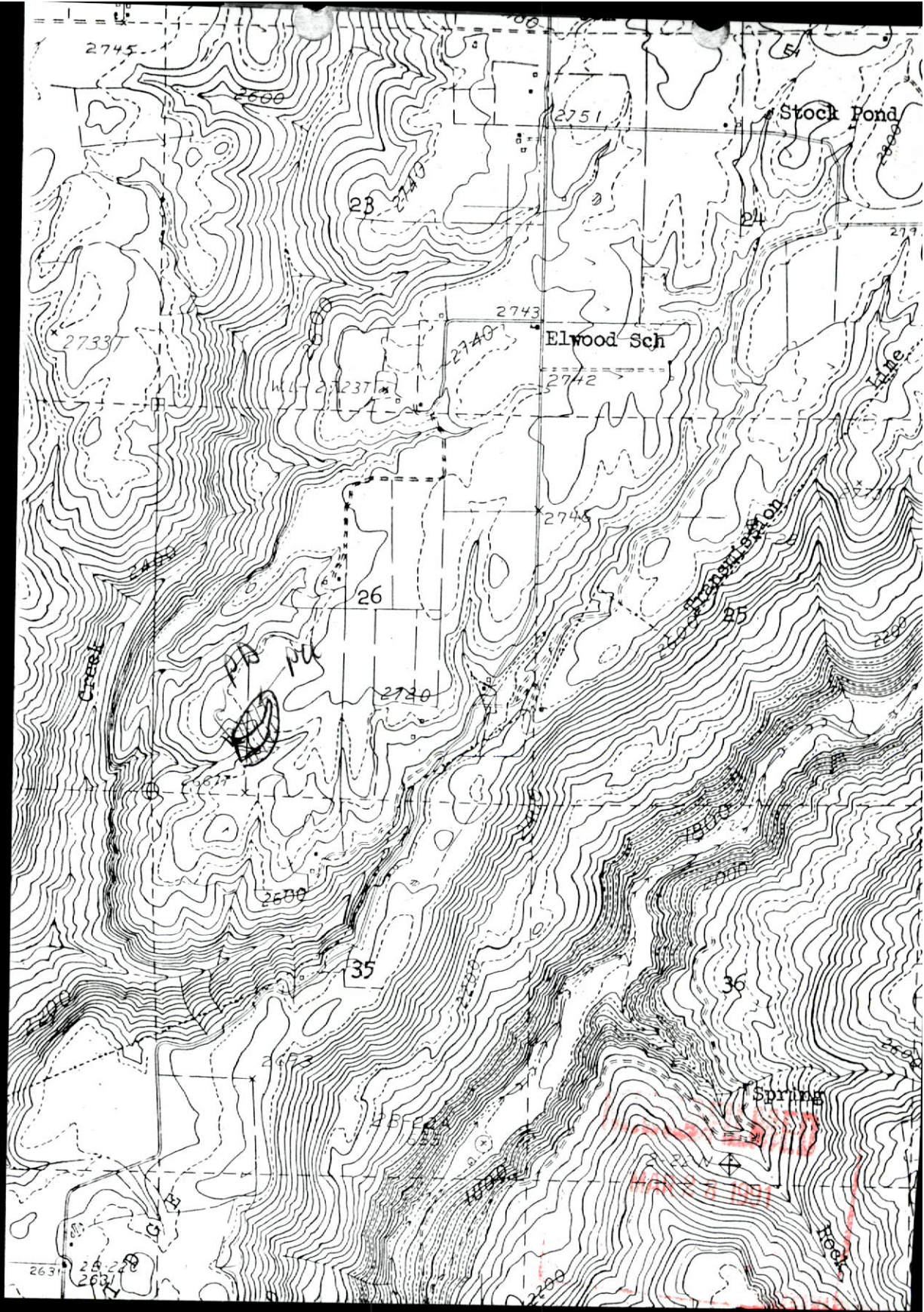
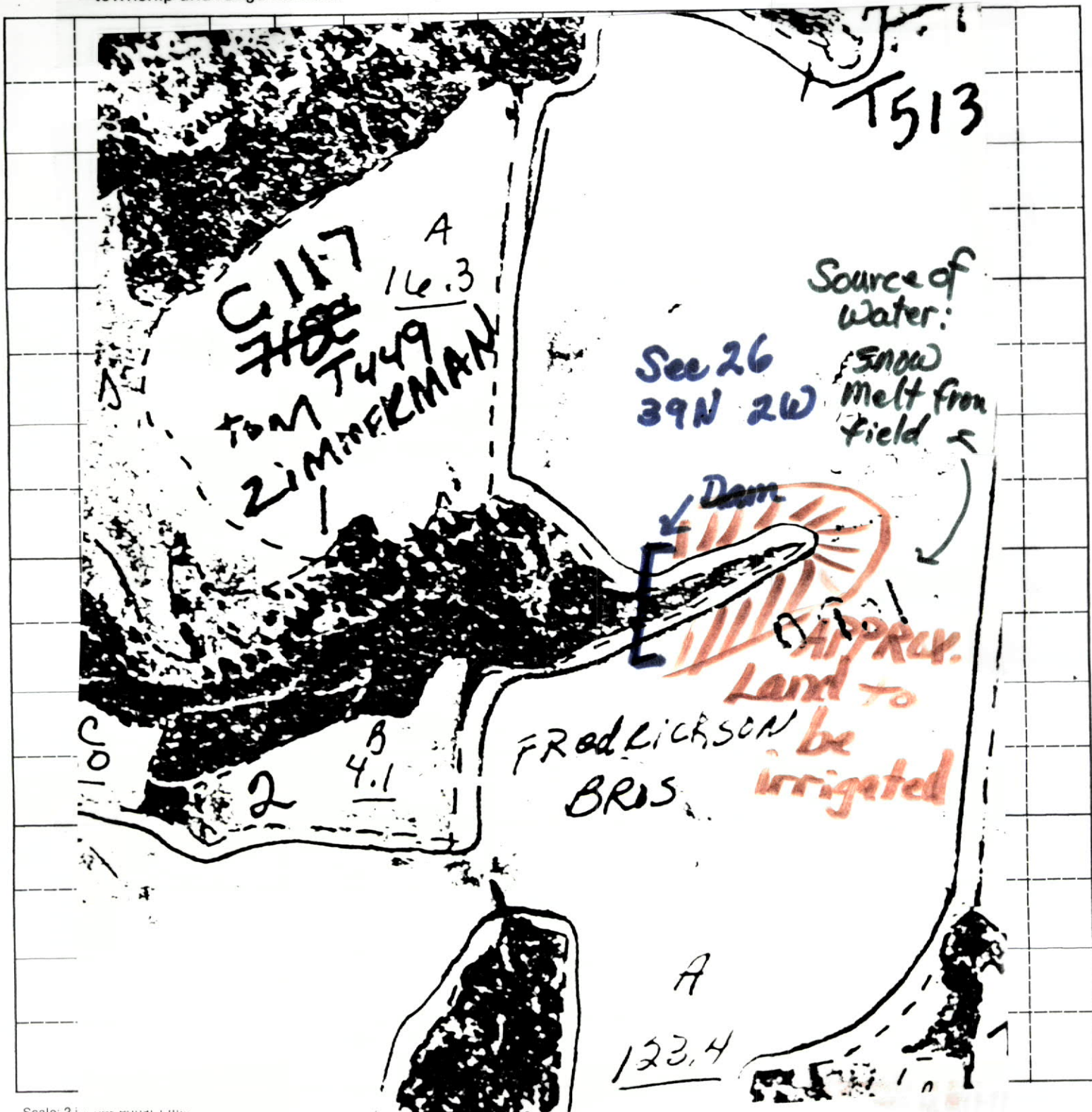




