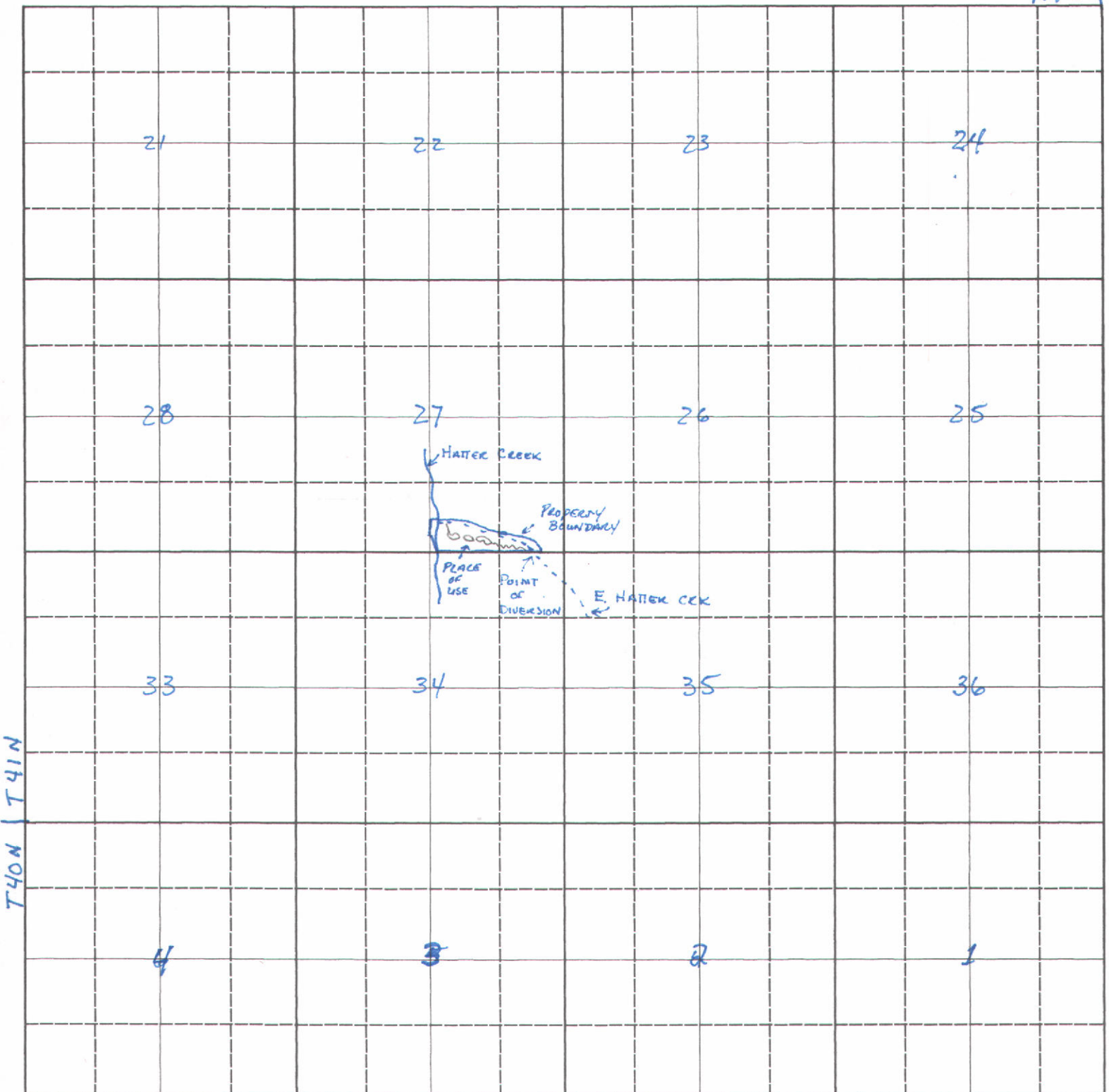


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R4W | R3W



Scale: 2 inches equal 1 mile.

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

MICROFILMED

APR 23 1937

Denny G. Dawes
(Applicant)

