

92-07225

Thorp

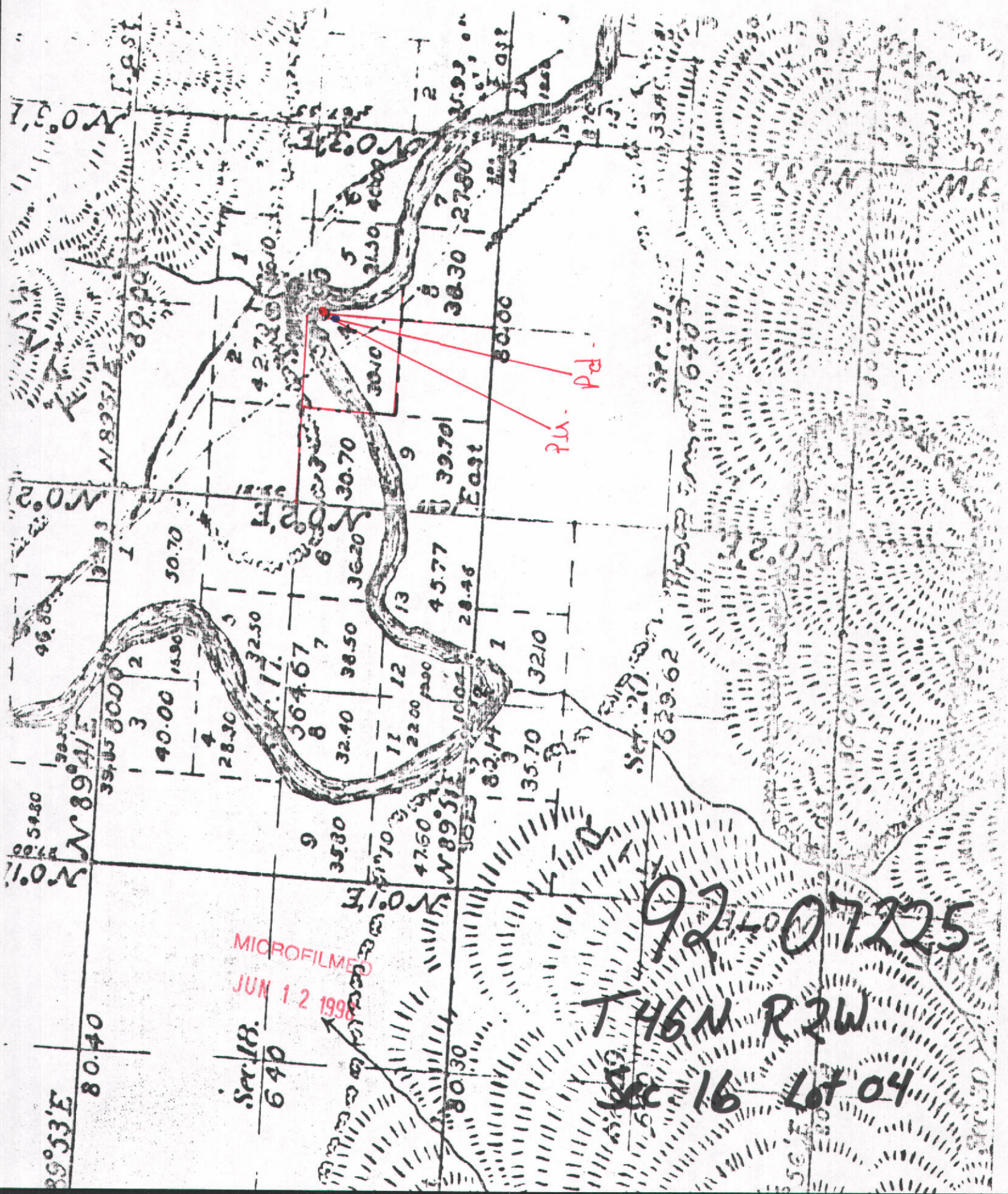
T46N R2W

S 16

Lot 04



MICROFILMED
JUN 12 1998



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JUN 12 1998

92-07225
T 45N R 2W
Sec 16 Lot 04

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 92-07225

PHOTOGRAPHS



1 Hp Pump



Point
of
diversion

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 92-07225

PHOTOGRAPHS



Place

of



Use

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State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 92-07225