13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

The Mariposa Foundation for Conservation Inc.
by Rene E. W. Birch
(Applicant)
Sec. / Treas.

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

Theresa Myers

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

That he is the printer of The IDAHONIAN, 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:

Jan. 17, 24, 1991

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

Theresa Myers
Subscribed and sworn to before

me this 25 day of Jan

19 91

Kris Anderson
Notary Public,
residing at Moscow, Idaho
My commission expires: 10-16-93

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 86-7290 in the name of The Mariposa Foundation for Conservation Inc. was advertised incorrectly on 12/6 & 13/1990.

The Place of Use was incorrectly described as T39N R02W S26 SESW for 10 acres; whereas, correctly it should be T39N R02W S26 SWSW SESW for 10 acres.

(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 February 4, 1991.

R. KEITH HIGGINSON, Dir.
Jan. 17, 24, 1991

PAT:
READV. NOTICE
OF CORR. Done
PL 3AL SW 5W
7AL SE SW



RECORDED

MAR 28 1991

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

Theresa Myers

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

That he is the printer of The IDAHONIAN, 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:

Dec. 6, 13, 1990

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

Theresa Myers
Subscribed and sworn to before

me this 14 day of Dec

19 90
[Signature]

Notary Public,
residing at Moscow, Idaho
My commission expires: 10-16-93

PUBLIC NOTICES "BECAUSE THE PEOPLE A MUST KNOW"

NOTICE OF APPLICATION FOR WATER RIGHT

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

86-07290

MARIPOSA FOUNDATION FOR
CONSERVATION INC, THE

P.O. BOX 141

ELK RIVER, ID 83827

Source: UNNAMED STREAM
Tributary: PINE CREEK

Diversion Pt: SESWSW Sec 26 T
39N R 02W

Use: IRRIGATION STORAGE

(20.00 AF)

IRRIGATION FROM STORAGE

(20.00 AF)

WILDLIFE STORAGE (20.00 AF)

Total Diversion: (38.00 AF)

Date Filed: 11/9/1990

In: T39N R02W S26 SESW

10.0 ACRES TOTAL

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before DECEMBER 24, 1990.

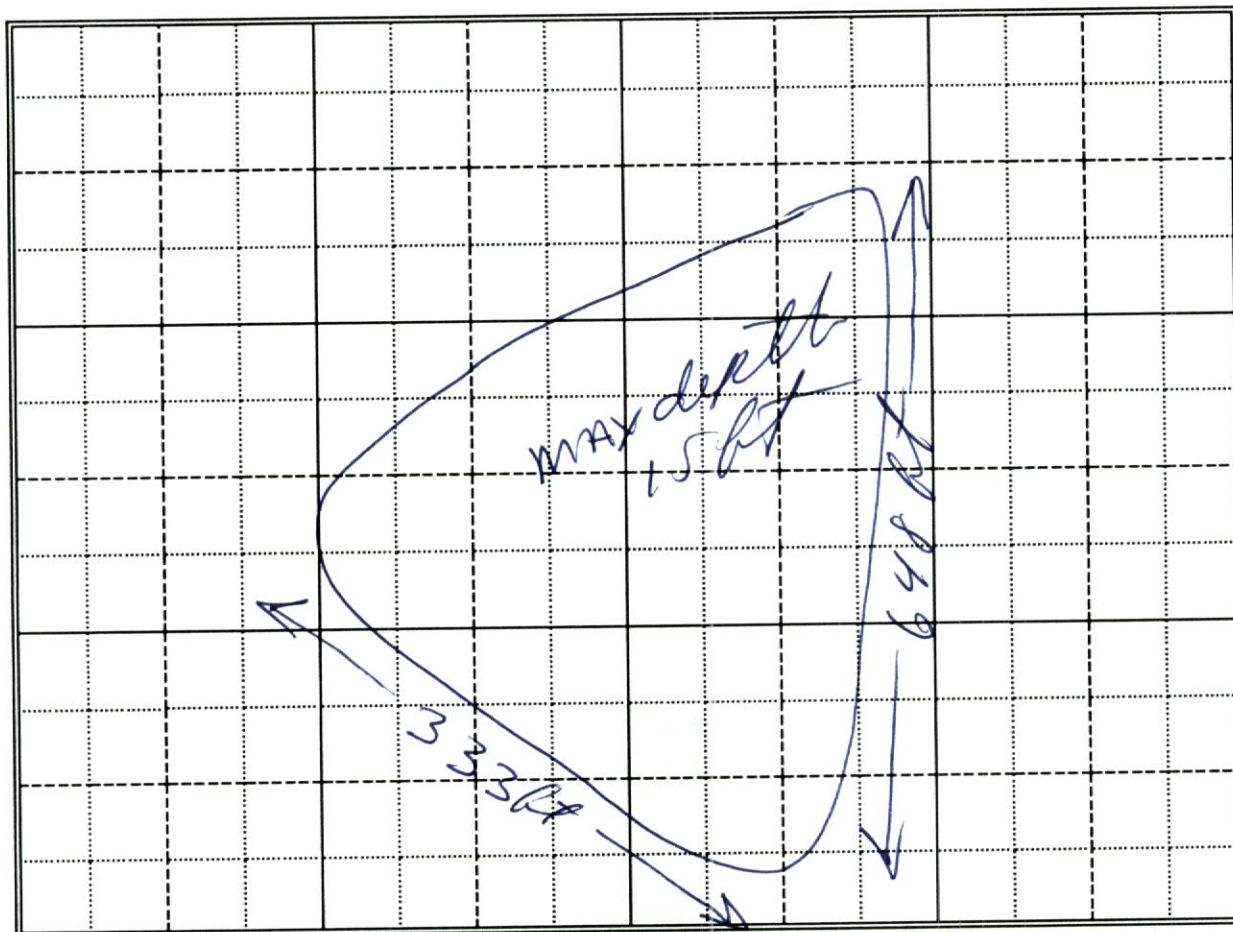
R. KEITH HIGGINSON, Director
Dec. 6, 13, 1990



