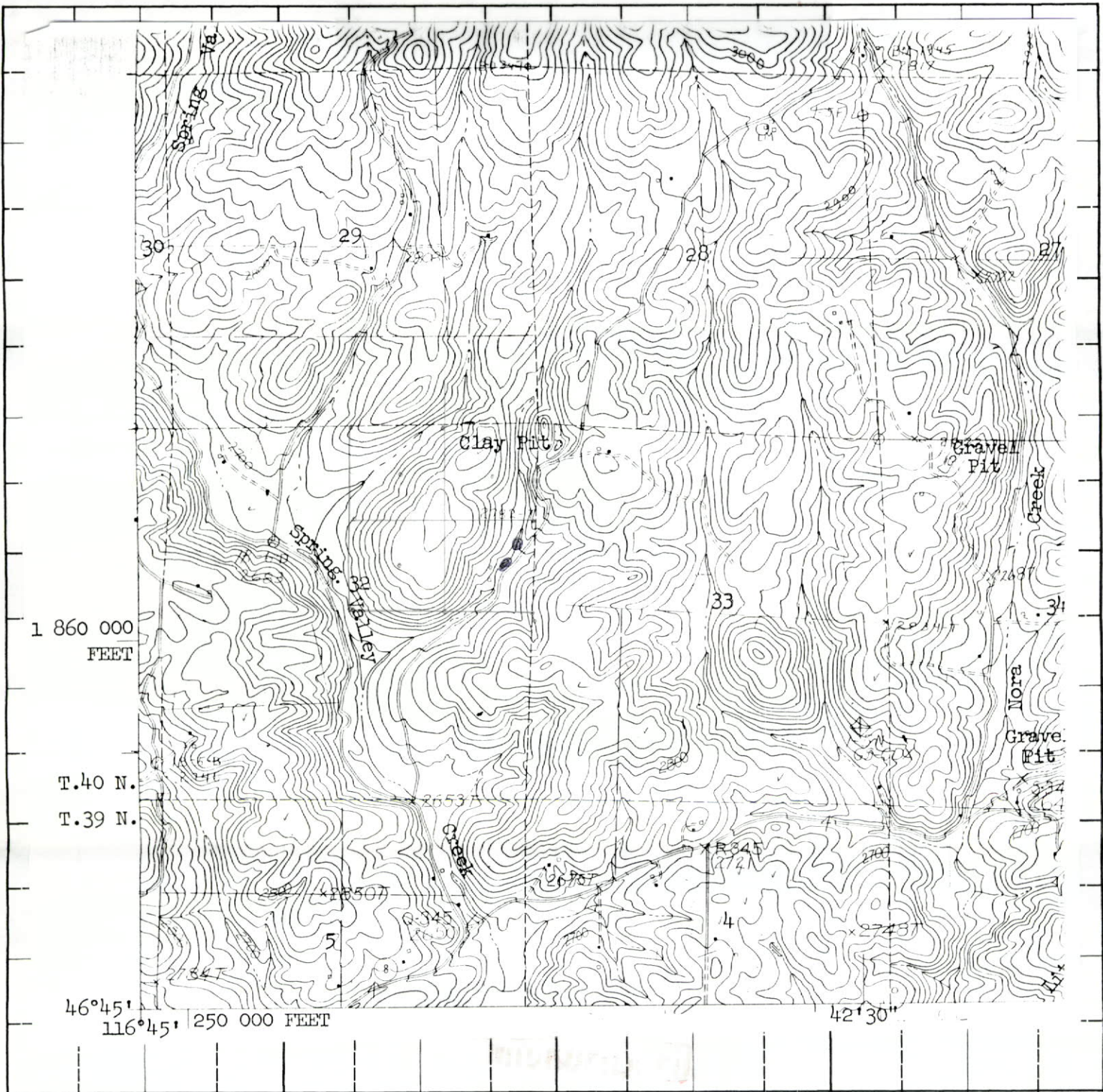


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



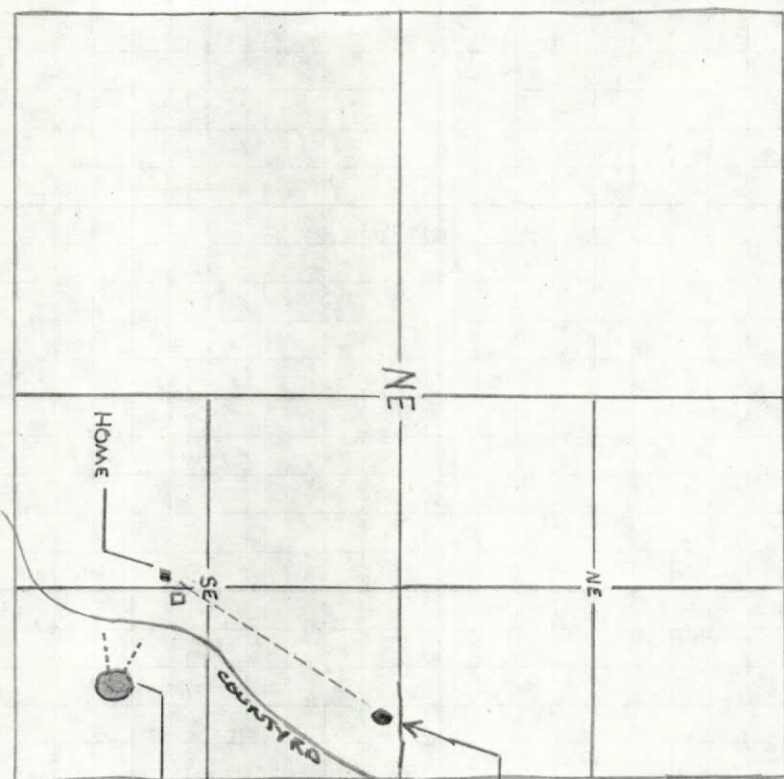
Scale: 2 inches equal 1 mile.

NOV 24 1989

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.

x L. L. Feldman
(Applicant)

