

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 92-07067

Priority: February 20, 1980

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.04 CFS
1.2 AF

This is to certify, that KEN DUFT
RT. 1 BOX 436

PULLMAN, WA 99163 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated February 20, 1980; and
has submitted Proof of Beneficial Use on January 10, 1985. An examination indicates
that the works have a diversion capacity of .040 cfs of water from:

SPRING

tributary to SANTA 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	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 3(SESW), Sec. 26, Township 44N, Range 03W
BENEWAH County

PLACE OF USE: DOMESTIC
TWN RGE SEC

44N 03W 26 LOT 3(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.

RECEIVED

MAR 29 1991

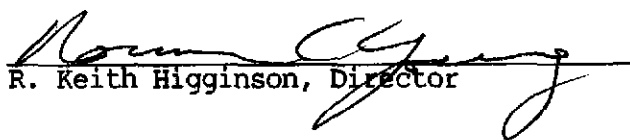
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 92-07067

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 20TH
day of MARCH, 1991.

Acting for


R. Keith Higginson, Director



MAR 20 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Ken Duft Phone 209-342-5722

Post office address Rt 1 Box 436 Pullman Wa. 99163

2. Source of water supply Unnamed Spring which is a tributary of Santa Creek

3. Location of point of diversion is 1/4 of GL 3 1/4 of Section 26 Township 44N

Range 3W B.M. Beneva County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for Stock purposes from 1-1 to 12-31 (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. 0.06 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump & pipeline to home, yard,
garden & stock

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:

(1) Give the place of use of water: 1/4 of GL 3 1/4 of Section 26 Township 44N
Range 3W 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 10 hd stock max

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

TWP	RANGE	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 _____

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

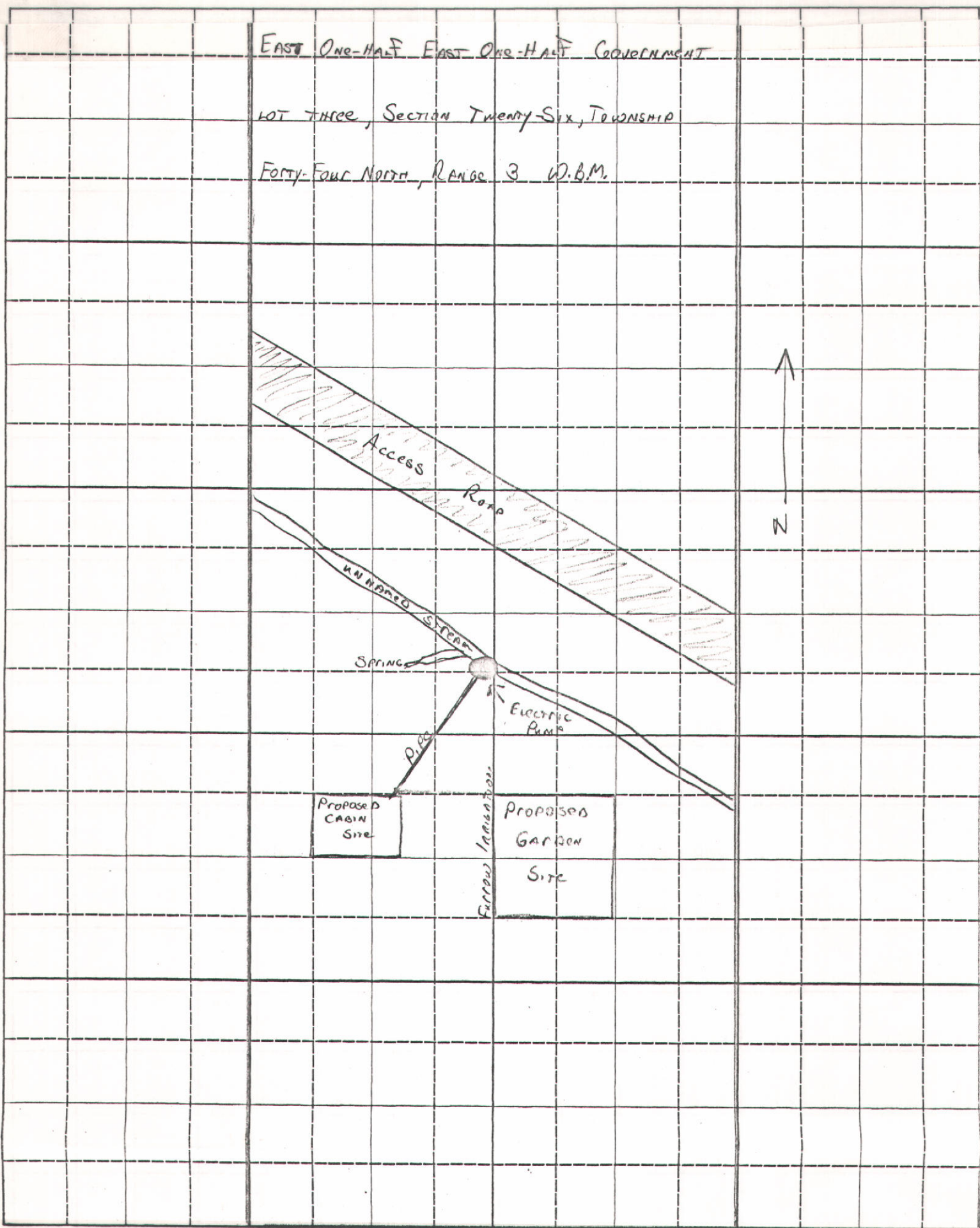
9. a. Who owns the property at the point of diversion Bill & Michele Bettis

