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State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 92-07171

Date of Priority: September 28, 1983

Maximum Diversion Rate: 0.70 CFS
Maximum Diversion Volume: 507.0 AF

Comes now FERNWOOD WATER DIST
C/O HENRY LEWIS
PO BOX 216
FERNWOOD ID 83830

and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 92-07171, and requests that the permit be changed as follows:

Source: ADAMS CREEK

Tributary: ST MARIES RIVER

BENEFICIAL USE

MUNICIPAL

PERIOD OF USE

01/01 to 12/31

RATE OF DIVERSION

0.70 CFS

ANNUAL VOLUME

507.0 AF

LOCATION OF POINT(S) OF DIVERSION:

ADAMS CREEK

SW1/4SE1/4, Sec. 28, Twp 44N, Rge 01E, B.M., BENEWAH County

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 20 day of June, 2008

Henry Lewis
(Signature)

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State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 92-07171

FOR DEPARTMENT USE ONLY
Preliminary check by lm Fee = 150⁰⁰ Received by dp # N019284 Date 6/2/08

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, DAVID R. TUTHILL, JR., of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 92-07171 with the following:

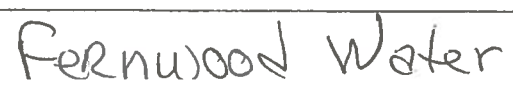
CONDITIONS OF APPROVAL

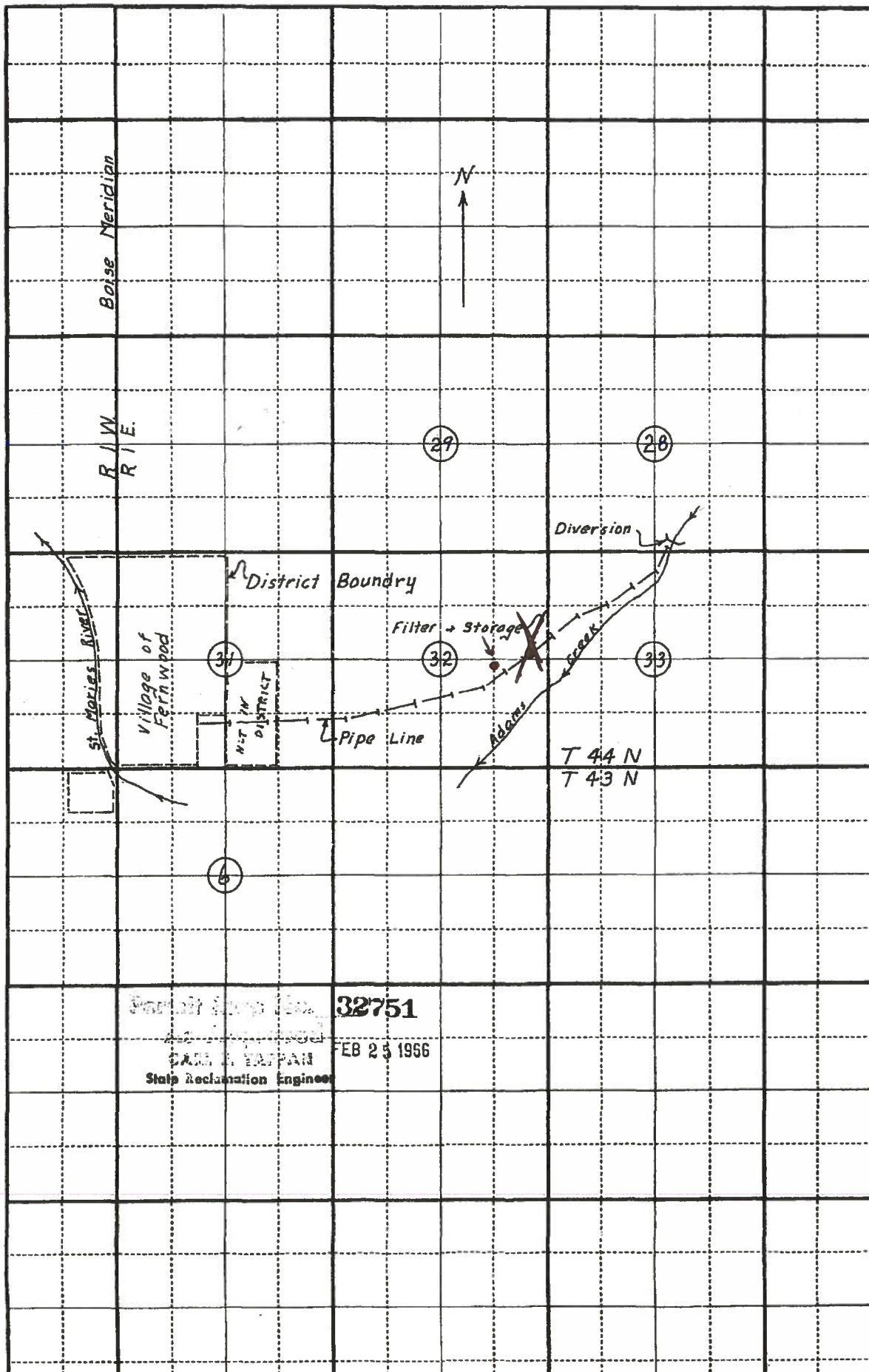
1. A map depicting the place of use boundary for this water right at the time of approval is attached to this document for illustration purposes.
2. Place of use is within the service area of the Fernwood Water and Sewer District (Public Water Supply Number ID 1050011) as provided for under Idaho law. The place of use is generally located within Section 8, Township 43N, Range 01E, Sections 30 & 31, Township 44N, Range 01E, and Sections 25 & 36, Township 44N, Range 01W, B.M.
3. 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 use flowmeter records to determine the amount of water diverted and shall annually report the information to the Department.
4. This right does not grant any right-of-way or easement across the land of another.
5. This right when used in conjunction with Water Right 92-2027 is limited to not more than 1.0 CFS for municipal use within the boundaries of the Fernwood Water and Sewer District

