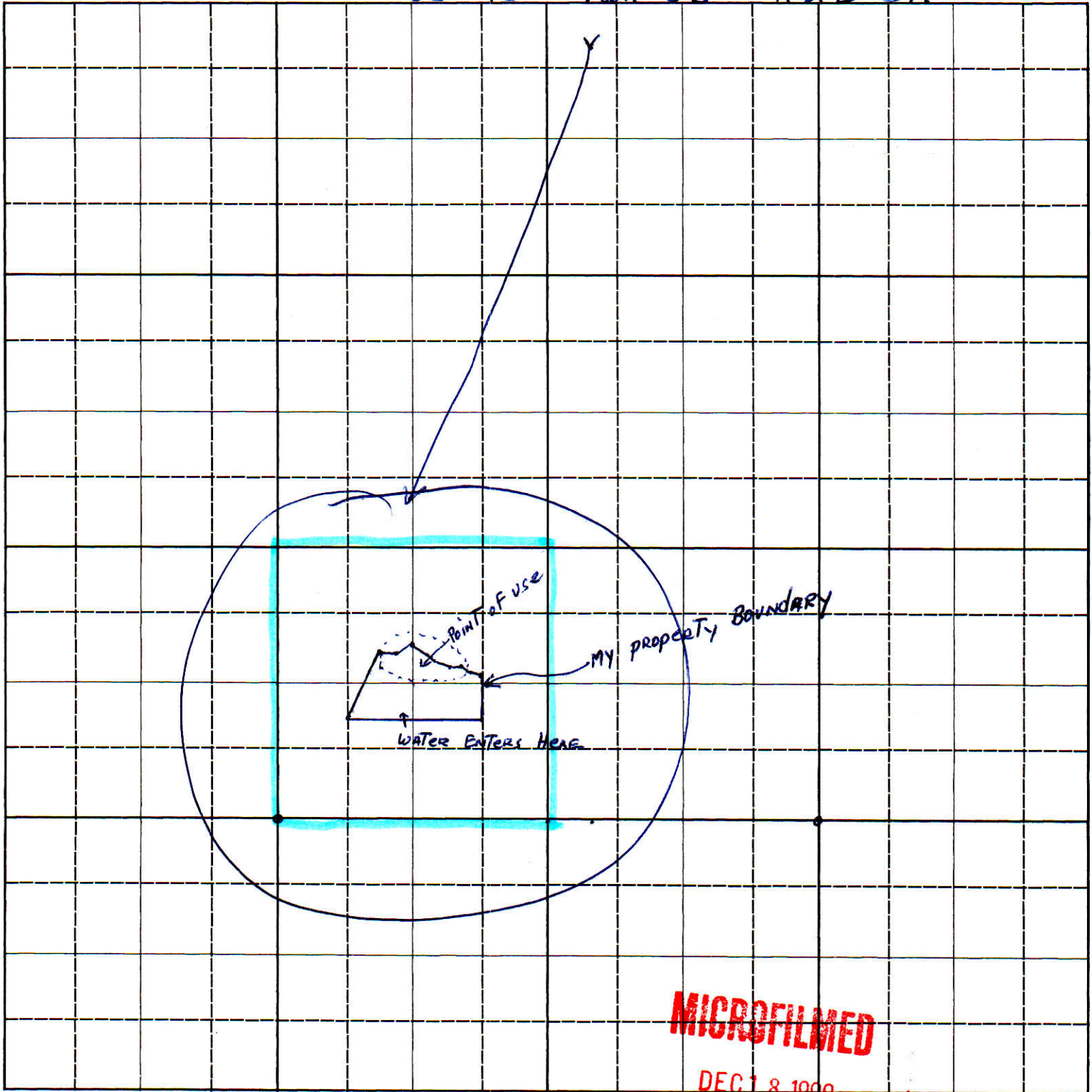


DEC 18 1990

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

Sec 13 Twn 36 R2E BM



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.

Samuel P. Harding
(Applicant)

10-14-85

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Clearwater)

Lolita M. Brown

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of:

Notice of Correction

Idaho Dept. of Water Resources

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full period of two consecutive issues commencing on the 2nd day of August, 1990, and ending on the 9th day of August, 1990

Lolita M. Brown
STATE OF IDAHO)
)
COUNTY OF CLEARWATER)

On this 10 day of Aug. in the year of 1990, before me, a Notary Public, personally appeared

Lolita Brown
known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Shanna L. Roeder
Notary Public for Idaho
Resident at Orofino, Idaho

My commission expires: 7/13/95

CORRECTION

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN
THAT APPLICATION FOR
PERMIT NO. 84-7192 in the
name of Samuel P. Harding was
advertised incorrectly on 11/28 &
12/5/1985.

The Place of Use was incorrectly advertised as the SENW, NENW, SWNE, Sec. 13 T36N R02E; whereas correctly it should be the SWNE, SENW, NESW, Sec. 13 T36N R02E.

(For additional information concerning the property location, call the Northern Regional Office at 765-4639.)

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814 on or before August 20, 1990.

R. KEITH HIGGINSON, Dir.
8-2,9c

9/13/90
MICROFILMED

DEC 18 1990

RECEIVED
SEP 11 1990
NORTHERN REGION
IDWR

AFFIDAVIT OF PUBLICATIO

RECEIVED
JAN 2 1986

STATE OF IDAHO, }
County of Clearwater } ss.

Nancy Noble

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: That said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of:

Notice of Application for Water
Right

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full

period of two consecutive issues commencing

on the 28th day of November, 1985,

and ending on the 5th day of December,

1985.

Nancy Noble

Subscribed and sworn to before me this 6th day of

December

1985.

Carrie Bird

Notary Public in and for the State of Idaho Residing at Orofino Therein

NOTICE OF APPLICATION FOR WATER RIGHT

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

84-7192

HARDING, SAMUEL P.
2141 CARNEY DR., OROFINO, ID
83544

Source: SPRING trib. to SINKS
Diversion Pt. NESW Sec 13 T 36N R
02E

Use: STOCKWATER (0.030 CFS)
POWER (0.030 CFS)
DOMESTIC (0.030 CFS)

Date Filed: 10/24/1985

In: SENW Sec 13 T 36N R 02E
NENW Sec 13 T 36N R 02E SWNE
SENW Sec 13 T 36N R 02E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 or on before DECEMBER 16, 1985.

