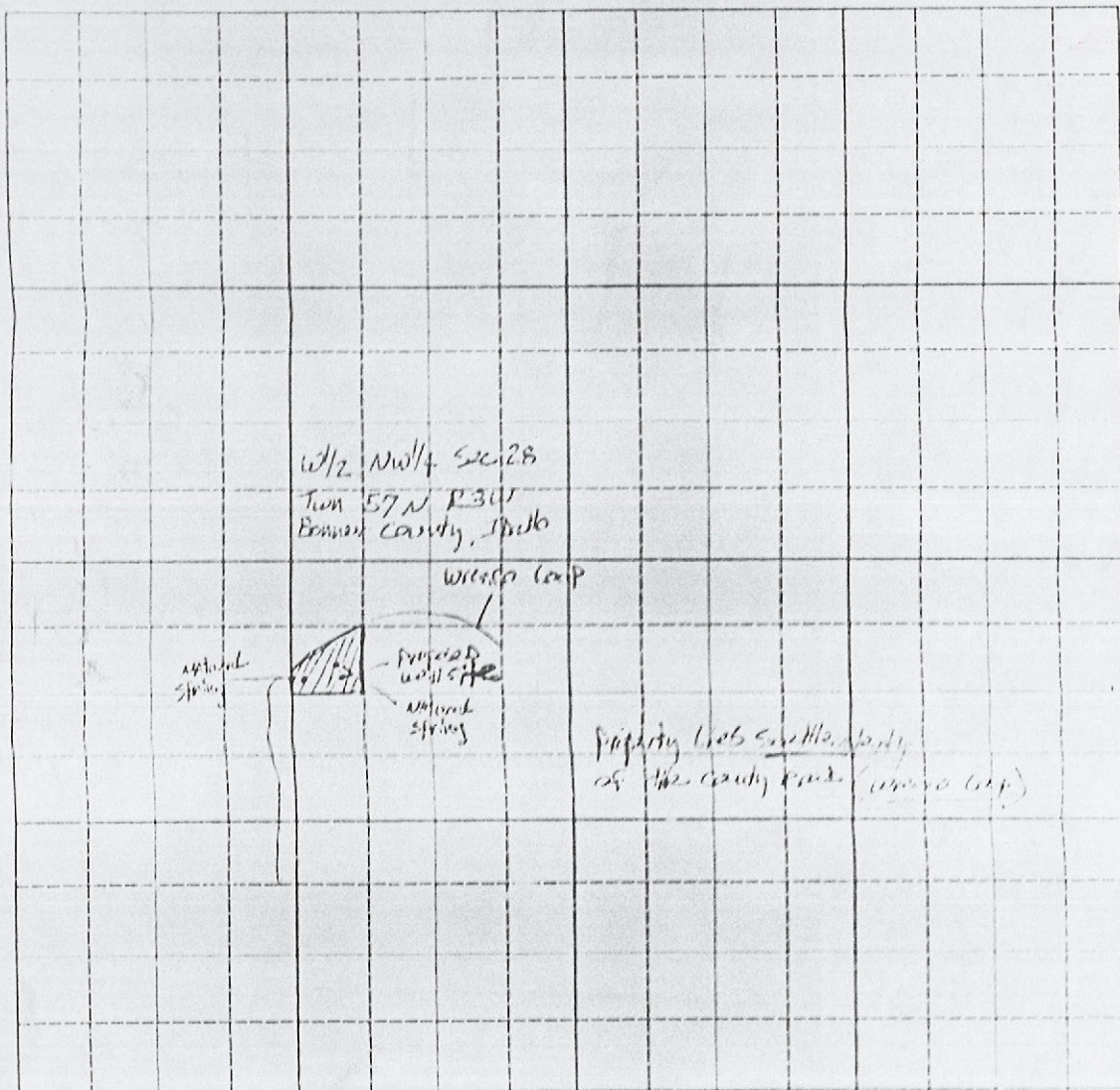


13 Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number.

