

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 92-07048

Priority: March 13, 1979

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:¹

0.6 AF

This is to certify, that MERVYN W. SWALLEY
49 E. LATIMER

CAMPBELL, CA 95008

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 31, 1979; and
has submitted Proof of Beneficial Use on April 11, 1984. An examination indicates
that the works have a diversion capacity of .020 cfs of water from:

SPRING

tributary to **ROGERS 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	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SENENW , Sec. 22, Township 45N, Range 01W
BENEWAH County

PLACE OF USE: DOMESTIC

TWN RGE SEC

45N 01W 22

NENW

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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SEP 2 * 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 92-07048

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 29th
day of August, 1990.

Acting for R. Keith Higginson, Director

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SEP 24 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 92-7048 IN THE
NAME OF MERVYN W. SWALLEY

ORDER OF REINSTATEMENT

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 March 1, 1984; and,

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

WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit 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 within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on April 11, 1984;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 92-7048 be REINSTATED and the priority advanced to March 13, 1979.

Dated this 17th day of April, 1984.


L. GLEN SAXTON
Chief, Operations Bureau

RECEIVED
MAY 1 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Mervyn W. Savelly Phone 408-378-6182

Post office address 49 E. Latimer, Campbell, Ca 95008

2. Source of water supply unimproved spring which is a tributary of Rogers creek

Rogers creek is a tributary to Shoshone creek

3. Location of point of diversion is N.E. 1/4 of N.W. 1/4 of Section 22 Township 45N

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

4. Water will be used for the following purposes:

★ Amount .03 for irrigation purposes from June to Aug 31 (both dates inclusive)
(cfs or acre-feet per annum)

★ Amount .02 for stock purposes from June to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .20 for fire fighting purposes from MAY to Nov (both dates inclusive)
(cfs or acre-feet per annum)

Amount .05 for domestic purposes from June to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.20 - .30 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Developed spring & pipe
concrete casing & pump

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: NE 1/4 of NW 1/4 of Section 22 Township 45N
Range 1W 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 5 or more calves

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

(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: 1/2 acre garden

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
~~*45~~	~~100BM~~	~~22~~	<u>✓</u>	<u>✓</u>															~~1/2 acre~~ <u>2</u>

