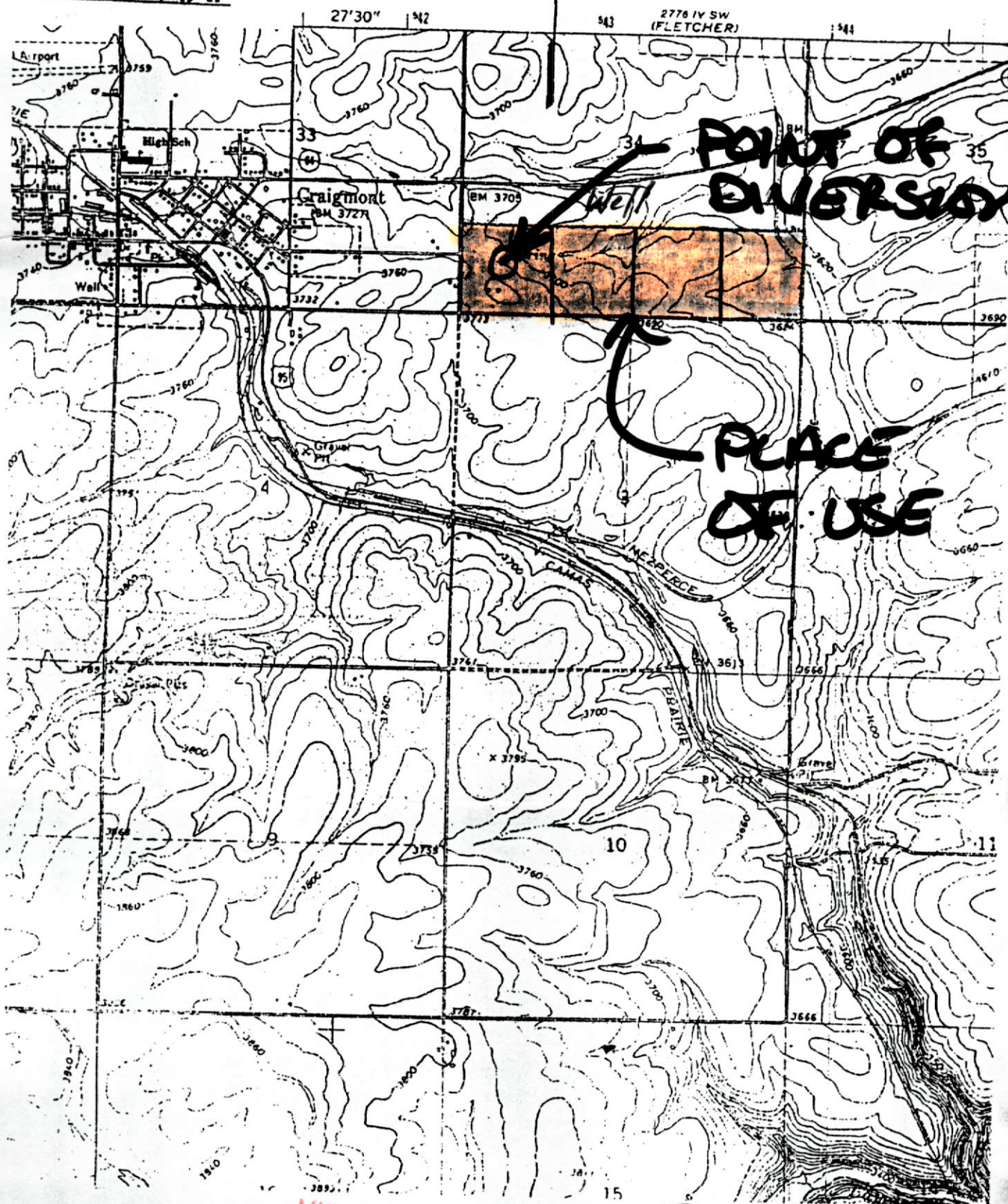


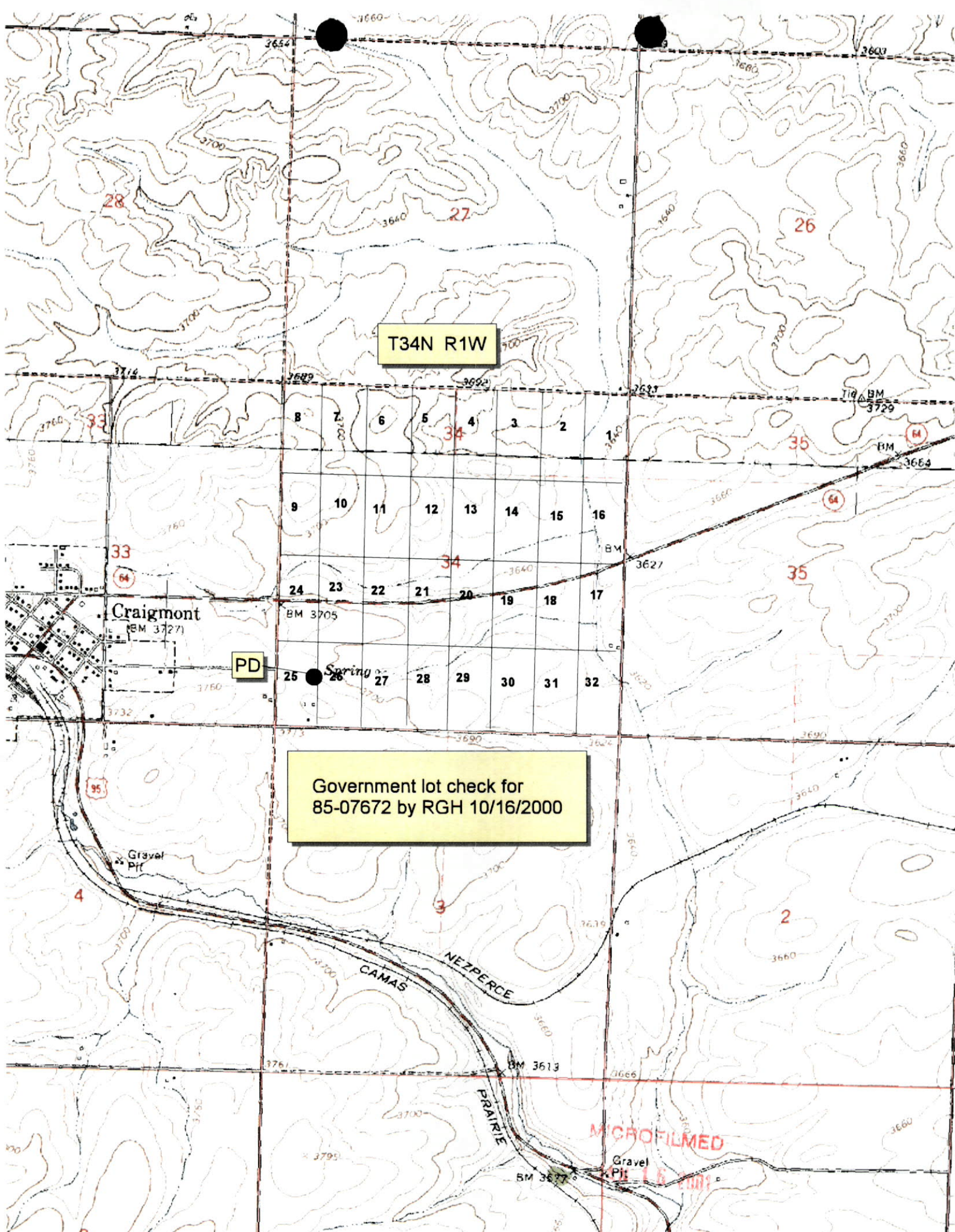
SUBJECT MAPS

TRACT MAP



MICROFILMED
JAN 16 2001

REGGEAR
T.34N., R.1W.



T34N R1W

Government lot check for
85-07672 by RGH 10/16/2000

Craigmont
BM 3727

PD

Spring

MICROFILMED

Gravel
Pfr 16 2007

Affidavit of Publication

STATE OF IDAHO, }
County of Idaho, } ss.

I, STEVEN A. WHERRY, being first duly sworn, depose and say that I am Editor of the LEWIS COUNTY HERALD, a weekly newspaper, published and issued weekly at Nezperce, Lewis County, State of Idaho, which is of general circulation in said county and state, that the said notice, of which the hereto attached is a true copy, was published in said newspaper for

2 weeks, being published 2 times, the

first publication being on the 7th day of

September, 2000, and the last publication on the

14th day of September, 2000; and that

the said notice was published in the newspaper proper and not in a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight (78) consecutive weeks prior to the first publication of said notice or advertisement.