Witness my hand this 9th day of July, 2008.

Robert G. Haymes for
DAVID R. TUTHILL, JR.
Director

Fernwood water





Portland Corp. Inc.
FEB 23 1966
CARL E. TAPPAN
State Reclamation Engineer

32751

FEB 23 1966

Permit No. 32751 BENEFICIAL USE ONLY 94 Lin 60/6003

Name of Applicant Fernwood Water District, N. C. McCall, Fernwood, Idaho

Source of Water Adams Creek

a tributary of St. Maries River

Location of P.D. Sec. 28, T. 44 N, R. 1 E, B.M., Benewah County,

Water is used for Domestic

Quantity of water claimed: Permit 1.0 c.f.s. Deposits 1.0 c.f.s.

Type of measuring device installed or method of measurement and general description of diversion works reinforced concrete diversion structure with filter, chlorinator and storage tank

Reinforced concrete

Land to be irrigated or place of use:

TWP.	RGE.	SEC.	Description
44 N	1 E	31	(SW 1/4) Fernwood - & Vicinity

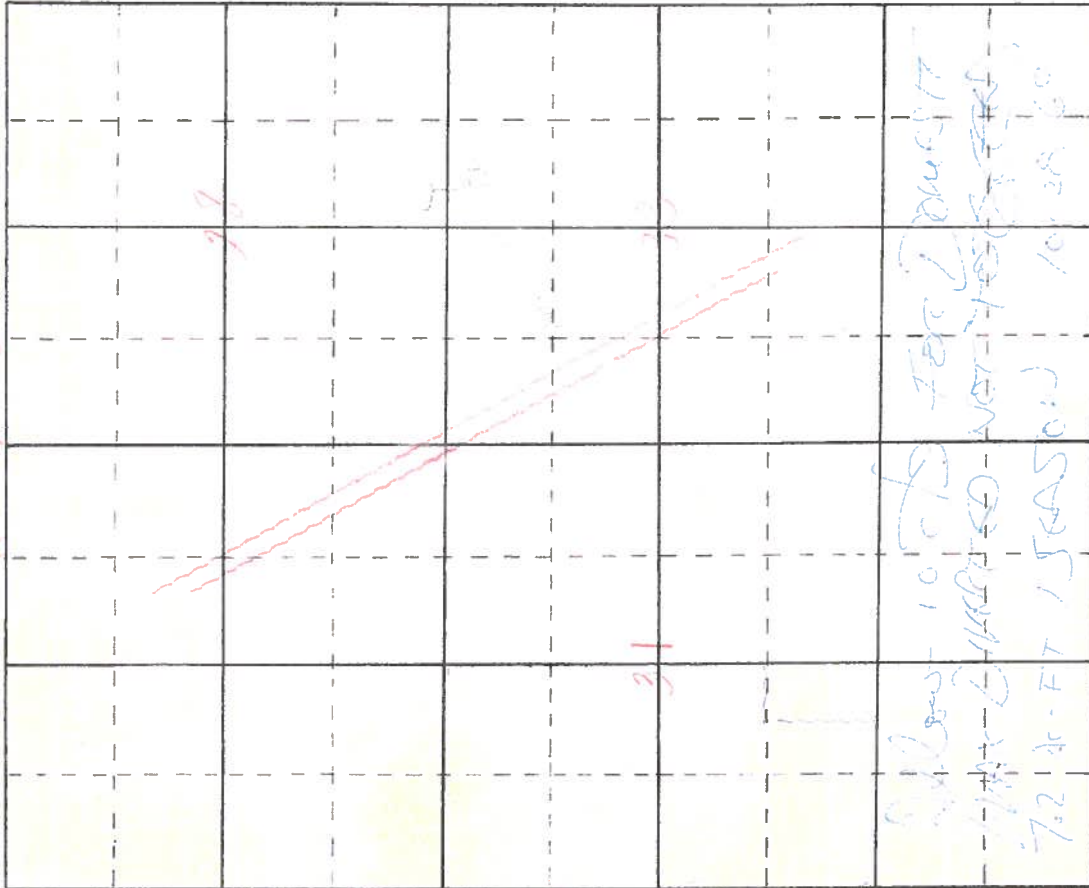
Date filed: February 25, 1966 Total acreage

