

Bo

A topographic map of a mountain trail. The map features contour lines with elevations such as 3028, 3000, 2932, 328, 3400, and 343. A trail is marked with a dashed line and labeled 'TRAIL'. A vertical dashed line is labeled 'NORTH'. Overlaid on the map in large, bold, blue, hand-drawn letters is the text 'STRENGTH LIKE MOUNTAINS'. In the bottom left corner, the number '15' is visible.

IRRIGATION CHANNEL

VALVE
Existing

~~POADS~~

UNNAMED
STREAM

home

10/26/74

Haystack

Mountain

IDAHO
MONTANA

Microfilm 2740
25/19

98-7573

MAR 29 1996

T. 62 N. R. 3 E. Sec 22

TWP. 62N.
R4E. 3E.

KANIKSU
NAT FOR

Curley

BOUND
FOREST

NATIONAL

15

16

21

IRRIGATION
CHANNEL

Creek

VALVE
EXISTING

PONDS

UNNAMED
STREAM

HOME

Haystack
Mountain

Mountain

Herman Lake

IDAHO
MONTANA

RECORDED

98-7573

T. 62N. R. 3E. Sec 22

MAR 29 1996

29

EAST

Sec. 5

Sec. 4

Sec. 3
54091

P.16 = 11 M. 00.45 CHS.
Sec. 2

Sec. 8

Sec. 9

Sec. 10
54572

P.17 = 11 M. 39.32 CHS.

Sec. 11

P.18 = 12 M. 9.30 CHS.

Sec. 17

Sec. 16

Sec. 15
54812

P.19 = 12 M. 73.16 CHS.

Sec. 14

Sec. 20

Sec. 21

Sec. 22
55016

P.20 = 13 M. 56.18 CHS.

Sec. 23

P.21 = 14 M. 32.26 CHS.

P.22 = 14 M. 60.92 CHS.

T62N
R63E

OLIVER

50°2'E

EAST

EAST

EAST

EAST

EAST

0°9'E

TAMARACK

CEDAR

HEMLOCK

PINE

MONTANA

AND

IDAHO

LINE BETWEEN

MAR 29 1996

TWP. 62N.
R. 4E. 3E.

KANIKSU
NAT FOR

Curley

BOUND
FOREST

NATIONAL

IRRIGATION
CHANNEL

Creek

VALVE
Existing

POONDS

Beaver Pond

UNNAMED
STREAM

POME

Herman Lake

Haystack

Mountain

Newton

Gulch

IDAHO
MONTANA

98-7573
T. 62N. R. 3E. Sec 22

MAR 29 1996



98-07745

KAMRSU
NAT FOR

PERKINS

Curley

BOUNDARY CO
LINCOLN CO

FOREST

NATIONAL

28

Curley

BR 2510

BR 2530

BR 2550

BR 2570

BR 2590

BR 2610

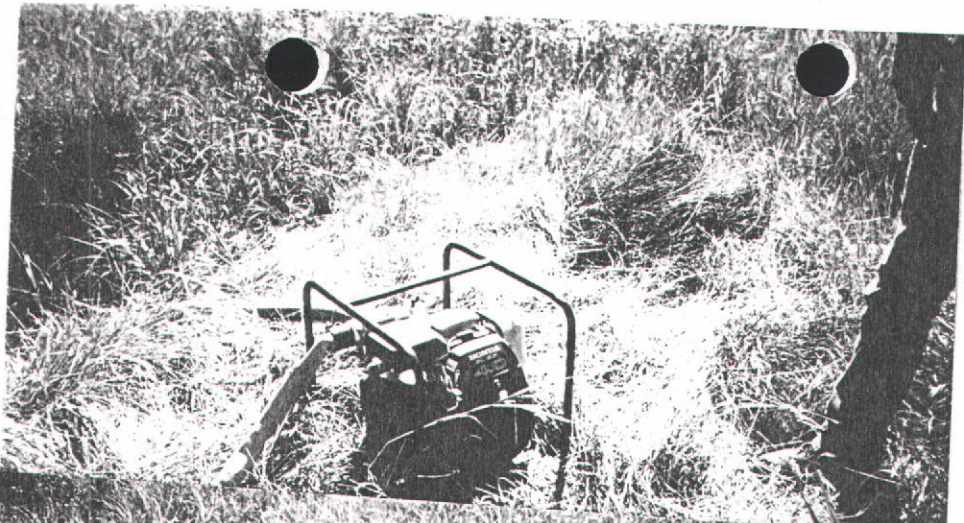
IDAHO
ONTANA

CONSERVATION PLAN MAP

Owner Richard Fairfield Operator Richard Fairfield
County Boundary State Idaho Date 1-4-95
Approximate acres 220.0 Approximate scale 1"=660' or 8"=1 mile
Cooperating with Boundary Soil Conservation District
Plan identification Conservation Plan Map Photo number 189-57 1989 Flight
Assisted by Michael Gondek USDA Soil Conservation Service



98-07745



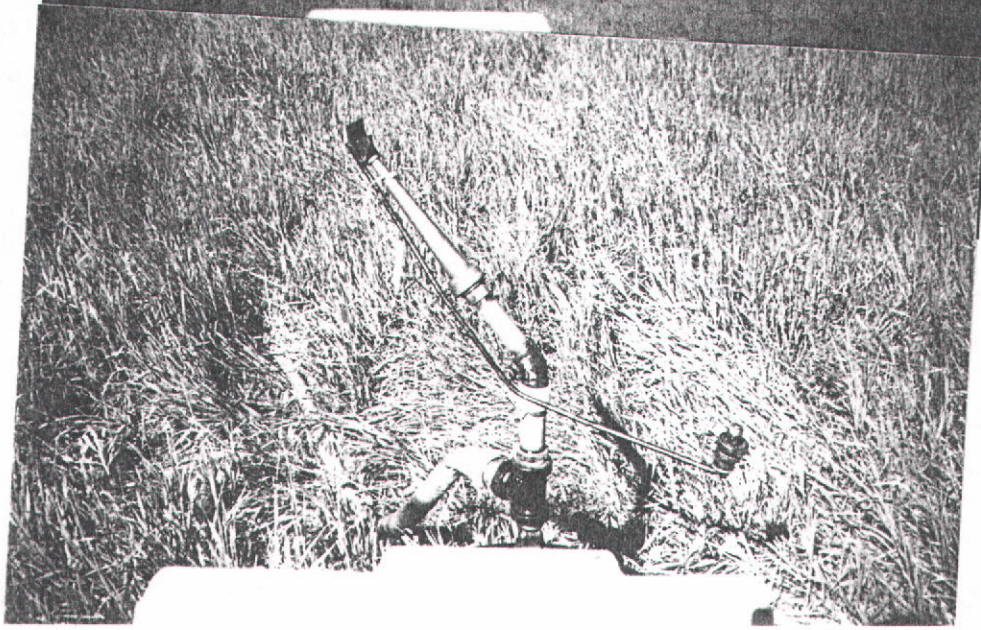
Pump



pd



pu



Gen



Pond 1



Pond 2



Pond 3

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 # 3070

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 June, 19 95

and ending on the 14 day of June, 19 95

and that said notice was published in said newspaper.

Dated: 6/30/95
David Keyes

Subscribed and sworn to before me this 14 day
of June, 19 95.

Kristy Johnson
Notary Public for Idaho

Residing at Bonners Ferry

My Commission expires: 7/22/2000

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN
THAT APPLICATION FOR PERMIT
NO. 98-07748 in the name of Emmy
Lou Fairfield, HCR 62, Box 318,
Moyie Springs, ID 83848, was incor-
rectly advertised on 2/15 & 22/95. ok

The Point of Diversion was incor-
rectly advertised as, SWNE, SENE,
NESE, SWNESE, NWSE, NENWSE,
SWSE, and the SESE of Sec. 22, T
62N R 03E in Boundary County,
whereas correctly it should read-
NWNWSE, SENWSE, SESW,
SWSE, SENW, SWNE, NWSE,
SWSE, LOT 2 (SENE), LOT 3
(NESE), NWSE & SWSE, LOT 4
(SESE).

