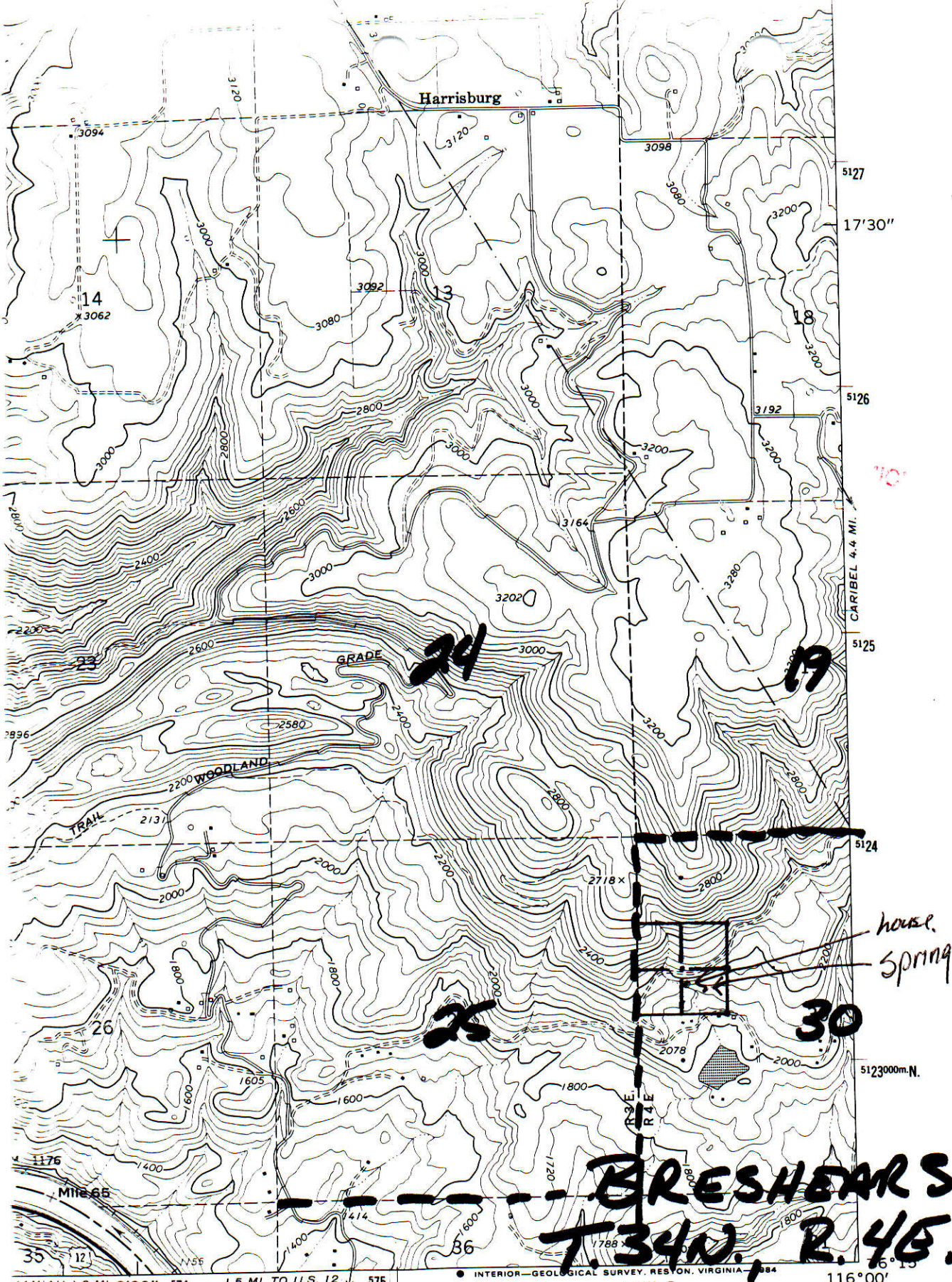




1 MILE
7000 FEET
1 KILOMETER

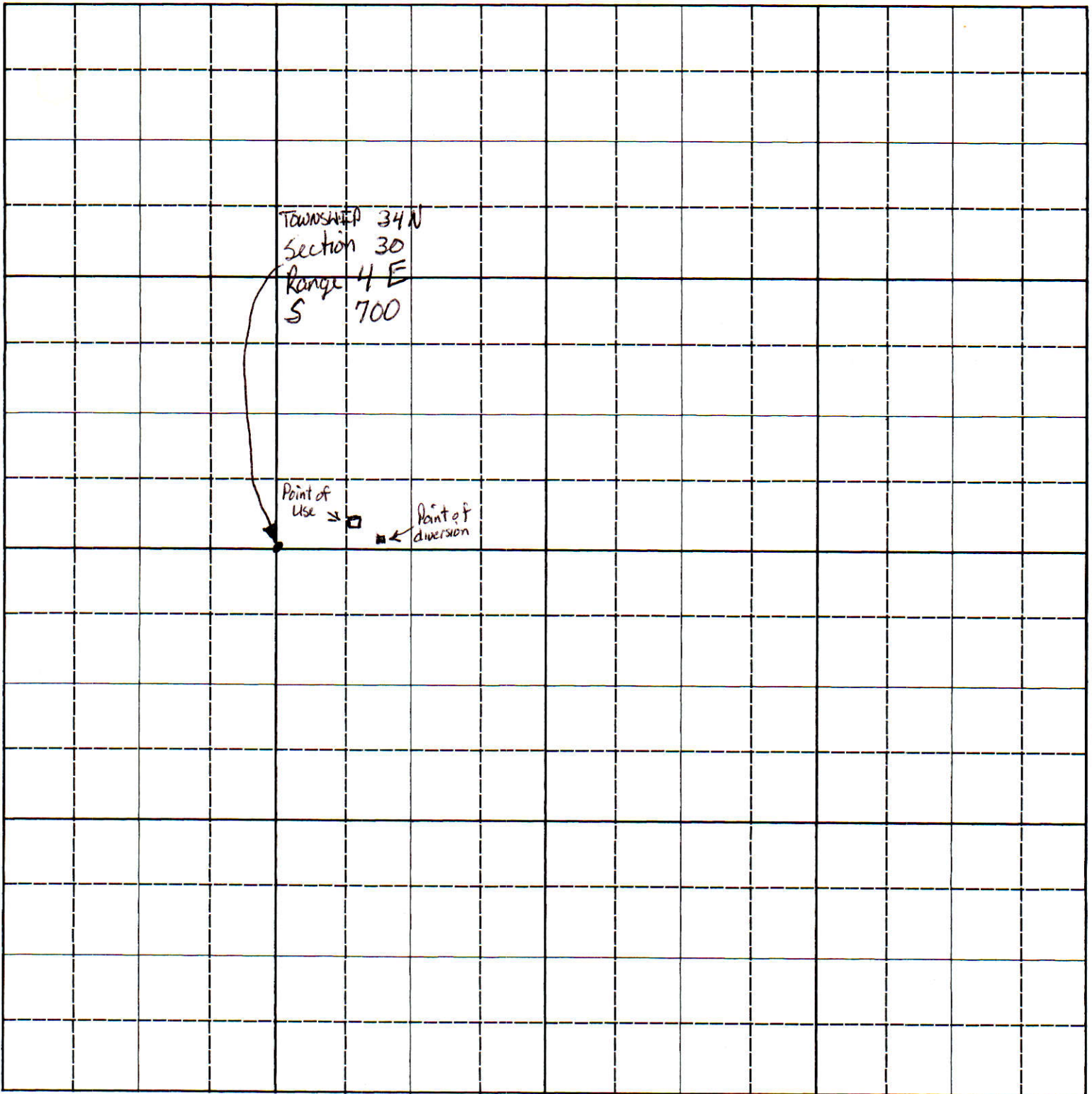
ROAD CLASSIFICATION
Heavy-duty ———— Light-duty ————
Unimproved dirt ————
○ State Route

