

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 92-07135

Priority: June 4, 1983

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that DONALD KAISER
FLOSSIE KAISER
DAVID SPOONER
MELODEY SPOONER
BERNICE SPOONER
TRUEMAN SPOONER

ID has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 27, 1983; and has submitted Proof of Beneficial Use on August 9, 1990. An examination indicates that the works have a diversion capacity of .060 cfs of water from:

SPRING tributary to FLAT CREEK

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	0.06 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 20, Township 45N, Range 01W
BENEWAH County

PLACE OF USE: DOMESTIC

TWN RGE SEC

45N 01W 20 SENW

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 2 homes.

RECORDED

FEB 24 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 92-07135

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 16th
day of NOVEMBER, 1993.

Acting for *Norm C Young*
R. Keith Higginson, Director

FEB 24 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 92-7135 IN THE NAME)
OF TRUEMAN &/OR BERNICE SPOONER &/OR DONALD &/OR) ORDER OF REINSTATEMENT
FLOSSIE KAISER &/OR DAVID &/OR MELODY SPOONER)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before August 1, 1990; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to make said proof; and,

WHEREAS, the permit lapsed for failure of the permit holders to submit an acceptable proof of beneficial use; and,

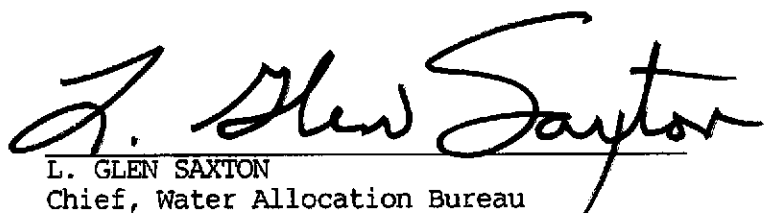
WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause; and,

WHEREAS, the permit holders provided a reasonable showing as to why said permit should be reinstate;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 92-7135 be REINSTATED and the priority advanced to June 4, 1983.

Dated this 15th day of January, 1991.

MICROFILMED
FEB 07 1991


L. GLEN SAXTON
Chief, Water Allocation Bureau

For Office Use Only
Amt. of Fee \$ 50.00
Date 8/10/90
Receipt No. 207778
Received by J. Larson

RECEIVED

AUG 9 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have 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. 92-7135 Telephone No. 245-2990

Name(s) of Permit Holder(s): Bernice + Truman Spooner - etc.

Post Office Address: (new number) St. Maries, Idaho HC-04-81 - 83861

Source of Water: Springs

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic 3 (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.09 cfs _____ acre/feet

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

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

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

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule) 50 license examination fee

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

Truman Spooner 245-2990
Name Telephone No.

HC-04-81 - St. Maries, Idaho 83861
Address

MICROFILMED

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. FEB 07 1991

August 6, 1990
Date

Truman S. Spooner
Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Receipted by K
Date 7/28/88
Receipt # N-793

AUG - 1 1988

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
Department of Water Resources of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 92-7135

Name(s) of Permit Holder: TRUEMAN & BERNICE SPOONER

Post Office Address: DONALD & FLOSSIE KAISER DAVID & MELODEY SPOONER
1414 BOX 81 ST. MARIES, ID Telephone No. 245-2990

Date Proof is Due: _____

Describe what work has been completed toward the development of this water right: _____
(This must be filled out! If no work has been completed, show "none".)

1 SPRING DEVELOPED & USED IN ^{TWO} HOUSES.
STILL HAVE ONE MORE TO HOOK UP.

Costing \$ 1,000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

THE PERSON WHO IS DOING THE WORK JUST HAD
KNEE SURGERY AND IS UNABLE TO COMPLETE
THE WORK FOR A WHILE

Permit holder(s) request an extension to AUG 1, 19 93. Truman & Spooner
(1 yr. minimum) (Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use be extended to August 1, 1990.

Signed this 19th day of October, 19 88.

