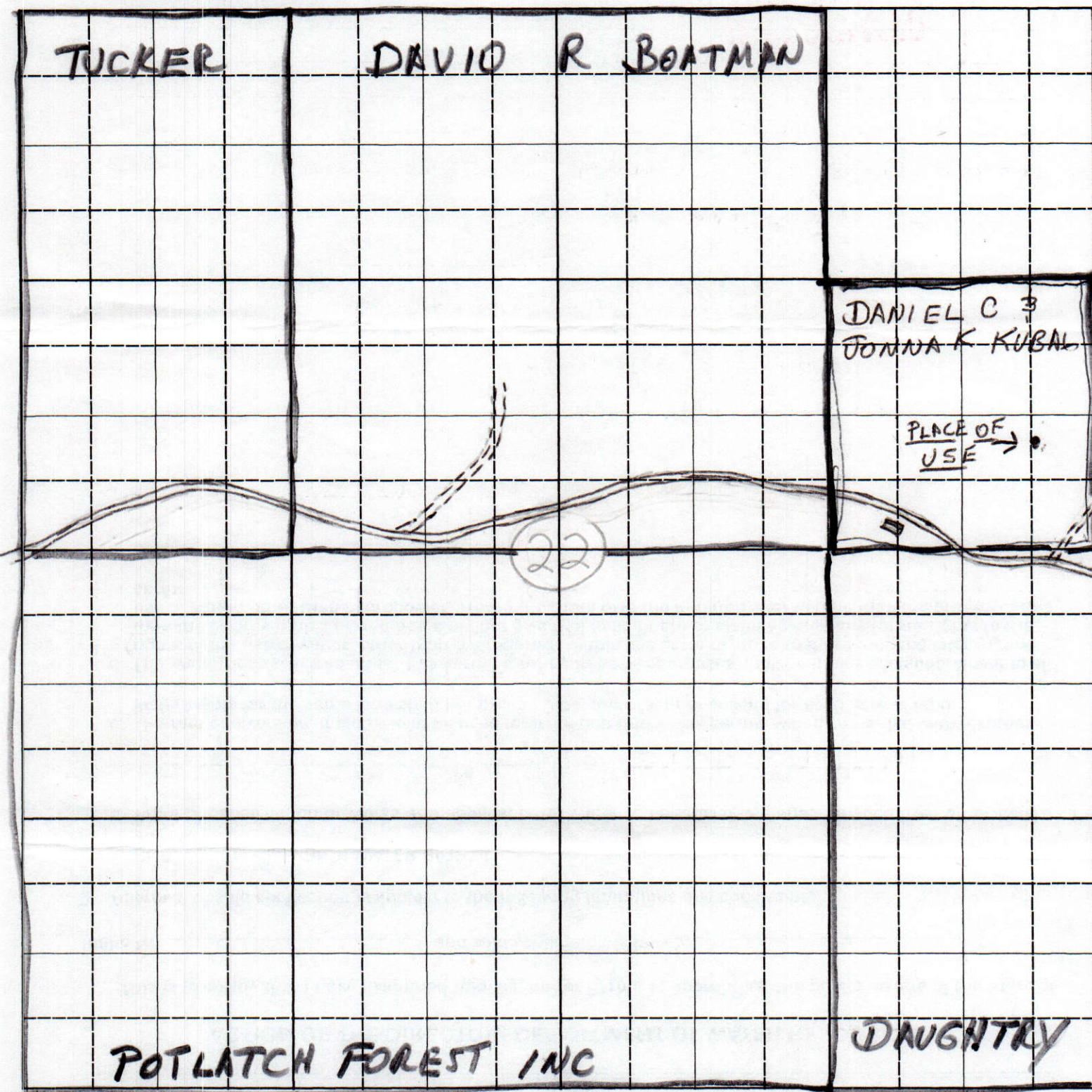


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

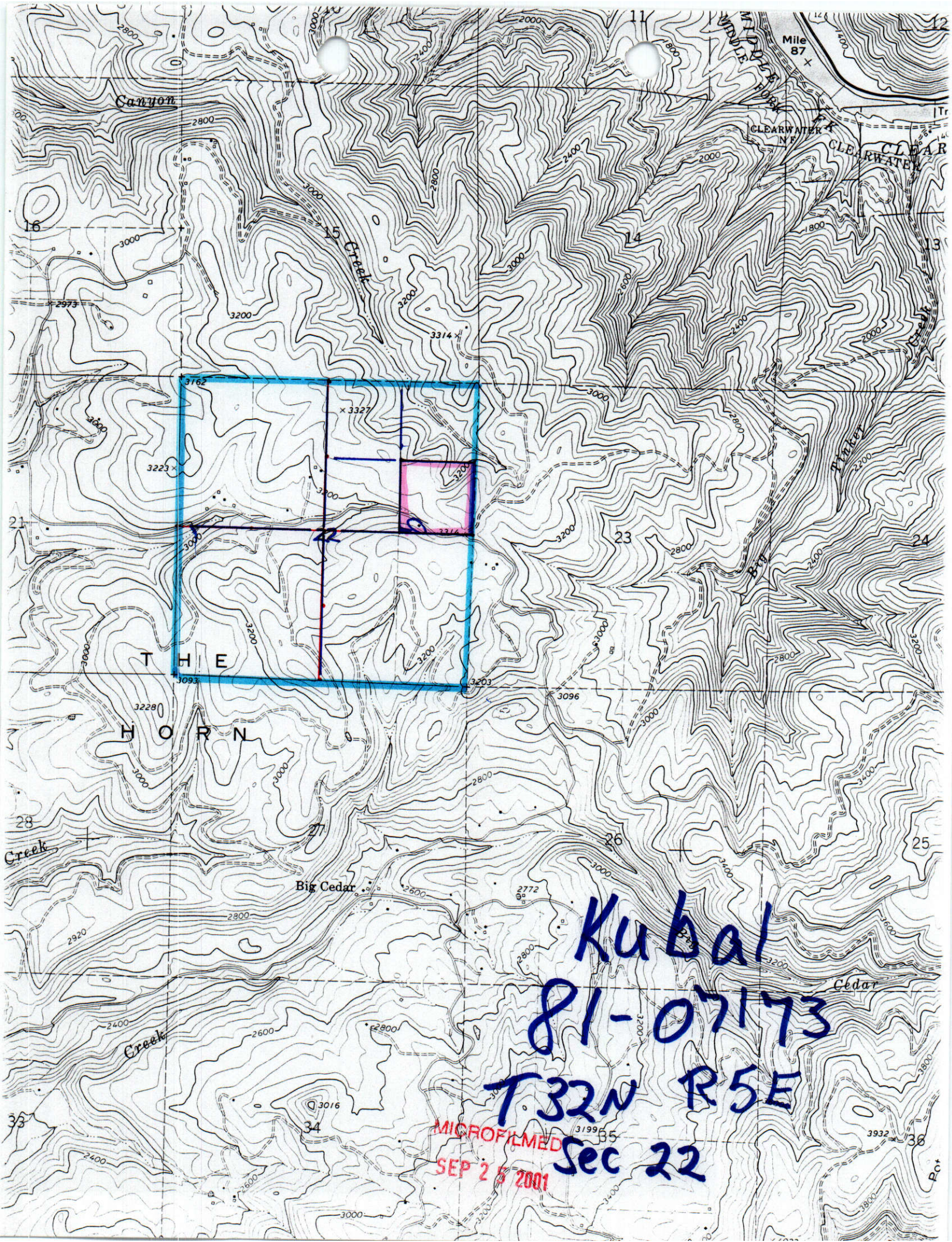


Scale: 2 inches equal 1 mile.

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.

SEP 12 1996

Daniel C Kubal
(Applicant)



ARNZEN
ETUX

DAVID R. BOATMAN
etux

22

DANIEL G. KUBAT
B. JONNA

23

SEE DETAIL

TT NUMBER
PRODUCTS, INC.

LEE L. DAUGHERY

61-0717A

POTLATCH
CORP
RICK
ALDINGER ETUX

DEAN NELSON

BENNETT LUMBER
PRODUCTS INC.

MICHAEL MADD
SEP 25 2001

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

Linda M. Mort, being
first duly sworn, says she is the Office Manager
of the IDAHO COUNTY FREE PRESS, a weekly newspaper published
and issued weekly at Grangeville, Idaho county, State of Idaho, and is
of general circulation in said county and state, that the said notice, of
which the one hereto attached is a true copy, was published in said
paper for 2 weeks, being published 2
times, the first publication being on the 3 day of
July, 1996, and the last
publication on the 10 day of July, 1996;
and that the said notice was published in the newspaper proper and not
a supplement; that said newspaper has been continuously and uninter-
ruptedly published in said county during a period of seventy-eight
consecutive weeks prior to the publication of said notice or advertise-
ment.

NOTICE OF APPLICATION FOR WATER RIGHT

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

81-07173

KUBAL, DANIEL
KUBAL, JONNA
ROUTE 1, BOX 69
KOOSKIA, ID 83539-9714
Source: GROUNDWATER
Diversion Pt: SENE Sec. 22 T 32N R 05E in
IDAHO County.

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 6/14/1996

In: IDAHO County

T32N R05E S22 SENE

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

The permit(s) will be subject to all prior
water rights. Protests must be filed with the
applicant and with the Director, Dept. of
Water Resources, Northern Region, 1910
Northwest Blvd., Suite 210, Coeur d'Alene,
Idaho 83814, together with a protest fee of
\$25.00 on or before JULY 22, 1996.

KARL J. DREHER, Director

Published: 7/3/1996 and 7/10/1996

Jy3-10

STATE OF IDAHO }
COUNTY OF }

RECEIVED

AUG 15 1996

NORTHERN REGION
IDWR

On this 7 day of August in the year of 1996,
Before me, a Notary Public, personally appeared
Linda M. Mort, 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.

