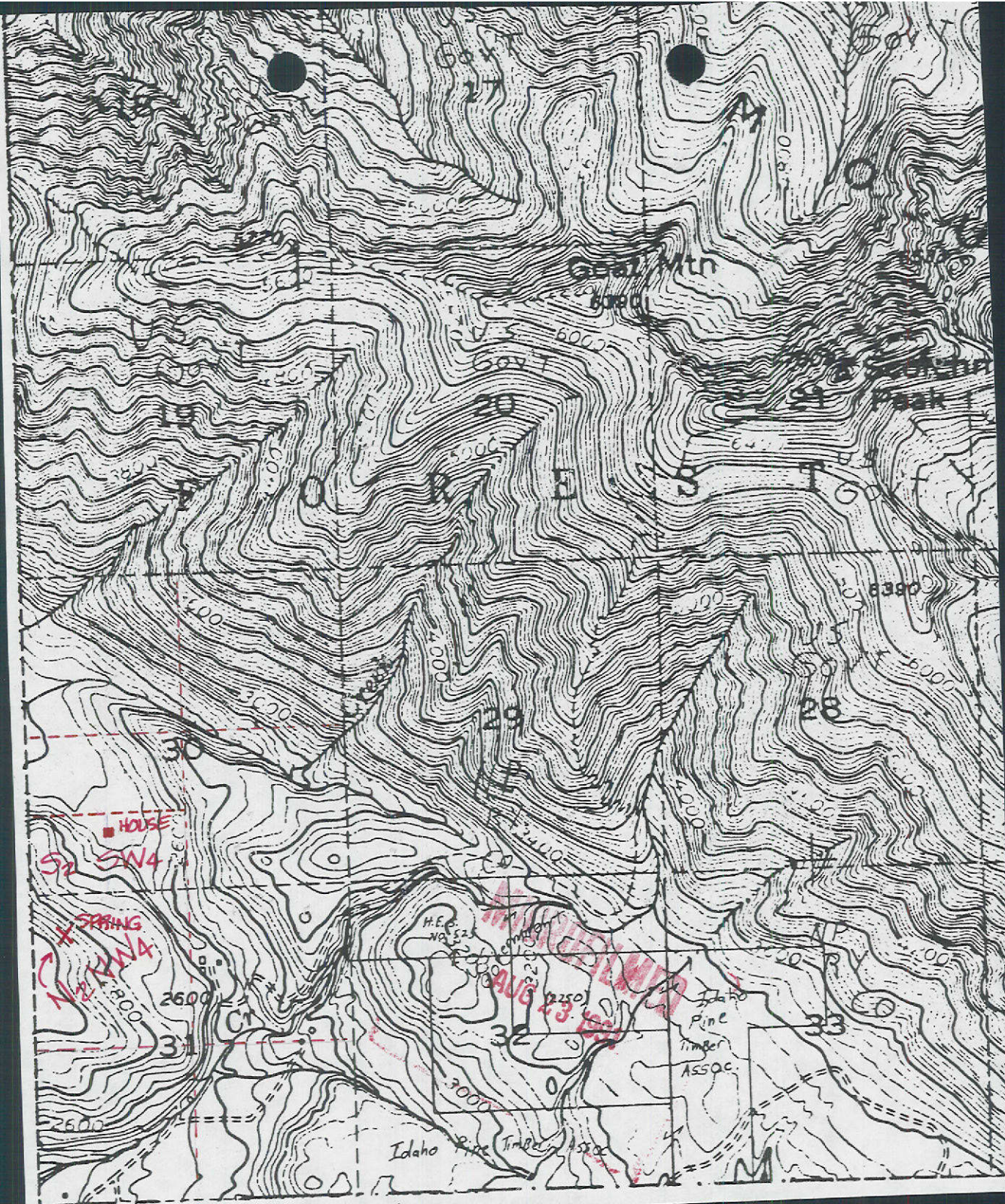






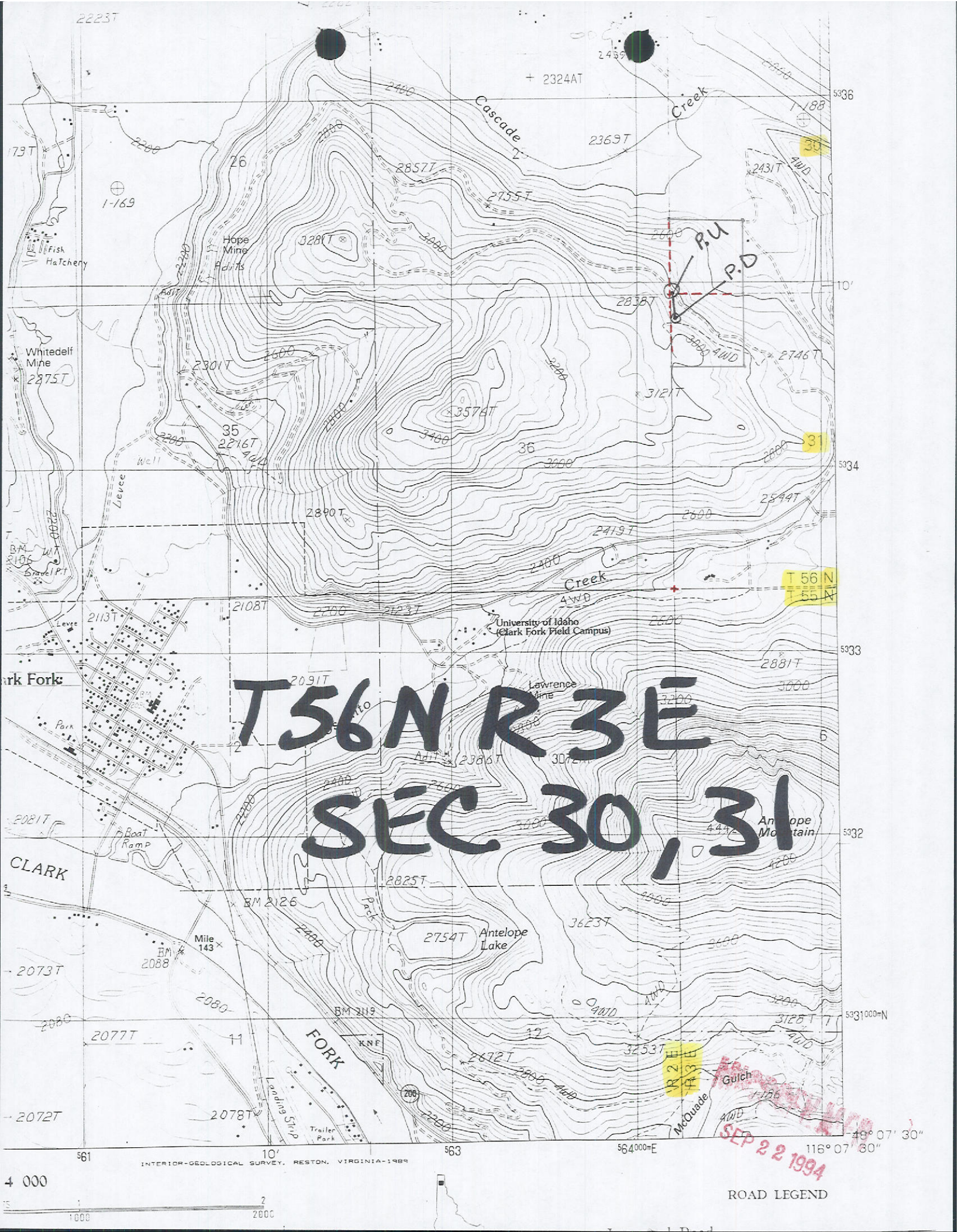
MR. MAHNKE
HOUSE
← P. U.



