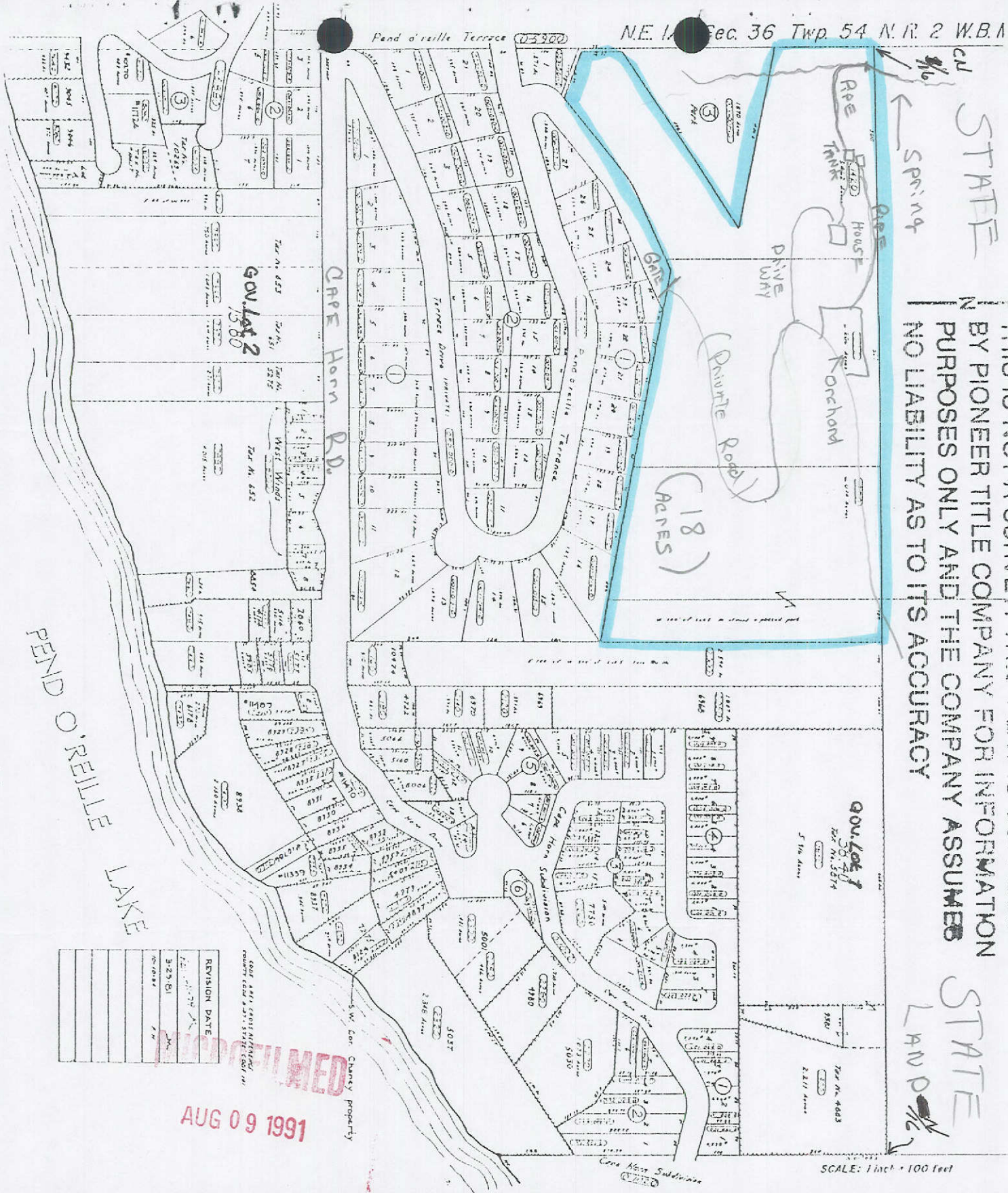




THIS IS NOT A SURVEY. THIS PLAT IS SUPPLIED BY PIONEER TITLE COMPANY FOR INFORMATION PURPOSES ONLY AND THE COMPANY ASSUMES NO LIABILITY AS TO ITS ACCURACY

STATE LAND

STATE

NOT RECORDED

AUG 09 1991

REVISION	DATE	BY	REASON
1	8-9-91	AW	REVISION
2	8-9-91	AW	REVISION
3	8-9-91	AW	REVISION
4	8-9-91	AW	REVISION
5	8-9-91	AW	REVISION
6	8-9-91	AW	REVISION
7	8-9-91	AW	REVISION
8	8-9-91	AW	REVISION
9	8-9-91	AW	REVISION
10	8-9-91	AW	REVISION