Michael W. Warden
Notary Public for Idaho

Residing at Grangeville, ID

My commission expires: 01-16-2002

RECEIVED

AUG 12 1996

WATER RESOURCES
WESTERN REGION

SEP 12 1996

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 81-07173

Priority: June 13, 1996

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that DANIEL KUBAL
JONNA KUBAL

RT 1 BOX 69

KOOSKIA ID 83539-9714

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 13, 1996; and has submitted Proof of Beneficial Use on July 18, 1997. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

GROUND WATER

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:

SENE , Sec. 22, Township 32N, Range 05E
IDAHO County

PLACE OF USE: DOMESTIC

TWN RGE SEC

32N 05E 22

SENE

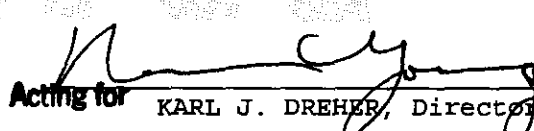
CONDITIONS OF APPROVAL AND REMARKS

1. 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 28th day of

JUNE, 2000.

Acting for


KARL J. DREHER, Director

MICROFILMED

SEP 25 2001

NO ✓

FOR OFFICE USE ONLY
Amt. of Fee \$: _____
Receipt No. _____
Receipt By: _____
Date Received: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 18 1997

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or 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. 81-07173 Telephone No. 208-926-7020
2. Name(s) of Permit Holder(s): DANIEL KUBAL (OR) JONNA KUBAL
3. Mailing Address: RT 1, BOX 69, KOOSAIA IDAHO, 83539-9714
4. Source of Water: DRILLED WELL If GROUNDWATER (well), Date Drilled: mo. 11 / yr. 95
- a. Well Driller: BURNS WELL DRILLING Drilling Permit Number: 81-95N-0025 000
- b. OPTIONAL:
Pump Horsepower: 3 Pressure (psi): 45 PSI Dynamic pumping level (ft): 425 FT

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 HOME Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .04 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>✓</u>
	Has the measuring device been installed?	Yes _____	or	No <u>✓</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____	or	No <u>✓</u>
	Has the measurement port been installed?	Yes _____	or	No <u>✓</u>

8. Fee Enclosed: \$ 0 (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: SAME AS ABOVE Telephone Number: _____

Address: _____

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: Daniel C Kubal Date: July 16, 97
(include your title, if on behalf of company or organization)

MICROFILMED

SEP 16 1997

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 81-07173

Proposed Priority: June 13, 1996

Maximum Diversion Rate:

0.04 CFS

This is to certify, that DANIEL KUBAL

JONNA KUBAL

RT 1 BOX 69

KOOSKIA ID 83539-9714

has applied for a permit to appropriate water from: GROUNDWATER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENE, Sec. 22, Township 32N, Range 05E
IDAHO County

PLACE OF USE: DOMESTIC

TWN RGE SEC

32N 05E 22

SENE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 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

6th day of September, 1996.

Karl J. Dreher
for Karl J. Dreher, Director

RECEIVED

SEP 12 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 81-7173

RECEIVED

AUG 29 1996

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant DANIEL OR JONNA KUBAL Phone (208) 926-7020Post office address RT 1, Box 69, KOOSKIA, IDAHO, 83539-97142. Source of water supply GROUNDWATER which is a tributary of _____3. Location of point of diversion is S.E. $\frac{1}{4}$ of N.E. $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____Sec. 22 Township 32 N Range 5 E B.M. Idaho County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)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. WELL & PUMP

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 8 inches; proposed depth of well is 418 feet.d. Is ground water with a temperature of greater than 85°F being sought? NOe. If well is already drilled, when? NOV 7, 95; Drilling firm BURNS WELL DRILLING;Well was drilled for (well owner) DANIEL, OR JONNA KUBAL7. Time required for the completion of the works and application of the water to be proposed beneficial use is 1 years (minimum 1 year).

SEP 12 1996

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 HOME
- e. Other; describe fully. YARD, GARDEN, SHADE TREES

