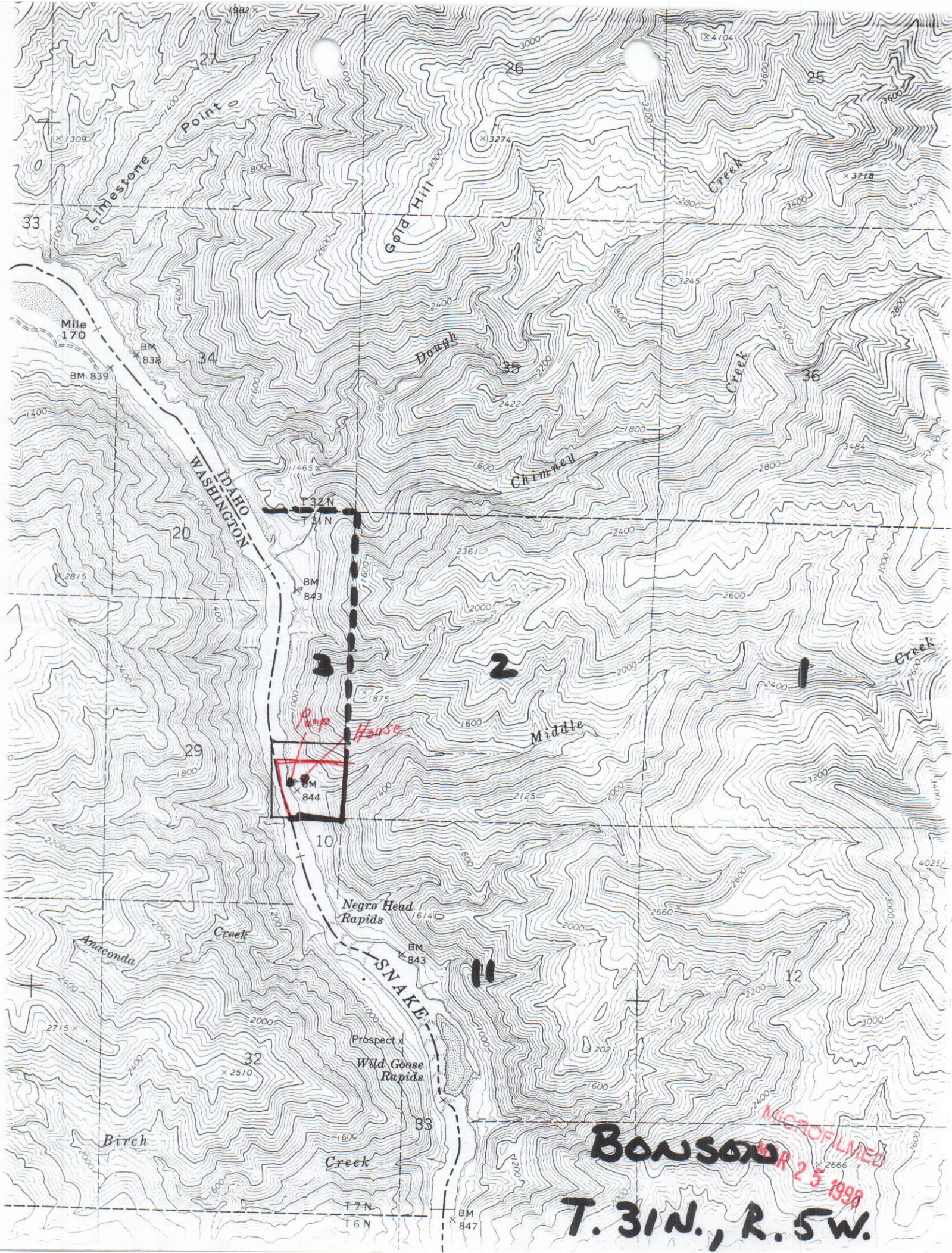




BONSON
MICROFILMED
R 25 1998
T. 31 N., R. 5 W.

