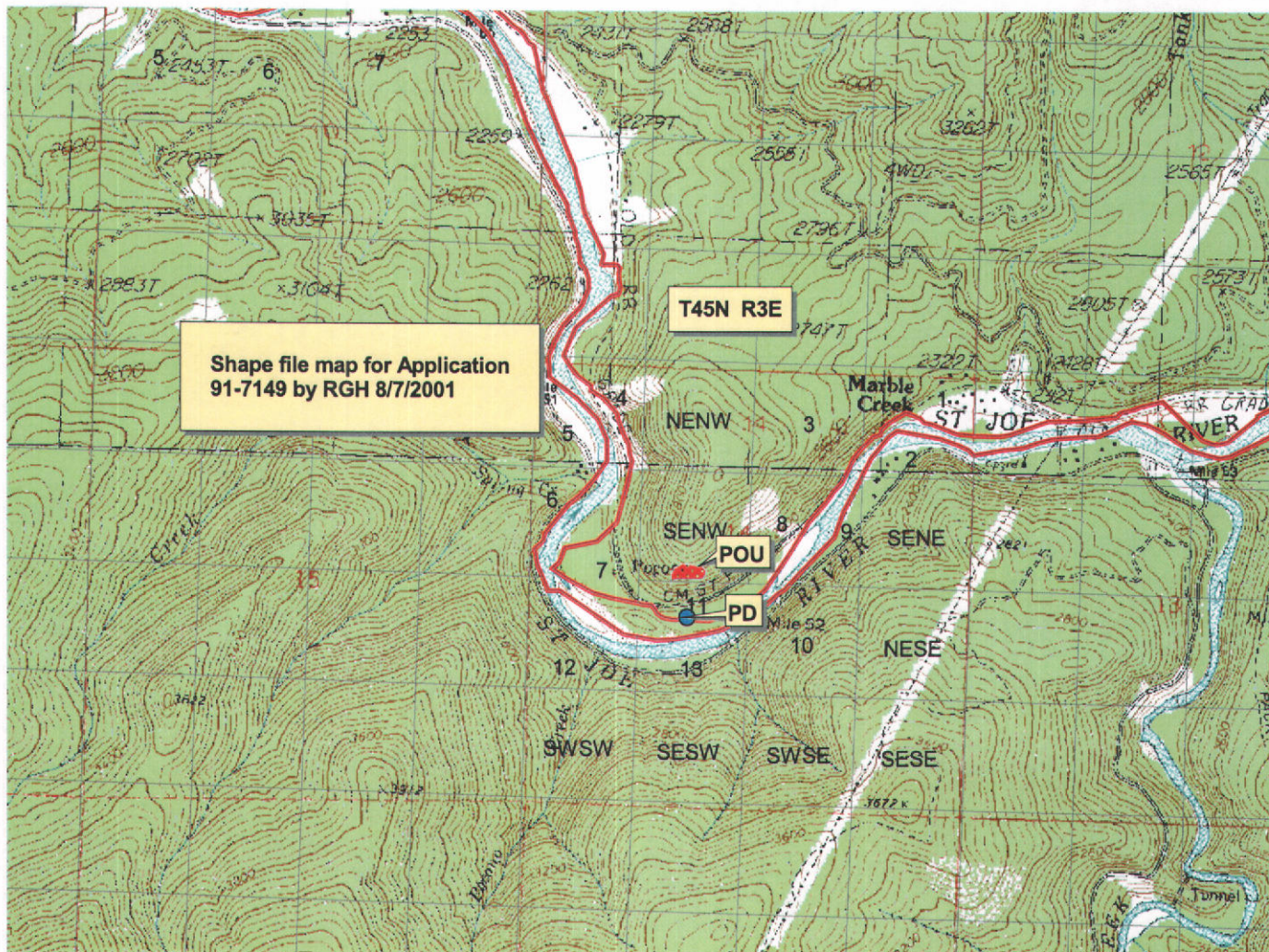
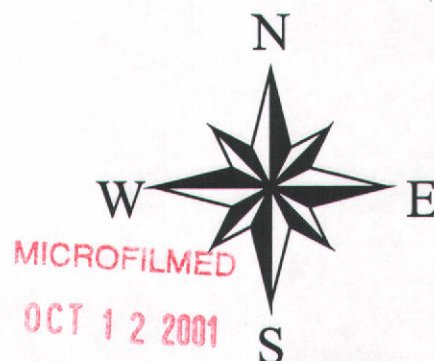
