sal>Ms. Ridenour
<>

<name>Rick Cummins
Dept. of Parks and Recreation
1838 Lincoln Way
Coeur d'Alene, ID 83814
<sal>Mr. Cummins
<>

<name>Dwight Opp
P.O. Box 1499
Newport, WA 99156
<sal>Mr. Opp
<>

<name> William Egolf
HCR 5, Box RR
Priest River, ID 83843
<sal>Mr. Egolf
<>

<name>Sue Hailey
W. 3545 Robison
Rathdrum, ID 83858
<sal>Ms. Hailey
<>

<name>John E. Bentley
P.O. Box 741
Coeur d'Alene, ID 83814
<sal>Mr. Bentley
<>

<name>W.J. Boehmer
P.O. Box 1619
Priest River, ID 83856
<sal>Mr. Boehmer
<>

<name>Bob Camp
P.O. Box 734
Sandpoint, ID 83864
<sal>Mr. Camp
<>

<name>Mike McLean
P.O. Box 10
Priest River, ID 83856
<sal>Mr. McLean

INDEXED
OCT 07 1991

<>

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Dept. of Fish and Game
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Nordman, ID 83848
<sal>Mr. Collotz
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<name>Senator Tim Tucker
Statehouse Mail
Boise, ID 83720
<sal>Senator Tucker
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<name>Representative Monica Beaudoin
Statehouse Mail
Boise, ID 83720
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<name>Representative Jim Stoicheff
Statehouse Mail
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<name>Senator Mike Blackbird
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<name>Representative Eugene L. White
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<name>Representative Marvin G. Vandenberg
Statehouse Mail
Boise, ID 83720
<sal>Representative Vandenberg
<>

UNRECORDED
OCT 07 1991

IDAHO DEPARTMENT OF WATER RESOURCES
NEWS RELEASE

Statehouse Mail, Boise, Idaho 83720

March 25, 1991

Contact: Gerald Grimmett
327-7900

FOR IMMEDIATE RELEASE:

**WATER BOARD APPLIES FOR MINIMUM FLOWS
ON THREE PRIEST RIVER BASIN STREAMS**

The Idaho Water Resource Board has made application for minimum streamflows on Zero and Packer Creeks, and on the North Fork of the East River in the Priest River Basin.

A formal public hearing will be held on the applications at the Priest River Junior High School Library, 1020 W. Albeni Highway, Priest River on Monday, April 22 at 7:00 p.m.

The purpose of the applications is to maintain aquatic habitat for fish spawning and rearing, and includes the entire length of the three streams on which application has been made. The permits, if issued, will be subject to all prior water rights.

At the hearing, conducted by the Director of the Idaho Department of Water Resources, formal and informal testimony will be taken pursuant to the provisions of Section 42-1503, Idaho Code.

Any party wishing to formally appear at the hearing for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water resources. 1910 Northwest Blvd. Suite 1200

OCT 07 1991

Coeur d'Alene ID 83814 on or before April 19. Other parties will be given an opportunity to informally present their views and comments without filing a notice of appearance. Written, informal views and comments may also be submitted to the Department of Water Resources prior to the hearing.

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OCT 07 1991

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resource Board submitted applications for permit to appropriate water to the Department of Water Resources on November 9, 1990, proposing to appropriate water for minimum streamflows in three creeks within the Priest Lake Basin. The applications are further described as follows:

Source: Zero Creek

Application No.: 97-7306

Proposed Priority: November 9, 1990

Amount and Period of Use: 3.0 cfs from July 1 through March 31
15.0 cfs from April 1 through June 30

Purpose of Minimum Flow: To maintain aquatic habitat for fish spawning and rearing.

Place of Use: The entire length of Zero Creek from its headwaters in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 5, T62N, R5W, B.M., downstream approximately 4.25 miles to its confluence with Granite Creek in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 29, T62N, R5W, B.M.

Source: Packer Creek

Application No.: 97-7307

Proposed Priority: November 9, 1990

Amount and Period of Use: 2.0 cfs from July 1 through March 31
10.0 cfs from April 1 through June 30

Purpose of Minimum Flow: To maintain aquatic habitat for fish spawning and rearing.

Place of Use: The entire length of Packer Creek from its headwaters in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, T62N, R5W, B.M., downstream approximately 4 miles to

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OCT 07 1991

its confluence with Granite Creek
in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, T62N,
R5W, B.M.

