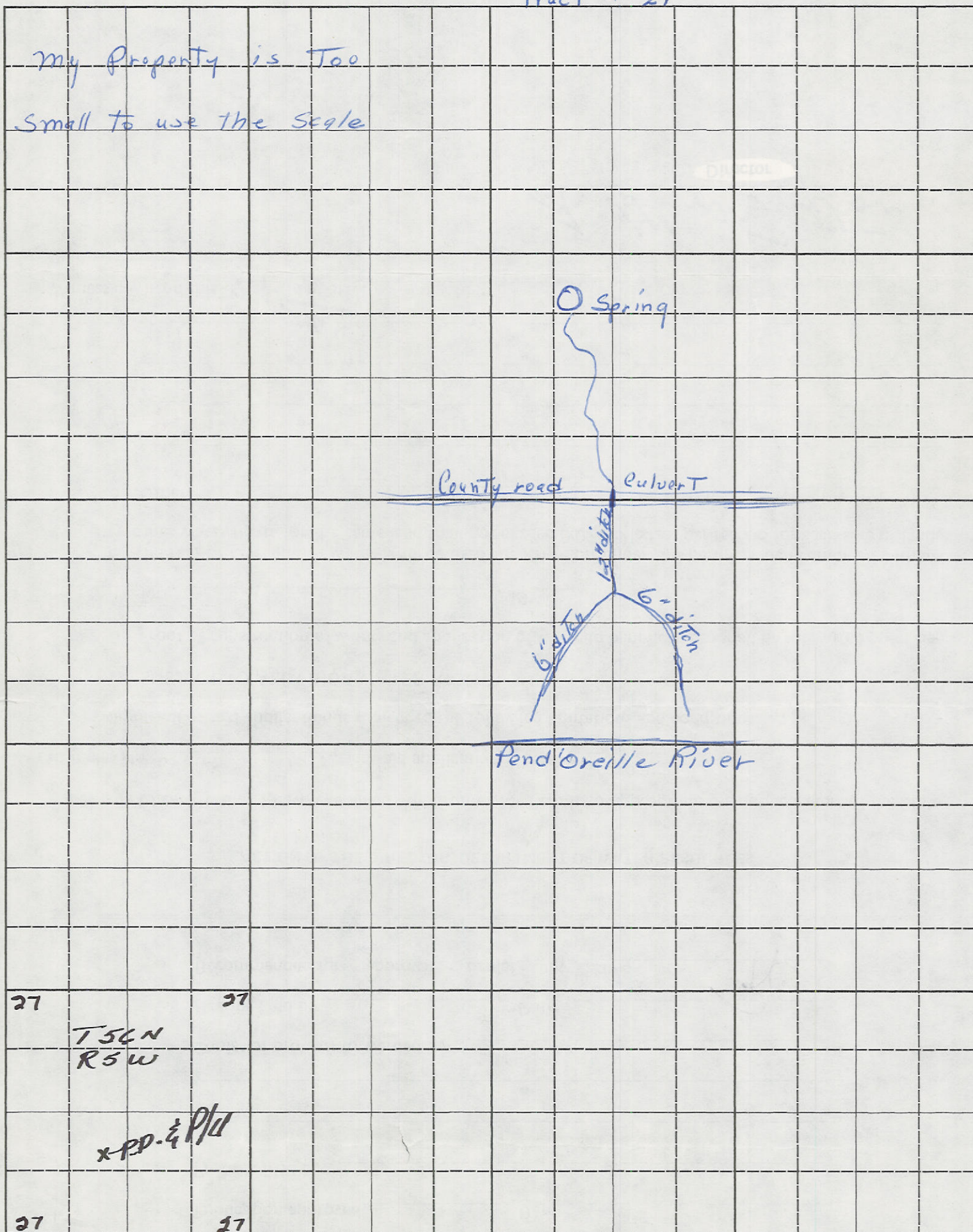


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Whispering Waters

Tract # 21



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.

