

April 4, 1978

file
RE: Application No. 96-7593

Linda White
PO Box J
Sandpoint, Id 83864

Dear Ms White,

Our records show permit no. 96-7593 to be for water from an unnamed stream in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 21, T57N, R1E, S.M. Our records further show two filed water rights in that area. The first is permit no. 96-7090 in the name of Ray Rainere in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 21 for a platted subdivision of 40 homes. The second is a constitutional water right in the name of Delbert Leaverton in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 21 for domestic water for a single household. Both of these are also listed as on "unnamed streams". As the platted rights on microfilm are too small to allow me to see in great detail, I am unable to tell if these unnamed streams are the same source or not. Perhaps someone familiar with the country up there could tell from the information I have listed.

One other point I should mention is that constitutional water rights need not be a part of the public record anywhere to be valid rights. They need only to have been exercised since before 1971 with no lapse in use of over 5 years. Therefore, the only sure way to get a list of all water rights on the stream is to check its length for diversion structures. Also, water users on streams to which this stream is a tributary also have claim to the waters of this stream.

I am sorry I cannot provide you with more exact information but it is not on file. If we can be of any further assistance, please do not hesitate to contact us.

Sincerely,

ALEA BEITO
Secretary

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-7593 Priority July 20, 1977 Amount 0.04 cfs

THIS IS TO CERTIFY, that ALFRED K. FERGUSON
of Sandpoint, ID, has complied with the terms and conditions of Permit
No. 96-7593 issued pursuant to Application for Permit dated July 20, 1977,
and has submitted proof to the Department of Water Resources on October 18, 1978,
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 an unnamed stream,
tributary to Lake Pend Oreille, 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
Domestic	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</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 NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, Twp. 57N,
Rge. 1E, B.M., in the County of Bonner

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				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 $\frac{1}{4}$	
57N	1E	21													

Total number of acres irrigated _____

NOTE: 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.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of
June, 19 79.

Deputy Director

Identification No. _____

Application No. 96-7593

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Alfred K. Ferguson Phone: _____
post office address P.O.B. 1661, Sandpoint, Idaho 83864

2. Source of water supply Unnamed Stream which is a tributary of Lake Pend Oreille

3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 57N
Range 1E B.M. Bonner County; additional points of diversion if any: n.a.

b. If water is not consumed, it will be discharged into n.a. at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 0.04 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. 0.04 cfs cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing concrete headwall and piping to new 3000 gallon underground holding tanks. Pump and pressure tanks will boost water to Mr. Ferguson's residence.

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

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

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

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1/12 years. Allow 1 yr.

b. Estimated construction cost is \$2500.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 57N
Range 1E B.M.

(2) Amount of power to be generated: n.a. hp under _____ feet of head.

(3) List number of each kind of livestock to be watered n.a.

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

(5) If water is to be used for other purposes describe: Private domestic consumption

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres to be irrigated n.a.