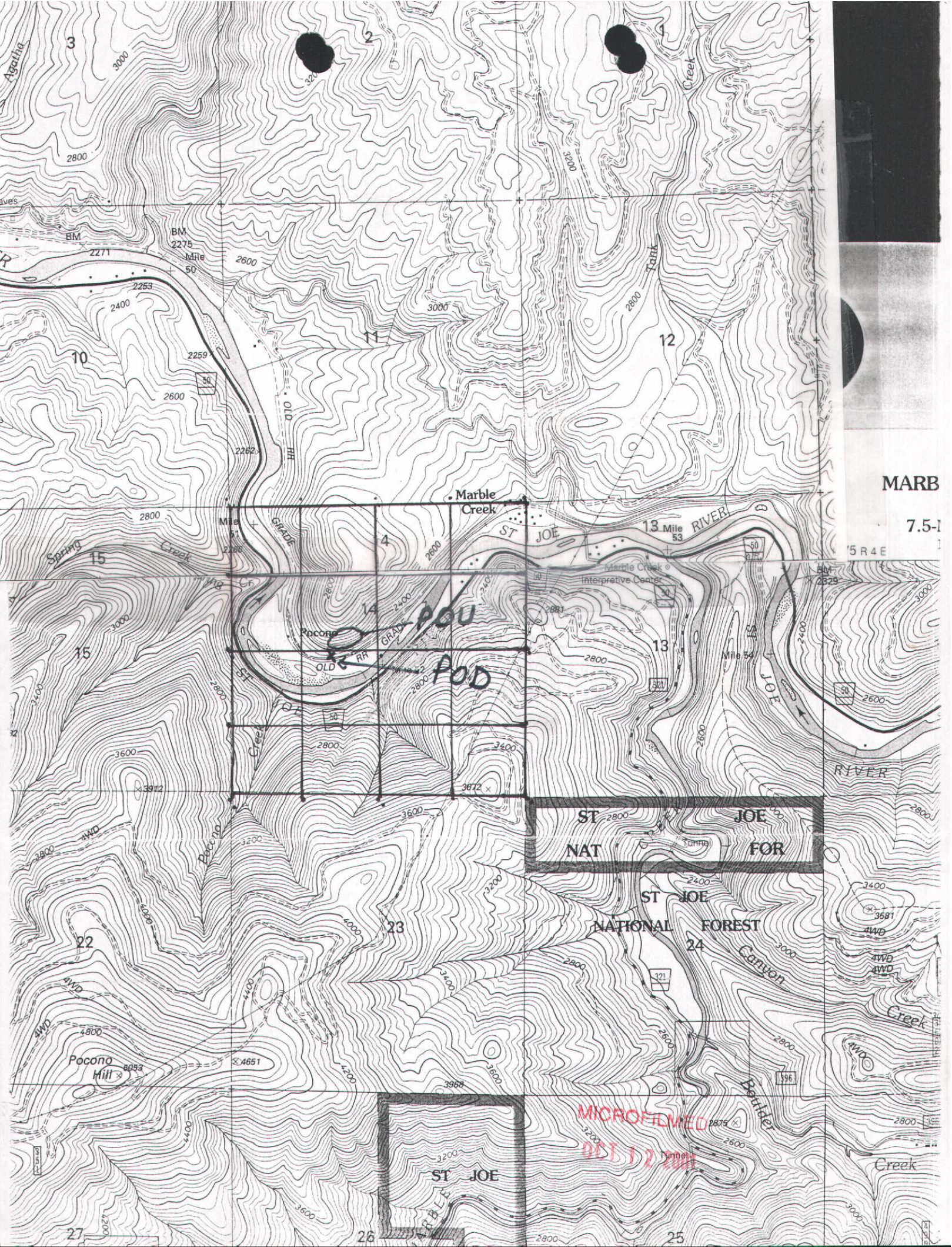


