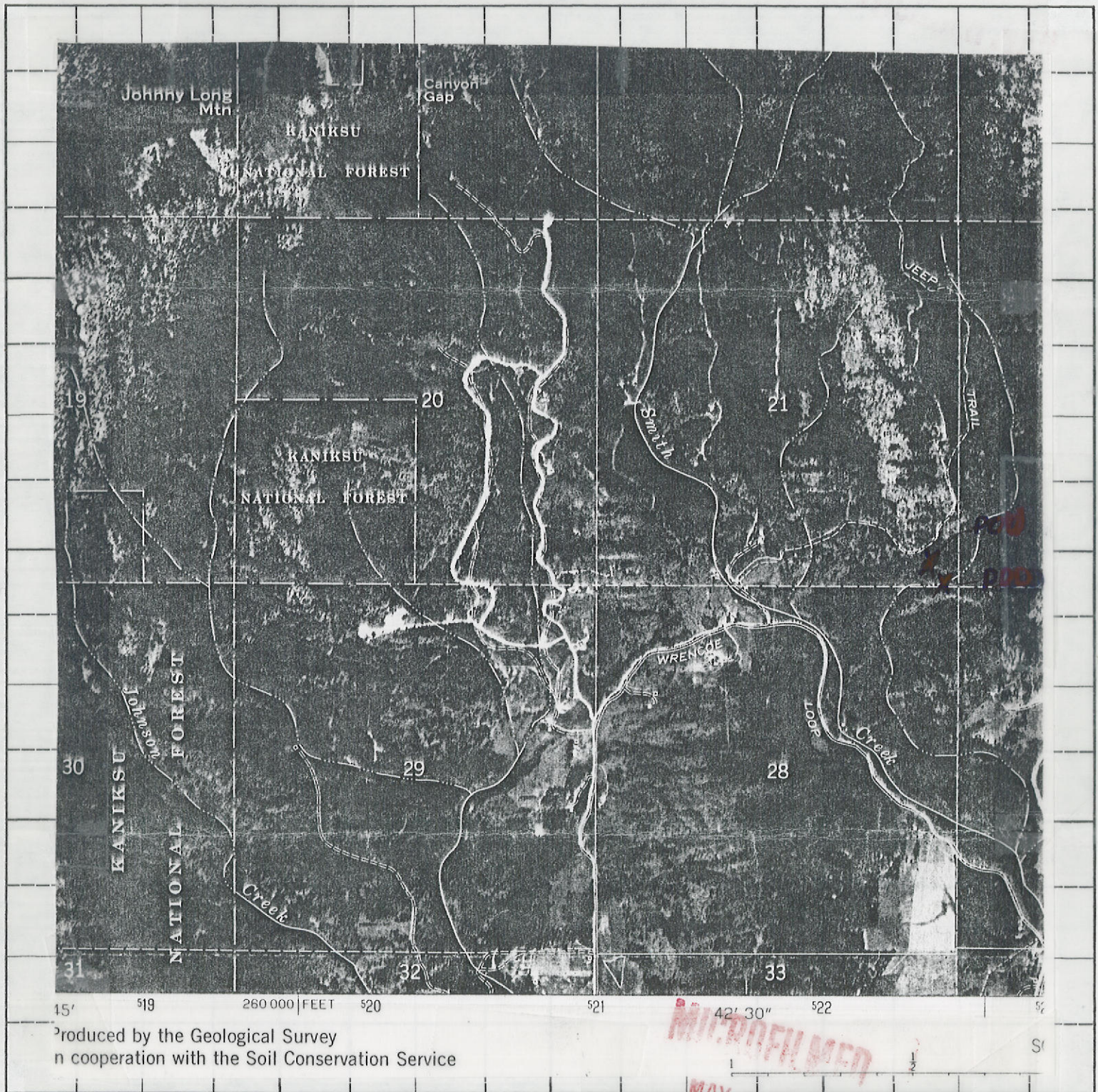
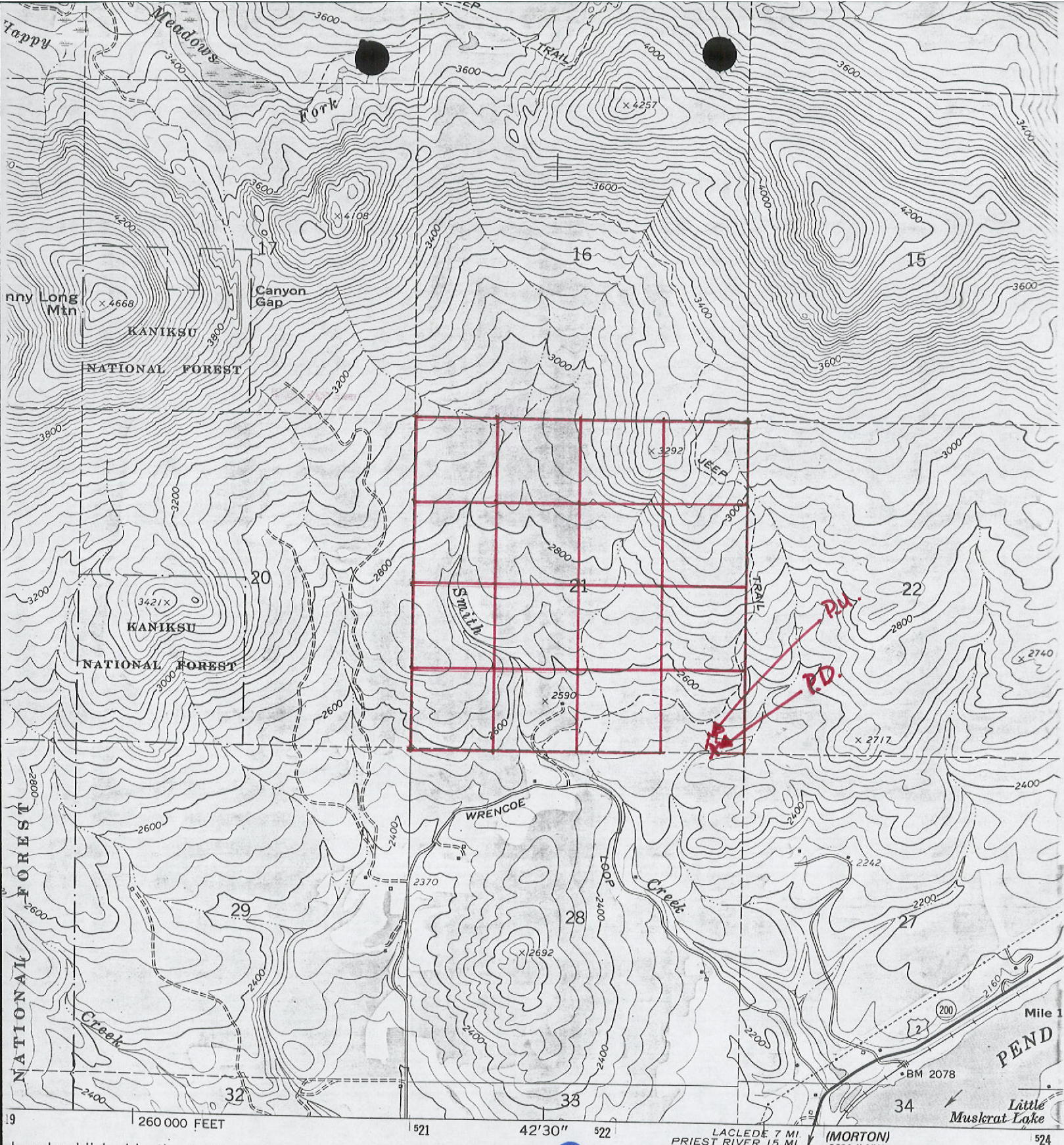


