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FORM 202 11/13

AUG 19 2014

IDWR / NORTH

79514

Ident. No. 92-10951

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Jeri Lee Hornbrough Phone 208-245-3422
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 89 FOREVERGREEN DR City ST MARIES
State ID Zip 83861 Email jeri@hornbroughidaho.com
2. Source of water supply SPRING which is a tributary of Sink
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
45N.	1W.	20		N	N	S	BENNETT	SPRING	

4. Water will be used for the following purposes:
Amount 0.04 for DOMESTIC purposes from 11 to 12-31 (both dates inclusive)
(cfs or acre-feet per year)
Amount 0.02 for Stock purposes from 11 to 12-31 (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
5. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source. _____
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11. For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
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? ☐ Yes ☐ No
e. If well is already drilled, when? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____
7. Description of proposed uses (if irrigation only, go to item 8):
a. Hydropower; show total feet of head and proposed capacity in kW. _____
b. Stockwatering; list number and kind of livestock. 1 Horse 10 chickens
c. Municipal; complete and attach the Municipal Water Right Application Checklist.
d. Domestic; show number of households one Home & one Barn
e. Other; describe fully. _____

8. 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	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
45N	1W	20														D			
																S			

Total number of acres to be irrigated: _____

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?

10. a. Who owns the property at the point of diversion? SHARON J FERRY REYES
- b. Who owns the land to be irrigated or place of use? JERI LEE THORNBRUGH
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Water agreement 25th of July 1987 - to use 50% of Spring.

12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" 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.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Jeri Thornbrugh
Signature of Applicant

Jeri Thornbrugh
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by [Signature] Date 8/19/14 Preliminary check by [Signature]

Fee \$ 100.00 Receipted by [Signature] Receipt No. N030688 Date 8/19/14

State of Idaho
Department of Water Resources
Application For Permit
92-10951





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WATER AGREEMENT

COPY

The undersigned, EDWARD T. THORNBROUGH and JERI L. THORNBROUGH, husband and wife, and CHARLES EUGENE COMPTON and VEANNE MARIE COMPTON, husband and wife, agree as follows:

That Charles Eugene Compton and Veanne Marie Compton, husband and wife, are purchasing under Escrow Sales Contract dated the 25th day of ~~June~~ ^{July}, 1987, certain real property located in Benewah County, Idaho, from Edward T. Thornbrugh and Jeri L. Thornbrugh, husband and wife, upon which a developed spring for the use of water is located. Said real property is described as follows:

That portion of N 1/2 NE 1/4 SW 1/4 and N 1/2 NW 1/4 SE 1/4 of Section 20, Township 45 North, Range 1 West, Boise Meridian described as follows:

Beginning at the point at which the North line of N 1/2 NE 1/4 SW 1/4 INTERSECTS THE Easterly right-of-way of State Highway 95A; thence Easterly along said North line 218 feet to a point; thence Southeasterly to a point 660 feet South of said North line of NE 1/4 SW 1/4 and 305 feet East of the Easterly right-of-way of said State Highway 95A; thence Westerly 305 feet to a point on the Easterly right-of-way of said State Highway 95A; thence Northerly along the Easterly right-of-way of said Highway 660 feet to the point of beginning.

SUBJECT TO AND TOGETHER WITH all current taxes, exceptions, easements, uses, rights of way, restrictions, covenants and reservations apparent or of record.

 Charles Eugene Compton and Veanne Marie Compton, husband and wife hereby grant and convey fifty percent (50%) of the water derived from the water source and water retainer located on their real property to Edward T. Thornbrugh and Jeri L. Thornbrugh, husband and wife, their successors in interest and assigns together with a perpetual easement for the right of ingress and egress over and across five (5) feet on either side of the existing pipeline servicing said property for the purpose of maintaining and/or replacing

That portion of the North Half of the Northeast Quarter of the Southwest Quarter (N 1/2 NE 1/4 SW 1/4) lying East of State Highway 95A; and the North Half of the Northwest Quarter of the Southeast Quarter (N 1/2 NW 1/4 SE 1/4), Section Twenty (20), Township Forty-five (45) North, Range One (1) West, Boise Meridian, Benewah County, Idaho.