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	
32N	R5E	22				X													

Total number of acres to be irrigated _____

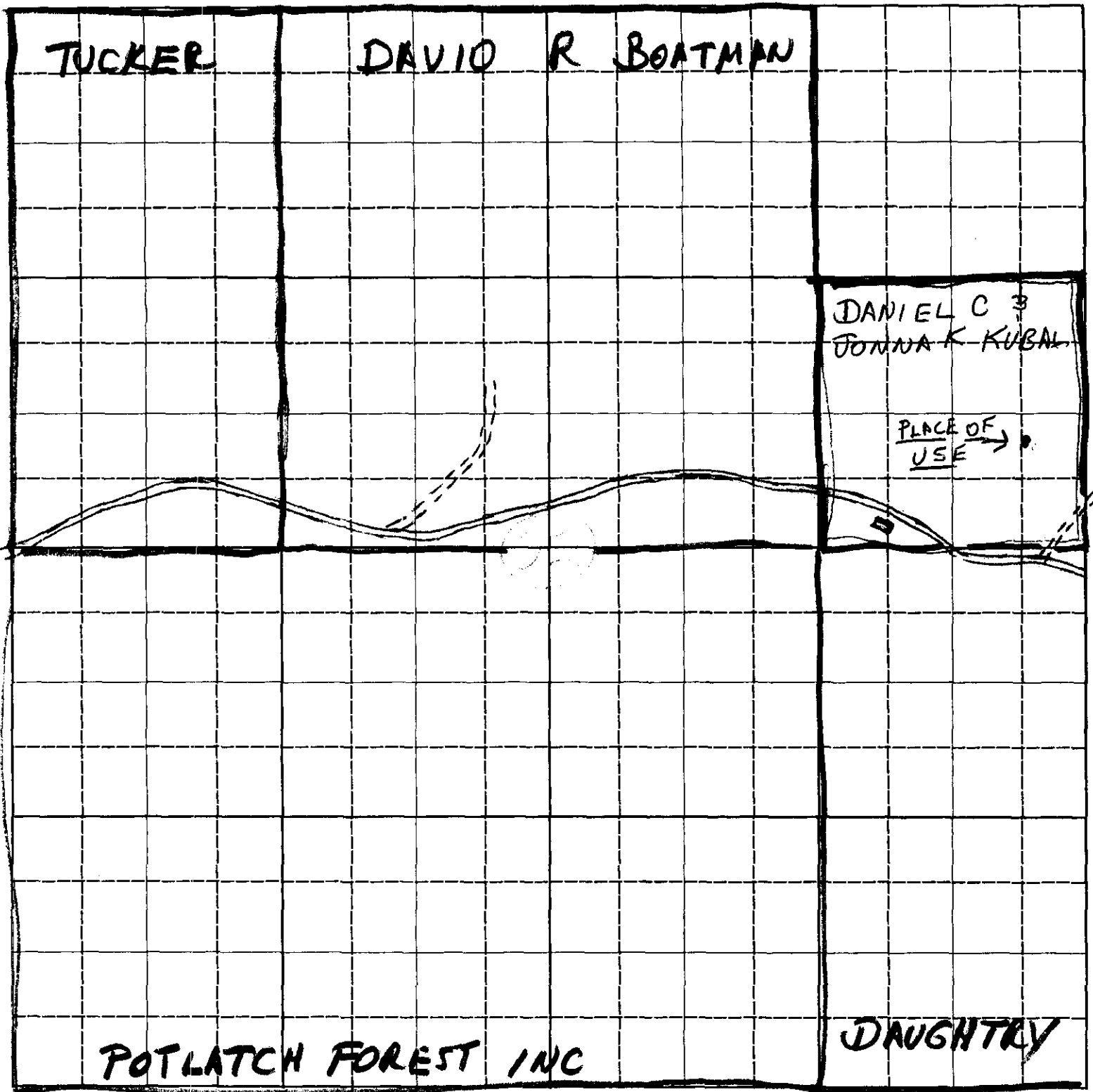
10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? APPLICANT
- b. Who owns the land to be irrigated or place of use? APPLICANT
- 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: _____

SEP 12 1998

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.

SEP 12 1996

Daniel C Kubal
(Applicant)

Received by db Date 6/13/96 Time 1:25 Preliminary check by AS
Fee \$ 50⁰⁰ Received by db # N010289 Date 6/13/96
Publication prepared by db Date 7/1/96 Published in Id Co Free Press 7/3 & 10/96
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:

SEP 12 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

June 29, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DANIEL KUBAL
JONNA KUBAL
RT 1 BOX 69
KOOSKIA ID 83539-9714

RE: WATER RIGHT NO. 81-07173

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 described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to 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 or visit the department's homepage on the Internet to obtain the proper reporting form.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

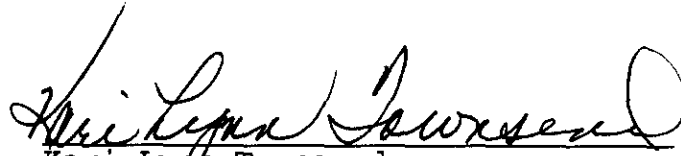
MICROFILMED
SEP 25 2001

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of June, 2000, 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. 81-07173

DANIEL KUBAL
JONNA KUBAL
RT 1 BOX 69
KOOSKIA ID 83539-9714


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 25 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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.

LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on 6/26/00

Permit No. 81-07173

BU Fee Pd \$.04 No fee

Name/Address: ☒ OK ☐ CHANGE

Govt Lots ☐ n/a ☐ plat copy attached

AREA OF CONCERN: ☒ No/Yes pre-determined Moratorium ☐ GWMA ☐ TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M (if on permit)

LOCATION:

Trust - R55(consumptive uses)
Non-Trust - 048-049 (consumptive uses
or non-cons. > 1.0 cfs)

PD Change - P39/P47 - feds(P40)
PD Add - P45/P42

PU Change - P41/P47 - feds(P43)
PU Add - P41/P42

PD & PU Change - P37 - feds(P48)

USES:

STORAGE - 18A-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 081
FISH PROP - 029(70's only)-042-081
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

~~Use Change/Add~~ - P46

ADVANCE PRIORITY? ☐ Yes ☐ No

MISC CONDITIONS/REMARKS:

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - C/tire shop
Non-consumptive - 027
Water Quality - 081-R07
Mitigation - 121 (if on permit)
PPU acre limit - W27

CHECK NEW IRR SEASON MAP ☐

SURFACE WATER: (✓Flow Chart)

In/Above MSF - WB9
WD - R04 (WD#)
≤ 0.20 cfs/others - R02- 01P or No MD
> 0.20 cfs - R43

