



SE SW sec. 35 T44N R3W Benewah

Michael J. Needham

not to scale

MICROFILMED

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss

JoJane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager 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 hereon.

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 29 day of June, 1983 and the last on the 6 day of July, 1983.

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.

JoJane Hammes

Subscribed and sworn to before me this 1st day of Aug., 1983

Sharon P. Black
Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

MICROFILMED

92-7140
Name: Michael J. Needham

Address: P.O. Box 44, Santa, Idaho 83866
Date Filed: June 21, 1983
Source: Groundwater
Point of Diversion: SESW Sec 35 T 44N R 03W
In: SESW Sec 35 T 44N R 03W
Use: Fish Prop., Storage (48.0 AF); Diversion to Storage (0.20 cfs)

92-7141
Name: Michael J. Needham
Address: P.O. Box 44, Santa, Idaho 83866
Date Filed: June 21, 1983
Source: Unnamed Streams tributary to Santa Creek, South Fork
Point of Diversion: SESW Sec 35 T 44N R 03W
In: SESW Sec 35 T 44N R 03W
Use: Fish Prop. (0.96 cfs); Fish Prop. Storage (48.0 AF)

95-8350
Name: Bettie Lowder
Address: P.O. Box 7083, Murray, Utah 84107
Date Filed: June 20, 1983
Source: Springs tributary to Benewah Creek
Point of Diversion: SENE Sec 32 T 45N R 03W
In: SENE Sec 32 T 45N R 03W for 1 acre
Use: Irrigation (0.03 cfs); Stock-water (0.02 cfs); Domestic (0.04 cfs)

95-8351
Name: Nancy N. Casey
Address: Rt. 1, Box 86, Plummer, Idaho 83851
Date Filed: June 20, 1983
Source: Spring tributary to Plummer Creek
Point of Diversion: NWNW Sec 35 T 46N R 04W
In: NWNW Sec 35 T 46N R 04W for 6 acres
Use: Irrigation (0.12 cfs); Stock-water (0.02 cfs); Domestic (0.04 cfs); Recreation (0.16 cfs)
The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814 on or before July 18, 1983.
KEN DUNN, Dir.
No. 7158 — June 29-July 6.

91-7073
Name: Richard and-or Laurelee Schnebly
Address: Rt. 3, Box 75A, St. Maries, Idaho 83861
Date Filed: June 17, 1983
Source: Groundwater
Point of Diversion: NWSE Sec 18 T 46N R 01E
In: SWSE Sec 18 T 46N R 01E for 3 acres
Use: Irrigation (0.06 cfs); Stock-water (0.02 cfs); Domestic (0.04 cfs)

91-7079
Name: Andre B. and-or Crystal LeCoultre
Address: Rt. 2, Box 112, St. Maries, Idaho 83861
Date Filed: June 17, 1983
Source: Springs tributary to Sinks
Point of Diversion: Sec 01 T 46N R 03W
In: Lot 04, Lot 05, Sec 01 T 46N R 03W for 5 acres
Use: Irrigation (0.10 cfs); Stock-water (0.02 cfs); Domestic (0.04 cfs)

91-7080
Name: Cottonwood Point Water and Sewer Assn., Inc.
Address: St. Maries, Idaho 83861
Date Filed: June 21, 1983
Source: Groundwater
Point of Diversion: SENE Sec 17 T 46N R 02W
In: SENE Lot 05, Lot 06, Lot 07, Lot 08, Lot 11, Lot 12 Sec 17 T 46N R 02W for 9 acres
Use: Irrigation (0.05 cfs); Domestic (0.10 cfs)

92-7139
Name: Brian R. and-or Barbara J. Balsiger
Address: Rt. 4, Box 49A, St. Maries, Idaho 83861
Date Filed: June 20, 1983
Source: Groundwater
Point of Diversion: SENE Sec 36 T 46N R 02W
In: SENE Sec 36 T 46N R 02W for 1 acre
Use: Irrigation (0.02 cfs);

MEASUREMENT POINTS

OWNER: DAVE PEDRICK
RES: CALIFORNIA

OWNER: STEVE RISKIN
Residence: Georgia

OWNER: Ken Cunningham
Residence: SPokane, WA.

COMPLETE FARM MAP
NEEDHAM ENTERPRISES
COMMERCIAL LIO # 57
STATE OF ID. DEPT OF AGRIC.

INLANDS PARTIAL
WATERSHEDS FOR
BOTH UPPER AND
LOWER NEEDHAM
LAKE DRAINAGE

NOTE: SOILS IN THIS BASIN
ARE HIGHLY ERODIBLE,
AND THERE ARE 3 POINTS
OF DOMESTIC USE, AND
A FISH HATCHERY BELOW,
AT ITS BASE

OWNER: FRED STISBERG
Residence: Sacramento,
California

ROAD OVER-BRIDGE
WITH STEEP GRAD,
TO MAIN FARM,
NEEDS RIG-RAPED

FLUOR YEAR-ROUND
HERE - GULLY EROSION
NO CULVERT ABOVE AT CROSSING

HEAVILY OVER-GROWN
NO CULVERT ABOVE AT CROSSING

GRADED
MARSH - Alder
Butt

MAIN FORK
SEASONAL

GRADED
PRIVATE ROAD - NEEDS ROCK

Private Road
Family member's
Residence

Private Road - ROCKED

Private Road - ROCKED

PRIVATE ROAD - ROCKED

MARSH

Seasonal Grass
/ MARSH

PRIVATE ROAD - ROCKED

PRIVATE ROAD
(DESIGNATED HAWKING ROAD - NEEDS ROCKED)

OWNER: JOERGSEN NATHANIEL

OWNER: JOERGSEN
Residence: Fernan Lk.,
Deer d'Alene ID.

MIDDLE
FORK
SANTA
CREEK

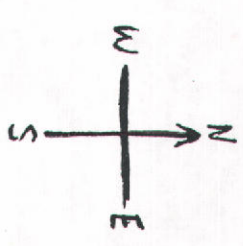
BENNETT LUMBER,
BEAVER PONDS (REMARKS)
MARSH

Owner: Michael J. Woodham
Residence: SE SW SEC. 35 T44N
R3W BEVELAH

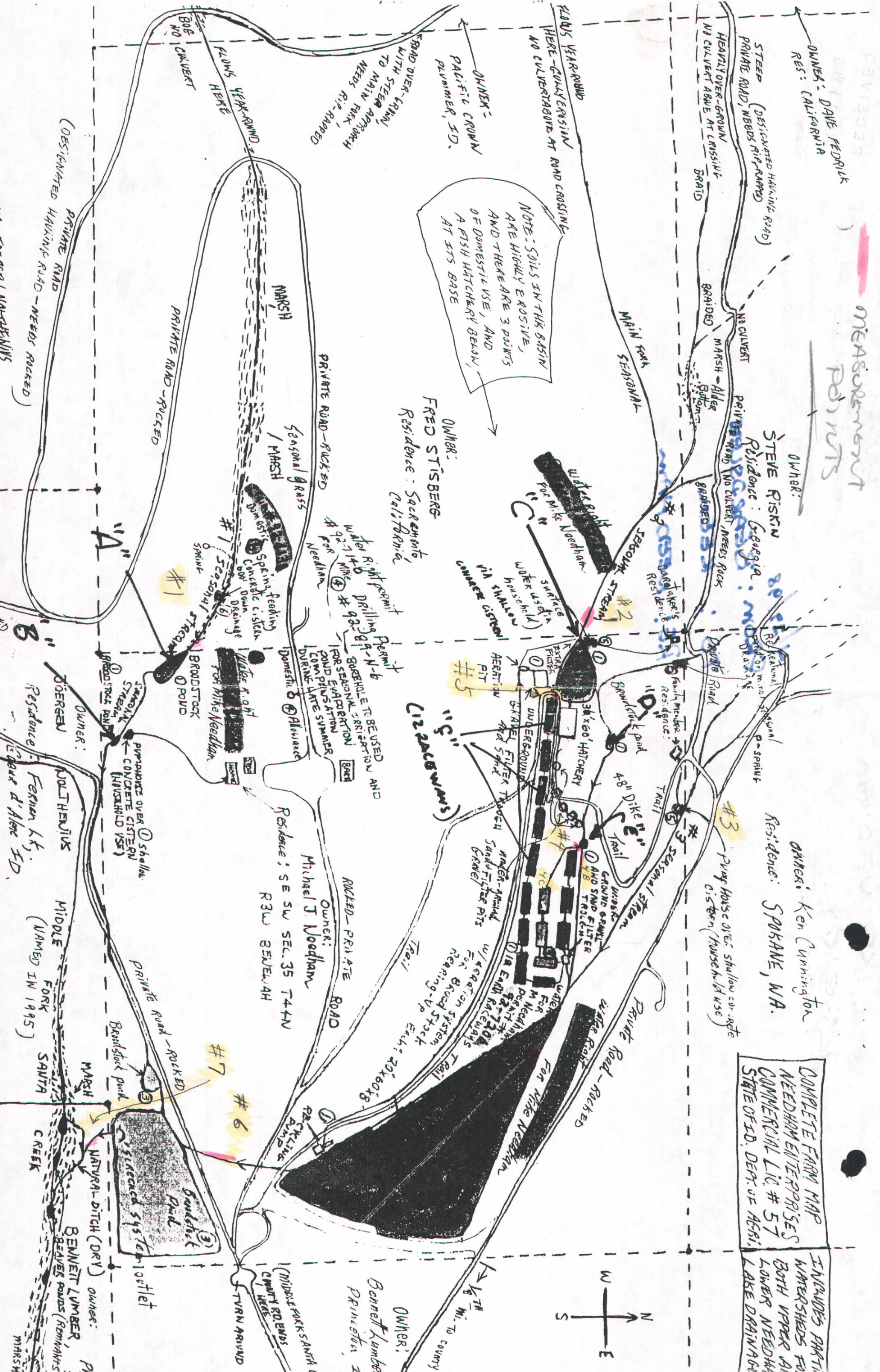
ROCKED - PRIVATE ROAD

OWNER: Bennett Lumber
Princeton, ID.