Additionally, the Place of Use:
IRRIGATION, was incorrectly adver-
tised as SWNE (30A) SENE (20 A),
NESE (40A), NWSE (25 A), SWSE
(30 A) AND THE SESE (20 A),
whereas correctly it should read
SWNE (35 A), LOT 2 (SENE) (7
A), SENW (10A), NESW (5 A),
SESW (15 A), LOT 3 (NESE)
(18 A), NWSE (39 A), SWSE (28
A), LOT 4 (SESE) (8 A).

Additionally, Place of Use: RECRE-
ATION was incorrectly advertised
as same as IRRIGATION use, where-
as correctly it should read RECRE-
ATION AND RECREATION
STORAGE (for 3 fish ponds) in
LOT 3 (NESE) & LOT 4 (SESE).

(For additional information con-
cerning the property location, call
the Northern Regional Office at 769-
1450.)

Any protests against the approval
of the above-referenced correction
must be filed with the applicant and
with the Director, Dept. of Water
Resources, 1910 Northwest Blvd.,
Suite 210, Coeur d'Alene, Id. 83814,
together with a protest fee of \$25.00
on or before JUNE 25, 1995.

KARL J. DREHER, Dir.
BFH#3070 June 7, 14, 1995

RECEIVED

JUL 03 1995

NORTHWEST REGION
IDWR

MISSOURI MFD

MAR 29 1996

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 #2980

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 15 day of February, 19 95
and ending on the 22 day of February, 19 95
and that said notice was published in said newspaper.

Dated: 2/28/95
Notary

Subscribed and sworn to before me this 28 day
of February, 19 95.

Bristy Johnson
Notary Public for Idaho

Residing at Bonners Ferry

My Commission expires: 7/22/2000

RECEIVED

MAR 03 1995

NORTHERN REGION
DWR

NOTICE OF APPLICATION FOR
WATER RIGHT

The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

98-07748

Fairfield, Emmy Lou

HCR 62 Box 318

Moyie Springs, ID 83848

Source: Kingsley Creek

Tributary: Curley Creek

Source: Curley Creek

Tributary: Kootenai River

Source: Springs

Tributary: Curley Creek

Source: Unnamed Stream

Tributary: Curley Creek

Diversion Pt: SWNE Sec 22 T

62N R 03E in Boundary County.

SENE Sec 22 T 62N R 03E In

Boundary County.

NESE Sec 22 T 62N R 03E in

Boundary County.

SWNESE Sec 22T 62N R 03E in

Boundary County.

NWSE Sec 22 T 62N R 03E in

Boundary County.

NENWSE Sec 22T 62N R 03E in

Boundary County.

SWSE Sec 22 T 62N R 03E in

Boundary County.

SESE Sec 22 T 62N R 03E in

Boundary County.

* Use: Irrigation (3,300 CFS)

- Irrigation Storage (47.50 AF)

- Irrigation From Storage (47.50 AF)

- Recreation Storage (47.50 AF)

- Diversion To Storage (3,300 CFS)

- Recreation (3,300 CFS)

- Stockwater (0.040 CFS)

- Stockwater Storage (47.50 AF)

- Stockwater From Storage (47.50 AF)

Total Diversion: (3,300 CFS)

Date Filed: 1/25/1995

In: Boundary County

T62N R03E S22

SWNE SE/NE NE/SE NWSE

SWSE SE/SE

165.0 Acres Total

For additional information con-
cerning 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 applicant and with the
Director, Dept. of Water Resources,
Northern Region, 1910 Northwest
Blvd., Suite 210, Coeur d'Alene, Ida-
ho 83814, together with a protest fee
of \$25.00 on or before MARCH 6,
1995.

R. Keith Higginson, Director
BFH#2980 February 15, 22, 1995

RECEIVED

MAR 29 1996

208-267-1450

Al Boardly
Tom King

FOR OFFICE USE ONLY
Amt. of Fee \$: 175
Receipt No. 1013037
Receipt By: [initials]
Date Received: 7/8/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
RECEIVED

JUL 12 1999

PROOF OF BENEFICIAL USE

Department of Water Resources
Department of Water Resources

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 be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 98-07748 Telephone No. 208-267-8992
2. Name(s) of Permit Holder(s): Emmy Lea Fairfield
3. Mailing Address: HCR 62 Box 318 Abbie Springs 83845
SPRING, KINGSLEY, DUNSMITH STREAM
4. Source of Water: Curly Creek If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
 - a. Well Driller: ____ Drilling Permit Number: ____ - ____ - ____ - ____
 - b. **OPTIONAL:**
Pump Horsepower: ____ Pressure (psi): ____ Dynamic pumping level (ft): ____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): ____ Stockwater (No. and type of stock): Cattle 60 HEAD
Irrigation (No. of acres): 0 Other: PONDS (RECREATION & STOCK)
6. Total rate of diversion and/or volume for which proof is submitted: 3.3 cfs OR 48.9 acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

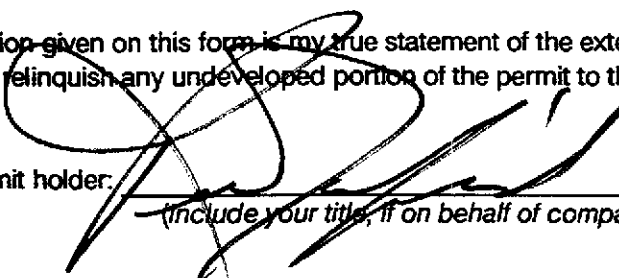
Measuring Device:	Is a measuring device required?	Yes ____ or No <u>X</u>
	Has the measuring device been installed?	Yes ____ or No ____
Flow Measurement Port:	Is a flow measurement port required?	Yes ____ or No <u>X</u>
	Has the measurement port been installed?	Yes ____ or No ____
8. Fee Enclosed: \$ 100 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: SAME AS ABOVE Telephone Number: ____

Address: ____

10. The information given on this form 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.

Signature of permit holder: 

(include your title, if on behalf of company or organization)

Date: 7/8/99

FEB 04 2000

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 98-07748

Proposed Priority: January 25, 1995 **Maximum Diversion Rate:** 3.30 CFS

This is to certify, that **EMMY LOU FAIRFIELD**
HC 62 BOX 318
MOYIE SPRINGS ID 83848
has applied for a permit to appropriate water from:

KINGSLEY CREEK	tributary of CURLEY CREEK
CURLEY CREEK	tributary of KOOTENAI RIVER
SPRINGS	tributary of CURLEY CREEK
UNNAMED STREAM	tributary of CURLEY CREEK

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>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/31 to 11/01	3.30 CFS	
IRRIGATION STORAGE	03/31 to 11/01		47.5 AF
IRRIGATION FROM STORAGE	03/31 to 11/01		47.5 AF
STOCKWATER	01/01 to 12/31	0.04 CFS	
STOCKWATER STORAGE	01/01 to 12/31		1.4 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		1.4 AF
RECREATION	01/01 to 12/31	3.30 CFS	
RECREATION STORAGE	01/01 to 12/31		47.5 AF
DIVERSION TO STORAGE	01/01 to 12/31	3.30 CFS	
Totals		3.30 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 22, Township 62N, Range 03E
Lot 2(SENE), Sec. 22, Township 62N, Range 03E
SENE , Sec. 22, Township 62N, Range 03E
SESW , Sec. 22, Township 62N, Range 03E
Lot 3(NESE), Sec. 22, Township 62N, Range 03E
NWSE , Sec. 22, Township 62N, Range 03E
NWNWSE , Sec. 22, Township 62N, Range 03E
SENESE , Sec. 22, Township 62N, Range 03E
SWSE , Sec. 22, Township 62N, Range 03E
Lot 4(SESE), Sec. 22, Township 62N, Range 03E
BOUNDARY County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
62N	03E	22	SWNE 35.0	Lot 2(	SENE) 7.0		SENEW 10.0	
			NESW 5.0		SESW 15.0	Lot 3(	NESE) 18.0	
			NWSE 39.0		SWSE 28.0	Lot 4(	SESE) 8.0	165.0

Total number of acres irrigated: 165.0

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: STOCKWATER FROM STORAGE, same as IRRIGATION use

MAR 29 1996

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 98-07748

PLACE OF USE: RECREATIONTWN RGE SEC

62N 03E 22 Lot 3(NESE) Lot 4(SESE)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1999.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
6. Stockwater use is for 100 head of range stock.
7. Recreation storage is for 3 fish ponds.
8. Two spring points of diversion are located within SWNESE, S22, T62N, R03E.