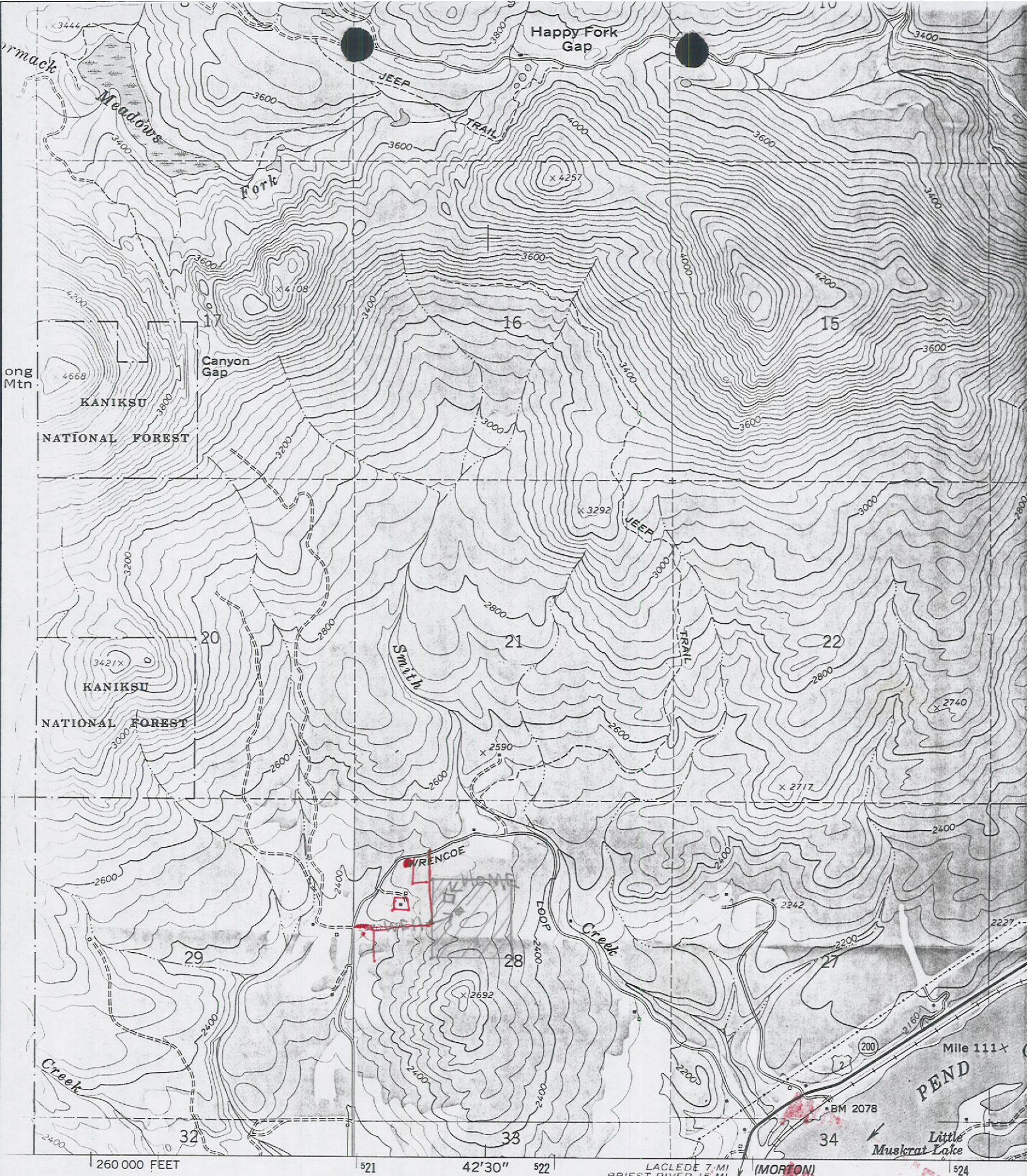


Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth

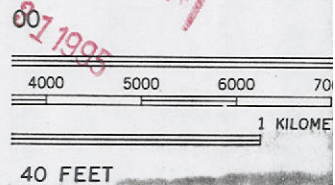
A. J. Bruce
(Applicant)

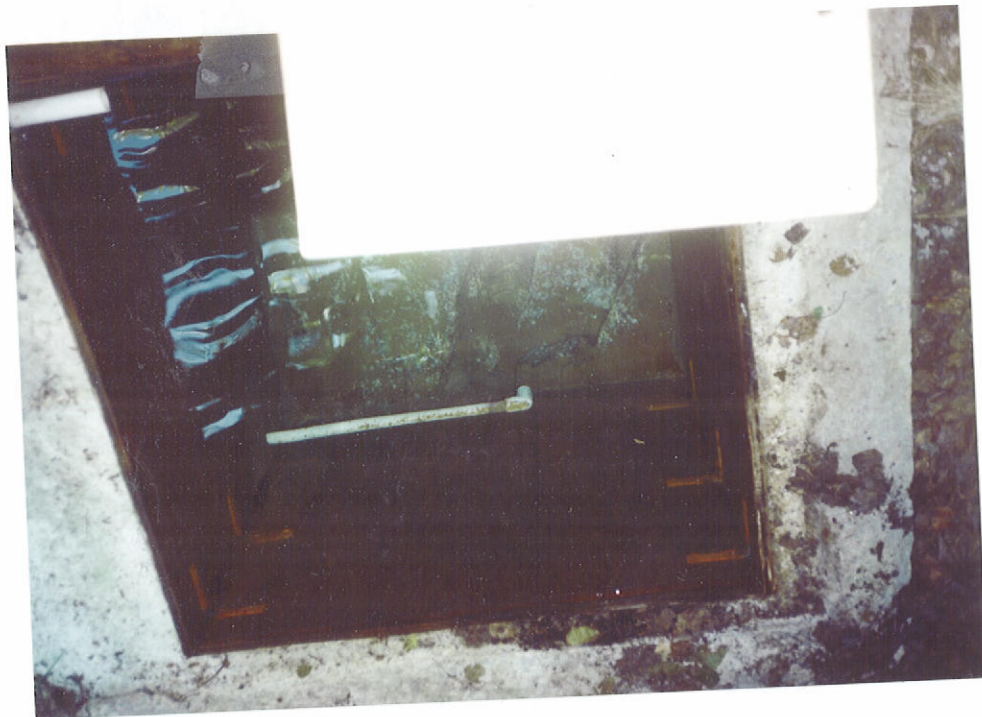
RECORDED
MAY 31 1995



and published by the Geological
USC&GS
grammetric methods from aerial
1966. Field checked 1968
1927 North American datum
on Idaho coordinate system,

96-8623





RECEIVED
MAY 31 1995

96-08623

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08623

Priority: October 22, 1990

Maximum Diversion Rate:

0.05 CFS

Maximum Diversion Volume:

1.3 AF

This is to certify, that DANIEL J BRUCE
2975 DELPHI LOOP
BREMERTON WA 98310

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated October 22, 1990; and
has submitted Proof of Beneficial Use on January 14, 1994. An examination indicates
that the works have a diversion capacity of 0.050 cfs of water from:

SPRINGS

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>
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.05 CFS	1.3 AF

LOCATION OF POINT(S) OF DIVERSTON:

SWNW, Sec. 28, Township 57N, Range 03W
BONNER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

57N 03W 28

SWNW

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

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. Two points of diversion are located within the SWNW, S28, T57N, R03W.
6. Stockwater use is for 1 horse and 2 range cattle.
7. Domestic use is for 1 home.

MAY 31 1995

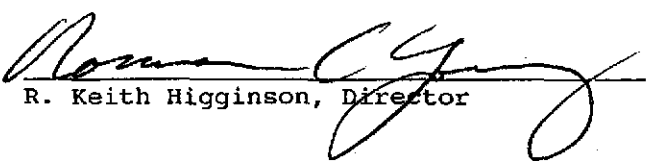
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08623

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 5TH
day of MAY, 1995.

Acting for


R. Keith Higginson, Director



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MAY 31 1995

RECEIVED

JAN 14 1994

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 96-08623 Telephone No. (206) 476-3286 (WORKS)

2. Name(s) of Permit Holder(s): D. BRUCE

3. Mailing Address: 2975 Delphi Loop, Bremerton, WA 98310

4. Source of Water: SINK

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

OPTIONAL:

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

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

Domestic (No. of households) Stockwater Cattle / Horses (No. and type of stock)

Irrigation (No. of acres) Other GARDEN

6. Total rate and/or volume for which proof is submitted 0.02 cfs OR acre/feet

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

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

Flow Measurement Port: Required? Yes X ^{OR} No Installed? Yes No

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

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

T.R. BRUCE (208) 265- or 263-6927
Name Telephone No.

Sanpoint, ID
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.

