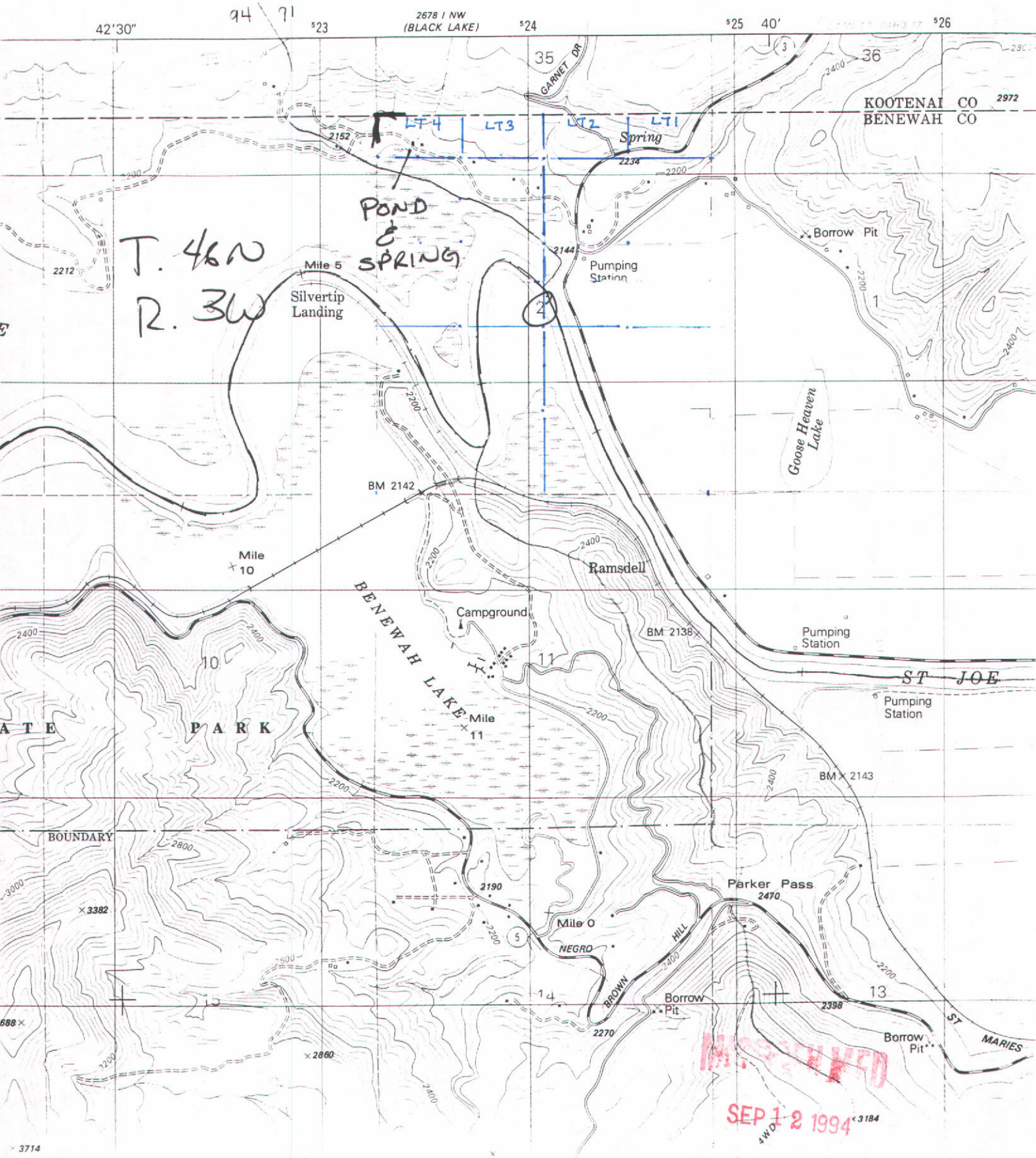




KOOTENAI CO 2972
BENEWAH CO

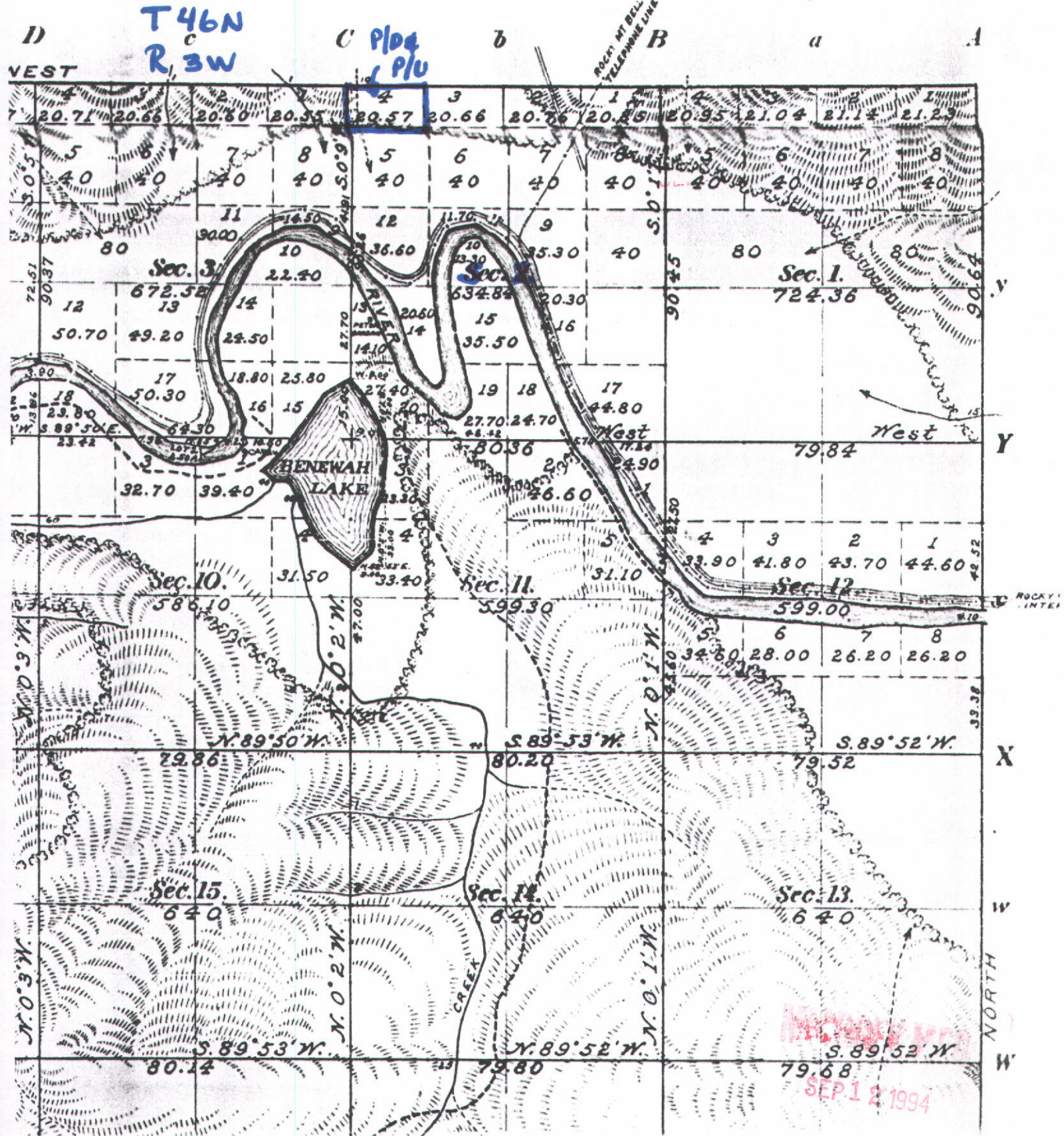
T. 46N
R. 3W

POND
&
SPRING

MEASURED
SEP 1 2 1994
4WD 3184

(4-675u)

NDIAN RESERVATION
West of the Boise Meridian, Idaho.