b. Who owns the land to be irrigated or place of use Bill & Michele Bettis

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Earnest Money Agreement signed
sale contingent upon approval of Permit

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.

SCALE: 2 INCHES = 150'

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.

[Signature]

(Applicant)

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Proposed Priority

2/20/80

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Received by me Date 2/20/80 Time 12:30
Preliminary check by KK Fee \$ 20.00
Receipted by me Date 2/21/80 (16838)
Publication prepared by me Date 2/21/80
Published in St. Maries Gazette
Publication dates 2/28 & 3/6/80
Publication approved me Date 3/18/80
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by RSD Jim

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. 92-7067, 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 March 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: (1) The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 27th day of March, 19 80.

L. Glen Saxton

LICENSE REVIEW CHECKLIST

Permit No. 92-7067

Name/Address change? ok ☒

Priority date Advance? yes no ☒

Memo to advance Order to reinstate needed? yes no ☒

Total cfs Limited by fee N/A

Limited by capacity _____

Total volume Limited by flow _____

Chart checked for AF rate/ac N/A

Capacity Actual measurement checked NONE

Theoretical checked NONE

If greater than permit, check for other rts _____

Source Changed? yes no ☒
If so, is memo needed to clarify? _____

P/D Verify with map _____ permit _____
More than one per 1/4? Remember remark _____
Check p/d overlap _____

Uses Check irrigation period of use w/ chart _____

P/U Verify with map _____ permit _____
> 5 acres irrigated, run overlap _____

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 Dist 7
App Rec'd 7
Proof Rec'd 7