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22, N/A
(02,03) - WB9 if above Weiser
Payette R (65) - 047(Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - R22-R23 (+uses)-025-081-W42-W43-027
MUNICIPAL
Restricted area - 022,075
Irr. GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Lawn/garden included - W01

OVERLAP ANALYSIS/RATES/VOLUMES:

PD overlap rights - W35-W36 Right #
PU overlap rights - WB7-W31(<1 ac)
GW replaced SW - 050

Permit Rate .04 cfs Fee Limit .04 cfs
Measured N/A cfs Theoretical cfs

Use	Rate	Volume
<u>Dom</u>	<u>.04</u> cfs	<u>1.2</u> af
<u> </u>	<u> </u> cfs	<u> </u> af
<u> </u>	<u> </u> cfs	<u> </u> af
TOTALS	<u> </u> cfs	<u> </u> af

OTHER CONDITIONS/REMARKS/COMMENTS

SRBA Claim Filed ☐ Yes ☒ No

If no, is a claim required: ☐ Yes ☒ No

AMENDMENTS REQUIRED ☐ Yes ☒ No

Adjustment Memo Needed ☐ Yes ☒ No

If yes, paragraph codes:

Form 219
RECEIVED

FEB 14 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 81-071731. Owner: DANIEL / JONNA KUBALPhone No. (208) 926-7020Current Address: RT 1 BOX 692. Accompanied by: _____ EXAM DATE: Aug. 17, 1999

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to _____

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	NE	22	32N	SE	IDAHO	IDAHO COUNTY ASSESSOR

2. Place(s) of Use:

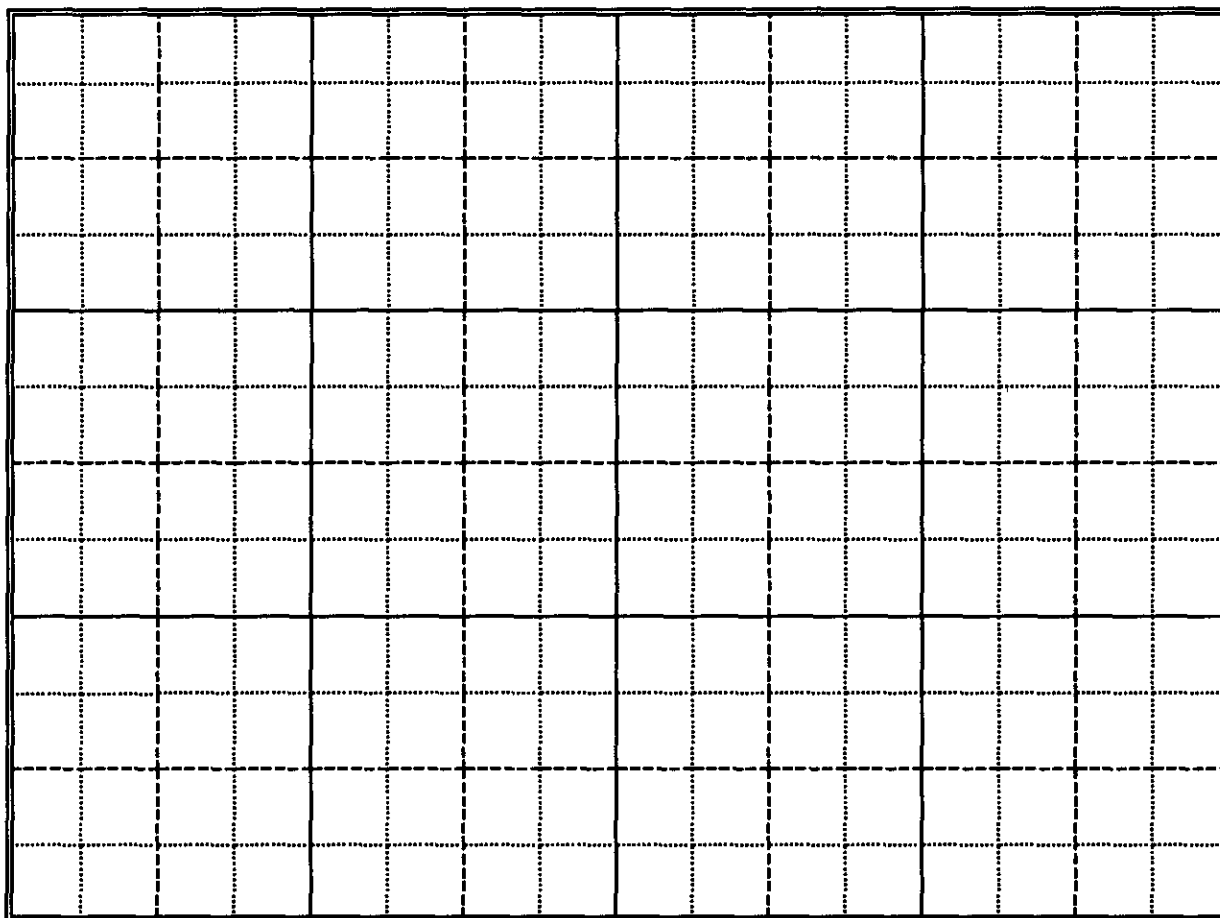
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
32N	SE	22				D													

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SEP 25 2001

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

MICROFILMED

SEP 24 1971

E. NARRATIVE/REMARKS/COMMENTS

PER MARY LOWE @ IDAHO COUNTY ASSESSOR'S OFFICE, THE KUBAL'S
HAVE A MOBILE HOME ON SENE, S22, T32N, R05E.

