



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-7580 Priority July 15, 1977 Amount 0.02 cfs

THIS IS TO CERTIFY, that Harvey &/or Betty Rutherford
of Samuels, Idaho, has complied with the terms and conditions of Permit
No. 96-7580 issued pursuant to Application for Permit dated July 15, 1977,
and has submitted proof to the Department of Water Resources on March 19, 1980,
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 0.02 cfs of water from Grouse Creek,
tributary to Pack River, 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
Irrigation	from <u>March 15</u> to <u>November 15</u> at	<u>0.02</u> cfs and	<u>3.0</u> acre feet
	from _____ to _____	_____ cfs and	_____
	from _____ to _____ at	_____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 0.02 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
3.0 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, Twp.
58N, Rge. 1W 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 $\frac{1}{4}$	
58N	1W	4													1				1

Total number of acres irrigated 1

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 30 day of
November, 19 81.

Acting for the Director

Norman C. Young

Identification No. _____

Application No. 96-7580

**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 Harvey &/or Betty Rutherford Phone: 263-4863
post office address Box 168, Samuels, Id 83862

2. Source of water supply Grouse Creek which is a tributary of Pack River

3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 4 Township 58N
Range 1W B.M. Bonner County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ 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 0.02 for Domestic purpose from Jan 1 to Dec 31 (both dates inclusive)

Amount 0.06 for Irrigation purpose from March 15 to Nov 15 (both dates inclusive)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

a. 0.08 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____
pump & pipeline to place of use

b. Height of storage dam _____ 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 _____ 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 5 years.

b. Estimated construction cost is \$ _____.

8. Description of proposed uses:

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

(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 4 Township 58N
Range 1W B.M. _____

(2) Amount of power to be generated: _____ hp 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: _____

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	
58N	1W	4													3				3

Total number of acres to be irrigated 3

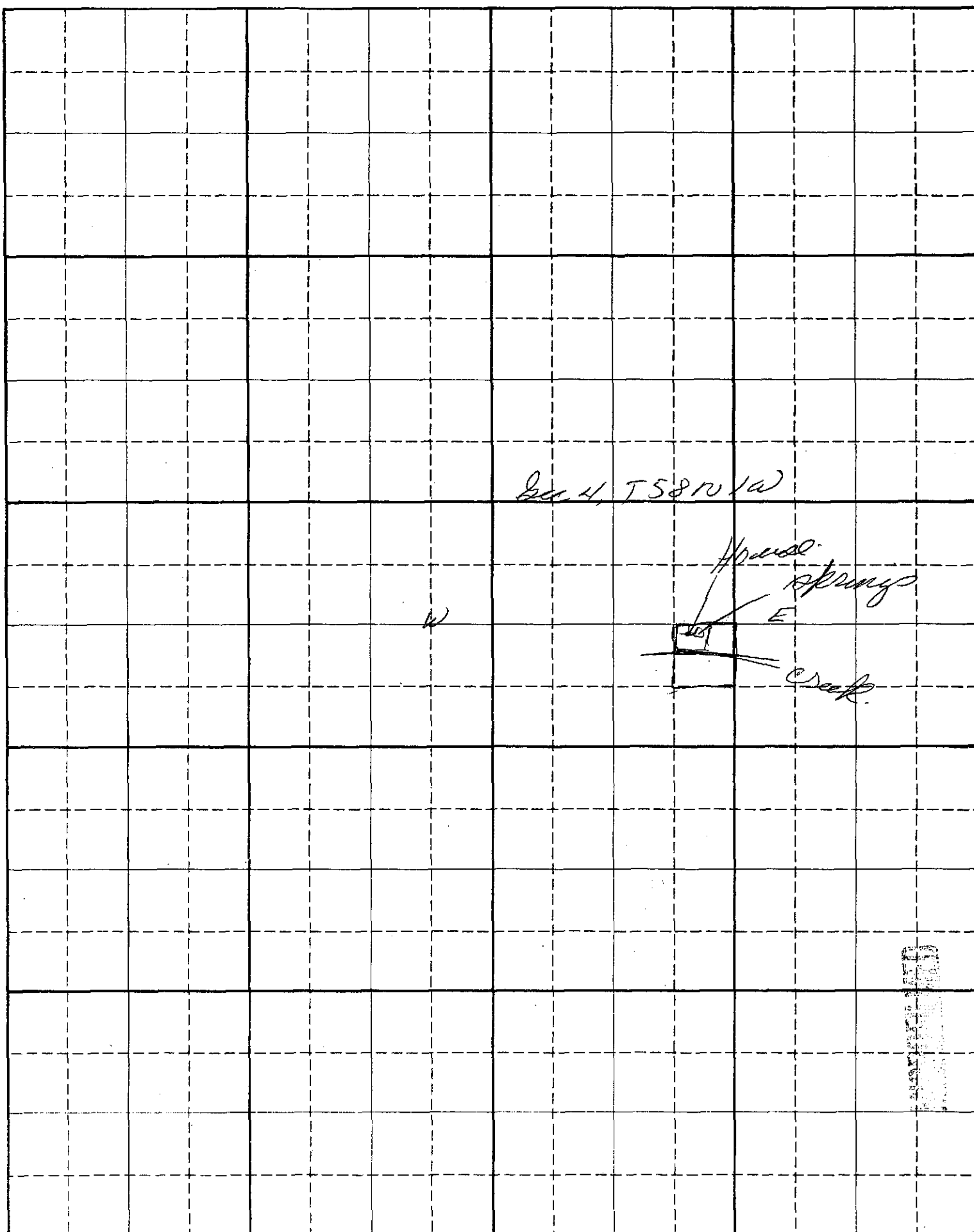
c. Describe any other water rights used for the same purposes as described above.

