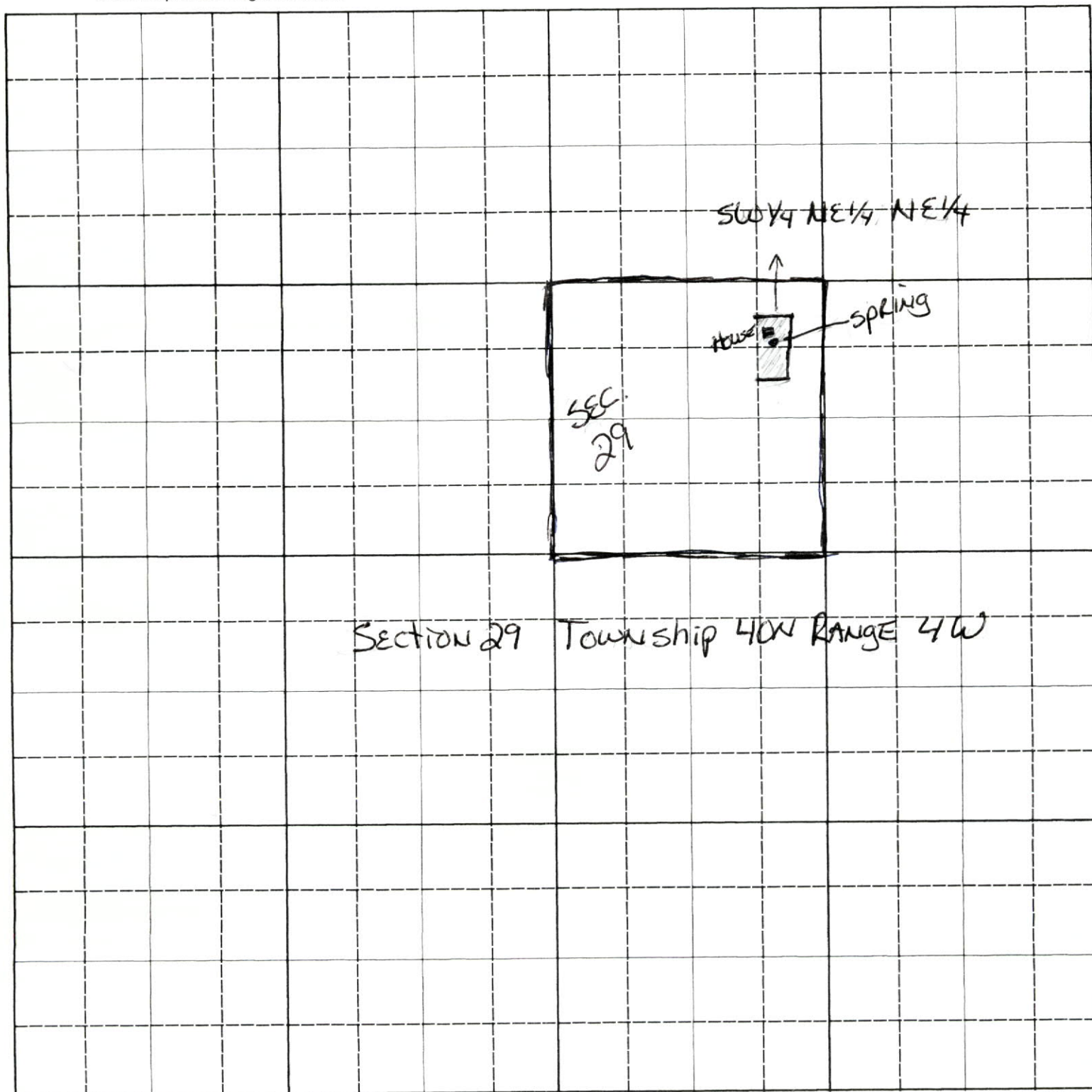


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

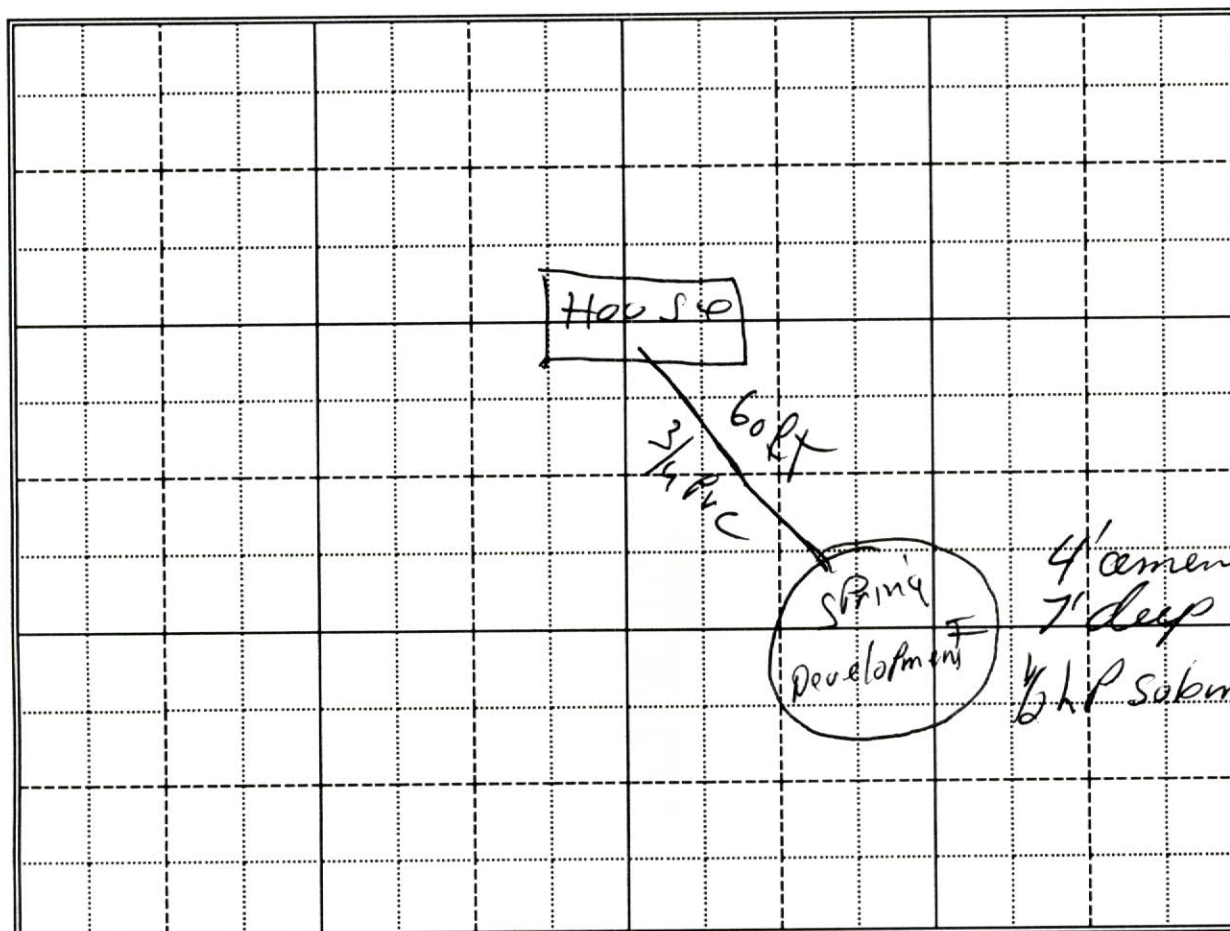


Scale: 2 inches equal 1 mile.

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.

MICROFILMED
MAY 27 1967