Total number of acres to be irrigated 1/2

☒ 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 Mervyn W. Swalley

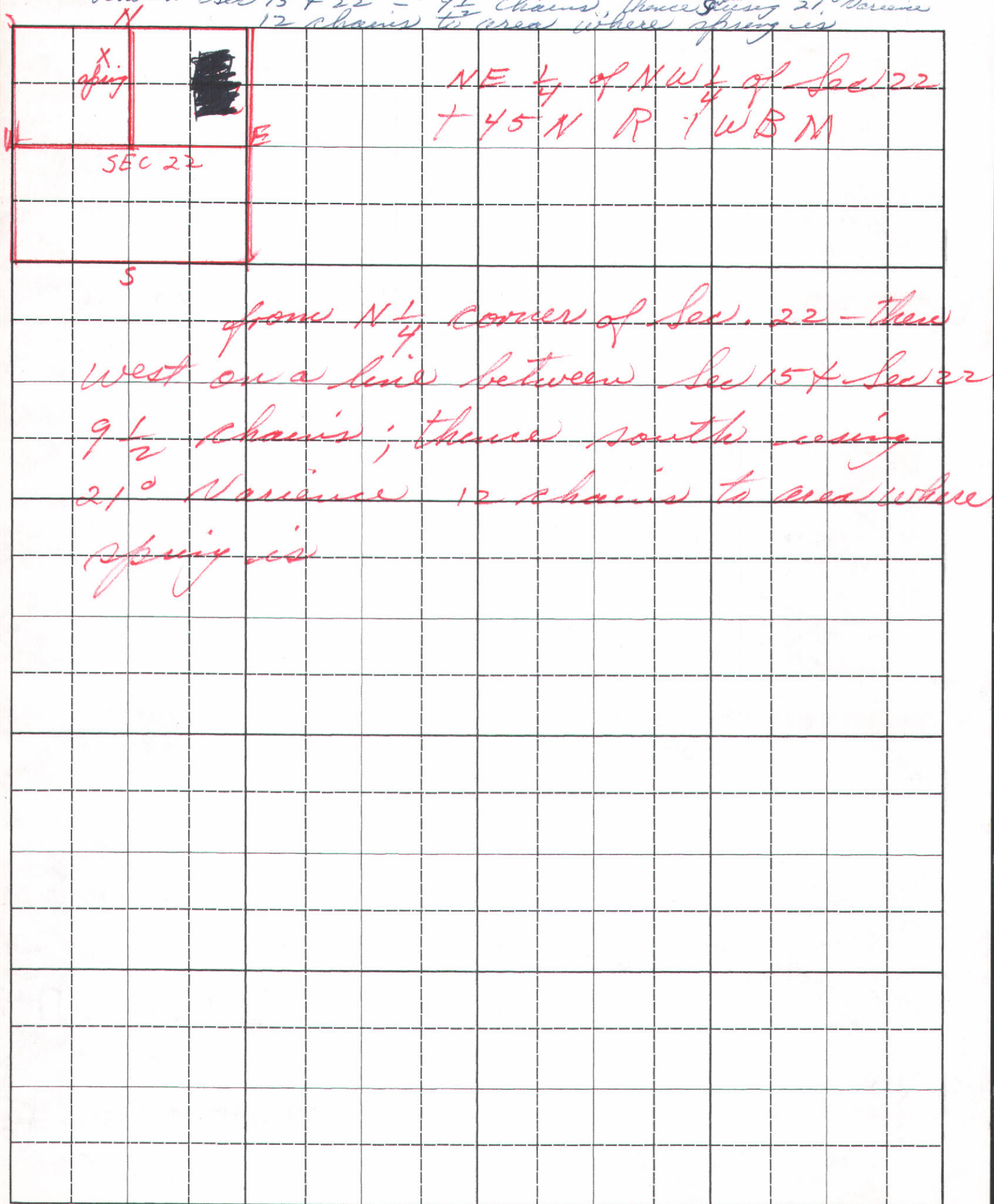
b. Who owns the land to be irrigated or place of use same

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

We just want to protect our rights to our spring water & the use thereof for a house & garden - perhaps some calves or livestock & chickens.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. *from N $\frac{1}{4}$ corner of sec. 22 - then west on a line between Sec 15 & 22 - $9\frac{1}{2}$ chains, thence ^{South} using 21° variance 12 chains to area where spring is*



Scale: 2 inches equal 1 mile.

$2'' = 1 \text{ mi}$

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.

Merryn M. Swallow
(Applicant)

SENIOR AGENT REVIEW

RECEIVED
JUN 27 1990

Check List
for
Beneficial Use Field Report

Department of Water Resources

Permit 98-7008

✓ **A. GENERAL INFORMATION**

- JK ✓ 1. Name and address are most current available. (Check BU statement)
✓ 2. Exam Date
✓ 3. Source (Check Permit)

✓ **B. OVERLAP REVIEW**

- ✓ 1. & 2. (Rule 5,1,4)

JK ✓ **C. SYSTEM DESCRIPTION**

- JK ✓ 1. Diversion System Diagram (Rule 5,1,3 / 5,1,4)
JK ✓ 2. USGS (Rule 5,1,7 / 5,1,9) Aerial (Rule 5,1,17)
JK ✓ 3. Word Picture (Rule 5,1,3 / 5,1,4)
✓ 4. Diversion (Rule 5,1,3)
✓ 5. Compare with USGS Map, Land Survey Maps, Aerial Photos and Permit.
✓ 6. Irrigation (Rule 5,1,8)

✓ **D. FLOW MEASUREMENTS** Check math (Rule 5,1,13 / 5,1,14)

✓ **E. FLOW CALCULATIONS** Check math (Rule 5,1,13 / 5,1,14)

✓ **F. OPTIONAL**

✓ **G. VOLUME CALCULATIONS**

- ✓ Three significant figures and no more than 1/10's (Rule 6,1,2)
Fish (Rule 5,1,11) number stock, homes, etc... (Rule 5,1,12)

✓ **H. REMARKS AND OVERLAP ANALYSES**

- ✓ All actual uses listed; all permitted uses not used, also listed; (Rule 5,1,2):
✓ Overlaps (Rule 5,1,4):
✓ Return flows (Rule 5,1,5):
✓ Conditions (Rule 5,1,6).

