

98-07716

DEC 1 5 1994

(816 1-1-2)
2781 1 NW
(EASTPORT)

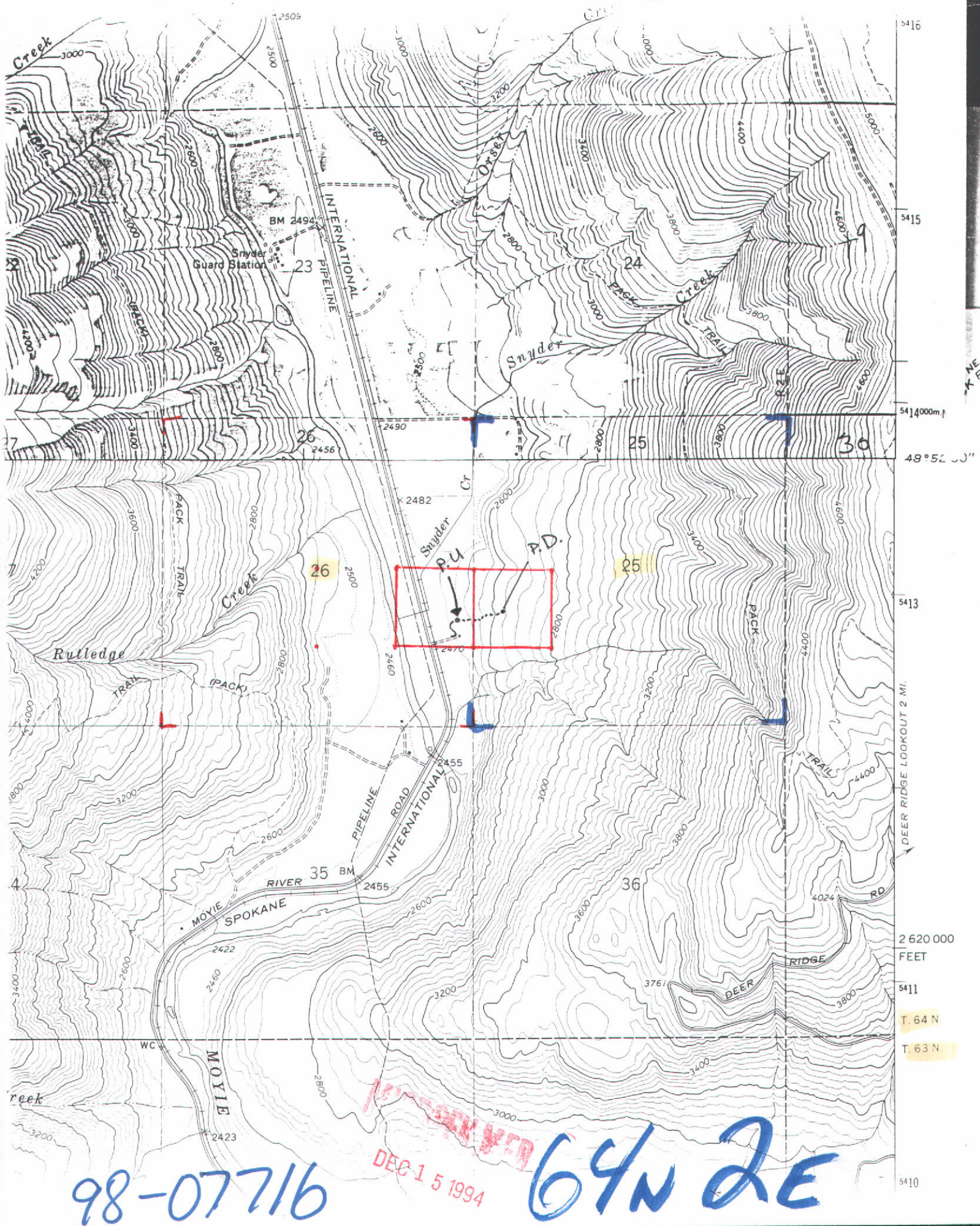
MEADOW CREEK QUADRANGLE
IDAHO-BOUNDARY CO.
7.5' MINUTE SERIES (TOPOGRAPHIC)

27811 NE
(CANUCK PEAK)



- E. C. Nagel

- Channing E. Nagele



#98-07716

Mr. Nagel's
P.U.



Mr. Nagel's
Pump house



Mr. Nagel's
P.D.



DEC 15 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 98-07716

Priority: June 29, 1993

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that CHANNING E NAGEL
E C NAGEL

HCR 61 BOX 198

BONNERS FERRY ID 83805

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 29, 1993; and has submitted Proof of Beneficial Use on October 8, 1993. An examination indicates that the works have a diversion capacity of .040 cfs of water from:

UNNAMED STREAM

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	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 25, Township 64N, Range 02E
BOUNDARY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

64N 02E 25

NWSW

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. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. Domestic use is for 1 home.

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 21ST
day of OCTOBER, 1994.

Acting for R. Keith Higginson, Director

RECEIVED

SEP 20 1993

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 10-2-93
Receipt No. C02875
Receipt by ju

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 08 1993

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 98-07716 Telephone No. 267-2860 (208)
2. Name(s) of Permit Holder(s): CHANNING E. NAGEL / E.C. NAGEL
3. Mailing Address: HCR 61 BOX 198 BONNERS FERRY, ID. 83805
4. Source of Water: STREAM (UNNAMED) TRIBUTARY OF SINKS

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic X 1 (No. of households) Stockwater _____ (No. and type of stock)
Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.04 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes ☒ No Installed? _____ Yes ☒ No

OR

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

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

E. CHANNING NAGEL (208) 267-2860
Name Telephone No.
HCR 61 BOX 198 BONNERS FERRY, ID. 83805
Address

10. 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.

