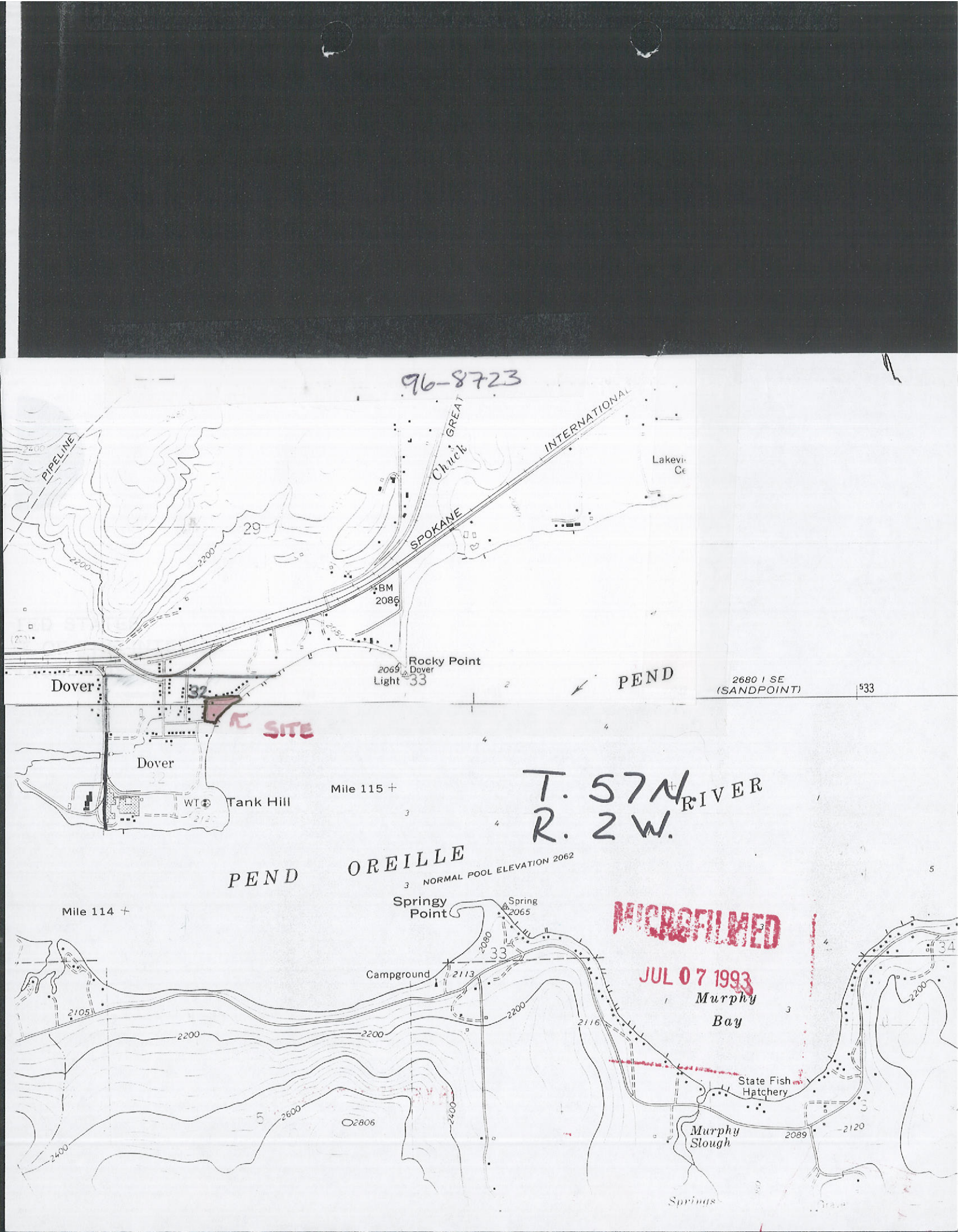
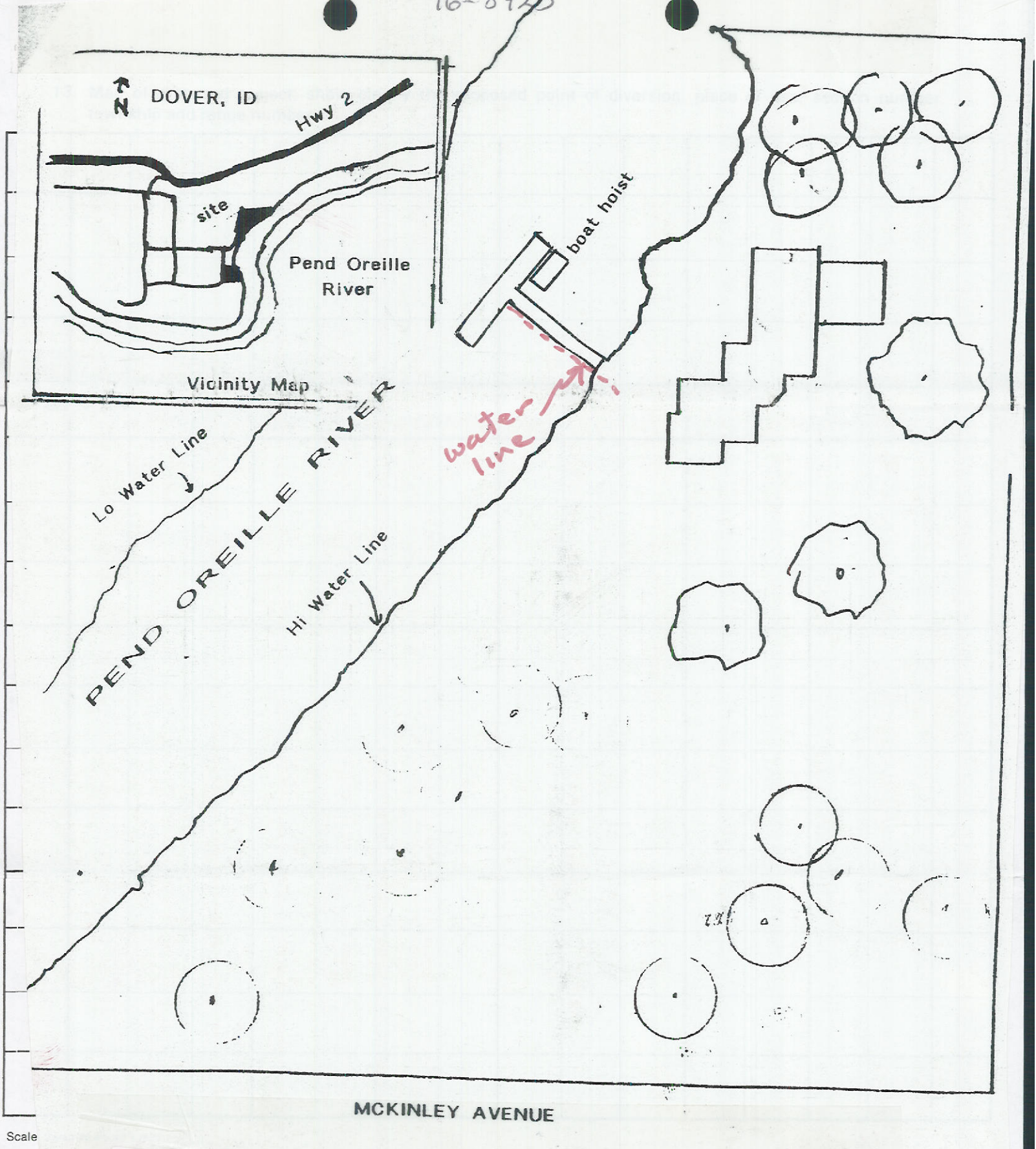

96-8723
PIPELINE
GREAT
Chuck
INTERNATIONAL
SPOKANE
Lakevi-
Ce
29
2200
BM
2086
Rocky Point
2069
Dover
Light
33
Dover
32
PEND
2680 I SE
(SANDPOINT)
533
SITE
Dover
32
WT
Tank Hill
Mile 115 +
T. 57N
R. 2W.
RIVER
PEND
OREILLE
NORMAL POOL ELEVATION 2062
Mile 114 +
Springy
Point
Spring
2065
2080
33
Campground
2113
2105
2200
2116
Murphy
Bay
State Fish
Hatchery
5
2600
2806
2400
Murphy
Slough
2089
2120
Springs
MICROFILMED
JUL 07 1993

96-8723

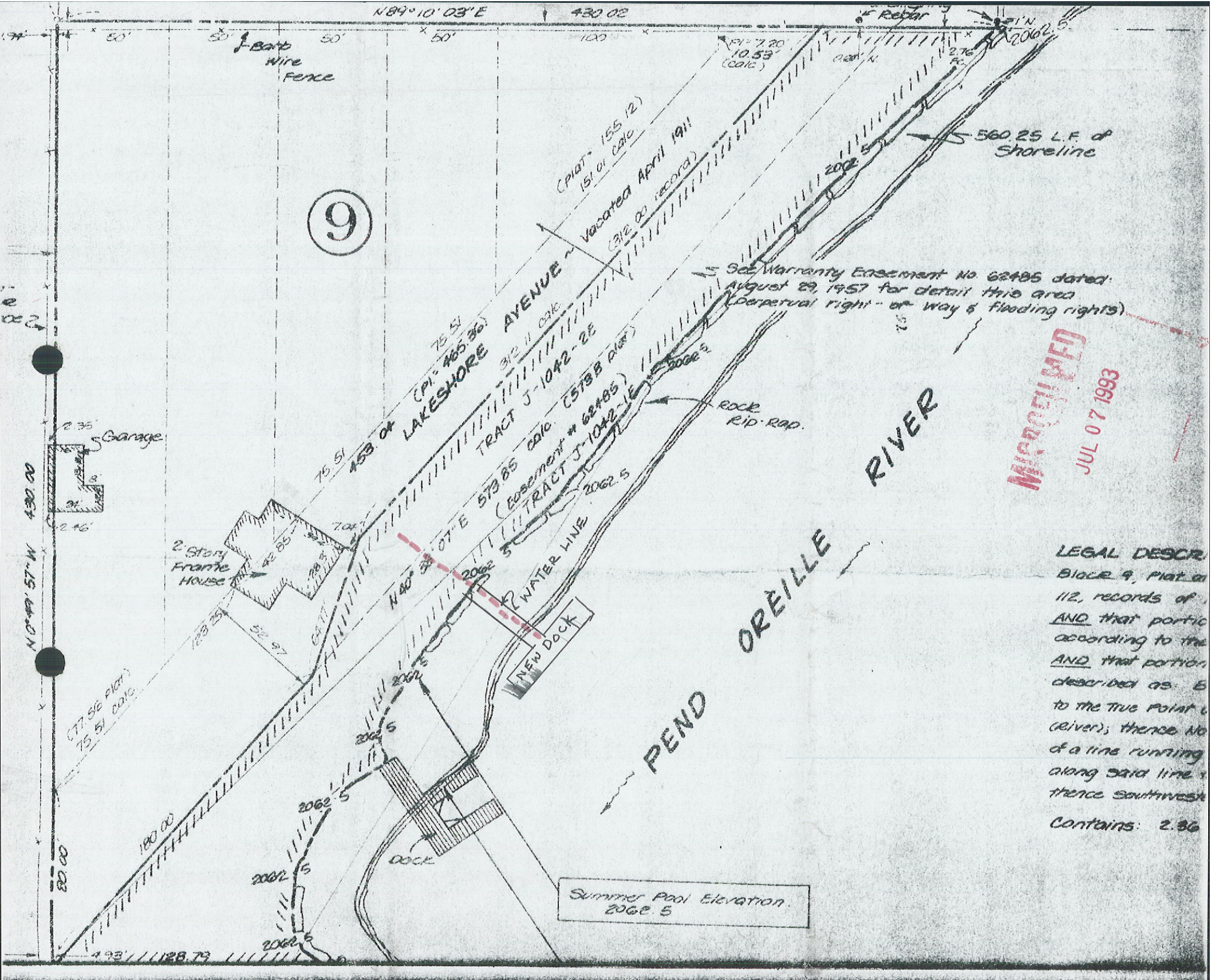


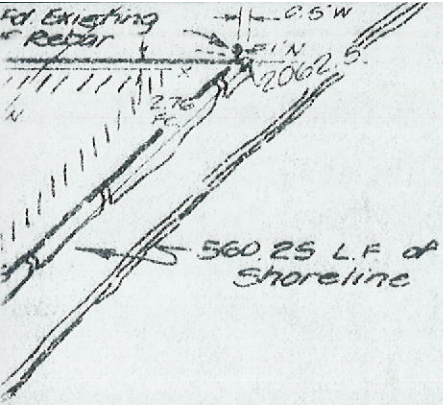
Scale

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.