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



Scale: 1" = NTS

____ 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

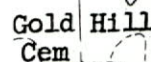
D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

JUN 10 1938



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 86-07290

PHOTOGRAPHS



MICROFILMED
JUN 10 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 86-07290

Priority: November 9, 1990

Maximum Storage Volume:

14.9 AF

This is to certify, that THE MARIPOSA FOUNDATION FOR CONSERVATION
415 RESIDENCE ST
MOSCOW ID 83843

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated November 9, 1990; and
has submitted Proof of Beneficial Use on February 20, 1992. An examination indicates
that the works have a storage capacity of 14.900 af of water from:

UNNAMED STREAM

tributary to PINE 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>
WILDLIFE STORAGE	01/01 to 12/31		14.9 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 26, Township 39N, Range 02W
LATAH County

PLACE OF USE: WILDLIFE STORAGE

TWN RGE SEC

39N 02W 26

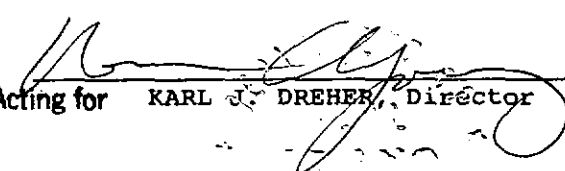
SWSW

SESW

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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 27TH
day of FEBRUARY, 1998.

Acting for  KARL J. DREHER, Director

MICROFILMED

JUN 10 1998

RECEIVED
FEB 20 1992

OFFICE USE ONLY
Amt. of Fee \$ 100.00
Date 2-20-92
Receipt No. C022305
Receipt by [Signature]

Department of Water Resources

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

1. Permit No. 86-07290 Telephone No. (208) 826-3380 (2080 882-4077) If no answer call:
2. Name(s) of Permit Holder(s): The Mariposa Foundation for Conservation, Inc.
3. Mailing Address: Please mail all to the Foundation office: 415 Residence Street, Moscow, ID 83843
4. Source of Water: rainwater -- unnamed stream

If GROUNDWATER, Well Driller's Name: no Date Drilled: NA

OPTIONAL:

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

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

Domestic (No. of households) Stockwater (No. and type of stock)
Irrigation 10 (No. of acres) Other wildlife storage

6. Total rate and/or volume for which proof is submitted cfs OR 38 acre/feet

7. Refer to the approval conditions on your permit and respond accordingly: Not needed

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

OR
Flow Measurement Port: Required? Yes X No Installed? Yes X No

8. Fee Enclosed: \$ 100.00 (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.

Renee Birch (208) 826-3380 or if no answer call (208) 882-4077
Name Telephone No.
P.O. Box 141, Elk River, ID 83827
Address
MAR 06 1992

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.

2/18/92
Date
Signature (and title, if on behalf of a company or organization)
Renee E.W. Birch for The Mariposa Foundation
for Conservation, Inc.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 86-07290

Proposed Priority: November 9, 1990

Maximum Storage Volume: 38.0 AF

This is to certify, that **THE MARIPOSA FOUNDATION FOR CONSERVATION**
P.O. BOX 141
ELK RIVER, ID 83827
has applied for a permit to appropriate water from:

UNNAMED STREAM tributary of **PINE 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>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		20.0 AF
IRRIGATION FROM STORAGE	03/01 to 11/01		20.0 AF
WILDLIFE STORAGE	01/01 to 12/31		20.0 AF
Totals			38.0 AF

LOCATION OF POINT(S) OF DIVERSION: SESWSW Sec. 26, Township 39N, Range 02W
LATAH County

<u>PLACE OF USE:</u> <u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
39N 02W 26	SWSW 3	SESW 7		10

Total number of acres irrigated: 10

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION STORAGE use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1992.
2. Subject to all prior water rights.
3. The storage of water under this permit is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.

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

20th day of March, 1991.

MAR 28 1991

R. Keith Higginson
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 86-7290

To appropriate the public waters of the State of Idaho

The Mariposa Foundation for Conservation, Inc.