OCT 29 1993

9-17-93 E. Channing Nagel & Channing E. Nagel
Date Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 98-07716

Proposed Priority: June 29, 1993 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **CHANNIG E NAGEL**
E C NAGEL
HCR 61 BOX 198
BONNERS FERRY ID 83805

has applied for a permit to appropriate water from:

UNNAMED STREAM tributary of **SINKS**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

DOMESTIC	01/01 to 12/31	0.04 CFS
----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 25, Township 64N, Range 02E
BOUNDARY County

PLACE OF USE: DOMESTIC
TWN RGE SEC

~~65N 02W 23~~
64N 02E 25 NWSW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1994**.
2. Subject to all prior water rights.
3. The issuance of this right in no way grants any right-of-way or easement across the land of another.
4. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

3rd day of September, 1993.

R. Keith Higginson
for R. Keith Higginson, Director

RECORDED

OCT 29 1993

RECEIVED

AUG 13 1993

Form 202
Department of Water ResourcesSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 98-07716

To appropriate the public waters of the State of Idaho

1. Name of applicant E.C. NAGEL & CHANNIG E. NAGEL Phone 267-2860
Post office address HCR 61 BOX 198 BONNERS FERRY, ID. 83805
2. Source of water supply UNNAMED SPRING which is a tributary of SPRINGS
3. Location of point of diversion is ~~SEE~~ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 25 Township 64N Range 2E B.M. BOUNDARY County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. SPRING, SPRING BOX, GRAVITY FLOW TO HOME
b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

OCT 29 1993

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. 1
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
64N	2E	25						~~NA~~				D							

Total number of acres to be irrigated _____

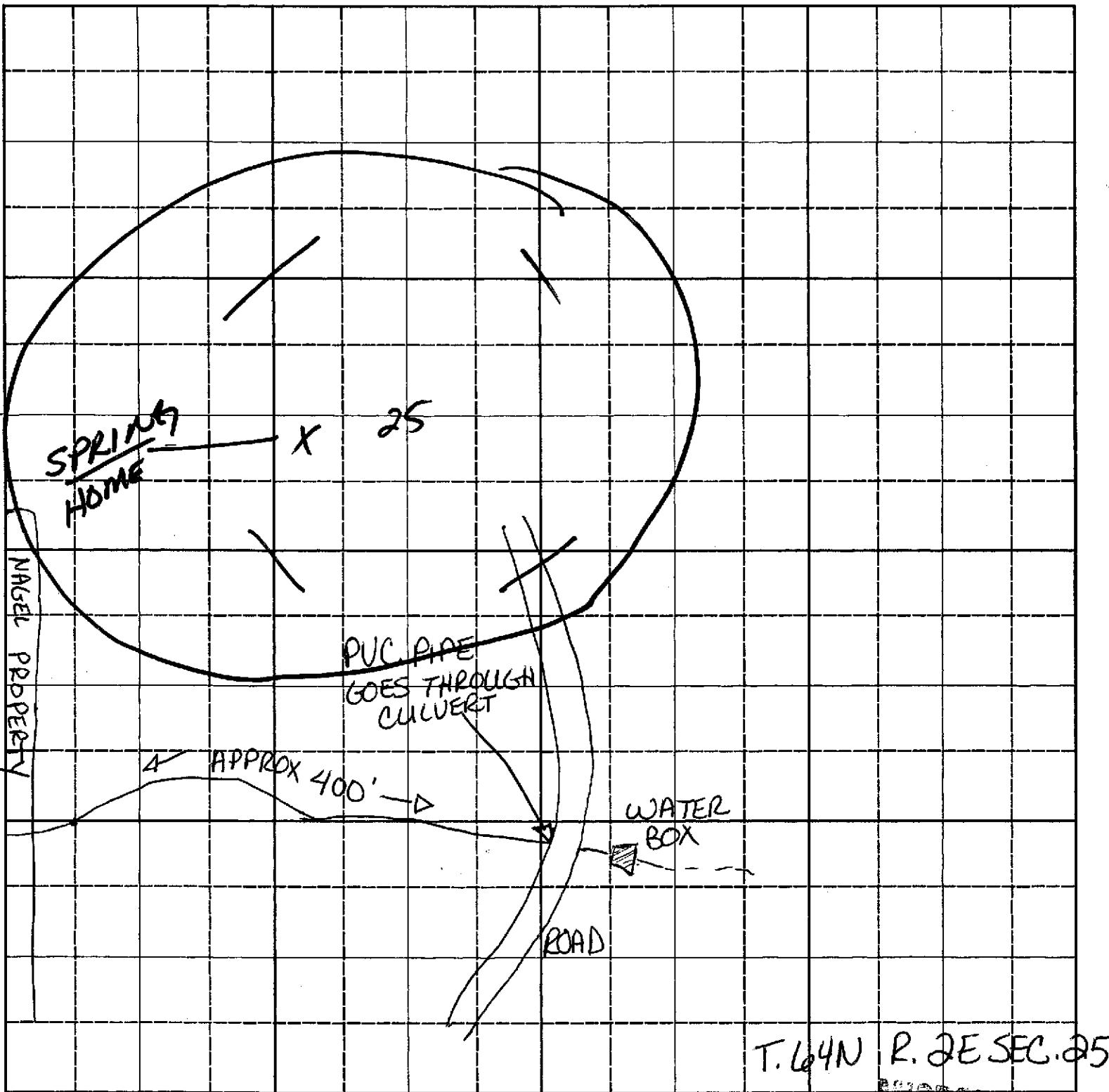
10. Describe any other water rights used for the same purposes as described above. NA

- Who owns the property at the point of diversion? FOREST SERVICE
- Who owns the land to be irrigated or place of use? CHAN NAGEL
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

OCT 29 1993

13. 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.

