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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 = 750⁰⁰ 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 6, 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 D. Haynes for
DAVID R. TUTHILL, JR.
Director

Fernwood Water and Sewer District

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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 215
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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	0.70 CFS	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)

4 of 4

Fernwood Water and Sewer District

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant FERNWOOD WATER DISTRICT Phone 245-4656
249-3821
Post office address 910 BILL CADY BOX 41, FERNWOOD, ID 83830
2. Source of water supply ADAMS CREEK which is a tributary of ST. MARIES RIVER
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28 Township 44N
Range 1E B.M. BENEWAH County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.45 for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-foot per annum)

Amount 1.1 for IRRIGATION purposes from MAR 15 to NOV 15 (both dates inclusive)
(cfs or acre-foot per annum)

Amount 0.2 for COMMERCIAL purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-foot per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)

5. Total quantity to be appropriated:

- a. 1.75 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. DIVERSION
DAM & PIPELINE

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage JAN 1 to DEC 31 inclusive.
(Month/Day) (Month/Day)

- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses: SEE 8b FOR PLACE OF USE

a. If water is not for irrigation:

- (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

- (2) Amount of power to be generated: _____ horsepower under _____ feet of head.

- (3) List number of each kind of livestock to be watered _____

- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water 110.

- (5) If water is to be used for other purposes describe: COMMERCIAL USE - FOR FERNWOOD
(UNINCORPORATED TOWN)

RECORDED

Form 217
03/86

RECEIVED

RECEIVED

NOV 25 1988

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received \$125.00
Date 11/28/88
Receipt # C003635
Reviewed by CP
Sent to region 4

NOV 15 1988

No # enc. Jan

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 92-07171

Name(s) of Permit Holder: FERNWOOD Water District

Post Office Address: Box 215 FERNWOOD, Idaho -
83830 Telephone No. 208-245-3554

Source of Water: Adams CR.

Extent of Use:

Domestic 176 (number of households) Stockwater 0 (number and type of stock)
Irrigation 0 (acres) Other/Remark

Total rate and/or volume for which proof is submitted 1.5 Domestic / 2 Commercial / 1.75 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: 1967

Measuring Device: Required? Yes No Installed? Yes No Fee enclosed \$ 125.00 (See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes No Installed? Yes No

Person to contact to accompany the Department representative during the field examination: Don Olson 208-245-2098 (Name) (Telephone Number)

FERNWOOD, Idaho 83830

(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

11/8/88 FERNWOOD Water District
Date Signature of Permit Holder (and title, if appropriate)

Don Olson, Board Member

RECEIVED
DEC 27 1988

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
44N	1W	36	20	15	6	18													59
44N	1E	31	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	320
44N	1E	30									20								20
43N	1E	6					20	15	3	18									56

Total number of acres to be irrigated 455

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

9. a. Who owns the property at the point of diversion APPLICANT

b. Who owns the land to be irrigated or place of use WATER USERS

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

10. Remarks _____

9/28/83
Proposed Priority

Received by pm Date 9/28/83 Time 1:00 PM

Preliminary check by JK Fee \$ 65.00

Received by pm Date 9/29/83 (31356)

Publication prepared by pm Date 9/29/83

Published in St. Mary's Gazette Record

Publication dates 10/5 & 12/83

Publication approved pm Date 10/18/83

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by pm

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 92-7171, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 88.

