

No Color
Documents
In File

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-7522 Priority April 8, 1977 Amount .04 cfs

THIS IS TO CERTIFY, that JAY O. & MARY L. NICHOLS
of Hope, ID, has complied with the terms and conditions of Permit
No. 96-7522 issued pursuant to Application for Permit dated April 8, 1977,
and has submitted proof to the Department of Water Resources on October 18, 1979,
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 .04 cfs of water from Trestle Creek,
tributary to Lake Pend Orielle, 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 (1 unit)	from <u>1/1</u> to <u>12/31</u>	at <u>.04</u> cfs and	<u>1.2</u> AF
	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than .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 SESW, Sec. 16, T57N, R1E
in the County of Bonner

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
57N	1E	16												X					

Total number of acres irrigated _____

Place of use known as Lot 3, Block 1, Trestle Creek Estates.

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 26th day of

JUNE, 19 81.

Director

Identification No. 96-7522

Application No. _____

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 JAY O. & MARY L. NICHOLS Phone: 264-5257
post office address P.O. Box 112 Hope, Idaho 83836
2. Source of water supply TRESTLE CREEK which is a tributary of LAKE PEND OREILLE
3. a. Location of point of diversion is S. E. $\frac{1}{4}$ of S. W. $\frac{1}{4}$ of Section 16 Township 57N
Range 1E B.M. BONNER County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into SAME 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 .04 CFS 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. .04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. APPROXIMATELY A
3 Ft. deep creek bed well, pumped by
A 1 hp. electric pump located 15 ft. from
the creek.
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 12 inches; proposed depth of well is 3 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is _____ years.
b. Estimated construction cost is \$ 100.⁰⁰
8. Description of proposed uses:
a. If water is **not** for irrigation: LOT 3, BLOCK 1 TRESTLE CREEK ESTATE
(1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 16 Township 57N
Range 1E 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: _____

RECORDED

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

[illegible]

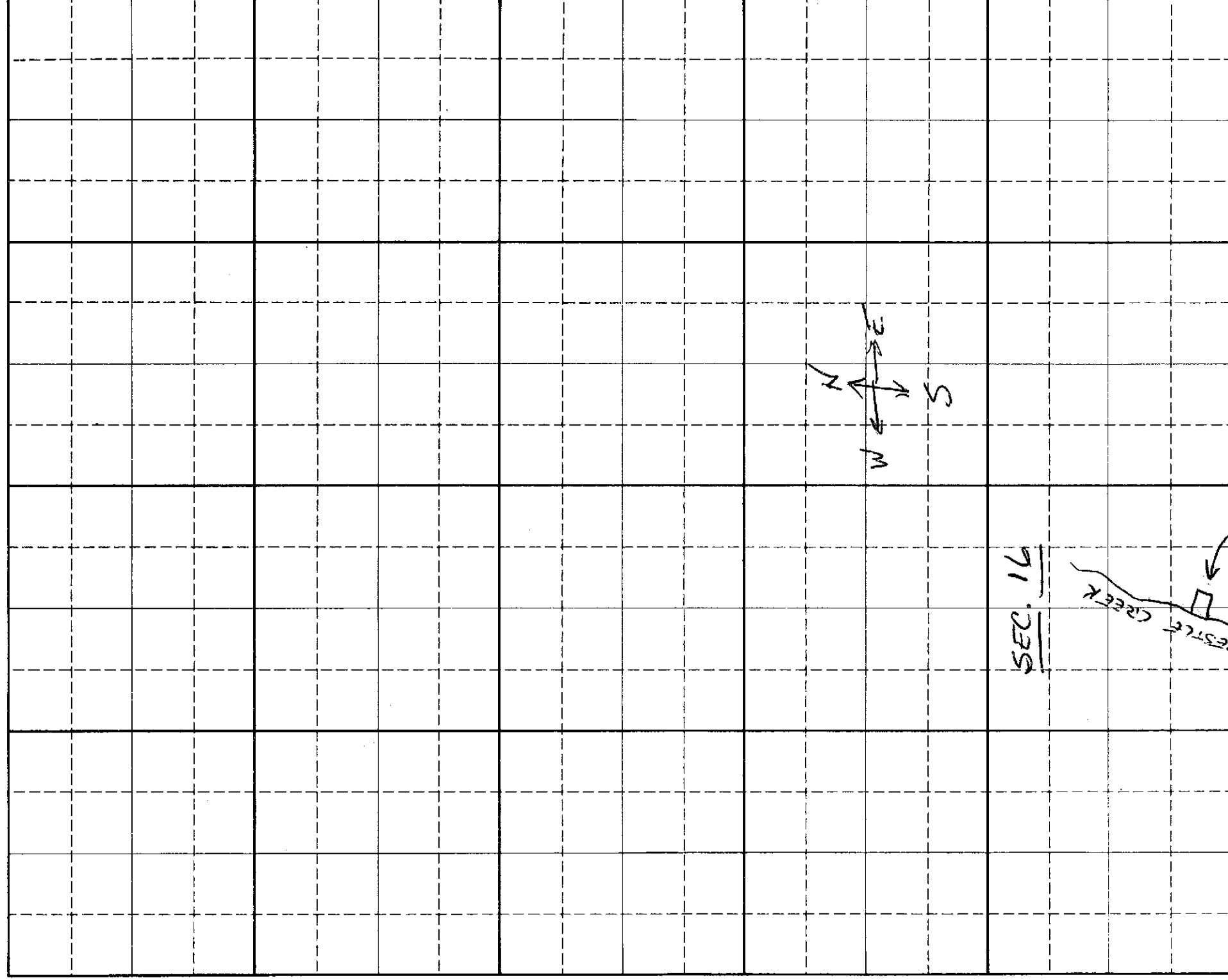
Total number of acres to be irrigated_____