STATE OF IDAHO, }
County of Idaho, }

On this 15th day of september in the year of 2000, before me, a Notary Public, personally appeared Steven A Wherry, know or identified to me to be the person whose name is 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.

PATRICIA E. WHERRY

NOTARY PUBLIC

STATE OF IDAHO

Notary Public for Idaho

Residing at

Cottonwood

My commission expires:

12-2000

RECEIVED
SEP 18 2000
IDWR/North

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

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

85-07672

REGGEAR, ROBERT

1525 LOSETH RD

OROFINO, ID 83544

Source: GROUNDWATER

Diversion Pt: SWSW Sec 34 T 34N R 01W in LEWIS County.

Use: IRRIGATION (0.200 CFS)

Total Diversion: (0.200 CFS)

Date Filed: 7/19/2000

In: LEWIS County

T34N R01W S34 SWSW SESW SWSE SESE

159.0 ACRES TOTAL

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before SEPTEMBER 25, 2000.

KARL J. DREHER, Director

Published in the Lewis County Herald Sept. 7 & 14, 2000.

MICROFILMED

JAN 16 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 19 2001

PROOF OF BENEFICIAL USE

Department of Water Resources

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.

1. Permit No. 85-7672 Telephone No. 208 476-7739

2. Name of Permit Holder(s): Reggear Tree Farm 208 924-6741

3. Mailing Address: 1525 Loseth Road

City Orofino State ID Zip 83544

4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 6 / yr. 2000

Well Driller: Stuivenga Vessey Drilling Permit Number: D0013305

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

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

Irrigation (No. of acres): 159 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.2 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 ☒
Has the measuring device been installed? Yes _____ or No ☒

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Scott Perrin Telephone Number: 208 924-6741

Address: Reggear Tree Farm RT 2 Box 63 Craigmont, Idaho 83523

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

Signature of permit holder: [Signature]
(include your title, if on behalf of company or organization)

Date: 11/05/01

MICROFILMED

MAR 27 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 85-07672

Priority: July 19, 2000

Maximum Diversion Rate: 0.20 CFS

This is to certify, that ROBERT REGGEAR
1525 LOSETH RD
OROFINO ID 83544

has applied for a permit to appropriate water from:

GROUND WATER

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>
IRRIGATION	04/01 to 10/31	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, Twp 34N, Rge 01W, B.M. LEWIS County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
34N 01W 34											39.0	40.0			40.0	40.0	159.0

Total Acres: 159

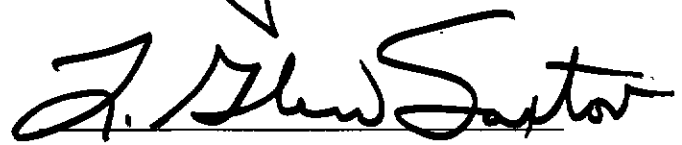
CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before January 01, 2002.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 10th day of January, 2001.

MICROFILMED

JAN 16 2001


for KARL J DREHER, Director

RECEIVED

OCT 18 2000

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Robert Ferguson Phone 208-476-7739
Mailing address 1525 Leseby Rd. Ord. no Id 83544
2. Source of water supply Well (Granowater) which is a tributary of _____
3. Location of point of diversion is Township 34 N Range 1 W Sec. 34 in the SW 1/4, SW 1/4, Govt. Lot, B.M., Lewis County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .20 for Irrigation purposes from 4/1 3/15 to 10/31 11/15 (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)
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) .20 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source 3 horse pump
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter is 8 inches; proposed depth of well is 725 feet
d. Is ground water with a temperature of greater than 85°F being sought? No
e. If well is already drilled, when? 6/28/00; Drilling firm Stevens & Vasey Drilling
Well was drilled for (well owner) Owner; Drilling Permit No. 20013305
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
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. _____
e. Other; describe fully. _____

MICROFILMED

JAN 16 2001

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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
34	10	34											39 40				40 40		159
													Irrigation						

Total number of acres to be irrigated 159

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? Robert & Mike Reggeer

b. Who owns the land to be irrigated or place of use? Robert & Mike Reggeer

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: Irrigation Tree Nursery

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Robert Reggeer
Signature of Applicant (and title, if applicable)

