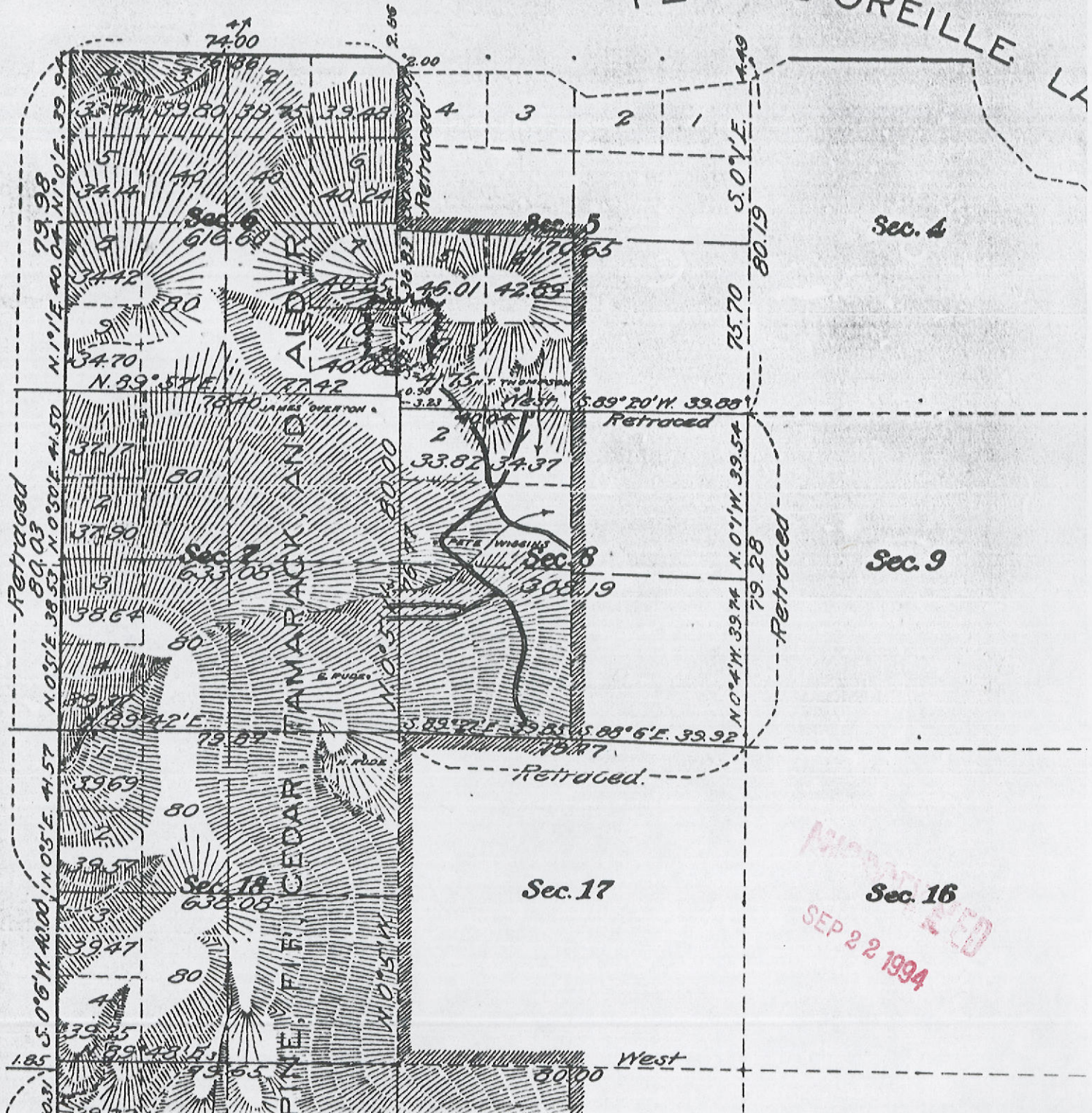


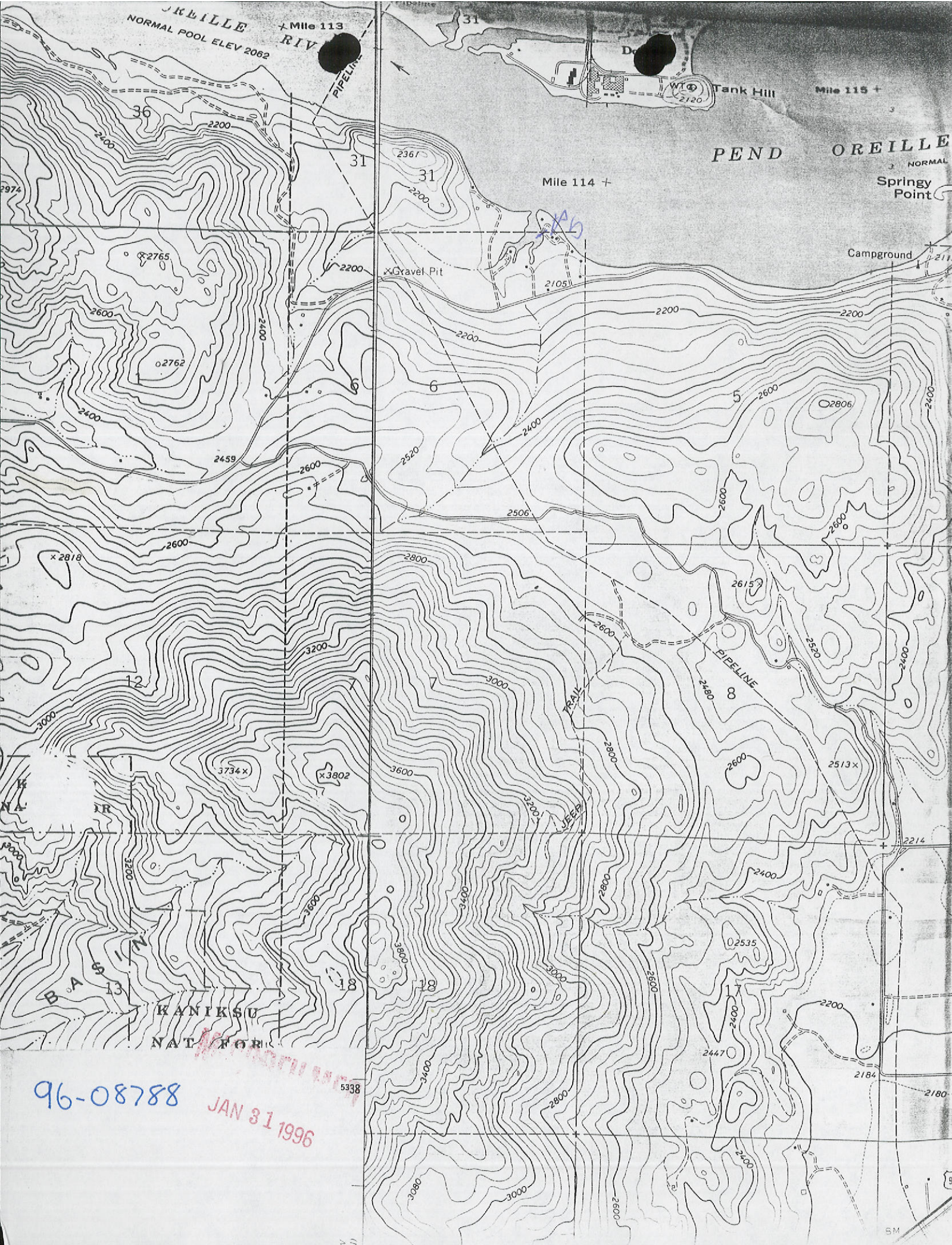


Township N° 56 North, Range N° 2 We

G f F e E d

PEND D'OREILLE LA





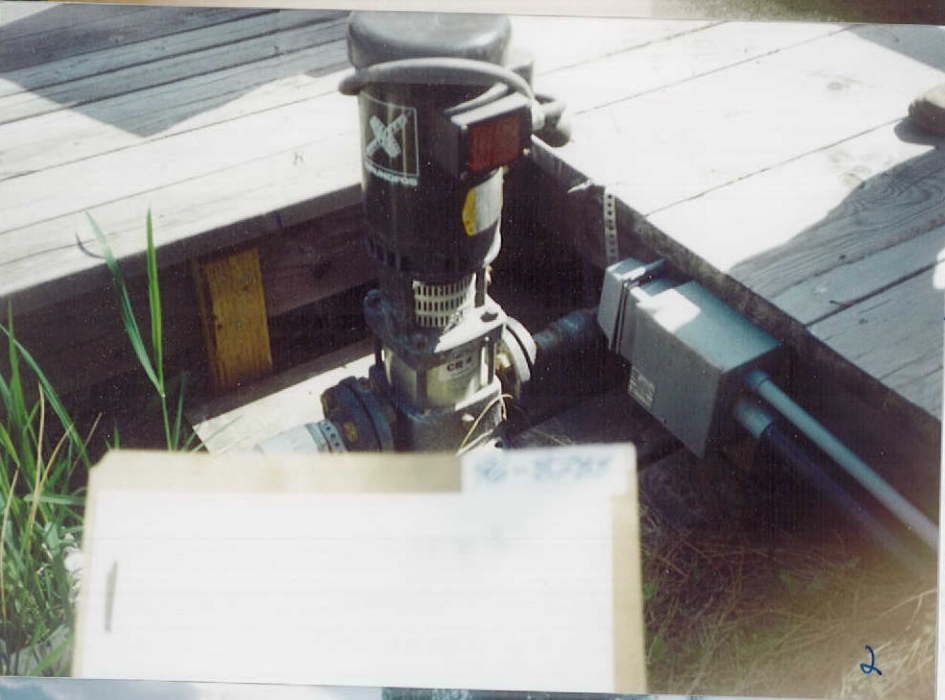
96-08788

JAN 31 1996

96-08788



① P.D.



② Pump



③ P.U.

WAGGON WORTH
JAN 31 1996

④ STORAGE

PERMIT # 96-08788

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

P H O T O G R A P H S



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JAN 31 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08788

Priority: March 1, 1994

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

9.0 AF

This is to certify, that FIELDS COBB
2362 LAKE SHORE DR
SAGLE ID 83860

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated March 1, 1994; and
has submitted Proof of Beneficial Use on June 15, 1994. An examination indicates
that the works have a diversion capacity of 0.060 cfs of water from:

UNNAMED STREAM
PEND OREILLE RIVER

tributary to PEND OREILLE RIVER
tributary to COLUMBIA RIVER

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>
IRRIGATION	03/15 to 11/15	0.06 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 6, Township 56N, Range 02W
BONNER 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>
56N	02W	6	Lot 1(NENE)	3		3

Total number of acres irrigated: 3

CONDITIONS OF APPROVAL AND 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 that 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. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.0 afa per acre for the lands above.

JAN 31 1996

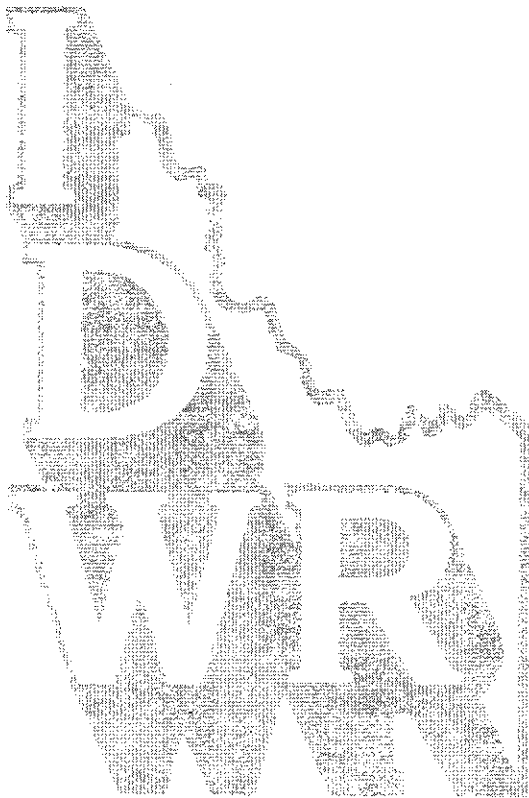
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08788