87-07199



pp



pp

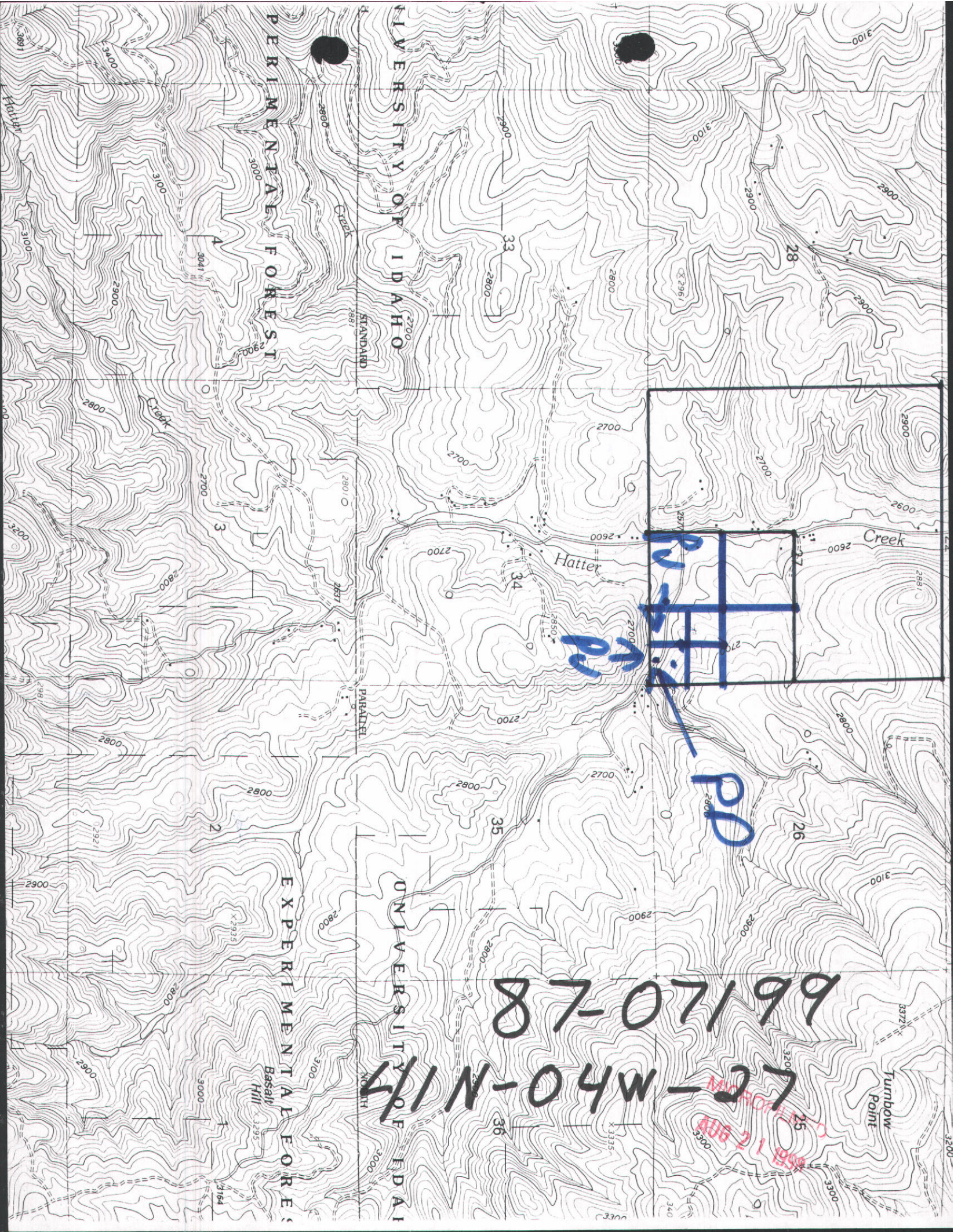


pu



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MICROFILMED
AUG 21 1998



PERIMENTAL FOREST

UNIVERSITY OF IDAHO

STANDARD

PARADEL

Hatter

Creek

Turnbow Point

Basalt Hill

EXPERIMENTAL FOREST

UNIVERSITY OF IDAHO

87-07199

41N-04W-27

AUG 21 1996

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 87-07199

Priority: July 16, 1996

Maximum Diversion Rate:

0.13 CFS

Maximum Diversion Volume:

97.3 AF

This is to certify, that DENNY G DAWES

HC 1 BOX 102A

PRINCETON ID 83857

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 15, 1996; and has submitted Proof of Beneficial Use on December 2, 1997. An examination indicates that the works have a diversion capacity of 0.130 cfs of water from:

UNNAMED STREAM

tributary to HATTER CREEK

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>
WILDLIFE	01/01 to 12/31	0.13 CFS	94.0 AF
WILDLIFE STORAGE	01/01 to 12/31		3.3 AF
RECREATION	01/01 to 12/31	0.13 CFS	94.0 AF
RECREATION STORAGE	01/01 to 12/31		3.3 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.13 CFS	
	Totals	0.13 CFS	97.3 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 27, Township 41N, Range 04W
LATAH County

PLACE OF USE: WILDLIFE

TWN RGE SEC

41N 04W 27

SWSE

SESE

PLACE OF USE:

RECREATION, same as WILDLIFE 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
AUG 21 1998

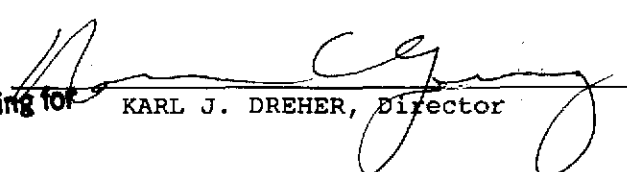
State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 87-07199

CONDITIONS OF APPROVAL AND REMARKS

5. Source is locally known as East Fork Hatter Creek.
6. Recreation and storage uses are for fishing and swimming.
7. Wildlife storage is for wetland ponds.

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 JULY, 1998.

Acting for


KARL J. DREHER, Director

MICROFILMED

AUG 23 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 87-07199	)	ORDER OF
	)	
IN THE NAME OF DENNY G. DAWES	)	REINSTATEMENT
_____	)	

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before December 1, 1997; and,

WHEREAS, the Department notified the permit holder on September 30, 1997, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

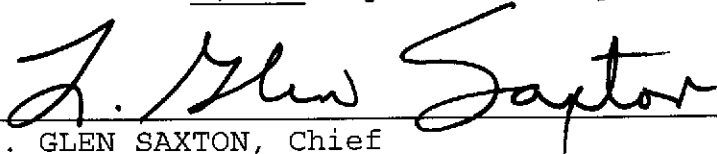
WHEREAS, the permit lapsed on December 2, 1997, since an acceptable proof of beneficial use or extension of time request had not been received; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on December 2, 1997;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 87-07199 is **REINSTATED** with an advance in priority to **July 16, 1996**.

DATED this 10th day of February, 1998.



L. GLEN SAXTON, Chief
Water Allocation Bureau

RECORDED
FEB 13 1998

RECEIVED
DEC 03 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. 87-07199 Telephone No. 208-875-1246

2. Name(s) of Permit Holder(s): DENNY G. DAWES

3. Mailing Address: RT 1 BOX 102-A PRINCETON, ID 83857

4. Source of Water: E. HATER CRK. INTERM. 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): _____ Other: GRNDWTR. RECHRG. WILDLIFE HABITAT

6. Total rate of diversion and/or volume for which proof is submitted: .18 cfs OR <20 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: DENNY DAWES Telephone Number: 208-875-1246

Address: RT 1 BOX 102-A PRINCETON, ID 83857

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.