MIDDLE FORK SANTA CR
TURN AROUND
CAMP HERE



1/8 MI. TO COUNTRY R



2. Measurements:

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

D. FLOW MEASUREMENTS

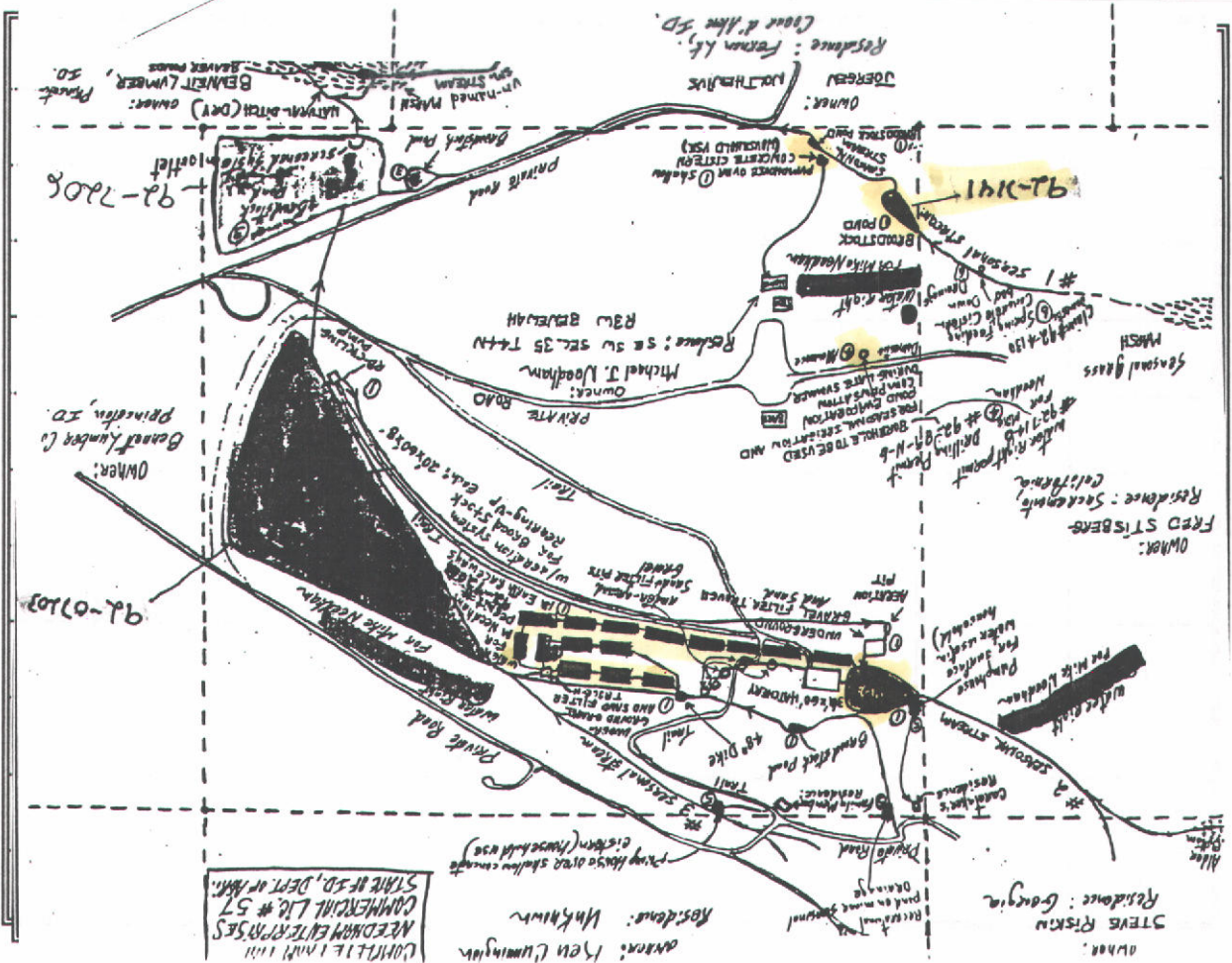
*Code to correspond with No. on map and aerial photo

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

4.

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

Scale: $T'' = N/15$



3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir

D

"A"



PERMIT # 92-07141

$$\frac{180' \times 90' \times .5 \times 8'}{43560} = 1.49 \text{ Af}$$

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PERMIT # 92.87141

"B"

5/8/92



"BROOD STICK POND"

120' long x 40' wide x 8'

120' x 40' x .5 x 8'

$$\frac{4320}{= 0.44 \text{ AS}}$$

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AUG 25 1998

C

PERMIT # 92-07141



"POND"

DIMENSIONS: (TRIANGLE SHAPE)

100' LONG x 200' WIDE x 14' DEEP AV.

$$\frac{100 \times 200 \times .5 \times 14'}{43560} = 3.21 \text{ AC}$$

C

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AUG 25 1998

"D"

PERMIT # 92-0714



$$\frac{30' \times 40' \times 10' \text{ av.}}{43560} = 0.28 \text{ AF}$$

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AUG 25 1998

"E"

PERMIT # 92-07141



40' x 30' x .5 x 12' Av.

$$\frac{40' \times 30' \times .5 \times 12' \text{ Av.}}{43560} = 0.1748$$

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AUG 25 1998

"F"

PERMIT # 92-07011
92-07141



5/8/96

"FISH RACEWAYS"

60' LONG x 20' WIDE x 8' DEEP AV.

$$\frac{60' \times 20' \times 8'}{43560} = 0.22 \text{ AC} / \text{PER RACE WAY}$$

$$12 \text{ RACEWAYS} \times 0.22 \text{ AC} = \text{2.64 AC TOTAL}$$

MICROFILMED
AUG 25 1998

STEEP (DESIGNATED HAWKING ROAD)
PRIVATE ROAD, NEEDS RIP-RAVED

HEAVILY OVER-GROWN
NO CULVERT ABOVE AT CROSSING
BRAID

W/5 YEAR ROOM
HERE - GULLY EROSION
NO CULVERT ABOVE AT ROAD CROSSING

WITH STEER APPROACH
TO MAIN FURK,
NEEDS R.P. RAISED

OWNER:
FRED STISBERG
Residence: Sacramento,
California

GRADED

Moss Rock

surface
water use (in
household)
in shallow
concrete cistern

GRAVEL FILTER
Aeration pit
SEED
TANK

- pump house over shallow concrete cistern (household use)

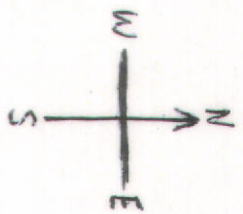
Private Road - ROCKES
Waters Road
Perry

#98-07803
For Mike Needham

OWNER:
Bennett Lumber Co
Princeton, ID.

COMPLETE FARM MAP
NEEDHAM ENTERPRISES
COMMERCIAL LIC. # 57
STATE OF ID. DEPT OF AGRI.

INLAND'S PARTIAL
WATERSHEDS FOR
BOTH UPPER AND
LOWER NEEDHAM
LAKE DRAINAGES



PRIVATE ROAD
(DESIGNATED HAWKING ROAD -- NEEDS ROCKED)

marsh / marsh

PRIVATE ROAD-ROCKY

PRIVATE ROAD - ROCKED

ROCKED

OWNER:

JOEREBB
NORTHENJIS

Residence: Fernan Lt.
Cours d'Alene ID.

Michael J. Noedham
R3W BENEWAH

ROCKED-PRIVATE ROAD

A hand-drawn sketch of a road, labeled "PRIVATE ROAD - ROCKED". The road is represented by two parallel lines. A green, irregularly shaped patch is drawn on the road, with an arrow pointing to it from the left. The text "PRIVATE ROAD - ROCKED" is written in blue ink above the road lines.

MARSH

NATURAL-DITCH (DRY) OWNER

Princeton ID.

BENNETT LUMBER

BEAVER PONDS (Remnants)

A hand-drawn sketch map of a creek and marsh area. The creek is depicted as a winding line with small circles representing rocks or vegetation. To the right of the creek is a large area labeled 'MARSH'. A line of trees is sketched along the right edge of the marsh. The text 'SANTA CREEK' is written vertically along the top of the creek, and 'MARSH' is written vertically along the bottom right. A bracket on the right side of the map is labeled 'TREES'.

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 92-07141

Priority: June 21, 1983

Maximum Diversion Rate:
Maximum Diversion Volume:

0.06 CFS
56.1 AF

This is to certify, that MICHAEL J NEEDHAM
MIDDLE FORK SANTA CREEK RD
PO BOX 25
TENSED ID 83870

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 21, 1983; and
has submitted Proof of Beneficial Use on August 1, 1988. An examination indicates
that the works have a diversion capacity of 0.060 cfs of water from:

UNNAMED STREAMS tributary to SANTA CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
FISH PROPAGATION	01/01 to 12/31	0.06 CFS	42.6 AF
FISH PROP. STORAGE	01/01 to 12/31		13.5 AF
	Totals	0.06 CFS	56.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 35, Township 44N, Range 03W
BENEWAH County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

44N 03W 35

SESW

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.

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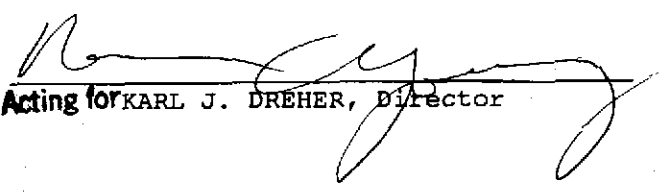
AUG 25 1988

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 92-07141

CONDITIONS OF APPROVAL AND REMARKS

5. The right holder shall provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
6. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
7. Four points of diversion are located within SESW, S35, T44N, R3W.
8. Fish propagation and storage uses are for a fish hatchery.
9. Facility volume = 589,600 cubic feet.

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 10TH day of August, 1998.


Acting for KARL J. DREHER, Director

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AUG 24 1998

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AUG 05 1998

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 92-07141

Date of Priority: June 21, 1983

Maximum Diversion Rate: 0.06 CFS

Maximum Diversion Volume: 56.1 AF

Comes now MICHAEL J NEEDHAM
MIDDLE FORK SANTA CREEK RD
PO BOX 25
TENSED ID 83870

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 92-07141, and requests that the permit be changed as follows:

Source: UNNAMED STREAMS tributary to SANTA CREEK, ~~SOUTH FORK~~

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
FISH PROPAGATION	01/01 to 12/31	0.06 CFS	42.6 AF
FISH PROP. STORAGE	01/01 to 12/31		13.5 AF
	Totals	0.06 CFS	56.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 35, Township 44N, Range 03W
BENEWAH County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

44N 03W 35 SESW

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at MIKE NEEDHAM'S RESIDENCE, this 3RD day of AUGUST, 1998.

MIDDLE FORK SANTA CRK. RD.
TENSED, IDAHO 83870

Michael J Needham
(Signature)

MICROFILMED

AUG 25 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 92-07141

FOR DEPARTMENT USE ONLY

Preliminary check by SVK Fee = 50.00 Receipted by LS # 0013031 Date 8/5/98

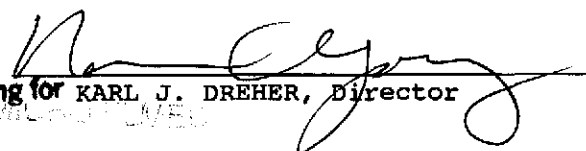
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 92-07141 with the following;

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. The right holder shall provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
6. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
7. Four points of diversion are located within SESW, S35, T44N, R3W.
8. Fish propagation and storage uses are for a fish hatchery.
9. Facility volume = 589,600 cubic feet.

Witness my hand this 10TH day of August, 1998.


Acting for KARL J. DREHER, Director

AUG 25 1998

Form 217
03/86

AUG - 1 1988

no \$ incl. *JD*
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only

Fee Received _____

Date _____

Receipt # _____

Receipt by _____

Reviewed by _____

Sent to region *8-11-88*

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder *(✓)* has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 92-7141

Name(s) of Permit Holder: Michael J. Needham

Post Office Address: POB 44 Santa, Id. 83866

Telephone No. 208 245 3151

Source of Water: Seasonal Run-off

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other Irrigation / Fire protection - 2 ponds

Request removal of measuring device requirement

Total rate and/or volume for which proof is submitted _____ cfs 2 acre-feet

Show the date water was first diverted and beneficially used under this permit: 1988

Measuring Device: Required? ☒ Yes ☐ No
Installed? ☐ Yes ☐ No

Fee enclosed \$ _____
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

(Name)

(Telephone Number)

(Address)

The above information 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.

7-29-88

Michael J. Needham

OCT 13 1988

Date

Signature of Permit Holder (and title, if appropriate)

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 92-7141)
IN THE NAME OF MICHAEL J. NEEDHAM)

ORDER

WHEREAS, on August 26, 1983, the Department of Water Resources issued Permit No. 92-7141 with a condition of approval which states:

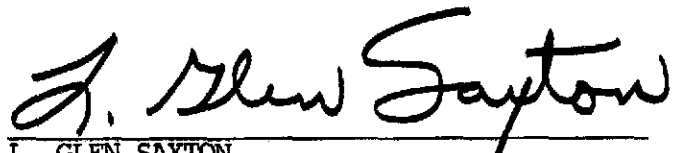
Measuring devices of a type approved by the department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge;

and,

WHEREAS, the Department of Water Resources has determined that the installation of measuring devices are not required at this time;

NOW, THEREFORE, IT IS ORDERED that the condition of approval requiring installation of measuring devices on Permit No. 92-7141 be REMOVED.

Dated this 11th day of August, 1988.