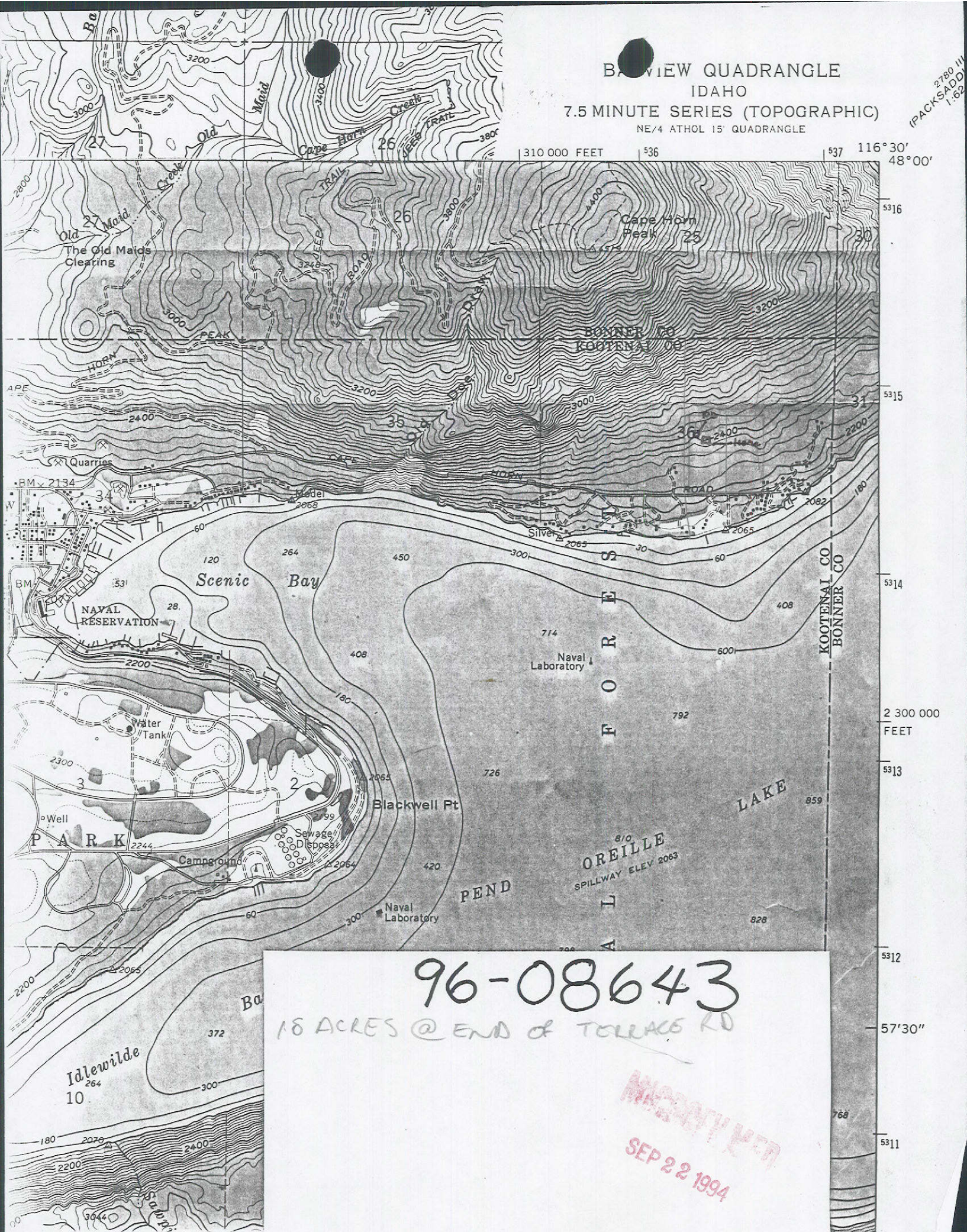
BALVIEW QUADRANGLE

IDAHO

7.5 MINUTE SERIES (TOPOGRAPHIC)

NE/4 ATHOL 15' QUADRANGLE

2780 IN
1:62500
(PACKSAD)



96-08643

18 ACRES @ END OF TERRACE RD

SEP 22 1994



GRAVITY
← FILL TANK



STORAGE CONTAINER
w/ PUMP & MOTOR



ISSO SAIL STORAGE
← TANK

MAINTENANCE

SEP 22 1994

96-08643



1550 gall
← STORAGE
TANK



← PRESSURE
GAGE (50 PSI)

96-08643

SEP 22 1994



← P.D



← P.U.

96-08643

MAINTENANCE
SEP 22 1994

Pend o' Reille Terrace 03900

STATE
← Spring

THIS IS NOT A SURVEY. THIS IS NOT SUPPLIED
BY PIONEER TITLE COMPANY FOR INFORMATION
PURPOSES ONLY AND THE COMPANY ASSUMES
NO LIABILITY AS TO ITS ACCURACY

STATE
LAND

DRIVE WAY

ORCHARD

(Private Road)

(18)
ACRES

CAPE HORN RD.