(208) 826-3380

1. Name of applicant _____ Phone _____
Foundation office (208) 882-4077
Post office address P.O. Box 141,; Elk River, ID 83827 [415 Residence St. Moscow, ID 83843]
2. Source of water supply Unnamed Stream
snow accumulation, snow melt which is a tributary of Pine Creek
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 26 Township 39N Range 2W B.M. Latah County; additional
points of diversion if any: N/A
4. Water will be used for the following purposes:
Amount 20 for irrigation FROM STORAGE purposes from Mar. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 20 for storage FOR IRRIGATION purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum) STORAGE FOR
Amount 20 for wildlife 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)
5. Total quantity to be appropriated is (a) _____ and/or (b) -20 38 ^{per tel com} 11/15/90 X
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. earthen dam; 1" submersable 1/2 horse-
power portable pumping system

b. Height of storage dam 17 feet; active reservoir capacity 38 acre-feet; total
reservoir capacity 38 acre-feet; period of year when water will be diverted to storage:
Jan. 1 to Dec. 31 inclusive.
c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.
d. Is ground water with a temperature of greater than 90°F being sought? no
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 year years (minimum 1 year).

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MAR 28 1991

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

- a. Hydropower; show total feet of head and proposed capacity in KW. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. N/A
- e. Other; describe fully. wildlife, erosion control

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	
39 N	2 W	26											3	7					10
													From Map						
													TDK						

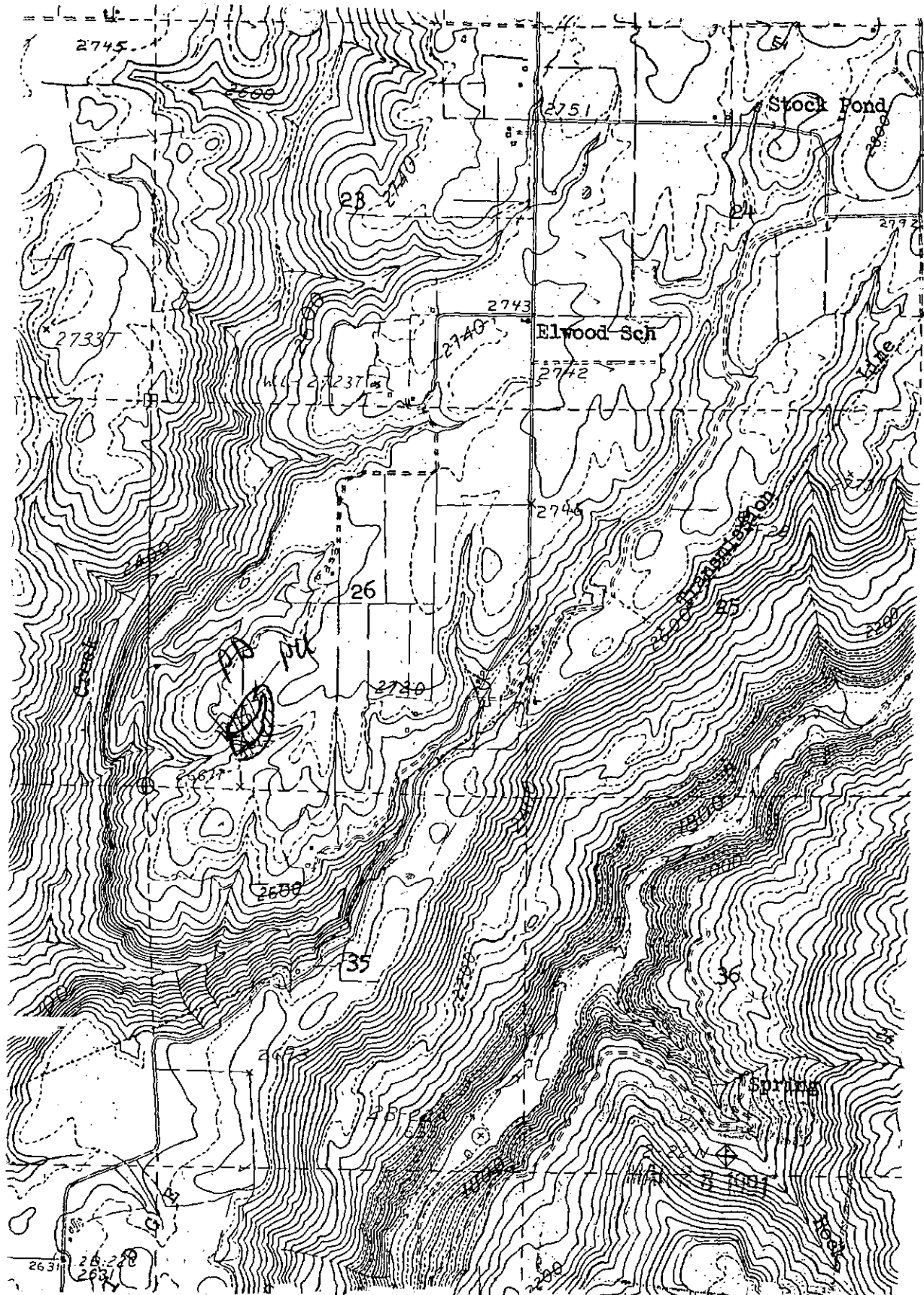
Total number of acres to be irrigated 10