**BRESHEARS
T. 34W., R. 4E.**

**MICROFILMED
JAN 12 1998**

IDAHO

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



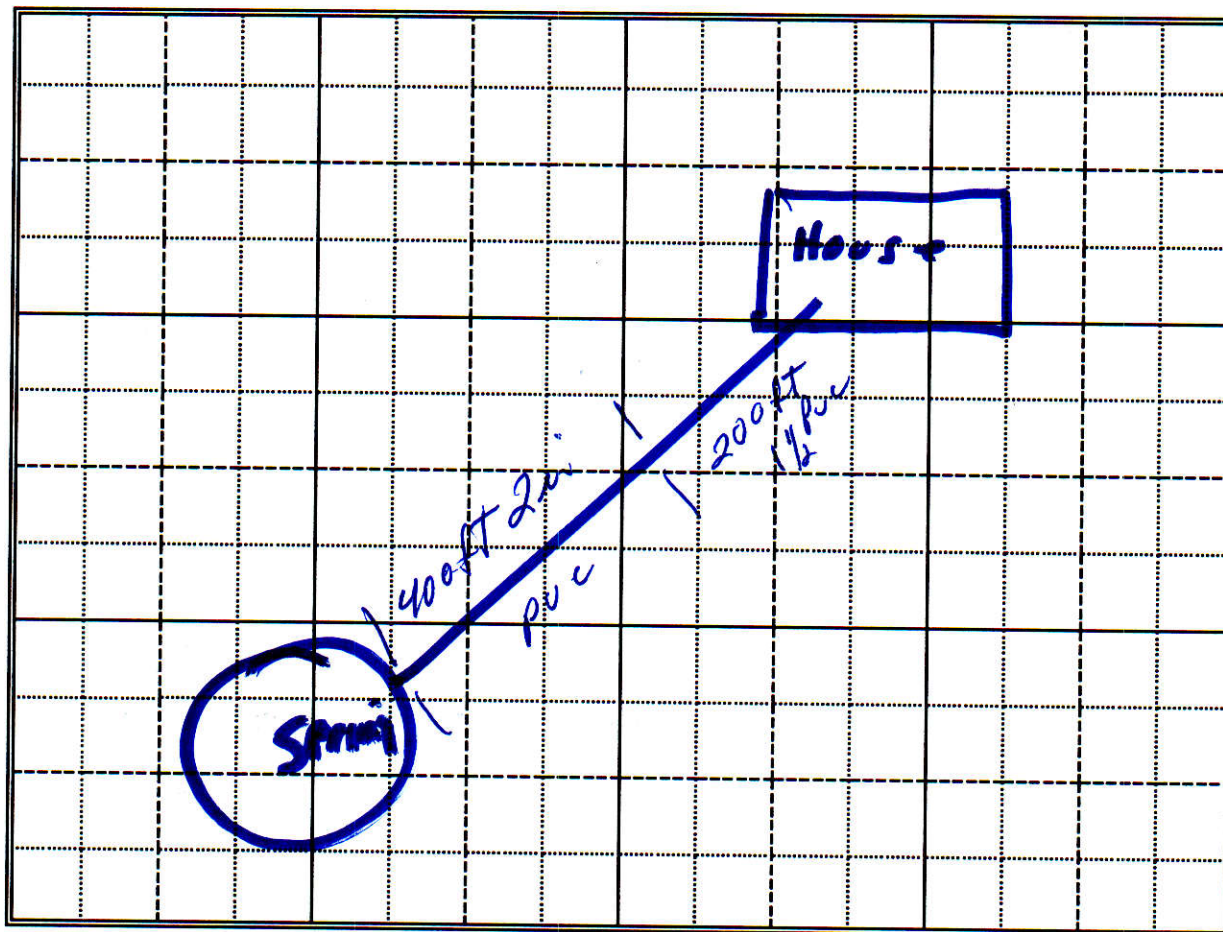
Scale: 2 inches equal 1 mile.