Signature of permit holder: Denny Dawes Date: 12/1/97
(include your title, if on behalf of company or organization)

MICROFILMED
FEB 13 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 87-07199

Proposed Priority: July 15, 1996

Maximum Diversion Rate:

0.18 CFS

This is to certify, that DENNY G DAWES

HC 1 BOX 102A

PRINCETON ID 83857

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	01/01 to 12/31	0.18 CFS	
WILDLIFE STORAGE	01/01 to 12/31		8.0 AF
RECREATION	01/01 to 12/31	0.18 CFS	
RECREATION STORAGE	01/01 to 12/31		10.0 AF
	Totals	0.18 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 27, Township 41N, Range 04W

SESE , Sec. 27, Township 41N, Range 04W

LATAH County

PLACE OF USE: WILDLIFE

TWN RGE SEC

41N 04W 27

SWSE

SESE

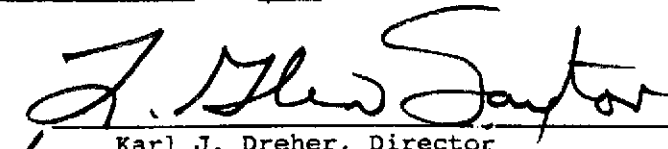
PLACE OF USE: RECREATION, same as WILDLIFE use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1997.
2. Subject to all prior water rights.
3. Source is locally known as East Fork of Hatter Creek.
4. Recreation use is for fishing and swimming.

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

21st day of November, 1996.


for Karl J. Dreher, Director

NOTED

NOV 23 1996



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 87-07199

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

1. Name of applicant DENNY G. DAWES Phone 208-875-1246
Post office address RT 1 BOX 102-A PRINCETON, ID. 83857
2. Source of water supply (UNNAMED) STREAM ~~E. HATER CREEK~~ which is a tributary of HATER CREEK
3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 27 Township 41 N Range 4 W B.M. LATAH County; additional
points of diversion if any: SW $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 27, T. 41 N., R. 4 W
4. Water will be used for the following purposes:
Amount 0.18 ^(b) for WILDLIFE purposes from 1-1 to 12-31 (both dates inclusive)
0.18 ⁽⁴⁶⁾ for RECREATION purposes from 1-1 to 12-31 (both dates inclusive)
Amount 0.18 ⁽⁵⁷⁾ for GROUNDWATER RECHARGE purposes from 1-1 to 12-31 (both dates inclusive)
10 ⁽⁴⁷⁾ for RECREATION / FISH P. purposes from 1-1 to 12-31 (both dates inclusive)
Amount 8 ⁽¹⁾ for WILDLIFE / STORAGE purposes from 1-1 to 12-31 (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.18 cubic feet per second and/or (b) 18 acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. SIXTY FIVE FEET OF 8" PIPE CONNECTS ACTIVE, INCISED STREAM TO OLD MEANDER STREAM COURSE, OLD STREAM COURSE FEEDS POND & 2 WETLAND IN SERIES VIA 6" x 200' PIPE.
 - b. Height of storage dam 3'-4' feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: 1-1 to 12-31 inclusive.
 - c. Proposed well diameter is NA inches; proposed depth of well is NA feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is 1 YR years (minimum 1 year).

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APR 23 1997

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. Restore marginal flow into old, meandering

9. THROUGH SERIES OF POND AND WETLANDS FOR WILDLIFE AND RESERVING
WOODED STREAM COURSE FROM STRAIGHTEN, INCISED CREEK, THEN
PASSES AS WELL AS STREAM HEALTH AND POSSIBLE FIRE PROTECTION.
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 column.

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

[illegible]

NONE 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? Denny Davis (Applicant)

b. Who owns the land to be irrigated or place of use? Denny Daves (Applicant)

