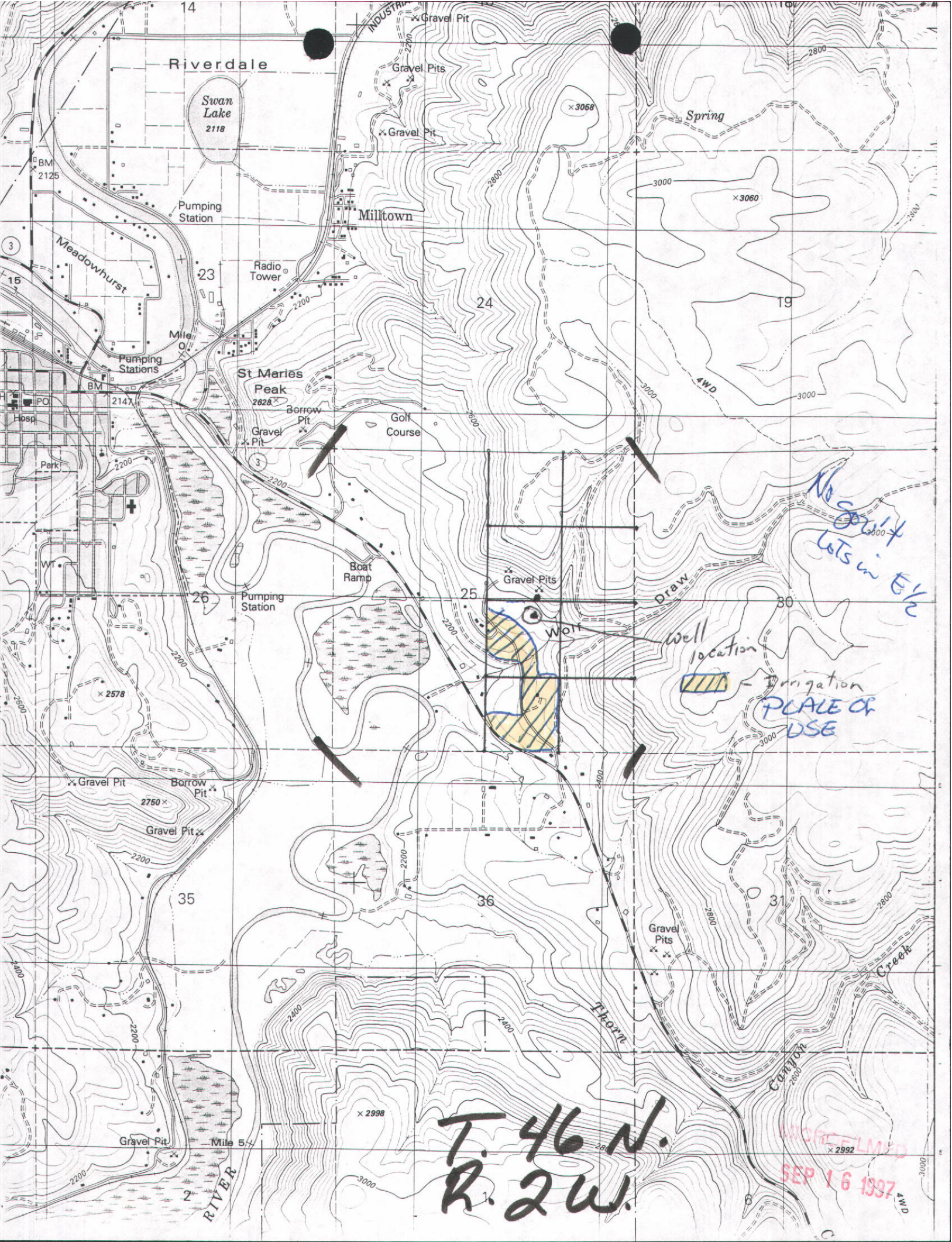




Riverdale

Swan Lake
2118

Pumping Station

Milltown

St. Marie's Peak
2628

Borrow Pit

Golf Course

Boat Ramp

Pumping Station

Gravel Pits

Wolf

Well location

Irrigation
PLACE OF
USE

No Split
Lots in E 1/2

T. 46 N.
R. 2 W.

MICROFILMED
SEP 16 1997

Approximate location of Lot 51
X - well - proposed



Existing
water
reservoir

MICROFILMED

SEP 16 1997

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

RECEIVED
JUL 31 2002
IDWR/North

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

Permit No. 92-7229
Name(s) of Permit Holder: Evergreen Water Co
Address: HC 4 Box 44 B City ST Maries State Id Zip 83861
Telephone No. 208-245-2448 Date Proof is Due: 8/1/02

