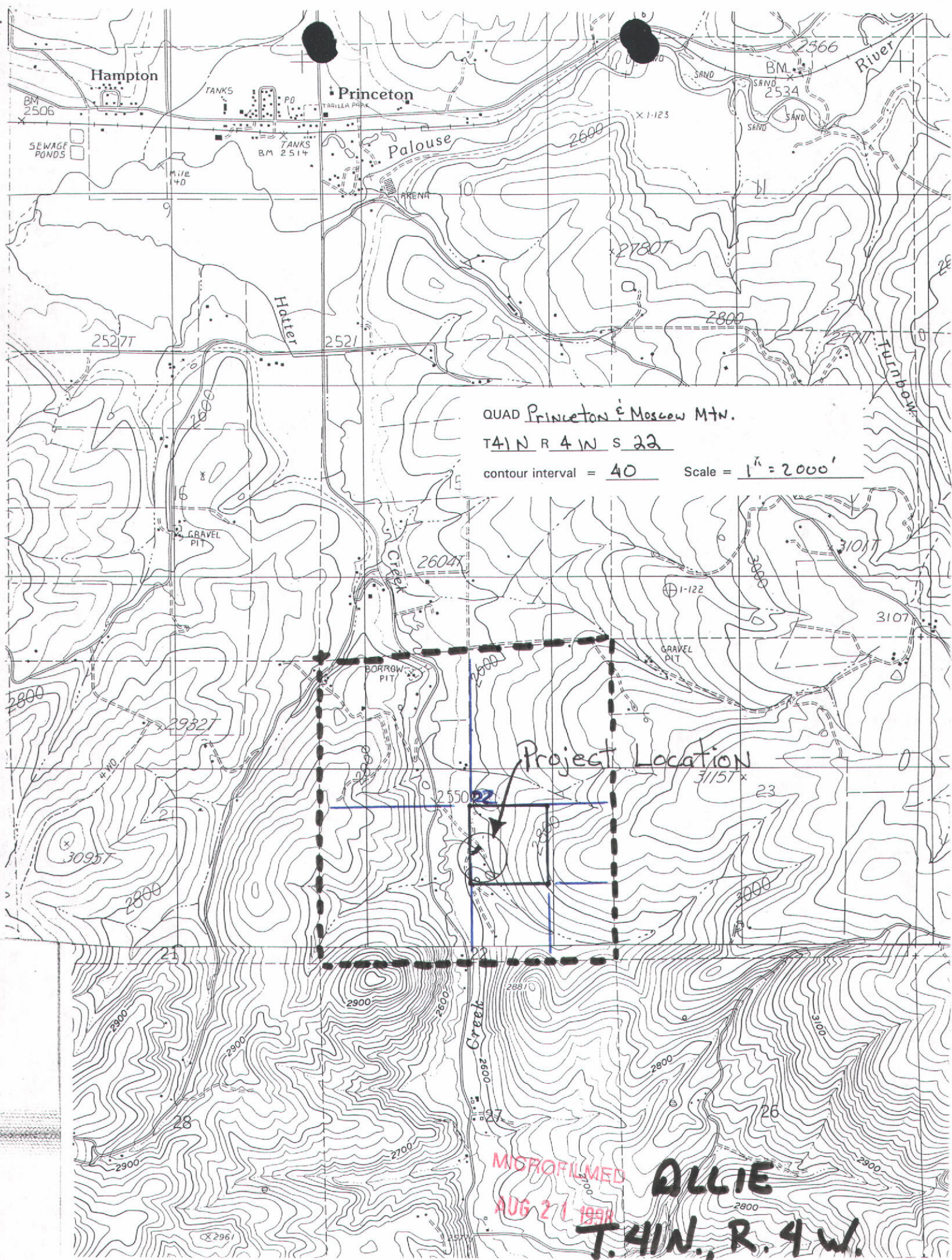




Hampton

Princeton

Palouse

River

Holler

Creek

Creek

Project Location

QUAD Princeton & Moscow Mtn.