DEC 27 1988

W. W. Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho
Trueman e/or Bernice Spooner e/or
Donald e/or Flossie Kaiser e/or

1. Name of applicant David e/or Melodey Spooner Phone 245-2990
Post office address Rt 4 Box 81 St Maries ID 83861
2. Source of water supply 3 pts unnamed spring which is a tributary of Flat Creek
3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 20 Township 45N
Range 1W B.M. Benewah County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount .09 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .09 for Irrigation purposes from 4-1 to 11-1 (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. .09 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. pumps

- 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 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

- a. If water is not for irrigation: NE NW
(1) Give the place of use of water: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 20 Township 45N
Range 1 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 _____

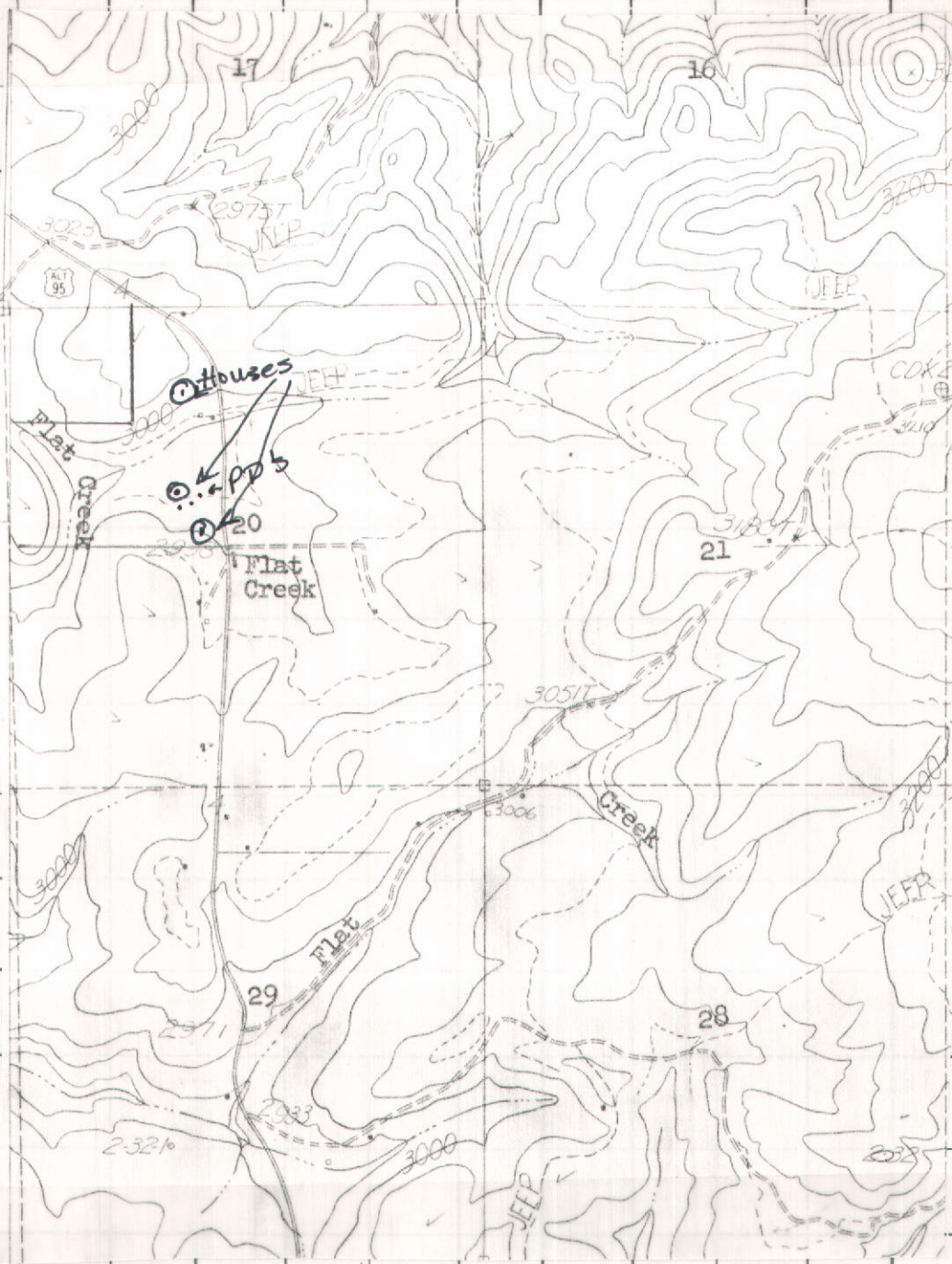
- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water 3.