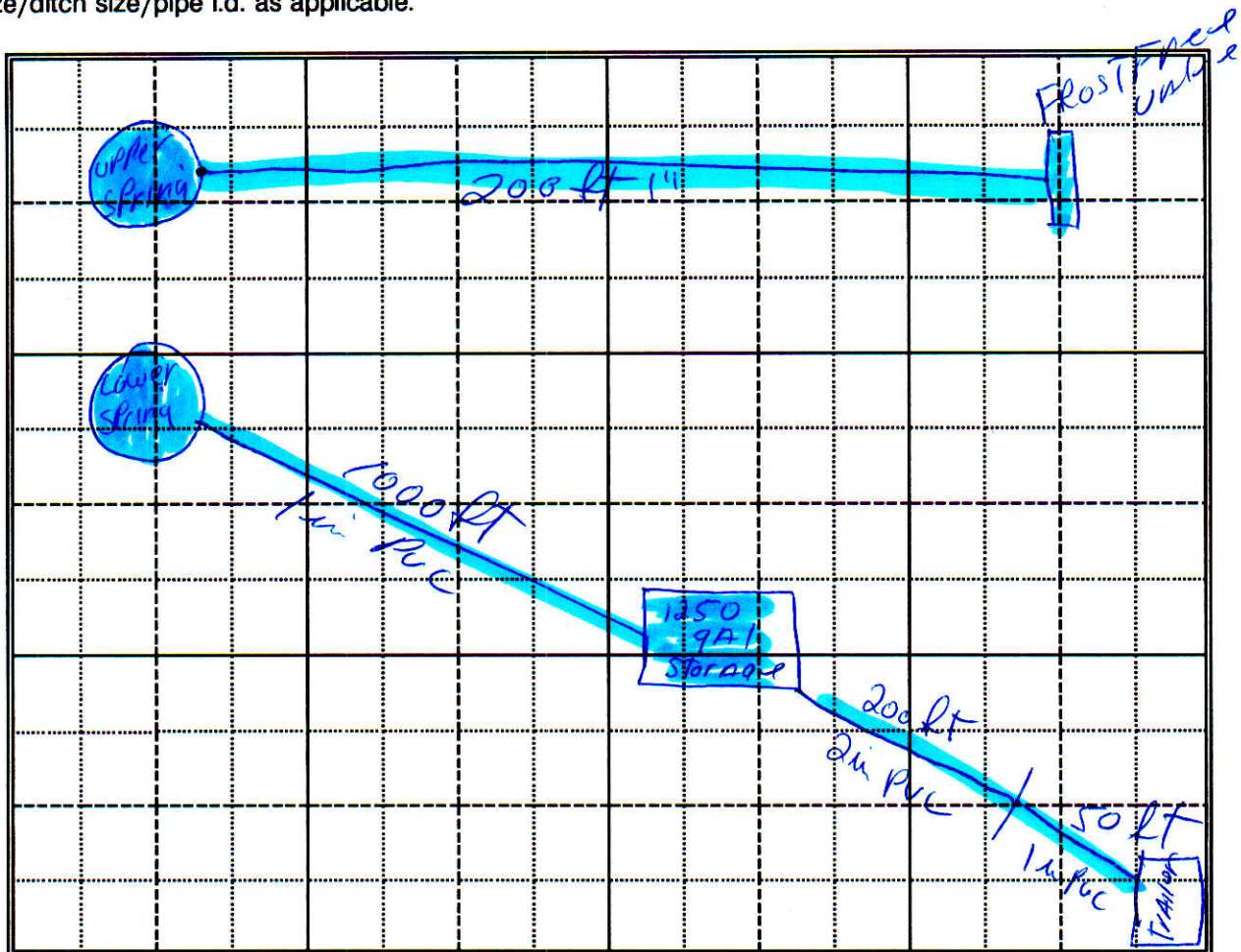
KEN DUNN, Dir.
11-28; 12-5c

RECEIVED

DEC 30 1985

Department of Water Resources
Western Regional Office

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

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

D. FLOW MEASUREMENTS

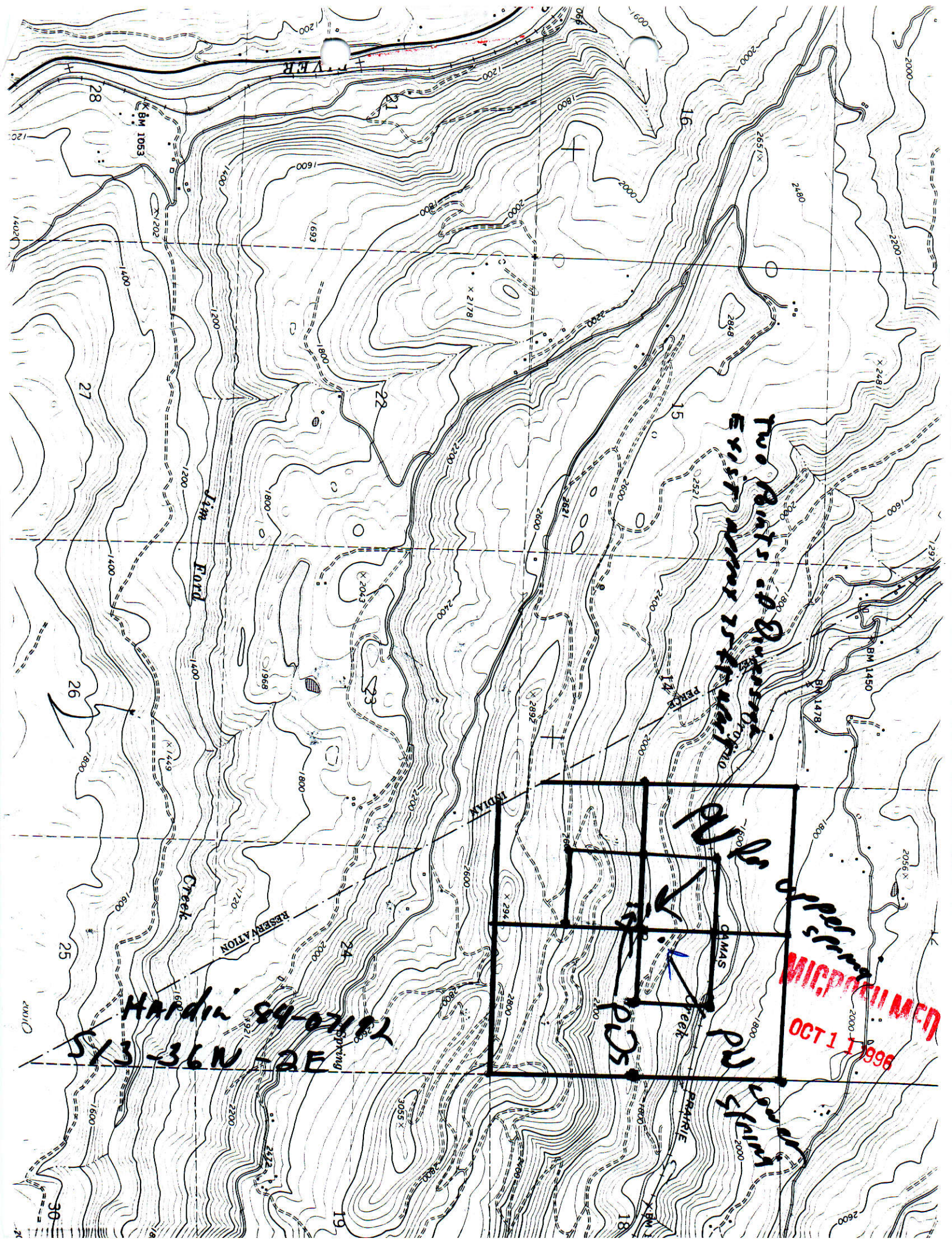
1.

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

2. Measurements: _____

RECORDED

OCT 11 1996



Two Points of Discrepancy
Exist across the way

Microfilm
OCT 1 1996

Hardin 89-07192
S 13-36N-2E





Cougar
Spring
Development



Line coming down
from upper



P.V.
Director
Lower Shrub

RECORDED
OCT 11 1996



Upper Spring



Upper Spring
PC



Upper Spring
PC

OCT 11 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 84-07192

Priority: October 24, 1985

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that SAMUEL P HARDING

23833 NE GLISAN

WOOD VILLAGE OR 97060

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 24, 1985; and has submitted Proof of Beneficial Use on August 18, 1995. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

SPRINGS

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	0.02 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: NENESW, Sec. 13, Township 36N, Range 02E
CLEARWATER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

36N 02E 13

SWNE

SENE

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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 2 homes.
6. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
7. Two points of diversion located in NENESW, S13, T36N, R2E.

OCT 11 1996

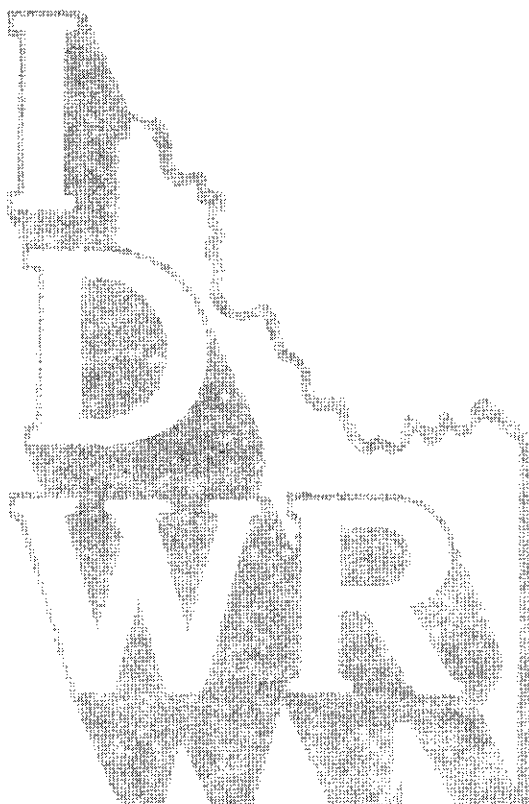
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 84-07192

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 23rd
day of August, 1976.


KARL J. DREHER, Director
Acting for



[Faint, illegible stamp]

OCT 11 1996

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 84-07192

Date of Priority: October 24, 1985

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 1.2 AF

Comes now
23833 NE GLISAN
WOOD VILLAGE OR 97060

SAMUEL P HARDING

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. 84-07192, and requests that the permit be changed as follows:

Source: SPRINGS

tributary to SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NENESW , Sec. 13, Township 36N, Range 02E
CLEARWATER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

36N 02E 13

SWNE

SENW

RECEIVED

OCT 11 1996

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 Portland, OR, this 20th day of August, 1996.

Samuel P. Harding
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 84-07192

FOR DEPARTMENT USE ONLY

Preliminary check by Ket Fee = \$50.00 Receipted by Ket # C036394 Date 8.23.96

ACTION OF THE DEPARTMENT OF WATER RESOURCES

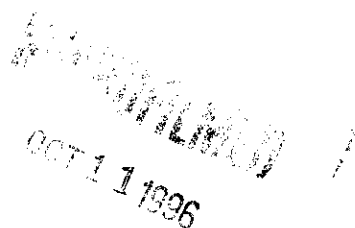
I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 84-07192 with the following;

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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 2 homes.
6. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
7. Two points of diversion located in NENESW, S13, T36N, R2E.

Witness my hand this 23rd day of August, 1996.


KARL J. DREHER, Director



RECEIVED

AUG 18 1995

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 8-21-95
Receipt No. CO33414
Receipt by gaw

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. 84-07192 Telephone No. 503-492-3697
2. Name(s) of Permit Holder(s): SAMUEL P. HARDING
3. Mailing Address: 23833 NE GLISAN, Hood Village, OR. 97060
4. Source of Water: SPRINGS

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

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

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

Domestic 2 (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 11.6 (-59pm) cfs OR _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$ 50.00 ? (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.

CLARK CALLER
Name

208-476-5711
Telephone No.

P.O. Box 843 OROFINO, Ida, 83544 (Riverside Motel)
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.

8-15-95
Date

Samuel P. Harding
Signature (and title, if on behalf of a company or organization)

RECORDED

AUG 28 1995

RECEIVED

OCT 20 1993

Department of Water Resources

For Office Use Only
\$15 Fee Received by Marsant
Date 10-16-93
Receipt No. C028816

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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

Permit No. 84-07192

Name(s) of Permit Holder: Samuel P. Harding

Mailing Address: 14525 NE Shaver, Portland, Or. 97230

Date Proof is Due December 1, 1993 Telephone No. 503-252-8661

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

On two trips back to Idaho, have did minor work, mostly to check flow from the springs, and to research how to build systems to collect the available water. Had purchased one tank a year ago, to begin building the collection system here. Didn't work out. Have just now purchased two new tanks, fittings, & pvc membrane, and will get the systems ready here, planning to go to Idaho & install them next summer.

(see attached letter)

Costing \$ 239.91

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

This matter has been in litigation since mid-1985; we moved 400 miles away to Portland, Or in August of 1986; continued to try to settle it; was finally resolved about Dec. 1990; I have not been able to get back to Orofino to install the system that I have been putting together here.

-See letter attached-

Permit holder(s) request an extension to December 1, 19 95.

FEE: \$15.00

Samuel P. Harding
(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED
and the time within which to submit proof of beneficial use is
extended to December 1, 1995.

OCT 25 1993

Signed this 21st day October, 19 93

J. Glen Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 84-07192

Proposed Priority: October 24, 1985 Maximum Diversion Rate: 0.03 CFS

This is to certify, that **SAMUEL P. HARDING**
14525 N.E. SHAVER ST.
PORTLAND, OR 97230

has applied for a permit to appropriate water from:

SPRING tributary of **SINKS**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.03 CFS
POWER	01/01 to 12/31	0.03 CFS
DOMESTIC	01/01 to 12/31	0.03 CFS
	Totals	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION: NESW Sec. 13, Township 36N, Range 02E
CLEARWATER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

36N 02E 13 SENW

PLACE OF USE: POWER

TWN RGE SEC

36N 02E 13 NESW

PLACE OF USE: DOMESTIC

TWN RGE SEC

36N 02E 13 SWNE SENW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1993.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.

