

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

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

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

None

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

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

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 This is on the applicant's lot. He only wishes to develop the spring by putting a cement large box down about 3½ feet for sort of a holding tank to irrigate his lawn. This will save the spring water he has for the domestic use. At present, it is overgrown with willows and brush and this would also make his yard look better.

No one is using this water which is more or less a mud hole about 10 x 12.

That ALEXANDER R. STEPHEN and MARVEL L. STEPHEN

of Hope ..... County of Bonner ..... , State of Idaho

in consideration of \$ 1.00 ..... Dollars, and other valuable considerations do hereby grant, bargain, sell and convey unto HEINZ TITO and ANNABELL C. TITO, husband and wife,

of Box 4-F, Spenard , County of \_\_\_\_\_ , State of Alaska 99509

the following property, in Bonner County, State of Idaho, to-wit: That portion of the S½NE¼ in Section 1 Township 56 North, Range 1 East, Boise Meridian, Bonner County, Idaho, described as follows: Commencing at the East Quarter Section Corner of Section 1 Thence South 88° 49' West a distance of 1567.5 feet to an intersection with the Northeastly right-of-way of the Burlington Northern Railroad; Thence North 44° 44' East a distance of 101.4 feet along an existing fence to an iron pipe and the True Point of Beginning; thence continuing North 44° 44' East along said fence line a distance of 168 feet to an iron pipe; Thence South 41° 14' East a distance of 148.3 feet to an intersection with the centerline of an existing road; thence South 4° 21' East along said road centerline a distance of 72 feet; thence continuing along said road centerline South 57° 32' West a distance of 35.2 feet; thence continuing along said road centerline North 61° 58' West a distance of 78.9 feet; thence continuing along said road centerline South 44° 32' West a distance of 9.9 feet; thence North 42° 09' West a distance of 119.6 feet to the True point of beginning, All more or less, and SUBJECT to an easement for road right-of-way, measured 30 feet Westerly and normal to the above described road Centerline.

Spring water is in center of the E½ of lot above described

TOGETHER WITH ALL AND SINGULAR, The tenements, hereditaments and appurtenances hereunto belonging

17' 30"

370 000 FEET

R 1 E

54

55 R 2 E

116° 15'

48° 15'

2 400 000  
FEET



5343 T 57 N

T 56 N

5342

5341

5340

12' 30"

5339

5338

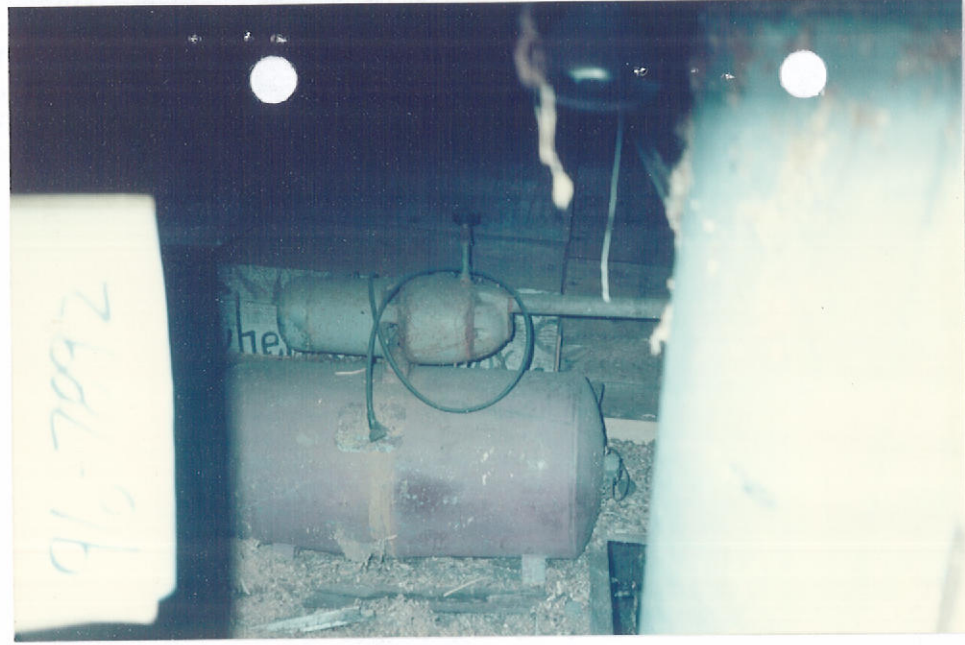
**MICROFILMED**  
MAR 26 1990

TWP. 56 N RGE. 1 E SEC. 1 MAP # E 8 MAP SCALE 7 1/2

DATE OF FIELD EXAM 5/7/85

FIELD REPORT MAP PERMIT # 96-7892





The ALEXANDER R. STEPHEN and MARVEL L. STEPHEN

of Hope ..... County of Bonner ..... State of Idaho

in consideration of \$ 1.00 ..... Dollars, and other valuable considerations do hereby grant, bargain, sell and

