

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 32967/95-2187 Priority July 1, 1966 Amount 0.10 cfs

THIS IS TO CERTIFY, that Thomas or Donna Odekirk
of Ogden, Utah, has complied with the terms and conditions of Permit
No. 32967/95-2187 issued pursuant to Application for Permit dated July 1, 1966,
and has submitted proof to the Department of Water Resources on April 5, 1982,
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 0.11 cfs of water from an unnamed stream,
tributary to Lake Chatcolet, 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
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>0.03</u> cfs and	<u>3.0</u> acre feet
Stockwater	from <u>January 1</u> to <u>December 31</u>	at <u>0.03</u> cfs and	<u>1.4</u> acre feet
Domestic (1 Unit)	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet

(both dates inclusive)

Subject, however, to the condition that no more than 0.10 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
5.6 acre feet per year, said waters to be diverted within the NW 1/4 SE 1/4 Section 17,
Twp 46N, Rge 3W in the County of Benewah

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
46N	3W	17		1															1

Total number of acres irrigated 1

MICROFILMED

MICROFILMED

CONDITIONS OF APPROVAL

- a. 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.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19TH day of NOVEMBER, 19 85.

Norman C Young
Acting for the Director

✓

STATE OF IDAHO

Licensing
APPLICATION FOR AMENDMENT OF A PERMIT

RECEIVED
NOV 8 1985

To change the point of diversion and/or the place of use.

APPROVED

Department of Water Resources

Comes now Thomas or Donna Odekirk

Phone _____

of (address) 2170 Custer Ave. Ogden, UT 84401, 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. 32967/95-2187, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW ¼ SE ¼, Section 17, Township 46N, Range 3W, B.M.,
County of Benewah. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
No change

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)

3. Place of use or land to be irrigated:
No change

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated = _____

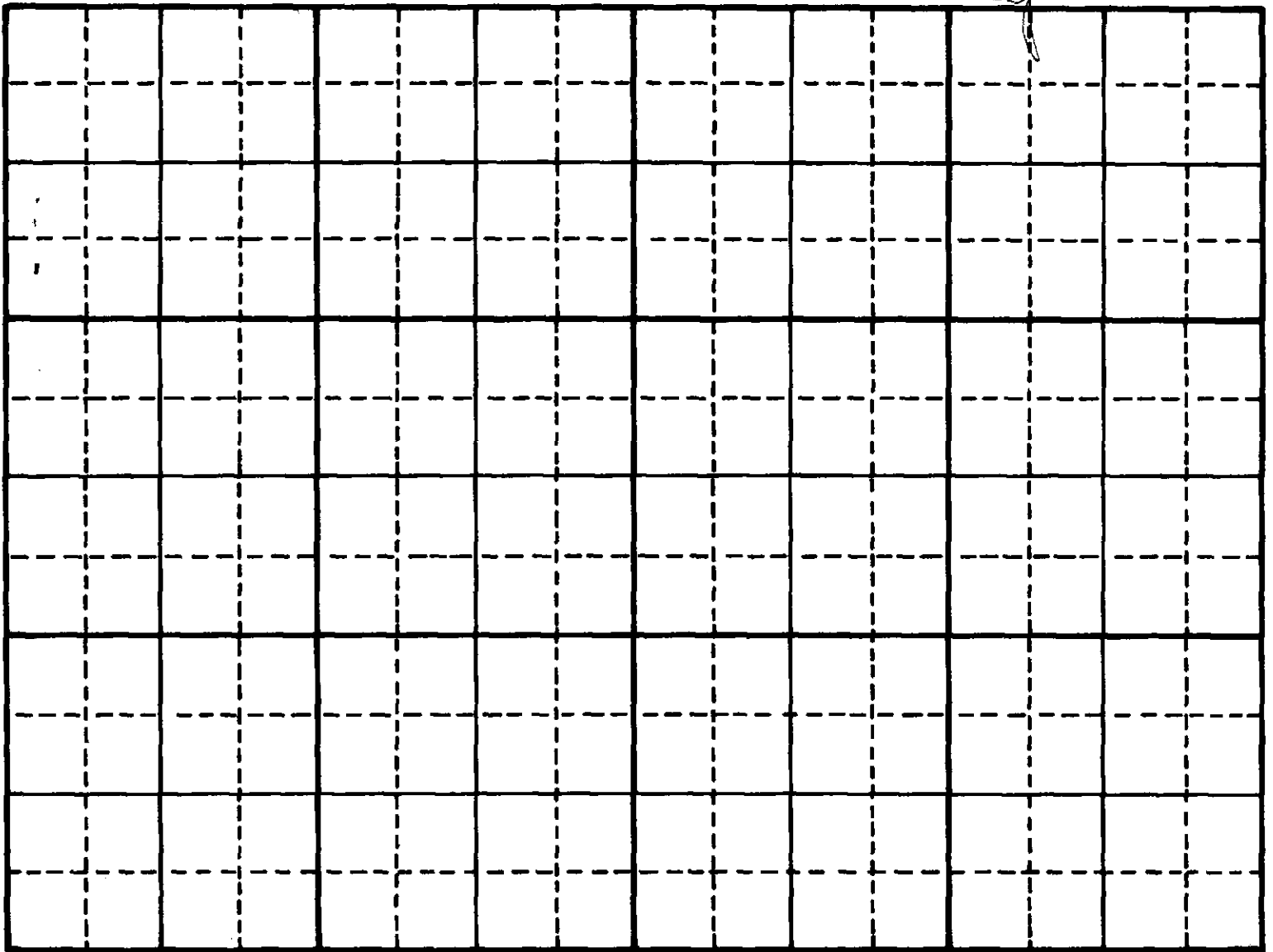
4. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or the place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches.