JUL 07 1993

James Denton
(Applicant)


N89°10'03"E 430.02
Repar
1"N
2062.5
J-Bolt Wire Fence
50'
50'
50'
50'
100
(PI: 7.20' 10.53' calc)
2.76 Ac.
(PLAT" 155.12 151.01 calc
Vacated April 1911
(312.00 record)
560.25 L.F. of Shoreline
9
See Warranty Easement No. 62485 dated August 29, 1957 for detail this area (perpetual right-of-way & flooding rights)
75.51
453.04
(PI: 465.36)
LAKESHORE AVENUE
312.11 calc.
TRACT J-1042-2E
N40°38'07"E 573.85 calc. (5738 plat)
(Easement # 62485)
(TRACT J-1042-1E)
2062.5
ROCK RIP-RAP
RECEIVED
JUL 07 1993
Garage
2.35
2.46
2-Story Frame House
42.85
28.3
52.97
calc
123.35
WATER LINE
NEW DOCK
PEND OREILLE RIVER
(77.56 plat) 75.51 calc
180.00
DOCK
Summer Pool Elevation 2062.5
128.79
LEGAL DESCR
Block 9, Plat o
112, records of
AND that portio
according to the
AND that portion
described as: B
to the True Point
deliver); thence No
of a line running
along said line
thence Southwest
Contains: 2.36



easement No. 62495 dated:
' for detail this area
- ay & flooding rights)

RIVER

BEARING DATUM:

Derived from adjacent Record of Survey, L.S. 974 in Section 29, Township 57 North, Range 2 W. B. M.

LEGEND:

- ○ Denotes 1/2" Rebar & Cap, stamped "5087" Set for this Survey.
- ● Denotes existing Rebar & Cap, L.S.# 882. (no Survey Recorded)
- —x— Denotes Fenceline located

SCALE: 1" = 50'

NOTE:

Field Work performed with a Topcon GTS-3B, Digital Electronic Total Station. Monuments found or used for this Survey are as indicated hereon.

V. DATUM

Benchmark: Idaho Department of Transportation N.G.S. '83, N.A.D. Field Survey performed Summer 1988, Hwy. 2 Improvements. Panel 54-C Elev. 2083.017 ; Panel 54-D Elev. 2083.926

JUL 07 1993

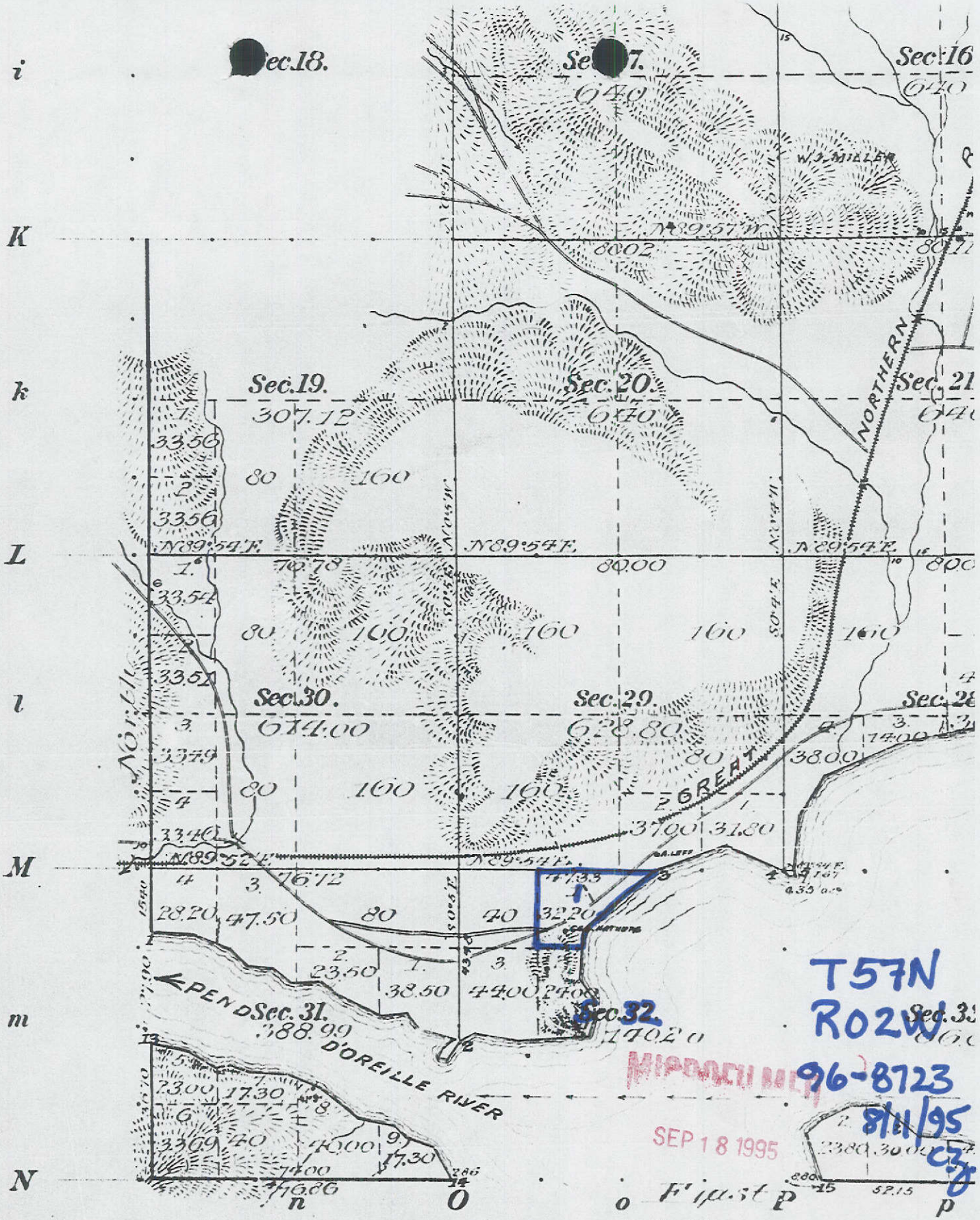
LEGAL DESCRIPTION:

Block 9, Plat of Welty, according to the plat thereof recorded in Book 1 of plats, at page 112, records of Bonner County, Idaho.

AND that portion of Vacated Lakeshore Avenue lying Southeasterly of Block 9, Plat of Welty, according to the plat thereof recorded in Book 1 of Plats, at page 112, records of Bonner County, Id.

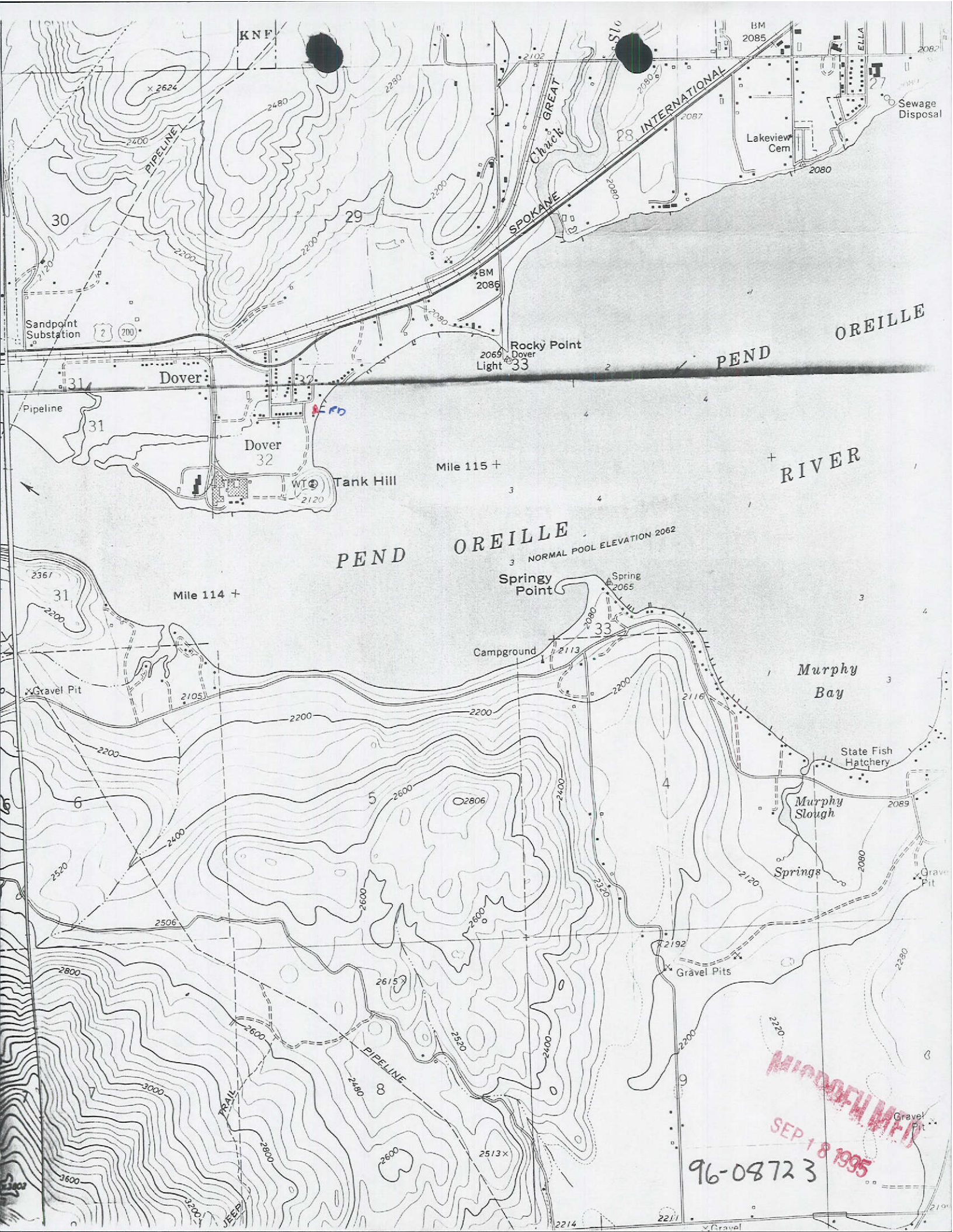
AND that portion of Lot 1, Section 32, Township 57 North, Range 2 W.B.M., Bonner County, Idaho described as: Beginning at the SW. Corner of Block 9 in said plat of Welty; thence South 80.00 feet to the True Point of Beginning; thence East to the line of ordinary high water of Lake Pend Oreille (river); thence Northeasterly following said ordinary high water to an intersection with an extension of a line running East-West along the North side of said Block 9, Plat of Welty; thence West along said line to an intersection with the Southeasterly line of Lakeshore Avenue (now vacated.); thence Southwesterly along said line to the True Point of Beginning

Contains: 2.36 Acres.