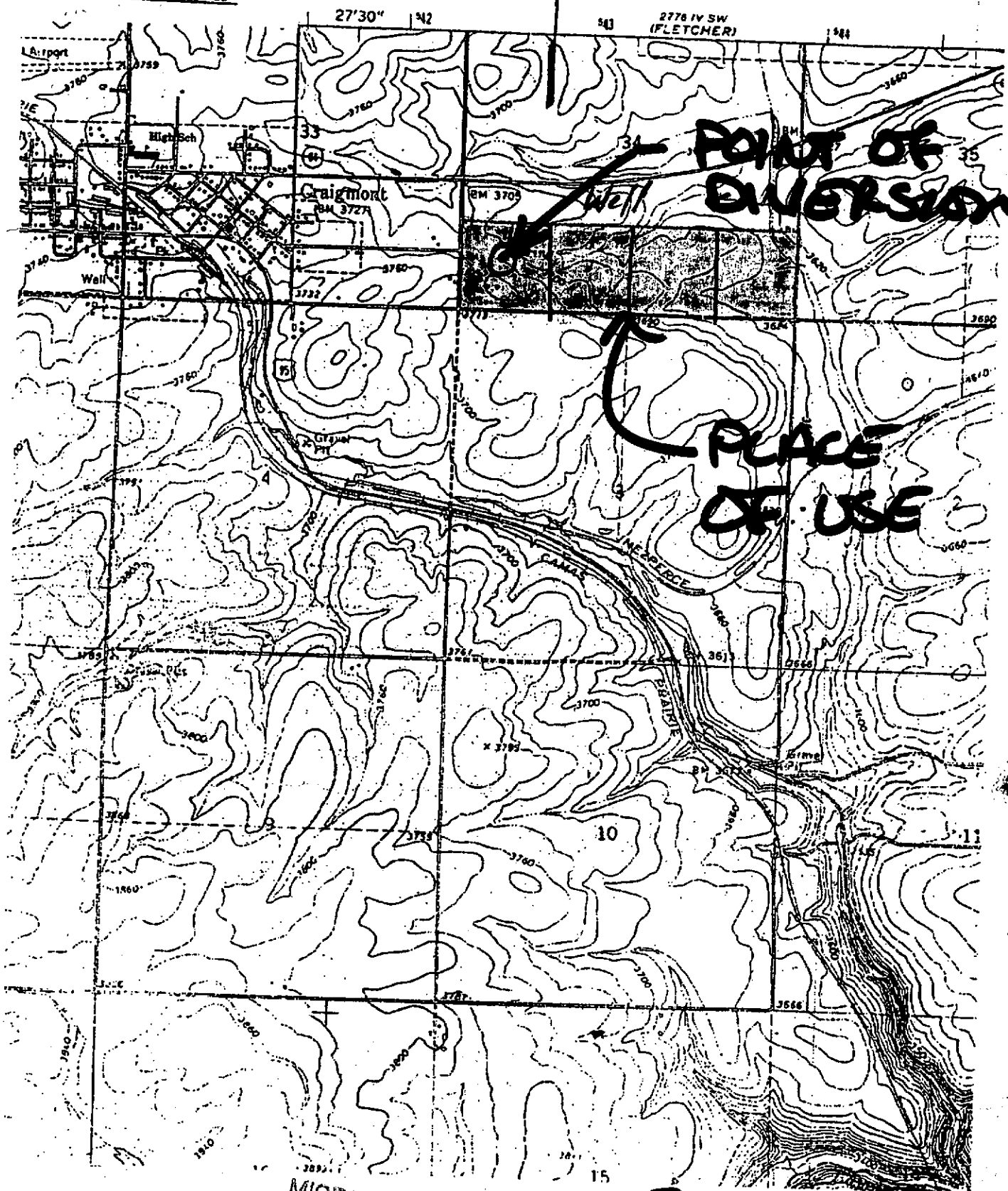
Received by db Date 7/19/00 Time 1205P Preliminary check by JB
 Fee \$ 100.00 Receipted by db # N013824 Date 7/19/00
 Publication prepared by db Date 8/30/00 Published in Lewis County Herald 9/1+14/00
 Publication approved db Date 9/18/00

MICROFILMED

JAN 16 2001

SUBJECT MAPS

TRACT MAP



MICROFILMED
JAN 16 2001

REGGEAR
T.34N., R.1W.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 20, 2001

ROBERT REGGEAR
REGGEAR TREE FARM
1525 LOSETH ROAD
OROFINO ID 83544

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 85-07672

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Northern** Regional Office of the department in Coeur d'Alene at (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

MAR 27 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 85-7672

Reviewed By: dgibson

Date: December 19, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		N013824, C057937	Well driller's report filed?		
Additional Amount Due:			Measuring device required?		
Name and address same as permit?			Measuring device installed?		
Are the water uses correct?			Measure device waiver requested?		