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

Fredrick Mark Breshers
(Applicant)

MICROFILMED
JAN 12 1998

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



Scale: 1" = _____

____ 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
	Franklin	1	2801084915	Submersible	2"

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

D. FLOW MEASUREMENTS

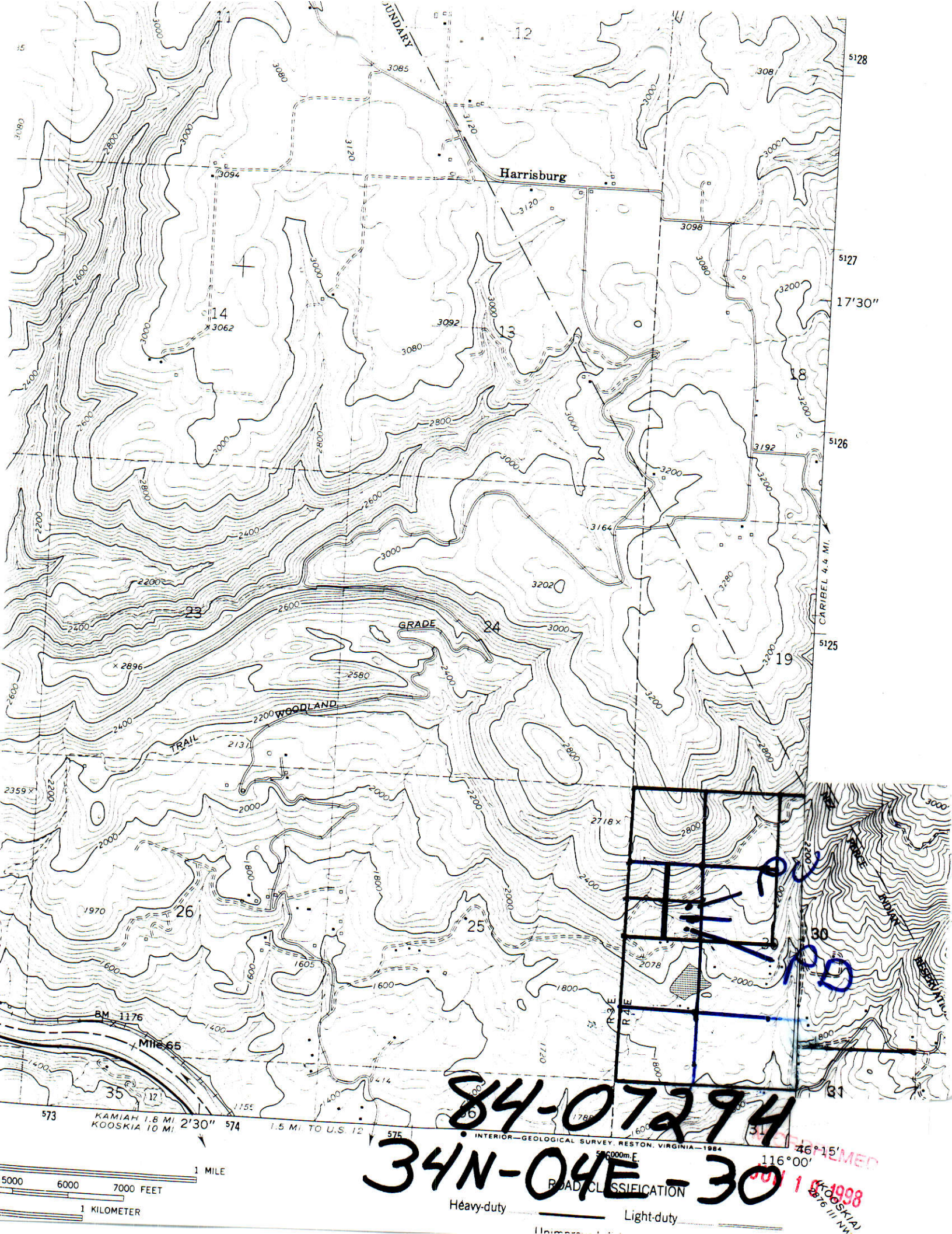
1.

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

2. Measurements: _____

MICROFILMED

JUN 10 1998



Harrisburg

GRADE

WOODLAND

TRAIL

84-07294

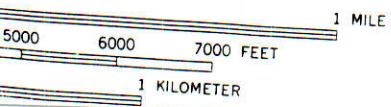
34N-04E-30

INTERIOR-GEOLOGICAL SURVEY, RESTON, VIRGINIA-1984

ROAD CLASSIFICATION

Heavy-duty

Light-duty



46°15' 116°00' 1998



PD - 84-07294

Lost house Photo

MICROFILMED
JUN 10 1998

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

RECEIVED
JUN 19 1997
NORTHERN REGION
IDWR

NOTICE OF APPLICATION FOR WATER RIGHT

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

84-07294

BRESHEARS, FREDERIC MARK

HC11 BOX 12A

KAMIAH, ID 83536

Source: SPRING Tributary: SINKS

Diversion Pt: SESWNW Sec 30 T 34N R

04E in IDAHO County.

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 5/19/1997

In: IDAHO County

T34N R04E S30 SWNW

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

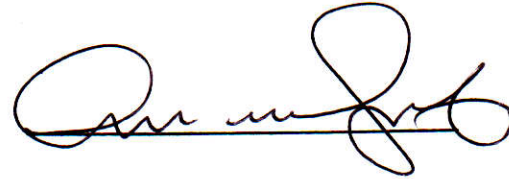
The permit(s) will be subject to all prior
water rights. Protests must be filed with the
applicant and with the Director, Dept. of
Water Resources, Northern Region, 1910
Northwest Blvd., Suite 210, Coeur d'Alene,
Idaho 83814, together with a protest fee of
\$25.00 on or before JUNE 23, 1997.

KARL J. DREHER, Director

Published: 6/4/1997 & 6/11/1997

J4-11

Andrew J. Mc Nab, being
first duly sworn, says she is the Publisher
of the IDAHO COUNTY FREE PRESS, a weekly newspaper published
and issued weekly at Grangeville, Idaho county, State of Idaho, and is
of general circulation in said county and state, that the said notice, of
which the one hereto attached is a true copy, was published in said
paper for two weeks, being published two
times, the first publication being on the 4th day of
June, 19 97, and the last
publication on the 11th day of June, 19 97;
and that the said notice was published in the newspaper proper and not
a supplement; that said newspaper has been continuously and uninter-
ruptedly published in said county during a period of seventy-eight
consecutive weeks prior to the publication of said notice or advertise-
ment.



STATE OF IDAHO }

COUNTY OF }

On this 11th day of June in the year of 1997,
Before me, a Notary Public, personally appeared _____
Andrew J. Mc Nab, known or identified to me
to be the person whose name subscribed to the within instrument, and
being by me first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.