Area of Public Land 1288726 Acs Water Surface 6/6870 Acs Total number

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys M.	Ch.	Lk.	When
		C. 144				
Township lines	Amos D. Robinson &	May 23rd 1892	9	23	70	
Subdivisions	Jas. E. Dike	" " "	37	58	69	
Meanders	" "	" " "	17	17	50	


KNF
BM 2085
ELLA
Sewage Disposal
Lakeview Cem
INTERNATIONAL
GREAT
Chuck
SPOKANE
PIPELINE
30
29
28
27
BM 2086
Sandpoint Substation
Rocky Point
Dover Light
Dover
Pipeline
31
32
33
Tank Hill
WT
Mile 115 +
PEND OREILLE
RIVER
NORMAL POOL ELEVATION 2062
Springy Point
Spring 2065
Mile 114 +
Campground
Gravel Pit
Murphy Bay
State Fish Hatchery
Murphy Slough
Springs
Gravel Pits
TRAIL
JEEP
Gravel Pit
MINERAL MAP
SEP 18 1995
96-08723

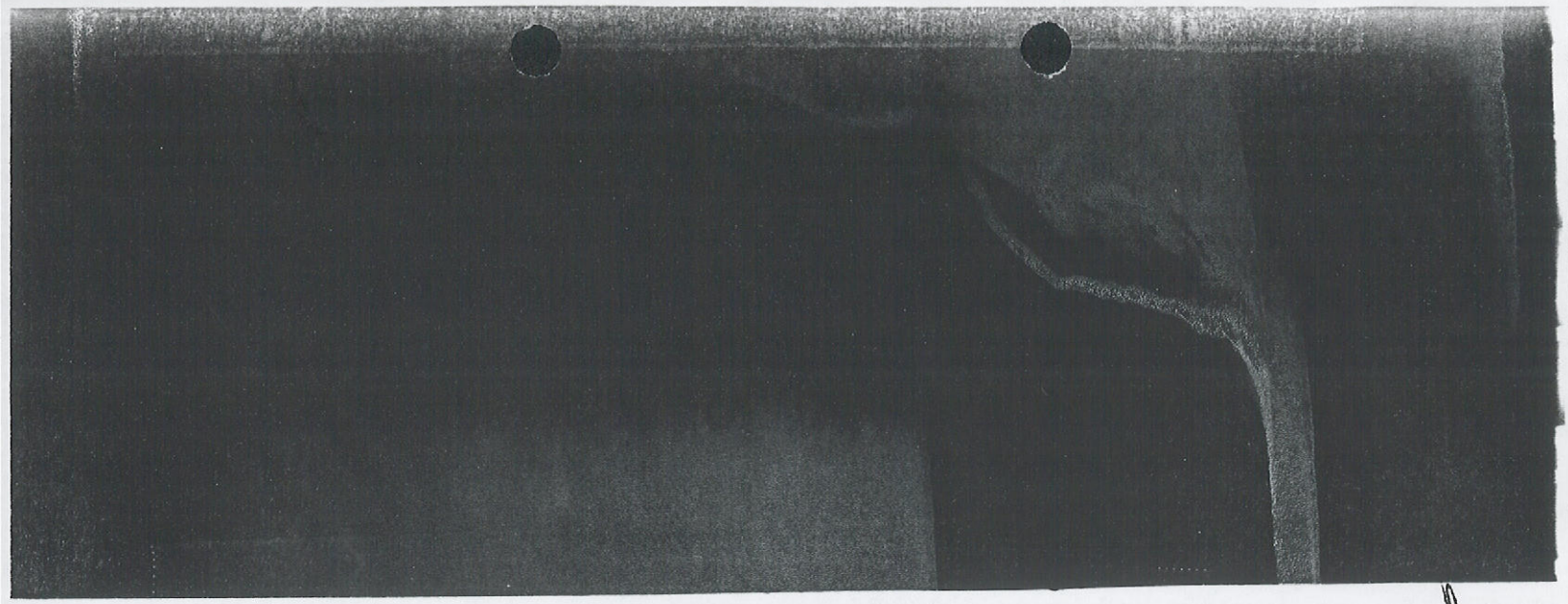
P.D.

1 P.D.

P.O.

SCANNED
SEP 18 1996

96-08723



PIPELINE

GREAT NORTHERN

Chuck

INTERNATIONAL

SPOKANE

Lakevi
Ce

20

3200

BM 2086

2069 Dover

Rocky Point

Light 33

PEND

2680 I SE (SANDPOINT)

533

Dover

32

Dover

Mile 115 +

WT

Tank Hill

T. 57N.
R. 2W.

RIVER

PEND OREILLE

3 NORMAL POOL ELEVATION 2062.

5

Mile 114 +

Springy Point

Spring 2065

2080

33

Campground

2113

2105

2200

2200

2200

2116

Murphy Bay

2200

2600

2806

2400

2400

State Fish Hatchery

Murphy Slough

2089

2120

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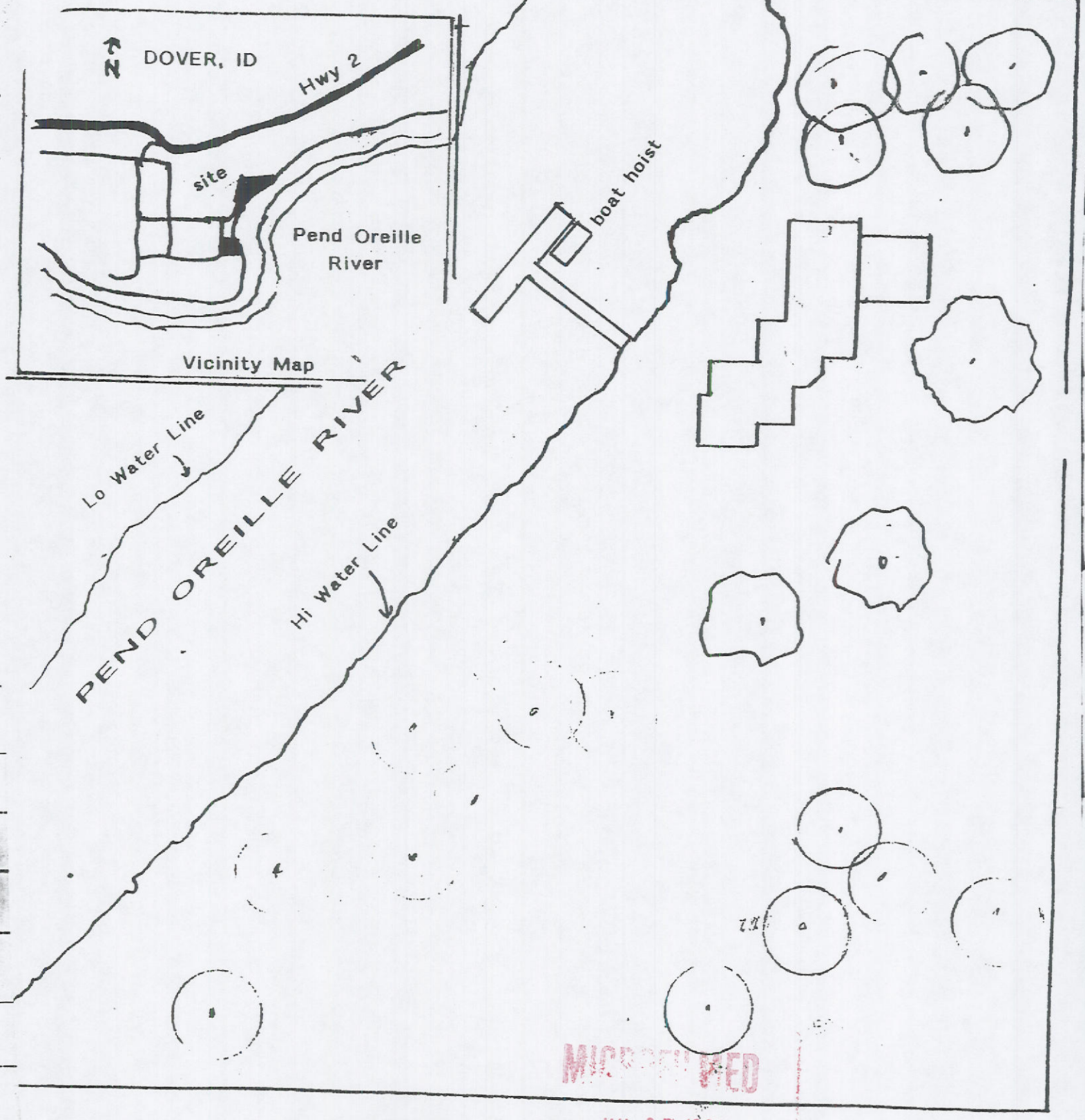
JUL 07 1993

Surplus



MICROFILMED
JUL 07 1993

Scale

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.

James Denton
(Applicant)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08723

Priority: October 26, 1992 Maximum Diversion Rate: 0.06 CFS
Maximum Diversion Volume: 7.5 AF

This is to certify, that JAMES FENTON
PO BOX 505
DOVER ID 83825-0505 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 26, 1992; and has submitted Proof of Beneficial Use on November 8, 1993. An examination indicates that the works have a diversion capacity of 0.060 cfs of water from:

PEND OREILLE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.06 CFS	7.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENW), Sec. 32, Township 57N, Range 02W
BONNER County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
57N	02W	32	Lot 1(NENW)	2.5			2.5

Total number of acres irrigated: 2.5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount 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.

MICROFILMED

SEP 18 1995

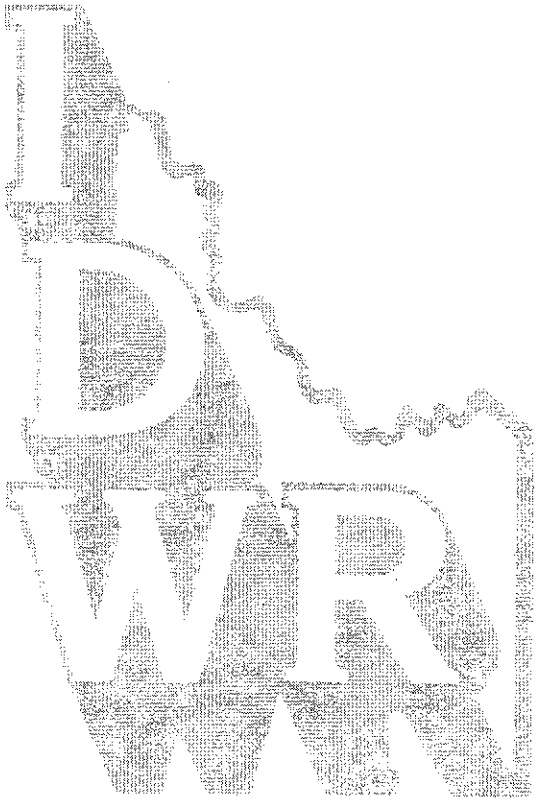
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08723

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 22nd day of August, 1995.

