



TWP. 55N RGE. 2W SEC. 4

DATE OF EXAM 5/28/86

MAP # **MICROFILMED**

MAR 20 1987

MAP SCALE

PERMIT # 96-8160



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MAR 20 1987

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 96-8160 Priority March 14, 1983 Amount 0.04 cfs

THIS IS TO CERTIFY, that Duane or Margaret Kellogg
of Sagle, Idaho, has complied with the terms and conditions of Permit
No. 96-8160 issued pursuant to Application for Permit dated March 14, 1983,
and has submitted proof to the Department of Water Resources on March 14, 1983,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from a spring,
tributary to Cocolalla Lake, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> <u>(1 Unit)</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>0.6</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4,
Twp 55N, Rge 2W in the County of Bonner

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
55N	2W	4			X														

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Total number of acres irrigated _____

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license 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 license 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 license.

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Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26TH day of DECEMBER, 1986.

Acting for the Director

Norman C Young

sim

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 96-8160
IN THE NAME OF DUANE & MARGARET KELLOGG

ORDER

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before June 1, 1984; and,

WHEREAS, notice was not given to the permit holders sixty days prior to the date that proof of beneficial use of water was due as required by Section 42-204, Idaho Code;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit the statement of beneficial use of water under Permit No. 96-8160 be extended to September 1, 1986.

Dated this 30th day of June, 1986.


L. GLEN SAXTON
Chief, Operations Bureau

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant DUANE OR MARGARET KELLOGG Phone 263-8960
Post office address RT 2 BOX 384D, SABLE, ID 83860
2. Source of water supply SPRING which is a tributary of COCOLALLA LAKE
3. Location of point of diversion is SW ^{W 1/2 E 1/2 OF} NE $\frac{1}{4}$ of Section 4 Township 55N
Range 2W B.M. BONNER County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 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)

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

5. Total quantity to be appropriated:

a. 0.04 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. COLLECTION BOX & PUMP

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

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 — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4 Township 55N
Range 2W B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1.

(5) If water is to be used for other purposes describe: _____

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated

c. Describe any other water rights used for the same purposes as described above. APPLICABLE

9. a. Who owns the property at the point of diversion APPLICANT

b. Who owns the land to be irrigated or place of use 11

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

10. Remarks

MAILED

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

A hand-drawn diagram on a grid background. The diagram consists of several handwritten labels and a small circle:

- P.D.**: Located at the top center of the diagram.
- P.U.**: Located to the left of the center, below P.D.
- T-55N**: Located to the right of the center.
- P-2W**: Located below the center.
- Circle**: A small circle is drawn to the right of P.D., with a line segment connecting P.D. to it.

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.

UNCLASSIFIED

David Kellogg
(Applicant)

(Applicant)

Proposed Priority 3/14/1983

Received by KK Date 3/14/83 Time 11:00 A

Preliminary check by LB Fee \$ 30.00

Receipted by KK Date 3/14/83 # 24988

Publication prepared by pm Date 3/17/83

Published in Sandpoint Bee

Publication dates 3/27-30/83

Publication approved pm Date 4/18/83

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RVA

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. 96-8160, and said application is hereby APPROVED.

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 June 1, 19 84.
- 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. Other:

Witness my hand this 6th day of May, 1983.

A. Glen Saylor
Chief, Operations Bureau

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AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pete Thompson being first duly sworn on oath deposes and says that he is publisher of the Sandpoint Daily Bee, and News Bulletin, newspapers printed and published at Sandpoint, in Bonner County, Idaho; that the said newspapers have 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 23 day of 3, 1983 and ending on the 30 day of 3, 1983 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this 4 day of April, 1983.

Adel M Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

NOTICE OF
APPLICATION
FOR WATER RIGHTS

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

96-8158

HOAGLAND, J.I.
STAR RT. BOX 435, HOPE,
ID 83836

Source: PEND OREILLE
LAKE trib. to PEND
OREILLE RIVER

Date Filed: 02/14/1983

Diversion Pt: LOT 03 Sec 02
T 56N R 01E

Use: DOMESTIC (0.08 CFS)
In: LOT 03 Sec 02 T 56N R
01E

96-8159

RASOR, SCOTT M.
DBA PINE BLUFFS
WATER SYSTEM, P.O.
BOX 168, SAGLE, ID 83860

Source: PEND OREILLE
LAKE trib. to PEND
OREILLE RIVER

Date Filed: 03/14/1983

Diversion Pt.: LOT 01
(SENE) Sec 21 T 56N R 01W

Use: IRRIGATION (0.20
CFS)

DOMESTIC (0.23 CFS)