86-07271
 FIELD EXAM: JUNE 3, 1991 - 12:30 PM
 GENE FELDMAN



TWP. 40 N.
 RGE. 3 W
 SEC. 32

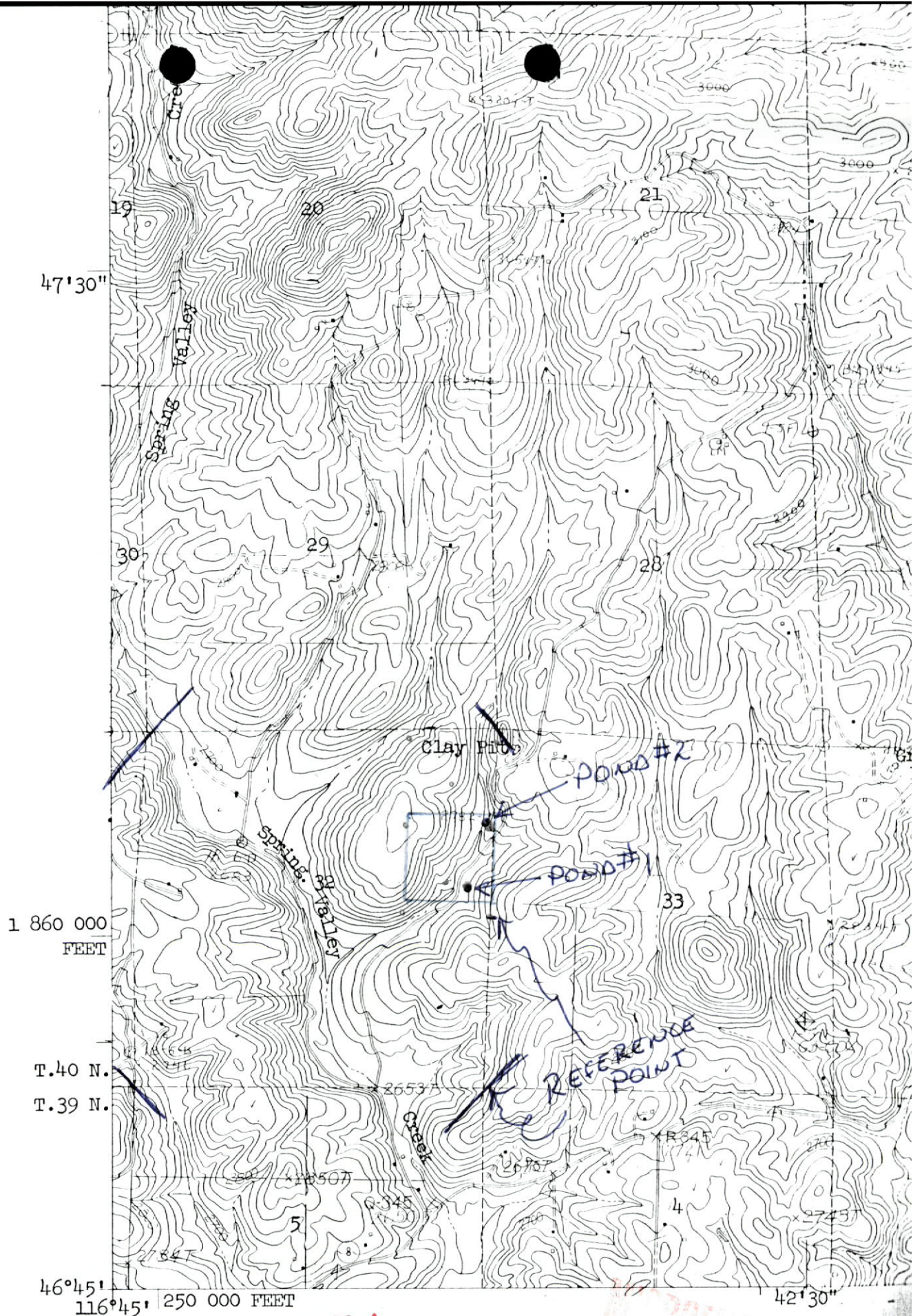
POUND #2
 100' x 75' x 3' AVE. DEPTH - 0.52 A.F.
 BURIED PIPE TO VALVE

POUND #1
 150' x 100' x 5' AVE. DEPTH - 1.72 A.F.
 BURIED PIPE & 2 SPIGOTS

MICROFILMED
 NOV 16 1995

22-141 50 SHEETS
 22-142 100 SHEETS
 22-144 200 SHEETS





86-07271
T.40 N. R.3W. Sec.32

NOV 16 1986

1/4" NORTH





NAME OF CLAIMANT: FELDMAN CLAIM NUMBER: 86-07271 DATE: 6/11/91

DESCRIPTION OF PICTURE: STOCKWATER POND (LISTED ON MAP AS POND #1)



NAME OF CLAIMANT: FELDMAN CLAIM NUMBER: 86-07271 DATE: 6/11/91

DESCRIPTION OF PICTURE: SPIGOT FOR POND #1

RECEIVED
FELDMAN
NOV 16 1995





NAME OF CLAIMANT: FELDMAN ^{WR} CLAIM NUMBER: 86-07271 DATE: 6/11/91

DESCRIPTION OF PICTURE: DOMESTIC POND (LISTEN ON MAP AS POND #2)



NAME OF CLAIMANT: FELDMAN CLAIM NUMBER: 86-07271 DATE: 6/11/91

DESCRIPTION OF PICTURE: WATER VALVE / SPIGOT AT HOME

NOV 16 1995



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:

July 6, 13,
1989

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

Theresa Myers

Subscribed and sworn to before

me this 14 day of July

1989

Notary Public,

residing at Moscow, Idaho

My commission expires: 10-16-93

1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before JULY 24, 1989.
R. KEITH HIGGINSON, Director
July 6, 13, 1989

R 03W
Use: STOCKWATER STORAGE (9.00 AF)
STOCKWATER FROM STORAGE (9.00 AF)
DOMESTIC STORAGE (9.00 AF)
DOMESTIC FROM STORAGE (9.00 AF)
Date Filed: 5/31/1989
In: T40N R03W S32 SENE
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.

PUBLIC NOTICES

NOTICE OF APPLICATION FOR WATER RIGHT

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

86-07271
FELDMAN, L. GENE
RT. 1 BOX 16
TROY, ID 83871
Source: UNNAMED STREAM
Tributary: SPRING VALLEY CK.
Diversion Pt: SENE Sec 32 T 40N

RECEIVED

JUL 18 1989

NORTHERN REGION
IDWR

MICROFILMED

NOV 24 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 86-07271

Priority: May 31, 1989

Maximum Storage Volume:

1.2 AF

This is to certify, that L GENE FELDMAN

RT 1 BOX 16

TROY ID 83871

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 31, 1989; and has submitted Proof of Beneficial Use on September 10, 1990. An examination indicates that the works have a storage capacity of 2.200 af of water from:

UNNAMED STREAM

tributary to SPRING VALLEY 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>
STOCKWATER STORAGE	01/01 to 12/31		0.7 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		0.7 AF
DOMESTIC STORAGE	01/01 to 12/31		0.5 AF
DOMESTIC FROM STORAGE	01/01 to 12/31		0.5 AF
Totals			1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE, Sec. 32, Township 40N, Range 03W
LATAH County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

40N 03W 32

SENE

PLACE OF USE:

STOCKWATER FROM STORAGE, same as STOCKWATER STORAGE use

PLACE OF USE:

DOMESTIC FROM STORAGE, same as STOCKWATER STORAGE use

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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Two points of diversion located within SENE, S32, T40N, R03W.
5. Stockwater storage use is for 50 range cattle.
6. Domestic storage use is for 1 home.