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**Date 08/28/97INVOICE NO. 152752Account No. 964750Description 152752NOTICEOFAPPLICATTimes 2Lines 37

Tab. Lines _____

RECEIVED\$ 50.88

SEP 02 1997

NORTHERN REGION
IDWR

SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D'ALENE ID 83814

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

152752
**NOTICE OF APPLICATION
FOR WATER RIGHT**
The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
03-07064
BONSON, WILLIAM N
1170 16TH AVENUE
CLARKSTON, WA 99403
Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: Lot 4 (SESE) Sec 3 T
31N R 05W in NEZ
PERCE County
Use: IRRIGATION (0.150 CFS)
FIRE PROTECTION (0.200 CFS)
Total Diversion: (0.200 CFS)
Date Filed: 8/1/1997
In: NEZ PERCE County
T31N R05W S03 Lot 4(SESE)
5.0 ACRES TOTAL
For additional information con-
cerning the property location, call the
Northern Regional Office at (208)
769-1450.
The permit(s) will be subject to all
prior water rights. Protests must be
filed with the applicant and with the
Director, Dept. of Water Resources,
Northern Region, 1910 Northwest
Blvd, Suite, 210, Coeur d'Alene, Idaho
83814, together with a protest fee of
\$25.00 on or before SEPTEMBER 8,
1997.
KARL J. DREHER, Director
Published: 8/21/97 & 8/28/1997

Karen Lewis, being duly sworn, deposes and says, I am
the Legal Clerk of the Tribune Publishing Company, a corporation
organized and existing under and by virtue of the laws of the
State of Idaho, publishers of the LEWISTON MORNING TRIBUNE,
a newspaper of general circulation published at Lewiston, Nez Perce County,
Idaho; That the said Lewiston Morning Tribune is an established newspaper
and has been published regularly and issued regularly at least once a day
for more than 21 consecutive years next immediately preceding the first
publication of this notice, and has been so published uninterrupted for
said period; that the 152752NOTICEOFA attached hereto and which is made
a part of this affidavit was published in the said Lewiston Morning Tribune,
2 time(s). Publication being on 08/21, or once a WEEK
for 2 consecutive WEEK, the first publication thereof being on
the 08/21/97, and the last publication thereof being on
the 08/28/97, and said 152752NOTICEOFA was so published in the
regular and entire issue of said newspaper and was not in a supplement
thereof and was so published in every issue and number of the said
paper, during the period and times of publication as set forth above,

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 28

day of August 1997

MICROFILMED

MAR 25 1998

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/1/03

7/94

RECEIVED

JAN 26 1999

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00

Receipt No. 044453

Receipt By: [Signature]

Date Received: 1/26/99

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or 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. 03-07064 Telephone No. (509) 758-6914
2. Name(s) of Permit Holder(s): William N. Bonson & Nancy L. Bonson
3. Mailing Address: 1170 16th Ave. Clarkston, WA 99403
4. Source of Water: River (Snake R.) If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
 - a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____
 - b. OPTIONAL:

Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

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

Irrigation (No. of acres): 5 Other: Fire Protection

6. Total rate of diversion and/or volume for which proof is submitted:
- 0.20
- 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 X

Has the measuring device been installed?

Yes ____ or No X

Flow Measurement Port: Is a flow measurement port required?

Yes ____ or No X

Has the measurement port been installed?

Yes ____ or No X

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: William N. Bonson Telephone Number: (509) 758-6914Address: 1170 16th Ave Clarkston WA. 99403

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: William N. Bonson Date: 3-21-98
(include your title, if on behalf of company or organization)

MICROFILMED

APR 08 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 03-07064

Proposed Priority: August 1, 1997 Maximum Diversion Rate: 0.20 CFS

This is to certify, that **WILLIAM N BONSON**
1170 16TH AVE
CLARKSTON WA 99403

has applied for a permit to appropriate water from:
SNAKE RIVER tributary of **COLUMBIA RIVER**

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	03/15 to 11/15	0.15 CFS
FIRE PROTECTION	01/01 to 12/31	0.20 CFS
	Totals	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SESE), Sec. 3, Township 31N, Range 05W
NEZ PERCE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
31N	05W	3	Lot 4(SESE)	5.0		5.0

Total number of acres irrigated: 5.0

PLACE OF USE: FIRE PROTECTION, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 1999**.
2. Subject to all prior water rights.
3. The right holder shall not assign or sell the permit without first securing the written approval of the Department of Water Resources.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
5. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
6. Water shall not be diverted under this right when flows in the Snake River are below the established minimum flow amount of 13,000 cfs at Lime Point.
7. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right.