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

19th day of August, 1995.

Karl J. Dreher
Karl J. Dreher, Director
for

APR 9 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: EMMY LOU FAIRFIELD
Address: HCR 62 BOX 318
MOYIE SPRINGS ID 83848

208-276-8992

2. Source: KINGSLEY CREEK
CURLEY CREEK
SPRINGS
UNNAMED STREAM

Trib. to: CURLEY CREEK
KOOTENAI RIVER
CURLEY CREEK
CURLEY CREEK

3. Location of Point of Diversion:

	SWNE	Sec. 22, Township 62N, Range 03E
Lot 2(	SENE),	Sec. 22, Township 62N, Range 03E
	SENW	Sec. 22, Township 62N, Range 03E
	SESW	Sec. 22, Township 62N, Range 03E
Lot 3(	NESE),	Sec. 22, Township 62N, Range 03E
	NWSE	Sec. 22, Township 62N, Range 03E
	NWNWSE	Sec. 22, Township 62N, Range 03E
	SENWSE	Sec. 22, Township 62N, Range 03E
	SWSE	Sec. 22, Township 62N, Range 03E
Lot 4(	SESE),	Sec. 22, Township 62N, Range 03E
	BOUNDARY	County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/31	11/01	3.300		
IRRIGATION STORAGE	03/31	11/01			47.50
IRRIGATION FROM STORAGE	03/31	11/01			47.50
STOCKWATER	01/01	12/31	0.040		
STOCKWATER STORAGE	01/01	12/31			47.50
STOCKWATER FROM STORAGE	01/01	12/31			47.50
RECREATION	01/01	12/31	3.300		
RECREATION STORAGE	01/01	12/31			47.50
DIVERSION TO STORAGE	01/01	12/31	3.300		

5. Total quantity to be appropriated is:
3.300 CFS (and/or) 47.50 AF

6. Proposed diverting works:

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

b. Height of storage dam feet; active reservoir capacity
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 groundwater with a temperature greater than 85F being sought? NO

Report Submitted 3/1/96

APPROVED
MAR 29 1996

e. If well is already drilled, when?
Drilling Firm
Well was drilled for

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES		ACRES		ACRES	TOTAL
62N	03E	22	SWNE 35	Lot 2 (SENE)	07	SENE 10		
			NESW 05	SESW 15	Lot 3 (NESE)	18		
			NWSE 39	SWSE 28	Lot 4 (SESE)	08		165
Total number of acres irrigated:								165

Place of Use: IRRIGATION FROM STORAGE, same as IRRIGATION use

Place of Use: STOCKWATER, same as IRRIGATION use

Place of Use: STOCKWATER FROM STORAGE, same as IRRIGATION use

Place of Use: RECREATION

TWN RGE SEC
62N 03E 22 Lot 3 (NESE) Lot 4 (SESE)

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
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:
Recreation storage is for 3 fish ponds.
One spring in NENWSE; two springs in SWNESE.
Stockwater use is for 100 head of range stock.

11. Map of proposed point of diversion and place of use attached? []

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.

See Original
Applicant

MAR 29 1996

15

**TWP. 62N.
R6E. 3E.**

A black and white topographic map showing contour lines. Overlaid on the map is the text "STREAM CLOWN MAY THIS" in a large, bold, sans-serif font. The text is arranged in four lines: "STREAM", "CLOWN", "MAY", and "THIS". The map includes various elevation markers such as "3000", "3400", "3600", "3800", "4000", "4200", "4400", "4600", "4800", "5000", "5200", "5400", "5600", "5800", "6000", "6200", "6400", "6600", "6800", "7000", "7200", "7400", "7600", "7800", "8000", "8200", "8400", "8600", "8800", "9000", "9200", "9400", "9600", "9800", "10000". There are also labels for "RIVER", "RAIL", and "ROAD". A scale bar at the bottom indicates distances in miles and kilometers.

IRRIGATION
CHANNEL

VALVE
EXISTING

~~BONDS~~

UNARMED
STREAM

IDAHO
MONTANA

98-7573

T. 62 N. R. 3 E. Sec 22

MAR 9 1996

TWP. 62N.
R. 4E. 3E.

KANIKSU
NAT FOR

Curlew

BOUND.
FOREST

NATIONAL

15

IRRIGATION
CHANNEL

Kingsley

VALVE
Existing

PONDS

UNNAMED
STREAM

Haystack

Mountain

Herman Lake

IDAHO
MONTANA

98-7573
T. 62N. R. 3E. Sec 22 MAR 29 1996

1099

10.3

10.4

10.5 = 11 M 92.45 Cms

A

10.6 = 11 M 90.25 Cms

10.99

10.9

Z

10.7 = 11 M 89.50 Cms

IN

T62N

R43E

A

1996

O

10.8 = 11 M 88.52 Cms

Comments: Date: 10/ 19/ 1994User-ID: RCHILDER

Subject:

Examiner's notes.

Kingsley Creek valved to divert water to 3 ponds and ditch water to Curley Creek.

Culverts with gate valves will be placed in Curley Creek to create storage for irrigation.

Time required 5 yrs.

Comments: Date: 7/ 21/ 1995User-ID: DBALL

Subject:

SPECIAL FIELD EXAMINER'S NOTES.

SEE MEMO TO FILE RE SOURCE OF KINGSLEY CREEK.

RECEIVED
MAR 28 1995

RECEIVED

MAR 16 1995

RECEIVED

JUL 31 1995

Ident. No. 98-07748

Department of Water Resources

Department of Water Resources
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: EMMY LOU FAIRFIELD
Address: HCR 62 BOX 318
MOYIE SPRINGS ID 83848

208-276-8992

2. Source: KINGSLEY CREEK
CURLEY CREEK
SPRINGS
UNNAMED STREAM

Trib. to: CURLEY CREEK
KOOTENAI RIVER
CURLEY CREEK
CURLEY CREEK

3. Location of Point of Diversion:

SWNE Sec. 22, Township 62N, Range 03E
LOT 2 (SENE) Sec. 22, Township 62N, Range 03E
LOT 3 (NESE) Sec. 22, Township 62N, Range 03E
LOT 3 (SWNESE) Sec. 22, Township 62N, Range 03E
NWSE Sec. 22, Township 62N, Range 03E
NENWSE Sec. 22, Township 62N, Range 03E
SWSE Sec. 22, Township 62N, Range 03E
LOT 4 (SESE) Sec. 22, Township 62N, Range 03E
BOUNDARY County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/31	11/01	3.300		
IRRIGATION STORAGE	03/31	11/01			47.50
IRRIGATION FROM STORAGE	03/31	11/01			47.50
STOCKWATER	01/01	12/31	0.040		
STOCKWATER STORAGE	01/01	12/31			47.50
STOCKWATER FROM STORAGE	01/01	12/31			47.50
RECREATION	01/01	12/31	3.300		
RECREATION STORAGE	01/01	12/31			47.50
DIVERSION TO STORAGE	01/01	12/31	3.300		

are stock watering from pond?

5. Total quantity to be appropriated is:
3.300 CFS (and/or) 47.50 AF

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
SEE REMARKS
- Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
- Proposed well diameter is inches; proposed depth of well is
feet.
- Is groundwater with a temperature greater than 85F being sought? NO

e. If well is already drilled, when?
Drilling Firm
Well was drilled for

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
62N 03E 22	SWNE 30	SENE 20	NESE 40	
	NWSE 25	SWSE 30	SESE 20	165

Total number of acres irrigated: 165

Place of Use: IRRIGATION FROM STORAGE, same as IRRIGATION use

Place of Use: STOCKWATER, same as IRRIGATION use

Place of Use: STOCKWATER FROM STORAGE, same as IRRIGATION use

✓ Place of Use: RECREATION, same as IRRIGATION use

9. a. Who owns the property at the point of diversion?

APPLICANT

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

APPLICANT

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:

Recreation storage for 3 ponds is for fish.

1 spring in NENWSE; 2 springs SWNESE.

Item 6a. Diverting Works include 3 ponds: (1) 0.25 acres X 2' deep; (2) 3.0 acres X 8' deep; (3) 3.0 acres X 4' deep.

Also there will be an irrigation channel that is 1/2 mile long X 30' wide X 6' deep. Water will be valved from Kingsley Creek to irrigation channel on Curley Creek or to ponds.