✓ **I. RECOMMENDATIONS**

- ✓ 1. Municipal (Rule 5,1,10): Compare with items E & G, permit, fee, capacity
(Rule 5,1,15): Measured flows for each use listed separately (Rule 5,1,14).
Period of year (Rule 5,1,13)
✓ 2. Compare permit to exam for amendments (Rule 5,1,16)

✓ **J. AUTHENTICATION**

✓ Name, Signature, Certification Date, Exam Date.

✓ **WELL INSPECTION REPORT**

✓ Check with permit and well log for discrepancies

Signature JK Date 8/22/88

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT SUPPLEMENT
C O N T E N T S

(✓) B/U Acknowledgment Letter Sent

This Examination Report Contains the Following Documents.

(✓) Field Report (✓) Quad Sheet () Gov. Lot Plat (✓) Rules Check list

() Aerial Photo () Photo PD/PU

Number of Diagrams Attached _____ Number of Calculation Sheets Attached _____

() Correspondence (Date) _____

() Other (List) _____

Contacts: _____

Remarks: _____



Exam Completed By Z. L. Smith Date 8/2/89

Sr. Agent Review _____ Date _____

Regional Manager Review PSH Date 6/8/90

PERMIT NUMBER

92-7048

SEP 24 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 27 1990

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 92-7048

1. Owner: Mervyn W. Swally Phone No. 408-378-6184

Current Address: 49 E. Lotinier Campbell Ca. 95008

2. Accompanied by: NO ONE EXAM. DATE: 7/13/89

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Unnamed Spring tributary to Rogers Cr.

B. OVERLAP REVIEW

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

☐ Copies Attached

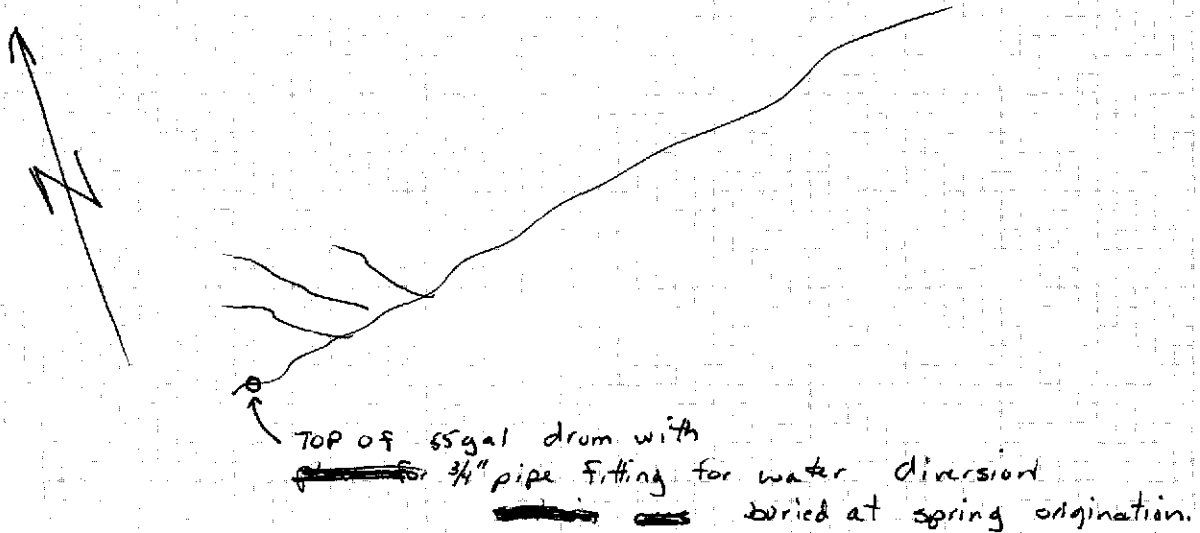
2. Other water rights with same point of diversion: None

☐ 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



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Scale: 1" = NTS

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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).