Priority Calculation

Date proof received		11/20/2001
Date proof due	-	01/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	07/19/2000
New priority date	=	07/19/2000

Deficiencies of Actions Items

Acknowledge proof.

October 31, 2001

ROBERT REGGEAR
1525 LOSETH RD
OROFINO, ID 83544

PROOF DUE NOTICE

RE: PERMIT NO. 85-7672

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 January 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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.

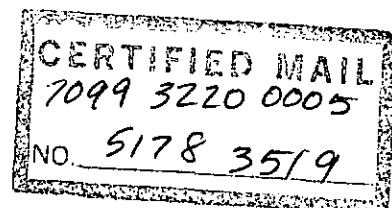
Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

MAR 27 2002





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

January 12, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT REGGEAR
1525 LOSETH RD
OROFINO ID 83544

RE: Permit No. 85-7672

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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.

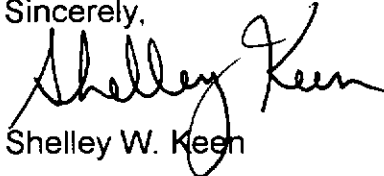
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

MICROFILMED
JAN 16 2001

Also, please note that water right owners are required to report any change of water right ownership and/or 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 forms and instructions.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley Keen". The signature is fluid and cursive, with the first name "Shelley" and the last name "Keen" clearly distinguishable.

Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

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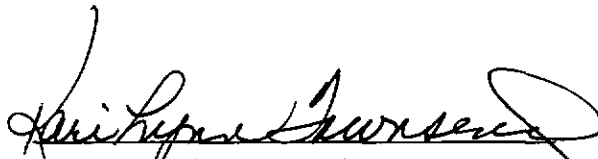
JAN 16 2001

CERTIFICATE OF MAILING

I hereby certify that on January 12, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 85-7672

**ROBERT REGGEAR
1525 LOSETH RD
OROFINO ID 83544**


**Kari Lynn Townsend
Secretary**

MICROFILMED

JAN 16 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.

MEMORANDUM

TO: File 85-07672

FROM: Cynthia Bridge

DATE: December 22, 2000

RE: Grant Permit Application, Permit No. 85-07672

The applicant, Robert Reggear, supplied the requested information regarding the intended use for the diverted water. We will not be requesting the use of a measurement device, or limiting irrigated acreage. We recommend issuing the water right permit.

MICROFILMED

JAN 16 2001



WHOLESALE & RETAIL

Reggear Tree Farm

Landscaping Stock • Custom Cut Lumber • Beams

LANDSCAPING MATERIAL
MACHINE DUG
B & B TREES 18" to 60"
SPECIALTY FOREST PRODUCTS
LUMBER
POSTS

PHONE: Bob 476-7364 Mike 476-0700

OFFICE: 476-7739

FAX: 476-7429

1525 LOSETH ROAD

OROFINO, IDAHO 83544

18 December, 2000

Cynthia Bridge
Associate Engineer

State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

RECEIVED

DEC 20 2000

Department of Water Resources

RE: Permit 85-07672

In regards to the letter sent December 5, 2000: Reggear Tree Farms will be utilizing 0.20 cfs to irrigate a portion of farm property, namely tree seedlings during the first and second year of growth. Our operation grows trees in 5 to 15 year rotations of which the first two years of tree growth are crucial for establishment. The use of the allocated water is to minimize transplant mortality and aid in plant establishment at the farm. Irrigation will be accomplished through the use of a mobile drip irrigation system which will irrigate approximately forty thousand seedlings each year: new planting and prior year planting. The acreage that could utilize the 0.20 cfs could be on any portion of the farm's 159 acres.