Lot 2
15.80

Lot 1
58.40
Total 74.20
5 1/2 Acres

Lot 3
35.00
2.217 Acres

SCALE: 1" = 100' Feet

PEND O'REILLE LAKE

REVISION	DATE
1	7-27-78
2	3-27-81
3	10-19-88

MICROFILMED
AUG 09 1991

W. Con. Clancy Property

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08643

Priority: May 21, 1991

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that PHILIP D STIRN

RT 1 BOX 264

ATHOL ID 83801

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 20, 1991; and has submitted Proof of Beneficial Use on December 2, 1993. An examination indicates that the works have a diversion capacity of .040 cfs of water from:

UNNAMED STREAM

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:

NWSWNE , Sec. 36, Township 54N, Range 02W
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

54N 02W 36

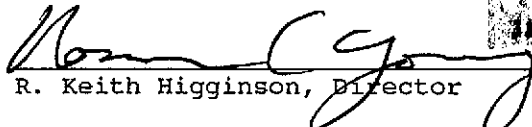
SWNE

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 3RD 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. 96-08643)
IN THE NAME OF PHILIP STIRN) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before December 1, 1993; and,

WHEREAS, the Department notified the permit holder on September 30, 1993, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

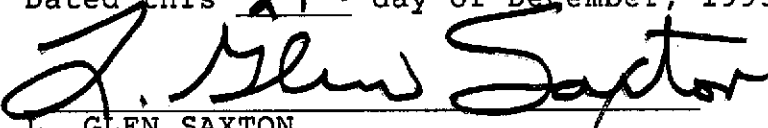
WHEREAS, the permit lapsed on December 1, 1993, for failure to submit an acceptable proof of beneficial use; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on December 2, 1993;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 96-08643 be REINSTATED with an advance in priority to May 21, 1991.

Dated this 21st day of December, 1993.


L. GLEN SAXTON
Chief, Water Allocation Bureau

SEP 22 1994

RECEIVED

DEC 02 1993

OFFICE USE ONLY

Amt. of Fee \$ 50.00

Date 12-2-93

Receipt No. C029139

Receipt by [Signature]

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. 96-08643 Telephone No. 208 683-2693

2. Name(s) of Permit Holder(s): Philip Sten

3. Mailing Address: Rt. 1 Box 264 Arrol ID. 83801

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 1/4 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted _____ cfs OR 0-20 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: \$ _____ (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.

Philip Sten 683-2693
Name 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.

11/23/93
Date

Philip Sten
Signature (and title, if on behalf of a company or organization)

SEP 22 1994

RECEIVED

AUG 03 1993

Department of Water Resources

For Office Use Only

\$15 Fee Received by JW
Date 8-3-93
Receipt No. 002827

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 96-08643

Name(s) of Permit Holder: Philip Stien

Mailing Address: Rt. 1 Box 264 Athol ID. 83801

Date Proof is Due Aug. 1, 1993 Telephone No. 683-2693

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

none

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Getting building Permit + E.L. to Property
has taken months more then ~~was~~ expected.

Permit holder(s) request an extension to Oct. 1, 19 93

FEE: \$15.00

Philip Stien
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED
and the time within which to submit proof of beneficial use is
extended to December 1, 1993.

IT IS FURTHER ORDERED that this permit be REINSTATED and the priority
date advanced to May 21, 1991.

SEP 01 1993

Signed this 4th day August, 19 93

J. Glen Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-08643

Proposed Priority: May 20, 1991 Maximum Diversion Rate: 0.04 CFS

This is to certify, that PHILIP D. STIRN
RT. 1 BOX 264
ATHOL, ID 83801

has applied for a permit to appropriate water from:

UNNAMED STREAM tributary of SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSWNE Sec. 36, Township 54N, Range 02W
KOOTENAI County

<u>PLACE OF USE:</u> IRRIGATION				
<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
54N 02W 36	SWNE 0.5			0.5
			Total number of acres irrigated:	0.5

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 2, 1993.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. 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

17th day of July, 1991.

for
R. Keith Higginson, Director

AUG 09 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Philip D. Stirn Phone 683-2693
Post office address Route 1 Box 204 ATHOL ID. 83501

2. Source of water supply UNNAMED STREAM which is a tributary of SINKS

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 36 Township 54 NORTH Range 2 WEST B.M. Kootenai County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .02 for Irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .04 for DOMESTIC purposes from Jan. 1 to Dec. 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)

5. Total quantity to be appropriated is (a) .04 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2 in. Plastic pipe run
about 300 ft. down Spring + about 300 ft. to 1000 gal.
holding tank for house + 500 gal. tank for garden +
Small orchard.

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? NO

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

AUG 09 1991

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. ONE
- e. Other; describe fully. 1/2 acres for garden & orchard.