Mark [unclear] *Debra Heptel*
(Applicant)

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	0.5	Not legible	Sub	3/4

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

D. FLOW MEASUREMENTS

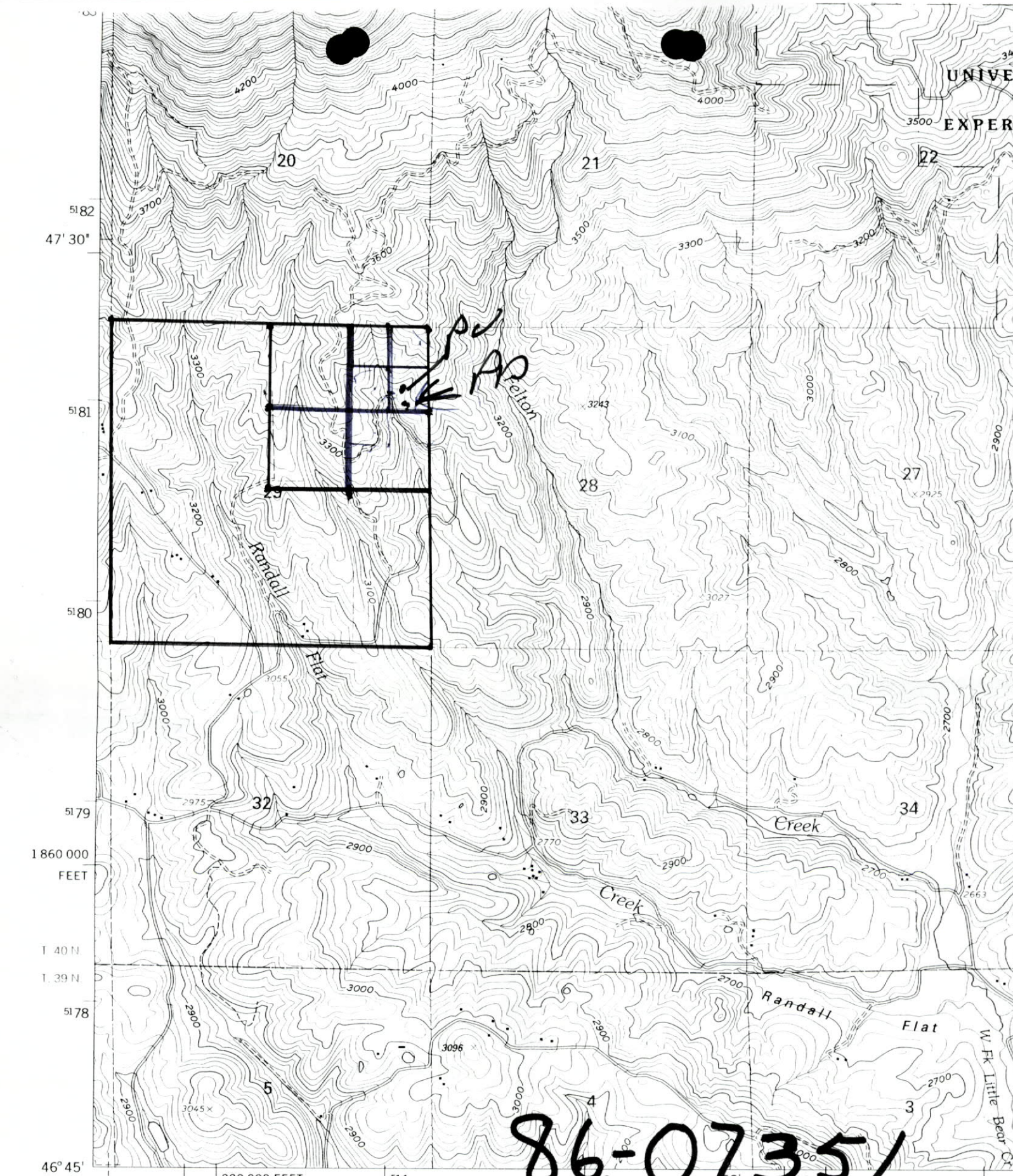
1.