L. GLEN SAXTON
Chief, Operations Bureau

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OCT 13 1988

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant

Michael J. Needham

Phone

(208) 245-3151

Post office address

P.O. 44 Santa, Idaho

83866

2. Source of water supply

(8-9 month seasonal run - 100%)
3 unnamed streams

which are a tributary of unnamed stream, which is a tributary of S. Fork Santa Cr.

3. Location of point of diversion is SE 1/4 of SW 1/4 of Section

35

Township

44N

Range 3W B.M.

Benewah

County, additional points of diversion if any:

SE SW sec. 35 T44N R3W

4. Water will be used for the following purposes:

Amount 0.96 for fish propagation purposes from 1/1 to 12/31 (both dates inclusive)

Amount 48.0 for storage for fish propagation purposes from 1/1 to 12/31 (both dates inclusive)

Amount for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

5. Total quantity to be appropriated:

a. 0.96 cubic feet per second and/or b. 48 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.

6 ponds with inter-connected flow along with 2 hotcheries and 9-12 railways

b. Height of storage dam 8-9' feet, active reservoir capacity 4.4 acre-feet; total reservoir capacity 48 acre-feet, materials used in storage dam:

Period of year when water will be diverted to storage to inclusive.

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE 1/4 of SW 1/4 of Section 35 Township 44N

Range SW B.M.

(2) Amount of power to be generated: horsepower under feet of head.

(3) List number of each kind of livestock to be watered

(4) Name of municipality to be served, or number of families to be supplied with domestic water

(5) If water is to be used for other purposes describe: fish propagation

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AMPLIFIED

Total number of acres to be irrigated

#

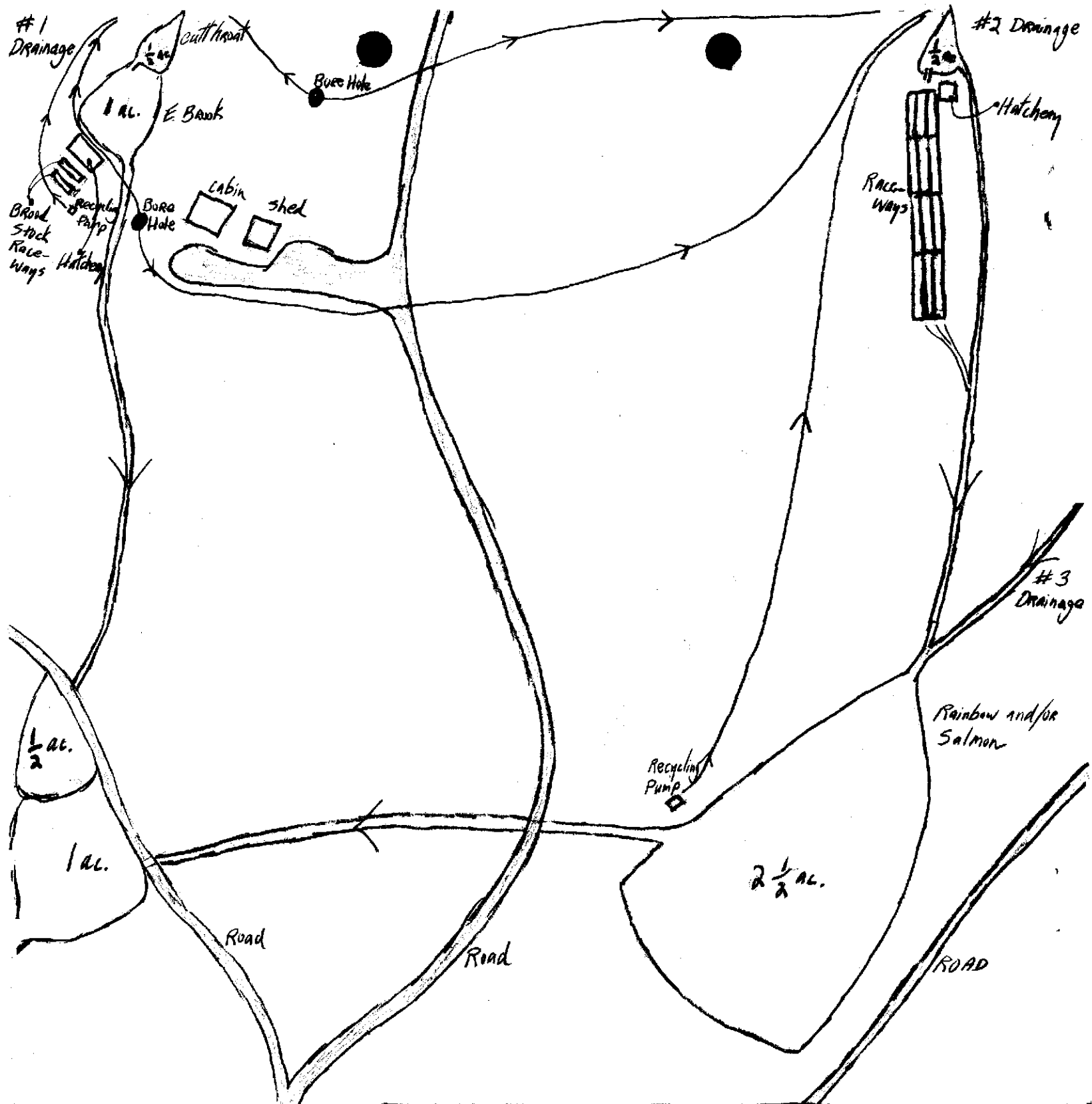
92-7140

[Signature]

[Signature]

applicant to make this filing

See attached diagram for ponds and P/R's



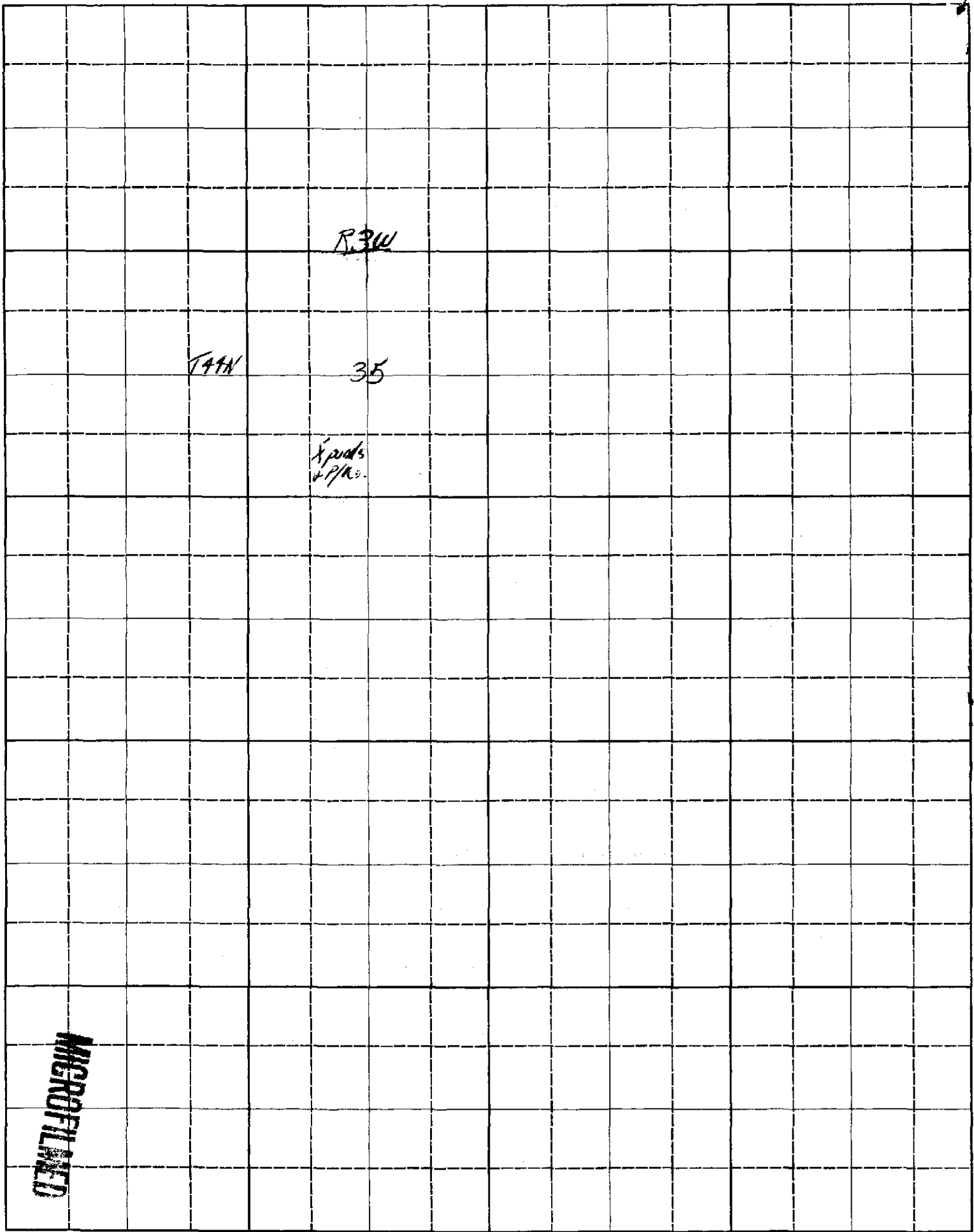
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SE SW sec 35 T44N R3W Benewah

Michael J. Needham

not to scale

11. 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.

Michael J. Newham
(Applicant)

MICROFILMED

Proposed Priority 6/21/1983

Received by	_____	Date	4/21/83	Time	4:50 PM
Preliminary check by	_____	Fee \$	45.00		
Received by	_____	Date	4/21/83 (2791)		
Publication prepared by	_____	Date	8/28/83		
Published in	_____		_____		
Publication dates	_____		6/29 & 7/6/83		
Publication approved	_____	Date	8/4/83		
Protests filed by:	_____		_____		
Copies of protests forwarded by	_____		_____		
Hearing held by	_____	Date	_____		
Recommended for	_____	approval	_____		
denial	_____	by	_____		

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 92-7141, and said application is hereby APPROVED

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

August 1, 1988.

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. Other:

The storage of water is contingent upon certification by the Department of Water Resources, of the applicant's dam under the dam safety provisions of the Idaho Code, authorizing storage.
Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
Water used under this permit if discharged into a natural channel shall meet Idaho Water Quality Standards.
Measuring devices of a type approved by the Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
Assignment or sale of this permit is subject to a determination by the Department that the permit holder has proceeded to develop the permit with due diligence and without speculation.

Witness my hand this 26th day of August, 1983.

J. Allen Saylor
Chief, Operations Bureau

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss

JoJane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager 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 hereon.

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 29 day of June, 1983 and the last on the 6 day of July, 1983

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.

Subscribed and sworn to before me this 1st day of Aug., 1983

Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

Address: P.O. Box 44, Santa, Idaho 83868
Date Filed: June 21, 1983
Source: Groundwater
Point of Diversion: SESW Sec 35 T 44N R 63W
In: SESW Sec 35 T 44N R 63W
Use: Fish Prop.; Storage (48.0 AF); Diversion to Storage (0.20 cfs)

Name: Michael J. Needham
Address: P.O. Box 44, Santa, Idaho 83868
Date Filed: June 21, 1983
Source: Unnamed Streams tributary to Santa Creek, South Fork
Point of Diversion: SESW Sec 35 T 44N R 63W
In: SESW Sec 35 T 44N R 63W
Use: Fish Prop. (0.96 cfs); Fish Prop. Storage (48.0 AF)

Name: Bettie Lowder
Address: P.O. Box 7083, Murray, Utah 84107
Date Filed: June 20, 1983
Source: Springs tributary to Benewah-Creek
Point of Diversion: SENE Sec 33 T 42N R 63W
In: SENE Sec 33 T 42N R 63W for 1 acre
Use: Irrigation (0.00 cfs); Stock-water (0.00 cfs); Domestic (0.04 cfs)

Name: Nancy N. Canby
Address: Rt. 1, Box 88, Elmer, Idaho 83601
Date Filed: June 20, 1983
Source: Spring tributary to Plummer Creek
Point of Diversion: NWNW Sec 36 T 42N R 63W
In: NWNW Sec 36 T 42N R 63W for 5 acres
Use: Irrigation (0.00 cfs); Stock-water (0.00 cfs); Domestic (0.04 cfs)

The permittee will be subject to all prior water rights. Protests must be filed with the Division, Dept. of Water Resources, 4000 Government Way, Coeur d'Alene, Idaho 83814 on or before July 15, 1983.