PERMIT # 91-07128

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT
PHOTOGRAPHS



18" Inflow Culvert



Inflow Culvert
18"



Inflow Culvert

MICROFILMED
APR 09 1998

91-07128



OUTFLOW
Culvert

STATE OF IDAHO
NT OF WATER R
REPORT SUPPL
O T O G R A P H

OUTFLOW at Pond



Spring Head

OUTFLOW 18" Culvert

MICROFILMED
APR 09 1998





STATE OF IDAHO
DEPARTMENT OF WATER
REPORT SUPPLEMENT
PHOTOGRAPH

Looking South West Direction
Looking North

Looking East Direction

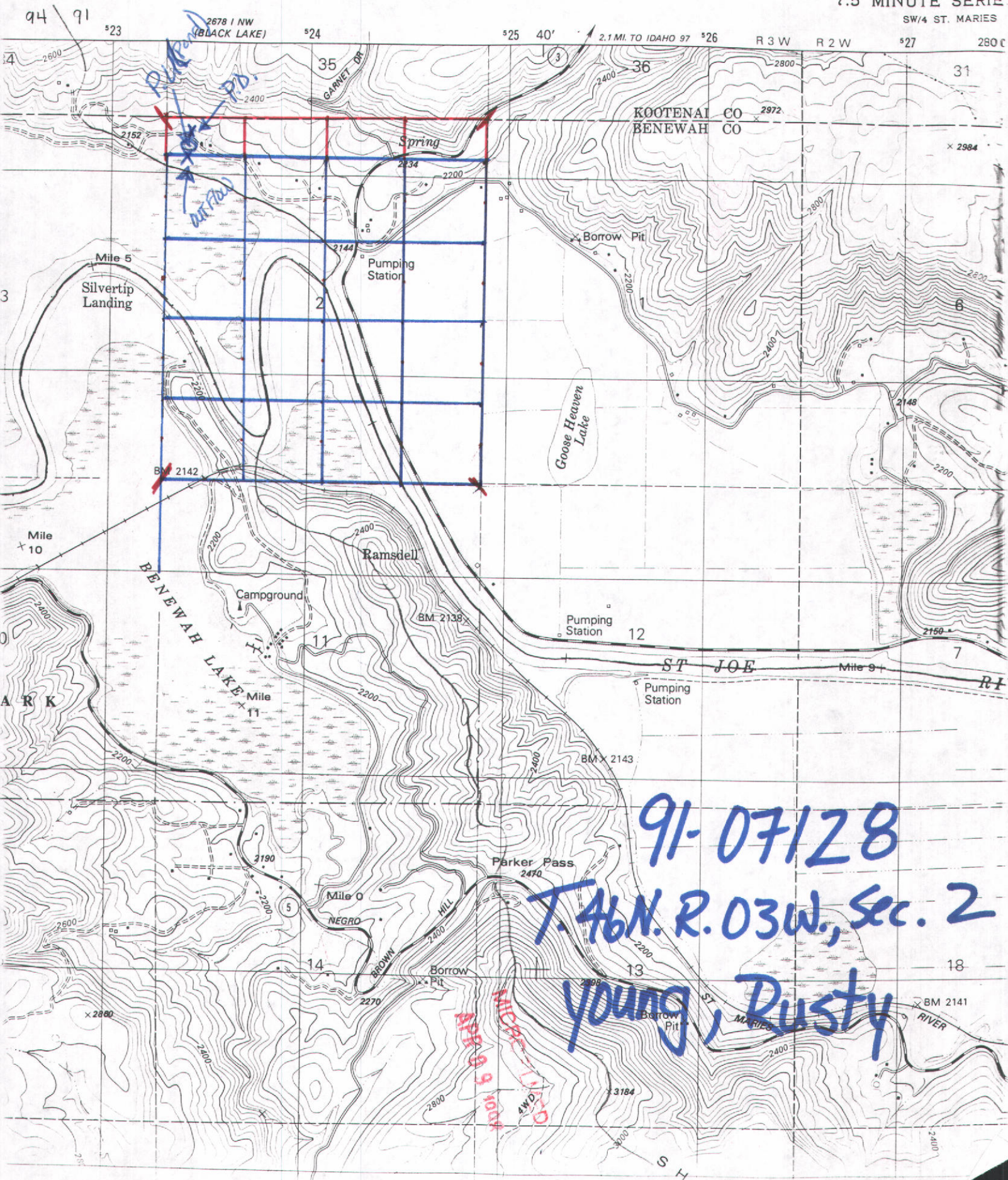
APR 09 1998



Spring Area

91-07128

BENEWAH LAKE
IDA:
7.5 MINUTE SERIE
SW/4 ST. MARIES



11

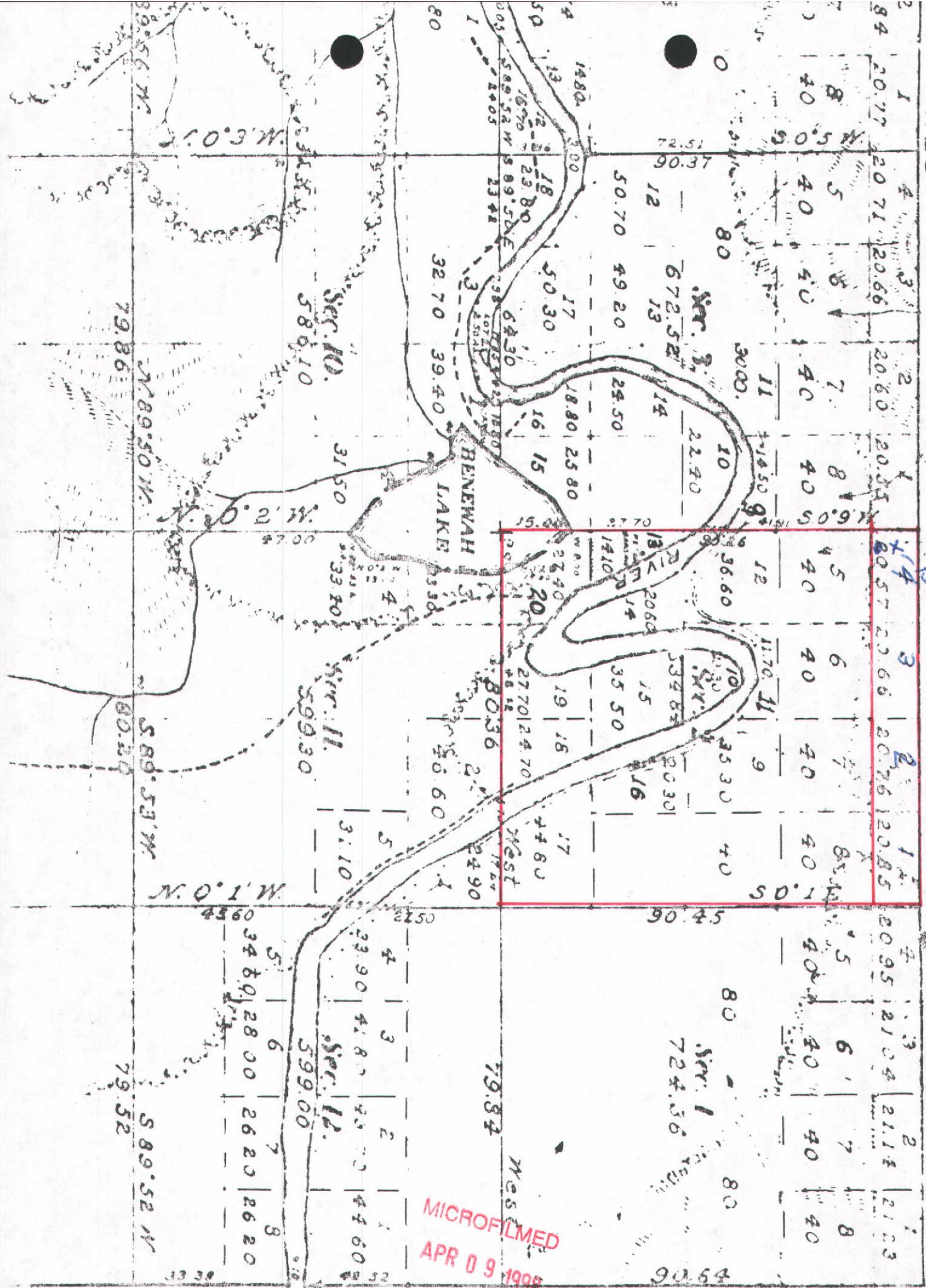
WEST

6

13

T4CN R3U

A



MICROFILMED
APR 09 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 91-07128

Priority: March 3, 1994

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

25.8 AF

This is to certify, that RUSTY YOUNG

HC 2 BOX 119

ST MARIES ID 83861

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 3, 1994; and has submitted Proof of Beneficial Use on April 7, 1997. An examination indicates that the works have a diversion capacity of 0.030 cfs of water from:

SPRING

tributary to **ROUND LAKE**

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION	01/01 to 12/31	0.03 CFS	21.7 AF
RECREATION STORAGE	01/01 to 12/31		4.1 AF
FIRE PROTECTION	01/01 to 12/31	0.03 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		4.1 AF
Totals		0.03 CFS	25.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWNWNW), Sec. 2, Township 46N, Range 03W
BENEWAH County

PLACE OF USE: RECREATION

TWN RGE SEC

46N 03W 2 Lot 4(NWNW)

PLACE OF USE:

FIRE PROTECTION, same as RECREATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

MICROFILMED

APR 09 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 91-07128

CONDITIONS OF APPROVAL AND REMARKS

5. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
6. Recreation use is for private fish rearing.