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

2. Measurements: _____

MICROFILMED

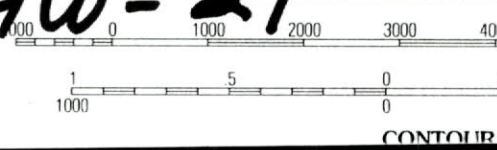
APR 14 1999



86-07351
40N-04W-29

Geological Survey
Forest Service
Forest System lands may not have been revised
OAA
Aerial photos taken 1957. Revised from aerial
aerial field check by U.S. Forest Service 1994
NAD 27. Projection and 10 000-foot ticks:
zone (Lambert conformal conic)

0° 08' 17" 30"
2 MILS 311 MILS



CONTOUR



PO

Photo of Pd Lost

86-07351

MICROFILMED.

APR 14 1999

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

Mary Shiel
Legal Clerk

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

That she is the printer of
Moscow-Pullman Daily News, a
newspaper of general circulation,
printed and published daily except
Sunday at Moscow, Latah County,
Idaho, in compliance with Sections
60-106, 60-107, and 60-108 of the
Idaho Code and the amendments
thereto; that the notice of which the
annexed is a full, true and correct
printed copy was published in the
regular and entire issues of said
newspaper and not in a supplement
thereto, upon the following dates:

Oct. 17, 24, 1996

the same being the dates designated
for the publication of said notice.

Mary Shiel

On this 25 day of Oct
in the year of 1996, before me, a Notary

Public, personally appeared _____

Mary Shiel

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.

Shirley Marie Gelp
Notary Public for Idaho

Residing at Troy, Idaho

My commission expires: 5/11/98

NOTICE OF APPLICATION FOR WATER RIGHT the public waters of the State of Idaho:

86-07351

Hofstrand, Mark
Hofstrand, Debra
2179 Showalter Road, Moscow,
ID 83843

Source: SPRING, Tributary: LIT-
TLE BEAR CREEK

Diversion Pt: SENENE Sec 29 T
40N 04W in LATAH County.

Use: DOMESTIC, (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 9/27/1996

In: LATAH County

T40N R04W S29 NENE

86-07352

Hofstrand, Mark
Hofstrand, Debra
2179 Showalter Road, Moscow,
ID 83843

Source: SPRING, Tributary: LIT-
TLE BEAR CREEK

Diversion Pt: SENENE Sec 29 T
40N 04W in LATAH County.

Use: DOMESTIC, (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 9/27/1996

In: LATAH County

T40N R04W S29 NENE

86-07353

Hofstrand, Arland
Hofstrand, Gail
2180 Showalter Road, Moscow,
ID 83843

Source: SPRING, Tributary: LIT-
TLE BEAR CREEK

Diversion Pt: SENENE Sec 29 T
40N 04W in LATAH County.

Use: DOMESTIC, (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 10/1/1996

In: LATAH County

T40N R04W S29 SENE

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

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the applicant and with
the Director, Dept. of Water
Resources, Northern Region, 1910
Northwest Blvd., Suite 210, Coeur
d'Alene, Idaho 83814, together with
a protest fee of \$25.00 on or before
SEPTEMBER 2, 1996.

KARL J. DREHER, Director
October 17, 24, 1996



MICROFILMED
APR 23 1997

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 86-07351

Priority: September 27, 1996

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that MARK HOFSTRAND
DEBRA HOFSTRAND

2179 SHOWALTER RD
MOSCOW ID 83843

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 27, 1996; and has submitted Proof of Beneficial Use on September 15, 1997. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

SPRING

tributary to LITTLE BEAR CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SENENE, Sec. 29, Township 40N, Range 04W
LATAH County

PLACE OF USE: DOMESTIC

TWN RGE SEC

40N 04W 29

NENE

CONDITIONS OF APPROVAL AND REMARKS

1. This right serves the same home as Right 86-07352 from a second spring located in the SENENE, S29, T40N, R4W. Domestic use under this right and Right 86-07352 is limited to a total diversion rate of 0.04 cfs and a total annual volume of 1.2 acre feet.
2. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 2ND day of

MARCH, 1999.