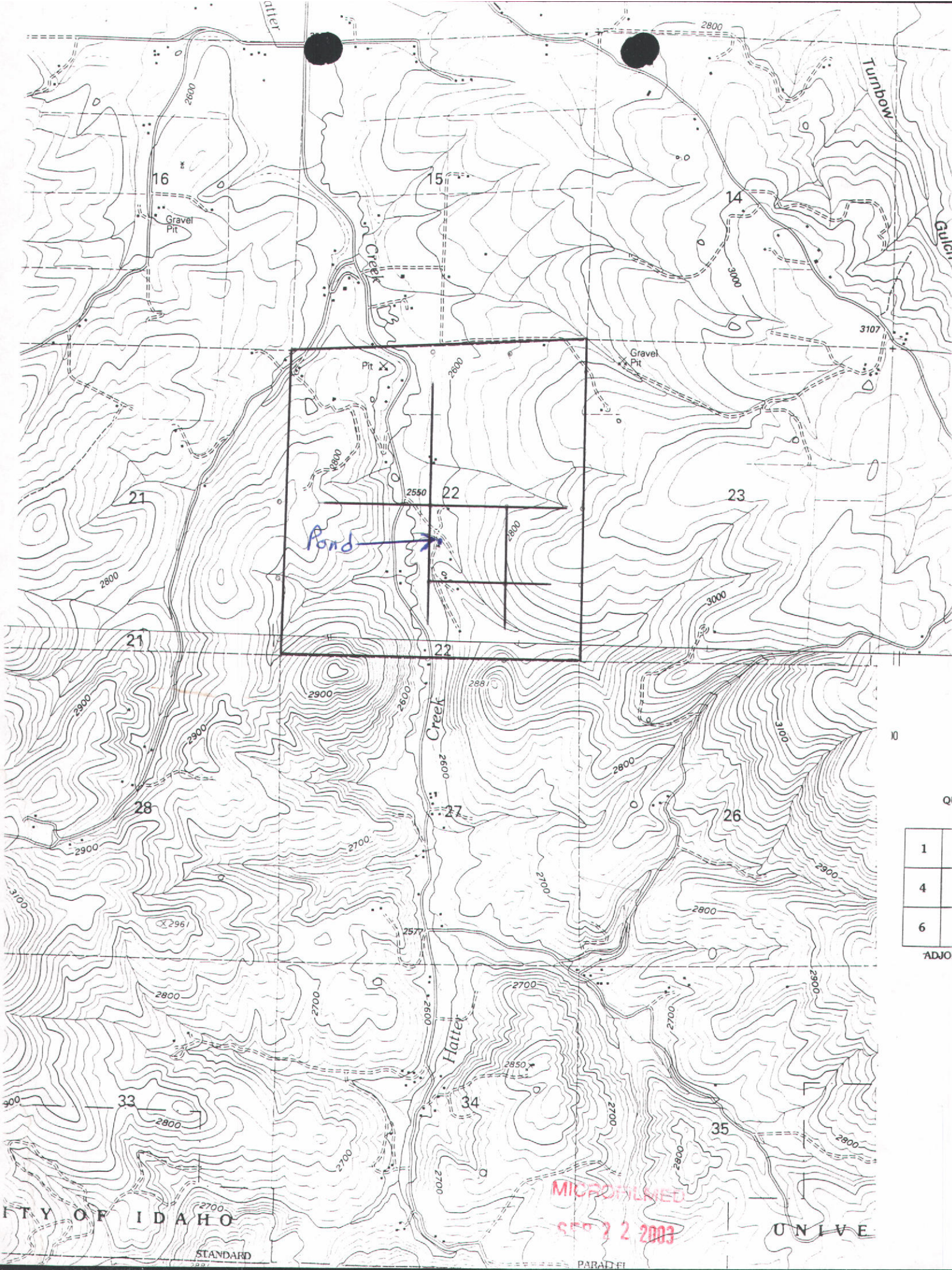
T41N R 41N S 22

contour interval = 40

Scale = 1" = 2000'

MICROFILMED
AUG 21 1998

ALLIE
T. 41N., R. 4 W.



10

Q1

1
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6

ADJO

MICROFILMED
SEP 22 2003

UNLVE

PARADE



Photo 1. Pond inlet as seen from spillway.



Photo 2. Pond inlet and spillway as seen from above inlet.

MICROFILMED
SEP 22 2003



Photo 3. Dam and spillway.

MICROFILMED

SEP 22 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 87-07211

Priority: April 13, 1998

Maximum Diversion Volume: 0.3 AF

It is hereby certified that STEPHEN M ALLIE
PO BOX 426
POTLATCH ID 83855-0426 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 13, 1998; and has
submitted Proof of Beneficial Use on June 18, 1999. An examination indicates that the works have a
storage capacity of 0.3 af of water from:

SOURCE

UNNAMED STREAM

Tributary: HATTER CREEK

and a water right has been established as follows:

BENEFICIAL USE

WILDLIFE STORAGE

PERIOD OF USE

01/01 to 12/31

**ANNUAL
DIVERSION VOLUME**
0.3 AF

LOCATION OF POINT OF DIVERSION:

UNNAMED STREAM NW¼SE¼ Sec. 22, Twp 41N, Rge 04W, B.M., LATAH County

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
41N 04W 22														X			

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 24TH day of FEBRUARY, 2003.


Acting for **KARL J. DREHER**
Director

MICROFILMED

SEP 22 2003

FOR OFFICE USE ONLY
 Amt. of Fee \$: 50.-
 Receipt No. 0045794
 Receipt By: HWILLIAMS
 Date Received: 6-18-49

STATE OF IDAHO
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 who has been appointed by the department.

Signature of permit holder: Stephen M. Miller AUG 23 1999 Date: 6/16/99
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 87-07211

Proposed Priority: April 13, 1998

Maximum Storage Volume:

4.0 AF

This is to certify, that **STEPHEN M ALLIE**

PO BOX 426

POTLATCH ID 83855-0426

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of **HATTER CREEK**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31		4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 22, Township 41N, Range 04W
LATAH County

PLACE OF USE: WILDLIFE STORAGE

TWN RGE SEC

41N 04W 22

NWSE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1999**.
2. Subject to all prior water rights.

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

23 day of July, 1998

Karl J. Dreher
Karl J. Dreher, Director

RECORDED
AUG 21 1998

EDCWR
1910 NW 1/4 Sec 210
T20N R14E ID 83855

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 87-7211

RECEIVED

JUN 11 1998

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant Stephen M Allie Phone 209 875 0713
Post office address P.O. Box 426 Potlatch, ID 83855

2. Source of water supply unnamed stream which is a tributary of Hatter Cr

3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 22 Township 41 N Range 4W B.M. Latah County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 4.0 cfs for STORAGE FOR WILDLIFE purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) _____ and/or (b) 4
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. land on stream

b. Height of storage dam 3 to 4 feet; active reservoir capacity 4 acre-feet; total
reservoir capacity 4 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).

MICROFILMED
AUG 21 1998

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
41N.	4W.	22														X			
																STORAGE			
																FOR WILDLIFE			

Total number of acres to be irrigated _____

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

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

12. Remarks: _____

MICROFILMED

AUG 21 1998

[illegible]

MICROFILMED
AUG 21 1998

Stephen M. Allen
(Applicant)

Received by db Date 4/13/98 Time 1:10P Preliminary check by _____
Fee \$ 50.00 Received by db # N011972 Date 4/13/98
Publication prepared by db Date 5/13 Published in Moscow Pullman Daily News
Publication approved db Date 5/29/98 5/21+28/98

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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____.