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

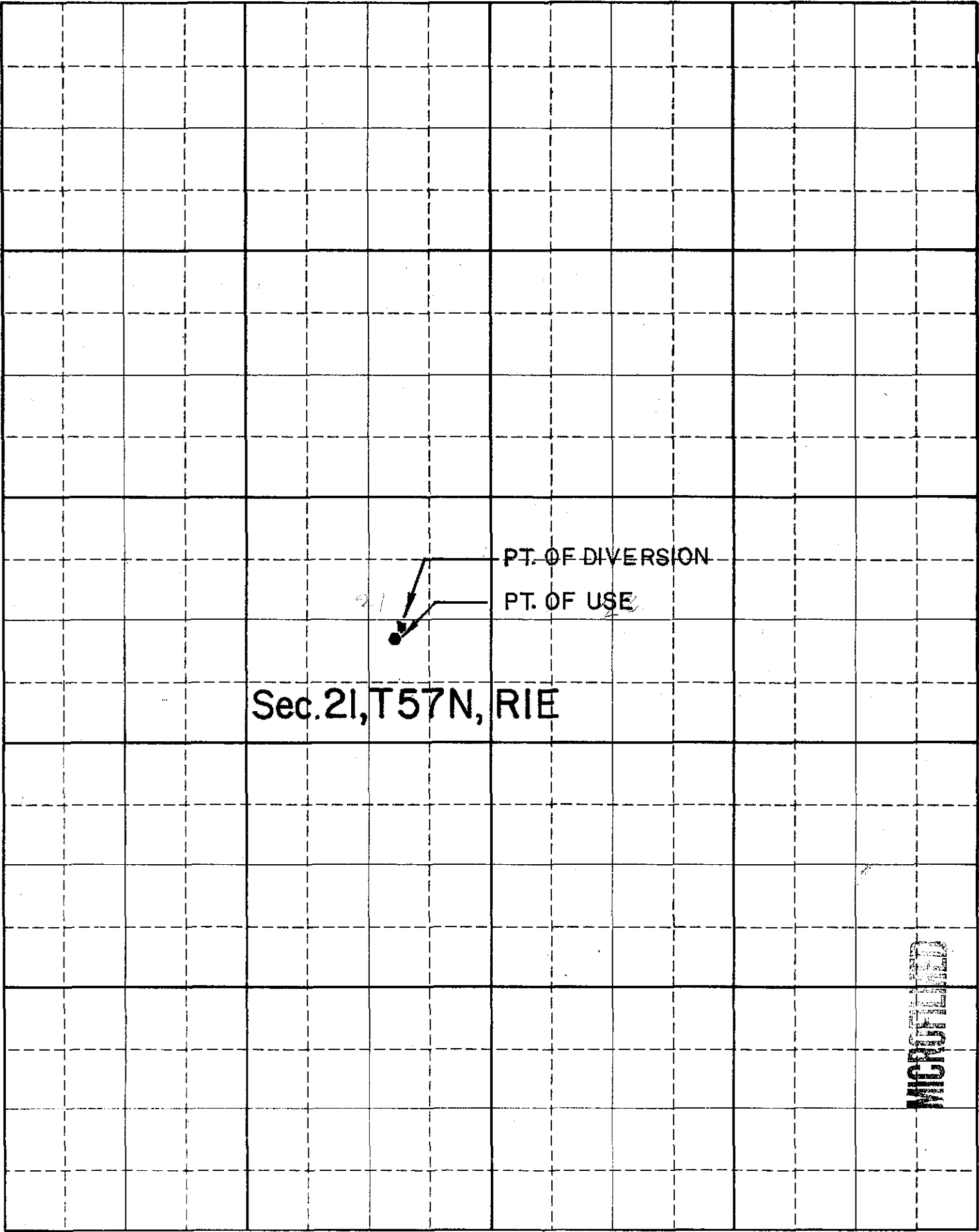
9. a. Who owns the property at the point of diversion Ray Raineri

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Deeded 50% interest in and to the waters emanating from the spring which produces the stream.

10. Remarks The proposed development will consist of renovating an existing 4' rock filled concrete headwall by veneering the face and removing silt and debris from the catchbasin, replacing an existing 500 gallon open top redwood tub with 2-1500 gallon underground concrete holding tanks and installing a booster pump and pressure tank to service Mr. Ferguson's residence. All work will be supervised by an engineer or architect and will be performed in compliance with applicable state, federal and county codes and ordinances.

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.

Alfred K. Ferguson
(Applicant)

Proposed Priority 7/20/77

Received by PSK Date 7-28-77 Time noon

Preliminary check by PSK Fee \$ 10.00

Receipted by SDW Date 8-5-77 (5702)

Publication prepared by SDW Date 8-5-77

Published in Sandpoint Daily Bee

Publication dates 8-17 - 8-24

Publication approved by PSK Date 9-12-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by PSK Wm

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. 96-7593, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 78.
- Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 8 day of November 19 77.

S. Kenneth Shum
Deputy Director

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 Water Permit Application 96-7593

as it was published in the regular and entire issue of the said paper for a Period of 2 consecutive weeks, commencing on the 17 day of Aug, 1977 and ending on the 24 day of Aug, 1977 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this

9th day of Sept, 1977.