NOV 16 1995

State of Idaho
Department of Water Resources

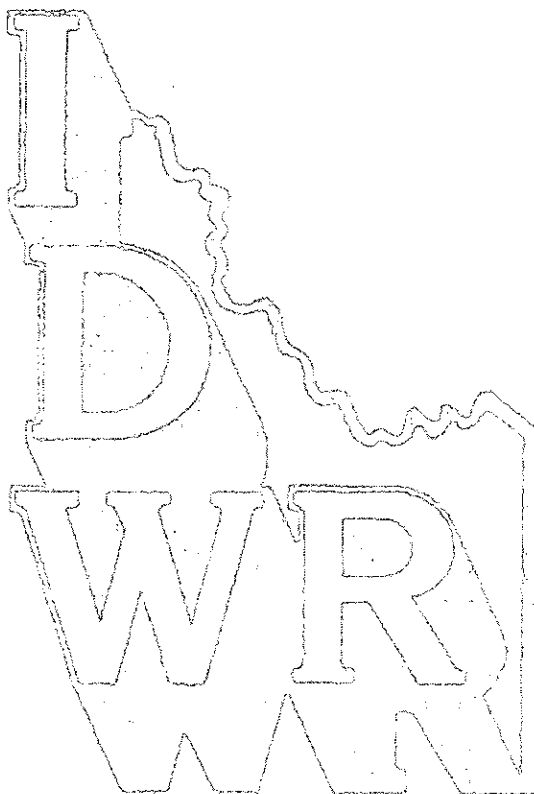
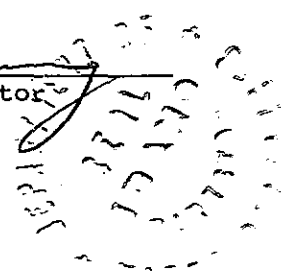
WATER RIGHT LICENSE

WATER RIGHT NO. 86-07271

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 29TH
day of SEPTEMBER, 1995.

Acting for


KARL J. DREHER, Director



NOV 1 6 1995

Form 21
03/86

RECEIVED

SEP 12 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources

For Office Use Only
Fee \$ 0.00
Date 9/16/90
Receipt #
Received by TDK

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit Number 86-07271 Telephone No: 835-5792

Name(s) of Permit Holder(s): L. Gene Feldman

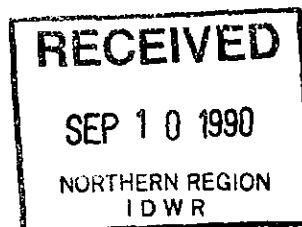
Post Office Address: Rt 1 Box 16
Troy, Id. 83871

Source of water: Unnamed Stream

Well driller: *

Date drilled: *

Extent of use: Domestic *(No. of homes)
Irrigation *(No. of acres)
Stock 50 *(No. and type of stock)
Other/Remarks



Total Rate and/or volume for which proof is submitted cfs/ Four acre-feet

Date water was first diverted and beneficially used under this permit: 5/31/1990

One of the following may be a condition of approval of your permit:

Measuring Device: Required ? *No
Installed ? *No
Measurement Port: Required ? *No
Installed ? *No

Fee Enclosed: \$ 0.00 (See License Examination Fee Sched.)

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

Name SAME AS ABOVE Telephone Number *

Address

INDEXED
FEB 07 1991

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.

9-10-90
Date

L. Gene Feldman
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 86-07271

Proposed Priority: May 31, 1989

Maximum Storage Volume:

9.0 AF

This is to certify, that **L. GENE FELDMAN**
RT. 1 BOX 16
TROY, ID 83871

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of **SPRING VALLEY 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>
STOCKWATER STORAGE	01/01 to 12/31		9.0 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		9.0 AF
DOMESTIC STORAGE	01/01 to 12/31		9.0 AF
DOMESTIC FROM STORAGE	01/01 to 12/31		9.0 AF
	Totals		9.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE Sec. 32, Township 40N, Range 03W
LATAH County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

40N 03W 32 SENE

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

PLACE OF USE: DOMESTIC STORAGE, same as STOCKWATER STORAGE use

PLACE OF USE: DOMESTIC FROM STORAGE, same as STOCKWATER STORAGE use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1990**.
2. Subject to all prior water rights.
3. Two points of diversion located in SENE, S32, T40N, R3W.

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

29th day of September, 1989

for *R. Keith Higginson*
R. Keith Higginson, Director

RECORDED

NOV 24 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant L. GENE FELDMAN Phone 835-5792
Post office address RT #1 Box 16 Troy, ID. 83871
2. Source of water supply Unnamed Stream which is a tributary of Spring Valley Cr.
3. Location of point of diversion is _____ 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____
Sec. 32 Township 40N Range 3W B.M. Latah County; additional
points of diversion if any: 2 points
4. Water will be used for the following purposes:
Amount 9.0AF for Storage for Stockwater purposes from 1-1 to 12-31 (both dates inclusive)
(acre-feet per annum)
Amount 9.0AF for Storage for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(acre-feet per annum)
Amount 9.0AF for Storage for Stockwater from Domestic from purposes from 1-1 to 12-31 (both dates inclusive)
(acre-feet per annum)
Amount 9.0AF for Storage purposes from 1-1 to 12-31 (both dates inclusive)
(acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) 9.0
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. TWO DAMS IN STREAM WITH
pump & pipe line to place of use
 - b. Height of storage dam 9 FT feet; active reservoir capacity 5 acre-feet; total
reservoir capacity 5 acre-feet; period of year when water will be diverted to storage:
1-1 to 12-31 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 years (minimum 1 year).

MICROFILMED

NOV 24 1989

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. 100 HD. RANGE
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 2
- 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	2W	32				D/3													