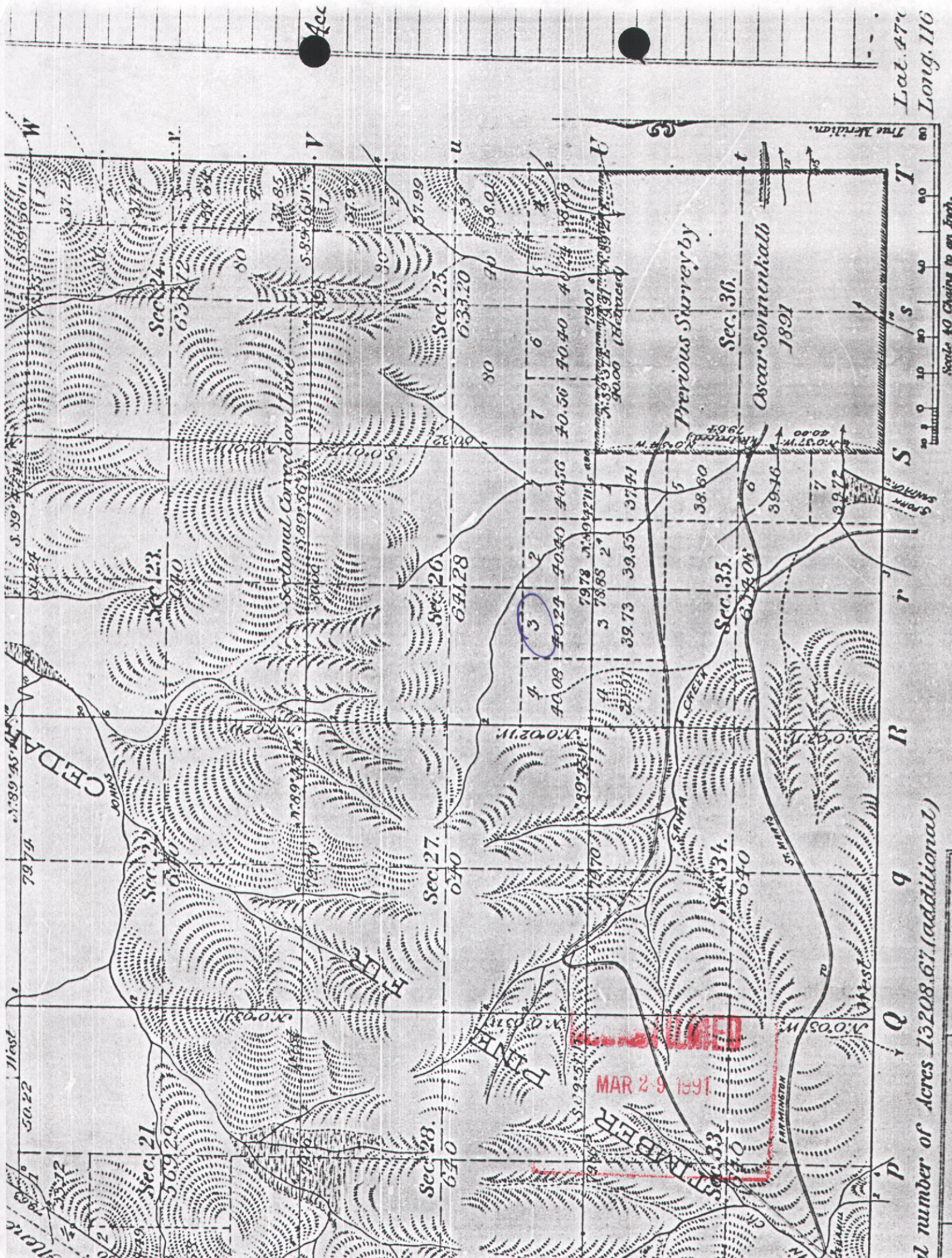
CHECK FOR ADJ. CLAIM

Needed according to proof filed _____
Filed - needs amended _____
Add'l fee required _____
Not filed - _____
Not needed _____ ☒

Comments/Changes to Examiner's Recommendations:

License _____ 10-day _____ ☒ 30-day _____

Back of field report signed? _____ ☒
Reviewer S. Curtis Date 2/21/91 Review time 6 min.



Lat. 47°
Long. 116°

ul number of Acres 13208.67 (additional)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

AUG 22 1985

92-7067
Permit No.

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

Domestic (1) → 0.04 cfs

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

- c) Volume Calculations for Other Uses:

Domestic (1) → 1.2 AFA

2. Overlap Review

- a) Other water rights with same place of use: _____

- b) Other water rights with same point of diversion: _____

- c) Analysis:

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AUG 29 1985

RECOMMENDED AMOUNTS

- [illegible]

RECEIVED

AUG 22 1985

Department of Water Resources

Permit No. 92-7067

Phone No. (509) 332-3782

1. Owner: Ken Duff Phone No. (509) 332-3782
Current Address: Rt 1 Box 436 Pullman, Wa
2. Accompanied by: — EXAM. DATE: 8/7/85
Address: — Phone No. —
Relationship to Permit Holder: —
3. Source: Spring tributary to Santa Creek