Bernard T. Allaro

(Applicant)

MICROFILMED

17.

Sec. 16.

Sec. 15.

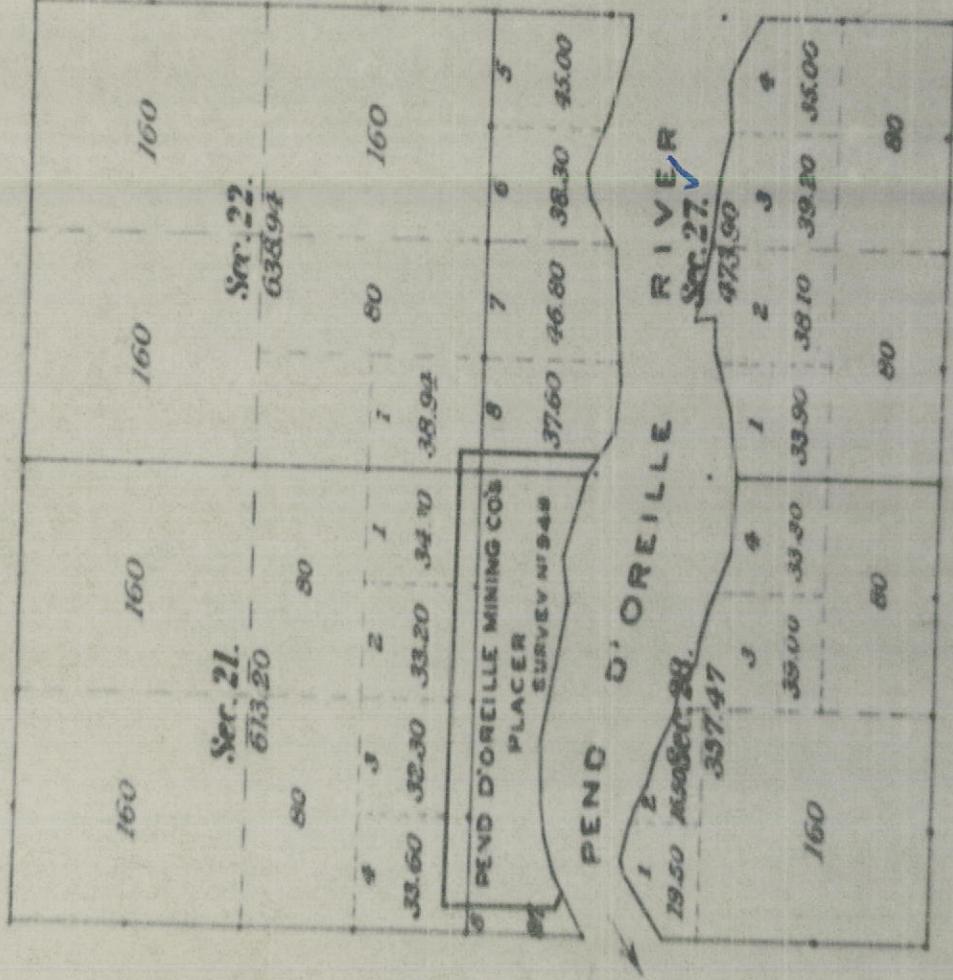
Sec. 14.

20.

Sec. 21.

Sec. 22.

Sec. 23.



29.

Sec. 26.

Sec. 26.

32.

Sec. 33.

Sec. 34.

Sec. 35.

P

p

Q

q

R

Total number of Acres

MICROFILMED

96-7986



RECORDED
96-7986

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-7986 Priority July 26, 1981 Amount 0.02 cfs
(Late Proof)

THIS IS TO CERTIFY, that Bernard T. Albro
of Spokane, Washington, has complied with the terms and conditions of Permit
No. 96-7986 issued pursuant to Application for Permit dated July 23, 1981,
and has submitted proof to the Department of Water Resources on October 4, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from a spring,
tributary to Pend Oreille River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.02</u> cfs and	<u>1.5</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.5 acre feet per year, said waters to be diverted within the Gov. Lot 2 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 27, Twp 56N, Rge 5W in the County of Bonner

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
56N	5W	27									GL 2								.5

Total number of acres irrigated .5

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27th day of
NOVEMBER, 19 84.