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

MICROFILMED

SEP 25 2001

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

Allow 0.04 cfs

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:

allow 1.2 af.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic / h.m.	1/1	12/31	0.04	1.2
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			0.04	1.2

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

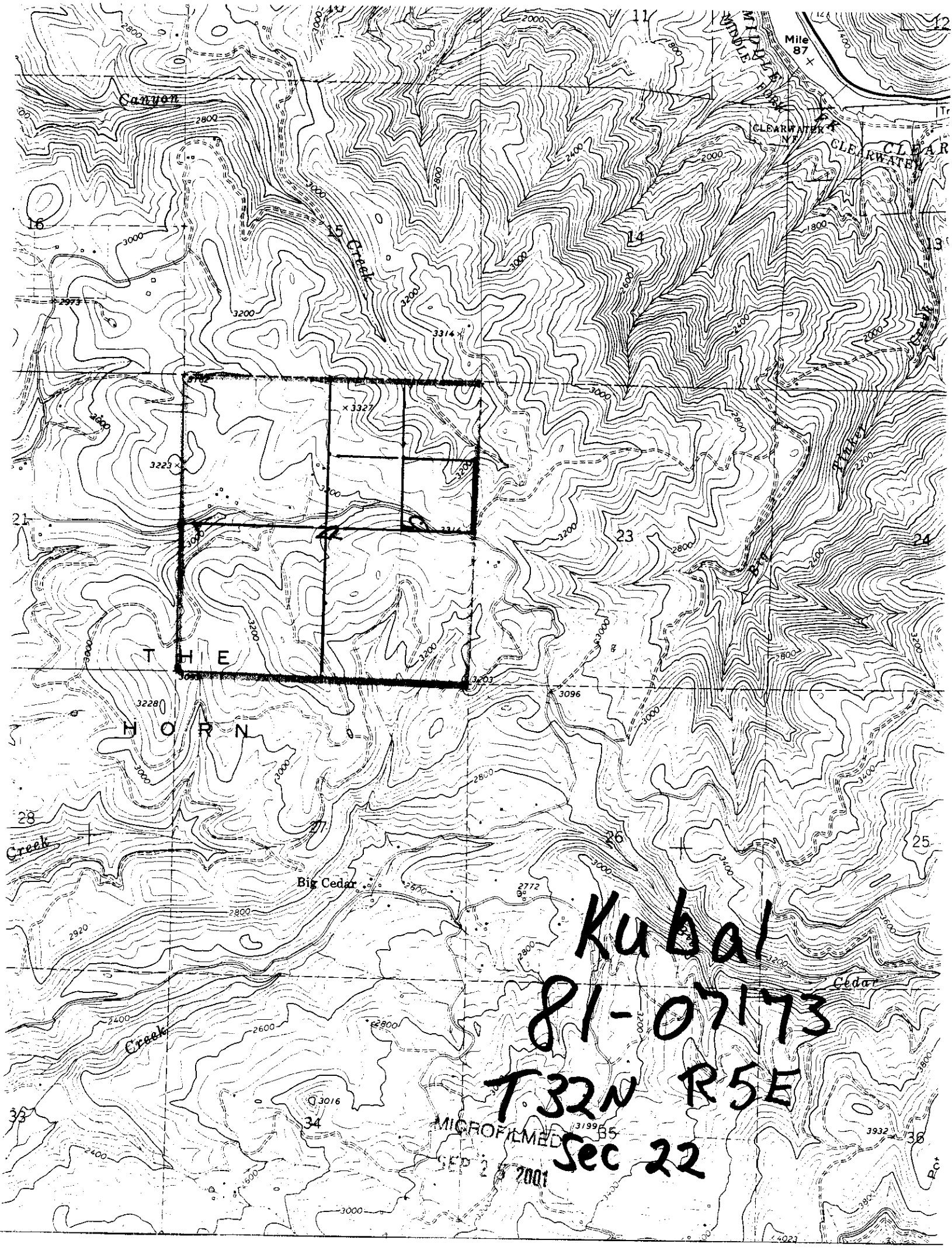
I. AUTHENTICATIONField Examiner's Name Cindy Zimmerman Date 8/17/99

Reviewer _____ Date _____

SEAL

MICROFILMED

SEP 25 2001



Kubal
81-07173
T.32N R5E
Sec 22

MICROFILMED
SEP 28 2001

ARNZEN
ETUX

DAVID R. BOATMAN
etux

DANIEL G.
B. JONNAL
KUBAL

LEE L. DAUGHERY

TT LUMBER
PRODUCTS, INC.

DEAN NELSON

BENNETT LUMBER
PRODUCTS, INC.