Acting for KARL J. DREHER, Director



RECORDED
SEP 18 1995

Form 217
11/91

RECEIVED
NOV 0 9 1993
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee $ 50.00
Date 11/8/93
Receipt No. N7153
Receipt by

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 96-08723 Telephone No. 208 263-6255
2. Name(s) of Permit Holder(s): JAMES FENTON
3. Mailing Address: P.O. Box 505 Dover, ID 83825
4. Source of Water: PEND OREILLE RIVER

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

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

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

   Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

   Irrigation ✓ (No. of acres) 2.6 Other _____

6. Total rate and/or volume for which proof is submitted .08 cfs **OR** _____ acre/feet

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

   Measuring device: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

   OR

   Flow Measurement Port: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

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

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

   JAMES FENTON 208 263-6255
   Name Telephone No.

   P.O. Box 505 Dover, ID 83825
   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.

11/3/93 James Fenton
Date Signature (and title, if on behalf of a company or organization)

JAN 21 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-08723

Proposed Priority: October 26, 1992 Maximum Diversion Rate: 0.08 CFS

This is to certify, that **JAMES FENTON**
PO BOX 1068
SANDPOINT ID 83864
has applied for a permit to appropriate water from:

PEND OREILLE RIVER tributary of **COLUMBIA RIVER**

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	03/15 to 11/15	0.08 CFS

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 32, Township 57N, Range 02W
BONNER County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES	ACRES	TOTAL
57N	02W	32	NENW	2.6				2.6

Total number of acres irrigated: 2.6

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 3, 1994.**
2. Subject to all prior water rights.
3. The issuance of this right in no way grants any right-of-way or easement across the land of another.
4. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this
22nd day of December, 1992

for R. Keith Higginson, Director

MICROFILMED
JUL 07 1993

Form 202
6/85

Ident. No. 96-8723

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant James Fenton Phone 208 263-6255

   Post office address P.O. Box 1068, Sandpoint, ID

2. Source of water supply Pend Oreille River which is a tributary of COLUMBIA RIVER

3. Location of point of diversion is RP D0486009001C Welty Addn. NE ¼ NW ¼ ¼ of ____ ¼ of ____ ¼, Govt. Lot ____

   Sec. 32 Township 57N Range 2W B.M. BOUNDER County; additional points of diversion if any: ____

4. Water will be used for the following purposes:

   BLM 0.08 Amount ~~1.0cfs~~ (cfs or acre-feet per annum) for Irrigation purposes from ~~May 1~~ 3/15 to ~~Oct 30~~ 11/15 BLM (both dates inclusive)

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

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

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

5. Total quantity to be appropriated is (a) ~~1.0~~ .08 cubic feet per second and/or (b) ____ acre feet per annum

6. Proposed diverting works:

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

   2" by 55' poly wter intake line with 1.5 hp pump and foot valve attached to stationary pier per Dept of lnds permit L-96-S-715A

   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 ground water with a temperature of greater than 90°F being sought? ____

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

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JUL 07 1993

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	
57N	2W	32	2.6	Acres	Total														2.6

Total number of acres to be irrigated 2.6

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? James Fenton

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

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: _____

_____

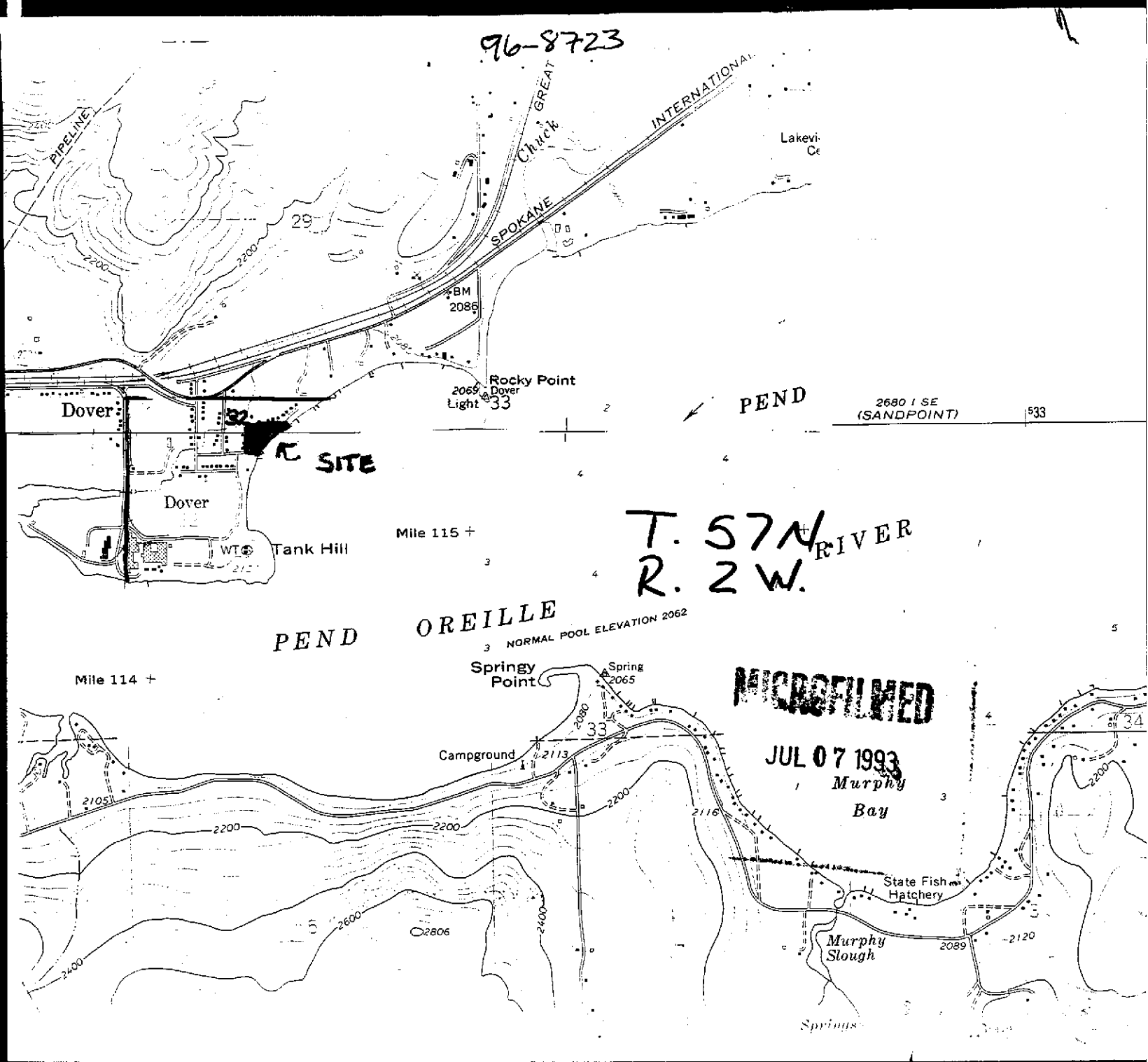
_____

_____

RECEIVED

JUL 07 1993

96-8723


PIPELINE
GREAT
Chuck
INTERNATIONAL
Lakevi
Ce
SPOKANE
29
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Dover
Light
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SITE
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2680 I SE
(SANDPOINT)
533
Dover
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T. 57N
R. 2W.
RIVER
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2806
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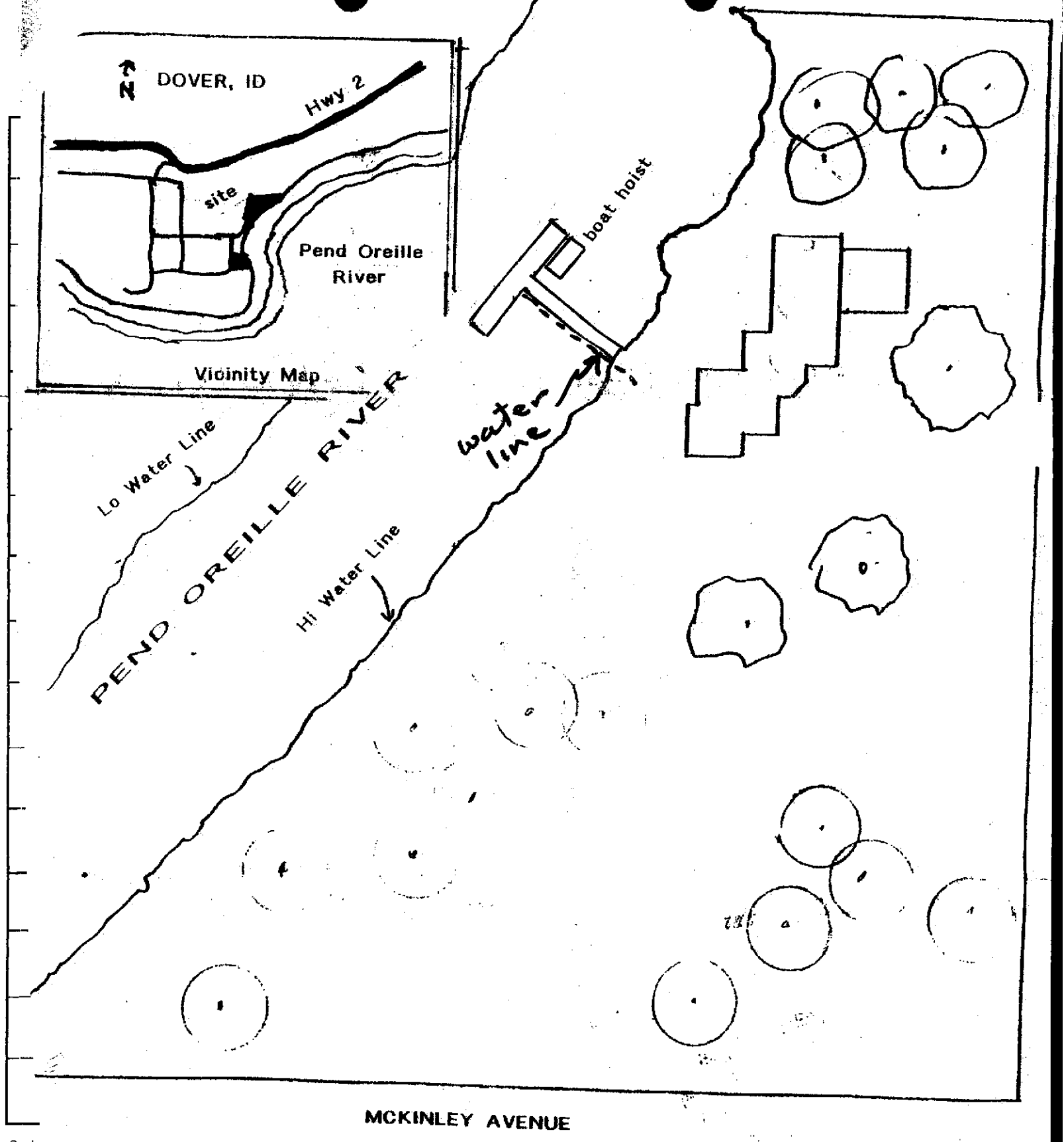
MICROFILMED
JUL 07 1993
Murphy
Bay
State Fish
Hatchery
Murphy
Slough
2089
2120
34
Springs

96-8723



Scale

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.