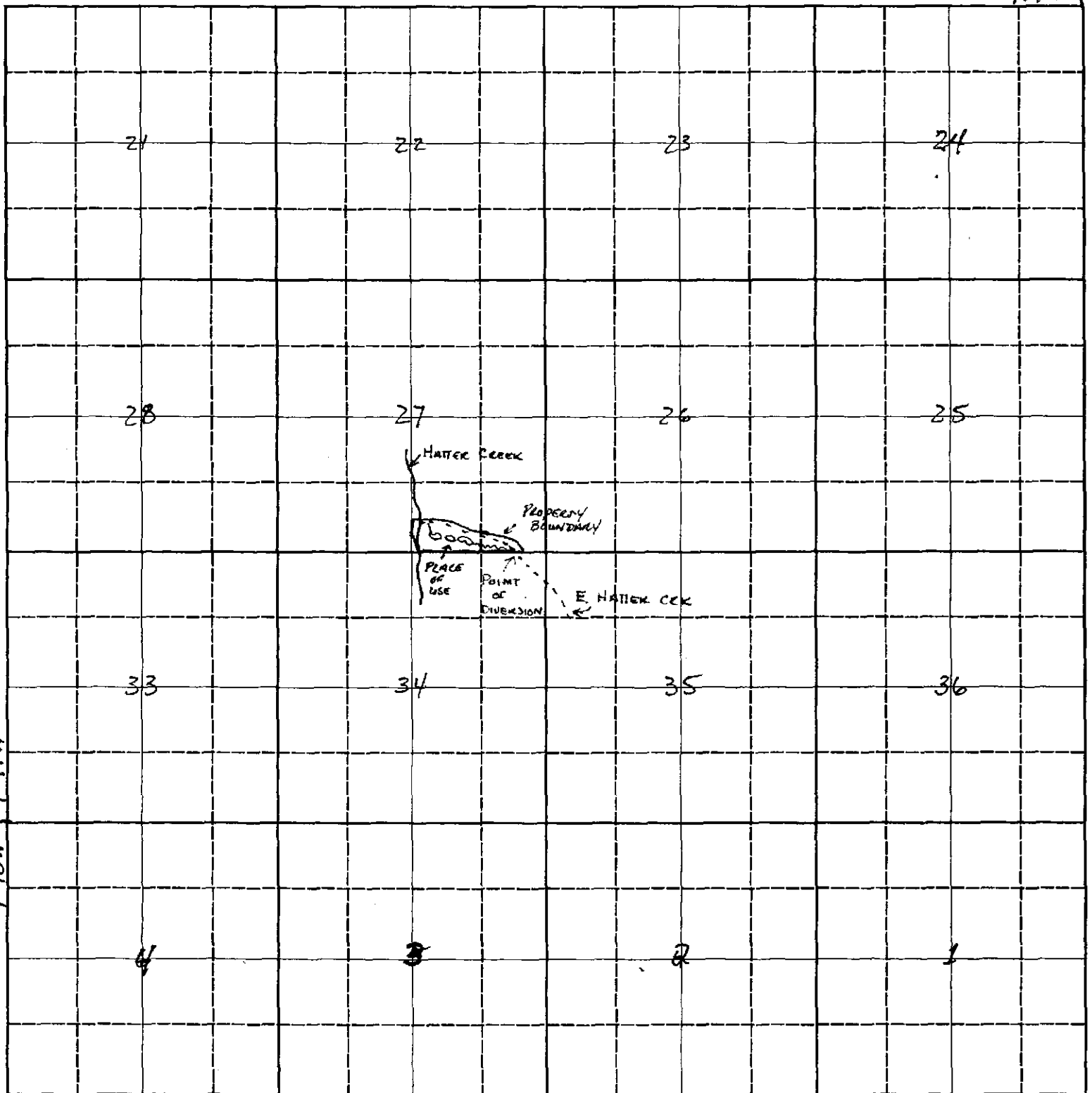
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing.

12. Remarks:

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

R4W R36



Scale: 2 inches equal 1 mile.

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

APPROVED
APR 23 1957
Denny G. Dawes
(Applicant)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by

Date 7/15/96

Time 2:00

Preliminary check by

Fee \$ 50.00

Received by

N10443

Date 7/15/96

Publication prepared by

Date 9/25/96

Published in

10/3 + 10/19/96

Publication approved

Date 10/15

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: _____



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 10, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DENNY G DAWES
HC 1 BOX 102A
PRINCETON ID 83857

RE: WATER RIGHT NO. 87-07199

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.

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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.

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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,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

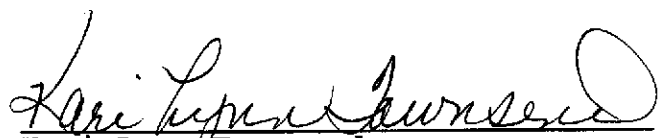
AUG 21 1958

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of July, 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. 87-07199

DENNY G DAWES
HC 1 BOX 102A
PRINCETON ID 83857


Kari Lynn Townsend
Secretary

MICROFILMED
AUG 21 1998



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

Providing Excellent Public Service and Healthy Sustainable Wildlife Through Partnerships and Sharing

Fax: 208-799-5012 • TDD: 1-800-377-3529 • <http://www.state.id.us/fishgame/fishgame.html>



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. L87-07199

DENNY G DAWES

Priority Date: 07/16/1996
Stage: LICENSE

Source: UNNAMED STREAM
Tributary: HATTER CREEK

Beneficial Use	From:	To:	Diversion Rate	Volume
WILDLIFE	01-01	12-31	0.13 CFS	94.00 AFA
WILDLIFE STORAGE	01-01	12-31		3.30 AFA
RECREATION	01-01	12-31	0.13 CFS	94.00 AFA
RECREATION STORAGE	01-01	12-31		3.30 AFA
DIVERSION TO STORAGE	01-01	12-31	0.13 CFS	
	Total:		0.13 CFS	97.30 AFA

Point(s) of Diversion: SESE, Sec. 27, Township 41N, Range 04W

Place(s) of Use: WILDLIFE

Twp:	Rng:	Sec:	Tract:	Acres:	Tract:	Acres:	Tract:	Acres:
41N	04W	27	SWSE		SESE			

Place of Use: RECREATION, same as WILDLIFE

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.
5. Source is locally known as East Fork Hatter Creek.
6. Recreation and storage uses are for fishing and swimming.
7. Wildlife storage is for wetland ponds.

Dates:	App. Received:	07/15/1996	Proof Due Date:	12/01/1997
	Proof Made Date:	12/02/1997	Exam Made Date:	07/07/1998

MICROFILMED

856 2 1 1998

MEMORANDUM

TO: File 87-07199

FROM: Sharla

DATE: June 8, 1998

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit No. 87-07199 are as follows:

H. RECOMMENDATIONS

Wildlife	1/1 - 12/31	0.13 cfs	94.0 afa
Wildlife Storage	1/1 - 12/31	n/a	3.3 afa
Recreation	1/1 - 12/31	0.13 cfs	94.0 afa
Recreation Storage	1/1 - 12/31	n/a	3.3 afa
TOTALS		0.13 cfs	97.3 afa

The annual volume of the direct flows for wildlife and recreation are based on continuous diversion

*add diversion to storage to clarify that the use is off-stream.
No amendment necessary.*