- GCDBT45N03E.shp
- POD- Application Application POD
- Application POU
- Townships





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NATIONAL FOREST

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OCT 12 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 21 2003

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 91-7149 Telephone No. 509-448-8816
2. Name of Permit Holder(s): William R. Tomlinson & Robert H. Tomlinson
3. Mailing Address: 5423 S. Quail Ridge Circle
City Spokane State WA Zip 99223
4. Source of Water: St. Joe River If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 5 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .03 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is *not* optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No ✓
Has the measuring device been installed? Yes _____ or No _____
8. Fee Enclosed: \$ 50⁰⁰ (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: William R. Tomlinson
Robert H. Tomlinson Telephone Number: 509-448-8816
Address: 5423 S. Quail Ridge Circle Spokane, WA 99223
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: William R. Tomlinson Date: 7/13/03
(include your title, if on behalf of company or organization)

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OCT 20 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 91-07149

Priority: 05/30/2001

Maximum Diversion Rate: 0.15 CFS

This is to certify, that WILLIAM R TOMLINSON
5423 S QUAIL RIDGE CIRCLE
SPOKANE WA 99223

And/Or

ROBERT H TOMLINSON
5423 S QUAIL RIDGE CIRCLE
SPOKANE WA 99223

has applied for a permit to appropriate water from:

Source: ST. JOE RIVER

Tributary: COEUR D'ALENE LAKE

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.15 CFS	

LOCATION OF POINT(S) OF DIVERSION:

ST. JOE RIVER L10 NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14, Twp 45N, Rge 03E, B.M. SHOSHONE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
45N	03E	14								5.0									5.0

Total Acres: 5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 1, 2003**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
5. Water shall not be diverted under this right when flows in the St. Joe River are below established minimum flow amounts.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 16th day of August, 2001.

MICROFILMED

OCT 12 2001

[Signature]
for KARL J DREHER, Director

69238

Ident. No. 91-7149

AUG - 9 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of Applicant WILLIAM R. TOMLINSON ROBERT H. TOMLINSON Phone 509-448-4292
509-448-8816

Mailing address 5423 S QUAIL Ridge Circle SPOKANE, WA 99223

2. Source of water supply ST. JOE RIVER which is a tributary of CDA LAKE

3. Location of point of diversion is Township 45 N Range 3 E Sec. 14 in the NE 1/4, SW 1/4, Govt. Lot Shoshone B.M., Shoshone County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .05 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .15 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source 2 HP Submersible
pump, pipe line Sprinkle System

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? _____; Drilling firm _____

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)

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. _____

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907 12 2387

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	RGE	SEC	45N 3E 14															
			N E				N W				S W				S E			
			NE NW SW SE				NE NW SW SE				NE NW SW SE				NE NW SW SE			
			5				5				5				5			
			TOTALS				TOTALS				TOTALS				TOTALS			