Acting for KARL J. DREHER, Director

MICROFILMED

APR 14 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 86-07351 Telephone No. 208-882-6611
2. Name(s) of Permit Holder(s): MARK & DEBRA HOFSTRAND
3. Mailing Address: 2179 SHAWALTER RD. MOSCOW ID. 83843
4. Source of Water: SPRING If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
 - a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____
 - b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: _____ cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes ____	or	No <u>X</u>
	Has the measuring device been installed?	Yes ____	or	No ____
Flow Measurement Port:	Is a flow measurement port required?	Yes ____	or	No <u>X</u>
	Has the measurement port been installed?	Yes ____	or	No ____
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: MARK HOFSTRAND Telephone Number: 208-882-6611
Address: 2179 SHAWALTER RD. MOSCOW ID. 83843

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: _____

(include your title, if on behalf of company or organization)

MICROFILMED
JAN 12 1998

Date: 9-8-97

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 86-07351

Proposed Priority: September 27, 1996 Maximum Diversion Rate: 0.04 CFS

This is to certify, that MARK HOFSTRAND
DEBRA HOFSTRAND
2179 SHOWALTER RD
MOSCOW ID 83843

has applied for a permit to appropriate water from:
SPRING tributary of LITTLE BEAR CREEK

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>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: SENENE , Sec. 29, Township 40N, Range 04W
LATAH County

PLACE OF USE: DOMESTIC

TWN RGE SEC

40N 04W 29 NENE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1997.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.

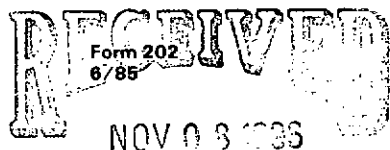
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

19th day of November, 1996.

Karl J. Dreher
for Karl J. Dreher, Director

RECORDED

APR 23 1997



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 86-07351

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant MARK & DEBRA HOFSTRAND Phone 208-882-6611
Post office address 2179 Showalter Rd. Moscow Id. 83843 17 CREEK
2. Source of water supply Spring which is a tributary of LITTLE BEAR DRAINAGE
3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 29 Township 40 North Range 4 West B.M. LATAH 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 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump 1/2 hp submersible in
4' concrete round about 7' deep 1" black plastic pipe
back up house 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? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 yr. years (minimum 1 year).

MICROFILMED
APR 23 1987

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. 1 house
- 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	
40N	4W	29	<u>D</u>																

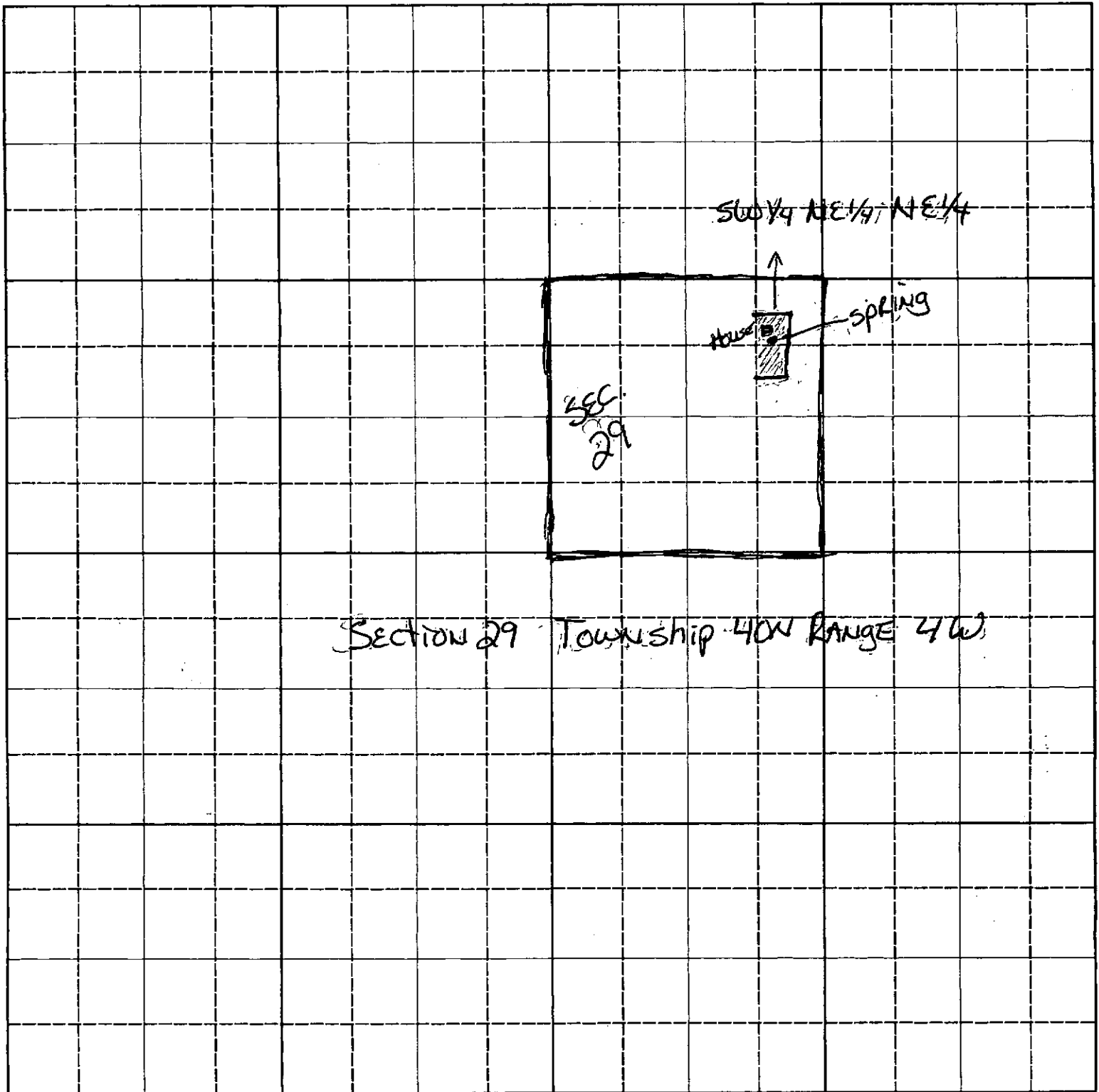
Total number of acres to be irrigated _____

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? Applicant MARK & DEBRA Hofstrand
- b. Who owns the land to be irrigated or place of use? _____
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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.