No. 7158 — June 29-July 6, 1983
KEN DUNN, Dir.



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

August 11, 1998

PHILIP E. BATT
GOVERNOR

MICHAEL J NEEDHAM
MIDDLE FORK SANTA CREEK RD
PO BOX 25
TENSED ID 83870

KARL J. DREHER
DIRECTOR

RE: WATER RIGHTS 92-07141/92-07206

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that water rights have been established in accordance with the permit referenced above. The licenses are preliminary orders issued by the Department pursuant to section 67-5243, Idaho Code. They can and will become final orders 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.

MICROFILMED

AUG 25 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

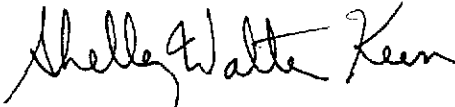
action is located.

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.

For your records, I have also enclosed copies of your Applications for Amendment of Permit, which were approved.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

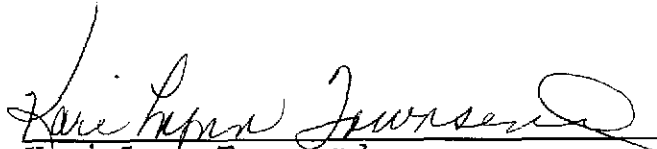
SWK:klt
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of August, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDERS (Approved Licenses)** to the person(s) listed below:

Water Rights 92-07141/92-07206

**MICHAEL J NEEDHAM
MIDDLE FORK SANTA CREEK RD
PO BOX 25
TENSED ID 83870**


Kari Lynn Townsend
Secretary



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

July 21, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MICHAEL J NEEDHAM
MIDDLE FORK SANTA CREEK RD
PO BOX 25
TENSED ID 83870

RE: Water Rights 92-07141/92-07206

Dear Mr. Needham:

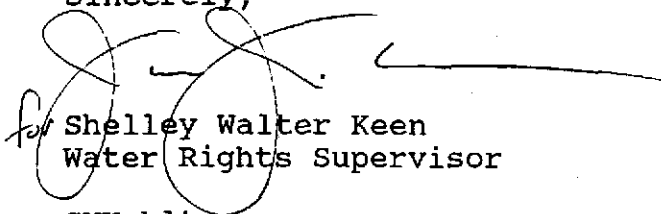
The Department of Water Resources is reviewing the permits referenced above prior to issuing water right licenses. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that you developed more points of diversion than were described on your permit. Therefore, before licenses can be issued, your permits must be amended to include the additional point(s) of diversion.

The enclosed Application for Amendment forms describe the additional point(s) of diversion and other information that will be included on the licenses when they are issued. In some cases, the reference to multiple points of diversion is contained in the list of conditions of approval and remarks on the last page of the amendment forms. Please review the amendments carefully. If you concur with the information presented, please sign the forms and return them with the \$100.00 (\$50.00 each) filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please call me at 208-327-7946.

Sincerely,


for Shelley Walter Keen
Water Rights Supervisor

SWK:klt
Enclosure

MICROFILMED

AUG 25 1998

MEMORANDUM

TO: File 92-07141

FROM: Sharla

DATE: May 19, 1998

RE: Annual Volume for Fish Propagation Use

Per a memo dated 1/15/88, volume is calculated this way:

1. Calculate changes per hour:
total flow into facility x 3600/facility volume(cf) = changes
2. Calculate annual volume:
facility volume(AF) x changes x 8760 = AFA
3. Calculate volume given by permitted flow:
flow rate(cfs) x 1.98 x 365 days = AFA
4. Recommend lower figure

-
1. 0.06 cfs x 3600/ 589,600 cf = 0.00036
 2. 13.5 AF x 0.00036 x 8760 = 42.6 AFA
 3. 0.06 cfs x 1.98 x 365 days = 43.4 AFA

RECOMMENDATION: 42.6 AFA

MICROFILMED

AUG 25 1998

MEMORANDUM

TO: Files 92-07141 and 92-07206

FROM: Sharla

DATE: July 17, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit Nos. 92-07141 and 92-07206 are as follows:

H. RECOMMENDATIONS

92-07141:

Fish Propagation	1/1 - 12/31	0.06 cfs	42.6 afa
Fish Prop. Storage	1/1 - 12/31		13.5 afa
	TOTALS	0.06 cfs	56.1 afa

92-07206:

Fish Propagation	1/1 - 12/31	0.18 cfs	130.0 afa
Fish Prop. Storage	1/1 - 12/31		15.0 afa
	TOTALS	0.16 cfs	145.0 afa

The rate is based on the re-exam measurements multiplied by 3 as recommended by Al Beardslee due to measurements being made AFTER the early season run-off.

The original exam reports recommended storage only, however, a direct flow component is required for continuous changes through the raceways.

Examiner: Ted McCracken
Exam Date: May 8, 1996

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AUG 23 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 92-07141

DATE 5/20/98

REVIEWER: SHARLA

NAME Change/OK
Address OK

SOURCE OK Does change clarify orig. intended source? If no, Void permit

POINT OF DIV Chg Change (P39/P47) Add (P45/P42) Feds - P40

W32 (multiple in 1/4) 4
W36 (overlap)
W59 (subd. desc)

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

PLACE OF USE OK Change (P41/P47) Add (P41/P42) Feds - P43

W60 (subd. desc)
W27 (ppu acre limit)

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

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate .96 cfs

Fee limit OK cfs

Measured OK cfs 3 = .06

Theoretical OK cfs

Recommended Total Div Rate .06 cfs

WATER USES

fish OK cfs 43.4 af

fish OK cfs 13.5 af

fish OK cfs _____ af

fish OK cfs _____ af

fish OK cfs _____ af

TOTALS .06 cfs 56.9 af

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

Flow rate .06 cfs X 365 days X 1.98 = 43.4 af

REMARKS Facility volume = 589,600 cf.