convey unto HEINZ TITO and ANNABELL C. TITO, husband and wife,

of Box 4-F , Spenard , County of ..... State of Alaska 99509

the following property, in Bonner County, State of Idaho, to-wit: That portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$  in Section 3, Township 56 North, Range 1 East, Boise Meridian, Bonner County, Idaho, described as follows: Commencing at the East Quarter Section Corner of Section 3, thence South 88° 49' West a distance of 1567.5 feet to an intersection with the northeasterly right-of-way of the Burlington Northern Railroad; Thence North 44° 4' East a distance of 101.4 feet along an existing fence to an iron pipe and the True Point of Beginning; thence continuing North 44° 44' East along said fence a distance of 168 feet to an iron pipe; Thence South 41° 14' East a distance of 148.3 feet to an intersection with the centerline of an existing road; thence South 4° 21' East along said road centerline a distance of 72 feet; thence continuing along said road centerline South 57° 32' west a distance of 35.2 feet; thence continuing along said road centerline North 61° 58' west a distance of 78.9 feet; thence continuing along said road centerline South 44° 32' West a distance of 119.6 feet to the True point of Beginning, All more or less, and SUBJECT to an easement for road right-of-way, measured 30 feet Westerly and normal to the above described road Centerline.

TOGETHER WITH ALL AND SINGULAR, The tenements, hereditaments and appurtenances hereunto belonging

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 96-07892

Priority: July 30, 1980

Maximum Diversion Rate:  
Maximum Diversion Volume:<sup>1</sup>

0.02 CFS  
0.6 AF

This is to certify, that JEFF WILDER  
SHANNON WRIGHT

505 DENTON RD.  
HOPE, ID 83836

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 30, 1980; and has submitted Proof of Beneficial Use on October 11, 1984. An examination indicates that the works have a diversion capacity of .020 cfs of water from:

SPRING

tributary to SINKS

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| DOMESTIC              | 03/15 to 11/15       | 0.02 CFS                 | 0.6 AF               |

LOCATION OF POINT(S) OF DIVERSION:

SWSENE, Sec. 1, Township 56N, Range 01E  
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

56N 01E 1 SENE

CONDITIONS/REMARKS:

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

**MICROFILMED**

MAR 26 1990

State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**

WATER RIGHT NO. 96-07892

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 14<sup>th</sup>  
day of MARCH, 1990.

Acting for R. Keith Higginson, Director

**MICROFILMED**

MAR 26 1990

State of Idaho  
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Heinz Tito &/or Annabell C. Tito hereby assign to Jeff Wilder &/or Shannon Wright  
of 305 Benton Road, Hope, Idaho 83836  
(address)

(Select A or B)

A. ☒ All my right, title and interest in and to Permit # 96-7892 to appropriate the public waters of the State of Idaho.

B. ☐ The following described portion of my right, title, and interest in and to  
Permit# \_\_\_\_\_ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage and/or number and type of uses within each 40 acre subdivision, legal description of the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage).

RECEIVED

NOV 20 1989

NORTHERN REGION  
DWR

Made this 9th day of November, 19 89.

Heinz Tito  
Permit Holder

Annabell C. Tito  
Spouse of Permit Holder

Alaska  
State of ~~Idaho~~

County of \_\_\_\_\_ )  
ss. )

On this 9th day of November, 19 89, personally appeared before me the signer (s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

seal

My commission expires:

11-15-89

Virginia K. Cutshall  
Notary Public residing at

Comm expires 11-15-89  
MICROFILMED

RECEIVED

NOV 24 1989

MAR 26 1990

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 Heinz Tito &/or Annabell C. Tito Phone 208 263-9546

Post office address 126 N. 3rd Sandpoint, Idaho 83864

2. Source of water supply Spring which is a tributary of Sinks RH 9-24-80

3. Location of point of diversion is SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 1 Township 56N

Range 1E 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 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

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. \_\_\_\_\_

Holding tank

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 5 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: S $\frac{1}{2}$   $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 1 Township 56N

Range 1E 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: \_\_\_\_\_

Domestic for lawn and garden.

MICROFILMED

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

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

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

\_\_\_\_\_ None \_\_\_\_\_

9. a. Who owns the property at the point of diversion \_\_\_\_\_ Applicants \_\_\_\_\_

b. Who owns the land to be irrigated or place of use \_\_\_\_\_ Applicants \_\_\_\_\_

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 This is on the applicant's lot. He only wishes to develop the spring by putting a cement large box down about 3½ feet for sort of a holding tank to irrigate his lawn. This will save the spring water he has for the domestic use. At present, it is overgrown with willows and brush and this would also make his yard look better.