Sincerely,

Robert Reggear
Reggear Tree Farms
1525 Loseth Rd
Orofino, Idaho 83544

MICROFILMED

JAN 16 2001

NLA



INA

MEMORANDUM

TO: File 85-07672

FROM: Cynthia Bridge

DATE: December 14, 2000

RE: Phone Conversation, Permit No. 85-07672

This memorandum is intended to document a phone conversation with the applicant for Permit No. 85-07672. I spoke with Robert Reggear regarding a letter sent to him on December 5, 2000 requesting further information about the purpose for diverting water. He wanted to know if an explanation over the phone would be sufficient. I told him to submit a letter to provide documentation for the permit records.

In the course of our conversation he briefly explained his intentions for developing and expanding his existing tree nursery. He said they intend to drip irrigate newly planted trees to establish initial growth. They are concerned mainly with having the capacity to provide supplemental irrigation to trees for their first couple of years. Depending on annual precipitation, they anticipate irrigating half-acre lots at any one time once or twice a week throughout the year. A 27-acre parcel of land will be developed at this time but they plan to expand the developed area to at least 40-acres. They also hope to be able to divert water to any location on the property.

MICROFILMED

JAN 16 2001



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

December 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT REGGEAR
1525 LOSETH RD
OROFINO ID 83544

RE: Application for Permit 85-07672

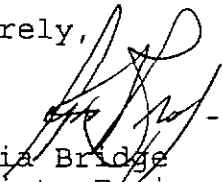
Dear Mr. Reggear:

The Department of Water Resources is currently processing your application for a permit to appropriate the public waters of the State of Idaho. Preliminary review indicates that additional information is required regarding the purpose for diverting water. According to the application, you are proposing to divert an amount of 0.20 cfs for irrigation purposes, specifically a tree nursery. The total number of acres to be irrigated is identified as 159.0. We are concerned that 0.20 cfs of water will not be adequate to irrigate the total acreage, therefore we are requesting clarification of your intended irrigation practices. We understand that there are many alternatives for utilizing the allocated water such as irrigating only a portion of the total property each year.

The information must be submitted within 30 days of the date of this letter. Failure to submit the required information within the time period allowed may be cause for the Department to void the application. The Department may grant an extension of time to submit the information upon written request and a showing of good cause.

Please feel free to contact me at (208) 327-7898 if you have any questions regarding this procedure.

Sincerely,


Cynthia Bridge
Associate Engineer

MICROFILMED

JAN 16 2001

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Cindy Zimmerman on 11/22/00

No. 85-01672 Name: Reggear Corp. Officers Ad ok ☒ Govt Lots ☒

AREA OF CONCERN: ☒ No/Yes ☐ Moratorium ☐ GWMA ☒ ~~TRUST/NON TRUST~~

GROUNDWATER: (√Flow Chart)

DRILLING PERMIT

All wells - 046(P23)

Irr. w/in WD - **P05**
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
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

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84 (80s-70s, 81-86)
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac) 3.0
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 12/01/2001

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (√Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
In-stream development - **P52**
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

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(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
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
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 4/1 - 10/31 (Per updated map)

OTHER CONDITIONS/REMARKS 046, 01M, R62
COMMENTS

PC: P16, P23, P84

Block, Darla

From: Block, Darla
Sent: Friday, October 27, 2000 10:46 AM
To: Jim & Cindy Zimmerman (E-mail)
Subject: water right #85-07672



85-07672.tif

*

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED ^{WR/} ^{BCA} ^{WEA}
OCT 18 2000

APPLICATION # 85-07672

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: REGG, EARL

BY: RB

DATE: 7/19/00

ITEM REQUIRED INFORMATION

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & County
4. (X) Quantity
(X) Nature of Proposed Use
(X) Period of Use
5. (X) Total Quantity
6. (X) Description of diverting works
7. (X) Time required for b/u
8. (X) Proposed use
9. (X) Place of use or acres irrigated
10. (X) Other water Rights
11. (X) Ownership
12. (X) Map
(X) Signature
(X) Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y () N ()

ADDITIONAL INFORMATION

- (Yes) (No)
- X Field check: by _____
- X Field report attached
- X Analysis Supp. attached (>5cfs/500af)
- X Water delivered by water master?
Water District # _____

PROCESSING

- (Yes) (No) PRIORITY DATE: 7/19/00
- X (Include Moratorium Remark)
- X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

LC/Johnson

ADVERTISE IN: LEWIS Count

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

WD Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
<u>D/3305</u>	Dom. ☐ Non-Dom. ☐	Paid \$ _____	<u>ND/3824</u>	Y () N ()
	Dom. ☐ Non-Dom. <u>X</u>	Paid \$ _____		Y () N ()
	Dom. ☐ Non-Dom. ☐	Paid \$ _____		Y () N ()

- X Groundwater management area
- X Critical ground water area
- X Well Drilling Permit required
- X Well Drilling Application and Fees received
- X Well Drilling Application approved?