MR. MAHNKE
GRAVITY FEED
SYSTEM INTO
THE HOUSE.



SEP 22 1994



**T56N R3E
SEC 30, 31**

SEP 22 1994

INTERIOR GEOLOGICAL SURVEY, RESTON, VIRGINIA-1989

ROAD LEGEND

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Application~~	~~96-08645~~	~~Linda C Thibault~~	~~0.04~~
~~Full Assignment~~	~~96-08645~~	~~Seth Thomas Schneider~~	~~0.04~~
Full Assignment	96-08645	Mike Mahnke Mynon Mahnke	0.04

SEP 22 1986

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08645

Priority: January 8, 1993

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that MIKE MAHNKE
MYNON MAHNKE

PO BOX 520

CLARK FORK ID 83811-0520

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 18, 1991; and has submitted Proof of Beneficial Use on January 8, 1993. An examination indicates that the works have a diversion capacity of .040 cfs of water from:

SPRING

tributary to SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 31, Township 56N, Range 03E
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

56N 03E 30

SWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 13th day of AUGUST, 1994.

Acting for

R. Keith Higginson Director

SEP 22 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 96-08645	)	
	)	ORDER OF
IN THE NAME OF MIKE AND MYNOR MAHNKE	)	REINSTATEMENT
	)	

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On August 8, 1991, the Director of the Department of Water Resources issued Permit No. 96-08645 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before August 3, 1992.

2. On May 31, 1992, the Department sent a proof due notice to the permit holder.

3. On August 5, 1992, the Department sent a lapse notice to the permit holder.

4. On January 8, 1993, the permit holder submitted Proof of Beneficial Use to the Department.

5. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holder has submitted evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes two affidavits from neighbors attesting to the fact that the well has been in use in excess of 13 years.

7. The permit holder states, in correspondence to the Department, that a previous owner gave them the proof due notice after it had lapsed. As soon as the new permit holder received the proof due notice, they began the process to have the permit assigned to them so that they could pursue reinstatement and continue to use the water authorized under this permit.

MICROFILMED

JUL 07 1993

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 96-08645 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to January 8, 1993.

Dated this 28th day of April, 1993.

L. Glen Saxton
L. GLEN SAXTON
Chief, Water Allocation Bureau

RECORDED
JUL 07 1993

RECEIVED

JAN 8 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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. 96-28645 Telephone No. _____
2. Name(s) of Permit Holder(s): Mike Mahmcke
3. Mailing Address: P.O. Box 520 Clark Fork, Id. 83811
4. Source of Water: Spring

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

Irrigation _____ (No. of acres) Other _____

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

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

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

Flow Measurement Port: Required? ____ Yes X No Installed? ____ Yes X No

8. Fee Enclosed: \$ 50 (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.

Mike or Myron Mahmcke
Name Telephone No.

Box 520 Clark Fork Id. 83811
Address

10. The above information is my true statement of the extent to which the above numbered permit has been completed and I relinquish any undeveloped portion of the permit to the state of Idaho.

JUL 07 1993

1-5-93 [Signature]
Date Signature (and title, if on behalf of a company or organization)

RECEIVED

APR 26 1993

State of Idaho

Department of Water Resources

Department of Water Resources

ASSIGNMENT OF PERMIT

I, Seth Thomas Schneider, hereby assign to Mike & Myron Mahrtke
of Box 520 Clark Fork, Idaho 83811
Address

All my right, title, and interest in and to Permit No. 96-08645
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. 96-08645 to appropriate the public waters of
the State of Idaho. (Describe that portion of the permit being
assigned by listing the acreage within each 40 acre subdivision, the
point of diversion and the amount of water in cubic feet per second for
direct diversion, or acre feet for storage)

Made this 25th day of March, 1993.

Seth Thomas Schneider
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Bonner) ss

On this 25 day of March, 1993, personally appeared before
me the signer(s) of the above instrument, who duly acknowledged to me that
he (she) (they) executed the same.

Myra J. Converse

Notary Public residing at

1034 Lignite Road
Sagle, ID 83860

s e a l

My commission expires:

3-8-99

JUL 07 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-08645

Proposed Priority: April 18, 1991 Maximum Diversion Rate: 0.04 CFS
This is to certify, that **SETH THOMAS SCHNEIDER**

P.O. BOX 327

CLARK FORK, ID 83811

has applied for a permit to appropriate water from:

SPRING

tributary of **SINKS**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNW

Sec. 31, Township 56N, Range 03E
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

56N 03E 30

SWSW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 3, 1992.
2. Subject to all prior water rights.
3. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
4. Domestic use is for 1 home.

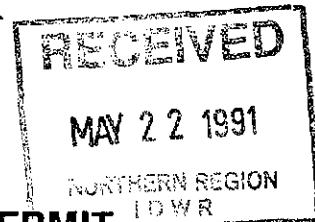
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

8th day of August, 1991.

Bary Spackman
FOR: R. Keith Higginson, Director

AUG 23 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



ASSIGNMENT OF APPLICATION FOR PERMIT

I, LINDA C. THIBAUT, hereby assign to SETH THOMAS SCHNEIDER
of, Box 327 - CLARK FORK - ID - 83811
(Full Address)

All my right, title, and interest in and to Application for Permit
No. _____ to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

WATER FOR SINGLE FAMILY DOMESTIC USE 1.3 GAL. MIN. ±
NE4 NE4, SEC. 36, T56N, R2E.

Made this 21st day of May, 1990, 91
Linda C. Thibault
Applicant

State of Idaho)
County of Bonner) ss

On this 21st day of May, 1990, 91, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

seal

Kathy M. Conley
Notary Public
Sanapoint, Idaho

My commission expires: 2-16-95

AUG 28 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 96-8645

To appropriate the public waters of the State of Idaho

1. Name of applicant LINDA C. THIBAUT (CHERI) Phone W 265-4629
H 263-1124
Post office address 3655 MTN. VIEW RD. Sandpoint ID 83864
2. Source of water supply SPRING which is a tributary of N/A SINKS
3. Location of point of diversion is NW NE 1/4 of NW 1/4 of Govt. Lot _____
Sec. 31 Township 56 N Range 3E B.M. BONNER County; additional
points of diversion if any: N/A PD PER TEL/CON W/APP - JDR
4. Water will be used for the following purposes:
Amount 0.04 for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works: SEE REMARKS
a. Description of ditches, flumes, pumps, headgates, etc. GRAVITY FLOW PIPELINE

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
1 years (minimum 1 year).

AUG 28 1991

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

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

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
56N	3E	30										D	D						

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. N/A

NONE

11. a. Who owns the property at the point of diversion? KOOTENAI NATIONAL FOREST

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

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: DOMESTIC WATER SYSTEM IS IN PLACE AS FOLLOWS:
@ THE SPRING, A 230 GAL. HOLDING TANK; FROM SPRING
TO CABIN (APP. ¼ MI.), 2" PIPE BURIED 2 TO 2½ FEET DEEP;
NO PUMP - SYSTEM IS GRAVITY FLOW. SPRING YIELDS 3
GAL. MINUTE ±,

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

[illegible]

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.