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

MICROFILMED

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

T45 N R 1W



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.

Truman G. Spooner
(Applicant)

MICROFILMED

Received by REST Date 5/27/83 Time Noon
Preliminary check by LB Fee \$ 3000
Received by REST Date 5/27/83 # 2704
Publication prepared by KLK Date 6/1/83
Published in St. Louis, Mo. Star
Publication dates 6/9 - 6/16/83
Publication approved ma Date 7/14/83
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by WJB
RC

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. 92-7135, 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 August 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.

Witness my hand this 15th day of August, 1983.

D. Allen Saylor
Chief, Operations Bureau

DATE: 11/04/93
PAGE: 1

Audit: 11/04/93 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 92-7135 Date 11-4-93 Brenda Chapman

NAME	Yes	No	Or Address Change?
	☐	☒	
PRIORITY DATE	☐	☒	Advance? <u>Done</u> Memo to Advance <u>TO: 6-4-83</u>
	☒	☐	Order to Reinstate Needed?
	☐	☒	Incorrect Fee for rate recommended?
SOURCE	☐	☒	Changes? Clarification of Originally Intended source
	☐	☒	Notice of Intent to Void - Source change.
P/D	☐	☒	Amendment Needed?
	☐	☒	Overlap(s)
P/U	☐	☒	Amendment Needed? <u>DELETE NENW 1/4 1/4</u>
	☐	☒	Overlap(s)
TOTAL CFS	☒	☐	Disagree/Measurement <u>NONE DONE</u>
	☐	☒	<u>2 HOMES @ .06</u>
	☐	☒	Theoretical $8.8 \times .70 \times 1.5$
	☐	☒	$+ 2.31 \times$
	☐	☒	Capacity <u>.04</u>
	☐	☒	Allowable Amount:
TOTAL VOLUME	☐	☒	Disagree with Examiner's Calculations?
	☐	☒	<u>2 Dom = 1.2</u>
	☐	☒	Flow limit: $.06 \times 365 \times 1.9835 = 43.4$
	☐	☒	Season
USES	☐	☒	Change(s) in Nature of Use?
	☐	☒	Amendment Needed?
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4? <u>NO/DELETE</u>
	☐	☒	Special Overlap
	☐	☒	Other
CONDITIONS	☐	☒	Measuring/Locking Devices
	☐	☒	W/Master Control
	☐	☒	Irrigation Overlap <u>5-27-83</u> Water Dist App Rec'd
	☐	☒	Water Quality <u>7-28-92</u> Exam Made

COMMENTS: 2 HOMES (NOT 3); Reduce rate; Examiner
 NOTE: does not recommend irrigation use.

RECOMMENDED	CFS	DIV VOL	LICENSE
<u>DOMESTIC</u>	<u>.06</u>	<u>1.2</u>	☒
			AMEND
			2ND AMEND

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 892-7135
1. Owner: Bernice & Truman Spooner, EtAL Phone No. 245-2990
Current Address: HC-04-81 St. Maries, ID 83861
2. Accompanied by: David Spooner & Truman Spooner EXAM. DATE: 7/28/92
Address: Same Phone No.
Relationship to Permit Holder:

3. Source: Spring tributary to Flat Creek

B. OVERLAP REVIEW

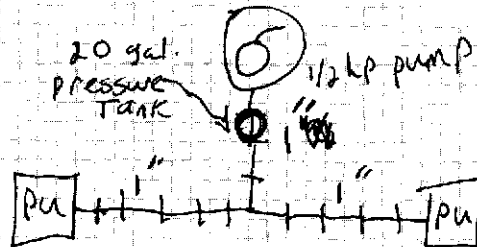
1. Other water rights with same place of use: None

☐ Copies Attached
2. Other water rights with same point of diversion: None

☐ 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" = NTS

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

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System Description (continued)

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

Water from spring is collected in a concrete ring and pumped up with a 1/2 hp pump ~~to take~~ to a 20 gallon pressure tank. 1 1/2 line leads to the first ~~then~~ house then T's off to the second house.

☐ 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
		1/2		Berkely	1904 454

*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	NW	20	45N	01W	Benewah	Map

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

Indicate Method of Determination

Map

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	01W	20								0									

Do not use this space

D. FLOW MEASUREMENTS

None

☐ 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:

2. Alternate Method for Checking Purposes:

Domestic (2) = .06 cfs

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:

Domestic (2) = 1.2 AF

FEB 24 1994

[illegible]