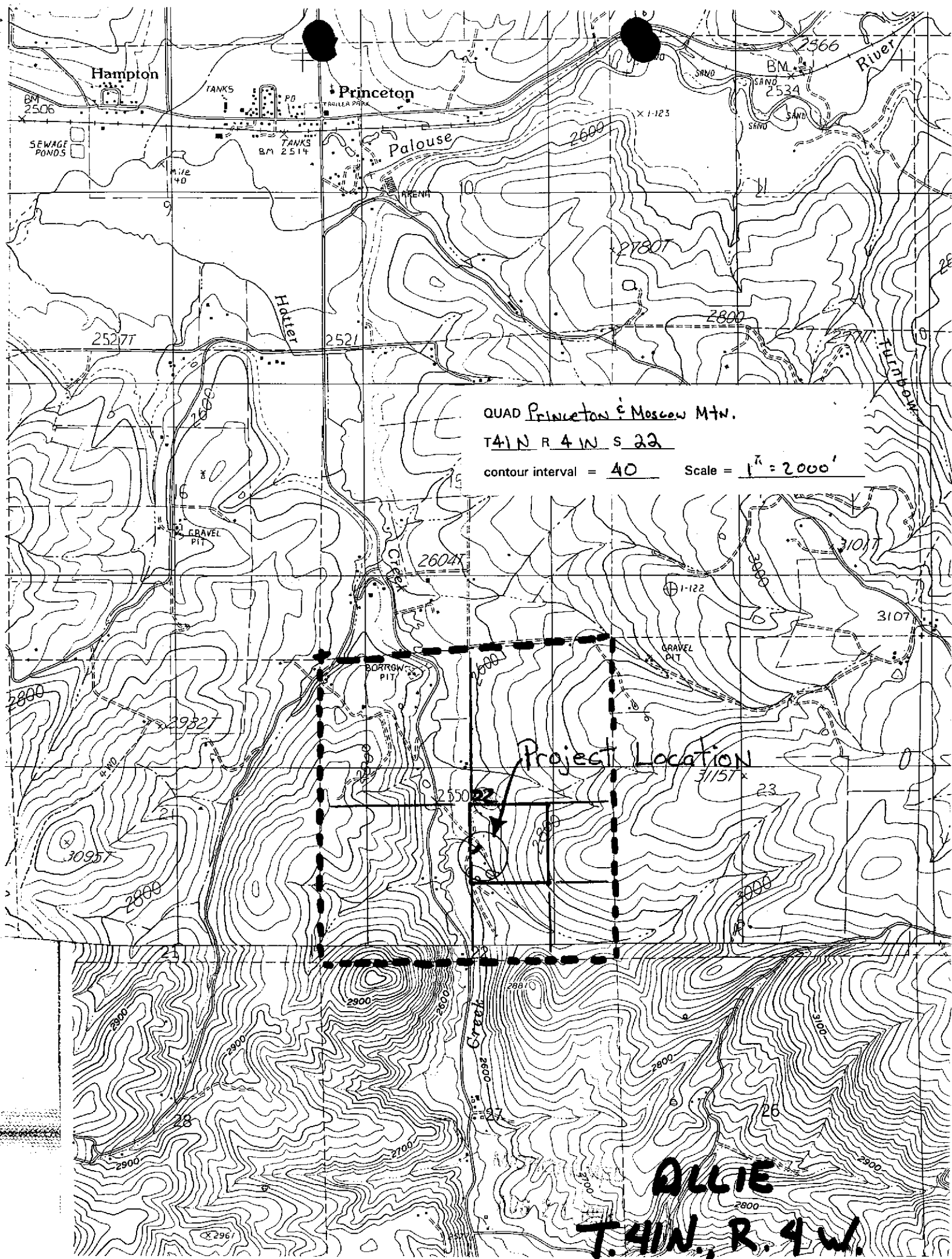
c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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:

MICROFILMED

Aug 21 1998



QUAD Princeton & Moscow Mtn.

T41N R 41W S 22

contour interval = 40 Scale = 1" = 2000'

Project Location

ALLIE
T. 41N., R. 4 W.

House

No Scale

Private Road

Willow Plantings

This area is currently filled up with silt and cattails. Clean out this area and deepen. Check structure will back up water $\approx 150'$ - $200'$.

Willow plantings

Check Structure
 ≈ 3 ft. high

Private Road

Purpose of the project is to provide some open water for wildlife habitat. This project will also provide water during the summer months, when the creek is normally dry.

Steve Allie

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Date	Approved by	Signature
Drawn	3/98	Title	CE
Traced		Title	
Checked		Sheet	Drawing No.
		No	
		of	



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

February 25, 2003

STEPHEN M ALLIE
PO BOX 426
POTLATCH ID 83855-0426

RE: License No. 87-7211 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 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.

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.

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

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive, flowing style.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICHAEL L. LEE

SEP 22 2003

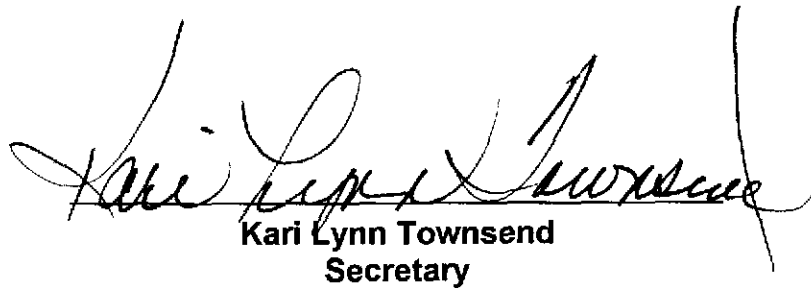
CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

87-7211

**STEPHEN M ALLIE
PO BOX 426
POTLATCH ID 83855-0426**



**Kari Lynn Townsend
Secretary**

M. Lynn Townsend
SEP 2 2 2003

**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).

MICHAEL
SEP 22 2003

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
SEP 22 2011

Comment Report

87-7211

1. kwalker 2/21/2003 Place of use

Comment: Examiner identified the place of use in SENW on exam but map clearly shows place of use in NWSE, S22 as permitted.

2. DBALL 4/14/1998 DIVERSION DESCRIPTION

Comment: Pond on stream 3-4 feet high, active capacity 4 AF.