4 Jan 94
Date

T.R. Bruce
Signature (and title, if on behalf of a company or organization)

UNRECORDED

FEB 25 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-08623

Proposed Priority: October 22, 1990 Maximum Diversion Rate: 0.08 CFS

This is to certify, that DANIEL J. BRUCE
9-K WILLIAMS ST.
OAKLAND, CA 94605

has applied for a permit to appropriate water from:

SPRINGS 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>
STOCKWATER	01/01 to 12/31	0.04 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.08 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNW Sec. 28, Township 57N, Range 03W
BONNER County

PLACE OF USE: STOCKWATER
TWN RGE SEC

57N 03W 28 SWNW

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1994.
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. Two points of diversion located in the SWNW, Section 28, Township 57N, Range 03W.
5. Domestic use is for 1 home.
6. Stockwater use is for 1 horse and 2 range cattle.

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

12th day of February, 1991.

MICROFILMED

APR 23 1991

R. Keith Higginson
for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Daniel J. BRUCE Phone (415) 562-2904
Post office address #9-K Williams Street, OAKLAND, CA 94605
2. Source of water supply Two Natural Springs which is a tributary of Sinks
3. Location of point of diversion is _____ 1/4 of SW 1/4 of NW 1/4, Govt. Lot _____
Sec. 28 Township 57 N Range 3W B.M. Bonner County; additional
points of diversion if any: NONE.

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 01 JAN to 31 DEC (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Stock Water purposes from 01 JAN to 31 DEC (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) 0.08 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Domestic Spring Has a 4'x4'x3' concrete Box with supply line to existing cabin. Stock water spring will be boxed, with supply line to stock tank.

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

(See at right) → years (minimum 1 year). a. Domestic Spring is completed APR 23 1991
b. Stock water tank: 5 years.

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

- a. Hydropower; show total feet of head and proposed capacity in KW. N/A.
- b. Stockwatering; list number and kind of livestock. one Horse, 2 Head cattle (seasonal)
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. one Household.
- e. Other; describe fully. N/A

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.

From Map

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
57N	3W	28							D										

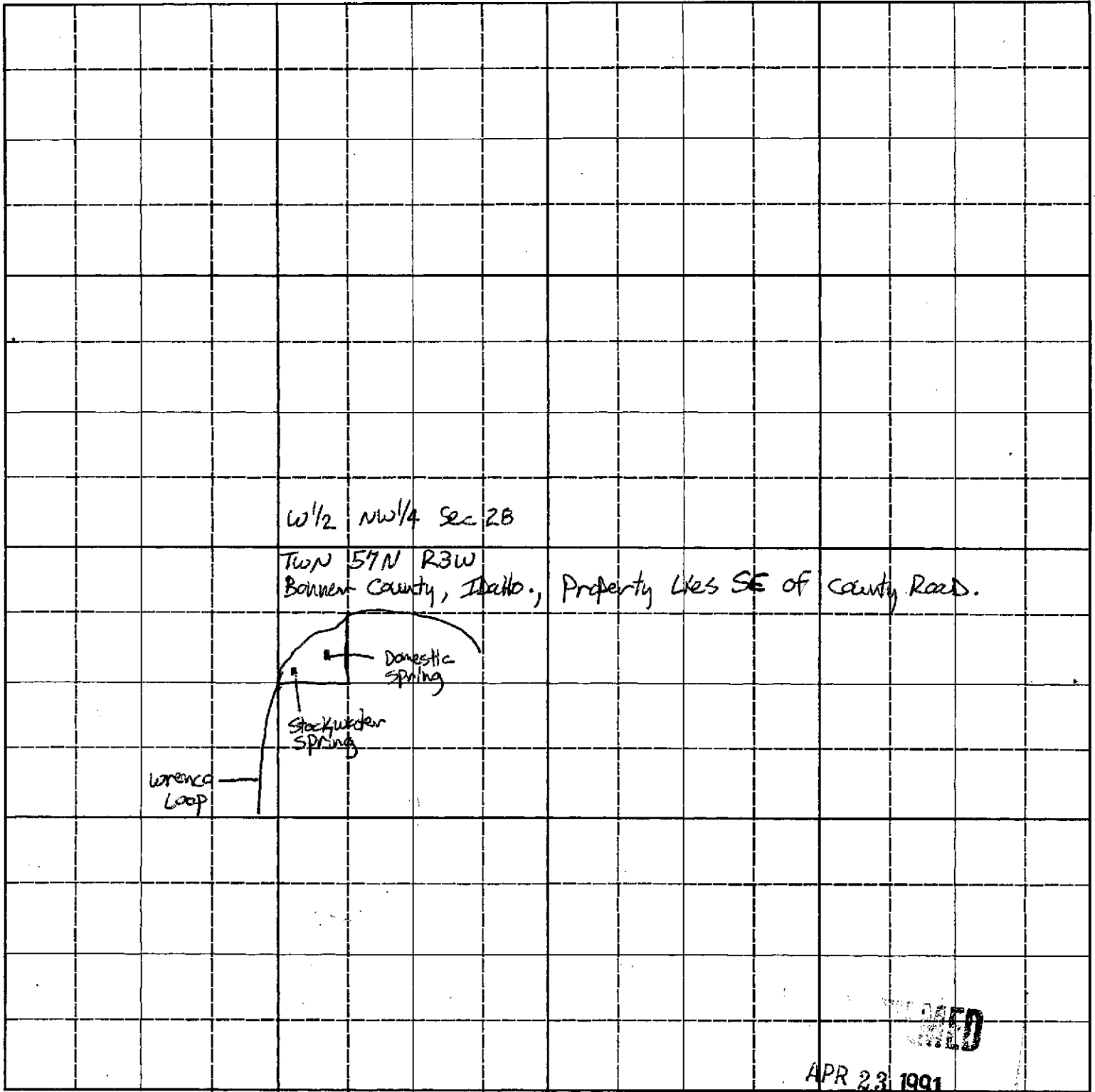
Total number of acres to be irrigated _____

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? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A.

12. Remarks: Water rights requested are for the sole use of the owner/Applicant. Current Domestic water source is sufficient for seasonal use of cabin, it is intended that when property is use year around that well will be drilled.