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Paul A De Witt
(Applicant)



ed, and published by the Geological Survey
S and USC&GS

photogrammetric methods from aerial
taken 1966. Field checked 1968

tion. 1927 North American datum
based on Idaho coordinate system,

Universal Transverse Mercator grid ticks,
in blue

lines indicate selected fence lines

UTM GRID AND 1968 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

ed, and published by the Geological Survey
S and USC&GS

photogrammetric methods from aerial
taken 1966. Field checked 1968

tion. 1927 North American datum
based on Idaho coordinate system,

Universal Transverse Mercator grid ticks,
in blue

lines indicate selected fence lines

UTM GRID AND 1968 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER QUALITY
REPORT SUPPLEMENT
C O G R A



TECHNICAL 3.4.2. SPILL SITE
PLACE OF USE



1" BLACK PVC PIPE
DISCHARGE
GARDEN AREA



MICROFILMED
APR 10 1998

PERMIT # 96-08570

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PHOTOGRAPHS



PLACE OF USE
PLACE OF USE



MICROFILMED

APR 10 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08570

Priority: August 23, 1989

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

1.5 AF

This is to certify, that JACKIE DE WITT
PAUL A DE WITT

640 WRENCO RD #5

SANDPOINT ID 83864

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated August 23, 1989; and
has submitted Proof of Beneficial Use on May 30, 1996. An examination indicates
that the works have a diversion capacity of 0.060 cfs of water from:

UNNAMED STREAM

tributary to SMITH CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.02 CFS	1.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 21, Township 57N, Range 03W
BONNER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
57N	03W	21	SESE	0.5		0.5

Total number of acres irrigated: 0.5

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 1.5 afa at the field headgate for the land described above.