Notary Public for Idaho

Residing at Grangeville, ID

My commission expires: 10-8-99

MICROFILMED

JAN 12 1998

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 84-07294

Priority: May 19, 1997

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that FREDRIC MARK BRESHEARS

HC 11 BOX 12A

KAMIAH ID 83536

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 19, 1997; and has submitted Proof of Beneficial Use on September 4, 1997. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

SPRING

tributary to **SINKS**

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	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SESWNW , Sec. 30, Township 34N, Range 04E
IDAHO County

PLACE OF USE: DOMESTIC

TWN RGE SEC

34N 04E 30

SWNW

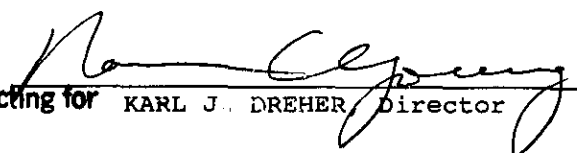
CONDITIONS OF APPROVAL AND REMARKS

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.

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 8TH day of JUNE, 1998.

MICROFILMED

JUN 10 1998

Acting for  Director

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 9-4-97
Receipt No. 1040041
Receipt by KS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 14 1997

PROOF OF BENEFICIAL USE

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

1. Permit No. 84-07294 Telephone No. 935-0192
2. Name(s) of Permit Holder(s): F. Mark + Debbie Breshears
3. Mailing Address: HC 11 Box 12A Kamiah Id 83536
4. Source of Water: Spring tributary of Sinks

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: 1 Pressure (psi): 30-50 Dynamic pumping level (ft.): 35-40

5. Extent of Use (as authorized by the permit):

Domestic 1 (No. of households) Stockwater _____ (No. and type of stock)
Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.04 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes ☒ No Installed? _____ Yes _____ No

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

8. Fee Enclosed: \$ Not Required (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Mark Breshears 935-0192
Name Telephone No.
HC 11 Box 12A Kamiah Id 83536
Address

10. 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.

MICROFILMED

JAN 12 1998

9 Aug 1997
Date

F. Mark Breshears
Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 84-07294

Proposed Priority: May 19, 1997

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **FREDRIC MARK BRESHEARS**

HC 11 BOX 12A

KAMIAH ID 83536

has applied for a permit to appropriate water from:

SPRING.

tributary of **SINKS**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESWNW , Sec. 30, Township 34N, Range 04E
IDAHO County

PLACE OF USE: DOMESTIC

TWN RGE SEC

34N 04E 30

SWNW

CONDITIONS OF APPROVAL AND REMARKS

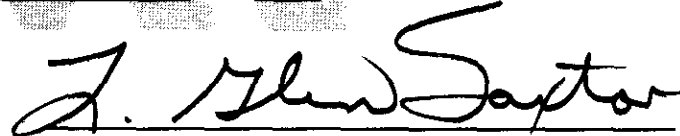
1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1998.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Domestic use is for 1 home.

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

25th day of

July

1997.


Karl J. Dreher, Director
for

MICROFILMED

JAN 12 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 84-07294

RECEIVED

To appropriate the public waters of the State of Idaho JUL 14 1997

Department of Water Resources

1. Name of applicant Fredric MARK Breshears Phone 935-0192
Post office address HC 11 Box 12A Kamiah Id 83536
2. Source of water supply groundwater SPRING which is a tributary of ITA SINKS
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 30 Township 34N Range 4E B.M. Idaho County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.04 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. There is a pump at the spring + a 1 1/2" pipe from spring to house

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 N/A feet.

d. Is ground water with a temperature of greater than 85°F being sought? NO

e. If well is already drilled, when? N/A; Drilling firm N/A;
Well was drilled for (well owner) N/A

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

IAN 12 1998

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. ONE
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
34N	4E	30							D				D						

Total number of acres to be irrigated _____

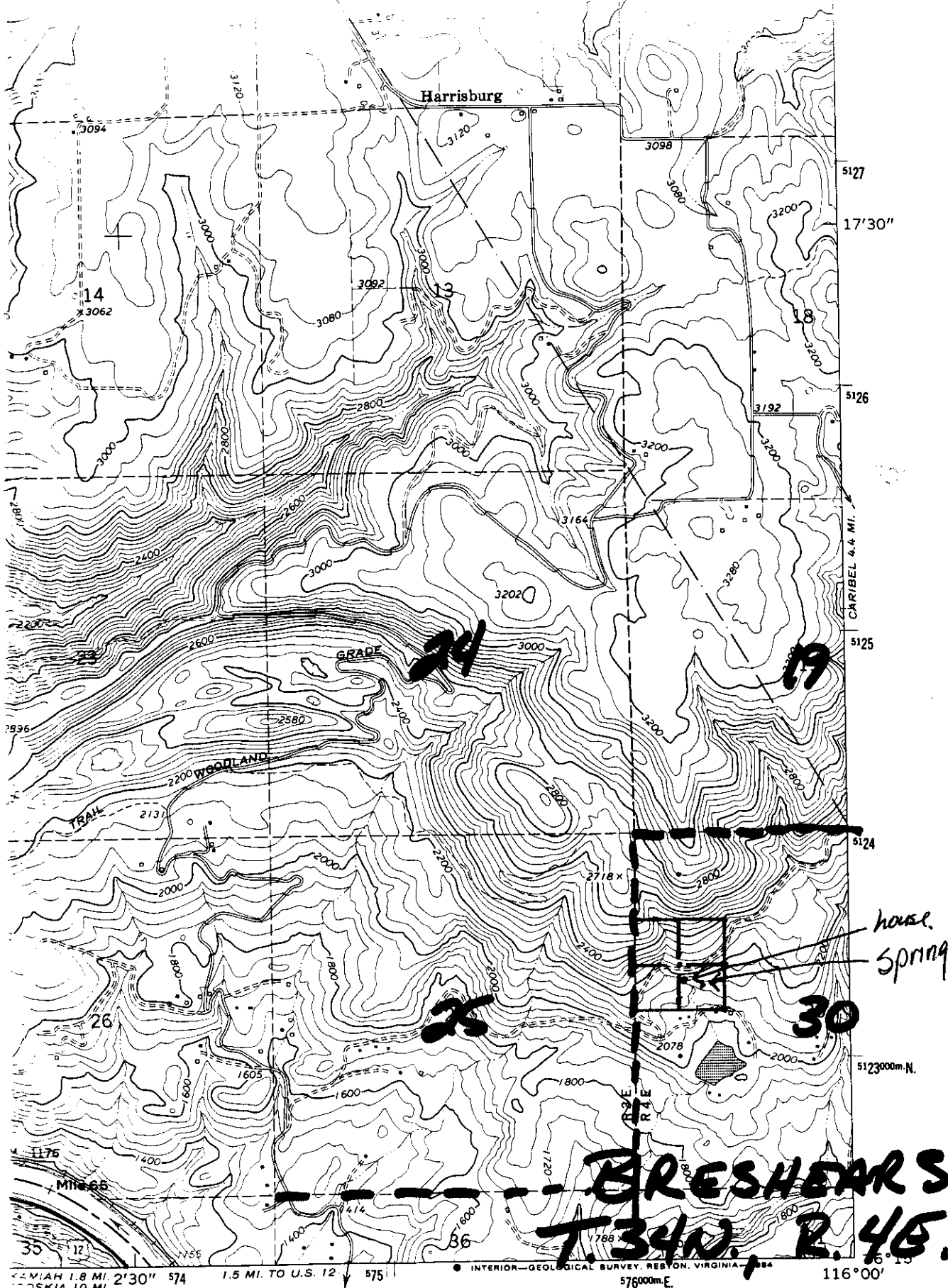
10. Describe any other water rights used for the same purposes as described above. NA