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

R. J. Bence
(Applicant)

Received by pm Date 10/20/90 Time 2:30 PM Preliminary check by pm
Fee \$ 45.50 Receipted by pm # N 4152 Date 10/15/90
Publication prepared by pm Date 10/24/90 Published in Bonner County Bee
Publication approved 11/14/90 Date pm

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:

APR 23 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

~~XXXXXXXXXX~~
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 5, 1995

DANIEL J BRUCE
2975 DELPHI LOOP
BREMERTON WA 98310

RE: WATER RIGHT NO. 96-08623

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

MAY 31 1995

LICENSE REVIEW CHECKLIST



PERMIT NO. 96-08623 DATE 4-24-95

NAME	<u>Change OK</u>	☒	Or Address Change?	
PRIORITY DATE		☒	Advance? <u> </u> Advanced to: <u> </u>	
			Order to reinstate needed? <u> </u>	
			Incorrect fee for rate recommended? <u>NO</u>	
SOURCE		☒	(NOTE: ONLY REQUESTED .02 CFS) (PAID FEES UPTO .20 CFS)	
			Changes or just clarification of originally intended source? <u> </u>	
			Notice of Intent to Void necessary? <u> </u>	
POINT OF DIV		☒	Amendment needed? <u>one SPRING is in the SWSWNW</u>	
		☒	Overlaps? <u>Other QUESTIONABLE / LEAKS PERMITTED</u>	
PLACE OF USE		☒	Amendment needed? <u> </u>	
		☒	Overlaps? <u> </u>	
DIV RATE		☒	Permit/fee limits: <u>.08 CFS</u>	
			Meas Q = <u> </u> Theo Q = <u> </u> Recommend: <u>.03</u>	
			<u>1 DOM @ .02</u>	
			<u>STOCK @ .01</u>	
			Combined rates exceed capacity <u> </u>	
ANNUAL VOLUME		☒	Volume Limit: <u> </u> Season: <u> </u>	
			Calculations: <u>DOM @ .1</u>	
			<u>STOCK @ .1</u>	
			Flow limit: <u> </u> cfs x <u> </u> x 1.9835 = <u> </u>	
			Combined volumes exceed capacity/allowable <u> </u>	
USES		☒	Change in Nature of Use or additional uses? <u> </u>	
			Amendment necessary? <u> </u>	
ADDITIONAL INFO			Supplemental Groundwater <u> </u>	PPU Scenario <u> </u>
			Irr/Dom Combination <u> </u>	Shared G/W System <u> </u>
NEW REMARKS		☒	Multiple p/d(s) in ¼ ¼? <u> </u>	
			Other <u> </u>	
NEW CONDITIONS		☒	Watermaster control - District <u> </u>	
			Measuring/Locking Devices <u> </u>	
			Irrigation Overlap <u> </u>	
			Other <u> </u>	
			Water Quality <u> </u> Heat/Cool/Fish verified <u> </u>	
COMMENTS:	<u>REDUCE RATE</u>			

RECOMMENDATION	CFS	VOLUME
<u>Domestic</u>	<u>.04</u>	<u>1.2</u>
<u>Stockwater</u>	<u>.02</u>	<u>.60</u>
<u>Stockwater</u>	<u>.01</u>	<u>.10</u>
<u>Totals</u>	<u>.07</u>	<u>1.90</u>
	<u>.05</u>	<u>1.30</u>

SRBA Claim Filed NA
 Adjustment Memo Needed YES
 LICENSE ✓
 1ST AMEND LETTER
 2ND AMEND LETTER

RECEIVED
Form 219
6/92
DEC 14 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-08623

1. Owner: DANIEL J BAUCE Phone No. (206) 476-3286

Current Address: 2975 DELPHI LOOP BREMERTON OREGON 98310

2. Accompanied by: OWNER EXAM DATE: 8-17-94

Address: SAME Phone No. SAME

Relationship to Permit Holder: _____

3. Source: SPRING tributary to SINK

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NW	28	87N	03W	Bonner	USGS 7.5 min G.V.A.D.

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	
82N	03W	28							D.S.	~~DS~~									

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MAY 31 1995

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:

Stock 1 horse & cattle $(12 \text{ gpd} \times 365 \text{ days} / 325850 = .04$

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	.04	1.2
Stock	01-01	12-31	.04	1.2
Totals:			.08	2.4

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name TED MCCracken Date _____

Reviewer _____ Date _____

SEAL

* See attached adjustment explanation memo

NOT RECORDED

MAY 31 1995

MEMORANDUM

TO: File 96-08623 / Daniel Bruce
FROM: Brenda Chapman
DATE: April 24, 1995
RE: Recommendation Adjustment(s)

=====

G. VOLUME CALCULATIONS

The stockwater volume has been reduced to the standard for 3 head of stock to .1 af.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Stockwater	1-01 to 12-31	.01	.10
Domestic	1-01 to 12-31	.04	1.20

The stockwater rate has been reduced. The rate for 3 head of stock from a "2 hour per day diversion" groundwater source is .01 cfs (Exhibit 15, Field Examiner's Handbook). With springs being a "24 hour diversion" source, the minimum of .01 cfs is more than adequate.

2. Recommended Amendments

☐ Change P.D.	☐ Add P.D.	☒ None
☐ Change P.U.	☐ Add P.U.	☐ Other

The exam confirms there are no changes in the points of diversion or place of use locations.