MICROFILMED

DEC 18 1990

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

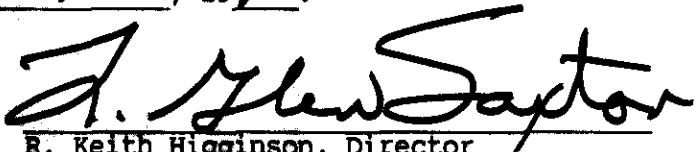
NO. 84-07192

CONDITIONS/REMARKS:

4. This permit is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.
5. The water right acquired under this permit 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 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.
6. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
7. Use of water under this permit may be affected by an agreement between the protestant and the applicant.
8. Domestic use is for 2 homes.
9. Stockwater use is for 5 cattle.
10. Power use is for 5 KW under 300 ft. of head.

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

5th day of December, 1990.

for 
R. Keith Higginson, Director

MICROFILMED

DEC 18 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Samuel P. Harding Phone 503 252 8661
14525 N.E. SHAVER, PORTLAND, OR. 97130
Post office address 2141 Carney Drive, Crofton, Idaho 83544
2. Source of water supply SPRING Small surface stream which is a tributary of SINKS
FROM ITEM #12 10/25/85-Z Spring
3. Location of point of diversion is N 1/2 1/4 of NE 1/4 of SW 1/4, Govt. Lot _____
Sec. 13 Township 36 Range 2 E B.M. Clearwater County; additional
points of diversion if any: _____
4. Water will be used for the following purposes: FROM ITEM #8 TELEPHONE W/APP 10/26/85 Z
Amount 0.03 for STOCK purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum) residential
Amount 0.03 for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.03 for POWER purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.03 and/or (b) _____
15 gpm cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. To install collector system for the
available surface water; then underground pipeline to storage tank; then underground
pipeline down mountain to residential point of use
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 already in use years (minimum 1 year).

MICROFILMED

DEC 18 1990

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

- Hydropower; show total feet of head and proposed capacity in KW. Remote possibility: 300'hd; Kw 5
- Stockwatering; list number and kind of livestock. Future livestock, unknown present time 5 Range
- Municipal; show name of municipality. _____
- Domestic; show number of households. 1 present time; probably 2 at future date
- Other; describe fully. possibly water garden, and/or lawn if enough water available

Per TELE/CAN W/APP 10/25/85 R

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
36	2E	13			D		~~P~~			D, S	P								15 gpm

Total number of acres to be irrigated _____

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

None

11. a. Who owns the property at the point of diversion? Point of diversion listed is my property line

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

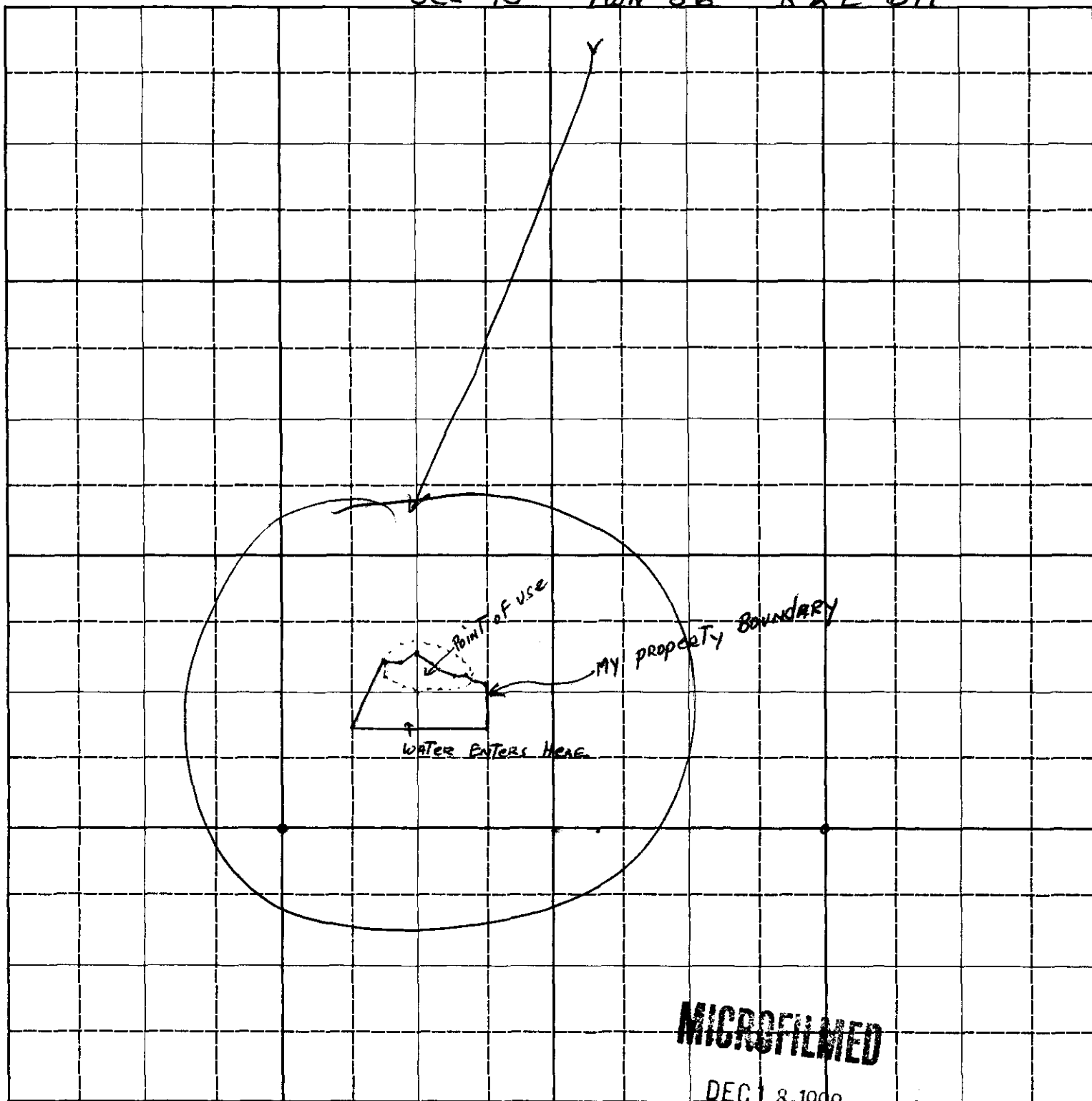
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Have described only the point where the water flows on surface from neighbor's property onto my property

12. Remarks: Neighbor has two unused springs above me that come to the surface, and then flow down onto my property; then, after small distance, goes underground; then, approx. 200 ft below it appears the same water surfaces again; at which point it is being collected and used by us for domestic purposes. Want legal right established so above owner could not at any time drastically affect or stop the flow that we are relying on for domes use.

DEC 18 1990

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

Sec 13 Twn 36 R 2E BM



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.

Samuel P. Harding
(Applicant)

10-14-85

Received by RJA Date 11/15/85 Time 1:30 PM Preliminary check by E
Fee \$ 30.00 Receipted by RJA # 31907 Date 11/15/85
Publication prepared by phs Date 11/21/85 Published in Clearwater Tribune
Publication approved phs Date 11/27 + 12/5/85 9/2/90 2/2-9/1990
Date 1/3/86

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AFFIDAVIT FOR WATER RIGHTS TO BE USED
FOR POWER PURPOSES

A. Establishment of Residency: (Complete either 1, or 2).

1. Individual Applicant or Individual Members of a Partnership:

I, Samuel P. Harding of OREFIND,
(name) (city)

county of CLEARWATER, State of Idaho, being duly sworn, do
hereby certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, _____ of _____,
(name) (city)

County of _____, State of Idaho, being duly sworn, depose
and say: That I am the designated registered agent of the _____

_____ : that as such I am in charge of the registered
(name of corporation)

office of the said corporation as required by Section 30-1-12, Idaho Code, at

_____ Idaho, wherein are kept the corporate records required
(city)

by Section 30-1-52, Idaho Code: and that _____
(name of corporation)

is a corporation qualified to do business in the State of Idaho under the laws of
the State of Idaho.

B. Ownership of Facilities: (To be completed for hydropower projects only)

The hydropower facility to be developed pursuant to the attached Application for
Permit:

(check one)

☒ Will not utilize existing man-made irrigation facilities such as a dam or a
canal.

☐ Will utilize existing man-made irrigation facilities such as a dam or a canal,
and permission of the owner is documented in an affidavit attached hereto.

☐ Will utilize existing man-made irrigation facilities such as a dam or a canal
and the owner of the facilities is the signee of this affidavit.

State of Idaho)
County of CLEARWATER) ss.

Samuel P. Harding
Applicant

On this 13th day of November, 1985, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

seal

B. C. Teed
Notary Public residing at

Orofino

My commission expires:

7-22-87

DEC 18 1990

STATE OF IDAHO)
) ss.
County of Clearwater)

being first duly sworn, on oath, deposes and says:

Notice of Correction
Idaho Dept. of Water Resources

That said..... Notice

Lolita M. Brown
STATE OF IDAHO)

On this 10 day of Aug. in the year of
1990, before me, a Notary Public, personally appeared
Lobetta Brown

same.
Shanna L. Roeder
Notary Public for Idaho
Resident at Orofino, Idaho
My commission expires: 7/13/95

NOTICE OF REDEMPTION
NOTICE OF REDEMPTION
 THAT APPLICATION FOR
 REDEMPTION, NO. 12345, in the
 name of Samuel P. Harding was
 advertised incorrectly on 1/1/2012
 12/5/2011. The Place of Use was incorrectly
 advertised as the SENW, NENW,
 SWNE, Sec. 13, T36N R02E, whereas
 correctly it should be the SWNE,
 SENW, NBSW, Sec. 13, T36N R02E.