Linda A. Thibault
(Applicant)
Cheri Thibault

Received by Am Date 4/18/91 Time 1:00 PM Preliminary check by TDK
Fee \$ 30.00 Receipted by Am # N4433 Date 4/18/91
Publication prepared by Am Date 5/29/91 Published in Sept. Dec 6/6-18/91
Publication approved Am Date 7/8/91

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:

REC
AUG 23 1991

211429

NOTICE OF UNRECORDED CONTRACT

2083.9

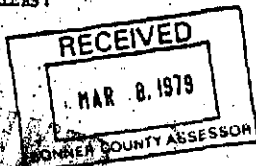
KNOW ALL MEN BY THESE PRESENTS, That CARL R. McMILLEN and MAURINE McMILLEN, Husband and Wife, and BUCK G. CLARK and EDITH G. CLARK, Husband and Wife, as Sellers and DENNIS C. THIBAUT and LINDA C. THIBAUT, Husband and Wife, as Buyers, have entered into an unrecorded Contract for the sale and purchase of the following described real property situate in the County of Bonner, State of Idaho, to-wit:

That portion of the South half of the Southwest Quarter of Section 30, Township 36 North, Range 3 East, Boise Meridian, Bonner County, Idaho, described as follows: COMMENCING at the Southwest Corner of said Section 30; thence North 89° 18' 29" East a distance of 2128.33 feet to a point on the center line of an existing road; thence North 27° 36' 00" West along said center line a distance of 347.21 feet; thence North 34° 12' 21" West along said center line 165.84 feet to the True Point of Beginning; thence North 14° 25' 10" West along said center line 196.10 feet; thence North 45° 51' 44" West along said center line 323.38 feet; thence North 37° 51' 27" West along said center line 262.87 feet; thence North 35° 42' 16" West along said center line 129.30 feet to the North line of the South half of the Southwest Quarter of said Section 30; thence leaving said center line North 89° 18' 29" East along said North line 440.14 feet; thence leaving said North line North 0° 00' 10" East 497.33 feet to the center line of an existing road; thence South 61° 20' 10" East along center line 51.88 feet; thence South 51° 51' 29" East along said center line 133.48 feet; thence South 74° 30' 27" East along said center line 227.52 feet to the center line of an existing road; thence North 17° 30' 44" East along said center line 50.93 feet; thence North 19° 31' 57" East along said center line 109.62 feet; thence North 66° 23' 21" East along said center line 141.03 feet; thence North 80° 06' 56" East along said center line 208.49 feet; thence South 56° 28' 00" East along said center line 227.26 feet; thence South 36° 54' 21" East along said center line 195.00 feet to the True Point of Beginning. See Basement and mineral reservation attached hereto and made a part hereof, marked Exhibit A.

Said contract is dated the 6th day of July, 1978, and is recorded at Book of Idaho, Sandpoint, Idaho.

DATED This 31st day of October, 1978.

SELLERS:



CARL R. McMILLEN

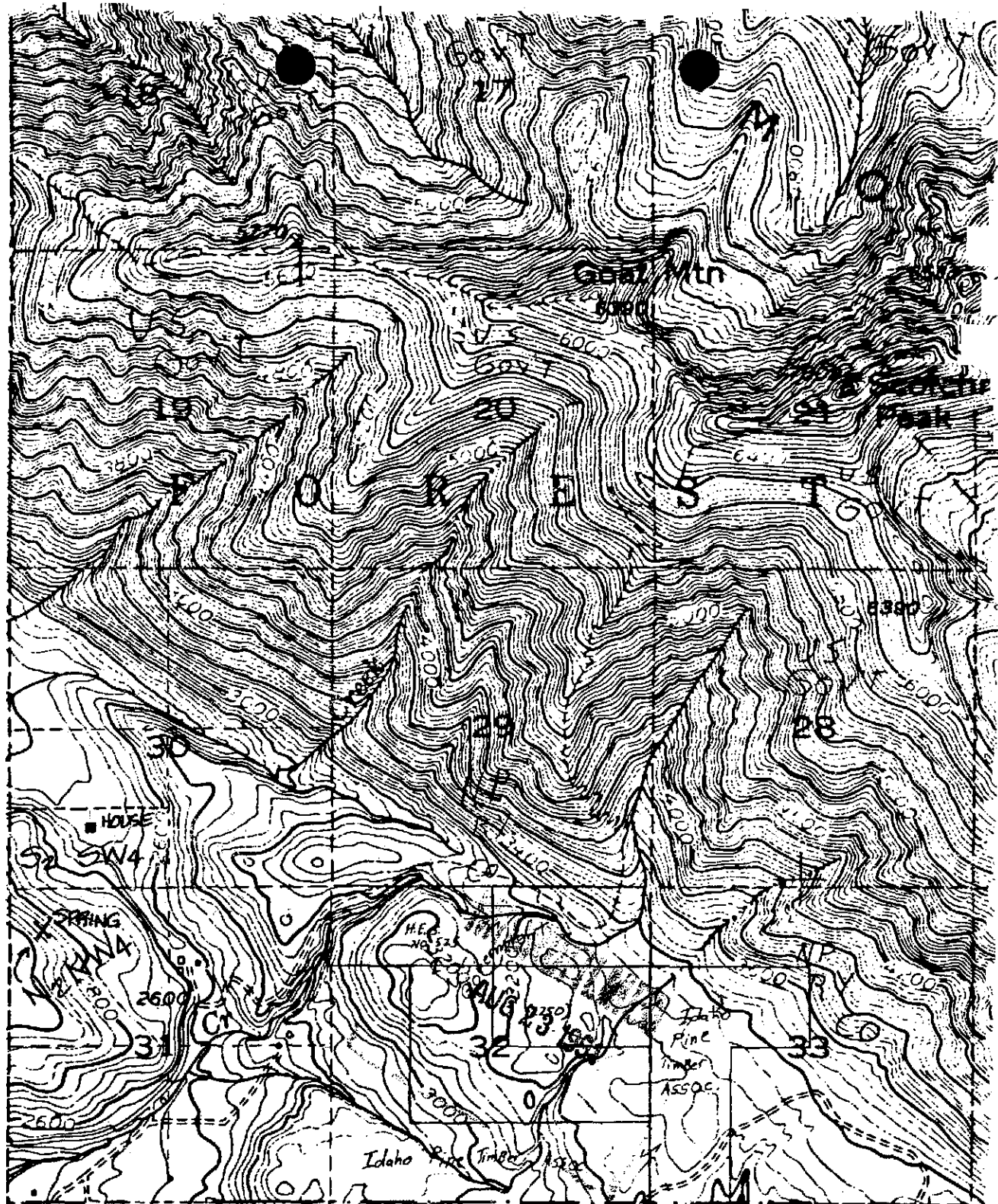
Maurine McMullen
MAURINE McMILLEN

Buck G. Clark
BUCK G. CLARK

Edith G. Clark
EDITH G. CLARK

Dennis C. Thibault
DENNIS C. THIBAUT

L. C. N. Notary Public



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 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:

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 6 day of June, 19 91
and ending on the 13 day of June, 19 91
and that said notice was published in said newspaper.

On this 13th day of June in the year
of 91, 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.

Jim Johnson
Notary Public for Idaho

Residing at

Sandpoint

My commission expires:

10/22/93

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

96-08645

SCHNEIDER, SETH THOMAS

P.O. BOX 327

CLARK FORK, ID 83811

Source: SPRING

Tributary: SINKS

Diversion Pt: NWNW Sec 31 T
56N R 03E

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 4/18/1991

In: T56N R03E S30 SWSW

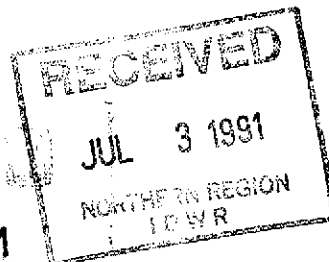
For additional information
concerning the property location,
call the Northern Regional Office at
765-4639.

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 JUNE 24, 1991.