11. a. Who owns the property at the point of diversion? Dale L. Rupp
- b. Who owns the land to be irrigated or place of use? Charly A. Breshears - Mark or Debbie Breshears
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. She is a minor child and I am her legal guardian.

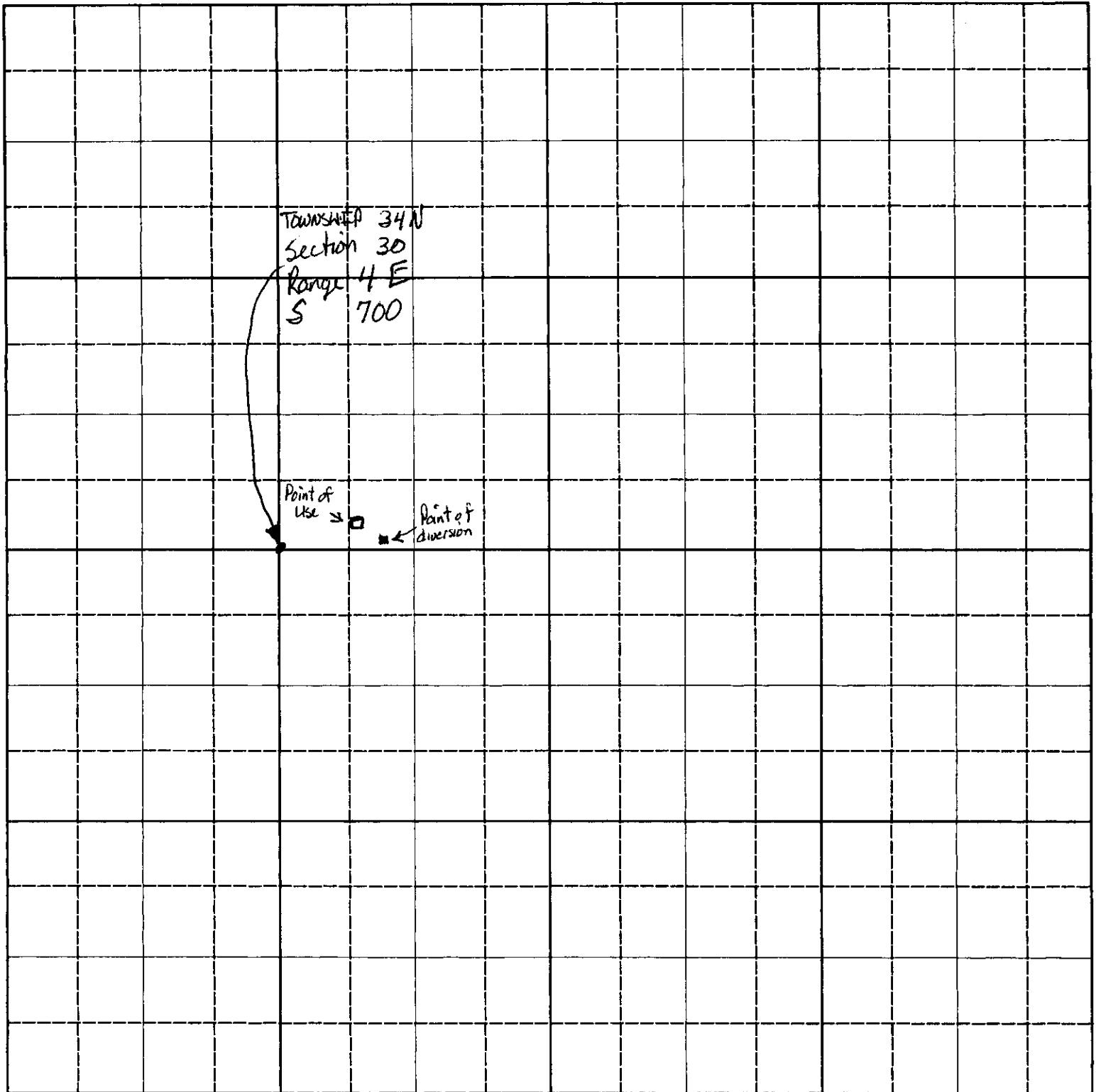
12. Remarks: _____

M. ROFILMED

JAN 12 1968



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



Scale: 2 inches equal 1 mile.

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

Freddie Mark Beasly
(Applicant)

MICROFILMED
JAN 12 1968

Received by db Date 5/19/97 Time 2:30p Preliminary check by _____
Fee \$ 50.00 Received by db # N011168 Date 5/8/97
Publication prepared by db Date 5/23 Published in Idaho Free Press 6/4+11/97
Publication approved _____ Date _____

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. _____, 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:

MICROFILMED

JAN 12 1998



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 8, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FREDRIC MARK BRESHEARS
HC 11 BOX 12A
KAMIAH ID 83536

RE: WATER RIGHT NO. 84-07294

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.