Priority: September 10, 1996

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that MARSHALL M THORP
HC 1 BOX SR 370

ST MARIES ID 83861 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated September 10, 1996; and
has submitted Proof of Beneficial Use on September 5, 1997. An examination indicates
that the works have a diversion capacity of 0.040 cfs of water from:

ST. JOE RIVER

tributary to COEUR D ALENE LAKE

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	03/15 to 11/15	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWSE), Sec. 16, Township 46N, Range 02W
BENEWAH County

PLACE OF USE: DOMESTIC

TWN RGE SEC

46N 02W 16 Lot 4(NWSE)

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. Place of use is located within Lot 74, Shadowy St. Joe Lagoon 1st Addition.
6. Domestic use is for lawn and garden irrigation not to exceed one-half acre.

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State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 92-07225

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 11th
day of JUNE, 1992.


Acting for KARL J. DREHER, Director

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JUN 12 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 05 1997

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 92-07225 Telephone No. 208-245-3698
2. Name(s) of Permit Holder(s): MARSHALL & VICKY THORP
3. Mailing Address: HCOI Box SR 370 ST. MARIES ID. 83861
4. Source of Water: ST. JOE RIVER If GROUNDWATER (well), Date Drilled: mo. / yr.
 - a. Well Driller: NA 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): 1 Stockwater (No. and type of stock):
Irrigation (No. of acres): 1/2 Other:
6. Total rate of diversion and/or volume for which proof is submitted: 0 - 0.20 cfs OR 0-20 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 <u> </u>	or No <u>✓</u>
	Has the measuring device been installed?	Yes <u> </u>	or No <u>✓</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes <u> </u>	or No <u>✓</u>
	Has the measurement port been installed?	Yes <u> </u>	or No <u>✓</u>
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: SAME Telephone Number:
Address:
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:

Marshall M. Thorp SR
(include your title, if on behalf of company or organization)

Date:

09-03-97

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 92-07225

Proposed Priority: September 10, 1996 Maximum Diversion Rate: 0.02 CFS

This is to certify, that **MARSHALL M THORP**

HC 1 BOX SR 370

ST MARIES ID 83861

has applied for a permit to appropriate water from:

ST JOE RIVER

tributary of **COEUR D ALENE LAKE**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

03/15 to 11/15

0.02 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 4 (NWSE), Sec. 16, Township 46N, Range 02W
BENEWAH County

PLACE OF USE: DOMESTIC

TWN RGE SEC

46N 02W 16 Lot 4(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 **November 1, 1997**.
2. Subject to all prior water rights.
3. Place of use is located within Lot 74, Shadowy St. Joe Lagoon St. Addition.
4. Domestic use is for irrigation of approximately 1/4 acre lawn.

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

29 day of October, 1996

[Signature]
for Karl J. Dreher, Director

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DEC 9 2 1996

RECEIVED

OCT 25 1996

Form 202
10/92Ident. No. 92 07225

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Marshall M Thorp Phone 208-245-3698
Post office address HC 01 Box SR 370, St. Maries, Id. 83861
2. Source of water supply St Joe River which is a tributary of C&A Lake
3. Location of point of diversion is T 46 N 1/4 of NW 1/4 of SE 1/4, Govt. Lot 4
Sec. 16 Township T 46 N Range 8 W B.M. Beneva County; additional

points of diversion if any:

- * DOMESTIC LAWN & WATERING ONLY.
4. Water will be used for the following purposes:

* 0.02 for domestic light 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) 20 gal/min and/or (b) acre feet per annum
cubic feet per second

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2 HP - 1 1/2" Pump to be

placed on Rip Rap above summer water level to
Water approx 1/4 acre of lawn - Easy removal in winter high
water.

b. Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:

 to inclusive.

c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.