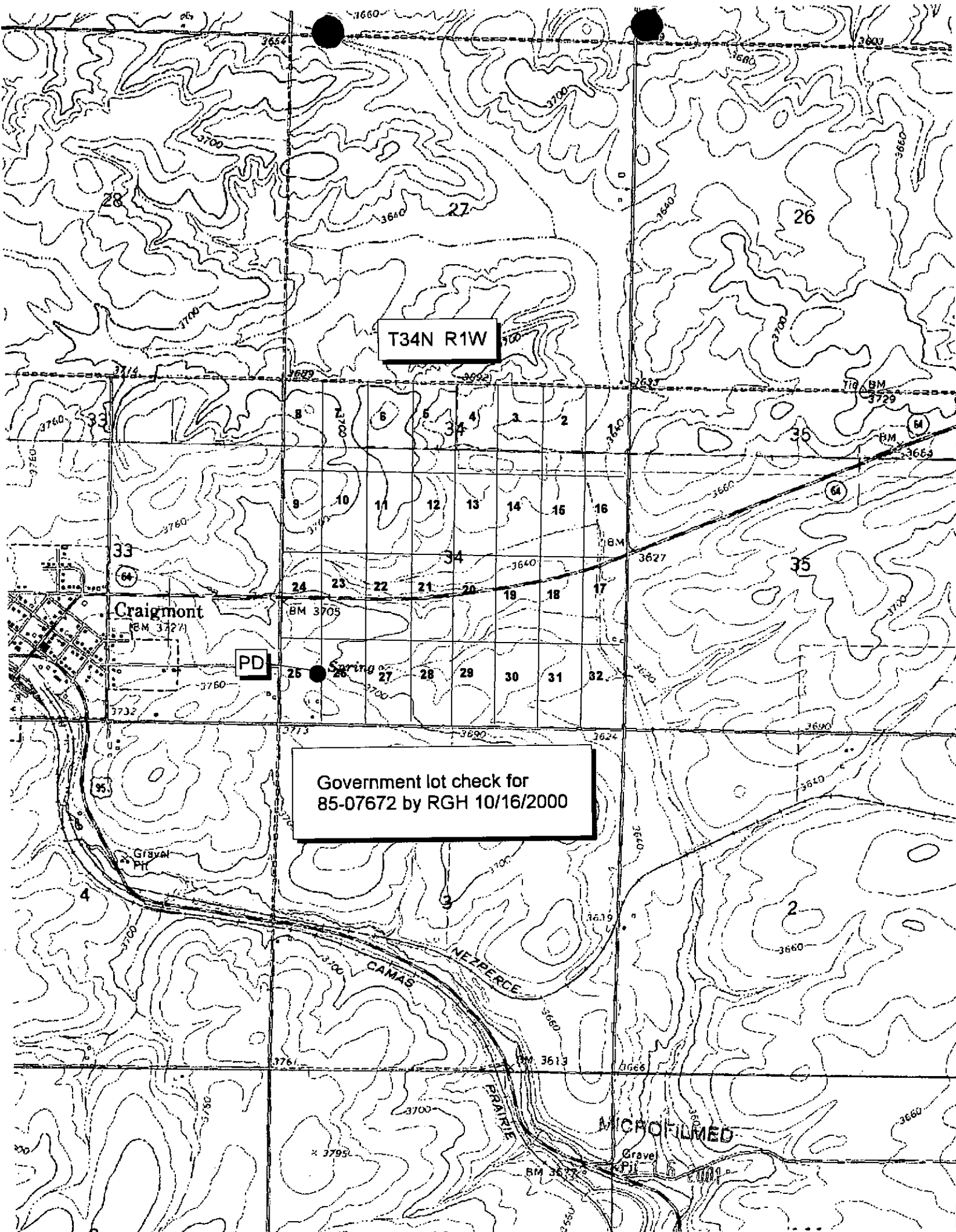
Remarks: UPGRADED - 7/19/00

FINAL REGIONAL PROCESSING/REVIEW

- (Yes) (No)
- X Notice of pending void order issued. Final order response date: _____/_____/_____
- X Further information required from applicant
- X Affidavit of publication received
- X Application published correctly. If not, record action taken: _____
- X Publication dates and paper recorded on application | Sr. Agent initial RB
- X Protests received, Final protest date: 9/25/00
- X Measuring device required
- X Measuring port required
- X Special conditions:
- X Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: BRH