RECEIVED

JUN 10 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

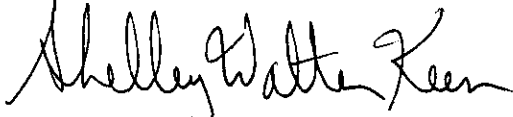
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district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

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

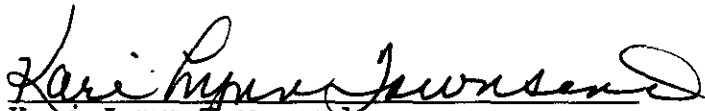
JUN 10 1978

CERTIFICATE OF MAILING

I hereby certify that on the 8th 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. 84-07294

FREDRIC MARK BRESHEARS
HC 11 BOX 12A
KAMIAH ID 83536


Kari Lynn Townsend
Secretary

JUN 10 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 84-07294 DATE 6/4/98 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)
 W27 (ppu acre limit)

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

RATE OF DIV OK PD & PU amend (P37) Feds - P48
 Permitted Rate 0.04 cfs
 Fee limit 20 cfs 450.00
 Measured 5 cfs
 Theoretical .04 cfs

Recommended Total Div Rate 0.04 cfs

WATER USES	<u>OK</u>	Change (P46)	
<u>Dom</u>	<u>0.04</u> cfs	<u>1.2</u> af	Irrig - overlap (R58-R61, R62-R65, R66-R69)
	cfs	af	supp. gw (WB7/065/079)
	cfs	af	overlap spec. combined rts (W35)
	cfs	af	<1acre (W31)
	cfs	af	(W01/WB5/070/071/075)
TOTALS	<u>.04</u> cfs	<u>1.2</u> af	Domestic (W42 or W43/025/027/R22 or R23)
			Power Fire (077) Wtr Quality (081/R07)
			Fish (042)

Flow rate .04 cfs X 365 days X 1.98 = 29.0 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 N/A Adjust Memo _____
 Amend letters _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAY 14 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 84-07294

1. Owner: Fredric Mark Breshears Phone No. (208) 935-0192

Current Address: Hc 11 Box 124 Hamlet Id 83536

2. Accompanied by: Fredric Mark Breshears EXAM DATE: 4-23-98

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spring tributary to Sinks

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
		SE	SW	NW	30	34N	04E	Idaho	U.S.G.S. 7.5 min Quad

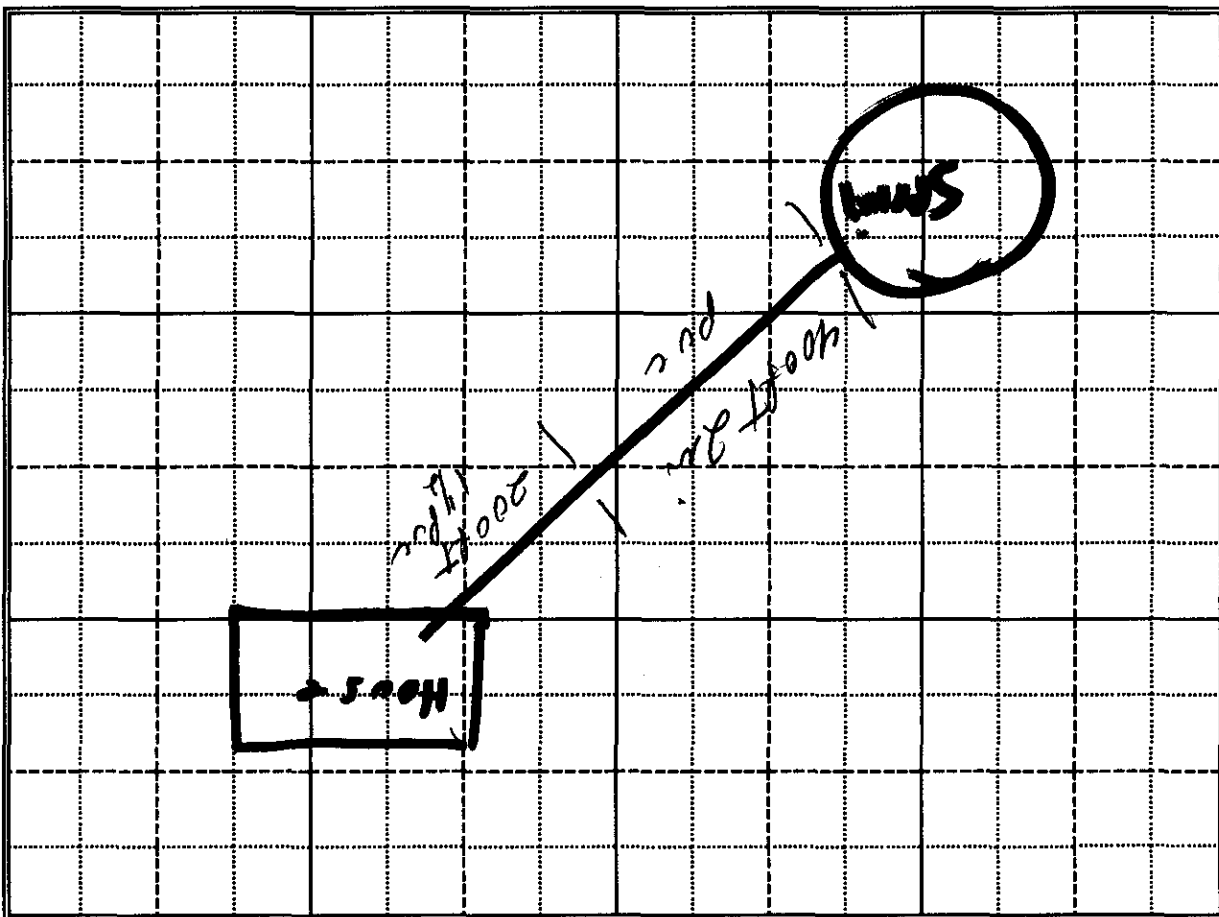
2. Place(s) of Use:

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	
34N	04E	30							D										

RECORDED
MAY 10 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" = _____
 _____ Copy of USGS Quadrangle Attached Showing location(s) of _____
 _____ point(s) of diversion and place(s) of use (required).
 _____ Aerial Photo Attached of _____
 _____ (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
	Franklin	1	2801084915	Submersible	2"

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

UNCLASSIFIED

JUN-16 1998

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

MICROFILMED
JUN 10 1998

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

theoretical

$$\frac{8.8 \times .7 \times 1}{60 + (2.31 \times 50)} = \frac{6.16}{175.5} = .035 = .04$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Domestic</i>	<i>01-01</i>	<i>12-31</i>	<i>.04</i>	<i>1.2</i>
Totals:			<i>.04</i>	<i>1.2</i>