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 19TH
day of DECEMBER, 1975.


Acting for KARL J. DREHER, Director



JAN 81 1996

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DEC 14 1995

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 96-08788

Date of Priority: March 1, 1994

Maximum Diversion Rate: 0.06 CFS

Maximum Diversion Volume: 9.0 AF

Comes now **FIELDS COBB**

2362 LAKE SHORE DR

SAGLE ID 83860

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. 96-08788, and requests that the permit be changed as follows:

UNNAMED STREAM AND

Source: PEND OREILLE RIVER

tributary to **COLUMBIA RIVER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.06 CFS	9.0 AF
<u>LOCATION OF POINT(S) OF DIVERSION:</u> Lot 1 (^{NW} _A NENE), Sec. 6, Township 56N, Range 02W BONNER 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>
56N	02W	6	Lot 1(NENE)	3		3

Total number of acres irrigated: 3

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JAN 31 1996

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 Sagle, ID., this 16 day of November, 1995.

Felds W Cobb
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 96-08788

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50.00 Receipted by JW # C034132 Date 12-14-95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 96-08788 with the following;

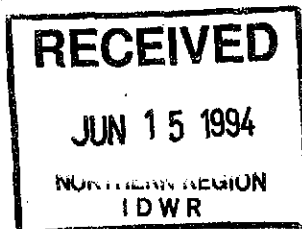
CONDITIONS OF APPROVAL AND REMARKS

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 that 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. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.0 afa per acre for the lands above.

Witness my hand this 19TH day of DECEMBER, 1995.