E.C. Nagel and Channing E. Nagel.
(Applicant)

OCT 29 1993

Received by AS Date 6/29/93 Time 11:30 am Preliminary check by B
Fee \$ 30.00 Receipted by pm # N6519 Date 5/10/93
Publication prepared by BH Date 6/30/93 Published in Robert Perry Times
Publication approved pm Date 8/7/93
7/7+14/93

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. The water right acquired under this permit if 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 permit 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 permit.

e. Other:

MICROFILMED

OCT 29 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 24, 1994

CHANNING E NAGEL
E C NAGEL
HCR 61 BOX 198
BONNERS FERRY ID 83805

RE: WATER RIGHT NO. 98-07716

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

RECEIVED
DEC 15 1994

DEC 15 1994

MEMORANDUM

DATE: October 5, 1994

TO: File

FROM: Shelley W. Keen *SWK* *de J*

RE: Place of Use Location for 98-07716

On October 3, 1994, I received a letter from the Boundary County Assessor regarding the E.C. Nagel property. The letter indicates that the county now recognizes that Mr. Nagel's property, the place of use for 98-07716, is in Section 25. The letter says the new parcel number is 65N02E255410. The 65N designator is obviously a typographical error. The 5410 suffix denotes a location in the NWSW of the section, as permitted.

On the same date I also received a letter and map from Barbara Block-Nagel. On the map she has marked the location of the domestic use for this right in T64N, R02E, S25, NWSW.

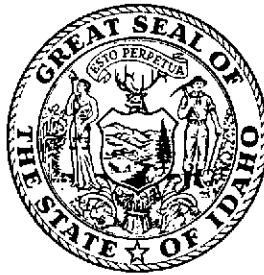
Based on these additional pieces of information indicating that the place of use is as permitted, I see no need to amend permit 98-07716 prior to licensing.

Shelley W. Keen
DEC 15 1994

ASSESSOR'S OFFICE
(208) 267-3301

APPRAISAL OFFICE
(208) 267-7437

MOTOR VEHICLE LICENSING
(208) 267-7613



RECEIVED

OCT 03 1994

Department of Water Resources

COUNTY OF BOUNDARY
Office of Assessor

Stephen D. Fendos
P.O. Box 57
Bonners Ferry, Idaho 83805-0057

September 29, 1994

Shelley Keen
IDAHO DEPARTMENT WATER RESOURCES
1301 North Orchard
Boise, ID 83706

REGARDING: CHANNING NAGEL, SR - SECTION 25

Dear Mr. Keen:

Pursuant to your request, this is written acknowledgement that Mr. Nagel's property under Parcel Number 64N02E267211A has now been corrected to Parcel Number 65N02E255410 correcting the section Number to Section 25.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. Jeanne Adams".

R. Jeanne Adams

rja

c/ Channing E. Nagel
HCR 61 - Box 198
Bonners Ferry, ID 83805

Channing Nagel, Sr.
HCR 61 - Box 195
Bonners Ferry, ID 83805

RECEIVED
OCT 15 1994

September 29, 1994

RECEIVED

OCT 03 1994

Department of Water Resources

Dear Shelley Keen,

As per our conversation we are submitting in writing an objection to your letter of amendment.

We have confirmed that the assessor office is not concerned with giving you the correct information. All they are concerned with is our paying our taxes and this is a quote.

We have also determined that your field examiner never even looked at our corner markers. He just examined the source of the water. I have two witness's to that fact.

I am sending a copy of the U.S. Geological Survey with our homes marked on it. I hope this helps clear up this matter.

Thank You
Channing Nagel
Barbar Block-Nagel

Barbara Block-Nagel

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DEC 15 1994

98-07716

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2781 NE
 (CANLUCK PEAK)