MICROFILMED

MAR 7 5 1998

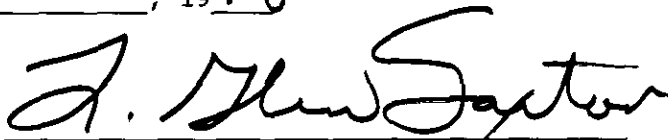
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 03-07064

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

17th day of March, 1998



Karl J. Dreher, Director

for

NOT RECORDED

MAR 25 1998

Ident. No. 03-07064

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

SEP 19 1997

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant William N. Bonson Phone (509) 758-6914
Mailing address 1170 16th Ave Clarkston WA. 99403
2. Source of water supply Snake River which is a tributary of Columbia River
3. Location of point of diversion is Township 31 North Range 5 West Sec. 3 SE, in the SE 1/4,
1/4 1/4, Govt. Lot 4, B.M., Near Perce County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount 0.15 cfs for Irrigation purposes from Mar. 1 to Dec. 30 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount 0.20 for Fire Protection 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) 0.20 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source 5 H.P. motor to pump water when needed. With a 1 1/2" pipe from motor & water pump.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
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

MAR 25 1998

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	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
31N	5W	3																5	5
																		6.4	
																		4	

Total number of acres to be irrigated 5

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? William N. Bonson and Nancy L Bonson

b. Who owns the land to be irrigated or place of use? William N. Bonson and Nancy L Bonson

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: I am wanting use of water for Irrigation & Fire protection, on 5 acres of Recreation Land. The motor & pump are portable and only used as needed for Fire protection and Irrigation.

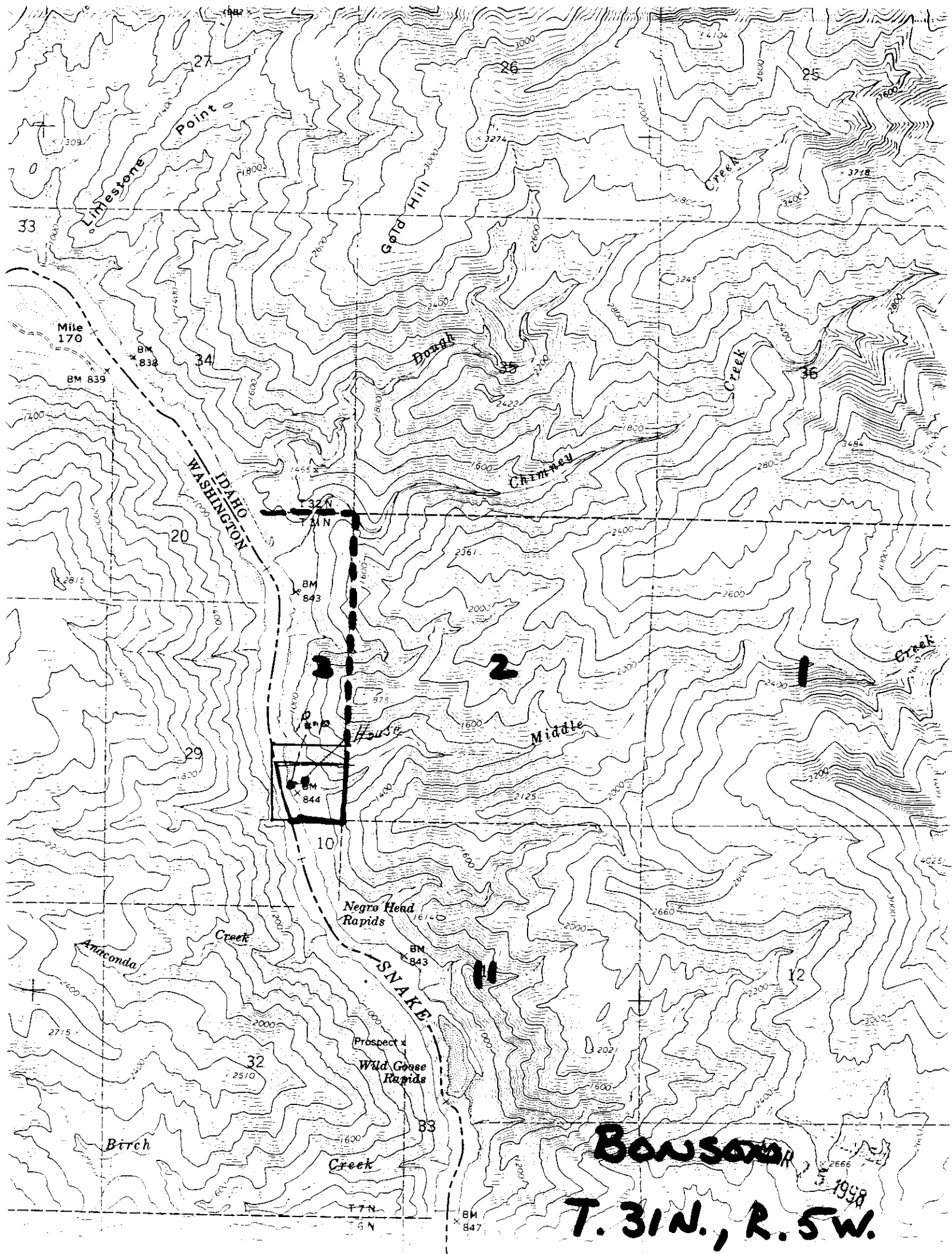
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