Karl J. Dreher
Acting for KARL J. DREHER, Director

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JAN 31 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USERECEIVED
JUN 20 1994
Department of Water Resources

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 96-00788 Telephone No. (208) 265-15132. Name(s) of Permit Holder(s): Fields Cobb3. Post Office Address: 2362 Lakeshore Drive, Sagle, ID 838604. Source of Water: UNNAMED STREAM AND PEND ORIELLE RIVER

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: 5 Pressure (psi): 45 Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic _____ (No. of households) Irrigation 3 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 0.06 cfs _____ acre/feet

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

Measuring device: Required? Yes X No Installed? Yes X No

OR

Flow Measurement Port: Required? Yes X No Installed? Yes X No8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

Fields Cobb

Name

(208) 265-1513

Telephone No.

2362 Lakeshore Drive Sagle, ID 83860

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.

5-28-94
DateFields W Cobb
Signature (and title if on behalf of a company or organization)

SEP 22 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-08788

Proposed Priority: March 1, 1994 Maximum Diversion Rate: 0.06 CFS

This is to certify, that **FIELDS COBB**

2362 LAKE SHORE DR

SAGLE ID 83860

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of PEND OREILLE RIVER

PEND OREILLE RIVER

tributary of COLUMBIA RIVER

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>
-----------------------	----------------------	--------------------------

IRRIGATION	03/15 to 11/15	0.06 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWNE), Sec. 6, Township 56N, Range 02W
BONNER 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>
56N	02W	6	Lot 2(NWNE)	3		3

Total number of acres irrigated: 3

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1995.
2. Subject to all prior water rights.

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 May, 1994.

R. Keith Higginson
for R. Keith Higginson, Director

RECEIVED
SEP 22 1994

RECEIVED

APR 22 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 96-8788

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant FIELDS COBB Phone 265-1513
Post office address 2362 LAKE SHORE DR. SAGLE ID 83866
UNNAMED STREAM PEND OREILLE RIVER
2. Source of water supply PEND OREILLE RIVER which is a tributary of COLUMBIA RIVER
3. Location of point of diversion is 1/4 of NW 1/4 of NE 1/4, Govt. Lot 2
BANNER
Sec. 6 Township 56 N Range 2 W B.M. BANNER County; additional
points of diversion if any: The River is listed above, because it backs into
the stream beyond the point of diversion during summer
4. Water will be used for the following purposes:
Amount 0.06 for IRRIGATION purposes from 3-15 to 11-15 (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) 0.06 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. no ditches or flumes,
one 1 1/2 hp surface pump with ca 900 ft of 1 1/2"
pipe & 7 hydrants plus 2 100 gal storage tanks
b. Height of storage dam NA 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 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
completed years (minimum 1 year).

MISSOURY MEN

SEP 22 1994

* per government plat 4/22/94 c2

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

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

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
56N	2W	6		LT 2 3.0															3.0 7 ac ft

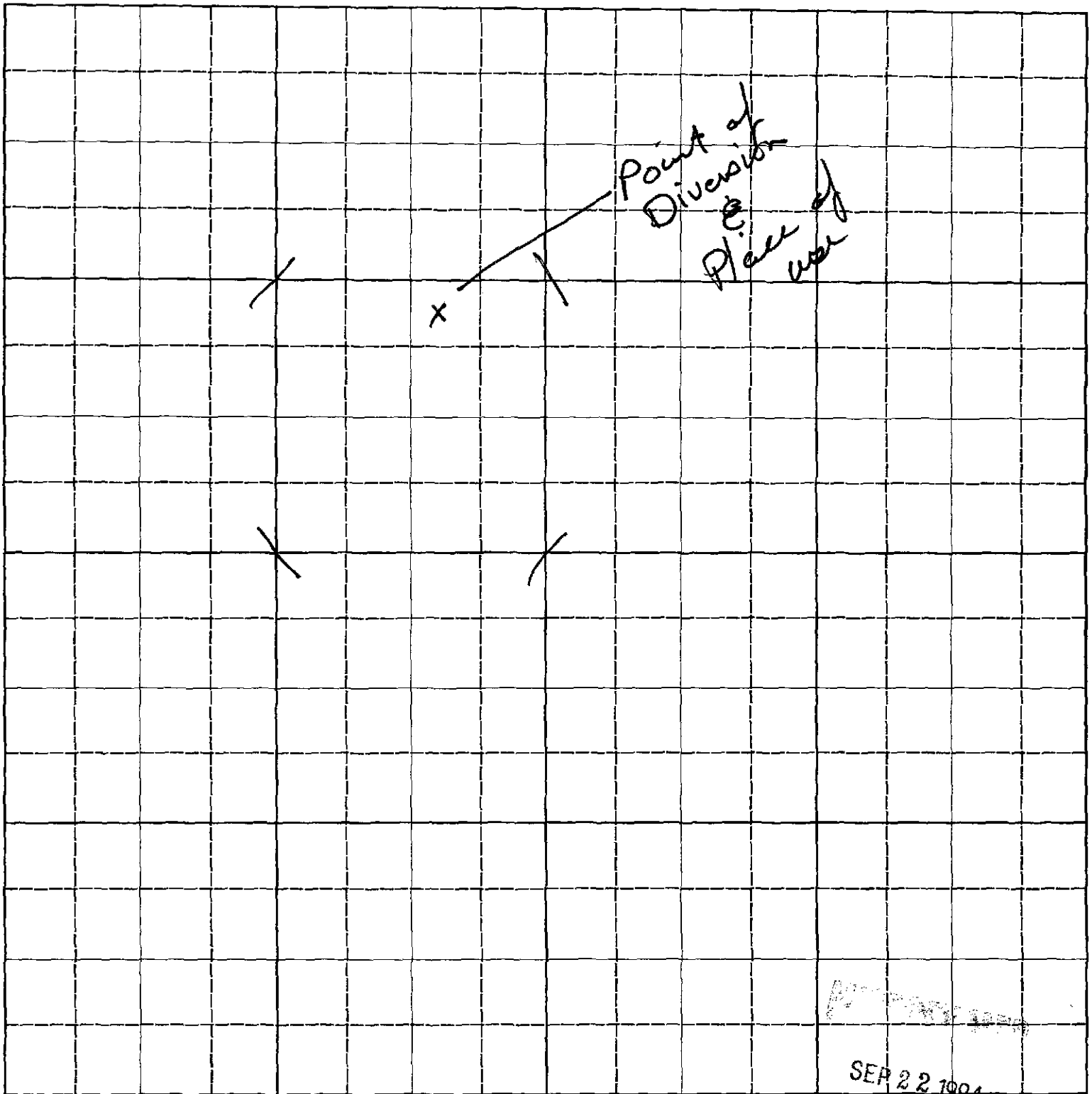
Total number of acres to be irrigated 3.0

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

- 11. a. Who owns the property at the point of diversion? Fields & Octavia Cobb
- b. Who owns the land to be irrigated or place of use? Fields & Octavia Cobb
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Our intake is located ca. 250 feet north of the point where the unnamed stream enters the Pond Orville River at its highest level (2062.5 ft) during summer. Hence we have listed both the stream & the River.

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.

(Applicant)

Received by L.E. [Signature] Date 3/1/94 Time 2:15 PM (for send) Preliminary check by [Signature]
Fee \$ 30.00 Receipted by [Signature] # N7406 Date 3/1/94
Publication prepared by [Signature] Date 3/8/94 Published in Banner Co. Bee
Publication approved [Signature] Date 4/6/94

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.