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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>54N</u>	<u>2W</u>	<u>36</u>			<u>D 1/2</u>														<u>1/2</u>

Total number of acres to be irrigated 1/2

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? Philip D STIRN
- b. Who owns the land to be irrigated or place of use? Philip D STIRN
- 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: _____

AUG 09 1991

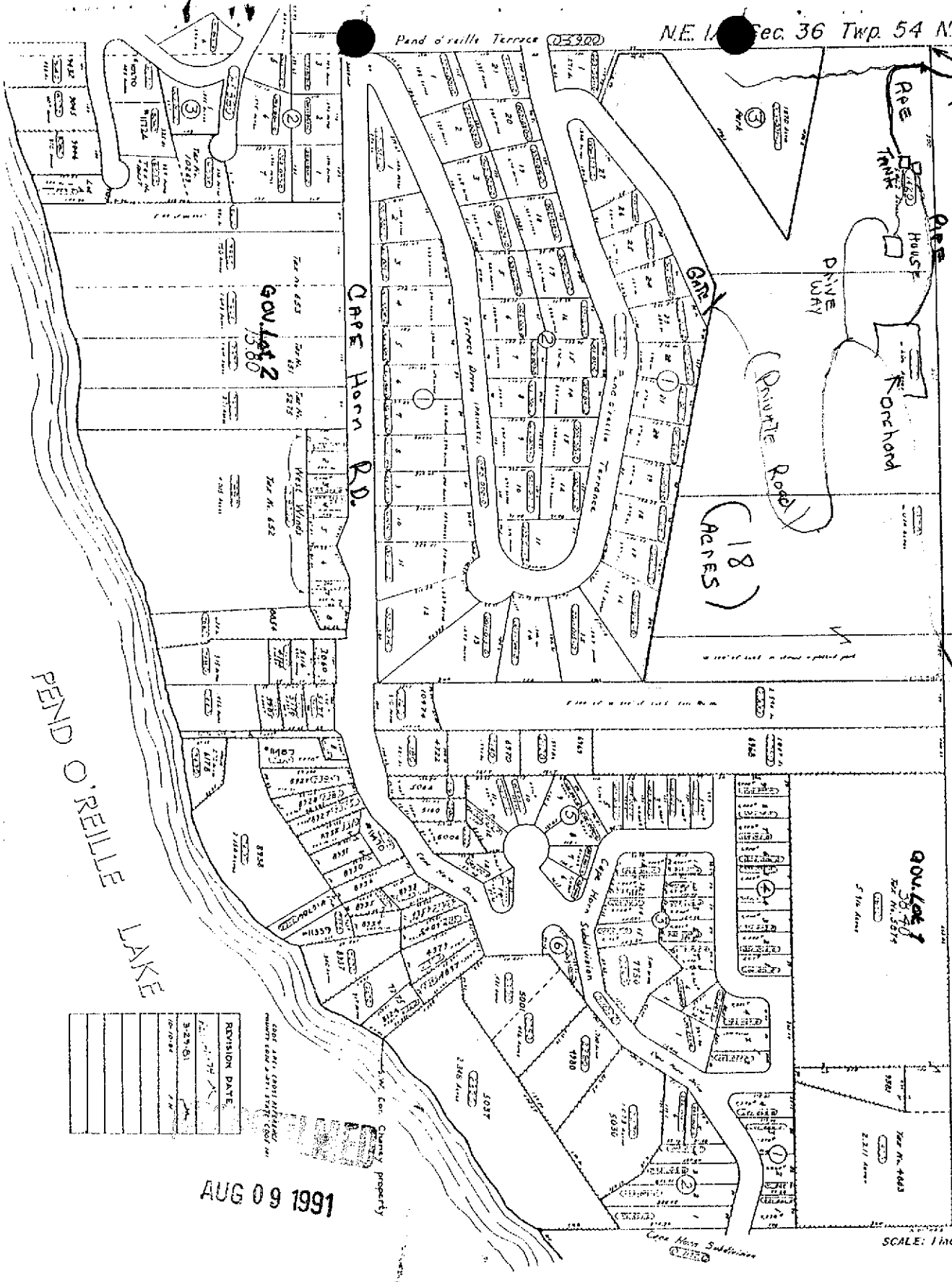
STATE

Spring

THIS IS NOT A SURVEY. THIS MAP IS SUPPLIED BY PIONEER TITLE COMPANY FOR INFORMATION PURPOSES ONLY AND THE COMPANY ASSUMES NO LIABILITY AS TO ITS ACCURACY

STATE LAND

SCALE: 1 inch = 100 Feet



AUG 09 1991

REVISION	DATE
1	8-23-91
2	10-10-91
3	
4	
5	
6	
7	
8	
9	
10	

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

[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.