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APR 10 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08570

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 28TH
day of FEBRUARY, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

APR 10 1998

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 035670
Receipt By: RB
Date Received: 5/30
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 30 1996

PROOF OF BENEFICIAL USE

Department of Water Resources

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 be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 96-08570 Telephone No. 208-263-8678
(or) 208-772-3815
2. Name(s) of Permit Holder(s): Paul DeWitt Jackie DeWitt
3. Mailing Address: 640 Wrenco #5 Sandpoint, ID. 83864 (or) 305 W. Lancaster Rathdrum, ID. 83858
4. Source of Water: tributary of Unnamed Stream GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
SMITH CREEK
- a. Well Driller: _____ Drilling Permit Number: _____

b. OPTIONAL:

Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

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

Irrigation (No. of acres): .5 Other: _____

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

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No X
Has the measurement port been installed? Yes _____ or No X

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: _____ Telephone Number: _____

Address: _____

10. The information given on this form 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.

Signature of permit holder: Jackie DeWitt Date: 5-28-96
(include your title, if on behalf of company or organization)

AUG 22 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-08570

Proposed Priority: August 23, 1989 Maximum Diversion Rate: 0.02 CFS

This is to certify, that JACKIE DE WITT

PAUL A DE WITT

640 WRENCO RD #5

SANDPOINT ID 83864

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of SMITH CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	03/15 to 11/15	0.02 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SESESE , Sec. 21, Township 57N, Range 03W
BONNER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
57N	03W	21	SESE	0.5		0.5

Total number of acres irrigated: 0.5

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1996.
2. Subject to all prior water rights.
3. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

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

23 day of

May, 1995

Karl J. Dreher
Karl J. Dreher, Director
for

MICROFILMED

MAY 31 1995

RECEIVED
MAY 19 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 96-08670
AUG 23 1995
NORTHWEST REGION
TWIN FALLS

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant PAUL A. OR JACKIE DEWITT Phone 263-8678
Post office address 640 WRENCO RD. #5 SANDPOINT, ID 83864
2. Source of water supply UNNAMED STREAM which is a tributary of SMITH CREEK
3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 21 Township 57N. Range 3W. B.M. BONNER County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.02 for IRRIGATION purposes from MARCH 15 to NOV. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.02 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. PUMP & PIPELINE FROM CREEK
TO LAWN & GARDEN
 - 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).

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MAY 31 1995

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. _____
- Other; describe fully. IRRIGATION OF LAWN & GARDEN

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	
57N.	3W.	21																1/2	

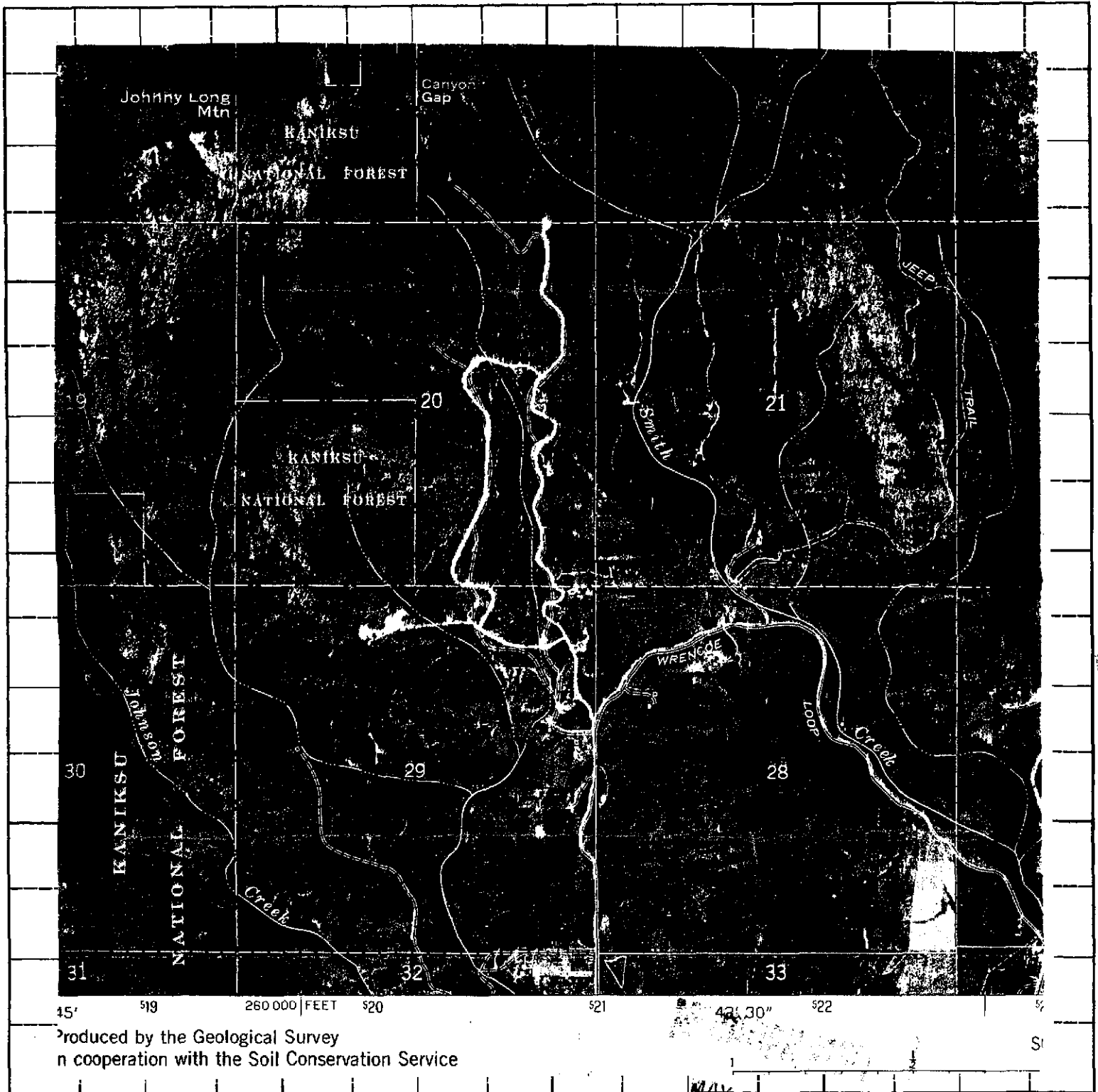
Total number of acres to be irrigated 1/2