10. Describe any other water rights used for the same purposes as described above. None

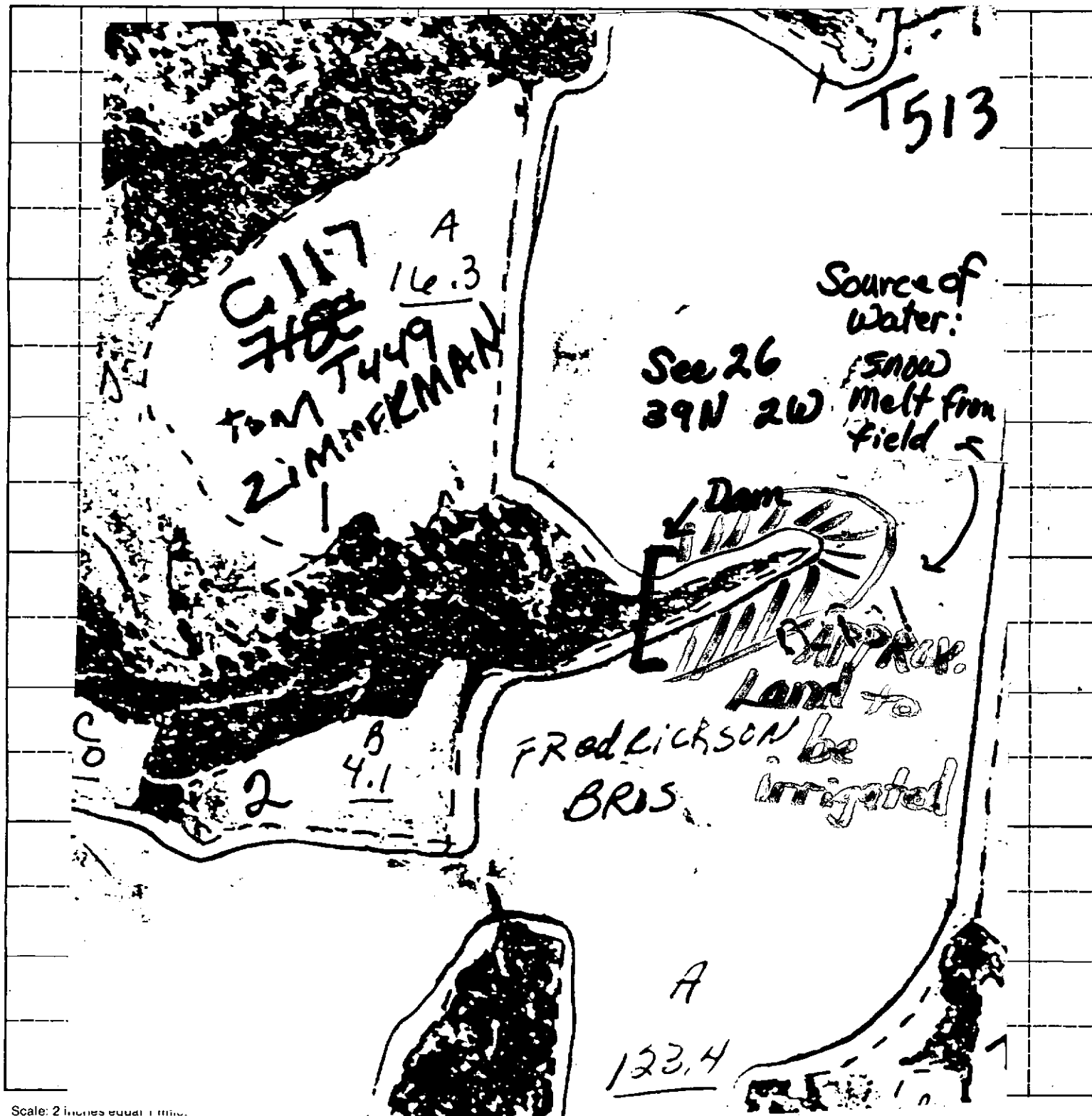
11. a. Who owns the property at the point of diversion? The Mariposa Foundation for Conservation, Inc.
- b. Who owns the land to be irrigated or place of use? The Mariposa Foundation for Conservation, Inc.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A

12. Remarks: Major purpose of pond is to irrigate plants raised by the Mariposa Foundation; in addition the pond will improve wildlife habitat and prevent erosion.

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MAR 28 1991



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



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.

The Mariposa Foundation for Conservation Inc.
by Russ E. W. Birch
(Applicant)
Secy/Treas.

Received by [Signature] Date 11/9/90 Time 2:00 PM Preliminary check by TDR
Fee \$ 45.00 Receipted by [Signature] # N4207 Date 11/9/90
Publication prepared by [Signature] Date 11/28/90 Published in Helena Daily News
12/6-13/90 1/17-24/91
Publication approved [Signature] Date 12/31/90

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:

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MAR 28 1991

MARIPOSA FOUNDATION FOR CONSERVATION, INC. (Non-Profit Foundation)



415 Residence Street
Moscow, Idaho 83843
Phone (208) 882-4077

November 15, 1990

Board of Directors

President	Roscoe D. Watson	415 Residence St. Moscow, Idaho 83843
	Ronald R. Watson	4911 North Palcita Santolina Tucson, AZ 85749
	Rodney L. Watson	9516 47th Drive N. E. Marysville, WA 98270
	Roger A. Watson	2578 Pebble Beach Dr. Santa Clara, CA 95051
	Lynn L. Farnworth	1168 Border Ln. Moscow, ID 83843
	Gary D. Birch	P.O. Box 141 Elk River, ID 83827
Secretary	Renee E. W. Birch	P.O. Box 141 Elk River, ID 83827

RECEIVED

Nov 28 1991

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

Theresa Myers

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

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Jan. 17, 24, 1991

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

Theresa Myers
Subscribed and sworn to before
me this *25* day of *Jan*

19 *91*

Reis An... [Signature]
Notary Public,
residing at Moscow, Idaho
My commission expires: *10-16-93*

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN
THAT APPLICATION FOR PERMIT
NO. 86-7290 in the name of The Mar-
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Inc. was advertised incorrectly on
12/6 & 13/1990.

The Place of Use was incorrectly
described as T39N R02W S26 SESW
for 10 acres; whereas, correctly it
should be T39N R02W S26 SWSW
SESW for 10 acres.

(For additional information con-
cerning 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, Co-
eur d'Alene, Id. 83814 on or before
February 4, 1991.

R. KEITH HIGGINSON, Dir.
Jan. 17, 24, 1991

PAT:

READU. NOTICE
OF CORR. *Done*
PU 3AL SW SW
7AL SE SW



MICROFILMED

MAR 28 1991

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(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 February 4, 1991.

R. KEITH HIGGINSON, Dir.

Published in the Idahonian on 1/17 & 24/1991.

MICROFILMED

MAR 28 1991

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

Theresa Myers

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Dec. 6, 13, 1990

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

Theresa Myers
Subscribed and sworn to before

me this 14 day of Dec

19 90
[Signature]

Notary Public,
residing at Moscow, Idaho
My commission expires: 10-16-93

PUBLIC NOTICES "BECAUSE THE PEOPLE A MUST KNOW"

NOTICE OF APPLICATION FOR WATER RIGHT

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

86-07290

MARIPOSA FOUNDATION FOR
CONSERVATION INC, THE

P.O. BOX 141

ELK RIVER, ID 83827

Source: UNNAMED STREAM
Tributary: PINE CREEK

Diversion Pt: SESWSW Sec 26 T
39N R 02W

Use: IRRIGATION STORAGE

(20.00 AF)

IRRIGATION FROM STORAGE

(20.00 AF)

WILDLIFE STORAGE (20.00 AF)

Total Diversion: (38.00 AF)

Date Filed: 11/9/1990

In: T39N R02W S26 SESW

10.0 ACRES TOTAL

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before DECEMBER 24, 1990.