*S.W. Keen
6-9-98*

Examiner: David Pagel
Exam Date: May 7, 1998

MICROFILMED

AUG 21 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 87-07199 DATE 6/5/98 REVIEWER: SHARLA

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK Change (P39 /P47) Add (P45/P42) Feds - P40
 W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PLACE OF USE OK Change (P41/P47) Add (P41/P42) Feds - P43
 W60 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PD & PU amend (P37) Feds - P48

RATE OF DIV
 Permitted Rate .13 cfs
 Fee limit .20 cfs \$5000
 Measured .13 cfs
 Theoretical --- cfs
 Recommended Total Div Rate .13 cfs

WATER USES	Change (P46)		
<u>Wild.</u>	<u>.13</u> cfs	<u>94.0</u> af	Irrig - overlap (R58-R61, R62-R65, R66-R69)
<u>2" stor</u>	<u>.13</u> cfs	<u>3.3</u> af	supp. gw (WB7/065/079)
<u>Rel.</u>	<u>.13</u> cfs	<u>94.0</u> af	overlap spec. combined rts (W35)
<u>4" stor</u>	<u>.13</u> cfs	<u>3.3</u> af	<1acre (W31)
	<u>.13</u> cfs	<u>af</u>	Domestic (W01/WB5/070/071/075)
TOTALS	<u>.13</u> cfs	<u>97.3</u> af	Power (W42 or W43/025/027/R22 or R23)
			Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate .13 cfs X 365 days X 1.98 = 94.0 af

REMARKS Rel & storage for fishing & swimming.
Source known locally as East Hatter Creek
Wildlife stor is for wetland ponds

Div. to storage
not req'd - flow thru
from wild & rec.
guarantees flow
to storage ponds
anyway

ADD'L CONDITIONS _____ Watermaster Control WD# _____
 _____ GW Measurement/Measuring Device
 _____ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority yes ☒ no SRBA Claim NA Adjust Memo volume
 Amend letters ---

MAY 20 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 87-07199

1. Owner: Dennis A. Dawes Phone No. (208) 875-1246

Current Address: HC1 Box 10217 Princeton NJ 83857

2. Accompanied by: Dennis Hawes EXAM DATE: 8-7-98

Address: James Es Abuel Phone No. _____

Relationship to Permit Holder:

3. Source: unnamed stream tributary to Batter Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use:

2. Other water rights with the same point of diversion:

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

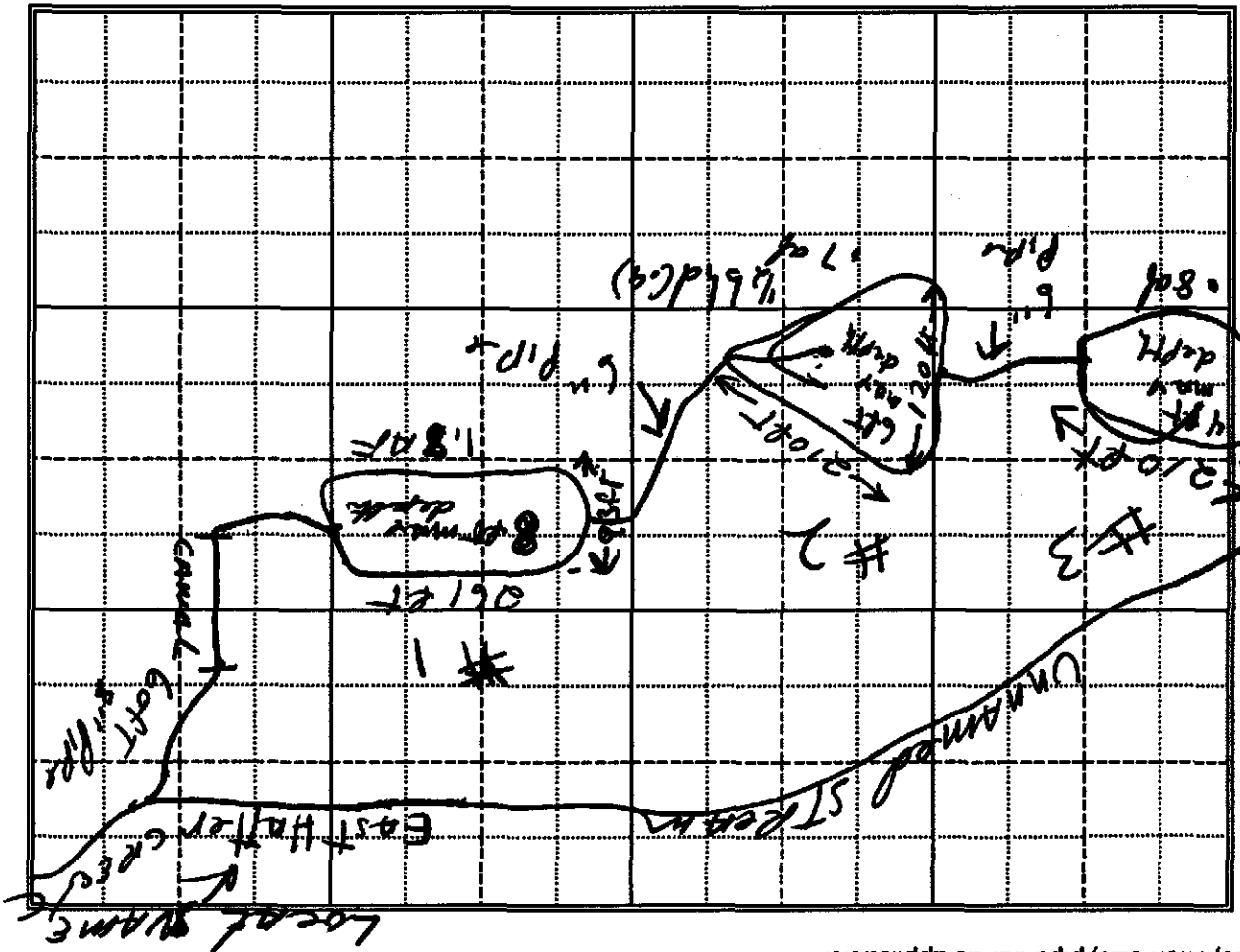
2. Place(s) of Use:

Indicate Method of Determination

[illegible]

size/ditch size/pipe i.d. as applicable.