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 N/A

Adjust Memo rate/vol.
Amend letters P45 P38
P42

Memorandum

Date: April 29, 1998

From: Beardslee

To: ~~Keen~~ Files

RE: Mike Needham / Flow Measurements

~~~~~  
On April 22, 1998, we conducted stream flow measurements at various points throughout Mr. Needham's fish pond system.

Mr. Needham explained to us that since the high flow run off was earlier than normal this year and that what we measured represented approximately 1/3 of the flow at each point.

For Licensing purposes, we recommend that the flow measurements be taken times 3, for the diversion rates.

MICROFILMED  
AUG 25 1998

92-07141

Mike Needham

Beverah county

Source; unnamed Stream

T44N R3W Sec 35 SE SW

Tributary to; Santa Creek, South Fork

Location notes; #4, 4B, 4C, #5

$$\# 4. \quad 4 \text{ gal in } 13.98 \text{ sec.} = \frac{4 \text{ gal}}{x} = \frac{13.98 \text{ sec.}}{60 \text{ sec.}} = \frac{240}{13.98} = 17.17 \text{ gpm}$$

$$\# 4B \quad 4 \text{ gal in } 80 \text{ sec.} = \frac{4 \text{ gal}}{x} = \frac{80 \text{ sec.}}{60 \text{ sec.}} = \frac{240}{80} = 3 \text{ gpm}$$

$$\# 4C \quad 4 \text{ gal in } 19.37 \text{ sec.} = \frac{4 \text{ gal}}{x} = \frac{19.37 \text{ sec.}}{60 \text{ sec.}} = \frac{240}{19.37} = 12.39 \text{ gpm}$$

$$\# 5 \quad 4 \text{ gal in } 51.73 = \frac{4 \text{ gal}}{x} = \frac{51.73 \text{ sec.}}{60 \text{ sec.}} = \frac{240}{51.73} = 4.64 \text{ gpm}$$

---

$$\text{Total} = 37.2 \text{ gpm}$$

MICROFILMED

AUG 25 1998

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
OPEN CHANNEL DISCHARGE MEASUREMENT NOTES

#1

GENERAL INFORMATION

CLAIM / WATER RIGHT NUMBER: 92-07141

SOURCE: unnamed streams

TRIBUTARY TO: Santa Creek, south fork

COUNTY: Benewah

DATE: ~~4-23-98~~ 4-22-98 LOCATION: T. 44N R. 3W SEC. 35, 1/4 SE 1/4 SW 1/4

LOCATION NOTES: #1

PERSON(S) CONDUCTING MEAS.: Dave Pagel

ACCOMPANIED BY:

MEAS. DEVICE Pygmy

I.D. NO.

SPIN TEST: BEFORE MEAS. 1.21

AFTER MEAS. 1.10

COMPUTED BY: Dave Pagel

DATE: 4-23-98

CHECKED BY:

DATE:

RESULTS

WIDTH: 1.9 Ft. AREA: 0.125 Sq. Ft. VEL.: 0.149 Ft./sec. DISCHARGE: 0.019 cfs

MEASUREMENT DATA

CROSS SECTION:

FLOW CONDITIONS:

OBSTRUCTIONS UPSTREAM:

REMARKS:

SYSTEM DIAGRAM

ARCHIVED

AUG 23 1998

44N R2W

| DIST. FROM INITIAL POINT | WIDTH | DEPTH | INST. DEPTH | REVS. | TIME SEC. | VELOCITY |               | AREA  | DISCHARGE |
|--------------------------|-------|-------|-------------|-------|-----------|----------|---------------|-------|-----------|
|                          |       |       |             |       |           | AT POINT | MEAN IN VERT. |       |           |
| 1.0                      | .15   |       | 2.26        |       |           |          |               |       |           |
| 1.3                      | .25   | .05   |             | 9     | 46        | .196     |               | .0125 | .00245    |
| 1.5                      | .15   | .05   |             | 8     | 42        | .190     |               | .0075 | .00142    |
| 1.6                      | .10   | .10   |             | 12    | 44        | .273     |               | .01   | .00273    |
| 1.7                      | .10   | .10   |             | 10    | 42        | .238     |               | .01   | .00238    |
| 1.8                      | .10   | .10   |             | 7     | 45        | .156     |               | .01   | .00156    |
| 1.9                      | .10   | .10   |             | 8     | 44        | .182     |               | .01   | .00182    |
| 2.0                      | .10   | .10   |             | 5     | 45        | .111     |               | .01   | .00111    |
| 2.1                      | .10   | .10   |             | 4     | 42        | .095     |               | .01   | .00095    |
| 2.2                      | .10   | .10   |             | 5     | 41        | .122     |               | .01   | .00122    |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
OPEN CHANNEL DISCHARGE MEASUREMENT NOTES

GENERAL INFORMATION

CLAIM / WATER RIGHT NUMBER: 92-07141

SOURCE: unnamed stream

TRIBUTARY TO: Santa Creek, South fork

COUNTY: Benevol

DATE: 4-22-98

LOCATION: T. 44N R. 3W SEC. 35, 1/4 SE 1/4 SW 1/4

LOCATION NOTES: #2

PERSON(S) CONDUCTING MEAS.: D. Pagel

ACCOMPANIED BY:

MEAS. DEVICE Tygm

I.D. NO.

SPIN TEST: BEFORE MEAS. 1.10

AFTER MEAS. 1.29

COMPUTED BY: D. Pagel

DATE: 4-23-98

CHECKED BY:

DATE:

RESULTS

WIDTH: 2.0 Ft.

AREA: .425 sq. Ft.

VEL.: .196 Ft/sec.

DISCHARGE: .083 CFS

MEASUREMENT DATA

CROSS SECTION:

FLOW CONDITIONS:

OBSTRUCTIONS UPSTREAM:

REMARKS:

SYSTEM DIAGRAM

41  $\overline{)1900}$   
144  
240  
46  
#3

3" x .1

19/41

.46  
.3  
.138

$$Q = V \times A$$

$$.46 \times .3$$

MICROPICTURE

APR 25 1998

| DIST.<br>FROM<br>INITIAL<br>POINT | WIDTH | DEPTH | INSTRI.<br>DEPTH | REVS. | TIME<br>SEC. | VELOCITY    |            |       | AREA   | DISCHARGE |
|-----------------------------------|-------|-------|------------------|-------|--------------|-------------|------------|-------|--------|-----------|
|                                   |       |       |                  |       |              | AT<br>POINT | MEAN<br>IN | VERT. |        |           |
| 1.0                               | .10   |       | LEW              |       |              |             |            |       |        |           |
| 1.2                               | .15   | .30   |                  | 7     | 41           |             | .171       | .045  | .0077  |           |
| 1.3                               | .10   | .35   |                  | 6     | 46           |             | .130       | .035  | .00455 |           |
| 1.4                               | .10   | .30   |                  | 11    | 43           |             | .256       | .03   | .00768 |           |
| 1.5                               | .10   | .30   |                  | 15    | 42           |             | .357       | .03   | .01071 |           |
| 1.6                               | .10   | .40   |                  | 8     | 45           |             | .178       | .04   | .00712 |           |
| 1.7                               | .10   | .40   |                  | 9     | 43           |             | .209       | .04   | .00836 |           |
| 1.8                               | .10   | .35   |                  | 8     | 44           |             | .182       | .035  | .00637 |           |
| 1.9                               | .10   | .30   |                  | 7     | 46           |             | .152       | .03   | .00456 |           |
| 2.0                               | .10   | .20   |                  | 0     | 40           |             | 0          | .02   | 0      |           |

7/90

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
OPEN CHANNEL DISCHARGE MEASUREMENT NOTES

GENERAL INFORMATION

CLAIM / WATER RIGHT NUMBER: 92-07141

SOURCE: unnamed stream

TRIBUTARY TO: Santa Creek, South Fork

COUNTY: Bonewah

DATE: 4-22-98 LOCATION: T. 44N R. 3W SEC. 35, 1/4 SE 1/4 SW 1/4

LOCATION NOTES: #3

PERSON(S) CONDUCTING MEAS.: D. Pagel

ACCOMPANIED BY:

MEAS. DEVICE Pygmy

I.D. NO.

SPIN TEST: BEFORE MEAS. 1.18

AFTER MEAS. 1.10

COMPUTED BY: D. Pagel

DATE: 4-23-98

CHECKED BY:

DATE:

RESULTS

WIDTH: 1.0 ft. AREA: .02 sq. ft. VEL.: .36 fps DISCHARGE: .007 cfs

MEASUREMENT DATA

CROSS SECTION:

FLOW CONDITIONS:

DIVERSIONS UPSTREAM:

REMARKS:

SYSTEM DIAGRAM

MICROFILM

AUG 25 1998

| DIST. FROM INITIAL POINT                        | WIDTH | DEPTH | INST. DEPTH | REVS. | TIME SEC. | VELOCITY |               | AREA | DISCHARGE |
|-------------------------------------------------|-------|-------|-------------|-------|-----------|----------|---------------|------|-----------|
|                                                 |       |       |             |       |           | AT POINT | MEAN IN VERT. |      |           |
| 1.0                                             | .15   |       |             |       |           |          |               |      |           |
| 1.3                                             | .20   | .025  |             | 0     |           |          |               |      |           |
| 1.4                                             | .10   | .05   |             | 12    | 41        | .292     |               | .085 | .00146    |
| 1.5                                             | .10   | .1    |             | 19    | 42        | .452     |               | .01  | .00452    |
| 1.6                                             | .10   | .05   |             | 10    | 40        | .25      |               | .005 | .00175    |
| 1.7                                             | .20   | .025  |             | 0     |           |          |               |      |           |
| 2.0                                             | .15   |       |             |       |           |          |               |      |           |
| 1.0                                             | 1.00  |       |             |       |           |          |               | .02  | .00723    |