Proof due: February 25, 1969

Proof made: April 30, 1968

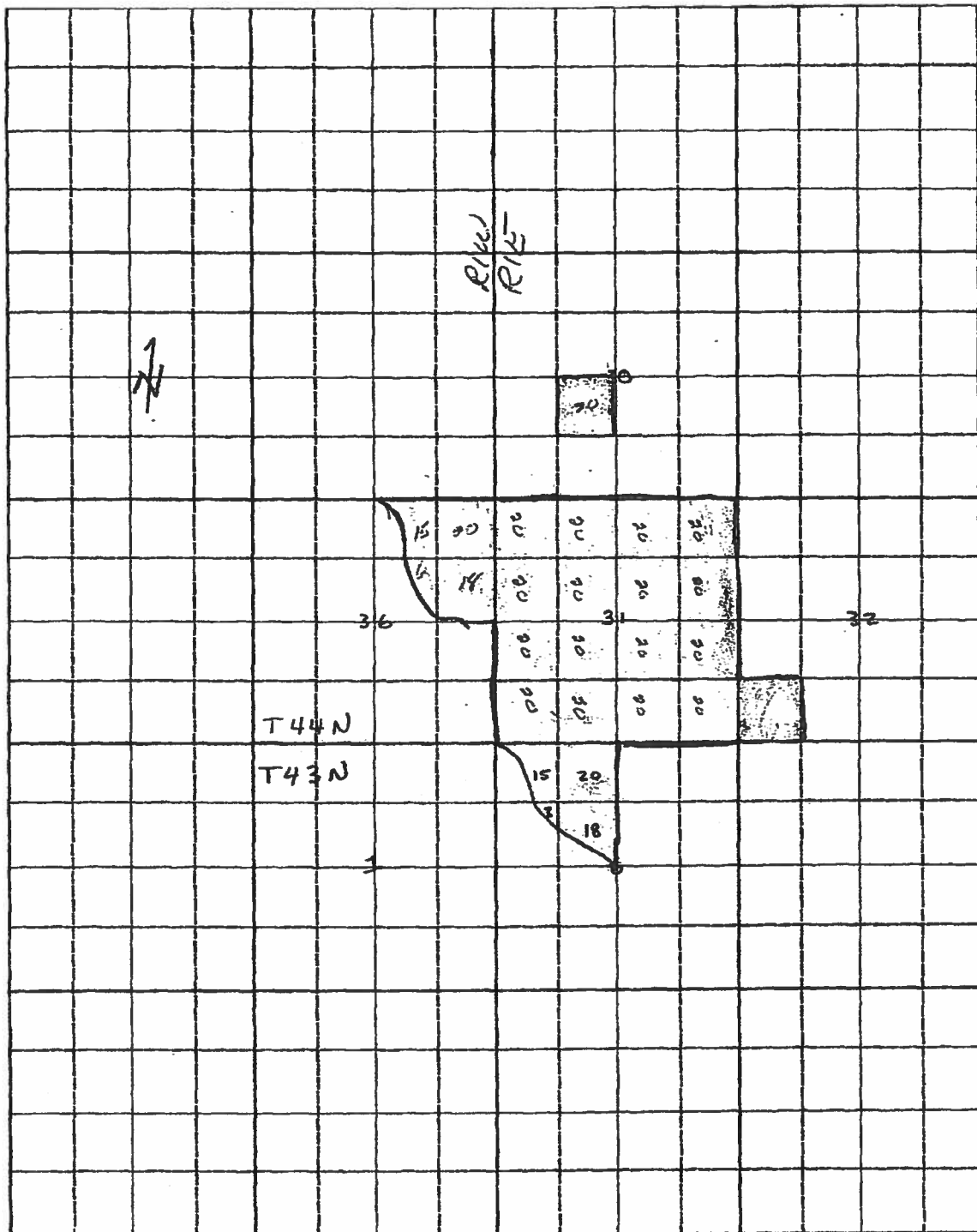
Priority: February 25, 1966

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.



Fernwood Water

11. 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.

MICROFILMED

Bill Cady
(Applicant)

Feinwood water

AMENDED

WATER RIGHT LICENSE

License of Water Right No. 92-2027 Priority February 25, 1966 Amount 1.0 cfs

THIS IS TO CERTIFY, that Fernwood Water District
of Fernwood, Idaho, has complied with the terms and conditions of Permit
No. 92-2027 issued pursuant to Application for Permit dated February 25, 1966,
and has submitted proof to the Department of Water Resources on April 30, 1968,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.0 cfs of water from Adams Creek,
tributary to St. Maries River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use _____ Period of Use _____ Rate of Diversion _____ Annual Volume _____
Domestic from January 1 to December 31 at 1.0 cfs and 132.0 acre feet
_____ from _____ cfs and _____
_____ from _____ cfs and _____
(both dates inclusive)

Subject, however, to the condition that no more than 1.0 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 132.0 acre feet per year, said waters to be diverted within the SW 1/4, Section 28,
Twp 44N, Rge 1E in the County of Benewah

Description and location of place of use:

[illegible]

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6 day of

Director

WATER LICENSE

Water License No. 32751/92-2027 Priority February 25, 1966 Amount 1.0 c.f.s.

THIS IS TO CERTIFY, that FERNWOOD WATER DISTRICT
of Fernwood, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated February 25, 1966; that Permit 32751/92-2027 was issued pursuant
to said application; that the proposed works were completed on or about September 1967
with a storage/or carrying capacity of 1.0 c.f.s., said works consisting of reinforced concrete
diversion structure with filter, chlorinator & storage tank, and that on April 30, 1968
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 7.2
acre feet per season, with a maximum rate of diversion of 1.0 cubic feet per second of the waters
of Adams Creek, tributary of St. Maries River,
for the purpose of Domestic from January 1 to December 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T. 44 N, R. 1 E, B.M., and
other additional points _____, in the County of
Benewah; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 7.2 acre feet per year. *← Mistake. See 07 Oct Letter.*

Description and location of place of use: Village of Fernwood

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

18th day of November, 19 69.

Stephen Allard
Deputy State Reclamation Engineer

32 2027

32751

92-2027

Fernwood Water

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 40919
PERMIT No. 32751
DISTRICT No.