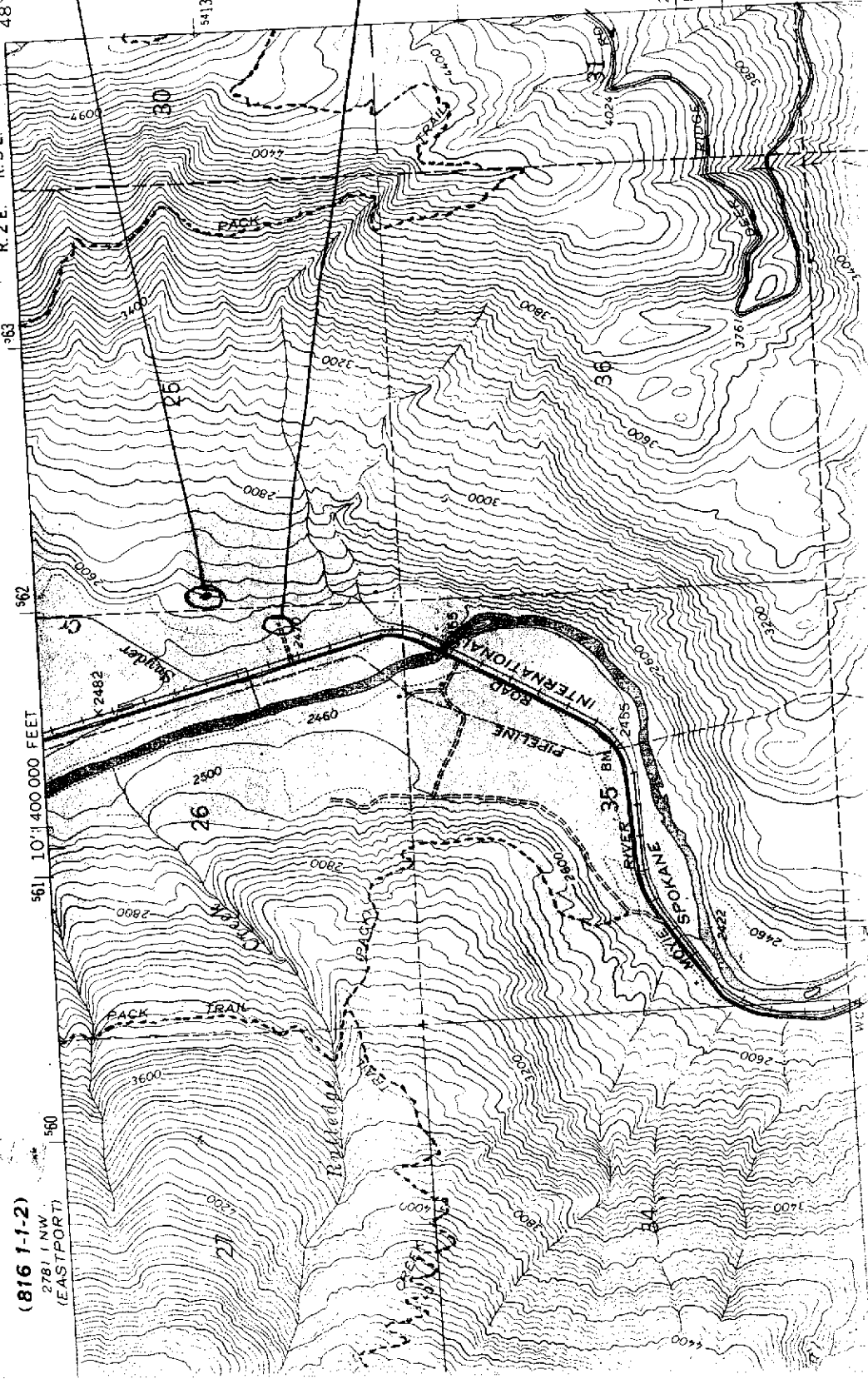
MEADOW CREEK QUADRANGLE
 IDAHO-BOUNDARY CO.
 7.5 MINUTE SERIES (TOPOGRAPHIC)

116°07'30"
 48°52'30"

R.2 E. R.3 E.

E. C. Nagel

Channing E. Nagel



2 620 000
 FEET

5411

T. 64 N.

T. 63 N.

(816 1-1-2)
 2781 NW
 (EASTPORT)

98-07716

DEC 1

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 98-07716

Date of Priority: June 29, 1993

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

Comes now

CHANNING E NAGEL
E C NAGEL

HCR 61 BOX 198

BONNERS FERRY ID 83805

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. 98-07716, and requests that the permit be changed as follows:

Source: **UNNAMED STREAM**

tributary to **SINKS**

<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:

NWSW , Sec. 25, Township 64N, Range 02E
BOUNDARY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

64N 02E ~~26~~

NESE

25

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

Signed at _____, this _____ day of _____, 19____.

(Signature) 5 1994

98-07716

M E M O R A N D U M

DATE: September 27, 1994

TO: File

FROM: Shelley W. Keen *SWK*

RE: Place of Use Location for 98-07716

This afternoon I called Barbara Nagel at (208) 267-7326 and asked her to provide some evidence to verify that the mobile home is not in Section 26. She said she would respond right away.

DEC 15 1994

MEMORANDUM

Date: September 26, 1994
From: Jim Johnson
To: Shelley
Subject: Permit Review

=====

Sounds like we have a person who doesn't want to pay the \$50.00 amendment fee. I would try to put the ball back in her court by asking for verification that her trailer house is where she says it is. If she fails to provide convincing evidence that an amendment is not needed, we should start the permit voiding process if no amendment is received. She has an opportunity to appeal the process to the court if she is motivated to do so.

Since we have confirmation from the assessor's office that Nagel's house is in Section 26, as reported by the examiner, I don't see how we cannot follow his recommendations. It appears the Nagel's estimate of the house location was in error when they filed the application.

Unless we can find an error in the examiner's findings I believe we have to stay with the examiner even if it means that the permit will be voided. In this case, evidence collected by the examiner appear to be correct.

DEC 15 1994

M E M O R A N D U M

DATE: September 26, 1994

TO: Jim Johnson

FROM: Shelley W. Keen *SWK*

RE: Place of Use Location for 98-07716

I need some guidance on finding a solution to this problem.

Permit 98-07716 was issued for domestic purposes with the place of use as NWSW, S25, T64N, R02E. The field examiner, apparently a summer temporary, recorded and mapped the place of use, a mobile home, as being in NESE, S26, T64N, R02E. Brenda checked with the county assessor's office and concurred with the field examiner. Based on the exam and the response of the assessor's office, we solicited an amendment from the permit holders, Channing E. Nagel and E. C. Nagel, prior to issuing a license.

Today I received a call from Barbara Nagel. She said that the assessor and examiner are both wrong. She insists that the mobile home is in the NWSW of S25, as evidenced by a nearby survey monument. She said the mobile home is definitely northeast of her house, which appears on the USGS topographic quad near the east edge of S26.