No one is using this water which is more or less a mud hole about 10 x 12.

ALEXANDER R. STEPHEN and MARVEL L. STEPHEN

of Hope ..... County of Bonner ..... , State of Idaho

in consideration of \$ 1.00 ..... Dollars, and other valuable considerations do hereby grant, bargain, sell and convey unto HEINZ TITO and ANNABELL C. TITO, husband and wife,

of Box 4-F , Spenard ..... County of ..... , State of Alaska 99509

the following property, in Bonner County, State of Idaho, to-wit: That portion of the S½NE¼ in Section 1 Township 56 North, Range 1 East, Boise Meridian, Bonner County, Idaho, described as follows: Commencing at the East Quarter Section Corner of Section 1 Thence South 88° 49' West a distance of 1567.7 feet to an intersection with the northeasterly right-of-way of the Burlington Northern Railroad; Thence North 44° 44' East a distance of 101.4 feet along an existing fence to an iron pipe and the True Point of Beginning; thence continuing North 44° 44' East along said fence line a distance of 168 feet to an iron pipe; Thence South 41° 14' East a distance of 148.3 feet to an intersection with the centerline of an existing road; thence South 4° 21' East along said road centerline a distance of 72 feet; thence continuing along said road centerline South 57° 32' west a distance of 35.2 feet; thence continuing along said road centerline North 61° 58' west a distance of 78.6 feet; thence continuing along said road centerline South 44° 32' West a distance of 9.9 feet; thence North 42° 09' West a distance of 119.6 feet to the True point of beginning, All more or less, and SUBJECT to an easement for road right-of-way, measured 30 feet Westerly and normal to the above described road Centerline.

Spring water is in center of the E½ of lot above described

TOGETHER WITH ALL AND SINGULAR, The tenements, hereditaments and appurtenances hereunto belonging

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

pd & place of use

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.

*Alvin H. Lito*  
*Nonna Lomnufel*  
(Applicant)

Proposed Priority 7/30/80

Received by me Date 7/30/80 Time 11:30 am 1200 PM fee rec'd. (shot fee)  
Preliminary check by RAH Fee \$ 30.00  
Receipted by me Date 7/31/80 (15330)  
Publication prepared by me Date 7/31/80  
Published in Spartan Daily Bee  
Publication dates 8/6+13/80  
Publication approved me Date 9/5/80  
Protests filed by: none

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by RAH RA

#### 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. 96-7892, 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 October 1, 19 85.
- 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 2<sup>nd</sup> day of October, 1980.

A. Glen Saxton  
Chief, Operations Bureau

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 Application for Water Right as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 6 day of 8, 1980 and ending on the 13 day of 8, 1980 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this 3 day of 9, 1980.

Adel M Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

**NOTICE OF APPLICATION  
FOR WATER RIGHT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

96-7891

CITY OF HOPE

P.O. BOX 277, HOPE, ID 83836

Source: SPRING tributary to PEND OREILLE LAKE

Date Filed: 07/29/1980

Amount: 0.24 CFS

Diversion Point: NWSW Sec. 26 T 57N R 01E, BONNER Co.

Use: POWER (0.24 CFS) from 01/01 to 12/31

Place of Use: NWNW Sec. 35 T 57N R 01E

Diversion Means: DEVELOPED SPRING, CATCH BASIN, PIPELINE AND STORAGE TANKS.

96-7892

TITO, HEINZ &/or AN-NABELL C.

126 N. 3RD ST., SANDPOINT, ID 83864

Source: SPRING

Date Filed: 07/30/1980

Amount: 0.04 CFS

Diversion Point: SENE Sec. 01 T 56N R 01E, BONNER Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: SENE SWNE Sec. 01 T 56N R 01E

Diversion Means: HOLDING TANK.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814 on or before AUGUST 25, 1980.

C. STEPHEN ALLRED  
Director

Publ. Aug. 6, 1980

MICROFILMED

March 15, 1990

JEFF WILDER  
SHANNON WRIGHT  
505 DENTON RD.  
HOPE, ID 83836

RE: PERMIT NO. 96-07892

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED  
MAR 20 1990

February 23, 1990

JEFF WILDER  
SHANNON WRIGHT  
505 DENTON RD.  
HOPE, ID 83836

RE: PERMIT NO. 96-07892

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

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MAR 26 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
LICENSING REPORT

RECEIVED

JUN 5 1985

Permit No. 7892

Department of Water Resources

1. Measurement Calculations

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

1/3 ACRE W/LAWN SPRINKLERS 0.02 cfs

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{1/3(3) = 1}$   
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$   
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{1}$

- c) Volume Calculations for Other Uses:

Domestic Use 0.6

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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MAR 26 1990

## RECOMMENDED AMOUNTS

- | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|------------|----------|--------|-----------|----------------------|-----------------|
| 96-7892    |          | 0.02   |           |                      |                 |

4. Permit Holder: HEINZ OR ANNABELL TITO

Address: Box 943 STANDPOINT, ID 83864

5. Source: Spring tributary to Winks

| 6. Beneficial Use | Period of Use |              | Rate of Diversion | Annual Volume |
|-------------------|---------------|--------------|-------------------|---------------|
|                   | From          | To           | Q (cfs)           | V (afa)       |
| <i>Domestic</i>   | <i>3-15</i>   | <i>11-15</i> | <i>0.02</i>       | <i>0.6</i>    |

Allowable Maximums: 0.02 0.6

**7. Point(s) of Diversion:**

[illegible]

**8. Place(s) of Use**

| 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 |        |
| 56N                      | 1E   | 1    |        |        |        | X $\frac{1}{2}$ |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                          |      |      |        |        |        |                 |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                          |      |      |        |        |        |                 |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                          |      |      |        |        |        |                 |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                          |      |      |        |        |        |                 |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                          |      |      |        |        |        |                 |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                          |      |      |        |        |        |                 |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                          |      |      |        |        |        |                 |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                          |      |      |        |        |        |                 |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                          |      |      |        |        |        |                 |        |        |        |        |        |        |        |        |        |        |        |        |        |
| <b>Total Acres _____</b> |      |      |        |        |        |                 |        |        |        |        |        |        |        |        |        |        |        |        |        |

9. Recommended Conditions/Remarks: NO IN-HOUSE USE

**MICROFILMED**

~~MAR 26 1940~~

## 10. 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

11. Examiner's Signature *Frank [Signature]*

Checked in Regional Office by Bob Dwyer

Approved in State Office by

Date 5/9/85

Date 5/24/82

Date 9/27/80

RECEIVED

Department of Water Resources

Permit No. 96-7892

Phone No. 263 9546

1. Owner: HEINZ OR ANNABEL C. TITO  
Current Address: Box 943, SANDPOINT

2. Accompanied by: RENTOR EXAM. DATE: 5/2/1985  
Address: \_\_\_\_\_ Phone No. \_\_\_\_\_  
Relationship to Permit Holder: RENTOR
3. Source: SPRING tributary to SINKS

| Well/Diversion*<br>No. | Motor<br>Make | HP       | Motor<br>Serial No. | Pump<br>Make | Pump Serial No. or<br>Discharge Size |
|------------------------|---------------|----------|---------------------|--------------|--------------------------------------|
|                        | SEARS         | MODEL B9 | 0687                |              | 1"                                   |
|                        |               |          |                     |              |                                      |
|                        |               |          |                     |              |                                      |
|                        |               |          |                     |              |                                      |
|                        |               |          |                     |              |                                      |

\*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.)**

CONCRETE SPRING BOX WITH GRAVITY FLOW PIPE TO CISTERN THEN PUMP TO PRESSURE TANK THEN TO GARDEN HOSE - NO IN-HOUSE USE!

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

7. Measurements ≈ 1/3 ACRE ≈ LAWN SPRINKLER ☐ Additional data/computation sheets attached

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

[illegible]