10. Describe any other water rights used for the same purposes as described above. GROUND WATER CLAIM A96-00203 FOR IN-HOUSE DOMESTIC

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

12. Remarks: _____

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



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.

Paul A. De Witt
(Applicant)

Received by Shippett Date 8-23-89 Time 2:46pm Preliminary check by JK
Fee \$ 30.00 Receipted by Shippett # N3270 Date 8/23/89
Publication prepared by pm Date 8/30/89 Published in Sept. 89
Publication approved pm Date 10/4/89

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:

NOTIFIED
MAY 31 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

March 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JACKIE DE WITT
PAUL A DE WITT
640 WRENCO RD #5
SANDPOINT ID 83864

RE: WATER RIGHT NO. 96-08570

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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APR 10 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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APR 10 1998

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The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

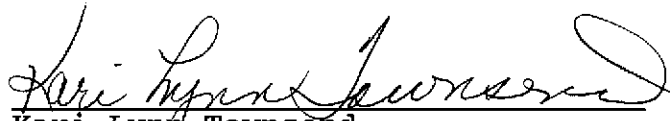
APR 10 1998³

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of March, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 96-08570

JACKIE DE WITT
PAUL A DE WITT
640 WRENCO RD #5
SANDPOINT ID 83864


Kari Lynn Townsend
Secretary

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APR 10 1998

MEMORANDUM

TO: File 96-08570

FROM: Sharla

DATE: February 26, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 96-08570 are as follows:

A. GENERAL INFORMATION

3. Source: unnamed stream tributary to Smith Creek

The application for permit lists unnamed stream as the source of water, the examiner shows source as unnamed stream on the hand-drawn system diagram, but erroneously listed as unnamed creek in the source field.

Examiner: Herman Spangle

Exam Date: June 3, 1997

MINOR-ENCL

APR 10 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 27 1998

Department of Water Resources

Permit No.

96-08570

A. GENERAL INFORMATION

1. Owner: Jackie DEWITT Phone No. (208)-263-3815 WK
Current Address: 640 WRENCO LOOP Rd Sandpoint, ID. 83864
2. Accompanied by: Jackie Dewitt EXAM DATE: 6-3-97
Address: SAME AS ABOVE Phone No. SAME AS ABOVE
Relationship to Permit Holder: Permit Holder
3. Source: Unnamed Creek tributary to Smith Creek

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
RD. 1		SE	SE	SE	21	57N	03W	Bonner	U.S.G.S 7.5' QUAD; site visit