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

e. If well is already drilled, when? N/A; Drilling firm N/A

Well was drilled for (well owner) N/A

7. Time required for the completion of the works and application of the water to be proposed beneficial use is

N/A years (minimum 1 year). 40 ACRE TRACT DETERMINED BY BENEVA
ASSESSOR'S OFFICE, 11/19/96

REMARKS: LOT 74 OF SHADOWNY ST. JOE LAKEON ST. ADDITION

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DEC 02 1996

CONFIDENTIAL

4/50

$$n/H$$

a. Who owns the property at the point of diversion? *Monahan m & Buckley & Thompson*

Total number of acres to be irrigated.

[illegible]

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

9. Description of place of use:

e. Other, describe fully: Chronic Lymphocytic Leukemia

d. Domestic; show number of households.

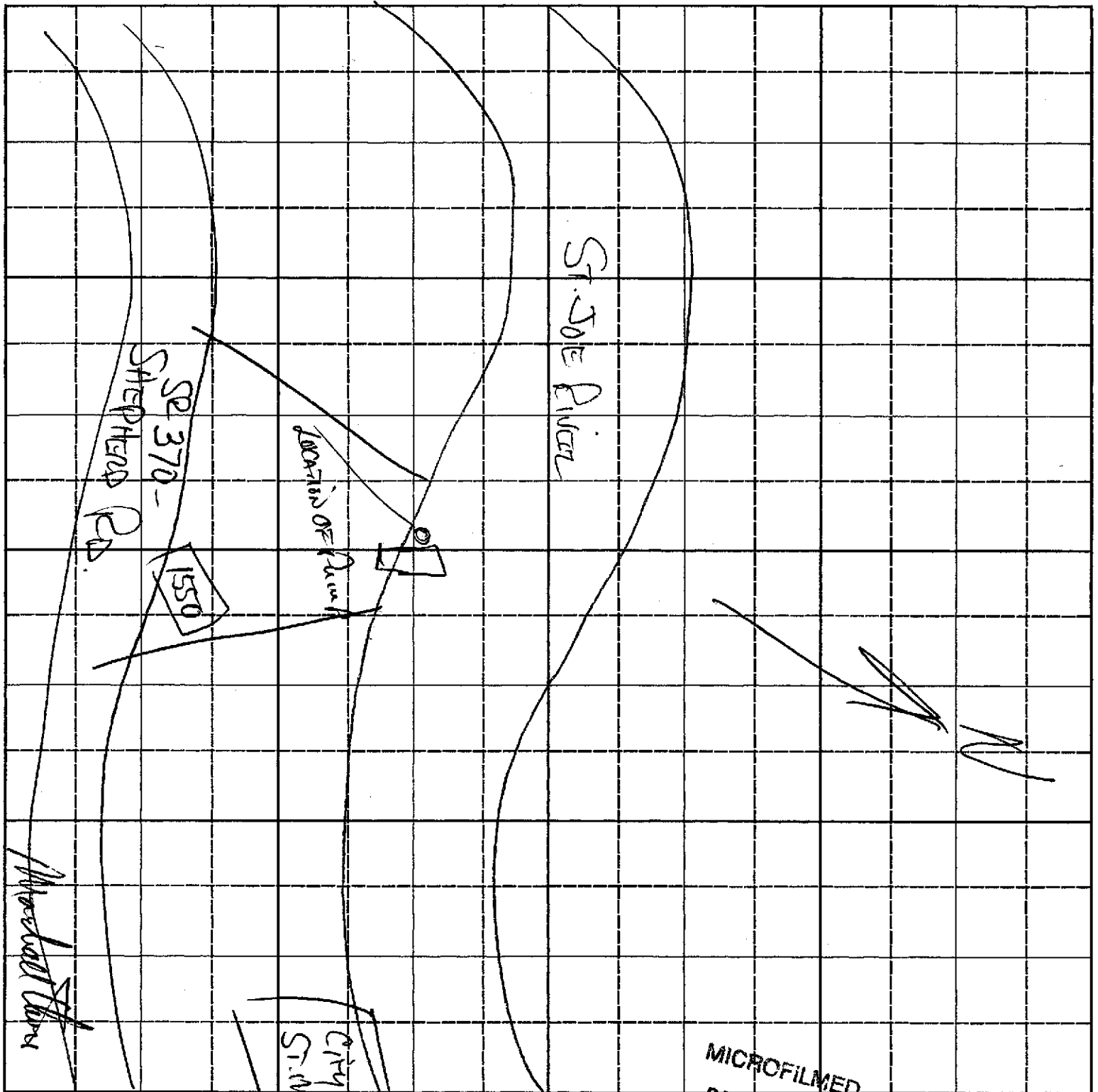
c. Municipal; show name of municipality.