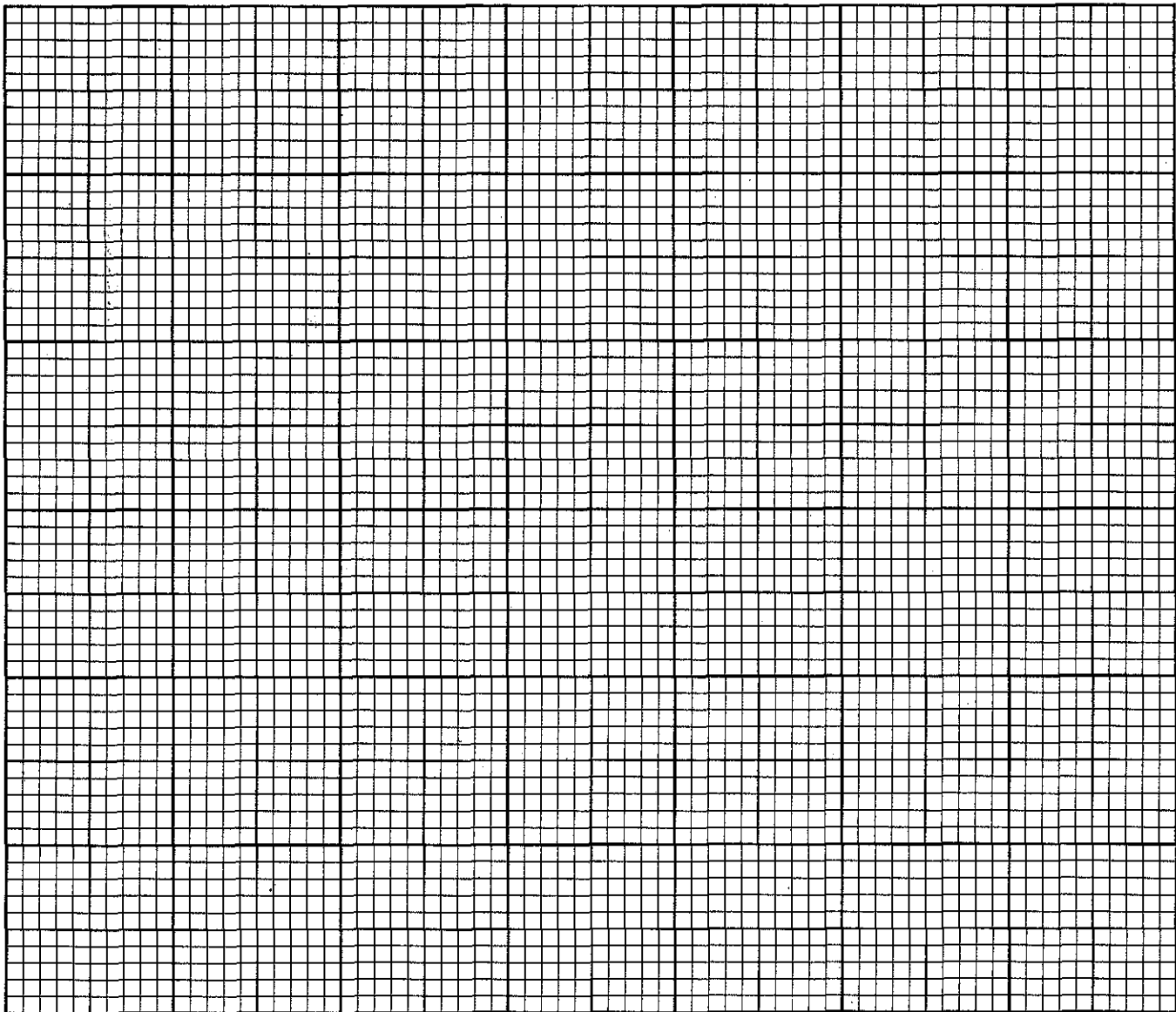
9. **Place(s) of Use:** Irrigation - give acres served by system at time of exam.  
Indicate Method of Determination *MAP*

[illegible]

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 PRIVATE WATER

15. Recommended Amendments

|                                                         |                                                      |                                |
|---------------------------------------------------------|------------------------------------------------------|--------------------------------|
| <input type="checkbox"/> Change P.D. as reflected above | <input type="checkbox"/> Add P.D. as reflected above | <input type="checkbox"/> None  |
| <input type="checkbox"/> Change P.U. as reflected above | <input type="checkbox"/> Add P.U. as reflected above | <input type="checkbox"/> Other |

16. Examiner's/Consultant's Signature J. H. King Date 5/2/85

Consultant's License Number \_\_\_\_\_

IDWR Director's Authorization to Conduct Beneficial Use Examination \_\_\_\_\_

Date \_\_\_\_\_

CONSULTANT  
FILMED  
MAR 26 1990



5343 T 57 N

T 56 N

5342

5341

5340

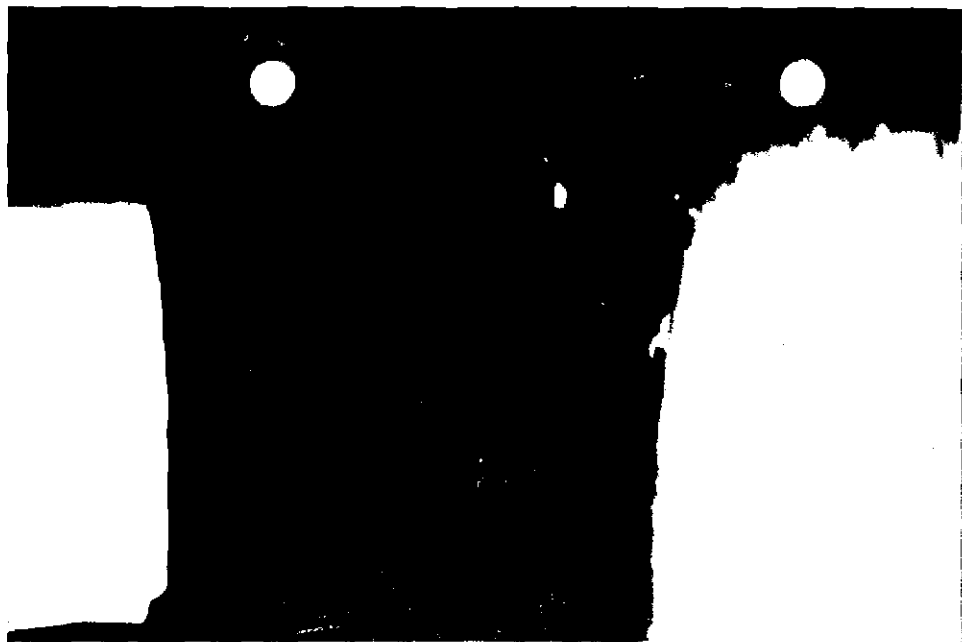
12' 30"