2. Place(s) of Use:

Indicate Method of Determination USGS 7.5' QUAD, Assessor

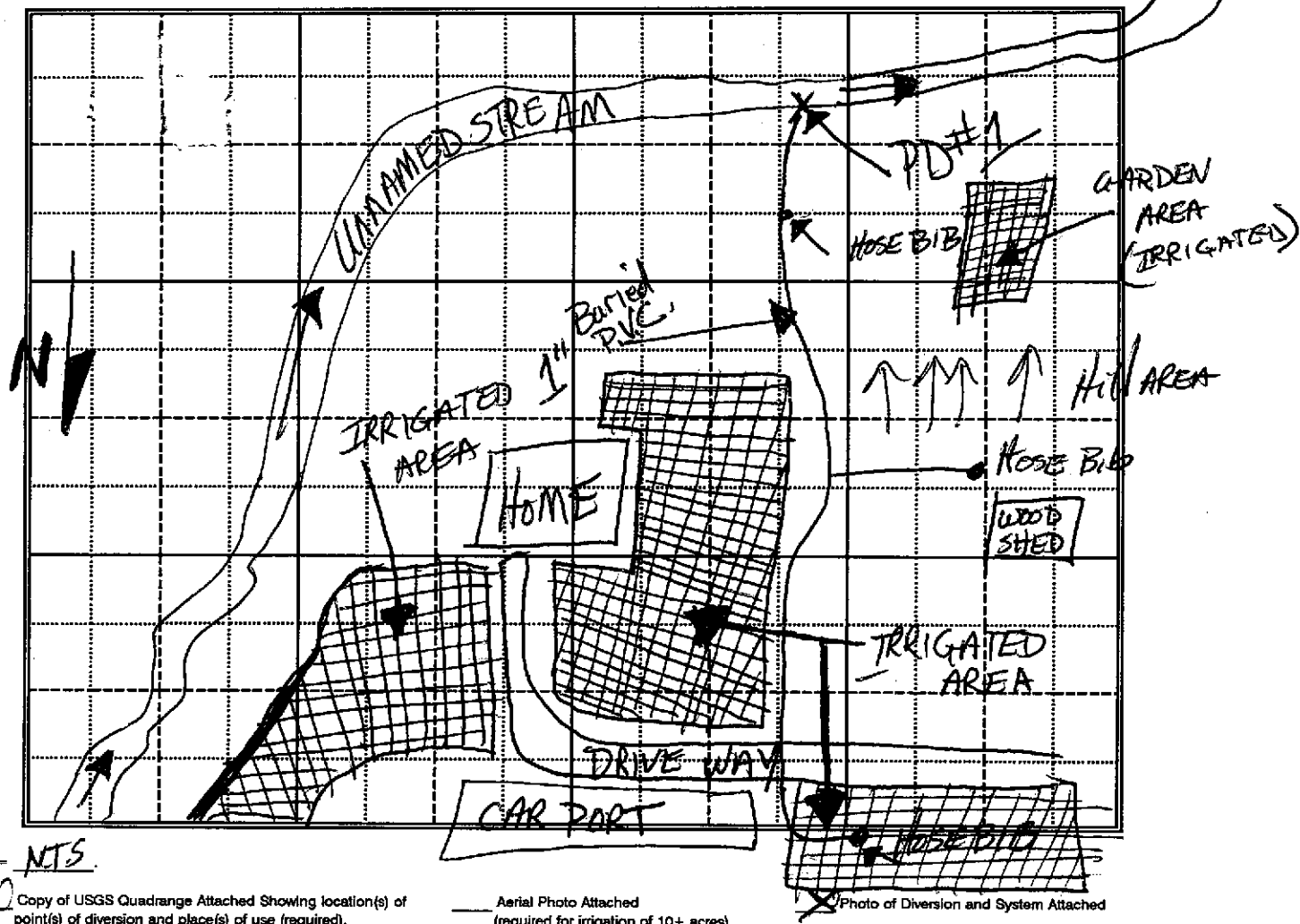
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	03W	21																5	.5

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APR 10 1998

Total .5 ACRES

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

X 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)

X 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
<u>PD #1</u>	<u>Ferguson</u>	<u>3.0</u>	<u>149.2630</u>	<u>SEARS</u>	

*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:

Theoretical Calculation

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APR 10 1998

01-08230

E. NARRATIVE/REMARKS/COMMENTS

System Consist of 3 HP Tecumseh Gas Engine with a Seals
1 1/2 pump. One (1) inch Black PVC is used to distribute water
to Lawn and Garden areas. The P.V.C. pipe is above ground
for Approx 30' where there is a hose bib installed to draw water
through a garden hose to the garden area that is located
next to the unnamed stream. From the first hose bib
the P.V.C. is buried and runs up a hill for approx.
300' ft. to two more hose bibs. Garden hoses with lawn
sprinklers are used to irrigate.

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

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APR 10 1998

F. FLOW CALCULATIONS

Measured Method:

~~X~~ Additional Computation Sheets Attached~~X~~ See Theoretical Calculation**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

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

$$(.5)(3.0) = 1.5 \text{ ACRE FT}$$

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

$$(.02)(245)(1.9835) = 9.7$$

 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ 1.5 ACRE FT

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>IRRIGATION</u>	<u>3-15</u>	<u>11-15</u>	<u>.02</u>	<u>1.5</u>
Totals:			<u>.02</u>	<u>1.5</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. AUTHENTICATION**