(For additional information concerning the property involved, visit the Northern Regional Office at 765-4839.)

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814 on or before August 20, 1992 or grainow

MICROFILMED RECEIVED

DEC 18 1990

SEP 11 1990

NORTHERN REGION
LDWR

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 84-7192 in the name of Samuel P. Harding was advertised incorrectly on 11/28 & 12/5/1985.

The Place of Use was incorrectly advertised as the SENW, NENW, SWNE, Sec. 13 T36N R02E; whereas correctly it should be the SWNE, SENW, NESW, Sec. 13 T36N R02E.

(For additional information concerning the property location, call the Northern Regional Office at 765-4639.)

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814 on or before August 20, 1990.

R. KEITH HIGGINSON, Dir.

Published in the Clearwater Tribune on 8/2 & 9/90.

MICROFILMED

DEC 18 1990

AFFIDAVIT OF PUBLICATION

RECEIVED

JAN 2 1986

Department of Water Resources
Northern District Office

STATE OF IDAHO, }
County of Clearwater } ss.

Nancy Noble

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: That said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of:

Notice of Application for Water
Right

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full

period of two consecutive issues commencing

on the 23th day of November, 1985,

and ending on the 5th day of December,

1985.

Nancy Noble

Subscribed and sworn to before me this 6th day of

December

1985.

Carrie Bird

Notary Public in and for the State of Idaho Residing at Orofino Therein

ARTICLE OF APPLICATION FOR
WATER RIGHT
The following is a true and correct copy of the original as filed in the office of the County Clerk of Clearwater County, Idaho, on the 13th day of November, 1985.
64-7192
HARDING, DANIEL P.
2141 CANYON RD. OROFINO, ID
83557
Southern Idaho Water Service
Division of Water Resources
O2E
Amount Contained (0.000 CFS)
Power (0.000 CFS)
Benefit (0.000 CFS)
Date of Filing
In: SEPT 1985 T 38N R 02E
NENAWA CO. IDAHO R 02E SW/4
SENNETT TOWNSHIP
This notice will be subject to all provisions of the Idaho Water Right Act and the Idaho Department of Water Resources, Northern Region, Statehouse, Boise, Idaho, for a period on or before DECEMBER 14, 1985.
V-22 12-85

1/3/86

RECEIVED

DEC 30 1985

Department of Water Resources
Western Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 26, 1996

SAMUEL P HARDING
23833 NE GLISAN
WOOD VILLAGE OR 97060

RE: WATER RIGHT NO. 84-07192

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment. Should you have any questions regarding these documents, please contact me.

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.

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,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

RECORDED

OCT 11 1996

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 0036394

Date: 8/23/1996
Time: 14:20:19

Received
From: HARDING, SAMUEL/ELAINE

Type of Payment	Program A cct	Amount
AMENDMENT # 84-07192	56105 229 21 1155	50.00
CHECK 2016	Total \$	50.00

Region: STATE

Signature: Kari Lynn Swenson

OCT 11 1996

MEMORANDUM

DATE: August 21, 1996

TO: File 84-07192

FROM: Shelley W. Keen

SWK

RE: Phone call from Sam Harding

Sam Harding called from Portland today to say that he had just mailed the licensing amendment for Permit 84-07192.

RECEIVED

OCT 11 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 2, 1996

SAMUEL P HARDING
23833 NE GLISAN
WOOD VILLAGE OR 97060

RE: WATER RIGHT NO. 84-07192

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These 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 contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

RECEIVED
OCT 11 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 84-07192

DATE 7/29/96

REVIEWER: S H A R L A

NAME Change OK Address Change No
 SOURCE Change OK Is change clarification of originally intended source? Yes
 If not, prepare Notice of Intent to Void Yes
 POINT OF DIV add 2nd pld Amendment required Yes
 PLACE OF USE add 2nd pld Amendment required No
 Does map agree with written description? Yes no

OVERLAPS P/D P/U

RATE OF DIV

Permitted Rate .03 cfs
 Fee limit .20 cfs \$5000
 Measured .02 cfs
 Theoretical ✓ cfs 1" pipe @ 5fps = .03 cfs
 Recommended Total Div Rate .02 cfs

ANNUAL VOLUME/ NATURE OF USES

Use Dom. Volume Calculation .6ea (in-house) af
✓ Dom. x 2 af
_____ _____ af
_____ _____ af
 SUBTOTAL 1.2 af

Flow rate .02 cfs X 365 days X 1.98 = 14.5 af
 Total volume recommended 1.2 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

1/2 homes. (irrig not incl). (WBS)
2 pld in NENE3W, S13, T36N, R2E.

CONDITIONS

Watermaster Control WD#
GW Measurement/Measuring Device
Overlap
Use-specific conditions

Advancement of Priority Date Required yes no

SRBA Claim Filed N/A

Adjustment Memo Volume

1st Amend Letter P39, P38

2nd Amend Letter P42

inhouse only

MEMORANDUM

TO: File 84-07192

FROM: Sharla

DATE: July 29, 1996

RE: Recommendation Adjustment(s)

The final license recommendations for Right 84-07192 are based on the following.

H. RECOMMENDATIONS

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Domestic	1/1 - 12/31	0.02 cfs	1.2 afa

The volume for domestic use has been cut to 1.2 afa (0.6 af for each domestic dwelling). Photos do not indicate any lawn/garden irrigation. Because of the location, natural rainfall/snowpack are responsible for the green vegetation.

A licensing amendment is required to add the second spring.

Examiner: Wayne Baldwin
Exam date: May 30, 1996

RECEIVED

OCT 11 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 22 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 84-07192

1. Owner: Samuel P Harding Phone No. (503) 492-3697

Current Address: 23833 NE Gilman Wood Village Ave 97060

2. Accompanied by: Clark Calles EXAM DATE: 05-30-96

Address: P.O. Box 843 Orofino Id. 83544 Phone No. (208) 476-0298

Relationship to Permit Holder: Business Partner

3. Source: Springs tributary to Lirks

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
			NE	SW	13	36N	02E	Clearwater	U.S.G.S. 7.5 min Quad

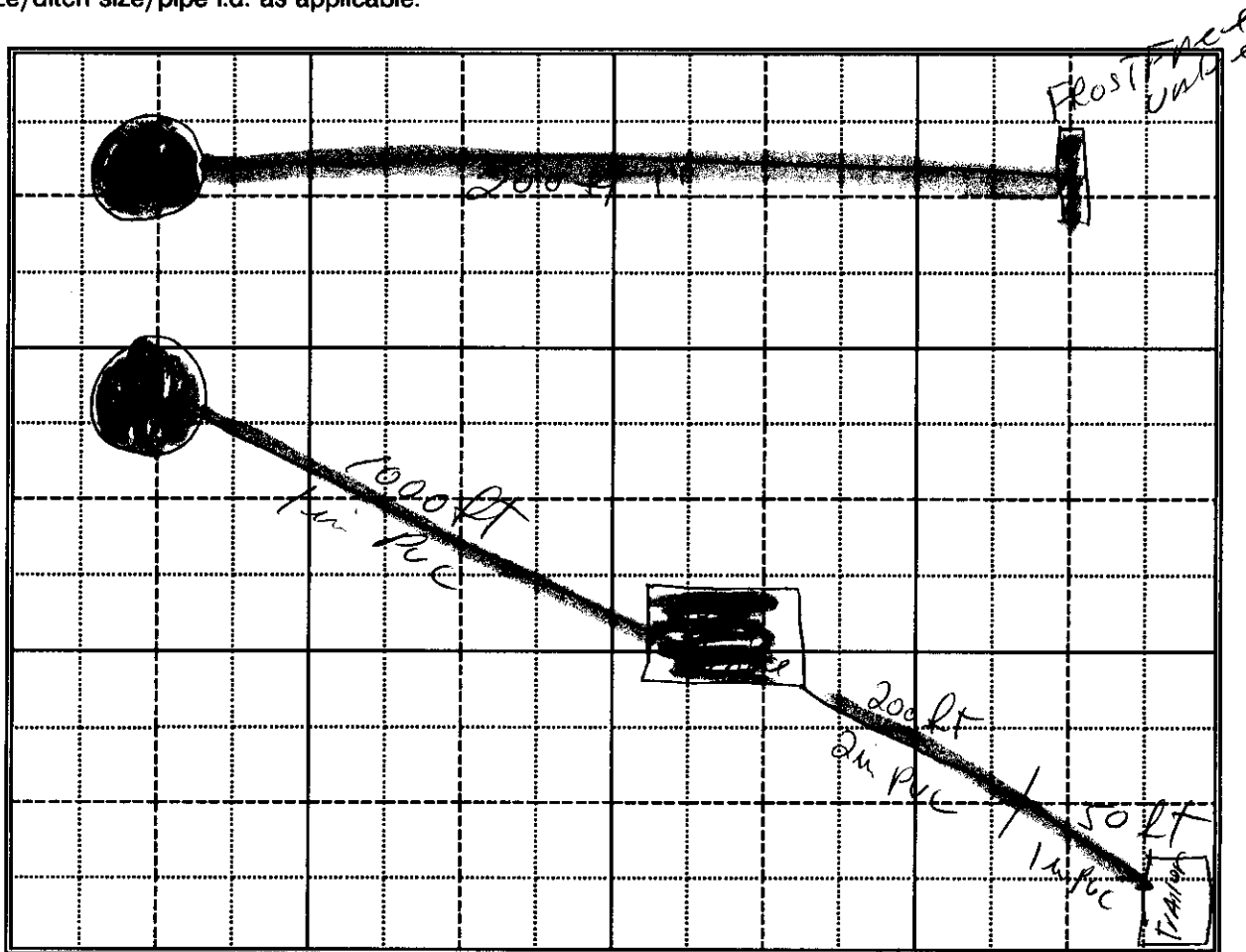
2. Place(s) of Use:

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	
36N	02E	13			D					D									

OCT 11 1996

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

*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: _____

OCT 11 1996

E. NARRATIVE/REMARKS/COMMENTS

Upper spring serves cabin & Lower spring serves motor home. Upper spring development doesn't go all the way to cabin & garden hose stretches at frost free valve to get to house

There was no evidence of stock or other property nor was there any kind of hydro power use.