R. KEITH HIGGINSON, Director
Dec. 6, 13, 1990

RD 1
NORTHERN REGION

DEC 28 1990

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MAR 28 1991



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

February 27, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

THE MARIPOSA FOUNDATION FOR CONSERVATION
415 RESIDENCE ST
MOSCOW ID 83843

RE: WATER RIGHT NO. 86-07290

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

MICROFILMED
JUN 10 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

RECEIVED
JUN 10 1998

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

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

NOT RECORDED

JUN 10 1988

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of February, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 86-07290

THE MARIPOSA FOUNDATION FOR CONSERVATION
415 RESIDENCE ST
MOSCOW ID 83843


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 10 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 86-07290

DATE 2/24/98

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change/clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U
Overlap file pulled & reviewed —

RATE OF DIV

Permitted Rate	<u>38.0</u> cfs
Fee limit	<u>100.0</u> cfs \$100 ⁰⁰
Measured	<u>14.9</u> cfs
Theoretical	<u>NA</u> cfs

Recommended Total Div Rate 14.9 cfs

**ANNUAL VOLUME/
NATURE OF USES**

Use	cfs	Volume Calc
<u>Wild</u>	<u>14.9</u>	<u>14.9</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
SUBTOTAL	<u>14.9</u>	<u>14.9</u> af

Flow rate — cfs X — days X 1.98 = — af
Total volume recommended — af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS

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

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA
Adjustment Memo —

1st Amend Letter NA
2nd Amend Letter NA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 27 1998
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 86-07290

1. Owner: Zb Maryosa Foundation for Conservation Phone No 208-882-4077

Current Address: 415 Residence St Moscow Id 83843

2. Accompanied by: Dr. R. D. Watson EXAM DATE: 8-13-97

Address: Same as above Phone No. _____

Relationship to Permit Holder: Sounder

3. Source: Run off Unnamed Stream tributary to Line Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SW	SW	26	39N	02W	LATAH	U.S. G.S. 7.5 min Quad

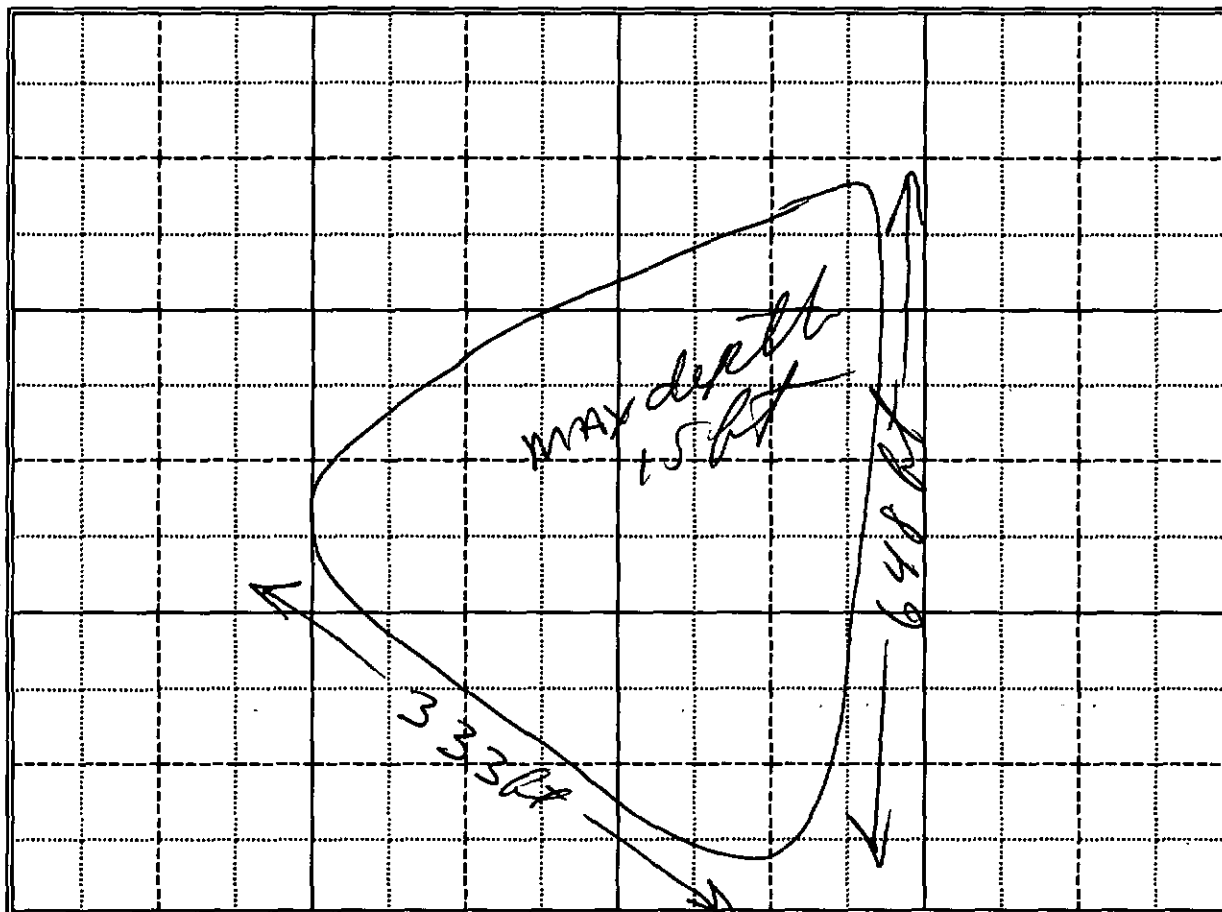
2. Place(s) of Use:

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	
39N	02W	26											W	W					

MICROFILMED
JUN 10 1998

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



Scale: 1" = 100'

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

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

____ Photo of Diversion and System Attached

4.

