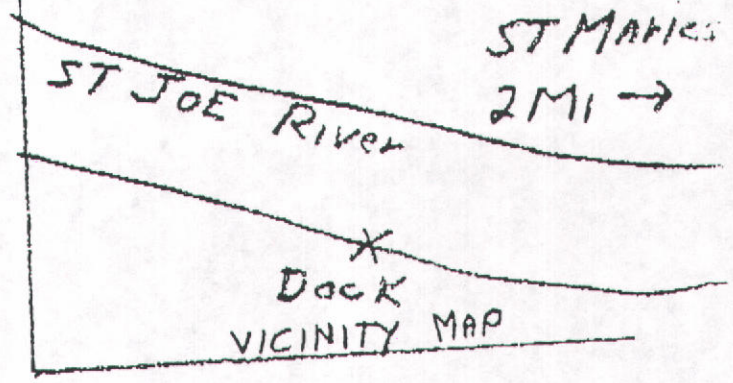


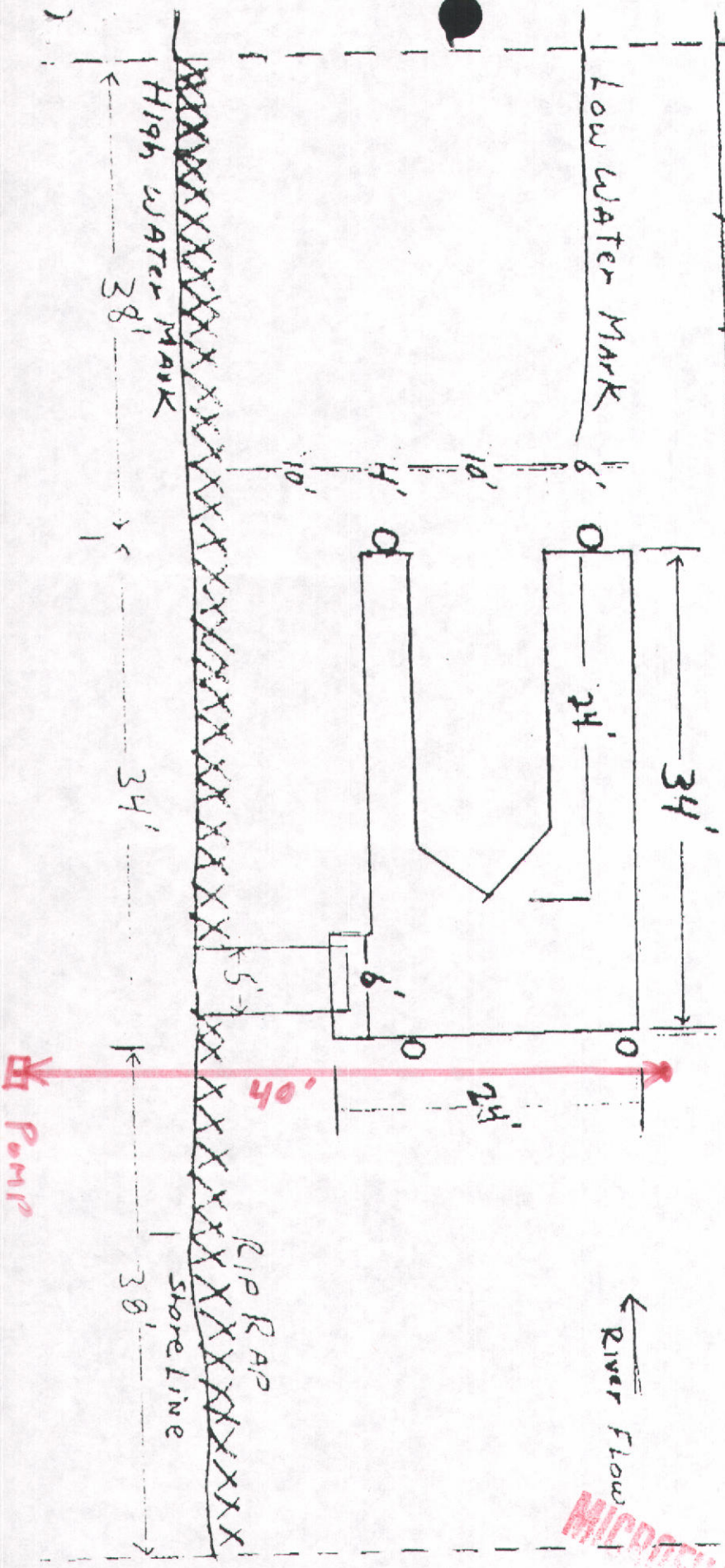
L-15-S 3998
3-11-94



New drawing

N ↑

Square Footage	
Dock	494 SQ FT
Ramp	30 SQ FT
	524 SQ FT



IN ST. JOE River
IN/NEAR ST MARYS
COUNTY Benewah
DATE: 1/28/94 SHEET 1 OF 2
APPLICATION BY
Gordon Rathbun

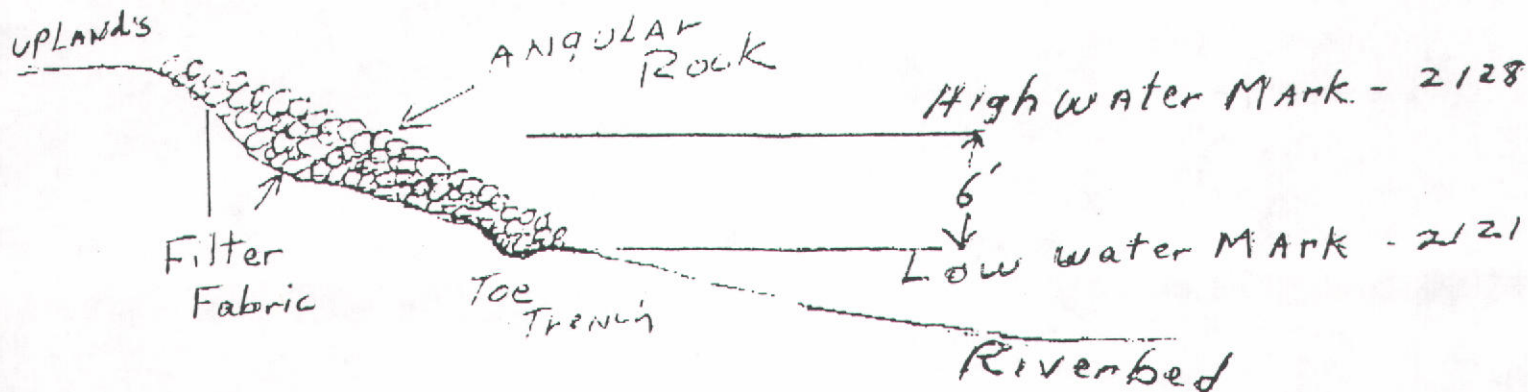
MICROFILMED
MAR 29 1996

Lot
#1

L 95-S-3998

3-11-94

New drawing



Pump 1.5 H.P.
63 G.P.M.

