

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7633 Priority June 2, 1976 Amount 0.04 cfs

THIS IS TO CERTIFY, that Ashton and Harriet Peasley
of St. Maries, Idaho, has complied with the terms and conditions of Permit
No. 95-7633 issued pursuant to Application for Permit dated June 2, 1976,
and has submitted proof to the Department of Water Resources on June 9, 1981,
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 0.04 cfs of water from Spring,
tributary to Sinks, 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
<u>Domestic</u>	<u>from January 1 to December 31</u> at <u>0.04</u> cfs and <u>1.2</u> Acre Feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 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
1.2 acre feet per year, said waters to be diverted within the Government Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$),
Section 2, Twp. 45N. Rge. 3W in the County of Benewah

Description and location of place of use:

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 $\frac{1}{4}$	
45N	3W	2					GL3 X												

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 15th day of

August, 19 83.


Director

State of Idaho
Department of Water Resources

RECEIVED

ASSIGNMENT OF PERMIT

JUN 29 1983

I, Harold-Joan Metzger, hereby assign to Ashton & Harriet Peasley
of St. Maries, Ida 83861
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 95-7633
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 27TH day of June, 19 83.

Harold Metzger
Permit Holder

Joan Metzger
Spouse of Permit Holder

State of Idaho)
County of Benewah) ss.

On this 27TH day of June, 19 83, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that they (she) (they) executed the same.

seal

Lawrence R. Buteik
Notary Public residing at
St. Maries

My commission expires:

life

Identification No. 95-7633

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Harold & Joan Metzger
post office address P.O. Box 247 St. Maries Ida 83861
2. Source of water supply spring which is a tributary of _____
3. a. Location of point of diversion is *Gov. Lot 3xxx 1/4 of Section 2 Township 45 N
Range 3 W B.M. Benewah County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes: Domestic
Amount .04 for Domestic purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. spring, box, pipe line

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation: (Gov't. Lot 3)
(1) Give the place of use of water: 1/4 NW 1/4 of NW 1/4 $\frac{1}{4}$ of Section 2 Township 45 N
Range 3 W B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served 1, or number of families to be supplied with domestic water _____.
- (5) If water is to be used for other purposes describe: _____

MICROFILMED

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres to be irrigated _____

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

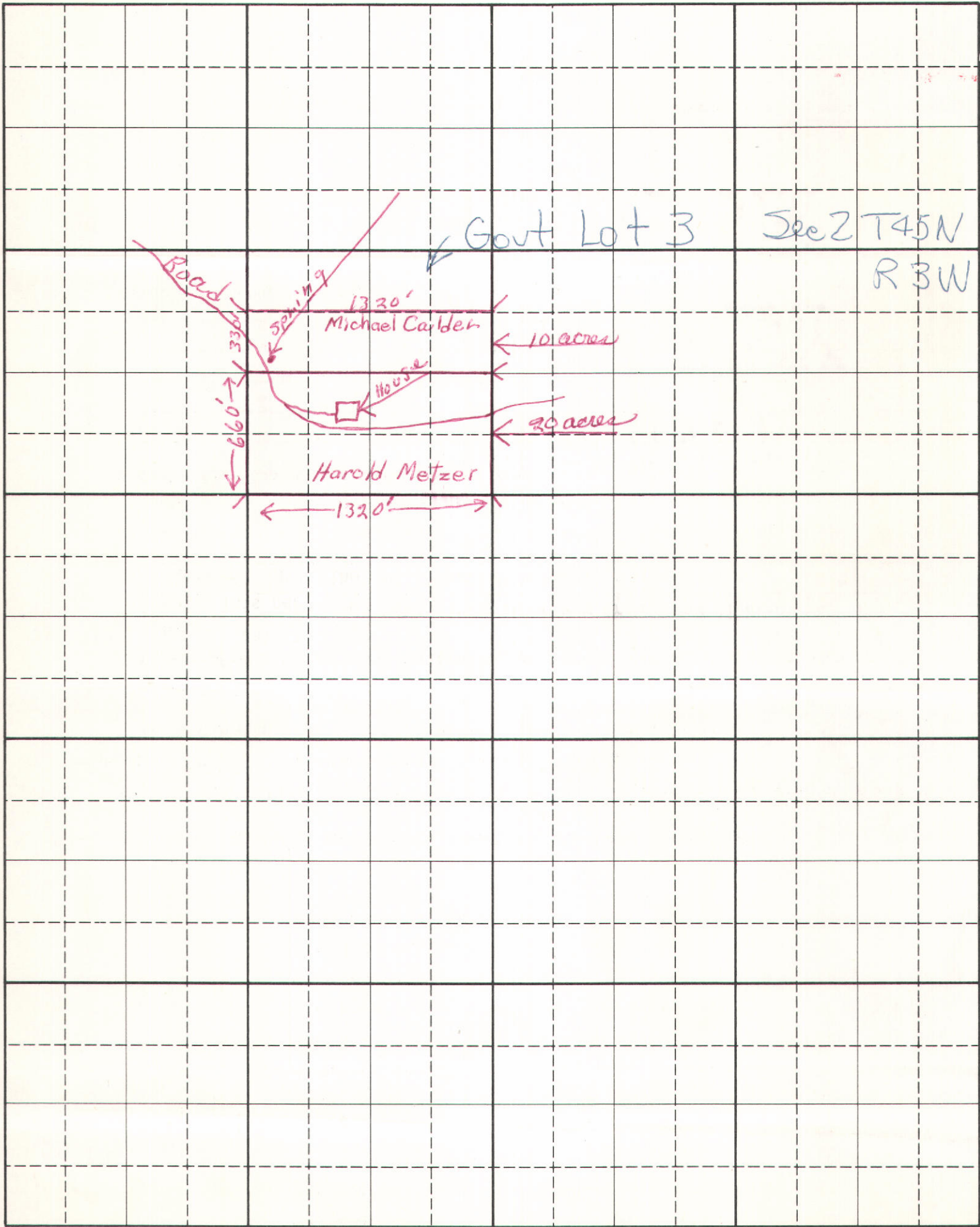
9. a. Who owns the property at the point of diversion Michael W. Calder