RECEIVED
MAY 31 1995

E. NARRATIVE/REMARKS/COMMENTS

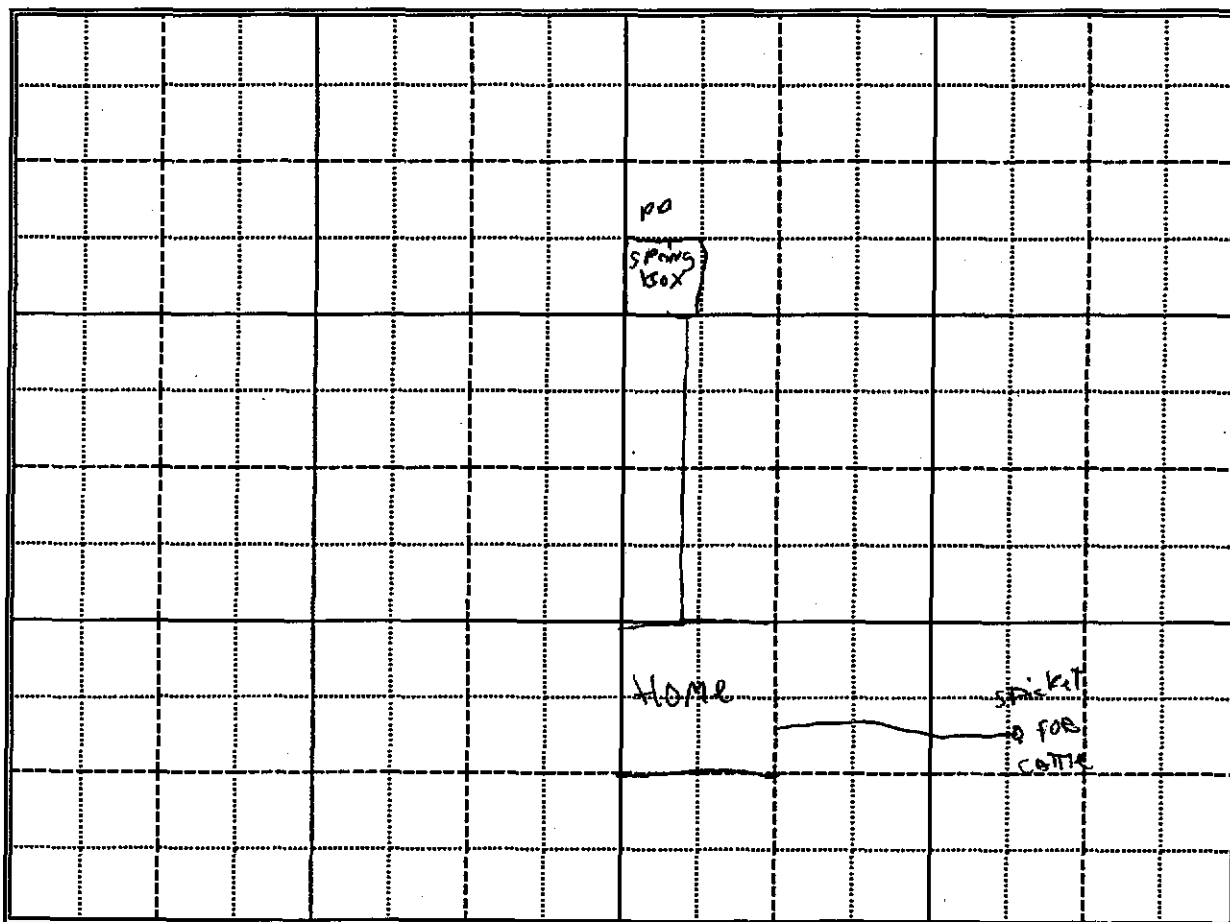
Water for Home AND stock

Change PD and PU. To SW, NW,

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

MAY 31 1995

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



Scale: 1" = NIS

☒ 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

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

D. FLOW MEASUREMENTS

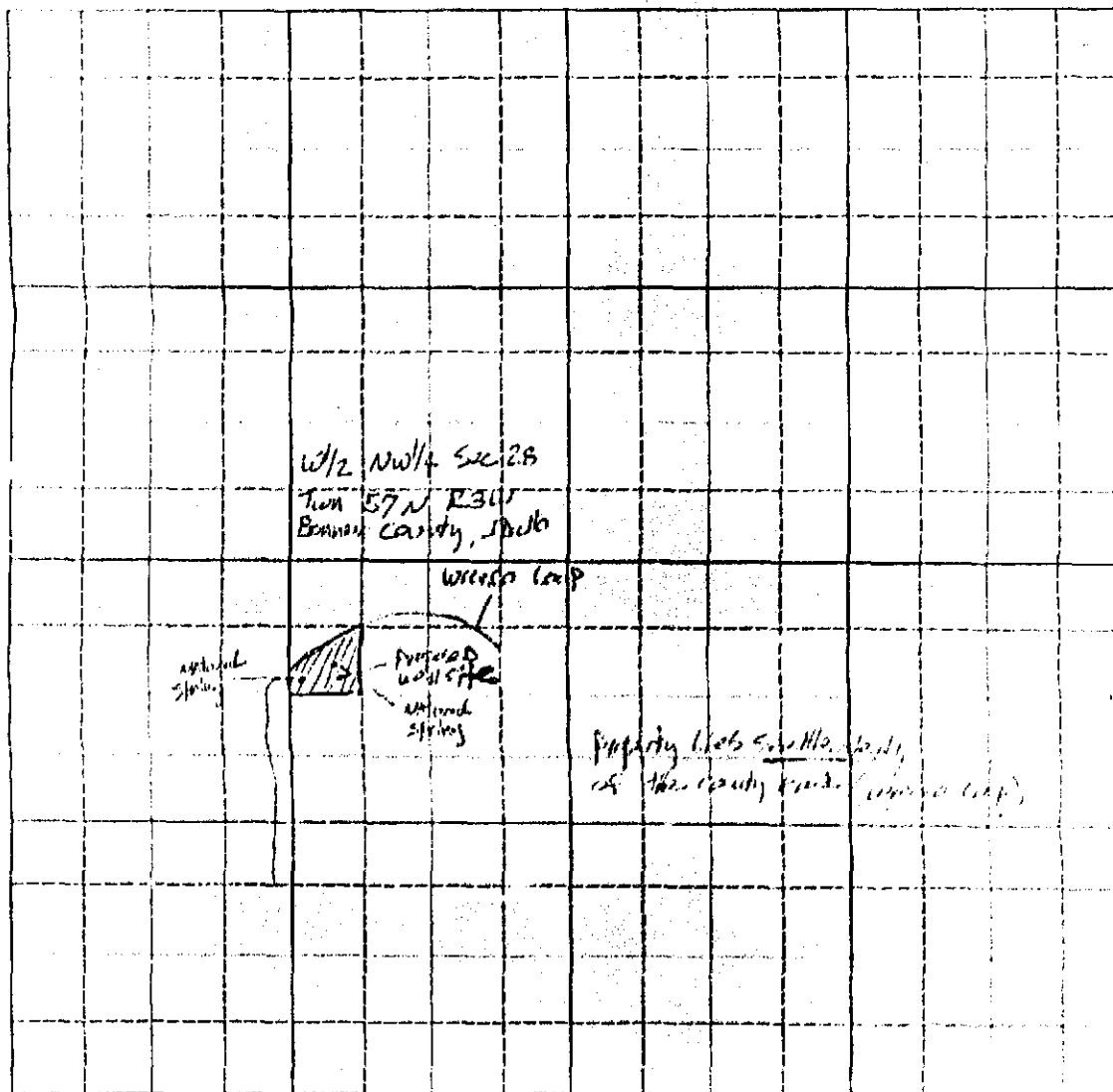
1.