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

Well drilled, pump set, pump tested

Costing \$ 30,000 -

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

This is a back-up well for our system and there has not been an urgent need to bring it on line, we have been trying to do the work without going into debt.

Permit holder(s) request an extension to 11/1, 20 04

Rh. Stark

(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit the proof of beneficial use is extended to August 1, 2004.

Signed this 2nd day of August, 20 02

L. Glen Saxton
L. GLEN SAXTON, Bureau Chief
Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
INSTRUCTIONS FOR EXTENSION OF TIME REQUEST
TO SUBMIT PROOF OF BENEFICIAL USE

If the water right development authorized by your permit is not complete and you need more time to submit proof of beneficial use of water under your permit, please read the following:

Under the provisions of Section 42-204, Idaho Code, the department can extend the proof due date of your permit only once, and then only if you can demonstrate that you have been pursuing development of the permit with due diligence.

The Request for Extension of Time form requires that you indicate the extent of development that has occurred, the cost, and the reason(s) the work has not been completed. This information must be provided in enough detail to show due diligence. Examples of work performed are: well drilled, pump installed, 10 acres now irrigated, fish propagation ponds constructed, sprinkler system purchased, etc.

If no work has been accomplished, the statutes provide that the Request for Extension of Time must be denied. **Lack of financial resources, the state of the economy or personal illness usually cannot be considered adequate reasons to approve a Request for Extension of Time.**

EXCEPTIONS TO ONLY ONE EXTENSION

The proof due date for a permit that has not been developed for one of the following reasons may be granted one or more extensions of time even though no work has been accomplished:

- When there is a lack of a required consent or final approval from a federal government agency **(evidence of delay must be submitted with the request)**, i.e. right-of-way easement or land classification such as Desert Land Entry or Carey Act.
- When litigation related to title of the water has prevented development of the permit **(evidence must be submitted with the request)**.
- When the water project is of a large scale -- storage of more than 10,000 acre-feet or diversion of more than 25,000 acre-feet in one irrigation season for an irrigation project of at least 5,000 acres.
- When the water right permit is held by the United States of America **(reason for request must be submitted)**.

A non-refundable filing fee of \$50.00 must accompany the Request for Extension of Time form.

NOTE that in no case should a Proof of Beneficial Use form and a Request for Extension of Time form both be submitted. If your water development project is completed, then the proof of beneficial use form should be completed and returned. If the project is started but not completed, then the Request for Extension of Time form should be completed and returned in compliance with the guidelines above. If the project has not been initiated and does not fit into one of the exceptions listed above, then neither form should be returned and the permit will lapse and become of no further force nor effect.

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 92-07229

Proposed Priority: April 21, 1997

Maximum Diversion Rate:

0.88 CFS

This is to certify, that **EVERGREEN WATER CO**

HC 4 BOX 44B

ST MARIES ID 83861

has applied for a permit to appropriate water from: **GROUNDWATER**

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>
IRRIGATION	03/15 to 11/15	0.53 CFS
DOMESTIC	01/01 to 12/31	0.35 CFS
Totals		0.88 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 25, Township 46N, Range 02W

NWSE , Sec. 25, Township 46N, Range 02W

BENEWAH County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
46N	02W	25	NWSE 20.0	SWSE 30.0		50.0

Total number of acres irrigated: 50.0

PLACE OF USE: DOMESTIC, same as IRRIGATION 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 August 1, 2002.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
6. The issuance of this right does not grant any right-of-way or easement across the land of another.
7. Domestic use is for 53 homes and does not include lawn, garden, landscape, or other types of irrigation.