RICK
ALDINGER ETUX

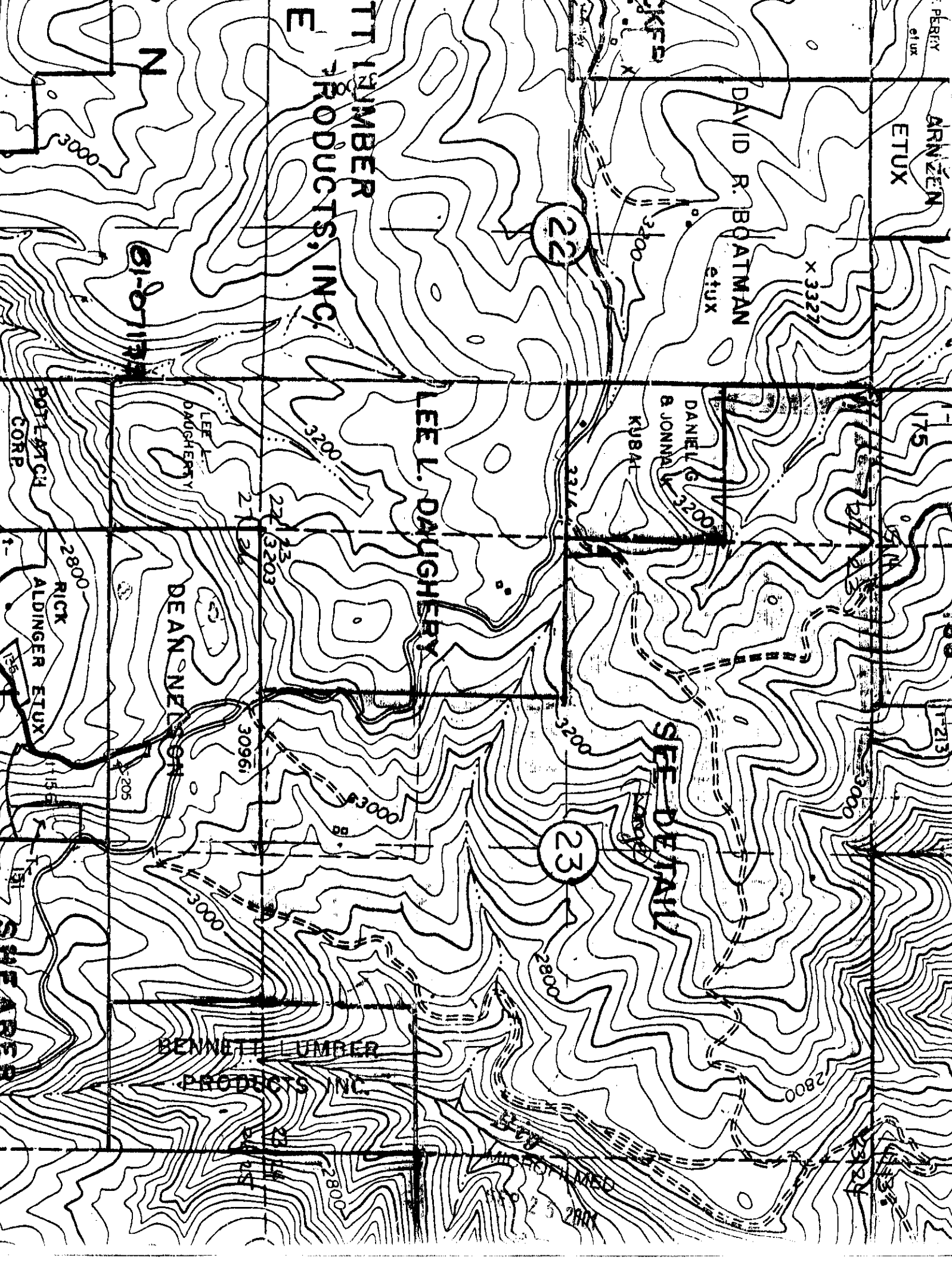
SHEARER

22

23

61-87173

SEE DETAIL





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

July 23, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Daniel Kubal
Rt 1, Box 69
Kooskia, ID 83539-9714

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 81-07173

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, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

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,

L. GLEN SAXTON, Chief
Water Allocation Bureau

C: IDWR - N. Region

MICROFILMED

SEP 16 1997

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 81-07173 Reviewed by VZ Date 7-23-97

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

____ Surface water source
✓ Ground water source
yes Drilling permit required?
no Copy in the file? Drilling Permit No. 81-95-N-0025-000
____ Amount paid for permit _____ Correct?
NO Well log in the file?

LICENSE EXAMINATION FEE

NO Required?
— Amount Submitted
— 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

none
acknowledge proof rec'd

DATA ENTRY

New Address _____ Proof Made 7-18-97

June 30, 1997

DANIEL KUBAL
JONNA KUBAL
RT 1 BOX 69
KOOSKIA ID 835399714

PROOF DUE NOTICE

RE: PERMIT NO. 81-07173

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 September 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.