EXCEPTING THEREFROM the East 843 feet thereof; all in Section Twenty (20), Township Forty-five (45) North, Range One (1) West, Boise Meridian, Benewah County, Idaho.

EXCEPTING FURTHER that portion of N 1/2 NE 1/4 SW 1/4 and N 1/2 NW 1/4 SE 1/4 of Section 20, Township 45 North, Range 1 West, Boise Meridian described as follows:

Beginning at the point at which the North line of N 1/2 NE 1/4 SW 1/4 INTERSECTS THE Easterly right-of-way of State Highway 95A; thence Easterly along said North line 218 feet to a point; thence Southeasterly to a point 660 feet South of said North line of NE 1/4 SW 1/4 and 305 feet East of the Easterly right-of-way of said State Highway 95A; thence Westerly 305 feet to a point on the Easterly right-of-way of said State Highway 95A; thence Northerly along the Easterly right-of-way of said Highway 660 feet to the point of beginning.

Charles Eugene Compton and Veanne Marie Compton, husband and wife, hereby retain for themselves, their successors in interest and assigns, fifty percent (50%) of the water derived from the water source located on the real property which they are purchasing under Escrow Sales Contract and said water right is to run with and serve said following described property:

That portion of N 1/2 NE 1/4 SW 1/4 and N 1/2 NW 1/4 SE 1/4 of Section 20, Township 45 North, Range 1 West, Boise Meridian described as follows:

Beginning at the point at which the North line of N 1/2 NE 1/4 SW 1/4 INTERSECTS THE Easterly right-of-way of State Highway 95A; thence Easterly along said North line 218 feet to a point; thence Southeasterly to a point 660 feet South of said North line of NE 1/4 SW 1/4 and 305 feet East of the Easterly right-of-way of said State Highway 95A; thence Westerly 305 feet to a point on the Easterly right-of-way of said State Highway 95A; thence Northerly along the Easterly right-of-way of said Highway 660 feet to the point of beginning.

The water source from which the water referred to herein will be drawn from is located more particularly as follows:

Beginning at a point 226 feet southerly of the intersection north line of the N 1/2 NE 1/4 SW 1/4 and State Highway 95A on the eastern boundary of said Highway 95A; thence Easterly 61 feet to the spring and the 500 gallon cement water retainer which will serve Charles Eugene Compton and Veanne Marie Compton's property described above.

The water retainer from which water referred to herein will be drawn for the use of Edward T. Thornbrugh and Jeri L. Thornbrugh, heirs and assigns, is located more particularly as follows:

Beginning at a point 243 feet southerly of that point where the North line of the N 1/2 NE 1/4 SW 1/4 intersects State Highway 95A on the easterly right-of-way of said State Highway 95A; thence East 92 feet to the 1,000 gallon cement water retainer which will serve Edward T. Thornbrugh and Jeri L. Thornburgh's property described above.

The parties agree further that they will both make every effort to keep livestock away from the water source and water retainers so as to prevent the disturbance and/or contamination of same.

The costs of maintenance, repair and/or replacement on said spring and other parts of the water system that are shared by both parties shall be shared as follows:

50% to Charles Eugene Compton and Veanne Marie Compton

50% to Edward T. Thornbrugh and Jeri L. Thornbrugh

In the event that the piping system utilized by Edward T. Thornbrugh and Jeri L. Thornbrugh needs replaced, repaired and/or maintained, the costs of such shall be borne by the Thornbrugh's. In the event the piping system utilized by Charles Eugene Compton and Veanne Marie Compton needs replaced, repaired and/or maintained, the costs of such shall be borne

termination will be binding upon their successors in interest. If any of the parties to this Agreement and/or their successors in interest do elect to terminate their rights in this Water Agreement, then that parties' and their successors in interest obligation to pay their maintenance, repair and/or replacement costs on said spring and water system shall terminate.