Source: North Fork East River

Application No.: 97-7308

Proposed Priority: November 9, 1990

Amount and Period of Use: 18.0 cfs from July 1 through
March 31
70.0 cfs from April 1 through
June 30

Purpose of Minimum Flow: To maintain aquatic habitat for
fish spawning and rearing.

Place of Use: The entire length of the North Fork
East River from its headwaters in
the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 10, T59N, R3W,
B.M., downstream approximately 9.25
miles to its confluence with the
Middle Fork East River in the
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, T58N, R4W, B.M.

The Director of the Department of Water Resources will hold a public hearing regarding these applications at the Priest River Junior High School Library, 1020 W. Albeni Hwy, Priest River, Idaho, on Monday April 22, 1991. Formal and informal testimony will be taken at 7:00 p.m. The hearing will be conducted pursuant to the provisions of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in this proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, on or before April 19, 1991. Other parties will be given an opportunity to informally present their views and comments without filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing.

If issued, these permits will be subject to all prior water rights.

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

Advertised in the Priest River Times on 4/3 & 10/1991.

Advertised in the Lewiston Tribune, Idaho Statesman, Times-News & Post Register on 4/4 & 11/1991.

OCT 07 1991

NEWS RELEASE

Statehouse Mail, Boise, Idaho 83720

March 15, 1991

Contact: Gerald Grimmett
327-7900

FOR IMMEDIATE RELEASE:

MINIMUM STREAMFLOW HEARINGS CANCELED

Scheduling conflicts have caused the cancellation of minimum streamflow hearings for Zero Creek, Packer Creek, and the North Fork East River originally scheduled for March 28.

The hearing will be rescheduled later this year, according to Gary Spackman, Idaho Department of Water Resources spokesman.

MICROFILMED

OCT 07 1991

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resource Board submitted applications for permit to appropriate water to the Department of Water Resources on November 9, 1990, proposing to appropriate water for minimum streamflows in three creeks within the Priest Lake Basin. The applications are further described as follows:

Source: Zero Creek

Application No.: 97-7306

Proposed Priority: November 9, 1990

Amount and Period of Use: 3.0 cfs from July 1 through March 31
15.0 cfs from April 1 through June 30

Purpose of Minimum Flow: To maintain aquatic habitat for fish spawning and rearing.

Place of Use: The entire length of Zero Creek from its headwaters in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 5, T62N, R5W, B.M., downstream approximately 4.25 miles to its confluence with Granite Creek in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 29, T62N, R5W, B.M.

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Source: Packer Creek

Application No.: 97-7307

Proposed Priority: November 9, 1990

Amount and Period of Use: 2.0 cfs from July 1 through March 31
10.0 cfs from April 1 through June 30

Purpose of Minimum Flow: To maintain aquatic habitat for fish spawning and rearing.

Place of Use: The entire length of Packer Creek from its headwaters in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, T62N, R5W, B.M., downstream approximately 4 miles to

OCT 07 1991

its confluence with Granite Creek
in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, T62N,
R5W, B.M.

Source: North Fork East River

Application No.: 97-7308

Proposed Priority: November 9, 1990

Amount and Period of Use: 18.0 cfs from July 1 through
March 31
70.0 cfs from April 1 through
June 30

Purpose of Minimum Flow: To maintain aquatic habitat for
fish spawning and rearing.

Place of Use: The entire length of the North Fork
East River from its headwaters in
the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 10, T59N, R3W,
B.M., downstream approximately 9.25
miles to its confluence with the
Middle Fork East River in the
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, T58N, R4W, B.M.

The Director of the Department of Water Resources will hold a public hearing regarding these applications at the Priest River Junior High School, 1020 W. Albeni Hwy, Priest River, Idaho, on Thursday March 28, 1991. Formal and informal testimony will be taken at 7:00 p.m. The hearing will be conducted pursuant to the provisions of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in this proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing.

If issued, these permits will be subject to all prior water rights.