I called the Boundary County Assessor's Office again, and Charlotte told me that the Nagels own property in both sections. The mobile home is recorded as being in S26. Asking for a deed is not likely to help resolve the discrepancy because it will not record the location of a mobile home. Sending a field examiner to double check is not attractive because the location is so far from Coeur D'Alene.

I know that you like to follow the lead of the examiner. However, I don't think we'll get an amendment if we insist that the place of use is in S26. Therefore, I do not think this is worth arguing about.

I told Barbara Nagel that I would call her this week at (208) 267-7326 with a response.

RECEIVED
DEC 15 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 12, 1994

CHANNING E NAGEL
E C NAGEL
HCR 61 BOX 198
BONNERS FERRY ID 83805

RE: WATER RIGHT NO. 98-07716

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

Sincerely,

A handwritten signature in dark ink, appearing to be 'J. Johnson', with a horizontal line extending to the right.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

DEC 15 1994

WR0749NP
No. L98-07716

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/08/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHANNING E NAGEL	06/29/1993	DOMESTIC	01-01 12-31	0.04 CFS	1.20 AFA
C	E C NAGEL HCR 61 BOX 198 BONNERS FERRY ID 83805 (208) 267-2860					
				TOTAL DIVERSION:	0.04 CFS	1.20 AFA

Water Source: UNNAMED STREAM

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion Capacity: 0.04 CFS

Point(s) of Diversion: T64N R02E S25 NWSW BOUNDARY County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	NE	NW	SE	:	NE	NW	SE	:	NE	NW	SE	:	NE	NW	SE	:
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
64N	02E	26	:				:				:				:				:

Pou County: BOUNDARY

Other Water Rights Listing Overlapping Place(s) of use:
98-02020

Conditions of Approval:

- 004 - The issuance of this right in no way grants any right-of-way
- or easement across the land of another.

Remarks: Domestic use is for 1 home.

Dates: App. Received: 06/29/1993 Priority Date: 06/29/1993
Proof Due Date: 09/01/1994 Proof Made Date: 10/08/1993
Exam Made Date: 07/20/1994 Exam Sent to S.O.: 08/25/1994
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 06/29/1993 User-ID: BEARDSLE Subject: DIVERSION DESCRIPTION
Spring, spring box, gravity flow to home.

Date: 08/26/1993 User-ID: ZIMMERMA Subject: P/D OWNERSHIP
The point of diversion is located on property owned by US Forest Service.

Date: 09/21/1993 User-ID: GUSTAFSO Subject: 30 DAY CALL UP
PROOF RETURNED - NEEDS A FEE