Date: 10/16/2000



T34N R1W

PD

Government lot check for
85-07672 by RGH 10/16/2000

MICROFILMED

Affidavit of Publication

STATE OF IDAHO, } ss.
County of Idaho, }

I, STEVEN A. WHERRY, being first duly sworn, depose and say that I am Editor of the LEWIS COUNTY HERALD, a weekly newspaper, published and issued weekly at Nezperce, Lewis County, State of Idaho, which is of general circulation in said county and state, that the said notice, of which the hereto attached is a true copy, was published in said newspaper for

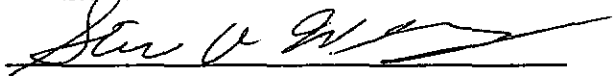
2 weeks, being published 2 times, the

first publication being on the 7th day of

September, 2000, and the last publication on the

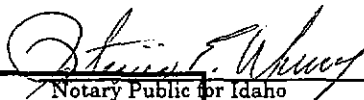
14th day of September, 2000; and that

the said notice was published in the newspaper proper and not in a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight (78) consecutive weeks prior to the first publication of said notice or advertisement.



STATE OF IDAHO, }
County of Idaho, }

On this 15th day of september in the year of 2000, before me, a Notary Public, personally appeared Steven A Wherry, know or identified to me to be the person whose name is 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.



PATRICIA E. WHERRY
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for Idaho
Residing at Cottonwood
My commission expires: 12-2000

RECEIVED
SEP 18 2000
IDWR REC'D

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

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

85-07872 *sk*

REGGEAR, ROBERT
1525 LOSETH RD
OROFINO, ID 83544

Source: GROUNDWATER
Diversion Pt: SWSW Sec 34 T 34N R 01W in LEWIS County.

Use: IRRIGATION (0.200 CFS)
Total Diversion: (0.200 CFS)

Date Filed: 7/19/2000

In: LEWIS County
T34N R01W S34 SWSW SESW
SWSE SESE

159.0 ACRES TOTAL

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before SEPTEMBER 25, 2000.

KARL J. DREHER, Director

Published in the Lewis County Herald Sept. 7 & 14, 2000.

MICROFILMED

JAN 16 2001

85-07672

REGGEAR, ROBERT
1525 LOSETH RD
OROFINO, ID 83544

Source: GROUNDWATER

Diversion Pt: SWSW Sec 34 T 34N R 01W in LEWIS County.

Use: IRRIGATION (0.200 CFS)
Total Diversion: (0.200 CFS)

Date Filed: 7/19/2000

In: LEWIS County
T34N R01W S34 SWSW SESW SWSE SESE

159.0 ACRES TOTAL

MICROFILMED

JAN 16 2001

August 30, 2000

Robert Reggear
1525 Loseth Rd
Orofino ID 83544

Re: Water Appropriation Application No. 85-07672

Dear Mr. Reggear:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced 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 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 \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

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

MICROFILMED

JAN 16 2001

AB:db

Receipt No. N013824 enclosed for your records.

WR0749NP
No. 85-07672

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/25/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT REGGEAR 1525 LOSETH RD OROFINO ID 83544 (208) 476-7739	07/19/2000	IRRIGATION	03/15 11/15	0.200 CFS	
TOTAL DIVERSION:					0.200 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: APPLICATION

Point(s) of Diversion: T34N R01W S34 SWSW

LEWIS County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
---	---	---	:	---	---	---	---	---	:	---	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	---	---	---
34N	01W	34	:						:						:	39	40	:						:	40	40	:	159.0				
TOTAL ACRES																												159.0				

Pou County: LEWIS

Dates: App. Received: 07/19/2000 Priority Date: 07/19/2000
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 08/25/2000 User-ID: DBALL Subject: Examiner's notes.
3 hp pump.
Existing well D13305 - upgraded 7/19/00
Time required 1 year.

Audit: 08/25/00 DBALL