Culverts will be placed in irrigation channel with gate valves to control storage.

Irrigation will occur directly from irrigation channel, ponds and unnamed stream.

Water from springs will be diverted into irrigation channel and Curley Creek.

Item 6b. POND (1): height of storage dam 2' X active reservoir capacity 0.50 AFA; total reservoir capacity 0.50 AFA; period of year when water will be diverted to storage: 01/01 to 12/31 inclusive.

POND (2) no dam; active reservoir capacity 24 AFA; total reservoir capacity 25 AFA; period of year when water will be diverted to storage: 01/01 to 12/31 inclusive.

POND (3) height of storage dam 6'; active reservoir capacity

MAR 29 1996

12. Remarks: Continued

11 AFA; total reservoir capacity 12 AFA; period of year when water will be diverted to storage: 01/01 to 12/31 inclusive.
IRRIGATION CHANNEL: 2 culverts will be placed in channel storing water 6' deep; active reservoir capacity 11 AFA; total reservoir capacity 11 AFA; period of year water will be diverted to storage is 01/01 to 12/31 inclusive.
Stockwater use is for 100 head of range stock.

11. Map of proposed point of diversion and place of use attached? ☒

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.

Emmy Lou Powell
Applicant

Received by db Date 1/25/95 Time 1:15p Preliminary check by _____

Fee \$ 160⁰⁰ Receipted by db # N008574 Date 1/25/95

Publication prepared by db/db Date 2/6/95 Published in 2/15 & 22/95
Branner Terry Herald

Publication approved db 4/12/95 4/19 & 26/95
4/25 for mailing 5/31 Date 3/3/95 to publish 6/24/95

7/26/95 Notice of connection not received
by paper was returned to
out office - re-mail for advertising
on 6/8 & 14/95

→ db 7/3/95 ←

MAR 2 1995

Comments: Date: 10/19/1994 User-ID: RCHILDER

Subject:

Examiner's notes.

Kingsley Creek valved to divert water to ²③ ponds and ditch water to Curley Creek.

Culverts with gate valves will be placed in Curley Creek to create storage for irrigation.

Time required 5 yrs.

MAR 8 9 1995

**TWP. 62N.
R. 4E. 3E.**

KANIKSU
NAT FOR

Curley

BOUND
FOREST

NATIONAL

15

16

21

28

27

Creek

IRRIGATION
CHANNEL

Kingsley

VALVE
Existing

PONDS

UNNAMED
STREAM

Pond

Newton

Haystack

Mountain

Herrman Lake

IDAHO
MONTANA

98-7573

T. 62N. R. 3E. Sec 22

MAR 29 1996

29

MEMORANDUM

DATE: October 31, 2000

TO: Al Beardslee

FROM: Shelley W. Keen 

RE: Field Report for 98-07748

I have attached the original field report for 98-07748. Thanks for agreeing to take a second look at it. The permit holder is questioning the diversion rate found by the original examiner. The method of measurement is hard to defend for such a high rate.

RECEIVED
OCT 18 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 98-07748

1. Owner: Emmy Lou Fairfield Phone No. (208) 276-8992

Current Address: 4c 62 Box 318 Moya Springs IL 63848

2. Accompanied by: Richard Fairfield EXAM DATE: 8-30-00

Address: Same Phone No. _____

Relationship to Permit Holder: husband

3. Source: Curly Creek tributary to Lootenai River

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

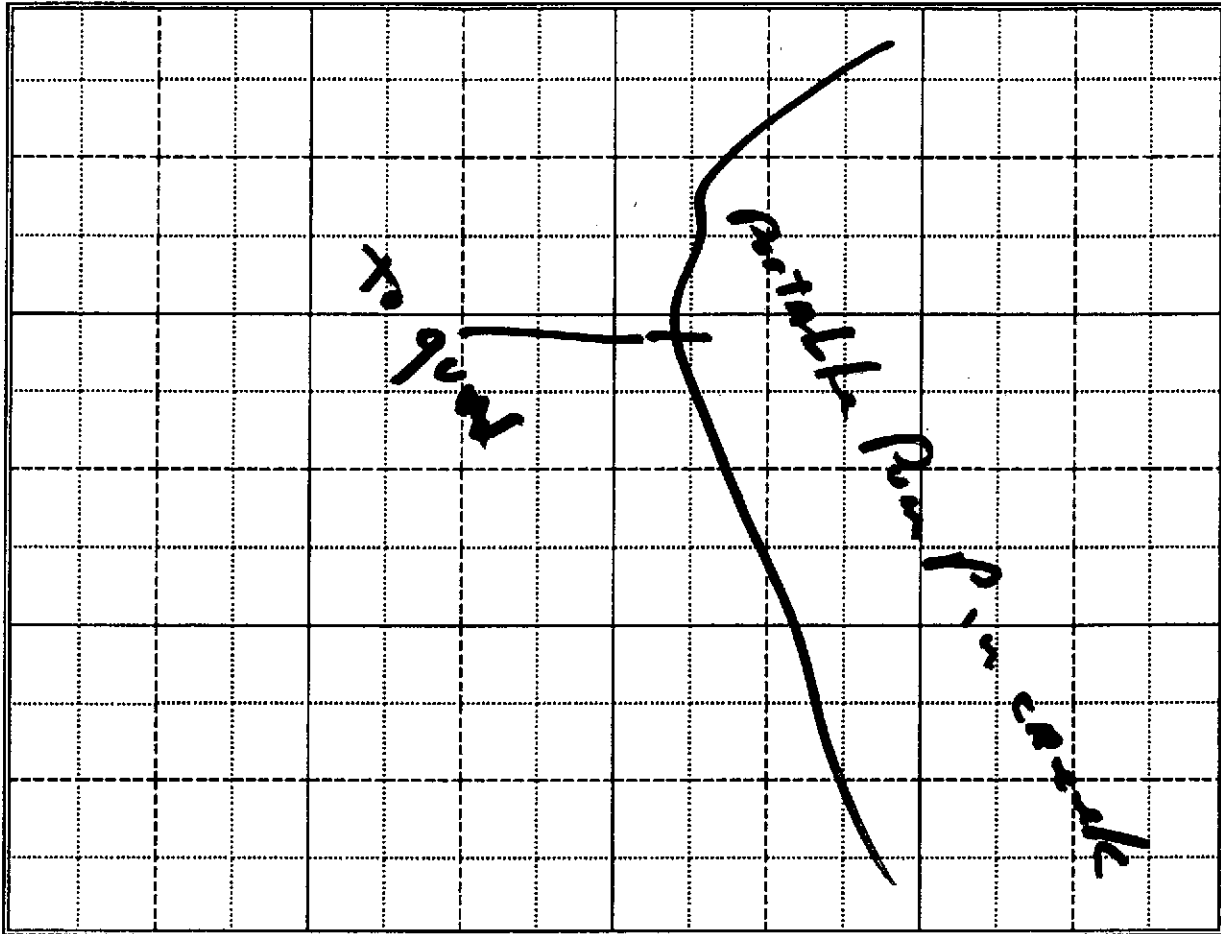
[illegible]

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

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 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)