In: NENE LOT 01 Sec 21 T
56N R 01W FOR 10 ACRES

96-8160

KELLOGG, DUANE &/or
MARGARET
RT. 2 BOX 384D, SAGLE, ID
83860

Source: SPRING trib. to
COCOLALLA LAKE

Date Filed: 03/14/1983

Diversion Pt: SWNE Sec 04
T 55N R 02W

Use: DOMESTIC (0.04 CFS)

In: SWNE Sec 04 T 55N R
02W

96-8162

MARKLAND, FRANCES J.
RT. 1 BOX 459G, SAND-
POINT, ID 83864

Source: FLUME CREEK
trib. to SPOKANE RIVER

Date Filed: 03/16/1983

Diversion Pt: SENW Sec 18
T 58N R 02E

Use: IRRIGATION (0.18
CFS)

DOMESTIC (0.02 CFS)

In: SENW Sec 18 T 58N R
02E FOR 9 ACRES

The permit(s) will be sub-
ject to all prior water rights.
Protests must be filed with
the Director, Dept. of Water
Resources, 4055 Gov't. Way,
Coeur d'Alene, Id. 83814 on
or before APRIL 11, 1983.

KENNETH DUNN

Director

Published March 23, 30, 1983

Dept. of Water Resources

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RECEIVED

APR 13 1983

Department of Water Resources
Northern District Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

December 31, 1986

RE: Permit No. 96-8160

Duane or Margaret Kellogg
Rt. 2, Box 384D
Sagle, ID 83860

Dear Mr. and Mrs. Kellogg:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

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MAR 20 1987

● License

4. Permit Holder: ~~Duane Kellogg~~ Duane or Margaret Kellogg ✓

5. Source: Spring ✓ tributary to Cocolalla Lake ✓

- Allowable Maximums:**

- [illegible]

- | Twp. | Rge. | 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 | |
| 55N | 2W | 4 | | | D | | | | | | | | | | | | | | |
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| Total Acres _____ | | | | | | | | | | | | | | | | | | | |

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- ☐
- Change P.U. as reflected above
- ☐
- Add P.U. as reflected above
- ☐
- Other

- Date 6/6/86

Date 6/20/86

Date 12-17-86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

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JUN 26 1986

96-8160
Permit No.

Department of Water Resources

1. **Measurement Calculations**

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$Q_{theo} = .04 \text{ cfs}$$

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{.6 \text{ ac-ft}} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}} \end{aligned}$$

- c) Volume Calculations for Other Uses:

2. **Overlap Review**

- a) Other water rights with same place of use: NONE
- b) Other water rights with same point of diversion: NONE
- c) Analysis:

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JUN 25 1986

Department of Water Resources

Permit No. 96-8160

Phone No. 263-8960

1. Owner: Duane or Margaret Kellogg Phone No. 263-8960
Current Address: Rt. 2 Box 384D, Sagle, Id. 83860
2. Accompanied by: Duane Kellogg EXAM. DATE: 5/28/86
Address: Rt. 2 Box 384D, Sagle, Id. 83860 Phone No. 263-8960
Relationship to Permit Holder: _____
3. Source: Spring tributary to Cocolalla Lake