| $V = \frac{Q}{A}$ $= \frac{.00723}{.02} = .362$ |       |       |             |       |           |          |               |      |           |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
OPEN CHANNEL DISCHARGE MEASUREMENT NOTES

GENERAL INFORMATION

CLAIM / WATER RIGHT NUMBER: 92-07141

SOURCE: Unnamed Stream  
TRIBUTARY TO: Santa Creek, South Fork COUNTY: Beneva  
DATE: 4-22-98 LOCATION: T. 44N R. 3W SEC. 35, 1/4 SE 1/4 SW 1/4  
LOCATION NOTES: culvert #6

PERSON(S) CONDUCTING MEAS.: D. Page  
ACCOMPANIED BY:

MEAS. DEVICE 129 Pygmy I.D. NO. 108 min  
SPIN TEST: BEFORE MEAS. 1.25 AFTER MEAS. 1.08  
COMPUTED BY: D. Page DATE: 4/24/98 CHECKED BY: DATE:

RESULTS

WIDTH: 2.3 ft. AREA: .11 sq. ft. VEL.: .48 FPS DISCHARGE: .054 cfs

MEASUREMENT DATA

CROSS SECTION:  
FLOW CONDITIONS:  
DIVERSIONS UPSTREAM:  
REMARKS:

SYSTEM DIAGRAM

APPROVED  
AUG 25 1998



7/90

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
OPEN CHANNEL DISCHARGE MEASUREMENT NOTES

GENERAL INFORMATION

CLAIM / WATER RIGHT NUMBER: 92-07141

SOURCE: Unnamed Stream  
TRIBUTARY TO: Santa Creek, South Fork COUNTY: Benewah  
DATE: 4-22-98 LOCATION: T. 44N R. 3W SEC. 35, 1/4 SE 1/4 SW 1/4  
LOCATION NOTES: # 7

PERSON(S) CONDUCTING MEAS.: D. Pagel

ACCOMPANIED BY:

MEAS. DEVICE Pygmy I.D. NO.  
SPIN TEST: BEFORE MEAS. 1.08 min AFTER MEAS. 50.2 sec.  
COMPUTED BY: D. Pagel DATE: 4/23/98 CHECKED BY: DATE:

RESULTS

WIDTH: 1.9 ft. AREA: 0.19 sq. ft. VEL.: .27 fps DISCHARGE: .052 cfs

MEASUREMENT DATA

CROSS SECTION:

FLOW CONDITIONS:

DIVERSIONS UPSTREAM:

REMARKS:

SYSTEM DIAGRAM

APPROVED  
AUG 24 1998

| DIST. FROM INITIAL POINT | WIDTH | DEPTH | INSTG. DEPTH | REVS. | TIME SEC. | VELOCITY |               | AREA | DISCHARGE | DIST. FROM INITIAL POINT | WIDTH | DEPTH | INSTG. DEPTH | REVS. | TIME SEC. | VELOCITY |               | AREA | DISCHARGE |
|--------------------------|-------|-------|--------------|-------|-----------|----------|---------------|------|-----------|--------------------------|-------|-------|--------------|-------|-----------|----------|---------------|------|-----------|
|                          |       |       |              |       |           | AT POINT | MEAN IN VERT. |      |           |                          |       |       |              |       |           | AT POINT | MEAN IN VERT. |      |           |
| 0.9                      | .05   |       |              |       |           |          |               |      |           | 1.9                      | .10   | .10   |              | 8     | 43        | .186     |               | .01  | .00186    |
| 1.0                      | .10   | .15   |              | 17    | 40        | .425     |               | .015 | .006375   | 2.0                      | .10   | .10   |              | 8     | 45        | .178     |               | .01  | .00178    |
| 1.1                      | .10   | .15   |              | 24    | 40        | .6       |               | .015 | .009      | 2.1                      | .10   | .10   |              | 5     | 41        | .122     |               | .01  | .00122    |
| 1.2                      | .10   | .15   |              | 18    | 42        | .428     |               | .015 | .006435   | 2.2                      | .10   | .10   |              | 10    | 44        | .127     |               | .01  | .00227    |
| 1.3                      | .10   | .15   |              | 15    | 42        | .357     |               | .015 | .00536    | 2.3                      | .30   | .05   |              | 8     | 42        | .190     |               | .015 | .00286    |
| 1.4                      | .10   | .20   |              | 11    | 41        | .268     |               | .02  | .00537    | 2.8                      | .25   |       |              |       |           |          |               |      |           |
| 1.5                      | .10   | .15   |              | 7     | 44        | .189     |               | .015 | .00239    | 1.9                      | 1.9   |       |              |       |           |          |               | .019 | .0516     |
| 1.6                      | .10   | .15   |              | 5     | 46        | .109     |               | .015 | .00164    |                          |       |       |              |       |           |          |               |      |           |
| 1.7                      | .10   | .15   |              | 7     | 44        | .159     |               | .015 | .00239    |                          |       |       |              |       |           |          |               |      |           |
| 1.8                      | .10   | .10   |              | 11    | 42        | .262     |               | .01  | .00262    |                          |       |       |              |       |           |          |               |      |           |

$V = \frac{Q}{A} = \frac{.0516}{.19} = .272$

$$V = \frac{Q}{A} = \frac{.0516}{18} = .272$$

MEASUREMENT POINTS

OWNER: DAVE PEDRIK  
RES: CALIFORNIA

OWNER: STEVE RISKIN  
Residence: Georgia

OWNER: Ken Cunningham  
Residence: SPokane, WA.

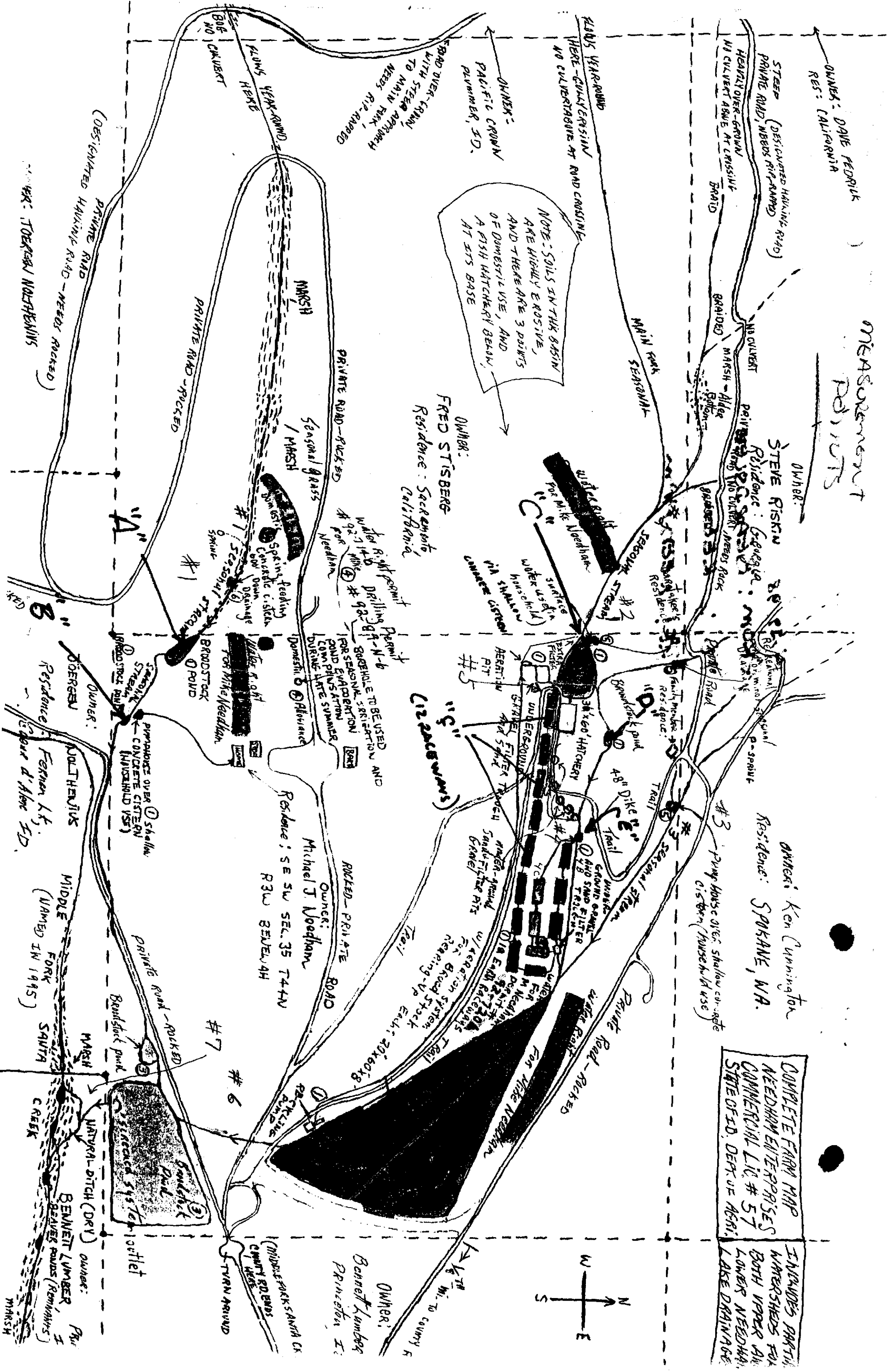
COMPLETE FARM MAP  
NEEDHAM ENTERPRISES  
COMMERCIAL LIC. # 57  
STATE OF ID. DEPT. OF AGRI.  
IN PASSES PARTIAL  
WATERSHEDS FOR  
BOTH UPPER AND  
LOWER NEEDHAM  
LAKE DRAINAGE

FLATS YEAR-ROUND  
HERE - CULVERSIN  
NO CULVERT ABOVE AT CROSSING  
PACIFIC CROWN  
PLUMBER, J.D.

NOTE: SOILS IN THIS BASIN  
ARE HIGHLY ERODIBLE,  
AND THERE ARE 3 POINTS  
OF DOMESTIC USE, AND  
A FISH HATCHERY BELOW,  
AT ITS BASE

OWNER: FRED STISBERG  
Residence: Sacramento,  
California

ROAD OVER-GRASS  
WITH STEEP SLOPE  
TO MAIN TRAIL  
NEEDS R.P. RAMPED



MIKE NEEDHAM  
- 245-3151 -

6/10/97 . . .  
HIGHLIGHTED AREAS  
MARK LOCATIONS WHERE  
WE SHOULD GET MEASUREMENTS

RECEIVED  
MAY 11 1998  
Department of Water Resources

4/29/98  
FROM: BEARDSLEE  
TO: KEEN  
RE: NEEDHAM

MIKE NEEDHAM  
92-07206 P  
92-07212 L  
92-07203 L  
245-3151

245-3151  
AUG 25 1998

MICROFILMED  
AUG 25 1998

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED  
OCT 21 1996  
Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 92-07141

1. Owner: Michael J. Needham Phone No. -

Current Address: P.O. Box 44 Santa Id. 83866

2. Accompanied by: Mike Needham EXAM DATE: 5/8/96

Address: - Phone No. -

Relationship to Permit Holder: owner Needham enterprises

3. Source: unnamed stream tributary to Santa Creek, south fork

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: 92-4130

2. Other water rights with the same point of diversion: 92-7206

**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 |
|-----------|-----------|-----|-----|-----|------|------|------|---------|---------------------------------|
|           |           |     | SE  | SW  | 35   | 44N  | 03W  | Bennett | USGS 7.5 quad                   |
|           |           |     |     |     |      |      |      |         |                                 |
|           |           |     |     |     |      |      |      |         |                                 |
|           |           |     |     |     |      |      |      |         |                                 |

**2. Place(s) of Use:**

Indicate Method of Determination

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 44  | 03W | 35  |    |    |    |    |    |    |    |    |    |    |    | 7  |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

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MICROFILMED

AUG 23 1998

## 2. Measurements:

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

#### D. FLOW MEASUREMENTS

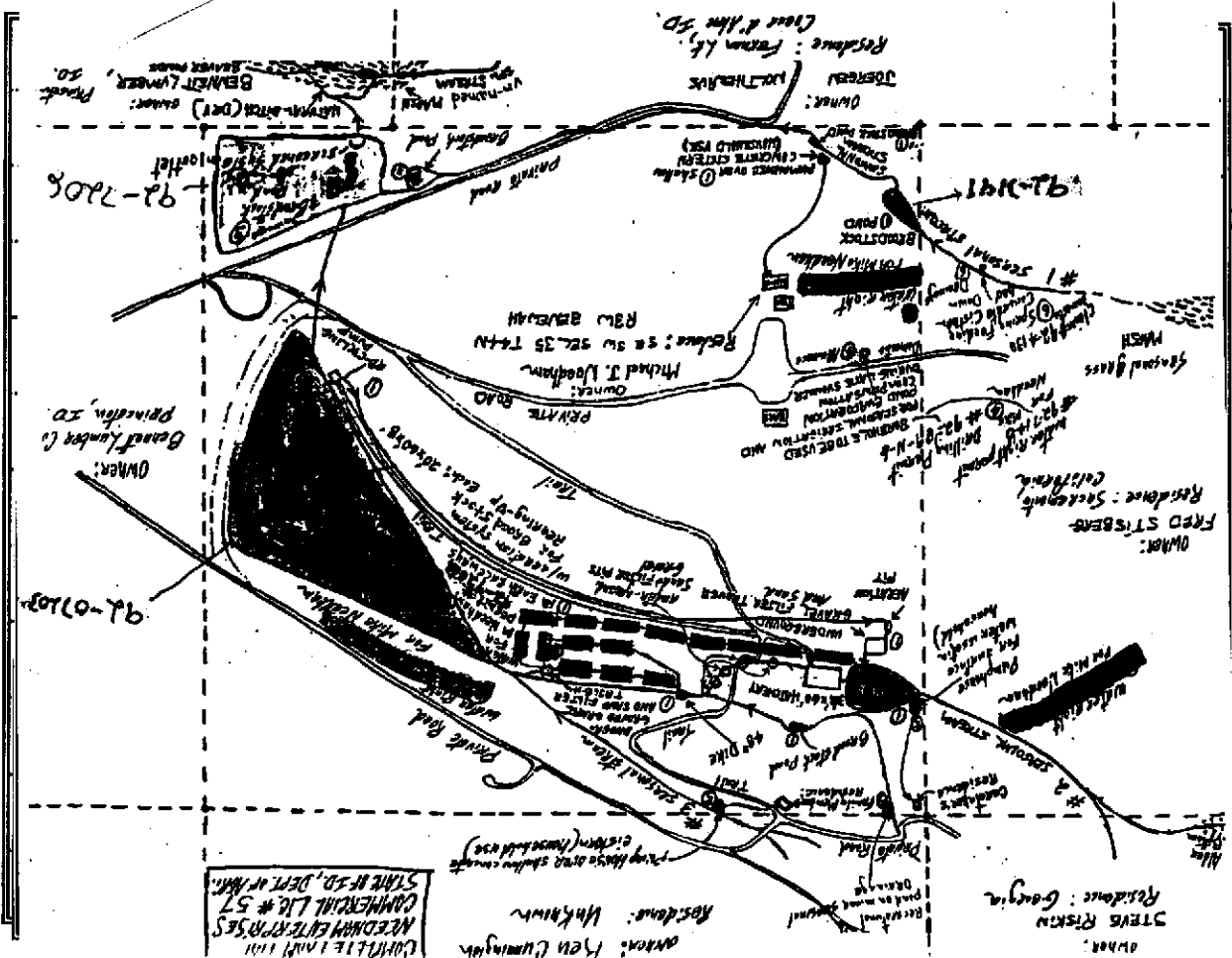
\*Code to correspond with No. on map and aerial photo

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

4

\_\_\_\_ 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

Scale:  $T = \frac{NTS}{\dots}$



3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate whether size/ditch size/type is applicable.

E. NARRATIVE/REMARKS/COMMENTS

ALL PONDS ARE "ON-STREAM" STORAGE. WATER FROM A "SEASONAL DRAINAGE" IS USED TO FILL TWO BROOD POND, AND USED TO SUPPLEMENT RACEWAYS (12). WATER FROM "#2" SEASONAL STREAM IS USED TO FILL A POND, WHICH ALSO SUPPLEMENTS RACEWAYS. WATER FROM "#1" SEASONAL STREAM IS USED TO FILL TWO PONDS.

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

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AUG 25 1998

**Measured Method:**

**Additional Computation Sheets Attached**

## G. VOLUME CALCULATIONS

### 1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

$$V_{ir} = \text{Smaller of } V_{ir} \text{ and } V_{dr} =$$

## 2. Volume Calculations for Other Uses:

Fonds Recovery =  $12 \times 0.22 = 2.64$   
 Revised Fonds =  $3 \times 1.49 = 4.47$

## H. RECOMMENDATIONS

## 1. Recommended Amounts

## Beneficial Use

~~John P. Pappalardo~~  
~~John P. Pappalardo~~

Period of Use  
From 01-01  
To 12-31

**Rate of Diversion**  
**Q (cts)**

Annual Volume  
V (a1a)**Totals:**

## 2. Recommended Amendments

Change P.D. as reflected above

Change P.U. as reflected above

|                                   |                                   |