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
					locked pump house

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. **System Description.** (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

developed spring with pump and pipeline to home. Overflow from spring feeds a small pond. Water from pond is used to irrigate domestic lawn and garden. No stock

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

7. Measurements ☐ Additional data/computation sheets attached

- | 8. Point(s) of Diversion: | Indicate Method of Determination |
|---------------------------|----------------------------------|
|---------------------------|----------------------------------|

[illegible]

- | | | |
|----|------------------|---|
| 9. | Place(s) of Use: | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination _____ |
|----|------------------|---|

[illegible]

10. Other water rights on these lands
11. Other water right diverted from same p.d.

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached
☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks

15. 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

16. Examiner's/Consultant's Signature _____ Date 8/7/85
Consultant's License Number _____
IDWR Director's Authorization to Conduct _____
Beneficial Use Examination _____
Date _____
MICHAEL LIMITED
MAR 2-9 1991
CONSULTANT SEAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 92 7067

Name(s) of Permit Holder(s): Kenneth D. Duff

Post Office Address: Rt. 1 Box 436

Tel. No. 509 332 3782

☒ I hereby certify that construction of diversion works for the above referenced permit began on May 1982 (date). I understand that I must

continue to develop the water system with 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.

3-5-82
Date

Kenneth D. Duff
Signature of Permit Holder

Electrical service + clearing to stream access point completed.

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 92-7067

Name(s) of Permit Holder: Kenneth D. Duff

Post Office Address: Rt. 1 Box 436, Pullman, WA. 99163

Tel. No. 509-332-382

Source of Water: Small surface stream + spring

Extent of Use:

☒ Domestic	<u>1</u>	(number of households)
☐ Stockwater		(number and type of stock)
☒ Irrigation	<u>2</u>	(acres)
☒ Other	<u>Diversion to a small pond</u>	

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

Access Port: Required? ☐ Yes ☒ No Installed? ☒ Yes ☐ No

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

1/3/85

Date

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Kenneth D. Duff
Signature of Permit Holder

Jan. 3, 1984

Rt. 1 Box 436
Pullman, WA. 99163

Idaho Dept. of Water Resources
Statehouse
Boise, Idaho 83720

RECEIVED
JAN 10 1985

Re: Water permit No. 92-7067

Department of Water Resources

Dear Sirs:

This letter is to inform you that during the past 2 years I have completed the construction of my water extraction project and continue to make beneficial use of the water thereby obtained. The extraction project included the purchase and installation of: 1) a 1200 gallon water collection basin, 2) 2-3 h.p. electric water pumps, 3) approximately 600 feet of buried water pipe, 4) small water storage pond for late summer use and fire prevention, and 5) domestic water delivery system to recently constructed residence. Total project construction costs approximate \$14,000 and the water quality has been checked and approved by the Bonkardle Health District.

I trust these actions satisfy those conditions necessary for the establishment and maintenance of permit no. 92-7067.

Sincerely
Ken D. Duff

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WATER RIGHTS EDIT REPORT

02/21/80

PAGE 1

WATER RIGHT NUMBER 92-1067
ACT

OWNER LAST NAME - DUFT
ADDRESS LINE 1 - RT. 1 BOX 436

FIRST NAME - KEN

STATE - WA ZIP CODE - 99163

SOURCE - SPRING

TRIBUTARY OF - SANTA CREEK

COUNTY - BENEWAH

TOTAL DIV. RATE -

.0600CFS

STAGE - APPLICATION
DIVERSION POINT - 26 44N 03W LOT 03

USE DIV. RATE -

.0200CFS

USE DIV. RATE -

.0400CFS

FROM - 01-01 TO - 12-31 USE - STOCKWATER
FROM - 01-01 TO - 12-31 USE - DOMESTIC
USE - STOCKWATER
PLACE OF USE - TWN 44N RNG 03W SEC 26 LOT 03

NON IRRIG USE - 8/10 RANGE
DIVERSION MEANS - PUMP AND PIPELINE.

Handwritten signature

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KK

APPLICATION NUMBER: 92-7067

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.
☒ Fee.
☐ 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.