Not Necessary

MICROFILMED



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at 8:00 A.M. in Ogden Utah, this 5th day of November, 19 85.

Thomas O. Perkins
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 ☒

Received by sg Date 11-8-85 #37298

Publication prepared by N/A Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby

Approve the above Application for Amendment for Permit No. 32967/95-2187.

Witness my hand this 19th day of NOVEMBER, 19 85.

Norman C. Young
Director

11/8/85

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 7 1977

APPLICATION FOR EXTENSION OF TIME

Department of Water Resources

State of Idaho)
County of _____)

Permit No. 95-2187

Thomas Odekirk of 2170 Custer Ave. Ogden,
(name) (address)

State of Utah, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. _____.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before July 11,, 1977.

That he has heretofore performed the following work described under said permit:
Diverted water from stream existing on property to the house for culinary
use through plastic pipe.

Costing \$ 750.00

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: Illness and required surgery.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to July 11, 1982.

Thomas Odekirk
(signature) *

Subscribed and sworn before me this 5th day of July, 1977.

seal

William M. Powell
Notary Public residing at

Ogden, Utah

My commission expires 3-15-81

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use of water be
extended to July 1, 1982.

Witness my hand this 13 day of July, 19 77.

Bobby D. Flinn
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32967/95-2187)
in the name of Thomas or Donna Odekirk) ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

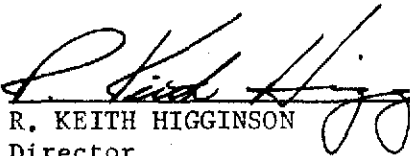
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 32967 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Water Administration of the application of the water to beneficial use on or before July 11, 1977. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for completion of works may be grounds for cancellation at the instance of the department.

Dated this 26th day of August, 1970.


R. KEITH HIGGINSON
Director

RKH/DG

95-2187
32967

✓✓ 32967
D
95-2187

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

APPLICATION No. 41152
PERMIT No. 32967
DISTRICT No.

1. Name of Applicant: Thomas or Donna Odekirk

Postoffice address: 2170 Custer Avenue, Ogden County: Weber State: Utah

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: 6.4 cubic feet per second. or 320 miners inches.

3. Source of water supply: unnamed stream which is a tributary of Lake Chatcolet

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B.M., and is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$
of section 17 , T. 46 N, R. 3 W , B. M., County of Bennewah

5. Water is to be used for Irrigation, domestic, stockwater

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section of , T. , R. , B.M.
- (b) Amount of power generated: 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: \$100.00

8. Kind of works: pump and sprinkler system

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom fee; 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 5 years.

13. The time required for the complete application of the water to the proposed use is 6 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: none

✓

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: **N/A**
 (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/ HEFER THOMAS ODEKIRK *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: July 1, 1966 1:20 P.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 32967

Recorded in Book 115 Page 32967 Approved July 11, 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 **September 11, 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 January 11, 1969

The whole of said work to be completed on or before **July 11, 1971**

Beneficial use of water appropriated in accordance herewith, to be made on or before **July 11, 1977**

WITNESS My hand this 11th day of July, 1966

/s/ R. KEITH HIGGINSON, Deputy
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, _____ ROBERT E. SMYLIE _____, Governor of the State of Idaho,
and _____ LOUIS E. CLAPP _____, 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 11th

day of July 19 ⁶⁶

STATE OF IDAHO

Countersigned:

(SEAL)

By /s/ LOUIS E. CLAPP
Secretary of State.

