

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 92-07163

Priority: July 1, 1983

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.02 CFS
0.6 AF

This is to certify, that HOWARD E. DURHAM
P.O. BOX 374

FERNWOOD, ID 83830 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 1, 1983; and
has submitted Proof of Beneficial Use on October 23, 1985. An examination indicates
that the works have a diversion capacity of .020 cfs of water from:

SPRING

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 29, Township 45N, Range 01W
BENEWAH County

PLACE OF USE: DOMESTIC

TWN RGE SEC

45N 01W 29

SESW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

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JAN 17 1991

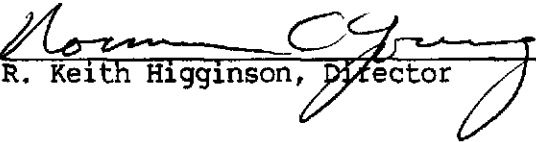
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 92-07163

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 12TH
day of DECEMBER, 1990.

Acting for


R. Keith Higginson, Director

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JAN 17 1991

RECEIVED

Ident. No. 92-7163

JUL 1 1983

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

Department of Water Resources
Northern District Office

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Howard E. Durham Phone None

Post office address P.O. Box 374, Fernwood, Idaho 83830

2. Source of water supply spring unnamed creek which is a tributary of unnamed creek
Flat Creek

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 29 Township 45N

Range 1W B.M. Benewah County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.09 for irrigation purposes from May 7 to Sept. 30 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for domestic purposes from Jan. 1 to Dec. 31 (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)

5. Total quantity to be appropriated:

a. 0.11 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump from creek for irrigation.
Domestic water to be taken from a spring located on property.

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 _____ to _____ 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 2 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 29 Township 45N

Range 1W B.M.

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

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

(4) Name of municipality to be served NA, or number of families to be
supplied with domestic water One (1).

(5) If water is to be used for other purposes describe: _____

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

[illegible]

Total number of acres to be irrigated 3

c. Describe any other water rights used for the same purposes as described above. None

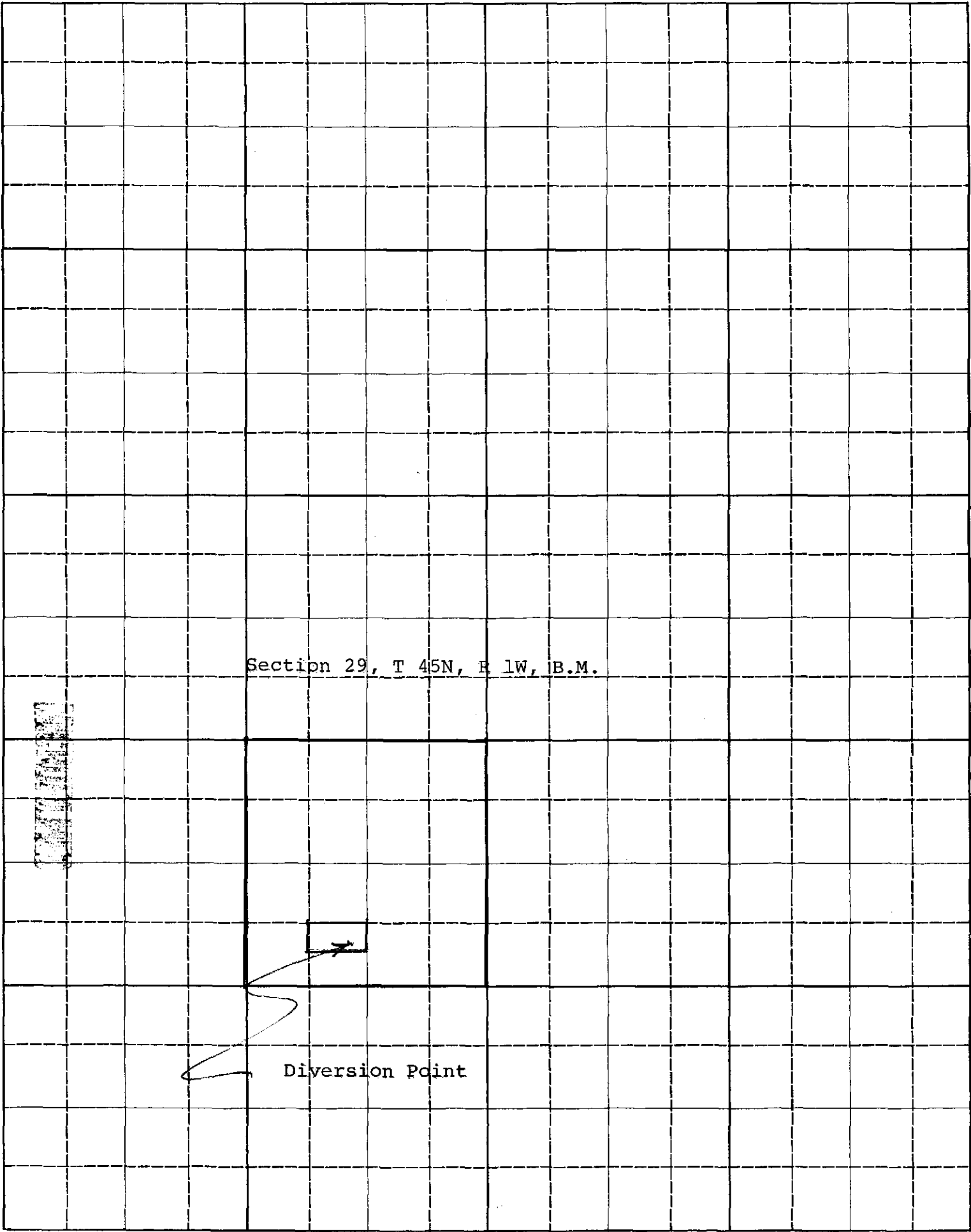
a. Who owns the property at the point of diversion Howard E. Durham and Elise M. Durham