MICROFILMED
MAY 1937
John Hoptel
(Applicant)

Received by db Date 9/27/96 Time 150p Preliminary check by _____
Fee \$ 50.00 Received by db # N010708 Date 9/27/96
Publication prepared by db Date 10/9/96 Published in Manhattan Daily News
Publication approved db Date 10/28/96 10/17+21/96

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
APR 23 1997

RECEIVED

APR 01 1999

Department of Water Resources

3-29-99

To Kai Lymn,
Idaho Department of
Water Resources

The post office has
reassigned our home
a new number. Our
mailing and physical
address is now!

86-07351
86-07352

MARK & DEBRA HOFSTRAND
1160 Showalter Rd.
Moscow, Id. 83843

Debra L. Hofstrand

208-882-6611

APR 14 1999

4.1.99 WR2 updated - Ket



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 3, 1999

MARK HOFSTRAND
DEBRA HOFSTRAND
2179 SHOWALTER RD
MOSCOW ID 83843

RE: WATER RIGHTS 86-07351/86-07352

Dear Mr. & Mrs. Hofstrand:

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that water rights have been established in accordance with the permits referenced above. The licenses are **preliminary orders** issued by the Department pursuant to section 67-5243, Idaho Code. **They can and will become final orders without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below.**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

APR 14 1999

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:

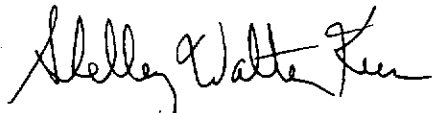
- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SWK:klt
Enclosures

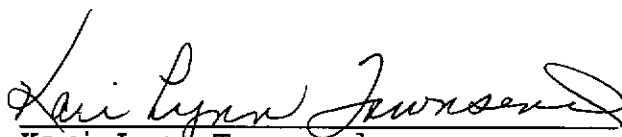
MICROFILMED
APR 14 1999

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of March, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDERS (Approved Licenses) to the person(s) listed below:

Water Rights 86-07351/86-07352

MARK HOFSTRAND
DEBRA HOFSTRAND
2179 SHOWALTER RD
MOSCOW ID 83843


Kari Lynn Townsend
Secretary

MICROFILMED
APR 14 1999

LICENSE REVIEW CHECKLIST

PERMIT NO. 86-07351 DATE 2/26/99 REVIEWER: SHARLA

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK Change (P39 /P47) Add (P45/P42) Feds - P40
 W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

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

PLACE OF USE OK Change (P41/P47) Add (P41/P42) Feds - P43
 W60 (subd. desc)
 W27 (ppu acre limit)

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

PD & PU amend (P37) Feds - P48

RATE OF DIV
 Permitted Rate .04 cfs
 Fee limit .20 cfs \$50⁰⁰
 Measured .04 cfs
 Theoretical .03 cfs @ 40 psi and 7' lift
 Recommended Total Div Rate .04 cfs

WATER USES	<u>OK</u>	Change (P46)		
<u>Dom</u>	<u>.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	Domestic	(WD1/WB5/070/071/075)
TOTALS	<u>.04</u> cfs	<u>1.2</u> af	Power	(W42 or W43/025/027/R22 or R23)
			Fish (042)	Fire (077) Wtr Quality (081/R07)