Another application filed same day for domestic house water

9. a. Who owns the property at the point of diversion Application
- b. Who owns the land to be irrigated or place of use Application
- 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

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.

Betty E. Gutherford
(Applicant)

Proposed Priority 7-15-77

Received by B Date 7-15-77 Time 3 PM
Preliminary check by KK Fee \$ 10
Received by B Date 7-15-77 (5660)
Publication prepared by B Date 7-18-77
Published in Sandpoint Daily Bulletin
Publication dates 7-27 & 8-3-77
Publication approved B Date 8-10-77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by RVS JP

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

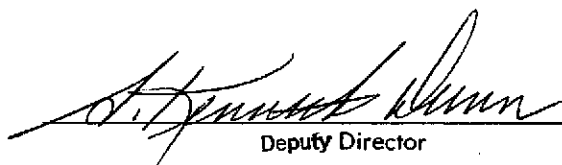
This is to certify that I have examined*Application for Permit to appropriate the public waters of the State of Idaho No. 96-7580, and said application is hereby APPROVED.

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 September 1, 19 82.
- c. Other: _____

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

Witness my hand this 23 day of September 19 77.


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 # 96-7580

as it was published in the regular and entire issue of the said paper for a Period of 2 consecutive weeks, commencing on the 27 day of July, 1977 and ending on the 3 day of Aug, 19 77 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this

9 day of Aug, 1977.

Adrian M Thompson

Notary Public for Idaho,
Residing at Sandpoint, Idaho

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Harvey & or Betty Rutherford Box 168 Samuels, Id has on July 15 1977 submitted Application No. 96-7580 for a permit to appropriate 0.08 cubic feet per second of water from Grouse Creek, tributary of Pack River by means of pump & pipeline within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4 T58N R1W, B.M. Bonner County to be used from Jan 1 to Dec 31 for domestic purposes (0.02 cfs) and from March 15 to Nov 15 for the irrigation of 3 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 4 T58N, R1W, 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 August 15, 1977.

C. STEPHEN ALLRED
Director

Published in the Sandpoint Daily Bee, Sandpoint, Id on July 27 and August 3, 1977.

OK
8-10-77
B

December 2, 1981

RE: Permits Nos. 96-7579 and 96-7580

Harvey &/or Betty Rutherford
Box 168
Samuels, ID 83862

Dear Mr. and Mrs. Rutherford:

Enclosed are copies of the water right licenses issued on the above referenced permits.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosures

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 10, 1981

RE: Permit No. 96-7530

Harvey &/or Betty Rutherford
Box 163
Samuels, ID 83862

Dear Mr. and Mrs. Rutherford:

A representative of this Department has made an examination of the works covered by your Permit No. 96-7530, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.02 cfs Source: Grouse Creek

The maximum quantity diverted shall not exceed 3.0 acre feet per year.

Point(s) of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, Twp. 58N, Rge. 1W, Bonner County

Beneficial use: Irrigation of 1 acre within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, Twp. 58N,
Rge. 1W

Priority date established: July 15, 1977

Conditions (if any):

URGENT
If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

96-7580

Permit No.