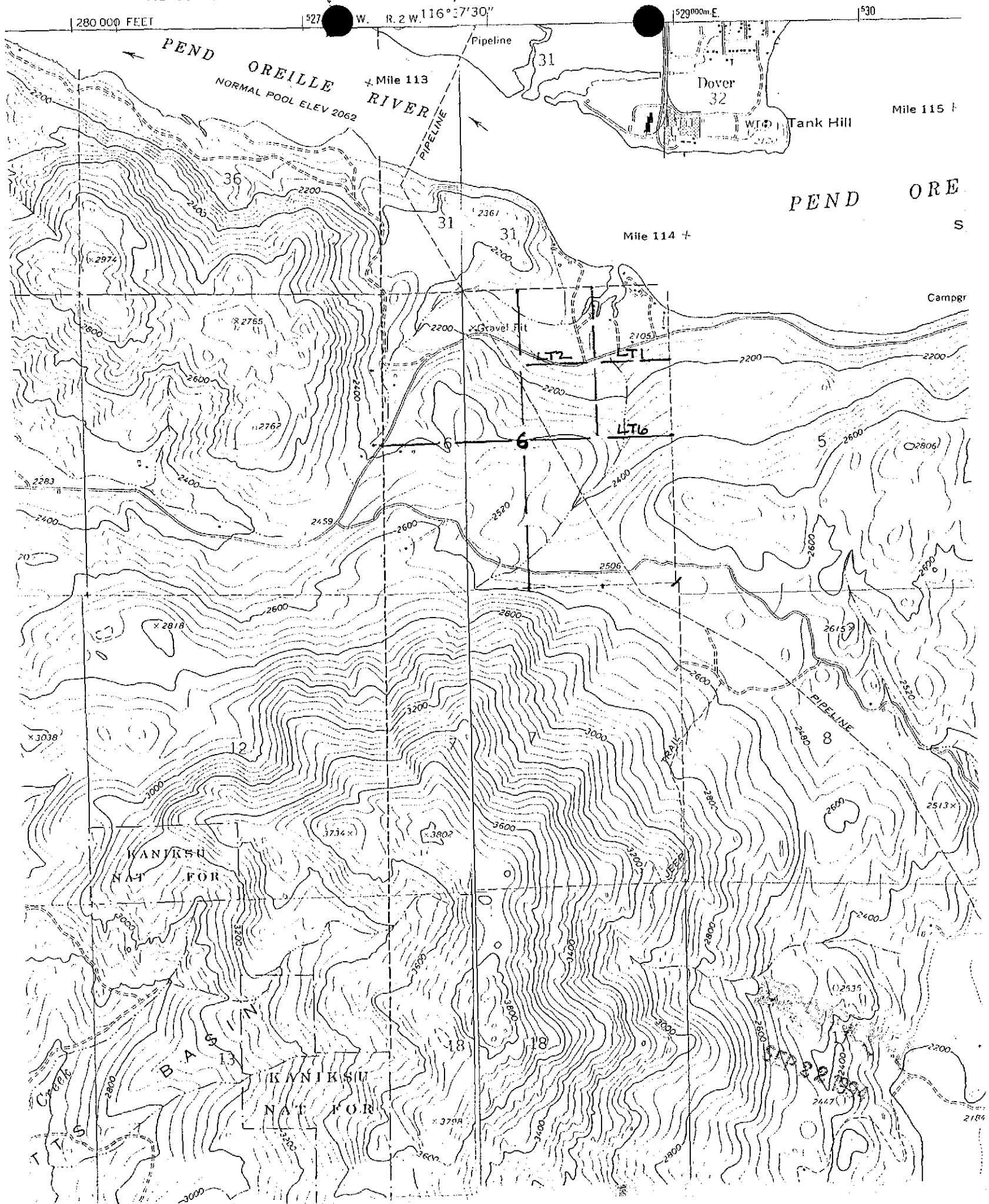
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

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:

SEP 22 1994



G f F c E d

Sec. 4

Sec 9

Sec. 17

Sec. 16

SEP 22 1994

West



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

December 19, 1995

FIELDS COBB
2362 LAKE SHORE DR
SAGLE ID 83860

RE: WATER RIGHT NO. 96-08788

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

JAN 31 1996

MEMORANDUM

DATE: December 8, 1995

TO: File 96-08788

FROM: Shelley W. Keen *(SUK)*

RE: Phone call from Fields Cobb

=====

Fields Cobb, permit holder for right 96-08788, called today to discuss my request for a licensing amendment. He agreed that the place of use and point of diversion are in Govt. Lot 1 (NENE) of Section 6, and he will send in the amendment.

We also discussed the source for this right. He explained that the point of diversion is at the mouth of an unnamed stream which is tributary to the Pend Oreille River. As the water is raised behind Albeni Falls Dam each year, the river back up into the mouth of his unnamed stream. Therefore, during parts of the year his source is the unnamed stream, and at other times it is the Pend Oreille River. After studying the maps in the file, I agreed that both sources should be listed on the license when it is issued.

(Stamp: RECEIVED)
JAN 31 1996



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

November 8, 1995

FIELDS COBB
2362 LAKE SHORE DR
SAGLE ID 83860

RE: WATER RIGHT NO. 96-08788

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 depict your water right as it has actually been developed.

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 point(s) of diversion and 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 if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

JAN 8 1996

B/U FIELD EXAM REVIEW
Cindy Zimmerman

Permit #: 96-8788 Name: Cobb Date: 10/5/95-11/1/95
App Rcd 3/1/94 Priority 3/1/94 Examined 7/25/95 ✓ Lots

	Chng	Same	
NAME	<u> </u>	<u>✓</u>	Or Address Change?
SOURCE	<u> </u>	<u>✓</u>	Clarify source <u>delete unnamed stream</u> Prelim. Order to Void - Source change.
P/D	<u>✓</u>	<u> </u>	Amendment Needed? <u>LT1 (NENE)*</u> -P39, P38 Overlap(s) <u> </u>
P/U	<u>✓</u>	<u> </u>	Amendment Needed? <u>LT1 (NENE)*</u> -P41, P38 Overlap(s) <u> </u> *P/D & P/U Amend? <u>P37, P38</u> (See paragraph list for governmental agencies)
RATE	<u> </u>	<u>✓</u>	Permit/fee limits: <u>0.06</u> / <u>0.20</u> <u>✓</u> Measured Q= <u> </u> cfs/Theoretical Q= <u>0.06</u> cfs <u>3 acres x 0.02 cfs/acre = 0.06</u> (HP) $\frac{8.8 \times 0.70 \times 1.5}{15 + (2.31 \times 60)} = \frac{9.24}{153.6} = 0.06 \text{ cfs}$ <u>✓</u> Recommended capacity <u>0.06</u> cfs <u>✓</u> Recommended rate <u>0.06</u> cfs
VOLUME	<u> </u>	<u>✓</u>	Season of Use: <u>(D/3.0)</u> <u>3/15-11/15</u> = <u>246</u> days Calculations: <u>3.0 acres x 3.0 AF/acre = 9.0 AF</u> <u>✓</u> Flow limit: <u>0.06</u> x <u>246</u> x <u>1.9835</u> = <u>29.3</u> AF Recommended volume <u>9.0</u> AF
USES	<u> </u>	<u>✓</u>	Same Nature of Use? <u> </u> -P46 Amendment Needed? <u> </u>
REMARKS	<u> </u>	<u> </u>	Multiple p/d's in <u>1 1/4</u> ? <u> </u>
CONDITIONS	<u> </u>	<u> </u>	Measuring (R01)/Locking (R02) Devices <u> </u> Watermaster Control (R04) - WD # <u> </u> <u>R49</u> Irrigation rate/volume overlap <u> </u> Irrigation water overlap (065) (If gw use sw) <u> </u> Water Quality/Other <u> </u>