Audit: 09/08/94 BCHAPMAN

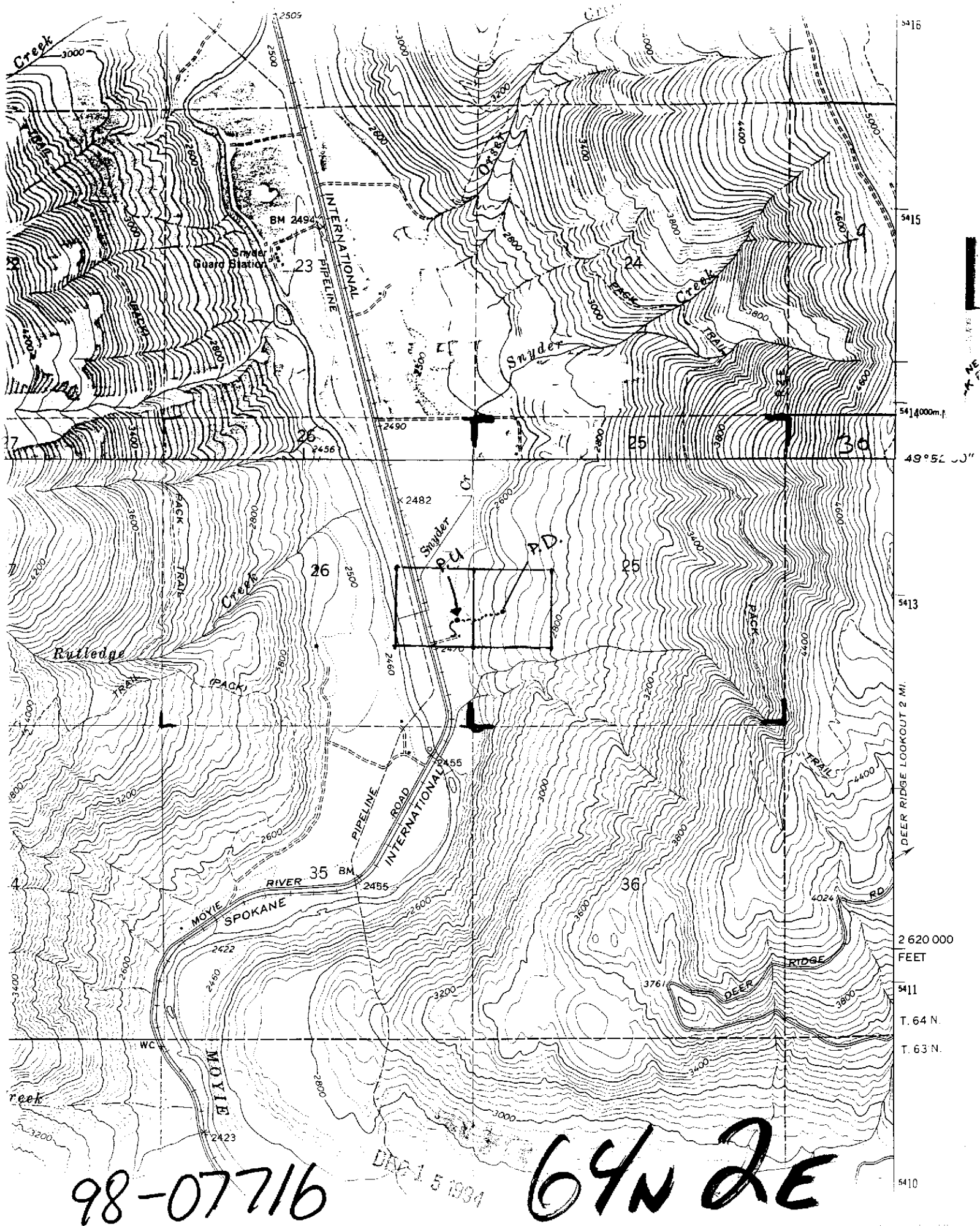
LICENSE REVIEW CHECKLIST

PERMIT NO. 98-07714 DATE 9-8-94



NAME	Yes ☐ No ☒	Or Address Change?
PRIORITY DATE	☐	Advance? ☒ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? <u>NO</u>
SOURCE	☐	☒ Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	☐	☒ Amendment needed? _____ ☒ Overlaps? _____
PLACE OF USE	☒	Amendment needed? <u>Change to NE SE OF SEC 26</u> ☒ Overlaps? <u>(verified with assessor's office) ↑</u>
DIV RATE	☐	☒ Measurement Q = _____ Theoretical Q = _____ <u>Standard Domestic @ .04</u> Capacity: _____ Combined rates exceed capacity _____ Permit/fee limits: <u>.04</u> Allowable: <u>.04</u>
ANNUAL VOLUME	☐	☒ Season of use: _____ Calculations: <u>Standard domestic @ 1.2</u> Flow limit: _____ cfs x _____ x 1.9835 = _____ Combined volumes exceed capacity/allowable _____
USES	☐	☒ Change in Nature of Use or additional uses? _____ Amendment necessary? _____
REMARKS	☐	☒ Multiple p/d(s) in ¼ ¼? _____ ☒ Other _____
CONDITIONS	☐	☒ Measuring/Locking Devices ☒ Watermaster control - District _____ ☒ Irrigation Overlap <u>.004</u> ☒ Water Quality ☐ Other _____
COMMENTS:	<u>allow 1.2 (for external also), can't tell from photo if there is lawn irrigation or not.</u> <u>af</u> <u>amend P/U</u>	

RECOMMENDED	CFS	VOLUME	LICENSE
<u>Domestic</u>	<u>.04</u>	<u>1.2</u>	ADJUSTMENT MEMO NEEDED _____
_____	_____	_____	1ST AMENDMENT LETTER <u>P41+P38</u>
_____	_____	_____	FINAL AMENDMENT LETTER <u>P47</u>
TOTALS	_____	_____	



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 29 1994

7716

A. GENERAL INFORMATION

Permit No. 98-07716 Department of Water Resources

1. Owner: Channing E. Nagel Phone No. (208) 267-2806

Current Address: HCR 61 Box 198 Bonners Ferry, ID 83805

2. Accompanied by: Mr. Nagel EXAM DATE: 7/20/94

Address: same Phone No. same

Relationship to Permit Holder: Owner

3. Source: unnamed Stream tributary to Sinks

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SW	25	64N	2E	Boundary	U.S.G.S. Topo,

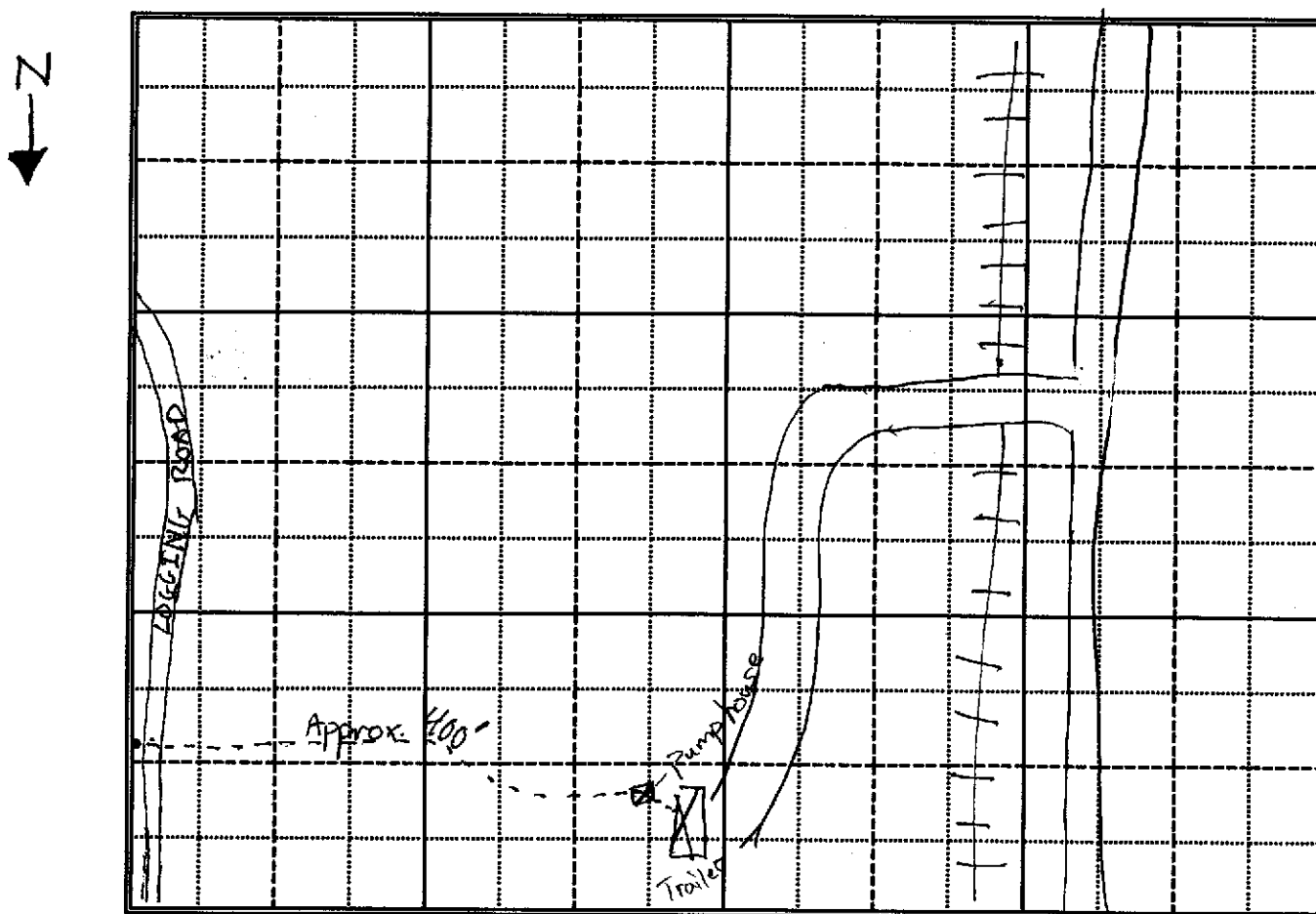
2. Place(s) of Use:

Indicate Method of Determination U.S.G.S. Topo,

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
44N	2E	26															D		

DEC 15 1994

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	A.O. Smith	1/2	1C89	Sears	1" to 1 1/2"

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
None						

2. Measurements: None

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E. NARRATIVE/REMARKS/COMMENTS

The legal description for
the place of use is in section 26, NESE
T.64N., R.2E.

* Notice change of point of use.

System is gravity down to the pumphouse
right above Mr. Nagel's trailer home.

Have conditions of permit approval been met? ☒ yes ☐ no

DEC 15 1994

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

None**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

None $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

None**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic</u>	<u>01-01</u>	<u>12-31</u>	<u>.04</u>	<u>1.2</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>.04</u>	<u>1.2</u>

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

I. AUTHENTICATIONField Examiner's Name Jon M. Kunz Date 7/25/94

Reviewer _____ Date _____

SEAL

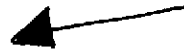
DEC 15 1994

#98-07716

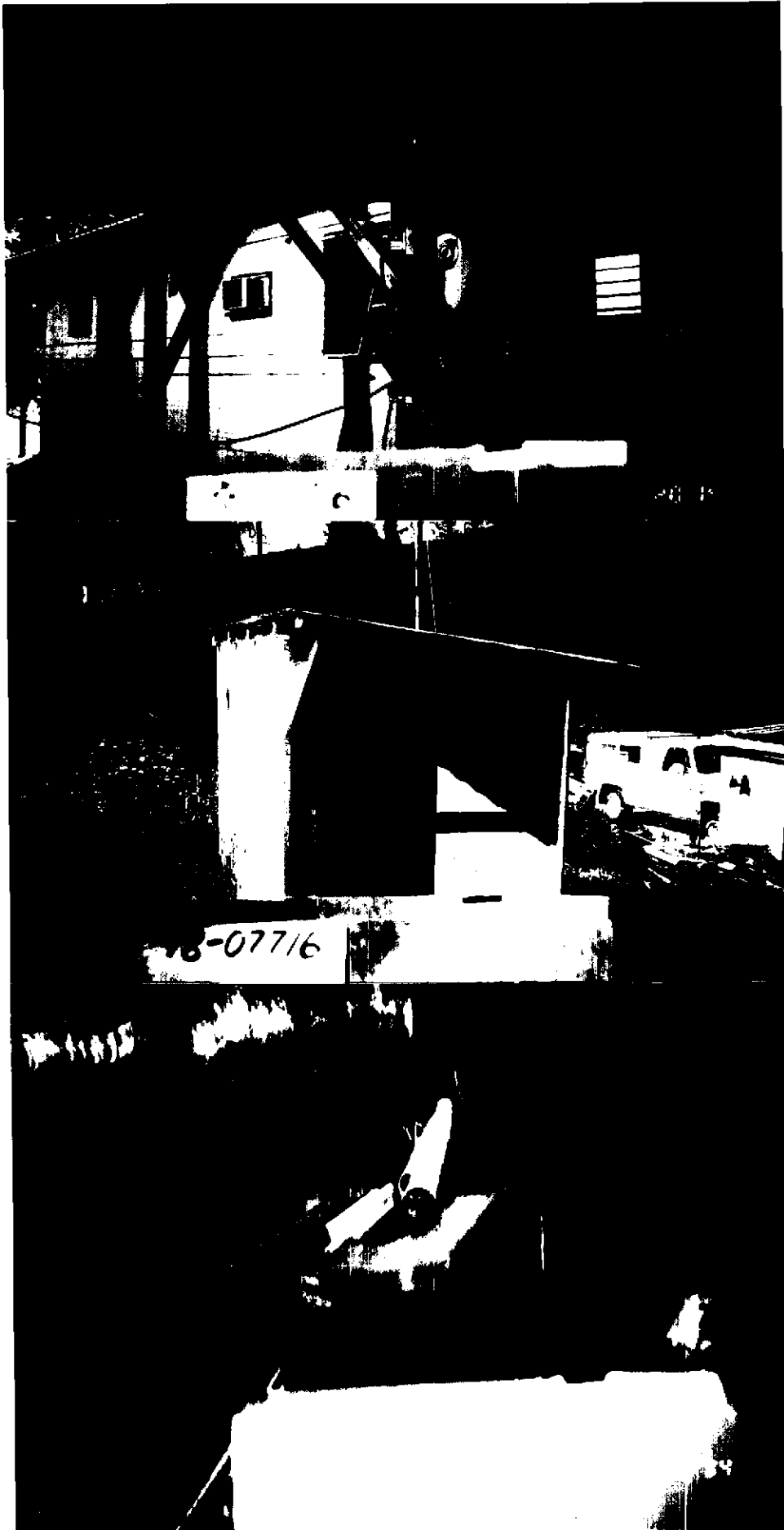
Mr. Nagel's
P. U.