9-2-W

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	4-29-80	JK	see 96-7579
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 10-26-81 Accompanied by App. Total Q measured -
If source is surface water, estimate total flow of source -
Methods of measurement Est Meets Permit requirements? yes

Measurement calculations:

2 lawn sprinklers 0.02 cfs @ 3.0 AF

$$\frac{1.5 \text{ HP} (8.8) (.8)}{10' + 30(2.3)} = \frac{10.6}{79} = 0.13 \text{ cfs}$$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	1 1/2	MUERS	460-179	single unit				

System Description 1 1/2 HP. Jet Pump with 1 1/4" intake & 1" outlet to 3 standpipes
garden hose & sprinklers

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE

Irrigation requirement = 3.0 AFA/Acre

	Q (cfs)	V (afa)	FROM	TO
<u>Irrigation</u>	<u>0.02</u> ✓	<u>3.0</u> ✓	<u>3-15</u>	<u>11-15</u>
Total	<u>0.02</u> ✓	<u>3.0</u> ✓		

Remarks accelerating sprinklers - 2 sptd. at one time

License 96-7579 gw No Overlap

RECEIVED

[illegible]

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NE SE, 4, 58N, 1W

Place(s) of Use

[illegible]

☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None☐ Other _____

Examiner's Signature

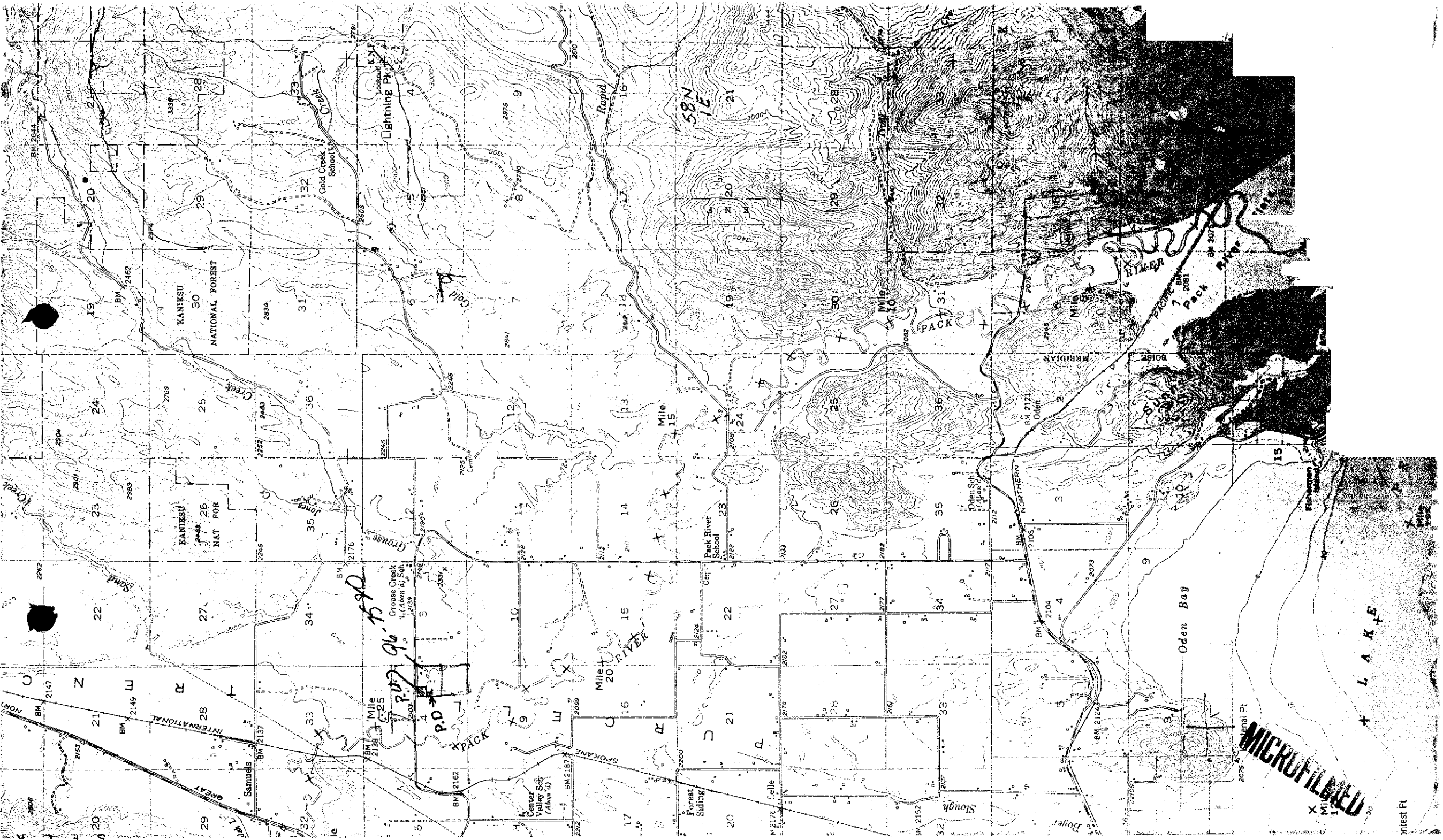
Checked by

Approved by _____

Date 10-26-81

Date 10/28/81

te



MICROFILMED

Intest Pt

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. 96-7580.

Name(s) of Permit Holder: HARVEY & OR BETTY RUTHERFORD

Post Office Address: Box 168

SAMUELS, ID 83862

Source of Water: CROUSE CREEK

Extent of Use:

☒ Domestic	<u>1</u>	(number of households)
☐ Stockwater		(number and type of stock)
☒ Irrigation	<u>3</u>	(acres)
☐ Other		

Department of Water Resources

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

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

3/19/80
Date

Harvey F. Rutherford
Signature of Permit Holder

RECEIVED
MAR 19 1980
263-4197
263-4193

PLACE
TEN CENT
STAMP
HERE

RECEIVED

MAY 27 1980

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN W. EVANS
Governor
C. STEPHEN ALLRED
Director

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

April 23, 1980

Mr. Harvey Rutherford
Box 168
Samuels, Idaho 83862

RE: 96-7579 & 96-7580

Dear Mr. Rutherford:

We acknowledge receipt of your statement of completion of water development and 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 do not know at this time when he will be able to conduct the examination; however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office