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

2. Measurements:

MAY 31 1995

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

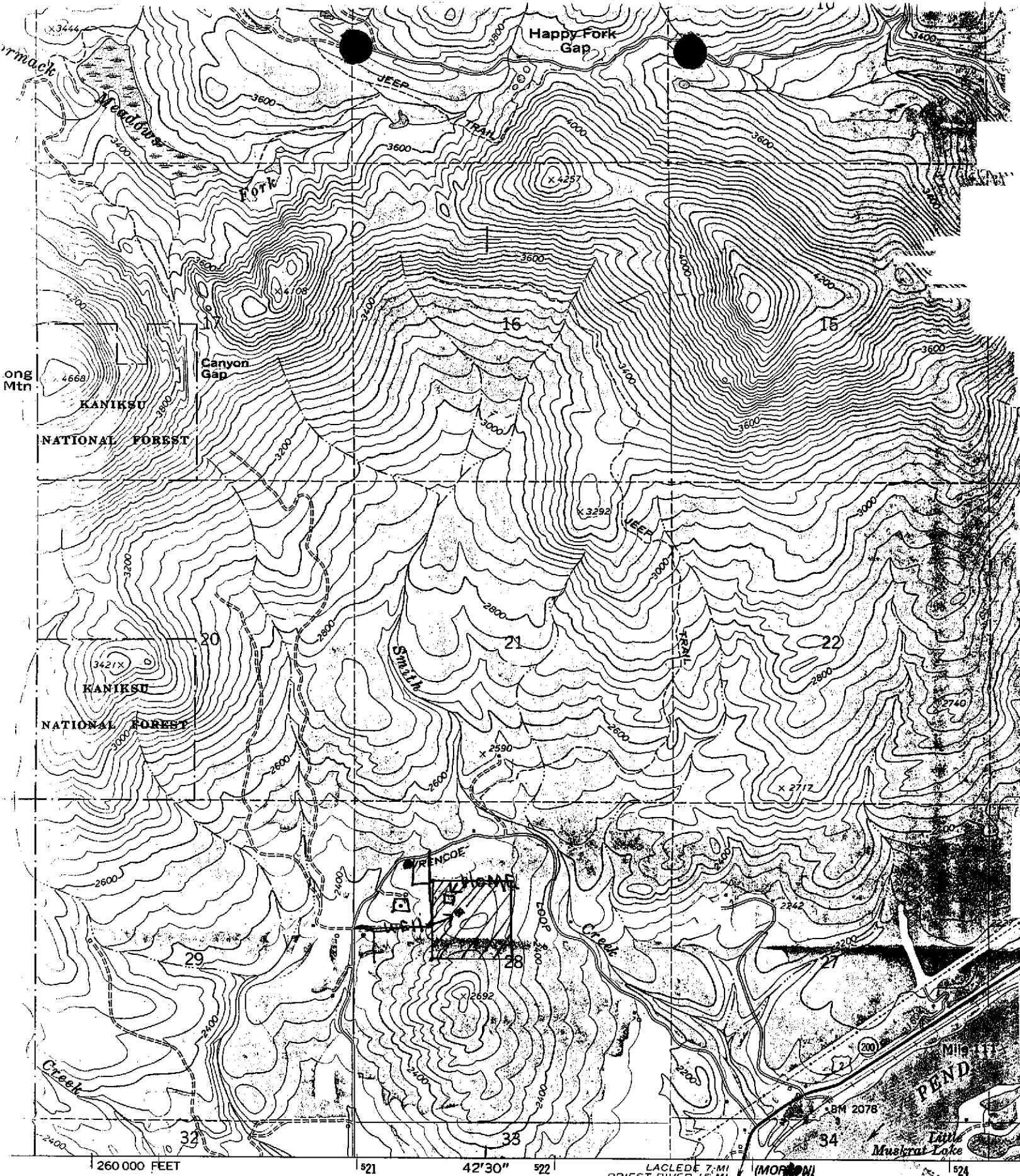


Scale 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

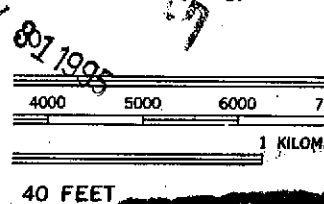
[Signature]
(Applicant)

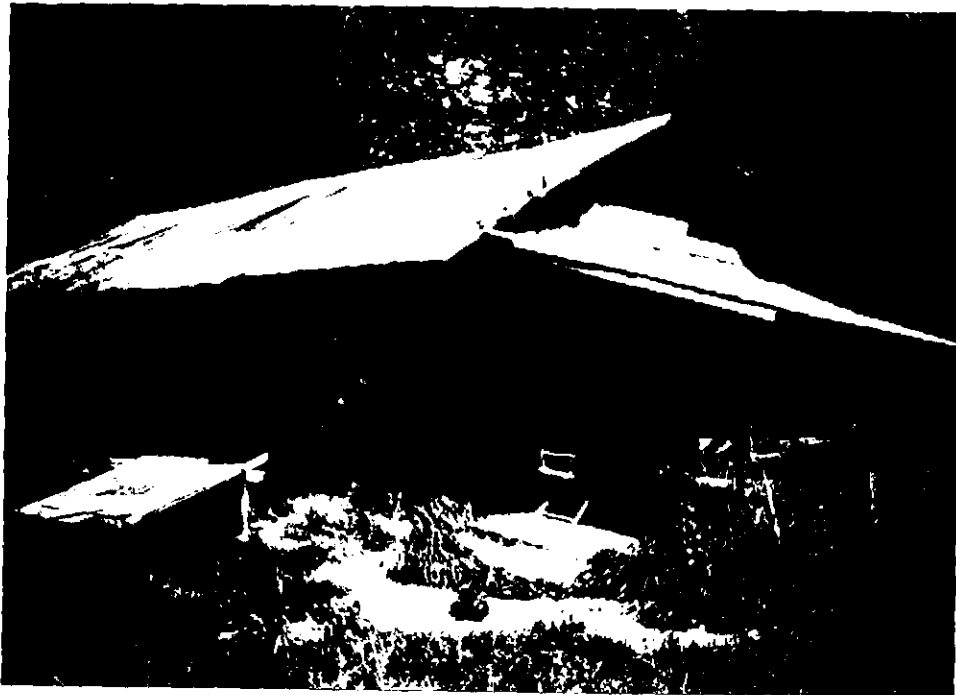
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MAY 31 1995



and published by the Geological
USC&GS
grammetric methods from aerial
1966. Field checked 1968
1927 North American datum
on Idaho coordinate system,

96-8623





RECEIVED
MAY 31 1995

96-08623

January 21, 1994

DANIEL J BRUCE
2975 DELPHI LOOP
BREMERTON WA 98310

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 96-08623

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Couer d'Alene, at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECORDED

FEB 25 1994

December 29, 1993

Daniel J. Bruce
2975 Delphi Loop
Bremerton, WA 98310

RE: Water Right Permit No. 96-08623

Dear Permit Holder:

Enclosed are the forms needed to file proof of beneficial use on water right permit no. 96-08623. The forms were originally sent to you by certified mail on November 30, 1993, but were returned by the postal service due to your change of address.