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 9TH
day of MARCH, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

MAR 03 1998

RECEIVED

APR 07 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 91-07128 Telephone No. 208-245-4853

2. Name(s) of Permit Holder(s): Rusty Young

3. Mailing Address: HC02 Box 119 St. Maries ID 83861

4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. / yr.

a. Well Driller: Drilling Permit Number: - -

b. **OPTIONAL:**
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): Stockwater (No. and type of stock):

Irrigation (No. of acres): .5 Other:

6. Total rate of diversion and/or volume for which proof is submitted: 20 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No ✓

Has the measuring device been installed? Yes or No ✓

Flow Measurement Port: Is a flow measurement port required? Yes or No ✓

Has the measurement port been installed? Yes or No ✓

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Rusty Young Telephone Number: 208-245-4853

Address: HC02 Box 119 St. Maries ID

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

MICROFILMED

Signature of permit holder: Rusty Young MAY 28 1997 Date: 4-4-97
(include your title, if on behalf of company or organization)

RECEIVED

MAY 25 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 91-07128
Name(s) of Permit Holder: Rusty Young
Mailing Address: HCO2 Box 119 St. Maries Id 83861
Date Proof is Due: June 1st 1995 Telephone No. 208-245-4853

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

I have completed most of the pond but
I need to reconstruct the south end
of it along with the spillway.

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

#1 I can't get the backhoe I need until next spring. It need
to be one with an extra long boom.
#2 I need to have time to save enough money for the completion.

Permit holder(s) request an extension to June 1st, 19 97.

FEE: \$50.00

(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to June 1, 1997.

Signed this 7th day of June, 19 95.

D. Glen Saylor
Chief, Water Allocation Bureau

JUN 14 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 91-07128

Proposed Priority: March 3, 1994

Maximum Diversion Rate:

0.20 CFS

This is to certify, that RUSTY YOUNG
HC 2 BOX 119
ST MARIES ID 83861
has applied for a permit to appropriate water from:

SPRING

tributary of ROUND 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	03/15 to 11/15	0.03 CFS	
IRRIGATION STORAGE	03/15 to 11/15		5.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		5.0 AF
RECREATION	01/01 to 12/31	0.20 CFS	
RECREATION STORAGE	01/01 to 12/31		5.0 AF
FIRE PROTECTION	01/01 to 12/31	0.20 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		5.0 AF
	Totals	0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWNW), Sec. 2, Township 46N, Range 03W
BENEWAH County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
46N	03W	2	NWNW	0.5		0.5

Total number of acres irrigated: 0.5

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

PLACE OF USE: RECREATION, same as IRRIGATION use

PLACE OF USE: FIRE PROTECTION, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1995.
2. Subject to all prior water rights.
3. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
4. Recreation use is for private fish rearing.

SEP 12 1994

State of Idaho
Department of Water Resources

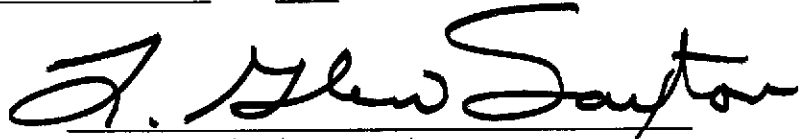
Permit To Appropriate Water

NO. 91-07128

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Witness the signature of the Director, affixed at Boise, this

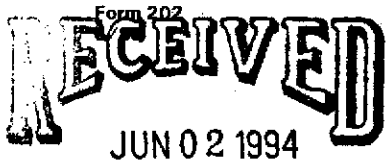
7th day of June, 1994



R. Keith Higginson, Director

for

SEP 12 1994

Ident. No. 91-7128STATE 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 Rusty Young Phone 208-245-4853Post office address HCO2 Box 179 St. Maries ID 838612. Source of water supply Spring which is a tributary of Round Lake3. Location of point of diversion is 1/4 of NW 1/4 of NW 1/4, Govt. Lot 4Sec. 2 Township 46 N Range 3 W B.M. Bencwah County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 5.0 for Storage for Fire Protection purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)Amount 5.0 for Recreation purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)Amount 5.0 for Storage for Irrigation purposes from 3-15 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)Amount 0.20 for FIRE PROTECTION purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)5. Total quantity to be appropriated is (a) 0.20 cubic feet per second and/or (b) 5.0 acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

b. Height of storage dam 9 feet; active reservoir capacity 5.0 acre-feet; total reservoir capacity 5.5 acre-feet; period of year when water will be diverted to storage: 1-1 to 12-31 inclusive.

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

d. Is ground water with a temperature of greater than 90°F being sought? _____

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

SEP 12 1994

* maximum allowable per allocation standards for acres identified in P/U. 6/3/94 czg.

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. RECREATION USE IS FOR CASH

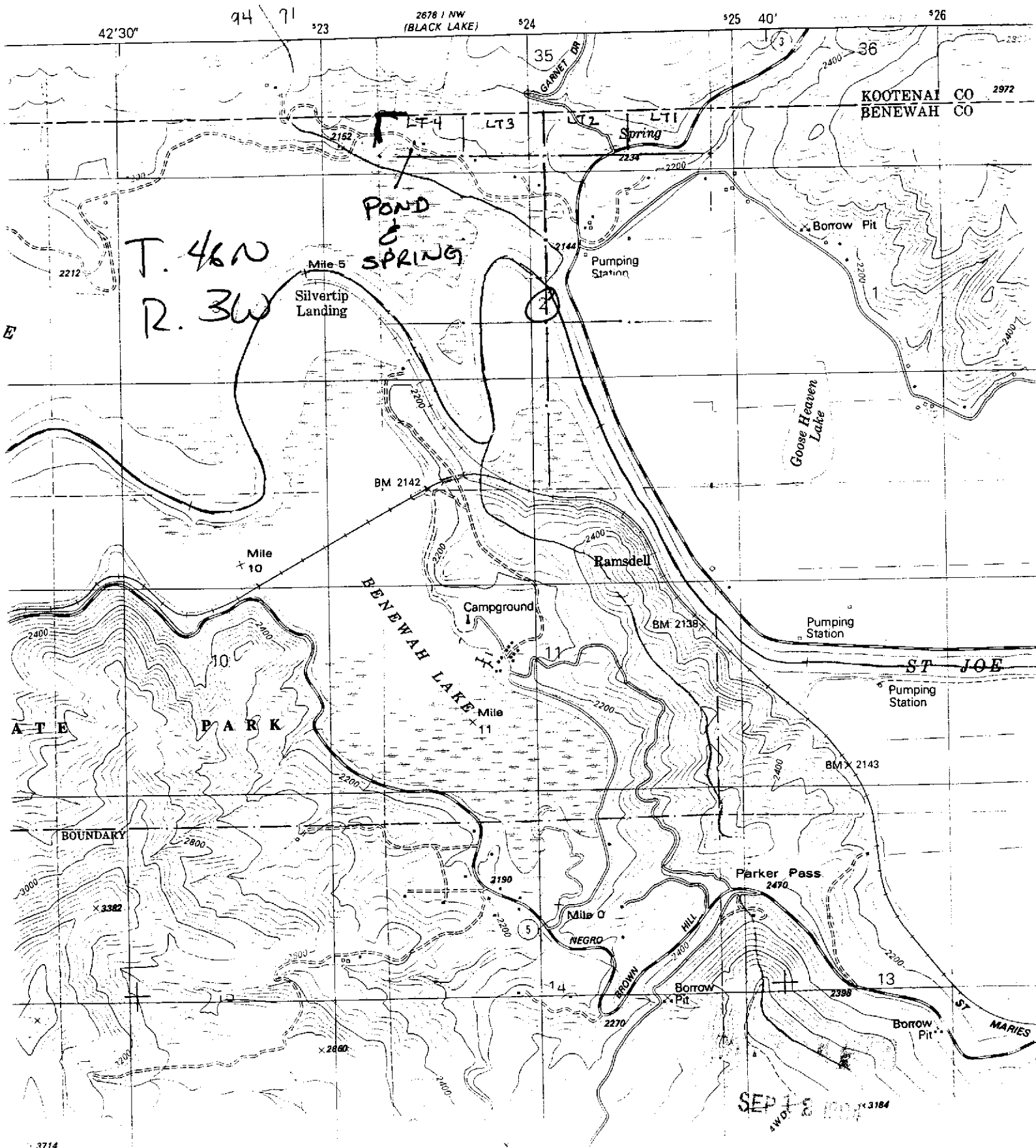
9. Description of place of use:

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

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

[illegible]



This image shows a full page of blank graph paper. The grid consists of small squares formed by thin black lines. There are approximately 20 columns and 20 rows of squares. A thicker horizontal line runs across the middle of the page, dividing it into two equal halves. In the bottom right corner, there is some faint, dark smudging or ink marks.