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

RECEIVED
OCT 11 1996

F. FLOW CALCULATIONS

Measured Method:

UPPER Spring
5 gal bucket 5 gal in 60 SEC 5 gpm
 $5 \times .133681 = .01$
60

Lower Spring 6 gpm 5 gal in 50 SEC
 $6 \times .133681 = .01$
60

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		
Domestic #1	01-01	12-31	.01	1.2
Domestic #2	01-01	12-31	.01	1.2
Totals:			.02	2.4

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. AUTHENTICATION

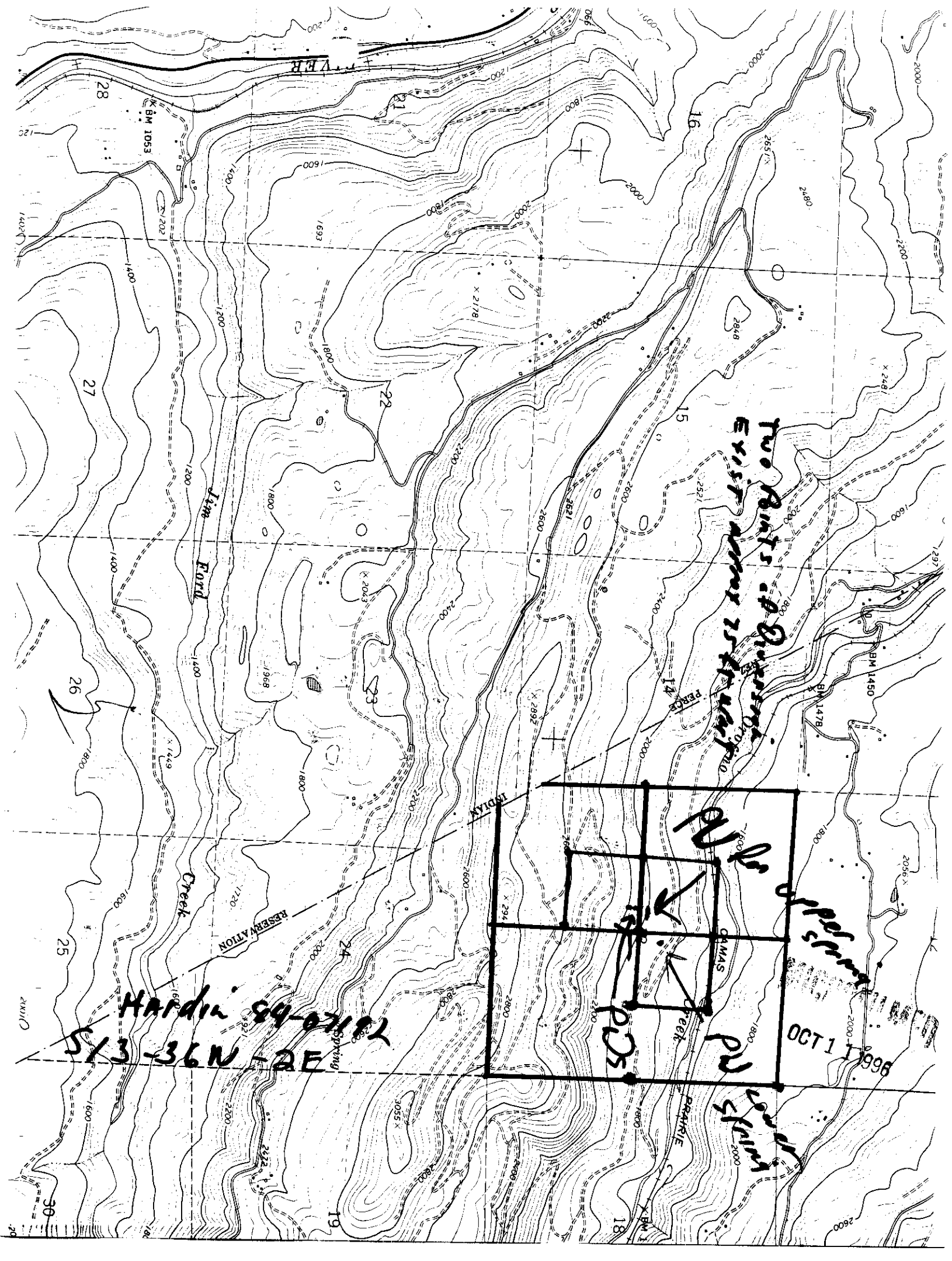
Field Examiner's Name Wayne Baldwin Date 6-6-96

Reviewer _____ Date _____

SEAL

Ministry

OCT 11 1996



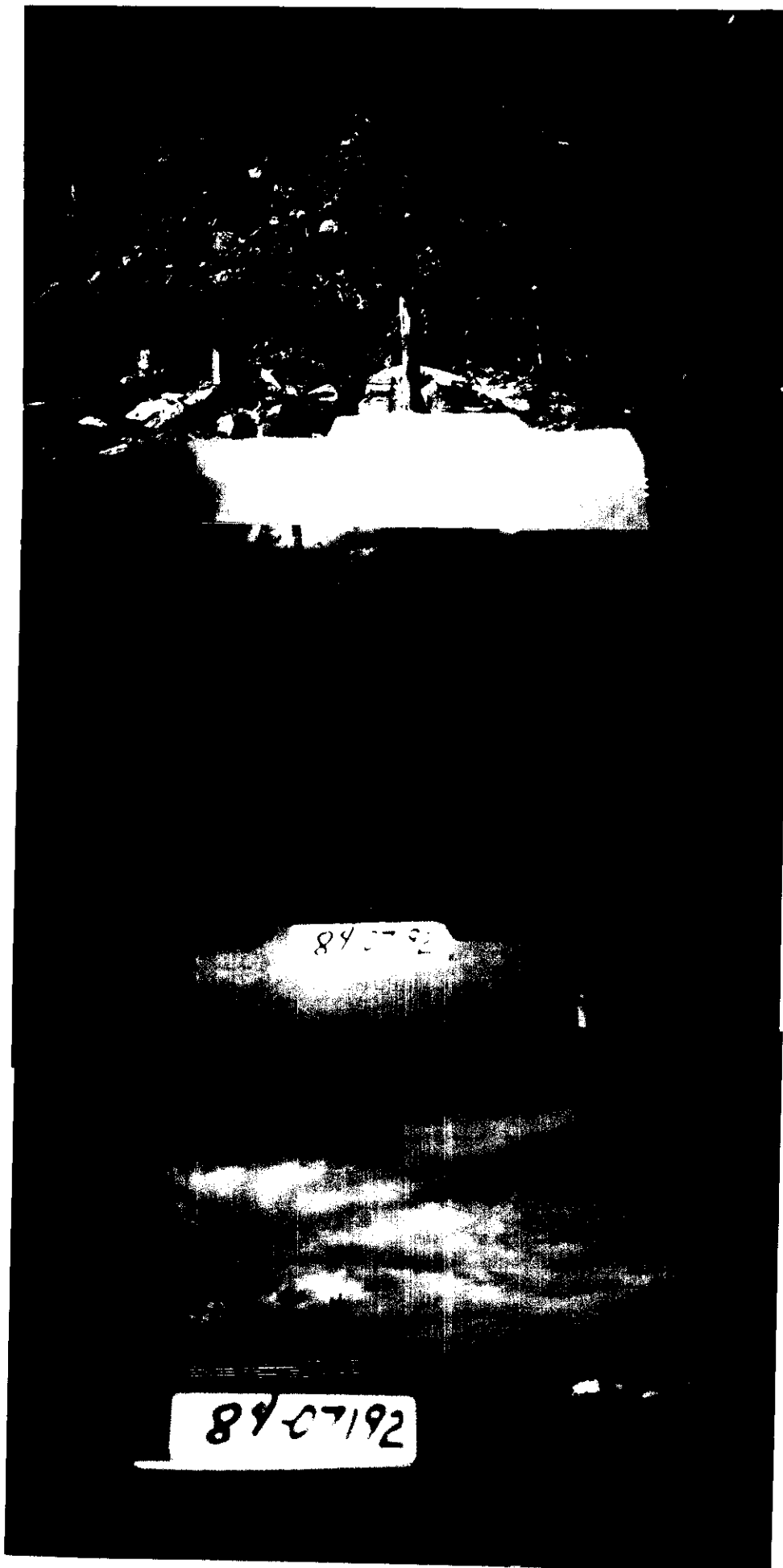


Lower
Spring
Development

Line Commenced
from upper

P.V.
Domestic
Lower Shrub

RECORDED
OCT 11 1996



Upper Spring

Upper Spring
PC

Upper Spring
PC

RECEIVED

OCT 11 1996

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 84-07192 Reviewed by Jay Date 8-23-95

GENERAL CONSIDERATIONS

yes Name same as permit?
no 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 Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50- Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address 23833 NE Glisan Proof Made 8/18/95
Wood Village, OR 97066



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 23, 1995

SAMUAL HARDING
23833 NE GILSAN
WOOD VILLAGE OR 97060

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 84-07192

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.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECORDED

AUG 28 1995



SAM HARDING INC.

'Building & Electrical'

23833 NE Glisan

Wood Village, OR 97060

PH: 492-3697 FAX: 492-3978



RECEIVED

AUG 18 1995

Department of Water Resources

8-15-95

WATER RESOURCES Dept.

I am enclosing the 50⁰⁰ Fee because of
conversation some time ago with Brian,
& think I was told to send it; but,
Explanation on Fee Schedule seems to
say NO Fee is required if the source
is ground water. Am sending Fee to
be safe & expedite everything; if
it was not necessary, please refund.

Thanks,
Sam Harding

RECEIVED

AUG 28 1995



SAM HARDING INC.

'Building & Electrical'
14525 NE Shaver
Portland, OR 97230
Ph: 252-8661



RECEIVED

NOV 01 1993

Department of Water Resources

October 25, 1993

State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise Idaho 83720-9000

Re: Permit No. 84-07192

Dear Karen Gustafson:

Thank you for the quick reply and extension that you allowed for getting this taken care of.