R. KEITH HIGGINS,

Director

SNP #4132 June 6, 13, 1991



AUG 23 1991

4132



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

August 3, 1994

MIKE MAHNKE
MYNON MAHNKE
PO BOX 520
CLARK FORK ID 838110520

RE: WATER RIGHT NO. 96-08645

Dear Water Right Holder(s):

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

Sincerely,

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

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

SEP 22 1994

LICENSE REVIEW

Cindy Zimmerman

Permit #: 96-8645 Name: Mahnke Date: 7/26/94

NAME	Yes	No		Or Address Change?
	☐	☒		
SOURCE	☐	☒		Change/Clarify source _____
	☐	☒		Prelim. Order to Void - Source change.
P/D	☐	☒		Amendment Needed? clarify? _____ -P39, P38
	☐	☒		Overlap(s) _____
P/U	☐	☒		Amendment Needed? reduce? _____ -P41, P38
	☐	☒		Overlap(s) _____
				*P/D & P/U Amend? P37, P38 (See list for feds.)
RATE	☐	☒		Measurement Done? _____
	☐	☒		Theoretical Only? <u>allow permitted domestic</u>
	☐	☒		Theoretical (HP) $\frac{8.8 \times 0.70 \times}{+ (2.31 \times)} =$
	☒	☐		Capacity <u>0.04</u> cfs
				Allowable Amount: <u>0.04</u> cfs
VOLUME	☐	☒		Season of Use: <u>1/1 - 12/31</u> days <u>365</u>
				Calculations: <u>allow standard domestic = 1.2 AF</u>
				Flow limit: _____ x _____ x 1.9835 = _____ AF
				Allowable volume <u>1.2</u> AF
USES	☐	☒		Change(s) in Nature of Use? _____ -P46
	☐	☐		Amendment Needed? _____
REMARKS	☒	☒		Multiple p/d's in $\frac{1}{4}$?
				Other <u>wa(1)</u>
CONDITIONS	☒			Measuring/Locking Devices
	☒			~~R04~~ Watermaster Control - Water District _____
	☒			Irrigation Overlap
	☒			Water Quality
	☒			Other
PRIORITY	☒	☐		Correct fee submitted? Receipt No. <u>0026480</u> <u>1/11/93</u>
	☐	☒		Order to Reinstate Needed? Done? <u>4/28/93</u>
	☐	☒		Advance(d)? <u>yes</u> Advanced to: <u>1/8/93</u>
	☒			App Rcd <u>4/18/91</u> Priority <u>4/18/91</u> Exam done <u>7/13/93</u>

COMMENTS:

RECOMMENDED	CFS	DIV VOL	LICENSE: <u>P49</u>
<u>Dom/1</u>	<u>0.04</u>	<u>1.2</u>	#1 AMEND LTR: P46 or
			P39/P41/P37 & P38
<u>TOTAL</u>	<u>0.04</u>	<u>1.2</u>	#2 AMEND LTR: P42/P47

WR0749NP
No. L96-08645

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/27/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MIKE MAHNKE	01/08/1993	DOMESTIC	01-01 12-31	0.04 CFS	1.20 AFA
C	MYNON MAHNKE					
	PO BOX 520					
	CLARK FORK ID 83811-0520					
	(208) 265-1242					
				TOTAL DIVERSION:	0.04 CFS	1.20 AFA

Water Source: SPRING

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion Capacity: 0.04 CFS

Point(s) of Diversion: T56N R03E S31 NWNW BONNER County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:
56N	03E	30	:					:					:			D		:					:

Pou County: BONNER

Remarks: Domestic use is for 1 home.

Dates:	App. Received:	04/18/1991	Priority Date:	01/08/1993	(Priority Date Advanced.)
	Proof Due Date:	08/03/1992	Proof Made Date:	01/08/1993	(Proof Received Late.)
	Exam Made Date:	07/13/1993	Exam Sent to S.O.:	06/30/1994	
	Licensed Date:				

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

Audit: 07/26/94 CZIMMERM 07/27/94 CZIMMERM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 30 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-08645

1. Owner: MIKE MAHNKE Phone No. (208) 265-1242

Current Address: BOX 520 CLARK FORK, ID. 83811

2. Accompanied by: MIKE MAHNKE EXAM DATE: 7-13-93

Address: SAME Phone No. SAME

Relationship to Permit Holder: OWNER

3. Source: SPRING tributary to SINKS

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NW	31	56N	03E	BONNER	U.S.G.S. TOPO.

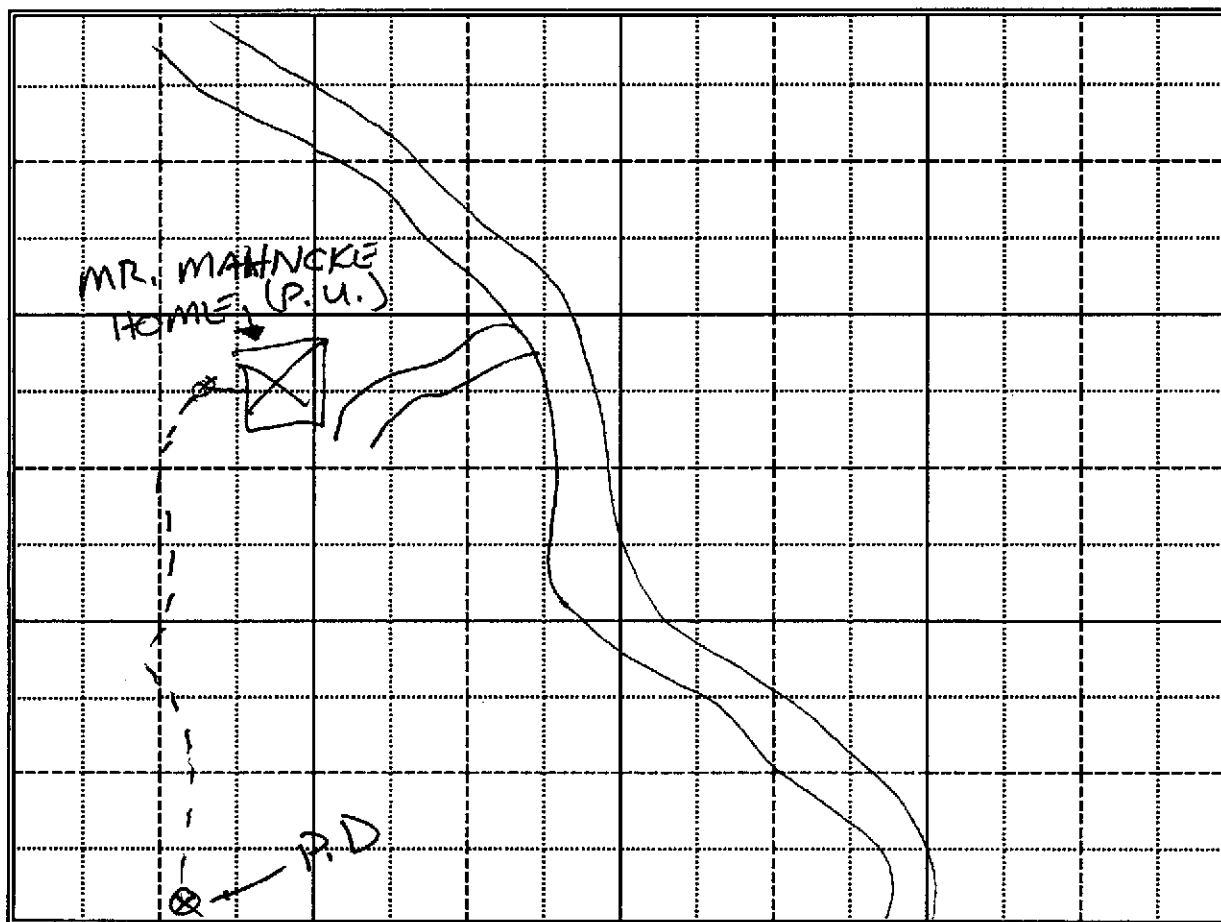
2. Place(s) of Use:

Indicate Method of Determination U.S.G.S. TOPO.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	03E	30																	

(B)

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
					GRAVITY FLOW

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: NONE

SEP 22 1994

E. NARRATIVE/REMARKS/COMMENTS

SYSTEM IS COMPLETE AND WATER IS
IN USE

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

SEP 22 1994

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

NONE

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

NONE

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

2. Volume Calculations for Other Uses:

NONE

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DOMESTIC	01-01	12-31	0.04	1.2
Totals:			0.04	1.2

2. Recommended Amendments

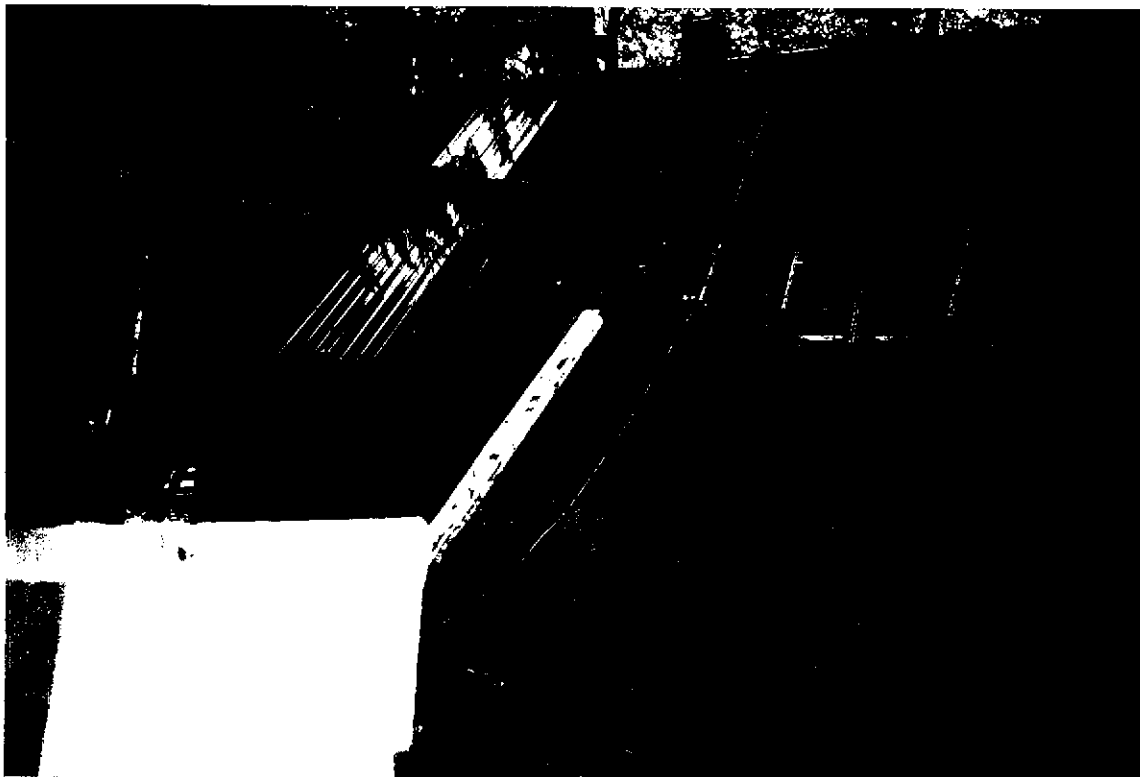
___ Change P.D. as reflected above ___ Add P.D. as reflected above ☒ None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATIONField Examiner's Name Jon M. Kunz Date 8-24-93

Reviewer _____ Date _____

SEAL

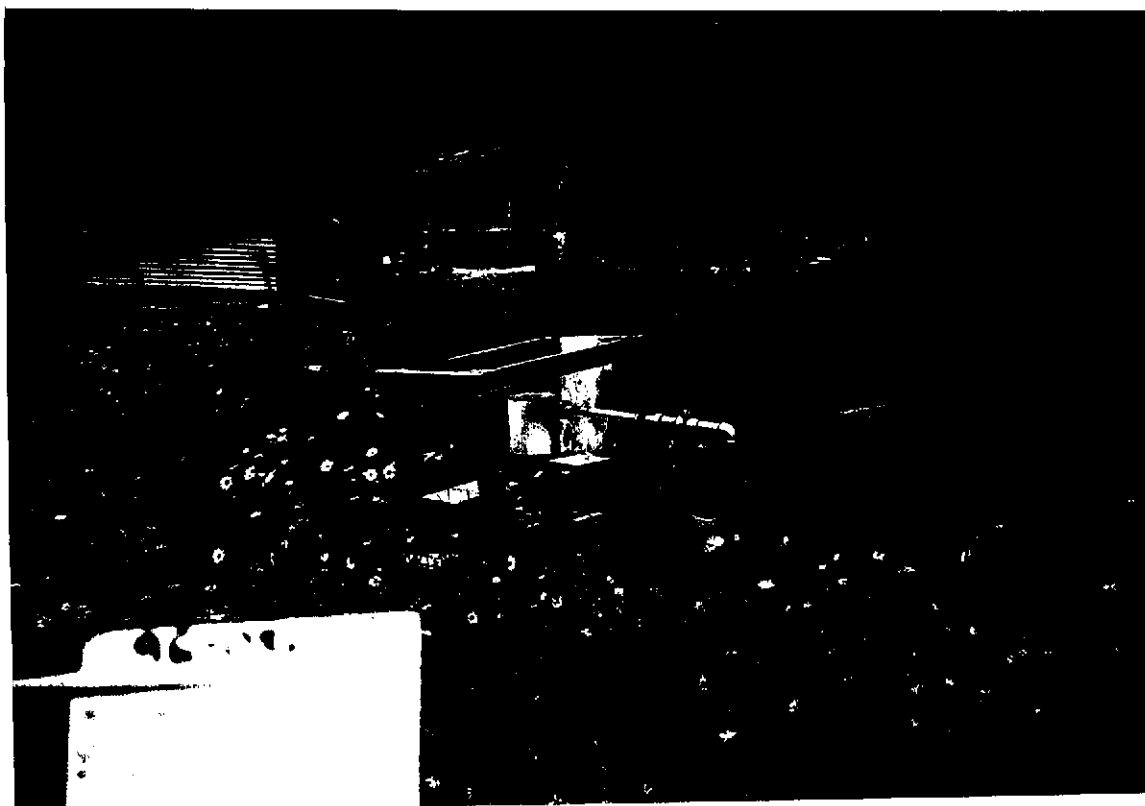
SEAL



MR. MAHNKE

HOUSE

← P. U.



MR. MAHNKE
GRAVITY FEED
SYSTEM INTO
THE HOUSE.



Photocopy of original
document dated 1994

2223T

+ 2324AT

2439

5338

1-169

10'

5334

5333

5332

5331000+N

48° 07' 30"

116° 07' 30"

T56N R3E
SEC 30, 31

INTERIOR-GEOLOGICAL SURVEY, RESTON, VIRGINIA-1989

ROAD LEGEND

4 000



April 30, 1993

MIKE MAHNKE
MYNON MAHNKE
BOX 520
CLARK FORK ID 83811

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08645

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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)765-4639.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

MICROFILMED

JUL 07 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 27, 1993

Mike and Mynon Mahnke
Box 520
Clark Fork, ID 83811

Re: Permit No. 96-08645

Dear Permit Holder:

We acknowledge receipt of the correspondence and assignment of permit form transferring ownership of the above referenced water right to you. I have modified our computer records to reflect this change in ownership.