Please read the original enclosed letter, complete the necessary forms and return them to this office on or before the proof due date of February 1, 1994.

If you have any questions or I can be of any assistance, please do not hesitate to call.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

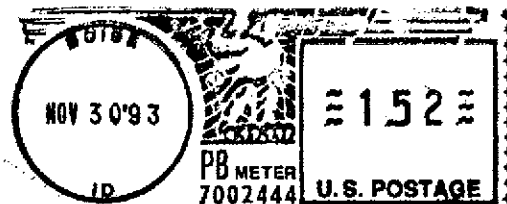
Enclosures

RECORDED
FEB 25 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

FEB 25 1994

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NOT DELIVERABLE
AS ADDRESSEE
UNABLE TO RETURN

RECEIVED
DEC 06 1993
Department of Water Resources



November 30, 1993

DANIEL J. BRUCE
9-K WILLIAMS ST.
OAKLAND CA 94605

PROOF DUE NOTICE

RE: PERMIT NO. 96-08623

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 February 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

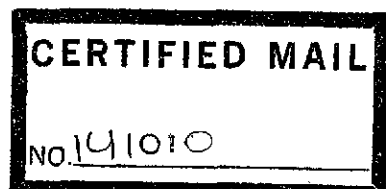
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

FEB 25 1994





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

February 13, 1991

DANIEL J. BRUCE
9-K WILLIAMS ST.
OAKLAND, CA 94605

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08623

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,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

APR 23 1991

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Tina Vandenberg 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 1 day of November, 1990
and ending on the 8 day of November, 1990
and that said notice was published in said newspaper.

On this 13th day of November in the year
of 90, before me, a Notary Public, personally
appeared Tina Vandenberg
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.

Kevin Johnson
Notary Public for Idaho

Residing at

Sandpoint

My commission expires:

10/22/93

APR 23 1991

3814

NOTICE OF APPLICATION
FOR WATER RIGHT

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

96-08621

CAVE, CHRISTOPHER
5922 HUMBIRD RD.
SAGLE, ID 83860

CAVE, KAREN L.
5922 HUMBIRD RD.
SAGLE, ID 83860
Source: GROUNDWATER
Diversion Pt: LOT 3 (NWNENW)
Sec 4 T 55N R 02W
Use: STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.060 CFS)
Date Filed: 10/16/1990
In: T55N R02W S04 NENW

96-08622

VERMEER, LOUIS F.
102 S. 4TH AVE.
SANDPOINT, ID 83864
Source: PACK RIVER Tributary:
PEND OREILLE LAKE
Diversion Pt: LOT 4 (SESW) Sec 31
T 58N R 01E
Use: IRRIGATION (5.000 CFS)
Total Diversion: (5.000 CFS)
Date Filed: 10/23/1990
In: T58N R01E S31 SWNW SENW
NESW NWSW SWSW SESW
R01W S36 SENE NESE NWSE
SWSE SESE
250.0 ACRES TOTAL

96-08623

BRUCE, DANIEL J.
9-K WILLIAMS ST.
OAKLAND, CA 94605
Source: SPRINGS Tributary:
SINKS
Diversion Pt: SWNW Sec 28 T 57N R
03W
use: STOCKWATER (.040 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.080 CFS)
Date Filed: 10/22/1990
In: T57N R03W S28 SWNW

96-08624

MARTIN COUNTRY INC.
4000 PACK RIVER RD.
SANDPOINT, ID 83864
Source: HELLROARING CREEK
Tributary: PACK RIVER
Diversion Pt: SWSE Sec 3 T 59N
R 02W
Use: IRRIGATION (.500 CFS)
POWER (2.000 CFS)
DOMESTIC (.040 CFS)
RECREATION STORAGE (3.50
AF)
FIRE PROTECTION (2.500 CFS)
DIVERSION TO STORAGE (2.000
CFS)

Total Diversion: (2.500 CFS)
(3.50 AF)
Date Filed: 10/23/1990
In: T59N R02W S03 SWNE NESW
NWSE
20.0 ACRES TOTAL

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

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of
Water Resources, Northern Region,
1910 Northwest Blvd., Suite 210,
Coeur d'Alene, Idaho 83814 on or
before NOVEMBER 19, 1990.

R. Keith Higginson, Director

#3814 November 1, 8, 1990

KASAP

96-08623

BRUCE, DANIEL J.
9-K WILLIAMS ST.
OAKLAND, CA 94605

Source: SPRINGS

Tributary: SINKS

Diversion Pt: SWNW Sec 28 T 57N R 03W

Use: STOCKWATER (.040 CFS)
 DOMESTIC (.040 CFS)
 Total Diversion: (.080 CFS)

Date Filed: 10/22/ 1990

In: T57N R03W S28 SWNW

MICROFILMED

APR 23 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region Office

1910 Northwest Blvd. * Suite 210 * Coeur d'Alene, Id. * 83814 * (208) 765-4639

Cecil D. Andrus
Governor

R. Keith Higginson
Director

October 16, 1990

Mr. Daniel J. Bruce
#9-K Williams St.
Oakland, Ca. 94605

Re: Water Appropriation Application

Dear Applicant:

The Idaho Department of Water Resources has received your Application For Permit To appropriate The Public Waters Of The State Of Idaho and your filing fee in the amount of \$45.00 for which receipt #N-004152 is enclosed. However I regret to inform you that the application is not acceptable in its present form, so I am returning it to allow you to clarify or complete the following:

Item #2: A spring is considered to be surface water, since the water naturally rises 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 can not file for surface water and ground water on the same application, unless the system collects both sources and conveys them together to the places of use. I have enclosed a blank application for your convenience, but if the system is to collect both surface and ground water then file only one application and explain how the system collects water from both sources in item 6.a and 12, if more space is needed.

Item #4: 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. Since domestic purposes are normally for the entire year, I have taken the liberty of changing the dates on this item.

Item #6: a. You must describe the method you plan to use to appropriate the water.

Item #7: This item must indicate the length of time you need to complete the entire project and put the water to a beneficial use. A maximum of only five years can be allowed statutorily.

Item #9: You show irrigation of 46 acres in this item, but you have not indicated irrigation in item #4. This item must agree with the map, which shows use only within the SW NW.