Flow rate .04 cfs X 365 days X 1.98 = 29.0 af

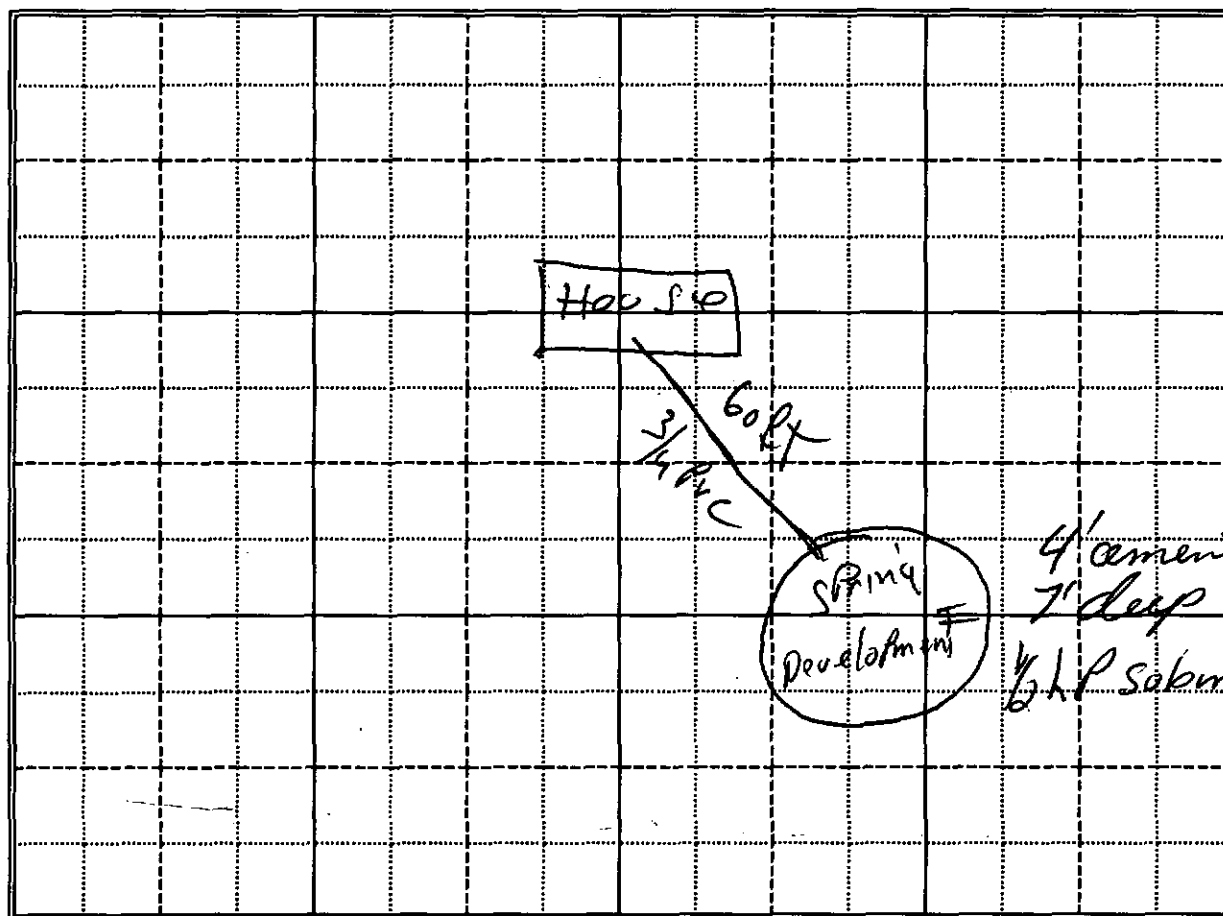
REMARKS _____

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 _____

APR 14 1999

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	.5	Not Legible	Sub	3/4

*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

APR 14 1999

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
APR 14 1999

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$\frac{594 \text{ bucket} \times 5 \text{ gal in 16 sec} \times 18.75 \text{ rpm}}{60} = .04$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

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		
<u>Domestic</u>	<u>01-01</u>	<u>12-31</u>	<u>.04</u>	<u>1.2</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>.04</u>	<u>1.2</u>

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

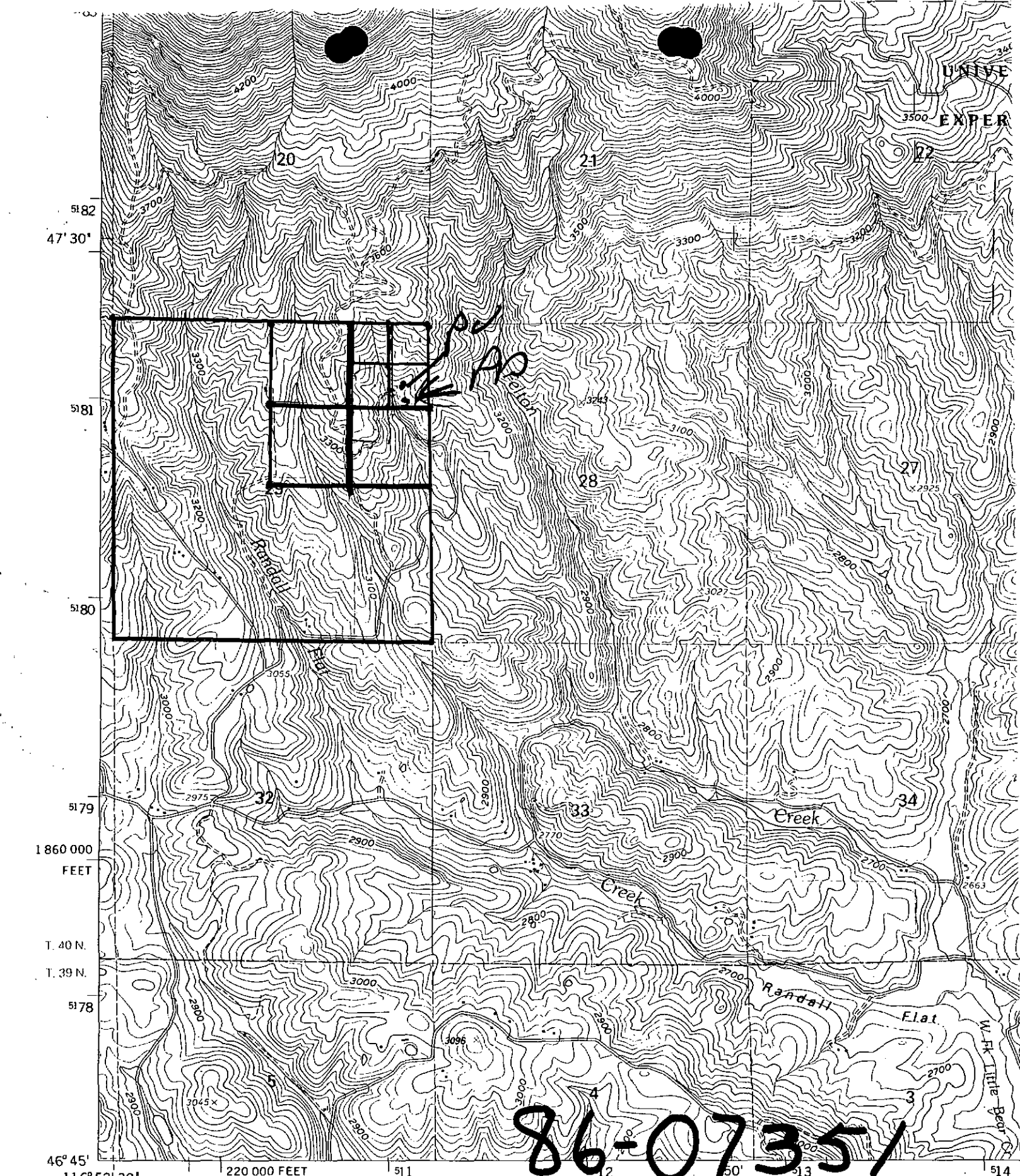
I. AUTHENTICATIONField Examiner's Name Wayne Balducci Date 11-4-98