Philip Stern
(Applicant)

TDK 5/20/91 - FEBRCK 8:30 AM
Received by mm Date 5/9/91 Time 12:30 PM Preliminary check by TDK
Fee \$ 300 Received by TDK # N4506 Date 5/20/91
Publication prepared by mm Date 5/29/91 Published in 6/6+13/91
Publication approved mm Date 7/1/91

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:

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AUG 09 1991

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Julie Jacobs

being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal Notice

of which the annexed is a printed copy, was published in the regular *Thus* issue of said newspaper for *2* consecutive *weeks*, commencing on the *6th* day of *June*, 19 *91*, and ending on the *13th* day of *June*, 19 *91*, and such publication was made as often during said period as said *Daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Julie Jacobs

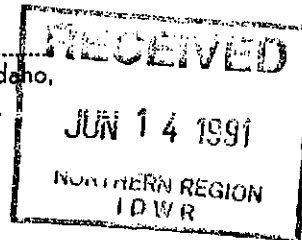
Subscribed and sworn to before me this *13th* day of *June*, 19 *91*.

Roberta Manley

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

ROBERTA MANLEY

My commission expires *2-3-93*



NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08697

DRONEY, DIANNE
P.O. BOX 303
TAVERNIER, FL 33070
Source: SPRING Tributary: SINKS
Diversion Pt: SWSWNW Sec 19 T 50N R 04W
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 5/21/ 1991
In: T50N R04E S19 SWNW
96-08643

STIRN, PHILIP D.
RT. 1 BOX 264
ATHOL, ID 83801
Source: UNNAMED STREAM Tributary: SINKS
Diversion Pt: NWSWNE Sec 36 T 54N R 02W
Use: IRRIGATION (.020 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 5/20/ 1991
In: T54N R02W S36 SWNE
0.5 ACRES TOTAL
96-08644

SLACK, WALTER
RT. 1 BOX 91
ATHOL, ID 83801
Source: SPRING Tributary: SINKS
Diversion Pt: SENENE Sec 36 T 53N R 03W
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 5/20/ 1991
In: T53N R03W S36 NWNE

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 HIGGINSON, Director
Legal 853
June 6, 13, 1991

AUG 02 1991



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

PHILIP D STIRN
RT 1 BOX 264
ATHOL ID 83801

RE: WATER RIGHT NO. 96-08643

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,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

RECEIVED

SEP 22 1994

Permit #: 96-8643 Name: Stump Date: 7/26/94

	Yes	No	
NAME	☒	☐	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? <u>no in fund.</u> -P41, P38
	☒	☐	Overlap(s) _____
			*P/D & P/U Amend? P37, P38 (See list for feds.)
RATE	☒	☐	Measurement Done? _____
	☒	☐	Theoretical Only? <u>standard domestic; 1 km = 0.04 cfs</u>
	☒	☐	Theoretical (HP) $\frac{8.8 \times 0.70 \times .5}{? + (2.31 \times 50)} = ?$
	☒	☐	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>standard 1 km 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>WBI (1)</u>
CONDITIONS	☒	☐	Measuring/Locking Devices
	☒	☐	Watermaster Control - Water District _____
	☒	☐	Irrigation Overlap
	☒	☐	Water Quality
	☒	☐	Other
PRIORITY	☒	☐	Correct fee submitted? Receipt No. <u>6029139</u> (2)
	☒	☐	Order to Reinstate Needed? Done? <u>12/21/93</u>
	☒	☐	Advance(d)? _____ Advanced to: <u>5/21/91</u>
	☒	☐	App Rcd <u>5/20/91</u> Priority <u>5/20/91</u> Exam done <u>6/17/94</u>

COMMENTS: No additional or significant migration use found.

RECOMMENDED	CFS	DIV VOL
<u>Dom / 1</u>	<u>0.04</u>	<u>1.2</u>
<u>TOTAL</u>	<u>0.04</u>	<u>1.2</u>

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

WR0749NP
No. L96-08643

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/26/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PHILIP D STIRN RT 1 BOX 264 ATHOL ID 83801 (208) 683-2693	05/21/1991	DOMESTIC	01-01 12-31	0.04 CFS	1.20 AFA
TOTAL DIVERSION:					0.04 CFS	1.20 AFA

Water Source: UNNAMED STREAM

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion Capacity: 0.04 CFS

Point(s) of Diversion: T54N R02W S36 NWSWNE KOOTENAI County

Place of use Legal Description for: DOMESTIC

NE								NW								SW								SE							
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	

54N 02W 36 : D :																															

Pou County: KOOTENAI

Other Water Rights Listing Overlapping Place(s) of use:
96-08643

Remarks: Domestic use is for 1 home.