The Department is also in the process of analyzing the proof of beneficial use submitted in connection with this permit. While a water right permit does not grant you an easement, it is not necessary for the Department to have a copy of the easement on file prior to accepting the proof of beneficial use. You should be hearing from the Department within the week concerning the acceptance and reinstatement of the permit.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

C: IDWR - Regional Office

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JUL 07 1993

Permit No. 90-08645

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APR 26 1993

Department of Water Resources

Dear Luen Gustafson,

We have contacted Craig Savage at A.P. He is setting up an appointment to come and look at our spring, which also may entail surveying. He said this could take quite awhile, because the corporate lawyers would have to draw up the easement, etc, so as you might guess this probably will take some time. So we're trying to get this all together, but it's taking some time. The former owners Sherry & Dennis Thielbalt said they had rights to the spring, that everything was official. Be that as it may, we are sending two letters from neighbors and the assignment of permit from Seth Schneider. So, I guess we need a little more time.

Thanks,

Mike Mahnetz

Mike Mahnetz
70 Box 520
Clark Fork - 83841

P.S. If you want to contact Craig Savage, he is at A.P. in development.

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JUL 07 1993

April 7, 1993

Re: Mahncke's Spring

To whom it may concern,

The Mahncke's have lived in their current residence for almost one year.

During this time they have used a spring near their property for their Beneficial Use.

Prior to ~~that~~ Soth Schneider used the spring for three years.

Prior to that Denny & Cheri Thibault used the spring for ten years.

Thank You
Carl Oddy -
Loretta Oddy

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P.O. BOX 208
CLARK FORK, ID 83811-9998
(208) 266-1541 PHONE/FAX

April 22, 1993

TO WHOM IT MAY CONCERN:

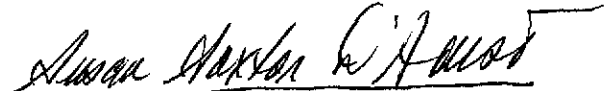
I am writing in regard to the use of spring water by my neighbor Mike Mahncke and his family.

They purchased their land last year with the understanding that water would be available, and have since discovered that there might be some question in this regard.

The spring in question has been in continuous use by the Mahncke's and their predecessor, Seth Schneider, and his predecessor Denny Thibault and family, for over thirteen years. There is no reason to believe that use of this water should be stopped now for any reason and to do so would only create undue hardship on this family.

If you have any questions, please feel free to call me at 208-266-1541.

Sincerely,


Susan Saxton D'Aoust

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JUL 07 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 14, 1993

Mike Mahncke
Box 520
Clark Fork, ID 83811

Re: Permit No. 96-08645

Dear Mr Mahncke:

On March 15, 1993, the Department corresponded with you and explained the need to submit an assignment and additional information in order to reinstate the above referenced permit. As of this date, the Department has not received any information.

The Department has been holding this file since August of 1992 in an attempt to complete the process and keep the permit in good standing. However, we cannot continue to hold the permit indefinitely. Since the permit lapsed on August 3, 1993, it is of no further force nor effect. If you are still diverting water from the spring, you are doing so in violation of the permit and the law. Therefore, it is imperative that you submit the assignment and previously requested information as soon as possible.

The Department will hold the file for an additional 15 days. If we have not received the information at the end of that time, the Department will take action to film and destroy the file.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

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JUL 07 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 15, 1993

Mike Mahncke
Box 520
Clark Fork, ID 83811

Re: Permit No. 96-08645 (Please refer to this number with any and all correspondence that is sent to the Department)

Dear Mr. Mahncke:

Thank you for your latest correspondence in reference to the above referenced water right permit. I will attempt to answer each of your questions as they were listed in your letter. First of all, the Department will proceed on the assumption that you can obtain an easement from the logging company for use of the spring. We will, however, have to have a copy of the easement before we complete the licensing process.

Mr. Schneider can "turn the permit" over to you. This process is called an assignment. I have enclosed the appropriate form. Please have Mr. Schneider complete the Assignment of Permit form, have it notarized by a notary public and return it to me. When the Department has received the properly completed form, the permit will then be yours.

My suggestions for additional data to prove beneficial use would be affidavits from neighbors that the water from the spring has been in use prior to August 3, 1992. Just a short statement from neighbors stating that they can attest to the fact that the water has been beneficially used. A second suggestion would be dated receipts for the underground tank and/or piping material. Whatever you choose, the Department must have two pieces of this evidence, pursuant to Idaho Code, in order to proceed with this process.

Lastly, you did in fact send \$50 along with the proof of beneficial use. The \$50 is to pay for a license examination. As I have previously explained, there are three steps in the water right process. 1) Apply for the permit; 2) Prove beneficial use; and 3) Have a field examination done and a license issued. Once we have completed all of the paperwork (i.e. assignment and two pieces of evidence), the Department will reinstate your permit. I will notify our regional office in Coeur d'Alene that you are ready for

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JUL 07 1993

a field examination. Our field examiner will physically come out to your residence and examine your water system. The \$50 is to pay for the examination and is also required by Idaho Code. Once the examination is complete and the paperwork returned to the Department, the Department will issue you a license to a water right.

In summary, please have Mr. Schneider complete the assignment and return it as soon as possible. You need to submit two separate pieces of evidence that the water was beneficially used prior to August 3, 1992. Once I have this information, I will proceed with the remainder of the process.

I hope I have been able to answer your questions. However, if you have any further questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,



Karen L. Gustafson
Secretary/Records Manager

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JUL 07 1993

96-7497
or
96-8645
Seth Sakuma

3-10-93

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MAR 15 1993

Department of Water Resources

Dear Karen,

Again we are writing about the water permit. I have been at work 17 hours a day and really haven't had time to pursue this. We tried to contact the gentleman at the logging company to get an easement, but he hasn't been available. I don't think this will be a big problem as the spring is very close to our property line.

Being personal property, can Mr. Schneider turn over ownership to us? If so, how? Also what additional data is needed to prove beneficial use? Everything is developed, there is a holding tank, a long line of plastic pipe underground connected to our house; it has been this way for many years.

Also, Seth said we needed to send you \$50, which we did. What was this for and how does it benefit us?

Thank you for your time and help -
Mike Mahncke

Mike Mahncke
Clark Fork Idaho

MIKE MAHNCKE
Box 520

CLARK FORK
Idaho

83811

JUL 07 1993

March 2, 1993

Mike and Mynon Mahncke
PO Box 520
Clark Fork, ID 83811

Re: Water Right Permit No. 96-08645

Dear Mr. and Mrs. Mahncke:

On February 2, 1993, the Department corresponded with you in connection with the above referenced permit. At that time, we asked that you return some sort of correspondence to us within 30 days of the date of mailing.

As of this date, the Department has received no response from you. The Department will allow an additional 15 days for you to respond to our earlier correspondence. If we have not heard from you at the end of that time, the Department will be forced to continue with our lapse process. In essence, the permit has lapsed and will be reviewed for film and destroy. There will no longer be a valid water right associated with this spring.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

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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

February 2, 1993

Mike and Mynon Mahncke
PO Box 520
Clark Fork, ID 83811

Dear Mr. and Mrs. Mahncke:

The Department is in receipt of your last correspondence concerning use of water from a spring located in Bonner County. I realize that the water right process is very confusing. I hope to clear up some of that confusion with this correspondence by addressing each of the concerns you expressed.

First of all, let me try to simplify the water right process. There are three steps in the water right process. They are as follows:

1. To apply for and obtain a valid water right permit.
2. To prove that the water is being beneficially used. This step must be completed by a specified date. That date is always listed on the water right permit when it is issued to the permit holder.
3. To obtain a water right license.