5339

5338

**MICROFILMED**  
MAR 26 1990

16-7892



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Northern Region

---

JOHN V. EVANS  
Governor  
A. KENNETH DUNN  
Director

4055 Government Way  
Coeur d'Alene, ID 83814  
(208) 667-6484

NOVEMBER 14, 1984

HEINZ OF ANNABELL C. TITO  
POB 943  
SANDPOINT ID 83864

RE: Permit No. 96-7892

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a Water Right License can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 765-4639 or in person at our office.

Sincerely,

/S/  
TOM D. KING  
Senior Water Resource Agent

cc: IDWR - State Office

**MICROFILMED**

MAR 26 1990

# DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has conducted development to the extent shown below of Permit No. 96-7892

Name(s) of Permit Holder: Heinz Tito &/or ANNABELL C. Tito

Post Office Address: c/o Box 943 - SANDPOINT, IDAHO 83864

Tel. No. 263-9546

Source of Water: Spring ON OWN Property

Extent of Use:

|                                                |                                     |                            |
|------------------------------------------------|-------------------------------------|----------------------------|
| <input checked="" type="checkbox"/> Domestic   | <u>1</u>                            | (number of households)     |
| <input type="checkbox"/> Stockwater            |                                     | (number and type of stock) |
| <input checked="" type="checkbox"/> Irrigation |                                     | (acres)                    |
| <input type="checkbox"/> Other                 | <u>Lawn &amp; Garden Irrigation</u> |                            |

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.

10-8-84

Date

**MICROFILMED**

Heinz Tito  
Nonna Sommerfeld  
Signature of Permit Holder

Lana K. [unclear]  
126 N. [unclear]  
Sandpoint, Idaho 83869

SPOKANE, IDAHO  
PM  
3:12  
1984

13 CENT  
STAMP  
HERE

1628345

RECEIVED

OCT 11 1984



IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

Department of Water Resources

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

TITO, HEINZ & ANNABELL C.  
126 N. 3RD ST.  
SANDPOINT, ID 83864

OCTOBER 23, 1980

RE: PERMIT NO. 96-7892

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.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

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

ENCLOSURE

**MICROFILMED**

State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: RSB

APPLICATION NUMBER: 96-7892

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.  
☐ Idaho Fish and Game Department.  
☐ Idaho Department of Lands.  
☐ U.S. Bureau of Land Management.  
☐ U.S. Forest Service.  
☐ Other \_\_\_\_\_

Copies sent by: \_\_\_\_\_

Date: \_\_\_\_\_

PROCESSING:

- ☐ Yes ☐ No Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_  
☒ Yes ☐ No Other rights on same place of use. 96-2144 Carter Creek  
☒ Yes ☐ No\* In form for advertising. 7/10/80  
☐ Yes ☒ No Final date for protests: 8/25/80 ✓  
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9/4/80 ✓  
☒ 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? \_\_\_\_\_  
☒ 7/130/80 Date of priority recommended.  
Special conditions of approval or cover letter. \_\_\_\_\_

By: RSB

Date: 9/9/80

MICROFILMED

STATE OFFICE REVIEW: Cov item 2 return receipt w/ cover letter

SLW to cond  
☐ See attached sheet for more information.

By: Kabyn

Date: 9/24/80

96-2892-

TITO, HEINZ &/or ANNABELL C.

126 N. 3RD ST., SANDPOINT, ID 83864

Source: SPRING

Date Filed: 07/30/1980

Amount: 0.04 CFS

Diversion Point: SENE Sec 01 T 56N R 01E, BONNER Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: SENE SWNE Sec 01 T 56N R 01E

Diversion Means: HOLDING TANK.