|-----------------------------------|-----------------------------------|
| _____ Add P.D. as reflected above | _____ Add P.U. as reflected above |
| _____ None                        | _____ Other                       |

## I. AUTHENTICATION

Field Examiner's Name

Reviewer \_\_\_\_\_  
Date \_\_\_\_\_

Date 5/8/90 Mrs. G. M. [Signature]

SEAL

GENTLEMAN:

8501 2 2 908

D

"A"



PERMIT # 92-07141

$$\frac{180' \times 90' \times .5 \times 8'}{43560} = 1.49 \text{ ac}$$

MICROFILMED  
AUG 25 1996

PERMIT # 92.07141

"B"

5/8/96



"BROAD STICK ROAD"

120' long x 40' wide x 8'

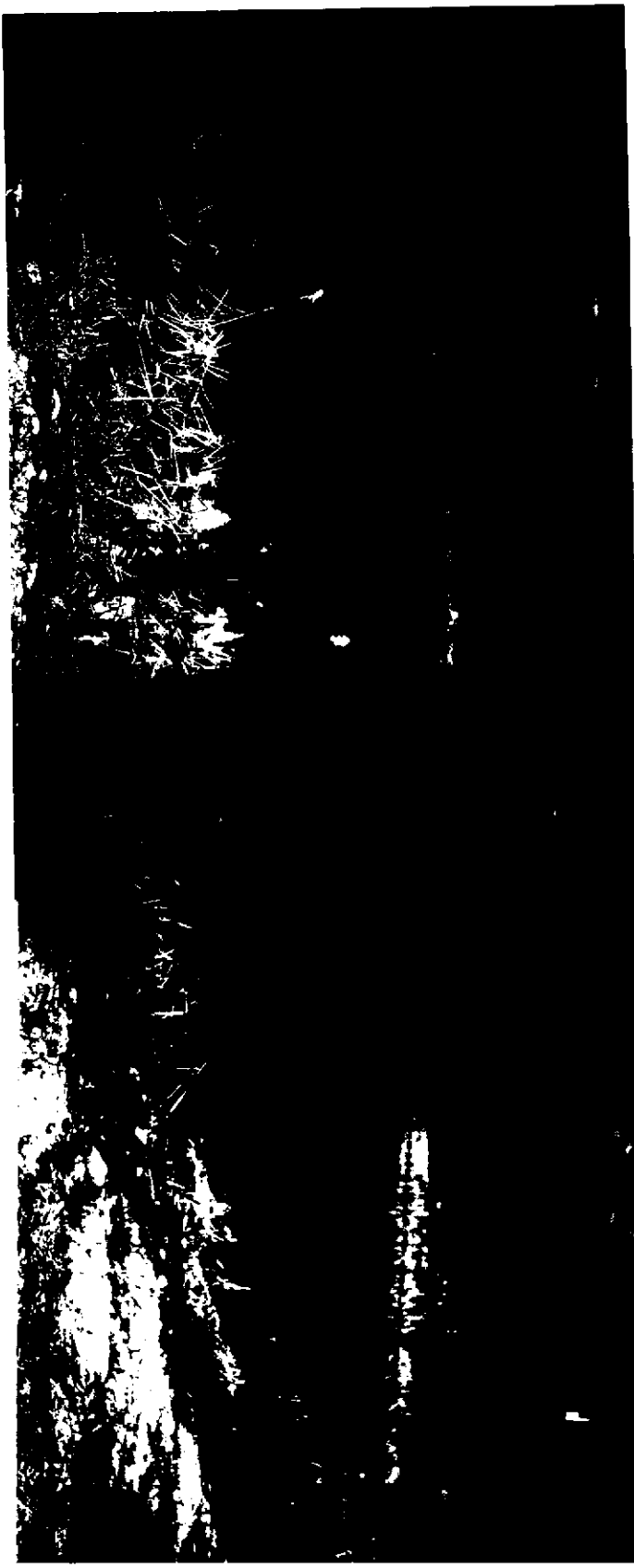
120' x 40' x .5 x 8'

43520 = 0.44 Ag

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AUG 25 1998

WC

PERMIT # 92-07141



"POND"

DIMENSIONS: (TRIANGLE SHAPE)

100' LONG x 200' WIDE x 14' DEEP AV.

$$\frac{100 \times 200 \times .5 \times 14'}{43560} = 3.21 AC$$

"C"

RECORDED  
MAY 25 1992

"D"

Perm # 92-0714



$$\frac{30' \times 40' \times 10' \text{ av.}}{43560} = 0.28 \text{ Af}$$

MICROFILMED

AUG 25 1958

WR0749NP  
No. 92-07141

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 07/10/96  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                      | PRIORITY<br>DATE | WATER USE                              | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-----------------------------------------------------|------------------|----------------------------------------|----------------------------|-------------------|---------------------|
| C                | MICHAEL J. NEEDHAM<br>P.O. BOX 44<br>SANTA ID 83866 | 06/21/1983       | FISH PROPAGATION<br>FISH PROP. STORAGE | 01/01 12/31<br>01/01 12/31 | 0.960 CFS         | 48.00 AFA           |
| TOTAL DIVERSION: |                                                     |                  |                                        |                            | 0.960 CFS         | 48.00 AFA           |

Water Source: UNNAMED STREAMS

Tributary to: SANTA CREEK, SOUTH FORK

Stage: PERMIT

Point(s) of Diversion: T44N R03W S35 SESW BENEWAH County

Place of use Legal Description for: FISH PROPAGATION

| NE  |     |    |   | NW |    |    |    | SW |    |    |    | SE |    |    |    |    |    |   |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : |
| 44N | 03W | 35 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |

Pou County: BENEWAH

Other Rights: 92-7140.

Other Water Rights with Same Point(s) of Diversion and Source:  
92-07206

Other Water Rights Listing Overlapping Place(s) of use:  
92-04130

Conditions of Approval:

016 - See remarks for additional conditions of approval.

Remarks: 3 P/D IN SESW, S35, T44N, R3W.

Dates: App. Received: Priority Date: 06/21/1983  
Proof Due Date: 08/01/1988 Proof Made Date: 08/01/1988  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 09/12/83 05/14/88 CONVERT 08/29/88 CURTIS

"E"

PERMIT # 92-07141



40' x 30' x .5 x 12' Av.

$$\frac{43560}{= 0.1748}$$

MICROFILMED  
FEB 25 1988

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROOF READING REPORT

WR5808NP  
(00-26)

Water Right Number - 92-07206      Prefix Translation: WATER RIGHT      Old (D) Number -  
+ - - - - Last Name - - - - +      + - First Name - - - - +      + - - - - Address - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
NEEDHAM  
MICHAEL J  
1 - P O BOX 25  
2 - W FORK SANTA CREEK RD  
3 -  
City- TENSED      State- ID Zip- 83870  
Phone - 208-245-3151

+ - - Priority Date - - +      + - - Region - - - +      + - - Stage - - - +      + - - Status - - - +  
01/27/1994      18 NORTHERN      P - PERMIT  
+ - - Source - - - +      + - - Tributary - - - +  
UNNAMED STREAMS      SANTA CREEK

+ - - - - Point of Diversion - - - - -  
Twn      Rng      Sec      Tract      Lot      Rflg      County      Diversion Name      Diversion Rate      Diversion No.  
44N      03W      35      SE SW                ( 9 )      BENEWAH

+ - - - - Description      Period From      Period To      Water Use      Diversion Rate      Diversion Volume  
Code      20 - FISH PROP. STORAGE      01/01      12/31      0.960      15.00  
55 - DIVERSION TO STORAGE      01/01      12/31

+ - - Total Div. Rate - +      + - - Total Div. Volume - +      + - - Total Div. Capacity - +  
0.960

+ - - - - Place of Use - - - - -  
Twn      Rng      Sec      Tract      Lot      Acres      Code      Description      County  
44N      03W      35      SE SW                20 - FISH PROP. STORAGE      ( 9 )      BENEWAH

+ - - Diversion Means -  
+ - - Non-Irrigation Use -  
+ - - Other Rights for Same Use -

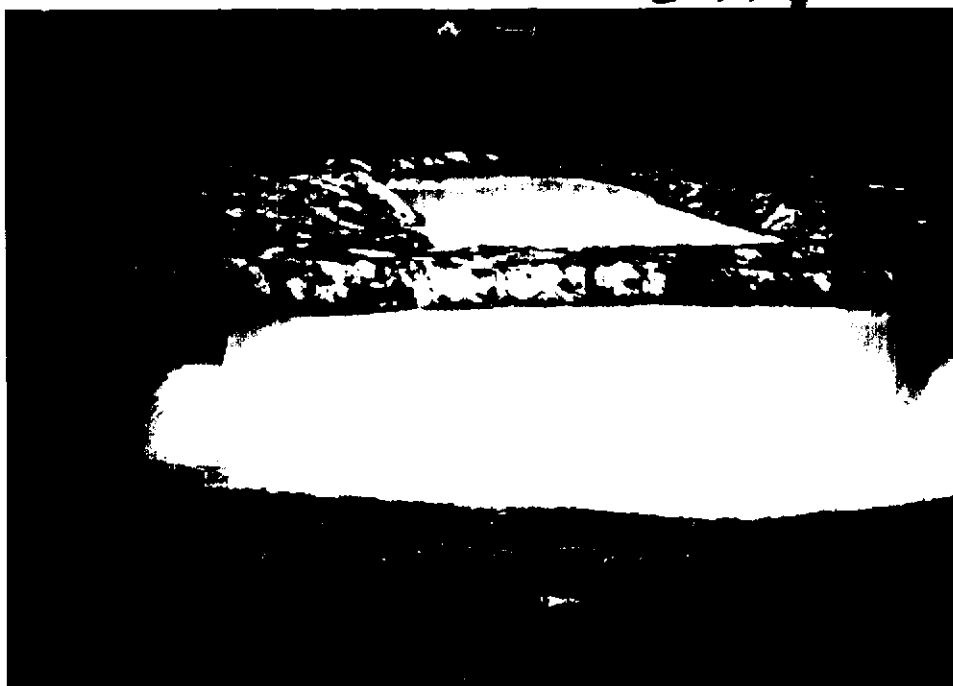
+ - - - - Remarks - - - - -  
Two points of diversion are located within SESW, S35, T44N, R03W.  
Fish propagation storage use is for a fish hatchery.

+ - - - - Old Water Right Numbers - - - - -  
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -  
26A - 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.  
07A - Assignment or sale of this right is subject to a determination  
- by the Department that the right holder has proceeded to develop

"F"

PERMIT # 92-0701/  
92-07141



5/8/96

"FISH RACE WAYS"

60' LONG X 20' WIDE X 8' DEEP AV.

$$\frac{60' \times 20' \times 8'}{43560} = 0.22 \text{ AC} / \text{PER RACE WAY}$$

$$12 \text{ RACE WAYS} \times 0.22 \text{ AC} = \textcircled{2.64 \text{ AC TOTAL}}$$

APPROVED  
AUG 25 1996



**\$25.00**

**STATE OF IDAHO  
DEPARTMENT OF AGRICULTURE**

**VALID  
03/06/96 thru 02/01/98  
License # 57**

**COMMERCIAL FISH REARING LICENSE**

**MICHAEL NEEDHAM of P.O. BOX 25 TENSED, ID 83870,  
acting as agent for NEEDHAM ENTERPRISES of:  
MIDDLE FORK SANTA CREEK ROAD**

**having first made an approved application and paid the license fee, as required by law, is hereby permitted  
to possess, reserve, or propagate fish for the purpose of selling same on property located in:**

**County: BENEWAH Twp. 44N, Rge. 03W, Sec. 35, STATE OF IDAHO,  
in water obtained from UNKNOWN**

**This license shall be valid only for the following kinds of fish:**

- |                                 |                                 |                                |
|---------------------------------|---------------------------------|--------------------------------|
| <b>1. TROUT -EASTERN BROOK</b>  | <b>2. RAINBOW TROUT</b>         | <b>3. TROUT - CUTTHROAT</b>    |
| <b>4. TROUT - BULL</b>          | <b>5. TROUT - GERMAN BROWN</b>  | <b>6. SNAKE WHITE STURGEON</b> |
| <b>7. TRIPLOID ARTIC CHAR</b>   | <b>8. SALMON - COHO</b>         | <b>9. SALMON-SOCKEYE/KOKA.</b> |
| <b>10. RAIN TROUT-STEELHEAD</b> | <b>11. SNAKE WHITE STURGEON</b> | <b>12. SALMON - COHO</b>       |
| <b>13. RAIN TROUT - KAMLOOP</b> |                                 |                                |

**Herb Carlson, Director  
Department of Agriculture  
P.O. Box 7249, Boise, ID 83707**

**Date Issued: 03/06/96  
Issued by : PHIL MAMER, D.V.M.**

OWNER: DAVE PEDRICK  
RES: CALIFORNIA

STEEP (DESIGNATED HAWKING ROAD)  
PRIVATE ROAD, NEEDS RIP-RAP  
HEAVILY OVER-GROWN  
NO CULVERT ABOVE AT CROSSING  
BRAD

MAIN FORK  
SEASONAL

OWNER:  
STEVE RISKIN  
Residence: Georgia

PRIVATE ROAD NO CULVERT, NEEDS ROCK  
GRADED  
MARSH - Alder  
Bog NO CULVERT

NOTE: SOILS IN THIS BASIN  
ARE HIGHLY ERODIBLE,  
AND THERE ARE 3 POINTS  
OF DOMESTIC USE, AND  
A FISH HATCHERY BELOW,  
AT ITS BASE

OWNER:  
FRED STISBERG  
Residence: Sacramento,  
California

PRIVATE ROAD - ROCKED

SEASONAL GRASS  
/ MARSH

PRIVATE ROAD - ROCKED

(DESIGNATED HAWKING ROAD - NEEDS ROCKED)

OWNER: JOERGEN NORTHEMUS

OWNER: Ken Cunningham  
Residence: SPOKANE, WA.

PRIVATE ROAD - ROCKED

BRANDSTOCK POND  
48' DIKE  
TRAIL

30' x 60' HATCHERY  
GRAVEL FILTER TROUGH  
AERATION PIT  
UNDERGROUND  
WATER PUMP  
WATER PUMP  
WATER PUMP

WATER PUMP  
WATER PUMP  
WATER PUMP

DRILLING PERMIT  
FOR 98-200-1-N-6  
BOREHOLE TO BE USED  
FOR SEASONAL IRRIGATION  
AND  
FOR SEASONAL IRRIGATION  
POND PUMPS AT TOWN  
CORN PUMPS AT TOWN  
DURING WINTER SUMMER

OWNER: Michael J Noedham  
Residence: SE 1/4 SEC. 35 T44N  
R30 BEULAH

PRIVATE ROAD

BRANDSTOCK POND  
FOR MIKE NEEDHAM

PUMPAGE OVER 1 SHALLOW  
CONCRETE CISTERN  
(FLOWING 1981)

OWNER: JOERGEN NORTHEMUS  
Residence: Fernan Lt,  
Coeur d'Alene ID.

MIDDLE FORK  
SAUTA CREEK  
(NAMED IN 1995)

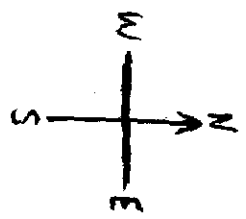
PRIVATE ROAD - ROCKED

BRANDSTOCK POND

NATURAL DITCH (DRY)

OWNER: BENNETT LUMBER, ID.  
BEAVER POND (REMANITS)

OWNER: Bennett Lumber Co  
Private ID



COMPLETE FARM MAP  
NEEDHAM ENTERPRISES  
COMMERCIAL LIT # 57  
STATE OF ID. DEPT OF AGRIC.  
INCLUDES PARTIAL  
WATERSHEDS FOR  
BOTH UPPER AND  
LOWER NEEDHAM  
LAKE DRAINAGES

PERMIT # 92-07141

# STORAGE VOLUME WORKSHEET

POND REFERENCE

VOLUME

"A"

1.49

"B"

0.44

"C"

3.21

"D"

0.28

"E"

0.17

"F"

2.64

8.23

MICROFILMED

AUG 25 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

March 11, 1993

GORDON I JAMES  
PO BOX 208 F  
ST MARIES ID 83861

RE: Permit No. 92-07141  
Michael J. Needham

Dear Mr. James:

We received your letter of concern regarding Mr. Michael J. Needham's development adjacent to your property.