MICROFILM

SEP 22 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 3 - 2003

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 87-07211

1. Owner: Stephen M. Allie

Phone No. (208) 875-0713

Current Address: P.O. Box 426 Potlatch, ID 83855-0426

2. Accompanied by: Permit Holder

EXAM DATE : Aug 8, 2000

Address: See Above

Phone No. See Above

Relationship to Permit Holder: Permit Holder

3. Source: Unnamed Intermittent Stream

tributary to Hatter Creek

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
NA			NW	SE	22	41N	04W	Latah	USGS 7 1/2 Min. Quad. Topo Map

2. Place(s) of Use:

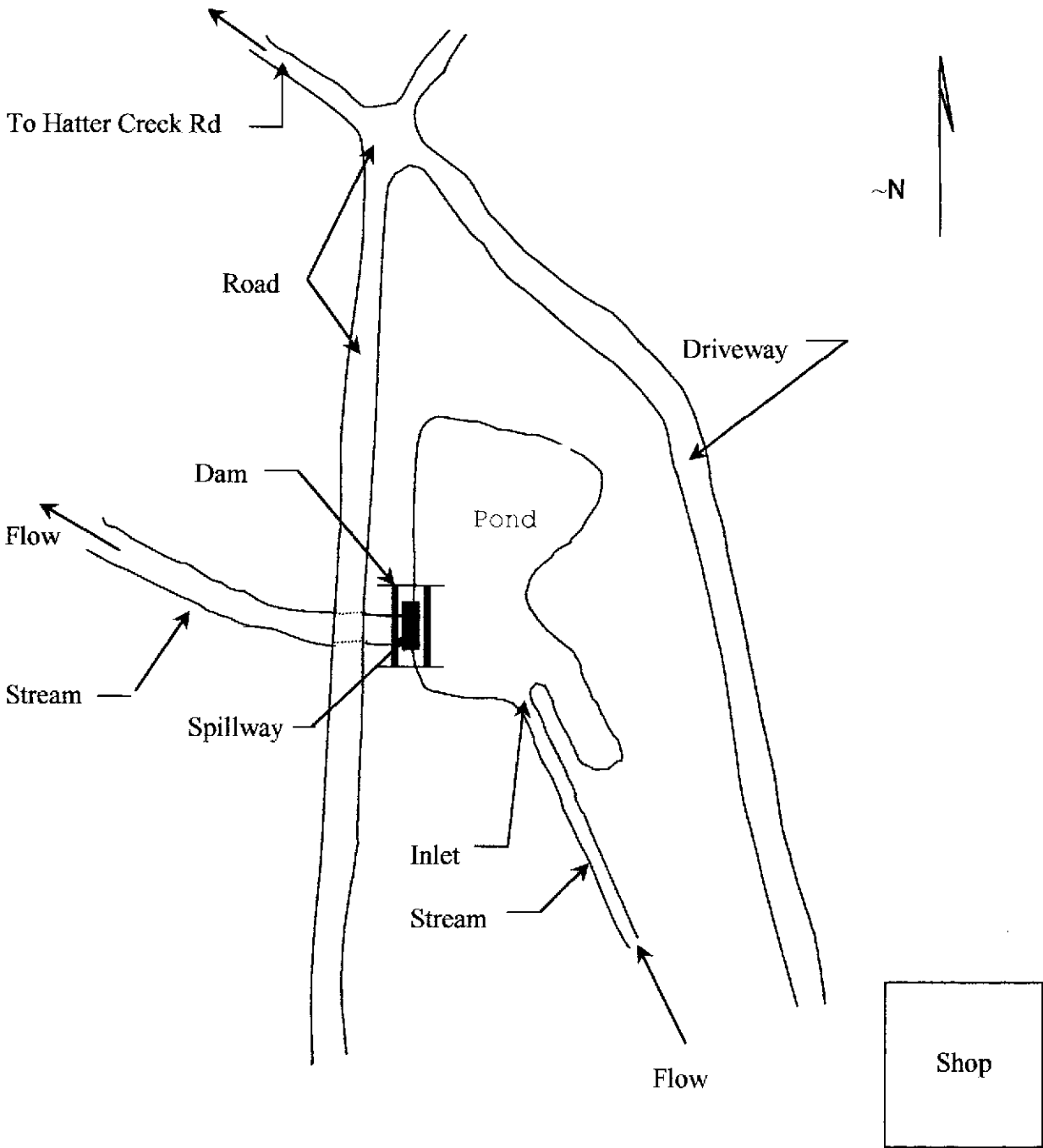
Indicate Method of Determination *USGS 7 1/2 minute Topo Map*

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
41N	04W									W									

MICROFILMED

SEP 22 2003

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



Note: Drawing is not to scale.

Scale: 1" = Not to Scale.

4. NA

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

The intermittent stream was dry at the time of the field exam and no flow measurements could be made.

E. NARRATIVE/REMARKS/COMMENT

The pond was created by excavation, widening and deepening the stream, and by the placement of a dam in the stream channel. *Photo 1* shows the inlet from the spillway while *Photo 2* shows the spillway and inlet from above the inlet.

The stream is intermittent and was dry at the time of the field exam (8/8/00). The pond level at that time was sixteen (16) inches below the spillway (See *Photo 3*).

A concrete spillway (*Photo 3*) is built in the middle of the dam and measures twelve (12) feet wide by eighteen (18) inches deep. The dam measures about four (4) feet high from toe to crest and about twenty (20) feet wide. The stream continues on to Hatter Creek below the spillway.

The location of the spillway, taken from a GPS unit (Garmin, Model GP-12, serial # 36061391), is:
 N 46° 52' 47.0"
 W 116° 49' 3.3"

Have conditions of permit approval been met?