30/11/15



Scale 7 = NIS

_____ Copy of USGS Quadrangle Showing location(s) of
point(s) of diversion and place(s) of use (required).
_____ Aerial Photo Attached
(required for irrigation of 10 + acres)
_____ Photo of Diversion and System Attached

4

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

*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:

AUG 21 1998
 MICROFILMED

AUG 2 1 1998

E. NARRATIVE/REMARKS/COMMENTS

The original stream channel had been diverted by farmer years ago. The riparian project diverts from that channel back into the original channel. There are 3 ponds connected via a trench and pipe.

Have conditions of permit approval been met? yes ☐ no

MICROFILMED
AUG 21 1998

F. FLOW CALCULATIONS

Measured Method:

$$Q_{\text{measured}} = 1.84 \text{ cfs} \times 86400 \text{ sec/day} = 159,168 \text{ gal/day}$$

Additional Computation Sheets Attached

Spill bucket 5 min to 9 min 8.133687

$$6.2 \times 10^5 \text{ gal}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{\text{irrigation}} = 2.7 \text{ cfs} \times 86400 \text{ sec/day} = 233,280 \text{ gal/day}$$

2. Volume Calculations for Other Uses:

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

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use
Wildlife
Flood Control
Recreation
Flood Control

Period of Use	From	To
01-01	01-01	12-31
01-01	01-01	12-31
01-01	01-01	12-31
01-01	01-01	12-31

Totals:

Rate of Diversion	Q (cfs)	Annual Volume
1.3	1.3	3.3
0.13	0.13	3.3

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name

Date

Date

Reviewer

MICROFILMED

AUG 21 1998

SEAL

87-07199



PD



PD

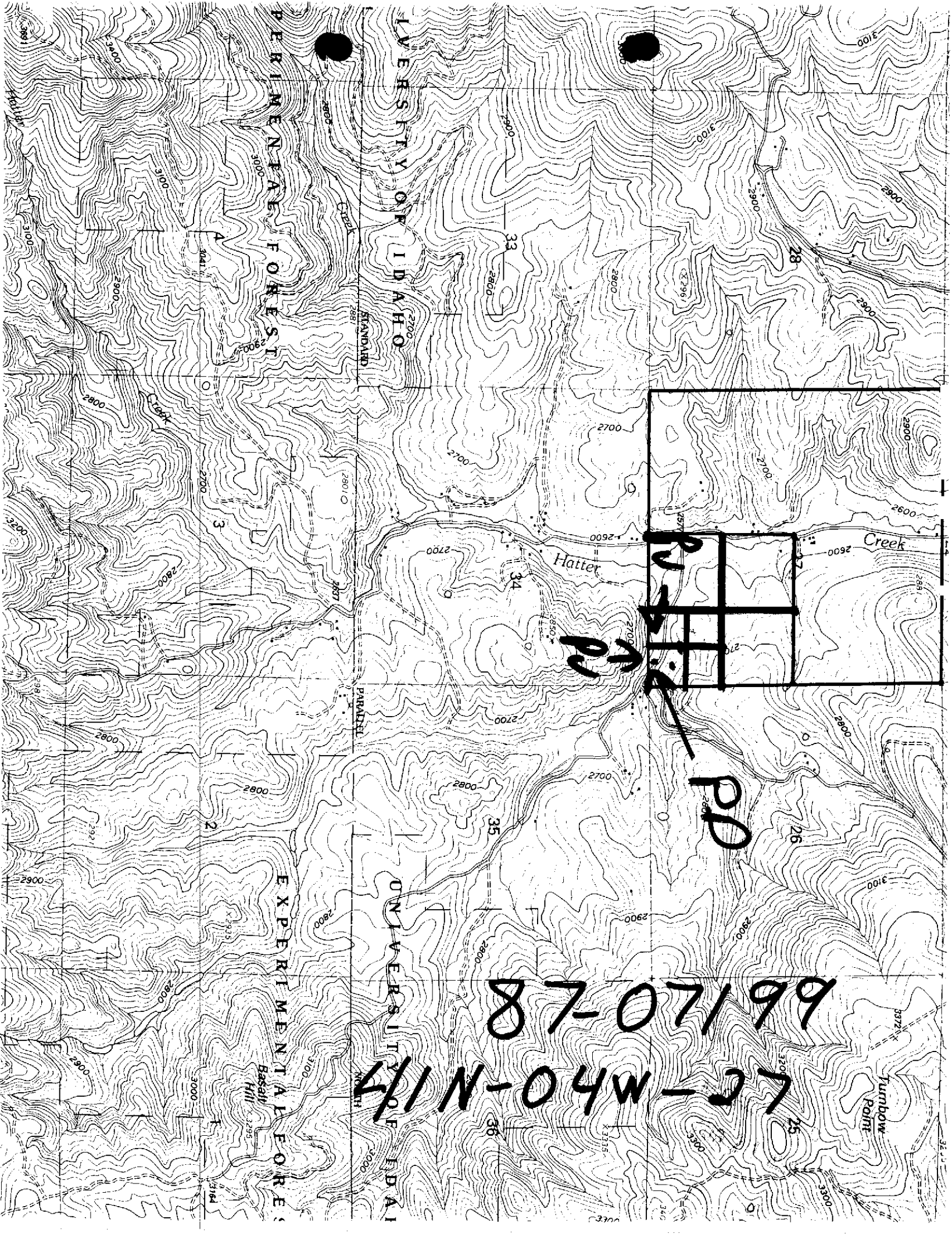


PV



PV

RECEIVED
FBI - NEW YORK
JAN 27 1968



EXPERIMENTAL FOREST

UNIVERSITY OF IDAHO

EXPERIMENTAL FOREST

UNIVERSITY OF IDAHO

87-07199

41N-04W-27

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 87-07199 Reviewed by [Signature] Date 2-5-98

GENERAL CONSIDERATIONS

TYPES OF USE

YLS Name same as permit?
YLS Address same as permit?
NO Proof timely received? Correct Uses? YLS
If not, complete calculation below.