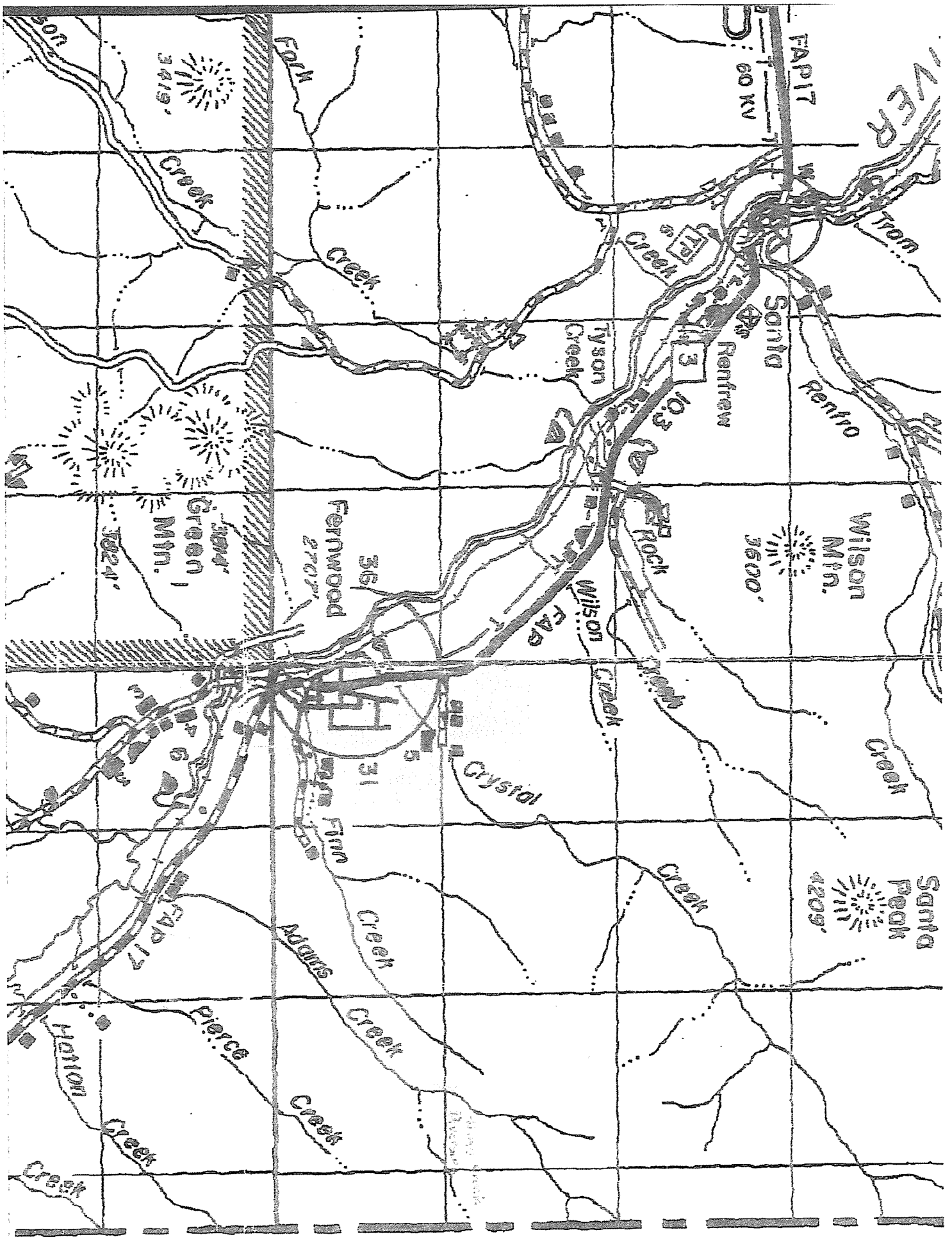
c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
The storage of water is contingent upon certification by the Department of Water Resources, of the applicant's dam under the dam safety provisions of the Idaho Code, authorizing storage.
An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 19th day of December, 1983.