MICROFILMED

Acting for the Director

Norman C. Young

IN THE MATTER OF PERMIT NO. 96-7986 IN THE
NAME OF BERNARD T. ALBRO

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before October 1, 1982; and,

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

WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on October 4, 1982;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 96-7986 be REINSTATED and the priority advanced to July 26, 1981.

Dated this 12th day of January, 1983.

L. Glen Sayton

L. GLEN SAXTON

Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant Bernard T. Albro Phone 455-8509
Post office address W-2311-16th Ave Spokane, Wa. 99204
2. Source of water supply ground water which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27 Township 56 N
Range 5W B.M. Bonner County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Allow 0.03 cfs RC 9/21/1981

Amount 0.223 for irrigation purposes from April 1 to October 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

Allow 0.03 cfs RC 9/21/1981

a. 0.223 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 1-12" ditch 200 ft Long
running into 2 6" ditches 100 ft Long

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____

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

(3) List number of each kind of livestock to be watered _____

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

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

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated /

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

9. a. Who owns the property at the point of diversion Bernard T Albro

b. Who owns the land to be irrigated or place of use Bernard T Albro

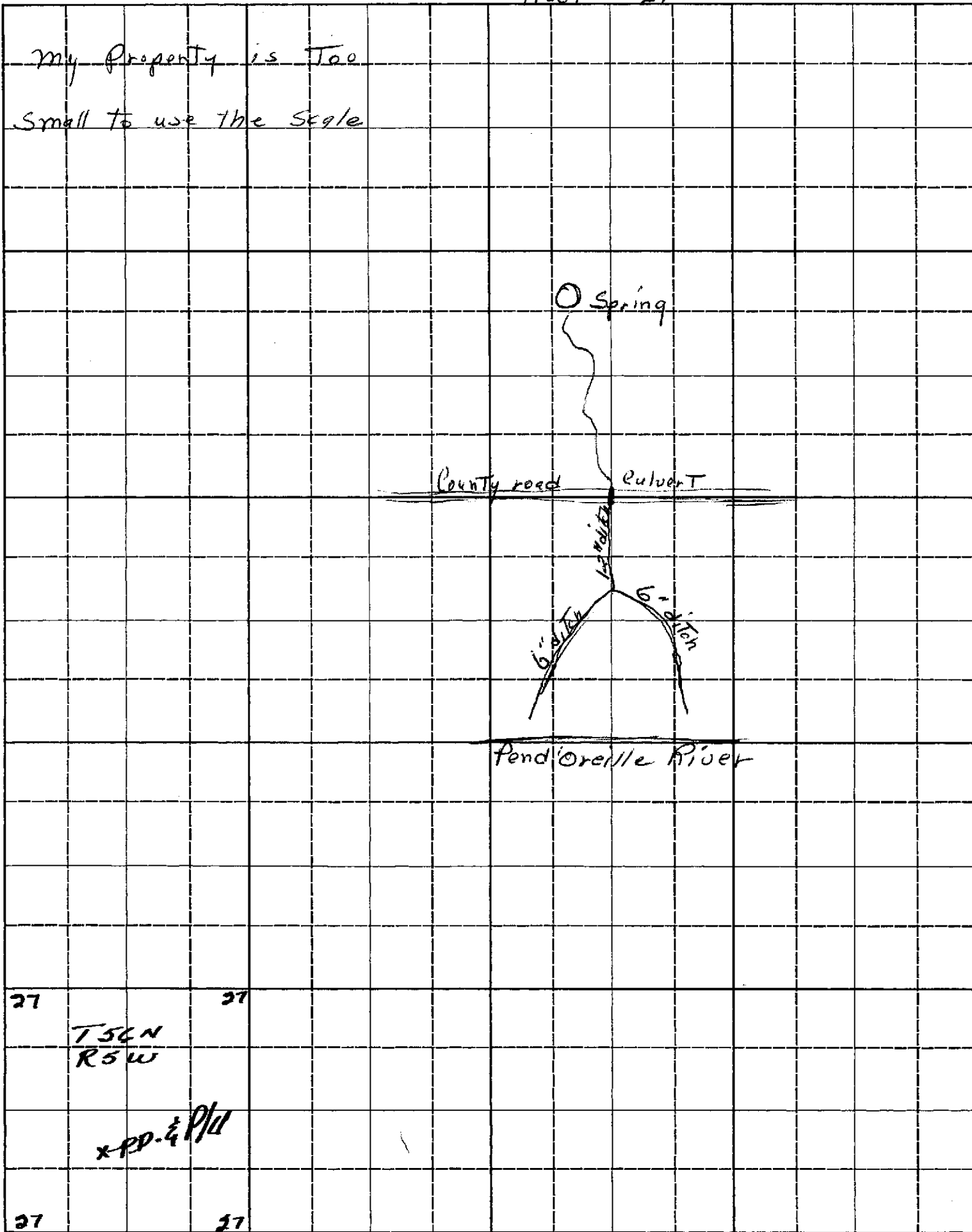
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