On your letter it states the time withing which to submit proof of beneficial use is extended to November 1, 1996. On the form at the bottom of the page it state Approved, but the date is different than on your letter, being December 1, 1995. So we need to know which date is the approved and correct date.

Sincerely,

Samuel P. Harding

Sam: my error, I apologize. The correct date is on the extension form. It is December 1, 1995

Thank you

Karen L Gustafson

RECEIVED

AUG 28 1995



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

October 21, 1993

Samuel P Harding
14525 N E Shaver St
Portland, OR 97230

Re: Permit No. 84-07192

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to November 1, 1996. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson
Senior Secretary

Enclosure

C: IDWR-Regional Office

RECEIVED

OCT 25 1993

**ANALYSIS SHEET
FOR
EXTENSION OF TIME**

Permit No. 84-07192 Reviewed by Kly Date 10/20/93

BASIC INFORMATION

10/20/93 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

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

ACTION TAKEN

*Recommend for approval Based on due diligence
Extend to 40 12/1/95*

PRIORITY CALCULATION

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

DATA ENTRY

New Address _____
Change Proof Due Date 10/20/93 Kly
Change Priority Date _____



SAM HARDING INC.

'Building & Electrical'

14525 NE Shaver

Portland, OR 97230

Ph: 252-8661



October 12, 1993

IDAHO DEPT. OF WATER RESOURCES
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Dear Sirs,

This spring development project has been in process since early 1985. At that time we had resided in Orofino most of a life-time, and had no thought of ever leaving. The water-right matter began to be litigated between myself and my neighbor through an attorney in the fall of 85; and your dept became involved in it at about that time. Our picture changed, and we moved to Portland in the fall of 86; but kept pursuing the water situation because we still have 47 acres there and want to keep it.

On the few trips we made back to Idaho, I would climb up to the springs to check whatever I could & would contact the attorney to press them try to work it out.

In mid-1990 the water right matter was resolved, & your office issued a permit. We have only been able to get back to Idaho one time since then; that was to bury my mother there; and it was not possible to work on the water at that time.

I had purchased one plastic tank here over a year ago to work on the system here, but the tank was not correct for the job. I have just found and purchased the correct tanks & PVC membrane to build a collection system; and will develop them here to have them ready, as much as possible to take back to Idaho & install.

It may be possible that they could still be put in this year; but it's not likely that it would work out, due to the steepness of the terrain and wet & wintry conditions on that site.

I hope you can give an extension at least for one year if not for two, that will allow me to work a time to go there to put them in next summer.

I am aware from what you sent me that personal hardship is not a very good reason for an extension. Both when I lived there & after I moved here to Portland, I have did more than anyone else to try to get the matter resolved. Now that it got resolved, I have not been able to find a way to get back there for the amount of time it will take to put those systems in. And it seems pretty important not to have to start over just to accomplish the same goal; so I hope you can give an extension long enough to help us get the springs developed and done.

Sincerely,

Samuel P. Harding

Sam Harding

RECEIVED

OCT 25 1993

Familian

PRICED BY: _____

PRINT NAME HERE _____

OR 97217

PAGE 1

~~CASH INVOICE~~

CHK AMT

CHK 格

534 534

93 249

MATERIAL SAFETY ~~ENTERED BY~~ TS AVAILABLE UPON REQUEST.

CASH SALE
2121 N COLUMBIA BLVD
PORTLAND OR 97217

SH-10

CUSTOMER PICKUP
CASH SALE
SAM HARDING INC
PORTLAND OR 97217

SHIPPED

OCT 25 1993

[illegible]

CUSTOMER PACKING SLIP

September 30, 1993

SAMUEL P. HARDING
14525 N.E. SHAVER ST.
PORTLAND OR 97230

PROOF DUE NOTICE

RE: PERMIT NO. 84-07192

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 December 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

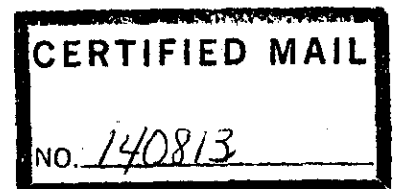
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECEIVED
SEP 30 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 6, 1990

SAMUEL P. HARDING
14525 N.E. SHAVER ST.
PORTLAND, OR 97230

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 84-07192

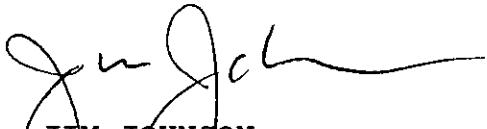
Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

* As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Please be advised that your application for permit has been approved because we no longer wait for approval from the Federal Energy Regulatory Commission (FERC) or the Idaho Public Utilities Commission (PUC) when the flow is less than 25 cfs and the power to be generated is less than 500 HP. However, you may still need to obtain approval from FERC and/or PUC.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:blm

MICROFILMED

DEC 18 1990

Application #: 84-7192
Date: 11-27-90

Date: 11-27-90

No - 26A-P17
Complete in 1 year - P16

Proof not submitted - P16
Proof submitted - N/A

GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)
LT. 0.7 cfs - N/A

Approved w/permit - P99
Not included - 046-P23

Water Districts - WD No.
 Surface water - 005, 005-01H-P01 (LT.7 w/pump),
 005-01J-P08 (GT.7), P04(cons.)
 Groundwater - P05, 005-01H-P01(lock device)

Irrigation Districts	-	023	
Canal Co. Areas	-	023	
Drainage Districts	-	024	
Boise Front (63)	-	058	(Groundwater)
Trust (see list)	-	(051, 052, 053)	-P74
Non Trust (see list)	-	048, 049	
Swan Falls Flag	-	—	(1 or Blank)

(Surface Water)

Boise (63)	-	11D-P72
Payette (65)	-	047, 059-P71
Snake (01, 02 & 03)	-	11A-P04 (01), 061-P07 (02 & 03)

Fish Propagation	-	(P06) 002, 06A, 007, 09E-P10, 010, 042, 044
Power	-	(less than 25cfs P18), 01F-P19, 008, 08A, 09E-P10, 017K, 017G, 017M, 025
Mining	-	06A, 006, 09E-P10, 010, 54
Storage	-	18A-P09 (In W.D.), 18B-P09 (Size)
Domestic	-	(restricted areas) 021

Non land owner - 004

Agreement - 020

Overlapping uses - 029-P20

Beneficial Use Due Date: - 12-01-1993

Other Conditions Recommended

Form No. 202a.
4/87-8/89N

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: TDK DATE: 7-16-90 APPLICATION NUMBER: 84-07192

APPLICANT: _____

REQUIRED INFORMATION

- (1). ☒ Name & Address: (If applicant is a corporation or partnership, names must be provided for the director, officers, and other partners.)
(2). ☒ Source: (See USGS Quad for names of water sources)
(3). ☒ Point of Diversion including county: (spring/10 ac., Subd. lot & block)
(4). ☒ Quantity: (flow and/or volume)
 ☒ Nature of proposed use: (Include description of use)
 ☒ Period of use:
(5). ☒ Total Quantity: (flow and/or volume)
(6). ☒ Description of diverting works:
(7). ☒ Time required for beneficial use of water:
(8). ☒ Proposed uses:
TDK (9). ☒ Place of use or acres irrigated:
(10). ☒ Other Water Rights:
(11). ☒ Ownership:
(13). ☒ Map:
 ☒ Signature: (signator title required for corp., partnership, etc)
 ☒ Fee: (Amount, receipt number and date recorded on application)
 ☒ Acknowledgement Letter:
 ☒ Overlap Review: Attachment? (Y)____ (N)____ Remarks? (Y)____ (N)____

ADDITIONAL INFORMATION

YES NO

- ☒ Field check required: Field check by: _____
☒ Field report attached:
☒ Critical groundwater area:
☒ Groundwater management area:
☒ Send dam safety information:
☒ Send fish farm requirement letter:
☒ Send power requirement letter:
☒ Send Power residency affidavit:
☒ Send Power efficiency form:
☒ Within trust water boundry: (Attach Trust Water Supp. Analysis Sheet):
☒ Diversion greater than 5 cfs or 500 af, supp. analysis sheet attached:
☒ Well drilling permit required:

PROCESSING

YES NO

- ☒ In form for advertising:
☒ Statewide advertising: (10.00 or more cfs.)

Send Copies To

YES NO

- ☒ I.D. Health and Welfare
☒ I.D. Fish and Game
☒ I.D. Lands
☒ Adjudication Bureau

YES NO

- ☒ U.S. BLM
☒ U.S. Forest Svc.
☒ Water District # _____
☒ Other _____

RECEIVED
SEP 26 1990
Department of Water Resources

Application Number 84-07192

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐ Additional information received:

☐ ☒ Notice of pending void order issued: Final date of order response. _____

☒ ☐ Affidavit of publication received:

☐ ☒ Application published correctly: If not, record action taken.

P/O incorrect - re-advertised.

☒ ☐ Publication dates and paper recorded on application:

☒ ☐ Protests received, Final date for protest 8/20/90

☐ ☒ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Measuring port required:

☐ ☒ Water delivered by water master? District # _____

☐ ☒ Special conditions of approval or cover letter: (see additional info. below)

Recommended Date of Priority 12/24/85

Recommended by: +DK [Signature] Date 9/21/90

STATE OFFICE REVIEW

☐ See remarks for additional information. By _____ Date _____

REMARKS

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY:

APPLICATION NUMBER: 84-7192

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 info. |
| ☒ 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: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No * In form for advertising.
 Final date for protests: 12/16/85
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 11/3/86
- ☒ 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? _____
- 10/24/85 Date of priority recommended.
- Special conditions of approval or cover letter.

By: Ray H Date: 7/13/90

STATE OFFICE REVIEW:

- ☐
- See attached sheet for more information.

By: _____ Date: _____

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

84-7192

HARDING, SAMUEL P.