X Yes

No

MICROFILMED

SEP 22 2001

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

The intermittent stream was dry at the time of the field exam and no flow measurements could be taken.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: NA

2. Volume Calculations for Other Uses:

To determine the surface area, the irregular shaped pond was divided into two (2) rectangles measuring 70' X 53' and 60' X 30'. The pond is seven (7) feet deep with a round bottom.

$$\frac{(70 \times 53) + (60 \times 20)}{43560} (0.4) (7) \sim 0.3 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Wildlife Storage	1-1	12-31		0.3
Totals:				0.3

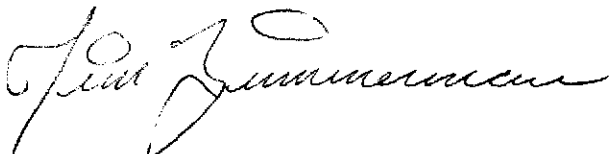
2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name: Jim Zimmerman Date: August 14, 2000

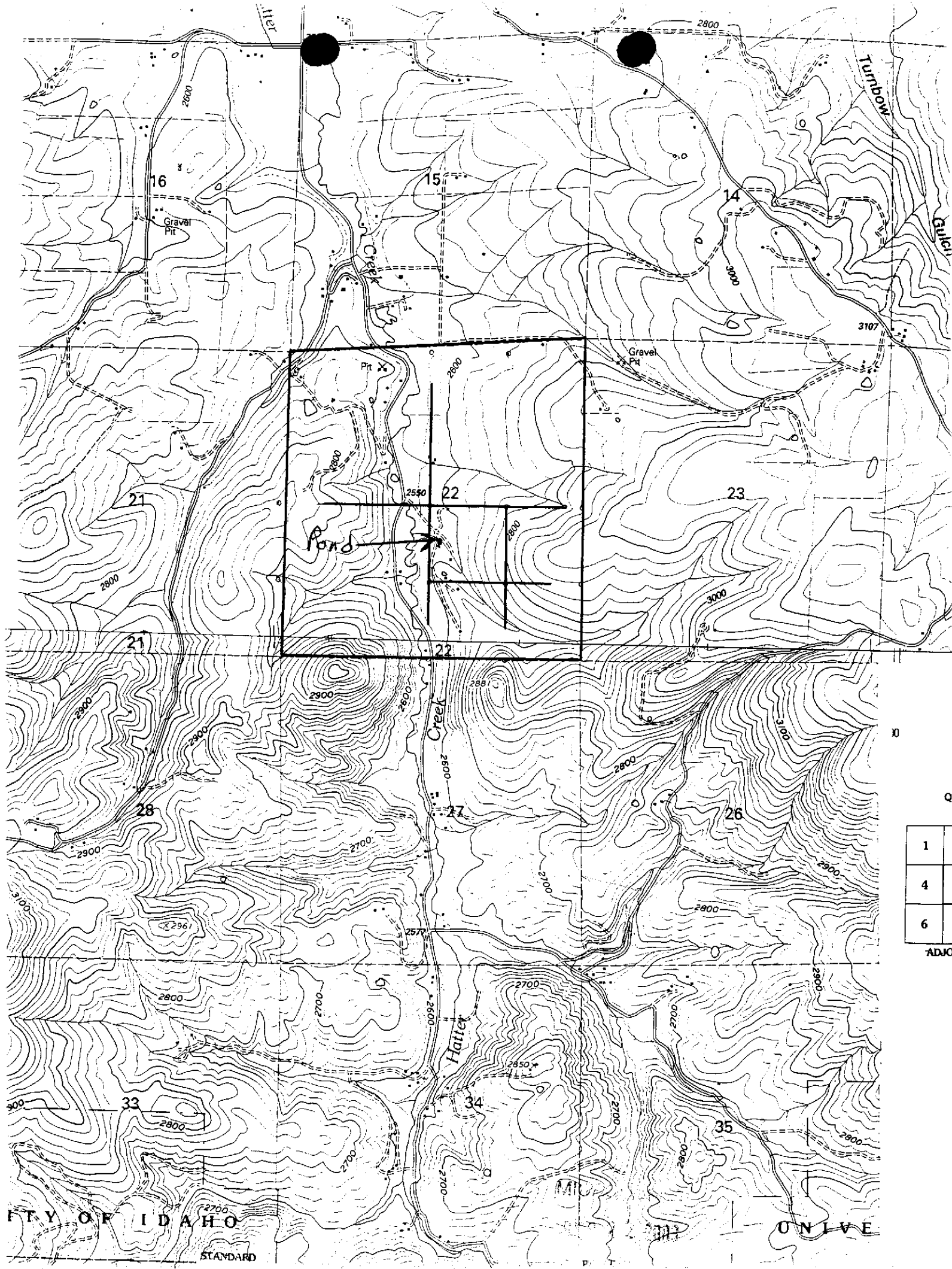
Signature



Permit No.: 87-07211

MICROFILMED

SEP 22 2000



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ADJO

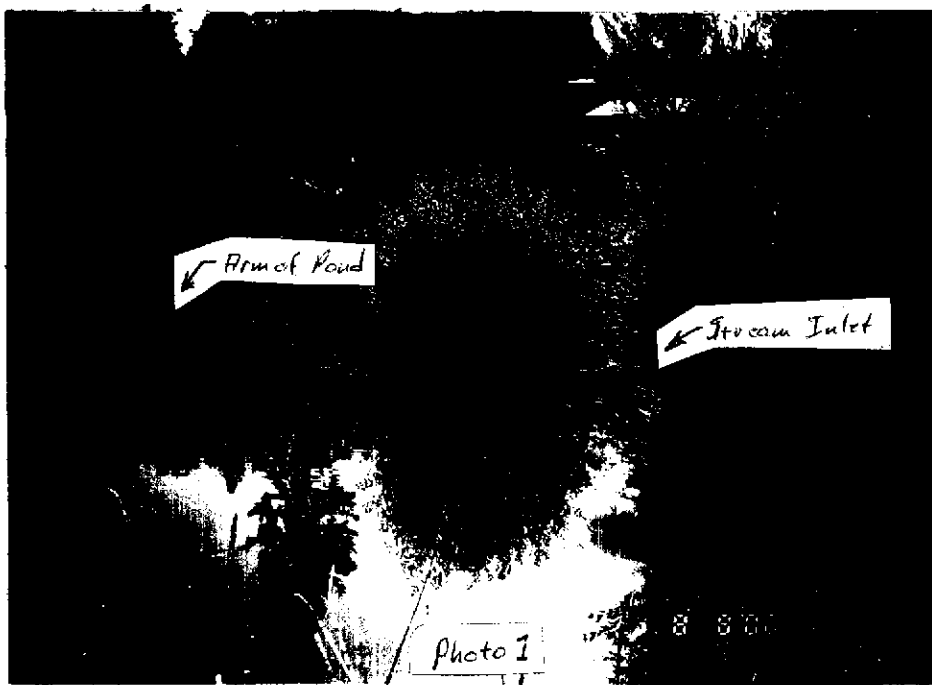


Photo 1. Pond inlet as seen from spillway.