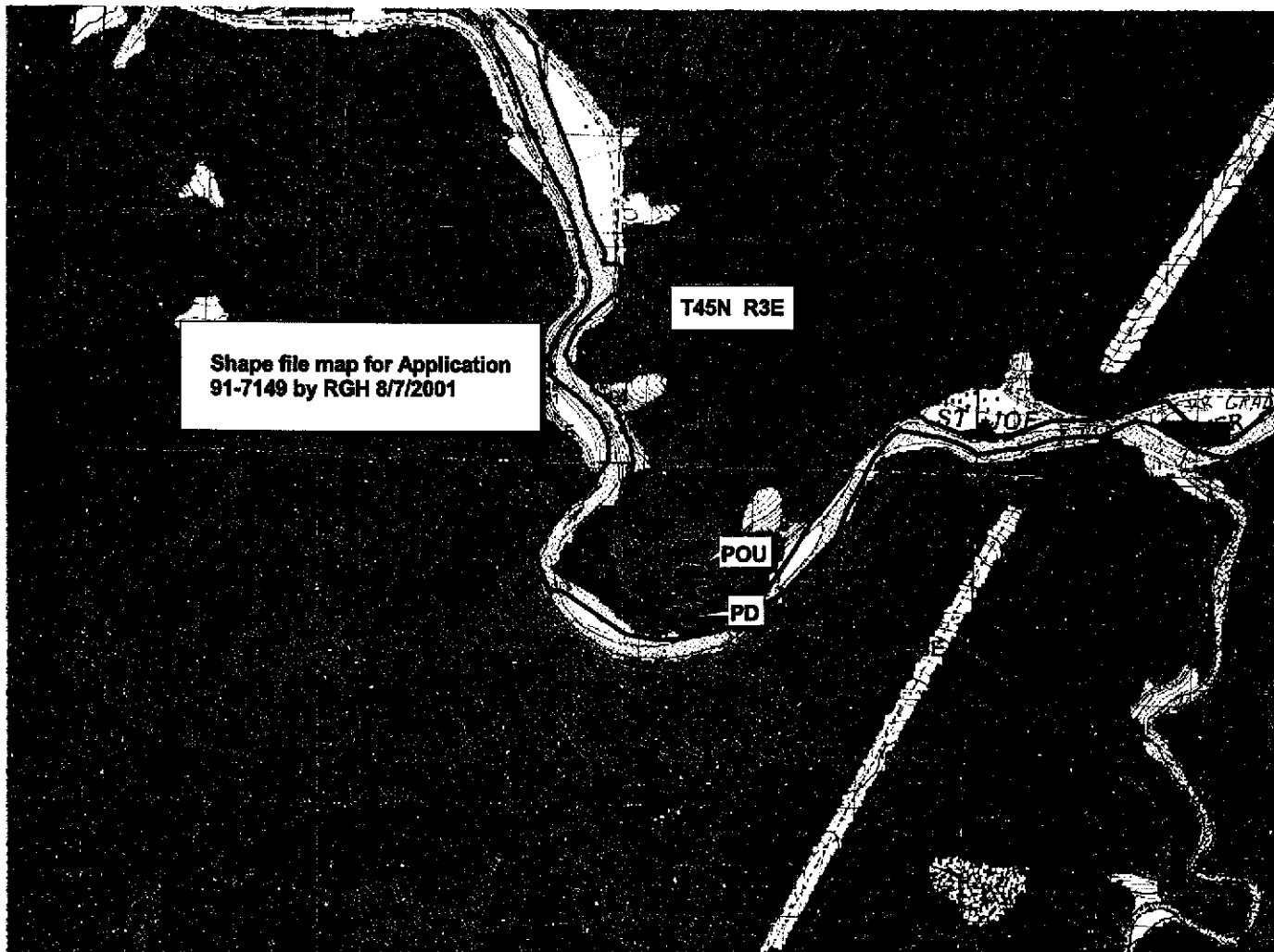
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[illegible]