William N. Bonson
Signature of Applicant (and title, if applicable)

Received by dp Date 8/1/97 Time 1:40p Preliminary check by _____
Fee \$ 50.00 Received by dp # N011491 Date 8/1/97
Publication prepared by dp Date 8/14/97 Published in Lewiston Tribune 8/21 & 28/97
Publication approved dp Date 9/4/97 MICROFILM _____

MAR 25 1998



BOWSON
1958
T. 31 N., R. 5 W.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 16, 1999

William N Bonson
1170 16th Ave
Clarkston WA 99403

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 03-07064

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.

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

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

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED
APR 08 1999

RECEIVED

JAN 26 1999

Department of Water Resources

*I did send a \$50.00 check
to Idaho Water Resources when I
was filing for this Permit.*

check No. 1382

DATE 7-29-97

For \$50.00

William H. Benson

MICROFILMED

APR 08 1999

December 31, 1998

WILLIAM N BONSON
1170 16TH AVE
CLARKSTON WA 99403

PROOF DUE NOTICE

RE: PERMIT NO. 03-07064

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 March 1, 1999.

(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.

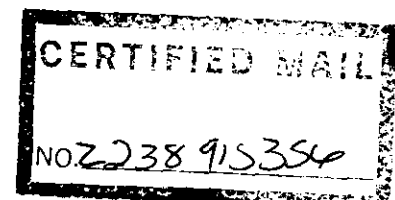
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

APR 08 1999





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

March 17, 1998

PHILIP E. BATT
GOVERNOR

WILLIAM N BONSON
1170 16TH AVE
CLARKSTON WA 99403

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 03-07064

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED

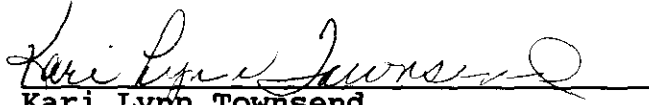
MAR 25 1998

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of March, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 03-07064

WILLIAM N BONSON
1170 16TH AVE
CLARKSTON WA 99403


Kari Lynn Townsend
Secretary

MICROFILMED
MAR 25 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

MICROFILMED
MAR 25 1998

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
MAR 25 1998

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Cindy Lou*

No.: 03-7064 Name: Bonson Date: 3/13/98 Ad OK? ☒ ☒ Gvmt Lts: ☒

AREA OF CONCERN:

- No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED:

- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year

- 26A-P17

≤ 1 year/no proof

- P16**GROUNDWATER: (✓ FLO-CH)**

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD Supplemental use

> 0.24 cfs/5 acres

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

≤ 0.24 cfs/5 acres

- 01M (report when notified)

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

Included w/permit

- Permit No. _____ - _____ - _____ - _____ P99

irr. in WD

- P05 (new well location)

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

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9 Shale R. (above everything but Line Pt)

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs

- 01H-P01 (LD) or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22 -P04, NA

(02/03-irr)

- 007 (w/ remark *WB9 if above Weiser), NA

Payette R(65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

USE:

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area

- 071-070

Fish Propagation

- 029-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Mining

- 054(req) -081-P10

Municipal

- 022, 075, 004 (+memo?), NA (not in restricted area)

Power

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18

Stockwater

- R37 (BLM/USFS); NA

Storage (✓3 compo.)

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

- P84 (in 20/30/40/50/60/70/80 (87) basin)

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:

- 004 (PD/PU) _____

OTHER CONDITIONS:- 077**STANDARD REMARKS:**- ① WB9 ② Shale's Remark**BENEFICIAL USE DUE:**- 3/1/ 1999**COMMENTS:**

- _____

The Director retains jurisdiction to require the holder ^{right} of this ~~right~~ to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this ~~permit~~ ^{right}.

modifications
done 3/16/98. cy

- E-mail to Gary + Steve 3-3. Reply requested by 3-6.
- Memo drafted 3-3-98.

Cindy-

Here's the ^{remark} condition I want placed on 03-07064. If it works, will need to create a new condition with this text. Please process ASAP!!

S. W. Kee
3-13-98

Done 3/13/98.

MICROFILMED
MAR 25 1998

RECEIVED

RESPONSE FORM

MAR 02 1998

Department of Water Resources

COMPLETE THIS FORM ONLY IF YOU WANT YOUR
APPLICATION TO BE PROCESSED

Name of Applicant William N. Bonson

Mailing Address 1170 16th Ave

Clarkston Wash. 99403

Application No. 03-07064

Mitigation

Yes, I agree to accept a condition of approval on my application that will require mitigation related to fishery resources based upon a finding by the Director of Idaho Dept. of Water Resources. I understand that mitigation is not needed now but may be needed in the future. I also understand that the Director will not invoke this condition until I have an opportunity to participate in the process by which mitigation is identified and quantified.

Signature William N. Bonson

Date 2-27-98

Please return this form to:

Idaho Dept. of Water Resources
WR Permits Section
1301 N Orchard St.
Boise, ID 83706

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MAR 25 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 23, 1998

WILLIAM N BONSON
1170 16TH AVE
CLARKSTON WA 99403

RE: Water Right Application 03-07064

Dear Mr. Bonson:

Last October I notified you that your application to divert water from the Snake River for irrigation and fire protection purposes would not be processed because the proposed use would impact the availability of water in the Snake/Columbia River system for salmon and steelhead migration. IDWR will now process your application if you will agree to mitigate for the depletion of flow that is attributable to your water use at those times when the need for mitigation is clearly documented. Mitigation can include steps such as purchasing and releasing storage water to offset the impacts of your water use.

If you agree to this proposal, your application, if approved, will carry a condition that you must mitigate or cease diverting water when IDWR determines that mitigation is required. Please note that mitigation is not required at this time but might be required in the future. If the mitigation requirement is not acceptable to you, your application cannot be approved at this time.

I have enclosed a response form to be completed and returned to IDWR if you are willing to accept the mitigation requirement as a condition of approval of your application. I have enclosed a withdrawal form to be completed and returned if you are not willing to accept the mitigation condition.

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

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

Enclosures

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MAR 25 1998



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

October 21, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM N BONSON
1170 16TH AVE
CLARKSTON WA 99403

RE: Water Right Application 03-07064

Dear Mr. Bonson:

I recently received your water right application from our regional staff in Coeur D'Alene. As may have already been explained to you, our regional offices coordinate the advertisement of applications and then forward them to our state office here in Boise for final review.