State of Idaho
Department of Water Resources

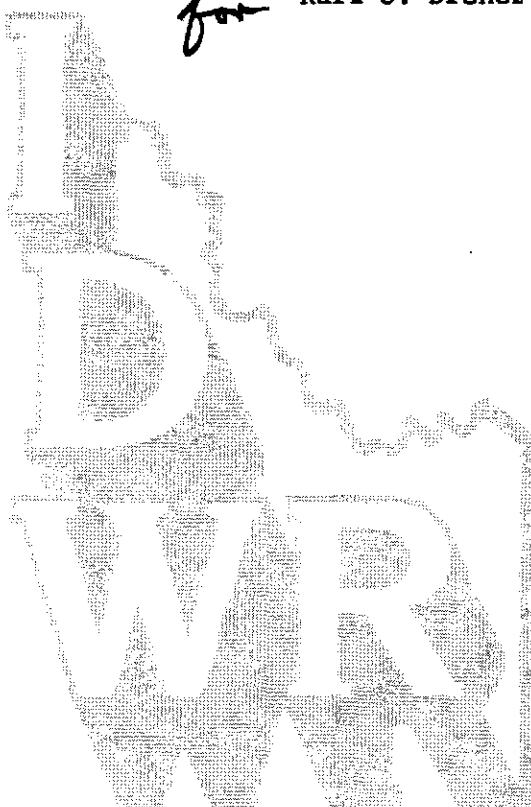
Permit To Appropriate Water

NO. 92-07229

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

25th day of July, 1997.

K. Glen Saxton
for Karl J. Dreher, Director



SEP 18 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 92-07229
RECEIVED
JUL 14 1997
Department of Water Resources

1. Name of Applicant Evergreen Water Company Phone 245-2448
Post Office address HC 4 Box 44 B St Maries, Id 83861
2. Source of water supply ground water which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of NW 1/4 of SE 1/4, Govt. Lot _____
Sec. 25 Township 46N Range 2W B.M. Beneviah County; additional points of
diversion if any: SW 1/4 NE 1/4, 25, T. 46N, R. 2W
4. Water will be used for the following purposes:
Amount 4 cfs 0.35 for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) Public Water
Amount 0.53 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 4 cfs 1500 gpm and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 2 WELLS, 40,000 GAL
RESERVOIR + DELIVERY SYSTEM.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 12 inches; proposed depth of well is 500 feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? No; Drilling firm _____:
Well was drilled for (well owner) _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity if KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. 53 HOMES
 - e. Other; describe fully. Public water
33 homes currently w/ 20 more to follow

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	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N	24W	25														D			
		25														~~D~~		~~11~~	30
		25														~~11~~	D	~~11~~	20
															20	30			