5'

24'

1 1/4" PVC Line

2128

HWI

LWI

2121

Riverbed

Pump line 40'

MIDWESTERN

MAR 29 1996

IN ST JOE River
IN NEAR St. Maries, Idaho
COUNTY Benewah
DATE: 1/28/94 SHEET 2 E
APPLICATION BY:

T 47 N
T 46 N

2910

2944

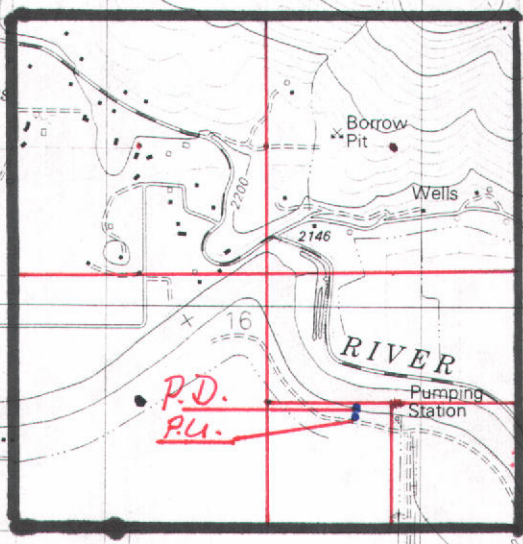
92-07221

Rathbun

T 46 N R 2 W

S 16

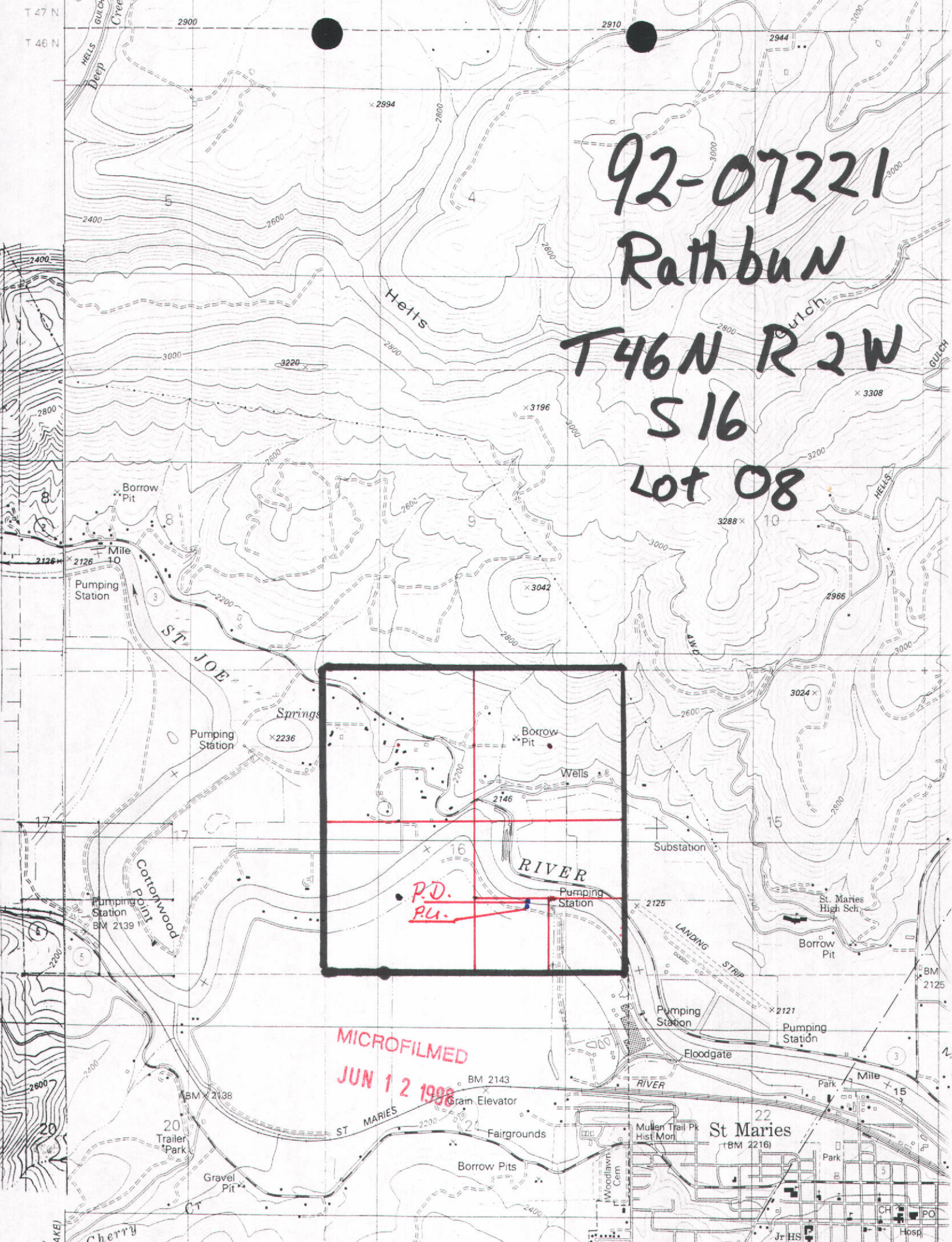
Lot 08

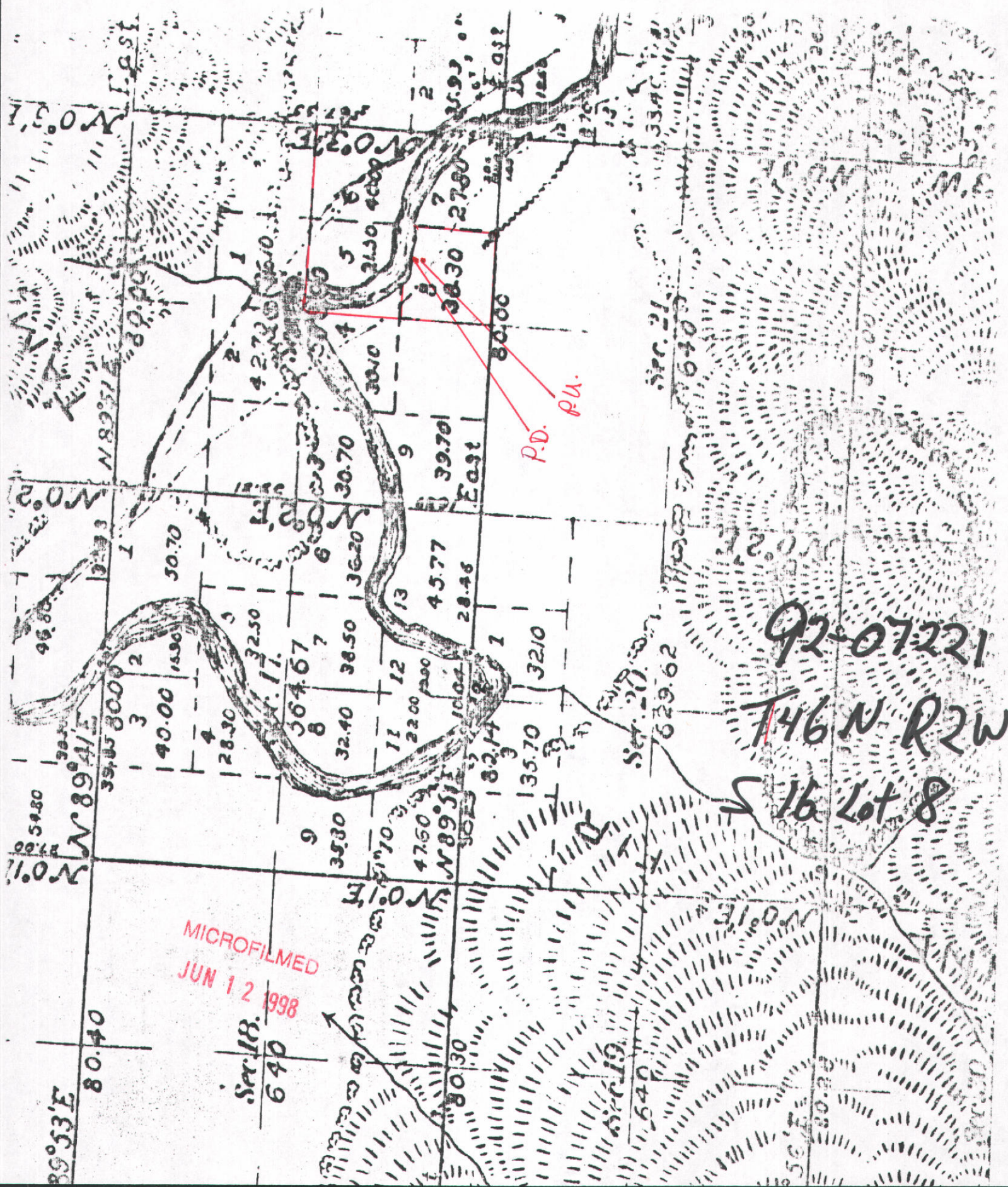


MICROFILMED
JUN 12 1988

ST MARIES

St Maries





92-07221
T46N R2W
S16 Lot 8

MICROFILMED
JUN 12 1998

Ser. 18.
640

Ser. 19.
640

Ser. 20.
629.62

Ser. 21.
640

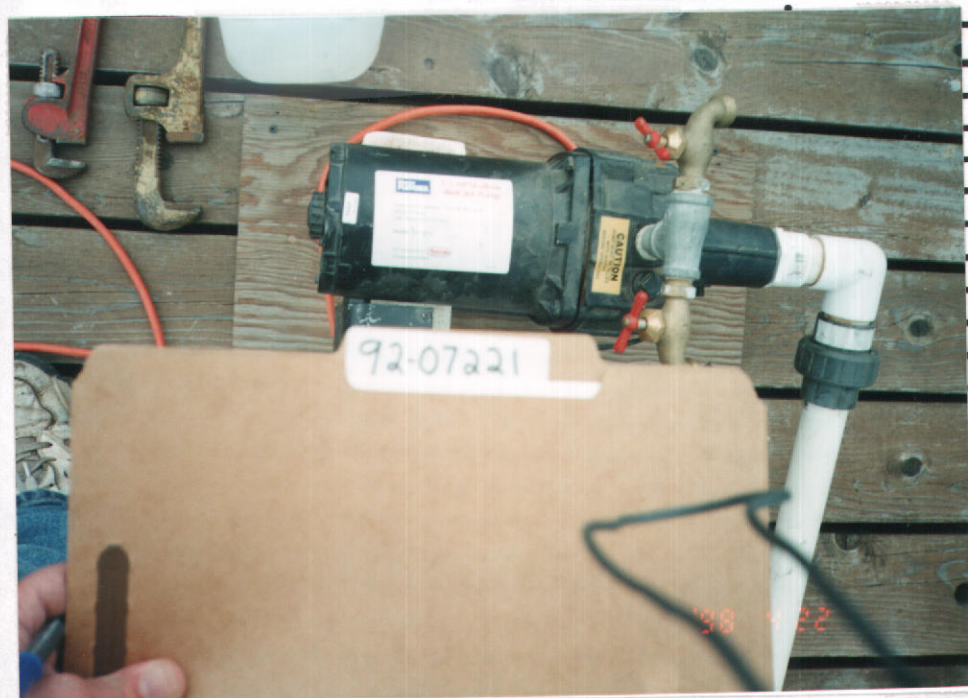
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 92-07221

PHOTOGRAPHS



Point
of
Diversion



1/3 HP
Pump

MICROFILMED

JUN 12 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT #

92-7221

PHOTOGRAPHS



Place of use



UNFILMED
JUN 12 1998

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 92-07221

Priority: January 23, 1996

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that GORDON G RATHBUN

PO BOX 338

ST MARIES ID 83861-0338

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 23, 1996; and has submitted Proof of Beneficial Use on October 16, 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	01/01 to 12/31	0.03 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 8(SWSE), Sec. 16, Township 46N, Range 02W
BENEWAH County

PLACE OF USE: DOMESTIC

TWN RGE SEC

46N 02W 16 Lot 8(SWSE)

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. Domestic use is for 1 home.
6. Place of use is located within Lot 81, Shadowy St. Joe Lagoon 1st Addition.

MICROFILMED

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 92-07221

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, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

JUN 12 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 16 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. 92-07221 Telephone No. 208-245-4238
2. Name(s) of Permit Holder(s): GORDON G. RATHBUN
3. Mailing Address: Box 338 ST. MARIES ID 83861
4. Source of Water: St. Joe River 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): 1 Stockwater (No. and type of stock): _____
- Irrigation (No. of acres): 1 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.03 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
- | | | | | |
|-------------------------------|--|-----------|----|-------------|
| Measuring Device: | Is a measuring device required? | Yes _____ | or | No <u>✓</u> |
| | Has the measuring device been installed? | Yes _____ | or | No <u>✓</u> |
| Flow Measurement Port: | Is a flow measurement port required? | Yes _____ | or | No <u>✓</u> |
| | Has the measurement port been installed? | Yes _____ | 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: GORDON RATHBUN Telephone Number: 208-245-4238
 or call wife AT WORK # 245-2229
 Address: Box 338 St. MARIES ID 83861 To set up a time (GORDON WORKS
 IN MOSCOW - IS IN ST MARIES FRIDAY AFTERNOONS)

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:  Date: 10/14/97
(include your title, if on behalf of company or organization) MIDCO, Inc.

MICROFILM

DEC 11 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 06 1997