b. Who owns the land to be irrigated or place of use Howard E. Durham and Elise M. Durham

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

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.

Howard Durham
(Applicant)

7/1/83
Proposed Priority

Received by PSA Date 7/1/83 Time 12:30 PM
Preliminary check by ZB Fee \$ 3000
Receipted by PSA Date 7/6/83 # 28695
Publication prepared by Mr. Date 8/3/83
Published in St. Maries Gazette Record
Publication dates 8/10 - 8/17
Publication approved R Date 10/7/83
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by PSA ku

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. 92-7163, 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 85.
- 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.

Witness my hand this 4 day of November, 1983.

David R. Tuttle
Acting Chief, Operations Bureau

LICENSE REVIEW CHECKLIST

Permit No. 92-7163

Name/Address change? ok ✓

Priority date Advance? yes no ✓
Memo to advance

Order to reinstate needed? yes no ✓

Total cfs Limited by fee

Limited by capacity ✓

Total volume Limited by flow

Capacity Chart checked for AF rate/ac N/A

Actual measurement checked none

Theoretical checked ✓

If greater than permit, check for other rts

Source Changed? yes no ✓

If so, is memo needed to clarify?

P/D Verify with map marked incorrectly as SWSE permit ✓

More than one per 1/4? Remember remark

Check p/d overlap N/A

Uses Check irrigation period of use w/ chart N/A

P/U Verify with map marked incorrectly as SWSE permit ✓

> 5 acres irrigated, run overlap N/A

Remarks More than one p/d in 1/4 ✓

Description of non-irrig uses

Special overlap condition

Conditions Measuring device

W.Master control

Overlap

Water quality

Other

Dates/Misc Water district

App Rec'd date ✓

Proof Rec'd date ✓

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JAN 17 1991

Comments/Changes to Examiner's Recommendations:

License 10-day ✓ 30-day

Back of field report signed? N/A

Reviewer J. Seibert Date 11-14-90
Review time minutes

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

92-7163
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

RECEIVED

SEP 24 1986

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval Department of Water Resources
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index 8/25/86 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index _____ (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed [Signature] (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent 8/29/86 (Initial and date)

Exam Reviewed by Manager of Regional Office 9/22/86 (Initial and date)

Exam Date Entered in Computer 9/22/86 (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 24 1986

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 92-7163

1. Owner: HOWARD DURHAM Phone No. _____

Current Address: POB 374 FERNWOOD, ID. 83830

2. Accompanied by: H. DURHAM EXAM. DATE: 8-26-86

Address: _____ Phone No. _____

Relationship to Permit Holder: SAME

3. Source: SPRING tributary to SINKS

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____

☐ Copies Attached

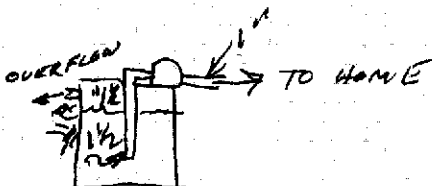
2. Other water rights with same point of diversion: _____

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

DEVELOPED SPRING 12' DEEP TIMBER WALL CATCH BASIN
8' x 8'

SECONDARY WATER PLACED IN

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	DAB	1/2			1"