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. NO

11. a. Who owns the property at the point of diversion? Michelle Slack

b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: Owner of Evergreen Water

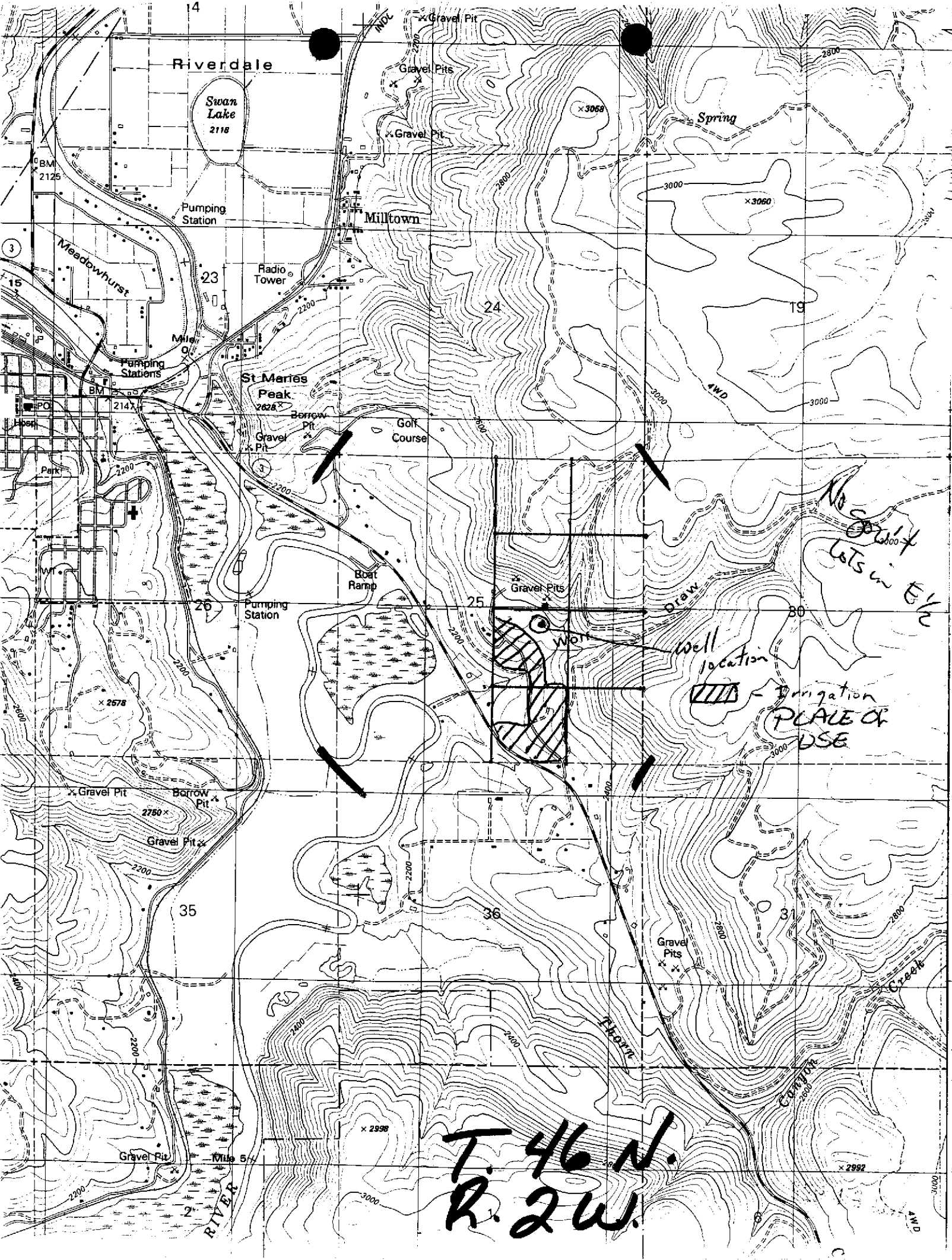
12. Remarks: _____

13. MAP OF PROPOSED PROJECT ATTACHED _____ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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

Ph Slack Mgr Evergreen Water
(Applicant)

Received by db Date 4/25/97 Time 11:30a Preliminary check by AS
Fee \$ 160.00 Receipted by db # 1011095 Date 4/21/97
Publication prepared by db Date 5/14/97 Published in St. Maries Gazette 5/24/97
Publication approved db Date 6/26/97 6/18/97





Ident. No. 92-97-N-0002-000
Water Right No. 97-07229

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: EVERGREEN WATER COMPANY O 208-245-2448
Address: HC 4 BOX 44 B
ST MARIES ID 83861

Name: RJ CARMEN O 208-245-2448
Address: HC 4 BOX 44 B
ST MARIES ID 83861

2. Proposed Well Location: Township 46N, Range 02W, Sec. 25, NWSE
BENEWAH County

Street Address of Well Site: LARCH ROAD IN EVERGREEN TERRACE
ST MARIES ID

Lot, Block, and Subdivision: Lt 051
Blk
EVERGREEN TERRACE

3. Proposed Use of Well: Other
PUBLIC WATER SUPPLY -- SERVICE FROM 2 SEPERATE WELLS (9275N12)

4. Well Construction Information:
A. NEW WELL
B. Proposed Surface Diameter 12 In. Proposed Maximum Depth 500 Ft.
C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
(NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 4/25/1997

6. Anticipated Well Driller: M-C QUALITY DRILLING (No. 0452)
NOTE: The actual well driller must be identified to IDWR prior to drilling commencement.

7. Applicant's Signature Michelle Slack Date 4-21-97

Title owner
(Owner, Firm Representative, Other)

Fee \$ 200⁰⁰ Received by _____ No. N011094 Date 4-21-97

Ident. No.