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

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

Permit No. 92-07221

Name(s) of Permit Holder: Gordon or Ruth Rathbun

Mailing Address: P. O. Box 338, St. Maries, ID 83861

Date Proof is Due: April 1, 1997 Telephone No. 208-245-2239 (Wife work)
208-245-4238

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".)

NONE

Costing \$

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

Due to the wet fall of '95 and our flood of '96 which left water clear up
into our yard until May and yet another early wet fall in '96, we just
didn't have the right conditions or the time to start or complete the project.

Permit holder(s) request an extension to August, 19 97.

FEE: \$50.00

Ruth Rathbun (Mrs. Gordon)
(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to April 1, 1998

MICROFILMED

MAY 28 1997

Signed this 19th day of March, 19 97

J. Glen Saxton
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 92-07221

Proposed Priority: January 23, 1996 Maximum Diversion Rate: 0.03 CFS

This is to certify, that **GORDON G RATHBUN**
PO BOX 338
ST MARIES ID 83861-0338
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:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.03 CFS
DOMESTIC	01/01 to 12/31	0.03 CFS
	Totals	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 8(SWSE), Sec. 16, Township 46N, Range 02W
BENEWAH County

<u>PLACE OF USE: IRRIGATION</u>				
<u>TWN RGE SEC</u>		<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u> <u>TOTAL</u>
46N 02W 16	Lot 8(SWSE)	1.0		1.0

Total number of acres irrigated: 1.0

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 April 1, 1997.
2. Subject to all prior water rights.
3. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. Place of use is located within Lot 81, Shadowy St. Joe Lagoon 1st Addition.
6. Domestic use is for 1 home.
7. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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 March, 1996

MAR 29 1996

[Signature]
for Karl J. Dreher, Director

RECEIVED
MAR 18 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 9.2-7221

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

1. Name of applicant GORDON G. RATHBUN Phone 208-245-4238
Post office address P.O. Box 338, St. Marie's, ID 83861
2. Source of water supply St Joe River (Shadowy St. Joe Lagoon 1st Add Lot 81) which is a tributary of Coeur d'Alene lake
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot 8
Sec. 16 Township 46N Range 2 West B.M. Benewah County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.03 cfs for irrigation purposes from MAR 15 to NOV 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.03 for Domestic purposes from Yr to 7/3 (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) 0.03 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 1.5 HP. pump
1.25" pvc water intake line 40' beyond OHWM.
pump & pipeline
 - b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:
N/A to N/A inclusive.
 - c. Proposed well diameter is N/A inches; proposed depth of well is NA feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 yr years (minimum 1 year).