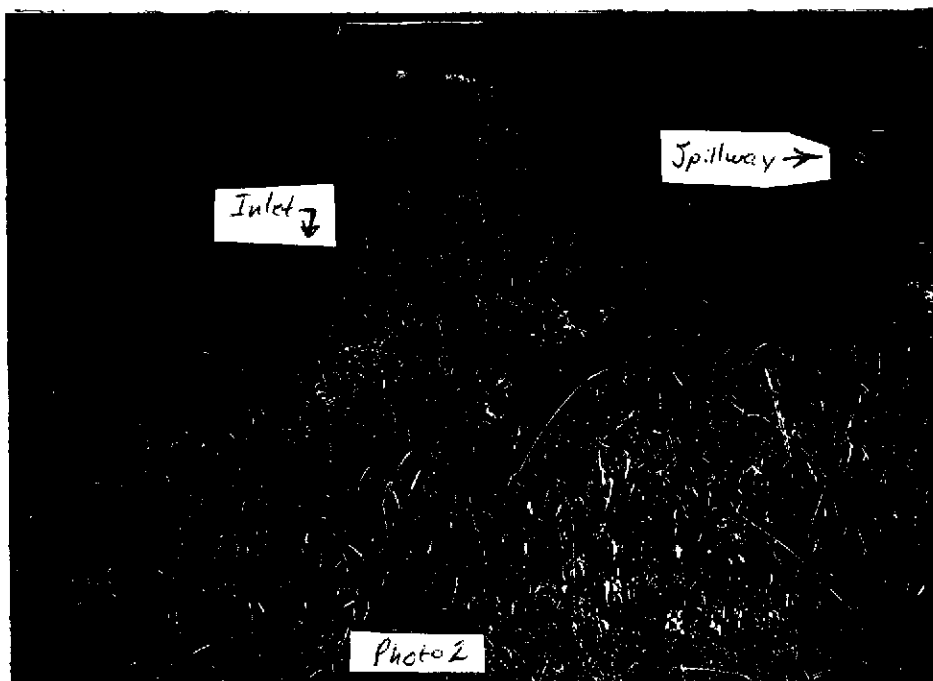


Photo 2. Pond inlet and spillway as seen from above inlet.

MICHAEL J. JONES

SEP 22 1988

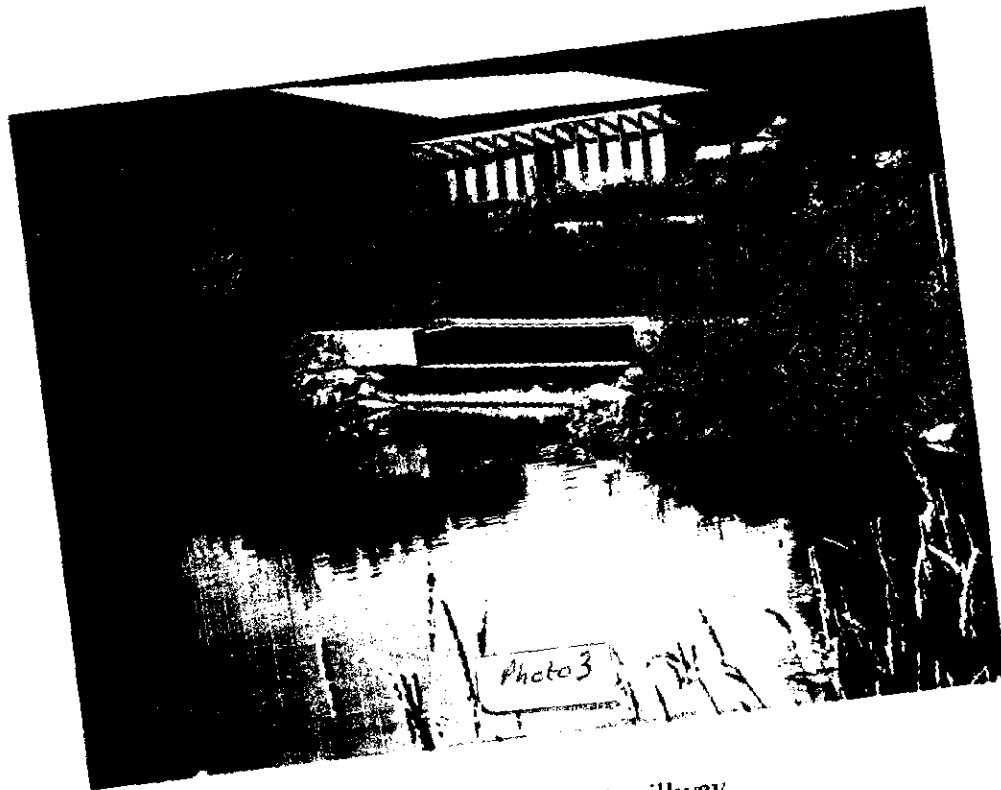


Photo 3. Dam and spillway.