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

*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:

NOTED MED

JUN 10 1990

E. NARRATIVE/REMARKS/COMMENTS

There has been no irrigation,
nor will there be any irrigation
under this permit. Pond is used
only for wild life storage

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

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JUN 10 1998

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

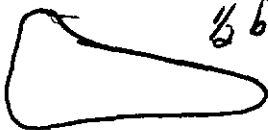
1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

 $\frac{1}{2} b h d = \frac{.5(333)(648)(15)(.4)}{43560} = 14.9 \text{ af}$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Wildlife Storage</i>	<i>01-01</i>	<i>12-31</i>		<i>14.9 af</i>
Totals:				<i>14.9</i>

2. Recommended Amendments

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

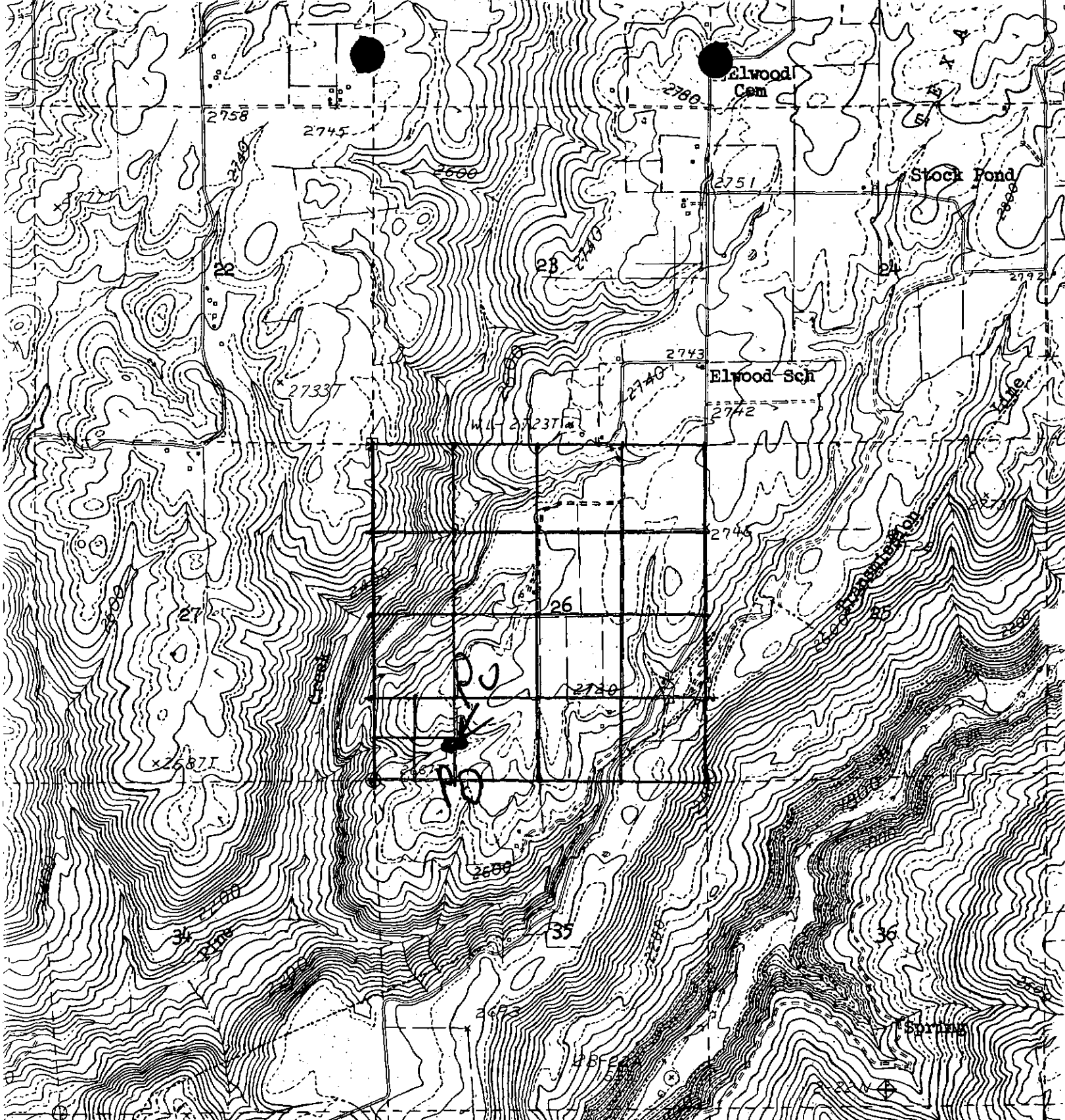
I. AUTHENTICATION

Field Examiner's Name *Wayne Balch* Date *9-11-97*

Reviewer _____ Date _____

SEAL

RECEIVED
JUN 10 1998



86-07290
T39N R2W
Dec 26

RECORDED
JUN 10 1998

Gold Hill
Cem
2815T

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT #

86-07290

PHOTOGRAPHS



8 13'97

MICRO

JUN 10 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 22, 1994

Latah County ASCS Office
PO Box 9109
Federal Building
Moscow ID 83843

RE: Aerial Photos

Dear Sir:

Please send a copy of the aerial photo that covers the following property:

TWP 39N, R 2W, SECTION 26 SWSW, AND SESW

This photo is necessary to complete the process of a Water Right appropriations. Please enclose a bill for any fees.

Sincerely,

Theresa J. Bright
Field Examiner

RECEIVED
APR 15 1994
LATAH A.S.C.
MICROFILMED
JUN 10 1998

February 28, 1992

THE MARIPOSA FOUNDATION FOR CONSERVATION
415 RESIDENCE ST
MOSCOW ID 83843

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 86-07290

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 this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208)765-4639.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

MAR 06 1992

MARIPOSA FOUNDATION FOR CONSERVATION, INC. (Non-Profit Foundation)



415 Residence Street
Moscow, Idaho 83843
Phone (208) 882-4077

February 18, 1992
P. O. Box 141
Elk River, ID 83827

Karen L. Gustafson
Secretary/Records Manager
State of Idaho
Department of Water Resources
1301 North Orchard Street, Statehouse Mail
Boise, Idaho 83720-9000

Dear Ms. Gustafson,

As per our phone call today I have enclosed the completed Proof of Beneficial Use form and check to cover the License Examination Fee.