JUL 07 1993

James Jenton
(Applicant)

Received by [signature] Date 10/7/92 Time 3:28PM Preliminary check by _____

Fee $ 45.00 Receipted by [signature] # N6031 Date 10/6/92

Publication prepared by [signature] Date 10/28/92 Published in Idaho Statesman 10/30-12/92 (Boise Valley Bee)

Publication approved [signature] Date 12/3/92

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:

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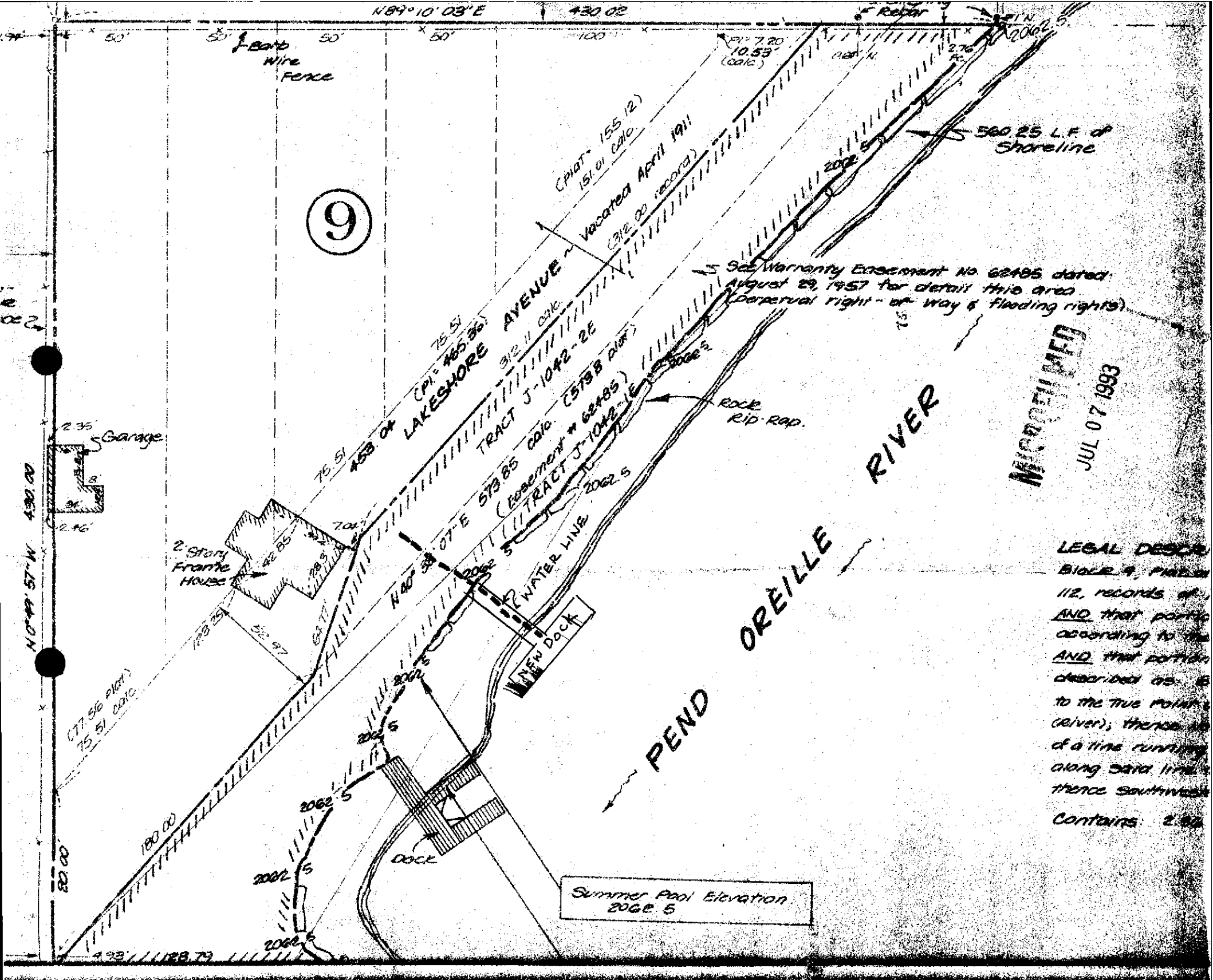
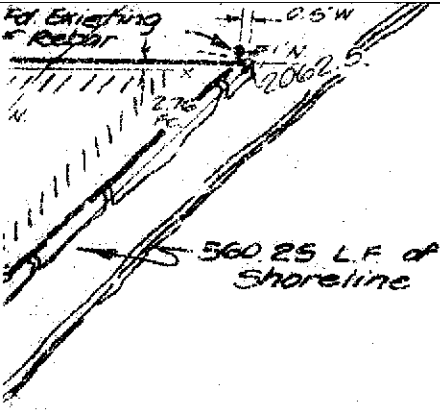
JUL 07 1993


N89°10'03"E 430.02
Rebar
1/2" I.N.
2062.5
Barb Wire Fence
9
(PLAT 155.12)
151.01 calc.
Vacated April 1911
(312.00 record)
75.51
(PL= 465.36')
465.0±
LAKESHORE AVENUE
312.11 calc.
TRACT J-1042-2E
N40°38'07"E 573.85 calc. (573.8 plat)
(Easement # 62485)
TRACT J-1042-2E
2062.5
WATER LINE
NEW DOCK
DOCK
Garage
2 Story Frame House
42.85
28.3
63.77
52.97
188.35
(77.56 plat)
75.51 calc.
180.00
N49°15'40"W 430.00
N89°10'03"E 430.02
188.79
560.25 L.F. of Shoreline
See Warranty Easement No. 62485 dated August 29, 1957 for detail this area (perpetual right-of-way & flooding rights)
Rock Rip-Rap
PEND OREILLE RIVER
RECEIVED
JUL 07 1993
LEGAL DESCR
Block 9, Plat
112, records of
AND that portio
according to the
AND that portion
described as: B
to the true point
(river); thence
of a line running
along said line
thence Southwest
Contains: 2.8
Summer Pool Elevation 2062.5



easement No. 62485 dated:
for detail this area
way & flooding rights)

RIVER

BEARING DATUM:

Derived from adjacent Record of Survey. L.S. 974 in Section 29, Township 57 North, Range 2 W. B. M.

LEGEND:

- ○ Denotes ½" Rebar & Cap, stamped "5087" Set for this Survey.
- ● Denotes existing Rebar & Cap, L.S.# 882. (No Survey Recorded)
- —x— Denotes Fenceline located

SCALE: 1" = 50'

NOTE:

Field Work performed with a Topcon GTS-3B, Digital Electronic Total Station. Monuments found or used for this Survey are as indicated hereon.

Benchmark: Idaho Department of Transportation N.G.S. '83, N.A.D. Field Survey performed Summer 1988, Hwy. 2 Improvements. Panel 34-C Elev. 2083.017 ; Panel 34-D Elev. 2083.926

JUL 07 1993

LEGAL DESCRIPTION:

Block 9, Plat of Welty, according to the plat thereof recorded in Book 1 of plats, at page 112, records of Bonner County, Idaho.

AND that portion of Vacated Lakeshore Avenue lying Southeasterly of Block 9, Plat of Welty, according to the plat thereof recorded in Book 1 of Plats, at page 112, records of Bonner County, Id.

AND that portion of Lot 1, Section 32, Township 57 North, Range 2 W.B.M., Bonner County, Idaho described as: Beginning at the SW Corner of Block 9 in said plat of Welty; thence South 80.00 feet to the true Point of Beginning; thence East to the line of ordinary high water of Lake Pend Oreille (River); thence Northeasterly following said ordinary high water to an intersection with an extension of a line running East-West along the North side of said Block 9, Plat of Welty; thence West along said line to an intersection with the Southeasterly line of Lakeshore Avenue (now Vacated); thence Southwesterly along said line to the true Point of Beginning.

Contains: 2.36 Acres.

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Karel Miller being first duly sworn on oath deposes and says that he/she is Book Keeper 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:

Legal Notice

as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 5 day of Nov, 1992 and ending on the 12 day of Nov, 1992 and that said notice was published in said newspaper.

On this 12th day of November in the year of 92, before me, a Notary Public, personally appeared Karel Miller, 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.

Dini Johnson
Notary Public for Idaho
Residing at Sandpoint
My commission expires: 10/22/93

RECEIVED
DEC 03 1992
NORTHERN REGION
IDWR

OK
12/3/92

NOTICE OF APPLICATION FOR WATER RIGHT

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

96-08723

FENTON, JAMES
PO BOX 1068
SANDPOINT, ID 83864
Source: PEND OREILLE RIVER Tributary: COLUMBIA RIVER
Diversion Pt: NENW Sec 32 T 57N R 02W in BONNER County.
Use: IRRIGATION (1.000 CFS)
Total Diversion: (1.000 CFS)
Date Filed: 10/26/1992
In: BONNER County
T57N R02W S32 NENW
2.6 ACRES TOTAL

96-08724

HENLEY, NADINE
PO BOX 849
RATHDRUM, ID 83858
Source: SPRING Tributary: GRANITE CREEK
Diversion Pt: SENWSE Sec 26 T 55N R 01W in BONNER County.
Use: DOMESTIC (.020 CFS)
Total Diversion: (.020 CFS)
Date Filed: 10/19/1992
In: BONNER County
T55N R01W S26 NWSE

96-08725

RECREATION UTILITIES CO INC
PO BOX 1921
SANDPOINT, ID 83864
Source: GROUNDWATER
Diversion Pt: SWNWNE Sec 20 T 58N R 02W
NWNESW Sec 20 T 58N R 02W
NENWSW Sec 20 T 58N R 02W in BONNER County.
Use: COMMERCIAL (.200 CFS)
DOMESTIC (.200 CFS)
Total Diversion: (.200 CFS)
Date Filed: 10/9/1992
In BONNER COUNTY
T58N R02W S20 SWNE SENW NESW NWSW NESE NWSE SWSE SESE
S29 NENE NWNE SENE NENW

For additional information concerning the property location, call the Northern Regional Office at 765-4639.

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before NOVEMBER 23, 1992.