Adell M Thompson

Notary Public for Idaho,
Residing at Sandpoint, Idaho

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Alfred K. Ferguson P.O. Box 1861 Sandpoint, Idaho on July 20 1977 submitted Application No. 96-7593 for a permit to appropriate 0.04 cubic feet per second of water from an unnamed stream by means of pump holding tank and pipeline within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 21 T57N R1E B.M. Bonner County to be used from Jan 1 to Dec 31 for domestic purposes within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 21 T57N R1E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before September 5, 1977.

C. STEPHEN ALLRED

Director

Published in the Sandpoint Daily Bee, Sandpoint, Id on August 17 and August 24, 1977.

OK
9-12-77
B

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

June 29, 1979

Alfred K. Ferguson
Star Rt. Box 91
Hope, ID 83864

Dear Mr. Ferguson:

RE: Water Right No. 96-7593

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

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1. Name of permit holder Alfred K. Ferguson
Post office address Star Pt., Box 91, Hope Phone _____
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ unnamed stream
(name spring, stream, etc.)
Tributary to Fake Pond Drille

3. Water will be used for the following purposes:

Amount 0.04 c.f.s. for domestic
AF/Annum (nature of use)

Period of Use: from 1-1 to 12-31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 57N N/S, Range 1E E/W, B.M., Section 21, Subdivision 7th 1/2 Sec 10 Donner
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____

Other Points of Diversions: _____

Description of diverting works: 1500 gal. storage tank, pump & pressure system

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
57N	1E	21														X			
R E C E I V E D NOV 2 1978 Department of Water Resources Northern District Office																			
MICROFILM																			