PRIORITY Due 5/1/95 Rc'd 6/15/94 Receipt# N7774 Fee OK? (Yes)/No
Order to Reinstate Needed? Yes/No Done?
If Yes, Advanced? Yes/No to:

COMMENTS: amend p/d & p/u

USE	CFS	DIV VOL	Adjustment Memo <u>✓</u>
<u>1 yr/3.0</u>	<u>0.06</u>	<u>9.0</u>	~~LICENSE: P49~~
<u> </u>	<u> </u>	<u> </u>	#1 AMEND LTR: P46 or
<u> </u>	<u> </u>	<u> </u>	P39/P41/ <u>P37</u> & <u>P38</u>
TOTAL	0.06	9.0	#2 AMEND LTR: P42/P47

MEMORANDUM

DATE: November 6, 1995
TO: File No. 96-08788
FROM: Cindy Zimmerman *CZ*.
SUBJECT: Review of Beneficial Use Field Report

=====

During the review of this beneficial use field report, I noted the legal description identified on the exam conflicts with the orthoquad provided with the examination. To resolve the conflicting legals, I requested and received the legal description of the Cobb property from the Bonner County Assessor.

The following adjustments were made on the field report to reflex findings of the Bonner County Assessor's office and to correct a mathematical error:

1. Point of diversion, per assessor, is located within Lot 1 (NENE), S06, T56N, R02W.
2. Place of use, per assessor, is located within Lot 1 (NENE), S06, T56N, R02W.
3. Annual Volume.
 - a. Irrigation = acres x AF/acre
= 3.0 x 3.0
= 9.0 AF.
 - b. Maximum annual volume = 9.0 AF.

RECEIVED
JAN 31 1996

Fax Especially for

To: Cindy Zimmerman
Company:
Phone: 327-7944
Fax: 327-78166

From: Betsy Bartlett
Company: Bonner County Assessor's Office
Phone: 208-265-1440
Fax: 208-265-1451

Date: 11-1-95
Pages including this cover page: 3

Comments: HOPE THIS DOES IT, PLEASE
 CALL AND LET ME KNOW IF RECEIVED

RECEIVED
 JAN 31 1996

Section 6, Township 56 North, Range 2 West

Tax # 9

Parts of Gov't. Lot 1 in Sec. 6-56-2W and Gov't. Lot 9 in Sec. 31-57-2W described as follows: Beginning at the corner between Sec. 5 & 6 in said Twp. & Range; thence along the E line of Sec. 6, N0°12'E 1976.2' to the N line of the County Road; thence along said N line S73°11'W 900.29' to the true point of beginning; thence N0°26'W 602.2' to a point on the S boundary line of the parcel of land described in the Quit Claim Deed, Book 104 page 341 thereof, from the SWly corner bears N87°40'W 62.4' distant; thence along the S and Wly boundary of said parcel the following four courses and their respective distances: (1) N87°40'W 62.4' to the center of the slough extending Nly; (2) along said center line N1°17'W 186.9'; (3) N11°53'W 160' to the approximate section line between Sec. 56-2W & 31-57-2W; thence continuing into Gov't. Lot 9 in Sec. 31, N32°08'E 31'; and (4) N11°53'W 160' to an intersection with the centerline of a slough extending SWly; thence along said center line the following two courses and their respective distances: (1) S45°32'W 256' to the approx. sec. line between the aforesaid Sec. 31 & 6; thence continuing into said Gov't Lot 1 in said Sec. 6 S45°32'W 185.82'; and (2) S16°55'W 357.2'; thence S89°30'E 293.94'; thence S57°32'E 91.65' to a line drawn parallel with and 35' distant Wly from the first course in this ~~parallel~~ description; thence along said parallel line S0°26'E 436.9' to the N line of the County Road; thence along said line N73°11'E 36.48' to the true point of beginning.

Deeded 12-18-62

Recorded 12-26-62

Typed 10-15-63

Book 110 Page 361

C. C. Taylor

Section 6, Township 56 North, Range 2 West

Tax # 11

A tract of land in Government Lots 1 & 2 of Sec. 6-56-2W beginning at the East quarter corner of Sec. 6; thence along the Section line North 0°12' East, 1976.20 feet to the North right of way boundary of the county road; thence along said right of way boundary South 73°11' West, 936.77 feet; thence North 0°26' West, 286.07 feet to the true point of beginning of this tract and this description; thence North 32°30' West, 482.00 feet; thence North 30°10' East, 230.17 feet; thence South 89°30' East, 293.94 feet; thence South 57°32' East, 91.65 feet; thence South 0°26' East, 151.49 feet to the true point of beginning.

Deeded 4/25/66

Recorded 5/12/66

Typed 10/11/66

Book 118 Page 618

Henry Lestmann

Tax # 12

A tract in Gov't Lots 8 & 9 Sec. 31-57-2WEM, and Gov't Lots 1 & 2 Sec. 6-56-2WEM, Bonner County, Idaho, described as follows, to-wit: Beginning at the E¹ Cor. of Sec. 6-56-2WEM; thence N0°12'E along the Sec. line 1976.20 feet to the N R/W boundary of the county road; thence along said road R/W boundary S73°11'W 900.29' to the

JAN 31 1996

SUBDIVISION

200 200 1451 7.03

35.80
JAN 3 1996

0750

LAKE SHORE LOTS
RICH BAY

TOTAL P.03

DOWNER COUNTY RECORDS

NOV 21 1995 14.41

BERG'S ESTATES
See Large Scale
BLK 1

A. DANIEL & TRUST
#355413
#355413

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 29 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-8788

1. Owner: Fields Cdeh Phone No. (208) 265-1513

Current Address: 2362 Lakeshore drive Eagle Id, 83840

2. Accompanied by: owner EXAM DATE: 7-25-95

Address: same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Pend Oreille river tributary to Columbia 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:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	02		NW	NE	06	56N	02W	Bonner	USGS 7.5 MIN quad