R. KEITH HIGGINSON, Director
SNP#5050 Nov 5, 12, 1992

JUL 07 1993

5032

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 24, 1995

JAMES FENTON
PO BOX 505
DOVER ID 838250505

RE: WATER RIGHT NO. 96-08723

Dear Water Right Holder(s):

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECORDED

SEP 18 1995

LICENSE REVIEW
Cindy Zimmerman

Permit #: 96-8723 Name: Fenton Date: 8/11/95
App Rcd 10/26/92 Priority 10/26/92 Examined 6/6/95 ✓Lots _____

	Chng	OK	
NAME	✓	___	Or Address Change? PO Box 505 Dover 83825
SOURCE	___	✓	Clarify source _____
	___		Prelim. Order to Void - Source change.
P/D	___	✓	Amendment Needed? clarify Lt 1 -P39,P38
			Overlap(s) _____
P/U	___	✓	Amendment Needed? clarify Lt 1 -P41,P38
			Overlap(s) _____
			*P/D & P/U Amend? P37,P38
			(See paragraph list for governmental agencies.)
RATE	___	✓	Permit/fee limits 0.08/0.2
	___	___	Measured Q= 0.02 cfs Theoretical Q= ____ cfs
			1 sprinkler q in 30 sec. = (4 x 60/30) ÷ 448.83 = 8 ÷ 448.83 = 0.017 ≈ 0.02
			3 sprinkler @ a time = 0.02 x 3 = 0.06 cfs.
limited by measured capacity			Recommended capacity 0.06 cfs
			Recommended rate 0.06 cfs
VOLUME	___	✓	Season of Use: (D) 3/15 - 11/15 = 246 days
			Calculations: irr 2.5 acres x 3.0 AF/acre = 7.5 AFA
			Flow limit: 0.06 x 246 x 1.9835 = 29.3 AF
			Recommended volume 7.5 AF
USES	___	✓	Same Nature of Use? _____ -P46
	___	___	Amendment Needed? _____
REMARKS		___	Multiple p/d's in ¼¼? _____
		~~X~~	_____
CONDITIONS		—	Measuring *(R01)*/Locking *(R02)* Devices
		—	Watermaster Control *(R04)* - WD #_____
		R49	Irrigation rate/volume overlap
		—	Irrigation water overlap *(065)* (If gw use sw)
		—	Water Quality
		—	Other _____

PRIORITY Due 1/3/94 Rc'd 11/8/93 Receipt# N7153 Fee OK? (Yes)/No
Order to Reinstate Needed? Yes/No Done? _____
If Yes, Advanced? Yes/No to: _____

COMMENTS: _____

USE	CFS	DIV VOL
Irr /2.5	0.06	7.5
TOTAL	0.06	7.5

Adjustment Memo ✓

LICENSE: (P49)
#1 AMEND LTR: **P46** or **P39/P41/P37 & P38**
#2 AMEND LTR: **P42/P47**

MEMORANDUM

DATE: August 11, 1995

TO: File No. 96-08723

FROM: Cindy Zimmerman

SUBJECT: Review of Beneficial Use Field Report

==========

The following adjustments were made on the field report:

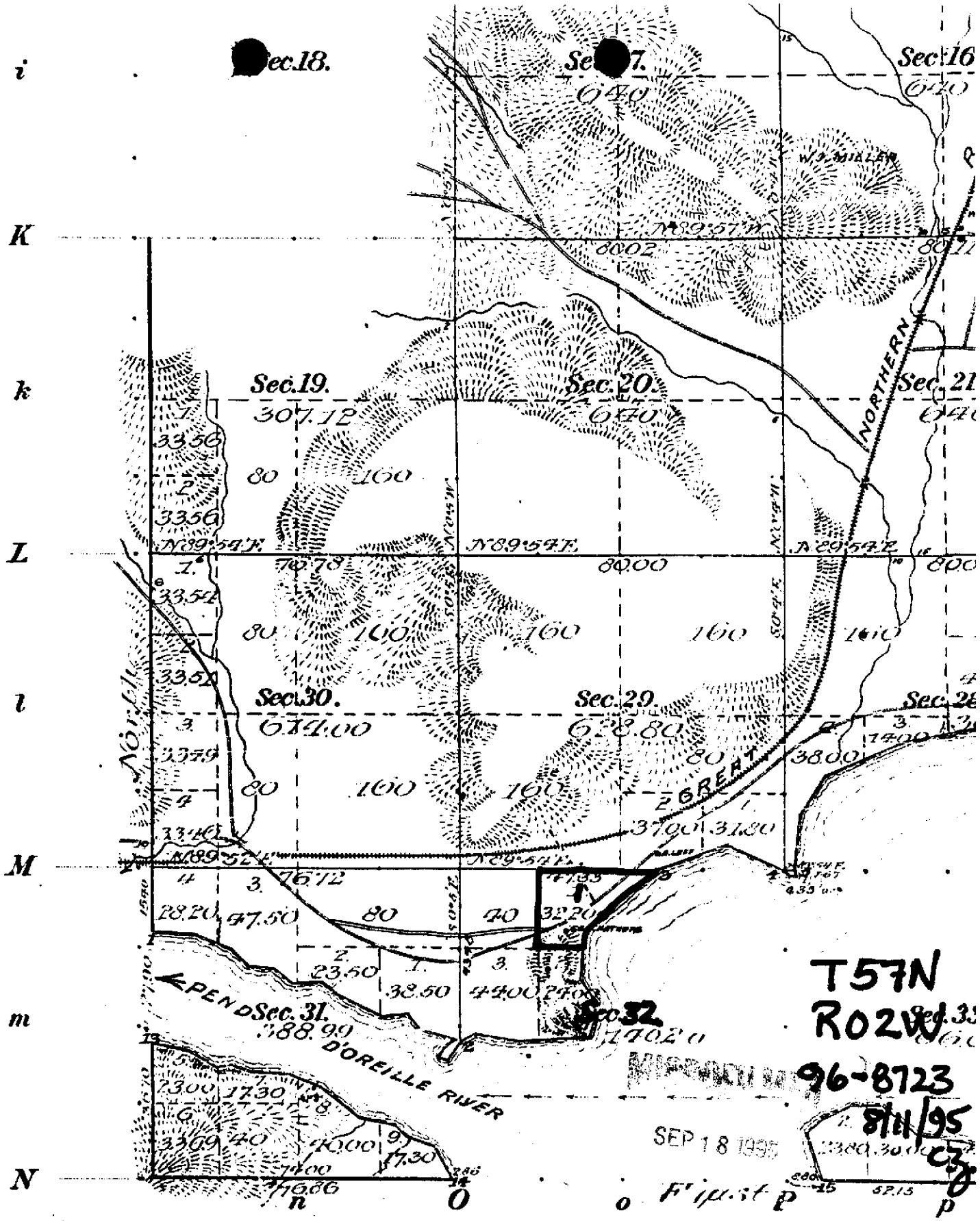
1. Point of diversion, per government plat, is located within **Lot 1** (NENW), S32, T57N, R02W.

2. Place of use, per government plat, is located within **Lot 1** (NENW), S32, T57N, R02W.

3. Rate of diversion.
   a. Measured, 4 g. in 30 sec. from one sprinkler, sprinklers operated in sets of 3;
      cfs = {[4 x (60/30)] ÷ 448.83} x 3
      = {[4 x 2] ÷ 448.83} x 3
      = {8 ÷ 448.83} x 3
      = 0.02 x 3
      = **0.06** cfs.
   b. Irrigation = 2.5 acres x 0.03 cfs/acre
      = ~~0.08~~ **0.06** cfs (limited by capacity).

MICROFILMED

SEP 18 1995



Area of Public Land 128872 Acres Water Surface 6768.70 Acres Total number

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys M.	Ch.	Li.	When
Township lines	Amos D. Robinson &	May 23rd 1892	9	23	70	
Subdivisions	Jas. F. Dike		37	58	00	
Meanders	" "	" " "	11	11	50	

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 13 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-08723

1. Owner: James Fenton Phone No. (208) 263-6255

Current Address: P.O. Box 505 Ower Id, 83825

2. Accompanied by: owner EXAM DATE :

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: 96-07523 96-07584 96-08077

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	NW	32	57N	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	
57N	02W	32					2.5 I												2.5

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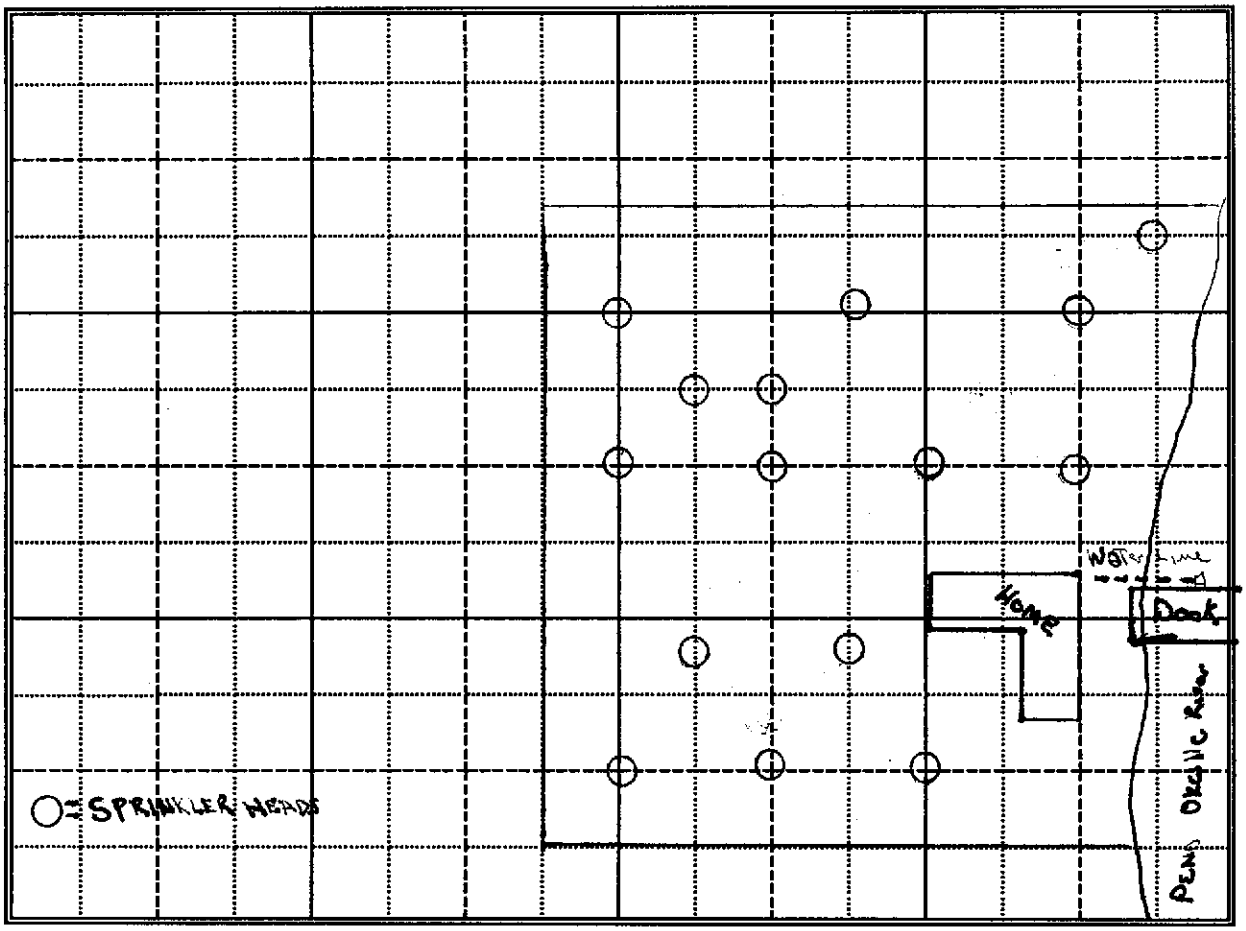
SEP 18 1995

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



Scale: 1" = _____.