92-97-N-0002-000

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is **APPROVED**

Date: **4/21/1997**

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If the bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is 1-800-398-3285.



REGIONAL MANAGER

Signature of Authorized Dept. Representative

Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____

Expires On: _____

4/22/97

Evergreen Water Co.
HC 4 Box 44B
St Maries, Id. 83861

Dept. of Water Resources
1910 Northwest Blvd Ste 210
Coeur d Alene, Id 83814

Dear Sirs,

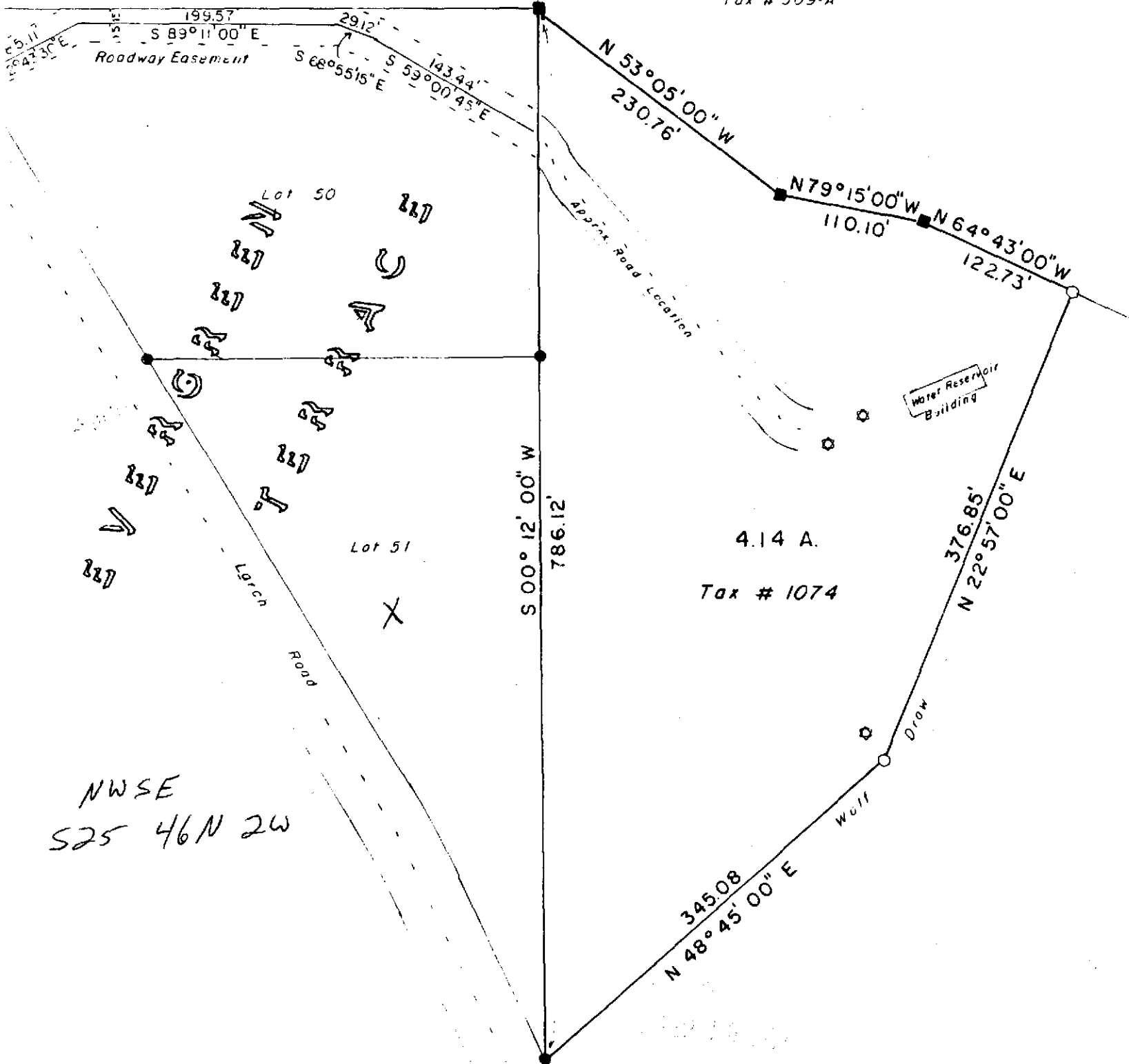
The following are the officers of Evergreen Water Co.