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? Applicant

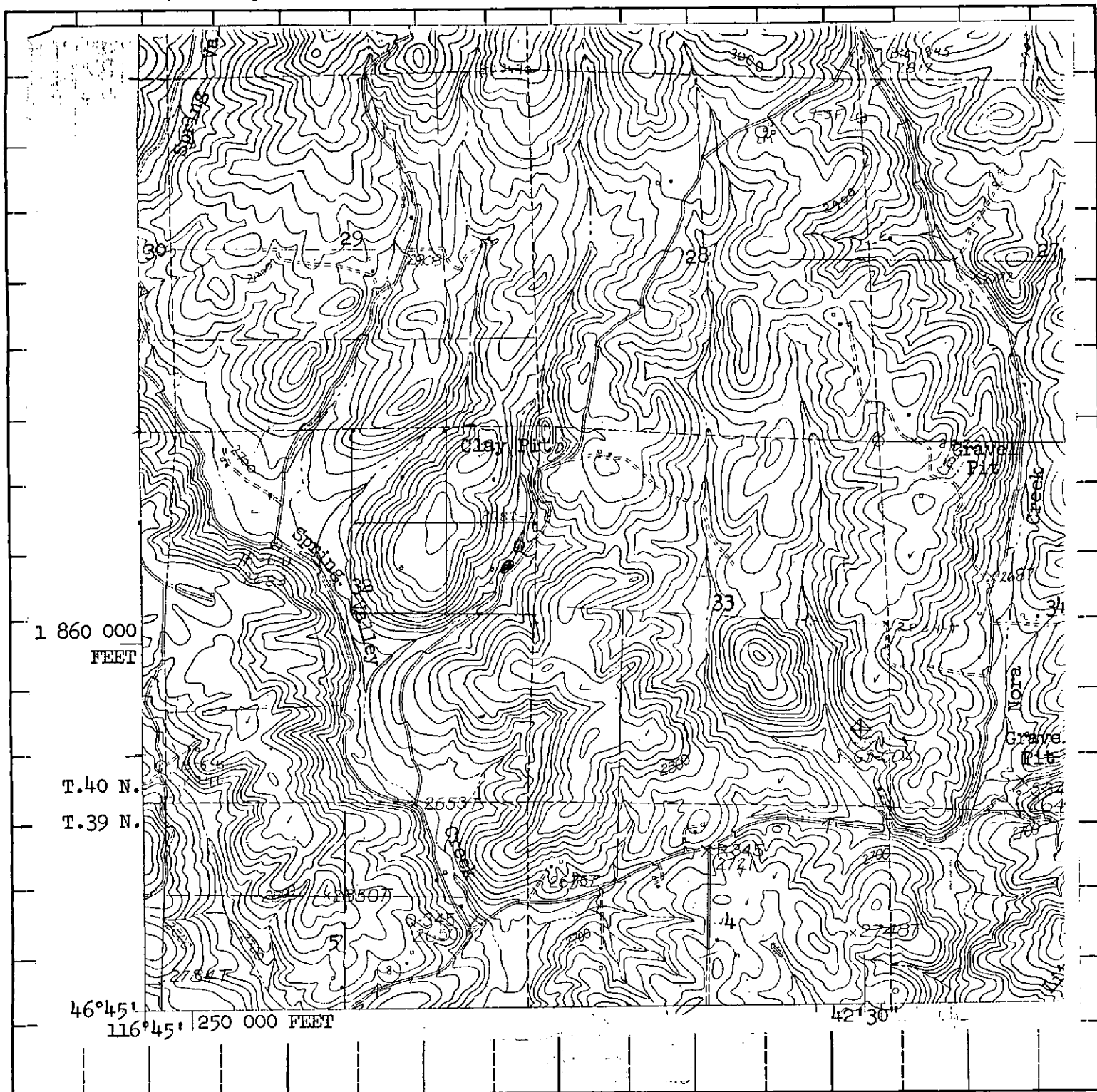
b. Who owns the land to be irrigated or place of use? "

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: _____

NOV 24 1989

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.

NOV 24 1989

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.

L. L. Feldman
(Applicant)

Received by SK Date 6/16/89 Time 1:58 PM Preliminary check by QYN
Fee \$ 30.00 Received by PMS # W002909 Date 7/15/89
Publication prepared by pm Date 6/28/89 Published in Idahoian Daily News
Publication approved pm Date 7/29/89

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:

RECEIVED

NOV 24 1989



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

October 2, 1995

L GENE FELDMAN
RT 1 BOX 16
TROY ID 83871

RE: WATER RIGHT NO. 86-07271

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

NOV 16 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 86-07271 DATE 9-20-95



NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE ✓ Advance? Advanced to:
 Order to reinstate needed?
 Incorrect fee for rate recommended?

SOURCE ✓ Changes or just clarification of originally intended source? keep UNNAMED STREAM
 Notice of Intent to Void necessary?

POINT OF DIV ✓ Amendment needed? (2)
✓ Overlaps?

PLACE OF USE ✓ Amendment needed?
✓ Overlaps?

DIV RATE NA Permit/fee limits:
 Meas Q = Theo Q = Recommend:

Combined rates exceed capacity

ANNUAL VOLUME ✓ Volume Limit: 9AF Season:
 POND #1 Stock pond (50 head) Calculations: POND #2 100 X 75 X 3 = .52
POND #1 150 X 100 X 5 = 1.72 } 2.2 af
 POND #2 Domestic (1) Flow limit: cfs x x 1.9835 =
 Combined volumes exceed capacity/allowable

USES Change in Nature of Use or additional uses?
 Amendment necessary?

ADDITIONAL INFO Supplemental Groundwater PPU Scenario
 Irr/Dom Combination Shared G/W System

NEW REMARKS (2) W32 Multiple p/d(s) in 1/4 1/4? already on permit
YES Other W02, W01 (EDIT)

NEW CONDITIONS Watermaster control - District
 Measuring/Locking Devices
 Irrigation Overlap
 Other
 Water Quality Heat/Cool/Fish verified

COMMENTS: ① 50 head of cattle use .7 af per year. Limit to what can be beneficially used regardless of how large the storage pond is.
② DOMESTIC LIMITED TO POND VOLUME.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	NO
Stock Storage	<u> </u>	<u>.7</u>	Adjustment Memo Needed	<u>YES</u>
Stock FROM STOR	<u> </u>	<u>.7</u>	LICENSE	<u>✓</u>
DOMESTIC STOR	<u> </u>	<u>.5</u>	1ST AMEND LETTER	<u> </u>
DOM FROM STOR	<u> </u>	<u>.5</u>	2ND AMEND LETTER	<u> </u>
TOTAL	<u> </u>	<u>1.2</u>		

RECEIVED

MAY 01 1995

REGION
IDWR

MEMORANDUM

FROM:

Northern Region / File 86-07271
L. Gene Feldman

TO:

FROM:

Brenda Chapman *B*

DATE:

~~April 24~~, 1995 *9/14*

RE:

Returned Field Exam *ok*

RECEIVED

SEP 18 1995

Department of Water

I discussed the exam for the above referenced permit with Al Beardslee and we both concurred that he should re-examine his recommendations regarding the following:

1. There is a discrepancy as to what the source of water is. The permitted source is an unnamed stream with the diverting works to include two dams in the unnamed stream. The exam has the source as 2 ponds later described as "springs having large pond measurements".

2. Also, the stockwater storage is for how many head?

9/14/95

THANKS BRENDA,

THIS SHOULD MAKE MORE SENSE NOW.

AL

NOV 16 1995

RECEIVED
Form 6/89 DEC 14 1994

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 86-07271

1. Owner: L. Gene Feldman

Phone No. 835-5792

Current Address: Rt. 1 Box 16, Troy Idaho 83871

2. Accompanied by: GENE FELDMAN

EXAM. DATE: 6/3/91

Address: _____

Phone No. _____

Relationship to Permit Holder: GENE FELDMAN

3. Source: PONDS

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: A86-04638 (SPRING - DOMESTIC USE FOR 1 HOME)