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

9. a. Who owns the property at the point of diversion JAY O. & MARY L. NICHOLS
b. Who owns the land to be irrigated or place of use SAME
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

LOT 3. BLOCK 1

Lake Ontario

TRESTLE CREEK ESTATES

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.

Lawrence O. Nichols

(Applicant)

Mary D. Nichols

Proposed Priority 4/ 8/77

Received by CP Date 4-8-77 Time 1:00 p.m.

Preliminary check by RA Fee \$ 10.00

Receipted by RA Date 4-8-77 # 5412

RA Publication prepared by CP Date 4-8-77

Published in Sandpoint Daily Bee

Publication dates 4-13 & 4-20-77

Publication approved RA Date 5-9-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RA je

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. 96-7522, 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 May 1, 19 82.

c. Other: _____

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

Witness my hand this 3/ day of May 19 77.

A. Kenneth Dunn
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

as it was published in the regular and entire issue of the said paper for a Period of 2 consecutive weeks, commencing on the 13 day of April, 1977 and ending on the 20 day of April, 1977 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this

6 day of May, 1977.

Cedell M. Thompson

Notary Public for Idaho,
Residing at Sandpoint, Idaho

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Jay O. & Mary L. Nichols, P.O. Box 112, Hope, Idaho have on April 8, 1977 submitted Application No. 96-7522 for a permit to appropriate 0.04 cubic feet per second of water from Trestle Creek, tributary of Lake Pend Oreille by means of pump within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T57N, R1E, B.M., Bonner County to be used from Jan. 1 to Dec. 31 for domestic purposes within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16 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 May 2, 1977.

C. STEPHEN ALLRED
Director

Published in the Sandpoint Daily Bee, Sandpoint, Idaho on April 13, and April 20, 1977.

OK
5-9-77
B

RECEIVED

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

NOV 23 1980

Department of Water Resources

96-7522

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 10-24-80 Accompanied by — Total Q measured —
If source is surface water, estimate total flow of source —
Methods of measurement Calc/Est. Meets Permit requirements? yes

Measurement calculations:

one done

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP # SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	1/2	Starite	378		ANC26			

System Description 3'x3' cone structure in stream with pump, motor, & pipe line to home.