President	RJ Carman
Sec/Tres.	Betty Carman
Owner	Michelle Slack
Manager	Arlo Slack

A handwritten signature in cursive script, appearing to read "Arlo Slack", is written below the typed name.

Tax # 509

Tax # 509-A



Approximate location of Lot 51

X - well - proposed



Existing
water
reservoir

SEP 16 1977



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 5, 2002

ARLO SLACK
EVERGREEN WATER CO
248 EVERGREEN TERRACE ROAD
ST MARIES ID 83861

RE: PERMIT NO. 92-07229

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use of water to **August 1, 2004**.

Please note that the department granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department **may not** be able to grant additional extensions based on due diligence.

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. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please feel free to contact the department if you have questions.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 92-7229

Reviewed By: dgibson

Date: August 1, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Request received timely?	X		Is delay by a government agency?		X
Appropriate fee	X		Is supporting documentation needed to support the file?		
Additional Amount Due:					
Receipt No.:		N015179	Has the permit been involved in litigation?		X
Name and signature same as permit?	X		Is supporting documentation needed to support the file?		
Is address same as permit?		X	Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?		X
Has adequate work been completed to demonstrate due diligence?	X				

Priority Calculation

Extension request received	07/31/2002	New proof due date	08/01/2204
Date proof due	- 08/01/2002		
Lapse notice sent	-		
No. of days late	= 0		
Holiday allowance	+		
Priority date	+ 04/21/1997		
New priority date	= 04/21/1997		

Action Taken

Acknowledge request and extend proof deadline to 8/1/2004.



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450

RECEIVED

AUG - 2 2002

Department of Water Resources

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 31, 2002

ARLO SLACK
EVERGREEN WATER COMPANY
248 EVERGREEN TERRACE RD
ST MARIES ID 83861

RE: 92-7229 - Request for Extension of Time in which to file
Proof of Beneficial Use

Dear Mr. Slack:

This acknowledges receipt of your Request for Extension of Time in which to file Proof of Beneficial Use on the above referenced permit. Enclosed is a copy of receipt No. N015179 for your records.

I have faxed the information to Debbie Gibson at the State Office today so she will know we have received it timely, and I have forwarded the paperwork to her for processing. You will be hearing from her in the near future regarding this matter.

Sincerely,

Dianne Ball
Administrative Assistant

Cc: Debbie Gibson, IDWR State Office, Boise

Evergreen Water Co
248 Evergreen Terrace Road
St Maries, Id 83861
208-245-2448

7/30/02

Id Dept Water Resources
1910 Northwest Blvd
Coeur d Alene, Id 83814

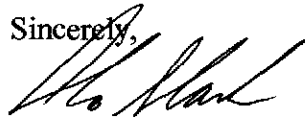
RECEIVED
JUL 31 2002
IDWR/North

92-7229

Dear Sir,

Enclosed is my application for an extension of time. Also please note the change of address. Thank you.

Sincerely,



Arlo Slack

Address
changed in
database
as of 7/31/02


May 31, 2002

EVERGREEN WATER CO
HC 4 BOX 44B
ST MARIES, ID 83861

PROOF DUE NOTICE

RE: PERMIT NO. 92-7229

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

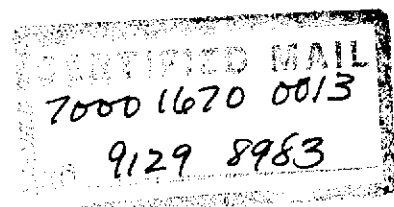
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures





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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 25, 1997

EVERGREEN WATER CO
HC 4 BOX 44B
ST MARIES ID 83861

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 92-07229

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.

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

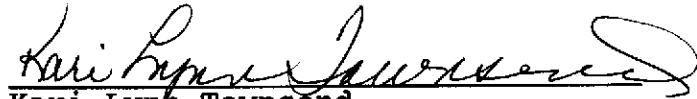
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of July, 1997, 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. 92-07229

EVERGREEN WATER CO
HC 4 BOX 44B
ST MARIES ID 83861


Kari Lynn Townsend
Secretary

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Clady Low*

No.: 92-07229 Name: Evergreen Water Co. Date: 7/22/97 Ad OK? ✓ Gvmt Lts: ✓

AREA OF CONCERN?