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

017 2 2004
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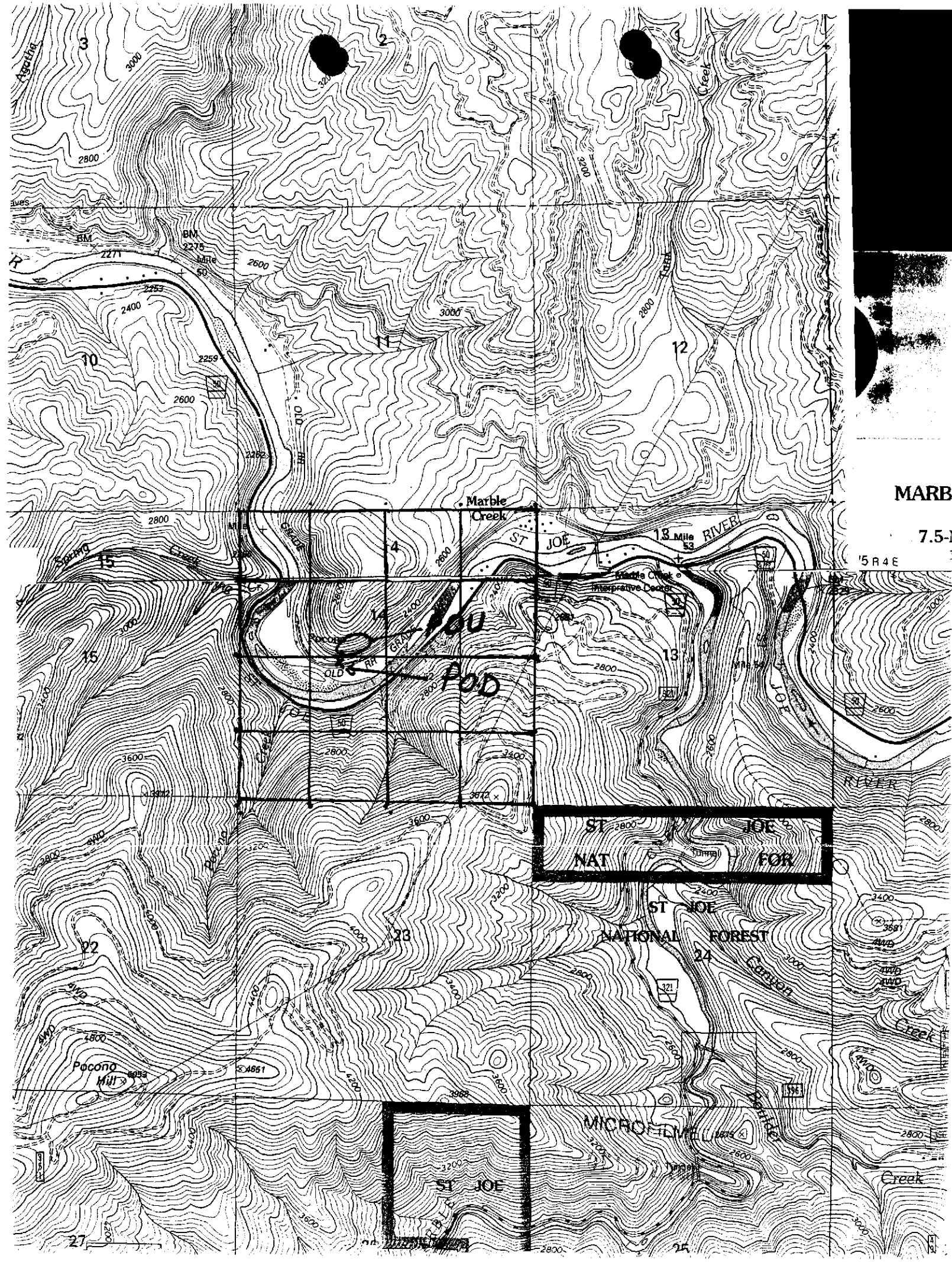
Published in Shanghai by New Asia Press 7/54/50/1



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-  POD- ApplicationApplication POD
-  Application POU
-  Townships





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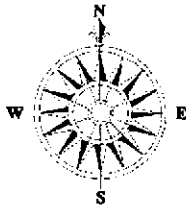
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Howe & Associates
Professional Land Surveying
201 N. 8th Street, Suite C
St. Maries, ID 83861
(208) 245-1507
Fax: (208) 245-1605

March 13, 1997

John W. Howe
3/13/97

POTLATCH CORPORATION
Parcel No. 1 Description



A part of Government Lots 7 and 11, including accretions and relictions thereto; a part of the abandoned Chicago, Milwaukee, St. Paul and Pacific Railroad in said Government Lots 7 and 11, Sec. 14, Township 45 North, Range 3 East, B.M., Shoshone Co., Idaho and part of a former channel of the St. Joe River; more particularly described as follows:

COMMENCING at the corner to secs 11, 12, 13 & 14 (Northeast cor. of sec. 14), monumented with an iron pipe, 2 ins. diam., with a brass cap, 2 1/2 ins. diam., marked PLS 2532 S;

thence South 48°01'03" West, 2592.26 ft. to a point on the centerline of the abandoned Chicago, Milwaukee, St. Paul and Pacific Railroad (according to the revised plans) at station 713+51.8 ES;

thence traversing the centerline of said railroad, as follows:

South 45°31'00" West, 1045.20 ft. (of record as South 44°27' West) to station 723+97.0 BS;

thence 120.00 ft. along the arc of a spiral curve right, having a delta angle of 3°36', the chord of which bears South 46°43'00" West, 119.99 ft. to station 725+17.0 BC;

thence 332.93 ft. along the arc of a 955.37 ft. radius, chord definition, curve right, said curve having a chord bearing South 59°06'00" West, 331.25 ft. to station 728+50.8 PCC;

thence 140.03 ft. along the arc of a 1432.68 ft. radius, chord definition, curve right, said curve having a chord bearing South 71°53'00" West, 139.97 ft. to station 729+90.8 PCC;