____ 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

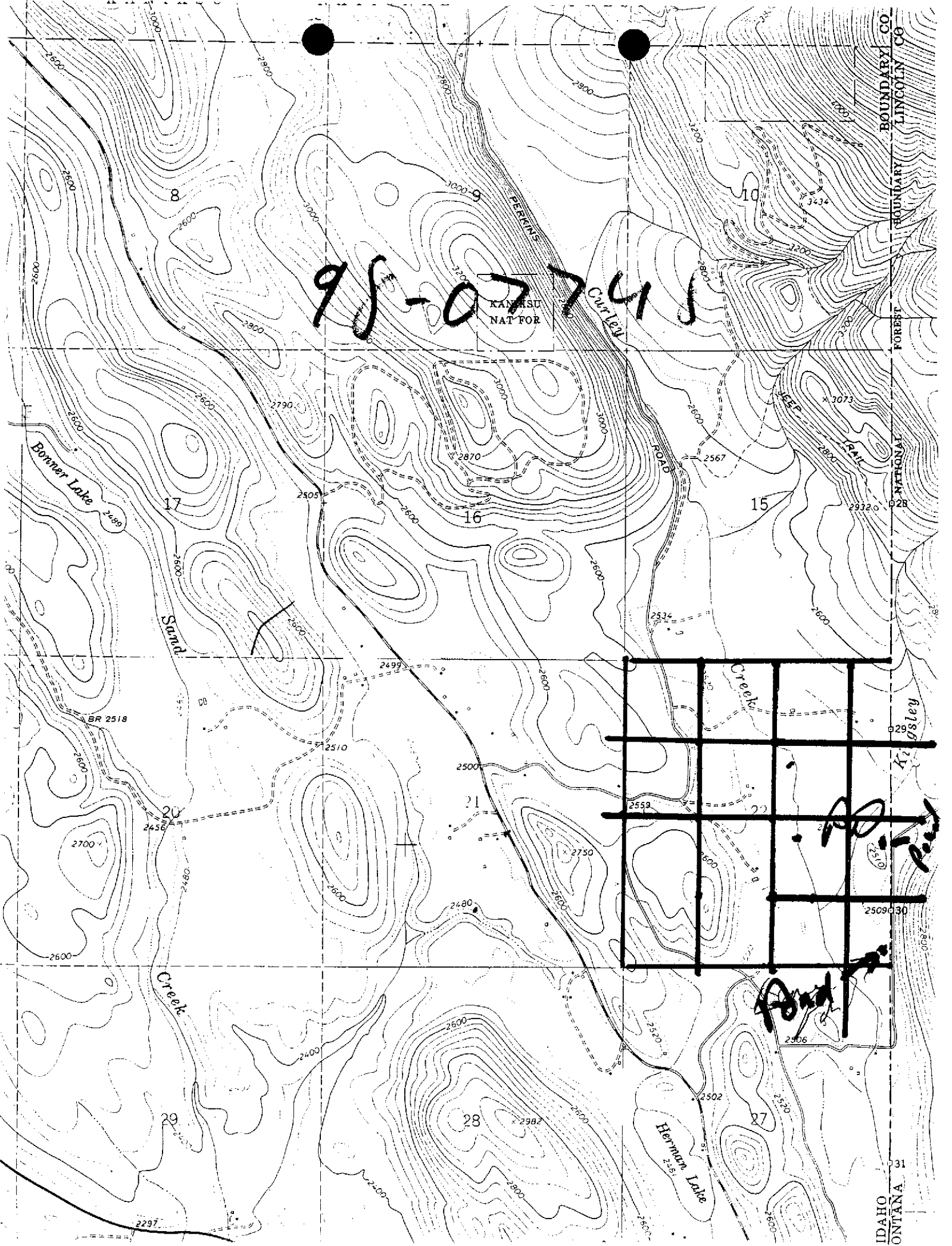
*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____



98-07741

KANSAS
NAT FOR

PERKINS

Curley

Bonner Lake

Sandy Creek

Creek

Herman Lake

BOUNDARY CO
LINCOLN CO

FOREST NATIONAL

Curley

IDAHO
ONTANA

P.O.

And

U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SCS - CPA - 16

2 - 81

CONSERVATION PLAN MAP

Owner Richard Fairfield Operator Richard Fairfield
County Boundary State Idaho Date 1-4-95
Approximate acres 220.0 Approximate scale 1"=660' or 8"=1 mile
Cooperating with Boundary Soil Conservation District
Plan identification Conservation Plan Map Photo number 189-57 1989 Flight
Assisted by Michael Gondek USDA Soil Conservation Service

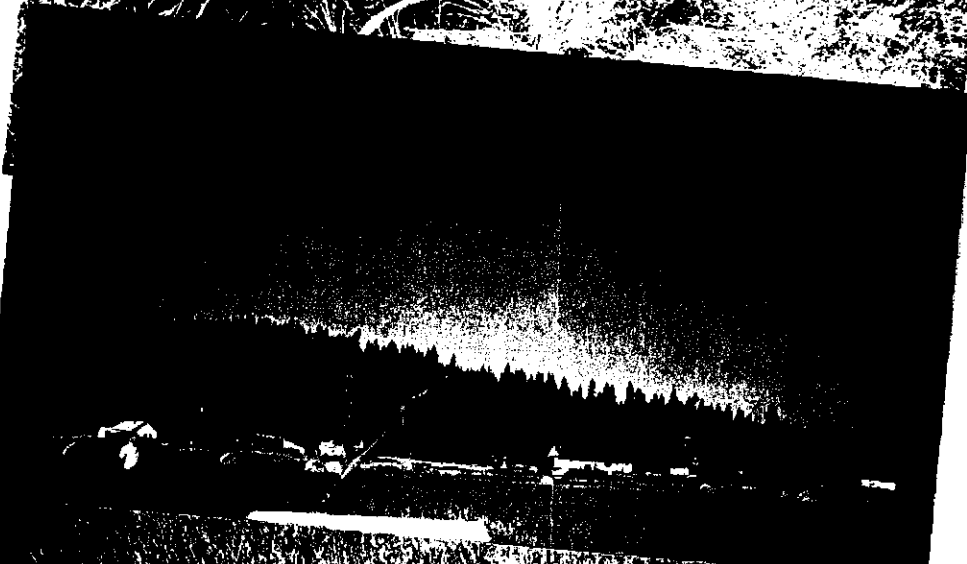


98-07746

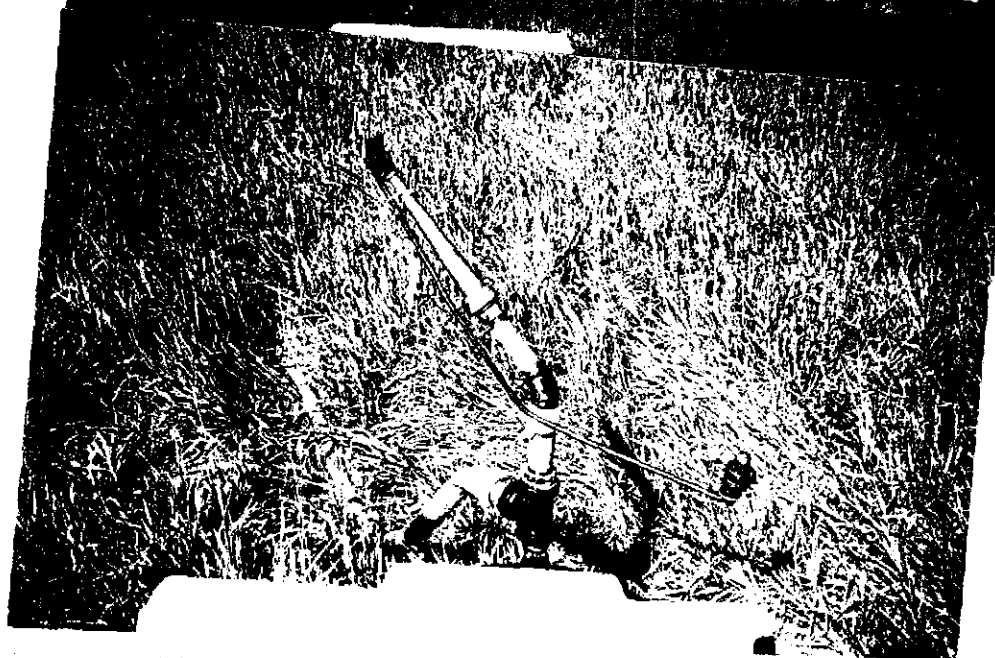


Generator

PO



PO



Gen



Pond 1



Pond 2



Pond 3

E. NARRATIVE/REMARKS/COMMENTS

Ponds are in stream naturally occurring

Irrigation accomplished by moving pump
+ gun up & down creek to desired areas

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

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

5 gal bucket hose over nozzle in 14 to 16 sec
 5 gal in 5 sec = 60 gpm

$$\frac{60 \times 1.13368}{60} = 0.13 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 129 \times 3 = 387$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.13 \times 215 \times 1.9835 = 5.5$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 5.5$

2. Volume Calculations for Other Uses:

3 ponds
 5 AF
 $350 \times 130 \times 12 \times 4 = 43560 = 5 \text{ AF}$
 $400 \times 50 \times 3 \times 4 = 43560 = 5.6$
 $20 \times 40 \times 3 \times 4 = 43560 = 0.8 \text{ AF}$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	03-31	11-01	1.3	5.5
Stock Water	01-01	12-31	0.1	0.8
Stock Water Str	01-01	12-31		6.4
Recreation	01-01	12-31		
Recreation Str	01-01	12-31		6.4
Totals:			1.3	62.2

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. AUTHENTICATION

Field Examiner's Name _____ Date _____

Reviewer _____ Date _____

SEAL



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 4, 2000

EMMY LOU FAIRFIELD
HCR 62, BOX 318
MOYIE SPRINGS, ID 83848

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 98-07748

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.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the NORTHERN Regional Office of the department in Coeur d'Alene at (208)769-1450.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED
FEB 04 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 98-07748 Reviewed by VJA Date 01-04-00

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

Res + STR
yes Correct Uses?
no. doing.