X Rustan (Applicant)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by MS Date 3/3/94 Time 10:49
Fee \$ 30.00 Receipt # N-7418
Publication prepared by RUC Date 3/8/94
Publication approved MS Date 5/11/94
Preliminary check by MS Date 3/3/94
AC 3/16/94

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____
1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

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.

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.

e. Other: _____

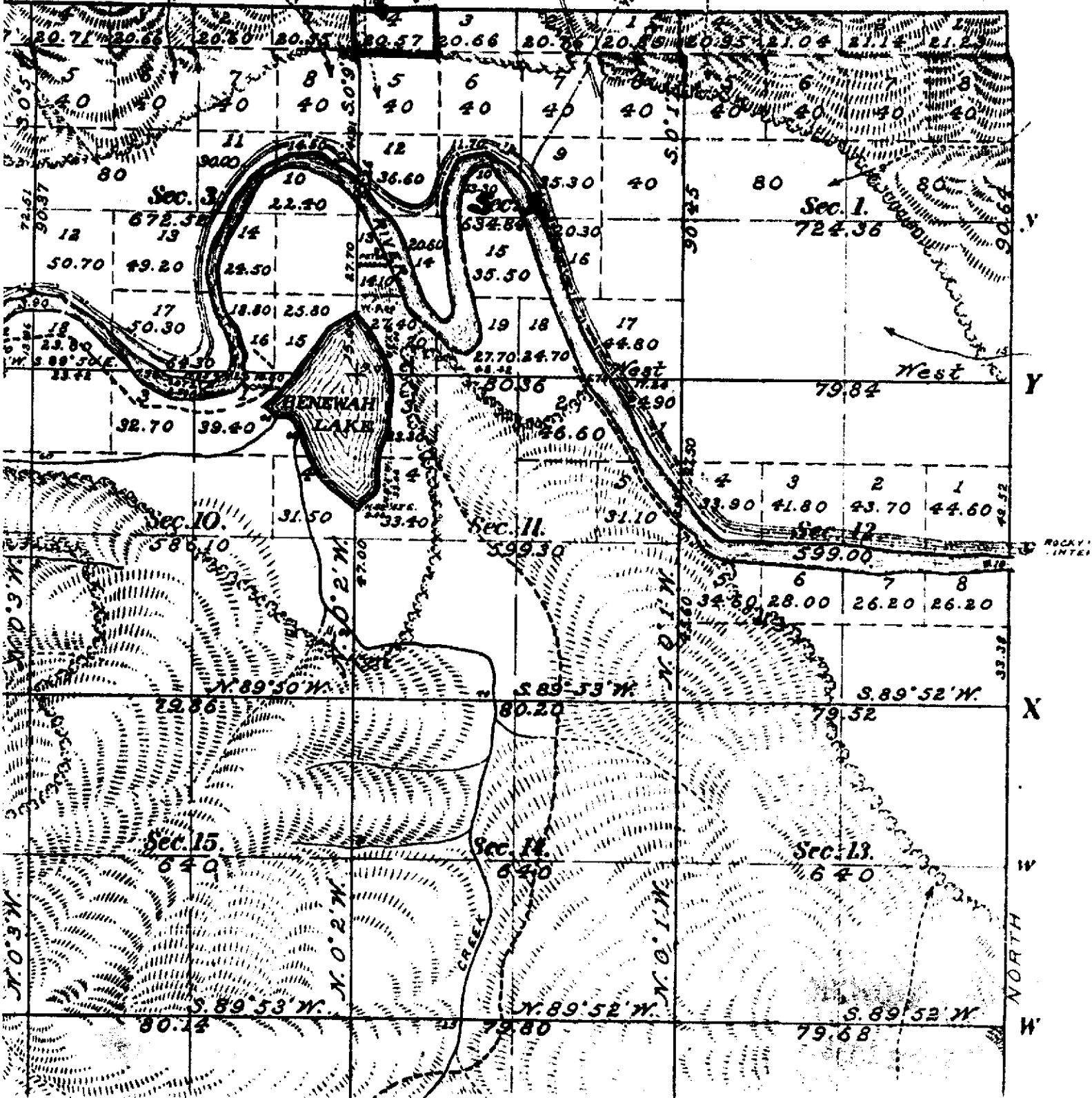
(4-675u)

NDIAN RESERVATION
West of the Boise Meridian, Idaho.

T 46N
R 3W

C P104
P10

ROCKY MOUNTAIN
TELEPHONE LINE





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

March 10, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RUSTY YOUNG
HC 2 BOX 119
ST MARIES ID 83861

RE: WATER RIGHT NO. 91-07128

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license 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 unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

APR 09 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

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

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

APR 09 1988

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of March, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 91-07128

RUSTY YOUNG
HC 2 BOX 119
ST MARIES ID 83861


Kari Lynn Townsend
Secretary

MICROFILMED

APR 09 1998

MEMORANDUM

TO: File 91-07128

FROM: Sharla

DATE: March 9, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 91-07128 are as follows:

C. DIVERSION AND DELIVERY SYSTEM

2. Point(s) of Diversion:

T46N, R3W, S2 - NWNWNW (Lot 4)

H. RECOMMENDATIONS

Recreation	1/1 - 12/31	0.03 cfs	21.7 afa
Recreation Storage	1/1 - 12/31		4.1 afa
Fire Protection	1/1 - 12/31	0.03 cfs	n/a
Fire Prot. Storage	1/1 - 12/31		4.1 afa
TOTALS		0.03 cfs	25.8 afa

The point of diversion description for a spring source is listed as a ten-acre tract. Volume is rounded to the nearest tenth. Volume for the recreation use has been calculated based on continuous flow.

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APR 09 1998

Examiner: Herman Spangle

Exam Date: June 30, 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 91-07128

DATE 3/6/98

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	—	✓	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	—	✓	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	—	✓	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U
Overlap file pulled & reviewed —

RATE OF DIV

Permitted Rate .20 cfs
Fee limit .20 cfs \$ 5000
Measured .03 cfs
Theoretical — cfs

Recommended Total Div Rate .03 cfs

**ANNUAL VOLUME/
NATURE OF USES**

<u>✓</u>	Use <u>Rec</u>	cfs <u>.03</u>	Volume Calc <u>21.7</u> af
	" <u>stor</u>		<u>4.1</u> af
	<u>fire</u>	<u>.03</u>	<u>N/A</u> af
	" <u>stor</u>		<u>4.1</u> af
	SUBTOTAL	<u>.03</u>	<u>25.8</u> af

2.4
1.7
4.1

Flow rate .03 cfs X 365 days X 1.98 = 21.7 af

Total volume recommended — af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

Private
fishery rearing.

CONDITIONS

— Watermaster Control WD# —
— GW Measurement/Measuring Device
— Overlap
— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A
Adjustment Memo acc. desc.
rounded volume

1st Amend Letter N/A
2nd Amend Letter N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 27 1998

Department of Water Resources

91-07128

A. GENERAL INFORMATION

Permit No.

1. Owner: Rusty Young Phone No. (208) 245-4853
Current Address: HC 02 BOX 119 ST. MARIES, ID. 83861
2. Accompanied by: Rusty Young EXAM DATE: 6-30-1997
Address: SAME AS ABOVE Phone No. SAME AS ABOVE
Relationship to Permit Holder: Permit Holder
3. Source: Spring tributary to Round LAKE

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE
2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
PD #1	#4		NW	NW	02	46N	03W	Benevolence	US 65 75 QUAD, Site Visit

2. Place(s) of Use:

Indicate Method of Determination US 65 75 QUAD, Site Visit

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N	03W	02					R												Recreation
46N	03W	02					RS												Recreation STORAGE
46N	03W	02					F												FIRE PROTECTION
46N	03W	02					FS												FIRE PROTECTION STORAGE
* PLACE OF USE is within Government Lot #4																			