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

PROTESTED:

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

SYSTEM COMPLETED:

Yes/proof filed

- NA

1 year/no proof

- P16

+1 year

- 26A P17**GROUNDWATER:** <✓ FLO-CH>

+ 0.24 cfs

- 01M (MD or power, & report) or 028 (report (existing MD's))

=/- 0.24 cfs

- No MD NA

+ 5 a.

- ~~01M~~ or 028; ~~005-079~~ (if GW use SW 1st-statewide)-(cannot move SW off)**DRILLING PERMIT:**

Existing well

- NA (pre 7/1/87; ✓ WDQ3)

Included w/permit

- Permit No. 92-97-N-0002-000, P99

No WD permit?

- 046-46B-P23 (post 7/1/87)

irr. in WD

- P05 (new well)

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

Source in/below Min. Str. Flow ?

- <SEE MAP & LISTING> (modify remark *WB9)

Water District (dom. inc.)

- R04 (req) WD # _____ <SEE MAP & LISTING>

> 0.20 cfs

- 01J (meas dev)-P08

≤ 0.20 cfs

- 01H (lock dev)-P01 or No MD (in-stream stock)

WMD or GWD

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- No MD

Springs/sink, Inactive WD, & Rest of State

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS (*Surface water):

Snake R (01)

- 11A-P04, NA

(02/03-irr)

- 007-P07 (w/ remark *WB9 if above Weiser), NA

Boise River (63)

- 05A (if WD), 11E (not 42-111 use), NA

Payette River (65)

- 064 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic (surface)

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

Domestic (+1 in concern area)

- 070-071

Fish Propagation

- 07A-042 (req)-09E (WQ)-P10; 044 (North of 1000 Springs)

Irr <POL> ≤ 5 acres

- 057 (0.03 cfs/acre)

> 5 acres

- 03A (0.02 cfs/acre)

Mining

- 054 (req) & 09E-P10

Municipal (restricted areas)

- 022 (+memo?)

Power

- 17K-08A-025-01F(P19)-028-09E(P10); 027 (if no other cons. use);

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

Storage (✓3 compo.)

- ~~072~~ (req); 18A (multiple MD within district), 18B-P09 (+10' dam),080**LOCATION:**

42-248 area

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

Boise Front LoGeo

- 058 (-85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

Swan Falls Flag

- _____ <SEE CODE CHART>

Trust

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

Non-Trust <1>

- 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-owner

- 004 (PD/PU)

OTHER CONDITIONS:**STANDARD REMARKS:**- ① WB5/53**BENEFICIAL USE DUE:**- 8/1/2002**COMMENTS:**- *no overlapping rights on existing homes.

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

JUL 14 1997

WR/ WRA BC

APPLICATION # 92-1229

DEPARTMENT OF WATER RESOURCES

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

APPLICANT: EVERGREEN WATER COMPANY BY: 13 DATE: 4/25/97

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

Yes No

- ___ X Field check: by _____
___ 1 Field report attached
___ 1 Analysis Supp. attached(>5cfs/500af)
___ 1 Water delivered by water master?
Water District # _____

PROCESSING

Yes No PRIORITY DATE: 4/25/97

___ X (Include Moratorium Remark)

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

ADVERTISE IN: BOURNAN 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)

- ___ X Groundwater management area
___ X Critical ground water area
X Well Drilling Permit required
X Well Drilling Application and Fees received
X Well Drilling Application approved?
Well Drilling Application Number 92-97-N-0002

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
5/20 6/26 5/20 Affidavit of publication received
5/14 Application published correctly, If not, record action taken: Readvertise
to clarify USE - paper error
Publication dates and paper recorded on application | Sr. Agent initial RJ
___ 6/9/97 Protests received. Final protest date: 6/30/97
___ Measuring device required
___ Measuring port required
___ Special conditions:
___ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: BAWA Date: 7/10/97

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

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

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 18th day of June, 1997 and the last on the 25th day of June, 1997.