SOURCE OF WATER

✓ Surface water source

 Ground water source

 Drilling permit required?
 Copy in the file?
 Amount paid for permit
 Well log in the file?

Drilling Permit No.
 Correct?

LICENSE EXAMINATION FEE

yes Required?
175⁰⁰ Amount Submitted
yes Correct?

MEASURING DEVICE

NO Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received
Date proof due -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

proof acceptable - acknowledged

DATA ENTRY

New Address Proof Made 7-08-99

May 31, 1999

EMMY LOU FAIRFIELD
HC 62 BOX 318
MOYIE SPRINGS ID 83848

PROOF DUE NOTICE

RE: PERMIT NO. 98-07748

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1999.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

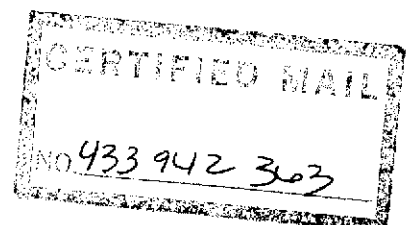
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
FEB 04 2000





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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 15, 1995

EMMY LOU FAIRFIELD
HC 62 BOX 318
MOYIE SPRINGS ID 83848

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 98-07748

Dear Permit Holder:

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

MAR 29 1996

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 98-7748 Name: Fairfield Date: 8/1/95 Ad OK? ☒
Correct Fee? ☒ Receipt #: DN8574 Priority: 125/95 ☒ Gvmt Lts: ☒

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)
SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17
GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. (POU cmp) - 01M, 065(if GW use SW 1st)
Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)
SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink in WD):
Water District(✓) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 028(may report)-01J(meas dev)-P08
=/- 0.2 cfs - 028(may report)-01H(lock dev)-P01 or No MD
=/+ 5 a. irr. - 028(may report) (POU cmp)
In-WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M
RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(consump. use), 047-P04(Payette Lake), NA
USE:
Domestic (surface) - 021(Boise R ↑ L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10;044(N 1000 Spr)
Irr =/- 5 acres - 057 (0.03 cfs/A) <DO POU COMPARISON>
+ 5 acres - 03A (0.02 cfs/A) <DO POU COMPARISON>
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP:Non-land owner - 004 (PD/PU)
OTHER CONDITIONS:
STANDARD REMARKS:
① w02/100 RC
② w32/SWNESE
BENEFICIAL USE DUE: 8-1-1999
COMMENTS:

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
MAR 16 1995

APPLICATION # 98-07748

Department of Water Resources

***** INITIAL REVIEW *****

FAIRFIELD

APPLICANT: POWELL

BY: AB

DATE: 1/25/95

ITEM REQUIRED INFORMATION

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & County
4. (X) Quantity
(X) Nature of Proposed Use
(X) Period of Use
5. (X) Total Quantity
6. (X) Description of diverting works
7. (X) Time required for b/u
8. (X) Proposed use
9. (X) Place of use or acres irrigated
10. (X) Other Water Rights
11. (X) Ownership
12. (X) Map
13. (X) Signature
(X) Fee (Amt, recpt, acknowlegment)

*** Send info sheet Y () N ()

ADDITIONAL INFORMATION

Yes No

- (X) Field check: by _____
(X) Field report attached
(X) Analysis Supp. attached(>5cfs/500af)
(X) Water delivered by water master?
Water District # _____

PROCESSING

Yes No

PRIORITY DATE: 1/25/95

(X) (Include Moratorium Remark)

(X) Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).

BF

ok Wed

ADVERTISE IN: BOUNDARY County.

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
() Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
() Power Information () Other: N/A

***** GROUNDWATER SECTION *****

(Yes) (No)

Checked by: _____ Date: ____/____/____

Remarks: _____

- (X) Groundwater management area
(X) Critical ground water area
(X) Well Drilling Permit required
(X) Well Drilling Application and Fees received
(X) Well Drilling Application approved?
Well Drilling Application Number _____

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

Notice of pending void order issued. Final order response date: ____/____/____

Further information required from applicant

Affidavit of publication received

Application published correctly, If not, record action taken: Read to correct

pod + pl. of use - usage

Publication dates and paper recorded on application | Sr. Agent initial AB

Protests received. Final protest date: 3/16/95

Measuring device required

Measuring port required

Special conditions:

Special conditions of approval _____ letter attached:

Approval Recommended by: AB

RECEIVED
JUL 31 1995

Date: 3/8/95

Department of Water Resources

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 # 3070

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 June, 19 95
and ending on the 14 day of June, 19 95
and that said notice was published in said newspaper.

Dated: 6/30/95
David Keyes

Subscribed and sworn to before me this 14 day
of June, 19 95.

Kristy Johnson
Notary Public for Idaho

Residing at Bonners Ferry

My Commission expires: 7/22/2000

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN
THAT APPLICATION FOR PERMIT
NO. 98-07748 in the name of Emmy
Lou Fairfield, HCR 62, Box 318,
Moyie Springs, ID 83848, was incor-
rectly advertised on 2/15 & 22/95. ok

The Point of Diversion was incor-
rectly advertised as, SWNE, SENE,
NESE, SWNESE, NWSE, NENWSE,
SWSE, and the SESE of Sec. 22, T
62N R 03E in Boundary County,
whereas correctly it should read-
NWNWSE, SENWSE, SESW,
SWSE, SENW, SWNE, NWSE,
SWSE, LOT 2 (SENE), LOT 3
(NESE), NWSE & SWSE, LOT 4
(SESE).

Additionally, the Place of Use:
IRRIGATION, was incorrectly adver-
tised as SWNE (30A) SENE (20 A),
NESE (40A), NWSE (25 A), SWSE
(30 A) AND THE SESE (20 A),
whereas correctly it should read
SWNE (35 A), LOT 2 (SENE) (7
A), SENW (10A), NESW (5 A),
SESW (15 A), LOT 3 (NESE)
(18 A), NWSE (39 A), SWSE (28
A), LOT 4 (SESE) (8 A).

Additionally, Place of Use: RECRE-
ATION was incorrectly advertised
as same as IRRIGATION use, where-
as correctly it should read RECRE-
ATION AND RECREATION
STORAGE (for 3 fish ponds) in
LOT 3 (NESE) & LOT 4 (SESE).

(For additional information con-
cerning the property location, call
the Northern Regional Office at 769-
1450.)

Any protests against the approval
of the above-referenced correction
must be filed with the applicant and
with the Director, Dept. of Water
Resources, 1910 Northwest Blvd.,
Suite 210, Coeur d'Alene, Id. 83814,
together with a protest fee of \$25.00
on or before JUNE 25, 1995.

KARL J. DREHER, Dir.
BFH#3070 June 7, 14, 1995

RECEIVED

JUL 03 1995

NORTHERN REGION
IDWR

MAR 28 1996

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 98-07748 in the name of Emmy Lou Fairfield, HCR 62, Box 318, Moyie Springs, ID 83848, was incorrectly advertised on 2/15 & 22/95.

The Point of Diversion was incorrectly advertised as SWNE, SENE, NESE, SWNESE, NWSE, NENWSE, SWSE, and the SESE of Sec. 22, T 62N R 03E in Boundary County, whereas correctly it should read NWNWSE, SENWSE, SESW, SWSE, SENW, SWNE, NWSE, SWSE, LOT 2 (SENE), LOT 3 (NESE), NWSE & SWSE, LOT 4 (SESE).

Additionally, the Place of Use: IRRIGATION, was incorrectly advertised as SWNE (30A) SENE (20 A), NESE (40A), NWSE (25 A), SWSE (30 A) AND THE SESE (20 A), whereas correctly it should read SWNE (35 A), LOT 2 (SENE) (7 A), SENW (10A), NESW (5 A), SESW (15 A), LOT3 (NESE) (18 A), NWSE (39 A), SWSE (28 A), LOT 4 (SESE) (8 A).