Field Examiner's Name

Heuman Spang

Date

6-18-97

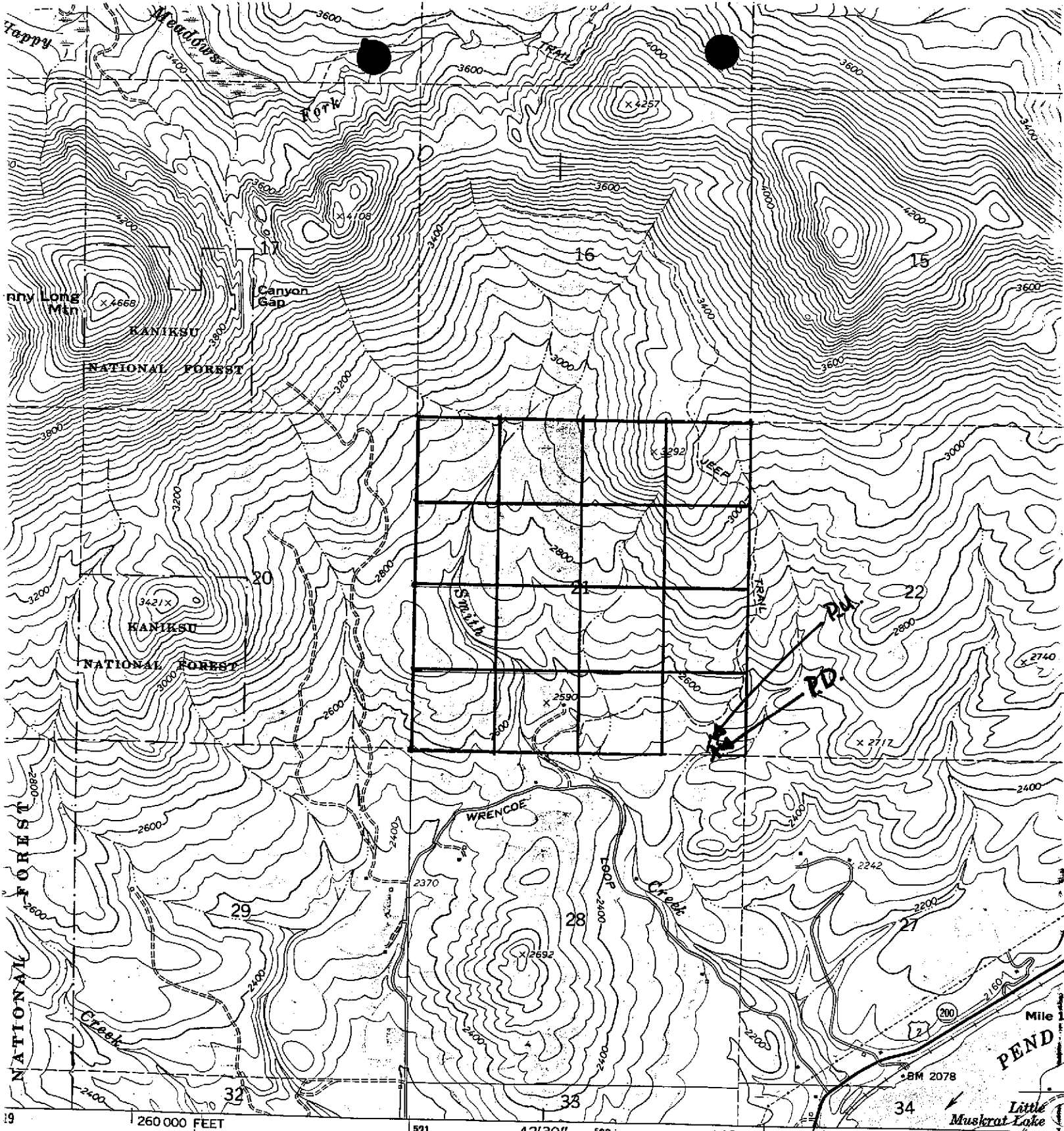
Reviewer

Date

SEAL

MICROFILMED

APR 10 1998



and, published by the Geological Survey
S and USC&GS

Photogrammetric methods from aerial
photos. Field checked 1968

1927 North American datum
based on Idaho coordinate system,

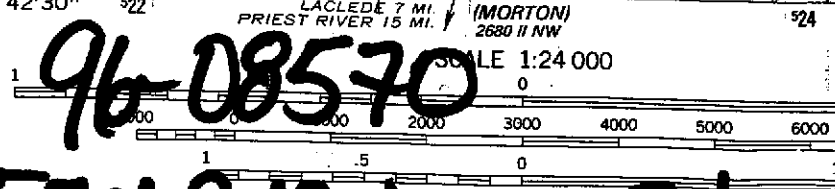
Universal Transverse Mercator grid ticks,
in blue

lines indicate selected fence lines

MICROFILMED
APR 10 1998



UTM GRID AND 1968 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



T.57N., R.03W., Sec 21
DEWITT, Jackie

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 96-08570
DATE: 18-JUN-97
COMPLETE BY: HERM