Dates:	App. Received:	05/20/1991	Priority Date:	05/21/1991	(Priority Date Advanced.)
	Proof Due Date:	12/01/1993	Proof Made Date:	12/02/1993	(Proof Received Late.)
	Exam Made Date:	06/17/1994	Exam Sent to S.O.:	06/30/1994	
	Licensed Date:				

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

Audit: 07/26/94 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. 96-08643

1. Owner: PHILIP D. STIRN Phone No. (208) 683-2693

Current Address: RT 1 BOX 264 ATHOL ID, 83801

2. Accompanied by: MRS. STIRN and FATHER-IN-LAW EXAM DATE: 6-17-94

Address: _____ Phone No. _____

Relationship to Permit Holder: OWNERS

3. Source: UNNAMED STREAM 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: _____

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	SW	NE	36	S4N	02W	KOOTENAI	USGS 7.5 MINUTE QUAD

2. Place(s) of Use:

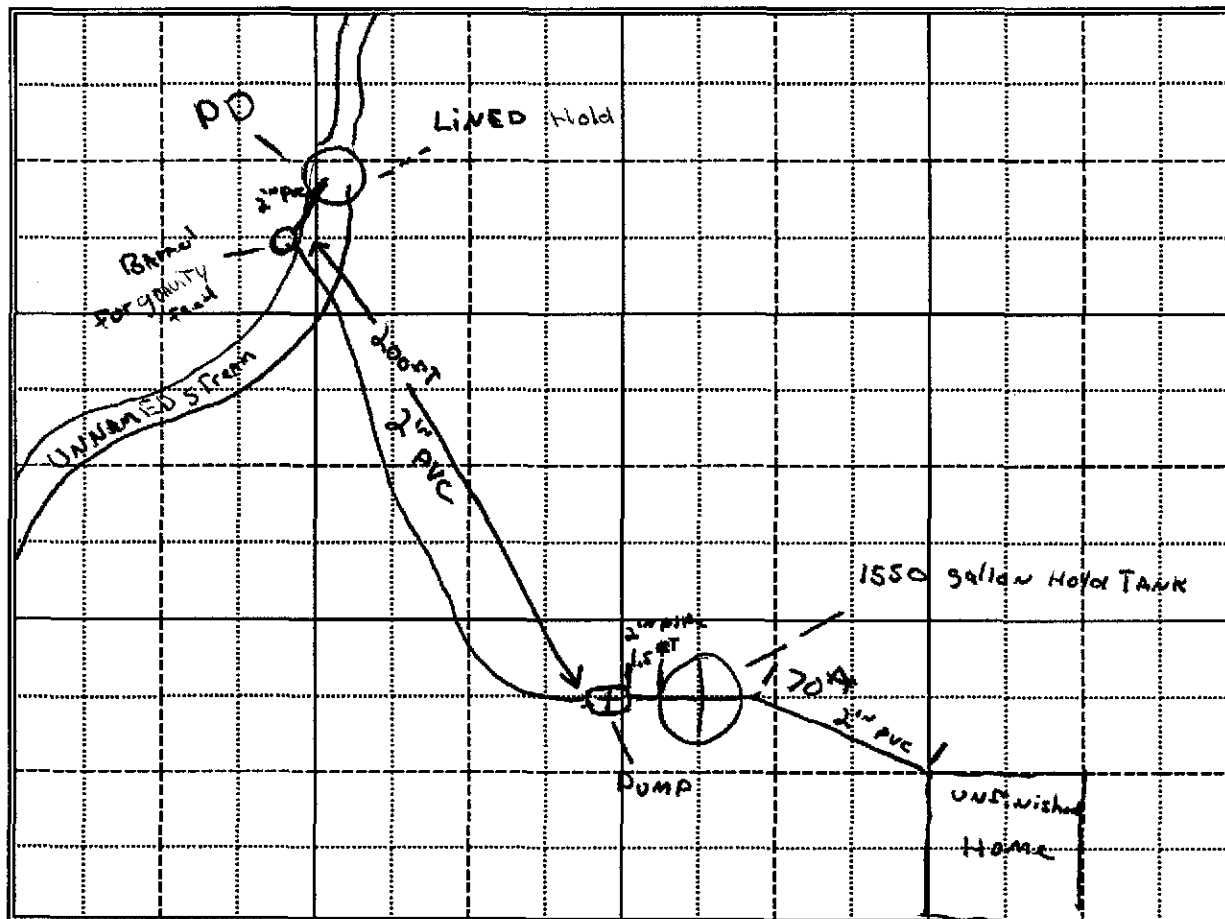
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
S4W	02W	36			D														

SEP 22 1994

BC

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



Scale: 1" = NTS

____ 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
	A.O. SMITH	1/2	1493	SEARS	390-252151

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

SEP 22 1994

E. NARRATIVE/REMARKS/COMMENTS

gravity to pump and 1550 gallon hold tank
Recommend Domestic use no significant migration found

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



SEP 22 1994

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>DOMESTIC</u>	<u>01-01</u>	<u>12-31</u>	<u>.04</u>	<u>1.2</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>.04</u>	<u>1.2</u>

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 Paul McCracken Date 6/22/94

Reviewer _____ Date _____

SEAL

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SEP 22 1994

SEP 22 1994

BALVIEW QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)
NE/4 ATHOL 15' QUADRANGLE