The consideration for this Water Agreement is the mutual benefits and obligations received and given by the parties hereto. The parties are not warranting or guaranteeing quality or quantity of the water which this Water Agreement concerns.

DATED this 25th day of ~~June~~ July, 1987.

Charles Eugene Compton
CHARLES EUGENE COMPTON

Veanne Marie Compton
VEANNE MARIE COMPTON

Edward T. Thornbrugh
EDWARD T. THORNBRUGH

Jeri L. Thornbrugh
JERI L. THORNBRUGH

STATE OF IDAHO)
) ss.
County of Benwah)

On this 25th day of ~~June~~ July, 1987, before me, the undersigned, a notary public in and for Idaho, personally appeared CHARLES EUGENE COMPTON and VEANNE MARIE COMPTON, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Karen M. Robinson
Notary Public in and for Idaho



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive. Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

August 29, 2014

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

JERI LEE THORNBURGH
89 FOREVER GREEN DR
ST MARIES, ID 83861

Application For Permit No. 92-10951

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the ST MARIES GAZETTE RECORD on 9/3/2014 and 9/10/2014. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script, reading "Eric Davis".

Eric Davis
Water Resource Agent, Senior

Ball, Dianne

From: Ball, Dianne
Sent: Friday, August 29, 2014 2:19 PM
To: Legal Notices-SMGazette Benewah Co (bri@smgazette.com)
Subject: Application for Permit Nos. 91-7795, 92-10940, 92-10951
Attachments: LegalNotice 08-29-14 SM e-mail 91-7795,92-10940, 10951.doc

Hi, Bri,

Please publish the enclosed legal notice on the dates indicated, September 3 and 10, 2014, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

This should be very close to press ready, maybe just a copy and paste, 2-column, 8.5pt font size, justified margins and I finally now have the Utopia font. (Hope that's what you are still using. If not, please let me know and I'll try to get whatever font you are currently using.)

Please send a proof/preview copy for my review before this actually goes to press.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 9/22/2014. Your cooperation is greatly appreciated.

Thanks for your super help in making our legals look so good.

Have a marvelous rest of the day and a great holiday weekend,

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819

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

91-7795

JOHN WARD

SUE WARD

7674 W MAIN ST

RATHDRUM, ID 83858

Point of Diversion NESE S17 T46N R02W BENEWAH CO

Source ST JOE RIVER tributary COEUR D ALENE LAKE

Use: IRRIGATION 03/15 to 10/31 0.06 CFS

Total Diversion: 0.06 CFS

Date Filed: 8/19/2014

Place of Use: IRRIGATION T46N R02W S17 L6(NESE)

Total Acres: 2

92-10940

JAMES CARPENTER

GINGER CARPENTER

1330 SHEPHERD RD

SAINT MARIES, ID 83861

Point of Diversion NESW S16 T46N R02W BENEWAH CO

Source ST JOE RIVER tributary COEUR D ALENE LAKE

Use: IRRIGATION 03/15 to 10/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 8/6/2014

Place of Use: IRRIGATION T46N R02W S16 NESW

Total Acres: 1

92-10951

JERI LEE THORNBRUGH

89 FOREVER GREEN DR

ST MARIES, ID 83861

Point of Diversion NENESW S20 T45N R01W

BENEWAH CO

Source SPRING tributary SINKS

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.04 CFS

Date Filed: 8/19/2014

Place of Use: DOMESTIC T45N R01W S20 NWSE

Place of Use: STOCKWATER - same as Domestic

Domestic use is for 1 home.

Stockwater use is for 1 horse.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800; or for a full description of the right(s), please see:

www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp.

Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 9/22/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/3/2014 and 9/10/2014