HORSEPOWER = 3

PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 170 FEET

SYSTEM PRESSURE = 55 PSI

QUANTITY = 0.06 CFS

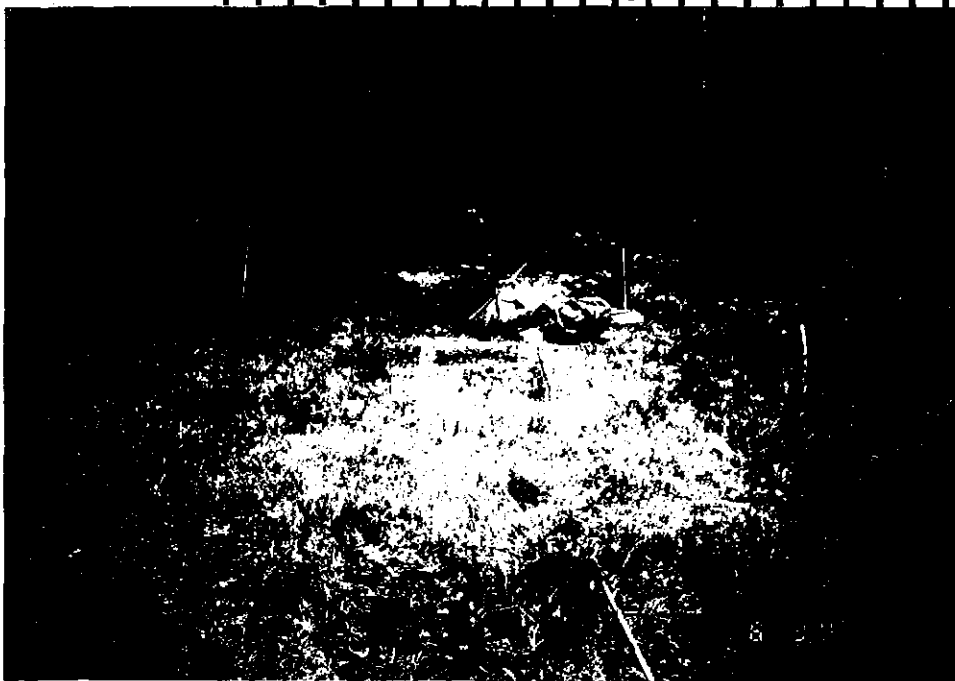
MICROFILMED
APR 10 1998



1" Black P.V.C. Pipe
Discharge
GARDEN AREA



Tecumseh B.H.P. Sears Pump
PLACE OF USE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 96-08570

PHOTOGRAPHS



PLACE OF USE
PLACE OF USE



EXHIBIT-1
APR 10 1986

NOTE:

Please mail receipt and
further correspondence to:

Jackie DeWitt
305 W. Lancaster
Rathdrum, IDAHO
83858

AUG 22 1996

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-08570 Reviewed by [Signature] Date 6-14-96

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? Irr.
no Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

☒ Surface water source
☐ Ground water source
Drilling permit required?
Copy in the file? Drilling Permit No. _____
Amount paid for permit _____ Correct?
Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
no Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	/	_____
Date proof due	_____		_____
No. of days late	_____		_____
Priority Date	_____		_____
New Priority Date	_____		_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address 305 W. Lancaster Proof Made 5-30-96
Retterdam, Id. 83858



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 21, 1996

JACKIE DEWITT
305 W LANCASTER
RATHDRUM ID 83858

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 96-08570

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 the field examination, contact the NORTHERN Regional Office in Coeur d'Alene, at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

AUG 22 1996

March 31, 1996

JACKIE DE WITT
PAUL A DE WITT
640 WRENCO RD #5
SANDPOINT ID 83864

PROOF DUE NOTICE

RE: PERMIT NO. 96-08570

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 June 1, 1996.

(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.

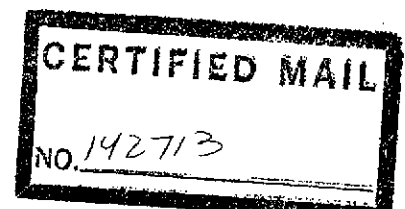
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

AUG 22 1996





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 23, 1995

JACKIE DE WITT
PAUL A DE WITT
640 WRENCO RD #5
SANDPOINT ID 83864

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08570

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

RECEIVED

MAY 31 1995

SK:rl

Enclosures

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 96-8570 Name: Dewitt Date: 5/22/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: P3270 Priority: 8/23/89 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Prehearing agreement) or W19(See Order)

SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
- 0.2 cfs - No MD
+ 5 a. (POU cmp) - 01M, 803(if GW use SW 1st)

Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH>(Surface water that doesn't sink):
Water District(~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J-P08 or 01M
- 0.2 cfs - 01H-P01 or No MD
+ 5 a. irr. - 01M (POU cmp)
~~In WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (POU ✓ cmp)

RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(consump. use), 047-P04(Payette Lake), NA

USE:
Domestic (surface) - 021(Boise R ↑ L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10;044(N 1000 Spr)
Irr - 5 acres - ~~057~~ (0.03 cfs/A)
+ 5 acres - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP:Non-land owner - 004 (PD/PU)

OTHER CONDITIONS: _____

STANDARD REMARKS: _____

BENEFICIAL USE DUE: - 6-1-1996

COMMENTS: _____

MEMORANDUM

To: File 96-08570
From: Bob Haynes
Date: May 17, 1995

RECEIVED
MAY 19 1995
Department of Water Resources

This file has been held at the Northern Regional office pending the final disposition of the Smith Creek adjudication and other applications for water from that system that were protested. The point of diversion for this use is on a tributary of Smith Creek which flows into Smith Creek below the area where conflicts over the use of water have occurred.

RECEIVED
MAY 31 1995

4/87-8/89 n

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: JK DATE: 8/25/89 APPLICATION: 96-08570

APPLICANT: DEWITT

REQUIRED INFORMATION

- (1). ☒ Name & Address: (If applicant is a corporation or partnership, names must be provided for the director, officers, and other partners.)
- (2). ☒ Source: (See USGS Quad for names of water sources)
- (3). ☒ Point of Diversion including county: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- (4). ☒ Quantity: (flow and/or volume)
- ☒ Nature of proposed use: (Include description of use)
- ☒ Period of use:
- (5). ☒ Total Quantity: (flow and/or volume)
- (6). ☒ Description of diverting works:
- (7). ☒ Time required for beneficial use of water:
- (8). ☒ Proposed uses
- (9). ☒ Place of use or acres irrigated:
- (10). ☒ Other Water Rights
- (11). ☒ Ownership
- (13). ☒ Map:
- ☒ Signature: (If applicant is corp., partnership, or municipality title of signator is required)
- ☒ Fee amount, receipt number and date recorded on application:
- ☒ Overlap Review: (Describe source & relationship to present application in remarks.)
- ☒ Acknowledgement Letter sent NONE