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

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

_____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	N/A	3/4	N/A	Submersible	

**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
4 gallon bucket						

2. **Measurements:** 4 gallon bucket to sprinkler head

[redacted] [redacted]

PHOTOCOPIED

SEP 18 1995

E. NARRATIVE/REMARKS/COMMENTS

Mr Fenton has system set up in stations of 3. after measurement I found only .5± CFS being used at any one time

Have conditions of permit approval been met? ✓ yes ___ no

MICROFILMED
SEP 18 1995

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

$\frac{4 \text{ gal}}{30 \text{ sec}} = \frac{8 \text{ gal}}{60 \text{ sec}} \quad \frac{8}{448} = .02 \text{ cfs}$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 2.5 X 3 = 7.50

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = .02 X 245 X 1.9835 = 9.72

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 7.50

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	03-15	11-15	0.02 *	7.50
		Totals:	0.02 *	7.50

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

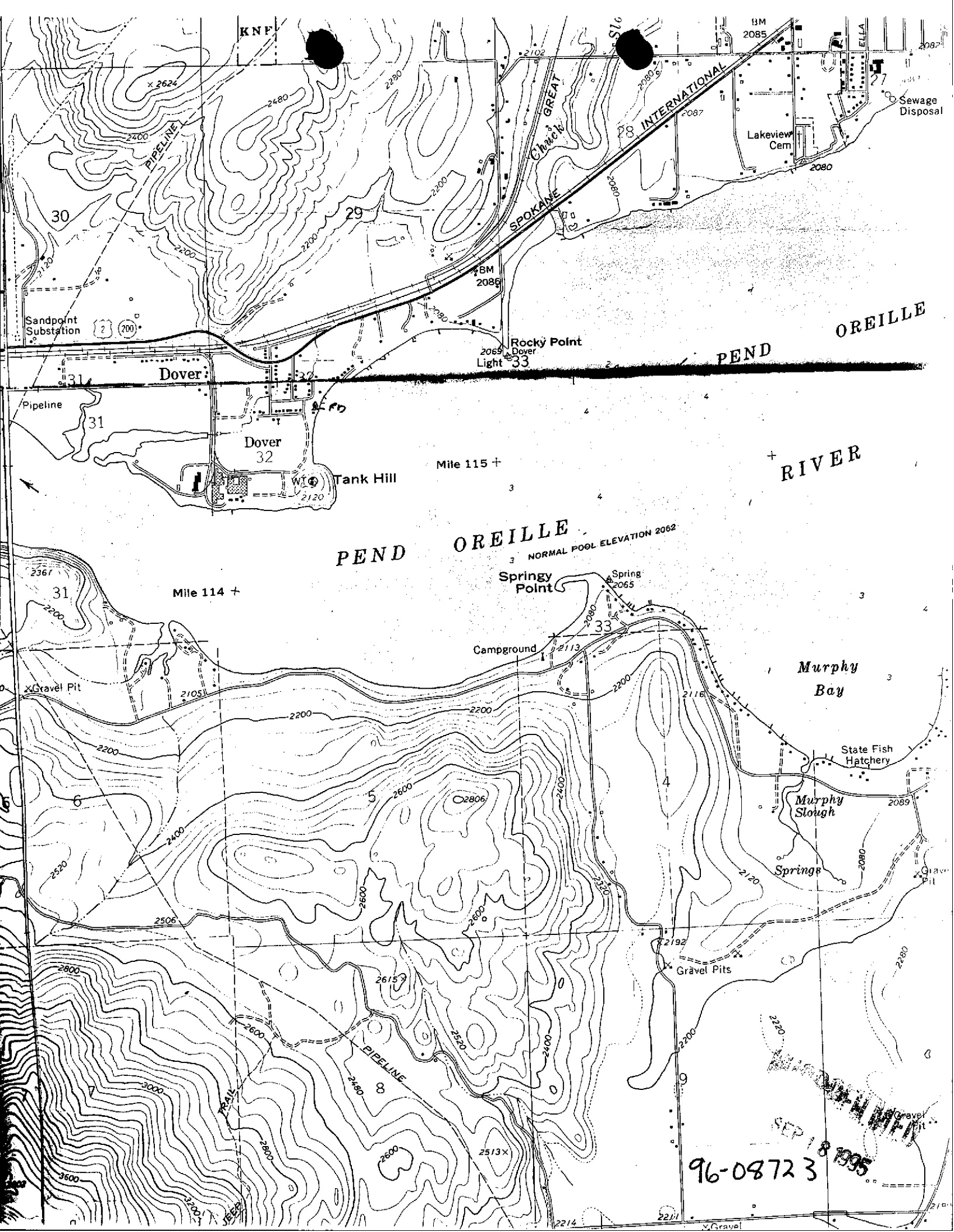
I. AUTHENTICATION

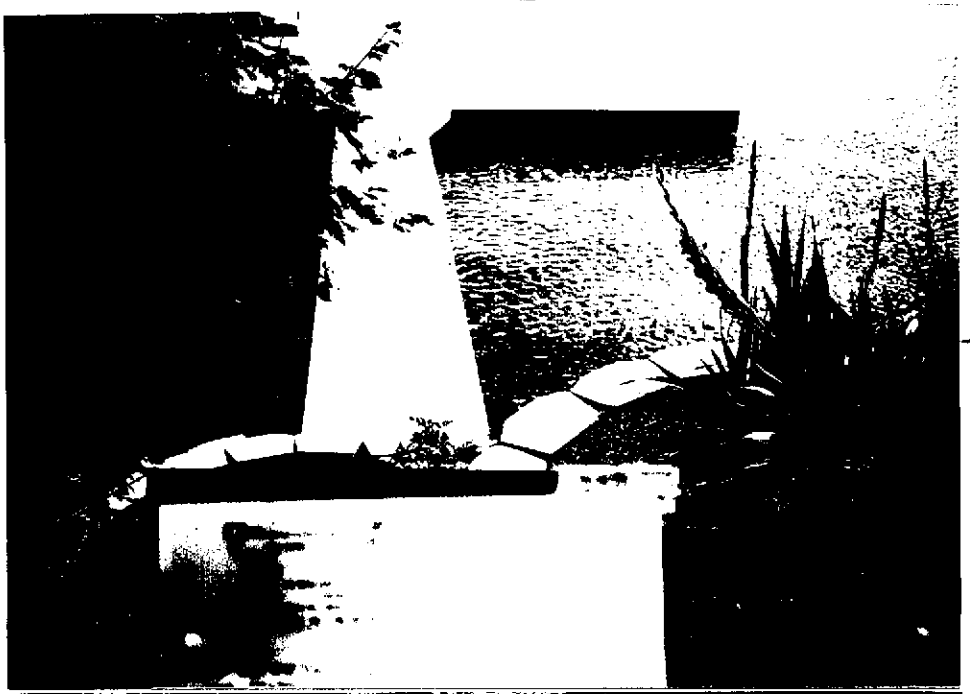
Field Examiner's Name Ted McCracken Date 6/6/95

Reviewer _____ Date _____ SEAL

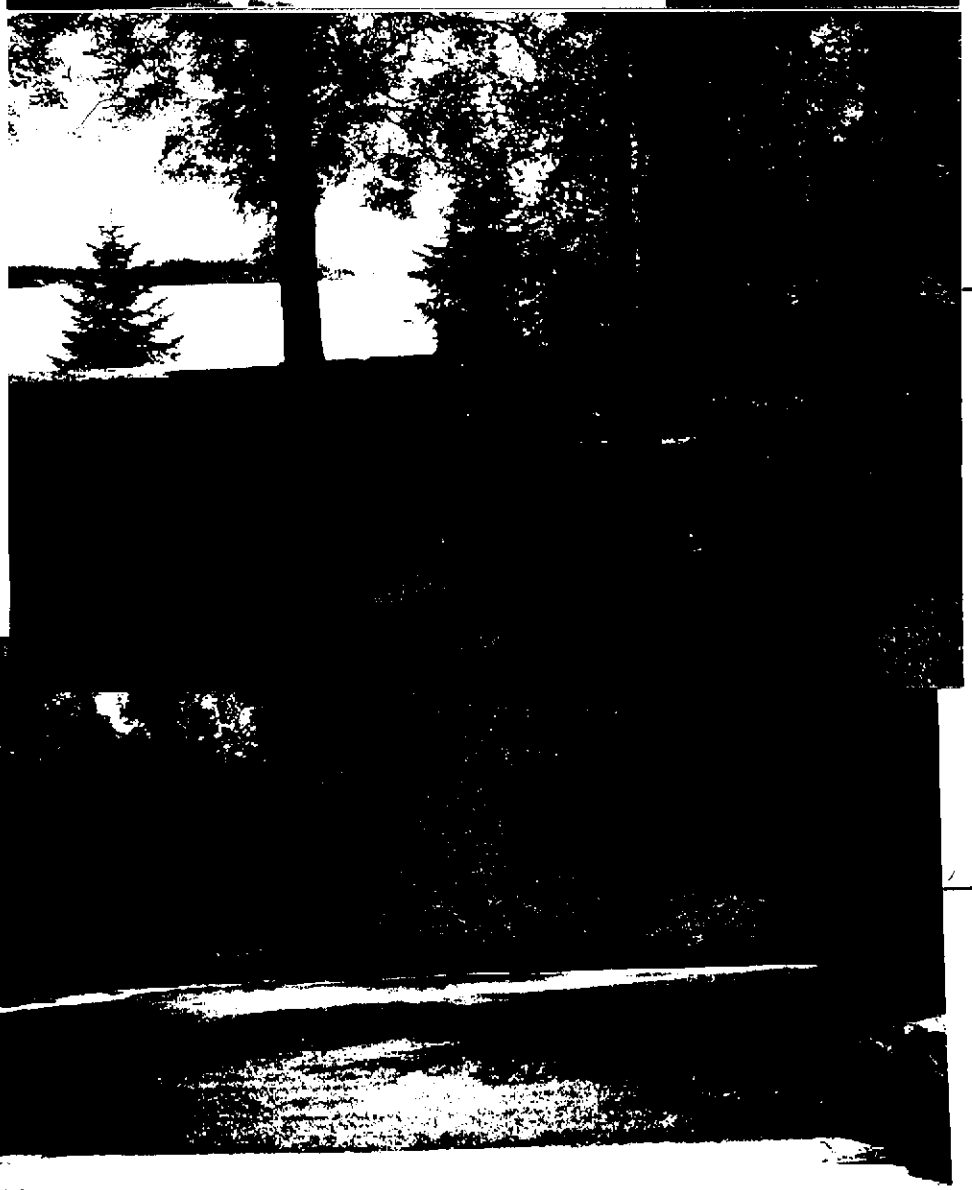
* Adjustments made during review of this right for license approval. See memo for additional information. 8/11/95 cg-MCDONALD

SEP 18 1995


KNF
BM 2085
ELLA
Sewage Disposal
Lakeview Cem
GREAT NORTHERN
INTERNATIONAL
SPOKANE
Chuck
PIPELINE
Sandpoint Substation
BM 2086
Rocky Point
Dover
Light
PEND OREILLE
RIVER
Dover
Pipeline
Tank Hill
Mile 115
NORMAL POOL ELEVATION 2062
Springy Point
Spring
Campground
Gravel Pit
Mile 114
Murphy Bay
State Fish Hatchery
Murphy Slough
Springs
Gravel Pits
TRAIL
SEEP
96-08723
SEP 18 1995



P.D.



P.U.

P.O.

SEP 18 1996

96-08723

November 19, 1993

JAMES FENTON
PO BOX 1068
SANDPOINT ID 83864

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08723

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

RECEIVED

JAN 21 1994

October 31, 1993

JAMES FENTON
PO BOX 1068
SANDPOINT ID 83864

PROOF DUE NOTICE

RE: PERMIT NO. 96-08723

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 January 1, 1994. (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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED
JAN 21 1994

CERTIFIED MAIL
NO. 140922

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 23, 1992

JAMES FENTON
PO BOX 1068
SANDPOINT ID 83864

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08723

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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,

Brenda L. Miller

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosures

MICROFILMED
JUL 07 1993

96-08723

FENTON, JAMES
PO BOX 1068
SANDPOINT, ID 83864

Source: PEND OREILLE RIVER Tributary: COLUMBIA RIVER

Diversion Pt: NENW Sec 32 T 57N R 02W in BONNER County.

Use: IRRIGATION (1.000 CFS)
Total Diversion: (1.000 CFS)

Date Filed: 10/26/1992

In: BONNER County
T57N R02W S32 NENW

2.6 ACRES TOTAL

MICROFILMED

JUL 07 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 29, 1992

Mr. James Fenton
PO Box 1068
Sandpoint, Id. 83864

Re: 96-8723

Dear Mr. Fenton:

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

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

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

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

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

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB/pms

RECEIVED

JUL 07 1993

October 21, 1992

Mr. James Fenton
P.O. Box 1068
Sandpoint, ID

RE: Application for Permit.