NOT FILMED

APR 23 1991

Mr. Daniel J. Bruce
Page Two
October 16, 1990

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: App.
Receipt

RECEIVED

APR 23 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 DANIEL J. BRUCE Phone (415) 562-2904
Post office address #9-K Williams Street, OAKLAND, CA 94605
2. Source of water supply two natural springs which is a tributary of ATTA SINKS
3. Location of point of diversion is _____ 1/4 of 10 1/2 of NW 1/4, Govt. Lot _____
Sec. 28 Township 57N Range 3W B.M. Banner County; additional
points of diversion if any: NONE
4. Water will be used for the following purposes:
Amount 0.25 cfs for Domestic/Home purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum) 10-1-90 inf.
Amount 0.25 cfs for Domestic/Home purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum) 10-1-90 inf.
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) 1.0 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. only that equipment necessary
to provide usable water to Home. Existing water is not
considered entirely adequate for Home use, well will also be required.
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 6 inches; proposed depth of well is 200' 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
7 years (minimum 1 year).
* Date for completion of domestic water system, permanent ~~rights~~ rights
to water desired.

RECEIVED

APR 23 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. N/A
- b. Stockwatering; list number and kind of livestock. ~~not~~ not at this time, future use may change.
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. (1) one.
- e. Other; describe fully. Description of use is considered domestic only, including family garden and animals ^{raised} ~~used~~ for pleasure or food.

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
57N	3W	28						40	6										46 ⁺ Acres
								D	D										

Total number of acres to be irrigated N/A

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? Applicant.

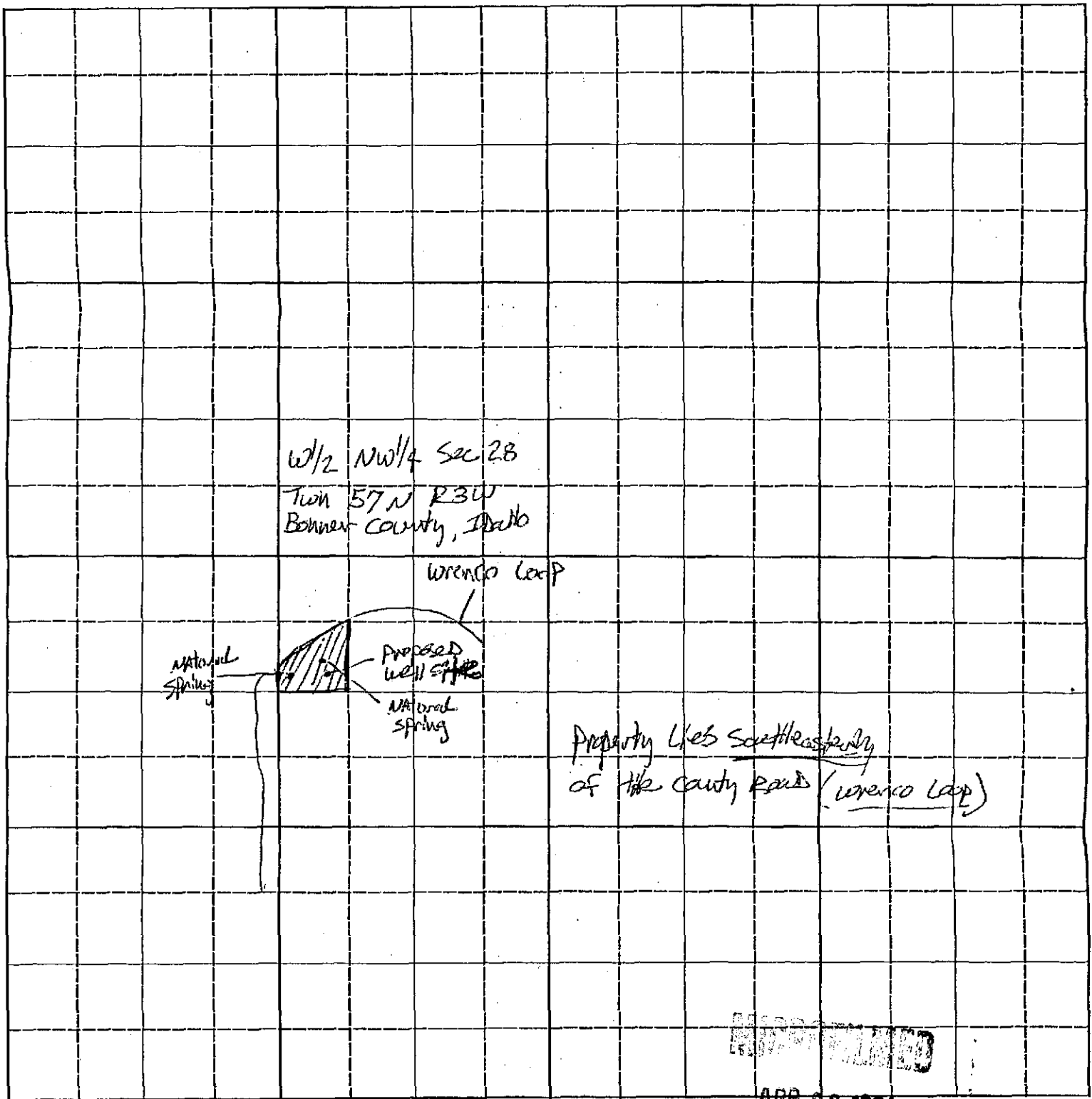
b. Who owns the land to be irrigated or place of use? Applicant.

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

12. Remarks: Water rights requested are for the sole use of the applicant only. Natural Springs and future well are for domestic use. It should be noted that no water from the sources listed here exit the property.

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



Scale: 2 inches equal 1 mile.

APPROVED

APR 23 1991

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

J. J. Bruce
(Applicant)

Received by pm Date 10/15/90 Time 2:00 PM Preliminary check by _____
Fee \$ 45.00 Received by pm # N 4152 Date 10/15/90
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:

RECEIVED

APR 23 1991

Daniel J. Bruce
S. rie Bruce

RECEIVED

9-K Williams St.
Oakland, CA 94605

OCT 22 1990

18 OCT 90

Dear Mr. King,

Thank you for the information provided in your letter dated 16 OCT 90. AS you requested, I have completed another application with the items changed/modified as directed. I have deleted the irrigation request altogether after consulting with someone in your office today. It should be noted that the domestic system was installed prior to my purchase of the property. I will develop the system for stockwatering. Since I reduced the amount of water I may be due a partial refund. Please contact me if I can be of further assistance.
Sincerely, D. Bruce

NOT RECORDED

APR 23 1991