b. Stockwatering; list number and kind of livestock.

a. Hydropower, show total feet of head and proposed capacity in kW.

8. Description of proposed uses (if irrigation only, go to item 9);

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



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.

Marshall W. Thompson SR.
(Applicant)

RECEIVED
DEC 12 1996

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:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by _____ Date 9/9/96 Time 3:52 PM
Fee \$ 50.00
Received by _____ # 20106 Date 9/9/96
Publication prepared by _____ Date 9/11/96
Publication approved _____ Date 10/4/96
Published in _____
St. Lawrence 9/18/96



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 11, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARSHALL M THORP
HC 1 BOX SR 370
ST MARIES ID 83861

RE: WATER RIGHT NO. 92-07225

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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JUN 12 1998

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

MICROF -

JUN 12 1988

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

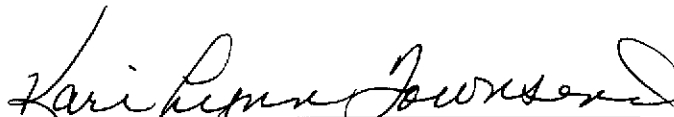
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of June, 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. 92-07225

MARSHALL M THORP
HC 1 BOX SR 370
ST MARIES ID 83861


Kari Lynn Townsend
Secretary

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JUN 12 1998

MEMORANDUM

TO: File 92-07225

FROM: Sharla

DATE: June 8, 1998

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit No. 92-07225 are as follows:

H. RECOMMENDATIONS

Domestic	1/1 - 12/31	0.02 cfs	0.6 afa
----------	-------------	----------	---------

The use is domestic for lawn/garden irrigation. If "irrigation" was the use code, it would be appropriate to figure volume based on the number of acres. However, since the use code is domestic, the volume is based upon the standard of 0.6 af for either in-house or external use only.

Exam Date: May 11, 1998

Examiner: David Pagel

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LICENSE REVIEW CHECKLIST

PERMIT NO. 92-07225 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)

Lot 74, Shadowy St Joe Lagoon (14) Addn.

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

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate .02 cfs
 Fee limit .20 cfs \$50.00
 Measured _____ cfs
 Theoretical .04 cfs

Recommended Total Div Rate .02 cfs

WATER USES

WATER USES	Change (P46)		
<u>Dom</u>	<u>.02</u> cfs	<u>.6</u> af	Irrig - overlap (R58-R61, R62-R65, R66-R69)
_____	_____ cfs	_____ af	supp. gw (WB7/065/079)
_____	_____ cfs	_____ af	overlap spec. combined rts (W35)
_____	_____ cfs	_____ af	<1acre (W31)
_____	_____ cfs	_____ af	Domestic (W01/WB5/070/071/075)
TOTALS	_____ cfs	_____ af	Power (W42 or W43/025/027/R22 or R23)
			Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate .02 cfs X 365 days X 1.98 = 14.5 af

REMARKS 1/ lawn and garden irrigation.

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 _____

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 92-07225

1. Owner: Marshall M. Thorp Phone No. (208) 245-3698

Current Address: HC 1 Box SR 370 St. Maries, Id. 83861

2. Accompanied by: Marshall Thorp EXAM DATE: May 11, 1998

Address: Same Phone No.