☐ Copies Attached

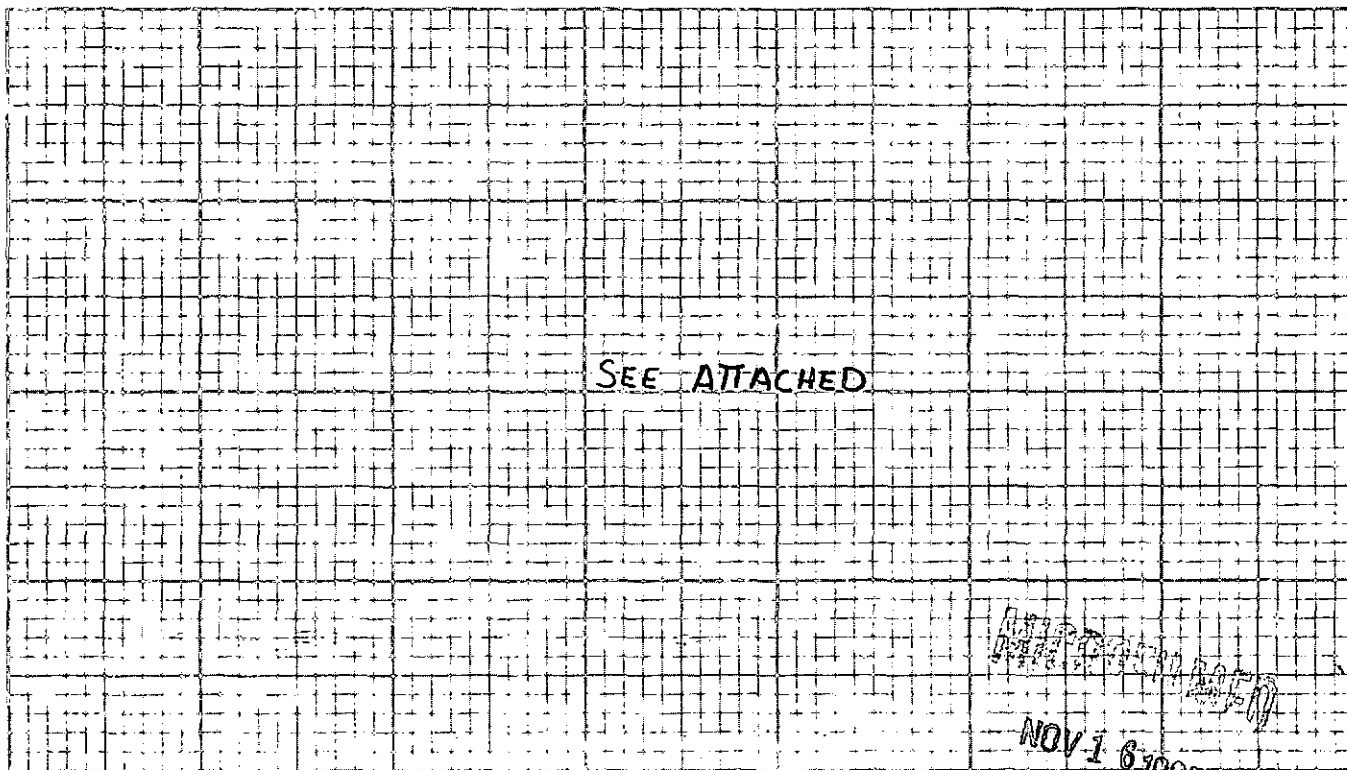
2. Other water rights with same point of diversion: _____

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

2 ON-STREAM POND'S WITH PIPELINES TO DELIVER
DOMESTIC + STOCK WATER.

DOMESTIC USE FOR LAWN + GARDEN IRRIGATION.

STOCK WATER IS FOR 50 HEAD OF RANGE STOCK

☐ See Remarks on page 4 for continuation

X

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1	-	NE	SE	NE	32	40N.	3W.	LATAH	U.S.G.S. 15' QUAD. MAP
#2	-	SE	SE	NE	32	40N.	3W.	LATAH	" "

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
40N.	3W.	32				9/32													

Do not use this space

NOV 16 1995

Do not use this space

NONE

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

SPRING #1 - 150' x 100' x 5', POND #2 100' x 75' x 3'
2.24 AF TOTAL

~~F.~~ FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

~~F.~~ PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

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:

SPRING #2 - 100' x 75' x 3' = 0.52 A.F.

#1 - 150' x 100' x 5' = 1.72 A.F.

TOTAL = 2.24 A.F. STORAGE

RECEIVED

NOV 16 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

N/A

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
STORAGE FOR STOCKWATER	Y1	12/31		1.40
STORAGE FOR DOMESTIC	Y1	12/31		0.60
STOCKWATER FROM STORAGE	Y1	12/31		1.40
DOMESTIC FROM STORAGE	Y1	12/31		0.60
Totals:				2.0

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

J. AUTHENTICATION

Field Examiner's Name AUGUST BOARDSLIFE

Signature AM Boardslife

Certification Date _____

Field Report Preparation Date _____

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

NOV 16 1995

MEMORANDUM

TO: File 86-07271 / L. Gene Feldman
FROM: Brenda Chapman
DATE: September 20, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 86-07271 are based on the information below:

G. VOLUME CALCULATIONS

The stockwater storage and domestic storage volume recommendations have been adjusted.

The stockwater storage is for 50 head of range cattle. The annual volume requirements for 50 head is .7 af. The recommendation should not exceed the amount that can be beneficially used, regardless of the size of the storage facility.

The annual external domestic volume requirements is .6 af; however, the domestic pond's volume is .5 af. Therefore, the recommendation is limited by the pond size.

H. RECOMMENDATIONS

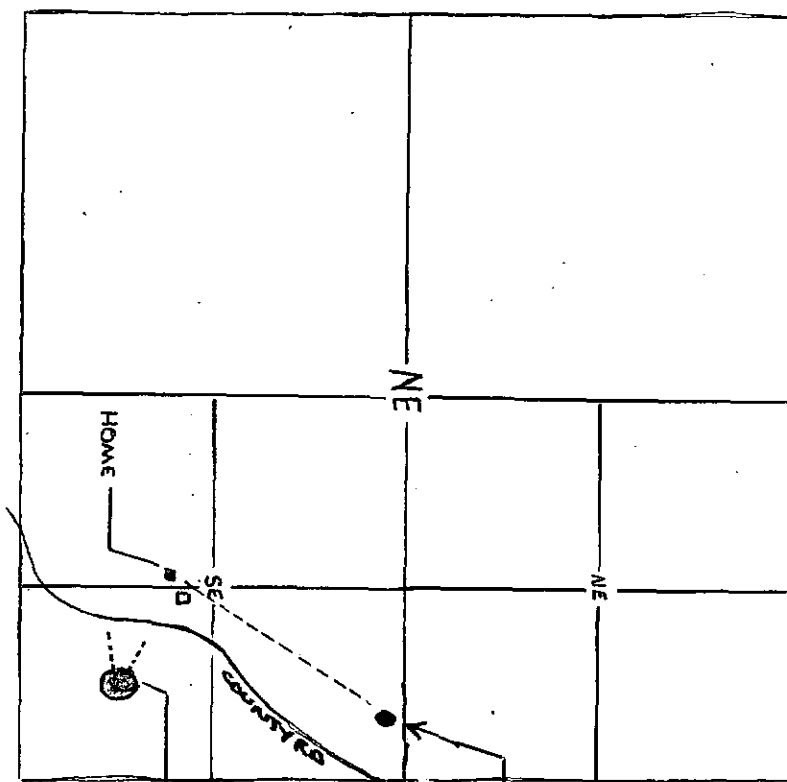
1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Stock Storage	1-01 to 12-31		.7
Stock from Stor	1-01 to 12-31		.7
Domestic Stor	1-01 to 12-31		.5
Dom from Stor	1-01 to 12-31		.5

WIC. 20000110000

NOV 16 1995

86-07271
 FIELD EXAM: JUNE 3, 1991 - 12:30 PM
 GENE FELDMAN



TWP. 40 N.
 RGE. 3 W
 SEC. 32

POUND #2
 100' x 75' x 3' AVE. DEPTH - 0.52 A.F.
 BURIED PIPE TO VALVE

POUND #1
 150' x 100' x 5' AVE. DEPTH - 1.72 A.F.
 BURIED PIPE & 2 SPIGOTS

NOV 16 1995

22-141 50 SHEETS
 22-142 100 SHEETS
 22-144 200 SHEETS



47°30"

1 860 000
FEET

T.40 N.