**MICROFILMED**

July 24, 1980

Mrs. Nonna Sommerfeld  
Lana Kay Realty Real Estate  
126 N. Third  
Sandpoint, Idaho 83864

Dear Mrs. Sommerfeld:

We are returning Lana Kay Realty's Check No. 92-58 in the amount of \$20.00 and the Application of Mr. and Mrs. Tito for the following reasons:

1. The fee for filing is based on Item 5.a.
2. Items 3, 4, 5.a., 7, 8.a.1. and 11 must be completed in accordance with the enclosed instructions.
3. The application must be signed by the applicant or a Power of Attorney must accompany the application.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING  
Senior Water Resource Agent

TDK/pms

Enc. - Application  
Check

**MICROFILMED**

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of applicant Heinz Tito & Annabell C. Tito % of \_\_\_\_\_ Phone 208 263 9546  
Post office address 126 N. 3 rd, Sandpoint, Idaho
2. Source of water supply private spring which is a tributary of none
3. Location of point of diversion is S $\frac{1}{2}$  NE  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section 1 Township 56 N. R. 1 E  
Range 1 E B.M. Bonner County, additional points of diversion if any: \_\_\_\_\_  
See attached description of lot
4. Water will be used for the following purposes: Lawn and garden
- |                                                                                                                      |  |
|----------------------------------------------------------------------------------------------------------------------|--|
| Amount _____ for _____ purposes from <u>Jan</u> to <u>Jan</u> (both dates inclusive)<br>(cfs or acre-feet per annum) |  |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)<br>(cfs or acre-feet per annum)           |  |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)<br>(cfs or acre-feet per annum)           |  |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)<br>(cfs or acre-feet per annum)           |  |
5. Total quantity to be appropriated:
- a. \_\_\_\_\_ cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. Only holding tank aprox 4x6  
by 3 to 4 ft deep
- 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 \_\_\_\_\_ 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: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ 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 \_\_\_\_\_.
- (5) If water is to be used for other purposes describe: lawn + garden only

**MICROFILMED**

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

| TWP | RANGE | SEC. | NE¼                                                                                                                  |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|----------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼                                                                                                                  | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|     |       |      |                                                                                                                      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      | See attached description of the home lot in East Hope odd shape lot about 148 x 168 and the home is on this property |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |                                                                                                                      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |                                                                                                                      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |                                                                                                                      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |                                                                                                                      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |                                                                                                                      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |                                                                                                                      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |                                                                                                                      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

c. Describe any other water rights used for the same purposes as described above. None

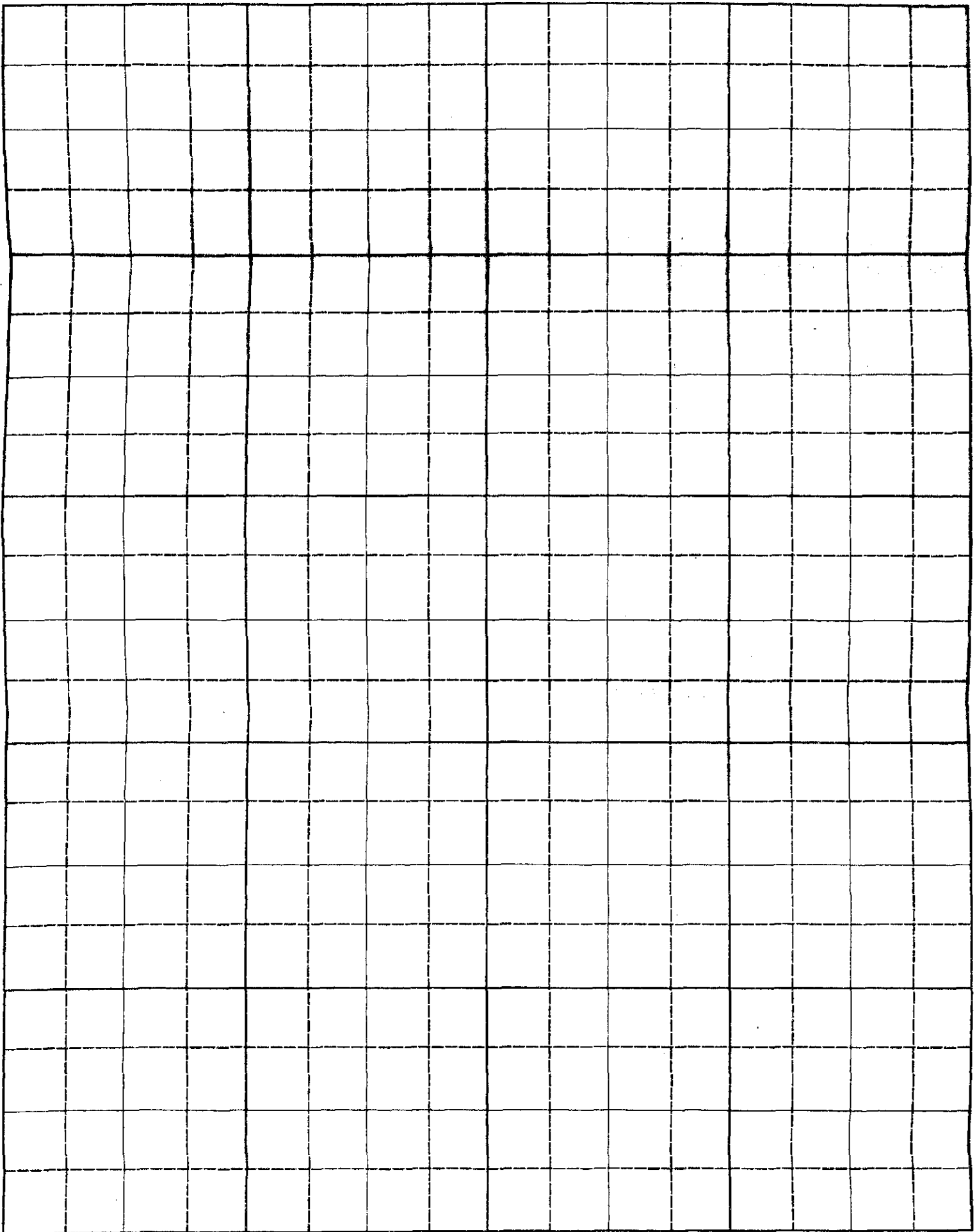
9. a. Who owns the property at the point of diversion ~~Henry Tito~~ Heinz Tito