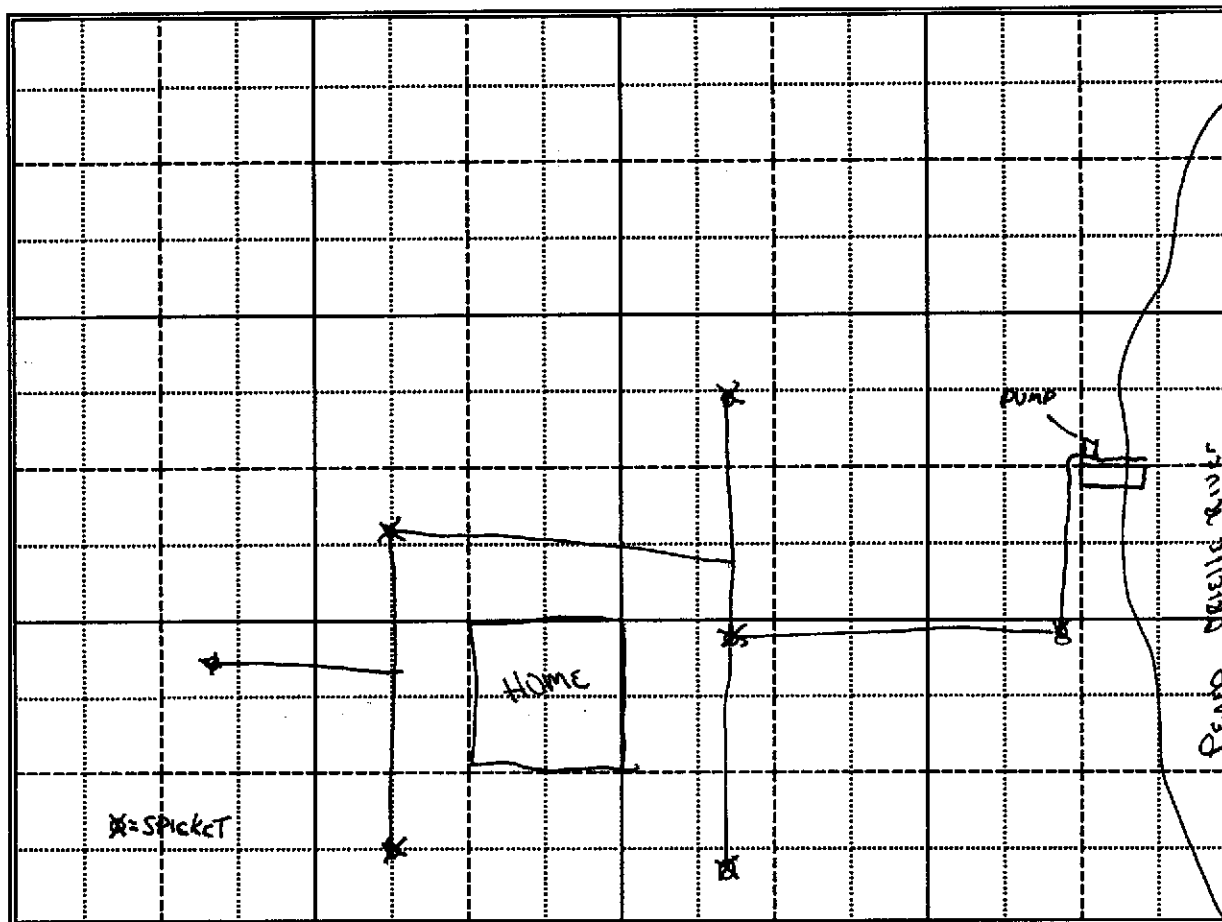
* 2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	02W	06		3															3

JAN 31 1996

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
	Grundfos	1 1/2	F693	Grundfos	D-9334

*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: _____

JAN 31 1996

E. NARRATIVE/REMARKS/COMMENTS

pump in area irrigates 3 acres of lawn
and garden. irrigation is done with garden
hoses and sprinklers.

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

APPROVED
JAN 31 1996

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \times 3 = 6$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .06 \times 245 \times 1.9835 = 29.16$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 6$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	03-15	11-15	.06	6.00*
Totals:			0.06	6.00*

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 Ted McCracken Date 7/25/95

Reviewer _____ Date _____

SEAL

* Adjustments made during the review of this right for license approval.
See memo for additional information. *CB*

JAN 31 1996

Jr

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 96-08788

DATE: 25-JUL-95

COMPLETE BY: TED MCCRACKEN

HORSEPOWER = 1.5

PUMP EFFICIENCY = 75%

DYNAMIC LIFT = 15 FEET

SYSTEM PRESSURE = 60 PSI

QUANTITY = 0.06 CFS

RECEIVED
JAN 31 1996

REILLE RIV
NORMAL POOL ELEV 2062
Mile 113

PEND

REILLE

Mile 114 +

Springy Point

Campground

X Gravel Pit

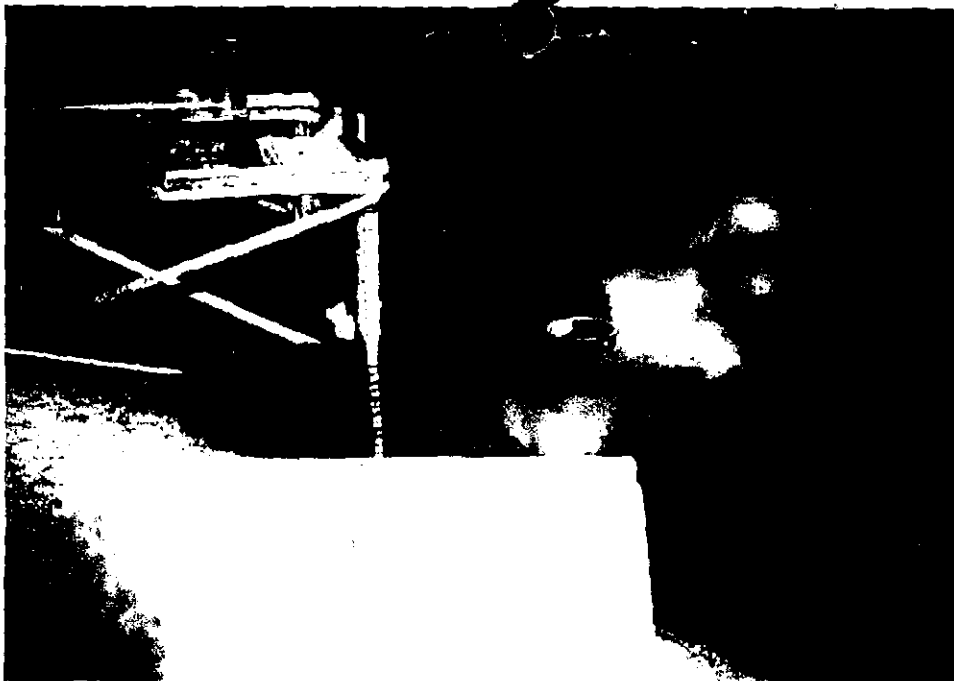
PIPELINE

TRAIL

REILLE RIV
NORMAL POOL ELEV 2062
Mile 113

96-08788 JAN 31 1996

96-08788



① P.D.



② PUMP



③ P.U.