Our records indicate that Mr. Needham has been issued a Permit to Appropriate Water to proceed with his project. The dam in question is too small for Dam Safety's jurisdiction; therefore, Mr. Needham would not be required to obtain a permit from that department.

If we can be of further assistance, feel free to contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Brenda L. Chapman".

Brenda L. Chapman  
Water Resource Agent

RECEIVED

MAY 24 1993

March 1, 1993

Gordon I. James  
P.O. Box 208-F  
St Maries, Id. 83861

State Engineers Water Dam  
Administration Office  
650 W. State Boise, Id.

Dear Sir;

I am writing to you in regards to a five acre Dam that is being planned next to my property this summer by Michael J. Needham. They are clearing 7 acres of land next to my property, west of my property, between the lower road and the upper road. My property description is - GYC-35 (E $\frac{1}{2}$  NW SW SE $\frac{1}{2}$ ) GYC-36 (W $\frac{1}{2}$  NW SW SE $\frac{1}{2}$ ) GYC-37 (W $\frac{1}{2}$  SW SW SE $\frac{1}{2}$ ) GYC-3 (E $\frac{1}{2}$  SW SW SE $\frac{1}{2}$ ) Sec. 35, Twp, 44M., R3W 4247 19. Mr Needham has 40 acres that borders my west side of my property.

Question has there been a construction permit issued by you to Mr. Needham. What type of construction material will be used. I understand it will hold 5 acres of water. thats not a small Dam. Question will the water from the over flow, flow across my property.

Thank you for this information. Sincerely,  
Gordon F. James

RECEIVED

MAY 24 1993



**STATE OF IDAHO**  
**Military Division**  
**BUREAU OF DISASTER SERVICES**

650 West State  
Boise, Idaho 83720  
(208) 334-3460

**MEMORANDUM**

RECEIVED

MAR 5 1993

Department of Water Resources

**DATE:** March 4, 1993  
**TO:** Mr. Dave Hollingshead  
Department of Water Resources  
**SUBJECT:** Letter from Gordon I. James

We are forwarding the enclosed letter from Gordon I. James to you for your reply.

Bonnie L. Gyer  
Administrative Assistant

BLG/

CORRESP/hollings.BLG

RECORDED

MAY 24 1993



State of Idaho

# DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

September 12, 1988

Mr. Michael Needham  
P.O. Box 44  
Sata, Id. 83866

Re: 92-7141

Dear Mr. Needham:

We acknowledge receipt of your statement of completion of water development use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination; however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in all future correspondence concerning this examination.

Sincerely,

/s/  
TOM D. KING  
Senior Water Resource Agent

TDK/pms

**MICROFILMED**

OCT 13 1988

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 92-7141

Date: 8-11-1988

General Considerations:

Y Name same as permit  
Y Signature the same as permit holder  
N Address change \_\_\_\_\_ If yes, prepare a data entry  
Y Proof received timely \_\_\_\_\_  
\_\_\_\_\_ Reinstated

Source of Water:

Y Surface water  
\_\_\_\_\_ Groundwater  
\_\_\_\_\_ 1. well log in file  
\_\_\_\_\_ 2. drilling permit  
\_\_\_\_\_ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses  
\_\_\_\_\_ Y Is rate or volume and fee appropriate?  
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

Y Is a measuring device or access port required?  
N Has one been installed?  
Y Waiver or modification of measuring device requested

Remarks:

*Requests M.I. removal  
- Change in nature of use  
Proof acceptable*

N/A Priority Calculation:

|                     |       |         |
|---------------------|-------|---------|
| Date proof received | _____ | _____   |
| Date proof due      | _____ | + _____ |
| No. of days late    | _____ | = _____ |
| Priority date       | _____ | + _____ |
| NEW PRIORITY DATE   | _____ | = _____ |

*SP*  
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

138844  
CERTIFIED MAIL  
May 31, 1988

NEEDHAM, MICHAEL J.  
P.O. BOX 44  
SANTA, ID 83866

**PROOF DUE NOTICE**

RE: Permit No. 92-7141

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1988. (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 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK  
Secretary/Records Manager

Enclosures

RECEIVED

OCT 13 1988

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

NEEDHAM, MICHAEL J.  
P.O. BOX 44  
SANTA, ID 83866

SEPTEMBER 14, 1983

RE: PERMIT NO. 92-7141

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL AND MAINTAIN A MEASURING DEVICE AT YOUR POINT OF DIVERSION. WE HAVE ENCLOSED A DESCRIPTION OF THE DIFFERENT TYPES OF MEASURING DEVICES ACCEPTED BY THIS OFFICE.

PLEASE BE ADVISED THAT YOUR PLANS FOR FISH PROPAGATION MAY BE SUBJECT TO REGULATIONS OF THE IDAHO DEPARTMENT OF FISH AND GAME. WE SUGGEST THAT YOU CHECK WITH THEM BEFORE STARTING CONSTRUCTION.

IF THE DIVERSION DAM IS 10 FEET OR MORE IN HEIGHT, OR HAS AN IMPOUNDING CAPACITY OF 50 ACRE-FEET OR MORE, CERTAIN DAM SAFETY REQUIREMENTS MUST BE MET. PLEASE CONTACT THE REGIONAL OFFICE NEAREST YOU FOR DETAILS.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

RECORDED

RE: PERMIT 92-714

PAGE 01  
SEPTEMBER 14, 1983

SINCERELY,

DAVID R. TUTHILL, JR., P.E.  
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: sl

APPLICATION NUMBER: 92-7141

CHECK:

- ☒ Source.  
☒ Point of diversion.  
☒ County.  
☒ Quantity of water and period of use.  
☒ Description of diverting works.  
☒ Time required for beneficial use of water.  
☒ Place of use or acres irrigated.  
☒ Map.  
☒ Signature.  
☒ Fee.  
☐ Yes ☒ No Field check required.  
☐ Yes ☒ No Critical groundwater area.  
☐ Yes ☒ No Request dam safety information. Sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☒ Yes ☐ No\* In form to receipt.

Field check by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

SEND COPIES TO:

- ☐ Idaho State Health Department.  
☒ Idaho Fish and Game Department.  
☐ Idaho Department of Lands.  
☐ U.S. Bureau of Land Management.  
☐ U.S. Forest Service.  
☐ Other \_\_\_\_\_

Copies sent by: \_\_\_\_\_

Date: \_\_\_\_\_

7/5/83

PROCESSING:

- ☐ Yes ☐ No Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_  
☐ Yes ☐ No Other rights on same place of use. \_\_\_\_\_  
☒ Yes ☐ No\* In form for advertising.  
☐ Yes ☒ No Final date for protests: 7/18/83 ✓  
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8/2/83 ✓  
☒ Application published correctly. If not, record action taken: \_\_\_\_\_  
☒ Fee amount, receipt date & number, recorded on application.  
☒ Publication dates and paper, recorded on application.  
☒ Protests, dates, withdrawal, etc., recorded on application.  
☒ Recommendation & initial, recorded on application.  
☒ Yes ☐ No Measuring device required.  
☒ Yes ☐ No Access port required.  
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? \_\_\_\_\_  
☒ 6/21/83 Date of priority recommended.  
✓ Special conditions of approval or cover letter. 01B

By: sl Date: 8/4/83

STATE OFFICE REVIEW:

- SLW/102 return receipt  
117, 106, 109 26 18 09D 07A 02  
☐ See attached sheet for more information.  
By: T. [signature] Date: 8/24/83

RECEIVED  
AUG 23 1983

Department of Water Resources

MICROFILMED

POINT OF DIVERSION AND STREAM INDEX INFORMATION

| TRACT                   | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
|-------------------------|-----|-----|-----|--------------|---------------|-------|
| IDAHO STREAM CODE INDEX |     |     |     |              |               |       |

| TRACT                   | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
|-------------------------|-----|-----|-----|--------------|---------------|-------|
| IDAHO STREAM CODE INDEX |     |     |     |              |               |       |

| TRACT                   | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
|-------------------------|-----|-----|-----|--------------|---------------|-------|
| IDAHO STREAM CODE INDEX |     |     |     |              |               |       |

| TRACT                   | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
|-------------------------|-----|-----|-----|--------------|---------------|-------|
| IDAHO STREAM CODE INDEX |     |     |     |              |               |       |

| TRACT                   | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
|-------------------------|-----|-----|-----|--------------|---------------|-------|
| IDAHO STREAM CODE INDEX |     |     |     |              |               |       |

92-2141

NEEDHAM, MICHAEL J.

P.O. BOX 44, SANTA, ID 83866

Source: UNNAMED STREAMS trib. to SANTA CREEK, SOUTH FORK

Date Filed: 06/21/1983

Diversion Pt: SESW Sec 35 T 44N R 03W

|                    |            |
|--------------------|------------|
| Use: FISH PROP.    | (0.96 CFS) |
| FISH PROP. STORAGE | (48.0 AF)  |

In: SESW Sec 35 T 44N R 03W

RECEIVED  
JUN 27 1983



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn  
Director

Suite No. 9  
4055 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

Department of Fish & Game  
2320 Government Way  
Coeur d'Alene, Id. 83814

Re: 92-7141

Gentlemen:

Enclosed is a recent filing with this Department that may be of  
interest to you.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Supervisor

RGH/pms

Enc. - Appln.