1. Name of Applicant: Fernwood Water District
Postoffice address: Fernwood County: Benewah State: Idaho
I. If applicant is a corporation, give:
(a) Date and place of incorporation: By District Court order - November 19, 1965
(b) Amount of capital stock: None
(c) Amount paid in: None
(d) Names and addresses of directors: Elmer Tillotson, Joe F. Lavigne, W. E. Moss, Fred Forker and N. C. McCall
- II. The financial resources of the applicant are:
(a) Cash on hand: \$50.00
(b) Treasury stock: None
(c) Bond to be issued: None
(d) Other resources: Statutory Tax Authority
2. Quantity of water claimed: 1.0 cubic foot per sec. cubic feet per second.
3. Source of water supply: Adams Creek which is a tributary of St. Maries River
300 ft. E. & 200 ft. N.
4. Location of point of diversion: feet distant from the SW corner of Section 28, T. 44 N., R. 1 E., B.M., and is in the SE of section 28, T. 44 N., R. 1 E., B.M., County of Benewah
5. Water is to be used for Domestic
6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: 1200 N. & 500 E. feet distant from SW Cor. corner of Section 31
T. 44 N., R. 1 E., B.M., in the SW of Section 31, T. 44 N., R. 1 E., B.M.
Village of Fernwood
(b) Amount of power generated: 0 H.P., under feet head.
(c) Water is to be returned to at a point feet distant from the corner of Section, T., R., B.M., in the of Section, T., R., B.M.
7. Estimated cost of works: \$ 94,000
8. Kind of works: Pipe line delivery from Adams Creek and distribution in Village.
9. Height of dam 2 feet; length of dam at top 10 feet; length of dam at bottom feet; material used in dam: Concrete
10. Size of headgate: Width None feet; height feet.
11. Ditch: Width at bottom None feet; width at water line feet; depth of water feet; dimensions of flume:
Diameter of pipe inches; length of conduit miles.
Average grade per mile feet.
12. The time required for the completion of such work is One (1) years.
13. The time required for the complete application of the water to the proposed use is one (1) additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

Fernwood Water

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

s/ Fernwood Water District Applicant.

By Jerrold E. Park Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. February 25, 1966

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 32751

Recorded in Book 114 Page 32751 Approved February 25, 1966

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before April 25, 1966

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before August 25, 1966

The whole of said work to be completed on or before February 25, 1967

Beneficial use of water appropriated in accordance herewith, to be made on or before February 25, 1968

WITNESS My hand this 25th day of February, 1966

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 25th

day of February, 1966

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLLIE

Governor.

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
			EXTENSION OF TIME APPROVAL ✓				
			I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the extension of time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 32751 to February 25, 1968.				
			Witness my hand this 31st day of January, 1968.				
			Recorded: 1-31-67				
			/s/ R. KEITH HIGGINSON State Reclamation Engineer				

PERMIT NO. 32751
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that FERNWOOD WATER DISTRICT of Fernwood, County of Benewah, and State of Idaho, the holder of Permit No. 32751, issued upon Application No. 40919 bearing date of priority of February 25, 1966, authorizing the diversion of 1.0 second feet of waters of Adams Creek County of Benewah, State of Idaho, for domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.5 second feet of the waters of Adams Creek, tributary of St. Maries River, that the point of diversion of said waters is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Township 44 North, Range 1 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:

Domestic Use

Proof of Completion of Works made: January 16, 1968

Witness my hand this 5 day of March, A. D. 1968

/s/

R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 1.0 SEC. FI.
LICENSE PAGE NO.

Fernwood Water

October 7, 1983

RE: Water Right License No. 92-2027

Fernwood Water Dist.
c/o Mr. Bill Cady
Box 41
Bernwood, ID 83830

Dear Mr. Cady:

In updating our files, an error was found in the water right license issued in November, 1969 for permit No. 92-2027. The original license indicates a maximum water use amount of 7.2 acre feet per year. However, under present policy, the volume would be calculated to be 132.0 acre feet per year.

Enclosed please find a copy of an Amended water right license adjusting this calculation.

If you have any questions on this matter, please feel free to contact this office or our Northern Regional office at 667-6484.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

Fernwood Water