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Sears	1			1 1/2" plastic

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

- 5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)**

4' dia concrete rings, 12' deep with pump and pipeline

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

7. Measurements None ☐ Additional data/computation sheets attached

8. Point(s) of Diversion: Indicate Method of Determination *M_gD*

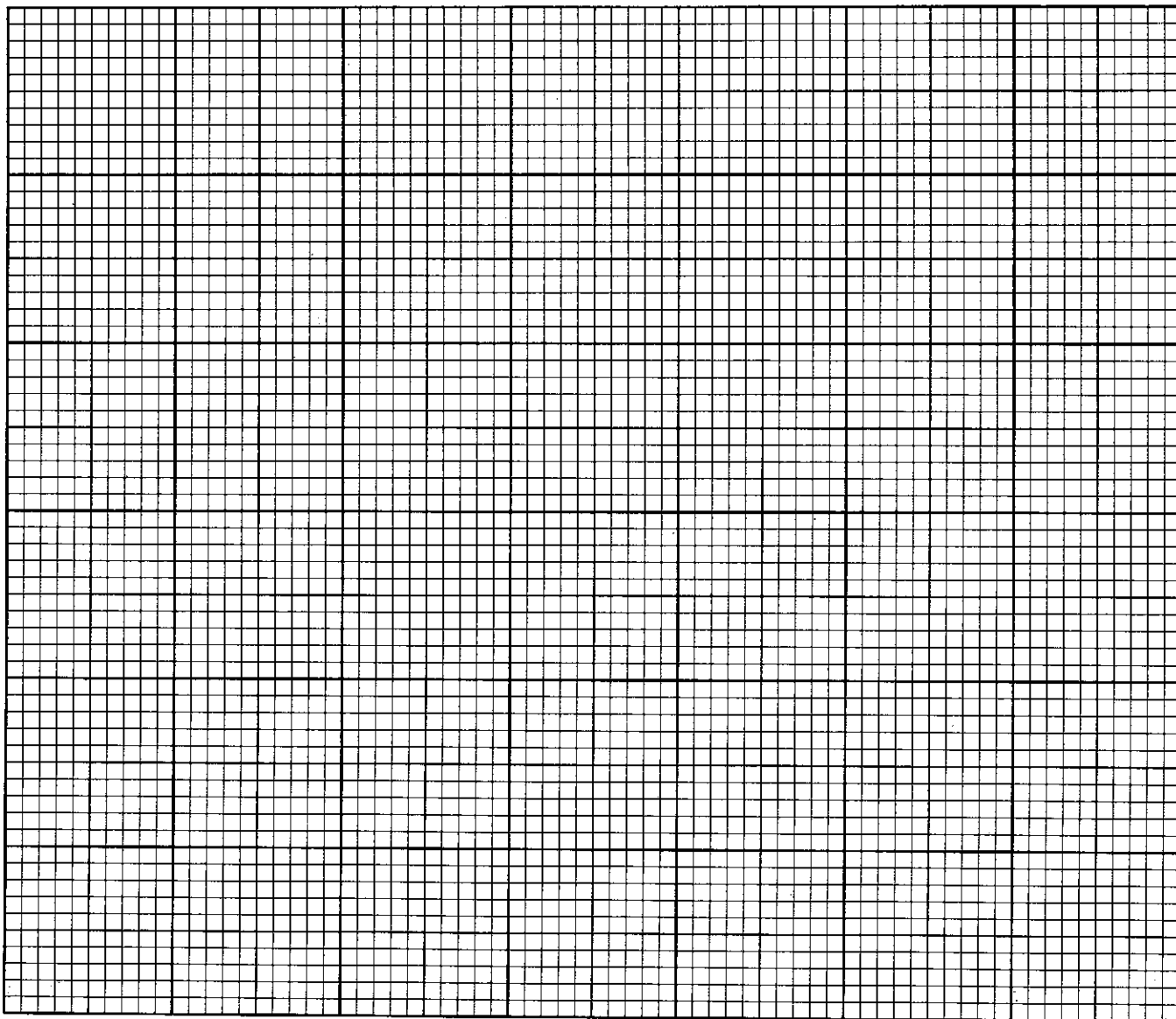
[illegible]

- | | | |
|----|------------------|---|
| 9. | Place(s) of Use: | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination |
|----|------------------|---|

Twp.	Rge.	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	
55N	2W	4			D														
Total Acres _____																			