Mr. Nagel's
Pump house



Mr. Nagel's
P. D.



October 15, 1993

CHANNING E NAGEL
E C NAGEL
HCR 61 BOX 198
BONNERS FERRY ID 83805

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 98-07716

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208)769-1450.

Sincerely,

Karen L. Gustafson
Senior Secretary

c: IDWR - Region

RECEIVED
OCT 29 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 20, 1993

Channing and E C Nagle
HCR 61 Box 198
Bonners Ferry, ID 83805

Re: Permit No. 98-07716

Dear Permit Holder:

Returned is the proof of beneficial use you submitted in connection with the above referenced permit. Unfortunately, it is unacceptable as filed.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license exam fee. They are:

1. The water right must use a groundwater (well) source.
2. The rate of diversion must be .04 cfs or 4.0 AF or less.

As you can see, you do not meet requirement #1 since you use an unnamed stream (surface) for your source. Therefore, a license examination fee of \$50 applies to your permit. I have enclosed a copy of the Instructions for the Proof of Beneficial Use for your convenience.

If you have any questions or if I can be of any further assistance, please feel to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Karen L. Gustafson".

Karen L. Gustafson
Secretary/Records Manager

Enclosure

RECEIVED
SEP 23 1993

OCT 2 9 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 7, 1993

CHANNIG E NAGEL
E C NAGEL
HCR 61 BOX 198
BONNERS FERRY ID 83805

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 98-07716

Dear Permit Holder(s):

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Boundary,

DAVID KEYES being first duly sworn on oath
deposes and says that he/she is PUBLISHER
of the Bonners Ferry Herald, a newspaper printed and
published at Bonners Ferry, Boundary County, Idaho; that
the said newspaper has been continuously and
uninterruptedly published in said Boundary County during
a period of 12 months prior to the first publication of the
hereto attached notice of publication in the case of:

LEGAL# 2513

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 7 day of July, 1993
and ending on the 14 day of July, 1993
and that said notice was published in said newspaper.

Dated: 7/20/93

Subscribed and sworn to before me this 20 day
of July, 1993.

Kumala G. Hurns
Notary Public for Idaho

Residing at BONNERS FERRY

My Commission expires: 11/08/97

NOTICE OF APPLICATION FOR
WATER RIGHT

The following applications have
been filed to appropriate the public
waters of the State of Idaho:

98-07715

CHAMPION, KEN
POWNELL, JEFF
P.O. BOX 812
BONNERS FERRY, ID 83805
Source: UNNAMED STREAM

Tributary: SINKS
Diversion Pt: LOT 4 (NWNESW)
Sec 23 T 65N R 02W in BOUNDARY
County.

Use: IRRIGATION STORAGE
(1.75 AF)

IRRIGATION FROM STORAGE
(1.75 AF)

POWER (1.000 CFS)

DOMESTIC STORAGE (1.75 AF)

DOMESTIC FROM STORAGE
(1.75 AF)

DIVERSION TO STORAGE (200
CFS)

Total Diversion: (1.000 CFS) (1.75
AF)

Date Filed: 5/10/1993

In: BOUNDARY County

T65N R02W S23 SENW NESW

2.0 ACRES TOTAL

98-07716

NAGEL, E. C.

NAGEL, CHANNING E.

HCR 61 BOX 198

BONNERS FERRY, ID 83805

Source: UNNAMED STREAM

Tributary: SINKS

Diversion Pt: NWSW Sec 25 T
64N R 02E in BOUNDARY County.

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 6/29/1993

In: BOUNDARY County

T64N R02E S25 NWSW

For additional information

concerning the property location,
call the Northern Regional Office at
(208) 769-1450.

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of
Water Resources, Northern Region,
1910 Northwest Blvd., Suite 210,
Coeur d'Alene, Idaho 83814 on or
before JULY 26, 1993.

R. KEITH HIGGINSON, Director
BFH#2513 July 7, 14, 1993

RECEIVED

AUG 05 1993

NORTHERN REGION
IDWR

OCT 20 1993

98-07716

NAGEL, E C
NAGEL, CHANNIG E
HCR 61 BOX 198
BONNERS FERRY, ID 83805

Source: UNNAMED STREAM

Tributary: SINKS

Diversion Pt: NWSW Sec 25 T 64N R 02E in BOUNDARY County.

Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 6/29/1993

In: BOUNDARY County
T64N R02E S25 NWSW

11/11/93
OCT 29 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 ~~(208) 769-1450~~ ~~(208) 769-1450~~ Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mr. and Mrs. E. C. Nagel
HCR 61 Box 198
Bonners Ferry, Id. 83805

Dear Mr. and Mrs. Nagel:

Re: Water Appropriation Application No. 98-7716.

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB/pms

OCT 29 1988