TOTAL ACREAGE

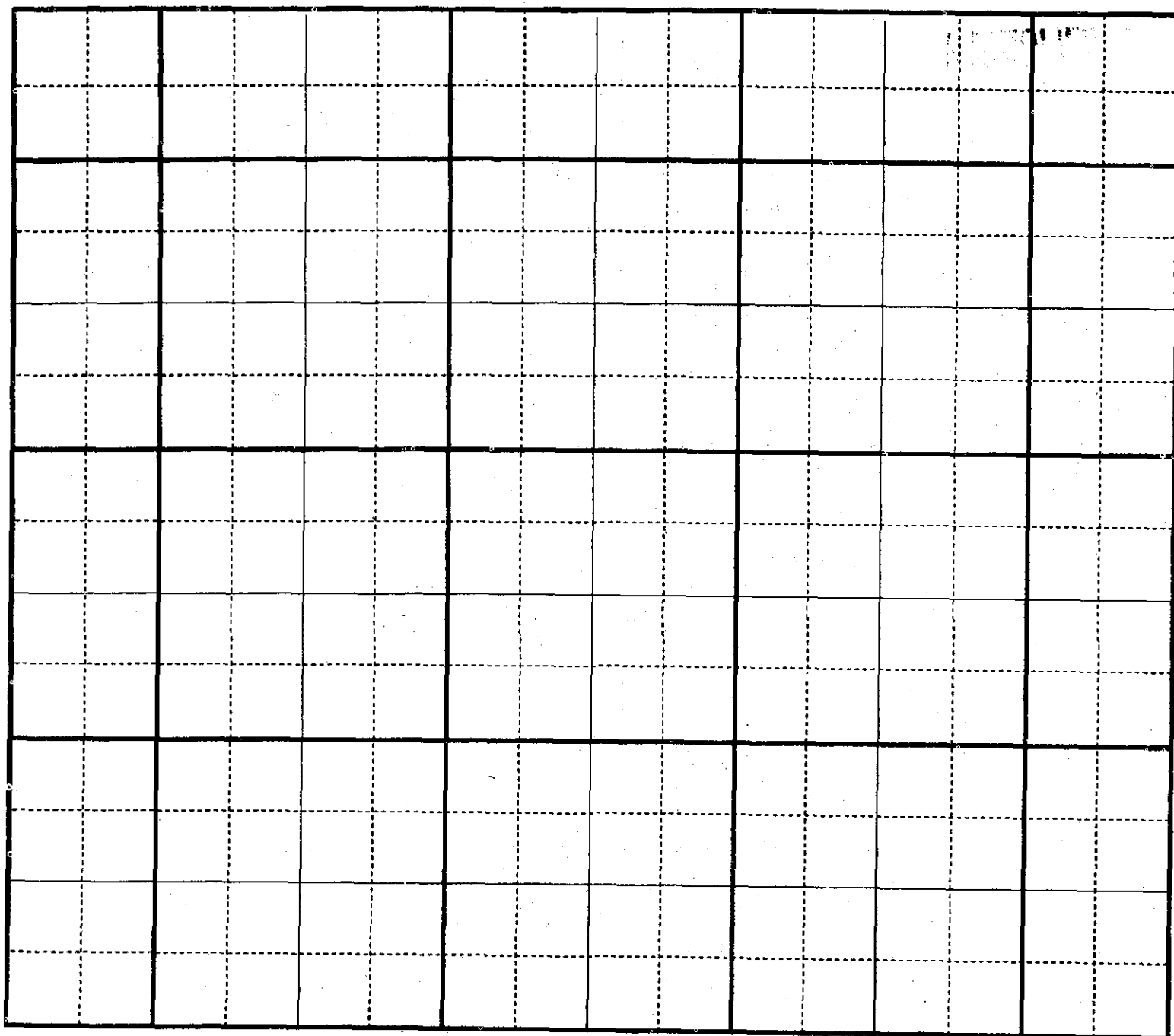


Diagram of System

DATE OF EXAM 4/5/79

ACREAGE

Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Domestic Q=0.04 c.f.s. V=1.2 AF/Ann. from 1-1 to 12-31
Livestock Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured _____ Method of measurement _____

Total Q recommended 0.04 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 1.2 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:

One hour

SYSTEM DESCRIPTION:

pump & pipeline

REMARKS:

No Contact

Examiner's Signature [Signature] Date 4/9/79

Checked by [Signature] Date 4/9/79

Approved by _____ Date _____

Please note new address:

A. K. FERGUSON
STAR ROUTE BOX 91
HOPE, IDAHO 83836

96-7593

Nancy
Please
File



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

October 31, 1978

Re: Permit No. 96-7593

Alfred K. Ferguson
Star Route, Box 91
Hope, ID 83836

Dear Mr. Ferguson:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Coeur d'Alene.

Sincerely,

RITA FLECK
Water Rights

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE**

RECEIVED

OCT 18 1978

Department of Water Resources

1. a) Name of permit holder Alfred K. Ferguson
b) Post office address Star Route, Box 91, Hope, Idaho 83836
2. Permit number 96-7593
3. Date of priority that you are prepared to establish _____
4. a) Source from which water was appropriated Unnamed Stream (tributary of Lake Pend Oreille
b) Location of the point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21
Township 57N, Range 1E Boise Meridian. Other points of diversion: N.A.
5. a) The amount of water and use to which the water has been applied:
Amount 0.04 for DOMESTIC purposes from Jan 1 to Dec. 31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
b) Total amount appropriated _____ cfs and/or acre-feet per annum.
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:
STANDARD DOMESTIC USE (RESIDENTIAL ONLY) ESTIMATE BY
DAVID WELCH P.E. STATE OF IDAHO 3 PERSON RESIDENCE
6. If the means of diversion and conveyance are owned by someone other than the permit holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
UPDATING OF EXISTING DIVERSION SOURCE INTO A 1500 GAL.
STORAGE TANK UNDERGROUND / PUMP AND PRESSURE SYSTEM TO
FERGUSON'S RESIDENCE (OWNER)
b) Describe the agreement of understanding by which you take water from the works: CO-OWNED
BY DEED 50% INTEREST IN AND TO THE WATER. EMANATING FROM
SAID WATER SOURCE.
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):
CATCH BASIN WITH 4" PIPING TO STORAGE 1500 GAL. TANK
CATCH BASIN CONSISTS OF ROCK RETAINING WALL WITH FILTERED
RECEPTACLE REMOVING SILT AND DEBRIS. "COVERED"
b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)
N/A.