10. Other water rights on these lands None
11. Other water right diverted from same p.d. None

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks Pump house winterized

15. 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 |

16. Examiner's/Consultant's Signature Jennifer Arguies Date 5/29/86

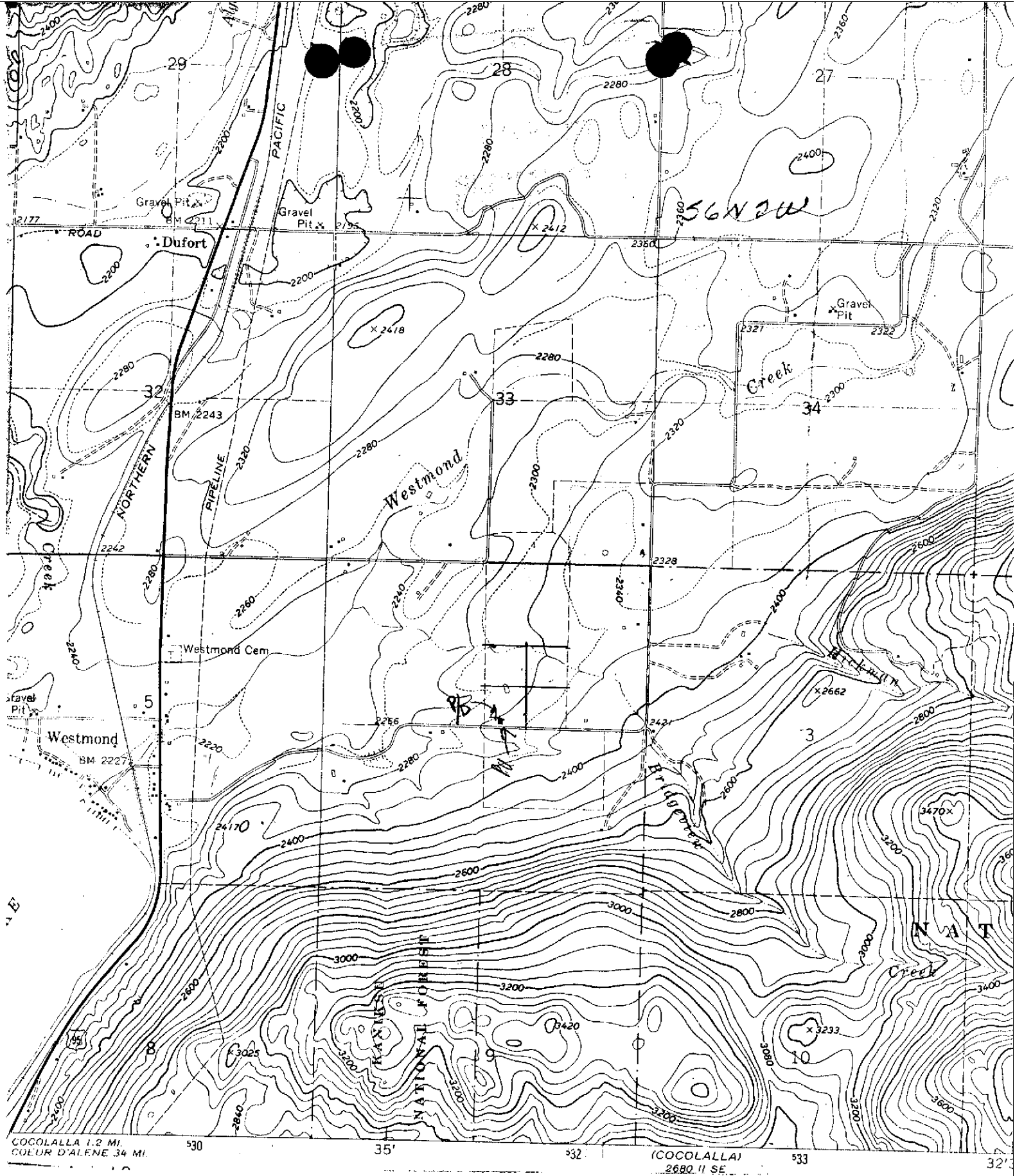
Consultant's License Number _____

IDWR Director's Authorization to Conduct Beneficial Use Examination _____

Date



CONSULTANT SEAL



TWP. 55N RGE. 2W SEC. 4
 DATE OF EXAM 5/28/86

MAP #
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MAP SCALE _____
 PERMIT # 96-8160

MAR 20 1987



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MAR 20 1987

July 1, 1986

138924
CERTIFIED MAIL

Duane & Margaret Kellogg
Rt. 2, Box 284D
Sagle, ID 83860

Dear Mr. Kellogg:

Re: Permit No. 96-8160

PROOF DUE NOTICE

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 September 1, 1986. (See the 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 completed 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 provided the delay is for reasonable cause as described in Section 42-204, Idaho Code. If you have been prevented from proceeding by a government agency or by litigation, 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 the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

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MAR 20 1987

- see proof
below -
KW
10/21/86

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 96-8160.

Name(s) of Permit Holder: DUANE & MARGARET KELLOGG

Post Office Address: RT 2 BOX 384-D

SAGE, ID 83860 Tel. No. 263-8960

Source of Water: SPRING

Extent of Development:

☒ Domestic	<u>1</u>	(number of households)
☐ Stockwater		(number and type of stock)
☐ Irrigation		(acres)
☐ Other		

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

6/14/83
Date

Duane Kellogg
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE

Department of Water Resources
Northern District Office

MAR 14 1983

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IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

KELLOGG, DUANE & MARGARET
RT. 2 BOX 384D
SAGLE, ID 83860

MAY 25, 1983

RE: PERMIT NO. 96-8160

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

RECEIVED
MAY 26 1983
MIDNIGHT

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: AB

APPLICATION NUMBER: 96-8160

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☐ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 4/11/83
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 4/12/83
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
3/14/83 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: Shw/cord

Date: 4/20/83

STATE OFFICE REVIEW:

- ☐ See attached sheet for more information.
By: Shw/cord

Date: 5/5/83

RECEIVED
MAY 04 1983

Department of Water Resources

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96-8160-

KELLOGG, DUANE &/or MARGARET

RT. 2 BOX 384D, SAGLE, ID 83860

Source: SPRING trib. to COCOLALLA LAKE

Date Filed: 03/14/1983

Diversion Pt: SWNE Sec 04 T 55N R 02W

Use: DOMESTIC (0.04 CFS)

In: SWNE Sec 04 T 55N R 02W

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