MICHAEL G. ...
SEP 22 2003



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 10, 1999

Stephen M Allie
PO Box 426
Potlatch ID 83855

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 87-07211

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.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right 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 concerning the field examination, please contact the **NORTHERN** Regional Office of the department in Coeur d'Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

AUG 23 1999

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 87-07211 Reviewed by [Signature] Date 8-6-99

GENERAL CONSIDERATIONS

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

TYPES OF USE

wildlife storage

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 [X]

Proof Made 6-18-99

May 31, 1999

STEPHEN M ALLIE
PO BOX 426
POTLATCH ID 838550426

PROOF DUE NOTICE

RE: PERMIT NO. 87-07211

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 1, 1999.

(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.

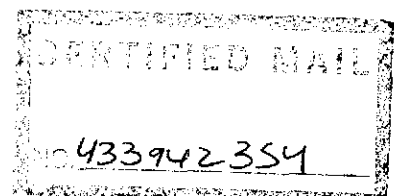
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

AUG 23 1999





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

July 23, 1998

PHILIP E. BATT
GOVERNOR

STEPHEN M ALLIE
PO BOX 426
POTLATCH ID 83855-0426

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 87-07211

Dear Permit Holder:

The Department of Water Resources (IDWR) 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.

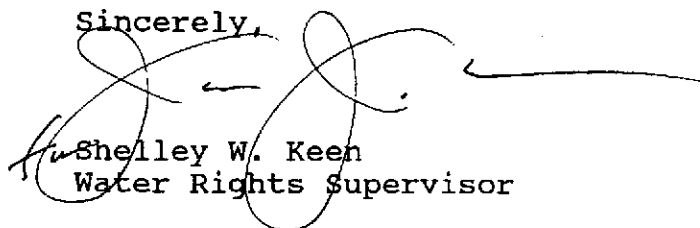
The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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 into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the IDWR 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 at least sixty days prior to the commencement of work in the stream.

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED
AUG 21 1998

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of July, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 87-07211

STEPHEN M ALLIE
PO BOX 426
POTLATCH ID 83855-0426


Kari Lynn Townsend
Secretary

MAILED
AUG 21 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order 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 the 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 a 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, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a 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.

ORAL ARGUMENT

If the Department grants a petition to review a 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 a 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.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Lou*
 No.: 87-7211 Name: Allie Date: 7/15/98 Ad OK? ☒ ☒ Gvmt Lts: ☒

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

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year - 26A-P17

≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

WMD Supplemental use

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

DRILLING PERMIT:

All wells (✓ WDQ3)

In Basin 34?

Irr. within WD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

IN/ABOVE MIN. STR. FLOW (✓ MAP)

WD (✓ MAP & LISTING)

> 0.10 cfs

≤ 0.10 cfs

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R (70's)

USE:

Domestic surface

>1 in rest. area

Fire Protection

Fish Propagation

Heating/Cooling

Irr ≤ 5 acres

> 5 acres

Mining

Municipal

Power

Stockwater

Storage (✓3 compo.)

LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev.

Mitigation

SWAN FALLS FLAG (See Code Chart)

Trust

Non-Trust (1)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

- 020 (Protest Agreement) or *W19 (Order)

- 26A-P17

- P16

- North / East / West

- 067 or No MD (in-stream stock or power)

- No MD

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

- 01M (report when notified)

- No MD

- 046-P23

- 085

- P05 (new well location)

- *WB9

- R04 (WD # _____)

- 01J-P08 (MD & LD)

- 01H-P01 (LD), 01P or No MD (in-stream stock)

- 01J-P08 (MD & LD)

- 01H-P01 (LD), 01P or No MD (in-stream stock)

- 067 or No MD (in-stream stock or power)

- No MD

- 01M or No MD (in-stream stock or power)

- No MD

- *W22 -P04, NA

- 007 (w/ remark *WB9 if above Weiser), NA

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

- 029 (fish screens), NA

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

- 071-070

- 077

- 029-007-042(req)-081 (WQ)-P10

- R07 (injection well)

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- 054(req) -081-P10

- 022, 075, 004 (+memo?), NA (not in restricted area)

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

- 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

- R37 (BLM/USFS); NA

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

- P84 (in 20/30/40/50/60/70/80 (87) basin)

- 058 (<85° GW temp only)

- P52 (stream channel alteration)

- 120

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

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU)

- 8/1/ 1999



RECEIVED

JUL 08 1998

Department of Water Resources

IDAHO FISH & GAME
CLEARWATER REGION
1540 Warner Avenue
Lewiston, Idaho 83501-5699

Philip E. Batt / Governor
Stephen P. Mealey / Director

July 2, 1998

Shelly Walter Keen
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, ID 83720

Dear Shelly,

We have reviewed the applications for water rights 87-07211 and 87-07199. We believe these applications will not result in any significant impacts to fish and wildlife within the Hatter Creek or Palouse River watersheds.

Thank you for the opportunity to comment.

Sincerely,

Cal Groen
Regional Supervisor

CG/GS

cc: Team 1
NRPB

MICROFILMED

AUG 21 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

June 18, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

IDAHO DEPT OF FISH & GAME
1540 WARNER AVE
LEWISTON ID 83501-5699

RE: Surface Water Appropriations

To Whom It May Concern:

The Department of Water Resources (IDWR) is preparing to issue a water appropriation permit for application 87-07211 and water right license for the water use developed under permit 87-07199. Before proceeding, IDWR would appreciate receiving your comments, if any, on the draft permit and draft license. I have enclosed copies of the drafts for you to review. Please respond by July 3, 1998. If I have not heard from you by then, I will assume you have no comment.

If you have any questions, please contact me at 208-327-7946 or by electronic mail at skeen@idwr.state.id.us.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

Enclosures

MICROFILMED

AUG 21 1998

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT NO. P87-07211

STEPHEN M ALLIE
PO BOX 426
POTLATCH ID 83855-0426

Priority Date: 04/13/1998
Stage: PERMIT

Source: UNNAMED STREAM
Tributary: HATTER CREEK

Beneficial Use	From:	To:	Diversion Rate	Volume
WILDLIFE STORAGE	01-01	12-31		4.00 AFA
	Total:			4.00 AFA

Point(s) of Diversion: NWSE, Sec. 22, Township 41N, Range 04W

Place(s) of Use: WILDLIFE STORAGE

Twp:	Rng:	Sec:	Tract: Acres:	Tract: Acres:	Tract: Acres:
------	------	------	---------------	---------------	---------------

Conditions of Approval and Remarks:

1. Proof of construction of works and application of water to beneficial use shall be subitted on or before July 1, 1999.
2. Subject to all prior water rights.