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APR 09 1998

2. Measurements:

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

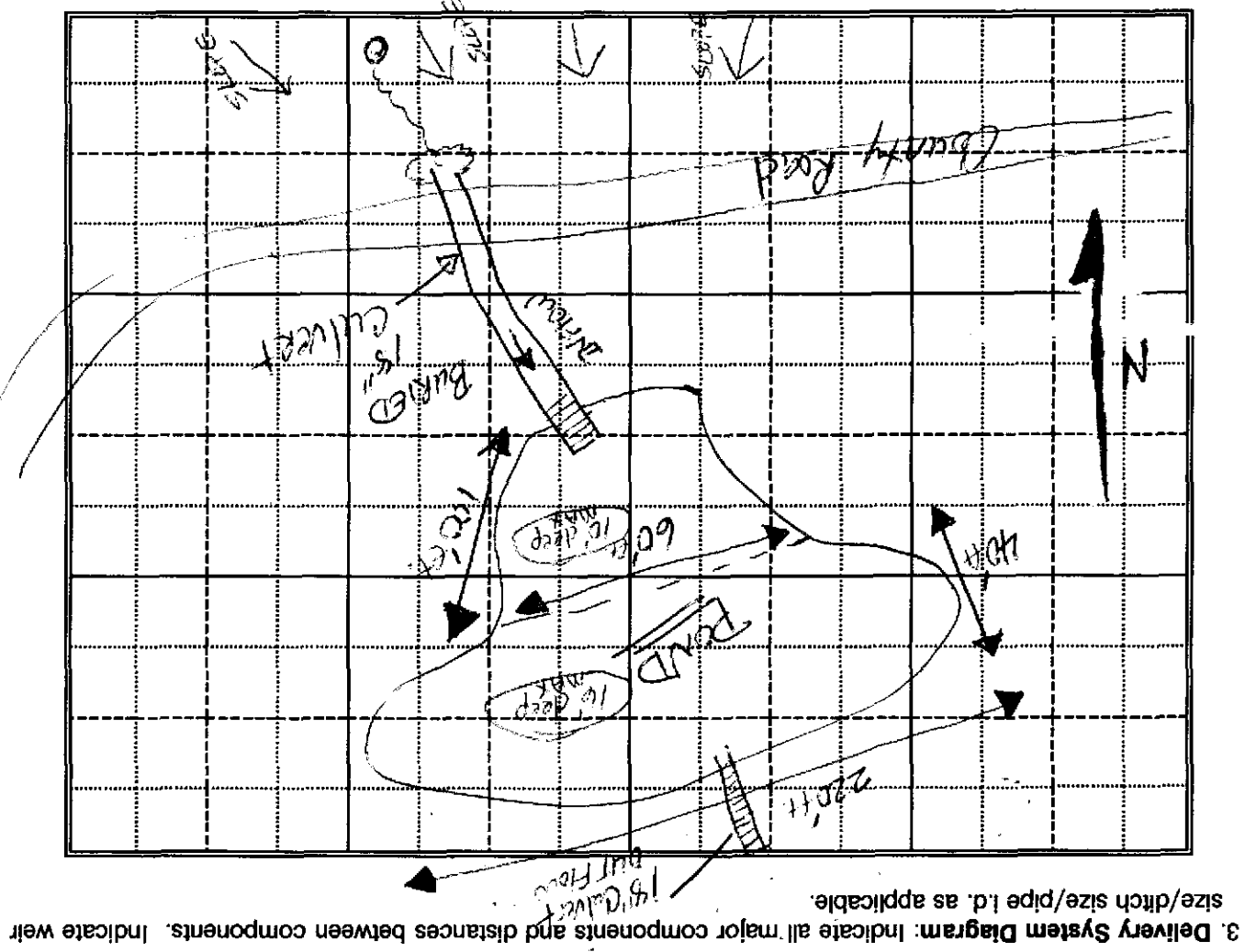
D. FLOW MEASUREMENTS

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

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

4.

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



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

E. NARRATIVE/REMARKS/COMMENTS

A Spring emerges North of County Rd and water is conveyed under the Road by a 18" Culvert. to an irregular shaped pond. The West end of the pond is below grade and the east end is also below grade but is dammed by earthen fill approx. 7-8' above ground. Spring is located Approx. 200' North of the inflow Culvert.

The inflow to the pond is in the North end and outflow on the South end. The deepest part of the pond is 16' ft deep and shallowest is about 8' ft. deep. The Average depth is 12 ft deep.

The outflow of the pond drain into a swampy area which is tributary to Round Lake.

Rainbow Trout are being raised in the pond for recreational use.

* No Irrigation is Taking place @ this time.

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

MICROFILMED
APR 09 1988

SEAL
Date _____
Reviewer _____
Field Examiner's Name _____
Date _____
I. AUTHENTICATION

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

2. Recommended Amendments

Beneficial Use	From	To	Period of Use	Rate of Diversion	Annual Volume
Recreation	1-01	12-31	12-31	.03	4.08
Recreation Storage	1-01	12-31	12-31	.03	4.08
Fire Protection	1-01	12-31	12-31	.03	4.08
Fire Protection Storage	1-01	12-31	12-31	.03	4.08
Totals:					

1. Recommended Amounts

H. RECOMMENDATIONS

Acres #1: $220' \times 44' = 8800 = \frac{14800}{9350} = (.34)(12') = 4.08 \text{ ACRES}$
Acres #2: $100' \times 60' = 6000 = \frac{14800}{9350} = 1.58 \text{ ACRES}$

2. Volume Calculations for Other Uses:

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

INFLOW: $\frac{4 \text{ gals}}{18.2 \text{ second}} = \frac{60}{4 - 18.2} = \frac{240}{14.2} = 13.2 \text{ gpm}$
OUTFLOW: $\frac{4 \text{ gals}}{19.3} = \frac{60}{4 - 19.3} = \frac{240}{15.3} = 12.4 \text{ gpm}$

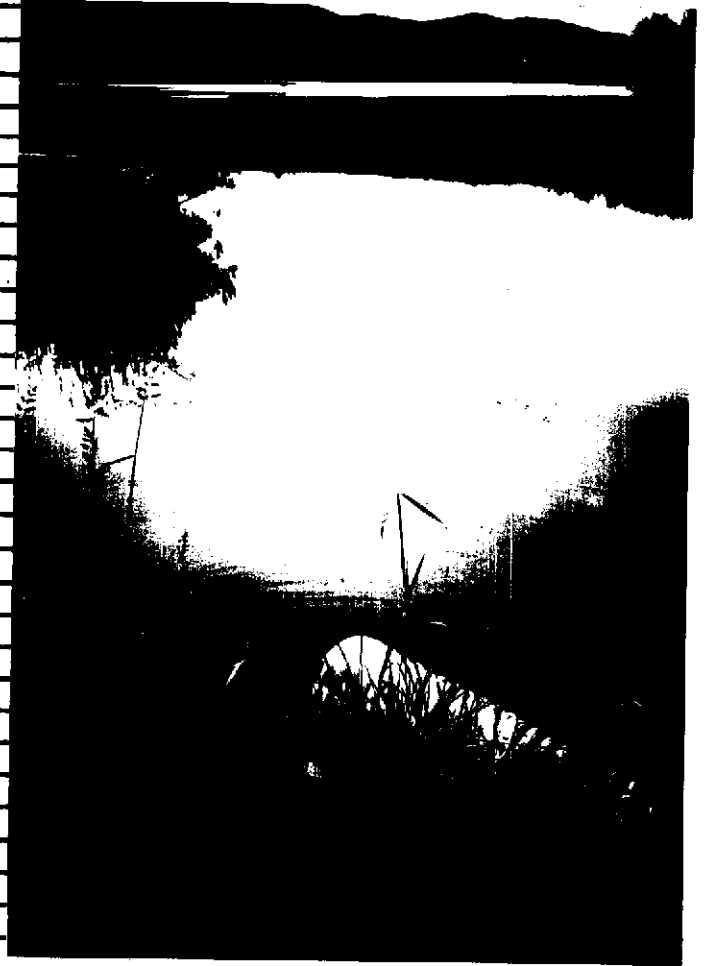
F. FLOW CALCULATIONS

Measured Method: Bucket Method
Additional Computation Sheets Attached

PERMIT # 91-07128

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT
PHOTOGRAPHS

18" Inflow Culvert



Inflow Culvert
18"