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OCT 12 2002

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Potlatch Corporation
Parcel No. 1
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3/13/97
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thence 221.68 ft. along the arc of a 2864.93 ft. radius, chord definition, curve right, said curve having a chord bearing South 76°54'00" West, 221.62 ft. to station 732+12.7 PCC;

thence 150.05 ft. along the arc of a 1091.73 ft. radius, chord definition, curve right, said curve having a chord bearing South 83°03'15" West, 149.93 ft. to station 733+62.7 PCC;

thence 244.33 ft. along the arc of a 674.69 ft. radius, chord definition, curve right, said curve having a chord bearing North 82°38'02" West, 243.00 ft.;

thence leaving said centerline, South 17°44'26" West, 50.00 ft. to the POINT OF BEGINNING, monumented with an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832;

thence traversing 50 ft. left of the revised centerline, as follows:

653.72 ft. along the arc of a 724.69 ft. radius, chord definition, curve right, said curve having a chord bearing North 46°25'02" West, 631.78 ft. to an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832 opposite sta. 742+18.2 PCC;

thence 123.15 ft. along the arc of a 840.81 ft. radius, chord definition, curve right, said curve having a chord bearing North 16°22'45" West, 123.04 ft. to an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832 opposite sta. 743+34.2 PCC;

thence 159.87 ft. along the arc of a 1005.37 ft. radius, chord definition, curve right, said curve having a chord bearing North 7°37'40" West, 159.70 ft. to an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832;

thence leaving said 50 ft. parallel line, South 86°55'40" West, 30.00 ft. to an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832;

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OCT 12 2009

Howe & Associates
Potlatch Corporation
Parcel No. 1
S14/T45N/R3E
3/13/97
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thence traversing 80 ft. left of the revised centerline, as follows:

213.24 ft. along the arc of a 1035.37 ft. radius, chord definition, curve right, said curve having a chord bearing North 2°49'40" East, 212.86 ft. to an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832;

thence along a calculated centerline of a former channel of the St. Joe River, according to calculations based on the General Land Office surveyed meander line, as follows:

South 44°02'39" West, 252.50 ft. to an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832;

thence South 77°13'42" West, 359.02 ft. to an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832;

thence South 77°39'14" West 63.70 ft. to an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832 on the right bank of the St. Joe River;

thence to and along the mean high water line of the right bank of the St. Joe River, the meanders of which are as follows:

South 09°05'44" East, 68.11 ft. to an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832;

thence South 30°00'42" East, 263.46 ft. to an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832;

thence South 46°11'49" East, 148.14 ft. to an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832;

thence South 57°59'25" East, 202.00 ft. to an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832;

thence South 64°12'39" East, 244.58 ft. to an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832;

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OCT 12 2001

Howe & Associates
Potlatch Corporation
Parcel No. 1
S14/T45N/R3E
3/13/97
Page 4

thence South 85°14'32" East, 114.74 ft. to an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832;

thence South 78°22'30" East, 345.40 ft. to an iron rod, 30 ins. long, 5/8 ins. diam., with a plastic cap mkd. PLS 832;

thence leaving said mean high water line and meander line, North 32°55'08" East, 50.19 ft. to the POINT OF BEGINNING.

This parcel contains part of what was once a channel of the St. Joe River, according to the General Land Office Survey, and uses a calculated centerline of the former channel using the adjusted meanders of that survey.

This parcel contains 8.92 acres based on the calculated channel centerline and the current meander line, EXCEPTING THEREFROM any part below the mean high water line of the St. Joe River.

MICROFILMED
OCT 12 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 18, 2003

WILLIAM R TOMLINSON
ROBERT H TOMLINSON
5423 S QUAIL RIDGE CIRCLE
SPOKANE WA 99223

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 91-7149

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Northern** Regional Office of the department in Coeur d'Alene (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

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OCT 20 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 91-7149

Reviewed By: dgibson

Date: August 15, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		N014409, C070111	Well driller's report filed?		
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	07/21/2003
Date proof due	- 08/01/2003
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 05/30/2001
New priority date	= 05/30/2001

Deficiencies of Actions Items

Acknowledge proof.