T.39 N.

46°45'

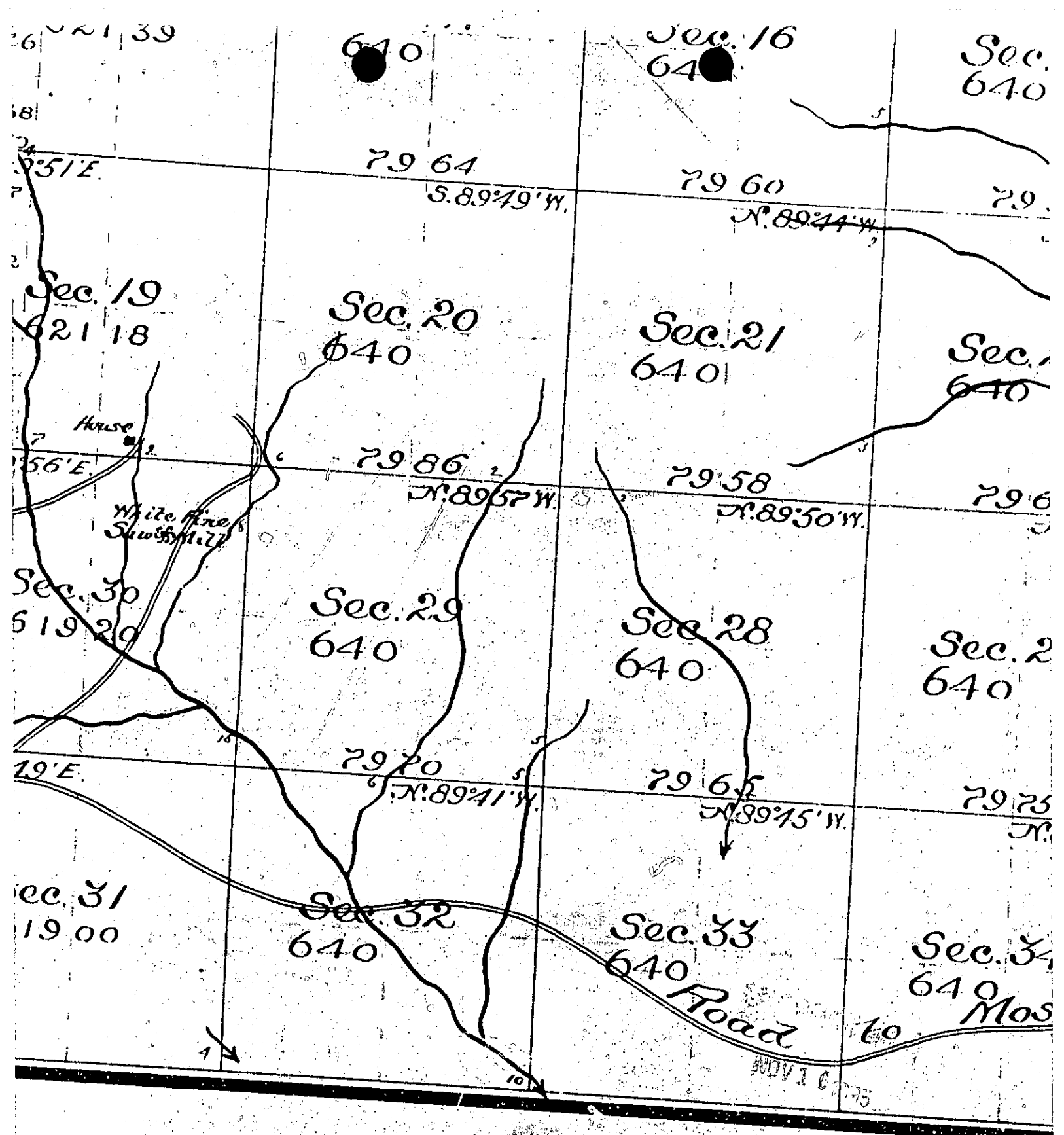
116°45' 250 000 FEET

86-07271

T.40 N. R.3 W. Sec.32

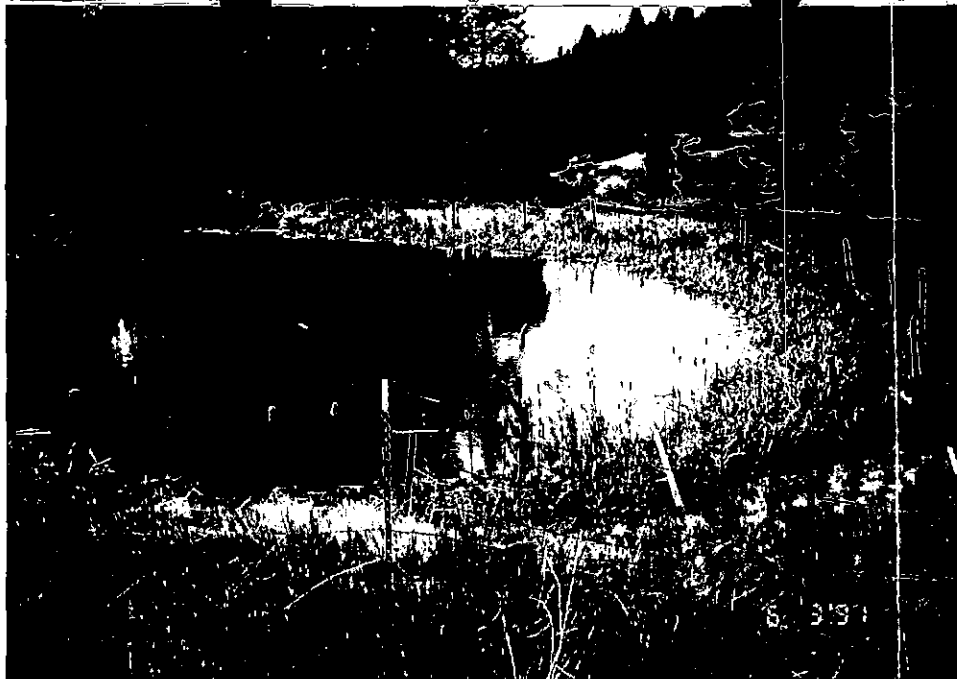
NOV 16 1909

1000
500
0



Total Number of Acres, 24,000

By Whom Surveyed	Date of Contract	Amount of Surveys	When Surveyed
H. D. Graddon	May 23, 1883	M ^{cs} 12 - Ch ^s 26 - Lk ^s 46	Aug. 2-5 1883



NAME OF CLAIMANT: FELDMAN CLAIM NUMBER: 86-67271 DATE: 6/11/91

DESCRIPTION OF PICTURE: STOCKWATER POND (LISTED ON MAP AS POND #1)