MAR 29 1996

- ~~HA~~

- N/A

- NA

- one

- 4/5

- 2

- q.

- 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.

~~95000~~

- 1/1

- State ID, Dept of Lands

- GORDON RATTBURN

- applicant to make this filing.

- 62-1550-20

~~9061 5 3 400~~

L-15-S 3998

3-11-94

ST JOE River

ST MARIES
2 MI →

X
Dock
VICINITY MAP

New drawing

N
↑

Square Footage	
Dock	494 sq ft
Ramp	30 sq ft
	<u>524 sq ft</u>

IN ST. JOE River
IN/NEAR ST MARIES

COUNTY BENEWAH

DATE: 1/28/94 SHEET 1 of 2

APPLICATION BY

Gordon RATHBUN

MAR 29 1996

Low Water Mark

High Water Mark

38'

34'

38'

RIP RAP

Shoreline

← River Flow

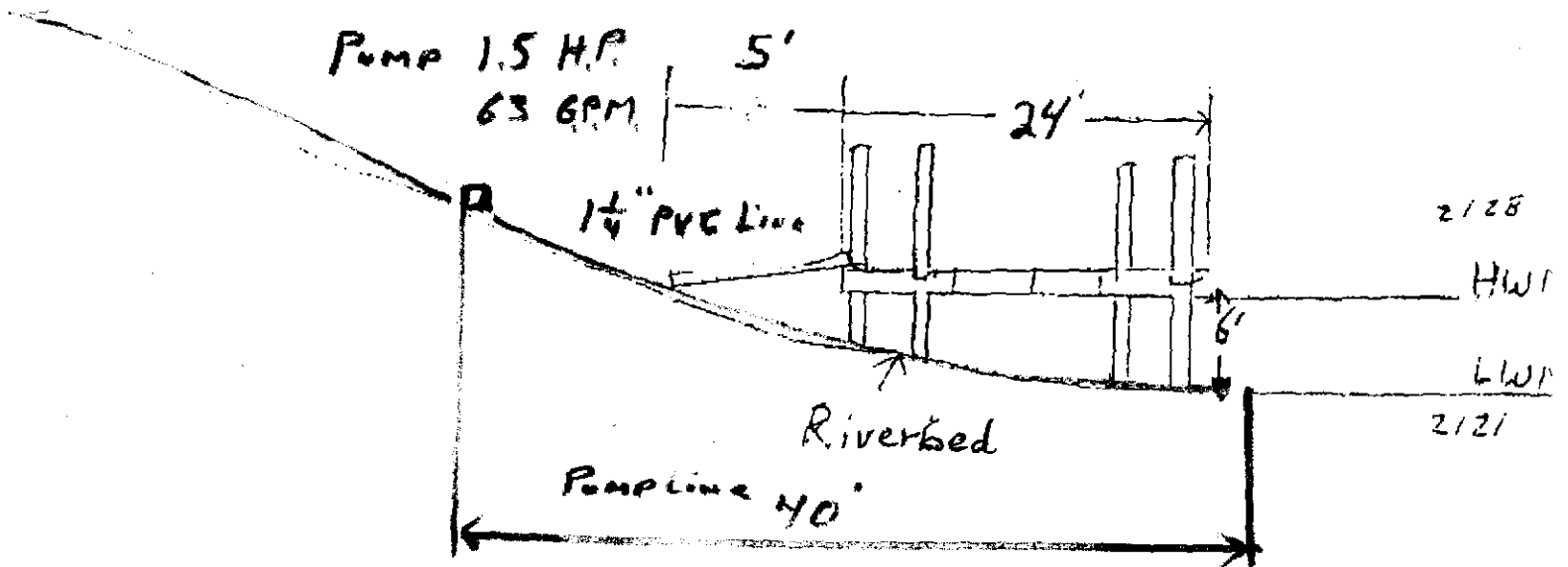
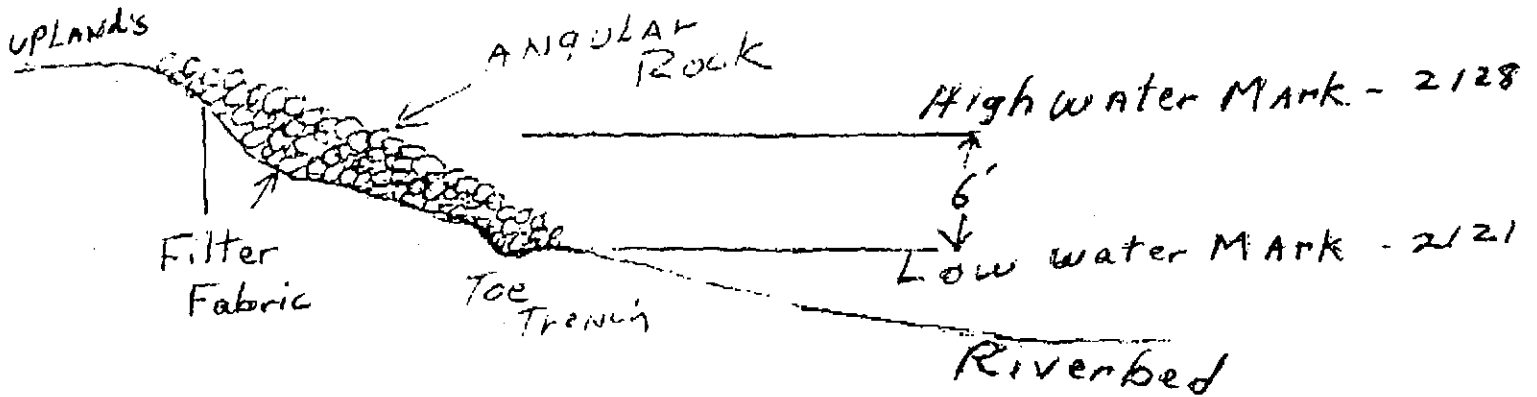
Lot 2

Lot 2

L 95-S-3998

3-11-94

New drawing



MAR 29 1996

IN: ST JOE River
IN NEAR St. Maries, Idaho
COUNTY Benewah
DATE: 1/28/94 SHEET 2 2
APPLICATION BY:

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

The map is drawn on a grid. A section number '16' is written in the upper-middle part of the grid. Below it, an 'X' marks a specific point, with the text 'POINT OF DIVERSION + PLACE OF USE' written next to it. In the lower-right area of the grid, the text 'T. 46 N, R. 2 W.' is written.

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.

MAR 29 1996

Gordon Pathman
(Applicant)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by Date 1/23/96 Time 2:01
Fee \$ 52.00
Received by # N009826 Date 1/23/96
Publication prepared by Date 1/31/96 Published in 2/7+14/96
Publication approved Date 2/16/96

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:



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

GORDON G RATHBUN
PO BOX 338
ST MARIES ID 83861-0338

RE: WATER RIGHT NO. 92-07221

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.