MICROFILMED
APR 09 1968

91-07128

PERMIT #

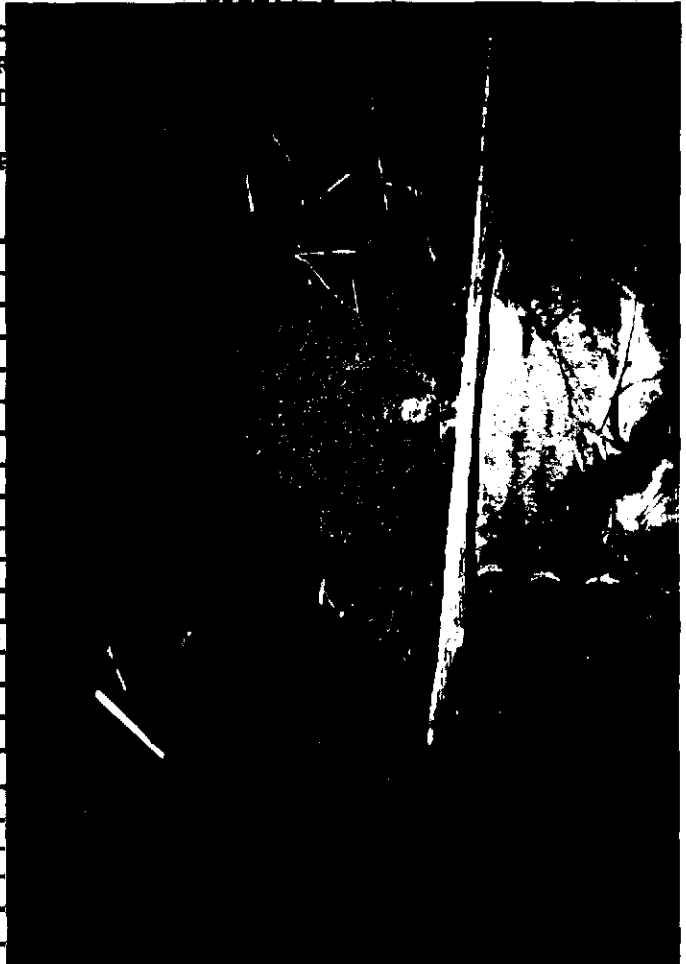
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REPORT SUPPLY

PHOTOGRAPH



OUTFLOW

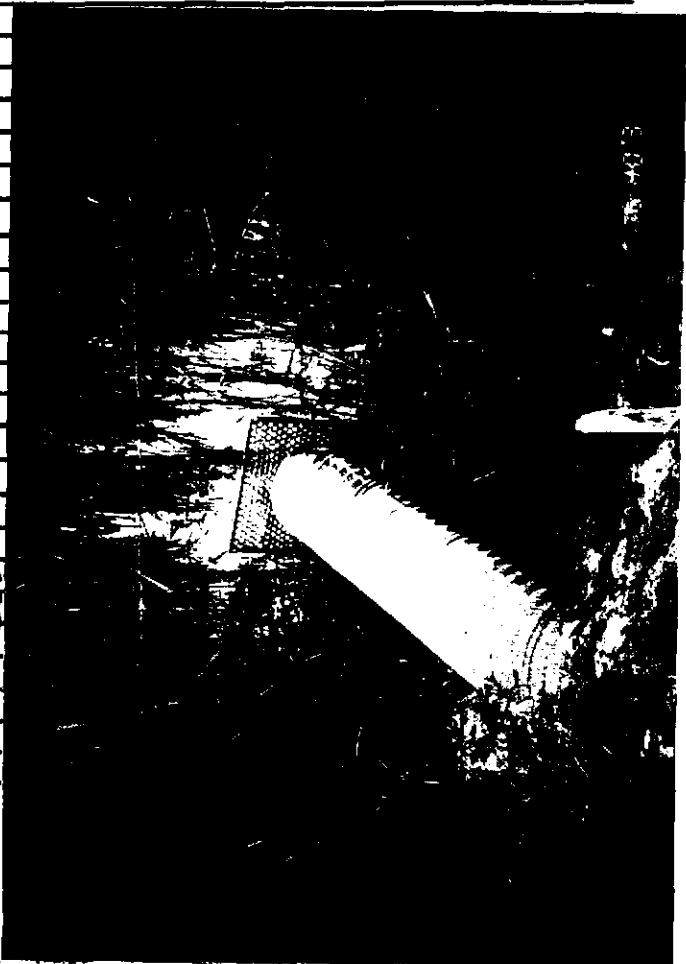
OUTFLOW OF Pond



Spring meet

OUTFLOW 18" Current

NO. 1000
1000



9107128

STATE OF TEXAS
DEPARTMENT OF WATER
REPORT SUP
PHOTOGRAPH

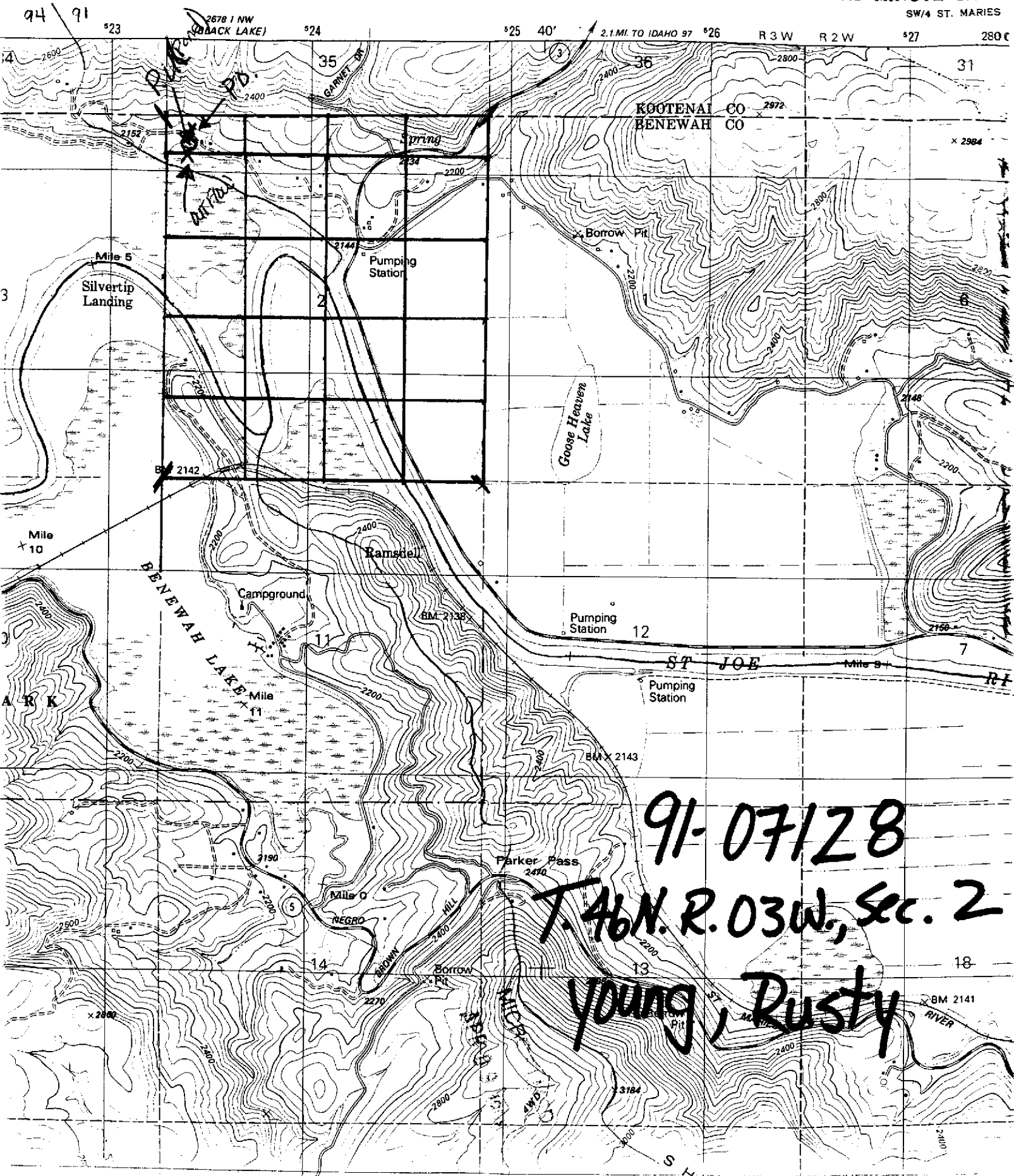
Looking Southwest Direction
Looking North

Looking Southwest Direction

APR 3 1968

Looking East Direction

BENEWAH LAKE
IDA:
7.5 MINUTE SERIE
SW/4 ST. MARIES



11

1

1

11

13

THICKER

A.