Reviewer _____ Date _____

SEAL

MICROFILMED

APR 14 1999



Geological Survey
Forest Service
Forest System lands may not have been revised
DAA
Aerophotographs taken 1957. Revised from aerial
photograph field check by U.S. Forest Service 1994
NAD 27. Projection and 10 000-foot ticks:
zone (Lambert conformal)

86-07351
40N-04W-29

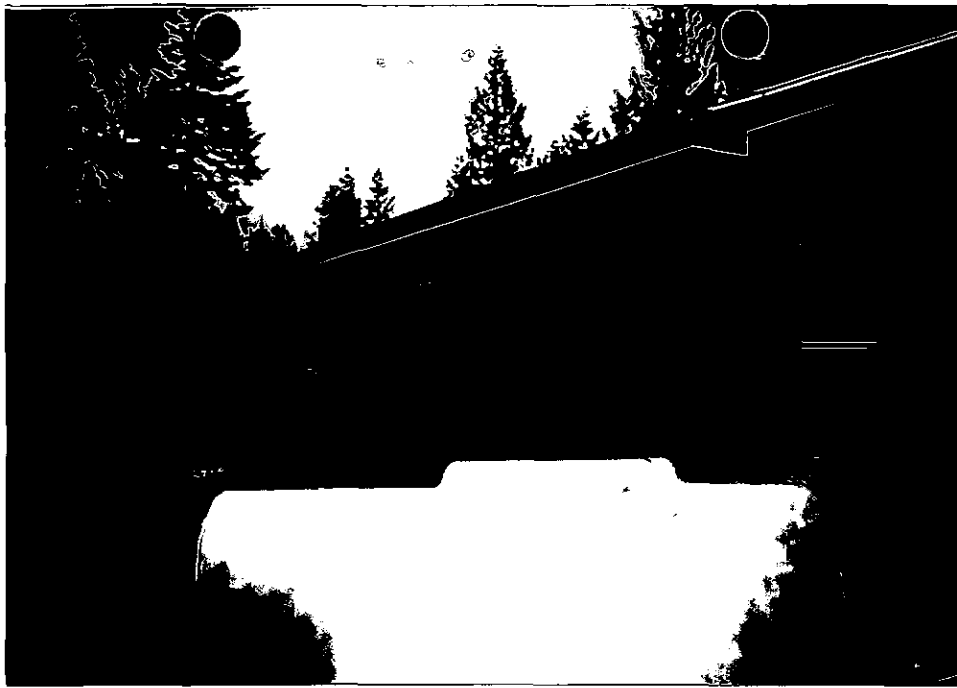
ENCLOSURE
1 4 1994
0 08
2 MILS

17°30'
311 MILS

0 1000 2000 3000 4000

1 5 0 1000

CONTOUR



PO

Photo of Pd Lost

86-07351

MICROFILMED

APR 14 1999

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 86-07351 Reviewed by [Signature] Date 9-19-97

GENERAL CONSIDERATIONS

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

TYPES OF USE

?

Correct Uses? _____

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?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
☐ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

~~_____ - _____ = _____~~

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address

~~_____~~
~~_____~~

Proof Made 8-9-15-97



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 19, 1997

MARK AND DEBRA HOFSTRAND
2179 SHOWALTER RD
MOSCOW ID 83843

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 86-07351

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

August 31, 1997

MARK HOFSTRAND
DEBRA HOFSTRAND
2179 SHOWALTER RD
MOSCOW ID 83843

PROOF DUE NOTICE

RE: PERMIT NO. 86-07351

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1997.

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

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

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

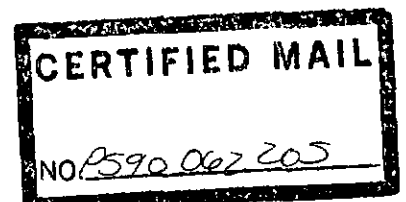
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JAN 12 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

November 19, 1996

PHILIP E. BATT
GOVERNOR

MARK AND DEBRA HOFSTRAND
2179 SHOWALTER RD
MOSCOW ID 83843

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NOS. 86-07351 AND 86-07352

Dear Permit Holder:

Enclosed are copies of your approved applications for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permits.