MICROFILMED

Exam typed 10/25/78 By af

c) Give well driller's name and address and the date the well was completed: N/A.

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

RESIDENTIAL SINGLE FAMILY

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

N/A

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated

10. Remarks: RESIDENTIAL USE ONLY FROM PERMANENT SOURCE

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

October 16, 1978
(Date)

Alfred K. Ferguson
(Signature)

State of IDAHO)
County of BONNER) ss.

On this 16 day of OCTOBER, 19 78, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Don E. Dyer
Notary Public
Residing at Sandpoint

My commission expires AUG 1979

Al Ferguson
Star Route, Box 91
Hope, Idaho 83836



State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

100-100000

October 11, 1978

Re: Permit No. 96-7593

A. K. Ferguson
Star Route, Box 91
Hope, Idaho 83836

Dear Mr. Ferguson:

Enclosed is the Application for Amendment Form you requested.

However, you can submit the Proof of Beneficial Use Form before the Application for Amendment. Your permit will lapse on December 1, 1978, but can be reinstated within 60 days from the notice of lapsing. In this instance, it does not appear an extension is necessary.

If you have any questions, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

RECEIVED

OCT 10 1978

Permit # 96-7593

1

Oct. 7, 1978

Department of Water Resources

Gentlemen:

According to the Certified information I received from you on Oct. 5, 1978, I find that I urgently need Amendment Forms.

Now, due to this extra time to get the forms & to fill them out & return them to you, will I need an extension of time granted? My permit expires Dec. 1, 1978.

If an extension of time is necessary I am therefore requesting it now due to the delay in forms which must be filled out.

As previously stated in my final water application, everything is completed & in use.

Your very prompt reply with the necessary forms will be appreciated.

Sincerely,

A. K. FERGUSON
MICROFILMED X 91
IDAH0 838

A. K. FERGUSON
STAR ROUTE BOX 91
HOPE, IDAHO 83836



State of Idaho
Dept. of Water Resources
State House
Boise, Idaho

83720

MICROFILMED

September 28, 1978

RECEIVED

OCT 2 1978

Department of Water Resources

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Gentlemen:

Reference is made to the Application for Permit to Appropriate the Public Waters of the State of Idaho, Application No. 96-7593.

This is to inform you that the above mentioned permit has been completed and is operational and in full use.

All work has been supervised properly according to your instructions, and is in compliance with applicable state, federal and county codes and ordinances.

Your final approval is promptly requested.

Sincerely,

Alfred K. Ferguson

Alfred K. Ferguson
Star Route Box 91
Hope, Idaho 83836
(208) 264-5490

MICROFILMED

A. K. FERGUSON
STAR ROUTE BOX 91
HOPE, IDAHO 83836



*State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720*

RECEIVED
SEP 28 1978
BOISE, IDAHO



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

CERTIFIED MAIL 100275

September 30, 1978

Re: Permit No. 96-7593

Alfred K. Ferguson
P. O. Box 1661
Sandpoint ID 83864

Dear Mr. Ferguson:

One of the conditions of approval of your water Permit No. 96-7593 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before December 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.


RITA FLECK
Water Rights

Encl: Proof affidavit

MICROFILMED

April 4, 1978

file
RE: Application No. 96-7593

Linda White
PO Box 6
Sandpoint, ID 83864

Dear Ms White,

Our records show permit no. 96-7593 to be for water from an unnamed stream in the NW1/4 Sec 21, T15N, R15E, S1E. Our records further show two filed water rights in that area. The first is permit no. 96-7000 in the name of Ray Rainere in the SW1/4 Sec 21 for a platted subdivision of 40 homes. The second is a constitutional water right in the name of Delbert Leaverton in the NE1/4 Sec 21 for domestic water for a single household. Both of these are also listed as on "unnamed streams". As the platted rights on microfilm are too small to allow me to see in great detail, I am unable to tell if these unnamed streams are the same source or not. Perhaps someone familiar with the country up there could tell from the information I have listed.