Relationship to Permit Holder: self

3. Source: St. Joe River tributary to Coeur d'Alene Lake

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 USGS 7.5' Quad. Metsker

[illegible]

1. **NAME** _____
 2. **ADDRESS** _____
 3. **CITY** _____
 4. **STATE** _____
 5. **ZIP** _____

E. NARRATIVE/REMARKS/COMMENTS

Water is being diverted from the St. Joe River for domestic use, and less than $\frac{1}{2}$ acre of irrigation using a 1 horsepower pump.

At time of exam the pump was not set up, was unable to obtain a measurement of the pump output. I have submitted a Theoretical Pump Efficiency Calculation to verify system capacity.

Have conditions of permit approval been met? ☒ yes

☐ no

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JUN 12 1988

SEAL

Date _____

Reviewer

Field Examiner's Name

Date May 12 1998

David A. Boyd

I. AUTHENTICATION

Change P.D. as reflected above

<u> </u>	Add P.U. as reflected above
<u> </u>	Add P.D. as reflected above
<u> </u>	Other
<u> </u>	None

2. Recommended Amendments

Domestic

Beneficial Use

From 03/15

To 11/15

20.
(c) 0

hh:
(BIB) A

Totals:

20.

144

1. Recommended Amounts

H. RECOMMENDATIONS

2. Volume Calculations for Other Uses:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{.48 \text{ acre} \times 3.0 \text{ af/acre/season}}{1.44 \text{ af}} = .48 \text{ acre}$$

1. Volume Calculations for Irrigation:

G. VOLUME CALCULATIONS

$$21,000 \text{ ft}^2 / 43560 \text{ ft}^2 = .48 \text{ acre}$$

Measured Method:

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

unable to obtain measurement; see Theoretical Calculation

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 92-07225, THORP

DATE: 12-MAY-98

COMPLETE BY: PAGEL

HORSEPOWER = 1

PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 30 FEET

SYSTEM PRESSURE = 60 PSI

QUANTITY = 0.04 CFS

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92-07225

Thorp

T46N R2W

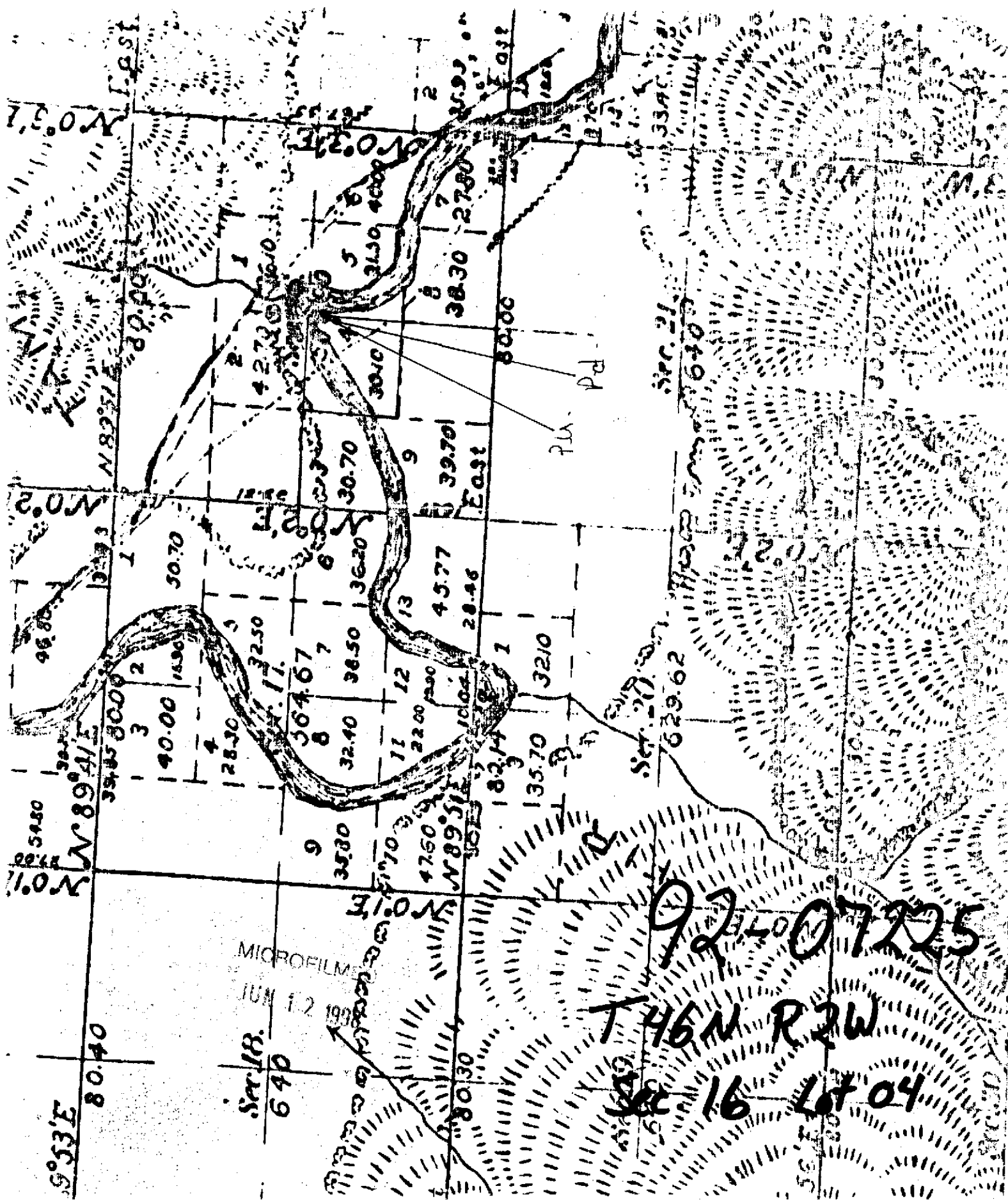
S 16

Lot 04



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JUN 12 1938



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

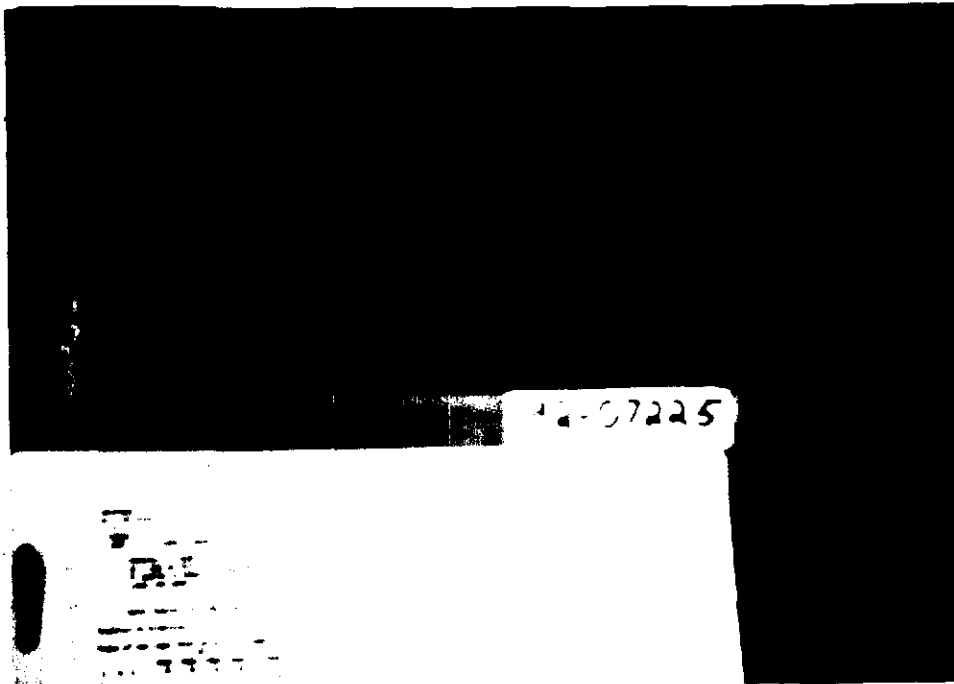
PERMIT

92-07225

PHOTOGRAPHS



1 Hp Pump



Point
of
diversion

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

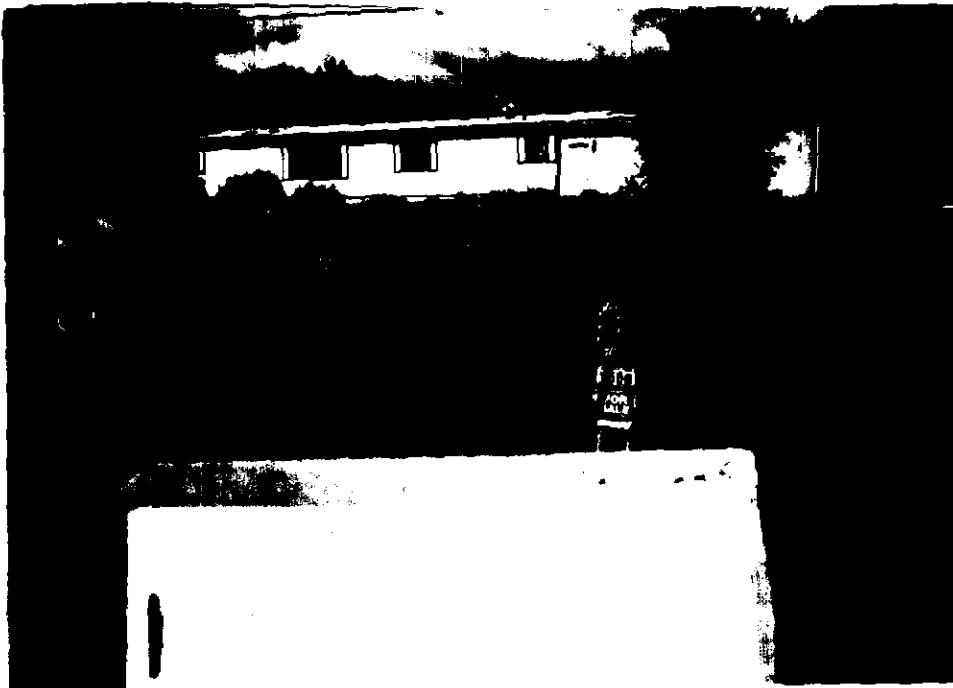
PERMIT # 92-07225

PHOTOGRAPHS



Place

of



use

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JUN 12 1998

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 92-07225 Reviewed by Gay Date 9-11-97

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
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

yes Required?
50- Amount Submitted
yes Correct?
no Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	$\left(\begin{array}{c} - \\ = \\ + \end{array} \right)$	_____
Date proof due	_____		_____
No. of days late	_____		_____
Priority Date	_____		_____
New Priority Date	_____		_____

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address _____ Proof Made 9-5-97



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