May 31, 2003

WILLIAM R TOMLINSON
ROBERT H TOMLINSON
5423 S QUAIL RIDGE CIRCLE
SPOKANE, WA 99223

PROOF DUE NOTICE

RE: PERMIT NO. 91-7149

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 01, 2003. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

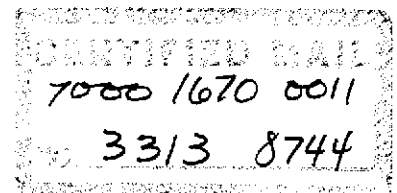
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

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OCT 20 2003





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 17, 2001

WILLIAM R TOMLINSON
ROBERT H TOMLINSON
5423 S QUAIL RIDGE CIRCLE
SPOKANE WA 99223

RE: Permit No. 91-7149

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

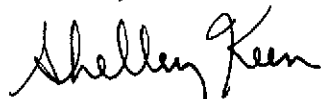
Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

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

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

OCT 12 2001

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OCT 12 2001

CERTIFICATE OF MAILING

I hereby certify that on August 17, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 91-7149

WILLIAM R TOMLINSON
ROBERT H TOMLINSON
5423 S QUAIL RIDGE CIRCLE
SPOKANE WA 99223

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

Kari Lynn Townsend
Secretary

MICROFILMED
OCT 12 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
OCT 12 2001

Curtis, Sharla

From: Graham, Bill
Sent: Monday, August 13, 2001 7:52 AM
To: ~~Curtis, Sharla~~ *file*
Subject: RE: App 91-7149 within MSF reach St. Joe River

Thanks Sharla - This looks fine as you've conditioned it.

BG

-----Original Message-----

From: Curtis, Sharla
Sent: Friday, August 10, 2001 4:57 PM
To: Graham, Bill
Subject: App 91-7149 within MSF reach St. Joe River

Bill, here's the permit as we propose to issue with just the typical MSF remark. Is there any other conditions you'd like added or comments you might have?

Thanks in advance for your help.

<< File: Permit 91-7149.RTF >>

Microsoft Word 6.0/95

9/11/2001

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 8/9/01

No. 91-7149 Name: Jomlinson Corp. Officers N/A Ad ok 1 Govt Lots

AREA OF CONCERN: No/Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

BENEFICIAL USE DUE: 8/01/2003

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-042-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
>1 in restricted area - 070-071-075(no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 4/1 - 10/31 (Per updated map)

IRR VOLUME/ACRE 3.0

OTHER CONDITIONS/REMARKS

COMMENTS

No overlaps

RECEIVED

AUG - 9 2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION ANALYSIS SHEET

69238

APPLICATION # 91-7149

INITIAL REVIEW

ok to pub. BGA. WRA.

Department of Water Resources

APPLICANT: Tomlinson

BY: [Signature]

DATE: 6/20/01

ITEM REQUIRED INFORMATION

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

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

PROCESSING

(Yes)(No) PRIORITY DATE: 5/30/01

(X) (Include Moratorium Remark)

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

NP/Thurs/ok

ADVERTISE IN: SHOSHONE County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

ADDITIONAL INFORMATION

(Yes)(No)

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

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

GROUNDWATER SECTION

WD Permit No.'s:	TAG #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()

- (X) Groundwater management area
(X) Critical ground water area
(X) Well Drilling Permit required
(X) Well Drilling Application and Fees received
(X) Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- (X) Notice of pending void order issued. Final order response date: ____/____/____
(X) Further information required from applicant
7/12/01 (X) Affidavit of publication received
7/13/01 (X) Application published correctly. If not, record action taken: _____

6/27 Publication dates and paper recorded on application | Sr. Agent initial _____

(X) Protests received, Final protest date: 7/23/01

(X) Measuring device required

(X) Measuring port required

(X) Special conditions:

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

Approval Recommended by: [Signature]

Date: 8/7/2001

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, July 10, 2001 2:25 PM
To: 'Ray Hennekey IDFG Cd'A'
Subject: Two New Water Right Filings - Comments needed.