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

MEASURING DEVICE

YLS Required?
50- Amount Submitted
YLS Correct?
NO Required?
+ Installed?
+ Waiver requested?

PRIORITY CALCULATION

Date proof received 12-2-97
Date proof due 12-1-97 -
No. of days late 1 =
Priority Date 7-15-96 +
New Priority Date 7-16-96

7/16/96

DEFICIENCIES OR ACTION ITEMS

Reinstate + advance priority to July 16, 1996.
Proof acceptable

DATA ENTRY

New Address [X] Proof Made 12-2-97



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

February 9, 1998

Denny G Dawes
Rt 1 Box 102A
Princeton ID 83857

PROOF ACKNOWLEDGMENT LETTER

RE: Permit No. 87-07199

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and supporting information submitted for the above referenced permit.

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Note that the priority date has been advanced to July 16, 1996, as provided in Section 42-218a.2, Idaho Code.

Please 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.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, you may contact the **Northern** Regional Office of the department in Coeur d'Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

FEB 13 1998

September 30, 1997

DENNY G DAWES
HC 1 BOX 102A
PRINCETON ID 83857

PROOF DUE NOTICE

RE: PERMIT NO. 87-07199

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 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.

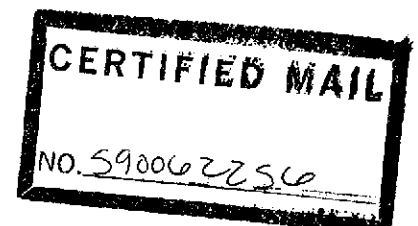
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

FEB 13 1998





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

November 21, 1996

DENNY G DAWES
HC 1 BOX 102A
PRINCETON ID 83857

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 87-07199

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and 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 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.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosures

MAILED 11/21/96

APR 23 1997

MEMORANDUM

DATE: November 21, 1996

TO: File 87-07199

FROM: Shelley W. Keen *SWK*

RE: Groundwater Recharge

Today I called Denny Dawes and discussed the groundwater recharge portion of his application with him. I explained that we usually think of groundwater recharge as injection and withdrawal for irrigation and not as "bank storage" as his project envisions. I explained that I think his bank storage will be covered by his recreation storage and wildlife storage components as long as he maintains the water level in his ponds. Mr. Dawes responded that he understands and that he has no objection to leaving the groundwater recharge component off the permit.

11/23/96
11/23/96

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 87-7199 Name: Dawes Date: 11/19/96 Ad OK? ☒ ☒ Gvmt Lts: ☒

AREA OF CONCERN?

- No/Yes _____ Mor _____ GWMA Trust/Non-trust
- 020 (Protest Agr) or W19 (See Final/Prelim Order)

PROTESTED:

SYSTEM COMPLETED:

Yes/proof filed
1 year/no proof
+1 year

- NA
- P16
- 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs
=/- 0.2 cfs
=/+ 5 a.

- 01M
- No MD
- 01M, 065 (if GW use SW 1st)

DRILLING PERMIT:

Existing well
Included w/permit
No WD permit?
irr. in WD

- NA (pre 7/1/87)
- Permit No. _____, P99
- 046-46B-P23 (post 7/1/87)
- P05 (new well)

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

Water District (~~dam~~)
+ 0.2 cfs
=/- 0.2 cfs
~~In-WD~~ + 0.2 cfs
- 0.2 cfs
=/+ 5 a. irr.

- 005 (req) WD # _____ <SEE MAP & LISTING>
- 01J (meas dev)-P08
- 01H (lock dev)-P01 or No MD
- 01M or No MD (in-stream)
- No MD
- 01M

RIVER BASINS (*Surface water):

Snake R (01)
(02/03-irr)
Boise River (63)
Payette River (65)

- 11A-P04, NA
- 007-P07 (w/ remark WB9-- Weiser), NA
- 05A (if WD), 11E (not 42-111 use), NA
- 064 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic (*surface*)
Fish Propagation
Irr <POU> =/- 5 a
+ 5 a

Mining
Power

- *WB5 (Boise R above Star Bridge); 27A (Payette R); NA
- 07A-042 (req)-010/06A/09E (WQ)-P10; 044 (N 1000 Spr)
- 057 (0.03 cfs/A)
- 03A (0.02 cfs/A)
- 054 (req) & 06A/010/09E-P10
- 08A-17K-025-027-028-01F(P19)-09E(P10);
+25 cfs-P18; 17G (FERC) or 17M (FERC); 18B-P09
- 18A (multi MD in WD), 18B-P09 (+10' dam), W07

LOCATION:

42-248 area
Boise Front LoGeo
In-stream dev.
Irr Dist/Canal Co.
Swan Falls Flag
Trust
Non-Trust <1>

- In 20/30/40/50/60/70/80 (87) basin? P84
- 058 (-85° GW temp only)
- P52 (stream channel alteration)
- 023 (Twin Falls area)
- _____ <SEE CODE CHART>
- 051-052-053-P74 (Consumptive Uses), NA
- 048-049 (Consumptive Uses), NA
- 004 (PD/PU) _____

OWNERSHIP: Non-owner

OTHER CONDITIONS:

STANDARD REMARKS:

- ① w07 ② Rec.