2780 III
(PACKSADD)
1.62



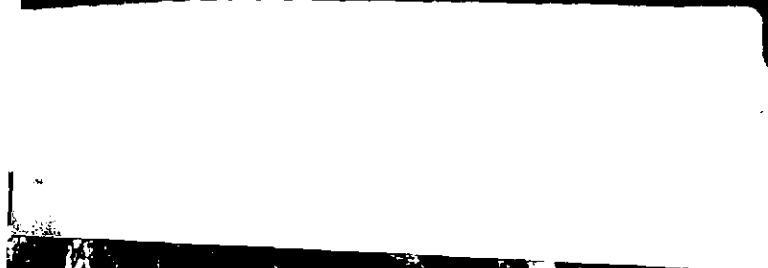
96-08643

18 ACRES 2 END of TRAIL

11-22-1964



GRAVITY
← FILL TANK



STORAGE CONTAINER
w/ PUMP & MOTOR



ISSO SALL STORAGE
← TANK

SEP 22 1994

96-08643



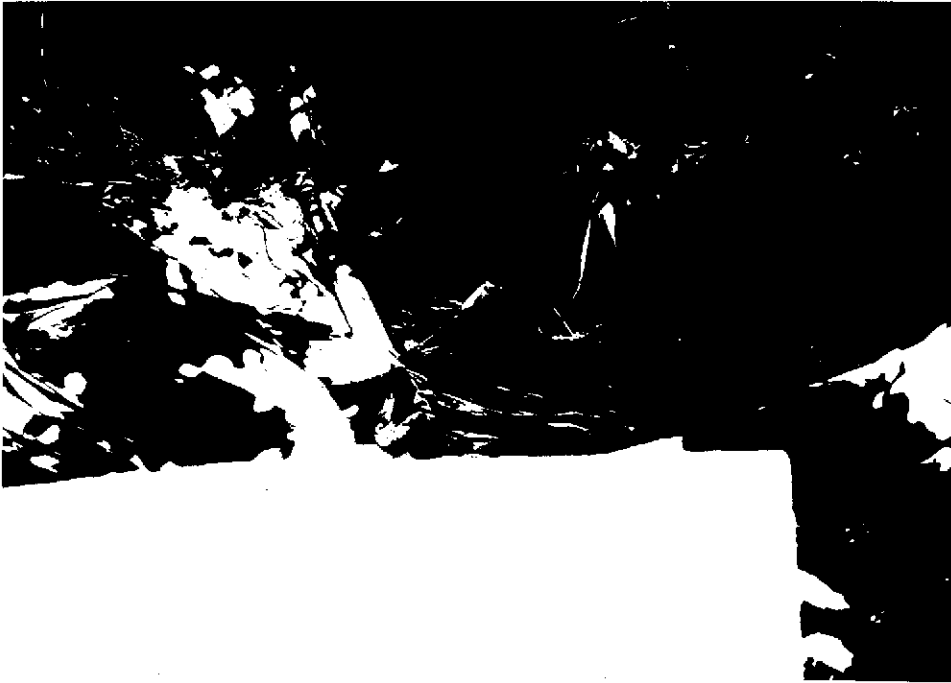
1550 gall
← STORAGE
TANK



← PRESSURE
GAUGE (50 PSI)

96-08643

SEP 22 1994



← P.D.



← P.U.

96-08643

SEP 22 1994

December 21, 1993

PHILIP D. STIRN
RT. 1 BOX 264
ATHOL ID 83801

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08643

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)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

Enclosure

SEP 22 1994

September 30, 1993

PHILIP D. STIRN
RT. 1 BOX 264
ATHOL ID 83801

PROOF DUE NOTICE

RE: PERMIT NO. 96-08643

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 December 1, 1993. (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.

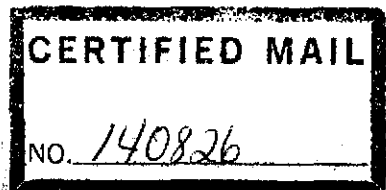
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



SEP 22 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

August 4, 1993

Philip Stirn
Rt 1 Box 264
Athol, ID 83801

Re: Permit No. 96-08643

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to December 1, 1993. However, since the extension was received after the proof of beneficial use date, it was necessary for the department to reinstate your permit and advance your priority date to May 21, 1991.

Please note that the department has granted this extension based on governmental delay. It is important that you work diligently toward the completion of this project during the construction period allowed. The department will not be able to grant additional requests based on due diligence.