L. Glen Saxton
Chief, Operations Bureau

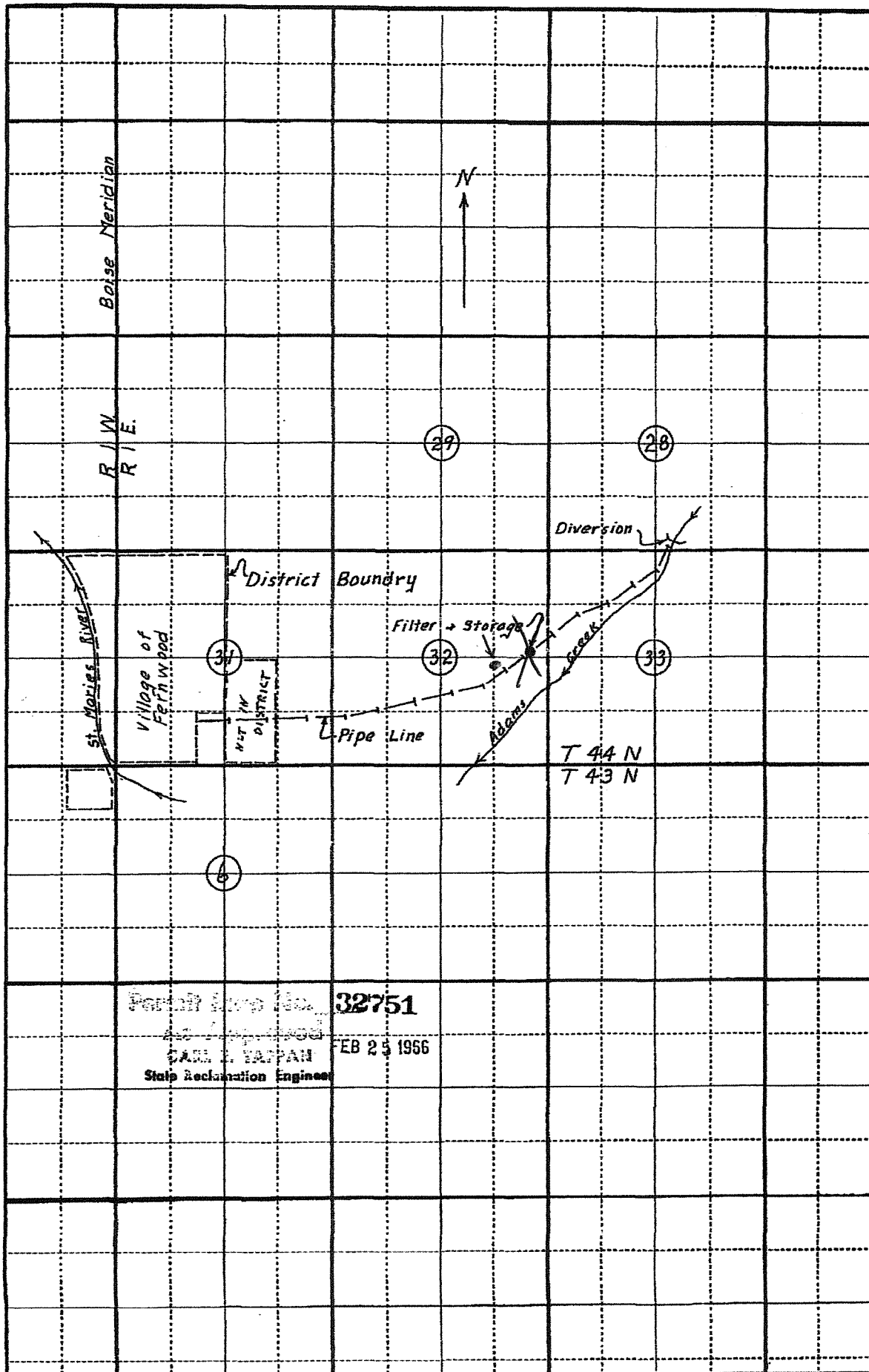
Fernwood Water & Sewer



Fernwood Water

NAME OF APPLICANT Fernwood Water District

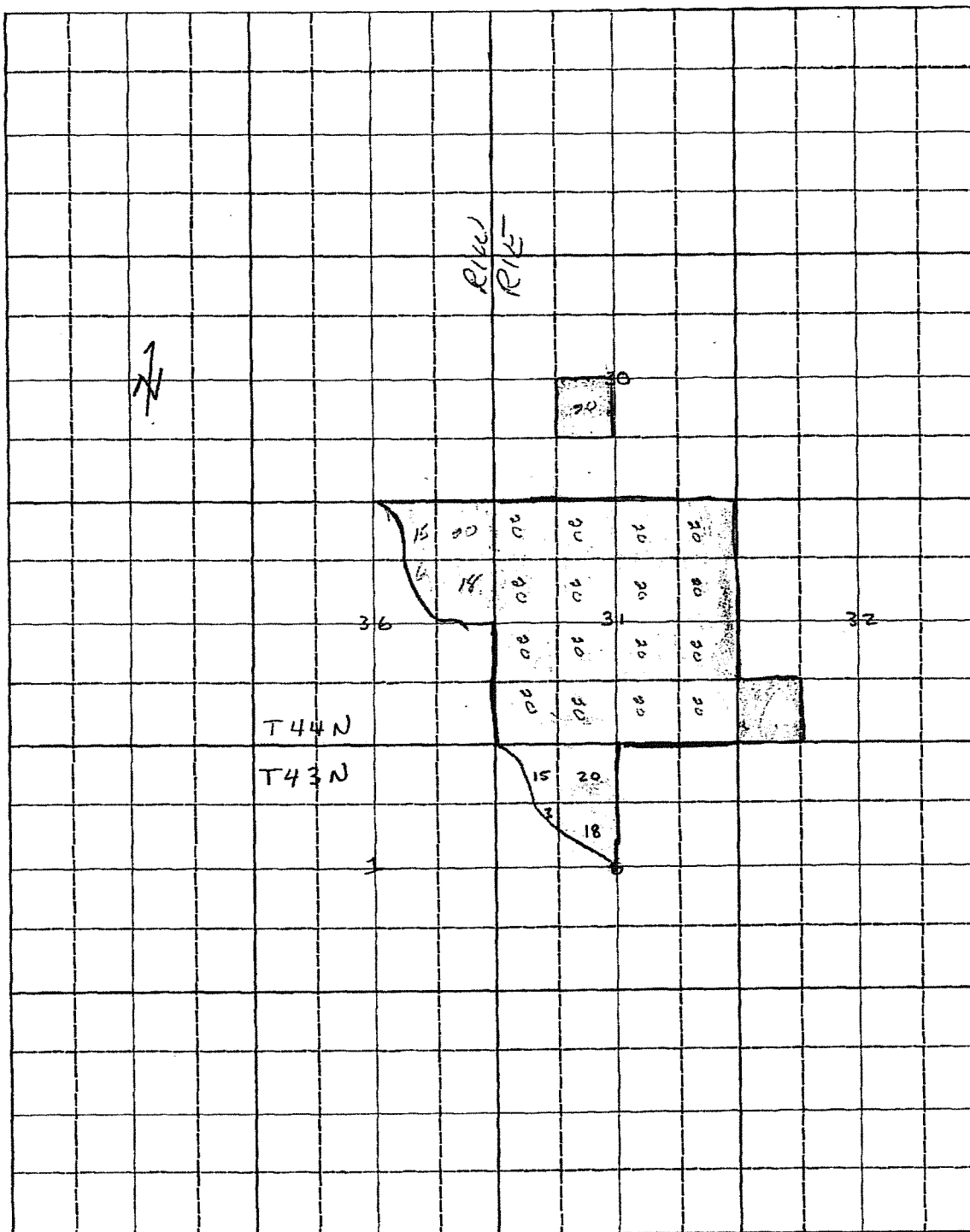
Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