Field check by: _____

Date: _____

Comments: _____

*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: 3/17/80
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 3/13/80
☒ 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? _____
2/20/80 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: [Signature] Date: 3/20/80

STATE OFFICE REVIEW:

- 64
S.L. w/o cond
☐ See attached sheet for more information.
By: [Signature] Date: 3/25/80

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Ken Duff Phone _____

Post office address Rt 1 Box 436 Pullman Wa. 99163

2. Source of water supply Unnamed Spring which is a tributary of Santa Creek

3. Location of point of diversion is _____ $\frac{1}{4}$ of GL 3 $\frac{1}{4}$ of Section 26 Township 44N

Range 3W B.M. Beauchamp County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for Stock purposes from 1-1 to 12-31 (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. 0.06 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump & pipeline to home, yard,
garden & stock

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:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of GL 3 $\frac{1}{4}$ of Section 26 Township 44N
Range 3W B.M.

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

(3) List number of each kind of livestock to be watered 10 head stock max

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

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

9. a. Who owns the property at the point of diversion Bill & Cheryl Bellis

b. Who owns the land to be irrigated or place of use Bill & Michele Bettis

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing Forecast Money Agreement signed
Sole contingent upon approval of Permit

10. Remarks

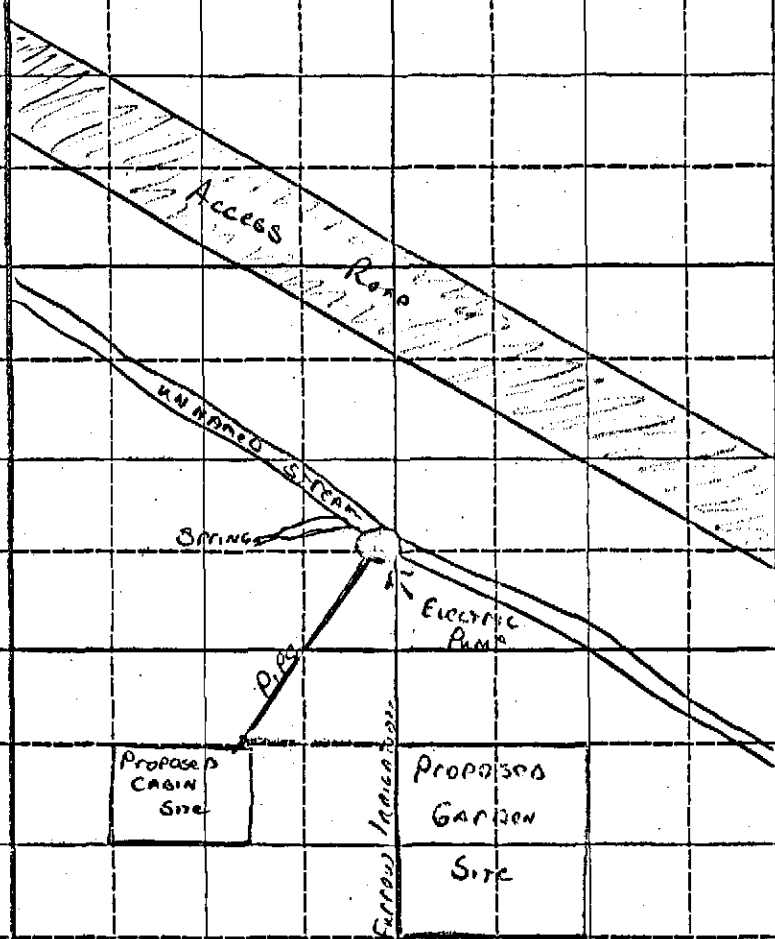
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11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

EAST ONE-HALF EAST ONE-HALF GOVERNMENT

LOT THREE, SECTION TWENTY-SIX, TOWNSHIP

FORTY-FOUR NORTH, RANGE 3 W.B.M.



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Scale=2 inches equal 1 mile.

Scale : 2 inches = 150'

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.

(Applicant)

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Received by _____ Date _____ Time _____

Preliminary check by _____ For \$ _____

Receipted by _____ Date _____

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

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. _____, and said application is hereby _____.

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 _____, 19____.
- 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: _____

Witness my hand this _____ day of _____, 19____.

Director

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