2141 CARNEY DR., OROFINO, ID 83544

Source: SPRING trib. to SINKS

Diversion Pt: NESW Sec 13 T 36N R 02E

Use: STOCKWATER	(0.030 CFS)
POWER	(0.030 CFS)
DOMESTIC	(0.030 CFS)

Date Filed: 10/24/1985

In: SENW Sec 13 T 36N R 02E ^{NESW} ~~SENW~~ Sec 13 T 36N R 02E SWNE SENW
Sec 13 T 36N R 02E

*changed on
computer
7/25/90*

MICROFILMED

DEC 18 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 17, 1990

Mr. Dale O. Cox
Attorney at Law
P. O. Box 666
Orofino, Id. 83544

Re: 84-7192 - Samuel P. Harding

Dear Mr. Cox:

We acknowledge receipt of the agreement between the Stantons and the Hardings as well as the Stantons' withdrawal of their protest to the above-referenced water right application.

This application for permit was to be forwarded to our State Office in Boise for further processing. However, during a final review of the file, a mistake was discovered in the legal description for the place of use necessitating re-publication in the Clearwater Tribune. This re-advertising will have no effect on the original determination rendered by the Department.

The new advertising dates will be August 2 and 9, 1990. The application will be held for ten days passed the last date of publication. Then, our region will do a final review of the file and if everything is in order, we will forward it to our state office for their further processing. Mr. Harding should be receiving the permit directly from the state office approximately 45 days after it sent there from the region.

If you have any questions, please contact this office.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

c: Mr. and Mrs. Samuel Harding

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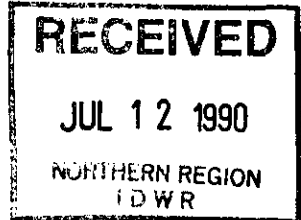
DEC 18 1990



Dale O. Cox
COUNSELOR AT LAW

227 College Avenue - P. O. Box 666
Orofino, Idaho 83544

June 28, 1990



Robert G. Haynes, P.E.
State of Idaho
Department of Water Resources
4055 Government Way, Suite 9
Coeur d'Alene, Idaho 83814

Re: 84-7192

Dear Bob:

The Hardings and Stantons have finally reached an agreement relative to Hardings' application for the appropriation of water in the above-captioned matter. Enclosed please find a copy of the Agreement which has been signed by both parties.

I trust that this alleviates any necessity of the hearing or conference which was scheduled for July 10, 1990, here in Orofino. If that is not correct, please let me know immediately.

As indicated in the Agreement for Water Rights and Development of Springs, the Stantons do withdraw their protest to the Hardings' application for a permit.

Very truly yours,


Dale Cox

cs

Enc.

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DEC 18 1990

CEIVED

JUL 12 1990

SOUTHERN REGION
I D W R

AGREEMENT FOR WATER RIGHTS AND DEVELOPMENT OF SPRINGS

This Agreement for Water Rights and Development of Springs is made and entered into this 26th day of June, 1990, by and between Frank Stanton and Jean Stanton, husband and wife, herein called "Stantons," and Samuel P. Harding and Elaine M. Harding, husband and wife, herein called "Hardings."

WHEREAS, both parties own real property in Section 13, Township 36 North, Range 2 E.B.M., Clearwater County, Idaho, adjacent to each other;

WHEREAS, two springs are situated upon the easterly portion of the Stanton real property which is higher in elevation than the Harding real property:

WHEREAS, Hardings have filed an Application for Water Right in and to those springs and Stantons have protested that application;

WHEREAS, the parties desire to develop the above-described springs and divert water to beneficial use.

NOW, THEREFORE, the parties agree as follows:

I. Hardings will develop both springs at their sole expense consistent with the specifications provided for in Item II.

II. The lower spring will be developed with a catch basin or reservoir from which the lowest pipe will be 3/4 inch in diameter and approximately twenty (20) feet long and will lead to the Hardings' real property, from which the second lowest pipe

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DEC 18 1990

1 will be 1 1/4 inch in diameter and be diverted to a beneficial use
2 by Stantons, and from which the balance of the water from both the
3 3/4 inch pipe and from the highest pipe will be diverted to bene-
4 ficial use by the Hardings. The upper spring will be developed
5 with a catch basin or reservoir from which the lowest pipe will be
6 3/4 inch in diameter and approximately twenty (20) feet long with
7 a shut-off valve in the line and will lead to the Hardings' real
8 property for use by the Hardings only in the event that the water
9 to the Hardings' real property from the lower spring falls below
10 one-half (1/2) gallon per minute. The second lowest pipe from the
11 upper spring will be 1 1/4 inches in diameter for at least twenty
12 (20) feet from the reservoir and shall be diverted to a beneficial
13 use by the Stantons. The remainder of the catch basin or
14 reservoir for the upper spring shall be constructed in such a
15 manner as to divide the balance of the water or overflow equally
16 between the two parties. In no event shall Hardings have the
17 right to more than fifty percent (50%) of all of the water from
18 both springs.

19 III. All of the pipes leading from the catch basins or
20 reservoirs constructed for the development of the two springs
21 shall be placed in the location or locations designated by the
22 Stantons.

23 IV. The Hardings will have the right to go on the
24 Stantons' real property to do the necessary backhoe and dozer work
25 to develop the springs and to do the necessary pipelines;

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DEC 18 1990

1 provided, however, the Hardings will give reasonable notice to the
2 Stantons of the dates and times on which such work will be done.

3 V. Following the installation of the catch basins or
4 reservoirs and the installation of the necessary pipelines, the
5 Stantons will grant to the Hardings the water rights developed
6 thereby and a right of way for the purpose of maintaining the
7 water system.

8 VI. Prior to the diversion of water to beneficial use
9 from either or both of the springs by the Stantons, the Hardings
10 will be solely responsible for the maintenance and repair of the
11 water systems. Following the diversion of the water to the
12 beneficial use by the Stantons, each party will be responsible for
13 fifty percent (50%) of the maintenance and repair of the system.

14 VII. The Stantons will file an Application for Water
15 Rights with the State of Idaho Department of Water Resources and
16 withdraw the protest which they have filed relative to the
17 Application for Water Rights filed by the Hardings.

18 VIII. This Agreement for Water Rights and Development of
19 Springs will be binding upon and inure to the benefit of the heirs
20 and assigns of the parties hereto.

21 IN WITNESS WHEREOF, the parties hereto have hereby
22 executed this Agreement for Water Rights and Development of
23 Springs in three (3) counterparts, one of which is retained by
24 each of the parties hereto, one of which is to be delivered to
25 the State of Idaho Department of Water Resources. Each such

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DEC 18 1990

1 counterpart shall constitute but one and the same instrument which
2 may be sufficiently evidenced by any one counterpart.

3
4 Frank M. Stanton
5 Frank Stanton

6 Jean Stanton
7 Jean Stanton

8 Samuel P. Harding
9 Samuel P. Harding

10 Elaine M. Harding
11 Elaine M. Harding

12
13
14 STATE OF IDAHO)
15 County of Clearwater)

16 On this 26th day of June, ¹⁹⁹⁰~~1989~~, before me, William M.
17 William M., a notary public in and for the state of
18 Idaho, personally appeared Frank Stanton and Jean Stanton, known
to me to be the persons whose names are subscribed to the within
instrument and acknowledged to me that they executed the same.

19 IN WITNESS WHEREOF, I have hereunto set my hand and
20 affixed my official seal the day and year in this certificate
first above written.

21
22 William M. Harding
23 Notary public in and for the
24 State of Idaho, residing at
25 Orofino, therein 12 11 90

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DEC 18 1990

1 STATE OF IDAHO)

2 County of Clearwater)

3 On this 30th day of June, 1989, before me, Andrew S. [Signature]
4 S. [Signature], a notary public in and for the state of
Idaho, personally appeared Samuel P. Harding and Elaine M.
5 Harding, known to me to be the persons whose names are subscribed
to the within instrument and acknowledged to me that they executed
the same.

6
7 IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this certificate
first above written.
8

9
10 Andrew S. [Signature]
11 Notary public in and for the
12 State of Idaho, residing at
Orofino, therein
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DEC 18 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST	)	STIPULATION FOR ENTRY
APPROVAL OF APPLICATION FOR PERMIT	)	OF PROPOSED DECISION
NO. 84-7192 IN THE NAME OF SAMUEL P.	)	WITHOUT A HEARING
HARDING.	)	
	)	

The parties to this proceeding, having met at a prehearing conference for the purpose of defining the issues, informally presenting the facts, and discussing their respective positions before a hearing officer of the Idaho Department of Water Resources (department), hereby stipulate and agree as follows:

1. The hearing officer may consider information presented at the prehearing conference, information obtained through a field investigation by department personnel, and other facts available in the files and records of the department in preparing a proposed decision and order.

2. Each party shall have the opportunity, pursuant to Idaho Code Sections 42-1701A and 67-5211, to file exceptions to the proposed decision and order by filing written exceptions thereto within 15 days after service of the proposed decision and order by the department. If a timely exception is not received, the department Director will enter an order adopting a final decision.

3. Each party shall have the opportunity, pursuant to Rule 11 of the Practice and Procedure Rules and Regulations of the department, to file a petition for rehearing within 20 days after service of the final decision. If the department determines that a formal hearing is required, notice will be sent to all parties.

4. Pursuant to Idaho Code Sections 42-1701A and 67-5215, any party may initiate a proceeding for judicial review by filing a petition in the

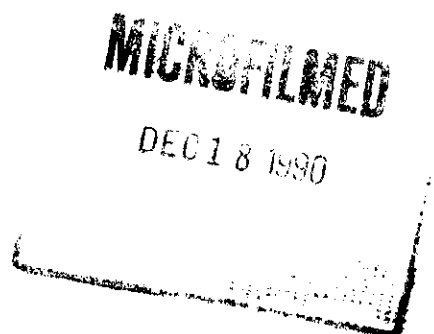
district court within 30 days after the service of the final decision or, if a timely rehearing is requested, within 30 days after the decision thereon.

5. If an action for judicial review is filed in the district court without an administrative hearing having been held before the department, the parties agree not to oppose a motion for remand of the proceeding to the department for the purpose of conducting a hearing for the presentation of additional evidence.

DATED this ____ day of _____, 199__.