Good afternoon, Ray. We need your comments, concerns &/or recommendations concerning the following two (2) water right applications. Last date for protests to be filed is 7/23/01 on both of these. Your comments, etc. will be appreciated on or before that time. Thank you, have a great day, and *may your life be littered with love and blessings.*
Dianne

IDAHO DEPARTMENT OF WATER RESOURCES NEW WATER RIGHT FILINGS DATE: 07/2/01

Application for Permit No. 91-7149

Name: WILLIAM R TOMLINSON ROBERT H TOMLINSON

Diversion Pt NESW Sec 14 T 45N R 03E SHOSHONE County

Source ST JOE RIVER

Use: IRRIGATION 03/15 To 11/15 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 05/30/2001

Place Of Use: IRRIGATION T45N R03E S14 SENW Number of Acres 5

Application for Permit No. 96-9079

Name: RON DIEHL MARIANNE DIEHL

Diversion Pt SESE Sec 30 T 56N R 03W BONNER County

Source PEND OREILLE RIVER

Use: IRRIGATION 03/15 To 11/15 0.06 CFS

Total Diversion: 0.06 CFS

Date Filed: 03/16/2001

Place Of Use: IRRIGATION T56N R03W S30 SESE Number of Acres 2

*No comment
by 7/26/01*

MICROFILMED

OCT 12 2001

RECEIVED
JUL 12 2001
IDWR/North

PROOF OF PUBLICATION

) STATE OF WATER DEPARTMENT OF WATER RESOURCES
) NORTHERN REGION SUITE #210
) 1910 NORTHWEST BLVD
) COEUR D ALENE ID 83814-2615

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

91-7149
WILLIAM R. TOMLINSON
ROBERT H. TOMLINSON
5423 S. QUAIL RIDGE CIRCLE
SPOKANE, WA 99223
Point(s) of Diversion NESW S14 T45N
R03E SHOSHONE County
Source SAINT JOE RIVER Tributary
To COEUR D'ALENE LAKE
Use: Irrigation 03/15 to 11/15 0.15 CFS
Total Diversion: 0.15 CFS
Date Filed: 05/30/2001
Place of Use: IRRIGATION T45N R03E
S14 SENW
Number of Acres 5

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protests against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur d'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 07/23/2001. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
Legal #SHO885
2 x 7-5/12/2001

s/ Daniel C. Drewry, being first duly sworn deposes and says:
SHOSHONE NEWS-PRESS, a daily newspaper of general circulation in said county, published in the city of Kellogg, in the County of Shoshone and the State of Idaho, and which has been published continuously in said county for a period of 78 weeks immediately prior to the publication of this notice hereinafter described, and that the

LEGAL NOTICE

#885

of which the annexed is a true copy, was published in each regular weekly/daily issue of said newspaper, and not in supplement thereto, for a period of two (2) consecutive weeks/days, the first publication thereof being in the issue dated 7/3, 10/2001

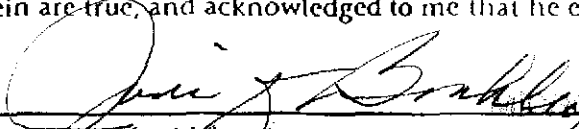
STATE OF IDAHO

COUNTY OF

SHOSHONE



On this 11th day of JULY in the year of 2001
before me a Notary Public, personally appeared Daniel C. Drewry known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.


Notary Public for Idaho
Residing in Kellogg, Idaho
My Commission expires:
10/10/05

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91-7149

WILLIAM R TOMLINSON
ROBERT H TOMLINSON
5423 S QUAIL RIDGE CIRCLE
SPOKANE WA 99223

Point(s) of Diversion NESW S14 T45N R03E SHOSHONE County
Source SAINT JOE RIVER Tributary To COEUR D'ALENE LAKE
Use: IRRIGATION 03/15 To 11/15 0.15 CFS
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KARL J DREHER, Director

Published in Shoshone County News Press on 7/5 and 12/2001

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OCT 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 27, 2001

Legal Notice Department

SHOSHONE COUNTY NEWS PRESS
PO BOX 149
KELLOGG ID 83837

RE: Application for Permit No. 91-7149

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 07/23/2001. Your cooperation is appreciated.

Sincerely

A handwritten signature in cursive script that reads "Dianne Ball".

Dianne Ball
Administrative Assistant

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OCT 12 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 27, 2001

WILLIAM R TOMLINSON
ROBERT H TOMLINSON
5423 S QUAIL RIDGE CIRCLE
SPOKANE WA 99223

RE: Application for Permit No 91-7149

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Shoshone County News Press on July 5 and 12, 2001. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about 90 to 120 days.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Al Beardslee'.

Al Beardslee
Senior Water Resource Agent

Enclosure Receipt No. N014409

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OCT 12 2001