NAME OF CLAIMANT: FELDMAN CLAIM NUMBER: 86-07271 DATE: 6/11/91

DESCRIPTION OF PICTURE: SPIGOT FOR POND #1

NOV 16 1995

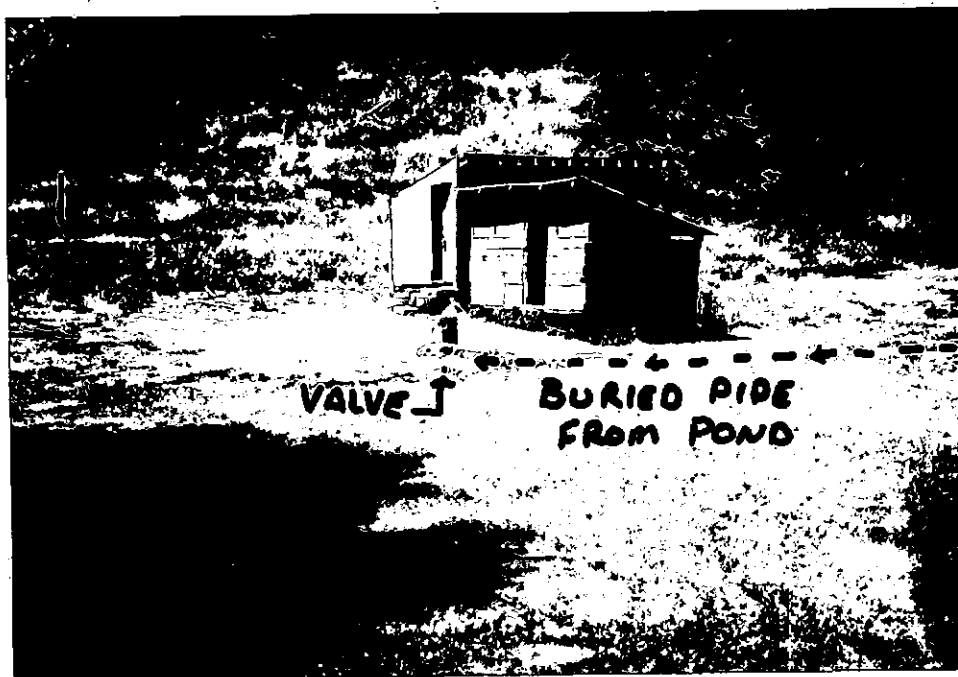
80-7271





NAME OF CLAIMANT: FELDMAN ^{WR} CLAIM NUMBER: 86-07271 DATE: 6/11/91

DESCRIPTION OF PICTURE: DOMESTIC POND (LISTED ON MAP AS POND #2)



NAME OF CLAIMANT: FELDMAN CLAIM NUMBER: 86-07271 DATE: 6/11/91

DESCRIPTION OF PICTURE: WATER VALVE/SPIGOT AT HOME

NOV 16 1995



MEMORANDUM

TO: Northern Region / File 86-07271
L. Gene Feldman

FROM: Brenda Chapman *B*

DATE: April 24, 1995 *ok sure*

RE: Returned Field Exam

=====

I discussed the exam for the above referenced permit with Al Beardslee and we both concurred that he should re-examine his recommendations regarding the following:

1. There is a discrepancy as to what the source of water is. The permitted source is an unnamed stream with the diverting works to include two dams in the unnamed stream. The exam has the source as 2 ponds later described as "springs having large pond measurements".
2. Also, the stockwater storage is for how many head?

RECEIVED

NOV 16 1995

December 21, 1990

L. GENE FELDMAN
RT. 1 BOX 16
TROY, ID 83871

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 86-07271

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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED
FEB 6 1991

FEB 6 1991

138163

July 31, 1990

L. GENE FELDMAN
RT. 1 BOX 16
TROY, ID 83871

PROOF DUE NOTICE

RE: PERMIT NO. 86-07271

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 October 1, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED
FEB 07 1991

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
September 29, 1989

L. GENE FELDMAN
RT. 1 BOX 16
TROY, ID 83871

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P86-07271

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.

We have enclosed 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 for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

NOV 24 1989

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:

July 6, 13,
1989

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

Theresa Myers
Subscribed and sworn to before

me this 14 day of July

19 89

[Signature]

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

1910 Northwest Blvd., Suite 210, Co-
eur d' Alene, Idaho 83814 on or be-
fore JULY 24, 1989.
R. KEITH HIGGINSON, Director
July 6, 13, 1989

R 03W :
Use: STOCKWATER STORAGE
(9.00 AF)
STOCKWATER FROM STORAGE
(9.00 AF)
DOMESTIC STORAGE (9.00 AF)
DOMESTIC FROM STORAGE
(9.00 AF)
Date Filed: 5/31/1989
In: T40N R03W S32 SENE
For additional information con-
cerning 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.

PUBLIC NOTICES

NOTICE OF APPLICATION FOR WATER RIGHT

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

86-07271

FELDMAN, L. GENE

RT. 1 BOX 16

TROY, ID 83871

Source: UNNAMED STREAM

Tributary: SPRING VALLEY CK.

Diversion Pt: SENE Sec 32 T 40N

RECEIVED

JUL 18 1989

MICROFILMED NERN REGION IDWR

NOV 24 1989

86-07271

FELDMAN, L. GENE
RT. 1 BOX 16
TROY, ID 83871

Source: UNNAMED STREAM

Tributary: SPRING VALLEY CK.

Diversion Pt: SENE Sec 32 T 40N R 03W

Use: STOCKWATER STORAGE	(9.00 AF)
STOCKWATER FROM STORAGE	(9.00 AF)
DOMESTIC STORAGE	(9.00 AF)
DOMESTIC FROM STORAGE	(9.00 AF)

Date Filed: 5/31/1989

In: T40N R03W S32 SENE

MICROFILMED

NOV 24 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Northern Region Office

1910 Northwest Blvd. * Suite 210 * Coeur d'Alene, Id. * 83814 * (208) 765-4639

Cecil D. Andrus
Governor

R. Keith Higginson
Director

June 1, 1989

Mr. Gene Feldman
Rt. 1, Box 16
Troy, Id. 83871

Re: Water Appropriation Application

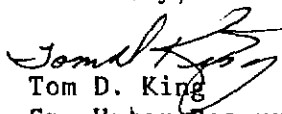
Dear Applicant:

The Idaho Department of Water Resources acknowledges receipt of your two Applications For Permit To appropriate The Public Waters Of The State Of Idaho and your filing fees. Since there are differences between the Snake River Basin Adjudication filing fees and the Statutory filing fees, there has been some confusion concerning your filings. The fee for filing your SRBA claim is \$25.00 and \$30.00 is the fee for filing the Statutory Application. Since you have already paid a fee of \$75.00, I am returning your check #2015 in the amount of \$10.00 and have requested a refund from the State Auditors office. If you have not received the refund within 30 days please contact me and I will attempt to expedite repayment.

The applications you submitted can be filed on one application, so I have taken the liberty of combining the applications into one and I am returning it to you for your signature. Please return the application as quickly as possible to avoid further confusion.