RECEIVED
MAY 19 1995
Department of Water Resources

ADDITIONAL INFORMATION

YES NO

- ☒ Field check required: Field check by: _____
- ☒ Field report attached: _____
- ☒ Critical groundwater area: _____
- ☒ Groundwater management area: _____
- ☒ Send dam safety information: _____
- ☒ Send power requirement letter: _____
- ☒ Send fish farm requirement letter: _____
- ☒ Power residency affidavit: _____
- ☒ Power efficiency form: _____
- ☒ Within trust water boundry: (If yes, attach Trust Water Supplementary Analysis Sheet.)
- ☒ Diversion greater than 5 cfs or 500 af: (If yes, attach Large Diversion supplementary analysis sheet.)

FOLLOWING INFORMATION REQUESTED FROM APPLICANT

Item

Date Requested

YES	NO
-----	----

_____ In form for advertising:
_____ Statewide advertising:

YES NO

_____	I.D. Health and Welfare
_____	I.D. Fish and Game
_____	I.D. Lands
_____	Adjudication Bureau

YES NO

_____ U.S. BLM
 _____ U.S. Forest Svc.
 _____ Water District # _____
 _____ Other

YES/ NO

✓
✓ — Affidavit of publication received:
Application published correctly: If not, record action taken.

✓ Publication dates and paper recorded on application: _____
 ✓ Protests received, Final date for protest 9/25/89
 ✓ Protests, dates, resolution of protest recorded on application: _____
 ✓ Recommendations attached: _____
 ✓ Measuring device required: _____
 ✓ Measuring port required: _____
 ✓ Water delivered by water master? District # _____
 ✓ Special conditions of approval or cover letter: (see additional info. below)
 ✓ See Below For Additional Information

Recommended Date of Priority 8/23/89

Recommended by: RGH Date 5/17/95

STATE OFFICE REVIEW

See remarks for additional information. By _____ Date _____

REMARKS

DATE: 09/12/89
PAGE: 1

[illegible]

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 7 day of Sept, 19 89
and ending on the 14 day of Sept, 19 89
and that said notice was published in said newspaper.

On this 20 day of Sept in the year
of 89, 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.

Kim Johnson
Notary Public for Idaho

Residing at Sandpoint
My commission expires: 10/22/93

RECEIVED

OCT 04 1989

NORTHERN REGION
IDWR

NOTICE OF APPLICATION FOR WATER RIGHT

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

96-08567

SCHWEITZER BASIN WATER CO.
206 BROADMOOR ST.
RICHLAND, WA 99352
Source: GROUNDWATER
Diversion Pt: SWSWSE Sec 20 T 58N
R 02W
Use: COMMERCIAL (.100 CFS)
DOMESTIC (.900 CFS)
Date Filed: 8/09/1989
In: T58N R02W S20 SE

96-08568

NACCARATO, ROLAND D.
NACCARATO, PATTI R.
N. 11613 KING ARTHUR DR.
SPOKANE, WA 99218
Source: GROUNDWATER
Diversion Pt: NENE Sec 25 T 57N R
03W
Use: IRRIGATION (.100 CFS)
DOMESTIC (.040 CFS)
Date Filed: 8/14/1989
In: T57N R03W S25 NENE
5.0 ACRES TOTAL

96-08569

COX PARTNERSHIP
BOX 128
SANDPOINT, ID 83864
Source: GROUNDWATER
Diversion Pt: SWNWNE Sec 7 T 57N
R 01W
Use: IRRIGATION (.020 CFS)

DOMESTIC (.020 CFS)
Date Filed: 7/28/1989
In: T57N R01W S07 NENE NWNE NE
SWNESENE
NENW SENW NESE NWSE
73.0 ACRES TOTAL

96-08570

DE WITT, JACKIE
DE WITT, PAULA
640 WRENCO RD. #5
SANDPOINT, ID 83864
Source: UNNAMED STREAM
Tributary: SMITH CREEK
Diversion Pt: SESESE Sec 21 T 57N
R 03W
Use: IRRIGATION (.020 CFS)
Date Filed: 8/23/1989
In: T57N R03W S21 SESE
0.5 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 SEPTEMBER 25, 1989.

R. Keith Higginson, Director
#3081 September 7, 14, 1989

RECORDED

MAY 31 1995 081

96-08570

DE WITT, JACKIE
DE WITT, PAUL A.
640 WRENCO RD. #5
SANDPOINT, ID 83864

Source: UNNAMED STREAM

Tributary: SMITH CREEK

Diversion Pt: SESESE Sec 21 T 57N R 03W

Use: IRRIGATION (.020 CFS)

Date Filed: 8/23/1989

In: T57N R03W S21 SESE

0.5 ACRES TOTAL

RECORDED
MAY 31 1995