September 12, 1997

MARSHALL THORP
HC 1 BOX SR 370
ST MARIES ID 83681

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 92-07225

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Please be advised that Section 42-248, Idaho Code, 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 department's **NORTHERN** Regional Office in Coeur d'Alene at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

C: IDWR - N. Region

SEP 16 1997

August 31, 1997

MARSHALL M THORP
HC 1 BOX SR 370
ST MARIES ID 83861

PROOF DUE NOTICE

RE: PERMIT NO. 92-07225

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 November 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.

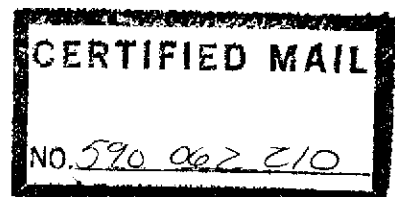
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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





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

October 29, 1996

MARSHALL M THORP
HC 1 BOX SR 370
ST MARIES ID 83861

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 92-07225

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

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DEC 6 2 1996

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 92-7225 Name: Thorp Date: 10/28/96 Ad OK? ☒ ☒ Gvmt Lts: ☒

AREA OF CONCERN?

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

PROTESTED:

- 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed

- NA

1 year/no proof

- **P16**

+1 year

- 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs

- 01M

=/- 0.2 cfs

- No MD

=/+ 5 a.