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

Sincerely,


Tom D. King
Sr. Water Resource Agent

Enc: App.
Check

MICROFILMED

NOV 24 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- Void - letter of per 6/1/89*
- Name of applicant L. Gene or Lois L. Feldman Phone 208 835 5792
Post office address RT 1 Box 16 Troy Idaho 83871.
 - Source of water supply Ground water (Pond) which is a tributary of Spring Valley Creek
 - Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 32 Township 40 N Range 3 W B.M. LATAH County; additional points of diversion if any: _____
 - Water will be used for the following purposes:
Amount 104 for Dom & Stock purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 105 for Dom & Stock 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)
 - Total quantity to be appropriated is (a) 109 and/or (b) _____
cubic feet per second acre feet per annum
 - Proposed diverting works:
 - Description of ditches, flumes, pumps, headgates, etc. _____
 - Height of storage dam 8 FT ? feet; active reservoir capacity 4 acre-feet; total reservoir capacity 4 acre-feet; period of year when water will be diverted to storage: Jan 1 to Dec 31 inclusive.
 - Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - Is ground water with a temperature of greater than 90°F being sought? NO
 - Time required for the completion of the works and application of the water to the proposed beneficial use is _____ years (minimum 1 year).

MICROFILMED

NOV 24 1989

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. Beef 100 Head
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 2
- 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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
KON	3W	32				✓													

Total number of acres to be irrigated _____

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

Spring + other pond

11. a. Who owns the property at the point of diversion? L Gene (K) Laird Feldman

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

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: _____

RECEIVED

NOV 24 1989

Received by Date 5/31/89 Time 1:15 PM Preliminary check by
Fee \$ Received by # Date
Publication prepared by Date Published in
Publication approved Date

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before , 19 .
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED

NOV 24 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant S. Gene or Lois L. Feldman Phone 208 835 3792
Post office address RT 1 Box 16 Troy Idaho 83871
2. Source of water supply GROUND WATER (Pond) which is a tributary of Spring Valley Creek
3. Location of point of diversion is SE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot _____
Sec. 32 Township 40 N Range 3 W B.M. LATAH County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .04 for DOMA STOCK purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .05 for DOMA STOCK 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)
5. Total quantity to be appropriated is (a) .09 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____

b. Height of storage dam 10 FT? feet; active reservoir capacity 5 acre-feet; total reservoir capacity 5 acre-feet; period of year when water will be diverted to storage:
JAN 1 to DEC 31 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 _____ years (minimum 1 year).

MICROFILMED

NOV 24 1989

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. Beef 100 Head
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 2
- 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	34	32				✓													

Total number of acres to be irrigated _____

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

Spring & other pond

11. a. Who owns the property at the point of diversion? L. Gene or Lois L. Feldman

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

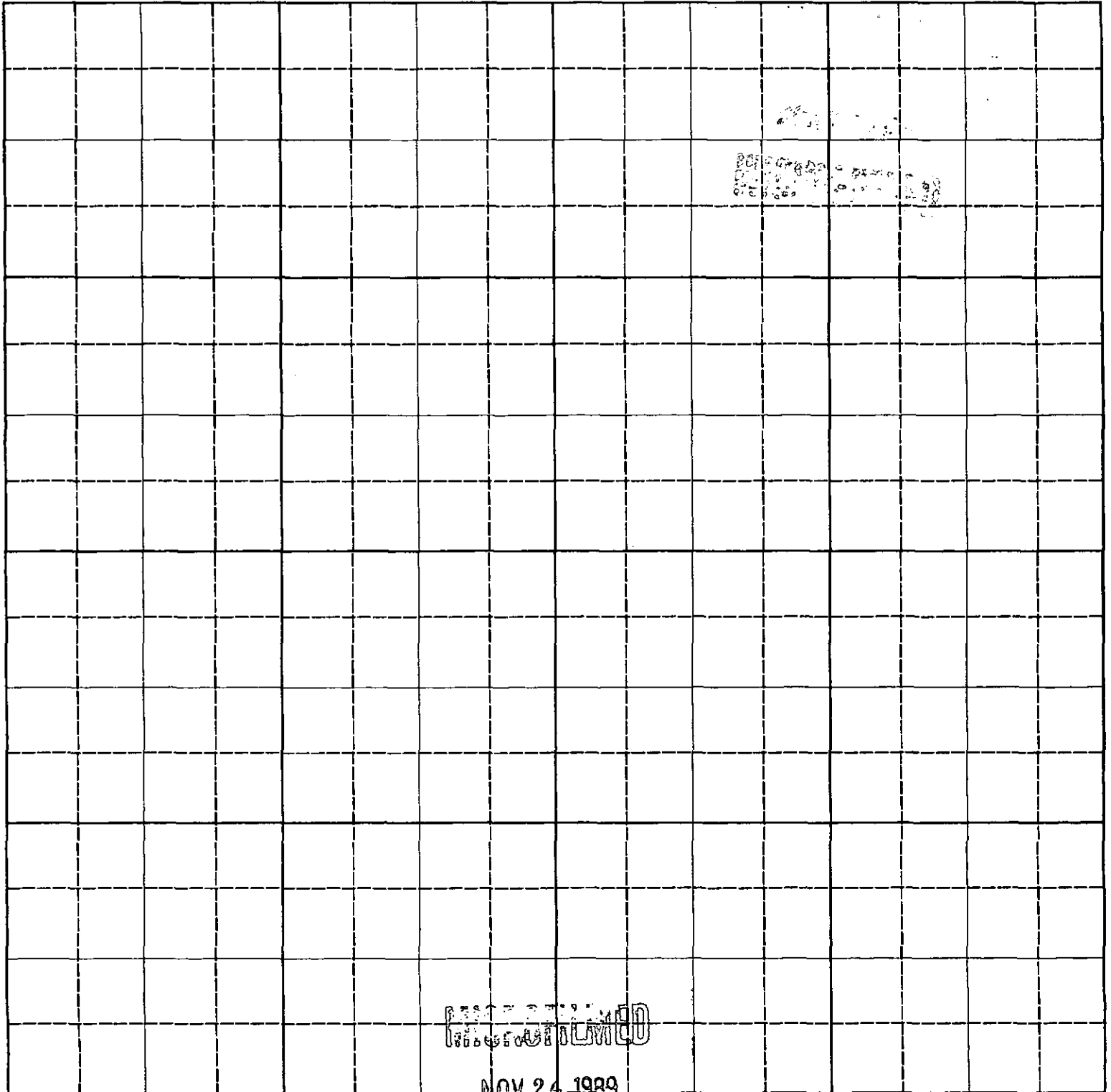
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

RECEIVED

NOV 24 1989

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.

L Gene Feldman
(Applicant)

Received by Date 7/31/89 Time 4:15 pm Preliminary check by
Fee \$ Receipted by # Date
Publication prepared by Date Published in
Publication approved Date

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

1. Approval of said application is subject to the following limitations and conditions:
 - a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before , 19 .
 - c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
 - d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
 - e. Other:

MICROFILMED

NOV 24 1989