b. Who owns the land to be irrigated or place of use Harold & Jean Metzger

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 _____

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.

Harold Metzger, Joan Metzger
(Applicant)

Proposed Priority 6-2-76

Received by CP Date 6-2-76 Time 12:00 NOON

Preliminary check by DRT Fee \$ 10.00

Receipted by CP Date 6-8-76 (REC. # 4253)

Publication prepared by CP Date 6-11-76

Published in St. Maries Gazette Record

Publication dates 6-17 & 6-24-76

Publication approved CP Date 6-28-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DRT

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 95-7633, 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 July 1, 1981.
- c. Other: The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

2. Denial of said application is for the following reasons: _____

Witness my hand this 12 day of July, 1981.

R. Keith Higin
Director

RECEIVED

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

JUL 29 1981

Department of Water Resources

95-1633

Permit No.

air to Rita 6/9

CONTACT WITH PERMIT HOLDER

DATE INITIALS REMARKS

- ☐ Appointment letter mailed: _____
- ☐ Telephone call made: _____
(List Telephone No. used) _____
- ☐ Appointment scheduled for: _____
(Date, time, location) _____

EXAMINATION

Date 7-16-81 Accompanied by — Total Q measured _____

If source is surface water, estimate total flow of source _____

Methods of measurement Est Meets Permit requirements? Yes

Measurement calculations: One home

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
								<u>Iran.</u>

System Description By Developed Spring with gravity flow pipe
to home

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = _____ AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
<u>Domestic</u>	<u>0.04</u> ✓	<u>1.2</u> ✓	<u>1-1</u>	<u>12-31</u>
Total	<u>0.04</u>	<u>1.2</u>		

Remarks _____

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MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

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(NEW)