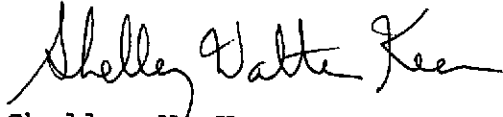
2 MICROFILMED

JUN 12 1998

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

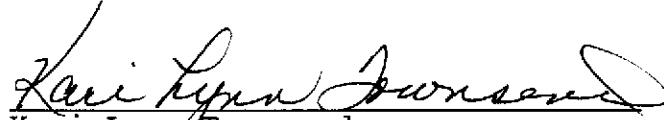
JUN 12 1998 3

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. 92-07221

GORDON G RATHBUN
PO BOX 338
ST MARIES ID 83861-0338


Kari Lynn Townsend
Secretary

MICROFILMED

JUN 12 1998

MEMORANDUM

TO: File 92-07221

FROM: Sharla

DATE: June 8, 1998

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit No. 92-07221 are as follows:

H. RECOMMENDATIONS

~~Irrigation~~	~~3/15 - 11/15~~	~~0.02 cfs~~	~~1.5 afa~~
Domestic	1/1 - 12/31	0.03 cfs	1.2-0.6 afa
	TOTALS	0.03 cfs	1.2-2.1 afa

0.5 ac X 0.03 cfs/acre = 0.015 cfs, rounded to 0.02 cfs. Domestic use is for in-house use only; the rate of diversion and annual volume have been calculated accordingly.

License for domestic use, which includes up to $\frac{1}{2}$ -acre of irrigation. Usual volume for domestic use is 1.2 AFY.

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

Examiner: David Pagel
Exam Date: April 22, 1998

MICROFILMED
JUN 12 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 92-07221 DATE 6/5/98 REVIEWER: SHARLA

NAME OK 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) lot 81, shadowy St Joe Lagoon
W27 (ppu acre limit) 1st Addn.

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

PD & PU amend (P37) Feds - P48

RATE OF DIV
 Permitted Rate .03 cfs
 Fee limit .20 cfs \$50⁰⁰
 Measured .04 cfs
 Theoretical .02 cfs 220' lift and 40 psi
 Recommended Total Div Rate .03 cfs

WATER USES	<u>OK</u>	Change (P46)	
<u>Mr.</u>	<u>.02</u> cfs	<u>5X3.0</u> af	<u>1.5</u> rrig -
<u>Dom.</u>	<u>.02</u> cfs	<u>.6</u> af	
TOTALS	<u>.03</u> cfs	<u>2.1</u> af	

overlap (R58-R61, R62-R65, R66-R69)
 supp. gw (WB7/065/079)
 overlap spec. combined rts (W35)
<1 acre (W31)
 (W01/WB5/070/071/075)
 Domestic (W42 or W43/025/027/R22 or R23)
 Power (W42 or W43/025/027/R22 or R23)
 Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate .02 cfs X 245 days X 1.98 = 9.7 af

REMARKS _____

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 rate/dom vol.
 Amend letters _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 11 1998
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 92-07221

1. Owner: Gordon G. Rathbun Phone No. (208) 245-4238

Current Address: P.O. Box 338 St. Maries Id. 83861

2. Accompanied by: N/A EXAM DATE: 4-22-98

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

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:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	08		SW	SE	16	46N	2W	Beneviah	USGS 7.5' Quad, metster

2. Place(s) of Use:

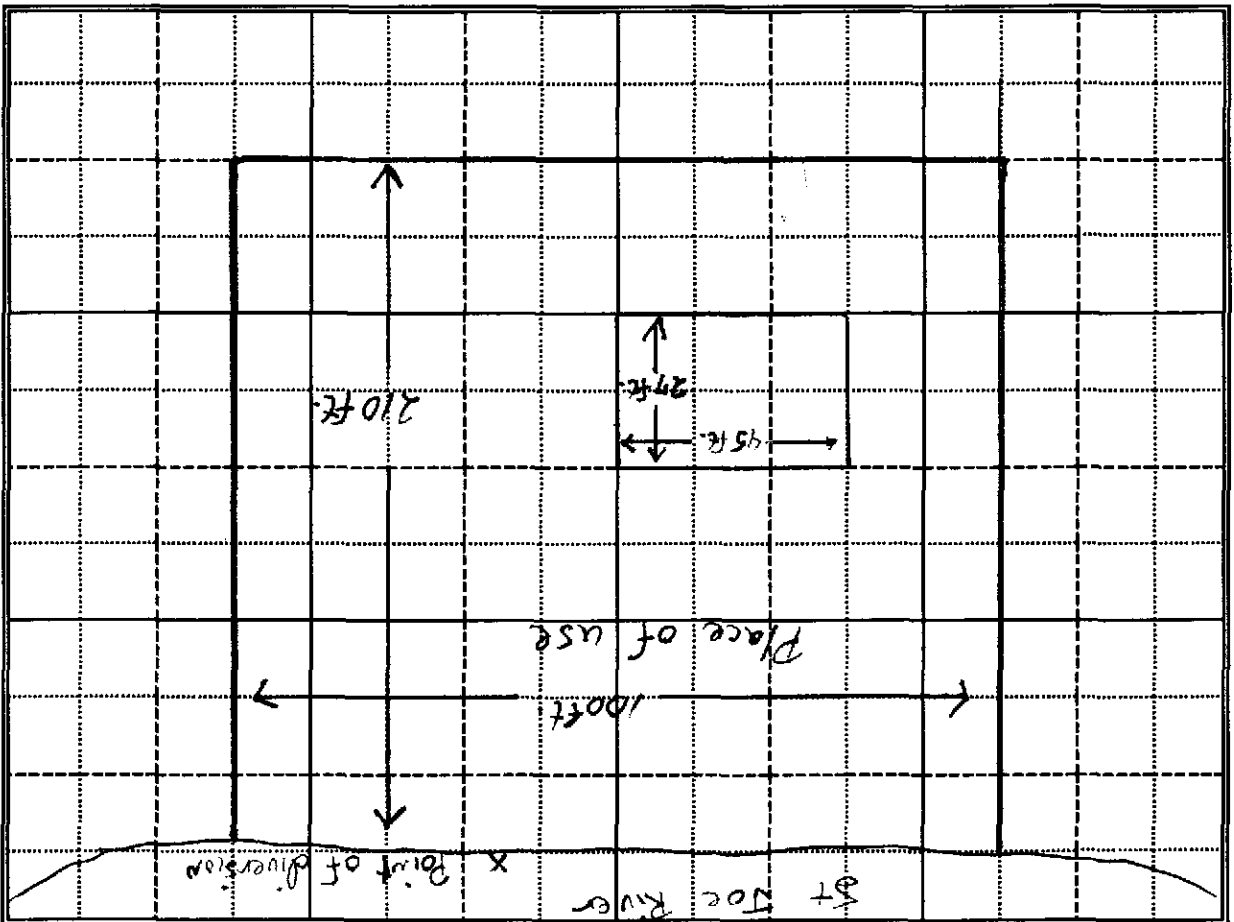
Indicate Method of Determination USGS 7.5' Quad, metster

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N	2W	16																I, D	

MICROFILMED

JUN 12 1998

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



Scale: 1" = 100'

✓ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

✓ Aerial Photo Attached (required for irrigation of 10+ acres)

✓ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		.33	4942	Master Plumber	model # 691-873

*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
Bucket, stopwatch	4 gal.					

2. Measurements:

4 gallons, 14.11 seconds

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JUN 17 1968

E. NARRATIVE/REMARKS/COMMENTS

Water being diverted from the St-Joe River using a 1/3 horse power pump.
Use is for irrigation of 1/2 acre of lawn, and domestic use.