One other point I should mention is that constitutional water rights need not be a part of the public record anywhere to be valid rights. They need only to have been exercised since before 1971 with no lapse in use of over 5 years. Therefore, the only sure way to get a list of all water rights on the stream is to check its length for diversion structures. Also, water users on streams to which this stream is a tributary also have claim to the waters of this stream.

I am sorry I cannot provide you with more exact information but it is not on file. If we can be of any further assistance, please do not hesitate to contact us.

Sincerely,

ALEA BEITO
Secretary

MICROFILMED

C-7
DANIEL P. FEATHERSTON

ATTORNEY-AT-LAW

April 3, 1978

State of Idaho
Department of Water Resources
4055 Government Way, Suite No. 1
Coeur d'Alene, Idaho 83814

Re: Application No. 96-7593

Gentlemen:

We would like to check to see if there have been any other water rights permits issued on the stream described in the above named application.

Please let us know. Thank you.

Sincerely yours,

Linda White

Linda White
Legal Assistant

96-7090 LSW NE Ray Ransom
Plotted out division for 40
96-4071 N ESE
Duffek Seaveston
1 hour

NWSE-2/57N, 1E

RECEIVED

APR 4 1978

Department of Water Resources
Northern District Office

MICROFILMED

November 9, 1977

Re: Permit No. 96-7593

Alfred K. Ferguson
P. O. Box 1661
Sandpoint, ID 83864

Dear Mr. Ferguson:

Enclosed is a copy of your approved Application for Permit N06-7593 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Ferguson

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water Allow 1 yr. with
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) RWA 8-5-77

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) RWA 8-5-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: No field review

(11) _____

Affidavit of Publication received (date) 9-12-77

(12) _____

Final date for protests 9-5-77

Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes ☒ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

7-20-77 Proposed Priority

_____ Reason for Reduction

NO Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By Bob Haynes

Date 9-14-77



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

August 11, 1977

RE: Applications No. 96-7598, 96-7596, 96-7594, 96-7593, 96-7590.

Sandpoint Daily Bee
PO Box 579
Sandpoint, Id 83864

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:ab

Enc: Legal Notice(s)

Bill Newid.
9-12-77
[Signature]

RECEIVED
AUG 15 1977
IDAHO DEPT. OF WATER RESOURCES

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Alfred K. Ferguson
P.O. Box 1661 Sandpoint, ID
has on July 20, 1977 submitted Application No. 96-7593
for a permit to appropriate 0.04 cubic feet per second ~~under the provisions of~~
of water from unnamed stream
by means of pump holding tank and piping
within the NW 34, Sec 21, T57N, R1E B.M. Bonner County

to be used from Jan 1 to Dec 31
for domestic purposes

within the NW 34, Sec 21, T57N, R1E B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before September 5, 1977.

C. STEPHEN ALLRED
Director

Published in the Sandpoint Daily Bee, Sandpoint, ID
on August 17 and August 24, 1977

100-100000

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Alfred K. Ferguson P.O. Box 1661 Sandpoint, Id has on July 20 1977 submitted Application No. 96-7593 for a permit to appropriate 0.04 cubic feet per second of water from an unnamed stream by means of pump holding tank and pipeline within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 21 T57N R1E B.M. Bonner County to be used from Jan 1 to Dec 31 for domestic purposes within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 21 T57N R1E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before September 5, 1977.

C. STEPHEN ALLRED

Director

Published in the Sandpoint Daily Bee, Sandpoint, Id on August 17 and August 24, 1977.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT

4055 Government Way

667-6484

COEUR D' ALENE, IDAHO 83814

August 3, 1977

Re: Application No. 96-7593 - Alfred K. Ferguson

Alfred K. Ferguson
X Construction Consultants
202 First Avenue
Sandpoint, Idaho 83864

Dear Mr. Ferguson:

Attached is your receipt No. 5707 in the amount of \$10.00 for the filing fee on the above referenced item which was received in this office.

Sincerely,

Alea Beito
Secretary

AB

Attachment

RECEIVED