APPLICANT(S)

PROTESTANT(S)



SPECIAL NOTE: _____

PROTEST INFORMATION SHEET

Protestant(s)

NAME	ADDRESS
1 Frank & Jean Stanton	None given - see attorney below.
2 _____	_____
3 _____	_____
4 _____	_____
5 _____	_____
6 _____	_____
7 _____	_____
8 _____	_____
9 _____	_____
10 _____	_____

ATTORNEY NAME	ADDRESS
Dale O. Cox	P. O. Box 666, Orofino, Id. 83544

protest
 Date Filed: 12/16/85 Protest Due Date: 12/16/85

Issues: Spring in question is located on protestants' property and applicant
 does not have an easement to same.

Applicant

ATTORNEY NAME	ADDRESS
_____	_____

	DATE
Protest Date Entered on Computer	12/24/85
Acknowledgement Letters Sent	12/23/85
Hearing Date	_____

_____	_____	(Other Dates)
_____	_____	

Other Information: _____

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DEC 18 1985

Protest information submitted to computer (following hearing): _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

June 18, 1990

Ms. Alice Hardy
Clearwater County Courthouse
160 Michigan Ave.
Orofino, Id. 83544

Re: 84-07192

Dear Ms. Hardy:

This is to confirm reservations for a conference to be held by this office on Tuesday, July 10, 1990, at 8:30 a.m. in your conference room.

If this is not the case, please advise immediately.

Sincerely,

PATRICIA M. STYPA
Secretary/Office Coordinator

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DEC 16 1990

DEPARTMENT OF WATER RESOURCES

NAME AND ADDRESS OF SENDER

1910 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814

Indicate type of mail
☒ Registered
☐ Insured
☐ COD
☐ Certified

I certify that we have
☐ Commercial Insurance
☐ A deductible clause of \$

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

PS Form 3877, July 1978

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S. H. FEE	REST. DEL. FEE	REMARKS
1 14791	Mr. Henry Swift 3160 Upland Dr., Salt Lake City, Ut. 84109	25c	85c					90c			82-7188
2 14792	Mr. Harvey Boesen, President, Elk City Land Co. Inc. 1927 C Idaho St., Lewiston, Id. 83501	"	"								"
3 14793	Mr. and Mrs. Robert L. Barnett 421 Burrell #22, Lewiston, Id. 83501	"	"								"
14794	Mr. and Mrs. Ulrich Guntly P.O. Box 386, Elk City, Id. 83525-0386	"	"								"
5 14795	Mr. and Mrs. William J. Jones 2205 Carol Dr., Lewiston, Id. 83501	"	"								"
6 14796	Mr. and Mrs. Terry E. Beeler P.O. Box 194, Elk City, Id. 83525-0194	"	"								"
7 14797	Mr. Samuel Harding 14525 N.E. Shaver, Portland, Or. 97230	"	"								"
8 14798	Mr. Dale Cox, Attorney at Law P.O. Box 66, Orofino, Id. 83544	"	"								"
9 14799	Mr. and Mrs. Richard Inman P.O. Box 13874, Portland, Or. 97213	"	"								"
10 14800	Mr. Robert O. McKinney 10201 Waha Rd., Lewiston, Id. 83501	"	"								"
11 14801	Mr. Ralph Alberthal 4601 Tammany Creek Rd., Lewiston, Id. 83501	"	"								"
14802	Mr. Donald VanBuren 3000 Tammany Creek Rd., Lewiston, Id. 83501	"	"								"
13 14803	Mr. and Mrs. Roland D. Naccarato N. 11614 King Arthur Dr., Spokane, Wa. 99218	"	"								"
14 14804	Mr. W. N. Sherwood 4855 Hwy. 2, Sandpoint, Id. 83864	"	"								"
15											

NOTIFIED

DEC 18 1990

JUL 15 1990

6/21/90

6/19/90

95-8568

TOTAL NUMBER OF PIECES LISTED BY SENDER

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

POSTMASTER, PER (Name of receiving employee)

The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U.S. GOVERNMENT PRINTING OFFICE: 1978 270-037

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address
2. ☐ Restricted Delivery.

3. Article Addressed to:

Mr. Samuel Harding
14525 N.E. Shaver
Portland, Or. 97230

84-7192

Article Number

14797

Type of Service:

☐ Registered
☒ Certified
☐ Express Mail

☐ Insured
☐ COD

Always obtain signature of addressee or agent and DATE DELIVERED.

8. Addressee's Address (ONLY if requested and fee paid)

5. Signature - Addressee

X *Samuel Harding*

6. Signature - Agent

X

7. Date of Delivery

6-14-90

RECEIVED

JUN 21 1990

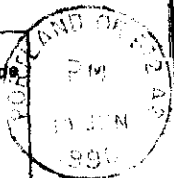
NORTHERN REGION
IDW

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



**RETURN
TO**



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814



**PENALTY FOR PRIVATE
USE, \$300**

RECEIVED
JUN 19 1990



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) 765-4639

December 23, 1985

Mr. Samuel P. Harding
2141 Carney Dr.
Orofino, Id. 83544

Re: 84-7192

Dear Mr. Harding:

Enclosed is a copy of a protest filed against the approval of a permit pursuant to the above-referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

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DEC 18 1990

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3-7.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:

Mr. Dale Cox
Attorney at Law
P.O. Box 66
Orofino, Id. 83544

84-7192

4. Article Number

14798

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED.**

8. Addressee's Address (ONLY if requested and fee paid)

JUN 19 1990

NORTHERN REGION
IDWR

5. Signature - Addressee

X

6. Signature - Agent

X

7. Date of Delivery

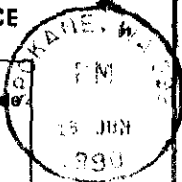
6-18-90

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814

UNDELIVERED
DEC 18 1990



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) 765-4639

December 23, 1985

Mr. Dale Cox
Attorney at Law
P. O. Box 666
Orofino, Id. 83544

Re: 84-7192

Dear Mr. Cox:

Your clients' protest against the approval of the above-referenced application has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms
cc: IDWR - State Office

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DEC 18 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST	)	
APPROVAL OF APPLICATION FOR PERMIT	)	NOTICE OF
NO. 84-7192 IN THE NAME OF SAMUEL P.	)	CONFERENCE
HARDING.	)	

On Novemeber 15, 1985, Samuel P. Harding filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On December 16, 1990, the Department received a protest against approval of said application from Frank and Jean Stanton, through their attorney, Dale Cox.

The Department has set the matter of protest for a conference for Tuesday, July 10, 1990, at 8:30 a.m., in the Civil Defense Meeting Room of the Clearwater County Courthouse, 160 Michigan Ave., Orofino, Idaho.. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources.

The following issues are involved in the consideration of the application and protest(s):

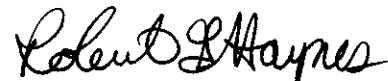
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1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

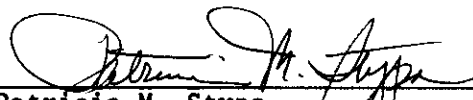
Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 15th day of June, 1990.



ROBERT G. HAYNES, P. E.
REGIONAL MANAGER

I hereby certify that on the 15th day of June, 19 90, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:



Patricia M. Stypa
Secretary/Office Coordinator

CERTIFIED MAIL

Mr. Samuel Harding
14525 N.E. Shaver
Portland, Or. 97230

Mr. Dale Cox
Attorney at Law
P.O. Box 66
Orofino, Id. 83544

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DEC 18 1990

Telephone 208-476-5734

Dale O. Cox
COUNSELOR AT LAW

227 College Avenue - P. O. Box 666
Croftino, Idaho 83544

December 12, 1985

RECEIVED
DEC 16 1985

Mr. Ken Dunn
Department of Water Resources, Western Region
Statehouse
Boise, Idaho 83720

Department of Water Resources

Gentlemen:

Enclosed please find a Protest to the Water Right Application filed by Samuel P. Harding in application number 84-7192. To evidence the filing date, I am enclosing a copy of the Protest. Would you please time-stamp it and return it to me.

If you have any questions, please advise.

Very truly yours,

Dale O. Cox
Dale Cox

CS

Enc.

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DEC 18 1990

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DEC 23 1985

Department of Water Resources
Northern District Office

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DEC 16 1985

12:55 pm AS

Department of Water Resources

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IN THE MATTER OF AN APPLICATION FOR WATER RIGHTS BEFORE THE DEPARTMENT OF
WATER RESOURCES, WESTERN REGION

APPLICATION OF SAMUEL P. HARDING,	)	No. 84-7192
2141 Carney Drive	)	
Orofino, Idaho	)	PROTEST

Frank Stanton and Jean Stanton, husband and wife, respectfully
protest the Application for Water Right filed by Samuel P. Harding for the
reason that the spring in question is on the real property of the protestants
and that Samuel P. Harding does not have an easement or right of way across
the protestants' real property to the spring. The protestants also intend to
divert the water from said spring to their own beneficial use and intend to
file an Application for Water Right therefor.

Dated December 12, 1985.


Dale O. Cox, attorney for protestants

MICROFILMED

DEC 18 1985



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) 765-4639

December 23, 1985

Mr. Dale Cox
Attorney at Law
P. O. Box 666
Orofino, Id. 83544

Re: 84-7192

Dear Mr. Cox:

Your clients' protest against the approval of the above-referenced application has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms
cc: IDWR - State Office

RECEIVED

DEC 18 1985



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) 765-4639

December 23, 1985

Mr. Samuel P. Harding
2141 Carney Dr.
Orofino, Id. 83544

Re: 84-7192

Dear Mr. Harding:

Enclosed is a copy of a protest filed against the approval of a permit pursuant to the above-referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
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You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

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DEC 1 1985



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) 765-4639

October 25, 1985

Rev. Samuel P. Harding
2141 Carney Dr.
Orofino, Id. 83544

Dear Rev. Harding:

I am returning your Check No. 92-6 in the amount of \$30.00 and your Application for a Permit along with an Affidavit of Residence form.

Please review the application, noting the changes in Item Nos. 2, 4, 5, 7, & 8; then complete the affidavit, have it notarized and return the check, application and affidavit to this office.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms
Enc. - Check
Appln.
Affidavit