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

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JUN 12 1998

Date _____

Field Examiner's Name

Date 4-27-98

Change P.D. as reflected above

Change P.U. as reflected above

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

Beneficial Use

Totals:

30

57

Rate of Dive
Q (cts)

Annual V (a)

2. Volume Calculations for Other Uses:

$$V_{ir} = \frac{(\text{Acres Irrigated}) \times (\text{Irrigation Requirement})}{V_{dr} = \frac{[\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season})}{V_{ir} = \text{Smaller of } V_{ir} \text{ and } V_{dr} = 1.5 \text{ afa}}$$

1. Volume Calculations for Irrigation:

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$x = \frac{60 \text{ sec.}}{14.11 \text{ sec.}} = 4.25 \text{ gals}$$
$$x = \frac{105}{448.839 \text{ mm}} = \frac{17.99 \text{ mm}}{448.83} = 0.03825$$

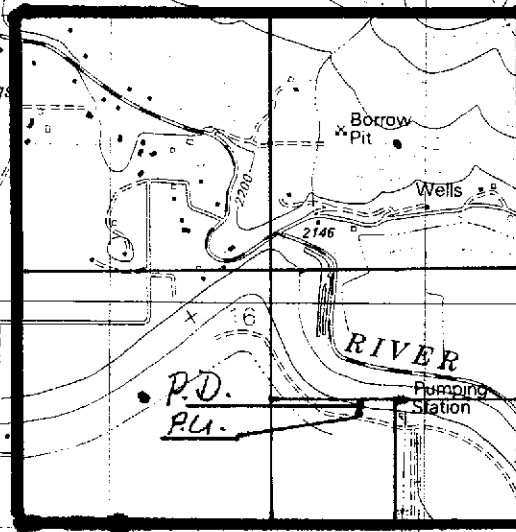
92-07221

Rathbun

T46N R2W

S16

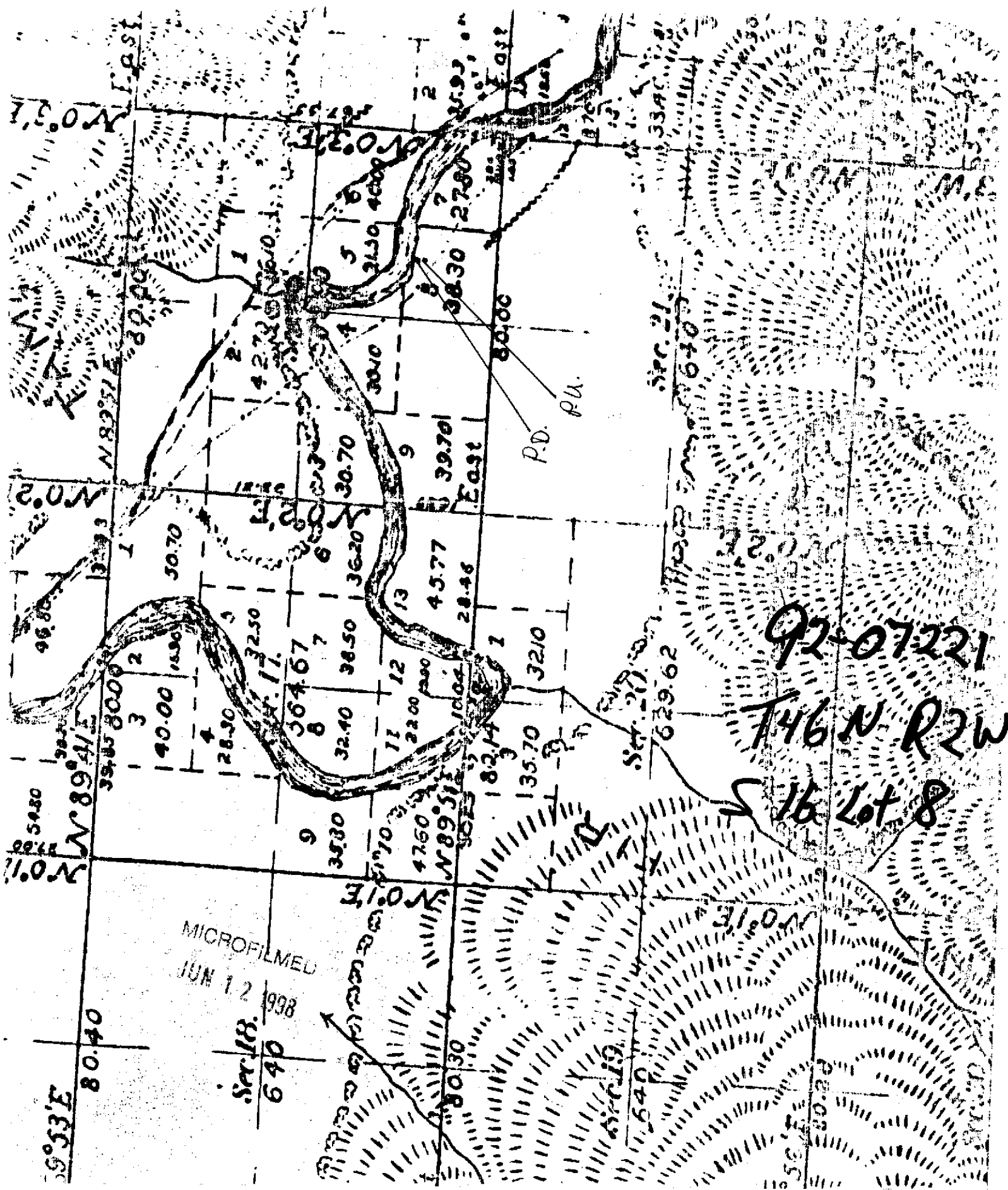
Lot 08



MICROFILMED

JUN 12 1998

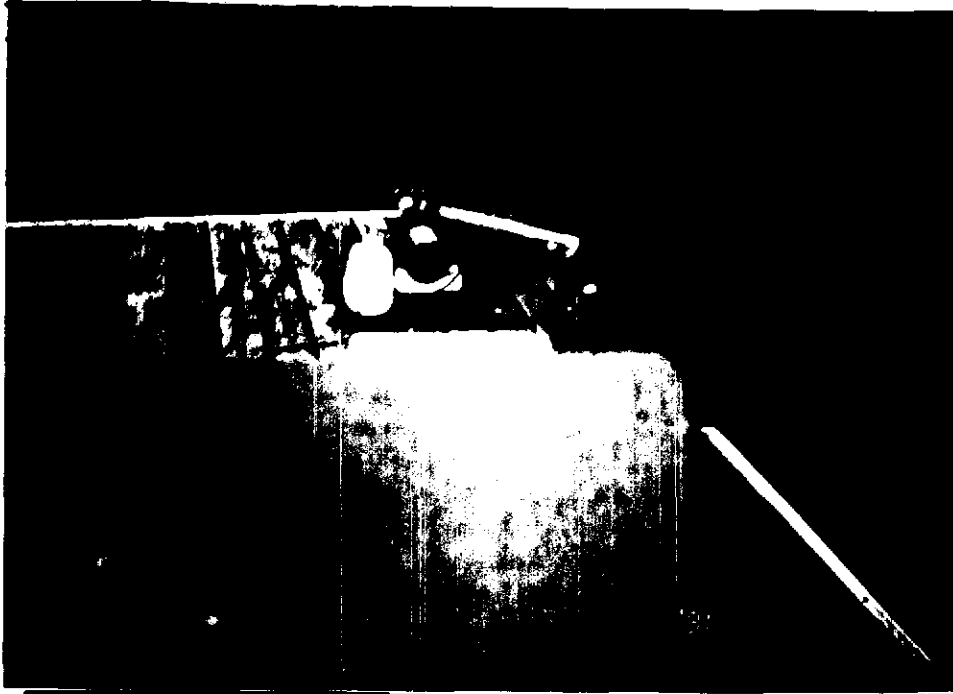
St Maries



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 92-07221

PHOTOGRAPHS



Point
of
Diversion



$\frac{1}{3}$ Hp
Pump

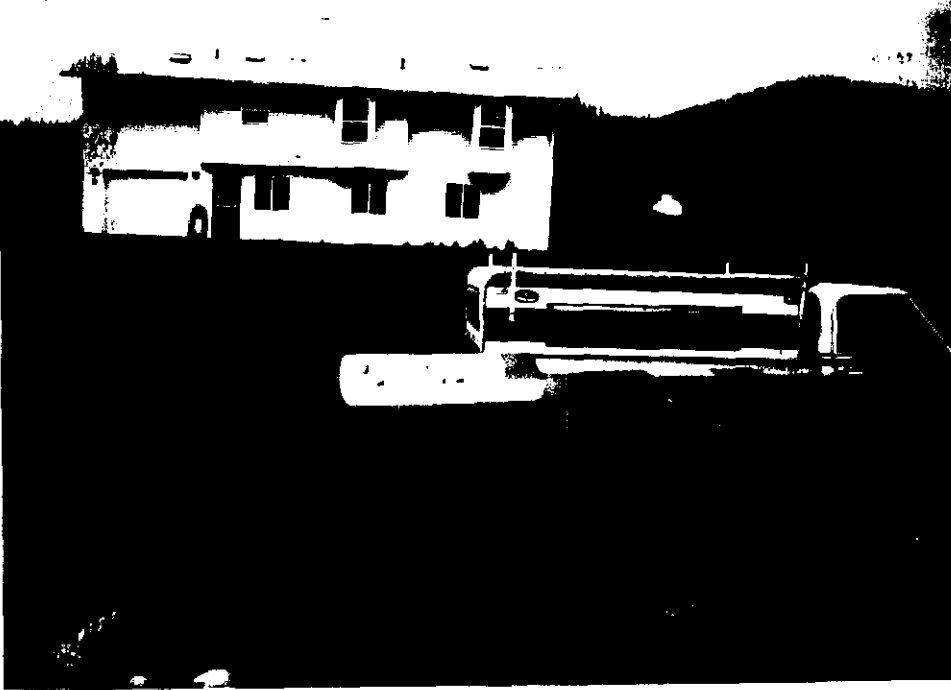
MICROFILMED

JUN 12 1998

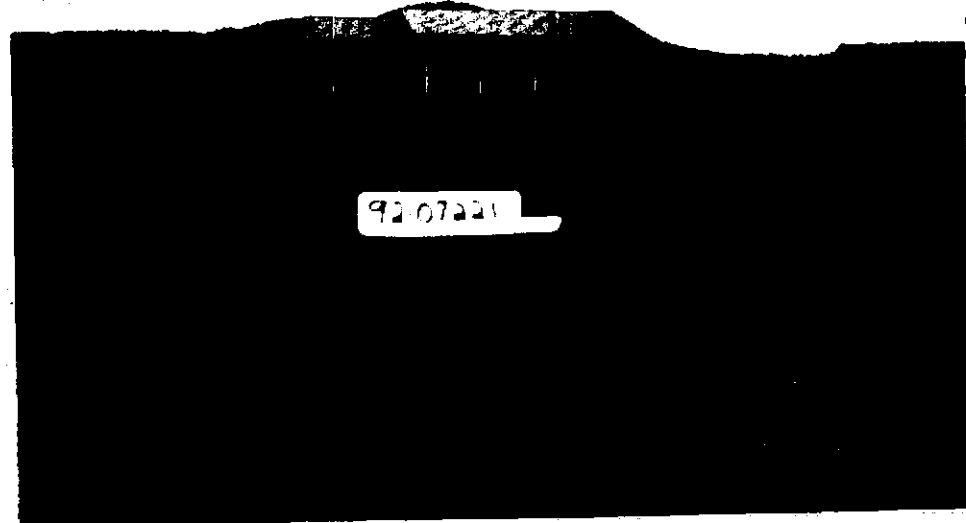
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 92-7221

PHOTOGRAPHS



Place of use



REFILMED
JUN 12 1998

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 92-07221 Reviewed by Jef Date 11-19-97

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

yes Required?
50- Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
+ Installed?
+ Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address _____ Proof Made 10-16-97



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

November 19, 1997

Gordon G Rathbun
PO Box 338
St Maries ID 83861

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 92-07221

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,

A handwritten signature in cursive script that reads "Julie L. Yarbrough".

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

RECEIVED
DEC 11 1997

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 92-07221 Reviewed by [Signature] Date 3-19-97

BASIC INFORMATION

3-7-97 Date stamp received
Yes Extension received timely
Yes Fee received and receipted
Yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

_____ Has adequate work been completed to demonstrate due diligence?
_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Recommend extend to April 1, 1998. on basis of due diligence. (Circumstances beyond control)

PRIORITY CALCULATION

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

DATA ENTRY

New Address X _____
Change Proof Due Date 4-1-98 _____
Change Priority Date X _____



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

March 20, 1997

Gordon and Ruth Rathbun
P.O. Box 338
St. Maries, ID 83861

RE: Permit No. 92-07221

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to **April 1, 1998**. Please note that the department granted this extension due to circumstances beyond your control which kept you from developing the permit. 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 extension requests.

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

If you have any questions regarding this matter, please contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

MICROFILMED

MAY 28 1997

January 31, 1997

GORDON G RATHBUN
PO BOX 338
ST MARIES ID 838610338

PROOF DUE NOTICE

RE: PERMIT NO. 92-07221

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 April 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.

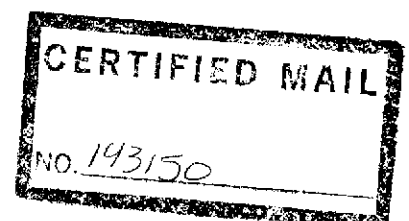
SINCERELY,

MICROFILMED

MAY 28 1997

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

March 25, 1996

GORDON G RATHBUN
PO BOX 338
ST MARIES ID 83861-0338

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 92-07221

Dear Permit Holder:

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

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

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED MAR 29 1996

MAR 29 1996

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 92-7221 Name: Rathburn Date: 3/19/96 Ad OK? ☒
Correct Fee? ☒ Receipt #: N 9826 Priority: 1/23/96 ☒ 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(~~dem~~) - 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 R (63) - 05A (if WB), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - 021(Boise R † Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

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 - Rk <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP: Non-land owner - 004 (PD/PU)