Additionally, Place of Use: RECREATION was incorrectly advertised as same as IRRIGATION use, whereas correctly it should read RECREATION AND RECREATION STORAGE (for 3 fish ponds) in LOT3 (NESE) & LOT 4 (SESE).

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

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before JUNE 25, 1995.

KARL J. DREHER, Dir.

Published in the Bonner Ferry Herald on 06/07 & 14/1995

MAR 29 1996

Per Adl - ok 5/31
Ready to
Readdressing
do

Memorandum to File

Date: July 19, 1995

From: Beardslee

To: 98-07573

RE: Sources listed on Application for Permit

~~~~~

Mr. Richard Fairfield called to discuss the source of water listed as Kingsley Creek on the U.S.G.S Topographical map, Which was included as a source on this file. He stated that his neighbor to the north, Mr. Borthing informed him that Kingsley Creek actually flows through his property in Section 15, T.62N., R.1E. And further, the stream flows in a more westerly direction than south westerly, as the map indicates. (see map)

Mr. Fairfield expressed that the source of water entering his property from Montana, which we originally thought was Kingsley Creek may be an Unnamed Stream, which flows through Newton Gulch, if what Mr. Borthing said is correct.

During the field examination we need to verify which of these sources enters Fairfields property in the SESENE 12 62N 3E.

RECORDED

JUL 20 1995

May 31, 1995

Carol Tingley  
Bonners Ferry Herald  
P O Box 539  
Bonners Ferry, ID 83805

Re: 98-07748 - FAIRFIELD

Dear Ms. Tingley:

Enclosed you will find a legal Notice of Correction which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

(This is a duplication of the same notice of correction mailed from our office on April 12, 1995, which was to have been published on 4/19 & 26/1995, and which you indicate was never received by your office.)

Please send the Affidavit of Publication, and the bill, to this office before June 26, 1995.

PLEASE FAX OUR OFFICE UPON RECEIPT OF THIS NOTICE OF CORRECTION. OUR FAX NUMBER IS (208) 769-1454.

Thank you.

Sincerely,

Dianne Ball  
Senior Secretary

Enclosure

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 98-07748 in the name of Emmy Lou Fairfield, HCR 62, Box 318, Moyie Springs, ID 83848, was incorrectly advertised on 2/15 & 22/95.

The Point of Diversion was incorrectly advertised as SWNE, SENE, NESE, SWNESE, NWSE, NENWSE, SWSE, and the SESE of Sec. 22, T 62N R 03E in Boundary County, whereas correctly it should read NWNWSE, SENWSE, SESW, SWSE, SENW, SWNE, NWSE, SWSE, LOT 2 (SENE), LOT 3 (NESE), NWSE & SWSE, ~~SESE~~ LOT 4 (SESE). *But - pond is there*

Additionally, the Place of Use: IRRIGATION, was incorrectly advertised as SWNE (30A) SENE (20 A), NESE (40A), NWSE (25 A), SWSE (30 A) AND THE SESE (20 A), whereas correctly it should read SWNE (35 A), LOT 2 (SENE) (7 A), SENW (10A), NESW (5 A), SESW (15 A), LOT3 (NESE) (18 A), NWSE (39 A), SWSE (28 A), LOT 4 (SESE) (8 A).

Additionally, Place of Use: RECREATION was incorrectly advertised as same as IRRIGATION use, whereas correctly it should read RECREATION AND RECREATION STORAGE (for 3 fish ponds) in LOT3 (NESE) & LOT 4 (SESE).

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

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before JUNE 25, 1995.

KARL J. DREHER, Dir.

Published in the Bonner Ferry Herald on 06/07 & 14/1995

MAR 29 1996

April 12, 1995

Bonnors Ferry Herald  
P O Box 539  
Bonnors Ferry, ID 83805

Re: 98-07748 - FAIRFIELD

Gentlemen:

Enclosed you will find a legal Notice of Correction which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send the Affidavit of Publication, and the bill, to this office before May 8, 1995.

Thank you.

Sincerely,

  
Dianne Ball  
Senior Secretary

Enclosure

*did not receive*  
*Redone 5/31/95*

*RECEIVED*  
MAR 29 1996

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 98-07748 in the name of Emmy Lou Fairfield, HCR 62, Box 318, Moyie Springs, ID 83848, was incorrectly advertised on 2/15 & 22/95.

The Point of Diversion was incorrectly advertised as SWNE, SENE, NESE, SWNESE, NWSE, NENWSE, SWSE, and the SESE of Sec. 22, T 62N R 03E in Boundary County, whereas correctly it should read NWNWSE, SENWSE, SESW, SWSE, SENW, SWNE, NWSE, SWSE, LOT 2 (SENE), LOT 3 (NESE), NWSE & SWSE.

Additionally, the Place of Use: IRRIGATION, was incorrectly advertised as SWNE (30 A) SENE (20 A), NESE (40 A), NWSE (25 A), SWSE (30 A) AND THE SESE (20 A), whereas correctly it should read SWNE (35 A), LOT 2 (SENE) (7 A), SENW (10A), NESW (5 A), SESW (15 A), LOT3 (NESE) (18 A), NWSE (39 A), SWSE (28 A), LOT 4 (SESE) (8 A).

Additionally, Place of Use: RECREATION was incorrectly advertised as same as IRRIGATION use, whereas correctly it should read RECREATION AND RECREATION STORAGE (for 3 fish ponds) in LOT3 (NESE) & LOT 4 (SESE), ~~SAME AS IRRIGATION~~.

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

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before May 8, 1995.

R. KEITH HIGGINSON, Dir.

Published in the Bonner Ferry Herald on 04/19 & 26/1995.

*Copy never received  
read on 6/7 & 14/95  
Protested 6/25/95*

# MEMORANDUM

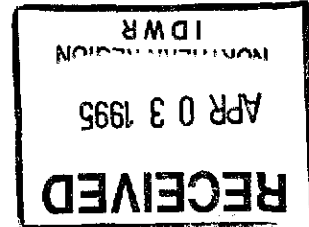
DATE: March 22, 1995

TO: Bob Haynes, Northern Region

THRU: Shelley Keen *SWK*

FROM: Cindy Zimmerman *CZ*

SUBJECT: Review of Application for Permit No. 98-07573



During the review of this application, I noted a discrepancy in the legal descriptions of the p/d's and p/u's.

This section is a short section bordering on Montana. The USGS government plat identifies the location of the full 1/4's as well as the lots (see attached). I have drawn these lines on a copy of the application map (see attached).

Based on this government plat, I note the following discrepancies in legal descriptions of p/d & p/u between the application and the map according to the government plat.

Application:

Government Plat Map:

P/D's: (all in S22, T62N, R03E)

1 Spring in

~~NENWSE~~ *(6)*

2 Springs in

~~SWNESE~~ *(4)*

Unnamed Spring in

~~SWSE~~ *(1)*

Curley Creek in

~~SWNE & NWSE~~ *(1) (5)*

Kingsley Creek in

~~SENE, NESE, & SESE~~ *(8)*



✓ NWNWSE *OK*

✓ SENWSE *OK*

✓ SESW & SWSE *OK*

✓ SENW, SWNE & NWSE *OK*

✓ Lot 2 (SENE), Lot 3 (NESE), *OK*

✓ NWSE & SWSE, Lot 4 (SESE) *OK*

*ADD*

*RECEIVED*  
*MAR 23 1995*

MEMORANDUM on 98-07573

March 22, 1995

Page 2 of 2

P/U's: (all in S22, T62N, R03E)

Irrigation (total of 165 A) in

~~SWNE (30 A)~~  
~~SENE (20 A)~~  
~~NESE (40 A)~~  
~~NWSE (25 A)~~  
~~SWSE (30 A)~~  
~~SESE (20 A)~~

~~SWNE (35 A)~~

~~Lot 2 (SENE) (7 A)~~

~~SENE (10 A)~~

~~NESE (5 A)~~

~~SESE (15 A)~~

~~Lot 3 (NESE) (17 A) (18)~~

~~NWSE (40 A) 39~~

~~SWSE (28 A)~~

~~Lot 4 (SESE) (8 A)~~

~~X~~ Recreation and recreation storage (for 3 fish ponds) in  
same as irrigation

**Lot 3 (NESE) & Lot 4 (SESE)**

I am returning this application to you for confirmation of my review. If my review is correct, please make the appropriate corrections, I am not sure if you will want to re-advertise.

Thanks,

*Cindy*

RECEIVED  
MARCH 20 1995