BENEFICIAL USE DUE:

- 12-1-1997

COMMENTS:

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

WRI
WRA
BC

APPLICATION # 97-07199

***** INITIAL REVIEW *****

APPLICANT: DAVES BY: AB DATE: 7/15/96

ITEM REQUIRED INFORMATION

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

*** 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: 7/15/96

☒ (Include Moratorium Remark)

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

ADVERTISE IN: LATAHA 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)

- ☒ 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 _____

Checked by: _____ Date: ____/____/____

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 AB
☒ Protests received. Final protest date: 10/21/96
☒ Measuring device required
☒ Measuring port required
☒ Special conditions: _____
☒ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB Date: 10/28/96

RECEIVED
NOV 08 1996

Department of Water Resources

Affidavit of Publication

STATE OF IDAHO
County of Latah ss.

Mary Shiel
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 published 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 amendments thereto; that the notice of which the annexed is a full, true and correct printed copy was published in the regular and entire issues of said newspaper and not in a supplement thereto, upon the following dates:

Oct 3, 10, 1996

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

Mary Shiel

On this 11 day of Oct.
in the year of 1996, before me, a Notary

Public, personally appeared _____

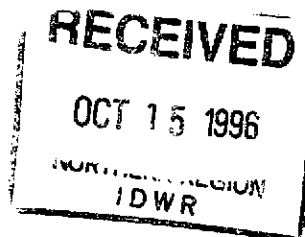
Mary Shiel

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

Ann Marie Hale
Notary Public for Idaho

Residing at Troy, Idaho

My commission expires: 5/11/98



NOTICE OF APPLICATION FOR WATER RIGHTS

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

87-07198

CARNEY, JAMES, CARNEY, SELMA, RR 2 BOX 97A, POT-LATCH, ID 82855-9802

Source: GROUNDWATER

Diversion Pt: NWNE Sec 31 T 41N R 04W in LATAH County.

Use: IRRIGATION (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 9/17/1996

In: LATAH County

T41N R04W S31 NWNE

2.0 ACRES TOTAL

87-07198

DAWES, DENNY G, ROUTE 1, BOX 102-A, PRINCETON, ID 83857

Source: UNNAMED STREAM, Tributary: HATTER CREEK

Diversion Pt: SWSE Sec 27 T 41N R 04W in LATAH County.

SESE Sec 27 T 41 N R 04W in LATAH County.

Use: WILDLIFE (0.180 CFS)
WILDLIFE STORAGE (8.00 AF)
GROUNDWATER RECHARGE (0.180 CFS)

RECREATION (0.180 CFS)
RECREATION STORAGE (10.00 AF)

Total Diversion: (0.180 CFS)

Date Filed: 7/15/1996

In: LATAH County

T41N R04W S27 SWSE SESE

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, together with a protest fee of \$25.00 on or before OCTOBER 21, 1996.

KARL J. DREHER, Director
October 3, 10, 1996

NOT RECORDED

APR 23 1997

87-07199

DAWES, DENNY G
ROUTE 1 BOX 102-A
PRINCETON, ID 83857

Source: UNNAMED STREAM

Tributary: HATTER CREEK

Diversion Pt:	SWSE	Sec 27 T 41N R 04W in LATAH County.
	SESE	Sec 27 T 41N R 04W in LATAH County.

Use: WILDLIFE	(	0.180 CFS)	
WILDLIFE STORAGE			(8.00 AF)
GROUNDWATER RECHARGE	(	0.180 CFS)	
RECREATION	(	0.180 CFS)	
RECREATION STORAGE			(10.00 AF)
Total Diversion:	(	0.180 CFS)	

Date Filed: 7/15/1996

In: LATAH County		
T41N R04W S27	SWSE	SESE

100-111410

100-111410

September 25, 1996

Denny G. Dawes
Route 1 Box 102-A
Princeton ID 83857

Re: Water Appropriation Application No. 87-07199

Dear Mr. Dawes:

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 N010443.

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 your source is groundwater, a separate well drilling permit is required for all wells constructed after July 1, 1987.

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$35.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. It is possible to upgrade a Domestic Drilling Permit by submitting an additional \$165.00. These Permits can be obtained by your driller, also.

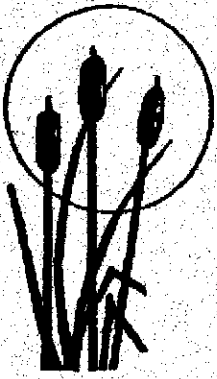
If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

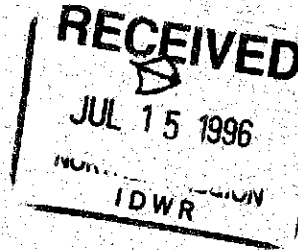
AB:db

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SEP 28 1996



Wildlife Habitat Institute

Route 1 Box 102-A, Princeton, Idaho 83857
phone & fax 208-875-1246



Al Beardslee
Idaho Dept. of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, Idaho 83814

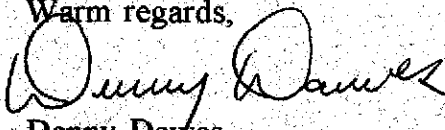
July 12, 1996

Dear Al:

Thank you for all your help with the permit application. The process has been informative and educational. I'm certain we will be working together in the future along with many of my clients.

Again I would like to apologize for the initial misunderstandings. Thanks for your understanding and patience.

Warm regards,


Denny Dayes

RECEIVED

APR 23 1997