2. Recommended Amendments

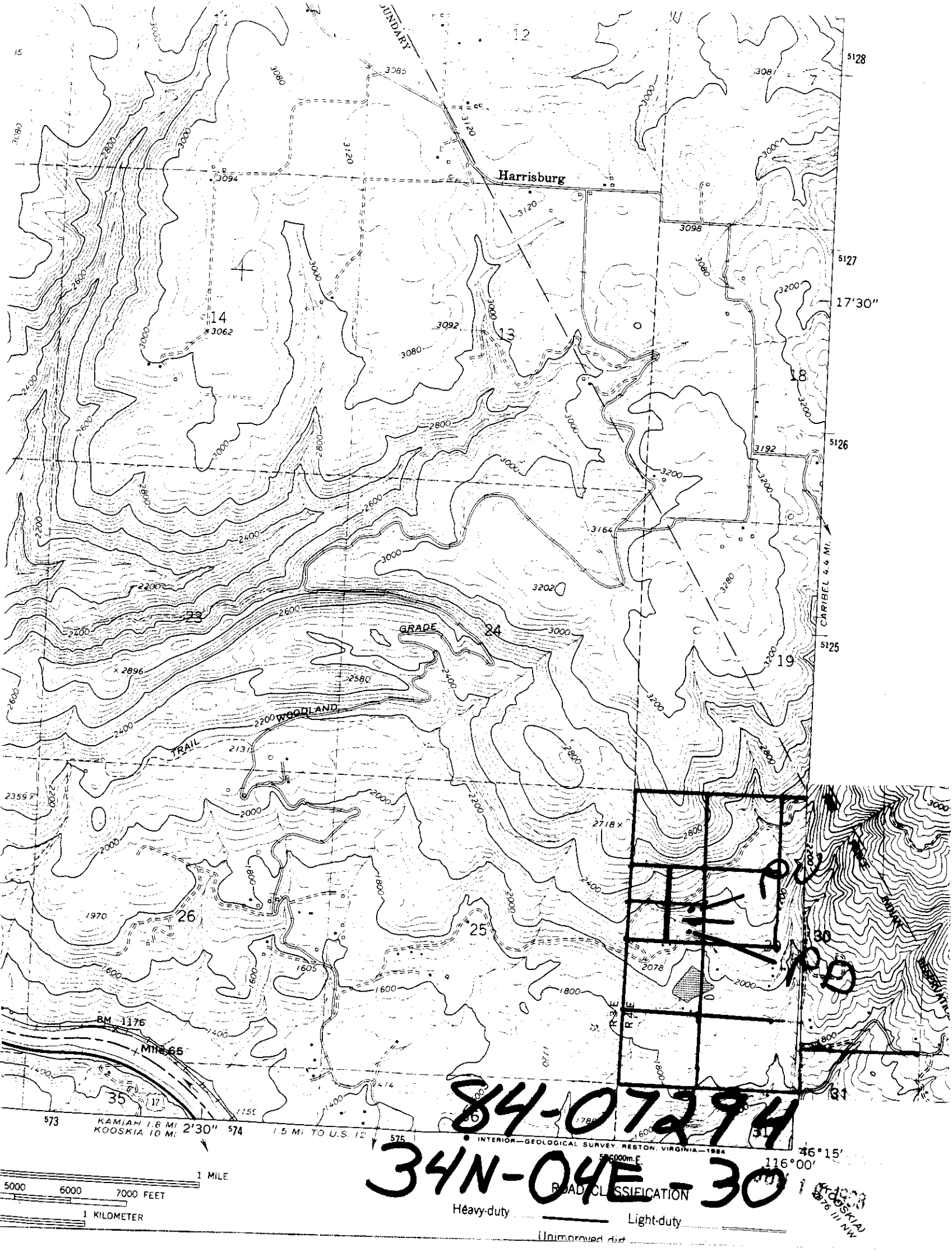
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name *Wayne Baldwin* Date *5-12-88*

Reviewer _____ Date _____

SEAL

 MAY 12 1988
 JUL 12 1988





PD - 84-07294

Lost house Photo

M. J. J. J.
JUN 10 1963

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 84-07294 Reviewed by [Signature] Date 8-21-97

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

dom

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit

☐ Well log in the file?

_____ Correct?

LICENSE EXAMINATION FEE

yes Required?
0 Amount Submitted
no 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

Request \$ 50.00 lic. exam fee
fee Received - proof acceptable

DATA ENTRY

New Address [Signature] Proof Made 8-14-97



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

December 2, 1997

FREDRIC MARK BRESHEARS
HC 11 BOX 12A
KAMIAH ID 83536

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 84-07294

Dear Permit Holder:

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

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the department's NORTHERN Regional Office in Coeur d'Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED
JAN 12 1998



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

August 21, 1997

F Mark Breshears
HC 11 Box 12A
Kamiah ID 83536

RE: Permit No. 84-07294

Dear Permit Holder:

I have returned a copy of the Proof of Beneficial Use statement you submitted in connection with the above referenced water right permit. The proof as filed is not acceptable since was not accompanied by the \$50.00 license examination fee. Permits which divert 0.04 cfs or less from a ground water source are exempt from the filing fee, however, you are diverting water from a surface water source and are not exempt from the fee.

Please return the copy of the proof form along with the \$50.00 license examination fee within **60 days** of receipt of this letter. **Please address your correspondence to my attention.**

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

C: IDWR - N. Region

MICROFILMED

JAN 12 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 25, 1997

FREDRIC MARK BRESHEARS
HC 11 BOX 12A
KAMIAH ID 83536

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 84-07294

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

MICROFILMED

JAN 12 1998

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED
JAN 12 1968

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of July, 1997, I mailed
a true and correct copy, postage prepaid, of the foregoing
PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 84-07294

FREDRIC MARK BRESHEARS
HC 11 BOX 12A
KAMIAH ID 83536


Kari Lynn Townsend
Secretary

MICROFILM

JAN 12 1998

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Cindy Lee*
 No.: 84-7294 Name: Breshears Date: 7/23/97 Ad OK? ☒ / Gvmt Lts: ☒

 AREA OF CONCERN? *Source* - No/Yes: S/C Mor / _____ GWMA / Trust / Non-trust
 PROTESTED: *Exempt* - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