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

Whispering Waters

Tract # 21



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.

Bernard T. Allero
(Applicant)

Proposed Priority 7/23/1981

Received by JK Date 7-23-81 Time 10:00 AM

Preliminary check by AB Fee \$ 30.00

Receipted by ms Date 7/23/81 (18258)

Publication prepared by ms Date 7/30/81

Published in Orient Time Times

Publication dates 8/6-13/81

Publication approved ms Date 8/27/81

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DA RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 96-7986, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 19 82.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: _____

Witness my hand this 24th day of September, 19 81.

A. Glen Saxton
Chief, Operations Bureau

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Pete Thompson

being duly sworn, says that he is the Publisher
of the PRIEST RIVER TIMES, a weekly newspaper printed and
published at Priest River, Bonner County, Idaho, and has been
continuously and uninterruptedly published in said County during
a period of 78 consecutive weeks prior to the first publication of
the annexed notice for publication, is a newspaper of general cir-
culation made up of at least eight pages of at least seven columns
each, printed from typematter or stereotyped forms of at least
nineteen and three-fourths inches depth, has at least 1250 bona fide
subscribers living within said Bonner County, and is published at
regular weekly intervals. That the annexed is a true copy of the
notice for publication in the case of

Water rights #96-7986, Albro

as it was published in the regular and entire issue of said paper
for a period of two consecutive weeks, commencing on
the 6th day of August, 1981,
and
ending on the 13th day of August, 1981,
and that said notice was published in said newspaper proper, and
not in supplement form.

Pete Thompson

Subscribed and sworn to before me this

Aug day of 18th, 1981

Adell M. Thompson
Notary Public for Idaho,
Residing at Priest River, Idaho

NOTICE OF APPLICATION OF WATER RIGHT

Notice is hereby given that
the following application(s)
have been submitted for
permit to appropriate the
public waters of the State of
Idaho:

96-7986

ALBRO, BERNARD T.
W. 2311 16TH AVE.,
SPOKANE, WA 99204
Source: GROUNDWATER
Date Filed: 07/23/1981
Amount: 0.03 CFS
Diversion Point: NESW Sec
27 T 56N R 05W, BONNER
Co.
Use: IRRIGATION (0.03
CFS) from 04/01 to 10/01
Place of Use: NESW Sec 27 T
56N R 05W FOR 1 ACRES
Diversion Means: DIT-
CHES

If issued, the permit(s)
will be subject to all prior
water rights. Protests
against the granting of any
permit must be filed with the
Director of the Idaho
Department of Water
Resources, 4055 Gov't Way,
Coeur d'Alene, Id., 83814 on
or before AUGUST 24, 1981.