b. Who owns the land to be irrigated or place of use ~~Henry Tito~~ Heinz Tito

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing We are property managers of his property and he ask us if we could and would do this for him.

10. Remarks This is on his Lot , he only wishes to developt the spring by putting a cement large Box down about 3½ Ft. for sort of holding tank to irrigate his lawn, this will save the spring water he has for the home use. At present it is growed up with willows and brush, and this would also make his yard look better, No one is useing this water which more or less a mud hole or flatabout 10x12

11. 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.

Nonna Sommerfeld  
(Applicant)

Received by       *PL*       Date 7/22/60 Time 11:30am (photofee)  
Preliminary check by \_\_\_\_\_ Fee \$ \_\_\_\_\_  
Receipted by \_\_\_\_\_ Date \_\_\_\_\_  
Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_  
Published in \_\_\_\_\_  
Publication dates \_\_\_\_\_  
Publication approved \_\_\_\_\_ Date \_\_\_\_\_  
Protests filed by: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by \_\_\_\_\_

---

---

**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. Other:

**ALEXANDER R. STEPHEN and MARVEL L. STEPHEN**

of **Hope** ..... County of **Bonner** ..... State of **Idaho**

In consideration of \$ **1.00** ..... Dollars, and other valuable considerations do hereby grant, bargain, sell and

convey unto **HEINZ TITO and ANNABELL C. TITO, husband and wife,**

of **Box 4-F, Spenard** ..... County of ..... State of **Alaska 99509**

The following property, in Bonner County, State of Idaho, to-wit: That portion of the S½NE¼ in Section 3, Township 56 North, Range 1 East, Boise Meridian, Bonner County, Idaho, described as follows: Commencing at the East Quarter Section Corner of Section 3; thence South 88° 49' West a distance of 1567.5 feet to an intersection with the northeasterly right-of-way of the Burlington Northern Railroad; Thence North 44° 44' East a distance of 101.4 feet along an existing fence to an iron pipe and the True Point of Beginning; thence continuing North 44° 44' East along said fence a distance of 168 feet to an iron pipe; Thence South 41° 14' East a distance of 148.3 feet to an intersection with the centerline of an existing road; thence South 4° 21' East along said road centerline a distance of 72 feet; thence continuing along said road centerline South 57° 32' West a distance of 35.2 feet; thence continuing along said road centerline North 61° 58' West a distance of 78.5 feet; thence continuing along said road centerline South 44° 32' West a distance of 119.6 feet; thence North 42° 09' West a distance of 119.6 feet to the True point of beginning, All more or less, and SUBJECT to an easement for road right-of-way, measured 30 feet Westerly and normal to the above described road Centerline.

TOGETHER WITH ALL AND SINGULAR, The tenements, hereditaments and appurtenances hereunto belonging



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

Suite No. 1  
4055 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

July 24, 1980

Mrs. Nonna Sommerfeld  
Lana Kay Realty Real Estate  
126 N. Third  
Sandpoint, Idaho 83864

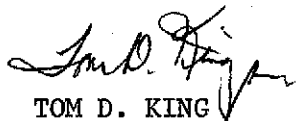
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If you have any questions, please contact me at this office.

Sincerely,



TOM D. KING  
Senior Water Resource Agent

TDK/pms

Enc. - Application  
Check

7-29-80 Dear - Bob -  
thanks you for helping  
me. as the lot is described  
an attached item 11.  
thanks you. Nonna  
Sommerfeld

MICROFILMED