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SW	29	45N	1W	BENEFIT	MAP

6. **Place(s) of Use:**

Indicate Method of Determination

Twp.	Rge.	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	
45N	1W	29												0					

Do not use this space

RECORDED

JAN 17 1991

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: *ONE HOME*

2. Alternate Method for Checking Purposes:

$$\frac{8.8(\frac{1}{2}) 30 \frac{1}{2}}{2.3(20) + 20} = .05$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

ONE HOME

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

NO LAWN NO GARDEN CREEK NOT USED SYSTEM IN, BUT
WATER CREEK DRY WHEN WATER NEEDED - NO IRR. HAS
TAKEN PLACE

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DOMESTIC	1-1	12-31	0.02 RJA ~~0.02~~	0.6
Totals:			0.02 RJA ~~0.02~~	0.6

2. 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

J. AUTHENTICATION

Field Examiner's Name Tom King
Signature TOM KING
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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JAN 17 1991

4/86

RECEIVED

JUL 9 1986

Department of Water Resources
STATE OF IDAHO Northern District Office

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Sent to S.O. _____

RECEIVED

JUN 12 1986

1. Permit No. 92-7163

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE Department of Water Resources
Northern District Office

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Howard Durham

3. Post Office Address: P.O. Box 374, Fernwood, ID 83830
Telephone No. _____

4. Source of Water: Creek (unnamed)

5. Extent of Use:

Domestic 1 (No. of households) Stockwater 1 (No. and type of stock)

Irrigation 2 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 0.33 cfs 4? acre-feet

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

June 1984

8. Person to contact to accompany the department representative during the field examination:

Howard Durham

(Name)

P.O. Box 374 Fernwood, Id. 83830

(Address)

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

6-10-86
Date

Howard Durham
Signature of Permit Holder (and title, if appropriate)



TWP. 45 N RGE. 1 W SEC. 29 MAP # H-7 MAP SCALE _____
DATE OF EXAM 8/26/96 PERMIT # 92-7163

92-7163



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JAN 17 1991

MEMORANDUM

COPY

TO: NORTHERN REGION

FROM: KAY WALKER

RE: EXAM OF PERMIT NO. 92-7163

DATE: 27-NOV-1989

=====

We have apparently lost the field examination of this permit, which was done on 8/26/1986.

Please re-examine if you have information that the examination fee sheet has been received. We do not show that the fee sheet was ever returned since our 4/30/86 correspondence but the computer shows that an examination was done and no fee was required. We must have the evidence of the fee sheet in our file also so if you have information regarding that we will need a copy of it.

I am attaching a copy of the 4/30/86 correspondence and a copy of the permit in case you no longer have one.

Thanks!! Kay

*Exam located during a review
of another file 12/7/89 - Northern
Region advised. kw*

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POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
9207163	45N	01W	29	SE SW		SPRING	DURHAM, HOWARD

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JAN 17 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 92-7163

Name(s) of Permit Holder(s): Durham Howard E.

Post Office Address: P.O. Box 374, Fernwood
ID 83830

Tel. No. _____

☒ I hereby certify that construction of diversion work on the above referenced permit began on Aug. 16, 1984 (date) and I understand that I must

continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

Sept. 14, 84
Date

Howard Durham
Signature of Permit Holder

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JAN 27 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
OCT 23 1985

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 92-7163

Name(s) of Permit Holder: Durham, Howard E.

Post Office Address: P.O. Box 374, Fernwood, ID 83830

Telephone No. —

Source of Water: Unnamed Creek

Extent of Use:

Domestic 1 (number of households)

Stockwater 6-cows, 1-horse (number and type of stock)

Irrigation 3 (acres)

Other/Remarks —

Indicate the date water was first diverted and beneficially used under this permit: 10/1/84

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No

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

Person to contact to accompany the Department representative during the field examination:

Howard Durham
(Name)

P.O. Box 374, Fernwood, ID 83830
(Address) (Telephone Number) —

The above information is a true statement of the extent to which the above numbered permit has been developed.

10/20/85
Date

Howard Durham
Signature of Permit Holder (and Title, if appropriate)

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: AB APPLICATION NUMBER: 92-7163

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

- ☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____

- ☒ Yes ☐ No* In form for advertising.
Final date for protests: 8/29/83
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8/24/83
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
☒ Date of priority recommended: 7/1/83
☒ Special conditions of approval or cover letter. _____

By: [Signature] Date: 01/12/83
STATE OFFICE REVIEW:

217 26
☐ See attached sheet for more information.
By: [Signature] Date: 10/31/83

UNPROCESSED