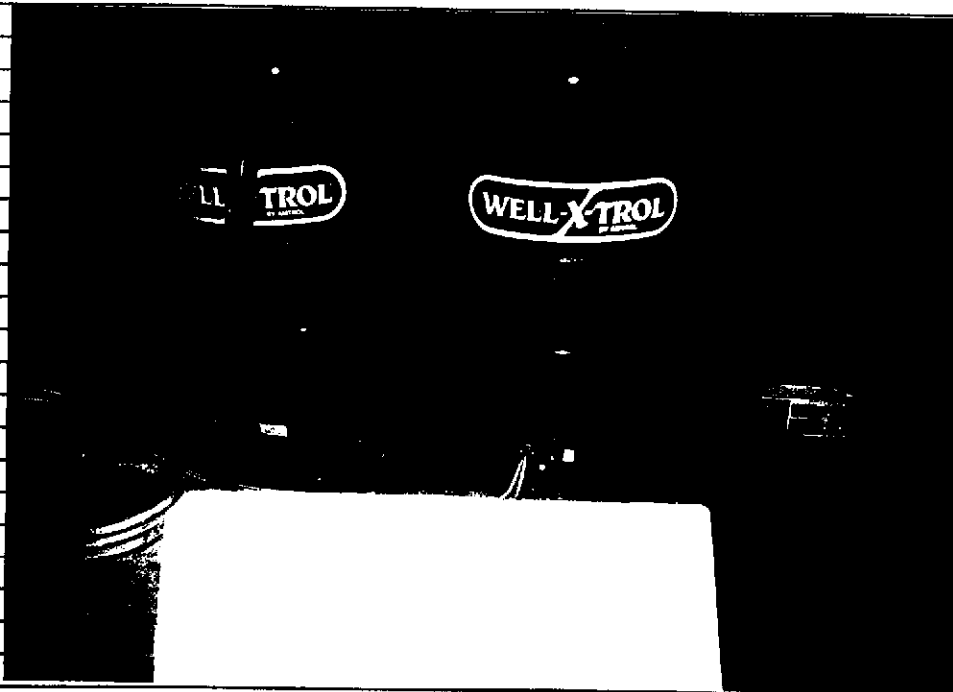
JAN 21 1956

④ STORAGE

PERMIT # 96-08788

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

P H O T O G R A P H S



APPROVED
JAN 24 1988

June 27, 1994

FIELDS COBB
2362 LAKE SHORE DR
SAGLE ID 83860

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08788

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,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

SEP 22 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

May 24, 1994

FIELDS COBB
2362 LAKE SHORE DR
SAGLE ID 83860

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08788

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.

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 be 'J. Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

SEP 22 1994

96-08788

COBB, FIELDS
2362 LAKE SHORE DR
SAGLE, ID 83860

Source: UNNAMED STREAM
Source: PEND OREILLE RIVER

Tributary: PEND OREILLE RIVER
Tributary: COLUMBIA RIVER

Diversion Pt: NWNE Sec 6 T 56N R 02W in BONNER County.

Use: IRRIGATION (.060 CFS)
Total Diversion: (.060 CFS)

Date Filed: 3/ 1/1994

In: BONNER County
T56N R02W S06 NWNE

3.0 ACRES TOTAL

RECEIVED

SEP 22 1994

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Sean Conacher being first duly sworn on oath
deposes and says that ~~he~~ she is bookkeeper
of the Bonner County Daily Bee, a newspaper printed and
published at Sandpoint, Bonner County, Idaho; that the
said newspaper has been continuously and uninterruptedly
published in said Bonner County during a period of 12
months prior to the first publication of the hereto attached
notice of publication in the case of:

App. for Water Right
96-08788, Cobb

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 17 day of March, 19 94
and ending on the 24 day of March, 19 94
and that said notice was published in said newspaper.

On this 24 day of March in the year
of 1994, before me, a Notary Public, personally
appeared Sean Conacher,
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true,
and acknowledged to me that he executed the same.

Karel Mueller
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 5-3-99

RECEIVED

APR 05 1994

NORTHERN REGION
IDWR

NOTICE OF APPLICATION
FOR WATER RIGHT

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

96-08788
COBB, FIELDS
2362 LAKE SHORE DR
SAGLE, ID 83860
Source: UNNAMED STREAM
Tributary: PEND OREILLE RIVER
Source: PEND OREILLE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: NWNE Sec 6 T 56N
R 02W in BONNER County.
Use: IRRIGATION (.060 CFS)
Total Diversion: (.060 CFS)

Date Filed: 3/1/1994
In: BONNER County
T56N R02W S06 NWNE
3.0 ACRES TOTAL
96-08789
MC BEATH, R S
1821 ALDER AVE
RICHLAND, WA 99352
Source: PEND OREILLE LAKE
Tributary: PEND OREILLE RIVER
Diversion Pt: SWNW Sec 36 T
56N R 01E in BONNER County.
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 3/2/1994
In: BONNER County
T56N R01E S46 SWNW
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 applicant and with the
Director, Dept. of Water Resources,
Northern Region, 1910 Northwest
Blvd., Suite 210, Coeur d'Alene,
Idaho 83814 on or before APRIL 4,
1994.

R. KEITH HIGGINSON, Director
SNP#5977 Mar 17, 24, 1994

SEP 22 1994



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

CECIL D. ANDRUS
Governor
March 11, 1994

R. KEITH HIGGINSON
Director

Mr. Fields Cobb
2362 Lake Shore Dr.
Sagle, Id. 83860

Dear Mr. Cobb:

Subject: Water Application for Permit Number 96-8788.

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 N7406. 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

SEP 22 1994

INSTRUMENT NO.

409020

WARRANTY DEED

For Value Received JAMES R. WHEELER and VAUGHNETTE L. HOGAN WHEELER,
husband and wife

The grantor(s), do(es) hereby grant, bargain, sell and convey unto FIELDS W. COBB, JR., TRUSTEE and
OCYIA S. COBB, TRUSTEE of the COBB FAMILY TRUST UNDER TRUST DECLARATION DATED MAY 17TH,
1990

the grantee(s), whose current address is 821 RELIEF STATION ROAD, LAFAYETTE, CA 94549

the following described premises, in BONNER

County Idaho, to-wit:

See Exhibit A Attached hereto and made a part hereof.

Assessor's Parcel No: RP 57N02W319400A AND RP 56N02W060152A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that
he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances except
specific matters of record as shown above,

and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated:

James R. Wheeler
JAMES R. WHEELER

Vaughnette L. Hogan Wheeler
VAUGHNETTE L. HOGAN WHEELER

STATE OF Idaho
COUNTY OF Bonner ss.

RECORDING DATA:

On this 15 day of July, 1993 before me, the
undersigned, a Notary Public in and for said State, personally
appeared JAMES R. WHEELER
VAUGHNETTE L. HOGAN WHEELER

known or identified to me to be the person(s) whose names is/are
subscribed to the within instrument and acknowledged to me that he
executed the same.