By /s/ W. E. DREVLOW, Acting
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 $\frac{1}{4}$	
46N	3 W	17	40	40	40							40	40	40	40	40	320		

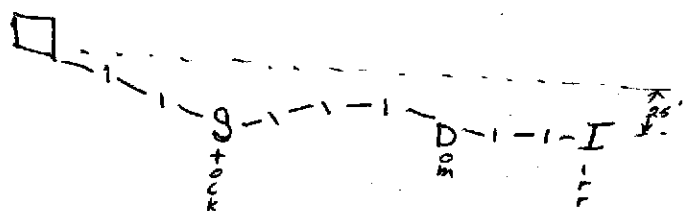
MICROFILM

MICROFILMED

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

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



Point(s) of diversion: NW SE, Sec 17, T40N, R24W ^{3W per quad map attached-} _{kw}

Place(s) of Use Vok

TWP.	RGE.	SEC.	NE%			NW%			SW%			SE%			TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
46N	8W	17		1X											1 ✓
	3W														

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature

Checked by

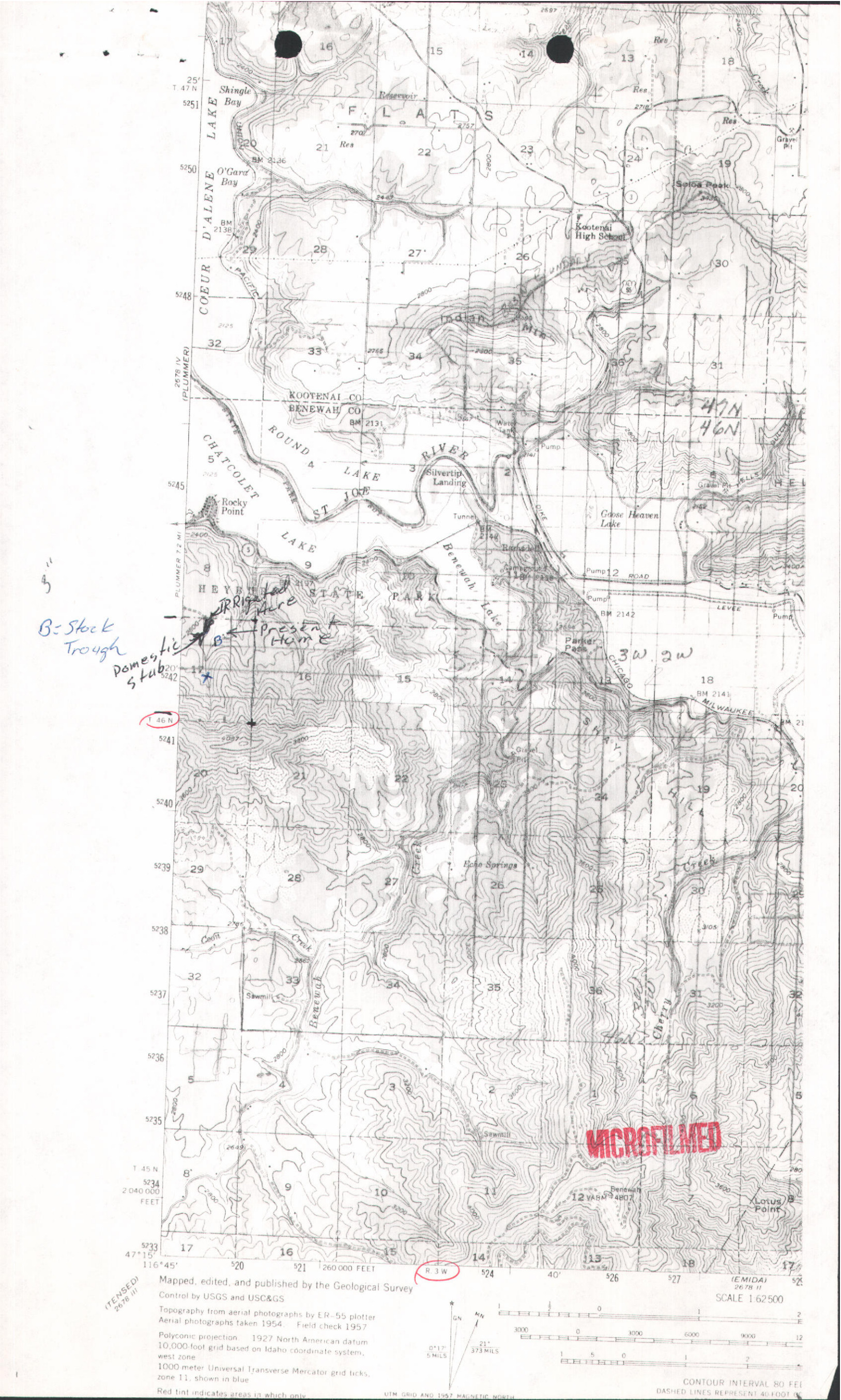
Approved by

Date

Date

Date

7/25/83
7/11/83
7-23-85



B=Stock
Trough

domestic
stub

T 46 N

ITENSED
2678 III

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
Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
west zone
1000 meter Universal Transverse Mercator grid ticks,
zone 11, shown in blue
Red tint indicates areas in which only