WEST

PD

WEST

WEST

WEST

1	20.77	20.71	20.66	20.60	20.55	20.57	20.66	20.76	20.85	20.95	21.04	21.14	21.23
2	40	40	40	40	40	40	40	40	40	40	40	40	40
3	8	5	8	7	8	5	6	7	8	5	6	7	8

4	20.77	20.71	20.66	20.60	20.55	20.57	20.66	20.76	20.85	20.95	21.04	21.14	21.23
5	40	40	40	40	40	40	40	40	40	40	40	40	40
6	8	5	8	7	8	5	6	7	8	5	6	7	8

7	20.77	20.71	20.66	20.60	20.55	20.57	20.66	20.76	20.85	20.95	21.04	21.14	21.23
8	40	40	40	40	40	40	40	40	40	40	40	40	40
9	8	5	8	7	8	5	6	7	8	5	6	7	8

8	20.77	20.71	20.66	20.60	20.55	20.57	20.66	20.76	20.85	20.95	21.04	21.14	21.23
9	40	40	40	40	40	40	40	40	40	40	40	40	40
10	8	5	8	7	8	5	6	7	8	5	6	7	8

9	20.77	20.71	20.66	20.60	20.55	20.57	20.66	20.76	20.85	20.95	21.04	21.14	21.23
10	40	40	40	40	40	40	40	40	40	40	40	40	40
11	8	5	8	7	8	5	6	7	8	5	6	7	8

10	20.77	20.71	20.66	20.60	20.55	20.57	20.66	20.76	20.85	20.95	21.04	21.14	21.23
11	40	40	40	40	40	40	40	40	40	40	40	40	40
12	8	5	8	7	8	5	6	7	8	5	6	7	8

11	20.77	20.71	20.66	20.60	20.55	20.57	20.66	20.76	20.85	20.95	21.04	21.14	21.23
12	40	40	40	40	40	40	40	40	40	40	40	40	40
13	8	5	8	7	8	5	6	7	8	5	6	7	8

12	20.77	20.71	20.66	20.60	20.55	20.57	20.66	20.76	20.85	20.95	21.04	21.14	21.23
13	40	40	40	40	40	40	40	40	40	40	40	40	40
14	8	5	8	7	8	5	6	7	8	5	6	7	8

13	20.77	20.71	20.66	20.60	20.55	20.57	20.66	20.76	20.85	20.95	21.04	21.14	21.23
14	40	40	40	40	40	40	40	40	40	40	40	40	40
15	8	5	8	7	8	5	6	7	8	5	6	7	8

14	20.77	20.71	20.66	20.60	20.55	20.57	20.66	20.76	20.85	20.95	21.04	21.14	21.23
15	40	40	40	40	40	40	40	40	40	40	40	40	40
16	8	5	8	7	8	5	6	7	8	5	6	7	8

15	20.77	20.71	20.66	20.60	20.55	20.57	20.66	20.76	20.85	20.95	21.04	21.14	21.23
16	40	40	40	40	40	40	40	40	40	40	40	40	40
17	8	5	8	7	8	5	6	7	8	5	6	7	8

MICROFILMED
APR 8 1998

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 91-07128 Reviewed by [Signature] Date 4-9-97

GENERAL CONSIDERATIONS

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

TYPES OF USE

irr.

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

yes Required?
50- Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
☒ Installed?
☒ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority Date	_____	_____
New Priority Date	_____	_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address [Signature] Proof Made 4-7-97



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR
April 9, 1997

RUSTY YOUNG
HC 02 BOX 119
ST MARIES ID 83861

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 91-07128

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.

Please be advised that Section 42-248, Idaho Code, which became affective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

If you have questions concerning the field examination, contact the **NORTHERN** Regional Office in Coeur d'Alene, at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

C: IDWR - Region

MICROFILMED

MAY 28 1997

March 31, 1997

RUSTY YOUNG
HC 2 BOX 119
ST MARIES ID 83861

PROOF DUE NOTICE

RE: PERMIT NO. 91-07128

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 June 1, 1997.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

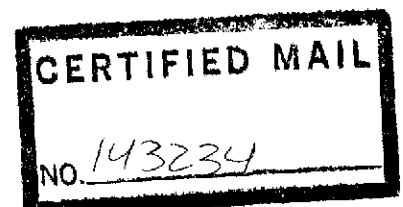
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

MAY 28 1997



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 91-07128 Reviewed by [Signature] Date 6-7-95

BASIC INFORMATION

5-25-95 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN Should Extend to June 1, 1997, on the basis of Due Diligence.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address Y
Change Proof Due Date 6-1-97
Change Priority Date Y



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 7, 1995

Rusty Young
HC 02 Box 119
St. Maries, ID 83861

RE: Permit No. 91-07128

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to **June 1, 1997**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

If you have any questions or if I can be of any assistance, please feel free to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

JUN 14 1995

March 31, 1995

RUSTY YOUNG
HC 2 BOX 119
ST MARIES ID 83861

PROOF DUE NOTICE

RE: PERMIT NO. 91-07128

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 June 1, 1995.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

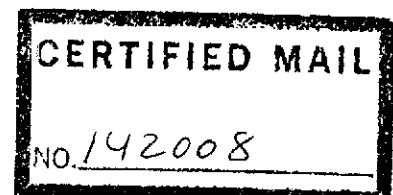
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MAILED
JUN 1 4 1995





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 7, 1994

RUSTY YOUNG
HC 2 BOX 119
ST MARIES ID 83861

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 91-07128

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED
JUN 12 1994

JUN 12 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

Application #: 91-7128 Name: Young Date: 6/3/94

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

SYSTEM COMPLETED:

No - 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <flo-ch> - T17 (new), 01K (existing), No MD

- 0.2 cfs - No MD <flow chart>

Drilling Permit:

Included w/permit - Permit No. _____, P99

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

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

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

LOCATION:

Water District(dem) - WD No. _____

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

Groundwater - P05 (new irrigation well)

In stream channel - 030 (stream channel alteration)

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

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (-85° Groundwater temp)

Swan Falls Flag - B <See condition code chart>

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

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

RIVER BASINS (*Surface water):

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

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

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

USE:

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

044 (N 1000 Spr)

Irrigation 1/2 A. - 803(if GW use SW 1st) (+5A do POU comp), NA

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

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

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

Domestic (surface) - 021(Boise R + L Peak), 27A(Payette R), NA

OWNERSHIP:

Non land owner - 004 (PD/PU) _____

PROTESTED:

Prehearing agreement - 020

OTHER CONDITIONS:

REMARKS:

✓ 057

0 Rec use for private fish rearing.

BENEFICIAL USE DUE:

- 6-1-1995

COMMENTS:

- 0 Div Desc.

WR0749NP
No. P91-07128

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/03/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RUSTY YOUNG HC 2 BOX 119 ST MARIES ID 83861 (208) 245-4853	03/03/1994	IRRIGATION	03-15 11-15	0.03 CFS	
			IRRIGATION STORAGE	03-15 11-15		5.00 AFA
			IRRIGATION FROM STORAGE	03-15 11-15		5.00 AFA
			RECREATION	01-01 12-31	0.20 CFS	
			RECREATION STORAGE	01-01 12-31		5.00 AFA
			FIRE PROTECTION	01-01 12-31	0.20 CFS	
			FIRE PROTECTION STORAGE	01-01 12-31		5.00 AFA
TOTAL DIVERSION:					0.20 CFS	

Water Source: SPRING

Tributary to: ROUND LAKE

Stage: PERMIT

Point(s) of Diversion: T46N R03W S02 Lot 04(NWNW)

BENEWAH County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
46N	03W	2	:								.5									:	0.5
TOTAL ACRES																				:	0.5

Place of use location for IRRIGATION FROM STORAGE is the same location as described for: IRRIGATION

Place of use location for RECREATION is the same location as described for: IRRIGATION

Place of use location for FIRE PROTECTION is the same location as described for: IRRIGATION

Pou County: BENEWAH

Other Water Rights with Same Point(s) of Diversion and Source:
91-07128

Other Water Rights Listing Overlapping Place(s) of use:
91-07128

Conditions of Approval:

- 057 - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed
- 0.03 cubic feet per second for each acre of land.

Remarks: Recreation use is for private fish rearing.

Dates:	App. Received:	03/03/1994	Priority Date:	03/03/1994
	Proof Due Date:	06/01/1995	Proof Made Date:	
	Exam Made Date:		Exam Sent to S.O.:	
	Licensed Date:			

Misc: Water District Number: Field Exam Fee:

WR0749NP
No. P91-07128

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/03/94
PAGE: 2

=====

Comments: Date: 03/08/1994 User-ID: STYPA Subject: DIVERSION DESCRIPTION
Dam is 9 ft. high; active reservoir capacity is 5 A/F; total
reservoir capacity is 5.5 A/F; water will be diverted from
1/1 to 12/31 inclusive.

Audit: 06/03/94 CZIMMERM

No. a
4/87-06/92n

INNO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
JUN 02 1994

APPLICATION # 91-7128
***** INITIAL REVIEW *****

Department of Water Resources

APPLICANT: Young BY: AB DATE: 3/3/94

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

PRIORITY DATE: 3/3/94

x (Include Moratorium Remark)

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

ADVERTISE IN: RENEWAL County.