Notary at:
Commission Expires:

REC
CORR
BONNER
ID

22 JUL 15 PM 3 55

FILED

NOTARY PUBLIC

SEP 22 1994

409020

EXHIBIT "A"

IN THE STATE OF IDAHO, COUNTY OF BONNER

PARCEL 1:

Parts of Government Lot 1 in Section 6, Township 56 North, Range 2 West, Boise Meridian, and Government Lot 9 in Section 31, Township 57 North, Range 2 West, Boise Meridian, Bonner County, Idaho, described as follows:

Beginning at the quarter corner between Sections 5 and 6 in said Township and Range; thence along the East line of said Section 6, North 0 degrees 12' East, 1976.2 feet to the North line of the County Road; thence along said North line, South 73 degrees 11' West, 900.29 feet to the True Point of Beginning of this description; thence North 0 degrees 26' West, 602.2 feet to a point on the South boundary line of the parcel of land described in the Quitclaim Deed of record as Instrument No. 76576, in Book 104 of Deeds on Page 341, thereof, in the Office of the County Recorder, from which the Southwesterly corner thereof bears North 87 degrees 40' West, 62.4 feet distant; thence along the South and Westerly boundary of said parcel the following four (4) courses and their respective distances:

- 1) North 87 degrees 40' West, 62.4 feet to the center of a slough extending Northerly;
- 2) along said centerline line North 1 degree 17' West, 186.9 feet;
- 3) North 32 degrees 08' East, 183.0 feet to the approximate section line between Section 6, Township 56 North, Range 2 West, Boise Meridian, and Section 31, Township 57 North, Range 2 West, Boise Meridian; thence continuing into Government Lot 9 in said Section 31, North 32 degrees 08' East, 31.0 feet;
- 4) North 11 degrees 53' West, 160.0 feet to an intersection with the center line of a slough extending Southwesterly; thence along said center line the following two courses and their respective distances:
 - 1) South 45 degrees 32' West, 256.0 feet to the approximate section line between the aforesaid Sections 31 and 6; thence continuing into said Government Lot 1 in said Section 6, South 45 degrees 32' West, 185.82 feet; and

WARRANTY DEED
PAGE 2

RECORDED
SEP 22 1994

409020

2) South 16 degrees 55' West, 357.2 feet; thence South 89 degrees 30' East, 293.94 feet; thence South 57 degrees 32' East, 91.65 feet to a line drawn parallel with and 35 feet distant Westerly from the first course in this description; thence along said parallel line South 0 degrees 26' East, 436.9 feet to the North line of the County Road; thence along said North line, North 73 degrees 11' East, 36.48 feet to the True Point of Beginning.

PARCEL 2:

A tract of land in Government Lots 1 and 2 of Section 6, Township 56 North, Range 2 West, Boise Meridian, Bonner County, Idaho;

Beginning at the East quarter corner of Section 6; thence along the section line, North 0 degrees 12' East, 1976.20 feet to the North right of way boundary of the County Road; thence along said right of way boundary, South 73 degrees 11' West, 936.77 feet; thence North 0 degrees 25' West, 286.07 feet to the True Point of Beginning of this tract and this description; thence North 89 degrees 30' West, 488.09 feet; thence North 30 degrees 10' East, 230.17 feet; thence South 89 degrees 30' East, 293.94 feet; thence South 57 degrees 32' East, 91.65 feet; thence South 0 degrees 26' East, 151.49 feet to the True Point of Beginning.

SUBJECT TO:

GENERAL TAXES FOR THE YEAR 1992, A LIEN IN THE PROCESS OF ASSESSMENT, NOT YET DUE OR PAYABLE.

ANY CLAIMS ARISING OUT OF THE DIFFERENCE BETWEEN THE MEAN HIGH WATER LINE AND THE MEANDER LINE OF LAKE PEND OREILLE.

EASEMENT AND CONDITIONS CONTAINED THEREIN:

RECORDED: MAY 28, 1947
BOOK/PAGE: 15 OF MISCELLANEOUS/PAGE 260
IN FAVOR OF: MOUNTAIN STATES POWER COMPANY
FOR: ELECTRIC POWER LINE, TELEPHONE OR AERIAL
CABLE AND INCIDENTAL PURPOSES
AFFECTS: SUBJECT PROPERTY

EASEMENT AND THE CONDITIONS CONTAINED THEREIN:

RECORDED: JUNE 3, 1954
BOOK/PAGE: 21 OF MISCELLANEOUS/PAGE 163
IN FAVOR OF: PACIFIC POWER AND LIGHT COMPANY
FOR: ELECTRIC DISTRIBUTION LINE WITH
AFFURTANCES AND INCIDENTAL PURPOSES INCLUDING RIGHT OF INSPECTION

WARRANTY DEED
PAGE 3

RECORDED
SEP 22 1994

409020

A PERPETUAL RIGHT OF WAY AND EASEMENT TO OVERFLOW, FLOOD AND SUBMERGE A PORTION OF THE HEREIN DESCRIBED PROPERTY, AND INCIDENTAL PURPOSES, UPON THE TERMS AND PROVISIONS THEREIN SET FORTH AS CONDEMNED BY THE UNITED STATES OF AMERICA, BY DECLARATION OF TAKING RECORDED AUGUST 26, 1952, IN BOOK 14 OF JUDGMENTS, PAGE 145, RECORDS OF BONNER COUNTY, IDAHO.

ANY CLAIMS ARISING FROM THE QUESTION OF LOCATION OF THE "SLOUGH", AS REFERENCED IN THE LEGAL DESCRIPTION HEREIN.

EASEMENT AND THE CONDITIONS CONTAINED THEREIN:

RECORDED: JULY 1, 1974
BOOK/PAGE: 32 OF MISCELLANEOUS/PAGE 503
IN FAVOR OF: PACIFIC POWER AND LIGHT COMPANY
FOR: ELECTRIC DISTRIBUTION LINE WITH
APPURTENANCES AND INCIDENTAL PURPOSES INCLUDING RIGHT OF INSPECTION
AFFECTS: SUBJECT PROPERTY

DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:

GRANTOR: JAMES R. WHEELER, AN UNMARRIED MAN, AND
VAUGHNETTE L. HOGMAN, A SINGLE WOMAN
TRUSTEE: FIRST AMERICAN TITLE CO. OF SANDPOINT,
INC.
BENEFICIARY: MICHAEL P. BECKETT AND MARY P. BECKETT,
HUSBAND AND WIFE
ORIGINAL AMOUNT: \$85,000.00
DATED/RECORDED: JUNE 17, 1988/JUNE 30, 1988
INSTRUMENT NO.: 350330

THE HEREIN GRANTORS ASSIGN TO THE GRANTEE, AND THE GRANTEE AGREE TO ASSUME SAID DEED OF TRUST AND THE PROMISSORY NOTE SECURED THEREBY. THE GRANTEE FURTHER AGREE TO COMPLY WITH ALL TERMS AND CONDITIONS OF SAID DEED OF TRUST AND PROMISSORY NOTE, AND SHALL INDEMNIFY AND HOLD GRANTORS HARMLESS THEREFROM. SAID DEED OF TRUST AND PROMISSORY NOTE ARE HELD FOR COLLECTION AT INDEPENDENT ESCROW SERVICE, SANDPOINT, IDAHO, AS ESCROW NO. 87181.

APPROVED AND ACCEPTED THIS 13 DAY OF JULY, 1992.

X Fields W. Cobb
FIELDS W. COBB

X Octavia Cobb
OCTAVIA COBB

WARRANTY DEED
PAGE 4

SEP 22 1994