A KENNETH DUNN
Director

Published in the Priest River
Times Aug. 6 and 13, 1981.
Department of Water Resources

RECEIVED
AUG 24 1981
Department of Water Resources
Northern District Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

November 29, 1984

Re: Permit No. 96-7986

Bernard T. Albro
W. 2311 16th Ave.
Spokane, WA 99204

Dear Mr. Albro:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson", is written over the printed name.

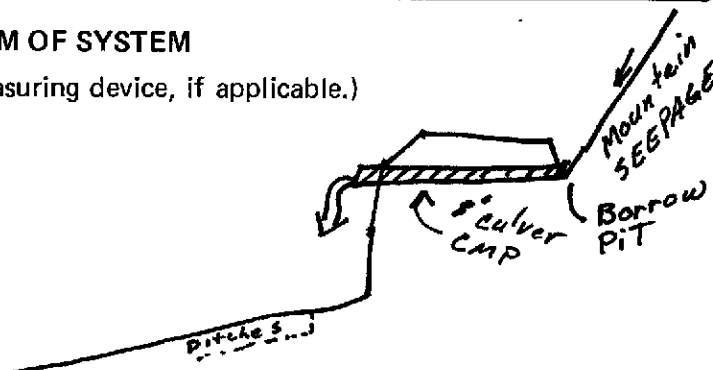
JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

[illegible]

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion:

Dec 27

Gov. Lot 2 (NESW) Sec. 27, T. 56N, R. 5W

Place(s) of Use

per quad
sheet.

[illegible]

0.5

☐ 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

Examiner's Signature _____

Checked by

Approved by _____

Date _____

Date _____

Date _____

Gaging Station

96-7986

9 10 11 12

KANIKSU NATIONAL FOREST

Bodie Canyon Mine

Bodie Canyon

Canyon

KANIKSU NATIONAL FOREST

T366
R54

Gravel Pits KNF

Gravel Pit

13

22

23

24

Priest River Golf Course

Water tank

Gravel Pit

Landing Strip

Cem

Highway

Substation

Priest River (BM 2077)

PEND OREILLE

NORMAL POOL ELEV

RIVER

SCN
SW

Island

61/2
P.S.

KANIKSU NAT FOR

34

35

36

KNF

KNF

96-7986

MICROFILMED

FROM Dave T

DATE

10/24/84

TO Jim

SUBJECT 96-7986

On this one I am not sure that an amendment is req'd. On one hand, we propose to change the source name from C.W. to spring. On the other hand, the system that the examiner found is identical to the system described on the original app in item 6a.

I would lean toward "renaming" the source as a spring, not considering that a change requiring an amendment has occurred. Your thought? (OVER)

SIGNATURE

I CONCUR w/ DAVE

The permit for items on and
wrap of system shows spring as source

The license amendment was only
required to convert SOURCE THREE FREE
LICENSE CAN BE ISSUED w/o AMENDMENT

Jim

10-24-84

August 24, 1984

RE: Permit No. 96-7936

Bernard T. Albro
U. 2311 16th Ave.
Spokane, WA 99204

Dear Permit Holder:

On July 19, 1984, we forwarded an amendment to you to be completed to amend this permit to correspond with the findings of the field examiner so that we could issue this license.

As of this date, we have not received this amendment. If we do not receive it within fifteen (15) days, we will assume you no longer have any interest in this permit and cancellation proceedings will begin.

If you have any questions, please contact us.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

2025 RELEASE UNDER E.O. 14176



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

July 19, 1984

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

RE: Permit No. 96-7986

Bernard T. Albro
W. 2311 16th Ave.
Spokane, WA 99204

Dear Mr. Albro:

A representative of this Department made an examination of the works covered by your Permit No. 96-7986 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.02 cfs Source: a spring trib to Pend Oreille River

The maximum quantity diverted shall not exceed 1.5 acre feet
per year.