FERNWOOD 32751

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.

REFORMED

Bill Cady
(Applicant)

Environmental Water and Sewer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho
32751

Permit No. _____

RECEIVED

JUL 5 1968

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Jerrold E. Park. legal age, 322 Ninth Street, St. Maries,

Idaho, attorney.

Ques. 2 Are you acquainted with Fernwood Water District, Fernwood ^{Idaho} the holder of

Permit No. 32751? How long have you known him and where does he reside?
Since organization, November 19, 1965; address - Fernwood, Idaho
I am attorney for the District.

Ques. 3. Have you read or heard said Permit No. 32751 read, and are you familiar
with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Adams Creek

Give location of place of diversion, showing subdivision, section, township and range
Southwest Quarter of the Southeast Quarter of Section 28, Township 44
North, Range 1 East, Boise Meridian.

Describe works for conveying water to place of use: 8 inch pipeline

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1 How much water have you seen being so
conveyed? Not known - Systems serves about 100 domestic users.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

32751

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Domestic and industrial use within the boundaries of Fernwood Water District -- see plat.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No.

Ques. 10. When did you first see this water used? October, 1967

Other times you have seen such use: Occasionally. I know the system has been operated continuously since October, 1967.

(Signed):

[Signature]

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

St. Maries, County of Benewah, State of Idaho, on this 30th day of April, A. D. 19 68

[Signature]
Notary Public for the State of Idaho
Residing St. Maries, Idaho

My commission expires 2-6-69

32751

Fernwood water and sewer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho 32751

Permit No. _____

RECEIVED

JUL 5 1968

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Fred Forker, over 50, Fernwood, Idaho, logger.

Ques. 2 Are you acquainted with Fernwood Water District, Fernwood, Idaho the holder of Permit No. 32751? How long have you known him and where does he reside?

Since organization, November 19, 1965; address - Fernwood, Idaho

Ques. 3. Have you read or heard said Permit No. 32751 read, and are you familiar with its provisions and conditions: Yes x No. _____

Ques. 4. State source of water supply: Adams Creek

Give location of place of diversion, showing subdivision, section, township and range
Southwest Quarter of the Southeast Quarter of Section 28, Township 44
North, Range 1, East, Boise Meridian.

Describe works for conveying water to place of use: 8 inch pipeline

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 1 How much water have you seen being so conveyed? Not known - Sufficient quantity to serve about 100 users.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

32751

Fernwood Water and Sewer

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Domestic and industrial use within the boundaries of Fernwood Water District -- see plat.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? September, 1967

Other times you have seen such use: Continuously since October, 1967.

(Signed):

Fred Hoskey

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

St. Maries, County of Benewah, State of Idaho, on this 30th day of April, A. D. 1968

Paul J. McIntire

Notary Public for the State of Idaho

Residing St. Maries, Idaho

My commission expires 2-6-69

32751

Fernwood water and sewer