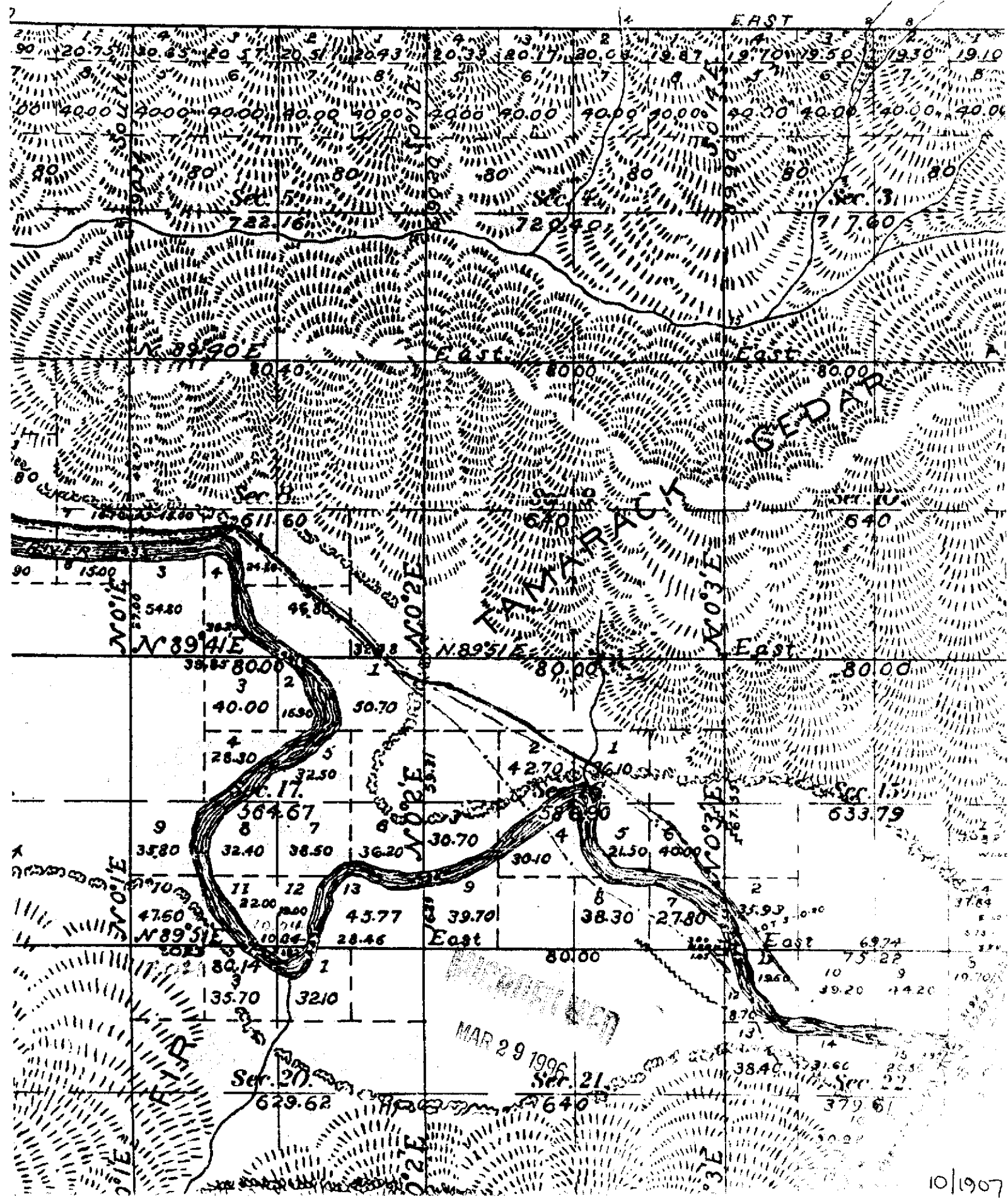
OTHER CONDITIONS:**STANDARD REMARKS:****BENEFICIAL USE DUE:****COMMENTS:**

4-1-1997

add gov't lot #8

COLORADO BLUE SPRING INDIAN
T. 46 North, Range No 2 West of the

F c E d D c



APPLICATION # 92-7221

WRI
WRA
BCA

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

APPLICANT: RATABUN BY: AB DATE: 1 / 23 / 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: 1 / 23 / 96

 (Include Moratorium Remark)

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

sm/wed/ok

ADVERTISE IN: BENEWAH County.

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

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

(Yes) (No)

Checked by: _____ Date: / /

Remarks: _____

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

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

(Yes) (No)

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

Further information required from applicant

2/1/96 Affidavit of publication received

2/16/96 Application published correctly, If not, record action taken: _____

1/31/96 Publication dates and paper recorded on application | Sr. Agent initial AB

 Protests received. Final protest date: 2/26/96

 Measuring device required

 Measuring port required

 Special conditions: _____

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

Approval Recommended by: AB

Date: 2/27/96

RECEIVED
MAR 18 1996

Department of Water Resources

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 7th day of Feb., 1996 and the last on the 14th day of Feb., 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 14th day of Feb., 1996

Cynthia Ann Hammes

STATE OF IDAHO)
COUNTY OF BENEWAH)

On this 14th day of Feb., 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. Blackburn

Notary Public for Idaho

Residing at St. Maries, Idaho

My commission expires: November 4, 1998

**Gordon G. Rathbun
applies for water right**

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

92-07221

Rathbun, Gordon G.

P.O. Box 338

St. Maries, ID 83861

Source: St. Joe River

Tributary: Coeur d'Alene Lake

Diversion Pt: SWSE Sec 16 T 46N R

02W in Benewah County.

Use: Irrigation (0.030 CFS);

Domestic (0.030 CFS); Total Diver-

sion: (0.030 CFS)

Date Filed: Jan. 23, 1996

In: Benewah County

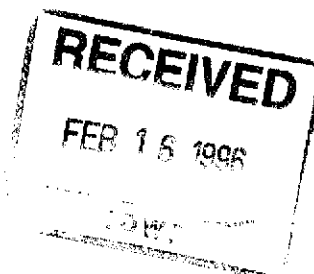
T46N R02W S16 SWSE

1.0 Acres Total

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

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the applicant and with
the Director, Dept. of Water
Resources, Northern Region, 1910
Northwest Blvd., Suite 210, Coeur
d'Alene, Idaho 83814, together with
a protest fee of \$25.00 on or before
February 26, 1996.

KARL J. DREHER, Director
No. 3154 -- Feb. 7-14.



92-07221

RATHBUN, GORDON G
P O BOX 338
ST MARIES, ID 83861

Source: ST JOE RIVER

Tributary: COEUR D ALENE LAKE

Diversion Pt: SWSE Sec 16 T 46N R 02W in BENEWAH County.

Use: IRRIGATION	(	0.030 CFS)
DOMESTIC	(	0.030 CFS)
Total Diversion:	(	0.030 CFS)

Date Filed: 1/23/1996

In: BENEWAH County
T46N R02W S16 SWSE

1.0 ACRES TOTAL

MAR 29 1996

January 31, 1996

Gordon G. Rathbun
P O Box 338
St Maries ID 83861

Re: Water Appropriation Application No. 92-07221

Dear Mr. Rathbun:

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. Enclosed is Receipt Number N009826. 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 separate well drilling permit is required for all wells constructed after July 1, 1987.

IF, FROM THAT WELL, YOU WILL BE DIVERTING WATER FOR MORE THAN ONE HOME AND AT A RATE OF MORE THAN 0.04 CFS AND MORE THAN 2500 GALLONS PER DAY, YOU WILL NEED TO OBTAIN A PERMIT FOR OTHER THAN DOMESTIC USAGE. THE TOTAL FEE FOR SUCH A PERMIT IS \$200.00. IF YOU HAVE ALREADY OBTAINED A DOMESTIC PERMIT, YOU WILL NEED TO UPGRADE YOUR PERMIT AND THE FEE FOR UPGRADING IS \$165.00.

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

MAR 29 1996

January 22, 1996

RECEIVED

JAN 23 1996

NORTHWEST DIVISION
IDWR

Idaho Department of Water Resources
1910 Northwest Blvd.
Coeur d'Alene, ID 83814

Re: Application for permit

Enclosed is our application for a permit to draw water from the St. Joe River for domestic use. Our check # 2794 in the amount of \$50.00 is also included.

We already have our Department of Lands permit, L 95-S-3998 granted on March 11, 1994.

If you have any questions, please call me at my work number (208) 245-4238. Thank you.

Sincerely,



Mrs. Gordon (Ruth) Rathbun
P O Box 338
St. Maries, ID 83861
208-245-4238

MAR 20 1996