Point(s) of diversion: Gov. Lot 2 (NE $\frac{1}{4}$ SW $\frac{1}{4}$) Sec. 27, Twp 56N, Rge 5W

Beneficial Use: Irrigation of .5 acres within Lot 2 (NE $\frac{1}{4}$ SW $\frac{1}{4}$) Sec. 27,
Twp 56N, Rge 5W

Priority date established: July 26, 1981 (Late Proof)

Conditions (if any):

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosure

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

January 21, 1983

Mr. Bernard Albro
W. 2311 16th Ave.
Spokane, Wa. 99204

RE: 96-7986

Dear Mr. Albro:

We acknowledge receipt of your statement of completion of water development and use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in all future correspondence concerning this examination.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office

RECEIVED
JAN 24 1983

CALCULATION OF NEW PRIORITY DATE

FROM: Rita Fleck

TO: File # 96-17986

DATE: Jan. 11, 1983

Date Proof Received

Proof Due

Number of Days Proof Late

277 Oct. 4
274 Oct 1
3

Priority Date

Number of Days Proof Late

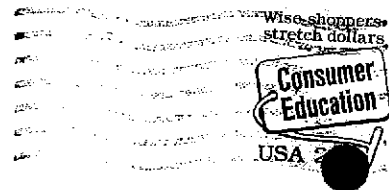
New Priority Date

204 July 23, 1981
3
207 = July 26, 1981

Remarks

96-17986

Bernard Albro
W-2311- 16 Ave #155
Spokane, Wa. 99204



Idaho Department of Water Resources
Statehouse
Boise, Idaho.

83720

RECEIVED

OCT 4 1982

Department of Water Resources
9-30-1982

Dear Sir

Digging a ditch as we
had planned has proved to
be very difficult. We only need
a small ditch for irrigation
and to stop some flooding
near a curve in our road.
Hope the ditch is a sufficient
effort to qualify us for a
water permit.

Sincerely
Bernard Albro

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 96-7986.

Name(s) of Permit Holder: Bernard T Allro

Post Office Address: W - 2311 - 16 Ave

Spokane, Wa. 99204 Tel. No. 455-8509

Source of Water: _____

Extent of Use:

☐ Domestic	_____	(number of households)
☐ Stockwater	_____	(number and type of stock)
☒ Irrigation	<u>1/2</u>	(acres)
☐ Other	_____	

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

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

9-30-1982
Date

Bernard T Allro
Signature of Permit Holder

PLACE
13 CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138520

ALBRO, BERNARD T.
W. 2311 16TH AVE.
SPOKANE, WA 99204

JULY 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 96-7986 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE OCTOBER 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

NOTED

ST E OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

ALBRO, BERNARD T.
W. 2311 16TH AVE.
SPOKANE, WA 99204

SEPTEMBER 29, 1981

RE: PERMIT NO. 96-7986

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE



State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: LB APPLICATION NUMBER: 96-7986

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

- ☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____

- ☒ Yes ☐ No* In form for advertising.
☐ Yes ☒ No Final date for protests: 8/24/81 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8/27/81 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
☒ Date of priority recommended. 9/23/81
☒ Special conditions of approval or cover letter. _____

RECEIVED

SEP 04 1981

Department of Water Resources

By: Went Date: 9/1/81

STATE OFFICE REVIEW:

Can Item 4 & 5

SLW/cond

- ☐ See attached sheet for more information.

By: Relig Date: 9/2/81

96-2986

ALBRO, BERNARD T.

W. 2311 16TH AVE., SPOKANE, WA 99204

Source: GROUNDWATER

Date Filed: 07/23/1981

Amount: 0.03 CFS

Diversion Point: NESM Sec 27 T 56N R 05W BONNER Co.

Use: IRRIGATION (0.03 CFS) from 04/01 to 10/01

Place of Use: NESM Sec 27 T 56N R 05W FOR 1 ACRES

Diversion Means: DITCHES.

MICROFILMED