0° 17' 5 MILS
21° 373 MILS



CONTOUR INTERVAL 80 FEET
DASHED LINES REPRESENT 40 FOOT

NOTICE OF EXISTING WATER PERMIT

RECEIVED
OCT 1 1970
Idaho Department of Water Administration

Notice is hereby given that Thomas or Donna Odekirk, 2170 Custer Ave.
Ogden, Utah have has received an approved Permit No.
32967/95-2187 issued by the Idaho Department of Water Administration auth-
orizing the diversion ~~stage~~ of 6.4 cubic feet per second ~~at~~ ft/ft
~~per/second~~ of water from an unnamed stream, trib. of Lake Chatcolet.
The priority to be established under this permit is July 1, 1966
and the permit was approved July 11, 1966.

Water is to be diverted by pump and sprinkler system
from a point within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 46 N, R. 3 W, B.
M., Bennewah County
to be used for irrigation, domestic, and stockwatering purposes
in the N $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 17, T. 46 N, R. 3 W, B. M.

Proof of the application of the water to beneficial use is to be sub-
mitted to the Department on or before July 11, 1977. Any protests
against the issuance of the license for the above referenced permit should
be filed with the Idaho Department of Water Administration within ten (10)
days of the last date of publication of this notice or prior to the licensing
of the permit. Licensing may commence prior to the date beneficial use proof
is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration

Published in the St. Maries Gazette Record, St. Maries, Idaho
on October 21 and October 28, 1970.

Permit No. 95-2187

Director:

You are hereby authorized to have the above notice published at my expense
in the St. Maries Gazette Record of St. Maries, Idaho;
published in the county in which the works are situated.

H. Thomas Odekirk
Donna Odekirk
(Signature)

2170 Custer Ave.
Ogden, Utah
(Address)

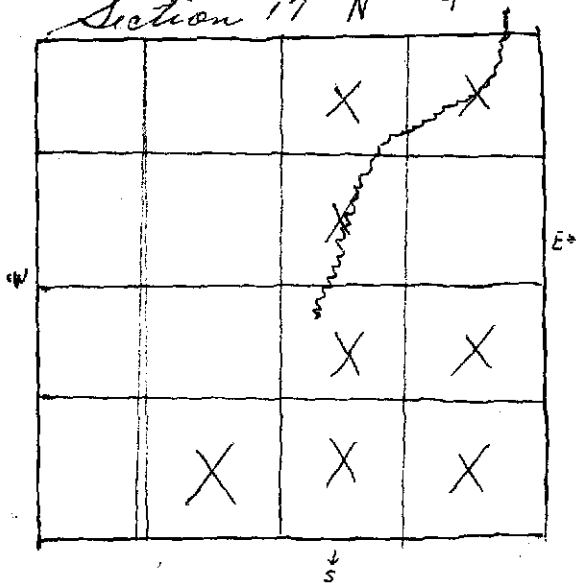
September 12, 1970
(Date)

95-2187
32967

Please check to see
if the description
is correct.

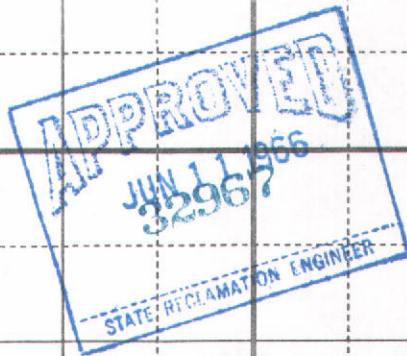
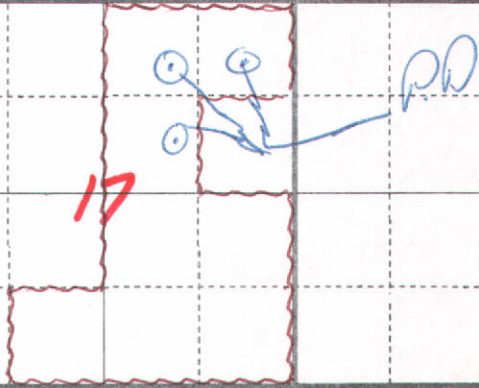
Thank you
Mrs. Odekirk

Section 17 N 32° 96' 95"-218'



Rge. 34. B. M.

Top 46 N.



ACKNOWLEDGEMENT

32967

Date: _____

Re: Application No. _____

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Reclamation in the preparation of Application No. _____, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

Signed: _____

Heber Thomas Odehnik

Applicant

32967

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