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

Dated this 25th day of June, 1997.

Cynthia Ann Hammes

STATE OF IDAHO)
COUNTY OF BENEWAH)

On this 25th day of June, in the year of 1997 before me, a Notary Public, personally appeared Cynthia Ann Hammes, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Sharon D. Blackburn

Notary Public for Idaho

Residing at St. Maries, Idaho

My commission expires: November 4, 1998

Notice of Correction

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that application for permit No. 92-07229 in the name of EVERGREEN WATER COMPANY, #HCR Box 44B, St. Maries, Id 83861, was incorrectly advertised on 5/21 and 28/97.

ok
The USE was incorrectly advertised as IRRIGATION DOMESTIC. Total Diversion: (0.530 CFS) (0.350 CFS) (0.880 CFS), whereas correctly it should read IRRIGATION (0.530 CFS), DOMESTIC (0.350 CFS); TOTAL DIVERSION (0.880 CFS).

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

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814, together with a protest fee of \$25.00 on or before June 30, 1997.

KARL J. DREHER, Dir.
3635--June 18-25

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 92-07229 in the name of EVERGREEN WATER COMPANY, #HCR BOX 44B, ST MARIES, ID 83861, was incorrectly advertised on 5/21 & 28/97.

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KARL J. DREHER, Dir.

Published in the St. Maries Gazette on 6/18 & 25/1997.

June 11, 1997

St. Maries Gazette
127 S Seventh Street
St. Maries ID 83861

Re: Advertising for Water Right 92-07229 - Evergreen Water Company

Gentlemen:

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

Please send the Affidavit of Publication to this office before June 30, 1997.

Please note, there should be no charge for this as it was correct as originally submitted.

Thank you.

Sincerely,

Dianne Ball
Senior Secretary

Enclosure

SEP 10 1997

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

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That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 21st day of May, 1997 and the last on the 28th day of May, 1997.

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

Dated this 28th day of May, 1997

Cynthia Ann Hammes

STATE OF IDAHO)
COUNTY OF BENEWAH)

On this 28th day of May, in the year of 1997 before me, a Notary Public, personally appeared Cynthia Ann Hammes, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Sharon D. Blackburn

Notary Public for Idaho

Residing at St. Maries, Idaho

My commission expires: November 4, 1998

Application for water rights filed.

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 92-07229 EVERGREEN WATER CO, HC4 BOX 44B, ST. MARIES, ID 83861. Source: GROUND-WATER. Diversion Pt: SWNE Sec 25 T 46N R 02W in BENEWAH County. NWSE Sec 25 T 46N R 02W in BENEWAH County. Use: IRRIGATION DOMESTIC. Total Diversion: (0.530 CFS) (0.350 CFS) (0.880 CFS) Date Filed: 4/21/97. In BENEWAH County T46N R02W S25 NWSE SWSE 50.0 ACRES TOTAL. For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before JUNE 9, 1997.

KARL J. DREHER,
Director

#3602--May 21-28

RECEIVED
MAY 30 1997
NORTHERN REGION
IDWR

Affidavit of Publication

Bob

STATE OF IDAHO

County of Benewah, ss.

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Sharon D. Blackburn

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KARL J. DREHER,
Director

#3602-May 21-28

RECEIVED
MAY 30 1997
NORTHERN REGION
IDWR

May 14, 1997

Evergreen Water Company
HC4 Box 44B
St Maries ID 83861

Re: Water Appropriation Application No. 92-07229

Gentlemen:

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

Your appropriation application is currently being prepared for advertising in the 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 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 \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

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

92-07229

EVERGREEN WATER CO
HC4 BOX 44B
ST MARIES, ID 83861

Source: GROUNDWATER

Diversion Pt: SWNE Sec 25 T 46N R 02W in BENEWAH County.
 NWSE Sec 25 T 46N R 02W in BENEWAH County.

Use: IRRIGATION (0.530 CFS)
 DOMESTIC (0.350 CFS)
 Total Diversion: (0.880 CFS)

Date Filed: 4/21/1997

In: BENEWAH County
 T46N R02W S25 NWSE SWSE

50.0 ACRES TOTAL