Your application to divert water from the Snake River for irrigation purposes comes at a time when there is concern about the availability of water in the Snake/Columbia River system for salmon and steelhead migration. In fact, due to similar concerns there has been a moratorium on the development of new consumptive uses of water in the Salmon and Clearwater River drainages since 1992.

While the water supply situation is being reviewed, applications for new consumptive water rights from the Snake River will not be processed further. An exception can be made for applications which include a plan to mitigate for the depletion of flow that would have been available for salmon and steelhead migration. A typical mitigation plan in Idaho involves the purchase of stored water which can be released to the Snake River during the migration period. In your case, IDWR guidelines suggest that five acres of irrigation will result in approximately 10 acre-feet of depletion, but all of that may not occur during the migration period. If you develop a detailed mitigation plan to offset the impacts of your proposed diversion, please submit it in writing. Otherwise, you will be notified when IDWR will resume processing of your application.

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

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

c: Northern Region

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MAR 25 1998

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D'AL ID 83814

Date 08/28/97INVOICE NO. 152752Account No. 964750Description 152752NOTICEOFAPPLICATTimes 2Lines 37

Tab. Lines _____

RECEIVED\$ 50.88

SEP 02 1997

NORTHERN REGION
IDWR

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

**NOTICE OF APPLICATION
FOR WATER RIGHT**

152752

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

03-07064

BONSON, WILLIAM N
1170 16TH AVENUE
CLARKSTON, WA 99403
Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: Lot 4 (SESE) Sec 3 T
31N R 05W in NEZ
PERCE County

Use: IRRIGATION (0.150 CFS)
FIRE PROTECTION (0.200 CFS)
Total Diversion: (0.200 CFS)

Date Filed: 8/1/1997

In: NEZ PERCE County

T31N R05W S03 Lot 4(SESE)
5.0 ACRES TOTAL

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

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the applicant and with the
Director, Dept. of Water Resources,
Northern Region, 1910 Northwest
Blvd, Suite, 210, Coeur d'Alene, Idaho
83814, together with a protest fee of
\$25.00 on or before SEPTEMBER 8,
1997.

KARL J. DREHER, Director
Published: 8/21/97 & 8/28/1997

Karen Lewis, being duly sworn, deposes and says, I am
the Legal Clerk of the Tribune Publishing Company, a corporation
organized and existing under and by virtue of the laws of the
State of Idaho, publishers of the LEWISTON MORNING TRIBUNE,
a newspaper of general circulation published at Lewiston, Nez Perce County,
Idaho; That the said Lewiston Morning Tribune is an established newspaper
and has been published regularly and issued regularly at least once a day
for more than 21 consecutive years next immediately preceding the first
publication of this notice, and has been so published uninterrupted for
said period; that the 152752NOTICEOFA attached hereto and which is made
a part of this affidavit was published in the said Lewiston Morning Tribune,
2 time(s). Publication being on 08/21, or once a WEEK
for 2 consecutive WEEK, the first publication thereof being on
the 08/21/97, and the last publication thereof being on
the 08/28/97, and said 152752NOTICEOFA was so published in the
regular and entire issue of said newspaper and was not in a supplement
thereof and was so published in every issue and number of the said
paper, during the period and times of publication as set forth above,

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 28day of August 1997

NOTARY PUBLIC

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 11/1/97

August 13, 1997

William N. Bonson
1170 16th Avenue
Clarkston WA 99403

Re: Water Appropriation Application No. 03-07064

Dear Mr. Bonson::

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. Enclosed for your file is Receipt Number N011491.

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 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

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MAR 25 1998

03-07064

BONSON, WILLIAM N
1170 16TH AVENUE
CLARKSTON, WA 99403

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 4 (SESE) Sec 3 T 31N R 05W in NEZ PERCE County.

Use: IRRIGATION	(	0.150 CFS)
FIRE PROTECTION	(	0.200 CFS)
Total Diversion:	(	0.200 CFS)

Date Filed: 8/ 1/1997

In: NEZ PERCE County
T31N R05W S03 Lot 4(SESE)

5.0 ACRES TOTAL

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MAR 25 1998