Point(s) of diversion: GL 3, 2, 15 N, 3 W

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
45N	3W	2					X												

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

☒ None

☐ Other

Examiner's Signature

Checked by

Approved by

Date

Date

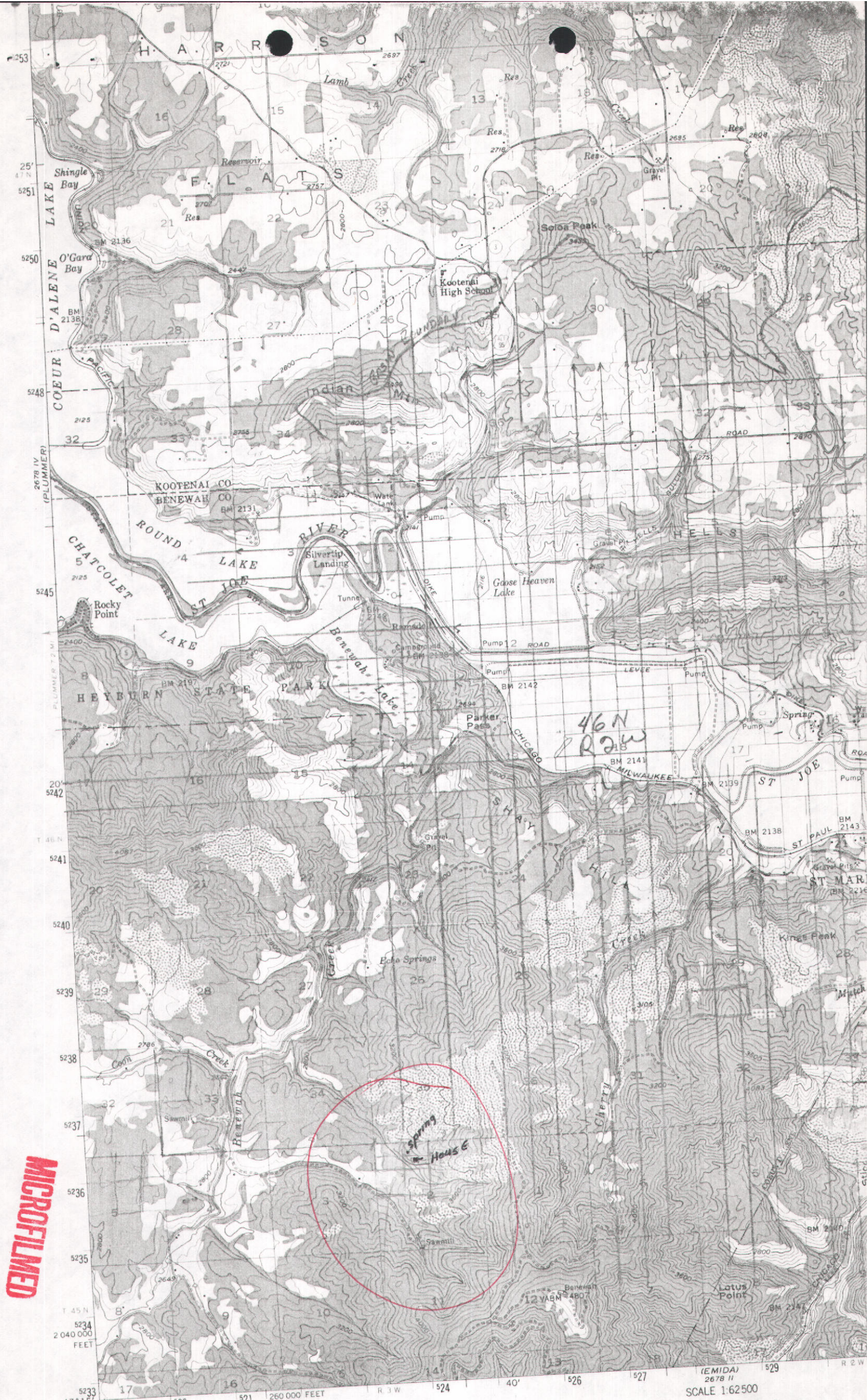
Date

7-23-81

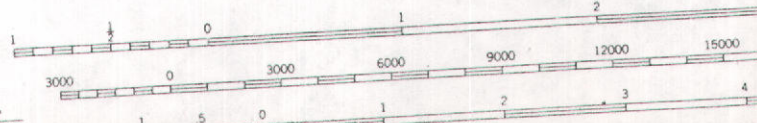
7/24/81

1-31-83

MICROFILMED



Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography from aerial photographs by ER-55 plotter
Aerial photographs taken 1954. Field check 1957



(TENSED)
2678 III



BENEWAH

CREEK

B
H

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 45-7633

Harold DeJoan Metzger

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) RAH 6-9-76

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant

(4) RAH 6-9-76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: No field review

(11) cp 6/28

Affidavit of Publication received (date) JUNE 28, 1976

(12) cp 6/11

Final date for protests JULY 5, 1976

Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes ☒ no _____

(14) _____

Action recommended:

☒ Approve

_____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

EASEMENT

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By Bob Haynes

Date 7-6-76

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Harold & Joan Metzger,
P.O. Box 247, St. Maries, Idaho
have ~~xxx~~ on June 2, 1976 submitted Application No. 95-7633
for a permit to appropriate 0.04 cubic feet per second ~~xxx feet per second~~
of water from a Spring
by means of spring box and pipeline
within ~~the~~ Gov't. Lot 3, Sec. 2, T. 45N, R. 3W, B.M., Benewah County
to be used from Jan. 1 to Dec. 31
for domestic purposes
within the S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ (Gov't. Lot 3), Sec. 2, T. 45N, R. 3W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before July 5, 1976.

R. KEITH HIGGINSON
Director

Published in the St. Maries Gazette Record, St. Maries, Idaho
on June 17 and June 24, 1976