Contrary to your beliefs, Mr. Seth Thomas Schneider did apply for and obtain a valid water right permit (step #1). However, he did not complete step #2 on the required date. That is where you come in. You filed all of the appropriate papers to prove beneficial use. However, two problems exist. The first being, you do not own the permit. Mr. Schneider owns the permit. The permit is personal property and does not transfer when the land is sold. Secondly, because they were not filed by the required date, additional information is needed before the Department can accept the papers. Step #3 is automatic and occurs after the first two steps have taken place.

However, I fear that completing the water right process is the least of your worries and this time. It is clear from your correspondence that the land adjacent to yours, where the spring is located, is now owned by a logging company. Unfortunately, as you can see from Mr. Schneider's permit, the issuance of the water right permit in no way grants any right-of-way or easement across the land of another. The Department of water resources has control

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JUL 07 1993

over the water only. We cannot force any property owner to allow access by another property owner. For instance, we cannot force the logging company to allow you access to the spring because it is located on their property.

I would like to suggest that you contact the logging company as soon as possible. We can only hope that they will be sympathetic to your situation. Hopefully, you and the logging company can come to an agreement that is acceptable to both of you. An agreement that will allow you to continue to use the water while not hindering their operation. The Department cannot, however, force them to do so.

Once you have contacted the logging company and, hopefully, obtained an easement, contact me again. I am confident that I will be able to assist you in completing the water right process and obtaining a valid license to your water right.

In any case, please notify me within 30 days of the date of this mailing as to the status of the possible easement. In the mean time, if you have any questions or if I can be of any further assistance, please feel free to contact me. I have enclosed my card for your convenience.

Sincerely,



Karen L. Gustafson
Secretary/Records Manager

Enclosure

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JUL 07 1993

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FEB 1 1993

Department of Water Resources

Mike Mahncke
P.O. Box 520
Clark Fork, Idaho
83811

Tuesday

Dear Karen Gustafson,

My husband recently sent you what papers we have on the water usage of this house we recently purchased.

I have never dealt with these matters so I am completely in the dark. I'm sure you will recognize that!

When Mike wrote to you it was because we want to do whatever is necessary to secure our use of the spring. And in the couple weeks that have passed, a big logging company purchased the land our spring is on. Now we are really scared. There is no way we could afford to drill a well.

The original owners of this house piped the water from that spring for use here before they even built the house. They put in a holding tank at the spring sight. They piped the water underground the whole distance to this house. That has been the primary domestic water source for this one dwelling for at least ten years.

JUL 07 1993

believe it has been longer. Seth Schneider only lived here briefly and did nothing to secure any rights to the spring.

We have done nothing to the spring. But that is our only water source. We are really worried about the loggers destroying the spring. They could destroy it so quickly, and then we would have nothing. Is there anything we can do to protect ourselves in this matter. I'm really afraid the road they will take when they start logging is right where the pipes are located.

We certainly do wish Mr. Schneider would have done all this (before that land was sold) but he didn't even make his house payments. We thought we had better just get in the house and take care of this matter. And now we might end up with no water!

What can we do, if anything.

Thank you.

Sincerely,

Mignon Mahrie

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JUL 87 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 12, 1993

Mike Mahncke
PO Box 520
Clark Fork, ID 83811

Dear Mr. Mahncke:

The Department is in receipt of the correspondence sent concerning a water right. Before I can proceed any further, some clarification is needed.

You indicate that you are "applying for a water right". However, you have sent information in reference to a permit previously owned by Seth Thomas Schneider. You also indicate that you purchased the property from Mr. Thomas.

I want to inform you that Mr. Thomas failed to submit the proper paperwork in a timely manner and the permit has been prepared for film and destroy. In order for you to proceed with this permit, we must determine if water has been beneficially used from this spring for domestic purposes of one home. If water has been diverted, when did you or Mr. Thomas begin diverting the water? When I receive this information, I will inform you of the necessary steps that need to be taken in order to reinstate this permit.

If water has not yet been diverted from this spring, then it will be necessary for you to apply for a new water right. If this is the case, the paperwork and fees you have submitted are not acceptable. You will need to begin the process again by completing an application for permit.

Mr. Mahncke, I realize that the entire water right process can be very confusing. If you are able to answer these questions and return the answers to me, the Department should be able to give you direction on what needs to be done in order to obtain a valid water right. If you are unsure how to proceed, I encourage you to give me a call. In any case, I will need some sort of clarification, either by mail or phone, within 30 days of the date of this mailing in order to proceed with the issuance of a valid water right.

I look forward to hearing from you within 30 days.

Sincerely,

Karen L. Gustafson

Karen L. Gustafson
Secretary/Records Manager

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JAN 8 1993

Department of Water Resources

Sir,
We are applying for a water permit and enclosing the information used previously by Seth Schneider. We bought this property in 12-92. Please let us know what else we have to do.

Mike Mahncke
P.O. Box 520
Clark Fork, Id.
83811

MIKE MAHNCKE
P.O. Box 520
CLARK FORK
IDAHO
83811

MICROFILMED

JUL 07 1993

Water Right Number - 96-08645

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

SCHNEIDER

SETH THOMAS

1 - P.O. BOX 327

2 -

3 -

City- CLARK FORK

State- ID Zip- 83811

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/18/1991 18 NORTHERN P - PERMIT+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SPRING SINKS+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

56N 03E 31 NW NW (17) BONNER

+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.040+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

56N 03E 30 SW SW 43 DOMESTIC (17) BONNER

+ - - Diversion Means - GRAVITY FLOW PIPELINE.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - - - Remarks - - - - - +
Domestic use is for 1 home.+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - - - - - - - - - - - - Conditions of Approval - - - - - +
004 - The issuance of this right in no way grants any right-of-way
- or easement across the land of another.+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

Water right number - 96-08645

Prefix Translation: WATER RIGHT

| Date: 05/24/1991 | | User Id: STYPA | Subject: APPLICANT | Comments: |
|--|--|----------------|---------------------------------------|---|
| APPLICATION WAS FILED IN THE NAME OF LINDA C. THIBAUT,
BEFORE APPLN. WAS DATA ENTERED AND ADVERTISED THE DEPARTMENT
THEREFORE DATA ENTERED AND ADVERTIZED IN MR. SCHNEIDER'S NAME. | | | | 3655 MTN. VIEW RD., SANDPOINT, ID 83864, TELE. 263-1124.
RECEIVED AN ASSIGNMENT TO SETH THOMAS SCHNEIDER. APPLN. WAS |
| Date: 05/24/1991 | | User Id: STYPA | Subject: APPLICANT | |
| APPLICATION WAS FILED IN THE NAME OF LINDA C. THIBAUT,
BEFORE APPLN. WAS DATA ENTERED AND ADVERTISED THE DEPARTMENT
THEREFORE DATA ENTERED AND ADVERTIZED IN MR. SCHNEIDER'S NAME. | | | | 3655 MTN. VIEW RD., SANDPOINT, ID 83864, TELE. 263-1124.
RECEIVED AN ASSIGNMENT TO SETH THOMAS SCHNEIDER. APPLN. WAS |
| Date: 01/08/1992 | | User Id: VAULT | Subject: Proof of Beneficial Use Rcvd | |
| Proof of Beneficial Use Rcvd | | | | |
| Date: 08/05/1992 | | User Id: VAULT | Subject: Lapse Notice Sent | |
| Lapse Notice Sent | | | | |

+ - - Audit Fields - 05/24/91 STYPA 07/16/91 SKAGGS 01/08/92 COMMENTS 08/05/92 COMMENTS

| Water Rights Dates and Flags Area | | | |
|-----------------------------------|--------------|------------------|--------------|
| Proof Due Date | - 08/03/1992 | Field Exam Made | - 00/00/0000 |
| Approved/Denied | - 08/08/1991 | Protested Date | - 00/00/0000 |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 |
| Exam to S.O. Date | - 00/00/0000 | Verified Date | - 00/00/0000 |
| Order Show Cause | - 00/00/0000 | Receipt Number | - N004433 |
| Licensed Date | - 00/00/0000 | Appl Received | - 04/18/1991 |
| Decree Date | - 00/00/0000 | Presumption Flag | - |
| | | Field Exam Fee | - |
| | | Swan Falls | - |
| | | Temporary Right | - P |
| | | DLE/Carey Act | - |
| | | Water District | - |
| | | Transfer/Amended | - |