 Yes/proof filed - NA
 1 year/no proof - P16
 +1 year - 26A-P17
GROUNDWATER: ☒ FLO-CH
 + 0.24 cfs - 01M (report when notified) or _____ (if in MD, must report)
 +/- 0.24 cfs - No MD
 + 5 a. - 01M; 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

DRILLING PERMIT:

 Existing well - NA (pre 7/1/87; ☒ WDAQ3)
 Included w/permit - Permit No. _____, P99
 No WD permit? - 046-46B-P23 (post 7/1/87)
 irr. in WD - P05 (new well location)
SURFACE WATER ☒ FLO-CH (Surface water that *doesn't sink* is regulated):
 Source in/below Min. Str. Flow? - <SEE MAP & LISTING> (modify remark *WB9)
 Water District (dom. inc.) - R04 (req) WD # _____ <SEE MAP & LISTING>
 > 0.20 cfs - 01J (MD)-P08
 ≤ 0.20 cfs - 01H (ILD & MD)-P01 or No MD (in-stream stock)

Water Measurement District

 > 0.24 cfs/5 acres - _____ or No MD (in-stream stock or power)
 ≤ 0.24 cfs/5 acres - No MD

Springs/sink, Inactive WD, & Rest of State

 > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
 ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS (*Surface water):

 Snake R (01) - 11A-P04, NA
 (02/03-irr) - 007-P07 (w/ remark *WB9 if above Weiser), NA
 Boise River (63) - 05A (if WD), 11E (not 42-111 use), NA
 Payette River (65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA

USE:

 Domestic (surface) - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
 Domestic (multi in concern area) - 070-071
 Fish Propagation - 07A-042 (req)-09E (WQ)-P10; 044 (North of 1000 Springs)
 Irr <POU> ≤ 5 acres - 057 (0.03 cfs/acre)
 > 5 acres - 03A (0.02 cfs/acre)
 Mining - 054 (req) & 09E-P10
 Municipal (in restricted areas) - 022, 075, 004 (+memo?)
 Power - 17K-08A-025-01F(P19)-028-09E(P10); 027 (if no other cons. use);
 17G (FERC) or 17M (FERC); 18B-P09; +25 cfs-P18
 Storage (☒ 3 compo.) - 080 (req); 18A (multiple MD within district), 18B-P09 (+10' dam),

LOCATION:

 42-248 area - P84 (if in 20/30/40/50/60/70/80 (87) basin)
 Boise Front LoGeo - 058 (-85° GW temp only)
 In-stream dev. - P52 (stream channel alteration)
 Irr Dist/Canal Co. - 023 (Twin Falls area)
 Swan Falls Flag - _____ <SEE CODE CHART>
 Trust - 051-052-053-P74 (Consumptive Uses), NA
 Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-owner

OTHER CONDITIONS:

STANDARD REMARKS:

 004 (PD/PU) Dale Rupp
 (1) W01/1

BENEFICIAL USE DUE:

COMMENTS:

 8/1/ 1998

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCE
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

JUL 14 1997

WRI
WRA
BC

APPLICATION # 84-7294

DEPARTMENT OF WATER RESOURCES

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

APPLICANT: BRESHEARS BY: AB DATE: 5/19/97

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

PRIORITY DATE: 5/19/97

☒ (Include Moratorium Remark)

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

IC/Wed/ok

ADVERTISE IN: IDAHO County.

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

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

(Yes) (No)

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

Checked by: _____ Date: ____/____/____

Remarks: _____

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

(Yes) (No)

- ☐ Notice of pending void order issued. Final order response date: ____/____/____
☐ Further information required from applicant
6/19 ☒ Affidavit of publication received
6/19 ☒ Application published correctly, If not, record action taken: _____
5/23 ☒ Publication dates and paper recorded on application | Sr. Agent initial AB
☒ Protests received. Final protest date: 6/23/97
☒ Measuring device required
☒ Measuring port required
☒ Special conditions: _____
☒ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB PGM

Date: 6/30/97

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

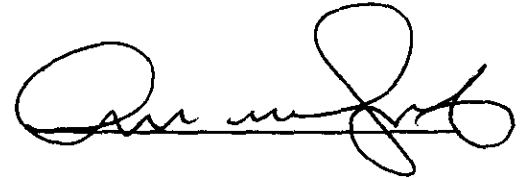
RECEIVED

JUN 19 1997

NORTHERN REGION
IDWR

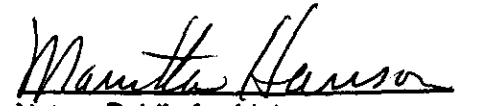
NOTICE OF PUBLICATION FOR
The following instrument has been filed to appropriate the public lands of the State of Idaho:
BRENNERS, FREDERIC MARK
HORN, BOBIE
KAMM, J. L.
Bureau of Land Management, Boise
Division of: SEVENTH Sec 30 T 34N R
04E in IDAHO County
(Use: DOMESTIC (1000 CFS)
Total Diversion: (1,000 CFS)
Date Filed: 6/4/97
In: IDAHO County
T34N R04E S10 SE1/4
The parties are subject to all rules and regulations of the Bureau of Land Management, Boise, Idaho 83724, together with a payment fee of \$25.00 as at before June 28, 1997.
KARL J. BERGER, Director
Published: 6/4/1997 & 6/11/1997
34-11

Andrew J. Mc Nab, being first duly sworn, says she is the Publisher of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho county, State of Idaho, and is of general circulation in said county and state, that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 4th day of June, 19 97, and the last publication on the 11th day of June, 19 97; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice or advertisement.



STATE OF IDAHO }
COUNTY OF }

On this 11th day of June in the year of 1997,
Before me, a Notary Public, personally appeared Andrew J. Mc Nab, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.


Notary Public for Idaho
Residing at Grangeville, ID
My commission expires: 10-8-99

MICROFILMED

JAN 12 1998

May 28, 1997

Fredric Mark Breshears
HC11 BOX 12A
Kamiah ID 83536

Re: Water Appropriation Application No. 84-07294

Dear Mr. Breshears:

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

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If 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

MICROFILMED

JAN 12 1998

84-07294

BRESHEARS, FREDRIC MARK
HC11 BOX 12A
KAMIAH, ID 83536

Source: SPRING

Tributary: SINKS

Diversion Pt: SESWNW Sec 30 T 34N R 04E in IDAHO County.

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

Date Filed: 5/19/1997

In: IDAHO County	
T34N R04E S30	SWNW

MICROFILMED

JAN 12 1998