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

OCT 07 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: TDK DATE: 12/26/90 APPLICATION NUMBER: 9207308

APPLICANT: _____

REQUIRED INFORMATION

- (1). ☒ Name & Address: (If applicant is a corporation or partnership, names must be provided for the director, officers, and other partners.)
- (2). ☒ Source: (See USGS Quad for names of water sources)
- (3). ☒ Point of Diversion including county: (spring/10 ac., Subd. lot & block)
- (4). ☒ Quantity: (flow and/or volume)
☒ Nature of proposed use: (Include description of use)
☒ Period of use:
- (5). ☒ Total Quantity: (flow and/or volume)
- (6). ☒ Description of diverting works:
- (7). ☒ Time required for beneficial use of water:
- (8). ☒ Proposed uses:
- (9). ☒ Place of use or acres irrigated:
- (10). ☒ Other Water Rights:
- (11). ☒ Ownership:
- (13). ☒ Map:
☒ Signature: (signator title required for corp., partnership, etc)
☒ Fee: (Amount, receipt number and date recorded on application)
☒ Acknowledgement Letter:
☒ Overlap Review: Attachment? (Y)____ (N)____ Remarks? (Y)____ (N)____

3/14/91
Statewide
Rev. cancelled

ADDITIONAL INFORMATION

- YES NO
- ☒ Field check required: Field check by: _____
- ☒ Field report attached:
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ Send dam safety information:
- ☒ Send letter for additional fish information:
- ☒ Send letter for additional power information:
- ☒ Within trust water boundary: (Attach Trust Water Supp. Analysis Sheet):
- ☒ Diversion greater than 5 cfs or 500 af, supp. analysis sheet attached:
- ☒ Well drilling permit required:

PROCESSING

- YES NO
- ☒ In form for advertising:
- ☒ Statewide advertising: (10.00 or more cfs.)

Send Copies To

- | | | |
|--|--|---|
| YES NO | YES NO | YES NO |
| ☒ I.D. H & W | ☒ U.S. BLM | ☒ Other _____ |
| ☒ I.D. F & G | ☒ U.S.F.S. | |
| ☒ I.D. Lands | ☒ W District # _____ | |
| ☒ Adj. Bur. | ☒ G.W. Prot. Div. | |

Application Number _____

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:

Application published correctly: If not, record action taken.

____ Publication dates and paper recorded on application:

Protests received, Final date for protest _____

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)

Recommended Date of Priority 11/9/90

Recommended by: _____ Date: _____

STATE OFFICE REVIEW _____

See remarks for additional information. By _____ Date _____

REMARKS

[illegible]

Water right number - 97-07308

Adj. - flag translation: WATER RIGHT

Town	Rng	Sec	Tract	Lot	Place of Use	Code	Description	County
		20	NE SW ✓ SE SW ✓ NW SE ✓ SW SE ✓				(17) BONNER (17) BONNER (17) BONNER (17) BONNER	
		21	SE SE ✓ SW NE ✓ SE NE ✓ SE NW ✓ NE SW ✓ NW SW ✓ SW SW ✓ NE NW ✓ NW NW ✓				(17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER	
		22	NE NW ✓ NW NW ✓ SW NW ✓ NW NE ✓ NE NE ✓ NW NW ✓ SW NW ✓ SE NE ✓ SW SW ✓ SE SW ✓ NE SE ✓ NW SE ✓ NW NW ✓ NE NE ✓ SW NE ✓ SE NE ✓ NE SW ✓ SW SW ✓ SE SW ✓ NW SE ✓				(17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER	
		29	NE NW ✓ NW NW ✓ SW NW ✓ SE NE ✓ SW SW ✓ SE SW ✓ NE SE ✓ NW SE ✓ NW NW ✓ NE NE ✓ SW NE ✓ SE NE ✓ NE SW ✓ SW SW ✓ SE SW ✓ NW SE ✓				(17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER	
		30	NE NW ✓ NW NW ✓ SW NW ✓ SE NE ✓ SW SW ✓ SE SW ✓ NE SE ✓ NW SE ✓ NW NW ✓ NE NE ✓ SW NE ✓ SE NE ✓ NE SW ✓ SW SW ✓ SE SW ✓ NW SE ✓				(17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER	
		31	NE NW ✓ NW NW ✓ NE NE ✓ SW NE ✓ SE NE ✓ NE SW ✓ SW SW ✓ SE SW ✓ NW SE ✓				(17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER	
		36	NE NW ✓ NW NW ✓ NE NE ✓ SW NE ✓ SE NE ✓ NE SW ✓ SW SW ✓ SE SW ✓ NW SE ✓				(17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER (17) BONNER	
		04W						

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - other Rights for Same Use - -

	Remarks
No Remarks found.	

```

+-----+
+-----+ Conditions of Approval +-----+
+-----+ No Conditions of Approval found. +-----+

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No Conditions of Approval found.