1. Recommended Amounts

2. Recommended Amendments

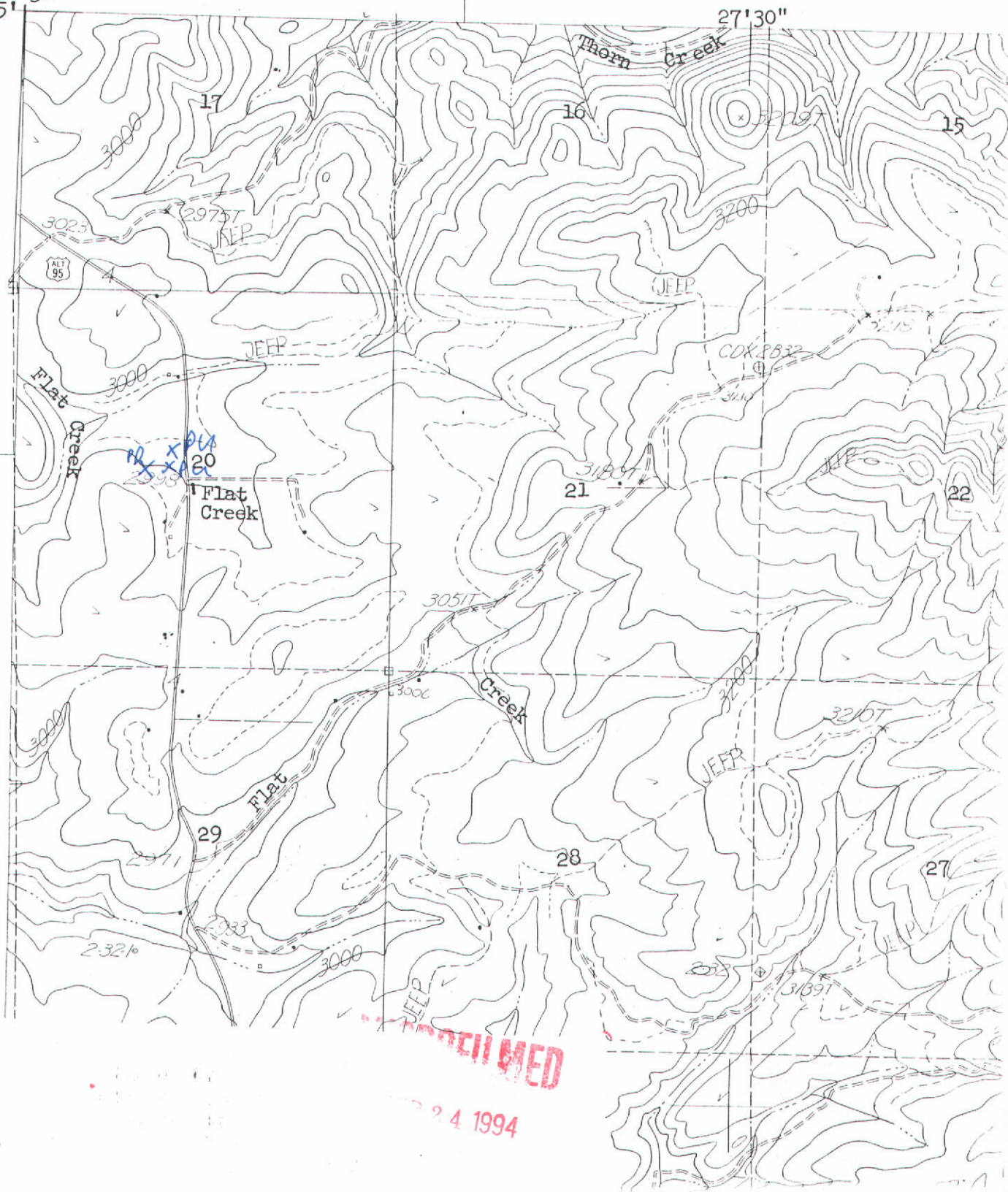
- ## J. AUTHENTICATION

Certification Date _____

CONSULTANT SEAL

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

RECEIVED
FEB 24 1994

$$47^{\circ}15' + 116^{\circ}30' = 163^{\circ}45'$$


PERMIT # 92-07135

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

P H O T O G R A P H S

PD



pumphouse



APPROVED
FEB 24 1994

PERMIT # 92-07135

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

P H O T O G R A P H S

pu



pu



FEB 24 1994

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 92-7135

Date 12-17-90

GENERAL CONSIDERATIONS

Y Name same as permit?
Y Address change? If yes, prepare data entry form.
N Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

✓ Surface water source
 Ground water source
 Drill permit req'd? Copy in file?
 Well log in file?
 Amt paid for drilling permit? Correct?

LICENSE EXAMINATION FEE

X Required?
50 Amount submitted?
Y Correct amount?

MEASURING DEVICE

N Measuring device or access port required?
 Installed?
 Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

- address change
- advance priority & reinstate

PRIORITY CALCULATION *LB*

Date proof received	<u>8-9-90</u>	<u> </u>
Date proof due	<u>8-1-90</u>	<u> </u>
No. of days late	<u> </u>	<u>8</u>
Priority date	<u>5-27-83</u>	<u> </u>
NEW PRIORITY DATE	<u>6-4-83</u>	<u> </u>

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 92-7135Reviewed by [Signature]Date 10-19-88

BASIC INFORMATION

y Date stamp received
y Extension received timely
 (not prior to 6 month before proof due date or after reinstatement period)
y Fee received and receipted
y Name and signature same as permit
N Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

y Has adequate work been completed to demonstrate due diligence?
y Has the cost incurred been adequate to demonstrate an intent to complete the project?
N/A Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

Date litigation completed _____
 Date litigation began _____
 Total period of delay = _____
 Present proof due date + _____
 NEW PROOF DUE DATE = _____

N/A Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN - Recommend approval based on due diligence for 2 years

Special conditions or remarks:

N/A Reinstate Date extension received _____ = _____
 Proof due date _____ = -
 No. of days late _____ = _____
 Priority date _____ = +
 ADJUSTED PRIORITY DATE _____ = _____

____ Prepare coding sheet
 ____ Change rolodex card

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE
COMMENCEMENT OF WORKS

Permit No. 92-7135
Name(s) of Permit Holder(s): Truman Spooner & Etal
Post Office Address: RT 1 Box 81
St. Lawrence ID Tel. No. 245-2990

I hereby certify that construction of diversion works for the above referenced permit began on 1974 . I understand that I must
(date)

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.

5/27/83
Date

Truman Spooner
Signature of Permit Holder

UNRECORDED