When someone is sent to physically examine the pond please have them contact me as the road to the pond is newly made and travel over it may cause damage. I can be reached at:

P.O. Box 141 / 127 W. Taft Street
Elk River, ID 83827
Phone: (208) 826-3380

or call me at the Foundation office:

415 Residence Street
Moscow, ID 83843
Phone: (208) 882-4077

If for some reason you are unable to reach me please ask the examiner to walk the last quarter mile to the pond rather than risk damaging the new road.

Thank-you for your help.

Sincerely,

Renee E. W. Birch

MAR 06 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 86-07290 Reviewed by Klg Date 2/24/92

GENERAL CONSIDERATIONS

yes Name same as permit?
no Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

irrigation - 10 acres
wildlife storage
Correct Uses? yes

SOURCE OF WATER

✓ Surface water source
Ground water source

NA 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?
100 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address 415 Residence St. Moscow ID Proof Made 2/20/92
2/25/92 Klg 83843 2/28/92 Klg

January 31, 1992

THE MARIPOSA FOUNDATION FOR CONSERVATION
P.O. BOX 141
ELK RIVER ID 83827

PROOF DUE NOTICE

RE: PERMIT NO. 86-07290

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1992. (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.

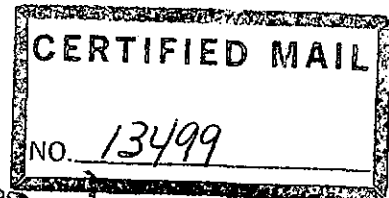
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



MICROFILMED

MAR 06 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 25, 1991

THE MARIPOSA FOUNDATION FOR CONSERVATION
P.O. BOX 141
ELK RIVER, ID 83827

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 86-07290

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.

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

If the diversion dam is 10 feet or more in height, or has an impounding capacity of 50 acre-feet or more, certain dam safety requirements must be met. Please contact the regional office nearest you for details.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

MAR 28 1991

APPLICATION FOR PERMIT REVIEW

Application #: 86-7290
Date: 3-15-91

Reviewer: Pam Skaggs

✓ Existing:

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

Yes

Proof not submitted - P16

Proof submitted - N/A

Groundwater:

GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)

LT. 0.7 cfs - N/A

Drilling Permit:

Approved w/permit - P99

Not included - 046-P23(All GW, even existing wells)

✓ Location:

Water Districts - WD No. _____

Surface water - 005, 005-01H-P01(LT.7 w/pump)
005-01J-P08(GT.7)

Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

✓ Swan Falls Flag - _____ (1, Blank or Other)

Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr

Non Trust - 048-049 or Irr & Dom)

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 11D-P72

Payette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

✓ Use:

Fish Propagation - 002-P06, 06A, 007, 09E-P10, 010, 042, 044

Power - _____ Use Power Review

Mining - 06A, 006, 010, 09E-P10 & 054(req.)

✓ Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

✓ Beneficial Use Due Date: - 04-01-1992

Other Conditions Recommended _____

MAR 28 1991

3-19-91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: TDK DATE: 11-13-90 APPLICATION NUMBER: 86-7290

APPLICANT: MARIPOSA

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:
(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 letter for additional fish information:
☒ Send letter for additional power information:
☒ Within trust water boundary: (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. H & W
☒ I.D. F & G
☒ I.D. Lands
☒ Adj. Bur.

YES NO

- ☒ U.S. BLM
☒ U.S.F.S.
☒ W District # _____
☒ G.W. Prot. Div.

YES NO

- ☒ Other _____

RECEIVED

FEB 25 1991

Department of Water Resources

Application Number 8-1290

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/v incorrect - re-adv.

☒ ☐ Publication dates and paper recorded on application:

☐ ☒ Protests received, Final date for protest 12/24/90

☐ ☒ 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 11-9-90

Recommended by: TDK PWA Date 2/19/91

STATE OFFICE REVIEW

See remarks for additional information. By _____ Date _____

REMARKS

86-07290

MARIPOSA FOUNDATION FOR CONSERVATION INC, THE
P.O. BOX 141
ELK RIVER, ID 83827

Source: UNNAMED STREAM

Tributary: PINE CREEK

Diversion Pt: SESWSW Sec 26 T 39N R 02W

Use: IRRIGATION STORAGE	(20.00 AF)
IRRIGATION FROM STORAGE	(20.00 AF)
WILDLIFE STORAGE	(20.00 AF)
Total Diversion:	(38.00 AF)

Date Filed: 11/ 9/ 1990

In: T39N R02W S26 SESW

10.0 ACRES TOTAL

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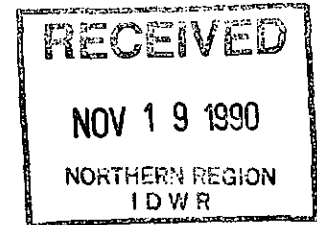
MAR 28 1991

MARIPOSA FOUNDATION FOR CONSERVATION, INC. (Non-Profit Foundation)



415 Residence Street
Moscow, Idaho 83843
Phone (208) 882-4077

November 15, 1990



Mr. Tom King
Department of Water Resources
1910 Northwest Blvd. Suite 210
Coeur d'Alene, ID 83814

Dear Mr. King,

I have enclosed a list of the Mariposa Foundation Board of Directors as per your letter of November 13, 1990.

Concerning the application for small dam; David LePard returned my call today and explained that he had been given that application by your secretary Pat. Pat recalled that both the Water Rights and Dam application came in the same envelop and that she probably separated them when received. I think the application for small dam will cover the other questions listed in your letter.

If you have further questions please call me at: (208) 826-3380 or write me at:

P.O. Box 141
Elk River, ID 83827

I will try to respond promptly.

Sincerely,

Dr. Renee E. W. Birch

RECEIVED

MAR 28 1991