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 #2980

as it was published in the regular and entire issue of the  
said paper for a period of 2 consecutive weeks,  
commencing on 15 day of February, 1995  
and ending on the 22 day of February, 1995  
and that said notice was published in said newspaper.

Dated: 2/28/95  
David Keyes

Subscribed and sworn to before me this 28 day  
of February, 1995.

Bristy Johnson  
Notary Public for Idaho

Residing at Bonners Ferry

My Commission expires: 7/22/2000

RECEIVED

MAR 03 1995

NORTHERN REGION  
DWR

NOTICE OF APPLICATION FOR  
WATER RIGHT

The Following application(s) have  
been filed to appropriate the public  
waters of the State of Idaho:

**98-07748**

Fairfield, Emmy Lou

HCR 62 Box 318

Moyie Springs, ID 83848

Source: Kingsley Creek

Tributary: Curley Creek

Source: Curley Creek

Tributary: Kootenai River

Source: Springs

Tributary: Curley Creek

Source: Unnamed Stream

Tributary: Curley Creek

Diversion Pt: SWNE Sec 22 T

62N R 03E in Boundary County.

SENE Sec 22 T 62N R 03E In

Boundary County.

NESE Sec 22 T 62N R 03E in

Boundary County.

SWNESE Sec 22T 62N R 03E in

Boundary County.

NWSE Sec 22 T 62N R 03E in

Boundary County.

NENWSE Sec 22T 62N R 03E in

Boundary County.

SWSE Sec 22 T 62N R 03E in

Boundary County.

SESE Sec 22 T 62N R 03E in

Boundary County.

- Use: Irrigation (3,300 CFS)

- Irrigation Storage (47.50 AF)

- Irrigation From Storage (47.50 AF)

- Recreation Storage (47.50 AF)

- Diversion To Storage (3,300 CFS)

- Recreation (3,300 CFS)

- Stockwater (0.040 CFS)

- Stockwater Storage (47.50 AF)

- Stockwater From Storage (47.50 AF)

Total Diversion: (3,300 CFS)

Date Filed: 1/25/1995

In: Boundary County

T62N R03E S22

SWNE SENE NESE NWSE

SWSE SESE

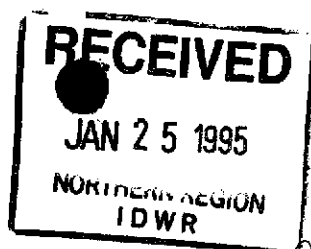
165.0 Acres Total

For additional information con-  
cerning 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 applicant and with the  
Director, Dept. of Water Resources,  
Northern Region, 1910 Northwest  
Blvd., Suite 210, Coeur d'Alene, Ida-  
ho 83814, together with a protest fee  
of \$25.00 on or before MARCH 6,  
1995.

R. Keith Higginson, Director  
BFH#2980 February 15, 22, 1995

MAR 29 1995



To whom it may concern

Jan. 21

Effective today, Jan. 21, 1995, my name changes from Emmy Lou Powell to Emmy Lou Fairfield. Names on all documents will be changed to Fairfield.

Sincerely,

Emmy Lou Powell

9736

MAR 29 1996

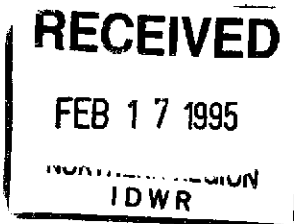


**IDAHO FISH & GAME**

PANHANDLE REGION  
2750 Kathleen Avenue  
Coeur d'Alene, Idaho  
83814

Phone (208) 769-1414 • Fax (208) 769-1418

**Phil Batt** / Governor  
**Jerry M. Conley** / Director



February 15, 1995

Mr. Robert G. Haynes  
Idaho Department of Water Resources  
1910 Northwest Boulevard, Suite 210  
Coeur d'Alene, ID 83814

Dear Bob:

REFERENCE: 98-07748 FAIRFIELD/CURLEY CREEK

We have reviewed the proposed diversion of water by Ms. Fairfield and discussed the proposal with Mr. Fairfield. While somewhat concerned with the amount of water proposed for diversion, it appears actual impacts to flow in Curley Creek will be minor. We are concerned that fish passage be provided past any diversion structure. Mr. Fairfield has indicated providing fish passage should not be a problem.

Provided the Fairfield's adequately address fish passage, and design structures which will not negatively impact downstream water quality through failure or creating erosion, we have no objection to this proposed diversion.

Sincerely,

David W. Ortmann  
Regional Supervisor

DWO:CEC:njk

C: Cal Groen, IDFG, Boise

FEB 29 1995



February 8, 1995

Emmy Lou Fairfield  
HCR 62 Box 318  
Moyie Springs, ID 83848

Subject: Water Appropriation Application for Permit Number 98-07748

Dear Mrs. Fairfield:

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. Enclosed is Receipt Number N008574. Please refer to your Application for Permit Number in future matters concerning this water right application.

Your Application for Permit is currently being prepared for advertising in the local county newspaper. The advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for submittal of protests.

If your application is not protested, it will be forwarded to Boise for processing. Normal processing time is approximately 3 to 4 months, if the application is not protested. If your Application for Permit is protested, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before your Application for Permit can be approved. If the protest is not resolved, this Department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State Office in Boise.

If your Application for Permit is for a well (groundwater) that was constructed after July 1, 1987, you must apply for a well drilling permit upon approval of your Application for Permit if no permit was obtained by previous owners to construct the well. Well Drilling Permits can only be issued by this office to holders of approved Applications for Permit.

If I can be of further assistance, please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE  
Senior Water Resource Agent  
Enc. - Receipt

71865

98-07748

FAIRFIELD, EMMY LOU  
HCR 62 BOX 318  
MOYIE SPRINGS, ID 83848

Source: KINGSLEY CREEK  
Source: CURLEY CREEK  
Source: SPRINGS  
Source: UNNAMED STREAM

Tributary: CURLEY CREEK  
Tributary: KOOTENAI RIVER  
Tributary: CURLEY CREEK  
Tributary: CURLEY CREEK

|               |        |        |             |                     |
|---------------|--------|--------|-------------|---------------------|
| Diversion Pt: | SWNE   | Sec 22 | T 62N R 03E | in BOUNDARY County. |
|               | SENE   | Sec 22 | T 62N R 03E | in BOUNDARY County. |
|               | NESE   | Sec 22 | T 62N R 03E | in BOUNDARY County. |
|               | SWNESE | Sec 22 | T 62N R 03E | in BOUNDARY County. |
|               | NWSE   | Sec 22 | T 62N R 03E | in BOUNDARY County. |
|               | NENWSE | Sec 22 | T 62N R 03E | in BOUNDARY County. |
|               | SWSE   | Sec 22 | T 62N R 03E | in BOUNDARY County. |
|               | SESE   | Sec 22 | T 62N R 03E | in BOUNDARY County. |

|                         |   |            |             |
|-------------------------|---|------------|-------------|
| Use: IRRIGATION         | ( | 3.300 CFS) |             |
| IRRIGATION STORAGE      |   |            | ( 47.50 AF) |
| IRRIGATION FROM STORAGE |   |            | ( 47.50 AF) |
| RECREATION STORAGE      |   |            | ( 47.50 AF) |
| DIVERSION TO STORAGE    | ( | 3.300 CFS) |             |
| RECREATION              | ( | 3.300 CFS) |             |
| STOCKWATER              | ( | 0.040 CFS) |             |
| STOCKWATER STORAGE      |   |            | ( 47.50 AF) |
| STOCKWATER FROM STORAGE |   |            | ( 47.50 AF) |
| Total Diversion:        | ( | 3.300 CFS) | ( 3/1/95    |

Date Filed: 1/25/1995

In: BOUNDARY County  
T62N R03E S22

SWNE  
SWSE

SENE  
SESE

NESE

NWSE

165.0 ACRES TOTAL

MAR 29 1996

Re-advertised 4/19 & 26/95  
To correct POD & POU  
⑤

⑤ Paper never  
received - resend  
for ad on 6/7 & 14/95