System Description (continued)

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

Top of 55 gal drum with ^{3/4"} pipe fitting for diversion
buried at spring origination.

☐ 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
	NONE		GRAVITY - 3/4"		

*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	NE	NW	22	45N	1W	Beneah	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	1W	22					D												

Do not use this space

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92-7048



T45 N

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R 1W

SEP 24 1990

SEL. 22

92-7048

EXAM DATE -

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:

Domestic 0.02 cfs

2. Alternate Method for Checking Purposes:

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 0.6 cfs

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

Domestic only reference letter from ~~Mr. Swalley~~
Mr. Swalley Received June 24, 1986.

I. RECOMMENDATIONS

1. Recommended Amounts

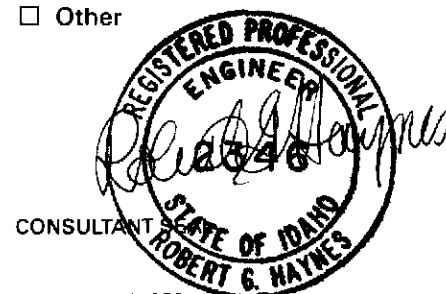
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/1	12/31	0.02 cfs	0.6 afa
Totals:			0.02 cfs	0.6 afa

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 Louis Sukoraty
Signature [Signature]
Certification Date 2/17/89
Field Report Preparation Date 7/14/89



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

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SEP 24 1990

DEPARTMENT OF WATER RESOURCES

92-7048

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. _____

Name(s) of Permit Holder: M. W. SWALLEY

Post Office Address: 49 E. LATIMER AVE #1
CAMPBELL, CA 95008 Tel. No. _____

Source of Water: _____

Extent of Use: ☒ Domestic 1 (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☐ Other _____

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.

4/9/84
Date

Merryn A. Swalley
Signature of Permit Holder

92-7048

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. Spr Source
3. ✓ Point of Diversion
4. .2 Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 5 Time req. for Proof of B/U
7. ✓ Place of Use for other than irrig.
8. N/A Place of Use for irrigation (add acres)
9. A Property Owner at Pt. of Div. & Pl. of Use
10. ✓ Map ✓
11. 20 Fee & Rec't. No.

Copies Sent To:

<u>NO</u> Idaho Health Department	<u>NO</u> U.S.F.S.
<u>7</u> Idaho Fish & Game Dept.	<u>7</u> Dept. of Lands
<u>1</u> Bureau of Land Management	<u>1</u> Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land N/A

Withdrawals of all protests received N/A yes no

Conditions:

ID Power Co. Letter - Snake R. NO
 ID Power Co. Letter - G.W. & Tribs. NO
 Snake River Condition NO
 Payette River Letter NO
 Priority Date 1/31/79
 Water Quality #16 NO
 Water Quality #10 NO
 intrastate NO interstate NO

Meas. Dev. or Sc. Meas. NO
 Totalizing meter NO
 Supplemental NO
 Right-of-Way Cond. NO
 Watermaster Cond. NO
 Wtr. Dist No. NO
 Meas. Dev. Cond. for apps within a Water Dist. NO

Juni
 Reviewer
3/13/79
 Date
 FILED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Swallow 92-7048

- ☒ 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) AK 2-1-79

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
- _____ Request Dam Safety Information

(4) SR 2-1-79

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: _____

(11) pms 3/5/79

Affidavit of Publication received(date) 3/5/79

(12) pms 3/5/79

Final date for protests March 7, 1979

Protests received: yes _____ no ☒

(13) pms 3/5/79

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

(14) _____

Action recommended:

☒ Approve _____ Deny

1-31-79 Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By Bob Haynes Date 3-5-79

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Department of Water Resources

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