August 5, 1992

SETH THOMAS SCHNEIDER
P.O. BOX 327
CLARK FORK ID 83811

LAPSE NOTICE

RE: PERMIT NO. 96-08645

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated May 31, 1992. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 8/5/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

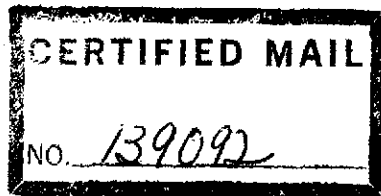
Klg

MICROFILMED

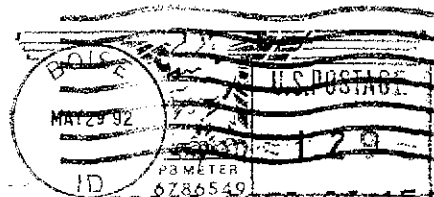
JUL 07 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

North Orchard Street
Boise, Idaho 83706-2237



RETURNED TO SENDER
REASON CHECKED
Unclaimed ☒ Refused
Attempted Not Known
Insufficient Address
No such street
No such office in state
Do not re-mail in this case



SPOKANE WA 99202 2253 06/15/92

Mailed By
Regular mail
on 6/17/92

RECEIVED

JUL 07 1993

NAME
1st Notice 6-1-92
2nd Notice 6-8-92
Return

5 1992

August 5, 1992

SETH THOMAS SCHNEIDER
P.O. BOX 327
CLARK FORK ID 83811

LAPSE NOTICE

RE: PERMIT NO. 96-08645

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated May 31, 1992. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 8/5/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Klg

MICROFILMED

JUL 07 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 11, 1992

Seth Thomas Schneider
P.O. Box 327
Clark Fork, ID 83811

Re: Permit No. 96-08645

Dear Mr. Schneider:

On January 9, 1992, I returned the proof of beneficial use you submitted in connection with the above mentioned permit. The letter also informed you that a \$50 license exam fee was applicable with your permit.

As of this date, this office has not received the returned proof of beneficial use or the fee. Since your proof is not technically due until August 3, 1992, the Department will hold your file until that time.

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

Sincerely,

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

Karen L. Gustafson
Secretary/Records Manager

MICROFILMED

JUL 07 1993

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
JAN 08 1992

Department of Water Resources

copy

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. 96-08645 Telephone No. 208-266-1497

2. Name(s) of Permit Holder(s): Seth Thomas Schneider

3. Post Office Address: Po Box 327 Clark Fork 83811

4. Source of Water: Spring

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

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

5. Extent of Use:

Domestic 1 (No. of households) Irrigation _____ (No. of acres)

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

6. Total rate and/or volume for which proof is submitted 0.04 cfs _____ 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: \$ NA (See License Examination Fee Schedule)

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

Seth Thomas Schneider
Name

Same
Telephone No.

Same
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.

1/2/92
Date

Seth Thomas Schneider
Signature (and title if on behalf of a company or organization)

RECEIVED

JUL 07 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 9, 1992

Seth Thomas Schneider
P.O. Box 327
Clark Fork, ID 83811

Re: Permit No. 96-08645

Dear Permit Holder:

Returned is the proof of beneficial use you submitted in connection with the above referenced permit.

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

1. The water right must use a groundwater source.
2. The rate of diversion must be .04 cfs or less.

As you can see, you do not meet requirement #1 since you use a spring for your source. Therefore, a license examination fee of \$50 applies to your permit.

Please return the proof of beneficial use and the \$50 license exam fee within 30 days of the date of this mailing.

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

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosure

RECEIVED
JUL 07 1993



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

August 14, 1991

SETH THOMAS SCHNEIDER
P.O. BOX 327
CLARK FORK, ID 83811

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08645

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,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

RECEIVED
AUG 23 1991



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

July 19, 1991

LINDA C. THIBAUT
3655 Mountain View Rd.
Sandpoint, ID 83864

RE: Application for Permit #96-08645

Dear Applicant:

The above referenced application to appropriate water has reached the State Office for final review and processing. There is an assignment of application for permit included in this file that does not accurately reflect the legal description on the application.

I have contacted the regional office concerning this assignment and spoke with Tom King. He is the one who initially handled the assignment and is reasonably sure your intent was to assign application for permit #96-8645 entirely to Seth Thomas Schneider. The Department will assume that was your intent and proceed to process the permit in Mr. Schneider's name.

If this was not your intent please contact me directly to clarify the assignment. I will withhold action for 15 days to allow for your response. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads 'Pamela Skaggs'.

PAMELA SKAGGS
Technical Records Specialist

RECEIVED
JUL 23 1991

96-08645

SCHNEIDER, SETH THOMAS
P.O. BOX 327
CLARK FORK, ID 83811

Source: SPRING

Tributary: SINKS

Diversion Pt: NWNW Sec 31 T 56N R 03E

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 4/18/ 1991

In: T56N R03E S30 SWSW

AUG 23 1991

May 29, 1991

U.S. Forest Service
Panhandle National Forest
1201 Ironwood Dr.
Coeur d'Alene, Id. 83814

Re: 96-8645

Gentlemen:

Enclosed is a recent filing with this Department that may be of interest to your agency.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enclosure

AUG 23 1991



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

May 23, 1991

Ms. Linda C. Thibault
3655 Mtn. View Rd.
Sandpoint, Id. 83864

Re: Water Appropriation Application # 96-8645

Dear Ms. Thibault:

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, as well as the required appropriation filing fee, for which your Receipt is enclosed. 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.

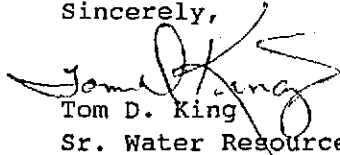
If the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw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

If the application is not protested it will be forwarded to Boise to be considered for approval by the Director. If the application is approved, one of the conditions of approval will be that you obtain a special use permit from the US Forest Service. You will be notified by mail of the Directors decision.

This department has also received the Assignment of the Application to Mr. Seth Schnieder and a copy of this letter is being sent to him.

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

Sincerely,


Tom D. King
Sr. Water Resource Agent

Enc: Receipt
c Mr. Seth Schneider

RECEIVED
AUG 23 1991

AUG 23 1991

May 16, 1991

Ms. Linda C. Thibault
3655 Mtn. View Rd.
Sandpoint, Id. 83864

Re: Assignment of Application

Dear Ms. Thibault:

Enclosed is the assignment form we discussed on the telephone. Please sign it and return it to this office.

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

Sincerely,

Tom D. King
Sr. Water Resource Agent

Enc: Assignment

To Tom
Date 4/18 Time 12:30 P.M.

WHILE YOU WERE OUT

(Chris) Linda Thibault

of _____

Phone _____

| AREA CODE | NUMBER | EXTENSION |
|-------------------|---|-------------------------------------|
| Telephoned | ☒ Please call | ☒ |
| Called to see you | ☐ Will call again | ☐ |
| Wants to see you | ☐ Returned your call | ☐ |

Message She sent in a water right

(I got it in today's mail.)

She said the legal description

for the spring should be changed

to:

SE 1/4 Sec. 25 T56N R2E.

If know the legal is not a 10-acre parcel but

Location took the call.) sorry.

Signed Tom

RECEIVED

AUG 23 1991