- 01M, 065(if GW use SW 1st)

DRILLING PERMIT:

Existing well

- NA (pre 7/1/87)

Included w/permit

- Permit No. _____, 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):

Water District(dam)

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

+ 0.2 cfs

- 01J(meas dev)-P08

=/- 0.2 cfs

- 01H(lock dev)-P01 or No MD

In-WD + 0.2 cfs

- 01M or No MD (in-stream)

- 0.2 cfs

- No MD

=/+ 5 a. irr.

- 01M

RIVER BASINS (*Surface water):

Snake R (01)

- 11A-P04, NA

(02/03-irr)

- 007-P07 (w/remark WB9- 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(Boise R - Star Bridge); 27A(Payette R); NA

Fish Propagation

- 07A-042(req)-010/06A/09E(WQ)-P10;044(N 1000 Spr)

~~In-P04~~ + 5 a

- 057 (0.03 cfs/A)

+ 5 a

- 03A (0.02 cfs/A)

Mining

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

Power

- 08A-17K-025-027-028-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERG); 18B-P09

Storage(✓3 compo.)

- 18A(multi MD in WD), 18B-P09 (+10' dam), W07

LOCATION:

42-248 area

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

Boise Front LoGeo

- 058 (-85° GW temp only)

In-stream dev. *existing*

- ~~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 woi / lawn & garden

BENEFICIAL USE DUE:

- 11-1- 1997

COMMENTS:

- _____

APPLICATION # 92-1225

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

APPLICANT: TAORP

BY: AB

DATE: 9/10/96

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

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

PROCESSING

Yes No

PRIORITY DATE: 9/10/96

___ (X) (Include Moratorium Remark)

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

ADVERTISE IN: BENEFIT

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

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

(Yes) (No)

Checked by: _____ Date: ___/___/___

Remarks: _____

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

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

(Yes) (No)

___ Notice of pending void order issued. Final order response date: ___/___/___

___ Further information required from applicant

10/4 ___ Affidavit of publication received

10/4 ___ Application published correctly, If not, record action taken: _____

9/11/96 ___ Publication dates and paper recorded on application

Sr. Agent initial AB

___ Protests received. Final protest date: 10/07/96

___ Measuring device required

___ Measuring port required

___ Special conditions: _____

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

Approval Recommended by: AB

Date: 10/9/96

RECEIVED

OCT 04 1996

DWR

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 Sept., 1996 and the last on the 25th day of Sept., 1996.

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 Sept., 1996

Cynthia Ann Hammes

STATE OF IDAHO)
COUNTY OF BENEWAH)

On this 25th day of Sept., in the year of 1996 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. Blackman

Notary Public for Idaho

Residing at St. Maries, Idaho

My commission expires: November 4, 1998

Marshal Thorp applies
for SJ water rights

NOTICE OF APPLICATION
FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho: 92-07225

Thorp, Marshall M.
HC01 Box SR 370
St. Maries, ID 83861
Source: St. Joe River
Tributary: Coeur d'Alene Lake
Diversion Pt: Lot 4 (NWSE) Sec 16
T 46N R 02W in Benewah County.
Use: Domestic (0.040 CFS); Total
Diversion: (0.040 CFS)
Date Filed: 9/10/1996
In: Benewah County T46N R02W
S16 Lot 4(NWSE)

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 7, 1996.

KARL J. DREHER, Director
No. 3380 --- Sept. 18-25.

92-07225

THORP, MARSHALL M
HC01 BOX SR 370
ST MARIES, ID 83861

Source: ST JOE RIVER

Tributary: COEUR D ALENE LAKE

Diversion Pt: LOT 4 (NWSE) Sec 16 T 46N R 02W in BENEWAH County.

Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 9/10/1996

In: BENEWAH County
T46N R02W S16 Lot 4 (NWSE)

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REL 7 2 1996

September 11, 1996

Marshall M. Thorp
HC01 Box SR 370
St Maries ID 83861

Re: Water Appropriation Application No. 92-96225

Dear Mr. Thorp:

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 is Receipt Number NO10651.

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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