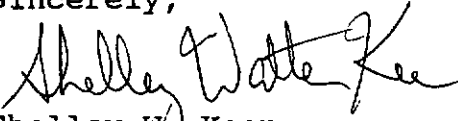
As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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

Enclosures

MICROFILMED

APR 23 1997

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 46-7351 Name: Hofstrand Date: 11/18/96 Ad OK? ☒ ☒ Gvmt Lts: ☒

AREA OF CONCERN? ⁴²⁻¹¹¹ ~~example~~ No/Yes S/c Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020 (Protest Agr) or W19 (See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065 (if GW use SW 1st)

DRILLING PERMIT:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that *doesn't sink* is regulated):

Water District (~~dam~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J (meas dev)-P08
=/- 0.2 cfs - 01H (lock dev)-P01 or No MD
In-WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/ remark WB9- Weiser), NA
Boise River (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette River (65) - 064 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic (surface) - *WB5 (Boise R above Star Bridge); 27A (Payette R); NA
Fish Propagation - 07A-042 (req)-010/06A/09E (WQ)-P10; 044 (N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-028-01F(P19)-09E(P10);
+25 cfs-P18; 17G (FERC) or 17M (FERG); 18B-P09
Storage (✓3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), W07

LOCATION:

42-248 area - In 20/30/40/50/60/70/80 (87) basin? P84
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - 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:

BENEFICIAL USE DUE:

COMMENTS:

- ① wot / 1
- 11-1-1997
-

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCE
APPROPRIATION APPLICATION ANALYSIS SHEET

WR 1
WRA
BC

APPLICATION # 86-07351

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

APPLICANT: HOFSTRAND BY: AB DATE: 9/30/96

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: 9/27/96

☒ (Include Moratorium Remark)

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

ADVERTISE IN: LATAUA 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
10/28 ☒ Affidavit of publication received
10/28 ☒ Application published correctly, If not, record action taken: _____
10/9 ☒ Publication dates and paper recorded on application | Sr. Agent initial AB
☒ Protests received. Final protest date: 11/04/96
☒ Measuring device required
☒ Measuring port required
☒ Special conditions: _____
☒ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: BOA

Date: 11/6/96

NOV 08 1996

Department of Water Resources

Affidavit of Publication

STATE OF IDAHO
County of Latah ss.

Mary Shiel
Legal Clerk

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

That she is the printer of
Moscow-Pullman Daily News, a
newspaper of general circulation,
printed and published daily except
Sunday at Moscow, Latah County,
Idaho, in compliance with Sections
60-106, 60-107, and 60-108 of the
Idaho Code and the amendments
thereto; that the notice of which the
annexed is a full, true and correct
printed copy was published in the
regular and entire issues of said
newspaper and not in a supplement
thereto, upon the following dates:

Oct. 17, 24, 1996

the same being the dates designated
for the publication of said notice.

Mary Shiel

On this 25 day of Oct
in the year of 1996, before me, a Notary

Public, personally appeared _____

Mary Shiel

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.

Shirley Marie Gelp
Notary Public for Idaho

Residing at Troy, Idaho

My commission expires: 5/11/98

NOTICE OF APPLICATION FOR WATER RIGHT

the public waters of the State of
Idaho:

86-07351

Hofstrand, Mark
Hofstrand, Debra
2179 Showalter Road, Moscow,
ID 83843

Source: SPRING, Tributary: LIT-
TLE BEAR CREEK

Diversion Pt: SENENE Sec 29 T
40N 04W in LATAH County.

Use: DOMESTIC, (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 9/27/1996

In: LATAH County

T40N R04W S29 NENE

86-07352

Hofstrand, Mark
Hofstrand, Debra
2179 Showalter Road, Moscow,
ID 83843

Source: SPRING, Tributary: LIT-
TLE BEAR CREEK

Diversion Pt: SENENE Sec 29 T
40N 04W in LATAH County.

Use: DOMESTIC, (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 9/27/1996

In: LATAH County

T40N R04W S29 NENE

86-07353

Hofstrand, Arland
Hofstrand, Gail
2180 Showalter Road, Moscow,
ID 83843

Source: SPRING, Tributary: LIT-
TLE BEAR CREEK

Diversion Pt: SENENE Sec 29 T
40N 04W in LATAH County.

Use: DOMESTIC, (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 10/1/1996

In: LATAH County

T40N R04W S29 SENE

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

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the applicant and with
the Director, Dept. of Water
Resources, Northern Region, 1910
Northwest Blvd., Suite 210, Coeur
d'Alene, Idaho 83814, together with
a protest fee of \$25.00 on or before
SEPTEMBER 2, 1996.

KARL J. DREHER, Director
October 17, 24, 1996



MICROFILMED
APR 23 1997

86-07351

HOFSTRAND, MARK
HOFSTRAND, DEBRA
2179 SHOWALTER ROAD
MOSCOW, ID 83843

Source: SPRING

Tributary: LITTLE BEAR CREEK

Diversion Pt: SENENE Sec 29 T 40N R 04W in LATAH County.

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

Date Filed: 9/27/1996

In: LATAH County	
T40N R04W S29	NENE

MICROFILMED
APR 23 1997

October 9, 1996

Mark & Debra Hofstrand
2179 Showalter Road
Moscow ID 83843

Re: Water Appropriation Application No. 86-07351 and 86-07352

Dear Mr. and Mrs. Hofstrand:

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 numbers in all future matters concerning these water right applications. Enclosed for your file is Receipt Number N010708.

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

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

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

If your source is groundwater, a separate well drilling permit is required for all wells constructed after July 1, 1987.

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$35.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. It is possible to upgrade a Domestic Drilling Permit by submitting an additional \$165.00. These Permits can be obtained by your driller, also.

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

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

MICROFILMED

APR 23 1997