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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SEP 01 1993

May 31, 1993

PHILIP D. STIRN
RT. 1 BOX 264
ATHOL ID 83801

PROOF DUE NOTICE

RE: PERMIT NO. 96-08643

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1993. (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

CERTIFIED MAIL

NO. 140284

SEP 01 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

July 19, 1991

PHILIP D. STIRN
RT. 1 BOX 264
ATHOL, ID 83801

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08643

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

154412
AUG 09 1991

96-08643

STIRN, PHILIP D.
RT. 1 BOX 264
ATHOL, ID 83801

Source: UNNAMED STREAM

Tributary: SINKS

Diversion Pt: NWSWNE Sec 36 T 54N R 02W

Use: IRRIGATION (.020 CFS)

DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 5/20/ 1991

In: T54N R02W S36 SWNE

0.5 ACRES TOTAL

APPROVED

AUG 09 1991

May 29, 1991

Idaho Dept. of Lands
Statehouse
Boise, Id. 83720

Re: 96-8643

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

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AUG 09 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
May 13, 1991

R. KEITH HIGGINSON
Director

Mr. Phillip D. Stirn
Rt. 1 Box 264
Athol, Id. 83801

Re: Appropriation Application

Dear Mr. Stirn:

The Idaho Department of Water Resources has received your Application For Permit To Appropriate The Public Waters Of The State Of Idaho. However I regret to inform you that the application is not acceptable in its present form, nor can it be accepted without the appropriate filing fee. so I am returning it to you for \ clarification or completion of the following:

Item #2: You have listed a grounds spring as your source. A spring is considered to be surface water, since the water naturally arises to the surface. Groundwater, however, is that water which is beneath the surface of the ground and does not naturally rise to the surface. You have indicated a ground spring as your source, but according to your map, you are taking water from a flowing stream.

You must list the source of water and the name of the body of water to which it is tributary. If the water from a spring or stream sinks into the ground then the spring or stream is considered to be tributary to sinks.

Item #3: The legal description of the point of diversion must be described by 10 acre parcel (for example ... SE¹ NE¹ SW¹) Section, Township and Range as established by the public land survey. This item must reflect the same location as indicated on item #13 which appears to indicate the NE¹ NE¹ NE¹. However I am not sure that this description is correct, since there is no north arrow on the map.

Item #4 and #5: You must complete these items by listing the rate of diversion in cubic feet per second (acre feet measurements are used only when storage is being applied for).

The usual diversion rate for domestic purposes is 0.04 cfs/home. You may file for more than this amount for domestic purposes if you wish, but it may not be approved unless you provide evidence that the excess water is needed.

The maximum rate of diversion for irrigation is 0.02 cfs per acre (0.03 cfs per acre if less than five acres are to be irrigated). To seek approval for the excess flow for irrigation purposes, you must complete the enclosed fact sheet for excessive irrigation flows.

RECEIVED
AUG 09 1991

Mr. Stirn
Page Two
May 13, 1991

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 NE-NE; Domestic use in the NW-NE; Cooling (L) in the SW-NE; Industrial in the SE-NE; and irrigation of 20 acres in the NE-NW, 10 acres in the NW-NW and 6 acres in the SW-NW. For a total of 36 irrigated acres.

The property listed in this item must be the same property as shown on the map.

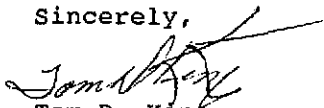
Item #10: Describe any other water rights you possess, by number if possible. If none, then please so indicate.

This office did not receive the required filing with your application, the filing fee for an appropriation application is based on the rate of diversion (acre feet in the case of storage). If your diversion rate is greater than 0.01 cfs but less than 0.20 cfs, then the filing fee is \$30.00. If you are storing more than one acre foot but less than 20 acre feet then the filing fee is \$30.00

The Application must be completed and returned to this office with any other information you deem appropriate within 30 days of the above date. Failure to communicate with this office within that time may result in the voiding of your application.

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: Appropriation Application

AUG 08 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Philip D. Stirn Phone 683-2693
Post office address Route 1 Box 264 ATHOL ID. 83501
2. Source of water supply UNNAMED ~~NAMED~~ STREAM ground Spring which is a tributary of SINKS None
3. Location of point of diversion is SW $\frac{1}{4}$ of ME $\frac{1}{4}$ of W $\frac{1}{4}$, Govt. Lot 1
Sec. 36 Township 54 NORTH Range 2 WEST B.M. KOOTENAI County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 20 for Irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 10 for House purposes from Jan. 1 to Dec. 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)
5. Total quantity to be appropriated is (a) 20 and/or (b) 10
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 2 in. Plastic pipe run
about 300 ft. down Spring + about 300 ft. to 1000 gal.
holding tank for house + 500 gal. tank for garden &
Small orchard.
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? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

AUG 00

8. Description of proposed uses (*navigational 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. ONE

e. Other; describe fully. 1/2 acres for garden & orchard.

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.

[illegible]

Total number of acres to be irrigated 1/2

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? Philip D. STIRN

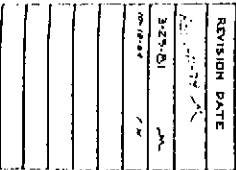
b. Who owns the land to be irrigated or place of use? Philip D STIRN

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
AUG 09 1991

Spring

STATE
LAND

Received by Date 5/9/91 Time 12:30 PM Preliminary check by
Fee \$ Received by # Date
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:

APPROVED
AUG 09 1991