Dates: App. Received: 04/13/1998 Proof Due Date: 07/01/1999

DRAFT

MICROFILMED

APR 21 1998

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Lou*

No.: 87-7211 Name: Allie Date: 6/16/98 Ad OK? ☒ / ☒ Gvmt Lts: ☒

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

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED: - 26A-P17

> 1 year

≤ 1 year/no proof

P16

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

WMD Supplemental use

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- North / East / West

- 067 or No MD (in-stream stock or power)

- No MD

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

- 01M (report when notified)

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

In Basin 34?

Irr. within WD

- 046-P23

- 085

- P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

IN/ABOVE MIN. STR. FLOW (✓ MAP)

WD (✓ MAP & LISTING)

> 0.10 cfs

≤ 0.10 cfs

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- *WB9

- R04 (WD # _____)

- 01J-P08 (MD & LD)

- 01H-P01 (LD), 01P or No MD (in-stream stock)

- 067 or No MD (in-stream stock or power)

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R (70's)

- *W22 -P04, NA

- 007 (w/ remark *WB9 if above Weiser), NA

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

- 029 (fish screens), NA

USE:

Domestic surface

>1 in rest. area

Fire Protection

Fish Propagation

Heating/Cooling

Irr ≤ 5 acres

> 5 acres

Mining

Municipal

Power

Stockwater

Storage (✓3 compo.)

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

- 071-070

- 077

- 029-007-042(req)-081 (WQ)-P10

- R07 (injection well)

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- 054(req) -081-P10

- 022, 075, 004 (+memo?), NA (not in restricted area)

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18

- R37 (BLM/USFS); NA

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev.

Mitigation

SWAN FALLS FLAG (See Code Chart)

Trust

Non-Trust (1)

- P84 (in 20/30/40/50/60/70/80 (87) basin)

- 058 (<85° GW temp only)

- P52 (Stream channel alteration)

- 120

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

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- 7/1/

**IDaho DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

wri
wra
BC
RECEIVED
JUN 11 1998

APPLICATION # 87-7211
INITIAL REVIEW

APPLICANT: ALLIE BY: [Signature] DATE: 4/13/98

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()

ADDITIONAL INFORMATION

(Yes)(No)

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

PROCESSING

- (Yes)(No) PRIORITY DATE: 4/13/98
- ☒ (Include Moratorium Remark)
- ☒ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

mp/shur/ek

ADVERTISE IN: LATAH 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

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

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

Remarks: _____

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

Protests received, Final protest date: 6/08/98

Measuring device required

Measuring port required

Special conditions:

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

Approval Recommended by: [Signature]

Date: 6/8/98

Affidavit of Publication

STATE OF IDAHO

County of Latah

ss

Colleen Robbins

Legal Clerk

being first duly sworn, on oath deposes
and says:

That she is the printer of Moscow-
Pullman Daily News, a newspaper of
general circulation, printed and pub-
lished daily except Sunday at Moscow,
Latah County, Idaho, in compliance
with Sections 60-106, 60-107, and 60-
108 of the Idaho code and the amend-
ments thereto; that the notice of which
the annexed is a full, true and correct
printed copy was published in the reg-
ular and entire issues of said newspa-
per and not in a supplement thereto,
upon the following dates:

MAY 21, 28, 1998

the same being the date designated for
the publication of said notice.

Colleen Robbins

On this 28 day of May
in the year of 1998, before a Notary

Public, personally appeared

Colleen Robbins

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

Ann Marie Galt
Notary Public for Idaho

Residing at Troy, Idaho

My commission expires 5/11/04

NOTICE OF APPLICATION FOR WATER RIGHT

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

87-07211 *sk*

ALLIE, STEPHEN M, PO BOX
426, POTLATCH, ID 83855

Source: UNNAMED STREAM,
Tributary: HATTER CREEK

Diversion Pt: SWNWSE Sec 22 T
41N R 04W in LATAH County.

Use: WILDLIFE STORAGE (
4.00 AF)

Total Diversion: (4.00 AF)

Date Filed: 4/13/1998

In: LATAH County, T41N R04W

S22 NWSE

87-07212

JACOBS, RICHARD A, PO BOX
8746, 1200 NEARING ROAD,
MOSCOW, IDAHO 83843

Source: GROUNDWATER

Diversion Pt: NESW Sec 17 T
40N R 05W in LATAH County

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 4/29/1998

In: LATAH County, T40N R05W

S17 SWNE

For additional information con-
cerning 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 Sources,
Northern Region, 1910 Northwest
Blvd., Suite 210, Coeur d'Alene,
Idaho 83814, together with a protest
fee of \$25.00 on or before JUNE 8,
1998.

KARL J. DREHER, Director
May 21, 28, 1998

RECEIVED

MAY 29 1998

NORTHERN REGION
IDWR

NOT RECORDED

AUG 21 1998

87-07211

ALLIE, STEPHEN M
PO BOX 426
POTLATCH, ID 83855

Source: UNNAMED STREAM

Tributary: HATTER CREEK

Diversion Pt: SWNWSE Sec 22 T 41N R 04W in LATAH County.

Use: WILDLIFE STORAGE	(	4.00 AF)
Total Diversion:	(	4.00 AF)

Date Filed: 4/13/1998

In: LATAH County	
T41N R04W S22	NWSE

RECEIVED

APR 21 1998

April 29, 1998

Stephen M. Allie
PO Box 426
Potlatch ID 83855

Re: Water Appropriation Application No. 87-07211

Dear Mr. Allie:

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. Enclosed for your file is Receipt Number N011972.

Your appropriation application is currently being prepared for advertising in the local 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. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. 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. 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.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

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:db

RECEIVED
MAY 1 1998