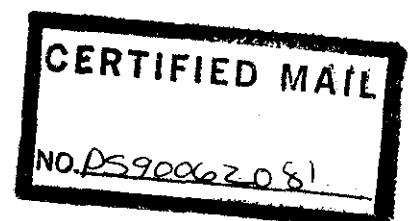
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

SEP 16 1997





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

September 6, 1996

DANIEL KUBAL
JONNA KUBAL
RT 1 BOX 69
KOOSKIA ID 83539-9714

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 81-07173

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permit.

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

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

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

RECEIVED

SEP 12 1996

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 81-7113 Name: Kubal Date: 9/3/96 Ad OK? ☒
Correct Fee? ☒ Receipt #: N010289 Priority: 6/13/96 ☒ Gvmt Lts: ☒

AREA OF CONCERN? GW exempt No/Yes SLC Mor GWMA Trust/Non-trust
- In 20/30/40/50/60/70/80 (87) basin? P84
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. 81-95-A-0025-000, 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 (dem) - 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 R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - *WB5(Boise R † Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-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-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

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-land owner

- 004 (PD/PU)

OTHER CONDITIONS:**STANDARD REMARKS:**- 10 wbs/1**BENEFICIAL USE DUE:**- 9-1-1997**COMMENTS:**

RECEIVED

DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

WR/
KCA
WRA

AUG 30 1996

APPLICATION # 81-7173

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

Department of Water Resources
APPLICANT: KUBAL
KUBAL

BY: [Signature]

DATE: 6/14/96

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

X (Include Moratorium Remark)

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

ADVERTISE IN: IDAHO County.

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

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

(Yes) (No)

Checked by: _____

Date: ____/____/____

Remarks: _____

- ☒ 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 81-95-N-25

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

(Yes) (No)

- ☐ Notice of pending void order issued. Final order response date: ____/____/____
- ☐ Further information required from applicant
- ☐ Affidavit of publication received
- ☐ Application published correctly, If not, record action taken: _____

7/1/96 Publication dates and paper recorded on application

Sr. Agent initial [Signature]

☒ Protests received. Final protest date: 7/22/96

☐ Measuring device required

☐ Measuring port required

☐ Special conditions: _____

☒ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: [Signature]

Date: 8/30/96

81-07173

KUBAL, DANIEL
KUBAL, JONNA
ROUTE 1 BOX 69
KOOSKIA, ID 835399714

Source: GROUNDWATER

Diversion Pt: SENE Sec 22 T 32N R 05E in IDAHO County.

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

Date Filed: 6/14/1996

In: IDAHO County
T32N R05E S22 SENE

7/1/96

Original was faxed to Michelle
per phone sk to make
paper on 7/3 + 10/96

8/7/96

per Michelle @ paper
It did run 7/3 + 10/96
She will forward "another copy"
of affidavit & bill today.

8/14/96

Michelle sent it to Western Region -
will re-send to this address
today.

SEPT 2 1996

{ * Copy originally due from paper by 7/22/96 }

81-07173

KUBAL, DANIEL
KUBAL, JONNA
ROUTE 1 BOX 69
KOOSKIA, ID 835399714

Source: GROUNDWATER

Diversion Pt: SENE Sec 22 T 32N R 05E in IDAHO County.

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

Date Filed: 6/14/1996

In: IDAHO County
T32N R05E S22 SENE

RECEIVED

SEP 12 1996



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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JULY 1, 1996

Legal Notices Department
IDAHO COUNTY FREE PRESS
P. O. BOX 267
GRANGEVILLE, ID 83530

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JULY 22, 1996.

Yours truly,

DIANNE BALL
Senior Secretary

Enclosure

Post-It® Fax Note	7671	Date	7/1/96	# of pages	4
To	Michelle / Legal	From	ID Water Res.		
Co./Dept.	ID Co Free Press	Co.	Dianne Ball		
Phone #	983-1200	Phone #	769 1450		
Fax #	983-1336	Fax #	769 1454		

→ Call to confirm receipt pls.

SEP 12 1996

NOTICE OF APPLICATION FOR WATER RIGHT

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

SEP 12 1996

81-07173

KUBAL, DANIEL
KUBAL, JONNA
ROUTE 1 BOX 69
KOOSKIA, ID 835399714

Source: GROUNDWATER

Diversión Pt: SENE Sec 22 T 32N R 05E in IDAHO County.

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

Date Filed: 6/14/1996

In: IDAHO County
T32N R05E S22 SENE

RECORDED

JUN 12 1996

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d' Alene, Idaho 83814, together with a protest fee of \$25.00 on or before JULY 22, 1996.

KARL J. DREHER, Director

Published: 7/ 3/1996 & 7/10/1996

SEP 12 1996



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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JUNE 26, 1996

Legal Notices Department
COTTONWOOD CHRONICLE
P. O. BOX 157
COTTONWOOD, ID 83522

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JULY 22, 1996.

Yours truly,

DIANNE BALL
Senior Secretary

Enclosure

*Wrong Paper
Called to pull
OK 7/1/96*

SEP 12 1996

June 26, 1996

Daniel or Jonna Kubal
Route 1 Box 69
Kooskia ID 83539-9714

Re: Water Appropriation Application No. 81-07173

Dear Mr. and Mrs. Kubal:

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. Enclosed is Receipt Number N010289. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

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

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

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

If 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

2 1996