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
() Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
() Power Information () Other: N/A

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

(Yes) (No)

Checked by: _____ Date: ____/____/____
Remarks: _____

- + Groundwater management area
+ Critical ground water area
+ Well Drilling Permit required
+ Well Drilling Application and Fees received
+ Well Drilling Application approved?
Well Drilling Application Number _____

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

(Yes) (No)

- + Notice of pending void order issued. Final order response date: ____/____/____
+ Further information required from applicant
+ Affidavit of publication received
+ Application published correctly, If not, record action taken: _____
+ Publication dates and paper recorded on application | Sr. Agent initial AB
+ Protests received. Final protest date: 4/4/94
+ Measuring device required
+ Measuring port required
+ Special conditions: _____
+ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB Date: 5/13/94

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

Cynthia Ann Hammes, being first duly sworn on oath, deposes and says that she is vice president of The Corporation, owner of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah County, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 27th day of April, 1994 and the last on the 27th day of April, 1994.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Dated this 27th day of April, 1994.

Cynthia Ann Hammes

STATE OF IDAHO
COUNTY OF BENEWAH }

On this 27th day of April in the year of 1994, before me, a Notary Public, personally appeared Cynthia Ann Hammes, 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 she executed the same.

Sharon D. Blackburn
Notary Public for Idaho
Residing at St. Maries, Id.
My commission expires: Nov. 4, 1998

Correction notice filed
by Water Resources

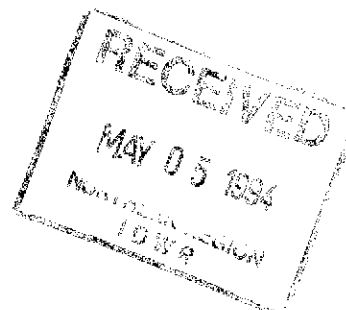
NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN
THAT APPLICATION FOR
PERMIT NO. 91-7128 in the name
of Rusty Young, HC02, Box 119, St.
Maries, Id. 83861, was advertised
incorrectly on 3/16 & 23/1994.

The Diversion Point was in-
correctly advertised as the NWNW
Sec 2 T46R 03W; whereas, correctly
it should be the NWNW Sec 2 T46N
R03W.

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

Protests to the above-referenced
correction must be filed with the
applicant and with the Director,
Dept. of Water Resources, 1910
Northwest Blvd., Suite 210, Coeur
d'Alene, Id. 83814 on or before May
9, 1994.

R. KEITH HIGGINSON, Dir.
No. 2364 --- Apr. 20-27.



MESSAGE CONFIRMATION
TRANSMISSION

APR-14-'94 THU 15:25

TERM ID: 208 769 1454
TEL NO.: 208 769 1454

P-9939

MISSING MED

NO.	DATE	ST. TIME	TOTAL TIME	ABBR/SBD	ID	DEPT CODE	4PGS
250	04-14	15:23	00:01:46		2082454991		04-3 NG

SEP 12 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region
1910 Northwest Blvd., Suite 210

Coeur d'Alene, Idaho 83814
(208) 769-1450

APRIL 13, 1994

ST. MARIES GAZETTE RECORD

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 9, 1994.

Yours truly,

PATRICIA M. STYPA
Secretary/Office Coordinator

Enclosure

Post-It™ brand fax transmittal memo 7671 # of pages ▶ 3

To <i>St. Marie Gazette</i>	From <i>IDWR</i>
Co.	Co.
Dept.	Phone #
Fax #	Fax #

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 91-7128 in the name of Rusty Young, HCO2 Box 119, St. Maries, Id. 83861, was advertised incorrectly on 3/16 & 23/1994.

The Diversion Point was incorrectly advertised as the NWNW Sec 2 T46R 03W; whereas, correctly it should be the NWNW Sec 2 T46N R03W.

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

Protests to the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814 on or before May 9, 1994.

R. KEITH HIGGINSON, Dir.

Published in the St Maries Gazette Record on 4/20 & 27/1994.

*Please do not bill us as error was
not our fault for this notice.*

SEE 1-1-4

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

Cynthia Ann Hammes, being first duly sworn on oath, deposes and says that she is vice president of The Corporation, owner of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah County, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 16th day of March, 1994 and the last on the 23rd day of March, 1994.

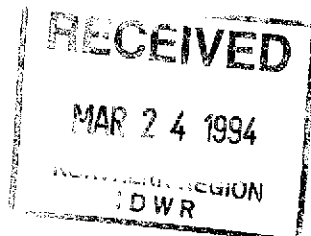
That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Dated this 23rd day of March, 1994
Cynthia Ann Hammes

STATE OF IDAHO
COUNTY OF BENEWAH }

On this 23rd day of March in the year of 1994, before me, a Notary Public, personally appeared Cynthia Ann Hammes, 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 she executed the same.

Sharon D. Blackburn
Notary Public for Idaho
Residing at St. Maries, ID
My commission expires: Nov. 4, 1998



**Notice of application
for water rights filed**

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:
91-07128

Young, Rusty
HC 02 Box 119
St. Maries, ID 83861
Source: Spring
Tributary: Round Lake
Diversion Pt: NWNW Sec 2 T 46N
03W in Benewah County.
Use: Irrigation (.200 CFS); Irrigation Storage (5.00 AF); Irrigation from Storage (5.00 AF); Recreation (.200 CFS); Recreation Storage (5.00 AF); Fire Protection (200 CFS); Fire Protection Storage (5.00 AF); Total Diversion: (.200 CFS)
Date Filed: 3/3/1994
In: Benewah County T46N R03W S02 NWNW
0.5 Acres Total

92-07207

Guthrie, Lois Jean Henning
PO Box 1671
Coeur d'Alene, ID 83816-1671
Source: Renfro Creek
Tributary: St. Maries River
Diversion Pt: NESW Sec 14 T 44N R 01W in Benewah County.
Use: Irrigation (2.800 CFS); Irrigation Storage (10.00 AF); Irrigation from Storage (10.00 AF); Mining (4.000 CFS); Mining Storage (10.00 AF); Mining from Storage (10.00 AF); Power (4.000 CFS); Power Storage (10.00 AF); Power from Storage (10.00 AF); Recreation (4.000 CFS); Recreation Storage (10.00 AF); Recreation from Storage (10.00 AF); Total Diversion: (9.800 CFS)

Date Filed: 3/8/1994
In: Benewah County T44N R01W S14 NESW SWSW SESE
140.0 Acres Total

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before April 4, 1994.

R. KEITH HIGGINSON,
Director

No. 2334 --- Mar. 16-23.

Handwritten signatures and initials in the top right corner.

ACCOUNT NO. 20042



ST. MARIES IN THE PINES
ON THE SHADOWY ST. JOE RIVER
127 SOUTH 7TH ST. MARIES, IDAHO 83861

Id. Dept. of Water Resources
1910 Northwest Boulevard, Suite 210
Coeur d'Alene, Id. 83814

• March 23, 1994

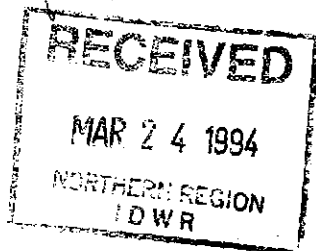
First Week	Second Week	Third Week	Fourth Week	Fifth Week	Total Inches	Amount

NET ADVERTISING...\$

March 16, 1994 -- Legal No. 2334, Notice of Appli-
cation of Water Right, Rusty
Young, 2 issues.

\$65.88

Handwritten notes:
91-7128
92-7207
OK
4/1/94



MAR 23 1994

91-07128

YOUNG, RUSTY
HC 02 BOX 119
ST MARIES, ID 83861

Source: SPRING

Tributary: ROUND LAKE

Diversion Pt: NWNW Sec 2 T 46N R 03W in BENEWAH County.

Use: IRRIGATION	(.200 CFS)	
IRRIGATION STORAGE		(5.00 AF)
IRRIGATION FROM STORAGE		(5.00 AF)
RECREATION	(.200 CFS)	
RECREATION STORAGE		(5.00 AF)
FIRE PROTECTION	(.200 CFS)	
FIRE PROTECTION STORAGE		(5.00 AF)
Total Diversion:	(.200 CFS)	

Date Filed: 3/ 3/1994

In: BENEWAH County
T46N R03W S02 NWNW

0.5 ACRES TOTAL

SEP 19 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450 Fax (208) 769-1454

CECIL D. ANDRUS
Governor
March 11, 1994

R. KEITH HIGGINSON
Director

Mr. Rusty Young
HC02 Box 119
St. Maries, Id. 83861

Dear Mr. Young:

Re: Water Appropriation Application No. 91-7128.

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

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

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

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

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB/pms

SEP 1 1994