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

RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
Domestic	0.04 ✓	1.2 ✓	1-1	12-31
Total	0.04	1.2		

Remarks New Owner - Mr. Jo Wauer

[illegible]

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

Place(s) of Use

[illegible]☐ Other _____

Date 6-22-01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

RECEIVED

OCT 18 1979

Department of Water Resources

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

October 16, 1979

Mr. Jay O. Nichols
P. O. Box 112
Hope, ID 83836

RE. 96-7522

Dear Mr. Nichols:

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

ENCLOSURE

RECEIVED

OCT 12 1979

STATE OF IDAHO

Department of Water Resources
Northern District Office

DEPARTMENT OF WATER RESOURCES

Identification No. 96-7522

Permit No.

RECEIVED

OCT 18 1979

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder JAY D. & MARY L. NICHOLS
b) Post Office Address P.O. Box 112 HOPE, IDAHO 83836

2. Permit Number

3. Date of Priority that you are prepared to establish 4/8/77

4. a) Source from which water was appropriated TRESTLE CREEK

b) Location of the point of diversion: S.E. 1/4 SW 1/4, Section 16

Township S7N, Range 1E Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:

Amount .04 CFS for domestic purposes from JAN. 1 to DEC 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount for purposes from to incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount for purposes from to incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated .04 CFS 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: 7 GALLON PER MINUTE, tested by JAY NICHOLS - PLUMBING CONTRACTOR

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:

b) Describe the agreement or understanding by which you take water from the works:

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)

3' DIAMETER CONCRETE WELL CASING PLACED AT edge OF CREEK FROM 3' BELOW WATER LEVEL extending to 3' ABOVE WATER LEVEL WATER pumped by 1/2 H.P. PUMP LOCATED IN PUMPHOUSE APPROXIMATELY 15' FROM edge OF CREEK

b) Describe the type and size of measuring device which you have installed at your point of diversion: NONE

c) Give well driller's name and address and the date the well was completed:

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

Domestic

MICROFILME

Exam typed
10/25/79

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

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: _____

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

Oct. 10, 79

(Date)

Jay O. Nichols

(Signature)

State of IDAHO)

County of BONNER) ss.

On this 10th day of OCTOBER, 1979, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he ~~(she)~~ (they) executed the same.

William R. Jan
Notary Public residing at Clark Fork, ID
Commission Expires 12/8/81

My commission expires _____

June 6, 1977

Re: Permit No. 96-7522

Jay O. and Mary L. Nichols
P. O. Box 112
Hope, ID 83836

Dear Mr. and Mrs. Nichols:

Enclosed is a copy of your approved Application for Permit No. 96-7522 . 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

RECEIVED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 90-1522

Nichols

☒ 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) RJA 4-8-77

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) RJA 4-8-77

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: _____

(11) B 5-9-77

Affidavit of Publication received (date) 5-9-77

(12) 4 4/8

Final date for protests MAY 2, 1977
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority 4-8-77

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By B.B. Haynes

Date 5-9-77

MILWAUKEE

April 11, 1977

Re: Application for Permit No. 96-7522

Mr. and Mrs. Jay O. Nichols
P.O. Box 112
Hope, ID 83836

Dear Mr. and Mrs. Nichols:

Attached is your receipt No. 5412 in the amount of \$10 for the filing fee on the above referenced application for permit which was received in this office.

Very truly yours,

Corda M. Patterson
Secretary

CP

Attachment

RECEIVED
APR 11 1977
FBI - BUTTE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

April 8, 1977

Re: Application No. 96-7520
" " 96-7521
" " 96-7522

Sandpoint Daily Bee
P.O. 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:cp

Enc: Legal Notice(s)

Bill reviewed
5-9-77
B

RECORDED

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by means of pump
within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 57N, R. 1E, B.M., Bonner County

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

within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T. 57N, R. 1E, 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
May 2, 1977.

C. STEPHEN ALLRED
Director

Published in the Sandpoint Daily Bee, Sandpoint, Idaho
on April 13 and April 20, 1977

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C. STEPHEN ALLRED
Director

Published in the Sandpoint Daily Bee, Sandpoint, Idaho on April 13, and April 20, 1977.

RECEIVED
4-18-77