Dear Sir:

We are returning your Application for Permit along with Receipt Number N006031 for the amount of $45.00.

Your Application for Permit is not acceptable at this time. I have included a map to assist you with the following items.

ITEM NUMBER 3. **(POINT OF DIVERSION)**
The legal description for the point of diversion must be listed to the nearest 40-acre tract (for example: NE1/4 SW1/4) Section, Township and Range as established by the Public Land Survey.

ITEM NUMBER 9. **(PLACE OF USE)**
Item #9: This item must be completed by listing the location of all proposed water uses to the nearest 40 acre tract. This may be done by following these steps: First insert Township (Twp.) Ranges (Rge.), Sections (Sec); next, identify each use and location of that use within the section by placing the indicated symbol in the appropriate box as shown below.

STOCKWATER = S; DOMESTIC = D; COOLING = L; FISH PROPAGATION = H;
RECREATION = R; COMMERCIAL = C; FIRE PROTECTION = F; INDUSTRIAL = I;
MINING = X; AESTHETICS = J; GROUNDWATER RECHARGE = E; WILDLIFE = W;
HEATING = G; MUNICIPAL = M; POWER = P;
IRRIGATION = (NUMBER OF ACRES TO BE IRRIGATED IN EACH 40 ACRE TRACT);

Twp.	Rge.	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	04W	3	S	D	L	I	20	10	6										36

This example shows that within **Township 50 North, Range 4 West, Section 3**, there is Stockwater use in the NE1/4 NE1/4; Domestic use in the NW1/4 NE1/4; Cooling (L) in the SW1/4 NE1/4; Industrial in the SE1/4 NE1/4; and irrigation of 20 acres in the NE1/4 NW1/4, 10 acres in the NW1/4 NW1/4 and 6 acres in the SW1/4 NW1/4, for a total of 36 irrigated acres.

JUL 07 1993

The legal descriptions listed Item Number 3. and 9. must match map. If you need assistance determining legal descriptions, I may be able to do so upon your request, if the required information is on the map.

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

Sincerely,

ALLEN BEARDSLEE
SENIOR WATER RESOURCE AGENT

Enc. - Application for Permit and Receipt.

RECEIVED
JUL 07 1993

Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant James Fenton Phone 208 263-6255

   Post office address P.O. Box 1068, Sandpoint, ID

2. Source of water supply Pend Oreille River which is a tributary of COLUMBIA RIVER

3. Location of point of diversion is RP D0486009001C Welty Addn. ¼ of _____ ¼ of _____ ¼, Govt. Lot _____

   Sec. 32 Township 57N Range 2W B.M. _____ County; additional

   points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 1.0cfs (cfs or acre-feet per annum) for Irrigation purposes from May 1 to Oct 30 (both dates inclusive)

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

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

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

5. Total quantity to be appropriated is (a) 1.0 (cubic feet per second) and/or (b) _____ (acre feet per annum)

6. Proposed diverting works:

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

   2" by 55' poly wter intake line with 1.5 hp pump and foot valve attached to stationary pier per Dept of lnds permit L-96-S-715A

   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.

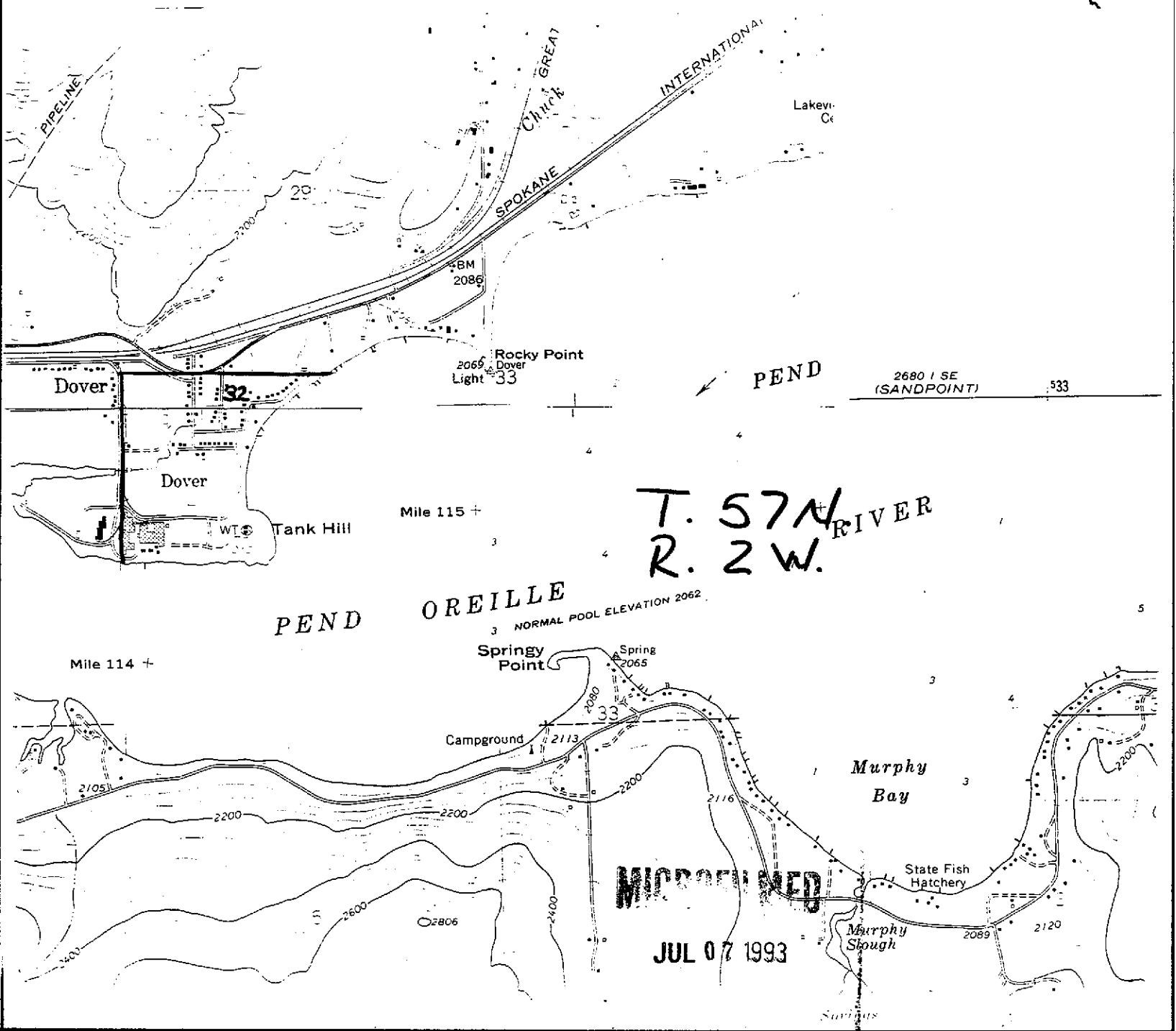
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

   d. Is ground water with a temperature of greater than 90°F being sought? _____

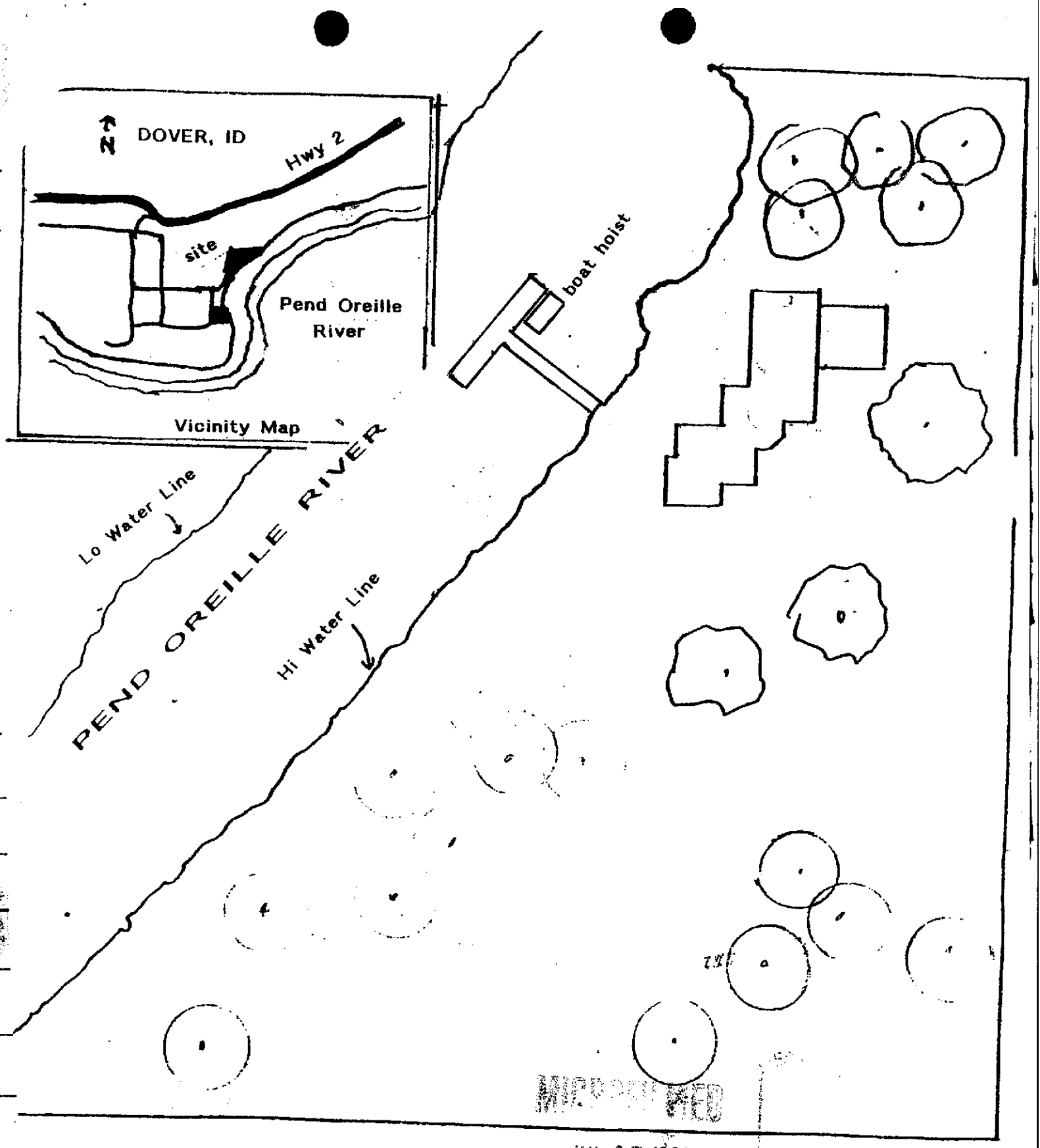
7. Time required for the completion of the works and application of the water to the proposed beneficial use is one year years (*minimum 1 year*).

MICROFILMED

JUL 07 1993



MICROFILMED
JUL 07 1993



JUL 07 1993

Scale

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.

J. James Jenton
(Applicant)

Received by [illegible] Date 10/7/92 Time 3:28pm Preliminary check by _____

Fee $ 45.00 Receipted by [illegible] # N6031 Date 10/6/92

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

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:

[illegible]

JUL 07 1993