MICROFILMED

September 30, 1977

Re: Permit No.'s 96-7579 & 96-7580

Harvey &/or Betty Rutherford
Box 168
Samuels, ID 83862

Dear Mr. &/or Mrs. Rutherford:

Enclosed are copies of your approved Applications for permits No. 96-7579 & 96-7580. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

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

(1) KK 7/18/77

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) KK 7/18/77

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 none

(10) _____

Comments: _____

(11) _____

Affidavit of Publication received(date) 8-10-77

(12) _____

Final date for protests 8-15-77

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

7-15-77 Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By Bob Haynes

Date 8-16-77



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

July 21, 1977

RE: Application No. 96-7581, 96-7578, 96-7579, 96-7580, 96-7582.
Claim No. 96-4196

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 Mead
8-10-77
B

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Harvey &/or Betty Rutherford

Box 168, Samuels, Id
has on July 15, 1977 submitted Application No. 96-7580
for a permit to appropriate 0.08 cubic feet per second acre feet per annum
of water from Grouse Cree, tributary of Back River
by means of pump & pipeline
within the NE 1/4 Sec 4, T58N, R1W, B.M. Bonner County

to be used from Jan 1 to Dec 31 for domestic purposes (0.02 cfs)
for xxx and from March 15 to Nov 15 for the irrigation of 3 acres

within the NE 1/4 Sec 4, T58N, R1W, 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 August 15, 1977.

C. STEPHEN ALLRED
Director

Published in the Sandpoint Daily Bee, Sandpoint, Id
on July 27 and August 3, 1977

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Harvey & or Betty Rutherford Box 168 Samuels, Id has on July 15 1977 submitted Application No. 96-7580 for a permit to appropriate 0.08 cubic feet per second of water from Grouse Creek, tributary of Pack River by means of pump & pipeline within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 4 T58N R1W, B.M. Bonner County to be used from Jan 1 to Dec 31 for domestic purposes (0.02 cfs) and from March 15 to Nov 15 for the irrigation of 3 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 4 T58N, R1W, 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 August 15, 1977.

C. STEPHEN ALLRED
Director

Published in the Sandpoint Daily Bee, Sandpoint, Id on July 27 and August 3, 1977.

OK
7-28-77